



Maggie Hart Stebbins, Chair
Art De La Cruz, Vice Chair



Debbie O'Malley, Member
Lonnie C. Talbert, Member
Wayne A. Johnson, Member

Tom Zdunek, County Manager

Zoning Meeting

Wednesday, June 24, 2015 @ 1:30 PM

VINCENT E. GRIEGO CHAMBERS

- 1. **CALL TO ORDER**
- 2. **SILENT INVOCATION AND PLEDGE OF ALLEGIANCE**
- 3. **ANNOUNCEMENT OF ADDITIONS AND CHANGES TO THE AGENDA**
- 4. **ADMINISTRATIVE APPROVALS**

A. PLANNING & DEVELOPMENT SERVICES: Development Agreement

Motion to approve a development agreement between the applicant for the proposed Master Plan and Bernalillo County that outlines the rules and framework for future development under the Master Plan.

At the May 28, 2015 public hearing, the Board of County Commissioners (BCC) voted to continue the request for approval of the Santolina Level A Master Plan and Planned Communities Zoning to the June 16, 2015 hearing. The BCC also voted to deny three of the appeals (COA2015-0006, COA2015-0008, COA2015-0009) and to accept the applicant's request to withdraw its appeal (COA2015-0005).

At the May 11, 2015 public hearing, the Board of County Commissioners (BCC) voted to continue the request for approval of the Santolina Level A Master Plan and Planned Communities Zoning, along with the remaining appeals of the County Planning Commission recommendation of approval of the request with findings and conditions, to the May 28, 2015 hearing. The BCC also voted to deny one of the appeals (COA2015-0007).

At the March 26, 2015 public hearing, the Board of County Commissioners had voted to continue the request for approval of the Santolina Level A Master Plan and Planned Communities Zoning, along with the appeals of the County Planning Commission

recommendation of approval of the request with findings and conditions, to the May 11, 2015 hearing.

At the December 3, 2014 public hearing, the County Planning Commission (CPC) voted (4-2, Commissioner Martinez, Commissioner Malry opposed; Commissioner Barbour excused) to recommend approval of the Santolina Level A Master Plan and Planned Communities Zoning. The plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing and approximately 13,700 acres, generally zoned A-1 Rural Agricultural. The recommendation of approval of the Level A Master Plan was based on 24 findings and 22 conditions. The recommendation of approval of the Planned Communities Zone was based on 8 findings (Attachment 1-Notices of Decision).

PLAN OVERVIEW

The Santolina Level A Master Plan seeks to provide a framework for the development of the subject property over the next 40-50 years, in accordance with the Planned Communities Criteria, the Reserve Area Policies of the Albuquerque/Bernalillo County Comprehensive Plan, and Bernalillo County Planned Community Zone that have been adopted to address requests for large master planned communities in the County's outlying, unincorporated areas. The Santolina Planned Communities Zone, which is outlined in the Santolina Level A Master Plan, requires the concurrent approval of the Master Plan and consistency with Resolution 116-86. The general framework covers such areas as land use; transportation; parks, open space, and trails; water, wastewater, and drainage; and public services, such as utilities, schools, and public safety. More detailed planning would take place with Level B (e.g., sub-area plans, villages) and Level C (site plans, subdivisions) plans, as specified in the Planned Communities Criteria. The CPC recommendation of approval of the requests was based on findings and conditions that ensure compliance with the Level A Planned Communities Criteria at the subsequent stages in the planning and development process for Santolina.

The Santolina Level A Master Plan includes goals to create a mixed use, self-sustaining community that would attract some of the growth that has been projected to occur in the region in the future. The goals include creation of jobs and educational opportunities along with the provision of a variety of housing types, and open space and recreational opportunities to support the community. The Plan projects, based on the Comprehensive Plan residential density allotment (3 dwelling units per acre), that there will be a maximum of 38,045 dwelling units at the time of build out, to go along with approximately 75,000 jobs on the 13,851 acres property. Accordingly, the Plan and its associated Fiscal and Economic Analysis predict that the economic benefits to Bernalillo County will be substantial and that the development will not be at a net expense to the County.

