

# City of Santa Fe, New Mexico

# memo

**DATE:** February 19 for the March 3, 2016 Meeting

**TO:** Planning Commission

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

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

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**Case #2016-03. Vista Serena, Tract 49 Tierra Contenta, Final Subdivision Plat.**

Oralynn Guerrerortiz of Design Enginuity, LLC, agent for Homewise, Inc., requests final subdivision plat and development plan approval for 50 lots on 12.7± acres. The site is located on Tract 49 in Tierra Contenta Phase 2C, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 6-9 dwelling units per acre). (Donna Wynant, Case Manager)

**I. RECOMMENDATION**

The Land Use Department recommends **APPROVAL WITH CONDITIONS** as outlined in this report.

**II. APPLICATION OVERVIEW**

The applicant is requesting final subdivision plat and development plan approval to subdivide Tract 49 of Tierra Contenta. Homewise, Inc. proposes to develop the tract with 50 single-family residences. The Planning Commission approved the Preliminary Subdivision Plat for Vista Serena at their meeting of December 3, 2015, and the Findings of Fact and Conclusions of Law were approved on January 7, 2016. A variance to allow 16 separate disturbances of slope in excess of 30% was also approved. The Final Subdivision Plat is in substantial conformance with the approved Preliminary Plat as required by Section 14-3.7(B)(4)(a) SFCC 1987 (Conformity with Preliminary Plat Required).

The tract is part of Tierra Contenta Phase 2C, and is being legally separated from the remainder of Phase 2C through the lot split process that is currently being processed by City staff under a separate application. The proposed subdivision is subject to the previously adopted design standards for Phase 2C. The design standards address architecture, site design, landscape, and infrastructure design, and the plat and development plan comply with those standards. (See Exhibit: Tierra Contenta 2C, Design Standards - Single Family Residential)

### Access and Traffic

The subdivision plat includes a portion of Plaza Central roadway that will be developed with Phase 2 of the project. A second access to Plaza Contenta will be developed in Phase 2 that will be useable by emergency vehicles only. The subdivision will have approximately 197 parking spaces; 22 onstreet and 3 spaces on lots with a single car garage, and 4 spaces on the lots with a double garage. Code requires a total of 100 parking spaces.

Sidewalks will be constructed on both sides of the internal streets, except along the steep grades next to the north side of the cul-de-sac and the end of the cul-de-sac. Although the Tierra Contenta 2C Design Standards require sidewalks only on one side of the street, Commissioners raised concerns about many of the neighborhoods throughout Tierra Contenta not having sidewalks along both sides of the street.

One Commissioner requested a 6-foot wide sidewalk along Plaza Central from the main entrance towards the future commercial center. The applicant chose to keep all sidewalks at 5 feet wide, to be consistent with other Tierra Contenta development.

### Utilities

City water and gravity sewer will serve the project. Approximately 7.52 acre-feet of water use is anticipated per year.

### Lot Layout and Tierra Contenta Design Standards

All Vista Serena lots will be at least 4000 square feet, typically 40 feet wide and 100 feet deep. The applicant proposes to have standard front and rear setbacks of 10 feet in the front and 15 feet in the back. Garages facing the street will be set back at least 20 feet and will be at least 5 feet behind the front of the homes. On wider lots, side facing garages may be developed. Zero lot lines will be permitted which will allow neighboring homes to abut along the property line. All of the single family homes will be designed to have the home close to the street front, except for lots 22 and 23 which because of terrain constraints and lot geometry the front setback will be 60 to 80 feet. Two story homes will be permitted with a maximum height of 24 feet.

The 2C Design standards provide for a range of sideyard setback options: five feet on both sides; or zero on one side and ten on the other, repeated for a series of two or more adjacent lots. Second stories on adjoining lots must be separated by at least fifteen feet, compared to twenty feet for the standard requirements in Section 14-7.

The development plan does not clearly indicate which lots are intended for zero sideyards. Since that configuration requires coordinated development of adjacent lots, those lots need to be indicated prior to recording the plat and development plan. The fifteen-foot second-story separation requirement should also be added to the development plan.

### Landscape, Open Space and Trails

Street trees will be placed 40 feet apart along the subdivision roadways. Street trees will be irrigated via drip systems from the adjacent lot installed by the developer. Street trees not

adjacent to residential lots will be irrigated via drip systems owned and maintained by the HOA. An articulated five foot tall coyote fence with stuccoed pilasters will be developed along Plaza Central. Shrubs will be planted along the wall and street trees will be placed on both sides of the sidewalk at a spacing of about 20 feet on center.

A Home Owners Association (HOA) will maintain landscaping in common open space along the Plaza Central roadway and the landscaping along the subdivision roads that are not adjacent to residential lots.

#### Affordable Housing

Thirty-two percent of the homes (16 homes) will be sold per the Tierra Contenta affordable housing program requirements.

### **III. DISCUSSION AND ANALYSIS**

Analysis regarding the specific components of the subdivision and overall subdivision design was completed at the time of Preliminary Subdivision Plat approval. The Final Subdivision Plat is in substantial conformance with the Preliminary Subdivision Plat approved by the Planning Commission. The final plat has been reviewed by the Development Review Team (DRT) whose comments are included as Exhibit B. Any necessary corrections or deficiencies that must be corrected prior to recordation of the final plat have been addressed by the proposed Conditions of Approval (See Exhibit A).

### **IV. CONCLUSION AND CONDITIONS OF APPROVAL**

The Land Use Department is recommending **APPROVAL** of the Final Subdivision Plat subject to the proposed conditions of approval and technical corrections identified in Exhibit A.

### **V. ATTACHMENTS:**

EXHIBIT A: Final Subdivision Plat Conditions of Approval

EXHIBIT B: Development Review Team Memoranda

1. Traffic Engineering Memorandum, John Romero and Sandra Kassens
2. Technical Review Division Memorandum, Risana "RB" Zaxus
3. Landscaping Memorandum, Somie Ahmed
4. Fire Department Memorandum, Rey Gonzales
5. Wastewater Management Division Memorandum, Stan Holland
6. Water Division Memorandum, Dee Beingessner

EXHIBIT C: Planning Commission Approvals

1. Findings of Fact and Conclusions of Law, approved January 7, 2015
2. Planning Commission Minutes, December 3, 2015
3. TC Design Standards for Phase 2C- Chapter V – Single Family Residential

EXHIBIT D: Applicant Submittals

1. Subdivision Report
2. Final Subdivision Plat and Final Development Plan

**City of Santa Fe, New Mexico**

**Planning Commission**

**Exhibit A**

**Final Subdivision Plat  
Conditions of Approval**

# Vista Serena

Case #2016-03:

Final Subdivision Plat

Condition of Approval	Department	Staff
<p><b><u>The Developer shall correct the following markups:</u></b></p> <ul style="list-style-type: none"><li>• Sheet 7 – Signing and Striping Plan<ul style="list-style-type: none"><li>○ Replace note 7 and illustration with the Current (2009) MUTCD edition requirements.</li><li>○ Remove the callout note on the plan within lots 6 &amp; 7 regarding yellow stripes.</li></ul></li><li>• Sheet E – City of Santa Fe Residential Street Details – Do not use the COFS Residential Street Details sheet, rather replace it with NMDOT standard drawing 609.<ul style="list-style-type: none"><li>○ For the Valley Gutter Typical section, <u>either</u> provide your own stamped detail sheet or reference the NM APWA standard drawing # 2420, titled Paving/Concrete Valley Gutter. If referenced, include this APWA drawing in the Standard Details section of the plan set.</li></ul></li></ul>	Traffic Engineering/Public Works	John Romero (per Sandra Kassens)
<p>The Applicant's engineer is working with the Wastewater Division on the sewer system design to address the concerns over its depth and the number of water line crossings.</p>	Wastewater Management Division	Stan Holland
<ol style="list-style-type: none"><li>1. The proposed development requires a water main extension to connect to a water main on Plaza Central. Each dwelling unit must either be separately metered or sub-metered with a master meter.</li><li>2. An agreement to construct and dedicate will be required to connect the existing mains through the subject lot. The water division has received an application for technical evaluation for the water main extension concept from the developer. An approved water plan will be required for the agreement to construct and dedicate the new main.</li><li>3. Fire service requirements will have to be determined by the Fire Department prior to development.</li></ol>	Water	Dee Beingessner

# Vista Serena

Case #2016-03:

