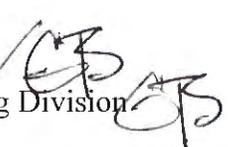


City of Santa Fe, New Mexico

memo

DATE: June 18, 2015 for the July 2, 2015 Meeting

TO: Planning Commission

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

FROM: Zach Thomas, Senior Planner, Current Planning Division 

Case #2015-48. Plaza Piñones Final Development Plan Time Extension. Report of the Land Use Director's approval of a one-year administrative time extension for 40 townhomes on 7.44± acres east of Fifth Street and south of St. Michael's Drive. The May 8, 2015 expiration would be extended to May 8, 2016. JenkinsGavin Design & Development, Inc., agents for Soñar LLC, Ken Raymond. (Zach Thomas, Case Manager)

I. RECOMMENDATION

The Land Use Director has **APPROVED** the applicant's request for a one-year time extension. This approval is being reported to the Planning Commission in accordance with SFCC Section 14-3.19(C).

II. APPLICATION OVERVIEW

The Plaza Piñones Final Development Plan was approved by the Planning Commission per their approval of the Findings of Fact and Conclusions of Law on May 8, 2009. The initial expiration of the Development Plan on May 8, 2011 was automatically extended per the terms of Resolution #2011-26 until May 8, 2014. A one-year time extension was granted on March 13, 2014, extending the expiration date to May 8, 2015. A request was made for the second and final one-year time extension on May 7, 2015.

The Development Plan consists of 40 townhomes (16 single-story units and 24 two-story units) on a 7.44 acre, R-5 zoned parcel. A 15% Santa Fe Home Program (SFHP) Density Bonus allows for another 5 units beyond that which would be allowed with the net acreage (7.44 acres - .44 ac flood plain = 7 acres x 5du/ac = 35 + 5 density bonus units = 40 units).

The agent for the owner of the property is requesting the one year extension of the development approvals due to the economic downturn and impacts on the local housing

market (See **Exhibit C**).

As stated in the approval criteria, the administrative extension may not approve revisions to the development or amendments to the conditions of approval. If any amendment, or change to the conditions of approval were requested, those requests would need to be considered by the Planning Commission through the full public hearing process, including the requirement of an Early Neighborhood Notification (ENN) meeting.

III. APPROVAL CRITERIA

Section 14-3.19(C) SFCC 1987 Time Extensions

(2) Administrative Extensions

- (a) The land use director may approve two consecutive extensions to the time limits for an approved development, each not to exceed one year. Approval shall be based on review of the findings and conditions of approval of the original final action and a finding by the land use director that no substantive changes have occurred to the regulations or policies that apply to the development or to the circumstances affecting the site and its vicinity. The administrative extension shall not approve revisions to the development or amendments to the conditions of approval, and no early neighborhood notification is required.

- (b) Administration time extensions approved by the land use director, pursuant to this Subsection 14-3.19(C)(2), for development approvals that were granted by the planning commission or the governing body, are subject to review by the planning commission. The land use director shall identify the action taken and place it on a consent agenda for the planning commission. The land use director shall provide the planning commission with the applicant's written application and the land use director's written proposal. The planning commission may accept, reject or modify the proposal.

IV. ATTACHMENTS:

EXHIBIT A: Land Use Director Letter of Approval of One Year Time Extension

EXHIBIT B: Final Development Plan Staff Report

EXHIBIT C: Letter of Application

City of Santa Fe, New Mexico

Planning Commission

Exhibit A

Letter of Approval



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

June 18, 2015

Hillary Welles
Jenkins Gavin Design and Development
130 Grant Avenue, Suite 101
Santa Fe, NM 87501

**RE: Request for Time Extension
Plaza Piñones Final Development Plan**

Dear Ms. Welles,

I have reviewed the request you submitted on May 7, 2015 for a time extension of the development approvals that were granted for the Plaza Piñones Final Development Plan. I have determined that no substantive changes have occurred to the regulations or policies that apply to the previous approvals, to the proposed development, or to the circumstances that apply to the site and vicinity, that would affect the validity of those approvals. Therefore, in accordance with SFCC 1987 Section 14-3.19, a one-year time extension is approved for the Plaza Piñones Final Development Plan, subject to the original conditions of approval as approved by the City of Santa Fe Planning Commission per their approval of the Findings of Fact and Conclusions of Law on May 8, 2009.

The time extension will allow development activities to commence prior to the extended deadline, as provided in SFCC Section 14-3.19. This is the final time extension and the Final Development Plan will expire if you do not record the Plat prior to May 8, 2016.

Specifically, the time extension is approved for the following previous development approval:

- Case #M 2009-07. Plaza Piñones Final Development Plan. Agent for Soñar, LLC, requests Final Development Plan approval for 40 townhomes on 7.44+/- acres. The property is zoned R-5 (Residential – 5 dwelling units per acre) and is located east of Fifth Street and south of St. Michael's Drive.

SFCC Section 14-3.19 requires that the grant of this time extension be reported to the Planning Commission by placement on the Commission's consent Agenda. The Planning Commission may reverse this approval.

Feel free to contact me at 505-995-6617 if you have questions regarding this matter.

Sincerely,

Lisa Martinez
Land Use Department Director

Cc: Project File

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

Staff Report

City of Santa Fe, New Mexico

memo

DATE: April 7 for April 16, 2009 Planning Commission Meeting

TO: City of Santa Fe Planning Commission

VIA: John B. Hiatt, Director, Land Use Department 
Tamara Baer, Planning Manager, Current Planning Division 

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

Case #M 2009-07. Plaza Piñones Final Development Plan. JenkinsGavin, agent for Soñar, LLC, requests final development plan approval for 40 townhomes on 7.44± acres. No variances are requested with this proposal. The property is zoned R-5 (Residential, 5 dwelling units per acre) and is located east of Fifth Street and south of St. Michael's Drive. (Donna Wynant, case manager)

I. STAFF RECOMMENDATION

A number of concerns have been raised by the adjacent neighborhood association regarding ingress and egress to and from the subject property. Ingress is via Calle Sombre, a neighborhood stub street into the property, through the Casa Del Cerro neighborhood to the south. Egress is via Calle Sombre and via a one-way drive out to Fifth Street, with a right turn only movement. This design prohibits right-ins, left-ins, and left-outs from Fifth Street.

An April 13, 2009 meeting has been arranged to further discuss concerns raised by the representatives from the Casas del Cerro Neighborhood Association and the Fifth Street Office Condominium Association regarding traffic in and out of the development, and the arrangement of the drive and some of the units immediately adjacent to the neighborhood to the south. The City's Traffic Engineer, and the applicant's Traffic Engineer will be in attendance to further discuss ideas concerning ingress and egress from Fifth Street and Calle Sombre.

The Planning Commission may make its decision on Plaza Piñones Development Plan based information provided in this staff memorandum, subject to the Conditions of Approval per the DRT comments (Exhibit B), or may decide to consider further recommendations/resolutions to result from the 4/13/09 meeting.

II. SUMMARY

A. Application Request

The applicant is requesting Final Development Plan approval for a 40 townhome residential development, previously known as La Triada. As stated in the applicant's letter of application (See Exhibit E-4), the City Council reviewed and overturned the Planning Commission's August 28, 2008 approval of La Triada (Case #M2008-26) stating their opposition to the requested variances. In response to the Council's decision, the developer redesigned the site without the bridge over the arroyo and with a 25' instead of a 15' turning radius at the Fifth Street driveway connection. Access at Fifth Street is now proposed to be a right-out only exit, instead of the previously proposed 15' turning radius that gave two way access. No variances are therefore required for this development. The entrance into the development is now strictly from Calle Sombra. Traffic would then be able to exit the site via Calle Sombra or via the one way out to Fifth Street, allowing a right turn only movement.

B. Property Description

The 7.44-acre subject property, zoned R-5 (Residential, 5 dwellings per acre), is bordered by Fifth Street to the west, the railroad right-of-way to the east, commercial/office development along Warner Circle and St. Michael's Drive to the north, and a residential neighborhood to the south. The zoning north and west of the site is C-2 and SC-2. Lands east and south of the property are zoned RM-2 PUD and R-5. An arroyo enters the site near the northeast corner and exits via a five foot diameter culvert at the mid-point of the southern boundary and is overlaid with a 100 Year FEMA Flood Plain varying in width from twenty to sixty feet. The bridge previously proposed over the arroyo has been removed from this development proposal.

The 40 townhomes on this 7.44 acres parcel are comprised of 16 single story units, primarily along the south lot line adjacent to the Casas Del Cerro neighborhood to the south, and the 24 two story units are more interior to the property and closer to the trail easement along the railroad. The driveway along the southern property line was shifted to the north to allow for the homes along the drive to have their backyards to be next to the backyards in the adjacent neighborhood, avoiding "double-fronted lot configurations. (See Exhibit E: Plaza Piñones Development Plan- in the reduced plan set). The proposed number of units are the same as the previous La Triada proposal and are according to the density allowed with the current R-5 zoning. After the flood plain of .44 acres is subtracted from the site (7.44 acres) at 5 units per acre, 35 units are allowed. The 15% SFHP Density Bonus allows for another 5 units for a total of 40 units proposed. Twelve of the units (30%) will be priced affordably. (See Vicinity and Zoning maps in Exhibit A)

III. DEVELOPMENT PLAN - CONDITIONS OF APPROVAL

The submitted Development Plan should be approved with the requirement that the conditions outlined below and in [EXHIBIT B] are met:

Development Review Team technical memoranda and documentation:

- Fire Marshal memorandum, Barbara Salas
- Solid Waste memorandum, Randall Marco
- Trails & Open Space memorandum, Bob Siquieros

- Wastewater Management memorandum, Stan Holland
- Landscaping memorandum, Charlie Gonzales
- Technical Review Division, Engineering memorandum, Risana Zaxus
- Office on Affordable Housing
- Santa Fe Public Schools
- Public Works Department, Traffic Engineer memorandum, John Romero
- Stormwater comments, Jim Salazar

IV. REVIEW AND APPROVAL PROCEDURES (CHAPTER 14-3):

A. Pre-Application Conference was held on January 27, 2009.

B. Public Involvement - [EXHIBIT C]

This application has been properly posted and noticed according to procedures listed in Chapter 14-3.1 of the Santa Fe City Code.

Article 14-3.1 (F) Early Neighborhood Notification Procedure

Applicant conducted an ENN meeting for Plaza Piñones on January 27, 2009, at the LaFarge Library, 1730 Llano Street, Santa Fe.

