



Agenda

DATE 9/15/16 TIME 3:25PM
REVIEWED BY [Signature]
APPROVED BY [Signature]

PLANNING COMMISSION
Thursday, October 6, 2016 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF CONSENT AGENDA**
- E. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**

MINUTES: August 18, 2016
September 8, 2016

FINDINGS/CONCLUSIONS:

Case #2016-70. Alma Dura Preliminary Subdivision.

Case #2016-88. The Pavilion Final Subdivision Plat.

Case #2016-42. The Pavilion Office Complex Development Plan Amendment to the Phasing Plan.

- F. OLD BUSINESS**
- G. NEW BUSINESS**

1. Case #2016-99. **Arts and Creativity Center General Plan Amendment.** New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval to amend the General Plan Future Land Use designation for approximately 5.0 acres of City-owned property from Public/Institutional to Community Commercial. The property is a portion of the parcel northwest of 1222 Siler Road. (Noah Berke, Case Manager)
2. Case #2016-89. **Arts and Creativity Center Rezoning.** New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval of rezoning of approximately 5.0 acres of City-owned property from I-2 (General Industrial) to C-2 (General Commercial). The property is a portion of the parcel northwest of 1222 Siler Road. (Noah Berke, Case Manager)
3. Case #2016-90. **730 Canada Ancha Escarpment Variance.** Ruben Loya, agent for Pottery House LLC, requests approval of a variance to allow a portion of a trellis to be constructed within the Ridgetop Subdistrict of the Escarpment Overlay District. The 6.25 acre property is zoned R-1 (Residential - 1 unit per acre). (Katherine Mortimer, Case Manager)

4. **Case #2016-94. 2041 Pacheco Street Development Plan.** JenkinsGavin Land Use|Project Management, agent for Confluent Development LLC, requests approval of a development plan for a 76,500 square foot building, for an 85 unit group residential care facility on 4.0± acres. The property is zoned C-1 (General Office) and is within the South Central Highway Corridor overlay district. (Dan Esquibel Case Manager)
5. **Case #2016-95. 155 Brownell-Howland Escarpment Variance.** Sommer, Karnes and Associates, LLP, agent for John R. Camp Trust and Michelle Cook 2011 Revocable Trust, requests approval of a variance to replace a two-story residential building with a single-story residential building on the same footprint, and addition of two portals totaling 98 square feet to an existing accessory dwelling unit located within the Ridgetop Subdistrict of the Escarpment Overlay District and to replace an existing fence with a 6 foot high wall, 280 linear feet of which is located within the Ridgetop Subdistrict of the Escarpment Overlay District. The 1.567 acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)
6. **Case #2016-97. 165 Brownell-Howland Escarpment Variance.** Sommer, Karnes and Associates, LLP, agent for John R. Camp Trust Dated 7/25/06 and Michelle Cook 2011 Revocable Trust Dated 2/16/11, requests approval of a variance to modify an existing dwelling within the Ridgetop Subdistrict of the Escarpment Overlay District resulting in a net increase of 27 square feet and to replace an existing fence with a 6 foot high wall, 320 linear feet of which is located within the Ridgetop Subdistrict of the Escarpment Overlay District. The 2.01 acre property is zoned R-1. (Residential – 1 unit per acre). (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)
7. **Case #2016-96. 2051 Cerros Altos Escarpment Variance.** Sommer, Karnes and Associates, LLP, agent for Julie Silverstein Trust and the Kim M. Colweck Trust, requests approval of a variance to allow construction of a single-family residence within the Ridgetop Subdistrict of the Escarpment Overlay District. The 4.337 acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

H. STAFF COMMUNICATIONS

I. MATTERS FROM THE COMMISSION

J. ADJOURNMENT

NOTES:

- 1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.
- 2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting “quasi-judicial” hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In “quasi-judicial” hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.
- 3) The agenda is subject to change at the discretion of the Planning Commission.
***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk’s Office (955-6520) 5 days prior to the hearing date.**

SUMMARY INDEX
PLANNING COMMISSION
October 6, 2016

ITEM	ACTION TAKEN	PAGE(S)
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B. Pledge of Allegiance	Recited	
C. Approval of Agenda	Approved as amended	2
D. Approval of Minutes & Findings and Conclusions		
Minutes: August 18, 2016 & Sept 8, 2016	Approved as amended	2
Findings of Fact & Conclusions of Law		
• <u>Case #2016-70</u> , Alma Dura Preliminary Subdivision	Approved as presented	3
• <u>Case #2016-88</u> , The Pavilion Final Subdivision Plat.	Approved as presented	3
• <u>Case #2016-42</u> , The Pavilion Office Complex Development Plan Amendment to the Phasing Plan.	Approved as presented	3
E. Old Business	None	3
F. New Business		
1. <u>Case #2016-99</u> , Arts and Creativity Center General Plan Amendment	Approved	6-11
2. <u>Case #2016-89</u> , Arts and Creativity Center Rezoning.	Approved	6-11
3. <u>Case #2016-90</u> , 730 Canada Ancha Escarpment Variance	Approved as recommended	3-4
4. <u>Case #2016-94</u> , 2041 Pacheco Street Development Plan.	Approved with conditions	11-16
5. <u>Case #2016-95</u> , 155 Brownell-Howland Escarpment Variance	Approved	16-18
6. <u>Case #2016-97</u> , 165 Brownell-Howland Escarpment Variance	Approved with conditions	18-19
7. <u>Case #2016-96</u> , 2051 Cerros Altos Escarpment Variance	Approved as recommended	4-6
G. Staff Communications	Discussion	19
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PLANNING COMMISSION
Thursday, October 6, 2016 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

CALL TO ORDER

A regular meeting of the City of Santa Fé Planning Commission was called to order by Chair Vince Kadlubek on the above date at approximately 6:00 p.m. in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum for the meeting.

Members Present

Commissioner Vince Kadlubek, Chair
Commissioner Brian Patrick Gutierrez, Vice-Chair
Commissioner Roman Abeyta
Commissioner John B. Hiatt, Secretary
Commissioner Justin Greene
Commissioner Stephen Hochberg
Commissioner Mark Hogan
Commissioner Piper Kapin
Commissioner Sarah Cottrell Propst

Members Absent

Others Present:

Mr. Greg Smith, Current Planning Division Director and Staff Liaison
Mr. Zach Shandler, Assistant City Attorney
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Planning and Land Use Department.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. APPROVAL OF AGENDA

Chair Kadlubek requested an amendment to move item #3 to the top as the first item and to move item #7 to be the second item.

Commissioner Hogan moved to approve the agenda as amended. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF CONSENT AGENDA

There was no consent agenda to approve.

E. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

1. MINUTES: August 18, 2016

Commissioner Hiatt requested correction of minor typos.

Commissioner Propst moved to approve the minutes of August 18, 2016 as amended. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

September 8, 2016

Commissioner Greene requested a change on page 10 in the middle of the page in his questioning of Marshal Gonzales in the Alma Dura case where it said Marshal Gonzales replied with an inaudible statement. His recollection was that Marshal Gonzales confirmed that all three developers were brought together at a meeting and one refused to submit a plan but that Staff had attempted to convene those three developers in question.

There was no objection to that change.

Commissioner Propst requested a change on page 26 at the bottom of the page where it said she was familiar with it because she lived up that way. What she actually said was that she has friends who live up that way.

Commissioner Greene moved to approve the minutes of September 8, 2016 as amended. Commissioner Kapln seconded the motion and it passed by unanimous voice vote.

2. FINDINGS/CONCLUSIONS:

- **Case #2016-70. Alma Dura Preliminary Subdivision.**

A copy of the Findings of Fact and Conclusions of Law for Case #2016-70 is attached to these minutes as Exhibit 1.

Commissioner Propst moved to approve the Findings of Fact and Conclusions of Law for Case #2016-70 - Alma Dura Preliminary Subdivision as submitted. Commissioner Gutierrez seconded the motion and it passed by unanimous voice vote except Commissioner Hlatt and Commissioner Greene recused themselves.

• **Case #2016-88. The Pavillion Final Subdivision Plat.**

• **Case #2016-42. The Pavillion Office Complex Development Plan Amendment to the Phasing Plan.**

[A copy of the Findings of Fact and Conclusions of Law for Case #2016-88 and Case #2016-42 is attached to these minutes as Exhibit 2.]

Mr. Shandler had no changes and stated that both Findings could be included in the same motion.

Commissioner Propst recused herself.

Commissioner Hochberg moved to approve the Findings of Fact and Conclusions of Law for Case #2016-88 - The Pavilion Final Subdivision Plat; and Case #2016-42 - The Pavillion Office Complex Development Plan Amendment to the Phasing Plan as submitted. Commissioner Hogan seconded the motion and it passed by unanimous voice vote with Commissioner Propst recused.

F. OLD BUSINESS

There was no old business.

G. NEW BUSINESS

3. **Case #2016-90. 730 Canada Ancha Escarpment Variance.** Ruben Loya, agent for Pottery House LLC, requests approval of a variance to allow a portion of a trellis to be constructed within the Ridgетop Subdistrict of the Escarpment Overlay District. The 6.25-acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

Staff Report

No Staff report was made. [However, a copy of what was to be reported is attached to these minutes as Exhibit 3.]

Applicant's Presentation

The applicant was not invited to make a presentation.

Public Comment

Chair Kadlubek opened the case for public comment.

There was no public comment and Chair Kadlubek closed the public hearing.

Commission Discussion

There was no Commission discussion.

Action of the Commission

MOTION: Commissioner Hochberg moved in Case #2016-90, 730 Cañada Ancha Escarpment Variance, to approve the variance with staff recommendations. Commissioner Propst seconded the motion and it passed by unanimous voice vote.

7. **Case #2016-96. 2051 Cerros Altos Escarpment Variance.** Sommer, Kames and Associates, LLP, agent for Julie Silverstein Trust and the Kim M. Colweck Trust, requests approval of a variance to allow construction of a single-family residence within the Ridgetop Subdistrict of the Escarpment Overlay District. The 4.337-acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

Staff Report

There was no Staff report made for this case. [However, a copy of what was to be reported is attached to these minutes as Exhibit 4.]

Applicant's Presentation

The applicant was not invited to make a presentation.

Public Comment

Chair Kadlubek opened this case for public comment. He saw no one come forward and closed the public hearing portion of this case.

Commission Discussion

Chair Kadlubek asked for any Commission questions and saw none.

Action of the Commission

Commissioner Abeyta moved for approval of Case #2016-96 - 2051 Cerros Altos Escarpment Variance, with staff conditions.

Ms. Mortimer alerted the Commission that there was public comment.

Public Comment

Chair Kadlubek reopened the public hearing for this case.

Present and sworn was Mr. Donald Wilson, who said he and his wife, Mary Ann Lundy, live in Cerros Colorados at 2107 Senda De Daniel. He said their property is immediately below this property and they needed to understand what is happening. He understood there may be some modification of the roadway. The roadway, as he presently understood it, goes just above their property which was okay. But he didn't know if the roadway is moving down further. Their concern was that the area has a sharp runoff and how that would affect their property.

Commissioner Hochberg was not sure the neighbor had a chance to see the application although it is a public record. Since he is asking for information and has come here, he would like to allow Mr. Wilson to review a copy rather than have an explanation of something he hasn't had a chance to see. It seems to have some clear photographs.

Mr. Boaz explained to him that there are clear photographs and offered him a chance to review them.

Mr. Mortimer explained the project to Mr. Wilson. She clarified that the driveway was cut some time ago and would not be altered by this proposal. Mr. Wilson was satisfied.

There were no other speakers from the public regarding this case and Chair Kadlubek closed the public hearing portion for this case.

Action of the Commission

MOTION: Commissioner Hochberg moved to approve Case #2016-96 - 2051 Cerros Altos Escarpment Variance, as Staff has recommended. Commissioner Abeyta seconded the motion and it passed by unanimous voice vote.

1. **Case #2016-99, Arts and Creativity Center General Plan Amendment.** New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval to amend the General Plan Future Land Use designation for approximately 5.0 acres of City-owned property from Public/Institutional to Community Commercial. The property is a portion of the parcel northwest of 1222 Siler Road. (Noah Berke, Case Manager)
2. **Case #2016-89, Arts and Creativity Center Rezoning.** New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval of rezoning of approximately 5.0 acres of City-owned property from I-2 (General Industrial) to C-2 (General Commercial). The property is a portion of the parcel northwest of 1222 Siler Road. (Noah Berke, Case Manager)

Staff Report

Mr. Berke presented the staff report for both of these cases together. [A copy of these staff report for both cases is attached to these minutes as Exhibit 5. Please refer to Exhibit 5 for details concerning this staff report.]

The report indicated this is consistent with the 1999 General Plan for Economic Development and in accord with the Siler Road Redevelopment District. Staff recommended approval for rezoning of the General Plan. If recommended to the Governing Body, it will influence others to do Affordable Housing modeled after this project.

Applicant's Presentation

Mr. Dan Werwath, Arts+Creativity Center, was sworn.

Mr. Werwath provided a handout from Arts+Creativity Center. [A copy of the handout is attached to these minutes as Exhibit 6.]

He shared a Power Point presentation as an overview of the project. He said that at this point, just looking at the rezoning and anticipating a completed Development Plan by springtime, this allows them to apply for it because of the evidence provided. This is one of the first times we have seen economic development and affordable housing combined in a single project with on-site resources to assist entrepreneurs and craftspeople. An important consideration for preserving affordable housing space in this area is that it once was at the edge of town but now is at the population center of town.

This started in 2012 with a feasibility study and has gone through a lot of steps including three Council resolutions and possible donation of land. Donation of land is important for the larger subsidy and makes it more competitive. The feasibility was partially funded by the City and resulted in this Siler Road site.

He explained that if they are not successful in funding, it stays in city ownership. The context is for this project, not to C-2.

The proposal is a mixed use project with 50 units of live-work with below 60% of median income and some going down to 30% median - so a very low income level is targeted. Ten units of market-rate housing helps to score better. There will be 2-3 bedroom configurations so for singles and also families with creative dynamics or even multi-generational and flexible floor plans; simple space. High energy efficiency results from the 5-6-member design team including one from Philadelphia to get the best energy efficiency.

Amenities would include a computer lab, kitchen, and shared resources as well as a 6,000 sq. ft. workshop area with tools and equipment. The shared open space that is publicly accessible. Meeting spaces, laundry, maybe small performance space and mercado space are included. It might even have micro retail spaces.

This was one of 37 communities to get an "Our Town" grant for \$150,000 and matched with \$130,000 of local funds.

In the outreach process, 12 events will be created with lots of folks dealing with design and charettes and other aspects of design. Four nonprofits are in the collaboration, started by Creative Santa Fé and working with after-hours institute and Santa Fé Arts Institute to help advise them.

The site is five acres with a fair amount of Siler Road frontage that is underutilized now. It is valuable street frontage and on two bus routes. It is also a qualified census tract for HUD funding and Brownfield remediation. The contamination is actually salt. They have completed a Phase 3 EA already. That was the main issue which is a threat to vegetation and they will remediate that. It is a transitional neighborhood. Even though the 1999 General Plan contemplated it, the current industrial use is not appropriate now. There is also fair amount of multi-family use around it and lots of nonconforming live-work uses there with makeshift structures. So the production of safe and affordable housing will replace a lot of unsafe housing.

He said that as they move forward, public outreach will have 10 events in the next year. They are working on a schematic design now to apply for tax credits in February. They want to wait for approval of tax credits to come back with a development plan.

Public Hearing

Chair Kadlubek opened the public hearing for the General Plan Amendment and Rezoning simultaneously.

Mr. Dave Carroll, 1219 Siler Road, owner of a collision repair shop, was sworn. He said he is all for affordable housing and creative spaces and all the rest. He has been at this location on Siler Road for 14½ years and watched the development around there. In 1978, he wrecked his mom's pickup and they fixed it at this shop and now he owns it. There are seven other body shops within a two-block radius. He watched the bridge from Alameda being built and traffic patterns which was once were two lanes each way and now one lane each way with a very wide median. There is at least a three-car accident on that road at least

once each month there and most of them come to his shop.

Java Joe's was once a consignment store and before that a mechanic shop. Just behind is a tow truck business with storage facility. The plans for the site show that any multi-family use is at least a mile from this particular site. His was not the only industrial business in that area. There are also a countertop shop and other industrial uses in the area.

If rezoned, and bring in 70 residences, there could be 210 more people on that street. If you have been on Siler Road lately at 8 am or 5 pm as it has become a new thoroughfare. He is 1½ blocks from the traffic light at Rufina and 3½ blocks from the traffic light at Agua Fria. He said he can hardly pull out because traffic is backed up in both directions and it takes at least two lights to get through the area. This will create a traffic pattern issue that needs to be addressed.

Mr. Carroll said he is all for what they plan but was not sure this is the wisest location for it. This area has been zoned Industrial for a long time. Within a quarter mile of it are these industrial uses that will be continuing. He wondered how it will affect his ability to do business or to sell it to someone else to do collision business. He does a lot of business and there is high revenue on Siler Road that generates a lot of taxes for the City. But his customers already have to have a hard time getting in to his shop. Through a petition they finally got the septic tank business closed. What will it do to property values? Would someone else be able to continue their business?

Ms. Cheryl Odom, 1152 Vuelta de las Acequias was sworn. She said this is a brilliant project and the way Mr. Werwath is approaching it is wonderful. As an artist she had to struggle to establish her career. She would love to think creative people could stay in Santa Fe and afford it.

She agreed that Siler Road is a mess right now but storage area is a euphemism. It looks like a dump there now and this would improve the quality of the neighborhood. So to have it be housing seems like a brilliant solution. There are studios there now. Meow Wolf is walkable. At the meeting at Frenchy's she felt it would be a godsend for her artist son and others. It is cutting edge new art, not adobe walls and sunsets. They are living in community and that feeds other artists in sharing space and materials. She wished when growing up there had been something like this for her. She didn't see it as too dense. It was 67 living units and not 400 apartments and there will be more community impact. She thanked Mr. Werwath and Mr. Berke for their work on it.

There were no other speakers from the public regarding this case and the public hearing was closed.

Commission Discussion

Commissioner Propst asked regarding rezoning, if the Commission approves the rezoning and the project falls through and the City continues to own the land, would any existing activities now would be precluded C-2 that are now allowed.

Mr. Berke said if this property reverts back, the continued use on property would remain.

Commissioner Propst asked if that meant the rezoning wouldn't happen.

Mr. Berke said if the Commission and the Council denied this request, the rezoning would not happen.

Commissioner Propst said she had asked if the rezoning was approved but the project was not able to develop, if current uses would be precluded then.

Ms. Ladd said Staff studied this quite in depth with the Asset Manager because that parcel is such an asset that if the housing project doesn't happen, this use was by far the most flexible category zoning so the City could do almost anything with this site.

Commissioner Hogan asked regarding the General Plan amendment, if it is targeted for redevelopment, there is a basis for infrastructure and he wanted to know about this location's readiness.

Mr. Berke said it is part of the infrastructure that exists today - water and trails, etc. The development would have minimum impact on traffic. There is an 18" sewer trunk through the site so all the infrastructure is there to support the General Plan amendment.

Chair Kadlubek thought this project and the traffic and other concerns voiced from the public as a business owner are all proof that the Commission needs to look thoroughly at a Siler/Rufina plan for business owners and retained zoning and mixed use in the area. He loved what the St Mike's plan is doing and Millennials want totally mixed use in the area. A lot of people want to support that type of mixed use and we really want to protect that and traffic does need to be dealt with. It is a good area for infill. He asked that it be noted in the minutes for Councilors that setting forth a Mid-town District might be in order here, too.

Commissioner Hochberg asked if it is true this is only the very first step and ten more public events are planned regarding this project.

Chair Kadlubek agreed.

Commissioner Hochberg viewed this as the talking stage and resolution by the Governing Body. So he asked, "What is taking so long? Let's go and do this."

Chair Kadlubek said he is a business owner in that area, too. We have families walking across the street while others still see it as a drag race zone.

Commissioner Hochberg understood. There are already things happening there all over the place. He was familiar with urban changes in New York City. The uses were once industrial and their property was enhanced by the transition and they became wealthy.

Commissioner Propst said this is really an exciting project and just the kind of thing we have been looking for and it was nice to see it all put together. She asked if salt in the area was the only issue for EA needing mitigation.

Mr. Berke agreed. It is salt in the soil.

Commissioner Greene said it was a great presentation. He noted this is part of 50 some acres of City land that could connect from Siler Road to Henry Lynch and Agua Fria to Rufina. They have gotten grant money also. He hoped they would initiate some master planning early on and make a recommendation to Council that one road be connected from this property - Siler Road to Henry Lynch and that the City work with the applicant to see where the road could potentially go from Rufina to Agua Fria and to expedite that through contributing a little money or a traffic impact study. Or find out if the NEA grant could create a charette to raise some money for it.

The second issue is air quality and noise studies. He said in the past some projects put minorities and underserved next to the dump or other industrial spaces. That is not fair to them. So he wondered if the proximity would create a complaint about the auto body shop not painting or preclude the owner from having his shop across the street for its effect on air quality.

Mr. Berke said John Romero is here to address traffic impact study. Staff does address the connections and the City-maintained roads. Easements were made in the past and he agreed to call people and talk about connections. It might be helpful to have Mr. Romero address those traffic concerns and accidents in the area as well as the trail connections. The motion could address connectivity but if they can't address that adequately, it might lead to a development plan.

Chair Kadlubek said traffic is a concern with or without that development - re General Plan amendment - the rezoning and General Plan doesn't come across that way. It is a concern that will come up again.

Mr. Werwath said they did a Traffic Impact Analysis because traffic is intense right now from the Cerrillos Road work. It is a concern and they will address it.

As far as the asset of the undeveloped or underutilized 54 acres. It is a huge thing. The City are considering locating City Hall there with high energy efficiency on the north of that property. He would love to see plans but they can't move very quickly so this will be designed with most flexibility to be prepared for that possibility. There is a high tension pole right across the street which makes it more difficult but we would like to see more permeability and connectivity in that neighborhood.

The EA concerns from the public are very important considerations. The potential for creating incongruous uses is addressed by preserve those existing uses there. They should not be forced out. So it is about opting in to a noisier, dustier environment. He would not endorse putting people in unsafe places and HUD has focused on that through the EA requirement. We might need waivers for noise but the nature here where you can create noise makes it more congruous with the neighborhood so they are developing a whole process around that and suggesting that people spend a night there before moving in.

There are many people living within 500' of the project right now. And they deal with it.

Chair Kadlubek agreed. People who want to make it cleaner or quieter should know that there are design standards allowing for a body shop and mixed uses.

Commissioner Greene asked if it had an air quality test and if there are chemicals being used there.

Mr. Werwath was not aware of such a test. His experience has been that there is no immediate activity within the boundaries of the site and the body shop surely does use chemicals but was not sure how they would do an air quality test.

Action of the Commission

Commissioner Propst moved to approve Case #2016-99 - Arts and Creativity Center General Plan Amendment and Case #2016-89 - Arts and Creativity Center Rezoning.

Mr. Shandler requested two separate motions.

MOTION: Commissioner Propst moved to approve Case #2016-89 Arts and Creativity Center Rezoning. Commissioner Kapin seconded the motion. The motion passed by unanimous roll call vote with Commissioner Hogan, Commissioner Greene, Commissioner Kapin, Commissioner Propst, Commissioner Abeyta and Commissioner Hiatt voting in favor, none against and Commissioner Gutierrez and Commissioner Hochberg not present for the vote.

MOTION: Commissioner Propst moved to approve Case #2016-99 - Arts and Creativity Center General Plan Amendment. Commissioner Greene seconded the motion and it passed by unanimous roll call vote with Commissioner Hogan, Commissioner Greene, Commissioner Kapin, Commissioner Gutierrez, Commissioner Propst, Commissioner Abeyta and Commissioner Hiatt voting in favor and none voting against. Commissioner Hochberg was not present for the vote.

4. Case #2016-94. 2041 Pacheco Street Development Plan. JenkinsGavin Land Use/Project Management, agent for Confluent Development LLC, requests approval of a development plan for a 76,500 square foot building, for an 85-unit group residential care facility on 4.0+ acres. The property is zoned C-1 (General Office) and is within the South Central Highway Corridor overlay district. (Dan Esquibel Case Manager)

Chair Kadlubek excused himself from the meeting at 7:00 and Commissioner Gutierrez chaired the remainder of the meeting.

Staff Report

Mr. Esquibel presented the staff report for this case. [A copy of the Staff Report is attached to these minutes as Exhibit 7. Please refer to Exhibit 7 for details concerning the Staff Report.] He made one correction on his memo on page 4 where "special use" should be "development plan" for the first table row answer.

Mr. Esquibel also distributed printed copies of the Power Point used in his presentation that included

several aerial photos of the property in question. [A copy of the power point is attached to these minutes as Exhibit 8].

He said the staff conditions listed in Section 1 and technical conditions listed in Exhibit A. He noted that two DRT members are present but the memo is clear so no presentations needed to be made. The existing use as office has a higher intensity than group care facility so there are no traffic issues. The property has 85 parking spaces and the proposal calls for 65 parking spaces and requires only 48 for the use proposed.

He concluded that the applicant has met re-application requirements and had two ENN meetings. The major issue raised was traffic on Pacheco Street. The proposal does comply with development standards of the Code and he recommended approval.

Applicant's Presentation

Present and sworn was Mr. H. McNeesh, Confluent Development, 2240 Blake Street, Suite 200, Denver, Colorado, who introduced himself and the members of his team, including Matt Turner, the Managing Partner.

Mr. McNeesh displayed a Power Point presentation for the Commission to review the Morning Star proposal. He apologized that their architect got stuck in Florida for obvious reasons. He read a statement of their purpose to begin.

Mr. Matt Turner, 7555 East Hamden, Denver, Colorado, was sworn and described the background of the company and what they planned to do with this property as a senior living community. They now have facilities in ten western states.

He said the company has three primary principles in their operations: to honor God in our business practices and relationships; value all seniors; and to invest generously in our team. He clarified that they are not a Christian organization but practice these principles of ethics and integrity in all of their work.

Their goal is to provide a way for seniors to stay in Santa Fe when they need more care. They should be in the heart of the city, not on the outskirts. This program allows residents and family to stay where they have created lives and invested in the society and contributed to the economy.

They also want to complement the neighborhood beyond just being compliant but exceeding the regulations with a high quality project that integrates into the neighborhood. Architecture is different for each one.

They hope to bring 75 new part time and full time jobs with a \$2 million annual payroll and low impact on the area.

They had two ENN meetings and spent a lot of time communicating details around what senior living is, listed to feedback and answered questions. The concerns were mostly about traffic and talked through that for what Confluent can do to remedy existing traffic problems. The project is redevelopment of the office

building that sat vacant for over five years and was degrading. There are 153 parking spaces on the site and will reduce that amount. The facility is 85 units for group residential care facility, including assisted living and memory care. The assisted living license is from the Department of Health and the memory unit is a physically secured area.

The style will be single and two story layout construction respectful of existing topography. There is significant grade change on the property and the single story steps down into two-story. It will have 27% lot coverage and 46,400 square foot footprint with 44% landscaped open space.

Mr. McNeesh walked through the design, showing the location in an aerial view and described the two access points, which the north one being primary and the south designed for emergency access with a bit of parking. The service activity is on the St. Francis side. The building has a 70' setback from Pacheco and generous on south and north as well as along St. Francis with a 25' buffer.

The landscaping includes interior courtyards. It allows secure but outdoor space and to bring light and air to significant portions of the building. Which does put the footprint out a bit.

He said their previous effort in the city was challenged by the City Council to find a site appropriately zoned for this use and they did that and satisfied that criteria and it also works well for the company.

Mr. McNeesh discussed traffic considerations. After the feedback, the company undertook a 48-hour evaluation and gap analysis with pedestrian crossings, done by a professional firm with professional standards. He presented the results in a table print out. As a result of the analysis, Morning Star will construct a pedestrian crossing on Pacheco with a median refuge, probably south of their property, with the ultimate design to be approved by Mr. Romero.

Vice-Chair Gutierrez thanked him and opened the case for a public hearing.

Public Hearing

There were no speakers from the public regarding this case and the public hearing was closed.

Commission Discussion

Commissioner Hogan complimented the applicants for their tenacity and also for an intelligent choice of sites. This is well situated for contributing to the neighborhood and community and the amenities there will support their activity. It is hard to image a lower traffic impact.

He noted the roadway on the southeast appeared to be steep and asked if the slope was less than 10%.

Mr. McNeesh agreed.

Commissioner Hogan wasn't clear if the Baca House faced St. Francis and wondered if it would be screened from St. Francis.

Mr. McNeesh felt the colored rendering doesn't accurately reflect the level of landscaping there. There are significant trees. The dumpster enclosure will be screened with doors on the north side. A service drive will allow delivery vehicles to park there and depart but no long term parking there.

Commissioner Hogan asked about the peak hours of the operation for compatibility with other traffic.

Mr. Turner said the peaks are 7-9 a.m. and 4-6 p.m. but the staffing pattern helps mitigate traffic congestion. Staff would have a maximum of ten vehicles on the property. Pacheco is an emergency corridor so speed bumps cannot be used there.

Commissioner Kapin said a couple of the staff conditions of approval were not reflected on Exhibit A and asked if that was intended.

Mr. Esquibel apologized that he probably didn't separate them appropriately.

Commissioner Kapin asked if the one space for two beds took into consideration the level of staffing.

Mr. Esquibel said it is "one size fits all." The county does have a separation with requirement for employees as well as families.

Commissioner Kapin asked how many staff would come in at a shift change.

Mr. Turner said the maximum at any time would be early afternoon with about 25 total staff. Memory residents don't ever have cars and about 6% of the rest have cars so almost all of the space is for staff and visitors. Being on a transportation corridor is great so they can use public transit to get to work.

Commissioner Greene congratulated them on finding a better site. He asked if the bus stop and crosswalk could be combined and if they could have a pull off bus stop that would not block traffic - or school bus coming by and have an island within 350 feet and not down by the post office.

Mr. Turner said there are a lot of technical reasons why a pull-off stop might not be possible. He would be surprised if they could do that but agreed to talk with Mr. Romero about that and where the crosswalk would work best. The study we did suggests it can't be adjacent to our site but somewhere else on Pacheco.

Mr. Turner clarified that Confluent will be doing that crossing to contribute to the neighborhood - not because the company needs one.

Commissioner Greene recommended having a bench in front of the bus stop.

Mr. Turner said a bench exists there now.

Commissioner Greene asked if in the landscaping plans, they could have space outside like for a garden or any covered portals where they could congregate outside to enjoy the climate there.

Mr. Turner said on the assisted living side they can come and go. We will have benches and walking areas through the site. The topography doesn't allow for full circulation of the residents and is why they created the internal space. But there are things outside of the internal courtyard. The north courtyard is the memory courtyard and all residents have access to that space. There is also in the top right hand corner an external courtyard with a seven-foot wrought iron fence that is virtually invisible and that will have a walking path and benches.

Commissioner Greene asked about any portal space.

Mr. Turner said they typically have elements like that such as a trellis, outdoor fire places, art spaces, etc.

Commissioner Greene asked about having all mechanical equipment be screened and counted against the height.

Commissioner Hochberg asked how many of the 85 units would be in memory care.

Mr. Turner said it would have around 30 units of memory care.

Commissioner Hochberg commended them for a good report and for tenacity.

Commissioner Hiatt also complimented Morning Star and Confluent for their tenacity to come back and wanted to welcome them with open arms.

Action of the Commission

MOTION: Commissioner Hiatt moved to approve Case #2016-94, 2041 Pacheco Street Development Plan, subject to the staff conditions and subject to the criteria specifically that the Commission is empowered to approve the plan under code section 14-3.8 (D)(1)(a) and secondly, that approving the development plan will not adversely affect the public interest and thirdly, that the use of any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration. Commissioner Hochberg and Commissioner Hogan seconded the motion and it passed by unanimous voice vote.

5. **Case #2016-95. 155 Brownell-Howland Escarpment Variance.** Sommer, Karnes and Associates, LLP, agent for John R. Camp Trust and Michelle Cook 2011 Revocable Trust, requests approval of a variance to replace a two-story residential building with a single-story residential building on the same footprint, and addition of two portals totaling 98 square feet to an existing accessory dwelling unit located within the Ridgetop Subdistrict of the Escarpment Overlay District

and to replace an existing fence with a 6 foot high wall, 280 linear feet of which is located within the Ridgetop Subdistrict of the Escarpment Overlay District. The 1.567-acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

Ms. Mortimer gave the Staff Report for Case #2016-95 [A copy of the Staff Report for this case is attached to these minutes as Exhibit 9. Please refer to Exhibit 9 for details of this report.] She explained that this lot was created earlier this year by a lot line adjustment. The existing lot is legally conforming and located completely within Ridgetop but it was allowed when constructed. This will remove the two-story structure and replace it with a 1-story home.

Applicant's Presentation

Mr. Joseph Karnes, 200 West Marcy, was sworn and said he represented John Camp and Michelle Cook who were present and their architect John Dick. He said Ms. Mortimer gave a good presentation of the nature of this project.

This replaces the existing two-story home with a one-story home and will be essentially on the same footprint for a reduction of more than 3,000 square feet of developed area. So it is a net reduction in visual impact. The top of the present second story can be seen from Bishop's Lodge Road and the new home will not be seen. They are only here because it is in Ridgetop. He stood for questions.

Public Hearing

Vice-Chair Gutierrez opened the case for public comment.

Ms. Marilyn Caldwell was sworn. She said she and her husband live across the street from the subject property and were present to support their application. This will result in improvement to the neighborhood. The present structure was built decades before the regulation of the escarpment. This will benefit the neighborhood and be more in compliance. So they were very much in favor of it.

There were no other speakers from the public regarding this case and the public hearing was closed.

Commission Discussion

Commissioner Kapin asked if there was a septic system on the property.

Ms. Mortimer believed that is correct. It is not a condition. It is not unique to this application but they need to get the approval to continue the septic system.

Mr. Smith noted in Exhibit B that the septic system is a technical correction.

Commissioner Kapin asked if they also have a well.

Ms. Michelle Cook was sworn and stated that the property at 155 is connected to city water and there is no well. The septic system is shared with another property at present but will be separated from 145 and they will build a new septic system to serve the new small guest house.

Commissioner Kapin noted that often there is a condition that they have to plug into public utilities and asked why that was not done here.

Ms. Mortimer said that is not done when the location is not within 200' of a sewer line this property is not within 200'.

Action of the Commission

MOTION: Commissioner Hiatt moved in Case #2016-95 at 155 Brownell-Howland, to approve the Escarpment Variance to approve the request. Commissioner Hochberg seconded the motion.

Commissioner Greene, noting the walls along the road are within the ridgetop, asked if the applicant would consider a condition that any new wall be set back 8' with landscaping in front of it to not have a wall right along the road. The current wall looks like it has a pedestrian gate and a pull off for deliveries or guests.

Commissioner Propst pointed out that this is a dirt road with lots of vegetation and they are replacing a coyote fence in almost the very same location.

Commissioner Greene said in some places it is moved back and some places it is along the road.

Commissioner Propst did not want to impose that condition on an escarpment variance.

Commissioner Hochberg said this is a plus, plus as the neighbor testified. It will be one instead of two stories and have testified to an improved septic system. He felt the Commission should just encourage it and move forward.

Commissioner Hiatt rejected the amendment as friendly.

The motion passed by unanimous roll call vote with Commissioners Hochberg, Hiatt, Abeyta, Propst, Kapin, Greene and Hogan voting in favor and none voting against.

6. **Case #2016-97. 165 Brownell-Howland Escarpment Variance.** Sommer, Kames and Associates, LLP, agent for John R. Camp Trust Dated 7/25/06 and Michelle Cook 2011 Revocable Trust Dated 2/16/11, requests approval of a variance to modify an existing dwelling within the Ridgetop Subdistrict of the Escarpment Overlay District resulting in a net increase of 27 square feet and to replace an existing fence with a 6-foot-high wall, 320 linear feet of which is located within the Ridgetop Subdistrict of the Escarpment Overlay District. The 2.01-acre property is zoned R-1.

(Residential – 1 unit per acre). (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

Staff Report

Ms. Mortimer presented the Staff Report for Case #2016-97. [A copy of the Staff Report for Case #2016-97 is attached to these minutes as Exhibit 10. Please refer to Exhibit 10 for details concerning this Staff Report.] She explained the configuration for this application. A wall/fence would be realigned slightly at the street frontage and the second story, at 14' requires the variance. The structure cannot be seen by neighbors or any public way. Major public views are limited at Bishop's Lodge Road, being completely screened with vegetation.

Applicant's Presentation

Mr. Kames (previously sworn) said he neglected to mention that the owners purchased both properties as an investment and in this case, it does not warrant demolition but just updating to make it more livable. The application won't change distant views and it cannot be seen from Brownell Howland Road. So it has no effect on protected views.

Public Hearing

Vice-Chair Gutierrez opened this case for public comment.

Ms. Michelle Cook (previously sworn) said they are only adding 50 square feet for closet space on both sides.

There were no other speakers from the public concerning this case and Vice-Chair Gutierrez closed the public hearing portion of this case.

Action of the Commission

MOTION: Commissioner Hogan moved in Case #2016-97 at 165 Brownell-Howland, to approve the Escarpment Variance application including confirmation that the conditions for the variance have been met and subject to the technical corrections. Commissioner Hiatt seconded the motion and it passed by unanimous voice vote.

H. STAFF COMMUNICATIONS

Mr. Smith announced that City Council did approve the Pulte amendments to the Las Soleras Master Plan at its most recent meeting.

Commissioner Hochberg asked how much money they required from the developer.

Mr. Smith apologized that he didn't have the amount. The conditions were substantially adopted by Council also, although Staff had a few more technical corrections.

The Commission's recommendations on the corridor ordinance are moving through the hearing process and will be at City Council soon for adoption.

He also announced no second meeting in October. The next meeting will be in November.

I. MATTERS FROM THE COMMISSION

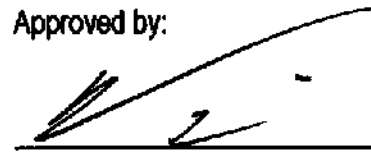
Commissioner Greene said the Long Range Plan Committee has been meeting and working on a new generation of the General Plan. They are looking at the work done by the LRP staff. About a month ago, Commissioner Kapin was at the meeting and they made good progress. This week they made more progress but it will be a long haul. He invited others to attend the meetings.

Mr. Smith informed the Commission that Ms. Lisa Martinez is on sick leave and unable to attend.

J. ADJOURNMENT


Having completed the agenda and with no further business to come before the Commission, the meeting was adjourned at 8:22 p.m.

Approved by:



Vince Kadlubek, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.

Planning Commission
October 6, 2016

EXHIBIT 1

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

Case #2016-70

Alma Dura Preliminary Subdivision Plat

Owner's Name- Vallecita, LLC

Agent's Name- JenkinsGavin Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on September 8, 2016 upon the application (Application) of JenkinsGavin Inc., agent for Vallecita, LLC (Applicant).

The Applicant seeks the Commission's approval of the preliminary subdivision plat for 9 lots on +/-10.73 acres. The property is located south of the intersection of Valley Drive and Vallecita Drive. The property is zoned R-1 (Residential, one dwelling unit per acre).

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant and there were thirteen members of the public in attendance to speak.
2. Pursuant to Code § 14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats.
3. Pursuant to Code § 14-3.7(A)(1)(b) subdivision of land must be approved by the Commission.
4. Code § 14-3.7 (B)(1) requires applicants for preliminary plat approval to comply with the pre-application conference procedures of Code § 14-3.1(E).
5. Pursuant to Code § 14-3.1(E)(1)(a)(ii), pre-application conferences are required prior to submission of applications for subdivisions unless waived.
6. A pre-application conference was held on March 31, 2016 in accordance with the procedures for subdivisions set out in Code §§ 14-3.1(E)(2)(a) and (c).
7. Code § 14-3.7(B)(2) requires compliance with the early neighborhood notification (ENN) requirements of Code § 14-3.1(F) for preliminary subdivision plats and provides for notice and conduct of public hearings pursuant to the provisions of Code §§ 14-3.1 (H), and (I) respectively.
8. Code §§ 14-3.1(F)(4) and (5) establish procedures for the ENN.
9. The Applicant conducted an ENN meeting on May 12, 2016 at the Santa Fe Public Library Main Branch in accordance with the notice requirement of Code § 14-3.1(H).
10. The ENN meeting was attended by the Applicant and City staff; there were thirty-four members of the public in attendance and concerns were raised.
11. Code § 14-3.7(C) sets out certain findings that must be made by the Commission to approve a preliminary subdivision plat.

12. The Commission finds the following facts:

- a. *In all subdivisions, due regard shall be shown for all natural features such as vegetation, water courses, historical sites and structures, and similar community assets that, if preserved, will add attractiveness and value to the area or to Santa Fe.* The land to be subdivided meets applicable standards and is eligible for the development purposes proposed. The proposed preliminary plat will comply, subject to recommended conditions of approval and technical corrections.
 - b. *The Planning Commission shall give due regard to the opinions of public agencies and shall not approve the plat if it determines that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed.* The land to be subdivided meets applicable standards and is eligible for the development purposes proposed.
 - i. The buildable lots of the subdivision are not within the Arroyo de las Piedras or designated floodplain, and the portion of the site that lies within the floodplain would be reserved as private open space with a drainage easement.
 - ii. The Applicant's proposed design has been reviewed by the City's Development Review Team in accordance with Chapter 14 for Terrain Management and Escarpment regulations and that review has determined that each building lot can be developed in accordance with applicable standards.
 - c. *All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).* The proposed plat complies with applicable standards of Chapter 14, Article 9.
 - i. The proposed preliminary plat identifies the location of existing water and sewer lines and new water and sewer main extensions, as required at this stage.
 - ii. The proposed subdivision will meet applicable standards for access to and within the subdivision.
 - d. *A plat shall be not approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the provisions of Chapter 14 unless a variance is approved concurrently with the plat.* No variances are required or have been requested for this subdivision. Approval of the proposed subdivision would not create nonconformities under current city regulations.
 - e. *A plat shall be not approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the applicable provisions of other chapters of the Santa Fe City Code unless an exception is approved pursuant to the procedures provided in that chapter prior to approval of the plat.* The proposed plat will not create a nonconformity with any other chapter of the Santa Fe City Code.
13. The Applicant submitted a traffic study, which showed the subdivision would add nine vehicles in peak afternoon time.
14. The Applicant stated it would be willing to do a second traffic study prior to submittal of the Final Subdivision Plat.
15. The Traffic Engineer provided that the second traffic study should include a Scope of:

- a. The traffic study shall include the following intersections: (i) Valley Drive and Bishop's Lodge Road; (ii) Valley Drive and Vallecita Drive
 - b. The applicant's traffic engineering consultant shall analyze each intersection for Level of Service (LOS), capacity, source generation and actual on-the-ground counts.
 - c. The consultant shall also evaluate the crash history at the intersection of Vallecita Drive and Valley Drive.
16. Code § 14-3.7(B)(3)(b) requires the Applicant to submit a preliminary plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material and in conformance with the standards of Code § 14-9 (collectively, the Applicable Requirements).
17. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the preliminary subdivision plat be approved, subject to certain conditions (the Conditions) set out in such report.
18. The information contained in the Staff Report, along with conditions in Staff's Exhibit, is sufficient to establish that the Applicable Requirements have been met.

CONCLUSIONS OF LAW

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

General

1. The proposed preliminary subdivision plat was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The Applicant has complied with the applicable pre-application conference and ENN procedure requirements of the Code.

The Preliminary Subdivision Plat

3. The Commission has the authority to review and approve the preliminary plat subject to conditions.
4. The Applicable Requirements have been met.

WHEREFORE, IT IS SO ORDERED ON THE 6th OF October 2016 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE

That the Applicant's requests for preliminary subdivision plat is approved, subject to Staff conditions and completion of the traffic study prior to submittal for Final Subdivision Plat.

[Signatures to Follow on Next Page]

Vince Kadlubek
Chair

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date:

Planning Commission
October 6, 2016

EXHIBIT 2

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

Case #2016-88

The Pavilion Final Subdivision Plat

Applicant's Name- Richard Cook

Agent's Name-Santa Fe Planning Group, Inc.

Case #2016-42

The Pavilion Office Complex Development Plan Amendment to the Phasing Plan

Applicant's Name- Commercial Center at 599

Agent's Name- Santa Fe Planning Group, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 18, 2016 upon the application (Application) of Santa Fe Planning Group, Inc., agent for Richard Cook and Commercial Center at 599 (Applicant).

The Applicant for the plat seeks the Commission's approval of the final subdivision plat for 34 lots on 371.25+/- acres, of which 8 lots are in the General Commercial ("C-2") portion of the project and 26 lots are in the Business Industrial Park ("BIP") portion of the project. This application includes a request to allow recording the plat in multiple phases over a period of more than three years. The property is located west of NM 599 between Airport Road and I-25, and east of Santa Fe Municipal Airport.

The Applicant for the development plan also seeks an amendment to the phasing plan attached to the development plan for 32 lots for additional phases and additional time. The additional phases would be increased from the original 4 phases to 7 phases to allow small increments of development to occur at one time. The time extension would extend approvals to 2031.

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant; there was no member of the public in attendance to speak.
2. Pursuant to Santa Fe City Code (Code) §14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats and development plans.
3. Pursuant to Code §14-3.7(A)(1)(b) subdivisions of land must be approved by the Commission.
4. Code §14-3.7 sets out certain general principles governing the subdivision of land and establishes certain standards and procedures for the Commission's review and approval of a Final Subdivision Plat [Code §14-3.7(B)(4)] and criteria for the Commission's approval [Code §14-3.7(C)] (collectively, the Applicable Requirements).

5. Code §14-9 sets out infrastructure design, improvement, and dedication standards and requirements.
6. Code §14-3.7(B)(2) requires compliance with the early neighborhood notification (ENN) requirements of Code §14-3.1(F) for subdivision plats.
7. Code §14-3.1(F)(2)(a)(v) requires an ENN for subdivision plats, except for Final Subdivision Plats for which ENN procedures were followed at the Preliminary Plat review stage.
8. An ENN meeting on the Applicant's application for Preliminary Plat approval was held on September 27, 2010; therefore no ENN is required for Final Subdivision Plat approval in this case.
9. Since this request includes a change in the conditions of approval by amending the phasing plan, the Land Use staff required the Applicant hold another ENN.
10. An ENN meeting was held on March 21, 2016 and April 19, 2016 at the Southside Library on Jaguar Drive.
11. There were eight people at the March 21, 2016 ENN and 1 person at the April 19, 2016 ENN and the discussion followed the guidelines set out in Code Section 14-5.3.1(F)(6).

Preliminary and Final Subdivision Plat

12. The Preliminary Subdivision Plat was approved by the Commission in January 2011.
13. Code §14-3.19(B)(2) states a Preliminary Subdivision Plat expires after three years, unless the final plat is approved.
14. The Final Subdivision Plat was approved by the Commission in April 2011, but was never recorded with the County Clerk.
15. Code §14-3.19(B)(3) states a Final Subdivision Plat shall expire after three years unless it is filed for record with the County Clerk.
16. Code §14-3.19(C)(2) allowed the Applicant to receive two, one-year administrative extensions on the 2011 Final Subdivision Plat.
17. Code §14-3.19(C)(3) does not allow any additional Commission extensions on the 2011 Final Subdivision Plat.
18. The Applicant's time to record the Final Subdivision Plat expired on April 7, 2016.
19. Upon the cessation of the 2011 Final Subdivision Plat, the Applicant could return to the approved 2011 Preliminary Subdivision Plat because: (a) the Preliminary Subdivision Plat had not expired because the Final Subdivision Plat had been approved (b) yet the Final Subdivision Plat had not been recorded.
20. The Applicant has three years to seek approval and record another Final Subdivision Plat, otherwise the Preliminary Subdivision Plat will expire.
21. In August 2016, the Applicant applied to the Planning Commission for approval of the 2016 Final Subdivision Plat.
22. Code §14-3.7(B)(4)(a) requires that a Final Subdivision Plat conform substantially to the Preliminary Subdivision Plat. *The 2016 Final Subdivision Plat substantially conforms with the 2011 Preliminary Plat.*

Development Plan

23. The Development Plan was approved by the Commission in April 2011.
24. Code §14-3.19(B)(4) states a Development Plan shall expire three years after final action unless there are off-site improvements.

25. The Applicant completed off-site improvements, the overpass at Highway 599, during this period.
26. The Development Plan is still active because there have been off-site improvements under Code §14-3.19(B)(6).
27. The Applicant wanted to amend the Development Plan to include additional phases and additional time.
28. The additional phases would be increased from the original 4 phases to 7 phases to allow small increments of development to occur at one time.
29. The time extension would extend approvals to 2031.
30. Code §14-3.19(A)(2) provides that a phased development project may incorporate a phasing plan with longer time limits than those generally specified in Chapter 14.
31. Code §14-3.8(D)(1) sets out certain findings that must be made by the Commission to approve a development plan, including:
32. That it is empowered to approve the development plan for the Project [§14-3.8(D)(1)]. *The Commission has the authority under the section of Code Chapter 14 cited in the Application to approve the development plan.*
33. That approving the development plan for the Project does not adversely affect the public interest [§14-3.8. *The Project will not adversely affect the public interest because the development plan is in compliance with the standards required by the Land Development Code, specifically Code §14-3.19(A)(2).*
34. That the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project [§14-3.8(D)(1)]. *The use is compatible and adaptable to buildings, structures and uses of the abutting property as the land is vacant.*
35. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the Final Subdivision Plat be approved, subject to certain conditions (the Conditions) set out in such report.
36. The information contained in the Staff Report is sufficient to establish that the Applicable Requirements have been met.

CONCLUSIONS OF LAW

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

1. The Commission has the authority under the Code to approve the Final Subdivision Plat and Development Plan Amendment to the Phasing Plan for the Property.
2. The Applicable Requirements have been met.

Case #2016-88

The Pavilion Final Subdivision Plat

Case #2016-42

The Pavilion Office Complex Development Plan Amendment to the Phasing Plan

Page 4 of 4

**WHEREFORE, IT IS ORDERED ON THE 6th OF OCTOBER 2016 BY THE
PLANNING COMMISSION OF THE CITY OF SANTA FE:**

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Final Subdivision Plat and Development Plan Amendment to the Phasing Plan for the Property is approved, subject to Conditions.

Vince Kadlubek
Chairperson

Date: _____

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date:

Planning Commission
October 6, 2016

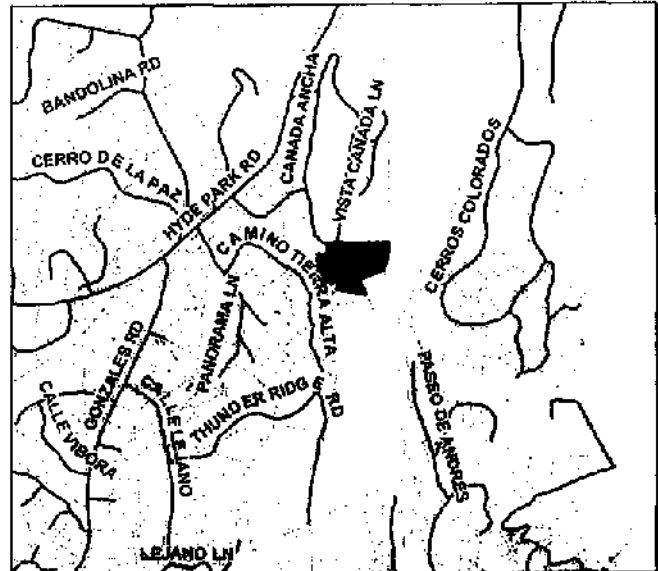
EXHIBIT 3



Land Use Department Planning Commission Staff Report

Site Location Map

Case No: 2016-90
Hearing Date: September 22, 2016
Applicant: Ruben Loya
Request: Variance to 14-5.6(D)(1)
Location: 730 Canada Ancha
Prepared by: Katherine Mortimer
Zoning: R-2
Overlay: Escarpment
Proposal: Variance to allow construction of a portion of a trellis within the Ridgetop Overlay District



Case #2016-90. 730 Canada Ancha Escarpment Variance. Ruben Loya, agent for Pottery House LLC, requests approval of a variance to allow a portion of a trellis to be constructed within the Ridgetop Subdistrict of the Escarpment Overlay District. The 6.25 acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

I. EXECUTIVE SUMMARY

- The application meets the approval criteria to variances in the Escarpment Overlay District.
- The trellis would reduce cooling demand from west-facing windows during the summer
- Two proposed trellis includes three sections, two of which are located in the Foothills Subdistrict and one within the Ridgetop Subdistrict of the Escarpment Overlay District
- The proposed trellis cannot be seen by neighboring properties
- Views from streets are limited to a section of Hyde Park Road which is screened by existing vegetation and the two sections of the trellis that are not in the Ridgetop Subdistrict.
- The house was designed by Frank Lloyd Wright and was originally proposed for a different site. The design was subsequently used on this property, but was not built by Wright. The house is not subject to Historic District or other preservation regulations.

II. RECOMMENDATION

Should the Commission determine the proposed trellis segment meets the variance criteria outlined in sections V and VI of this report, the Commission may **APPROVE** the request. No conditions of approval are recommended by staff.

III. BACKGROUND

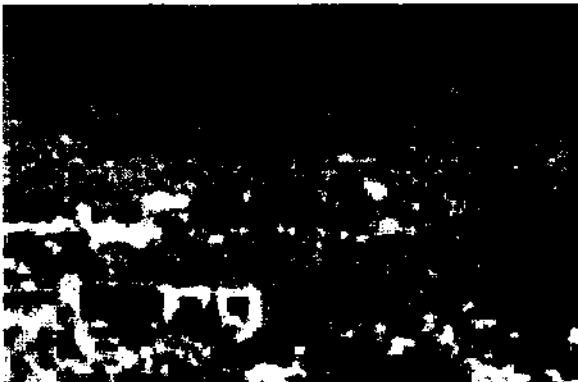
The lot was created in 2005 when it was subdivided from a larger lot. There is an existing main house and a guest house both of which are located within the Escarpment Overlay Zone. The proposed trellis will shade the main house, which is currently being renovated. Most of the main house is located within the Ridgetop Subdistrict of the Escarpment Overlay Zone, and is legally nonconforming with regard to Subsection 14-5.6(D)(1) "Location of Structures; Buildable Site", which prohibits any construction within the Ridgetop Subdistrict. Most of the proposed trellis would be outside of the Foothills Subdistrict which allows new construction, but a segment of about 150 square feet would encroach into the Ridgetop Subdistrict. The location of the trellis is dictated by the orientation and window locations of the existing building.



View from Hyde Park Road



Zoomed-in View from Hyde Park Road



View of Proposed Trellis Hyde Park Road



Zoomed-in View of Proposed Trellis

from Hyde Park Road

IV. ESCARPMENT OVERLAY ZONING DISTRICT

Land within the Escarpment Overlay District is considered to have significant visual impact to the City, and the intent of the district is to preserve the City's aesthetic beauty and the natural environment. [Subsections 14-5.6(A)(1) and (A)(2)] Within the overlay district, the Ridgetop Subdistrict is considered more visible than the Foothills Subdistrict. In addition to placement restrictions, buildings within the Escarpment Overlay District are subject to height, color, exterior lighting, and landscaping restrictions intended to reduce potential visual impacts as set forth in Section 14-5.6. Should the variance be granted, the trellis would be required to comply with those requirements.

Escarpment Subdistricts



V. GENERAL VARIANCE APPROVAL CRITERIA ()

The variance process balances reasonable use of the applicant's property against compliance with the letter and intent of adopted regulations. The property must be consistent with at least one of the circumstances listed in Criteria 1a through 1d, and must be consistent with all of the criteria in Criteria 2 through 5.

The following criteria are required by Subsections 14-3.16(C)(1)-(5) to grant a variance:

Criterion 1: One or more of the following special circumstances applies:	
(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; OR	Criterion Met: (Yes/No/N/A) YES
(b) The parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; OR	N/A
(c) There is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; OR	N/A
(d) The land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).	N/A
Evaluation: The parcel was created via a lot split in 2005. Most of the existing house is located in the Ridgetop Subdistrict. As noted above, that makes the house legally nonconforming under current regulations, which prohibit new structures or additions within the Ridgetop Subdistrict. The existence of the nonconforming structure constitutes an "unusual physical characteristic."	
The home was designed by Frank Lloyd Wright for a different site but never built there. The design was then used to build the same plan on this site. The applicant is restoring the home to its original design. Without the proposed trellis, heat gain from the west-facing windows limits use of the living room during summer afternoons. The trellis is designed not to touch the existing structure, but uses similar design characteristics to create a consistent aesthetic without directly impacting the original design. An attached shade structure would interfere with the integrity of the original design.	

Criterion 2: The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.	Criterion Met: (Yes/No/N/A) YES
Evaluation: The angle of the sun during late afternoon dictates the location of the proposed trellis that is partly within the Ridgetop, although interior shades or air conditioning could be used to offset heat gain.	

Criterion 3: The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.	Criterion Met: (Yes/No/N/A) YES
Evaluation: Chapter 14 defines intensity as "The extent of development per unit of area; or the level of use as determined by the number of employees and customers and degree of impact on	

surrounding properties such as noise and traffic." The granting of this variance to construct a trellis will not increase the intensity of development.

Criterion 4: The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: To determine reasonable use of a property we look to other properties in the neighborhood. Many of the residences in the neighborhood have trellises, portals or other shade structures on the south and/or west sides. If a roof were proposed over the existing patio, it would be entirely within the Ridgetop Subdistrict. The proposed trellis minimizes the amount of construction within the Ridgetop Subdistrict over a roofed alternative.

Criterion 4a: Has the property or could it be used without variances for a different category or lesser intensity of use?

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: The property is residentially zoned and fully developed, and therefore cannot be used for a different category or lesser intensity of use. Moreover, development of any kind on the subject property is prohibited per SFCC §14-5.6(D)(1). Therefore, the property cannot be used without variances for a different category or lesser intensity of use.

Criterion 4b: The variance is consistent with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: While the trellis would be contrary to the prohibition of building in the Ridgetop Subdistrict of the Escarpment Overlay Zoning District, it would not be contrary to the purpose and intent of the Subdistrict regarding the visual impact of development, because the proposed trellis would be minimally visible from Roads. It would only be partially visible from Hyde Park Road. For this same reason it would not impact mountain views or scenic vistas from the City. It would have no impact on environmentally sensitive areas nor cause erosion or drainage problems. Neither would it be contrary to purpose or intent of any other Section of Chapter 14.

Criterion 5: The variance is not contrary to the public interest.

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: The proposed trellis would not be contrary to the public interest. The public interest in relation to Section 14-5.6 "Escarpment Overlay District" includes protecting, maintaining and enhancing the health safety and general welfare of the citizens. It also includes protecting the visual impact of development and the natural environment of Santa Fe. The proposed trellis section that would be in the Ridgetop Subdistrict would only be minimally visible from a short stretch of Hyde Park Road and that view would be shielded by the two of the proposed trellis sections located in the Foothills Subdistrict and would be filtered by existing vegetation. Staff does not believe that the proposed request for a variance to the Escarpment Overlay District violates the purpose and intent of the regulations as set forth in Section 14-5.6.

VI. ESCARPMENT-SPECIFIC VARIANCE APPROVAL CRITERIA

In addition to the general variance criteria, the Commission must determine that two special Escarpment Overlay District criteria are met [Subsection 14-5.6(K)]:

(1) Where the planning commission finds that extraordinary hardship may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation shall not have the effect of nullifying the intent and purpose of these regulations.	Criteria Met: (Yes/No/N/A) YES
(2) In granting variances or modifications, the planning commission may require such conditions as will, in its judgment, assure substantially the objectives of the standards or requirements so varied or modified.	
Evaluation: The intent of the Escarpment Overlay District lists preservation of Santa Fe's aesthetic beauty, mountain views and scenic vistas. The section of the proposed trellis that would be in the Ridgetop Subdistrict would be only partially visible from Hyde Park Road. That section would be shielded by the two sections that would be constructed within the Foothills Subdistrict as well as existing vegetation. Therefore the proposed trellis section would not be counter to the protection of those views.	

VII. ATTACHMENTS:

EXHIBIT A: Technical Corrections

EXHIBIT B: City Staff Memoranda

1. Fire Department Memorandum, Rey Gonzales
2. Escarpment and Landscape Memorandum, Somie Ahmed
3. Terrain Management Memorandum, RB Zaxus
4. Wastewater Memorandum, Stand Holland
5. Traffic Memorandum, Sandy Kassens




EXHIBIT C: Maps and Photos

1. General Plan Land Use Designation Map
2. Zoning Map
3. Aerial Photo

EXHIBIT D: Applicant Submittals

* Maps and other exhibits are reproduced and archived separately from this staff report. File copies are available for review at the Land Use Department office at 200 Lincoln Avenue, West Wing.

APPROVED AS TO FORM:

Title	Name	Initials
Land Use Current Planning Division Director	Greg Smith	
Land Use Department Director	Lisa Martinez	
Land Use Department Case Manager	Katherine Mortimer	

City of Santa Fe, New Mexico

Planning Commission

Exhibit A

Technical Corrections

Appendix A
TECHNICAL CORRECTIONS

The following are the staff-recommended technical corrections for this project:

#	Condition of approval	Dept/Division	To be completed by:
1	Shall have the water supply infrastructure in place.	Fire Department	Prior to construction

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

City Staff Memoranda

Development Review Team

Comment Form

Date: September 11, 2016
Staff person: Reynaldo Gonzales
Dept/Div: Fire
Case: 2016-90 730 Canada Ancha Escarpment Variance
Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None	
--------	--

Technical Corrections*:

Must be completed by:

1 Shall have the water supply infrastructure in place.	Prior to construction.
--	------------------------

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

Explanation of Conditions or Corrections (if needed):

EXHIBIT B1

Development Review Team
Comment Form

Date: August 18, 2016

Staff person: Somie Ahmed

Dept/Div: Land Use Department / Technical Review Division

Case: 2016-90 – 730 Canada Ancha Escarpment Variance

Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Heights must comply with Article 14-5.6(F)
2. Color & material must comply with Article 14-5.6(F)

Explanation of Conditions or Corrections (if needed):

EXHIBIT B2

Development Review Team

Comment Form

Date: September 19, 2016
From: Risana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case # 2016-90, 730 Canada Ancha Escarpment Variance
Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 none	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1 none	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Meet all applicable terrain management requirements at time of building permit.

Explanation of Conditions or Corrections (if needed):

EXHIBIT C3

Development Review Team
Comment Form

Date: September 19, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater Division
Case: Case #2016-90. 730 Canada Ancha Escarpment Variance
Case Mgr: Katherine Mortimer



The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:

Must be completed by:

1. None	
---------	--

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

EXHIBIT B4

MORTIMER, KATHERINE E.

