Danny Mayfield Commissioner, District 1

Virginia Vigil Commissioner, District 2

Robert Anava Commissioner, District 3



Kathy Holian Commissioner, District 4

Liz Stefanics Commissioner, District 5

Katherine Miller County Manager

# MEMORANDUM

DATE:

September 13, 2011

TO:

Board of County Commissioners

FROM:

Vicki Lucero, Development Review Team Leader 4

VIA:

Jack Kolkmeyer, Land Use Administrator

Shelley Cobau, Building and Development Services Manager

Wayne Dalton, Building and Development Services Supervisor & WW

RE:

CDRC Case # Z/S 02-4325 La Pradera Master Plan Amendment, Plat and

Development Plan

# ISSUE:

Gardner Associates LLC and La Pradera Associates LLC (Alexis Girard) request a Master Plan Amendment to allow for the creation of 27 new residential lots within the previously approved La Pradera Subdivision and to allow for the previously approved 32,667 sq. ft. of commercial/residential area, parking lot and 11 condominiums to be replaced with 17 single-family residential, live/work lots. The application includes modification of the original approval that proposed the use of reclaimed water for irrigation and toilet water flushing on all private lots. The use of potable water is now proposed. Reclaimed water will be used to irrigate common areas only. The request also includes Preliminary and Final Plat and Development Plan approval for the 27 new lots and several lot line adjustments in Phases 2-6 and 4 Master Plat lots which could be developed into a total of 17 single-family, live/work lots (16,334 sq. ft. of previously approved residential space and 11 previously approved condos converted to single family lots) in Phase I. The property is located within the Community College District, west of Richards Avenue between I-25 and the Arroyo Hondo, within Sections 17 & 18, Township 16 North, Range 9 East (Commission District 5).

On June 16, 2011, this case was scheduled to be heard by the CDRC, however the case was tabled by the CDRC because the applicant was not present.

This case was then scheduled to be heard by the CDRC on July 21, 2011, and the CDRC meeting was cancelled due to the lack of a quorum.

On August 18, 2011, the CDRC heard the case and with only four members present the motion ended in a tie vote resulting in tabling of the case (Refer to Exhibit "H").

Due to non-action by the CDRC, the Applicant has requested that the case be taken directly to the BCC for action. Note that the Land Development Code does not preclude this action, and the BCC can act on this case or direct staff to wait for a recommendation by the CDRC.

#### **SUMMARY**:

On January 28, 2003, the EZA (Extraterritorial Zoning Authority) granted Master Plan Approval for a Mixed Use Development (La Pradera) consisting of 80 residential units, 16,334 sq. ft. of commercial space and 16,334 sq. ft. of residential space on 69.2 acres. (Refer to meeting minutes attached as Exhibit "I").

On March 9, 2004, the BCC granted Final Plat/Development Plan approval for the mixed use subdivision (Refer to meeting minutes attached as Exhibit "J).

On June 30, 2005, the EZA granted approval of a Master Plan amendment to the previously approved La Pradera (Phase I) mixed use Subdivision to allow an expansion of an additional 158 residential lots (Phases 2-6) on  $94 \pm$  acres. (Refer to meeting minutes attached as Exhibit "K").

On January 31, 2006 the BCC granted Preliminary Plat/Development Plan approval for Phases 2 thru 6 and Final approval for Phases 2 and 3 (refer meeting minutes attached as Exhibit "L") consisting of 97 lots.

On July 10, 2007, the BCC granted final plat/development plan approval for phases 4 thru 6 of the La Pradera Subdivision which consisted of 60 lots on 28.4 acres (Refer to meeting minutes attached as Exhibit "M").

On May 10, 2011, the BCC granted authorization to proceed with a Master Plat for the creation of 21 residential (live/work) lots within the existing La Pradera Subdivision, which does not require that a specific lot layout be defined prior to plat recordation and would grant administrative authority to create lot boundaries once buyers are identified or home construction is complete (refer to meeting minutes attached as Exhibit "N").

The Applicants are now requesting a Master Plan Amendment for the La Pradera Subdivision in order to create an additional 27 residential lots. The twenty-seven

proposed lots will be created by adjusting lot lines of existing lots to reduce the size of some of the oversized lots in Phases II-VI. The Applicant states that these smaller lot sizes are dictated by the significant changes to our economy and the market demand for entry-level housing. Six residential lots from the previously approved 16,334 sq. ft. of residential space will be combined with 11 previously approved condo units from Phase I, for a total of 17 lots, in order to create a "village concept" which will have the potential of being live/work units.

The Previous Master Plan Approval was granted with the proposal of utilizing treated effluent for irrigation of common areas as well as for toilet flushing and irrigation of private lots. The proposal was for each home to install a dual plumbing system. The applicants are requesting an amendment to modify their original approval to allow for irrigation of common areas only with reclaimed water. County staff has met with the NMED who stated that they are supportive of this change because it is very difficult to control what individual property owners do with the treated effluent which leads to a concern for health and safety.

The Applicants are also requesting Preliminary and Final Plat and Development Plan approval for the 27 new lots and several lot line adjustments in Phases 2-6 and Master Plat approval for 4 lots which could be developed into a total of 17 single-family, live/work lots in Phase I.

# **LOCATION OF ZONES/ZONING ALLOWANCES:**

The proposed development is in accordance with the density and zoning allowances of Community College District Ordinance for a village zone neighborhood center. The minimum residential density that is required in a village zone neighborhood center is 3.5 units per acre. The applicant is proposing 6.1 units per acre (17 Master Plat lots on 2.78 acres).

The proposed development is in accordance with the Community College District Ordinance (CCDO) for a village zone and a fringe zone based on the landscape types relevant to slope, vegetation and natural drainage. The minimum residential density that is required in a village zone neighborhood is 3.5 units per acre, the applicant is proposing 4.6 units per acre. The proposal is also in conformance with gross residential density in a fringe zone with 1 residential unit per acre.

#### LIVE/WORK UNITS

The CCDO requires mixed use development in a Neighborhood Center. The proposed master plan amendment incorporates a commercial component in the Neighborhood Center with the creation of live/work units and a non-residential component with the creation of a proposed plaza/gathering area which would satisfy the mixed use requirement.

The live/work units will consist of one and two-story buildings. These structures will range in size from 1500 to 2000 sq. ft.. The protocols for business types and operation will follow the County's "Home Occupation" guidelines (Refer to Exhibit F). Allowable uses would be, for example, a music teacher, tutor, accountant, drafting services, and other businesses that do not require more than 6 visitors in a 24-hour period. No industrial uses or businesses handling or storing hazardous material will be allowed to operate in the location. The applicants state that the HOA will review and approve the business type prior to an individual obtaining a business license.

The minimum Floor Area Ratio (FAR) in a village zone neighborhood center is .25 and the maximum is 2.0. Because the lots within the neighborhood center are going to be created at a later time under the Master Plat process, FAR will be reviewed at the time of platting and/or building permit application. [Floor Area Ratio is the ratio of the building floor area to the net land area (not including roads and open space) and is calculated by dividing total floor area by net land area].

### WATER/WASTEWATER:

The existing subdivision is served by the Santa Fe County Water Utility. The Applicants have submitted data showing water use over the last three years for the existing subdivision. They claim that an average water use (based on strict water conservation measures requiring collection of roof drainage for irrigation of landscaping, and the use of low water appliances and prohibiting evaporative coolers) of 0.13 acre feet per year per lot has been demonstrated.

This application was submitted to the County Utilities Department for review. The Utilities Department states that there is adequate water available to serve the proposed development (Refer to Exhibit "D").

The project is served by its own community sewer system which is owned and operated by the Homeowners Association. The current capacity of the plant exceeds 40,000 gallons per day, and with an average production per home of 83 gallons the plant has more than adequate capacity for the additional dwellings. The reclaimed water is used for irrigation of streetscape and park landscaping as well as open space. The discharge permit application for a 5-year renewal has been submitted to the NMED for review and approval.

#### FIRE PROTECTION

The project is served by fire hydrants capable of producing at least 1000 gpm at a residual pressure of 20 PSI. Each home will be located within 500 feet of a hydrant. This application has been submitted to the County Fire Prevention Division for review. We have not received a written response from them at this time.

# SOLID WASTE

The Homeowners Association contracts with a licensed solid waste disposal service for solid waste pick up on a regular basis.

#### ROADS/ACCESS:

No new roads are proposed. Existing roads will serve the proposed development. Based on the proposal to replace the previously approved commercial area with 17 live/work lots and an additional 27 residential lots, the amount of traffic generated by the development is actually decreasing from what was proposed in the previous Master Plan. Therefore, no further road improvements are required.

# TERRAIN/OPEN SPACE/LANDSCAPING/ARCHAEOLOGY:

Common drainage ponds are used to retain excess storm water flows generated by the development. The detention ponds constructed for the existing development were oversized with an additional capacity of 2.99 acre-feet beyond what is required by code. As calculated the proposed development will only generate 0.49 acre-feet of run-off, therefore, there is adequate capacity within the existing drainage ponds to account for the excess run-off from the proposed development.

With the addition of the proposed lots, the development will maintain an open space area of 84.56 acres which accounts for 51.64% of the total project area, hence meeting the 50% minimum required by the Community College District Ordinance.

All disturbed areas will be revegetated with native grass seed. All common areas have subsurface irrigation systems using reclaimed water.

An archaeological report was submitted with the original Master Plan Submittal. No significant archaeological sites were discovered.

#### **AFFORDABLE HOUSING:**

The existing development was approved with a 15% affordable housing requirement as set forth in the CCDO. Since then, the County has adopted the Affordable Housing Ordinance (No. 2006-02) which requires 30% affordable housing for Major Projects (25 or more parcels). With the addition of the 27 lots, this new proposal will be subject to 30% which is equivalent to 8.1 units of affordable housing. Currently, the applicants are proposing 7 new affordable housing units. One more lot must be designated as affordable. These lots must be identified on the Final Development Plan and the affordable housing agreement must be modified to reflect this.

#### **HOMEOWNERS ASSOCIATION:**

The proposed expansion to the subdivision will be incorporated into the existing covenants for La Pradera.

# **REQUIRED ACTION:**

The BCC should review the attached material and consider the recommendation of staff, take action to approve, deny, approve with conditions or modifications or to table for further analysis of this request

### **RECOMMENDATION:**

The proposed Master Plan Amendment and Master, Preliminary and Final Plat and Development Plan are all in conformance with the Community College District Plan and Ordinance and the County Land Development Code. Therefore, staff recommends approval of the request subject to the following conditions:

- 1. Provide a minimum of 8 residential units (30%) for affordable housing. A mix of housing types is required for the entire development. The affordable housing lots must be identified on the Final Development Plan. The affordable housing agreement must be modified to reflect the additional lots and must be approved by the Affordable Housing Administrator prior to Final Plat Recordation.
- 2. Development of the Master Plat lots, which are located within the Neighborhood Center, shall comply with the minimum Floor Area Ratio (FAR) of .25 and the maximum of 2.0 as required in the CCDO. This shall be noted on the Final Plat and Development Plan.
- 3. Coordination with the Utilities Department on final modification of the water lines and meter locations.
- 4. Modification and re-filing of Water Restrictive Covenants to reflect new dwellings and maximum water use per dwelling prior to Final Plat Recordation.
- 5. The live/work units must be sold as a single unit/lot and can't be condominiumized or sold separately. This shall be noted on the subdivision plat as well as on the individual plats and included in the disclosure statement.
- 6. The property must be brought into full compliance including removal of stockpiles, trash and detritus and shall be revegetated prior to final plat recordation.

