

City of Santa Fe, New Mexico

memo

DATE: October 30, 2015 for the November 10, 2015 City Council meeting

TO: Mayor Javier M. Gonzales
Members of the City Council

VIA: Brian K. Snyder, P.E., City Manager 
Lisa Martinez, Director, Land Use Department 
Greg Smith, AICP, Director, Current Planning Division 

FROM: Donna Wynant, AICP, Senior Planner, Current Planning Division 

Case #2015-57. Gerhart Apartments General Plan Amendment. Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC requests approval of a General Plan Future Land Use map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre). The property is located at 2800 South Meadows Road (Donna Wynant, Case Manager).

Case #2015-58. Gerhart Apartments Rezoning. Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC, requests rezoning approval of 11.83± acres of land from R-1 (Residential, 1 du/acre) to R-21 (Residential, 21 du/acre). The property is located at 2800 South Meadows Road (Donna Wynant, Case Manager).

I. RECOMMENDATION

The Planning Commission and staff recommend **APPROVAL** to the Governing Body subject to conditions of approval as outlined in the staff report and rezoning bill.

Two motions will be required in this case, one for the General Plan Amendment and another for the Rezoning.

II. APPLICATION OVERVIEW

The General Plan Amendment and Rezoning applications pertain to property that was annexed into the City in 2014 as part of the City-initiated annexation process and zoned R-1 (Residential, one dwelling unit per acre). No specific development will occur as a result of these applications; if the rezoning is approved, a separate development plan application will be submitted for review by the Planning Commission before development can occur.

The property is bounded by South Meadows along the southeast property line and Camino Real Academy public school to the west and south. A 30-acre parcel of state-owned land that is leased by the city is located to the north, about 5 acres of which may be developed in the future for a City fire station. Eight small parcels are located northeast of the applicant's property on the north side of South Meadows Road, between the road and the city parcel. Some of the small parcels are owned by the state or the Bureau of Land Management, and several are in private ownership. Across South Meadows is a 10 acre vacant parcel, owned by the applicant and to the north of that is BLM land. The site is accessed by South Meadows and is approximately ¼ mile south from the new CR62/NM599 interchange, and ¼ mile north of the South Meadows/Agua Fria intersection.

The staff report to the Planning Commission (attached) addresses details of the application and consistency with approval criteria, including consistency with adopted General Plan policies for land use in the vicinity and sufficiency of roads and other infrastructure.

The applicant has provided a conceptual site plan that shows a 240 unit apartment development. The site plan is for illustrative purposes only since a more detailed development plan will be submitted for the Planning Commission's review and approval. The conceptual plan proposes ten 3-story buildings, each consisting of 24 units. The applicant is working with the Office on Affordable Housing on their plan to either provide the required number of affordable units or an alternate means of compliance.

An Early Neighborhood Notification meeting was held on March 16, 2015. Neighbor concerns at that meeting and at the Planning Commission hearing included possible traffic congestion at morning and afternoon peak hours at the school and the backup of traffic at the 2 gated entries. School overcrowding in the area and the El Camino Real Academy already at full enrollment seemed to be the major concern.

III. SUMMARY OF PLANNING COMMISSION ACTION

The Planning Commission opened the public hearing on this case on August 6, 2015, but due to the lateness of the meeting, continued the public hearing and postponed action on the application to the meeting of September 3, 2015. (See attached minutes, Exhibit 2)

The Planning Commission unanimously (6-0) recommended approval of the General Plan Amendment and Rezoning, subject to conditions of approval as outlined in the staff report and rezoning bill.

ATTACHMENTS:

EXHIBIT 1:

- a) Findings of Fact and Conclusions of Law
- b) General Plan Amendment Resolution
- c) Rezoning Bill

EXHIBIT 2: Planning Commission Minutes August 6, 2015 and September 3, 2015

EXHIBIT 3: Planning Commission Staff Report Packet August 6, 2015

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2015-57

Gerhart Apartments General Plan Amendment

Case #2015-58

Gerhart Apartment Rezoning to R-21

Owner's Name – Storm River LLC

Agent's Name – Scott Hoeft of Santa Fe Planning Group

THIS MATTER came before the Planning Commission (Commission) for hearing on August 6, 2015 and September 3, 2015 upon the application (Application) of Scott Hoeft of Santa Fe Planning Group as agent for Storm River LLC (Applicant).

The Applicant requests an amendment to General Plan Future Land Use map to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre) and requests rezoning of 11.83± acres of land from R-1 (Residential, 1 dwelling unit per acre) to R-21 (Residential, 21 dwelling units per acre). The property is located at 2800 South Meadows Road.

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and six members of the public interested in the matter.
2. Santa Fe City Code (Code) §14-3.2(D) sets out certain procedures for amendments to the General Plan (Plan), including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.2(E).
3. Code §14-3.5(B) sets out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.5(C).
4. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F) and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.

5. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
6. A pre-application conference was held on January 22, 2015 in accordance with the procedures for subdivisions set out in Code § 14-3.1(E).
7. An ENN meeting was held on the Application on March 16, 2015 at the El Camino Real Academy.
8. Notice of the ENN meeting was properly given.
9. The ENN meeting was attended by the Applicant and City staff; there were 10 members of the public in attendance and concerns were raised.
10. The Applicant voluntarily held a second meeting with the neighbor members.
11. Commission staff provided the Commission with a report (Staff Report) evaluating the factors relevant to the Application.
12. Code §14-3.2(B)(2)(b) requires the City's official zoning map to conform to the General Plan, and requires an amendment to the Plan before a change in land use classification is proposed for a parcel shown on the Plan's land use map.
13. The Commission is authorized under Code §14-2.3(C)(7)(a) to review and make recommendations to the Governing Body regarding proposed amendments to the General Plan.
14. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings Staff Report, subject to certain conditions (the Conditions) set out in such report.

General Plan Amendment

15. Under Code § 14-3.2, an amendment to the General Plan requires submittal of an application for review and recommendation to the Governing Body by the Planning Commission.
16. The Commission has considered the criteria established by Code §14-3.2(E)(1)(a) and finds the following facts: (a) *Consistency with growth projections for the City, economic development goals as set forth in a comprehensive economic development plan for the City, and with existing land use conditions, such as access and availability of infrastructure.* [§14-3.2(E)(1)(a)]. The South Meadows Road extension and the NM 599 interchange provide sufficient access to support development that is much more intense than the current R-1 and R-3 that apply to the project site and to much of the nearby land. Although the city has a lease of neighboring land with plans for a fire station, it was revealed that there is no master plan or design for access through the subject property and the adjacent property at this time.
17. The Commission has considered the criteria established by Code §14-3.2(E)(1)(b) and finds the following facts: (b) *Consistency with other parts of the Plan.* [§14-3.2(E)(1)(b)]. General Plan Policies encourage compact urban form and

development at a higher intensity to make the most efficient use of utilities, roads and parks and encourage pedestrian linkages.

18. The Commission has considered the criteria established by Code §14-3.2(E)(1)(c) and finds the following facts: (c) *The amendment does not: (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character of the area. [§14-3.2(E)(1)(c)].* The proposed high density residential development is an appropriate use located between a school and proposed fire station and near a proposed commercial area. This growing area is in transition, near an interchange and features a variety of uses in the surrounding areas.
19. The Commission has considered the criteria established by Code §14-3.2(E)(1)(c) and finds the following facts: (c) *The amendment does not: (ii) affect an area of less than two acres, except when adjusting boundaries between districts. [§14-3.2(E)(1)(c)].* The site is 11.83± acres which is well beyond the minimum requirement of two acres.
20. The Commission has considered the criteria established by Code §14-3.2(E)(1)(c) and finds the following facts: (c) *The amendment does not: (iii) benefit one of a few landowners at the expense of the surrounding landowners or the general public [§14-3.2(E)(1)(c)].* The proposed General Plan Amendment will not benefit a few landowners at the expense of surrounding landowners.
21. The Commission has considered the criteria established by Code §14-3.2(E)(1)(d) and finds the following facts: (d) *An amendment is not required to conform with Code §14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification [§14-3.2(E)(1)(d)].* The proposal already conforms with Code §14-3.2(E)(1)(c).
22. The Commission has considered the criteria established by Code §14-3.2(E)(1)(e) and finds the following facts: (e) *Compliance with extraterritorial zoning ordinances and extraterritorial plans [§14-3.2(E)(1)(e)].* This criterion is no longer relevant since the adoption of SPaZZo and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.
23. The Commission has considered the criteria established by Code §14-3.2(E)(1)(f) and finds the following facts: (f) *Contribution to a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development [§14-3.2(D)(1)(f)].* A high density market rate residential apartment development in the proposed location is well situated near a school, proposed fire station, a proposed commercial area, the Santa Fe river trail and proximity to the 599 interchange.
24. The Commission has considered the criteria established by Code §14-3.2(E)(1)(g) and finds the following facts: (g) *Consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.* There are no identified inconsistencies with any other adopted policies. Access through and connecting adjacent properties was not able to be defined at this time.

25. The Commission has considered the criteria established by Code §14-3.2(E)(2)(a) and finds the following facts: (a) *the growth and economic projections contained within the general plan are erroneous or have changed*. New school uses, proposed fire stations, new parks/trail and proposed commercial areas all make up the ongoing changes that are occurring in this area.
26. The Commission has considered the criteria established by Code §14-3.2(E)(2)(b) and finds the following facts: *no reasonable locations have been provided for certain land uses for which there is a demonstrated need*. A high density residential development that is adjacent to a school makes for a safer, more convenient trip to school, without crossing busy streets and the proposed fire station on the north side of the property increases safety to the development.
27. The Commission has considered the criteria established by Code §14-3.2(E)(2)(c) and finds the following facts: *conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of land space requirements, consumer acceptance, market or building technology*. New school uses, new fire stations, new parks/trail and commercial areas all make up the ongoing changes that are occurring in this area.

Rezoning

28. Under Code §14-3.5(C), the Commission may review the proposed rezonings and make recommendations to the Governing Body by the Planning Commission.
29. The Commission has considered the criteria established by Code §14-3.5(C)(1)(a) and finds the following facts: *One or more of the following conditions exist: (i) there was a mistake in the original zoning; (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or (iii) a different use category is more advantageous to the community, as articulated in the Plan or other adopted City plans [Code §14-3.5(C)(1)(a)]*. Recent changes in the surrounding areas do alter the character of the neighborhood to such an extent as to justify changing the zoning and a different use category is more advantageous to the community, as articulated in the General Plan and other adopted city plans.
30. The Commission has considered the criteria established by Code §14-3.5(C)(1)(b) and finds the following facts: *All the rezoning requirements of Code Chapter 14 have been met [Code §14-3.5(C)(1)(b)]*. All the rezoning requirements of Code Chapter 14 have been met.
31. The Commission has considered the criteria established by Code §14-3.5(C)(1)(c) and finds the following facts: *The proposed rezoning is consistent with the applicable policies of the Plan [Section 14-3.5(C)(1)(c)]*. The proposed rezoning is consistent with the Plan.
32. The Commission has considered the criteria established by Code §14-3.5(C)(1)(d) and finds the following facts: *The amount of land proposed for rezoning and the proposed use for the land is consistent with City policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the*

growth of the City [Code §14-3.5(C)(1)(d)]. The nearby proposed commercial development and proximity to the interchange for the subject property makes the site well-suited to higher density development rather than a low density single family subdivision.

33. The Commission has considered the criteria established by Code §14-3.5(C)(1)(e) and finds the following facts: *(e)The existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development [Section 14-3.5(C)(1)(e)];* The subject area features new streets, such as South Meadows Road, a new interchange at NM 599, new water and sewer lines and new public facilities with a proposed fire station and proposed new parks. A new elementary school is immediately adjacent to the subject site.
34. The Commission has considered the criteria established by Code §§14-3.5(D)(1),(2) and finds the following facts: *If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies; If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.* The apartment project can be accommodated by existing infrastructure and public facilities. The area features new infrastructure such as water, sewer, NM 599 interchange and a possible new fire station.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. The proposals were properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The ENN meeting complied with the requirements established under the Code.

The General Plan Amendment

3. The Commission has the power and authority at law and under the Code to review the proposed amendment to the Plan and to make recommendations to the Governing Body regarding such amendment.
4. The Applicable Requirements have been met.

The Rezoning

5. The Applicant has the right under the Code to propose the rezoning of the Property.
6. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
7. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE 1 DAY OF OCTOBER, 2015 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the General Plan Amendment to High Density Residential to the Governing Body.

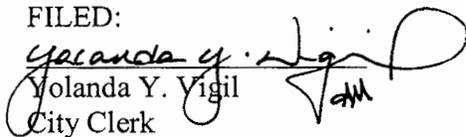
That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the rezoning request to R-21 to the Governing Body, subject to Staff Conditions.



Michael Harris, Chair

10/7/15
Date:

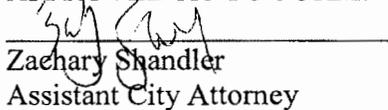
FILED:



Yolanda Y. Vigil
City Clerk

10/7/15
Date:

APPROVED AS TO FORM:



Zachary Shandler
Assistant City Attorney

10-7-15
Date:

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2015-__

3 INTRODUCED BY:

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10 A RESOLUTION

11 AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO CHANGE THE
12 DESIGNATION OF 11.83± ACRES OF LAND FROM VERY LOW DENSITY
13 RESIDENTIAL (1-3 DWELLING UNITS PER ACRE) TO HIGH DENSITY
14 RESIDENTIAL (12-29 DWELLING UNITS PER ACRE) LOCATED AT 2800 SOUTH
15 MEADOWS ROAD, EAST OF THE EL CAMINO REAL ACADEMY (“GERHART
16 APARTMENTS” GENERAL PLAN AMENDMENT, CASE NO. 2015-57).

17
18 WHEREAS, the agent for the owner of the subject property (Gerhart Apartments) has
19 submitted an application to amend the General Plan Future Land Use Map designation of the
20 property from Very Low Density Residential (1-3 dwelling units per acre) to High Density
21 Residential (12-29 dwelling units per acre); and

22 WHEREAS, pursuant to Section 3-19-9 NMSA 1978, the General Plan may be
23 amended, extended or supplemented; and

24 WHEREAS, the Governing Body has held a public hearing on the proposed amendment,
25 reviewed the staff report and the recommendation of the Planning Commission and the evidence

1 obtained at the public hearing, and has determined that the proposed amendment to the General
2 Plan meets the approval criteria set forth in Section 14-3.2(E) SFCC 1987; and

3 **WHEREAS**, the reclassification of the Property would be substantially consistent with
4 the provisions of the General Plan by encouraging compact urban form and development at a
5 higher intensity to make the most efficient use of utilities, roads and parks and encourage
6 pedestrian linkages; and

7 **WHEREAS**, the reclassification of the Property will not allow a use or change that is
8 inconsistent with prevailing uses of the area, and will not have adverse impacts upon this
9 growing area which is in transition near the 599 interchange featuring a variety of uses such as a
10 school, a proposed fire station and a proposed commercial area; and

11 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
12 **CITY OF SANTA FE:**

13 **Section 1.** That the General Plan Future Land Use Map classification for the Property
14 be and hereby amended as shown in the General Plan Future Land Use Map attached hereto
15 [EXHIBIT A] and incorporated herein by reference.

16 **Section 2.** Said General Plan amendment and any future development plan for the
17 Property is approved with and subject to the conditions set forth in the table attached hereto
18 [EXHIBIT B] summarizing City of Santa Fe staff technical memoranda and conditions approved
19 by the Planning Commission on September 3, 2015.

20 **PASSED, APPROVED and ADOPTED this ____ day of _____, 2015.**

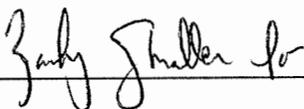
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22 _____
23 **JAVIER M. GONZALES, MAYOR**
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ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

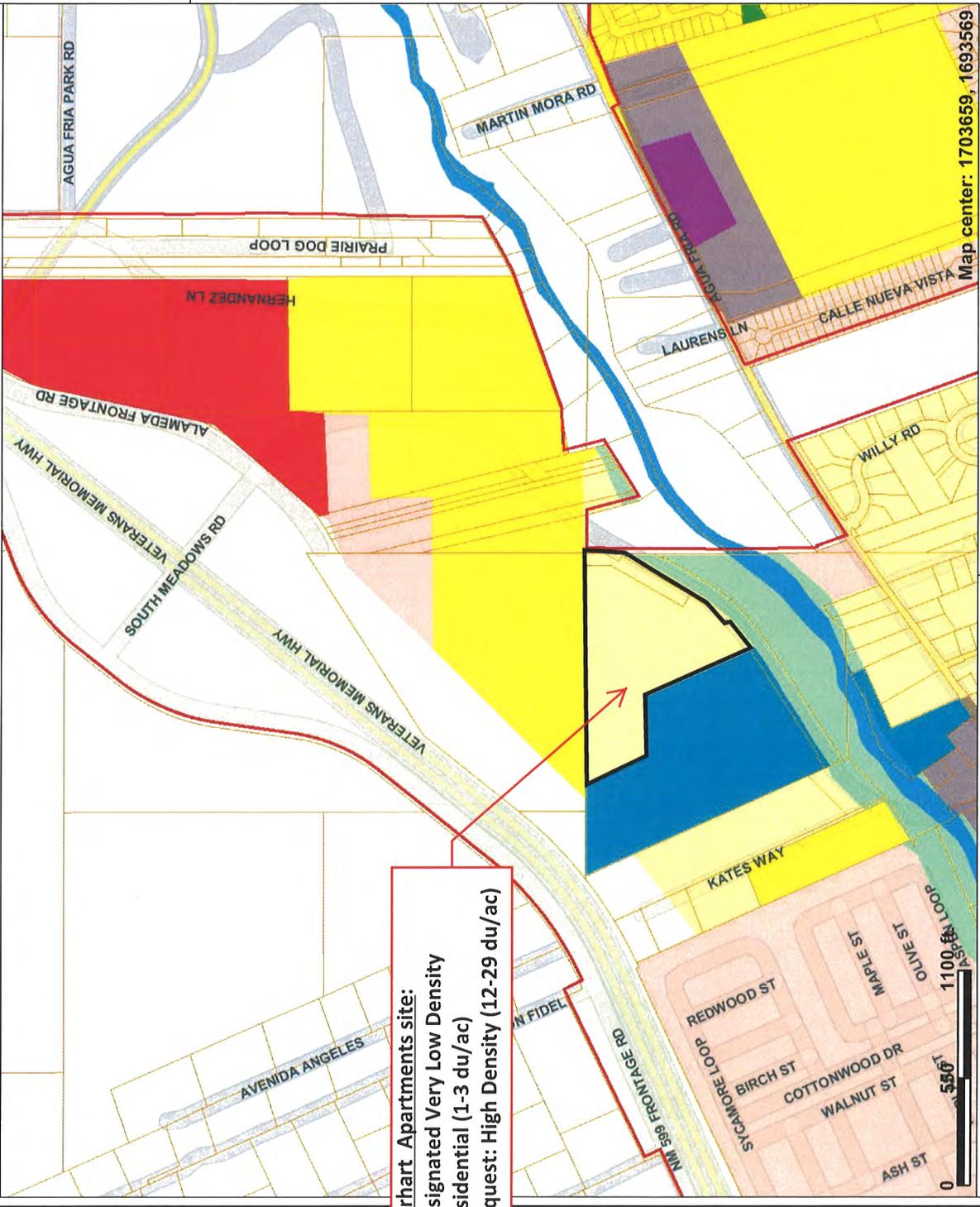
EXHIBIT A: Future Land Use Map- Resolution No. 2015- ____



Legend

- City Limits
- Parcels
- Santa Fe River
- Future Land Use
- Mountain/Corridor (1 dwelling per 10+ acres)
- Very Low Density (1-3 dwellings per acre)
- Low Density (3-7 dwellings per acre)
- Moderate Density (7-9 dwellings per acre)
- Medium Density (7-12 dwellings per acre)
- High Density (12-29 dwellings per acre)
- Regional Commercial
- Community Commercial
- Neighborhood Center
- Transitional Mixed Use
- Business Park
- Office
- Industrial
- Public/Institutional
- Open Space
- Parks

Scale: 1:9,293



**Gerhart Apartments site:
Designated Very Low Density Residential (1-3 du/ac)
Request: High Density (12-29 du/ac)**

This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Gerhart Apartments General Plan Amendment- Conditions of Approval
EXHIBIT B for Resolution No. 2015-
Case #2015-57- Gerhart Apartments, 2800 South Meadows

DRT Conditions of Approval	Department	Staff
<p align="center">DRT Conditions of Approval</p> <ol style="list-style-type: none"> The Developer shall provide right-turn deceleration lane analyses on South Meadows Road at both driveways into the apartments per the criteria in the State Access Management Manual (SAMM); and shall build right-turn deceleration lane(s) if determined to be necessary by the Public Works Department (PWD); The Developer shall build a 14' wide raised center median (instead of painted median); and along the frontage of the Gerhart property the Developer shall add a 5' bicycle lane to the typical section that already includes sidewalk and buffer; The Developer shall maintain the existing northbound typical section; and The Developer shall extend the 14' wide median southward along the frontage of the school property so that it ties in and terminates at the left-in to the school. The Developer shall work with the PWD to <u>refine cost estimates</u>, including Right-of-Way (ROW) acquisition, for the following two (2) mitigation alternatives for the Agua Fria/South Meadows Intersection: 1) added left turn lanes on Agua Fria and 2) replacement of signalized intersection with a roundabout. The Developer shall provide <u>fair-share contributions</u> for future improvements to the off-site intersection at Agua Fria Street and South Meadows Road; once it has been determined by the Public Works Department which mitigation will be implemented and how much it will cost. 	<p>Traffic Engineering/Public Works</p>	<p>John Romero (per Sandra Kassens)</p>

Gerhart Apartments General Plan Amendment- Conditions of Approval
EXHIBIT B for Resolution No. 2015-
Case #2015-57- Gerhart Apartments, 2800 South Meadows

<p>The proposed stormwater ponds cannot be considered to be amenities integrated into the landscape. If this case proceeds to the Development Plan stage, the following provisions of the Land Development Code must be met:</p> <p>14-8.2(A)(6) treat stormwater runoff as a valuable natural resource in Santa Fe...by encouraging water collection and infiltration on site</p> <p>14-8.2(A)(11) integrate stormwater management measures into the landscape and site planning process...</p> <p>14-8.2(A)(12) provide aesthetically pleasing solutions to stormwater management and erosion control measures by integrating measures into the overall landscape and site design</p> <p>14-8.4(A)(1) This section requires water harvesting and encourages the development of alternate sources of landscape irrigation water...Water conservation, water harvesting and irrigation efficiency shall guide landscape design...</p> <p>14-8.4(A)(2)...this Section 14-8.4 is part of the purpose and intent of Chapter 14, which is to enhance the appearance of Santa Fe's streets and public places in order to promote their role as community amenities...</p> <p>14-8.4(E)...Alternative sources of irrigation water shall be developed, including harvested water from roof and site runoff.</p> <p>14-8.4(E)(1) The landscaping plan shall include passive water harvesting for landscape irrigation purposes...</p> <p>14-8.4(E)(1)(b)(i)...Detention and retention ponds should be integrated landscape features, rather than single-purpose flood control ponds.</p> <p>14-8.4(I)(4) - {referring to parking lots}: ...stormwater runoff shall be used to provide irrigation for the perimeter and interior plantings to the greatest extent possible...stormwater runoff water shall be harvested and infiltrated as close to</p>	<p>Technical Review Division/LUD</p> <p>Risana Zaxus</p>
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Gerhart Apartments General Plan Amendment- Conditions of Approval
EXHIBIT B for Resolution No. 2015-_____
Case #2015-57- Gerhart Apartments, 2800 South Meadows

<p>where it falls as possible.</p>		
<p>The following notes shall be added to the plats:</p> <ol style="list-style-type: none"> 1. Each lot shall be served by separate water and sewer services 2. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application. <p>The following is a design review comment:</p> <ol style="list-style-type: none"> 1. A public sewer system design is shown to be serving the site. Typically, sewer system serving single property developments are designed utilizing private on-site sewer systems. 	<p>Wastewater Management/Pubic Works</p>	<p>Stan Holland</p>

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2015-38

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10 AN ORDINANCE

11 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE;
12 CHANGING THE ZONING CLASSIFICATION FROM R-1 (RESIDENTIAL, 1
13 DWELLING UNIT PER ACRE) TO R-21 (RESIDENTIAL, 21 DWELLING UNITS PER
14 ACRE); AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO A CERTAIN
15 PARCEL OF LAND COMPRISING 11.83± ACRES LOCATED AT 2800 SOUTH
16 MEADOWS ROAD, EAST OF THE EL CAMINO REAL ACADEMY (“GERHART
17 APARTMENTS” REZONING CASE NO. 2015-58).