From: KASSENS, SANDRA M.
Sent: Tuesday, August 30, 2016 8:24 AM
To: MORTIMER, KATHERINE E.
Cc: ROMERO, JOHN J
Subject: Comments on Escarpment Cases

Katherine,

The Engineering Division has no comments on the following Escarpment Variance requests:

<u>Case #</u>	<u>Title</u>
2016-90	730 Canada Ancha Escarpment Variance
2016-95	155 Brownell-Howland Escarpment Variance
2016-97	165 Brownell-Howland Escarpment Variance
2016-96	2051 Cerros Altos Escarpment Variance

Sandy

Sandra Kassens

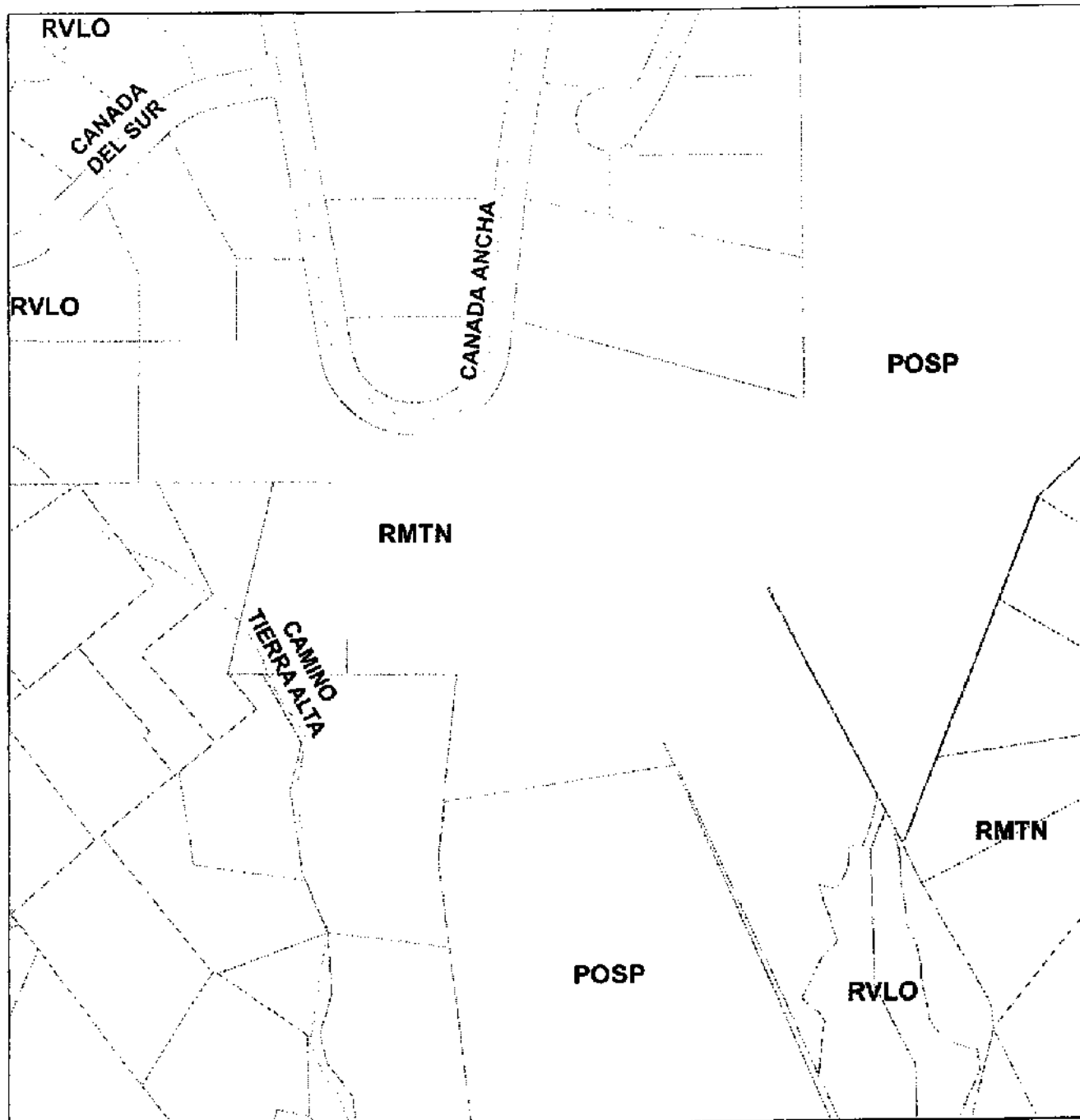
Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

City of Santa Fe, New Mexico

Planning Commission

Exhibit C **Maps and Photos**

730 Canada Ancha Furture Land Use Map



Legend

- Mountain
- Very Low Density
- Open Space

EXHIBIT C1

730 Canada Ancha Furture Land Use Map

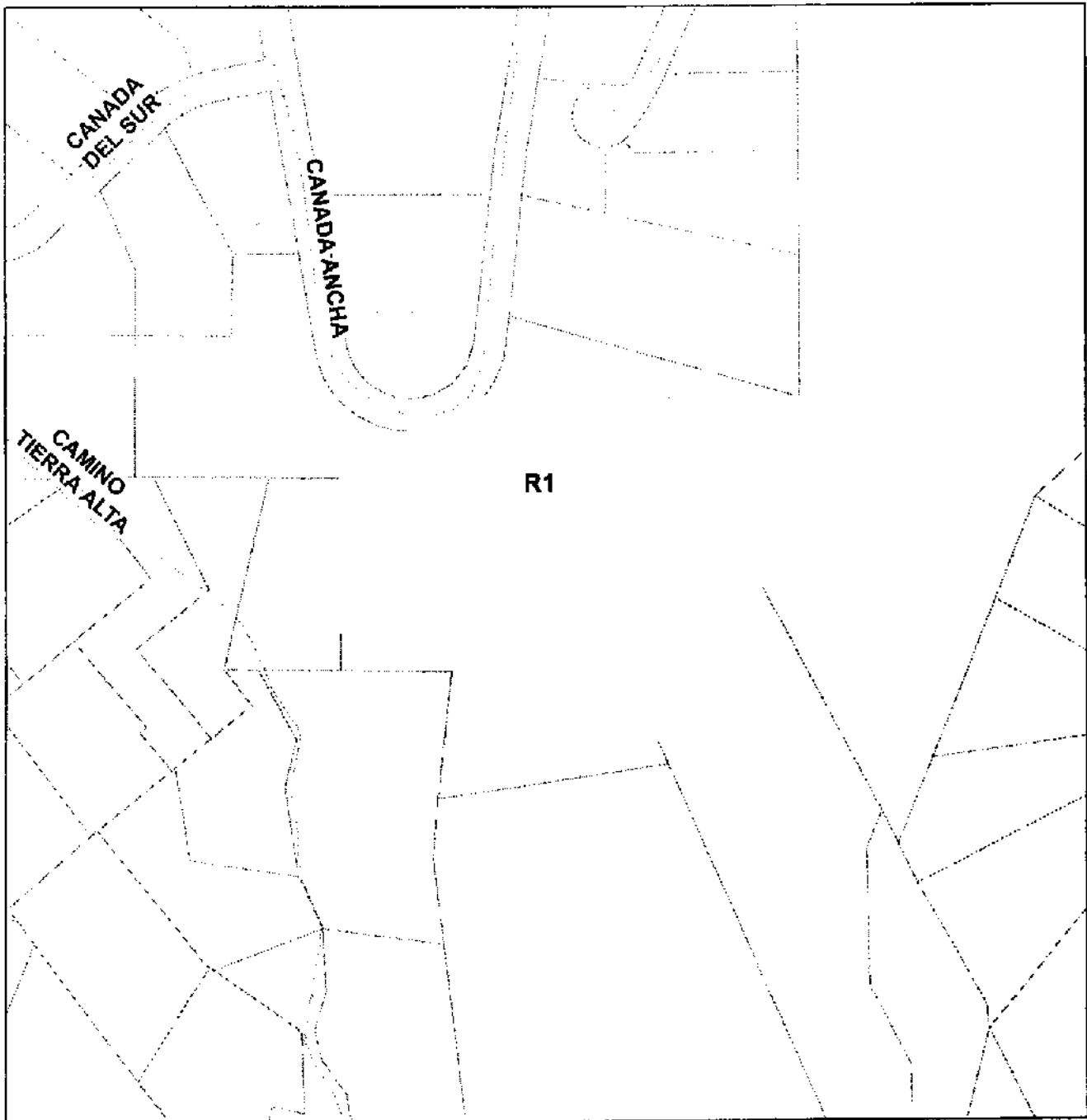


EXHIBIT C2



730 Canada Ancha Aerial Photo

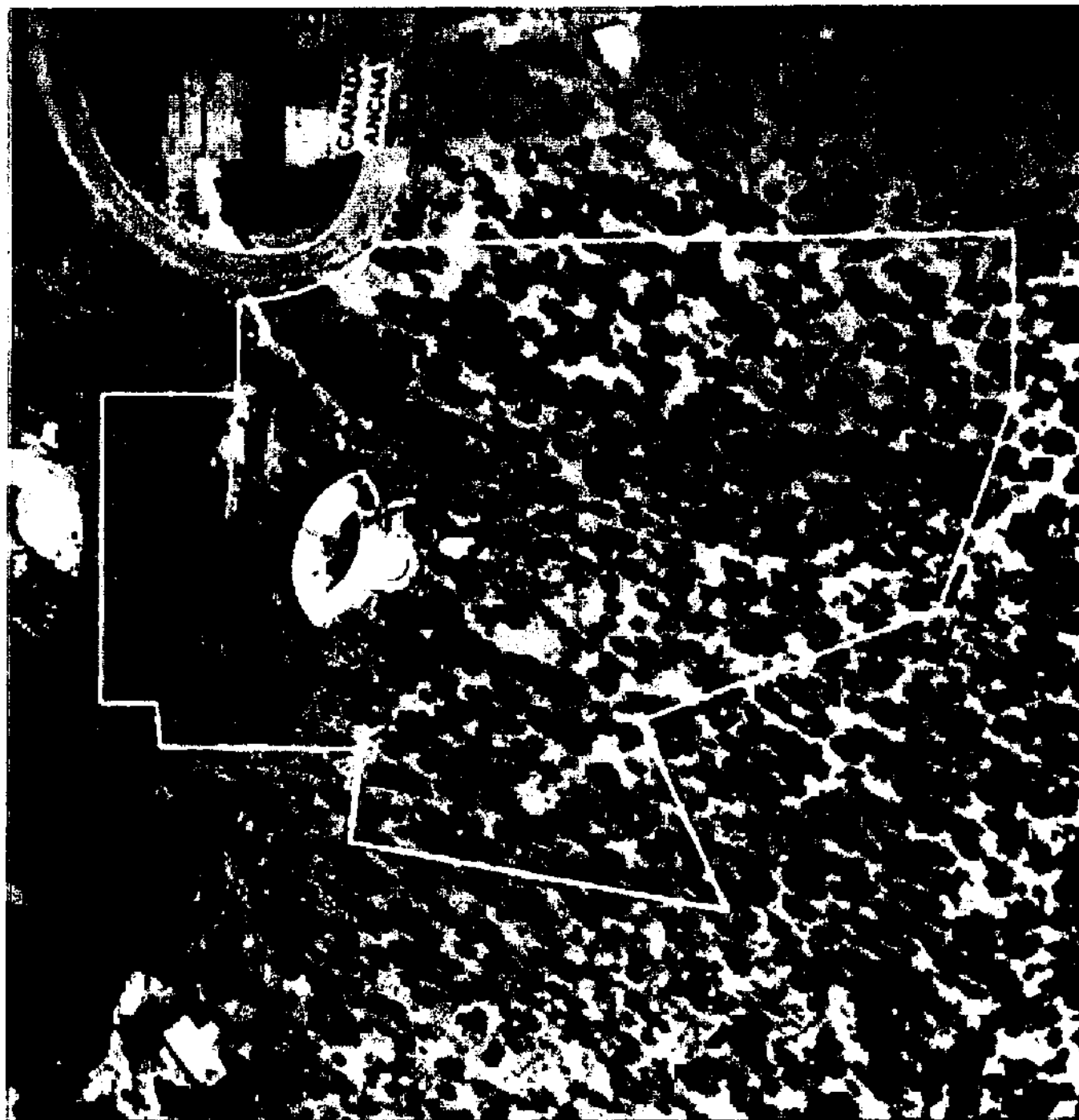


EXHIBIT C3

City of Santa Fe
New Mexico

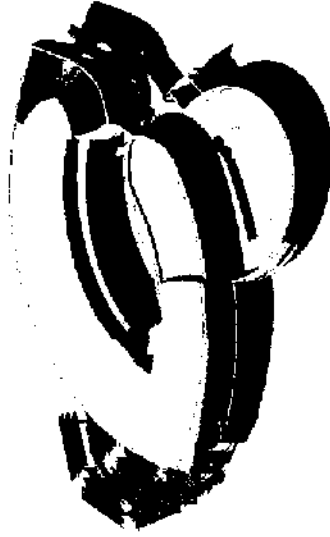
City of Santa Fe, New Mexico

Planning Commission

Exhibit D

Applicant Submittals

DATE: 10.01.15



in*situ
ARCHITECTURE

In-Situ Architecture
123 W. Mills Ave., Ste. 410, El Paso, TX 79802
816.533.7488 www.insituart.com

in*situ

POTTERY HOUSE RESTORATION
for
WRIGHT POTTERY HOUSE, LLC
1750 Canada Avenue, Santa Fe, NM 87501

040-3

SHEET INDEX

GENERAL	COVER SHEET	<p> SITE PLAN FLOOR PLAN POOL DECK / EXTENSION ROOFTOP POOL DECK / EXTENSION ROOFTOP EXTENSION ELEVATIONS / SECTION EXTENSION ELEVATIONS / SECTION EXTENSION ELEVATIONS / SECTION DETAILS - ROOFING DETAILS - ROOFING DETAILS - ROOFING </p>
CLSD		<p> A-100 A-101 A-102 A-103 A-104 A-105 A-106 A-107 A-108 A-109 A-110 A-111 A-112 A-113 A-114 A-115 A-116 A-117 A-118 A-119 A-120 A-121 A-122 A-123 A-124 A-125 A-126 A-127 A-128 A-129 A-130 A-131 A-132 A-133 A-134 A-135 A-136 A-137 A-138 A-139 A-140 A-141 A-142 A-143 A-144 A-145 A-146 A-147 A-148 A-149 A-150 A-151 A-152 A-153 A-154 A-155 A-156 A-157 A-158 A-159 A-160 A-161 A-162 A-163 A-164 A-165 A-166 A-167 A-168 A-169 A-170 A-171 A-172 A-173 A-174 A-175 A-176 A-177 A-178 A-179 A-180 A-181 A-182 A-183 A-184 A-185 A-186 A-187 A-188 A-189 A-190 A-191 A-192 A-193 A-194 A-195 A-196 A-197 A-198 A-199 A-200 A-201 A-202 A-203 A-204 A-205 A-206 A-207 A-208 A-209 A-210 A-211 A-212 A-213 A-214 A-215 A-216 A-217 A-218 A-219 A-220 A-221 A-222 A-223 A-224 A-225 A-226 A-227 A-228 A-229 A-230 A-231 A-232 A-233 A-234 A-235 A-236 A-237 A-238 A-239 A-240 A-241 A-242 A-243 A-244 A-245 A-246 A-247 A-248 A-249 A-250 A-251 A-252 A-253 A-254 A-255 A-256 A-257 A-258 A-259 A-260 A-261 A-262 A-263 A-264 A-265 A-266 A-267 A-268 A-269 A-270 A-271 A-272 A-273 A-274 A-275 A-276 A-277 A-278 A-279 A-280 A-281 A-282 A-283 A-284 A-285 A-286 A-287 A-288 A-289 A-290 A-291 A-292 A-293 A-294 A-295 A-296 A-297 A-298 A-299 A-300 A-301 A-302 A-303 A-304 A-305 A-306 A-307 A-308 A-309 A-310 A-311 A-312 A-313 A-314 A-315 A-316 A-317 A-318 A-319 A-320 A-321 A-322 A-323 A-324 A-325 A-326 A-327 A-328 A-329 A-330 A-331 A-332 A-333 A-334 A-335 A-336 A-337 A-338 A-339 A-340 A-341 A-342 A-343 A-344 A-345 A-346 A-347 A-348 A-349 A-350 A-351 A-352 A-353 A-354 A-355 A-356 A-357 A-358 A-359 A-360 A-361 A-362 A-363 A-364 A-365 A-366 A-367 A-368 A-369 A-370 A-371 A-372 A-373 A-374 A-375 A-376 A-377 A-378 A-379 A-380 A-381 A-382 A-383 A-384 A-385 A-386 A-387 A-388 A-389 A-390 A-391 A-392 A-393 A-394 A-395 A-396 A-397 A-398 A-399 A-400 A-401 A-402 A-403 A-404 A-405 A-406 A-407 A-408 A-409 A-410 A-411 A-412 A-413 A-414 A-415 A-416 A-417 A-418 A-419 A-420 A-421 A-422 A-423 A-424 A-425 A-426 A-427 A-428 A-429 A-430 A-431 A-432 A-433 A-434 A-435 A-436 A-437 A-438 A-439 A-440 A-441 A-442 A-443 A-444 A-445 A-446 A-447 A-448 A-449 A-450 A-451 A-452 A-453 A-454 A-455 A-456 A-457 A-458 A-459 A-460 A-461 A-462 A-463 A-464 A-465 A-466 A-467 A-468 A-469 A-470 A-471 A-472 A-473 A-474 A-475 A-476 A-477 A-478 A-479 A-480 A-481 A-482 A-483 A-484 A-485 A-486 A-487 A-488 A-489 A-490 A-491 A-492 A-493 A-494 A-495 A-496 A-497 A-498 A-499 A-500 A-501 A-502 A-503 A-504 A-505 A-506 A-507 A-508 A-509 A-510 A-511 A-512 A-513 A-514 A-515 A-516 A-517 A-518 A-519 A-520 A-521 A-522 A-523 A-524 A-525 A-526 A-527 A-528 A-529 A-530 A-531 A-532 A-533 A-534 A-535 A-53</p>

[illegible][illegible]

LOCATION MAP

UNIT 1 LESSON 1





POTTERY HOUSE RESTORATION

WRIGHT POTTERY HOUSE, LLC

730 Canada Ancha, Suite 100, San Jose, CA 95128

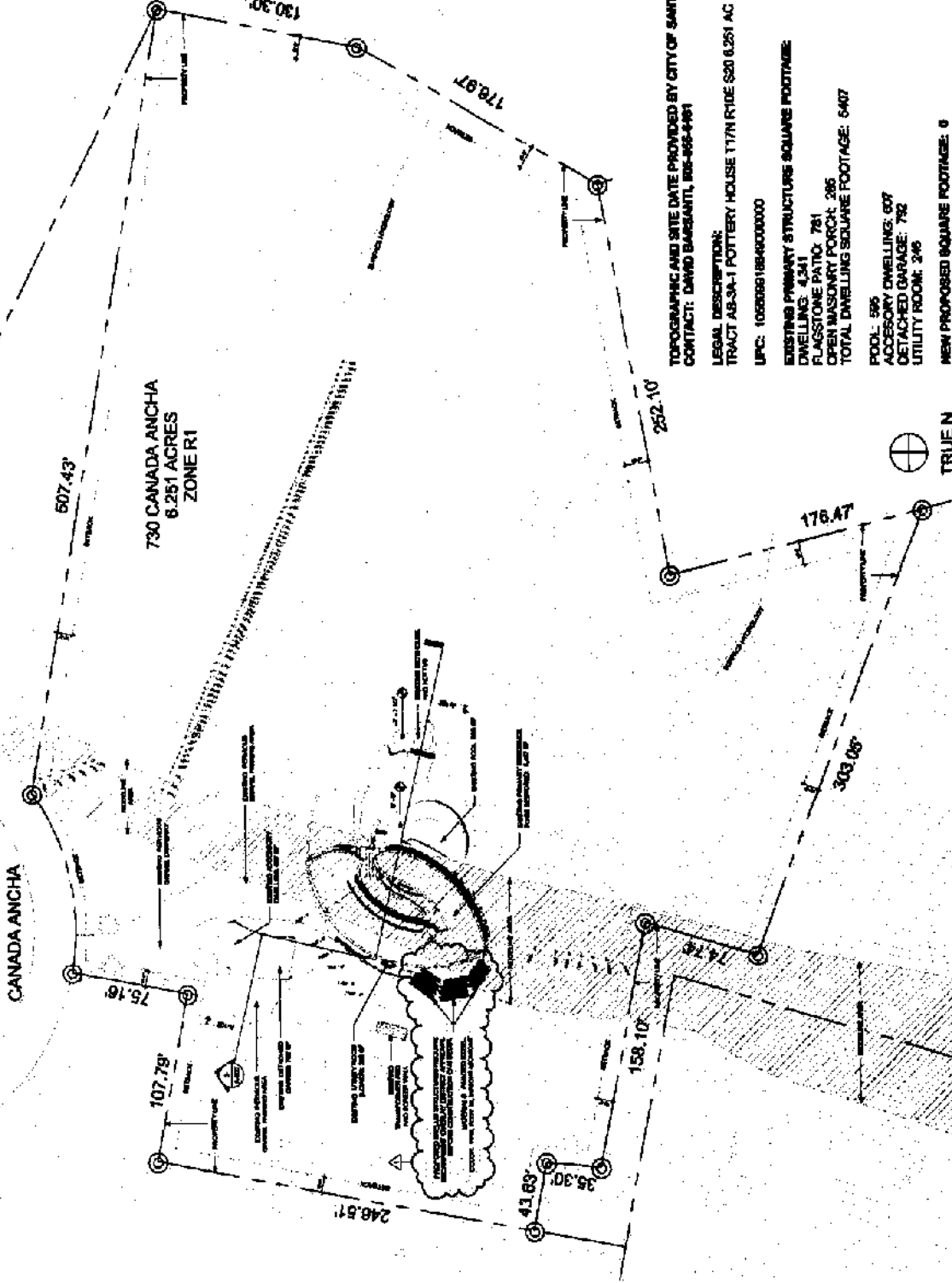
ISSUANCE SCHEDULE

DATE	NO.
10/15/2020	1
10/15/2020	2
10/15/2020	3
10/15/2020	4
10/15/2020	5
10/15/2020	6
10/15/2020	7
10/15/2020	8
10/15/2020	9
10/15/2020	10

PROJECT NO.	100000000000000000
DATE	10/15/2020
PROJECT NAME	730 CANADA ANCHA
PROJECT ADDRESS	730 CANADA ANCHA, SUITE 100, SAN JOSE, CA 95128
PROJECT PHONE	415.754.1111
PROJECT FAX	415.754.1111
PROJECT EMAIL	info@in*situarch.com
PROJECT WEBSITE	www.in*situarch.com

SITE PLAN

A-100



TOPOGRAPHIC AND SITE DATA PROVIDED BY CITY OF SAN JOSE
CONTACT: DAVID BARANOFF, 415-455-4481

LEGAL DESCRIPTION:
TRACT AB-3A-1 POTTERY HOUSE 177N RIDE S20 6.251 AC

UPC: 100000000000000000

EXISTING PRIMARY STRUCTURES SQUARE FOOTAGE:

DWELLING: 4,341

FLAGSTONE PATIO: 781

OPEN MASONRY PORCH: 285

TOTAL DWELLING SQUARE FOOTAGE: 5407

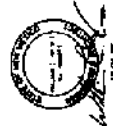
POOL: 507

ACCESSORY DWELLING: 697

DETACHED GARAGE: 792

UTILITY ROOM: 346

NEW PROPOSED SQUARE FOOTAGE: 0



POTTERY HOUSE RESTORATION

WRIGHT POTTERY HOUSE, LLC

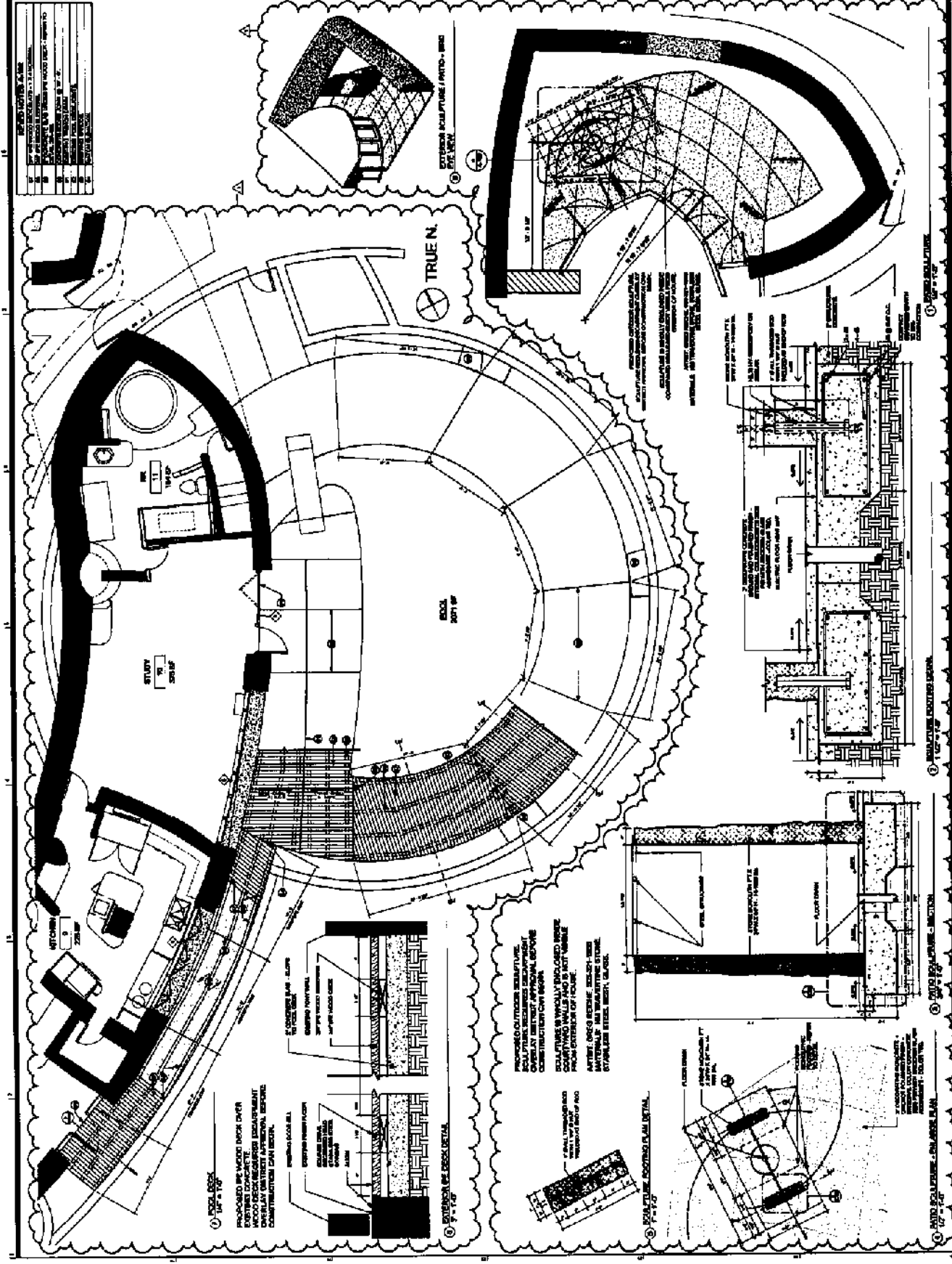
270 Cambridge, Suite 100, MA 02141

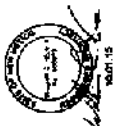
NO.	DATE	DESCRIPTION
1	10/15/10	SCHEMATIC DESIGN
2	11/10/10	PRELIMINARY DESIGN
3	12/15/10	FINAL DESIGN
4	01/10/11	CONSTRUCTION DOCUMENTS

PROJECT NAME	WRIGHT POTTERY HOUSE
ARCHITECT	in*situ ARCHITECTURE
DATE	10/15/10
SCALE	AS SHOWN
PROJECT NO.	1001
CLIENT	WRIGHT POTTERY HOUSE, LLC

POOL DECK / EXTERIOR
SCULPTURE

A-102





POTTERY HOUSE RESTORATION

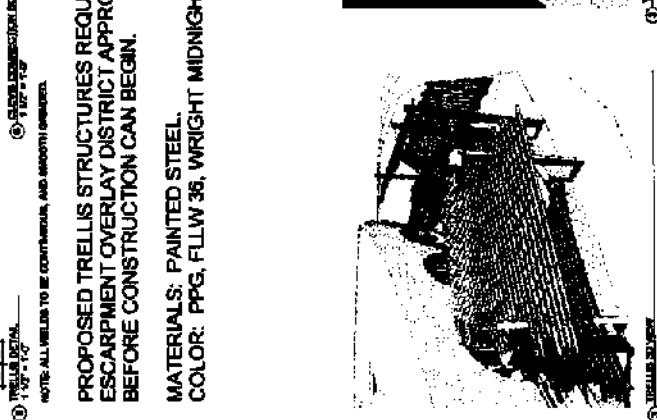
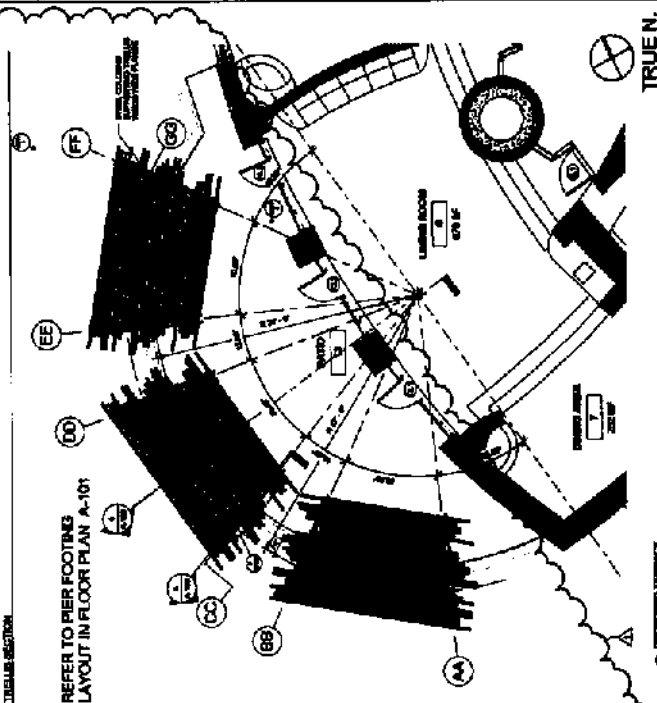
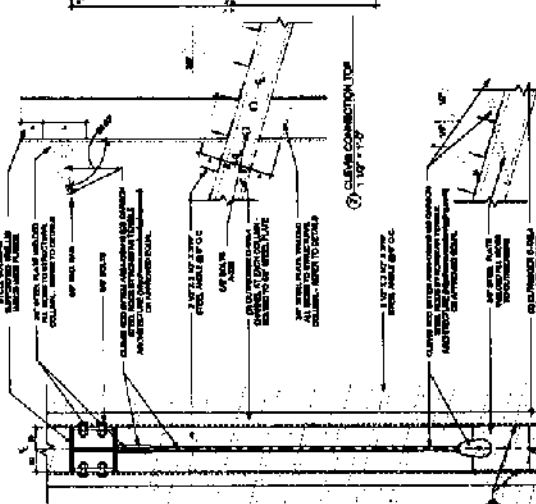
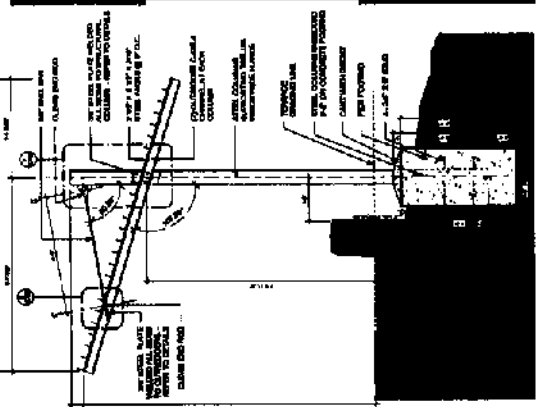
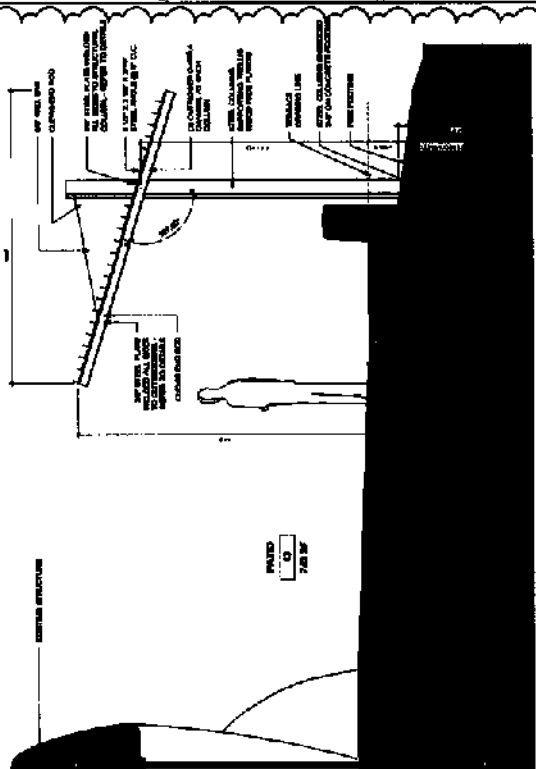
WRIGHT POTTERY HOUSE, LLC

150 Duane Avenue, South St. Paul, MN 55101

PROJECT NAME	WRIGHT POTTERY HOUSE
DATE	10/1/15
PROJECT NO.	
SCALE	AS SHOWN
DESIGNED BY	IN SITU ARCHITECTURE
CHECKED BY	

TERRACE TRELLIS

A-103



PROPOSED TRELLIS STRUCTURES REQUIRE ESCARPMENT OVERLAY DISTRICT APPROVAL BEFORE CONSTRUCTION CAN BEGIN.

MATERIALS: PAINTED STEEL.
COLOR: PPG, FLW 36, WRIGHT MIDNIGHT



1 TERRACE TRELLIS ELEVATION 1/8" = 1'-0"
2 TERRACE TRELLIS ELEVATION 1/8" = 1'-0"
3 TERRACE TRELLIS ELEVATION 1/8" = 1'-0"
4 TERRACE TRELLIS PLAN 1/8" = 1'-0"
5 TERRACE TRELLIS PLAN 1/8" = 1'-0"
6 TERRACE TRELLIS PLAN 1/8" = 1'-0"



POTTERY HOUSE RESTORATIONS

WHEAT POTTERY HOUSE, LLC

750 South Arthur, Suite C, Salt Lake City, UT 84143

PROJECT NO.	10019
DATE	10/01/19
PROJECT NAME	WHEAT POTTERY HOUSE RESTORATIONS
PROJECT LOCATION	750 South Arthur, Suite C, Salt Lake City, UT 84143

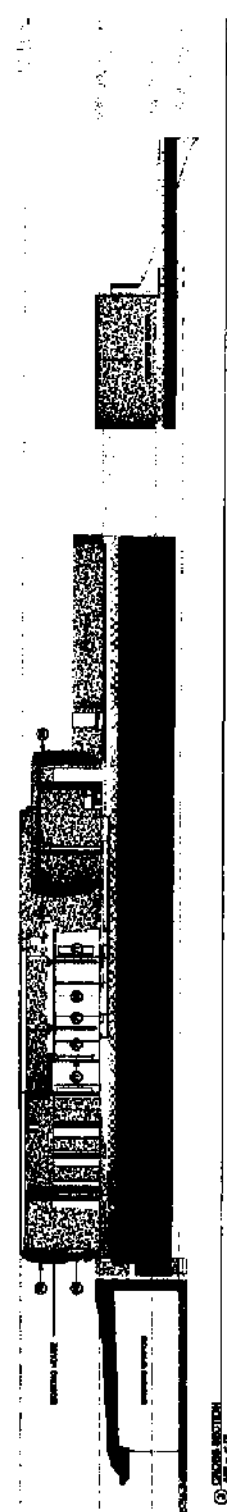
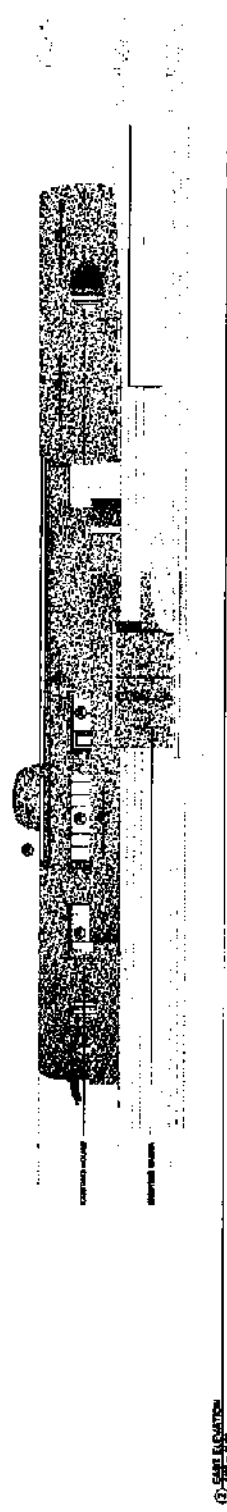
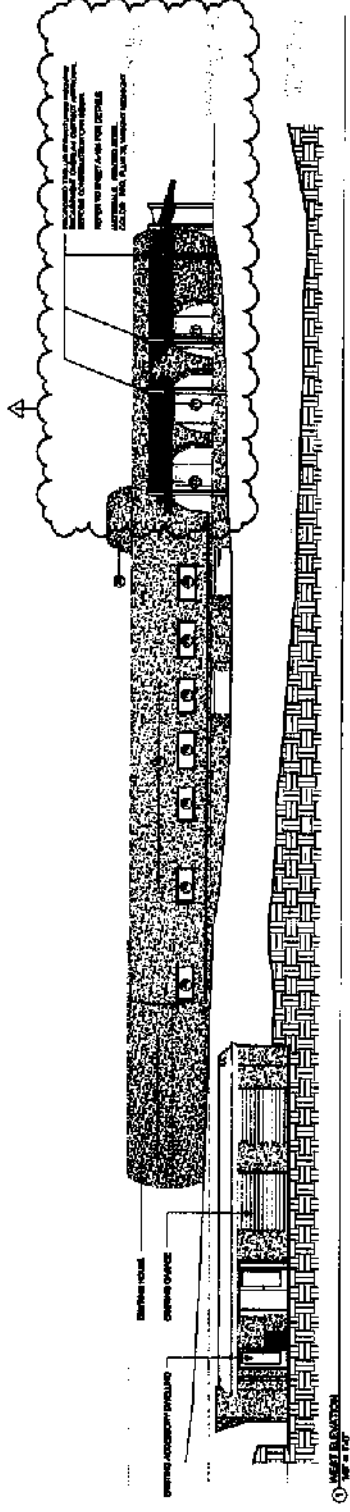
PROJECT OWNER	WHEAT POTTERY HOUSE, LLC
DATE	10/01/19
PROJECT NAME	WHEAT POTTERY HOUSE RESTORATIONS
PROJECT LOCATION	750 South Arthur, Suite C, Salt Lake City, UT 84143

EXTERIOR ELEVATIONS
/ SECTION

A-200

- GENERAL NOTES**
- ALL EXISTING RESTORATIONS TO BE MAINTAINED AND REPAIRED WHERE NECESSARY. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE.
 - ALL EXISTING RESTORATIONS TO BE MAINTAINED AND REPAIRED WHERE NECESSARY. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE.
 - ALL EXISTING RESTORATIONS TO BE MAINTAINED AND REPAIRED WHERE NECESSARY. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE.
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- GENERAL NOTES**
- ALL EXISTING RESTORATIONS TO BE MAINTAINED AND REPAIRED WHERE NECESSARY. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE. ALL NEW CONSTRUCTION TO BE DONE IN ACCORDANCE WITH THE 2015 UTAH BUILDING CODE.
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POTTERY HOUSE RESTORATION

WRIGHT POTTERY HOUSE, LLC

735 Cassida Avenue, Saint Paul, MN 55101

PROJECT NO. 1501

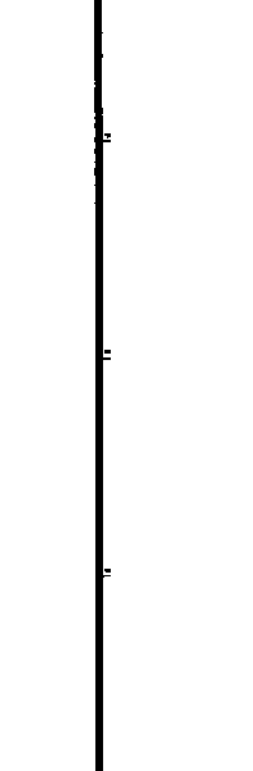
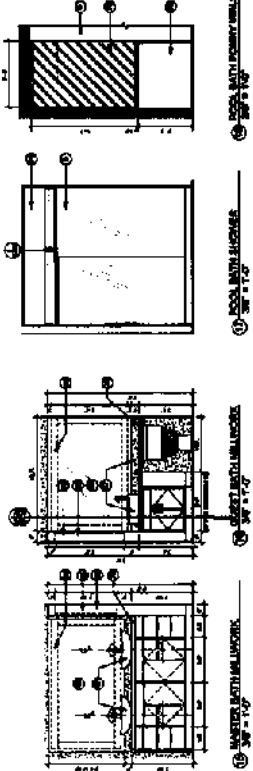
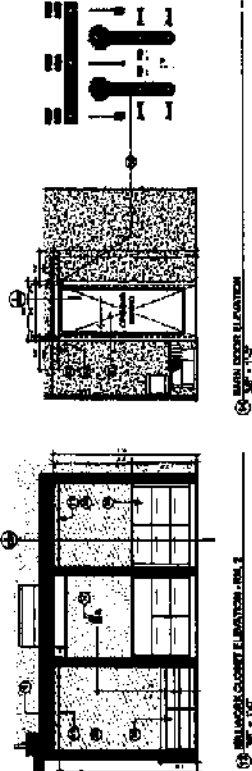
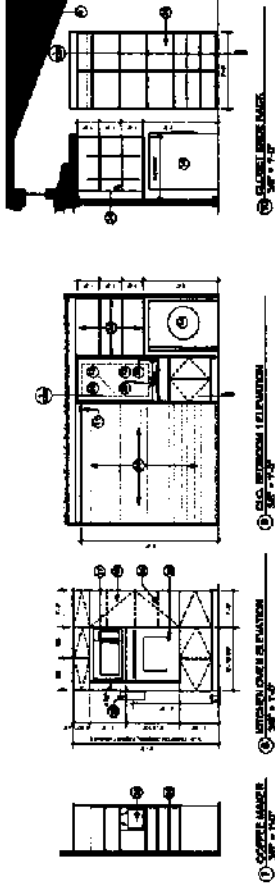
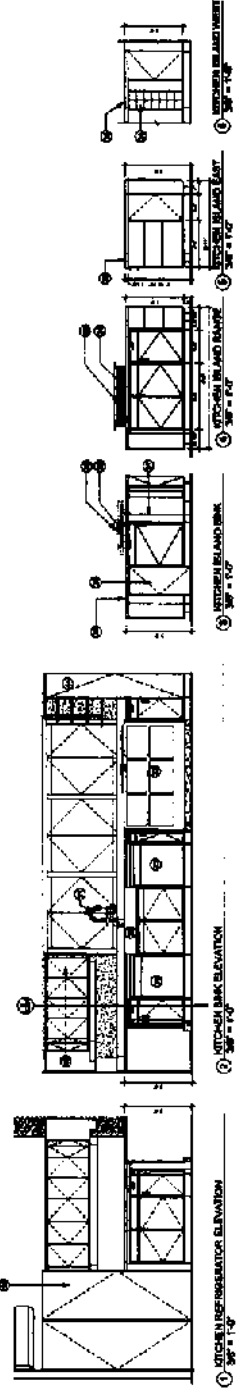
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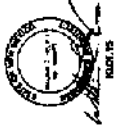
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ARCHITECT:	in*situ ARCHITECTURE
OWNER:	WRIGHT POTTERY HOUSE, LLC
DATE:	1/15/15
PROJECT NO.:	1501

INTERIOR ELEVATIONS

A-201

1	GENERAL NOTES
2	SEE ARCHITECTURAL SPECIFICATIONS FOR MATERIALS AND FINISHES.
3	ALL DIMENSIONS ARE IN FEET AND INCHES (FRACTIONS).
4	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA BUILDING CODE.
5	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA MECHANICAL CODE.
6	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA ELECTRICAL CODE.
7	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA PLUMBING CODE.
8	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA FIRE CODE.
9	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA ENERGY CODE.
10	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA ENVIRONMENTAL CODE.
11	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA HISTORIC PRESERVATION CODE.
12	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA LANDSCAPE ARCHITECTURE CODE.
13	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA TRANSPORTATION CODE.
14	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA UTILITIES CODE.
15	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA WASTE MANAGEMENT CODE.
16	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA WATER SUPPLY CODE.
17	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA AIR QUALITY CODE.
18	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA CLIMATE CHANGE CODE.
19	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA DISASTER PREPAREDNESS CODE.
20	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA EMERGENCY MANAGEMENT CODE.
21	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA HEALTH CARE CODE.
22	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA EDUCATION CODE.
23	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA RECREATION CODE.
24	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA CULTURAL HERITAGE CODE.
25	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA ARTS AND CULTURE CODE.
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30	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA UTILITIES CODE.
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32	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA WATER SUPPLY CODE.
33	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA AIR QUALITY CODE.
34	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA CLIMATE CHANGE CODE.
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37	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA HEALTH CARE CODE.
38	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA EDUCATION CODE.
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48	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA WATER SUPPLY CODE.
49	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA AIR QUALITY CODE.
50	ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2012 MINNESOTA CLIMATE CHANGE CODE.





POTTERY HOUSE RESTORATION

WRIGHT POTTERY HOUSE, LLC

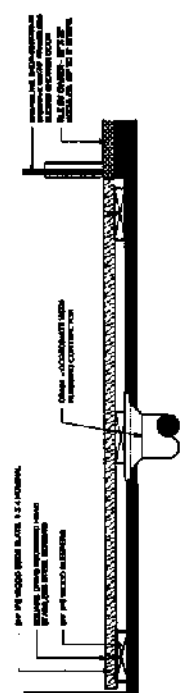
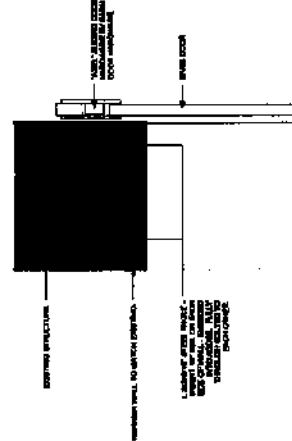
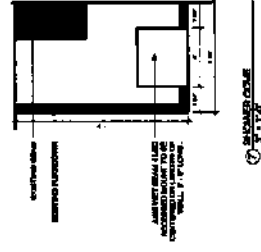
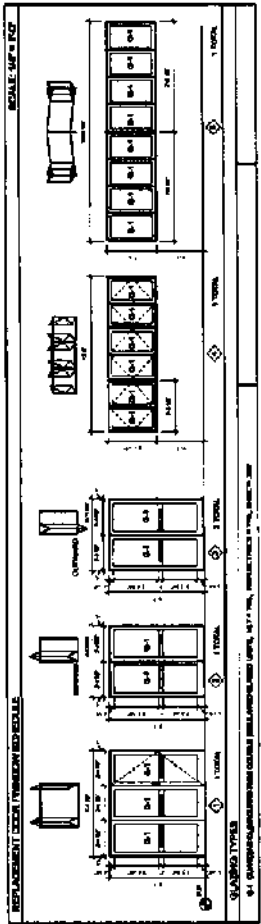
2000 Commercial Street, Suite 100, Portland, OR 97201

PROJECT NO. 1001
DATE: 10/1/2010

PROJECT NAME	WRIGHT POTTERY HOUSE
OWNER	WRIGHT POTTERY HOUSE, LLC
DESIGNER	in*situ ARCHITECTURE
DATE	10/1/2010
BY	

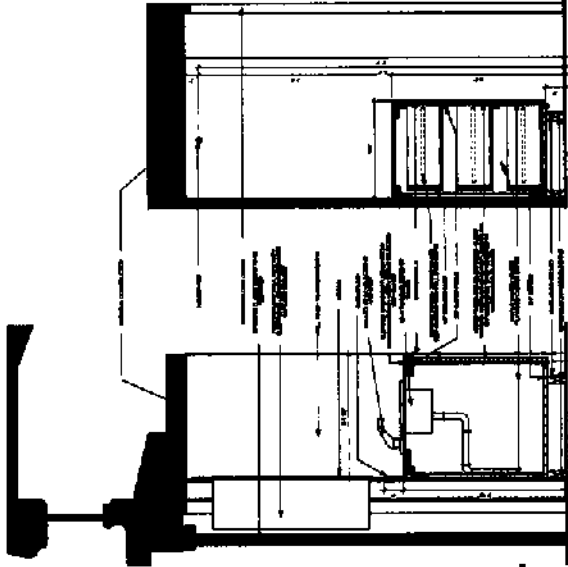
DETAILS - SCHEDULES

A-501

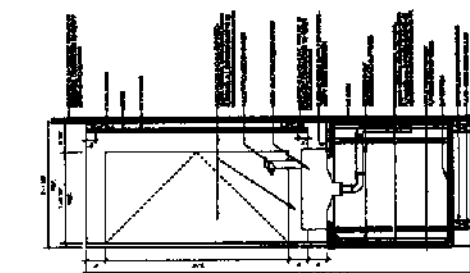


③ SHOWER DOOR DETAIL

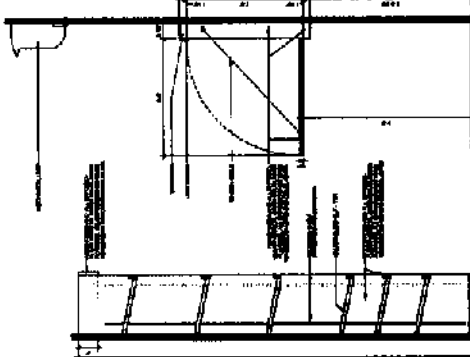
④ SHOWER DOOR DETAIL



⑤ SHOWER DOOR DETAIL



⑥ SHOWER DOOR DETAIL



⑦ SHOWER DOOR DETAIL

⑧ SHOWER DOOR DETAIL

⑨ SHOWER DOOR DETAIL



POTTERY HOUSE RESTORATION

STANLEY POTTERY HOUSE, LLC

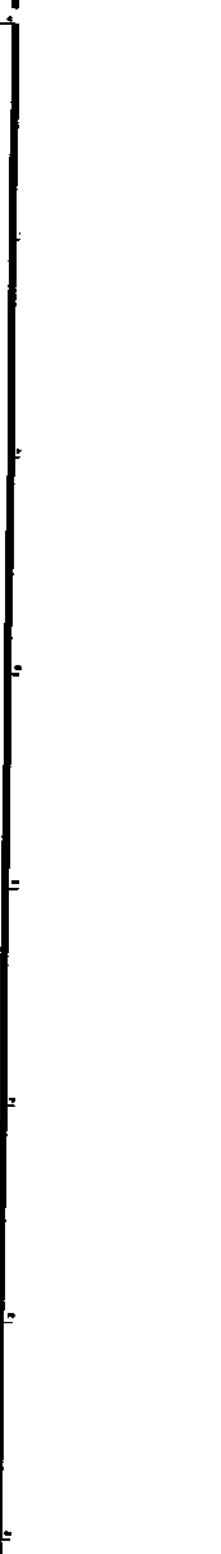
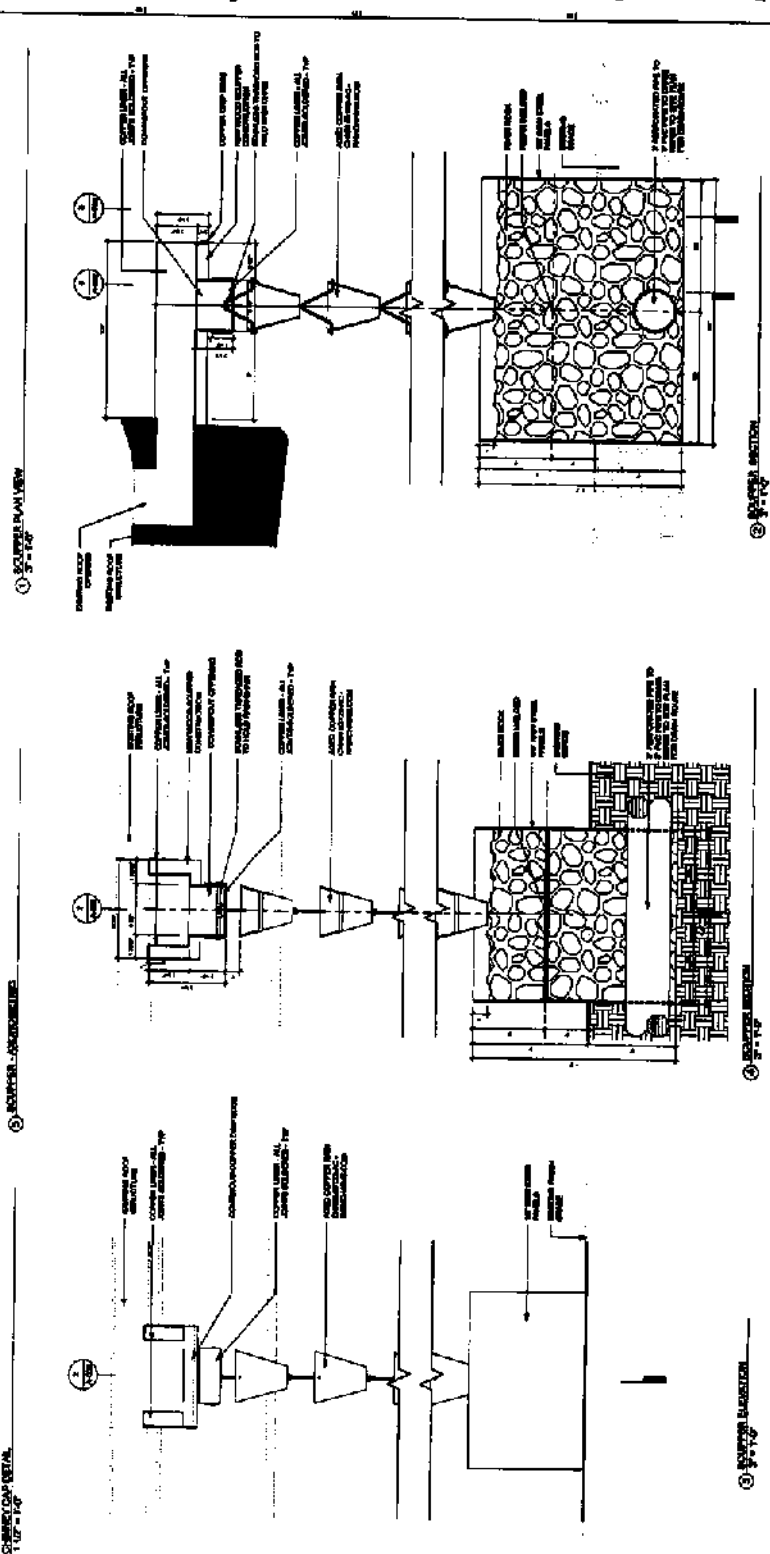
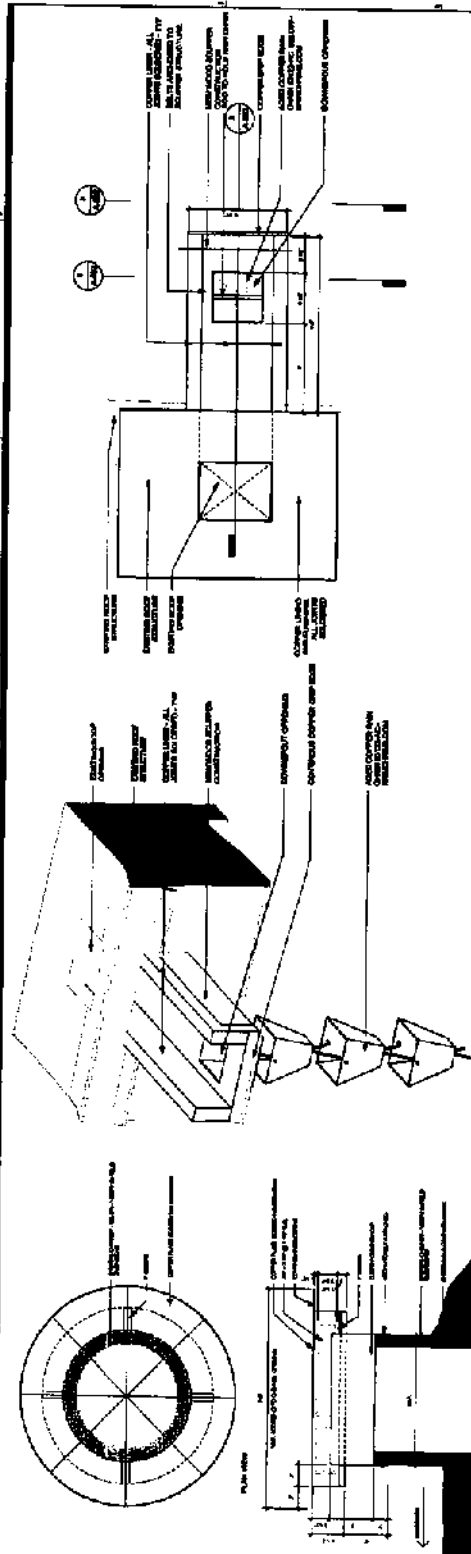
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EXERCISE 1

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DETAILS - EXTERIOR

A-502





Planning Commission
October 6, 2016

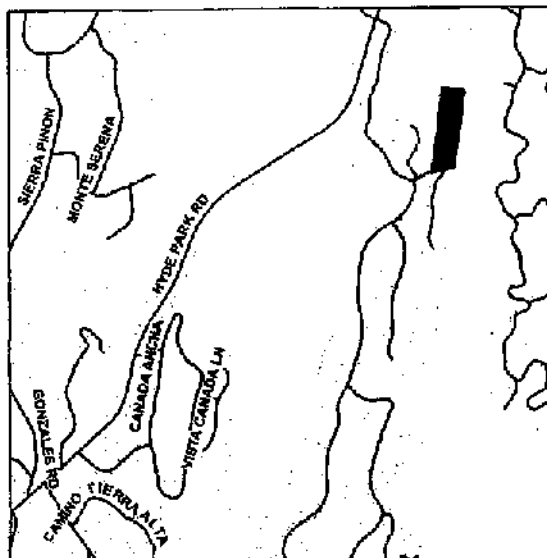
EXHIBIT 4



Land Use Department Planning Commission Staff Report

Site Location Map

Case No: 2016-96
Hearing Date: October 6, 2016
Applicant: Sommer, Karnes and Associates, LLP
Request: Variance to 14-5.6(D)
Location: 2051 Cerros Altos
Prepared by: Katherine Mortimer
Zoning: R-1
Overlay: Escarpment
Proposal: Variance to allow construction of a single-family residence within the Ridgetop Subdistrict of the Escarpment Overlay District.



Case #2016-96. 2051 Cerros Altos Escarpment Variance. Sommer, Karnes and Associates, LLP, agent for Julie Silverstein Trust and the Kim M. Colweck Trust, requests approval of a variance to allow construction of a single-family residence within the Ridgetop Subdistrict of the Escarpment Overlay District. The 4.337 acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

I. RECOMMENDATION

Should the Commission determine the proposed siting meets the variance criteria outlined below, the Commission may **APPROVE** the request subject to the following conditions of approval:

#	Condition of approval	Dept/Division	To be completed by:
1	Color of residence shall be chosen to blend into the surrounding landscape	LU/Technical Review	Building Permit Application
2	This variance supersedes Variance #2016-06 approved by the Planning Commission on March 3, 2016, which is hereby declared to be null and void upon approval of this variance.	Case Manager	

II. EXECUTIVE SUMMARY

- The application meets the approval criteria to variances in the Escarpment Overlay District.
- A prior approval was granted (Case #2016-06, March 3, 2016) to construct the proposed residence

on a different location on the site, with a terrain management variance to permit more than one-half of the building footprint on natural slopes of greater than 20% ("50-50 Rule"). Since that approval, the property owners have changed the proposed building location.

- The prior terrain management variance will be rescinded, should this variance be approved.
- The prior analysis found that siting the structure anywhere on the lot represents a tradeoff between a terrain management and an escarpment variance, either of which was supportable.
- The proposed house would be constructed on a flatter part of the lot, and would not require any variances to the terrain management regulations.
- The proposed house would have a floor area of 4,356 square feet, and the footprint – the area covered by the house, portals, etc. – would be 6,318 square feet.
- Views from Hyde Park Road would be mitigated by selection of a house color which best matches the surrounding landscape.
- The proposed house would be one of the larger homes in the subdivision and immediate neighborhood, but it would represent the smallest percentage of footprint compared to the size of the site. The size of the footprint of the proposed home is similar to those of other homes in the same subdivision and in the surrounding neighborhood.

III. BACKGROUND

The lot was created in 2004 as Lot 6 of the Cerros Altos Subdivision. Subsection 14-5.6(D)(1) "Location of Structures; Buildable Site" prohibits any construction within the Ridgetop Subdistrict of the Escarpment Overlay Zone.

A development plan sheet recorded with the 2004 subdivision shows a buildable site of 5,853 square feet on the 4.337-acre lot. Such sites are provided when creating a new lot to demonstrate that the lot being created is a buildable lot, but are not intended to indicate the only buildable area or to restrict development to only the area shown. The house proposed by the applicant could not be built on the designated buildable site, or any other location on the lot without one or more variances. The development plan also includes a 50 foot building setback and a 30-foot road setback on the west side of the property.

Development of the proposed home on the site would require a variance from either the terrain management or the Escarpment Overlay District regulations, or a more compact building footprint than is proposed by the applicant.

Land within the Escarpment Overlay District is considered to have significant visual impact to the City, and the intent of the district is to preserve the City's aesthetic beauty and the natural environment. [Subsections 14-5.6(A)(1) and (A)(2)] Within the overlay district, the Ridgetop Subdistrict is considered more visible than the Foothills Subdistrict. In addition to placement restrictions, buildings within the Escarpment Overlay District are subject to height, color, exterior lighting, and landscaping restrictions intended to reduce potential visual impacts as set forth in Section 14-5.6.

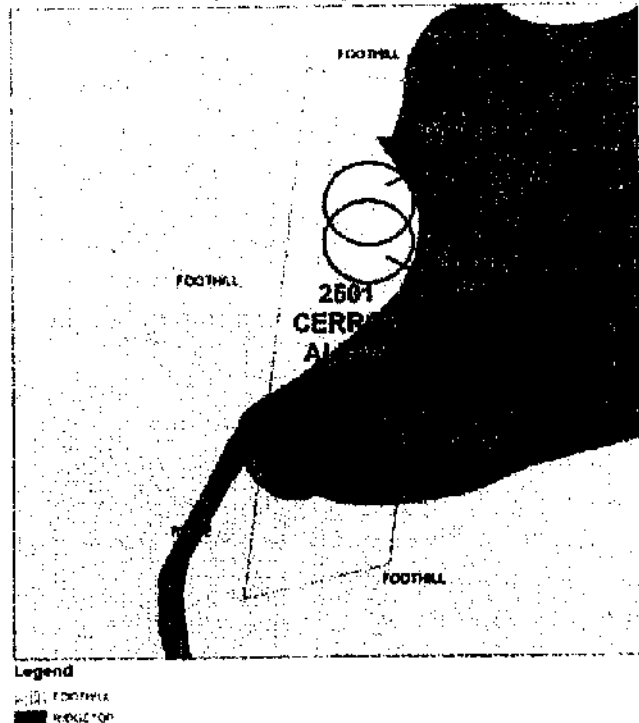
The Terrain and Stormwater Management regulations regulate grading and drainage [Section 14-8.2]. Their intent includes protecting life and property and protecting the scenic character from grading scars and vegetation removal, as well as managing stormwater to minimize erosion and flooding. Key provisions include prohibition of buildings on slopes steeper than 30 percent, and a requirement that each lot contain a buildable site that would accommodate a building with a footprint of at least 2,000

square feet. The terrain management regulations also include the "50-50 rule:" on lots with slopes of 20 percent or steeper, 50 percent of the building footprint may be on slopes between 20 and 30 percent, but 50 percent of the footprint must be on slopes less than 20 percent.

In order to construct the home proposed on the site, it would require a variance to either the 50-50 rule of the terrain management regulations or to the prohibition on construction within the Ridgetop Subdistrict of the Escarpment Overlay Zone. The applicants first applied for and received a variance to the terrain management regulation's 50-50 rule. They have now changed their minds and are requesting instead a variance to the prohibition on construction in the Ridgetop Subdistrict. Should the new request be approved, the previous variance approval would be rescinded.

Although the new location is more visible than the one that was previously approved, overall visual impact would be mitigated somewhat by the shorter driveway. The shorter driveway will reduce cut and fill slopes and retaining walls, and will also reduce removal of significant vegetation.

Escarpment Zoning District Map



Original Location



Proposed Location



The variance process balances reasonable use of the applicant's property against compliance with the letter and intent of adopted regulations. The property must be consistent with at least one of the circumstances listed in Criteria 1a through 1d, and must be consistent with all of the criteria in Criteria 2 through 5.

The following criteria are required by Subsections 14-3.16(C)(1)-(5) to grant a variance:

Criterion 1: One or more of the following special circumstances applies:	
(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; OR	Criterion Met: (Yes/No/conditional/N/A) YES
(b) The parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; OR	NO
(c) There is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; OR	NO
(d) The land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).	N/A
Evaluation: The parcel is a legal conforming lot as that was created as Lot 6 of the Cerros Altos Subdivision (Case #S2004-10), approved and recorded in 2004. However, the developable area, shown as the "elevated site" in the Escarpment Zoning District Map on page 3, is an awkward configuration and access would require extensive grading, impacting slopes greater than 30% to accommodate the proposed building design. Fire access is more difficult and more vegetation would be disturbed. It is these unique physical characteristics of the site which meet the first sub-criterion.	
Criterion 2: The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.	
Criterion Met: (Yes/No/conditional/N/A) YES	
No location on the site can accommodate the proposed structure without a variance to either the terrain management regulations or the Escarpment Overlay Zone regulations. It therefore represents a tradeoff between variances. Initially the applicants sought and received a variance to the terrain management 50-50 rule. Upon further examination the applicants have changed their minds and are now seeking a variance to the Escarpment Overlay Zone prohibition on building within the Ridgeway Subdistrict.	
Criterion 3: The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.	
Criterion Met: (Yes/No/conditional/N/A) YES	

Chapter 14 defines intensity as "The extent of development per unit of area; or the level of use as determined by the number of employees and customers and degree of impact on surrounding properties such as noise and traffic." The proposed house would be one of the larger homes in the subdivision and immediate neighborhood, but it would represent the smallest percentage of footprint compared to the size of the site. The footprints of houses on other lots in the same subdivision range from 4,660 to 6,800 square feet and in the neighborhood immediately to the west range from 2,700 to 6,470. The proposed footprint is 6,318 square feet; however, the size of the lot is larger than any other lot in the subdivision and immediate neighborhood. As a ratio of building footprint to lot size, the proposed home would be the smallest in the subdivision and immediate neighbors. The percentage of lot area occupied by the building footprint for existing homes in the same subdivision or immediate neighborhood ranges from 5% to 26%, while the proposed footprint would be 3% of the lot size.

Criterion 4: The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:	Criterion Met: (Yes/No/conditional/N/A) YES
--	---

To determine reasonable use of a property we look to other properties in the neighborhood. As noted under criterion 3, a home of the size proposed is consistent with others homes in the neighborhood. The proposed building site would require one variance. Location on other possible building sites would require a variance from the terrain management regulations. Therefore, this request represents the minimum variance that will make reasonable use of the land.

Criterion 4a: Has the property or could it be used without variances for a different category or lesser intensity of use?	Criterion Met: (Yes/No/conditional/N/A) YES
--	---

The property is residentially zoned and fully developed, and therefore cannot be used for a different category or lesser intensity of use. Moreover, development of any kind on the subject property is prohibited per SFCC §14-5.6(D)(1). Therefore, the property cannot be used without variances for a different category or lesser intensity of use.

Criterion 4b: The variance is consistent with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.	Criterion Met: (Yes/No/conditional/N/A) YES
--	---

Staff evaluation finds that the proposed variance request, including the mitigating characteristics of the proposal and the conditions of approval, is consistent with the purpose and intent of Chapter 14. In this case it is a balance of two different variances, either to the terrain management 50-50 rules or to the prohibition on construction in the Ridgetop Subdistrict of the Escarpment Overlay District, that would need to be granted to approve construction of a home that is similar in size to other homes in the same subdivision and neighborhood. The escarpment district impacts are proposed to be mitigated by using a stucco color that blends into the surrounding landscape.

Criterion 5: The variance is not contrary to the public interest.	Criterion Met: (Yes/No/conditional/N/A) YES
--	---

The proposed new construction would not be contrary to the public interest. The public interest in relation to Section 14-5.6 "Escarpment Overlay District" includes protecting, maintaining and enhancing the health safety and general welfare of the citizens. It also includes protecting the visual impact of development and the natural environment of Santa Fe. The view of the residence from Hyde Park Road will be mitigated by the selection of the stucco color. Staff does not believe that the proposed request for a variance to the Escarpment Overlay District violates the purpose and intent of the regulations as set forth in Section 14-5.6.

V. ESCARPMENT-SPECIFIC VARIANCE APPROVAL CRITERIA

In addition to the general variance criteria, the Commission must determine that two special Escarpment Overlay District criteria are met [Subsection 14-5.6(K)]:

<p>(1) Where the planning commission finds that extraordinary hardship may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation shall not have the effect of nullifying the intent and purpose of these regulations.</p> <p>(2) In granting variances or modifications, the planning commission may require such conditions as will, in its judgment, assure substantially the objectives of the standards or requirements so varied or modified.</p>	<p>Criteria Met: (Yes/No/conditional/N/A)</p> <p>YES</p>
<p>The intent of the Escarpment Overlay District lists preservation of Santa Fe's aesthetic beauty, mountain views and scenic vistas. The residence would be visible from Hyde Park Road where a higher ridgetop behind the project would be visually higher than the proposed residence. The house would not be seen from any other major roadways or any public gathering areas. Therefore location of the residence on this location would not be contrary to the intent of the overlay district.</p>	

VI. EXHIBITS:

EXHIBIT A: Technical Corrections

EXHIBIT B: City Staff Memoranda

1. Fire Department Memorandum, Rey Gonzales
2. Escarpment and Landscape Memorandum, Somie Ahmed
3. Terrain Management Memorandum, RB Zaxus
4. Wastewater Memorandum, Stan Holland
5. Traffic Memorandum, Sandy Kassens



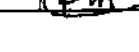
EXHIBIT C: Maps and Photos

1. General Plan Land Use Designation Map
2. Zoning Map
3. Aerial Photo

EXHIBIT D: Applicant Submittals*

* Maps and other exhibits reproduced and archived separately from this staff report. File copies are available for review at the Land Use Department office at 200 Lincoln Avenue, West Wing.

APPROVED BY:

Title	Name	Initials
Land Use Department Director	Lisa Martinez	
Land Use Current Planning Division Director	Greg Smith	
Land Use Department Case Manager	Katherine Mortimer	

City of Santa Fe, New Mexico

Planning Commission

Exhibit A
Technical Corrections

Appendix A
TECHNICAL CORRECTIONS

The following are the staff-recommended technical corrections for this project:

#	Condition of approval	Dept/Division	To be completed by:
1	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.	Fire Department	Prior to construction
2	Fire Department shall have 150 feet distance to any portion of the building on any new construction.	Fire Department	Prior to construction
3	Shall have water supply that meets fire flow requirements as per IFC	Fire Department	Prior to construction
4	Connection of the property/structures to the City public sewer system is required	Wastewater Division	Prior to construction

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

City Staff Memoranda

Development Review Team

Comment Form

Date: September 15, 2016
Staff person: Reynaldo Gonzales
Dept/Div: Fire
Case: 2016-96 2051 Cerros Altos Escarpment Variance
Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None

Technical Corrections*:

Must be completed by:

1. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.
2. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
3. Shall have water supply that meets fire flow requirements as per IFC

Prior to any remodel construction the current code adopted by the governing body may need to be met.

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

Explanation of Conditions or Corrections (if needed):

EXHIBIT B1

Development Review Team

Comment Form

Date: September 21st, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: 2016-96 – 2051 Cerros Altos Escarpment Variance

Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed

by:

1	
2	
3	
4	

Technical Corrections*:

Must be completed

by:

1.	
2.	
3.	
4.	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. As per Article 14-5.6(F)(4): "In the ridgetop subdistrict the highest point of any *structure* shall not exceed a maximum height of fourteen (14) feet above each and every point of measurement along the *structure* perimeter. This measurement shall be from the undisturbed natural *grade* of the land at the perimeter, or from the finished *grade* at the perimeter, whichever is more restrictive in height. The highest point on the *structure* includes the top of parapets and clerestories, except that chimneys may exceed the maximum height by not more than three (3) feet above the immediately adjacent roof."
2. Cantilevers of greater than three (3) horizontal feet in depth are prohibited.

EXHIBIT B2

Development Review Team

Comment Form

Date: September 19, 2016

From: Risana "RB" Zaxus, City Engineer

Dept/Div: Land Use, Technical Review Division

Case: Case # 2016-96, 2051 Cerros Altos Escarpment Variance

Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 none	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1 none	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Meet all applicable terrain management requirements at time of building permit.

Explanation of Conditions or Corrections (if needed):

EXHIBIT B3

Development Review Team
Comment Form

Date: September 19, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater Division
Case: 2016-96 – 2051 Cerros Altos Escarpment Variance
Case Mgr: Katherine Mortimer



The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1. Connection of the property/structures to the City public sewer system is required	
--	--

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

EXHIBIT B4

MORTIMER, KATHERINE E.

