City of Santa Fe

Agenda

REGULAR MEETING OF
THE GOVERNING BODY
JUNE 28, 2017
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE
DATE 6/23/17 TIME 4:00 PM
SERVED BY [illegible]
RECEIVED BY _____

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Reg. City Council Meeting – June 14, 2017
9. PRESENTATIONS
10. CONSENT CALENDAR

a) CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Ives)
A Resolution Directing the Sustainable Santa Fe Commission to Research and Assess the Creation of a Joint City, Santa Fe County, and State of New Mexico Sustainability Authority for the Purpose of Developing, Implementing and Financing Sustainability-Related Programs in Santa Fe County that Counter the Effects of Climate Change, and Achieve Carbon Neutrality By 2040. (John Alejandro) **(Postponed on May 31, 2017)**

b) Request for Approval of Grant Award and Agreement in the Amount of $304,000 – Division of Senior Services' Programs; State of New Mexico, Aging and Long Term Services Department. (Melanie Montoya)

1) Foster Grandparent Program

2) Retired Senior Volunteer Program

3) Senior Companion Program

c) Request for Approval of Agreements in the Amount of $290,000.00 – Provide Homebuyer Support Services, Create Affordable Housing and Support the City for Its Affordable Housing Polices and Santa Fe Homes Program (SFHP); The Housing Trust and Homewise. (Alexandra Ladd)

d) Request for Approval of Professional Services Agreement in the Amount of $120,000 – Injury Prevention Program; Spine Solutions Inc. (Barbara Boltrek)

e) Request for Approval of Comprehensive Insurance Program in the Amount of $2,129,552.43 – Insurance Policies and Coverage for FY 2017/18; A. J. Gallagher. (Barbara Boltrek)

f) Request for Approval of Award of Bid No. '17/37/B for the Procurement of Office Supplies, Toner and Furniture for Four Years – Matthews Office Supply Inc., Santa Fe; Midway Office Supply Center Inc., Albuquerque; Sandia Office Supply Inc., Albuquerque; SFCS Supplies Inc., Santa Fe; Creative Interiors Inc., Santa Fe; Office Depot, FL; The Tree House Inc., MA, NJ; LD Products Inc., CA; School Specialty, WI; and Coast to Coast Computer Products, CA. (Robert Rodarte)

g) Request for Approval of Award of Bid No. '17/38/B – Procurement of Plumbing Supplies for Four Years – Ferguson Company, Santa Fe; Santa Fe Winnelson Co., Santa Fe; Aranda Plumbing Supply Inc., Santa Fe; Ace Hardware, Santa Fe; Big Jo True Value, Santa Fe. (Robert Rodarte)

h) Request for Approval of Professional Services Agreement in the Amount of $82,421.55 – Materials, Labor and Equipment for Lighting Upgrade Project at the Canyon Road Water Treatment Plant; Facility Solutions Group, Inc. (John Alejandro)

i) Request for Approval of Bid No. '17/30/B and Contract in the Amount of $91,788.35 – Wastewater Management Division On-Call Repair, Replacement and Extension Project; Sub-Surface Contracting, Inc. (Stan Holland)

j) Request for Approval of Change Order No. 1 in the Amount of $108,211.65 – Wastewater Management Division On-Call Repair, Replacement and Extension Project; Sub Surface Contracting, Inc. (Stan Holland)

   1) Request for Approval of Budget Adjustment in the Amount of $100,000.

k) Request for Approval of Amendment No. 3 to Professional Services Agreement in the Amount of $375,000 – FY 2017/18 Engineering Services; CDM Smith. (Bill Schneider)

l) Request for Approval of Procurement Under Cooperative Price Agreement in the Amount of $266,618 – One Small Automated Side-Loader; Bruckner's. (Lawrence Garcia)

m) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of $52,813 – Reclaimed Water Feasibility Study; Carollo Engineers, Inc. (Bill Schneider)

n) Request for Approval of Procurement Under the New Mexico Statewide Price Agreement in the Amount of $48,832 – Two Support Vehicles; Power Ford. (Lawrence Garcia)

o) Request for Approval of Award of Bid No. '17/10/B in the Amount of $904,128 – Procurement of Three Front-Loading Solid Waste Collection Vehicles; Bruckner's of Albuquerque. (Lawrence Garcia)

p) Request for Approval of Award of Bid No. '17/11/B in the Amount of $659,114 – Procurement of Two Automated Side-Load Solid Waste Collection Vehicles; Rush Truck Center. (Lawrence Garcia)

q) Request for Approval of Procurement of Services, Chemicals, Reagent, Repairs and Equipment in the Amount of Over $50,000 – Wastewater Treatment Plant; HACH Company. (Luis Orozco)

r) Request for Approval of Bid No.'17/33/B in the Amount of $44,455.50 per Year for a Total Amount of $177,822 for Four (4) Years for Polyelectrolyte Chemicals (Sludge Thickening Aids) for FY 2017/2018 through FY 2020/2021 – Wastewater Treatment Plant and Compost Dewatering Facility; Polydyne, Inc. (Kenneth Espinoza)

s) Request for Approval of Bid No.'17/34/B in the Amount of $71,944 per Year for a Total Amount of $287,776 for Four (4) Years for Polyelectrolyte Chemicals (Sludge Thickening Aids) for FY 2017/2018 through FY 2020/2021 – Wastewater Treatment Plant and Compost Dewatering Facility; Polydyne, Inc. (Kenneth Espinoza)

t) Request for Approval of Professional Services Agreement in the Amount of $60,000 – Perform Class II Services for the Turblex Blowers at the Wastewater Treatment Plant; Siemens Energy, Inc. (Johnny Valdiviezo)

u) Request for Approval of Amendment No. 2 to Professional Services Agreement in the Amount of $75,000 and Extension of Contract for One Year – Implementation of Strategic Marketing Plan; PK Public Relations. (Christine Chavez)

v) Request for Approval of Amendment No. 4 to Professional Services Agreement in the Amount of $37,909,38 – FY 2017/2018 for On-Call Patching and Sealing Services; GM Emulsions, LLC. (Mike Moya)

w) Request for Approval of Toilet Retrofit Purchase Agreement in the Amount of $96,000 for 8.00 AFY – 320 Toilet Retrofit Credits; Blue River Cattle and Land Company, LLC. (Andrew Erdmann)

x) Request for Approval of Award of Bid No. '17/26/B for Four Years in the Amount of $86,100 – Procurement of Soda Ash (Sodium Carbonate) for the Canyon Road Water Treatment Plant; BHS Marketing, LLC. (Alex Puglisi)

y) Request for Approval of Award of Bid No. '17/27/B for Four Years in the Amount of $27,330 – Procurement of Salt for the Canyon Road Water Treatment Plant; Commodities USA. (Alex Puglisi)

z) Request for Approval of Award of Bid No. '17/28/B for Four Years in the Amount of $35,616 – Procurement of Liquid Sodium Permanganate for the Canyon Road Water Treatment Plant; Chemrite, Inc. (Alex Puglisi)

aa) Request for Approval of Award of Bid No. '17/29/B for Four Years in the Amount of $114,756.60 – Procurement of Liquid Aluminum Sulfate for the Canyon Road Water Treatment Plant; Chameleon Industries, Inc. (Alex Puglisi)

bb) Request for Approval of Award of Bid No. '17/25/B for Four Years in the Amount of $59,400 – Procurement of Sodium Hypochlorite for the Canyon Road Water Treatment Plant; DPC Industries, Inc. (Alex Puglisi)

cc) Request for Approval of Professional Services Agreement Which is Part of the Master Agreement with Document Solutions Inc., in the Amount of $131,550.24 – Printer Consolidation and Managed Print Pilot Program, Leasing of Printing Equipment and to Treat the Leasing Company as a Separate Vendor; Marlin Business Bank (David Kulb)

dd) Request for Approval of Grant Application, Award and Agreement in the Amount of $71,733 – FY 2017, Ridefinders Program Funding Federal Transit Administration. (Keith Wilson)

ee) Request for Approval of Grant Application, Award and Agreement in the Amount of $1,619,806 – FY 2016 Section 5307 Urbanized Area Apportionment to the City of Santa Fe; Federal Transit Administration. (Keith Wilson)

1) Request for Approval of Budget Adjustment in the amount of $8,206.

ff) Request for Approval of Professional Services Agreement in the Amount of $287,028.13 – Bus Shelters Phase II-Installation; H.O. Construction. (LeAnn Valdez)

gg) Request For Approval of Award of Bid No. '17/16/B and Approval of Contract in the Amount of $601,907.60 – Rail Trail Extension Project – Alta Vista to Pen Road; G.M. Emulsion LLC. (Leroy Pacheco)

hh) Request for Approval of the Following Amendments; Prudential Overall Supply (Lois Amador):

1) Request for Approval of Amendment No. 2 in the Amount of $5,520 – Cleaning Services for Fleet Maintenance and Extension of Time.

2) Request for Approval of Amendment No. 2 in the Amount of $12,521.60 – Cleaning Services for Fixed Route Operations and Extension of Time.

ii) Request for Approval of Amendment No. 2 in the Amount of $100,955.81 – Elevator Maintenance Service Agreement, Extension of One Year; KONE, Inc. (Noel Correia)

jj) Request for Approval of Professional Services Agreement and Amendments in the Amount of $300,000 – FY 2017-18 Economic Development Investment Portfolio; Five Various Vendors. (Alexandra Ladd)

1) Amendment No. 2 in the Amount of $6,000; Lacy Adams Design.

2) Amendment No. 2 in the Amount of $24,000; Market Intelligence Solutions.

3) Amendment No. 4 in the Amount of $40,000; MIX/BizMIX/Andrea Romero Consulting.

4) Amendment No. 1 in the Amount of $200,000; Santa Fe Business Incubator.

5) Professional Services Agreement in the Amount of $30,000; SEED: Inspire Santa Fe.

kk) Request for Approval of the Following Amendments; Davenport Construction Management LLC. (LeAnn Valdez)

1) Amendment No. 1 in the Amount of $51,541.59 for a Total Contract Amount of $285,143.19 – Sandoval Garage CIP Project #646 – City of Santa Fe Stucco Project.

2) Amendment No. 2 in the Amount of $39,236.03 for a Total Contract Amount of $324,379.22 – City Hall Painting.

ll) Request for Approval of Project Work Plan Under Joint Powers Agreement – Fund Fire Department Wildland Handcrew to Conduct Fuel Reduction on United States Forest Service in the Santa Fe Fireshed; Energy, Minerals and Natural Resources Department. (Greg Gallegos)

1) Request for Approval of Budget Adjustment in the Amount of $117,971.

mm) Request for Approval of Two Professional Services Agreements in the Amount of $300,000 – Through the Poverty and Climate Solutions/Verde Fund RFP – Services Provide Integrated, Wrap-Around Services; Homewise, Verde Community Impact Collaborative; and Youthworks. (Alexandra Ladd)

nn) Request for Approval of Professional Services Agreement, Amendment No. 1; and Professional Services Agreement in the Total Amount of $162,499 FY 2017-2018 – Shelter Plus Care and Continuum of Care. (Alexander Ladd).

1) Professional Services Agreement in the Amount of $112,003 – Santa Fe Community Housing Trust.

2) Amendment No. 1 in the Amount of $10,332 – St. Elizabeth Shelter.

3) Professional Services Agreement in the Amount of $40,164 – St. Elizabeth Shelter (Continuum of Care).

oo) CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Maestas)
A Resolution Endorsing the North Central Regional Transit District's FY 2018 Budget Proposal, Approving the FY 2018 City of Santa Fe Regional Transit Plan Including $25,000 in Funding, and Submitting the City's Regional Transit Plan for FY 2018 to the North Central Regional Transit District Board of Directors for Consideration and Approval. (Keith Wilson)

Fiscal Impact: The NCRTD's Approved FY2018 Budget Includes $1,011,150.00 Allocated to the City of Santa Fe for Expenditures for Regional Transit Services on Behalf of the NCRTD. The Agreement is for City of Santa Fe to pay $25,000 for Mountain Run. This Money Will be Deducted from Amount Billed to NCRTD from the Santa Fe Trails on the First Quarter Invoice. Funding is Recuperated Quarterly by Invoicing NCRTD for Services Provided.

pp) CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Maestas)
A Resolution Directing the City Manager to Explore the Creation of Legislation Establishing and Funding Local Arts and Culture Districts. (Debra Griego y Garcia)

qq) CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Maestas) A Resolution Calling for the Expedited Implementation of all Pending Broadband Policy Recommendations by the Economic Development Division. (Larry Worstell/Alexandra Ladd)

rr) CONSIDERATION OF RESOLUTION NO. 2017-___. (Mayor Gonzales and Councilor Ives)
A Resolution Adopting Administrative Procedures for Native American Arts or Crafts District. (Debra Griego y Garcia)

ss) CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Maestas) A Resolution Declaring the City's Position on Regionalization of the Water System. (Andrew Erdmann)

tt) Request to Publish Notice of Public Hearing on July 26, 2017:

Bill No. 2017-17. An Ordinance Authorizing the Sale of 1,491 Square Feet of Real Property Consisting of a Portion of the Former Bower Street Right-of-Way Adjacent to 322 Paseo de Peralta and Described as "Parcel 1" as Shown and Delineated on a Survey Entitled, "Plat of Boundary Survey for the City of Santa Fe Parcel 1" Prepared by Sierra Land Surveying, Inc., David E. Cooper, N.M.P.S. No. 9052, Dated February 15, 2017, Lying and Being Situate Within the City and County of Santa Fe, New Mexico. (Councilor Lindell) (Matthew O'Reilly)

uu) Seasonal Tourist Officer Segway Program. **(Informational Only)** (Deputy Chief Salbidrez)

11. CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Rivera and Councilor Ives)
A Resolution Proclaiming Severe or Extreme Drought Conditions May Exist in the City Of Santa Fe; Imposing Fire Restrictions; Restricting the Sale or Use of Certain Fireworks Within The City of Santa Fe Between July 5 and August 4, 2017; and Prohibiting Other Fire Hazard Activities. (Reynaldo Gonzales)

12. CONSIDERATION OF RESOLUTION NO. 2017-___. (Mayor Gonzales And Councilor Ives)
A Resolution Reaffirming the City of Santa Fe's Goal of Being Carbon Neutral By 2040; and Supporting the Principles of, and the Involvement of the United States of America in, the Paris Agreement. (John Alejandro)

13. Request to Publish Notice of Public Hearing on July 26, 2017:

a) **Bill No. 2017-16.** An Ordinance Amending Subsection 14-6.3(B)(2)(C) SFCC 1987 to Regulate Parking or Storage of Specified Noncommercial Vehicles Within Residentially Zoned Districts. (Councilors Lindell and Councilor Ives) (Gregory Smith)

b) Meow Wolf Local Economic Development Project: (Mayor Gonzales, Councilors Lindell, Harris and Ives) (Fabian Trujillo)

1) **Bill No. 2017-18.** An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting A Local Economic Development Project Participation Agreement Between The City of Santa Fe and Meow Wolf, Inc. for Acquisition and Expansion of a New Production and Cultural Facility, a Local Economic Development Project. (Mayor Gonzales, Councilor Lindell, Councilor Harris and Councilor Ives) (Fabian Trujillo)

2) Request for Approval of Local Economic Development Project Participation Agreement Between the City of Santa Fe and Meow Wolf for Expansion of its Facilities and to Improve or Construct Infrastructure Necessary to the Facility Located at 2600 Camino Estrada, Santa Fe, NM.

3) Request for Approval of Intergovernmental Agreement Between the New Mexico Economic Development Department and the City of Santa Fe, New Mexico for the Purpose of Facilitation the Disbursement of Funds for the Meow Wolf Local Economic Development Project.

4) Request for Approval of Budget Adjustment in the Amount of $550,000.

14. Action Regarding Ranked Choice Voting Implementation. (Zachary Shandler and Yolanda Y. Vigil)

15. MATTERS FROM THE CITY MANAGER

16. MATTERS FROM THE CITY ATTORNEY

Executive Session

In Accordance with the New Mexico Open Meetings Act §§10-15-1(H)(2), (7) and (8) NMSA 1978, Discussion Regarding Limited Personnel Matters, Including, without Limitation, on the Status of Negotiations with AFSCME; Threatened and Pending Litigation in Which the City of Santa Fe is or may Become a Participant, Including, without Limitation, Discussion Regarding Case No. 1:17-cv-00355, *CNSP D/B/A/ NMSURF v. The City of Santa Fe*, Case No. S-1-SC -36484, *Roger Rael v. City of Santa Fe*, and Mediation with Advanced Utility Systems Corporation; and Concerning BDD Diversion Structure Issues; and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights by the City of Santa Fe, Including, without Limitation, Discussion Relating to the Baca Street Well. (Kelley Brennan)

17. MATTERS FROM THE CITY CLERK

18. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. SALUTE TO THE NEW MEXICO FLAG

D. INVOCATION

E. ROLL CALL

F. PETITIONS FROM THE FLOOR

G. APPOINTMENTS
- Public Banking Task Force

H. PUBLIC HEARINGS:

1) Request from Tastes Like Chicken, LLC for the Following (Yolanda Y. Vigil):

   a) Pursuant to §60-6B-10 NMSA 1978, a Request for a Waiver of the 300 Foot Location Restriction to Allow the Sale of Alcohol at Bouche Bistro, 451 West Alameda Street, Which is Within 300 Feet of Our Lady of Guadalupe Church, 417 Agua Fria Street.

   b) If the Waiver of the 300 Foot Location Restriction is Granted, a Request From Tastes Like Chicken, LLC for a Restaurant Liquor License (Beer and Wine), with On Premise Consumption Only and Patio Service, to be Located at Bouche Bistro, 451 West Alameda Street.

2) Request from New Mexico PBS for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Beer and Wine at El Museo Cultural, 555 Camino de la Familia, which is Within 300 Feet of Warehouse 21, 1614 Paseo de Peralta, Where Services are Held by Hope Unlimited Church Santa Fe. The Request is for the Following Events with Alcohol Service from 6:00 p.m. to 8:30 p.m.: (Yolanda Y. Vigil)

   - August 10, 2017 – Object of Art Santa Fe
   - August 15, 2017 – The Antique American Indian Art Show

3) Request from Warehouse 21 for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Wine at Warehouse 21, 1614 Paseo de Peralta, which is the Same Location Where Services are Held by Hope Unlimited Church Santa Fe. The Request is for the VIP Film Meet and Greet Event to be Held on Thursday, July 13, 2017, with Alcohol Service from 6:00 p.m. to 8:00 p.m. (Yolanda Y. Vigil)

4) Request from Shiprock Santa Fe for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcohol at Shiprock Santa Fe/Visvim, 222 Shelby Street, Which is Within 300 Feet of the Loretto Chapel, 207 Old Santa Fe Trail, Where Services are Held by the Church of Antioch at Santa Fe. This Request is for a Gallery Opening to be Held on Saturday, July 15, 2017, with Alcohol Service from 4:00 p.m. to 6:30 p.m. (Yolanda Y. Vigil)

5) CONSIDERATION OF RESOLUTION NO. 2017-___.
Case #2017-02. SafeLock Storage, 6350 Airport Road General Plan Amendment. JenkinsGavin Inc., Agent for SafeLock Storage, LLC, Requests Approval of a General Plan Future Land Use Map Amendment to Change the Designation from Office to Community Commercial for a 2.186-Acre Parcel Located at 6350 Airport Road. (Donna Wynant) **(Postponed on May 31, 2017)**

6) CONSIDERATION OF BILL NO. 2017-14: ADOPTION OF ORDINANCE NO. 2017-___.
Case #2017-03. SafeLock Storage, 6350 Airport Road Rezoning. JenkinsGavin Inc., Agent for SafeLock Storage, LLC, Requests Approval of Rezoning from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District) for a 2.186-acre Parcel Located at 6350 Airport Road. The Request Includes Approval of a Development Plan to Allow a 350-Unit Climate Controlled Indoor Storage Facility. The Property is Located in the Airport Road Overlay District. (Donna Wynant) **(Postponed on May 31, 2017)**

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing 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.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

SUMMARY INDEX
SANTA FE CITY COUNCIL MEETING
June 28, 2017

ITEM	ACTION	PAGE #
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved [amended]	2
APPROVAL OF CONSENT CALENDAR	Approved [amended]	2
CONSENT CALENDAR LISTING		2-9
APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JUNE 14, 2017	Approved	9
PRESENTATIONS	None	9
CONSENT CALENDAR DISCUSSION		
REQUEST FOR APPROVAL OF PROJECT WORK PLAN UNDER JOINT POWERS AGREEMENT – FUND FIRE DEPARTMENT WILDLAND HANDCREW TO CONDUCT FUEL REDUCTION ON UNITED STATES FOREST SERVICE IN THE SANTA FE FIRESHED; ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT	Approved	9-21
REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $117,971	Approved	9-21
CONSIDERATION OF RESOLUTION NO. 2017-___. A RESOLUTION DIRECTING THE CITY MANAGER TO EXPLORE THE CREATION OF LEGISLATION ESTABLISHING AND FUNDING LOCAL ARTS AND CULTURE DISTRICTS	Approved as amended	21-24

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END OF CONSENT CALENDAR DISCUSSION

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ITEM	ACTION	PAGE #
CONSIDERATION OF RESOLUTION NO. 2017- ___. A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF CERTAIN FIREWORKS WITHIN THE CITY OF SANTA FE BETWEEN JULY 5 AND AUGUST 4, 2017; AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES	Withdrawn by sponsor	24
CONSIDERATION OF RESOLUTION NO. 2017- ___. A RESOLUTION REAFFIRMING THE CITY OF SANTA FE'S GOAL OF BEING CARBON NEUTRAL BY 2040; AND SUPPORTING THE PRINCIPLES OF, AND THE INVOLVEMENT OF THE UNITED STATES OF AMERICA IN THE PARIS AGREEMENT	Approved	24-28
REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 26, 2017:		
BILL NO. 2017-16. AN ORDINANCE AMENDING SUBSECTION 14-6.3(B)(2)(c) SFCC 1987, TO REGULATE PARKING OR STORAGE OF SPECIFIED NONCOMMERCIAL VEHICLES WITHIN RESIDENTIALLY ZONED DISTRICTS	Approved	28-30
MEOW WOLF LOCAL ECONOMIC DEVELOPMENT PROJECT:		
BILL NO. 2017-18. AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND MEOW WOLF, INC., FOR ACQUISITION AND EXPANSION OF A NEW PRODUCTION AND CULTURAL FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT	Approved	28-30
REQUEST FOR APPROVAL OF LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND MEOW WOLF FOR EXPANSION OF ITS FACILITIES AND TO IMPROVE OR CONSTRUCT INFRASTRUCTURE NECESSARY TO THE FACILITY LOCATED AT 2600 CAMINO ESTRADA, SANTA FE, NM	Approved	28-30

ITEM	ACTION	PAGE #
REQUEST FOR APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT AND THE CITY OF SANTA FE, NEW MEXICO FOR THE PURPOSE OF FACILITATING THE DISBURSEMENT OF FUNDS FOR THE MEOW WOLF LOCAL ECONOMIC DEVELOPMENT PROJECT	Approved	28-30
REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $550,000	Approved	28-30
ACTION REGARDING RANKED CHOICE VOTING IMPLEMENTATION	Not approved	30-41
EVENING SESSION		
CALL TO ORDER AND ROLL CALL	Quorum	43
PETITIONS FROM THE FLOOR		43-48
APPOINTMENTS		
Public Banking Task Force	Approved	48-49
PUBLIC HEARINGS		
REQUEST FROM TASTES LIKE CHICKEN, LLC, FOR THE FOLLOWING:		
PURSUANT TO §60-6B-10 NMSA 1987, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE OF ALCOHOL AT BOUCHE BISTRO, 451 WEST ALAMEDA STREET, WHICH IS WITHIN 300 FEET OF OUR LADY OF GUADALUPE CHURCH, 417 AGUA FRIA STREET	Approved	49-50
IF THE WAIVER OF THE 300 FOOT LOCATION RESTRICTION IS GRANTED, A REQUEST FROM TASTES LIKE CHICKEN, LLC FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE), WITH ON PREMISE CONSUMPTION ONLY AND PATIO SERVICE, TO BE LOCATED AT BOUCHE BISTRO, 451 WEST ALAMEDA STREET	Approved	49-50

MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
June 28, 2017

AFTERNOON SESSION

1. CALL TO ORDER AND ROLL CALL

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Pro-Tem Signe I. Lindell, on Wednesday, June 28, 2017, at approximately 5:00 p.m., in the City Hall Council Chambers, and Mayor Javier M. Gonzales joined the meeting shortly thereafter. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present
Mayor Javier M. Gonzales
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Mike Harris
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo
Councilor Renee D. Villarreal

Members Excused
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives

Others Attending
Brian K. Snyder, City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Brian K. Snyder, City Manager, said he would like to recommend postponing Item #10(a) in Councilor Ives absence so he can be in attendance for this discussion.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the agenda, as amended.

VOTE: The motion was approved on a voice vote with Mayor Gonzales and Councilors Harris, Lindell, Maestas, Rivera, Trujillo and Villarreal voting in favor of the motion and none voting against.

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve the following Consent Calendar, as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

10. CONSENT CALENDAR

A Memorandum dated June 27, 2017, to the Mayor and City Councilors, from Keith Wilson, Transit Grants and Administration Manager, regarding Transit Advisory Board Recommendations regarding the following items on the Consent Calendar: Item 10(dd), Item 10(ee), Item 10(ff) and Item 10(oo), is incorporated herewith to these minutes as Exhibit "1."

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday June 26, 2017, regarding Item 10(dd), is incorporated herewith to these minutes as Exhibit "2."

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, June 26, 2017, regarding Item 10(ee), is incorporated herewith to these minutes as Exhibit "3 ."

An Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, June 26, 2017, regarding Item 10(ff), is incorporated herewith to these minutes as Exhibit "4 ."

a) CONSIDERATION OF RESOLUTION NO. 2017-___ (COUNCILOR IVES). A RESOLUTION DIRECTING THE SUSTAINABLE SANTA FE COMMISSION TO RESEARCH AND ASSESS THE CREATION OF A JOINT CITY, SANTA FE COUNTY, AND STATE OF NEW MEXICO SUSTAINABILITY AUTHORITY FOR THE PURPOSE OF DEVELOPING, IMPLEMENTING AND FINANCING SUSTAINABILITY-RELATED PROGRAMS IN SANTA FE COUNTY THAT COUNTER THE EFFECTS OF CLIMATE CHANGE AND ACHIEVE CARBON NEUTRALITY BY 2040. (JOHN ALEJANDRO) (Postponed on May 31, 2017) This item was removed from the agenda and postponed to the Governing Body Meeting of July 12, 2017.

b) REQUEST FOR APPROVAL OF GRANT AWARD AND AGREEMENT IN THE AMOUNT OF $304,000 – DIVISION OF SENIOR SERVICES' PROGRAMS; STATE OF NEW MEXICO, AGING AND LONG TERM SERVICES DEPARTMENT. (MELANIE MONTOYA)
   1) FOSTER GRANDPARENT PROGRAM
   2) RETIRED SENIOR VOLUNTEER PROGRAM
   3) SENIOR COMPANION PROGRAM

c) REQUEST FOR APPROVAL OF AGREEMENTS IN THE AMOUNT OF $290,000 – PROVIDE HOMEBUYER SUPPORT SERVICES, CREATE AFFORDABLE HOUSING AND SUPPORT THE CITY FOR ITS AFFORDABLE HOUSING POLICIES AND SANTA FE HOMES PROGRAM (SFHP); THE HOUSING TRUST AND HOMEWISE. (ALEXANDRA LADD)

d) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $120,000 – INJURY PREVENTION PROGRAM; SPINE SOLUTIONS, INC. (BARBARA BOLTREK)

e) REQUEST FOR APPROVAL OF COMPREHENSIVE INSURANCE PROGRAM IN THE AMOUNT OF $2,129,552.43 – INSURANCE POLICIES AND COVERAGE FOR FY 2017/18; A.J. GALLAGHER. (BARBARA BOLTREK)

f) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/37/B FOR THE PROCUREMENT OF OFFICE SUPPLIES, TONER AND FURNITURE FOR FOUR YEARS – MATTHEWS OFFICE SUPPLY, INC., ALBUQUERQUE; SFCS SUPPLIES, INC., SANTA FE; CREATIVE INTERIORS, INC., SANTA FE; OFFICE DEPOT, FL; THE TREE HOUSE, INC., MA, NJ; LD PRODUCTS, INC., CA; SCHOOL SPECIALTY, WI; AND COAST TO COAST COMPUTER PRODUCTS, CA. (ROBERT RODARTE)

g) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/38/B – PROCUREMENT OF PLUMBING SUPPLIES FOR FOUR YEARS – FERGUSON COMPANY, SANTA FEP SANTA FE WINNELSON CO., SANTA FE; ARANDA PLUMBING SUPPLY, INC., SANTA FE; ACE HARDWARE, SANTA FE; BIG JO TRUE VALUE, SANTA FE. (ROBERT RODARTE)

h) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $82,421.55 – MATERIALS, LABOR AND EQUIPMENT FOR LIGHTING UPGRADE PROJECT AT THE CANYON ROAD WATER TREATMENT PLANT; FACILITY SOLUTIONS GROUP, INC. (JOHN ALEJANDRO)

i) REQUEST FOR APPROVAL OF BID NO. 17/30/B AND CONTRACT IN THE AMOUNT OF $91,788.35 – WASTEWATER MANAGEMENT DIVISION ON-CALL REPAIR, REPLACEMENT AND EXTENSION PROJECT; SUB-SURFACE CONTRACTING, INC. (STAN HOLLAND)

j) REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 IN THE AMOUNT OF $108,211.65 – WASTEWATER MANAGEMENT DIVISION ON-CALL REPAIR, REPLACEMENT AND EXTENSION PROJECT; SUB SURFACE CONTRACTING, INC. (STAN HOLLAND)

1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $100,000.

k) REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $375,000 – FY 2017/18 ENGINEERING SERVICES; CDM SMITH. (BILL SCHNEIDER)

l) REQUEST FOR APPROVAL OF PROCUREMENT UNDER COOPERATIVE PRICE AGREEMENT IN THE AMOUNT OF $266,618 – ONE SMALL AUTOMATED SIDE-LOADER; BRUCKNER'S. (LAWRENCE GARCIA)

m) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $52,813 – RECLAIMED WATER FEASIBILITY STUDY; CAROLLO ENGINEERS, INC. (BILL SCHNEIDER)

n) REQUEST FOR APPROVAL OF PROCUREMENT UNDER THE NEW MEXICO STATEWIDE PRICE AGREEMENT IN THE AMOUNT OF $48,832 – TWO SUPPORT VEHICLES; POWER FORD. (LAWRENCE GARCIA)

o) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/10/B IN THE AMOUNT OF $904,128 – PROCUREMENT OF THREE FRONT-LOADING SOLID WASTE COLLECTION VEHICLES; BRUCKNER'S OF ALBUQUERQUE. (LAWRENCE GARCIA)

p) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/11/B IN THE AMOUNT OF $659,114 – PROCUREMENT OF TWO AUTOMATED SIDE-LOAD SOLID WASTE COLLECTION VEHICLES; RUSH TRUCK CENTER. (LAWRENCE GARCIA)

q) REQUEST FOR APPROVAL OF PROCUREMENT OF SERVICES, CHEMICALS, REAGENT, REPAIRS AND EQUIPMENT IN THE AMOUNT OF OVER $50,000 – WASTEWATER TREATMENT PLANT; HACH COMPANY. (LUIS OROZCO)

r) REQUEST FOR APPROVAL OF BID NO. 17/33/B IN THE AMOUNT OF $44,455.50 PER YEAR FOR A TOTAL AMOUNT OF $177,822 FOR FOUR (4) YEARS FOR POLYELECTROLYTE CHEMICALS (SLUDGE THICKENING IDS) FOR FY 2017/2018 THROUGH FY 2020/2021 – WASTEWATER TREATMENT PLANT AND COMPOST DEWATERING FACILITY; POLYDYNE, INC. (KENNETH ESPINOZA)

s) REQUEST FOR APPROVAL OF BID NO. 17/34/B IN THE AMOUNT OF $71,944 PER YEAR FOR A TOTAL AMOUNT OF $287,776 FOR FOUR (4) YEARS FOR POLYELECTROLYTE CHEMICALS (SLUDGE THICKENING AIDS) FOR FY 2017/2018 THROUGH FY 2020/2021 – WASTEWATER TREATMENT PLANT AND COMPOST DEWATERING FACILITY; POLYDYNE, INC. (KENNETH ESPINOZA)

t) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $60,000 – PERFORM CLASS II SERVICES FOR THE TURBLEX BLOWERS AT THE WASTEWATER TREATMENT PLANT; SIEMENS ENERGY, INC. (JOHNNY VALDIVIEZO)

u) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $75,000 AND EXTENSION OF CONTRACT FOR ONE YEAR – IMPLEMENTATION OF STRATEGIC MARKETING PLAN; PK PUBLIC RELATIONS. (CHRISTINE CHAVEZ)

v) REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $37,909.38 – FY 2017/2018 FOR ON-CALL PATCHING AND SEALING SERVICES; GM EMULSIONS, LLC. (MIKE MOYA)

w) REQUEST FOR APPROVAL OF TOILET RETROFIT PURCHASE AGREEMENT IN THE AMOUNT OF $96,000 FOR 8.00 AFY – 320 TOILET RETROFIT CREDITS; BLUE RIVER CATTLE AND LAND COMPANY, LLC. (ANDREW ERDMANN)

x) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/26/B FOR FOU8R YEARS IN THE AMOUNT OF $86,200 – PROCUREMENT OF SODA ASH (SODIUM CARBONATE) FOR THE CANYON ROAD WATER TREATMENT PLANT; BHS MARKETING, LLC. (ALEX PUGLISI)

y) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/27/B FOR FOUR YEARS IN THE AMOUNT OF $27,330 – PROCUREMENT OF SALT FOR THE CANYON ROAD WATER TREATMENT PLANT; COMMODITIES USA. (ALEX PUGLISI)

z) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/28/B FOR FOUR YEARS IN THE AMOUNT OF $35,616 – PROCUREMENT OF LIQUID SODIUM PERMANGANATE FOR THE CANYON ROAD WATER TREATMENT PLANT; CHEMRITE, INC. (ALEX PUGLISI)

aa) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/29/B FOR FOUR YEARS IN THE AMOUNT OF $114,756.60 – PROCUREMENT OF LIQUID ALUMINUM SULFATE FOR THE CANYON ROAD WATER TREATMENT PLANT; CHAMELEON INDUSTRIES, INC. (ALEX PUGLISI)

bb) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/'25/B FOR FOUR YEARS IN THE AMOUNT OF $59,400 – PROCUREMENT OF SODIUM HYPOCHLORITE FOR THE CANYON ROAD WATER TREATMENT PLANT; DPC INDUSTRIES, INC. (ALEX PUGLISI)

cc) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WHICH IS PART OF THE MASTER AGREEMENT WITH DOCUMENT SOLUTIONS, INC., IN THE AMOUNT OF $131,550.24 – PRINTER CONSOLIDATION AND MANAGED PRINT PILOT PROGRAM, LEASING OF PRINTING EQUIPMENT AND TO TREAT THE LEASING COMPANY AS A SEPARATE VENDOR; MARLIN BUSINESS PARK. (DAVID KULB)

dd) REQUEST FOR APPROVAL OF GRANT APPLICATION, AWARD AND AGREEMENT IN THE AMOUNT OF $71,733 – FY 2017, RIDEFINDERS PROGRAM FUNDING, FEDERAL TRANSIT ADMINISTRATION. (KEITH WILSON)

ee) REQUEST FOR APPROVAL OF GRANT APPLICATION, AWARD AND AGREEMENT IN THE AMOUNT OF $1,619,806 – FY 2016 SECTION 5307 URBANIZED AREA APPORTIONMENT TO THE CITY OF SANTA FE; FEDERAL TRANSIT ADMINISTRATION. (KEITH WILSON)

1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $8,206.

ff) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $287,028.13 – BUS SHELTERS PHASE II - INSTALLATION; H.O. CONSTRUCTION. (LeANN VALDEZ)

gg) REQUEST FOR APPROVAL OF AWARD OF BID NO. 17/16/B AND APPROVAL OF CONTRACT IN THE AMOUNT OF $601,907.60 – RAIL TRAIL EXTENSION PROJECT – ALTA VISTA TO PEN ROAD; G.M. EMULSION LLC. (LEROY PACHECO)

hh) REQUEST FOR APPROVAL OF THE FOLLOWING AMENDMENTS; PRUDENTIAL OVERALL SUPPLY:

1) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 IN THE AMOUNT OF $5,520 – CLEANING SERVICES FOR FLEET MAINTENANCE AND EXTENSION OF TIME.
2) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 IN THE AMOUNT OF $12,521.60 – CLEANING SERVICES FOR FIXED ROUTE OPERATIONS AND EXTENSION OF TIME.

(LOIS AMADOR)

ii) REQUEST FOR APPROVAL OF AMENDMENT NO. 2 IN THE AMOUNT OF $100,955.81 – ELEVATOR MAINTENANCE SERVICE AGREEMENT, EXTENSION OF ONE YEAR; KONE, INC. (NOEL CORREIA)

jj) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT AND AMENDMENTS IN THE AMOUNT OF $300,000 – FY 2017-18 ECONOMIC DEVELOPMENT INVESTMENT PORTFOLIO; FIVE VARIOUS VENDORS. (ALEXANDRA LADD)

1) AMENDMENT NO. 2 IN THE AMOUNT OF $6,000; LACY ADAMS DESIGN.
2) AMENDMENT NO. 2 IN THE AMOUNT OF $24,000; MARKET INTELLIGENCE SOLUTIONS.
3) AMENDMENT NO. 4 IN THE AMOUNT OF $40,000; MIX/BIZMIX/ANDREA ROMERO CONSULTING.
4) AMENDMENT NO. 1 IN THE AMOUNT OF $200,000; SANTA FE BUSINESS INCUBATOR.
5) PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $30,000; SEED: INSPIRE SANTA FE.

kk) REQUEST FOR APPROVAL OF THE FOLLOWING AMENDMENTS; DAVENPORT CONSTRUCTION MANAGEMENT, LLC.

1) AMENDMENT NO. 1 IN THE AMOUNT OF $51,541.59 FOR A TOTAL CONTRACT AMOUNT OF $285,143.19 – SANDOVAL GARAGE CIP PROJECT #646 – CITY OF SANTA FE STUCCO PROJECT.
2) AMENDMENT NO. 2 IN THE AMOUNT OF $39,236.03 FOR A TOTAL CONTRACT AMOUNT OF $324,379.22 – CITY HALL PAINTING.

(LeANN VALDEZ)

ll) *[Removed for discussion by Councilor Villarreal]*

mm) REQUEST FOR APPROVAL OF TWO PROFESSIONAL SERVICES AGREEMENTS IN THE AMOUNT OF $300,000 – THROUGH THE POVERTY AND CLIMATE SOLUTIONS/ VERDE FUND RFP – SERVICES PROVIDE INTEGRATED, WRAP-AROUND SERVICES; HOMEWISE, VERDE COMMUNITY IMPACT COLLABORATIVE; AND YOUTHWORKS. (ALEXANDRA LADD)

nn) REQUEST FOR APPROVAL OF PROFESSIONAL SERVICES AGREEMENT, AMENDMENT NO. 1; AND PROFESSIONAL SERVICES AGREEMENT IN THE TOTAL AMOUNT OF $162,499 FY 2017-2018 – SHELTER PLUS CARE AND CONTINUUM OF CARE. (ALEXANDRA LADD)

1) PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $112,003 – SANTA FE COMMUNITY HOUSING TRUST.
2) AMENDMENT NO. 1 IN THE AMOUNT OF $10,332 – ST. ELIZABETH'S SHELTER.
3) PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF $40,164 – ST. ELIZABETH SHELTER (CONTINUUM OF CARE).

oo) CONSIDERATION OF RESOLUTION NO. 2017-47 (COUNCILOR MAESTAS). A RESOLUTION ENDORSING THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT'S FY 2018 BUDGET PROPOSAL, APPROVING THE FY 2018 CITY OF SANTA FE REGIONAL TRANSIT PLAN INCLUDING $25,000 IN FUNDING, AND SUBMITTING THE CITY'S REGIONAL TRANSIT PLAN OR FY 2018 TO THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT BOARD OF DIRECTORS FOR CONSIDERATION AND APPROVAL. (KEITH WILSON) Fiscal Impact: The NCRTD's approved FY 2018 Budget includes $1,011,150 allocated to the City of Santa Fe for expenditures for regional transit services on behalf of the NCRTD. The agreement is for City of Santa Fe to pay $25,000 for Mountain Run. The money will be deducted from amount billed to NCRTD from Santa Fe Trails on the first quarter invoice. Funding is recuperated quarterly by invoicing NCRTD for services provided.

pp) *[Removed for discussion by Councilor Harris]*

qq) CONSIDERATION OF RESOLUTION NO. 2017-48 (COUNCILOR MAESTAS). A RESOLUTION CALLING FOR THE EXPEDITED IMPLEMENTATION OF ALL PENDING BROADBAND POLICY RECOMMENDATIONS BY THE ECONOMIC DEVELOPMENT DIVISION. (LARRY WORSTELL/ALEXANDRA LADD)

rr) CONSIDERATION OF RESOLUTION NO. 2017-49 (MAYOR GONZALES AND COUNCILOR IVES). A RESOLUTION ADOPTING ADMINISTRATIVE PROCEDURES FOR NATIVE AMERICAN ARTS OR CRAFTS DISTRICT. (DEBRA GRIEGO Y GARCIA)

ss) CONSIDERATION OF RESOLUTION NO. 2017-50 (COUNCILOR MAESTAS). A RESOLUTION DECLARING THE CITY'S POSITION ON REGIONALIZATION OF THE WATER SYSTEM. (ANDREW ERDMANN)

tt) **REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 26, 2017:**

BILL NO. 2017-17. AN ORDINANCE AUTHORIZING THE SALE OF 1,491 SQUARE FEET OF REAL PROPERTY CONSISTING OF A PORTION OF THE FORMER BOWER STREET RIGHT-OF-WAY ADJACENT TO 322 PASEO DE PERALTA AND DESCRIBED AS "PARCEL 1" AS SHOWN AND DELINEATED ON A SURVEY ENTITLED, "PLAT OF BOUNDARY SURVEY FOR THE CITY OF SANTA FE PARCEL 1," PREPARED BY SIERRA LAND SURVEYING, INC., DAVID E. COOPER, N.M.P.S. NO. 9052, DATED FEBRUARY 15, 2017, LYING AND BEING SITUATE WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO (COUNCILOR LINDELL). (MATTHEW O'REILLY)

uu) **SEASONAL TOURIST OFFICER SEGWAY PROGRAM (INFORMATIONAL ONLY). (DEPUTY CHIEF SALBIDREZ)**

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END OF CONSENT CALENDAR

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8. APPROVAL OF MINUTES: REGULAR CITY COUNCIL MEETING – JUNE 14, 2017.

MOTION: Councilor Harris moved, seconded by Councilor Lindell, to approve the minutes of the Regular Meeting of June 14, 2017, as presented.

VOTE: The motion was approved on a voice vote with Mayor Gonzales, and Councilors Harris, Lindell, Maestas, Rivera, Trujillo and Villarreal voting in favor of the motion and none voting against.