# **ATTACHMENTS:**

Exhibit "A" – Applicant's report

Exhibit "B" - Site Plans

Exhibit "C" - Vicinity Map

Exhibit "D"- Letters from Reviewing Agencies

Exhibit "E"-Letters of opposition

Exhibit "F"-Article III, Section 3 (Home Occupation requirements) of the Code

Exhibit "G"-Letters of support

Exhibit "H"-August 18, 2011, CDRC Meeting Minutes Exhibit "I"-January 28, 2003, EZA Meeting Minutes Exhibit "J"-March 9, 2004, BCC Meeting Minutes Exhibit "K"-June 30, 2005, EZA Meeting Minutes Exhibit "L"-January 31, 2006, BCC Meeting Minutes Exhibit "M"-July 10, 2007, BCC Meeting Minutes Exhibit "N"-May 10, 2011, BCC Meeting Minutes

April 11, 2011

Alexis K. Girard
President/Greer Enterprises, Inc. Member Gardener Associates
P. O. Box 1627
Santa Fe, NM 87504

Ms. Vicki Lucero Santa Fe County Land Use Department 102 Grant Avenue Santa Fe, NM 87501

RE: La Pradera Master Plan Amendment I-VI Subdivision and Development

Dear Vicki:

Please accept our request for a Masterplan Amendment, Prelminary and Final Subdivision Plat and Development Plan approval for La Pradera Phases I-VI. This MasterPlan Amendment is essentially a request for a series of lot-line adjustments (106) and a further request to convert the commercial requirement into a residential village with live-work flexibility. The lot-line adjustments and the corresponding conversion of the commercial space requirements to a residential village will result in a net unit increase of thirty-seven (37) residential units. Of the total 37 residential units, twenty-two (22) will be part of a residential village to sit on 5 master plat lots in Phase I. We respectfully request approval of 5 master plat lots, which may be divided into 22 single family lots administratively, once the village home designs are finalized.

Included in the submittal are as follows:

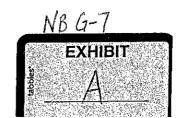
- 1. Development Permit Application
- 2. A Review Fee (to be determine on Monday April 11, 2011 at 10:00 am)
- 3. Development Plan Report (12 copies) which includes a TIA Analysis; Discharge Permit Application for renewal and modification; Proof of Ownership and Legal Lot of Record
- 4. Subdivision Plat, Development Plan and Engineering Plans (12 copies)
- 5. Reduced Set of Subdivision Plat, Development Pland Engineering Plans (12 copies)

We would like the project to be scheduled for a hearing as soon as possible. Please confirm these dates with me. Please call myself, John McCarthy or Oralynn Guerrerortiz, PE if you have any questions.

Sincerely,

Alexis K. Girard, President of Greer Enterprises, Member Gardener Associates, LLC

enclosures





April 11, 2011

To: County of Santa Fe

From: Gardner Associates and La Pradera Associates

RE: Solid Waste Management at La Pradera Subdivision

Although there is no requirement within the subdivision for homeowners to contract with any specific provider, the majority of the homeowners currently contract with Waste Management. Homeowners may choose and contract with any private solid waste management provider they desire.

May 23, 2011

Gardner Associates/La Pradera Associates P. O. Box 1627 Santa Fe, NM 87504

Ms. Vick Lucero
Development Team Leader
Santa Fe County
Land Use Office
103 Grant Avenue
Santa Fe, NM 87501

RE: Master Plat Request and Master Plat Amendment

To Whom It May Concern:

This letter is to request a change in our original proposal to change the Master Plat lots from 22 to 21, as well as request a modification of the previous Master Plan Approval to delete the use of reclaimed water for toilet flushing and irrigation.

Sincerely,

Gardiner Associates/La Pradera Associates

Alexis K. Girard

#### Introduction

La Pradera is an innovatively designed development, located in the rolling hills of the Santa Fe Community College District. The Applicants are the original partners of Gardner LLC and La Pradera Associates with strong ties to the community. All are owners of La Pradera, however there is different ownership interests for different phases. (See Appendix A for ownership documents). The proposed Master Plan Amendment for Phases I-VI is comprised of land acquired from the Gardner, Buttram and Berridge families, all of whom are lifetime residents of Santa Fe. (See Vicinity Map, Figure 1)

The land lies to the west of Richards Avenue, between I-25 and Arroyo Hondo. Phase I of La Pradera was approved for 80 residential units and 32,667 sq. ft. of commercial uses. Phases II-VI were approved for an additional one hundred fifty-seven residential units. Each of these phases was approved for 15% Affordable. All but two (2) of the County –required affordable homes have been completed in the recorded Phases.

This Master Plan Amendment is essentially a request for a series of lot-line adjustments and a further request to convert the commercial requirement into a residential village with live-work flexibility.

The lot-line adjustments and the corresponding conversion of the commercial space requirements to a residential village will result in a net unit increase of thirty-seven (37) residential units. Of the total 274 residential units, twenty-two will be part of a residential village to sit on 5 master plat lots. We respectfully request approval of 5 master plat lots, which may be divided into 22 single family lots administratively, once the village home designs are finalized.

If approved, the subject request for a master plan amendment will not require any variances. The open space percentage will remain at, or exceed, the minimum of 50% of total land area.

The advanced treatment plant in La Pradera is where wastewater is reclaimed for reuse to water the extensive acreage of open space. Strict covenants require the use of storm water storage as well as water saving fixtures such as front loading washing machines and evaporative coolers are prohibited. These water saving methods have served the development well with an extremely low averge water use of .117 acre-feet per year per occupied home according to Santa Fe County records. In addition, the grading of the site through contouring the soil has effected a slowing down of the storm water runoff, thus enouraging infiltration and recharge of ground water.

The Community College Disrict Ordinance defines various land use zones based on the landscape types and description of the purpose of each zone. A land system map was created for La Pradera Phase I-VI which evaluated the project's topography, slopes and vegetation. From the land use zoning map the allowable density, open space and park requirements were determined. There is approximately 44 acres of neighborhood village zone.

NBG-10

In keeping in mind the mixed use requirment of the Community College District Ordinance , Phases I-VI are integrated with trail systems, open space connections and road networks. Our current request for a masterplan amendment would eliminate the "commercial" as it was initially approved and introduced the compound live/work. The reason for this request is based upon a number of factors. Due to the economic downturn, we are requesting that lot lines be reconfigured to reduce the size of the lots in Phases II-VI. When originally conceived, the market was much different. Our lot sizes were overly generous. We are now trying to reduce the lot sizes in order to provide a home priced to meet the economic needs of the market. This change would add a total of 37 lots with average dimensions of 70' x 90' and 80'x 90'. The elimination of the more traditional commercial in favor of cluster compounds with live work applications will prove more desirable and appealing to the market. In observing many of neighbors, we are all too aware of the lack of desirability and success in their commercial applications. Most notably we cite Aldea and Rancho Viejo whose traditional commercial applications continue to languish.

# 2. Approval Request

On behalf of Gardner Associates, LLC and La Pradera Associates, LLC we respectfully request approval for this Master Plan Amendment submittal for the changes as follows: See Figure 2

The total project site contains approximately 163.7 acres. No variances are requested.

# 3. Project Location

La Pradera borders Dinosaur Trail on two sides and is located approximately one mile west of Richards Avenue, immediately south of I-25. Current access to the site is via Dinosaur Trail either from Richards Avenue or State Road 14. The legal description is SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Sections 17 and the SE  $\frac{1}{4}$  of Section 18, in Township 16 North, Range 9 East. (Figure 1)

To the north is Interstate 25. To the south is the Arroyo Hondo, Vista Ocasa, the Rodriguez subdivision, the Castillo subdivision and land placed in Trust by the Petchesky family.

# 4. Existing Site Conditions

Phases I, II and III has all infrastructure in place. Phase VI has only rough grading and Phases IV and V have no infrastructure begun. In Phase I, there are currently 41 houses built with 15 in Phases II & III and another 16 which will be finished and occupied by April 2011. The terrain slopes very gently to the south, generally at a rate of less than 4%. The center of the site contains about four acres of Fringe Zone with slopes of about 10%. Almost the entire site is out of the 100 year flood zone. The site has a moderate cover of vegetation primarily made of native grasses and shrubs with many juniper trees.

# 5. General Description

The La Pradera partners request approval of an amendment to Phases I – VI to adjust the sizes of certain lots, creating See Figure 2.

The development is served by County water and has a private community sanitary sewer collection system. In addition the development has an advanced reclamation plant, which treats the effluent to tertiary levels and standards prior to distributing it throughout a pressurized, dedicated reclaimed water distribution network. The reclaimed water is used for subsurface irrigatation of the open space. The residents in conjunction with the developers agreed to discontinue the use of treated effluent on lots, due to the lack of compliance on the part of homeowners. Fire hydrants throughout will be capable of producing a minimum of 1000 gpm at 20 PSI of residual pressure. Five interconnected, paved roads serve the neighborhood. Open space corridors separate the clusters of lots in addition to the two park areas. In keeping with the Highway Corridor Orindance, which was extinguished, along with the EZA, we have heretofore not allowed any development in the 265' North Boundary. However, with a determination by the County legal staff, some walls are being allowed to be built in areas adjacent to houses which have what is called "private open space."

The Village Trail along Dinosaur trail is 10 feet wide and paved. Several trails cross the property. Every home in La Pradera either has an underground cistern or rain barrels in order to collect rainwater for on lot landscaping. These taken with all the water conservation measures required by the County Code has resulted in about a .0.117 acre-feet per year per home water use. Additionally, much of the storm water that falls on the property or passes through the property will be captured either by home cisterns or by ponds. In addition, innovative Key Line techniques have been utilized to retain water and soil on site, in an effort to regenerate the local soil and preserve the existing wildlife habitats.

#### 6. Access

Access to the property is from Dinosaur Trail to the East and East Frontage Road west of the project site. Per our original conditions, the existing intersection between Dinosaur Trail and Richards Avenue was eliminated and a new intersection was constructed 900' to the south to make this road align with the future planned Oshara Village entrance. A deceleration lane was build on Richards Avenue to accommodate right turns onto Dinosaur Trail, as was a traffic signal. One-half mile of Dinosaur Trail has been improved. The existing base course road was rebuilt and paved with 4" of asphalt. Additionally, a10' wide base course trail was built from Richards Avenue to La Pradera. The road improvements were made possible through the generous donation of easements by two neighbors: Mrs. Jane Petchesky, who provided all the necessary easements for the new intersection and planned trail; and Mr. Gillentine who provided the necessary easements for a trail crossing his property.

In light of the heretofore unsafe conditions at the intersection of State Road 14 and Dinosaur Trail, west of the project site, the La Pradera Owners in conjunction with Rancho Viejo eliminated this intersection, and rebuilt Dinosaur Trail to connect with Rancho Viejo Boulevard at its existing intersection with Bisbee Court.

The on site project roads are a combination of CCDO Neighborhood Streets (2 lanes with a parking lane, and sidewalk on one side), and Lanes (2 lanes). All roads are paved with 4" of asphalt. All roads within the project will be private and subject to an easement for public use. The portion of Dinosaur Trail owned by the developer has been conditionally dedicated for ownership and maintenance to Santa Fe County.

Walker Engineering, with the approval from the County Land Use Staff and Public Works, has submitted a letter analyzing the substitution of residential units for the Phase I commercial uses (32,667 square feet of commercial). The analysis supports a less intense traffic impact. (Letter is provided under separate cover).

In the original Phases' traffic impact analysis ("TIA"), it was recommended that the La Pradera owners contribute 50% to the installation of a traffic signal at the intersection of Richards and Dinosaur Trail, as well as left and right hand deceleration lanes on Richards Avenue. Additionally it indicated a 4-way stop and separate left and right-hand lanes on East Frontage Road. All of this work has been completed and accepted by the County. La Pradera has also contributed \$65,000 to the City of Santa Fe for traffic impact fees.