From: KASSENS, SANDRA M.
Sent: Tuesday, August 30, 2016 8:24 AM
To: MORTIMER, KATHERINE E.
Cc: ROMERO, JOHN J
Subject: Comments on Escarpment Cases

Katherine,

The Engineering Division has no comments on the following Escarpment Variance requests:

<u>Case #</u>	<u>Title</u>
2016-90	730 Canada Ancha Escarpment Variance
2016-95	155 Brownell-Howland Escarpment Variance
2016-97	165 Brownell-Howland Escarpment Variance
2016-96	2051 Cerros Altos Escarpment Variance

Sandy

Sandra Kassens

Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

City of Santa Fe, New Mexico

Planning Commission

Exhibit C **Maps and Photos**

Future Land Use Map

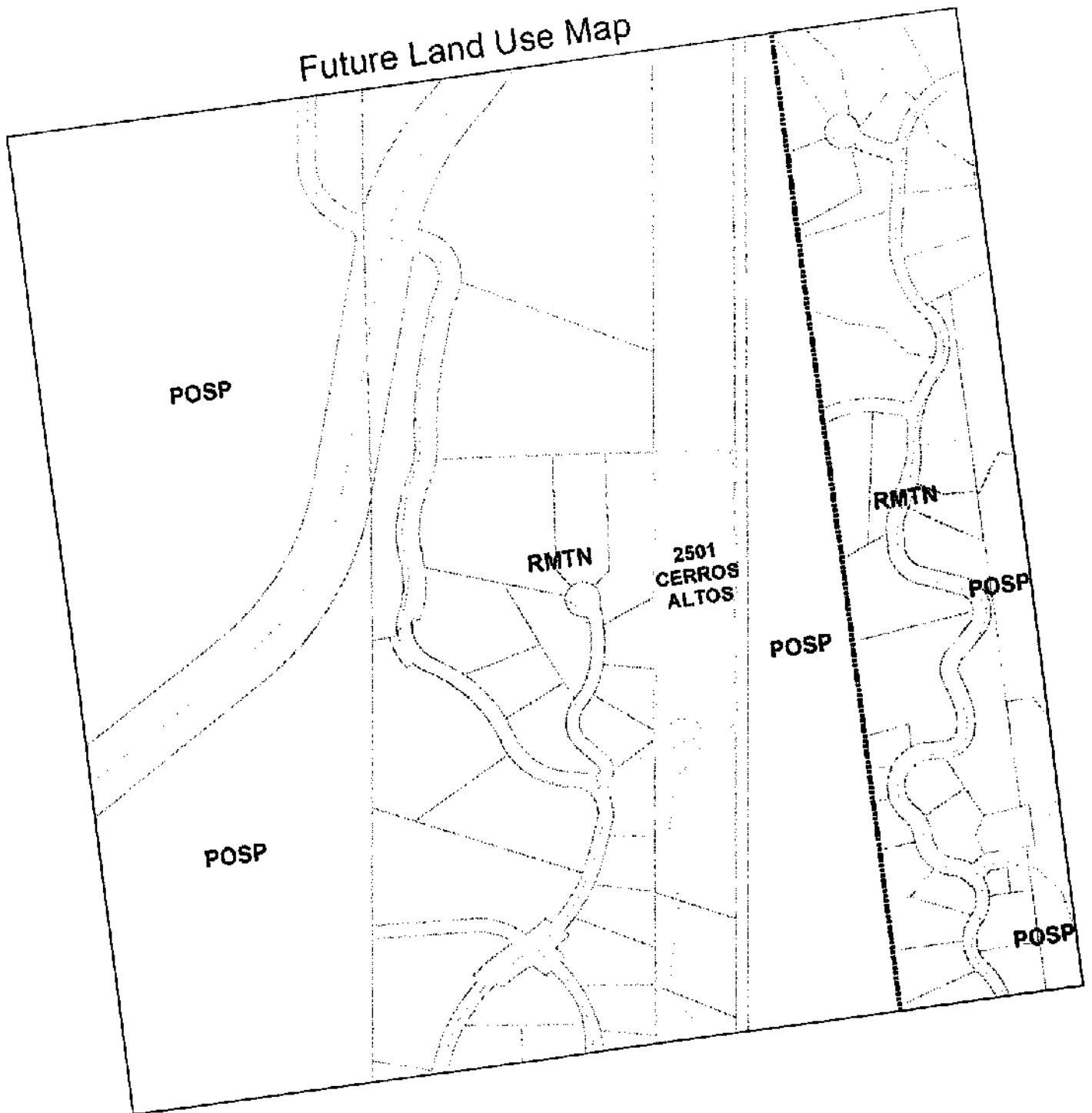


EXHIBIT C1



Zoning Map

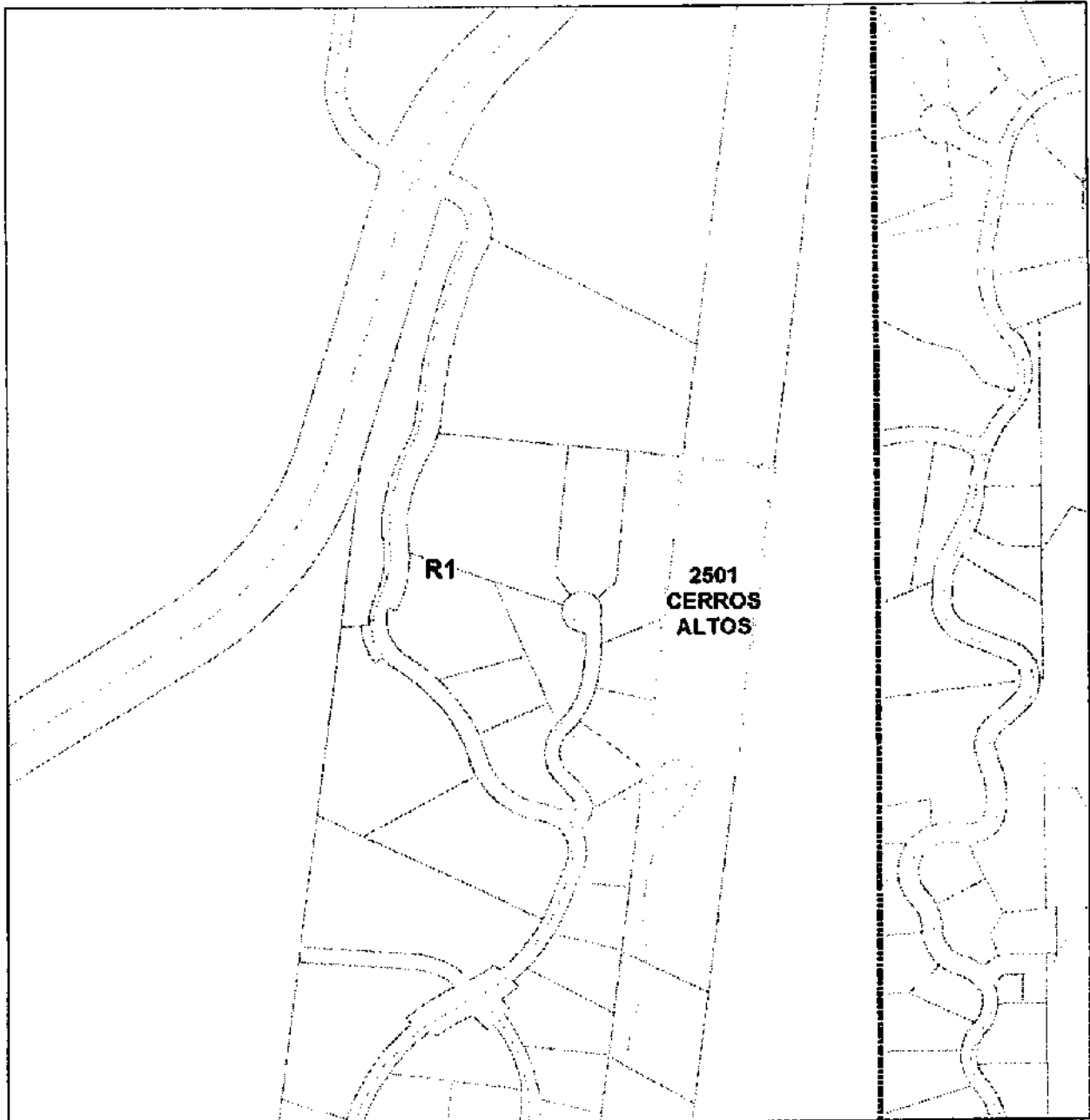


EXHIBIT C2



Aerial Photo

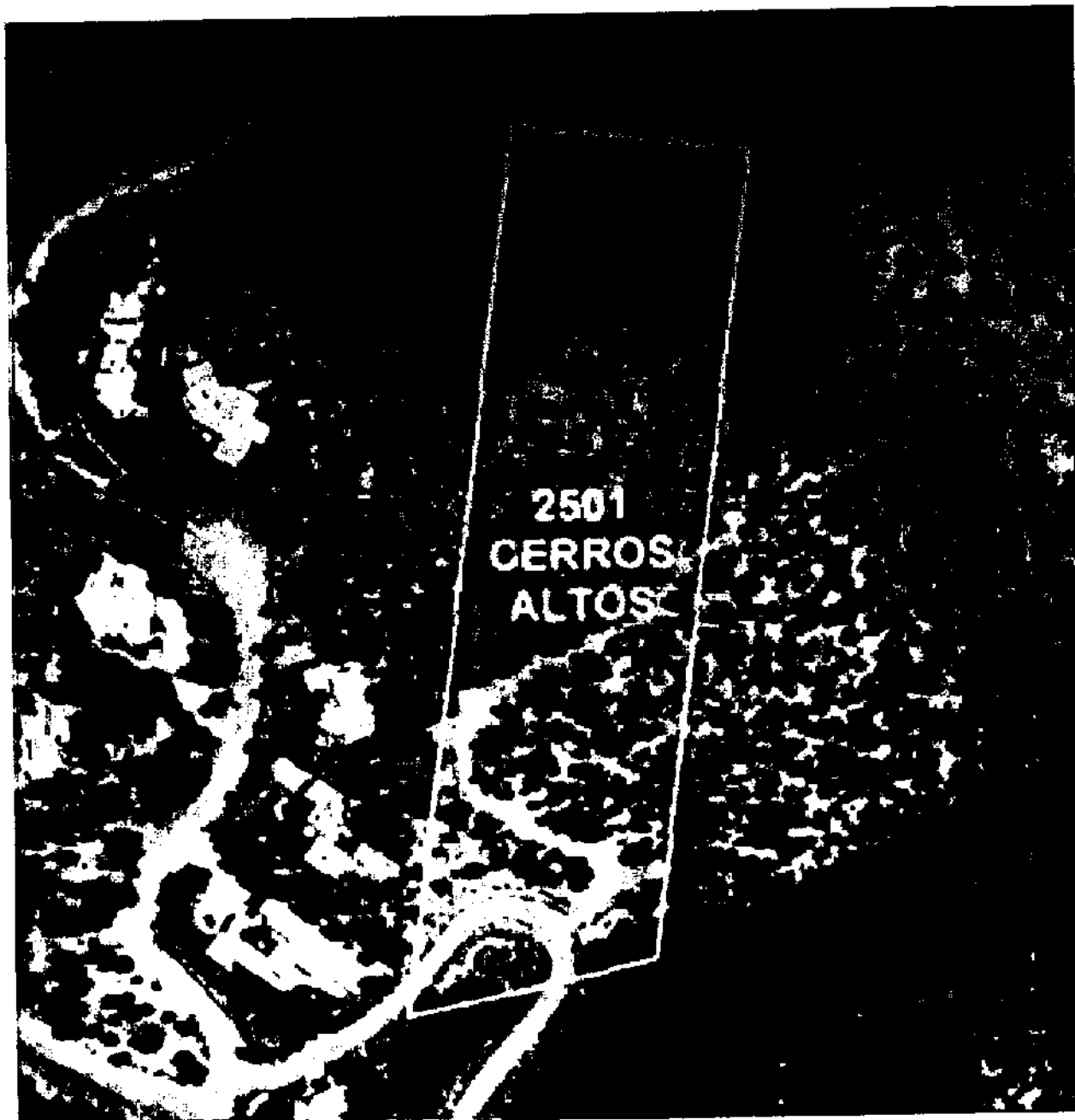


EXHIBIT C3

City of Santa Fe, New Mexico

Planning Commission

Exhibit D

Photo Montages







RIDGETOP



City of Santa Fe, New Mexico

Planning Commission

Exhibit E

Applicant Submittals

ARCHIAEO

18 West Campbell Ave. Suite 101
 Santa Ana, CA 92705
 P: 949.433.1100
 F: 949.433.1102

+

architects

SILVERSTEIN COLWEEK
 RESIDENCE

2001 Camp Ave.
 Santa Ana, CA 92705

Project Number:

1001

Date:

11.14.07

Scale:

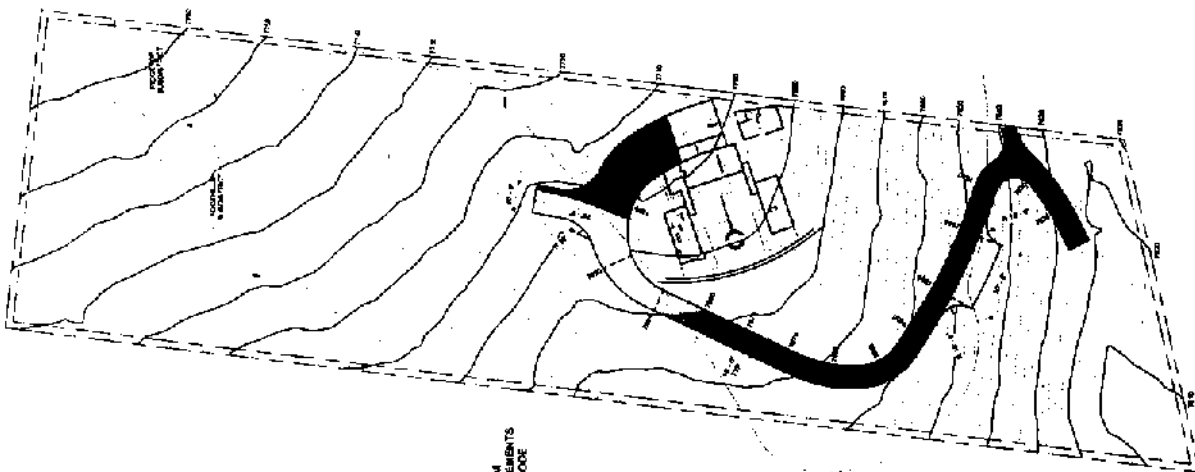
1/8" = 1'-0"

Drawing Title:

SITE PLAN

Sheet Number:

A-1.00.



EXISTING TREES MEET THE MINIMUM
 HEIGHT, Girth AND SPREAD REQUIREMENTS
 PER ARTICLE 14.5.6 (G) (7) OF THE CODE

CITY OF SANTA ANA
 COMMUNITY DEVELOPMENT
 100 EAST MAIN STREET
 SANTA ANA, CA 92701

EXISTING DRIVE TO BE
 RESURFACED AND WIDENED

LEGEND

■ DRIVE TO BE
 RESURFACED

□ DRIVE TO BE
 WIDENED

NOTE: THIS DEVELOPMENT HAS APPROVED THE FOLLOWING
 CONDITIONS TO BE MET BY THE
 DEVELOPER AND THE CITY OF SANTA ANA
 1. THE DEVELOPER SHALL MAINTAIN THE
 EXISTING DRIVE TO BE RESURFACED AND
 WIDENED TO BE 12 FEET WIDE AND
 12 FEET HIGH. THE DEVELOPER SHALL
 MAINTAIN THE EXISTING DRIVE TO BE
 RESURFACED AND WIDENED TO BE 12
 FEET WIDE AND 12 FEET HIGH.





- ☐ Tree Canopy
- ☐ Shaded Area
- ☐ Open Area

ALL LOT LINES IN THIS DRAWING ARE BASED ON THE 1991 AERIAL PHOTOGRAPH AND THE 1991 SURVEY MAP.

ARCHAEO
 11111 West 1st Avenue, Suite 100
 Denver, CO 80202
 Phone: 303.733.1111
 Fax: 303.733.1112

+

Orthorectified

SILVERSTEIN COLWEEK RESIDENCE

2001 Current Map
 2001 Survey Map

Project Number	1001
Scale	1" = 40' 0"
Date	6/10/2015 10:30 AM
Drawing Title	

SLOPE ANALYSIS

Sheet Number

A-1.01.



conclusions

SILVERSTEIN COLWECK
RESIDENCE

2021 Census data

Fixed Number: 190

Figure 1

PH 55 17 470445

4900

Quarry Top

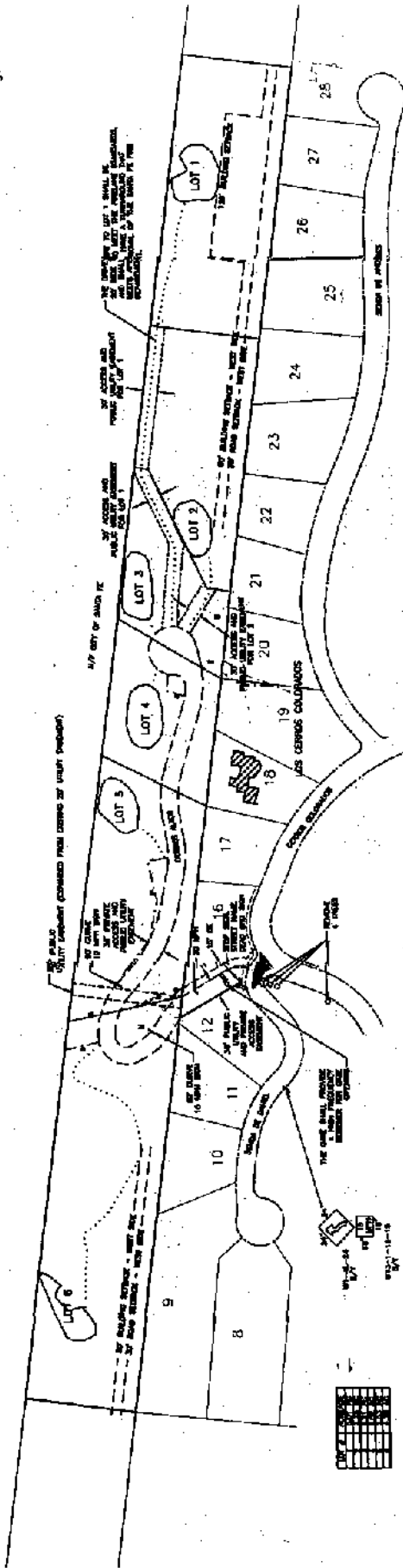
EXTERIOR ELEVATIONS

Excluded Items:

A-1.02.

ONE HUNDRED OF THE SOUTH TO BE

511014



THE CITY OF ALBUQUERQUE, NEW MEXICO, HAS REVIEWED THE PLAT MAP AND THE INFORMATION CONTAINED THEREIN, AND HAS DETERMINED THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE CITY OF ALBUQUERQUE, NEW MEXICO, AND HAS THEREFORE APPROVED THE SAME FOR RECORDATION.

APPROVED BY THE CITY OF ALBUQUERQUE, NEW MEXICO, ON THIS 21st DAY OF JULY, 1988.

ATTEST: THE CITY CLERK OF ALBUQUERQUE, NEW MEXICO.

APPROVED BY THE BOARD OF PLANNING COMMISSIONERS OF THE CITY OF ALBUQUERQUE, NEW MEXICO, ON THIS 21st DAY OF JULY, 1988.

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ATTEST: THE CITY CLERK OF ALBUQUERQUE, NEW MEXICO.

Planning Commission
October 6, 2016

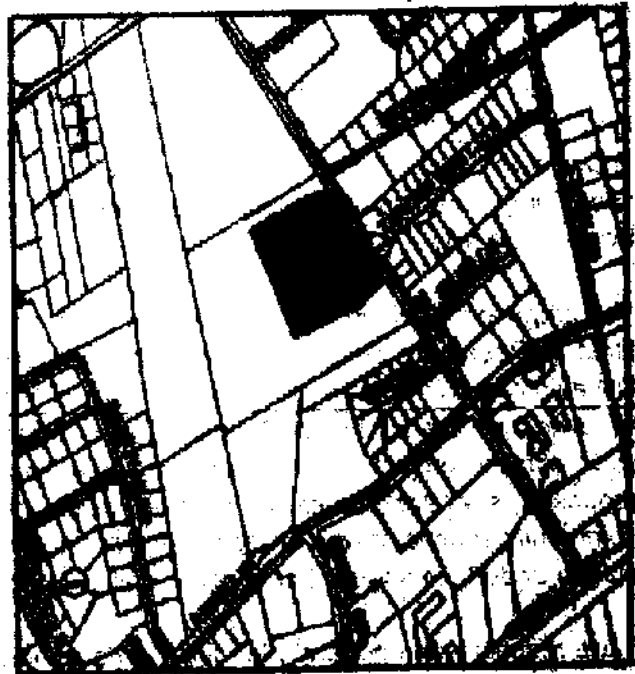
EXHIBIT 5



Land Use Department Planning Commission Staff Report

Site Location Map

Case No: 2016-89 & 2016-99
Hearing Date: October 6, 2016
Applicant: New Mexico Inter-Faith Housing,
Agent for City of Santa Fe
Request: General Plan Amendment &
Rezone
Location: 5 acre portion of the parcel
northwest of 1222 Siler Road
Case Mgr.: Noah Berke
Zoning: I-2 (General Industrial)
Overlay: None
Pre-app. Mtg.: May 5, 2016
ENN Mtg.: July 12, 2016
Proposal:
GPA from Public/Institutional to Community
Commercial and Rezone from I-2 to C-2



Case #2016-89, Arts and Creativity Center Rezoning. New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval of rezoning of approximately 5.0 acres from I-2 (General Industrial) to C-2 (General Commercial). The property is a portion of the parcel northwest of 1222 Siler Road. (Noah Berke, Case Manager)

Case #2016-99, Arts and Creativity Center General Plan Amendment. New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use designation for approximately 5.0 acres from Public/Institutional to Community Commercial. The property is a portion of the parcel northwest of 1222 Siler Road. (Noah Berke, Case Manager)

I. RECOMMENDATION

The Commission should recommend that the Governing body **APPROVE** of the following requests:

Two motions will be required in this case, in the following order:

- **Recommend that the Governing Body approve the general plan amendment to amend the Public/Institutional to Community Commercial. Conditions of approval are not applicable to general plan amendments.**
- **Recommend that the Governing Body approve the rezoning request from I-2 (General Industrial) to C-2 (General Commercial). No conditions of approval are recommended for this rezoning, although various requirements that will apply at the time of development are identified in the code.**

The Planning Commission's recommendation will proceed to the City Council for final decision on both the general plan amendment and rezoning. If the general plan amendment and rezoning are approved, a development plan will come before the Commission as a separate future application.

II. EXECUTIVE SUMMARY

The applicant requests general plan amendment and rezoning for 5.0 acre portion of a 54 acre tract of land owned by the City of Santa Fe. The proposed project site is currently zoned I-2 (General Industrial) and shown on the Future Land Use Map as Public/Institutional. The property currently consists of a series of general industrial uses by the city. In the past this property was used by the city as a sewage treatment facility.

The proposed rezoning and general plan amendment requests are required by Resolution No. 2016-30 titled "A Resolution contributing property and resources to New Mexico Interfaith Housing Community Development Corporation for Development of the Santa Fe Arts and Creativity Center Low Income Housing Tax Credit Project Pursuant to the Affordable Housing Act". That resolution directed staff to work with the project developer to bring forth rezoning and general plan amendment requests for the proposed site appropriate to support uses for an affordable multi-family complex with shared community spaces. It was the result of two prior resolutions (2014-13 and 2015-24) which directed city staff to undertake a feasibility analysis and perform an in-depth due diligence of the proposed site.

If the rezoning and general plan amendment requests are approved, the developer plans to submit a development plan application which would allow for creation of 60-70 affordable residential units and approximately 2500 square feet of non-residential uses. In essence, this would become a mixed use site. Project financing would rely on Low Income Housing Tax Credits to help fund the development. Rezoning is a critical part of the process because residential uses are not permitted in the I-2 zone.

The proposed project would be the first brownfield redevelopment project to provide affordable rental housing and shared work facilities through a donation of land by the City of Santa Fe. The development plan would include affordable rental housing, shared community spaces, and offices.

III. BACKGROUND

The proposed site is located within a 54 acre area of city-owned land directly north of 1222 Siler Road. The property for the proposed project site is shown as a portion of land within Tract 2 of the "Plats of Survey for City of Santa Fe, N.M. of the City Yards" dated February, 1984.

This site was used for the municipal sewage treatment plant until the plant moved to its present location. The site was then decommissioned and has most recently been used as a storage area for various city supplies and materials. The applicant has performed an in-depth analysis of the site and it has been determined that it is safe to build on with minimal remediation. As such, the applicant is applying for the Low Income Housing Tax Credits and listing this site as a brownfield redevelopment project.

The 1999 General Plan Future Land Use Map (Exhibit B-1) shows the project site as part of the "Siler Redevelopment District," which is "intended to allow this industrial area, located in close proximity to expanding residential areas, to develop uses compatible with housing, and may be implemented through a new mixed-use zoning district regulations which would specify appropriate land use and design standards." C-2 zoning classification allows for residential and non-residential uses, and would appear to be consistent with the General Plan.

The properties surrounding the proposed site have industrial land uses, including the City's corporate yard operations. There are City of Santa Fe offices directly north of the site, extending to Agua Fria. The Food Depot and Kitchen Angels are located directly south of the site on city-owned land. Along Siler Road, primarily on the northeast side, there are various auto related shops, shipping facilities, performing art spaces, and warehouses. Over recent years, there have been some changes to the pattern of uses for the surrounding areas. The Meow Wolf arts collaborative redeveloped the old bowling alley on Rufina Circle to make it a concert venue, exhibition space, shared workspace for artists, offices, and a shared learning facility. On Rufina Court, an old greenhouse nursery is being redeveloped to create a cooperative grocery store. Second Street Brewing and Duel Brewing have opened facilities along Rufina Street; Java Joe's Coffee has opened on Siler Road; and an old motel was demolished and CVS Drug Store was built at the corner of Siler and Cerrillos Roads.

Redevelopment projects and repurposing of properties in the vicinity of the proposed project site have sparked interest among developers in the areas along Rufina and Siler Roads, although the majority of properties continue to be used for light industrial purposes. The proposed rezoning and general plan amendment would continue the trend of changing uses.

Presently, there are few multi-family housing projects in the area. The Housing Needs Assessment, performed by the Office of Affordable Housing, concluded that there is a large deficiency of affordable rental housing in the city. Given the location of the proposed site, existing city infrastructure and the recent improvements and extensions of transportation systems, such as the construction of the Siler Road Bridge and the widening of Cerrillos Road and extension of the Acequia Trail, this area is now more easily accessible from all areas of the city.

IV. GENERAL PLAN AMENDMENT

The subject property's current future land use designation is Public/Institutional as shown on the Future Land Use Map (See Exhibit B1). The applicant requests the Community Commercial designation to allow for C-2 (General Commercial) zoning.

The purpose and intent of general plan amendments, per Section 14-3.8, is to guide for the city's land use decisions. The regulations, restrictions and policies of the city affecting development – including the zoning map – must be in accordance with the general plan as provided in Section 3-21-5 NMSA 1978.

The general plan can be amended, subject to meeting the approval criteria in Subsection 14-3.2(E):

Criterion 1(a): consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;	Criterion Met: (Yes/No/conditional/N/A) YES
<p>The City no longer maintains specific projections for residential or other types of growth rates. The previous development patterns along Siler Road were dominated by light industrial uses. The 1999 Future Land Use Map identifies the project site as being within the "Siler Road Redevelopment District" which is intended to allow "this industrial area, located in close proximity to expanding residential areas, to develop land uses compatible with housing, and may be implemented through new mixed-use zoning district regulations which would specify appropriate land uses and design standards." (General Plan Section 3.5) Development of affordable rental housing, shared community spaces and offices (mixed-uses) is consistent with the General Plan.</p> <p>The future proposal for development of the property, as a mixed use, is consistent with the city's Affordable Housing Needs Assessment and the economic development goals of the city's Economic Development Division. (Exhibit A4 and A5)</p> <p>The applicant provided a traffic impact study which indicates access from Siler Road for commercial and residential development would be feasible. Existing trails systems and bus routes are available to service the proposed site. Connection to the City sewer and water systems is available.</p>	
Criterion 1(b): Consistency with other parts of the general plan;	Criterion Met: (Yes/No/conditional/N/A) YES
<p>The proposed general plan amendment is consistent with multiple sections of the 1999 General Plan Themes. The proposed amendment will allow for rezoning from I-2 to C-2. The applicant intends to obtain approval of a development plan for between 60-70 affordable housing units and offices/shared work areas, which is considered mixed use. The design of the future project will utilize conservation efforts and sustainable practices, while also redeveloping a brownfield area.</p> <p>The General Themes of sections 1.7.1 "Affordable Housing" and Section 1.7.4 "Economic Diversity" are both satisfied by the proposed amendment and the future proposed Arts and Creativity Center project.</p> <p>The future proposed project is consistent with the goals and as listed in Sections 1.7.5 "Sustainable Growth", 1.7.7 "Water", 1.7.9 "Urban Form", and 1.7.12 "Mixed Use".</p>	
Criterion 1(c): the amendment does not: <ol style="list-style-type: none"> 1. allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or 2. affect an area of less than two acres, except when adjusting boundaries between districts; or 3. benefit one or a few landowners at the expense of the surrounding landowners or the general public 	Criterion Met: (Yes/No/conditional/N/A) YES

The proposed amendment would comply with this criterion, although it is not required to comply because of compliance with Criterion 1(d) below.

- 1.) The character of the area is primarily industrial with some mixed uses throughout the vicinity. The amendment, as proposed, is within the Siler Redevelopment District, which is identified in the 1999 General Plan. The use of the property for Community Commercial is not significantly different with the prevailing uses in the area. Directly west of the property are residential uses and to the south there are permitted general commercial uses.
- 2.) The proposed site is 5 acres, which is larger than 2 acres.
- 3.) The properties to the north, east, south, and west are owned by the City of Santa Fe. Since the Governing Body passed three resolutions regarding this property, it has been demonstrated that this proposed amendment is in the interest of the city, and does not negatively affect the adjacent land-owners or the general public.

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

Criterion Met:
(Yes/No/conditional/N/A)
YES

The Governing Body passed Resolution No. 2016-30 recognizing that the general plan amendment and rezoning are enabling a project that will promote the general welfare of the community. The amendment does conform with Subsection 14-3.2(E)(1)(c), as it is not inconsistent with the prevailing use or character of the area, is not less than 2 acres, and does not benefit one or a few landowners at the expense of surrounding landowners or the general public.

Criterion 1(e): compliance with extraterritorial zoning ordinances and extraterritorial plans;

Criterion Met:
(Yes/No/conditional/N/A)
N/A

Not Applicable.

Criterion 1(f): contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

Criterion Met:
(Yes/No/conditional/N/A)
YES

By granting the proposed amendment, this will allow for rezoning from I-2 to C-2. The existing I-2 zoning does not allow both residential and commercial uses. The applicant proposes an affordable mixed use development, which satisfies the needs and goals of affordable housing and promoting economic development. The applicant further asserts that the development of the property will be environmentally sensitive, sustainable, and that the proposed project will deliver on-site social services aimed at promoting both economic development and community well-being.

Criterion 1(g): consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Criterion Met:
(Yes/No/conditional/N/A)
YES

The applicant's responses to the required criterion (Exhibit F1) cite compliance with city economic development, affordable housing, and redevelopment policies and plans. Staff agrees that this amendment allows for conformity and compliance with city policies regarding affordable housing, economic development, sustainability and redevelopment, as well as, land use plans, policies, and ordinances.

<p>Criterion 2: In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping, or other means, and a finding must be made that:</p> <ul style="list-style-type: none"> (a) the growth and economic projections contained within the general plan are erroneous or have changed; (b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or (c) conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of land space requirements, consumer acceptance, market or building technology. 	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>The proposed amendment would comply with this criterion, although it is not required to comply because it does not amend a land use policy.</p> <ul style="list-style-type: none"> a.) The applicant asserts that the Governing Body approved a Resolution No. 2016-30 requiring donation of 5 acres of city owned land to be used to address the current need for affordable rental housing and mixed use development. Therefore the Governing Body, through its passage of Resolution 2016-30, asserted that growth and economic projections have changed since the General Plan was created. Based on the current Housing Needs Assessment; there is a need for more affordable rental housing and the proposed project will satisfy that need by delivering affordable live/work facilities. b.) The applicant acknowledges that there are other areas within the city that provide for mixed use and high density residential development. However, this proposed location was chosen by the City Council due to its location and redevelopment potential. This site will be a donation by the city, which the applicant states is "critical prerequisite for affordable housing multi-family development under the Low Income Tax Credit Program". c.) According to the Housing Needs Assessment, provided by the Office of Affordable Housing, there is a large gap in the need for affordable housing and its availability. The proposed general plan amendment and rezoning requests are needed to provide a zoning that would allow for affordable housing development. The conditions of the housing market have changed in such a way that the proposed general plan amendment and rezoning is needed by the community to satisfy the demands of the affordable housing market. 	

V. REZONING

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

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

Approval Criteria – Rezoning (Section 14-3.5):

<p>Criterion 1(a): one or more of the following conditions exist:</p> <p>(i) there was a mistake in the original zoning;</p> <p>(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning;</p> <p>(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>i.) Not Applicable</p> <p>ii.) In recent years there have been changes in the surrounding areas. In the past, when the area was originally zoned, it was on the edge of city of Santa Fe, and the proposed project site was a sewage treatment facility. The industrial zoning was given to this area due to its location on the limits of the city, away from residential expansion areas. Over time, this area has shifted to being more geographically central and closer to the population centers. Development in the area has shifted from industrial to more general commercial uses. The present uses in the area, such as coffee shops, drug stores, breweries, art collaboratives and residential uses have changed the neighborhood to a point that justifies the request for rezoning. Recent transportation infrastructure improvements have allowed for easier connectivity to the area.</p> <p>iii.) The request to change the zoning from I-2 to C-2, allows for both residential and non-residential uses on the proposed site. The applicant is proposing a future development of affordable rental housing, shared community facilities and office spaces. This is consistent with several General Plan Themes such as affordable housing, economic development, urban form, and mixed use. The proposed zoning category is also more advantageous to the community as it relates to affordable housing, economic development, and redevelopment of brownfield areas.</p>	
<p>Criterion 1(b): all the rezoning requirements of Chapter 14 have been met;</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>The applicant has met the Chapter 14 procedural requirements for rezoning, including an Early Neighborhood Notification Meeting, posted and mailing notification requirements, required application submittals and a Traffic Impact Analysis. No development plan for the property is required for C-2 rezoning.</p>	
<p>Criterion 1(c): the rezoning is consistent with the applicable policies of the general plan, including the future land use map;</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>The applicant requests a change to the Future Land Use Map to create consistency with the proposed zoning. Refer to Section IV of this staff report for additional discussion of general plan policies applicable to this application.</p>	
<p>Criterion 1(d): the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city;</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>Refer to Section IV of this staff report for discussion of growth rate projections.</p>	
<p>Criterion 1(e): the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>

A Traffic Impact Analysis, prepared and submitted by the applicant, indicates it would be feasible to provide direct access from Siler Road for residential and commercial development on the project site. Any further traffic improvements, such as deceleration lanes, will be addressed at the time of development plan application.

The city trails system provides service to this area, through the Acequia Trail, and there are existing bus stops along Agua Fria Street, Siler Road, and Rufina Street.

There is an existing city sewer trunk line that runs to the site and provides available connections. Water service is available to the site via Siler Road. All other public facilities, as they exist currently, are able to accommodate impacts of the proposed development.

<p>Criterion 2: Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:</p> <p>(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;</p> <p>(b) affect an area of less than two acres, unless adjusting boundaries between districts;</p> <p>(c) or benefit one or a few landowners at the expense of the surrounding landowners or general public.</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>The proposed change is consistent with applicable General Plan Themes and Policies, as stated in Section 6 of this staff report.</p>	
<p>Criterion 3 [14-3.5(D)(1)]: If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;</p>	<p>Criterion Met: (Yes/No/conditional/N/A) N/A</p>
<p>The proposed rezoning can be accommodated by existing infrastructure and public facilities as discussed in Criterion 1(e) above.</p>	
<p>Criterion 4 [14-3.5(d)(2)]: If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.</p>	<p>Criterion Met: (Yes/No/conditional/N/A) YES</p>
<p>The developer will be required to provide improvements at the time of development plan.</p>	

VI. EARLY NEIGHBORHOOD NOTIFICATION

An Early Neighborhood Notification meeting was held on July 12, 2016 at Frenchy's Barn. The applicant and approximately about 40 members of the public attended. Members of the public noted concerns with traffic, noise, compatibility of surrounding properties, existing and previous uses of the site, who would be allowed to live in the proposed project, and how the city donation would work. The concerns centered primarily on development of the site and not the actual general plan amendment and rezoning requests. (See Exhibit E2).

VII. ATTACHMENTS:

EXHIBIT A: Development Review Team Memoranda

1. Traffic Engineering Division Memorandum, Sandra Kassens
2. Wastewater Division Memorandum, Stan Holland, P.E.
3. Water Engineering Division Memorandum, Dee Beingessner
4. Economic Development Division Memorandum, Alexandra Ladd
5. Office of Affordable Housing Memorandum, Alexandra Ladd
6. Long Range Planning Division Memorandum, Richard Macpherson
7. Technical Review Memorandum, RB Zaxus, P.E.

EXHIBIT B: Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Street View Photo
5. Proposed Project Site

EXHIBIT C: City Resolutions

1. Resolution No. 2014-3
2. Resolution No. 2015-24
3. Resolution No. 2016-30

EXHIBIT D: General Plan Themes and Zoning Materials

1. Applicable General Plan Themes
2. I-2 and C-2 Use Lists



EXHIBIT E: ENN Materials

1. ENN Sign-in Sheet
2. ENN Notes July 12, 2016

EXHIBIT F: Applicant Materials

1. Application Submittals
2. Legal Lot of Record
3. Boundary Survey

APPROVED BY:

Title	Name	Initials
Land Use Department Director	Lisa Martinez	
Land Use Current Planning Division Director	Greg Smith	
Land Use Department Case Manager	Noah Berke	NLB

City of Santa Fe, New Mexico

Exhibit A

Development Review Team

- 1. Traffic Engineering Division Memorandum**
- 2. Wastewater Division Memorandum**
- 3. Water Engineering Division Memorandum**
- 4. Economic Development Division Memorandum**
- 5. Office of Affordable Housing Memorandum**
- 6. Long Range Planning Division Memorandum**
- 7. Technical Review Division Memorandum**

City of Santa Fe, New Mexico

memo

DATE: September 21, 2016

TO: Noah Berke, Planning and Land Use Department

VIA: John Romero, Engineering Division Director

FROM: Sandra Kassens, Traffic Engineering Division

CASE: Arts & Creativity Center Rezoning – case 2016-89
Arts & Creativity Center GPA – case 2016-89

ISSUE:

New Mexico Inter-Faith Housing, agent for the City of Santa Fe, requests approval of rezoning of approximately 5.0 acres from I-2 (General Industrial) to C-2 (General Commercial); and approval of a General Plan Amendment to amend the Future Land Use designation from Public/Institutional to Community Commercial. The property is a portion of the parcel northwest of 1222 Siler Road.

TRAFFIC REVIEW:

The Public Works Department has reviewed the traffic study dated September 1, 2016 that shows acceptable intersection level of service and sufficient capacity on Siler Road at the project buildout. We agree with the conclusion that the amount of traffic generated by the Arts & Creativity Center will have a minimal impact on the surrounding roadway.

RECOMMENDED ACTION:

Review comments are based on submittals received on August 25, 2016, and a revised Traffic Study received on Sept. 9, 2016. The Public Works Department has no comments on this application.

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

Development Review Team

Comment Form

Date: September 19, 2016

Staff person: Stan Holland, Engineer

Dept/Div: Public Utilities/Wastewater Division

Case: Case #2016-99. Arts and Creativity Center General Plan Amendment
Case #2016-89. Arts and Creativity Center Rezoning

Case Mgr: Noah Berke



The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1. The Wastewater Division has no objection to granting the General Plan Amendment nor the Rezoning request	
2. Connection of the property/structures to the City public sewer system is required	
3. The Applicants are aware that there is are existing City public trunk sewer lines going through the property and that Wastewater Division approval is required for the proposed project/Developemnt	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

**Development Review Team
Comment Form**

Date: 9/6/16

Staff person: Dee Beingessner

Dept/Div: Public Utilities/Water Division

Case: 2016-89 & 99 Arts and Creativity Center Rezoning and General
Plan Amendment

Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 Water is available in Siler Road for the development. Depending on the needs of the development, a water main extension may be required. If a water main extension is required, a separate water plan must be submitted to the Water Division.	
2	
3	
4	

Technical Corrections*:

Must be completed by:

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*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]


Explanation of Conditions or Corrections (if needed):

City of Santa Fe, New Mexico

memo

DATE: September 16, 2016

TO: Noah Berke, Senior Planner
Greg Smith, Planner Supervisor
Lisa Martinez, Land Use Director

FROM: Alexandra Ladd 
Director, Office of Affordable Housing
Interim Director, Office of Economic Development

RE: Arts + Creativity Center General Plan Amendment (Case #2016-99)
Arts + Creativity Center Rezoning (Case #2016-89)

RECOMMENDATION

Staff recommends approval of the application by the Arts + Creativity development team for General Plan amendment and rezoning. This recommendation is based on the project's potential to fulfill the City's priorities for affordable housing and economic development.

AFFORDABLE HOUSING

The proposed project will provide up to 70 units of multi-family housing, designed to accommodate various work-from-home creative activities. The majority*, if not all, of these units will be rented at affordable rents to income-certified renters as per the Low Income Housing Tax Credit (LIHTC) program which is the project's primary source of subsidy. Along with this subsidy, is a closely regulated Land Use Restriction Agreement (LURA) which requires that the site is used for affordable housing for a minimum of 40 years, which is likely to extend into perpetuity. Importantly, the project proposes various tiers of affordability, from very low-income (below 30% of Area Median Income - AMI) up to 60% AMI which is the limit allowed by the program. The needs of these renters will also be supported by various on-site programs (from GED classes, counseling, healthcare and more) in addition to other support services to promote entrepreneurial and arts-related businesses.

Demonstrated Need for Affordable Rental Housing. The need in Santa Fe for affordable rental housing is well documented. According to a recent housing needs analysis update, provided by BBC Associates, 47% of Santa Fe's renters earn less than 50% of the area median income (AMI) with only 28% of units in Santa Fe rented at rates they can afford. These renters are also likely to be "cost-burdened" (paying more than 30% of their incomes for their housing costs). Put differently, there is an estimated shortage of 2,400 units with contract rents priced below \$625 per month which is affordable for a renter household earning \$25,000 or less.

*LIHTC projects also emphasize the integration of a small number of market-rate units.

Perhaps more alarmingly is that market rents increased by 9% between January of 2015 to January of 2016, affecting the overall ability of Santa Fe's workforce to afford rental housing. Combined with vacancy rates that have hovered at 3% or less for two years, the demand for rental housing in Santa Fe is affecting all income earners but especially those with lower incomes and fewer options.

Consistency with Adopted Policy. The City of Santa Fe has a long history of supporting affordable housing through regulation (inclusionary zoning), policy (1999 General Plan, Consolidated Plan), real estate development (Tierra Contenta) and programming (financial support for homebuyer training/counseling, home repair, downpayment assistance, and rental assistance). As Santa Fe's primary policy document, one of the primary "themes" of the General Plan is to "Actively participate in the creation of affordable housing." Other specific policies can be found in Section 9-1-G including the following which specifically relate to the proposed Arts + Creativity Center:

- 9-1-G-1 – Endeavor to ensure that decent, safe, sanitary, and affordable housing will be available and accessible for all citizens, particularly for the poor, disabled and homeless;
- 9-1-G-1 – Expand interdependent activities and cooperate in public and private efforts to achieve affordable housing.

Clearly, the proposed change to the Future Land Use Map to accommodate this project is well-aligned with these goals.

Lack of Affordable Development Building Sites. Another issue that is addressed through this application is the City's lack of suitably zoned land parcels to support the development of multi-family housing. Currently, excluding planned communities, only 7% of land in Santa Fe (vacant and developed) is zoned to support multi-family housing. Santa Fe's high cost of land, combined with higher development costs, mean that developing affordable housing is directly affected by the ability to achieve higher densities. Rezoning from industrial uses to one that allows for multi-family housing directly addresses this impediment to affordable housing development.

ECONOMIC DEVELOPMENT

The mission for the City of Santa Fe's Office of Economic Development is to "build a diverse economy with a multitude of employment opportunities for everyone." Given the prominence of Santa Fe's arts-based identity, the Arts + Creativity Center responds directly to the need to support creative entrepreneurs as one of the ways to grow and to keep our local economy strong. The project is modeled on an initiative pioneered by ArtSpace, a national nonprofit based in Minneapolis, MN that provides affordable live/work housing for artists located in redeveloping urban areas. Recognizing that co-housed artists had a transformative effect on neighborhoods, ArtSpace created a model to also counter the subsequent rise in housing prices brought by the revitalization of these areas.

The Arts + Creativity Center is likely to play a similar role in the Siler Road corridor, a formerly industrial area that is populated with small-scale industries that are both locally-owned and becoming increasingly more arts-oriented. Combining affordable housing with maker spaces and public resources such as gallery and retail space, performance venues and other shared office space will have a catalytic effect on the economic development of the area. Providing permanently affordable rental housing helps to counter any corresponding rise in area rental rates.

Consistency with Adopted Policy. The City's General Plan's theme for economic diversity is to "Develop and implement a comprehensive strategy to increase job opportunities, diversify the economy, and promote arts and small businesses." Given that the Arts + Creativity Center strives to promote the arts and to support the needs of artists by providing affordable housing and in hand with affordable residential opportunities, the project is directly aligned with the General Plan.

The Angelou Plan, the City's economic development strategy from 2004 recognized the need to diversify the economy and build industries that were not related to government jobs and tourism. Seven focus areas were identified. Several of the target industries that were prioritized in the Plan are likely to have related businesses housed at the Arts + Creativity Center, including: "Arts and Culture," "Design," "Software Development," and "Publishing and New Media".

The Angelou Plan further clarified that the needs of these industries "should be considered in all community development activities." It also identified the need to focus on developing, retaining and attracting a younger "creative workforce" to Santa Fe. The Arts + Creativity Center directly supports this priority. More recent economic development theories also call for communities to create and support "entrepreneurial ecosystems." Affordable live/work space directly contributes to the capacity of entrepreneurs, particularly start-ups and younger members of the workforce to apply their talents locally and productively.

Updating Siler Road's Zoning Classification. The proposal to rezone this parcel to C-2 is directly relevant to the City's economic development priorities as it allows for a diversity of uses beyond those in the current industrial zoning classification. Furthermore, because the City's donation is contingent on securing the tax credits, if the project is not successful, the C-2 zoning enhances the value of the City's asset and creates more flexibility in future uses of the parcel.

Development Review Team

Comment Form

Date: September 19, 2016
From: Rlsana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case # 2016-89/99, Arts and Creativity Rezoning/GPA
Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:

Must be completed by:

1 none	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1 none	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

City of Santa Fe, New Mexico

memo

DATE: September 1, 2016
TO: Noah Berke, Senior Planner, Land Use Department
VIA: Reed Liming, Director, Long Range Planning Division *R.L.*
FROM: Richard Macpherson, Senior Planner, Long Range Planning Division *R.M.*
RE: Arts and Creativity Center / General Plan Amendment

Background

The applicant is requesting a General Plan - Future Land Use map amendment from a Public/Institutional land use to a Community Commercial land use designation. The City of Santa Fe donated the five acre parcel that the proposed Arts and Creativity Center will be located on, near Siler Road. The City's 1999 General Plan designates Siler Road as a corridor redevelopment area. The land uses in proximity to this parcel presently include residential, business and commercial uses.

Long Range Planning Staff Comments

The Long Range Planning staff generally concurs with the applicant's responses to the approval criteria for a General Plan amendment. This proposed Arts and Creativity center will provide increased affordable housing in the city and encourage a mixed-use, live/work setting, which the General Plan cites as goals for this area. The following statement is from the Land Use section of the 1999 General Plan: "Siler Redevelopment District - This district is intended to allow this industrial area, located in close proximity to expanding residential areas, to develop uses compatible with housing and may be implemented through a new mixed-use zoning district regulations which would specify appropriate land use and design standards". This project will potentially provide more business opportunities and increased economic development in the city. In summary, this requested General Plan amendment would seem to enhance the surrounding area and further important goals as stated in the City's General Plan.

City of Santa Fe, New Mexico

Exhibit B

Maps and Photos

- 1. Future Land Use Map**
- 2. Current Zoning Map**
- 3. Aerial Photo**
- 4. Street View Photo**
- 5. Proposed Project Site**

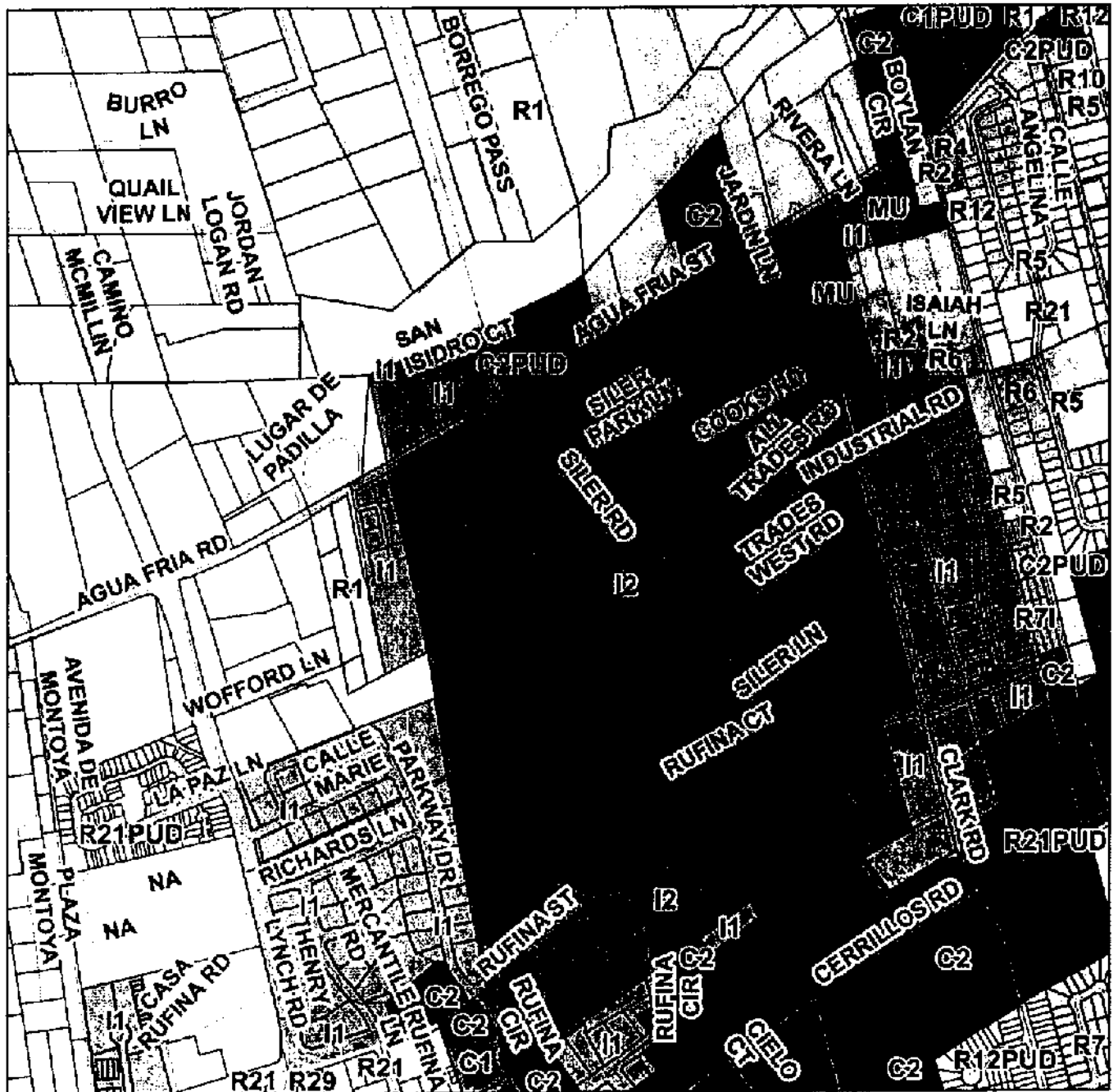
Arts + Creativity Center Future Land Use Designation













Legend

Mountain	Office
Low Density	Industrial
Medium Density	Public/Institutional
High Density	Parks
Community Commercial	Open Space
Transitional Mixed Use	Agua Fria Traditional Historic Community
Business Park	

Arts + Creativity Center Zoning Map



Legend

	R1, Single - Family 1du/ac.		C2, (PUD) General Commercial
	R2, Single - Family 2du/ac		I1, Light Industrial
	R4 Single - Family 4du/ac		I2 General Industrial
	R5, Single - Family 5du/ac		MU Mixed Use
	R7, Single - Family 7 du/ac		C1, Office and Related Commercial



Google Maps

2898 Trades West Rd
Arts and Creativity Center



Image capture: May 2016 © 2016 Google

Santa Fe, New Mexico

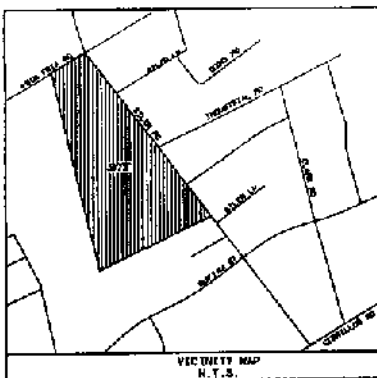
Street View - May 2016



1222 Sth

LOT LINE ADJUSTMENT OF TRACT 1 & TRACT 2

LYING AND BEING SITUATED WITHIN
SECTION 23, T. 17 N., R. 08 E., N.M.P.M.,
CITY OF SANTA FE, NEW MEXICO



- LEGEND:
- CALCULATED BRASS CAP
 - FOUND MONUMENT AS NOTED
 - SET 1/2" IRON, STAMPED
N.M.P.L.S. NO. 1005



OWNER'S COMMENT
THE UNDERSIGNED HEREBY CERTIFY THAT THE CORNER OF EASEMENTS, SPECIFICALLY
BE OF EASEMENTS, EASEMENTS, LOT LINE ADJUSTMENT AND PLATTING AS SHOWN HEREON
IS MADE WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR OWNERS AND OWNERS
THEY HAVE LIVED WITHIN THE PLATTING AND PLANNING JURISDICTION OF THE CITY OF SANTA FE,
NEW MEXICO.

CITY OF SANTA FE
STATE OF NEW MEXICO
COUNTY OF SANTA FE
THE FOREGOING STATEMENT WAS ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____ 2006.
NOTARY PUBLIC
MY COMMISSION EXPIRES _____

CITY OF SANTA FE APPROVAL

CITY ENGINEER FOR LAND USE DATE

CITY PLANNER DATE

- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, SPEC 1007 AND SUBSEQUENT AMENDMENTS.
- PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED ORIGIN IN PLACE AND/OR DEVELOPMENT PLAN ACCORDING WITH THE RESULTS CLEARED ON SUBMITTAL FOR A BUILDING PERMIT APPLICATION THAT MODIFIED ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, SPEC 1007 AND SUBSEQUENT AMENDMENTS.
- RESIDUAL AREAS FOR PLATTED PARCELS SHALL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE. ANY BUILDING AREAS SHOWN HEREON ARE SUBJECT TO REJECTION FOR CODE REQUIREMENTS.

CITY OF SANTA FE
COUNTY OF SANTA FE
1-800-997-127-100

TRACT 1
34.71Ac±

TRACT 2
6.000Ac±

SEE SHEET 2 FOR IMPROVEMENTS & EASEMENTS

- NOTES:
1. BASIS OF RECORDING IS PLAT ENTITLED "PLAT OF SURVEY FOR CITY OF SANTA FE, IN OF THE CITY VARIOUS", PREPARED BY MICHAEL J. GREEN, N.M.P.S., AND, RECORDED IN BOOK 148, PAGE 3-8 ON OCTOBER 14, 1984 AT THE SANTA FE COUNTY CLERK'S OFFICE.
 2. REFER TO DISTRICT COURT CASE NO. 17717 FOR CONVEYANCE OF LAND, FINAL JUDGMENT DATED FEBRUARY 6, 1981.
 3. REFER TO THE EASEMENT DEED #12300, RECORDED AS INSTRUMENT #12300 IN BOOK 10, PAGE 4 AT THE SANTA FE COUNTY CLERK'S OFFICE.
 4. THERE LARGELY NOTION ZONE "1", AREAS DETERMINED TO BE OUTSIDE THE 6.00 ACREAL CHANGE FLOODPLAIN, AS PER F.T.D.M. COMBINATION PANEL NO. 350-064-000 DATED DECEMBER 4, 1982.
 5. REFER TO PLAT ENTITLED "SOUTHWEST SURVEY PLAT FOR CITY OF SANTA FE", PREPARED BY DAVID R. COOPER, N.M.P.S., AND, RECORDED IN BOOK 806, PAGE 20 ON JULY 3, 2000 AT THE SANTA FE COUNTY CLERK'S OFFICE.

SURVEYOR'S CERTIFICATE

I, MICHAEL J. GREEN, N.M.P.S., DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF NEW MEXICO. I HAVE REVIEWED THE SURVEY AND THE PLAT AND I HAVE FOUND THAT THE SURVEY IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE NEW MEXICO SURVEYING ACT AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



ATTEST: A. HOPKIN

N.M.P.S. NO. 1005

DISCLAIMER INFORMATION FOR COUNTY CLERK

DATE: 10/10/2006
BOOK: 1514
PAGE: 100-100
RECORDING: 100-100
SECTION: 23, T. 17 N., R. 08 E., N.M.P.M.

SHEET 1 OF 2
SOUTHWEST MOUNTAIN SURVEYS
1514 HICKORY ST., SANTA FE, N.M. 87501
405-430-4300 FAX 405-430-4301
WWW.SOUTHWESTMOUNTAINSURVEYS.COM

City of Santa Fe, New Mexico

Exhibit C

City Resolutions

- 1. Resolution No. 2014-13**
- 2. Resolution No. 2015-24**
- 3. Resolution No. 2016-30**

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2014-13

3 INTRODUCED BY:

4
5 Councilor Rebecca Wurzbarger Councilor Chris Rivera
6 Councilor Peter Ives Mayor David Coss
7 Councilor Chris Calvert Councilor Patti Bushee
8
9

10 A RESOLUTION

11 DIRECTING STAFF TO WORK TO SUPPORT DEVELOPMENT OF THE SANTA FE
12 "ARTS + CREATIVITY CENTER" AS AN ECONOMIC DEVELOPMENT PROJECT TO
13 PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE, SALES SPACE
14 FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE AND TO STRENGTHEN
15 SANTA FE'S ECONOMY.
16

17 WHEREAS, in April 2004, the City of Santa Fe adopted an economic development strategy
18 that recommended a strong focus on the City's creative industries; and

19 WHEREAS, to fulfill that mandate, in early 2005 the City responded by funding the
20 formation of Creative Santa Fe, a 501(c)(3) not-for-profit organization to serve as a backbone
21 organization to guide development of creative economic development in Santa Fe, and to leverage
22 private resources to accomplish economic development initiatives; and

23 WHEREAS, since then, the development of a project like the "Arts + Creativity Center" has
24 been discussed and this project fits both the City of Santa Fe's current economic development
25 strategy and the City of Santa Fe's affordable housing strategy; and

1 **WHEREAS**, Santa Fe is losing its young and mid-career workers, many of whom are leaving
2 the city due to the lack of affordable housing; and

3 **WHEREAS**, only 38% of Santa Fe's workers live in the city, which dropped from 51% in
4 2002; and

5 **WHEREAS**, the only net new job growth in Santa Fe from 2007 - 2010 was in sole-
6 proprietor jobs, which many are in arts, culture, design, entertainment and media; and

7 **WHEREAS**, one quarter of all jobs in Santa Fe are sole-proprietor jobs and Santa Fe has the
8 largest percentage of self-employed workers of any metropolitan area in the state of New Mexico; and

9 **WHEREAS**, creative workers and businesses in Santa Fe have a proven record of exporting
10 products and services and attracting tourists to the city earning 39 cents of every new dollar that flows
11 into Santa Fe from outside the county which is the definition of economic base jobs; and

12 **WHEREAS**, the creative sector led the way in producing increased gross receipts tax
13 revenue in the second half of 2013; and

14 **WHEREAS**, educational services; arts and entertainment; information and cultural
15 industries; professional, scientific and technology; and accommodation and food sectors of Santa Fe's
16 economy expanded so the city achieved the greatest economic output since the pre-recession 2007-
17 2008 fiscal year; and

18 **WHEREAS**, Santa Fe University of Art and Design (SFUAD) will soon have 1,000 students
19 enrolled from the Santa Fe community, United States and internationally; and

20 **WHEREAS**, Santa Fe Community College, IAIA and St. John's College along with SFUAD
21 are graduating hundreds of creative young people each year who will build the next generation of
22 businesses and jobs based on creativity and will sell their products locally and into global markets;
23 and

24 **WHEREAS**, the City of Santa Fe's 2013 Housing Needs Assessment Update determined that
25 the greatest unmet market need for affordable housing is rental units at or below \$500 per month; and

1 **WHEREAS**, the City of Santa Fe participated in an artists' and creative individuals and
2 businesses market survey along with Creative Santa Fe, Artspace Projects, the largest non-profit
3 developer of affordable arts live-work spaces in the country, and other community organizations to
4 understand and quantify the needs of the creative community for affordable spaces; and

5 **WHEREAS**, 534 individuals and 89 businesses answered the survey, of the respondents:

- 6 • 60% earn incomes at or below the area median income;
- 7 • 49% who want to relocate into affordable space earn 60% or less than the area median
- 8 income;
- 9 • 30% are 30 years old or younger; and
- 10 • 80% indicated they would consider staying in Santa Fe over relocating to another
- 11 community if affordable live-work space were available; and

12 **WHEREAS**, the survey results support creation of up to 85 new, affordable live-work units
13 in Santa Fe and up to 40 studio only spaces and additional shared gallery, performance, educational,
14 creation, and conference space; and

15 **WHEREAS**, the top three preferred locations identified by survey respondents for affordable
16 creative spaces were the Santa Fe Railyard, Baca Street area, Downtown Santa Fe and the St.
17 Michaels Drive area;

18 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
19 **CITY OF SANTA FE** that:

- 20 1. Staff is directed to work with Creative Santa Fe; other community arts, culture and
21 creative organizations and businesses; and Artspace Projects to support development of
22 the Santa Fe "Arts + Creativity Center";
- 23 2. Staff from of the Economic Development Division, Office of Affordable Housing, and
24 Santa Fe Arts Commission will work together to produce a plan to move this project
25 through several planning and implementation steps to completion;

1 3. The City Manager shall direct additional resources to the project, based on the needs that
2 arise as the project moves forward.

3 4. Staff shall also explore the placement of the project on city property.

4 5. Staff shall provide the Governing Body updates on the progress of the project, no less
5 than quarterly.

6 **BE IT FURTHER RESOLVED** that the project phases will include site selection and site
7 control; project design and finance modeling, preparation of a Low Income Housing Tax Credit
8 application to the New Mexico Mortgage Finance Authority that will be supported by the City of
9 Santa Fe, and finally construction and leasing of the facility.

10 **BE IT FURTHER RESOLVED** that the project will be a public private/partnership:

11 1. Fifty thousand dollars (\$50,000) from the Economic Development Division, Office of
12 Affordable Housing or Community Development Block Grants will be designated for the
13 next phase of development, site selection and site control, and contracted through
14 Creative Santa Fe; and

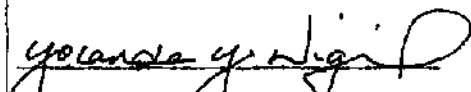
15 2. Local Creative Santa Fe and other non-profit organizations will raise money from the
16 community to match the City's investment.

17 **PASSED, APPROVED, and ADOPTED** this 26th day of February, 2014.

18
19 

20 DAVID COSS, MAYOR

21 **ATTEST:**

22
23 
24 YOLANDA Y. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

2

3

Kelley A. Brennan

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KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

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M/Melissa/2014 Resolutions/2014-13 Creative Santa Fe Arts

1 CITY OF SANTA FE that the City Attorney's Office, the Land Use Department, the Housing and
2 Community Development Department, the City Manager's Office, the Office of Asset Development,
3 the Public Works Department and other staff as needed are directed to do the following:

4 1. Review and respond to the sites analysis submitted by Creative Santa Fe, taking into
5 consideration the factors critical to securing Low Income Housing Tax Credit (LIHTC) funds
6 including, but not limited to: location; zoning; the potential for "brownfield" redevelopment;
7 proximity to public transportation and other non-vehicular networks; potential for complementary
8 uses with surrounding neighborhoods; as well as consistency with current City planning efforts,
9 redevelopment goals for urban corridors, and future management of City-owned sites.

10 2. Develop criteria for a municipal land donation that takes into account feasibility and
11 fiscal impact; identify a project timeline for the implementation of a development agreement that
12 conditions the donation and satisfies the New Mexico Mortgage Finance Authority's definition of
13 "Site Control" for the purposes of the Low Income Housing Tax Credit Program; and investigate the
14 proper mechanism for land donation through the New Mexico Local Economic Development Act
15 and/or the New Mexico Affordable Housing Act;

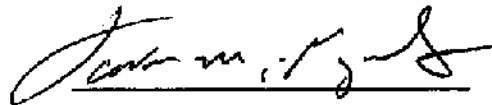
16 3. Bring forward for consideration by the Governing Body a municipal land donation
17 proposal of a city-owned site that has potential to attract Low Income Housing Tax Credits (LIHTC)
18 according to the LIHTC Qualified Allocation Plan.

19 4. Monitor the next level of due diligence on the preferred site, as performed by
20 Creative Santa Fe and its development partner, including but not limited to: definition of the project
21 area; completion of necessary environmental assessments; completion of preliminary engineering
22 assessments; and completion of a land survey and a real estate appraisal of the donated area as
23 required in an application for Low Income Housing Tax Credit funding.

24 BE IT FURTHER RESOLVED that during the above process, staff is directed to consider
25 the existing master plan for the City of Santa Fe Siler Road property and review the Siler Road

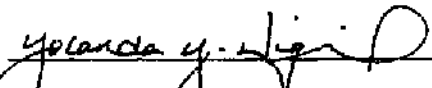
1 property as a potential site for the Arts + Creativity Center.

2 PASSED, APPROVED and ADOPTED this 11th day of March, 2015.

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5 JAVIER M. GONZALES, MAYOR

6 ATTEST:

7
8 

9 YOLANDA VIGIL, CITY CLERK

10
11 APPROVED AS TO FORM:

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14 KELLEY BRENNAN, CITY ATTORNEY

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25 M/Legislation/2015 Resolutions/2015-24 Arts Creativity_AL_KN_2_11_15

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION 2016-30**

3 **INTRODUCED BY:**

4
5 Councilor Christopher M. Rivera Councilor Ronald S. Trujillo
6 Mayor Javier M. Gonzales Councilor Peter N. Ives
7 Councilor Carmichael A. Dominguez Councilor Patti J. Bushee
8
9

10 **A RESOLUTION**

11 **CONTRIBUTING PROPERTY AND RESOURCES TO NEW MEXICO INTER-FAITH**
12 **HOUSING COMMUNITY DEVELOPMENT CORPORATION FOR DEVELOPMENT OF**
13 **THE SANTA FE ARTS+CREATIVITY CENTER LOW INCOME HOUSING TAX CREDIT**
14 **PROJECT PURSUANT TO THE AFFORDABLE HOUSING ACT.**
15

16 **WHEREAS**, it is the policy of the City of Santa Fe to provide incentives and encourage
17 proposals that support the production, acquisition and redevelopment of rental housing in mixed
18 income developments; and

19 **WHEREAS**, the City's Housing Needs Assessment (2013) identified an urgent need for
20 rental housing serving households below fifty percent of area median income; and

21 **WHEREAS**, the planning and predevelopment of the Santa Fe Arts + Creativity Center Low
22 Income Housing Tax Credit Project (the "Project") has been supported by City Council Resolutions
23 2014-13 and 2015-24; and

24 **WHEREAS**, the city intends to donate a parcel of land as shown in the attached Exhibit A of
25 a size that is sufficient for the Project which will serve households earning from thirty to sixty percent

1 of median income, with at least fifty affordable live/work rental units, and a portion of market rate
2 live/work rental units not to exceed fifteen percent of the total project, dedicated outdoor amenities,
3 green space, and shared facilities for residents; and

4 **WHEREAS**, the City's donations are contingent upon the Project receiving Low Income
5 Housing Tax Credit (LIHTC) subsidies; and

6 **WHEREAS**, the land that the City intends to donate for the Project is located in both a
7 majority Low- and Moderate-Income Census Tract and a Qualified Census Tract as designated by the
8 U.S. Department of Housing and Urban Development; and

9 **WHEREAS**, the proposed land donation and the Project conform to the City of Santa Fe
10 Five-Year Strategic Housing Plan "Affordable Housing Element" adopted in conformance to the
11 Affordable Housing Act by Ordinance No. 2007-23 pursuant to the express statutory authority
12 conferred upon municipalities to enact a housing code pursuant to Section 3-1 7-6A(8) NMSA 1978;
13 to enact ordinances pursuant to its police power, Section 3-17-1 B NMSA 1978; to provide for
14 affordable housing pursuant to subsections E and F of Art. 9, §14, of the New Mexico Constitution
15 and the Affordable Housing Act(§§ 10 6-27-1 through 6-27-8 NMSA 1978) and in particular to
16 provide a portion of the cost of financing and/or authorizing housing assistance grants for the purpose
17 of affordable housing pursuant to Section 6-27-5 NMSA 1978 (2007), and pursuant to any and all
18 such other authority as may be applicable including but not limited to the city's recognized authority
19 to protect the general welfare of its citizens; and

20 **WHEREAS**, the City of Santa Fe is being asked to make a substantial investment in the
21 Project, and therefore the Project should be consistent with the City of Santa Fe's long-term
22 sustainability goals; and

23 **WHEREAS**, the City also intends to provide additional donations related to City
24 development water budget fees, impact fees, construction permit and plan review fees, water and
25 wastewater utility expansion charges and other valuable incentives to the Project; and

1 **WHEREAS**, the above referenced donations will be contributed to the Project without debt
2 or interest pursuant to the terms of a land use regulatory agreement.