18
19 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

20 **Section 1.** The following real property (the “Property”) located within the municipal
21 boundaries of the city of Santa Fe, is restricted to and classified R-21 (Residential, 21 dwelling
22 unit per acre):

23 A parcel of land comprising 11.83± acres located at 2800 South Meadows Road
24 east of the El Camino Real Academy and more fully described in EXHIBIT A
25 attached hereto and incorporated by reference, located in Section 1, T16N, R8E,

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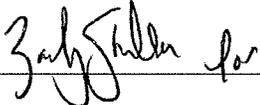
N.M.P.M., Santa Fe County, New Mexico,

Section 2. The official zoning map of the City of Santa Fe adopted by Ordinance No. 2001-27 is amended to conform to the changes in zoning classifications for the Property set forth in Section 1 of this Ordinance.

Section 3. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in the table attached hereto as EXHIBIT B and incorporated herein summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on September 3, 2015.

Section 4. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

EXHIBIT A:
For Bill No. 2015- 38

**Legal Description of the
Gerhart Apartments
2800 South Meadows**

Tract 2, comprising 11.000 acres, more or less, lying within section 1, T.16 N., R.8 E., N.M.P.M., Santa Fe County, New Mexico, and being more particularly described as follows:

Commencing at the northeast corner of the parcel hereon described being the northeast corner of section 1 as referenced above; thence from said point and place of beginning S 00°20'24" W, 41.51'; thence S 29°52'49" W, 84.92'; thence S 60°07'11" E, 40.00'; thence S 29°52'49" W, 90.25'; thence N 60°07'11" W, 10.00'; thence S 29°52'49" W, 355.68'; thence 24.56' along a 880.00' radius curve to the right having a chord of S 30°40'47" W, 24.56' and a delta of 1°35'56"; thence N 58°31'15" W, 70.00'; thence 22.60' along a 810.00' radius curve to the left having a chord of N 30°40'47" E, 22.60' and a delta of 1°35'56"; thence N 29°52'49" E, 396.87'; thence N 00°07'01" E, 132.90'; thence S 89°55'10" E, 101.40' to the point and place of beginning.

And as more fully shown as Tract 2 on plat entitled "Summary Review Subdivision Plat for Lot Split Storm River Properties, LLC," prepared by Richard A. Chatroop, NMPLS #11011, filed for record in the Office of the Santa Fe County Clerk on 10 March 20 11, in Plat Book 728, Page 040, Document No. 1629136.

Gerhart Apartments Rezone- Conditions of Approval
EXHIBIT B for Bill No. 2015- 38
Case #2015-58- Gerhart Apartments, 2800 South Meadows

DRT Conditions of Approval	Department	Staff
<p align="center">DRT Conditions of Approval</p> <ol style="list-style-type: none"> The Developer shall provide right-turn deceleration lane analyses on South Meadows Road at both driveways into the apartments per the criteria in the State Access Management Manual (SAMM); and shall build right-turn deceleration lane(s) if determined to be necessary by the Public Works Department (PWD); The Developer shall build a 14' wide raised center median (instead of painted median); and along the frontage of the Gerhart property the Developer shall add a 5' bicycle lane to the typical section that already includes sidewalk and buffer; The Developer shall maintain the existing northbound typical section; and The Developer shall extend the 14' wide median southward along the frontage of the school property so that it ties in and terminates at the left-in to the school. The Developer shall work with the PWD to <u>refine cost estimates</u>, including Right-of-Way (ROW) acquisition, for the following two (2) mitigation alternatives for the Agua Fria/South Meadows Intersection: 1) added left turn lanes on Agua Fria and 2) replacement of signalized intersection with a roundabout. The Developer shall provide <u>fair-share contributions</u> for future improvements to the off-site intersection at Agua Fria Street and South Meadows Road; once it has been determined by the Public Works Department which mitigation will be implemented and how much it will cost. 	<p>Traffic Engineering/Public Works</p>	<p>John Romero (per Sandra Kassens)</p>

Gerhart Apartments Rezone- Conditions of Approval
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<p>The proposed stormwater ponds cannot be considered to be amenities integrated into the landscape. If this case proceeds to the Development Plan stage, the following provisions of the Land Development Code must be met:</p> <p>14-8.2(A)(6) treat stormwater runoff as a valuable natural resource in Santa Fe...by encouraging water collection and infiltration on site</p> <p>14-8.2(A)(11) integrate stormwater management measures into the landscape and site planning process...</p> <p>14-8.2(A)(12) provide aesthetically pleasing solutions to stormwater management and erosion control measures by integrating measures into the overall landscape and site design</p> <p>14-8.4(A)(1)This section requires water harvesting and encourages the development of alternate sources of landscape irrigation water...Water conservation, water harvesting and irrigation efficiency shall guide landscape design...</p> <p>14-8.4(A)(2)...this Section 14-8.4 is part of the purpose and intent of Chapter 14, which is to enhance the appearance of Santa Fe's streets and public places in order to promote their role as community amenities...</p> <p>14-8.4(E)...Alternative sources of irrigation water shall be developed, including harvested water from roof and site runoff.</p> <p>14-8.4(E)(1)The landscaping plan shall include passive water harvesting for landscape irrigation purposes...</p> <p>14-8.4(E)(1)(b)(i)...Detention and retention ponds should be integrated landscape features, rather than single-purpose flood control ponds.</p> <p>14-8.4(I)(4) - {referring to parking lots}: ...stormwater runoff shall be used to provide irrigation for the perimeter and interior plantings to the greatest extent possible...stormwater runoff water shall be harvested and infiltrated as close to</p>	<p>Technical Review Division/LUD</p> <p>Risana Zaxus</p>
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Gerhart Apartments Rezone- Conditions of Approval
EXHIBIT B for Bill No. 2015- 38
Case #2015-58- Gerhart Apartments, 2800 South Meadows

<p>where it falls as possible.</p> <p>The following notes shall be added to the plats:</p> <ol style="list-style-type: none"> 1. Each lot shall be served by separate water and sewer services 2. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application. <p>The following is a design review comment:</p> <ol style="list-style-type: none"> 1. A public sewer system design is shown to be serving the site. Typically, sewer system serving single property developments are designed utilizing private on-site sewer systems. 	<p style="text-align: center;">Wastewater Management/Pubic Works</p> <p style="text-align: center;">Stan Holland</p>
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motion and it passed by unanimous voice vote.

d. Case #2015-66. 820 Camino Vistas Encantada Variance.

The Findings and Conclusions for Case #2015-66 are attached to these minutes as Exhibit 3.

Mr. Shandler said there were no changes to his Findings and Conclusions.

Commissioner Kadlubek moved to approve the Findings of Fact and Conclusions of Law for Case #2015-66, 820 Camino Vistas Encantada Variance, as presented. Commissioner Greene seconded the motion and it passed by unanimous (6-0) voice vote.

F. CONSENT

1. **Case #2015-73. San Isidro Apartments Development Plan Time Extension.** Report of the Land Use Director's approval of a one-year administrative time extension for Phase II B (up to 126 units) of the San Isidro Apartments Development Plan located 4501 San Ignacio Road. The August 17, 2015 expiration would be extended to August 17, 2016. Sommer Kames & Associates LLP, agents for BRT Realty Operating Partnership. (Zach Thomas, Case Manager)

The consent case was approved earlier under Approval of Consent Agenda.

Chair Harris welcomed Commissioner Abeyta to the Planning Commission.

G. OLD BUSINESS

1. **Case #2015-57. Gerhart Apartments General Plan Amendment.** Scott Hoefft of Santa Fe Planning Group, agent for Storm River LLC requests approval of a General Plan Future Land Use map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre). The property is located at 2800 South Meadows Road. (Donna Wynant, Case Manager) **(POSTPONED FROM AUGUST 6, 2015)**
2. **Case #2015-58. Gerhart Apartments Rezoning.** Scott Hoefft of Santa Fe Planning Group, agent for Storm River LLC, requests rezoning approval of 11.83± acres of land from R-1 (Residential, 1 dwelling units per acre) to R-21 (Residential, 21 dwelling units per acre). The property is located at 2800 South Meadows Road. (Donna Wynant, Case Manager) **(POSTPONED FROM AUGUST 6, 2015)**

A Memorandum dated August 25, 2015 for the September 3, 2015 meeting to the Planning Commission from Ms. Donna Wynant, Senior Planner, in this matter is incorporated herewith to these minutes as Exhibit 4. Please refer to Exhibit 4 for details concerning the Staff Report for Case #2015-57 and Case #2015-58.

Chair Harris explained that the Commission didn't start hearing this case until 12:30 a.m. and began hearing it because people stayed at the meeting for the previous six and a half hours. So after the applicant and Staff made some initial statements they decided to postpone it from the August 6 meeting and continue hearing it at this time.

Chair Harris asked Ms. Wynant if she had more to address in the staff report.

Ms. Wynant apologized for missing the August 6 meeting, having been called to take care of a family emergency. She was grateful that Mr. Smith presented for her at the earlier meeting. She explained that there was an informal neighborhood meeting at the Southside Public Library on August 25th with some of the residents and their comments were a late communication to the Commission. Those same concerns were raised at that meeting. The applicant will make the presentation. She asked Mr. Smith for anything else to mention.

Mr. Smith said the position of the Staff is unchanged. Staff recognized that the recommendation for approval of the rezoning is at odds with the previous policy and does specifically change the General Plan policy. But Staff reviewed the facts and believe the changed circumstances that have transpired since the adoption of the Southwest Area Master Plan (SWAMP) in the SPAZO zoning ordinance do justify changing the zoning on this property.

Mr. Scott Hoefft, Southwest Planning Group, said they have a project with 220 dwelling units on eleven acres on South Meadows Road near the new interchange on NM 599 and wanted to talk about the map that Ms. Wynant displayed. It was essentially a regional map to show what was occurring in the area. He identified it on the map and explained that the area shown to the north in blue is the city site for a new fire station. Village Plaza is a commercial property to the east. Beyond that is a new park, the Agua Fria volunteer fire station and La Familia. This area is fairly well planned out and beyond the commercial area is the traditional village with a gap of wind between owned by the BLM and a strip of land between the school and Cottonwood/ beyond Cottonwood a vacant parcel and then state land again. Most of the uses have already been determined for that area.

It is consistent with the City's growth management plan. It is in phase 2 of the Urban Area Staging Plan which goes to 2025. The intent of the plan is to concentrate population at greater densities in future growth areas, encourage compact urban form as an infill project to make most efficient use of roads, utilities and parks.

Across South Meadows Road is a vacant 10-acre parcel and He intends to try to make that as a contribution to the County Trails network. They are willing to work with whatever entity to make that work. The bulk of that is in the flood plain. The commercial area close to the highway interchange will be a nice complement to the area.

Mr. Hoefft introduced Mr. Mike Gomez as traffic engineer and Chris Cordova who did the market analysis. He noted there hasn't been a market rate project in the last 10 years. Between the last meeting and this one, they sat with the neighbors and had a pretty cordial meeting

PUBLIC HEARING

Ms. Katherine Sherlock, 1044 Camino Oraibi in Casa Alegre was sworn. She said she is a member of West Santa Fe River Alliance and heard about the development through that organization. And she wanted to raise several questions. It is a part of their concern for not only the river corridor door but Agua Fria Road. She heard this plan is for a gated community. It is right next to a school with mostly low income students. She thought how to manage that and the impression given to the kids is a question.

Another question is about the actual size. She asked if this is way too big an amount. High density was mentioned as an advantage. "But if you have high density along with parking, you no longer have the benefit of high density savings." She is looking at traffic congestion. "Is it appropriate to the area? I did read the General Plan. Even though it was written in 1999, it hasn't been revised yet to my knowledge. It talks about what is appropriate for the area. Size is a big question."

Mr. William Mean, 2073 Camino Montoya, was sworn. He said at their second informal ENN meeting with Scott Hoefft - and he thanked him for doing that - a couple of new neighbors came out and they were in closer proximity. They had concerns about restricting lighting to be toward the northwest away from the Agua Fria traditional village and having evergreens along on the southwest border of South Meadows to screen the apartments from them. They commented about how bad the lighting is from the school and a flashing neon sign nearby so it is already light polluted.

They also advocated for rainwater harvesting on those trees and using bigger than 2" caliper trees.

There were no other speakers from the public regarding this case.

Chair Harris said the Planning Commission is pleased that the applicant and the neighbors got together. It represents real progress. He added, "We are considering the General Plan Amendment and Rezoning and if that moves forward after Council consideration, we will be looking at the development plan and it would come back to this body and we will be dealing with specifics that you raised in your letter.

The Public Hearing was closed.

Mr. Shandler requested that Mr. John Romero be allowed to speak next as he is double-booked.

Chair Harris agreed but then said the Commission is open to questions from the Commissioners, of staff, of the applicant and others and the public, if appropriate.

Mr. Romero reviewed the traffic memo and noted that, basically, there are three conditions. The first is to put right-turn deceleration lanes at both driveways. The second is the 4 bullets. He said, "We are asking

them to urbanize South Meadows along frontage and also along a portion of the school's frontage with raised median, bike lanes on the north side of the road, a shoulder on the other side, a buffer space and a sidewalk on their side of the road. We are also recommending that it be based off of a fair share contribution and that they receive impact fee credits for that portion of the improvements. The reason for this is right now, we are trying to fit this all into a two-lane rural highway that was built by the County. The school provided a left-turn deceleration lane by jogging out the northbound lane."

The last condition is regarding South meadows and Agua Fria. They did do a traffic study. The interchange has lots of capacity and can handle a lot of traffic. It was designed that way so there is no problem at that point Access with South Meadows is okay but at Agua Fria it is congested without left turn bays. His suggestion is to ask the developer to provide fair-share improvements to the intersection. It depends on how much traffic there development contributes to that intersection. The intersection is in the ICIP list to ask State Legislature for improvements. At the last session, the City received \$25,000 to at least fund the design and then construction funding would come from Council.

Commissioner Kapin noted in the report it was stated that the TIA doesn't address whether local roads would be needed to provide access to other undeveloped parcels nearby and that the two proposed driveways will impact future development on South Meadows. There seems to be some specific requirements about where curb cuts can happen. She asked what the impact is on future development and whether there will be enough access and if the Commission needs to consider that at all right now.

Mr. Smith recalled the Land Use staff, at the previous meeting, said those concerns could be deferred to the development plan meeting.

Commissioner Kapin said in the report it was sort of a question whether it may be resolvable.

Mr. Smith said they reviewed those details in more detail after the first meeting.

Commissioner Kapin asked if Land Use Staff feel they are resolvable at the development plan review stage.

Mr. Smith agreed.

Commissioner Greene, along same lines, said a question came up with City leased property adjacent and potential access. "Are we giving up the opportunity for access to that property?"

Mr. Romero replied that it does have good access at the roundabout and he believed it has sufficient access there for fire station and the like.

Commissioner Greene asked if the fire station would be better served if it also had access to the north and also to the west at South Meadows. He wondered if there had been any attempt to create some sort of road network in that whole section surrounded by the frontage road which design is yet to be determined.

Mr. Smith said that is also included in staff comments to defer to the development plan. For the record,

the Land Use Staff understanding is that the entire 38 per parcel is leased by the City but only 5 acres will be used as the site for the fire station. If the Commission wants to direct it to Mr. O'Reilly, he could address it.

Chair Harris asked Mr. O'Reilly what the City is considering for that parcel.

Mr. O'Reilly said the City earlier this year entered a long term lease for this 30.5 acres. The purpose of the lease - the land is owned by State Land Office as New Mexico Trust Lands and the City has been working on that lease for several years. The City Council and Commissioner for Public Lands entered into that lease earlier. The primary purpose of the leasehold is for construction of a future fire station which has been in the planning since around 2008 and 2009 when City was working on annexation. It was determined that another fire station was needed in this area once the city took over my response obligations in this area. It is part of annexation phase 2. The idea is that the fire station would be located at the extreme north portion of the property of about 4 acres. The Fire Department wants that location because of immediate access to 599 through the roundabout. There is no frontage road right-of-way dedicated at this time by the highway department along the south side of Highway 599. So the frontage road will not continue on the south side. The advantages of having a fire station there were discussed at length by the Council. It is in accord with location strategy and proper spacing of fire stations. It also allows fire department quick access to Airport Road. There might be a need for secondary emergency access to South Meadows Road. This leased land is not under consideration tonight and there are no firm plans on how to develop that land.

Commissioner Abeyta asked Mr. O'Reilly if the Agua Fria volunteer Fire Station wasn't just up the street from there.

Mr. O'Reilly said the City won't use the Agua Fria Fire Development and needs to have a full service fire station including residential facilities for its staff. The Agua Fria Fire Department facility is more of a garage only capable of housing equipment. It was addressed in our discussions.

Commissioner Abeyta asked what will happen to the Agua Fria Volunteer Fire Station then. When it comes to a fire emergency, it doesn't matter if it is city or county. He asked if there have been discussions with the County about it.

Mr. O'Reilly said he would disagree slightly. The fire station is not a valid station under the IFC requirements for the City which has to be at a different level. There were extensive discussions about it. It is not part of the discussions tonight. The fire department would be happy to address it with the Commission. The City found an appropriate location and hoped to build it soon.

Commissioner Gutierrez asked Mr. O'Reilly if right now there is just one entrance to that property.

Mr. O'Reilly said right now the access is from the roundabout. That is the only way to get to this property right now.

Commissioner Gutierrez pointed out that in the packet, the applicant referred to the fire station more than once. He asked what the realistic time frame is to build the station.

Mr. O'Reilly said he couldn't answer that. There was a bond issue some years ago for this fire station but that didn't pass. Now the City is faced with the responsibility for fire protection on this side of town. He suggested we should bring the fire chief to the Commission to talk about how that will be done.

Commissioner Kadlubek asked Mr. Romero about traffic to gated communities and whether traffic backup would be taken into consideration.

Mr. Romero said they would take that into consideration at the time of the development plan.

Commissioner Greene said the General Plan talks about connectivity and road network and now it has two cul-de-sacs and could connect these two pieces of property with a shared road in between and connect with South Meadows. He thought the General Plan recommends more connectivity.

Mr. Romero said he looked at it from an operational standpoint and didn't know in which context that was generated in the General Plan. But this area has a very unique shape to it. He didn't see an advantage to get to South Meadows except directly to the roundabout.

Commissioner Greene said the layout doesn't have a design for pedestrians and this would put people in harm's way.

Mr. Romero said there could be pedestrian and bike connections between the two properties.

Commissioner Probst said, in light of moving most of these to the development plan consideration, she asked if the Commission would deal with any of the conditions now.

Chair Harris clarified that if the recommendation is approval to the Governing Body for the General Plan Amendment and for the Rezoning, then the Staff has proposed that these conditions will be attached. He asked if that is correct.

Mr. Smith said Staff is not recommending the circulation conditions be attached to the rezoning. Those circulation concerns can be addressed at the time the development plan is in front of the Commission. Mr. Romero has recommended specific conditions he presented to the Commission but not for the road network. That will be reviewed more carefully with the Development Plan.

Commissioner Probst noted that Romero recommended deceleration lanes.

Mr. Smith agreed but in context, it is that the circulation be adequate in the development plan.

Commissioner Abeyta understood Commissioner Greene's point about connectivity but it is a fire station and we might not want more traffic going in front of a fire station with fire trucks going onto a residential road so no access from South Meadows and probably they would want connectivity to the roundabout.

Mr. Romero said since the rest of the development of that property is unknown, he would agree with that statement and he didn't see making a fire truck go through the development to get to the fire. Regarding circulation, he felt that is more appropriate to the development plan and why most of his comments are about issues outside of that circulation issue.

Chair Harris asked Mr. Hoeft what level of discussion had been held on that 10 acres.

Mr. Hoeft said that parcel is in the flood plain and they have been approached by County Open Space Staff and asked to provide that land to the County. And then it got stalled. The developers have a requirement for an amount of open space. There is a park dedication requirement so the City could require them to reserve that as open space. He met with Mr. Thompson about it and Mr. Thompson said their focus was in other parts of the City. It is an either/or option. We are required to do the impact fee either by land dedication or paying a fee. Those are the options on the table. We have no intent to develop that parcel.

Chair Harris assumed other matters of discussion would occur at the development plan review.

Mr. Smith agreed. There will be a specific proposal concerning dedication of park space then.

Commissioner Greene asked if the Commission shouldn't discuss if that is in the City's best interests. There is a park across from the school. He asked if the Commission is in a position to get that codified right now.

Mr. Hoeft said the problem, in talking with Mr. Thompson, is with sustaining that park. In his conversation with the County, the County was very interested in the land because the river trail goes right through it. But a quick dedication might not be beneficial to the City at this point. Mr. Thompson stated that in his letter in so many words and he wanted time to sort it out.

Commissioner Greene added that the Commission needs time to look at the map. There are specific formulae in the code. It obviously needs fire protection so the City will build a station. If it costs \$100,000 to build a park, that would be part of the impact fee.

Mr. Hoeft understood. The question is that the Code gives an option and he was just questioning if this is the forum to decide it when Parks has not addressed it.

Commissioner Greene said that parcel might be the entire flood plain.

Mr. Smith concurred with the points Mr. Hoeft has raised and apologized that Mr. Thompson wasn't here at the meeting. He anticipated that would be dealt with at the development plan approval time. Mr. Thompson does have concerns about the balance of managing parks relative to the number of parks that are already on his plate.

Commissioner Greene concluded that the budget says a park isn't suitable now but with money it might be.

Mr. Smith reiterated that when it comes to the development plan that there will be a specific recommendation by Staff and provide detailed factors about it.

Commissioner Kadlubek moved in Case #2015-57, Gerhart Apartments General Plan Amendment to recommend approval to the Governing Body. Commissioner Abeyta seconded the motion and it passed by unanimous (6-0) voice vote.

Commissioner Kadlubek appreciated the efforts to have another ENN and asked how it was initiated.