9. PRESENTATIONS

None.

CONSENT CALENDAR DISCUSSION

10(ll) **REQUEST FOR APPROVAL OF PROJECT WORK PLAN UNDER JOINT POWERS AGREEMENT – FUND FIRE DEPARTMENT WILDLAND HANDCREW TO CONDUCT FUEL REDUCTION ON UNITED STATES FOREST SERVICE IN THE SANTA FE FIRESHED; ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT.**

1. **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $117,971**

(GREG GALLEGOS)

A packet of information in opposition to Item 10(ll), submitted for the record by Stephanie Garcia, 112 La Cueva Road, Glorieta, New Mexico 87535, is incorporated herewith to these minutes as Exhibit "5."

Councilor Villarreal said additional information was provided to the Council, and she is confused about what this project entails and its importance as it relates to our watershed. She asked staff to talk about how it relates to the Santa Fe Watershed, the timeline, the reason it would be conducted in July, and when this was implemented.

Greg Gallegos presented information from his Memorandum of May 24, 2017, with attachments, which is in the Council packet. Please see this document for specifics of this presentation.

Officer Gallegos said this particular projected is located in La Cueva and affects our watershed because it is in direct alignment to top on over into the Santa Fe Watershed. He said the timing of the project has to do with the anticipated Governing Body approval and the Fire Department's commitment to July 4th celebrations and the availability of our wildland hand crew after July 5th or 6th. He said the crew is out fighting fires during fire season and unavailable to do any work which correlates with fire danger. When the fire danger is low, they are available to cut.

Councilor Villarreal understands about staff availability, but she unsure about the reason we are doing this in the height of our dry season.

Officer Gallegos said whether or not they will cut on July 5th will depend on availabilities, but if we are available we will do so, noting currently we are in Stage 1 restrictions, which restricts campfires within identified sites. There are no restrictions with regard to the use of chainsaw use or doing fuel reduction. He said this typically would be coordinated through State Forestry and the U.S. Forest Service in terms of analysis of fire danger. Every day the Forest Service sends out a fire danger rating. They take a slew of greens across the forest with regard to fuel moisture, relative humidity, wind speed and such, noting currently it is moderate which is used to gauge the risk management process.

Councilor Villarreal asked when this area was decided, noting she has a date in 2007.

Steve Romero, District Ranger, Pecos-Las Vegas Ranger District, said that decision was made in 2005. He said since 2005 they have completed 860 acres of a project of 1,100 acres. He said this block being discussed is the 130 acres of the 1,100 acres. He said they have been implementing the project over 10 years, and this very last unit of the 1,100 acres.

Councilor Villarreal asked if anything has changed in the area during this time period.

Ranger Romero said no. He said when they see a significant change, they analyze it to see if they need to make changes to the Plan. He said for the most part, the area in which they will be working is in pinon and juniper. And in consulting with their Wildlife Biologist, Archaeologists and other specialist, they still feel this is a good time to go ahead and implement the project. They see no impacts to any natural resources at this time.

Councilor Villarreal asked if they did outreach to the communities contiguous to this area.

Ranger Romero said yes. He said since 2004, prior to the project itself, they conducted public scoping, and have invited people throughout the area to be involved. He said a piece of that project was a lot of really good engagement from the community of La Cueva, and they have been engaged in the project since the beginning. He said as part of the 1,100 acre plan, this last Block E piece was not part of the original and came from the community of La Cueva. They would they would treat the last 130 acres.

Ranger Romero continued, saying they have been in lots of discussion with them recently since January as they were beginning to implement Block E, so there have been several meetings and meetings individually or with the public and in the office. So there has been lots of discussion regarding the project.

Several residents attempted to speak from the audience, and Mayor Gonzales said this is not a public hearing.

Councilor Villarreal said this her time to talk to ask questions. She is curious about the outreach to which communities, and which areas.

Ranger Romero said for the most part, it has been mostly the La Cueva area residents with whom they have discussed the projects, reiterating most discussions have been occurring since January, particularly in regard to this one unit they are looking to completing July 5th.

Councilor Villarreal asked if they think July will be the time frame.

Ranger Romero said yes, and he sees no issue with beginning the project in July. He said they have treated thousands of acres in the Santa Fe National Forest during this time of year. He said he sees a low risk of fire danger in the area. He said it will be a hand treatment, chainsaw only type treatment, and there will be no heavy equipment, such as mastication equipment, just a hand crew, chainsaw type treatment.

Councilor Villarreal said she doesn't do this kind of work and doesn't know the most appropriate time for thinning. Her thought is that during the summer is a potent time, and they are more at risk as staff.

Ranger Romero reiterated that they have been doing thousands of acres of thinning in the past 10 years and do a lot of their work in the watershed during the month of July.

Councilor Villarreal said she isn't against thinning, and always is cognizant of the need to protect our watershed, and last year there was a fire, but there was no major catastrophe. She said there is a need for balance in these projects. She trusts they know what they're doing. She said she struggled with the communication and the public's understanding. She said there will be people who will never agree with the process and methods. She said it is the transparency thing and perhaps the bureaucracy. She said, "It is hard for me to understand. I just have a hard time. And I get all this feedback and they aren't necessarily Santa Fe residents, but these are people that also are our neighbors."

Councilor Lindell said we all received a booklet from La Cueva residents, and she has questions about things in that booklet [Exhibit "5"]. She said one of the items says, "*The fuel break project will not protect the La Cueva community from fire because it is situated down wind from our homes.*" She asked the actual purpose of the project.

Ranger Romero said the purpose to him is what is what is called a shaded field break, to prevent the risk of a large fire spreading to or from the community of La Cueva, Dalton Canyon, including the Santa Fe Watershed. In addition and important is it also provides firefighter safety, especially if they're having to go in and fight fire. Block E is right next to State Highway 50 and County Road 63A, and it is the only ingress/egress – one way in, one way out. So for the firefighters to feel comfortable and safe to go into the area, it becomes it becomes a firefighter safety issue as well. It is to minimize any high intensity fire risk for the community of La Cueva, for Dalton Canyon which is a ridge to the east, including the Santa Fe Watershed.

Councilor Lindell said in the booklet it says, "*A compromise was recently reached with the Forest Service and New Mexico Forestry to modify the thinning to an average of 47.9 sq. basal ft. per acre, rather than the 32-36 basal feet in the proposal now before the Council.*"

Ranger Romero said yes, the original plan was to have a 20-40% prescription, so they did compromise to the 40%, not 47%. And with that, they feel very comfortable with that range, because it helps them to meet their objectives in terms of the vegetation that is there to provide that fuel break and to provide safety, and for allowing for fire to behave in a different manner, rather than the high intensity manner.

Councilor Lindell said it concerns her that we have a number of people in attendance that feel like the agreement 47.09%, and he is saying that it is 40.

Ranger Romero said yes. He said, generally it is 40%, but when they actually are on the ground to implement, the average may be 50%, but there are areas where it could be higher than 40% – it could 45 to 46% or even 35% or 35%. However, they are looking at an average overall 40%, while at the same time as providing a fuel break they are trying to provide vegetation diversity which also benefits other resources such as wildlife. So it isn't just as easy as saying 47% or 40%. Our goal is 40%, but there could be areas specific to 45%.

Councilor Lindell said she understands what he is saying, but is concerned that there is not clarity with all those who met with them. She asked how is it that there was no understanding on it. She said the booklet says, "*An average of 47.9 sq. basal feet per acre.*"

Todd Hanson, District Forrester, Bernalillo District, New Mexico State Forestry, part of the District, said Councilor Lindell is close He said they primarily work with private landowners in the area. He said this is Federal land involving a City Fire crew. He said the State has funds to implement this program to implement this for the National Forest. He said once they got the agreement that the State is implementing, he had a choice of a number of different ways to do the contract. They have a lot of contractors on the State Price Agreement and he can call them and get a final cost. They have a local

Santa Fe crew, the returning *[inaudible]* crew that we could use, as well as an inmate work camp crew.

Mr. Hanson said one of their options with the Santa Fe City Fire Department are the wildland cooperators that go on fires, and we have agreements between them. He said we have funded them for the Aztec Springs Project and such. So that is the choice they made for the Santa Fe crew. He said they figured the Fire Department in this case would be well received by the communities. He said this is a NEPA Forest Service approved document. So it is the square feet of basal area per area, it is not percent.

Mr. Hansen continued, "So what a basal area is. If you were to take a tree, cut it off at 4 ½ feet, uphill side, if it's a Ponderosa Pine, and did a *pi r2*, it would represent so many square feet of basal area per acre. So, if you were to take all the trees and imagine them cut at that level from space and you took the surface area, what you were calling 40% is 40 sq. ft. of basal area per acre. So that's the range. They use that in timber correction. We also relate it to fire. So, for instance, if you get a stand cut at 40 sq. ft. of basal per acre, in general, it takes a 70 mph wind to get it from the ground to the crown of the trees and start crowning through the trees. We try to make the fires behave in such a way where it will be less than 4 foot flame lengths. And, as a fire crew, your standard order is if you see a flaming front that is 4 feet or higher, you cannot attack it with a fire crew, you have to use other tactics, a bull dozer. If it is 12 feet or higher you can't use dozers and go direct, you have to do next defensible ridge, something like that. This is a fire *[inaudible]* ecosystem, if it burns, keep the most flames 4 feet or lower."

Mr. Hansen continued, "A lot of times we get questions, if you put those trees on the ground, aren't you increasing the fire hazard. No, because you have the same amount of fuel, it's just arranged differently. It's on the ground instead of in the air. And like I said, 4 feet we can handle. 8-12 feet, that's when our crews have to stop engaging in doing that. If it's running through a fire break and there people trying to get out of the neighborhood, 12 foot flames coming across a road is going to prevent that. We can't have that done."

Mr. Hansen continued, "So, State Forestry, like we said, we were talking about the prescription and we can get into super detail with it. They compare prescriptions to some of the private landowners that are near there that have a slightly different prescription, but their objectives also were different. This is on a private property and when they tell us the objectives, they say they want to do this and this with the property, we make a recommendation on square feet of basal per acre based on what they're saying. This is a shaded fuel break. If we weren't in full agreement with the Forest Service, we wouldn't take on the project."

Councilor Lindell asked if this the least amount of thinning of these trees you can do and provide a reasonable fire break – the very least.

Mr. Hanson said, "In this area, for this objective, this is what I would do in this area for this objective. If it was private land next to it and they had a different objective, they might be able to leave more. This one is good. Now, we're analyzing the actual stuff on the ground, we saw the mark, and we were taking kind of reversed engineered plots, my timber guy, who is not here anymore, he was reverse engineering the prescription, comparing it, and then like yeah, this is pretty close to the stuff. You are never going to get exactly 47.9, but you will get 47.2, something like that. You're not going to notice 0.7 of

the square foot of basal area per acre. Nobody is going to notice that, but it's solid. The Forest Service *[inaudible]* goes through a lot of training, and for us to even change it a little bit and it's solid. We're pretty confident that silvologists did the right job. They have an inter-disciplinary team. When they're doing their NEPA document from 2005, 2007, whatever it was, they have wildlife, range ecologists, foresters, archaeologists, every type of discipline you can, public meetings, 45-day comment periods, etc. We had something with the Forest Guild. I went. I was walking around in the snow with a lot of the residents out there, talking about the prescription, showing them our gauges we use to measure basal area, explaining what that means. I'm not sure if everyone in here was at that, or part of that, but that happened when I was there. It happened the second time, it happened one-on-one a third time with a few people. Personally, and since we started this, I've been getting emails. Usually it's a federal project and I probably get 3-1 emails in favor."

Councilor Trujillo asked if this project is going to happen.

Ranger Romero said yes.

Councilor Trujillo said then what we are doing right now is that we are approving a work plan under a joint powers agreement, and, "We at the City have no jurisdiction to tell you what to do or what you cannot do. Right. You guys have made those decisions based on your analysis. Right."

Ranger Romero said, "Yes. We made the decision to implement the project, now how we do the project is we can use different entities and different tools."

Councilor Trujillo said, "So that's exactly what you are doing here, is you are asking the City of Santa Fe."

Ranger Romero said, "Actually, our partnership is with the State of New Mexico which has asked...."

Councilor Trujillo said, "You are using our resources from our fire crew to do this."

Ranger Romero said yes.

Councilor Trujillo said, "So we, in no way are telling you what to burn or where to cut. That's what you guys are asking of us. And I don't even believe that..... and Kelley, with this decision we make if we go with it or we don't, this is just affording our crew to go and do the work. We can't tell them where they cut, what they cut or how they cut. Right."

Kelley Brennan said, "As I understand it, this is basically a contract to perform certain work that has been specified by a body, not this one."

Councilor Rivera thanked Councilor Trujillo for the clarification. He asked Officer Gallegos the advantages, saying clearly this is going to happen, whether it is our crew or another hand crew that is involved, and asked what are the benefits for the Santa Fe Hand Crew and the City to help with this project.

Officer Gallegos said the program is in year 6, and we've built our program off this funding, funding similar to this, hiring temporary folks, training them, putting them into the workplace, giving them skills that they can bring back to the City. It affords us to hire that crew to continue that project, and be able to respond to wildland fires and be reimbursed, and that reimbursement comes back to the City. So it is two for one what you get. He said it is a plus. Secondly, it trains this crew. He said in this Academy we have 7 of the crew members go to the structure side. So it's an opportunity for people to be able to work and stay in the City and build a career in the City.

Councilor Rivera asked if this experience would be valuable for those crew members if something happens in the watershed nearer the City.

Officer Gallegos said it would. They will have all of the tools and equipment for firefighting, wherever it might be, noting any start around this area will impact the watershed.

Councilor Rivera said there are some fire restrictions there now, and asked if those continue to get drier if there will be delays in the project, or "are you still moving forward."

Ranger Romero said yes, they are in Stage 1 fire restrictions which address mostly campfires. So if we were go to the next level of restrictions, at that that they would look at delaying the work because of the intensity levels of probable emission fuels would be at a higher risk. At this point, we're not there and the reason he is very comfortable with the work being done this time of year in these conditions.

Councilor Rivera asked what happens if the City decides not to allow our hand crew to go, you have several other hand crews throughout the State to choose from.

Ranger Romero said they have the Returning Heros Program which is the State hand crew out of Santa Fe, the Inmate Work Camp Program and then they have a number of contractors on the State Price Agreement. He said they had all those choices prior to this, but this is the choice they would like to go with, from the State's standpoint.

Councilor Maestas asked if block clearing is a standard practice for protecting watersheds.

Mr. Romero said it is, reiterating for the past 10 years they have conducted thousands of acres of watershed protection. They have another 10,000 acre project ongoing in the Gallinas Watershed, which is a municipal watershed for Las Vegas. There is the Santa Fe Watershed and the Southwest Jemez Project, so "yes, this is a common practice."

Councilor Maestas asked what goes into selecting the area to be designated as a break or a block – prevailing winds, location relative to the watershed.

Ranger Romero said it is what they call high values at risk. It could be a community, a watershed, any kind of value that has high importance to the community – structures, home. They go through those assessments. He said in this case, which was before his time in the Ranger District, it was the Community of La Cueva, the community of Dalton Canyon and the Santa Fe watershed itself.

Councilor Maestas said so this isn't just a watershed protection measure, it is also a public safety measure.

Ranger Romero said that is correct, it is public safety for the community of La Cueva and the community of Dalton Canyon, and firefighter safety.

Councilor Maestas said in looking at the map of the designated Greater Santa Fe Fireshed, La Cueva is in the extreme SE fringe of the Fireshed. He said there doesn't seem to be imminent danger to the watershed, but if there are other factors, that is a different story. He said it's probably not a watershed protection issue, it's probably a public safety issue. We are doing this at the fringe of the Fireshed, far away from the designated watershed. He asked why it is important to the City.

Ranger Romero said the Fireshed development occurred about two years ago. This project was developed in 2004 and the decision to implement was made in 2005. So this project became part of the overall Fireshed. He said they would still continue this project with the primary of focus of the two communities and the Santa Fe Watershed.

Councilor Maestas said we adopted a Resolution designating the Fireshed and thinks it mentioned watershed protection and sustainability. He understands the watershed protection part, and asked how this helps the sustainability of our forest.

Ranger Romero said it provides the opportunity to protect communities, as well as more diversity for the forest. He said right now, our forests are pretty much dense with a lot of vegetation and the reason we're having high intensity fires. He said it's just one piece of all the other pieces they are doing around the Fireshed, including the Santa Fe Watershed and other future projects they may do. It is the piece of a bigger picture for the overall health of the forest.

Councilor Maestas said his problem is there are only two maps in the packet. A detailed map showing the block, and then the greater map of the Greater Santa Fe Fireshed. And then it shows the designated watershed and the boundaries, but you don't show where this block is relative to the Fireshed. He has no idea where it is in that context, so he is having difficulty understanding the reason this is needed.

Ranger Romero said he is unsure what map he is looking at or who provided it.

Councilor Maestas said, "That's my point, there is no map showing the location of the block within the greater Fireshed."

Ranger Romero said, "I think you described it a few minutes ago. It's the most Southeast extreme of the Greater Fireshed. So it is in the southeast corner right on the fringe of the Fireshed boundary."

Councilor Maestas noted the Fireshed boundary extends far south of the watershed, and it seems we use the Interstate Highway as the boundary for the Fireshed. He said in fire terms, perhaps that is a natural fire break, but he doesn't understand the reason the boundaries are so far north and south from the municipal watershed.

Officer Gallegos said, "The Fireshed area is a large area, designed where fire would burn and where it would affect communities downstream. So as you know, Santa Fe is concentrated in the center of the Fireshed, with the municipal watershed in the center of that Fireshed area which basically is the anchor where all of the work has already been done over the last 10-15 years in that watershed area. So we decided, in order to not only protect the City but also all of the surrounding communities, and use those resources out there on that side which would be affected by a larger fire. But, we needed to look at this larger planning are and say, let's take a bigger picture look and see where those communities are going to be affected and how they would affect Santa Fe, in not so direct terms. So if you had a fire down in Glorieta and it burned in that community area, how would that affect the City, how would affect commerce. And also in that area, it is a hop, skip and a jump to our watershed in that area. So that's what we were looking at as far as what we wanted to get.

Councilor Maestas said the eastern boundary of the Fireshed shares the same boundary with the municipal watershed, and asked why we don't have a buffer on the east side, and why is there is no separation from the easternmost boundary of the municipal watershed and the eastern boundary of the Fireshed, "because that's where our headwaters are. Right."

Officer Gallegos said that is correct, and the eastern boundary is essentially the peaks, so what you are looking at, is that is where fire would travel. And it was coming from the other side, you would see it hit those peaks and essentially hit the tree line and run out of vegetation to burn. And that's the way they are looking on the east side of the boundary. When you are looking at where a typical fire would burn and how, you are looking on the western slopes of the Sangre de Cristos.

Councilor Maestas said he is having difficulty with project selection and project justification. He said he same came in with the premise that it was all about our municipal watershed protection, but it doesn't seem to be the case.

Officer Gallegos reiterated the concept affects Santa Fe and the surrounding communities, and what would be the impact on Santa Fe which would affect tourism, recreation, other values the citizens hold dear.

Councilor Maestas said we need to keep citizens safe. However, the whole premise of the City supporting forest thinning and fuel reduction is to protect our watershed. He said we need to have a broader conversation about our strategy going forward in project selection, and about the public safety aspect of project selection.

Councilor Maestas continued, saying we have had the issue of the public relations aspect, and you are dealing with two governments, and sometime we rely on the Forest Service's public relations infrastructure. He said we want to make sure it is robust and we're doing our fair share in P.R. to avoid what is happening tonight. It should be fully vetted and discussed by the public by the time it gets here, and it needs to make sense to people so they understand the necessity.

Ranger Romero said he agrees and they are working toward that. He said the Council recently approved a project for the City to do more P.R. in the Fireshed area and education and outreach, and have meetings and discussions. He reiterated he has had multiple discussions with people who are for and against this project. He said there are disagreements he doesn't think ever will be settled. He said he thinks the consensus is to agree to disagree. He said it is up to the Council of what we what we want to do and protect, and the best way.

Councilor Maestas said he knows this is based on an agreement by the previous administration, but that is no reason we can't revisit it and see how we can improve it. He would invite them to look at that Agreement on this clearing. He asked for a better map of the Fireshed.

Ranger Romero said he will get a better map for the Council when they present projects.

Ranger Romero reiterated this block is not part of the original plan, and the La Cueva residents asked that we include this in the plan.

Mayor Gonzales asked how they approach rating the current health of the forest. He said for him it is a forest that can withstand wildland fires that occur naturally, or are man made, without causing catastrophic harm to surrounding communities or natural resources.

Ranger Romero said, in general terms, he would say it is unhealthy based on the kinds of fires we are seeing in this day and age.

Mayor Gonzales asked him in describing unhealthy, if he is describing forests that are overgrown with high drought conditions.

Ranger Romero said it is high above its historical range available, overstocked with vegetation, which causes the high intensity type wildfires.

Mayor Gonzales said then it's the purpose of programs like this, whether requested by the community, or the Forest Service scientists say we have to start targeting spots that potentially are challenged. He asked if the point is to restore the health of the forest.

Ranger Romero said, "That's it, to restore the health of the forest."

Mayor Gonzales referred to the McClure Fire of last year, saying he recalls a conversation with Chief Litzenberg talking about how close we were to a catastrophic fire taking place, and if not for the winds and the quick movement of resources to stop the fire, it could have been far worse for the community.

Ranger Romero said he is not familiar with that discussion.

Mayor Gonzales said he wants to understand how many McClures do we have sitting up there right now. If we have "the perfect storm" for a fire – dry, high overgrowth and a fire breaks out where there are no roads or trails to get to it, what are the chances of a catastrophic event occurring as the result of the existing health of the forest.

Ranger Romero said the conditions have to be hot, dry, extreme. If you get the ignition point in the right place at the right time, you can have a catastrophic fire. If you have areas that have been pretreated, for example the recent *[inaudible]* fire, the reason it laid down after 2 days was because of all of the treatments that took place. However, there are a lot of areas out there, if it hits the right spot, you will have catastrophic.

Mayor Gonzales asked if this block is being prioritized this year because of community requests, or because the forest scientists have identified that there is a risk existing in the area which is more of a priority than any other place in the Fireshed. So if we see a McClure fire happen again, or something happened in the same proximity of the McClure fire with the same conditions, and we're spending time and effort in La Cueva, do we miss an opportunity to prioritize an area in the watershed that is more deserving of your funds, because these are the funds on the table. He worries that a wildfire will break out in the wrong area under the perfect conditions that cause catastrophic harm to our watershed and community. He is trying to understand how the Forest Service prioritizes in carving out blocks. Is there some science behind how you designate priorities.

Ranger Romero said if he is talking about the greater Santa Fe Fireshed, yes, they are going through a massive process right now called a risk assessment. They will be prioritizing what areas are the most important to do treatments and the types of treatments, which will be based on what the community feels the highest values at risk are. He said the La Cueva Project became part of the Fireshed. Regardless of the Fireshed itself, it's an important project to the Pecos/Las Vegas Ranger District to complete for the reasons previously state.

Mayor Gonzales said then right now, it is more of a priority than any other areas in the Fireshed.

Ranger Romero said yes, because it's in the implementation stage, noting a lot of the others are in the planning stage.

Sandy Hurlocker, District Ranger, Espanola, said he has worked with this Council previously on a project that was funded by the City for some work they wanted to do in the watershed in the wilderness, through a grant agreement with the City allowing them to do the planning. He said it is ready to go with everything except the weather. He said in La Cueva where they are talking about thinning, that can be

done whenever they can run a chainsaw. He said with the prescribed fire part, we have to have the right conditions. He said that is the number one priority for him, and Steve in the Fireshed, working inside the Fireshed is our number one priority because of the type of treatment we're talking about besides burning which will be based on conditions.

Mayor Gonzales said it is very hard for us to serve as scientists and understand where the proper health treatments should take place first. He thinks their job is to try to be as responsive as we can that are impacted by the work of the government. He said when there are people on both sides, he tries to rely on where the science says we need to go, where the risks are, when prioritizing resources in the area where risks and science match. He said in the Fireshed this is critical because we don't have an abundance of resources, and that Fireshed continuously is under risk of a catastrophic fire under the perfect conditions. He said when we have heat waves and current fire levels we are very close to those perfect conditions of a catastrophic event. It is hard to refuse work that the Forest Service is trying to do in the Fireshed, knowing the overall state of the forest is unhealthy. However, he wants to be sure if we look at a Fireshed map and there is a GIS overlaid with drought conditions that those super red spots have your attention when it comes to allocation of resources in blocks. That way, we can make sure we are avoiding a catastrophic event.

Ranger Romero said they are doing Forest Service projects with State funding. They have a NEPA approved project, and 1½ years of analysis. So taking those funds and reallocating them on the fly to another project that isn't realistic, would have to planned. This is NEP approved, ready to go, signatures in place with State funds available now. He said he is the implementation chair of the Greater Santa Fe Fireshed Coalition. They are looking at what they can do now, what they can do to help the City, and if they can take a pre-approved project and expedite it – they chose this one.

Councilor Villarreal said the really good questions were asked, and thanked them for the information. She said this is going to move forward and we are just approving a JPA to allow our Fire Department to assist. So it's moving forward and they could choose someone else. She said in her opinion, they get experts from the Santa Fe Fire Department. She agrees with Councilor Maestas that perhaps there is another process to be worked on, to do community outreach and communication. She said, "I think you kind of see where we're coming from. We're not in a place where we get to decide. You are moving forward with this and we're approving a JPA. We're already here, when everybody else is back here. So we will be look toward seeing how this will be implemented. I would hope that our staff will update us on the progress of this project."

MOTION: Councilor Harris moved, seconded by Councilor Trujillo to approve this request.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

Explaining his vote: Councilor Maestas said, "Yes, but I want more information on project selection in the future.

Explaining her vote: Councilor Villarreal said, "Yes, and I want more information on the process of this project.

10(pp) CONSIDERATION OF RESOLUTION NO. 2017-51 (COUNCILOR MAESTAS). A RESOLUTION DIRECTING THE CITY MANAGER TO EXPLORE THE CREATION OF LEGISLATION ESTABLISHING AND FUNDING LOCAL ARTS AND CULTURE DISTRICTS. (DEBRA GRIEGO Y GARCIA)

Councilor Harris said an amendment was proposed by Councilor Villarreal and approved at Finance, which isn't in the packet.

Councilor Villarreal said it was an amendment adding that we would look at resources other than the State Arts and Cultural District – that we explore funding options in the private and non-profit sector resources.

Ms. Griego y Garcia she is correct, and apologized for not catching it.

Councilor Harris said one of his issues at Finance, although he agreed to move it forward to talk about the numbers associated with it, and he realizes we are exploring, but the FIR acknowledged no associated costs. He looked at the Resolution we passed in 2016, about identifying funding sources for any new programs, policies or initiatives. He said he guesses it is appropriate to move forward without acknowledging the FIR, but there will be a cost. There will be staff time, requirements under Statutes for reporting, perhaps setting up a Commission, and all of things require staff time, staff resources and money that will come out of our budget.

Councilor Harris continued, saying the other issue is all the discussions we've had about GRTs. There was a headline in the newspaper that the City is getting another 1/8 cent increment from the County, noting it is the 6th since 2005. He wants to be mindful that there has to be a very close analysis of the cost. He has also asked about the constraints associated with this, but he hasn't received an answer at any point. He has a lot of issues with this, noting he acknowledged during the Finance Committee that he would vote to move it forward in consideration to the sponsor. However, there are a lot of unanswered questions along the way. He said that is the nature of exploration, but it needs to be very rigorous.

Ms. Griego y Garcia said there will be a FIR, noting it was not included because it was determined the study could be done within existing resources. She hears what he is saying "and acknowledge that there will be costs. And I think some of the questions you've asked about constraints, I've done my best to answer with the knowledge in hand. But part of the nature of the study, as you've indicated, is to find out those answers which will require more looking."

Councilor Harris asked what will be the tax credit advantage.

Ms. Griego y Garcia said it a doubling of the Historic Preservation and Historic Restoration Tax Credit within an Arts & Cultural District. She said that is what is in State Statute. She said she needs to look at that further to give you a complete answer.

Councilor Harris said before this moves forward we should have some clear idea about Councilor Villarreal's amendment, and asked her to restate it.

Mayor Gonzales said the Resolution directs staff to look at creating or establishing local arts and cultural districts. He wants to make sure that we don't overlay, or forget the reality of neighborhood identities which may be very different from what an Arts & Cultural District could be. He wants to make this doesn't take precedence about how our neighborhoods are established throughout the City and how they have been able to, organically over time, get to a unique place. He looks at the Siler District which is an example in the write up or the newspaper. That is a neighborhood which has auto mechanics to a car wash and there are lots of different eclectic businesses there which may not necessarily find identity in that creation. He reiterated we need to be very careful.

Mayor Gonzales continued, saying when the report comes back being able to offer an assessment of the potential negatives to those in the area in terms of higher property values and displacement of people is important. He thinks we have to make sure that what comes forward is equity in assuring the vibrancy of the people who have lived there and not of those who may live there in the future. There have to be layers of protection that precede what an arts and cultural district might do ultimately toward the end.

Ms. Griego y Garcia said she hears him, and she absolutely sees a tie to what is in Culture Connects. And the definition of culture being broad, and has started collecting examples. She said Seattle just put out a report how you can protect that from happening and a lot of people on it, but nobody has found the silver bullet. She said, "But I absolutely acknowledge that the establishment of an arts and cultural district inadvertently can cause negative side effects that push out the very culture that established that area. So a lot is there, and yes, thank you for you your thoughts and I get that."

Councilor Villarreal said she is inclined to support this also because her understanding is the arts and cultural districts actually are community led from that community. She said, "So, in my opinion, if it's done right, the people that live there are the ones that lead the process, not some historic preservation group that is outside of the neighborhood."

Councilor Villarreal continued, saying the change she proposed is on page 2, line 14 of the Resolution, to add language to the end of that line as follows, "...or other funding source available in the private and non-profit funding sources available."

Councilor Maestas said this is exploratory, and commented he thinks Ms. Griego y Garcia already has done about half the work in our efforts to really be prepared to speak on the potential that the creation of arts and cultural districts might present to the City. He said Santa Fe is a Mecca of arts and culture in the world. He said there already is an infrastructure, a State Statute in place, and there are arts and cultural districts established throughout New Mexico. He said many communities, such as Taos, make it a point to promote certain parts, commenting it's not the whole town, but obviously parts of towns. And they

celebrate the fact that they have designated arts and cultural districts. It allows for more local economic development and the Statute allows the use of private money for possible private purposes that might occur within an arts and cultural district.

Councilor Maestas continued, saying it has the historic preservation doubling of the tax credit. It's not just going to fall on Ms. Griego y Garcia. He said they have brought in Fabian Trujillo because it has economic development implications, as well as Randy Randall for the tourism implications. It has historic preservation implications, but they haven't consulted with Land Use or Historic Preservation. He said this would be a robust staff effort, and he would ensure we talk about any potential neighborhood impacts or constraints. It is application driven, community led as Councilor Villarreal said. He said the community can establish a district on any basis – a well known celebration, or basic institutions falling under the criteria, and a whole number of things.

Councilor Maestas continued, pointing out that in the Angelou Report, arts and culture was one of the clusters identified in the Angelou Economic Development Plan Report. He said they made amendments and moved more toward technology and film, but it's still in our current plan, noting the Angelou Plan is still in effect.

Councilor Maestas continued, saying lastly this is has been approved unanimously by all the committees. He said one Arts Commission member said, "Why haven't we explored this before." So they felt it was worthy of exploration, given everything is in place.

Councilor Maestas said various State departments that oversee this program, told us they are going to improve and enhance this Statute to provide additional funding options, instead of the State funding which is limited, or even resorting to a Municipal Local Option Gross Receipts Tax. He said that would be an absolute last resort, noting there are other options. He said after he drafted the Resolution he learned that there is a whole host of funding available.

MOTION: Councilor Maestas moved, seconded by Councilor Villarreal, to adopt Resolution No. 2017-51, with Councilor Villarreal's proposed amendment on page 2, line 14 of the Resolution, to add language to the end of that line as follows, "...or other funding source available in the private and non-profit funding sources available...."

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: Councilor Harris.

Explaining her vote: Councilor Lindell said, "I'm going to vote yes on this, because it is just doing some research on it, but I've some great concerns about this. And also I have concerns just saying when we ask staff to explore the creation of, I think these are sizable explorations and I think they are sizeable tasks. And I get concerned that this size of a project to ask staff to do an

exploration of, is really a lot to ask. Because I know that you, and your staff, Debra are extremely busy already. So I'm going to vote yes, but I'm really hesitant on these big projects like this to ask staff to take on more work, because I know they're already really full time and then some."

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END OF CONSENT CALENDAR DISCUSSION

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11. CONSIDERATION OF RESOLUTION NO. 2017- ___ (COUNCILOR RIVERA AND COUNCILOR IVES). A RESOLUTION PROCLAIMING SEVERE OR EXTREME DROUGHT CONDITIONS MAY EXIST IN THE CITY OF SANTA FE; IMPOSING FIRE RESTRICTIONS; RESTRICTING THE SALE OR USE OF CERTAIN FIREWORKS WITHIN THE CITY OF SANTA FE BETWEEN JULY 5 AND AUGUST 4, 2017; AND PROHIBITING OTHER FIRE HAZARD ACTIVITIES. (REYNALDO GONZALES.

Fire Marshal Rey Gonzales said the Fire Department are requesting that these restrictions be lifted at this time, because they are expecting the Monsoon Season in the next two weeks, and the restrictions were specified more toward the July 4th holiday.

Councilor Rivera, sponsor of the Resolution, withdrew his Resolution based on the recommendation of the Santa Fe Fire Department.

12. CONSIDERATION OF RESOLUTION NO. 2017-52 (MAYOR GONZALES, ~~AND~~ COUNCILOR IVES, <u>COUNCILOR VILLARREAL AND COUNCILOR LINDELL</u>). A RESOLUTION REAFFIRMING THE CITY OF SANTA FE'S GOAL OF BEING CARBON NEUTRAL BY 2040; AND SUPPORTING THE PRINCIPLES OF, AND THE INVOLVEMENT OF THE UNITED STATES OF AMERICA IN THE PARIS AGREEMENT. (JOHN ALEJANDRO)

John Alejandro said this Resolution is sponsored by Mayor Gonzales, as the City of Santa Fe is a member of the Compact of Mayors. The Compact has reached out to numerous mayors in cities and communities throughout the country, to adopt a resolution reaffirming the City's commitment to the Paris Agreement related to climate change, from which President Trump recently withdrew. This Resolution reaffirms the City's commitment to the Paris Agreement and continuing to be a leader in sustainability in the hopes of becoming carbon neutral by 2040.

Mayor Gonzales said he introduced this Resolution because it is the policy of the Council to become carbon neutral by 2040. He said part of this request to continue to go down the path of the Paris Agreements by mayors across the country, is that a significant amount of funds, most recently announced by Bloomberg philanthropies that are set up as challenge funds that would directly invest in local governments that have presented viable plans to go forward in terms of climate change. He said in the past, many people have said this isn't our jurisdiction, and we shouldn't participate because it's not our jurisdiction, but making statements like this not only is a reassessment of the values of this community as

to what we believe is important when it comes to our City. It certainly allows us to continue to support the efforts of the Sustainability Commission and the City's efforts to become carbon neutral by 2040 by making some of these declarative statements.

Councilor Trujillo said he has seen Resolution after Resolution committing the City to being carbon neutral, and asked how many have been brought forward over the last few years.

Mr. Alejandro said regarding the number of resolutions that have been brought forth regarding carbon neutrality or establishing sustainability goals and metrics, he thinks there are 2 or perhaps 3 within the last 3 years. The first was a commitment by the Governing Body to have City facilities powered by renewable energy by 50% by 2025, and then we had a carbon neutral goal of 2040 that was adopted in late 2014. He believes there was a previous Resolution before his time under Mayor Coss that related to sustainability.

Councilor Trujillo said we have made a commitment. This City has constantly made a commitment to do our part to ensure carbon neutrality. He said we care about it a lot and we care about the City.

Mr. Alejandro said that is correct. He thinks the importance of this Resolution is it demonstrates and showcases to the world and the country that the City of Santa Fe is on board with taking proactive measures at a global level to reduce carbon.

Councilor Trujillo said he agrees. He said he has issues when he starts seeing the name of President Donald Trump on a lot of these issues. He said we are a non-partisan governing body, and these are things with which he has always had a problem. He said agree or disagree, we are non-partisan and take everyone's thoughts into consideration. Then he sees things like this regarding partisan politics, and asked if we are playing partisan politics. He said we have had a lot of things to come before us, such as the Mayor asking us to vote in favor of Obama's nominee for the Supreme Court. He said he believes we need to have a balance of things we vote on, commenting as a non-partisan Governing Body we represent Democrats, Republicans, Independents and everybody. He said this is a question he is asking the Mayor: are we committed to this, of course because it is the right thing to do, or are we mad at what's happening at the National level.

Mayor Gonzales said we can either stay silent, or we can use our voice. There is nothing in the Charter that says that we cannot, as a Governing Body, reflect the values of our citizens through formal resolution. He said Donald Trump is mentioned in this because he's been outright hostile to our environment as well as to minority groups. He said, "For as long as I get the privilege of being Mayor of the City, I will bring a resolution forward that challenges any type of Presidential action that is counter to the values of our community."

Mayor Gonzales continued, saying there have been too many times during history that people were made silent, and bad things can happen. He said this Resolution is the statement of our values as well as to send a clear message and reaffirmation that we have to start investing in real, programmatic activity that is going to reduce the threats of climate change. He thanked the Governing Body for allowing the Verde fund to go through in its first round of investments.

Mayor Gonzales continued, saying he understands us entertaining too many resolutions that don't necessarily improves the lives of people. He said Judge Gorsuch is proving to be the most conservative Judge that will rule against LGBT rights. He said, "I am sorry for bringing a Resolution to you that asks you to oppose his nomination when I knew that my very existence was something, when he had the opportunity, he would rule against. I don't want my voice or this community's voice to be silenced at a time when we have leadership in this country that is taking us in the wrong direction."

Councilor Trujillo said he would like to have this kind of discussion, but when he gets to the Council this where he hears about things and then we have a discussion. He said he feels like an outsider. He said, "I feel on the outside of this Council because we don't have these discussions. I want you to know I support this. It's just that sometimes when these come before us *[inaudible]*, unfortunately, we don't speak as much as we should and so I do have some issues about this."

Councilor Trujillo continued, "When you talk about the environment, about the City of Santa Fe, our streets, our roads, our people, pollution, be it what it is, this is the environment we live in, in our community. So I want you to know, I do support the Resolution. I just want it to be clear. I don't want it to be that it's us against them, me against you. We both love our City. We both know that. We were born and raised here. We want what's best for everybody in this community. I just want to be sure that these Resolutions are coming forward on an issue that is going to help our citizens, and not based on the issue that because we're made at something out there. I have read this. I understand what you're doing, and I support it, and I just wanted you to be clear on this. And I appreciate the conversation."

Mayor Gonzales said he appreciates it as well. He said he won't deny that he is angry, not at Councilor Trujillo or any Councilor, but said "I'm pissed as hell at a President who chooses to ignore science, facts and history as he chooses to lead our country forward. So yes, there is some anger in this, I'm not going to deny it. this. But I also know we won't be silenced and we do have the opportunity to act. And I appreciate your invitation to make sure that we are able to communicate more before some of this comes forward...."

Councilor Rivera asked which Committees heard this Resolution before it came to Council.

Mr. Alejandro said it was reviewed and approved for recommendation to the Governing Body by the Sustainable Santa Fe Commission, which met just prior to this meeting.

Councilor Rivera asked Ms. Brennan if this has to go through one of the major Committees before coming to the Governing Body, commenting he guesses the City Manager has the authority to put it on the Council agenda.

Ms. Brennan said, "I believe that's correct. Typically we try to have items go through City Committees so that people have an opportunity view them... under the rules."

Councilor Rivera asked Mr. Snyder if he put this on the agenda under his authority.

Mr. Snyder said it went through the Sustainable Santa Fe Commission. He said, "I understand that it cannot sit on the Consent Agenda, and why it was put on for discussion, for the purpose of the Council to discuss this, and does not necessarily need to go through a City Committee. Typically, they do go to a City committee. In this case, from an extremely time sensitive, carrying a month out from when actions are being taken by the Federal Government, because it sat on the Council Agenda as a Discussion Item for discussion by the entire Council and for action."

Councilor Rivera said he heard two things. One thing is Ms. Brennan saying it has to go through a City Committee before coming to the Council, and the other from the City Manager saying it would be nice to, but it doesn't have to.

Ms. Brennan said, "Under the Rules, it does go through, that's the desirable path, through the City committees. The Manager put this on the Agenda for a reason, or reasons, including reasons of timing. But of course, when you vote on it, you are making that decision."

Councilor Rivera said it would have helped for it to go through a few committees to be vetted there before coming her, and address some of Councilor Trujillo's issues, and allowed us to ask staff questions. He said he didn't realize us this would give us an opportunity for additional funding, and asked the Mayor to speak to that.

Mayor Gonzales said Bloomberg philanthropies have announced a $17 million grant on Monday to be made available to cities that developed and put forward strategies to combat climate change and other policies that will be affected by the lack of the President's commitment, whether through his budget attacking CDBG funds, the issue of inequality and that the administration consistently has not said that climate change is a reality. He said he is part of the 40 Mayors committing to the Paris Accord. He said these Resolutions are important in going for philanthropic and foundation dollars going to cities to address, issues of climate change, and without them, it will be very difficult to say we're serious about the issue. He said whether we receive these grants is entirely dependent on our ability to put forward a grant application that is sufficiently compelling to get them to invest in us. If this is approved tonight, he will put together a team quickly to present an applicant that would allow us to participate in those funds and other funds.

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to adopt Resolution No. 2017-52.

DISCUSSION: Councilor Maestas noted there is no cost for staff time in the FIR which is in the packet.

Mr. Alejandro said staff time was negligible in the drafting of this Resolution, probably 15 minutes.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

Explaining her vote: Councilor Villarreal said, "Yes, and I would like to sign on as a cosponsor."

Explaining her vote: Councilor Lindell said, "Yes, and put me on as a cosponsor."

13. REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING ON JULY 26, 2017:

a) BILL NO. 2017-16. AN ORDINANCE AMENDING SUBSECTION 14-6.3(B)(2)(c) SFCC 1987, TO REGULATE PARKING OR STORAGE OF SPECIFIED NONCOMMERCIAL VEHICLES WITHIN RESIDENTIALLY ZONED DISTRICTS (COUNCILORS LINDELL AND COUNCILOR IVES. (GREGORY SMITH)

b) MEOW WOLF LOCAL ECONOMIC DEVELOPMENT PROJECT (MAYOR GONZALES, COUNCILORS LINDELL, HARRIS AND IVES). (FABIAN TRUJILLO)

1) BILL NO. 2017-18. AN ORDINANCE RELATING TO THE CITY OF SANTA FE ECONOMIC DEVELOPMENT PLAN ORDINANCE, ARTICLE 11-11 SFCC 1987; APPROVING AND ADOPTING A LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND MEOW WOLF, INC., FOR ACQUISITION AND EXPANSION OF A NEW PRODUCTION AND CULTURAL FACILITY, A LOCAL ECONOMIC DEVELOPMENT PROJECT (MAYOR GONZALES, COUNCILOR LINDELL, COUNCILOR HARRIS AND COUNCILOR IVES). (FABIAN TRUJILLO)

2) REQUEST FOR APPROVAL OF LOCAL ECONOMIC DEVELOPMENT PROJECT PARTICIPATION AGREEMENT BETWEEN THE CITY OF SANTA FE AND MEOW WOLF FOR EXPANSION OF ITS FACILITIES AND TO IMPROVE OR CONSTRUCT INFRASTRUCTURE NECESSARY TO THE FACILITY LOCATED AT 2600 CAMINO ESTRADA, SANTA FE, NM.

