Village Hall, 313 Cree Meadows Drive, Ruidoso, NM 88345

Friday, June 10, 2022 – 2:00 pm

Viewing: Members of the public that do not wish to attend in person will have the ability to view the meeting through Zoom and/or YouTube.

Zoom: https://us06web.zoom.us/j/92959910806?pwd=RE4vNDZodFVFT0tGS2RWbk5ONUIlUT09
Meeting ID: 929 5991 0806
Passcode: 2584343
Telephone: +13126266799,,92959910806#,,,,*2584343# US

YouTube at https://www.youtube.com/channel/UCiI01gVEgmVcl-vZLOxTN0w/featured. The YouTube channel can be streamed using this address from most smartphones, tablets, or computers.

Public Comment: The Commission will take general public comments and comments on the meeting’s specific agenda items in written form via email at: StephanieWarren@ruidoso-nm.gov or by mail: 313 Cree Meadows Drive, Ruidoso, NM 88345 before June 10th at 10:00 am. These comments will be distributed to all Commissioners for review.

1. CALL TO ORDER, ROLL CALL, AND DECLARATIONS OF CONFLICT OF INTEREST

2. CERTIFICATION OF COMPLIANCE WITH RESOLUTION #2022-01

3. APPROVAL OF AGENDA

4. QUASI-JUDICIAL PUBLIC HEARING (all parties with standing shall have an opportunity for cross-examination.)

   A) Conditional Use Approval Case #CU2022-198- Request to develop multi-family housing within a C-2 Community Commercial District located at 1114 Mechem Dr.; Tracts 6, 7 and 10 of the H.F. Investors Tract, Ruidoso, New Mexico.

   B) Site Plan and Concept Approval Case #SP 2022-197- Request to develop multi-family housing within a C-2 Community Commercial District located at 1114 Mechem Dr.; Tracts 6, 7 and 10 of the H.F. Investors Tract, Ruidoso, New Mexico.

5. ADJOURNMENT
Planning Commission
Village Hall
313 Cree Meadows Drive, Ruidoso, New Mexico 88345

Case Report – Conditional Use Request #CU-2022-198

Subject Property: 1114 Mechem Drive
Zoning: C-2 Community Commercial District
Subdivision: H.F. Investors Tract

Legal Description: Tract 6, 7 & 10
Applicant: Village of Ruidoso
Hearing Date: June 10, 2022

Applicable Sections of Village Code:
- Sec. 54-100. - C-2 Community Commercial District.
- Sec. 54-68. - Conditional use permit approval.

I. REQUEST: The Village of Ruidoso is requesting approval of conditional use to develop up to 20 individual multi-family structures; in the C-2 Community Commercial District located at Tracts 6, 7, and 10 of the H.F. Investors Tracts, known as 1114 Mechem Drive, Ruidoso, New Mexico. Tract 6 is .5002 acres; Tract 7 is .5278 and Tract 10 is 1.2489 acres for a total of 2.2769 acres. The development would connect to all public utilities. The homes would be held in the Village of Ruidoso Housing Trust to be leased to the displaced families of the McBride Fire, and long term to be used for Ruidoso’s workforce housing initiative serving households up to 140% LMI in accordance with the Affordable Housing Act.

II. NOTIFICATION AREA MAP
I. AREA ZONING MAP

<table>
<thead>
<tr>
<th>Direction</th>
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</tr>
<tr>
<td>West</td>
<td>C-2</td>
<td>Mechanic Shop</td>
</tr>
</tbody>
</table>
□ 19 spaces would be developed; dimensions of each space would provide adequate parking and meet setbacks. Building codes set in Chapter 22 of the Village Code of Ordinances will dictate utility placement and construction.

□ Spaces are arranged to accommodate parking and ingress and egress and an emergency driveway permit has been granted from NM DOT.

III. Current Street View

IV. ANALYSIS

Sec. 54-100. - C-2 community commercial district.

(a) **Purpose.** The purpose of the C-2 community commercial district is to provide for low-intensity retail or service outlets which deal directly with the consumer for whom the goods or services are intended. The uses allowed in this district are to provide goods and services on a community market scale and should be located in areas which are served by arterial street facilities.

(c) **Conditional uses.** Conditional uses in the C-2 district are:

(1) Multiple-family structures containing four or more dwelling units.

   a. Within the C-2 zoning district, multiple-family structures shall also include individual minimal dwelling units, as defined and governed by the regulations contained elsewhere in this Code in chapter 22, providing that there are a minimum of four per lot.
b. Minimal dwelling units shall comply with all other applicable utilities, zoning and building regulations within this Code.

c. The maximum number of minimal dwelling units shall be determined by the planning commission upon reviewing a site development plan. Upon making this determination, the commission shall take into account the adequacy of utilities, infrastructure—including street and parking capacity, safety, and the potential impacts to the neighborhood.

d. Minimal dwelling units' development shall further be held as a tenants-in-common with a bona fide copy of such arrangement and corresponding agreements, including any covenants to be submitted to the planning administrator for his approval prior to any building permits are issued by the village.

**Sec. 54-68. - Conditional use permit approval.**

(a) *Generally.* Certain uses, (as defined in section 54-91(c)), may, under certain circumstances, be acceptable. When such circumstances exist, a conditional use permit may be granted. The permit may be issued for a specified period of time, with automatic cancellation at the end of that time unless it is renewed, or conditions may be applied to the issuance of the permit and periodic review may be required. **The permit shall be granted for a particular use and not for a particular person.**

(b) **Application.** The person applying for a conditional use permit shall fill out and submit to the planning administrator the appropriate form, together with the required fee. The request for a conditional use permit shall follow the procedures and applicable requirements of section 54-67 which pertain to site plan review.

(c) **Notice of hearing.** Notice of any public meeting at which the conditional use will be reviewed shall be accomplished as set forth in section 54-40.