# 7 Liquid Waste Treatment

The entire project is connected to the La Pradera Community Sewer, owned and operated by the Home Owners Association. Most of the lots will be connected to this system by gravity for collection. There is a low-pressure distribution system and booster pumps for return flows to the treatment facility and irrigation sites. This facility has a large equalization tank to accommodate peak flows. Five parallel re-circulating trickling filters reduce total nitrogen levels to below 10mg/liter. After this, the water is pressurized and fed into the3" reclamation water lines that run throughout the project site. The reclaimed water is used to feed the streetscape and park landscaping, along with a good deal of the open space. Any reclaimed water not used is pumped into an infiltration gallery, which allows the aquifer to be recharged. The HOA contracts with a New Mexico-Certified Wastewater Treatment Plant Operator to operate and maintain the facility. A discharge permit application for the treatment facility has just been submitted for its 5 year renewal. Current plant capacity exceeds 40,000 gallons per day and current average production per home is 83 gallons, thus indicating that the plant has more than adequate capacity.

# 8. Terrain Management (

The development is designed to protect and enhance the natural beauty of the land and vegetation, minimize soil erosion and sediment load in storm water runoff, and minimize disturbance. To that end, typical design practices have been utilized such as designing the project roads to closely follow the terrain to limit the extent of grading. Centralized detention ponds are used to retain excess stormwater flows, generated by the proposed road and lot

development. The project has 2.5 acre-feet more detention ponding than is required by Code (see Drainage Calculations Summary).

Very conservative reseeding plans have been employed to stabilize disturbed areas. Every home has the ability to capture at least 85% of the rooftops at a minimum. In Phase I only the roads also have curb cuts typically every 25' to allow runoff to flow into the landscape swale. Check dams or small berms are built to hold water flowing in the landscape swale in the tree wells.

The developer implemented Key Line concepts to be open space areas of Phase I. Key lining is a methodology that uses the grading of shallow swales to redirect storm water runoff from running downhill to parallel the natural contours to retain storm water and prevent soil erosion. This process has been demonstrated to increase the vitality of the soil in just a few years, and thus promote vegetation, water infiltration, and wildlife habitat. Key lining is an ongoing process.

# 8.1 Slope Analysis

In previous submittals we have included drawings showing the existing topography of the project site. The site's slope analysis indicates areas of 0-20%, 20-30% and 30% or greater slopes. There are few slopes in excess of 20%. No 30% slopes have been disturbed or lie in any lot to be developed. The site is generally flat and slopes very gently to the south, generally at a rate of less than 4%. The center of the site contains about 4 acres of Fringe Zone with slopes of about 10%. There have been no uncovered hazardous conditions on the property. Vegetation coverage is of moderate density, primarily juniper trees, sage, rabbit brush with some grasses.

## 8.2 Project Soils

The Soil Conservation Services has mapped the project site into 2 different soil types. Pojoaque-Panky association soils are loams known for severe erosion hazard and slow permeability. These are well-drained soils on upland terraces formed in old alluvium that has been re-worked by water. Tyically, the top seven inches is light reddish-brown sandy clay loam. The substratum is light reddish-brown gravelly sandy clay loam to 60 inches. PK- Pojoaque-Panky association comprised of about 60% Pojoaque sandy clay loam and 35% Panky loam and 5% Bluewing, Cerrillos and Aqua Fria soils. The soils are well drained formed in reworked old alluvium. Runoff is rapid, erosion hazard severe and there is a moderate to high susceptibility to frost heave. The Pojoaque sandy clay loam (SC) is light reddish-brown and extends 60" or more. It is typically found on 5-25% slopes. It has moderate permeability, low to moderate shrink/swell potential and has a slight to severe limitation for convention liquid waste disposal fields. The Panky loam is generally pale brown and is typically found on the flatter terrain. Permeability is slow due to the clay content, the shrink/swell potential is moderate to high and it has a severe limitation with regards to conventional liquid waste

systems due to the slow permeability. The hydrologic soil groups are B for the Pojoaque sandy clay laom and C for the Panky loam.

FF-Fivemile Loam, well drained soils formed in mixed recent alluvium. Brown Loam with layers of silty loam and calcareous cement, slightly plastic when wet. Permeability is moderate runoff medium, erosion hazard moderate. This soil is highly suceptible to frost heave, moderate shrink-swell potential. Hydrologic soil group B.

# 8.3 Clearing and Grading Plan

This development is designed to have the least amount of impact to the existing terrain and vegetation. Extensive measures have been taken throughout to minimize soil erosion, prserve the natural condition and minimize impact. All cut slopes are at 2:1 and fill slopes will be 3:1 or gentler, except for some planned fill slopes in Phase 6 which will be 2:1 and shall be stabilized with erosion blankets during the revegetation period.

# 8.4 Re-Vegetation Plans

All disturbed areas were hydro-seeded with a mixture of native grass seed and mulch. Topsoil has been stockpiled on site and reused. When possible, trees within disturbed areas were transplanted. Extensive landscaping was and continues to be addressed. All areas have subsurface irrigation systems, using reclaimed water. Also, storm water along road will be used for irrigating the streetscape plants.

# 8.5 Storm Drainage and Erosion Control Plans

Centralized ponds are installed to control the theoretical increase in post development storm water flow. This flow has been decreased due to all the plans to mitigate such runoff. The main goal has always been not only to control the storm water runoff due to development but to trap the storm water and use it for landscape irrigation and aquifer recharge. Natural percolation rates will empty all ponds within 24 hours. These ponds also serve as stilling basins to trap soils carried by storm water. Culverts will be used where necessary to carry water under roads. All culverts will have riprap splash pads. The project has 2.5 acre-feet more detention ponding than is required by Code.

Three years of Santa Fe County Utility Department water use data for La Pradera was used to determine actual average water use within the project. Only data that was consider non-suspect was analyzed. Data included water years 2009, 2010 and 2011. A water year is between July and June. The following results were found:

2010	35		0,106
2011	51	-	0,117

Based on real data we recommend that an average water use of 0.13 AF/YR per lot should be assumed for the water budget of the project, plus an additional 20% for water losses and fire flows for a total of 0.156 AF/YR per lot. If our master plan amendment is granted, the total budget of 274 homes should be 42.75 Acre-feet.

# 10. Water Supply

Water Service is provided by Santa Fe County through the Water Service Agreements of Ted Berridge and Greer Enterprises. See Appendix D. A 12-inch water line was extended from Richards Avenue to an existing 12" line west of of La Pradera to complete a loop in the county system. Because the needs of La Pradera only justified an 8" line extension, the County agreed to pay the differential cost between the two sizes. On the West side, we also installed a pressure reducing valve station at the County's request

The owners requested from the BCC the authority to transfer the location of water from the Greer and Berridge Water Service Agreements (Appendix D). La Pradera through it original approvals, was required to provide 0.19 AF/YR per lot of water rights. The entire project has met all water conservation and metering requirements of Article VII, Section 6.6, in addition to have even stricter water requirements described in water budget and covenants. Pursuant to this requirement, the subdivision was limited to a 0.13 water budget, however it has demonstrated an average water use of 0.117 acre-feet per home per year.

#### 11. Water Harvesting Plan

Homes over 2500 square feet heated will have cisterns as required by the Santa Fe Community College District Ordinance, and homes less than 2500 sf will have rain barrels. Home developers are responsible for this and not the subdivision developer.

#### 12. Fire Protection

The entire project is served by fire hydrants capable of producing at least 1000 gpm with a residual pressure of 20 PSI. The spacing is such that the back of every home site is within 500' of a hydrant. In addition, the developer installed a the water line west along Dinosaur Trail to Richards Avenue, with fire hydrants installed every 1000' along Dinosaur Trail to serve the existing neighborhoods.

Water rights in the amount of 0.19 AF/YR per lot were transferred to the County on the condition that if the project demonstrated a consistent water use of less than 0.156 AF/YR, the County would permit a transfer of these allocated water rights to another project. As we are demonstrating the project's average annual water use is less than 0.12 AF/YR, which is significantly less than 0.156 af/yr per lot, we therefore request to allocate some of our excess water rights to our planned new 37 residential lots.

# 13. Recreational Facilities

Low maintenance recreational facilities have been or will be installed at La Pradera for residents. Paved, base course, surface and dirt trails traverse the land in every direction. Two parks and an orchard are installed, along with trails, which are dedicated for public use. These are maintained by the Homeowner's Association. The HOA has a budget which addresses the maintenance of this expanse of open space.

# 14. Schedule of Construction

The requested master plan amendment will not require any new roads or impervious surfaces. It is essentially a request for a series of lot-line adjustments in order to reduce the average size of lots, and to increase the number of residential units in order to meet current market demand for reasonably priced homes. These lot-line adjustments will need to be coordinated with utility providers for the additional thirty-seven (37) residential units requested. Some of these units are in Phases IV and V, which have not yet been constructed. We are currently building and selling entry level houses in Phases II and III. These homes have all been sold to members in the Santa Fe work force community.

# 14.1, Phasing Schedule

2012 12 Units

2013 15 Units

2014 10 Units

# 15. Archaeological Investigations

All required archaeological due diligence has been done on this project. The informational potential of cultural resources within this project area has been exhausted by this reconnaissance and inventory, and the report and findings recommend archaeological clearance which was previously granted to the owners of the project area by the Santa Fe County Land Use Administrator. (The archaeology report is available in the original Master Plan application).

# 16. School Impact

It has proven to be that for the most part, the homes in La Pradera will be primary homes. There currently are a number of school age children, and we anticpate at full build out there will be approximately 60 school-aged children. Pinon Elementary, Ortiz Junior High, and Capital High School serve the project. A copy of the school impact report was originally sent to the Santa Fe School District when the owners first applied for Master Plan. The Masterplan Amendment adds about 12 school age children

# 17. Affordable Housing

The additional of thirty seven (37) residential units to the La Pradera Subdivision will result in an incremental affordable housing requirement of 5.55 units. These additional units are identified by Lot and Phase in the proposed Amendments to the respective Affordable Housing Agreements for La Pradera.

- 18. Restrictive Covenants
- 1. Disclsoure statement La Pradera
- 2. Disclosre Statement La Pradera II
- 3. Disclosure Statement La Pradera III
- 4. Declaration of Protective Covenants for La Pradera
- 5. Declaration of Covenants and Water Restrictions for La Pradera
- 6. Delcaration of Covenants and Water Restrictions for La Pradera Phase 2
- 7. Declaration of Supplemental protective covenants for La Pradera Phase III
- 8. Reciprocal License Grant and Agreement
- 9. Declaration of Covenans and Water Restrictions for LP Phase III
- 10. Master Deed Restrictions for La Pradera
- 11. Master Deed Restrictions for La Pradera Ph II
- 12. Master Deed Restrictions for La Pradera Ph III
- 13. 2<sup>nd</sup> Amendment to Declaration of Protective Covenants for LP
- 14. 3<sup>rd</sup> Amendment to Declaration of Protective Covenants for La Pradera
- 15. Proposed Amendments to Affordable Housing Agreements for La Pradera by Phase

Village at La Pradera

The concept behind the 'Village' is to create a residential unit that would easily accommodate home/work options for our new residents. There is a demand from small business owners, i.e., a music teacher, tutor, accountant, drafting service and so on, to be able to conduct their businesses from their homes. Instead of commercial space that would feed into the plaza, we are proposing a more intimate, residential setting very much like some compounds on Santa Fe's Eastside to support our growing number of at home businesses. The protocols for business types and operation will follow the County's 'home based' business zoning ordinance. That will include business that does not require more than 6 visitors in a 24 hour period. No industrial or businesses handling or storing hazardous materials will be allowed to operate in this location. Furthermore, the HOA will need to review and approve the business type prior to an individual obtaining a business license.