Plan Elements

Under the Level A Master Plan, Santolina is shown as spatially divided into a number of land use areas. The proposed areas include residential villages (to include neighborhood commercial uses), industrial/business parks, Major Public Open Space, Regional Parks, open

space, urban centers, business park, and town center, such that approximately half of the Santolina community area will be devoted to residential uses, with about 30 percent devoted to employment (industrial, commercial), and about 20 percent to parks and open space uses.

The land uses will be linked by a transportation network that will connect with the existing and proposed road system adjacent to the Santolina property. It includes plans for the expansion of existing roads, including Dennis Chavez Blvd., Atrisco Vista Blvd., Shelly Rd. and Paseo del Volcan. It includes a plan for the development of an arterial that will run parallel to the I-40 Frontage Rd. and possibly two new interchanges along I-40. The land uses will also be connected by an elaborate system of trails and open space areas that will be built to Bernalillo County Standards.

Water and wastewater services will be provided by the Albuquerque/Bernalillo County Water Utility Authority, in accordance with adopted regulations and standards. Plans are also provided in the Santolina Level A Plan for utilities and public services, including schools.

Zoning Elements

A conceptual plan for Planned Communities Zoning is included in the Santolina Level A Master Plan in which the Santolina Zoning Districts will be based upon the land use areas identified in the Level A plan. The zoning will also include options for selecting from sets of site characteristics and design standards that may allow for both higher quality development and more flexibility as the development of Santolina proceeds. The approval of the proposed Santolina PC Zoning is contingent upon the approval of the Level A plan, and more specific zoning regulations and details will be developed further in subsequent levels of planning.

County Planning Commission Review Process

Case history

The request for Master Plan and Planned Community Zoning was first submitted in August 2013. At the December 4, 2013 hearing, the CPC voted to consider the Santolina request over the course of four special hearings, with each devoted to a topical area within the Planned Communities Criteria. The hearings were as follows:

1. Land Use, January 28, 2014
2. Transportation, March 26, 2014
3. Environment and Open Space, May 28, 2014
4. Government and Public Services, July 30, 2014

The CPC also considered the request at the October 1, 2014 and the December 3, 2014 hearing to allow the applicant to make additional revisions to the Master Plan and Technical Appendices. At the December 3, 2014 hearing, the CPC recommended approval of the Santolina Level A Master Plan and PC zoning. The CPC recommendation was based upon specific findings and conditions that had been drafted and recommended by staff to ensure the request had addressed the Level A Planned Communities Criteria and the Comprehensive Plan policies for the Reserve Area, and had met applicable Bernalillo County standards. The recommendation was also based upon those specific conditions of approval in such areas as, land use, transportation/road requirements, water resource, parks and open space, capital improvements and development agreement, which would be addressed by the applicant following approval and during subsequent levels of planning (Level B and Level C) while ensuring County regulations are complied with.

Community Input

Community concern and input for the Santolina requests has been substantial. Letters of support have indicated the potential economic benefits of the development, along with the advantages of long term planning and benefits for the subject property. Opposition documentation and testimony has questioned the underlying assumptions of the development, such as the population and economic forecasting, the fiscal feasibility of the development, and the availability of water and has argued there will be negative consequences of the development, such as sprawl, increased traffic, environmental degradation, and health impacts.

Recent comments from the Federal Aviation Administration and local aviation specialists regarding existing facilities on the Santolina property are included in Attachment 19.

Fiscal and Economic reports (submitted in both support and opposition to the request) are included in Attachment 18.

Appeals of the County Planning Commission Recommendation

There have been five appeals of the CPC recommendation of approval that will be considered individually. The applicant is appealing all or a portion of 7 findings and 15 conditions recommended by staff and the CPC, generally seeking to reword or limit some of the requirements requested by staff (COA2015-0005). Community associations and non-profit organizations have submitted four appeals of the CPC recommendation of approval (COA2015-0006, COA2015-0007, COA2015-0008, COA2015-0009), with the argument that the Santolina requests should be denied, related to the anticipated negative impacts to the community. The appeals are contained in separate packets.

However, staff has recommended that the Board of County Commissioners uphold the recommendation of the County Planning Commission to approve and adopt the Level A Master Plan and Planned Communities Zoning, including the findings and conditions recommended by the CPC.

