

Los Alamos County

Community Development Department

# **PLANNING & ZONING COMMISSION STAFF REPORT**

Public Hearing Date:	February 26, 2020
Subject:	Case No. SUB-2020-0010
Owners/Applicants:	Bradley Parker; William D. Parker; Lorri Lynn McInroy;
	Debora A. Holmes
Case Manager:	Desirae J. Lujan, Associate Planner

# Case No. SUB-2020-0010

A request for approval of a subdivision Sketch Plan to divide a 11.62-acre lot into 49residential lots. The vacant property, Ponderosa Estates Lot CTC A, addressed as 285 MAPLE DR, is zoned Planned-Development 2.0 (PD-2).



# Case No. SUB-2020-0010 Motion Option 1:

I move to **approve** Case No. SUB-2020-0010 — A request for approval of a subdivision Sketch Plan, Phase 3 of the Ponderosa Estates to divide a 11.62-acre lot into 49-residential lots on vacant property known as Ponderosa Estates Lot CTC A and addressed as 285 MAPLE DR. Approval is based on the reasons stated within the staff report and per testimony entered at the public hearing, subject to the following condition(s):

1. ...

I further move to authorize the Chair to sign Findings of Fact for this case and, based on this decision, to be prepared by County staff.

# Case No. SUB-2020-0010, Motion Option 2:

I move to **deny** Case No. SUB-2020-0010 — A request for approval of a subdivision Sketch Plan, Phase 3 of Ponderosa Estates to divide a 11.62-acre lot into 49-residential lots on vacant property known as Ponderosa Estates Lot CTC A and addressed as 285 MAPLE DR. Denial is due to the proposal failing to meet the Los Alamos County Code of Ordinances, Chapter 16 — Development Code, §16-153, Subdivision Review Criteria for the following reasons:

1. ...

# HISTORY

In 1993, Paul Parker, applicant and owner, proposed the development of 111-acres of property commonly identified as the "Cemetery Tracts" to provide a residential community with a maximum of 222-units. The development, Ponderosa Estates, was to be phased and based on the Cemetery Tracts Area Master Plan, which was adopted in 1990 as a part of the 1986 Los Alamos County Comprehensive Plan. The process required three (3) separate actions in the following order:

- 1. A recommendation to County Council for the rezone of Federal Land (F-L), Scenic Open Lands (W-2) and Recreation Wilderness (W-2) districts to Planned Development Residential (PD-2), totaling 111-acres [93-R-01] [Ord. 85-168];
- 2. Approval of the Ponderosa Estates Subdivision Sketch Plan [93-S-02]; and
- 3. Approval of the Master Site Plan [93-IP-02].

The rezone was adopted by County Council through Ordinance 85-168; the Subdivision Sketch Plan [93-S-02] to construct 87 units of cluster housing and 135 units of single-family detached housing was approved with conditions. Among the 17 Conditions of Approval: Condition #17 states that residential dwelling units developed over the entire 111-acres shall not exceed 222; and Condition #10 instructs each phase of development, as identified in the phasing plan, to be accepted by the County as complete prior to beginning the next phase of development. The Master Site Plan [93-IP-02] was also approved with 12 conditions *[see Exhibit C].* 

Ponderosa Estates is located within the vicinity of the Los Alamos Country Golf Course, Guaje Pines Cemetery and mostly surrounded by Santa Fe National Forest. The subdivision proceeded in Phases, with Phase 1 (55-units), Phase 2A (36-units), and Phase 2B (31-units) moving from Sketch Plan to Preliminary/Final Plat and development — a total of 122 dwelling units, or 55% of the approved density.



Exhibit D: Ponderosa Estates – Phases with dwelling units

#### **SUMMARY**

In late October 2019, James Siebert, Siebert & Associates, on behalf of property owners, contacted the Planning Division to discuss moving Phase 3 forward. Discussions resolved that per Development Code, Sec. 16-458 (a):

*"There shall be <u>no more than six months</u> between final action on a sketch plan and application for preliminary plat ... "* 

The 27 year gap made it necessary for Phase 3 to return to Planning and Zoning Commission for Sketch Plan approval — "a simplified plat showing the initial concept of a proposed subdivision including a layout of lots, streets and open space", before proceeding with a Preliminary Plat, or more detailed plat that would represent the final design of the

subdivision. Therefore, the principle purpose for this petition is to begin the Subdivision process and evolve the Sketch Plan into a Final plat. Development Code, Sec. 16-459 states:

# "No preliminary plat shall be considered by the planning and zoning commission unless it substantially conforms to the approved or conditionally approved Sketch Plan ..."

This is a review of the conceptual layout of lots, streets and open space. In comparison to the 1993 Ponderosa Estates, Master Sketch Plan, the 2020 Sketch Plan differs in the layout of middle and eastern lots, and the elimination of "z lots" to straight-lined lots. If approved, the conclusion of Phase 3 will result in a total of 171 dwelling units throughout the 111-acre subdivision, or 77% of the approved density.

Ponderosa Estates is accessed from Range Road at the intersection of Diamond Drive. Phase 3 is accessed from Maple Drive — a private street — and situated on a 11.62-acre parcel where proposed lots will vary between 0.15 and 0.31 acres. The zoning district (PD-2.0) accommodates such a residential development and is intended to encourage imaginative spatial design at a relatively high dwelling unit density — two dwelling units per gross acre. Planned Development districts allow for flexibly character of development with mixtures of residential types and accessory structures and uses. As with Phases 1-2, and in accordance with the Site Development Table, Article XIII, Zoning Districts Established, the setbacks for the Planned Development will be established during Final Plat; however, maximum building height is limited to 35' (main) and 12' (accessory). Additionally, each lot shall not exceed a 40% total lot coverage. The development requirements for each lot will be independently reviewed and applied during the homeowner's building permit process.

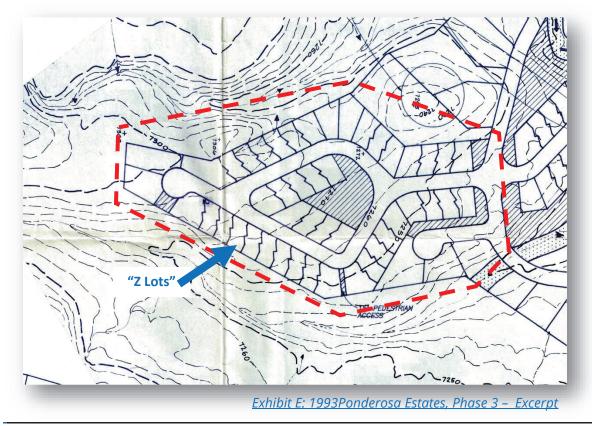
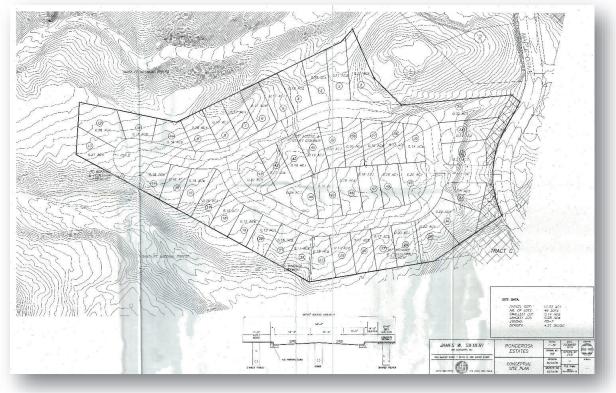


Exhibit A: 2020 Ponderosa Estates, Phase 3 Sketch Plan



#### **IDRC REVIEW**

The Interdepartmental Review Committee (IDRC) reviewed application SUB-2020-0010, via email, from January 28 - January 30, 2020. The below members responded with comments, of which are <u>not</u> conditions for the Sketch Plan presented but provide a guidance to a future Preliminary/Final Plat submittal.

# **IDRC - Comments**

#### Public Works, Engineering

- 1. The 50 ft. road right-of-way proposed is in accordance with the Public Works Design and Construction Standards for local road dedication to County.
- a. Please note, a section of Maple Drive that includes the proposed Phase 3 intersection has not been dedicated and accepted by the County. In order to ensure continuousness road right-of-way to the development site and continuity of associated county service and maintenance, the proper drainage analysis, drainage and road infrastructure for this section of Maple Drive shall be provided as part of the development proposal.