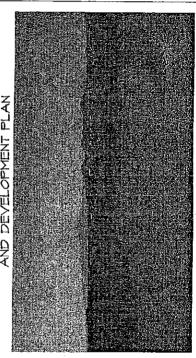
The homes at the 'Village' will all be two-story buildings with small footprints. These structures will vary from 1500 to 2000 square feet, each with two designated parking spaces. The first story will accommodate a room with a separate entry and bathroom that could be used as an office. The parking could be in the form of two car garages or a one car garage with one open space. In addition to the two parking, we're providing 0.5 guest parking space per residence.

# LA PRADERA - PHASES 1-6 SANTA FE, NEW MEXICO

PLANNERS,

FINAL SUBDIVISION PLAT, MASTER PLAN AMENDMENT

AND DEVELOPMENT PLAN



TITLE SHEET, VICINITY MAP, SHEET INDEX FINAL DEVELOPMENT PLAN PHASES 1-6 

AMENDED SUBDIVISION PLAT FOR PHASE I AMENDED SUBDIVISION PLAT FOR PHASE S AMENDED SUBDIVISION PLAT FOR PHASE S AMENDED SUBDIVISION PLAT FOR PHASE 4 AMENDED SUBDIVISION PLAT FOR PHASE 6 AMENDED SUBDIVISION PLAT FOR PHASE 6 TOPOGRAPHIC SURVEY BOUNDARY SURVEY EXISTING CONDITIONS 4 SOILS MAP

ROADWAY PLAN & TYPICAL SECTIONS ROAD PLANS & PROFILES PONOSAND TRAIL FLAN & PROFILE PRAFFIC SIGNAGE PLAN SRADING AND DRAINAGE PLAN SLOPE ANALYSIS FRAILS & OPEN SPACE ANDSCAPING PLAN

TILITY SERVICES STANDARD DETAIL
THER & FIRE FROTECTION PLAN
THASE I WATER & FIRE PROTECTION PLAN
SAS PLANS & PROFILES MASTER UTILITY FLAN

RECLAIMED MATER SUPPLY PLAN SANITARY SEWER LIFT STATION/SITE GRADING WATER RECLAMATION PLANT EXPANSION WATER RECLAMATION FACILITY DETAILS RECLAIMED WATER INFILTRATION SITE GENERAL CONSTRUCTION REQUIREMENTS 

ROAD CROSS SECTIONS
COUNTY STANDARD DETAILS
COUNTY WATER SYSTEM DETAILS
SANITARY SEMER DETAILS
NMDOT CURB RAMP DETAILS
CITY TRAFFIC CALMING DETAILS

DESIGN ENGINAITY

OIVIL ENGINEERING.

SURVEYING

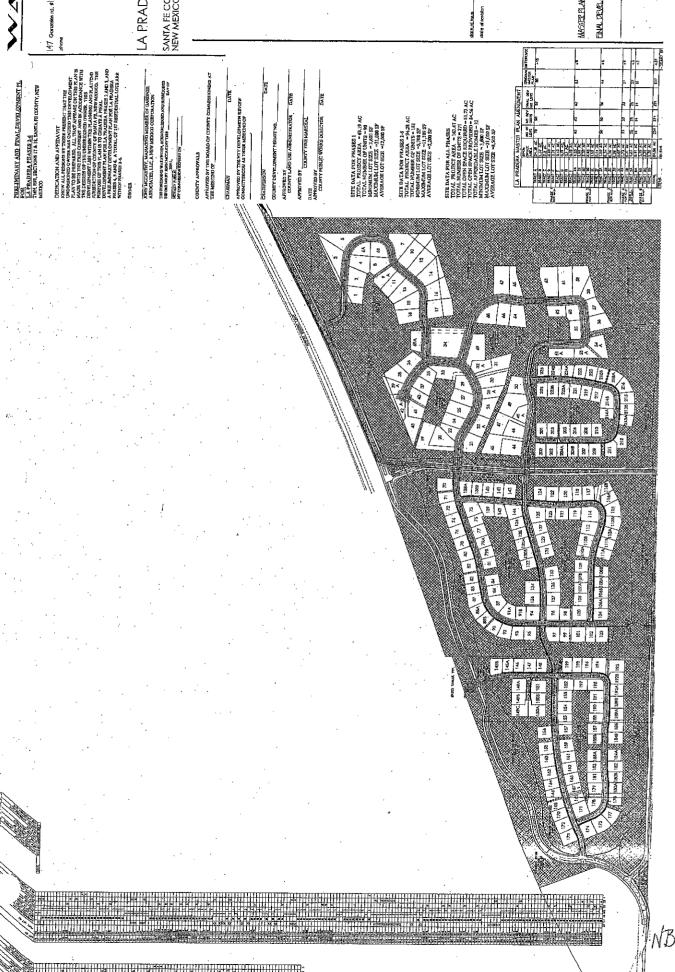
RICK CHATROOP PROFESSIONAL LAND SURVEYOR NEW MEXICO REGISTRATION NO. 11011 (665) 470-6637 119 RIGON TRAIL ED. CERRILIOS, NR.

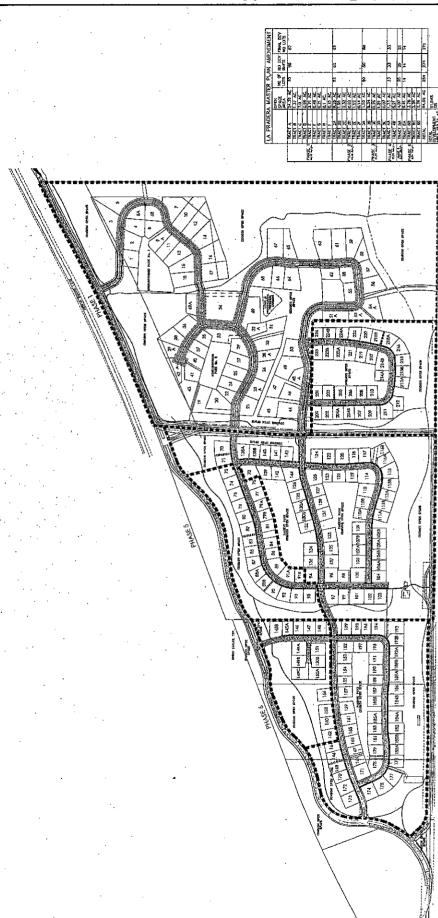
APRIL 8, 2011 REVISIONS	à	
	DATE	
	D.	
	DATE	

