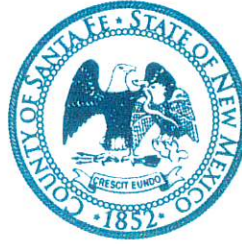


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: December 21, 2017

TO: Planning Commission

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

VIA: Penny Ellis-Green, Growth Management Director *✓ for PEG*
Vicki Lucero, Building and Development Services Manager *✓*

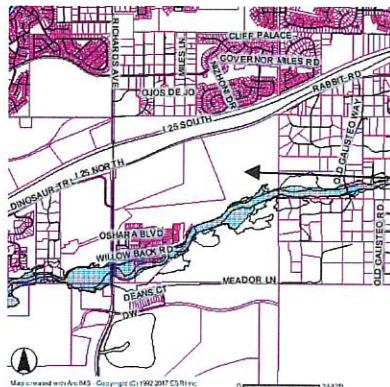
FILE REF.: CASE # CP 16-5280 Oshara Conceptual Plan Amendment

ISSUE:

G.E. Richards Property, LLC, Applicant, Santa Fe Global Partners/Arroyo Hondo de Santa Fe, Agent, request Conceptual Plan approval to amend the previously approved Oshara subdivision (735 dwelling units on 470.62 acres) in order to reduce the estimated commercial square footage in future phases from 1,321,000 square feet to 303,330 square feet, eliminate the Employment Center Zone in Phase 2, eliminate the Institutional Campus Zone, increase the number of dwelling units to 855 from 735, reorganize the phasing plan from six phases to five, to have five sub-phases in Phase 2, and to amend the proposed source of sewer service.

The property is located in the Community College District, within a Planned Development District, east of Richards Avenue and south of Rabbit Road, within Section 16, Township 16 North, Range 9 East (Commission Districts 4 and 5).

VICINITY MAP:



Site Location

NBF-1

SUMMARY:

The Oshara Subdivision is within the Santa Fe Community College District which is a Planned Development District. The Applicant is proposing to amend the previously approved Oshara subdivision (735 dwelling units on 470.62 acres) in order to reduce the estimated commercial square footage in future phases to 303,330 square feet, eliminate the Employment Center Zone in Phase 2 replacing it with a Village Zone, eliminate the Institutional Campus Zone and replace it with an additional Village Zone, increase the number of dwelling units to 855 from 735, reorganize the phasing plan from six phases to five, to have five sub-phases in Phase 2, and to amend the proposed source of sewer service.

Chapter 8, Section 8.10.3.9. Village Subdistricts Development Standards (CCD-V) states: Village subdistricts are development areas where the most intense uses are clustered within the New Community Center and Neighborhood Center Subdistricts. Village subdistricts are further delineated by the Village Separators Subdistrict that generally runs north/south and defines and separates village areas.

On April 30, 2002, the EZA granted master plan approval for a mixed-use development formerly known as "Oshara Ranch." The development consisted of 735 residential units and 1.7 million sq. ft. of commercial space and 246 acres of open space/parks/plaza areas on 471 acres, to be developed in six phases.

On October 28, 2004, the EZA granted a Master Plan Amendment to the previously approved Oshara Ranch in order to change the phasing of the project.

On January 11, 2005, the BCC granted Preliminary Development Plan and Plat approval for Phase I of the Oshara development which consisted of 175 lots on 65.31 acres.

The Applicant now requests Conceptual Plan approval per Chapter 8, Section 8.10.3.4, Conceptual Plan, of Ordinance No. 2016-9, the Santa Fe County Sustainable Land Development Code (SLDC) to Phase the Oshara subdivision into 5 phases, for a total of 855 total residential units, including 131 total affordable units, as follows:

- Phase 1– 186 single family residential units, including 28 affordable units (previously approved);
- Phase 2 – 256 single family residential units, including 38.4 affordable units;
- Phase 3 – 96 single family residential units, including 14.4 affordable units;
- Phase 4 – 143 single family residential units, including 21.45 affordable units,
- Phase 5 – 186 single family residential units, including 27.9 affordable units.