## Final Subdivision Plat

Condition of Approval	Department	Staff
<ol style="list-style-type: none"><li>1. All Fire Department access shall be no greater than a 10% grade throughout.</li><li>2. Fire Department Access shall not be less than 20 feet width.</li><li>3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.</li><li>4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.</li><li>5. Shall have water supply that meets fire flow requirements as per IFC</li><li>6. Must meet all fire protection requirements set forth by IFC 2009 edition for its classified occupancy.</li></ol>	Fire Marshal	Reynaldo Gonzales
<ol style="list-style-type: none"><li>1. Tierra Contenta Corporation is responsible for median landscaping of Plaza Central from the Plaza Central intersection at the eastern portion of Contenta Ridge to the Plaza Central intersection to the western intersection of Contenta Ridge. As per James S. Hicks, this section of median landscaping must be completed when the landscaping for the remaining portion of Plaza Central infrastructure is completed by the Commercial Center at 599, Inc. and Homewise. The median on Plaza Central to the west of the Contenta Ridge intersection must be landscaped according to the approved infrastructure landscape plan for Tierra Contenta Village Plaza Development Plan and Final Subdivision Plat.</li><li>2. North side of Plaza Central sidewalk must meet landscaping at time of development of this land.</li><li>3. Street trees and landscaping along Plaza Central and Area A and Area B shall be irrigated with an irrigation system and maintained by the HOA.</li><li>4. All other street trees shall be irrigated from adjacent on-lot irrigation systems and shall be maintained by the developer for two years from the time of installation. It is the responsibility of the tract developer whose land is adjacent to Local Streets, Residential Lanes and Plaza Streets to plant the street trees and landscaping along these streets. It is the responsibility of the adjacent landowner to maintain the street trees and landscaping in the right-of-way adjacent to that property.</li><li>5. For Single Family Residential, the developer/homebuilder is required to landscape the front yard of each unit and is required approval by the Tierra Contenta ARC.</li></ol>	Landscape Review	Somie Ahmed

# Vista Serena

Case #2016-03:

Final Subdivision Plat

Condition of Approval	Department	Staff
<p>As per conversation, on SHEET 18 – RETAINING WALL PLAN, please note the steep grade at the NE terminus of proposed retaining wall. If this is <b>identified as access</b> to the adjoining arroyo, or trail system, the slope exceeds 6%, and increases the probability of rill erosion into the adjacent arroyo; de-stabilizes the footing for the retaining wall; and, does not satisfy the City’s requirement for un-restricted access. Please contact me with any questions or concerns.</p>	Parks Division	Richard Thompson
<p>The development plan does not clearly indicate which lots are intended for zero sideyards. Since that configuration requires coordinated development of adjacent lots, those lots need to be indicated prior to recording the plat and development plan. The fifteen-foot second-story separation requirement should also be added to the development plan.</p>	Land Use Dept./Current Planning Div.	Donna Wynant, Case Manager

# City of Santa Fe, New Mexico

# memo

**DATE:** February 8, 2016

**TO:** Donna Wynant, Land Use Division

**VIA:** John J. Romero, Traffic Engineering Division Director *JJR*

**FROM:** Sandra Kassens, Engineer Assistant *SK*

**SUBJECT:** Vista Serena, Tract 49 Tierra Contenta, Final Subdivision Plat, case #2016-003

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**ISSUE:**

Oralynn Guerrerortiz of Design Enginuity, LLC, agent for Homewise, Inc., requests final subdivision plat and development plan approval for 50 lots on 12.7± acres. The site is located on Tract 49 in Tierra Contenta Phase 2C, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 6-9 dwelling units per acre).

**RECOMMENDED ACTION:**

Review comments are based on submittals received on October 28, 2015. The comments below should be considered as Conditions of Approval to be addressed prior to final signoff unless otherwise noted:

**The Developer shall correct the following markups:**

- Sheet 7 – Signing and Striping Plan
  - Replace note 7 and illustration with the Current (2009) MUTCD edition requirements.
  - Remove the callout note on the plan within lots 6 & 7 regarding yellow stripes.
- Sheet E – City of Santa Fe Residential Street Details – Do not use the COFS Residential Street Details sheet, rather replace it with NMDOT standard drawing 609.
  - For the Valley Gutter Typical section, either provide your own stamped detail sheet or reference the NM APWA standard drawing # 2420, titled Paving/Concrete Valley Gutter. If referenced, include this APWA drawing in the Standard Details section of the plan set.

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

**WYNANT, DONNA J.**

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**From:** ZAXUS, RISANA B.  
**Sent:** Monday, February 08, 2016 4:54 PM  
**To:** WYNANT, DONNA J.  
**Subject:** Case # 2016-03, Vista Serena Final Subdivision Plat

Ms. Wynant,

I have no review comments for the above-referenced project.

Risana B "RB" Zaxus, PE  
City Engineer

# City of Santa Fe, New Mexico

# memo

**DATE:** February 23, 2016

**TO:** Donna Wynant, Land Use Planner Senior

**FROM:** Somie Ahmed, Planner Technician Senior

**SUBJECT:** Comments for Case #2016-03, Vista Serena, Tract 49 Tierra Contenta, Final Subdivision Plat

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Below are staff's final comments for Vista Serena, Tract 49 Tierra Contenta. These comments are based on documentation and plans dated January 15<sup>th</sup>, 2016:

1. Tierra Contenta Corporation is responsible for median landscaping of Plaza Central from the Plaza Central intersection at the eastern portion of Contenta Ridge to the Plaza Central intersection to the western intersection of Contenta Ridge. As per James S. Hicks, this section of median landscaping must be completed when the landscaping for the remaining portion of Plaza Central infrastructure is completed by the Commercial Center at 599, Inc. and Homewise. The median on Plaza Central to the west of the Contenta Ridge intersection must be landscaped according to the approved infrastructure landscape plan for Tierra Contenta Village Plaza Development Plan and Final Subdivision Plat.
2. North side of Plaza Central sidewalk must meet landscaping at time of development of this land.
3. Street trees and landscaping along Plaza Central and Area A and Area B shall be irrigated with an irrigation system and maintained by the HOA.
4. All other street trees shall be irrigated from adjacent on-lot irrigation systems and shall be maintained by the developer for two years from the time of installation. It is the responsibility of the tract developer whose land is adjacent to Local Streets, Residential Lanes and Plaza Streets to plant the street trees and landscaping along these streets. It is the responsibility of the adjacent landowner to maintain the street trees and landscaping in the right-of-way adjacent to that property.
5. For Single Family Residential, the developer/homebuilder is required to landscape the front yard of each unit and is required approval by the Tierra Contenta ARC.



# City of Santa Fe, New Mexico

# memo

**DATE:** February 8, 2016

**TO:** Donna Wynant, Case Manager

**FROM:** Reynaldo Gonzales, Fire Marshal 

**SUBJECT:** Case #2016-03 Vista Serena, Tract 49 Tierra Contenta

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

**Prior to any new construction or remodel shall comply with the current code adopted by the governing body due to a change of use occupancy.**

1. All Fire Department access shall be no greater than a 10% grade throughout.
2. Fire Department Access shall not be less than 20 feet width.
3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.
4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
5. Shall have water supply that meets fire flow requirements as per IFC
6. Must meet all fire protection requirements set forth by IFC 2009 edition for its classified occupancy.

**City of Santa Fe**



**New Mexico**

# MEMO

## Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

### E-MAIL DELIVERY

Date: January 26, 2016

To: Donna Wynant, Case Manager

From: Stan Holland, P.E.  
Wastewater Management Division

Subject: Case 2016-03 Vista Serena, Tract 49 Tierra Contenta Final Subdivision Plat

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**The Applicant's engineer is working with the Wastewater Division on the sewer system design to address the concerns over its depth and the number of water line crossings.**

*City of Santa Fe*

# memo

**DATE:** February 16, 2016

**TO:** Donna Wynant, Land Use Senior Planner, Land Use Department

**FROM:** Dee Beingessner, Water Division Engineer 

**SUBJECT:** Case # 2016-03 Vista Serena, Tract 49 Tierra Contenta, Final Subdivision Plat

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The proposed development requires a water main extension to connect to a water main on Plaza Central. Each dwelling unit must either be separately metered or sub-metered with a master meter.

An agreement to construct and dedicate will be required to connect the existing mains through the subject lot. The water division has received an application for technical evaluation for the water main extension concept from the developer. An approved water plan will be required for the agreement to construct and dedicate the new main.

The engineer has submitted a water plan for review to the Water Division and we have provided comments on the plan.

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

**City of Santa Fe, New Mexico**

**Planning Commission**

**Exhibit C**

**Final Subdivision Plat  
Planning Commission Approvals**

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

Case #2015-103

Vista Serena, Tract 49 Tierra Contenta Preliminary Subdivision Plat

Applicant's Name- Homewise, Inc.

Agent's Name-Oralynn Guerrerortiz

THIS MATTER came before the Planning Commission (Commission) for hearing on December 3, 2015 upon the application (Application) of Ms. Oralynn Guerrerortiz, agent for Homewise, Inc. (Applicant).

