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COMMUNITY DEVELOPMENT COMMISSION MEETING

Wednesday, September 14, 2016

3:30-5:00 p.m.

500 Market Street, Suite 200

Roundhouse Conference Room

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes: August 17, 2016 CDC
5. Information and Discussion: AD ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, CREATING A SEW SUBSECTION 14-5.5(D) ENTITLED THE "MIDTOWN LOCAL INNOVATION CORRIDOR OVERLAY DISTRICT" (MIDTOWN LINK OVERLAY DISTRICT) (Matt O'Reilly).
6. Items from the Commission
7. Items from the Floor
8. Adjournment

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CITY OF SANTA FE
COMMUNITY DEVELOPMENT COMMISSION
MEETING
September 14, 2016

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CALL TO ORDER		
ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [as amended]	1
APPROVAL OF MINUTES: August 17, 2016 CDC	Approved [as amended]	2
INFORMATION AND DISCUSSION: AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, CREATING A NEW SUBSECTION 14-5.5(D) ENTITLED THE "MIDTOWN LOCAL INNOVATION CORRIDOR OVERLAY DISTRICT" (MIDTOWN LINC OVERLAY DISTRICT) (MATT O'REILLY)		3-8
ITEMS FROM THE COMMISSION	None	8
ITEMS FROM THE FLOOR	None	8
ADJOURNMENT	Adjourned at 4:53 p.m.	8

MINUTES OF THE
CITY OF SANTA FE
COMMUNITY DEVELOPMENT COMMISSION MEETING
Santa Fe, New Mexico
September 14, 2016

A meeting of the City of Santa Fe Community Development Commission was called to order by Councilor Renee Villarreal, Chair on this date at 3:30 p.m. at the Market Station Offices, 500 Market Street, Suite 200, Roundhouse Conference Room, Santa Fe, New Mexico.

Members Present:

Councilor Renee Villarreal, Chair
Rusty Tambascio, Vice Chair
Paul Goblet
Ken Hughes
Carla Lopez
Silas Peterson

Member(s) Absent:

John Padilla

Staff Present:

Margaret Ambrosino, Senior Housing Planner
Alexandra Ladd, Special Projects Manager, Housing and Community Development Department
Matthew O'Reilly, Asset Development Director

Others Present:

Chris Gay

APPROVAL OF AGENDA

Ms. Ambrosino said the agenda needs to be amended due to some typos on item 5. It now reads: "*An Ordinance relating to the Land Development Code, Chapter 14 SFCC 1987, creating a new subsection 14-5.5 (D) entitled the "Midtown Local Innovation Corridor Overlay District" (Midtown LINC Overlay District)*"

Commissioner Tambascio moved to approve the Agenda as amended. Commissioner Hughes seconded the motion. The motion passed unanimously by voice vote.

APPROVAL OF MINUTES: August 17, 2016 CDC

Ms. Ambrosino offered the following changes to the Minutes of the August 17, 2016 CDC meeting:

Page 3, 1st paragraph, 3rd sentence was changed to read: *"She understands that this was on the agenda for the Finance Committee on Monday, however, it was pulled off of consent due to some confusing items in these reports. She said what was said is that program recipients do not report to them but to the City."*

Page 4, 8th paragraph was changed to read: *"Ms. Ambrosino said this is reflective of an analysis of impediments to fair housing done in 2011."*

Page 4, second to last paragraph, last sentence was changed to read: *"80% AMI (Area Median Income) are the most in need."* She said this is what was stated.

Page 4, last paragraph, 2nd sentence was changed to read: *"That affordability is looking at below 80% AMI."*

Ms. Ambrosino said they had a question on page 5, 6th paragraph where it states that Chair Villarreal said she thinks the Commission should see the plan and it should come here for review. She said they think that Chair Villarreal was talking about the AI Plan and not the Midtown LINC plan, so she just wanted to clarify that.

Chair Villarreal said she thinks they were talking about the St. Michael's Corridor.

Ms. Ambrosino referred to page 6, 6th paragraph and said it should read: *"Ms. Ambrosino said these reports are not actually required. In the future, they will not be in the packet because they don't enhance, clarify or support the CAPER."*

Chair Villarreal noted that her name is spelled wrong on the first page of the Minutes. Her name should read: "Reneg".

Commissioner Goblet moved to approve the Minutes of the August 17, 2016 CDC meeting as amended. Commissioner Tambascio seconded the motion. The motion passed unanimously by voice vote.