(d) **Review and decision by planning commission.**

   (1) No conditional use permit shall be given for a use which is not listed in this article as a conditional use in the particular district in which it is proposed to be located. The planning commission shall consider the effect of the proposed use upon the health, safety and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions, including parking facilities, on adjacent streets and land, the impact upon the natural environment, and the effect of the proposed use upon the comprehensive plan. The planning commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application. In reviewing conditional uses in residential areas, the planning commission shall consider particularly the response of adjoining property owners.

   (2) Approval of conditional use permits shall require a two-thirds vote of the members of the planning commission present. If approved, the commission shall be required to make findings supporting its decision. If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval exist. No application for a conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months from the date of the order of denial, except on grounds of new evidence or proof of change of conditions found to be valid by the planning commission.

The Planning Commission has the following options:

1. **Approval** of Conditional Use Request, with reasons stated in the motion, granting the requested conditional use.
2. **Require modifications** to Conditional Use Request, and have it returned for Planning Commission review at the next meeting.

3. **Deny** the request of Conditional Use Request with reasons and conditions.

The reasons for either approval or rejection must be stated in the findings of fact and motion.

V. STAFF RECOMMENDATION

The determination of appropriateness for granting or denying the Conditional Use request application rests only with the consistency with applicable statutes, codes, and policies and with the Commission’s analysis of the impacts to the surrounding properties and the community at-large.

Upon review of the application and existing conditions, staff finds that the proposed request for commercial site plan appears to be consistent with the Village Code and hereby recommends the following conditions.

1. The applicant shall submit a Site Plan for approval to the Planning Commission prior to obtaining building permits.
2. The Applicant is required to meet with all local, state, and federal requirements pertaining to the development.
3. The Applicant is required to develop a minimum of four units and the maximum will be determined based on their site plan which most have adequate parking per unit and meet the setbacks set forth in zone C-2.
4. By accepting approval of this Conditional Use, Applicant agrees to comply in a timely manner with standards and conditions set. Failure to comply may lead to Court enforcement.

**Suggested Motion:**

“Based upon the foregoing findings of fact per §54-68 and § 54-100 of the Village Code, I move to **GRANT** the requested conditional use approval for Case #CU-2022-198 with the conditions stated in the case report.”

Prepared & Submitted by:

[Signature]

Community Development Director

#    #    #

By signing below, the Owner/Applicant agrees to comply with all the conditions adopted by the Planning and Zoning Commission (“the Commission”) at its hearing on this application. The Owner/Applicant further agrees that it will make no changes to the plans as presented to the Commission without prior approval from village staff or the Commission. Failure to comply with the application as approved by the Commission may result in Court action or revocation of approval.

_____________________________________________________

Owner/ Applicant            Date
Planning Commission
Village Hall
313 Cree Meadows Drive, Ruidoso, New Mexico 88345

Case Report – Site Plan and Concept Approval Request #SP-2022-197

Subject Property: 1114 Mechem Drive
Zoning: C-2 Community Commercial District
Subdivision: H.F. Investors Tract
Legal Description: Tract 6, 7 & 10
Applicant: Village of Ruidoso
Hearing Date: June 10, 2022

Applicable Sections of Village Code:
- Sec. 54-100. - C-2 Community Commercial District.
- Sec. 54-67. – Site Plan and Concept approval.

I. REQUEST: The Village of Ruidoso is requesting approval of site plan and concept to develop up to 20 individual multi-family structures; in the C-2 Community Commercial District located at Tracts 6, 7, 10 of the H.F. Investors Tracts, known as 1114 Mechem Drive, Ruidoso, New Mexico. Tract 6 is .5002 acres; Tract 7 is .5278 and Tract 10 is 1.240103 for a total of 2.2769 acres. The development would connect to all public utilities, engineering is in progress and will finalized prior to construction. The Village has entered into contract for the engineering and development of this property SEE APPENDIX C

II. NOTIFICATION AREA MAP

[Map Image]

Legend:
- Owners within 200' of Applicant
- Applicant of Conditional Use
- VOR:DBO, VOR, Boundary
- VOR:DBO, Roads
- VOR:DBO, Parcels

Request for Conditional Use Approval 1116+1118 Mechem
The applicant is requesting approval of conditional use to develop multi-family structures, specifically a mobile home park within a C-2 Community Commercial District located at 1116 and 1118 Mechem Dr, Tracts 6 and 7 of the H.F. Investors Tract.
Notifications are sent to property owners within 200' of request (blue lines)
### III. AREA ZONING MAP

<table>
<thead>
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IV. SITE PLAN

SEE APPENDIX A

- 19 spaces would be developed; dimensions of each space would provide adequate parking and meet setbacks. Building codes set in Chapter 22 of the Village Code of Ordinances will dictate utility placement and construction.

- Spaces are arranged to accommodate parking and ingress and egress, and an emergency driveway permit has been granted from NM DOT.

V. Current Street View

VI. ANALYSIS

Sec. 54-100. - C-2 community commercial district.

(a) Purpose. The purpose of the C-2 community commercial district is to provide for low-intensity retail or service outlets which deal directly with the consumer for whom the goods or services are intended. The uses allowed in this district are to provide goods and services on a community market scale and should be located in areas which are served by arterial street facilities.

(c) Conditional uses. Conditional uses in the C-2 district are:

1) Multiple-family structures containing four or more dwelling units.
a. Within the C-2 zoning district, multiple-family structures shall also include individual minimal dwelling units, as defined and governed by the regulations contained elsewhere in this Code in chapter 22, providing that there are a minimum of four per lot.

b. Minimal dwelling units shall comply with all other applicable utilities, zoning and building regulations within this Code.

c. The maximum number of minimal dwelling units shall be determined by the planning commission upon reviewing a site development plan. Upon making this determination, the commission shall take into account the adequacy of utilities, infrastructure—including street and parking capacity, safety, and the potential impacts to the neighborhood.

d. Minimal dwelling units’ development shall further be held as a tenants-in-common with a bona fide copy of such arrangement and corresponding agreements, including any covenants to be submitted to the planning administrator for his approval prior to any building permits are issued by the village.

