



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

February 26, 2014

CONCHA ORTIZ Y PINO BLDG.
POST OFFICE BOX 25102
130 SOUTH CAPITOL
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6091
FAX: (505) 827-3806

Jose E. Larrañaga
Development Review Team Leader
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Reference: Elevation at Rancho Viejo Master Plan Resubmittal

Dear Mr. Larrañaga:

On February 5, 2014, the Office of the State Engineer (OSE) received a request to re-evaluate the proposal for the *Elevation at Rancho Viejo Master Plan* (also known as the College North Master Plan).

This office reviewed and provided comments for the Elevation at Rancho Viejo Master Plan on January 10, 2014. For details, please refer to this letter.

The new document submitted to this office is the *Water Utilities Service Availability Analysis*.

The proposal provides an outline for the creation of three lots which consist of the development of a 214-unit apartment complex on Lot 1-B and 10 single family residences on Lot 1-A. Lot 1-C will be reserved for a future single/multi-family development. The applicant is seeking to amend the College North Master Plan and would like to relocate the 214-unit apartment complex project from the west end of the property to the eastside of the property in response to neighbor concerns. The property is located on the intersection of College Drive and Richards Avenue within Section 21, Township 16 North, Range 9 East. The proposed water supply is to be provided by Santa Fe County Utilities.

This proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act.

This submittal responds to the comment that the Water Utilities Service Availability Analysis was not included in the last submittal but listed as being supplied. This Analysis has now been



OBA-34

provided. It should be noted that this Analysis does not fulfill the ready and willing letter from the utility that is required by Section 6.4.4(a) of the Code.

All other comments from NMOSE's previous January 10, 2014 letter still apply.

Article VII, Section 6.1 of the Code allows the Santa Fe County Land Use staff to refer development plans to state agencies for review "*if, in the opinion of the County Hydrologist and the Code Administrator, such referrals will provide information necessary to the determination of whether or not a proposed development is in conformance with provisions of this Code*". The OSE recognizes the proactive actions on behalf of the County to solicit the technical opinion of the OSE on this development plan. However, because the proposed development is not formally covered under the New Mexico Subdivision Act, the OSE declines to provide an opinion at this time. We appreciate the opportunity to review the Elevation at Rancho Viejo Master Plan.

If you have any questions, please call Kenneth Richard at 505-827-3838.

Sincerely,



Molly Magnuson, P.E.
Water Use & Conservation/Subdivision Review Deputy Bureau Chief

cc: OSE Water Rights Division, Santa Fe Office



STATE OF NEW MEXICO
DEPARTMENT OF CULTURAL AFFAIRS
HISTORIC PRESERVATION DIVISION

Susana Martinez
Governor

BATAAN MEMORIAL BUILDING
407 GALISTEO STREET, SUITE 236
SANTA FE, NEW MEXICO 87501
PHONE (505) 827-6320 FAX (505) 827-6338

January 10, 2014

Jose E. Larrañaga
Development Review Team Leader
County of Santa Fe
102 Grant Avenue
P.O. Box 276
Santa Fe, NM 87504-0276

RE: CDRC CASE # MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment

Dear Mr. Larrañaga:

I am writing in response to your request for review and comment on the above referenced master plan amendment, received at the Historic Preservation Division (HPD) on December 12, 2013.

I have reviewed our records and the subject property was surveyed by an archaeological consultant in 1995. One archaeological site, LA 110168 was documented during that survey. This site is eligible for listing in the National Register of Historic Places and the State Register of Cultural Properties. Because the site is eligible, it has been placed in a non-disturbance easement on the preliminary plat.

Because the site was documented in 1995, we recommend that an archaeologist verify the site location and boundaries to ensure that the non-disturbance easement is in the correct location and is of sufficient size to protect the site. There have been other situations in which sites were incorrectly located on the plat and easements placed on sites that were larger than needed. In addition, the preliminary plat should include the archaeological site number, LA 110168 for future reference.

Please do not hesitate to contact me if you have any questions. I can be reached at (505) 827-4064 or by email at michelle.ensey@state.nm.us.

Sincerely,

Michelle M. Ensey

Log: 98391

OBA-36

Jose Larranaga

From: Hall, John, NMENV <john.hall@state.nm.us>
Sent: Thursday, March 06, 2014 11:23 AM
To: Jose Larranaga
Subject: Rancho Viejo Plan Review

Jose, This didn't make it to you on my last email try.

Mr. Larra and Mr. Romero,

NMED Ground Water Quality Bureau (GWQB) has reviewed your information concerning the revision to the master plan at Rancho Viejo received by NMED on December 13, 2013. Based on this review NMEQ has determined that the changes fit within the current conditions of Rancho Viejo's Ground Water Discharge Permit and that no further permitting action is required by GWQB based on this master plan amendment.

If you have any questions, Please contact me.

John Hall
Underground Injection Control Coordinator
New Mexico Environment Dept--Ground Water Quality Bureau
(505) 827-1049



January 21, 2014

Vicente Archuleta
Development Review Team Leader
Santa Fe County Land Use
102 Grant Avenue
Santa Fe, NM 87501

Re: Elevation at Rancho Viejo

Dear Mr. Archuleta:

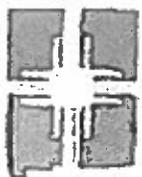
Santa Fe Public Schools has reviewed information received from Santa Fe County Development Review Team regarding the above referenced project. Given the estimated build out projections for the development plan, current capacities at assigned schools (Amy Biehl Community School, Capshaw Middle School) will be adequate to serve the anticipated student population from this development.

We appreciate your observance of City Ordinance 2008-32 allowing Santa Fe Public Schools to adequately plan for impact to facilities and operations.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shirley McDougall', is written over the typed name.

Shirley McDougall
Property & Asset Management
(505) 467-3443
smcdougall@sfps.info



New Mexico DEPARTMENT OF
TRANSPORTATION

March 5, 2014

Mr. Jose E. Larrañaga
Commercial Development Case Manager
P.O. Box 276
Santa Fe, NM 87504-0276

Re: CRDC Case #MIS 13-5380 Elevation at Rancho Viejo Master Plan

Dear Mr. Larrañaga:

Traffic staff reviewed the Development Report for the above referenced project in Santa Fe County, NM. It is apparent from the Traffic Impact Assessment that impacts from the development will be minimal to the state roadway system. No further action is required.

If you have any questions, please feel free to call me at 505-995-7800.

Sincerely,

Javier A. Martinez, P.E.
District Traffic Engineer, District 5

Susana Martinez
Governor

Tom Church
Cabinet Secretary

Commissioners

Pete K. Rahn
Chairman
District 3

Ronald Schmeits
Vice Chairman
District 4

Dr. Kenneth White
Secretary
District 1

Robert R. Wallach
Commissioner
District 2

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Liz Stefanics
Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller
County Manager

**PUBLIC WORKS DIVISION
MEMORANDUM**

Date: April 7, 2014

To: Jose Larranaga, Land Use Department

From: Paul Kavanaugh, Engineering Associate Public Works
Johnny P. Baca, Traffic Manager Public Works

Re: CDRC CASE # MIS 13-5380 Elevations at Rancho Viejo Master Plan
Amendment.

The referenced project has been reviewed for compliance of the Land Development Code, and shall conform to roads and driveway requirements of Article V (Subdivision Design Standards) and Section 8.1 (General Policy on Roads). The referenced project is located within the Community College District located within Santa Fe County Zoning Jurisdiction and is situated on the east of Richards Avenue, northeast of College Drive/Burnt Water Road intersection, approximately one mile south of Interstate 25. The applicant is requesting an amendment to the College North Master Plan to allow multi-family residential community.

Access:

The applicant is proposing to construct three accesses; the first proposed access is off the Southeast Connector Road and two accesses off of College Drive. The proposed access on the Southeast Connector is being proposed as a gated entrance; the two accesses on College Drive will serve a 214-unit apartment complex. The applicant provided Santa Fe County with a Traffic Impact Analysis prepared by CKS LLC., dated December 2013. The purpose of this study is to assess the traffic impacts the proposed project may have on essential intersections within the area and identify any necessary street improvements to these intersections. Santa Fe County conducted a study on the existing conditions of the roundabout located at Richards and College Drive. Santa Fe County has determined that at present the roundabout is operating at an unacceptable Level of Service. It has been determined that a southbound slip lane would bring this roundabout to an acceptable Level of Service. Santa Fe County has initiated the placing of this project on the Capital Improvements Projects list.

Conclusion:

Santa Fe County has been in the process of conducting a northeast and southeast corridor and alignment study since January 2012, at present a preferred southeast connector alignment has been identified, however, the final location has yet to be determined. It is staffs opinion that they can support the project with the following conditions;

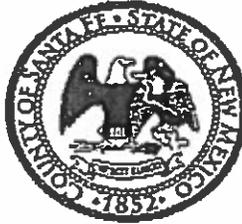
- The Southeast Connector will operate as a Minor Arterial Roadway, therefore, "No Direct" access unto to the Southeast Connector will be allowed.
- The applicant shall be responsible for the construction of College Drive from the existing termini Burnt Water Road, should the project Elevations at Rancho Viejo be constructed prior to the Southeast Connector being constructed.

- Should the project Elevations at Rancho Viejo be constructed prior to the construction of the Southeast Connector, the applicant shall conduct a Traffic Analysis using the data provided for the slip lane on Richards Avenue to determine the amount of units which can be approved without causing an unacceptable level of Service on the Richards/College Drive Roundabout.
- Applicant shall update their Traffic Impact Analysis once Santa Fe County's traffic data for the location study becomes publicly available, to determine if any off-site improvements are warranted.
- Applicant shall keep in mind that the geometry of the intersection at the Southeast Connector and College Drive has not been determined. There is a possibility that a Traffic Circle could be required at this intersection, which would require a minimum of one hundred five (105') foot radiuses from the intersection's center line.
- Applicant shall install left-turn deceleration lane for College Drive at the main driveway.

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

Date	02/21/2014		
Project Name	Univest Rancho Viejo - Vedula Residential Operating, LLC		
Project Location	College Drive @ New Purposed Road (SE connector), Santa Fe, New Mexico 87508		
Description	College North Master Plan	Case Manager	Jose Larranaga
Applicant Name	Agent: Jenkins/Gavin	County Case #	MIS 13-5380
Applicant Address	130 Grant Ave, Suite 101 Santa Fe, New Mexico 87501	Fire District	La Cienega
Applicant Phone	505-930-6149		

Review Type: Commercial Residential Sprinklers Hydrant Acceptance
 Master Plan Preliminary Final Inspection Lot Split
 Wildland Variance

Project Status: Approved Approved with Conditions Denial

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated:

Fire Department Access

The proposed access for the new SE Connector shall be in place and maintained as the third egress access for the complex. If this is unattainable then another egress access point shall be opened.

Final Status

Recommendation for Rancho Viejo Master Plan amendment approval with the above conditions applied.

Renee Nix, Inspector

Renee Nix
Code Enforcement Official

2-21-14
Date

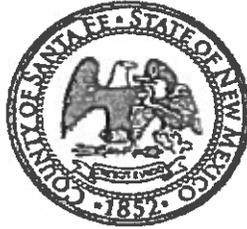
Through: David Sperling, Chief

File: UnivestRanchoViejo/022114/LC
Cy: Buster Parry, Fire Marshal
Case Manager, Jose Larranaga
Applicant
District Chief La Cienega

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Hollan
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Development Review

Date	12/31/2013		
Project Name	Univest Rancho Viejo – Vedula Residential Operating, LLC		
Project Location	College Drive @ Burnt Water Road, Santa Fe, New Mexico 87508		
Description	College North Master Plan in accordance w.CCD zoning.	Case Manager	Jose Larranaga
Applicant Name	Agent: Jenkins/Gavin	County Case #	13-5380
Applicant Address	130 Grant Ave, Suite 101 Santa Fe, New Mexico 87501	Fire District	La Cienega
Applicant Phone	505-930-6149		

Review Type: Commercial Residential Sprinklers Hydrant Acceptance
 Master Plan Preliminary Final Inspection Lot Split
 Wildland Variance

Project Status: Approved Approved with Conditions Denial

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*):

Summary of Review

- This Master plan amendment request only applies to Lots 1-B and 1-C. Lot 1-B, 214 unit apartments and 1-C is reserved for future single and or multi-family development.
- Cul-de-sacs shall be a minimum 50' radius. SFC Land Use Code, Article V, Section 8.2.1d, (cul-de-sacs over 250' in length). Maximum size for an island in a cul-de-sac shall be 20' diameter. Page 2.
- Lot 1-A Fire Hydrant in the east cul-de-sac shall be relocated to be placed between lot 8 and lot 9.

Fire Department Access

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

- **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) *When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.*

No off-site parking shall be allowed and shall be marked accordingly as approved by the Fire Marshal.

Curbs adjacent to the, fire hydrants, landscape medians in traffic flow areas and in designated no parking areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE - NO PARKING" as determined by the Fire Marshal prior to final approval. Assistance in details and information are available through the Fire Prevention Division. The Home Owner's and/or the Home Owner's Association will maintain said markings following the final approval and for the duration of the subdivision.

Roadways/Driveways

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

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Final acceptance based upon the Fire Marshal's approval.

Cul-de-sacs shall be a minimum 50' radius. SFC Land Use Code, Article V, Section 8.2.1d, (cul-de sacs over 250' in length).

Maximum size for an island in a cul-de-sac shall be 20' diameter with a minimum of a 40' driving surface.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Roads shall meet the County standards of all-weather driving surface and an unobstructed vertical clearance of 13' 6" within this type of proposed development. Driveway and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted basecourse or equivalent. Minimum gate width shall be 20' and an unobstructed vertical clearance of 13'6".

Street Signs/Rural Address

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

Buildings within a commercial complex shall be assigned, post and maintain a proper and legible numbering and/or lettering systems to facilitate rapid identification for emergency responding personnel as approved by the Santa Fe County Fire Marshal.

Slope/Road Grade

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

The maximum approved slope of the driveway access/egress shall not exceed 11%.

This driveway/fire access does not exceed 11% slope and shall have a minimum 28' inside radius on curves.

Restricted Access/Gates/Security Systems

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

Commercial buildings shall be required to install a Knox Cabinet or applicable Knox device as determined by this office for Fire Department access and pre-fire planning information and for access to fire protection control rooms (automatic fire sprinklers, fire alarm panels, etc...).

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

All gates shall be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System).

A final inspection by this office will be necessary to determine the applicability of the installation of the Knox lock access system in regards to emergency entrance into the fenced area. Should it be found suitable for such, the developer shall install the system.

Fire Protection Systems

The design of the system shall be accordingly sized and constructed to accommodate for the required application of commercial/residential fire suppression sprinkler systems, on both the public utility side of the meter as well as the private property yard lines.

Water supply line sizes, which are connected to supply approved fire hydrants, shall be a minimum of eight inches in diameter.

The Developer, Homeowners and/or the Homeowners Association shall be responsible to maintain, in an approved working order, the water system for the duration of the subdivision/development. The responsible party, as indicated above, shall be responsible to call for and submit to the Santa Fe County Fire Department for an annual testing of the fire protection system and the subsequent repairs ordered and costs associated with the testing.

Hydrants

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

Section 903.4.2 Required Installations. (1997 UFC) *The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.*

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

All fire hydrants shall be spaced so that the furthest buildable portion of a parcel shall be within five hundred feet (500') as measured along the access route. All buildings with automatic fire protection systems there fire department connections shall be within 150' of a fire hydrant. Additional hydrants and/or relocation of existing fire hydrants shown within the submittal packet may be required.

Fire hydrant locations shall be no further than 10 feet from the edge of the approved access roadways with the steamer connections facing towards the driving surface. Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation. Final fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

Supply lines shall be capable of delivering a minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The design of the system shall be accordingly sized and constructed to accommodate for the associated demands placed on such a system through drafting procedures by fire apparatus while producing fire flows. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system. Final design shall be approved by the Fire Marshal.

All hydrants shall have NST ports, as per the County thread boundary agreement.

No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal.

All hydrants shall comply with Santa Fe County Resolution 2000-55, Hydrant color-coding, marking and testing. Note: Please have the installing contractor contact this office prior to the installation of the fire hydrant, so that we may assist you in the final location placement and avoid delays in your projects' final approval.

Automatic Fire Protection/Suppression

Automatic Fire Protection Sprinkler systems shall be required as per 1997 Uniform Fire, Article 10 Section 1003.2 in accordance with the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe.

All Automatic Fire Protection systems shall be developed by a firm certified to perform and design such systems. Copies of sprinkler system design shall be submitted to the Fire Prevention Division for review and acceptance prior to construction. Systems will not be approved unless final inspection test is witnessed by the Santa Fe County Fire Department. Fire sprinklers systems shall meet all requirements of NFPA 13 Standard for the Installation of Sprinkler Systems. The required system riser shall meet the requirements of the NFPA 13 1996.

Locations of all Fire Department Connections (FDC's) shall be determined and approved prior to the start of construction on the system. All FDC's shall have ports in National standard thread. All FDC's shall be located within 150' of a fire hydrant location.

All sprinkler and alarm systems as required shall have a test witnessed and approved by the Santa Fe County Fire Department, prior to allowing any occupancy to take place. It shall be the responsibility of the installer and/or developer to notify the Fire Prevention Division when the system is ready for testing.

The requirement for fire protection sprinkler systems shall be recorded on the plat and in the covenants at the time of filing or as otherwise directed by the County Fire or Land Use Department.

The developer shall notify the water utility company or Co-op supplying this project of the requirements for the installation of automatic fire suppression sprinkler system(s).

Fire Alarm/Notification Systems

Automatic Fire Protection Alarm systems may be required as per 1997 Uniform Fire Code, Article 10 Section 1007.2.1.1 and the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe. Required Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code, for given type of structure and/or occupancy use. Said requirements will be applied as necessary as more project information becomes available to this office during the following approval process.

Unless the building is occupied on a continual 24-hour basis, the sprinkler system shall be electrically monitored by an approved central station, remote station or proprietary monitoring station.

All Fire Alarm systems shall be developed by a firm certified to perform and design such systems. Copies of the fire alarm system design shall be submitted to the Fire Prevention Division for review and acceptance prior to installation. Systems will not be approved unless tested by the Santa Fe County Fire Department. Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code for given type of structure and/or occupancy use.

Fire Extinguishers

Article 10, Section 1002.1 General (1997 UFC) *Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.*

Portable fire extinguishers shall be installed in occupancies and locations as set forth in the 1997 Uniform Fire Code. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

Life Safety

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of a commercial or public occupancy designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

General Requirements/Comments

Inspections/Acceptance Tests

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

The developer shall call for and submit to a final inspection by this office prior to the approval of the Certificate of Occupancy to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

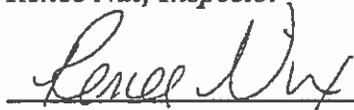
Permits

As required

Final Status

Recommendation for Master Amend Development Plan approval with the above conditions applied.

Renee Nix, Inspector



Code Enforcement Official

1-15-2014
Date

Through: David Sperling, Chief

File: UninvestRanchoViejo 123113 LC

Cy: Buster Patty, Fire Marshal *BP*
Case Manager, Jose Larranaga
Applicant
District Chief La Cienega
File

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

January 22, 2014

Mr. Jose Larranaga
Commercial Development Case Manager
Santa Fe County Land Use Department
102 Grant Ave
Santa Fe, NM 87504

RE: CDRC CASE #MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment

Dear Jose,

This letter is in response to your request for a review of the Elevation at Rancho Viejo Master Plan Amendment, dated December 02, 2013.

The Water Utilities Service Availability Analysis submitted January 30, 2013, stands as of today and the Master Plan Amendment does not affect our initial water service availability.

Please note that through the Annexation process the City of SF 16-inch concrete water line has become part of Santa Fe County Utilities infrastructure.

Respectfully,

Paul Casaus
Utilities Engineering Associate
Santa Fe County Utilities Department

*Santa Fe County
Open Space & Trails*



MEMORANDUM

DATE: February 18, 2014

TO: Jose Larrañaga, Development Review Team Leader

FROM: Lisa Roach, Open Space and Trails Planner
Planning Division, Growth Management Department

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

RE: CDRC CASE #MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment

I have reviewed the case submittal for technical accuracy and for compliance with the Land Development Code and Ordinance 2000-12 (Community College District), and I have determined that the proposal meets all County requirements for Open Space and Trails, including minimum 50% open space and accommodation of planned district trails running E-W along College Drive and NW-SE along a utility easement on the eastern end of the property.

ORA-50

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: January 28, 2014

TO: Jose Larranaga, Development Review Team Leader

FROM: Mathew Martinez, Development Review Specialist

VIA: Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF.: CDRC CASE # MIS/13-5380 Elevation at Rancho Viejo and Summary Review
Subdivision

REVIEW SUMMARY

ARCHITECTURAL, PARKING, LIGHTING, AND SIGNAGE:

The Referenced Project has been reviewed for compliance with the Santa Fe County Land Development Code and Ordinance # 2000-12 (Regulations for the Community College District). The request for Master Plan Amendment, and Summary Review Subdivision, creating three lots: Lot 1-A (12.70 acres), Lot 1-B (22.00 acres), and Lot C-1 (22.21 acres) on a 56.91 acre property located north of Collage Drive and east of Burnt Water Road.

PARKING:

At time of Development Plan submittal the Applicant shall comply with all parking requirements within Ordinance # 2000-12 Section C., and Article III, Section 9 (Parking Requirements). The parking element of this Application complies with Article V, Section 5 (Master Plan Procedures).

ARCHITECTURAL:

The Applicant has submitted Conceptual Building Elevations. The Applicant shall comply with the height requirements set fourth within the Institutional Campus Zone which is 36 feet for up to 25% of the building footprint. The Applicant shall provide scaled building elevations for all proposed structures at the time of Development Plan submittal. The Architectural element of this Application complies with Article V, Section 5 (Master Plan Procedures).

SIGNAGE:

The Applicant has submitted a Conceptual Signage Plan showing two Monument Signs at the entrance of the Development. As per Article VIII, Section 7.13, only one permanent Identification sign shall be permitted and sign area shall not exceed 20 square feet in size. The Applicant shall comply with all signage requirements within Article VIII, (Sign Regulations) at time of Development Plan Submittal. The lighting element of this Application complies with Article V, Section 5 (Master Plan Procedures).

LIGHTING:

The Applicant has submitted a Conceptual Lighting Plan showing pole mounted lights at 25 feet in height. All pole mounted lighting shall not exceed 24 feet in height. All lighting within the CCD shall be shielded. The Applicant shall comply with all outdoor lighting requirements within Article VIII, Section 4.4.4 h at time of Development Plan submittal. The Lighting element of this Application complies with Article V, Section 5 (Master Plan Procedures).

Due to the nature of the comments contained herein, additional comments may be forthcoming upon receipt of the required information.

MEMORANDUM

DATE: March 3, 2014

TO: Jose Larranaga, Development Review Team Leader

FROM: John Lovato, Terrain Management

VIA: Penny Ellis-Green, Land Use Administrator
Vicki Lucero, Building and Development Services Manager
Wayne Dalton, Building and Development Services Supervisor

FILE REF: CDRC CASE MP 13-5380 Elevation at Rancho Viejo

REVIEW SUMMARY

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code, Ordinance No. 2000-12 Community College District, and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The request is for Master Plan Amendment, to allow the creation of a 214 unit apartment complex on 56.91 acres

Terrain Management

The site has 0-20% percent slopes with minor 15%-30% isolated occurrences. The property is not located within a designated FEMA 100 Year flood zone and is located in Firm Panel 35049c0526E dated December 4, 2012 and located in Zone X.

Storm Drainage and Erosion Control:

The Applicant's proposal shows existing topography, natural drainage, and proposed locations for ponding. The Application meets Master Plan requirements of Santa Fe County Land Development Code, Ordinance No. 2000-12 Community College District, and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance.

OBA-53

Harry B. Montoya
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Michael D. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

January 30, 2013

Oralynn Guerrerortiz, PE.
Design Enginuity
1421 Luisa St., Suite E
Santa Fe, NM 87505

RE: Water Utilities Service Availability Analysis for Vedula Subdivision and Apartments

Dear Ms. Guerrerortiz,

This is in response to your inquiry about Water utilities service availability for the property in reference. Please be aware that any statement we make hereby will refer solely to the Vedula project as described in your written inquiry dated January 7, 2013. If either the property location or the development is modified in the future, before it is executed, this letter will be automatically invalidated and you would have to request a new analysis from the Santa Fe County Utilities (SFCU).

Development Concept

You have indicated that you would like to add Water utility service to the existing facility located within Township 16N, Range 9E, Section 21. This proposed project would be located north of College Drive and east of Deans Court, and it would entail domestic water supply and fire protection. This property is located within Sustainable Development Area 1 (SDA1) and is in Commission District 5.

Existing Water Infrastructure

The site is located at the bottom of Pressure Zone 6 and, at the present time, a 16-inch concrete line under the east shoulder of Richards Avenue is available to provide adequate flows and pressures to the subject site and proposed development. This line is currently under City jurisdiction, but it is earmarked for transfer to the County in the near future, in compliance with the requirements of the 2008 City-County Annexation Agreement. Service to the proposed development would be contingent upon the developer/applicant installing the necessary water infrastructure, as described below and as illustrated on the enclosed map. The internal infrastructure for the project, including a large size service meter for the apartments and individual meters for the single family homes, including fire suppression will also be the responsibility of the developer.

Existing Public Wastewater Infrastructure

The property is within the service area of Ranchland Utilities sanitary wastewater management system, and the availability of service must be closely coordinated with them. Because all private community wastewater systems in the County must be designed and built in compliance with public sewer system standards, SFCU will verify such compliance on the concept, design and construction of the system.



Relevant Future Public Improvements

The Santa Fe County Utilities anticipates that the development will be served from a network that will be initially connected to the existing Richards Avenue line through a new master meter installed by the applicant, and eventually connected to the SFCU line known as IZL57NNE, which extends east of Richards Avenue along the eastward projection of Avenida del Sur. Your initial connection and eastward 4000' extension along College Drive alignment, known as IZL56NNE, to the easternmost property corner of the subject parcel will be the primary condition of service for the proposed development. In addition to the installation of the master meter on Richards Ave, the existing 8" County water line serving Deans Court will need to be disconnected and reconnected downstream of the master meter. The southbound line segment known as TL6N necessary to connect to IZL57NNE will in the future be someone else's responsibility. A more detailed description of the necessary improvements is shown on the attached map. We anticipate that the infrastructure transfer required by the agreement mentioned above will take a good part of 2013 to be complete.

Design and Construction Requirements

All facilities shall be designed by a professional engineer duly licensed in New Mexico at the applicant's expense, in compliance with all applicable standards of practice, local, state and federal codes/regulations and policies, including those adopted by the SFCU. The design shall be reviewed and accepted by Santa Fe County and a Line Extension Water Service Agreement must be executed prior to any construction. SFCU will issue a Notice to Proceed once these requirements are met.

Public lines prescribed to serve this proposed development shall be installed within legally defined public utility easements properly dedicated to the County by the developer at the developer's expense. Construction shall be performed by a utility contractor properly licensed in New Mexico at the applicant's expense, upon receiving all applicable construction permits, right of way use authorizations, and upon having met all applicable pre-construction requirements.

The County will accept the project and adopt it as part of its infrastructure for operations and maintenance, upon verification that all requirements have been met to the County's satisfaction, and in compliance with the County-approved engineering design including the submission by the applicant and acceptance by SFCU of the following documents: (1) one original set of as-constructed drawings signed and sealed by a NM licensed engineer, including any change orders approved during construction and; (2) Engineer's certificate of the construction having been completed in compliance with all requirements of the approved design documents.

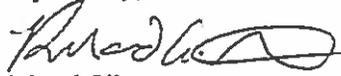
Financing

The applicant will be responsible for the cost of all necessary improvements, up to and including the master meter, meter vaults and boxes and settings. Our policies have changed in the sense that there are no water right transfer requirements for developers who want to receive services from SFCU. However, if your client has a pre-existing water service agreement with the County; connection fees may be reduced accordingly.

SFCU will reimburse the developer for the difference in cost between an 8" line necessary for this project and the required 12" extension along College Ave only.