The Applicant seeks the Commission's approval of the preliminary subdivision plat for 50 lots on 12.7+/- acres at Vista Serena, Tract 49 Tierra Contenta Phase 2C, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 6-9 dwelling units per acre). The application includes a variance to permit 16 separate disturbances of slopes in excess of 30%.

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant and there were no members of the public in attendance to speak.
2. Pursuant to Code § 14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats.
3. Pursuant to Code § 14-3.7(A)(1)(b) subdivision of land must be approved by the Commission.
4. Code § 14-3.7 (B)(1) requires applicants for preliminary plat approval to comply with the pre-application conference procedures of Code § 14-3.1(E).
5. Pursuant to Code §14-3.1(E)(1)(a)(ii), pre-application conferences are required prior to submission of applications for subdivisions unless waived.
6. A pre-application conference was held on September 24, 2015 in accordance with the procedures for subdivisions set out in Code § 14-3.1(E)(2)(a) and (c).
7. Code § 14-3.7(B)(2) requires compliance with the early neighborhood notification (ENN) requirements of Code § 14-3.1(F) for preliminary subdivision plats and provides for notice and conduct of public hearings pursuant to the provisions of Code §§ 14-3.1 (H), and (I) respectively.
6. Code §§ 14-3.1(F)(4) and (5) establish procedures for the ENN.
7. The Applicant conducted an ENN meeting on the Application on October 8, 2015 at the Southside Library at 6599 Jaguar Drive in accordance with the notice requirement of Code § 14-3.1(F)(3)(a).

8. The ENN meeting was attended by the Applicant and City staff; there were two members of the public in attendance.
9. 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) together with a recommendation that the preliminary subdivision plat be approved, subject to certain conditions (the Conditions) set out in such report.
10. The subdivision meets all of the Code § 14-3.7(C) criterion, including it will not create new or exacerbate existing nonconformities.
11. Code § 14-3.7(B)(3)(b) requires the Applicant to submit a preliminary plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material and in conformance with the standards of Code § 14-9 (collectively, the Applicable Requirements).
12. The information contained in the Staff Report is sufficient to establish that the Applicable Requirements have been met.
13. The information contained in the Staff Report and the testimony and evidence presented at the hearing is sufficient to establish with respect to the Applicant's request for a variance from the requirements of SFCC §14-3.16(C) are met in that (a) unusual physical characteristics exist due to natural steep terrain and on-going erosion issues; (b) special circumstances exist as creating regular shaped lots with a looped road and installation of drainage facilities would be infeasible without a variance; (c) the intensity of development will not exceed that which is allowed on other properties in the vicinity in Tierra Contenta; (d) the variance is the minimum variance that will make possible the reasonable use of the structure, in that there will be extensive use of retaining walls and steeper than typical fill slopes which will be stabilized by extra protection measures; (e) the variance is not contrary to the public interest and will help stabilize non-stable slopes.

#### CONCLUSIONS OF LAW

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

##### General

1. The proposed preliminary subdivision plat was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The Applicant has complied with the applicable pre-application conference and ENN procedure requirements of the Code.
3. The Commission has the authority to review and approve the preliminary plat subject to conditions.
4. The Commission has the authority to review and approve requests for waivers of Code Section 14-3.16(C).
5. The Applicable Requirements have been met.

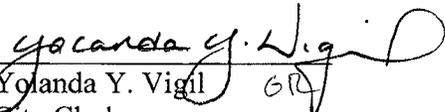
**WHEREFORE, IT IS SO ORDERED ON THE 7TH OF JANUARY 2016 BY THE  
PLANNING COMMISSION OF THE CITY OF SANTA FE**

1. That the Applicant's request for preliminary subdivision plat is approved, subject to conditions.
2. That the Applicant's request for a waiver of Code Section 14-3.16(C) is granted.

  
\_\_\_\_\_  
Chairperson *Vince Kadlubeck*

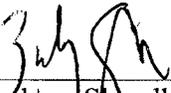
1-7-16  
Date:

FILED:

  
\_\_\_\_\_  
Yolanda Y. Vigil  
City Clerk

1-11-16  
Date:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Zachary Shandler  
Assistant City Attorney

1-7-16  
Date:

**2. Case #2015-108. Komis Business Park Final Development Plan and Final Subdivision Plat Time Extension.** Report of the Land Use Director's approval of a one-year administrative time extension for a Final Development Plan and Final Subdivision Plat for 18 lots on 59.54± acres located north of the intersection of I-25 and NM 599. The property is zones C-2 (General Commercial). The time extension would extend approvals to November 13, 2016. Santa Fe Planning Group, agent for Komis Land Company, LLC. (Zach Thomas, Case Manager)

Commissioner Propst noted there is lots of material in the packet and it has extended over a decade. At this point, she asked why they would not start fresh.

Ms. Martinez deferred to the case planner, Mr. Zach Thomas.

Mr. Thomas agreed this case has an extensive history, first by the County and now in the City. This is the second and final extension. The applicant stated that additional time is needed to acquire adequate water rights.

Commissioner Gutierrez asked for an update on the water rights issues from the applicant.

Mr. Scott Hoeft was sworn. He said this is complicated because the site was in the County and then it was annexed by the City. Mr. Komis acquired his water rights (45 acre/feet) as County water rights. But the City Attorney said those water rights were useless to the City and they were worth \$7,000 in the County. He hired an attorney and it doesn't have any conclusion after 7 years. They agreed in theory to accept the subdivision plats, etc. but didn't think through the water rights. We satisfied the county water rights so we've been struggling over it for several years. So the question is how to sell these rights and buy rights that are acceptable to the City.

**Commissioner Kapin moved to approve Case #2015-108, Komis Business Park Final Development Plan and Final Subdivision Plat Time Extension as requested. Commissioner Propst seconded the motion and it passed by unanimous voice vote.**

## G. OLD BUSINESS

There was no old business.

## H. NEW BUSINESS

**1. Case #2015-103. Vista Serena, Tract 49 Tierra Contenta, Preliminary Subdivision Plat.** Oralynn Guerretortiz of Design Enginuity, LLC, agent for Homewise, Inc., requests Preliminary Subdivision Plat approval for 50 lots on 12.7± acres. The application includes a variance to permit 16 separate disturbances of slopes in excess of 30%. The site is Tract 49 in Tierra Contenta Phase 2C, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is

zoned PRC (Planned Residential Community, 6-9 dwelling units per acre). (Donna Wynant, Case Manager)

### **STAFF REPORT**

Ms. Wynant presented the staff report for this case which is attached to these minutes as Exhibit 1. This report does not include the development plan for tonight which will come later. The report was brief because Ms. Guerrerortiz would go into all the details. There is a lot of history of Tierra Contenta.

She referred to two late communications that deal with the background of Tierra Contenta in response to Commissioner Kapin from Mr. Smith and a letter from Mr. Dave Thomas confirming the Tierra Contenta Corporation approval.

For this case, the Commission will consider whether the preliminary plat demonstrates that the final plat will meet the standards proposed for water, sewer, parks and roads will meet the need and that the houses can be built on these lots as laid out on the plat.

Homewise requests 50 dwelling units in this subdivision and it meets the criteria for development. The disturbance areas are fairly small but absolutely necessary on this development.

She explained that there are two phases and that Plaza Central Road will be part of phase 2 as well as 4.8 acres for open space. Secondary access also part of that phase.

The lots will meet or exceed the minimum lot size. All but two are on a street frontage. Fifteen are for affordable housing lots. This meets all subdivision criteria and the variance criteria for steep slopes. Without the variance this could not get quality development.

Staff recommended approval with conditions and then it will come back for final subdivision plat.

She reported that at the public meeting there were three attendees present.

### **QUESTIONS TO STAFF**

There were no questions to Staff.

### **APPLICANT'S PRESENTATION**

Ms. Oralynn Guerrerortiz was sworn and identified herself as the agent for Homewise. Ms. Guerrerortiz used a power point presentation which is incorporated herewith as Exhibit 2. In 1994, the Tierra Contenta Master Plan was approved for 1,421 acres, 860 of which were owned by the City and the remaining property owned by the New Mexico School for the Deaf. The Master Plan uses a neo-traditional design with houses closer to the street than garages and pedestrian-friendly with wide sidewalks.

She showed the map of Tract 49 which has three tracts and the Village Plaza is across the street. Jaguar extended to 599 and interchange opening soon. To the east is Plaza Central. South is an open space tract to be dedicated to the City. To the north is a town home project that may not get built. Basically, the site is three mesas separated by arroyos. She showed site views.