3) REQUEST FOR APPROVAL OF INTERGOVERNMENTAL AGREEMENT BETWEEN THE NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT AND THE CITY OF SANTA FE, NEW MEXICO FOR THE PURPOSE OF FACILITATING THE DISBURSEMENT OF FUNDS FOR THE MEOW WOLF LOCAL ECONOMIC DEVELOPMENT PROJECT.

4) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT IN THE AMOUNT OF $550,000.

A Substitute Amendment for Item #13(a), submitted by Councilor Lindell, is incorporated herewith to these minutes as Exhibit "6."

MOTION: Councilor Lindell moved, seconded by Councilor Villarreal, to approve Item 13(a) with the amendment from Public Works to Item 13(a).

DISCUSSION: Councilor Maestas noted the Substitute Amendment for this item, and wants to make sure those are included in the motion. He noted there was another amendment from Public Works which he doesn't see in the packet.

Jesse Guillen, Legislative Liaison, said that is included in the Substitute Amendment.

VOTE: The motion was approved on the following Roll Call vote:

> **For:** Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.
>
> **Against:** None.

MOTION: Councilor Maestas moved, seconded by Councilor Lindell, to approve Item 13(b)(1) through (4).

DISCUSSION: Councilor Trujillo said we had a meeting and discussions, and Fabian Trujillo knows the questions that he has asked, which probably will be brought up at the meeting where this is heard. He wants to be sure that they are ready for those questions.

Councilor Villarreal said they also know the information she has requested – information on the funding from the State, the LEDA requirements, the funds coming in as well as whether there is a City match requirement.

Mr. Trujillo said that information will be in the packet.

Councilor Maestas said he had a meeting and discussed the project, and said staff has sent him most of his information items. He also inquired about getting insight into the operations of the current Meow Wolf facility to see how robust that is, and thought that would be in its annual report if it has one. He asked Mr. Trujillo if he has been able to obtain that information or if it is proprietary information.

Mr. Trujillo said he sent the entire Governing Body a power point presentation with all of that information, which is proprietary. It is information that Meow Wolf has authorized to be sent to the Governing Body, noting that information was sent 2 days ago.

Councilor Rivera said we had a discussion about Meow Wolf's commitment to hiring local people, and how the LEDA funds are impacted by hiring locals and the benefits financially to Meow Wolf to continue to hire locals. He asked for a reaffirmation of that statement as we go forward, as well as how Meow Wolf has done a good job of bringing locals back to Santa Fe. He would like to "hear more of those as we go forward with the public hearing."

Mr. Trujillo said, "Will do Councilor."

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

14. ACTION REGARDING RANKED CHOICE VOTING IMPLEMENTATION. (ZACHARY SHANDLER AND YOLANDA Y. VIGIL)

A timeline regarding Ranked Choice Voting, prepared by Ms. Vigil, is incorporated herewith to these minutes as Exhibit "7."

Yolanda Vigil, City Clerk, presented information from her Memorandum of June 23, 2017, to the Governing Body regarding Ranked Choice Voting Implementation, and said she would answer questions. Please see this Memorandum for specifics of this presentation.

Mayor Gonzales asked the deadline for certification of the software.

Ms. Vigil said it would be August 25, 2017 by the independent group, and for the Secretary of State September or October 1, 2017.

Mayor Gonzales asked Ms. Vigil when she sends out candidate packets for the upcoming election.

Ms. Vigil distributed copies of a timeline regarding this matter [Exhibit "7"]

Mayor Gonzales asked if she will handout candidate packets if the certification doesn't happen.

Ms. Vigil said she would release the candidate packets on September 1, 2017, which is prior to the Secretary of State certification.

Mayor Gonzales asked, so if the direction is to prepare for a Ranked Choice election in March 2018, but the certification hasn't been done by the time candidates receive packets, would she be in a position to tell them that the election process may change, or is subject to change, or how would she address the issue of candidates starting under one route and then shifting gears to a different one.

Ms. Vigil said this is the reason this is before you. She said she did want some direction from the Governing Body on this, because she questions if we want to release candidate packets and then either implement ranked choice voting or not.

Mayor Gonzales said the voters have already chosen that path, and Ms. Vigil said yes.

Mayor Gonzales said the question for the Governing Body tonight is that has already been voted on, and if the issue of cost and certification are in place, then he doesn't know there are any options out of that.

Ms. Vigil said at this point, the software has not been certified. So it is a decision of whether or not you want to release candidate packets that include all of the City Code, the Campaign Code, the Election Code, the Public Campaign Finance Code as well as the qualifying contribution forms, the seed money forms – do we want to release those packets to candidates without them knowing if we are doing ranked choice voting or not. She said the September 1, 2017 release of candidate packets is based on when the qualifying period begins. The qualifying period is when candidates actually start receiving their $5 qualifying contributions, which is set by Ordinance to start 183 days prior to the election. So that is the reason the September 1st deadline is in there now. She said all of you have run campaigns and she doesn't know if it is critical as a candidate that you know up front this will have Ranked Choice Voting or not in 2018, and if it affects the way you decide how to do your financing, public or private. There are a number of questions to which she is unsure of the answer.

Councilor Rivera asked if there is a chance that by the end of August that the Secretary of State wouldn't certify the software.

Ms. Vigil said, "That I don't know. I could not answer that."

Councilor Rivera said he appreciates her professionalism and that she is a stickler for how she runs elections. He said it makes everything clear for the candidates. He asked about the education of the public regarding Ranked Choice voting.

Ms. Vigil said, "This is what I see as one of the most critical issues with Ranked Choice voting. It is brand new to our voters, and I clearly want the voters educated about this, because nothing like this has been done this way in New Mexico. I definitely want to get out there with massive voter education demonstrations, press releases, going to Senior Centers, doing videos, newspaper releases – as much as we can get to the public. I do not want to, in any way disenfranchise our voters. I don't even want it to cross their mind that we, the City, are changing the way we are voting, although the voters voted for this, but then not knowing how to do this, how to rank their candidates." She said, for example, what happens if they do multiple rankings for the same candidate. She wants to educate the voters as much as possible.

Councilor Rivera asked how long she thinks it will take to do everything she wants to do in both English, and in Spanish especially in his District.

Ms. Vigil said, "That's difficult to answer because we haven't done this before difficult, but I would definitely like, I'm going to say a 6 months to a year for the process of educating our voters. And I don't know if that's too much. Like I said, I don't want our voters to come back and say they didn't know. I would try to reach out as much as possible to try and contact all groups, as many people as possible, so they would feel that they are comfortable with voting this new way."

Councilor Rivera said he presumes her preference is that the City take on the burden of education and not look to help from others, or are you willing to solicit the support from other groups to help with the education piece.

Ms. Vigil said, "My preference would be, that yes, it is the City and I think it is the City's responsibility, that the City be responsible for educating the public. There certainly could be some documents that maybe some organizations could provide to me and say, you know it would be this in different places, this seems to work. I could fashion things that I'm doing based off that possibly, but I feel that it is the City's responsibility that we need to do this. Because if any organizations are going out there and providing any kind of public education, and not to say that someone could come back and say well that's not how they told us, I couldn't vouch if they said this or didn't say this. I totally feel it is the City's responsibility to conduct all education."

Councilor Rivera said other municipalities have done this and taken this on. What is the danger in doing it quickly and doing it wrong.

Ms. Vigil said, "I really can't answer that, sorry."

Councilor Rivera said he is in favor of this, because the voters voted for it and this is the way we should proceed. He said, "I'm a little worried, based on what the Clerk said, that we may be moving too quickly, too fast on this. I'm afraid that if we do it wrong this first time, that it is going to create issues. And really, the City, I think, should be front runner in the education piece and making sure all our voters are aware of what is coming, both English and Spanish speaking voters, and potentially others that are out there. We have a large deaf community in our City, and are they going to be included in this. Do you know how many of them vote, I don't know, but I definitely think we meed to make this as transparent as possible moving forward."

Councilor Villarreal asked the reason this wasn't implemented following its approval by the voters in 2008. She said she wants the public to understand why that lapse occurred.

Ms. Vigil said the Charter question approved by the voters was, '*Commencing with the General Municipal Election in March 2010, or soon thereafter, as equipment and software for tabulation of votes and the ability to correct incorrectly marked in person ballots is available at a reasonable price for all subsequent elections, etc., etc.*" She said we were waiting for the software. There has not been software available that is compatible with the voting machines that we use for our elections.

Councilor Villarreal asked Ms. Vigil to elaborate on what machines we use and that we don't decide the compatibility and it's the State's responsibility in terms of compatibility.

Ms. Vigil said that is correct. She said, "All voting systems used for election for public office in New Mexico, are purchased and certified by the Secretary, and that is set by State Statute. When Ranked Choice voting was approved, I believe we might have been using the M-100 machines and possibly another, I can't remember. But at that point there was no software that was compatible to do what our charter requirements were. The machines we use now are by Dominion and are the ICE machines.

These machines currently don't have the capability to rank candidates. This new software has been created by Dominion, and this is the software that I am telling you about that will go for the independent testing and certification by the Secretary of State's Office. But prior to this, there has not been any software that is compatible with any of the voting machines that we use to allow for Ranked Choice Voting."

Councilor Villarreal asked when there was the conversation with Dominion that the software was being implemented, and we could retrofit our machines to do so.

Ms. Vigil said, "I've actually been talking with them probably a couple of years. As you know, we had Dominion here in October to do a demonstration. At that point I felt comfortable that they were going to come forward, and either by the end of 2016 or early 2017, that they were going to have this software certified and we would be able to use it now for the 2018 election. As you can see by what I told in the Memo that, as of right now, they haven't been certified yet."

Councilor Villarreal said then at that time, it was the issue of compatibility and they were working on that to get them certified. The other piece was it was cost prohibitive last year. She asked Ms. Vigil to explained what changed.

Ms. Vigil said, "That is correct. Back in October 2015, the Dominion company.... because initially they had said this software would be about $350,000, and there would be a licensing fee for every year....so back in October 2015, they said we've reviewed this and you guys are a small municipality, we're reducing our price, and it dropped from $350,000 to $39,500, which was, to me, a substantial decrease. Now it's totally up to you all if you think that's a reasonable price, but in my mind, I was saying wow, dropping from $350,000 to $39,500.."

Councilor Villarreal asked if they say what shifted, commenting that is a pretty big difference.

Ms. Vigil said, "Other than that they just reviewed it, and we were a small municipality, and that was all I really got from them."

Councilor Villarreal said she brings it up because the City Clerk's Office will be doing the due diligence to stay on top of this topic, that we are making sure this is compatible, and that we are following a timeline. She said she has confidence that they will be able to implement this, but she is concerned about Dominion. She said they aren't our voters, don't live in Santa Fe and are for-profit, and they've done this in other places and it has been successful. She said, "To me, the correspondence and communication with us really needs to be better and we need to hold them to the deadlines they keep telling us that are going to happen. And we're here, not because you have decided last minute to bring this to us, but we're still trying to figure out if there is compatibility. And I did want to hear from the Secretary of State, but I guess no one is here from the office."

Ms. Vigil said Secretary of State Toulouse-Oliver "had asked if I needed her here, and I felt comfortable that I could respond based on her memos and our meetings. I had a brief telephone conversation with you this afternoon, and I did call to the Secretary of State's Office to see if she was available to come, or an Office Deputy, but neither of them were in town today."

Councilor Villarreal said she would feel better to understand from the Secretary of State what they are doing to make sure we are ready. She said the timelines don't mesh with us *per se*, and they know we have to follow our guidelines, to make sure all the packet material is ready for candidates. Does that include that our systems have to be ready at that time, is that stated in our Ordinance or Code that all systems have to be in place before we actually distribute packets.

Ms. Vigil said, "We do not have that language in our Charter and in our Code. I think it' all just a matter of does this work, does it flow properly or not."

Councilor Villarreal said she thinks, regarding outreach, you all are going to have to really push with staff. She thinks it will help to have non-profit groups doing their own outreach. It may not necessarily be together, but maybe there's a way you are making sure that you are covering a lot of different areas obviously focused on City outreach. She said she would rather that we would approve the process to do ranked choice voting contingent on those dates that we have been told would happen for certification. And if there is some problem on August 25th and something that delays us, "I don't think we should move forward."

Councilor Villarreal continued, "Unless someone else has a better timeline, I think we need to stick to the timelines with Dominion to get State certification or we're not moving forward. I think it is a good option to look at pro-democracy and more equitable ways for voting. However, if Dominion isn't responsive, then who does it lie on for our responsibility. Us. And we have to take on that. And then the voters too. I just think need some need some kind of hard deadlines. And if Dominion can't and was not able to certify to the level that is comfortable to staff, then I think we should wait."

Councilor Lindell said regarding the status of voter education, she echos Councilor Rivera that the voter education is an extremely component of this. And for me, and other Councilors may have other ideas, I think it is incumbent on the City to do that education and to not turn voter education over to non-profits or other groups. She said most of those groups have some kind of vested interest in elections, and she would be "very uncomfortable turning the education component of this over to any groups outside of the City."

Councilor Lindell continued, "Another part of this Memo I was pretty surprised to see, and it is nothing I could be supportive of, is talking about the cost of $40,000. And granted, it is a substantial cut in price, but a 3rd party organization, the Thornburg Foundation, offering to give $40,000 to Fair Vote, Inc., to give to the City to pay for Dominion, I see that as interference in our elections. And it is not the right thing to do. I know very little about, really I don't know that much about the Thornburg Foundation and I don't know that much about Fair Vote. And it's not casting any aspersions on either organization, it's on principle. But I don't think that's a wise decision to involve outside organizations in our election."

Councilor Lindell continued, "As far as the timeline goes, unfortunately, I think that this is pretty late. We're being asked to vet on this with the idea that it's going to go pretty smoothly with some very tight timelines. And in fact, they're really more than tight. Because September 1st is the date that packets are available. Is that correct Ms. Vigil."

Ms. Vigil said, "That's correct."

Councilor Lindell said, "And we're talking about if everything on this goes absolutely as it is in black and white on this page, this will not be completed until the date of October 17, 2017."

Ms. Vigil said, "The certification will be complete, either by September 30th or October 1st, is what the Secretary of State has said."

Councilor Lindell said, "Okay. Candidates are being asked to go on the good faith that this is all going to happen. Because I think some candidates, in their races, would have different strategies based upon if we had Ranked Choice voting. Not all races will have more than 2 candidates, but we don't know. If a race had 3-4-5 candidates... campaigns are hard. And I think to ask people to on good faith of running a campaign in one direction for a month without really knowing and having to upend their strategy, possibly at the end of the month, I think that's unfair to a candidate to do that. So those are my comments for now, and thank you for putting this together for us."

Councilor Harris said, "I don't want to say too much, I simply echo Councilor Rivera and Councilor Lindell, but also want to reinforce that there's really too much at stake at all levels – the confusion for the voters, the confusion for potential candidates and what is required of them, the confusion potentially for your office, Ms. Vigil. And I have tremendous respect for the work you do and the people who work with you, having gone through the process fairly recently. And then Councilor Villarreal, when it comes to Dominion, you framed a demand to them about whether or not they meet their obligations or not. Well, they haven't. They have not demonstrated that they are going to meet their obligations. They spoke to us, right here in October of 2016, and it looks to me like they've missed every deadline. They are probably self imposed. Certainly Ms. Vigil has told her what she's up against. And so, I see no reason to extend a deadline for Dominion. And what we have in our City Charter is very clear that "*When the equipment and software for tabulating the votes and allow corrections of incorrectly marked in-person ballots are available at a reasonable price.* It's a red flag for me when it goes from $350,000 to $40,000, I don't get into that. But certainly, it's not available to meet our schedule. So I don't see how we can move forward on this at this time."

Councilor Trujillo said, "Yolanda, you always do your due diligent to ensure the City stays on track, the City stays as an *[inaudible]* of the Councilors. Ever since this was voted on, I think every year I receive hundreds of emails as to why this has not been implemented. Well, here's the answer. There is a reason why this hasn't been implemented. The software has not been there, the software is not ready, and we still don't know if it's going to work. I agree, it's not ready. Eventually, we will get there. It was something the voters voted on and we'll eventually get to it, I know we will. But I do agree also with Councilor Lindell about that it falls on the City and your office as well to do all of the education for the people here in Santa

Fe. And I know you guys will do a heck of a job, you always do. I believe it's not ready, and when the software is ready and 100%, then we'll roll out the Ranked Choice voting."

Councilor Maestas said, "We go way, way, way back, and you're really good at what you do. But in a way, I see this as a voting machine issue, one. The voter education component is vital. And I agree that it is late, but the concept, the practice and the process of Ranked Choice voting is established, right, across the country in certain cities."

Ms. Vigil said that is correct.

Councilor Maestas said those cities had to get their Secretary of State to certify the software they used. He said he is sure the U.S. Election Assistance Commission has seen Ranked Choice software programs. He said wants to know if there is an alternative to seeking the Secretary of State's certification to see what that timeline would be. He said it is likely that Commission is more familiar with Ranked Choice voting software than our Secretary of State. He thinks that can be looked at.

Ms. Vigil said, "The Secretary of State is saying Dominion is projecting that deadline, so that is when they are going before and should be certified by that point. That is coming from the company that is submitting for the independent test. It is call Voting System Test Lab [VSTL] is how it is referred to.

Mayor Gonzales said then it would be certified by both the Election Assistance Commission and the Secretary of State's Office, and Ms. Vigil said, "Right."

Councilor Maestas said he thought it was either or.

Ms. Vigil said, "No. It is both. So August 25, 2017, would be the Voting System Test Lab, then after that it comes to the Secretary of State's Office. There is a 21 day public comment process and the reason there is a gap between there. And then the Secretary of State's certification, she feels they could do, like I said, either September 30th or October 1st, so it's a two-step process.

Councilor Maestas thanked Ms. Vigil for her timeline, commenting he noticed she had no potential timetable for the Election Ordinance, and asked when that would be done, and move up the public education component, and we would tell them in the legislation it is contingent on certification of the software upgrade by the end of September. He asked if we started voter education in July on the concept and process of Ranked Choice voting, not the software update, would that be sufficient for voter education in her opinion – do we have to have to have the software upgrade to begin voter education.

Ms. Vigil said, "Now I guess everyone can have a different opinion on that. I think if we are going to go out there and provide Ranked Choice Voting education, we should certainly have the software and the equipment, so we can go out there and show them, this is what it does, this is what it doesn't do, and also so that your Ordinance, if you choose to do an Ordinance, all of the information is contained in the Ordinance. What do we do with tie votes in elimination rounds, what do we do with over votes, under votes, multiple rankings for the same candidates."

Councilor Maestas noted our Charter says, "*This process should allow for the correction of incorrectly marked in person ballots,*" and asked what that means, and if that is just one of the many scenarios that can occur.

Ms. Vigil said, "I think this will be addressing all those issues. How does the equipment deal with an under vote and an over vote, everything I stated before. Does it reject the ballot. Do we want it to accept the ballot if there is only one ranking on the ballot. If there are 5 candidates, and they vote for just one, do we want to accept it. I think we have to decide, and I think that municipalities and counties using Ranked Choice voting now, probably all do something a little bit different."

Councilor Maestas said we would have to define a disqualified ballot, create the criteria.

Ms. Vigil said that is correct, in the Ordinance. And we want to address what we would do with mailed-in ballots, because obviously there is no ability for them to correct those. So we would have to set criteria for that – would we reject a ballot if it had over votes/under votes whatever. There are a lot of things we need to clarify, if you want to, in an ordinance.

Councilor Maestas asked if there is a paper trail in this process.

Ms. Vigil said, "Yes. She understands reports can be generated from the software that will show the eliminations, how votes were transferred, all of that. So if that's what you consider the paper trail, yes sir."

Councilor Maestas said he feels he doesn't have enough information, but what he does know is that it's really late in the game. He would hate for us to put all our eggs in this basket, initiate voter education and then the certification doesn't come through. He said many of us have experience with software and software companies, and their bugs. He doesn't know the process for beta testing. He said even if they think it is ready for certification, what if either entity doesn't certify it. There are so many things that can go wrong which concerns him. He asked if we have to vote tonight.

Mayor Gonzales understands staff wants some indication from the Governing Body as to whether or not they want her to prepare for Ranked Choice voting.

Ms. Vigil said that is correct.

Councilor Maestas said, but she is saying she concludes that she really can't prepare, given the current time frame, and the public education component.

Ms. Vigil said, "Really what I wanted to present to you are just the facts, this is what it is. I'm not leaning one way or the other. Certainly if you all tell me no, this has to be, this has to be, and you've got make it happen. We'll, then I'm going to move heaven and earth to make it happen. That's fine. What I want to do is to just bring all of this to your attention, so that you all can decide, and let me know, give me some direction. And I actually was hoping for a vote tonight. We put it on the agenda for action."

Councilor Maestas said if you look at the realistic time frame for voter education, he said, "I just say we start it now. The summer is gone. It's back to school, from Labor Day to holidays, what is that, two months or two and a half months, maybe three max. And people don't get out of the holiday phase until the end of January. I think what is ahead of us, in terms of a realistic time frame for voter education on Ranked Choice voting, that window is quite small and it's closing. This is a tough issue because it's in our Charter, and it's very explicit and folks have been waiting many many years, and I realize this was the actual bottleneck, right, was the technology and the voting machine and software, and we came so close. And because of the slippage in the time frame, we're forced to really make a difficult decision. I'm not happy about that at all, because I take our Charter in the direction of our voters very seriously. I am really disappointed."

Mayor Gonzales said change is always hard, difficult. The issue of Ranked Choice voting in today is ranking your choice. He said his belief, "with all due respect and my love for the Clerk, is that the responsibility for educating the voters is on the candidates." He said that is our job to go out there and convince them that we're the person who should be ultimately, at the end of the day, whose box they check. He said in the educational process, if we have ranked choice voting and there are3-4 people, that requires a whole layer of campaign involvement that shouldn't be the responsibility of the City Clerk to have to tell the voter what happens if you vote 1-2-3-4, or 1-3-4-2. He said that can't rest on the City Clerk, nor will she ever be equipped to be able to answer every voter's question about how all that plays out. He said he thinks the City Clerk's job for the City is to deliver a fair election with accurate results. And she is relying on a State picked vendor who has to be certified in the area of Ranked Choice. This isn't something where we're going to pick a vendor on a whim. The Secretary of State and the United States Elections Assistance Commission have to certify that this vendor can properly conduct a Ranked Choice election.

Mayor Gonzales continued, saying from that point, September 30th or October 1st, we have to adopt an election resolution. He assumes in the Resolution we can lay out the rules of how the software would perform. That would give us from October 11th through the election to be able to educate the community. He thinks it would be tough to say we had software that was certified on time, but we just didn't feel like we would have enough time to educate the voters on it, and therefore we bypassed this opportunity.

Mayor Gonzales continued, saying his feeling in terms of direction, the Clerk has established a road map for how we can have Ranked Choice in the upcoming election. If the certification doesn't happen, or the Secretary of State says she isn't comfortable with this process and can't stand by it, then in fairness to the public we can say we're going to withdraw from this, there won't be Ranked Choice election in 2018, and we will try for the next election. As it relates to the funding, he said this is the responsibility of the City. If our direction is to go forward now, he thinks it is important that the City pays for the software and not ask a 3rd party to pay for it because the City Charter allowed this to happen.

Mayor Gonzales said no one is more under-staffed and over-worked than the City Clerk. This is a very tough task to ask her to do at this point, because she is having to deal with all the regular records keeping of the City. However, there are dates he assumes were given to her by the Secretary of State by which they expect certification to take place.

Ms. Vigil said this is correct, and that is the September 30th or October 1st date.

Mayor Gonzales said the direction could be if they aren't certified before we adopt our Election Resolution, then we don't go forward with Ranked Choice voting. If they are certified by that time, we can adopt the Election Resolution calling for Ranked Choice voting with a set of rules on how it would be dealt with. The issue of awareness and education is something "that the groups will have to get out there and we'll have to do our part as a City to try and explain what is happening, and there will be some confusion, there always is, when election rules change, and how people are selected. Especially, if there is a race with 5-6 people in that race." All of a sudden what comes into question is how the software perform, did it rank property, what ballots were left out, and which were counted.

Mayor Gonzales said he believes we are in the realm of reasonable cost. What is more important is that the software is ready to go and to be certified, and if it is certified then we have to go. He doesn't see we can avoid a challenge by any group that says the City failed to act when it had a responsibility to be able to deliver a Ranked Choice election. He respects everyone's opinion tonight, and it is a hard place to be. He hasn't talked or lobbied his colleagues one way or another. He wanted to express his point of view from the standpoint that this is a very tight timeline, and there is a possibility that voters show up at a convenience center, and then confronting what Ranked Choice voting means. It will exist in 2018 as well as in 2020 and 2022. There always will be questions of how the ballot is represented. He has confidence that we can do this if this is certified, and then educate the public to vote their ranks and follow the rules.

Mayor Gonzales continued, saying he advocates we follow the timeline presented, and if they aren't certified by the deadline, then we pull the plug on Ranked Choice voting.

Ms. Vigil said, "I just want to add, for the record, with all due respect and love for my Mayor, I really do not feel that the education component is up to the candidates. I do believe it is up to the Clerk's Office. And if there are questions after, if anything fails, and anything happens, they're not going to back to the candidate and say anything. They will come and say, 'Yolanda, we messed it up. So, that's with all due respect."

Councilor Harris said, "It is clear to me that there's a difference of opinion, and that we really do need to take a vote on this. You've asked for an action and I think you deserve that action."

MOTION: Councilor Harris moved, seconded by Councilor Rivera for purposes of discussion, "that we not move forward with Rank Choice voting at this time, given the scheduled delays that are already known."

DISCUSSION: Councilor Villarreal said, "For clarification, earlier you had stated that I was proposing extending the deadline. But I'm not seeing that deadline. It was a deadline that the Secretary of State had set for certification. So the Mayor actually took my idea. I wanted to set a date that if we aren't able to certify by a certain date, then we pull out. But what I'm still confused about that we haven't talked about are the election parameters. Election parameters decide what gets thrown out, how many actual ranks we have, whether it's 1-9 for every single candidate, or just the top 3. There are all these *[inaudible]* that I don't know who makes that decision. I don't know if we could discard that Yolanda, because that's a whole other process. That's not the outreach to the public, that's almost like what I call technical assistance and I

don't know who helps you decide what is the best method for how we look at election parameters. And when I say parameters, there's a lot of different ways this ranked choice voting could go if you look at other States, there are different methods of using it. So that also worries me, but I guess that I'm more of the mind set that because we have this in our Charter that we will have a date set and we're not voting it to be with the certification but the parameters, then we need to get out and think about it later. Do you have anything for the parameters."

Ms. Vigil said, "Let me just state that staff, my office and the Attorney's Office, we have started looking at the different ordinances that are out there. We could bring you a combination of different scenarios, different bills, that would set out what we do with this. What we do with an over vote, what we do with an under vote, and give you all the different scenarios. And you could vote on that and then collapse that into a bill."

Councilor Villarreal asked if that is on the timeline.

Ms. Vigil said, "No, that was just in the memo stating it needs...."

Councilor Villarreal asked, "But is that is on the timeline that the parameters are set."

Ms. Vigil said no.

Mayor Gonzales said the Resolution would set the parameters, wouldn't it, or could it.

Ms. Vigil asked, "The Ordinance."

Mayor Gonzales said, "Yes, the Election Resolution on your calendar."

Ms. Vigil said, "I believe that they should probably be two separate documents. The Election Resolution that calls for the election, saying that we are doing ranked choice voting or not when the books close, all those different things. I think the Ordinance should have the details."

Councilor Maestas said, "Part of my comments about not having enough information is, he wants to get a feel for what state of the practice is out there, what has been the experience of cities like ours that went from traditional voting to rank choice voting, what was their rollout, what was their timeline of their rollout, was it successful. And then I think you mentioned maybe providing some sample implementing Ordinances that they passed when the ushered in ranked choice voting. So again, I think that at the outset of comments, ranked choice voting may be new to Santa Fe, but it's not new to the U.S. There are cities that are doing it, so I don't think we ought to treat this as something that is totally foreign and cannot be accomplished. So I feel like we need more information. I wish that we could postpone this until we get this information. That would be my preference, but if it is the will of the Governing Body to have a vote, then we vote."

Councilor Rivera said, "In fairness to you Yolanda, I know you have a staff of I believe 3 people in your office. If this motion fails and we ask you to move mountains, I know there wasn't a Fiscal Impact Report,

but in reality how many additional staff would you need to get this up and going before the March election. I don't know if you've had time to think about that or not."

Ms. Vigil said she probably would need full coverage in her office, noting she has two people and herself. She thinks she would utilize all of these staff. She would ask for 4 people, maybe 2, to run everyday things in the office, and probably request that we have an Absentee and Early Voting Board, which right now we serve as that and take care of that which would be similar to what we have at Genoveva. It would independent, and wouldn't be us running it.

Councilor Rivera asked how many people are on that Board, and Ms. Vigil said between 5-7 people for Absentee and Early Voting.

Councilor Rivera asked if that would be for a limited time, and Ms. Vigil said yes.

Councilor Rivera said so you're looking about 12 people total, but some of those for a shorter period of time.

Ms. Vigil said the ones in the office would be for a longer period.

Councilor Maestas asked, if resources are a concern, and Santa Fe decided to do Ranked Choice Voting, we would be the only City in the State to do Ranked Choice Voting and Ms. Vigil said yes. He said the Secretary of State's Election Bureau has staff, and suggested Ms. Vigil ask for their assistance as well through the process if we do that and he is positive they would assist us and augment Ms. Vigil's office staff.

Ms. Vigil said the Secretary of State's Office is saying they will look to us if this something we spread throughout New Mexico or not, so they're looking to us to do that. And the Secretary of State has stated that whatever decision we make, she will support.

RESTATED MOTION: Councilor Harris moved, seconded by Councilor Rivera, to not employ ranked choice voting at this time due to the known scheduled delays from the vendor.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Harris, Councilor Lindell, Councilor Rivera and Councilor Trujillo.

Against: Councilor Maestas, Councilor Villarreal and Mayor Gonzales.

Explaining her vote: Councilor Villarreal said, "No, because I think we could set a deadline and hold onto it."

Ms. Vigil said, "So we have a 4-3 vote, and because this is not an Ordinance or a Resolution, the motion passes."

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MOTION: Councilor Rivera moved, seconded by Councilor Maestas, to reconsider the previous approval of the Agenda, as amended, to move Items #14 through #18 to the end of the Evening Session, and to approve the agenda as further amended.

VOTE: The motion was approved on a voice vote with Mayor Gonzales and Councilors Harris, Lindell, Maestas, Rivera, Trujillo and Villarreal voting in favor of the motion and none voting against.

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END OF EVENING AGENDA AT APPROXIMATELY 7:35 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Javier M. Gonzales, at approximately 7:35 p.m. There was the presence of a quorum as follows:

Members Present
Mayor Javier M. Gonzales
Councilor Signe I. Lindell, Mayor Pro-Tem
Councilor Mike Harris
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo
Councilor Renee Villarreal

Members Excused
Councilor Carmichael A. Dominguez
Councilor Peter N. Ives

Others Attending
Brian K. Snyder, City Manager
Kelley Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

A copy of the statement for the record by Gloria Mendoza, entered for the record by Gloria Mendoza, is incorporated herewith to these minutes as Exhibit "8."

A copy of the statement for the record by Jim Williamson, entered for the record by Jim Williamson, is incorporated herewith to these minutes as Exhibit "9."

Mayor Gonzales gave each person 2 minutes to petition the Governing Body

Gloria Mendoza read a statement into the record expressing criticism of the Governing Body, and said, "¡Ya basta! [enough already]." Please see Exhibit "8," for the complete text of Ms. Mendoza's statement for the record.

Kathryn Denko said she is a citizen within the City limits. She is here to express the concern for the salaries made by the Administrative Staff of the City. It cost $5 million for 36 managers for the City. She said she was in disbelief when she went on the City's website and viewed these salaries. She said, "I don't know how you can justify raising taxes to pay for education, infrastructure and other essentials when you are paying these salaries. The working class people and the poor are suffering because of these selfish payments to your staff. I would like an explanation for these salaries and the abundance of administrative staff. I think you need to cut the fat before trying to bleed the citizens of Santa Fe. Thank you for your time."

Laurie Martinez, District 1 resident, said, "I'm back and I'll keep coming back, until you guys decided to do something that is not irresponsible. You are really proposing a 2 cent gasoline tax. Un-fricking-believable. Our natural gas is $1.87 right now. If you come down to the gas station by Dunkin' Donuts, it's $2.29 cents. That is 42 cents more a gallon than Rio Rancho and you want to put another 2 cents on that. Let's make it 44, let's make it 46, let's make it 50. Let's do $1. Because you decide that you are going to just put a 2 cent gas tax on it. Why not do 5 cents, why not do a dime. And you think you're going to run for Mayor, what a joke that is. You laugh at me, go ahead, because you know what, the people of Espanola are laughing at you, they are. You got kicked out of Espanola, and you're about to get kicked out of Santa Fe. And you have a whole bunch of people back here that I had the pleasure of talking to that work for the City. You have Renee Martinez, an Assistant to a City Manager for a City of 80,000 people on a good day, paying a City Manager $275,000 with their Assistant. And you have all these people that you have lied to. You have lied to all of these people and told them you're going to give them a raise. Yes you, Mayor, you. You lied to them to get into office and you have all these people that are going to keep coming back with me every Wednesday until you give them the raise that you promised them. Because, you know what, they elected you into office. All of them did. And you lied to them and they're going to keep coming back every single Wednesday. And us, that held the Sugar Tax, they're all going to come out and we're going to vote you out office. And they're going to vote *[inaudible]* office, and you're going to be gone. And all of us in here are going to be gone. You, you in District 1, I'm taking your place. So just remember that, I am taking your place, because these people deserve to be treated like human beings. The Santa Fe workers deserve to be treated like the high salaries that you are paying everybody else.

Arthur Firstenberg, 247 Barela Street, said, "You voted this evening to reaffirm Santa Fe's goal to be carbon neutral by 2040. That Resolution means nothing unless you are prepared to match your action to our woods. You also just voted to remove 50% of the carbon from the nearby forest, and reverse you support for doing the same thing elsewhere, and it is being done nationwide. Mayor, you mentioned science, fact and history. Forest thinning goes against science, fact and history. It is a crime against our planet and it is being done for one reason only, profit. You should reconsider your vote to have Santa Fe participate in deforestation. Thank you."

David McQuarie, 2997 Calle Cerrada, said he is here to ask the Governing Body *[inaudible]*. One section says we are directed to provide ADA guidance. We do, but usually *[inaudible]* and outright disregard and make fun of us. Also, there are various outstanding preliminary plans that have not been submitted to us. He asked why don't we ask the new City Manager who has reorganized, why he put a coordinator under Engineering. He said, "This is a move that is not transparent and really brings out bias

in the City. If you don't believe me, look at the ADA grievance filed against the City in December *[inaudible]*. Thank you. "

Nicole Castellano said she doesn't live in Santa Fe proper, but lives in the Las Campanas area of the County, and came here to speak in opposition of the proposed gasoline tax. She said while this gasoline tax is minuscule and unnoticed to the more affluent in our community, it is greatly impactful on the working class and the poor who struggle to survive in one of the most expensive cities to live in the United States. She is from one of New Mexico's founding families who have always been pro-active. However, she isn't here to talk politics tonight, she is here to speak about the gas tax issue. She is here to speak about and for the silent majority, those who could not be here tonight, the silent majority who turned out by the thousands against your recent sugar tax initiative, and we shut it down. She said people that work in the City work at jobs at restaurants and in the service industry for minimum wage. The workers who work for a fabulous $11 per hour wage are penalized with the $1 to $2 per hour parking meter rate which reduces their hourly wage. This is a disgrace. She said, "If this gas tax gets on the ballot in Spring of next year, our Santa Fe Power watchdogs citizens group will make sure it goes down in flames like we did the Sugar Tax thank you for your time this evening."

Loveless Johnson, 303 E. Buena Vista, said, "I am speaking today on behalf of the common sense citizens of Smart Progress New Mexico, who range the entire political spectrum, from hard right Teapartiers to hard left *[inaudible]*, and we are here to challenge you on a few critical issues. Number one, we are no longer requesting a community conversation about the future of our children and Pre-K. We have had an $85,000 conversation, yes or no. We would like to have a *[inaudible]* where we really roll up our sleeves and do so. We are demanding that no, we're not asking anymore. We are demanding it. We are also demanding that community conversation include any new discussions about taxes or other things, because we would like very much for you all to clearly get, since apparently you haven't, that we are not interested in any more new taxes. We are interested in accountability. We are interested in cutting waste, fraud and abuse in City government, incentivizing and giving City workers the opportunity to earn money on an annual bonus for finding and eliminating that waste. Until you can tell us, with great confidence and irrefutable proof that we're not wasting money, don't talk to us about any more new taxes. Period. Get serious about that. We don't have a single budget hawk on the City Council, and either one of you is going to become a budget hawk, or we aim to put one on the Council ourselves. That is isn't negotiable any more. We spend way too much money in a City of this size. The government is way too bloated and enough is enough. Don't ever mention taxes to us again until we get this together for the budget perspective, or be prepared to do something else, because we won't have a City Council that will not listen to the will of the people. We just won't. Thank you very much for your time."

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VERBATIM TRANSCRIPT
OF THE REQUESTED PORTION OF PETITIONS FROM THE FLOOR, ITEM #F
CITY COUNCIL MEETING
JUNE 28, 2017

Mayor Gonzales gave each person 2 minutes to petition the Governing Body

STEFANIE BENINATO: I'm Stefanie Beninato. I have a few things. First, we have a no smoking ordinance on the Plaza, and I'm wondering when there is going to be some education about that, or signage, going up on the Plaza. Also, we have a proliferation of sandwich board signs in downtown and a proliferation of restaurants putting chairs and tables out that have no uses. I have emailed Ms. Martinez on 3 occasions. She has assured me that City inspectors are looking, but there they still are, same places, over and over and over again. Again, our sidewalks are congested enough without businesses putting out these sandwich board signs. And I am in support of what people have said about the gas tax. I think that our gas prices are very high. It affects the poorest of us and it affects everybody, but it makes it much harder for the people who are at the lower end of the spectrum. I do not trust the City to do anything with money correctly. So far, I haven't seen any reason to do so. And for sure Councilor Maestas, your are wanting to go into that with the strong drain project fees on our water bills that we have been paying for years, is going to salaries. So again, why would we want to give my money for that when it wasn't even properly used to begin with. And the other thing is about the Verde Fund. And I understand there was some kind of grant distribution. But to me, when I see all the players who are getting the money, there is nothing new about this. It was a great P.R. piece, but really nothing new because YouthWorks has been getting money from you. And what has YouthWorks actually done. I know there was a public hearing, but there wasn't a public hearing at Council as far as I know. And again, looking at economic development and our job skill trainings have actually been done successful. I think it was the Food Pantry, the City has been supporting that, or Food Depot, excuse me, for a long time. What's new about the grant that they just got. And *[inaudible]* the River is certainly not a non-profit. So what's in here about the Verde Fund, is nothing as far as I can see.

I certify that this is a true and accurate transcript of the requested portion of Petitions from the Floor, Item #F, City Council Meeting, .

Melessia Helberg, Council Stenographer

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Michelle Gutierrez, City Worker, and President of AFSCME Local 3999. Ms. Gutierrez said, "We also know what it's like to be silent and disrespected, and you know who I'm talking about in this room. I appreciate our hard work and dedication that these numbers bring to this government. And with that being said, our AFSCME City workers have been disrespected, and we haven't seen a raise. And I've asked the members who come tonight, those that should be home with their families, or they called in from their second jobs to come here. They don't need to come here for this, but they came here because they have comments and opinions that I would like for you to hear and I would like you to respect these people, because they make this City work. They make you look good, all of you up there, including you, Brian. Thank you."

Pat Sais said he works for the City T & D. He is speaking and being active in his union because he cares about this community, his friends, his family and coworkers. He said we can't continue to operate the City safely and professionally if we do not retain the best workers and respect the wage increase to 2% that Santa Fe won't pay.

James Fergusen said he has been employed for more than 10 years with the City and is now working next door at the Convention Center. He said for 5 years we have seen no raise. He asked how you feel we can survive in this world when our insurance, PERA and everything goes up. He said, "But guess what, it's basic math. Our *[inaudible]* is going down, down, down since I've been here. And we ask you guys to be fair and give us some justice. Thank you and have a great day. That's all I have to say."

Shelby Smith, age 14, said she doesn't have a job but she is here to represent Local #3999 in the hopes that you will give them the raises they rightfully deserve. She is also here to speak out for City workers who couldn't come here so they could go look for second jobs. She said, "I believe that it is a basic human right that you give them annual paychecks for them to live. The paychecks they see which are very low, they have their mortgage, a bunch of other bills to pay, and barely anything is left. They can't get basic food to survive and other things. The bottom line is that I ask that you give these hard workers a good raise."

Johnny Archuleta, Environmental Services, here with Local #3999, said the City Councilors should craft a plan to retain the workers who drive garbage trucks, backhoes, handle the mops, brooms, *[inaudible]* computers and pipe wrenches. 2% identified in this year's budget doesn't cut it after all these years of zero raises. With rising out of pocket costs for groceries, health insurance, property taxes, this is the year then is the year for a reasonable raise that will help Santa Fe return the best, most skilled and dedicated employees. A 2% raise, about $11 per week, doesn't keep up with the price of beans.

Therese Martinez said she is a mother, daughter, sister, friend, a Union member, an athlete, a concerned citizen, a 5th generation Santa Fean and a City employee who hasn't had a raise in more than 3 years, going on 4 years. She said a lot happens in 3 years, we get older, our parents and kids and cars get older, and less valuable. The rate for our houses goes up, maintenance goes up, but the value of a person whoever it may be that is here, staying with their job, increasing their knowledge, steadfast and true is more valuable, and increases in value. She asked the Governing Body to look around the room, see the faces, this is value, steadfastness, integrity and faithfulness. These are the people who have stuck to it, and held tight to the City through thick and think, watched the living wage increase, while their salaries stay

the same. They watched the administration get a raise two years ago, but salaries stayed the same. She said less positions were filled, but the employees still have the same coverage and salaries stayed the same. She asked the Governing Body to show them how valuable and respected that they are by giving a 5% increase at the least.

Jim Williamson, Tierra Contenta, read a statement into the record expressing criticism of the Governing Body, saying he is proud to stand with Gloria Mendoza and the rest of the grassroots Santa Fe Power watchdog group to bring fiscal responsibility and common sense back to City Hall. He asked for a response within one month on their suggestions. For the complete text of Mr. Williams statement, please see Exhibit "9."