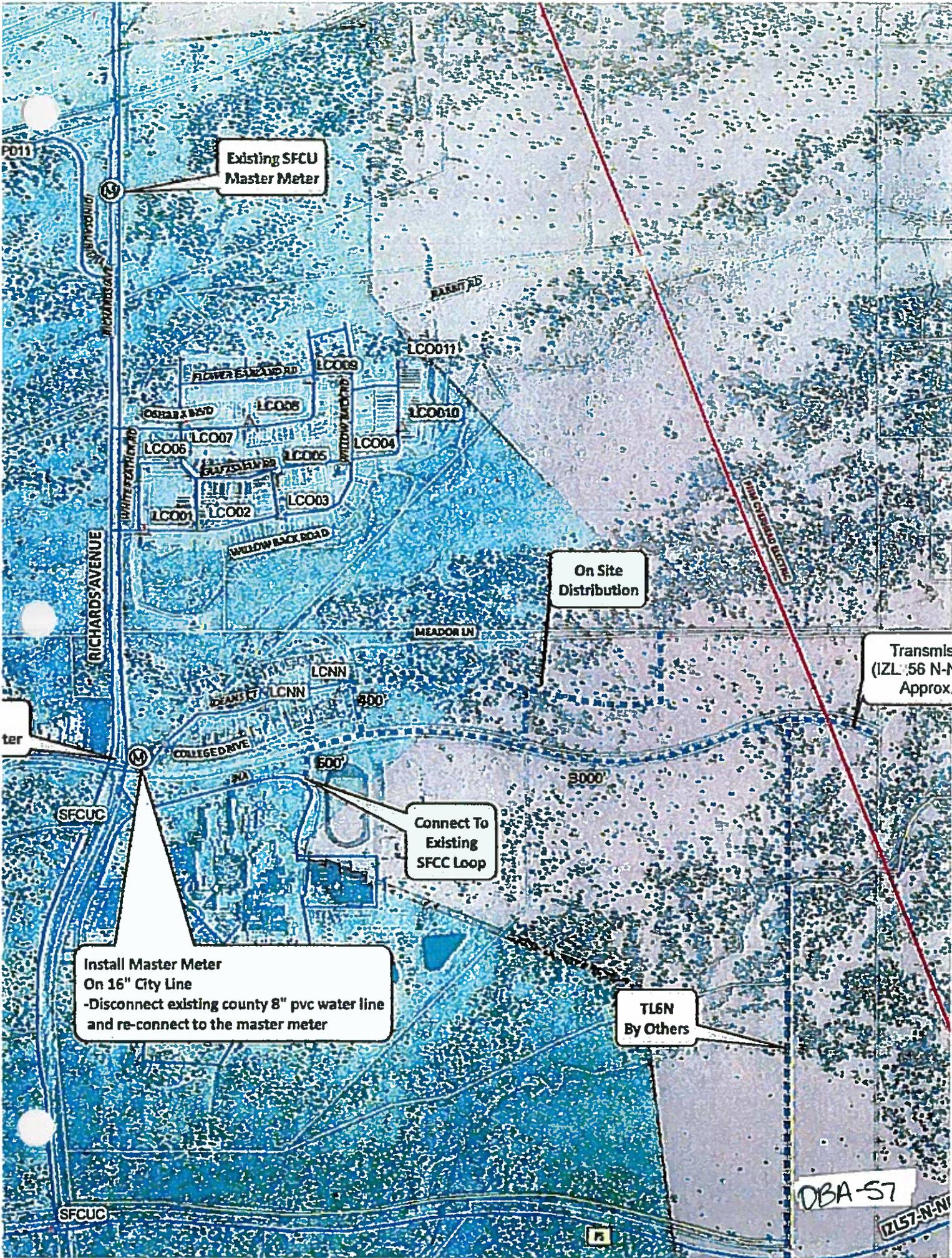
We look forward to working with you to the best of our technical ability as provided by applicable laws, for the successful completion of your project. Please call me at 505-992-3046, if you have any questions regarding this letter.

Respectfully,



Richard Silva
Infrastructure Manager
Santa Fe County Utilities Department

CC: Patricio Guerrerortiz PE, Santa Fe County Utilities Department Director



Existing SFCU Master Meter

On Site Distribution

Transmits (IZL 56 N-N Approx)

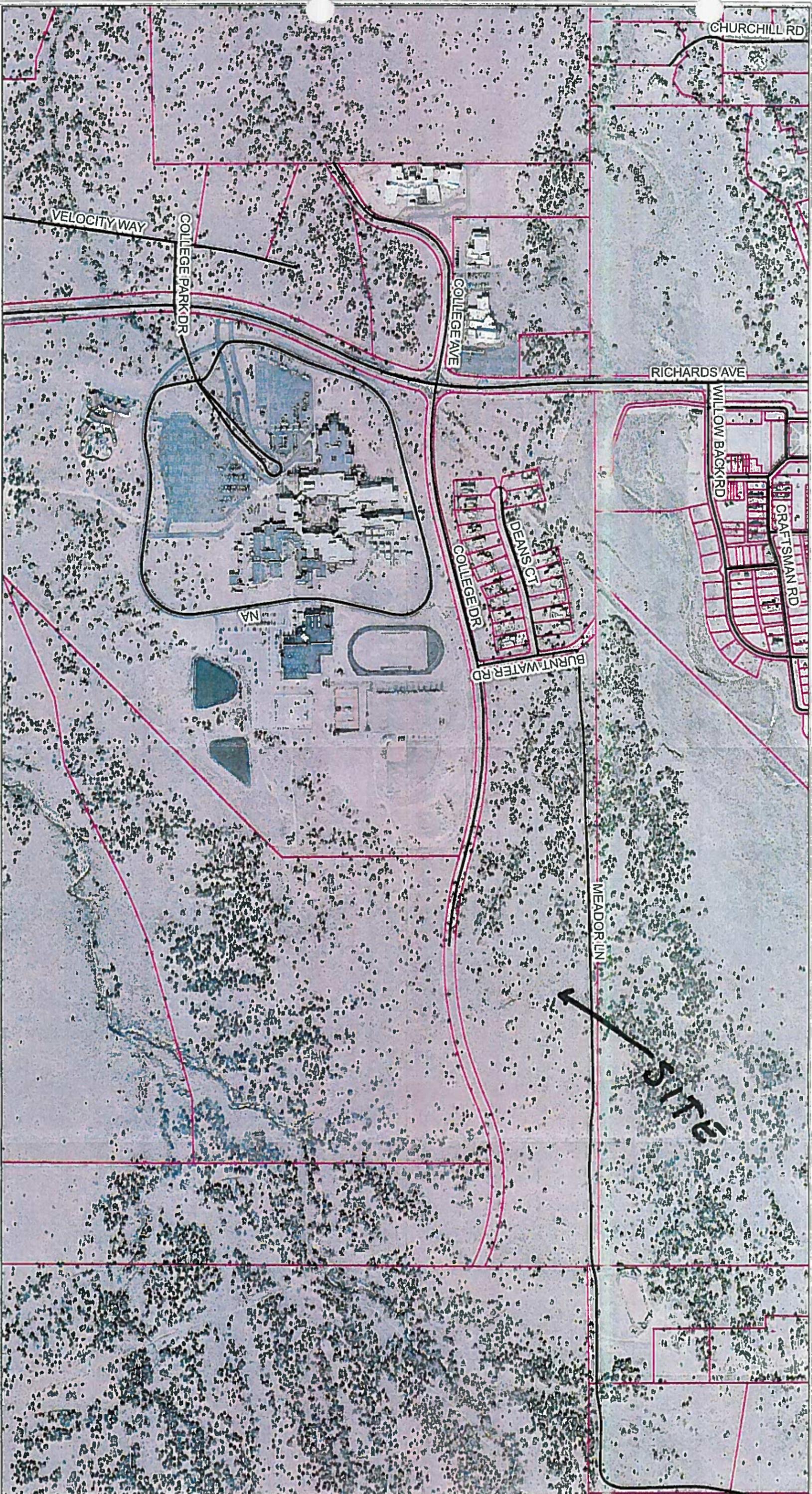
Connect To Existing SFCC Loop

Install Master Meter On 16" City Line -Disconnect existing county 8" pvc water line and re-connect to the master meter

TL6N By Others

DBA-57

IZL57-N-N



Legend

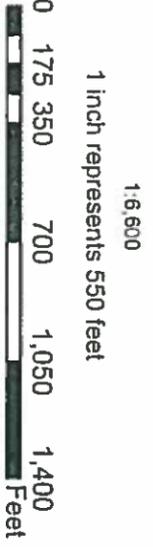
ROADS

Parcels

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EXHIBIT

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2008 Orthophotography
2 FOOT CONTOURS

This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
User are solely responsible for
confirming data accuracy.

SANTA FE COUNTY

ORA-58 March 4, 2014



Ranchland Utility Company, Inc.

5 Bisbee Court, Suite 106; Santa Fe, NM 87508
Telephone (505) 428-2256

December 10, 2013

Jose Larrañaga, Commercial Development Case Manager
Santa Fe County Development Services
102 Grant Avenue
Santa Fe, NM 87501

**RE: Elevation at Rancho Viejo
College North Master Plan Amendment**

Dear Jose:

This letter is to confirm that Ranchland Utility Company, Inc. is willing and able to provide sanitary sewer service to all phases of the above referenced project.

Please feel free to call or e-mail me with any questions.

Sincerely,


Warren Thompson, President
Ranchland Utility Company, Inc.



OBA-59

2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed.
6. Conformance to applicable law and County ordinances in effect at the time of consideration, including required improvements and community facilities and design and/or construction standards.

5.2.5 Filing of Approved Master Plan

The approved master plan with maps which has been approved by and received signatures of the County Development Review Committee Chairman and Board Chairman shall be filed of record at the County Clerk's Office.

5.2.6 Amendments and Future Phase Approvals

- a. Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.
- b. The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board.
- c. Any changes approved by the Code Administrator pursuant to Section 5.2.6b of this Article shall be subject to the review and approval of County Development Review Committee and the Board at the time of development plan or plat approval.
- d. The phasing schedule may be modified by the Board at the request of the developer as economic circumstances require as long as there is no adverse impact to the overall master plan. (See Article V, Section 4.5)

5.2.7 Expiration of Master Plan

- a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
- b. Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer.
- c. Progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.

History. 1980 Comp. 1980-6. Sections 4.4, 4.5, 5.1 and 5.2 were amended by County Ordinance 1987-1 to provide for the submittal of a master plan.

5.3 Preliminary Plat Procedure

5.3.1 Introduction and Description

- 5.3.1a Preliminary plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions.



5.3.4 Public Hearings on Preliminary Plats

The proposed preliminary plat shall be reviewed by the County Development Review Committee and the Board according to the procedures set forth in Article II, Sections 2.3.2, 2.4 and 2.6 of this Code.

5.3.5 Preliminary Plat Approval

- a. Approval or conditional approval of a preliminary plat shall constitute approval of the proposed subdivision design and layout submitted on the preliminary plat, and shall be used as a guide to the preparation of the final plat.
- b. The Board shall not approve the preliminary plat if the subdivider cannot reasonably demonstrate that he or she can fulfill the requirements of the Code, the New Mexico Subdivision Act and the subdivider's disclosure statement.
- c. Action. Unless the applicant has agreed to a tabling, within thirty (30) working days after the Board's public hearing, the Board shall approve, approve with conditions, or disapprove the preliminary plat at a public meeting, the date, time, and place of which shall be announced publicly at the conclusion of the public hearing.

5.3.6 Expiration of Preliminary Plat

- a. Expiration. An approved or conditionally approved preliminary plat shall expire twenty-four (24) months after its approval or conditional approval. Prior to the expiration of the preliminary plat, the subdivider may request, from the Board, an extension of the preliminary plat for a period of time not exceeding thirty-six (36) months.
- b. Phased Development. If the preliminary plat was approved for phased development, the subdivider may file final plats for portions of the development, and the expiration date of the preliminary plat shall be extended for an additional thirty-six (36) months after the date of the filing of each final plat. The number of phased final plats shall be determined by the Board at the time of the approval or conditional approval of the master plan.
- c. Expiration effect. The expiration of the approved or conditionally approved preliminary plat shall terminate all proceedings on the subdivision, and no final plat shall be filed without first processing a new preliminary plat.

5.4 Final Plat Procedure

5.4.1 Introduction and Description.

- 5.4.1a Final plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions. Following approval or conditional approval of a preliminary plat, and before the expiration of the plat, the subdivider may prepare a final plat in substantial conformity with the approved or conditionally approved preliminary plat. At the discretion of the Code Administrator, preliminary and final plats may be reviewed for approval simultaneously. Final plats for subdivisions proposed to be phased shall be submitted as indicated on the phasing schedule submitted with the master plan as specified in Section 5.3 above. The final plat shall comply with the New Mexico Subdivision Act and these regulations.
- 5.4.1b Application and Fees. A subdivider shall prepare a final plat and supporting documentation in accordance with the requirements provided in these regulations. Final plat submittal is initiated by completing an application on a form available

EXHIBIT

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V - II

fulfill the proposals contained in the subdivider's disclosure statement and in determining whether or not the subdivider's provisions for a subdivision conform with County regulations.

4.8 Common Promotional Plans

The Code Administrator will review proposed applications to determine whether there is a common promotional plan to subdivide a property. If it is determined that the land division does constitute a common promotional plan, the project shall comply with the procedures provided for in this Article V.

SECTION 5 - PROCEDURES AND SUBMITTALS

5.1 Pre-application Procedures

Prior to the filing of an application for approval of a preliminary plat, the subdivider shall confer with the Code Administrator to become acquainted with these subdivision regulations. At this pre-application conference, the subdivider shall be advised of the following:

1. Submittals required by the Code.
2. Type and/or class of the proposed subdivision.
3. Individuals and/or agencies that will be asked to review the required submittals.
4. Required improvements.
5. Conditions under which Master Plans and Development Plans are required as described in Sections 5.2 and 7.
6. A determination will be made as to the appropriate scale and format for plans and plats and as to the appropriateness of applicable submittal requirements.

5.2 Master Plan Procedure

5.2.1 Introduction and Description

- a. Master plans are required in the following cases:
 - i. All Type I, Type II, and Type IV subdivisions with more than one development phase or tract;
 - ii. As required in Article III for developments other than subdivisions; and
 - iii. Such other projects which may elect to apply for master plan approval.
- b. A master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval.
- c. The master plan submittal will consist of both plans and written reports which include the information required in 5.2.2 below. A typical submittal would include a vicinity map, a plan showing existing site data, a conceptual environmental plan with written documentation, a master plan map, a master plan report, a schematic utilities plan and the phasing schedule. Maps and reports may be combined or expanded upon at the discretion of the applicant to fit the particular development proposal as long as the relevant information is included.

5.2.2 Master Plan Submittals

- a. Vicinity Map. A vicinity map drawn at a scale of not more than 2,000 feet to one inch showing contours at twenty (20) foot intervals showing the relationship of the site to its general surroundings, and the location of all existing drainage channels, water courses and water bodies located on the parcel and within three miles of the Parcel.



2. Suitability of the site to accommodate the proposed development;
3. Suitability of the proposed uses and intensity of development at the location;
4. Impact to schools, adjacent lands or the County in general;
5. Viability of proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or constructed.
6. Conformance to applicable law and County ordinances in effect at the time of consideration, including required improvements and community facilities and design and/or construction standards.

→ **5.2.5 Filing of Approved Master Plan**

The approved master plan with maps which has been approved by and received signatures of the County Development Review Committee Chairman and Board Chairman shall be filed of record at the County Clerk's Office.

5.2.6 Amendments and Future Phase Approvals

- a. Approval of the master plan is intended to demonstrate that the development concept is acceptable and that further approvals are likely unless the detailed development plans cannot meet the requirements of applicable law and County ordinances in effect at that time. Each phase of the development plan must be considered on its own merits.
- b. The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board.
- c. Any changes approved by the Code Administrator pursuant to Section 5.2.6b of this Article shall be subject to the review and approval of County Development Review Committee and the Board at the time of development plan or plat approval.
- d. The phasing schedule may be modified by the Board at the request of the developer as economic circumstances require as long as there is no adverse impact to the overall master plan. (See Article V, Section 4.5)

5.2.7 Expiration of Master Plan

- a. Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board.
- b. Master plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer.
- c. Progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.

History. 1980 Comp. 1980-6. Sections 4.4, 4.5, 5.1 and 5.2 were amended by County Ordinance 1987-1 to provide for the submittal of a master plan.

5.3 Preliminary Plat Procedure

5.3.1 Introduction and Description

- 5.3.1a Preliminary plats shall be submitted for Type-I, Type-II, Type-III, except Type-III subdivisions that are subject to review under summary procedure as set forth in Subsection 5.5 of this Section, and Type-IV subdivisions.



1846087A



x= uses eligible
in zone
S= special use

USE CATEGORY	VILLAGE ZONES				OTHER ZONES				
	New Community Center	Neighborhood Center	Neighborhoods (optional)**	Fringe Zone	Rural Zone	Employment Center Zone	Institutional Campus Zone	Open Space *	Village Separators *
ELIGIBLE USES									
Residential and Residential Accessory	x	x	x	x	x				
Bed and Breakfast (6 units max.)	x	x	x	x	x	x	x		
Group Homes and Shelters	x	x	x	x	x	x	x		
Guest Houses and secondary dwellings	x	x	x	x	x	x	x		
Home Day Care (12 or fewer children)	x	x	x	x	x	x	x		
Home Occupations	x	x	x	x	x	x	x		
Live / Work Dwellings	x	x	x	x	x	x	x		
Residential, dormitories	x	x	x	x	x	x	x		
Residential, Limited Multifamily (4units max.)	x	x	x	x	x	x	x		
Residential, Multifamily (over 4 units)	x	x	x	x	x	x	x		
Residential, Single family	x	x	x	x	x	x	x		
Retirement Homes/Assisted Living	x	x	x	S					
Studios	x	x	x	x	x	x	x		
Civic/Public/Institutional									
Auditoria, Community Theatres, Museums	x	x				S	x		
Cemeteries			x	x	x			S	
Churches/Religious Institutions	x	x	x	x	x	x	x		S
Day Care (more than 12 children)	x	x	S	x	x	x	x		
Hospitals						S	S		
Nursing Homes	x	x		S					
Private Club/Lodges	x	x		S					
Public Buildings	x	x		S					
Recreational areas, play fields & facilities, including school fields	x	x	x		x	x	x		S
Recreational buildings, public indoor	x	x	S	S					
Schools: Colleges, Universities, Vocational	x	x							
Schools: K-6, Public	x	x	x	S					
Schools: Middle or High, Public ***	x	x	S						
Schools: Private	x	x	x	S	S	S	x		
Commercial/Industrial									
Automotive sales/Auto, truck or RV dealerships	S					S			
Automotive services/ Car Washes	S	S							
Automotive services/ Gas stations	S	S				S			
Automotive services/ repair shops	S	S							
Banks/Financial Institutions	x	x							
Business & Personal Services	x	x							
Campgrounds, RV parks				x	x				
Construction supplies & yards	x	x							
Distribution facilities	S					S			
Greenhouses/Plant nurseries				x	x				
Guest Franchises, Resorts	x	x		S	x				
Health Clubs	x	x							
Hotel, motel, inns, Bed & Breakfast (over 6 units)	x	x							
Indoor Recreational Centers	x	S							
Industrial, Light & crafts manufacture	S	S			S				

EXHIBIT

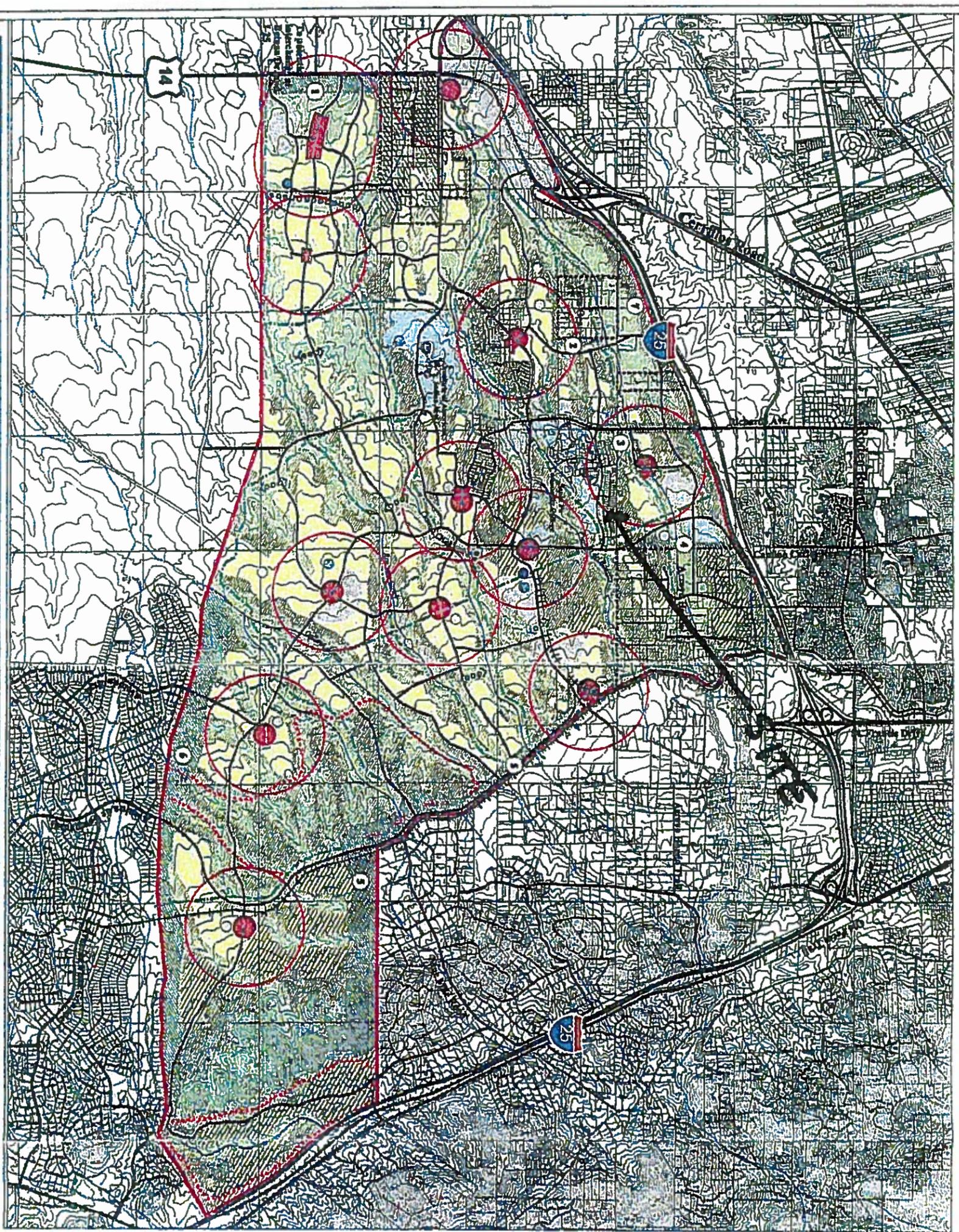
11

OBA-64

Land Use Zoning Map

Legend

- Community College District Boundary
 - Major Drainage
 - Existing Rail Road
 - Proposed Rail Road
 - Village Zones
 - Pastoral/Pleasant Tempers
 - Employment Campuses and Centers
 - Institutional Campuses
 - Arroyo Corridors and Open Space
 - Parks - Proposed & Existing
 - Village Separators
 - District Trails
 - Proposed Alignments
 - Rural Zones
 - Existing Neighbored Zones
 - New Community Centers & Walking Nodes
- Exposure Zones:**
- Hillsides/ Paved Jungles
 - Hillsides/ Grasslands
- Buffer Areas:**
- ① Highway 14 buffer
 - ② Via Queen buffer
 - ③ Roberts Ave. / 250 ft. both sides
 - ④ Arroyo Grande West buffer
 - ⑤ 100 ft. buffer
 - ⑥ 50 ft. buffer
 - ⑦ 125 ft. Highway Corridor Buffer to Highway Corridor Plus
- Elementary Schools**
- Little Schools
 - High Schools



Santa Fe Community College District

Approved by Santa Fe County Commissioners, October 31, 2009
 Approved by Santa Fe County Board of Directors, December 1, 2009
 Approved by Santa Fe County Board of Directors, December 1, 2009
 Approved by Santa Fe County Board of Directors, December 1, 2009
 Approved by Santa Fe County Board of Directors, December 1, 2009
 Approved by Santa Fe County Board of Directors, December 1, 2009



- (8) proposed architectural treatment;
- (9) The Buildable Area and the No Build Area(s) on each lot shall be clearly indicated by shading, pattern or comparable graphic method (see Article VII, Section 3.4.1 for Buildable Area Performance Standards.)
- (b) The site plan shall respond to Section 4.4.1 Site Planning Standards for driveway access, building placement, parking lot location and terrain management.

4) Development Plan Report

The development plan report shall include all submittals pursuant to this Article III, Section 4 of the Code.

5) Traffic Generation Report

- a) The amount of traffic generated by the development shall not at any time impede traffic flow, or cause public roads to operate at over capacity.
- b) If a fair and substantial showing is made that the development will increase the burden on inadequate public roads, utilities or other services, the use may be denied, or the developer may be required to undertake the full cost of improvements to the public road or other services in order to meet the test of adequacy.
- c) A traffic report shall be prepared, signed and sealed by a registered New Mexico professional engineer, or other qualified professional as determined by the Code Administrator. Report contents shall be based upon existing traffic conditions in relation to existing road capacity and level-of-service (LOS); a projection of traffic to be generated by the development; and recommendations for mitigating any negative effects to existing road capacity which may occur as a result of new development. Where applicable, the International Traffic Engineers (ITE) Trip Generation Report 1987, 4th Ed. shall be used as a reference in calculating traffic projections. Copies of the ITE Trip Generation Report are available in the Land Use Administrators Office.

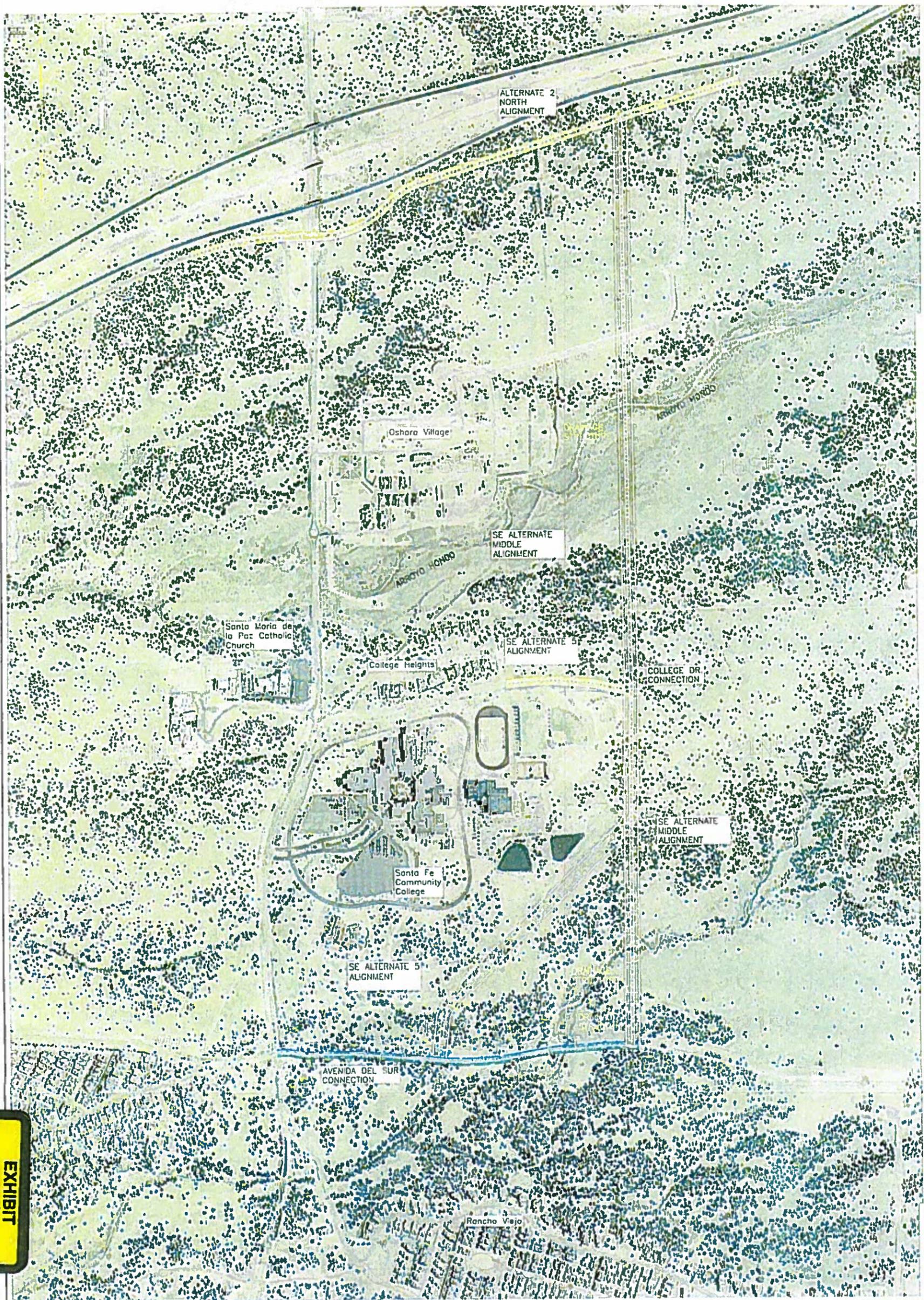
History. 1980 Comp. 1980-6. Section 4.4.1 Submittals was amended by County Ordinance 1990-11, to clarify and make additions to the submittals required of the applicant for non-residential use zoning.

4.4.2 Environmental Performance Standards

The proposed development shall utilize standard techniques available in order to minimize noise, vibration, smoke and other particulate matter, odorous matter, toxic or noxious matter, radiation hazards; fire and explosive hazards, or electromagnetic interference. The Code Administrator may refer an application to the New Mexico Environment Department for comment concerning the performance standards. If it is determined that the development will create any dangerous, injurious, noxious or otherwise objectionable condition, noise or vibration; smoke, dust, odor, or other form of air pollution, electrical or other disturbance, glare or heat, in a manner which causes a significant adverse impact to the adjacent areas, a plan shall be submitted which states how such conditions will be mitigated.