This matter came before the Hearing Officer on October 26, 2017. The decision of the Hearing Officer was to recommend approval of the request to amend the previously approved Oshara subdivision (735 dwelling units on 470.62 acres) in order to reduce the estimated commercial square footage in future phases from 1,321,000 square feet to 303,330 square feet, eliminate the Employment Center Zone in Phase 2, eliminate the Institutional Campus Zone, increase the number of dwelling units to 855 from 735, reorganize the phasing plan from six phases to five, to

have five sub-phases in Phase 2, and to amend the proposed source of sewer service subject to her conditions as stated in Exhibit 7. Six members of the public spoke in regards to the application. All six brought up traffic issues throughout Rabbit Road and the existing Oshara neighborhood. (Hearing Officer Minutes Exhibit 8)

Chapter 4, Section 4.9.9.1, Purpose of the SLDC states:

“A Conceptual plan is comprehensive in establishing the scope of a project, yet is less detailed than a site development plan. It provides a means to review projects and obtain conceptual approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval. A conceptual plan submittal will consist of both plans and written reports.”

Chapter 4, Section 4.9.9.2, Applicability, states:

“A conceptual plan is required for the following developments:”

1. All subdivisions containing more than 24 lots;
2. All developments in Mixed-Use, Public/Institutional, Industrial Light, Commercial General, Commercial Neighborhood that are to be built in phases;
3. All new Planned Developments; and
4. All development in the CCD in accordance with Section 8.10.3 of the SLDC.

Chapter 8, Section 8.10.3.5. Conceptual Plan Review Criteria, states: “The criteria for approval of a conceptual plan in the CCD are as follows:

1. Conformance to the Sustainable Growth Management Plan as amended by the Community College District Plan;
2. viability of the proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or completed; and
3. conformance to the this Section 8.10 and other applicable law and ordinances in effect at the time of consideration, including required improvements, proposed roads and trails, community facilities, design and or construction standards, and open space standards.

Relevant sections of the Santa Fe Community College District Plan state as follows:

- Compact Development forms will be the norm rather than the exception. These forms will have relevance to the traditional village patterns unique to the countryside landscape in Santa Fe County and provided efficiencies for infrastructure and services in a concerted effort to control sprawl conditions in this area of the County, these new compact villages will be separated from each other by large areas of open space determined by the land form.
- Central, Mixed Use Places will be the basic building block of New Village Communities. These central places will accommodate different densities and residential, commercial and institutional uses that serve and connect District neighborhoods and village areas to each other and to adjacent communities. These central places can take the form of any of the traditional local patterns of main Street, crossroads or plaza. As is the case in

traditional Santa Fe County villages, densities will be higher in these centers than at village or neighborhood edges.

- Connections will be provided that link various destinations in the District for use by vehicles, pedestrians, bicyclists, equestrians and transit users (both bus and rail). These connections will be developed in accordance with the landscape and social needs of the District and will be a basic element of the development pattern.
- Community principles and input will be the basis for understanding the needs of each individual place within the District. Together the compact form, centers, and connections will provide the opportunity for the activities and interaction which create a rich community life.

The Applicant has addressed the Conceptual Plan Criteria as follows:

Criterion 1: Conformance to the Sustainable Growth Management Plan as amended by the Community College District Plan

1. Land System

Protect significant open space, environmentally sensitive areas and the connections between them. The Oshara conceptual plan preserves over 52% of its land area for useable, connected open space in the form of parks, plazas, trails, arroyo corridors and general open space. It is configured to be in close proximity to homes and is in large useful pieces, not residual scraps.

2. Community Structure and Development Pattern

- a. *Establish a community development pattern that is an alternative to suburban sprawl.* The Oshara plan is a series of villages anchored by neighborhood centers, with a New Community Center located near Richards Avenue. The development is concentrated and surrounded by open space, the antithesis of sprawl.
 - b. *Create development areas (neighborhoods, villages, Employment Centers and Institutional Campuses) that are mixed use.* The Oshara plan's villages are all designed with a mixed use center.
 - c. *Develop the District into a hierarchy of clusters developed on the principles of: mixed use; variety in form and image; pedestrian orientation, high density centers; a focus on transit; and economic and cultural diversity that reflects the patterns of northern New Mexico villages and small towns.* Oshara makes use of numerous traditional New Mexico village patterns, including street grids organized around civic plazas, alley-access lots to minimize the impact of garages on streetscapes, residential compounds and live-work mixed use building types.
 - d. *Provide diverse housing opportunities and community oriented affordable housing integrated within neighborhoods and villages that meet the needs of all District residents.* The Oshara plan consists of a range of housing types, including apartments, townhouses, patio houses, courtyard houses, compounds and detached housing. Affordable housing is integrated into all types.
3. Circulation and Connections:
- a. *Maximize external road connections to the District.* The conceptual plan includes multiple connections to the surrounding road network. The plan anticipates and is designed around both existing and future planned major County roads.