Chair Villarreal asked the guest present to introduce himself.

Chris Gay introduced himself.

Matt O'Reilly introduced himself under the next agenda item.

INFORMATION AND DISCUSSION: AN ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE, CHAPTER 14 SFCC 1987, CREATING A NEW SUBSECTION 14-5.5(D) ENTITLED THE "MIDTOWN LOCAL INNOVATION CORRIDOR OVERLAY DISTRICT" (MIDTOWN LINC OVERLAY DISTRICT) (MATT O'REILLY)

Mr. O'Reilly introduced himself noting that he was a former Chairman of the Planning Commission and the former Land Use Director. He is now the Asset Development Director for the City and works on putting the City's real estate assets to its best use, to accomplish City goals; whether those are goals are related to housing, other City policies or generating revenue for the City.

Commissioner Goblet asked if most of their focus is on raw land or existing buildings that you do rental for.

Mr. O'Reilly said all of the above. He said they are looking at long-term repurposing of City buildings, and possible consolidation of City functions into less buildings; renting those buildings or selling them; and possibly doing public or private partnerships to redevelop some of the land.

Mr. O'Reilly said before the Commission today is an Ordinance for an Overlay District, which is a set of regulations in the Land Development Code that overlays on top of the underlying zoning requirements of a district. He noted that the City of Santa Fe has a number of different overlay districts and probably the most well-known overlay district is the Historic District, which is about 4,000 acres of land.

Mr. O'Reilly reviewed a map of the Midtown Local Innovation Corridor (LINC) Overlay District. He mentioned that this overlay district would be the second smallest overlay district in the City. He said this particular overlay district is modeled after and follows the same format for Centex that was used for the Airport Road Overlay District. The Midtown LINC Overlay District includes land in the vicinity of the St. Michael's Drive right-of-way from the eastern edge of the Cerrillos Road right-of-way to the western edge of the St. Francis 19 Drive right-of-way, and additional land in the vicinity of the campus of the Santa Fe University of Art and Design as shown on the Midtown LINC Overlay District Map.

Mr. O'Reilly noted that the Ordinance is a rather long ordinance so he won't read it word-for-word but the Commission should have received his Staff Report and Memo in their packets. He said there is a big section on the history of how the City got here. This is something that the City has been working on for 7-8 years. There was sort of a grass-root community planning effort called the "Re-Mike", which involved many people and thousands of surveys were taken. This cumulated into a 3-day event that was held at the College Plaza. Different activities took place during this event, including the gathering of information.

Mr. O'Reilly reported that the City Council adopted three separate resolutions declaring its intent and desire that an overlay be placed on St. Michael's Drive.

The purpose and intent of the Midtown Local Innovation Corridor (LINC) Overlay District is to:

(a) Strengthen and animate the built environment and the business and population links within the demographic and geographic center of the city between the existing employment centers of the Santa Fe University of Art and Design and surrounding uses to the west and the Christus St. Vincent Regional Medical Center and related medical uses to the east;

(b) Incentivize multi-family residential development, complimentary non-residential uses, and an enlivened, street-oriented pedestrian environment by freeing development capacity of existing under-developed land and buildings for these targeted uses, while allowing existing uses to continue as redevelopment occurs;

(c) Allow for innovative development and redevelopment of the district while providing buffering between the district and existing residential developments outside of the district by the application of amended land development regulations and fees and by establishing conditions precedent for future infrastructure enhancements and the application of other redevelopment and financing tools;

(d) Promote a more healthy, safe, and enjoyable environment within the city's midtown area through the enhancement of pedestrian and bicycle accessibility and safety, landscaping and other street-related amenities and the eventual reduction of traffic speeds and provision of on-street parking, bicycle lanes, and improved crosswalks; and

(e) Provide flexibility in sign design and location so as to maintain effective communication, business identification and wayfinding for existing buildings whose visibility may be reduced by new development.

Mr. O'Reilly explained that this does not prohibit or take away existing property owners' uses of their property. It is not intended to make any existing business illegal or non-conforming. However, there are a couple of exceptions to that - because one of the desire uses they want to incentivize in the area - is multi-family housing.

Mr. O'Reilly referred to page 6 of the staff report where there are some tables that explain the existing conditions in an overlay district. As he mentioned earlier, one of the intentions of the Overlay District is to incentivize certain kinds of uses and one of the big uses that the City wants to incentivize is housing, either stand alone or multi-family housing or mixed use housing and other non-residential uses. Because of that, there are a few things that will be prohibited uses. On page 4 of the Ordinance, there is a Table (14-5.5.2) that specifies the prohibited uses.

