



**SANDOVAL COUNTY PLANNING AND ZONING COMMISSION  
FEBRUARY 23, 2012 PUBLIC HEARING**

To: Sandoval County Planning & Zoning Commission

From: Sandoval County Development Staff

Date: February 15, 2012

**SUBJECT: ZNCH-12-001** Request by Tom Ashe, Agent for Trails Investors LLC, for approval of a Zone Map Amendment from CD-WP (West Placitas Community District) and I-25/Bernalillo Interface Overlay Zone to MP (Master Planned District) for Parcel 9-B-3-A, Petroglyph Trails, Parcel 9-B-1, Lands of Lieberman-Grevey, and Tract A-1, Anasazi Meadows, as shown on the plats thereof filed with the Office of the Sandoval County Clerk. The lands in question total 212 acres more or less and are located within projected Sections 28 & 33, Township 13 North, Range 4 East, NMPM, in the western portion of the Placitas area. The proposed Master Plan includes a variety of uses including commercial, office, light industrial/manufacturing, mixed density residential, single family residential, and open space uses. The lands in question are part of a proposed subdivision known as Petroglyph Trails which received Preliminary Plat approval from the Board of County Commissioners in 2007.

New material introduced in this report is indicated in **bold underlined text**.

**BACKGROUND INFORMATION:**

This request involves approximately 212 acres adjacent to the I-25 Frontage Road and Placitas Trails subdivision. The site has received preliminary plat approval for 132 parcels for the Petroglyph Trails subdivision. The current zoning on the subject site is WP (West Placitas) District, and nearly the entire subject site is under the I-25/Bernalillo Interface Overlay Zone. The proposed zoning is the Master Planned (MP) District zone, intended to facilitate development of a combination of single and multi-family residential units, commercial, office, light industrial/manufacturing, and open space uses. As the proposed development includes non-residential uses, the Master Planned District zone is required for this request under the requirements of the I-25/Bernalillo Interface Overlay Zone. The subject site is within the planning area of the Placitas Area Plan (PAP), adopted by the Board of County Commissioners in April 2009 (Resolution No. 4-16-09). The CD-WP (West Placitas) District, and the I-25/Bernalillo Interface Overlay Zone, were created as zoning implementation measures for the

PAP and were adopted and incorporated into the Sandoval County Comprehensive Zoning Ordinance by the Board of County Commissioners in December 2010. The WP District is based on the County's Rural Residential (RRA) District for permissive and conditional uses, and incorporates design criteria specific for the WP area for new development and pre-existing non-residential uses. The I-25/Bernalillo Interface Overlay Zone requires an application for Master Planned District zoning in the event a property owner proposes development within the Overlay Zone boundaries that includes uses not currently listed as Permissive or Conditional in the County's RRA (Rural Residential Agricultural) zone.

Planning for the subject site began with submittal of the 132-lot Petroglyph Trails subdivision, which was given Preliminary Plat approval by the Planning and Zoning Commission in June 2007 (SUB-07-002), and was later revised with a Phasing Plan in March 2011. The Phasing Plan establishes a Phase IA and Phases 1 - 13. The subdivision was created under the previous RRA (Rural Residential Agricultural) zone which establishes a minimum lot size of ¾-acre. Of the 132 lots given Preliminary Plat approval, 67 of the lots measure less than 1 acre. (Phase IA indicated on the approved Preliminary Plat is the site of the Sandoval County Placitas District Fire Station and is not a part of this request).

This request for Master Planned District includes phases, based on the phases of development for Petroglyph Trails subdivision (Phases 1-13), for development that include commercial, office, light industrial, mixed density residential (which may include both single family detached and multi-family attached residential), single family residential, and open space uses as follows:

- Commercial/Office/Light Industrial/**Manufacturing**: Phases 12 and 13 (RED), 23.67 acres.
- Neighborhood Commercial/Mixed Density Residential: Phase 2 (DARK GREEN), 7.5 acres.
- Mixed Density Residential: Phases 7-11 (LIGHT GREEN), 89.4 acres.
- Single family residential: Phases 3-6 (PURPLE), 78.6 acres.
- Open Space: Phase 6 (LINE SHADED), 9.09 acres.

Portions of the subject site that are not under the I-25/Bernalillo Interface Overlay Zone are proposed for single family residential and open space uses. While the I-25/Bernalillo Interface Overlay Zone requires Master Planned District zoning for development that includes uses not currently listed as Permissive or Conditional in the County's RRA (Rural Residential Agricultural) zone, the MP District is not exclusive of RRA uses. Any proposed boundaries for Master Planned District zoning in this area are not limited to the boundaries of the Overlay Zone. The current Petroglyph Trails subdivision platting will be the land basis for development of the entire subject site under the Master Planned proposal.

The Sandoval County Planning & Zoning Commission must consider the appropriateness of the requested Master Planned District zoning for this property. Staff will present information contained in the Sandoval County Comprehensive Plan, the Placitas Area Plan, Sandoval County Comprehensive Zoning Ordinance, Sandoval County Land Subdivision Regulations, as well as information from other applicable regulations and policies, to the Planning and Zoning Commission. The Planning and Zoning Commission will vote on a recommendation on this case

and send this recommendation to the Sandoval County Board of County Commissioners for the Board's review and consideration.

**This request was introduced to the Planning and Zoning Commission at their January 12, 2012 public hearing, and was continued to the February 23, 2012 hearing to allow time for staff to research and inform the Commission on the following issues:**

- 1. Petroglyph Trails Preliminary Plat status in relation to the residential density allowance under the proposed Master Plan development.**
- 2. The I-25/Bernalillo Interface Design Overlay zone requires a 100-foot buffer distance between the boundaries of an approved Master Plan district and an existing residence. This regulation affects Lots 120, 121, and 122 in Phase 12 of the proposed Master Plan development.**
- 3. Reconstruction of the I-25/NM-165/US-550 interchange is scheduled for the summer of 2012. The New Mexico Department of Transportation (NMDOT) requires an extension of the existing eastbound left turn lane onto the I-25 Frontage Road to address traffic impacts of the proposed Petroglyph Trails Master Plan development. The eastbound left turn lane will be affected by the interchange reconstruction.**

**Staff has the following information for the Commission's review and consideration:**

- 1. The issue of the Preliminary Plat status in relation to the residential density allowance is addressed in the zoning language for the site's underlying CD-WP (West Placitas) zone (Section 9 (2.7) CD-WP West Placitas Community District, subsection D3, District Standards), as follows:**

**"The minimum lot size shall be one acre (43,560 square feet) except that all lots legally created prior to the adoption of this Ordinance and all lots within subdivisions that have received Preliminary Plat approval by the Board of County Commissioners prior to the adoption of this Ordinance are not affected".**