- 2. The road cross section proposed appears to be consistent with the previous phases of the Ponderosa Estates Subdivision. Consistency with previous phase is acceptable, but note the following:
- a. Recommend the sidewalk continue around the cul-de-sac and connect the sidewalk at the adjacent intersection to provide a continuous pedestrian loop.
- b. Pedestrian curb ramps shall be installed on the west and east sides of Maple Drive at the intersection of the access to the development site for ADA compliance.
- 3. Easements.
- a. Concur with pedestrian easements for access to established recreational trails and open space or as recommended by the Community Services/Parks, Rec. and Open Spaces Division.
- b. Drainage easements proposed may require adjustment pending completion of the drainage analysis.
- c. Utility easements as recommended by DPU.
- 4. Proposed roadway and drainage infrastructure and analysis shall be in accordance with Public Works Design and Construction Standards unless otherwise noted and/or approved by the County Engineer. Concur with the applicant's response to Subdivision Review Criteria D regarding storm water drainage shown below:
  - (d) Adequate provisions shall be made for accepting expected drainage from other properties, for controlling drainage on the site and for directing it to the storm sewer or drainage system, including considerations for impact on downstream properties. The county engineer shall approve, disapprove or recommend modifications to the storm drainage plans.

# Public Works, Traffic & Streets

- 1. Question: If/When the subdivision is built, will the streets become county-owned?
- 2. In lieu of the surface drainage easements, place drop inlets and storm drainage pipes to outlet locations.
- 3. Roadway drainage on the north side of the loop cannot be determine without contour labels.

#### Public Works, Environmental Services

1. The subdivision should ensure adequate space for a refuse truck to access the site and turn around.

#### **Community Development, Planning Division**

1. Street Name suggestions be submitted with the Preliminary/Final Plat subdivision application to be reviewed and approved at Preliminary/Final Subdivision IDRC.

#### **Department of Public Utilities**

- 1. Replace J1 with 200A Coffin Box: PJB2-4, Junction Loop Subdivision.
- 2. Transformer placement and size will depend on home load calculations.
- *3. Recommends Civil/Engineer coordination for sewer connection/location with DPU early in the design process.*
- 4. Off-site gas improvements may be required.
- 5. 10' public utility easement on each side of the Access Easement.

The applicant has been made aware of the IDRC outcome and is working to include the requests into a Preliminary/Final Plat submittal.

#### **PUBLIC NOTICE**

Notice of this public hearing has been given per the requirements of the Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-192 (a), and included: U.S. mail to owners of real property within 100 yards (300') of the subject property; publication in the Los Alamos Daily Post (published 2/6/2020) the County's official newspaper of record; and posting at the Los Alamos County Municipal Building.



Exhibit F: 100 yd Public Notification Buffer

#### SUBDIVISION REVIEW CRITERIA

During the review of any Subdivision, the Planning and Zoning Commission shall utilize Section 16-153, Subdivision Review Criteria, in making its determination to approve, conditionally approve, or deny the request presented.

(a) The development of the property shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.

<u>Applicant Response:</u> This tract of land is part of the Ponderosa Estates planned development that was approved by the County in 1993 as part of a larger project. It is consistent with the comprehensive plan that allows for a mix of residential densities. Utilities and roads have been constructed for phases 1 and 2 and phase 3 is consistent with the approved Master Plan. There is nothing associated with this project that is detrimental to the health, safety and general welfare of the sections of Ponderosa Estates allowing for a lower price point for the house.

<u>Staff Response:</u> The proposed subdivision supports the Comprehensive Plan Goals and Policies in many ways:

- **1.** *Housing, Goals and Economic Vitality and Land Use Policies.* (H-G.2) Provide a variety of housing types, sizes and densities; (H-EV-P.1) Promote expanding the housing supply to meet the demand for employment growth and support economic diversification; (H-LU-P.1) Encourage the creation and retention of a variety of housing options for all segments of the Los Alamos community, including but not limited to housing for residents; and (H-LU-P.2) Promote workforce and market rate housing at a variety of price ranges, for both rental and ownership markets.
- **2.** *Neighborhoods, Goals and Economic Vitality and Land Use Policies.* (N-G.2) Promotes the creation of a variety of housing options for all segments of the Los Alamos community; and (N-EV-P.1) Ensures that infill development is consistent with existing zoning.
- **3.** *Growth, Goals and Economic Vitality and Land Use Policies.* (G-G.1) Plan for modest growth of an additional 2,000 residents in the next 5 to 10 years; (G-G.11) Strive to make housing available to those who work in the County and want to live in the County; and (G-LU-P.3) support infill development over expansion of current developed areas.
- Development, Re-Development and Downtown, Goals and Economic Vitality and Land Use Policies. (D-G.1) Keep development contained within current development boundaries — prevent sprawl.
- (b) Except for the R-E and R-A zoning districts and developed areas where it is determined by the utilities manager that it is economically unfeasible to extend sewer lines, all subdivisions must be served or be capable of being served by all public utilities.

<u>Applicant Response:</u> Paul and Brad Parker, the developers of the first two phases have installed sewer, water, gas, electric and communication in order to develop phases one and two of the development. All these utilities are available within the development and are capable of service to phase 3. An off-site sewer line will be required to serve this property.

<u>Staff Response</u>: Staff concurs that utility lines have been developed for Phases 1 & 2 of Ponderosa Estates and allow for the ability for Phase 3 to connect to the system. Staff recommends that the applicant continue to work with DPU to address IDRC comments prior to the submission of a Preliminary/Final plat.

# (c) Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.

<u>Applicant Response:</u> The access to the development from Range Road, which is a County Road, already exists. No further improvements are required at this intersection in order to serve the project. Improvements were previously made at the Range Road and Trinity Drive intersection as part of the required improvements for Ponderosa Estates. Bicyclists do share the same road as automobiles but the limited traffic on the interior streets does not create safety problems for cyclists. There are pedestrian paths on both the Forest Service land and the County land that has been dedicated as open space by the developer.

<u>Staff Response:</u> The Subdivision Plat provides for an access point from Maple Drive, into Phase 3. The design, a 50' access easement, creates street widths of 13'-6" and provides a 4' buffer for a 5' sidewalk on one side of the street. The County Engineer recommends that the sidewalk continue around the cul-de-sac and connect to the sidewalk at the adjacent intersection to provide a continuous pedestrian loop. In addition, the pedestrian curb ramps shall be installed on the west and east sides of the Maple Drive intersection of the access to the development site for ADA compliance.

(d) Adequate provisions shall be made for accepting expected drainage from other properties, for controlling drainage on the site and for directing it to the storm sewer or drainage system, including considerations for impact on downstream properties. The county engineer shall approve, disapprove or recommend modifications to the storm drainage plans.

<u>Applicant Response:</u> A detailed drainage study, prepared by a professional engineer, will be included in the application for subdivision of this parcel. The drainage study will provide a description of storm water created by the site above historic flows and how that water will be managed off-site from the development. In this case, the drainage structure on Maple Drive will be evaluated to determine the carrying capacity of that structure based on a 100-year storm.

<u>Staff Response:</u> Staff defers to IDRC comments made by the County Engineer and encourages continued communication: drainage analysis and road infrastructure for the intersection of Maple Drive shall be provided as part of the development proposal in order to ensure continuous road right-of-way and continuity of associated county services and maintenance; proposed roadway and drainage infrastructure shall be in accordance with

Public Works Design and Construction Standards unless otherwise noted and/or approved by the County Engineer. Staff concurs with the applicant's response for a detailed drainage study as described and to be submitted with a Preliminary/Final plat application.

# (e) The necessary easements shall be provided for both existing and proposed utilities in an acceptable manner to the county engineer and utilities manager. Development of the property shall be in accordance with adopted utilities department plans and specifications.

<u>Applicant Response:</u> A pre-application meeting was held with the County. Representatives from the Utilities Department and Public Works were present. Since that meeting there has been considerable communication on the road cross-sections and the location of utilities within the road cross-section. The plans that have been submitted for the Sketch Plan reflects that communication with the Utilities and Public Works departments.

<u>Staff Response:</u> County Engineer states that drainage easements proposed may require adjustment pending completion of the drainage analysis, and the Department of Utilities requests a 10' public utility easement on each side of the access easement. Easement locations will be approved and finalized by both the County Engineer and DPU at Preliminary/Final Plat.