C. Application Completeness

Application was submitted in form and number as required on February 9, 2009

V. ATTACHMENTS:

EXHIBIT A Maps

1. Vicinity
2. Zoning Map

EXHIBIT B: Development Review Team technical memoranda and documentation:

1. Fire Marshal memorandum, Barbara Salas
2. Solid Waste memorandum, Randall Marco
3. Trails & Open Space memorandum, Bob Siquieros
4. Wastewater Management memorandum, Stan Holland
5. Landscaping memorandum, Charlie Gonzales
6. Technical Review Division, Engineering memorandum, Risana Zaxus
7. Office on Affordable Housing
8. Santa Fe Public Schools
9. Public Works Department, Traffic Engineer memorandum, John Romero
10. Stormwater comments, Jim Salazar

EXHIBIT C Public Involvement

1. Applicant Responses to ENN Guidelines
2. ENN Report
3. 2/9/09: Letter from Melitta Serna to JenkinsGavin
4. 3/12/09: Letter from Associations to Jennifer Jenkins

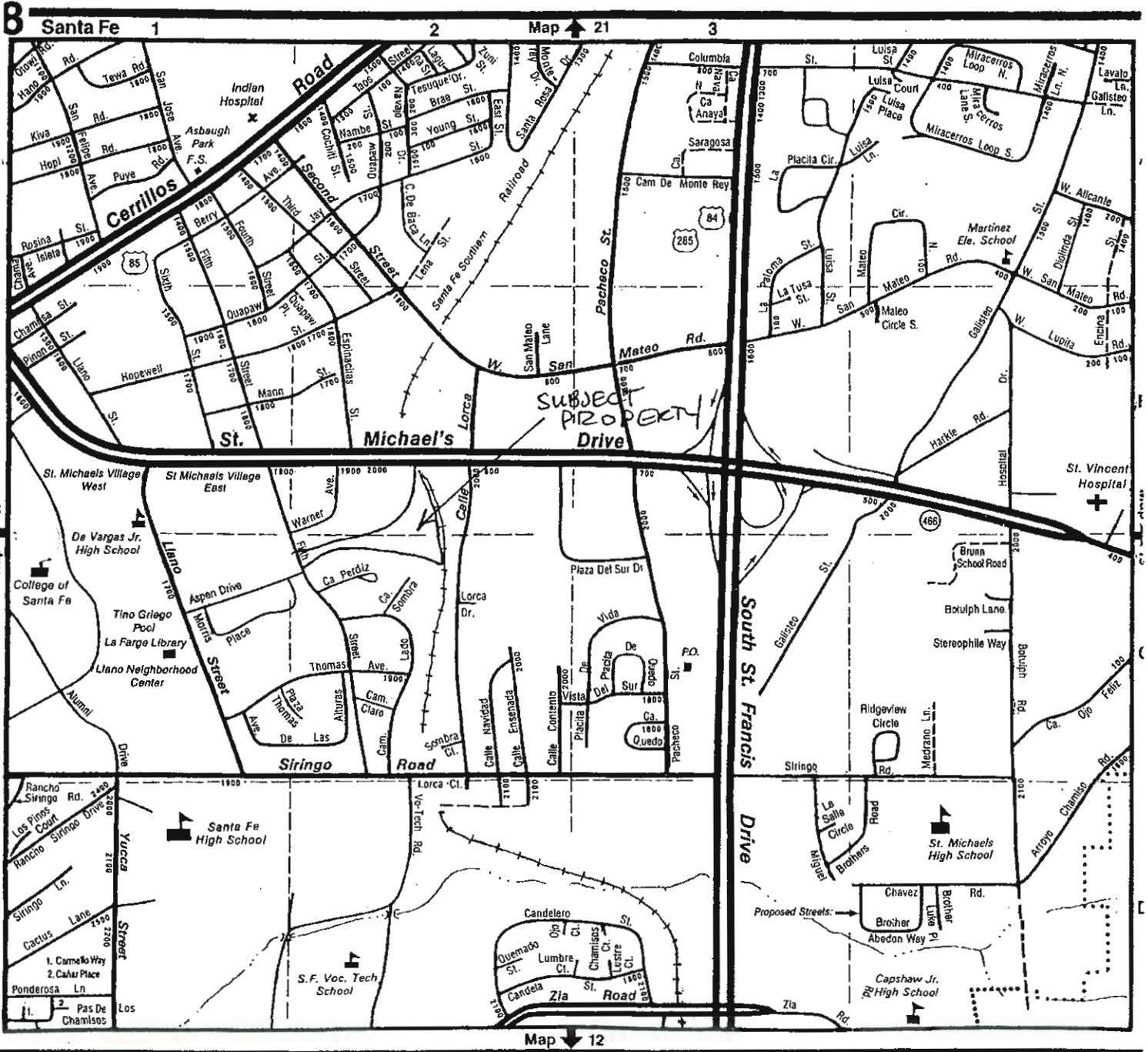
5. 4/5/09: Letter from Melitta Serna and Robert Hake to Jennifer Jenkins

EXHIBIT D Governing Body Findings of Fact and Conclusions of Law,
12-10-08 City Council Meeting

EXHIBIT E Submittals by the applicant on April 7, 2009

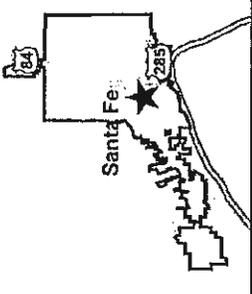
1. Driveway design- approvals by City Engineer, Traffic Engineer, and Fire Marshall.
2. 1/26/09: Letter from Jennifer Jenkins to Melitta Serna regarding the easement onto Fifth Street.
3. 3/25/09: Letter from Jennifer Jenkins to Fifth Street Business Condominium Association and Casas del Cerro Neighborhood Association
4. 2/9/09: Applicant's Letter of Application
5. Reduced plan set

VICINITY MAP



3 ZONING

Plaza Pinomes - Vicinity Map



Legend

- City Limits
- Parcels
- Zoning
 - R1, (PUD) Single - Family 1dú/ac
 - R2, (OT), (PUD) Single - Family 2dú/ac
 - R3, (PUD) Single - Family 3dú/ac
 - R4 Single - Family 4dú/ac
 - R5, (PUD), (AC), R6 Single - Family 5- Edu/ac
 - R7, (I) Single - Family 7dú/ac
 - RCS, ACRC5 Compound 5dú/ac
 - RCS, ACRC6 Compound 8dú/ac
 - RM10, (PUD) Multiple - Family 10dú/ac
 - RMLD, (PUD) Multiple - Family 12dú/ac
 - RM1, (PUD) Multiple - Family 21dú/ac
 - RM2, (PUD) Multiple - Family 29dú/ac
 - RAC Residential Arts & Crafts
 - MHP Mobile Home Park
 - C1 Office and Related Commercial
 - C2 General Commercial
 - C4 Limited Office and Retail
 - HZ Hospital Zone

Scale: 1:3,697



Map center: 1724998, 1694635



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.

Plaza Piñones (La Triada) – DRT Comments
Final Development Plan (Case #M 2009-07)

	Comments	Department	Staff
1	Rejected: Ingress and egress problems. Call Randall Marco @955-2228.	Solid Waste	Randall Marco
2	The applicant has considered staff's comments regarding the trail. Regarding the Trail plans, engineering plan shall be complete and approved by Public Works prior to permitting.	Trail Development	Bob Siqueiros
3	I have conducted a preliminary review of the above mentioned case(s) for compliance with the 2006 International Fire Code® (IFC). The request is conditionally approved. Below are the conditions which shall be addressed prior to final development approval. Dead-end fire apparatus access roads in excess of 500 feet (45 720 mm) in length shall provide a 26 foot wide access road. IFC 503.2.5 Dead ends.	Fire	Barbara Salas
4	All Fire Department Access Roads shall be marked with signs in accordance with IFC § D103.6. Development plans shall include a signage plan with fire access roads marked with appropriate signs spaced not more than 40 ft. apart.	Fire	Barbara Salas
5	D103.6.1 Roads 20 to 26 feet in width. Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane. D103.6.2 Roads more than 26 feet in width. Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.	Fire	Barbara Salas
6	I reviewed a Final Development Plan Application Amendment dated February 9, 2009, a Drainage Report by Design Engenuity dated February 4, 2009, and a plan set dated February 5, 2009. I recommend that the project go forward to the Planning Commission with the following comments as conditions of approval: Submit Homeowner Association documents per Article 14-7.1(B)(1)(e) stating ownership and maintenance of private roads, drainage structures, and other common items.	Tech Review Div/Land Use	Risana Zaxus
7	Note 1 on sheet 10 is confusing, as it indicates a private access easement to be dedicated for public use. Clarify.	Tech Review Div/Land Use	Risana Zaxus

Exhibit 

Plaza Piñones (La Triada) – DRT Comments
Final Development Plan (Case #M 2009-07)

8	Identify the 100-year floodplain (throughout the plan set where applicable) with reference to the current (June, 2008) FIRM.	Tech Review Div/Land Use	Risana Zaxus
9	Dedicate the land below the base flood elevation as public open space, drainage easement, public right of way, and Ecological Resource Protection Overlay District per Articles 14-8.2(G)(1)(b) and 14-5.9.	Tech Review Div/Land Use	Risana Zaxus
10	Indicate on Slope Analysis the area in square feet of slope disturbance exceeding 30%.	Tech Review Div/Land Use	Risana Zaxus
11	Add a note on the Development Plan that “an ADA inspection shall be conducted prior to issuance of a certificate of occupancy. The contractor shall contact City staff to schedule an inspection.”	Tech Review Div/Land Use	Risana Zaxus
12	Add a vicinity map to the Plat.	Tech Review Div/Land Use	Risana Zaxus
13	Identify affordable housing units on the Development Plan.	Tech Review Div/Land Use	Risana Zaxus
14	Add a note to the Development Plan that that no building permits will be issued until partial completion of infrastructure is obtained, no certificate of occupancy will be issued until substantial completion of the infrastructure, and all provisions of the Infrastructure Completion Policy of 7/1/2008 must be followed.	Tech Review Div/Land Use	Risana Zaxus
15	Add a line to the cover sheet for “Development/Infrastructure Building Permit Address: _____.”	Tech Review Div/Land Use	Risana Zaxus
16	Obtain Utility signatures on Development Plan and Plat.	Tech Review Div/Land Use	Risana Zaxus
17	Show Book/Page of easements shown on Sheet 5 (Boundary Survey).	Tech Review Div/Land Use	Risana Zaxus
18	Show detail of guardrail.	Stormwater Management	Jim Salazar

Plaza Piñones (La Triada) – DRT Comments
Final Development Plan (Case #M 2009-07)