**The Petroglyph Trails subdivision was granted Preliminary Plat approval by the Board of County Commissioners in June 2007, and the West Placitas district was adopted by the Board of County Commissioners in December 2010. The County Attorney has confirmed that this language gives the property owner a vested right in the RRA minimum 3/4-acre lot standard under which the property was platted. Regarding mixed density residential, the resulting residential density allowance will be a maximum of 129 residential units on a total of 96.9 acres where mixed density residential is proposed (Phase 2/DARK GREEN and Phases 7-11/LIGHT GREEN areas).**

***The total number of residential units allowed on this site is 191, comprised of 62 single family residential units, and 129 mixed density units as indicated above.***

2. The applicant has submitted to staff a rendering of Lots 120, 121, and 122 in Phase 12 of the proposed Master Plan development indicating a 100-foot buffer in all or a portion of these lots. The result of this rendering is summarized in a letter from Trails Investors LLC dated February 1, 2012 which was sent to staff with the lot rendering. Trails Investors LLC, the applicant, has stated that the 100-foot buffer is designed to address the I-25/Bernalillo Interface Design Overlay Zone regulation that calls for such a buffer between the boundaries of the proposed Master Plan district and lot boundaries of existing residential uses, and that these lots will not accommodate Light Industrial/Manufacturing uses. The rendering provides for the minimum 100-foot buffer for Lots 120, 121, and 122 in Phase 12 as proposed, and also addresses citizen concerns regarding the potential for the placement of Light Industrial/Manufacturing uses adjacent to existing residential uses.
  
3. The New Mexico Department of Transportation (NMDOT) will send an engineer staff representative to make a presentation to the Planning and Zoning Commission at the February 23, 2012 public hearing to provide the Commission and attending public a summary of the preferred design for the I-25/NM-165/US-550 interchange, scheduled for construction in the summer of 2013. The summary presentation will cover the overall interchange design, the changes in the eastbound left turn lane onto the I-25 Frontage Road, and Frontage Road access issues. The preferred design will more than compensate for the required improvements to the eastbound left turn lane onto the I-25 Frontage Road, and with the Frontage Road entry points being moved 600 feet to the east, the NMDOT preferred design for the interchange will address all discussed concerns.

## PLANS, POLICIES, AND REGULATIONS:

### Sandoval County Comprehensive Plan:

The following policies in the Sandoval County Comprehensive Plan are applicable to this case:

#### Section I: Land Use and Natural, Historic, and Cultural Resources.

##### A. POLICY:

*“Sandoval County shall be developed in ways which take into account diverse, distinctive geographic areas within the county, the needs and desires of the people living in each geographical area, traditional land uses, and development trends, especially those resulting from the growth of the Albuquerque metropolitan area”*(p. 5).

##### STRATEGIES:

4. *“Sandoval County intends to develop land use plans that reflect the unique characteristics, constraints, and growth pressures of the region or for areas within the region, yet are consistent with this comprehensive plan...”*(p. 6).

##### B. POLICY:

*“Sandoval County shall retain a prevailing rural residential character while promoting an orderly development of business and industry **in appropriate locations**”* (emphasis added) (p. 7).

##### STRATEGIES:

2. *“Efforts shall be made to protect the traditional, locally important land use patterns within the County”*.
3. *“Development decisions shall be based on impact on surrounding land uses, particularly in residential and agricultural areas, air and water quality considerations, effect on public health and safety, and the availability of public services and adequate infrastructure”*.
4. NA.
5. *“Appropriate sites for industrial and commercial facilities shall be identified and efforts made to encourage new businesses to locate at these sites”*.
6. NA.
7. *“Careful analysis of physical conditions such as soil capabilities, drainage patterns, and the like shall be conducted to determine areas most suitable for development and to ensure that new development does not negatively impact existing development or environmental conditions”* (p. 7).

## Placitas Area Plan:

The Board of County Commissioners adopted the Placitas Area Plan (PAP) in April 2009 (Resolution No. 4-16-09). The purpose of the Placitas Area Plan is "...to develop a long range land use plan that reflects the unique characteristics, constraints, and growth pressures in the community. Based on the Sandoval County Comprehensive Plan, the County must consider the diverse and distinctive qualities of communities within the County. This area plan includes the Placitas region as well as the western portion of the Diamond Tail Ranch..." (PAP, p. 5).

The following Generalized Plan Goals of the PAP are applicable to this request (Section 2, Plan Goals, p. 38-39):

- *"The Placitas Area Plan should protect the existing semi-rural character of the Placitas region and the character and the identity of specific neighborhoods"*.
- *"The community supports limited commercial and non-residential amenities"*.
- *"Control development through architectural control in the western portion of Placitas"*.
- *"Keep the existing overall development pattern in the Placitas area"*.
- *"Find ways to preserve and enhance open space areas in the Placitas Plan area"*.

The Placitas Area Plan establishes sub-areas (West Placitas Community District, Las Placitas Residential Community District, Ideal Acres San Francisco Community District, West Placitas/Village of Placitas Non-Residential Districts, Diamond Tail Community District, I-25 Frontage/Bernalillo Interface District). The subject site is located within the West Placitas Community District sub-area and is currently under WP (West Placitas) District zoning. The expressed desire for this area as stated in the PAP is as follows:

*"...to retain residential development typical of the formal development and subdivision style currently in place in the West Placitas area. As an example, development is currently characterized by uniformly residential, site-built homes representative of southwest architecture on lots of ¾ acre or larger..."* (PAP, p. 43).

The I-25 Frontage/Bernalillo Interface District is located in the West Placitas area, and applies to the subject site, and is designed to *"...create land uses which transition commercial and retail development along the I-25 frontage road to low density housing characteristic of the West Placitas area. Assuming adequate infrastructure, the district should:*

- a) "In the narrow area adjacent to the I-25 Frontage Road, encourage mixed use commercial, retail, and high density residential uses that exploit opportunities created by the NM 550 Rail Runner Station."*
- b) "In the intermediate area between those described in a) and c), encourage less dense residential uses suitably protected by vegetation, berms, etc, from high density and commercial uses."*
- c) "In the area adjacent to the WPRD (West Placitas Residential District), encourage even less dense residential use consistent with WPRD standards"* (PAP, p. 57).