# (f) Outdoor activity areas, parking lots, outside storage areas, outdoor lighting, or other features or uses of the site or structures shall be adequately screened or otherwise controlled to effectively mitigate conflict with existing or potential adjacent land uses.

<u>Applicant Response:</u> Outdoor activity areas are limited to the walking paths along the drainage. There is no need to screen those since they are a part of the natural landscape. Restrictive covenants will control the parking of recreational vehicles and boats requiring adequate screening. Streetlights will be constructed to County standards. On lot light exterior lighting will be controlled through the covenants that will be imposed on the property.

<u>Staff Response</u>: Screening is not necessary, as adjacent lots are also residential and there are no proposals for outside storage, community parking lots, or other uses that would involve mitigation. Any subdivision lighting will be required to comply with the NM Dark Skies Act.

# (g) The capacity of those public services and facilities required to serve the proposed development (including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall be adequate, or made to be adequate if improvements are required.

<u>Applicant Response:</u> The utility and road infrastructure has already been installed in phases one and two. It is anticipated from an engineering standpoint that further construction would take place. The infrastructure was designed for more than phases one

and two. The final determination of infrastructure capacity will have to take place with the submittal of the subdivision and review of engineering plans by the subdivision engineer.

<u>Staff Response:</u> The initial on-site water and gas concept is good, but off-site gas improvements may be required; and transformer placement and size will be dependent on home load calculations. Early design coordination for sewer connection/location with DPU is recommended to provide adequate infrastructure for preliminary/final plat.

(h) The subdivision is planned to retain as much as possible all-natural features such as watercourses, natural vegetation, terrain, existing structures, historic sites, archaeological sites, and other community assets, which if preserved, will contribute to the overall appearance and quality of life in the county of Los Alamos. If the property is designated on the county zoning map as a hillside area, the subdivision shall comply with the hill side development standards within §16-576.

<u>Applicant Response:</u> Unfortunately, this area of Ponderosa Estates was devasted by the Viveash fire. The majority of fallen trees has been removed from the property and a significant portion of the site has limited vegetation. There are no known historic or archaeological sites within the property. The only water course is located off the property on the Santa Fe National Forest land. The land along the creek was preserved from the fire and is a natural feature that is an asset to the property.

<u>Staff Response</u>: Staff acknowledges the applicant's response and agrees that there are no known historic or archaeological sites within the property, nor existing structures or water courses to be disturbed. As much of the natural features on the site were destroyed in in the fire, natural features adjacent on the Santa Fe National forest preserves and contributes to the overall appearance of Los Alamos County.

# (i) Addresses and road names shall be in compliance with the standards as described in Chapter 34, Article IV, and shall be included on the original submission of the plat application.

<u>Applicant Response:</u> At subdivision application the street names will be included on the plat. We will clear the name with the County before the application to avoid any duplication.

<u>Staff Response</u>: Staff agrees that street names will be coordinated with the applicant upon Preliminary/Final Plat and approved by IDRC.

# STAFF RECOMMENDATION

Staff has applied the review criteria for Subdivision (Sketch Plan) and recommends approval of SUB-2020-0010. The applicant, should the Commission approve, shall take the comments made by IDRC and move forward with a Preliminary/Final Subdivision Plat application within six-months from Sketch Plan approval.

# FINDINGS OF FACT

• The Sketch Plan application is Phase 3 of the 1993 approved Ponderosa Estates Subdivision.

- Ponderosa Estates, a 111-acre lot, was approved for a maximum of 222 dwelling units and is within the Planned-Development zoning district (P-D 2.0) where density is twodwelling units per gross acre.
- Phase 3 will create 49- residential lots within the 11.62-acre lot CTC A.
- Notice of this public hearing, setting forth the nature of the request, the specific parcel
  of property affected, and the date, time and place of the public hearing, was announced
  and published in <u>The Los Alamos Daily Post</u>, the official newspaper of record; and
  property owners of real property located within 100 yards of the subject property were
  notified of this public hearing by U.S. mail, all in accordance with the requirements of
  §16-192 of the Los Alamos County Development Code.

# EXHIBITS

- Exhibit A: Application
- Exhibit B: Vicinity Map
- Exhibit C: Certificate of Approval, 1993 [93-R-01] [93-S-02] [93-IP-02]
- Exhibit D: Ponderosa Estates, Phases with Dwelling Units
- Exhibit E: Ponderosa Estates 1993 Master Sketch Plan
- Exhibit F: Notification List and Map (100 yds)



Community Development

# **SUBDIVISION APPLICATION**

	INARY PLAT FINAL PLAT
Property to be Subdivided:	
Legal description: 11, 62 acres, Powleros	a Sstates-CTC. A
Zoning District: PD-2 Area (Acres):	22 # Lots Proposed:49
Vacant/Residential Current Use	
Related Applications (if any):	
APPLICANT (Unless otherwise specified, all communication re	garding this application shall be to Applicant):
Name: Bradley E. Parker Phone: Phone: Please Print	Cell #:505-699-0212
Address: <u>#1 Karen Circle, Los Alamos</u>	
purlag 3 1-	1/20/2020
SIGNATURE	DATE
PROPERTY OWNER(s) (If different from Applicant)	Check here if same as above
Name: Phone: Phone:	Cell #:
Address:	_ Email:
My/Our signature(s) below indicates that I/ We authorize the Applic	ant to make this subdivision application on my/our behalf
My/Our signature(s) below indicates that I/ We authorize the Applic	ant to make this subdivision application on my/our behalf

LOS ALAMOS

Community Development

# **SUBDIVISION APPLICATION**

This application is for:     SKETCH PLAN     PRELIMINARY PLAT     FINAL PLAT       Property to be Subdivided:     Range     Read       Address     Address     Address
Legal description: <u>11, le2 cecnes</u> , <u>Porcherosa Satates - CTC A</u> Zoning District: <u>PD-2</u> Area (Acres): <u>11, le2</u> # Lots Proposed: <u>49</u>
Vacant ( Kesiden Hal Current Use Related Applications (if any):
APPLICANT (Unless otherwise specified, all communication regarding this application shall be to Applicant):         Name:       Lorri Lynn Mcinroy       Phone:       Cell #: 5054707668         Please Print       Cell #: 105mcinroy@aol.com         Address:       18 Timber Ridge, Los AlamoEmail: 105mcinroy@aol.com         Jarrie       1/18/20         SIGNATURE       DATE
PROPERTY OWNER(s) (If different from Applicant) Check here if same as above
Name: Phone: Cell #:
Address: Email: My/Our signature(s) below indicates that I/We authorize the Applicant to make this subdivision application on my/our behalf
SIGNATURE DATE
SIGNATURE DATE



Community Development

# **SUBDIVISION APPLICATION**

This application is for: SKETCH PLAN PRELIMINARY PLAT FINAL PLAT
Property to be Subdivided:
Legal description: 11, lez acres, Ponclerosa Estates - CTC. A
Zoning District: PD-2 Area (Acres):!.le2_ # Lots Proposed:49
Vacant/Residential Current Use
Related Applications (if any):
APPLICANT (Unless otherwise specified, all communication regarding this application shall be to Applicant):
Name: Debora A. Holmes Phone: Cell #: 505-660-3651
Address: 305 Maple Drive, Los AlamosEmail: homesholme@aol.com
Atomis 1/14/20
SIGNATURÉ DATE
PROPERTY OWNER(s) (If different from Applicant) Check here if same as above
Name: Phone: Cell #:
Address: Email:
My/Our signature(s) below indicates that I/We authorize the Applicant to make this subdivision application on my/our behalf
SIGNATURE DATE
SIGNATURE DATE

LOS ALAMOS

Community Development

# **SUBDIVISION APPLICATION**

This application is for: SKETCH PLAN PRELIMINARY PLAT FINAL PLAT Property to be Subdivided: Range Road
Address Legal description: <u>II, lez acres</u> , <u>Porrierosa Satutes - CTC</u> <u>A</u> Zoning District: <u>PD-2</u> Area (Acres): <u>II.lez</u> # Lots Proposed: <u>49</u> <u>Vacant</u> <u>Residential</u> Current Use
Related Applications (if any):
APPLICANT (Unless otherwise specified, all communication regarding this application shall be to Applicant): Name: <u>William D. Parker</u> Phone: <u>Cell #: 505-699-0295</u> Please Print Address:5469 County Road #43, Parlin, COEmail: bill65@g.com
Allthe D.P. 1/16/2020 SIGNATURE DATE
PROPERTY OWNER(s) (If different from Applicant) Check here if same as above
Name: Cell #: Please Print
Address: Email:
My/Our signature(s) below indicates that I/We authorize the Applicant to make this subdivision application on my/our behalf
SIGNATURE DATE
SIGNATURE DATE

Sec. 16-458. - Subdivision time periods.