Mr. Hoeft said he initiated it. The Commission gave them a month and they used it productively.

Commissioner Kadlubek said Agua Fria Village should be taken into account at development plan consideration for a larger buffer zone to deal with noise and light pollution.

Commissioner Kadlubek moved in Case #2015-58, Gerhart Apartments Rezoning to recommend approval of rezoning to the Governing Body. Commissioner Kapin seconded the motion and it passed by unanimous (6-0) voice vote.

H. NEW BUSINESS

3. Study Session. Presentations and discussion of planning issues and processes along Agua Fria Road. (Kate Noble and Lisa Martínez)

Ms. Noble hoped the Commission had seen in the memo that Staff put this together to bring intention and clarity along the river corridor and the Agua Fria area. The proposed rezoning requests demonstrate the pressure for change and the Staff want a coordinated effort for rezoning and to minimize a haphazard pattern of development. The goals tonight are outlined in the memo and are threefold: to have clear operating principles currently guiding the recommendations and processes for rezoning requests and General Plan amendments coming before the Commission. This has been a coordinated effort between the Land Use Department and the Long range Planning Staff. It is also to provide a timeline in the form of a resolution from Commissioner Bushee to do some of this planning work. We want to foster a common understanding, if the planning work goes forward and how it will be used.

Ms. Martínez provided the background. She said "As we know, over the last several months, the north side of Agua Fria Road is an area recently annexation and has experienced lots of growth pressure in the form of requests for General Plan amendments and rezones. Folks have come in and asked for higher density land use designations and different zoning districts. Among examples recently considered are the apartments known as the Blue Buffalo for a General Plan amendment and rezoning. We've also had rezoning requests for Corazon Santo, Rivera, the Boylan property, Gerhart Apartments just hear and one more later tonight for 2749 Agua Fria. Land use on the north side in this vicinity have been historically characterized as rural residential with some quasi-industrial uses and most of them really predate the Extraterritorial Zoning regulations and have existed as legal nonconforming uses or as home occupations. South of Agua Fria, the more urbanized land is characterized as a combination of mixed use and also light

VOTE: The motion was approved on the following Roll Call vote [7-0]:

For: Commissioner Chavez, Commissioner Greene, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Kapin and Commissioner Propst.

Against: None.

F. NEW BUSINESS

1. **CASE #2015-66. 820 CAMINO VISTAS ENCANTADA VARIANCE. [HEARD PREVIOUSLY AFTER BEING MOVED UP ON THE AGENDA]**

2. **CASE #2015-57. CASE #2015-57. GERHART APARTMENTS GENERAL PLAN AMENDMENT. SCOTT HOEFT OF SANTA FE PLANNING GROUP, AGENT FOR STORM RIVER LLC REQUESTS APPROVAL OF A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT TO CHANGE THE DESIGNATION OF 11.83± ACRES OF LAND FROM LOW DENSITY RESIDENTIAL (1-3 DWELLING UNITS PER ACRE) TO HIGH DENSITY RESIDENTIAL (12-29 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED AT 2800 SOUTH MEADOWS ROAD. (DONNA WYNANT, CASE MANAGER)**

Items F(2) and F(3) were combined for purposes of presentation, discussion and public hearing but were voted upon separately

A Memorandum dated July 29, 2015 for the August 6, 2015 Meeting, to the Planning Commission from Donna Wynant, Senior Planner, in this matter, is incorporated herewith to these minutes as Exhibit "12"

Copies of the following documents are on file in, and can be obtained from, the Land Use Department:

The Site Plan, Slope Analysis Terrain Management, Floor Plan and Elevations; Development Report, *General Plan Amendment and Rezoning Application*; Preliminary Site Plan; and
Gerhart Apartments: General Plan Amendment and Rezoning Submittal.

Ms. Martinez thanked everyone who have patiently waited this evening for these additional cases to come up. She would like to give the public and the staff an idea of how much longer the meeting might go, because it would helpful to extend that courtesy and give them a little bit of information.

Chair Harris said they took a quick poll and he thinks it's a function of the public testimony. He thanked everyone for persevering, saying he felt it was important to give the previous cases priority since they started it one month ago. He said he hopes everyone understands, but this what it takes on occasion.

Greg Smith, Director, Current Planning Division, presented the staff report in this case. Please see Exhibit "12" for specifics of this presentation.

Public Hearing

Presentation by the Applicant

Scott Hoeft, Santa Fe Planning Group, 109 St. Francis, Agent for Storm River LLC, was sworn. Mr. Hoeft, using a series of enlarged drawings of the proposed project, presented information regarding the project. Mr. Hoeft noted Mike Gomez, Traffic Engineer, and Chris Cordova, Market Analyst, Southwest Planning and Marketing, who did a market study for them, will be available to answer question.

Mr. Hoeft said, "I agree with staff conditions, and I need to clarify some things on the project because there is a lot at stake. The Gerhart Apartments is right in the center of this board. It's right 'there,' an 11 acre site, 240 dwelling units. And why I presented this Board is to give you sense of the context of this area and demonstrate that there a few things happening in the area, the biggest thing is the new school. We're immediately next to the brand new school, El Camino Real, a K-Middle School, up to 800 students."

Mr. Hoeft continued saying right above the project is land recently leased by the City of Santa Fe, for a fire station. He pointed out the interchange at CR-62 and 599 where a commercial area and residential area are planned. He said, 'In this area 'here,' there are several existing uses. The County Fire Station, a new park, a medical center, the community center is right in this area here.' Across 599 at Caja del Rio a senior housing group approved by the County for 200 dwell units which is at the Master Plan level done by Jennifer Jenkins which was approved earlier this year.

Mr. Hoeft said the point of the presentation is to put this in context because a lot of rezoning and the General Amendment questions are related to how this relates to the General Plan, the intent of the City ordinances and how the area is planned to be built out. He said this area is transitioning to more of an urban area, and a lot of the standards that they having to comply with at this stage are urban. He said many of you have driven South Meadows Road before and know that is a design from the County standpoint, but we need to beef-up that road with turning lanes, a center median, widenings and decel lanes to make the project work. So this area is in a transition.

Mr. Hoeft continued saying, this is a General Plan Amendment and Rezoning Application, and unlike the previous application, this is a general concept plan of what they are intending to do at the site, roughly. This is not a Final Development Plan. He said they are required when submitting for a General Plan Amendment Rezoning, to put a plan together we think will work in terms of density. He said this is a concept plan that shows the nice *[inaudible]*, but they have another version of the plan that works in terms of the mass, and where the fire lanes work, for example between the buildings, where the access points

work on South Meadows Road. The plan demonstrates in general the project which is on 11 acres, there are 10 buildings, 24 units per building, 3 story buildings. In the center there is a common sales area in entryway 1 and in entryway 2 which is a right-in right-out.

Mr. Hoeft said to the west is the existing new school in its second school year. To the north is the City of Santa Fe parcel. Across South Meadows Road is an open space of land. These are abutters to this project, noting the surrounding parcels other than the school are vacant.

Mr. Hoeft said 'this' plan gives you an idea of the architectural appearance, noting they are a long way from finalizing these, but you can get a sense of what we're planning in terms of the buildings. They are large buildings, but the intent here is to break up overall mass to a variety of small masses, colors, and such to take away the appearance of the larger buildings. He said the San Isidro project are 3 stories and about 30 feet away from the road, assuming most people here know that project. He said the intent here was to get the building centralized into a single court area away from the road so when you're driving down South Meadows Road, you're not looking at a building 30 feet from the road, noting this setback is 100 feet from South Meadows Road. It is a core plan. As opposed to having the buildings around the perimeter and the parking on the inside.

Mr. Hoeft continued, "I'm a little off my presentation, but I want to iterate again the consistency with the Growth Management Plan and the City of Santa Fe General Plan." He highlighted items that were contained in the staff report and all the questions they were to answer. They are next to a brand new school. An apartment complex next to a school is a great complementary use for the School. The project is in Stage 2 of the Urban Staging Area which is 2010-2025, the intent to concentrate population in greater densities in future growth areas, encourage compact urban form, so again, we've for a higher density project, 240 units on 11 acres, noting the rezoning is to R-21. Infill should develop at higher densities to make the most efficient use of utilities, roads and parks.

Mr. Hoeft continued, "Combined with that are areas that can be served with City utilities. What's really unique about this project is you have a site, and this is rare, where you're right near a brand new interchange at CR-62. You're right on a brand new road, South Meadows Road, meaning in the last two years. You have City water and sewer on South Meadows Road. It is rare to have all that infrastructure teed-up for a project right next to it is a great benefit for the project."

Mr. Hoeft continued, "The General Plan also encourages pedestrian linkages, and as I stated earlier, the benefit of being next to a school is you have a place where children can actually walk to school. We did meet with the Santa Fe Public Schools, and one of the questions that came up at the ENN meeting was can we break the fence between the two schools and can children actually walk to the school between the two projects. The answer is yes they can, which doesn't seem like much, but I guess it's quite an amazing thing to have such a close connectivity between the two uses. You have a trail system on the opposite side of the road. As I mentioned earlier, I'll come back to that really quickly. Again the close proximity to the interchange and 599, so that transportation network is right close by."

Mr. Hoeft continued, "And the other thing before I go back to the open space question is the market analysis. We ran a market analysis to better understand what was happening with the apartment situation in Santa Fe. You have occupancy rates at 97% right now of apartments which is extremely high, you've got vacancies at around 3%. So what that means is that your apartment projects right now are full. There is a demand for apartments in Santa Fe. The market study also showed that in the last 10 years, you had 18 market rate units come on, total, in terms of apartment projects, so there's no supply being brought onto the market. Of those projects, small projects, 2-3 units at a pop."

Mr. Hoeft said, "So a couple of things to point out is why that is important, we hear that the price of living in Santa Fe high, but ultimately one of the reasons of the high cost to live in Santa Fe is because there's not a lot of supply coming on. So if you bring on new apartment projects that actually enhances the supply, it reduces the cost because the consumers have choices, they have more places to go to. And so more apartment projects are actually a good thing for Santa Fe. The market analysis demonstrated that over the next 6 years that there is a demand for up to 1,000 units of apartments in Santa Fe, but our project only brings 240 units of that unmet demand. The other thing, I'll just talk quickly about jobs. One of the things that also surfaces in a lot of our meetings is employment and jobs, and Santa Fe needs jobs. Well construction jobs, according to the National Homebuilders Association generates almost a one to one ratio. What I mean by that is about 1,000 units generates about 1,100 jobs, so it's almost one to one, meaning if you have 240 units, 240 jobs are created, and those are construction jobs. When people say those are just temporary jobs, all construction jobs are temporary. You go from project to the next project, and those are good quality high paying jobs that are very important to Santa Fe."

Mr. Hoeft continued, "One thing I wanted to talk about, and I promised I would be short, but you know, now that I'm getting my legs, is also across the street right now is a 10 acre tract of land and we have that labeled as open space. It's not technically part of the project because this parcel existed, it existed in one and when South Meadows Road came in, it split the parcel in half. So we have a parcel on the opposite of the road that is the Santa Fe River Corridor Parcel. When we looked at this, we saw a synergy between the school, the apartment project and the open space across the street. What happened later was the fire station to the north. We're not quite sure yet what happens to that open space. We were working with Santa Fe County to see if they're interested in acquiring it for the trails network. They seemed interested, but it didn't get anywhere. We also have a park dedication requirement as part of this project, so in terms of open space, we're required to put up so much on site, and we also have a regional park requirement combined with a community park requirement. And so it is within the City's purview essentially."

Mr. Hoeft continued, "And we met with Richard Thompson, Parks Director, to see if the City is interested and able to take on this parcel for a new park to meet the requirements of the Code. And just so you know, it's an either/or option. If they do not want the land then we have to pay an impact fee, if they want it we don't have to pay the impact fees associated with the project. That is pending. The reason I bring that up, I notice two letters I saw earlier from concerned citizens regarding the land across the way. I don't know if we have the right site in reading this letter, because the land on south side of South Meadows

Road will not feature apartments, that's the open space tract of 10 acres that's pending in terms of its use. Will it be owned by the County or the City of Santa Fe we don't know yet. That's one of those items we need to work out yet, but it's definitely available and it does have the Santa Fe River Corridor going right through it, so it's available."

Mr. Hoeft continued, "One of the questions I saw in the letter was, we need a comprehensive plan for the River Corridor, again we're not in the River Corridor, the parcel across the street is. It mentioned that we're the 100 year flood plain. We're not in the 100 year flood plan. The 100 year flood plain is the land across the street."

Mr. Hoeft said, "I'll just make it brief and stop at that point. I'm sure the folks in the room will have a few things to say on that. And just to conclude my comments, we had an ENN meeting a couple months ago and the issues that surfaced, there were probably 10-15 issues that surfaced. I feel we adequately addressed most of them but some stood out. And was school overcrowding, another was traffic and one was whether we would be gating the project. And there were a host of others that surface and you can read in the staff report, and I feel we addressed most of those fairly adequately."

Mr. Hoeft continued, "School overcrowding is one that did surface at the meeting and was a bit of a surprise to me. When you're building an apartment project next to a brand new school and the paint is still wet, how can the school be overcrowded. And I did talk with the School administrators and met with representatives of Santa Fe Public Schools and they said the schools earmarked for 750-800 students and is it at capacity already. And I asked what are you actually going to do about that, because I can only do so much as a developer's representative, and they say we do what we can. A lot of the over-crowding is due to inter-zone transfers. They see, with time, that population shift. They have a new school on the opposite side of town at Atalaya and that's not close to being full. They plan the best they can is the answer I got, in anticipation of that demographic switch, people shift around town and they hope they can handle the capacity."

Mr. Hoeft said, "The other issue was traffic. As I mentioned, we're right on South Meadows Road. We worked extensively with Mr. Romero over the last two months to determine how that was going to work with our improvements and given the last case, I'm certain that you're totally familiar with traffic improvements, what we needed to do with south to make it save, and so we need a decel lane, we need a raised median down the center of the road and that goes in front of our project. But Mr. Romero suggested that it goes all the way down in front of the school project, and that should be a part of the design as well. And so we're working on improvements to South Meadows Road to have a raised median, to have even a crossover."

Mr. Hoeft continued, "One of the comments that came from the neighborhood meeting is how we're going to get folks to the other side of South Meadows Road if that becomes a park. And with a center median that's raised provides a safety area for people to be able to cross the street. So now crossing is definitely a possibility according to Mr. Romero. We also talked about the concern around the intersection of Agua Fria and South Meadows Road, and the traffic at that intersection during school hours. And I talked with the Public Schools about that and the Public Schools seem to be consistent with their response, which is you know between the hours of 8:00 and 8:30 a.m., around schools it's going to be

crowded, and between the hours of 3:00 and 4:00 p.m., and it happens at every school. We worked with Mr. Romero however, to determine a solution for that intersection at Agua Fria and South Meadows to which we would contribute a fair share to an improvement there, either a turn lane or a roundabout and further work needs to determine exactly what improvement is going to be necessary and we have conditions of approval to that effect.”

Mr. Hoeft said, “In conclusion, because I can see I’m losing most of you, we agree with the conditions of approval that Mr. Smith mentioned in his staff report, and we have Mr. Gomez and Mr. Cordova available for questions. Thank you very much.”

Speaking to the Request

All those speaking were sworn en masse

William Mee, President, Agua Fria Association, [previously sworn], said, “When I first headed out to the ENN meeting for the Gerhart Apartments, I thought the site was going to be one of the best locations for this density of use. I thought people will just jump onto 599 to get to work, or go to the two malls, and we would all live in utopia. Then at the ENN, the immediate neighbors started raising some really good points. There’s no neighborhood grocery store, retail services within many miles of the site. At one time, directly east of the site, is the Village Plaza Shopping Center owned by Carlos Garcia, and that’s been approved since 1999, but no ground has been broken.”

Mr. Mee continued, “At one time... they’ve had all kinds of anchor stores and restaurants that were going to go in there, and no one has. At one time, both Smith’s and Albertson’s were supposed to locate supermarkets there, and they opted out. And Albertson’s relocated to Zafarano, and Smith’s bought a lot on Airport Road. And then Sprouts came in on Zafarano and I think that kind of put a damper on Smith’s plans. So basically, if we build something there, there’s nothing enough. True enough, Scott pointed out that there’s a school there, and Scott also said the school is over capacity. The school was built for 650 students at a cost of \$30 million. You know, Warren, another school built for 650 at \$30 million, is also over-capacity. Salazar is over capacity. Pinon, Chavez, Sweeney all are over capacity. What’s going to happen it’s going to take a District-wide redistricting of the school system. They just completed that in 2012 because of the 2010 census. The School systems worked with the City and County to do that redistricting and there just wasn’t anything in this area.”

Mr. Mee continued, “Scott mentioned some divisions in that area. There’s also Cielo Vistas on Agua Fria that is 224 homes, and they might have about 6-8 homes there. The school issue is huge and nothing should be put in there until the school issue is resolved. The traffic on South Meadows, the first two weeks of school was impossible. And to John Romero’s credit, he worked on changing the timing of the light so that the yellow light would have a few more seconds and people could make their left-hand turn. But really, there needs to be turn arrows on that light, and that should be the financial responsibility of the Applicant.”

Mr. Mee continued, "Drainage at the site was not presented at the ENN. When you look at the plans, I would say 75-90% of the lot is really impervious, and the water has to go somewhere, so they really have to do so planning on that. And this shooting it off to the school is not a preferable solution. There's no bus service in the area. We don't have the Fire Department yet. In 2012, the City bond issue was voted down for that Fire Department, so they might have the 5 acres. In the UNM, BBER Report, they were saying that they needed about \$14 million to serve the newly annexed area. So there's a lot of money costs associated. Maybe what we need to is what the County Commission did with the apartments and developments on Richards Avenue. They said there can be no building until 2017 when the road is expanded. I think that's some of the problems we have."

Mr. Mee continued, "I think that really this ties into Councilor Patti Bushee's Resolution introduced at the July 11th City Council meeting to develop a Master Plan and Overlay District for the entire settlement annexation agreement area along the Santa Fe River. This is definitely in that River Corridor in the newly annexed area. There are no plans in that area. It's a no-man's land out there, and anything goes. And the City really needs to wrap its head around getting some solutions for our area, instead of just throwing everything down our way and just making life impossible for people."

Chair Harris said, "Thank you, Mr. Mee."

Mr. Mee said, "I have a little bit more. I'm going to take my wife's time, she had to leave. The density of this development and the intensity of use on this lot are very high and this directly affects the quality of life of the residents. Therefore, I think the owner or the management of these apartments, really must develop some recreational opportunities and amendments for the rest of the residents. We need some kind of protected access to the River Trail through this open space area. So I think maybe we need a pedestrian underpass or overpass to get to those lands. And I think in the development itself, we need a community center. There is a small community center at Cottonwood Village and it's always at capacity. We have the Nancy Rodriguez Community Center in the village with a capacity of about 75 people and it's booked every weekend since 2008. We really need to have meeting places for people for bridal showers, baptismal showers, graduations and such. I think it really needs a community center."

Mr. Mee continued, "And you just can't say they'll be using the playground of the School, because the schools, because of security and insurance, actually lock the schools after school hours. So this apartment complex will not be using that school. Thank you very much."

Cheryl Odom [previously sworn], said she lives in the Las Acquias neighborhood which is about a mile as the crow flies from the development. She said, "I won't take up a lot of your time, but there were some points I did want to emphasize. One is that with the new annexation there is no real Master Plan idea for how this area gets developed. So it's important to that neighborhood, people in Agua Fria, Las Acequias and all the other people living in the neighborhood, that there is a plan so we don't get these huge developments coming in, plopping down and so forth. The application asks for a zoning change, but the requirements for zoning changes don't seem to be met here. There has not been a significant change in the character of that Neighborhood and we had one ENN meeting with a lot of questions and a lot of problems with this development. There was never another ENN meeting, they went straight to you. So we

would have an opportunity to sit with the developers and really have a community conversation and work out how this development could proceed. I'm not saying don't put it, I'm just saying we never had an opportunity to fine tune it. I don't think our concerns were addressed. I would love this to go back and start with another ENN meeting, that would be my preference."

Ms. Odom continued, "Also, you are aware that last week the City Council passed the Residents Bill of Rights, the Resolution put together by Chainbreakers, which particularly addresses our community. In the Bill of Rights, it says that housing is to be controlled through democratic structures and processes with particular emphasis and special protections allowed for the neighborhoods that are composed of a majority of people of color and low income residents. It matters to that neighborhood. I love that neighborhood, but I'm wondering about putting up a big apartment complex. These people probably didn't know there was an ENN. I don't know how many people were notified. A lot of these people of color are transportation challenged in that neighborhood. There's no bus service. I don't know who's going to live in these apartments. When I asked that at the ENN, the guy said, why families of course. I doubt if it's affordable, I don't know what the rents are, that hasn't been mentioned at all. So to me there's just a lot of unanswered questions. And I'm hoping you ask us some of those questions, but I'm also hoping the neighbors get a change to revisit this and sit with these developers so they feel like this is actually a part of their *[inaudible]* something that is being imposed on them. Thank you."

Hilario Romero, lifelong resident of Santa Fe, and his ancestors go back to the founding of this town, former State Historian, professor of History in Spanish and Education for the last 40 years, [previously sworn], said, "They talked about the market analysis forecast for building in this town, building apartments especially. Forecasts. Their forecasts. We can all do that. Anyone of you in the room can do a forecast. We can even get on TV and do weather forecasts if you want, because the weather is so unpredictable here. The reality is we did a study in March, showing there were 395 available affordable apartments, and I say affordable to people who are basically working on the Santa Fe's Living Wage. I'm not talking about those who make \$50,000 and more a year. I'm talking about people who need affordable housing, and that's something we're not talking about in this town."

Mr. Romero continued, "We don't have those discussions, but we need to have them very soon before we continue to build these apartment structures that are not affordable. I don't know what the cost is, but I can tell you it's going to be a lot higher than the \$870 average two bedroom apartment and higher than \$700 for one bedroom, or \$600 for a utility apartment. That's what we found is that there is more than 325 apartments available for people. So these apartment buildings get built and they want more money for these apartments. This is supposedly a gated community. A gated community, you know it's going to be higher. When they construct the building, who are they going to get to build it if it is steel frame. Are we going to find somebody here in town to do it. No they're not, they're going to a lower bid of an Albuquerque contractor like all the rest have done. And once again we have temporary construction jobs, and the jobs will go to the Albuquerque contracts."

Mr. Romero said, "Last but not least, is that we continue to do R-1 rural mountain land, right to R-21 or R-29, back and forth. It needs to be handled in a way we can do it properly and we need a Master Plan for that. At the last meeting of the City Council, a resolution was passed unanimously for a Resident's

Bill of Rights, and the Mayor ordered one of the staff to seek solutions to Santa Fe's housing affordability crisis, especially as it pertains to gentrification, inequity and the widening gap between rich and poor. This is Thomas Reagan's article in *The Santa Fe Reporter*, that I'm quoting from. This gated development is a perfect example of this. It is located next to a low income neighborhood and is within the historic corridor of the Agua Fria Village. So this is very much an economic and environmental justice issue as well. And I would urge all of you to really think seriously about this, because it's probably going to be headed to the City Council and there, it will be dealt with, probably in a different manner, or we hope that. Thank you for your time."