The Placitas Area Plan includes a section on Transit Oriented Development for the I-25 Frontage/Bernalillo Interface District area, with goals as follows (p. 58):

- *“Transition land uses from retail, higher density housing to single family housing.*
- *“Connect pedestrian facilities such as bike paths and trails to the Rail Runner Station.*
- *“Provide for Park n Ride opportunities at development along the I-25 frontage.*
- *“Construct appropriate pedestrian facilities across I-25.”*

The following General Plan Recommendation is applicable to this request (Section 3, Plan Implementation and Recommendations, p. 67):

- **Water Recommendations:**  
*“The County should encourage the connection of housing units in subdivisions to shared systems or community water systems using system wells for water supply. Where there are not options to connect to existing systems, the use of shared wells for clusters of houses is recommended. Any option which reduces the number of wells in the aquifer is preferable to the practice of individual domestic wells. An additional advantage of the community systems or the shared wells is the management of the water supply that is inherent in the metering of wells of this type, allowing system management and the user/customer to see their usage, be part of realistic conservation programs, and provide for identification of water losses”.*

#### Current Zoning:

The current base zoning on the subject site is Section 9 (2.7), CD-WP West Placitas District. This zone was adopted into the Sandoval County Comprehensive Zoning Ordinance (CZO) as an implementation measure for policies in the Placitas Area Plan (PAP) regarding the West Placitas Community area. Permissive and Conditional uses in the WP District are those listed under Section 9 (1), RRA – Rural Residential/Agricultural District. WP District Subsection D, District Standards, lists development standards which address the following:

1. *Slope analysis and building envelope standards for slope greater than 20%.*
2. *Building setbacks for slope conditions greater than 20%.*
3. *One-acre minimum lot size.*
4. *A maximum building height of 28 feet.*
5. *Outdoor light fixtures.*
6. *Dwelling unit placement; dwelling unit related two-car garage, dwelling unit width and length, dwelling unit heated area.*
7. *Dwelling unit roof design.*
8. *Protection of natural vegetated areas from excavation.*

The I-25/Bernalillo Interface Overlay Zone (Section 9 (2.11), Comprehensive Zoning Ordinance) was adopted into the Sandoval County Comprehensive Zoning Ordinance (CZO) as an implementation measure for policies in the Placitas Area Plan (PAP) regarding the I-25 Frontage/Bernalillo Interface District area. The Overlay zone is currently mapped in portions of the PAP West Placitas area and covers the subject site related to this request. Any development

proposed under this Overlay Zone that includes uses that are not listed as Permissive or Conditional within the RRA (Rural Residential Agricultural) Zone District are subject to the following requirements, regardless of the existing zoning of the lot in question:

1. *“Any development identified within this Section must be submitted as a Master Planned Development under the provisions of Section 11 of this Ordinance, regardless of the acreage of the parcel in question.*
2. *No structure shall exceed thirty-six (36) feet in height except for flagpoles, antennas, spires, or other accessory objects customarily placed above the roof level and not intended for human occupancy.*
3. *The combined floor area of all buildings on any lot shall not exceed 50% of the total area of the lot.*
4. *Any development identified within this section shall include a 100 foot buffer between the perimeter of the development and any existing residential development outside of the Overlay Zone. This buffer may either be open space or single family residential development permissible within the CD-WP (West Placitas) zone district”.*

#### Requested Zoning:

This is a request for Master Planned (MP) District zoning, intended to facilitate development of a combination of commercial, office, light industrial, mixed density residential, single family residential, and open space uses on the subject site. Application requirements for the MP District include an overall conceptual development plan, a specific development plan for all or individual portions, and supportive data documents that address purpose and intent; phasing; perimeter/buffer areas; principle effects of proposed development; and consistency with the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County. MP development standards are the following:

1. *The gross residential density in a Master Planned District shall not exceed that which would have been allowed if the site were developed under its previous zoning designation, except as provided in Section 11(D) of this Ordinance.*
2. *A minimum of two percent (2%) of the acreage of the Master Planned District shall be designated as open-space common area for recreational use, provided that there shall be a statement of (a) ownership of the common areas; (b) appropriate covenants forbidding partition for future sale and/or non-recreational development; (c) maintenance responsibility; and (d) funding of such maintenance of the common area.*
3. *The County Board may impose (a) building height restrictions; (b) setback requirements; (c) minimum lot size; and (d) other conditions and restrictions that reasonably relate to and advance the purposes of this Ordinance, the Sandoval County Comprehensive Plan and/or other applicable land use plans adopted by the County.*
4. *The County Board may require that commercial, service, and employment center uses be provided in appropriate locations within the Master Planned District in conformance to the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County.*



5. *Any recreational facilities provided within open space areas shall be fully improved by the developer and shall be maintained in perpetuity by a homeowner's association or similar entity as approved by the County Board.*
6. *Any proposed Master Planned development within the I-25/Bernalillo Interface Overlay Zone shall demonstrate connectivity of internal pedestrian trails and networks as well as connectivity to trail networks associated with the 550-Sandoval Rail Runner Station. Such Master Planned developments shall promote the overall goals of Transit Oriented Development as adopted by the Placitas Area Plan.*

Section D, Gross Residential Density Bonus, offers a higher residential density of up to 3 dwelling units per acre which may be approved by the Board of County Commissioners depending on how the application address specific criteria in this section. This application for the MP District does not address criteria for the density bonus.

Sandoval County Comprehensive Zoning Ordinance Requirements:

Section 19, Amendments, of the Sandoval County Comprehensive Zoning Ordinance (CZO), establishes Zone Map Amendment Guidelines in Subsection F (CZO, p. 92-93). The County Board shall not approve a Zone Map Amendment unless satisfactory provision has been made concerning the following, where applicable:

1. *“Accessibility to property and existing or proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, and emergency access in case of fire, flood or catastrophe;*
2. *Off-street parking and loading areas where required, with particular attention to the refuse and service areas;*
3. *Water and liquid waste facilities, with reference to soil limitations, locations, and public health;*
4. *The economic, noise, glare, or odor effects of the conditional amendment on adjoining properties;*
5. *The general compatibility of the proposed amendment with actual or prospective permissive zoning use of adjacent properties;*
6. *The overall health and safety of the community; and*
7. *Conformance to the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County.*
8. *The applicant has had a pre-application public meeting where he has invited property owners, occupants, and county staff affected by the proposed amendment where the amendment involves:*
  - a. *creation of a Special Use (S-P) District;*
  - b. *creation of a Master Planned (M-P) District; or*
  - c. *change of an urban residential zone to any other classification”.*

(Note: Master Planned (M-P) and Master Planned (MP) describe the same Master Planned District, Section 11, p. 49-51, CZO).

Section 19, Amendments, of the Sandoval County Comprehensive Zoning Ordinance (CZO), establishes Zone Map Amendment Public Hearing standards in Subsection G (CZO, p. 93) as follows:

*Zone Map Amendment Public Hearing. “Upon receipt of the written recommendations of the Zoning Commission and following the provision of proper notice as specified in Section 17 (C) of this Ordinance, the County Board shall hold a public hearing to make its decision on an application for a Zone Map Amendment. Any approval of such an Amendment by the County Board shall be by Ordinance. Following such approval a copy of the Ordinance adopting the Amendment to the Official Zone Map shall be filed with the County Clerk and the Planning and Zoning Office of the County. Such Ordinance shall include any special requirements imposed by the County Board”.*

(Note: “Zoning Commission” refers to the Sandoval County Planning and Zoning Commission; “County Board” refers to the Sandoval County Board of County Commissioners).