Sec. 54-67. Site plan and concept approval.

(a) Generally. For purposes of this article, the site plan requirements in this section shall pertain to all development. The planning commission has the right to review and require revisions in all proposed site plans. The purpose of this review is to relieve demonstrable adverse impacts of the development upon public investment in roads, drainage facilities, sewage facilities, etc.; to conserve the value of buildings; and to ensure that the regulations of this article are upheld.

(b) Processing of applications.

(1) Generally. Application for site plan approval shall be on a form provided by the planning administrator. The application shall be accompanied by development plans showing sufficient information as required by the planning administrator, for the planning commission or village staff to determine whether the proposed development will meet the requirements of this article. Site plan applications shall be submitted by the date required by the planning administrator prior to the next planning commission meeting.

(2) Single-family and duplex development. Site plans for single-family and duplex development shall be reviewed and acted on by the planning administrator in accord with subsection (e) of this section. Notification under subsection (d) of this section shall not be required in R-1 and R-2 districts.

(c) Contents of application. In all cases, the application shall contain the following:

(1) General information:

a. Name of project or development.

• Village of Ruidoso Housing Development

b. Location of project or development by street address and legal description.

• Tracts 6, 7, 10 of the H.F. Investors Tracts, known as 1114 Mechem Drive, Ruidoso, New Mexico
c. Location map.

![Location Map]

**d. Name and mailing address of the developer and owner.**

- Village of Ruidoso, 313 Cree Meadows, Drive, Ruidoso, NM 88345

**e. Name and mailing address of the engineer, architect, land surveyor and/or builder.**

- Martin J. Pillar, P.E., 280 E. Foster Suite B, Las Cruces, New Mexico 88005

**f. Date of plan preparation.**

- June 8, 2022

**g. North point indicator. YES**

**h. Scale of not less than one inch to 100 feet. YES**

(2) Site plan (over the seal and signature of the preparing engineer, land surveyor or architect):

a. General location map showing the subject property and vicinity, at a scale of one inch equals 1,000 feet or one inch equals 2,000 feet.

b. Boundary line of the property or development site, with dimensions.

c. Location, identification and dimension of existing and proposed:
1. Topography contours at a minimum interval of five feet, to a distance of 100 feet outside the property line.

2. Adjacent streets and street rights-of-way.

3. On-site streets and street rights-of-way and edges of roads and pavement.

4. Utilities and utility rights-of-way and easements: All utilities will be brought to each site.
   i. Electric.
   ii. Natural gas.
   iii. Telephone.
   iv. Television.
   v. Water.
   vi. Sewers (sanitary and storm sewers).

5. Buildings and structures, including exterior building and roofing materials and indication of type of construction and occupancy group. See Appendix B As a Sample

6. Parking facilities.
   - 2 Spaces per Unit

7. Water bodies. N/A

8. Surface water holding ponds and drainage ditches.
   - Will be finalized during engineering.

9. Sidewalks, walkways, driveways, access points, loading areas and docks, and bikeways.
   - Complete

10. Fences.
    - Between each unit and bordering the walking trail.

11. Exterior signs.
    - Complete

12. Exterior refuse collection areas.
    - Complete

    - Lighting will be added for security throughout the development at each fire hydrant.

14. Landscaping (detailed plan showing plantings, materials, equipment, etc.):
    i. Botanical and common names of vegetation to be used.
    ii. Size of plantings at time of planting and at maturity.
iii. Area to be irrigated.

- Natural Environment Will be Preserved

15. Traffic flow on-site.

- Complete See Appendix D


- Complete See Appendix D

17. Surface water drainage arrows.

- Will be provided once topo survey is completed.

18. Information, as applicable, required by sections 54-132 and 54-133, relating to hillside and forest protection.

- N/A

d. Number, configuration and dimension of employee and non-employee parking spaces existing and proposed and total square footage of each, including handicapped spaces.

- 38 Spaces will be developed/ 2 per unit. The parking spaces are 9’ x 19’.

di. Site statistics including site square footage, percent of site coverage, dwelling unit density, and percent park or open space.

- Complete
  - Open Space will not be reserved to maximize the number of units.

19. Building information: See Appendix B for Sample Unit Information

a. Height above mean sea level of the lowest floor, when the structure is proposed to be located in a special flood hazard area.

b. Gross square footage and leasable space square footage of existing and proposed structures.

c. Elevations, including exterior materials. The planning commission may require a rendering for architectural review.

20. A listing of all required federal, state and village permits, and status of applications. See Exhibit E

21. If the site is located in a special flood hazard area or floodway area as shown on the FIRM map, described in section 54-327, the following information shall also be submitted: N/A

a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;

b. Elevation in relation to mean sea level to which the structure has been, or will be, floodproofed;

c. Certification by a registered professional engineer or architect, licensed in the state, that the flood hazard reduction methods for any structure meet the criteria in section 54-324; and

d. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
(d) Notice of site plan review. Notice of any public meeting at which the site plan will be reviewed shall be accomplished as set forth in section 54-40.

(e) Review criteria.

(1) In considering applications for site plan review under this article, the reviewer(s) shall consider the following:
   a. Relationship of the site plan elements to conditions both on and off the property.
   b. Conformance to this article.
   c. The impact of the plan on the existing and anticipated traffic and parking conditions.
   d. The adequacy of the plan with respect to land use.
   e. Pedestrian and vehicular ingress and egress.
   f. Building location and height.
   g. Landscaping.
   h. Provisions for utilities.
   i. Site drainage.
   j. Open space.
   k. Loading and unloading areas.
   l. Grading.
   m. Signage.
   n. Screening.
   o. Setbacks.
   p. Compatibility with the surrounding environment.
   q. Any other related matters.