Montserrat Baez said I am part of the West Santa Fe Regal Alliance and we need to ask for a moratorium for these kinds of developers want to have. There is no plan for exit from the County. They don't say the needs we need in Santa Fe. We need affordable housing, but I don't see anybody that is facing that right now, because it would be the rent. Just consider a moratorium until a master plan is negotiated.

Former Councilor, Karen Heldmeyer, 325 E. Berger, [previously sworn], said she doesn't want to speak to the merits of this case, she wants to speak to process. She said, "It's ten to one, and there were other people here who were going to speak tonight. And I know that this for you is a recommending vote, it's not a final decision because it will go to Council. I think it would be a more informed vote if you had heard from the other people you would here. In making recommendations to the Council is that they hear this case hear at a reasonable hour so the people who came tonight will have a chance to speak. And maybe Lisa could pass that on as well. I think... it's getting late and my mind is going, sorry. There's one last sentence that there are some cases and I know Ms. Gomez has said this in her editorial, there are some cases that will take a whole meeting, and maybe agendas should be set up so that case is the only thing on the agenda. I think you have one of those cases tonight, and I think in future, as you're setting agendas you need to think about that. People need to have an opportunity to be able to hear what you had say, and if they're not around to hear that, you need to think about this as you set up your agendas for future meetings.

The Public Hearing was continued to September 3, 2015

Chair Harris they took a quick poll not to vote, but as to how we might honor the persistence of the the Applicant and the members of public for these cases who chose to "hang in there." He thinks we need to postpone the rest of this case, the Commission portion of this case and perhaps other comments until a date certain. He doesn't feel we're of a mind to make a decision this evening. He would suggest we postpone further consideration of these two cases to a date certain, which would be sometime in September, but he doesn't know the date.

Mr. Smith said the regularly scheduled meeting will be September 3, 2015. Responding to the Chair he said the agenda is fairly light at this point.

Chair Harris asked the Commissioners their pleasure in this regard.

Commissioner Kadlubek said he would be happy to go along with that, and asked if we have the ability to request some things in the interim.

Chair Harris said yes, similar to what we've done. He said, "Ms. Heldmeyer, you probably know that even though we spent essentially 6 hours on that case, that is in addition to the 5-6 hours we spent a month ago. We do have practice now on Las Soleras and the Hospital. We've got some information, we've heard the gist of the public testimony. I think we can ask for more specific information or other questions and take it from there."

Commissioner Kadlubek asked if this would be done via email like we've been doing.

Chair Harris said, "Yes. Submit questions to staff in a reasonable turnaround time so they can work on it. Unless there's a better suggestion, I think that works reasonably well."

Commissioner Kadlubek said he would like to speak to what Former Councilor Heldmeyer said. He totally agrees that we need to allow for the public to be heard. He said, "I don't think that request is quite in earnest though and I don't think we really act in earnest simply because of only listening to the public that shows up for a Planning Commission meeting, saying that's the public we should be listening to, I think there's a huge red flag that comes up for me. So if we're going to really talk about listening to the public, we need to set up a much better apparatus to listen to the public. We need to have meetings elsewhere, we need to have meetings at different times, we need to have better outreach as to what these meetings are. We need to do a much better job at education portions of the public that don't even understand the public process, and I understand the 4-5 people were here and then left, we should have listened to them."

Commissioner Kadlubek continued, "But, you know the 17,000 people that voted in the last election need to know better about what's going on in their community and we need to have a better system to be able to reach a larger portion of people. If we're going to go down that road, let's actually go down that road and talk about how we get real public input into this. I know from my point of view as somebody who is 33 years old, it's very difficult to get young people under the age of 40 involved in this process due to embedded discriminations that happen through the process. I think similarly we can speak to people who don't speak English as their first language as being people who are left out of this process. There's a lot of demographics that don't get a chance to happen again, and so I want to put that out there. It's way bigger than the 4 people that may have been here and left."

Commissioner Gutierrez said a date certain sounds good to him. He said he does know there were other people here that left, and he would ask that we would give them a chance to speak at the next meeting.

Chair Harris agreed saying he thinks that's probably what we should do as well.

Mr. Smith said, "Point of order technically, I know the practice has been different. I believe that we are continuing the public hearing to the date certain, rather than postponing the hearing to that date."

MOTION: Commissioner Kadlubek moved, seconded by Commissioner Chavez, to postpone Case 2015-57, Gerhart Apartments General Plan Amendment and 2015-58, Gerhart Apartments Rezoning, and continue public comment to September 3, 2015.

VOTE: The motion was approved on a voice vote with Commissioners Chavez, Gutierrez, Greene, Kadlubek, Kapin and Propst voting in the affirmative and none voting in the negative (6-0).

Chair Harris noted if everyone follows up, we will have questions for the Applicant and staff at that time.

3. **CASE #2015-58. GERHART APARTMENTS REZONING. SCOTT HOEFT OF SANTA FE PLANNING GROUP, AGENT FOR STORM RIVER LLC REQUESTS REZONING APPROVAL OF 11.83± ACRES OF LAND FROM R-1(RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-21 (RESIDENTIAL, 21 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED AT 2800 SOUTH MEADOWS ROAD. (DONNA WYNANT, CASE MANAGER)**

Postponed to September 3, 2015. See action under item F(2) above.

G. STAFF COMMUNICATIONS

Mr. Smith said, "We had discussed the potential of having study sessions. I don't know that staff is ready to propose any specifics. I'm not sure if the Commissions are or not."

Chair Harris said he doesn't think so, but maybe it's a tuneup for the discussion next time.

H. MATTERS FROM THE COMMISSION

Commissioner Greene said he has a laundry list of things he knows are coming down the pike that are long term, land use issues that some of us might not be aware, that we might want to discuss taking up sometime soon. One is the MPO is putting its Pedestrian Plan draft together and comments are due within the next few weeks, but he doesn't know when. He recommends Commissioners take a look at it and put our comments together, noting it is a 20 year plan. He said they discussed the next general plan at the Long Range Planning meeting, and would like to have a study session on this. He said these cases on the Gerhart apartments is a priority among newly annexed territory that needs to be master planned and included in the General Plan and properly zoned, or not.

City of Santa Fe, New Mexico

memo

DATE: July 29, 2015 for the August 6, 2015 meeting

TO: Planning Commission

VIA: Lisa Martinez, Director, Land Use Department 
Greg Smith, AICP, Current Planning Division Director 

FROM: Donna Wynant, AICP, Senior Planner, Current Planning Division 

Case #2015-57. Gerhart Apartments General Plan Amendment. Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC requests approval of a General Plan Future Land Use map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre). The property is located at 2800 South Meadows Road (Donna Wynant, Case Manager).

Case #2015-58. Gerhart Apartments Rezoning. Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC, requests rezoning approval of 11.83± acres of land from R-1 (Residential, 1 du/acre) to R-21 (Residential, 21 du/acre). The property is located at 2800 South Meadows Road (Donna Wynant, Case Manager).

Cases #2015-57, #2015-58 are combined for purposes of staff report, public hearing and Planning Commission comment and action, but each is a separate application and shall be reviewed and voted upon separately.

RECOMMENDATION

If the Commission determines that the road network in the vicinity is adequate to serve future development on this property and on surrounding properties – or that the road network can be upgraded as development occurs – the Commission should recommend **approval** of both cases, with staff Conditions of Approval for the rezoning case. No specific development will occur as a result of these applications. The General Plan Amendment and Rezoning cases will proceed to the City Council for final decision, and if approved, a Development Plan for Planning Commission review and approval will be required for the proposed development. The agenda packet includes a copy of the development plan the applicant intends to submit for future approval

I. EXECUTIVE SUMMARY

The General Plan Amendment and Rezoning applications pertain to the subject 11.83± acres currently designated Low Density Residential (1-3 dwelling units per acre) and zoned R-1 (Residential, 1 dwelling unit per acre). The property was annexed into the City in 2014 as part of the City-initiated annexation process and zoned R-1 (Residential, one dwelling unit per acre).

The property is bounded by South Meadows along the southeast property line and Camino Real Academy public school to the west and south., A 30-acre parcel of state-owned land that is leased by the city is located to the north, about 5 acres of which may be developed in the future for a City fire station. Eight small parcels are located northeast of the applicant's property on the north side of South Meadows Road, between the road and the city parcel. Some of the small parcels are owned by the state or the Bureau of Land Management, and several are apparently in private ownership. Across South Meadows is a 10 acre vacant parcel, owned by the applicant and to the north of that is BLM land. The site is accessed by South Meadows and is approximately ¼ mile south from the new CR62/NM599 interchange, and ¼ mile north of the South Meadows/Agua Fria intersection.

The property is fairly flat and features very few trees and is not in the flood plain. An archaeological survey and report were provided with the application. The Archeological Review Committee (ARC) approved the archaeological reconnaissance report and issued an Archaeological Clearance Permit for the project at their 7/2/15. (See Exhibit __).

The applicant has submitted a Traffic Impact Analysis, and the city's Traffic Engineering Division has determined that adequate access can be provided to the site via two driveways to South Meadows Road, of appropriate turn lanes and medians are constructed. However, Land Use staff has identified potential concerns with whether the existing road network will provide adequate access for the likely types and intensity of development on this and other nearby parcels (see Section III of this report).

Utilities available to serve the site include a water and sewer line located along South Meadows Road. The applicant will be required to transfer water rights to the City of Santa Fe. The non-domestic well on-site will not be use for the apartment project.

The applicant has provided a conceptual site plan (see Exhibit E) that shows a 240 unit apartment development. The site plan is for illustrative purposes only since a more detailed development plan will be submitted for the Planning Commission's review and approval. The applicant proposes ten 3-story buildings, each consisting of 24 units. The applicant proposes to build the apartment building to the same final elevation as the adjacent school for the majority of the site. Requirements for common or private open space, and land to be dedicated for neighborhood parks, open space, trails and recreation facilities will be more closely reviewed at the time of final development plan.

Additional information is provided in the applicant's "Gerhart Apartment Project report regarding the proposed layout of the buildings, amenities, architectural features, etc. The applicant is working with the Office on Affordable Housing on their plan to either provide the required number of affordable units or an alternate means of compliance. The applicant also submitted a housing market study that shows a lack of market rate housing in Santa Fe.

II. GENERAL PLAN AMENDMENT

14-3.2 (E) Approval Criteria

(1) Criteria for All Amendments to the General Plan

The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:

- (a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;*

Applicant Response:

As part of the presumptive City limit, this area is identified for future growth of the City. A high-density residential project can help serve the residential needs of this portion of the City of Santa Fe. Multi-family projects can encourage young people and families to stay in Santa Fe. The apartment project has readily available access to new infrastructure, namely new roads, water/sewer lines, fire protection, schools, and parks.

The area of the subject site (southwest Santa Fe) shows a 95.67% occupancy rate for existing apartment projects.

Staff Response:

The South Meadows Road extension and the 599 interchange provide sufficient access to support development that is much more intense than the current R-1 and R-3 that apply to the project site and to much of the nearby land. No detailed land use plan has been approved for the vicinity, although commercial zoning and a master plan were approved for parcels nearer to the 599 interchange (Village Plaza). That approval was granted under the Extraterritorial Zoning Ordinance prior to annexation by the city, and the zoning approval remains in effect. Although the city does not maintain specific projections for types and rates of growth, it appears that:

- There is currently unmet demand for large-scale apartment projects
- There are several parcels of land in the city that have already been planned and/or zoned for apartment development.
-

- (b) consistency with other parts of the general plan;*

Applicant Response:

The apartment project is in Stage 2 of Urban Area Stage Plan (2010-2025) the goal of which is to concentrate population at greater densities in future growth areas, encourage “compact urban form” and develop at a higher density to make the most efficient use of utilities, roads and parks. The General Plan also encourages pedestrian linkages (children can walk to school; school

connections; bus stop possibility on Agua Fria, close proximity to existing infrastructure (NM599 interchange).

Staff Response:

Staff general concurs with the applicant's responses to the approval criteria for the General Plan amendment. The proposed apartment complex could become part of a potential future nodal area near the NM 599 / South Meadows interchange, along with the El Camino Real Academy, Cottonwood Mobile Home Park, a new city fire station and the previously-approved commercial center (Village Plaza). The project adjoins and is walking distance to the new El Camino Real Academy and is approximately 400 feet from NM 599 and 400 feet from the Santa Fe River. There are no directly adjacent homes or farms.

(c) the amendment does not:

(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

Applicant Response:

See response below.

Staff Response:

The proposed high density residential development is an appropriate use located between a school and future fire station and near a future commercial area. This growing area is in transition, near an interchange and features a variety of uses in the surrounding area, and is therefore not "significantly different from or inconsistent with the prevailing use and character in the area."

The site is 11.83± acres; well beyond the minimum requirement of two acres when amending the General Plan or rezoning a parcel.

The request to amend the future land use designation from low density residential to high density residential does not benefit one or a few landowners at the expense of the surrounding landowners or the general public.

(d) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;

Applicant Response:

The area in and around the subject site will witness numerous changes in the coming years, starting with the new infrastructure in the area (NM599) interchange at CR62 and S. Meadows Rd), the new school, new parks and trails, and new commercial areas close by. The character of the area is in the process of transforming into compact urban form. The request for the apartment project is consistent with the General Plan, which encourages compact urban form, thus it is put forth in this narrative that the requested change promotes the general welfare of the City and has public advantage to efficiently utilize the new infrastructure in the area.

Staff Response:

Approval criterion (d) is not required for this proposal, since it is more than two acres in size. The proposed plan amendment would comply in any case.

(e) compliance with extraterritorial zoning ordinances and extraterritorial plans;

Applicant Response:

No longer applicable.

Staff Response:

Staff concurs.

(f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development;

Applicant Response:

The apartment project is one component of several components in the area that will make up a harmonious development in the municipality. High density residential units combined with medium/low density residential product, a new school, parks/trails, commercial development and a new municipal fire station will all be occurring within a ½ mile radius.

Staff Response:

A high density market rate residential apartment development in the proposed location is well situated near a school, fire station, commercial area, the Santa Fe river trail and proximity to the 599 interchange.

(g) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Applicant Response:

(No response was given)

Staff Response:

Staff has not identified inconsistencies with any other adopted policies. Development that complies with applicable regulations should be feasible.

(2) Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping or other means, and a finding must be made that:

(a) the growth and economic projections contained within the general plan are erroneous or have changed;

(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

Applicant Response:

The General Plan Amendment is justified in this case as growth is expected and planned for this area. The site is located in the Phase 2 annexation area. The proposed change will not have a negative impact on surrounding property, as many surrounding properties are all in the state of change. New school uses, new fire stations, new parks/trail and commercial areas all make up the ongoing changes that are occurring in this area.

Staff Response:

A high density residential development that is adjacent to a school makes for a safer, more convenient trip to school, without crossing busy streets. The future fire station on the north side

of the property certainly increases safety to the development in many ways. The sound of sirens from fire engines in such close proximity, however, is something to be mitigated with additional landscaping, buffer, sound wall, and/or practice of silencing the sirens within a certain distance of the apartment project.

III. REZONING

Section 14-3.5(A) and (C) SFCC 2001 sets forth approval criteria for rezoning as follows:

(1) The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(a) one or more of the following conditions exist:

(i) there was a mistake in the original zoning;

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Applicant Response:

Regarding these three conditions, and addressing the first, while a mistake was not made with the original zoning of R-1, it was a default zoning classification for sites and land areas that did not have a previously approved Master Plan. Given the transition that is occurring in the area (new interchange at NM599, new school, greater density, new fire station, new parks and trails) the R-1 zoning classification was certainly not the highest and best use for the subject site in consideration of the objectives of the General Plan. It is evident that the second criteria is met as well given that the area is in transition due to the new infrastructure in the area (NM599 Interchange and new S. Meadows Rd). Regarding criteria three, it is more advantageous to the community and the City to encourage a more compact urban form to utilize the existing land areas more efficiently as well as the new utility infrastructure in the area (to include water, sewer, and roadways).

Staff Response:

No mistake was made in the original zoning. Recent changes in the surrounding area do alter the character of the neighborhood to such an extent as to justify changing the zoning. A different use category is more advantageous to the community, as articulated in the general plan and other adopted city plans.

(b) all the rezoning requirements of Chapter 14 have been met

Applicant Response:

The apartment project, as it is further designed in the development plan process, will adhere to Chapter 14 of the City of Santa Fe land use code. Procedural and other requirements will be met, which will include: parking, landscaping, engineering (terrain management), water/sewer hookup, water rights transfer, open space, building height and architectural standards.

Staff Response:

The notice requirements were met with the pre-application conference, the ENN, posting and mailing, etc. Details of the proposed development will be more closely reviewed for compliance to all the Chapter 14 requirements as the applicant states above.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Applicant Response:

The General Plan encourages compact urban form in developing areas. The subject area is within Stage 2 Urban Staging Area (2010-2025). The development of the site is in accordance with the timeline of the Plan.

Staff Response:

The rezoning proposal is consistent with applicable general plan policies, as described in more detail in Section II of this report.

(d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city;

Applicant Response:

It is estimated that there will be a demand for over 1,900 new market rate apartment units by year 2020. If one considers the anticipated supply pipeline of new apartment projects, there is still a demand for over 900 new market rate units.

Staff Response:

Other areas are available throughout the city that are designated high density residential, that are already zoned R-21 or R-29, near existing services. However, the nearby future commercial development and proximity to the interchange, etc. for the subject property makes the site well-suited to higher density development rather than a low density single family subdivision.

(e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

Applicant Response:

The subject area features new streets (S Meadows Rd.), a new interchange at NM599, new water and sewer lines, and new public facilities such as a new fire station and proposed new parks. A new school is immediately adjacent to the subject site.

Staff Response:

Staff concurs with the applicant's statement.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or

(c) benefit one or a few landowners at the expense of the surrounding landowners or general public.

Applicant Response:

As stated earlier in this narrative the subject area is in transition with a new school, commercial area and new infrastructure.

Staff Response:

The amendment does not: allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or does not affect an area of less than two acres, and does not benefit one or a few landowners at the expense of the surrounding landowners or the general public;

(D) Additional Applicant Requirements

(1) If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;

(2) If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.

Applicant Response:

The apartment project can be accommodated by existing infrastructure and public facilities. The area features new infrastructure (water, sewer, interchange, fire station to name a few). That being said, the project will participate in its fair share of improvements as indicated by the City of Santa Fe staff members.

Staff Response:

The applicant proposes two access points into the property from South Meadows, both with gated entries. The gates were set in further to the property in response to concerns raise at the ENN regarding possible back up of traffic into the street during the morning and afternoon school peak hours. The applicant also acknowledges any necessary fair share proportional road improvements in the area based upon additional traffic from the apartment project.

The applicant has submitted a traffic impact analysis that addresses site access and functioning of nearby intersections based on projections of traffic that will result from development of the applicant's property. The TIA has been reviewed and approved by the city traffic engineering division. A deceleration lane and turn lane are proposed and a raised median is required by the Traffic Engineer along the length of the subject property and along the adjacent school to its entrance.

The TIA does not address whether local roads will be needed to provide access to the other undeveloped parcels nearby, including the parcel leased by the city. Future access issues are complicated by the existence of a 'hodge-podge' pattern of ownership, and by uncertainty regarding the intensity of development that may occur if other land is "upzoned" in a manner similar to the applicant's property. Other relevant issues include:

- South Meadows is a limited-access road, so engineering standards call for street and driveway intersections with left turns to be widely spaced. Parcels that do not have direct left-turn access will be restricted to "right-in, right-out access, which may limit the type and intensity of development that will be possible.
- Previous plans to extend a frontage road along the south side of NM 599 seem unlikely to be implemented.
- A second access to the city-leased parcel – to South Meadows – would improve emergency access to the fire station, and would increase the range and intensity of development that would be possible on the remainder of the parcel.
- Provision of a road network that complies with General Plan policies and Chapter 14 standards for connectivity – one through street every 1,000 feet – will require coordination of access to the various parcels.

It may be possible to resolve the access issues as part of the future development plan review.

Regarding bus transportation, Santa Fe Trails Route 1 is about ¼ mile away from the subject site on Agua Fria. The applicant has discussed this with the Santa Fe Trails for extension of bus

service to the area as the area develops in the future. A convenient route for bike and pedestrian traffic will be possible to several destinations once the river trail is extended to this area.

IV. EARLY NEIGHBORHOOD NOTIFICATION MEETING

An ENN meeting was held on March 16, 2015 at the El Camino Real Academy, where approximately 10 neighbors, plus 2 people representing the applicant and one city staff person were in attendance. Mr. Hoeft presented a conceptual plan of the development and explained that a more detailed plan would be presented to the Planning Commission after the Council's decision on the General Plan Amendment and a Rezoning. He also pointed out that since the previous ENN held in 2013 part of the overall site was sold to the school District (for the El Camino Real Academy) and the new South Meadows Road split off 10 acres of land (mostly floodplain) to the south. That portion was for the County to eventually extend the trail along the Santa Fe River.

Questions raised primarily concerned traffic congestion and overcrowding of schools. People asked about possible traffic congestion at morning and afternoon peak hours at the school and the backup of traffic at the 2 gated entries. School overcrowding in the area and the El Camino Real Academy already at full enrollment (see Exhibit D-2: ENN Notes) was a major concern.