### Sandoval County Subdivision Regulations

Planning for the subject site began with submittal of the 132-lot Petroglyph Trails subdivision, which was given Preliminary Plat approval by the Planning and Zoning Commission in June 2007 (SUB-07-002), and was later revised with a Phasing Plan in March 2011. The Phasing Plan establishes Phase IA and Phases 1 - 13. The subdivision was created under the previous RRA (Rural Residential Agricultural) zone which establishes a minimum lot size of  $\frac{3}{4}$ -acre. Of the 132 lots given Preliminary Plat approval, 67 of the lots measure less than 1 acre. The current Petroglyph Trails subdivision platting, and its development phases, will be the land basis for development of the entire subject site under the Master Planned proposal. (Phase IA indicated on the approved Preliminary Plat is the site of the existing Sandoval County Placitas District Fire Station and is not a part of this request).

In the event that the proposed Master Planned District zone is approved by the Planning and Zoning Commission and the Board of County Commissioners, the applicant will be required to submit for Final Plat approval for the site, either the site as a whole or in phases as approved in the Petroglyph Trails subdivision Preliminary Plat, as established in Article 9, Final Plat Review Process, Sandoval County Subdivision Regulations.

### Other Applicable Regulations:

For the subject site, the following agency reviews and regulations apply:

- The New Mexico Environment Department (NMED) is the permitting authority for liquid waste disposal regulations.
- The Coronado Soil and Water Conservation District (CSWCD) is the authority for review of soil types and soil-related development carrying capacities.
- The New Mexico Department of Transportation (NMDOT) is the permitting authority for vehicular access to the subject site as it relates to potential traffic impacts on State and Federal roads and facilities.

- The New Mexico State Engineer (NMSE) is the permitting authority on water delivery systems for, and the quantity of water allowed to, the subject site.
- The New Mexico Department of Cultural Affairs Historic Preservation Division is the preservation authority for any cultural and historic resources found on the subject site.
- The subject site is under the fire and police jurisdiction of Sandoval County.
- The subject site is within the Bernalillo Public Schools District.

### **PRE-APPLICATION PUBLIC HEARING:**

The applicant has held public meetings for this development proposal on June 9, 2011, and on September 26, 2011 with the Placitas Trails Homeowners Association (Placitas Trails Subdivision is located immediately south of the subject site). Concerns were raised at the September 26 meeting regarding building height and architectural design features. Material from the September 26 meeting is included in the packet for this case.

### **REVIEW AND ANALYSIS:**

Policy in the Sandoval County Comprehensive Plan supports the creation of the Placitas Area Plan (Policy A, B, p. 5-7). The Board of County Commissioners adopted the Placitas Area Plan (PAP) in April 2009 (Resolution No. 4-16-09). **ZNCH-12-001** is a request for a Zone Map Amendment from WP (West Placitas) District and I-25/Bernalillo Interface Overlay Zone to Master Planned (MP) District. *The purpose of the request is to establish a Master Planned development comprised of commercial, office, light industrial, multi-family residential, single family residential, and open space uses on the subject site.* The subject site contains approximately 212 acres and is currently vacant.

The subject site is located within the West Placitas Community District sub-area and is currently under the WP (West Placitas) District and I-25/Bernalillo Interface Overlay Zone District. The Placitas Area Plan (PAP) indicates support for development under the Master Planned District zone at this site as outlined in the I-25 Frontage/Bernalillo Interface District of the PAP (PAP, p. 57), and as implemented in the I-25/Bernalillo Interface Overlay Zone District, which covers nearly the entire subject site. Any proposed boundaries for Master Planned District zoning in this area are not limited to the boundaries of the Overlay Zone.

Review and analysis for this request will incorporate general PAP policy, policy for the West Placitas Community District sub-area, as well as development standards in the WP District zone and the I-25/Bernalillo Interface Overlay Zone, to determine the appropriateness of the proposed Master Planned development for the subject site.

### **Conformance with Placitas Area Plan:**

The subject site is surrounded by Placitas Trail subdivision to the south, Anasazi Meadows subdivision to the east, Interstate 25 and the I-25 Frontage Road to the west, and Parcels 10-C and 10-D-1, Lands of Liberman-Grevey subdivision. The West Placitas Community District sub-area is designed to support the existing residential subdivision pattern found in the area. The West Placitas Community District sub-area is predominantly single family residential, and also

includes the Pueblo Senderos townhome development, which is a cluster of two groups of four attached townhomes, located within the Placitas Trails subdivision. The current Petroglyph Trails subdivision platting will be the land basis for development of the entire subject site under the Master Planned proposal, thus the land division pattern of the overall West Placitas Community District is reflected in the Petroglyph site. This is consistent with Placitas Area Plan (PAP) Generalized Plan Goal regarding maintaining the existing overall development pattern in the Placitas Area (PAP p. 39).

Current CD-WP (West Placitas District) zoning establishes a number of development standards related to residential development on the subject site. As Petroglyph Trails subdivision was platted and given Preliminary Plat approval under the previous RRA zoning and its minimum ¾-acre lot size, **the CD-WP minimum 1-acre lot size is not applicable.** Applicable WP District Standards (Section D) criteria will apply to new residential development on the subject site, which maintains the PAP's planned residential character of the residential portion of the site (PAP, p. 43).

The I-25 Frontage/Bernalillo Interface District establishes standards for the placement of non-residential and higher density residential development under the I-25/Bernalillo Interface Overlay Zone. Proposed commercial/office/light industrial development is indicated on the submitted site plan as being located adjacent to the I-25 Frontage Road; proposed mixed density (a combination of multi-family and single family residential units) is indicated at the center of the site plan; and single family residential units and open space is proposed on the perimeter of the proposed development. **As amended by new submittals from the applicant regarding new proposed 100-foot buffer areas from adjacent existing residential properties, the proposed Master Planned development pattern is consistent with the Interface District criteria.**

The I-25/Bernalillo Interface Overlay Zone establishes a planned area for non-residential development within proximity to existing residential areas in the West Placitas Community district, which is consistent with the PAP Generalized Plan Goal regarding support for limited commercial and non-residential amenities (PAP, p. 38). Also, the proposed open space area for the MP development serves to support open space preservation in the Placitas area (PAP, p. 39). The proposed Master Planned development and the uses proposed for the development are consistent with the Interface Overlay Zone criteria.

Conformance with Master Planned District Development Standards:

The proposed Petroglyph Trails Master Planned development is comprised of commercial, office, light industrial, multi-family residential, single family residential, and open space uses, divided by phases based on approved phasing for the Petroglyph Trails subdivision as follows:

- Commercial/Office/Light Industrial/**Manufacturing**: Phases 12 and 13 (RED), 23.67 acres.
- Neighborhood commercial/mixed density residential: Phase 2 (DARK GREEN), 7.5 acres.
- Mixed Density Residential: Phases 7-11 (LIGHT GREEN), 89.4 acres.
- Single family residential: Phases 3-6 (PURPLE), 78.6 acres.

- Open Space: Phase 6 (LINE SHADED), 9.09 acres.