- (a) There shall be no more than six months between final action on a sketch plan and application for preliminary plat. There shall be no more than 12 months between final action on a preliminary plat and application for final plat. Approved or conditionally approved final plats shall be filed by the applicant or agent with the county clerk within 12 months of the date of final action on a final plat.
- (b) Whenever the time period for filing of the application or filing with the county clerk expires, any and all applications for subdividing the same parcel of property shall be treated as a new application.

#### SUBDIVISION REVIEW CRITERIA:

The Los Alamos County Code of Ordinances, Chapter 16, Development Code, Sec. 16-153 establishes eight (8) criteria for the Planning and Zoning Commission to use when reviewing an application for subdivision approval. Please review each of the criteria listed and describe how your application meets the criteria. You will also be asked to discuss the criteria at your public hearings. Attach additional sheets as needed.

(a) The development of the property shall substantially conform to the comprehensive plan and shall not be materially detrimental to the health, safety and general welfare of the county.

This tract of land is part of the Ponderosa Estates planned development that was approved by the County in 1993 as part of a larger project. It is consistent with the comprehensive plan that allows for a mix of residential densities. Utilities and roads have been constructed for phases 1 and 2 and phase 3 is consistent with the approved master plan. There is nothing associated with this project that is detrimental to the health, safety and general welfare of the county. It does address a badly needed housing shortage in Los Alamos County. These are smaller lots than other sections of Ponderosa Estates allowing for a lower price point for the house.

(b) Except for the R-E and R-A zoning districts and developed areas where it is determined by the utilities manager that it is economically unfeasible to extend sewer lines, all subdivisions must be served or be capable of being served by all public utilities.

Paul and Brad Parker, the developers of the first two phases have installed sewer, water, gas, electric, and communication in order to develop phases one and two of the development. All these utilities are available within the development and are capable of service to phase 3. An off-site sewer line will be required to serve this property.

#### (c) Provisions shall be made for the safe ingress, egress and circulation of vehicles, bicyclists and pedestrians.

The access to the development from Range Road, which is a County Road, already exists. No further improvements are required at this intersection in order to serve the project. Improvements were previously made at the Range Road and Trinity Drive intersection as part of the required improvements for Ponderosa Estates. Bicyclists do share the same road as automobiles but the limited traffic on the interior streets does not create safety problems for cyclists. There a pedestrian paths on both the Forest Service land and the County land that has been dedicated as open space by the developer.

- (d) Adequate provisions shall be made for accepting expected drainage from other properties, for controlling drainage on the site and for directing it to the storm sewer or drainage system, including considerations for impact on downstream properties. The county engineer shall approve, disapprove or recommend modifications to the storm drainage plans.
- A detailed drainage study prepared by a professional engineer will be included in the application for subdivision of this parcel. The drainage study will provide a description of storm water created by the site above historic flows and how that water will be managed off-site from the development. In this case the drainage structure on Maple drive will be evaluated to determine the carrying capacity of that structure based on a 100 year storm.

(e) The necessary easements shall be provided for both existing and proposed utilities in an acceptable manner to the county engineer and utilities manager. Development of the property shall be in accordance with adopted utilities department plans and specifications.

A pre-application meeting was held with the County. Representatives from the Utilities Department and Public Works Department were present. Since that meeting there has been considerable communication on the road cross sections and the location of utilities within the road cross section. The plans that have been submitted for the Sketch Plan are areflection of that communication with the Utilities and Public Works departments.

- (f) Outdoor activity areas, parking lots, outside storage areas, outdoor lighting, or other features or uses of the site or structures shall be adequately screened or otherwise controlled to effectively mitigate conflict with existing or potential adjacent land uses.
- Outdoor activity areas are limited to the walking paths along the drainage. There is no need to screen those since there are part of the natural landscape. Restrictive covenants will control the parking of recreational vehicles and boats requiring adequate screening. Street lights will be constructed to County standards. On lot light exterior lighting will be controlled through the covenants that will be imposed on the property.
  - (g) The capacity of those public services and facilities required to serve the proposed development (including but not limited to water, sanitary sewer, electricity, gas, storm sewer, streets, etc.) shall be adequate, or made to be adequate if improvements are required.
- The utility and road infrastructure has already been installed in phases one and two. It was anticipated from an engineering standpoint that further construction would take place. The infrastructure was designed for more than phases one and two. The final determination of infrastructure capacity will have to take place with the submittal of the subdivision and review of engineering plans by the subdivision engineer.
  - (h) The subdivision is planned to retain as much as possible, all natural features such as watercourses, natural vegetation, terrain, existing structures, historic sites, archaeological sites, and other community assets, which if preserved, will contribute to the overall appearance and quality of life in the county of Los Alamos.

Unfortunately this area of Ponderosa Estates was devastated by theVivash fire. The majority of fallen trees have been removed from the property and a significant portion of the site has limited vegetation. There are no known historic or archaeological sites within the property. The only water course is located off the property on Santa Fe National Forest land. The land along the creek was preserved from the fire and is a natural feature that is an asset to the property.

(i) Addresses and road names shall be in compliance with the standards as described in chapter 34, article
IV, and shall be included on the original submission of the plat application.

At subdivision application the street names will be included on the plat. We will clear the name with the County before the application to avoid any duplication.

#### **REQUIRED SUBMITTALS:**

Check each of the boxes to indicate that you have attached two (2) full size (24" x 36") paper copies of each of the following, and one complete electronic copy of all materials:

- Proof of property ownership.
- A Vicinity map, showing the boundaries of the property to be subdivided, and all adjacent lots within 300 feet.
- A scaled Plat or survey at 1 inch to 100 feet, including all the following information: (Note: For smaller properties, a legal description with metes and bounds, may be acceptable. Check with CDD staff.)
- Locate and label all existing utility lines on the site. (Existing gas and electric service lines must be located by the Los Alamos County Utilities Department prior to submittal of this application.) There are no utility lines on the property.

Show and label the footprint of all existing buildings and structures on the site. There are no existing buildings on the property.

Show the footprint of all buildings and public rights-of-way within 20 feet of all boundaries of the site. There are no buildings within 20 feet of the property boundary.

Show, dimension and label all existing and proposed easements.

THIS SECTION TO BE COMPLETED BY THE CO	OMMUNITY DEVELOPMENT DEPARTMENT For
County Use:	
Date of Submittal:	Staff Initial:
CDD Application Number:	Fees Paid:

Additional information for Subdivision Applicants:

Sec. 16-459. - Relationship between sketch, preliminary and final plat.

No preliminary plat shall be considered by the planning and zoning commission unless it substantially conforms to the approved or conditionally approved sketch plan. No final plat shall be considered by the planning and zoning commission unless it substantially conforms to the approved or conditionally approved preliminary plat. Plats that do not substantially conform shall be resubmitted at the sketch plat stage. Plats containing five lots or less after utility or public or private roadway improvements under article VI of this chapter may submit sketch, preliminary and final plats as a single plat for approval.

Revised: 02/08/18



# JAMES W. SIEBERT AND ASSOCIATES, INC.

#### 915 MERCER STREET \* SANTA FE, NEW MEXICO 87505 (505) 983-5588 \* FAX (505) 989-7313 <u>jim@jwsiebert.com</u>

January 21, 2020

Desirae Lujan 1000 Central Ave. Suite 150 Los Alamos, NM 87544

Re: Ponderosa Estates, Phase III

Dear Ms. Lujan:

On behalf of William Parker, Debora Holmes, Lorri Parker and Bradly Parker I am submitting a sketch plan for phase III of Ponderosa Estates. The following is a response to the required submittals.

Proof of property ownership

Special Warranty Deed included in this submittal

A vicinity map showing the boundaries of the property to be subdivided, and all adjacent lots within 300 feet

The map is included in the submittal

A scaled plat of survey at 1 inch to 100 feet.