ATTACHMENTS:

EXHIBIT A: Conditions of Approval

EXHIBIT B: Development Review Team Memoranda

1. Long Range Planning, Housing. & Community Dev. Dept, Richard Macpherson
2. Traffic Engineering Division memorandum, Sandra Kassens
3. Metropolitan Planning Organization email, Keith Wilson
4. Technical Review Division memorandum– City Engineer, Risana Zaxus
5. Wastewater Management Division memorandum, Stan Holland
6. Water Division memorandum, Dee Beingessner
7. Affordable Housing memorandum, Alexandra Ladd [Not available at staff report deadline]
8. Fire Marshal memorandum, Reynaldo Gonzales [Not available at staff report deadline]
9. Archaeological Liaison – Letter & ARC Clearance- Lisa Roach
10. Santa Fe Public Schools

EXHIBIT C: Maps

1. Aerial Photo
2. Future Land Use
3. Current Zoning

EXHIBIT D: ENN Materials

1. ENN Responses to Guidelines
2. ENN Meeting Notes

EXHIBIT E: Applicant Materials

1. Conceptual Site Plan [Included in Commissioner packets]

EXHIBIT F: Other Material

1. List of permitted uses in the R-29 district (Residential, 29 du/acre)

Gerhart Apartments
Planning Commission
General Plan Amendment (Case #2015-57)
Rezoning (Case #2015-58)

DRT Conditions of Approval	Department	Staff
<p>1. The Developer shall provide right-turn deceleration lane analyses on South Meadows Road at both driveways into the apartments per the criteria in the State Access Management Manual (SAMM); and shall build right-turn deceleration lane(s) if determined to be necessary by the Public Works Department (PWD);</p> <p>2. The Developer shall build a 14' wide raised center median (instead of painted median); and along the frontage of the Gerhart property the Developer shall add a 5' bicycle lane to the typical section that already includes sidewalk and buffer;</p> <p>3. The Developer shall maintain the existing northbound typical section; and</p> <p>4. The Developer shall extend the 14' wide median southward along the frontage of the school property so that it ties in and terminates at the left-in to the school.</p> <p>5. The Developer shall work with the PWD to <u>refine cost estimates</u>, including Right-of-Way (ROW) acquisition, for the following two (2) mitigation alternatives for the Agua Fria/South Meadows Intersection: 1) added left turn lanes on Agua Fria and 2) replacement of signalized intersection with a roundabout.</p> <p>6. The Developer shall provide <u>fair-share contributions</u> for future improvements to the off-site intersection at Agua Fria Street and South Meadows Road; once it has been determined by the Public Works Department which mitigation will be implemented and how much it will cost.</p>	<p>Traffic Engineering/Public Works</p>	<p>John Romero (per Sandra Kassens)</p>

**Gerhart Apartments
 Planning Commission
 General Plan Amendment (Case #2015-57)
 Rezoning (Case #2015-58)**

	Technical Review Division/LUD	Risana Zaxus
<p>The proposed stormwater ponds cannot be considered to be amenities integrated into the landscape. If this case proceeds to the Development Plan stage, the following provisions of the Land Development Code must be met:</p> <p>14-8.2(A)(6) treat stormwater runoff as a valuable natural resource in Santa Fe...by encouraging water collection and infiltration on site</p> <p>14-8.2(A)(11) integrate stormwater management measures into the landscape and site planning process...</p> <p>14-8.2(A)(12) provide aesthetically pleasing solutions to stormwater management and erosion control measures by integrating measures into the overall landscape and site design</p> <p>14-8.4(A)(1) This section requires water harvesting and encourages the development of alternate sources of landscape irrigation water...Water conservation, water harvesting and irrigation efficiency shall guide landscape design...</p> <p>14-8.4(A)(2)...this Section 14-8.4 is part of the purpose and intent of Chapter 14, which is to enhance the appearance of Santa Fe's streets and public places in order to promote their role as community amenities...</p> <p>14-8.4(E)...Alternative sources of irrigation water shall be developed, including harvested water from roof and site runoff.</p> <p>14-8.4(E)(1) The landscaping plan shall include passive water harvesting for landscape irrigation purposes...</p> <p>14-8.4(E)(1)(b)(i)...Detention and retention ponds should be integrated landscape features, rather than single-purpose flood control ponds.</p> <p>14-8.4(I)(4) - {referring to parking lots}: ...stormwater runoff shall be used to provide irrigation for the perimeter and interior plantings to the greatest extent possible...stormwater runoff water shall be harvested and infiltrated as close to</p>		

Gerhart Apartments
Planning Commission
General Plan Amendment (Case #2015-57)
Rezoning (Case #2015-58)

<p>where it falls as possible...</p> <p>The following notes shall be added to the plats:</p> <ol style="list-style-type: none"> 1. Each lot shall be served by separate water and sewer services 2. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application. <p>The following is a design review comment:</p> <ol style="list-style-type: none"> 1. A public sewer system design is shown to be serving the site. Typically, sewer system serving single property developments are designed utilizing private on-site sewer systems. 	<p>Wastewater Management/Pubic Works</p> <p>Stan Holland</p>
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City of Santa Fe, New Mexico

memo

DATE: July 17, 2015

TO: Kate Noble, Acting Manager, Housing and Community Development Dept. *KN*

VIA: Reed Liming, Director, Long Range Planning Division *RL*

FROM: Richard Macpherson, Senior Planner, Long Range Planning Division *RM*

RE: The Gerhart Apartment Project

Long Range Planning generally concurs with the applicant's responses to the approval criteria for a General Plan amendment. This proposed apartment complex could become part of a potential future nodal area near the NM 599 / South Meadows interchange, along with the El Camino Real Academy, Cottonwood Mobile Home Park, a new city fire station and a planned commercial center (Village Plaza). The project adjoins and is walking distance to the new El Camino Real Academy and is approximately 400 feet from NM 599 and 400 feet from the Santa Fe River. The site plan shows a fully landscaped project that could become part of a nicely designed development. It seems a higher-density residential apartment project could be appropriate in this location. There are no directly adjacent homes or farms. In summary, a General Plan amendment to higher density residential use would seem to be acceptable for this site.

City of Santa Fe, New Mexico

memo

***AMENDED MEMO**

DATE: July 28, 2015
TO: Donna Wynant, Senior Planner, Land Use Division
VIA: John J. Romero, Traffic Engineering Division Director *JR*
FROM: Sandra Kassens, Engineer Assistant *SMK*
SUBJECT: Gerhart Apartments General Plan Amendment and Rezone (Case# 2015-57 & 2015-58)

ISSUE:

Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC, requests approval of a General Plan Future Land Use Map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre.) The agent also requests rezoning of 11.83± acres of land from R-1 (Residential, 1 dwelling unit per acre) to R-21 (Residential, 21 dwelling units per acre). The property is located at 2800 South Meadows Road.

RECOMMENDED ACTION:

Review comments are based on submittals received on May 27, 2015 and the revised Traffic Impact Analysis (TIA) dated 6/8/15 received in Public Works on June 9, 2015. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted:

- **The Developer shall provide right-turn deceleration lane analyses on South Meadows Road at both driveways into the apartments per the criteria in the State Access Management Manual (SAMM); and shall build right-turn deceleration lane(s) if determined to be necessary by the Public Works Department (PWD);**

Per Article 14-9.2 of the City of Santa Fe Code, the Developer shall widen South Meadows Road (secondary arterial) along the extent of the Gerhart property by constructing the following:

- **The Developer shall build a 14' wide raised center median (instead of painted median); and along the frontage of the Gerhart property the Developer shall add a 5' bicycle lane to the typical section that already includes sidewalk and buffer;**
- **The Developer shall maintain the existing northbound typical section; and**
- **The Developer shall extend the 14' wide median southward along the frontage of the school property so that it ties in and terminates at the left-in to the school.**

See amended notes on following page

SS001.PM5 - 7/95

****Amendment: The Developer will be eligible to apply for Impact Fe Credits in an amount to be determined by the Public Works Department for Roadway Improvements; the amount will be based on the difference between the estimated cost of the above mentioned improvements less the amount that the Developer had previously proposed.***

Off-site Improvements at Agua Fria St. and South Meadows Road intersection:

The capacity analyses demonstrate that the east-bound left turn movement on Agua Fria at the intersection of South Meadows and Agua Fria is currently failing during the AM peak hour. The Developer analyzed two options for mitigation; namely adding left turn lanes on Agua Fria Street at the existing signalized intersection, or replacing the signal with a single-lane roundabout. Either option would operate at an acceptable level of service (LOS) based on conceptual designs and LOS analysis provided by the Developer.

- **The Developer shall work with the PWD to refine cost estimates, including Right-of-Way (ROW) acquisition, for the following two (2) mitigation alternatives for the Agua Fria/South Meadows Intersection: 1) added left turn lanes on Agua Fria and 2) replacement of signalized intersection with a roundabout.**

****Amendment: The Developer shall provide fair-share contributions for the greater of the two cost estimates listed above for future off-site intersection improvements at Agua Fria Street and South Meadows Road.***

Development Plan Review:

The Development plan is preliminary at this point in time; therefore we will review the construction plans when the development plan is submitted for approval.

If you have any questions or need any more information, feel free to contact me at 955-6697. Thank you.

K. NM 599 S. Frontage Road from CR 62 to Caja del Rio

This alternative is to construct a frontage road on the south side of NM 599 from the CR 62 Intersection to Caja del Rio as shown in Figure 14. This alternative could be used as an alternative to construction the Caja del Rio Interchange to provide access to the south side of NM 599. There is a parcel on the south side of NM 599 that only has access to the Santa Fe River and not to any road.

1. Traffic Analysis

The S. Frontage Road from CR 62 to Caja del Rio would serve new development. The frontage road would funnel traffic to the CR 62 intersection. This future development is included in the traffic forecasting model and will be included in the intersection analysis.

2. Safety

A frontage road from CR 62 to Caja del Rio would serve new development so safety would not be improved.

3. Horizontal and Vertical Alignment

The horizontal alignment of the S. Frontage Road from Caja del Rio to CR 62 alternative is shown in Figure 14 along with the horizontal curve data. The vertical profile data can be found in Appendix N. The design speed of the frontage road is 40 miles per hour.

4. Typical Section

The south frontage road typical section is assumed to be 2-12' lanes with 5' shoulders as shown in Figure 4. A concrete wall barrier would be needed between NM 599 and the frontage road. A half concrete wall barrier and a noise wall would be needed between the frontage road and the Cottonwood Mobile Home Park.

A minimum of 4' of clear space is recommended for bicyclists. An additional foot is needed because the open graded friction course laps onto the shoulder 1'. In areas with guardrails or walls the shoulders are recommended to be 6'. The pavement section is assumed to be 5/8 inches of open graded friction course and 5 1/2 inches of hot mix asphalt type SP-III over 7 inches of base course to match the existing frontage roads.

5. Multi-modal Transportation

The shoulder on the south frontage road would accommodate road bicyclists; however, the right-of-way becomes restricted halfway between Caja del Rio and County Road 62. It is possible that the Santa Fe River Trail could serve as an alternate route for pedestrians, equestrians and mountain bicyclists. There is an existing trail underpass just west of Caja del Rio that provides a reasonable crossing of NM 599.

6. Drainage

The existing structures under NM 599 are not impacted by the frontage road alternative. A storm drain with drop inlets would be needed for the frontage road where it is adjacent to NM 599. It was assumed that the drop inlets were 1000 feet apart for the estimate. In addition a pipe would be needed under Caja del Rio. The proposed structures are shown in Table 21.

Table 21 – Proposed Drainage Structures for S. Frontage Road between Caja del Rio and CR 62		
Pipe Size	Length Required (ft)	Remarks
24"	120	Under Caja del Rio
30"	1696	Storm drain
36"	1696	Storm drain
42"	1696	Storm drain
24"	40	Connect 8 drop inlets to storm drain.

7. Noise Wall

The existing noise wall between NM 599 and the Cottonwood Mobile Home Park will have to be replaced with this alternative. The existing wall is approximately 7 feet tall and 2200 feet long. The wall is placed on a berm which adds approximately 6' to the height. The existing berm would need to be removed to construct the frontage road. A post and panel retaining/noise wall system is recommended to replace this wall. The system consists of drilled concrete shafts (approximately 36" diameter by 20 to 25 feet deep) with steel shape reinforcement embedded to the full depth of the concrete shaft. These posts would be spaced at approximately 20 feet on center. Precast concrete panels are then placed between the posts.

8. Utilities

There is a Gas Company of New Mexico 20 inch gas line which crosses under NM 599 and the I-25 frontage roads approximately 1300 feet north of Interstate 25. A 20 inch gas line goes north within the right-of-way from a point between NM 599 and the frontage road to the west side of the Cottonwood mobile home park near Caja del Rio. The line then crosses under NM 599 and goes north.

There is a 16 inch water line within the NM 599 right-of-way which starts on the outside of the I-25 W. Frontage Road and then goes north to the northwest corner of the Caja del Rio / NM 599 W. Frontage Road intersection. There is a 24 inch water line crossing of NM 599 approximately 200 feet north of the Cottonwood Mobile Home Park. There are three parallel 12 inch water lines which cross NM 599 approximately 1600 feet northeast of the Caja del Rio / NM 599 W. Frontage Road intersection.

9. Constructability

The frontage road can be constructed without impacting existing traffic.

10. Right-of-way

Approximately 15.5 acres will be needed to construct the S. Frontage Road from Caja del Rio to CR 62. The property is owned by the State Land Office or privately owned.

Access control will need to be established between the frontage road and NM 599.

11. Environmental Factors

The right-of-way for this future frontage road was not cleared under the 1987 EA; however, the engineering, social, economic, and environmental investigations conducted thus far have not disclosed any potentially significant impacts on the quality of the human or natural environment. The recommended level of effort for the construction of this alternative is an Environmental Assessment.

Field surveys would be required to determine the level of impact for the following resource areas: cultural resources, biological resources, threatened and endangered species, and hazardous materials. Consideration of local and regional travel patterns and access modifications would need to be completed. Evaluations will need to include both traffic and access impacts as well as potential noise and visual impacts.

12. Estimated Construction Cost

The approximate cost of a frontage road would be \$8,000,000 including 8% Engineering and Contingencies and 7.9375% New Mexico Gross Receipts Tax (NMGRT). The construction cost estimate can be found in Appendix N.

13. Recommendations

The preferred alternative for the Caja del Rio Location is to construct an interchange. An interchange meets the purpose and need of eventually making NM 599 and access controlled facility. This alternative would take traffic off of the existing CR 62 intersection which would improve the safety at that location. In addition it improves the traffic flow from the Caja del Rio intersection with the NM 599 frontage road that currently has to go out of direction by approximately three miles in order to go southbound. The estimated construction cost for the interchange is approximately the same as the cost for the south frontage road but it provides improved access both north and south. The frontage road only provides access to the south side of NM 599. It is recommended that the alternative be prioritized with the other alternatives.



From: WILSON, KEITH P.
Sent: Monday, July 27, 2015 11:38 AM
To: WYNANT, DONNA J.
Cc: AUNE, ERICK J.; TIBBETTS, MARK S.
Subject: RE: Gerhart Apartments

Donna:

A Frontage Road along the south side of NM599 from County Road 62 to Caja del Rio Road was evaluated as part of the "Final Project Prioritization Plan for the NM599 Corridor" (<http://santafemppo.org/wp-content/uploads/2009/07/NM599-Final-Project-Prioritization-Plan-Apr2010.pdf>), but was not recommended as it was concluded that constructing an Interchange at Caja del Rio Road would provide better access, so the Frontage Road was not carried forward. I have attached the relevant pages from the Prioritization Plan for your review.

I assume as future developments come in they may need to or be required to utilize and extend the frontage road for access.

Let me know if you need additional information or have questions.

Keith P. Wilson
MPO Senior Planner
Santa Fe Metropolitan Planning Organization

Mailing: P.O. Box 909
Santa Fe, NM 87504-0909

Office: 500 Market St, Suite 200 (Above REI Store)
Santa Fe, NM
Map: <http://tinyurl.com/l6kejeq>
Directions & Parking: <http://www.railyardsantafe.com/north-railyard/>

Phone: 505-955-6706
Email: kpwilson@santafenm.gov
santafemppo@santafenm.gov

Please Visit Our Website at: www.santafemppo.org



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Follow us on Twitter

DATE: June 10, 2015

TO: Donna Wynant, Case Manager

FROM: Risana "RB" Zaxus, PE
City Engineer

RE: Cases # 2015-57 and # 2015-58
Gerhart Apartments General Plan Amendment and Rezoning

The following review comment is to be regarded as a condition of approval:

The proposed stormwater ponds cannot be considered to be amenities integrated into the landscape. If this case proceeds to the Development Plan stage, the following provisions of the Land Development Code must be met:

14-8.2(A)(6) treat stormwater runoff as a valuable natural resource in Santa Fe...by encouraging water collection and infiltration on site

14-8.2(A)(11) integrate stormwater management measures into the landscape and site planning process...

14-8.2(A)(12) provide aesthetically pleasing solutions to stormwater management and erosion control measures by integrating measures into the overall landscape and site design

14-8.4(A)(1) This section requires water harvesting and encourages the development of alternate sources of landscape irrigation water...Water conservation, water harvesting and irrigation efficiency shall guide landscape design...

14-8.4(A)(2)...this Section 14-8.4 is part of the purpose and intent of Chapter 14, which is to enhance the appearance of Santa Fe's streets and public places in order to promote their role as community amenities...

14-8.4(E)...Alternative sources of irrigation water shall be developed, including harvested water from roof and site runoff.

14-8.4(E)(1)The landscaping plan shall include passive water harvesting for landscape irrigation purposes...

14-8.4(E)(1)(b)(i)...Detention and retention ponds should be integrated landscape features, rather than single-purpose flood control ponds.

14-8.4(l)(4) - {referring to parking lots}: ...stormwater runoff shall be used to provide irrigation for the perimeter and interior plantings to the greatest extent possible...stormwater runoff water shall be harvested and infiltrated as close to where it falls as possible...

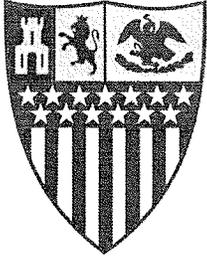
City of Santa Fe
memo

DATE: July 23, 2015
TO: Donna Wynant, Land Use Senior Planner, Land Use Department
FROM: Dee Beingessner, Water Division Engineer 
SUBJECT: Case # 2015-57 & 58 Gerhart Apartments

The proposed development will require a water main extension for the proposed mains throughout the complex. Each dwelling unit must either be separately metered or sub-metered with a master meter for each building.

An agreement to construct and dedicate will be required to connect the existing mains through the subject lot. An approved water plan will be required for the agreement to construct and dedicate the new main.

Fire service requirements will have to be determined by the Fire Department prior to development.



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Javier M. Gonzales, Mayor

Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2
Patti J. Bushee, Dist. 1
Signe I. Lindell, Dist. 1
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Bill Dimas, Dist. 4

July 15, 2015

Soren Peters
Storm River LLC
P.O. Box 908
Santa Fe, NM 87504

NOTICE OF ARC ACTION

Project Location: South Meadows Road (proposed Gerhart Apartments)
ARC Case Number: AR-21-15

Dear Mr. Peters,

At their hearing on July 2, 2015, the City of Santa Fe Archaeological Review Committee (ARC) voted unanimously to approve an archaeological reconnaissance report prepared by Stephen Post, covering 11.8 acres for the proposed Gerhart Apartments. The ARC found the report to be in compliance with the requirements of the Santa Fe Archaeological Review Districts Ordinance and issued an Archaeological Clearance Permit for the project. No further investigation is required. If you have questions or concerns, please do not hesitate to contact me at 505-955-6660 or lgroach@santafenm.gov.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Roach".

Lisa G. Roach
Senior Planner / Archaeological Liaison
Historic Preservation Division
City of Santa Fe

CC: Stephen Post
3924 Old Santa Fe Trail
Santa Fe, NM 87505



**CITY OF SANTA FE
ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL**



Case File Number AR-21-15 Date Application Submitted 6/15/2015

District: Historic Downtown District _____; River & Trails-Regular ; Santa Fe Trail _____; Suburban _____

Building Sq. Ft. _____ Development Acreage 11.8 acres

Project Description: Rezoning and plan amendment, development

Site Address/Location: South Meadows Rd Property Owner: Storm River LLC

Permit: Grading _____; Development ; Building _____

Applicant Information: Name: Soren Peters, Storm River LLC, PO Box 908, SF, NM 87501

Mailing Address: (see above) Phone No.: _____

Archaeological Consultant: Steve Post 820-7785

RECONNAISSANCE REPORT

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Project Archaeologist's Resume 2. <input checked="" type="checkbox"/> Vicinity Map 3. <input checked="" type="checkbox"/> Project Site Description 4. <input checked="" type="checkbox"/> Development Project Description 5. <input checked="" type="checkbox"/> Outline of Research & Methodology 6. <input checked="" type="checkbox"/> Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts 7. <input checked="" type="checkbox"/> Archival Research <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> Historic Maps & Aerial Photos b. <input checked="" type="checkbox"/> ARMS Files & Archaeological Reports c. <input checked="" type="checkbox"/> General Land Office (BLM) Surveys or Land Grant Plats d. <input checked="" type="checkbox"/> 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby) e. <input checked="" type="checkbox"/> National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure) | <ul style="list-style-type: none"> f. <input type="checkbox"/> Historic Photos (needed if in Historic Downtown District) g. <input type="checkbox"/> Information from Title Abstract (if available) 8. <u>N/A</u> 2% Testing (Historic Downtown District Only) 9. <input checked="" type="checkbox"/> Description of Prehistoric & Historic Occupation & Land Use 10. <input checked="" type="checkbox"/> Description of Cultural Remains Discovered and Significance 11. <input checked="" type="checkbox"/> NM Site Inventory Forms and Other Documentation 12. <input checked="" type="checkbox"/> Recommended Site Significance 13. <input checked="" type="checkbox"/> Assessment of Development's Impact on Cultural Remains 14. <input checked="" type="checkbox"/> Recommended Treatment for Site 15. <input checked="" type="checkbox"/> Listing of Sources, i.e. historic maps, aerials, reports, etc. |
|---|--|

ARC APPROVAL: MEETING DATE: July 2, 2015
 Special Conditions: _____ Yes (see attachment) No w/ corrections

TREATMENT PLAN REQUIRED:

Yes: _____ No:
TREATMENT PLAN ARC APPROVAL: MEETING DATE: _____
 Special Conditions: _____ Yes (see attachment) _____ No

PRELIMINARY TREATMENT REPORT

- | | |
|---|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> a. Research Design Outline <input type="checkbox"/> b. Site Map of Excavations <input type="checkbox"/> c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable | <ul style="list-style-type: none"> <input type="checkbox"/> d. Description of Cultural Remains Discovered <input type="checkbox"/> e. Description of Prehistoric and Historic Occupation and Land Use <input type="checkbox"/> f. Listing of Sources |
|---|---|

TREATMENT REPORT ARC APPROVAL: MEETING DATE: _____
 Special Conditions: _____ Yes (see attachment) _____ No

FINAL TREATMENT REPORT

_____ Date Final Report Due _____ Date Final Report Received

Permit Approved: [Signature] Archaeological Review Committee Chairperson Date: July 2, 2015

PLU0101PMAS-994



Santa Fe Public Schools

Property & Asset Management

Residential Development Impact Information Form

School Notification as required by City Ordinance 14-8.18 AFCC 1987

Required for all projects that create six or more new residential lots or dwelling units.