Review of the Master Planned (MP) District development standards with regard to this request is as follows:

1. *The gross residential density in a Master Planned District shall not exceed that which would have been allowed if the site were developed under its previous zoning designation, except as provided in Section 11(D) of this Ordinance.*

The applicant's Preliminary Plat for Petroglyph Trails subdivision was approved in June 2007. At the time of Preliminary Plat approval, the zoning on the subject site was the Rural Residential Agricultural (RRA) District, which establishes a minimum lot size of  $\frac{3}{4}$ -acre. Of the 132 lots contained within Petroglyph Trails subdivision, 67 lots measure less than 1 acre, consistent with the RRA lot standard. While the base zoning for the subject site is now CD-WP (West Placitas District) which established a minimum lot size of 1 acre, Petroglyph Trails was platted and granted Preliminary Plat approval under the previous RRA zoning standard. Thus, the applicant is allowed to establish a maximum residential density on the subject site based on the site's previous RRA zone's  $\frac{3}{4}$ -acre minimum lot size. **Mixed density residential development (comprised of multi-family and single family residential) is proposed for Phase 2 (DARK GREEN) and Phases 7-11 (LIGHT GREEN), which together total 96.9 acres. With the RRA minimum  $\frac{3}{4}$ -acre lot standard, the applicant will be allowed to develop a total of 129 mixed density residential units in these phases in the event that the Master Planned District zone application, as submitted, is approved.**

2. *A minimum of two percent (2%) of the acreage of the Master Planned District shall be designated as open-space common area for recreational use, provided that there shall be a statement of (a) ownership of the common areas; (b) appropriate covenants forbidding partition for future sale and/or non-recreational development; (c) maintenance responsibility; and (d) funding of such maintenance of the common area.*

The Petroglyph Trails Master Planned site plan indicates an area of 9.09 acres designated for open space, which is approximately 4% of the total site's 212 acres. The application for this request indicates that the open space is intended for use by the residents, will be owned by the Petroglyph Trails Property Owners Association, and will not be open to the general public. The application also states that the open space use cannot be changed from open space to another use without the approval of the Board of County Commissioners. The Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions document establishes responsibility for maintenance of the open space, and funding of the open space maintenance, with the Property Owners Association (Section 5.5). The applicant must revise the Petroglyph Master Declaration document to reflect the open space perpetuity status and authority of the Board of County Commissioners to change the use status of the open space site.

3. *The County Board may impose (a) building height restrictions; (b) setback requirements; (c) minimum lot size; and (d) other conditions and restrictions that reasonably relate to and advance the purposes of this Ordinance, the Sandoval County Comprehensive Plan and/or other applicable land use plans adopted by the County.*

County Development staff recommends the following land use and development standards for the proposed Petroglyph Trails Master Planned (MP) development:

Phases 12 and 13 (RED):

Land Uses/Development: This area is proposed for commercial, office, and light industrial use. Uses and development standards for this area shall follow the Rural Commercial (RC) District, with the following exceptions: (a) industrial uses are limited to assembly activities only, and are not subject to the minimum 150-foot distance from a residence; (b) salvage yards are prohibited; and (c) uses listed as conditional will not require a Conditional Use Permit. Maximum building height for this area is the I-25/Bernalillo Interface Overlay Zone standard 36 feet.

This area abuts the Tonque Business Park and a water utility tank within the Town of Bernalillo jurisdiction, and two single family residences in the Placitas Trails subdivision within Sandoval County jurisdiction, to the south. The grade of this area is lower than that of the existing Placitas Trail residences, and proposed land uses in this area are not anticipated to have an adverse impact on these residences. There is a drainage easement between Lot 120 of Phase 12 (RED) and Lot 119 of Phase 10 (PURPLE - Single Family Residence) which provides adequate buffer between the commercial and residential areas. Phase 11 of Petroglyph Trails subdivision is comprised of 3 lots (17.4 acres, 4.6 acres, and 10.3 acres) which provides a space buffer between Phases 12 and 13 (RED) and smaller sized lots to the east.

Phase 2 (DARK GREEN):

Land Uses/Development: This area is proposed for neighborhood commercial and mixed density residential uses. Commercial uses and development standards for this area shall follow the Rural Commercial (RC) District, with the following exceptions: (a) Uses listed as Permissive only. Residential uses and development standards for this area shall follow the Urban R-2 Multi-Family Residential District and CD-WP District standards, with the following exceptions: (a) Uses listed as Permitted in the R-2 zone only; (b) Overall density standards for residential phases for the proposed Master Planned development apply to this phase; (c) R-2 minimum net site area, lot area/unit, and density in du/net acre do not apply; (d) CD-WP District, Section D, District Standards 1, 2, 4, 5, 8 (slope, building setbacks, building height, outdoor light fixtures, excavation) apply; (e) R-2 District, Section F, Development Standards for Multi-Family Districts 3-8 (open space, building separation, surrounding land uses, landscaping, parking, building design) apply.

This area is adjacent to the I-25 Frontage Road to the west and abuts the Sandoval County Placitas District Fire Station. The grade of this area is lower than single family



residential phases east of the Fire Station, and proposed land uses in this area are not anticipated to have an adverse effect on these residential areas.

Phases 7-11 (LIGHT GREEN):

Land Uses/Development: This area is proposed for mixed density residential development (multi-family single family residential units). Residential uses and development standards for this area shall follow the Urban R-2 Multi-Family Residential District and CD-WP standards, with the following exceptions: (a) Uses listed as Permitted in the R-2 zone only; (b) Overall density standards for residential phases for the proposed Master Planned development apply to this phase; (c) R-2 minimum net site area, lot area/unit, and density in du/net acre do not apply; (d) CD-WP District, Section D, District Standards 1, 2, 4, 5, 8 (slope, building setbacks, building height, outdoor light fixtures, excavation) apply; (e) R-2 District, Section F, Development Standards for Multi-Family Districts 3-8 (open space, building separation, surrounding land uses, landscaping, parking, building design) apply.

Phases 3-6 (PURPLE):

Land Uses/Development: This area is proposed for single family residential and open space uses. Residential uses and development standards for this area shall follow the CD-WP District.

This area serves as a low density buffer between surrounding single family residential development to the south and east and proposed mixed density residential areas in the center of the proposed Master Planned development.

All proposed Master Planned development phases which include mixed density residential or single family residential development (DARK GREEN, LIGHT GREEN, PURPLE), are recommended to observe the CD-WP maximum building height of 28 feet to conform to surrounding existing residential areas under the CD-WP zone. Only Phases 12 and 13 (RED), which are the development phases furthest from existing residential development either by linear distance or by land grade level, are recommended for a maximum building height of 36 feet consistent with the I-25/Bernalillo Interface Overlay Zone standard. This addresses citizen concerns expressed at public meetings for this proposed development regarding height of new buildings.

Single family residential and mixed density residential development in the proposed Master Planned District is planned to occur under architectural guidelines as established under the Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions (Article VI, Sections 6.4 and 6.5) as administered by the Petroglyph Trails Architectural Control Committee (Article VIII). The Master Declaration document does not list specific architectural guidelines for commercial, office, and light industrial development, however the document indicates that the applicant reserves the right to create an Architectural Control Committee specifically for multi-family, commercial, and light industrial/manufacturing uses (Article VIII, Section 8.22). The applicant must revise this statement to include office uses for the proposed Master Planned development.