(2) The planning commission shall consider oral or written statements from the applicant, the public, village staff members or its own members. It may question the applicant and approve, deny or postpone the development proposal. The application may not be postponed for more than two regular meetings of the planning commission.

(3) If the planning commission determines by motion that the proposed site plan will not be detrimental to the health, safety or welfare of the community or cause traffic congestion or seriously depreciate surrounding property values, and at the same time is in harmony with the purposes and intent of this article, the plan for the area and the comprehensive plan, the planning commission may grant such site plan approval and impose such conditions and safeguards as it deems necessary.

(4) Site plan review applications may be denied by motion of the planning commission when such motion or consent shall constitute a finding and determination by the planning commission or staff that the conditions required for approval do not exist.

(f) Concept approval. The applicant(s) shall be notified that they may seek an approval of their concept prior to ordering the various professionally prepared documents required for a site plan by this section. The applicant, at
a minimum, must provide an existing improvement survey for improved property, or a survey or plat, drawn to scale, for unimproved property with all the proposed construction and land uses sketched in. It should include all measurements necessary for the commission review including, but not limited to property dimensions, building dimensions, use dimensions, distances to property lines, any variances requested, etc.

The applicant(s) shall meet with the planning administrator to determine areas of the code that are applicable to the proposed plan. The planning administrator shall provide in writing to the applicant a list of those items required under subsection 54-67(c) of this Code and other information that would help the planning commission make an accurate decision. The planning commission, following a notice for hearing pursuant to the provisions of subsections (d) and (e) herein shall approve, disapprove or request additional information based on the sketch plan provided by the applicant. Upon sketch plan approval, the applicant will be responsible for ordering all documentation required for final site plan approval and submit the final application in accordance with subsections 54-67(b) through (d) of this Code.

The procedure provided herein shall be in addition to, and not in lieu of, the site plan requirements of this section, and no permit or licenses shall be issued or uses allowed until such time as all documentation required by the Code is completed, submitted to the planning administrator and approved by the planning commission. The applicant is totally responsible for any and all inaccuracies or omissions to the sketch plan they submitted. Any inaccuracy or omission may lead to a modification of the sketch plan approval or a complete denial if a misrepresentation lead to that approval.

The applicant shall be notified upon selection of this option, that the overall process may be longer than if the required professionally prepared documentation was provided at the up front. The applicant shall be required to sign the sketch plan approval application that will include a disclosure statement stating that they fully understand and accept the responsibility to provide a complete and accurate sketch plan. Furthermore, that they fully understand and accept the potential consequences of failing to do so. The applicant shall specifically initial this disclosure statement.

(g) Minor amendments. Minor amendments to approved site plans may be approved by the chairman and secretary of the planning commission upon a finding by the planning administrator that the amendment to the site plan is in compliance with division 3 of this article, pertaining to zoning district regulations, division 4 of this article, pertaining to development standards, and article IV of this chapter, pertaining to flood hazard regulations. Amendments to site plans pursuant to this subsection shall include only minor adjustments to approved site plans where the amendment is in conformance with this chapter, and shall not include changes in use, conditional uses, variances, change of any nonconforming use to any other nonconforming use, and expansions of nonconforming uses. Amended site plans shall be subject to subsections (a) through (c) of this section. Site plan review by the planning administrator shall include all items listed under subsections (e)(1)a. through g. of this section. Any amended site plan recommended for denial by the planning administrator shall automatically be scheduled for review by the planning commission at the next possible meeting.

(h) Minor variances. Minor design standard variances may be granted by the concurrence of the mayor, village manager, chairman of the planning commission, and planning administrator for site plans submitted and found by the planning administrator to be in otherwise compliance with this section of the ordinance. Variance to site plan requirements pursuant to this subsection shall include only minor adjustments to design standards and shall not include variances in use, conditional uses, change of any nonconforming use to any other nonconforming use, expansion of nonconforming uses, or property setbacks or variance to other district regulations as found in division 3 of this chapter.
The Planning Commission has the following options:

1. **Approval** of Site Plan and Concept, with reasons stated in the motion, granting the requested site plan.
2. **Require modifications** to Site Plan and Concept, and have it returned for Planning Commission review at the next meeting.
3. **Deny** the request of Site Plan and Concept with reasons and conditions.

The reasons for either approval or rejection must be stated in the findings of fact and motion.

V. STAFF RECOMMENDATION

The determination of appropriateness for granting or denying the Site Plan and Concept request application rests only with the consistency with applicable statutes, codes, and policies and with the Commission’s analysis of the impacts to the surrounding properties and the community at-large.

Upon review of the application and existing conditions, staff finds that the proposed request for commercial site plan appears to be consistent with the Village Code and hereby recommends the following conditions.

1. The applicant shall submit a Site Plan for approval to the Planning Commission prior to obtaining building permits.
2. The Applicant is required to meet with all local, state, and federal requirements pertaining to the development.
3. The Applicant is required to develop a minimum of four units and the maximum will be determined based on their site plan which most have adequate parking per unit and meet the setbacks set forth in zone C-2.
4. Complete traffic analysis and drainage study to be included with the site plan case file and building application.
5. By accepting approval of this Conditional Use, Applicant agrees to comply in a timely manner with standards and conditions set. Failure to comply may lead to Court enforcement.

**Suggested Motion:**

“Based upon the foregoing findings of fact per §54-67 and § 54-100 of the Village Code, I move to **GRANT** the requested site plan and concept approval approval for Case #SP-2022-197 with the conditions stated in the case report.”

Prepared & Submitted by:

Community Development Director

By signing below, the Owner/Applicant agrees to comply with all the conditions adopted by the Planning and Zoning Commission (“the Commission”) at its hearing on this application. The Owner/Applicant further agrees that it will make no changes to the plans as presented to the Commission without prior approval from village staff or the Commission. Failure to comply with the application as approved by the Commission may result in Court action or revocation of approval.

