

**APPEAL OF P & Z APPROVAL OF
PRELIMINARY PLATS FOR
CAMPBELL RANCH, SU-2007-11 AND SU-2007-12**

SANDIA KNOLLS NEIGHBORHOOD ASSOCIATION is a Neighborhood Association organized for the owners of lots in the Sandia Knolls subdivision and recognized as such by Bernalillo County. Sandia Knolls is adjacent to Campbell Ranch. Sandia Knolls Neighborhood Association and the individual landowners listed on attached Exhibit A (collectively “SKNA”) appeal the decisions of the Planning and Zoning Commission in SU-2007-11 and SU-2007-12 for the following reasons:

1. The developer Campbell Ranch (“Campbell”) has not shown availability of sufficient water. Sufficient water currently is not available for the proposed subdivision from New Mexico Water Services Company (“NMWSC”), as determined by the PRC in its 2006 decision (copy attached). The plat does not comply with “Exhibit A-1-a, Annexation and Development Agreement” (Resolution 2001-14, December 3, 2001 and all related resolutions and ordinances), notwithstanding that such compliance is a “condition” of approval. The Development Agreement states in Section 2(H): “Campbell shall demonstrate a sufficient supply of potable domestic water for any proposed subdivision of land at the time application is made with the Town for any Preliminary Plat approval.” (Emphasis added). A one-sentence letter from NMWSC, with the knowledge that both the Office of the State Engineer and Public Regulation Commission have ruled that NMWSC has no excess water, does not meet this requirement.

2. Campbell woefully understates the appropriate per household water requirements. Campbell uses a planning assumption of .25 acre feet per household per year, when the current usage for rural developments without landscaping is approximately .3 per

household. However, Campbell plans indicate quite well developed landscaping and public areas, which will require water. Bernalillo County requires .6 acre feet per household. The Office of the State Engineer's methodology, calculated with local usage, results in .57 acre feet per household per year.

3. Campbell denied affected landowners of their right to participate in a public process by not complying with Ordinance 2006-2 requiring notification by mail of adjacent affected properties.

4. The plat should not be approved because many important development requirements affecting public health, safety, and general welfare, such as fire code compliance, wastewater, fire protection, public services and infrastructure, traffic and trails, are not satisfied, as agreed upon in the "Exhibit A-1-a, Annexation and Development Agreement" (Resolution 2001-14, December 3, 2001 and all related resolutions and ordinances). The Commission appears to have discarded its planning, oversight, and enforcement roles by giving Campbell conditional approval.

Numerous open items relating to the proposed development are set out in the Memo dated December 11, 2007 by the Town's Community Planning & Development division. The Commission did not obtain specific, accurate and detailed information from Campbell regarding key public issues. While there are many examples, the discussion on traffic lights, with either misleading or uninformed answers, reflects the lack of real consideration of important public issues. Other landowner and developer plans reviewed at the same meeting were asked for much more specific information than was asked of Campbell.

The Commission ignored its oversight role by not requiring Campbell to fulfill major terms of "Exhibit A-1-a, Annexation and Development Agreement" (Resolution

2001-14, December 3, 2001 and all related resolutions and ordinances), ranging from the promise to legally dedicate as open space a majority of San Pedro Peak, to demonstrating a sufficient supply of water, to creating a PID. Edgewood has not fulfilled its oversight and enforcement obligations by allowing more than six years to elapse without requiring that Campbell solve the majority of these issues. A vote of conditional approval indicates that Edgewood is providing no real oversight to the largest development in the history of the East Mountains.

5. Section 5(2) of the Development Agreement requires a financial guarantee for public infrastructure improvements by Campbell Ranch or the Public Improvement District at the time of submission of a request for approval of a subdivision, which guarantee has not been provided.

6. The preliminary plats also should not be approved because the Town did not submit the plans for review by other agencies which have regulatory concern over this Master Plan (as required by Edgewood Subdivision Regulations, September 1, 1999, deemed as governing in this case, Section 10.D.) These agencies oversee critical matters over which Edgewood does not have jurisdiction such as water (the Office of the State Engineer), sanitation, and fire/EMT services (Bernalillo County). Relying on Campbell's statements alone that these key issues are in progress without the review of the applicable agency itself does not meet the requirements of the Subdivision Regulations for a preliminary plat, especially in this case, where the impacts may be quite large.

7. SKNA urges the Town to consider carefully the context and details of all submissions involving the Campbell Ranch proposal. If and when built out, Campbell Ranch likely will be more populous than the remainder of Edgewood. It will double the population of

the North 14 area, with all the taxation and governmental issues involved in such a large development. The project's consequences will have tremendous impacts on the greater Edgewood area.

For the foregoing reasons, SKNA requests that the SU-2007-11 plat and the SU-2007-12 plat be denied or deferred at this time.

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