History. 1980 Comp. 1980-6. Section 4.4.2 was amended by County Ordinance 1990-11. This Section was previously 4.4.3.

NE AND SE ALTERNATIVES



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EXHIBIT
14

08A-67

DATE	15
BY	
APP'D	
DATE	15
BY	
APP'D	



SANTA FE CORRIDOR STUDY
PHASE 1-A ALTERNATES
ALTERNATES-BASE - NE AND SE ALTS

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REVISION	DESCRIPTION	DATE	BY

DECLARATION OF DE-ANNEXATION

This Declaration of De-Annexation (this "Declaration") is made by Univest-Rancho Viejo, LLC, a New Mexico limited liability company (the "Declarant").

BACKGROUND RECITALS

A. Declarant is the Successor in interest to Rancho Viejo de Santa Fe, Inc., a New Mexico corporation, as described in the Assignment and Assumption of Declarant's Rights recorded December 22, 2012 as Instrument No. 1621127, records of Santa Fe County, where Rancho Viejo de Santa Fe, Inc., is the Assignor and Univest-Rancho Viejo, LLC, is the Assignee.

B. Declarant reserved the right to De-Annex certain portions of the property subject to the First Amended and Restated Declaration Covenants, Conditions and Restrictions and for the Village at Rancho Viejo recorded November 2, 1998 in Book 1560, pages 354-391, records of Santa Fe County, New Mexico (the "First Amended and Restated Declaration").

C. This reservation is created by Article 6, Section 6.5 of the First Amended and Restated Declaration and reads as follows:

6.5 De-Annexation. Notwithstanding any other provisions of this Declaration, Declarant shall have the right from time to time, at its sole option and without the consent of any other Person, (except as provided in this Section 6.5), to delete from the Property and remove from the effect of this Declaration one or more portions of the Property, provided, however, that: (a) a portion of the Property may not be so deleted and removed unless at the time of such deletion and removal such portion is owned by Declarant or Declarant executes and Records an instrument approving such deletion and removal. Declarant may exercise its rights under this Section 6.5 by executing and Recording an instrument which identifies the portion of the Property to be so deleted and removed and which is executed by each owner of such portion (if other than Declarant), and the deletion and removal of such portion of the Property shall be effective upon the later of: (i) the date such instrument is Recorded; or (ii) the effective date specified in such instrument, if any, whereupon the portion of the Property so deleted and removed shall thereafter for all purposes be deemed not a part of the Property and not subject to this Declaration, and the owner(s) thereof (or of interests therein) shall not be Owners or Members or have any other rights or obligations hereunder except as members of the general public. No such deletion and removal of a portion of the Property shall act to release such portion from the lien for Assessments or other charges hereunder which have accrued prior to the effective date of such deletion and removal, but all such Assessments or other charges shall be appropriately prorated to the effective date of such deletion and removal, and no Assessments or other charges shall thereafter accrue hereunder with respect to the portion of the Property so deleted and removed. Each portion of the Property deleted and removed pursuant to this Section 6.5 shall thereafter be deemed to be a part of the Annexable Property unless otherwise expressly provided to the contrary in the instrument Recorded by Declarant to effect such deletion and removal.

SEC CLERK RECORDED 03/20/2014



OBA-68

EXHIBIT A
Plat Book 422, page 5

SFC CLERK RECORDED 03/20/2014

OBA-70

DECLARATION OF COVENANTS AND RESTRICTIONS

This Declaration of Covenants and Restrictions is made this 18th day of May, 1999, by
Rancho Viejo de Santa Fe, Inc., a New Mexico Corporation.

1674777

RECITALS

WHEREAS, Rancho Viejo de Santa Fe, Inc., a New Mexico corporation (hereinafter referred to as the "Declarant") is the owner of the real property described in Exhibit A attached hereto (hereinafter referred to as College Heights);

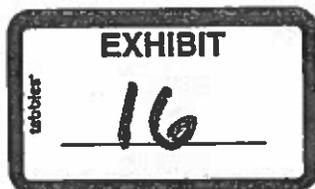
WHEREAS, Declarant is also the owner of The Village at Rancho Viejo as shown on the certain subdivision plat and lot line adjustment plat recorded in the records of Santa Fe County Clerk at Plat Book 389-390, Pages 049-008, as Document No. 1031147, and at Plat Book 389, Page 010-011, as Document No. 1029907 (hereinafter referred to as "Units 1 and 2 of the Village");

WHEREAS, Declarant has subjected Units 1 and 2 of the Village to that certain Declaration of Restrictive Covenants as recorded in Book 1560, Pages 354-391, as Document No. 1560354 (the "Covenants"); and

WHEREAS, Declarant wishes to subject College Heights to the Covenants by this Declaration and include College Heights within the jurisdiction of the Rancho Viejo Master Association.

DECLARATION

Now, therefore, Declarant hereby declares that the real property described in Exhibit A attached hereto known as College Heights shall be held, sold, transferred, conveyed, occupied and used subject to the covenants, and Declarant shall hereafter record a separate and individual tract declaration concerning the development of the lots within College Heights.



CERTIFICATION!

For Signature, Print Name and Print Title
Page 1

OBA-72

RANCHO VIEJO DE SANTA FE, INC

Robert G. Taunton

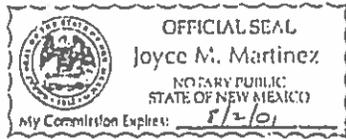
Robert Taunton, Vice President

ACKNOWLEDGMENT

1674778

STATE OF NEW MEXICO)
)ss
SANTA FE COUNTY)

The foregoing instrument was acknowledged before me by Robert Taunton, Vice President, Rancho Viejo de Santa Fe, Inc., a New Mexico corporation on this 16 day of May, 1999



Joyce M. Martinez
Notary Public

My commission expires:
August 2, 2001

Notary Public in and for the State of New Mexico

OBA-73

Glen Smerage, 127 East Chili Line Road, under oath, stated that it was less than a month ago the proponents were asking for 650 high-density residential units plus other things. In the interim, this phase has been scaled back to a single commercial development. He said this strikes him as a typical developer scheme to piecemeal things. The entire project area is 65+ acres of raw land and it should be treated as a whole. He said a comprehensive view is needed to make sure it is harmonious and these different uses relate functionally and architecturally.

There were no other speakers on this case.

Member Katz said he shared the sentiments of the last speaker and was concerned that the project lacked cohesiveness.

Ms. Lucero said the project received master plan approval in 2010 and that overall conceptual plan is within the CDRC member packets. The mixed-use master plan was approved for multi-family, commercial and light industrial. Today's request is to create four parcels in Phase I. When the site is ready for construction, the applicant will have to return to the CDRC with a development plan.

Member Katz observed that the overall plan allows for virtually anything less a nuclear plant. Ms. Lucero concurred it was an extensive use list that has been approved by the BCC.

Member Gonzales said the request appears to be an economical step necessary for the developer to get the project rolling.

Member Gonzales moved to approve the request and the motion failed for lack of a second.

Member Martin asked if the CDRC could pass a case onto the BCC without recommendation. Ms. Brown responded that is the CDRC's role to make a recommendation to the BCC and encouraged them to craft a recommendation.

Member Katz said he was uncomfortable with the lack of information regarding this phase of the development. He appreciated the fact that sub-developers would be coming forward but the application lacked information and his concern was inconsistent development.

Member Katz moved to deny the application Member Martin seconded and the motion passed by majority [3-2] voice vote with Members Katz, Martin and Booth voting for and Members Drobnis and Gonzales against.

D. CDRC CASE # Z 13-5380 Elevation. Vedura Residential Operating, LLC, Applicant, JenkinsGavin, Agents, request Master Plan approval in conformance with the Community College District Ordinance to allow a

multi-family residential community consisting of 214 residential units on 22 ± acres. The site is located on the north side of College Drive and east of Burnt Water Road within the Community College District, within Section 21, Township 16 North, Range 9 East, Commission District 5

Mr. Larrañaga presented the staff report as follows:

“This case was on the March 20, 2014, CDRC Agenda as a Master Plan Amendment to the College North Master Plan. This case was tabled from the Agenda at the request of the Applicant. During the review process staff determined that the College North Master Plan had expired. The College North Master Plan, which allowed for 73 single family lots on 90.75 acres, was approved by the Extraterritorial Zoning Authority in 1997 and Phase I of the Master Plan was developed in 1999 as a 20 lot subdivision known as the College Heights Subdivision on 33.84 ± acres.

“Article V, Section 5.2.7 Expiration of Master Plan states: “approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board; Master Plan approvals may be renewed and extended for additional two year periods by the Board at the request of the developer; progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project”.

“The Applicant is requesting Master Plan approval in conformance with the Community College District Ordinance. The CCDO was adopted on December 11, 2000. The CCDO Land Use Zoning Map designates this site as a Village Zone within a New Community Center which allows for multifamily residential use. The Master Plan would allow a 214 unit multifamily residential apartment community on a 22 ± acre site, which is defined as an eligible use in the CCDO Land Use Table. Density allowed in this area is a minimum of 3.5 dwelling units per acre. The Applicant is proposing approximately 9.7 dwelling units per acre and is in conformance with the CCDO.

“The Applicant has refined their plans to relocate the proposed site of the apartments in accordance with the alignment of the proposed Southeast connector. The exact alignment of the Southeast Connector has not been established therefore the actual building site of the apartments may change to coincide with the alignment once it is finalized by the County.

“Article V, Section 5.2.1.b states: “a Master Plan is comprehensive in establishing the scope of a project, yet is less detailed than a Development Plan. It provides a means for the County Development Review Committee and the Board to review projects and the sub-divider to obtain concept approval for proposed development

without the necessity of expending large sums of money for the submittals required for a Preliminary and Final Plat approval”.

Mr. Larrañaga said the application was submitted on December 6, 2013 and revised on March 26, 2014. Building and Development Services staff have reviewed this project for compliance with pertinent Code requirements and have found that the facts presented support this request: the Application is comprehensive in establishing the scope of the project; the Master Plan conforms to the eligible use and density allowed under a New Community Center; the Application satisfies the submittal requirements set forth in the Land Development Code.

Staff recommends conditional approval for a Master Plan in conformance with the Community College District Ordinance to allow a multi-family residential community consisting of 214 residential units on 22 ± acres subject to the following staff conditions:

1. The Applicants shall comply with all review agency comments and conditions, as per Article V, § 7.1.3.c. Conditions shall be noted on the recorded Master Plan.
2. Master Plan with appropriate signatures shall be recorded with the County Clerk, as per Article V, § 5.2.5.
3. A revised Traffic Impact Analysis, showing current road conditions, shall be submitted based on the Southeast Connector at Preliminary Development Plan. Article III, § 4.4.1.5.c

An email in opposition to the development was distributed by staff [*Exhibit 2*].

Jennifer Jenkins, previously sworn, introduced Colleen Gavin with JenkinsGavin Design and Development and Oralynn Guerrerortiz the project civil engineer who were duly sworn.

Ms. Jenkins used a slide presentation that located the 22-acre site, identified that the site within a village zone within the Community College District, noted that residential multi-family is a permissible use in all of the village zones, highlighted the preferred alignment for the proposed new north south minor arterial intended to relieve traffic and congestion on Richards Avenue and serve the Community College District, delineated that in accordance with the Community College District requirements the proposal has 50 percent open space, significant landscaping, pedestrian walkways, collects stormwater for landscape irrigation, has residential amenities, and a proposed donation of property for right-of-way, and illustrated the schematics for utility hookups, etc.

Ms. Jenkins mentioned the amendments to the plan have occurred in working with Santa Fe County staff. She said they have been working closely with staff regarding timing of the southeast connector’s 2016 construction schedule. This multi-family project will be constructed in phases and the southeast connector and this project will be running in parallel time paths.

Ms. Jenkins said Vedura Residential builds, manages and operates luxury apartment communities throughout the southwest and she showed a series of slides of completed projects with pools, fitness facilities, interiors, etc. This is not student housing

for Santa Fe Community College nor is the college involved in the project. This is a market sector, market rate apartment community that is at the high-end spectrum of apartment living. The apartments will rent from \$900 to \$1,400 monthly and emphasized these are professionally run properties with clear occupancy rules.

Ms. Jenkins said this area is designated as the primary growth area in Santa Fe County and it is an economic development issue. Stating she serves as the chair of the Regional Development Corporation Board whose sole mission is economic development in northern New Mexico, she stressed that a diverse range of housing options is critical to attracting employers to Santa Fe County. Santa Fe Community College is one of the largest employers in the state and La Entrada Commerce Park is a designated employment center in the Community College District. This project will provide a necessary housing option and she emphasized that is exactly why the Community College District Ordinance permits and encourages multi-housing. Speaking from her own expertise, Ms. Jenkins said this type of project is necessary for the success of Santa Fe County.

Ms. Jenkins referred to a letter in the CDRC packets from attorney Chris Graeser on behalf of the College Heights neighbors and addressed the issues he brought up. She offered to expedite the plat and deed the property prior to going before the BCC. This is not a rezoning, the property is already zoned. Citing the CCDO, "...all properties are zoned for the uses allowed in the Land Use Table." In response to another point Mr. Graeser brought up about the restrictive covenants for Rancho Viejo, Ms. Jenkins said the subject property has been de-annexed and provided a Declaration of De-annexation [*Exhibit 2*], dated March 20, 2014.

With a site map, Ms. Jenkins identified her neighborhood, the two existing apartment communities, the transitioning development and assured the Committee that property values have not been negatively impacted nor the quality of life by the apartments. A community like Elevation can be in harmony with its surroundings.

Chair Drobnis apologized to the public but said the CDRC will lack a quorum at 6 p.m. Member Martin has an engagement and will leave at 6 p.m. and Member Katz is recusing himself from this case because he is related to an attorney involved.

Ms. Brown encouraged the CDRC to continue the meeting until that time and carry the issue over to the next meeting.

Member Booth said she would have liked to have had the Declaration of De-annexation earlier than this evening. She said the date of the document concerned her. Ms. Jenkins said it is atypical in a project of this size, Rancho Viejo, for undeveloped tracts to be annexed into an association. When it was brought to the attention of the developer, the de-annexation occurred. She said they recognized they were part of Rancho Viejo in terms of the full master plan.

For the record, Member Katz said it was appropriate that he recuse himself from this case. He has a close relative who represents a party in the matter.

A gentleman from the audience stood and announced they were not asking Member Katz to recuse himself. The Chair responded that that was Member Katz' decision.

There were approximately 25 individuals wishing to speak and Chair Drobnis advised the public that the speakers would be limited to two-minutes.

Duly sworn, Al Padilla, 8 Dean's Court, a native of Santa Fe said he was in total opposition to this development. He acknowledged the eloquence of Ms. Jenkins' presentation but said it was not based in reality. The project will impact the community. He said the apartments Ms. Jenkins referred to in her neighborhood had been there long before she arrived.

Previously sworn, Glen Smerage of Rancho Viejo said his eight compelling arguments for denying this proposal were contained in the CDRC packet. The degradation of neighborhoods that occurs with off campus student housing was of great concern. Many good projects are conceived and built and subsequently degraded and even destroyed by the creators. Rancho Viejo is a 13-year-old community built out on virgin ranch land. He urged the CDRC to read his letter. The County has a poor track record in the placement of commercial activities within a residential area.

Mr. Smerage requested that the CDRC deny this proposal and send a recommendation to the BCC that they amend the CCDO and the Sustainable Land Use Code to better protect the community.

Duly sworn, Jerry Wells, Dean's Court, said he worked with the Community College and Santa Fe County to develop a roundabout on Richards Avenue. College Drive has issues and one is that the Richards and College Drive roundabout is rated as a failure. Santa Fe Community College north exit is a traffic hazard. He spoke of the traffic issues and the problems in the event of a wild fire.

Duly sworn, Randy Kretchmer of Dean's Court said he has attended every meeting made available for the community to provide input on this project. He said there were hundreds in attendance. He likened this project to a professional ball game where after the first quarter the referees announce a rule change. He said the project was ramrodded down the throats of the area residents and there have been no sincere recognition of the residents' concerns.

Mr. Kretchmer said this evening was the first they heard of the de-annexation. He read a letter from the Rancho Viejo North Community Association Board of Directors [*Exhibit 3*] expressing their opposition and reasons for opposition to the development and requests the denial of the master plan amendment.

Duly sworn, Chris Schatzman said the commute on Richards Road continues to get worse. Rabbit Road continues to worsen and is exceedingly dangerous. He said Rabbit Road should be addressed before bringing more traffic to Richards Road. The recent de-annexation was "suspicious" and the neighbors have not been given the opportunity to review it. Mr. Schatzman said he was a professional commercial real

estate lender and financed many apartment complexes. During those years he saw many failed apartment projects that as markets changed the actual use and rent schedules changed. This project fails to take that factor into account.

Previously sworn, Ken Vellon asked whether the developer would be paying for the repaving of College Drive and pay for the road improvements to reach the southwest connector; who pays for that?

Ms. Jenkins said the portion of College Drive up to the west side of the southeast connector is the County's project. Everything on the east side connector along the frontage of the apartment community is the burden of the developer. If access is needed to the apartment community prior to the County getting to that point, then the developer will construct that portion on the west side of the southwest connector.

Duly sworn, Susan McGrew, Dean's Court, said the agent's claim that this parcel was de-annexed does not fit with the fact the area residents bought their homes based on the diagram showing 53 individual homes there. She read Vedura's mission statement, "...our company's strategy is simple: never pay more than replacement cost. We buy below replacement cost when markets dip. We build as markets improve and we sell at the peaks." The residents have no way of knowing who the ultimate owner will be and whether the maintenance and upkeep will occur.

Ms. McGrew suggested Vedura and Mr. Thompson find an appropriate area in Rancho Viejo to build the apartment complex.

Duly sworn, native Santa Fean, David Vigil, Dean's Court, said he recently purchased his property in Rancho Viejo and the covenants state the subject area is designated for single-family homes governed by their same rules. This proposal completely diverges from what the covenants state and what residents were sold. He said he was a proud to be a resident of Santa Fe County and as an internal customer of Rancho Viejo he expects more and is opposed to the proposal.

Duly sworn, Pat Perrin, Dean's Court said most of Rancho Viejo opposes this complex and provided staff with signatures attesting to that opposition. She said approving this application is piecemeal zoning and may be grounds for a lawsuit. Without the southeast connector a ground fire would make this complex a deathtrap. Ms. Perrin said this project is inappropriately sited in the middle of a covenanted controlled community.

If approved, the Rancho Viejo North Community Homeowners Association loses more than \$50,000 annually on maintenance fees. And the Association will still have to maintain roads used by the apartment complex. She understood this project had two phases; where is the second phase?

Chair Drobnis apologized that the time was up. He said this item will be first on next month's agenda.

APPROVAL OF MINUTES: April 17, 2014

Member Martin moved to approve the April minutes. Member Booth seconded and the motion passed by unanimous [7-0] voice vote.

VI. CONSENT CALENDAR: Final Order

- A. **CDRC CASE #A 14-5030 Maurilio & Amanda Calderon Appeal:**
Maurilio and Amanda Calderon, Applicants, are appealing the Land Use Administrator's decision to deny a home occupation business registration for a welding business located on 2.48 acres. The property is located at 8 Ernesto Road, off of Rabbit Road, within Section 10, Township 16 North, Range 10 East (Commission District 4)

Referring to item 10, Member Katz recommended to read: "In addition to Appellant, five members of the public spoke in opposition of the Appeal testifying that they heard noise and smelled fumes from the welding business and alleging that this type of use..." Also number 15 should be corrected to numbered 11.

Member Anaya moved to approve the final order as amended. Member Martin seconded and the motion passed by unanimous [7-0] voice vote.

VII. OLD BUSINESS

- A **CDRC CASE # Z 13-5380 Elevation.** Vedura Residential Operating, LLC, Applicant, Jenkins Gavin, Agents, request Master Plan approval in conformance with the Community College District Ordinance to allow a multi-family residential community consisting of 214 residential units on 22 ± acres. The site is located on the north side of College Drive and east of Burnt Water Road within the Community College District, within Section 21, Township 16 North, Range 9 East, (Commission District 5)

[Exhibit 1: Opponents' counsel letter, Graeser & McQueen, to Jose Larrañaga; Exhibit 2: College North Master Plan schematic and Community College District Plan Table 5; Exhibit 3: March 20, 2014 Santa Fe County Clerk Recorded Declaration of De-Annexation; Exhibit 4: May 13, 2014 Department of Cultural Affairs HPD memo confirming non-disturbance easement for LA 110168; Exhibit 5: CC&Rs by Rancho Viejo for College Heights; Exhibit 6: Santa Fe County Sustainable Growth Management Plan 2.2.4.5 Land Use Compatibility section; Exhibit 7: Six emails and letters opposing the development; Exhibit 8: NM ED Surface Water Quality Bureau compliance evaluation inspection regarding NPDES permit, EPA data, discharge monitoring information; Exhibit 8: Rancho Viejo North Community Association, Inc. letter opposing the development; Exhibit 9: Eunice Vellon letter]



Stating his nephew represents one of the parties in this matter, Member Katz recused himself from this case.

Chair Drobnis reminded the members that this case was heard at the last meeting until a quorum was lost.

Mr. Larrañaga provided an update on the case stating that on April 17, 2014 staff presented this case to the CDRC and the applicants' agent, JenkinsGavin, presented the development and the public offered testimony. Upon request, Mr. Larrañaga presented his staff report as follows:

"This case was on the March 20, 2014 CDRC agenda as a Master Plan Amendment to the College North Master Plan. This case was tabled from the agenda at the request of the Applicant. During the review process staff determined that the College North Master Plan had expired. The College North Master Plan, which allowed for 73 single-family lots on 90.75 acres, was approved by the Extraterritorial Zoning Authority in 1997 and Phase I of the Master Plan was developed in 1999 as a 20-lot subdivision known as the College Heights Subdivision on 33.84 ± acres.

"Article V, Section 5.2.7 Expiration of Master Plan states: 'Approval of a master plan shall be considered valid for a period of five years from the date of approval by the Board; Master Plan approvals may be renewed and extended for additional two-year periods by the Board at the request of the developer; progress in the planning or development of the project approved in the master plan consistent with the approved phasing schedule shall constitute an automatic renewal of the master plan approval. For the purpose of this Section, "progress" means the approval of preliminary or final development plans, or preliminary or final subdivision plats for any phase of the master planned project.'

"The Applicant is requesting Master Plan approval in conformance with the Community College District Ordinance. The CCDO was adopted on December 11, 2000. The CCDO Land Use Zoning Map designates this site as a Village Zone within a New Community Center which allows for multifamily residential use. The Master Plan would allow a 214-unit multifamily residential apartment community on a 22 ± acre site, which is defined as an eligible use in the CCDO Land Use Table. Density allowed in this area is a minimum of 3.5 dwelling units per acre. The Applicant is proposing approximately 9.7 dwelling units per acre and is in conformance with the CCDO.

"The Applicant has refined their plans to relocate the proposed site of the apartments in accordance with the alignment of the proposed southeast connector. The exact alignment of the southeast connector has not been established therefore the actual building site of the apartments may change to coincide with the alignment once it is finalized by the County.

“Article V, Section 5.2.1.b states: ‘A Master Plan is comprehensive in establishing the scope of a project, yet is less detailed than a Development Plan. It provides a means for the County Development Review Committee and the Board to review projects and the sub-divider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a Preliminary and Final Plat approval.’”

Mr. Larrañaga said the application was submitted on December 6, 2013 and revised on March 26, 2014. Building and Development Services staff have reviewed this project for compliance with pertinent Code requirements and have found that the facts presented support this request: the Application is comprehensive in establishing the scope of the project; the Master Plan conforms to the eligible use and density allowed under a New Community Center; the Application satisfies the submittal requirements set forth in the Land Development Code.

Staff recommends conditional approval for a Master Plan in conformance with the Community College District Ordinance to allow a multi-family residential community consisting of 214 residential units on 22 ± acres subject to the following staff conditions:

1. The Applicants shall comply with all review agency comments and conditions, as per Article V, § 7.1.3.c. Conditions shall be noted on the recorded Master Plan.
2. Master Plan with appropriate signatures shall be recorded with the County Clerk, as per Article V, § 5.2.5.
3. A revised Traffic Impact Analysis, showing current road conditions, shall be submitted based on the Southeast Connector at Preliminary Development Plan. Article III, § 4.4.1.5.c

Mr. Larrañaga referred to Exhibit 4 which indicated the archaeological report was revised and that there were no outstanding archaeological issues on the site.

In response to a series of questions regarding which policies govern the property, staff offered the following information: the master plan in question was approved prior to the adoption of the College District and the entire Rancho Viejo Master Plan. The zoning map of the new Sustainable Plan designates this property and the entire Community College District being within the planned development district and under the Community College District Ordinance; those regulations are not changing. Originally the property was allowed 73 single-family lots on 95.75 acres. The phasing called for 20 lots on 33 acres. The apartments are proposed on 22 acres. This area has a minimum of 3.5 dwelling units per acre. The applicant must comply with the open space requirements established in the Community College District Ordinance and they will utilize County water and the Rancho Viejo sewer utility.

In regards to traffic, Mr. Larrañaga said if the southeast connector is built Elevations will access directly off the extension of College Drive which will connect to a roundabout to the southeast connector. If the southeast connector has not been built when Elevations comes in for final development approval, a new traffic impact analysis will be required to determine improvements.

Chair Drobnis invited the public interested in speaking to stand and be sworn in. He advised those individuals that there will be a two-minute time limit and in the event there is a representative for a number of people the time limit can be extended. In order to run an efficient meeting, he asked that the audience be respectful and not clap.

Randy Crutcher, 12A Dean's Court, College Heights, duly sworn, said he was speaking on behalf of the 20 homeowners who received notice. The plan was originally for over 440 apartments units as proposed by Rancho Viejo developer Warren Thompson. Now it is a 200+ unit complex on a parcel "just recently" de-annexed from Rancho Viejo and is being sold to an Arizona company which has no knowledge of the promises and commitments made to the adjacent homeowners via the covenants that run with the land.

Mr. Crutcher noted that the County staff and community members spent thousands of hours on community planning to achieve good development: "That's not what is happening here." Dropping a high density apartment complex into a vacant field without master planning is spot zoning. When this property was approved for master plan zoning in 1997 there was a condition of covenants. This property was not only part of Rancho Viejo North but also had to pay dues to support the HOA, trails and open space. He referred to Exhibit 2 which depicted the 73 homes.

Mr. Crutcher said Warren Thompson is trying to "pull a fast one" and void all the promises and history on this property.

Al Padilla, 8 Dean's Court, under oath, asked the CDRC to consider the scenario if the developer of Eldorado or Casa Solano decided unilaterally to withdraw property from the chartered association and build high-density apartments. "Promises made must be promises kept," stated Mr. Padilla. He noted that the Rancho Viejo developments were well represented in the development of the Community College District plan. The recorded College Heights plat shows single-family homes and disclosed as such in all documents for all the property owners in College Heights. In fact, that was still in the disclosure papers as of 2013.

Mr. Padilla urged the CDRC to reject this piecemeal planning.

Evelyn Spiker, 7A Dean's Court, under oath, stated she is a homeowner in Rancho Viejo and has served on the architectural review committee for 10 years. She said she believes in enforcement of the covenants and restrictions. The proposal before the CDRC is an egregious deviation from any adherence to the CC&Rs that are part of the community. Ms. Spiker, a realtor, said all homeowners were presented with and agreed to the CC&Rs when they purchased their property. She mentioned the developer's de-annexation of property dated March 2014 states that the property is no longer subject to any covenants and restrictions. She suggested it was not that simple and according to the declaration of covenants and restrictions [Exhibit 5] the covenants shall run with the land upon sale or transfer.

Ms. Spiker said there were hundreds of signatures in opposition to this proposal as well as a letter from the HOA Board [Exhibit 8].

Duly sworn, David Vigil, 6A Dean's Court, discussed the wastewater infrastructure for the neighborhood and questioned whether an additional 200+ units can be adequately handled by the 10 year old system. One of the closing documents states that any future development in the area will need to tie into the Rancho Viejo utilities and he was concerned about the capacity.

Mr. Vigil referred to the NM ED Surface Water Quality Bureau report and asked the CDRC to review that document carefully because deficiencies were cited. [See Exhibit 8]

Mr. Lopez, 18 Dean's Court, duly sworn, said his concerns revolve around traffic. The project should be postponed until the southeast connector is built. The anticipated design period of the connector is 2017 and 2018/2019 is the actual construction period. Elevation's project is premature and should be tabled until the design is complete and adequate funding secured.

Karin Lubin, 12A Dean's Court, under oath strongly recommended that the CDRC deny the apartment complex. She said this board needs to set strong parameters for developments. She said the Fire Marshal and staff are very concerned about fire emergency in getting to the units or guiding an evacuation. She said without the southeast connector in place this development depends entirely on guessing and that is not good development. Richards is the only true exit and entrance.

Bruce Krasnow, 3B Dean's Court, under oath, thanked the CDRC for their service to the community. He said he understood growth and the economy but growth needs to happen in a fashion that makes sense. He summarized the history of the project that started in November 2012 when the area residents received an invitation from JenkinsGavin to discuss a pending amendment to the master plan. At the second meeting in 2013, the project was scaled back and at a third meeting Mr. Thompson offered to work with the neighborhood; however, this parcel was exempt from the entire process. Since then the property has been de-annexed. He asked the CDRC to reject the project.