Commissioner Lopez said vehicles are prohibited but there are car lots on St. Michael's Drive.

Mr. O'Reilly said this goes back to the Land Development Code and there is a category of uses in the Land Development Code called "Vehicles and Equipment", which

are not car lots.

Commissioner Peterson asked what happens with businesses that do not necessarily conform to the overlay district now.

Mr. O'Reilly said if those businesses are in existence, they are exempt. The Ordinance only applies to new development.

Mr. O'Reilly pointed out that this district is very small relative to the City, so the underlying zoning uses that you would have in other commercial zoning and shopping centers zoning throughout the City are not affected. The Midtown LINC District is about 1.1% of the City in terms of land mass.

He said the City introduced the concept of qualifying projects for the District. There are two types of qualifying projects: There are qualifying residential projects and non-residential projects. These projects will receive the incentives that are provided for in the Ordinance.

Mr. O'Reilly said at the same time, as stated in the Staff Report, when the City and the Re-Mike organizers received information from the people, a lot of people wanted other kinds of uses beyond housing. They wanted entertainment uses; nightlife-related uses; restaurants; theaters and arts kinds of uses. Therefore, the Ordinance recognizes that there are certain types of qualifying projects that are non-residential.

Mr. O'Reilly reviewed the fees that would be waived for a qualifying project. The following fee incentives apply to qualifying projects within the Midtown LINC Overlay District:

(a) Construction Permit Fees; Plan Review Fees: Qualifying projects are exempt from the payment of construction permit fees and plan review fees as set by Resolution of the governing body, as may be amended from time to time.

(b) Development Review Fees: Qualifying projects are exempt from the payment of development review fees as set by Resolution of the governing body, as may be amended from time to time.

(c) Development Water Budget Fees: Qualifying projects shall obtain water to meet approved development water budgets through the water rights transfer program or through the water conservation credit program or through a combination of both, and at the reduced rate specified in Subsection 17 14-8.13(E).

(d) Impact Fees: Qualifying projects are exempt from the payment of impact fees in accordance with Subsection 14-8.14(D).

(e) Wastewater Utility Expansion Charge (UEC) The wastewater utility expansion charge (UEC) is waived for qualifying projects in accordance with Article 22-6.6, Exhibit A, 24 Section 7. 25

(f) Water Utility Expansion Charge (UEC) Qualifying projects are exempt from the payment of the water utility expansion charge (UEC) in accordance with Article 25-4.2, Exhibit 3 B, Rate Schedule 8. 4 Section 2. Subsection 14-3.8(B) SFCC 1987 (being Ord. #2013-16, §11) is amended.

Commissioner Goblet said his perception is that the City is trying to incentivize new construction. He asked if there will be incentives for somebody who wants to just come in and rent the existing property, or is this something that will really incentivize new development.

Mr. O'Reilly said it is both. It is to guide and incentivize new construction to provide the uses that the City wants, but also recognizing that most of this area is built out under the current Land Development Code.

Commissioner Lopez mentioned that the students from the University of Arts and Design have indicated that there is nothing to do at night on St. Michael's Drive; and if they ride the bus downtown they can't get back because the buses end at a certain time.

Commissioner Goblet said he would envision K-Mart closing where there is at least a footprint where you can build something. He asked isn't this what the real purpose of this is - it talked about 1,000 living units and how would you do that unless you're knocking down K-Mart or something with that kind of a footprint.

Mr. O'Reilly said the other thing that is built in the incentives are incentives in terms of height and density. The other big incentive that is aimed for new construction are parking regulations. In the LINC District, developers will not be held at a specific numeric standard for parking spaces but they will be required to do a traffic study. They will be allowed to use shared-parking concepts and to share parking with adjacent parcels.

Mr. O'Reilly mentioned that 74% of the land in this area is parking. There is a lot of land that could have been used differently.

Mr. O'Reilly said because affordable housing; workforce housing and market-rate housing is so critical - and they are seeing different innovations in the types of rental units that are being provided - the City is not setting a maximum density per acre in this District.

Commissioner Peterson said it sounds like the City has been in touch with a lot of the property owners in the area. He asked if this Overlay District and the incentives are creating momentum behind some of these projects.