- b. *Provide a rich network of small roads that minimize traffic speeds and promote connectivity of roads and trails.* The Oshara land plan is based on a connected network of small roads.
 - c. *Minimize the scale of roads, to be pedestrian and community friendly.* The plan utilizes pedestrian friendly (living priority) narrow section roads from the CCD's selection of appropriate road standards.
4. Open Space
- a. *Create a continuous open space system that connects natural land features, parks recreation areas and public spaces within the Santa Fe Community College District.* The Oshara open space system surrounds and penetrates each village, connecting village separators with formal parks and plazas.
 - b. *Locate open space in proximity to dwellings.* The configuration of the plan and the relatively small size of neighborhoods mean that significant open space is within a block or two of every home.
 - c. *Provide physical and visual access to open space.* Oshara makes use of many single loaded or open road sections where the open space directly abuts one or both sides of the road. Frequent trailheads are located with public access.
5. Infrastructure
- a. *Water:*
Manage stormwater to enhance water harvesting for irrigation, stabilization of soils and vegetation, habitat enhancement and aquifer recharge. The Oshara stormwater management system makes use of a dense network of swales and small ponding areas that thread through the open space to provide stormwater recharge and landscape irrigation, while minimizing the negative effects of large concentrations of fast-moving water.

Connect new village development to a District or community water system. Oshara is connected to the County water system.

Protect arroyos and existing drainages to ensure preservation of natural recharge zones. The Oshara plan proposes no construction in arroyos or drainages other than infrequent road crossings.
 - b. *Wastewater:*
Connect new village development to a wastewater system, provided by the County or by developers and approved by the County. Oshara's first phase (Oshara Village) is connected to its own package treatment plant. Future phases of development will be connected directly to the County system.
 - c. *Drainage:*
Base storm water management plans in the College District on the premise that storm water is most effectively controlled at or near the source using alternative management practices that utilize source controls to minimize drainage leaving the site and thereby prevent pollution pick-up by runoff. The Oshara stormwater management system makes use of a dense network of swales and small ponding areas that thread through the open space to provide stormwater recharge and landscape

irrigations, while minimizing the negative effects of large concentrations of fast-moving water.

d. Electrical:

Install all distribution lines and subdivision electrical service lines underground. All electrical distribution other than the existing PNM regional backbone transmission line are and will be underground.

6. Environmental and Sustainable Systems

Create walkable, mixed use development clusters that reduce vehicle miles traveled and infrastructure, and as a result, conserve energy and protect the environment. The Oshara plan is based entirely on small concentrated walkable villages with mixed-use centers. The villages are surrounded and separated by substantial useable open space.

7. Affordable Housing

Provide affordable housing within and in close proximity to New Community and Neighborhood Centers so that residents can reduce transportation costs by living near transit, commercial and community services. The Oshara plan meets this standard.

Provide a wide variety of affordable housing types, including single family, attached, multifamily, rental, live-work and accessory units that provide choice and meet the diverse needs of residents. The intent is to provide affordable housing in all of the various types that are to be built.

Distribute affordable housing in small increments throughout the District to avoid the stigma associated with low cost housing projects. Affordable housing will be incorporated into each neighborhood.

Staffs response: The Application is in conformance with the SGMP as the Community College District is a planned development district intended to promote and focus compact, mixed-use development in a village land use pattern. The Applicant's responses regarding water, wastewater, drainage, and electrical demonstrate that the Conceptual Plan provides efficiencies for infrastructure and services, thus curtailing sprawl and creating a compact development. Further, the connected network of small roads, external road connections, and pedestrian friendly road sections link various destinations for various forms of travel.

Criterion 2: Viability of the proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or completed.

Each phase of the Oshara development is designed as a stand-alone development from the standpoint that it has its own road system, mixed use center, affordable housing, open space, trails, stormwater management, utility services and connections, and so forth. Financing for development is separate for each phase, and the financial success of one phase is not dependent

on another. Development of a village or phase will only occur as market demands, available infrastructure and political approval dictate.