Lauren Chavez, Placitas, City Employee, reminded the Governing Body that the City can't function without employees. If a City can't give a consistent cost of living raise it tells two things. One, this Governing Body doesn't value the people who serve your community, and two it doesn't know how to develop a budget. She said the whole pay structure is archaic. She said many people do hard physical labor which is the reason more aren't here tonight. She said, "So, please don't forget about us."

Break 8:05 pm to 8:20 pm

G. APPOINTMENTS

Public Banking Task Force

Mayor Gonzales made the following appointments to the Public Banking Task Force:

Finance Department Director – Adam Johnson
Financial and/or Banking Experience, etc.
- J. Wayne Miller;
- Randolph M. Hibben; and
- Darla Brewer.

Legal Experience in Public Finance/Banking, etc.
- Kelly C. Huddleston
- David P. Buchhotz, Chair

Federal/State Regulatory Experience, etc.
- Judy A. Connier

Residents at Large
- Elaine Sullivan
- Robert A. Mang.

MOTION: Councilor Villarreal moved, seconded by Councilor Lindell, to approve these appointments.

VOTE: The motion was approved on a voice vote with Mayor Gonzales, and Councilors Harris, Lindell, Maestas, Rivera, Trujillo and Villarreal voting in favor of the motion and none voting against.

H. PUBLIC HEARINGS

1) REQUEST FROM TASTES LIKE CHICKEN, LLC, FOR THE FOLLOWING:

a) PURSUANT TO §60-6B-10 NMSA 1987, A REQUEST FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION TO ALLOW THE SALE OF ALCOHOL AT BOUCHE BISTRO, 451 WEST ALAMEDA STREET, WHICH IS WITHIN 300 FEET OF OUR LADY OF GUADALUPE CHURCH, 417 AGUA FRIA STREET.

b) IF THE WAIVER OF THE 300 FOOT LOCATION RESTRICTION IS GRANTED, A REQUEST FROM TASTES LIKE CHICKEN, LLC FOR A RESTAURANT LIQUOR LICENSE (BEER AND WINE), WITH ON PREMISE CONSUMPTION ONLY AND PATIO SERVICE, TO BE LOCATED AT BOUCHE BISTRO, 451 WEST ALAMEDA STREET.

(YOLANDA Y. VIGIL)

A Memorandum dated June 20, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil noted the letter in the packet of no opposition from the Reverend Dennis M. Garcia, Pastor of the Shrine of our Lady of Guadalupe.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said she is confused about these proposals because she thought that Bouche Bistro already had a liquor license, noting she was there two years ago and they were serving alcohol. She is unsure why there is a need for it now.

The Public Hearing was closed

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to grant the request for a waiver of the 300 foot location restriction and to allow the sale of alcohol at Bouche Bistro, 451 West Alameda Street, with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to approve the request for a Restaurant Liquor License (Beer and Wine), with on premise consumption only and patio service, to be located at Bouche Bistro, 451 West Alameda, with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

2) REQUEST FROM NEW MEXICO PBS FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF BEER AND WINE AT EL MUSEO CULTURAL, 555 CAMINO DE LA FAMILIA, WHICH IS WITHIN 300 FEET OF WAREHOUSE 21, 1614 PASEO DE PERALTA, WHERE SERVICES ARE HELD BY HOPE UNLIMITED CHURCH, SANTA FE. THE REQUEST IS FOR THE FOLLOWING EVENTS WITH ALCOHOL SERVICE FROM 6:00 P.M. TO 8:30 P.M.:

- **AUGUST 10, 2017 – OBJECT OF ART SANTA FE; AND**
- **AUGUST 15, 2017 – THE ANTIQUE AMERICAN INDIAN ART SHOW.**

(YOLANDA Y. VIGIL)

A Memorandum dated June 22, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil noted there is a letter in the packet from Rachel de la Garza, Lead Pastor, Hope Unlimited Church Santa Fe, stating that Hope Unlimited approves of these events.

Public Hearing

Stefanie Beninato was sworn. Ms. Beninato said she has a general comment that applies to all of these cases coming before you tonight. It is really too bad that you have to waste so much time on these liquor waivers, and it would be great when Councilor Dominguez "really works on that," to have some kind of overlay that would help determine this and to have an process automatic, rather than having to come before City Council all of the time for waivers asked over the course of a year. She said tonight you are spending the primary amount of your time at the 7:00 p.m. hearing on liquor waivers.

The Public Hearing was closed

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to grant the request by New Mexico PBS for a waiver of the 300 foot location restriction, and approval to allow the dispensing/consumption of beer and wine at El Museo Cultural, 555 Camino de Peralta for events held by Hope Unlimited Church Santa Fe on August 10, 2017 Object of Art Santa Fe and August 15, 2017 The Antique American Indian Art Show, with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

3) REQUEST FROM WAREHOUSE 21 FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF WINE AT WAREHOUSE 21, 1614 PASEO DE PERALTA, WHICH IS THE SAME LOCATION WHERE SERVICES ARE HELD BY HOPE UNLIMITED CHURCH SANTA FE. THE REQUEST IS FOR THE VIP FILM MEET AND GREET EVENT TO BE HELD ON THURSDAY, JULY 13, 2017, WITH ALCOHOL SERVICE FROM 6:00 P.M. TO 8:00 P.M. (YOLANDA Y. VIGIL)

A Memorandum dated June 23, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil noted there is a letter in the packet from Rachel de la Garza, Lead Pastor, Hope Unlimited Church Santa Fe, stating that Hope Unlimited approves of these events.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Lindell moved, seconded by Councilor Trujillo, to grant the request by Warehouse 21 for a waiver of the 300 foot location restriction, and approval to allow the dispensing/consumption of wine at Warehouse 21, 1614 Paseo de Peralta, for the VIP Film Meet and Greet event on Thursday, July 13, 2017, with alcohol service from 6:00 p.m. to 8:00 p.m., with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

4) **REQUEST FROM SHIPROCK SANTA FE FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/ CONSUMPTION OF ALCOHOL AT SHIPROCK SANTA FE/VISVIM, 222 SHELBY STREET WHICH IS WITHIN 300 FEET OF THE LORETTO CHAPEL, 207 OLD SANTA FE TRAIL, WHERE SERVICES ARE HELD BY THE CHURCH OF ANTIOCH AT SANTA FE. THIS REQUEST IS FOR A GALLERY OPENING TO BE HELD ON SATURDAY, JULY 15, 2017, WITH ALCOHOL SERVICE FROM 4:00 P.M. TO 6:30 P.M. (YOLANDA Y. VIGIL)**

A Memorandum dated June 23, 2017, with attachments, prepared by Yolanda Y. Vigil, City Clerk, to Mayor Gonzales & City Councilors, is in the Council packet. Ms. Vigil noted there is a letter of support in the packet from Bishop Douglas Walker, Pastor of the Church of Antioch at Santa Fe.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

Ms. Vigil asked that a condition of approval be imposed that the Applicant is required to fully enclose the outdoor alcohol premise and to comply with all Fire, Building and Land Use Requirements. She said she has been able to get out there to do an inspection and the reason she is asking to impose these conditions of approval.

Mayor Gonzales asked the Applicant if he is okay with the conditions of approval and he said yes. Mayor Gonzales asked that the record state that the Applicant has agreed to the conditions.

MOTION: Councilor Lindell moved, seconded by Councilor Maestas, to grant the request by Shiprock Santa Fe for a waiver of the 300 foot location restriction, and approval to allow the dispensing/consumption of alcohol at Shiprock Santa Fe/Visvim, 222 Shelby Street, for a gallery opening on Saturday, July 15, 2017, with alcohol service from 4:00 p.m. to 6:30 p.m., with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

5) **CONSIDERATION OF RESOLUTION NO. 2017- ___. <u>CASE #2017-02</u>. SAFELOCK STORAGE, 6350 AIRPORT ROAD GENERAL PLAN AMENDMENT. JENKINSGAVIN, INC., AGENT FOR SAFELOCK STORAGE, LLC, REQUESTS APPROVAL OF A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT TO CHANGE THE DESIGNATION FROM OFFICE TO COMMUNITY COMMERCIAL FOR A 2.186 ACRE PARCEL LOCATED AT 6350 AIRPORT ROAD. (DONNA WYNANT)**

Items H(5) and H(6) were combined for purposes of presentation, public hearing and discussion but were voted upon separately.

A Memorandum dated May 18, 2017, for the meeting of May 31, 2017, with attachments, to the Governing Body, from Donna Wynant, Senior Planner, Current Planning Division, regarding Case #2017-02 SafeLock Storage, 6350 Airport Road General Plan Amendment, and Case #2017-03 SafeLock Storage, 6350 Airport Road Rezoning, is incorporated herewith to these minutes as Exhibit "10."

A power point presentation *SafeLock Storage*, entered for the record by Jennifer Jenkins, is incorporated herewith to these minutes as Exhibit "11."

The staff report was presented by Donna Wynant. Please see Exhibit "10," for specifics of this presentation.

<u>Public Hearing</u>

<u>Presentation by Applicant</u>

Mayor Gonzales granted the Applicant 20 minute to make its presentation.

Mayor Gonzales said he feels it would be good for Ms. Jenkins to start with the issue of why her client is asking for a change in the overlay that would change the use from office to storage, because he thinks that is a relevant point on which need to focus tonight, understanding that the parameters and all the merits of the development are sound and staff has been able to review them. He said there is a request by her client to change a use that runs counter to the desired goals of the overlay. He asked her to move into that, and then the Councilors can delve into any detailed questions they might have.

Jennifer Jenkins, JenkinsGavin, Inc., Agent for the Applicant, was sworn. Ms. Jenkins introduced her partner Colleen Gavin, and Mike Gomez, Traffic Engineer for the project and David Shutz.

Ms. Jenkins presented information via power point. Please see Exhibit "11," for more specifics regarding Ms. Jenkins' presentation.

Ms. Jenkins said, "This is the subject property. It is 2.91 acres located at the southeast corner of Paseo del sol and Airport Road. It is currently zoned C-1, which is primarily an office type zoning. So, this is the Zoning Map 'here,' we have C-2 PUD next door at the Business Incubator. We have some medium

to high density residential zoning. Right across the street is the Esplanade Village Shopping Center which currently is under development. There is an Auto Zone that is located 'here.' There is a multi tenant building and that is an ongoing project for shopping centers and there is some more C-1 zoning as we move to the west. And then we have the Country Club Gardens community across the street which is a high density zoning category."

Ms. Jenkins continued, "One thing I think is important to clarify with respect to the request. We are requesting a standard rezone. We are not requesting any adjustments, modifications or amendments to the Airport Road Overlay Zoning itself. This is just a standard, traditional rezone request from C-1 to C-2 PUD."

Ms. Jenkins continued, "Why is this side still vacant. It's at the corner of Paseo del Sol and Airport Road. The cars that drive by there every day are a lot of cars. When users, tenants look for opportunities for development, it's one of the first things they look at. Are they pass by cars, people who are going to stop at my restaurant or my store. Why is this still vacant. Because on the property for over 30 years it has been very interesting and underated to develop or sell the property for development in that time period. And yet, here it sits at one of the busiest intersections in the City. Why is that. Well, in addition to looking at the traffic generation around a particular site, the very next question is access. What is my access."

Ms. Jenkins continued, "The property is bordered by Airport Road to the north, Paseo del Sol to the West and Geo Lane to the east. Right "here," is the existing left turn lane that serves Geo Lane and there are about 100 residences that are accessed to the south. Geo Lane is *[inaudible]* moving to the south, there are about 100 residences there. And 'this' left turn lane is shared with 'this' left turn lane that leads into this easternmost entrance into the Esplanade Village Shopping Center. 'This' is a left turn lane from Airport onto Paseo del Sol. And what the little yellow cars indicate are the observed queues – how many cars are lining up at those locations throughout the day. So as you can see, 'this' left turn lane onto Geo Lane is essentially already at capacity. It holds 3 cars and that's how the queues work and maybe it backs up a little further in the peak hours."

Ms. Jenkins continued, "And then 'here,' we have the cars lining up to turn left onto Airport Road. Then we have a through lane that moves directly into Esplanade Village and then we have a right turn. The Airport Road Overlay states that you have to access your property from the side *[inaudible]* the lot. The Airport Road Overlay says you cannot access your property directly from Airport Road. Okay. So now we look at our options. We said okay, we have Geo Lane and we have Paseo del Sol. Two lanes are pretty straightforward. There is a left turn in. We could obviously turn right into the property from Airport Road. Couldn't turn left out, but that's okay. There's a lot of the median improvements on Airport Road that have prevented left out turns for safety reasons, so that's not that unusual."

Ms. Jenkins continued, "So we're *[inaudible]* on Paseo del Sol, so now we're arranging it a little bit differently now. 'This' is Airport Road, 'this' is Paseo del Sol on the west side of the site. So if were to punch in a driveway off Paseo del Sol, the minimum distance, because there are driveway separations in terms of your next two intersections, your driveway has to be so many feet away to prevent traffic conflicts. The minimum is 330 feet. If we punched in a driveway in 'this' location, we would only be 239 feet away

from the intersection. So we can't meet the spacing requirements for a driveway in 'this' location."

Ms. Jenkins continued, "Actually the more problematic are the cars that are lining up to turn left on Airport Road. We can't get a left turn lane into the property. We have worked very closely as we were analyzing this with John Romero the City's Traffic Engineer, to understand was our analysis consistent with how he would analyze this himself. So we've had many interactions with hi on these subjects. And the other issue is, typically when you have driveways oriented like this, you want to align them with one another. They want to be directly across from one another, again to prevent traffic conflicts. These driveways can't align to have a proper turn radius here."

Ms. Jenkins continued, "So then we said, well what if, we created a dual left turn, we created two left turn lanes onto Airport Road, does that solve our problem. Because we could take 'this' lane 'here' and have a through and a right share lane and then do two left turn lanes. Maybe that's a solution. Well we looked at that too. 'This' is still the queue to turn left on Airport Road. 'This' would be a theoretical left turn lane into the site. It doesn't work. So what we have is Geo Lane. That is what we are left with. What we have is we have an existing left turn lane that needs to accommodate all of the westbound vehicles that would be interested in coming to the site, all of them. And yes, eastbound vehicles, pretty straightforward, come and take a right on Geo Lane and access the site. It works really well."

Ms. Jenkins continued, "We are zoned C-1. So we took at look at all the permissible uses in C-1. Again, it's primarily office type zoning, but there are residential uses that are permissible, different types of service establishments are permissible. We looked at all of them. Out of all of the C-1 uses that is the current zoning, the ones on the 'right' are the ones that we can accommodate based upon the access option into the property. Electrical facilities, open space and an urban farm. That's it."

Ms. Jenkins continued, "So, next thought process goes, well what type of uses here could be accommodated, based on the access constraints, something that doesn't generate significant traffic. So storage is easily the lowest traffic generator of any use that permissible in the City. So, what if... there was some market analysis we discovered that there is a need for climate controlled, indoor, secure facilities, as opposed to the traditional outdoor self storage with all the rows of garage doors. And what if we could design it to look like an office building. We have office zoning right now. We could build an office building if we can get to it. So that was the challenge that the owner presented to us."

Ms. Jenkins continued, "So we designed an indoor, climate controlled storage facility that looks like an office building. The open space requirement is 25%. We have almost 33% open space on this property. We meet every single development standard of the C-2 zoning that we have requested. We access on Geo Lane. We have a driveway 'here,' we have a small parking area and then we have basically it reads as two buildings, because we're proposing the project would develop in two phases. And so from the street, we have a small connector where the elevator core and the stairwell core is, with a small connector 'here' that is on the street. It reads as two independent office buildings. We have a buffer along Airport Road of 25-35 feet. We are required to have a 15 foot buffer against our residential neighbors to the south with a 25 foot setback there with landscaping."

Ms. Jenkins continued, "We are constructing new sidewalks along Geo Lane as along Paseo del Sol. The sidewalk along Airport Road is existing. The great thing about this layout is it provides incredible opportunities for public art. As soon as I sent the owner a copy of the Airport Road Overlay, and said this is what we need to comply with. This is our template for how we have to and should design this building. He got to the place about public art, and he was like, public art. That is fantastic. And we have benches and seating here along the sidewalk. We have a lovely opportunity for public art in this location."

Ms. Jenkins continued, "So 'this' is a view of the southeast elevation. This is the entry 'here,' and this whole element 'here,' along the east side is a single story element. 'That's' the leasing area, 'that's' the office for manager, the rest rooms, all of that. And then we have the two story element behind. It is a completely stuccoed building. Real windows every 20 feet, exceeding the open space and landscaping requirements. So as you drive by, it looks like an office building. That was our goal. And you can see from the minutes from the Planning Commission here that there was consensus that we had met that challenge."

Ms. Jenkins continued, "So the Airport Road overlay. Talk about intent. Establish an attractive street oriented character on this multi-use corridor to encourage development and redevelopment on Airport Road. We have absolutely done that. The building is street oriented and we have an industrial connection to the sidewalk on Airport Road that is required. It's a high architectural standard. I personally wish the overlay architectural standards went a little further, but I think they are fantastic, requiring changes in massing, openings, you can't have shared walls. It's about the experience of this building and how it relates to the street and the surrounding neighborhood. Creating a unique sense of place and identity. Again, almost 33% open space, landscaping on a parcel that is an eyesore and vacant and is contributing nothing to this community at this time."

Ms. Jenkins continued, "So we're enhancing not only the built environment, but the natural environment through the efforts with open space and landscaping, and public art. That is something we are very excited about. Promote a healthy and safe environment with walkable neighborhoods. We are constructing sidewalks, and the lack of traffic generated by this protects the pedestrian in this area. Cars are the biggest threats to pedestrians and the pedestrian experience and safety. We provided bench seating in accordance with the Overlay standards. It talks about minimizing the impact of automobiles. We're absolutely doing that. And of course, alcohol sales and the issues related to that are not applicable to this project."

Ms. Jenkins continued, "Nothing in this *[inaudible]* speaks to use. Nothing. It's about the experience that a certain project creates in that corridor. That is what it is speaking to. So, also in the Airport Road Overlay we have certain site design standards and architectural standards. A few of them aren't applicable to this particular building. So I pulled out a sampling of those that are specifically applicable. We are in compliance with every single one. City staff has confirmed that we are in compliance with every single one. And I would be happy to come back to this if you guys would like to review them a little bit further."

Ms. Jenkins continued, "So, we also looked at the uses. There are uses in the Overlay that are incentivized with these types of uses. The City wants to encourage them by waiving and reducing permit fees. So we looked at those. We looked at a supermarket, we looked at a medical office, we looked at sit-down restaurants. It is not feasible. We have storage for 3 cars to turn into this site from Airport Road westbound, 3. We don't have storage for 140 cars coming to the site to go out to dinner, I wish we did. Believe me. So that's the *[inaudible]*. These uses are not feasible."

Ms. Jenkins continued, "So this is straight out of our Traffic Impact Analysis. We had a negligible building measurable impact on the levels of services at Paseo del Sol and Airport Road and at Geo Lane and Airport Road. We have barely moved the needle on how those intersections function. And the key thing to remember about this type of facility, it's off peak traffic. It's not people going to work in the morning, going home in the evening, going out, running errands after to work to the shopping center. It's off peak, whatever day, a Saturday, Sunday afternoon, a couple of cars here and there."

Ms. Jenkins continued, "So the challenge was, how do we comply with the Airport Road Overlay and create the least negative impact possible. We have accomplished that. This is a building that we are all going to be able to proud of, and maybe sets the bar a little higher architecturally for this corridor."

Ms. Jenkins continued, "And lastly, we did an analysis. It was just really for my own information. So what we see, everything in the blue is the actual Airport Road Overlay. We looked at every single vacant parcel. There's 80 acres of vacant property in the overlay and that's exciting with the opportunities for how this corridor is going to evolve, due to the valiant effort that is the Overlay. We're 2.7% of it. We're a drop in the bucket. Would I love to be standing here asking for you to approve a grocery. Absolutely. I would love that, but I can't, it's not physically possible. This is not by any means the last opportunity to fulfill the vision of those incentivized uses. It is importantly to remember, there are no prohibited uses. The Overlay says specifically in the Ordinance, permissible uses shall be accordance with the underlying zoning district. The only uses that are restricted are alcohol sales. That's it. So if we can't give you the use, I give you everything else with minimal impact on that neighborhood. None. I really appreciate your time and attention, and with that, I would be happy to answer any questions. And Mike Gomez, the Traffic Engineer, is also here if you have any specific questions relative to access to the site and the Traffic Impact Analysis."

Speaking to the request

Mayor Gonzales granted each person 2 minutes to speak to the request

Stefanie Beninato was sworn. Ms. Beninato she is familiar with the underlying zoning, saying it sounds like it is a C-1 and they want to convert it to a C-2. If there is not a C-2 zoning that it touches, then is spot zoning and is illegal under both the City Ordinance and State law. So if it didn't touch C-2 zoning, then it can't be allowed to be rezoned, unless there was something in the General Plan that says, hey, we really need storage areas out there, something like that. But if it indicated that there was a direction to change it to C-2, again it would be spot zoning. She thinks the building, outdoor space and such are very beneficial, productive, positive, but it is 350 storage units, and to say it's not going to have impact on the traffic on Geo Lane is not really being very transparent. She thinks it will have an impact on that. It is a lot

of storage units on 2 acres. The biggest issue is whether or not this is spot zoning. If it is spot zoning, then you can't allow it, and it doesn't matter how nice the building is, or the difficulty of development. Again, it's going to benefit an individual, unless there is something in the General Plan that says we really need storage units out there or we need C-2 for whatever reason. And it doesn't sound like that's what the General Plan really is saying for that area.

The Public Hearing was Closed

Questions and Comments by the Governing Body

Mayor Gonzales said he is having a problem with the last half of the report put in place, and asked Ms. Jenkins if she submitted the market analysis that was done.

Ms. Jenkins said no.

Mayor Gonzales said, although he knows it's not a traditional thing to do, he would be interested, noting she made a statement on the record that they were looking at what they could do with the property, it came back and said this is the highest and best use.

Ms. Jenkins said they were not directly involved in that effort, but had interactions with the owner in looking at the access challenges. The owner has built facilities such as this in other markets, so he is very familiar. And one of the things that was clear is that we have a housing shortage in Santa Fe and we have need for more multi-family housing. She said people often are living in smaller homes, for whatever reason, so they need a place to store their extra stuff until they can move up. The current housing situation is in direct correlation to an increase in demand for storage. The other element of the study was that typically in markets you have a certain ratio of traditional outdoor storage to climate control storage, and in this market there is definitely more room and demand for this kind of secured, indoor facility.

Mayor Gonzales said then the market analysis was done by the owner.

Ms. Jenkins said yes, reiterating that isn't her area of expertise.

Mayor Gonzales said, regarding the housing shortage, there is a deficit of 2,200 to 2500 in affordable housing units. He asked if she is saying that a climate controlled storage space is what most homeowners need now until they move to the next level.

Ms. Jenkins said it is a combination of both. She said there is a shortage relative to affordable housing, as well as a market rate housing shortage as well. So it is about options in the market.

Mayor Gonzales asked how many jobs would be created on the site.

Ms. Jenkins said not many, about 3½.

Mayor Gonzales asked what the GRT impact would be for the City.

Ms. Jenkins said the revenue would be primarily from the construction phase and the GRTs relative to that.

Mayor Gonzales said right now it is a property that is unpurposed, and will be repurposed for a use that has the least traffic impact, but basically its contribution to the City's revenue base is exactly the way it is today. He said the majority of revenue from the property will go to the County, and Ms. Jenkins said not all of it.

Responding to the Mayor, Ms. Jenkins said her understanding is that the revenue from the leasing of space is not subject to the GRT, but she can double check and get an answer.

Mayor Gonzales said it is 3½ jobs, no GRTs, and because it will look like an office building and has the least traffic impact this is the reason this zoning should happen.

Ms. Jenkins said partly. She said why the zoning should happen is because the owner is interested in developing his property, and has a right to develop his property.

Mayor Gonzales asked how much of the existing infrastructure she reviewed tonight, prevents a higher and best use. He asked is there any remodeling of the infrastructure in that area that would allow for an ingress/egress that would create a purpose for the property that could be more community based, revenue generating.

Ms. Jenkins said that was the exact question they asked themselves, and after analysis they shared the results with John Romero about the options. She said there is an existing left turn lane that can't be made longer because there is an existing left turn lane accessing the shopping center across the street. They can't access directly from Airport Road because it is prohibited by the Airport Overlay. Secondly, the spacing from the intersection, they can't get far enough away from the intersection for a turn lane directly from Airport Road. She said they can access from Geo Lane. If they could get a variance from the Airport Road Overlay and Mr. Romero would waive the spacing requirements they might be able to do this. She said they have no issue with eastbound right turns. So then, it's Paseo del Sol, that's really the big question: why can't we access from Paseo del Sol. You can capture eastbound, westbound, southbound traffic. It is the obvious choice, but you can't do it.

Mayor Gonzales said so the highest producing corner of car traffic, because of the rules, the only thing that would work would be a storage facility.

Ms. Jenkins said there are others in the current zoning such as electrical facilities or an urban farm.

Mayor Gonzales said he is assuming if she did a Market Analysis, it would show a number of opportunities. He said it is a high traffic count road, and it seems a commercial property with two major road intersections is the property where you would have maximum commercial exposure. He said your client is asking us to move to the *[inaudible]*.

Ms. Jenkins said he has been trying to market the property for 30 years, but it is still empty.

Mayor Gonzales asked if that is because of the existing infrastructure.

Ms. Jenkins said it is because of the access constraints.

Mayor Gonzales said then the access constraints on this commercial property limits it and gives less usage.

Ms. Jenkins said absolutely, that is the crux of the issue

Mayor Gonzales asked Mr. Romero, given what we have heard from the Applicant, if we have any ability to work with the applicant on access issues so it is easier to access the property and it becomes the type of use that could be community based.

John Romero, Director, Engineering Division, said, "As Jennifer explained. The limiting factor to add an additional access to Airport Road is the overlying zone. Access spacing, there isn't necessarily a formal requirement for that. There are guidelines that we try to follow, but in *[inaudible]* like this we are a little more lenient in what we allow. But I think the main issue is Paseo del Sol and that this property doesn't have a whole lot of frontage on that. If it was a deeper property we would have a lot more options. And what we've noticed throughout the City is I get calls from Realtors all the time asking for average daily traffic counts. And they see these high corners, and they see a humongous opportunity. But the drawback with all these cars is that it is a lot more difficult to get access. One, in particular, is the intersection of Airport and Cerrillos which is the most if not the second most busy intersection. There on the northwest corner, the Playman Storage sheds, they couldn't make access work there because of all the lanes there, all the activity going on there. In this specific location, I think anything more dense, you would experience more traffic operational problems."

Mayor Gonzales asked Mr. Romero if he thinks our rules are working against our own interest, in terms of trying to create a community along Airport Road that is more connected, that achieves some of the goals of the Overlay where you don't have people moving from one side of the road to the other and bypassing neighborhoods all the way through that he thinks this Overlay was intended to try and pull together. He wonders if we're working against our own interests in putting the 80 acres of undeveloped property down a path that they don't have a chance to succeed, or if it's just the reality of safety and this is how we've grown and there is a reality of an infrastructure that needs to be in place to keep people safe on that road. He said he would be interested in the accident count, because he sees a number of accidents on Airport Road on occasion. He said, "I know it's a tough spot to put you in, but do you think that the rules that we have in place are just safety driven or are they just kind of how we've developed over a period of time."

Mr. Romero said, "In this particular area, I think it particularly limits our ability to provide different options to help access properties in the Overlay Zoning District's prohibition on access directly to Airport Road."

Mayor Gonzales said then the Overlay District basically governs how you set the rules for access points.

Mr. Romero said, "Exactly. As Jennifer stated, we have to access through adjoining roads on the back side of the lot."

Councilor Rivera said he read in the Report that Mr. Romero said the traffic impact would be minimal to this location, and it is to the point that you wouldn't notice. He asked the reason access off Paseo de Sol wouldn't be okay if the traffic impact is so little.

Mr. Romero said he thinks an access off Paseo del Sol could work. However, he thinks access off Geo Lane may serve a little bit better, only because we would not be able to fit in a turn bay on Paseo del sol, even though it wouldn't be used at the same that the peak traffic is exiting Paseo del Sol onto Airport Road. He said we wouldn't be able to strip it in, because then it would limit the turn bay capacity at the time that we need that capacity.

Councilor Rivera said then Mr. Romero thinks it is better to enter through an area primarily used by residents than Paseo del Sol which is a more wide open street.

Mr. Romero said in this particular case, he does. And, again, it is because we would not be able to place a left turn bay at Paseo del Sol. A left turn bay would not necessarily be needed on Geo Lane, just because of the low traffic volumes on that road.

Councilor Rivera said he wishes Councilor Dominguez was here, because he worked hard on the Airport Road Overlay District before he [Rivera] even came on the Council. He said that Overlay District was supported by this Council in terms of everything that has been done on Airport. He said it was Councilor Dominguez's vision that Airport Road would be a street people can be proud of, everyone living there, people coming and going to the Airport.

Councilor Rivera asked if what we heard during Petitions from the Floor about spot zoning is accurate.

Ms. Brennan said, "No."

Councilor Rivera asked, with regard to what the Overlay District was supposed to do, if this establishes an attractive street oriented character on a multi-use corridor to encourage development and redevelopment on Airport Road.

Greg Smith, Director, Current Planning Division, said as indicated in the Staff Report and as recommended by the Planning Commission, the staff and the Planning Commission concur that it meets the minimum standards of the Ordinance.

Councilor Rivera asked if it meets the current rules of the Overlay District for establishing an attractive street oriented character.

Mr. Smith said the proposed development complies with the minimum standards and also with the standards that apply for approval of development plans and rezonings.

Councilor Rivera asked if it complies with our unique sense of place and identity, or does it look other buildings around it.

Mr. Smith said there is room for discussion with regard to whether the architecture is good enough or better than and consistent with the intent. Staff analysis concludes that it does meet the minimum standards and likely exceeds the minimum standards in the architectural design and site *[inaudible]*.

Councilor Rivera asked if it does anything to promote walkable neighborhoods, less dependence on automobiles.

Mr. Smith said as staff indicated, it complies with the rationale behind the Overlay District rule about minimizing driveways on Airport Road. There are no driveways that interrupt the pedestrian access on the sidewalk, and it is not a type of use that generates significant pedestrian traffic. *[Inaudible]*

Councilor Rivera said starting on page 34, it says *Criterion 2: Consistency with the other parts of the general plan, Criterion Met* is says it is unclear. He asked the reason it is unclear.

Mr. Smith said so the general criteria with regard to the Southwest Area Master Plan has some policies that talk about, as does the Airport Corridor, the desirability of general policy, emphasizing the pedestrian oriented types of uses. Staff's conclusion and recommendation to the Planning Commission also took into account the traffic restrictions the Traffic Engineer has explained.

Councilor Rivera said on page 35, Criterion 3 again says "Unclear," versus a straight yes or no answer.

Mr. Smith said there was a judgment call to be made and believes the Planning Commission did make that judgment call with regard to the balance of consistency with the surrounding uses. The City Attorney gave a brief answer to the question about spot zoning, which is in that particular section of the report. The specific standard in Chapter 14 says that if you are rezoning less than 2 acres at a time, you are presumed to be spot zoning, and if more than 2 acres it is not spot zoning. That is part of the basis for this since it is slightly over 2 acres.

Councilor Rivera said he is uncomfortable with all of the criterion which say "Unclear," and noted those listing "Unclear." He also is concerned about those which say "Conditional," which he presumes would require the change recommended.

Councilor Rivera asked about the storage units which he understands are in an enclosed building and asked if these are small storage units.

Mr. Smith said the applicant can talk about the specifics, but there is a Code requirement restriction that they cannot be more than 200 sq. ft.

Ms. Jenkins said the units range in size from 10 ft. x 20 ft., 200 sq. ft., or 10 ft. x 10 ft., 100 sq. ft. So there are a combination of sizes.

Councilor Rivera asked if they are the typical garage style storage units.

Ms. Jenkins said the 10 ft. x 20 ft. is the same as a single car garage, noting that there is no external access, and you have to come in the front door to access the units inside the building.

Responding to Councilor Rivera, Ms. Jenkins said they are regular store front double doors, commenting this typically is for art storage, furniture and such. She said they will have nice big, service type elevators so larger items can be taken upstairs, with double door openings to accommodate large items.

Councilor Rivera said under the Overlay District Criteria it says, "*New buildings or additions to existing buildings should be oriented so that their primary façades face Airport Road*. He said it didn't look quite like it faced Airport Road, it looked more like it faced Geo Lane.

Ms. Jenkins said, "'This' is the entry here so the obligation is for the entry to be visible and accessible from Airport Road. So 'there's' our sidewalk and that is the front entry. We have a cold metal awning detail that highlights the entry. 'This' is a single story element, but 'this' is definitely the primary façade of the building. There is no question that the north façade is the primary façade. This is the entry element that relates to Airport Road, but also relates kind of to the intersection as well.

Councilor Rivera asked her to bring up the elevation plan, so he can look at the plan. He said he assumes we are looking at it from the Airport Road side.

Ms. Jenkins said, "So yes. 'This' is the parking area 'here,' so we are a little bit west of the Geo Lane Intersection. So as you are heading west on Airport Road, 'this' is what you would see."

Councilor Rivera said then the primary sign is facing Geo Lane.

Ms. Jenkins said yes, because most of the traffic is westbound, that is where they decided to build it.

Councilor Rivera said that's what gave him that impression.

Ms. Jenkins said it is more from a visibility standpoint, the westbound traffic.

Councilor Rivera said it also says that in the architecture the primary entrance to the new building shall be visible from Airport Road, and asked if that is from all of Airport Road, or just from a certain point.

Ms. Jenkins said, "It would be difficult from all of Airport Road, but the primary entrance is right 'here.' This is a whole glass, storefront area 'here,' and then the doors are directly 'here,' because this is the parking area, so there is a direct access 'here,' so this whole storefront encapsulates kind of a leasing office area and it is visible from Airport Road."

Councilor Rivera said being a representative of that side of the City, he doesn't think this really fits into what we are trying to accomplish on Airport Road, and it doesn't fit with the neighbors around – the project that you are proposing. It is primarily surrounded by residences, primarily mobile homes to the south, some mobile homes across from Geo Lane, and he believes the Buddhist Temple is there as well. He said to him, this project sticks out quite a bit. He said they don't speak out a lot, but he would venture that probably most of the people off Geo Lane are not aware of this. He would imagine when it starts going up and interfering with their views and other things, that is when he will begin to hear from them and by then, it's too late.

Ms. Jenkins said this is a very engaged neighborhood – off Geo Lane and the surrounding area. She did an ENN meeting last year on the proposed drive-through restaurant on this site. The room was packed, they had circulated a petition that they got signed before the ENN meeting happened. She said it was a very engaged, well organized community.

Councilor Rivera asked how many people showed up to the ENN for this project.

Ms. Jenkins said one person.

Councilor Harris asked Mr. Romero if the Overlay was not in place, in his capacity as a former Traffic Engineer and now Director of Engineering, if he thinks a curb cut would be allowed into this property off Airport Road – if the Overlay was not in place.

Mr. Romero said it depends on what the proposed use would be. If we were to put another access onto Airport Road, we would have to analyze the ability to allow u-turns on Airport Road at that intersection, and our ability to limit left-hand turns off Paseo del Sol. Meaning, if people are going westbound, we would want to force them to make a u-turn on Airport Road and come in the new access point.

Councilor Harris said, if someone was going west, given current turning lanes, to Geo Lane and then the longer one onto Paseo del Sol, you could not add another left turn lane, and asked if this is correct.

Mr. Romero said that is correct. He said their ability to encourage people to make a u-turn would be difficult because there already is a turn lane at Geo Lane. He said, if we would access Geo Lane, he thinks the majority of people would be wanting to use that turn lane, which is explained in this image, limited by the number of....."

Councilor Harris said he heard Mr. Romero say that he thought it was possible to access off Paseo del Sol, but he wasn't entirely enthusiastic, but he didn't say absolutely not.

Mr. Romero said he thinks the only access he could see the City allowing at this time on Paseo del Sol, would be a right in, right out, because of the nature of Paseo del Sol and the number of cars using it, and even mid-day, we would need a left turn bay to get them out of through traffic.

Councilor Harris said he understands, but a right in, right out, potentially could be allowed.

Mr. Romero said yes, but with a right in, right out, not allowing a left in, limits the ability to access Airport Road traffic.

Councilor Harris said he understands, so there would just be easy access if you're headed east on Airport Road, or easy access if you are coming up Paseo del Sol you would have a right in. So you would have two circumstances where it is relatively easy. If you were headed west, or wanted to go north, it's more of a problem.

Councilor Harris asked the condition of Geo Lane, and if there is curb and gutter on Geo Lane.

Mr. Romero said he believes there is. He thinks it was a County road that was annexed, so the County would have brought the condition of it to an acceptable standard before the City would have accepted it. He believes it is in fair condition.

Councilor Harris said there have been issues in District 4 and a couple of others, where those negotiated conditions weren't met fully met. He asked Ms. Jenkins if there is curb and gutter on Geo Lane, and what is the approximate width, and if it is just two lanes.

Ms. Jenkins said there is curb and gutter, and currently there is not a sidewalk, noting they would be constructing a sidewalk along their frontage on Geo Lane, and it is a two-lane road with two 12 foot driving lanes.

Councilor Harris asked the overall right-of-way.

Ms. Jenkins said she is unsure of the right-of-way width and they can confirm that. She said Mr. Gomez just told her that the overall paved section is 32 feet, so it's pretty generous.

Councilor Harris asked Mr. Smith if there have been any amendments to the Airport Overlay.

Mr. Smith said there was one minor amendment to the alcohol regulations after it was adopted the first time, although he can't say for certain. It essentially is today in the same form as it was when it was adopted in 2013-2014.

Councilor Harris asked process to amend the Overlay zoning.

Mr. Smith said amendments to the Overlay would be initiated by the request of the Governing Body, and there would be a Planning Commission hearing, and final action on the amendment would come to the City Council.

Councilor Harris said as to whether it is the highest and best use, that is a hard one for him to get to. However, he understands, even thought it is in District 3, his District gets as close as Jemez Road. He said he goes up and down the Airport Road corridor and Jaguar Drive pretty frequently. He said seemingly there is a lot of housing there on relatively small lots. He can almost get to the argument that it is a real benefit in order to store there. He said although Ms. Jenkins didn't claim responsibility for the market study, she read it. He asked if the market study factored-in the indoor storage units both at Airport and Cerrillos Road, as well as the ones probably just completed behind the Santa Fe Place Mall.

Ms. Jenkins said anything that was complete or already approved or existing was factored-in, noting the study was done 1-2 years ago.

Councilor Harris said it probably didn't factor in the ones being developed at the old ProBuild Lumber facility a little bit further down Airport Road.

David Shutz [previously sworn]. Mr. Shutz said he is one of the partners in the development team. He said, in regard to demand, he has done an extensive analysis of storage facilities throughout the City. There are 37 self-storage facilities in the City. There are a very limited number of climate controlled facilities. He said the occupancy rate for climate controlled facilities is between 95 and 98%. If you can find a climate controlled facility, you will pay a premium for it. He said the reason is because our generation is a pack rat generation. We store stuff, we have toys, we have inherited our parents' stuff. He said in our community, artists are storing their excess art and they have to have climate controlled facilities, which is a major factor in the big demand for climate controlled facilities in Sant Fe, and the reason they are trying to develop this facility in that part of town which is growing – Pulte Homes, Las Soleras, Tierra Contenta and all the rest. There are condominiums, townhouses which require a demand for storage as well.

Mr. Shutz said, regarding construction jobs, over the 2-3 year construction period there will be 20-30 part time construction jobs generated, one will be the general contractor, and "I'm going to hire local people." So there is a big demand for climate controlled facilities in this area, which is the reason the two other projects that have come before the Council are moving forward.

Councilor Harris spoke about construction of the State parking facility, and that the landscaping and caliper of the trees were insufficient to temper the effect of those flat planes, which is essentially what we have here. He said if this were to move forward he would like to ensure, through staff, that we really

look at the landscape requirements and go over and above the minimum to get a caliper of tree that would temper the effect of that particular building. He wants to look at the color scheme as well.

Councilor Harris asked if there is a bus stop.

Ms. Jenkins said yes, and demonstrated the site in the power point presentation, directly across the street at the Esplanade Village Shopping Center, with protected crosswalks at the intersection. She noted there are bus stops along the south side of Airport Road pretty consistently throughout the corridor.

Councilor Harris asked Ms. Jenkins the reason Esplanade has been so slow to develop, commenting it is a nice development.

Ms. Jenkins thanked him, saying that is her project, and it is a timing thing relative to the recession. She said there is a lot more activity now. She said the first multi-tenant building is full and they will be moving forward with the second, and there are several users who would take an entire parcel for themselves in the works right now. She would expect we would see Esplanade develop out within the next 3 years.

Councilor Harris said he thinks when it develops out it will be a solid anchor for that part of Airport Road.

Ms. Jenkins said Esplanade Village was designed to be a very pedestrian-friendly environment, and not a strip center.

Councilor Harris said the SafeLock Store is a little anthesis to that, but understands the reasons for the solution.

Councilor Maestas said his questions are regarding fire protection. He said the Report said it requires 150 ft. radius for the equipment and asked where is that radius supposed to be on this planned development.

Mr. Smith said basically his familiarity with Fire Code regulations is that the Fire Department would deploy from either the Airport Road right-of-way, or the parking lot.

Councilor Maestas said the first stage of the structure will be in the interior most portion of the lot and then the second phase. He presumes access to the first phase will be through Paseo del Sol. He is concerned about emergency response for fire suppression, and what would happen when there is access only on one end of the property.

Mr. Smith said that is not an unusual circumstance, noting that Ms. Jenkins has had specific discussions with the Fire Marshal.

Councilor Maestas said they probably can park on Airport Road or Paseo del Sol to suppress a fire.

Ms. Jenkins said, "Mr. Smith is correct, we did work very closely with the Fire Marshal. So first of all, the building is going to have automatic fire suppression system, so it will be sprinkled. So, relative to the access, yes, any point that an emergency vehicle or fire truck would park, they have to be with 150 feet of any point on the building. You are absolutely correct about that. So I've been working with the Fire Department and the adjacent public rights-of-way count toward that access. To the ability to park 'here,' 'this' property will not be fenced or walled, it will be open. The perimeter will be densely landscaped. They can park on Airport Road and access any portion of the building, or the fire truck can turn in 'here,' and access any portion of the building and bring hoses. So there is excellent emergency access...."

Councilor Maestas said we have had discussions about the water system and it being up to Code. We have a lot of old antiquated 4 inch water lines. He asked if the pipes are 6 inches in this area, and if that would be sufficient.

Ms. Jenkins said they will access water from Paseo del Sol, which is an 8 inch water line. She said they will be using water from flushing toilets or running sinks to irrigate the landscaping. It is a very minimal water user.

Councilor Maestas said he would like to see a mixed use development instead of a self storage. He said in looking at the architectural renditions and street profiles, this project really does look very tasteful.

Mayor Gonzales said the property has been quiet for 30 years, and we seem to have developed a set of rules and infrastructure that are working against some desired outcomes, which is the dilemma we are all joined with here – that the owner is trying to put in a beneficial use, and it doesn't meet a broader objective. However, we have a set of rules throughout the Overlay Zone or the way we've developed the traffic patterns, ingress/egress which become limiting issues. He said it would be nice if we could have a Land Use Code that recognized that there were these rules preventing opportunity from happening and that we can be more flexible in how we approach a relationship between the City and property owner. He said too many times we have sets of rules we put in place for one specific development, but then a ripple effect occurs that prevents us from meeting broader community objectives, and we may find ourselves at that point here.