- 1. Project Name: Geohart Apartment project
- 2. Location of Property: 2800 S. ALBAQUERQUE Rd.
- 3. Owner/Agent Name: SCOTT HOEFT / ST planning Group
 Mailing Address: P.O. Box 2482, SF, NM 87504
 Phone & Fax: 505 412 0309
- 4. Unit Matrix

PROJECT EFFECT ON STUDENT POPULATION		
Unit Type	Unit Quantity	Average Price
Single Family (detached)		
Single Family (attached)		
<u>Townhome/ Apartment</u>	240	200-1200/mo. rent
Multi-Family		
Commercial		

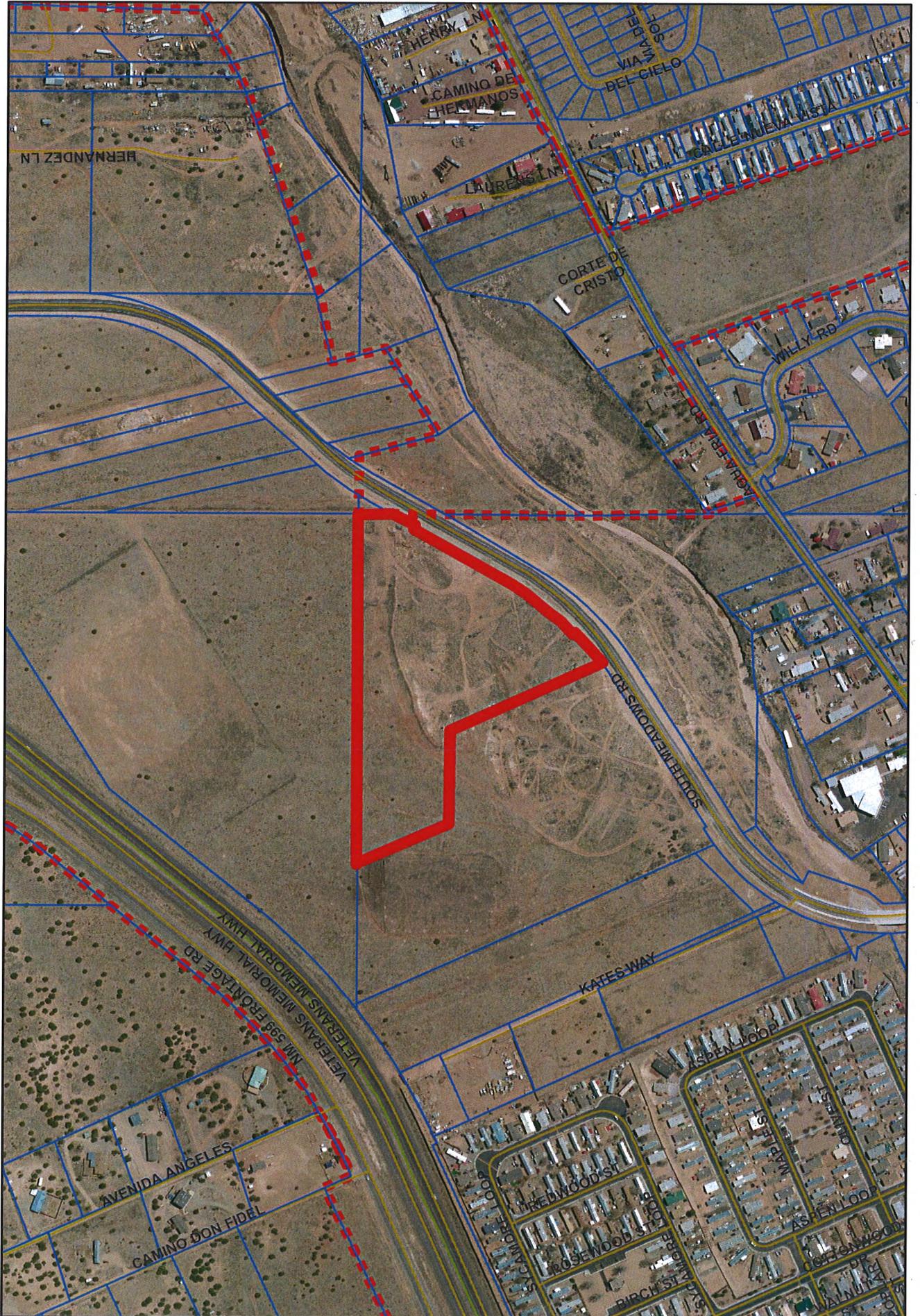
- 5. Elementary School Zone for Proposed Development: Albuca Park
- 6. Middle School Zone for Proposed Development: Albuca Park
- 7. High School Zone for Proposed Development: Capitol Hill
- 8. Build-out Timeline (i.e. year(s): #/yr):

PHASE 1 = 120 UNITS 2016
PHASE 2 = 120 UNITS 2017

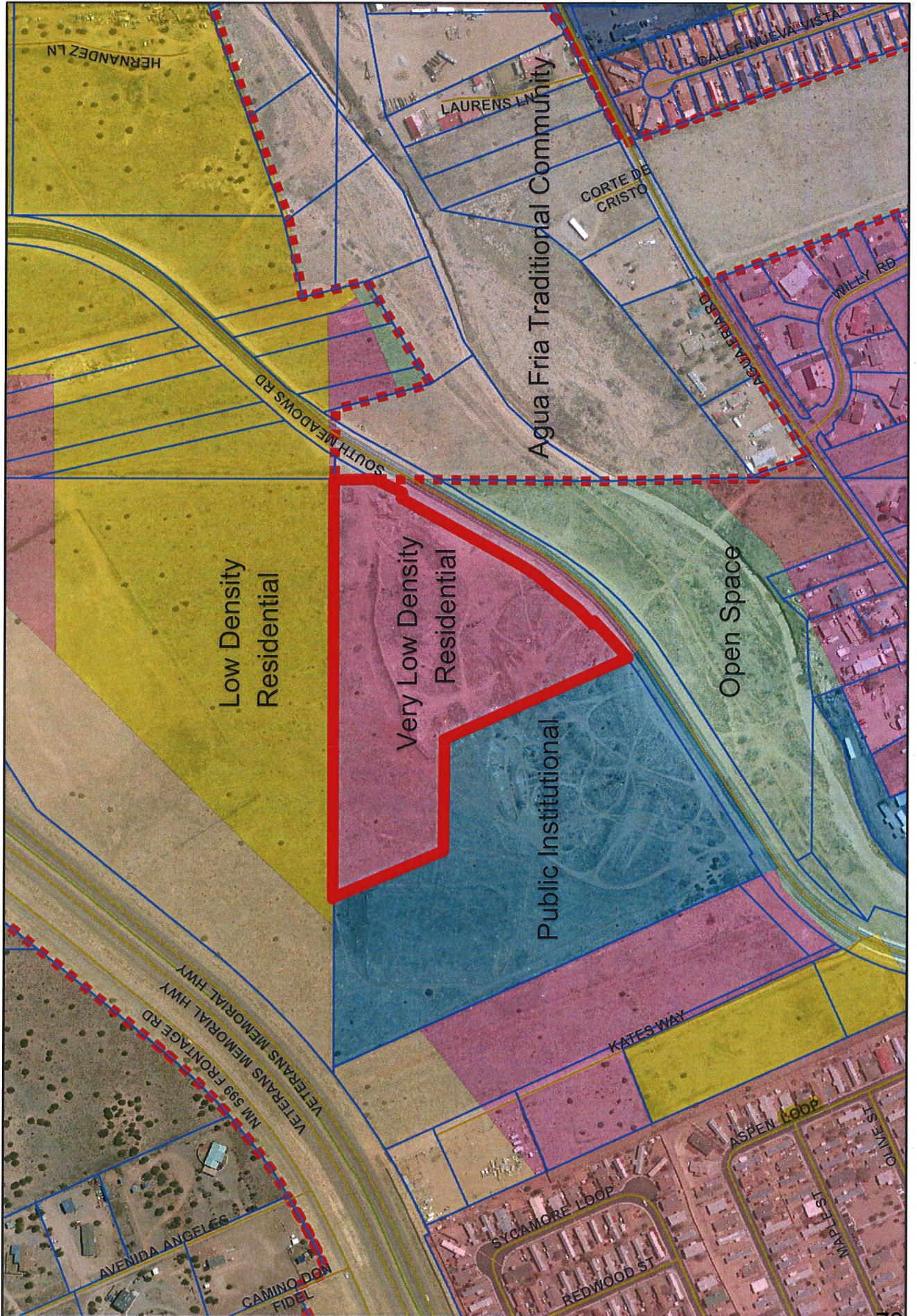
Educational Services Center
 610 Alta Vista
 Santa Fe, NM 87505
 Telephone (505) 467-2000
 www.sfps.info

Submit completed form directly to:
 Justin Snyder, Property & Asset Management,
 Santa Fe Public Schools, 610 Alta Vista, Santa Fe, NM 87505

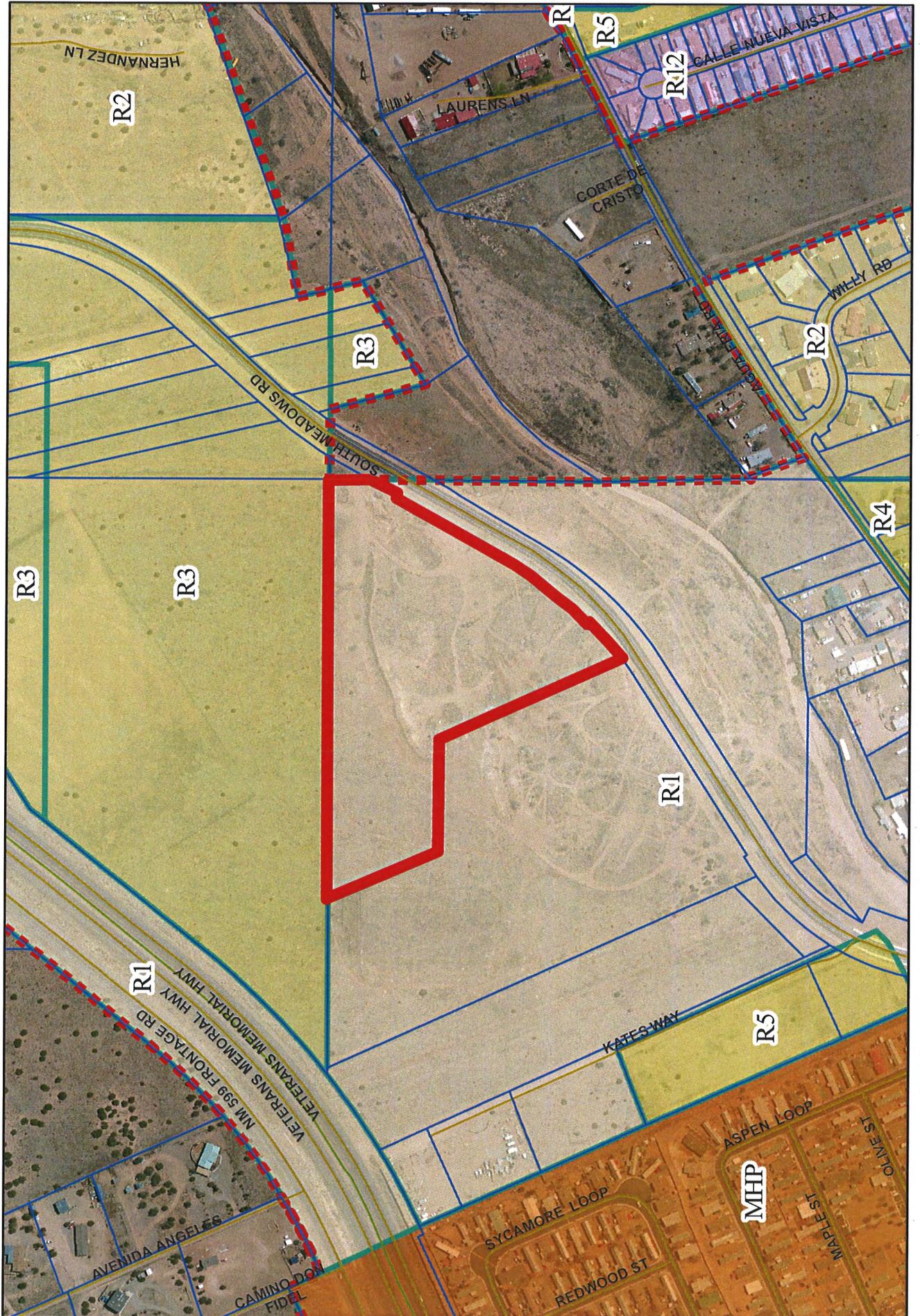
Gerhart Apartments- Aerial Photo
(Project Site Highlighted in Red,
City Limits Noted by Red Dashed Line)



**Gerhart Apartments- Future Land Use Map
(Project Site Highlighted in Red,
City Limits Noted by Red Dashed Line)**



**Gerhart Apartments - Current Zoning
(Project Site Highlighted in Red,
City Limits Noted by Red Dashed Line)**



**Gerhart Apartment Project:
General Plan Amendment/Rezoning Request
Early Neighborhood Notification**

The City Code provides for the exchange of information between an applicant for subdivision approval and the area neighborhoods. Eleven points are to be discussed with the neighborhood residents and landowners. This document is intended to address these eleven points.

LOCATION:

The subject site is approximately 11.83-aces in size and is located on South Meadows Road, immediately adjacent to the new Agua Fria Public School (to our west). To the north is land owned by the State Land Office, to the south is land owned by the same owner, and to the east is land owned by the BLM. The subject site is located in the Presumptive City Limits.

REQUEST:

The subject site is currently shown on the land use map as low-density residential. The intent of this application is to re-zone the property to high-density zoning (R-21) for an apartment project that has 240 dwelling units. 36-ft. of height for the building (or 3 stories) is the anticipated height of the structures.

The following is an outline of the eleven discussion points to be considered in the ENN process:

1. The effect on character and appearance of the surrounding neighborhoods:

The subject site is adjacent to the new Agua Fria School (which is located to the west). Vacant land is located to the north, south and east. Beyond the Santa Fe River (to the south) single-family homes front Agua Fria. ¼ mile to the west (beyond the school) is the high-density Cottonwood Mobile Home Pal. NM599 is located approximately 600-ft. to the northwest of the subject site.

The project encourages compact urban form as an infill project. It is envisioned that the apartment project combined with the new school will provide a higher density development area where children can walk to school (literally next door), adults can easily access the transportation infrastructure (NM599) to the north to drive to work, and all participants can access the trails network which will be located in the Santa Fe River Corridor.

The buildings will be three-story in height but will be setback a considerable distance from the S. Meadows Road (approximately 100-ft.). Pedestrian access will be provided to the school and to the SF River Trail network across S. Meadows Rd.

2. Effect on protection of the physical environment:

A large portion of the site was disturbed and used as a borrow pit for gravel operations during the construction of NM599. As the site experienced significant disturbance, a new project will significantly improve the appearance and circumstances of the area. The site features few if any trees and is not in the flood plain or escarpment district.

3. Impacts on prehistoric, historic, archaeological or cultural sites, including acequias and the historic downtown:

The site does not feature historic or archaeological/cultural sites or structures. The project will conform to the City of Santa Fe guidelines for archaeological review.

4. Relationship to existing density and zoning within the surrounding area:

The area that surrounds the subject site is largely vacant. The school use is the most important associate use and a high-density apartment project is the perfect complement to the school in order to have a high number of school children walking to school. The Cottonwood Mobile Home Park is located about ¼ mile distance to the site and is another high-density use in relative close proximity to the subject site.

5. Effects upon parking, traffic patterns, congestion, pedestrian safety, impacts of the project on flow of pedestrians or vehicular traffic and provision of access for the disabled, children, low-income and elderly services:

The site is located near the new interchange at CR62 and NM599 and fronts the new South Meadows Road, which provides for almost immediate and contemporary access to NM599. South Meadows Road, which will serve as the primary access to the subject site, is newly constructed. In other words, the transportation infrastructure in the area has been designed to accommodate the transportation generated from the proposed use.

Implementation of this project will have no adverse effect on the ability of disabled persons, children, low-income and the elderly to access services.

6. Effect on the economic base of Santa Fe:

The project and the construction will have a positive economic benefit to the economic base of Santa Fe. Secondary impacts include jobs created and the sale of building materials for the construction of roads, utilities, home and other buildings. Gross receipts tax will be generated on the sale of retail goods, construction materials locally and on local construction contracts.

The project will also bring a much needed product type to the market in Santa Fe: market rate apartments. The demand for apartments is high and studies show occupancy rates in the mid-90% range (vacancy rates in the 5% range). The proposed project will be meeting an existing market demand.

7. Effect on availability of affordable housing and availability of housing choice for all Santa Fe residents:

The project will meet the requirements of the affordable housing ordinance for rental projects.

8. Effect on services such as fire, police protection, school services, and other public infrastructure elements such as water, power, communications, bus service, commuter or other services or facilities:

The project will increase the need for police, fire, school and other public services. It will also increase the need for infrastructure such as water, power, sewer, communications and commuter services. The developer is responsible for the cost of installing all infrastructures.

It should be noted that the infrastructure in the area is relatively new. New water and sewer lines are located in South Meadows Road. South Meadow Road is only a few years old and connects to a new interchange at NM599 and CR62.

9. Impacts on water supply and conservation methods:

The project will be served by the Sangre de Cristo Water Division and the City of Santa Fe Liquid Waste Division. The apartments will utilize 0.16-afy of water per unit (this compares to 0.25-afy of water for a single family residential unit). Water conservation measures such as water reducing fixtures are used in the buildings, landscaping plants that use low to moderate amounts of water and water harvesting measures.

10. Effects on opportunities for community integration and social balance through mixed land use, pedestrian oriented design, and linkages among neighborhood and recreational activities and employment centers:

The project, combined with the location of Agua Fria School and the Santa Fe River trail, will provide an excellent opportunity to connect these three uses with pedestrian linkages. Given the close proximity to the Agua Fria School site, pedestrian access will be provided to the school for children to walk to school. Pedestrian access and connectivity will be provided to the Santa Fe River Trail network as well which will provide for recreational opportunities.

11. **Effects on Santa Fe's urban form:**

The project encourages compact urban form as an infill project. The best use for the subject site, given the proximity of the new school is high-density residential. This will encourage a great number of students to walk to the new school.



City of Santa Fe Land Use Department Early Neighborhood Notification Meeting Notes

<i>Project Name</i>	The Gerhart Apartments
<i>Project Location</i>	2800 South Meadows
<i>Project Description</i>	GPA and Rezoning to build 240 apartments on 11.83 acres
<i>Applicant / Owner</i>	Storm River Properties, Inc.
<i>Agent</i>	Scott Hoeft of Santa Fe Planning Group
<i>Pre-App Meeting Date</i>	1/22/15
<i>ENN Meeting Date</i>	Monday, March 16, 2015
<i>ENN Meeting Location</i>	El Camino Real Academy, 2500 South Meadows Road
<i>Application Type</i>	General Plan Amendment (from Low to High Density Residential) and Rezoning (from R-1 to R-21)
<i>Land Use Staff</i>	Donna Wynant
<i>Other Staff</i>	
<i>Attendance</i>	Approximately 10 neighbors plus 2 representing the developer & one city staff person

Notes/Comments:

Meeting began at 5:45 pm. Donna Wynant introduced the meeting, addressing City procedures for review of the requested applications, including Early Neighborhood Notification meetings. The applicant, Scott Hoeft, introduced himself and his engineer Mike Gomez.

Mr. Hoeft pointed out that a previous ENN was held in 2013 for this proposal. This request involves a General Plan Amendment and a Rezoning which will ultimately be decided by Council. They will then return to the Planning Commission to request approval of a more detailed Development Plan. Since the previous ENN, part of the overall site was sold to the school District (for the El Camino Real Academy) and the new South Meadows Road split off 10 acres of land (mostly floodplain) to the south. That portion was sold to the County to eventually extend the trail along the Santa Fe River. Mr. Hoeft also pointed out the 25 acre property to the north, owned by the State

of New Mexico/State Land Office, which may become the site of a new city fire station (per Matt O'Reilly, Public Assets Manager).

Mr. Hoeft then opened the meeting up for questions/comments:

Question: Any archeological study done of the site

Mr. Hoeft: Yes, and nothing of significance was found.

A comment was made about the schools in the area that were already maxed out, such as Agua Fria, Thomas Ramirez and Sweeny. Someone else expressed concern about possibly being kicked out of El Camino Real with any redistricting of the school.

A comment was made about the 3 story height of the buildings and asked if something could be done to make it appear friendlier to the area. Mr. Hoeft stated that the buildings will actually be less in height than the adjacent school. There will be 10 buildings for a total of 240 units.

Question: Will there be a community center to handle events, such as receptions, showers, etc?

Mr. Hoeft: (pointed out the location of the center) We haven't yet gotten into the design of the community center, but will take these things into consideration.

Mr. Hoeft pointed out the City's requirements for open space (250 sq. ft. per unit) which would be just over an acre on site. The ten acres across South Meadow, along the river, will be available for open space that the County will soon buy.

Someone stated that South Meadows is not a safe street to cross to get to the open space/river trail property. Mr. Hoeft said that will need to be looked at for ways to cross safely for pedestrians, bicyclists, etc. He talked about the proposed traffic improvements to include a center turning lane and a decel and acceleration lane.

Discussion about traffic:

Concern was expressed about traffic congestion during peak hours, and that not everyone will use the bypass. Someone said that this project will back up into the school traffic. Agua Fria and South Meadows is a problem.

Mike Gomez, engineer for the project, said that they were there to gather information from people in attendance who knew the streets better than they did and could identify issues.

Question: Will the community be gated?

Mr. Hoeft: Yes.

Discussion followed regarding the stacking and possible congestion at the PM peak hour as people return home from work. Mike Gomez that they expect approximately 96 vehicles throughout that one hour PM peak hour period. Someone expressed their

concern with a gated entry and pointed out problems with Fairway Village which has a gated entry that often backs up with cars waiting to pull in.

Question: What will the average rents be for the proposed development?

Mr. Hoefft: Rents will range from around \$900- \$1,300 for one, two and three bedroom apartments. There won't be any studio apartments.

Question: Is there any possibility for a pedestrian gate from the development to the school to allow more direct access to the children going to the Academy?

Mr. Hoefft said he just talked to the security person for the school who responded favorably to the idea. Mr. Hoefft therefore thought that the school may have possibly had a change in perspective on the matter.

Question: Since the school attendance at El Camino Real Academy is at capacity, will this development result in a shifting of children from other areas.

Question: Will the development include any affordable housing units?

Mr. Hoefft: Yes, the city requires 15% of the units to be affordable (around 36 units). This is odd since the Housing Trust that does affordable housing in Santa Fe typically wants the units to be in one building, making it easier to manage rather than having them dispersed throughout the development, as the City requires. This will be looked at by the City's Office of Affordable Housing. They actually like to get a fee in lieu of payment since it adds to the cash needed for down payments by new homeowners and security deposits for tenants.

Question: Will the development have access to city water and sewer?

Mr. Hoefft: Yes, the utilities are available in this area from the City. The development will have a water budget of 45 afy with the apartments at approximately .16 afy of water. Water conserving measures will be used in the buildings, and with the landscaping.

Mr. Hoefft said there will be around 459 parking spaces, which is actually around 40-50 spaces over parked.

Question: Will there be an elevator in each of the buildings?

Mr. Hoefft: Yes, there will be.

A member of the public, Linda Trujillo, who is the president of the School Board, said the El Camino Real Academy, which is K-8 school has an enrollment of around 700 students which is why someone questioned whether the school population was increasing or just shifting around. She said more and more children are returning to public schools from private schools. Another member of the public said that there were no plans to expand El Camino Real Academy enrollment, which is currently at capacity.

Question: Does the applicant have any financing to move forward with the project?

Mr. Hoefft: Yes, we do have financial backing. Our first step, is to request the General Plan Amendment and Rezoning from Council, and then come back to request Development Plan approval from the Planning Commission.

Question: Does Gerald Peters own the properties and will he retain ownership?

Mr. Hoefft: Yes, he owns the property, and will retain ownership. He has actually done a similar project in Albuquerque near Coors and Montano.

Question: Will this be a LEED certified project? Will there be any use of solar?

Mr. Hoefft: No, it will not be LEED certified. However, we may reduce the number of parking spaces and use solar panels (similar to how the Academy has placed solar panels in the their parking lot on top of carports.)

Question: Can you incorporate more open space into the development for play space?

Mr. Hoefft pointed out the open space on the property as shown in the open courtyards and the offsite 10 acre park area across South Meadows that the County wants for the river trail.

Meeting adjourned at 7:30.

R-10, R-12, R-21 and R-29 Residential Districts

The purpose of the R-10, R-12, R-21 and R-29 districts is to make available a variety of *dwelling unit* types to serve a wide range of household needs at medium- and high-*density* levels.

Permitted Uses

1. Boarding, dormitory, monastery
2. Daycare; preschool; for infants & children (6 or fewer)
3. Dwelling, multiple-family
4. Dwelling, single-family
5. Electrical distribution facilities
6. Electrical substation
7. Electrical transmission lines
8. Foster homes licensed by the State
9. Group residential care facility (limited)
10. Manufactured homes
11. Police substations (6 or fewer staff)
12. Public parks, playgrounds & playfields

☼ Requires a **Special Use Permit** if located within 200 feet, excluding rights-of-way, of residentially zoned property.