Staffs response: The Application meets this criteria as the Applicant is proposing each phase in a Village concept each containing their own road systems, open space, mixed use centers and neighborhood centers. The Oshara Conceptual Plan Amendment is consistent with the CCD Plan to include the CCD Circulation Map for Circulation and Connection to maximize external road connections to the District. The conceptual plan includes multiple connections to the surrounding road network in accordance with the CCD Circulation Map. The proposed road network includes connections to the current proposed alignments for the Northeast (NE) and Southeast (SE) connectors and is based on a connected network of small roads consistent with pedestrian and community friendly (living priority) road standards.

Criterion 3: Conformance to SLDC section 8.10 (standards for the Community College District planned development district) and other applicable laws and ordinances in effect at the time of consideration, including required improvements, proposed roads and trails, community facilities, design and/or constructions standards, and open space standards.

The information contained in this report and the accompanying drawings is compiled to demonstrate compliance with section 8.10 as well as the other sections of the SLCD. As each phase is developed, detailed engineering of roads, utilities, grading and drainage and landscaping will be submitted for approval by the County hearing officer, Planning Commission and Board of County Commissioners.

For each phase and sub-phase of development, proposed improvements will have a financial guarantee ensuring completion. An affordable housing agreement will be entered into to assure compliance with promised affordable housing.

Staffs response: Staff finds that the Application meets Section 8.10 and applicable standards as set forth in Chapter 6, Chapter 7, Chapter 8 and Chapter 13.

The Applicant is also requesting a SLDC text amendment to Appendix F Map 2, the Community College District Land Use Zoning Map. This will be a separate process and Staff is reviewing this separately as the proposed amendment would eliminate the previously approved Employment Center and Institutional Campus and would be substituted with the Village Zone.

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

The Applicant presented the Application at a Neighborhood Meeting held on October 14, 2016, as required by Chapter 4, Section 4.4.4.4, Pre-application Neighborhood Meeting. The Applicant submitted an Agenda of the meeting, a list of individuals in attendance, material that was presented by the Applicant, and a summary of discussion from those in attendance. This material is contained in the record. (Exhibit 5)

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Notice requirements were met as per Chapter 4, Section 4.6.3., General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on September 13, 2017. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on September 13, 2017, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record. (Exhibit 7)

This Application was submitted on August 20, 2017.

This Application was reviewed for compliance with the applicable standards as set forth in Chapter 6, Chapter 7, Chapter 8 and Chapter 13, of the SLDC as follows:

ENVIRONMENTAL IMPACT REPORT (Section 6.3)

The Applicant is proposing to impact land that is relatively poor wildlife habitat quality while preserving land that is good wildlife habitat quality through the designation of 240.48 acres of open space throughout the development. The CCD requires fifty percent open space; the Applicant is proposing fifty-two percent. The Applicant proposes to revegetate disturbed areas. Landscaping will be low water using native or naturalized species similar to and compatible with existing flora. Roads are designed to be narrow, slow speed pedestrian priority in order to help reduce impact on small animal movement. Stormwater runoff from roofs and pavement are being proposed to be captured and directed into open space areas in order to increase and beautify wildlife habitat. The Applicants proposal is in accordance with Chapter 6, Section 6.3.

Staff finds that the Application meets the standards of this section at conceptual plan level.

ADEQUATE PUBLIC FACILITIES & SERVICES ASSESSMENT (Section 6.4)

The Applicant addresses roads, fire, law enforcement, and emergency response services, water, sewer, community parks, recreation areas, and trails along with existing deficiencies within the submitted APFSA.

Under roads, the Traffic Impact Analysis addresses road improvements necessary only if the NE and SE Connectors are constructed to ensure that the existing adequate levels of service on public roads are maintained. The Applicant provided a TIA which shows the LOS of all affected roads within a half mile of the proposed project to be operating at a LOS no lower than a D. However, this TIA assumes that the NE and SE Connectors have already been constructed. For conceptual plan the Applicant only needs to propose roads and trails which have been done through the APFSA.

The project site within SDA-1 indicates that adequate fire, law enforcement, and emergency response services are available. Property taxes generated by residences within the Property will be available to ensure that adequate staffing levels are maintained.

The project will include a network of internal trails designed and built to County standards. This includes over 192 acres of natural open space. The open space, parks and trails are consistent with the CCD standards set forth in the SLDC.