In 2007, the Planning Commission approved 68 townhomes for this property and since then decided to do single family homes instead. Phase 1 will have 33 homes; Phase 2 will have 17 homes, and overall density will be 7 units per acre. The compound will have one access road and a secondary emergency access with removable bollards.

They place most of the open space in the steeper terrain.

The homes will be built and sold by Homewise. Open space is to be maintained by the Home Owners' Association with a portion dedicated to the City. The affordable homes will be scattered throughout the development as they are chosen by prospective owners.

She showed possible layouts in the smallest lots with a range of setbacks and a range of sizes from 1100 - 1800 square feet houses.

Regarding variances, she presented a slope analysis showing the 16 steeper slopes where 5,408 square feet will be disturbed. They tried to leave them undisturbed but were forced to in order to build homes and have a loop road through the development. If the slope is not stable, they asked for a variance to stabilize them. She showed photos of erosion that has occurred there. She added that they will have lots of retaining walls and most will be under 3' in height.

All roads will be paved with curbs and gutter on both sides and sidewalks on one side. Stucco walls will be 5' high. She briefly described the landscaping details.

Ms. Guerrerortiz explained the use of a homeowners' association was to not add to the City's burden of maintaining frontage on main streets. Some trees won't have a house next to it. For the agreement with Village Plaza on shared development, she would get those contracts in writing and submit them to staff.

One other outstanding issue is the pedestrian connection with Plaza Central. Mr. Keith Wilson at the MPO asked them to try to put in a pedestrian access on the east side but they resisted because there is a large change in elevation. They would have to put in steps on private property and were concerned about liability from it. In general, people would be headed toward the SWAN park or the commercial area. It would be 320 extra feet for them if they go to this development but not for commercial.

Commissioner Abeyta arrived during her presentation.

### **PUBLIC TESTIMONY**

There was no public testimony and the public portion was closed.

## **QUESTIONS FROM THE COMMISSION**

Commissioner Abeyta had a problem with having sidewalks on only one side only. He told the Commission that he owns a house in Tierra Contenta that has no sidewalk on his side and his children couldn't play outside at all. If he had a sidewalk, they could play on the sidewalk. So he would not support a development with only one sidewalk. He added that his neighbors on the same side feel the same way. So he asked Homewise to consider having sidewalks on both sides of the street.

Ms. Guerrerortiz said she would discuss it with her clients. They are trying to keep costs down.

Commissioner Abeyta offered to speak with anyone at Tierra Contenta about it. It is a big deal and he picked the wrong side for his house. The other issue is with shared driveways. There are lots of problems with neighbors and driveways being blocked.

Ms. Guerrerortiz explained that there is a single-car garage and a pad for parking two cars on each lot.

Commissioner Abeyta said if an owner has to back into the neighbor's property to get out, it is a problem. Another problem is when someone moves out and then rents their house and the tenants don't have the same respect.

Commissioner Greene supported Commissioner Abeyta's issue on driveways and sidewalks. Also, along Plaza Central the plan would have a 4' wide sidewalk to the commercial area. He would encourage a six-foot-wide sidewalk so people can go in both directions and pass each other. On neighborhood streets, 4' is okay.

Ms. Guerrerortiz clarified that the existing sidewalk width is 4' now and they planned for 5' but will look at 6'.

Commissioner Greene asked if there is a chance to lower the wall a little so it is not a canyon effect. A 5' wall is an invitation to graffiti.

Ms. Guerrerortiz said they leaned toward 5' because Plaza Central sits higher than this property and pedestrians can look into back yards. With the others, they could lower the wall.

Commissioner Greene said if it drops down, it would be an 8' wall they would see.

Ms. Guerrerortiz said there is a Tierra Contenta requirement for a wall there or at least fencing. They will take the suggestion into consideration.

Commissioner Propst asked if the open space will be usable for recreation or if it is too much slope.

Ms. Guerrerortiz said they have one place where it is a gentle slope and have a sidewalk there but in

the other places it is too steep.

Commissioner Propst asked if they are building a trail.

Ms. Guerrerortiz said it is probably a dirt path. Rich Silva has done them and they are nice.

Commissioner Propst asked about flood mitigation.

Ms. Guerrerortiz said there is no flooding risk but there is an arroyo down below. They will have a detention pond and a dam on the far east side of the open space.

Commissioner Propst asked what staff conditions Ms. Guerrerortiz was concerned with.

Ms. Guerrerortiz said #1 is the median. There is already a bond submitted. #3 is landscaping on the north side of the street. Neither one of those is their responsibility.

Commissioner Propst asked if she was asking for removal of those two conditions or can prove that it is met.

Ms. Guerrerortiz said it was the second. They will label what is to be built and by whom to clarify that issue.

Commissioner Gutierrez also agreed that sidewalks on both sides are important.

He asked the applicant to address on-street parking.

Ms. Guerrerortiz said the road gets wider in places and those are places for on-street parking. She pointed out the sites in the project. There are pockets for visitors and overflow.

Commissioner Gutierrez asked if she had an estimate on the numbers.

Ms. Guerrerortiz said she wouldn't have the numbers until the final subdivision plat time.

Commissioner Gutierrez said with the 2007 Planning Commission approval they also requested a variance for terrain.

Ms. Guerrerortiz agreed and they requested more than ours.

Commissioner Gutierrez noted that they would not know where they are located and asked how they would determine that.

Ms. Guerrerortiz said the Affordable Housing buyer will choose from available lots. You won't know where they are as a visitor. The intention is to spread them out.

Commissioner Gutierrez asked about the temporary irrigation for grass and what that would consume.

Ms. Guerrerortiz said he could figure it out. They will use SW Landscaping and the species is low level native grass.

Commissioner Gutierrez asked why they were not making the emergency access a general access by residents.

Ms. Guerrerortiz said it was primarily because they wanted a main entrance and the area for emergency access would be a development of the need to be more private. The traffic engineer has tried to minimize an entrance from major roads. It would end up having an offset access with the Village Plaza and would have to change the subdivision plat for 2C. For those reasons, we chose it for emergency only.

Commissioner Kapin asked about the #2 condition which said no landscaping was shown but you did show trees.

Ms. Guerrerortiz said they added the trees after being notified about that requirement.

Commissioner Kapin asked if they could have a graded ramp instead of steps at the grade. Pedestrian access is very important.

Ms. Guerrerortiz explained that it would be at least a 45' ramp which would significantly impact that lot. Plus, it is a private access road/ it is not dedicated. But a very long ramp would be an alternative.

Commissioner Kapin thought it would be an important part of the MP. Having people crossing the street in the middle of roundabout is not good. She asked where a safe crossing would be.

Ms. Guerrerortiz said she would have to look into it. She presumed they put in a sidewalk crossing and if not, they would use the median as a safe harbor. It could be designed to walk straight through it.

Commissioner Kapin noted regarding the wastewater condition, Staff had some serious concerns. She asked if their engineers are prepared to address it.

Ms. Guerrerortiz said she is the engineer and wants to minimize manholes to save costs but will put in the extra manholes. All of the conditions are very reasonable.

Chair Kadlubek said the Village Plaza is across the street and is a heavy commercial area and for foot traffic, it should have a more pedestrian-friendly intersection there.

Regarding the Tierra Contenta Master Plan approved in 1984, he asked how much work goes into taking the user experience into account as other tracts get developed or if that has happened.

Mr. Smith said it is an excellent question. With Tierra Contenta approvals over the past 20 years, there was a substantial amendment made between phase 1A and Phase 2.

Originally, there were no parking lanes on the streets and the first amendment adopted the current

street section. That was in 1997. The development is now at Phase 3 and there is a book for design standards for Phase 1 and one for Phase 2 and now will have a book for Phase 3 and 4.

Chair Kadlubek didn't think the Commission needed to put in conditions before it comes back.

Commissioner Abeyta asked them to please look at the sidewalks. Also, the front yards are all gravel so there is no place for kids to play. But because it is Homewise, he did not want the sidewalks to kill the project.

Ms. Guerrerortiz said they would consider that where houses are located but not put them in where there are no houses.

Commissioner Abeyta asked when the road will be built.

Ms. Guerrerortiz said it is graded out dirt right now. The Village Plaza, as she understood, was the first parcel to go in right in front of us and are they required to connect to Jaguar. We were planning to build our part in Phase 2.

Commissioner Greene asked if the Commission could require at least one parking space per unit on the street.

Ms. Guerrerortiz said it would be impossible to get 50 on-street parking spaces in. They are committed to have 3 parking spaces on each lot and at least an 18' pad in front of each house. In many cases it would be 4 spaces on the lot. That is above the standard and the best I can commit to now.

Commissioner Greene asked about how wide the curb cuts will be and if the drive is 16' wide.

Ms. Guerrerortiz said they are usually 16' to 18' but parking won't be on both sides of the street.