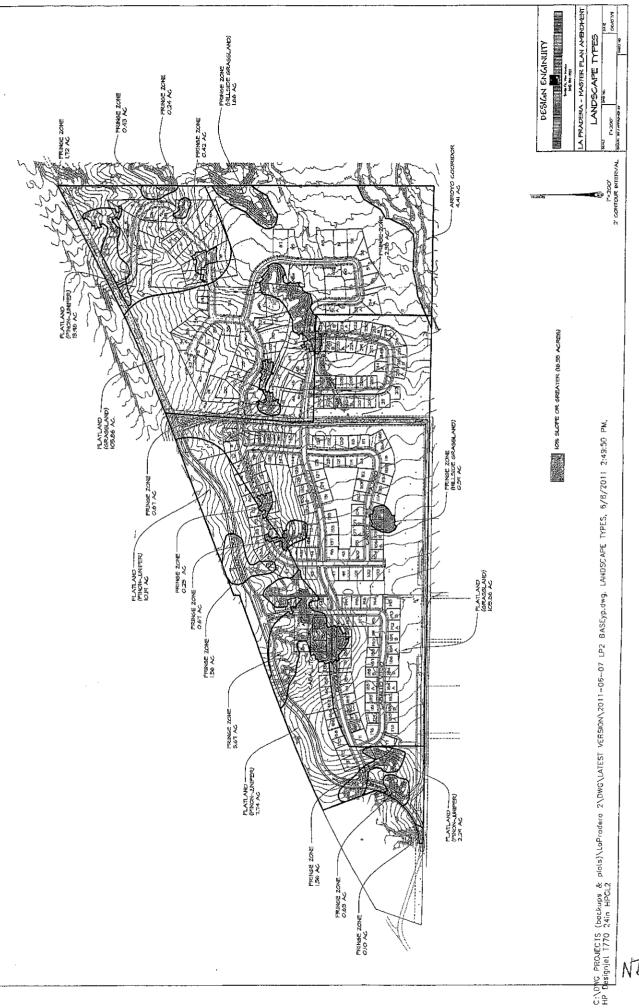
 $\Box$ 

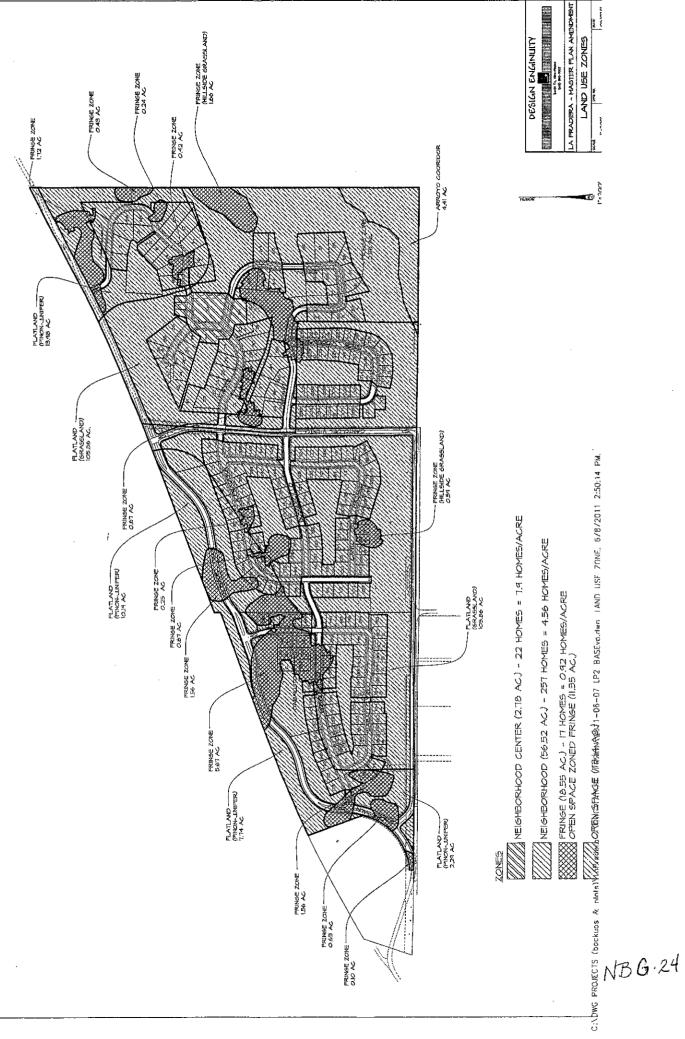
NB G-20

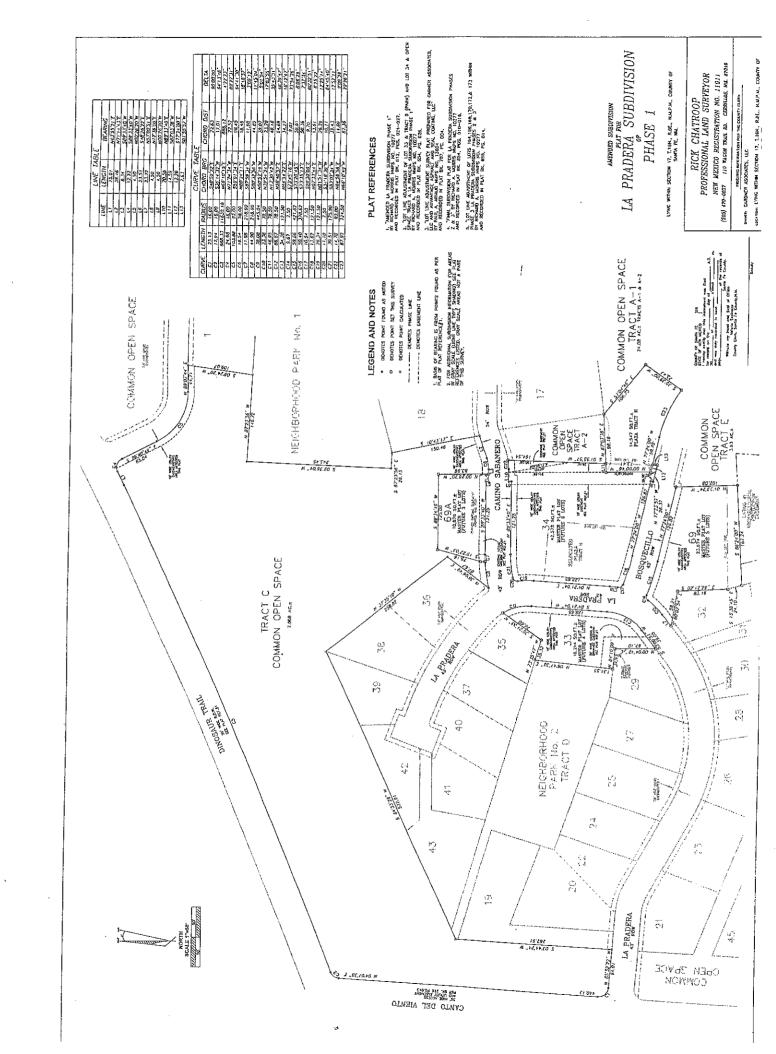
**EXHIBIT** 

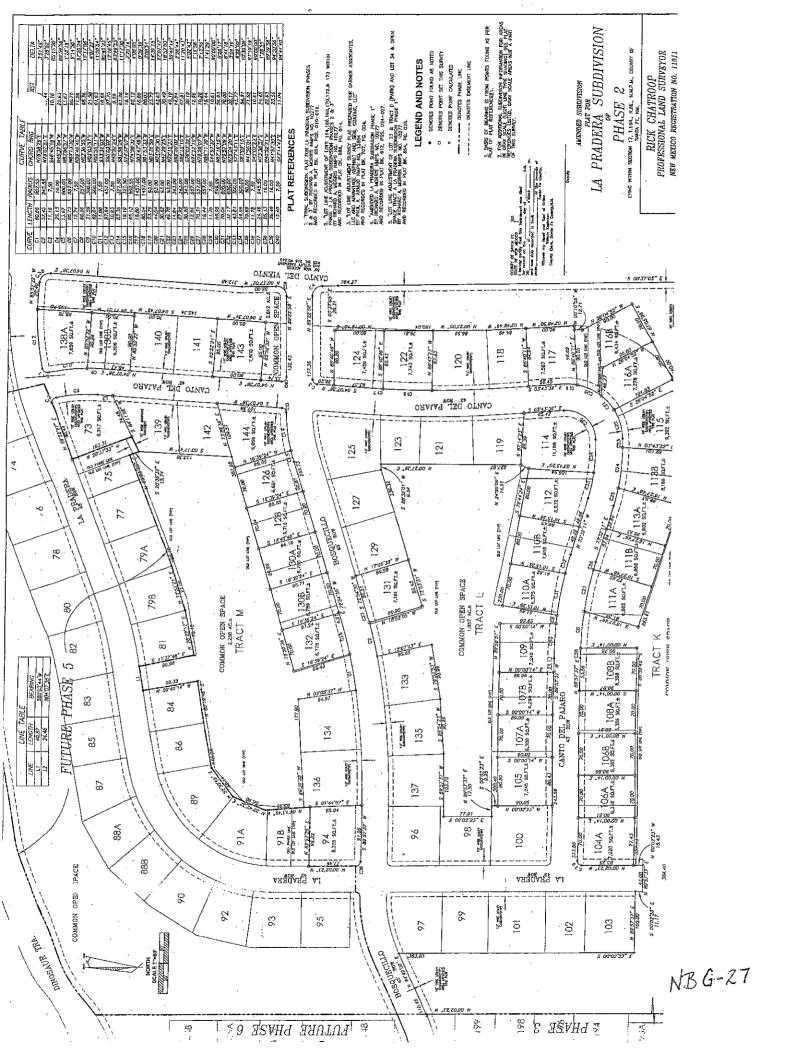


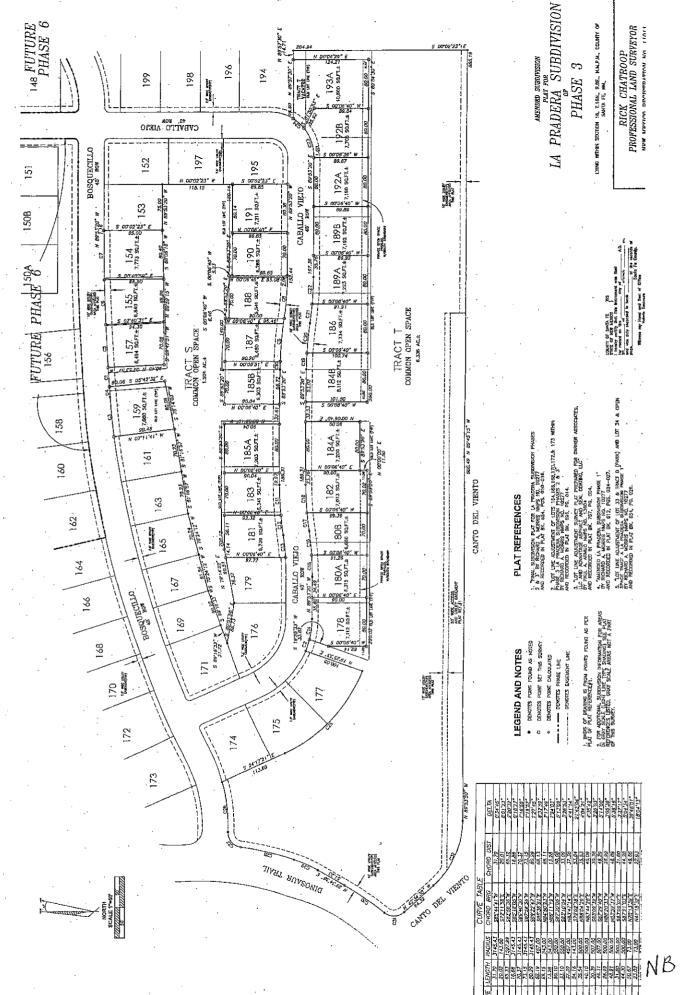


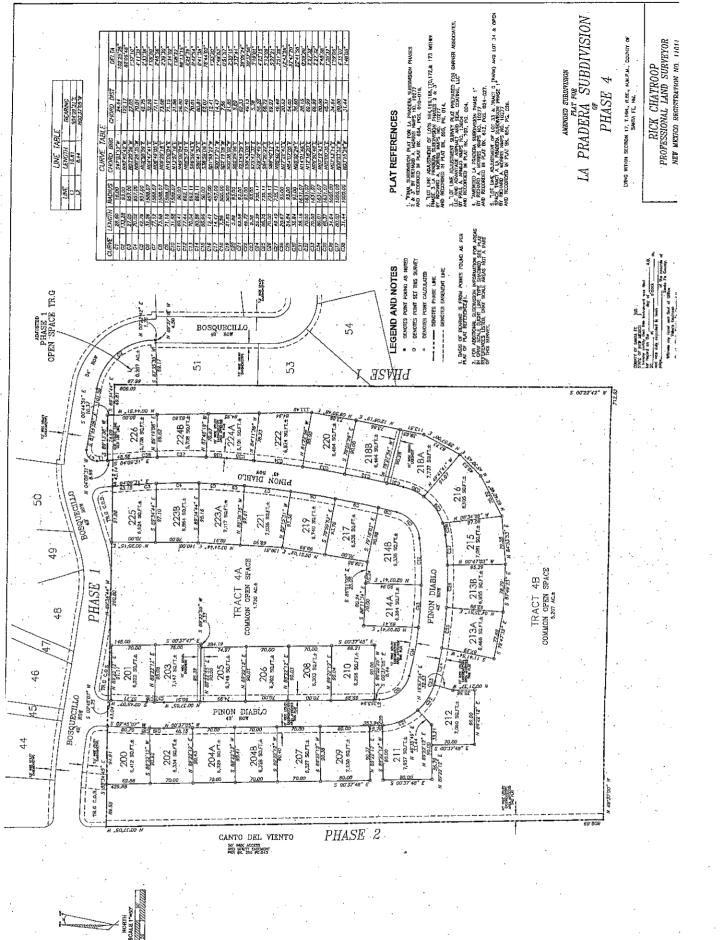


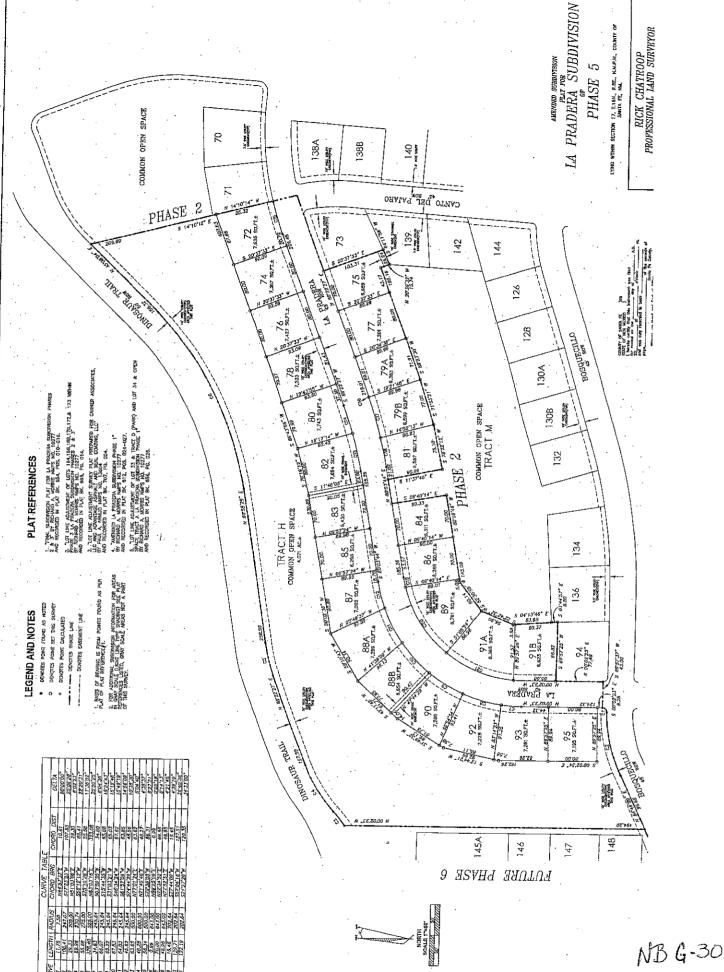


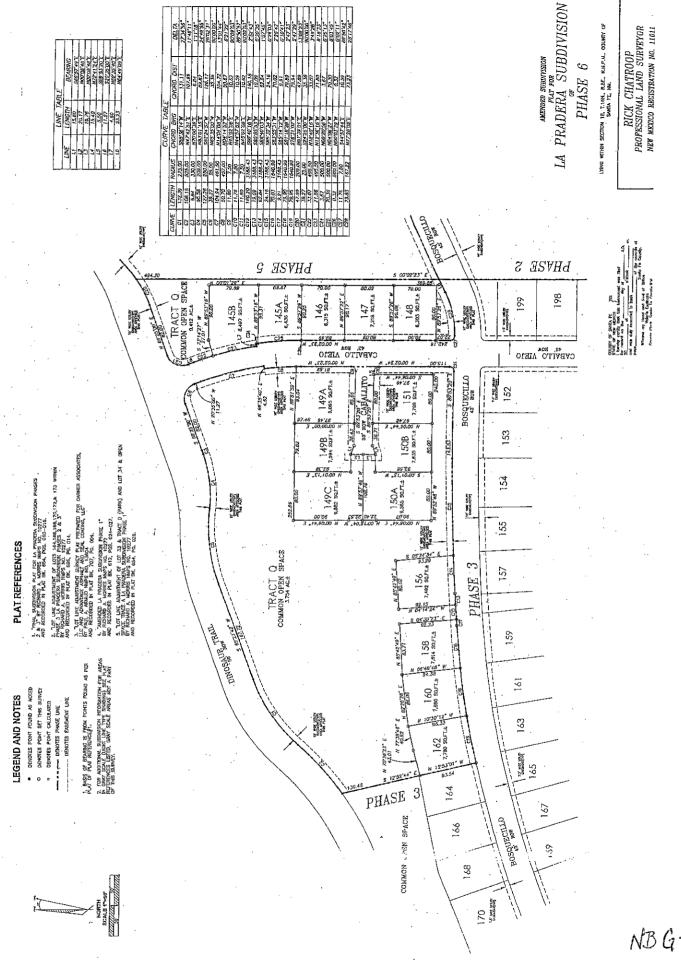












ST ner ct. #12 semi

NLAGE TRAIL — 10" WIDE PAVED. 3" ASPHALI DWEB 4
COMPACIDED SHASCOUGHE WITHIN 40" PUBLIC ENSEMBRY.