______________________________  _________________________
Owner/Applicant                  Date
SAMPLE MANUFACTURED HOME

EXHIBIT B
Job Order Contract
Price Proposal Summary - CSI

Date: June 03, 2022
Contract Number: 2021-10-G1142-7
Job Order Number: 220426-1.01
Job Order Title: Ruidoso Housing Project - Design 1114 Mechem Housing Development
Contractor: White Sands Construction
Proposal Value: $62,396.55
Proposal Name: Ruidoso Housing Project at 1114 Mechem - Design Only
Detailed Scope: Design of the development of 1114 Mechem Drive for the Village of Ruidoso

White Sands Construction Inc. and its consultants will provide professional services for the development engineering 1114 Mechem project in Ruidoso, NM to include the following:

- Boundary Verification and topographical survey with new aerial image
- Summary Plat to combine three tracts into one parcel with ingress/egress and utility easements shown
- Geotechnical report to include home foundations, paving section for driving isles
- Site layout – three versions for review and approval from the Village of Ruidoso – modular unit dimensions has been provide by the Village.
- Site grading and drainage – will include small retaining walls for modular homes
- Site utility plan – sewer, water, gas and electric, TV, phone, and internet coordination
- Detail sheet
- Soil erosion plan
- Staking of building pads and driving isles for tree removal
- Extend sanitary sewer approximately 255 LF along the walking trail to the NE corner of the site

The cost does not include:
- Any type of traffic study or permits with NMDOT

The boundary/topo survey, geotechnical report and site layout will be completed within three weeks from the notice to proceed. We understand that this project is a fast track due to the fire damage in the Ruidoso area and the need for housing and will do everything in our power to expedite the design of this project.

<table>
<thead>
<tr>
<th>Category - 01 - General Requirements:</th>
<th>$62,396.55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal Total</td>
<td>$62,396.55</td>
</tr>
</tbody>
</table>

This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.

The Percent of NPP on this Proposal: 0.00%
## Job Order Contract

### Price Proposal Detail - CSI

**Date:** June 03, 2022

**Contract Number:** 2021-10-G1142-7

**Job Order Number:** 220426-1.01

**Job Order Title:** Ruidoso Housing Project - Design 1114 Mechem Housing Development White Sands

**Contractor:** Construction

**Proposal Value:** $62,396.55

**Proposal Name:** Ruidoso Housing Project at 1114 Mechem - Design Only

**Adjustment Factor(s) Used:** 1.0000-No Adjustment, 1.4401-NWH Requiring State Wage Rates (Outside Tribal Land)

### CSI - 01 - General Requirements

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<th>Rec#</th>
<th>CSI Number</th>
<th>Mod.</th>
<th>UOM</th>
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### Subtotal for CSI - 01 - General Requirements:

$62,396.55

### Proposal Total:

$62,396.55

This proposal total represents the correct total for the proposal. Any discrepancy between line totals, sub-totals and the proposal total is due to rounding of the line totals and sub-totals.

### The Percent of NPP on this Proposal:

0.00%
MEMORANDUM

DATE: Colin Kruger, Impact Investments Group LLC

TO: Carl Vermillion, Bohannan Huston, Inc.

FROM: December 1, 2021

SUBJECT: Ruidoso Traffic Impact Study – Initial Traffic Generations and Traffic Volumes, 1100 Mechem Drive, Ruidoso, NM

This memorandum summarizes preliminary development trip generation for the proposed development of land located at 1100 Mechem Drive, in Ruidoso, New Mexico. The proposed development will include 56 apartment units which will have access to NM 48 (Mechem Drive) at one (1) location shown in Figure 1.

Figure 1: Preliminary Site Plan
With the development of the preliminary site plan, a trip generation summary was compiled using *The Institute of Transportation Engineers Trip Generation Manual, 10th Edition* to estimate the trips generated by the site. This information is compiled in Table 1.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Size</th>
<th>ITE Land Use Type Assumed</th>
<th>Daily</th>
<th>AM Enter</th>
<th>AM Exit</th>
<th>PM Enter</th>
<th>PM Exit</th>
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<tbody>
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<td>56 DU's</td>
<td>Multi-Family Housing Code 220</td>
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<td>31</td>
<td>28</td>
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<tr>
<td><strong>Trip Generation</strong></td>
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<td></td>
<td>434</td>
<td>10</td>
<td>31</td>
<td>28</td>
<td>17</td>
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The Village of Ruidoso in conjunction with SERTPO collected tube counts at the following locations:

1. Anaheim Jacks Driveway Entrance/Exit
2. Bonanza Drive
3. NM 47 (Mecham Drive)
4. Sierra Blanca Drive

The attached exhibit summarizes the daily volumes at each location. Using these tube counts, a capacity analysis was conducted on NM 48 (Mecham Drive) to determine if the existing 2-lane roadway has adequate capacity for current conditions and if it will be sufficient for the additional trips being generated by the proposed development. The analysis resulted in LOS A for both the northbound and southbound directions. A copy of the analysis results are attached.

Access to the proposed development will be provided from NM 48 (Mecham Drive). The access into the site will be located at the existing Bonanza Drive intersection. The existing intersection will be modified to add a fourth leg to the existing T-intersection on the east side of NM 48 (Mecham Drive). This new access point will require approval from the New Mexico Department of Transportation in accordance with the State Access Management Manual (SAMM). When a driveway application is submitted to NMDOT for this new access point, a more detailed traffic impact study will be conducted that will include intersection analysis at the following locations:

1. Sierra Blanca Drive and Mecham Drive (existing signalized intersection)
2. Bonanza Drive and Mecham Drive (existing unsignalized intersection)
3. Mecham Drive and Pioneer Bank driveway (existing unsignalized intersection)
4. Mecham Drive and Anaheim Jacks driveway (existing unsignalized intersection)
5. Future Site driveways (1) – (future unsignalized intersections)

In conclusion, the preliminary analysis indicates that the proposed development will not affect NM 48 (Mecham Drive) and that the existing road may remain as a two-lane facility (one-lane in each direction). A detailed analysis will be completed prior to construction activities at the site to determine any needed offsite improvements based on existing intersection performances.