19	<p>Pages 42 & 43 RE-SUBMIT LANDSCAPE PLAN w/REVISIONS:</p> <p>Show compliance with Section 14-8.4 (E) (1) (4). Water Harvesting and Irrigation Standards. Provide more detailed information such as location of improvements, size, surface storage for trees.</p>	Tech Review, Land Use	Charlie Gonzales
20	<p>Show compliance with Section 14-8.4 (E) (4) (a) - (f). Irrigation Standards. Provide more information on proposed irrigation.</p>	Tech Review, Land Use	Charlie Gonzales
21	<p>Show compliance with Section 14-8.4 (F) (a) (i). Plant Material Standards. More information needs to be submitted in order to conduct a thorough review of the plans. (Preferably on a chart or table)</p> <ul style="list-style-type: none"> • Plant and tree size, height and caliper, number of trees and shrubs, • Mature size, (height and spread), • Shrubs to be 5 gallons minimum, • 2" of mulch, seed mix design and fertilization. • Provide Landscaping Plan in coordination with stormwater retention/detention ponds. 	Tech Review, Land Use	Charlie Gonzales
22	<p>Show compliance with Section 14-8.4 (F) (5). Existing Vegetation. Explain and show how many trees/shrubs will be removed, replaced or added.</p>	Tech Review, Land Use	Charlie Gonzales
23	<p>Show compliance with Section 14-8.4 (G) (2) (b). Street Tree Standards.</p>	Tech Review, Land Use	Charlie Gonzales
24	<p>Show compliance with Section 14-8.4 (H). Open Space Landscaping Requirements</p>	Tech Review, Land Use	Charlie Gonzales
25	<p>The comments below should be considered as Conditions of Approval to be addressed in a satisfactory manner prior to final signoff unless otherwise stated.</p> <p>The proposed development is not expected to have significant traffic operational impacts on the City's roadway infrastructure.</p>	Traffic	John Romero
26	<p>The developer is proposing one-way right-out only access point onto Fifth Street that must also provide full emergency access. With this in mind, the developer has not provided a design that in addition to providing full emergency access, effectively prohibits right-ins, left-ins, and left-outs. The developer shall provide said design subject to review and approval by the Public Works Department.</p>	Traffic	John Romero

Plaza Piñones (La Triada) – DRT Comments
 Final Development Plan (Case #M 2009-07)

27	<p>The Wastewater Division is currently working with the Design Engineer for the sewer system design. The Wastewater Division and the Design Engineer have agreed to incorporate a previously approved sewer design that was shown on an earlier submittal for La Triada. These sewer line design changes may require minor changes to the Development plan as submitted.</p>	Wastewater	Stan Holland
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DATE: March 10, 2009

TO: Donna Wynant, Planning and Land Use Department

FROM: Barbara Salas
Barbara Salas, Fire Marshal

SUBJECT: DRT Case: Plaza Pinones Final Development Plan

Case #	M-2009-07			
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I have conducted a preliminary review of the above mentioned case(s) for compliance with the 2006 International Fire Code® (IFC). The request is conditionally approved. Below are the conditions which shall be addressed prior to final development approval.

1. Dead-end fire apparatus access roads in excess of 500 feet (45 720 mm) in length shall provide a 26 foot wide access road. IFC 503.2.5 Dead ends.

**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE
APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

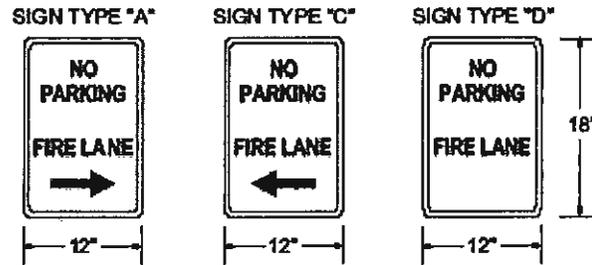
For SI: 1 foot = 304.8 mm

2. All Fire Department Access Roads shall be marked with signs in accordance with IFC § D103.6. Development plans shall include a signage plan with fire access roads marked with appropriate signs spaced not more than 40 ft. apart.

D103.6 Signs.

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

**FIGURE D103.6
FIRE LANE SIGNS.**



D103.6.1 Roads 20 to 26 feet in width.

Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.

D103.6.2 Roads more than 26 feet in width.

Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.



DEVELOPMENT REVIEW TEAM
TRANSMITTAL FORM

Case #M 2009-07. Plaza Piñones Final Development Plan. JenkinsGavin, agent for Soñar LLC, requests final development plan approval for 40 townhomes on 7.44± acres. No variances are requested with this proposal. The property is zoned R-5 (Residential, 5 dwelling units per acre) and is located east of Fifth Street and south of St. Michael's Drive. (Donna Wynant, case manager)

Name: Jennifer Jenkins
JenkinsGavin Design&Dev.

Agent/ Owner # 820-7444 FAX 820-7445

Submittal date February 9, 2009

Email jennifer@jenkinsgavin.com

Request additional submittals
February 19, 2009

Planning Commission date April 2, 2009

ACT final Comments by March 9, 2009

- Checkboxes for various divisions: PDR Case File/Case Manager, Fire Inspector(s), Traffic Division Engineer, Waste Water Division Engineer, PW/ Engineering Division, Landscaping, Water Division Engineer, Subdivision Engineer, Office of Affordable Housing, Solid Waste Div. Engineer, Trails & Open Space.

Handwritten date: 2/19/09

COMMENTS:

Rejection: argues & Express problems.
Call Randal Marco @ 955-2228

Case Manager: Donna Wynant x6325

- Contact info for Tamara Baer, Wendy M. Blackwell, Charlie D. Gonzales, Lucas Cruse, Donna J. Wynant.

- Contact info for Daniel A. Esquibel, Patrick Nicholson, Greg T. Smith, RB Zaxus.



DEVELOPMENT REVIEW TEAM
TRANSMITTAL FORM

Case #M 2009-07. Plaza Piñones Final Development Plan. JenkinsGavin, agent for Sofiar LLC, requests final development plan approval for 40 townhomes on 7.44± acres. No variances are requested with this proposal. The property is zoned R-5 (Residential, 5 dwelling units per acre) and is located east of Fifth Street and south of St. Michael's Drive. (Donna Wynant, case manager)

Name: Jennifer Jenkins
JenkinsGavin Design&Dev.
Submittal date February 9, 2009
Request additional submittals
February 19, 2009
DRT final Comments by March 9, 2009

Agent/ Owner # 820-7444 FAX 820-7445
Email jennifer@jenkinsgavin.com
Planning Commission date April 2, 2009

- Checkboxes for various divisions: PDR Case File/Case Manager, Fire Inspector(s), Traffic Division Engineer, Waste Water Division Engineer, PW/ Engineering Division, Landscaping, Water Division Engineer, Subdivision Engineer, Office of Affordable Housing, Solid Waste Div. Engineer, Trails & Open Space.

COMMENTS: The applicant has considered Staff's comments regarding the trail.
Trail Engineering plan shall be complete and plans approved by Public Works prior to permitting.
Robert Siqueiros 955-6977

Case Manager: Donna Wynant x6325
Tamara Baer x 6580 tbaer@santafenm.gov
Wendy M. Blackwell x 6127 wblackwell@santafenm.gov
Charlie D. Gonzales x 6955 cdgonzales@santafenm.gov
Lucas Cruse x 6583 lacruse@santafenm.gov
Donna J. Wynant x 6325 djwynant@santafenm.gov

Daniel A. Esquibel x 6587 daesquibel@santafenm.gov
Patrick Nicholson x 6888 pdnicholson@santafenm.gov
Greg T. Smith x 6957 gtsmith@santafenm.gov
RB Zaxus x 6641 rbzaxus-onaxis@santafenm.gov



MEMO

Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

E-MAIL DELIVERY

Date: February 23, 2009

To: Donna Wynant, Senior Planner

From: Stan Holland, PE
Wastewater Management Division

Subject: Case 2008-26 Application Amendment for La Triada Final Development Plan – Plaza Pinones

The Wastewater Division is currently working with the Design Engineer for the sewer system design. The Wastewater Division and the Design Engineer have agreed to incorporate a previously approved sewer design that was shown on an earlier submittal for la Triada. These sewer line design changes may require minor changes to the Development plan as submitted.

Please contact me at 955-4637 if you have any questions.

cc: Oralynn Guerrerortiz
Jennifer Jenkins
File

Exhibit *BA*

City of Santa Fe, New Mexico

memo

DATE: February 20, 2009

TO: Donna Wynant, Land Use Senior Planner
Planning Division

CC: R. B. Zaxus, P.E., CFM, City Engineer
Technical Review Division

FROM: Charlie Gonzales, CFM, Technical Review Coordinator, *Charlie G.*
Technical Review Division

RE: **Landscaping Comments for case #M 2009-07, Plaza Pinones Final Development Plan**

Below are comments for the Plaza Pinones Final Development Plan request. These comments are based on the plan set dated February 3, 2009.

Landscaping : Pages 42 & 43 RE-SUBMIT LANDSCAPE PLAN w/REVISIONS

1. Show compliance with Section 14-8.4 (E) (1) (4). Water Harvesting and Irrigation Standards. Provide more detailed information such as location of improvements, size, surface storage for trees.
2. Show compliance with Section 14-8.4 (E) (4) (a) - (l). Irrigation Standards. Provide more information on proposed irrigation.
3. Show compliance with Section 14-8.4 (F) (a) (i). Plant Material Standards. More information needs to be submitted in order to conduct a thorough review of the plans. (Preferably on a chart or table)
 - Plant and tree size, height and caliper, number of trees and shrubs,
 - Mature size, (height and spread),
 - Shrubs to be 5 gallons minimum,
 - 2" of mulch, seed mix design and fertilization.
 - Provide Landscaping Plan in coordination with stormwater retention/detention ponds.
4. Show compliance with Section 14-8.4 (F) (5). Existing Vegetation. Explain and show how many trees/shrubs will be removed, replaced or added.
5. Show compliance with Section 14-8.4 (G) (2) (b). Street Tree Standards.
6. Show compliance with Section 14-8.4 (H). Open Space Landscaping Requirements.

City of Santa Fe, New Mexico

memo

DATE: March 6, 2009

TO: Donna Wynant, Case Manager

FROM: Risana "RB" Zaxus 
City Engineer for Land Use

RE: Case # M 2009-07,
Plaza Pinones Final Development Plan

I reviewed a Final Development Plan Application Amendment dated February 9, 2009, a Drainage Report by Design Enginuity dated February 4, 2009, and a plan set dated February 5, 2009. I recommend that the project go forward to the Planning Commission with the following comments as conditions of approval:

1. Add street names and addresses to Development Plan and Plat. Contact Marisa Struck (955-6661) to obtain addresses.
2. Submit Homeowner Association documents per Article 14-7.1(B)(1)(e) stating ownership and maintenance of private roads, drainage structures, and other common items.
3. Note 1 on sheet 10 is confusing, as it indicates a private access easement to be dedicated for public use. Clarify.

4. Identify the 100-year floodplain (throughout the plan set where applicable) with reference to the current (June, 2008) FIRM.
5. Dedicate the land below the base flood elevation as public open space, drainage easement, public right of way, and Ecological Resource Protection Overlay District per Articles 14-8.2(G)(1)(b) and 14-5.9.
6. Indicate on Slope Analysis the area in square feet of slope disturbance exceeding 30%.
7. Add a note on the Development Plan that "an ADA inspection shall be conducted prior to issuance of a certificate of occupancy. The contractor shall contact City staff to schedule an inspection."
8. Add a vicinity map to the Plat.
9. Identify affordable housing units on the Development Plan.
10. Add a note to the Development Plan that that no building permits will be issued until partial completion of infrastructure is obtained, no certificate of occupancy will be issued until substantial completion of the infrastructure, and all provisions of the Infrastructure Completion Policy of 7/1/2008 must be followed.
11. Add the following stormwater certification to the cover sheet; wording must be exact:

ENGINEER'S STORMWATER INFRASTRUCTURE CERTIFICATION

I, the undersigned, being a Professional Engineer in the State of New Mexico, do hereby certify that the record information shown hereon is based on actual field measurements and visual inspections performed by myself or under my direct supervision. I further certify that the record condition of the site as of __[insert date]__ is in substantial compliance with the approved Grading and Drainage Plan prepared by __[insert name]__, dated _____.