Mayor Gonzales continued, saying the City doesn't necessarily want more parks. He asked if this is approved, if there is a way there can be an inviting environment along the streetscape where people could be in a shaded structure which allows for something more tasteful in terms of the mobility that could be occurring along the ways, it might be more inviting into the community. He has had a lot of his questions answered in terms of why this use, but there are infrastructure constraints limiting that from happening. He understands the point of the request.

Councilor Villarreal thanked Ms. Jenkins for the compelling presentation. She said given the requirements of the Overlay District and trying to work within that realm takes some thought and input. She is still trying to figure out the compatibility aspect and the market analysis that we didn't see. She asked if they counted the number of storage units currently on the market. She said she did a quick search on line, and she counted 6 storage businesses.

Ms. Jenkins said City-Wide there are about 2,400 units.

Councilor Villarreal said that is quite a number of storage units and Ms. Jenkins said this is a premium facility, but doesn't know if premium is what people need. She said she wishes there was some kind of market analysis that actually stated that, commenting she thinks that is subjective. She said more than anything, she is trying to figure out this development, why it is on this property, and why it has been vacant. She asked if staff would have information on other proposals for development on the property pre-Overlay and post-Overlay.

Mr. Smith said staff is not aware of any significant development application on this property over the 20 year period he has been working with the Extra-Territorial Zoning Authority prior to the annexation and with the Planning Commission and City Council subsequent to the annexation of this tract of land.

Councilor Villarreal said so he hasn't seen any development proposals.

Mr. Smith said no, with the exception of the one Ms. Jenkins described pre-application for the drive-through restaurant.

Mr. Smith said, in expanding the answer to her question and the question of Councilor Harris, there are provisions in the approval criteria for rezonings that direct the Council to look at the overall availability and supply of land for particular types of uses when considering rezoning as one of the approval criteria. There is also a provision in the Code that indicates that a Council and Planning Commission should not be considering the financial viability of any particular project *[inaudible]*. Chapter 14 approval criteria did not talk about highest and best uses. They do say the Council should consider availability of land for categories of uses City-wide. They also say the Council should not be looking specifically at financial feasibility of a particular project.

Councilor Villarreal asked the reason he brings up financial feasibility to the Governing Body, saying, "I'm not sure where you're going with that."

Mr. Smith said it is with regard to the term highest and best use, which is sometimes related to the financial viability of a project.

Councilor Villarreal said she understands, but there is still an Overlay and we're looking at two parts. But he just said Chapter 14 doesn't look at a saturated use in an area.

Mr. Smith said he would read the specific section and it would be more clear, as follows: *"Approval Criteria 14-3.5(C). The Council and Planning Commission will review whether the amount of land proposed for the rezoning and the proper use for the land is consistent with City policies regarding the provision of urban land sufficient to make the amount rate in geographic location of growth of the City."* That is a criterion which they should be looking at in terms of whether or not to approve the rezoning.

Mr. Smith said Section 14-3.5(B)(1) provides, "*The Planning Commission [inaudible] rezoning should be submitted for review and recommendation at public hearing of the recommendation, based on approval criteria. And the Commission shall not consider or rule on the economic feasibility of any development proposed in the rezoning master plan or development plan, unless the application is for a public project.*" He said in terms of market analysis in terms of land available throughout the City for a category of use, that clearly is within the purview of the Governing Body. The market may be relevant to that analysis. In terms of will this project succeed or fail in the local market is outside the scope of the Council.

Councilor Villarreal said she is looking at supply and demand, and the intent of the Overlay District which is not this particular kind of use, and knows that is not what it was designed to do. She is looking more at how we do things right and even how St. Michael's might develop and we might realize some of these things, maybe nuances in the Overlay District that we need to amend. She said she would be more inclined to look at the root cause of why this isn't working, which is the site and the entrance requirement.

Councilor Villarreal asked if staff recalls the impetus for siting there, and access and not directly from Airport Road, because she wasn't on the Council then.

Mr. Smith said he wasn't directly involved. He believes the idea was to maximize the pedestrian amenities of Airport Road, and to minimize driveway conflicts between drivers and pedestrians.

Councilor Villarreal asked if anyone had any other input on that.

Mr. Smith said, "I would also note that if it is the consensus of the Governing Body to ask staff to restudy that, we could give that priority for next year's work program."

Councilor Villarreal thinks we may have more options if we really think about what were the intentions of the Overlay District, and then figure out where we need to make some adjustments, and that would require Land Use expertise, instead of just trying to fit a round peg in a round hole.

Ms. Jenkins said Councilor Villarreal brings up a valid point relative to if we could get an access point on Airport Road, if that changes things for this particular property. She said in this instance, it doesn't. She believes there are other properties on Airport Road where she thinks the Planning Commission and this Governing Body are going to come up against that potentially. However, in this particular instance it actually is not the panacea to open this property to a more intensive type use. She said in terms of cars moving eastbound on Airport, they can make a right on Geo Lane and they pop right in. It's a very easy traffic movement, there are no potential conflicts coming eastbound, and they are able to directly enter the property. It is "6 of one and a half dozen of the other." It doesn't make a significant difference in how marketable or accessible or usable the site is. The biggest issue is with their westbound traffic, which is going to be a majority of the traffic arriving at the site. This is their only access point, but it only holds 3 cars in 'this' turn bay.

Councilor Villarreal said she hears her. However, she said she is still thinking about this area as well as along Airport Road and thinking the bigger picture instead of just focusing on one property. She said there are issues in getting off Airport to go south to get into properties going westbound. She is trying to figure out a bigger picture instead of deciding something that doesn't have the kind of spirit and intention of the Overlay, and just deciding this is the right thing for now, and not necessarily having any other option later on when we actually need other options going forward. She said this is the intention of the overlay. There are needs that we needed to have met, and we haven't done that, especially on this property. And doesn't know exactly why, other than access. She feels there are other properties, not just this one, that are experiencing this. She would rather work on an amendment of the Overlay than just try to do something that is just fitting for the moment, even though you all have done hard work to try to make it fit within the zone. She said, "I just don't think it meets the intention of the Overlay District."

Councilor Trujillo said he likes Councilor Villarreal remarks about the bigger picture. He said he understands how Councilor Rivera feels about Airport Road and the south side of Santa Fe. He said there is a need, and he isn't saying there isn't. And he heard from Councilor Villarreal and Mayor Gonzales what is hindering us from possibly finding something else to put here. He would love to see a jump place for kids someplace in Santa Fe, but he isn't saying this site lends itself to that. He said to him, that is a vibrant neighborhood. He sees a storage place being built at the top of Airport Road, and now we've got the ones all the way down Airport Road. He said we have to look everywhere in the City where it would be viable to build this project. He does have issues with just putting in another storage place although she is saying it is well constructed and something that is needed. He isn't saying it's not needed.

Councilor Trujillo continued, saying he likes what Councilor Villarreal said about perhaps taking a step back and looking at something else. He asked what is hindering us from making a splash on Airport Road. He said we always talk about how we envision St. Michael's Drive, but there is a vision for Airport Road as well. People live on the road, there are places to eat. This is what he wants to see throughout the City, especially on Airport Road. It's called Airport Road for a reason – it takes us straight to the Airport. And we're discussing renovating the Airport. He said when we leave the Airport we see a junkyard. And we see this. And when you turn off Airport Road, you see 599. This is truly what gives people a first impression sometimes and the first thing tourists and guests see in the City – a storage center, Walgreens, and he wants to see other options.

Responding to a question from Councilor Trujillo, Councilor Villarreal said she had planned to work on this with Councilor Dominguez and perhaps Councilor Rivera could look at this. She thinks this obviously is a District and we want to make sure it is compatible with what all of you envision.

Councilor Trujillo said he doesn't know where this request is going, but in looking at the renditions it looks nice, with the trees and vegetation. He said if it does get built, there will be scrawny trees and it will take 15-20 years for those trees to look like the rendition. He would suggest that they put in mature trees and make it look like the place has been there for a while and not have to wait 15-20 years to see it look like the rendition.

Ms. Jenkins said they absolutely are willing to do that, because nobody is more invested in wanting it to be beautiful than they are and the owner. She said they are very open to conditions of approval relative to the tree caliper, working directly with staff. She said it obviously won't look completely grown in from day one, but there are things that can be done to enhance that effort. She said she agrees with what Councilor Trujillo was saying previously, 100%. She wishes she were here for a trampoline park, or a couple of sit down restaurants, but it doesn't work for this particular piece of property. She said this isn't the last opportunity, reiterating there are 80 acres of opportunities in this Overlay. She said this is just the beginning. She said right across the street, they have the poster child for the Overlay, but it's being developed right, providing services for this community, providing community gathering places. This property has limitations that are real.

Mr. Shutz said, "I guess I have a question for the Mayor, Councilor Trujillo and others. Given the traffic constraints on this site, what uses would you allow. Would you allow a supermarket. Would you allow an office building. Because if you say yes, we're going to go to Mr. Romero, and through the Planning staff, and they're going to recommend denial because of the traffic constraints. So we're caught between a rock and a hard place. This project will have a very minimal impact on pedestrians and traffic on Airport Road. If you put an office building in there, if you put a supermarket in there, or anything else that is allowed under the Overlay District, we're not going to get approval. They're not going to approve it. The Planning Commission is not going to go with it. We got staff approval, and almost unanimous support from the Planning Commission, and we ask that you give us fair consideration."

Mr. Shutz continued, "I'm a partner in the project. I looked at this closely over the last couple of years, and we worked with Jennifer to come up with a plan and a development that has minimal impact on the community. And I can assure you, and you know what I'm talking about, landscaping. You all know what I'm talking about landscaping the corridor. I'm not going to put in 1 inch caliper trees there. We will make it look like a park. We're going to landscape it heavily. I'm going to be doing it. Thank you."

Action by the Governing Body on the Request

MOTION: Councilor Maestas moved, seconded by Councilor Harris, to Approve Resolution No. 2017-53.

DISCUSSION: Councilor Maestas said he realizes we want good developments in this corridor, which was recently overlaid. However, this was approved by the Planning Commission almost unanimously. He said he wants to be a part of improving the Overlay, but he doesn't think we should hold this project hostage, a piece of property that has been stagnant for so so long. He doesn't think that is fair.

Councilor Maestas continued, saying the last thing he will say is that we should not start compromising access around major intersections. He has seen too many communities make that mistake. It creates safety problems, makes the intersection operate very inefficiently, so he thinks we should hold fast on controlling access in approaches from all directions on major intersections such as this. He definitely will be very vocal about that if we are going to try and compromise on intersection safety and operational efficiency to make a property more attractive.

Councilor Lindell said, "I really don't care very much for this project. It really doesn't meet the vision of what we wanted, but I understand the limitations of the property with the traffic. The great disappointment to me with this is that we're not going to get GRTs from it, it is not going to create jobs. And those things are things that we're looking for. It's not great with economic development except for getting it built. And that's not to discount that. And I think Mr. Shutz would do an excellent job on this project. But I just would wish for more. I do have one question with it. It seems like a building that is perfect for solar. Is that going on this building."

Ms. Jenkins said they have not gotten to that point of the design. And it's a fairly low energy user generally, but that is something we are absolutely going to consider, so yes. Because there are some rooftops there that could be utilized, but that would just need to be analyzed relative to the whole thing. She said, "We just aren't that far in the process."

Councilor Lindell said she understands. She said if this goes forward, we are trying to be as sustainable as we can, particularly with new commercial development. It doesn't seem like solar on this project would be detrimental to anyone, so she would really hope that would be a consideration.

Mayor Gonzales said, "Because this is a request for a rezoning change, there will need to be 5 votes in the affirmative, is that correct."

Ms. Brennan nodded yes.

Councilor Rivera said, "I just want to caution us against creating these kinds of amendments in areas that are really special Districts which includes the St. Michael's District as well. If we start opening this door, will that consistency continue on St. Michael's Drive as well as what we are planning to do here tonight on Airport Road. What does a location, the area we're talking about, really make that much of a difference. If we are going to start compromising just because we want things to happen, then we probably shouldn't create a district in the first place. And if we really are having issues with growth in certain parts of town, then let's look at the Overlay District, let's look at the St. Michael's District and make the changes that need to be made to encourage more growth and development, but let's not just start piecemealing things together, because then where does it stop."

Councilor Rivera continued, "I remember the Elk's project that took place. You know, that whole idea of does that first part of Old Pecos Trail meet the entry way to Santa Fe rules. There was some thought that maybe it did, some that didn't. In the end, I don't think we were real clear. But if we are going to start making exceptions to rules like that, I think it's going to set us up. But I know we do it all the time for some things, but I think the Special Districts, the areas that really have plans, I think we have to be consistent. I think we have to be patient. The growth is just starting to come around, come back. So, that's my final thought, so I'll just leave it at that. Thank you Mayor."

Mayor Gonzales asked if the Applicant understands the reason 5 votes are needed.

Ms. Jenkins said there is a Code provision that states that 5 votes are only required for a rezone if the Planning Commission does not recommend approval.

Ms. Brennan said, "The reason is that an Ordinance requires 5 votes, and under the rules of voting, a Resolution does as well."

VOTE: The motion failed to pass on the following roll call vote, for failure to get 5 votes in the affirmative:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell and Councilor Maestas.

Against: Councilor Rivera, Councilor Trujillo and Councilor Villarreal

Explaining her vote: Councilor Lindell said, "A reluctant yes."

Explaining his vote: Councilor Trujillo said, "I am reluctant because, with all due respect to Councilor River and Councilor Dominguez, this is their District. And I've always had that respect for them on all these issues. But my concern right now are the limitations that we've set on this project. And, are we going to find something by all this diligent work that we try to do, that is my concern. Can we find something later on. I'm asking you Councilor, and when we talk about piecemealing. To me, are we going to do the due diligence to find something proper for that, to work with that piece of property. That's the question I'm asking of you and Councilor Dominguez. And that is asking a lot. Because I feel for you as well. You just mentioned my District #4 with the St. Michael's Drive. I don't want to just start putting piecemeal as well, on something that is viable for the community. And another thing, is there are "*inaudible*" all over Santa Fe. **Councilor Rivera** said, "If you're asking me a question." **Councilor Trujillo** said, "I'm asking you a question. I'm sorry." **Councilor Rivera** said, "I will say yes, and if not, then allow us the time to make changes to the Overlay District rules." **Councilor Trujillo** said, "Out of my respect for you and Councilor Dominguez and I know that you will do the work, I will vote no."

Explaining his vote: Mayor Gonzales said, "Well, we're not going to get to the five, but I would have voted in the affirmative, mostly because I do believe that, so the answer is yes, I have to vote. But, so the motion fails, but I think that you have brought up a compelling point. And also, the reason I voted yes is, not to *[inaudible]* Councilor Maestas, but I think your point about safe driving and not sacrificing that for the sake of trying to put something into some type of better use, made a lot of sense on this particular development, that I didn't see happen. So I think that I had to vote yes on it, given the parameters surrounding it. Having said all that, this has failed, and what I would suggest is that we are able to.... I think that Mr. Shutz brought up a point about the fact that we have rules that highly work against some type of purposing of the property that I think that all of us want to find ways to work through that protect safety but also achieve a community objective. And so I don't how to express that in a way that the staff feels empowered to be able to do, whether it is through seeking variances or finding ways to work with the developer on impact fees that might modify traffic patterns, that might make the property more compelling for the community uses. I don't think it meets our purpose by keeping the property dormant and not trying to find a vehicle to get some purpose moving on there. So I think that, Jennifer, I think the point of that is you tried to bring something forward that is within the rules, and there are a lot of rules that limited what you could bring forward. And so we have to come back and be able to work with you to find ways that we are able to properly bring forward, whether through variance or changes,

some type of pathway to get the property purposed and into some type of activity so we get some beneficial use off of it and it doesn't stay dormant. Because a dormant property that is not cared for is as much of a blight to the neighborhood as something that is put into place that doesn't have any type of purpose in place. So I think there is a strong will up here to try and find a way to make that happen. I'm hopeful that Lisa and the staff will roll up their sleeves and really try and find a way to get this property purposed, so that we can reap community benefits, we can allow for some type of beneficial use to take place for the owner and be able to meet some of the broader needs of the community."

6) CONSIDERATION OF ORDINANCE NO. 2017- ___. CASE #2017-3. SAFELOCK STORAGE, 6350 AIRPORT ROAD REZONING. JENKINSGAVIN, INC., AGENT FOR SAFELOCK STORAGE, LLC, REQUESTS APPROVAL OF REZONING FROM C-1 (OFFICE AND RELATED COMMERCIAL) TO C-2 PUD (GENERAL COMMERCIAL PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT), FOR A 2.186 ACRE PARCEL LOCATED AT 6350 AIRPORT ROAD. THE REQUEST INCLUDES APPROVAL OF A DEVELOPMENT PLAN TO ALLOW A 350-UNIT CLIMATE CONTROLLED INDOOR STORAGE FACILITY. THE PROPERTY IS LOCATED IN THE AIRPORT ROAD OVERLAY DISTRICT (DONNA WYNANT)

Ms. Jenkins said, "Mayor if I may, if I may be recognized, I would like to withdraw Case #2017-03, the Rezone Request, because it does not seem purposeful to proceed with a vote on that application at this time, since it the General Plan Amendment failed. And so, I would like to formally withdraw that request, so no vote would be necessary on that."

****

END OF PUBLIC HEARINGS

****

15. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

17. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

18. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "*Bills and Resolutions scheduled for introduction by members of the Governing Body – Amended*," for the Council meeting of June 28, 2017, is incorporated herewith to these minutes as Exhibit "12."

Councilor Maestas

Councilor Maestas asked if the ADA Coordinator in Engineering is a recent change, commenting that he thought Mr. McQuarie disagreed with putting the ADA Coordinator under Engineering.

Mr. Snyder said the ADA Coordinator currently resides under Finance, which he doesn't think is the appropriate place. He said the ADA Coordinator and the Grants Coordinator positions are held by one person. During the budget process we talked about splitting that and fill both roles. He said he did plan to move it to the Engineering Division in the Public Works Department, because he gets "beat-up" at every Council meeting about projects not being to ADA standards. The ADA Coordinator will have a project management responsibility and background as well as ADA coordinating. So from a management and design standpoint, he wants that person involved in the design, construction management to be sure we deliver on what we say we are going to deliver throughout the project. This is the reason he suggested moving that to the Engineering Division.

Councilor Maestas asked if Mr. Snyder has informed the Mayor's Committee on Disability.

Mr. Snyder said he has not. He hasn't filled nor split the position, but this is the direction in which he is headed.

Councilor Maestas asked if he would consider sending a letter to the Committee explaining his rationale, and let them know the position has not been filled, and perhaps share a courtesy copy of the job description. Just let them know that you really didn't pre-empt them, you made the move, but the position hasn't been filled, and perhaps take their feedback and answer their questions about how this will work better.

Mr. Snyder said, "That was my intention as well. I intended on including a member of the Committee on Disabilities as a part of the interview panel to provide insight that current City staff may not have."

Councilor Maestas asked the status of the implementation of the salary increase that we all approved, the 2% COLA and then the Merit Pool set aside, and the timeframe.

Mr. Snyder said the 2% for non-union staff will go into effect July 1, 2017, in the first paycheck of the fiscal year, which is July 21. He said the other percentages currently are being negotiated.

Councilor Maestas said he is a strong proponent of merit pay, noting the set aside for the merit pool is pending the outcome of the compensation study . However, in light of the comments from City employees, he would like to have a conversation to see if we can convert the Merit Pool set aside into a COLA and add that that to the 2%, and then address any Merit Pool in future fiscal years, perhaps FY 2019 or later to make additional money available in the form of a COLA. He thinks it is a 3% raise if we convert those funds to a COLA.

Mr. Snyder said he understands it is closer to 2.7%, but then we look at General Fund versus enterprise funds, so he thinks it is less than that. He said, regarding the compensation and classification study, interviews will be set up in the next week, they will review the proposals and will be moving forward with that. He said most schedules submitted with the proposals have that study being completed by the end of the calendar year.

Councilor Maestas said since a large portion of the COLA will come from the enterprise fund and Tourism Lodger's Tax funded employees, he asked if we could get more than a 2.7% COLA across the board.

Mr. Snyder said the amount of the Merit Pool set aside is $376,000.

Mayor Gonzales said he thought we tasked the Finance Committee, if we are tracking on our revenues, to come back at mid-year for the Council consideration of a salary adjustment for employees that would be reflective of what the set aside was. He said we really haven't coalesced around this because it wasn't time for the discussion because we weren't ready to implement it.

Councilor Maestas said the fact is that we will have $376,000 sitting there until we come up with a merit pay policy, and that could be until January 1, 2018.

Mr. Snyder said the study is supposed to be wrapped up by the end of the calendar year, and he would say we could come back in January or February to the Council to identify the gap and where, and an approach and a recommendation to fund any gap. He doesn't know what that gap would be at this point.

Councilor Maestas noted there has been a request for a 5% COLA as opposed to our proposed 2%. He said maybe we can't go all the way to 5%, but he would like to inch a little closer by using the set aside, which he thinks would be a good gesture.

Councilor Trujillo

Councilor Trujillo said he would like to thank everyone for all their work on the Fishing Derby which made it such a success, commenting "the kids had blast on the fish they caught."

Councilor Trujillo said there are only a few weeks left in the Fuego schedule, which are in first place in their division. They play on Thursdays through Sundays for the rest of the season.

Councilor Harris

Councilor Harris said he feels we have a real need to focus on our basic City services, commenting too often we find ourselves talking about things worth talking about, but tend to defuse our ability to get things done that the people of Santa Fe really are looking for. He said he is now getting letters from people in District #4 about diminishing property values, given the condition of parks, medians, roads and such. He said the public is recommending public/private partnerships to address medians. He said members of Homeowners Associations are buying letters for signage for our parks. There have been two letters missing on Dancing Ground Park for two years. He said he is starting to hear more and more of this, and it is a reminder to him that this is what he is really here for.

Councilor Harris said he doesn't understand why, with a $92 million General Fund, the reason we have no designated staff for litter pickup. He asked that of Environmental Service and they said, "It's not me." He asked Parks, "It's not me." He asked this of Keep Santa Fe Beautiful, "It's not me." And that seems to be the case. He said there has to be a way to designate some of our human resources and one of our beat-up trucks to do this. He said, "I'm really serious about that."

Mr. Snyder said he has advertised for 15 maintenance workers positions for a week and they had 3 applicants. There also are other vacant positions in the Parks Department. He asked anybody looking for seasonal work to let him know.

Councilor Harris said let's do what we did with the Streets and Drainage Division during this budget cycle when we enhanced them by 10%. We didn't even think about hiring people. He said David Catanach recommended using On-Call services. He said there are many companies that are capable, equipped, know what they need to do and are capable of getting it done. He said one way or another, we have to put some people to work. He said we should not expend all of our budget, because we need funds for April/May to get things started in terms of weed control.

Councilor Lindell

Councilor Lindell introduced an Ordinance relating to animal welfare; amending Subsection 5-2 SFCC 1987, to add definitions; and amending Subsection 5-10 to prohibit traveling animal acts. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "13."

Mayor Gonzales

Mayor Gonzales introduced Resolution directing staff to develop a feasibility study focused on achieving the goal os using 100 percent renewable energy by City facilities and report back in 90 days. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "14."

Mayor Gonzales said the 4th of July is coming up, and the events at the Mall are free. He thanked the Kiwanis for putting on that event.

Councilor Villarreal

Councilor Villarreal asked everyone not to forget her birthday, but it is on a holiday.

Councilor Rivera

Councilor Rivera wished his wife a Happy 24th Wedding Anniversary.

Councilor Rivera wished his daughter, Emily, a Happy 18th Birthday on July 5th.

Councilor Rivera introduced an Ordinance repealing Section 25-11 relating to the Water Conservation Program. A copy of the Ordinance is incorporated herewith to these minutes as Exhibit "15."

Councilor Rivera said he asked about liquor being sold on tap at the Shell station, and hasn't received an answer.

Ms. Vigil said she doesn't have an answer, but it is on the list of inspections.

16. MATTERS FROM THE CITY ATTORNEY
EXECUTIVE SESSION

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT NMSA 1978, SECTION 10-15-1(H)(2), (7) AND (8), DISCUSSION REGARDING LIMITED PERSONNEL MATTERS, INCLUDING WITHOUT LIMITATION, ON THE STATUS OF NEGOTIATIONS WITH AFSCME; THREATENED AND PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS OR MAY BECOME A PARTICIPANT INCLUDING, WITHOUT LIMITATION, CASE NO. 1:17 CV-00355, *CNSP D/B/A NMSURF V. THE CITY OF SANTA FE,* CASE NO. S-1-SC 36484, *ROGER RAEL V. CITY OF SANTA FE,* AND MEDIATION WITH ADVANCED UTILITY SYSTEMS CORPORATION; AND CONCERNING BDD DIVERSION STRUCTURE ISSUES; AND DISCUSSION OF THE PURCHASE, ACQUISITION OR DISPOSAL OF REAL PROPERTY OR WATER RIGHTS BY THE CITY OF SANTA FE, INCLUDING, WITHOUT LIMITATION, DISCUSSION RELATING TO THE BACA STREET WELL. (KELLEY BRENNAN)

MOTION: Councilor Rivera moved, seconded by Councilor Trujillo, that the Council go into Executive Session to discuss the matters listed on the Agenda in accordance with the recommendation of the City Attorney.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.
Against: None.

The Governing Body went into Executive Session at 10:30 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At 11:15 p.m. Councilor Rivera moved, seconded by Councilor Maestas, that the City Council come out of Executive Session and stating for the record that the discussion in Executive Session was limited to the matters noted on the agenda

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Harris, Councilor Lindell, Councilor Maestas, Councilor Rivera, Councilor Trujillo and Councilor Villarreal.

Against: None.

I. ADJOURN

There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 11:15 p.m.

Approved by:

Mayor Javier M. Gonzales

ATTESTED TO:

Yolanda Y. Vigil, City Clerk

Respectfully submitted:

Melessia Helberg, Council Stenographer

City of Santa Fe, New Mexico

memo

DATE: 06/27/17

TO: Mayor and City Councilors

FROM: Keith Wilson, Transit Grants and Administration Manager KRW

SUBJECT: **Transit Advisory Board Recommendations**

At their meeting on June 27, 2017 the Transit Advisory Board reviewed and made a recommendation to the Governing Body to approve the following items listed in the consent calendar of the June 28 Governing Body Meeting Agenda.

dd) Request for Approval of Grant Application, Award and Agreement in the Amount of $71,733 – FY 2017, Ridefinders Program Funding Federal Transit Administration.

ee) Request for Approval of Grant Application, Award and Agreement in the Amount of $1,619,806 – FY 2016 Section 5307 Urbanized Area Apportionment to the City of Santa Fe; Federal Transit Administration.

ff) Request for Approval of Professional Services Agreement in the Amount of $287,028.13 – Bus Shelters Phase II-Installation; H.O. Construction.

oo) CONSIDERATION OF RESOLUTION NO. 2017-___. (Councilor Maestas)
A Resolution Endorsing the North Central Regional Transit District's FY 2018 Budget Proposal, Approving the FY 2018 City of Santa Fe Regional Transit Plan Including $25,000 in Funding, and Submitting the City's Regional Transit Plan for FY 2018 to the North Central Regional Transit District Board of Directors for Consideration and Approval.

Exhibit "1"

ITEM 10(dd)

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JUNE 26, 2017

ITEM 8

REQUEST FOR APPROVAL OF GRANT APPLICATION, AWARD AND AGREEMENT WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE FY 2017 RIDEFINDERS PROGRAM FUNDING IN THE AMOUNT OF $71,733 **(KEITH WILSON)**

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES			
COUNCILOR MAESTAS	X		
COUNCILOR RIVERA	Excused		
COUNCILOR TRUJILLO	X		
COUNCILOR VILLARREAL	X		

Exhibit "2"

ITEM 10(ee)

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JUNE 26, 2017

ITEM 10

REQUEST FOR APPROVAL OF A GRANT APPLICATION, AWARD AND AGREEMENT WITH THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR FY 2016 SECTION 5307 URBANIZED AREA APPORTIONMENT TO THE CITY OF SANTA FE IN THE AMOUNT OF $1,619,806 AND CORRESPONDING BUDGET INCREASE IN THE AMOUNT OF $8,206 **(KEITH WILSON)**

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES			
COUNCILOR MAESTAS	X		
COUNCILOR RIVERA	Excused		
COUNCILOR TRUJILLO	X		
COUNCILOR VILLARREAL	X		

Exhibit "3"

ITEM 10(ff)

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JUNE 26, 2017

ITEM 6

CIP #665A - BUS SHELTERS PHASE II - INSTALLATION

- REQUEST FOR APPROVAL OF AN AGREEMENT BETWEEN OWNER AND CONTRACTOR WITH H.O. CONSTRUCTION, INC., IN THE AMOUNT OF $287,028.13 INCLUSIVE OF NMGRT **(LEANN VALDEZ)**

PUBLIC WORKS COMMITTEE ACTION: Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON IVES			
COUNCILOR MAESTAS	X		
COUNCILOR RIVERA	Excused		
COUNCILOR TRUJILLO	X		
COUNCILOR VILLARREAL	X		

Exhibit "4"

Majority of La Cueva Residents say

NO to Clear Cutting Block E on our Road.

PLEASE LISTEN! ITEM # 10(11)

After thinning further up La Cueva Road

You Have the Power to Vote this Down

And Prevent this Devastation

And Preserve the Natural Beauty of our Neighborhood

You can help us save this pristine beauty. PLEASE!!!

Exhibit "5"

Dear Mr. Mayor and Counsel Members,

I write on behalf of the residents of La Cueva, Glorieta, who respectfully request that you reject the proposal for funding the La Cueva Fuel Break, as the majority of the La Cueva community are opposed to this project for the following reasons:

1) The prescription under consideration will remove **94% of the 69,000-plus trees** in this 133 acre forest at the entrance to La Cueva Road. This will devastate the stunningly beautiful area we lovingly refer to as "Cougar Canyon", filled with massive Ponderosas and mature Pinon and Juniper. The prescription was written in 2007 and new science, in light of climate change, renders this drastic thinning counterproductive, as it will cause inordinate heating of the forest floor, through direct sun exposure, and generate dangerously high winds in the absence of tree cover, causing even greater fire danger.

2) Most significantly, **the fuel break project will not protect the La Cueva Community from fire because it is situated downwind from our homes.** The proposed fuel break is south of our residences and the prevailing winds in the area blow west-north-west, thereby offering no viable protection for us.

3) **Most La Cueva residents want this pristine region to be considered as a park due to it's natural rock features and the two archaeological sites estimated to be over 1,400 years old. It is also the home to a cougar den, many mule deer, magpies and myriad other wildlife.**

4) We have been fighting this proposal for the past 8 years due to its extreme nature. A compromise was recently reached with the Forest Service and New Mexico Forestry to modify the "thinning" to an average of **47.9 square basil feet per acre** "leave trees", rather than the **32 to 36 sq. basil feet** in the proposal now before the City Council .

5) We have also observed that the **trees marked and slated to remain are far fewer than the leave-trees agreed to by the Forest Service and Fire Department.**

6) Lastly, the **current plans to burn the enormous amount of remaining tree slash are ill-considered, as they propose a massive prescribed burn in close proximity to our 60 homes**.

For the foregoing reasons we request that this matter be set for a hearing so that the La Cueva community may be heard on this issue, which is so important to us.

Doug Booth, Lyra Barron, Carol Johnson on behalf of Residents for the Preservation of Cougar Canyon, list follows:

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Glorieta, NM 87535
stephaniemidnight@gmail.com

Marleen Horsey
#10 Franciscan Ln,
Glorieta, NM 87535

Frank Hadley Murphy
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Glorieta, NM 87535
frankmurphy@earthlink.net

David Levin
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505-463-1354

Marsha Dalton
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Dean Mitchell
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Natalie Owings
Heart & Soul Animal Sanctuary

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Jaum Barron
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Betzel Cuevas
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Glorieta, NM 87535

Mary Powell
318 La Cueva Road
Glorieta, NM 87535

THE FIGHT OVER FOREST THINNING IN GLORIETA WAGES ON

"What's the matter with that guy? He can't keep his eyes open."
"He was drugged by those two downstairs. This is a murder!" -- James Mason to Warren Beatty in "Heaven Can Wait"

While the lines quoted above are from a film of pure fiction, for a number of La Cueva area residents in Glorieta a "murder" of sorts is about to be committed ostensibly in the name of public safety. According to those residents, the "murder" will be perpetrated by the United States Forest Service, which is, according to both residents and widely accepted science, intent upon moving ahead with a controversial thinning project slated to begin in early July – exactly the wrong time of year for such projects.

The area that's about to feel the bite of chain saws and axes, called Cougar Canyon by residents (the "official" USFS name is "Block E"), is a spectacular acreage consisting of massive Ponderosa pines, mature Pinons estimated to be hundreds of years old and abundant wildlife. Not only is a well-known Cougar den located within the boundaries of the projected cutting area, at least two archaeological sites estimated to be 1,400 years old are also within its boundaries. One of these is signed and easily located, while USFS archaeologists have declined to publicly identify the location of the second for fear of vandalism. They reportedly hope to do further in-depth studies of both sites, and believe there may be other sites as yet undiscovered.

The USFS's own estimates place the number of trees in the area at between **550 and 630 per acre**. If the controversial cutting project goes forward that will be reduced to **35 to 45 trees per acre**. It will appear, for all intents and purposes, to be a clear-cut, as is already evident in an earlier thinning project north of La Cueva labeled "Blocks A thru D" by the USFS (see accompanying photo).

New Mexico is well known nationally for its spectacular land forms and natural beauty, but few areas can compete with Cougar Canyon in this respect. In addition to mature trees, many topping 100-feet, the Canyon itself, along with an additional portion of "Block E" that's on the west side of La Cueva Road/County Road 63-A, features large, spectacular rock formations. Beyond the known Cougar den the area supports a wide variety of wildlife, including numerous deer, that thrive on the plant life, while smaller predators like Western Gray Foxes, Coyotes and Bobcats find an abundant supply of food in the rabbits and squirrels that also inhabit the area. Smaller animals like Abert's Squirrels, with their long ears, white tails and underbellys – which are already under considerable loss-of-habitat pressure --survive by traveling from treetop to treetop in their search for Pinon and Ponderosa seeds. If the projected thinning project goes forward this area will be absent of these animal inhabitants in short order – as is already the case in the aforementioned "Blocks A thru D" as a result of the dramatic loss of habitat.

After assuring residents that NO cutting would be done on hillsides in Blocks A thru D like those that surround Cougar Canyon, this is

the result of that thinning.

The thinning project is being planned ostensibly as a public safety measure because the lone access road to La Cueva Valley is via La Cueva Road/County Road 63-A, but there is **no fire history to justify the drastic nature of the project.** Residents have expressed concern over what the thinning project might bring, from the loss of wildlife habitat and timber to the potential flooding of NM Highway 50, the main non-Interstate connection between Glorieta and Pecos.

There are NO trees marked for saving in this photo of Cougar Canyon.

While the potential flooding due to the loss of so many rain-holding trees could be considered a long-term problem, more immediate concerns have been raised by residents in opposition to the plan. The USFS plan calls for leaving the slash – the branches and smaller trees removed during the thinning – on the ground until some unspecified time in the future when prescribed burns will be utilized to remove it (never forget that the fire that destroyed almost 300 homes in Los Alamos was the result of a "prescribed burn"). While this might be an acceptable plan for the Pacific Northwest, where much greater rainfall speeds up the rotting and disintegration of the slash, that's not the case in arid New Mexico. Slash left on the ground simply dries and becomes an even greater fire threat because it can remain there indefinitely, without change. The longer it sits, the easier an errant lightning strike or tossed cigarette will set it aflame.

Professional tree-cutters operating in the Santa Fe area almost all try to restrict their cutting to the months between November and April, when tree sap isn't running. They know that fresh-cut trees, by the scent released during the cutting, can and do attract a number of forest-killing insects, including those that devastated the area a few years ago, yet the USFS appears determined to proceed with the thinning of Cougar Canyon beginning July 6th. This appears to be in direct opposition to the established science of thinning, but the USFS appears deaf to these arguments.

No trees marked for saving in this portion of Cougar Canyon.

From a close inspection of Cougar Canyon it seems that this thinning project hasn't been thoroughly thought through, but getting a slow-moving bureaucracy like the USFS to stop its seemingly inexorable move forward and stopping it until further study is undertaken appears all but impossible. There's a considerable amount of money at stake with this project, which has been and appears to remain a major factor in all the decision-making. For example, the non-profit Forest Guardians organization, which on the surface appears to be pro-forest and pro-environment, generates a major percentage of its operating expenses from doing cutting projects with and for the USFS. This alone should eliminate their public stance in favor of this and other thinning projects due to the financial benefits they receive, yet they continue to appear with USFS officials in many public meetings. When one Forest Guardian representative was questioned about their involvement during a meeting with La Cueva residents he side-stepped the question of financial compensation completely, repeatedly stating that theirs is a non-profit and therefore had no stake in the project. He also refused to publicly acknowledge, while not denying it, that a considerable amount of their operating expenses are derived from these thinning projects.

At a time when funding for every single division of the Department of the Interior is being slashed the funding earmarked for the thinning of Cougar Canyon ("Block E") would be better utilized in other forest maintenance projects, of which there are literally hundreds in the Santa Fe National Forest alone.

The only tree in this photo that's marked for saving is the Ponderosa at the upper right.

Can this project be stopped or altered at this late date? Only if area residents, backed by the outrage of other New Mexicans, can carry the day with their written words and voices. It is up to each of us to get this stopped.

Jon Asher
Long Time Resident of La Cueva

I went into the woods today, around my house in beautiful Glorieta, New Mexico. These pristine woods are the reason I moved here eight years ago. But on today's sojourn into the wild I did not find my usual peace. I was worried about the imminent destruction of nearly 100,000 trees on my road.

The thinning project set to take place in the La Cueva area of Glorieta this summer, would take the tree level from 600 – 900 trees per acre, to 40 trees per acre, which means cutting 93 – 96% of the existing trees. They say it is for our protection, to prevent fires. But wind direction is wrong, prescription is outdated, it borders on private property and plans controlled burn? Why is this really happening? This prompted me to do some serious research.

First, some facts to ponder:

- In truth, conditions for major fires usually have much more to do with drought, wind and ignition sources than with fuels. Thus thinning to reduce fuel loads generally does not have much if any effect on large fires.
- New fire science offers considerable evidence that thinning exacerbates fire danger by removing forest canopy and creating drier conditions on the ground, and leaving smaller more flammable material to feed fire.
- Thinning also takes away the least flammable portion of trees – their trunks – while leaving the most flammable parts, the limbs and needles.
- Thinning leads to the loss of soil nutrients and organic matter from the ecosystem because trees, part of the nutrient cycle, are removed from of the ecosystem.
- **The timber industry contributed $3.2 million to the Bush campaign, and the "Healthy Forest Restoration Act" of 2003 was born, stripping away decades of environmental protections, and reopening the way for unrestrained logging.** This Act authorized fuel reduction treatment on 20 million acres of federal land. Still in progress, 190 million total acres to be cut, with an average of about 2.5 million acres a year.
- After World War II the role of the Forest Service changed dramatically to commercial timber harvesting on federal lands. Their salaries are paid by timber harvest.
- Annual Revenue for the Logging Industry - $12 billion.
- Timber operations to pay for forest-fire prevention programs cost as much as $4 billion/year.
- Looking at recent data on who shares in the revenues from sale of timber from forest land, 5 % went to national forests, 6 % went to other public lands, 33 % went to industry land owners, and 56 % went to other private interests.
- Locally the Forest Service recently burned 7,250 acres in the Santa Fe Watershed and the San Juan Mountains, igniting the fires with *453 pounds* of potassium permanganate, a neurotoxin, and releasing *35,000 tons* of carbon dioxide.
- The local Forest Service next plans to thin and burn 120,000 acres in the Jemez Mountains, using 3.7 tons of potassium permanganate, releasing 600,000 tons of carbon dioxide.
- Santa Fe has joined The Nature Conservancy in a plan to burn 600,000 acres, or 1,000 square miles. The city will get paid in grants.
- **Over 96% of America's, and 60% of the world's forests have been logged.**
- **We know that deforestation accelerates global warming at a rating of 17%, more than vehicle emissions rated at 14%.**
- **Worldwide people cut down 15 billion trees each year and the global tree count has fallen by 46%.**

I love the trees and forests of New Mexico. I think it's time to wake up to the truth that thinning is another word for, and excuse for, logging on a grand scale. Make people afraid of fire so that we'll surrender the beauty of the natural world to the blade of industry and money.

Lyra Barron, resident of La Cueva, Glorieta, NM

THE WORK PLAN FOR THINNING BLOCK E IN LA CUEVA IS FAR MORE DRASTIC THAN THE MOST RECENT FOREST SERVICE GUIDLINES

The Project Work Plan thinning for the La Cueva fuel break specifies that only **35-45 trees will be left per acre, or an average of 32-36 basil area feet.**

This amount is **significantly** below the current, 2013 USDA recommendations for restoration projects in the Southwest. Table 12 (see below) states that post-treatment there shall be ***an average of 47.9 basil area feet of trees left per acre.***

This prescription was specific for the Cibola National Forest. La Cueva valley, however, is in a cooler/moister area of mixed conifer forest than Cibola, as discussed in the GTR-310 report, and therefore should have **larger densities of leave trees.** Furthermore, the test forest upon which this report was based had much larger trees than are found in the La Cueva Valley, so the number of trees required to reach these average basal amounts must be increased in order to be consistent with GTR-310.

Based on this latest science described in the Forest Service report, and understanding that our Block E forest contains on average basal area of 65 sqft/acre (according to the USFS study during the grant preparation process) it appears that **only a moderate restoration project is necessary to meet the requirements of GTR-310.**

United States Department of Agriculture

Forest Service

Rocky Mountain Research Station

General Technical Report RMRS-GTR-310

August 2013

Restoring Composition and Structure in Southwestern Frequent-Fire Forests:

A science-based framework for improving ecosystem resiliency

Richard T. Reynolds, Andrew J. Sánchez Meador, James A. Youtz, Tessa

Nicolet, Megan S. Matonis, Patrick L. Jackson, Donald G. DeLorenzo, Andrew D. Graves

Table 12. Post-treatment stocking level for the Bluewater demonstration site. All tree species are included in these estimates.