LOCAL TRAIL — 6" WIDE, 4" COMPACIED BASECOURSE
TRAIL WITHIN A 15" POBLIC EXSTRUM.

Check Check

TO LOCAL TRAIL — 5' MODE, 4' COMPACTED BASE
TRAIL WITHIN A 15' PUBLIC EASELIENT.

EL DICAL EMESTRIAN TRAIL — 5' MODE, DIRT IN
A 15' VUBLIC EASELIENT.

OPEN SPACE & TRAIL

A 15' PUBLIC EASCHEINT

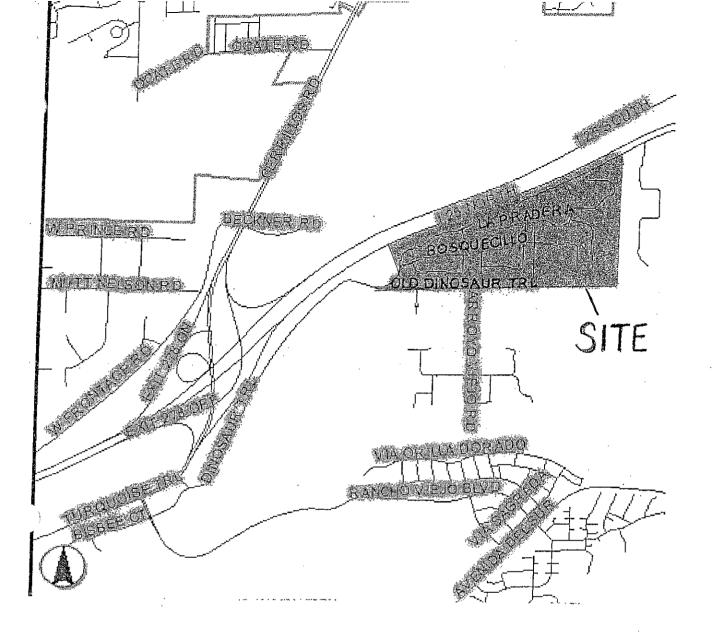
1. TRAL (LOCATIONS SHORM ARE APPROXIMATE, ACTUA,
EASCHMENT SMALL BE ECHTRED OF ACTUA, LOCATION
TRAL LOCE CONSTRUCTED, EXCEPT IN ACTUA, LOCATION
EASCHMENT BE LOCATED WITHOU A PREVIOUS LOCAS SHALL

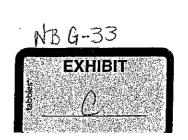
ABGRADE SURFACE TREATED FOR WEED DONIFOL.

BROSCOURSE SHALL BE COMPACIED TO SON OF M
ENSITY. ASPHALT SHALL MET ROADWAY SPEOFICIAL

BROSCOURSE SHALL BE MANTANED BY ASSENTIAN DE

NBG-32





# Santa Fe County Open Space & Trails



#### **MEMORANDUM**

DATE:

April 27, 2011

TO:

Vickie Lucero

FROM:

Allison Moore, Project Manager

Open Space and Trails

Community Services Department

VIA:

Colleen Baker, Program Manager

Open Space and Trails

Community Services Department

RE:

CDRC Case# Z/S 02-4325 La Pradera Master Plan Amendment and Preliminary and

Final Plat and Development Plan

Santa Fe County Open Space and Trails Program staff has reviewed the La Pradera Master Plan Amendment and Preliminary and Final Plat and Development Plan and do not have any comments at this time.

NB G-34
EXHIBIT

Daniel Mayfield Commissioner, District I

Virginia Vigil
Commissioner, District 2

Robert A. Anaya

Commissioner, District 3



Liz Stefanics

Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller County Manager

# GROWTH MANAGEMENT DEPARTMENT PUBLIC WORKS DIVISION MEMORANDUM

Date:

May 27, 2011

To:

Vicki Lucero, Development Review Team Leader

From:

Paul Kavanaugh, Engineering Associate Public Works

Johnny P. Baca, Traffic Manager Public Works

Re:

CDRC CASE #Z/S 02-4325 La Pradera Master Plan Amendment, Preliminary

and Final Plat and Development Plan.

The referenced project has been reviewed for compliance of the Land Development Code, of Article V (Subdivision Design Standards), Section 8.1 (General Policy on Roads) and Article XV Regulations for the Community College District, in which the roadway/driveway needs to conform. The project is located within the Community College District located within Santa Fe County Zoning Jurisdiction and is situated south of Interstate 25, west of Richards Avenue, within Sections 17 &18, Township 16 North, Range 8 East. The applicant is requesting approval for a Master Plan Amendment consisting of a series of lot-line adjustments and a request to convert the commercial requirement into a residential village with live-work units.

#### Access:

The applicant accesses the 163.74 acre tract from Dinosaur Trail which connects to Rancho Viejo Boulevard from the west and Richards Avenue on the east. The applicant has proposed to convert 32,667 square feet of commercial area to 37 residential units. According to the *Institute of Transportation Engineers Trip Generation 8th Edition*, a reduction in peak hour traffic is indicated, which supports the change in Master Plan and will not affect the operation level of the existing intersections (Richards Avenue and Dinosaur Trail) and (Dinosaur Trail and Rancho Viejo Boulevard).

#### Conclusion:

Staff has reviewed the submittal and feels that they can support the project for Master Plan Amendment and Preliminary and Final Development Plan.

NBG-35

DATE:

May 24, 2011

TO:

Vicki Lucero, Building & Development Services

FROM:

Andrew Jandáček, Senior Transportation Planner

VIA:

Robert Griego, Planning Manager

Shelley Cobau, Building and Development Services Manager Wayne Dalton, Building and Development Services Supervisor

FILE REF .:

CDRC CASE # Z/S 02-4325 La Pradera Master Plan Amendment and

Preliminary and Final Plat and Development Plan

# **ISSUE:**

Alexis K. Girard, President of Greer Enterprises, Member Gardener Associates, LLC, applicant, requests Master Plan Amendment and Preliminary and Final Plat and Development Plan for a series of lot line adjustments (106) and further request to convert the commercial requirement to a residential village with live-work flexibility. These lot line adjustments and conversion of commercial space requirement will result in a net unit increase of thirty-seven (37) residential units. This amendment is a request for the approval of 5 master plan lots in Phase I, which may subsequently be divided into 22 single family lots administratively.

# **SUMMARY:**

Included in the application is a letter from Walker Engineering regarding the La Pradera Subdivision Revised Development Plan No Significant Traffic Impact. County Public Works did not request an amended TIA be submitted but did request a sealed letter from the traffic engineer indicating how the proposed amendment would impact the peak hour traffic count. The letter states that for the 32,667 sq ft commercial development, approximately 56 and 48 trips will normally be generated during AM and PM peak hours, respectively. For the 37 residential lots, approximately 28 and 37 trips will normally be generated during AM and PM peak hours, respectively. According to the Walker report, these numbers of peak trips will be reduced by 28 in the AM (50% reduction) and by 11 in the PM (23% reduction) and will therefore not have a significant traffic impact on the surrounding roadway.

#### FINDINGS AND STAFF RECOMMENDATION:

Planning Staff has reviewed the letter from Walker Engineering, sealed by Morey Walker, P.E., and agrees with the findings that this amendment to the Master Plan will not have a significant traffic impact on the surrounding roadway. As all of the roadways in this phase of La Pradera have already been constructed, staff finds that this amendment will not impact the County's existing or future road network.

Daniel "Danny" Mayfield Commissioner. District 1

Virginia Vigil
Commissioner. District 2

Robert A, Anaya Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller County Manager

DATE:

July 8, 2011

TO:

Vicki Lucero, Development Review Team Leader

FROM:

Karen Torres, Hydrogeologist

THRU:

Richard Silva, Utility Infrastructure Manager RA

RE:

CDRC CASE # Z/S 02-4325 La Pradera Master Plan Amendment, Preliminary and

Final Plat and Development Plan

## **Project Description:**

The applicant is proposing an amendment to La Pradera Subdivision Phases I - VI, located in the Santa Fe Community College District that would convert currently approved commercial space into 37 residential units. The development is currently served by the Santa Fe County Utilities for water supply and by a privately owned sewer collection and treatment system. The applicant is also proposing a reduction in the previously approved water budget, in light of adequately documented water conservation and reduced water conservation.

### Utilities Review:

A review was performed of all pertinent Water Service Agreements, Water Right Transfers, Proposed Plat, As-Built Drawings for all Phases, water use data, Conditions of Approval for Phases I – VI, meeting minutes and communications with the applicant and applicant's agent for the subject development. Our findings are listed below.

- 1. Phase 1 of this development was approved March 24, 2004 by the BCC. Condition 19 of the Final order dated August 31, 2004 sets a limit for water consumption in residential units of Phase I of this development at 0.16 acre-feet per year (afy). The second phase of this development was made contingent upon demonstrating sufficient water rights made available by developer to serve the development.
- 2. A letter, dated March 1, 2004, from the County Hydrologist explained the rationale behind the water budget consumption figure of 0.164 afy per dwelling. This letter also allowed for a future reduction in this figure if warranted by actual consumption data.
- 3. Phases 2 and 3 of this development was ultimately approved January 31, 2006 with the condition of limiting water consumption by covenant to no more than 0.19 acre-foot per dwelling; which included a 20% factor to account for line losses. Additionally, if La

Pradera could demonstrate a lower rate of water consumption per dwelling in the future, SFC would consider reducing the water usage limit in the condition of approval.