-----*Printed name,*

NMPE No. xxxx

Date

12. Add a line to the cover sheet for "Development/Infrastructure Building Permit
Address: _____."

13. Obtain Utility signatures on Development Plan and Plat.

14. Show Book/Page of easements shown on Sheet 5 (Boundary Survey).

15. Show detail of guardrail.

**SANTA FE HOMES PROGRAM
PROPOSAL FOR SALE UNITS**

“Plaza Pinones”

This Santa Fe Homes Program Proposal (“SFHP Proposal”) is made this _____ day of _____, 2008 by Sonar, LLC (“SFHP Developer”).

RECITALS

A. SFHP Developer is the developer of 7.44 acres east of Fifth St. and south of St. Michael’s Dr. SFHP Developer proposes to develop the property as described in the document attached hereto as Exhibit 1 _____ (*Document Description e.g. Preliminary Development Plan*) _____ incorporated herein by reference, and hereinafter referred to as the “Property”.

B. SFHP Developer desires to develop the Property, and seeks from the City, development incentives subject to the terms and conditions hereinafter set forth.

C. It is understood that all representations made herein are material to the City and that the City will rely upon these representations in permitting or approving development of the Property.

PROPOSAL

SFHP Developer proposes to comply with the SFHP requirements as follows:

A. DEVELOPMENT REQUEST.

1. SFHP Developer seeks Re-zoning and Development Plan approval
2. The Property is to be developed as sale

B. SFHP PLAN. SFHP Developer proposes to build 41 townhouse units on approximately 7.44 acres _____. This results in a SFHP unit requirement of 12 affordable units _____. SFHP Developer proposes to construct 12 SFHP unit(s) as indicated on the attached SFHP Plan (Exhibit 3). The price stated on the SFHP Plan does not include a reduction for homeowner’s dues. Should there be homeowners’ dues, the price shall be reduced accordingly. SFHP Developer proposes to deliver the SFHP unit(s) _____ proportionally to the

market rate units.

C. SUCCESSORS IN TITLE. SFHP Developer proposes to develop the Property consistent with this SFHP Proposal. In the event that SFHP Developer sells, assigns, leases, conveys, mortgages, or encumbers the Property to any third party, the third party shall be required to execute a SFHP Agreement consistent with this Proposal prior to obtaining any City approvals. SFHP Developer proposes to record applicable regulatory agreements or liens in the public records that will ensure long-term affordability of the SFHP units.

D. REPORTING. SFHP Developer proposes to sign an affidavit declaring that the sale prices did not exceed the amount specified in the SFHP Agreement.

E. MONITORING. SFHP Developer proposes to provide such information and documentation as the City may reasonably require in order to insure that the actual sales were in compliance with the SFHP Agreement.

F. DEVELOPMENT INCENTIVES. SFHP Developer requests a 15% density bonus and a reduction in the amount of submittal fees for development review applications, waivers of the building permit fees, capital impact fees, and sewer extension fees proportional to the number of SFHP units. SFHP Developer also requests a reduction to the water utility extension fee and an exemption from the retrofit and consumptive water rights requirements for the SFHP units.

G. REVISIONS, MODIFICATIONS AND SUPPLEMENTATION OF THIS PROPOSAL. In the event that the SFHP Developer or the City make material modifications, including modifications to the number of lots or units or the area covered by the Proposal, a revised SFHP Proposal shall be promptly submitted to the Office of Affordable Housing in order to provide a SFHP Proposal that is current and reflects the intended development.

H. CERTIFICATION. SFHP Developer proposes to provide income verification

in selling the SFHP units for certification by the City or its agent as complying with the SFHP Ordinance.

I. ACCESS. SFHP Developer proposes to grant access to the City or its agent to inspect the records of SFHP Developer for the SFHP units in order to determine compliance with the SFHP Ordinance and the SFHP Agreement.

IN WITNESS WHEREOF, this Proposal is made the day and year first written above.

SFHP DEVELOPER:

STATE OF NEW MEXICO)
)ss.
COUNTY OF SANTA FE)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ____ day of

_____, _____, by _____.

NOTARY PUBLIC

My Commission Expires:

REVIEWED BY:

OFFICE OF AFFODABLE HOUSING

DATE

Attach: Exhibit 1 - Subdivision layout (proposed)
Exhibit 2 - Pricing Schedule
Exhibit 3 - SFHP calculation worksheet

EXHIBIT 1

SANTA FE HOMES PROGRAM

PRICING SCHEDULE

Effective August 25, 2005*

Refer to Section 26-1.16 (B) and the SFHP Administrative Procedures
For specific requirements contact The Office of Affordable Housing

Income Range	Affordable Home Price Studio	Affordable Home Price 1 Bedroom	Affordable Home Price 2 Bedroom	Affordable Home Price 3 Bedroom	Affordable Home Price 4 Bedroom
Income Range 2	\$74,500	\$85,000	\$97,000	\$109,000	\$122,000
Income Range 3	\$100,500	\$111,000	\$126,000	\$142,000	\$158,000
Income Range 4	\$125,500	\$136,000	\$155,000	\$175,000	\$194,000

*Prices are revised according to the most recent area median income published by HUD.
Household income based upon HUD area median incomes as of 2/28/2009.

SFHP FOR SALE UNIT CALCULATION WORKSHEET

The project is in an R-5 zoning district, permitting 5 unit(s) per acre

The project has an area of approximately 7.44 acres

The project is proposing 40 homes.

The SFHP requirement is calculated below:

Total number of units divided by (1.30) = the number of market units
subtracted from the total equals the SFHP obligation

$$\underline{40} \times .30 = \underline{12} \text{ SFHP unit(s) are required}$$



Santa Fe Public Schools

Property & Asset Management

Residential Development Impact Information Form

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

- 1. Project Name: Plaza Pinos
- 2. Location of Property: South of St. Michael's Drive and east of Fifth St.
- 3. Owner/Agent Name: Jenkins Gavin Design + Development Inc. Attn: Jennifer
 Mailing Address: 130 Grant Ave., Ste. 101, Santa Fe, NM 87501
 Phone & Fax: phone: 820-7444 fax: 820-7445

4. Unit Matrix

PROJECT EFFECT ON STUDENT POPULATION		
Unit Type	Unit Quantity	Average Price
Single Family (detached)		
Single Family (attached)		
<u>Townhome</u> /Apartment	40	
Multi-Family		
Commercial		

- 5. Elementary School Zone for Proposed Development: Chaparral Elementary School
- 6. Middle School Zone for Proposed Development: De Vargas Middle School
- 7. High School Zone for Proposed Development: Santa Fe High School
- 8. Build-out Timeline (i.e. year(s); #/yr):
anticipated completion in 2012

ational 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

City of Santa Fe, New Mexico

memo

DATE: March 26, 2009

TO: Donna Wynant, Planning and Land Use Department

FROM: John Romero, Public Works Dpt/Engineering Div/Traffic Impacts Section *JR*

SUBJECT: Case #M-2009-07, Plaza Piñones Final Development Plan

ISSUE

Request for final development plan approval for 40 townhomes on 7.44± acres. No variances are requested with this proposal. The property is zoned R-5 (Residential, 5 dwelling units per acre) and is located east of Fifth Street and south of St. Michael's Drive.

RECOMMENDED ACTION:

Review comments are based on submittals received on February 11, 2009. The comments below should be considered as Conditions of Approval to be addressed in a satisfactory manner prior to final signoff unless otherwise stated:

1. The proposed development is not expected to have significant traffic operational impacts on the City's roadway infrastructure.
2. The developer is proposing one-way right-out only access point onto Fifth Street that must also provide full emergency access. With this in mind, the developer has not provided a design that in addition to providing full emergency access, effectively prohibits right-ins, left-ins, and left-outs. The developer shall provide said design subject to review and approval by the Public Works Department.

If you have any questions or need any more information, feel free to contact me at 955-6638. Thank you.

M:\Engineering\Traffic Engineering Section\01-TIAs\2007\Plaza Pinones (La Triada)\Plaza Pinones 03-26-09.doc

Public Hearing

There was no public testimony regarding this item.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Armijo asked about the shared parking.

Ms. Wynant explained that the hours of operation complement each other so they can share the parking. She said they do meet the parking requirements.

Ms. Baer agreed they do meet the parking requirements.

Commissioner Lindell moved to approve Case #ZA-2009-01 including all staff conditions, Commissioner Armijo seconded the motion which passed by unanimous voice vote.

- 4. Case #M 2009-07. Plaza Piñones Final Development Plan. JenkinsGavin, agent for Sofiar LLC, requests final development plan approval for 40 townhomes on 7.44± acres. No variances are requested with this proposal. The property is zoned R-5 (Residential, 5 dwelling units per acre) and is located east of Fifth Street and south of St. Michael's Drive. (Donna Wynant, case manager)**

Memorandum prepared April 7, 2009 for April 16, 2009 Planning Commission meeting by Donna Wynant, Senior Planner, is incorporated herewith to these minutes as Exhibit "4."

Comments from John Romero, Public Works Department/Engineering Division, dated April 15, 2009 is incorporated herewith to these minutes as Exhibit "4(A)."

Additional comments from RB Zaxus, Technical Review Division, dated April 15, 2009 is incorporated herewith to these minutes as Exhibit "4(B)."

Proposed additional conditions of approval presented by Jennifer Jenkins, dated April 14, 2009, are incorporated herewith to these minutes as Exhibit "4(C)."

Affordable home placement map presented by the applicant is incorporated herewith to these minutes as Exhibit "4(D)."

Ms. Wynant presented the staff report included in Exhibit "4."

Staff recommends:

The Planning Commission may make its decision on Plaza Pinones Development Plan based on information provided in this staff memorandum, subject to the Conditions of Approval per the DRT comments (Exhibit B), or may decide to consider further recommendations/resolutions to result from the 4/13/09 meeting.

Public Hearing

Jennifer Jenkins, Jenkins Gavin Design, 130 Grant Avenue, was sworn. She said following the City Council meeting they amended the application so that they are fully compliant with the code and they do not have any variances. The right in and right out on Fifth Street was denied with the 15 foot turning radii and now they have a right out exit on Fifth Street with a 25 foot turning radii. They have eliminated the bridge across the arroyo. The access to the site is Calle Sombra and they can leave the site by Fifth Street or Calle Sombra. The property exceeds the open space requirement of 10,000 square feet as they have almost 120,000 square feet of open space. The 100-year flood plain is honored. They are preserving the arroyo as well. The neighbors requested some site plan modifications that have been documented in Exhibit "4(C)." She reviewed these modifications. They had an ENN meeting January 27th and then were contacted to have another meeting March 13th. They have all agreed that the right in/right out is preferable. The idea was to exchange some property with the Fifth Street Condominiums so that they have more frontage and could accommodate the right in/right out. The applicant has agreed to facilitate the discussion and costs, although there has been no agreement at this time. If they get some extra land in this area the project would be able to accommodate the right in/right out. She commented that they have been working on this project for two years and have reviewed the traffic issues at nauseam. Fifth Street only has enough room to accommodate one car stacking in the left turn lane. She requested a condition of approval to continue the dialogue with the neighborhood. She said they have done what was asked of them.