The scale is one inch equals 200 feet, which is allowed as an alternative by this submittal

Locate and label all existing utility lines on the site

There are no existing utility lines on the site

Show and label the foot print of all existing buildings and structures on the site

There are no buildings or structures on the site

Ponderosa submittalappsketch

10.0.100

Desirae Lujan Ponderosa Estates, Phase III January 21, 2020 Page Two of Two

Show the foot print of all buildings and public rights-of-way within 20 feet of all boundaries on the site

Show and dimension and label all existing and proposed easements

There are no existing easements on the site and the proposed rights-of-way are 50 feet in width with utility easements on either side of the road as described on the road cross section provided on the sketch plan.

Four copies of the sketch plan on a 24 x 36 inch format are delivered with this letter.

Four copies of the signed Subdivision Application are delivered with this letter.

The digital description of the sketch plan will be e-mailed to you directly. Please schedule this request before the IDRC at their meeting on January 30, 2020.

Sincerely, ameril James W. Siebert

Xc: Brad Parker

#### SPECIAL WARRANTY DEED (Tenants in Common)

Paul E. Parker and Mary Jo Parker, husband and wife, P.O. Box 459, Los Alamos, New Mexico, grant to: Bradley E. Parker, a married man dealing in his sole and separate property, a thirty-two percent (32%)interest; to William D. Parker, a married man dealing in his sole and separate property, a twenty-four percent (24%) interest; to Debora A. Holmes, a married woman dealing in her sole and separate property, a twenty-four percent (24%) interest; and to Lorri Lynn Parker, an unmarried woman, a twenty percent (20%) interest; each as tenants in common, to the following described real property located in Los Alamos County, New Mexico, with special warranty covenants:

PONDEROSA ESTATES, PHASE III.

ALL THAT PART OF TRACT A, CEMETERY TRACTS CADASTRAL SURVEY, RECORDED IN PLAT BOOK 6, PAGE 33, AND LYING WITHIN SECTION, T19N, R6E, NMPM, LOS ALAMOS COUNTY, NM, WHICH PART MAY BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FIRSTLY

COMMENCING AT A POINT, ON THE WESTERLY RIGHT-OF-WAY OF MAPLE DRIVE, WHICH LIES S72° 56' 08"W, 2644.37 FEET; THENCE S56° 06' 49"W, 56.09 FEET FROM MONUMENT"CEMETERY";

• • • •

THENCE 56° 06' 49"W, 234.73 FEET; THENCE S80° 39' 49"W, 364.53 FEET; THENCE N61° 42' 28"W, 455.69 FEET; THENCE N61° 49' 04"W, 310.84 FEET; THENCE N03° 50' 26"E, 148.52 FEET; THENCE S78° 28' 45"E, 285.77 FEET; THENCE S78° 28' 45"E, 285.77 FEET; THENCE N64° 22' 41"E, 525.38 FEET; THENCE N41° 46' 48"E, 49.64 FEET; THENCE S24° 11' 47"E, 153.44 FEET; THENCE S46° 21' 07"E, 109.42 FEET; THENCE N84° 43' 44"E, 318.30 FEET; THENCE S50° 12' 41"E, 30.96 FEET;

THENCE CLOCKWISE 15.16 FEET ON A CURVE HAVING A RADIUS OF 175.00 FEET AND A CHORD OF S26° 41' 29"W, 15.15 FEET;

THENCE S29° 10' 21"W, 76.40 FEET;

THENCE COUNTERCLOCKWISE 251.63 FEET ON A CURVE HAVING A RADIUS OF 259.13 FEET AND A CHORD OF S01° 21' 14"W, 241.86 FEET:

TO THE POINT OF COMMENCEMENT, CONTAINING 11.624 ACRES, MORE OR LESS.

SECONDLY

COMMENCING AT A POINT, ON THE EASTERLY RIGHT-OF-WAY OF MAPLE DRIVE, WHICH LIES S72° 56' 08"W, 2644.37 FEET; THENCE COUNTERCLOCKWISE 25.37 FEET ON A CURVE HAVING A RADIUS OF 175.00 FEET AND A CHORD OF N11° 55' 27"W, 25.35 FEET; THENCE N7° 46' 13"W, 12.55 FEET; FROM MONUMENT "CEMETERY";

THENCE \$56° 46' 59"W, 12.28 FEET;

THENCE CLOCKWISE 160.50 FEET ON A CURVE HAVING A RADIUS OF 209.13 FEET AND A CHORD OF N07° 11'12"E, 156.59 FEET;

THENCE N29° 10' 21"E, 76.40 FEET;

THENCE COUNTERCLOCKWISE 149.14 FEET ON A CURVE HAVING A RADIUS OF 225.00 FEET AND A CHORD OF N10° 10' 59"E, 146.43 FEET;

MISC 51 Pro 464 Distances 139217

Page 2

Ponderosa Estates, Phase III THENCE N08° 48' 20"W, 132.24 FEET; THENCE CLOCKWISE 44.51 FEET ON A CURVE HAVING A RADIUS OF 181.78 FEET AND A CHORD OF N01° 47' 30"W, 44.40 FEET; THENCE S49° 16' 39"E, 107.86 FEET; THENCE \$68° 10' 52"E, 56.82 FEET; THENCE S81° 22' 01"E, 55.25 FEET; THENCE N83° 07' 04"E, 72.86 FEET; THENCE N38° 17' 51"E, 96.06 FEET; THENCE S24° 11' 50"E, 161.49 FEET; THENCE S39° 07' 45"E, 252.43 FEET; THENCE S25° 50' 07"E, 17.38 FEET; THENCE N84" 55' i6"W, 79.27 FEET; THENCE N78° 36' 00"W, 76.67 FEET; THENCE N53° 20' 42"W, 106.91 FEET; THENCE N68° 55' 40"W, 35.50 FEET; THENCE \$71° 12' 09"W, 42.96 FEET; THENCE S53° 04' 10"W, 67.74 FEET; THENCE S37° 48' 10"W, 84.11 FEET; THENCE S46° 53' 35"W, 79.64 FEET; THENCE S56° 46' 02"W, 152.23 FEET; TO THE POINT OF COMMENCEMENT, CONTAINING 3.087 ACRES, MORE OR LESS. THE TOTAL AREA OF SAID PHASE III IS 14,711 ACRES, MORE OR LESS. ALL AS SHOWN ON EXHIBIT A, ATTACHED HERETO. 

Paul E. Parker Paul E. Parker

Special Warranty Deed

Mary Jo Parker

STATE OF NEW MEXICO }SS. COUNTY OF Too allow

This instrument was acknowledged before me on 1999 by Paul E. Parker and Mary Jo Parker, husband and wife.