Basal area (ft^2/acre)

0.4

4.6 16.2 6.1 10.2 4.3 6.1

Total 47.9

Signed by the Residents of La Cueva for the Preservation of Cougar Canyon,

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SUBSTITUTE AMENDMENT
ITEM #13(a)

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2017-__
Storage in Residential Districts

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2017-__:

1. On page 1, line 12 after "**VEHICLES**" ***insert*** "**AND TRAILERS**"

2. On page 2, ***delete*** lines 22-15 and ***insert*** the following new sections in lieu thereof:
   "(v) Storage of PODS® or similar style moving/shipping containers for more than thirty (30) days;
   (vi) Storage or parking within any portion of a *street yard* other than a driveway of a noncommercial vehicle used for storage of goods, materials or equipment other than those items considered to be a part of the vehicle or essential for its immediate use;
   (vii) Use of any vehicle as a receptacle for the storage of litter or refuse as provide by Subsections 10-1.13 and 10-1.14 SFCC 1987;"

Respectfully submitted,

_____
Signe I. Lindell, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Exhibit "6"

March 4, 2008	Ranked Choice Voting approved on Ballot	
October 29, 2009	Reported to Governing Body – County Clerk's Office has reported that the M-100 does not offer ranked choice functionality.	
March 16, 2011	Election Systems and Software, Inc. (ES&S) Caryle Crandall M100 Precinct Tabulator does not have the capability of tabulating Rank Choice Voting contests.	
March 21, 2011	• **March 21, 2011** - SF County Bureau of Elections – Denise Lamb, Chief Deputy Clerk M100 Precinct Tabulator does not have the capability of tabulating Ranked Choice contest. If we receive any firmware upgrades from the State of New Mexico in the future that would enable the machines to tabulate ballots in Ranked Choice contests, we will immediately advise you. •	
July 27, 2011	Met with Secretary of State Duran; stated that the current voting systems do not possess the technical capability for ranked choice voting and that it does not appear that either the Election Code or the Municipal Election Code provides a mechanism for municipalities to purchase their own voting systems. Secretary Duran further states that if the City wishes to purchase voting systems that are technically capable of supporting ranked choice voting, we would need to seek a solution through the New Mexico Legislature.	
August 9, 2011	• **August 9, 2011** – Provided copy of above letter to Governing Body.	

Exhibit "7"

August 1, 2013	• **August 1, 2013** – Press Release – SF County Clerk – Geraldine Salazar Counties do not purchase voting machines and because current machines provided by the Secretary of State to the counties do not have the capability to count ranked choice ballots, ranked-choice voting has never been implemented. The Secretary of State's Office is, however, in the process of evaluating proposals to purchase new voting tabulation machines. These new machines may or may not have the ability to tabulate ranked-choice votes, depending on several factors, including what machines are offered by the various vendors, how much they will cost, and importantly, whether such tabulating machines can be certified to be consistent with New Mexico law requiring paper ballots.	
September 23, 2015	Dominion – Democracy Suite 5.0 should be ready early in 2016.	
October 2, 2015	Software price reduced from $350,00 to $39,500	
October 13, 2016	Dominion demonstrates RCV software to staff and Governing Body	
March 2017	Met with Secretary of State Dominion has not submitted RCV Software for certification	
June 20, 2017	Met with Secretary of State and staff member; Dominion has not submitted RCV Software for certification	
June 27, 2017	Email from Secretary of State – Voting System Test Lab (VSTL) to be completed by August 25, 2017 and State Certification by September 30 or October 1, 2017.	

August 25, 2017	Dominion Software – Voting System Test Lab (VSTL) to be completed	
September 1, 2017	Release of Candidate Packet; included qualifying and seed money forms, nominating petition forms, election code, campaign and public campaign financing codes,	
September 1, 2017	Qualifying Period Begins	
September 15, 2017	Candidates file statement of organization.	
September 27, 2017	Distribution of proposed Election Resolution	
September 30 or October 1, 2017	State Certification to be complete.	
October 11, 2017	Adoption of Election Resolution	
October 17, 2017	Candidates receive official notification of exact number of required nominating petition signatures.	
October 31, 2017	Last day to collect nominating petition signatures	
November 20, 2017	Qualifying Period Ends	
December 5, 2017	Candidate Filing Day	
December 7, 2017	Certification as a Participating Candidate	

It's been two months since the people of this city voted down your sugar tax. For two months you continue to slap us around as if we are a bunch of idiots!

FIRST a sugar tax, then $175,000 for a do nothing position, then you want $35M airport, oh and lets not forget you spent $90,000 for an out of state contract, oh and a $130,000 salary for an asst. City Mgr, then tens of thousands for "a my friend" Management or Director Positions.

Exhibit "B"

YES, you are desperate for money. So are your constituents. Now you WANT A gas tax! SANTA FE has one of the highest gas taxes in N.M. Is that why the Mayor went to Miami? To stand in line for Bloombergs 200 million to cities money in order to PAY for campaign the gas tax Election?

Stop trying to choke money from a community already struggling. If you don't, we will ask those same 20,000 sugar tax voters to come out - VOTE NO GASTAX AND Remove everyone from this council.

YA BASTA

NO MORE TAXES

NO MORE MONEY

NO MORE WASTEFUL

Spending

Thats our message again.
We will continue to address
you every time you are being
financially irresponsible and
don't even think or talk
about other ways + means
to fund your spending!

My name is Jim Williamson from Tierra Contenta and I am proud to stand with Gloria Mendoza and the rest of the grassroots Santa Fe Power watchdog group to bring fiscal responsibility and common sense back to City Hall.

Councilor Maestas, there will be no gas tax. We will kill that initiative like we did with Javier's sugar tax and Mayor Salary. Ni un centavo mas for any of your movidas. We will kill the City running a bank. I trust Bernie Madoff with our money more than I trust you jokers.

Mayor Bloomberg.. I mean Gonzales, with what you learned at the US Conference of Mayors, do you think now that you are finally ready to declare your Candidacy for Mayor in 2018... for Mayor of California that is.... since you only work for your rich eastside donors who moved here from California... You ignore anyone else, especially normal plebe Santa Feans.

I am an accountant and I took a look at the Santa Fe Open Government website and found information that is very disturbing.

The City of SF has water revenue 5 times the expense. This means that 80% of what we pay on our water bills is spent on items not related to water. Water bills are how you fund a lot of City Government – on the backs of the poor and working class. It's completely uncalled for and is a textbook definition of stealing. It's disgusting and we won't stand by and let you continue.

The City now has 27 City Employees mostly of your friends making 6 figure salaries in a City with a $30K per capita income.. No city employees should be making more than $90K in our City. Enact paycuts for anyone making over $70K. Put a hiring freeze for All Non-police City employees. Revert the $300K Verde Fund into infrastructure. Get rid of the Assistant City Manager Position... Heck with a Strong Mayor we won't need a City Manager. There will be no $35M Airport improvements bond.. Now is not the time for more spending money that we don't have. Get back to basics – public safety, infrastructure and lowering water and recreation fees for our people.

The Administrative workforce will have to be reduced on a large scale.. No more supervisors supervising 1 employee. There should be 1 Supervisor for 5 employees minimum. The hardworking City employees that are actually doing the work of providing the services to the public would be commended for doing a good job, and would be incentivized to reduce fraud, waste and abuse to save us all money.

You place your friends in your committees to select your salaries and do you bidding. You don't care who you step on to fund your out of control government.. Not the retired viejita living in her casita on social security income, not the small business taqueria or peluqueria on Airport Rd that can barely make payroll after paying for your water slush fund.

Carmichael has overseen the Finance committee for years and lets all this garbage thru his Committee, then the Council rubber stamps it. Why do you approve Javier's wreckless spending policies so blindly with no regard for the lower income folks in your District 3? Plus you have voted for all of Javier's fee increases and tax hikes. Whose side are you on?

Exhibit "9"

People may ask me, Guero, que.te importa? I care because I'm a 4th generation New Mexican and a citizen of Santa Fe. I'm raising 2 sons as a single dad in this community. I see my neighbors and local families that go back 400 years being forced to move to Rio Rancho because of the economic disaster caused by the void of leadership here at City Hall.

Javier and Carmichael - You have 1 month to respond to our group's ideas to lower the spending so that you don't continue to steal from our water fund and ignore infrastructure. I will email both of you and Daniel Chacon of the SFNM tonight June 28th. Our people are awaiting your response and plan of action.

City of Santa Fe, New Mexico

memo

DATE: May 18, 2017 for the May 31, 2017 City Council meeting

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

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

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

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Case #2017-02. SafeLock Storage, 6350 Airport Road General Plan Amendment. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a General Plan future land use map amendment to change the designation from Office to Community Commercial for a 2.186-acre parcel located at 6350 Airport Road. (Donna Wynant, Case Manager)

Case #2017-03. SafeLock Storage, 6350 Airport Road Rezoning. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of rezoning from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District) for a 2.186-acre parcel located at 6350 Airport Road. The request includes approval of a Development Plan to allow a 350-unit climate controlled indoor storage facility. The property is located in the Airport Road Overlay District. (Donna Wynant, Case Manager)

I. RECOMMENDATION

Although staff review of the proposed project noted some inconsistencies with the intent of the Airport Road Highway Corridor Overlay District, the Planning Commission and staff recommended **APPROVAL of the** General Plan Amendment and Rezoning based on a determination the applicable minimum development standards would be met.

Separate motions are necessary for the General Plan amendment and the rezoning:

> **APPROVE** the request to amend the General Plan Future Land Use Map designation from Office to Community Commercial. No conditions of approval are required for

Exhibit "10"

the plan amendment.

APPROVE the request to rezone from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District), including approval of the final development plan, subject to the technical corrections listed in Exhibit B of the attached rezoning bill.

Review by the Planning Commission also included an application for a special use permit, which was approved contingent to approval of the general plan amendment and rezoning by the Governing Body. No action by the Governing Body is required for the special use permit.

II. APPLICATION OVERVIEW

The General Plan Amendment and Rezoning applications pertain to property located at 6350 Airport Road, which was annexed into the City in 2014 as part of the City-initiated annexation process and zoned C-1 (Office and Related Commercial). The applicant requests an amendment to the General Plan Future Land Use Map, from "Office" to "Community Commercial" and a rezoning from C-1 (Office and Related Commercial) to C-2 PUD (General Commercial Planned Unit Development Overlay District).

All PUD rezonings include a development plan. A special use permit is required for the proposed indoor storage facility type of use in the C-2 (General Commercial) district. A development plan is required because of the PUD rezoning application, and because it is a development over 10,000 square feet within 200 feet of residentially-zoned property. (The adjacent neighborhood to the south is zoned R-6.)

The property is located in the Airport Road Overlay District, which encourages specific uses for properties that directly abut the stretch of Airport Road between NM 599 and Cerrillos Road (see Exhibit 3). Such uses include grocery stores, farmers markets, medical offices, schools, restaurants, schools, galleries, etc. by way of incentives in the reduction of construction permit fees. The purpose and intent of the Airport Road Overlay District is to:

- Establish an attractive, street-oriented character on this multi-use corridor to encourage development and redevelopment on Airport Road;
- Create a unique sense of place and identity for this major arterial that serves the southwest part of the city;
- Promote a healthy and safe environment through the development of walkable neighborhoods, less dependence on the automobile, street-oriented building design; and the reduction of crime, nuisances, and public health harms associated with alcohol sales and advertising.

The Planned Unit Development Plan (PUD) overlay district requested by the applicant is intended to allow and encourage innovative site planning, and to ensure compatibility with development on adjoining properties. The PUD designation requires the property to be developed in accordance with the submitted development plan. Minor amendments to the

development plan could be approved by the Planning Commission, but amendments that significantly increase the intensity of development would require approval by the Governing Body.

The subject site is a vacant and flat 2.18-acre parcel located at 6350 Airport Road, on the south side of Airport Road between Paseo del Sol and Geo Lane. It is across Airport Road from the Esplanade Village commercial center, which is zoned SC-1, and the West Meadow subdivision located immediately to the south is zoned R-6. The Shalom Mobile Home Park, zoned R-12, is located to the east and the Santa Fe Business Incubator, zoned C2-PUD, is to the west.

The climate controlled indoor storage facility shown on the development plan will comply with the design criteria as outlined in the Airport Road Overlay Chapter 14-5.5. Those criteria include site design; circulation and parking; architecture; landscaping standards; signage; and site furnishings.

An Early Neighborhood Notification meeting was held on November 7, 2016 at the Southside Library. The applicant plus one member of the public was in attendance. Questions were asked regarding access, traffic, and the nature of the proposed use.

III. SUMMARY OF PLANNING COMMISSION ACTION

The Planning Commission found that the proposed use as an indoor climate-controlled storage facility is a viable use for the site since it generates very low traffic and is designed to look like an office building, which would be consistent with the current zoning of the property.

At its March 2, 2017 public hearing, the Planning Commission recommended approval (8-1) of the general plan amendment and rezoning, including the development plan. No conditions of approval are required for the general plan amendment. The recommendation to approve the rezoning was made subject to the conditions of approval listed in Exhibit B of the rezoning bill with an additional condition that a sidewalk be provided on the Paseo del Sol side to connect with future sidewalks to the nearby school. The Commission also approved the special use permit, subject to approval of the rezoning and development plan by the Governing Body (See attached minutes, Exhibit 2)

ATTACHMENTS:

EXHIBIT 1:
- a) Findings of Fact and Conclusions of Law
- b) General Plan Amendment Resolution
- c) Rezoning Bill

EXHIBIT 2: Planning Commission Minutes, March 2, 2017
EXHIBIT 3: Planning Commission Staff Report Packet March 2, 2017.

ITEM # 17-0293

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

Case #2017-02
SafeLock Storage 6350 Airport Road General Plan Amendment
Case #2017-03
SafeLock Storage 6350 Airport Rezoning
Case #2017-04
SafeLock Storage 6350 Airport Special Use Permit and Development Plan

Owner's Name – SafeLock Storage LLC
Agent's Name – JenkinsGavin Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on March 2, 2017 upon the application (Application) of JenkinsGavin Inc., as agent for SafeLock Storage LLC (Applicant).

The Applicant requests an amendment to the General Plan Future Land Use map to change the designation from Office to Community Commercial for a 2.186 acre parcel. The Applicant requests approval of rezoning from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District). The Applicant requests approval of a Development Plan and Special Use Permit to allow for the construction of a 350-unit climate controlled indoor storage facility. A special use permit is required since it is an indoor storage facility in the C-2 (General Commercial) district. A development plan is required since it is a development over 10,000 square feet within 200 feet of residentially-zoned property. The property is located in the Airport Road Overlay District. The property is located at 6350 Airport Road.

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

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and no members of the public interested in the matter.
2. Santa Fe City Code (Code) §14-3.2(D) sets out certain procedures for amendments to the General Plan (Plan), including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.2(E).

3. Code §14-3.5(B) sets out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.5(C).
4. Pursuant to Code §14-2.4(C)(2) the Board has the authority to hear and decide applications for special use permits as provided in Code §§14-3.6 (Special Use Permits) and 14-6 (Permitted Uses).
5. A special use permit is required since it is an indoor storage facility in the C-2 (General Commercial) district.
6. Pursuant to Santa Fe City Code (Code) §14-2.3(C), the Commission has the authority to review and approve or disapprove development plans.
7. A development plan is required since it is a development over 10,000 square feet within 200 feet of residentially-zoned property.
8. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F) and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
9. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
10. An ENN meeting was held on the Application on November 7, 2016 at Southside Public Library
11. Notice of the ENN meeting was properly given.
12. The ENN meeting was attended by the Applicant and City staff; there as one member of the public in attendance and concerns were raised.
13. Commission staff provided the Commission with a report (Staff Report) evaluating the factors relevant to the Application.
14. Code §14-3.2(B)(2)(b) requires the City's official zoning map to conform to the General Plan, and requires an amendment to the Plan before a change in land use classification is proposed for a parcel shown on the Plan's land use map.
15. The Commission is authorized under Code §14-2.3(C)(7)(a) to review and make recommendations to the Governing Body regarding proposed amendments to the General Plan.
16. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings Staff Report, subject to certain conditions (the Conditions) set out in such report.

General Plan Amendment

17. Under Code § 14-3.2, an amendment to the General Plan requires submittal of an application for review and recommendation to the Governing Body by the Planning

Commission.

18. The Commission has considered the criteria established by Code §14-3.2(E)(1)(a) and finds the following facts: (a) *Consistency with growth projections for the City, economic development goals as set forth in a comprehensive economic development plan for the City, and with existing land use conditions, such as access and availability of infrastructure. [§14-3.2(E)(1)(a)].*
    a. The 1999 Future Land Use Map identifies the project site as being within a future growth area and "urban staging area 1."
    b. Existing land use conditions along Airport Road include commercial developments such as small shopping centers, office developments and business parks, and various residential development such as mobile home parks, apartment developments and single family residential neighborhoods.
    c. Existing street and utility infrastructure are adequate to support the proposed level of development.
19. The Commission has considered the criteria established by Code §14-3.2(E)(1)(b) and finds the following facts: (b) *Consistency with other parts of the Plan. [§14-3.2(E)(1)(b)].*
    a. The General Plan calls for infill development of existing vacant parcels with a mix of uses within neighborhoods.
    b. Chapter 3 cites promotion of a "compact urban form" through "sensitive/compatible infill development" and calls for a mix of uses throughout all areas of the City.
20. The Commission has considered the criteria established by Code §14-3.2(E)(1)(c) and finds the following facts: (c) *The amendment does not: (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character of the area. [§14-3.2(E)(1)(c)].*
    a. The Airport Road corridor has diverse number of uses.
    b. The property is in close proximity to a large number of commercial and office uses.
    c. The proposed amendment to the Community Commercial designation will allow a variety of potential commercial land use and is not significantly different with the prevailing uses in the area.
21. The Commission has considered the criteria established by Code §14-3.2(E)(1)(c) and finds the following facts: (c) *The amendment does not: (ii) affect an area of less than two acres, except when adjusting boundaries between districts. [§14-3.2(E)(1)(c)].* The site is greater than two acres.
22. The Commission has considered the criteria established by Code §14-3.2(E)(1)(c) and finds the following facts: (c) *The amendment does not: (iii) benefit one of a few landowners at the expense of the surrounding landowners or the general public [§14-3.2(E)(1)(c)].* The proposed General Plan Amendment will not benefit a few landowners at the expense of surrounding landowners because the surrounding

landowners will benefit for the nature of the use, which is extremely low impact with regard to noise and traffic.

23. The Commission has considered the criteria established by Code §14-3.2(E)(1)(d) and finds the following facts: (d) *An amendment is not required to conform with Code §14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification [§14-3.2(E)(1)(d)].*
    a. The project promotes the general welfare by providing a low impact use.
    b. The project will increase neighborhood safety by developing a vacant property that would otherwise create opportunities for vandalism, littering and loitering.
    c. The project will create jobs and support economic development.
24. The Commission has considered the criteria established by Code §14-3.2(E)(1)(e) and finds the following facts: (e) *Compliance with extraterritorial zoning ordinances and extraterritorial plans [§14-3.2(E)(1)(e)].* This criterion is no longer relevant since the adoption of SPaZZo and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.
25. The Commission has considered the criteria established by Code §14-3.2(E)(1)(f) and finds the following facts: (f) *Contribution to a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development [§14-3.2(D)(1)(f)].*
    a. Due to the current rental housing shortage and rising costs of living, many Santa Feans now occupy smaller residences that cannot house all their belongings, a situation which has created a need for more self-storage facilities.
    b. Santa Fe is also home to many part-time residents who need to store belongings while they are out of town.
    c. Many of the existing storage facilities are drive-up and are not climate-controlled. This project offers climate-controlled interior storage.
26. The Commission has considered the criteria established by Code §14-3.2(E)(1)(g) and finds the following facts: (g) *Consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.* The project is located in the Airport Road Overlay District and the development plan complies with the minimum site development standards of the overlay set forth in Section 14-5.5(C).
27. The Commission has considered the criteria established by Code §14-3.2(E)(2)(a) and finds the following facts: (a) *the growth and economic projections contained within the general plan are erroneous or have changed.* Due to the current rental housing shortage and rising costs of living, many Santa Feans now occupy

smaller residences that cannot house all their belongings, a situation which has created a need for more self-storage facilities.

28. The Commission has considered the criteria established by Code §14-3.2(E)(2)(b) and finds the following facts: *no reasonable locations have been provided for certain land uses for which there is a demonstrated need.* The project is a n indoor climate-controlled storage facility, which is a viable use for the site since it generates very low traffic and is designed to look like an office building, which would be consistent with the current zoning of the property.
29. The Commission has considered the criteria established by Code §14-3.2(E)(2)(c) and finds the following facts: *conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of land space requirements, consumer acceptance, market or building technology.* Due to the current rental housing shortage and rising costs of living, many Santa Feans now occupy smaller residences that cannot house all their belongings, a situation which has created a need for more self-storage facilities.

Rezoning

30. Under Code §14-3.5(C), the Commission may review the proposed rezonings and make recommendations to the Governing Body by the Planning Commission.
31. The Commission has considered the criteria established by Code §14-3.5(C)(1)(a) and finds the following facts: *One or more of the following conditions exist: (i) there was a mistake in the original zoning; (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or (iii) a different use category is more advantageous to the community, as articulated in the Plan or other adopted City plans [Code §14-3.5(C)(1)(a)].*
    a. The current C-1 designation contemplates offices or medical facilities, which generate more traffic than the proposed use.
    b. The change in use will benefit the neighborhood by significantly reducing the potential traffic impact as illustrated in the Applicant's Trip Comparison Chart.
32. The Commission has considered the criteria established by Code §14-3.5(C)(1)(b) and finds the following facts: *All the rezoning requirements of Code Chapter 14 have been met [Code §14-3.5(C)(1)(b)].* All the rezoning requirements of Code Chapter 14 have been met.
33. The Commission has considered the criteria established by Code §14-3.5(C)(1)(c) and finds the following facts: *The proposed rezoning is consistent with the applicable policies of the Plan [Section 14-3.5(C)(1)(c)].* The proposed rezoning is consistent with the Plan.
34. The Commission has considered the criteria established by Code §14-3.5(C)(1)(d) and finds the following facts: *The amount of land proposed for rezoning and the*

proposed use for the land is consistent with City policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the City [Code §14-3.5(C)(1)(d)].

a. New businesses are necessary along Airport Road to serve the growing population.
b. Due to the current rental housing shortage and rising costs of living, many Santa Feans now occupy smaller residences that cannot house all their belongings, a situation which has created a need for more self-storage facilities.

35. The Commission has considered the criteria established by Code §14-3.5(C)(1)(e) and finds the following facts: *(e)The existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development [Section 14-3.5(C)(1)(e)]*;
    a. The City's Traffic Engineering Division has determined that streets will be able to accommodate the proposed development.
    b. Utilities are available to serve the site.
    c. The water impact will be low, as the water budget for self-storage is 0.13 acre fee/year.
    d. The building will be served by the City of Santa Fe Fire Station located at 6796 Jaguar Drive.
    e. There could be sidewalks constructed on the west side of the project to connect at the corner and to a future sidewalk at the next property to the south.
36. The Commission has considered the criteria established by Code §§14-3.5(D)(1),(2) and finds the following facts: *If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies; If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.*
    a. The C-2 (General Commercial) district allows a variety of uses.
    b. The Applicant is requesting PUD zoning in order to ensure that the property will be developed in a way that will be compatible with the area, rather than allowing a variety of C-2 district uses in the future.
    c. PUD zoning limits permissible development to the requested use, thereby preventing other uses from being developed on the site.

d. The PUD is appropriate under Code §14-5.7(E)(1) because as a unified development on the parcel, the project is better able to restrict access to Geo Lane and away from Airport Road and Paseo del Sol.
e. The PUD is appropriate under Code §14-5.7(E)(1) because it minimizes the impact on surrounding properties with the landscape buffer area along the south property line and the east property line along Geo Lane, which screens the parking lot.
f. The PUD is appropriate under Code §14-5.7(E)(2) because the density of population and intensity of land use allowed by the underlying zoning district shall be the overall density and intensity in the PUD.
g. The PUD is appropriate under Code §14-5.7(E)(3) because the development meets the requirements of Chapter 14 and the design standards of the Airport Road Overlay District.

Special Use Permit

37. Pursuant to Code §14-2.4(C)(2) the Board has the authority to hear and decide applications for special use permits as provided in Code §§14-3.6 (Special Use Permits) and 14-6 (Permitted Uses).
38. Pursuant to Code §14-3.6(B) the Board has the authority to hear and decide applications for special use permits in accordance with applicable provisions of Chapter 14; to decide questions that are involved in determining whether special use permits should be granted; and to grant special use permits with such conditions and safeguards as appropriate under Chapter 14; or to deny special use permits when not in harmony with the intent and purpose of Code Chapter 14.
39. Table 14-6.1-1 requires approval of a special use permit for an indoor storage facility in the C-2 district.
40. Code Section 14-3.6(C) sets out the procedures to be followed prior to the grant by the Board of a special use permit, including:
    a. Approval of a site plan and other site development drawings necessary to demonstrate that the Project can be accomplished in conformance with applicable Code standards [Section 14-3.6(C)(1)];
    b. Submittal of an application indicating the Code section under which the special use permit is sought and stating the grounds on which it is requested [Section 14-3.6(C)(2)]; and
    c. That a special use permit is limited to the specific use and intensity granted, requiring a new or amended special use permit if the use is changed or intensified [Section 14-3.6(C)(3)].
41. Code Section 14-3.6(D)(1) sets out certain findings that the Board must make to grant a special use permit, including:
    a. *That the Board has the authority to grant a special use permit for the Project [Section 14-3.6(D)(1)(a)];* Subsection 14-2.3(C)(3) and Table 14-

6.1-1 provide the authority for the Planning Commission to grant a special use permit for "individual storage areas within a completely enclosed building" within a C-2 zone.

b. *That granting a special use permit for the Project does not adversely affect the public interest [Section 14-3.6(D)(1)(b)];* The granting of the special use permit for a storage facility will not adversely affect the public interest.

c. *That the Project is compatible with and adaptable to adjacent properties and other properties in the vicinity of the Project* [Section 14-3.6(D)(1)(c)].

   i. The storage facility is designed to resemble an office building to blend with the surrounding buildings.

   ii. The 25-foot setback from the south property line includes a 15 foot landscape buffer with Austrian pine trees and various shrubs.

   iii. An existing wood fence adds to the screening of the project.

42. Code Section 14-3.6(D)(2) authorizes the Board to specify conditions of approval for a special use permit to accomplish the proper development of the area and to implement the policies of the general plan.
43. The Applicant submitted a site plan and an application indicating the Code section under which the special use permit was being sought and stating the grounds for the request.
44. Board staff provided the Board with a report (Staff Report) evaluating the factors relevant to the proposed special use permit and recommending approval by the Board of such special use permit, subject to the conditions set out in the Staff Report (the Conditions).

Development Plan

45. Pursuant to Santa Fe City Code (Code) §14-2.3(C), the Commission has the authority to review and approve or disapprove development plans.
46. Pursuant to Code §14-3.8(B)(3)(a), approval of a development plan by the Commission is required for a new development with a gross floor area of ten thousand square feet within 200 feet of residentially-zoned property.
47. Code §14-3.8(C)(1) requires applicants for development plan approval to submit certain plans and other documentation that show compliance with applicable provisions of Code (the Submittal Requirements).
48. Code § 14-5.7(C) states that an application for PUD rezoning shall be accompanied by a preliminary development plan, but an applicant may submit a proposed final development.
49. The Applicant has complied with the Submittal Requirements.
50. Code §14-3.8(D)(1) sets out certain findings that must be made by the Commission to approve a development plan, including:

a. *That it is empowered to approve the development plan for the Project [§14-3.8(D)(1)(a)].* The Commission has the authority under the section of Code Chapter 14 cited in the Application to approve the development plan.

b. *That approving the development plan for the Project does not adversely affect the public interest [§14-3.8(D)(1)(b)].*
   1) The Project will not adversely affect the public interest under the project's plan for landscape, screen and buffering of the storage development from the adjacent residential property.
   2) The proposed use is identified as a permitted use in Table 14-6.1-1.

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 Project [§14-3.8(D)(1)].*
   1) The PUD requested by the Applicant would effectively limit development of the property to the specific plan for the storage facility.
   2) The development plan includes a 15-foot landscape buffer and screening fence along the south property line, landscaping to screen to parking lot, as well as along Airport Road and the Paseo del Sol side of the property.
   3) The project would comply with development standards for underlying zoning and for the Airport Road Overlay District design standards per Section 14-5.5(C).

51. 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 development plan be approved, subject to certain conditions (the Conditions) set out in such report.
52. The Applicant's proposal did not include a fence along the corridor along Airport Road.
53. 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 hearing, the Commission CONCLUDES as follows:

General

1. The proposals were properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.

2. The ENN meeting complied with the requirements established under the Code.

The General Plan Amendment

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

The Rezoning

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

Special Use Permit

8. The Board has the power and authority under Code §§14-2.4(C)(2) and 14-3.6(B) to grant the special use permit applied for in this request.
9. The granting of the special use permit will not adversely affect the public interest.
10. The Project is compatible with and adaptable to adjacent properties and to other properties in the vicinity of the Project.
11. The special use permit granted herewith is granted for the specific use of the Property and intensity applied for and no change of use or more intense use shall be allowed unless approved by the Board under a new or amended special use permit or as otherwise permitted by applicable Code.

Development Plan

12. The Commission has the authority under the Code to approve the Development Plan for the Property.
13. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE 6th DAY OF APRIL, 2017 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

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

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the rezoning request to C-2 to the Governing Body, subject to Conditions, including the sidewalk construction on the west side of the project.

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the Development Plan for the Property is approved, subject to Conditions, including that there be no fence along the corridor along Airport Road.

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the special use permit is approved as applied for, subject to the Conditions presented in Staff's report. The special use permit granted herewith shall expire if (a) it is not exercised within three (3) years of the date these Findings of Fact and Conclusions of Law are adopted by vote of the Board, subject to any right of the Applicant under applicable Code to request an extension of such time or (b) it ceases for any reason for a period of three hundred and sixty five (365) days.

4-7-17
Date:

Vince Kadlubek, Chair

FILED:
Yolanda Y. Vigil
Yolanda Y. Vigil
City Clerk

4.10.17
Date:

APPROVED AS TO FORM:
Zachary Shandler
Assistant City Attorney

4/7/17
Date:

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2017-__

INTRODUCED BY:

A RESOLUTION

AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF 2.18± ACRES OF LAND FROM OFFICE TO COMMUNITY COMMERCIAL LOCATED AT 6350 AIRPORT ROAD AT THE SOUTHEAST CORNER OF AIRPORT ROAD AND PASEO DEL SOL ("SAFELOCK STORAGE" GENERAL PLAN AMENDMENT CASE NO. 2017-02).

WHEREAS, the agent for the owner of the subject property (Safelock Storage) has submitted an application to amend the General Plan Future Land Use Map designation of the property from Office to Community Commercial; and

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

WHEREAS, the Governing Body has held a public hearing on the proposed amendment, reviewed the staff report and the recommendation of the Planning Commission and the evidence obtained at the public hearing, and has determined that the proposed amendment to the General Plan meets the approval criteria set forth in Section 14-3.2(E) SFCC 1987; and

WHEREAS, the reclassification of the Property would be substantially consistent with the provisions of the General Plan by encouraging compact urban form through sensitive/compatible infill development and calls for a mix of uses throughout all areas of the City; and

WHEREAS, the reclassification of the Property will not allow a use or change that is inconsistent with prevailing use and character of the area; and

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

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

PASSED, APPROVED and ADOPTED this ____ day of May, 2017.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

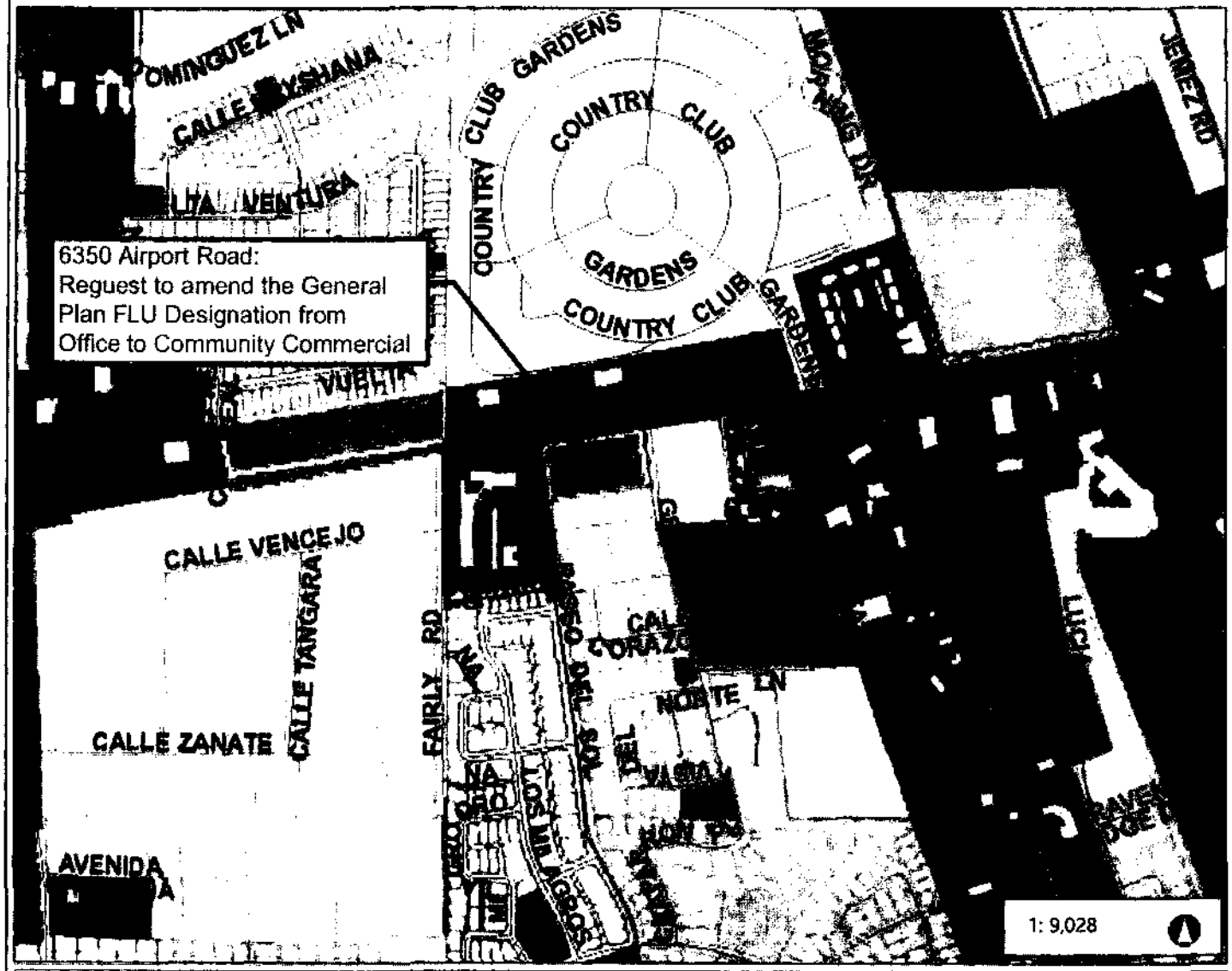
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Judy Shutler Asst City Attorney for

KELLEY A. BRENNAN, CITY ATTORNEY

Santa Fe
Mapping the City Different



Legend

- City Limits
- Address Points
- Building Footprint
- Santa Fe County Parcels
- Santa Fe River
- Roads
- Major Roads
- Future Land Use
  - 1 dwelling per acre
  - 1-3 dwellings per acre
  - 3-7 dwellings per acre
  - 7-8 dwellings per acre
  - 7-12 dwellings per acre
  - 12-29 dwellings per acre
  - Regional Commercial
  - Community Commercial
  - Neighborhood Center
  - Transitional Mixed Use
  - Business Park
  - Office
  - Industrial
  - Public/Institutional
  - Open Space
  - Parks

Notes

© Latitude Geographics Group Ltd.

1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2017-14

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE ZONING CLASSIFICATION FROM C-1 (OFFICE AND RELATED COMMERCIAL) TO C-2PUD (GENERAL COMMERCIAL, PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT); APPROVING A DEVELOPMENT PLAN; AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO A CERTAIN PARCEL OF LAND COMPRISING 2.18± ACRES LOCATED AT 6350 AIRPORT ROAD AT THE SOUTHEAST CORNER OF AIRPORT ROAD AND PASEO DEL SOL ("SAFELOCK STORAGE" REZONING CASE NO. 2017-03).

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

Section 1. The following real property (the "Property") located within the municipal boundaries of the city of Santa Fe, is restricted to and classified as C-2PUD (General Commercial, Planned Unit Development Overlay District):

A parcel of land comprising 2.18± acres located at 6350 Airport Road and more fully described in EXHIBIT A attached hereto and incorporated by

reference, located in Section 12, T.16N, R.8E, N.M.P.M., Santa Fe County, New Mexico,

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

Section 3. Rezoning to C-2PUD includes the development plan **EXHIBIT B** attached hereto and incorporated by reference.

Section 4. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in the table attached hereto as **EXHIBIT C** and incorporated herein summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on March 2, 2017.

Section 5. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

APPROVED AS TO FORM:

Zachary Shaller Ass't City Attorney

KELLEY A. BRENNAN, CITY ATTORNEY

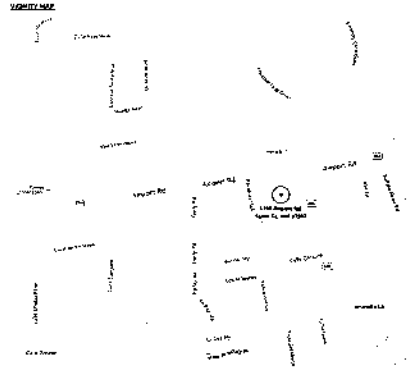
EXHIBIT A:
For Bill No. 2017-14

Legal Description of the
SafeLock Storage
6350 Airport Road

Tract lettered "A" of WEST MEADOW, a Manufactured Home Subdivision, within Section 12, T.16N, R.8E, N.M.P.M., within the City of Santa Fe, Santa Fe County, New Mexico, as the same is shown and designated on the plat of said Subdivision, filed in the office of the County Clerk of Santa Fe County, New Mexico on February 14, 1986 in Book 161, Page 034. Said tract being more particularly described by metes and bounds survey as follows:

BEGINNING at the Northwest corner of said Tract A, a point on the south right of way line of Airport Road;
Thence N.80°56'18"E., 409.85 feet along said right of way line to the Northeast corner of said tract;
Thence S.08°00'00"E., 236.04 feet to the Southeast corner of said tract;
Thence S.81°52'00"W., 409.25 feet to the Southwest corner of said tract;
Thence N.08°08'00"W., 229.40 feet to the point of beginning.
Said tract contains 2.1878 acres, more or less.

VICINITY MAP



STORMWATER AGREEMENT

PROPERTY OWNER(S) HEREBY AGREE THAT ALL STORMWATER EASEMENTS AND ANY OTHER DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY WILL BE MAINTAINED AND OPERATE IN FULL FUNCTION, AS ORIGINALLY DESIGNED AND CONSTRUCTED ON THE PRIVATE PROPERTY BY OWNER(S). THE CITY HAS THE RIGHT, IN THE EVENT OF DRAINAGE PROBLEM MAKES DEFICIENCY AND AFTER TEN (10) DAYS WRITTEN NOTICE TO THE RESPECTIVE PROPERTY OWNER, TO ENTER AND RESTORE FULL FUNCTIONAL CAPACITY OF THE DRAINAGE IMPROVEMENTS, AND TO BILL THE PROPERTY FOR BOTH DIRECT AND INDIRECT COSTS ASSOCIATED WITH SUCH WORK, BY SIGNATURE APPEARS TO THIS INSTRUMENT, THE PROPERTY OWNER(S) APPROVE AND AGREE THAT THIS AGREEMENT IS BINDING PERPETUALLY, RUNNING WITH THE LAND ON THESE OUT AND FUTURE OWNERS, HEIRS, AND ASSIGNS.