Robert Hake, 2068 Calle Sombra, was sworn. He said the Casa del Cerro Neighborhood Association realizes that this project has been heard before. They would like to have one representative speak.

Melita Serna, 1919 Fifth Street, Suite L, was sworn. She said Greg White will speak on their behalf.

Greg White, 1928 Morris Place, was sworn. He was representing the Neighborhood Association and Fifth Street Condominium Association. He said this plan was submitted in response to an overturn of the prior design. The plan proposed has a number of issues and they have worked with the applicant on changing. The applicant has moved parking off of Fifth Street, creating single family homes abutting the existing single family homes and considering a land exchange. None of these are before the Commission tonight. The applicant says they intend to do these things, but they have not been done them yet, so the plan does not reflect their intention. He said they are aware of the number of cars in the area. Over time a number of traffic impact analyses have been done. The one they prefer includes removing the concrete island to accommodate the traffic into the Social Security office and to the development. This eliminates some of the problems with the design. People will go left even with a median and will also make illegal u-turns on Fifth Street. He said they propose that by removing the existing median you will accommodate the need for cueing and eliminate illegal u-turns. He noted that common sense sometimes outweighs good design. They would like this possibility reviewed by the Traffic Engineer. In their opinion, the proposal does not reflect the intent. There are solutions that would benefit the neighbors, applicant and the city. He requested postponement until the issues are resolved.

Rick Martinez, 725 Mesilla Road, was sworn. He commented that this is a good opportunity to have the neighborhoods go through a preliminary process prior to the final.

The process does not require a preliminary plan and the neighborhood deserves two chances. Any subdivision should have to go to a preliminary approval.

Ms. Jenkins said the project is in compliance with the code and this is the intent. If there is agreement on the land exchange it will be done. If there is an opportunity to make a modification at Fifth Street it will be pursued, but the plan is the intent. The options have been explored for over two years and they have been told that it is an unsafe condition. She would like the authority for staff to work with applicant.

Mr. White stated that the applicant wants to work with the Neighborhood Association which shows the intent to change. He thought they should be given a chance to finalize the changes prior to the approval. The condominium association will agree although they have some concerns and want out of the liability. He did not know if the elimination of the cueing island has ever been studied.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Salazar asked if the engineering plans will be altered as the sketch is not reflected on them.

Ms. Jenkins explained that they provided the sketch to memorialize the changes agreed to. She said they will amend the engineering plans if approved.

Commissioner Salazar asked if there has been any response from the Fifth Street Condominium Association.

Ms. Jenkins stated there is nothing firm from the Association. She is happy to draft an agreement, but they have not been given the direction to do so. She added that they cannot control what someone else does. It will take time to do the land exchange as there will be title work and a lot line adjustment. If this is not possible then they will provide that documentation to staff.

Commissioner Salazar asked if there is an easement platted.

Ms. Jenkins said there is a 30 foot easement across the corner of the Fifth Street Condominium property. The Association would like to do the adjustment so there is no longer an easement. She agreed this is a good idea.

Commissioner Salazar asked if the Condominiums would be liable at that point.

Frank Herdman, attorney for the applicant, was previously sworn. He said there is no conceivable basis by which the Fifth Street Condominium Association could be liable. He added that there is insurance in place for those types of situations.

Commissioner Salazar asked if this were approved how they could include the separate drawings.

Ms. Baer said they can do this through text rather than drawings and can memorialize it as a condition of approval. It is fairly clear.

Commissioner Salazar asked if the right out would eliminate flipping u-turns.

Mr. Romero explained that if the applicant pursues the right out only they must place a gate that would only be activated by sensing a car going out and it would have a strobe to let the Fire Department in.

Commissioner Salazar questioned not having the turning radii to have a right in/right out.

Mr. Romero said they had enough room for two cars to go in and out simultaneously but the 15 foot variance was denied.

Commissioner Salazar asked what the applicant thinks of the gate idea.

Ms. Jenkins thinks this is a nice solution.

Commissioner Salazar asked if Calle Sombra is wide enough for this.

Ms. Jenkins stated that there is a 50 foot right of way and typically they can do a subdivision with a 26 foot area. There is a 30 foot paved section.

Commissioner Montes referred to #6 on the April 14, 2009 memo. He asked which staff should be authorized.

Ms. Jenkins thought it should be Public Works and Land Use staff. They have already laid it out to show that it is feasible.

Commissioner Armijo asked if the affordable units are marked.

Ms. Jenkins passed out a map showing where the affordable units are included in Exhibit "4(D)."

Commissioner Armijo commented that the applicant has worked with the neighborhood and has changed the plan considerably removing the large amount of commercial activity. The applicant has done everything in their possibility to make this work. He stated support for this project.

Commissioner Salazar stated that the development plan meets Chapter 14 and it is within the R-5 zoning.

Commissioner Salazar moved to approve with the staff conditions and that the revised layout of homes along the south boundary be primarily detached units, the two duplexes at Calle Sombra be moved further east, the parking spaces near Fifth Street be moved further into the subdivision, and the intersection at Calle Sombra be designed as a three way stop. ~~The applicant can continue to pursue the land acquisition to increase the Fifth Street intersection,~~ Commissioner Armijo seconded the motion.

Chair O'Reilly asked if the intent is to pursue the land acquisition to revise the intersection.

Commissioner Salazar said if the land acquisition is made then they can work with staff. He then asked that this condition be removed from his motion. He said a right out is probably more appropriate anyways.

Chair O'Reilly pointed out that there is no gate shown on the drawings.

Commissioner Salazar said that is on the revised memo which is included with the conditions.

The motion passed by majority voice vote of 4 to 2. Commissioners Montes and Hughes voted against the motion.

- 5. Case #M 2009-03. Governor Miles Business Park Development Plan. Linda Tigges, agent for Crowne Santa Fe, LLC requests development plan approval for a total of 76,350 square feet on 6.485± acres. The property is located south of the Santa Fe Auto Park and north of Governor Miles Road and is zoned C-2 (General Commercial). (Donna Wynant, case manager)**

This case was postponed per approval of the agenda.

- 6. Case #S 2009-01. Governor Miles Business Park Preliminary Subdivision Plat. Linda Tigges, agent for Crowne Santa Fe, LLC requests preliminary subdivision plat approval for 10 lots on 6.485± acres. The property is located south of the Santa Fe Auto Park and north of Governor Miles Road and is zoned C-2 (General Commercial). (Donna Wynant, case manager)**

This case was postponed per approval of the agenda.

- 7. Chapter 14 Update, Bill No. _____. Public hearing to consider recommending approval of an ordinance amending the following sections of the Land Development Code Chapter 14 SFCC 1987: Section 14-1, General Provisions; 14-2, Review and Decision-Making Bodies; 14-4, Zoning Districts; 14-10, Nonconformities; 14-11, Enforcement; and 14-12, Definitions. The Commission conducted a study session on these code sections March 19, 2009. (Greg Smith, case manager)**

Memorandum prepared April 8 for April 16, 2009 Planning Commission meeting prepared by Greg Smith, Director Current Planning is incorporated herewith to these minutes as Exhibit "5."

Request for postponement from Fred Rowe, Neighborhood Law Center, dated April 16, 2009 is incorporated herewith to these minutes as Exhibit "5(A)."

Correspondence from Santa Fe Neighborhood Law Center dated April 16, 2009 is incorporated herewith to these minutes as Exhibit "5(B)."

Mr. Smith recapped that there was a study session on March 19th. Staff is concerned with balancing the desire of the Governing Body to proceed and how the Commission would like to review this.

Mr. Graeser said this draft has detailed points and language cleanup.

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

Case #M-2009-07

Owner's Name -- Soñar LLC

Applicant's Name -- JenkinsGavin Design & Development, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on April 16, 2009 (Hearing) upon the application (Application) of JenkinsGavin Design & Development, Inc., as agent for Soñar LLC (Applicant).

The Applicant seeks final development plan approval for construction of forty (40) townhomes (Project) on 7.44+/- acres of land (Property) located east of Fifth Street and south of St. Michael's Drive. The Property is zoned R-5 (Residential -- 5 dwelling units per acre). No variances are required for the Project

The Property was used historically as a spur turnaround for the railroad, and railroad tracks run north/south along its eastern boundary. The triangular configuration of the Property, manmade berms along its north and south boundaries, and limited roadway access are remnants of this historic use. The Property is bisected by the Arroyo de Los Pinos (Arroyo), which enters the Property near its northeast corner, and exits via a 5-foot-diameter culvert at the mid-point of the south boundary. The Arroyo is within the 100-year FEMA floodplain at widths varying from 20 to 60 feet along its course.

The Property is bordered by Fifth Street to the west, the railroad right-of-way to the east, with residential development composed of apartment buildings and single-family residences east of the right-of-way, commercial/office development along Warner Circle and St. Michael's Drive to the north, and a residential neighborhood to the south. Zoning north and west of the Property is C-2 (General Commercial) and SC-2 (Community Shopping Center) and zoning south and east of the Property is RM-2 PUD (Multiple Family Residential -- Planned Unit Development) and R-5 (Residential -- 5 dwelling units/acre).

The Project provides for 40 dwelling units, with 35 units permitted under current R-5 zoning (7.44 acres less flood plain [.44 acres] = 7 x 5) and 5 Santa Fe Homes Program density bonus units (15% x 35 = 5.25). 30% of the units (12) will be affordable. 16 single-story homes will be located along the south boundary adjacent to the Casas del Cerro residential neighborhood to the south and 24 two-story structures will be located to the interior and northeast corner of the Property along the Arroyo and the trail easement adjacent to the railroad right-of-way.

Previously, on May 1, 2008, the Commission heard the Applicant's request for a lot split, General Plan Amendment, and rezoning in order to develop the Property with townhomes and storage facilities for a project to be known as La Triada (La Triada 1). The

Commission closed the hearing and postponed its decision in order to conduct a view of the Property on May 12, 2008. On May 15, 2008, the Commission denied the Applicant's request for approval of the La Triada 1 project. On August 28, 2008 the Commission heard the Applicant's request for final development plan approval for a project similar to the Project, also to be known as La Triada (La Triada 2), except that the application included a request for two variances (Variances). The Commission voted at the August 28, 2008 hearing to grant final development plan approval for the La Triada 2 project, including the two variances, and on September 18, 2008 adopted Findings of Fact and Conclusions of Law embodying that decision (the September 18 Commission Order). On October 6, 2008 the Governing Body of the City of Santa Fe (Governing Body) decided pursuant to Code Section 14-2.2(A)(2)(a) to review the Commission's September 18, 2008 Order and on December 10, 2008 the Governing Body heard the matter *de novo*. On February 11, 2009 the Governing Body reversed the September 18 Commission Order, finding, among other things, that the Variances were not required for the owner to make reasonable use of the Property.