My commission expires: 2/7/01

99-287

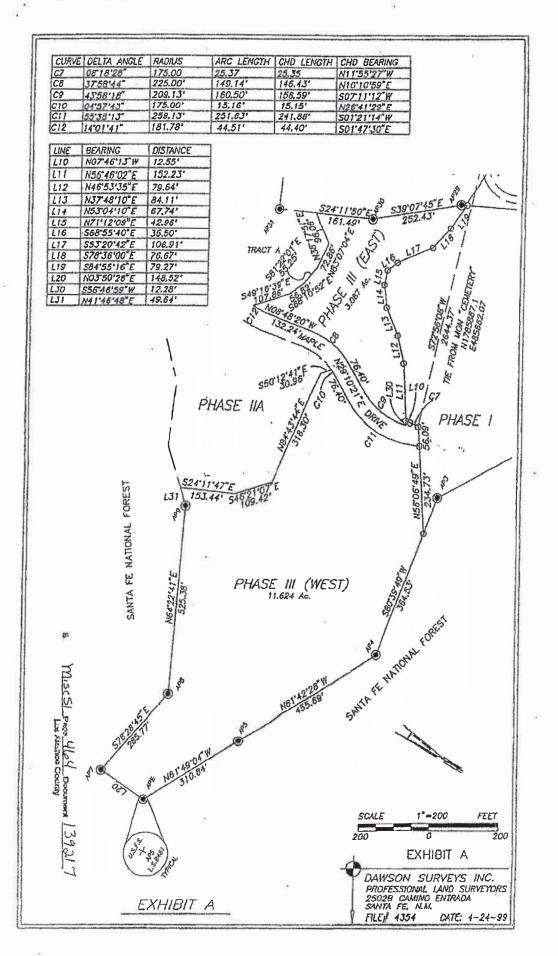
Jen 2. Pourly



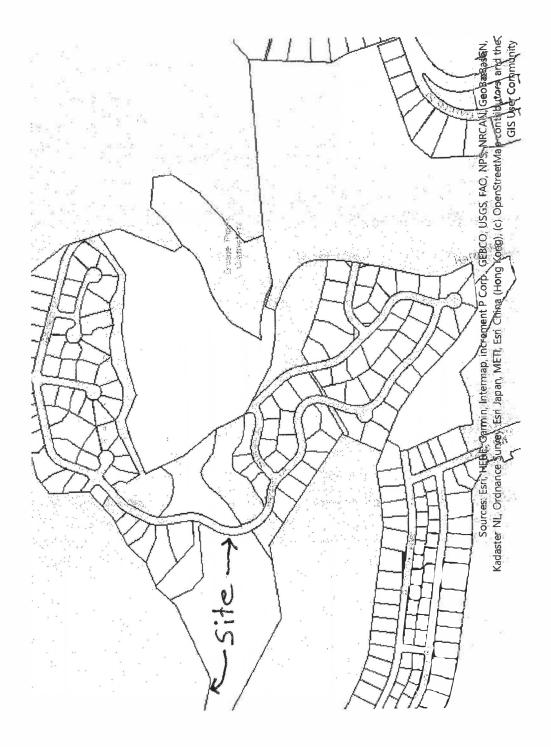
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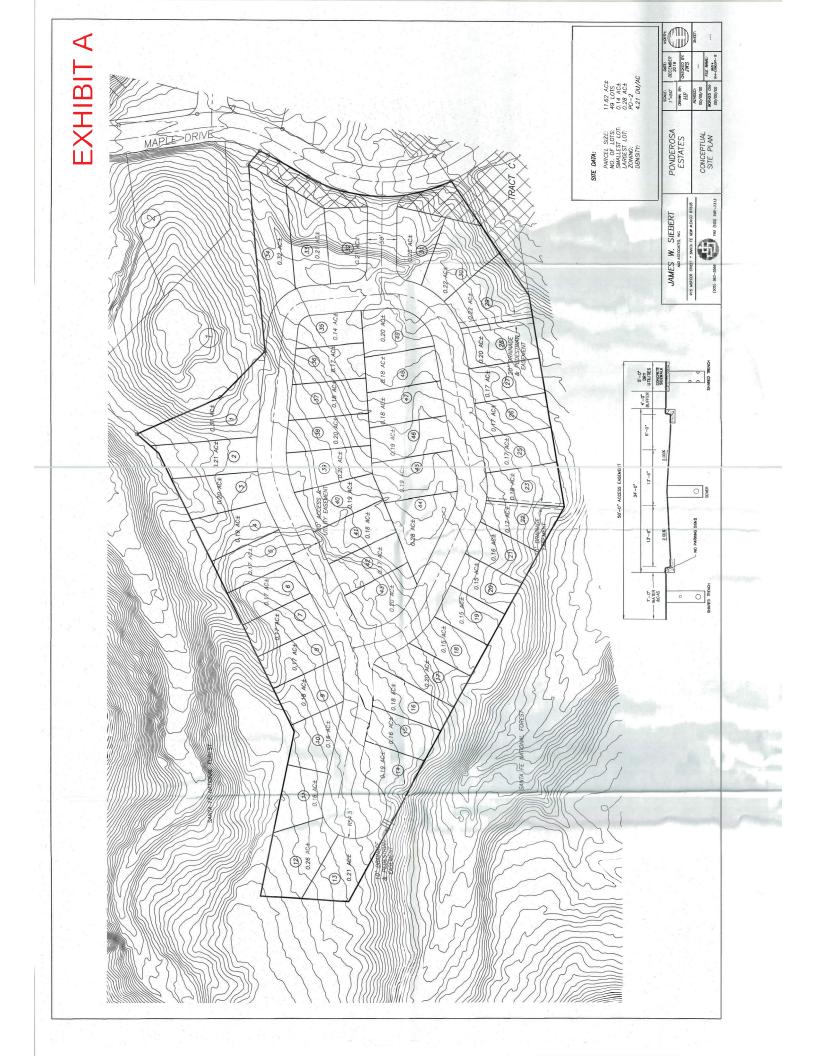
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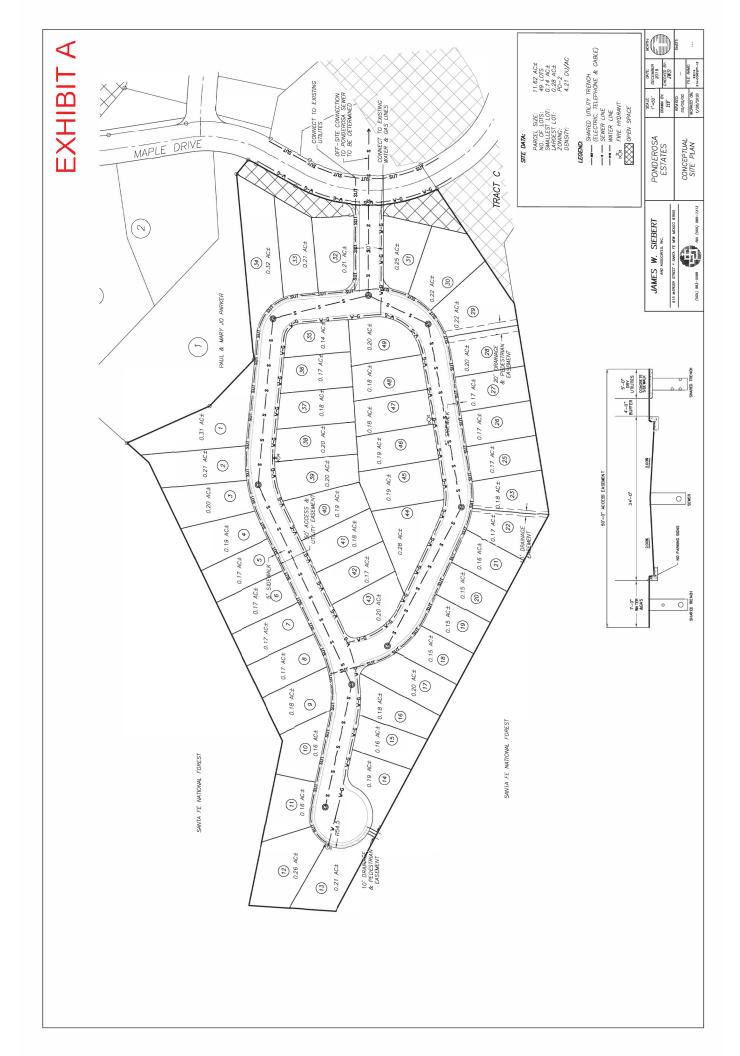
NAWSON SURVEYS INC.