Gayle Evezich, 6B Dean's Court, under oath, said she respectfully requested that the CDRC reject the proposal. The proposal of 214 apartments at the eastern end of the 57 acres was planned and platted for 50 single family homes in 1997 by Rancho Viejo and Warren Thompson. She said this proposal changes monthly and the current proposal places the complex ¼ mile east of Burnt Water without the 10 home buffer zones. Ms. Evezich said contrary to the assertion at the last meeting that the neighbors on College Drive requested the most recent move, they did not.

Ms. Evezich said they are unequivocally opposed to this development in this area. She said there is a lack of transition space between Burnt Water and the proposed complex. This is piecemeal development going against the grain of the Sustainable Growth Management Plan.

James Shuba, 9A Dean's Court, under oath said he was present to appeal to the CDRC members' hearts. He said this proposal affects one of the biggest financial decisions he and his neighbors have made. He said he and his wife fell in love with Santa

Fe and finding Dean's Court affordable have moved here for retirement. He said that the Community College District does not need an apartment complex.

Lance Tunick, under oath, 14B Dean's Court, said there are many government planners in this proposal and it is the CDRC's job to pull together those recommendations and make a decision that serves the public interest. Spot zoning should not be allowed. The lack of credibility of the developer and Uninvest has been established by the de-annexation which contravenes all of the promises that were made. He said infrastructure must be in place in advance of any construction. "Don't make us suffer through Richards Avenue, the sequel."

Under oath, Sue Stein of Rancho Viejo, said she was speaking for five individuals who were present and stood at the podium while Ms. Stein provided her testimony. Ms. Stein recalled that last month when Ms. Jenkins presented the proposal she referred to "the County" throughout. The County, stated Ms. Stein, is not an abstract entity. "It is the men, women and children who live, shop, own businesses and homes...attend our schools...pay taxes in and to the County of Santa Fe. It's the people who are sitting here tonight." The community wants to be heard. The applicant and their agent do not speak for the community. The applicant is in Arizona and according to their website is interested in maximizing their return on investment. Contrary to what the agent said, the applicant does not always maintain ownership and manage the projects they develop. Decisions are made on their bottom line. Ms. Stein said the community is interested in the community because it is their community.

Ms. Stein mentioned the changes to the complex did not address the community's concerns as reported by the agent. The residents of Rancho Viejo have been unequivocally and consistently opposed to this project "in all its changing forms." There are much better locations for apartments in terms of public transportation, local shopping, employment and wider roads.

She said the apartments are not consistent with the planned development and will result in the devaluation of the environment. Ms. Stein said the plot directly east of the application is designated as multi-family development. She reviewed the proposed rents for the apartments noting that the complex would not be allowed to discriminate and a three-bedroom apartment could house six individuals paying \$225 monthly. The applicant's assertion that these would not be college apartments does not alter the fact that they would be used for out-of-town college students.

Ms. Stein mentioned a proposal on Rabbit Road and St. Francis that will include 650 dwelling units and 760,000 square feet of non-residential space. Adding that traffic to the proposed apartments makes the traffic congestion concern real. She said none of the traffic issues are adequately addressed because the whole picture is never developed and small increments of the proposals are presented piecemeal. "Somebody needs to look at all the projects...and evaluate."

Development has to be done responsibly and must have benefit to the residents of the county present and future. Ms. Stein asked that the CDRC act as the community's voice and reject the application.

Chair Drobnis requested and received the names and addresses of the four individuals Ms. Stein spoke for.

Under oath, David Burrell, Chili Line Road, said this proposal is clearly a rezoning strategy and he asked that the CDRC reject the proposal. He said he and his wife vehemently oppose this project. The master plan should be honored. Mr. Burrell commented that he had never heard of the de-annexation until the last meeting.

Richard Carson, under oath, stated that this de-annexation will set a precedent. He said he is a retired academic and has been around college students most of his life. One of the reasons he retired to Santa Fe is the community and he supports his neighbors on Dean's Court. He mentioned that the college where he taught started as a small community college and grew into a huge college and the homes were razed for apartment complexes.

Vicki Schneider, Rancho Viejo, under oath thanked the CDRC for listening to the community. She said her community supports smart development. Even though the agent for the applicant assured the CDRC at the last meeting that Vedula was the best of management, however, according to their website Vedula will in all likelihood sell the apartments. The buyer is an unknown. The great unknown of this property puts the stability, security and property value of the neighborhood at risk. She suggested Mr. Thompson find a more appropriate location in Rancho Viejo.

Clare Easterwood, 9B Dean's Court, under oath, said she has lived all over Santa Fe and reviewed the covenants, disclosures and asked what was going to be built on the parcel in question. The answer was single-family homes and that was less than 18 months ago. Ms. Easterwood said she feels bamboozled by the developer. She said she hoped the CDRC denies the project.

Beth Detwiler, Oshara Village HOA president, under oath, said on behalf of Oshara Village residents, owners and the HOA she asked that the project be postponed until both the northeast and southeast connectors have been constructed and are functional. She said Oshara does not have a traffic problem, "we have a continuing traffic crisis and adding thousands more cars into the mix is going to make it much worse."

Terry Buell, duly sworn of Rancho Viejo, said she moved there because it was marketed as energy efficient and in concert with nature. She said that was important to her and she has a conservation lot on Chili Lane. Ms. Buell said she makes her living as a HERS rater to make sure new construction is green. This area needs to do more on conservation and an apartment complex with a swimming pool is not efficient.

That concluded the public hearing.

Chair Drobnis asked about open space and trails in the community and one of the previous speaker stated that the HOA dues pay for the maintenance of the trails.

Approximately 50 percent of the HOA fees go to the landscape, open space and trail maintenance. Another individual said the open space has been traded off at will by the developer. It was added that Rancho Viejo is the first and only community in Santa Fe County that has FireWise certification.

The applicant's agent was invited back to the podium to address any comments.

Jennifer Jenkins, Colleen Gavin and Oralynn Guerrerortiz the project civil engineer were duly sworn.

Ms. Jenkins clarified that this is a request for master plan. As required by the Community College District Ordinance projects must submit a master plan prior to moving forward. She confirmed there was a master plan on this property that expired. The CCDO is designated as Santa Fe County's highest priority area for growth. The property is already zoned, stated Ms. Jenkins and designated in the CCD plans as a village zone with a minimum density of 3.5 dwellings per acre. The proposal is for 9.5+ dwellings per acre. The Sustainable Land Development Code has multi-family density established at 20 dwelling units per acre. The developer is providing 50+ percent open space on the 22 acres in compliance with the CCDO.

The Sustainable Land Development Code does not modify the CCD. An approval of this master plan does not grant permission for anything other than the submittal of a development plan. With respect to the southeast connector, Ms. Jenkins said they are running on a tight parallel path with the connector.

Ms. Jenkins stressed that multi-family residential housing is a necessary part of the housing spectrum. The largest employer in Santa Fe County is the Community College and this proposal provides housing options to make Santa Fe County economically viable.

Oralynn Guerrerortiz, under oath, stated that the 3-inch force main that serves Dean's Court is adequate to also handle the apartment complex. The connection can be modified to College Drive. The Rancho Viejo wastewater treatment plant was recently inspected and issues were which will be addressed. There was nothing in the report indicating anything inherently wrong with the plant.

Ms. Jenkins reviewed the pedestrian trails and noted there is a bus route that runs to the college. She offered to explore an expansion of that route.

Member Booth expressed concern about the piecemealing of the project.

Member Anaya said he understood the area residents not wanting this complex in their area but the project will bring services to all of Santa Fe County. He did not believe it would devalue area property and moved to approve the project with staff conditions. The motion failed without a second.

Speaking with 38 years of experience in real estate, Member Gonzales moved to recommend denial of CDRC Case Z 13-5380. Member Martin seconded.

Member Martin appreciated the County staff work on this project and thanked the audience and the applicant for their patience. She said the project's land use compatibility was troublesome to her. The Sustainable Land Development Code speaks to insuring compatibility, provides predictability and security by protecting property values and public and private investments in property improvements. It also mentions adequate transportation network capacity which is a serious issue. Further, she mentioned in *Albuquerque Commons versus City of Albuquerque* the court found that property owners have a right to rely on zoning classifications.

The motion passed by majority [5-1] voice vote with Member Anaya voting against. [Member Katz recused himself.]

VIII. New Business

A. CDRC CASE # V 14-5080 Jason Mohamed Variance. Jason Mohamed, Applicant, Kristofer C. Knutson (Knutson Law PC), Agent, request a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to allow two dwelling units on 2.5 Acres. The property is located at 11 Virginia Lane, within Section 24, Township 15 North, Range 8 East (Commission District 5)

Member Katz rejoined the committee.

Mr. Romero presented the case as follows:

"The Applicant requests a variance of Article III, Section 10, Lot Size Requirements, of the Land Development Code to allow two dwelling units on 2.5 acres. The subject lot was created in 1984 via Family Transfer and is recognized as a legal lot of record. Currently there are two homes and two accessory structures on the property. The two accessory structures consist of a well house and stables.

"On January 30, 2014, the Building and Development Services Division received a complaint that the Applicant had moved a manufactured home onto the property without a Development Permit from Santa Fe County. On February 6, 2014, Code Enforcement conducted an inspection on the property and issued the Applicant a Notice of Violation for Unpermitted Development.

"The Applicant states that he is requesting a variance in order to move his elderly mother into the second home to help provide assisted living for her. Currently, the Applicant, along with his family including his mother, all reside in the main residence. The manufactured home that was illegally placed on the property is vacant and not connected to any utilities."

SEE CC3 ON
PAGE 3.

March 5, 2014

Ms. Liz Stefanics,
County Commissioner, District 5
P.O. Box 720
Cerrillos, New Mexico 87010

Re: Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20. Presentation by Jenkins and Gavin to the Rancho Viejo Community at the Santa Fe Community College on March 10 at 5:30 p.m. (Jemez Rooms).

Dear Commissioner Stefanics:

It is our understanding that you prefer email, but we could not send the attached list of more than 300 signatures opposing this project, easily by that means. (See **Attachment A.**)

Last year, we were told in three meetings that this proposed apartment complex was to be built in two phases on an extension of quiet College Drive, which borders the College on the North, to ultimately total an estimated 400 units. These apartments represent a huge departure from Rancho Viejo's design and concept.

This year, the major change appears to be starting the project with 200 units 1/4th of a mile further over from our mail boxes on Burnt Water Road. (Later, they would finish the apartments right up to Burnt Water road.)

Past SF Community College President Ana Guzman, invited us to a community meeting and surprised us with the information that the complex would be filled with students--most likely foreign students.

Although it is billed as a luxury development with club house and pool, we view it as a potential "party palace" in our quiet neighborhood. (The club house and pool are a further irritant because our developer Univest promised Rancho Viejo residents a Club and a pool but never built them.) And the college has a huge pool only yards away.

Further complicating the situation, according to Jenkins Gavin--the local Public Relations firm fronting this development--this property is in the process of sale to Vedula Residential, 6720 Scottsdale Road, Suite 109, Scottsdale, AZ 85253. Bruce Hart is the main partner involved, according to Warren Thompson of Univest.

This land is currently Master Planned by the County for 60 single family residences which is far more appropriate for this neighborhood and in line with



OBA-91

what we were promised when we bought our homes.

This project would certainly lower the property values on Dean's Court. Rancho Viejo developers (Univest, and others) sold housing in Rancho Viejo with the assurance that it would be occupied by homeowners and governed by covenants and associations. A sale of this parcel should not change the contract under which we purchased homes.

We oppose apartments in this neighborhood because of loss of views due to the heights of this complex, traffic, noise, headlights which eliminate our night sky concept, the lack of the completed Southeast Connector (which in the event of a ground fire virtually traps us on College Drive--there is only one way in and out), the traffic impact on Richards, and the fact it presents the perfect site for potential drug and criminal problems.

We are reviewing the traffic impact study paid for by the developers and we are aghast at the findings. We have traffic experts among us and they find this study deeply flawed.

We have discussed that the ideal place for apartments, would be next door to our new Fire Station. The Station represents some law enforcement and such a complex would have immediate access to Route 14 as well as be walking distance to college, reducing the traffic impact on Richards. It would be some distance from our single family homes. It would be more likely to attract a variety of residents rather than just students.

We do not oppose student housing constructed on the College and supervised by the College.

We control our residents through homeowners associations. Apartment dwellers have no such associations. Young students can quickly bring down the condition of apartment structures since they do not understand maintenance. Once this project is developed, we know it will be immediately sold and possibly not well managed. One look at the police blotter for the apartment complexes on Airport Road, is enough to cause deep concern.

While respecting Univest's right to sell or develop this particular parcel, we do not endorse any changes to the Master Plan to permit apartments on College Drive because this kind of density is a far fetched deviation from our community plan.

Sincerely,

Concerned Residents for Smart Development
concernedrvhos@gmail.com
99 Via Orilla Dorado,
Santa Fe, NM 87508

OBA-92

cc: Penny Ellis-Green, Growth Management Administrator, County of Santa Fe,
P.O. Box 276, Santa Fe, NM 87504-0276

Dan Drobnis, Chair of the County Development Review Committee and District 5
Representative, 102 Grant Ave., Santa Fe, 87501-2061

OBA-93

Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive

--Whereas those who now own homes in the Rancho Viejo Community purchased their homes with the understanding that Rancho Viejo would be a community of homeowners and,

--Whereas the residents of Rancho Viejo have a voice and accountability through homeowners associations and,

--Whereas Rancho Viejo is dedicated to the concept of preserving the nighttime sky and an apartment complex would have to be well lighted for security and,

--Whereas the roads, streets and infrastructure of the Rancho Viejo community are not sufficiently developed to support dense populations and,

--Whereas crime has been high in Santa Fe apartment complex areas,

Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.

Name	Address
<u>PAUL WRENN</u>	<u>163 E CHILI LIME RD, SANTA FE NM 87501</u>
<u>ELEANOR O. BOVE</u>	<u>922 ACEQUIA MADRE SANTA FE 87501</u>
<u>Cliff Pitt</u>	<u>922 ACEQUIA MADRE, SANTA FE 87501</u>
<u>Wesley G. Johnson</u>	<u>54 VIA PUNTO NUEVO SF 87508</u>
<u>Jason M. Johnson</u>	<u>54 VIA PUNTO NUEVO SF 87508</u>
<u>Dennis Green</u>	<u>42 JOHNSON MESA SF 87508</u>
<u>Susan Wausch</u>	<u>7 Rocky Slope Dr. SF 87508</u>
<u>David Johnson</u>	<u>50 Victoria Peak SF 87508</u>
<u>Donna Bennehart</u>	<u>50 Victoria Peak SF 87508</u>
<u>Cliff Pitt</u>	<u>5 CALLE AGUA CLARA, SF NM 87508</u>
<u>Patricia Jones</u>	<u>#5 Calle Agua Clara</u>

Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive

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--Whereas crime has been high in Santa Fe apartment complex areas,

Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.

Name	Address
<u>Susan McGrew</u>	<u>3 B Deans Ct., SF, NM 87508</u>
<u>FAT E. FERRIN</u>	<u>10 DEANS CT. SF NM 87508</u>
<u>Christina Young</u>	<u>1 Canyon Ln 87508</u>
<u>Elizabeth KERR</u>	<u>6555 S. Richards Ave</u>
<u>James KERR</u>	<u>6555 S. Richards Ave</u>
<u>MARK H. GALLAGHER</u>	<u>1 WATAVE PL. SANTA FE 87508</u>
<u>Paul Mann</u>	<u>163 E CHILI LINE RD, SANTA FE NM 87508</u>
<u>Randall Schutz</u>	<u>6 Shiprock Peak, SF, NM 87508</u>
<u>Juanita L Cleburn</u>	<u>27 E Chili Line Rd</u>
<u>Richard Cleburn</u>	<u>" " " " "</u>
<u>Ken Grandall</u>	<u>4 Whitewater Ct</u>

AGAINST 2

Ann L. Wemy

9-Galline Peak Rd

Linda Williams

4 Purple Crow Pl

Rosalie Lopez

25 Hiprock Peak

Tom O'Brien

3 Fireheart Pl.

Marguerite Hatch

4 Fajada Wash

John Hatch

4 Fajada Wash

Lisa Louch

38 Deuoy's Peak St

Larry Wright

83 Johnson Mesa

Don Sof-Chalk

11 Witches Peak

Patricia Morianty

3 Big Bear Place

Dennis Green

42 Johnson Mesa

BARBARA MILLER

45 JOHNSON MESA

Laura Corbin

42 Johnson Mesa

JORDAN MILLER

45 JOHNSON MESA

VAN E. Liming

51-D Cañada del Rancho

Maggie Liming

51-D Cañada del Rancho

Hip McCoy

3 Conestoga Trail

Peggy McCoy

3 Conestoga Trail

Paula Daub

40 E. Chile Lane

Hanna P. Fernandez

4 Eyle Peak

Yolaine Fernandez

u u u

Latanee Fernandez

u u u

Gilda Fitzpatrick

3 Corte Patricia

AGAINST

ROBERT & ELAINE CARSON	175 E. CHILI LINE RD.
Mary Kay Baulton	3 Bucking Horse Ct.
Randy Cautcher	12A Deans Ct
Karin Lubin	12A Deans Ct
Eme Margolis	15 Reeds Peak
Jim R. Com	2 Cimarron Ridge Dr.
STEVEN MORIARTY	3 Big Bear Pl 87508
Beverly Brunson	4 BASKET MAKEUP
Karen Jochen	22 Cumbres Pass
Frederic P. Wright	32 E Chili Line Rd
W. French	12 Enmeclio Pl.
Richard Byrne	4 Shannon Ct
Barbara Aran	5 Papaya 40 Peak
Kenneth Aran.	5 Papaya 40 Peak
Deborah Harmon	2 Broken Rock Place
Barbara Anderson North	76 Canada del Rancho
Anita Boone	2 Conestoga
Mary Boone	2 Conestoga Trail
David & Dee Dee Vigil	6 A Deans Ct
Jack Hines	5 Softwynd
Pat Gioia	5 Softwynd
Sandra L Sloger	15A W Chili Line Rd
ROBERT J ANDREOTTI	15A W CHILI LINE

AGAINST

Tom Schrimpf

Bob Hassel

JAN MARTINEZ

Dimitri Michalos

Anke Michalos

TIM MANNING

Elke Jensen

MARY J. Hatola

Mark Fuller

LAWSON P. WILSON

JACQUE MCANULTCH

Charles O'Donnell

Karen O'Donnell

Cathy Doren

MANFRED LAERDIE

Jeanne Schurz

Sandy Lemon

Shirley Harlan

Dona Harlan

LAURA TRUJILLO

Bette Knott

Paul Lujan

Dee De Vigil

9 ANGEL PEAK

22 GRASSLANDS TRAIL

22 GRASSLANDS TRAIL

15 Withers Peak

15 Withers Peak

23 VICTORIA PEAK

43 A Canada del Rancho

4 JULIA COURT

2 Mule Deer Road

3 CIMARRON PASS

3 CIMARRON PASS

2B Deans Ct

2B Deans Ct

6 Broken Rock Pl.

7B DEAN CT

34 Canada del Rancho

11 Softwynd Drive

15 E. Chili Line

15 E. Chili Line

6 CAPITAL PK.

3 Well Tank Rd

2 A Deans Ct

4A Deans Ct

APARTMENTS

DEPT. + DORI DALTON
 Florence Wright
 [Signature]
 [Signature]
 [Signature]
 Leo Duncan
 Nancy Duncan
 Robert Duran
 Adelaide C. Younger
 Ellen Turner
 Diane Brown
 Mary McElroy
 Marion [Signature]
 Walter / Perry [Signature]
 CHERYL BUCHH
 PAUL UHMAN
 ANGOLA LEHMAN
 KAREN LANKFORD
 KELLY SEVERLES
 Kathleen (Jig)
 Heidi Schaefer
 Jack McKinney

9 Chimney Pass
 32 E Chili Line Rd
 20 [Signature] Rd
 2 Pin Cushion - rd
 4 B Deans Ct
 9 B Deans Ct
 12 PEARIE CROST DR
 12 FRANK CROST DR
 3 Socorro Ct
 1 Bajada Pl.
 2 HICKORY CANYON DR
 7 Spirit Run Pl
 19 Tiger Rock, Rd
 15 [Signature] Pass
 27 E Saddleback mesa
 5 REEDS PEAK
 7 Reeds Peak
 7 Reeds Peak
 2 HUNTERS PASS
 2 HUNTERS PASS
 Dean's Court
 99 Via Grilla Nevada
 9 [Signature] Pass

Joseph P. Kelley	4 Conestoga TRL
Dorothy A. Kelley	16
Kathleen A. Morgan	29 Bullent St. Ln
Eddie Hironeka	5 Avenida Oso ct
Teiko Hironeka	5 Avenida Oso ct
Rosemary Stronk	41 Victoria Peak
Elizabeth Martin	26 Devoy's Peak
Mike Udoby	7 Sobradere DR
Gay Greene	14 Cañada del Rarcho
Joseph Gonzalez	6 Eagle Peak
Alexis Gonzalez	6 Eagle Peak
Cheryl Lucas	15 Enm Espio Place
Mary Ruth	7 Saffron Ln
Sara J. Finn Kennedy	
Paula Doane	83 Johnson Mesa
Linda Hilda Wersh	57 Via Sigraden
Susan Mayes	116 Mesa Pino
Steven Mayes	116 Mesa Pino
Susie Knight	7 Gray Hawk
Karl Johnson	↓
David Gorcey	8 Prairie Crest DR
Diane Gorcey	8 Prairie Crest Dr

Charles McKittrick
Beth Decker

6 Blue Wing Lane
11 Craftsman Rd

Demmet Pacheco

215 E CHILI LINE RD

PEDRO PACHECO

215 E. CHILI LINE RD

Maria Pope

4 Bear Mountain

Rodger Pope

4 Bear Mountain

Monica Pimental

8 Agua Fria

Jeff Proctor

10 BEAR MOUNTAIN

Richard Furlanetto

6 Redoubt Peak

Christa Furlanetto

6 Redoubt Peak

Nancy Uvalle

17 Firerock Rd.

Ivan Orobórez

81 Cañada del Rancho

Linda Rundell

11 Well Tank Rd

Thomas Leming Thomas, Sr.

4 Sabadora Dr.

~~DAVE~~ LINDA KONEW

26 PANTHER PEAK

DOUG KONEW

26 PANTHER PEAK

Greg Smith

14 Cimarron Pass Rd & Sanchez

Bill Smith

15 Johnson Mesa

Dave Dalton

9 Cimarron Pass

KIM SONG

9 Firehawk Lane

David Thompson

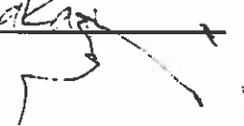
7 FIREHAWK PL

Muddy Lewis

81 Johnson Mesa

Marion Paddock

81 Johnson Mesa



<u>Anji Estrellas</u>	<u>11 Bajada Place</u>
<u>Laurel Parker</u>	<u>2 Poppy Place</u>
<u>Julie Good</u>	<u>14 PANTHER PEAK</u>
<u>Kate Barbee</u>	<u>14 Panther Peak</u>
<u>Russell Bonner</u>	<u>130 E Chili Line Rd</u>
<u>Sylvie Rowen</u>	<u>130 E Chili Line Rd</u>
<u>Kristin Chancellor</u>	<u>211 E. Chili Line Rd,</u>
<u>LISA GULOTTA</u>	<u>4 GRAYHAWK Place 87508</u>
<u>BETH HUNDLEY</u>	<u>1 COYOTE WASH</u>
<u>Barbara Mohon</u>	<u>26 Reeds Peak ^{SF.} 87508 ⁵⁰⁵⁻⁵⁰¹⁻³⁶¹⁶</u>
<u>Amy Milder</u>	<u>1 Coyote Wash 87508</u>
<u>Henry Freund</u>	<u>1 Reeds Peak 87508</u>
<u>Patricia L. Williams</u>	<u>169 E. Chili Rd 87508</u>
<u>Eldon E Brown</u>	<u>169 E Chili Rd 87508</u>
<u>Lisa K. Rawlings</u>	<u>78 Johnson Mesa Santa Fe, NM 87508</u>
<u>J. Pepprell-Cambes</u>	<u>2 Sobradara Dr. Santa Fe, ^{NM} 87508</u>
<u>J. H. Condes</u>	<u>"</u>
<u>Zun Zun (Loren Teske)</u>	<u>6 Horse Peak, 87508</u>
<u>Carmen Lopez</u>	<u>47 Victorio Peak</u>
<u>Clinton Coffman</u>	<u>2 ALEGRE PASS</u>
<u>Kim Mully</u>	<u>18 Cimarron Pass</u>
<u>Paul A G</u>	<u>2A. Dean's Ct.</u>
<u>[Signature]</u>	<u>673 Deans Ct</u>

Lee Morgan	29 Bullheart Sk, Vn.
Frank Dickson	2 Big Bear
Robert J Karea	181 E. Chili Line Rd
KAI QU	8 Bajada Place
Karen Donovan	155 Rancho Viejo Blvd
DARLENE FRAZIER	9 ANGEL PEAK
JORDAN MILLER	45 JOHNSON MESA
BARBARA MILLER	45 JOHNSON MESA
Mariann Tenenbaum	4 BLUE WING PLACE
Deborah Senter	15 Prairie Crest
Bill Senter	15 Prairie Crest
Leticia Padilla	18 Prairie Crest
Dick Korman	3 RED THORN PL
Jerry R. Miller	14A Deans Ct.
Calvin E. Capen	39 E Chile Line Road
TERI BUTH	219 E. CHILI LINE RD.
W W A Jupp	6 CAPITAL PEAK
Kenneth Vellan	Kenneth.Vellan@WFADVISORS.COM
Robert Garcia	joslyabob@earthlink.net
Karek ...	18A Deans Ct
FRANCISCO LOPEZ	FLopez3951@aol.com
STEPHEN HUNT	18 B DEANS CT. SF 970-3131
	19A DEANS CT, SF, NM 97508

Rancho Viejo Against Apartment Complex Petition

Fuller Drome	83 Johnson Mesa
Sesalie Lopez	2 Shiprock Peak
Charles Brown	83 Via Orilla Dorado
Janita Stree Paul	2 Sallera Peak
Steven & Patricia Moriarty	3 Big Bear Pl
Sijndag Young	Cibola MESA
Ph. Lomeda Teelcy	1 Woodflower PL
Garry Nelson	1 Woodflower PL
Mavis Holman	15E Chili Line Rd
Grace Dana Hailman	15E Chili Line Rd.
David Yates	8 West Saddleback mesa
John Hatch	4 Farida Wash, S.E. 87508.
Mary + Bernice Faiz	25 Reeds Peak 87508
Kathleen Berant	79 Calle Agua Clara
Diane Williams	73 Calle Agua Clara
Cathy Doern	6 Broken Rock Pl.
Janice Hubbard	3 Cucumber Pass
SARA Kennedy	16 Bear MTN
Jiri Kennedy	"
Hilma van Hunning	4 WINDSTONE R
Conni LaKocan	112 Via Orilla Dorado
NORD PETERSEN	4 WINDSTONE RD.
Robert Duman	3 Socorro Ct.

Rancho Viejo Against Apartment Complex Petition

Jennie Olson	95 Via Orilla Dorado
Jaime Schneider	99 Via Orilla Dorado
Ina Mathan	144 Rancho Viejo Blvd
Sara Haring	102 Via Orilla Dorado
May Hilbert	9 Paseo LUNA BIANCA
Robert Zanni	87 Via Orilla Dorado
Coil Davis	87 Via Orilla Dorado.
John Hatch	4 Fajada Wash, Rancho Viejo
Mimi Hatch	" " "
Martin Katz	30 Army Ridge Road.
Janet Paul	2 Gallina Place
Steve Paul	"
Linda McIlroy	14 Cimarron Pass
Glen Smerage	181 E Chili Line Rd. 87508
Bruce Blair	1 Paseo Luna Blanca 87508
Joane Peppatt-Lombas	2 Sobradora Dr.
Jim Peppatt-Lombas	"
Aoleline YOUNGER	1 Bajada Place
JOHN E. INGER SEITZ	34 SOBRADORA DR.
James + Elizabeth	6555 S. Richards Trl
Linda Williams	4 Purple Crow Place
Tom O'Brien	3 Firehearth Place
LARRY Wri, D	83 Johnson Mesa
Bob	43 Camada del Rancho

Rancho Viejo Against Apartment Complex Petition

Lorraine Reitano	58 Johnson Mesa 87508
Wagant Brygh	3 Crows View PE-
James Fry	57 E. Chili Line
Jule Ferrara-Clarke	74 Johnson Mesa
Stephan Clarke	74 Johnson Mesa
Marianna Stangrich	219 E. Chili Line Rd.
Peter Suhl	219 E. CHILI LINE RD.
David Stangrich	15 Siskiyaw Dr
Kristin Chancellor	211 E. Chili Line Rd
Steve Chancellor	211 E. Chili Line Rd
Terri Mancini	23 Victoria Peak
Anna Bacc	30 Canada del Rancho
Mike Dru	30 CANADA del Rancho
Robert J. Kares	181 E. Chili Line Rd
Judy S. Kares	181 E. Chili Line Rd.
Sue Kares	19 Grassland Tr
Maureen Cooper	131 E. Chili Line Rd
Martin Katz	30 Arroyo Ridge Road
Mindy Katz	30 ARROYO RIDGE RD

Rancho Viejo Apartment Complex Petition

Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive

--Whereas those who now own homes in the Rancho Viejo Community purchased their homes with the understanding that Rancho Viejo would be a community of homeowners and,

--Whereas the residents of Rancho Viejo have a voice and accountability through homeowners associations and,

--Whereas Rancho Viejo is dedicated to the concept of preserving the nighttime sky and an apartment complex would have to be well lighted for security and,

--Whereas the roads, streets and infrastructure of the Rancho Viejo community are not sufficiently developed to support dense populations and,

--Whereas crime has been high in Santa Fe apartment complex areas,

Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.