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

FINDINGS OF FACT

1. The Commission heard testimony from staff, the Applicant, and members of the public interested in the matter.
2. Pursuant to City of Santa Fe (City) Land Development Code (Code) Section 14-2.3(C)(1) the Commission is authorized to review and approve or disapprove certain development plans in accordance with applicable Code provisions.
3. Code Section 14-3.8(A)(5) applies the provisions of Code Section 14-3.8, entitled "Development Plans", when the permits are for coordinated development of a project comprising multiple buildings.
4. Code Section 14-3.8(B) provides that preliminary and final development plans are combined into one development plan review, except where otherwise specifically required by other provisions of Code; and
5. Code Section 14-3.8(A)(7) sets out certain general submittal requirements for development plans.
6. The Applicant has met the general submittal requirements for development plans set out in Code Section 14-3.8(A)(7).
7. Code Section 14-3.8(A)(1) requires that early neighborhood notification (ENN), notice, and conduct of public hearings be provided for development plan approval pursuant to the general provisions of Code Sections 14-3.1(F), (H), and (I).
8. Code Section 14-3.1(F)(2)(a)(v) requires an ENN for final development plans where a preliminary development plan has not previously been approved and Code Section 14-3.1(F)(3), (4) and (5) establish procedures for the ENN.
9. The Applicant conducted an ENN meeting on January 27, 2009 in accordance with the notice requirement of Code Section 14-3.1(F)(3)(a) and the procedures of Code Section 14-3.1(F)(3), (4) and (5).

10. The ENN meeting was attended by representatives of the Applicant, City staff and approximately 20 other attendees from the neighborhood, and the discussion followed the guidelines set out in Code Section 14-5.3.1(F)(5).
11. Commission staff provided the Commission with a report dated "April 7 for April 16, 2009 [Commission] Meeting, supplemented by a Memo dated April 14, 2009 to Donna Wynant from John Romero (collectively, the Staff Report) evaluating the factors relevant to the proposed development plan.
12. Testimony at the public hearing included statements of concern from residents of the Casas del Cerro neighborhood south of the Property and from the representatives of the Fifth Street Condominium Association (FSCA), speaking through a single spokesperson, about increased traffic on Calle Sombra resulting from the use of a 30-foot access easement from the Property to Fifth Street as a right-out only and citing ongoing discussions between the Applicant and the neighbors and the FSCA, resulting in changes to the Project that were not reflected in the plans presented to the Commission for approval, as well as the possibility of an agreement regarding enhanced access rights to Fifth Street that would permit a two-lane configuration with the potential to accommodate right in/right out as well as left in/left out, so that Calle Sombra would not be the sole point of ingress to the Property and urging the Commission to postpone action. The Applicant testified that the Project is in compliance with applicable code and that while the Applicant was willing to continue to work with the neighborhood and if there is an opportunity to make a modification at Fifth Street, it will be done, the Applicant was seeking approval of the Project as submitted. The Applicant introduced for the Commission's consideration language embodying the changes to the Project agreed upon by the Applicant and representatives of the Casas del Cerro neighborhood for the Commission's adoption as conditions of approval.
13. The Project as designed and submitted complies with all applicable requirements of Code.

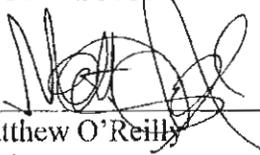
CONCLUSIONS OF LAW

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

1. The Commission has the power and authority under the Code to review and approve the Applicant's development plan.
2. The preliminary and final development plans for the Project are combined into one development plan.
3. The Applicant has complied with all applicable requirements of the Code with respect to the final development plan.
4. The final development plan for the Project is approved as submitted, subject to the conditions of staff set out in the Staff Report and to the following: that the layout of homes along the south boundary of the Property be primarily detached units to better mirror the single-family homes in the Casas del Cerro neighborhood; that the two duplexes east of Calle Sombra be moved further east, as shown on the sketch attached

as Exhibit A, to provide an increased setback for the existing home on Calle Sombra; that the parking spaces proposed near the Fifth Street drive way be moved further into the site; and that the intersection at Calle Sombra and the drive way along the southern boundary be designed as a three-way stop in order to slow traffic traveling south onto Calle Sombra.

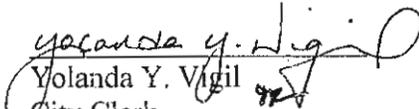
IT IS SO ORDERED ON THE _____ OF MAY 2009 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE



Matthew O'Reilly
Chair

5/8/09
Date:

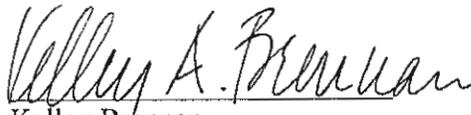
FILED:



Yolanda Y. Vigil
City Clerk

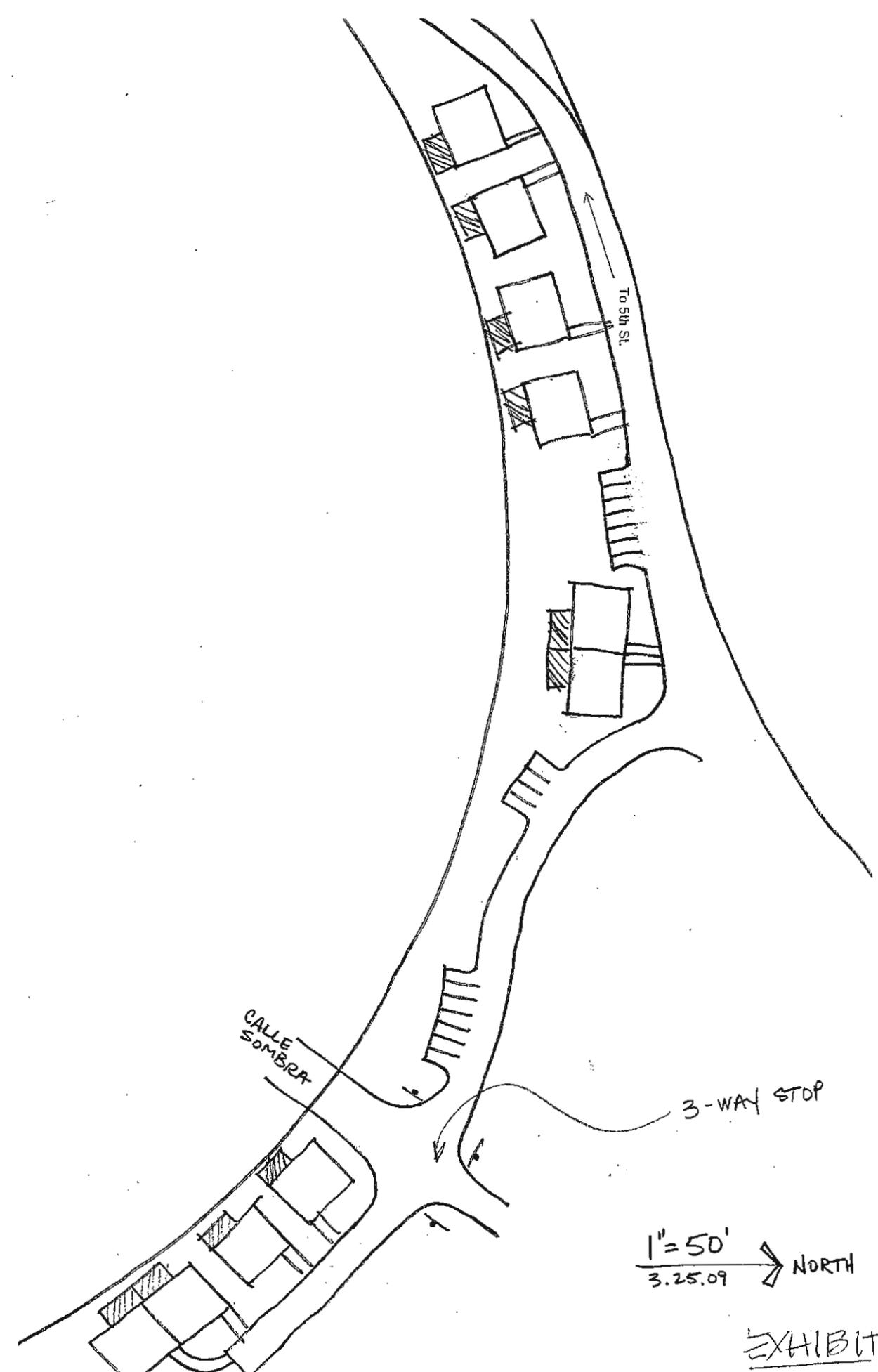
5-8-09
Date:

APPROVED AS TO FORM:



Kelley Brennan
Assistant City Attorney

5/8/09
Date:



To 5th St

CALLE SOMBRER

3-WAY STOP

1" = 50'
3.25.09 → NORTH

EXHIBIT A

FINAL DEVELOPMENT PLAN FOR PLAZA PINONES

CITY OF SANTA FE, NEW MEXICO

LEGEND

- FEMA - 100 YEAR FLOOD ZONE AS SHOWN ON FIRM PANEL 8504400412D EFFECTIVE DATE 6-17-06.
- 6' COYOTE FENCING
-
- 250 SF. PRIVATE OPEN SPACE
- REALIGNED ASPHALT TRAIL
- CURB AND GUTTER ASPHALT
- 6' CURB
- 4' SIDEWALK
- RETAINING WALL
- EXISTING ASPHALT TRAIL
- TWO STORY UNIT
- ONE STORY UNIT
- FIRE HYDRANT
- AFFORDABLE HOME

AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENT THAT SOÑAR, LLC HAS CAUSED THIS FINAL DEVELOPMENT PLAN TO BE PREPARED. ALL THAT APPEARS ON THIS PLAN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SOÑAR, LLC.

KENNETH RAYMOND, MANAGING MEMBER OF SOÑAR, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY KENNETH RAYMOND THIS _____ DAY OF _____ 2009.
 NOTARY PUBLIC
 MY COMMISSION EXPIRES ON _____

APPROVALS:

APPROVED BY THE SANTA FE PLANNING COMMISSION AT THEIR MEETING OF APRIL 16, 2009 AS CASE NO. M 2009-07 (SEE ALSO CASE # A 2009-03) ON _____

PLANNING COMMISSION CHAIRPERSON _____ DATE 11-24-09

APPROVED BY THE CITY OF SANTA FE CURRENT PLANNING PERMIT AND DEVELOPMENT DEPARTMENT _____ DATE 11/25/09

CITY PLANNER _____ DATE 11-20-09

PERMIT AND DEVELOPMENT REVIEW _____ DATE 11/17/09

UTILITY APPROVALS:

N/A see PLAT DATE N/A see PLAT DATE
 GAS COMPANY DATE COMCAST DATE

PHM DATE

QUEST DATE

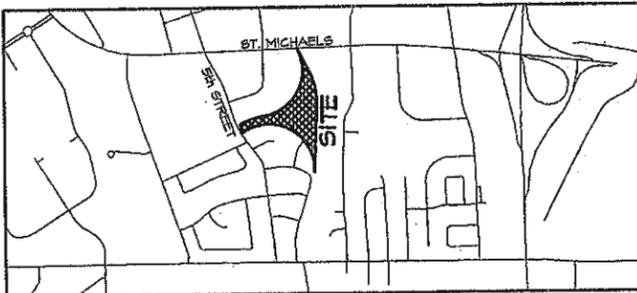
STORMWATER AGREEMENT

THE OWNER HEREBY AGREES THAT ALL STORMWATER EASEMENTS AND ANY OTHER DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY WILL BE MAINTAINED AND KEPT FULLY FUNCTIONAL AS ORIGINALLY DESIGNED AND CONSTRUCTED WITHIN PRIVATE PROPERTY BOUNDARIES; THE CITY HAS THE RIGHT OF ACCESS FOR INSPECTION OF SAID IMPROVEMENTS; THE CITY HAS THE RIGHT, IN THE EVENT OF DRAINAGE FACILITY MAINTENANCE DEFICIENCY AND AFTER TEN (10) DAYS WRITTEN NOTICE TO THE OWNER, TO ENTER AND RESTORE FULL FUNCTIONAL CAPACITY OF THE DRAINAGE IMPROVEMENTS; AND TO LIEN THE PROPERTY FOR BOTH DIRECT AND INDIRECT COSTS ASSOCIATED WITH SUCH WORK. BY SIGNATURE AFFIXED TO THIS INSTRUMENT, THE OWNER APPROVES AND AGREES THAT THIS AGREEMENT IS BINDING PERPETUALLY, RUNNING WITH THE LAND, ON PRESENT AND FUTURE OWNERS, HEIRS, AND ASSIGNS.