3 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that the City will provide to the Project the donations as described above in an
5 amount equal to the appraised value of the identified five acres, plus affordable housing fee waivers,
6 but in no amount less than ten percent (10%) of the Project's development costs as a direct grant to
7 the Project in furtherance of a competitive LIHTC application. The City's donations shall be made in
8 the form of a grant subject to the terms of a land use regulatory agreement requiring an affordability
9 period of forty-five (45) years running concurrently with requirements imposed by the New Mexico
10 Mortgage Finance Authority and specifying the requirement for consistency with the Low Income
11 Housing Tax Credit program requirements serving targeted low income clientele. If within a period of
12 30 months after approval of this resolution the project is unsuccessful in its application for Low
13 Income Housing Tax Credits, the City of Santa Fe will have no further obligation to the project.

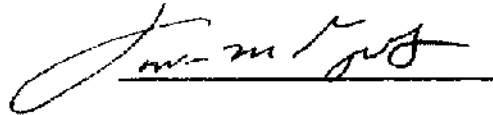
14 **BE IT FURTHER RESOLVED** that City staff is directed to work with the Project
15 developer to bring forward to the Governing Body an application to rezone the donated parcel to an
16 appropriate commercial zoning category to accommodate the proposed uses for the site, including
17 multi-family residential and shared community spaces.

18 **BE IT FURTHER RESOLVED** that staff shall work to minimize the costs associated with
19 relocating to adjacent locations any city uses currently housed on the parcel of land.

20 **BE IT FURTHER RESOLVED** that the Project shall be consistent with the City of Santa
21 Fe's long-term sustainability goals.

22 **BE IT FURTHER RESOLVED** that the City Council of the City of Santa Fe hereby directs
23 city staff to provide an executed copy of this resolution to Santa Fe County.

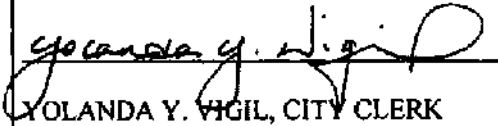
24 **PASSED, APPROVED and ADOPTED**, this 13th day of April, 2016.
25



JAVIER M. GONZALES, MAYOR

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ATTEST:



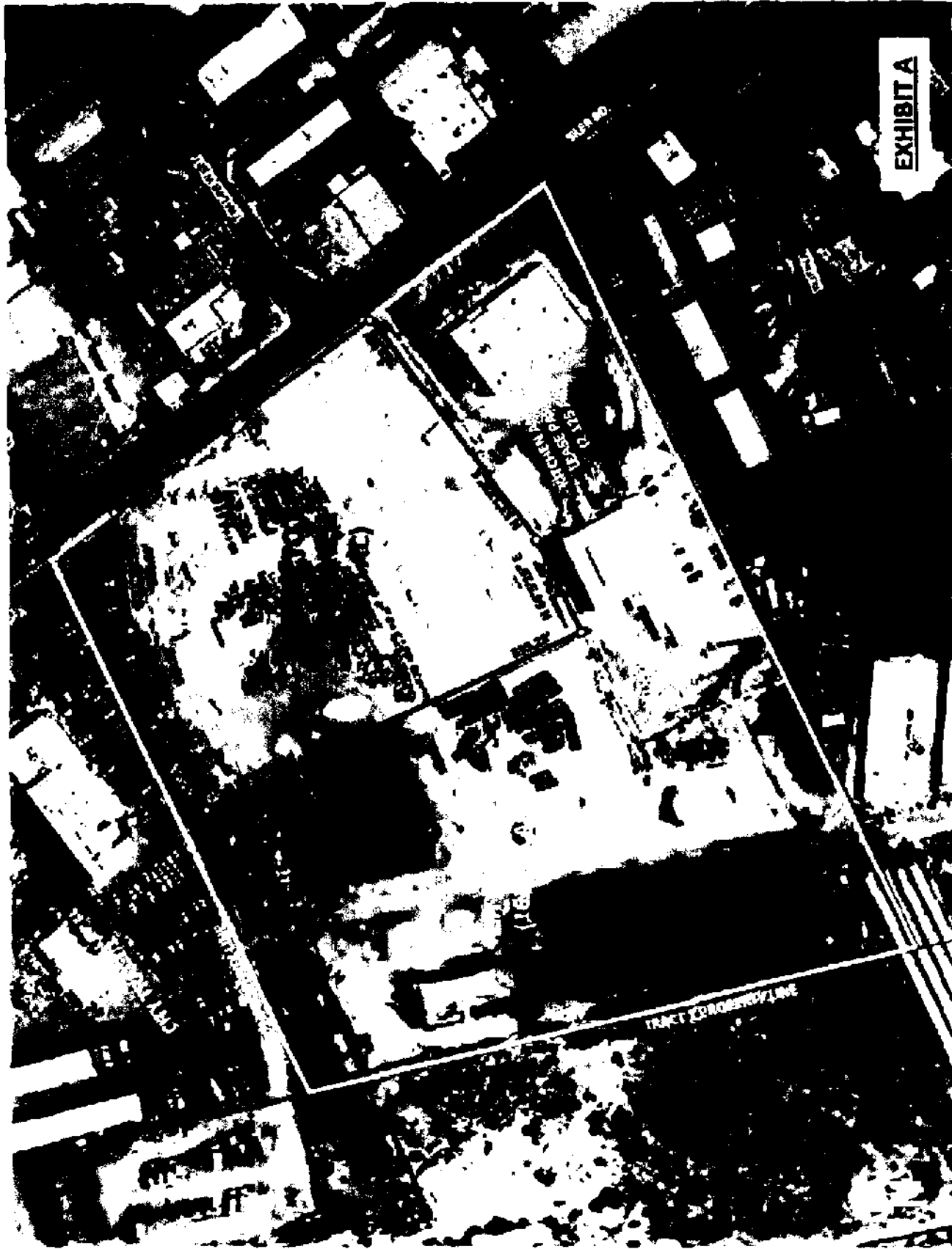
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

EXHIBIT A



City of Santa Fe, New Mexico

Exhibit D

General Plan Themes and Zoning Materials

- 1. Applicable General Plan Themes**
- 2. I-2 and C-2 Permitted Uses List**

I-2 General Industrial District

The I-2 district is intended primarily for general manufacturing and closely related uses. Also allowed in the district are commercial and other uses allowed in some commercial districts. To avoid burdensome regulations on general manufacturing but at the same time to provide adequate limitations on the development of industries incompatible with the city's general industrial characteristics, regulations for this district are intended to provide protection principally against effects harmful to other districts. These regulations do not afford the same level of protection for commercial and other allowed uses not related to general manufacturing as such uses would receive if located in districts primarily designed for them.

Permitted Uses

1. Automobile salvage & wrecking yards, junkyards, or yards used in whole or in part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage or second-hand building materials, junk automobiles or second-hand automobile parts
2. Automobile service & repair establishments including filling stations & repair garages
3. Bar, cocktail lounge, nightclub, with outdoor entertainment ✕
4. Cabinet shops (custom)
5. Commercial parking lots & garages
6. Commercial recreational uses and structures; theaters, bowling alleys, pool-rooms, driving ranges, etc.
7. Electrical distribution facilities
8. Electrical substation
9. Electrical switching station
10. Electrical transmission lines
11. Exercise, spas or gym facilities
12. Fire stations
13. Furniture stores
14. Kennel
15. Laboratories; research, experimental & testing
16. Light assembly & manufacturing
17. Mini-storage units
18. Nonprofit theaters for production of live shows
19. Offices – Business and professional offices excluding medical and dental and financial services.
20. Office equipment sales and service; retail sale of office supplies
21. Outdoor storage lots & yards, except wrecking yards, junkyards, or yards used in whole or in part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage or second-hand building materials, junk automobiles or second-hand automobile parts
22. Police stations
23. Police substations
24. Public parks, playgrounds & playfields
25. Restaurant – full service, with or without incidental alcohol service
26. Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.
27. Restaurant – Fast service/take-out, no drive-through/drive-up
28. Restaurant – with drive-through/drive-up ✕
29. Retail establishments not listed elsewhere
30. Retail and service uses that are intended to serve the primary uses and that do not exceed 5,000 square feet
31. Sexually oriented businesses (all)
32. Sign shops
33. Storage areas – individual within a completely enclosed building
34. Transit transfer facilities
35. Tire recapping & retreading
36. Utilities – All (Includes natural gas regulator station, telephone exchange, water or sewage pumping station or water storage facility)
37. Veterinary establishments, pet grooming
38. Vocational & trade schools (light industrial)
39. Wholesaling & distribution operations; 3,000 square feet or less of storage
40. Wholesaling & distribution operations; over 3,000 square feet of storage

✕ Requires a Special Use Permit if located within 200 feet of residentially zoned property.

Special use Permit

The following uses may be conditionally permitted in I-2 districts subject to a Special Use Permit:

*No Special Use Permits are required within the I-2 zoning district unless noted with ✕.

Accessory Uses

The following accessory uses are permitted in I-2 districts:

Updated March 27, 2015

1. Accessory dwelling units
2. Accessory structures, permanent, temporary or portable, not constructed of solid building materials; covers; accessory structures exceeding 30 inches from the ground
3. Children play areas & equipment
4. Garages (private)
5. Greenhouses (non-commercial)
6. Home occupations
7. Incidental & subordinate uses & structures

Dimensional Standards

Minimum district size	None; except as may be needed to satisfy other I-2 district limitations
Maximum height:	65; any provided that any part of the building exceeding 36 feet in height shall be set back from each yard line at least one foot for each two feet of additional building height above 36 feet
Minimum setbacks:	Street 15; side 10 if abutting residential district, 5 if not abutting residential district; rear 10 if not abutting a residential district, 25 if abutting residential district. Where rear yard abuts a residential neighborhood no less than 25 feet rear yard setback shall be provided or 20% of the depth of the lot, whichever is less. A 15 foot buffer is required for non-residential uses adjacent to residential uses.
Max lot cover:	60

C-2 General Commercial District

The C-2 general commercial district includes areas along *streets* carrying large volumes of traffic where commercial uses are appropriate. Regulations are designed to guide future additions or changes so as to discourage extension of existing and formation of future *strip commercial development*, to preserve the carrying capacity of the *streets* and to provide for *off-street parking* and loading.

Permitted Uses

1. Adult day care
2. Antique stores
3. Art supply stores
4. Arts & crafts schools
5. Arts & crafts studios, galleries & shops; gift shops for the sale of arts & crafts
6. Assembly & manufacturing (light)
7. Automobile service & repair including filling & repair stations
8. Automobile tire recapping & retreading
9. Banks & credit unions with drive-through ☒
10. Banks & credit unions without drive through
11. Bar, cocktail lounge, nightclub with outdoor entertainment ☒
12. Bar, cocktail lounge, nightclub, no outdoor entertainment
13. Barber shops & beauty salons
14. Bed & breakfast and inns
15. Bookshops
16. Cabinet shops (custom)
17. Clubs & lodges (private) ☒
18. Colleges & universities (non-residential)
19. Commercial parking lots & garages
20. Commercial recreational uses & structures (theaters, bowling alleys, pool-rooms, driving ranges, etc)
21. Correctional group residential care facility ☒
22. Dance studios
23. Daycare; preschool; for infants & children (small – 6 or fewer)
24. Daycare; preschool; for infants & children (large – 6 or more)
25. Department & discount stores
26. Dwelling; multiple family (see section 14-6.2(A)(7) for additional regulations)
27. Dwelling; single family (see section 14-6.2(A)(7) for additional regulations)
28. Electrical distribution facilities
29. Electrical substation
30. Electrical switching station
31. Electrical transmission lines
32. Exercise, spas, gym facilities
33. Flea markets
34. Florist shops
35. Funeral homes or mortuaries
36. Furniture stores
37. Grocery stores (neighborhood)
38. Hotels, motels, residential suite hotels
39. Human service establishments ☒
40. Kennels ☒
41. Laboratories; research experimental & testing
42. Laundromats (neighborhood)
43. Lodging facilities; conference & extended stay
44. Manufactured homes (see section 14-6.2(A)(7) for additional regulations)
45. Medical & dental offices & clinics
46. Museums
47. Neighborhood & community centers (including youth & senior centers)
48. Non-profit theaters for production of live shows
49. Nursing; extended care convalescent, recovery care facilities
50. Office equipment sales & service; retail sales of office supplies
51. Office; business & professional (no medical, dental or financial services)
52. Personal care facilities for the elderly
53. Personal service establishments (including cleaning, laundry, appliance repair & similar services)
54. Pharmacies or apothecary shops
55. Photographers studios
56. Police stations
57. Police substations (6 or fewer staff)
58. Public parks, playgrounds, playfields
59. Religious assembly (all)
60. Religious, educational & charitable institutions (no school or assembly uses) ☒
61. Rental; short term

62. Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area ✕
63. Restaurant with drive-through, drive-up ✕
64. Restaurant; fast service, take out, no drive through or drive-up
65. Restaurant; full service, with or without incidental alcohol service
66. Retail establishments not listed elsewhere
67. Schools; Elementary & secondary (public & private) ✕
68. Sign shops
69. Tailoring & dressmaking shops
70. Time share vacation projects
71. Utilities (all, including natural gas regulation station, telephone exchange, water or sewage pumping station, water storage facility)
72. Veterinary establishments, pet grooming ✕
73. Vocational or trade schools (non-industrial)
74. Wholesale & distributing operations (under 3,000 square feet of storage)

✕ Requires a **Special Use Permit** if located within 200 feet of residentially zoned property.

Special Use Permit

The following uses may be conditionally permitted in C-2 districts pursuant to a Special Use Permit:

1. Boarding, dormitory, monastery
2. Cemeteries, mausoleums & columbaria
3. Colleges & universities (residential)
4. Continuing care community
5. Group residential care facility
6. Group residential care facility (limited)
7. Hospitals
8. Mini storage units
9. Sheltered care facilities
10. Storage; individual storage areas within a completely enclosed building
11. Transit transfer facilities

Accessory Uses

The following accessory uses are permitted in C-2 districts:

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

Dimensional Standards

Minimum district size None.

14-7.5(D)(8)(c) C-2 District Qualifying *private open space* is required for each ground-floor *dwelling unit* at a minimum of twenty-five percent of the total gross floor area of that unit. *Dwelling units* located above commercial units are not required to provide *private open space*.

Maximum height: 45

Minimum setbacks:

Non-residential uses: Street 5; side 0, rear 10

Where rear yard abuts a residential neighborhood no less than 25 feet rear yard setback shall be provided or 20% of the depth of the lot, whichever is less. A 16 foot buffer is required for non-residential uses adjacent to residential uses.

Max lot cover: 60

Nonresidential and Mixed Use Open Space Standards

The minimum dimension for *nonresidential open space* shall be ten (10) feet and cover a minimum of three hundred (300) square feet, unless the area is a component of interior parking *landscape* and meets the requirements for *open space* credits for *water harvesting* described in this Subsection 14-7.5(D)(6).

The percentage of *required open space* shall be calculated on the basis of total *lot* area, and shall be no less than twenty-five percent unless the conditions described in Subsection 14-7.5(D)(6) are met; then the *required open space* may be reduced by a maximum of ten percent of the total *lot* size. More restrictive requirements for individual zoning districts shall apply.

Qualifying *private open space* is required for each ground-floor *dwelling unit* at a minimum of twenty-five percent of the total *gross floor area* of that unit. *Dwelling units* located above commercial units are not required to provide *private open space*.

Residential Open Space

C-2 District

Qualifying *private open space* is required for each ground-floor *dwelling unit* at a minimum of twenty-five percent of the total *gross floor area* of that unit. *Dwelling units* located above commercial units are not required to provide *private open space*.

1.7 GENERAL PLAN THEMES

The policies of this document reflect 14 overall themes that track the results of the public survey. These themes are followed by discussion in *italics*. For purposes of this section the themes are equally weighted. However, the Planning Commission and the governing body have the right to prioritize these themes, either within specific cases or as a matter of general policy.

1.7.1 AFFORDABLE HOUSING

Actively participate in the creation of affordable housing.

Opportunities are provided for housing for all income segments of the population in all areas of the city, while restricting the supply of large lot housing, which belongs in rural areas outside the city and not inside it. Housing affordability will also be aided by not artificially limiting the supply of land or the rate of growth. Active efforts to increase the supply of affordable housing are outlined. Affordable housing is provided close to jobs to promote transit use.

1.7.2 QUALITY OF LIFE

Enhance the quality of life of the community and ensure the availability of community services for residents.

The General Plan seeks to promote interests of the community-at-large over private ones. Tools are provided for the public to be meaningfully involved in ongoing planning and decision making.

1.7.3 TRANSPORTATION ALTERNATIVES

Reduce automobile dependence and dominance.

The General Plan outlines a comprehensive strategy, including structuring of land uses to reduce automobile dependence and policies for neighborhood design which promote transit and alternative modes. The Plan delineates Transit Intensive Corridors that will have high frequency bus service, and locates sites for two intermodal (rail and bus) stations. The Plan also calls for preparation of a Transportation Demand Management Program and parking policies that make Downtown more accessible to local residents.

1.7.4 ECONOMIC DIVERSITY

Develop and implement a comprehensive strategy to increase job opportunities, diversify the economy, and promote arts and small businesses.

The General Plan includes policies to promote economic development and the arts; a strategy is outlined in the Community Economic Development Plan, a separate document maintained by the city. Themes of the strategy include regionalism, sustainability, quality of life, equity of education, economic opportunities, and diversification. The General Plan locates sites for arts and new businesses in a variety of settings.

1.7.5 SUSTAINABLE GROWTH

Ensure that development is sustainable and that growth, conservation, redevelopment, and natural resource protection are balanced.

There is clear consensus that growth should not diminish the quality and diversity of natural resources. Sensitive resources that require protection are mapped in the Plan, and resource-based development standards and project review procedures are established. The General Plan seeks to permit development only upon known and certain availability of water, and requires new growth to pay the costs of securing additional water rights. The Plan calls for adoption of an adequate public facilities ordinance.

1.7.6 REGIONAL PERSPECTIVE

Maintain a regional growth management perspective and work with other private and governmental entities towards that goal.

The destinies of the city and the surrounding areas are intertwined. The General Plan encourages city and other local, state, and federal agencies to work together on policies that are mutually supportive and to maintain consistent standards in the area surrounding the city. The Plan outlines a structure for long-range planning to be anticipatory and for the phasing of growth to minimize infrastructure costs. The Plan calls for preparation and implementation of a Growth Monitoring Program with both short-term and long-term elements.

1.7.7 WATER

Undertake comprehensive efforts to conserve water and ensure adequate supplies with growth.

Growth is likely to increase reliance on imported surface water and require active steps to increase the available water supply. The Plan provides a comprehensive strategy to promote conservation, recycling, and recharge. In addition, the Plan requires the adoption of a Comprehensive Impact Fees Program to pay the costs of capital facilities including water supply. Alternative methods of allocating the costs of securing and providing additional water to new water system customers will be examined in terms of those alternatives' projected impact on existing and new residents and businesses, impacts on affordability and other growth management objectives expressed in this plan, requirements for additional customers, and ways cost impacts could be mitigated.

1.7.8 CHARACTER

Maintain and respect Santa Fe's unique personality, sense of place, and character.

Increasing travel and communication have diminished the remoteness that Santa Fe's high desert location once afforded. One of the country's oldest cities, the city today faces the prospect of being overwhelmed by run-of-the-mill late twentieth century development. Residents have unequivocally stated that new growth should not erode the qualities that contribute to Santa Fe's unique character and ambiance. The General Plan delineates an

Urban Growth Boundary and calls for stronger urban/rural edges. Land use and urban design standards, and guidelines for new and infill development are also included.

1.7.9 URBAN FORM

Promote a compact urban form and encourage sensitive/compatible infill development.

Promotion of a compact urban form has been a major criteria in selecting new growth areas. Growth and reintensification areas have been selected to minimize distances between different parts of the city, and between job centers and residential areas. Incentives are provided to promote infill development.

1.7.10 COMMUNITY-ORIENTED DOWNTOWN

Put community activities back into Downtown.

The loss of the Plaza area as a center of community activity and services is a major concern of many residents. While establishments such as drug, grocery, and small-scale service stores serve residents and office workers, they are unable to survive given the high rents that proliferation of tourism-oriented establishments have caused. The Plan outlines economic development components and steps to ensure that these vital activities can return to and survive in Downtown and are easily accessible to residents. Creation of a Public Market in Downtown is also identified.

1.7.11 COMMUNITY-ORIENTED DEVELOPMENT

Orient new development to the community; foster public life, vitality, and community spirit.

Plan policies call for new development to be oriented to established neighborhoods, to urban context, to pedestrians, and to promote active street and outdoor life. Urban design standards are offered that seek to prevent neighborhoods from being isolated from each other but to maintain a continuum of urban fabric, particularly regarding public access and vehicular/pedestrian circulation. Parks, open space, and neighborhood services are located within neighborhoods.

1.7.12 MIXED USE

Provide a mix of land uses in all areas of the city.

The General Plan provides a mix of compatible uses that fulfill everyday retail and service needs in existing and new neighborhoods. This urban structure affirms Santa Fe's traditional development pattern.

3.5 USE CLASSIFICATIONS

Residential

Maximum densities are per gross acre of developable land, excluding areas subject to physical, environmental, or geological constraints and areas dedicated for riparian corridors, provided that at least one housing unit may be built on each existing legal parcel designated for residential use. Accessory units permitted by the zoning regulations and density bonuses for provision of affordable housing, if approved as part of the Zoning Ordinance will be in addition to densities otherwise permitted. Because residential densities are stipulated in gross acres, no loss of development potential will result for projects that have smaller blocks with more pedestrian, bicycle, and street connections.

The residential land use classifications are based on density, not on housing type. Thus, single-family homes can be built in an area designated for Medium Density, provided the overall density of the development falls within the stipulated density of the classification. The City Code may place limitations on the location of certain housing types, such as mobile-home parks. In order to conserve land and ensure the viability and efficiency of transit and other public services, development at densities lower than 5 units per acre is not permitted in newly annexed areas and future growth areas. The General Plan residential classifications are as follows:

Siler Road Redevelopment District

The Siler Road Redevelopment District is intended to allow this industrial area, located in close proximity to expanding residential areas, to develop land uses compatible with housing, and may be implemented through new mixed-use zoning district regulations which would specify appropriate land uses and design standards.

City of Santa Fe, New Mexico

Exhibit E

ENN Materials

- 1. ENN Sign-in Sheet**
- 2. ENN Notes July 12, 2016**

NAME	PHONE	EMAIL
MICHAEL SANTILLANES	907.317.9168	michael.santillanes@gmail.com
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Cheryl Odom	505 670-6316	cherylode@aol.com
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Sean Pope	505-974-1735	sean5pope@gmail.com
Scott Geary	505 795 3420	csg_nm@yahoo.com
Matthew Chase-Daniel		matthew@chasedaniel.com
Jess Gantos	951.719.7854	jess@reflectivejewelry.com
Shawn Evans	505.989.3493	sevensphil@gmail.com
Zane Fixman	505 577 3243	zfixman@gmail.com
William Mee	473-3160	WilliamHenryMee@aol.com
Miguel da Silva	6060.8012	miguel@mac.com
Bill Roth	670-2879	billroth@mac.com
Nohemy Bjoerguez		nblores22@gmail.com
Mary E Schruben	473-7898	

**Art+Creativity Center Rezoning
Early Neighborhood Notification Meeting Notes
July 12, 2016**

The meeting was introduced by City Senior Planner, Noah Berke.

This was followed by a project overview presentation by Daniel Werwath, COO of New Mexico Inter-Faith Housing, a non-profit affordable housing developer and leader of the Development Team acting as Agent for the City of Santa Fe.

Q&A

Attendee – I know it's industrial. Who or what are you displacing?

Daniel Werwath (DW): current uses are 3 city departments. Storage, solid waste dumpsters, Parks landscaping materials and greenhouse, paints for streets. Landscaping team thinking how they could use materials. Outreach team – there may be materials artists could use. NMIF is committed to up to \$100,000 for relocation costs to adjacent sites.

Who are the adjacent neighbors?

DW: To the west: City Public Works Dept., east: Kitchen Angels & Food Depot, across the street: Auto Right Collision Repair, and Advance Auto Parts.

Attendee- There used to be a sewer plant there?

DW: Yes, and brownfield development is incentivized in LIHTC. We've conducted a Phase 2 environmental assessment and it's clean.

"The ground stinks"

DW: I haven't experienced that. We have done extensive testing, boring holes, walked the site extensively etc. It doesn't show chemical contamination. There are traces of sodium chloride likely from the scoria pile (road cinders) stored on site. There is a giant sewer manhole that is essentially exposed that might be making the smell.

Has the EPA come in to say this is a good idea?

DW: The EPA doesn't do that. We've gone through a Phase 2 Environmental Assessment process and will be subject to a HUD Environmental Review process associated with funding. The bottom line is that, as affordable housing advocates we will never put families on toxic land.

Attendee: You mentioned trail connectivity?

DW: From what I understand the county is a few properties short of making the connections for the river trail extension and may complete it within a year. The Acequia Trail currently comes to Harrison. We'd like to start an Acequia Trail on our site because Acequia Madre is the northern boundary of the property.

Attendee: Regarding the city donation – does it mean it's a land lease?

DW: The way this one is working, it will be donated and the land will be owned by the project investors, as is the case with all Tax Credit funding project. New Mexico Inter-Faith Housing will

be the manager and has the first right of refusal for ownership at the end of their compliance period. .

Questioner remarked that this was a preferable setup to land lease.

Attendee: What will be the process for determining residents?

DW: We will work with the community. Foremost, we want to be sure residents are people who actually need live/work space. We will develop a process, through community outreach over the next year, to make sure that it doesn't exclude families, and underserved groups. But also ensuring that it serves creative/folks who need live/work.

Attendee: Once people are living there, are you going to be the managing director to be sure things are held in quality?

DW: Absolutely. Typically you have a professional property manager who deals with day to day operations including leasing, income verifications, etc. We are looking for partners to manage the shared space. What I would like to see for tenant selection is to make it happen from within the resident community rather than from the management.

Attendee: Curious about as you look at income, are you willing to consider things like student loan debt, which is so intense for young creatives?

DW: We are bound by HUD rules that look at gross income. We are going to start working with people ahead of time so they know what they need to prove their income eligibility and to ensure that certain groups do not have an unfair advantage for qualification. .

Attendee: You said that there was storage of paint, solid waste, etc. What about long term health issues and liability?

DW: That is a little beyond the level of detail I can answer. We are following a state process that indemnifies you if you go through the soil testing, etc. It's a non-starter for us to build if there are problems that would risk the health of families.

Attendee: Traffic. Expecting more between Henry Lynch and Siler. I'm concerned about our property on Agua Fria.

DW: Traffic is an issue with all development and especially now because of Cerrillos Rd. construction. The "road diet" on Siler was to create more safety, addressing accidents. The refuge lane reduced impacts. We have been asked to conduct a \$4,000 traffic analysis. They look at peak hour generation – what is the impact of a project. Generally affordable housing is not a huge impact. Since this one is live/work we think it will have even less impact. Using models from the City's traffic engineer we are estimated to generate about 35 trips in the morning and 35 in the evening. In the scheme of things this will have a relatively low impact. We will also make any improvements to traffic infrastructure required by the city.

Attendee: If you were required to add a lane on Agua Fria...

DW: That would not be required because the project is located on Siler Rd.

Noah Berke (NB): most likely at most a deceleration lane would be required for entry to the site. The impact of this development will be very small. You'll see right ins and right outs.

The entrance would be on Agua Fria?

DW: No only on Siler in the general area across from Trades West Road.

Attendee: I am so happy about this project but I'm curious why you're limiting the density?

DW: We're not limiting the density. The scale of the project is more limited by funding sources and the cited level of density is an early estimate.

If you could go up to 20 units/acre why not?

DW: We're aiming for 30% of the site to be open space. There are myriad onsite hinderances and there are big challenges in terms of cost from going to 3 stories, which might force the budget so much that it won't be feasible. The project is already more expensive than most because of live/work. In the subsidy scoring the cost is a big factor, so we are trying to keep it down. We also are not limiting the density, just assuming a density the same as similar recent projects that use the same funding sources.

Attendee: How many sq ft will be built?

DW: About 60,000 sq ft but we don't know exactly because the design process hasn't started.

Attendee: I'm interested in how you feel about the high power lines?

DW: I'm annoyed at the placement due to its location where the driveway should go, but they are pretty at dusk.

Attendee 11: - That line from PNM was supposed to be abandoned when they put the lines up on Rufina St. They are used for lightning arrests. It's not like a real power line.

Attendee: I like the low density and I like the open space because in addition to housing you are creating community.

DW: It's a big goal of ours. I was involved in W21's new building and in that case we focused on creating a really amazing facility but failed to engage the users. We want to build social capital around the project before it is ever built so the day it opens we have a diverse group of people engaged.

Attendee: I love the idea. I am one of those low-income rock and rollers that needs a space to play. I would like to suggest you put in rehearsal rooms for bands.

DW: Our outreach plan is experimental program prototyping, developed with artists. Rehearsal, small meeting and art show spaces and other ideas have come up. We will use the next 18 months to see what's feasible. The area has bands practicing – 2-3 on a given night in the area of the project already.

Attendee: If this happens, are you looking to continue the cycle of finding other areas? All my friends cannot find a place to live; my sister lives in Albuquerque because she can't find a place to live.

DW: Yes. Stage Coach and others have waiting lists of over 100 families. We need to look at bigger strategies. I hope this project can be a model. The city donation makes it more likely we'll get the tax credit subsidy because we can get 10 points for it on our application. If the City could donate to more projects, it's possible to get more. They did donate a parcel to the Housing Trust for a project that wasn't funded this year.

Attendee: Is the 10 points land only?

DW: No, land, cash, fee waivers etc. Yes a public bank could contribute. You receive one point for each percentage of development cost contributed by the municipality.

Attendee: I walked that space a lot because I did a piece about bus shelters, and it's a good move to work with the brownfield. It's nice space, and its good to reclaim those spaces.

DW: Master planning is important for the site and the neighborhood, and we need to look at it at the community level.

Attendee- That takes me back to higher density.

DW: This is the first time at an ENN that someone has requested that.

Noah Berke (NB) – right now just rezoning, that's more of a development plan level issue. And you're not going to get that higher density due to a few factors including the sewer line, setbacks and open space on the site.

We want more affordable housing, so to limit it..

NB: they're going for the most density allowed – 21/acre. It will be at the development plan stage that they figure the actual density.

There could be creative ways to figure ADA access for 3 stories besides elevators.

Attendee: I think this is great. Thank you for doing this.

Attendee: For future meetings could you put them on Periscope or somewhere that those who can't make it can view?

DW: Yes.

DW: I'd like to suggest you look at our website, artsandcreativity.org. Feel free to get in touch. There's a comment form on the site.

Noah Berke: nberke@santafenm.gov. You are welcome to send information. If you have any comments please send them to me, send to commissioners, and councilors.

City of Santa Fe, New Mexico

Exhibit F

Applicant Materials

- 1. Application Submittals**
- 2. Legal Lot of Record**
- 3. Boundary Survey**



July 21st, 2016

To Whom It May Concern:

Please find the application for rezoning for the parcel donated by the city for the Santa Fe Arts+Creativity Center (A+CC). This application for rezoning is in direct response to a City-sponsored process to locate A+CC on a City donated parcel of land. The project will be a mixed-use affordable housing complex intended to provide both very affordable live/work rental housing as well as shared community resources to support entrepreneurial development in the creative sector. The process that led to this donation was supported by three City Council Resolutions that directed the initial site feasibility analysis (2014-3), the in-depth due diligence on the Siller site (2015-24), and the ultimate donation of the site to the project (2016-30).

The site donated in Resolution 2016-30 is a five-acre parcel—part of a larger complex of 54 acres of city owned land—currently zoned Industrial-2, a zoning category that precludes housing as an allowable use. The request for a rezoning to Commercial-2 "General Commercial" is to accommodate a wide range of future mixed uses on the site, while still maintaining a zoning category that would allow for the current uses happening on the site in the event the project is not realized.

New Mexico Inter-Faith Housing is acting as the authorized representative for the City who will continue to be the owner of record for the property until all project financing has been secured.

Please do not hesitate to reach out with any question or concerns regarding this application for rezoning.

Best Regards,

Daniel H Werwath
Chief Operating Officer
New Mexico Inter-Faith Housing



REZONING APPLICATION NARRATIVE

The application is made in direct response to the City Council's decision to locate the Santa Fe Arts+Creativity Center on a City-donated parcel of land. The project will be a mixed-use affordable housing complex intended to provide both very affordable live/work rental housing as well as shared community resources to support entrepreneurial development in the creative sector. The process that led to this donation was directed by three City Council Resolutions that facilitated the initial site feasibility analysis (2014-3), the in-depth due diligence on the Siler site (2015-24), and the ultimate donation of the site to the project (2016-30).

It is widely recognized in the community that the Siler Road/Rufina St area is changing in character and the general plan and other city plans call for more affordable housing. The site donated in Resolution 2016-30 is a five-acre parcel—part of a larger complex of 54 acres of city-owned land—currently zoned Industrial-2, a zoning category that precludes housing as an allowable use. The request for rezoning to Commercial-2 "General Commercial" is effectively a request to decrease zoning intensity to accommodate a wide range of future mixed uses on the site, while still maintaining a zoning category that would allow for the current uses happening on the site in the event the project is not realized.

APPROVAL CRITERIA

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

(a). One or more of the following conditions exist:

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

Not Applicable

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

There have been several changes to the surrounding area that have a significant enough effect to impact the overall character of the neighborhood to such an extent as to justify changing the zoning. First, this area was at the edge of the city when originally zoned, hence its original use as a sewage treatment facility. With the growth on the south side of town, and recent annexations in the area, Siler Rd is now very close to both the geographic and population center of the city, which makes heavy industrial uses increasingly inconsistent with surrounding uses.

The construction of the Siler Bridge has changed Siler Rd from a relatively low-volume connector street between Agua Fria St and Cerrillos Rd into a major connection for Alameda, and Rufina to the south side of town. This increased traffic is already driving changes to the types of businesses located on Siler Rd.

The recent conversion of several street-front commercial spaces to more consumer and community serving businesses is a good example of this. This includes recent changes on Siler Rd such as the



opening of a coffee shop, the appearance of several new food trucks, the relocation of the Wise Fool community performance space and the demolition of a motel and auto repair shop for a new major drug/convenience store. Other major neighborhood changes include the opening of the Meow Wolf community art space in the vacant bowling alley, and the opening and future placement of two breweries on Rufina St.

Since its original designation as a purely industrial area, a prevalence of non-conforming and makeshift live/work uses have also developed, the same type of housing intended for future development on the site. Several makeshift live/work units are present on Trades West, Calle De Comercio and Rufina Circle, all in close proximity to the site.

Further, a number of recent successful rezonings in the area have also sought General Commercial zoning, a sign of larger neighborhood trends. This includes the rezoning of the Club Allegria property and the Romero property on Agua Fria Street.

Taken together, these factors indicate that larger shifts in usage patterns are happening in the neighborhood that make the current industrial uses on site increasingly incongruous with adjacent uses. The current use as materials and equipment storage also represents an underutilization of a site which could be supporting housing and economic growth while also increasing tax revenues for the city.

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

This request for rezoning is consistent with the applicable policies of the 1999 General Plan, including the specific policies which address the provision of affordable housing (1.7.1), promotion of creative sector economic development and entrepreneurship (1.7.4), as well as goals around ecologically responsible development, water conservation and infill growth goals (1.7.5, 1.7.7, 1.7.9), and mixed-use development (1.7.12).

The current uses on the parcel constitute makeshift storage and other uses that have accumulated on the site over time that provide marginal community benefit and could be undertaken on other land within the city or other city-owned parcels on Siler Rd. The haphazard accumulation of uses on the site currently is also visually unsightly on the street front of a highly traveled connector street.

Because of its past use as a waste treatment facility, and the presence of salt contamination in the soil, the site could be considered a "brownfield". This project intends to environmentally remediate the site and create an attractive asset to both the immediate neighborhood and the community at large, a clear community benefit.

Rezoning will allow for the provision of housing for 70 households. The dire need for affordable rental housing has been clearly documented in the City of Santa Fe Housing Needs Assessment, which indicates a need for over 2000 units of very affordable rental just to catch up with the current demand. Recent rental housing surveys indicate that rental occupancy rates in multi-family projects exceeds 97%, indicating an extremely unhealthy supply/demand balance that will drive steadily increasing rental housing prices for years to come. The investment in affordable live/work rental in this neighborhood will help positively impact community rental housing needs while also supporting



long-term affordable work space in a neighborhood facing increasing cost pressures, ensuring that low-income entrepreneurs will always have a place in the area.

We also plan on building a shared community resource facility that will serve as a benefit to neighborhood businesses, craftspeople and artists by creating access to advanced tools and work space at little or no cost.

A zoning category that allows multi-family housing will allow us to meet a requirement for allocation of Low Income Housing Tax Credits and the donation of land makes our request more competitive. If successful in our application, we will bring in over \$8m in affordable housing subsidies that would otherwise not be available in the community.

A commercial zoning category is also clearly seen by the community as more advantageous. This is evidenced by the community intent expressed through the unanimous support of the Governing Body for the donation, which included this specific language pertaining to rezoning of the site for community benefit:

"Be It Further Resolved that City staff is directed to work with the project developer to bring forward to the Governing Body an application to rezone the donated parcel to an appropriate commercial zoning category to accommodate the proposed uses for the site including multi-family residential and shared community spaces."

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

This rezoning request is consistent with the requirements in Chapter 14 as evidenced by the answers to the approval criteria contained in this narrative.

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

The consistency with policies in the General Plan are listed above. The larger city-owned parcel, of which the five-acre subject property is a part, is currently shown as Public/Institutional on the City Future Land Use Map. In the general project area, which we define as the neighborhood bounded by Harrison Rd to the East, Henry Lynch Rd to the west, Rufina St to the south and Agua Fria St to the North, there are several examples of both High Density Residential and Mixed Use Transitional zones indicated on the Future Land Use Map. Further, aspects of the project program, particularly the community shared resource facilities, are consistent with the current Future Land Use Map designation as Public/Institutional. One could also argue that deeply subsidized affordable rental housing supported by municipal land donation constitutes a form of public/institutional use.

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

Initial density analysis conducted as part of the land donation process with the city have demonstrated that the proposed rezoning site is ample to accommodate the planned 70 units of housing and up to 10,000 square feet of non-residential space on the site. At five acres, the site also exceeds the minimum rezoning parcel size of two acres. The proposed density of housing on the site



is currently around 14 units per acre, well below the maximum unit density allowed in the C-2 zoning category.

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

The project location was chosen partly based on the ready availability of infrastructure sufficient to accommodate the scale of the project. The site has a major sewer trunk line and adequate water supply as well as electrical service currently onsite. Located in the center of the city, the site can easily be served by existing public safety infrastructure.

The site is located in close proximity to two major bus lines and two future trail systems. We anticipate that because of the live/work nature of the residential units that peak hour traffic impacts will be less than 100 trips per day.

Planned improvements to the site include creating public open space accessible to both City staff at adjacent City facilities, as well as for area residents and workers.

The site is served by schools with adequate capacity for additional students.

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

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

As stated above, the live/work use is consistent with both multi-family housing located within the larger neighborhood area, and specific live-work use on adjacent streets. The design of the project is intended to blend and compliment the industrial aesthetic of the surrounding area.

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

The site is five acres in size.

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

The development of this site will not pose any negative impact to surrounding landowners. The project has also committed to providing funding to assist the city with relocation of existing uses on site.



GENERAL PLAN AMENDMENT NARRATIVE

The application for amendment of the General Plan from Public/Institutional to Community Commercial is made in direct response to the City Council's decision to locate the Santa Fe Arts+Creativity Center on a City-donated parcel of land. The project will be a mixed-use affordable housing complex intended to provide both very affordable live/work rental housing as well as shared community economic development resources to support entrepreneurial development and diversification in the creative sector.

APPROVAL CRITERIA

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

This request for amendment to the General Plan Future Land Use Map is to enable the development of affordable live/work housing which is consistent with the City's identified needs for affordable rental housing, as outlined in the currently adopted affordable housing needs assessment and plan. Further, the proposed future use of affordable live/work housing and shared community economic development resources is in direct support of the City's stated economic development goals of supporting entrepreneurship and support and diversification of the creative economy as outlined in the Angelou Plan and other City policy documents.

The site is located in the center of the City, with ready access to both infrastructure and public transportation.

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

This proposed amendment is consistent with both the goals and provisions of the General Plan including affordable housing (1.7.1), promotion of creative sector economic development and entrepreneurship (1.7.4), as well as goals around ecologically responsible development, water conservation and infill growth goals (1.7.5, 1.7.7, 1.7.9), and mixed-use development (1.7.12).

(c) the amendment does not:

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

The 1999 General Plan specifically identifies Siler Road as a designated redevelopment area and cites the need for mixed commercial and residential uses to better compliment the nearby residential neighborhoods.

"Siler Redevelopment District- This district is intended to allow this industrial area, located in close proximity to expanding residential areas, to develop uses compatible with housing and may be implemented through a new mixed use zoning district regulations which would specify appropriate land uses and design standards" – 1999 General Plan, Land Use Section



The area surrounding the parcel subject to this General Plan Amendment demonstrates a wide range of mixed uses that are compatible with a Community Commercial designation in the Future Land Use Map. Immediately surrounding the site are both commercial and residential activities. There are currently two multi-family housing developments within 1/3 of a mile of the parcel, and live-work uses are present within 500 feet of the project site.

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

The parcel in question is five acres in size.

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

This proposed amendment will only impact the immediate parcel in question. The landowner to the north, west and south is the City of Santa Fe. This proposed amendment will not negatively effect the commercial activities present on the east side of the parcel, which are located on the east side of Siler Rd. The increased presence of residences and businesses will presumably improve business activities and shared economic development resources will also be a benefit to surrounding businesses and land owners.

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

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

The site is not located within the jurisdiction of the extraterritorial zone.

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

By integrating affordable housing and economic development supports on one site, this project supports harmonious development of the City. It will ensure that there is healthy and environmentally sensitive housing available for even the most low-income households and promote economic diversity within the City. This project will deliver on-site social services including programs aimed at economic self-sufficiency and general community well being.

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

The amendment is consistent with other city land use policies. The process that led to the donation of this site to the project was directed by three City Council Resolutions that facilitated the initial site feasibility analysis (2014-3), the in-depth due diligence on the Siler site (2015-24), and the ultimate donation of the site to the project (2016-30). The project directly addresses the need for very affordable rental housing found in the City's affordable housing needs assessment and plan.



(2) Additional Criteria for Amendments to Land Use Policies

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

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

The parcel is currently part of a large complex of City-Owned land that is shown on the Future Land Use Map as Public/Institutional. The Governing Body, in unanimously approving the donation of five-acre subsection of this city land to an affordable housing development, has approved this subsection of City-owned property for a use other than public and institutional. Therefore the designation of Public/Institutional is no longer appropriate. Further, the current uses on the site do not conform to the specific uses outlined in the General Plan for Public/Institutional or meet the public-serving intention of a "unique public character". Instead, the current uses most closely approximate industrial or commercial uses with no current public access to the site.

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

While there are other areas of the city with mixed use and high-density residential classification, the availability of these sites within the 4-mile "compact urban form" boundary in the General Plan is minimal. Furthermore, the sites within that area that are also city-owned and available for donation, (a critical prerequisite for affordable housing multi-family development under the Low Income Tax Credit Program) are essentially non-existent.

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

The conditions effecting both the location of the site have changed. As mentioned, the General Plan specifically identifies Siler Road as a designated redevelopment area and cites the need for mixed use designation to better compliment the nearby residential uses.



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:

Signe I. Lindell, Mayor Pro Tem, Dist. 1
Renee Villarreal, Dist. 1
Peter N. Ives, Dist. 2
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Chris Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Mike Harris, Dist. 4

June 20, 2016

Daniel Werwath, Chief Operating Officer
New Mexico Inter-Faith Housing
125 E. Palace Ave., Suite 43
Santa Fe, NM 87501

RE: LAND USE APPLICATIONS – Arts + Creativity Center Site
City-owned Property – Portion of Tract 2, 1200 Block of Siler Road

Dear Mr. Werwath:

The City of Santa Fe is the owner of the property referenced above. Pursuant to Resolution No. 2016-30 of the city's governing body, New Mexico Interfaith Housing is authorized to make any and all necessary Land Use applications related to the project anticipated by the Resolution.

Please continue to keep the Asset Development Office apprised of the status of any applications.

Please contact me at 955-6213 if you have any questions.

Sincerely,

Matthew O'Reilly, Director
Asset Development Office

cc: Brian Snyder, City Manager

Tract 2 Legal Description

A certain parcel of land, being designated as Tract 2, lying and being situate within Projected Section 33, Township 17 North, Range 9 East, City and County of Santa Fe, New Mexico and being more particularly described as follows:

Commencing at the northeast corner of the parcel hereon described, from which U.S.C. and G.S. Brass Cap "AZIMUTH" 1945 Santa Fe East Base bears, North $41^{\circ}47'15''$ West, a distance of 107.65';

Thence from said point of beginning South $37^{\circ}20'50''$ East, a distance of 99.85';

Thence South $36^{\circ}51'55''$ East, a distance of 327.53';

Thence South $53^{\circ}13'27''$ West, a distance of 249.41';

Thence South $60^{\circ}10'52''$ West, a distance of 227.79';

Thence North $26^{\circ}09'19''$ West, a distance of 546.20';

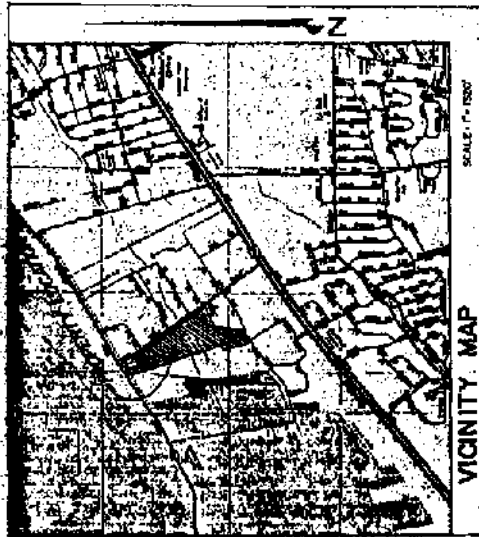
Thence North $63^{\circ}53'34''$ East, a distance of 57.00';

Thence North $65^{\circ}19'22''$ East, a distance of 72.16';

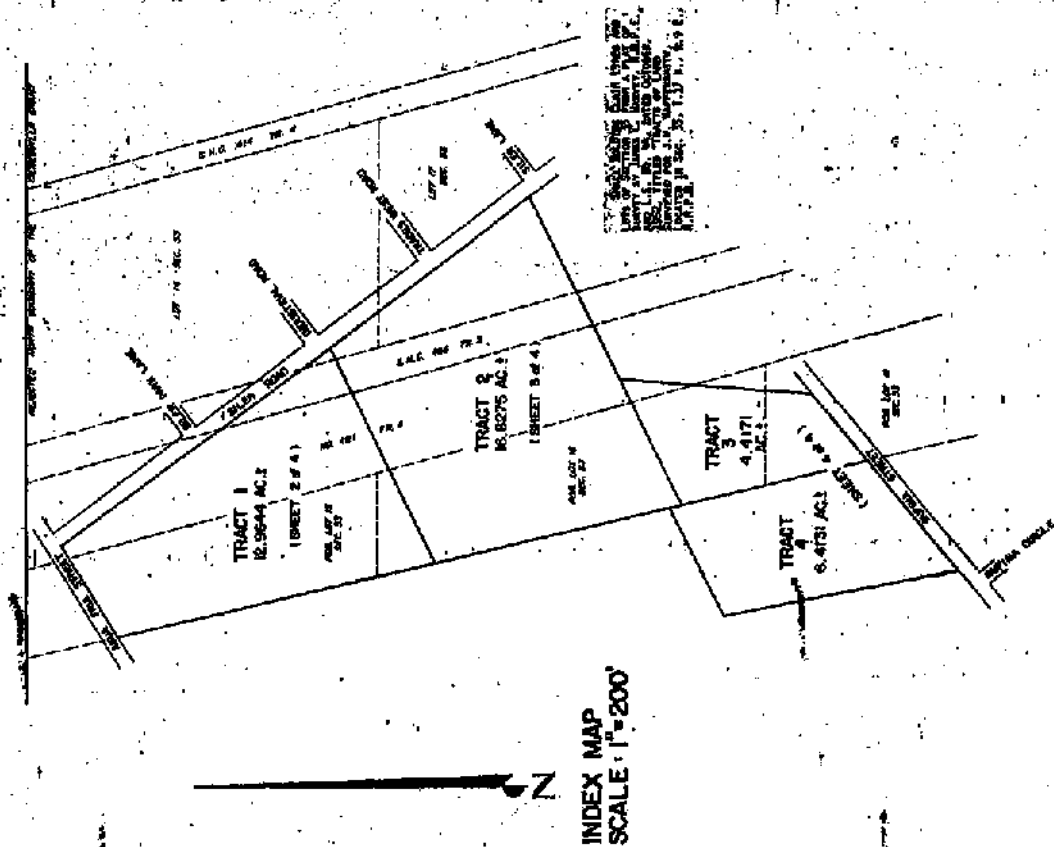
Thence North $70^{\circ}33'29''$ East, a distance of 96.63';

Thence North $81^{\circ}20'45''$ East, a distance of 175.22' to the Point of Beginning.

Containing 5.000 acres, more or less.



PLATS OF SURVEY FOR CITY OF SANTA FE, N.M. OF THE CITY YARDS



INDEX MAP
SCALE: 1" = 200'

SHEET

CITY OF SANTA FE
CITY YARDS



1480

AGUA STREET
FRIA STREET



PLAT
SCALE: 1"=50'

LEGEND

- Four Pointed Star (See Map)
- "X" Corners (See Map)
- Dashed Line (See Map)
- Dotted Line (See Map)
- Solid Line (See Map)
- Thin Line (See Map)
- Thick Line (See Map)
- Double Line (See Map)
- Triple Line (See Map)
- Four Pointed Star (See Map)
- "X" Corners (See Map)
- Dashed Line (See Map)
- Dotted Line (See Map)
- Solid Line (See Map)
- Thin Line (See Map)
- Thick Line (See Map)
- Double Line (See Map)
- Triple Line (See Map)

INDEX
SCALE: 1"=200'

STAR LINDER COMPANY
AND DAVID WILSON

TRACT 1
12.9644 AC.

SILER ROAD

SILER PARK LN

BEARING
DIST.

1/4 SECTION 20, T4N, R10E, S12E

NOTICE: This plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

OFFICIAL SEAL

City of Santa Fe, New Mexico



SHEET 2

CITY OF SANTA FE
"CITY YARDS"

FILE NO. 100-1000-1000-1000

NOTES

1. This plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

2. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

3. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

4. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

5. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

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10. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

11. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

12. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

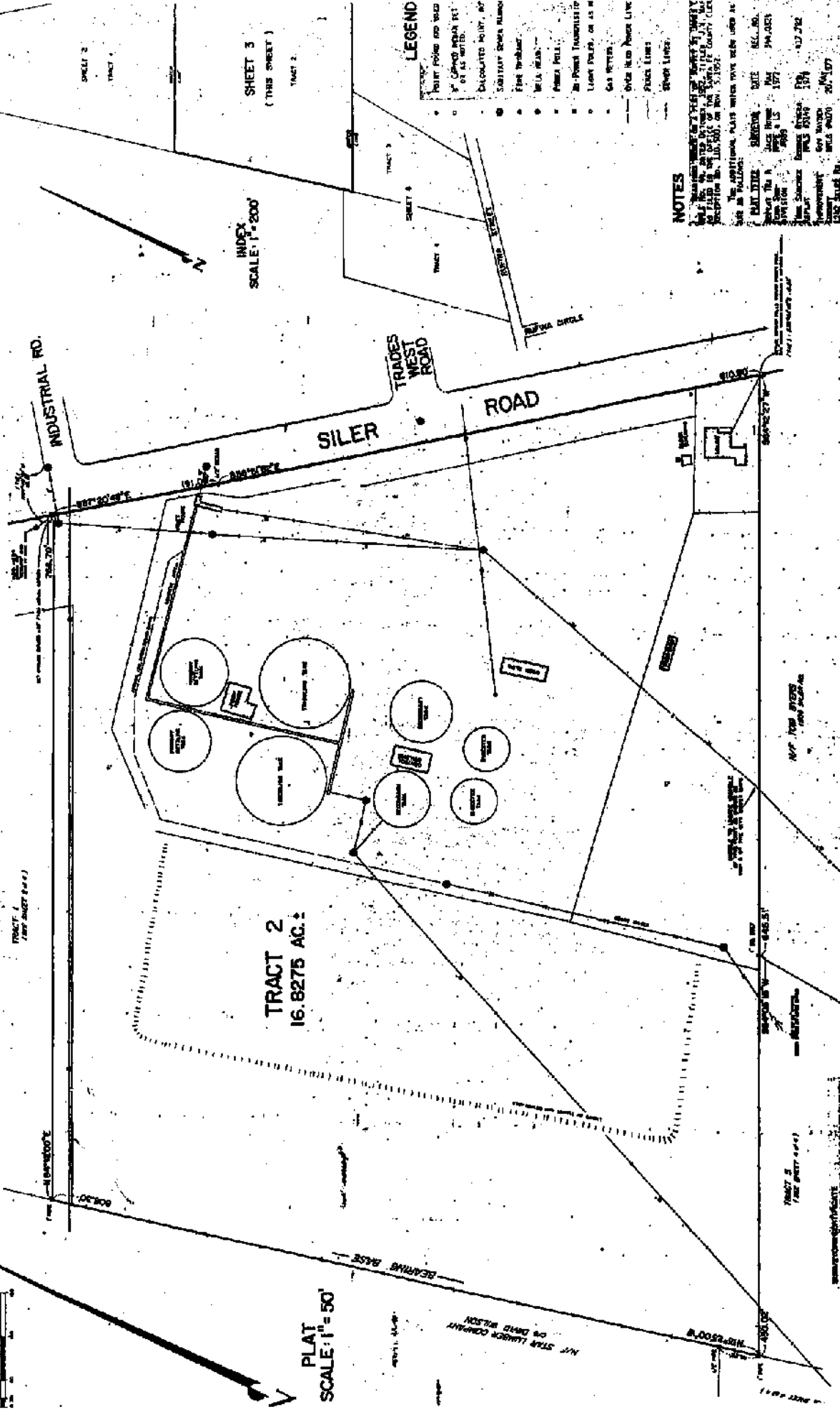
13. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

14. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.

15. The plat was prepared by the City of Santa Fe, New Mexico, and is subject to the provisions of the Santa Fe City Charter, which may be amended from time to time.



PLAT
SCALE: 1" = 50'



LEGEND

- Point from road used
- 3" Center mark set
- Calculated point, not
- Substantive shown along
- Fire hydrant
- Water main
- Power pole
- 2nd Power Transformer
- Light poles, on as is
- Gas meter
- Side view Power Line
- Power Lines
- Street Lines

NOTES

1. THIS MAP WAS PREPARED BY THE CITY OF SANTIAGO, CALIFORNIA, AND IS A PART OF THE CITY RECORDS. IT IS A REPRODUCTION OF A MAP PREPARED BY THE CITY ENGINEER, AND IS NOT A SURVEY. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP.

SHEET 3

CITY OF SANTIAGO
CITY YARDS



THE CITY OF SANTIAGO, CALIFORNIA, IS THE OWNER OF THE CITY RECORDS. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP.

THE CITY OF SANTIAGO, CALIFORNIA, IS THE OWNER OF THE CITY RECORDS. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP. THE CITY ENGINEER IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MAP.

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Planning Commission
October 6, 2016

EXHIBIT 6



AFFORDABLE HOUSING+WORKSPACE+ECONOMIC DEVELOPMENT SUPPORT

The Arts+Creativity Center (A+CC) represents a completely novel approach to community development that will combine affordable live/work rental space with shared workshop and community facilities, all amplified through on-site economic development support programming. The A+CC will serve lower-income creative entrepreneurs and their families. People from diverse backgrounds working in the visual arts, music, theater, dance, media arts, applied arts, healing arts, designers, entrepreneurs, writers, craftsmen, builders, makers, and people in related industries that support those professions. By integrating community resources such as shared workshop spaces, meeting rooms, exhibition spaces, performance spaces, and public open space, the A+CC will support the surrounding neighborhood and the broader creative economy, and create a new kind of place that serves as a vibrant intersection of Santa Fe creative culture.

PROJECT PARTNERS

Non-Profit Developers/Owners: Creative Santa Fe and New Mexico Inter-Faith Housing

Design Team: AOS/Trey Jordan/da Silva Architects/Onion Flats

Outreach Team: After Hours Alliance (Shannon Murphy)/Michael Santillanes

TARGET BENEFICIARIES

This project aims to assist low and very low-income residents. Our goal is to target an average income level among all households of below 50% of the Area Median Income (AMI), and we will include units affordable to residents who earn below 30% AMI. For example an individual who makes no more than 30% AMI (\$13,110 a year) will have to pay no more than \$351 a month in rent. A two-person family qualifying for a unit set aside for those earning 50% of the area median income can earn no more than \$25,000 a year, and will pay no more than \$702 in rent for a two-bedroom live/work unit. Income limits and maximum rents are adjusted annually by HUD.

COMMUNITY OUTREACH

Thanks to the receipt of a prestigious National Endowment for the Arts "Our Town" planning grant, this project will invest over \$300,000 in connecting with the community around design, programming and amenities for A+CC. We plan to use this funding to have creatives from diverse background produce events to prototype elements of the project and gather further information for the design team.

ENVIRONMENTAL IMPACT

The A+CC is dedicated to creating the lowest environmental impact possible throughout the development process. We will at a minimum meet the 2015 Enterprise Green Communities green building standard. Our design team includes two firms that specialize in Passive Housing construction, and one team, Onion Flats, is a national leader in Passive House tax credit funded multi-family housing. We are exploring the potential for energy generation, micro-grid distributions, and cutting edge water recycling strategies in addition to the high standards set by Green Communities.

PROJECT COMPOSITION

The following building program represents three years of planning and outreach work and is the general program that we are using for planning purposes. Final programming will not be determined until after extensive public input.

Up to 70 Units on 5 acres: Between 51 and 61 units of very affordable and up to 9 units of moderately-priced market rate live/work rental units.

- ranging from 1-3 bedroom
- estimated sizes of 700-1100 square feet; larger than typical because of need for workspace
- 2-3 story height

Residential Shared Amenities Building: 2500 square feet

- for use of residents and their guests
- laundry facility, meeting space, computer lab, etc.
- office for resident services coordinator and provision of resident-specific services

Dedicated Open Space: .5-1.5 Acres

- .5 is minimum required under green building guidelines
- 1.5 acres of open space is the most desirable amount and earns the largest number of points under the green building criteria
- more is preferred given the lack of public outdoor space in the Siler area
- an asset to nearby city employees and the entire neighborhood as well

Community Shared Resources: 6000+ square feet

- shared workshops for types of work that is too messy/loud/dirty to include in residential, other non-profit/community organizations and retail/micro retail spaces
- open to the public as a neighborhood and community asset
- other assets as determined by the NEA Our Town grant project outreach process

PROJECT COST

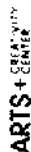
Total project cost for the residential component of the project will be approximately \$12-14 million, with an additional \$1-2m for the shared resource spaces depending on the scale.

Total predevelopment costs necessary for a Low Income Housing Tax Credit (LIHTC) application will be approximately \$400,000, which will be provided by Creative Santa Fe and New Mexico Inter-Faith Housing from organizational funds and grants.

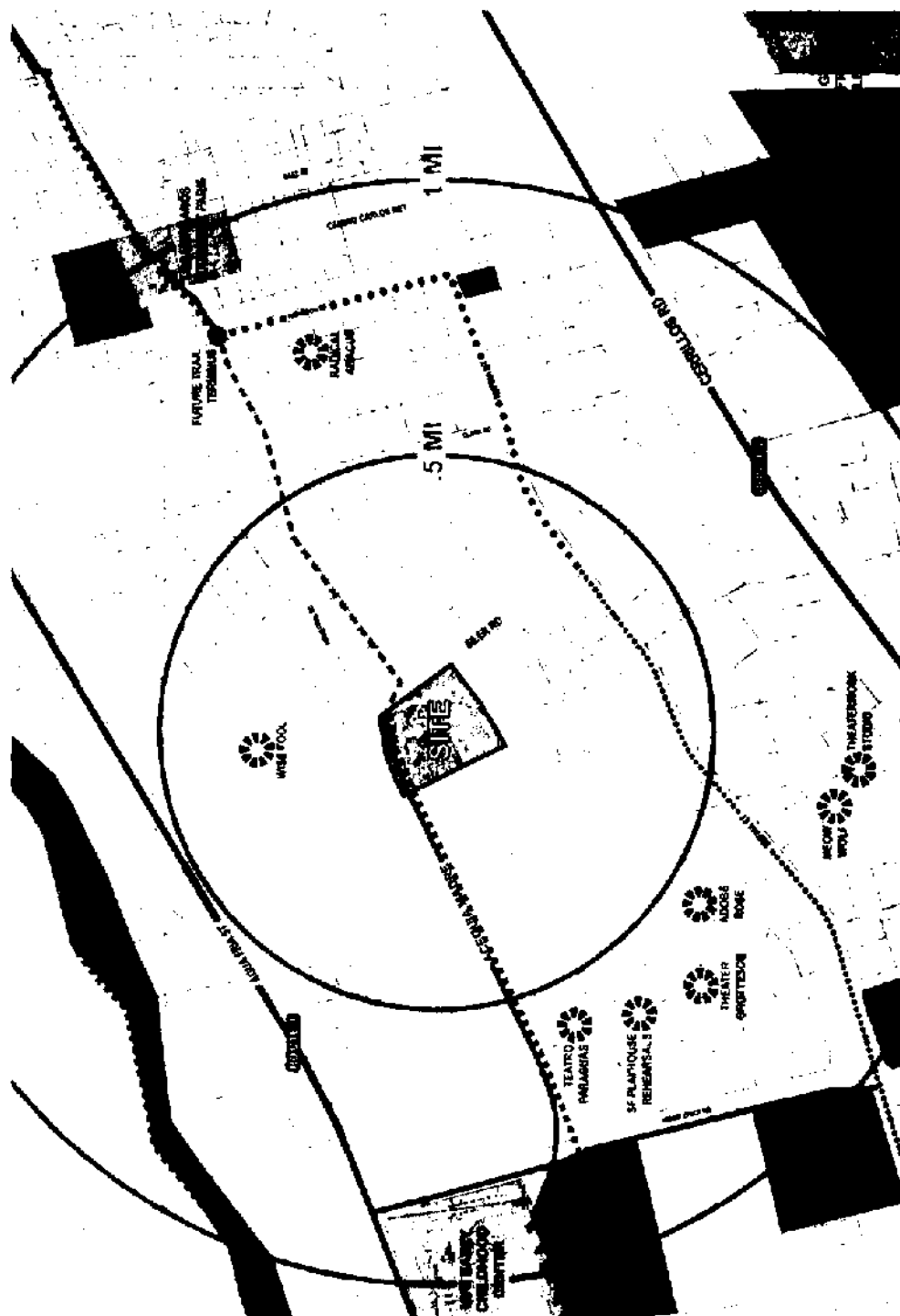
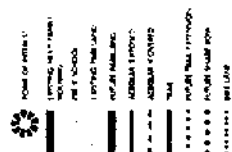
PROJECT TIMELINE 2016-2017

NEA Grant Community Outreach, Planning and Design	Dec 2015- Oct 2017
Rezoning	Fall 2016
Conceptual Design- required for LIHTC application	Oct 2016-Dec 2016
Submit Tax Credit Application	Feb - 2017
Notice of Tax Credit Award	June 2017
Syndication of Tax Credits, Secure Private Financing	Aug 2017- Apr 2018
Construction Starts on Live/Work	March 2018
Live/Work Completion/Lease-up	Spring 2019

Project Contact: Daniel Werwath, dwerwath@nmifhousing.org 505-467-8340



ARTS + DESIGN



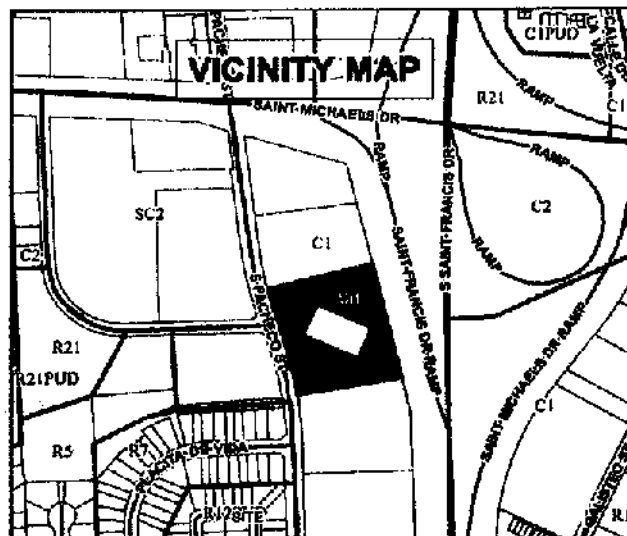
Planning Commission
October 6, 2016

EXHIBIT 7



Land Use Department Planning Commission Staff Report

Case No: 2016-94
Hearing Date: October 6, 2016
Applicant: Confluent Development LLC
Request: Development Plan
Location: 2041 Pacheco Street
Case Mgr.: Daniel A. Esquibel
Zoning: C-1 (General Office)
Overlay: South Central Highway Corridor
Pre-app. Mtg.: April 14, 2016
ENN Mtg.: August 2, 2016
Proposal: Development Plan Approval
 76,500 square foot building, for an 85 unit
 group residential care facility on 4.0+ acres.



Case #2016-94, 2041 Pacheco Street Development Plan. JenkinsGavin Land Use| Project Management, agent for Confluent Development LLC, requests approval of a development plan for a 76,500 square foot building, for an 85 unit group residential care facility on 4.0+ acres. The property is zoned C-1 (General Office) and within the South Central Highway Corridor overlay district. (Dan Esquibel Case Manager).

I. RECOMMENDATION

The Land Use Department recommends **APPROVAL**, subject to the following conditions:

#	Condition of approval	Dept/Division	Staff
1	Prior to Building Permit, the applicant shall design a pedestrian refuge crossing on Pacheco Street that must be approved by the Public Works Department.	Traffic Engineering Division	Sandra Kassens
2	Prior to issuance of a certificate of occupancy - The Developer shall construct the approved pedestrian refuge median on Pacheco Street.		
3	Connection of the property/structures to the City public sewer system is required.	Wastewater Division	Stan Holland

The project will also be subject to the technical requirements listed in Exhibit A.

II. EXECUTIVE SUMMARY

Confluent Development LLC (Applicant) requests approval of a Development Plan to construct a 76,500 square foot building for an 85-unit group residential care facility.

The existing 30,000 square foot building (formerly the office for Public Service Company of New Mexico) will be demolished to accommodate the new facility.

The Applicant has complied with 14-3.1(E) "Pre-Application Conferences", 14-3.1(F) "Early Neighborhood Notification Procedures" and 14-3.1(H) "Notice Requirements".

Staff's analysis finds that the applicant has addressed the necessary findings per 14-3.8(D) "Approval Criteria and Conditions" and recommends **APPROVAL** subject to conditions.

III. SITE ANALYSIS

The property is located at 2041 Pacheco Street. The property consists of 40+ acres and is zoned C-1 (General Office). The existing building and parking lot will be demolished to permit redevelopment of the site.

A. Adjacent Properties

Table 1 Adjacent Zoning

Direction	Zoning
Northwest	SC2 (Shopping Center - Community Shopping Center District-Smith's)
North	C-1PUD (General Office - NM State Offices)
South	C-1PUD (General Office - South Park Offices)
East	St. Francis Drive
West	St. Francis Drive (General Office - NM State Offices)

B. Parking

Table 2 Proposed Parking

Use	Parking Ratio	Proposed Beds	Proposed Parking	Required Parking	Complies
Group Residential Care Facility	1:2 Beds	96	65	48	Yes

C. Access and Traffic

The property has two existing driveways accessed directly off Pacheco Street. These driveways will be relocated as part of the development. The driveway located adjacent to the north property line will be relocated to align with Plaza Del Sur Drive. The second driveway will be located approximately 220 feet south of the first driveway. Both driveways are connected by a driveway running through the parking areas that will loop around the building. A traffic impact analysis was not required for this application.

Traffic Division comments can be found in Exhibit B.

D. Lot Coverage and Open Space

The roofed area of the proposed development would create lot coverage of 26.7%. Subsection 14-7.3-1: "Table of Dimensional Standards for Nonresidential Districts" allows a maximum lot coverage of 60%.