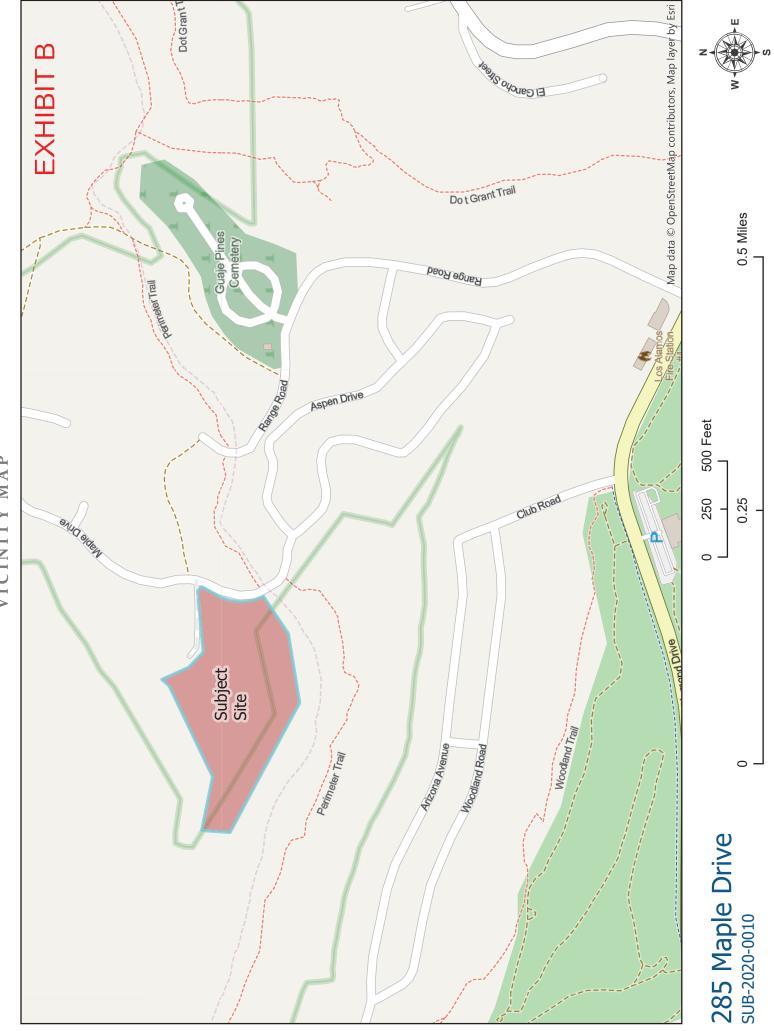












VICINITY MAP

# EXHIBIT C

#### COUNTY OF LOS ALAMOS, NEW MEXICO

#### CERTIFICATION OF APPROVAL

This is to certify that Case Nos. 93-R-O1 and 93-IP-O2, a rezoning from Federal Land (FL), Scenic Open Lands (W-2) and Recreation Wilderness (W-2) district to Planned Development Residential (PD-2) and a site plan to construct 87 units of cluster housing and 135 units of single-family detached housing, at Ponderosa Estates, legally described as Township 19 North, Range 6 East, Sections 3 and 4, Tracts A and B, submitted by Paul Parker, applicant; James Siebert, agent, were considered and approved on February 10, 1993, by the Planning and Zoning Commission, subject to the following condition(s):

Conditions for Case No. 93-R-01, Rezoning:

- 1. The proposed subdivision shall comply with the guidelines established in the Cemetery Tracts Area Master Plan.
- 2. The proposed subdivision shall comply with all sections of the Subdivision Review Criteria as defined in Section 17.34.050 LACC.
- 3. The proposed development must comply with the requirements of the Hillside Development Standards, Section 17.34.130 LACC.
- 4. Traffic, erosion control, grading and drainage plans will be required for preliminary plat review.
- 5. Subdivision street design, including cross-sections, right-of-way and gradients must be to County standards.
- 6. Range Road must be improved to County Standards; improvement plans must be prepared.
- 7. Consideration must be given for the Western Perimeter Road as identified in the Comprehensive Plan and the Transportation Plan.
- 8. Drainage, grading, and erosion control plans must be designed by a professional engineer. The grading plan must include lot drainages and must minimize drainage easements. Cul-de-sacs should drain to the street.
- 9. Constructed pedestrian paths and sidewalks must be handicapped accessible.

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- 10. Each phase of development as identified in the phasing plan must be accepted by the County as complete prior to beginning the next phase of development.
- 11. No lots may be accessed from Range Road.
- 12. Formal agreements must be provided between the U.S. Forest Service and the developer for the portion of the street system on the east side of the development outside the property boundary and within U.S. Forest Service property.
- 13. Pedestrian walkways, major drainageways, the Guaje Pines Cemetery buffer and all non-private open space shall be dedicated to Los Alamos County.
- 14. A survey establishing the legal boundaries of Range Road shall be provided consistent with the requirements of the County Surveyor.
- 15. Assurances should be provided prior to recordation of the final plat which guarantee the exchange of Title for Tracts A and/or B, Cemetery Tracts Cadastral Survey which is proposed for development.
- 16. All utilities costs, fees and escrow amounts will be determined when the preliminary plat is submitted. The Utilities Department will assist with the preliminary design of the utility systems.
- 17. A maximum of 222 residential dwelling units may be developed over the entire 111 acres contingent upon approval by the County Council of rezoning of the property from Federal Lands (FL) to Planned Development of two dwelling units per gross acre (PD-2).

Conditions for Case No. 93-IP-02, Site Plan:

- 1. Approval is granted for a maximum of 222 dwelling units on 111 acres contingent upon approval by the County Council of rezoning of the property from Federal Lands (FL) to Planned Development of two dwelling units per acre (PD-2).
- 2. The property shall be developed in substantial compliance with the Development Plan Report (Exhibit I), the Sketch Plan (Exhibit II), the Utilities Plan (Exhibit III) and the Phasing Plan (Exhibit IV).
- 3. The property shall be developed compliant with the Subdivision Review Criteria, Section 17.34.050 LACC.
- 4. The property shall be developed compliant with the requirements of the Hillside Development Standards, Section 17.34.130 LACC.
- 5. A copy of the Conditions, Covenants and Restrictions shall be submitted for review by the Community Development Department and shall be recorded prior to beginning construction of any residence or sale of any lot.
- 6. The bylaws and other documents establishing the Homeowner's Association shall be submitted for review by the Community Development Department and shall be recorded prior to beginning the sale of any lot or the construction of any residence.

Book Nomin 40 Page 944 Document 103082

- 7. Prior to commencement of construction all required building permits shall be obtained for all improvements, buildings, fences, signage.
- 8. Prior to the issuance of any construction permits, any grading, drainage, and soil erosion plans shall be submitted and approved by the County Engineer. The grading plan must indicate the grading to be performed which is limited to the actual dwelling footprint, garage and driveway. The remainder of each lot must be retained in a natural state.
- 9. Existing on-site trees shall be retained compliant with Section 17.50.050.A.5 LACC and consistent with the Cemetery Tracts Area Master Plan.
- 10. All streets within the zero lot-line, duplex and triplex development areas shall be designated as fire lanes and no on-street parking shall be allowed.
- 11. All residential dwellings shall provide a minimum of two off-street parking spaces within an enclosed garage.
- 12. No structure shall exceed thirty-five (35') in height.
- 13. A plan shall be provided which establishes uniform fencing including materials throughout the development. This plan shall be included as an element of the Conditions, Covenants and Restrictions (C,C & Rs).
- 14. A landscaping plan shall be submitted for the landscaping/entry area adjacent to Range Road. A Landscape Maintenance Agreement, which shall accrue to the Homeowners' Association, shall be executed and recorded with the County Clerk per Section 17.50.050.C. LACC.
- 15. Lighting shall comply with Sections 17.46.060 LACC.
- 16. A fuel break shall be established along the north tier of lots in accordance with criteria established by the Los Alamos County Fire Department under advisement of the U.S. Forest Service. The covenants shall contain any provision for maintenance of the fuel break.

In accordance with Section 17.22.070 LACC, this Certificate of Approval must be filed with the County Clerk prior to proceeding with the development or use approved and before the issuance of any building permit, license, or occupancy permit.