OWNER: _____

_____

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY _____ THIS _____ DAY OF _____, 20____

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVAL

KNOW ALL PERSONS BY THESE PRESENT THAT THE OWNER(S) HAS CAUSED THIS DEVELOPMENT PLAN TO BE PREPARED. ALL PART APPEARS ON THIS PLAN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER

OWNER: _____

_____

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY _____ OF _____ THIS _____ DAY OF _____, 20____

NOTARY PUBLIC

MY COMMISSION EXPIRES ON

CITY OF SANTA FE APPROVAL

REVIEWED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SANTA FE, THIS ON _____, 20____

AS CASE NO. _____

MAYOR DATE

REVIEWED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE MEETING ON _____, 20____

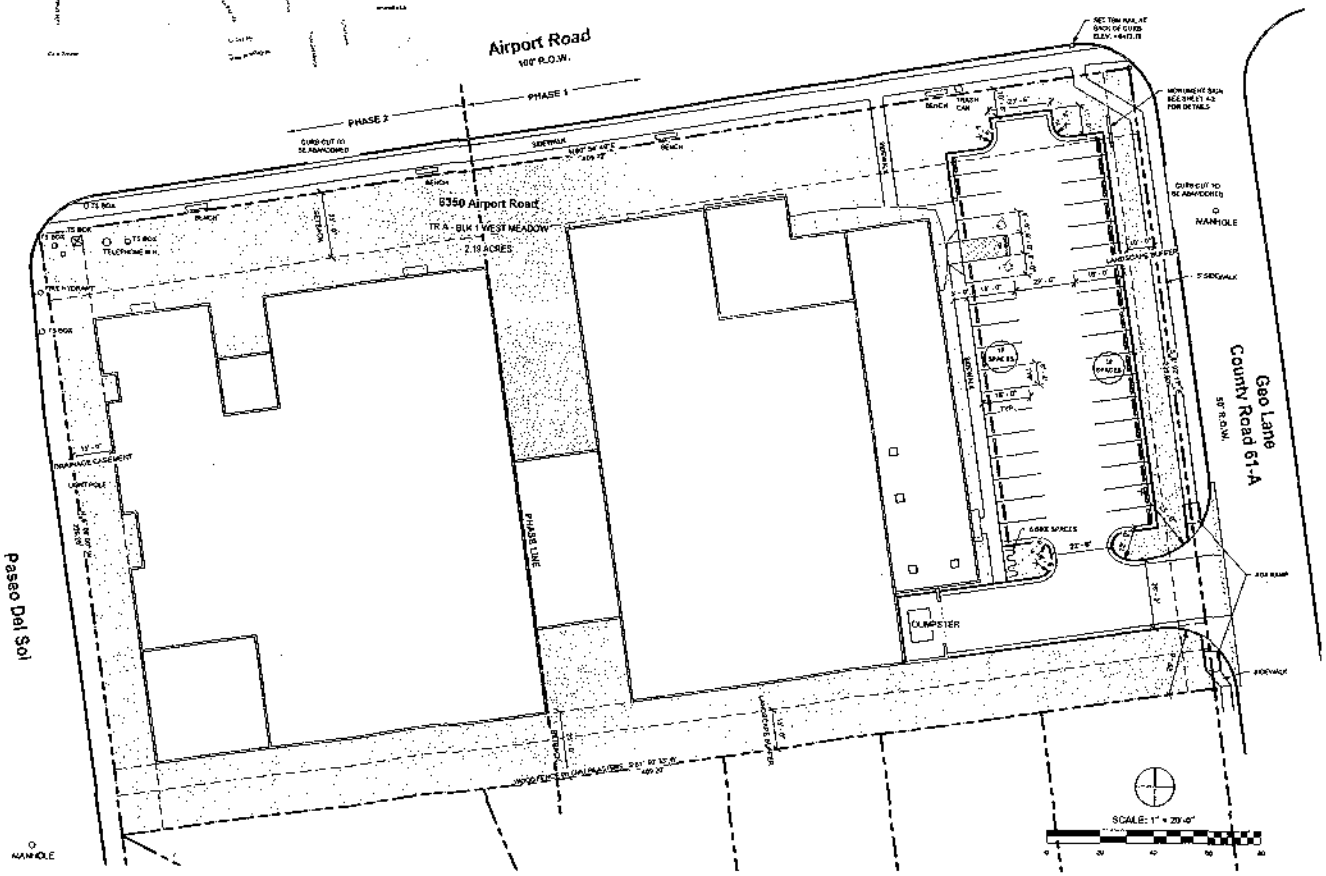
AS CASE NO. _____

PLANNING COMMISSION CHAIRPERSON DATE

PLANNING COMMISSION SECRETARY DATE

CITY ENGINEER FOR LAND USE DATE

CITY PLANNER DATE



1 Development Plan
1" = 20'-0"

DRAINAGE FACILITY MAINTENANCE SCHEDULE (1-30 DAYS) SHALL BE AS FOLLOWS:

MARCH 15TH - SEPTEMBER 15TH, AND AFTER STORMS OF 1 INCH OR GREATER

A. PLUMB ALL CULVERTS TO REMOVE SEDIMENT AND VEGETATION.
B. IF SEDIMENT IN DETENTION PONDS IS DEEPER THAN 6 INCHES, REMOVE AND RESEED WITH NATIVE GRASSES.
C. CHECK POND DRAINS AND RIPRAP INTEGRITY. REPAIR IF NECESSARY.
D. CHECK FILL SOIL EROSION AROUND ALL SINGLE FAMILY HOMES, DAY SLOPES, SHOTCRETE SLOPES AND RETAINING WALLS. UNSTABILIZED SOILS SHALL BE STABILIZED BY VEGETATION, ROCK PLATING OR EROSION MATS

NOTES:

1. ALL PROPOSED CHANGES TO THE APPROVED IMPROVEMENT PLANS SHALL RECEIVE PRIOR APPROVAL OF THE CITY OF SANTA FE'S - PLANNING AND LAND USE DEPARTMENT BEFORE CONSTRUCTION.
2. COMPLY WITH THE CURRENT CODY WATER CONSERVATION STAGE.
3. THIS HOME IS NOT IN OUTSIDE OF A HISTORIC DISTRICT AND IS WITHIN THE SUBURBAN ARCHAEOLOGY DISTRICT.
4. THE PROJECT DRIVEWAY WILL BE MAINTAINED BY THE PROPERTY OWNERS.
5. ALL BUILDING SHALL CONFORM TO THE INTENT OF THE DEVELOPMENT PLAN WITH ACTUAL SIZE AND SHAPE OF EACH STRUCTURE CONTAINED WITHIN THE HEREIN DEFINED BUILDING ENVELOPES INCLUDING WALLS AND FENCES, SUBJECT TO APPLICABLE BUILDING PERMIT REQUIREMENTS.
6. BUILDING SETBACKS SHALL APPLY TO ALL PERMANENT STRUCTURES, INCLUDING ACCESSORY STRUCTURES.
7. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14 LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
8. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH APPLICABLE CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO FINAL PLAT AND/OR DEVELOPMENT PLAN ACCORDANCE WITH THE COUNTY CLERK, OR SUBMITTAL OF BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISIONS OF REQUIREMENTS CALLED FOR IN CHAPTER 14, LAND DEVELOPMENT CODE SFCC 1987 AND SUBSEQUENT AMENDMENTS.
9. PROPERTY DEVELOPMENT MUST COMPLY WITH SECTION 14-8.13 (RELOCATION OF SUBMITTERS ENVIRONMENTAL).
10. THE PROJECT IS SUBJECT TO THE WATER ALLOCATION AND/OR WATER RESOURCE PROVISIONS OF ORDINANCE NO. 2002-26 AND RESOLUTION 2002-55 AT THE TIME OF PERMIT APPLICATION OR WATER HOOKUP REQUEST. COMPLIANCE SHALL BE OF RETIRED CREDITS OR WATER TRANSFERS, IF APPLICABLE.
11. FIRE DEPARTMENT ACCESS SHALL BE MAINTAINED THROUGHOUT ALL DEVELOPMENT CONSTRUCTION PHASES AS PER IFC 1410.1
12. FENCES, WALLS OR OTHER OBSTRUCTION SHALL NOT BE PLACED OR CONSTRUCTED ACROSS PUBLIC SANITARY SEWER EASEMENTS.
13. WASTEWATER UTILITY EXPANSION CHARGES (UEC) SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION. CONTACT THE CITY OF SANTA FE, PERMIT AND DEVELOPMENT REVIEW DIVISION TO PAY THESE UEC CHARGES.
14. AN AS-BUILT PLAN WITH DIMENSIONS AND INSPECTION SHALL BE CONDUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE CONTRACTOR SHALL CONTACT CITY STAFF TO SCHEDULE AN INSPECTION.
15. THE HORIZONTAL DEVELOPABLE AREA SHALL BE THE AREA WITHIN THE MINIMUM SETBACKS. MODIFICATIONS TO THE BUILDING DESIGN SHALL BE REVIEWED THROUGH THE BUILDING PERMIT PROCESS.
16. OWNER RESERVES THE RIGHT TO MODIFY THE DEFINED BUILDABLE AREA FOR PLAN TO CREATE A MANAGER'S DWELLING UNIT AS PERMITTED BY SFCC 14-6.1(A)(2)(A).

SITE DATA

Land Area:	2.186 acres (95,222 S.F.)
Proposed Zoning:	C-2 PUD
Proposed Storage Units:	
First Floor:	175
Second Floor:	175
Total:	350

Phase 1 Areas:

First Floor Area:	24,936 s.f.
Second Floor Area:	20,232 s.f.
Gross Floor Area:	45,167 s.f.
Roofed Area:	25,449 s.f. 26.73% Lot Coverage

Phase 2 Areas:

First Floor Area:	24,271 s.f.
Second Floor Area:	23,648 s.f.
Gross Floor Area:	47,919 s.f.
Roofed Area:	24,301 s.f. 25.52% Lot Coverage

Total Areas:

First Floor Area:	49,206 s.f.
Second Floor Area:	43,880 s.f.
Gross Floor Area:	93,086 s.f.
Roofed Area:	49,750 s.f. 52.25% Lot Coverage (60% Allowed)
Open Space Required:	25% or 23,806 s.f.
Open Space Provided:	32.8% or 31,265 s.f.
Parking Required:	1 space/unit or 35 spaces
Parking Provided:	35 spaces
Bicycle Parking Required:	8 spaces
Bicycle Parking Provided:	8 spaces

Exhibit B

SafeLock Storage
6350 Airport Road

Date
Issue Date

JENKINSGAVIN
LAND USE/PROJECT MANAGEMENT

Development Plan

Scale 1" = 20'-0"

2-1

Z:\Jenkins-Gavin\Self Storage\Self Storage.rvt

Case #2017-02, 03, & 04 SafeLock Storage, 6350 Airport Road

EXHIBIT C:

For Bill No. 2017- 14
Technical Corrections
for SafeLock Storage 6350 Airport Road

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

#	**Technical Corrections**	**Dept. or Division**	**To be completed by:**
1	Update the General notes sheet with current information and phone numbers.	Traffic Engineering	Prior to Development Plan recordation
2	Revise design of driveway so that the cross slopes of the sidewalk crossing the driveway are less than 2%.	Traffic Engineering	Prior to Development Plan recordation
3	Provide legible photometrics (sheet 4-1) meeting requirements of Article 14-8.9 and indicate pole height	City Engineer	Recordation
4	On Development Plan (sheet 2-1) required signatures needs revision – consult with City Engineer for details.	City Engineer	Recordation
5	Add vicinity map to Development Plan	City Engineer	Recordation
6	All Fire Department access shall be no greater than a 10% grade throughout.	Fire Marshal	Recordation
7	Fire Department access shall not be less than a 20 foot width to any new construction and meet IFC turn-around requirements.	Fire Marshal	Recordation
8	Shall meet the 150 foot driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.	Fire Marshal	Recordation
9	Fire Department shall have a 150 foot distance to any portion of the building on any new construction.	Fire Marshal	Recordation
10	Shall have water supply that meets fire flow requirements as per IFC	Fire Marshal	Recordation

The next three cases were considered together.

6. **Case #2017-02. SafeLock Storage, 6350 Airport Road *General Plan Amendment.*** JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a General Plan future land use map amendment to change the designation from Office to Community Commercial for a 2.186-acre parcel located at 6350 Airport Road. (Donna Wynant, Case Manager)

7. **Case #2017-03. SafeLock Storage, 6350 Airport Road *Rezoning.*** JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of rezoning from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District) for a 2.186-acre parcel located at 6350 Airport Road. The request includes approval of a Development Plan to allow a 350-unit climate controlled indoor storage facility. The property is located in the Airport Road Overlay District. (Donna Wynant, Case Manager)

8. **Case #2017-04. SafeLock Storage, 6350 Airport Road *Special Use Permit and Development Plan.*** JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a special use permit to allow a 350-unit climate controlled indoor storage facility located at 6350 Airport Road. A special use permit is required for an indoor storage facility in the C-2 (General Commercial) district *and a development plan* is required for developments over 10,000 square feet within 200 feet of residentially-zoned property. The property is currently zoned C-1 (Office and Related Commercial) and rezoning to C-2 is pending. The property is located in the Airport Road Overlay District. (Donna Wynant, Case Manager)

Ms. Wynant presented the staff report for Case #2017-04. The Staff Report is available on the City's web site. It is in the Airport Overlay District, now zoned as C-1 and rezoning to 2 PUD is pending to construct a climate-controlled storage facility. Staff did not take a strong position on it. However, the requirements for the plan are compliant. There are incentives in the overlay to encourage certain kinds of uses. Storage is a permitted use in C-2 zones. There were many requirements and it meets them. The benches required are 19 and they asked for alternate compliance that makes sense. There were issues there that could be answered.

She attended the ENN meeting for a different use but there is no opposition to this use.

Applicant's Presentation

Ms. Jennifer Jenkins (previously sworn) said Mike Gomez is the civil and traffic engineer on this project and part of the development team with David Schutz. This is a request for a General Plan Amendment, a rezone, a development plan approval and a special use permit.

She provided a description of the site and surrounding developments. It is a little over two acres, zoned C-1; the business incubator to the west is C-2 and there is mixed use zoning to the east, residential to the south and a shopping center to the north. The General Plan (GP) land use is office. It is a great site on

Airport Road with a perfect signalized intersection. So, she explained why it is still empty. The airport overlay doesn't permit curb cuts, so access must be from side or rear. The access is problematic and not many uses could be accommodated on that site. It is too close to permit full access on Paseo. They would love to have a grocery or medical office but couldn't make the traffic work for it. Nothing produced less traffic than a storage unit. There is high demand for interior climate-controlled storage and that would be allowed with a rezone to C-2 PUD.

She showed the site plan with access off Geo Lane and a small parking area and a 2-story building that reads as two buildings. It will likely be built in two phases. It has a 25' setback from Airport Road and 25' setback from the south with a 15' landscape buffer and 15' from Paseo. Providing benches based on the frontage - it would require 19 benches but she proposed four benches and a pedestrian connection to the sidewalk on Airport Road.

The design makes it look a little like an office building but it doesn't generate any traffic. She showed a rendering of it and added they might have a dwelling unit on ground floor to manage the storage site.

The design meets or exceed every one of the design standards and exceeds minimum open space at 33%.

She briefly explained the TIA of two intersections on Airport Road was done.

Public Comment

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

Commission Discussion

Mr. Shandler noted that Staff is unclear on the GP conditions and he didn't know how to write the Findings because he didn't know Staff's position or the applicant's position on them.

Mr. Smith said, on behalf of Staff, who, in addition to the applicant, noted various issues for various uses, he would listen carefully to the evaluation of the Commission and assist in making specific findings, retaining the conditions of the Airport Overlay restrictions and consistency with those plans.

Mr. Shandler asked for a few sentences from Ms. Jenkins.

Ms. Jenkins said, "We are in the designated future growth area of the City - urban staging area #1. So, we fit that standard as well as other parts of the GP for infill development. We are surrounded by other developments and roadways.

Regarding the prevailing character, the Airport Corridor is incredibly diverse. It is a mixed-use corridor so in no way is this novel for use and it is consistent with other uses. We are more than two acres so it fits for rezoning. We also meet a need. The market analysis showed a need for this use, especially climate

controlled storage. People are living in smaller spaces and need a place, even temporarily, to store their belongings."

Mr. Shandler thanked her.

Commissioner Hochberg commended Ms. Jenkins for her enthusiasm. The way things now stand, to make it a usable lot, we would have to find some creative use or seek to have curbside access from Airport Road, which is disallowed. So, this is surely less an impediment to the overall plan.

He commented that Ms. Jenkins keeps calling it a storage unit which conveys something ugly but this is a very attractive office looking building. It is all indoors and has no garage doors outside. The Commission just discussed today the need for high density residential and wherever that is, with smaller units, the need for storage units is higher. This is terrific.

Chair Kadlubek asked in the testimony that is largely based on traffic issues that make it undevelopable, what the times for those peaks are.

Ms. Jenkins said 7-9 a.m. and 4-6 p.m. were observed consistently. Sometimes it is congested in midafternoon. This intersection doesn't have the big bell curve - it is fairly busy throughout the day.

Chair Kadlubek thought evening usage as a restaurant might work or as a solid shell studio space for mostly evening work would be possible. But it would be difficult if the traffic is all day long.

Ms. Jenkins clarified regarding access to Paseo del Sol, it maybe could be approved by Mr. Romero and could have a right in and right out but there would be no way to get a left in.

Commissioner Kapin asked if coming out of Geo Lane to Airport Road is right only so a person wanting to go left on Airport must turn right and make a U-turn on Airport Road.

Ms. Jenkins agreed. They are being required to have right turn only all over. So, there is no way that south-bound traffic could use it.

Mr. Romero said it depends on what volume they propose how that affects the turn lanes including at Geo Lane. A McDonalds would bring too much traffic.

Commissioner Kapin asked about left turns and U-turns and Mr. Romero addressed them. He would need to examine the TIA to give opinions on any other uses.

Commissioner Gutierrez asked if storage could be approved with the current zoning and a special use permit.

Mr. Smith said no. As proposed by the applicant, the storage use would be prohibited unless it was rezoned.

Commissioner Gutierrez asked if Geo Lane is a public street.

Mr. Smith affirmed it is.

Mr. Romero believed it was a county road the City received through annexation.

Commissioner Gutierrez surmised that sidewalks are part of the development.

Mr. Romero agreed.

Mr. Smith said Geo Lane is also identified as County Road 61A.

Commissioner Gutierrez thought it might have other uses but with children lining up for Capital High in the morning, he understood this choice.

Commissioner Greene liked having a studio across from the incubator. He noticed in the plan that Paseo del Sol would have no curb or gutter improvements.

Ms. Jenkins agreed. It is because they are not accessing Paseo. The landscaping is there and there is no sidewalk to connect to on the south. It would make more sense if there was a sidewalk to connect to.

Commissioner Greene thought sidewalks were required everywhere and the Airport Corridor Overlay encourages sidewalks. He asked what kind of fences or walls would be installed.

Ms. Jenkins said there would not be any fences or walls.

Ms. Jenkins asked Mike Gomez to address the left turns issue that Commissioner Kapin raised.

Mr. Mike Gomez, 1589 S. St. Francis, was sworn. He said they looked at every possible option and improving the queue there. Left turning at Geo Lane to force people to use the U-turn at Paseo del Sol would force a closure for about fifty residences. Buffalo Grass Road would push all traffic to Paseo del Sol and that lane already backs up all the way and beyond so it is not an option.

Commissioner Kapin clarified that she wasn't suggesting anything on Paseo del Sol.

Mr. Gomez said she was suggesting a U-turn at the traffic signal. They observed zero left turns at Paseo del Sol and Airport Road but over 30 U-turns at Geo Lane. So moving those U-turns over to Paseo del Sol would mean that lane will fill up and block the main line. He ran the numbers and every option and could not come up with a solution.

Commissioner Hogan asked Mr. Gomez regarding the red line on Paseo del Sol, described as the queuing for the right turn onto Airport Road, whether an option they considered was a double lane to increase the queue for those turns.

Mr. Gomez didn't think dual right turn lanes would work at that corner with utilities and a signal that would have to be removed. That would be hugely expensive.

Commissioner Gutierrez asked Mr. Gomez what the difference in cars per day for this storage use compared with office use.

Mr. Gomez said storage would be big on weekends. This one generated one or two cars per day and an office would be hundreds of cars. He wasn't sure of the square footage but the projection was 92 cars in the peak hour.

Commissioner Propst said, after reading the packet, she felt the proposed use didn't make sense but the arguments in the presentation made sense to her and she was persuaded by them.

Action of the Commission

MOTION: Commissioner Propst moved to recommend to the Governing Body approval of Case #2017-02. SafeLock Storage, 6350 Airport Road *General Plan Amendment* with the criteria as described by Ms. Jenkins. Commissioner Hochberg seconded the motion.

Chair Kadlubek said we have one Commissioner from District 3. He asked Commissioner Abeyta about it.

Commissioner Abeyta had no questions because the presentation made a lot of sense. It has been vacant for a long time and now, he understood why, with the restrictions on access. It is a pain to have to make a U-turn on Airport Road. But he would rather see something there than nothing at all.

Commissioner Gutierrez said he felt much like Commissioner Propst after reading it. But after the presentation it also made sense to him.

Commissioner Greene asked for a friendly amendment to include sidewalks on the Paseo del Sol side to connect with future sidewalks to the nearby school.

Commissioner Propst asked to defer that to a later motion.

Mr. Smith agreed there would be an opportunity for conditions then.

Commissioner Hogan commented that it is hard to see a site like this holding such opportunity for other uses in desperate need. But storage is also a need and serves people in compact quarters better. He appreciated the offset back to 25' and encouraged that as it is done, that space will be an effective buffer to look at the landscape materials and other improvements supplemented by softer scaped areas for pedestrians. He would vote in favor.

Commissioner Kapin didn't think this plan complies with the Overlay restrictions. She understood that a lot of energy is put into this but she would vote no.

Commissioner Abeyta thought they should have seen different uses considered but the overlay was the fault so he would vote in favor.

Commissioner Hochberg thought it was a very attractive design and would look much better than a vacant lot. He would vote yes.

The motion passed by majority (7-1) roll call vote, with Commissioners Hogan, Greene, Propst, Abeyta, Gutierrez, Hiatt and Hochberg voting in favor, and Commissioner Kapin voting against.

Mr. Shandler asked if Mr. Romero could address the sidewalk issue. The applicant said it was not required but maybe Mr. Romero could clarify.

Mr. Romero said it would be appropriate to add a sidewalk there, even though there is not any connection now since there could be a connection in the future.

Mr. Shandler suggested it could be a condition of the rezone or perhaps on the development plan.

Commissioner Greene said he would request it on the rezoning.

Commissioner Greene moved to add a sidewalk to the west side of the site plan to connect at the corner and to a future sidewalk at the next property to the south. There was no second to his motion.

Ms. Jenkins reluctantly agreed to that.

MOTION: Commissioner Propst moved in Case #2017-03 - SafeLock Storage, 6350 Airport Road *Rezoning*, to recommend that the Governing Body approve the rezoning with technical corrections proposed by Staff and the sidewalk condition as proposed by Commissioner Greene. Commissioner Hiatt seconded the motion and it passed by majority roll call vote with Commissioners Hogan, Abeyta, Greene, Hiatt, Propst, Gutierrez, and Hochberg voting in favor and Commissioner Kapin voting against.

Commissioner Greene said in regard to Commissioner Hogan's request that the corridor along Airport Road is not fenced he would move that the 15' buffer be designed as open space and kind of urban streetscape park with some additional street trees, maybe expanded sidewalks, maybe a couple of benches off the street. ...

Chair Kadlubek asked if that could be just "no fence?"

Commissioner Greene agreed. It would be unfenced and landscaped.

Commissioner Hochberg pointed out that the landscape in the picture doesn't contemplate fencing.

Ms. Jenkins agreed.

MOTION: Commissioner Hiatt moved in Case #2017-04 - SafeLock Storage, 6350 Airport Road *Development Plan* to recommend to the Governing Body approval, subject to technical corrections recommended by Staff and that it have no fence. Commissioner Hogan seconded the motion.

Commissioner Kapin said this is the most beautiful of all storage units and she still would vote no.

The motion passed by majority (8-1) roll call vote with Commissioners Hogan, Greene, Propst, Gutierrez, Abeyta, Hiatt and Hochberg voting in favor and Commissioner Kapin dissenting.

Case #2017-04. SafeLock Storage, 6350 Airport Road *Special Use Permit*

MOTION: Commissioner Hiatt moved to approve Case #2017-04, SafeLock Storage, 6350 Airport Road *Special Use Permit* with technical corrections. Commissioner Propst seconded the motion and it passed by majority (8-1) roll call vote with Commissioners Hogan, Greene, Propst, Gutierrez, Abeyta, Hiatt and Hochberg voting in favor and Commissioner Kapin voting against.

3. **Case #2017-07. 1611 Alcaldesa St. Railyard Master Plan Amendment.** Santa Fe Railyard Company and WoodMetal Concrete Art & Architects, agents for WSB Management LLC, request an amendment to the Railyard Master Plan to increase the allowable massing to change from two separate single-story buildings to one three-story building within the height limits of the Railyard Master Plan Design requirements. The property is located on Lease Parcel P within the Santa Fe Railyard and zoned BCD-RED (Business Capitol District – Redevelopment District). (Dan Esquibel, Case Manger)

4. **Case #2017-08. 1611 Alcaldesa St. Railyard Development Plan.** WoodMetal Concrete Art & Architects, agents for WSB Management LLC, request a Development Plan approval to construct an 11,000 square-foot three-story building. The property is located on Lease Parcel P within the Santa Fe Railyard and zoned BCD-RED (Business Capitol District – Redevelopment District). (Dan Esquibel, Case Manger)

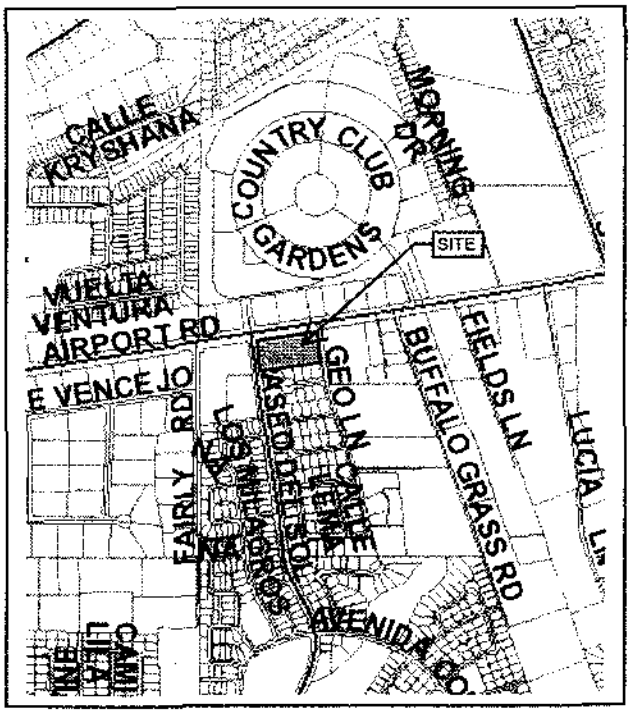
Commissioner Kapin recused herself from consideration of these two cases and left the meeting.

Mr. Esquibel presented the staff reports for both of these cases together. He explained that both are recommendations to the Governing Body. The Staff Reports for Case #2017-07. 1611 Alcaldesa St. Railyard Master Plan Amendment and Case #2017-08. 1611 Alcaldesa St. Railyard Development Plan are available at the City web site.

Staff recommended approval of the Master Plan Amendment and the Development Plan. The Railyard Master Plan design parameters are left up to the reviewing body in this area of the Railyard (Guadalupe Street edge). The Applicant has gone through the Railyard Corporation review process which has two committee reviews. Exhibits D and E in the packet show the architectural graphics. The infrastructure is already in place. The Applicant has addressed all criteria for the Development Plan and all

Land Use Department
Planning Commission Staff Report

Case No:	2017-02; 2017-03; 2017-04
PC Hearing:	March 2, 2017
Applicant:	JenkinsGavin Inc., agent for SafeLock Storage, LLC
Request:	General Plan Amendment, Rezoning with a Development Plan and Special Use Permit
Location:	6350 Academy
Case Mgr.:	Donna Wynant
Zoning:	C-1 (Office & Related Commercial)
Overlay:	Airport Road Overlay
Pre-app.:	March 10, 2016
ENN Mtg.:	November 7, 2016
Proposal:	350-unit climate controlled indoor storage facility



Case #2017-02. SafeLock Storage, 6350 Airport Road General Plan Amendment. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a General Plan future land use map amendment to change the designation from Office to Community Commercial for a 2.186-acre parcel located at 6350 Airport Road. (Donna Wynant, Case Manager)

Case #2017-03. SafeLock Storage, 6350 Airport Road Rezoning. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of rezoning from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District) for a 2.186-acre parcel located at 6350 Airport Road. The request includes approval of a Development Plan to allow a 350-unit climate controlled indoor storage facility. The property is located in the Airport Road Overlay District. (Donna Wynant, Case Manager)

Case #2017-04. SafeLock Storage, 6350 Airport Road Special Use Permit and Development Plan. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a special use permit to allow a 350-unit climate controlled indoor storage facility located at 6350 Airport Road. A special use permit is required for an indoor storage facility in the C-2 (General Commercial) district and a development plan is required for developments over 10,000 square feet within 200 feet of residentially-zoned property. The property is currently zoned C-1 (Office and Related Commercial) and rezoning to C-2 is pending. The property is located in the Airport Road Overlay District. (Donna Wynant, Case Manager)

I. RECOMMENDATION

Should the Commission determine that the proposed project complies with applicable approval criteria, four motions will be required for this case, in the following order. No conditions of approval are recommended for the various actions, although technical corrections are identified in Exhibit A.

- Recommend that the Governing Body approve the General Plan amendment.
- Recommend that the Governing Body approve rezoning subject to technical corrections as recommended by staff.
- Recommend that the Governing Body approve the development plan subject to technical corrections as recommended by staff.
- Approve the special use permit subject to approval by the Governing Body of the general plan amendment, rezoning and development plan, and subject to the technical corrections as recommended by staff. Note that the Commission decision on the special use permit is final, subject to approval of the other aspects of the application by the Governing Body.

Should the Commission determine that the proposed project does not comply with one or more of the applicable sets of approval criteria, the following motions would be in order:

- Should the Commission determine that the general plan amendment criteria are not met, a motion to recommend that the Governing Body deny that application would be appropriate. Motions to recommend that the Governing Body deny the rezoning and development plan would also be appropriate, along with a motion to deny the special use permit.
- Should the Commission determine that the general plan amendment criteria are met, but the rezoning or development plan criteria are not met, a motion would be in order to postpone all applications to a date certain with direction regarding modifications to the application that would meet the criteria.

II. CONDITIONS OF APPROVAL

There are no staff-recommended conditions of approval for this project. Applicant must make all technical corrections included in Exhibit A.

III. EXECUTIVE SUMMARY

The applicant proposes to develop the vacant 2.18-acre parcel located at 6350 Airport Road, on the south side of Airport Road between Paseo del Sol and Geo Lane. It is across Airport Road from the Esplanade Village commercial center, which is zoned SC-1, and the West Meadow subdivision located immediately to the south, zoned R-6. The Shalom Mobile Home Park, zoned R-12, is located to the east and the Santa Fe Business Incubator, zoned C2-PUD, is to the west. (See **Exhibit D-2**) The site is vacant and flat with very little vegetation.

The applicant requests an amendment to the General Plan Future Land Use Map, from "Office" to "Community Commercial" and a rezoning from C-1 (Office and Related Commercial) to C-2 PUD (General Commercial Planned Unit Development Overlay District). The request includes approval of a development plan to allow a 350-unit climate controlled indoor storage facility. The applicant also requests a special use permit, which is required for an indoor storage facility and for developments over 10,000 square feet that are within 200 feet of residentially-zoned property. (The adjacent neighborhood to the south is zoned R-6).

The Planned Unit Development Plan (PUD) overlay district requested by the applicant is intended to allow and encourage innovative site planning and ensure compatibility with development on adjoining properties. The PUD designation requires the property to be developed in accordance with the submitted development plan. Minor amendments to the development plan could be approved by the Planning Commission, but amendments that significantly increase the intensity of development would require approval by the Governing Body.

The property is also located in the Airport Road Overlay District which encourages specific uses for properties that directly abut Airport Road from NM 599 to Cerrillos Road (see **Exhibit 3**). Such uses include grocery stores, farmers markets, medical offices, schools, restaurants, schools, galleries, etc. by way of incentives in the reduction of construction permit fees. The purpose and intent of the Airport Road Overlay District is to:

(a) Establish an attractive, street-oriented character on this multi-use corridor to encourage development and redevelopment on Airport Road;

(b) Create a unique sense of place and identity for this major arterial that serves the southwest part of the *city*;

(c) Promote a healthy and safe environment through the development of walkable neighborhoods, less dependence on the automobile, street-oriented building design; and the reduction of crime, nuisances, and public health harms associated with alcohol sales and advertising.

Proposed development shall meet the design criteria as outlined in the Airport Road Overlay Chapter 14-5.5. These include: site design; circulation and parking; architecture; landscaping standards, signage and site furnishings. The applicant addresses all standards of the Overlay (see **Exhibit F**) with the exception of site furnishings. The applicant is requesting alternate compliance to the number of benches required for the site- 19 are required and they are requesting to place 4 benches along the Airport Road sidewalk.

IV. BACKGROUND

The City zoning category of C-1 was assigned as part of the City-County SPPAZO annexation process in 2008-2009, consistent with the Future Land Use Map designation for "Office" use. The property has been vacant for many years.

A previous proposal for a drive-through restaurant on the site went to an ENN meeting on June 6, 2016. Many of the neighbors in attendance expressed their opposition due to anticipated traffic congestion at the Airport/Geo Lane intersection and possible increases in crime rates. No formal application for the drive-through restaurant was filed.

V. EARLY NEIGHBORHOOD NOTIFICATION

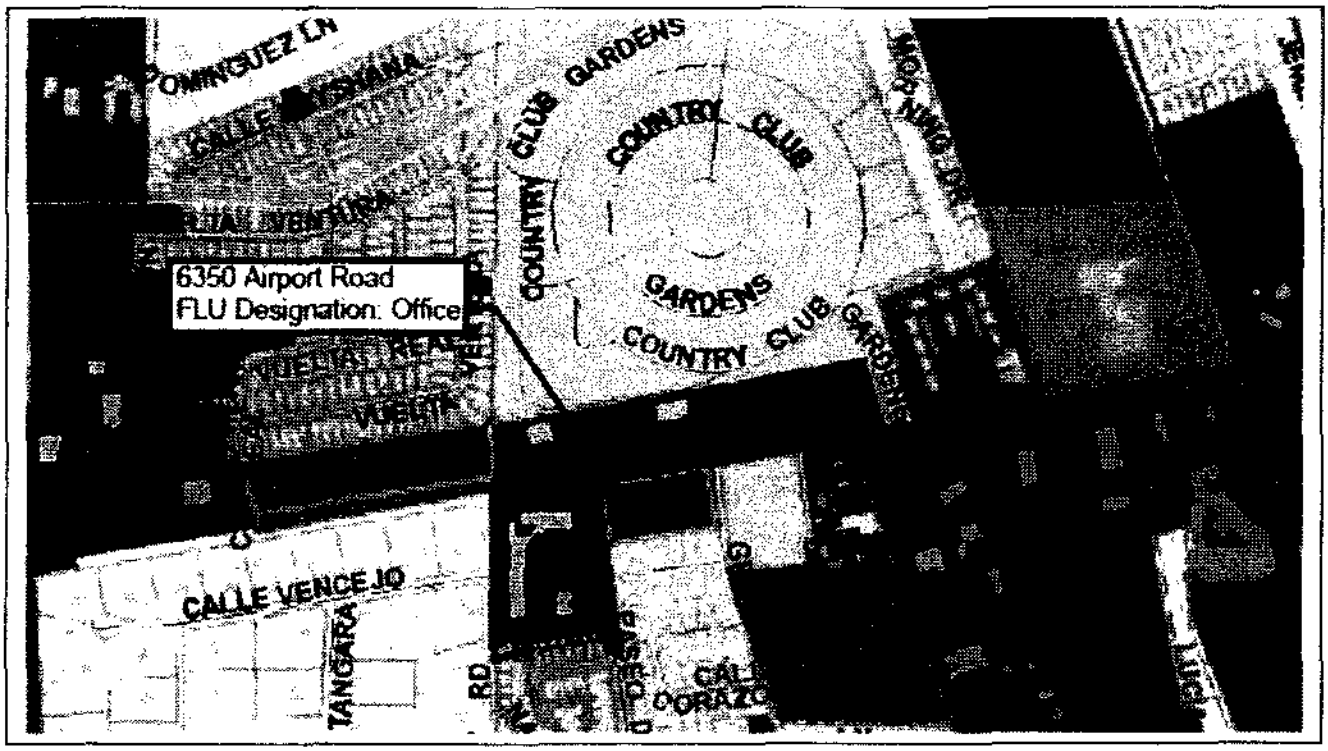
An Early Neighborhood Notification meeting was held on November 7, 2016 at the Southside Library. The applicant plus one member of the public was in attendance who had questions regarding access, traffic, and the nature of the proposed use. (See **Exhibit C**).

VI. GENERAL PLAN AMENDMENT

The subject property's current land use designation is Office as shown on the Future Land Use Map (See **Exhibit D1**). The applicant is requesting a General Plan Amendment to a designation of Community Commercial, in conjunction with the Rezoning request from C-1 to C-2 (PUD) zoning for a 350-unit interior self-storage facility.

The purpose and intent of general plan amendments per Section 14-3.8 is to guide the city's land use decisions. The regulations, restrictions and policies of the city affecting development of Santa Fe shall be in accordance with the general plan as provided in Section 3-21-5 NMSA 1978. When necessary, the general plan shall be amended.

General Land Use Map



General Plan Approval Criteria [Subsection 14-3.2(E)]

Criterion 1: ***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**
The City does not maintain growth projections for specific types of development but storage facilities are not identified in adopted plans as a priority or targeted type of industry. Existing land use conditions along Airport Road include commercial developments such as small shopping centers, office developments and business parks, and various residential development such as mobile home parks, apartment developments and single family residential neighborhoods. Existing street and utility infrastructure are adequate to support the proposed level of development.	
Criterion 2: ***Consistency with other parts of the general plan;***	**Criterion Met:** (Yes/No/Conditional/N/A) **UNCLEAR**

The General Plan calls for infill development of existing vacant parcels with a mix of uses within neighborhoods. Chapter 3 cites promotion of a "compact urban form" through "sensitive/compatible infill development" and calls for a mix of uses throughout all areas of the City. The Southwest Area Master Plan ("SWAMP"), which was adopted in 2007 as an amendment to the General Plan, shows the project site in the "Southcentral Neighborhood Planning Area" and designates it for "Office" use [Resolution 2007-105]. The plan states: *"Where industrial–type uses are being proposed, there should be considerable evaluation performed based on measurable performance standard criteria such as noise, vibration, odor emission, environmental concerns, light degradation, etc… In addition, appropriate use intensity should be considered in relation to the surrounding existing or proposed future uses. Where an industrial or some types of agricultural uses are being considered, there should be an adequate separation of adjoining uses and additional buffering to any adjacent residential properties in order to minimize or negate any potential impacts. Uses of any substantial intensity should only be considered where it could clearly be demonstrated that controls such as adequate buffering, additional separation measures, and performance standard criteria have been incorporated and satisfied. Expansion of any use should be required to meet these same types of standards as well."* The plan also states: *Neighborhoods in Southwest Santa Fe should be walkable. [Development Principle 1, SWAMP p. 5]* *Commercial areas in Southwest Santa Fe should be linked to nearby neighborhoods through intermediate scale buildings such as live/work units. [Development Principle 7, SWAMP p. 5]* The purpose and intent of the Airport Road Overlay District includes: *[to] promote a healthy and safe environment through the development of walkable neighborhoods, less dependence on the automobile, street-oriented building design….* Although the proposed change of the future land use designation does not directly conflict with these policies, it is not clear that the overall project application, as submitted, is in compliance.	
Criterion 3: ***the amendment does not:*** 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) **UNCLEAR**

1. The property is in close proximity to a large number of commercial and office uses. The proposed amendment to the community commercial designation will allow a variety of potential commercial land use, once the property is zoned C-2 (General Commercial). The applicant requests the PUD overlay to ensure that the approval is subject to a specific plan for the proposed storage facility. As noted under discussion of General Plan Criterion 2, it is not clear that the proposed project would be consistent with the intended use and character of the area. 2. The property is just over two acres in size. 3. The applicant argues that the project *"will benefit the surrounding landowners by the nature of the use, which is extremely low impact with regard to noise and traffic."*	
Criterion 4: *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;*	**Criterion Met:** (Yes/No/Conditional/N/A) **UNCLEAR**
The applicant argues that the project promotes the general welfare by providing a low impact use; and will increase neighborhood safety by developing a vacant property that would otherwise create opportunities for vandalism, littering, and loitering; and that developing the property would create jobs, support economic development, and add to the security of the adjacent residential and commercial neighborhoods. Staff would note that those arguments would apply to virtually any development of the property, whether or not the development promoted the public welfare by meeting the land use goals of the General Plan.	
Criterion 5: compliance with extraterritorial zoning ordinances and extraterritorial plans;	**Criterion Met:** (Yes/No/Conditional/N/A) **N/A**
Not Applicable.	
Criterion 6: *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;*	**Criterion Met:** (Yes/No/Conditional/N/A) **UNCLEAR**

The applicant states: *"Due to the current rental housing shortage and rising costs of living, many Santa Feans now occupy smaller residences that cannot house all their belongings, a situation which has created a need for more self-storage facilities. Santa Fe is also home to many part-time residents who need to store belongings while they are out of town. Many of the existing storage facilities are drive-up and are not climate-controlled. As it offers climate-controlled interior storage, the Project thus provides a needed a service for Santa Fe residents, which will contribute to the general welfare."* Staff response: While staff concurs with much of the applicant's statement, there has not been a market study of storage facilities in Santa Fe to verify actual supply and demand. Several drive-up mini-storage units and indoor climate controlled storage facilities exist and several have been approved or are currently in the review process. Other undeveloped or underdeveloped sites are available within existing C-2 and I districts.	
Criterion 7: ***consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.***	**Criterion Met:** (Yes/No/Conditional/N/A) **UNCLEAR**
The Project is located in the Airport Road Overlay District. Although he development plan complies with the minimum site development standards of the overlay set forth in Section 14-5.5(C) and as discussed in the applicant's report (pp. 16-24), it is not clear that the project complies with the purpose and intent of the overlay district.	
Criterion 8: ***In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping, or other means, and a finding must be made that:*** ***(a) the growth and economic projections contained within the general plan are erroneous or have changed;*** ***(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or*** ***(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of land space requirements, consumer acceptance, market or building technology.***	**Criterion Met:** (Yes/No/Conditional/N/A) **N/A**

The application does not propose any changes to adopted land use policies, so this criterion is not directly applicable.

The applicant argues that the indoor climate-controlled storage facility is a viable use for the site since it generates very low traffic and is designed to look like an office building, which would be consistent with the current zoning of the property.

VII. REZONING

Table 14-6.1-1 identifies that individual storage areas within a completely enclosed building may be permitted in C-2 Districts subject to approval of a special use permit. The rezoning criteria are evaluated below per Section 14-3.5 and the special use permit is evaluated in the next section of this report.

Zoning Map

Section 14-3.5 governs the authority, procedures and restrictions for the rezoning of land.

Rezoning Approval Criteria [Subsection 14-3.5(C)]

Criterion 1: ***one or more of the following conditions exist:*** ***(i) there was a mistake in the original zoning;*** ***(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning;*** ***(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;***	**Criterion Met:** (Yes/No/conditional/N/A) **YES**
(i) No mistake was made in the original zoning. The City zoning category of C-1 was assigned as part of the City-County SPPAZO annexation process in 2008-2009. (ii) Staff and the applicant concur that no error was made in adoption of the C-1 zoning. (iii) The applicant states that *"the current C-1 designation contemplates offices or medical facilities, which generate far more traffic than the proposed use. Therefore, the change in use will benefit the neighborhood by significantly reducing the potential traffic impact, as illustrated by the Trip Comparison Chart in the previous section."* Staff would note that the trip reduction of the proposed project could be considered as advantageous to the community, although other low-volume projects might occur under the existing zoning.	
Criterion 2: ***all the rezoning requirements of Chapter 14 have been met;***	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The applicant has met the Chapter 14 procedural requirements for rezoning applications, including ENN and notification requirements. The applicant has provided a development plan for the property as required with the requested C-2 PUD rezoning, which will restrict development to an approved plan.	
Criterion 3: ***the rezoning is consistent with the applicable policies of the general plan, including the future land use map;***	**Criterion Met:** (Yes/No/Conditional/N/A) **UNCLEAR**
The applicant requests a change to the Future Land Use Map to Community Commercial to allow for a C-2-PUD zoning for the proposed use. Refer to Section 5 of this staff report for additional discussion of general plan policies applicable to this application.	
Criterion 4: ***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;***	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

The City does not maintain growth projections for specific types of development. Existing land use conditions along Airport Road include commercial developments such as small shopping centers, office developments and business parks, and various residential development such as mobile home parks, apartment developments and single family residential neighborhoods. The applicant states, "New businesses are necessary along Airport Road to serve the growing population." The General Plan when adopted in 1999 anticipated 4,000 to 5,000 dwelling units and 200 acres of non-residential development in "Staging Area 1," which includes the project site, much of which has occurred since then.	
Criterion 5: ***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.***	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
Review by the city's Traffic Engineering Division has determined that streets will be able to accommodate the proposed development. Utilities are available to serve the site. The water impact will be low, as the water budget for self-storage is 0.13 acre feet/year. The building will be served by the City of Santa Fe Fire Station 8, located at 6796 Jaguar Drive.	
Criterion 6: ***Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:*** ***(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;*** ***(b) affect an area of less than two acres, unless adjusting boundaries between districts;*** **(c)** ***or benefit one or a few landowners at the expense of the surrounding landowners or general public.***	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
(a) Property along Airport Road comprises a mix of uses. The "Office" land use designation and existing C-1 zoning are often used to buffer single family neighborhoods from a busy arterial street. The PUD overlay district requested by the applicant would restrict the intensity of development which might otherwise be associated with a "Community Commercial" land use designation and C-2 zoning. (b) The subject property is just over 2 acres. (c) The proposed change will directly affect only one landowner. However, it does not appear that the change will be "at the expense of the surrounding landowners or general public."	
Criterion 7: ***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;***	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

The proposed development can be accommodated by the existing infrastructure and public facilities.	
Criterion 8: ***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.***	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

The C-2 (General Commercial) district allows a variety of uses. (See **Exhibit E-1**). The applicant is requesting PUD zoning in order to ensure that the property will be developed in a way that they believe to be compatible with the area, rather than allowing a variety of C-2 district uses in the future. PUD zoning limits permissible development to the requested use, thereby preventing other uses from being developed on the site.