Subsection 14-7.5(D) "Nonresidential and Mixed Use Open Space Standards" requires nonresidential open space equal to 25% of the site area. The applicants are proposing 44%.

E. Landscaping

The amount of landscaped open space exceeds the minimum requirement, as noted above. The proposed landscape plan meets or exceeds planting and other requirements of Subsection 14-8.4 "Landscape and Site Design."

Technical Review Division comments for landscaping can be found in Exhibit B.

F. Utilities

The property is served by city sewer and water. Dry utilities for electric, gas, and telephone also exist on the property.

The annual water budget proposed for the project is 8.77 acre feet. Water conservation credits from the City in the amount of \$145,582.00 will be used to offset the new water demand.

Water Division and Wastewater Division comments can be found in Exhibit B.

G. Fire

There is one fire hydrant adjacent to the property. The hydrant is located approximately 57 feet south of the north property line along Pacheco Street and the west property line. The applicant is also planning to install an automatic fire sprinkler system in the facility.

Fire marshal comments can be found in Exhibit B.

H. Terrain Management and Landscaping

Terrain Management will be addressed during the building phase.

Technical Review Division comments can be found in Exhibit B.

IV. DEVELOPMENT PLAN APPROVAL CRITERIA

Chapter 14 requires the Planning Commission to make the following findings to approve a development plan:

Approval Criteria– Necessary Findings (Section 14-3.8(D))

<i>\$14-3.8(D)(1)(a)- that it is empowered to approve the plan under the section of Chapter 14 described in the application;</i>	Criterion Met: (Yes/No/conditional/N/A) Yes
The application submitted meets or exceeds the applicable development standards. Approval of a	

development plan is required because the project has a floor area greater than 30,000 square feet.	
<i>§14-3.8(D)(1)(b)- that approving the development plan will not adversely affect the public interest</i>	Criterion Met: (Yes/No/conditional/N/A) Conditional
City staff has reviewed the proposed special use permit application in accordance with applicable General Plan policies and applicable development standards. As outlined in this memorandum, together with recommended conditions, the proposed Special Use Permit application can comply with minimum standards of Chapter 14 SFCC.	
<i>14-3.8(D)(1)(c)- that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.</i>	Criterion Met: (Yes/No/conditional/N/A) Yes
Chapter 14 "Table 14-6.1-1-Table of Permitted Uses" (reference Exhibit C1 for copy of table excerpt) identifies "Group Residential Care Facility" as a permitted use in a C-1 District. No conflicts are anticipated between the proposed use and existing or likely future uses in the vicinity are anticipated. The type and scale of proposed building are consistent with the streetscape of the area.	

V. EARLY NEIGHBORHOOD NOTIFICATION

Two ENN meetings were conducted for this project. The first ENN was conducted June 28, 2016 and the second ENN was held on August 2, 2016. Both meetings were well attended.

June 28, 2016 ENN:

Concerns raised by attendees centered on traffic volumes on Pacheco Street. The applicant answered many of the questions presented at the meeting.

August 2, 2016 ENN:

The area of concern again centered on traffic.

- volumes,
- speeding,
- problems for pedestrians crossing at various locations,
- delays for left turns during peak hours, and
- sight distances at intersections.

The City's Traffic Engineer was present at this meeting and answered many of the questions raised at the meeting.

VL EXHIBITS:

EXHIBIT A: Technical Conditions

EXHIBIT B Development Review Team (DRT)

Traffic Engineering, Sandy Kassens

Technical Review Division (Landscaping), Somie Ahmed

Water Division, Dee Beingessner

Wastewater Division, Stan Holland

Fire Department, Reynaldo Gonzales

City Engineer, RB Zaxus

EXHIBIT B: Early Neighborhood Notification

Guidelines

Meeting Notes

EXHIBIT C: Maps and Photos

Zoning Map

Aerial Photo

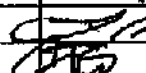


EXHIBIT D: Code References

Excerpt - Chapter 14 "Table 14-6.1-1-Table of Permitted Uses"

EXHIBIT E: Applicant Submittals*

* Maps and other exhibits are reproduced and archived separately from this staff report. File copies are available for review at the Land Use Department office at 200 Lincoln Avenue, West Wing.

APPROVED AS TO FORM:

Title	Name	Initials
Land Use Department, Director	Lisa D. Martinez	
Land Use Current Planning Division, Director	Greg T. Smith	
Land Use Current Planning Division, Senior Planner	Daniel A. Esquibel	

May 5, 2016
Planning Commission
Case # 2016-94
**2041 Pacheco St.
Development Plan**

EXHIBIT A

Technical Conditions

EXHIBIT A
Technical Conditions of Approval
Case 2016-94
2041 Pacheco St. Development Plan

	Condition	Department	Staff
1	Prior to building permit - Correct plan set drawings as detailed in an attached document	Traffic Engineering Division	Sandra Kassens
2	All Fire Department access shall be no greater than a 10% grade throughout.	Fire Department	Reynaldo Gonzales, Fire Marshal
	Fire Department access shall not be less than 20 feet width to any new/remodel construction.		
	Shall meet the 150 feet driveway requirements must be met as per IFC, or can emergency turn-around that meets the IFC requirements shall be provided.		
	Fire Department shall have 150 feet distance to any portion of the building on any new construction.		
	Shall have water supply that meets fire flow requirement as per IFC.		
3	An Agreement to Construct and Dedicate (ACD) water infrastructure will be required for this project. A water plan was included with the development plan and must be approved by the Water Division before the ACD can be processed.	Public works/Water Division	Dee Beingessner
4	An Agreement to Construct and dedicate (ACD) water infrastructure will be required for this project. A water plan was included with the development plan and must be approved by the Water division before the ACD can be processed.	Public Utilities/Water Division	Dee Beingessner
5	Plans shall show loading zone	Land Use Department	Dan Esquibel Land Use Planner Senior

May 5, 2016
Planning Commission
Case # 2016-94
**2041 Pacheco St.
Development Plan**

EXHIBIT B

Early Neighborhood Notification

City of Santa Fe, New Mexico

memo

DATE: September 23, 2016
TO: Daniel Esquibel, Planning and Land Use Department
VIA: John Romero, Traffic Engineering Division Director
FROM: Sandra Kassens, Traffic Engineering Division
CASE: 2041 Pacheco Street Dev. Plan (Morning Star) – case #2016-94

ISSUE:

JenkinsGavin Land Use/Project Management, agent for Confluent development, LLC, requests approval of a development plan for a 76,500 square foot building, for an 85-unit group residential care facility on 4.0± acres. The property is zoned C-1 (General Office) and within the South Central Highway Corridor overlay district. The property is located on the east side of Pacheco Street and opposite the intersection of Plaza del Sur with Pacheco Street.

TRAFFIC REVIEW:

The traffic report (dated July 26, 2016) provided by the Developer demonstrates that the proposed 85-unit group residential care facility will generate 20 percent less traffic on a daily basis than what would be generated by the existing offices if they were occupied. The reduction is more significant during the peak traffic hours for which the proposed facility generates 75% less traffic in the morning peak hour and 60% less traffic during the afternoon peak hour than the corresponding figures for the office land use.

RECOMMENDED ACTION:

Review comments are based on submittals received on August 25, 2016 and September 12, 2016.

CONDITIONS OF APPROVAL:

MUST BE COMPLETED BY:

1	The applicant shall design a pedestrian refuge crossing on Pacheco Street that must be approved by the Public Works Department.	Prior to Building Permit
2	The Developer shall construct the approved pedestrian refuge median on Pacheco Street.	Prior to Issuance of a Certificate of Occupancy (CO)

TECHNICAL CORRECTIONS:

MUST BE COMPLETED BY:

1	Correct plan set drawings as detailed in an attached document	Prior to Building Permit
---	---	--------------------------

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

Development Review Team

Comment Form

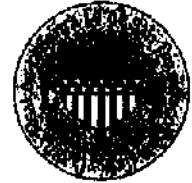
Date: September 12th, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: 2016-94 – 2041 Pacheco St. Development Plan

Case Mgr: Dan Esquibel



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1.	
2.	
3.	
4.	

Technical Corrections*:

Must be completed by:

1.	
2.	
3.	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

All conditions are met for Development plan approval for landscaping.

Development Review Team

Comment Form

Date: 9/6/16

Staff person: Dee Beingessner

Dept/Div: Public Utilities/Water Division

Case: 2016-94 2041 Pacheco Street Development Plan

Case Mgr: Dan Esquibel



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 An Agreement to Construct and Dedicate (ACD) water infrastructure will be required for this project. A water plan was included with the development plan and must be approved by the Water Division before the ACD can be processed.	Prior to connection to the water main.
2	
3	
4	

Technical Corrections*:

Must be completed by:

1	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

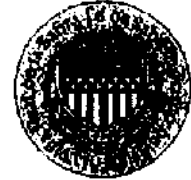
1. [list any additional items]

Explanation of Conditions or Corrections (If needed):

Development Review Team

Comment Form

Date: September 19, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater Division
Case: Case #2016-94. 2041 Pacheco Street Development Plan
Case Mgr: Noah Berke



The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:

Must be completed by:

1. Connection of the property/structures to the City public sewer system is required	
--	--

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

Development Review Team

Comment Form

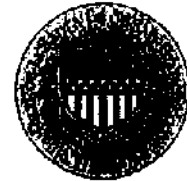
Date: September 15, 2016

Staff person: Reynaldo Gonzales

Dept/Div: Fire

Case: 2016-94 – 2041 Pacheco Street Development Plan

Case Mgr: Dan Esquibel



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None

Technical Corrections*:

Must be completed by:

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

Prior to any new construction the current code adopted by the governing body would need to be met.

*Must be made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

Explanation of Conditions or Corrections (if needed):

Development Review Team

Comment Form

Date: September 19, 2016
From: Risana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case # 2016-94, Pacheco Street Development Plan
Case Mgr: Dan Esquibel



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval : Must be completed by:

1 none	
2	
3	
4	

Technical Corrections*: Must be completed by:

1 none	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

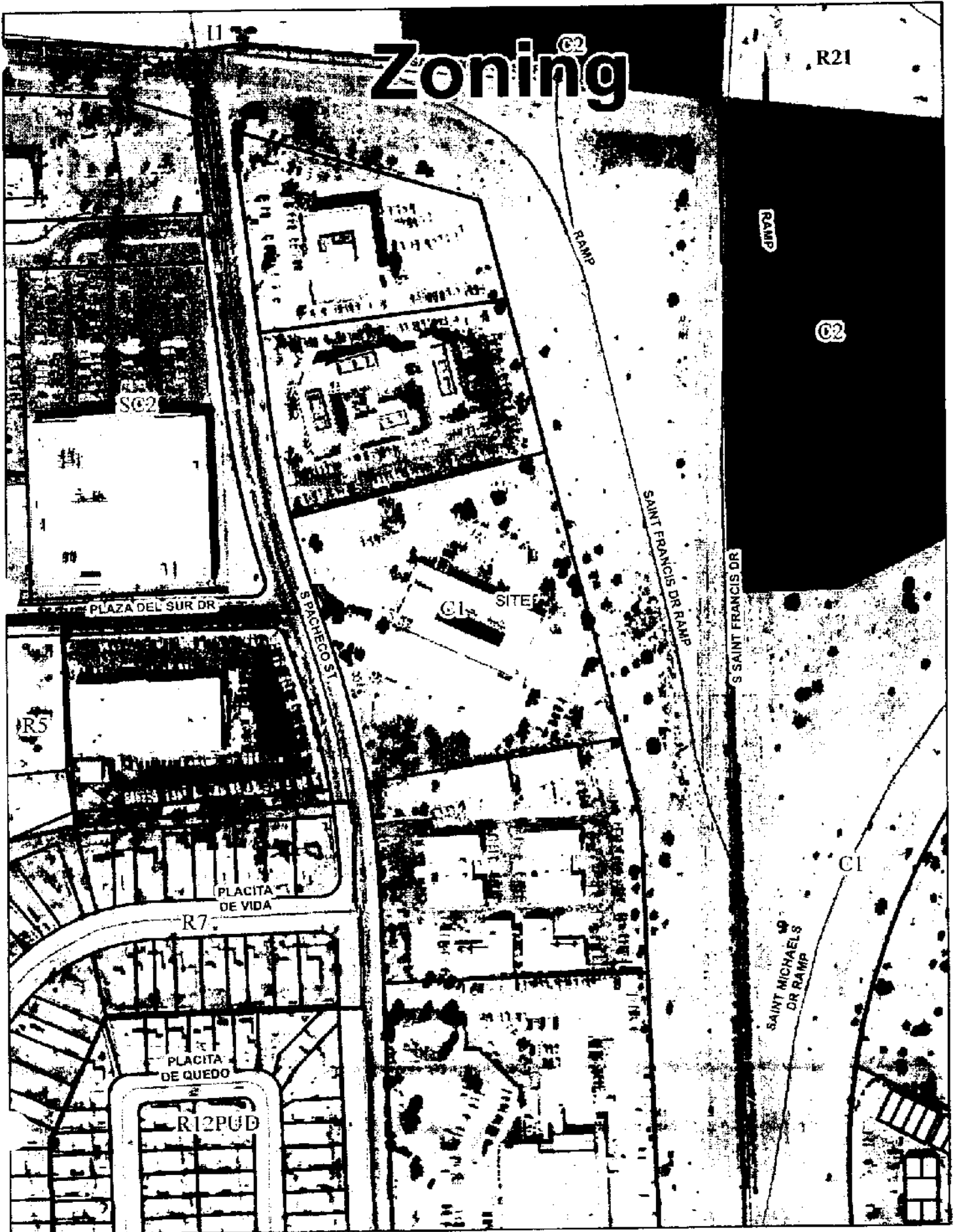
Explanation of Conditions or Corrections (if needed):

May 5, 2016
Planning Commission
Case # 2016-94
**2041 Pacheco St.
Development Plan**

EXHIBIT C

Maps and Photos

Zoning



Aerial-Photo



May 5, 2016
Planning Commission
Case # 2016-94
**2041 Pacheco St.
Development Plan**

EXHIBIT D

Code References

May 5, 2016
Planning Commission
Case # 2016-94
**2041 Pacheco St.
Development Plan**

EXHIBIT E

Applicant Submittals



JENKINS GAVIN
LAND USE | PROJECT MANAGEMENT

August 22, 2016

Dan Esquibel, Senior Planner
City of Santa Fe Current Planning Division
200 Lincoln Avenue
Santa Fe, NM 87501

RE: MorningStar of Santa Fe – Development Plan Application

Dear Dan:

This letter is respectfully submitted on behalf of Confluent Development, LLC in application for Development Plan approval for a proposed 76,500 square foot, 85-unit Group Residential Care Facility (the "Project"), for consideration by the Planning Commission at their meeting of October 6, 2016. The ±4.0-acre subject property is located at 2041 Pacheco Street, zoned C-1 (Office and Related Commercial District), and located in the South Central Highway Corridor Overlay ("SCHC").

Existing Site Conditions

The subject property is currently improved with a vacant 30,300 square foot office building and associated 153-space parking lot, which was formerly the office for PNM Electric and Gas. There are two existing access drives off of Pacheco Street serving the site. The building will be demolished prior to development. The surrounding area incorporates a mix of commercial and residential uses, including a shopping center, offices, and medium to high density residential.

Zoning Compliance

Table 14-6.1-1 of the City's Land Development Code (the "Code") identifies "Group Residential Care Facility" as a permitted use in the C-1 zoning district and defines this use category as follows:

A non-family dwelling unit where care, supervision and services are provided to residents of any age who have difficulty caring for themselves, including the elderly, persons with disabilities and children living apart from families. This category includes facilities commonly known as group homes, community residential care, board and care or assisted living facilities, halfway houses and foster homes. This category does not include facilities that provide services to nonresident clients; that provide more than incidental or occasional nursing, medical or other therapeutic treatment, such as extended care facilities, hospitals or detoxification centers; or community residential corrections programs.

This definition is consistent with the proposed facility's program of services, as described below.

Program Summary

The proposed 85-unit Group Residential Care Facility will be an Assisted Living and Memory Care residential community operated by MorningStar Senior Living. The community will provide housing and personalized healthcare services to seniors who require assistance with daily living activities.

The Assisted Living component will provide private and companion suites for adults in a residential setting, including meals, security, emergency call system, and assistance with activities of daily living, such as medical management, hygiene, grooming, and dressing to further enhance well-being and independence. Additional services will include social, physical, spiritual and intellectual activities, transportation, housekeeping and laundry. Residents will participate in a variety of events within the facility, as well as enjoy regular group outings such as dining, museums, theatre and shopping.

The Memory Care component is for those with Alzheimer's and other forms of dementia. For these residents, either in early onset or in its advanced states, services will include a gentle home, in addition to those services provided to the assisted living residents. MorningStar will enhance the lives of its residents by providing recreational and purposeful activities, including music, life skills, art, entertainment, and exercise specifically designed for the residents. Lastly, the community will be licensed by the New Mexico Health Facilities Licensing and Certification Bureau which regulates assisted living care.

Project Description

As stated above, the existing structure will be demolished to make way for the new senior community. The property slopes down from the northeast corner to southwest corner, with approximately 24 feet of grade change. In order to complement the sloping site and minimize visual impacts, the building is single story at the north end and transitions to a two story structure on the southern half of the site. In addition, two interior landscaped courtyards provide outdoor recreational space for residents and increased opportunities for natural light in the building's interior. Please refer to the attached concept rendering and site section for more information.

Outlined below is a summary of compliance with the applicable Dimensional Standards:

STANDARD	REQUIRED	PROVIDED
Maximum Height	25'	25'
Building Setbacks:		
Street/West Boundary	10' (70' per Plat)	70'
Rear/East Boundary	50'	50'
Side/North Boundary	5'	77'
Side/South Boundary	5'	51'
Lot Coverage (roofed area only)	60%	27%
Open Space	35%	44%

Access & Traffic

The Project will be accessed via two new driveways off of Pacheco Street. The main access drive is aligned with Plaza del Sur Drive on the west side of Pacheco Street and a secondary access is located at the south end of the site. The driveways create a loop around the building, facilitating emergency access and overall ease of circulation.

Although a traffic study was not required by the City's Traffic Engineering Division, a Traffic Evaluation was prepared by Bohannon Huston Engineers and is submitted herewith for your reference. The scope of the Evaluation is described below:

1. A 48-hour traffic count was conducted July 12 - 13, 2016 by Bohannon Huston Engineers.
2. The existing capacity of Pacheco Street was analyzed based on the current roadway improvements.
3. The vehicle trip generation was determined for the existing office use and for the proposed senior living facility.

Pacheco Street is designed as a Secondary Arterial, with a design capacity of 5,000 - 15,000 vehicle trips per day (per SFCC Table 14-9.2-1: Design Criteria for Street Types). Based on the 48-hour traffic count, the current Average Daily Traffic on Pacheco Street is approximately 10,000 vehicles per day. Therefore, there is available roadway capacity of 5,000 vehicles per day. Furthermore, per the traffic generation comparison provided in the report, the existing office use, at occupancy, generates four times more traffic in the A.M. Peak Hour than the proposed senior living facility. Similarly, in the P.M. Peak Hour, the office use, at occupancy, generates two and a half times more traffic. Therefore, this project will result in a significant reduction in overall traffic and will also comprise only 2.0% of the total daily traffic on Pacheco Street. Redevelopment of the property as a senior living community is the best solution to achieve a reduction in potential traffic impacts to Pacheco Street.

Parking

A total of 65 parking spaces are provided, which includes four accessible spaces, primarily on the north side of the building. The Code requires one space per two licensed beds. There will be 96 licensed beds among the 85 units, requiring a minimum of 48 spaces. Additional spaces are provided to ensure adequate visitor parking.

Terrain Management

As described above, the site slopes down from the northeast corner to southwest corner, with approximately 24 feet of grade change. Two detention ponds will be constructed within the 70-foot setback on the west side of the building, which will flow into the existing drainage easement at the southwest property corner. The ponds will be landscaped as required by Code to enhance aesthetics and take advantage of passive water harvesting opportunities. Landscaped drainage swales will be constructed along the north and south boundaries, further contributing to passive

water harvesting. In addition, a series of drop inlets and pipes will convey storm water to the ponds. Please refer to the attached Grading Plan for further information.

Landscaping & Open Space

Proposed landscaping includes a combination of ornamental grasses, groundcovers, shrubs, evergreens, and deciduous trees, and all disturbed areas will be reseeded with a native grasses, all served by automatic drip irrigation. The proposed plantings exceed the minimum required by Code. In accordance with the requirements of the SCHC, a 25-foot landscape buffer is provided along the east property boundary abutting the St. Francis Drive right-of-way. In addition, the 35% open space required in the SCHC is exceeded by almost 16,000 square feet, totaling 44% of the site. Please refer to the Landscape Plans for further details.

Water & Sewer

Water: The Project will utilize the existing 3" water service on the property. A new 4" fire line and 1" irrigation line will be constructed connecting to the existing water main in Pacheco Street.

In accordance with SFCC §14-8.13(B)(3), the Project's water budget may be reduced by an amount equal to the existing structure's average annual consumption in the twenty-four months that the highest water use was active during the preceding ten years. Per the attached email from Amanda Encinias, the water budget calculations are as follows:

85 units x 0.12 afy/unit =	10.20 afy
<u>Credit for previous water usage:</u>	<u>(1.43 afy)</u>
Annual Water Budget:	8.77 afy

Since the Water Budget is below the 10 afy threshold for residential projects, the Project's new water demand will be offset through the acquisition of water conservation credits from the City in the amount of \$145,582.00.

Sewer: The Project will utilize the existing 6" sewer service on the property. Please refer the attached Utility Plans for full details.

Fire Protection

Emergency vehicular access is provided on all sides of the building via the looped driveway. In addition, there is an existing fire hydrant on Pacheco Street just north of the main access drive. The building will also be equipped with an automatic fire suppression system.

Archaeology

The Property is located in the Suburban Archaeological Review District, which requires an archaeological clearance permit for projects having over ten acres. Therefore, an archaeological clearance permit is not required for this 4.0-acre project.

Early Neighborhood Notification

The first Early Neighborhood Notification meeting was held on June 28, 2016, with fourteen neighbors in attendance. The discussion centered around the existing traffic patterns on Pacheco Street, including speed enforcement and pedestrian safety. A second, follow up ENN meeting was held on August 2, 2016, with 19 neighbors in attendance, to discuss the results of the Traffic Evaluation.

Development Plan Approval Criteria

Per SFCC §14-3.8(D), the Approval Criteria are addressed below:

To approve a development plan, the planning commission must make the following findings:

(a) that it is empowered to approve the plan under the section of Chapter 14 described in the application;

Applicant's Response: Per SFCC §14-2.3(C), "the planning commission shall review and approve or disapprove various specific development plans, requests and subdivision plats."

(b) that approving the development plan will not adversely affect the public interest;

Applicant's Response: The public interest will be served by the redevelopment of the subject property as a senior living facility by providing much needed senior services to the Santa Fe Community. On January 30, 2013, The City Planning Division, in conjunction with the Senior Services Division, produced a study to foster municipal awareness of the need to plan for the projected increase of the aging population of Santa Fe. The study, entitled SANTA FE'S "SILVER TSUNAMI", states that Santa Fe's senior population (age 65+) may double between 2010 and 2020 to over 20,000 residents. The study further projects that 50% or more of the population in particular areas of the City will be age 65 or older by the year 2020.

Additionally, emerging trends are identified, including Alzheimer's disease and Age-Friendly Urban Development. It calls for, "Growing recognition at the local government level that new housing developments and even existing development should be geared toward 'Age Friendly' or 'Lifelong' communities that include housing choice, transportation options and pedestrian/personal safety."

(c) that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.

Applicant's Response: This segment of Pacheco Street serves a mixed-use neighborhood that includes offices, a U.S. Post Office, a shopping center, and medium to high density residential developments. As a residential facility, the proposed senior living community

will decrease the previous intensity of use, and will be consistent with the existing mix of uses in the surrounding neighborhood. The subject property is bordered by existing office development to the north and south and a shopping center and office building to the west.

In support of this request, the following documentation is submitted herewith for your review and consideration:

1. Development Plan Application
2. Letters of Owner and Applicant Authorization
3. Warranty Deed
4. Legal Lot of Record Plat
5. Conceptual Architectural Rendering & Site Section
6. Traffic Evaluation Report
7. Water Budget Email – Amanda Encinias
8. Utility Service Application
9. Development Plans – 7 sets
10. Application Fee in the amount of \$20,030.00 (Development Plan – \$20,000.00; Notice Poster – \$30.00)

Please let us know if you have any questions or require additional information.

Thank you for your consideration.

Sincerely,

JENKINS GAVIN, INC.



Jennifer Jenkins



Colleen Gavin, AIA



(date stamp)

DEVELOPMENT PLAN APPLICATION

Project Name: Morning Star of Santa Fe
Address: 2041 Pacheco St. Property Size: 4.0 acres
Current Use of Land: Office Proposed Use of Land: Group Res. Care Facility
Does a Rezoning application accompany this application? YES ☐ NO ☒ Are any variances required? YES ☐ NO ☒
Preapplication Conference Date: April 14, 2016
Early Neighborhood Notice (ENN) meeting date: 6/28/16 Zoning: C-1

Name: Confluent Development, LLC
Address: 2240 Blake St., Suite 200
Street Address: Denver Sublot/Unit #: CO 80205
City: Denver State: CO ZIP Code: 80205
Phone: 803 573-6500 E-mail Address: hmcneish@confluentdev.com

Company Name: JenkinsGavin, Inc.
Name: Jennifer Jenkins
Address: 130 Grant Ave. Sublot/Unit #: 101
Street Address: Santa Fe Sublot/Unit #: NM 87501
City: Santa Fe State: NM ZIP Code: 87501
Phone: (505) 820-7444 E-mail Address: jennifer@jenkinsgavin.com
Correspondence Directed to: ☐ Owner ☒ Applicant AGENT ☐ Both

I am/We are the owner(s) and record title holder(s) of the property located at: _____

I/We authorize see attached authorization to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Submittal Checklist for applications under Section 14-3.1(C) SFC 1987


☒ Six (6) 24"x36" plan sets and one (1) CD are required. Please include the following:

<input checked="" type="checkbox"/> Letter of Application (Intent, location, acreage)	<input checked="" type="checkbox"/> Statement addressing approval criteria	<input checked="" type="checkbox"/> Legal Lot of Record, Legal Description	<input checked="" type="checkbox"/> Development Plan (as defined by Section 14-3.8 SFC 1987)	<input checked="" type="checkbox"/> Landscape, Parking and Lighting Plan, Signage Specifications
<input checked="" type="checkbox"/> Terrain Management Plans (as required by Section 14-8.2 SFC 1987)	<input checked="" type="checkbox"/> Traffic Impact Analysis (if required)	<input type="checkbox"/> Proof of Compliance with Conditions of Annexation Approval (if applicable)	<input checked="" type="checkbox"/> Sewer and Water Plan (including profiles and details)	<input type="checkbox"/> Phasing Plan (if applicable)
<input type="checkbox"/> Archaeological Clearance (if applicable)				

Applicants for developments that require development plans under this section shall submit plans and other documentation as required by the land use director that show compliance with the applicable provisions of the Santa Fe City Code as provided in Section 14-3.1(C) (Form of Application), including plans that show:

- existing conditions on the site and within two hundred (200) feet of the site;
- proposed modifications to the site, including the locations of existing and new structures, grading, landscaping, lighting, pedestrian and vehicular circulation, parking and loading facilities;
- the types, extent and intensity of land uses that are proposed;
- proposed modifications to the infrastructure serving the site, including public and private streets, driveways and traffic control measures and utilities;
- documentation of compliance with development standards such as required yards, lot coverage, height of structures and open space;
- the phases of development, if applicable;
- for residential development, a proposal for provision of affordable housing as required by Section 14-8.11 (Santa Fe Homes Program);
- a development water budget as required by Section 14-8.13;
- for a development plan or final development plan, sufficient detail to clearly show how each applicable development standard is to be met and identify any variance or waiver required;
- for a preliminary development plan, sufficient detail to demonstrate the feasibility of meeting all applicable development standards, including an analysis of the type and extent of variances or waivers required, specific requests for which may be included.

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 SFC 1987. 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 development plan requirements.

Signature:  Date: 8-22-16

A case manager will be assigned to your project and will notify you within 10 business days if any additional information is needed. After your application has been reviewed by City staff, you will be contacted by us regarding public notice requirements. A packet of information and instructions will be provided regarding the required mailing and sign posting. Thank you, and feel free to contact the Land Use Department staff at (505) 955-6585 with any questions.

City of Santa Fe
Land Use Department
200 Lincoln Avenue
Santa Fe, NM 87501

RE: 2041 S. Pacheco Street

To Whom It May Concern:

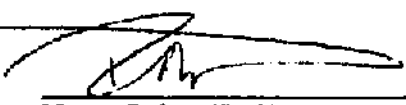
Santa Fe Plaza Associates, a New Mexico limited partnership ("Seller"), is a party to that certain Purchase and Sale Agreement (the "Agreement") by and between Seller and Confluent Development, LLC, a Colorado limited liability company ("Buyer") concerning the property referenced above (the "Property"). Pursuant to the Agreement, Buyer is pursuing certain Government Approvals concerning the Property (as defined in the Agreement).

This letter shall serve as authorization for JenkinsGavin Design & Development, Inc. ("Contractor"), as contractor to Buyer, to submit certain land use applications to the City of Santa Fe as necessary to pursue and obtain the Government Approvals. Seller shall have no liability to Contractor, the City of Santa Fe or any other party for any fees, costs or expenses incurred in connection with the submission and prosecution of any land use applications concerning the Property.

Thank you.

Sincerely,

SANTA FE PLAZA ASSOCIATES


Name: Robert W. Horstman
Title: VP-Finance of corporate general partner

6/2/16
Date

City of Santa Fe
Land Use Department
200 Lincoln Avenue
Santa Fe, NM 87501

RE: 2041 Pacheco St.

To Whom It May Concern:

This letter shall serve as authorization for JenkinsGavin Design & Development, Inc. to act on my behalf with respect to the referenced property regarding land use applications to be submitted to the City of Santa Fe.

Thank you.

Sincerely,



Christine L. Hayes,
General Counsel of
CONFLUENT DEVELOPMENT, LLC,
a Colorado limited liability company

May 20, 2016

Date

WARRANTY DEED

376107

Public Service Company of New Mexico, a New Mexico corporation
 Santa Fe Plaza Associates, a New Mexico Limited Partnership ^{for consideration paid, grants}
 whose address is 4152 IDS Center, Minneapolis, Minnesota 55403

the following described real estate in Santa Fe County, New Mexico:

A certain tract of land lying and being situate within the Santa Fe Grant, City of Santa Fe, and being more particularly described as follows:

Beginning at the southwesterly corner of the tract herein described, which is a point along the easterly right of way line of Pacheco Street south from whence a USGLO Brass Cap set for the one mile corner on the southerly boundary of the Santa Fe Grant bears S 60 deg. 57' 57" W, 2,997.28 feet; thence from said point of beginning along the following bearings and distances 206.80 feet along a curve to the left having a radius of 1,465.40 feet through a central angle of 08 deg. 05' 09" to a point of tangency; thence N 17 deg. 34' 23" W, 134.94 feet to a point of curvature; thence 87.46 feet along a curve to the right having a radius of 1,399.40 feet through a central angle of 03 deg. 34' 51" to a point; thence leaving afore-said right of way line N 76 deg. 00' 28" E, 400.94 feet to a point along the westerly right of way line of St. Francis Drive; thence along said right of way line S 14 deg. 02' 15" E, 350.00 feet; thence S 13 deg. 23' 06" E, 108.68 feet to a point; thence leaving afore-said right of way line S 80 deg. 30' 46" W, 391.77 feet to the point and place of beginning, consisting of 4.00 acres, more or less.

Subject to restrictions, reservations, and easements of record and taxes for the year 1979 and subsequent years.

with warranty covenants.

WITNESS BY, hand, and seal, this 28th day of December, 1979.

(Seal) Public Service Company of New Mexico, a New Mexico corporation

ACKNOWLEDGMENT FOR NATURAL PERSONS

The foregoing instrument was acknowledged before me this 28th day of December, 1979.

(Name or Title of Person or Persons Acknowledging)

My commission expires: (Seal)

COUNTY OF BERNALILLO
 STATE OF NEW MEXICO 11/57/411
 I hereby certify that this instrument was filed
 in record on the 28th day of December, A.D.
 1979, at 12:31 o'clock P.M.,
 and was duly recorded to book 392
 page 169 of the records of Santa Fe County.
 Witness my Hand and Seal of Office
 CAROLINA B. MONTALESE
 County Clerk, Santa Fe County, N.M.
 Patricia J. Garcia
 Deputy

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

The foregoing instrument was acknowledged before me this 28th day of December, 1979.

by J. D. Beist President of Public Service Company of New Mexico

(Name of Officer) (Name of Corporation Acknowledging)
 My commission expires: (Seal)

OFFICIAL SEAL
 NOTARY PUBLIC - STATE OF NEW MEXICO
 My Commission Expires 7-16-83

715139-1

MorningStar at Santa Fe



MorningStar at Santa Fe



SITE SECTION LOOKING EAST

Bohannon Huston

July 26, 2016

Courtyard I
7500 Jefferson St. NE
Albuquerque, NM
87109-4335

www.bhinc.com

voice: 505.823.1000
facsimile: 505.798.7988
toll free: 800.677.5332

Confluent Development
c/o Jennifer Jenkins
Jenkins Gavin
130 Grant Avenue
Suite 101
Santa Fe, NM 87501

Re: Traffic Evaluation – MorningStar Assisted Living, 2041 Pacheco Street
Santa Fe, NM

Dear Jennifer:

Per your request, we conducted a traffic evaluation of South Pacheco Street near the proposed MorningStar Assisted Living Facility, to be located at 2041 Pacheco Street in Santa Fe. A conceptual site plan is included in the Enclosure.

This traffic evaluation included a 48-hour count of traffic volume and vehicle classification (to determine the number of heavy vehicles). The traffic data collected is included as an Enclosure.

This evaluation will also include a description of the existing geometry of the roadway, as well as discussion of the functional classification of the roadway per City designation, both as the use and function of the roadway and the level of improvements on the roadway.

ROADWAY GEOMETRIC DESCRIPTION

Based on field measurements, Pacheco Street near the site is approximately 43-feet in width, from curb face to curb face. This width contains approximately a 16-inch gutter, 4-foot bike lane, two 10-foot driving lanes, and a 12-foot center turn lane. An approximately 4-foot sidewalk is present on the west side of the roadway. North of Plaza del Sur, the sidewalk is immediately behind the curb, and south of Plaza del Sur there is a varying width planting buffer of approximately 4-8 feet in width separating the sidewalk from the roadway. On the east side of the street there is an approximately 4-8 foot sidewalk, with a landscape buffer of 4-5 feet between the sidewalk and curb. In front of the Post Office the sidewalk is immediately behind the curb. Wheelchair ramps are located on the sidewalks at each intersection and driveway.

The posted speed limit is 25 MPH. A "Wheelchair and Pedestrian Crossing" sign is located near the New Mexico Medical Board Building across from Plaza de Vida.

Pacheco Street is also along Route 4, the Southside route, of the Santa Fe Trolley bus system, with multiple bus stops and shelters along the roadway between Birongo and St. Michael Drive.

FUNCTIONAL CLASSIFICATION

The City classifies this segment of Pacheco St. as an "Urban Major Collector", which is based on the use and function of the roadway, not on the average daily traffic (ADT).

Engineering 

Spatial Data 

Advanced Technologies 

This classification is a federal standard and does not correspond to the classifications as defined in the City of Santa Fe Land Development Code. Based on the level of roadway improvements as described above, Pacheco is consistent with a Secondary Arterial as defined in the Code, with established ADT of 5,000 – 15,000.

ROADWAY TRAFFIC COUNTS

As mentioned, traffic counts were collected along Pacheco Street near the site on July 12 and 13, 2016. These counts collected traffic volume and vehicle classification. The counts are summarized in the following table and included in full in the Enclosure.

Table 1 - Traffic Count Summary			
Direction	%HV	ADT	Peak Hour Volume
Northbound	2%	4,818	AM 441 PM 472
Southbound	2%	4,894	AM 408 PM 554
Total Average Daily Traffic Count			9,804
Adjusted AADT*			9,915
Maximum ADT*			11,000
*-based on NMDOT Seasonality Factors			

The traffic counts found that an average of 9,804 vehicles per day (vpd) used Pacheco on the two days when traffic counts were collected. Using NMDOT seasonal adjustment factors, this results in an average annual daily traffic volume (AADT) of 9,915. Using NMDOT seasonal adjustment factors to estimate the largest month daily traffic, results in 11,000 vehicles a day.

TRIP GENERATION

The trip generation for both the existing, approved land use (30,300 square feet of General Office), and the proposed land use (85 units of Assisted Living) was determined from the 9th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The estimated trips generated by each land use is shown in the table below.

Table 2 - Trip Generation Comparison								
Land Use	ITE Land Use Code	Size		24-Hour Two-Way Trips	AM Enter	AM Exit	PM Enter	PM Exit
General Office	710	30,300	SF	336	43	6	8	38
Assisted Living	254	85	Units	260	8	4	9	10
Reduction				22%	81%	20%	-13%	74%

Jennifer Jenkins
Confluent Development
July 28, 2016
Page 3 of 3

As can be seen from the table, the assisted living land use generates 20% less traffic on a daily basis, 75% less traffic in the AM peak hour, and 80% less traffic in the PM peak hour, than the existing, approved office use.

Therefore, the traffic impact from the proposed use will be less than if the existing office use was maintained.

ROADWAY CAPACITY

As mentioned above the roadway as designed can carry up to 15,000 vehicles per day (vpd). The above data indicate the current traffic levels on Pacheco are approximately 10,000 vehicles per day, with increases up to 11,000 during the peak months when school is in session. This is well within the 15,000 vpd design volume, with 73.3% of the roadway capacity being utilized.

With the addition of the proposed Assisted Living Facility, the worst-case daily traffic will be approximately 11,280 vpd, again well within the roadway capacity, with 75.1% of the roadway capacity being utilized, an increase of 1.8%.

With the existing office use, the traffic on Pacheco would be 11,335, or 75.6% of capacity.

SUMMARY

The trip generation for the proposed Assisted Living Facility generates substantially less traffic than the currently existing office use. Based on the existing traffic counts, with the addition of the Assisted Living trip generation, the ADT on Pacheco would be approximately 11,280 vehicles per day, within the range allowed for Secondary Arterials, per the City Land Development Code.

In addition, the level of improvements along Pacheco Street, which include bike lanes and center turn lanes, provides sufficient capacity for the anticipated traffic from the proposed development.

Please contact me at 505-798-7888, or ewrage@bhinc.com, if you have any questions.

Sincerely,



Eric J. Wraga, PE., PTOE
Senior Project Manager
Traffic and Transportation

EJW/jma

Enclosure

ST. FRANCIS

(on camp)
P-051 11(29)

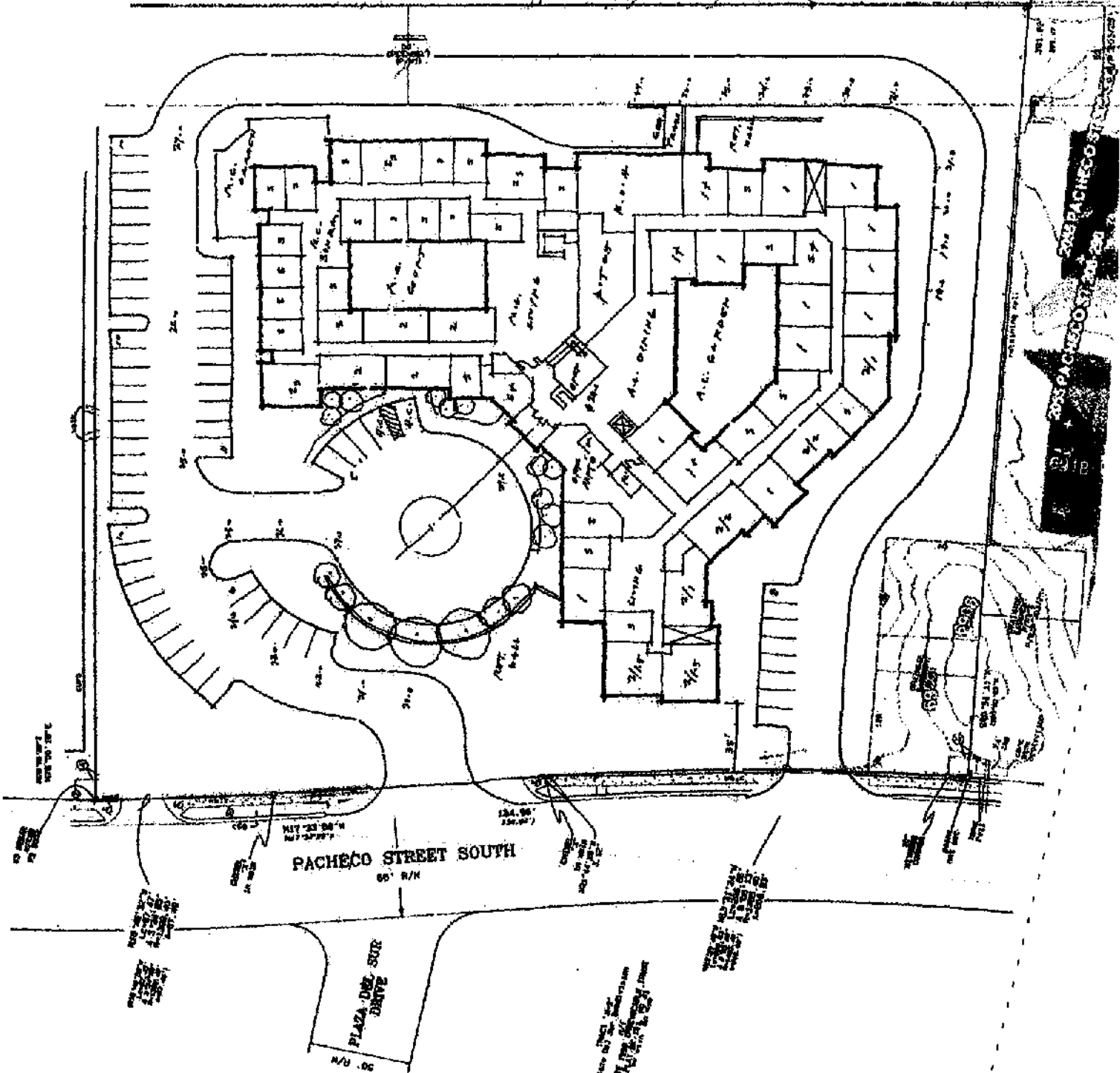
ACQU-VISUAL ACCESS

144°00'00"E
514'02'56"E

100' 00'
300' 00'

015° 00' 00" E
843' 75' 44" E

100' 00'
100' 00'



PACHECO STREET SOUTH
60' R/W

PLAZA DEL SUR
DRIVE
N/S

0 6 4 0

6 10 2 10

15

SEC

Basic Volume Report: NB Pacheco St

Station ID : NB Pacheco St

Info Line 1 : South of Plaza del Sur Dr

Info Line 2 : Santa Fe

GPS Lat/Lon :

DB File : NB PACH 2LNS.DB

Last Connected Device Type : Apollo

Version Number : 1.63

Serial Number : 21495

Number of Lanes : 1

Posted Speed Limit :

#	Dir.	Information	Volume Mode	Volume Sensors	Divide By 2	Comment
1.		Northbound				

Lane #1 Basic Volume Data From: 00:00 - 07/12/2016 To: 23:59 - 07/13/2016

Date	Time	:00	:15	:30	:45	Total
07/12/16	00:00	5	1	2	4	12
Tue	01:00	0	5	0	1	6
	02:00	0	1	3	2	6
	03:00	2	0	1	1	4
	04:00	4	2	3	6	15
	05:00	9	8	16	14	47
	06:00	14	12	27	31	84
	07:00	46	59	101	101	307
	08:00	124	82	80	86	372
	09:00	98	89	79	82	326
	10:00	92	98	78	109	377
	11:00	129	104	100	108	441
	12:00	123	117	97	120	457
	13:00	118	81	86	102	387
	14:00	102	95	90	79	366
	15:00	95	90	87	70	342
	16:00	100	107	95	88	388
	17:00	110	110	85	64	369
	18:00	55	62	53	48	218
	19:00	48	40	31	25	146
	20:00	18	21	22	32	93
	21:00	27	23	13	17	60
	22:00	15	5	9	6	35
	23:00	7	9	8	2	26

Day Total : 4914

AM Total	1997 (40.6%)	Peak AM Hour	10:45 = 442 (9.0%)	Peak AM Factor	0.857	Average Period	61:2
PM Total	2917 (59.4%)	Peak PM Hour	12:00 = 457 (9.3%)	Peak PM Factor	0.929	Average Hour	204.8

Date	Time	:00	:15	:30	:45	Total
07/13/16	00:00	3	3	4	3	13
Wed	01:00	2	1	1	0	4
	02:00	0	3	1	2	6
	03:00	1	2	2	2	7
	04:00	2	2	5	5	14
	05:00	8	9	11	9	37
	06:00	15	15	29	43	102
	07:00	44	62	90	127	323
	08:00	107	86	85	83	361
	09:00	63	75	79	97	314
	10:00	93	83	97	82	355
	11:00	106	108	99	96	409
	12:00	128	99	88	116	432
	13:00	119	100	114	139	472
	14:00	76	93	86	93	357
	15:00	95	95	117	80	387
	16:00	108	96	92	88	384
	17:00	105	74	73	73	325
	18:00	66	68	36	43	192
	19:00	43	24	31	40	138
	20:00	29	40	28	27	124
	21:00	27	21	18	18	84
	22:00	14	11	6	12	43
	23:00	14	7	1	1	23

Day Total :

4906

AM Total :	1945 (39.6%)	Peak AM Hour: 07:30 =	410 (8.4%)	Peak AM Factor: 0.807	Average Period: 51.1
PM Total :	2961 (60.4%)	Peak PM Hour: 13:00 =	472 (9.6%)	Peak PM Factor: 0.849	Average Hour: 204.4

Basic Volume Summary: NB Pacheco St

Grand Total For Data From: 00:00 - 07/12/2016 To: 23:59 - 07/13/2016

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1.	9820 (100.0%)	2.00	4910	51.1	204.6	3942 (40.1%)	5878 (59.9%)
ALL	9820	2.00	4910	51.1	204.6	3942 (40.1%)	5878 (59.9%)

Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor
#1.	10:45 = 442	07/12/2016	0.857	13:00 = 472	07/13/2016	0.849

Basic Volume Report: SB Pacheco St

Station ID : SB Pacheco St

Info Line 1 : South of Plaza del Sur Dr

Info Line 2 : Santa Fe

GPS Lat/Lon :

DB File : SB PACH.DB

Last Connected Device Type : Apollo

Version Number : 1.62

Serial Number :

Number of Lanes : 1

Posted Speed Limit :



#	Dir.	Information	Volume Mode	Volume Sensors	Divide By 2	Comment
1.		Southbound				

Lane #1 Basic Volume Data From: 00:00 - 07/12/2016 To: 23:59 - 07/13/2016

Date	Time	:00	:15	:30	:45	Total
07/12/16	00:00	6	8	3	5	22
Tue	01:00	3	2	0	0	5
	02:00	2	1	3	1	7
	03:00	0	2	1	0	3
	04:00	0	2	2	4	8
	05:00	2	6	5	9	22
	06:00	12	9	11	15	47
	07:00	28	39	37	50	154
	08:00	56	48	53	62	219
	09:00	60	69	79	73	271
	10:00	77	79	94	88	336
	11:00	97	96	107	106	406
	12:00	121	97	99	98	415
	13:00	122	96	103	102	423
	14:00	119	91	98	103	411
	15:00	106	85	99	88	378
	16:00	102	91	126	111	430
	17:00	166	151	122	86	525
	18:00	84	75	60	69	278
	19:00	43	52	49	29	173
	20:00	39	34	34	27	134
	21:00	31	26	27	22	106
	22:00	20	18	8	11	57
	23:00	8	9	8	4	29

Day Total : 4859

AM Total :	1500 (30.9%)	Peak AM Hour : 11:00 =	406 (8.4%)	Peak AM Factor : 0.849	Average Period :	50.5
PM Total :	3359 (69.1%)	Peak PM Hour : 16:30 =	554 (11.4%)	Peak PM Factor : 0.834	Average Hour :	202.5

Date	Time	:00	:15	:30	:45	Total
07/13/16	00:00	4	3	7	4	18
Wed	01:00	2	0	0	0	2
	02:00	0	2	5	2	9
	03:00	2	1	1	3	7
	04:00	2	3	3	3	11
	05:00	2	6	11	7	26
	06:00	3	18	12	27	60
	07:00	27	41	39	60	167
	08:00	51	58	57	52	218
	09:00	60	71	59	65	255
	10:00	74	94	80	81	329
	11:00	84	95	107	122	408
	12:00	101	100	100	108	410
	13:00	96	110	98	99	403
	14:00	105	92	96	99	392
	15:00	119	108	97	90	414
	16:00	110	103	118	145	476
	17:00	137	108	112	111	468
	18:00	91	69	42	67	269
	19:00	54	37	48	45	184
	20:00	34	38	34	52	158
	21:00	35	33	31	31	130
	22:00	20	23	14	9	66
	23:00	13	13	17	6	49
Day Total :						4929

AM Total	1510 (30.6%)	Peak AM Hour: 11:00 =	408 (6.3%)	Peak AM Factor: 0.838	Average Period	51.3
PM Total	3419 (69.4%)	Peak PM Hour: 18:30 =	508 (10.3%)	Peak PM Factor: 0.876	Average Hour	206.4

Basic Volume Summary: SB Pacheco St

Grand Total For Data From: 00:00 - 07/12/2016 To: 23:59 - 07/13/2016

Lane	Total Count	# Of Days	ADT	Avg. Period	Avg. Hour	AM Total & Percent	PM Total & Percent
#1.	9788 (100.0%)	2.00	4894	51.0	203.9	3010 (30.8%)	6778 (69.2%)
ALL	9788	2.00	4894	51.0	203.9	3010 (30.8%)	6778 (69.2%)

Lane	Peak AM Hour	Date	Peak AM Factor	Peak PM Hour	Date	Peak PM Factor
#1.	11:00 = 408	07/13/2016	0.836	16:30 = 554	07/12/2016	0.834

Basic Axle Classification Report: NB Pacheco St

Station ID : NB Pacheco St

Info Line 1 : South of Plaza del Sur Dr

Info Line 2 : Santa Fe

GPS Lat/Lon :

DB File : NB PACH 2LNS.DB

Last Connected Device Type : Apollo

Version Number : 1.63

Serial Number : 21495

Number of Lanes : 1

Posted Speed Limit :

#	Dir.	Information	Vehicle Sensors	Sensor Spacing	Loop Length	Comment
1.	Northbound		Ax-Ax	4.0 ft	6.0 ft	

Lane #1 Basic Axle Classification Data From: 00:00 - 07/12/2016 To: 23:59 - 07/13/2016

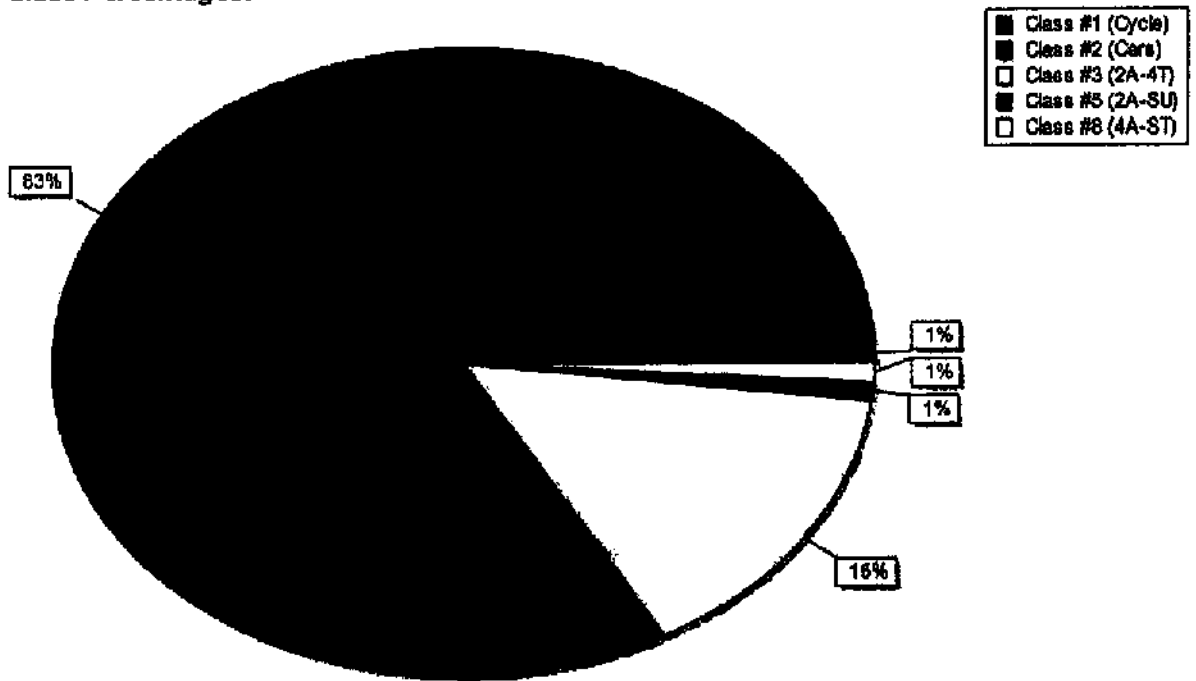
(DEFAULT)	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	
Date	Time	Cycle	Cars	2A-4T	Busess	2A-SU	3A-SU	4A-SU	4A-ST	5A-ST	6A-ST	6A-MT	6A-MT	Other
07/12/16	00:00	0	10	2	0	0	0	0	0	0	0	0	0	12
Tue	01:00	0	6	0	0	0	0	0	0	0	0	0	0	6
	02:00	1	4	1	0	0	0	0	0	0	0	0	0	6
	03:00	0	2	1	0	0	0	0	0	1	0	0	0	4
	04:00	0	10	3	0	0	0	0	2	0	0	0	0	15
	05:00	0	33	9	0	1	2	0	1	1	0	0	0	47
	06:00	2	62	15	0	4	0	0	0	1	0	0	0	84
	07:00	5	243	62	0	2	0	0	3	1	0	1	0	307
	08:00	3	304	60	0	2	0	1	2	0	0	0	0	372
	09:00	1	261	54	1	4	0	0	3	0	0	2	0	326
	10:00	2	316	62	0	3	0	0	4	0	0	0	0	377
	11:00	2	377	66	0	3	0	0	2	0	0	0	0	441
	12:00	3	386	63	0	2	0	0	2	0	0	0	1	457
	13:00	0	321	68	0	2	1	0	4	0	0	1	0	387
	14:00	2	309	64	0	1	0	0	0	0	0	0	0	366
	15:00	2	286	47	1	1	0	2	2	0	0	2	0	342
	16:00	3	333	64	0	2	0	1	3	1	0	1	0	398
	17:00	3	307	53	0	1	0	0	2	0	0	1	1	369
	18:00	2	177	37	0	2	0	0	0	0	0	0	0	218
	19:00	3	129	10	0	1	0	0	3	0	0	0	0	146
	20:00	0	80	11	0	2	0	0	0	0	0	0	0	93
	21:00	1	68	11	0	0	0	0	0	0	0	0	0	80
	22:00	0	31	2	0	1	0	0	1	0	0	0	0	35
	23:00	0	24	2	0	0	0	0	0	0	0	0	0	26
Daily Total :		38	4078	707	2	34	3	4	34	5	0	8	2	4914
Percent :		1%	83%	14%	0%	1%	0%	0%	1%	0%	0%	0%	0%	
Average :		1	170	29	0	1	0	0	1	0	0	0	0	202

(DEFAULT)		#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	Total
Date	Time	Cycle	Cars	2A-4T	Buses	2A-SU	3A-SU	4A-SU	4A-ST	5A-ST	6A-ST	6A-MT	8A-MT	Other	
07/13/16	00:00	0	13	0	0	0	0	0	0	0	0	0	0	0	13
Wed	01:00	0	4	0	0	0	0	0	0	0	0	0	0	0	4
	02:00	0	6	0	0	0	0	0	0	0	0	0	0	0	6
	03:00	0	6	0	0	0	0	0	0	1	0	0	0	0	7
	04:00	0	7	7	0	0	0	0	0	0	0	0	0	0	14
	05:00	0	26	9	0	0	0	0	1	1	0	0	0	0	37
	06:00	0	80	18	0	3	0	0	0	1	0	0	0	0	102
	07:00	2	250	52	0	4	0	0	1	0	0	4	0	0	323
	08:00	0	290	62	0	1	0	0	6	1	0	0	1	0	361
	09:00	0	253	55	0	4	0	1	0	0	0	1	0	0	314
	10:00	1	292	54	0	6	0	0	1	0	0	2	0	0	355
	11:00	2	320	78	0	2	0	0	5	2	0	0	0	0	409
	12:00	1	374	60	0	3	0	0	2	0	0	1	1	0	432
	13:00	3	363	82	0	1	0	0	2	0	0	1	0	0	472
	14:00	1	299	50	0	2	2	0	3	0	0	0	0	0	357
	15:00	2	321	60	1	3	0	0	0	0	0	0	0	0	387
	16:00	6	324	46	1	1	2	0	1	1	0	0	0	0	384
	17:00	0	271	44	2	2	0	0	3	0	0	2	0	1	325
	18:00	4	183	22	0	0	0	1	1	0	0	0	0	1	192
	19:00	0	112	24	0	1	0	0	0	0	0	1	0	0	138
	20:00	0	107	15	0	2	0	0	0	0	0	0	0	0	124
	21:00	1	76	7	0	0	0	0	0	0	0	0	0	0	84
	22:00	0	39	4	0	0	0	0	0	0	0	0	0	0	43
	23:00	0	23	0	0	0	0	0	0	0	0	0	0	0	23
Daily Total :		23	4049	741	4	34	4	2	26	7	0	12	2	2	4908
Percent :		0%	63%	18%	0%	1%	0%	0%	1%	0%	0%	0%	0%	0%	
Average :		1	169	31	0	1	0	0	1	0	0	1	0	0	204

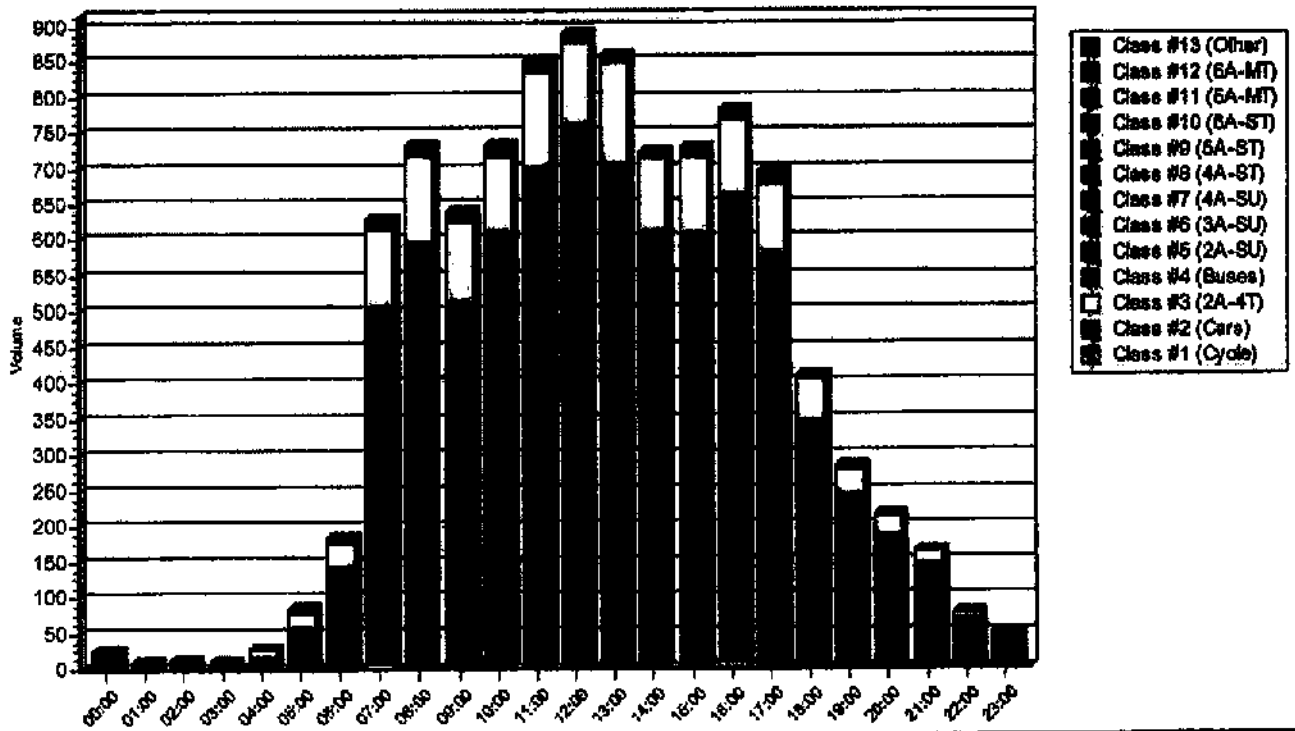
Basic Axle Class Summary: NB Pacheco St

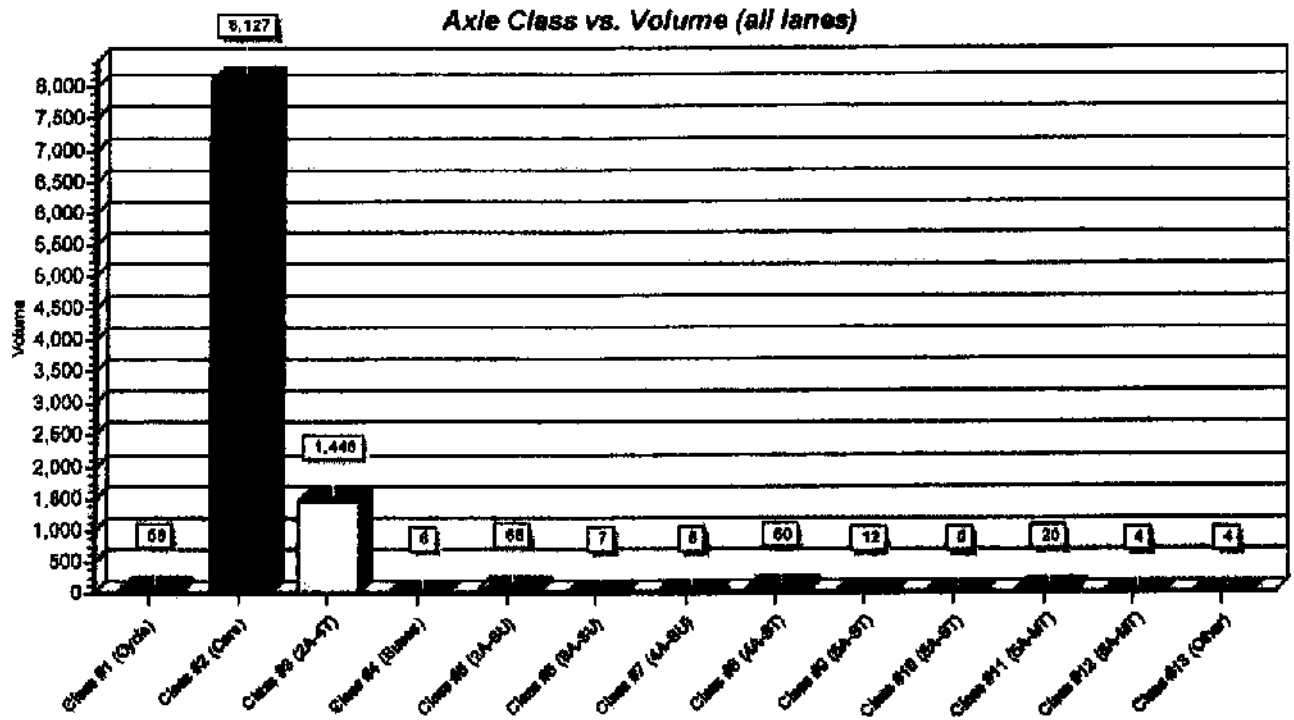
(DEFAULT)		#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	Total
Description	Lane	Cycle	Cars	2A-4T	Buses	2A-SU	3A-SU	4A-SU	4A-ST	5A-ST	6A-ST	5A-MT	6A-MT	Other	
TOTAL COUNT: #1.		58	8127	1448	6	68	7	6	60	12	0	20	4	4	8820
		58	8127	1448	6	68	7	6	60	12	0	20	4	4	8820
Percents: #1.		1%	83%	15%	0%	1%	0%	0%	1%	0%	0%	0%	0%	0%	100%
		1%	83%	15%	0%	1%	0%	0%	1%	0%	0%	0%	0%	0%	
Average: #1.		1	169	30	0	1	0	0	1	0	0	0	0	0	202
		1	169	30	0	1	0	0	1	0	0	0	0	0	202
Days & ADT: #1.		2.0	4910												
		2.0	4910												

Axle Class Percentages:



Axle Class vs. Time (all lanes)





Basic Axle Classification Report: SB Pacheco St

Station ID : SB Pacheco St

Info Line 1 : South of Plaza del Sur Dr

Info Line 2 : Santa Fe

GPS Lat/Lon :

DB File : SB PACH.DB

Last Connected Device Type : Apollo

Version Number : 1.62

Serial Number :

Number of Lanes : 1

Posted Speed Limit :

#	Dir.	Information	Vehicle Sensors	Sensor Spacing	Loop Length	Comment
1.		Southbound	Ax-Ax	4.0 ft	8.0 ft	

Lane #1 Basic Axle Classification Data From: 00:00 - 07/12/2016 To: 23:59 - 07/13/2016