Name

Address

Rhonda G. Williams

46 Camino Dimitria, SF NM 87508

Wanda Moore

34 Vista Precioso, SF NM 87507

Sue Wittman

1286 Chestnut, SF NM 87507

[Signature]

1601 Barker Dr Santa Fe 87501

[Signature]

409 Canyon Rd Santa Fe 87505

[Signature]

4621 Cactus Flower Santa Fe 87507

Blair Frankel

203 Calle San Simon SF 87505

[Signature]

203 Calle San Simon Santa Fe, NM 87505

JC V

151 Gonzales Rd #18 SF 87501

[Signature]

1109 Don Custer Ln Santa Fe

Robert Kroutil

3 Wall Tank Road

Gary Lee Nelson

1 Woodflower Place

Rancho Viejo Apartment Complex Petition

Petition to the County Board of Supervisors regarding a proposed Rancho Viejo Community apartment complex on College Drive

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--Whereas crime has been high in Santa Fe apartment complex areas,

Those signed below oppose revisions to the Master Plan to insert apartment buildings into or next to existing developed Rancho Viejo community homes.

Name

Address

[Signature]

2508 Camino San Patricio, SF 87505

[Signature]

8 Sandia, Santa Fe 87508

[Signature]

3704 Valmora Road SF, 87505

[Signature]

1894 Lorca Dr. 87505

[Signature]

50 Cibola Cir. 87505

[Signature]

35 Livande Dr. 87506

[Signature]

723 Gonzales Rd, Santa Fe 87501

[Signature]

1600 Ben Hur Dr. SF NM 87507

[Signature]

2903 Contadine Pkwy SF NM 87505

[Signature]

112 San Salvador Ln, SF NM 87501

[Signature]

33AB South Fork SF NM 87508

AGAINST

Cyril Hilley

Stanley Rosen

Peter Gould

Marsha Drennon

Frank

Frank O'Leary

John Smith

Jean Smith

TIM MANNINEN

Steve Land

Barbara Butler

NANCY ARMSTRONG

5 Jimsonweed Ct SF 87508

1 Fiddlehead Pl 87508

18 Cibola Peak, pgoaldlaw@gmail.com

3 Julia Court

28 Echelon Park

2 Big Bear Pl.

177 Devils Ct S.F.

912 Devils Ct

23 VICTORIO PEAK

1 Alegre Pass

11

2 Pin C St Pl

March 7, 2014

Jerry & Carol Wells
14A Deans Court
Santa Fe, NM 87508

County Land Use Administrator
P. O. Box 276
Santa Fe, NM 87504-0276

Dear Sir or Madam:

This letter is in response to Legal notice #96592 published in the Santa Fe New Mexico on February 27, 2014 regarding a public hearing on an amendment to the College Master Plan on 56.91 acres for the development of an multifamily residential community.

As we will be unable to attend the hearing on the 20th day of March 2014 we are writing to voice our concerns and objections to this development.

Univest-Rancho Viejo proposed this development over a year ago at which time we voiced our objections to this development as it would substantially increase traffic on College Drive and it was a change in the original design of the neighborhood from single family housing to multifamily rental housing. The original proposal submitted by Univest-Rancho Viejo was to build two multifamily rental housing units in two phases each development consisting of approximately 240 housing units. The proposal was marketed as a "Luxury" apartment complex.

After receiving considerable opposition to these plans, Univest-Rancho Viejo altered their plans and presented a proposal very similar to the current proposal. Once again the Community voiced opposition to this plan.

At a meeting in the fall of 2013 a meeting was held to establish a Community/Developer joint task force for purposes of addressing many of the issues voiced in our opposition to this development. At the end of the meeting we were informed that this proposed development was not included in this new joint task force as the College Drive property was being sold to Vedula Residential Operating LLC.

We are now told that this sale has not been completed and it appears that Univest-Rancho Viejo is a partner in the proposal.

OBA-111

Our original opposition to this development has not been resolved. Our issues are the increase in traffic on College Drive, the change from single family owner occupied homes to multifamily rental units.

We do not believe these rental units will be "Luxury" apartments as it is quite evident that they are intended as student housing for SFCC.

Our concerns with student housing is the fact that College students do not maintain the property, have late night parties and are constantly traveling back and forth to social events, work, school, friends houses etc. We have rented to College students in a College town and know the ramifications of renting to College students.

The traffic study presented assumes that the traffic on College Drive will not increase significantly. It is unknown how many automobiles the study assumes for each apartments but I would expect no fewer than at least two per unit and considering the residents would in all likelihood be students, I would expect some units would have up to four automobiles per unit.

The multifamily rental housing is proposed assuming the South East Connector runs west of the proposed site. As the developer probably is working with the county to make that happen, it may relieve some of the traffic concerns, but not as many as the traffic study seems to imply.

The multifamily rental housing is only a short distance from a significant archaeological site. Knowing young adolescent children tend to wonder off to explore unoccupied areas of the surrounding areas to the homes, I would expect this site is at risk.

The proposal as submitted leaves open the question of the second multifamily rental units and would in fact increase traffic substantially above the projections.

It may be noted that the round about at Richards and College Drive is rated as a failure. While it is true the South East Connector may help the rating on this roundabout, it would still be rated at a failure or near failure rating with the rental units.

As a homeowner in College Heights, I must follow the covenants established by the Rancho Viejo Homeowners associations. These covenants protect homeowners rights, rights which the multifamily rental units will not be required to follow.

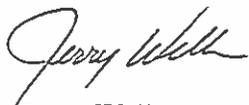
We live in a natural dry land environment which is highly flammable and easily destroyed by wildfires, unplanned pedestrian, bike and off road vehicle trails.

As a final issue, we find it unreasonable for multifamily housing to be allowed a swimming pool when residents of Rancho Viejo are not allowed to have swimming pools and which saves our valuable water resources. The pool would make the multifamily rental units for College students even more attractive for late night parties with significant use of alcohol and drugs.

OBA-112

We ask that you require this section of land be developed as originally platted in the Master Plan and as presented to the residents of College Heights at the time they purchased their single family homes.

Sincerely,



Jerry Wells



Carol Wells

CC: Liz Stefanics, Commissioner

Jose Larranaga

From: Dennis & Dona Hoilman <hoilmanhouse@yahoo.com>
Sent: Tuesday, March 11, 2014 11:54 AM
To: Jose Larranaga
Subject: Re: Proposed Apartment Development in Rancho Viejo

15 East Chili Line Rd
Santa Fe, NM 87508
Email: hoilmanhouse@yahoo.com
Phone: 505 473-2205

Dear Mr. Larranaga,

Thank you for returning our call so promptly. We appreciate your efficiency and courtesy very much and are glad to know that you are the proper and expected person to whom we should address our objections to the proposed development of an apartment complex in Rancho Viejo.

This proposed development would require changes to the Rancho Viejo master plan; we most strongly object to any changes at all in the original plan, and especially to the proposed construction of an apartment complex on College Drive just north of Santa Fe Community College.

We bought our house on the promise that the Rancho Viejo Master Plan would be honored permanently. Now the developers are seeking to void the original plan and build a commercial apartment rental complex in our community. Doing so will inevitably change the nature of Rancho Viejo, lowering our property values, further clogging our already too congested traffic access (a major problem already), creating serious security concerns, polluting our land and night sky, playing havoc with our beloved views, ultimately depleting our water supply and over-stressing our sewers leading to increased assessments for all residents of Rancho Viejo.

Of additional concern to residents of Rancho Viejo is the proposed sale of this development property to a Scottsdale firm which has a dismal record as far as maintaining its developments and its commitment to the communities which those developments disrupt.

But whether this sale materializes or not, the proposed changes in the master plan provide absolutely NO BENEFITS for current residents--only an intolerable degradation of the community and life style that we presently enjoy and that were prime factors in our choice of Rancho Viejo as a place in which to live.

The only motivation for the proposed changes is corporate greed, and all residents of Rancho Viejo will be the victims should the Development Board and/or the County Commission approve them. We have heard rumors that this is a "done deal," but hope that this is NOT THE CASE.

Sincerely,

Drs. Dennis R. and Grace Dona Hoilman

TO: COUNTY DEVELOPMENT REVIEW COMMITTEE (CDRC)

RE: Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo". This project is currently on the County Development Review Committee (CDRC) agenda for your March 20, 2014 meeting.

March 11, 2014

Dear Commissioner Stefanics:

Univest, the current owners of Rancho Viejo have, for some time now, proposed to build a more than 400-plus unit apartment complex in the College Heights area of Rancho Viejo (just north of the Santa Fe Community College campus).

All of the many hundreds of individuals and families who have bought our homes here in the Rancho Viejo community, bought them with the specific developer promises that this was to be a carefully planned community of individual family homes. The "Elevation at Rancho Viejo" proposal, on its most basic level, is a total violation of the original representations made to all of us when we purchased our homes here.

The large Rancho Viejo community can only be accessed by using one of three, narrow two-lane roads: Rancho Viejo Blvd., Richards Avenue and Rabbit Road (which cuts through the Oshara Village community and comes out again on Richards Avenue). Rancho Viejo Blvd. is a narrow, twisting, unlit two-lane road with no shoulders and only a couple of tiny pull-off areas. Richards Avenue is also a two-lane road, and will always be only a two-lane road as it is crossed by the two I-25 bridges and the Railrunner Bridge (preventing any future road widening).

Last Summer, many of us attended a presentation of a roadway and traffic study that was commissioned by Santa Fe County, in conjunction with the New Mexico Department of Transportation and the Federal Highway Administration. At the beginning of this presentation by Occam Consulting Engineers, one of the very first statements made by the presenters was (quote), "Richards Avenue is MAXed out". There are, as you know, proposals being considered by the County to create "connector" roads in and out of Rancho Viejo which supposedly will allow more traffic, but all that these connectors will accomplish is to shunt vehicles from one portion of these MAXed out roads to other areas farther down these same roads.

OBA-116

Although Univest (owners of Ranch Viejo) have originally made this apartment development proposal, we have since learned that Univest now proposes to sell this idea and land to an Arizona developer: Bruce Hart, Vedula Residential, 6720 Scottsdale Road, Suite 109, Scottsdale, Arizona 85253. This effort is being fronted by Jenkins Gavin, a local Public Relations/Design firm. Vedula's business model is to build apartment complexes at the lowest possible cost, and move on. They have no stake or interest in this community other than the money that they will reap from it. Although this development is being represented as a "luxury" development, the previous President of Santa Fe Community College, Ana Guzman, announced in a public meeting that this complex will be filled with students! If we want to know what kind of neighbors apartment complexes have brought to Santa Fe previously, all we need do is look at the Santa Fe Police blotters in relation to all of the apartment complexes currently on Airport Road.

- ❖ We have paid a premium to live in a planned community, governed by covenants and homeowner associations. This proposed development is a blatant violation of the representations originally made to us, and such a development will be under no obligation to be bound by any such governance.
- ❖ The traffic studies commissioned by Santa Fe County, the New Mexico Department of Transportation and the Federal Highway Administration have clearly proven that the roads which access Rancho Viejo are already totally inadequate. Knowing that many individuals and families own more than one vehicle it is absurd to believe that the roads here can possibly accommodate the addition of many hundreds more vehicles that would be a part of a 400-plus unit apartment development. The proposed future "connector" roads do not offer a solution, they simply serve to shunt traffic from one part of an over-crowded roadway to another part of the same roadway.
- ❖ Approving "Elevation at Rancho Viejo" or any other similar development will permanently and adversely alter the entire Rancho Viejo community by creating destruction of valuable wild-land and animal habitat, unimaginable and permanent traffic congestion, major pollution (in many forms), significant risk of additional crime, and emergency entrance and exit access issues.

This proposal is only driven by financial greed. It does not represent any perceived or real need of this community. It is being driven by people who have no interest in the well-being of people in this community, as well as a possible developer who does not even live in this State, and I urge that this proposal (or anything vaguely resembling it) be permanently rejected.

Respectfully,

Bruce Blair

1 Paseo Luna Blanca

Santa Fe, New Mexico

(La Entrada – Rancho Viejo)

cc:

Penny Ellis-Green at www.santafecountynm.gov/growth_management

Jose Larranaga-Case Manager at joselarra@santafecountynm.gov

Eunice Vicki at concernedrvhos@gmail.com

OBA-118

1 4

Jose Larranaga

From: jan@hassel-usa.com
Sent: Tuesday, March 11, 2014 11:57 AM
To: Penny Ellis-Green; Jose Larranaga
Subject: Master Plan change proposed for Rancho Viejo

March 11, 2014

Penny Ellis-Green, Growth Management Administrator

Julia Valdez, Constituent Services Liaison District 5

Santa Fe County – via email

Re: Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20.

Dear Ms. Ellis-Green and Ms. Valdez:

Last year my husband and I attended meetings regarding the proposed apartment complex referenced above. As residents of Rancho Viejo for ten years, we continue to be very concerned about the negative impact these apartments would have to our property values and the enjoyment of our home and our neighborhood.

We believe that the current master plan for the community should remain in place. It is what we agreed to when we purchased our home. It was well planned and does not seem to warrant amendment, except to bring Vedura Residential, who plans to purchase the new property, a financial opportunity. This Arizona company does not have a stake in our community or a long-term incentive to maintain the community quality over time. We believe the complex will become mostly student apartments, which is significantly different from the single family dwellings approved in the current Master Plan.

We believe the traffic study purchased by the developers that indicated the new plans would not adversely impact traffic was seriously flawed. Since there is only one road in and out of the area, more traffic compounds the traffic snarl one can easily witness every day at 5:00 and could represent a serious hazard in the event of a fire.

We realize the Board must be fair and impartial in their decision and that the developer has the right to develop the parcel in question, but believe that following the current Master Plan without changing it is the fairest approach for all interested parties. The developer has other property that would be much more suitable for such a complex without impacting an established neighborhood.

Thank you for taking our concerns into account.

Sincerely,

Jan Martinez and Bob Hassel

22 Grasslands Trail

Santa Fe, NM 87508

Jose Larranaga

From: Penny Ellis-Green
Sent: Tuesday, March 11, 2014 10:57 AM
To: Jose Larranaga
Subject: FW: Proposed change to rancho viejo master plan (CRDC hearing March 20)

From: lance tunick [<mailto:tunlck@vsci.net>]
Sent: Tuesday, March 11, 2014 9:42 AM
To: Jose Larranaga; Penny Ellis-Green; Liz Stefanics
Subject: Proposed change to rancho viejo master plan (CRDC hearing March 20)

Greetings:

I am writing to express my strong opinion as regards an issue to be heard next Thursday, March 20 before the County Development Review Committee -- changes to the Rancho Viejo Master Plan.

The land owner and developer are together seeking a change to the Master Plan in order to build an apartment development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." This land is currently platted and recorded with the county for a small number of single family residences.

I am not writing to express my total opposition to the project. Rather, I am writing to do my best to see that the project, if approved, is done in a sensible and neighborhood-sensitive fashion. The mess of Oshara Village and Richards Avenue must never be repeated. The Rancho Viejo owner, Univest, displays virtually no concern for aesthetics and community issues (I can only imagine that money is their sole driving force). This means that government must be extremely mindful of the rights of Rancho Viejo residents and of the quality of life impacts that development inevitably has.

If the Master Plan amendment were eventually approved, there **MUST BE CONDITIONS** attached to the **change**; these conditions must include:

- Limitation on the usage of the parcel of land east of Burnt Water Road and west of the proposed apartment site. This land should be open space. Otherwise, we will be back before the CRDC in the near future with someone wanting to put more apartments on this small parcel.
- Limitations to protect vistas (height limits)
- VERY careful traffic control (stops sign, speed bumps, limitations on heavy truck traffic)
- Tree planting, wall construction and other measures along College Drive to reduce noise pollution in the existing College Heights neighborhood
- Meaningful light pollution ordinances and ENFORCEMENT of same.

Rancho Viejo has strictly-enforced covenants designed to improve quality of life. The proposed apartment complex cannot be permitted to do an end-run around these restrictions.

MOST IMPORTANTLY, however, permitting construction of this apartment development to start *before* the Southeast Connector road is completed would be a frightening case of putting the cart before the horse. Construction traffic, noise, dust etc. on Richards and College Drive would be horrendous if all construction vehicles had to use those roads in order to go to and from the construction site. Richards is already a nightmare. That the developers wish to start construction sooner rather than later is simply a consideration which must bow to the reasonable needs of the community. Build the Connector road first.

And as regards the Southeast connector:

--surely we have learned from the traffic mess that is called Richards Avenue that poor planning leads to lousy roads; and that a plethora of sign pollution does not solve the problem;
-- from what I have seen and heard (from the developer), there is no planned turn-off from the Southeast Connector directly into the Community College. Rather, all CC traffic would exit the Connector at College Drive and enter the CC through the existing North Entrance. This is insane. A condition to approval must be a CC turn-off leading directly into the CC from the East. The proposed pathway for the Connector is only 100 yards from the parking lots at the CC. It is hard to imagine any financial or political excuse that could justify not requiring such a CC turn-off on the Connector.

Thank you for this opportunity to express my views.
Sincerely,

Lance Tunick
14-B Deans Court
Santa Fe NM 87508
Cell -- +505 570 1845

Jose Larranaga

From: Penny Ellis-Green
Sent: Tuesday, March 11, 2014 10:57 AM
To: Jose Larranaga
Subject: FW: REJECT MPA 13-5380

From: Gary Lee Nelson [<mailto:gnelson@oberlin.edu>]
Sent: Tuesday, March 11, 2014 9:09 AM
To: Penny Ellis-Green
Subject: REJECT MPA 13-5380

Dear commissioner Stefanics,

As a homeowner in Rancho Viejo North and a conscientious voter in Santa Fe County, I am writing to express my **STRONGEST OPPOSITION** to MPA 13-5380 that will come before you on March 20.

The Univest plans for a 400+ multi-story high-density apartment complex in College Park will simply destroy the residential character of that neighborhood and Rancho Viejo as a whole. It will cost us millions in lost property value that will eventually be reflected in county tax revenues.

In particular, it will increase the already too-dense traffic on Richards Avenue. There have been traffic studies contending that traffic Richards Avenue will be fine but SFCC anticipates a doubling of enrollment in the near future and Univest is planning a high-density "employment center" on the corner of Richards Avenue and Avenida del Sur. Do the studies take these plans and the inevitable increase in traffic flow into consideration?

There are alternative sites for the apartment complex and the employment center within the extensive property holdings of Univest. There is land is near Route 14 where a large number of commercial enterprises already exist. This location is convenient to I-25 and Route 599 so that the increased traffic can be handled from all directions NSEW without additional cost for roads. It is also convenient to the new and proposed commercial development of Cerrillos Road as it approaches I-25.

The new fire station is nearby this alternate site. Has the commission considered the increased cost of additional staff and equipment that would be needed in either plan?

The proposed NS connector will not provide such access in the proposed plan. People from the east might use the connector via Rabbit Road but Richards Avenue will remain the most convenient route for all other directions. Furthermore, the connector does not include new entrances to SFCC that would draw traffic away from existing entrances from Richards.

What about disaster evacuation routes? The alternate site is already close to 599. That would leave Richards Avenue for Rancho Viejo residents to escape wildfires and flooding.

What about crime? Bringing more people into Rancho Viejo will inevitably increase crimes of opportunity.

What about water? Yeah, what about water?

I urge you to reject this poorly-conceived proposal. Send it back to Uninvest with your strongest opinion that plans for the apartment complex and the employment center be reconsidered and revised in the interest of all concerned – Uninvest, SFCC, Rancho Viejo residents and, most of all, the county as a whole.

Gary Lee Nelson

1 Woodflower Place

Rancho Viejo

Santa Fe County, NM 87508

440.522.4278

Jose Larranaga

From: Penny Ellis-Green
Sent: Tuesday, March 11, 2014 10:57 AM
To: Jose Larranaga
Subject: FW: Opposition to Master Plan in Rancho Viejo/Univest

From: Chad Gasper [mailto:CGasper@SantaFeCF.org]
Sent: Tuesday, March 11, 2014 9:13 AM
To: Penny Ellis-Green
Subject: Opposition to Master Plan in Rancho Viejo/Univest

Per Julia Valdez, Commissioner Stefanic's liaison, I am forwarding my concerns to you concerning the changes in the master plan of Rancho Viejo by Univest – I plan to attend the meeting but wanted to voice my concerns in writing as well.

Thank you for your time.



Chad Arthur Gasper
Development and Donor Services Associate
Santa Fe Community Foundation
501 Halona St
Santa Fe, NM 87505

(505) 988-9715 Ext. 7020

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From: Julia Valdez [mailto:javaldez@co.santa-fe.nm.us]
Sent: Tuesday, March 11, 2014 9:06 AM
To: Chad Gasper
Subject: RE: Opposition to Master Plan in Rancho Viejo/Univest

Mr. Gasper,

I am Commissioner Stefanics' liaison. She has asked me to explain why it is important that she may not communicate with you concerning this pending land use application.

EX PARTE

Land Use applications come before the Board of County Commissioners and are a quasi-judicial proceeding. The Board acts like a judge in a court of law. Decisions must be based solely on the law and the facts presented to the Board in a fair and impartial way.

Communicating with the Commissioners about the case at this point or trying to influence their decision would be an impermissible *ex parte* communication. They cannot go on record as supporting or opposing the application in advance of the vote by the full 8CC. If she did take a position in advance of the hearing, she would have to recuse herself from further participation in the case.

However, you can present your views to the Growth Management Administrator. This is proper, expected, and very effective. The Administrator and her staff will take your view into consideration when developing the case for consideration. Your position is summarized in staff documents and all the information you forward to the Administrator is included in the record of proceedings. You can also appear at the hearing and present testimony concerning the application.

You can contact Penny Ellis-Green, Growth Management Administrator, (505) 986-6221, pengreen@santafecountynm.gov.

Please feel free to contact me if you have any other questions.

Sincerely,

Julia

Julia Valdez
Constituent Services Liaison District 5
Santa Fe County Manager's Office
505.986.6202
www.santafecountynm.gov



From: Chad Gasper [<mailto:CGasper@SantaFeCF.org>]
Sent: Tuesday, March 11, 2014 9:05 AM
To: Liz Stefanics
Subject: Opposition to Master Plan in Rancho Viejo/Univest

Good Morning Ms. Stefanics,

I purchased my home 8 years ago under strict guidelines on maintenance of my property, and because of these strict guidelines I have been able to enjoy the peace and quiet and the beauty of the night sky out in Rancho Viejo. Additional homes to Rancho Viejo, specifically apartment complex's geared toward college students is not ideal, especially under the guise we were sold our homes – I was once a college student and lived off campus and know the potential of what/may/will happen, specifically with parties, additional traffic, noise, littering, police complaints. If the Santa Fe Community College is in favor of these apartments then they should build on the campus itself where they can regulate the apartments, like the homeowners associations regulates us with association fees and guidelines.

--We bought our homes with developer promises that we would be part of a community governed by covenants and homeowners associations. A high density apartment complex in our midst has no such obligations. Land owners in Univest own other land that would be much more appropriate for such a development... near the Fire Station.

--The proposed location for the Elevation apartment complex will generate much more traffic on already congested Richards Road. Until the Southeast Connector is completed, the traffic for these apartments will be forced on to Richards.

--This development negatively impacts us with noise, dust, and car headlights plus parking lighting that destroy our concept of night skies. This high density housing development is a huge departure from our Master Plan of single family residences and we oppose any changes to it.



Chad Arthur Gasper
Development and Donor Services Associate
Santa Fe Community Foundation
501 Halona St
Santa Fe, NM 87505

(505) 988-9715 Ext. 7020

Like us on Facebook and learn about our initiatives.



Nonprofits have until the end of March to sign up for Give Grande New Mexico, our state's first day of crowd-sourced giving. Visit the website or email info@givegrandenm.org for more information.

Ms. Liz Stefanics,
County Commissioner, District 5
P.O. Box 720
Cerrillos, New Mexico 87010

Dear Ms. Stefanics,

Last year it came to our attention that Vedula Developers and Uninvest were working together to change the Master Plan at the county level. This is a Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20.

I am writing because I am opposed to this Master Plan change and ask that you save the college master plan as it is. Allowing 214 apartments to be built is unethical, not well thought out (for many reasons from environmental to traffic issues); and sadly being considered for the money—not the well intent of the Santa Fe community.

The SE connector is also a real concern and needs to be questioned why it is being built when if we were doing real long term thinking of our community and college expansion, then we would build a connector at the far end of the college campus rather than its now considered placement (a quarter of a mile away from the college) suggested at the March 10th meeting.

The timing of building a road connector as well as a development complex perhaps was not thought through. We are being told that the road will begin to be laid down in 2016 yet the construction of whatever project gets the go ahead will start BEFORE the road is completed.

Considering the traffic issues already on Richards road, it makes no sense that we would impact the road even more with big equipment, trucks etc and even have a greater impact on traffic, congestion and safety issues if there is a need to evacuate quickly.

I know that you will stand by the larger Rancho Viejo community that is against this major change to the Master plan. Please note our concern and hesitation in making this major change to an already completed plat that has been documented and what all residents receive when purchasing their property.

Please do the right thing!

Sincerely,

Karin Lubin
12A Deans Court
Santa Fe, NM 87508

OBA-128

Jose Larranaga

From: Deanna Hagan <dee.hagan@live.com>
Sent: Tuesday, March 11, 2014 10:53 AM
To: Jose Larranaga
Subject: RE: Case MPA13-5380

I live on Richards Ave and i want to vote NO to any changes of the Master Plan that we agreed to originally in Rancho Viejo. Too much cogestion with traffic, noise, and hiding the sites of the mountains. I will not honor any changes what so ever. Thanks Deanna Hagan 6551 Richards Ave.

Jose Larranaga

From: lance tunick <tunick@vsci.net>
Sent: Tuesday, March 11, 2014 9:42 AM
To: Jose Larranaga; Penny Ellis-Green; Liz Stefanics
Subject: Proposed change to rancho viejo master plan (CRDC hearing March 20)

Categories: Red Category

Greetings:

I am writing to express my strong opinion as regards an issue to be heard next Thursday, March 20 before the County Development Review Committee -- changes to the Rancho Viejo Master Plan.

The land owner and developer are together seeking a change to the Master Plan in order to build an apartment development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." This land is currently platted and recorded with the county for a small number of single family residences.

I am not writing to express my total opposition to the project. Rather, I am writing to do my best to see that the project, if approved, is done in a sensible and neighborhood-sensitive fashion. The mess of Oshara Village and Richards Avenue must never be repeated. The Rancho Viejo owner, Univest, displays virtually no concern for aesthetics and community issues (I can only imagine that money is their sole driving force). This means that government must be extremely mindful of the rights of Rancho Viejo residents and of the quality of life impacts that development inevitably has.

If the Master Plan amendment were eventually approved, there **MUST BE CONDITIONS** attached to the change; these conditions must include:

- Limitation on the usage of the parcel of land east of Burnt Water Road and west of the proposed apartment site. This land should be open space. Otherwise, we will be back before the CRDC in the near future with someone wanting to put more apartments on this small parcel.
- Limitations to protect vistas (height limits)
- VERY careful traffic control (stops sign, speed bumps, limitations on heavy truck traffic)
- Tree planting, wall construction and other measures along College Drive to reduce noise pollution in the existing College Heights neighborhood
- Meaningful light pollution ordinances and ENFORCEMENT of same.

Rancho Viejo has strictly-enforced covenants designed to improve quality of life. The proposed apartment complex cannot be permitted to do an end-run around these restrictions.

MOST IMPORTANTLY, however, permitting construction of this apartment development to start *before* the Southeast Connector road is completed would be a frightening case of putting the cart before the horse.

Construction traffic, noise, dust etc. on Richards and College Drive would be horrendous if all construction vehicles had to use those roads in order to go to and from the construction site. Richards is already a nightmare. That the developers wish to start construction sooner rather than later is simply a consideration which must bow to the reasonable needs of the community. Build the Connector road first.

And as regards the Southeast connector:

surely we have learned from the traffic mess that is called Richards Avenue that poor planning leads to lousy roads; and that a plethora of sign pollution does not solve the problem;

-- from what I have seen and heard (from the developer), there is no planned turn-off from the Southeast Connector directly into the Community College. Rather, all CC traffic would exit the Connector at College Drive and enter the CC through the existing North Entrance. This is insane. A condition to approval must be a CC turn-off leading directly into the CC from the East. The proposed pathway for the Connector is only 100 yards from the parking lots at the CC. It is hard to imagine any financial or political excuse that could justify not requiring such a CC turn-off on the Connector.

Thank you for this opportunity to express my views.