As revised, this information will address citizen concerns expressed at public meetings for this proposed development regarding architectural design.

4. *The County Board may require that commercial, service, and employment center uses be provided in appropriate locations within the Master Planned District in conformance to the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County.*

Policy in the Sandoval County Comprehensive Plan supports the creation of the Placitas Area Plan (Policy A, B, p. 5-7). The Board of County Commissioners adopted the Placitas Area Plan (PAP) in April 2009 (Resolution No. 4-16-09). **ZNCH-12-001** is a request for a Zone Map Amendment from WP (West Placitas) District and I-25/Bernalillo Interface Overlay Zone to Master Planned (MP) District. The purpose of the request is to establish a Master Planned development comprised of commercial, office, light industrial, multi-family residential, single family residential, and open space uses on the subject site. This location is planned for Master Planned development as identified in the PAP (I-25 Frontage/Bernalillo Interface District) and as established in the I-25/Bernalillo Interface Overlay Zone District.

5. *Any recreational facilities provided within open space areas shall be fully improved by the developer and shall be maintained in perpetuity by a homeowner's association or similar entity as approved by the County Board.*

No recreational facilities within the Master Planned open space area are proposed.

6. *Any proposed Master Planned development within the I-25/Bernalillo Interface Overlay Zone shall demonstrate connectivity of internal pedestrian trails and networks as well as connectivity to trail networks associated with the 550-Sandoval Rail Runner Station. Such Master Planned developments shall promote the overall goals of Transit Oriented Development as adopted by the Placitas Area Plan.*

Properties to the south of the subject site along the I-25 Frontage Road are under the Town of Bernalillo jurisdiction. To date, there has been no coordination of planning for pedestrian trails along the I-25 Frontage Road to the NM 165/I-25 Interchange and on to the NM 550 Sandoval County Rail Runner Station. The PAP illustrates a conceptual pedestrian overpass structure over I-25 in this area, however no planning for this structure has taken place.

There is an existing asphalt pedestrian trail on the north side of Petroglyph Trail road that runs the length of the road from Anasazi Meadows subdivision to the western most property line just east of the I-25 Frontage Road. For the purposes of establishing connectivity of internal pedestrian trails for the proposed Master Planned development, this trail satisfies the standard. Section 5.5 of the Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions establishes maintenance responsibilities for the pedestrian trail with the Petroglyph Trails Property Owners Association.

### Zone Map Amendment Criteria:

Section 19, Amendments, Subsection F, of the Comprehensive Zoning Ordinance, is designed to address a proposal for a Zone Map Amendment in terms of anticipated impacts of the proposed development. Section 19 states that the Board of County Commissioners “...shall not approve a Zone Map Amendment unless satisfactory provision has been made concerning the following, where applicable:”

1. “Accessibility to property and existing or proposed structures thereon, with particular reference to automobile and pedestrian safety, traffic control, and emergency access in case of fire, flood or catastrophe;

Access to the subject site is established by Petroglyph Trail road from the I-25 Frontage Road, which extends into the adjacent Anasazi Meadows subdivision to the east, with access from the Frontage Road into the proposed commercial area. There is also a limited access to Placitas Trails subdivision to the south through Norte Trail road.

The New Mexico Department of Transportation (NMDOT) reviewed the road network and its related impacts under the Petroglyph Trails Preliminary Plat review process based on a Traffic Impact Analysis (TIA) by Terry Brown, P.E. submitted on May 10, 2006. The TIA was based on the proposed Master Planned mixed use development scenario. NMDOT granted access approvals and made recommendations on road modifications as follows:

- (a) Access from the Frontage Road into the proposed commercial area is approved by the NMDOT. As directed by NMDOT, these access points are to be constructed in accordance with requirements listed in the States Access Management Manual.
- (b) Limited access to Placitas Trail subdivision through Norte Trail road is approved as an emergency access by NMDOT.
- (c) NMDOT requires improvements to the right turn lane at the northbound I-25/US 550 off-ramp. Design plans for these improvements have been approved by NMDOT.
- (d) NMDOT requires improvements to the eastbound left turn lane on NM 165 on approach to the I-25 Frontage Road. Design plans for these improvements have been approved by NMDOT.

**The New Mexico Department of Transportation (NMDOT) will send an engineer staff representative to make a presentation to the Planning and Zoning Commission at the February 23, 2012 public hearing to provide the Commission and attending public a summary of the preferred design for the I-25/NM-165/US-550 interchange, scheduled for construction in the summer of 2013. The summary presentation will cover the overall interchange design, the changes in the eastbound left turn lane onto the I-25 Frontage Road, and Frontage Road access issues. The preferred design will more than compensate for the required improvements to the eastbound left turn lane onto the I-25 Frontage Road, and with the Frontage Road entry points being moved 600 feet to the east, the NMDOT preferred design for the interchange will address all discussed concerns.**

The Sandoval County Placitas District Fire Station is located within Petroglyph Trails subdivision and will provide fire protection for the proposed MP development. A Fire Hydrant System plan is a design element of the Petroglyph Trails subdivision, and is pending final approval from the Sandoval County Fire Marshall. Police protection for the area is also provided by Sandoval County.

Areas of the site adjacent to the south side of Petroglyph Trails Road and the south side of the proposed open space are under the AE Flood Plain designation by the Federal Emergency Management Agency (FEMA), which is an area subject to inundation by the 1-percent-annual-chance flood event. Areas on the north edge of Phases 3 and 4 (PURPLE – Single Family Residential) are under the A Flood Zone designation by FEMA, which is an area that is subject to a 100-year flood event. There is a 100-foot “no build area” indicated in these phases in relation to the A flood zone designation.

The Coronado Soil and Water Conservation District (CDWCD) has approved the Petroglyph Trails subdivision terrain management plan as sufficient to protect the subject site from flooding, inadequate drainage, and erosion. Recommendations submitted by CDWCD regarding the presentation and formatting of terrain management information in the Master Declaration of Covenants, Conditions and Restrictions are not binding with regard to this request for Master Planned (MP) District zoning. The CDWCD also made a positive comment regarding the terrain management plan’s reseeded of construction-disturbed terrain areas with native grass seed mixture.

2. *“Off-street parking and loading areas where required, with particular attention to the refuse and service areas;”*

Non residential development is proposed in Phases 12 and 13 (RED), and in Phase 2 (DARK GREEN). In the event that the proposed MP development is approved by the Board of County Commissioners, off-street parking and loading area requirements in these areas will be determined at the time of building permit submittal.