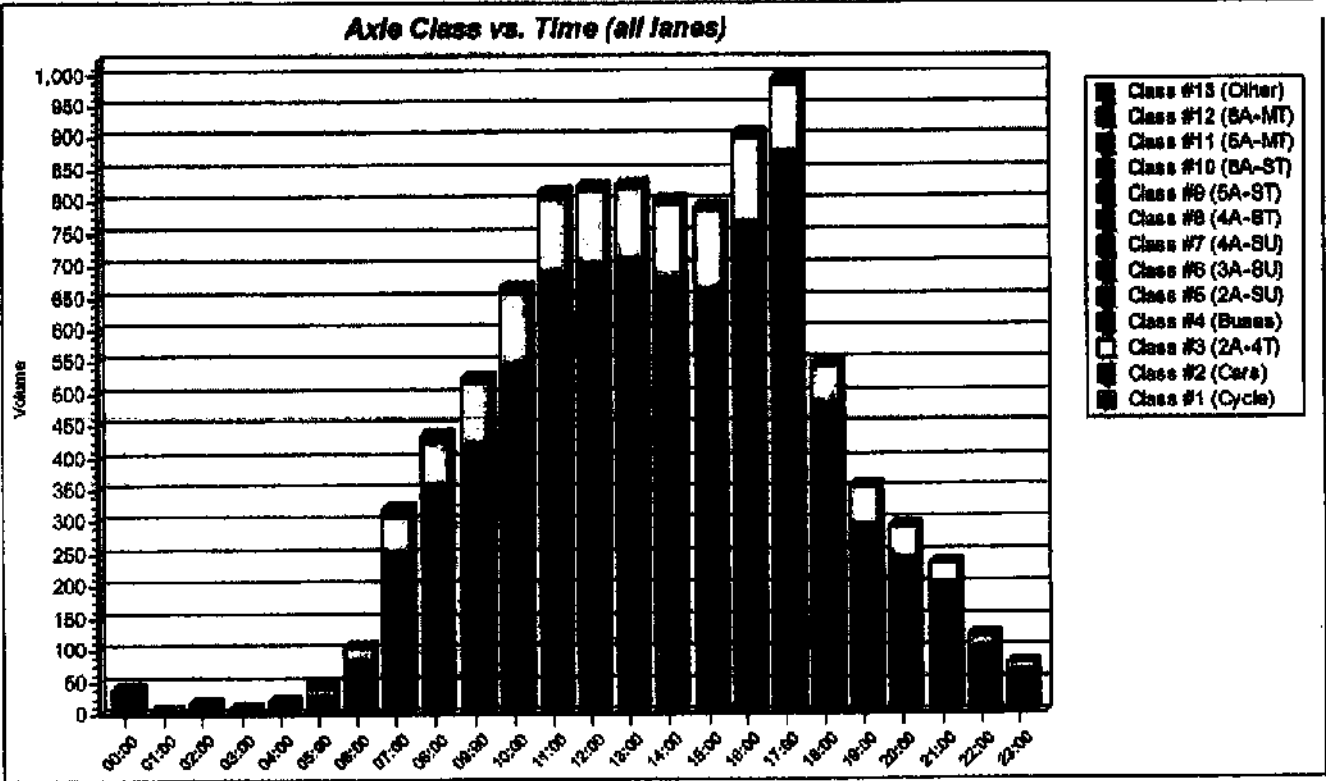
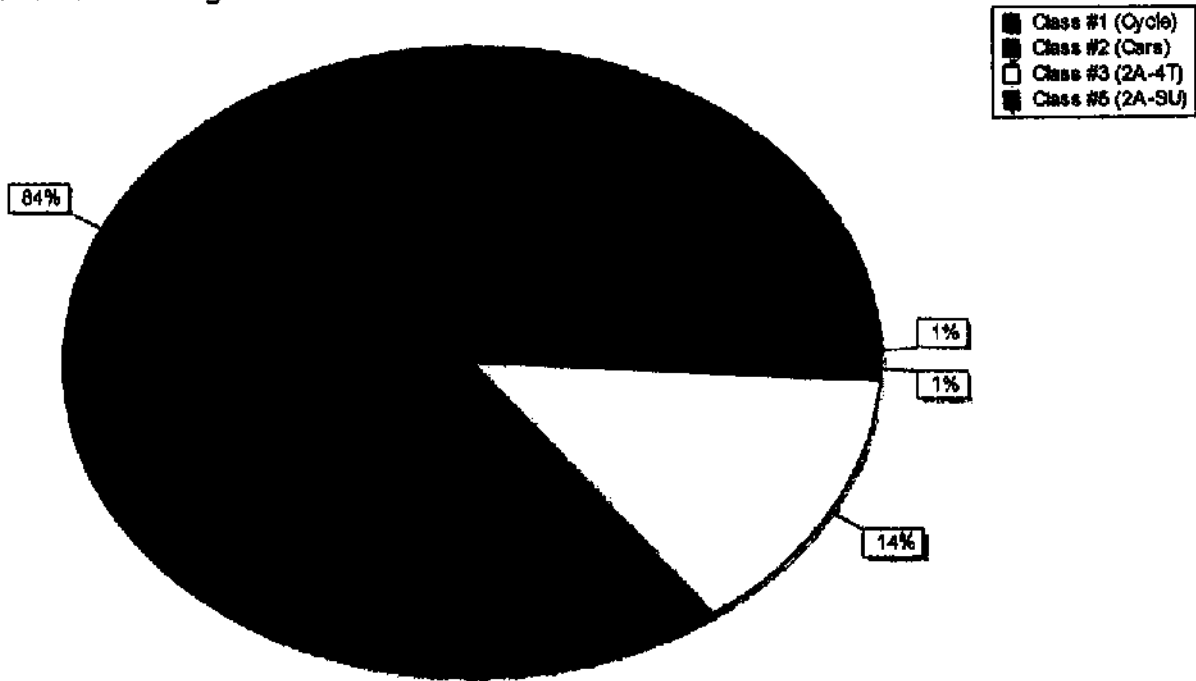
(DEFAULT)	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	
Date	Time	Cycle	Cars	2A-4T	Buses	2A-SU	3A-SU	4A-SU	4A-ST	5A-ST	6A-ST	6A-MT	6A-MT	Other
07/12/16	00:00	1	16	5	0	0	0	0	0	0	0	0	0	22
Tue	01:00	0	5	0	0	0	0	0	0	0	0	0	0	5
	02:00	0	8	0	0	0	0	0	0	1	0	0	0	7
	03:00	1	2	0	0	0	0	0	0	0	0	0	0	3
	04:00	0	6	1	0	0	0	0	0	1	0	0	0	8
	05:00	0	13	5	0	1	2	0	1	0	0	0	0	22
	06:00	1	35	9	0	1	0	0	0	1	0	0	0	47
	07:00	0	119	29	0	4	1	0	0	0	0	1	0	154
	08:00	0	179	34	0	5	0	0	1	0	0	0	0	219
	09:00	1	224	40	0	2	0	0	4	0	0	0	0	271
	10:00	1	274	57	0	3	1	0	0	0	0	0	0	336
	11:00	2	346	52	0	4	0	0	1	0	0	0	1	406
	12:00	5	349	57	0	2	0	0	2	0	0	0	0	416
	13:00	2	371	47	0	1	0	0	2	0	0	0	0	423
	14:00	3	354	51	0	2	0	0	1	0	0	0	0	411
	15:00	2	310	82	0	1	0	0	1	0	1	0	1	378
	16:00	3	375	48	0	2	0	0	2	0	0	0	0	430
	17:00	4	459	57	0	2	0	0	3	0	0	0	0	528
	18:00	1	248	26	0	1	0	0	1	1	0	0	0	278
	19:00	3	143	25	0	2	0	0	0	0	0	0	0	173
	20:00	4	109	20	0	1	0	0	0	0	0	0	0	134
	21:00	0	95	11	0	0	0	0	0	0	0	0	0	106
	22:00	0	49	7	0	1	0	0	0	0	0	0	0	57
	23:00	0	26	3	0	0	0	0	0	0	0	0	0	29
Daily Total :		34	4113	646	0	35	4	0	19	4	1	0	2	4869
Percent :		1%	65%	13%	0%	1%	0%	0%	0%	0%	0%	0%	0%	
Average :		1	171	27	0	1	0	0	1	0	0	0	0	201

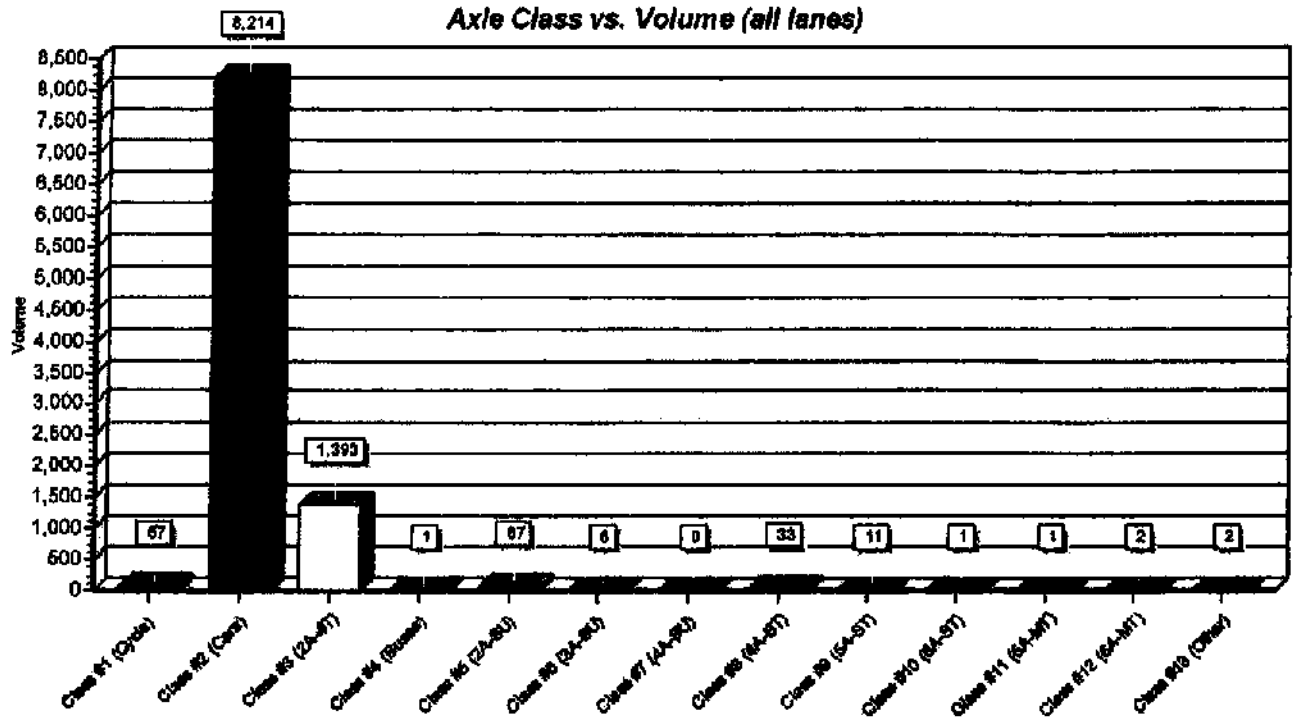
(DEFAULT)		#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	
Date	Time	Cycle	Cars	2A-4T	Buses	2A-SU	3A-SU	4A-SU	4A-ST	5A-ST	6A-ST	6A-MT	6A-MT	Other	Total
07/13/16	00:00	0	17	1	0	0	0	0	0	0	0	0	0	0	18
Wed	01:00	0	1	1	0	0	0	0	0	0	0	0	0	0	2
	02:00	0	7	1	0	0	0	0	0	1	0	0	0	0	9
	03:00	0	7	0	0	0	0	0	0	0	0	0	0	0	7
	04:00	0	10	0	0	0	0	0	0	1	0	0	0	0	11
	05:00	0	15	8	0	2	0	0	0	1	0	0	0	0	26
	06:00	0	46	12	0	1	0	0	0	1	0	0	0	0	60
	07:00	2	134	24	0	4	2	0	0	0	0	0	0	1	167
	08:00	0	179	34	0	3	0	0	2	0	0	0	0	0	218
	09:00	2	196	54	0	2	0	0	1	0	0	0	0	0	255
	10:00	2	297	58	0	3	0	0	1	0	0	0	0	0	329
	11:00	2	341	80	0	3	0	0	2	0	0	0	0	0	408
	12:00	2	347	59	0	1	0	0	1	0	0	0	0	0	410
	13:00	2	337	81	0	2	0	0	1	0	0	0	0	0	403
	14:00	0	325	82	0	3	0	0	1	0	0	1	0	0	392
	15:00	2	349	82	0	0	0	0	1	0	0	0	0	0	414
	16:00	1	391	79	0	2	0	0	3	0	0	0	0	0	476
	17:00	2	413	60	0	2	0	0	1	0	0	0	0	0	488
	18:00	1	238	31	0	1	0	0	0	1	0	0	0	0	289
	19:00	0	151	31	0	1	0	0	0	1	0	0	0	0	184
	20:00	0	130	28	0	1	0	0	0	1	0	0	0	0	158
	21:00	3	108	18	1	0	0	0	0	0	0	0	0	0	130
	22:00	1	83	11	0	1	0	0	0	0	0	0	0	0	86
	23:00	1	42	6	0	0	0	0	0	0	0	0	0	0	49
Daily Total :		23	4101	747	1	32	2	0	14	7	0	1	0	1	4929
Percent :		0%	63%	15%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	
Average :		1	171	31	0	1	0	0	1	0	0	0	0	0	205

Basic Axle Class Summary: SB Pacheco St

(DEFAULT)		#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	#13	Total
Description	Lane	Cycle	Cars	2A-4T	Buses	2A-SU	3A-SU	4A-SU	4A-ST	5A-ST	6A-ST	5A-MT	6A-MT	Other	
TOTAL COUNT: #1.		57	8214	1393	1	67	6	0	33	11	1	1	2	2	9788
		57	8214	1393	1	67	6	0	33	11	1	1	2	2	9788
Percents: #1.		1%	84%	14%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	100%
		1%	84%	14%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	
Average: #1.		1	171	29	0	1	0	0	1	0	0	0	0	0	203
		1	171	29	0	1	0	0	1	0	0	0	0	0	203
Days & ADT: #1.		2.0	4894												
		2.0	4894												

Axle Class Percentages:





Jennifer Jenkins

From: Hillary Welles
Sent: Monday, July 18, 2016 2:09 PM
To: Jennifer Jenkins
Subject: FW: Morningstar

From: ENCINIAS, AMANDA J. [<mailto:ajencinias@ci.santa-fe,nm.us>]
Sent: Tuesday, July 12, 2016 9:37 AM
To: Hillary Welles
Cc: Jennifer Jenkins
Subject: RE: Morningstar

This is what I am figuring:

85 units X .12AFY = 10.20 AFY

Subtract a credit of 1.43 AFY for previous usage

10.20AFY - 1.43AFY = 8.77 AFY required

Let me know if you have questions!

Amanda Encinias
Office Manager/Planner Tech.Sr.
Land Use Department
City of Santa Fe
(505)955-6122



From: Hillary Welles [<mailto:Hillary@jenkinsgavin.com>]
Sent: Tuesday, July 12, 2016 9:16 AM
To: ENCINIAS, AMANDA J.
Cc: Jennifer Jenkins
Subject: RE: Morningstar

OK, thank you. There will be 85 units.

Best regards,

Hillary Welles



**City of Santa Fe, New Mexico
UTILITY SERVICE APPLICATION**

***Fill in all highlighted fields on this application. Applicant must sign and date application.**

Check one only: ☒ Water Service Technical Evaluation Request
☐ Agreement for Metered Service (AMS)
☒ **Agreement to Construct and Dedicate Public Improvements (ACD)**
☐ Annexation Application Water Budget
☐ Water Offset Program/Water Rights Compliance Evaluation Request

WORK ORDER # _____

Applicant Name: Confluent Development, LLC
Project Address: 2041 Pacheco St.

***Required - Attach a Plat of the Property (legal lot of record and proposed development)**

Plat Filing Information: Year 1980 Book 76 Page 12 Township, Range, Section: T16N R9E S3
Location: (check one only) Inside Corporate City Limits ☒ Outside Corporate City Limits ☐
Property Uniform Property Code: _____ Existing Well: Yes ☐ No ☒
Legal Description including lot size: Tract L of Plaza del Sur Phase II
comprising 4.0 acres
Short Description of Project: 76,500 sq ft / 85 unit senior assisted
living facility
Construction Start Date: _____

***RESIDENTIAL PROJECT - Complete the following**

1. Type of project: (i.e. Single Family Residence, Subdivision, Lot split, Apartments) _____
2. Total number of lots approved on final plat/development plan: _____
3. Total number of homes existing or under construction: _____
4. Size of service requested: (5/8", 3/4", 1" or 2") _____

***Please fill in all categories below that apply for which water service is requested:**

--- COMPLETED BY APPLICANT ---

Number of
Lots or Units

_____ Single Family Dwelling Unit, lot size less than 6,000 sq. ft.
_____ Single Family Dwelling Unit, lot size 6,000-10,890 sq. ft.
_____ Single Family Dwelling Unit, lot size greater than 10,890 sq. ft.
_____ Mobile Home (in Mobile home park)
_____ Accessory Dwelling Unit
_____ Apartment/Condominium
85 Senior Complex

85 Total

--- COMPLETED BY STAFF ---

Water Use Factors	Annual Water Demand
----------------------	------------------------

.15 afy per d.u.	_____
.17 afy per d.u.	_____
.25 afy per d.u.	_____

.17 afy per d.u.	_____
.09 afy per d.u.	_____

.18 afy per d.u.	_____
.12 afy per d.u.	_____

10.20

Total Residential Water Demand _____ AFY

**City of Santa Fe, New Mexico
UTILITY SERVICE APPLICATION**

***COMMERCIAL PROJECT - Complete the following**

Type of Project: (i.e. Office, Retail, Mixed, etc.) Senior Assisted Living Facility
 Total gross floor area of building: 76,500 square feet
 Total area of lot, tract or parcel: 4.0 acres
 Automatic Fire Sprinkler System: ☒ Yes ☐ No
 Building Construction Type: Wood Frame, Type 5A
 Building Square Footage: 76,500
 Site Plan Attached: ☒ Yes ☐ No

*Please check all use categories below that are planned for the building and the gross floor areas of each use within the proposed building.

--- COMPLETED BY APPLICANT ---

<u>Check Type of Use</u>	<u>Gross Floor Area</u>
<u>Commercial</u>	

<input type="checkbox"/> Office - Non-medical	_____
<input type="checkbox"/> Medical Office	_____
<input type="checkbox"/> Office - City/State	_____
<input type="checkbox"/> Research and Development Lab	_____
<input type="checkbox"/> Manufacturing - Goods	_____
<input type="checkbox"/> Manufacturing - Consumables	_____
<input type="checkbox"/> Laundromat, Commercial	_____
<input type="checkbox"/> Laundromat, Other	_____
<input type="checkbox"/> Drycleaner	_____
<input type="checkbox"/> Plant Nursery	_____
<input type="checkbox"/> Gyms with showers	_____
<input type="checkbox"/> Gyms without showers	_____
<input type="checkbox"/> Salons	_____
<input type="checkbox"/> Pet Grooming	_____
<input type="checkbox"/> Pet Daycare	_____
<input type="checkbox"/> Retail, Large (Individual stores or shopping areas > 75,000 sq ft)	_____
<input type="checkbox"/> Neighborhood Center/Medium Retail (Individual stores or shopping areas 75,000-25,000 sq ft)	_____
<input type="checkbox"/> Retail, Small (Individual stores or shopping areas < 25,000 sq ft)	_____
<input type="checkbox"/> Gallery	_____
<input type="checkbox"/> Grocery Store	_____
<input type="checkbox"/> Restaurant (full service)	_____
<input type="checkbox"/> Restaurant (limited service)	_____
<input type="checkbox"/> Gasoline Station w/ Car Wash	_____
<input type="checkbox"/> Gasoline Station	_____

--- COMPLETED BY STAFF ---

<u>Water Use Factors</u>	<u>Annual Water Demand</u>
--------------------------	----------------------------

(0.70 afy per 10,000 s.f.)	_____
(0.72 afy per 10,000 s.f.)	_____
(0.58 afy per 10,000 s.f.)	_____
(1.18 afy per 10,000 s.f.)	_____
(0.21 afy per site)	_____
(2.33 afy per site)	_____
(0.78 afy per machine)	_____
(0.22 afy per machine)	_____
(0.41 afy per site)	_____
(0.56 afy per 10,000 s.f.)	_____
(8.94 afy per site)	_____
(0.77 afy per site)	_____
(0.21 afy per site)	_____
(0.52 afy per site)	_____
(0.11 afy per site)	_____
(0.45 afy per 10,000 s.f.)	_____
(0.43 afy per 10,000 s.f.)	_____
(0.06 afy per site)	_____
(0.60 afy per site)	_____
(1.27 afy per 10,000 s.f.)	_____
(0.02 afy per seat)	_____
(1.63 afy per Site)	_____
(6.56 afy per Site)	_____
(0.88 afy per Site)	_____

**City of Santa Fe, New Mexico
UTILITY SERVICE APPLICATION**

<input type="checkbox"/> Car Wash (full service)	_____	(5.66 afy per Site)	_____
<input type="checkbox"/> Car Wash (limited service)	_____	(0.94 afy per Wash Bay)	_____
<input type="checkbox"/> Auto Repair	_____	(0.12 afy per site)	_____
<input type="checkbox"/> Car Rental	_____	(0.12 afy per site)	_____
<input type="checkbox"/> Car Sales	_____	(0.07 afy per 10,000 s.f.)	_____
<input type="checkbox"/> Self Storage	_____	(0.13 afy per site)	_____
<input type="checkbox"/> Wholesale, Warehousing	_____	(0.4 afy per 10,000 s.f.)	_____
<input type="checkbox"/> Industrial, Manufacturing	_____	(applicant estimate of water use)	_____
<input type="checkbox"/> Church w/ day care or school)	_____	(1.3 afy per Site)	_____
<input type="checkbox"/> Church w/o day care or school)	_____	(0.6 afy per Site)	_____
<input type="checkbox"/> Hotel	No. of rooms _____	(.13 afy per room)	_____
<input type="checkbox"/> Motel	No. of rooms _____	(.09 afy per room)	_____

Public Services

<input type="checkbox"/> School, Elementary	(0.53 afy per 100 students)	_____
<input type="checkbox"/> School, Middle or Junior High	(1.68 afy per 100 students)	_____
<input type="checkbox"/> School, Senior High	(2.64 afy per 100 students)	_____
<input type="checkbox"/> Schools, Daycare	(0.85 afy per 100 kids)	_____
<input type="checkbox"/> Places of Worship	(0.15 afy per site)	_____
<input type="checkbox"/> With Daycare and school	(0.95 afy per site)	_____
<input type="checkbox"/> Parks	(1.48 afy per acre)	_____
<input type="checkbox"/> Other (not listed above) Please attach	(with attachment)	_____
water demand calculations and assumptions used		

Total Floor Area _____

Total Commercial Water Demand _____ AFY

Total Residential Water Demand _____ AFY

TOTAL PROJECT WATER DEMAND _____ AFY

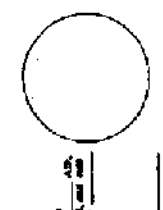
**City of Santa Fe, New Mexico
UTILITY SERVICE APPLICATION**

<p>OWNER: <u>Confluent Development</u> Mailing Address: <u>2240 Blake St. #200</u> <u>Denver, CO 80205</u> Phone Number: <u>303-573-6500</u> Mobile Number: _____</p>	<p>*Only If Applicable AGENT: <u>Jenkins Gravin, Inc.</u> Title: <u>Planner</u> Mailing Address: <u>130 Grant Ave. #101</u> <u>Santa Fe, NM 87501</u> Phone Number: <u>820-7444</u> Mobile Number: <u>930-6149</u></p>
<p>Information Provided By: Check one: Owner _____ Agent <input checked="" type="checkbox"/></p> <p>Signature: <u>[Signature]</u> Date: <u>8-18-16</u></p>	
<p>Technical Evaluation to be Sent to: Check one: Owner _____ Agent <input checked="" type="checkbox"/></p>	

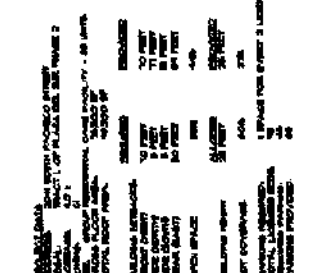
COMMENTS: _____

APPLICANTS, PLEASE NOTE:

- Ordinance 2008-53, prohibits new connections outside the presumptive city limits including the Agua Fria traditional historic community (AFTHC) unless specific conditions are met. Applications for service outside the presumptive city limits and AFTHC must include documentation showing these conditions are met or the application will be rejected. The documents required are shown below.
- A map of the proposed project in relation to the existing city limits and the presumptive city limits
- A detailed description of the proposed development including the type and size of proposed land uses
- The health, safety and welfare or other legal reason for the connection
- A site water budget
- Documentation from the County of Santa Fe that county water service is not available
- Documentation from the wastewater division regarding sewer availability
- A certified Santa Fe Homes Proposal as set forth in Section 14-8.11 SFCC 1987 if applicable

[illegible]

STATE OF MISSISSIPPI
COUNTY OF BENTON
I, _____, do hereby certify that the foregoing is the true and correct copy of the original as the same appears from the records of said County.
Witness my hand and seal of Office
this _____ day of _____, 19____
County Clerk, Benton Co. County MS

[illegible]

Topographic Survey

of
TRACT "L"
Plaza Del Sur Subdivision,
Phase II

8041 PACHICO ST.
CITY AND COUNTY OF SANTA FE, NEW MEXICO
TRACT "L" CONTAINING 4.002 ACRES ±



Surveyors Certificate

I, the undersigned, being duly sworn, depose and say that the above described survey was made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.

WITNESSED by me this 10th day of November, 1980, at Santa Fe, New Mexico.



Surveyors Certificate

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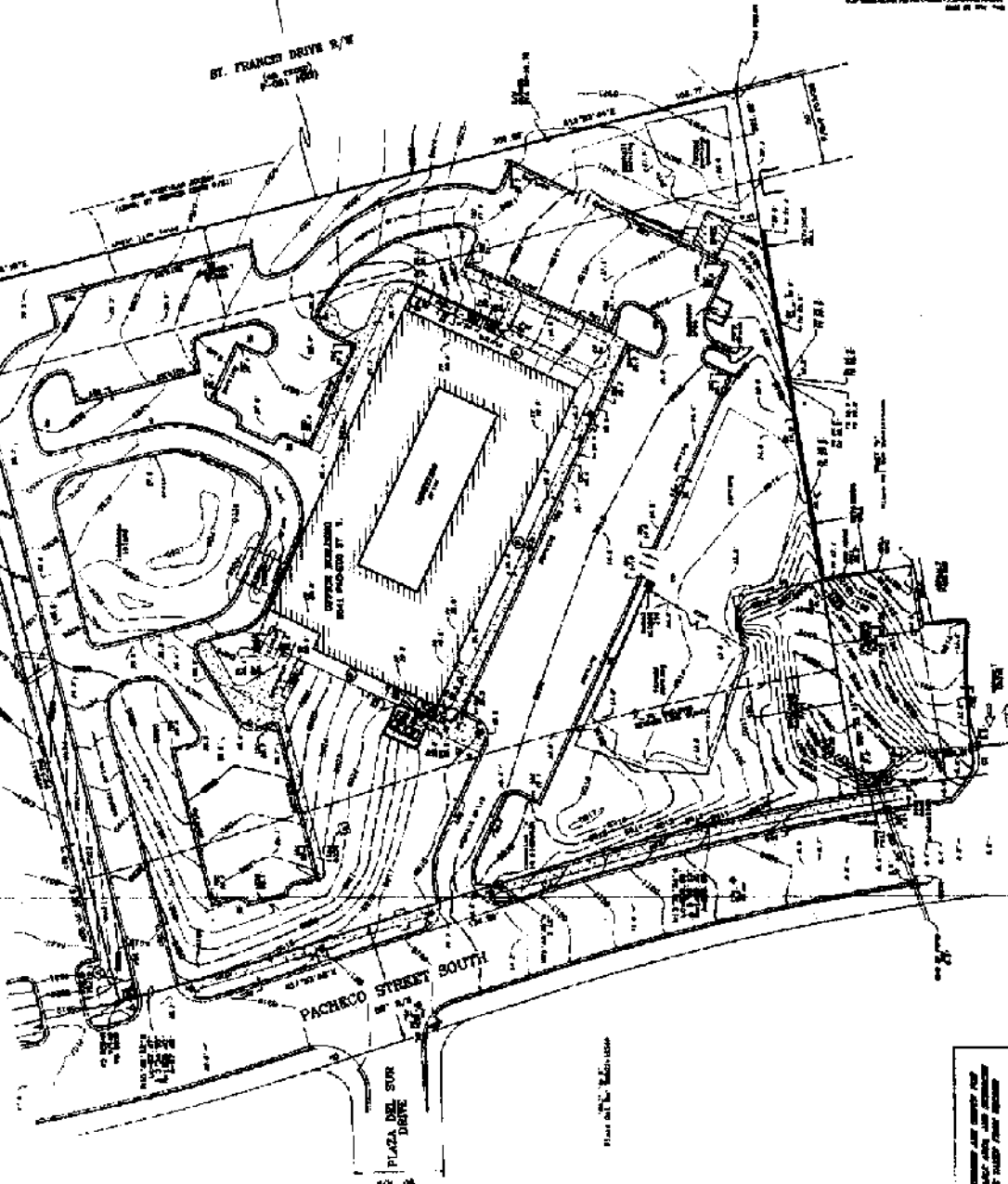
WITNESSED by me this 10th day of November, 1980, at Santa Fe, New Mexico.

Surveyors Certificate

I, the undersigned, being duly sworn, depose and say that the above described survey was made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision and that the same is a true and correct representation of the actual survey made by me or under my direct supervision.

WITNESSED by me this 10th day of November, 1980, at Santa Fe, New Mexico.

NOTES:
1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1965, AS AMENDED.
2. THE SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.
3. THE SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.
4. THE SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.
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9. THE SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.
10. THE SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION.



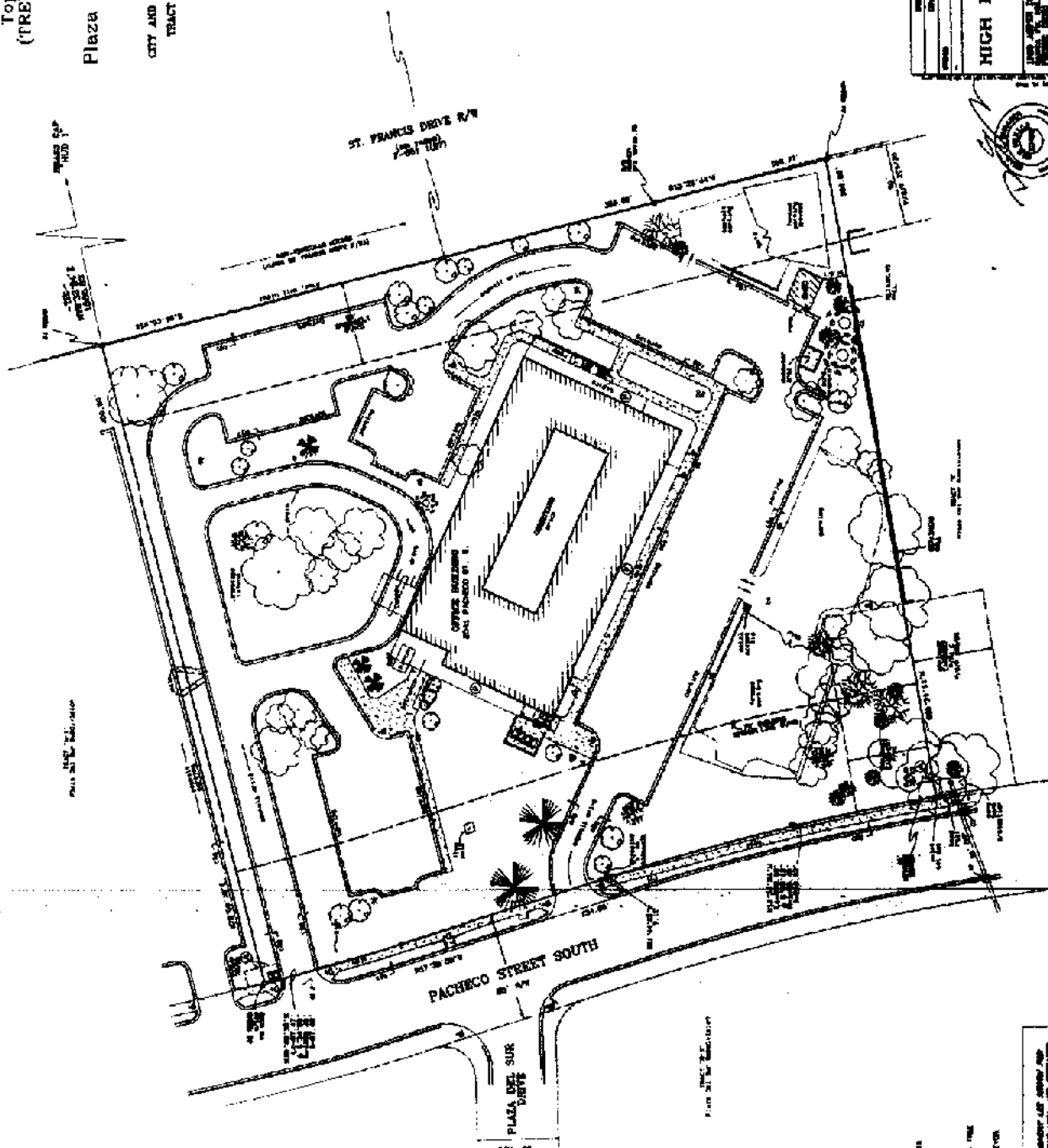
Legend

- 1. PROPERTY LINE
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- 100. EASEMENT LINE

THIS IS TO BE A PERMANENT RECORD. ANY CHANGES TO THIS SURVEY MUST BE MADE BY A SURVEYOR LICENSED IN THE STATE OF NEW MEXICO. ANY CHANGES TO THIS SURVEY MUST BE MADE BY A SURVEYOR LICENSED IN THE STATE OF NEW MEXICO. ANY CHANGES TO THIS SURVEY MUST BE MADE BY A SURVEYOR LICENSED IN THE STATE OF NEW MEXICO.

TRACT "L"
Plaza Del Sur Subdivision,
Phase II

2041 PACHECO ST. 3.
CITY AND COUNTY OF SANTA FE, NEW MEXICO
TRACT "L" CONTAINING 4.002 ACRES +

[illegible]

HIGH DESERT SURVEYING, INC.
PROFESSIONAL SURVEYING

1997-1998

100-443886-100

THE ABOVE IS THE ONLY COPY OF THE REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE, AND IT IS HEREBY CERTIFIED THAT IT IS A TRUE AND CORRECT COPY OF THE ORIGINAL REPORT.

Legend

- POINTS FOUND
- POINT SET PREVIOUSLY (1/2" OR 3/4" W/20)
- NO. 12/251 UNLESS OTHERWISE INDICATED
- WATER METER (MANHOLE)
- TELEPHONE PEDESTAL
- TELEPHONE COMMUNICATIONS PEDESTAL
- LIGHT POLE
- YARD HYDRANT
- FIRE DEPARTMENT CONNECTION
- FIRE HYDRANT
- INVERTED PIPE
- IRRIGATION BOX
- ELECTRIC TRANSFORMER/ELEC. BOX
- FENCE LINE
- GATE
- SWITCH GEAR
- BLOCK WALL
- EDGE OF ASPHALT
- CONCRETE
- PORTAL
- SEE PLAN OF NOTE 1
- CURB CUT
- CURB & GUTTER
- MANHOLE RAMP
- 10' X 10' EASEMENTS FOR TRANSFORMERS, PEDESTALS AND JUNCTION BOXES (1/4")
- SPOT ELEVATION (TRUNCATED BY 6000')
- TOP OF HILL
- BOTTOM OF HILL
- TOP OF RAMP
- BOTTOM OF RAMP
- FINISH FLOOR
- BOTTOM OF STEP
- DROP INLET
- TOP BACK OF CURB

LEGEND

- ON TO JOB
- JOB TO JOB
- JOB AND OVER
- ALL ELEVATIONS ARE IN FEET

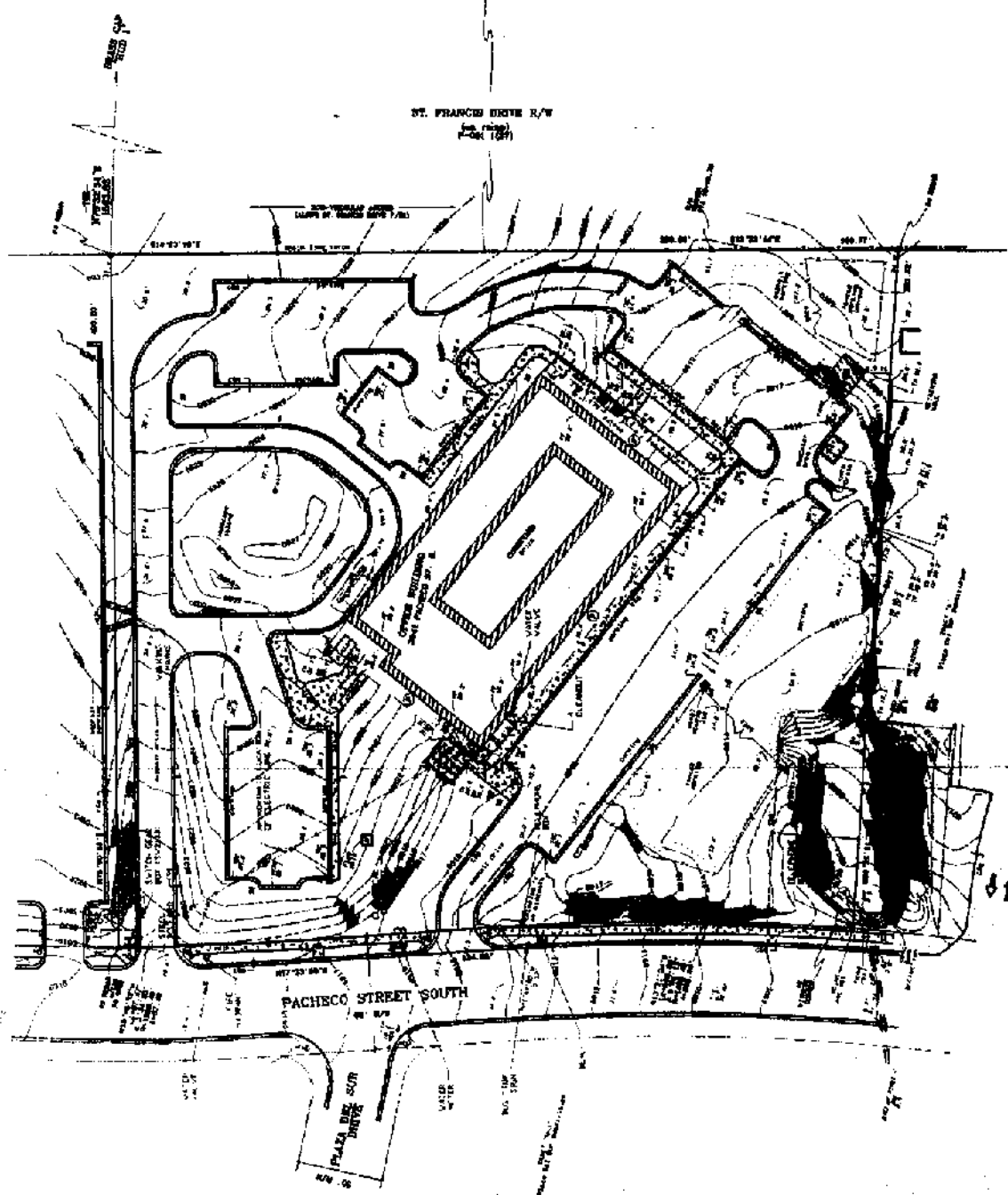


SCALE 1" = 40'

DESIGN ENGINEER

Nottingham of Santa Fe
EXISTING CONDITIONS
AND PLATE ANALYSIS

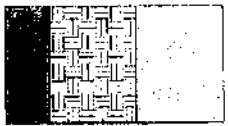
DATE: 1/1/71
BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]



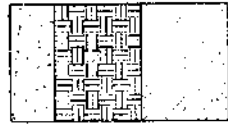
NOTES:
 1. ALL EXISTING GRADES SHALL BE A MINIMUM OF 12" FROM BUILDING.
 2. ALL EXISTING DRIVEWAYS AND ALLEYS SHALL BE MAINTAINED.
 3. ALL EXISTING DRIVEWAYS AND ALLEYS SHALL BE MAINTAINED.
 4. ALL EXISTING DRIVEWAYS AND ALLEYS SHALL BE MAINTAINED.

LEGEND

- 1" GRADE
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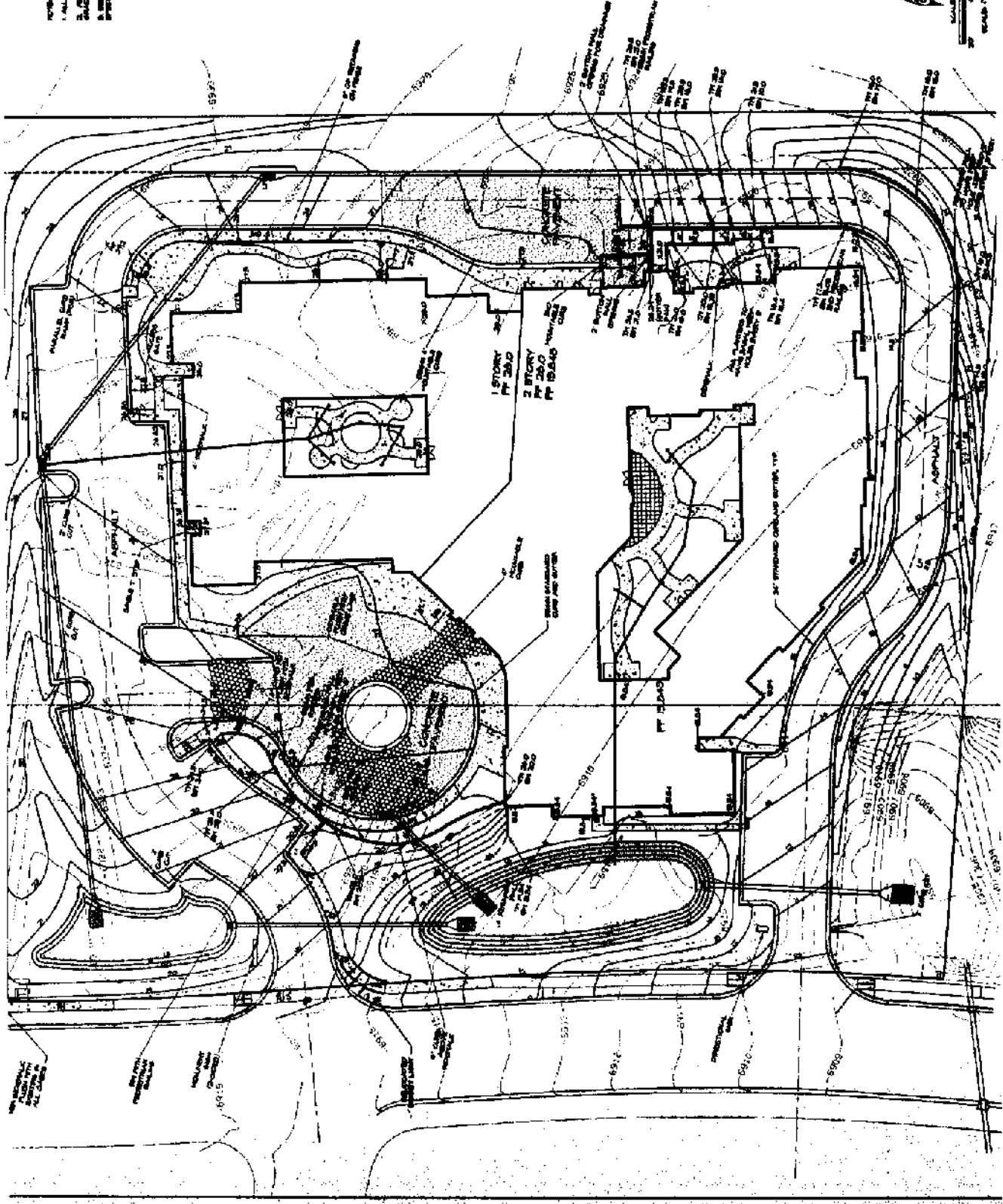
ASPHALT SECTION



CONCRETE PAVEMENT

DESIGN ELEVATION

Name: _____
 Title: _____
 Date: _____
 Scale: _____
 Sheet: _____ of _____



SCALE 1" = 30'
 0 30 60
 0 30 60
 SCALE 1" = 30'

NOTES

1. ALL PROPOSED AREAS SHALL BE A MINIMUM OF 10% IMPERVIOUS.
2. THE DRAINAGE SYSTEM SHALL BE DESIGNED TO DRAIN THE ENTIRE PROJECT AREA.
3. THE DRAINAGE SYSTEM SHALL BE DESIGNED TO DRAIN THE ENTIRE PROJECT AREA.
4. THE DRAINAGE SYSTEM SHALL BE DESIGNED TO DRAIN THE ENTIRE PROJECT AREA.

1.000000

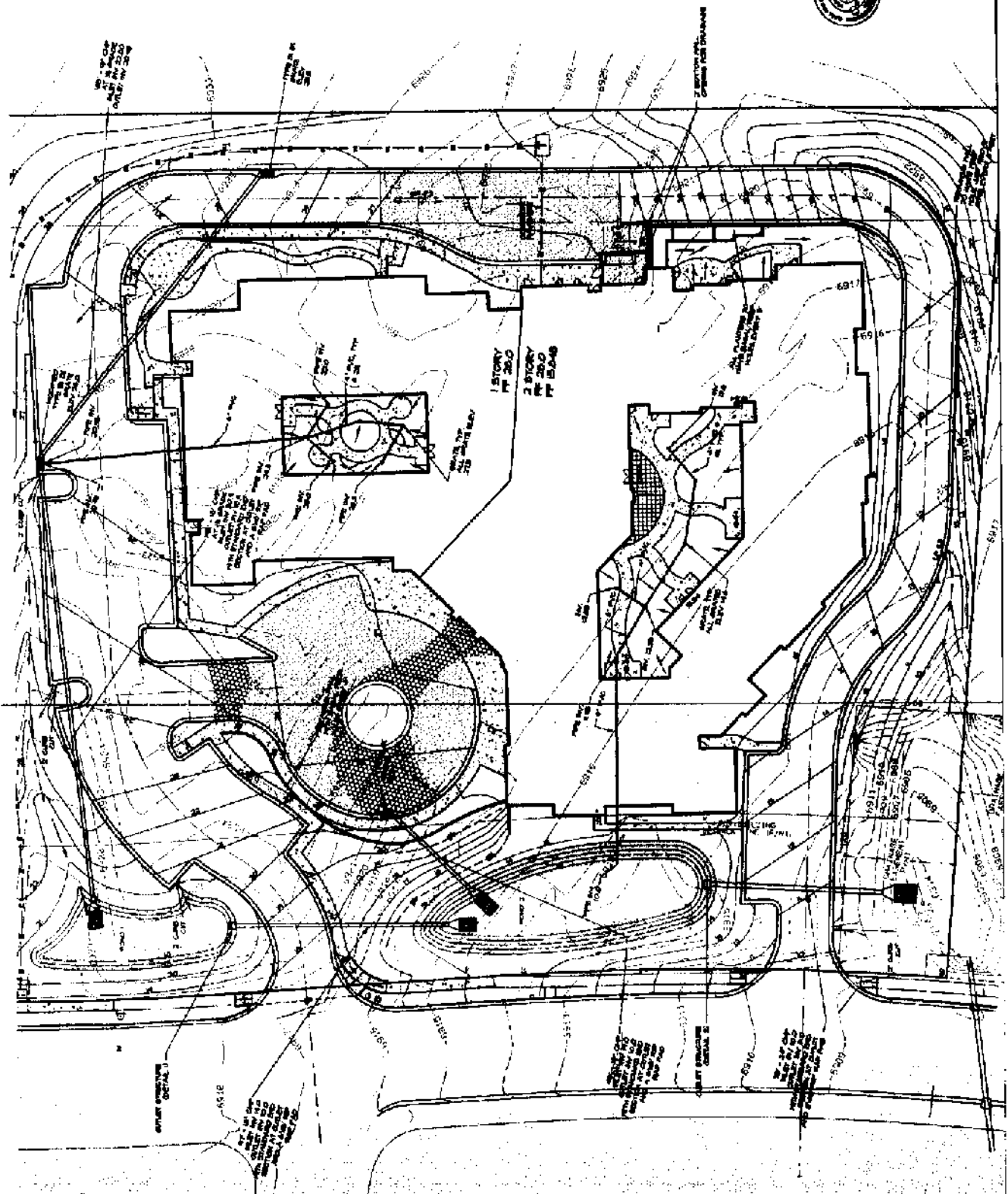
1.000000

DESIGN ENGINEER

HARRINGTON & SONS, INC.

DRAINAGE PLAN

DATE	1-1-58
PROJECT NO.	100-1000
SCALE	1" = 20'



GOVERNMENT OF CALIFORNIA
OFFICE OF THE ATTORNEY GENERAL
JANUARY 14, 1964
SACRAMENTO, CALIFORNIA 95833

[illegible]

By the nature of the studies, we have used a retrospective approach which does not take into account current requirements on the property, as outlined above, and the considerable amount of time of the site is spent used with a coverage of ground and structures with a large industry. The approach has therefore been to use a very general assessment and most important conditions for the use of the property, and thus

[illegible]

Send no payment on this ad to our office—see
 Classified Display Section
 for complete details.
 Charge up to \$15 only a day

Accounting Period	Period	Period	Period	Period
Period	Period	Period	Period	Period
1972	1973	1974	1975	1976
1977	1978	1979	1980	1981
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1997	1998	1999	2000	2001
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2167	2168	2169	2170	2171
2172	2173	2174	2175	2176
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2232	2233	2234	2235	2236
2237	2238	2239	2240	2241
2242	2243	2244	2245	2246
2247	2248	2249	2250	2251
2252	2253	2254	2255	2256
2257	2258	2259	2260	2261
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Approximate Reading	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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61800
 1990-1991
 1990-1991

Source	Yr	N	Weighted Lift
Corporate	1980	100	0.00
Individual	1980	100	0.00
Corporate	1981	100	0.00
Individual	1981	100	0.00
Corporate	1982	100	0.00
Individual	1982	100	0.00
Corporate	1983	100	0.00
Individual	1983	100	0.00
Corporate	1984	100	0.00
Individual	1984	100	0.00
Corporate	1985	100	0.00
Individual	1985	100	0.00
Corporate	1986	100	0.00
Individual	1986	100	0.00
Corporate	1987	100	0.00
Individual	1987	100	0.00
Corporate	1988	100	0.00
Individual	1988	100	0.00
Corporate	1989	100	0.00
Individual	1989	100	0.00
Corporate	1990	100	0.00
Individual	1990	100	0.00
Corporate	1991	100	0.00
Individual	1991	100	0.00
Corporate	1992	100	0.00
Individual	1992	100	0.00
Corporate	1993	100	0.00
Individual	1993	100	0.00
Corporate	1994	100	0.00
Individual	1994	100	0.00
Corporate	1995	100	0.00
Individual	1995	100	0.00
Corporate	1996	100	0.00
Individual	1996	100	0.00
Corporate	1997	100	0.00
Individual	1997	100	0.00
Corporate	1998	100	0.00
Individual	1998	100	0.00
Corporate	1999	100	0.00
Individual	1999	100	0.00
Corporate	2000	100	0.00
Individual	2000	100	0.00
Corporate	2001	100	0.00
Individual	2001	100	0.00
Corporate	2002	100	0.00
Individual	2002	100	0.00
Corporate	2003	100	0.00
Individual	2003	100	0.00
Corporate	2004	100	0.00
Individual	2004	100	0.00
Corporate	2005	100	0.00
Individual	2005	100	0.00
Corporate	2006	100	0.00
Individual	2006	100	0.00
Corporate	2007	100	0.00
Individual	2007	100	0.00
Corporate	2008	100	0.00
Individual	2008	100	0.00
Corporate	2009	100	0.00
Individual	2009	100	0.00
Corporate	2010	100	0.00
Individual	2010	100	0.00
Corporate	2011	100	0.00
Individual	2011	100	0.00
Corporate	2012	100	0.00
Individual	2012	100	0.00
Corporate	2013	100	0.00
Individual	2013	100	0.00
Corporate	2014	100	0.00
Individual	2014	100	0.00
Corporate	2015	100	0.00
Individual	2015	100	0.00
Corporate	2016	100	0.00
Individual	2016	100	0.00
Corporate	2017	100	0.00
Individual	2017	100	0.00
Corporate	2018	100	0.00
Individual	2018	100	0.00
Corporate	2019	100	0.00
Individual	2019	100	0.00
Corporate	2020	100	0.00
Individual	2020	100	0.00
Corporate	2021	100	0.00
Individual	2021	100	0.00
Corporate	2022	100	0.00
Individual	2022	100	0.00
Corporate	2023	100	0.00
Individual	2023	100	0.00
Corporate	2024	100	0.00
Individual	2024	100	0.00
Corporate	2025	100	0.00
Individual	2025	100	0.00
Corporate	2026	100	0.00
Individual	2026	100	0.00

Year	Number of cases	Number of deaths
1972	5,647	40
1973	6,881	49
1974	5,751	44
1975	5,245	44
1976	6,470	55
1977	6,222	47
1978	6,179	46
1979	6,179	46

[illegible]

Case	Age (yr)	Prevalence	Incidence	Rate	Mean response
Male	60	3.35	1.61	9.27	21.796
	61	2.64	1.00	8.28	20.019
Female	62	2.53	1.23	5.79	14.666
	63	4.16	1.66	8.92	19.778

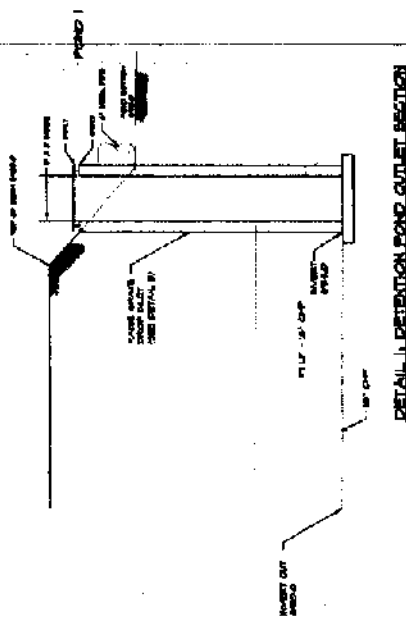
[illegible]

to estimate the benefits received from the plan, respondents will be asked to list the number of hours they have worked in the past 12 months. The job categories will be divided into four major categories: (1) full-time, (2) part-time, (3) seasonal, and (4) temporary. The job categories will be divided into four major categories: (1) full-time, (2) part-time, (3) seasonal, and (4) temporary. The job categories will be divided into four major categories: (1) full-time, (2) part-time, (3) seasonal, and (4) temporary.

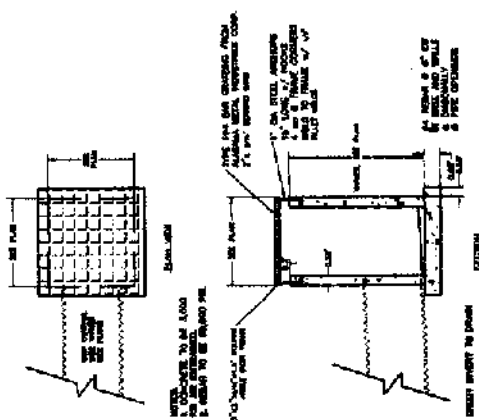
DESIGN ENIGMATICITY



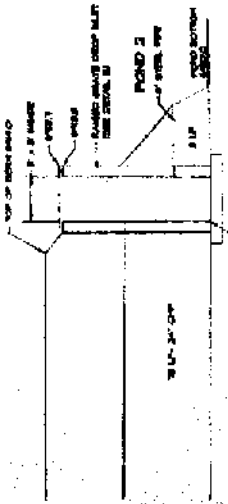
LAKESHORE DETAILS		
Unit #	Apartment #	Room #
NAF #		



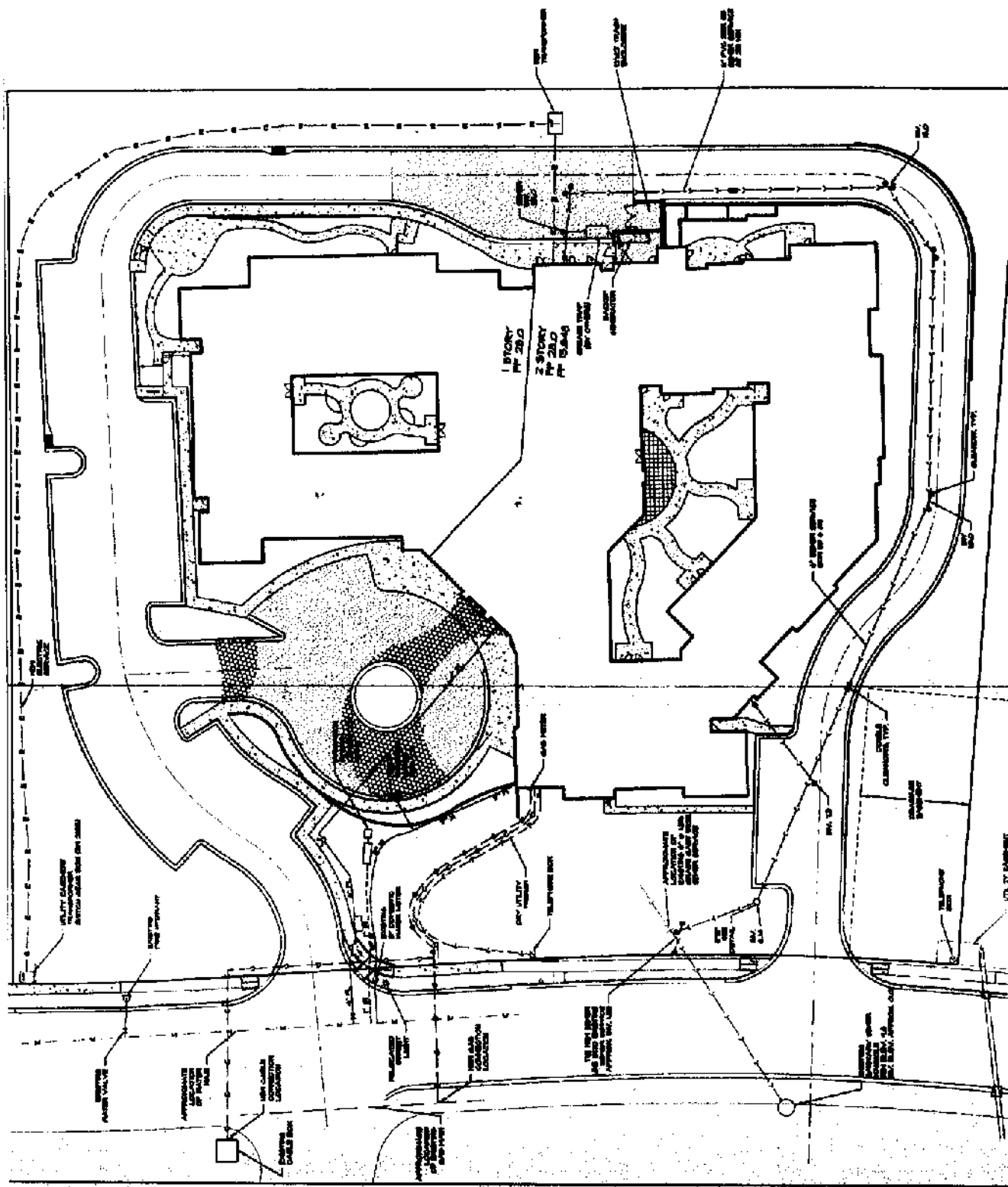
DETAIL - DETENTION POND OUTLET SECTION

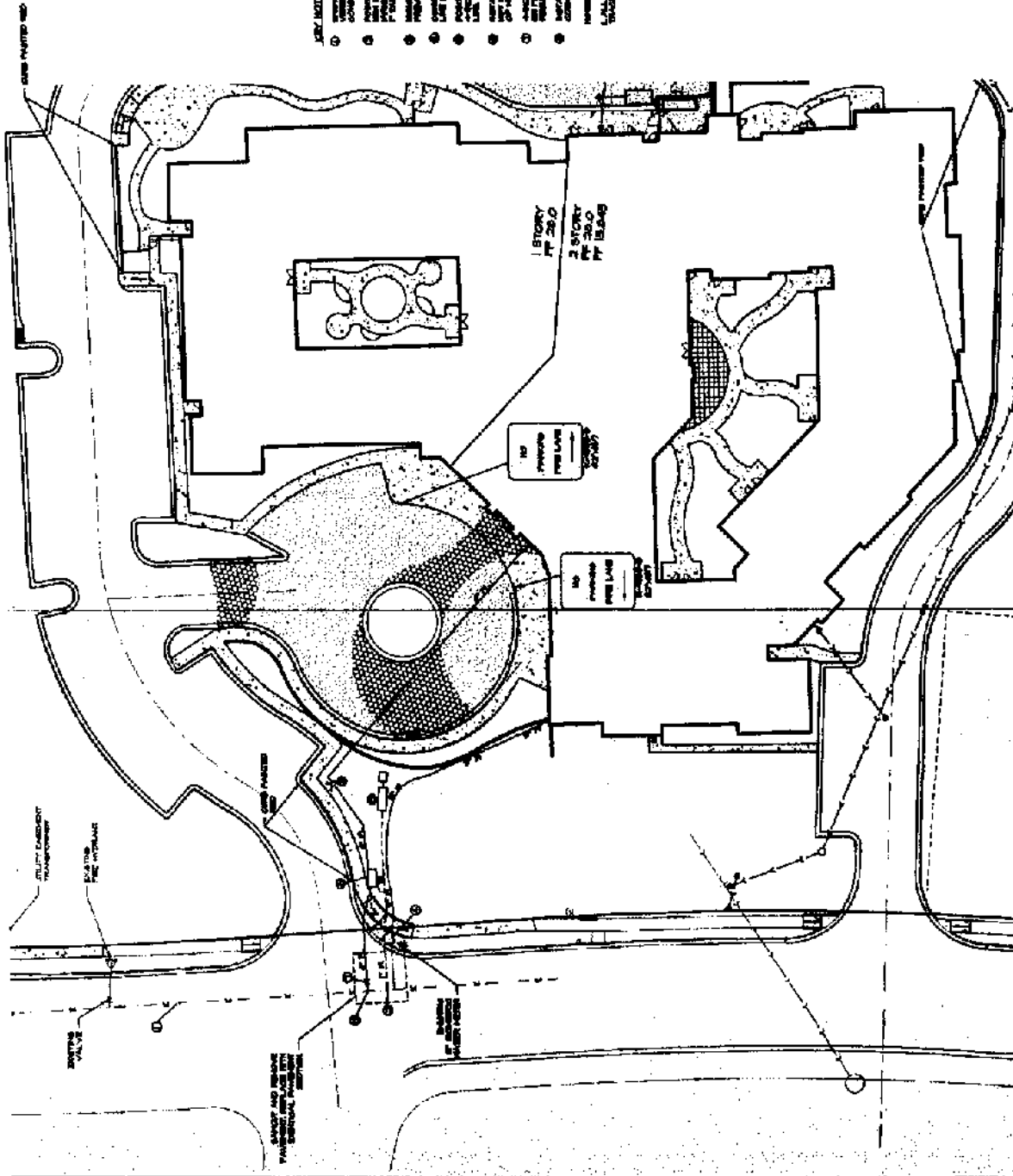


THE LOST BOY OF THE DESERT



CHAPTER 3. ESTIMATING ERROR OF THE ESTIMATE

[illegible]



- NOTES:**
1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
 5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMEDIATION OF ANY DAMAGE TO THE SITE OR ADJACENT PROPERTIES.
 7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE RECORDS OF ALL CONSTRUCTION ACTIVITIES.
 8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES.
 9. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES THROUGHOUT THE PROJECT.
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMEDIATION OF ANY DAMAGE TO THE SITE OR ADJACENT PROPERTIES.

DESIGN EXAMINITY

Northrop of Santa Fe

ON-SITE WATER SERVICE AND FIRE PROTECTION PLAN

10/10/2018

APPROVED

DATE: 10/10/2018

BY: [Signature]

FOR: [Signature]

SCALE: 1" = 10'

RECORDED MAPPING

DATE: 10/10/2018

BY: [Signature]

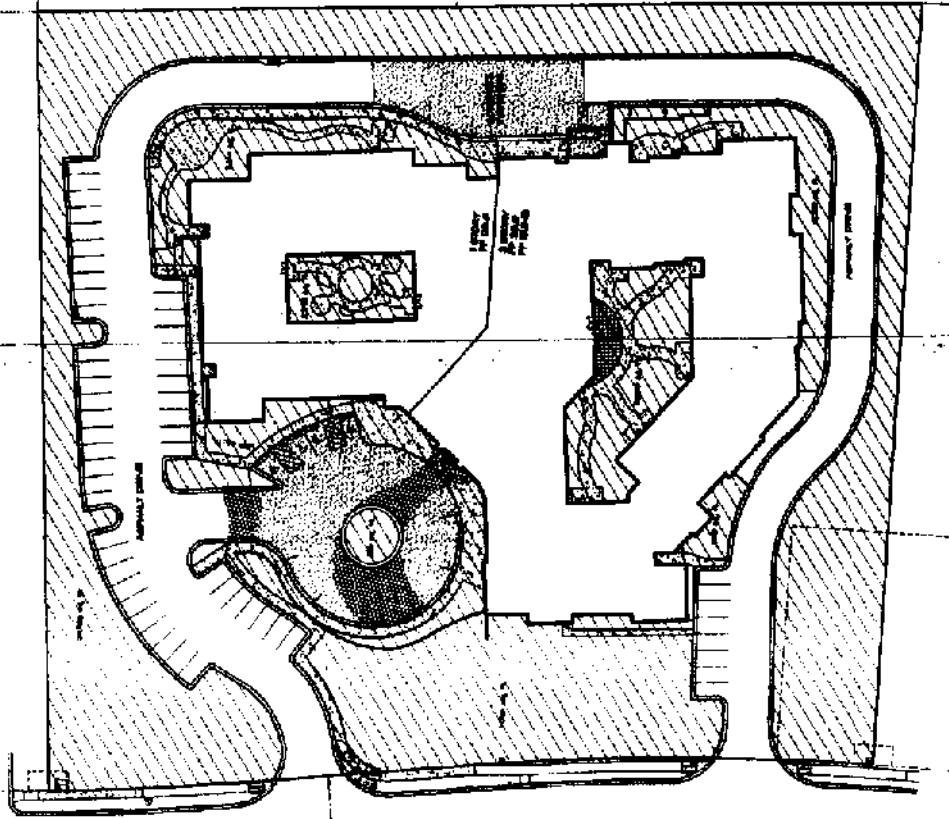
FOR: [Signature]

THIS DRAWING IS THE PROPERTY OF THE ENGINEER AND SHALL BE KEPT IN A SAFE PLACE. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SHOWN HEREON. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

WATER SERVICE TABLE

ITEM	QUANTITY	UNIT	PRICE	TOTAL
1. WATER SERVICE	1	LINEAL FOOT	10.00	10.00
2. FIRE PROTECTION	1	LINEAL FOOT	10.00	10.00
3. TOTAL	2	LINEAL FOOT		20.00

100' 0" 100' 0"



PACHICO STREET SOUTH

ST. PAULI

ST. PAULI

TOTAL OPEN SPACE: 17,000 SQ. FT.
TOTAL SITE: 40,000 AC.



SCALE 1" = 50'
SCALE 1" = 100'



DESIGN EXHIBIT

DATE	11-1-80	BY	11-1-80
PROJECT	MONTGOMERY OF SONGS Pk		
OPEN SPACE PLAN			

STORAGE YARD
CONCRETE PAVEMENT
AND TRASH RECEPTACLES

NOTES:

1. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE CITY OF LOS ANGELES ZONING ORDINANCES AND THE CALIFORNIA HEALTH AND SAFETY CODE.
2. ALL STRUCTURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF LOS ANGELES BUILDING DEPARTMENT REGULATIONS AND THE CALIFORNIA BUILDING CODE.
3. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
4. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
5. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
6. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
7. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
8. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
9. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.
10. ALL UTILITIES SHALL BE DEEPENED AND RELOCATED AS SHOWN ON THE SITE PLAN.