Mr. Smith said the Code allows the Planning Commission to require 0.5 parking space in front of each unit. Specific numbers would be given at the final plat.

Chair Kadlubek recapped the requested changes: put sidewalks on both sides of the street, widen the sidewalks to 6' at entrances; make the walls lower; provide a landscaping buffer; Tierra Contenta responsible and for the roundabout. Clarification is needed on the number of on-street parking spaces; how much water for temporary landscaping and a pedestrian crossing near the roundabout.

### **ACTION OF THE COMMISSION**

**Commissioner Abeyta moved to approve Case #2015-103, Vista Serena, Tract 49 Tierra Contenta, Preliminary Subdivision Plat with staff conditions as summarized by Chair Kadlubek. Commissioner Greene seconded the motion and it passed by unanimous voice vote.**

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## Chapter V - SINGLE-FAMILY RESIDENTIAL

### A. GENERAL CHARACTERISTICS

Areas designed under the Single Family Residential portion of the Design Standards reflect "new-urban" or "neo-traditional" design concepts. Basic features include:

- Homes that have their main entry visible and accessible from a public street.
- All lots are 4000 square feet in area or larger.
- Alleys that allow vehicle access from the rear of the lot are encouraged.
- Most homes are single family detached, but two units may be attached with a common wall.
- One main unit and one accessory unit are allowed on a single lot.
- Most houses are placed on the lot with some yard on all sides, but zero lot line setbacks are allowed.
- Private open space is generally at the rear of the lot.

### B. CITY REQUIREMENTS

Summaries of the development provisions for single-family residential homes that are to be enforced as city code requirements are given below. Detailed criteria with explanations of City-enforced standards are found in Section B.2.

#### B.1. CITY SPECIFICATIONS (SUMMARIZED)

<b>Permitted Uses:</b>	As provided in Chapter 14 of City Code for R-1 through R-7 districts except as noted.
<b>Building Configuration and Placement:</b>	Single family detached or attached units with front façades that face the public street.
<b>Attached Units:</b>	Maximum of 2 units attached, joined by a common wall Common wall must be on the property line.
<b>Multi-Family:</b>	Multi-family units on a single lot are not allowed.
<b>Minimum Lot sizes:</b>	4000 sq. ft.
<b>Common open space:</b>	Not required, but may be provided
<b>Private open space:</b>	40% of the gross first floor area of house and garage with a minimum dimension of 15 ft. and must be contiguous.
<b>Lot Coverage:</b>	50% maximum
<b>Setbacks:</b>	
<b>Public Street:</b>	Front facade must face a street with minimum of 10 ft. and a maximum of 20 ft. to the right-of-way line. 10 ft. on a corner lot to side or rear any building. 15 ft. to the rear of the main unit and attached garage The main door of an attached garage must be set back at least 5 ft. from the front façade of main unit, and 20-ft. from the street. 10 ft. from side or rear of attached or detached garage or accessory unit on a corner lot. Detached garages & accessory units must be at the rear of the lot away from the street.

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Alley	Front façade may not face an alley 10 ft. to the side of the main unit. 15 ft. from the rear of main unit Attached or detached garage door may be set back 7 ft. from the alley right-of-way if developer can demonstrate that adequate on-lot parking is provided, otherwise an 18 ft. setback is required 0 for side and rear of garage or accessory unit 3 ft. required if windows or doors open onto alley
Adjacent Private Property Line	Front façade may not face an adjacent private property. Side setbacks are 5 ft. on each side, or 10 ft. on one side with 0 on the other in a 0 setback subdivision. There must be at least 15 ft. between second stories Two units may be joined on the property line with common wall. Rear of unit is set back 15 ft. from the property line. 24 ft. from front of garage 0 setback for side or rear of detached garage and accessory unit 3 ft. required if windows or doors open onto adjacent property. Additional setback distance may be required to maintain solar access
Public or Common Open Space	10 ft. from any side of main unit, garage or accessory unit. Adequate area for maneuvering and parking vehicles must be provided in front of attached or detached garages
Non-motorized Vehicle Easement	5 ft. setback from side and rear of main unit. 24 ft. from front of attached or detached garage. 0 for detached garage and accessory unit, but 3 ft. required if windows or doors open onto adjacent non-motorized vehicle easement
Common Driveway Easement	10 ft. minimum and 20 ft. maximum setback required from front of main unit to common driveway easement. 5 ft. from sides and rear of main unit, and front side and rear of garage and accessory units.
<b>Separations:</b>	6 ft. minimum separation between buildings on the same lot. 10 ft. separation between buildings on adjacent lots on the first floor level and 15 ft. separation on the second floor. 0 separation is allowed if attached.
<b>Height:</b>	24 ft. maximum with flat roof and parapets 26 ft. with pitched roofs
<b>Fences and Walls:</b>	4 ft. maximum height along a public street 6 ft. maximum height side and rear including alley May be higher over pedestrian & vehicle gates
<b>Landscaping:</b>	Street trees, and front yard landscaping of lots required.
<b>Parking:</b>	Minimum of two spaces on premises, If not provided on premises an average of one-half space off premises per unit. One additional on-premises space for each accessory unit used as a guesthouse.

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### B.2. CITY SPECIFICATIONS (IN DETAIL)

#### B.2.a. Permitted Uses

Permitted uses are those allowed by City Code, Chapter 14, pertaining to R-1 through R-7.

#### B.2.b. Building Configuration and Placement

Predominant building configuration is single-family detached residential unit facing the street. Accessory unit used as a guesthouse, or other use are allowed, but must be detached from the main unit and set back to the rear of the lot. If clustered units are proposed the provisions of Chapter VI, Residential Compounds must be applied. If multi-family buildings are proposed, Chapter VI, VII or VIII must be applied.

#### B.2.c. Attached Units

There can be no more than one main unit and one accessory unit on a single lot. A maximum of two units may be attached with a common wall, but a property line must separate the two units.

#### B.2.d. Lot Sizes

Lots shall have a minimum area of 4000 square feet.

#### B.2.e. Common Open Space

Common open space may be provided, but is not necessary in areas using the single family residential unit standards, and may not be used to reduce the size of the lot below the 4,000 square foot minimum.

#### B.2.f. Private Open Space

A contiguous area of private usable open space as defined in Chapter III, equal to at least forty percent (40%) of the combined gross area of the first floor of the house, accessory unit, and attached or detached garage, must be provided as private open space on the lot. The minimum dimension of the private open space shall be fifteen feet (15 ft.). A patio or covered portal open on at least two (2) sides may be included the allotted open space.

#### B.2.g. Lot Coverage

The maximum lot coverage for a single-family residential lot shall be 50%. Lot coverage is calculated using the combined area of the first floor of the dwelling, accessory unit and garage as a percentage of lot area. Portals, covered patios (attached or detached), trellises, covered walkways, and other open structures shall not be included for the purposes of calculating lot coverage.

#### B.2.h. Setbacks – Main Unit

The goal of setting strict standards for setbacks for single family building types is to create a comfortable street edge for the pedestrian and to reduce the visual impact of the garage and car. Builders are encouraged to vary the setback to create a less ridged street edge. Porches or entry features that bring the social part of the houses closer to the street are required and are defined in Section C.2.b. of this chapter. For the purpose of measuring setbacks the front of the unit is the façade with the required 30% occupied by a porch or portal and must face a street. Minimum building setback requirements for single family homes are:

**Front:** The primary façade is set back between ten feet (10 ft.) and twenty feet (20 ft.) from street right-of-way. Awnings, porches, and portals may extend into this setback; provided that no awning, porch, or portal that extends into the setback shall be closer than seven feet (7 ft.) from the street right-of-way. Corner lots, inside corner lots, or other lots with difficult proportions may exceed the maximum twenty-foot (20 ft.) front setback if approved by the City staff. Fronts of units on lots with

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difficult proportions may face the sides of other units, but may not face the rear of any other unit, a common or public open space, non-motorized vehicle,

**Side:** Five feet (5 ft.) on each side, or for approved zero-lot-line developments, zero (0) on one side and ten feet (10 ft.) on the opposite side. A zero setback is allowed on one side for attached units with a common wall on the property line. The side setback on corner lots is ten feet (10 ft.) from the street or alley right-of-way line. A five-foot (5 ft.) setback is required from a non-motorized vehicle easement or common driveway easement. A ten-foot (10 ft.) setback is required from common or public open space. There must be a separation of at least fifteen feet (15 ft.) between second stories along a side property line unless joined by a common wall. Additional setback distance may be required in order to maintain solar access.

**Rear:** Fifteen feet (15 ft.) from the adjacent private property line, alley or street, ten feet (10 ft.) from public or common open space and five feet (5 ft.) from a non-motorized vehicle easement or common driveway easement.