JMA
June 2, 2022

VILLAGE OF RUIDOSO
313 CREE MEADOWS
RUIDOSO, NM 88345

RE: Access Permit No. 2 - 5583 NM 48 MM 5.94 EAST ROW

Attached is an Executed copy of the above access permit. You may now begin construction.

ALL CONSTRUCTION AND MAINTENANCE COSTS of this access will be the applicant’s responsibility.

Removal of any debris (mud, dirt, rock, etc..) tracked onto the highway during construction or the use of the access/median, shall be the responsibility of the applicant.

During construction of this access, the contractor must place warning signs in accordance with requirements of the latest edition (2009) of the Manual on Uniform Traffic Control Devices (MUTCD). This MUTCD manual can be found at mutcd.fhwa.dot.gov

A copy of this permit and attached documents shall be on site during construction and should be retained for record keeping purposes.

The completed construction of this installation must meet the provisions and specifications of the permit and is subject to the approval of this office. If not completed according to plans and specifications, corrections deemed necessary will be at the expense of the applicant.

Access permit shall remain in compliance with New Mexico Administrative Code (NMAC) 18.31.6 State Highway Access Management requirements, terms and conditions.

Notify: (3) days prior to installation:

Capitan Patrol Supervisor Ernie Trujillo: Office: (575) 840-8681
Cell: (575) 808-0047

If you have any questions, please contact District 2 Permit agent at (575) 840-9301 or by email Dtwo.Permits@state.nm.us

Sincerely,

CURTIS GRIFFIN
ACTING DISTRICT TWO PERMIT AGENT
APPLICATION FOR PERMIT TO CONSTRUCT AN ACCESS OR MEDIAN OPENING ON PUBLIC RIGHT-OF-WAY

District No. 2 Permit No. 2-5583 State Highway No. 49
Project No. Station No. (s) Mile Post(s) 5.94
Posted Speed 40 Highway ADT 112.15 (2015) Sight Distance N/A
Type of Vehicle Non-Commercial Estimated Driveway ADT 40

TO: NEW MEXICO DEPARTMENT OF TRANSPORTATION
ATTN: DISTRICT ENGINEER

☐ Deming ☑ Roswell ☐ Albuquerque ☐ Las Vegas ☐ Santa Fe ☐ Milan

Application is hereby made by Village of Ruidoso 313 Cree Meadows Drive (Owner of Property) (Mailing Address)
utilizing an existing access with the estimated driveway ADT as listed above, for permission to construct ( ) access(es), or ( ) median opening(s) or to ( ) modify or transfer an existing lawful access permit, and/or ( ) to upgrade an existing illegal access to a lawful access at the following described location:
1114 Mechem Drive, Ruidoso, NM 88345

in Lincoln County, on State Highway 49 in accordance with the attached plan or sketch. Work will commence on or about June 2022 and will require approximately 180 days.

(month, day, year)

The proposed driveway or median opening must be located, designed and constructed in accordance with 18.31.3 NMAC, State Highway Access Management Requirements. A Gate ( ), Cattle Guard ( ), Additional Fence ( ), Drainage Structure ( ), will be required which owner agrees to furnish and hereafter maintain in good repair and closed to livestock. The applicant shall submit a construction traffic control plan for approval. The owner will protect, indemnify, and hold the New Mexico Department of Transportation harmless from any injury or damage caused the owner, or third parties, by owner's failure to comply with the above. If this permit is granted, owner further agrees to comply with all condition, restrictions, and regulations of the New Mexico Department of Transportation. If not constructed, this permit will expire six (6) months from the date of issue unless otherwise noted and approved. The permittee shall notify the District Engineer of the pending construction at least three (3) working days prior to any construction, and upon completion, which shall be within 45 days of initiation of construction. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal of snow or ice upon the access even though deposited on the access in the course of the Department snow removal operations. Any work in state highway right-of-way must be approved in writing by the Department prior to initiating the work.

Place (Of Notary) State of NM County of Lincoln

Sworn to and subscribed before me this 1st

Day of June 2022

My commission expires 12/29/24

(Owner’s Signature)

By Ronald L. Sena

Title Deputy Manager

Owner’s Phone No. 575-337-7647

OFFICIAL SEAL
Y. Bartz
NOTARY PUBLIC - State of New Mexico
Department Use Only

Permission granted this ___ day of ___ , 20__, subject to the above stated conditions and the following additional requirements (attach separate sheet as required):

Deviation from the stated conditions or the approved sketch may be grounds for revocation.

Distribution:

Original: G.O. Files
Copies: District Engineer
Applicant
Traffic Services Engineer

NEW MEXICO DEPARTMENT OF TRANSPORTATION

By ____________________________
(District Engineer or Designee)

Title Acting Permit Agent - District Two

ACCESS INFORMATION

<table>
<thead>
<tr>
<th>NAME:</th>
<th>Village of Ruidoso</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS:</td>
<td>313 Cree Meadows Dr.</td>
</tr>
<tr>
<td>CITY:</td>
<td>Ruidoso</td>
</tr>
<tr>
<td>STATE:</td>
<td>NM</td>
</tr>
<tr>
<td>ZIP:</td>
<td>88345</td>
</tr>
<tr>
<td>COUNTY:</td>
<td>Lincoln</td>
</tr>
<tr>
<td>PHONE:</td>
<td></td>
</tr>
</tbody>
</table>

1. ROUTE No. (S.R./US): 48 State Road
2. LOCATION (NEAREST MILEPOST): Mile Post 5.94
3. ACCESS WIDTH: 36'
4. LENGTH OF PROPERTY FRONTAGE: 200'
5. ACCESS TYPE (commercial/residential/other): Connec
6. ACCESS RADIUS: Existing
7. GATE/CATTLE GUARD/OTHER: None
8. TYPE OF SURFACE MATERIAL: Concrete