- 4. Water Rights identified for this development (OSE Permit No. SD-03942-A into RG-20516 et al.) were successfully transferred to the Buckman Well Field on January 23, 2007. Amended Intent to Dedication of Water Right and Acknowledgement was executed on December 9<sup>th</sup>, 2010 by Greer Enterprises, Inc. A formal dedication and conveyance of water rights from Permit 03942-A into RG-20516 et al. will occur upon the execution of a water delivery agreement by Santa Fe County.
- 5. Water Conservation Covenants recorded for this development restricts the use of water per dwelling unit to 0.13 afy, which when added a 20% margin to account for line losses, it amounted to 0.156 afy per dwelling unit (lower than the 0.19 afy required by the conditions of approval.
- 6. A review of County records for water sales in the subdivision shows an average water use per dwelling of 0.11 afy for years 2008 through 2010. These results are consistent with calculated averages provided by the applicant's engineer (see summary below)

2007 - 0.07 acre-feet per lot

2008 - 0.10 acre-feet per lot

2009 – 0.10 acre-feet per lot

2010 - 0.12 acre-feet per lot

- 7. The water use proposed by the applicant for the additional 37 dwellings is still 0.156 afy per lot, or a total of 5.772 afy for all units. The previously approved 237 dwellings required the developer to transfer 45.03 afy of water rights to the County. If the proposed amendment were approved, the total amount of water necessary for this development would be (237+37) units x 0.156 afy/unit, or 42.744 afy.
- 8. Utility acceptance of the portion of the water system in Phases 1, 2, 3 and 6 have been provided to the Project Engineer
- 9. A review of drawings submitted by applicant was performed by the Utilities Department and our comments are listed below.
  - a. The utility plan should show existing infrastructure as a watermark and proposed changes in bold.
  - b. Existing water services affected by the modifications will be subject to the following:
    - i. Expose and shut off corporation stop. Remove copper line and place an end-of-line cap. Existing meter cans must be removed and excavation completely backfilled.
  - c. Provide a complete list of revised addresses and lot numbers for all six phases.
  - d. Explain the reason for note on Sheet 49: "Move 12" waterline to opposite side of street".

## Conclusions

Based on comments stated above there should be enough water available to serve the proposed 37 additional dwellings.

The following conditions are recommended to complete the administrative record and finalized prior to approval by the BCC:

- 1. Coordination with the Utilities Department on final modification of the water lines and meter locations.
- 2. Modification and re-filing of Water Restrictive Covenants to reflect new dwellings and maximum water use per dwelling.



August 4, 2011

John J. McCarthy, President John J. McCarthy Investments, Inc. Managing Member Gardner and La Pradera Associates, LLC 825Allendale Street Santa Fe, NM 87505

Re: La Pradera Master Plan Amendment

Dear Mr. McCarthy:

Thank you for taking the time to share information pertaining to the proposed La Pradera Master Plan Amendment with Santa Fe Public Schools staff. In reviewing the information, Santa Fe Public Schools has determined the proposed amendment does not pose a significant impact to schools zoned for this area.

We appreciate your observance of County Ordinance 1995-2: School Impact Notice allowing Santa Fe Public Schools to adequately plan for impact to facilities and operations and prepare our capital needs assessment.

Sincerely,

Kristy J. Wagner

Chief Operations Officer

Knisy J. Wagner

www.sfps.info

---- Original Message -----

From: Sanchez, Melanie, NMENV
To: oralynn@designenginuity.biz

Sent: Wednesday, August 10, 2011 10:00 AM

Subject: DP-1461 La Pradera

Dear Mrs. Guerrerortiz,

Discharge Permits are considered administratively continued if the permittee submits an application for permit renewal at least 120 days prior to the permit expiration date. La Pradera submitted an application for permit renewal 122 days prior to the permit expiration date. Subsection F of 20.6.2.3106 NMAC allows for the continuation of a Discharge Permit beyond the expiration date such that the permit remains fully effective and enforceable.

If you have any questions, please contact me.

Sincerely, Melanie

## Melanie Sanchez

Environmental Scientist New Mexico Environment Department Ground Water Pollution Prevention Section 5500 San Antonio Drive Albuquerque, NM 87109 (505) 222-9574 wk (505) 222-9510 fax Honorable County Commissioner; Ref: BCC CASE # MIS 02-4325 La Pradera Master Plat Authorization

My name is Lisa Burns, I live in Vista Ocasa, adjacent to La Pradera. I oppose the amendment of La Pradera Master Plan for phase 1, the addition of 22 homes on 2.27 acres. I also oppose the addition of 27 more homes on phases 2-6, planned in the near future. This increase of residential density and the removal of commercial units will impact the value of all of the neighboring properties. The economy has impacted all homeowners. This increase of density is not appropriate for this development, and all of the adjacent neighborhoods. The neighboring Vista Ocasa and Churchill Estates are developed with much lower density. The density of the development and Master Plans should not be subject to the downfall of the economy. The impact of the economy is affecting all of us enough already. Santa Fe County and the all developers need to consider our futures, as well as the general aesthetic values, home values and the balance with nature of our landscape.

There have been negotiations between La Pradera, and other property owners, various agreements from 2003 to 2005. Agreements were reached and densities, open spaces, trails and commercial spaces were agreed upon. It is not fair to all of us for the developers to change all of the previous agreements, and impact the existing homeowners. How many times do we need to negotiate for the same properties? How many times do we need to fight the same fight? All the developers need to do is wait for a few years, and amend the master plans, with new county commissioners in office, and hope previous and new homeowners are not aware.

What is the point of having all of the previous agreements?

The existing waste water systems of La Pradera omit a horrible smell. I have great concerns of the impact on the ground water of this area. I have a well and I am very close to La Pradera's 1<sup>st</sup> waste water treatment location. The impact of adding 22 more residential units to this system and 27 more units to the 2<sup>nd</sup> treatment system are of great concern to me. We were told these systems would not stink, and they do. I invite you all to come smell for yourselves. La Pradera built homes not even 30 feet from the 1<sup>st</sup> wastewater treatment location. I can't imagine what those poor people must have to deal with, not ever being able to open their windows.

For the past 3-4 years Advantage Asphalt has been running their business illegally from a residential area. La Pradera has allowed them to use some of their property for storing heavy equipment, and has allowed Advantage asphalt to dump thousands of tons of asphalt trash. There are literally mountains of trash materials still there. Over the past couple of months Advantage has finally vacated the premises, but the mountains of trash still exists. Our neighborhood paid to pave (Old) Dinosaur trail. Advantage Asphalt used our road with all of their heavy equipment and tore it up for years. This is the kind of neighbor, La Pradera, & John McCarthy has been. They have absolutely no regard for any of us.

I am also very concerned about the water situation. My well went dry in 2006. I had to re drill and go another 200 feet deeper. Santa Fe County has many wells that they plan to bring on line and use for more development. My well maybe one of hundreds that will go dry in the coming years if we don't conserve water. La Pradera was supposed to be "water conscious". I am told that the promise of using reclaimed water for commodes and landscape has been scrapped by La Pradera. The cisterns in phases 2-6 are cheap barrels from Home Depot that blow over with the wind. This is not the water conscious system La Pradera promised in 2004.

It is my hope that Santa Fe County and the developers of La Pradera take into consideration all of these impacts on the existing homeowners. If insight, regard, and vision for our neighborhoods and landscape remains an integrated part of development, we will all benefit in the future. When the economy turns around, we can still have some pride and value in our homes.

Sincerely, Lisa Burns 11 Las Caballeras Santa Fe, New Mexico 87508 505-438-6068 ----Original Message----

From: Tyler, Craig [mailto:craigtyler2@gmail.com]

Sent: Sunday, May 08, 2011 4:11 PM

To: Rita B. Maes; Liz Stefanics; Julia Valdez; Tina Salazar; Daniel Mayfield; Juan R. Rios; Virginia Vigil; Kathy S. Holian; Christopher M. Barela; Robert A.

Anaya

Subject: BCC case#MIS 02-4325 La Pradera Master Plat Authorization

Honorable Commissioners -

I was told that an email to each of you was an appropriate way to contact you, and I hope I was told correctly. If not, I sincerely apologize. Either way, rest assured that I won't make a habit of it.

I will keep my comments about the proposed changes to the La Pradera Master Plat brief.

The developers who control our HOA are trying to redraw our subdivision to increase its density, toward a larger number of smaller homes. This way, they can more readily sell land/homes in the depressed economy. They are fully aware (from a recent meeting) that nearly all of the residents of La Pradera are against this change, but the interests of the homeowners do not affect the plans of the "homeowners' association."

My objection, and that of the vast majority of my neighbors, is simple: The economic downturn does not give the developers the right to recover their losses at our expense, by de-valuing our existing property values and making the neighborhood less appealing. Unlike the market downturn, which is hopefully temporary, the effects of their proposed changes would be permanent. We all decided to buy here based on the plat and the developers should not be able to simply change it to our clear and permanent detriment. I am sympathetic that the developers have been impacted by the downturn, as we all have, but it is not the homeowners' responsibility to bail them out.

Thank you so much for your consideration.

Craig and Christina Tyler 83 La Pradera Santa Fe

#### Vicki Lucero

From:

Venessa Chavez [vjmchavez@yahoo.com]

Sent:

Monday, May 09, 2011 4:06 PM

To:

Vicki Lucero

Subject:

Fw: BCC case#MIS 02-4325 La Pradera Master Plat Authorization.

# RE: BCC Case# MIS 02-4325 La Pradera Master Plat Authorization

Dear Development Review Case Manager,

La Pradera is submitting an application for a Master Plan Amendment to create an additional 37 residential lots in the La Pradera Subdivision located off of Dinosoar Trail. Twenty Seven (27) of the proposed lots will be created by creating 22 lots on 2.27 acres in Phase 1, and reducing existing lot sizes in phases 2-6 of the development. Their case is: smaller lot sizes are dictated by significant changes to the economy and the demand for affordable entry-level housing.

As a homeowner in the La Pradera community, I am outraged at the lack of developer interests of the existing home owners who invested in this community and the blatent motivation of greed on behalf of the developers.

La Pradera was originally created and marketed as an upper-market community with large lots, and abundant open space as well as being a "green", enviornmentally friendly community. Besides accommodating the minimum low-income housing requirements, La Prader was never intended nor marketed as being considered a low-income community. As such, many of the homes that were built in Phase 1 of the development were built and sold as \$400,000 - \$600,000(+) homes.

Obviously, due to the economy and poor housing market, all of the homeowners have already experienced a siginficant decrease in the market value of their homes. By reducing lot sizes which would severely increase the density of the development, thus reducing home sizes and decreasing home prices - it would dramatically effect the value (both in terms of price and non-economic value of the community) of the existing homes both in and around the La Pradera community.

I firmly beleive that the Developers, in this case, are acting purely out of blaten5 GREED and disregard of the interests of the Subdivision as a whole, as well as the neighboring communities, and Santa Fe County residential planning. As County Commissioners I ask that you disallow this proposal which would de-value this subdivision and community as a whole, and ONLY serve to profit the developer's pocket books!!

Sincerely,

'enesa & Ray Chavez 28 Camino Sabanero Santa Fe, NM 87508

From: Marcella Wiard [mailto:marcellawiard@gmail.com]

Sent: Monday, May 09, 2011 12:31 PM

To: Rita B. Maes; Liz Stefanics; Julia Valdez; Tina Salazar; Daniel Mayfield; Juan R. Rios; Virginia Vigil;

Kathy S. Holian; Christopher M. Barela; Robert A. Anaya

Subject: BCC case#MIS 02-4325 La Pradera Master Plat Authorization

Dear Honorable Commissioner,

La Pradera is submitting an application for a Master Plan Amendment to create an additional 37 residential lots. 27 of the proposed lots will be created by adjusting lot lines of existing lots to reduce the size of some over sized lots in phases 2-6. and creating 22 lots on 2.27 acres in phase 1. Their case is: smaller lot sizes are dictated by significant changes to the economy and the demand for affordable entry-level housing.

As a homeowner in the first phase, we strongly oppose any changes to lot sizes or changes from commerical to residential. Everyone who bought into this development from the beginning did so due to the larger lot sizes and restrictions. We do not want our property or our development devalued due to this developer needing to recoup some losses experienced due the the economy crisis ALL of us have experienced. Our homes are NOT at the same value they were when we built and our faith in this development has been compromised due to the actions and lack of communication with us, the homeowners, with regard to John McCarthy and his Board. We do not want to live in a "Centex" or "Nava Ade" type of development with huge density thru out the additional phases. His proposal DIRECTLY IMPACTS our investment and the whole La Pradera community as well as our neighbors, Vista Ocaso. We do not want to increase the amount of most affordable housing in our development to any more than what is currently required. If you wish to have "live work" housing, then head over to Oshara Village and complete that development's vision as they were "Master Planned" as a live/work community, La Pradera was NOT.