Sincerely,

Lance Tunick
14-B Deans Court
Santa Fe NM 87508
Cell -- +505 570 1845

Jose Larranaga

From: Jim&Elizabeth Kerr <ekerr22@gmail.com>
Sent: Tuesday, March 11, 2014 9:11 AM
To: Jose Larranaga
Subject: Case #MPA13-5380

Please vote this down. Water is my main concern but traffic congestion is going to be a problem. Please do not change our master plan in Rancho Viejo.

Thank You,

Jim Kerr

6555 S. Richards Ave

Santa Fe, NM 87508

Jose Larranaga

From: Janice McAninch <jan.mcaninch@gmail.com>
Sent: Tuesday, March 11, 2014 8:45 AM
To: Liz Stefanics
Cc: Jose Larranaga
Subject: College Drive Project

Dear Commissioner Stefanics and CDRC Jose Larranaga,

It comes as no surprise that the residents of Rancho Viejo and College Heights are upset about the projected development of an apartment complex which is compromising.

Traffic on Richards Road is already maxed out.

This violates our community standards and CC&R's which was specifically for single family homes.

Students in apartments would have no vested interest in maintaining these guidelines for quiet and dark sky nights.

There are three covered pools in the Fitness Center of SFCC.

An outdoor pool at 7000 feet is ridiculous, especially with 60 mph winds potentially emptying it with a mini tsunami.

Univest may be selling the property to be exempt from any CC&R constraints; however, Vedura's reputation is not one of quality structures or concerns for the long run.

IF SFCC wants student housing, it should be on their campus and part of their responsibilities.

Traffic then could be bikes around the campus and less impact on Richards Road.

We do hope you will consider these issues as paramount to continuing a quality of life in this area.

Sincerely,

Langdon P McAninch &
Janice A McAninch

Jose Larranaga

From: Gayle Evezich <gevezich@gmail.com>
Sent: Tuesday, March 11, 2014 8:00 AM
To: Liz Stefanics; Jose Larranaga
Subject: Opposition to Proposed Apartment Development with Rancho Viejo - Elevation at Rancho Viejo

Categories: Red Category

March 11, 2014
Ms. Liz Stefanics,
County Commissioner, District 5
P.O. Box 720
Cerrillos, New Mexico 87010

Re: Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20. Presentation by Jenkins and Gavin to the Rancho Viejo Community at the Santa Fe Community College on March 10 at 5:30 p.m. (Jemez Rooms).

Dear Commissioner Stefanics:

I am writing to convey my deep opposition to this development since I cannot attend the March 20 meeting. We have an almost complete consensus within our community against this development, with a significant number (in the hundreds) showing up at any meeting relating to this issue, and with more than 300 signatures on a petition opposing this project.

Last year, we were told in three meetings that this proposed apartment complex was to be built in two phases on an extension of quiet College Drive, which borders the College on the North, to ultimately total an estimated more than 400 units. These apartments represent a huge departure from Rancho Viejo's established design and concept.

This year, the major change appears to be starting the project with 200 units 1/4th of a mile east of our mail boxes on Burnt Water Road.

Past Santa Fe Community College President Ana Guzman, invited us to a community meeting and surprised us with the information that the complex would be filled with students, validating our concern about the target market for the complex. Although it is billed as a luxury development with club house and pool, we view it as a potential "party palace" in our quiet neighborhood. The Community College already has a pool.

Further complicating the situation, according to Jenkins Gavin--the local Public Relations firm fronting this development--this property is in the process of sale to Vedula Residential, 6720 Scottsdale Road, Suite 109, Scottsdale, AZ 85253. Bruce Hart is the main partner involved, according to Warren Thompson of Uninvest.

Vedula's business model is to construct apartment complexes at the lowest cost possible, and move on (see their website <http://vedurareidential.com/home/>). In a well planned and sustainable community this seems more than simply opportunistic. This company does not have a stake in the community or long standing commitment to maintaining the quality over time.

This land is currently platted and recorded with the county for a small number of single family residences, which is far more appropriate for this neighborhood and in line with what we were promised when we bought our homes.

This project will negatively impact the quiet enjoyment of our homes, and quality of life that we paid a premium for at time of purchase, and what is considered valuable to anyone living in Rancho Viejo. Rancho Viejo developers (Uninvest, and others) sold homes in Rancho Viejo with the assurance that it would be occupied by homeowners and governed by covenants and associations. A sale of this parcel would change the contract under which we purchased homes.

We also oppose apartments in this neighborhood because of loss of views due to the heights of this complex, traffic, trash and noise. There would be significant light pollution from traffic and from exterior lighting in parking lot and common areas, as well as the pool and other public areas. This is inconsistent with Rancho Viejo's tightly enforced lighting covenants designed to improve quality of life and respect the night sky ordinance in effect in the county.

The lack of the completed Southeast Connector (which in the event of a ground fire virtually traps us on College Drive--there is only one way in and out), the traffic impact on Richards, and the fact it presents the perfect site for potential drug and criminal problems.

At the community meeting with Jenkins-Gavin last night (March 10) we were informed that once the connector road is constructed, College Drive will have to be extended and that will be the route to SFCC's north entrance. SFCC does not plan to have another entrance from directly from the connector which means that all traffic that will be on the Connector will dump onto College Drive. Additionally, the north entrance of SFCC is a poorly designed entrance that is too small to accommodate much traffic. C

We are reviewing the traffic impact study paid for by the developers and we are aghast at the questionable quality of the study and its insufficient and misleading results. We have traffic experts among us and they find this study deeply flawed.

Sufficient consideration was clearly not given to more appropriate sites, where infrastructure is still feasible and cost effective - but without creating a massive impact on existing development. A good example would be in the area of the new Fire Station. The Station represents some law enforcement and such a complex would have immediate access to Route 14 as well as close proximity to the college, and would reduce the traffic impact on Richards. It would be some distance from any existing single family homes. And given it is not immediately next to the college, it would be more likely to attract a variety of residents rather than just students. Again, that is consistent with the design and intent of the Rancho Viejo community plan.

We do not oppose student housing constructed on the College and supervised by the College. However, we control our community and quality of life by way of homeowners' associations. Apartment dwellers have no such associations. Young students can quickly bring down the condition of apartment structures since they have no vested interest in maintaining the quality of the structure or environment. Once this project is developed, we know it will be immediately sold and possibly not well managed. One look at the police blotter for the apartment complexes on Airport Road, is enough to cause deep concern.

While respecting Unives't's right to develop this particular parcel, we do not in any way endorse changes to the Master Plan to permit apartments on College Drive. This concept and related density is a far dramatic deviation from our community plan. Rancho Viejo is a community of homeowners, with strict home owner association covenants and guidelines and management. This was not designed or promoted by the developer as a rental community at the time we purchased our homes and made the decision to live in this community.

Sincerely,

Gayle Evezich
6B Dean's Court

cc: Penny Ellis-Green at www.santafecountynm.gov/growth_management

Jose Larranaga

From: Penny Ellis-Green
Sent: Friday, March 07, 2014 5:35 PM
To: Jose Larranaga
Subject: FW:

Categories: Red Category

For the record

From: Lib O'Brien [<mailto:libobrien66@gmail.com>]
Sent: Friday, March 07, 2014 5:00 PM
To: Penny Ellis-Green
Subject:

Dear Ms. Ellis-Green:

I am opposed to any change in the Master Plan regarding the proposed apartment complex north of SFCC for the following reasons. I moved to Rancho Viejo seven years ago from New Jersey and chose Rancho Viejo for it's night skies and minimal daytime noise.

1. There is plenty of land near the fire station (owned by Uninvest) and would not impact already existing homes. Plus, there is easy access off Rte. 14 that would not cause congestion. In addition, I bought my home with developer promise that we would be part of a community governed by covenants and our homeowners association. A high density apartment complex in our midst has no such obligations.
2. Traffic on Richards Ave. at 8:30 and 5:30 when the college holds so many classes, snakes as far as the light at Governor Miles. Today there was gridlock in the traffic circle by Maria de la Paz...Lenten services mingled with SFCC students. GRIDLOCK! We already have FIVE schools--- Maria de la Paz, Amy Biel, ACT, IAIA and SFCC...WE do not need any more traffic and I fear that the proposed location for the apartment complex will generate more traffic on already congested Richards Rd.
3. I treasure the quiet, the night sky and lack of traffic..the reason I purchased in Rancho Viejo.This development negatively impacts us with noise, dust, and car headlights plus parking lighting that destroy our concept of night skies.
4. WATER....The bold reality is that we in the Southwest are running out of water....we cannot afford to do any more building....we need to renovate what is available so that families can find homes already built.

Please do what you can to confront these issues, with the hope that 1. The builder will stop its plans all together (false hope!) or 2. move to land that does not impact this already congested area.

Thank you for our help in this issue. Elizabeth O'Brien, Ph.D. 6557 S. Richards Ave. SF 87508

Jose Larranaga

From: JUSTEXECRO@aol.com
Sent: Tuesday, March 11, 2014 2:54 PM
To: Liz Stefanics; Jose Larranaga
Subject: UNIVEST's proposed changes to Rancho Viejo Master Plan

Re: Case #MPA13-5380

Changes to the MASTER PLAN of Rancho Viejo,
Santa Fe, NM

No, No, No!

We "contracted" to fulfill our covenants when we bought our homes in Rancho Viejo. The "contract" had another obligation: YOURS. We are not permitted to break ours to you; you should not be permitted to break yours to us!--We bought our homes with developer promises that we would be part of a community governed by covenants and homeowners associations. A high density apartment complex in our midst has no such obligations, and is not what we contracted for.

This development would negatively impact us with noise, dust, and car headlights plus parking lighting that would destroy our concept of night skies, among other unwanted problems. This high density housing development is a huge departure from our Master Plan of single family residences and we oppose any changes to our Master Plan, which your side (even though you may be a new owner) contracted for.

We, in Rancho Viejo, DO NOT WANT CHANGES TO OUR/YOUR MASTER PLAN!

Very truly yours,

Rosemarie Cristello
11 Emory Pass
Rancho Viejo,
Santa Fe, NM

Date: March 12, 2014

TO: Mr. Jose Larrañaga
Development Review Team Leader
Santa Fe County

FR: David A. Vigil
Resident College Heights
Rancho Viejo

RE: Elevation at Rancho Viejo #MPA 13-5380

Dear Mr. Larrañaga,

I'm writing you today to express my concerns and objections to a proposed master plan amendment to the College North Master Plan affecting the approximate 56.91 acre parcel north of College Drive and east of Burnt Water Rd. Again this issue is returning and again the sentiments of many of the Rancho Viejo community including myself are strongly opposed. Let me be clear that this change is going to significantly alter and deviate from our current quality of life. Additionally, the residents of College Heights were sold on the vision that the area in question would eventually be developed into single family homes like ours.

Quality of life, culture and community are all reasons why my wife and I love College Heights. We do our due diligence whenever we purchase properties and the issue of this open space did come to our attention. After doing our research we were confident through the master plan, our HOA covenants and just the basic logistics that a development such as a multi-family housing unit would not be an option. Here we are a few years later dealing with this potential change which brings me to the question. With so much land owned by Univest, why would they choose this area to put a multi-family housing unit? Why would they sell us one thing but propose to deliver another? This is not a good feeling to have. Sure many of us are taking this personal but this is our home. Nobody would appreciate the feeling of misrepresentation. The multi-family housing unit severely deviates from the original vision by which we were sold.

I could get into a variety of reasons as to why this proposal is not a good idea. I will only keep it to a few points to keep it short. First and foremost is the reason that I have previously touched on which is the misrepresentation. This alone should null and void this proposal from going any further. Second is the fact that who is going to govern this multi-family housing unit. As a neighborhood we are governed by HOA covenants. What rules will govern the multi-family housing unit? I see plans and drawings that are contradictory to our existing HOA rules and regulations. To mention a few; no pools are allowed, why is the current plan show a sewer line tie-in to the College Heights existing line (not allowed based on College Heights subdivision disclosure statement), has this project received approval from the architectural review board and use restriction that lots are to be used for single family residential use only. The most important takeaway from our disclosure is health, safety and welfare which states that in the event uses of, activities on, or facilities upon or within the Property, the Tract or any Lot are deemed by the Board of Architectural Review Committee to be a nuisance or to adversely affect the health, safety or welfare of the Owners or Occupant, the Architectural Review Committee may make rules restricting or regulating their presence.

NBA-138

I'm a strong believer that our quality of life is significantly going to be adversely affected. Traffic, noise and transiency are all concerns. The fact that a large structure is now going to occupy space originally designed for single family homes is very disappointing. This is obviously an amendment, for this particular area, that cannot be approved or accepted by the Rancho Viejo community.

I do have a background in development and construction. My firm provides engineering services to many projects that people benefit from every day. As a native Santa Fean, it was always a dream of mine to return to Santa Fe after college and contribute back to my community. I'm proud to say that my company employs 17 New Mexicans and we work on projects that make sense and benefit the community. It is disappointing when I hear of a change like this being implemented by a non-local developer with intentions on maximizing the profits for its investors. That is the motto of Vedula Residential Operating, LLC and they proudly announce it on their web page. I was born and raised in this community and I say no to this development thinking that they can make Santa Fe a chop shop. I love my home, community and many family and friends that are part of this community. This proposed master plan amendment should be removed from consideration and I ask that you please share this letter and thoughts with the CDRC. I thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read 'David A. Vigil'. The signature is stylized with a large 'D' and 'V'.

David A. Vigil

March 12, 2014 email to Jose Larranaga; cc: Penny Ellis-Green & Liz Stefanics page 1 of 2
..(Note that this attachment to a cover email is a pdf document to make type more readable)..

To: joselarra@santafecountynm.gov

CC: pengreen@santafecountynm.gov; lstefanics@santafecountynm.gov

Subject: Do Not Approve MPA13-5380, Master Plan Amendment for Elevation at Rancho Viejo

Dear Mr. Larranaga:

As someone who has been living in Rancho Viejo for 9 years, I request that you Do Not Approve Case MPA13-5380, Master Plan Amendment for Elevation at Rancho Viejo, 214 Apartments. Reasons for requesting this are as follows (the Case is referred to as the Apartments below):

1. The County is not allowing sufficient current input from the public on the Apartments

It's been approximately 1 year since this issue last came up in a public meeting at the County that resulted in the Apartments being postponed until now. Current public input needs to be considered, as plans have changed. The short March 20 meeting is not enough time to consider public input. Especially since the Developer spent months meeting with the County on this. Thus we request you Do Not Approve this Case and do not send it to the Board of County Commissioners for a vote until the County allows and responds to more public input.

2. The public hasn't received sufficient current input from the County on the Apartments

In a March 10 meeting we received information from the Developer on the Apartments. But that's just his point of view. The public wants a meeting to know the County's point of view.

3. The County has not provided sufficient public information on how the SE Connector is integrated into the Apartments plan, key since they're adjacent and increase traffic.

The last public information meeting about the SE Connector was June 26, 2013. We believe that the SE Connector traffic study did not specifically model projected Apartments traffic. Plus, we understand the study was only for 1 day. Very experienced traffic experts we've consulted warn that such a study is inadequate. We've heard that the Developer may have done some sort of traffic projection for the Apartments; if so, this is less objective than having a third party do such a study. We think our sources are accurate, but we say "believe," "understand," and "heard" because we have gotten all our information from unofficial sources, not the County. *The County needs to provide such Apartments information publicly to show transparency.*

Additional examples of information we need clarification on are:

- Is there a direct entrance onto the SE Connector from the Apartments?
- With increased Apartments traffic, is a roundabout planned at the College North entrance?; no roundabout there = College Drive traffic from Rabbit stalled making a left at that entrance
- Why isn't there a West entrance into the College to reduce more College Drive congestion?
- Why did we 1st see new SE Connector options March 10 at a Developer, not a County meeting?
- Has the County confirmed that the \$5 million bond issue will cover the SE Connector proposed?

At the March 10 meeting with Rancho Viejo residents, the Developer said that one of the two new supposedly-final route options for the SE Connector from the Apartments S to Avenida del Sur curves S Rabbit approximately 45 degrees southwest below the College. The other supposed final option keeps S Rabbit going almost due South. When asked at the meeting what route option was most likely, the Developer said the due South route would be used because the College didn't like the 45 degree southwest route. *Why hasn't the public had the chance to say what it thinks about that route?* It looks like it could be saner and save money.

Rancho Viejo residents have received information about developments on the Apartments in the last 9 months only in a public meeting by the Developer on March 10. Residents have not had a public meeting with the County in those 9 months to present input on the Apartments. Similarly, residents have not had a public meeting with the County in 12 months on the SE Connector that is intertwined with the Apartments. Nor have they had any public meeting opportunity in 12 months to present input to the County on this SE Connector. And the only public meeting they had covering the intertwined SE Connector was from the Developer, not the County, on March 10.

With residents having no public meetings with the County on the Apartments or the intertwined SE Connector in 9 to 12 months, the public has not been afforded enough time to learn about, consider, and comment on the alternatives. *Only in the last 2 days have Rancho Viejo Residents had supposedly up-to-date information on the Apartments and the intertwined SE Connector!* And that information was presented by the Developer, not the County. It looks like the County is only considering comments by the Developer.

County resident opinion on the above topics deserves more attention than a few minutes at long multi-topic CDRC meeting next week and possible coverage of this topic in a similar Board meeting in the next month or so. Do Not Approve Case MPA13-5380.

Thank you for your consideration.

Sincerely,

Paul Wrenn

Jose Larranaga

From: Penny Ellis-Green
Sent: Tuesday, March 11, 2014 3:20 PM
To: Jose Larranaga
Subject: FW: URGENT - MPA 13-5380

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

From: jsherre [mailto:jsherre@att.net]
Sent: Tuesday, March 11, 2014 3:11 PM
To: Penny Ellis-Green
Subject: URGENT - MPA 13-5380
Importance: High

Dear Ms. Ellis-Green

I am a Rancho Viejo (RV) homeowner in Windmill Ridge. I wish to express my **STRONG OPPOSITION** to MPA 13-5380, which comes before you on March 20.

I, along with many RV home owners are **CONCERNED**, seriously concerned about the so-called "luxurious" apartments to be built in College Park. First, this proposal goes against the core of why most of us bought homes in RV. We chose to spend our funds in what we believe would be a non-dense community surrounded by natural New Mexico beauty. The building of these apartments will be the first step toward destroying the covenant on which we relied. In addition, the cost to affect these changes is likely to decrease property values and increase taxes. Property values will decrease for future buyers will look elsewhere to avoid "apartment communities" and will not want to contend with the traffic. I am already aware of homeowners moving due to increased Richards traffic and the future plans initiated by Univest and the developer, Vendura. Their tax dollars now go to the city of Santa Fe.

In addition, the proposed expansion of SFCC and the "employment center" at the corner of Richards and Avenida del Sur shall increase traffic—despite any relief route or the apartment complex. Not only will the traffic increase, but if a serious wildfires occur in RV, the two routes to safety will be congested to the point that lives will be endangered.

Last evening, we met with representatives of Vendura and gained no answers to our questions or suggestions. The representatives maintained they did not know the details of the developer (their employer) nor that of Univest. As concerned home owners, we were frustrated that a meeting was called, but little, if any, information was made available.

We have requested Univest and Vendura explore other, extensive property holdings of Univest, such as the land near Route 14 where a large number of commercial enterprises already exist. This location is convenient to I-25 and Route 599 so that the increased traffic can be handled from all directions NSEW without additional cost for roads. This location is convenient to the new and proposed commercial development of Cerrillos Road as it approaches I-25 and would not significantly increase traffic on Richards.

Another concern is crime. Currently, RV is peaceful with little crime? Generally, apartment complexes increase the probably of crimes of opportunity. Yet another potential for lowering the value of property and impacting, negatively, future real estate sales.

I, as many other RV homeowners, urge you to reject this poorly-conceived proposal. Send it back to Uninvest with your strongest opinion that plans for the apartment complex and the employment center be reconsidered and revised in the interest of all concerned – Uninvest, SFCC, and RV residents.

Thank you for considering our concerns,

Sherre Stephens
3 Lookout Mountain
Santa Fe (county), NM 87508
505-570-7470

Jose Larranaga

From: Vicki Lucero
Sent: Tuesday, March 11, 2014 3:49 PM
To: Jose Larranaga
Subject: FW: Santa Fe County Public Comment Form

Follow Up Flag: Follow up
Flag Status: Flagged

-----Original Message-----

From: Jennifer LaBar-Jaramillo
Sent: Tuesday, March 11, 2014 3:47 PM
To: Penny Ellis-Green; Vicki Lucero
Subject: FW: Santa Fe County Public Comment Form

Is this re: a case for tonight or CDRC? Please submit with case correspondence.

Thanks,
Jen

-----Original Message-----

From: Anonymous [<mailto:kbustos@santafecountynm.gov>]
Sent: Tuesday, March 11, 2014 2:57 PM
To: Kristine Mihelcic; Jennifer LaBar-Jaramillo
Subject: Santa Fe County Public Comment Form

Web form results:

[Anonymous submission]

Comments:

Re: Case #MPA13-5380
Changes to the MASTER PLAN of Rancho Viejo, Santa Fe, NM

No, No, No!

We "contracted" to fulfill our covenants when we bought our homes in Rancho Viejo. The "contract" had another obligation: YOURS. We are not permitted to break ours to you; you should not be permitted to break yours to us!--We bought our homes with developer promises that we would be part of a community governed by covenants and homeowners associations. A high density apartment complex in our midst has no such obligations, and is not what we contracted for.

This development would negatively impact us with noise, dust, and car headlights plus parking lighting that would destroy our concept of night skies, among other unwanted problems. This high density housing development is a huge departure from our Master Plan of single family residences and we oppose any changes to our Master Plan, which your side (even though you may be a new owner) contracted for.

We, in Rancho Viejo, DO NOT WANT CHANGES TO OUR/YOUR MASTER PLAN!

Very truly yours,

Rosemarie Cristello
11 Emory Pass
Rancho Viejo,
Santa Fe, NM

Jose Larranaga

From: pateperrin@aol.com
Sent: Tuesday, March 11, 2014 4:21 PM
To: Liz Stefanics; Jose Larranaga
Subject: Opposition to the proposed 214 apartment building complex on College Drive. CDRC Case # MPA 13-5380 Elevation at Rancho Viejo

Follow Up Flag: Follow up
Flag Status: Completed

When I retired, I couldn't decide between Sedona or Santa Fe.

I thought, the big Arizona Developers will ruin Sedona because it has such a fragile infrastructure and the Hispanics will protect Santa Fe.

Indeed, the developers have ruined Sedona. In summer, it takes over an hour to drive 5 miles because the roads do not support the traffic.

I now find myself fighting two Arizona construction firms: Univest and Vedula, which want to build what is really going to be student housing in my back yard. And the traffic problems on Richards are mounting.

Please do not allow this construction on College Drive until the Southeast Connector goes in.

We were promised a Master Plan of 60 additional single family homes. We support that. We would even support condos or town homes if we didn't have such traffic problems on Richards.

But apartments, where we have no way to control or communicate with renters, are a nightmare.

The current plan shows a buffer zone but we all know that just as soon as they build the 214 apartments, they will put more right next to us. To those of us on little, quiet College Drive, it just means traffic, noise, dust and lights.

Of course, I can just sell my house and leave. I feel so terribly sad because that's probably what I am going to have to do.

Jose Larranaga

From: Reinhartz, Judy <jreinhartz@utep.edu>
Sent: Tuesday, March 11, 2014 8:26 PM
To: Jose Larranaga
Cc: Liz Stefanics
Subject: Proposed Apartment Development Within Rancho Viejo Behind the Santa Fe Community College

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Larranaga,

As you are aware, the community members and homeowners of Rancho Viejo are committed to maintaining the quality of life originally envisioned and advertised by adhering to the existing Master Plan drawn up and agreed to in the 1990s for the establishing of College Heights and adjacent communities. The original commitment and agreement have been challenged by the recent request to develop the apartment complex east of College Heights and the SFCC.

For those of us who have been here since 2002, this announcement was certainly a shock to hear about the plans for a high-density multi-story rental apartment complex of 156 units in the already traffic-impacted area. Currently, SFCC has 6,000 students with the goal of 12,000 in the next decades, St Maria de la Paz Catholic Community, which includes 1700+ families, Santo Niño Regional Catholic School with 356 students, Amy Biel Community School with a student population of 441, bicycle parts business, and that does not include the current Rancho Viejo families with expected expansion of La Entrada at RV in the next few years.

Our vision is simple and that is to have owner-occupied, maintained, and cared for residential communities that are governed by sets of covenants established first by the developer, which were turned over to individual homeowners' associations. The vision as stated in the current Master Plan ensures that we would be enjoying and living in an area where there is open space free of pollutants, clear day and night skies, recreation trails to walk and enjoy nature, safety for us and our loved ones, sustainable property values, and enough water for all without fear.

The proposed developer's project changes this vision and the future lives of homeowners in Rancho Viejo. We made a commitment to buy and live here, and now the current project ignores the Master Plan, changing the original mission and vision by building a high density commercial apartment complex with a clubhouse and swimming pool, bringing more people into the area already plagued by high travel density issues.

We have participated and attended most of the public meetings held, but many were not productive because many of the questions from hundreds of homeowners present were not answered since the presenters did not

have the answers, contributing to our frustration. The question that comes to mind, is why have public meetings when people in authority are not present to answer questions? It appears that the meetings were held to meet the requirement of having them, but not to really have them function as a public forum.

We are sad to conclude that the dye has already been cast, and it is a done deal. We hope and pray that is not the case. We hope the Santa Fe County Commissioners will recognize that this project is against the will of the majority of residents in Rancho Viejo and that our community will not benefit in any way from having this project approved. In fact, we all lose—in terms of natural water sustainability, increased erosion by removing ground cover and interfering with flood zones, and the reduction of wildlife.

When the developer's Master Plan for this area was drawn, the Santa Fe County Commissioners supported them. What does the project say about systematic county development policies, strategies, and tactics for our future? Who will benefit from this proposed change? Is it in the communities' interests? The economic interest of the developers? And finally, how does Rancho Viejo maintain its integrity, vision, and lifestyle when it's developers try to undermine the original Master Plan for their profit?

My husband and I made a choice to come to Santa Fe and live in Rancho Viejo. And frankly, we feel *betrayed*. It seems that written documents and verbal promises can be easily broken by the developer and now Vendura, who will be building the apartment complex.

We are concerned that a precedent for further changes is in the wind for the Rancho Viejo area. We chose quality of life and sustainability based on the original Rancho Viejo Master Plan. Please, Mr. Larranaga, as project manager, do not abandon us and the original Master Plan and vision in favor of corporate America. Please make us count in the end.

Thank you for taking time to read and consider our request.

Sincere regards,

Judy and Dennis Reinhartz

Judy Reinhartz, Ph.D.

Professor Emeritus, The University of Texas at El Paso

Dennis Reinhartz, Ph.D.

Emeritus Professor, The University of Texas at Arlington

20 Firerock Road

Santa Fe, New Mexico 87502

505-474-5329

Graeser & McQueen, LLC

-Attorneys at Law-

316 East Marcy Street, Post Office Box 220 Santa Fe, New Mexico 87504-0220
(505) 982-9074

April 2, 2014

Santa Fe County Board of County Commissioners
c/o Jose Larrañaga, Commercial Development Case Manager

via: email to joselarra@santafecountynm.gov

re: Elevation at Rancho Viejo, #MPA 13-5380

Dear Jose,

This firm represents neighbors of the proposed Elevation at Rancho Viejo project (residents of College Heights Phase 1) and submits this letter on their behalf in opposition to the requested master plan amendment. Their objection to the master plan amendment to allow at least 214 rental apartments where 53 homes were previously approved and expected is based on several factors.

BCC Discretionary Review Criteria

Section §4(B)(3) of the Community College District Ordinance, Ordinance 2000-12 (CCDO), requires the BCC to review the application for "Conformance to the Santa Fe County Growth Management Plan as amended by the Community College District Plan" as well as "Impacts to schools, adjacent lands or the County in general." Fundamentally, this application does not comply with the Community College District Plan, Resolution 2000-148 (CCDP), and presents an unreasonable impact on the adjacent lands. The amendment request should be denied, and the applicants can be apprised of the reasons for denial as set forth in this letter. CCDO §4(B)(4).

County staff has done a thorough job in their review, and has recommended approval. Although the staff memorandum may recommend the project as in compliance with the Code, that recommendation only addresses prescriptive Code requirements. **The BCCC may still reject the project under its discretionary authority.**

Master Plan Expired

The 1997 College North Master Plan has expired. Thus, a new master plan is required. CCDO §4. Granting any new master plan is within the BCC's discretion and may be done taking into mind appropriate, planned-for development and its impact on the neighbors.

Community College District Plan

The CCDO allowed development in accordance with approved master plans “without amendment.” CCDO Section 9(A). The applicants could have developed their property in accordance with the 1997 master plan but did not do so. There continues to be little resistance to development as planned at that time (i.e., adoption of a new master plan that tracks the expired one).

The CCDP accepted and anticipated continuation of approved development as of the plan’s adoption in late 2000. The plan was adopted in anticipation of College Heights buildout as initially approved and expected. For instance, the plan incorporated the Future Road Network Study that specifically notes 73 approved dwelling units for College Heights Subdivision (with 0 existing at the time). FRNS, Pg. 4.

This application amends the CCDP itself, and it does so without consideration of the needs, expectations or health of the surrounding community.