****FOR OFFICIAL USE ONLY****

1. POSTED SPEED: 40
2. SIGHT DISTANCE: N/A
3. DRAINAGE: N/A
4. CULVERT SIZE: N/A
5. CONC. END BLANKETS: N/A
6. R.O.W. TO R.O.W. WIDTH: 75'
7. DRIVING LANE WIDTH: 12' SHOULDER WIDTH: 7'
8. HIGHWAY A.D.T.: 11,275 ESTIMATED ACCESS A.D.T.: 40

SPECIAL NOTES AND/OR CONDITIONS

Existing Drive - Ruidoso General Interior Mech
A Site Threshold Assessment (STH) is required of all developing or redeveloping properties that directly or indirectly access a state highway.

District No.: 2

Project No.: 

Date: June 1, 2022

Applicant Name: Village of Ruidoso

Business Name: Village of Ruidoso

Address: 313 Cree Meadows Drive, Ruidoso, NM 88345

SITE DESCRIPTION

☒ Residential
☒ Retail
☒ Office
☒ Industrial
☒ Institutional
☒ Lodging
☒ Restaurant
☒ Convenience/Gas
☐ Other: Housing Development

Building Size (SF): ___________________

Parcel Size (ac): ___________________

Roadway Frontage (ft): ________________

Parking Spaces: _____________________

Employees: _________________________

Other: ____________________________

Dwelling Unit: ______________________

Rooms: ____________________________

Beds: _____________________________

Students: _________________________

Seats: ____________________________

Fuel Pumps: _______________________

Courts: __________________________

Storage Units: _____________________

The STH examines existing roadway volumes and anticipated site trip generation for the purpose of determining if additional analyses are required. If the site characteristics and the trip generation estimate for a proposed development do not satisfy the requirements for a STA or a TIA as determined by the District Traffic Engineer, the STH should be approved and the traffic study requirement for the proposed development will be complete. If additional analysis is required based on the results of the STH, the District Traffic Engineer should indicate to the applicant the level of analysis that is required.

TRIP GENERATION

Option A (Commercial Access)

ITE Trip Generation Land Use Category: ____________________________

AM Peak Hour Trips

Entering: 20

Exiting: 20

PM Peak Hour Trips

Entering: 20

Exiting: 20

Option B (Residential Access)

Daily Trips

Entering: ________________

Exiting: ________________

FOR OFFICIAL USE ONLY

EXISTING ROADWAY DATA

Highway No.: 48

Highway ADT: 11,275

Number of Lanes (two way): 2

Site Mile Post: 

Count Year: 2019

Function Class: Peak

EXCEEDS THRESHOLD ☑ No

☐ STA Required ☑ TIA Required

Thresholds:

STA: 25 to 99 Peak Hour Total Trips AND more than 1,000 Vehicles per Lane per Day on adjacent Highway

TIA: 100 or more Peak Hour Total Trips

OTHER REQUIREMENT BASIS/DTE COMMENTS: ____________________________

_________________________________________

_________________________________________
AGREEMENT

THIS AGREEMENT is entered into this 23rd day of May, 2022 by and between the Village of Ruidoso, New Mexico a New Mexico municipal corporation ("Ruidoso") and H.F. Investors, Ltd., a New Mexico limited partnership ("Owner").

WHEREAS, Owner owns certain real property located along Mechem Drive in Ruidoso, New Mexico, known as Tracts 6, 7, and 10 of H.F. Investors Tract ("the Property"); and

WHEREAS, Ruidoso is interested in purchasing the Property; and

WHEREAS, Owner has offered to sell the Property to Ruidoso for the price of THREE-HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS ($350,000.00) (hereinafter referred to as “the Offer Price”); and

WHEREAS, New Mexico state law prohibits Ruidoso from purchasing the Property at a price higher than the appraised value of the Property; and

WHEREAS, the Parties are ready, willing, and able to negotiate the sale and purchase of the Property to Ruidoso on the condition that the appraised value of the property exceeds the offer price.

NOW, THEREFORE the parties agree as follows:

1. Ruidoso shall make all arrangements necessary for the completion of an appraisal of the Property by a mutually agreed upon appraiser.

2. The Village shall pay the cost of the appraisal, unless, upon completion of the appraisal, in the event that Owner does not agree to sell the Property to Ruidoso at the Offer Price or at a price below the Offer Price, Owner shall pay the full cost of the appraisal.

3. Upon completion of the appraisal, in the event that Owner agrees to sell the property to Ruidoso at the Offer Price, Owner shall give Ruidoso the exclusive right to agree to purchase the Property at the Offer Price for a time not to exceed sixty (60) days from the date of the appraisal. This sixty-day exclusive right to agree to purchase the Property is intended to provide the necessary time for the Governing Body of the Village of Ruidoso to take the action as a governing body on the purchase of the property and is not intended to limit the time to close the purchase of the property to sixty (60) days.

4. The Parties agree that Marc Beatty will perform the appraisal.

5. The Parties agree that in the event the Parties proceed to closing, the closing agent shall be Alliance Title, located in Ruidoso, New Mexico.

6. Upon execution of this Agreement, Owner agrees to fully cooperate with the Village in the initiation of completion of any procedures required by the Village of Ruidoso Community Development Department for the Village to obtain a conditional use permit for the Property.

7. This Agreement shall be construed according to the laws of the State of New Mexico with exclusive jurisdiction and venue being vested in the Twelfth Judicial District Court for Lincoln County, New Mexico.
8. This Agreement contains all of the agreements between the Parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the date first mentioned above.