KENNETH RAYMOND, MANAGING MEMBER OF SOÑAR, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY KENNETH RAYMOND, OWNER, THIS _____ DAY OF _____ 2009.

NOTARY PUBLIC
 MY COMMISSION EXPIRES _____



DEVELOPMENT PLAN NOTES

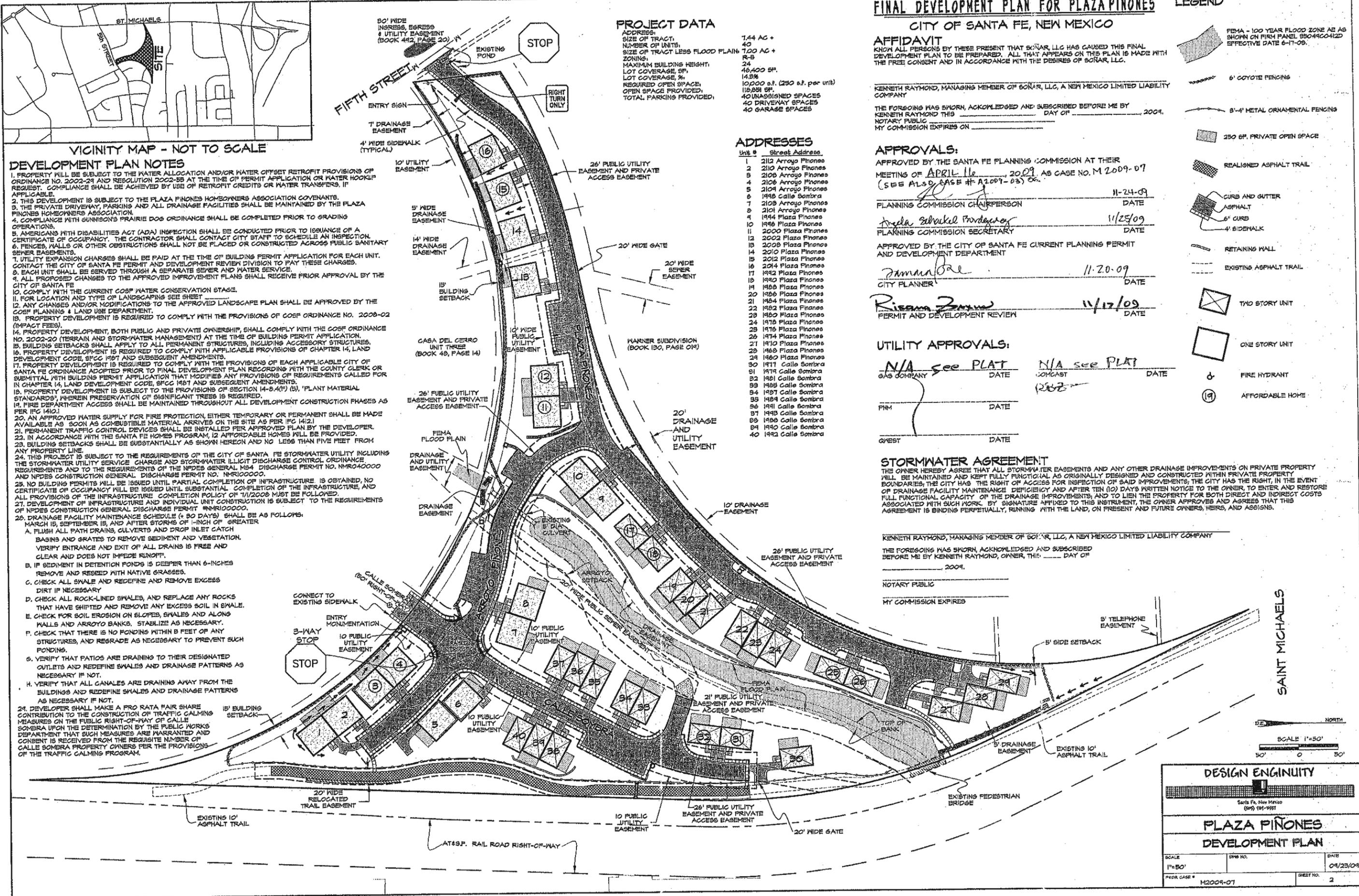
1. PROPERTY WILL BE SUBJECT TO THE WATER ALLOCATION AND/OR WATER OFFSET RETROFIT PROVISIONS OF ORDINANCE NO. 2002-21 AND RESOLUTION 2002-58 AT THE TIME OF PERMIT APPLICATION OR WATER HOOKUP REQUEST. COMPLIANCE SHALL BE ACHIEVED BY USE OF RETROFIT CREDITS OR WATER TRANSFERS, IF APPLICABLE.
2. THIS DEVELOPMENT IS SUBJECT TO THE PLAZA PINONES HOMEOWNERS ASSOCIATION COVENANTS.
3. THE PRIVATE DRIVEWAY, PARKING AND ALL DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE PLAZA PINONES HOMEOWNERS ASSOCIATION.
4. COMPLIANCE WITH SUNNIBSON'S PRAIRIE DOS ORDINANCE SHALL BE COMPLETED PRIOR TO GRADING OPERATIONS.
5. AMERICANS WITH DISABILITIES ACT (ADA) INSPECTION SHALL BE CONDUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE CONTRACTOR SHALL CONTACT CITY STAFF TO SCHEDULE AN INSPECTION.
6. FENCES, WALLS OR OTHER OBSTRUCTIONS SHALL NOT BE PLACED OR CONSTRUCTED ACROSS PUBLIC SANITARY SEWER EASEMENTS.
7. UTILITY EXPANSION CHARGES SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION FOR EACH UNIT. CONTACT THE CITY OF SANTA FE PERMIT AND DEVELOPMENT DIVISION TO PAY THESE CHARGES.
8. EACH UNIT SHALL BE SERVED THROUGH A SEPARATE SEWER AND WATER SERVICE.
9. ALL PROPOSED CHANGES TO THE APPROVED IMPROVEMENT PLANS SHALL RECEIVE PRIOR APPROVAL BY THE CITY OF SANTA FE.
10. COMPLY WITH THE CURRENT COSP WATER CONSERVATION STAGE.
11. FOR LOCATION AND TYPE OF LANDSCAPING SEE SHEET _____
12. ANY CHANGES AND/OR MODIFICATIONS TO THE APPROVED LANDSCAPE PLAN SHALL BE APPROVED BY THE COSP PLANNING AND USE DEPARTMENT.
13. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF COSP ORDINANCE NO. 2008-02 (IMPACT FEES).
14. PROPERTY DEVELOPMENT, BOTH PUBLIC AND PRIVATE OWNERSHIP, SHALL COMPLY WITH THE COSP ORDINANCE NO. 2002-20 (TERRAIN AND STORMWATER MANAGEMENT) AT THE TIME OF BUILDING PERMIT APPLICATION.
15. BUILDING SETBACKS SHALL APPLY TO ALL PERMANENT STRUCTURES, INCLUDING ACCESSORY STRUCTURES.
16. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, SFCO 1401 AND SUBSEQUENT AMENDMENTS.
17. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH APPLICABLE CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO FINAL DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL WITH BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISIONS OF REQUIREMENTS CALLED FOR IN CHAPTER 14, LAND DEVELOPMENT CODE, SFCO 1401 AND SUBSEQUENT AMENDMENTS.
18. PROPERTY DEVELOPMENT IS SUBJECT TO THE PROVISIONS OF SECTION 14-8.4(F) (3), "PLANT MATERIAL STANDARDS", WHEREIN PRESERVATION OF SIGNIFICANT TREES IS REQUIRED.
19. FIRE DEPARTMENT ACCESS SHALL BE MAINTAINED THROUGHOUT ALL DEVELOPMENT CONSTRUCTION PHASES AS PER IFC 1401.
20. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE AS PER IFC 1421.
21. PERMANENT TRAFFIC CONTROL DEVICES SHALL BE INSTALLED PER APPROVED PLAN BY THE DEVELOPER.
22. IN ACCORDANCE WITH THE SANTA FE HOMES PROGRAM, 12 AFFORDABLE HOMES WILL BE PROVIDED.
23. BUILDING SETBACKS SHALL BE SUBSTANTIALLY AS SHOWN HEREON AND NO LESS THAN FIVE FEET FROM ANY PROPERTY LINE.
24. THIS PROJECT IS SUBJECT TO THE REQUIREMENTS OF THE CITY OF SANTA FE STORMWATER UTILITY INCLUDING THE STORMWATER UTILITY SERVICE CHARGE AND STORMWATER ILLICIT DISCHARGE CONTROL ORDINANCE REQUIREMENTS AND TO THE REQUIREMENTS OF THE NPDES GENERAL MS4 DISCHARGE PERMIT NO. NM9040000 AND NPDES CONSTRUCTION GENERAL DISCHARGE PERMIT NO. NM900000.
25. NO BUILDING PERMITS WILL BE ISSUED UNTIL PARTIAL COMPLETION OF INFRASTRUCTURE IS OBTAINED, NO CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNTIL SUBSTANTIAL COMPLETION OF THE INFRASTRUCTURE, AND ALL PROVISIONS OF THE INFRASTRUCTURE COMPLETION POLICY OF 11/2008 MUST BE FOLLOWED.
27. DEVELOPMENT OF INFRASTRUCTURE AND INDIVIDUAL UNIT CONSTRUCTION IS SUBJECT TO THE REQUIREMENTS OF NPDES CONSTRUCTION GENERAL DISCHARGE PERMIT NM900000.
28. DRAINAGE FACILITY MAINTENANCE SCHEDULE (4-30 DAYS) SHALL BE AS FOLLOWS:
 MARCH 15, SEPTEMBER 15, AND AFTER STORMS OF 1-INCH OR GREATER
 A. FLUSH ALL PATH DRAINS, CULVERTS AND DROP INLET CATCH BASINS AND GRATES TO REMOVE SEDIMENT AND VEGETATION.
 VERIFY ENTRANCE AND EXIT OF ALL DRAINS IS FREE AND CLEAR AND DOES NOT IMPEDE RUNOFF.
 B. IF SEDIMENT IN DETENTION PONDS IS DEEPER THAN 6-INCHES REMOVE AND RESEED WITH NATIVE GRASSES.
 C. CHECK ALL SHALE AND REDEFINE AND REMOVE EXCESS DIRT IF NECESSARY.
 D. CHECK ALL ROCK-LINED SHALES, AND REPLACE ANY ROCKS THAT HAVE SHIFTED AND REMOVE ANY EXCESS SOIL IN SHALE.
 E. CHECK FOR SOIL EROSION ON SLOPES, SHALES AND ALONG WALLS AND ARROYO BANKS. STABILIZE AS NECESSARY.
 F. CHECK THAT THERE IS NO PONDING WITHIN 5 FEET OF ANY STRUCTURES, AND REGRADE AS NECESSARY TO PREVENT SUCH PONDING.
 G. VERIFY THAT PATIOS ARE DRAINING TO THEIR DESIGNATED OUTLETS AND REDEFINE PATTERNS AS NECESSARY IF NOT.
 H. VERIFY THAT ALL CANALES ARE DRAINING AWAY FROM THE BUILDINGS AND REDEFINE SHALES AND DRAINAGE PATTERNS AS NECESSARY IF NOT.
 29. DEVELOPER SHALL MAKE A PRO RATA FAIR SHARE CONTRIBUTION TO THE CONSTRUCTION OF TRAFFIC CALMING MEASURES ON THE PUBLIC RIGHT-OF-WAY OF CALLE SOMERA UPON THE DETERMINATION BY THE PUBLIC WORKS DEPARTMENT THAT SUCH MEASURES ARE WARRANTED AND CONSENT IS RECEIVED FROM THE REQUISITE NUMBER OF CALLE SOMERA PROPERTY OWNERS PER THE PROVISIONS OF THE TRAFFIC CALMING PROGRAM.