The existing deficiencies as identified by the Applicant are as follows:

- Sheriff's Department vehicles may be lower than the target value as required by the SLDC

Staff finds that the Application meets the standards of this section at conceptual plan level.

WATER SERVICE AVAILABILITY REPORT (Section 6.5)

Oshara will receive water service from the Santa Fe County Utilities Department. In accordance with Chapter 6, Section 6.5.3, Santa Fe County Utility is Ready, Willing, and Able to serve the project with water and wastewater services provided the Applicant modify their conceptual plan to depict water service for all phases coming from the south with a point of connection that is supplied from the Rancho Viejo tank. SFCU requires that an amended Ready, Willing, and Able letter be required prior to Conceptual Plan recordation.

Staff finds that the Application meets the standards of this section at conceptual plan level.

TRAFFIC IMPACT ASSESSMENT (Section 6.6)

Oshara will have an impact on the County of Santa Fe Road system and the Traffic Impact Analysis addresses road improvements necessary to ensure that the existing adequate levels of service on public roads are maintained. The Northeast and Southeast Connectors must be constructed in order to maintain adequate levels of service on the impacted public roads.

The Oshara Conceptual Plan Amendment is consistent with the CCD Plan to include the CCD Circulation Map for Circulation and Connection to maximize external road connections to the District. The conceptual plan includes multiple connections to the surrounding road network in accordance with the CCD Circulation Map. The proposed road network includes connections to the current proposed alignments for the Northeast (NE) and Southeast (SE) connectors and is based on a connected network of small roads consistent with pedestrian and community friendly (living priority) road standards. The Conceptual Plan roundabouts and road connections to the NE Connector/Rabbit Road and SE Connector will need to be reviewed and approved by the County to ensure consistency with the alignment and design for the NE/SE Connector project for preliminary and final development plat approval.

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

The Applicant is proposing the following connector roads to serve the project:

- Richards Avenue on the west side of the property
- The Southeast Connector running north-south in the eastern portion of the property
- The Northeast Connector on the north side of the property
- Rabbit Road connecting the SE Connector to Oshara Village

NBF-9

Streets within the project are proposed to be designed in accordance with living priority road standards of the Code which will include Village Street, Neighborhood Street and Lane street sections as defined in the CCD.

FIRE PROTECTION (Section 7.5)

Santa Fe County will provide water for fire protection to the project. Fire hydrants capable of producing a minimum of 1500 GPM at 20 PSI of dynamic pressure via gravity flow are proposed throughout the development every 500 feet. The locations of hydrants shall be identified with the preliminary plat submittal.

The Santa Fe County Fire Department, Fire Prevention Division reviewed the Application and requires compliance with applicable Santa Fe County fire and life safety codes, Ordinances, and Resolutions. The project shall comply with Article I, 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.

LANDSCAPING AND BUFFERING (Section 7.6)

All disturbed areas are to be hydro-seeded with a dense mixture of seed and mulch. Topsoil will be stockpiled on site to be re-used. Drought tolerant plants will also be used. Tree and shrub landscaping is proposed for the common areas (parks, streets, parking areas).

Two buffer areas are located within the Oshara property. Richards Avenue has a 200 foot buffer along the western boundary of the property. The eastern boundary contains a 400 foot Arroyo Hondo West buffer.

The CCD prohibits certain subdistricts from being located in buffer areas which include New Community Centers and Neighborhood Centers. The Applicant is proposing to have a Village Zone within the Arroyo Hondo West buffer.

The Santa Fe County Planning Division is recommending that the density be limited to one dwelling unit per acre within the Arroyo Hondo West buffer.

FENCES AND WALLS (Section 7.7)

The Applicant has not addressed fences and walls within the submittal. Fences and Walls shall meet the requirements of Chapter 7, Section 7.7 and shall be addressed with the preliminary plat submittal.

LIGHTING (Section 7.8)

The Applicant has not addressed street lighting within the submittal. Road Lighting shall meet the requirements in Chapter 7, Section 7.8.4 and shall be addressed with the preliminary plat submittal.

SIGNS (Section 7.9)

The Applicant has not addressed signage within the submittal. Signage shall meet the requirements of Chapter 7, Section 7.9 and shall be addressed with the preliminary plat submittal.

PARKING/LOADING (Section 7.10)

The Applicant proposes two off-street parking spaces to be provided for each detached dwelling unit.