**Solar Separation:** Buildings on lots with a general east-west orientation must be located such that they do not interfere with the solar access of the adjacent property. The intent is to allow solar access to the heated space of buildings and generally do not apply to yards, garages, other non-heated areas and sides of buildings without windows. It is the responsibility of the property to demonstrate that the solar access to the adjacent properties is not compromised.

**Zero Setbacks:** Zero building setbacks from adjacent property lines are allowed for main units, detached garages and accessory structures only with the concurrence of adjacent property owners and with provisions that allow access on adjacent property for maintenance of the zero setback structure.

The table below contains setback requirements for main units and attached garages.

### Setback Limits in Single Family Residential Areas – Main Unit

	House			Attached Garage		
	Front	Side	Rear	Front	Side	Rear
<b>Public Street</b>	10' to 20'	10'	15'	Note #1	10'	15'
<b>Alley</b>	NA	10'	15'	7' or 18'	10'	15'
<b>Adjacent Property</b>		5' & 5' or 0' & 10'	15'	24'	5' & 5' or 0' & 10'	15'
		Note #2			Note #2	
<b>Public/Common Open Space</b>	NA	10'	10'	24'		10'
<b>Non-Motorized Vehicle Esmt.</b>	NA	5'	5'	Note #3		5'
<b>Common Driveway Easement</b>	NA	5'	5'	Note #3	Note #4	Note #4

Note #1 – Must be 5 ft. behind the front façade of main unit and at least 20 ft. from the street

Note #2 – 10 ft. separation between units on the ground floor and 15 ft. minimum separation between units on the second floor unless joined by a common wall.

Note #3 – Driveway easement and setback limits must be set to allow adequate area for parking and maneuvering passenger cars without encroaching onto adjacent property.

Note #4 – 0 setback is allowed if there are no operable doors or windows on the easement line otherwise 3 ft. is required.

NA is Not Allowed

#### B.2.i. Garages

To de-emphasize the garage it is recessed at least 5 ft. behind the front of the unit, rotated such that the door does not face the street or placed behind the dwelling at the back of the lot. The goal in controlling the placement of the garage, carport or parking pad is to reduce the visual impact of the car and allow the human scale elements of the dwelling to predominate on the street edge. Detached garages must be placed at the rear of the lot or elsewhere on the lot in a manner that allows the dwelling to predominate

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when viewed from the street. For the purpose of measuring setbacks the garage front contains the main vehicle door.

### **B.2.i.i. Attached Garages**

Attached front garages must be placed at least five feet (5 ft.) behind the front façade of the unit (not including porches, portals, and other projections) and at least twenty feet (20 ft.) from the front property line at the street or alley. Attached garages are considered part of the main dwelling for the purpose of side and solar setbacks.

Rotating the garage door away from the street is allowed, but no more than two units in a row may have the same garage orientation if facing away from the street. The garage door may be seven feet (7 ft.) from an alley right-of-way if the main unit faces the street and the garage is served by an alley on the side or rear and if the developer can demonstrate that there is adequate on-lot parking to preclude parking in the alley, otherwise the garage door must be set back at least eighteen feet (18 ft.) from the alley right-of-way. In order to ensure adequate maneuvering of a vehicle into and out of the garage the front of a garage may not be closer than twenty-four feet (24 ft.) from an adjacent property line, non-motorized vehicle easement or public or common open space.

### **B.2.i.ii. Detached Garages**

Detached garages may be of a different architectural style and character than the main house and must be placed at the rear of the lot. A ten-foot (10 ft.) side or rear setback are required from the street right-of-way on a corner lot. Detached garages may have a zero setback from private property, alleys, non-motorized vehicle or driveway easements if there are no operable doors or windows on the property lines; otherwise a three-foot (3 ft.) setback is required. Solar access on adjacent lots must be maintained.

The front of a garage may be set back seven feet (7 ft.) from an alley right-of-way if the developer can demonstrate that there is adequate on-lot parking to preclude parking in the alley; otherwise the garage door must be set back at least eighteen feet (18 ft.) from the alley right-of-way. In order to ensure adequate maneuvering of a vehicle into and out of the garage the front of a garage may not be closer than twenty-four feet (24 ft.) from an adjacent private property line, non-motorized vehicle easement or public or common open space. A ten-foot side and rear setback is required from public open space.

A zero setback on all sides of a detached garage is allowed adjacent to a common driveway easement if the developer can demonstrate that there is adequate on-lot parking and that there is adequate area for maneuvering vehicles on the lot or within the common driveway easement. Additional easement width, setback limits, or other means of assuring adequate accessibility may be required and will be evaluated individually. It is the developer's responsibility to prove adequate accessibility.

### **B.2.j. Driveways**

The use of alleys and shared driveways is encouraged in order to reduce the number of driveway cuts and impermeable surfaces. Driveways (curb cuts) off public streets in front of houses shall not be less than twelve feet (12 ft.) and shall not exceed a width of twenty feet (20 ft.) at the property line. A shared driveway serving four or more units shall not be less than sixteen feet (16 ft.) or more than twenty-four feet (24 ft.) in width.

### **B.2.k. Accessory Units**

Accessory units as defined in the City Development Code must be detached from the main unit on the lot. Accessory units are allowed with this building type, but must be located at the rear of the lot or above a detached garage. Accessory units may be of a different architectural style and character than the main house. Accessory units over garages may be taller than the main house, but may not exceed the overall building height limits set in these Standards.

A twenty-foot (20 ft.) front setback and a ten-foot (10 ft.) side or rear setback is required from the street right-of-way on a corner lot. Accessory units may have a zero setback on adjacent private properties, alleys, or non-motorized vehicle easement if there are no operable doors or windows on the property lines; otherwise a three-foot (3 ft.) setback is required. There must be at least ten feet (10 ft.) separating

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the ground floor of an accessory unit and any building on an adjacent lot and at least fifteen feet (15 ft.) of separation at the second floor level of any building on an adjacent lot. Ten-foot front, side and rear setbacks are required from public open space. A zero setback is allowed on all sides of a detached accessory unit adjacent to a common driveway easement if there are no operable doors or windows along the property or easement line, otherwise a three foot (3 ft.) setback is required.

The table below contains setback requirements for detached garages and accessory units.

### Setback Limits in Single Family Residential Areas – Detached Garage or Accessory Units

	Attached Garage			Accessory Unit		
	Front	Side	Rear	Front	Side	Rear
<b>Public Street</b>	Note #1	10'	10'	Note #1	10'	10'
<b>Alley</b>	7'	Note #3	Note #3	Note #3	Note #3	Note #3
<b>Adjacent Property</b>	24'	Note #2	Note #2	Note #2	Note #2	Note #2
<b>Public/Common Open Space</b>	24'	10'	10'	10'	10'	10'
<b>Non-Motorized Vehicle Esmt.</b>	24'	Note #3	Note #3	5'	Note #3	Note #3
<b>Common Driveway Easement</b>	NA	Note #3	Note #3	Note #3	Note #3	Note #3

Note #1 – Must be at the back of the lot.

Note #2 – 0 setback is allowed with concurrence of the adjacent property owner, if there are no operable doors or windows on the property line and an easement is provided on adjacent property for maintenance otherwise 3 ft. is required.

Note #3 – 0 setback is allowed if there are no operable doors or windows on the easement line otherwise 3 ft. is required.

Note #4 –NA is Not Allowed

All setback limits may be superseded in order to maintain solar access.

#### **B.2.l. Building Separations**

Detached accessory units and garages may have shared walls with similar structures on adjacent lots. There must be at least ten feet (10 ft.) separating buildings on adjacent lots on the first floor level, and at least fifteen feet (15 ft.) separating buildings on the second floor level. If not attached, a minimum separation of six feet (6 ft.) between the house and the accessory unit or garage on the same lot shall be maintained.

#### **B.2.m. Height Limits**

All buildings shall be limited in height to a maximum of twenty-four feet (24 ft.) for buildings with parapets and flat roofs or a maximum of twenty-six feet (26 ft.) for buildings with pitched roofs.

#### **B.2.n. Fences and Walls**

Walls and fences along public streets shall not exceed four feet (4 ft.) in height except over pedestrian or vehicular gates. Side and rear walls may be as high as six feet (6 ft.). Walls may be as high as six feet (6 ft.) along a public street if the only allocated usable private open space is provided in the front of the house and a pedestrian gate is provided in the wall with access to the street. See Chapter III, Section C.3. for acceptable wall materials and construction.

#### **B.2.o. Landscaping**

Street landscaping is required on all streets within the single-family residential areas. See Chapter III, Section C for specific requirements for street landscaping. The developer/homebuilder is required to landscape the front yard of each unit, however, the review and approval of the front yard landscaping is the responsibility of the TC Architectural Review Committee.