3. *“Water and liquid waste facilities, with reference to soil limitations, locations, and public health;”*

Water to the subject will be supplied by the Anasazi Trails Water Cooperative, as disclosed in a letter from the applicant to Sandoval County dated January 16, 2006. The existing water infrastructure in the adjacent Anasazi Trails subdivision is sufficient to serve the increased water capacity for the subject site, according to an engineering study performed by Thompson Engineering Consultants (TEC). Delashe Investments, LLC, has also acquired sufficient additional water rights to provide adequate water supply to Petroglyph Trails subdivision. Plans for water provision for the subject site have been approved by the New Mexico Office of the State Engineer. The water system supply supports the PAP General Plan Recommendation on the use of water systems (Section 3, Plan Implementation and Recommendations, p. 67).

The Petroglyph Trails Subdivision Disclosure Statement was reviewed by New Mexico Office of the State Engineer (OSE) as a part of OSE's review and approval for water supply for the subdivision. The Disclosure Statement acknowledges that "...To the extent Delashe Investments, LLC may chose to rezone certain lots as multifamily or commercial lots, it will acquire such additional water rights as may be necessary for such use and shall convey that same to the water cooperative. Maximum usage for said lots will be established at that time..." (p. 16). The Disclosure Statement also acknowledges a maximum amount of water rights for each home/lot within the subdivision of 0.3826 acre feet of water per year, and also acknowledges that "...To the extent any lots are rezoned as multifamily or commercial lots they will be subjected to appropriate limitations as determined by Delashe Investments, LLC, the water cooperative and/or any applicable laws and regulations..." (p. 17). The potential for multi-family residential and commercial uses within Petroglyph Trails subdivision was taken into consideration in the OSE's review.

The New Mexico Environment Department (NMED) has approved the quality of the water supply to Petroglyph Trails subdivision as being of sufficient quality for human consumption. NMED has also reviewed the soils and terrain of the subject site and has found conditions suitable for the operation of septic tank systems on an individual lot basis.

4. *"The economic, noise, glare, or odor effects of the conditional amendment on adjoining properties;"*

Commercial, office, and light industrial development is proposed in Phases 12 and 13 (RED), and commercial and mixed density residential development is proposed in Phase 2 (DARK GREEN). These areas are either at a lower grade than existing or proposed residential development, or provide adequate buffering between proposed commercial and residential development. Impacts of proposed non-commercial development on existing and proposed residential development are anticipated to be minimal.

5. *"The general compatibility of the proposed amendment with actual or prospective permissive zoning use of adjacent properties;"*

The subject site is located within the Placitas Area Plan's West Placitas Community District sub-area and is currently under the CD-WP (West Placitas) District and I-25/Bernalillo Interface Overlay Zone District. The Placitas Area Plan indicates support for development under the Master Planned District zone at this site as outlined in the I-25 Frontage/Bernalillo Interface District of the PAP (PAP, p. 57), and as implemented in the I-25/Bernalillo Interface Overlay Zone District (Section 9 (2.11), Comprehensive Zoning Ordinance). The proposed Master Planned District site plan includes single family and open spaces uses located on the perimeter of the site which serve as a compatible land use buffer to surrounding existing residential areas under CD-WP zoning. Applicable CD-WP development standards are recommended by staff for all proposed Master Planned development phases which include mixed density residential and single family residential uses to establish development consistency within the subject site that reflects the surrounding CD-WP zoned residential areas.

6. *“The overall health and safety of the community;”*

Petroglyph Trails subdivision is the land basis for the entirety of this request for Master Planned (MP) District zoning for mixed use development. The subdivision has been approved by the New Mexico Department of Transportation, Coronado Soil and Water Conservation District, New Mexico Environment Department, and the New Mexico Office of the State Engineer. A Fire Hydrant System plan is a design element of the Petroglyph Trails subdivision, and is pending final approval from the Sandoval County Fire Marshall.

7. *“Conformance to the Sandoval County Comprehensive Plan and other applicable land use plans adopted by the County.”*

With modifications and required approvals as noted in this report, this request will achieve conformance with applicable policies in the Sandoval County Comprehensive Plan and the Placitas Area Plan, and applicable regulations in the Sandoval County Comprehensive Zoning Ordinance and Subdivision Regulations.

8. *The applicant has had a pre-application public meeting where he has invited property owners, occupants, and county staff affected by the proposed amendment where the amendment involves:*

- a. creation of a Special Use (S-P) District;*
- b. creation of a Master Planned (M-P) District; or*
- c. change of an urban residential zone to any other classification”.*

The applicant has held public meetings for this development proposal on June 9, 2011, and on September 26, 2011 with the Placitas Trails Homeowners Association (Placitas Trails Subdivision is located immediately south of the subject site). Concerns were raised at the September 26 meeting regarding building height and architectural design features. Material from the September 26 meeting is included in the packet for this case.

Summary:

With modifications and required approvals as noted in this report, this request will achieve compliance with applicable regulations and policies in the Sandoval County Comprehensive Plan, Comprehensive Zoning Ordinance, Subdivision Regulations, and the Placitas Area Plan.



## STAFF RECOMMENDATION

Therefore, in the matter of **ZNCH-12-001**, the following Findings of Fact for this request are as follows:

### FINDINGS OF FACT

- (1) **ZNCH-12-001** is a request by Tom Ashe, Agent for Trails Investors LLC, for approval of a Zone Map Amendment from CD-WP (West Placitas Community District) and I-25/Bernalillo Interface Overlay Zone to MP (Master Planned District) for Parcel 9-B-3-A, Petroglyph Trails, Parcel 9-B-1, Lands of Lieberman-Grevey, and Tract A-1, Anasazi Meadows, as shown on the plats thereof filed with the Office of the Sandoval County Clerk. The lands in question total 212 acres more or less and are located within projected Sections 28 & 33, Township 13 North, Range 4 East, NMPM, in the western portion of the Placitas area.
- (2) The proposed Master Plan includes a variety of uses including commercial, office, light industrial/manufacturing, mixed density residential, single family residential, and open space uses.
- (3) The subject site is comprised of a proposed subdivision known as Petroglyph Trails, which received Preliminary Plat approval from the Board of County Commissioners in 2007.
- (4) The approval of a Zone Map Amendment for this request provides for consistent zoning of the existing parcel of land identified in this request.
- (5) The current zoning on the subject site is CD-WP (West Placitas) District and I-25/Bernalillo Interface Overlay Zone.
- (6) Portions of the subject site that are not under the I-25/Bernalillo Interface Overlay Zone are proposed for single family residential and open space uses. While the I-25/Bernalillo Interface Overlay Zone requires Master Planned District zoning for development that includes uses not currently listed as Permissive or Conditional in the County's RRA (Rural Residential Agricultural) zone, the MP District is not exclusive of RRA uses. Any proposed boundaries for Master Planned District zoning in this area are not limited to the boundaries of the Overlay Zone. The current Petroglyph Trails subdivision platting is the land basis for development of the entire subject site under the Master Planned proposal.
- (7) The subject site is located within the Placitas Area Plan's West Placitas Community District sub-area and is currently under the WP (West Placitas) District and I-25/Bernalillo Interface Overlay Zone District. The Placitas Area Plan indicates support for development under the Master Planned District zone at this site as outlined in the I-25 Frontage/Bernalillo Interface District of the PAP (PAP, p. 57), and as implemented in the I-25/Bernalillo Interface Overlay Zone District (Section 9 (2.11), Comprehensive Zoning Ordinance).