This proposal meets Table 7-6: Parking.

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

Santa Fe County Utilities (SFCU) has reviewed the information packet submitted for approval on August 15, 2017 for the Arroyo Hondo de Santa Fe (Development) residential subdivision conceptual plan/variance amendment.

SFCU is Ready, Willing, and Able (RWA) to serve the Development water and wastewater services provided the Development modifies their conceptual plan to depict water service for all phases coming from the south with a point of connection that is supplied from the Rancho Viejo tank.

An amended RWA letter will be required before the Development's conceptual plan is recorded and a Water Allocation approval from the BCC shall be required prior to Preliminary Plat approval.

A water service agreement and a sewer connection agreement must be approved by the BCC prior to final plat approval.

The Office of the State Engineer has reviewed the application and has issued a positive opinion for the project.

Private gravity flow sewer lines will out-fall into the County sewer system.

OPEN SPACE (Section 7.15)

The Community College District (CCD) regulations require that a minimum of 50 percent of the tract be preserved in permanent open space. The Applicants are proposing 52 percent of open space.

Areas of open space will be designated as accessible to residents of the subdivision and the public. The project includes the creation of public trails, passive and active parks, and a public trailhead for parking.

The Oshara Conceptual Plan is consistent with the CCD Plan to create a continuous open space system that incorporates open space buffers and arroyo corridors, neighborhood trail systems, parks and plazas. The Oshara Conceptual Plan is also consistent with the CCD Open Space and Circulation Map which includes:

- Create a continuous open space system that connects natural land features, parks recreation areas and public spaces within the Santa Fe Community College District.
- The Oshara Conceptual Plan identifies open space which is consistent with the CCD Open Space Plan and Circulation and Connections Plan includes the location of open space in proximity to dwellings and provides physical and visual access to open space.

- Protect significant open space, environmentally sensitive areas and the connections between them. The Oshara Conceptual Plan identifies open space areas and the connections between these areas which preserves approximately 52% of the project area for useable, connected open space in the form of parks, plazas, trails, arroyo corridors and general open space.

The Oshara Conceptual Plan Amendment also meets the SLDC requirements for open space in accordance with SLDC Section 8.10.3. The District Trail and local trails are shown on the conceptual plan as District Trails.

PROTECTION OF HISTORIC AND ARCHAEOLOGICAL RESOURCES (Section 7.16)

The Applicant references an archeological survey and report titled "Archeological Survey of 534 Acre Parcel at Richards Avenue and I-25, Santa Fe County, NM (NMCRIS No. 53907) which was submitted for their archeological survey and report of the property. This was reviewed by the State of New Mexico Historic Preservation Division (SHPO) in which they state the following:

- SHPO recommends that the railroad grade (LA 116025) is updated and that SHPO be consulted on its National Register eligibility and the potential for the development to affect the railroad grade if it is determined to be eligible.
- SHPO recommends that LA 191 and LA 116025 are also updated and the site boundaries are verified and added to the Master Plan plats to both ensure that the sites are adequately protected and so that the area removed from the development is not unnecessarily large.
- SHPO recommends that sites LA 179789 and LA 133102 are updated and that SHPO be consulted on the National Register eligibility and potential to affect these sites.

The Applicant shall submit a cultural resource report to be approved by SHPO for archaeological sites LA 116025, LA 191, LA 179789 and LA 133102 prior to conceptual plan recordation.

TERRAIN MANAGEMENT (Section 7.17)

The project has been designed to protect the natural beauty of the land and vegetation, minimize soil erosion and sediment load in stormwater runoff, and confine disturbance of the land to housing areas and roadways. The roads follow the terrain to limit the extent of required grading.

A storm water system is proposed and centralized detention pond will be used to retain excess storm water flows generated by the proposed road and lot development. A detailed drainage and grading plan is required at Preliminary Plat stage.

FLOOD PREVENTION AND FLOOD CONTROL (Section 7.18)

No residential development will take place within the designated Arroyo Hondo 100-year floodplain. Homes will be set back at least 50 feet from the 100-year floodplain boundary. The SLDC requires a 75 foot erosion setback from all FEMA designated floodplains. Streambed and bank stabilization must be designed by a professional engineer in order to reduce the 75 foot setback.

UBF-12

SOLID WASTE (Section 7.20)

Solid waste pick up will be provided on a private basis.