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See Chapter IX, *Landscape Standards and Approved Plants* for specifications of plant materials and planting requirements.

### B.2.p. Parking

In subdivisions with density less than six dwelling units per acre (6 d.u./ac.) each primary dwelling unit shall provide at least two (2) parking spaces on the premises and average one-half (½) space on or off the premises for guest parking. In subdivisions with density greater than six dwelling units per acre (6 d.u./ac.) each dwelling unit must provide two (2) parking spaces on the premises and an average of one (1) space on or off premises for guest parking. One additional space must be provided on the premises for each accessory dwelling unit. Tandem (end to end) parking is permitted only if it is shown that other on-lot parking configurations are impractical

Parking is not allowed in alleys, public or common open space, non-motorized vehicle or pedestrian easements, shared driveway easements or public sidewalks. The developer must design parking in the subdivision that makes the limits of assigned parking apparent to property owners. Covenants are required that parking be confined to the garages, carports, and parking pads. Covenants area also required that motor homes, camping trailer and other over-sized vehicles may not be stored on the property. Developer/builder may be required to erect "NO PARKING" signs in such areas so that access is maintained for emergency vehicles, residents and guests.

On-street parking as provided for the four types of streets described in Chapter III shall apply to the guest parking requirements, but not the requirements for accessory units. Developer is required to confer with the City Traffic Engineer in locating on-street parking. The builder/developer must demonstrate that all parking requirements will be met in the event that the garages, carport, or parking pad is used for other than parking resident vehicles.

### B.2.q. Double Frontage Lots

Lots where residential units will have front and rear lot lines coincident with streets right-of-way lines are discouraged in the Single Family Residential areas of Tierra Contenta. However, the Planning Commission may allow double frontage lots if certain criteria are satisfied.

Homes designed under the Single Family Residential standards are to have their primary façade and main entries visible and accessible from a public street. Therefore, the following criteria must be met in order for the Planning Commission to allow double frontage lots:

- The applicant must demonstrate that double frontage lots are needed to overcome specific disadvantages in topography and/or orientation of streets and lots and that vehicular access with an alley in rear is impractical.
- One of the adjacent streets is a Parkway or a Local Street and the other is a Local Street or a Residential Lane.
- The main façade of the units must face one of the streets. (The main façade need not be the same as the side having the vehicle access and/or the garage.)
- The opposite side of the unit from the main façade must contain architectural and/or landscape elements that enhance the appearance from the street and give the desired appearance of visibility and accessibility. No fence or wall along either street may exceed six feet (6 ft.) in height as measured from the sidewalk including retaining wall.

One or more of the following elements are required:

- Portals over secondary entrances
- Walls and fences with pedestrian gates
- Increased setbacks containing enhanced landscaping and buffer areas

The following are prohibited:

- Walls with no windows, doors or significant articulation
- Continuous walls or fences
- Walls over six feet (6 ft.) in height as measured from the sidewalk

- Cedar fences

**C. TIERRA CONTENTA ARC REQUIREMENTS**

In addition to the land development requirements that will be reviewed, approved and enforced by the City, other design considerations are required for development for single family residential building types within Tierra Contenta. A description of these requirements, which are subject to the approval of the Tierra Contenta Architectural Review Committee (ARC) follows.

**C.1. ARC SPECIFICATIONS (SUMMARIZED)**

- Configuration:** The ARC wants to see units that relate to the street, streetscapes that de-emphasize cars and have a defensible compact urban feel on a pedestrian scale.
- Construction:** No standard mobile homes. Modular & prefabricated units may be acceptable.
- Entries:** Main entries must address a public street.
- Portales/Porches:** The entry façade must have portal or porch across 30% of its length and be covered.
- Facades:** Blank wall may not face a public street
- Garages:** Garages may not dominate the streetscape, but must be at the rear of the lot, recessed at least 5 ft. behind the front façade of the unit, or rotated away from the street
- Roof Forms:** Flat or sloping roofs behind parapets preferred. Other types are allowed.
- Solar Access:** Solar access is encouraged.
- Landscaping:** Landscaping the street frontage of each lot is required.

**C.2. ARC SPECIFICATIONS (IN DETAIL)**

**C.2.a. Configuration**

Subdivisions and developments using the Single Family Residential standards should attempt to follow "neo-traditional" or "new urban" criteria. The ARC will be looking for areas with homes close to the street with vehicle access from the rear via alleys, with garages at the rear of the lot or recessed behind the front façade of the house. Drivers and pedestrians should see a tight urban streetscape with front yard and street landscaping, low walls or fences, and portals or porches visible from the street.

**C.2.b. Construction**

Although standard mobile homes are not permitted, modular homes and prefabricated components may be used if approved by the ARC.

**C.2.c. Entries and Porches**

The purpose of providing a porch is to create a human-scale buffer between the, street and the house. A porch or portal is the social edge of the dwelling, where people may choose to observe and be seen along neighborhood streets.

Primary entries shall be accessed directly from a public street and must be visible from the street. All dwellings shall have a porch or portal across a minimum of 30% of the primary façade. The primary façade is defined as the longest non-garage wall facing the street. The porch should provide space for the primary entry and be covered by a roof. Integration with a second floor is possible and can provide

## **V. SINGLE FAMILY RESIDENTIAL**

for balconies and decks. Various types of supports are encouraged and should be proportioned, and detailed to create a sense of permanence and stability.

**City of Santa Fe, New Mexico**

**Planning Commission**

**Exhibit D**

**Final Subdivision Plat  
Applicant Submittals**

# DESIGN ENGINUITY



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PO Box 2758 Santa Fe, New Mexico 87504  
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January 15, 2016

Santa Fe Planning Commissioners

RE: Vista Serena Development Plan and Final Subdivision Plat

Dear Commissioners,

On behalf of our client, Homewise, Inc. we submit the attached application for Development Plan and Final Subdivision Plat for the Vista Serena Subdivision. Vista Serena is located on Tract 49 of Tierra Contenta and is full compliance with the existing Tierra Contenta Master Plan and Phase 2C Design Guidelines. The project is located on 12.7± acres and will include 50 residential lots developed in 2 phases: Phase 1 - 33 lots and Phase 2 - 17 lots.

The project facts are summarized below.

## REQUEST

On behalf of Homewise, Inc. we request Final Development Plan (Figure 1) and Final Subdivision Plat approval of Vista Serena. The project will be developed in two phases: Phase 1 with 32 lots and Phase 2 with 17 lots.

## GENERAL DESCRIPTION

Vista Serena is a proposed 50 lot residential subdivision. Seven lots will be located within two residential compounds and 43 lots will be developed as single family homes. The houses will typically be 1000 to 1800 square feet, with one or two stories. Each home will have a single or 2-car garage and parking for 2 more cars in the driveway. The homes will be sold and built by Homewise. Paved roads with curb and gutter will serve every lot. Sidewalk meeting ADA requirements will be placed on both sides of the roadway, except will not run along the open space side of the cul-de-sac. City water and gravity sewer will serve the project. A Home Owners Association (HOA) will maintain landscaping in common open space along the Plaza Central roadway and the landscaping along the subdivision roads that are not adjacent to residential lots.

The subdivision plat includes a portion of Plaza Central roadway that will be developed with Phase 2 of the project, and 4.8 acre of public open space that is a part of the Tierra Contenta planned open space. Actual area to be developed for the subdivision is 7.21 acres. The proposed density is 7 lots/acre. The property is currently zoned to allow 6-9 dwelling units per acre. Thirty-two percent of the homes (16 homes) will be sold per the Tierra Contenta affordable housing program requirements. A second access to Plaza Contenta will be developed in Phase 2 that will be usable by emergency vehicles only. This access will have three removable, locking bollards preventing other traffic from using the access.

#### LOCATION

Vista Serena is located on Tract 49 near the western border of Tierra Contenta within Phase 2C, south of Airport Road and west of SR 599. Project access is via the split roadway Plaza Contenta at an existing roundabout. Figure 2 is the current Tierra Contenta Master Plan with the subject parcel indicated. To the east of the project is the Tierra Bonita project owned by Community Housing Trust. This project has all its subdivision infrastructure, but homes have yet to be built. To the south, on the other side of an arroyo greenspace is the Homewise project Los Palomas. Los Palomas is about 75% built out. To the southwest of the project is a planned residential tract with a 6-9 du/acre density. On the east side of Plaza Contenta a commercial and business office park development is planned. To the north is a vacant tract that is to be developed as Contenta Ridge Townhomes. And to the northwest is the existing Pueblo De La Luz development.