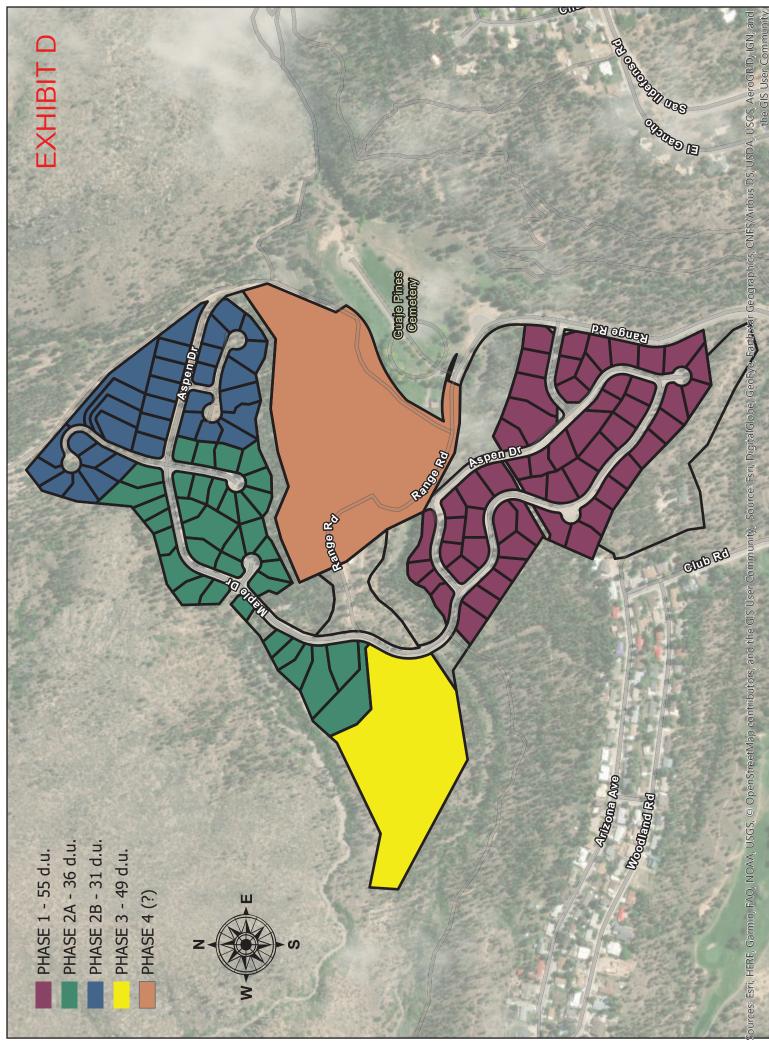
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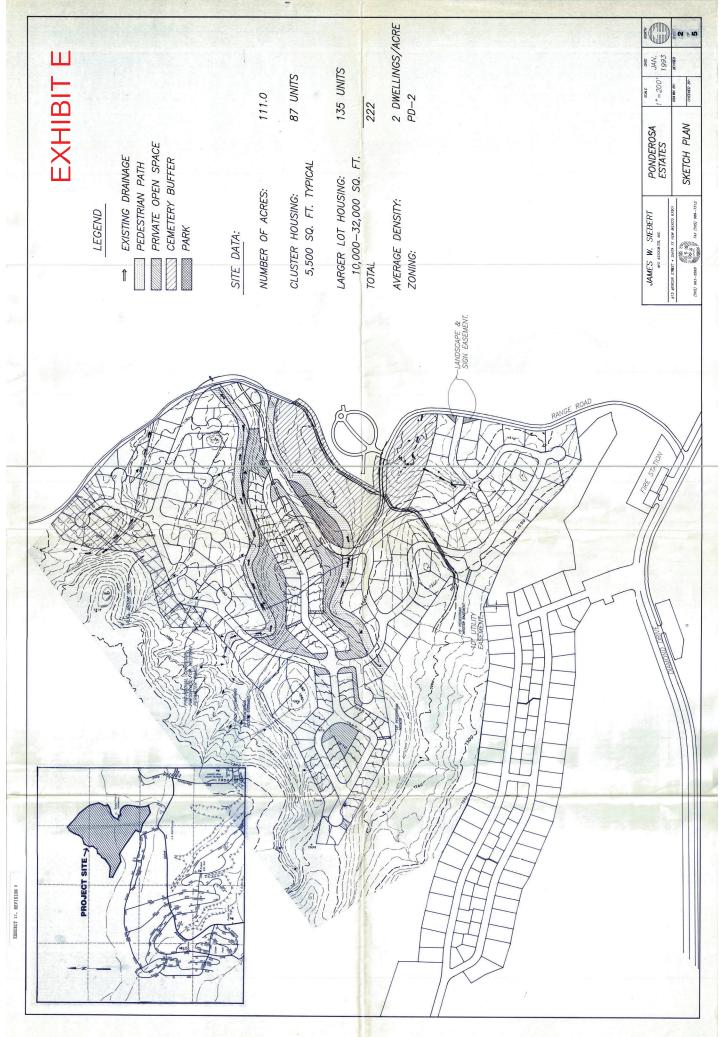
Fred Brueggeman Community Development Director

March 4, 1993





PONDEROSA ESTATES

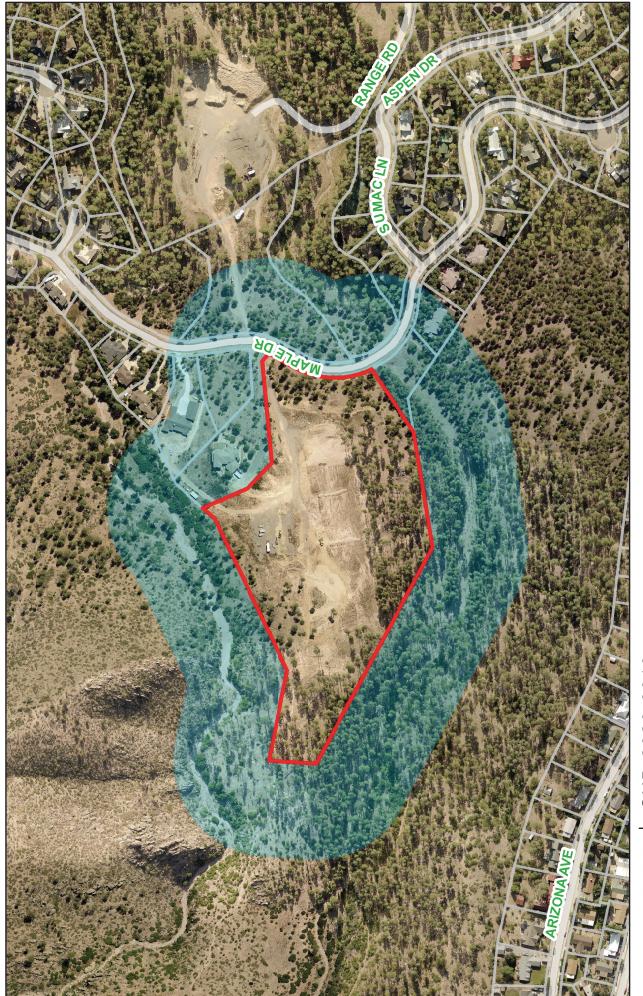


**EXHIBIT F** 

100 YDS

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PUBLIC NOTIFICATION



# 285 MAPLE DR | SUB-2020-0010

SUBJECT SITE, PONDEROSA ESTATES LOT CTC A 300' BUFFER

PARCELS

Mapping information is for reference only. Users are solely responsible to confirm data accuracy. Los Alamos County assumes no liability for errors associated with the data.

500 D Feet

250

0

# EXHIBIT F

				100 YD - NOTIFICATION LISTING - MAILED 2/5/2020	/5/2020			
ADDRESS	LEGAL	NUM	ACRES	OWNERNAME	ADDRESS1	СІТҮ	STATE	ZIP
11 SUMAC LN	PON01048	1.	1	0.32 HAYNES MICHAEL S & LAURA K	11 SUMAC LN	LOS ALAMOS	MN	87544
<b>305 MAPLE DR</b>	PON2A003	305	2	0.99 HOLMES TIMOTHY & DEBORA	<b>305 MAPLE DR</b>	LOS ALAMOS	MN	87544
271 MAPLE DR	PON C	271	1	0.58 LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	MM	87544
9999 MAPLE DR	PON02A	6666	6	4.09 LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	MN	87544
276 MAPLE DR	PON01B	276	9	2.93 LOS ALAMOS COUNTY	PO BOX 30	LOS ALAMOS	MM	87544
307 MAPLE DR	PON2A004	307	7	0.48 MCINROY DAVID J & LORRI L REVOC TRUST	<b>307 MAPLE DR</b>	LOS ALAMOS	MN	875441586
263 MAPLE DR	PON01049	263		0.46 NEAL JOHN B & RUTH A	263 MAPLE DR	LOS ALAMOS	MM	87544
RANGE ROAD	PON03			3.08 PARKER B & W & L & HOLMES D	<b>305 MAPLE DR</b>	LOS ALAMOS	NM	87544
303 MAPLE DR	PON2A002	303	S	0.72 PARKER PAUL & MARY JO	PO BOX 459	LOS ALAMOS	MM	87544
301 MAPLE DR	PON2A001	301	1	1.45 PARKER PAUL & MARY JO	PO BOX 459	LOS ALAMOS	MN	87544
STATE ROAD 4	NF1		2856	28560.04 SANTA FE NATIONAL FOREST	PO BOX 1689	SANTA FE	MN	87505