LEGEND

- SALT PILE
- 4" STREAM BEDDING



SCALE 1" = 20'
DATE 11-20-77



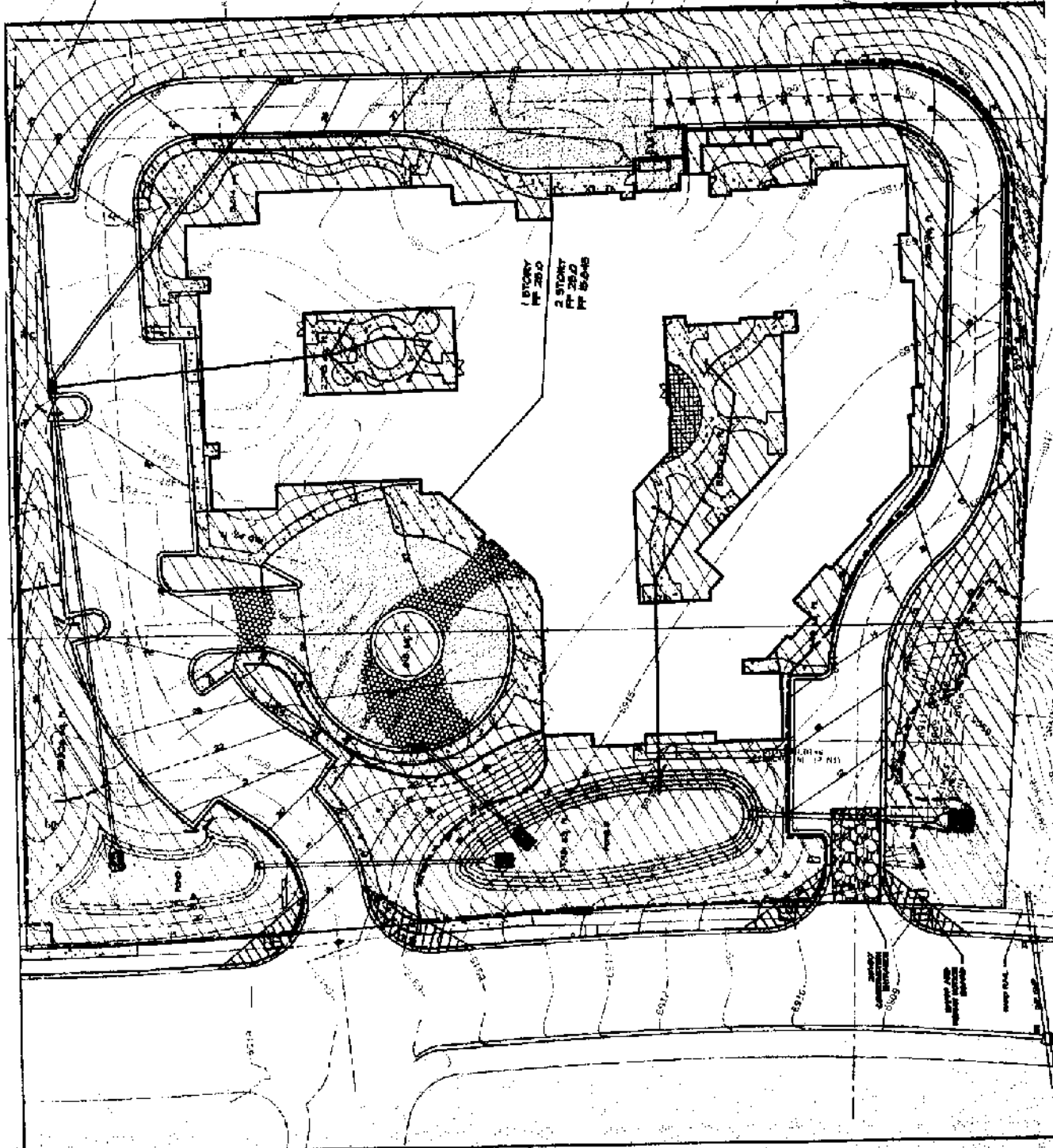
DESIGN ENGINEER

REGISTERED PROFESSIONAL ENGINEER
No. 12345
State of California

FOR THE CITY OF LOS ANGELES
Department of Public Works
Engineering Division

TEMPORARY EROSION CONTROL PLAN AND DETAILS

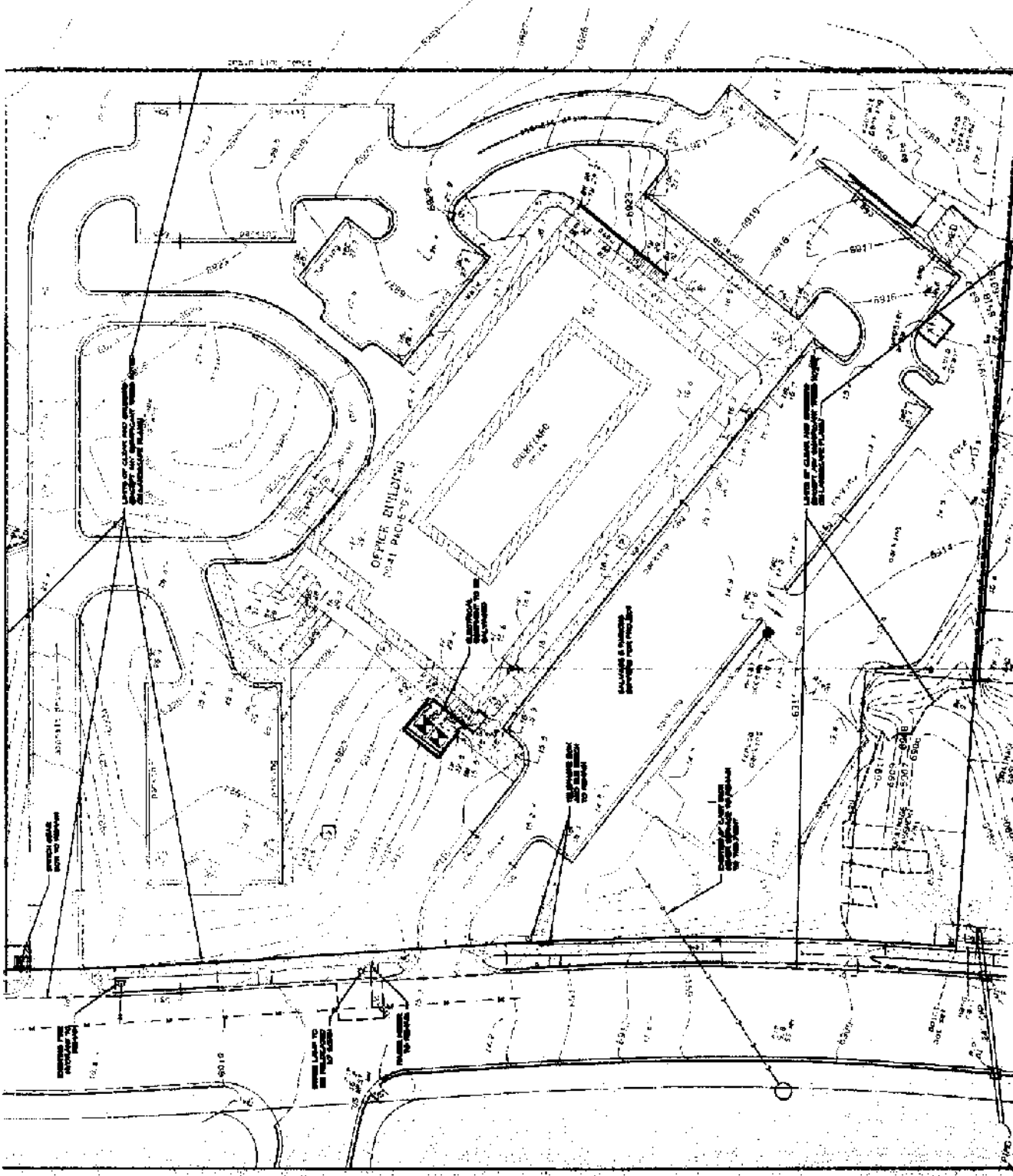
DATE 11-20-77
DRAWN BY [Name]
CHECKED BY [Name]

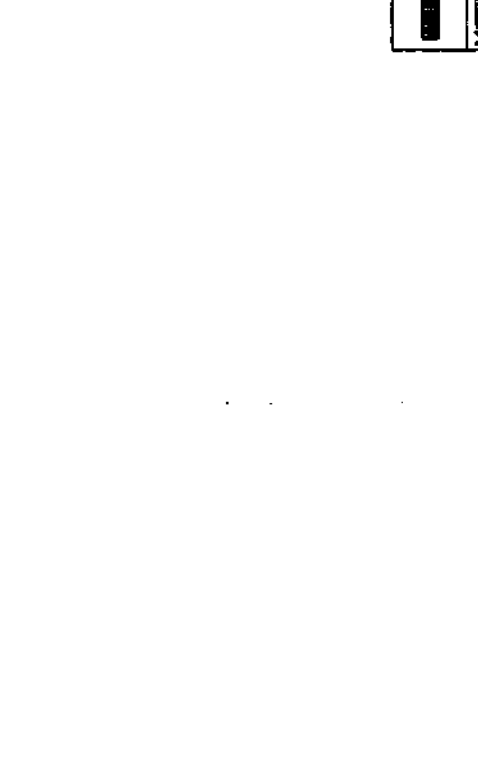
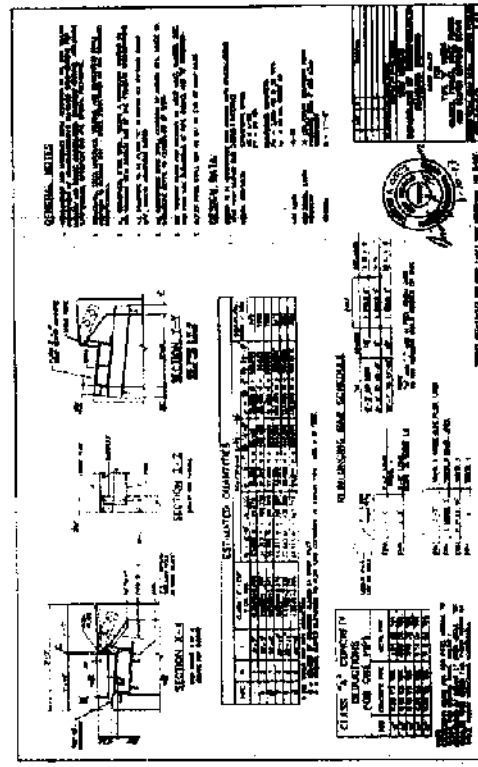
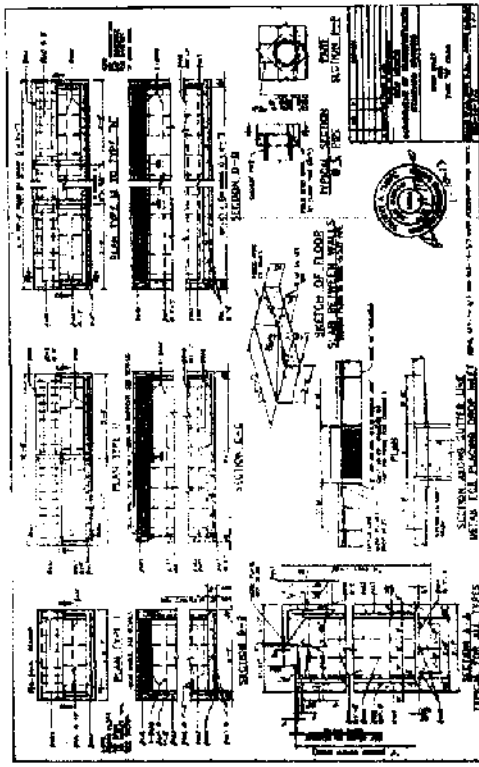
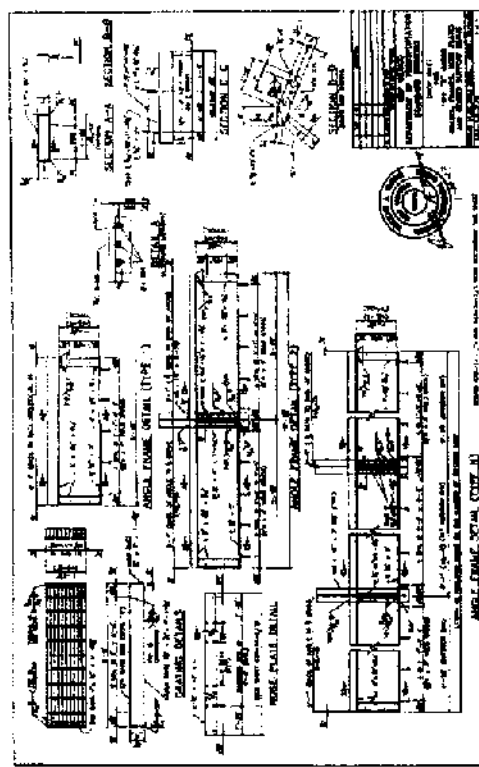


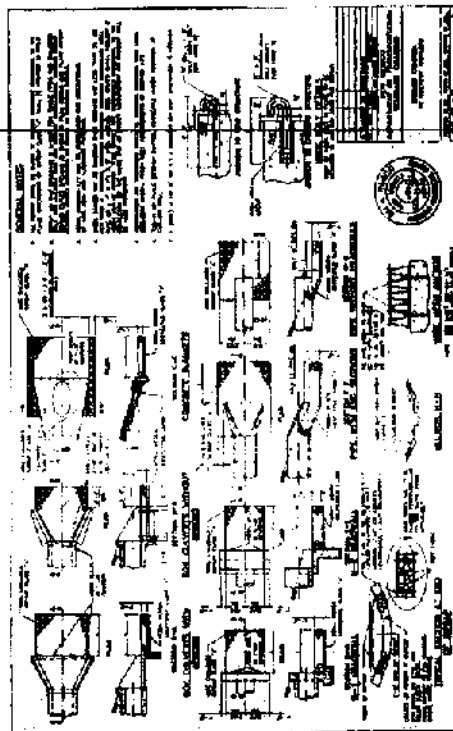
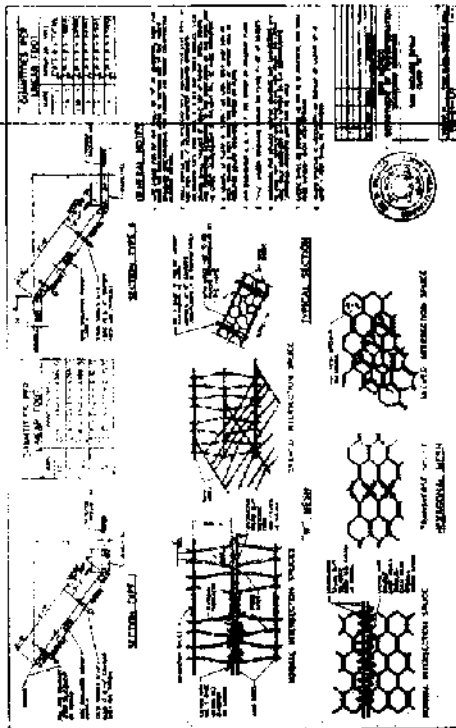
NOTES:
 1. DEMOLITION TO BE LIMITED TO PRESENTLY EXISTING AT INTERSECTION.
 2. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 3. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 4. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 5. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 6. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 7. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 8. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 9. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A
 10. ALL MATERIALS REMOVED FROM SITE SHALL BE DEPOSITED IN A



DESIGN EXHIBITIVITY	
HARRINGTON of Santa Fe	
DEMOLITION PLAN	
DATE	1-2-87
BY	1-2-87
SCALE	1" = 20'







DESIGN ENGINEER

DATE

PROJECT

NO. OF SHEETS

SHEET NO.

PROJECT NAME

PROJECT LOCATION

PROJECT DESCRIPTION

PROJECT STATUS

PROJECT OWNER

PROJECT MANAGER

PROJECT TEAM

PROJECT BUDGET

PROJECT SCHEDULE

PROJECT RISK

PROJECT COMMUNICATION

PROJECT DOCUMENTATION

PROJECT REPORTING

PROJECT EVALUATION

PROJECT IMPROVEMENT

PROJECT CLOSURE

PROJECT ARCHIVE

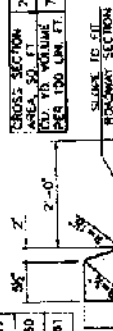
PROJECT LEGACY

PROJECT FUTURE

GENERAL NOTES

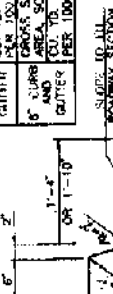
1. CONCRETE SHALL BE STRUCTURAL CONCRETE CLASS "A".
2. END OF DAYS FOUR, 30 MINUTE INTERMEDIATE CURING AND 100% CONSTRUCTION JOINTS. THE LOCATION OF A CONSTRUCTION JOINT AND A 3/4" PRIMULATED BRUNNUS JOINT IS REQUIRED.
3. PLACE TRANSVERSE CONTRACTION JOINTS AT 5'-0" INTERVALS AND AT THE END OF RADIUS PILES OR ISLAND HOSES.
4. 3RD COURSE MATERIAL ON WHICH SIDEWALK IS TO BE PLACED SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T 99, METHOD C.
5. EXCAVATION AND IMBEDDED BRUNNUS EXPANSION JOINTS TO BE LOCATED IN THE UNIT PRICE FOR SIDEWALKS.
6. THE SILICONE SEALED JOINTS SHALL BE SEALED IN ACCORDANCE WITH SECTION 457 OF THE STANDARD SPECIFICATIONS.
7. 10% SLIP-FORMED CURB AND GUTTER CURBS: 1" SEALED EXPANSION JOINTS AT 90' INTERVALS AND TRANSVERSE CONTRACTION JOINTS AT 5' INTERVALS.
8. FOR SIDEWALKS AND NON-SLIP FORMED CURB AND GUTTER, FURNISH 3/4" SEALED EXPANSION JOINTS AT 50' INTERVALS AND TRANSVERSE CONTRACTION JOINTS AT 5' INTERVALS.

CROSS SECTION	2-113
AREA, SQ. FT.	7.824
CU. YD. VOLUME PER 100 LIN. FT.	



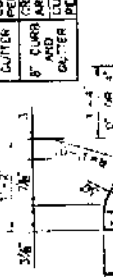
CONCRETE BARRIER CURB AND GUTTER TYPE "C"

CROSS SECTION	2-154
AREA, SQ. FT.	5.312
CU. YD. VOLUME PER 100 LIN. FT.	



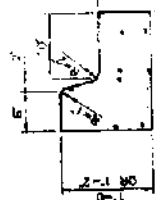
CONCRETE BARRIER CURB AND GUTTER TYPE "B"

CROSS SECTION	1-121
AREA, SQ. FT.	4.411
CU. YD. VOLUME PER 100 LIN. FT.	



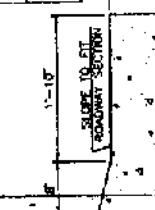
CONCRETE MOUNTABLE CURB AND GUTTER TYPE "A"

CROSS SECTION	1-044
AREA, SQ. FT.	3.885
CU. YD. VOLUME PER 100 LIN. FT.	



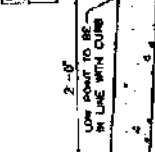
CONCRETE BARRIER CURB AND GUTTER TYPE "D"

CROSS SECTION	1-074
AREA, SQ. FT.	4.835
CU. YD. VOLUME PER 100 LIN. FT.	

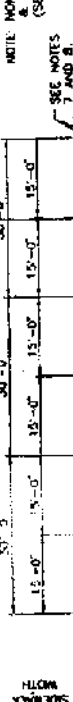


CONCRETE VALLEY GUTTER

CROSS SECTION	1-500
AREA, SQ. FT.	5.556
CU. YD. VOLUME PER 100 LIN. FT.	



CONCRETE VALLEY GUTTER



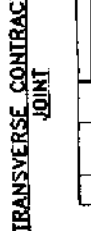
CONCRETE LAYDOWN CURB TYPE "E"



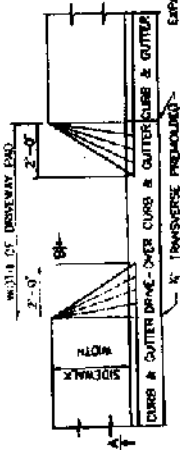
PLAN CURB AND GUTTER AND SIDEWALKS



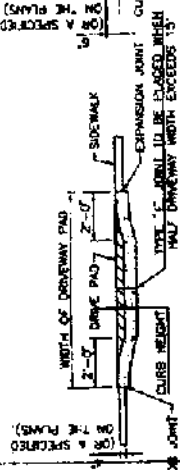
SEALED EXPANSION JOINT



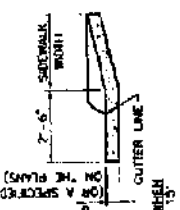
TRANSVERSE CONTRACTION JOINT



PLAN DRIVE PAD



SECTION A-A



SECTION B-B



NEW MEXICO
DEPARTMENT OF TRANSPORTATION
STANDARD DRAWING

SIDEWALK
CURB AND GUTTER

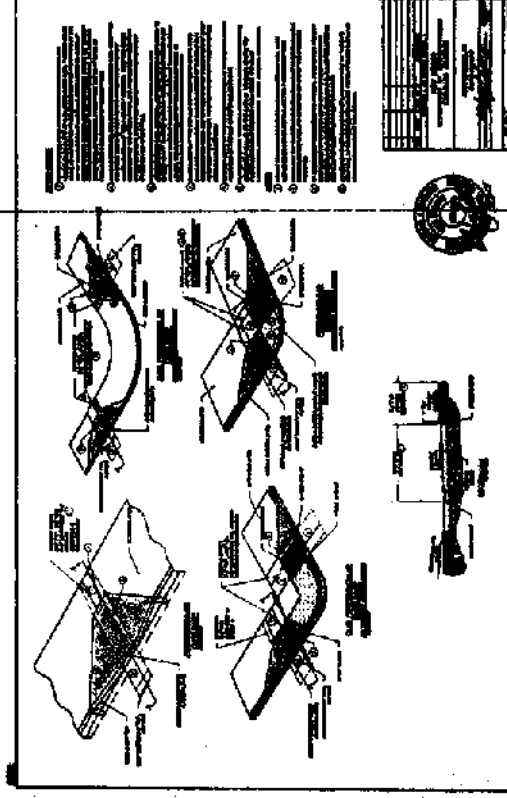
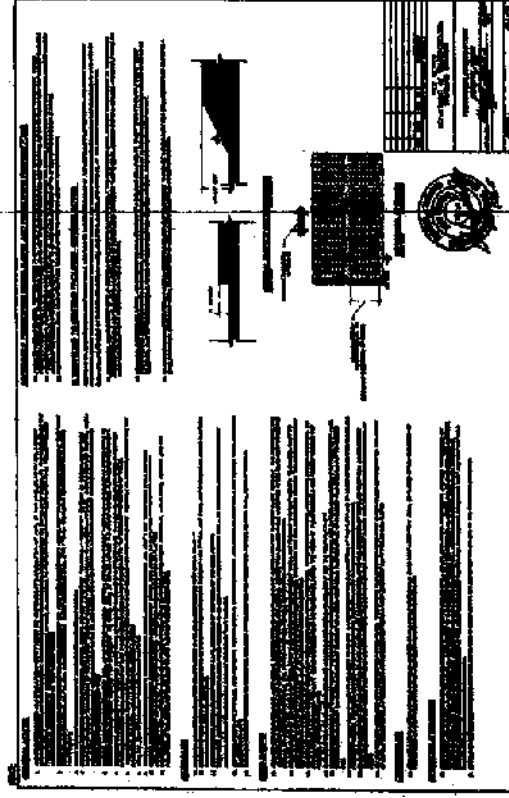
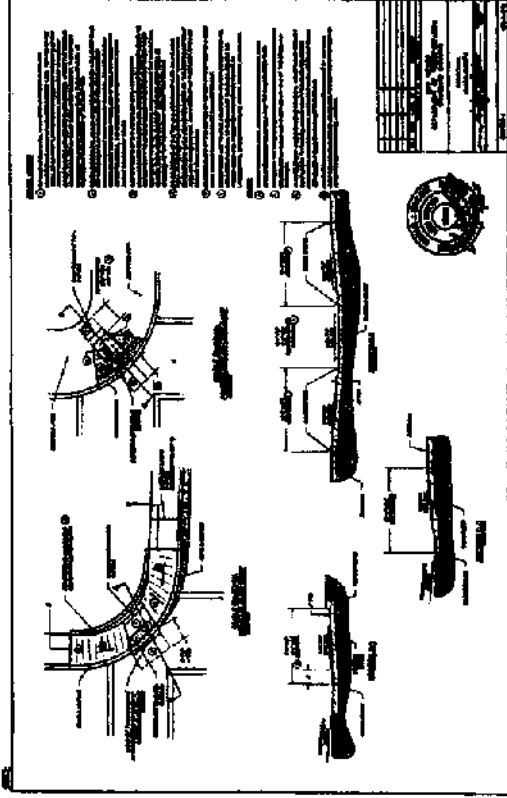
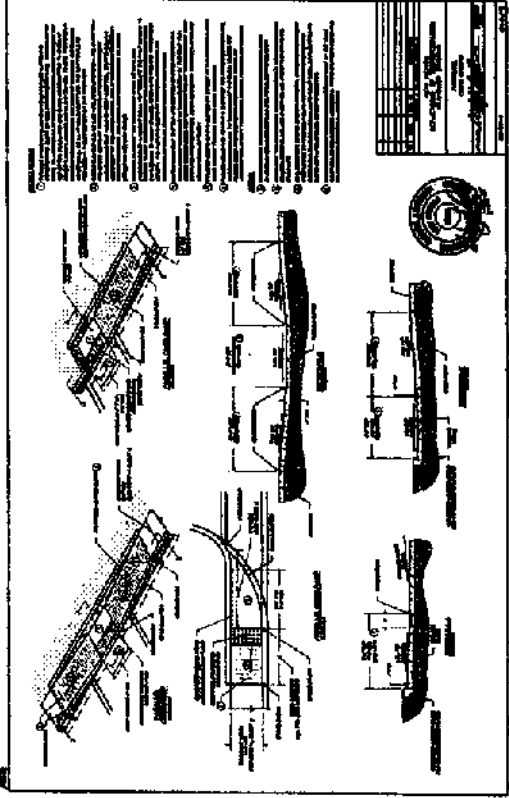
DESIGNED BY: 609-01-1/1
CHECKED BY: 1 of 1
SHEET 0-3

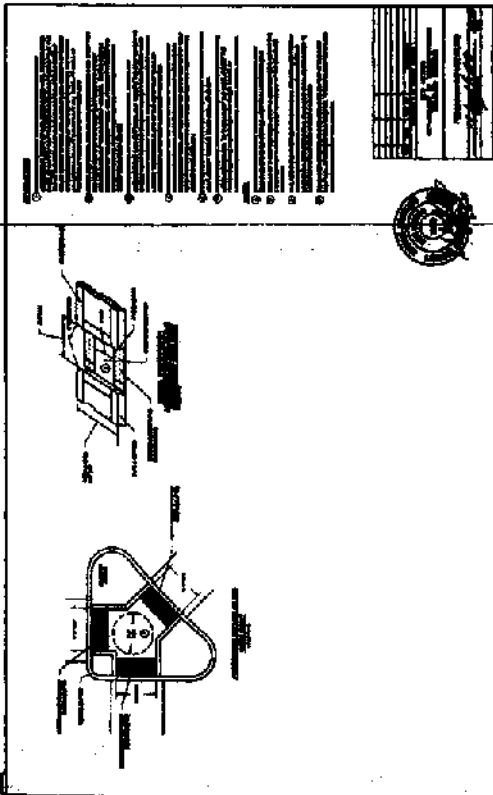
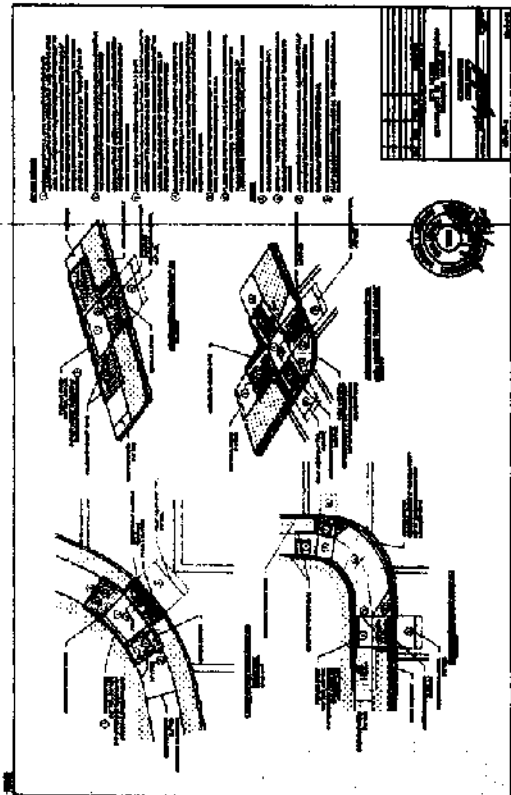
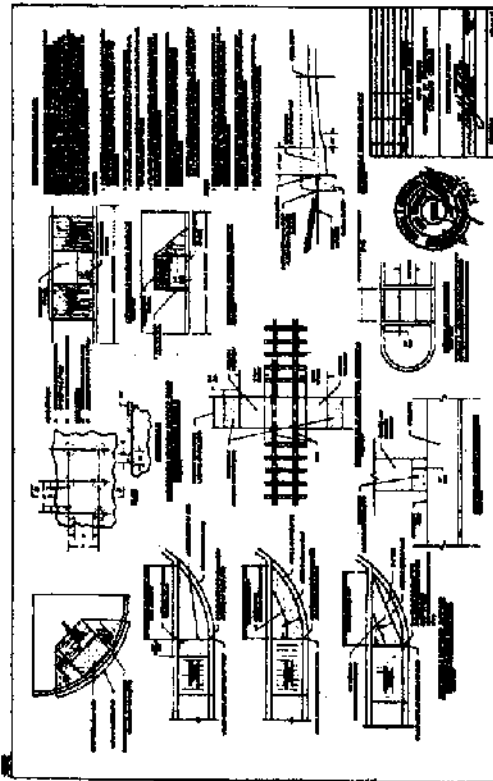
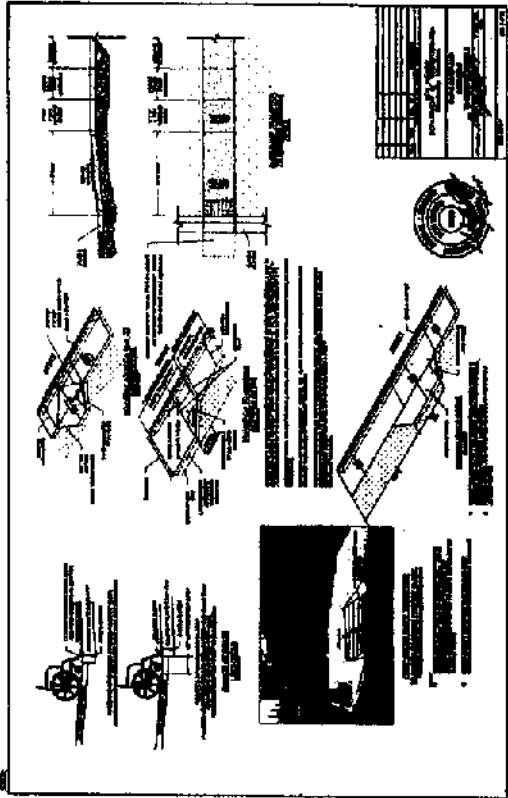
DESIGN EXHIBIT

MORNINGSTAR OF SANTA P

HOOT PEDESTRIAN DETAILS

Sheet 1 of 2





DESIGN SINGULARITY

ARCHITECTURAL
DRAWING
NO. 1000

MORNINGSTAR OF SANTA

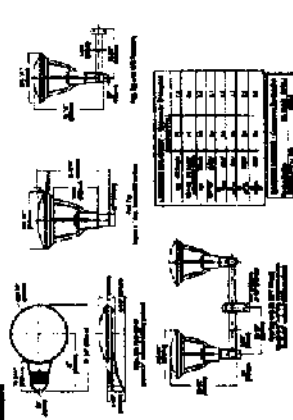
MOOT PEDERIAN DETAILS

DATE: 10/10/10

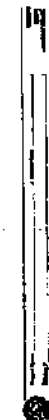
BY: [Signature]

Figure 1 consists of six histograms arranged in a 3x2 grid. The top row shows the distribution for $n=10$, the middle row for $n=20$, and the bottom row for $n=40$. The left column shows the distribution for matrix A, and the right column shows the distribution for matrix B. The x-axis for all histograms is 'Number of non-zero elements' ranging from 0 to 320. The y-axis is 'Frequency' ranging from 0 to 100. The distributions are roughly bell-shaped and centered around 160-200 non-zero elements.

<p>1. Name of the person or organization: THE UNIVERSITY OF CHICAGO</p> <p>2. Address: 5801 S. UNIVERSITY AVE. CHICAGO, ILL. 60637</p> <p>3. City: CHICAGO</p> <p>4. State: ILL.</p> <p>5. Zip: 60637</p> <p>6. Phone: (312) 937-1234</p> <p>7. Fax: (312) 937-1234</p> <p>8. E-mail: CHICAGO@CHICAGO.EDU</p> <p>9. Website: WWW.CHICAGO.EDU</p> <p>10. Contact person: JOHN DOE</p> <p>11. Title: DEAN</p> <p>12. Department: DEPARTMENT OF EDUCATION</p> <p>13. Division: DIVISION OF RESEARCH</p> <p>14. Office: OFFICE OF THE DEAN</p> <p>15. Room: ROOM 101</p> <p>16. Building: BUILDING 101</p> <p>17. Campus: CAMPUS 101</p> <p>18. Country: USA</p> <p>19. Continent: AMERICA</p> <p>20. Region: REGION 101</p> <p>21. Sub-region: SUB-REGION 101</p> <p>22. District: DISTRICT 101</p> <p>23. Sub-district: SUB-DISTRICT 101</p> <p>24. Ward: WARD 101</p> <p>25. Sub-ward: SUB-WARD 101</p> <p>26. Precinct: PRECINCT 101</p> <p>27. Sub-precinct: SUB-PRECINCT 101</p> <p>28. Census tract: CENSUS TRACT 101</p> <p>29. Sub-census tract: SUB-CENSUS TRACT 101</p> <p>30. Block: BLOCK 101</p> <p>31. Sub-block: SUB-BLOCK 101</p> <p>32. Lot: LOT 101</p> <p>33. Sub-lot: SUB-LOT 101</p> <p>34. Parcel: PARCEL 101</p> <p>35. Sub-parcel: SUB-PARCEL 101</p> <p>36. Tract: TRACT 101</p> <p>37. Sub-tract: SUB-TRACT 101</p> <p>38. Block group: BLOCK GROUP 101</p> <p>39. Sub-block group: SUB-BLOCK GROUP 101</p> <p>40. Census route: CENSUS ROUTE 101</p> <p>41. Sub-census route: SUB-CENSUS ROUTE 101</p> <p>42. Precinct boundary: PRECINCT BOUNDARY 101</p> <p>43. Sub-precinct boundary: SUB-PRECINCT BOUNDARY 101</p> <p>44. Census tract boundary: CENSUS TRACT BOUNDARY 101</p> <p>45. Sub-census tract boundary: SUB-CENSUS TRACT BOUNDARY 101</p> <p>46. Block boundary: BLOCK BOUNDARY 101</p> <p>47. Sub-block boundary: SUB-BLOCK BOUNDARY 101</p> <p>48. Lot boundary: LOT BOUNDARY 101</p> <p>49. Sub-lot boundary: SUB-LOT BOUNDARY 101</p> <p>50. Parcel boundary: PARCEL BOUNDARY 101</p> <p>51. 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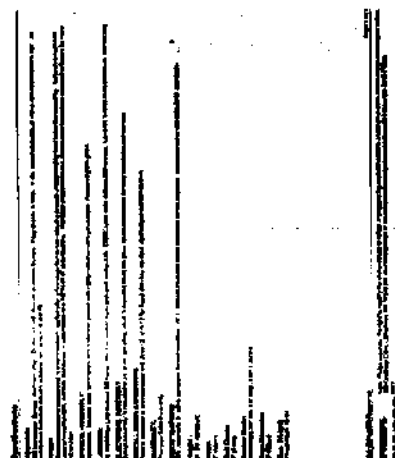


TYPE T1 FULL CUT-OFF

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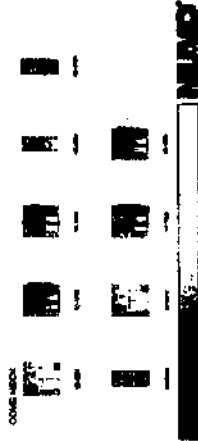


TYPE "B" FALL CUT-OFF

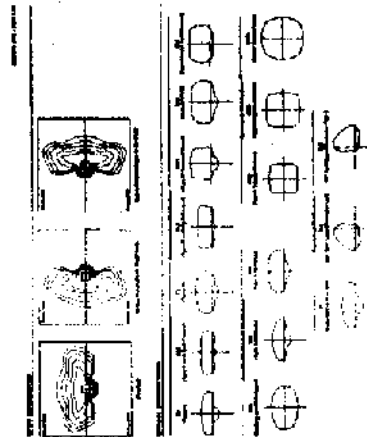


TYPE "Z" BALL CUT-OFF

NUVO 80-4859
Light and Sound System - 1000 W 1000 Hz
1000 W 1000 Hz 1000 W 1000 Hz



TYPE TWO



TYPE TWO

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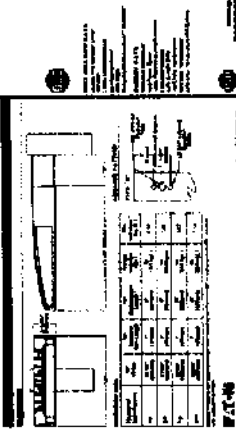
TYPE TWO

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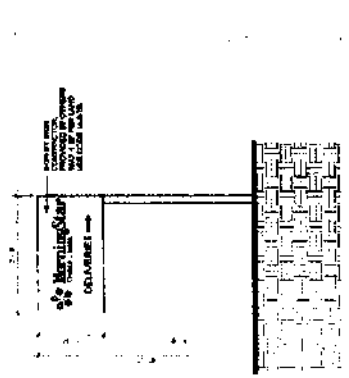
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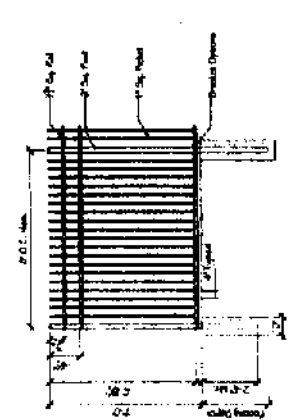
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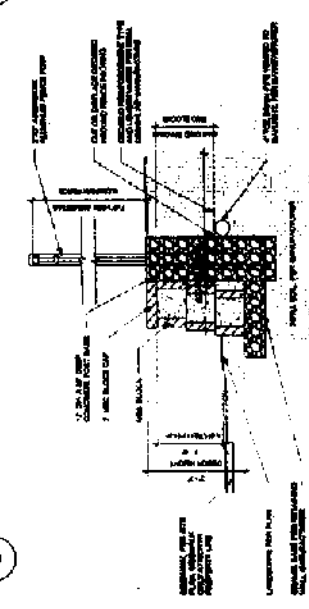
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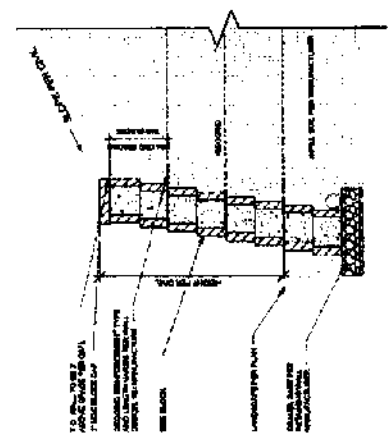
9 DIRECTIONAL SIGN



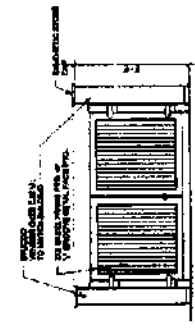
8 ALUMINUM FENCE DETAIL



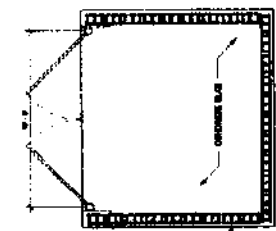
7 TYP. RETAINING WALL W/ MEMORY CARE FENCE



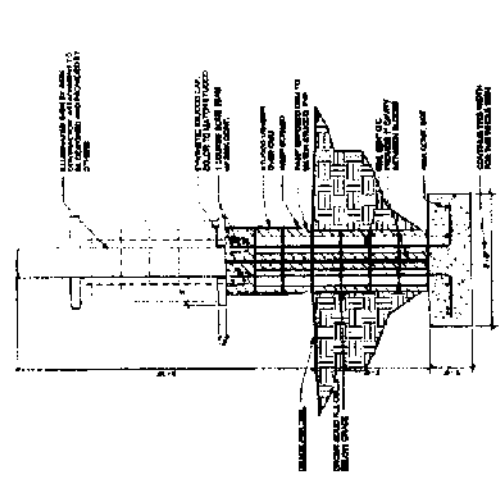
6 TYP. RETAINING WALL



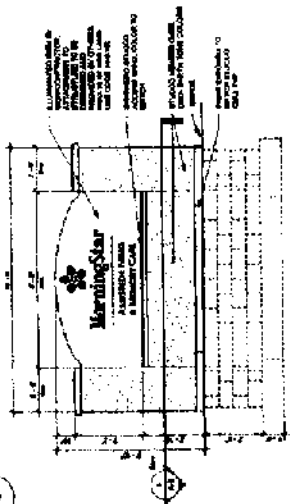
5 TRASH ENCLOSURE ELEVATION



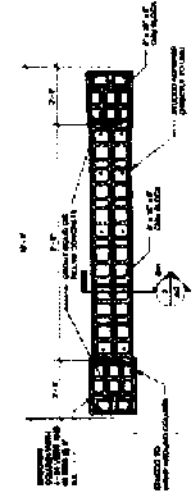
4 TRASH ENCLOSURE PLAN



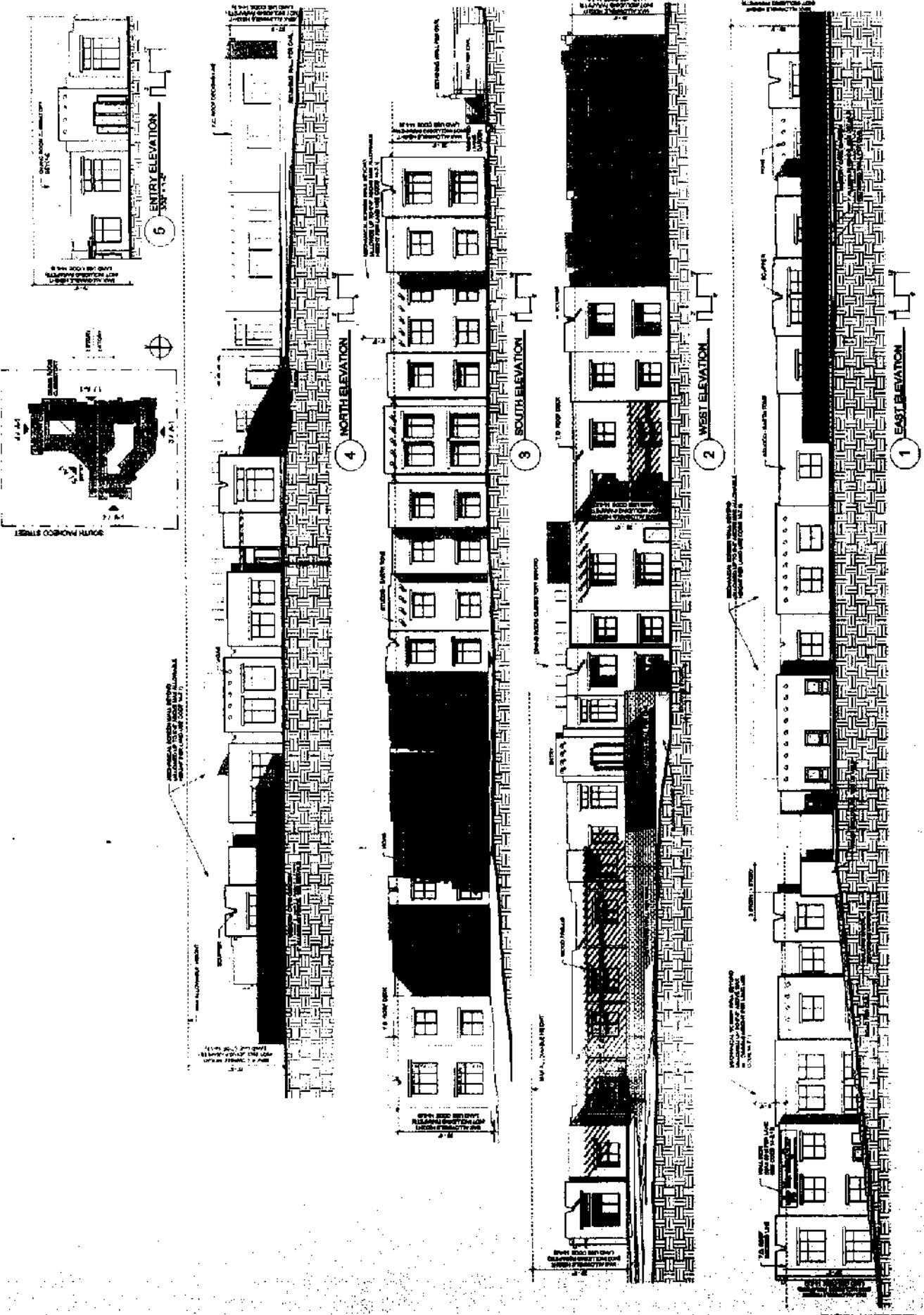
3 FREESTANDING MONUMENT SIGN SECTION



2 FREESTANDING MONUMENT SIGN



1 MONUMENT SIGN PLAN



Planning Commission
October 6, 2016

EXHIBIT 8



PLANNING COMMISSION

October 6, 2016

Case #2016-94

Confluent Development LLC



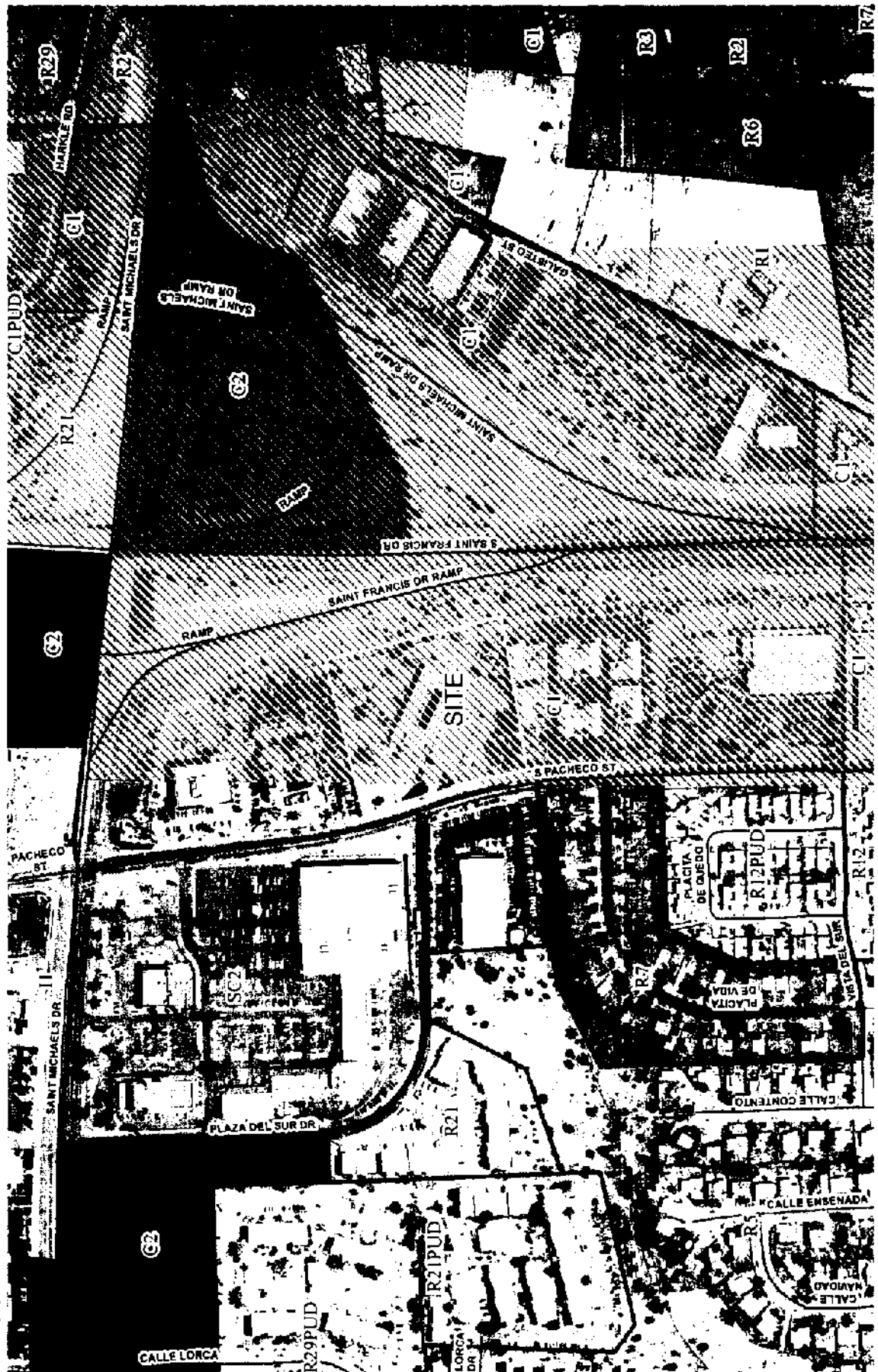
Development Review Team (DRT)

- Fire Marshal – Reynaldo Gonzales
- Traffic Division – John Romero

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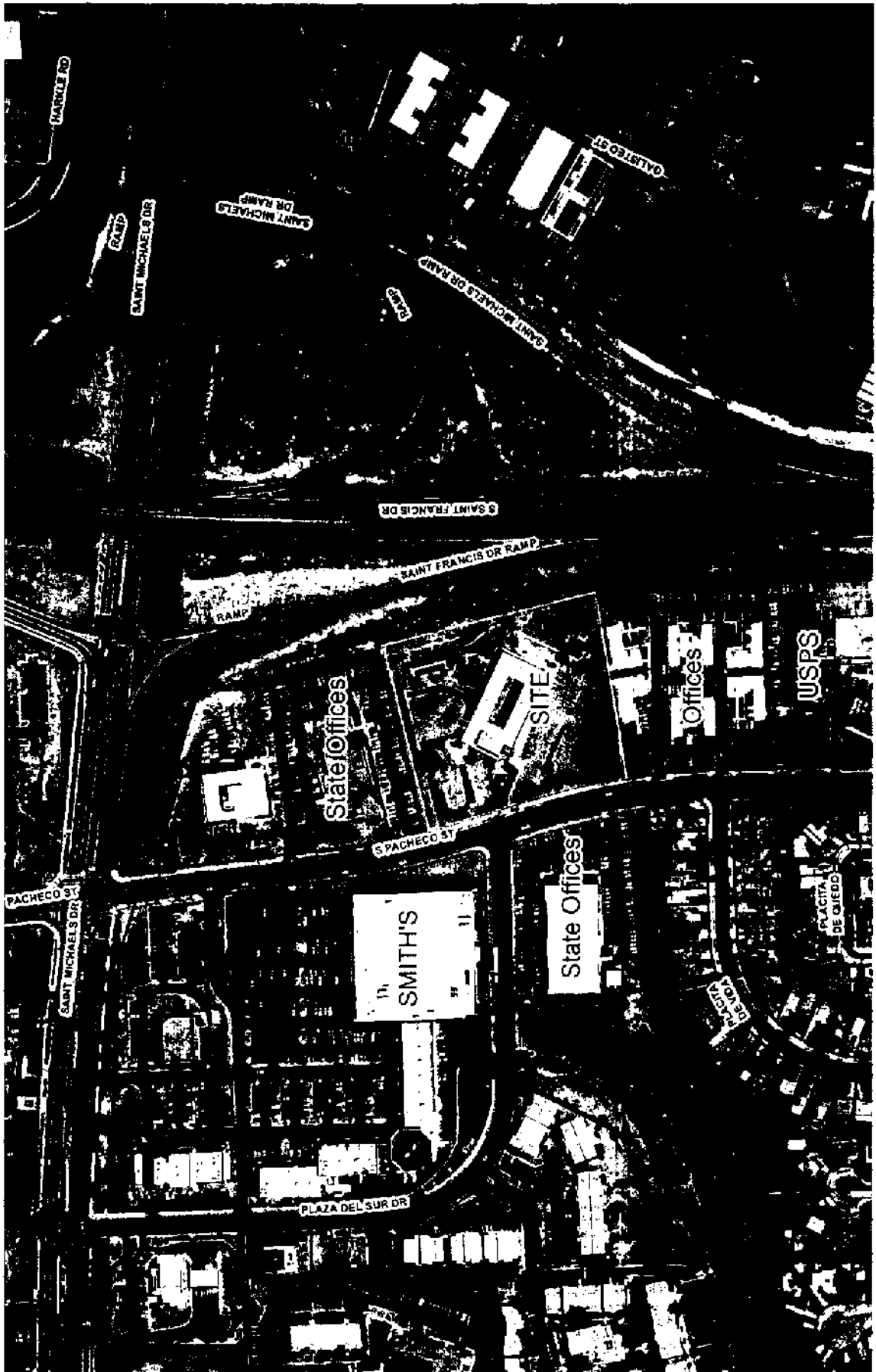


Zoning





Adjacent Properties







City Utilities





Development Plan





Conclusion

- Pre-application conference was conducted on April 14, 2016
- Two official ENN meetings was conducted one on June 28, 2016 & one on August 2, 2016
- Page 3 of the Memorandum Staff's analysis finds that the application is in compliance with 14-3.8(D) Development Plan
- Comments have been received from the DRT with conditions incorporated in this Memorandum on Page 1 Section I "Recommendation" and also in Exhibit A "Technical Conditions"
- Staff's analysis concludes that the application complies with Chapter 14 and recommends Approval subject to the above noted conditions.

Planning Commission
October 6, 2016

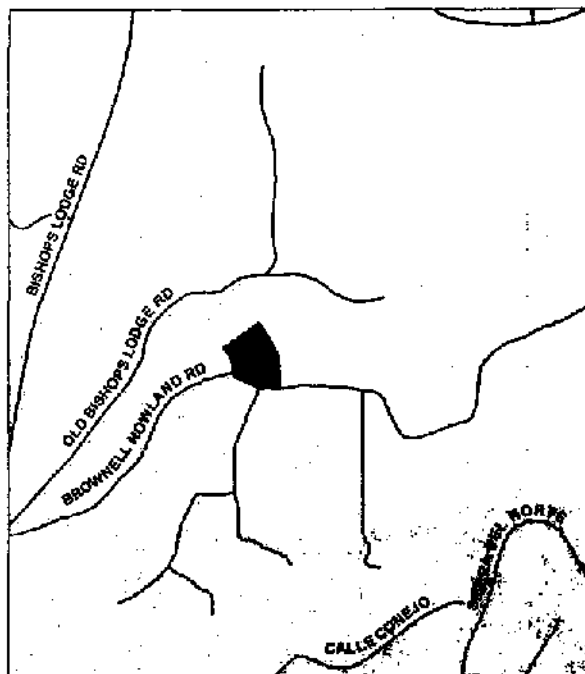
EXHIBIT 9



Land Use Department Planning Commission Staff Report

Case No: 2016-95
Hearing Date: October 6, 2016
Applicant: Sommer Karnes and Assoc.
Request: Variance to 14-5.6(D)
Location: 155 Brownell-Howland
Prepared by: Katherine Mortimer
Zoning: R-1
Overlay: Escarpment
Proposal: Variance to allow replacement of a two-story dwelling with a single-story dwelling, an addition of two portals totaling 98 sf on an accessory dwelling unit, and replacement of a fence with a wall within the Ridgetop Overlay District.

Site Location Map



Case #2016-95. 155 Brownell-Howland Escarpment Variance. Sommer, Karnes and Associates, LLP, agent for John R. Camp Trust and Michelle Cook 2011 Revocable Trust, requests approval of a variance to replace a two-story residential building with a single-story residential building on the same footprint, and addition of two portals totaling 98 square feet to an existing accessory dwelling unit located within the Ridgetop Subdistrict of the Escarpment Overlay District and to replace an existing fence with a 6 foot high wall, 280 linear feet of which is located within the Ridgetop Subdistrict of the Escarpment Overlay District. The 1.567 acre property is zoned R-1 (Residential – 1 unit per acre). (Katherine Mortimer, Case Manager)

I. RECOMMENDATION

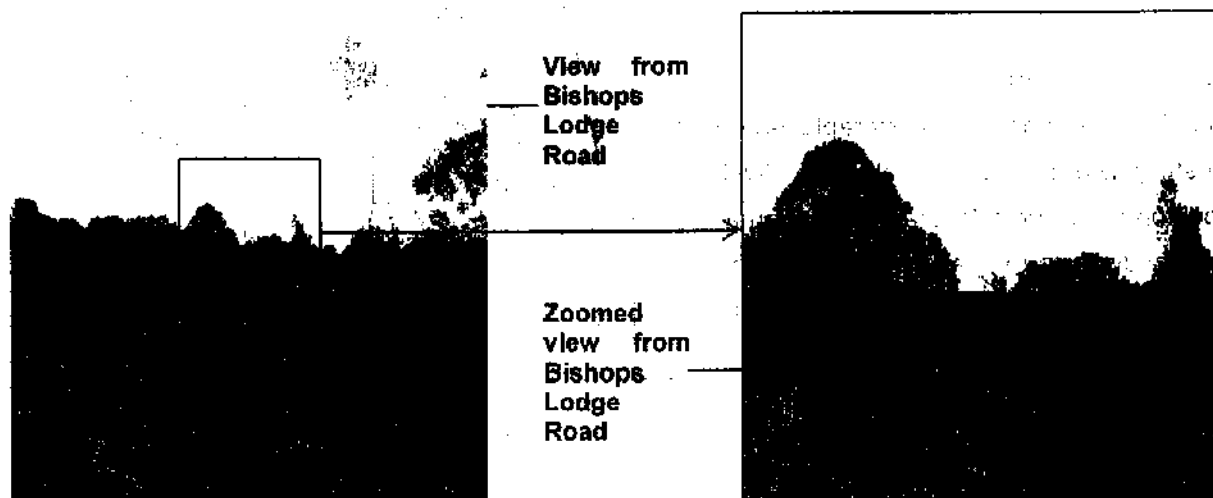
Should the Commission determine the proposed building replacement and portal additions meet the variance criteria outlined below, the Commission may **APPROVE** the request. Staff is not recommending any conditions of approval. Staff comments included in Appendix A provide information about subsequent steps, should this application be approved.

II. EXECUTIVE SUMMARY

- The application consists of requests for the following work within the Ridgetop Subdistrict of the Escarpment Overlay District:
 - Removal of a two-story main house and replacement with a one-story house
 - Adding two portals to an existing guest house totaling 98 square feet
 - Removal of an existing 6-foot front yard wall with a new 6-foot yard wall which is partially in

the Foothills Subdistrict and partially within the Ridgetop Subdistrict.

- The existing house is legally nonconforming, since it is located almost entirely within the Ridgetop Subdistrict of the Escarpment Overlay District. Demolition of the house would extinguish its legal nonconforming status, and any new structure must be evaluated on its own merits under the regulations currently in effect.
- The existing lot is also legally nonconforming, and any development on the lot will require a variance to either the terrain management or escarpment regulations.
- The proposed house would reduce the amount of development on the site by 3,341 square feet.
- The proposed portals cannot be seen by neighboring properties or any public right-of-way.
- A portion of the existing second story that can be seen from Bishops Lodge Road will no longer be visible should the two-story structure be replaced with a one-story structure.
- The proposed development is almost entirely within the Ridgetop Subdistrict.
- The proposed yard wall would meander in and out of the Ridgetop and Foothills Subdistricts.



III. BACKGROUND

The current lot at 155 was first split off from the property to the east at 165 Brownell-Howland Road (Case #2016-05, approved by the Summary Committee March 3, 2016), creating a legal lot of record for the principal dwelling unit at 155 that is separate from the principal dwelling unit at 165. The lot at 155 was then further reduced in size by a lot line adjustment with the adjacent lot to the west at 145 Brownell-Holland Road (Case #2016-79 approved by staff on July 29, 2016). That adjustment transferred ownership of approximately 1.9 acres of land from 155 to 145, resulting in a 1.567-acre lot at 155 and a 3.895-acre lot at 145. The transferred land includes the site of a 5,500 square-foot pond which was on 155 and is now on 145.

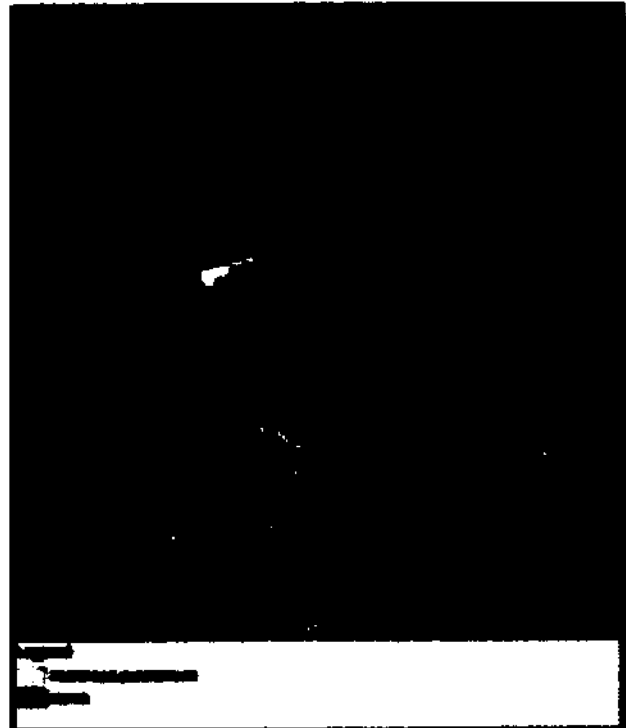
The lot split and lot line adjustment have not significantly affected the nonconforming status of the lots at 155 and 165 Brownell-Holland Road. The land transferred to 145 is effectively inaccessible from 155, due to an extremely steep slope over 50 feet in height, and most of the transferred land is undevelopable due to slopes in excess of 30 percent slope.

Section 14-5.6(D)(1) "Location of Structures; Buildable Site", prohibits any construction within the Ridgetop

Subdistrict of the Escarpment Overlay Zone. All of the existing structures on the site are located within the Ridgetop Subdistrict, but were constructed before the escarpment regulations were adopted.

Land within the Escarpment Overlay district is considered to have significant visual impact to the City. Within the Overlay District, the Ridgetop Subdistrict is considered more visible than the Foothills Subdistrict. In addition to placement restrictions, buildings within the Escarpment Overlay District are subject to height, color, exterior lighting, and landscaping restrictions intended to reduce potential visual impacts as set forth in Section 14-5.6. Should the variance be granted, the development would need to comply with all of the other requirements of the Escarpment Overlay Zone. The intent of the district is to preserve the City's aesthetic beauty and the natural environment. (Sections 14-5.6(1) and (2))

Escarpment Overlay Subdistricts Map



There is a narrow strip of the subject property along the road that is within the less-restricted Foothills Subdistrict. However, that strip is narrow and mostly within a 20-foot building setback such that there is no buildable area within the Foothills Subdistrict. North of the Foothill strip is a large area of Ridgetop Subdistrict, where the existing buildings are located. The land north of that is not within the Escarpment Overlay District, but consists of slopes steeper than 30 percent where the terrain management regulations prohibits development.

IV. GENERAL VARIANCE APPROVAL CRITERIA (14-3.16(C)(1)-(5))

The variance process balances reasonable use of the applicant's property against compliance with the letter and intent of adopted regulations. The property must be consistent with at least one of the circumstances listed in Criteria 1a through 1d, and must be consistent with all of the criteria in Criteria 2 through 5.

The following criteria are required by Subsections 14-3.16(C)(1)-(5) to grant a variance:

Criterion 1: One or more of the following special circumstances applies:	
(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; OR	Criterion Met: (Yes/No/N/A) YES
(b) The parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; OR	YES

(c) There is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; OR	N/A
(d) The land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).	N/A
Evaluation: The parcel is a legal nonconforming lot that was created via a lot split earlier this year. The existing main residence, accessory dwelling units and coyote fence were constructed when structures were allowed within the Ridgetop Subdistrict. The Ridgetop Subdistrict occupies the developable land. There is a ribbon of Foothill Subdistrict along the edge of the road but it is within the required building setback and is therefore not developable. Land to the north is not within the Escarpment Subdistrict but falls away steeply at the edge of the Ridgetop Subdistrict and is unbuildable.	

Criterion 2: The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.	Criterion Met: (Yes/No/N/A) YES
Evaluation: There is no buildable area that can be accessed that is not within the Ridgetop Subdistrict. The application requests a net reduction in development over that which exists on the site currently and replacement of an existing coyote fence with a solid yard wall and a driveway gate.	

Criterion 3: The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.	Criterion Met: (Yes/No/N/A) YES
Evaluation: Chapter 14 defines intensity as "The extent of development per unit of area; or the level of use as determined by the number of employees and customers and degree of impact on surrounding properties such as noise and traffic." With regard to the intensity of use, the proposed amount of development on the site, including the main and guest houses, would continue to be one of the smallest in the surrounding neighborhood. The footprints of the development on other lots surrounding the subject lot range from 1,527 to 9,290 square feet. The proposed footprint, including the portal additions to the guesthouse, would be 5,044 square feet. This data was gathered by analyzing nine homes located adjacent to, or within 2 lots, of the subject property. Most are either partially or completely within the Ridgetop Subdistrict. The proposed footprint would be slightly less than the median footprint size of 5,070 square feet.	
Based on this definition, the intensity of development would not exceed developments that are allowed on other similar properties in the vicinity. Noise and traffic will not differ from any other properties in the vicinity. The size of the proposed project and yard wall are generally consistent with the development of other nearby lots. The addition will comply with all other Escarpment Overlay regulations and the remainder of Chapter 14.	

Criterion 4: The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:	Criterion Met: (Yes/No/N/A) YES
Evaluation: To determine reasonable use of a property we look to other properties in the neighborhood. As noted under Criterion 3 above, the proposed use of the property is slightly less than the median intensity and most properties in the area have walls or fences at the street frontage.	

Criterion 4a: Has the property or could it be used without variances for a different category or lesser intensity of use?	Criterion Met: (Yes/No/N/A) YES
Evaluation: The property is residentially zoned and fully developed, and therefore cannot be used for a different category or lesser intensity of use. Moreover, development of any kind on the subject property is prohibited per SFCC §14-5.6(D)(1). Therefore, the property cannot be used without variances for a different category or lesser intensity of use.	

Criterion 4b: The variance is consistent with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.	Criterion Met: (Yes/No/N/A) YES
Evaluation: While the reconstruction of the main house, the addition of portals to the guest house, and replacement of the coyote fence with a solid wall would be contrary to the prohibition of building in the Ridgetop Subdistrict of the Escarpment Overlay Zoning District, it would not be contrary to the purpose and intent of the Subdistrict, because the development would eliminate views of any built structures from Bishops Lodge Road. For this same reason it would not impact mountain views or scenic vistas from the City. It would have no impact on environmentally sensitive areas nor cause erosion or drainage problems. Neither would it be contrary to purpose or intent of any other Section of Chapter 14.	

Criterion 5: The variance is not contrary to the public interest.	Criterion Met: (Yes/No/N/A) YES
Evaluation: The proposed reconstruction of the main house, portal additions to the guest house, and replacement of a coyote fence with a solid yard wall would not be contrary to the public interest. The public interest in relation to Section 14-5.6 "Escarpment Overlay District" includes protecting, maintaining and enhancing the health safety and general welfare of the citizens. It also includes protecting the visual impact of development and the natural environment of Santa Fe. The proposed changes to the structures would eliminate the existing minimal view from Bishops Lodge Road. Staff does not believe that the proposed request for a variance to the Escarpment Overlay District violates the purpose and intent of the regulations as set forth in Section 14-5.6.	

V. ESCARPMENT-SPECIFIC VARIANCE APPROVAL CRITERIA

In addition to the general variance criteria, the Commission must determine that two special Escarpment Overlay District criteria are met [Subsection 14-5.6(K)]:

<p>(1) Where the planning commission finds that extraordinary hardship may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation shall not have the effect of nullifying the intent and purpose of these regulations.</p> <p>(2) In granting variances or modifications, the planning commission may require such conditions as will, in its judgment, assure substantially the objectives of the standards or requirements so varied or modified.</p>	<p>Criteria Met: (Yes/No/N/A)</p> <p>YES</p>
<p>Evaluation: The intent of the Escarpment Overlay District lists preservation of Santa Fe's aesthetic beauty, mountain views and scenic vistas. A portion of the top of the existing house is visible from Bishops Lodge Road. Should that building be replaced with a one-story building, no part of the development on the site would be visible from Bishops Lodge Road or any other public viewing area. The proposed yard wall is visible only from Brownell-Howland Road immediately adjacent to the site. Therefore, the proposed variance requests would not be contrary to the intent of the Escarpment Overlay District.</p>	

VI. ATTACHMENTS:

EXHIBIT A: Technical Corrections

EXHIBIT B: City Staff Memoranda

1. Fire Department Memorandum, Rey Gonzales
2. Escarpment and Landscape Memorandum, Somie Ahmed
3. Terrain Management Memorandum, RB Zaxus
4. Wastewater Memorandum, Stan Holland
5. Traffic Memorandum, Sandy Kassens




EXHIBIT C: Maps and Photos

1. Escarpment Overlay Map
2. General Plan Land Use Designation Map
3. Zoning Map
4. Aerial Photo

EXHIBIT D: Applicant Submittals

* Maps and other exhibits reproduced and archived separately from this staff report. File copies are available for review at the Land Use Department office at 200 Lincoln Avenue, West Wing.

VII. APPROVED BY:

Title	Name	Initials
Land Use Department Director	Lisa Martinez	
Land Use Current Planning Division Director	Greg Smith	
Land Use Department Case Manager	Katherine Mortimer	

City of Santa Fe, New Mexico

Planning Commission

Exhibit A **Technical Corrections**

Appendix A TECHNICAL CORRECTIONS

The following are the staff-recommended technical corrections for this project:

#	Condition of approval	Dept/Division	To be completed by:
1	All Fire Department access shall be no greater than a 10% grade throughout.	Fire Department	Prior to construction
2	Fire Department Access shall not be less than 20 feet width to any new/remodel construction.	Fire Department	Prior to construction
3	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.	Fire Department	Prior to construction
4	Fire Department shall have 150 feet distance to any portion of the building on any new construction.	Fire Department	Prior to construction
5	Shall have water supply that meets fire flow requirements as per IFC	Fire Department	Prior to construction
6	The owner shall obtain a septic system permit from the State of New Mexico Environment Department.	Wastewater Division	Prior to construction
7	The applicant shall verify that the wall complies with the requirements of the multi-purpose easement as shown on the plat or shall adjust its location to do so.	Case Manager	Prior to construction permit application.

Exhibit A

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

City Staff Memoranda

Development Review Team
Comment Form

Date: September 15, 2016
Staff person: Reynaldo Gonzales
Dept/Div: Fire
Case: 2016-95 – 155 Brownell-Howland Escarpment Variance
Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None

Technical Corrections*:

Must be completed by:

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

Prior to any remodel construction the current code adopted by the governing body may need to be met.

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

EXHIBIT B1

Development Review Team

Comment Form

Date: September 21st, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: 2016-95 – 155 Brownell-Howland Escarpment Variance

Case Mgr: Katherine Mortimer



Review by this division/departments has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :
by:

Must be completed

1	
2	
3	
4	

Technical Corrections*:
by:

Must be completed

1.	
2.	
3.	
4.	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. As per Article 14-5.6(F)(4): "In the ridgetop subdistrict the highest point of any *structure* shall not exceed a maximum height of fourteen (14) feet above each and every point of measurement along the *structure* perimeter. This measurement shall be from the undisturbed natural *grade* of the land at the perimeter, or from the finished *grade* at the perimeter, whichever is more restrictive in height. The highest point on the *structure* includes the top of parapets and clerestories, except that chimneys may exceed the maximum height by not more than three (3) feet above the immediately adjacent roof."
2. As stated in Article 14-5.6(F)(5)(c): "The highest point on the *structure* includes the tops of parapets and clerestories, except that chimneys may exceed the maximum height by not

EXHIBIT B2

Development Review Team

Comment Form

Date: August 11, 2016
From: Risana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case # 2016-97, 165 Brownell-Howland Escarpment Variance
Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 none	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1 none	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Comply with all terrain management requirements at time of Building Permit.