#### EXISTING CONDITIONS

The Vista Serena tract was used as a construction staging site and dirt stockpile location for the construction of earlier phases of Tierra Contenta and as a result about 2.5 acres of land near the Plaza Contenta roadway have been cleared of all vegetation. The existing large dirt pile will be used as needed fill in Vista Serena. The steeper areas of the project site have not been disturbed and have a scattering of juniper trees. Three fingers of land extend to the south, and are separated by arroyos. The project site drops towards an arroyo which tranverses the site from northeast to southwest. This arroyo has an existing earth dam and an associated stormwater detention pond to the east of Vista Serena. Water, sewer, gas, electricity, phone and cable mains lie along Plaza Central.

#### LEGAL LOT OF RECORD

Tract 49 is a part of Phase 2C of Tierra Contenta. The tract is being legally separated from the remainder of Phase 2C through the lot split process that is currently being processed by City staff under a separate application.

#### EXISTING ZONING

Tract 49 is shown in the approved Tierra Contenta Master Plan as a residential tract an allowable density of 6-9 units per acre. The current request is for 7 units per acre for a total of 50 units.

#### DEVELOPMENT PLAN STANDARDS

All Vista Serena lots will be at least 4000 square feet, typically 40 feet wide and 100 feet deep. We propose to have standard front and rear setbacks of 10 feet in the front



and 15 feet in the back. Garages facing the street will be at least setback 20 feet and will be at least 5 feet behind the front of the homes. On wider lots, side facing garages may be developed. Zero lot lines will be permitted which will allow neighboring homes to abut along the property line. All of the single family homes will be designed to have the home close to the street front, except for lots 22 and 23 which because of terrain constraints and lot geometry the front setback will be 60 to 80 feet. Two story homes will be permitted with a maximum height of 24 feet.

#### LANDSCAPING, LIGHTING AND SIGNAGE CONCEPTS

Street trees will be placed 40 feet apart along the subdivision roadways. Street trees will be irrigated via drip systems from the adjacent lot installed by the developer. Street trees not adjacent to residential lots will be irrigated via drip systems owned and maintained by the HOA. An articulated five foot tall coyote fence with stuccoed pilasters will be developed along Plaza Central. Shrubs will be planted along the wall and street trees will be placed on both sides of the sidewalk at a spacing of about 20 feet on center.

Six street lights will be installed within the project with LED lighting.

A single project sign will be installed near the entrance on the Plaza Central wall.

#### TERRAIN MANAGEMENT

The proposed development will be designed to protect and enhance the natural beauty of the land and vegetation, while minimizing soil erosion and sediment transport during storms. The area to be developed into lots will be mass graded. Retaining walls will be installed in many locations to accommodate the variable terrain. The entire site drains to the south arroyo. A 26,700 cubic foot detention pond will be developed in this arroyo to detain excess runoff generated due to site development. All disturbed areas will be stabilized and revegetated with a native grass seed mixture.

#### AFFORDABLE HOUSING

Sixteen affordable homes in compliance with the Tierra Contenta affordable housing requirements will be developed in Vista Serena. This is equivalent to 32% of the homes. We will not identify the affordable homes but will disperse them throughout the project so that one will not be able to tell which homes were sold as part of the affordable housing program.

#### ARCHAEOLOGY

An archaeological clearance was previously granted for all of Tierra Contenta Phase 2C.

#### WATER BUDGET

The City of Santa Fe has set standards of anticipated water use based on lot size. Lots less than 6000 SF typically use 0.15 Acre-Feet per year. Lots of 6000 to 10,000 SF use 0.17 Acre-Feet per year. Based on these numbers, the Vista Serena project should use 7.52 Acre-Feet per year.

## SUBDIVISION APPROVAL CRITERIA

We provide the following response to the Chapter 14 Subdivision Approval Criteria.

- (1) The Vista Serena Subdivision has been designed to protect much of the site's natural beauty by protecting many of the slopes, arroyo terrain and natural vegetation.
- (2) The project plans are in compliance with the Tierra Contenta Master Plan and the Phase 2C Design Standards. The land is relatively flat with some steeper slopes mostly associated with on going arroyo erosion issues. Development plans will stabilize some of these erosion problems by placing compacted fill which will be seeded with native grasses and covered with erosion protection mats. Temporary irrigation systems will be installed to ensure that the grasses grow. The streets and sidewalks will all have grades of 5 percent or less. Areas that are subject to periodic flooding have been placed in common open space.
- (3) The proposed subdivision plat meets all standards of Chapter 14, Article 9.
- (4) The proposed plat does not create a non-conformity. A variance has been granted to allow disturbance of some steep slopes.
- (5) No exceptions are necessary for plat approval.

## DEVELOPMENT PLAN APPROVAL CRITERIA

We provide the following response to the Chapter 14 Development Plan Approval Criteria.

- (1) Because the proposed Development Plan is in conformance with the adopted Tierra Contenta Master Plan, the Tierra Contenta Phase 2C Design Standards and Chapter 14 regulations, the Planning Commission has the ability to approve the Plan.
- (2) Approving the Development Plan would not adversely affect the public interest.
- (3) The proposed Development Plan is compatible with neighboring development and other properties in the project vicinity.

## ISSUES RAISED BY PLANNING COMMISSIONERS AT THE DECEMBER 3, 2015 MEETING

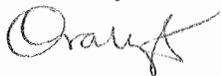
At our preliminary hearing for the project, the Santa Fe Planning Commissioners raised some issues which we have tried to address with our final project plans. These are each addressed below.

1. We placed sidewalk on both sides of the road, except for along northside of the cul-de-sac and the end of the cul-de-sac. Thus every home will now have a sidewalk in front of the house. Sidewalk was left off the cul-de-sac because of the steep grades next to the cul-de-sac. As the code only requires sidewalk on one side of the street, the plans exceed code requirements.
2. Along Plaza Central we replaced the stucco wall with a combination coyote fence with stucco pilaster which will be 5' high. We increase the total planned landscaping. Together we believe this will have a softer look and provide more buffering to the project homes, and reduce the potential for graffiti.
3. Tierra Contenta Corporation has provide a letter stating that they are responsible for landscaping the existing medians in Plaza Contenta, and lot owners are responsible for landscaping the adjacent sides of the street (see attached letter). Thus Homewise is responsible for all the landscaping on Plaza Contenta behind the curb and adjacent to our property. Our plans show the landscaping that we will install.

4. There are a total of 22 street parking spaces. The code requires two parking spaces per single family lot. We are providing 3 spaces on lots with a single car garage, and 4 spaces on the lots with a double garage. Under city code we are required to provide 100 parking spaces total. We are providing approximately 197 parking spaces assuming half the homes have double garages.
5. The steep slopes which will have temporary irrigation systems to encourage native grasses to grow. The slopes will be covered by a coconut mesh erosion blanket that helps to hold water and works like mulch. The grass seed to be used is Plants of the Southwest Dry Land Blend, which under normal conditions thrives with 12" of water per year. Assuming that we have normal or below normal rainfall, we will add a maximum of about 6" of water to these slope per year. The maximum total water anticipated to be used is 48,000 gallons (0.15 AF) per year for 2 years on the 12,746 SF of slopes.
6. We examined the existing approved plans for the roundabout at the entrance to our project, and found that no crosswalks were planned, although curb ramps have been installed. We propose to add crosswalk on all four sides and install signage to warn drivers of the pedestrian crossings. The crosswalks and signs have been added to our plans.
7. One Commissioner requested that we consider changing some sidewalks to 6-foot wide. We have chosen to keep them all at 5 feet, which is consistent with Code requirements and all the other projects within Tierra Contenta built in the last several years.

Thank you for consideration of our request.

Sincerely,



Orallynn Guerrerortiz, PE  
Agent for Homewise, Inc.

# Tierra Contenta

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1111 Agua Fria, Santa Fe, NM 87501 505-989-3960

January 13, 2016

RB Zaxus, Engineering Supervisor  
Land Use Division  
City of Santa Fe  
P.O. Box 909  
Santa Fe, New Mexico 87504

Re: Plaza Central Median Landscaping

Dear RB:

Tierra Contenta Corporation is responsible for the median landscaping of Plaza Central from the Plaza Central intersection with the eastern portion of Contenta Ridge to the Plaza Central intersection to the western intersection of Contenta Ridge.

This section of median landscaping will be completed when the landscaping for the remaining portion of Plaza Central infrastructure is completed by the Commercial Center at 599, Inc. and Homewise.

TCC has sold the property in Phase 2B and 2C along Plaza Central to builders/developers and those organizations are responsible for all landscaping between the curb and sidewalks along Plaza Central in Phase 2B and Phase 2C.

Please give me a call if you have questions about the above median landscaping, and landscaping behind the curb (989-3960).

Sincerely,



James S. Hicks  
Executive Director

cc. Lisa D. Martinez, Land Use Department Director

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