PROJECT DATA

ADDRESS: _____
 SIZE OF TRACT: 1.44 AC + 40
 NUMBER OF UNITS: 40
 SIZE OF TRACT LESS FLOOD PLAIN: 700 AC + 18,891 SF.
 ZONING: R-5
 MAXIMUM BUILDING HEIGHT: 24
 LOT COVERAGE, SF: 46,400 SF.
 LOT COVERAGE, %: 14.8%
 REQUIRED OPEN SPACE: 10,000 s.f. (250 s.f. per unit)
 OPEN SPACE PROVIDED: 18,891 SF.
 40 GARAGED SPACES
 40 DRIVEWAY SPACES
 40 GARAGE SPACES

ADDRESSES

Unit #	Street Address
1	2112 Arroyo Pinones
2	2110 Arroyo Pinones
3	2108 Arroyo Pinones
4	2106 Arroyo Pinones
5	2104 Arroyo Pinones
6	1918 Calle Somera
7	2103 Arroyo Pinones
8	2101 Arroyo Pinones
9	1914 Plaza Pinones
10	1916 Plaza Pinones
11	2000 Plaza Pinones
12	2002 Plaza Pinones
13	2004 Plaza Pinones
14	2010 Plaza Pinones
15	2012 Plaza Pinones
16	2014 Plaza Pinones
17	1912 Plaza Pinones
18	1910 Plaza Pinones
19	1908 Plaza Pinones
20	1906 Plaza Pinones
21	1904 Plaza Pinones
22	1902 Plaza Pinones
23	1900 Plaza Pinones
24	1918 Calle Somera
25	1916 Calle Somera
26	1914 Calle Somera
27	1912 Calle Somera
28	1910 Calle Somera
29	1908 Calle Somera
30	1911 Calle Somera
31	1914 Calle Somera
32	1911 Calle Somera
33	1908 Calle Somera
34	1907 Calle Somera
35	1904 Calle Somera
36	1901 Calle Somera
37	1908 Calle Somera
38	1906 Calle Somera
39	1904 Calle Somera
40	1902 Calle Somera



DESIGN ENGINEER

Santa Fe, New Mexico
(505) 991-9991

PLAZA PINONES

DEVELOPMENT PLAN

SCALE 1"=50'	DATE 09/25/09	SHEET NO. 2
PDR CASE # M2009-07		DATE



City of Santa Fe, New Mexico

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

www.santafenm.gov

David Coss, *Mayor*

Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Peter N. Ives, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Bill Dimas, Dist. 4

Ronald S. Trujillo, Dist. 4

June 10, 2013

Jennifer Jenkins
JenkinsGavin Design & Development, Inc.
130 Grant Avenue, Suite 101
Santa Fe, New Mexico 87501

RE: Plaza Piñones Final Development Plan (Case #M 2009-07)

Dear Ms. Jenkins,

The referenced case was approved by the Planning Commission on April 16, 2009. Based upon the provisions of SFCC 1987 §14-3.8(C), in effect at the time of approval, the Development Plan would have expired on April 16, 2011. However, in accordance with City of Santa Fe Resolution #2011-26, the expiration date was tolled for a period of three years. Therefore, the approval is valid until April 16, 2014. Prior to this expiration date, the applicant may request an additional one year administrative time extension in accordance with the provisions of SFCC 1987 §14-3.19(C).

Feel free to contact me at 955-6580 or at tbacr@santafenm.gov if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tamara Baer".

Tamara Baer, Manager
Current Planning Division

Cc: File

BAER, TAMARA

From: Jennifer Jenkins <jennifer@jenkingavin.com>
Sent: Monday, February 17, 2014 4:55 PM
To: BAER, TAMARA
Cc: GURULE, GERALDINE A.
Subject: RE: Plaza Pinones

Yes, Mr. Raymond is still the owner.

Thank you.

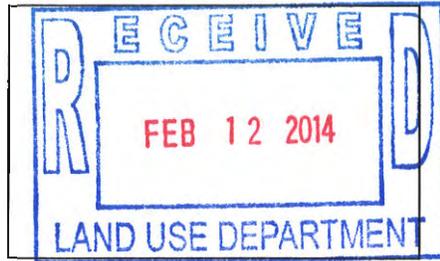
Jennifer Jenkins

JenkinsGavin Design & Development, Inc.
130 Grant Avenue, Suite 101
Santa Fe, New Mexico 87501
Ph. (505) 820-7444
jennifer@jenkingavin.com
www.jenkingavin.com

From: BAER, TAMARA [<mailto:tbaer@ci.santa-fe.nm.us>]
Sent: Monday, February 17, 2014 4:49 PM
To: Jennifer Jenkins
Cc: GURULE, GERALDINE A.
Subject: Plaza Pinones

Jennifer – Regarding the time extension request for the Plaza Pinones Development Plan, I note that you have used the 2008 agent authorization from Ken Raymond. Please confirm by email that Mr. Raymond is currently the owner of the property. Thank you.

*Tamara Baer, ASLA
Manager, Current Planning Division
Land Use Department
City of Santa Fe
505-955-6580
tbaer@santafenm.gov*



PLAN OR PLAT AMENDMENT APPLICATION

Parcel Information

Project Name: Plaza Piñones Final Development Plan
Address: South of St. Michael's Dr, East of 5th St. Zoning: R-5
Previous Approvals: Final Development Plan Planning Commission, 4/16/09 Purpose of Amendment: Time Extension

Property Owner Information

Company Name: Soñar LLC
Name: Raymond, Ken
Address: 2 O'Leary Ave Hanover, NH 03755
Phone: () E-mail Address:

Applicant/Agent Information (if different from owner)

Company Name: Jenkins Garin
Name: Jenkins Jennifer
Address: 130 Grant Avenue, Suite 101 Santa Fe NM 87501
Phone: (1) 505-820-7444 E-mail Address: jennifer@jenkinsgarin.com
Correspondence Directed to: [] Owner [X] Applicant [] Both

Agent Authorization (if applicable)

I am/We are the owner(s) and record title holder(s) of the property located at:
I/We authorize Please see attached to act as my/our agent to execute this application.
Signed: letter of authorization. Date:
Signed: Date:

Signature

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection of my application. I also certify that I have met with the City's Current Planning staff in a preapplication meeting to verify that the attached proposal is in compliance with the City's zoning and annexation requirements.
Signature: [Signature] Date: 2/10/14

SOÑAR LLC
513 E. 86th Street, Apt. 1B
New York, N.Y. 10028

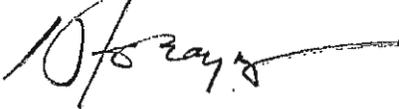
February 8, 2008

TO: The City of Santa Fe
Planning Department

RE: Authorization to Submit
1919 5th Street

As the owner of the above mentioned property, I hereby authorize Jenkins-Gavin Inc. to submit enclosed development application. Enclosed please find a copy of recorded Warranty Deed.

Thank you,

A handwritten signature in black ink, appearing to read "Ken Raymond", with a long horizontal flourish extending to the right.

Ken Raymond

Partner
SOÑAR LLC

City of Santa Fe, New Mexico

Planning Commission

Exhibit C

Letter of Application



jenkinsgavin
DESIGN & DEVELOPMENT INC

May 7, 2015

Lisa Martinez, Director
City of Santa Fe Planning & Land Use Department
200 Lincoln Avenue
Santa Fe, NM 87501

**RE: Request for Administrative Time Extension
Plaza Piñones Final Development Plan, Case #M 2009-07**

Dear Lisa:

In accordance with the provisions of SFCC 1987 §14-3.19(C), this letter is respectfully submitted on behalf of Soñar LLC in request for a second one-year administrative time extension of the Plaza Piñones Final Development Plan approval, granted by the Planning Commission on April 16, 2009. Per SFCC §14-3.19(C)(2)(a), two consecutive one-year time extensions are permitted.

The Findings of Fact and Conclusions of Law for the above referenced case were adopted by the Planning Commission on May 7, 2009. Based upon the provisions of SFCC §14-3.8(C) in effect at the time of approval, the Development Plan would have expired on April 16, 2011. However, per the terms of Resolution #2011-26, the approval was extended for three years until April 16, 2014 (see attached letter from Tamara Baer). The first one-year time extension was approved by the Planning Commission on March 13, 2014 (see attached approval letter).

The project has not moved forward due to the previous economic downturn and impacts on the local housing market. The owner hopes to proceed with the development in the next year as conditions continue to improve. We are not proposing any changes to the approved plans.

The following documentation is submitted herewith:

1. Plan/Plat Amendment Application
2. Deed and Authorization Letter
3. Planning Commission Staff Report
4. Findings of Fact and Conclusions of Law
5. Final Development Plan
6. June 10, 2013 Letter from Tamara Baer
7. March 19, 2014 Time Extension Approval Letter
8. Application fee in the amount of \$500.00

Your consideration of this request is greatly appreciated. Please let me know if you have any questions or need additional information. Thank you.

Sincerely,

Hillary Welles