I urge you all to consider the residents and community with respect to any changes within La Pradera.

I thank you for your time and consideration in this matter.

Sincerely,

Marcella & Ted Wiard 73 Bosquecillo Santa Fe, NM 87508 La Pradera Homeowners **From:** crow rising [mailto:miscbyrd@gmail.com]

Sent: Monday, May 09, 2011 3:32 PM

To: Rita B. Maes; Liz Stefanics; Julia Valdez; Tina Salazar; Daniel Mayfield; Juan R. Rios; Virginia Vigil;

Kathy S. Holian; Christopher M. Barela; Robert A. Anaya

Subject: BCC case#MIS 02-4325 La Pradera Master Plat Authorization

Greetings Honorable Commissioners,

My name is Crow Rising, I am a homeowner in La Pradera. I am against the Master Plan Amendment for La Pradera.

I bought my home in August of 2009 and since that time nothing has been as it said it would be. For example, I bought in this area because of the 50% open space plan, and the gray water irrigation. I was also told we would have our yard equipped with some drought resistant landscaping. As you may or may not know the gray water plan was never put into effect and instead they installed water pumps to preexisting housing and water spigots to the newer homes. Great, I have convenience but what impact is that having in our extremely drought affected climate? Also the rain barrels that are set up for the house are fantastic but not set up to actually be used they are so low to the ground it almost impossible to attach a hose to many of them. On the landscaping tip, my neighbor got 3 pinons and three rocks--that was it, she was the only one. The reason for my detailing of these things may seem unrelated to issue at hand, but they are not. The common thread is that the developers of La Pradera say one thing and do another. Their proposal to build more and in smaller spaces is just another example of that.

Last week I had the chance to get out and go for a run. I decided to go a different route than normal. On my run I was shocked to see an enormous mountain of trash hidden in the corner of my development. It was easily taller than my house, asphalt, concrete, metal and what have you. It was a disgrace! What was it doing here I wondered, where did it come from and why hadn't it been dealt with!? Then there was the smell, an awful odor imminating from what I can onyl assume was the greywater area? I dont' know all I know is that it was very close to someone's home and I wondered how on earth they pit up with that.

I am worried about my property values. I am worried about my neighbors' property values. The economy has hit us all with varying degrees of gusto, but it has hit us all just the same. I take care of my house and the area around here. I want the people with the money and the agenda to do the same. I stand in solidarity with those opposed to the La Pradera Master Plan Ammendment.

Thank you for time.

Sincerely,

Crow B Rising
La Pradera Home Owner

505 603 3139

## Lisa Cacari Stone & Roberta L. Duran, La Pradera Home Owners



20 Camino Sabanero • Santa Fe, New Mexico 87508• Phone: 467-8056 • Cell: 690-4404 or 670-6097 F-Mail: leacaristo@aol.com and laberta@aol.com

May 10, 2011

Board of County Commissioners c/o County Land Use Administrator P.O. Box 276 Santa Fe, New Mexico 87504-0276 Re: Opposition to BCC Case # MIS 02-4325

#### Dear Commissioners:

We oppose the authorization of the "applicants" requests (Gardener Associates LLC and La Pradera Associates LLC) to proceed with the La Pradera Master Plat Authorization (BCC Case # MIS 02-4325). We are asking you to please deny their request and table any future requests pending an independent economic and environmental impact analysis of the proposed changes on the residents of La Pradera, nearby sub-divisions and Santa Fe County.

As you are aware, the "applicants" have submitted an amendment to a master plan for the conversion of commercial space to add 10 additional live/work units in Phase I and an addition of 27 more residential lots in Phases II-VI within the existing La Pradera Subdivision. Unfortunately, the May 10<sup>th</sup> memo and recommendation to support the applicants request from your Development Review Team (Ms. Lucero), reflects a narrow interpretation of land development codes and omits important facts outlining the negative consequences the "applicants" changes may have on our communities. These proposed changes do not reflect the pressing and "real life" circumstances of our communities. Rather, they are unilateral decisions made by developers without regard to the long-term sustainability of the collective public interests.

As we have observed from other subdivisions, the higher density and volume of homes lowers the market value of real estate and increases the demand on water way above the available supply. Please see the Exhibit E and letter from Mr. Cook which includes a litany of facts illustrating the irresponsible actions of the developers. For instance, in 2006, the Office of the State Engineer issued a negative opinion that the developer's previous proposals did not satisfy water conservation requirements and violated county regulations. Additionally, since 2004, the developer has repeatedly abused existing covenants and broken promises made to the BCC and public under oath. Why would the BCC or La Pradera residents trust any proposals without further investigation given the history of developer's actions and lack of stewardship of our scarce water and land?

Finally, please be aware that the residents of La Pradera have had very short notice to organize a consolidated response to the developers proposed changes. While we met on April 25<sup>th</sup> and April 27<sup>th</sup>, we have not had enough time to prioritize festering water and development issues, identify viable strategic actions, and review complicated County and HoA covenants and codes governing our actions. However, we are confident that an objective impact analysis is needed to inform responsible county decisions and support La Pradera residents and the developers in resolving conflict and finding mutually beneficial common ground for long-term sustainability.

Sincerely,

Roberta Duran

Line Hone

## Vicki Lucero

From:

MulaChulaSF@aol.com

Sent:

Tuesday, May 10, 2011 10:41 AM

To:

Vicki Lucero

Cc: Subject: nmelc@nmelc.org; MulaChulaSF@aol.com; gabron@aol.com; mskim08@gmail.com

Vicki Lucero Development Review /La Pradera

May 9, 2011

Re: BCC case#MIS 02-4325 La Pradera Master Plat Authorization.

Honorable Commissioners,

I am writing in opposition to approve a master plan amendment for the applicants.

I believe that many of the obvious reasons have already been presented by Matthew Cook in his opposition filed in April 2011. Those being:

- 1. Violations of the water restrictive covenants of .16 acre foot per household.
  - 2. Violation of the 1500 square foot minimum per household.
- 3. Violation of the availability of reclaimed water for irrigation purposes.

The existing development has fallen short of the visionary plans laid out in the Community College Development Plan which called for a sustainable development featuring solar homes, water conservation measures and diversity. Now, in Phases 2-6, the developers are seeking to move even farther away from those attributes by eliminating the diversity in the size of lots and homes, building undersized homes that have no solar features and turning off the reclaimed water facility.

But, I believe the darkest cloud on the horizon is the condition of the wastewater treatment facility. The operation of the current facility is an environmental disaster in the making. I believe the County did not fulfill their fiduciary duty to make sure the original master plans were engineered correctly by Patricio and Oralinda Guererro-Ortiz, of Design Ingenuity, nor lid they monitor the operations of the plant to confirm they were in compliance with state regulations. The NMED does not even have the correct information in regard to who the current operator is. By their own admission, they are aware that the

operator listed, Link Summers, is no longer affiliated with the system and has not been since November 2008. Robert George, of the NMED, could not identify the current operator.

Evidence, when compiled, will show that the system has not been in compliance since Mr. Summers was replaced in 2008. The wastewater treatment facility is not operating as it was originally designed. In fact, many of the components involving filters and disinfection were disabled by operators who were not familiar with the systems and how to operate it. This is no doubt where the resulting smell is coming from that several of the residents have been complaining about. I also believe the evidence, when compiled, will reveal the original master plan was presented with an insufficient drainage field in regard to the absorption field area required by the State of two square feet per gallon The current state of operations of the facility has reduced it to a giant septic tank. There is no "water treatment" occurring at all.

I am sure the EPA would be interested in the current state of affairs as it happens to sit less than 100 feet from a major water way, the Arroyo Hondo, and in the vicinity of several private wells. This is the facility the applicants are proposing to add another 50+ users.

The applicants have explained that the reclaimed water system had to be disabled because the residents were using the water for other than subsurface irrigation. I ask why the houses were outfitted with exterior spigots accessing the reclaimed water if they prohibited to use them? Rancho Viejo, who has a similar system, was not designed this way.

Another issue is the large waste material dump that Advantage Asphalt created while it was using approx. 2 acres right in the middle of the subdivision for their equipment yard. I don't believe that's the type of commercial development the CCDP had in mind for the middle of a residential area.

If the Board chooses to ignore the blatant disregard for state and federal regulations in regard to the environmental issues associated with this development, in addition to the non-compliance with the original conditional permit the County issued, and delegate authority to the Land Use Administrator to

rubber stamp any plan changes, we are prepared to take this to an Environmental Attorney.

Lisa Burns 11 Las Caballeras Santa Fe, NM 87508

# Vicki Lucero

From:

Kimberly Gonzales [mskim08@gmail.com]

Sent:

Tuesday, May 10, 2011 1:42 PM Vicki Lucero; mulachulasf@aol.com

Subject:

Reference: BCC CASE # MIS 02-4325 La Pradera Master Plat Authorization

Attachments:

SF County market.pdf

Good afternoonn Ms. Lucero,

I write you as a concerned resident of the La Pradera subdivision in Santa Fe County. As you are aware of the master plan amendment being brought to the BCC meeting tomorrow, I write in <u>OPPOSITION</u> of this amendment for the following reasons:

- 1. I reside at 50 La Pradera 87508 and the addition of 22 homes on 2.27 acres along with the addition of 27 homes to phases 2-6 in the near future will impact the value of my home and neighboring properties by decreasing the value rather than increasing.
- 2. This amendment could also impact La Pradera's Open Space covenant as more units are added if the county does not consider County Roads as "open space".
- 3. The residents continue to face challenges such as the existing waste water systems and ground water system at La Pradera. If anyone from the county would care to go out to the site we can prove how badly this system is and how our effluent water system does not work of which residents constructed homes to accommodate, all at the cost of homeowners, not developers.
- 4. Since I have resided in La Pradera the developers have allowed Advantage Asphalt to create a dumping site in our "open spaces" and our HOA dues paid for them to provide landscaping and maintenance? Again, if you were to go out La Pradera you can clearly see that this DID NOT HAPPEN!
- 5. La Pradera HOA Board has made several promises during meetings of which are only held yearly or upon an amendment and DO NOT FOLLOW THROUGH with those promises. In 2010 we were promised and shown where gates were to be installed to help decrease the break ins and traffic problems we were experiencing. To this day, we have NO GATES.
- 6. As the HOA board of La Pradera states that the amendment for smaller lot sizes are dictated by the significant changes to our economy and the market demand for entry level housing, please take into account that according to the Santa Fe Association of Realtors Board President, Jo Anne Vigil Coppler, "it's going to be a very, very, long time, if ever" for those waiting for the Santa Fe real estate market to come back showing that there isn't much of a demand for entry level housing. Santa Fe county single family home numbers show at the end of FY10 4Q that the sales slowed and the counties decline was about 16%. The median sales price in Santa Fe County was \$420,000 which was an increase compare to 4Q last year, that's a 20% increase which predicts a flat year for 2011.
- 7. Another concern is the water for our subdivision. Through much research of a neighbor (Matthew Cooke) reports show that being that we are in a dry region and the fact that our subdivision's main water source is from the San Juan/Chama watershed, if negotiations with the City's does not go through isn't the current permit set to expire in 2016? If so how does the County/La Pradera HOA plan on providing water for everyone including an new amendments to the masterplat?

Hopefully the BCC can do what's best for the residents of La Pradera.

Kimberly C. Gonzales 50 La Pradera Santa Fe, NM 87508