Mr. O'Reilly said they have met with a lot of people and because a lot of this area is zoned for industrial, commercial and institutional uses, the existing property owners will be the ones who will need to drive development. This will give them options to do this now or to repurpose things; however, this will not happen tomorrow and could happen over a long period of time. He said in terms of momentum, they are trying to create incentives to enliven the area.

Mr. O'Reilly mentioned that the City does not own the roadway - it belongs to the New Mexico State Department of Transportation. He said the City would like to

control the roadway/street someday to be able to do some sort of complete street project and put in safer sidewalks and possibly some on-street parking.

Commissioner Lopez asked if the City is already in discussions with the State about the roadway.

Mr. O'Reilly said the City has been negotiating with the State but they do not have the roadway yet. He explained that St. Michael's Drive needs a significant amount of work and the City is not in the position to take on a street presently that needs \$4 million worth of work. He said this Ordinance does not do this – this Ordinance addresses land uses.

Mr. O'Reilly said the Ordinance contains design standards pertaining to architecture; site circulation; landscaping; outdoor lighting; site furniture, etc. He noted that a lot of these flowed from the work that the Long Range Planning Committee did years ago and from what they heard from Re-Mike. Also, in 2011, the UNM School of Architecture did a semester-long study on this as well. This is where the design standards came from.

Commissioner Lopez had a question on outdoor lighting. She asked if the City had a "Night Sky" Ordinance because that is not referenced here. She asked if this was a discussion.

Mr. O'Reilly said the Night Sky Ordinance applies to roadways, not to development outside of roadways. However, the City does have a lighting ordinance and it sets illumination standards for how bright things can be. They are trying to prevent light pollution from getting into neighborhoods. He said the lighting requirements in this Ordinance are in addition to the other lighting requirements that are already in the City's Code.

Chair Villarreal mentioned that she is working on an amendment to the Ordinance that there be a requirement for affordable units; or that the fees that the City would collect in-lieu-of would go to this specific district or census tract. She thinks if they are giving flexibility they should have the ability or option to get more affordable units.

Commissioner Lopez said there is a chance that K-Mart will close in the near future and this would give the City an opportunity to do something on this parcel of land, possibly some kind of affordable housing project.

**Chair Villarreal had to leave to go to the City Council meeting at 4:31 p.m. Commissioner Tambascio Co-Chaired the meeting from here forward.*

Mr. O'Reilly said one of the things they did in putting this together, is that they went to the industry and got some third-party opinions - who ran development pro formas on three of the parcels – to see if these incentives would actually help and it came back very positive. The City looked at it from this angle too.

Commissioner Goblet asked who's the driver for this.

Mr. O'Reilly said as the Staff Report said, there have been three separate resolutions adopted by the City Council, in full, directing staff to do this and bring it forward. In this particular case, the Mayor is the Sponsor and the Co-Sponsors are Councilor Lindell and Councilor Ives.

Vice-Chair Tambascio asked if there were any more questions.

Commissioner Lopez asked what happens next.

Mr. O'Reilly said this was not an action item for this Commission but it would be nice to report on how this Commission felt about this Ordinance. He said they would like Commissioners to come and support this legislation at upcoming meetings.

Ms. Ladd said in the past, this group has expressed an interest in publicly supporting legislation and projects that they find valuable. She said the next stop for the Midtown LINC Overlay District is the Public Works Committee on September 26th.

Mr. O'Reilly said the Public Works Committee could be a public hearing, and then it goes before the Public Utilities Committee on October 5th; and to City Council on October 13th. They will need to schedule it to go before the Finance Committee.

ITEMS FROM THE COMMISSION

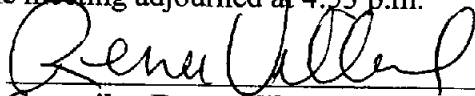
There were no items from the Commission.

ITEMS FROM THE FLOOR

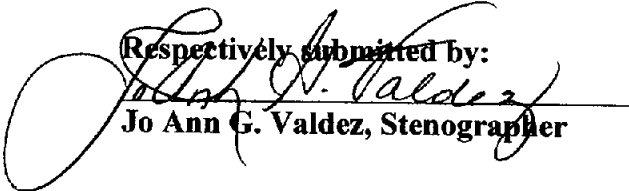
There were no items from the floor.

ADJOURNMENT

Its business being completed, Commissioner Goblet moved to adjourn the meeting, second by Commissioner Lopez, the meeting adjourned at 4:53 p.m.


Councilor Renee Villarreal, Chair

Respectively submitted by:


Jo Ann G. Valdez, Stenographer