VILLAGE OF RUIDOSO

Lynn D. Crawford, Mayor

OWNER

By:

Ronald L. Sena, Village Clerk
RE: Temporary Access Requirements

Date: 5-26-2022  Term in DOT ROW: 6 months

Company Name: Village of Ruidoso
Address: 313 Cree Meadows Drive
City: Ruidoso
State: New Mexico
Zip Code: 88345

Project Name: Ruidoso Housing Enterprise

Point of Contact Name: Ron Sena
Phone: 575-937-7647
Email: RonaldSena@Ruidoso-nm.gov

Access Location: Between 1008-1010 Mechem Drive (Next to Dollar General)
Address: TBD
City: Ruidoso
Zip Code: 88345

County: Lincoln
Highway Number: NM HWY 48

Site Location (Mile Marker with footage): 2 lots Adjacent to Dollar General Store (North Side) Also, additional lot is located on (East Side) of Dollar General Store.

Placement on side of ROW (N, E, S, W): Existing Dollar General Store Driveway Entrance

Length of Access Opening: 25 FT.
Fence Removal (Yes or No): No
Cattleguard/Gate (Yes or No): No
Ground modifications needed (Yes or No): None
(fill or cut): None
Material of Fill: N/A

Attach: Proximity Map/Drawing of proposed location(s) or route(s)  PLAT Attached
Attach: Copy of Contractors liability insurance with NMDOT additionally insured.
Attach: Traffic Control Plan (if applicable)

ROW (right-of-way)
EXHIBIT "A"

REPLAT

THE LOVERIN TRACT

RUIDOSO, NEW MEXICO

6.8447 ACRES  JUNE, 1983

SCALE: 1" = 100'

STATE--HIGHWAY--NO. 37
ROAD & UTILITY EASEMENTS

TRACT 1  1.1478 AC
TRACT 2  0.6000 AC
TRACT 3  0.5000 AC
TRACT 4  0.5000 AC
TRACT 5  0.5000 AC
TRACT 6  0.5000 AC
TRACT 7  0.5000 AC
TRACT 8  0.7300 AC
TRACT 9  0.7175 AC
TRACT 10 1.2485 AC

RUIDOSO MUNICIPAL AIRPORT

(3.60) area

(3.24) area

721 plus 721
Development Review

ASSESSMENT IMPACT CHECKLIST

Project Name: 1114 Mechem Multi-Family Housing
Applicant: Samantha Mendez, Community Development Director
Property location: 1114 Mechem
Review meeting Date: 6-9-22 at 9:00am

1. Closing of Center Street

<table>
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<tr>
<th>IMPACT CATEGORIES</th>
<th>No Impact Anticipated</th>
<th>Potentially Beneficial</th>
<th>Potentially Adverse-Documentation Only</th>
<th>Potentially Adverse-Requires More Study</th>
<th>Requires Project Modification</th>
<th>All determinations need explanation. Reference to documentation, sources, notes, and correspondence (see following guidance pages for questions to be answered)</th>
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<tbody>
<tr>
<td>NATURAL FEATURES</td>
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<td>Terrain management plan</td>
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<td>Landscaping plan</td>
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<td>FACILITIES AND SERVICES</td>
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<td>Commercial Facilities</td>
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<td>Emergency/Medical</td>
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<td>Open Space</td>
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Sign off
## IMPACT CATEGORIES

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<th>Impact Categories</th>
<th>No Impact Anticipated</th>
<th>Potentially Beneficial</th>
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### Transportation

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<tr>
<td>Drive way permits</td>
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<td>Off street parking</td>
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<td>Impact to traffic</td>
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<td>Pedestrian ingress and egress</td>
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### Utilities

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### LAND DEVELOPMENT

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<tr>
<th>Item</th>
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<td>Soil Suitability</td>
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<td>Hazards and Nuisances, including site safety</td>
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<td>Drainage and retention</td>
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<tr>
<td>Loading and unloading</td>
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</tr>
</tbody>
</table>

### ENVIRONMENTAL DESIGN AND HISTORIC VALUES

<table>
<thead>
<tr>
<th>Item</th>
<th>Impact</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lighting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impact on natural environment</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>
**IMPACT CATEGORIES**

<table>
<thead>
<tr>
<th>IMPACT CATEGORIES</th>
<th>No Impact Anticipated</th>
<th>Potentially Beneficial</th>
<th>Potentially Adverse-Requires Documentation Only</th>
<th>Potentially Adverse-Requires More Study</th>
<th>Requires Project Modification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Historic, Cultural, and Archaeological Resources</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

**AIR QUALITY**

Effects of ambient air quality on project and contribution to community pollution levels

**Financial Impact**

All determinations need explanation. Reference to documentation, sources, notes, and correspondence (see following guidance pages for questions to be answered)

**Source of funds**

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Funds</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>MFA</td>
<td>$480,000.00</td>
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<tr>
<td>DFA</td>
<td>$1,000,000.00</td>
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<tr>
<td>Leg. Appropriation</td>
<td>$980,000.00</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$3,460,000.00</strong></td>
</tr>
</tbody>
</table>

**Additional Comments from Public Works**

Lot 65.77 needs sewer extended for lateral.
Need locations of fire Hydrants.
Will need valving for water on each intersecting block.
At location 155.98 shows sewer tying into an additional manhole depending on grade may look at dumping all lines into manhole at 50.60.
Need elevation and layout of sewer going down jogging path to existing manhole.
All Main water lines need to be specked at DR 18 C-900
Sewer maines need to be specked at SDR35
Fire Hydrants need to be Kennedy 4 Foot Bury
Also need width of roads.

**Alternatives Considered**

Identify alternatives to the project which have been considered:

Additional Studies Performed

(Attach Study or Summary) List additional studies:
Mitigation Measures Needed

Identify, if applicable, changes which need to be made in order to eliminate or minimize adverse environmental impacts:

Complete engineering to design and goods needed to mitigate increase of flows down stream

1. Is project in compliance with applicable laws and regulations? Yes ☑ No