Explanation of Conditions or Corrections (if needed):

EXHIBIT B3

Development Review Team

Comment Form

Date: September 19, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater Division
Case: 2016-95 – 155 Brownell-Howland Escarpment Variance
Case Mgr: Katherine Mortimer



The subject property is not accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:

Must be completed by:

1. Prior to any new construction on the lot, the owner shall obtain a septic system permit from the State of New Mexico Environment Department.	
---	--

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

EXHIBIT B4

MORTIMER, KATHERINE E.

From: KASSENS, SANDRA M.
Sent: Tuesday, August 30, 2016 8:24 AM
To: MORTIMER, KATHERINE E.
Cc: ROMERO, JOHN J
Subject: Comments on Escarpment Cases

Katherine,

The Engineering Division has no comments on the following Escarpment Variance requests:

<u>Case #</u>	<u>Title</u>
2016-90	730 Canada Ancha Escarpment Variance
2016-95	155 Brownell-Howland Escarpment Variance
2016-97	165 Brownell-Howland Escarpment Variance
2016-96	2051 Cerros Altos Escarpment Variance

Sandy

Sandra Kassens

Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

City of Santa Fe, New Mexico

Planning Commission

Exhibit C **Maps and Photos**

155 Brownell-Howland Road Future Land Use Map

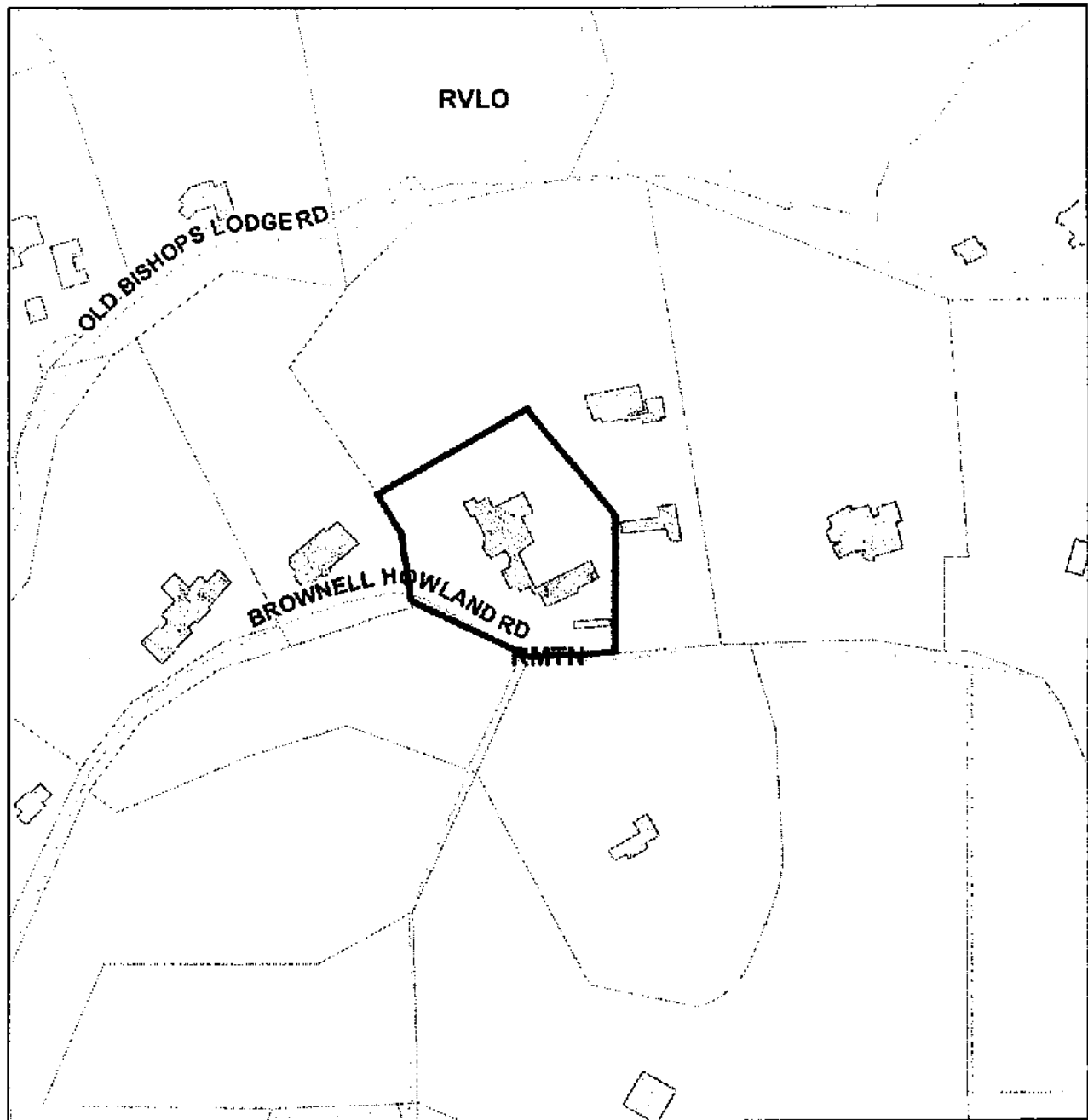


EXHIBIT C1

155 Brownell-Howland Road Zoning Map

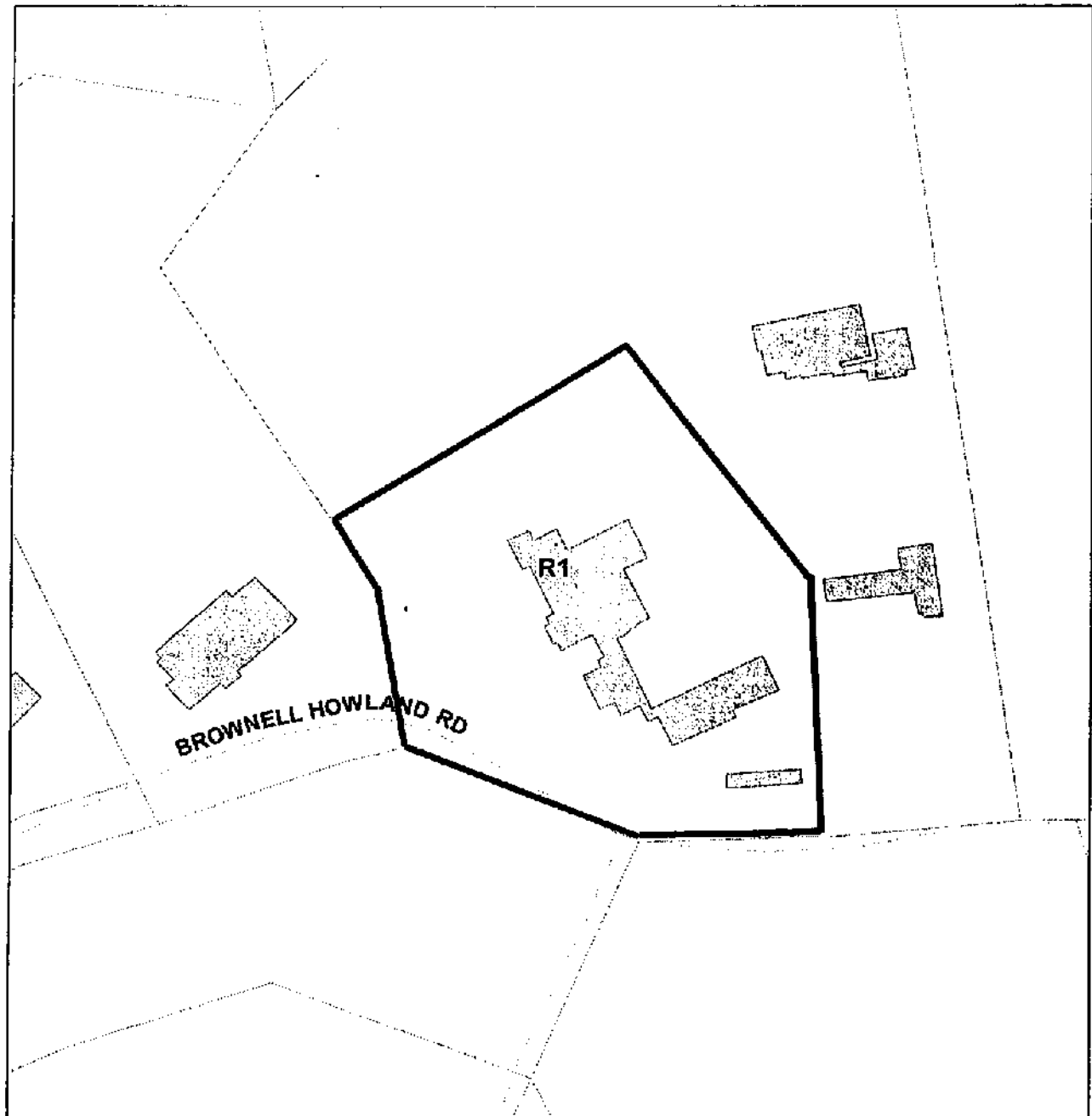


EXHIBIT C2



155 Brownell-Howland Road Aerial Photo



EXHIBIT C3

City of Santa Fe



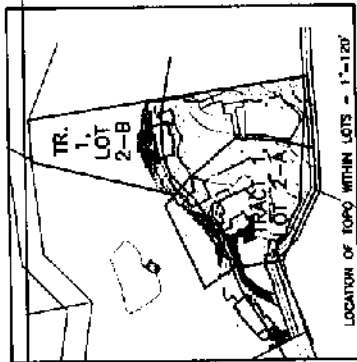
New Mexico

City of Santa Fe, New Mexico

Planning Commission

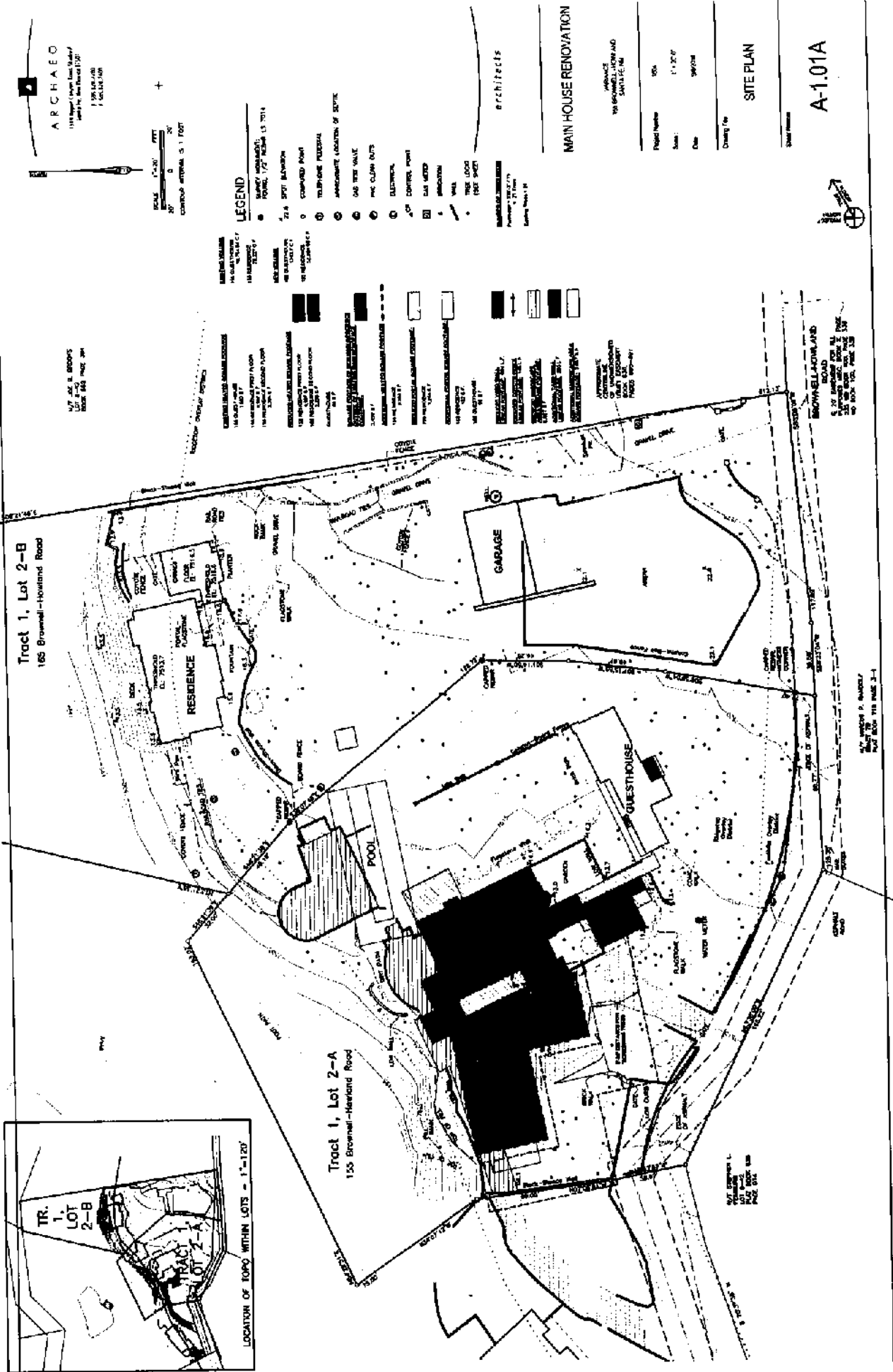
Exhibit D

Applicant Submittals



Tract 1, Lot 2-B
165 Broward-Horland Road

Tract 1, Lot 2-A
155 Broward-Horland Road



A-1.01A





ARCHAEO
WILLIAM K. SMITH, JR., P.E.
SANTA FE, NEW MEXICO 87501
P 505.951.1118
F 505.951.1118

+

architects

MAIN RESIDENCE RENOVATION

ARCHAEO
1515 BRANDELL DRIVE, N.E.
SANTA FE, NM

Project Number:

1004

Scale:

1" = 20'

Date:

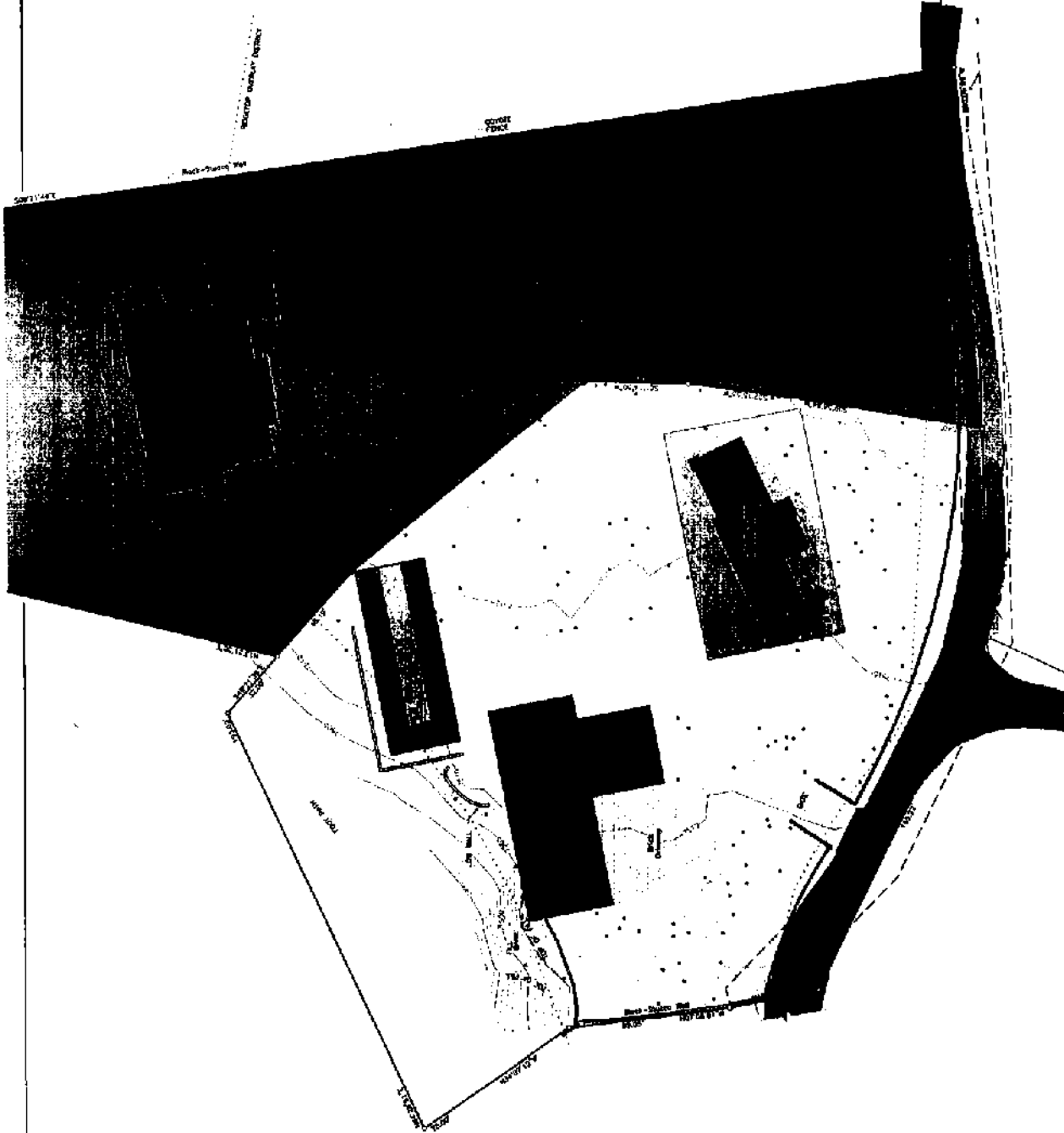
9/20/01

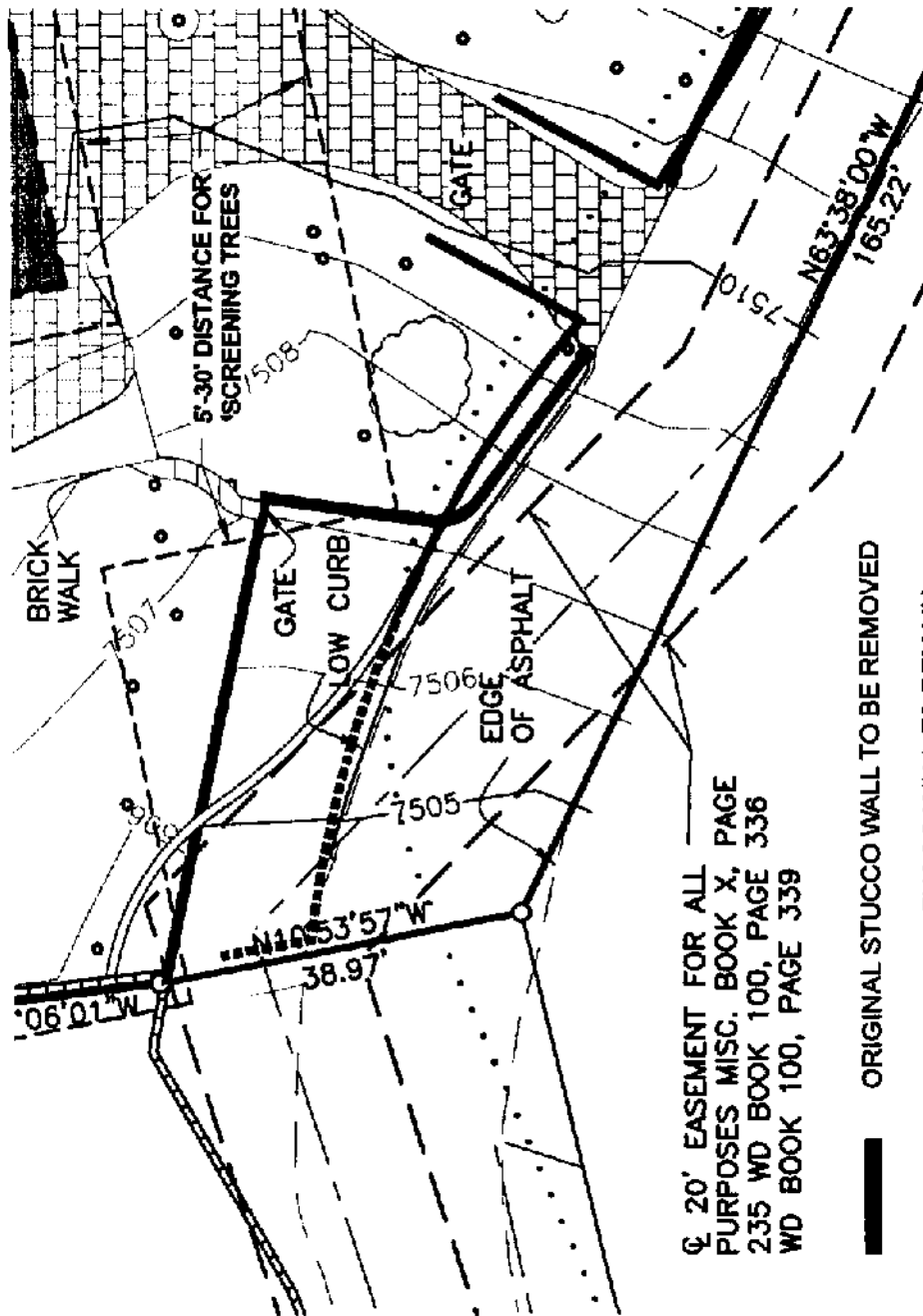
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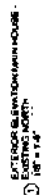
ARCHITECTURAL SITE PLAN

Sheet Number:

A-1.01







MAIN HOUSE RENOVATION

VANDER
94 BROWNELL - CHAMBERLAIN
SANTA FE, NM

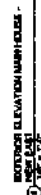
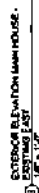
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1005	1985	1005
1006	1986	1006
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1008	1988	1008
1009	1989	1009
1010	1990	1010
1011	1991	1011
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1014	1994	1014
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1019	1999	1019
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1045	2025	1045
1046	2026	1046
1047	2027	1047
1048	2028	1048
1049	2029	1049
1050	2030	1050

Drummond Page

MAIN HOUSE ELEVATIONS

Student Number:

A-5.01A

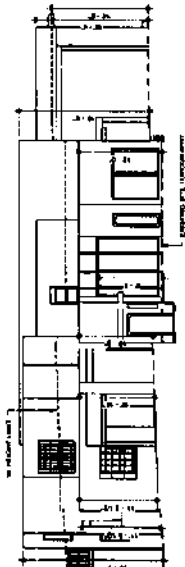




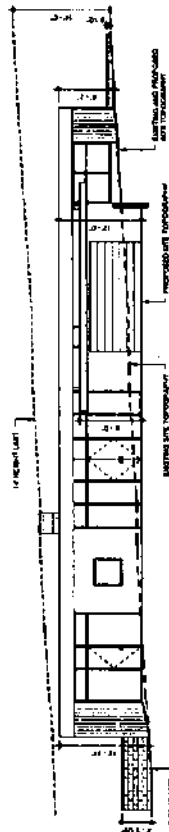
ARCHAEO

3141 Upper Linden Road, Suite 101
San Jose, CA 95128-1001
P 408.298.1100
F 408.298.1102

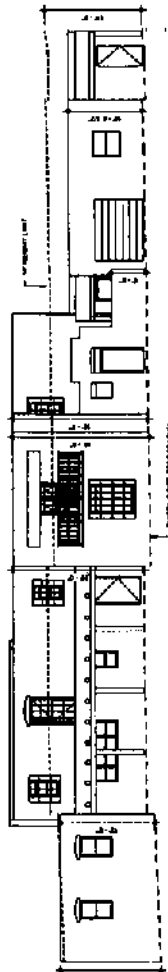
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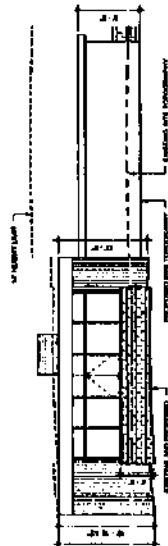
EXTERIOR ELEVATION MAIN HOUSE -
EXISTING SOUTH
1/8" = 1'-0"



EXTERIOR ELEVATION MAIN HOUSE -
EXISTING SOUTH
1/8" = 1'-0"



EXTERIOR ELEVATION MAIN HOUSE -
EXISTING SOUTH
1/8" = 1'-0"



EXTERIOR ELEVATION MAIN HOUSE -
EXISTING SOUTH
1/8" = 1'-0"

architects

MAIN HOUSE RENOVATION

ARCHAEO
3141 UPPER LINDEN ROAD
SAN JOSE, CA 95128

Project Number: 1751
Scale: 1/8" = 1'-0"
Date: 2/24/2016

MAIN HOUSE ELEVATIONS

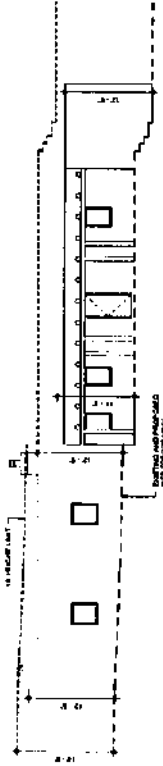
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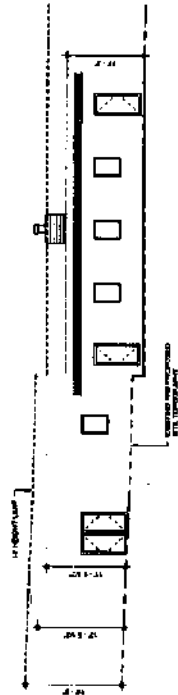
ARCHAEO

1515 14th Street, Suite 100, San Francisco, CA 94103
P 415.774.1111
F 415.774.1112
E info@archaeo.com

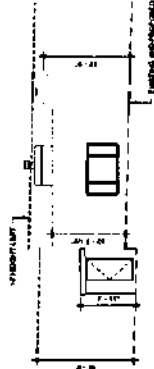
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1/8" = 1'-0"



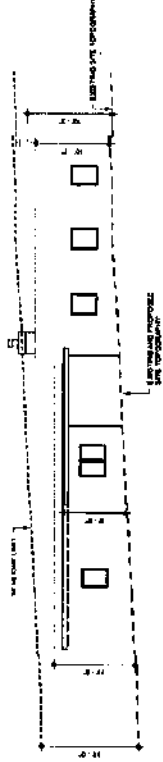
EXISTING ELEVATION - NEW SOUTH
1/8" = 1'-0"



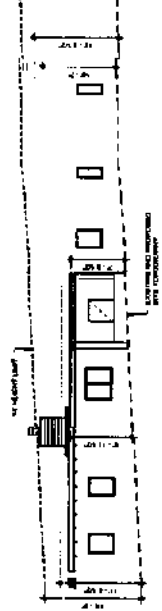
EXISTING ELEVATION - EXISTING EAST
1/8" = 1'-0"



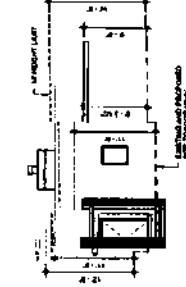
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1/8" = 1'-0"



EXISTING ELEVATION - EXISTING
1/8" = 1'-0"



EXISTING ELEVATION - NEW SOUTH
1/8" = 1'-0"



EXISTING ELEVATION - EXISTING WEST
1/8" = 1'-0"



EXISTING ELEVATION - NEW WEST
1/8" = 1'-0"

ARCHITECTS

GUESTHOUSE RENOVATION

ARCHITECT
1515 14th Street, Suite 100
SAN FRANCISCO, CA 94103

Project Number: 1500

Scale: 1/8" = 1'-0"

Date: 06/20/14

Owner: [REDACTED]

GUESTHOUSE ELEVATIONS

Sheet Number:

A-5.03A

Planning Commission
October 6, 2016

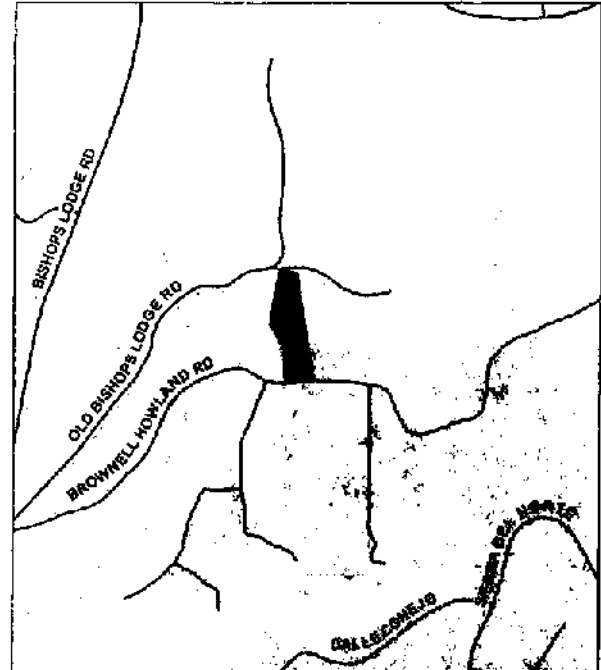
EXHIBIT 10



Land Use Department Planning Commission Staff Report

Site Location Map

Case No: 2016-97
Hearing Date: October 6, 2016
Applicant: Sommer Karnes and Assoc.
Request: Variance to 14-5.6(D)
Location: 165 Brownell-Howland
Prepared by: Katherine Mortimer
Zoning: R-1
Overlay: Escarpment
Proposal: Variance to allow modifications to the existing residential structure and construction of a yard wall within the Ridgetop Overlay District



Case #2016-97. 165 Brownell-Howland Escarpment Variance. Sommer, Karnes and Associates, LLP, agent for John R. Camp Trust Dated 7/25/06 and Michelle Cook 2011 Revocable Trust Dated 2/16/11, requests approval of a variance to modify an existing dwelling within the Ridgetop Subdistrict of the Escarpment Overlay District resulting in a net increase of 27 square feet and to replace an existing fence with a 6 foot high wall, 320 linear feet of which is located within the Ridgetop Subdistrict of the Escarpment Overlay District. The 2.01 acre property is zoned R-1. (Residential - 1 unit per acre). (Residential - 1 unit per acre). (Katherine Mortimer, Case Manager)

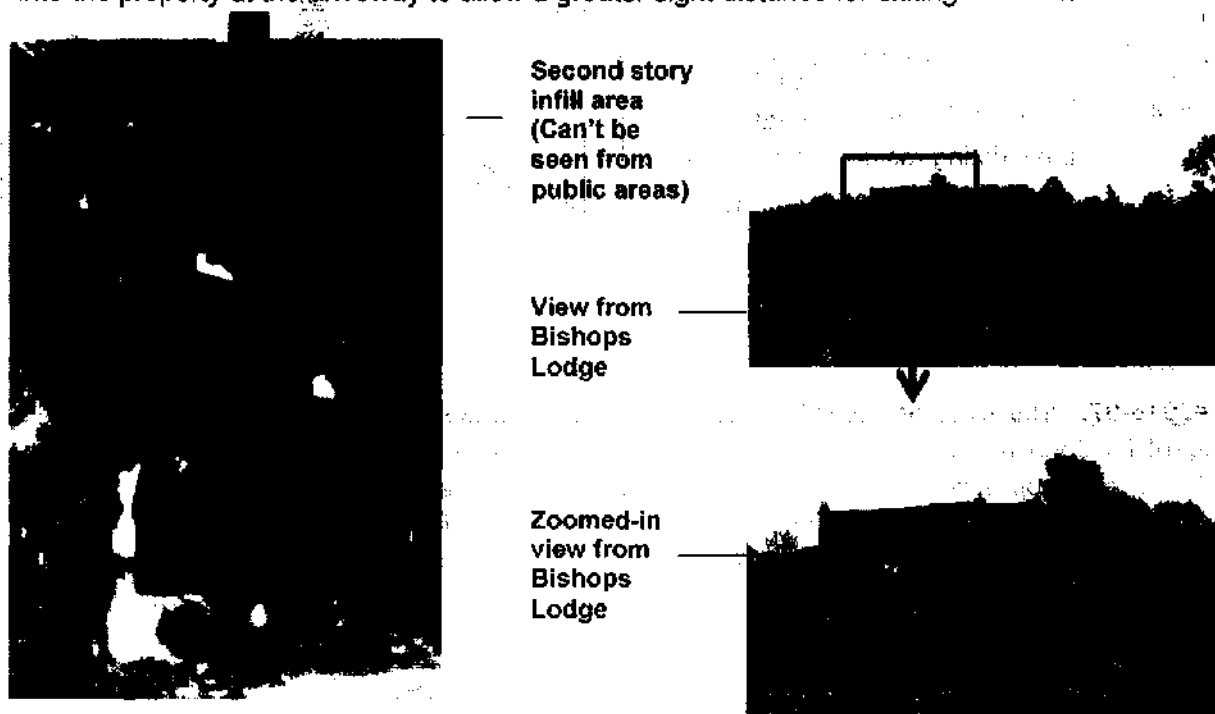
I. RECOMMENDATION

Should the Commission determine the proposed building additions meet the variance criteria outlined below, the Commission may **APPROVE** the request. Staff is not recommending any conditions of approval. Staff has provided technical corrections which are included in Appendix A that provide information regarding subsequent steps, should this application be approved.

II. EXECUTIVE SUMMARY

The applicant proposes several minor modifications to the existing house. Where those modifications involve additions or reconstruction of demolished portions of the house, and construction of a new yard wall, a variance is required. The variance request is to allow construction within the Ridgetop Subdistrict for a lot created after February 26, 1992, and to allow two minor second-story additions that would exceed the maximum 14 foot height limit requirement of Subsection 14-8.5(F)(4).

- The existing house is legally nonconforming, since it is located almost entirely within the Ridgetop Subdistrict and/or on slopes exceeding 30 percent. Additions to the building require variances to those same regulations.
- The existing lot is also legally nonconforming, and any development on the lot will require a variance to either the terrain management or escarpment regulations.
- The proposed modifications cannot be seen by neighboring properties or any public right-of-way.
- Views from streets are limited to a section of Bishops Lodge Road which is screened by existing vegetation and from Brownell-Howland Road immediately adjacent to the site.
- The proposed reconfigurations to the existing residential structure are located entirely within the Ridgetop Subdistrict of the Escarpment Overlay District.
- The proposed 6-foot yard wall would be partially in the foothills Subdistrict and would replace an existing coyote fence of the same height along a similar alignment; however, it is proposed to go into the property at the driveway to allow a greater sight distance for exiting vehicles.



III. BACKGROUND

The current lot at 165 was first split off from the property to the east at 155 Brownell-Howland Road (Case #2016-05, approved by the Summary Committee March 3, 2016), creating a legal lot of record for the principal dwelling unit at 165 that is separate from the principal dwelling unit at 155. The lot split did not significantly affect the nonconforming status of either lot.

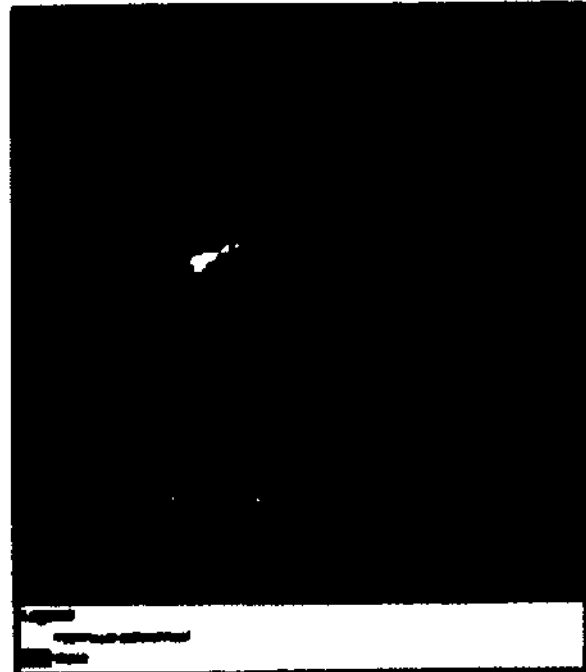
Section 14-5.6(D)(1) "Location of Structures; Buildable Site", prohibits any construction within the Ridgetop Subdistrict of the Escarpment Overlay Zone, including additions to existing structures. All of the existing structures on the site are located within the Ridgetop Subdistrict, but were constructed before the escarpment regulations were adopted. There is a small ribbon of land in the Foothills Subdistrict along

the roadway frontage but it is located within the required building setback and is therefore not buildable. The north portion of the site falls steeply away with slopes greater than 30%.

Land within the Escarpment Overlay district is considered to have significant visual impact to the City. Within the Overlay District, the Ridgetop Subdistrict is considered more visible than the Foothills Subdistrict. In addition to placement restriction, buildings within the Escarpment Overlay District are subject to height, color, exterior lighting, and landscaping restrictions intended to reduce potential visual impacts as set forth in Section 15-5.6. Should the variances be granted, the development would comply with all of the other requirements of the Escarpment Overlay Zone. The intent of the district is to preserve the City's aesthetic beauty and the natural environment. (Sections 14-5.6(1) and (2))

There is a narrow strip of the subject property along the road that is within the less-restricted Foothills Subdistrict, that is narrow and mostly within a 20-foot building setback such that there is no buildable area within the Foothills Subdistrict. North of the Foothill strip is a large area of Ridgetop Subdistrict, where the existing buildings are located. The land north of that is not within the Escarpment Overlay District, but consists of slopes steeper than 30 percent where the terrain management regulations prohibit development.

Escarpment Overlay Subdistricts Map



IV. GENERAL VARIANCE APPROVAL CRITERIA

The variance process balances reasonable use of the applicant's property against compliance with the letter and intent of adopted regulations. The property must be consistent with at least one of the circumstances listed in Criteria 1a through 1d, and must be consistent with all of the criteria in Criteria 2 through 5.

The following criteria are required by Subsections 14-3.16(C)(1)-(5) to grant a variance:

Criterion 1: One or more of the following special circumstances applies:	
(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid; OR	Criterion Met: (Yes/No/N/A) YES
(b) The parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; OR	YES
(c) There is an inherent conflict in applicable regulations that cannot be resolved	N/A

by compliance with the more-restrictive provision as provided in Section 14-1.7; OR	
(d) The land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).	N/A
Evaluation: The parcel is a legal nonconforming lot that was created via a lot split earlier this year. The existing residence and coyote fence were constructed when structures were allowed within the Ridgetop Subdistrict. The Ridgetop Subdistrict occupies the developable land. There is a ribbon of Foothill Subdistrict along the edge of the road but is within the required building setback. Land to the north is not within the Escarpment Subdistrict but falls away steeply at the edge of the Ridgetop Subdistrict and is unbuildable.	
Criterion 2: The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.	Criterion Met: (Yes/No/N/A) YES
Evaluation: No buildable area exists on this lot that can be accessed that is not within the Ridgetop Subdistrict. The application requests a small increase in development over that which exists on the site currently and replacement of an existing Coyote Fence with a solid yard wall and a driveway gate. The new wall would be longer than the coyote fence to create an area outside of the fence at the end of the driveway to allow for greater sight distance for vehicles exiting the driveway.	

Criterion 3: The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.	Criterion Met: (Yes/No/N/A) YES
Evaluation: Chapter 14 defines intensity as "The extent of development per unit of area; or the level of use as determined by the number of employees and customers and degree of impact on surrounding properties such as noise and traffic." With regard to the intensity of use, the amount of development on the site is, and would continue to be, one of the smallest in the surrounding neighborhood. The footprints of the development on other lots around the subject lot range from 1,527 to 9,290 square feet. The proposed footprint would be 4,683 square feet. This was determined by analyzing nine homes located adjacent to, or within 2 lots, of the subject property. Most are either partially or completely within the Ridgetop Subdistrict. The proposed 4,683 square foot footprint would be less than the median footprint size of 5,070 square feet.	
Based on this definition, the intensity of development would not exceed developments that are allowed on other similar properties in the vicinity. Noise and traffic will not be any different from other properties in the vicinity. The sizes of the proposed house footprint and yard wall are generally consistent with the development of other nearby lots. The project will comply with all other Escarpment Overlay regulations and other applicable provisions of Chapter 14, including the terrain management regulations.	
Criterion 4: The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:	Criterion Met: (Yes/No/N/A) YES
Evaluation: To determine reasonable use of a property we look to other properties in the	

neighborhood. As noted under Criterion 3 above, the proposed use of the property is slightly less than the median intensity and most of the properties in the area have walls or fences at the street frontage.

Criterion 4a: Has the property or could it be used without variances for a different category or lesser intensity of use?

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: The property is residentially zoned and fully developed, and therefore cannot be used for a different category or lesser intensity of use. Moreover, development of any kind on the subject property is prohibited per SFCC §14-5.6(D)(1). Therefore, the property cannot be used without variances for a different category or lesser intensity of use.

Criterion 4b: The variance is consistent with the purpose and Intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: The purpose and intent of the Escarpment Overlay District is provided in Section III of this report. While the additions and yard wall construction would be contrary to the prohibition of building in the Ridgetop Subdistrict of the Escarpment Overlay Zoning District and to the maximum height restriction of 14 feet, it would not be contrary to the purpose and intent of the Subdistrict, because the proposed additions would not be seen from any public areas or rights-of-way and the wall would only be visible from Brownell-Howland Road immediately adjacent to the site. For this same reason it would not impact mountain views or scenic vistas from the City. It would have little impact on environmentally sensitive areas nor cause erosion or drainage problems. It would not be contrary to purpose or intent of any other Section of Chapter 14.

Criterion 5: The variance is not contrary to the public interest.

Criterion Met:
(Yes/No/N/A)
YES

Evaluation: The proposed reconstruction of the main house and portal additions to the guest house would not be contrary to the public interest. The public interest in relation to Section 14-5.6 "Escarpment Overlay District" includes protecting, maintaining and enhancing the health safety and general welfare of the citizens. It also includes protecting the visual impact of development and the natural environment of Santa Fe. The proposed changes to the structures would not be visible from Bishops Lodge Road and the wall would only be visible from Brownell-Howland Road immediately adjacent to the site. Staff does not believe that the proposed request for variances to the Escarpment Overlay District violates the purpose and intent of the regulations as set forth in Section 14-5.6.

V. ESCARPMENT-SPECIFIC VARIANCE APPROVAL CRITERIA

In addition to the general variance criteria, the Commission must determine that two special Escarpment Overlay District criteria are met [Subsection 14-5.6(K)]:

(1) Where the planning commission finds that extraordinary hardship may result from strict compliance with these regulations, it may vary the regulations so that

Criteria Met:
(Yes/No/N/A)

substantial justice may be done and the public interest secured; provided that such variation shall not have the effect of nullifying the intent and purpose of these regulations. (2) In granting variances or modifications, the planning commission may require such conditions as will, in its judgment, assure substantially the objectives of the standards or requirements so varied or modified.	YES
Evaluation: The intent of the Escarpment Overlay District lists preservation of Santa Fe's aesthetic beauty, mountain views and scenic vistas. The north side of the residence is visible from a portion of Bishops Lodge Road at the very northern end of the City limits. However, vegetation and the existing second floor blocks visibility to the areas where the second story additions and other building reconfigurations are proposed. The proposed yard wall is only visible from Brownell-Howland Road immediately adjacent to the site. Therefore, the proposed variance requests would not be contrary to the intent of the Escarpment Overlay District.	

VI. ATTACHMENTS:

EXHIBIT A: Technical Corrections

EXHIBIT B: City Staff Memoranda

1. Fire Department Memorandum, Rey Gonzales
2. Escarpment and Landscape Memorandum, Somie Ahmed
3. Terrain Management Memorandum, RB Zaxus
4. Wastewater Memorandum, Stan Holland
5. Traffic Memorandum, Sandy Kassens

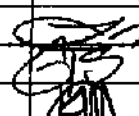
EXHIBIT C: Maps and Photos

1. Escarpment Overlay Map
2. General Plan Land Use Designation Map
3. Zoning Map
4. Aerial Photo

EXHIBIT D: Applicant Submittals*

* Maps and other exhibits are reproduced and archived separately from this staff report. File copies are available for review at the Land Use Department office at 200 Lincoln Avenue, West Wing.

APPROVED BY:

Title	Name	Initials
Land Use Department Director	Lisa Martinez	
Land Use Current Planning Division Director	Greg Smith	
Land Use Department Case Manager	Katherine Mortimer	

City of Santa Fe, New Mexico

Planning Commission

Exhibit A

Technical Corrections

Appendix A
TECHNICAL CORRECTIONS

The following are the staff-recommended technical corrections for this project:

#	Condition of approval	Dept/Division	To be completed by:
1	All Fire Department access shall be no greater than a 10% grade throughout.	Fire Department	Prior to construction
2	Fire Department Access shall not be less than 20 feet width to any new/remodel construction.	Fire Department	Prior to construction
3	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.	Fire Department	Prior to construction
4	Fire Department shall have 150 feet distance to any portion of the building on any new construction.	Fire Department	Prior to construction
5	Shall have water supply that meets fire flow requirements as per IFC	Fire Department	Prior to construction
6	Prior to any new construction on the lot, the owner shall obtain a septic system permit from the State of New Mexico Environment Department.	Wastewater Division	Prior to construction

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

City Staff Memoranda

Development Review Team

Comment Form

Date: September 15, 2016

Staff person: Reynaldo Gonzales

Dept/Div: Fire

Case: 2016-95 – 165 155 Brownell-Howland Escarpment Variance

Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None	
--------	--

Technical Corrections*:

Must be completed by:

<ol style="list-style-type: none">1. All Fire Department access shall be no greater than a 10% grade throughout.2. Fire Department Access shall not be less than 20 feet width to any new/remodel construction.3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.5. Shall have water supply that meets fire flow requirements as per IFC	<p>Prior to any remodel construction the current code adopted by the governing body may need to be met.</p>
--	--

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

EXHIBIT B1

Development Review Team

Comment Form

Date: September 21st, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: 2016-97 – 165 Brownell-Howland Escarpment Variance

Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :
by:

Must be completed

1	
2	
3	
4	

Technical Corrections*:
by:

Must be completed

1.	
2.	
3.	
4.	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. As per Article 14-5.6(C)(2)(d): "Include natural topography, storm drainage, *grading*, and erosion control plans to demonstrate compliance with Subsection (H)."
2. On elevations, show a vertical line that represents where the ridgetop Subdistrict ends with clear shading showing the new additions.
3. Screening shall be provided with landscaping complying with Article 14-5.6 (G)(7): "There shall be one tree, existing or planted meeting minimum height and size requirements, for every fifteen (15) linear feet of horizontal *wall* of each *structure* which shall be located no closer than five (5) feet and no further than thirty (30) feet from such *wall*."

EXHIBIT B2

Development Review Team

Comment Form

Date: August 11, 2016
From: Risana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case # 2016-97, 165 Brownell-Howland Escarpment Variance
Case Mgr: Katherine Mortimer



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 none	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1 none	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Comply with all terrain management requirements at time of Building Permit.

Explanation of Conditions or Corrections (if needed):

EXHIBIT B3

Development Review Team
Comment Form

Date: September 19, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater Division
Case: 2016-97 - 165 Brownell-Howland Escarpment Variance
Case Mgr: Katherine Mortimer



The subject property is not accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:

Must be completed by:

1. Prior to any new construction on the lot, the owner shall obtain a septic system permit from the State of New Mexico Environment Department.	
---	--

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

EXHIBIT B4

MORTIMER, KATHERINE E.

From: KASSENS, SANDRA M.
Sent: Tuesday, August 30, 2016 8:24 AM
To: MORTIMER, KATHERINE E.
Cc: ROMERO, JOHN J
Subject: Comments on Escarpment Cases

Katherine,

The Engineering Division has no comments on the following Escarpment Variance requests:

<u>Case #</u>	<u>Title</u>
2016-90	730 Canada Ancha Escarpment Variance
2016-95	155 Brownell-Howland Escarpment Variance
2016-97	165 Brownell-Howland Escarpment Variance
2016-96	2051 Cerros Altos Escarpment Variance

Sandy

Sandra Kassens

Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

City of Santa Fe, New Mexico

Planning Commission

Exhibit C

Maps and Photos

165 Brownell-Howland Road Future Land Use Map

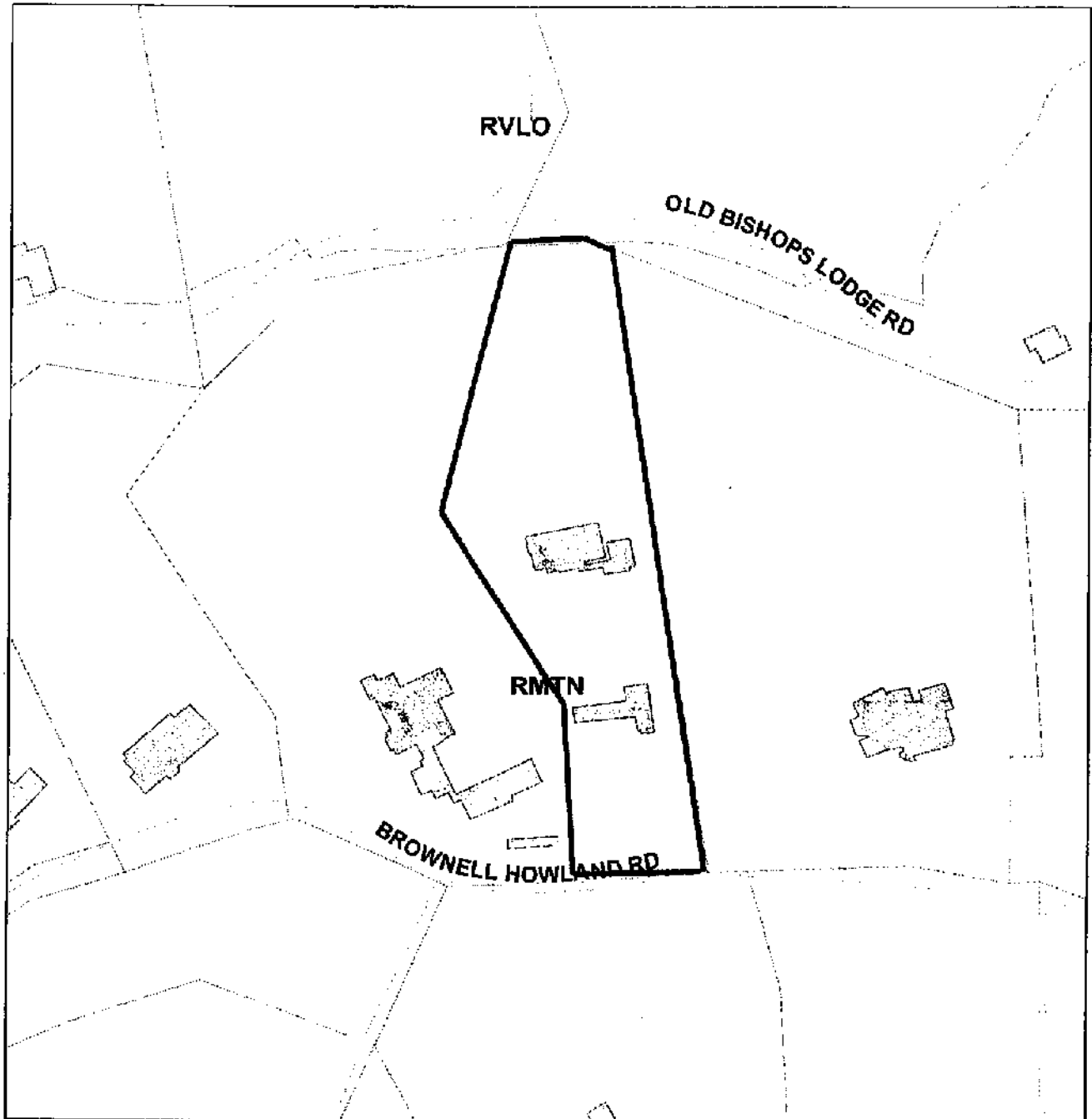


EXHIBIT C1

165 Brownell-Howland Road Zoning Map

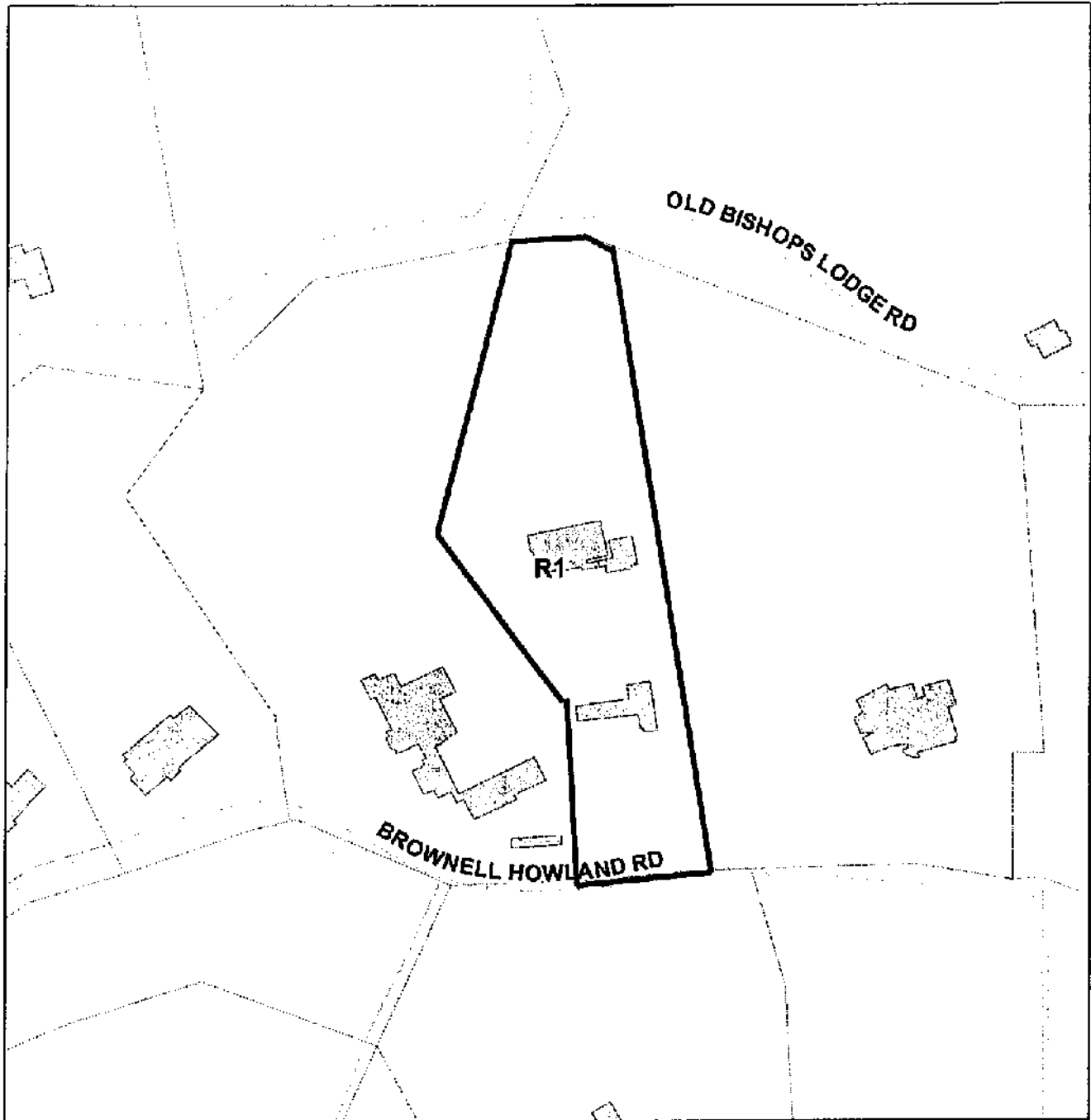


EXHIBIT C2

165 Brownell-Howland Road Aerial Photo

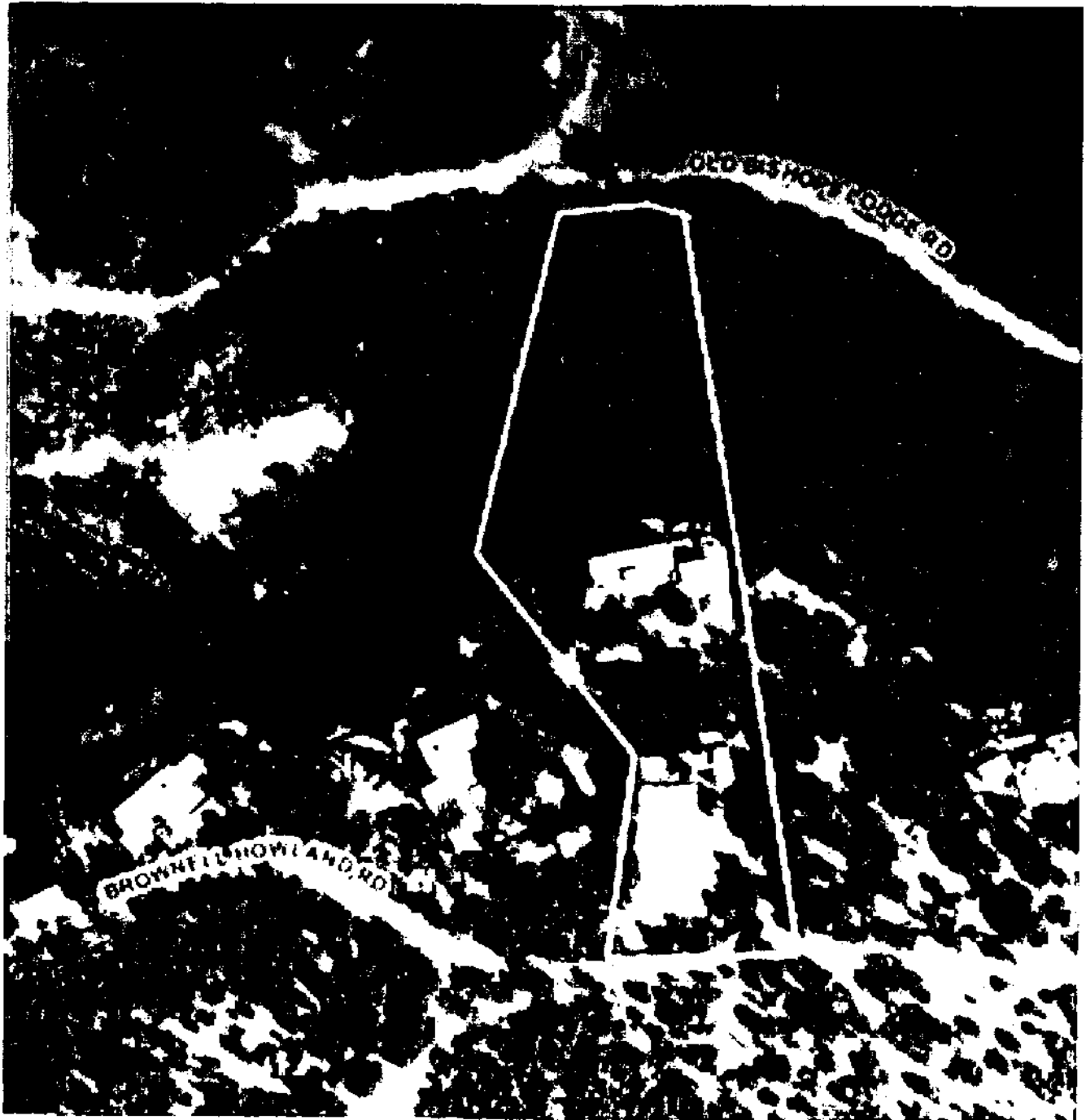


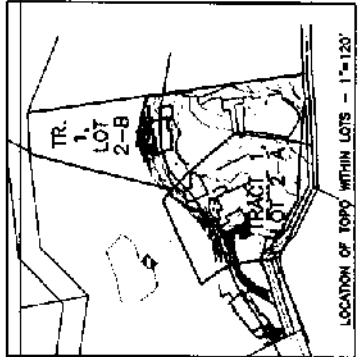
EXHIBIT C3

City of Santa Fe, New Mexico

Planning Commission

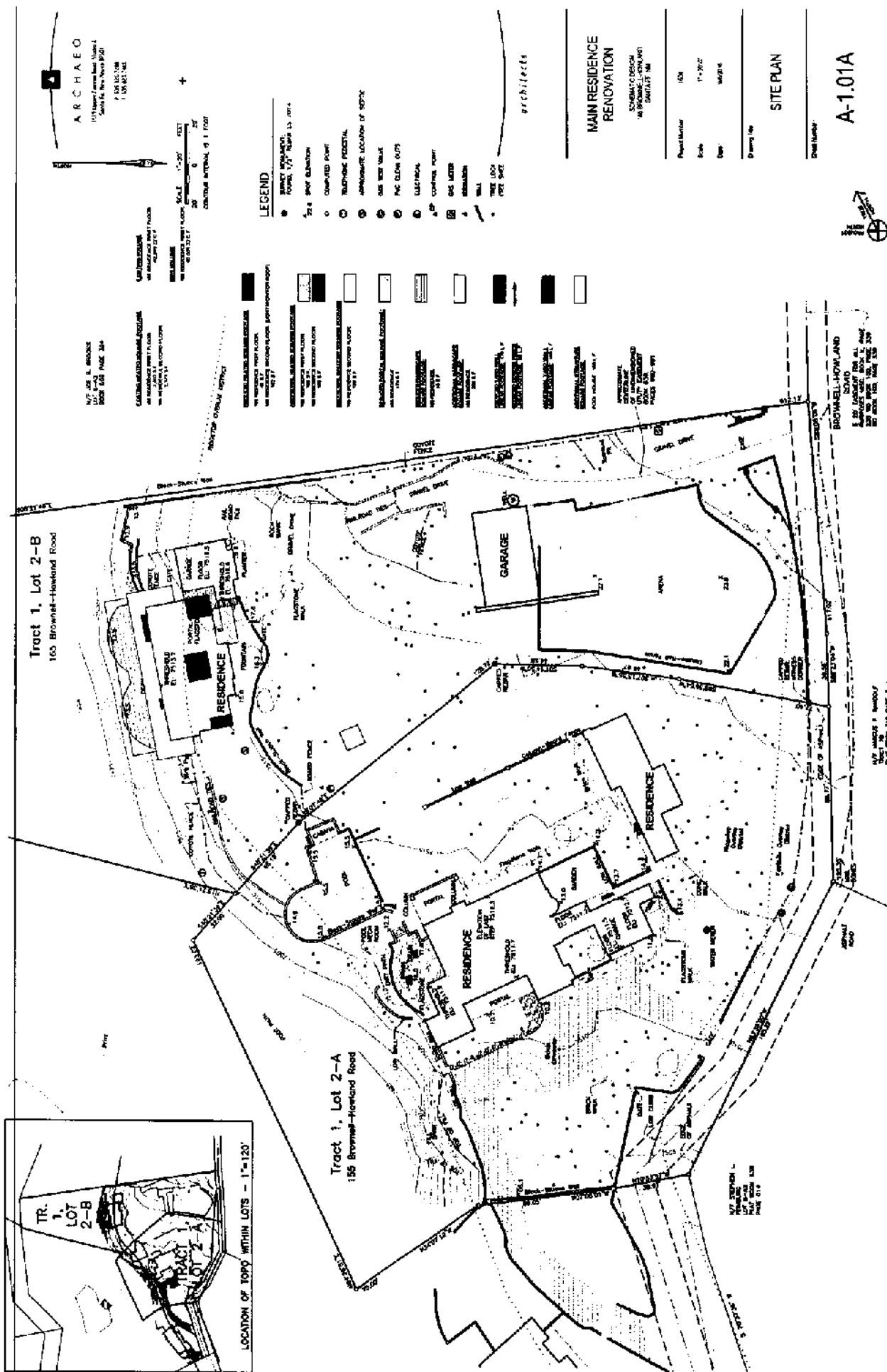
Exhibit D

Applicant Submittals



Tract 1, Lot 2-B
165 Brown-Hartford Road

Tract 1, Lot 2-A
166 Brown-Hartford Road



LEGEND

- 1. EXISTING BUILDING FOOTPRINT
- 2. EXISTING DRIVEWAY
- 3. EXISTING DRIVEWAY
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MAIN RESIDENCE RENOVATION

SCHEMATIC DESIGN
ARCHITECTURAL
CONTRACT NO.

Project Number	100
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Date	10/1/84
Drawn by	
Check by	

SITE PLAN

A-1.01A





ARCHAEO

1000 WEST 10TH AVENUE
SUITE 100
DENVER, CO 80202
P: 303.733.1100
F: 303.733.1101

architects

MAIN RESIDENCE
RENOVATION

LOCATION:
1000 WEST 10TH AVENUE
DENVER, CO

Project Number: 1001

Date: 11-27

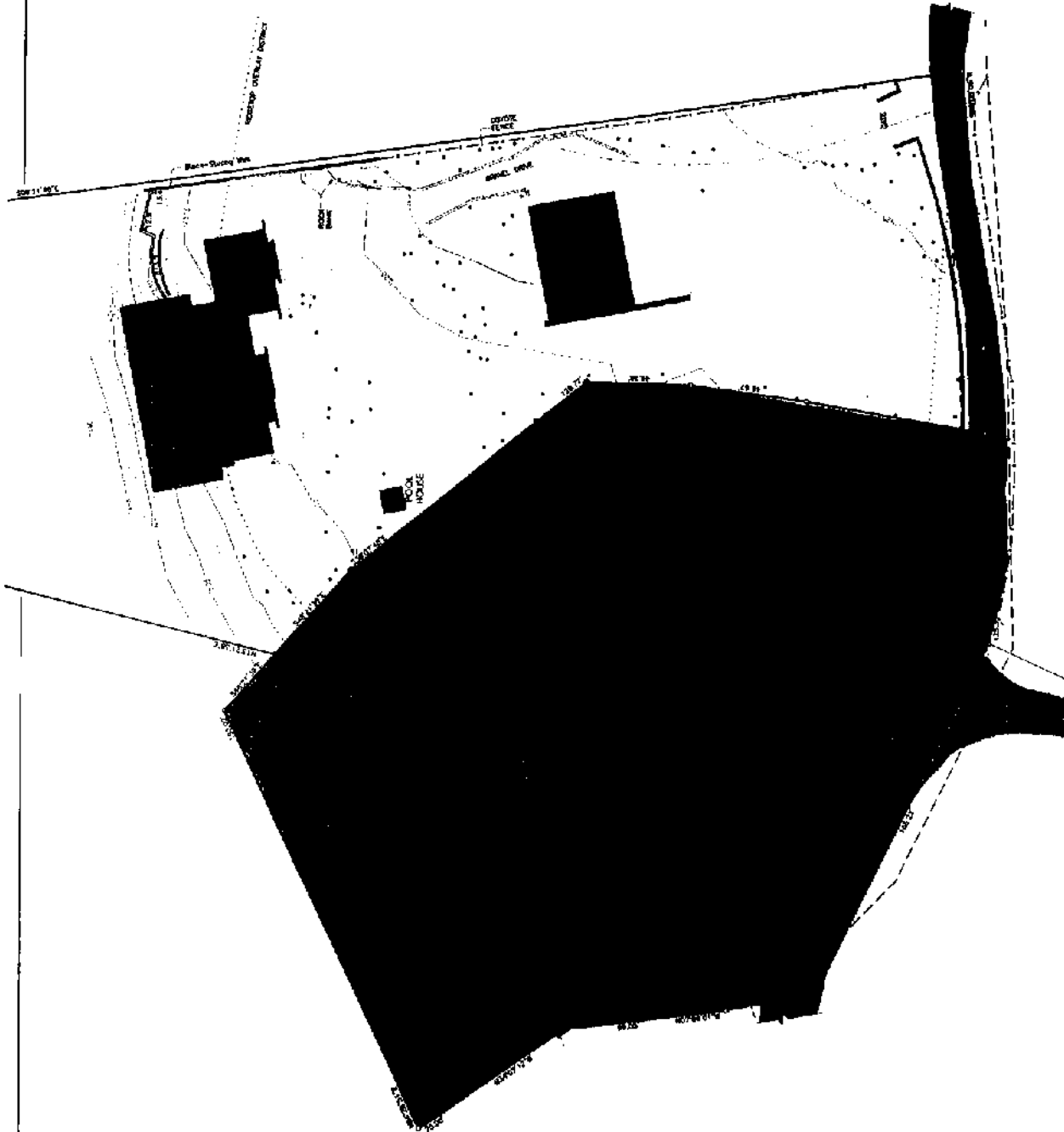
Client: MRS. J. B. BROWN

Drawing Title:

ARCHITECTURAL
SITE PLAN

Sheet Number:

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MAIN RESIDENCE RENOVATION

SCHEMATIC DESIGN
BY BRUNNEL-HOMALO
SAIT & FEHL

24

1991

Notes

**MAIN HOUSE
ELEVATIONS**

Element 10, page 10

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