- (8) Revisions are needed to the Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions document regarding open space perpetuity status and authority of the Board of County Commissioners to change the use status of the open space site.
- (9) County Development staff's recommendations on maximum building heights within the proposed Master Planned development are designed to address citizen concerns expressed at public meetings for the proposed development regarding this issue.
- (10) The Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions document establishes architectural design criteria and review mechanisms. Revisions are needed to this document to clarify design review of proposed office uses within the proposed Master Planned development. As revised, this information will address citizen concerns expressed at public meetings for this proposed development regarding architectural design.
- (11) Petroglyph Trails subdivision is the land basis for the entirety of this request for Master Planned (MP) District zoning for mixed use development. The subdivision has been approved by the New Mexico Department of Transportation, Coronado Soil and Water Conservation District, New Mexico Environment Department, and the New Mexico Office of the State Engineer.
- (12) The Petroglyph Trails Subdivision Disclosure Statement was reviewed by New Mexico Office of the State Engineer (OSE) as a part of OSE's review and approval for water supply for the subdivision. The potential for multi-family residential and commercial uses within Petroglyph Trails subdivision, as acknowledged in the Disclosure Statement, was taken into consideration in the OSE's review.
- (13) The New Mexico Department of Transportation (NMDOT) reviewed the road network and its related impacts under the Petroglyph Trails Preliminary Plat process based on a Traffic Impact Analysis (TIA) by Terry Brown, P.E. submitted on May 10, 2006. The TIA was based on the proposed Master Planned mixed use development scenario.
- (14) A Fire Hydrant System plan is a design element of the Petroglyph Trails subdivision, and is pending final approval from the Sandoval County Fire Marshall.
- (15) Section 11, Comprehensive Zoning Ordinance, MP (Master Planned) District, Section C, District Standards, Subsection 6, establishes that *"any proposed Master Planned development within the I-25/Bernalillo Interface Overlay Zone shall demonstrate connectivity of internal pedestrian trails and networks as well as connectivity to trail networks associated with the 550-Sandoval Rail Runner Station. Such Master Planned developments shall promote the overall goals of Transit Oriented Development as adopted by the Placitas Area Plan"*.

Properties to the south of the subject site along the I-25 Frontage Road are under the Town of Bernalillo jurisdiction. To date, there has been no coordination of planning for pedestrian trails along the I-25 Frontage Road to the NM 165/I-25 Interchange and on to the NM 550 Sandoval County Rail Runner Station. The PAP illustrates a conceptual

pedestrian overpass structure over I-25 in this area, however no planning for this structure has taken place. The existing asphalt pedestrian trail on the north side of Petroglyph Trail road runs the entire length of Petroglyph Trails subdivision and establishes internal pedestrian trail connectivity within the proposed Master Planned District site.

- (16) **The applicant has proposed modifications to lots 120, 121, and 122 in Phase 12 of the proposed Master Plan development to meet the required 100-foot buffer between the Master Plan development boundaries and existing lot boundaries of residential uses outside the site as established in Section 9(2.11) I-25/Bernalillo Interface Design Overlay Zone, subsection B(3), Design Standards for Certain Types of Development.**
- (17) **At the January 12, 2012 Planning and Zoning Commission meeting, citizens expressed concerns regarding the placement of light industrial/manufacturing uses in close proximity to existing residences in Placitas Trails subdivision to the south of the subject site.**
- (18) **The New Mexico Department of Transportation (NMDOT) will send an engineer staff representative to make a presentation to the Planning and Zoning Commission at the February 23, 2012 public hearing to provide the Commission and attending public a summary of the preferred design for the I-25/NM-165/US-550 interchange, scheduled for construction in the summer of 2013. The summary presentation will cover the overall interchange design, the changes in the eastbound left turn lane onto the I-25 Frontage Road, and Frontage Road access issues. The preferred design will more than compensate for the required improvements to the eastbound left turn lane onto the I-25 Frontage Road, and with the Frontage Road entry points being moved 600 feet to the east, the NMDOT preferred design for the interchange will address all discussed concerns.**
- (19) With the above modifications and required approvals, this request will achieve compliance with applicable regulations and policies in the Sandoval County Comprehensive Plan, Comprehensive Zoning Ordinance, Subdivision Regulations (pending approval from the County Fire Marshall), and the Placitas Area Plan.

**County Development staff recommends that the Planning and Zoning Commission send ZNCH-12-001 to the Board of County Commissioners with a recommendation of APPROVAL, subject to the following recommended CONDITIONS OF APPROVAL:**

#### **CONDITIONS OF APPROVAL**

**The Planning and Zoning Commission hereby votes to recommend Approval of ZNCH-12-001 to the Board of County Commissioners, with the following recommended Conditions:**

- (1) Future development on the site is subject to the approved Master Planned (MP) District Site Development Plan. Proposed changes to the Site Development Plan shall require the approval of the Board of County Commissioners upon recommendation by the Planning & Zoning Commission.

- (2) The uses of the property shall be limited to those proposed with this application. Proposed changes in uses shall require the approval of the Board of County Commissioners upon recommendation of the Planning & Zoning Commission.
- (3) The applicant is required to conform to all land use and development standards for all development phases for the Master Planned (MP) District Site Development Plan as outlined in this report for Section 11, MP – Master Planned District, Section C, District Standards, Subsection 3, and amend the Petroglyph Trails Subdivision Master Declaration of Covenants, Conditions and Restrictions accordingly where needed.
- (4) The applicant is required to amend the Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions document to clarify design review of office uses within the proposed Master Planned development.
- (5) In the event that the Planning and Zoning Commission recommends approval of this request to the Board of County Commissioners, the applicant will be required to submit an amended Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions document with the above noted changes for review by staff prior to public review and consideration by the Board of County Commissioners.
- (6) In the event that the proposed Master Planned District zone is approved by the Planning and Zoning Commission and the Board of County Commissioners, the applicant will be required to submit for Final Plat approval for the site, either the site as a whole or in phases as approved in the Petroglyph Trails subdivision Preliminary Plat, as established in Article 9, Final Plat Review Process, Sandoval County Subdivision Regulations.
- (7) The applicant is required to obtain final approval from the County Fire Marshall on the Fire Hydrant System plan for Petroglyph Trails subdivision prior to submittal for any Final Plat approval for the site.
- (8) **The applicant is required to formalize the proposed modifications to lots 120, 120, and 122 in Phase 12 of the proposed Master Plan development for a 100-foot buffer between these lots and existing lot lines of Lots 4 and 5A, Placitas Trails Subdivision, in the Final Plat of this Phase.**
- (9) **The applicant is required to amend the Petroglyph Trails Master Declaration of Covenants, Conditions and Restrictions document to state that light industrial/manufacturing uses are not permitted on lots 120, 121, and 122 in Phase 12 of the proposed Master Plan development.**