Additional Information for 5/11/15 BCC

The requests under consideration by the Board of County Commissioners were continued to the 5/11/15 hearing, with the five appeals remaining to be heard. Documents submitted at the time of the March 25 and 26 BCC hearing have been added as Attachment 24. The BCC also requested that meetings be held among staff and the appellants to address the appeals and that the development agreement between the applicant and the County be completed. To date, meetings have been held, which have furthered discussions, although no clear resolution has been attained. Staff has considered adding a finding and conditions to address the some of the concerns from the opposition.

Additional documents continue to be submitted in general in support of and opposition to the request (Attachment 25).

Additional Information for 5/28/15 BCC hearing

At the May 11, 2015, hearing the County Commission considered two of the five appeals that had been submitted regarding the County Planning recommendation of approval with findings and conditions. The BCC heard and continued the appeal by the applicant of specific findings and conditions recommended by the CPC, pending additional discussion regarding the Santolina Level A Master Plan and Planned Communities Zoning request. At the May 11 hearing, the BCC also denied one of the appeals (COA2015-0007) and continued the three remaining appeals (COA2015-0006, COA2015-0008, COA2015-0009) to the May 28, 2015 hearing.

Additional documents have been submitted in support of and opposition to the Santolina Master Plan request, including revised findings and conditions from the applicant that would impact this appeal, and notices for the re-adoption of the Planned Communities Criteria by Bernalillo County in 2012 (Attachment 26). Two of the appellants (COA2015-0006, COA-2015-0007, COA2015-0008) have submitted documents with concerns about the appeal process (Attachment 26).

Additional Information for 6/16/15 BCC hearing

At the May 28, 2015 public hearing, the Board of County Commissioners (BCC) considered the remaining three appeals that had been filed in opposition to the County Planning Commission recommendation of approval with findings and conditions (COA2015-0006, COA2015-0008, COA2015-0009). The BCC voted to deny the three appeals and to accept the applicant's request to withdraw its appeal which had been considered at the May 11, 2015 BCC hearing (COA2015-0005). The BCC voted to continue the request for approval of the Santolina Level A Master Plan and Planned Communities Zoning to the June 16, 2015 hearing and to include the discussion of the Draft Development Agreement at the hearing. The Draft Development Agreement and Amended Findings and Conditions now recommended by County staff are included in Attachment 30.

Additional documents that were submitted at the time of the May 28, 2015 BCC hearing have been added in Attachment 28.

Documents have been submitted for the June 16, 2015 BCC hearing, and are in Attachment 29. Opponents of the request (specifically from three of the appeals that were denied by the BCC) have argued that the Draft Development Agreement and the amended findings and conditions of approval are not adequate. The applicant has submitted documents related to the approval of and Development Agreements for Mesa Del Sol and Quail Ranch (Attachment 29).

ATTACHMENTS:

- Development Agreement (PDF)
- Agenda Item 6162015(PDF)
- Attachment 29 (PDF)
- Attachment 28 (PDF)

5. ANNOUNCEMENT OF NEXT COMMISSION MEETING:

A. Tuesday, August 11, 2015 Zoning Meeting @ 2:00 p.m., Vincent E. Griego Chambers

6. SIGNING OF OFFICIAL DOCUMENTS

7. ADJOURNMENT OF MEETING

NOTICE TO PEOPLE WITH DISABILITIES:

IF YOU ARE AN INDIVIDUAL WITH A DISABILITY WHO IS IN NEED OF A READER, AMPLIFIER, QUALIFIED SIGN LANGUAGE INTERPRETER OR ANY FORM OF AUXILIARY AID OR SERVICE TO ATTEND OR PARTICIPATE IN THE HEARING(S) OR MEETING(S), PLEASE CONTACT THE COMMISSION ADMINISTRATOR AT (505) 468-7083 OR TDD (505) 468-7088 AT LEAST ONE WEEK PRIOR TO THE MEETING OR AS SOON AS POSSIBLE. PUBLIC DOCUMENTS, INCLUDING THE AGENDA AND MINUTES, CAN BE PROVIDED IN VARIOUS ACCESSIBLE FORMATS.

PLEASE CONTACT THE COMMISSION ADMINISTRATOR AT EITHER OF THE ABOVE NUMBERS IF A SUMMARY OR OTHER TYPE OF ACCESSIBLE FORMAT IS NEEDED.