Special Use Permits

The following uses may be conditionally permitted in R-10, R-12, R-21 and R-29 *residential* districts subject to a Special Use Permit:

1. Adult day care
2. Clubs & lodges (private)
3. Colleges & universities (residential)
4. Continuing care community
5. Correctional group residential care facility
6. Daycare; preschool; for infants & children (more than 6)
7. Fire stations
8. Grocery stores (neighborhood)
9. Group residential care facility
10. Laundromats (neighborhood)
11. Mobile home; permanent installation
12. Museums
13. Neighborhood & community centers (including youth & senior centers)
14. Nursing, extended care, convalescent, recovery care facilities
15. Personal care facilities for the elderly
16. Police stations
17. Religious assembly (all)
18. Religious educational & charitable institutions (no schools or assembly uses)
- ☼
19. Schools; elementary & secondary (public & private)
20. Sheltered care facilities

21. Utilities (all, including natural gas regulation station, telephone exchange, water or sewage pumping station, water storage facility)

Accessory Uses

The following accessory uses are permitted in R-10, R-12, R-21 and R-29 districts:

1. Accessory dwelling units
2. Accessory structures, permanent, temporary or portable, not constructed of solid building materials; covers; accessory structures exceeding 30 inches from the ground
3. Barbecue pits, swimming pools (private)
4. Children play areas & equipment
5. Daycare for infants & children (private)
6. Garages (private)
7. Greenhouses (non-commercial)
8. Home occupations
9. Incidental & subordinate uses & structures
10. Residential use ancillary to an approved use
11. Utility sheds, located within the rear yard only

Dimensional Standards

Max density R-10=10; R-12, R-21 & R-29 = 10 dwelling units per acre – or per development plan or special use permit approval (14-7.2(F))

Minimum lot: Area: Single family: 3,000 square feet (may be reduced to 2,000 square feet if common open space is provided.) Multiple-family: as required to comply with gross density factor.

It is intended that the *common open space* required in single-family subdivisions where the *lot* size has been reduced from that of a conventional subdivision be a compensation to occupants for reduced *lot* size. It is further intended that *common open space* be usable and be provided for occupants outside of the *lot* but within the subdivision.

Where the *lot* size is between two thousand (2,000) and four thousand (4,000) square feet, *common open space* is required in an amount such that the sum of the square footage of the *lots* in the *development* plus the sum of the square footage for *common open space*, all divided by the number of single-family *lots*, equals no less than four thousand (4,000) square feet.

Max height: R-21 & R-29: 24 (36 with development plan or special use permit approval (14-7.2(E)).

R-10 & R-2-LD: 24

Within 10 feet of a property line, no point on a structure shall be higher than 14 feet above finished grade at the closest point on the perimeter of the structure. Within 15 feet of a property line, no point on a structure shall be higher than 24 feet above finished grade at the closest point of the perimeter.

Setbacks: Generally established by a development plan approved by the Planning Commission, otherwise: Street 7 (20 for garage or carport); side 5 or 10*; rear 15 or 20% of the average depth dimension of lot, whichever is less

A garage or carport with a vehicle entrance facing the street must be set back 20 feet from the street property line (refer to illustration 14-7.1-3)

(*Within 10 feet of a property line, no point on a structure shall be higher than 14 feet above finished grade at the closest point on the perimeter of the structure. Within 15 feet of a property line, no point on a structure shall be higher than 24 feet above finished grade at the closes point of the perimeter.)

Max lot cover: Multiple-family of 6 or more units: 40

Single-family, two-family or multiple-family of less than 6 units: 40 (70 if private open space is provided (14-7.5(c)(1) increase in maximum lot coverage if private open space is provided.

The intent of private open space is to ensure easily available access to the outdoors in medium- to high-density developments, and to provide for a sufficient sense of privacy. Requirements are as follows:

The maximum lot coverage may be increased in accordance with Table 14-7.2-1 if qualifying private open space for each dwelling unit is provided as follows:

- (a) for *lots* in R-10, R-12, R-21 and R-29, an amount not less than thirty percent of the total *gross floor area* of that *dwelling unit*.; and
- (2) balconies, roof decks or roofed areas such as porches or portals may be included as twenty-five percent of the required private open space;
- (3) private open space does not include parking areas, driveways or related access for automobiles or stormwater ponding areas;
- (4) the minimum dimension for required private open space shall not be less than twelve (12) feet;
- (5) finished grade for required private open space shall have a slope no greater than one (1) vertical foot in ten (10) horizontal feet; and

(6) accessory dwelling units shall also be required to meet the private open space criteria in this Subsection 14-7.5(C); provided, however, that private open space for the accessory dwelling unit does not have to be physically separated from the private open space for the primary dwelling unit, and up to fifty percent of the private open space required for the accessory dwelling unit may be the same private open space provided for the primary dwelling unit; and

(7) there are no planting requirements for private open space.

Minimum Qualifying Open Space

Detached single family dwellings or multiple family dwellings: 250 square feet of common and / or private open space per unit.

Santa Fe Apartment Market Study Update May 22, 2015

Prepared For:

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Santa Fe Apartment Market Study Update 2015

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Project Description

Southwest Planning (SWP) updated a 2013 Apartment Market Study in Santa Fe. In the 2011 report, SWP analyzed the impact of the city's affordable housing requirement for apartment complexes, local and national housing trends, market demographics, and other factors affecting the apartment market in Santa Fe.

SWP determined if any changes to city ordinances and policies, national housing trends, demographics, etc. had occurred since 2013 that would affect the conclusions of the 2013 report. It also determined if any new factors affecting the Santa Fe apartment market had emerged since 2013.

Methodology

SWP began the update by analyzing the 2013 report in order to identify the quantitative data and qualitative topics included in the original report. Next, secondary research was conducted to provide updated information for all quantitative data. After the first round of secondary research was completed, SWP interviewed a number of housing professionals who were familiar with the Santa Fe housing market. The interviews were designed to discuss changes in the qualitative trends from the 2011 report. Additionally, interviewees were asked to discuss any new important factors that had emerged since 2013 that would impact the Santa Fe apartment market. Finally, SWP conducted a second round of secondary research based on information brought up during the interview stage. All information gathered was analyzed and summarized into this 2015 Santa Fe Apartment Market Study Update.

Occupancy

Historically, Santa Fe has had occupancy rates in the 90-95% range for market rate and affordable rental housing. The economic downturn resulting from the subprime lending crisis affected the rental market from 2009-2011, most notably for service and construction workers who prefer lower-priced efficiency and one bedroom units. Because the City's construction workforce was largely transient, many left the area as a construction industry that had already seen limited market rate construction became further depressed.

The general perception among the housing professionals interviewed by SWP in 2013 was that the construction work force that left during the sub-prime lending crisis had not returned. That being said, occupancy continued to recover following the downturn and the population continued to grow. In anticipation of future demand, construction permit requests from January 2012 to January 2013 nearly doubled.

The following table lists apartment occupancies and other data from 2002 to 2015:

Santa Fe Apartment Market Statistics 2002-2013				
Year (quarter)	Occupancy	Average Rent	Earliest and Latest Year Built	Average Year Built
2002 (1)	93.2%	*	*	*
2003 (1)	95.1%	*	*	*
2004 (1)	95.7%	*	*	*
2005 (1)	96.1%	*	*	*
2006 (1)	96.8%	*	*	*
2007 (2)	96.9%	*	*	*
2008 (3)	94.2%	782	1973, 2005	1991
2009 (3)	83.3%	750	1973, 2000	1990
2010 (3)	92.6%	759	1973, 2008	1992
2011 (3)	91.9%	778	1973, 2008	1992
2013 (3)	94.3%	788	1973, 2010	1994
2014 (3)	96.4%	806	1973, 2010	
2015 (1)	96.5%	817	1973, 2014	1995

Source: CB Richard Ellis Apartment Market Surveys, Apartment Association of New Mexico Apartment Market Survey, RRC Associates, Inc.

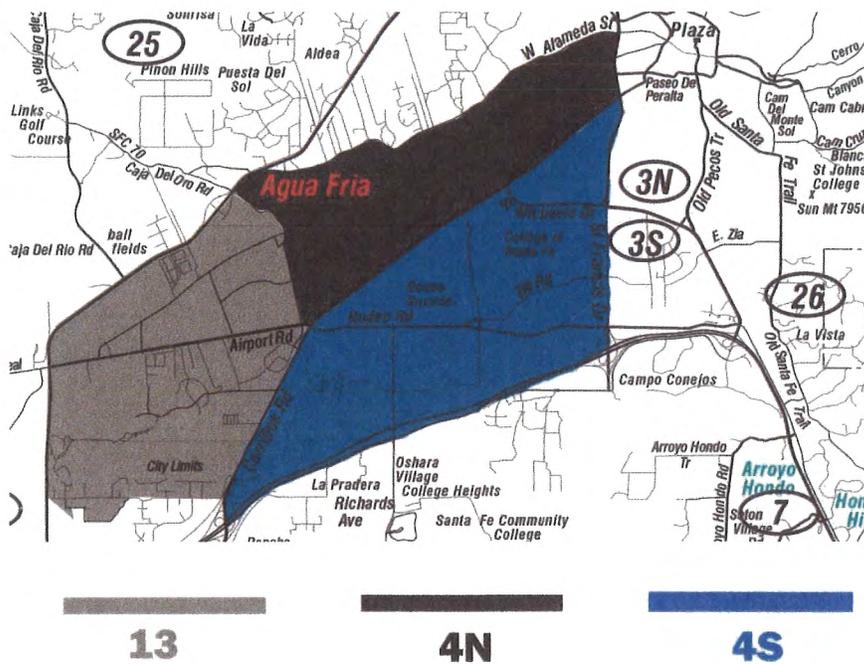
Even with the influx of new units, most notably from the Stagecoach and San Isidro developments, occupancy has continued to increase since 2013. Occupancy increased 2.2% between 2013 and 2015 to just below its 2007 high. High occupancy is the result of an overall increase in demand. This is likely due to a number of factors including the growing Santa Fe population, the national trend for higher rental levels vs. home ownership coupled, demographics changes that would drive more demand for rental units, and the lack of new rental development to meet the new demand.

The following table shows the occupancy rates and rents by selected Multiple Listing Service (MLS) areas within the City of Santa Fe. Areas 4S and 13 comprise almost half of all multifamily apartments within the City.

SANTA FE APARTMENT STATISTICS by MLS AREA					
First Quarter	MLS Area	Total # of Units	# Vacant Units	Occupancy	Average Rent
2008	4N	100	2	96.00%	\$639
	4S	899	68	92.40%	\$764
	13	1,233	96	92.20%	\$767
2009	4N	48	0	100.00%	\$680
	4S	1,099	231	79.00%	\$741
	13	1,233	192	84.40%	\$750
2010	4N	N/A*	N/A	N/A	N/A
	4S	1,099	60	94.50%	\$744
	13	1,455	139	90.40%	\$725
2011	4N	N/A	N/A	N/A	N/A
	4S	1,099	78	92.90%	\$761
	13	1,455	147	89.90%	\$737
2013	4N	227	2	99.12%	\$716
	4S	1,099	65	94.09%	\$768
	13	1,455	95	93.47%	\$756
2015	4N	403	4	99.01%	\$790
	4S	895	31	96.54%	\$773
	13	1,455	63	95.67%	\$779

Source: CB Richard Ellis Apartment Market Surveys

*Data not available



New Supply

The following table shows the construction of multifamily apartments for affordable and market rate units within the City from January, 2004 to June, 2013. Only 18 market rate units were constructed between 2004 and 2011. Because those units were part of 1-2 unit developments, none of these units had to comply with the affordability requirement. At that time, no large-scale market rate project had been initiated for the past 7 years.

Since 2011, the city has issued 240 new multi-family construction permits. While the city did issue a large amount new market rate construction permits, the overwhelming majority of those units are part of the San Isidro apartment complex. The San Isidro development is made up of tax credit apartments. While they are not subsidized up front, the developer receives a future credit against tax liability and a fairly substantial developer's fee. In exchange for these benefits, the developer agrees to keep rent prices affordable to renters earning no more than a certain percentage of the AMI (in this case 60%). Effectively, the ongoing lack of market rate apartment construction has continued through 2013.

SANTA FE MULTI-FAMILY APARTMENT CONSTRUCTION		
2004-JUNE 2015		
	Affordable Apartment Units	Market Rate Apartment Units
2004	0	0
2005	0	0
2006	0	0
2007	0	4
2008	233	4
2009	0	4
2010	60	6
2011	0	5
2012	237	0
2013	0	0
2014	176	0
2015	0	0
Source: 2004-2013 City of Santa Fe Building Permits Division, 2014-2015 CBRE Apartment Market Surveys		

The following large residential rental development is undergoing construction in Santa Fe, in addition to a number of small affordable rent projects:

1. The Housing Trust: While the details of their project are still being worked out and are subject to change, The Housing Trust indicated that they intend construction of 140 new units to be phased in during 2016. All units would be affordable, with an average AMI of 50% across units. Around 70 of the units will be built in the Tierra Contenta subdivision, and the rest will be built at various yet-to-be determined locations.

In addition to new construction, there will be future construction of apartment units in the Las Soleras development. The development will consist of 1200 new units, primarily market rate apartments. In 2013, project consultant Jim Siebert indicated that market rate units would cluster towards the lower end of market rate apartments (60% to 100% AMI). The units will begin being phased in soon and will continue for over the next decade. The 1200 units represent the current development plan; however, Mr. Siebert indicated that final numbers could change significantly by the time the project is completed.

Recent Policy Factors

Between 2013 and 2014, the City of Santa Fe had implemented an impact fee waiver as a way to stimulate unmet demand recognized in its 2013 Housing Needs Assessment. The benefit of the impact fee waiver was seen in a significant increase in residential construction between 2013 and 2014. On February 26, 2014, the City Council voted to reinstate residential impact fees; however, impact fees will remain at 50% of the full rate until February 27, 2016 (city ordinance 2014-28).

The state of New Mexico offers tax incentives for LEED certified building through the Sustainable Building Tax Credit Program (SBTC). Local developers have noted that all residential SBTC funds for both 2015 and 2016 have already been used up. The lack of remaining funds is a disincentive to further development until more funding becomes available.

Finally, as previously mentioned, the City Council made permanent the reduction of the owner-occupied portion of the affordability requirement from 30% to 20%. While this does not directly affect the Santa Fe rental market, it does indirectly decrease demand for apartments as new owner-occupied supply becomes available to those individuals who are in the market for either type of unit.

Demographics

Demographic trends have not changed significantly since the 2013 and 2015 reports. Because U.S. census data has not been updated since our 2013 report, nor has other applicable primary research been conducted, the population estimates and analysis used in that report were re-applied in 2015. BBC Consulting gives a description of the on-going trends in their 2013 Santa Fe Housing Needs Assessment Update.

The average household size of Santa Fe residents decreased slightly between 2000 and 2010, particularly among homeowners. The 2010 Census shows an increase in single-person households (2000 – 36% and 2010 – 41%) and a decrease in the proportion of households with three or more residents (2000 – 30% and 2010 – 26%). These data suggest that families may have moved from or not chosen to live within the city, perhaps due to lack of affordable housing. This is supported by the resident survey, which found more than half of residents had lived in Santa Fe but left the city because housing was too expensive. Santa Fe's family composition confirms that trend with a notable 5 percent increase in

residents living alone and a decrease in married couples with children. However, the proportion of single parents in Santa Fe only dropped by half a percentage point between 2000 and 2010.

The following chart provides population records and estimates for the City of Santa Fe between 2000 and 2020.

Year	Population	Compound Annual Growth Rate
2000	62203	
2005	65800	1.16%
2007	68359	1.94%
2010	67947	-0.20%
2011	68634	1.01%
2013	69976	0.98%
*2015	72753	1.98%
*2020	77102	1.20%

Source: Bureau of Business and Economic Research (2012), 2013 Housing Needs Assessment, US Census Bureau (ongoing)

As noted, the Santa Fe apartment market is shifting towards an older, wealthier population with smaller average family sizes. As people age, they tend to rent at higher rates than they did when they were younger. This is largely because small rentals are easier to maintain than houses but can still provide high-quality living accommodations. Another underserved portion of the population is young single professionals with high-paying jobs. Young professionals often want the same types of rentals as the older population. The results these trends have had on the market are reflected by the gap in supply and demand for apartments above the 100% AMI level. The following chart provides demographic information for the City of Santa Fe.

*Based on population forecasts

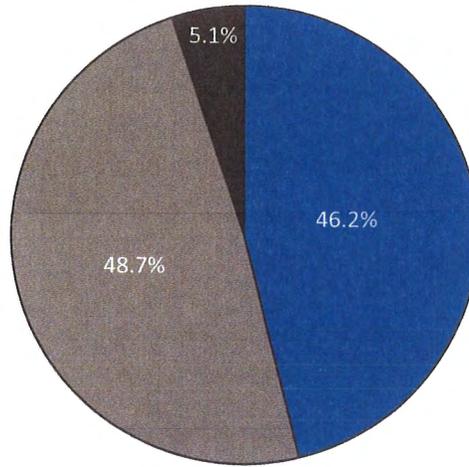
Santa Fe Demographics				
		2000	2010	2013
Total Population		62203	67947	69976
Average Household Size (persons)		2.2	2.1	2.15
	Owner Occupied	2.31	2.15	2.20
	Renter Occupied	2.05	2.01	2.05
Median Household Income		\$40,392	\$50,717	\$ 49,445
Households with 1 or more people under 18		26.8%	23.2%	22.3%
Households with 1 or more people over 65		23.1%	28.6%	*See Note
Owner Occupied		58.2%	60.5%	64.60%
Renter Occupied		41.8%	39.5%	35.4%
Vacancy - Rental Units		5.5%	9.4%	3.5%
Median Contract Rate		\$707	\$759	\$ 817
Median Age		40	44	45
Source: 2013 Santa Fe Housing Needs Assessment Update, U.S. Census Bureau, 2013 American Community Survey 1-year Estimates, CBRE Apartment Market Surveys				
*The American Community Survey presents only "Households with 1 or more people over 60. This represented 47.4% of all households				

According to estimates from the U.S. Census Bureau's American Community Survey, the percentage of units that are rentals continued its previous downward trend, and the disparity actually increased steeply in the past three years. This is in spite of the fact that home ownership rates across the U.S. continue to drop. Furthermore, the elderly generally rent at higher rates than their younger counterparts, and Santa Fe has an aging population.

It is worth noting that this phenomena (higher home ownership in spite of demographic trends that would suggest the opposite) would be expected with an easing of the affordability requirement for owner-occupied homes with no concurrent affordability requirement easing for rental properties. Because the standard market forces affecting owner-occupancy vs. rental units would seem to be pushing for the opposite of the observed trend with the exception of the Santa Fe Homes Program, it is likely at least partially the cause of the ongoing trend.

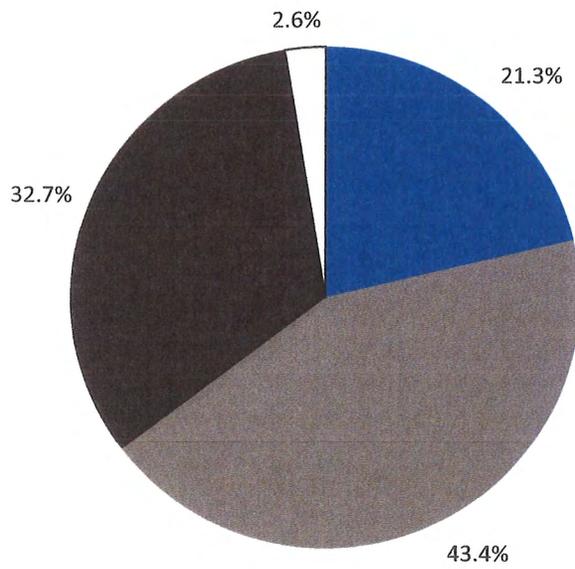
As stated in the Santa Fe Housing Needs Assessment, "The median age in Santa Fe was 44 in 2010, up from 40 in 2000... The city's non-Hispanic population is, on average, 20 years older than its Hispanic population". See the charts below.

Ethnicity



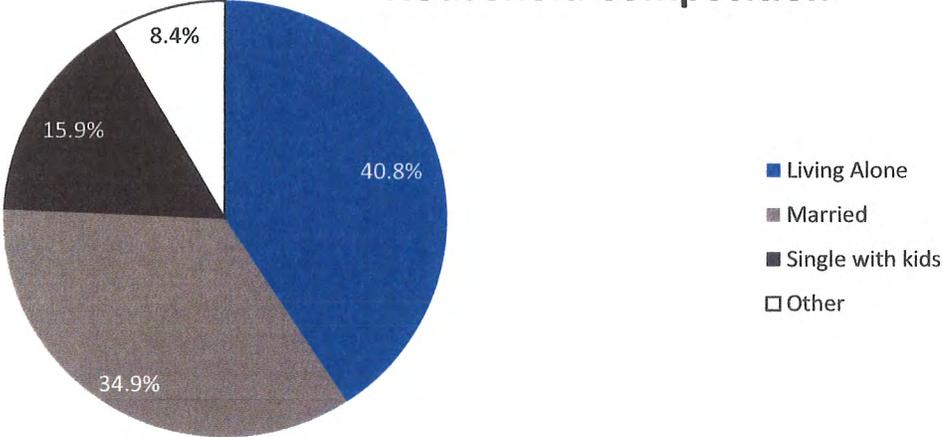
- White
- Hispanic
- Other

Age



- 0-19
- 20-54
- 55-84
- 85+

Household Composition



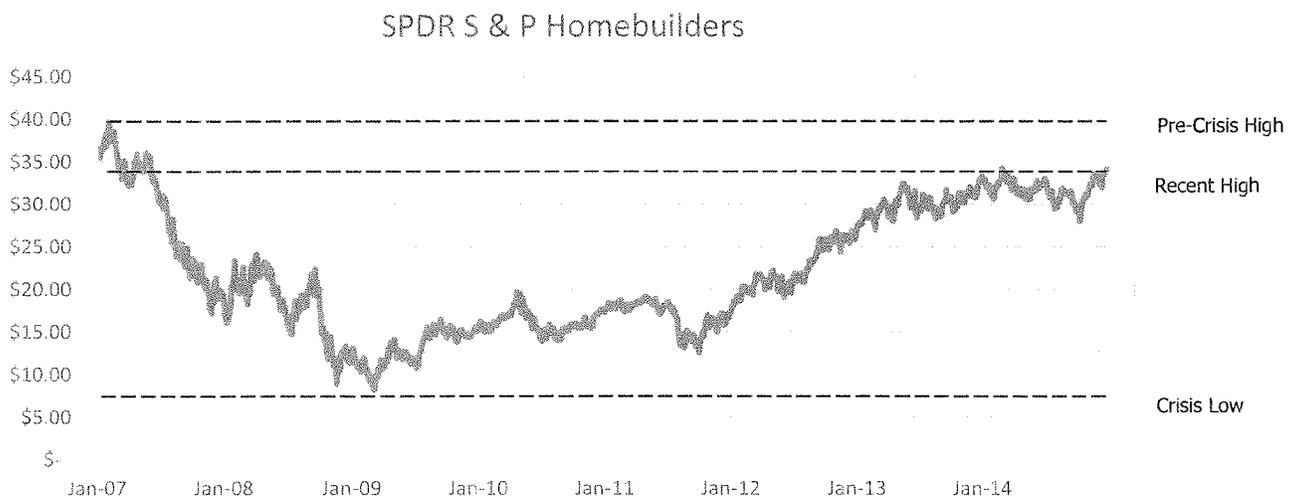
Effect of National Housing Trends

The 2013 Apartment Market Study noted that, while the housing market had not completely recovered since the 2008 sub-prime lending crisis, conditions had continually improved. Since 2013, the housing market has continued to improve at a slower rate than it had previously.