Master Plan Area

Under CCDO §4(B)(2), “The minimum area which must be included within a master plan shall be an entire Village Zone, Employment Center Zone or Institutional Campus Zone, or that portion of such zone owned by the applicant.”

The master plan encompasses substantially less than an entire village zone. Applicant Univest Rancho Viejo has numerous landholdings in Rancho Viejo, including the portion marked “Future Development” located between College Heights Phase 1 and the current project. Thus, the master plan must include at least this property. Failure to do so both violates the CCDO and unfairly leaves the applicants’ neighbors in limbo fearing what even more intense use might be proposed for the remaining land.

Given the applicants’ current intention to substantially modify the expected land uses and thus interfere with the community’s settled expectations, **the applicants must adhere to the code requirement to master plan all of their holdings in the area that may impact the residents of College Heights Phase 1.**

Zoning Limitations

Applicants seek a new master plan. The term “master plan” has two associated meanings in land use planning. The first is as a jurisdiction-wide comprehensive or general plan. *See*, Santa Fe County Land Development Code Art. X, §1.33, Ordinance 1996-10 (the Code); Michael Davidson and Fay Dolnick, *A Glossary of Zoning, Development and Planning Terms* 146 (1999). The second, as used in this context, is a vehicle for zoning or subdivision approval (this application does not seek to subdivide the land; subdivision regulations may be found in Art. V of the Code). The

Code does not define "zoning." However, it does define "master plan" as "a report, plans, and other submittals as required by this Code for a proposed subdivision or zoning or re-zoning of land showing the development proposal in a manner comprehensive enough to evaluate the scope, size, intensity, compatibility, benefits, relationships, and impacts of a project..." Code Art. III, §5.2 (emphasis supplied). Thus, a master plan zones. It is not legally permissible to do so in such a limited context.

In *Albuquerque Commons Partnership v. City of Albuquerque*, 144 N.M. 99, 2008-NMSC-25 the New Mexico Supreme Court reviewed its own case law on piecemeal zoning and revitalized several important concepts. "A targeted rezoning action is also called a piecemeal rezoning and stands in contrast to a comprehensive rezoning, which affects a substantial portion of land within the zoning jurisdiction belonging to many landowners." (internal quotations removed). A piecemeal rezoning results in "specific properties or small groups of properties within an otherwise similarly situated class, restricting or allowing uses in ways that do not apply to the surrounding area or similar areas within the [zoning district]." ¶26.

Under *Albuquerque Commons*, such piecemeal rezonings must be justified by 1) a change in conditions in the community or 2) a mistake in the original zoning. See also, *Miller v. City of Albuquerque*, 89 N.M. 503, 554 P.2d 665 (1976) and *Davis v. City of Albuquerque*, 98 N.M. 319, 648 P.2d 777 (1982). There is no evidence in the record, nor do the applicants submit any information, regarding any change in the community or mistake in the original zoning. Their zoning request completely fails under this rule.

Albuquerque Commons does open up one other avenue to new zoning, if it is "more advantageous to the community, as articulated in the Comprehensive Plan or other [zoning district] master plan." In the case of a "more advantageous" zoning, there must be a public need for the change and proof that "that need will be best served by changing the classification of the particular piece of property in question as compared with other available property." *Albuquerque Commons* at ¶30. There is also no evidence in the record of any particular public need or site-specific appropriateness. In this respect, the zoning is not only contrary to law, §39-3-1.1(D)(3), but also unsupported by substantial evidence, §39-3-1.1(D)(2).

The basis of the rule re-articulated in *Albuquerque Commons* is logical. The *Miller* court, in exploring the basis of zoning restrictions, noted the "**desirable stability of zoning classifications upon which the property owner has a right to rely, since property may be purchased or sold or uses of the property undertaken in reliance on existing classifications.**" *Miller* at 506, 554 P.2d at 668 (emphasis supplied). Here, the community has come to expect continuation of the quiet, low intensity single-family use that as represented to them when they purchased their homes, and as has become an essential part of the community's identity.

Compliance with General Plan

Art XV, Sec. 4.B.3.a of the Code requires conformance to the County's Growth Management Plan (currently, the 2010 Sustainable Growth Management Plan). The SGMP requires "transitioning between land use types, intensities, and densities using buffers and floor area ratios..." SGMP, Pg. 42. Here, there is no transition zone between the single family residences and the 214 unit complex.

Notably, when the original developer was seeking approval for the 1997 master plan, their land use planner stated that "College North is a transitional area between the rural densities and the Community College." April 30, 1996 EZA minutes.

Adjacent Lands Impact Analysis

Art. XV, Sec. 4.B.3.d of the Code requires analysis of impacts to adjacent lands. The application contains no such analysis, rendering it deficient.

HOA Membership

Owners of single-family residences in College Heights are automatically members of the homeowners association. Dues are substantial (~\$1,000 per year) and support many of the amenities and services enjoyed by community residents. Residents have proceeded with the settled expectation that 53 new single-family residences would be built, assisting them in paying these hefty dues. However, the apartment project, on a single lot, would be all but exempt from such dues. **This results in an unfair financial burden on the College Heights Phase 1 residents.**

Violation of Restrictive Covenants

The current private restrictive covenants that govern the property prohibit the applicants' anticipated project. My clients recognize that the County does not enforce restrictive covenants, and they are prepared to do so themselves, although the covenants were specifically approved by the County as part of the development review process (See may 12, 1997 EZA minutes). However, the covenant restriction is relevant for the County's discretionary review as to whether amendment of the master plan is appropriate and honors residents' established expectations.

There is no question that the project is prohibited by the covenants (Village At Rancho Viejo Covenant Declaration, Section 9.2): "All Lots may only be used for single family residential use..." Although current applicants' ability to amend the covenants is far from clear based on a review of the relevant transactions, they presumably assert the ability to amend the covenants under the Declarant's rights.¹

¹ Declarant rights are tightly regulated by the Homeowner Association Act, NMSA 1978 Section 47-7E-1, and such an amendment may be in violation of applicants' obligations under that act as well.

² Univest-Rancho Viejo LLC has accepted all rights and obligations of Rancho Viejo de Santa Fe, Inc. in a

However, there are substantive legal restrictions and prohibitions on their right to do so.

The first of those is the requirement of uniformity. In *Montoya v. Barreras*, 81 N.M. 749 (1970) the Supreme Court looked at a case in which protective covenants (“detailed plan for residential development and restriction as to all of the lots in the subdivision” *Id.* at 751) were amended to remove the restrictions on a single lot, allowing it to be used for nonresidential purposes. The Court stated, “Historically, restrictive covenants have been used to assure uniformity of development and use of a residential area to give the owners of lots within such an area some degree of environmental stability. To permit individual lots within an area to be relieved of the burden of such covenants, in the absence of a clear expression in the instrument so providing, would destroy the right to rely on restrictive covenants which has traditionally been upheld by our law of real property” and that “All of the lots in the subdivision were sold subject to the provisions of the declaration. Restrictions as to the use of land are mutual, reciprocal, equitable easements in the nature of servitudes in favor of owners of other lots within the restricted area, and constitute property rights which run with the land... Where the covenants manifest a general plan of restriction to residential purposes, such covenants constitute valuable property rights of the owners of all lots in the tract.” *Id.* The Court then held, “Because the grantor encumbered all of the property with restrictions, we cannot infer from the declaration the intention that any subsequent change or changes in the restrictions could be made applicable to only one lot or a portion of the lots in the residential subdivision.” *Id.* at 753.

Just as in *Montoya*, the applicants seek to amend the covenants in a non-uniform fashion. They are not permitted to do so.

Just last summer our Supreme Court looked at another substantive restriction on amending covenants, namely the requirement of reasonableness. In *Nettles v. Ticonderoga Owners' Association, Inc.*, 2013-NMSC-30 certain protective covenants were amended to eliminate previously required road maintenance and to dilute the plaintiff residents' votes. The Supreme Court took on the case to “address an area of the law that... remains vital to those with property interests in planned subdivisions... throughout our state.” 2013-NMSC-30 at ¶9. The Court relied on established authority and the *Restatement* in its analysis developing and strengthening the reasonableness requirement.

Thus, the *Nettles* Court held, “this Court will consider not only the rights of the individual owner, but also the rights of the other association members who expect maintenance in keeping with the general plan.... The purpose of balancing these considerations is to ensure that the strength of the association is maintained and the expectations and purpose are not frustrated, while also ensuring that *no individual property owner or class of owners is unduly and unexpectedly burdened for the benefit of others in the association.*” (emphasis in original; quoting *Griffin v. Tall Timbers Dev., Inc.*, 681 So.2d 546, 554 (Miss.1996)).

If the applicants go forward with the master plan, they are the only ones benefitted; the rest are unduly and unexpectedly burdened for their sole benefit. **This is exactly the situation prohibited as being unreasonable by the Supreme Court.**

Marketing representations and subsequent reliance by purchasers on those representations forms an independent prohibition on such a drastic change in plans as well. NMSA 1978, Section 47-6-17 (Disclosure) requires a subdivider to disclose in writing certain information about the subdivision as required by county regulations. Santa Fe County, in turn, has adopted a subdivision disclosure format (Code Appendix 5.C.1). The required disclosure includes the anticipated number of parcels. Accordingly, Rancho Viejo de Santa Fe, Inc.² filed its *College Heights Subdivision First Amended and Restated Disclosure Statement* at Book 1767, Page 468 of the records of the Santa Fe County Clerk. That disclosure statement specifies the number of parcels as 73.³ In addition, we understand that marketing materials at the time also made a similar representation, although they appear not to have been filed with Santa Fe County as required by Section 47-6-18(B) (no such materials should be destroyed).

Knight v. City of Albuquerque, 110 N.M. 265 (N.M. App. 1990) concerned the Paradise Hills Country Club Estates in Albuquerque. The original developers denominated certain areas as part of a golf course on the subdivision plat. A successor developer then attempted to amend the plat to develop those areas in a manner contrary to that shown on the plat. The Court of Appeals, noting the designation and use of the golf course and purchasers' reliance on that designation, found that the facts gave rise to a private right of action to prohibit development of the golf course for other purposes. Addressing the developer's point that the recorded covenants, conditions and restrictions (CCR's) seemed to reserve a right in the developer to "unilaterally change the character of the open space" the Court found such a result "patently unfair and violative of public policy."

The applicants' proposal is functionally the same. The developer consistently represented in numerous ways, at numerous times that the subject property (Lot 1) would contain only 73 single-family homes. This character of the subdivision was a significant part of how the properties were represented in marketing materials and sales pitches. Buyers who chose to live at College Heights made their choice based on the character of the neighborhood and their understanding that it would not change. The applicants cannot now attempt to amend the covenants or de-annex the property in order to fundamentally change the neighborhood character, density and form. Please refer also to *Ute Park Summer Homes Ass'n v. Maxwell Land Grant Co.* 77

² Uninvest-Rancho Viejo LLC has accepted all rights and obligations of Rancho Viejo de Santa Fe, Inc. in a series of agreements filed with the County Clerk on December 23, 2010.

³ It is worth noting that while the disclosure statement includes a bold face note regarding development of other land within the vicinity, it makes no such reservations regarding future development of College Heights itself.

N.M. 730 (1967) (plat showing golf course/playground/recreation area, tennis courts and clubhouse used in connection with sale of lots gives rise to equitable right of enforcement, surveying other similar cases). On the point of amending covenants or de-annexation, *Cree Meadows, Inc. v. Palmer* 362 P.2d 1007 (1961) is squarely on point. In *Cree*, the question presented was "whether or not any rights are created to other areas owned by the dedicators when a plat of the subdivision is used in making sales of lots." Noting that "defendants had sold lots to purchasers in some of the subdivisions by references to the then-existing plat and the restrictive covenants, and that some persons had purchased lots at higher prices than ordinarily would have been paid after having examined the plat, the covenants, and heard the representations of the owners or their agents" the Court held that the developers were prohibited from changing covenants, and thus changing the use, on land adjoining land that had been sold to individual purchasers through use of plats noting the originally contemplated uses.

In *Appel v. Presley Companies*, 806 P.2d 1054 (1991) the original covenants on which the purchasers relied regulated the "land use, building type, quality and size of the residential single-family dwellings" permitted in the subdivision. The developer later attempted to modify the covenants to permit smaller lots and townhouses to be built on them. The Supreme Court reversed summary judgment in favor of the developers and directed that trial was appropriate. Citing *Flamingo Ranch Estates, Inc. v. Sunshine Ranches Homeowners, Inc.*, 303 So.2d 665 (Fla. Dist. Ct. App. 1974) and *Moore v. Megginson*, 416 So.2d 993 (Ala. 1982) (both involving unreasonable attempted amendment of covenants by developer to permit commercial uses without due regard to property rights of residents), the Court held that the appropriate determination was "whether the exceptions were reasonably exercised or whether they essentially destroyed the covenants." **This proposal indisputably destroys the covenants.**

For these reasons, my clients object to the proposed master plan and urge you to reject the application, allowing the applicants to move forward with the project as originally planned and platted.

Sincerely



Christopher L. Graeser

Jose Larranaga

From: Vicki Schneider <vickischneider@gmail.com>
Sent: Wednesday, March 12, 2014 5:20 PM
To: Jose Larranaga
Subject: Re: Elevation at Rancho Viejo , #MPA 13 -- 5380

Follow Up Flag: Follow up
Flag Status: Completed

1
Graeser & McQueen, LLC
-
Attorneys at Law
-
316 East Marcy Street, Post Office Box 220 Santa Fe, New Mexico 87504
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0220
(505) 982
--
9074
March 12, 2014
Santa Fe County Development Review Committee
Santa Fe County Commission
c/o Jose Larrañaga
Commercial Development
Case Manager
joselarra@santafecountynm.gov

Dear Jose,

Please let the CDRC know that we are very opposed to the proposed change to the Master Plan in this case. The idea of Multi-family projects in the current environment is completely inadvisable.

I am assured that many reasons for this have been submitted, so in the interest of time, please add our names to the opposition to this item.

Thanks very much,
Vicki Schneider
BJ Irwin
99 Via Orilla Dorado
Santa Fe, NM 87508

(9190641-3096)

5
Jose Larranaga

From: Julia Valdez
Sent: Tuesday, March 18, 2014 3:05 PM
To: Penny Ellis-Green; Jose Larranaga
Subject: FW: Opposition to the Apartment Complex

Follow Up Flag: Follow up
Flag Status: Flagged

FYI.

Sincerely,

Julia

505.986.6202

From: Joseph Kelley [<mailto:kelleykian8@earthlink.net>]
Sent: Tuesday, March 18, 2014 2:07 PM
To: Liz Stefanics
Subject: Opposition to the Apartment Complex

Hi Liz,

Dottie and I are absolutely against this complex...I didn't buy my house to be degraded by apartments that wasn't in the overall plan.

Best,

Joe and Dottie Kelley
4 Conestoga Trl
Santa Fe, NM 87508

Jose Larranaga

From: Randy Crutcher <quantumrandy@gmail.com> on behalf of Randy Crutcher <qleapcoach@gmail.com>
Sent: Thursday, March 13, 2014 2:29 PM
To: Jose Larranaga
Cc: Liz Stefanics
Subject: Letter from resident 3/13/14, CDRC Case # MPA 13-5380 Elevation at Rancho Viejo

Follow Up Flag: Follow up
Flag Status: Completed

To: County Development Review Committee Case Manager Jose Larranaga
Re: CDRC Case # MPA 13-5380 Elevation at Rancho Viejo
Proposed plan change to allow multi-family multi-story commercial apartment complex in Rancho Viejo community
Date: March 13, 2014

Dear Mr. Jose Larranaga,

I am writing as a concerned resident of Santa Fe County living in the community of College Heights-Rancho Viejo. My comments reflect my own observations, concerns and findings along with those I've heard expressed multiple times at meetings with hundreds of Rancho Viejo residents.

Last year the Univest-Rancho Viejo corporation proposed to us a Master Plan change that would permit over 400 multi-story apartment units to be built adjacent to our single-family owner occupied homes on College Drive, which the current Master Plan designates as the area's development build out pattern.

We eventually learned that Univest has been in a sales negotiation with Vedula, a large commercial developer in Phoenix, and has submitted an application to Santa Fe County to change our Master Plan to permit a project that would be built and managed by this Phoenix firm. From Vedula's website, here is their stated mission.

"Vedula Residential is a multifamily real estate company founded in 2010 by Bruce Hart and Paul Fannin. Our company's strategy is simple: never pay more than replacement cost. We buy, below replacement cost, when markets dip; build as markets improve; and sell at the peaks. Vedula Residential remains nimble at all times, ready to respond to market changes. It is geographically focused. Vedula Residential will be successful in high beta markets like Phoenix, which offer high profit opportunities, because it is a disciplined buyer and seller. Vedula uses its expertise and experience to minimize risk while maximizing returns to our investors."

We are not opposed to overall county goals to build sustainable affordable housing that meets the new standards and zoning set by the Sustainable Growth Management Plan approved in 2010 with the recently passed Sustainable Land Use Code. We recognize that we are in a new era with new criteria for evaluating proposed projects.

We are opposed to the current proposed Master Plan change and high density apartment project as we see it as a radical departure from the vision and nature of our Rancho Viejo community, the vision and plan we were presented with when we moved here and our basis for investment in our community. Some of the basis for our opposition is as follows:

--Our Master Plan provides us with covenants, codes and restrictions within an organized and accessible

homeowner's association. These would not apply to adjacent rental housing that will have turnover in tenants, ownership and management.

--This apartment project will radically increase traffic on Richards Rd, since Richards is the only outlet off College Heights Drive. As currently proposed in the application, a connector route easement through the property would only increase traffic congestion in the area. Logically, high-density housing creates high density traffic.

--This project will generate dust, noise, and light pollution near our homes. The demographics of such a high-density residential center will be at odds with surrounding communities.

--There are better places to position such a project near Rancho Viejo that have existing access and lower impact on existing single family residential areas.

With regard to these points, some of our findings are:

- The College Heights property was platted with Rancho Viejo as one community and is covered by the Rancho Viejo North covenants that would prohibit this project without a vote of the homeowners
- That the county cannot change zoning to approve a project on a spot basis, but must look at the entire impact a new designation would have on the community.
- That courts have supported property owners who come to rely on developer plans and disclosures when homes are purchased
- That the county plan protects adjacent property from adverse impacts of land-use changes.

In summary, we view this application as misguided and out of step with both our existing community's plans and needs as well as the needs for housing that meets new standards for sustainability at the county level. It would set a poor precedent in this new era. We strongly encourage you to deny this application for a plan change and appreciate your consideration of our concerns.

Respectfully submitted,

Randy Crutcher

12A Deans Court Santa Fe, New Mexico 87508

March 11, 2014

Dear Ms. Stefani's

I am writing Re: CDRC Case MPA 13-5380
Elevation at Rancho Vieja.

Our family and neighbors are very troubled that a Phoenix-based owner of this parcel wishes to apply to change our Master Plan to build 400 high density apartments. It seems as though a master plan is a great marketing tool for real estate sales but loses its importance as developers see fit to change it when their own interests are affected. If our Master Plan can be changed for this, they can do it anywhere. The Plan provides some owners with covenants and associations. Renters will not be covered by any covenants.

We purchased property here because it is a master-planned community. Residents are at the mercy of the whims of outside forces who seem oblivious to traffic troubles (on Richards Ave.) the apartment complex will generate. There are better places to position such a project near Rancho Vieja. What is designated now for future building on this parcel should be kept intact.

I believe this application for a master plan change sets a dangerous precedent for future building plans here in our wonderful community. We fear we will become a city of urban sprawl developed without thought concerning pollution, traffic congestion and water resources. Does the term "master plan" have any real meaning or

validity when it can be amended without input or vote by Rancho Vieja residents?

Thoughtful planning should rule when considering changing or adding buildings in a covenant-controlled community. We urge you to vote no on this proposed master plan change.

Thanks for your consideration,

Barbara Rudera

1 Alegre Pass, Santa Fe, 87508

(505) 424-3092

babskl@a.pobox.com

Ms. Liz Stefanics,
County Commissioner, District 5
P.O. Box 720
Cerrillos, New Mexico 87010

Dear Ms. Stefanics,

Last year it came to our attention that Vedula Developers and Uninvest were working together to change the Master Plan at the county level. This is a Proposed Apartment Development within Rancho Viejo behind the Santa Fe Community College on College Drive, called "Elevation at Rancho Viejo." Project on the County Development Review Committee (CDRC) for March 20.

I am writing because I am opposed to this Master Plan change and ask that you save the college master plan as it is. Allowing 214 apartments to be built is unethical, not well thought out (for many reasons from environmental to traffic issues); and sadly being considered for the money—not the well intent of the Santa Fe community.

The SE connector is also a real concern and needs to be questioned why it is being built when if we were doing real long term thinking of our community and college expansion, then we would build a connector at the far end of the college campus rather than its now considered placement (a quarter of a mile away from the college) suggested at the March 10th meeting.

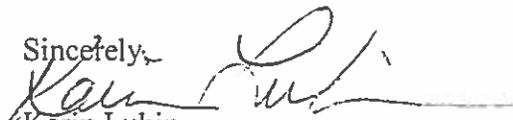
The timing of building a road connector as well as a development complex perhaps was not thought through. We are being told that the road will begin to be laid down in 2016 yet the construction of whatever project gets the go ahead will start BEFORE the road is completed.

Considering the traffic issues already on Richards road, it makes no sense that we would impact the road even more with big equipment, trucks etc and even have a greater impact on traffic, congestion and safety issues if there is a need to evacuate quickly.

I know that you will stand by the larger Rancho Viejo community that is against this major change to the Master plan. Please note our concern and hesitation in making this major change to an already completed plat that has been documented and what all residents receive when purchasing their property.

Please do the right thing!

Sincerely,


Karin Lubin

12A Deans Court
Santa Fe, NM 87508

ORA-163

Jose Larranaga

From: James Joy <dr.jjoy@yahoo.com>
Sent: Tuesday, March 11, 2014 11:37 AM
To: Jose Larranaga
Cc: Liz Stefanics
Subject: Univest Plans in Rancho Viejo

Dear Mr. Larranaga:

We bought our house in Rancho Viejo in 2006. At the time, we were attracted by the idea of a community of single-family residences governed by homeowners associations and covenants. The community was quiet and offered excellent views of the mountains and the night skies. Since then we have seen steady development of our area, with many more housing units, schools, churches and businesses all utilizing Richards.

Univest's plan to build 400 apartments, however, will represent an even more threatening development. First, I doubt that the company will stop at 400. Second, this completely goes against the concept of single-family residences, covenants and homeowners associations. Third, it will disrupt the quiet in our neighborhood and the views that so many have enjoyed. Fourth, it will take the traffic problems in our community to a new level. Fifth, apartment dwellers, not being long-term residents, do not have the same stake in the community and that will bring a decline in community involvement.

I urge you to NOT allow the change that Univest wants.

Sincerely yours,

Dr. James Joy
57 E. Chili Line Rd

OBA-164

Jose Larranaga

From: Kristin Chancellor <kc@sfjs.net>
Sent: Thursday, March 20, 2014 12:21 AM
To: Jose Larranaga
Cc: Liz Stefanics; concernedrvhos@gmail.com
Subject: Rancho Viejo Homeowner Objections to Proposed Apartment Building Location

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

It has been brought to our attention that Univest has made a request to build a high density, up to four hundred unit, multi-story apartment complex in the Rancho Viejo residential community. This goes against the contractual covenants and principals that the original developers constructed. The reason people such as ourselves moved into this area was the promise that all who would live here would have to live under enforceable contractual covenants such as the single home master plan, evening light restrictions, building height restrictions and proper property maintenance. This proposal flies in the face of the promises that convinced us to move here in the first place. It's very existence would break most of the original contractual covenants we agreed upon.

The influx of people into this area is also a logistical nightmare. Richards road can't handle the current traffic load into and out of the area. Adding as many as six hundred to a thousand additional vehicles to this single road access area will be render traffic unmanageable and unsafe. I don't object to Univest developing the property they have purchased, but I do think they or any other person or company should be held to the original standards which started and continue to compel the community to be a model for low density rural development.

Thank you for your time and attention.

Sincerely,

Kristin & Steve Chancellor
211 E. Chili Line Rd.
Owners, Santa Fe Jewelers Supply
3200 Mercantile Ct.
Santa Fe, NM 87507
www.sfjs.net
kc@sfjs.net

Jose Larranaga

From: Glen Smerage <glens@ufl.edu>
Sent: Tuesday, April 01, 2014 11:19 AM
To: Jose Larranaga
Subject: letter, case 13-5380

187 E Chili Line Road
Santa Fe, NM 87508
505-471-2026

1 April 2014

Jose Larrañaga, Case Manager
Building & Development Services
Santa Fe County
102 Grant Ave
Santa Fe, NM 87501-2061

Dear Mr Larrañaga:

In spite of the date, this letter is no joke. Please note in particular Item 6.

I implore the CDRC to deny the Master Plan Amendment (MPA) to College North Master Plan (CNMP), dated February 1997, sought in SFC Permit 13-5380 by Univest Rancho Viejo and Vedula Residential Operating. Among many reasons to deny, I offer only the following few as most important.

The MPA would be an unconscionable departure to CNMP as adopted in February 1997 and presented to the public and original and subsequent buyers of residential properties developed in Phase-1, College Heights, of CNMP. Granting the MPA would unrightfully disenfranchise those owners.

2. The MPA would affect only a portion of the undeveloped 57 acres in CNMP, itself only 91 acres. That would be piecemeal development of land all 57 acres of which should be developed as a single, unified entity, in conjunction with College Heights and integral to the entire Rancho Viejo (RV). SF County should not pursue nor permit piecemeal development under the Community College District Ordinance (CCDO).

3. Residents of RV own and reside under strict covenants, including membership in and control by homeowners associations (HOAs). Membership and dues payment to an HOA would not be required of residents of apartments proposed in the MPA, yet they would have access to trails, open space, and other amenities of paying residents. That is unequal, and unconscionable treatment under law.

4. Development of apartments under the MPA would not be governed by an HOA; therefore, it would not be subject to architectural and other requirements of an adjacent HOA and RV overall. We can be sure that Univest would not impose on developer Vedula HOA-like requirements it imposes on resident owners. Apartments would be an independent, incongruous island in the whole RV, a morally and legally objectionable condition.

5. Provisions of SF County's new Sustainable Land Development Code (SLDC) are inadequate to sustain quality communities like RV. Residents of RV need time to develop with Univest and BCC provisions in SLDC that will sustain features and quality-of-life in RV and other such communities.

6. The MPA application states that the applicant is '... seeking to bring the property into compliance with the CCDO by the MPA' and '...the CCDO designates the subject property as a Village Zone'. Use of those statements to justify the apartments is phony and deceitful, an egregious artifice toward getting their way. The 57 acres are far too small to be a village; they really are merely a portion of College Heights and a very small portion of the whole RV Community.

I request that before closing public hearing of case 13-5380, your Committee request of Jose Larrañaga an explanation of the two statements relative to provisions of the CCDO.

7. The RV developing on 2500 acres, already a fine community of 1300 single residences, abundant open space, trails, and vistas, should and must be treated as a single community, a single entity. Development of new, major segments of that 2500 acres must be done with architectural, functional, and social harmony. Already, Bicycle Technologies International and Easter Seals El Mirador are glaring, incongruous, and unwanted blights on the Community; RV does not need additional blight of apartments proposed in the MPA.

Very obviously, the site of Univest-Vedula's proposed monolith apartment complex is a scheme to exploit future students of SFCC. As a resident of university towns forty of my adult years, I know first-hand the deterioration of near-university neighborhoods caused by off-campus, student housing, both apartments and single family houses. Residents of RV do not want that deterioration of their neighborhoods and community to occur. Univest has land, e.g., near SR 14 or elsewhere in the 2500 acres of RV, much more suitable for apartments than the proposed site.

For the welfare of Rancho Viejo, please deny application 13-5380 and request that Univest complete College North Master Plan in the manner originally proposed and develop its other land north and east of SFCC via large master plans in conformity with the vision and intent of CCDO and the Rancho Viejo extant.

Sincerely,

Glen Smerage



Rancho Viejo North Community Association, Inc.

55 Canada del Rancho, Suite B, Santa Fe, NM 87508 (505) 473-3516
www.ranchoviejonorth.com

April 16, 2014

Sanla Fe County Board of County Commissioners
c/o Jose Larranaga, Commercial Development Case Manager

via: email to joselarra@santafecountynm.gov

RE: Elevation at Rancho Viejo, #MPA 13-5380

Dear Mr. Larranaga,

The Rancho Viejo North Community Association Board of Directors submits this letter on behalf of the homeowners of Rancho Viejo North, particularly those in College Heights. The Board strongly opposes the requested master plan amendment to allow the construction of 214 apartment units. The proposed apartments are inconsistent with the existing residential neighborhood at College Heights. At the time the residents of College Heights bought their homes, there were representations made that future development phases would continue the single family residential character. Residents are now concerned that an apartment complex will negatively impact current home values in this area.

The Rancho Viejo North Community Association Board requests that this master plan amendment be denied.