OPERATION AND MAINTENANCE OF COMMON IMPROVEMENTS (Section 7.23)

A Homeowners Association has been created to maintain the roadways, sewer system within the property, all parks, open space, trails, and drainage structures. All parks, open space, trails, and drainage structures will be referred to as Common Areas.

AFFORDABLE HOUSING (Chapter 13)

The Oshara Conceptual Plan includes an Affordable Housing Plan Amendment which includes 5 Phases for a total of 867 residential dwelling units. The SLDC requires 15 % Affordable dwellings for subdivisions greater than 25 lots. The requirements for affordable dwellings for this project are 130.5 units. The Oshara Affordable Housing Plan Amendment proposes to meet the 15% affordable housing requirement by building 131 affordable units with 39 affordable units in Income Range 1: 0-65% Area Median Income (AMI); 31 affordable units in Income Range 2: 66%-80% AMI; 36 affordable units in Income Range 3: 81%-100% AMI and 25 Affordable units in Income Range 4: 101%-120% AMI.

The Oshara Affordable Housing Plan Amendment meets the requirements of the Affordable Housing Chapter 13 of the SLDC and the Affordable Housing Regulations enabled by Resolution 2010-189 in terms of number of affordable units proposed, integration, phasing, marketing and sales, product mix, and minimum square footage requirements. It also meets the requirements as far as number of units proposed in each income range. The Affordable Housing plan will be required to be integrated into an Affordable Housing Agreement that the Applicant must provide as part of its final plat and/or development application.

AGENCY REVIEW (Exhibit 3)

<u>Agency</u>	<u>Review Comment</u>
NMDOT	No Comment
NMED	Incomplete
OSE	Approval
SHPO	Requiring Cultural Resource Report
County Public Works	No Comment
County Fire Marshal	Approval with Conditions
County Utilities	Requiring amended RWA Letter
County Planning Division	Approval with Conditions
Soil and Water	No Comment
Santa Fe Public Schools	Approval
County Affordable Housing	Approval

NBF-13

RECOMMENDATION:

Building and Development Services staff reviewed this project for compliance with pertinent SLDC requirements and found that the facts presented support the request for Conceptual Plan approval to reduce the estimated square footage in future phases to 303,330 square feet increase the number of dwelling units to 855, reorganize the phasing plan from six phases to five, to have five sub-phases in Phase 2, and to amend the proposed source of sewer service. The Hearing Officer and Staff recommend approval of the Conceptual Plan subject to the following conditions with the deletion of condition #1 and the modification to condition #2 as stated below:

1. The approval is subject to any required Amendment of the SLDC Appendix F Map 2 of the CCD Land Use Zoning map by the BCC. (Staff has found no need to require an amendment of the SLDC Appendix F Map 2)
2. The Applicant shall be responsible for all construction costs associated with the construction of the Northeast Connector from the Rail Trail to the **start of the County Northeast Connector project** per the Northeast Connector layout.
3. The Applicant shall be responsible for all design and construction costs associated with the construction of all roundabouts along the Northeast and Southeast Connectors connecting to the subject property.
4. The Applicant shall provide an amended Ready, Willing, and Able letter prior to Conceptual Plan recordation.
5. The Applicant shall submit a cultural resource report to be approved by SHPO for archaeological sites LA 116025, LA 191, LA 179789 and LA 133102 prior to conceptual plan recordation.
6. The Applicant shall address lighting as required by Chapter 7, Section 7.8 with the Preliminary Plat application.
7. The Applicant shall address signage as required by Chapter 7, Section 7.9 with the Preliminary Plat application.
8. A Water Allocation shall be approved by the BCC prior to Preliminary Plat approval.
9. The Applicant shall submit an application for Preliminary Plat approval after the final design of the NE and SE Connectors have been finalized.
10. The Applicant shall submit an application for Final Plat approval after the NE and SE Connectors are under construction.
11. The Applicant can record Final Plat after the NE and SE Connectors are open.
12. Detailed drainage and grading plan shall be submitted with Preliminary Plat.
13. The buffer area between the Oshara Village Zone and the Arroyo Hondo West buffer shall be limited to one dwelling per acre within the 200 foot buffer.

The Hearing Officer has memorialized findings of fact and conclusions of law in a written recommendation (Exhibit 7), which the Planning Commission (SFCPC) may adopt.

NBF-14