"Housing activity continues to recover, although the pace of the recovery remains slower than in the previous couple of years, owing to the decline in housing affordability" (Blerina Uruci, Barclays economist, NY)

One key indicator of future homes performance, the National Homebuilder's Builder Confidence Survey, gave a reading of 59 in September, 2014, the highest reading since 2005. This is one point above the 58 that was noted in the 2013 Apartment Market Survey as the previous high.

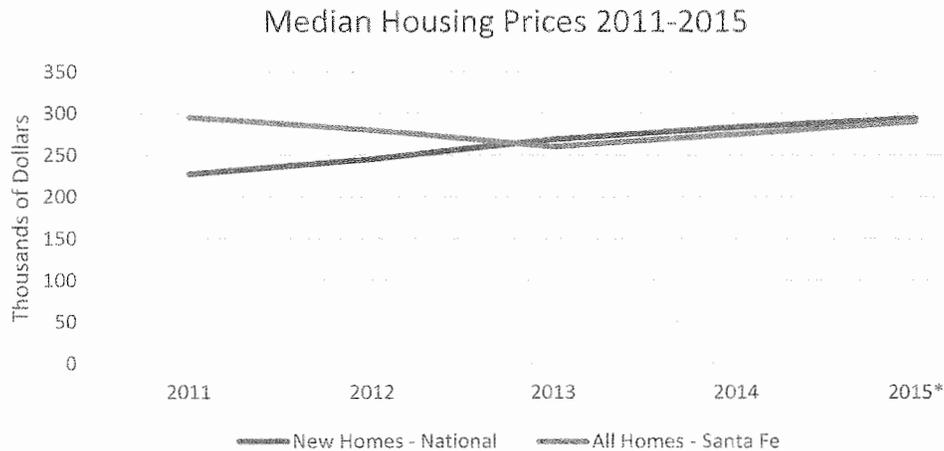
The SPDR S & P Homebuilders Index (ticker symbol XHB) is an index fund that consolidates the share prices of all major companies in the homebuilders industry into a single stock. XHB reached a peak in 2007 and declined ahead of other industries in response to the housing bubble bursting. Since 2007, the index has continually improved and had recovered to nearly 90% of the 2007 high as of January, 2015. The following chart shows XHB's movement since 2007:



Source: Google Finance

While the Fed's easy money policy continues in spite of years of announcement that it would be raising rates soon, employment has mostly recovered and the general feeling in the market is that rates will be raised sometime in the spring of 2015. While this represents a market risk to the housing sector, it has only slightly diminished positive sentiment among homebuilders or investors for the sectors prospects, as is shown by slowed growth (but not a decline) in key indicators for both groups. This could be in part to economic benefits stemming from cheap oil prices.

With regards to housing prices, the Santa Fe market has been comparable to national statistics. The following chart compares national median new home prices to Santa Fe housing prices.



*2015 national home median prices are from January, all other national median new home prices are average yearly median

Sources: Santa Fe Properties, National Association of Homebuilders

As noted in our 2011 and 2013 reports, a long-term demographics shift related to the aging baby boomer population is affecting the US housing market. On June 30, 2011 in Santa Fe, a speech made by Dr. Arthur Nelson provided evidence that projects increasing demand for rental housing over the next 30 years¹. The market has been providing family-style housing for family-sized households, but the demographic trends show a decrease in the market seeking such housing. The need for rental units will increase because:

1. Household types are changing and household sizes are decreasing
2. The population is aging and life expectancies are increasing
3. Fewer people will be able to purchase homes due to tightening credit requirements

There will continue to be fewer family households and more “other” and single person households in the future. In 1970, single and “other” households (i.e. households consisting of unrelated people living together) were 14% of all households. By 2030, single and “other” households are estimated to represent 34% of all households. Between 2010 and 2020, single person households are estimated to represent 36% of the growth in household types.

Dr. Nelson noted that the combination of the “baby boom bulge” and the fact that seniors begin to sell homes when they turn 70 will lead to a phenomenon he called “The Great Senior Sell-Off”, which will dump many homes on the market. Seniors are candidates for rental units because they do not want large units or the hassles of home ownership. Because people are living longer,

¹ Dr. Arthur Nelson, a nationally-recognized housing expert from the University of Utah, gave a speech entitled “The Future of the U.S. Housing Market...Impacts on Santa Fe and other Cities” at the Forum at the Santa Fe University of Art and Design on June 30, 2011. The speech was sponsored by the Santa Fe Association of Realtors for an audience of public and private stakeholders in the housing industry.

the portion of their lives that they could spend raising children will decrease. Consequently, over a person's lifetime, he or she will have less need for family-style housing units than his predecessors.

In 2013 we noted that the loss of sub-prime mortgages, active loan sponsorship by Fannie Mae and Freddie Mac, and a general tightening of regulations would lead to an expectation of more demand for rentals. The expectation has matched the reality of the national housing market, as demand for rentals continues to increase. U.S. Census Bureau statistics show that home ownership rates reached a 20 year low in 2014. Furthermore, rental rates continue to grow nationally.

Early in this report, we also noted that demographic trends in Santa Fe should suggest that the city experiences growth in residential rental rates and a decrease in home ownership rates to a greater extent than nationally. The fact that the opposite is true, most likely due to policies and other market externalities unique to Santa Fe, would suggest that there is significant unmet demand for new market rate rental units in Santa Fe. The ongoing shift isn't because the demand for new rental units isn't as great as it is for owner-occupied units; rather, it is because existing supply is saturated, new supply is filled quickly, and there is greater relative new supply for owner-occupied housing than there is for rental units.

Projected Demand for Apartments

Long term demand for apartment units can be calculated by using demographics data. University of New Mexico Bureau of Business and Economic Research (BBER) provides population estimates for municipalities and counties within New Mexico. According to a 2012 projection by BBER, Santa Fe **County** will gain 19,474 residents from 2010 to 2020. Assuming city vs. county percentages remain the same, the **City** of Santa Fe will gain 9,155 new residents during the same period, with the majority of these residents located in the Santa Fe urban area. The 2010 Census provides an average household size of 2.10 persons per household. Due to the previously noted demographics shifts in Santa Fe, SWP shifted this number down for use as a 2020 estimate for the purposes of this study for the following reasons:

1. The population of Santa Fe is aging, and older people rent at higher rates than younger people.
2. The average median income in Santa Fe is rising in part due to an increase in young professionals. These professionals prefer to rent to maintain their mobility.
3. The average household size in Santa Fe has been declining, and dropped from 2.3 in 2000 to 2.1 in 2010.

Based on the above-listed reasons, SWP used an average household size of 2.0 (extension of the existing long-term trend) to estimate new housing demand by 2020. By comparing the population growth to new housing demand, SWP estimated a demand for 4,578 new dwelling units by 2020. According to the 2013 Housing Needs Assessment Update, 42% of Santa Fe residents rent. In 2013, SWP shifted that percentage upwards to 47% based on new supply and demographics changes in the area. In 2015, SWP has further shifted the percentage upward to 50% for the following reason:

1. National home-ownership rates continue to fall while the percentage of Americans who rent rises. While the census indicates that the trend for Santa Fe is the opposite of this, it is the result of city policy causing there to be more owner-occupied home construction as compared to new rental unit construction, and not the result of an actual decrease in demand for rental units as compared to owner-occupied units. National home-ownership levels decreased by 1% from 2013 to 2015.
2. SWP estimates an additional slight shift towards higher rental percentages based on demographics and home conversion trends.

Using these estimates, SWP estimates a demand for 2,289 new rental units between 2010 and 2020.

According to the 2013 Housing Needs Assessment Update, roughly 40% of total rentals are market rate units. After taking into account the effect of new supply (and assuming an 80% completion rate on the Las Soleras development by 2020), market rate units will represent a total of 43% of total rental units in 2020. Based on these numbers, SWP estimates that there will be a total new demand for 984 market rate rental units by 2020. When added to current demand of 931 units (2013 Housing Needs Assessment estimate), total estimated demand for market rate rental units (not counting new supply introduced between 2015 and 2020) by 2020 is estimated to be 1,915 units.

Assuming that the Las Soleras development is 80% complete by 2020, but excluding any market-rate construction between now and 2020, SWP anticipates that **total market rate rental unit unmet demand in 2020 will be 955 units**. Please note that a variety of factors can affect this estimate, most notably any potential changes in the SFHP ordinance.

Santa Fe Homes Program Background

The City Council voted in June, 2011 to temporarily reduce the affordability requirement for owner-occupied housing from 30% to 20%. Effective June 7, 2014 the City Council made permanent the 20% reduced affordability requirement (Ordinance 2014-10). The City Council has continued to maintain affordability requirement for apartments at the 15% level first established by the Santa Fe Homes Program Ordinance 2005-30 in 2007².

The City of Santa Fe first required that new developments provide affordable housing for both rental and ownership developments when it passed the Inclusionary Zoning Ordinance (1998-2) in December, 1998. This ordinance stipulated that new rental developments with more than 6 units provide anywhere from 11% to 16% affordable rentals. In October 2007 the City passed the Santa Fe Homes Program (SFHP, Ordinance Number 2005-30) with the overall goals of increasing the affordability of housing and having greater distribution of income groups in housing developments. This affordability ordinance revised the former ordinance, and required all market rate apartment developments with two or more units (i.e., those that are not 100% affordable,

² Ordinance 2005-30, passed on October 29, 2007 replaced the original Housing Opportunity Program created in 1987 with the Santa Fe Homes Program.

such as Housing and Urban Development Tax Credit properties) to provide a minimum of 15% affordable rental units as follows:

- Income Range 1: 5% of all units must be affordable to persons at or below 50% of Area Median Income (AMI)
- Income Range 2: 5% of all units must be affordable to persons between 50% and 65% of AMI
- Income Range 3: 5% of all units must be affordable to persons between 65% and 80% of AMI

The following chart shows different AMI levels and the associated maximum rental price affordable at those levels:

Monthly Rent by % AMI	
Income as a % of AMI	Max Affordable Rent
0-30% of AMI	\$468
31-50% of AMI	\$780
51-60% of AMI	\$936
61-80% of AMI	\$1,248
81-100% of AMI	\$1,560
More than 100% of AMI	\$1,560+
Affordable rent in 2015 based on HUD AMI of \$62,400	

Context for Market Rate Apartments

The City of Santa Fe’s 2013 Housing Needs Assessment Update provides a definition of the rental market as being rental housing sought by households making between 0% to 200% of the AMI. The Housing Needs Assessment Update also defines the market for market rate apartments as being households making between 50% and 80% of the AMI, but can also include households earning up to 200% AMI. The 2011 and 2013 SWPM Santa Fe Apartment Market Studies adjusted the low-end upward to 60% due to economic conditions and the perception of market rate rents held among local housing professionals. SWP will adjust the 2011/2013 definition of market rate rental housing further upward to being housing that is sought by households between 65% and 200% AMI for 2015. We have made the upward shift because of the following two factors:

1. Since 2013, both average rents across unit types and occupancy rates have increased.
2. The HUD affordable income levels have, concurrently, continued to decrease since 2011.

HUD INCOME LEVELS & OCCUPANCY				
HH SIZE	50% 2013	50% 2015	80% 2013	80% 2015
1	\$ 22,900	\$ 21,850	\$ 36,600	\$ 34,950
2	\$ 26,150	\$ 25,000	\$ 41,800	\$ 39,950
3	\$ 29,400	\$ 28,100	\$ 47,050	\$ 44,950
4	\$ 32,650	\$ 31,200	\$ 52,250	\$ 49,900
5	\$ 35,300	\$ 33,700	\$ 56,450	\$ 53,900
Source: U.S. Dept. of Housing and Urban Development				
	2013		2015	
Occupancy	94.3%		96.5%	
Source: CBRE Apartment Market Surveys				

History

Between 2007 (when the SFHP ordinance was passed) and the time the 2011 SWP Santa Fe Apartment Market Study was delivered, the City of Santa Fe had issued 311 permits for multi-family housing, of which only 18 units were market rate, and 293 were priced to be affordable to persons at or below 80% of the AMI.

Our 2011 report found that the lack of new market rate apartment development was primarily the result of the SFHP ordinance. The report further found that the program had resulted in a market with an adequate supply of affordable units and a significant deficiency of market rate units.

Between 2011 and 2013 apartment construction increased significantly, with 235 new affordable rental units having been granted construction permits. This was a result of a spike in affordable housing resulting from an upswing in the national housing market, local policy changes, and ongoing trends in the local market; however, the Santa Fe apartment market remained imbalanced, in spite of new construction. This was in part due to the fact that new construction was almost entirely affordable units, with very little new supply to meet the unmet demand for market rate units.

Demand for Apartments

Demand for rental units in Santa Fe is currently highest at the ends of the rent pricing spectrum. Specifically, there is unmet demand for units priced below 30% of the AMI and for units priced to be affordable for people making 100% of the AMI and above.

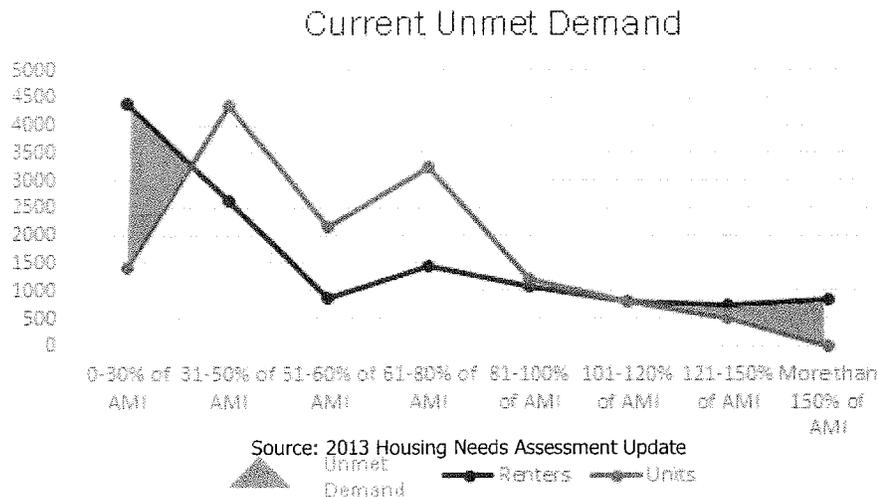
The 15% affordability requirement is one significant factor contributing to a deficiency of market rate apartments in the City of Santa Fe. The affordable housing requirement includes a provision that affordable units have similar construction/finishes and be interspersed with non-affordable housing. Effectively, affordable units in market rate developments will have similar overhead and construction costs to market rate units. As the quality of units goes up, the revenue generated on affordable units eventually becomes less than the costs of construction

and operation (or, alternatively, the return is too low to justify the investment). The difference has to be made up from the profit margin on the market rate units. As the market rate unit rents/costs increase, the incremental cost of the affordability requirement increases. It is worth noting that a fee-in-lieu of the affordability requirement would encourage development of market rate units. The fee-in-lieu would allow developers to more safely determine the potential profitability of a new market rate complex without having as many concerns over future changes in the market damaging profitability.

The additional cost of subsidizing affordable units for developments with more expensive rents has resulted in an oversaturation of the Santa Fe apartment market for market rate rents that are near the affordable housing requirement AMI rents, ranging from 50% to 80% AMI. The affordable housing requirement has resulted in unmet market demand for units with rents greater than the 100% AMI rents. As rents above 100% of AMI become more expensive, the unmet market demand as a percentage of total demand at that AMI level increases.

In addition to the unmet demand for higher-end market rents, the affordability requirement of the SFHP ordinance has indirectly resulted in unmet demand for units with rents at 30% AMI and less. As noted in the 2013 Santa Fe Housing Needs Assessment Update (SFHNA), "The greatest need in Santa Fe's market is for rental units priced less than \$500 per month, serving renters earning 30 percent of the AMI and less (incomes of less than \$20,000)".

The reason for the unmet demand at 30% and lower AMI rents is the result of the categories delineated by the SFHNA and the SFHP ordinance. The SFHNA uses both 0%-30% and 31%-50% AMI categories, while the SFHP ordinance only specifies 50% and less for the low income range. The chart below on the table below indicate is that developers are building rental units at the 50% upper limit of Income Range 1 of the SFHP ordinance in order to meet the requirement and are not building cheaper properties. The following table compares 2013 demand for rental units by households with various incomes to available units on the market.



The data needed to update the 2013 unmet demand chart will not be available until the city commissions another Housing Needs Assessment Update. That being said, demographic, economic, and policy changes indicate that the situation has become more imbalanced since 2013. First, occupancy rates and average rents have gone up since 2013. This demonstrates that the demand for units across income ranges has increased. While there has been new construction since 2013, the new units were primarily priced to be either market rate units or affordable housing between 50% AMI and 80% AMI, with only a small number of units introduced at the Stagecoach (around 12) being affordable to renters between 30% and 40% of AMI. Furthermore, no high-income luxury units were introduced during this period, due to the aforementioned conflict between overhead and the affordability requirement. Finally, the total population of Santa Fe continues to increase. The result of these forces is that the unmet demand at both ends of the previous chart has almost certainly increased.

Until a new Housing Needs Assessment is conducted, evidence supporting the previous analysis can be garnered from other sources rather than a direct unmet demand update. By comparing the percentage change in rents and occupancy levels of the most expensive MLS area with available data to the least expensive MLS area with data available, we can demonstrate that unmet demand has increased more steeply at the ends of the AMI spectrum.

Unmet Demand Analysis Statistics				
MLS Area	Reporting Date	Weighted-Average Rent	Occupancy	%Occupancy Change
2	2013	1033	95.68%	3.70%
	2015	1034	99.38%	
4N	2013	716	99.12%	-0.11%
	2015	790	99.01%	
All MLS Areas	2013	788	94.3%	2.15%
	2015	817	96.5%	
Source: CBRE Apartment Market Surveys				

Because the MLS areas have mixed rental levels, it is difficult to perfectly estimate change in demand. The presence of affordable units in a higher-priced MLS area will dampen the impact demand for higher-priced units has on the overall occupancy for that MLS area. Nonetheless, the steep increase in occupancy levels for the highest rent MLS area compared to the slight decrease in occupancy levels for the lowest rent MLS area indicates that unmet demand for higher-priced rental units has increased more than the unmet demand for affordable rents covered by the Santa Fe Homes Program ordinance. Furthermore, the overall increase in demand without any new supply of sub-30% AMI rental units coupled with the lower AMI indicates that sub-30% AMI units has almost certainly increased. Finally, the overall increases in occupancy and rent levels during a time period that the AMI decreased indicates that, in spite of new construction, overall unmet demand at all AMI rents is increasing.

Conclusions

The Santa Fe rental market continues to have a significant amount of unmet demand for market rate units. This is a result of a few factors.

Rental demand has continued to increase as the City shifts to an older, wealthier population. Furthermore, the City's population is estimated to grow over the next decade. Based on demographic shifts, population growth, and rental preferences, SWP estimates a new demand for 984 market rate rental units by 2020. Added to existing demand, SWP estimates total demand for market rate apartment units in 2020 (not counting new supply) to be 1,915 units. After factoring in new supply, SWP estimates total unmet demand for market rate apartment units in 2020 to be 955.

The lack of any large-scale market rate developments in over a decade, along with the aforementioned increase of demand, has caused demand for market rate units to increase continually. The somewhat recent easing of the requirements for owner-occupied housing, coupled with a lack of a concurrent easing of the rental market requirements, has caused Santa Fe to become artificially balanced towards owner-occupied housing in recent years. For those residents who are renters, there is a significant lack of supply for units affordable to people making 100% of the AMI and more. The city has, as a result, unmet demand for units affordable to people making less than 30% of the AMI and for people making 100% and greater of the AMI.

As a result of positive market forces and policy changes, new apartment construction has significantly increased since 2011. Unfortunately, new units continue to be almost entirely affordable rentals. The fact that affordable rental and owner-occupied construction continues without any new market rate development continues to decrease market efficiency.

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Appendix I

New Rental Supply 2013-2015						
Permit Year	Project	Rental Units	Rental Mix	Unit Sizes	Rents	Status
2013	San Isidro	176	100% Tax credit apartments	Mixed 1-3 bedrooms	Mixed, averaging affordability for people making 60% AMI or less	Complete
2013	Stagecoach	60	100% affordable housing		Mixed, averaging affordability for people making 50% AMI or less	Complete
TBD, likely 2015	Tierra Contenta & Other Housing Trust	140	100% affordable housing	Mixed 1-4 bedrooms	Mixed, averaging affordability for people making 50% AMI or less	Incomplete
TBD, will vary	Las Soleras	~1200	Primarily market rate (no exact number available)		TBD, estimated lower end of market rate (60% to 100% AMI)	Incomplete
Notes						
Las Soleras: SF City Council met on May 21, 2015 to consider final approval of the first phase of Las Soleras. The first subdivision, Ross' Peak, will contain about 200 single-family homes for purchase.						
Housing Trust: 2016 new supply will include 70 units at Tierra Contenta and another 70 at yet-to-be determined locations						



PROJECT DATA:

SITE AREA:	± 11.83 ACRES
TOTAL UNITS:	
1-BDRM:	± 118 UNITS (± 49.2%)
2-BDRM:	± 110 UNITS (± 45.8%)
3-BDRM:	± 12 UNITS (± 5.0%)
TOTAL:	± 240 UNITS
DENSITY:	± 20.28 D.U. / ACRE
PARKING:	± 459 SPACES
PARKING RATIO:	± 1.91 SPACES / UNIT

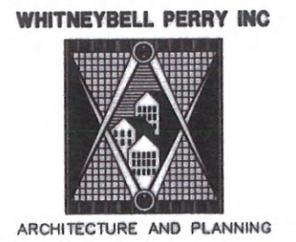
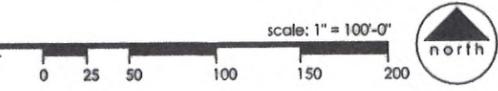
NOTE: ALL PROPOSED BUILDINGS WITHIN THIS SITE WILL CONFORM TO A 36' MAXIMUM BUILDING HEIGHT PER CITY OF SANTA FE GUIDELINES AND REQUIREMENTS

**GERHART
APARTMENT
COMMUNITY**
South Meadows Road
SANTA FE, NEW MEXICO

CONCEPT MASTER PLAN

WPI No. 1222

05.21.15



ARCHITECTURE AND PLANNING



**GERHART
APARTMENTS**
SANTA FE, NEW MEXICO

**PRELIMINARY
NOT FOR
CONSTRUCTION**

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575 West Chandler Boulevard, STE. 123
Chandler, Arizona 85225
(602)265-1891



**SHEET
3-2**

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21 May 2015

**PRELIMINARY
AERIAL SITE PLAN**

PRELIMINARY SITE PLAN
1" = 100'-0" 0 50' 100' 200'

15/05/2015 - Santa Fe Gerhart AP\perry\152 - Preliminary Site Plan.dwg 12/01/2015 8:27 PM 100