Sincerely,

On behalf of the Rancho Viejo North Community Association Board of Directors

Bruno Keller, President
Rancho Viejo North Community Association
bkeller@ranchoviejonorth.com

Jose Larranaga

From: Penny Ellis-Green
Sent: Monday, April 14, 2014 1:48 PM
To: Jose Larranaga
Subject: FW: Regarding the proposed Apartment Complex and the changing of the Master Plan in Rancho Viejo

From: Paul H Lujan [mailto:pbstrong_1999@yahoo.com]
Sent: Monday, April 14, 2014 1:44 PM
To: Penny Ellis-Green
Subject: Regarding the proposed Apartment Complex and the changing of the Master Plan in Rancho Viejo

Penny Ellis-Green, Growth Management Administrator,

I am writing this e-mail to express my concern over the proposed Apartment Complex and the changing of the Master Plan in Rancho Viejo. My address is 2A Dean's Court, and just based on the proximity to the proposed apartment complex, I will be the one most impacted by it.

I purchased a home in Rancho Viejo back in 2001 for several reasons, but the most important was the feeling of being in a rural environment even with the city being so close by. The nights are quiet and all you can hear are the birds chirping and the coyotes howling. I also purchased my home, with the understanding that Rancho Viejo would always be a community of single family dwellings in order to maintain the beauty and peacefulness of our community. It is not fair to the 1000+ residents of our community that this would now change. The impact on traffic alone, which is already atrocious, is unfathomable! The sewage lines that go from the homes on College Heights to the Santa Maria de La Paz Church and Santo Nino School already back up several times a year. I know this, because I used to work at Santa Maria de La Paz and this seems to be a major issue. The sewage has to be pumped uphill to the waste processing center at Rancho Viejo. How can this sewage line handle 241 apartment units, when it can't even handle 20 homes, a church and a school.

Basically the proposed revision to the Rancho Viejo Master Plan would disrupt the lives of the countless people that now reside in Windmill Ridge, The Village, La Entrada and most importantly the 20 homes in College Heights. Please do not let this happen.

Sincerely yours,

Paul H Lujan

Jose Larranaga

From: Chris Furlanetto <crfrwf@yahoo.com>
Sent: Monday, April 14, 2014 11:28 AM
To: Jose Larranaga
Cc: Liz Stefanics; Penny Ellis-Green; Robert Griego
Subject: Comments on CDRC Case # Z 13-5380

Mr. Larranaga:

We are writing in opposition to the apartment complex proposed in this application. As residents of Rancho Viejo, we are concerned that allowing a high-density complex in our single-family development will adversely impact the quality of life here in Rancho Viejo. The proposed development will provide absolutely no benefit to the hundreds of residents already in Rancho Viejo. Adding another 200+ apartments at a later date will only exacerbate the negative effects of the current application.

We ask that CDRC and the BCC act in the spirit of the Sustainable Land Development Code adopted in December 2013. Although the Code does not officially take effect until the zoning map is approved, we believe development decisions of this scope should be made with the provisions of the new Code in mind.

In any case, should the BCC ultimately approve this application, we strongly believe that:

- No construction should be allowed until the Southeast Connector is built. Proceeding with construction with no additional access roadways will result in a traffic nightmare for everyone who lives in Rancho Viejo, commutes to SFCC, or attends Santa Maria de la Paz church or school.
- An outdoor pool should not be permitted under any circumstances, given the severe water issues here in Santa Fe County.

Thank you for your attention to our views.

Sincerely,
Christine Furlanetto
Richard Furlanetto, MD, PhD
6 Redondo Peak
Santa Fe, NM 87508

Jose Larranaga

From: Penny Ellis-Green
Sent: Tuesday, April 15, 2014 8:11 AM
To: Jose Larranaga
Subject: FW: CDRC CASE # Z 13-5380 Elevation at Rancho Viejo OPPOSED!!

From: Linda Weston [<mailto:lindaw505@gmail.com>]
Sent: Monday, April 14, 2014 9:03 PM
To: Liz Stefanics; Penny Ellis-Green
Subject: CDRC CASE # Z 13-5380 Elevation at Rancho Viejo OPPOSED!!

Hello,

I appreciate you taking the time to consider my opinion. I am a 5 year resident of Rancho Viejo and I am 100% OPPOSED to a change in the Master Plan for the Community College district.

I do not think an apartment complex is a good addition to the neighborhood, this was not in the original Master Plan which I studied prior to purchasing my home in this area. This new concept and related density is a far dramatic deviation from our community plan.

Besides the obvious problems of increases in noise, traffic, crime, light pollution, etc. the larger issue here is I purchased a home in Rancho Viejo with the assurance that this area would be occupied by homeowners and governed by covenants and associations. A sale of this parcel would change the contract under which I purchased my home. I have done an informal survey in my neighborhood and we are all in agreement that this proposal to make a change is not endorsed by any homeowner here.

Please take this into consideration and vote NO for a change in the density allowed in this Community College district. We would appreciate it if you could please vote in favor of the Rancho Viejo residents who are in a consensus regarding this request.

Thank you,
Linda Weston

57 Via Sagrada
Santa Fe, NM 87508
(505) 920-4960
lindaw505@gmail.com

April 9, 2014

Jerry & Carol Wells
14A Deans Court
Santa Fe, NM 87508

Jose Larranaga
Commercial Development Case Manager
County Land Use Administrator
P. O. Box 276
Santa Fe, NM 87504-0276

Dear Mr. Larranaga

Re: Elevation at Rancho Viejo #MPA 13-5380

This letter is in response to Legal notice published in the Santa Fe New Mexico on March 31, 2014 regarding a public hearing on an amendment to the College Master Plan on 56.91 acres for the development of an multifamily residential community.

I had previously written my objections to this development, however; the hearing was rescheduled for April 17th, so I am resubmitting my comments in opposition to this development.

Univest-Rancho Viejo proposed this development over a year ago at which time we voiced our objections to this development as it would substantially increase traffic on College Drive and it was a change in the original design of the neighborhood from single family housing to multifamily rental housing. The original proposal submitted by Univest-Rancho Viejo was to build two multifamily rental housing units in two phases each development consisting of approximately 240 housing units. The proposal was marketed as a "Luxury" apartment complex.

After receiving considerable opposition to these plans, Univest-Rancho Viejo altered their plans and presented a proposal very similar to the current proposal. Once again the Community voiced opposition to this plan.

At a meeting in the fall of 2013 a meeting was held to establish a Community/Developer joint task force for purposes of addressing many of the issues voiced in our opposition to this development. At the end of the meeting we were informed that this proposed development was not included in this new joint task force as the College Drive property was being sold to Vedula Residential Operating LLC.

We are now told that this sale has not been completed and it appears that Uninvest-Rancho Viejo is a partner or is spearheading the development for Vedula Residential Operating LLC because of their ties to the community.

Our original opposition to this development has not been resolved. Our issues are the increase in traffic on College Drive, the change from single family owner occupied homes to multifamily rental units.

We do not believe these rental units will be "Luxury" apartments as it is quite evident that they are intended as student housing for SFCC.

Our concerns with student housing is the fact that College students do not maintain the property, have late night parties and are constantly traveling back and forth to social events, work, school, friends houses etc. We have rented to College students in a College town and know the ramifications of renting to College students.

The traffic study presented assumes that the traffic on College Drive will not increase significantly. It is unknown how many automobiles the study assumes for each apartments but I would expect no fewer than at least two per unit and considering the residents would in all likelihood be students, I would expect some units would have up to four automobiles per unit.

The multifamily rental housing is proposed assuming the South East Connector runs west of the proposed site. As the developer probably is working with the county to make that happen, it may relieve some of the traffic concerns, but not as many as the traffic study seems to imply.

The multifamily rental housing is only a short distance from a significant archaeological site. Knowing young adolescent children tend to wonder off to explore unoccupied areas of the surrounding areas to the homes, I would expect this site is at risk.

The proposal as submitted leaves open the question of the second multifamily rental units and would in fact increase traffic substantially above the projections.

It may be noted that the round about at Richards and College Drive is rated as a failure. While it is true the South East Connector may help the rating on this roundabout, it would still be rated at a failure or near failure rating with the rental units.

As a homeowner in College Heights, I must follow the covenants established by the Rancho Viejo Homeowners associations. These covenants protect homeowners rights, rights which the multifamily rental units will not be required to follow.

We live in a natural dry land environment which is highly flammable and easily destroyed by wildfires, unplanned pedestrian, bike and off road vehicle trails.

As a final issue, we find it unreasonable for multifamily housing to be allowed a swimming pool when residents of Rancho Viejo are not allowed to have swimming pools and which saves our valuable water resources. The pool would make the multifamily rental units for College students even more attractive for late night parties with significant use of alcohol and drugs.

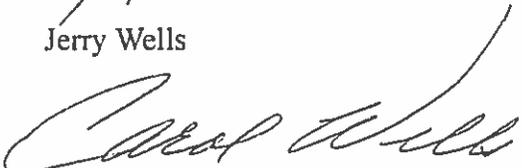
We have real concerns over our ability to exit or enter our street during heavy traffic periods. We are also concerned about our ability to evacuate our neighborhood in case of a wildfire in the grasslands surrounding our neighborhood., as there is only one exit out of the neighborhood. We need a turning lane on College Drive into Burnt Water so as not to tie up traffic exiting SFCC and utilizing College Drive to connect to the South East connector . We would like to see a parking lot for SFCC to be planned along the side of the South East connector behind the Witter Fitness Center to reduce traffic on College Drive.

We ask that you require this section of land be developed as originally platted in the Master Plan and as presented to the residents of College Heights at the time they purchased their single family homes.

Sincerely,



Jerry Wells



Carol Wells

CC: Liz Stefanics, Commissioner

Jose Larranaga

From: Penny Ellis-Green
Sent: Tuesday, April 15, 2014 3:28 PM
To: Jose Larranaga
Subject: Fwd: proposed zoning change

Sent from my Verizon Wireless 4G LTE DROID

----- Original Message -----

Subject: proposed zoning change
From: Doug Konen <dkonen@comcast.net>
To: Penny Ellis-Green <pengreen@co.santa-fe.nm.us>
CC:

Ms. Ellis-Green,

I have heard about proposed zoning changes to the Rancho Viejo master plan that would allow for the construction of apartment buildings near the College. As a homeowner in this community I am opposed to this idea, at least in the area now being discussed. Apartment housing will have numerous detrimental effects on the quality of life, not least among them single family property values, housing density and dangerous traffic.

I urge the Commissioners or those involved in land use planning and laws to deny permission to build apartment buildings on College Rd or near the College. There are probably other, far more suitable places to locate an apartment complex within the Rancho Viejo development.

Douglas Konen
26 Panther Peak
Santa Fe 87508

Jose Larranaga

From: Susie Knight <confettisuz@hotmail.com>
Sent: Thursday, April 17, 2014 2:59 PM
To: Jose Larranaga
Subject: 17th meeting

Dear Mr. Larra,

I am writing for the two adults in this household who live in Rancho Viejo, Village 1.

We are both completely against allowing apartment complexes to be built in the College Heights area of Rancho Viejo.

There is already too much traffic on Richards Avenue.

The infrastructure doesn't exist to accomodate such an additional population.

Apartment buildings reduce the real estate value of private homes in the immediate area.

Thanks for listening.

Respectfully,
Susan Knight and Karl Johnsen
7 Grayhawk Place
Santa Fe, NM 87508
505-438-0404

Jose Larranaga

From: Glen Smerage <glens@ufl.edu>
Sent: Thursday, April 17, 2014 10:08 PM
To: Jose Larranaga
Subject: new letter, case 13-5380

187 E Chili Line Road
Santa Fe, NM 87508
505-471-2026

17 April 2014

Jose Larrañaga, Case Manager
Building & Development Services
Santa Fe County
102 Grant Ave
Santa Fe, NM 87501-2061

Dear Mr Larrañaga:

Below is copy of the body of the letter I sent tonight to CDRC after its aborted Public Hearing on Case 13-5380 today, 17 April. Its contents and emphases differ substantially from my 1 April letter (also to you) on the same case.

Glen Smerage

Dear Committee Members:

Your Packets for today end with my 1 April letter containing 8 valid & compelling reasons for denial of this proposal. I present below my intended comments for today's aborted meeting. I hope you will read both letters before your 15 May Public Hearing; their contents and emphases differ significantly.

It is axiomatic that many things are conceived and initially created well only to be subsequently degraded and even destroyed by their creators. That axiom may now apply to Uninvest and Rancho Viejo (RV).

RV is a totally new community conceived and created by original land owners on virgin ranch land. Now only 13 years old, it is a special community of 1300 single-family residences, schools, churches, open spaces, trails, and superb vistas. It is a community of pleasing, harmonious structure and architectures of homes offering residents a high quality of life. Of my many concerns about this proposal, the greatest is the significant departure in community character and lack of compatible controls as commercial functions and structures are added to RV.

Until 2012, the vision of original land owners, who are among principals of Uninvest, was well achieved at RV, and residents eagerly bought into that vision. Indeed, many of us paid lot premiums for that privilege. Uninvest now seeks to add commercial functions and structures to our Community, commencing in 2012 with Easter Seals El Mirador, BTI (Bicycle Technologies International), and now proposed apartment. We are not against commercial additions to RV; we are against the incompatible, degrading ways by which it is being done by Uninvest. Instead of working with residents to assure structurally and architecturally harmonious commercial additions that retain superb qualities of RV, Uninvest works against us—against the Community.

What residents do with their properties is highly controlled by covenants and homeowner association fees and regulations that are good for the Community. No comparable covenants and association controls apply to commercial development in RV, and Uninvest is indifferent to, even against controls, aesthetics, and harmony. Easter Seals, BTI, and proposed apartments are in location, function, and architecture inappropriate, ugly, incongruous with, and degrading of Smerage to CDRC, page 2.

the major portion of our Community, the large, adjacent residential units. Further commercial development in RV must be done in conformity with meaningful covenants and oversight by HOAs.

Santa Fe County is no help to us in adding well commercial functions to our Community. Its CCDO and new SLDC really do not address factors affecting harmonious development and sustainability of new communities. That major deficiency and irresponsibility of both ordinances is detrimental to RV and other new communities.

I implore you to deny this application by Uninvest-Vedura and, furthermore, to suggest strongly to BCC that it quickly amend CCDO and SLDC with regulations that assure compatibility of residential and commercial facets and sustainability of new communities.

Sincerely,

Jose Larranaga

From: pateperrin@aol.com
Sent: Wednesday, April 30, 2014 3:47 PM
To: Jose Larranaga; gevezich@gmail.com; tunick@swcp.com; concernedrvhos@gmail.com; raquel_burns@shamrockfoods.com; marsjohn4@gmail.com; hunt4steve@gmail.com; david@bsnsantafe.com; arjjg@comcast.net; evelyn@nmlandandhomes.com; Flopez3951@aol.com; quantumrandy@gmail.com; pbstrong_1999@yahoo.com; qleapcoach@gmail.com; ceasterwood@nmb-t.com; karinlubin@gmail.com; swg.lgg@gmail.com; a63lp@yahoo.com; kcod@mac.com; jimshuba@aol.com; sumac3b@comcast.net; leelowary@gmail.com; jwells7465@comcast.net; bkrasnow@sfnewmexican.com; mlaendle@yahoo.com; pateperrin@aol.com
Subject: Request to retain the expired College Heights Master Plan

Univest (Rancho Viejo) sold the homes on College Drive, promising a single-family, low-rise development of 73 homes.

The College Heights Master Plan apparently expired recently and now Univest wants to sell half of the land in our planned community to a Phoenix Developer and produce high-density apartment housing.

I ask that our Old Master Plan be retained and renewed--no matter who owns the land--for single family housing as promised.

From: Glen Smerage
Sent: Friday, May 2, 2014 7:47 AM
To: Liz Stefanics
Subject: a big question

187 E Chili Line Road
Santa Fe, NM 87508
505-471-2026
glens@ufl.edu

2 May 2014

Commissioner Liz Stefanics
Santa Fe County Commission
102 Grant Ave
Santa Fe, NM 87501-2061

Dear Commissioner Stefanics:

Each time I have written to you prior to a public hearing to express concern and criticism and request denial of a development proposal in Rancho Viejo by Uninvest Ranch Viejo, LLC, you have invoked 'Ex Parte'. How, then, am I to communicate to you in timely manner my concerns and criticisms in such cases so that you may consider in your decision process my input as an affected resident?

I may and usually do speak at Public Hearings on Uninvest's proposals, but let's be honest, speaking at the Public Hearings is almost worthless. Governing laws and procedures of Santa Fe County Public Hearings place great disparity between developer and public individuals. Developers are permitted unlimited time in Hearings to present their case, rebut public criticisms, and answer commissioner questions. No such privilege is accorded members of the public! Criticisms of development issues typically are multifaceted; in no way can an individual express with adequate substance multiple criticisms in the typical three minutes, often only two, permitted per speaker. That is a ridiculous expectation!

How may I address a letter to you and other commissioners to assure that it gets into your Packets of Materials/Documents for the Commission meeting on the date of a Public Hearing of interest? The public meaningfully must communicate with commissioners, not Penny Ellis-Green and others. Of course, commissioners may ignore letters from its public, but we must write for more adequate communication with you and hope that you have more integrity than that.

Sincerely,

Glen Smerage

OBA - 179

Jose Larranaga

From: pateperrin@aol.com
Sent: Saturday, May 03, 2014 1:53 PM
To: Jose Larranaga; Jose Larranaga; Liz Stefanics; gevezich@gmail.com; tunick@swcp.com; concernedrvhos@gmail.com; raquel_burns@shamrockfoods.com; marsjohn4@gmail.com; hunt4steve@gmail.com; david@bsnsantafe.com; arjjgg@comcast.net; evelyn@nmlandandhomes.com; Flopez3951@aol.com; quantumrandy@gmail.com; pbstrong_1999@yahoo.com; qleapcoach@gmail.com; ceasterwood@nmb-t.com; karinlubin@gmail.com; swg.lgg@gmail.com; a63lp@yahoo.com; kcod@mac.com; jimshuba@aol.com; sumac3b@comcast.net; leelowary@gmail.com; jwells7465@comcast.net; bkrasnow@sfnewmexican.com; mlaendle@yahoo.com; pateperrin@aol.com; tunick@vsci.net; detwiler@cybermesa.com; michelle.ensey@state.nm.us
Subject: Fwd: CDRC Case # MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment, Archaeological site LA 110168
Categories: Red Category

Dear Mr. Jose Larragana and County Commissioner Stefanics:

Please note below that Univest/Vedura, developers of 215-415 apartment units off College Heights Road are not willing to pay for an assessment of an archeological site located on or near the development.

Some of us in College Heights know and protect the location of this site.

We believe it to be at high risk and on or very near the land possibly scheduled for the Elevation at Rancho Viejo or Southeast Connector development. The site should be identified and fenced off.

Sincerely, Pat E. Perrin
505-474-3453
10 Deans Court
Santa Fe, NM 87508

-----Original Message-----

From: Ensey, Michelle, DCA, DCA <michelle.ensey@state.nm.us>
To: pateperrin <pateperrin@aol.com>
Sent: Thu, May 1, 2014 10:23 am
Subject: RE: CDRC Case # MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment, Archaeological site LA 110168

Pat,

Thank you for your email and I understand your concerns. Unfortunately, I cannot share the location of LA 110168 because site locations are confidential under state law. We try to protect the locations of sites to ensure that their locations are not available to the public at large in case the information gets into the wrong hands and leads to the destruction of the site. I can tell you that LA 110168 was originally documented in 1995 and revisited again in 2009. It was determined to be significant in 1995 and a non-disturbance easement was placed on the site as required under the Santa Fe County Land Use Ordinance. Under the ordinance, a site is significant if it is 75 years or older and has the potential to provide information on the prehistory and history of the Santa Fe area. Sites usually remain in a non-disturbance easement until a treatment plan (usually excavation) is implemented to recover the significant data from the site and this easement is marked on the plat to ensure protection.

Because the County does not employ a professional archaeologist, they submit development plans and plats to this office for my review, along with archaeological survey reports and treatment plans. Since the State has no jurisdiction on private land (unless there is federal money involved, or the historic property is listed on the State Register of Cultural Properties), my review is limited to providing comments and advice to the County. I cannot require that the County impose conditions on a developer that are outside the scope of their ordinance. For this particular development, the developer indicated that they will continue to avoid the site; however, I did recommend that they hire a professional archaeologist to reassess the site. The plat showing the non-disturbance easement may not be accurate. The firm that conducted the initial recording in 1995 did not always accurately map the sites that they discovered. In other situations, I have found that this firm mislocated sites, placing the non-disturbance easement in the wrong location, and sometimes they placed a very large non-disturbance easement on the site where it wasn't warranted. I do not know if the 2009 recording of the site provided a new non-disturbance easement. If it did, that information is likely to be more accurate. Nonetheless, as a result of my experience, I recommended the new assessment to make sure the site is located correctly on our maps and that the non-disturbance easement is of appropriate size and in the right place. The developer disagreed with my recommendation and to my knowledge will not be conducting the assessment. As I mentioned, I cannot require the reassessment. The County did, however, notify me that the plans have changed and the development may be closer to the site. They will be sending the new plan and plat to me for review, but I have not received it yet. When I do, I will reiterate my concerns.

I recommend that you write letters to the County commissioners and also attend the meeting when the plan will be reviewed so that the commissioners can hear your concerns. They are the only ones that can ask the developer to conduct additional work. In the meantime, please do not hesitate to contact me if you have any other questions.

Sincerely,

Michelle M. Ensey
Archaeologist
NM State Historic Preservation Office
407 Galisteo Street, Ste. 236
Santa Fe, NM 87501
(505) 827-4064
www.nmhistoricpreservation.org

From: pateperrin@aol.com [mailto:pateperrin@aol.com]
Sent: Wednesday, April 30, 2014 4:15 PM
To: Ensey, Michelle, DCA
Subject: CDRC Case # MIS 13-5380 Elevation at Rancho Viejo Master Plan Amendment, Archaeological site LA 110168

My name is Pat Perrin and I live off College Drive just north of the Community College in Rancho Viejo's College Heights.

Univest (Rancho Viejo Developers) is planning on selling a parcel of land in College Heights to Phoenix Developer Vedula, which wants to build a high-rise apartment complex in an area near the archeological site listed above.

This parcel is next to Burnt Water Road, which borders our 20+ homes. Those of us in Rancho Viejo's College Heights neighborhood are decidedly opposed to this concept because Univest sold us our homes with promises that this adjacent parcel would complete our community for a total of 73 single-family homes.

Consequently, we have learned not to trust Univest.

We wonder if you have any maps that document the exact location of LA 110168.

We are also curious about the value of the site. Do you have any criteria which indicates the value of this site?

Is the archeologist who will be hired to verify the site and its boundaries hired by the State or the Vedula/Univest developer?

I would be happy to come ^{5/1} yn and look at your maps.

We urge you to consider independent review if you wish to preserve this site.

Jose Larranaga

From: Eunice Vellon <eunice.vellon@gmail.com>
Sent: Friday, June 27, 2014 3:21 PM
To: Jose Larranaga
Subject: MPA 13-2061 FOR DELIVERY TO THE BCC COMMISSIONERS

Follow Up Flag: Follow up
Flag Status: Flagged

Board of County Commissioners
102 Grant Ave.
Santa Fe, NM 87501-2061

6/27/2014

Mr. Chairman and Commissioners

I sat in the county chamber last month while Ms Jenkins of Jenkins Gavin acting as agent for Univest Rancho Viejo and Vedula Residential presented the proposal for the multifamily development in College Heights/Rancho Viejo (case # MPA 13-5380) to the CDRC. I'm not sure how many times during her presentation Ms Jenkins referred to "THE COUNTY" but it was a lot. She told us what the county wanted and needed. She explained how this development was going to benefit the county and provide something that was not otherwise available in the county.

But the county is not an abstract entity. It is the men, women and children who live, shop, own businesses and homes, employ our citizens, attend our schools, play in our parks and pay taxes in and to the county of Santa Fe. It's the people who will be sitting in those chambers on July 8; those who will come to be heard and those who come to hear how you will respond to our concerns. It's those who went to the two previous monthly meetings of the CDRC and to the numerous other meetings regarding this and other related issues. It's the homeowners, and renters who have signed petitions, sent e-mails, and written letters. Mister Chairman and Commissioners, that county wants to be heard—not just politely listened to, but actually heard. The applicant and their agents do not and indeed cannot speak for us:

- The applicant is in Arizona.
- The applicant according to their own website is only interested in maximizing their return on investment. "Buy low and sell high" is their motto.
- The applicant does not always maintain ownership and manage the projects they develop contrary to what their agent has told us and you.
- The applicant makes decisions based only on their bottom line.

We, on the other hand, are interested in investing in our community and making it the best living and working environment that we can because it is "OUR COMMUNITY—OUR HOME—OUR COUNTY."

It has been intimated that the developer has addressed the concerns of the residents by moving the site ¼ mile east of the current College Heights development to the eastern side of the yet to be built SE Connector

and allowing for a buffer zone of indeterminate description to be built between the existing homes and the apartments.

NOTHING COULD BE FURTHER FROM THE TRUTH. The residents of Rancho Viejo have been consistently and unequivocally opposed to this project in all its changing forms. There are much better locations for apartments in terms of public transportation, local shopping, employment, and wider roads—and—with good access to trails, bike paths and the Community College. Contrary to the intimations presented by the applicant, our objections are not because they are apartments, but because these apartments are not consistent with the planned development that the residents bought into and will result in a devaluation of our environment. This devaluation will be real regardless of whether or not it results in a devaluation of our house values which is a questionable assumption at best.

At the CDRC meeting, Ms Jenkins postulated that the existence of two apartment complexes, which she drives by every day, have no impact on the value of her home and others in her neighborhood because those homes sell for a lot of money. You cannot prove a negative in that way. Since the apartment complexes do exist and preexisted most of the homes built, there is no way to determine what impact their existence had or has on the price of homes. You cannot say with any certainty that the \$600,000.00 home would not be a \$900,000.00 home if the apartments did not exist. Her example may have an emotional appeal, but it is an invalid argument and has no bearing on the current proposal.

During that same presentation for the College Heights project there was a slide that the applicant's agent did not show the committee. It is the one that designates the acreage to the east of the current site in their application as reserved for future multifamily development. So contrary to the 214 apartments they are asking you to approve, we could actually be looking at 400+ apartments and the cars and other potential problems that go with them. They also failed to indicate what would be built in the buffer zone which could be another 200+ apartments.

The applicant assured the committee and us that the number of residents and income requirements will be strictly adhered to. The largest apartment, 3 bedrooms, 3 baths, will rent for approximately \$1350.00 mo. Anyone renting this apartment would need to make 3 X the rent or \$4050.00 mo. If a family consisting of say a mother, father and 4 children (2 boys and 2 girls) earning the 4000+ a month salary were allowed to rent this apartment, the management could not refuse to rent to 6 single people with a combined income of \$4000. That would be discrimination. Each of those 6 people would have to put up \$225.00 a month rent. Pretty affordable I would say. And the much touted amenities would make it an even better deal.

The applicant has assured us that these apartments would not be "student housing" and that the college has nothing to do with the development. That may be technically true, but at a meeting with the college administration, we were told they would make wonderful housing for the international students the college was hoping to attract, and for other students who come from out of town and want to take advantage of the new 4 year program that is being developed. The college hopes to double in size within the next decade. The applicant assures us that the college is very much in favor of these apartments. Of course they are. Having these apartments so close by allows the college to devote their funds and future development to other areas. They won't have to build on-campus housing.

There is another project at St. Francis and Rabbit Road that is being proposed that will include 650 dwelling units and 760,000 sq.ft. of non-residential space. We were told that the traffic issues were being addressed, but the number of cars referenced at the committee hearing referred to only a small portion of these

proposed units. Even if you could limit the number to 2 cars per residential unit and 1 car to each 500 sq.ft. of non-residential space (which you cannot), you are still talking about 2820 cars.

The so-called employment center within Rancho Viejo and the build-out of the rest of the residential units within Rancho Viejo will add even more density and traffic congestion. I wish I could give you a number, but that seems to be an ever-moving target as well.

And these are just two developments that we are aware of.

None of these concerns are being adequately addressed because the whole picture is never presented. The developers are attempting to break the various projects into small increments so that the total impact is not apparent. But somebody needs to look at all the projects—not only in Rancho Viejo but nearby in the county--and evaluate each project within the context of that whole. That is the idea behind a Master Plan whether it is a single development or a whole district.

The Community College District may be the area that the county representatives have designated for development, but that development has to be done responsibly and with a view to maximizing not only tax revenues, but the benefits accrued by the residents of the county—present and future.

We have great respect and appreciation for all of the people who work with and for the county--paid and unpaid. You represent all of us in trying to insure that our best interests are served and that the codes are adhered to. When new applications for development are presented to the county there are requirements like traffic and environmental impact studies, archeological evaluations, etc. But many of those occur after the approval process. How can you adequately evaluate a project unless the environmental impact study includes other proposed and approved projects within that environment? There will always be unknowns, but we should at least require that the knowns be acknowledged and considered.

We have been told that we are not “the applicant” who is granted time and great latitude in presenting their proposal to the board. But we are the ones who will have to live with the consequences of your recommendations. It is our homes and our neighborhoods that will be irrevocably changed and negatively impacted. It is the vision that we were sold that will be tossed out to be replaced by something totally different and significantly inferior—all in the name of bigger profits. You are our voice, and we ask that you act as our voice by rejecting this application.

Thank you
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VIII. Concluding Business

A. Announcements

B. Adjournment (Action Items)



