

SANTA FE NEW MEXICAN

Development project may force changes to Las Soleras proposals

City council approves annexation of land that was part of contested approval

[Julie Ann Grimm The New Mexican](#)

Aug 28, 2007

Julie Ann Grimm Santa Fe city councilors Monday voted unanimously to annex 97 acres on the city's southern border and to approve zoning for more than 500 homes there.

The approval also effectively deflates the contested — and now separate — Las Soleras proposed development. If that larger project outside the city limits is to continue, planners say its developers must now return to a joint city/county board with a revised plan. The city and county for years have been arguing over which government should have jurisdiction over Las Soleras' 400-plus acres. It turns out not all the landowners included that land-development proposal were in agreement.

Monday's City Council action paves the way for the proposed Beaty South development on 97 acres south of Governor Miles Road and west of Richards Avenue. The land was never supposed to be tied in with the Las Soleras proposal, said property owner Otis Beaty.

"They asked us if we were interested in being a part of (Las Soleras), and I told them that I was not," Beaty said before Monday's council decision. "Then it shows up, our property, on their plan."

Rather than publicly argue with Las Soleras developers, Beaty said he chose to continue his own plan, already in the works, to have Building Services of Santa Fe develop his land. Beaty, who founded a local electrical business and invested in land along the city's south side, said he always intended to seek annexation for the property he bought more than 35 years ago. Recently, he invested thousands to install a sewer line there that would connect to city sewer service.

Current proposals for Beaty South call for 30 percent of homes to be sold to income-qualified buyers under the city's affordable-housing program and for a centrally located park as well as other open space along an arroyo.

The project would also create a second point of access for Monte del Sol Charter School, now solely accessed through the adjacent Nava Ade development.

County planner Vicki Lucero said the city's annexation decision means Las Soleras needs to seek new approval for its plans in order to comply with development rules in the jointly administered zone outside city limits.

The city appealed the May 2006 approval for Las Soleras by the joint Extraterritorial Zoning Authority, and although settlement negotiations of that appeal are ongoing, no resolution had been announced before

Monday's meetings. Although Santa Fe County has opposed some recent city annexations, the county manager wrote a letter of support for the Beaty proposal.

An unresolved issue is how much land or money both proposed developments will give Santa Fe Public Schools. Beaty's approval Monday included a condition that he give about 3 acres to the school district and work with Las Soleras to come up with an adjoining donation of about 12 more acres.

Councilors heard from the Beaty South developer and from neighbors during a public hearing earlier this month that began after 11 p.m. and lasted past 1 a.m. Officials suspended their rules of order that call for meetings to end by midnight, but put off deliberation citing the late hour.

Monday's deliberation featured little debate from the governing body. The next step for Beaty South is a detailed development plan that will be presented to the city Planning Commission.