Planned Unit Development Criteria [Subsection 14-5.7 (D)(1)]

Criterion 1: ***The development, design and landscaping standards permitted in the PUD may vary from the standards of the underlying district, provided that findings of fact are made that such variation:*** ***(a) meets the PUD purpose and intent set forth in Subsection 14-5.7(A) by creating a unified development that is superior to what would otherwise be attainable,*** ***(b) is appropriate in relation to the overall development, and*** ***(c) minimizes the impact on surrounding properties.***	**Criterion Met:** (Yes/No/conditional/N/A) **YES**

(a) The development proposal meets the PUD purpose and intent to *"...allow and encourage innovative site planning and design to ensure that each planned unit development compatibly integrates with development on adjoining properties and creates an attractive, healthful, sustainable and stable environment for living and working that is superior to the development attainable under existing zoning regulations." [§14-5.7(A)]* As a unified development on the 2.186-acre parcel, the project is better able to restrict access to Geo Lane and away from Airport Road and Paseo del Sol, rather than other commercial business that would rely on more parking and access onto Paseo del Sol and/or Airport Road. (b) The applicant argues that the PUD is appropriate in relation to the overall development in the area since it will be designed to resemble an office building, rather than a drive-up mini storage development and will be a low traffic and noise generator. (c) Minimizes the impact on surrounding properties with the landscape buffer areas along the south property line and the east property line along Geo Lane which screens the parking lot for the development. Impact may also be minimized by low traffic impacts from the proposed development.	
Criterion 2: ***The density of population and intensity of land use allowed by the underlying zoning district shall be the overall density and intensity in the PUD. As long as the overall PUD density and intensity remain unchanged, the density and intensity of different local sites within the PUD may vary;***	**Criterion Met: (Yes/No/conditional/N/A) YES**
The intensity of the use of the property as a storage facility will meet the intensity allowed in the PUD. Any significant change would require review and approval by the Governing Body.	
Criterion 3: ***Examples of the development, design and landscaping standards variable in the PUD include lot size, housing type, housing configuration, yards/setbacks, height, lot coverage, distance between buildings, terrain management and mountainous and difficult terrain. Where no variation of a development, design or landscaping standard has been approved, the development, design or landscaping standard at issue shall be the same as in the underlying district.***	**Criterion Met:** (Yes/No/Conditional/N/A) **CONDITIONAL**
The development, as proposed, meets the requirements of Chapter 14 and the design standards of the Airport Road Overlay District with the exception of the number of required benches along the Airport Street frontage. See the section below regarding the proposed Development Plan.	

VIII. DEVELOPMENT PLAN

The purpose and intent of development plans per Section 14-3.8 is to:

1. Provide the plans to be followed in construction operations, including phasing;
2. Enable the governing body, land use boards and land use director to ensure compliance with Chapter 14;
3. Document compliance with final actions to approve or conditionally approve development applications;

A development plan typically encompasses development of one or more parcels under common ownership or unified control that will be planned and developed as a whole.

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

Development Plan Approval Criteria [Subsection 14-3.8(D)] (See Sheet 2-1 of Applicant's Submittal).

§14-3.8(D)(1)(a)- that it is empowered to approve the plan under the section of Chapter 14 described in the application;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
Per section 14-2.3(C), "the planning commission shall review and approve or disapprove various specific development plans, requests and subdivision plats. Subsection 14-3.8(B)(3)(b) requires approval of a development plan by the Commission for projects with a gross floor area of 10,000 square feet or more and located within 200 feet of a residential district.	
§14-3.8(D)(1)(b)- that approving the development plan will not adversely affect the public interest	**Criterion Met:** (Yes/No/Conditional/N/A) **Conditional**
City staff has reviewed the proposed application in accordance with applicable development standards. As outlined in this memorandum, together with recommended conditions, the development plan application would comply with minimum site development standards of Chapter 14 SFCC. Should the Commission determine that the general plan amendment and rezoning are consistent with applicable approval criteria, no adverse effect will occur.	
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.	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
A variety of uses are permitted in the C-2 District, but the PUD requested by the applicant would effectively limit development of the property to a specific plan for the storage facility. The development plan includes a 15-foot landscape buffer and screening fence along the south property line, landscaping to screen the parking lot, as well as along Airport Road and the Paseo del Sol side of their property. The application would comply with development standards for underlying zoning and for the Airport Road Overlay District Design Standards per Section 14-5.5(C). Staff review has not identified any noise, traffic or other adverse impacts on the adjoining residential uses.	

IX. SPECIAL USE PERMIT

To grant a special use permit, a land use board shall make the following findings:

Special Use Permit Approval Criteria [Subsection 14-3.6 (D)(1)]

Criterion 1: ***that the land use board has the authority under the section of Chapter 14 described in the application to grant a special use permit;***	**Criterion Met:** (Yes/No/conditional/N/A) **YES**
Subsection 14-2.3(C)(3) and Table 14-6.1-1 provide the authority for the Planning Commission to grant a special use permit for "Individual storage areas within a completely enclosed building" within a C-2 zone, when it is proposed concurrently with a development plan.	
Criterion 2: ***that granting the special use permit does not adversely affect the public interest,***	**Criterion Met: (Yes/No/conditional/N/A) CONDITIONAL**
Subject to a determination by the Commission that the general plan amendment and rezoning meet applicable criteria, the granting of the special use permit for a storage facility will not adversely affect the public interest.	
Criterion 3: ***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.***	**Criterion Met:** (Yes/No/Conditional/N/A) **CONDITIONAL**
The storage facility is designed to resemble an office building to blend with the surrounding buildings. The 25-foot setback from the south property line includes a 15-foot landscape buffer with Austrian pine trees and various shrubs. An existing wood fence also adds to the screening of the project. Subject to a determination by the Commission that the development will be consistent with general plan and overlay district policies regarding pedestrian-oriented development patterns, a finding that the use and proposed building are compatible can be supported.	

X. CONCLUSION

Although it is not clear that the proposed project is fully consistent with the intent of policies in the General Plan and the Airport Overlay District that encourage development patterns which are pedestrian-oriented and integrated with surrounding residential developments, the proposed development plan would comply with applicable minimum site development standards that have been adopted to implement those policies.

The applicant has complied with all application process requirements. The applicant conducted a pre-application meeting on October 13, 2016, an ENN on November 7, 2016 and provided notice requirements pursuant to Section 14-3.1(H).

XI. EXPIRATION

A General Plan Future Land Use Map amendment does not expire, and remains in effect unless superseded by another amendment.

Rezoning to C-2-PUD does not expire. However, approval of the development plan expires if no development occurs within three years after approval by the Governing Body, or if development is interrupted before it is completed. If the development plan approval is allowed to expire, a new development plan approval would be needed before further development could occur. A time extension may be requested and approved prior to the expiration date.

A special use permit expires if no development occurs within three years, or if development is interrupted before it is completed. A time extension may be requested and approved prior to the expiration date.

XII. EXHIBITS

EXHIBIT A: Technical Corrections

EXHIBIT B: City Staff Memoranda
1. City Engineer, RB Zaxus
2. Traffic Engineering, Sandy Kassens
3. Water Division, Dee Beingessner
4. Wastewater Division, Stan Holland
5. Fire Department, Reynaldo Gonzales
6. Landscaping, Somie Ahmed

EXHIBIT C: Early Neighborhood Notification
1. Guidelines
2. Meeting Notes

EXHIBIT D: Maps and Photos

1. Future Land Use Map
2. Zoning Map
3. Aerial Photo
4. Street Views of Site

EXHIBIT E: Miscellaneous

1. C-2 General Commercial District
2. Airport Road Overlay District
3. Airport Road Overlay Map
4. Southwest Santa Fe Community Area Master Plan/Southcentral Plan Area

EXHIBIT F: Applicant Submittals*

1. SafeLock Storage Development Plan – Airport Road Overlay Design Standards

* 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 Planner Senior	Donna Wynant	

City of Santa Fe, New Mexico

Planning Commission

Exhibit A

Technical Corrections

Technical Corrections

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

#	Technical Corrections	Dept. or Division	To be completed by:
1	Update the General notes sheet with current information and phone numbers.	Traffic Engineering	Prior to Development Plan recordation
2	Revise design of driveway so that the cross slopes of the sidewalk crossing the driveway are less than 2%.	Traffic Engineering	Prior to Development Plan recordation
3	Provide legible photometrics (sheet 4-1) meeting requirements of Article 14-8.9 and indicate pole height	City Engineer	Recordation
4	On Development Plan (sheet 2-1) required signatures needs revision – consult with City Engineer for details.	City Engineer	Recordation
5	Add vicinity map to Development Plan	City Engineer	Recordation
6	All Fire Department access shall be no greater than a 10% grade throughout.	Fire Marshal	Recordation
7	Fire Department access shall not be less than a 20 foot width to any new construction and meet IFC turn-around requirements.	Fire Marshal	Recordation
8	Shall meet the 150 foot driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.	Fire Marshal	Recordation
9	Fire Department shall have a 150 foot distance to any portion of the building on any new construction.	Fire Marshal	Recordation
10	Shall have water supply that meets fire flow requirements as per IFC	Fire Marshal	Recordation

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

DRT Memos

Development Review Team

Comment Form

Date: February 13, 2017

From: Risana "RB" Zaxus, City Engineer

Dept/Div: Land Use, Technical Review Division

Case: Case # 2017-02, 03, 04 SafeLock Storage 6350 Airport Road

Case Mgr: Donna Wynant

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 Provide legible photometrics (sheet 4-1) meeting requirements of Article 14-8.9 and indicate pole height	Recordation
2 On Development Plan (sheet 2-1) required signatures needs revision – consult with City Engineer for details.	Recordation
3 Add vicinity map to Development Plan	Recordation
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 terrain management requirements (Article 14-8.2).

Explanation of Conditions or Corrections (if needed):

City of Santa Fe, New Mexico

memo

Date: February 6, 2017

To: Donna Wynant, Land Use Department, Case Manager

Via: John Romero, Engineering Division Director
From: Sandra Kassens, Engineer Assistant

Case: **SafeLock Storage, General Plan Amendment, case #2017-02**
SafeLock Storage, Rezoning C-1 to C-2 PUD, case #2017-03
SafeLock Storage, Special Use Permit, case #2017-04

ISSUE:

LU case 2017-02 GP future land use Amendment:
SafeLock Storage, 6350 Airport Road. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a General Plan future land use map amendment to change the designation from Office to Community Commercial for a 2.186-acre parcel located at 6350 Airport Road.

LU case 2017-03 Rezoning request - from C-1 to C-2 PUD & Dev Plan Approval:
SafeLock Storage, 6350 Airport Road. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of rezoning from C-1 (Office and Related Commercial) to C-2-PUD (General Commercial, Planned Unit Development Overlay District) for a 2.186-acre parcel located at 6350 Airport Road. The request includes approval of a Development Plan to allow a 350-unit climate controlled indoor storage facility. The property is located in the Airport Road Overlay District.

LU case 2017-04 Special Use Permit:
SafeLock Storage, 6350 Airport Road. JenkinsGavin Inc., agent for SafeLock Storage, LLC, requests approval of a special use permit to allow a 350-unit climate controlled indoor storage facility located at 6350 Airport Road. A special use permit is required for an indoor storage facility in the C-2 (General Commercial) district and is required for developments over 10,000 square feet within 200 feet of residentially-zoned property. The property is currently zoned C-1 (Office and Related Commercial) and rezoning to C-2 is pending. The property is located in the Airport Road Overlay District.

Traffic Study:

A traffic study dated January 2017, prepared by Santa Fe Engineering Consultants was received with this submittal. We concur with the conclusion that this development will have a minimal impact on the roadway network. No traffic mitigation measures are necessary.

RECOMMENDED ACTION:

Review comments are based on development plans received on January 19, 2017. The comments below should be considered as Conditions of Approval to be addressed as indicated below:

SS001.PMS - 7/95

CONDITIONS OF APPROVAL:		MUST BE COMPLETED BY:
1	None	N/A

TECHNICAL CORRECTIONS:

ITEM	SHEET	DESCRIPTION OF CORRECTION	MUST BE COMPLETED BY:
1	6-1	Update the General notes sheet with current information and phone numbers	Prior to Development Plan recordation
2	10-3	Revise design of driveway so that the cross slopes of the sidewalk crossing the driveway are less than 2%.	Prior to Development Plan recordation

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

Development Review Team

Comment Form

Date: 2/1/17

Staff person: Dee Beingessner

Dept/Div: Public Utilities/Water

Case: **Case #2017- 02, 03, & 04 SafeLock Storage, 6350 Airport Road.**

Case Mgr: Donna Wynant

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 A water main is available for water service on Geo Lane. A separate irrigation service will be required if the area to be irrigated is 1000 Square Feet or more.	
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: February 1, 2017

Staff person: Stan Holland, Engineer

Dept/Div: Public Utilities/Wastewater

Case: **Case #2017-02-03-04. SafeLock Storage, 6350 Airport Road**

Case Mgr: Donna Wynant

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:
None	

Technical Corrections*:	Must be completed by:
None at this time	

*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):

Development Review Team

Comment Form

Date: January 31, 2017

Staff person: Fire Marshal Reynaldo Gonzales

Dept/Div: Fire

Case: **Case #2017-02,03,04. SafeLock Storage 6350 Airport Road**

Case Mgr: Donna Wynant

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:
1None	N/A

Technical Corrections*:	Must be completed by:
1. All Fire Department access shall be no greater that a 10% grade throughout. 2. Fire Department Access shall not be less than 20 feet width to any new construction and meet IFC turn-around requirements. 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	

*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: February 14th, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: #2017-02,03,04 Safelock Storage 6350 Airport Rd

Case Mgr: Donna Wynant

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

1. All conditions requested by staff have been met for landscaping (plans dated 02/07/17)

Conditions of Approval :	Must be completed by:
1.	
2.	
3.	

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. N/A

Explanation of Conditions or Corrections (if needed):

1. N/A

City of Santa Fe, New Mexico

Planning Commission

Exhibit C

Early Neighborhood Notification

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

Project Name	SafeLock Storage
Project Location	6350 Airport Road
Project Description	Interior storage facility
Applicant / Owner	Hans E. Brutsche
Agent	JenkinsGavin
Pre-App Meeting Date	10/13/16
ENN Meeting Date	11/7/16
ENN Meeting Location	Southside Library
Application Type	General Plan Amendment (Office to Community Commercial); Rezoning to C-2 PUD; Special Use Permit; Development Plan
Land Use Staff	Donna Wynant
Other Staff	
Attendance	No one from the public attended.

Notes/Comments:

The meeting began at 5:30. Since no one was in attendance from the public, Ms. Wynant discussed the proposal with the applicant. The meeting adjourned at 5:50.

A woman from the adjacent neighborhood, asked about the meeting as everyone was leaving at 5:50. The applicant briefed her on the proposal. She had questions regarding access, traffic, and the nature of the proposed

Submit by Email | Print Form

Early Neighborhood Notification (ENN) Guidelines

Section 14-3.1(F)(5) SFCC 1987, as Amended

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 1987, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about each criterion, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS *For example: number of stories, average setbacks, mass and scale, architectural style, landscaping, lighting, access to public places, open spaces and trails. (Ord. No. 2008-29 § 3)*

The proposed self-storage facility offers climate controlled interior self-storage, rather than drive-up storage. This will allow the exterior of the building to resemble an office building, which will be consistent with the character of the surrounding neighborhood and with the property's current zoning of C-1, Office and Related Commercial. The project will comply with all applicable code provisions regarding access, parking, lighting, signage, open space, and landscaping, as well as C-2 and Airport Road Overlay zoning district standards, including setbacks, height limitations, and lot coverage.

In order to achieve a self-storage facility in the proposed location, a rezone is necessary to C-2 PUD (General Commercial, Planned Unit Development). This will be consistent with the neighborhood pattern, as the Airport Road corridor comprises a mix of commercial and high density residential zoning. The current zoning of C-1 allows mainly for professional offices, which is not a particularly viable development option for the Airport Road corridor. For example, the properties directly across Airport Road from the subject property are zoned SC-1 (Planned Shopping Center) and are currently occupied by an AutoZone store, restaurants, a hair salon, and other commercial businesses.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT *For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.*

Open space will be provided in accordance with City of Santa Fe open space requirements. The project will comply with all applicable City codes with regard to environmental protection. A terrain management plan will be prepared in compliance with the applicable sections of the Land Development Code. Any and all increases in storm water run-off will be detained as required.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN *For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.*

The project is located in the Suburban Archaeological District. As the property is less than 10 acres, no archaeological survey is required.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN *For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.*

The Airport Road corridor comprises a mix of commercial and high density residential zoning. The proposed rezone from C-1, Office and Related Commercial, to C-2 PUD will be in keeping with the neighborhood pattern. A 1/4-mile radius around the subject property includes non-residential zoning categories of C-1, SC-1 (Planned Shopping Center), C-2 PUD, and MU (Mixed Use). As one of the most heavily trafficked roads in Santa Fe, Airport Road lends itself to retail and other commercial uses.

Just as the neighborhood comprises a mix of zoning, it also comprises a mix of Future Land Use designations. The Future Land Use designation for the subject property is Office. We are requesting a General Plan Amendment to a designation of Community Commercial. This will be consistent with surrounding properties, which include Future Land Use designations of Business Park and Neighborhood Center. In accordance with SFCC Table 14-6.1-1, a Special Use Permit will also be requested to allow for a self-storage facility within 200 feet of residential zoning.

(e) EFFECTS UPON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR TEH DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES *For example: increased access to public transportation, alternate transportation modes; traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.*

Per the requirements of the Airport Road Overlay, the project will be accessed from the side of the lot, via Geo Lane, rather than from Airport Road. A self-storage facility generates the least amount of traffic of any commercial use. Therefore, traffic in the neighborhood will be impacted only minimally. Traffic safety and smooth flow will be accomplished by using the existing left turn lane at Geo Lane. In addition, a Traffic Impact Analysis will be performed.

Sidewalks will be added or improved along Airport Road, Paseo del Sol, and Geo Lane. Parking will be provided in accordance with City of Santa Fe code requirements.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE *For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.*

The project will support economic development by creating construction jobs for Santa Fe residents, as well as jobs in the self-storage facility once it opens. Sales will support the local economy through generation of gross receipts tax revenue.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS *For example: creation, retention or improvement of affordable housing; how the project contributes to serving different ages, incomes and family sizes; the creation or retention of affordable business space. (Ord. No. 2005-30(A) § 4)*

N/A

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES *For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.*

The project will connect to existing public utilities. There are existing City waterlines in Airport Road, Paseo del Sol, and Geo Lane. An existing fire hydrant is located on the northwest corner of the property. There are sewer lines in Paseo del Sol and Geo Lane. The project will be served by the Santa Fe Trails bus system via nearby bus stops on Airport Road and Paseo del Sol. The project will be served by City fire and police protection.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS *For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.*

The project will connect with existing waterlines in Paseo del Sol or Airport Road and will comply with City water conservation requirements.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS *For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.*

The project will comply with the General Plan's call for a "mix of compatible uses that fulfill everyday retail and service needs in existing and new neighborhoods."

(k) EFFECT UPON SANTA FE'S URBAN FORM *For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? The project's effect on intra-city travel; and between employment and residential centers.*

The rezone will allow the improvement of a currently vacant property surrounded by developed properties. Thus, in accordance with the City's General Plan, the project will create infill development, thereby contributing to a compact urban form. The centralized location of the property, its association to similar uses in the area, and its accessibility minimizes travel distances for customers and employees.

ADDITIONAL COMMENTS (Optional)

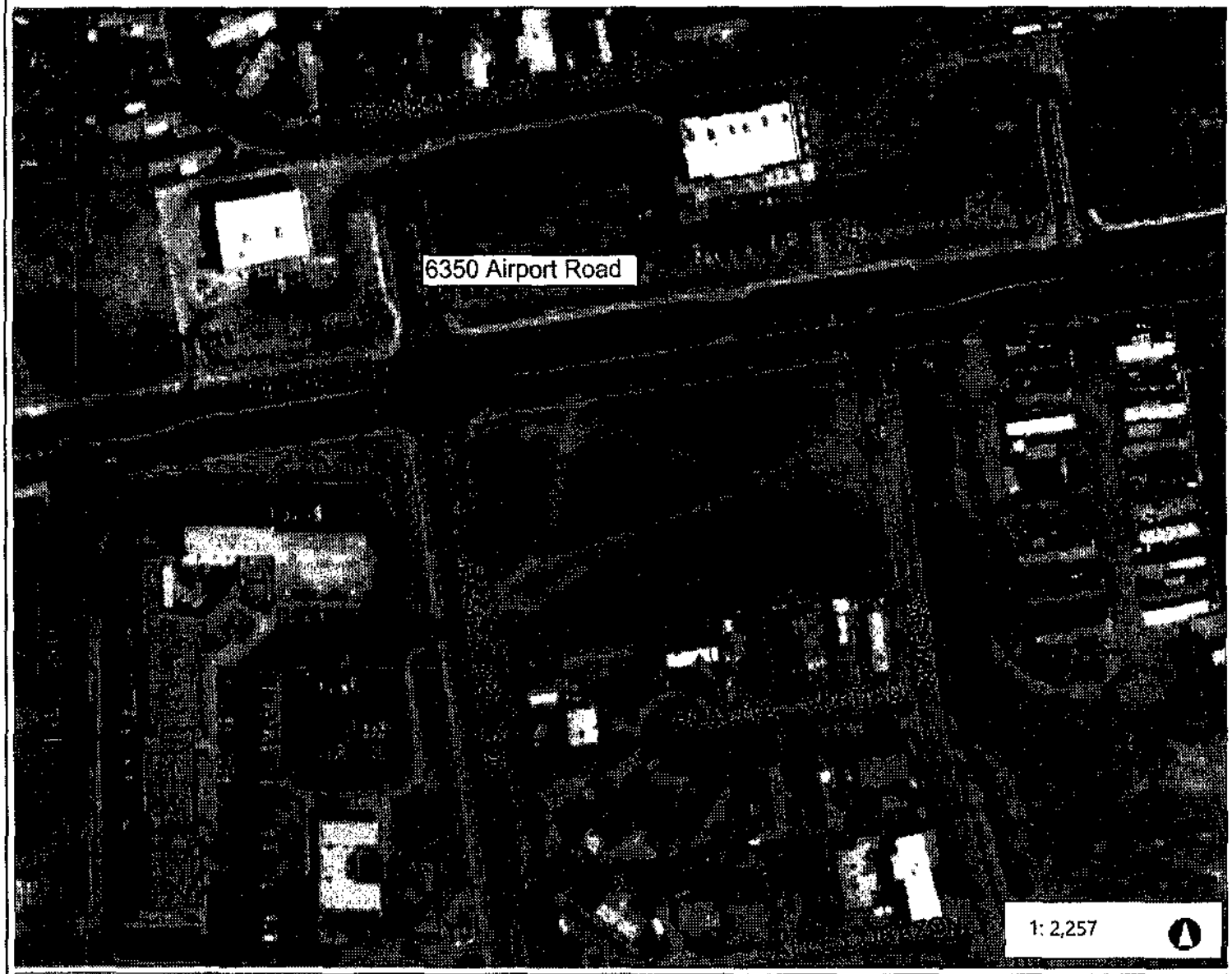
City of Santa Fe, New Mexico

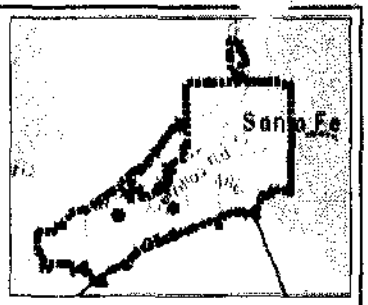
Planning Commission

Exhibit D

Maps & Photos

Santa Fe
Mapping the City Different





Legend

- City Limits
- Address Points
- Santa Fe County Parcels
- Santa Fe River
- Roads
- Major Roads

Notes

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376.2 0 188.08 376.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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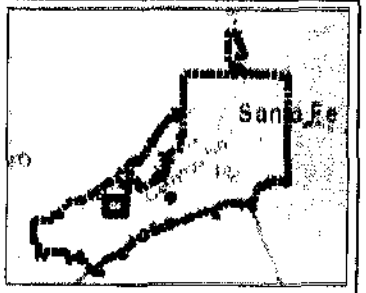
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Santa Fe
Mapping the City Different

6350 Airport Road - Future Land Use Map



Legend

- City Limits
- Address Points
- Building Footprint
- Santa Fe County Parcels
- Santa Fe River
- Roads
- Major Roads
- Future Land Use
  - 1 dwelling per acre
  - 1-3 dwellings per acre
  - 3-7 dwellings per acre
  - 7-9 dwellings per acre
  - 7-12 dwellings per acre
  - 12-20 dwellings per acre
  - Regional Commercial
  - Community Commercial
  - Neighborhood Center
  - Transitional Mixed Use
  - Business Park
  - Office
  - Industrial
  - Public/Institutional
  - Open Space
  - Parks

1,504.7 0 752.33 1,504.7 Feet

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Notes

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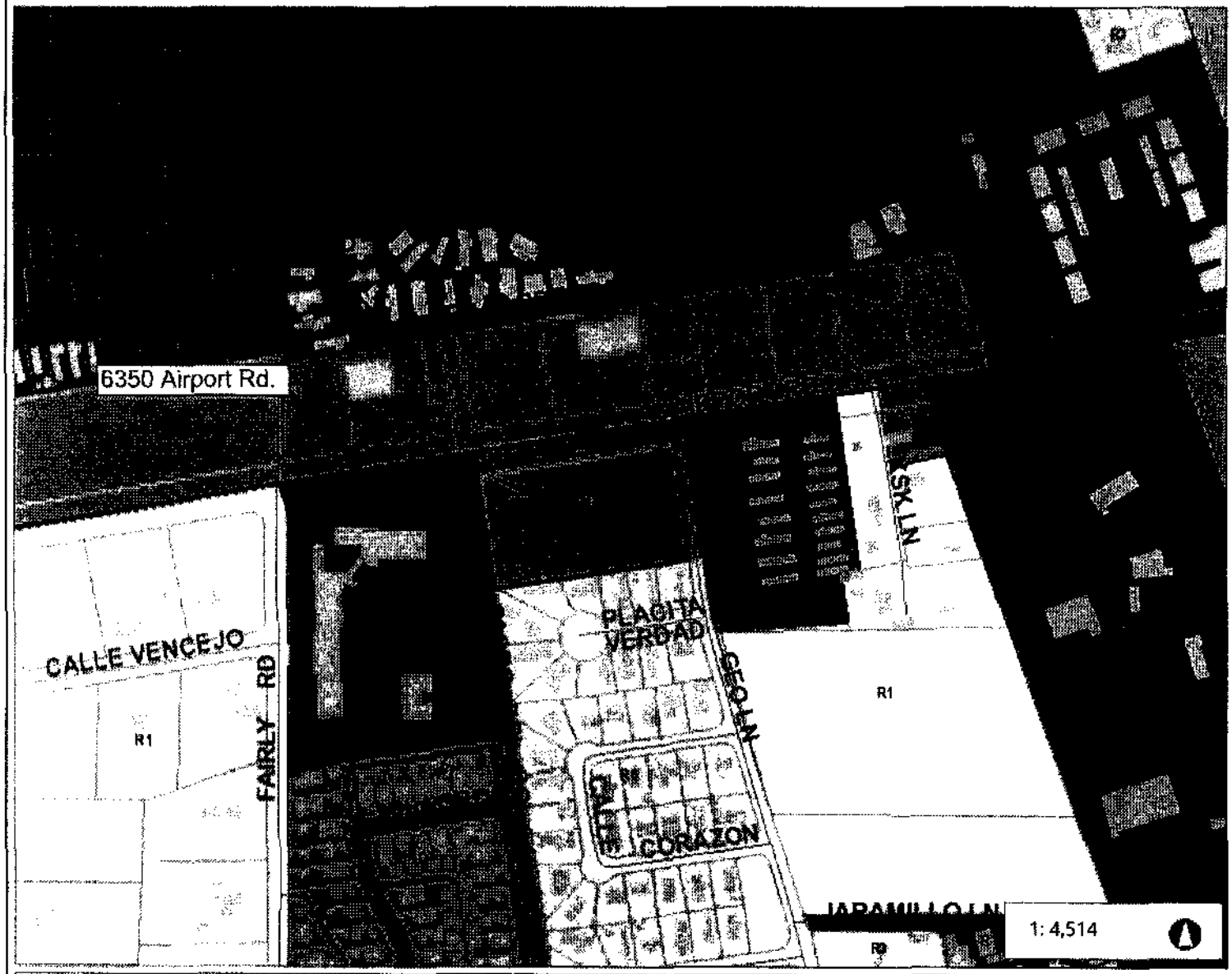
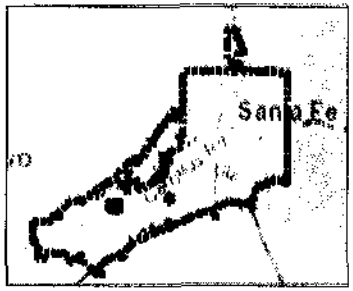
Santa Fe
Mapping the City Different

6350 Airport Road- Zoning Map





Legend

- City Limits
- Address Points
- Building Footprint
- Santa Fe County Parcels
- Santa Fe River
- Roads
- Major Roads

Zoning

- RR Rural Residential
- R1, (PUD) Single- Family 1du/ac.
- R2, (DT), (PUD),(AC) Single - Fami
- R3, (PUD) Single - Family 3du/ac
- R4 Single - Family 4du/ac
- R5, (DT), (PUD), (AC), R6, (PUD) S
- R7, (I), (PUD), R8 Single - Family 7
- RC5, RC5AC Compound 5du/ac
- RC8, RC8AC Compound 8du/ac
- R10, (PUD) Multiple - Family 10du/
- R12, (PUD) Multiple - Family 12du/
- R21, (PUD) Multiple - Family 21du/
- R29, (PUD),(AC) Multiple - Family 2
- RAC Residential Arts & Crafts
- MHP Mobile Home Park
- C1, (PUD) Office and Related Com
- C2, (PUD) General Commercial
- C4 Limited Office and Retail

752.3 0 376.17 752.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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

Notes

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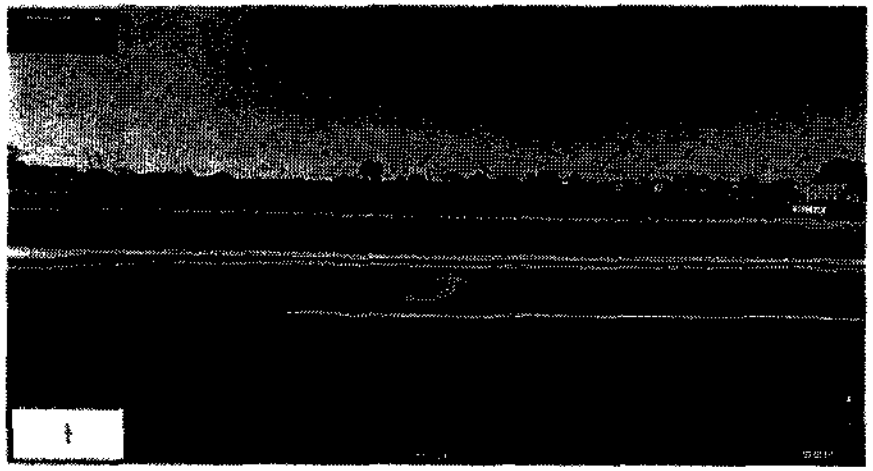
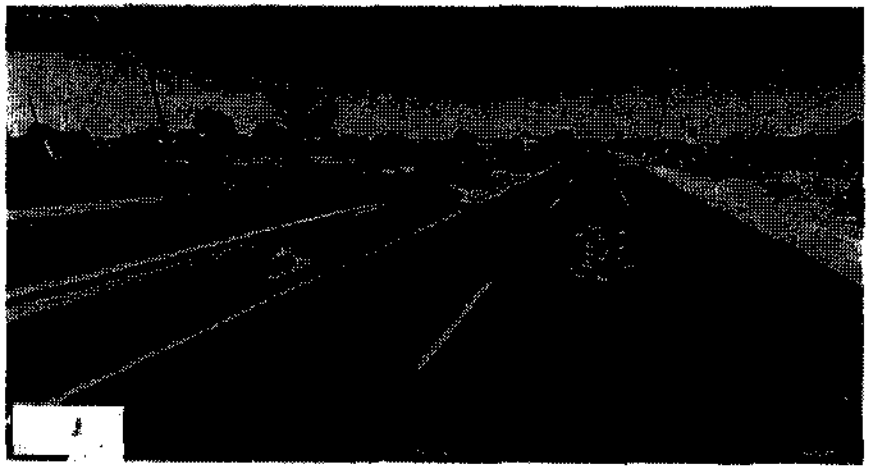
Google Street Views of 6350 Airport Road



View 1: Looking directly at site from across Airport Road.

View 2: Looking southeast from the Airport Road and Paseo del Sol intersection towards the site.



View 3: Looking southwest towards site from the Airport Road turn lane into Geo Lane.

City of Santa Fe, New Mexico

Planning Commission

Exhibit E

Miscellaneous Materials

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-trough, 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 15 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*.

(ii) Screening

Any new loading docks, *storage facilities* or trash disposal areas located in the CRHC district shall either be located at the rear of the *property* or be entirely screened from public view by an opaque *wall* or fence of no less than six (6) feet in height.

(C) Airport Road Overlay District
(Ord. No. 2013-1 § 2)

(1) Purpose and Intent

The purpose and intent of the Airport Road Overlay District is to:

(a) Establish an attractive, street-oriented character on this multi-use corridor to encourage development and redevelopment on Airport Road;

(b) Create a unique sense of place and identity for this major arterial that serves the southwest part of the *city*;

(c) Promote a healthy and safe environment through the development of walkable neighborhoods, less dependence on the automobile, street-oriented building design; and the reduction of crime, nuisances, and public health harms associated with alcohol sales and advertising;

(2) Boundaries

The Airport Road Overlay District begins at the intersection of Airport Road and NM 599 and extends east along Airport Road to the intersection of Airport Road and Cerrillos Road. The provisions of this Section apply to all *legal lots of record* that directly abut the Airport Road *right of way.*

(3) Applicability

(a) The provisions of this subsection do not apply to single-family *residential* uses.

(b) Additions to or remodeling of existing *buildings* shall comply with the provisions of this subsection to the extent practical or feasible as determined by the *land use director.*

(4) Standards

(a) Unless otherwise specified, permitted uses and *development* standards within the Airport Road Overlay District shall conform to the requirements of the underlying zoning district of a property.

(b) The *land use director* may permit alternate means of compliance with the provisions of this subsection as provided in Section 14-2.11(C).

(c) In the event of conflicts between the requirements of this subsection and platted *building setbacks* or existing easements, the requirements of this subsection shall apply.

(5) Site Design, Circulation and Parking

(a) New *buildings* or additions to existing *buildings* shall be oriented so that their primary *façades* face Airport Road or to integral courtyards that shall face Airport Road.

(b) No more than one single-loaded row of parking is permitted adjacent to Airport Road.

(c) Perimeter screening of parking lots shall be in accordance with Section 14-8.4(I)(2) except that screening walls, hedges or berms shall not exceed four (4) feet at maturity and shall be provided with openings adjacent to the Airport Road *right of way* to allow multiple points of pedestrian access to Airport Road.

(d) Sidewalks adjacent to Airport Road shall be provided in accordance with Section 14-9.2.

(e) Vehicular access shall be from the side or rear of the lot.

(f) New *buildings* shall have accessible pedestrian connections to Airport Road.

(g) Loading docks shall be located at the side or rear of buildings and shall be fully screened so that the loading dock is not visible from Airport Road. The *screening* shall be integrated with the *building* architecture, materials and construction.

(h) Vehicular access between and among adjacent lots shall be provided where possible.

Italicized words defined in Article 14-12

(i) Electrical transformers and water system backflow preventer cabinets shall be screened from view of public roadways and sidewalks by walled enclosures or landscape *screening*. Water system backflow preventer cabinets and *wall*-mounted utility boxes shall be painted the same color as the closest *building* on site.

(6) Architecture

In addition to requirements found in Section 14-8.7 SFCC 1987, Architectural Design Review, the following provisions shall apply:

(a) The primary entrance to any new *building* shall be visible from Airport Road.

(b) The finished floor elevation of the primary entrance to any new *building* shall not be three (3) feet higher or lower than the elevation of the adjacent sidewalk within the Airport Road *right of way*.

(c) Lot configuration permitting, the longest *facade* of all new *buildings* shall be aligned with Airport Road.

(d) No *garage* doors shall face Airport Road.

(e) The square footage of retail *building façades* that face Airport Road or any abutting street shall be comprised of between thirty percent and sixty percent double pane windows. Storefront glazing systems may be used to meet this requirement and shall not exceed fifty percent of the *facade*.

(f) A *façade* exceeding one hundred (100) feet, measured horizontally, shall incorporate *wall* plane projections or recesses of at least twenty-four (24) inches in depth encompassing at least fifty percent of the *façade* length.

(g) A *façade* exceeding one hundred (100) feet, measured horizontally, shall be of at least two different colors or materials with each color or material applied to an entire projection or recess.

(h) Except when covered by a *portal* or other permanent shade *structure*, windows shall be recessed a minimum of eight (8) inches.

Italicized words defined in Article 14-12

(i) With the exception of *buildings* constructed for industrial uses in I-1 and 1-2 zoning districts, no portion of any *building wall* facing Airport Road or any street shall extend more than twenty (20) feet, measured horizontally, without openings. Doors, windows or display windows shall be considered openings.

(j) Rooftop equipment shall be fully screened so that the equipment is not visible from the public *right of way*. The screening shall be integrated with the building architecture, materials and construction. Rooftop solar equipment shall be screened to the extent that the screening does not impair the performance of the solar equipment.

(k) Drive-through and *drive-in* facilities shall be located to the rear of *buildings*.

(l) Enclosures required for trash receptacles and compactors shall be: (Ord. No. 2013-17 § 1)

(i) located to the rear of *buildings*; and

(ii) sized to include commercial recycling space sufficient to accommodate the commercial recycling generated by a *development*.

(7) Landscaping Standards

In addition to requirements found in Section 14-8.4 SFCC 1987, Landscape and Site Design, the following provisions shall apply:

(a) On-site storm water *detention* or *retention* facilities:

(i) shall be integrated with the required *landscaping* on the site;

(ii) when located adjacent to the Airport Road *right of way*, shall not be wider than ten (10) feet measured perpendicular to the Airport Road *right of way*; and

(iii) shall not create a physical barrier to pedestrian access from the Airport Road *right of way* to the site.

(b) Street trees shall be planted at a minimum of twenty (20) feet on-center adjacent to the Airport Road property line. Street trees shall be two and one half (2 1/2) inches minimum caliper at time of planting and a minimum mature height of thirty (30) feet. The location and minimum mature height of street trees may be adjusted where conflicts with overhead utility lines exist.

Italicized words defined in Article 14-12

(c) A minimum of thirty percent of required plant material shall be evergreen.

(d) The area between the Airport Road curb and the Airport Road sidewalk adjacent to the *development* site shall be landscaped as part of the required *landscaping* of the *development* site.

(8) Signage

In addition to the requirements found in Section 14-8.10 SFCC 1987, Signs, the following provisions shall apply:

(a) Pole-mounted *signs* are prohibited.

(b) Monument *signs* shall not exceed eight (8) feet in height.

(c) Signs shall be setback a minimum of ten (10) feet from any public *right of way*.

(d) *Wall* or *building*-mounted *signs* shall not extend above the roofline or parapet.

(e) Roof-mounted *signs* are prohibited.

(9) Site Furnishings

(a) A *minimum of one bench per five thousand (5000) gross square* feet of *building* is required on the site and shall be located adjacent to the Airport Road sidewalk, or to the primary *building* entrance, or to a public or private amenity provided by the development.

(b) At least one bench per *development* shall be shaded by a tree or a shade structure.

(c) Where multiple benches are required, a trash receptacle shall be provided adjacent to one of the benches.

(d) All site furnishings on a *development* site, including bicycle racks, benches, trash receptacles and light fixtures shall be of a coordinated design style and color.

(10) Outdoor Lighting

In addition to compliance with Section 14-8.9 SFCC 1987, Outdoor Lighting, the following provisions apply:

(a) Pole-mounted lights shall not exceed twenty feet in height.

(b) Lamps of *building*-mounted light fixtures shall not be placed more than twelve (12) feet above the exterior grade at the perimeter of the *building*.

(11) Incentives

(a) Permit Fees

(i) Construction *permit* fees are waived for the following uses:

A. Grocery stores;

B. Farmer's markets;

C. Medical practitioners including physicians, dentists, chiropractors, alternative medicine providers and clinics;

D. Schools, day-care centers; and

E. Recreational facilities including martial arts studios, dance studios, gymnasiums, fitness centers, aquatic centers, sports centers and miniature golf courses.

(ii) Construction *permit* fees are reduced by fifty percent for the following uses:

A. Restaurants, including bakeries, coffee shops, tea shops, and other shops selling food for on-site or take-away consumption, without drive-through service, provided that food and beverage services constitute the primary use of the establishment;

B. Adult day-care;

C. Local arts and crafts studios, galleries and shops;

D. Gift shops for the sale of arts and crafts;

E. Bookshops;

Italicized words defined in Article 14-12

F. Floral shops;

G. Laundromats; and

H. Stores that commit a minimum of fifteen percent of the total floor area for the sale of fresh produce.

(b) Public Art; Active Play Opportunities

Applicants for a *permit* for new construction, redevelopment or additions who provide public art or active play opportunities accessible to the public shall have their total construction *permit* fees reduced in an amount equal to the cost of the public art or active play amenity provided.

(c) Community Gardens and Orchards

Applicants for a *permit* for new construction, redevelopment or additions to a multi-family housing *development* who provide a community garden or orchard space for use of the residents of the *development* shall have their total construction *permit* fees reduced in an amount equal to the cost of the community garden provided.

(12) Alcoholic Beverage Sales Activities

In addition to the provisions of Chapter IV SFCC 1987, Alcoholic Beverages, the following provisions apply:

(a) New *alcoholic beverage sales activities* established after January 26, 2013 are prohibited in the following locations:

(i) Within five hundred (500) feet of an existing *alcoholic beverage sales activity*; and

(ii) Within five hundred (500) feet of any of the following:

A. An accredited public or private elementary, middle, or high school;

B. A public park, playground or recreational area;

C. A nonprofit youth facility;

D. A place of *religious assembly*;

E. A *hospital*;

F. An alcohol or other drug abuse recovery or treatment facility; or

G. A county social service office.

For the purposes of this subsection, all measurements taken in order to determine the location of new *alcoholic beverage sales activity* shall be the shortest straight-line distance from the property line of the *alcoholic beverage sales activity* to the property line of any of the above locations or other *alcoholic beverage sales activities*.

(iii) A location where the new *alcoholic beverage sales activity* would lead to the grouping of more than four *alcoholic beverage sales activities* within a five hundred (500) foot radius from the new *alcoholic beverage sales activity*.

(b) New *alcoholic beverage sales activities* established after January 26, 2013, where *alcoholic beverages* are sold in unbroken packages for offsite consumption and not for resale off the licensed premises and where *alcoholic beverage sales* comprise less than sixty percent of total sales of a *business* shall comply with the following regulations:

(i) All *alcoholic beverages* shall be consolidated in an *alcoholic beverage display* area located within a clearly designated and marked area of the licensed premises. No *alcoholic beverages* may be displayed or stored outside the designated *alcoholic beverage display area*; and

A. Signs saying: "ALCOHOLIC BEVERAGE SALES AREA — NO ONE UNDER 21 UNLESS ACCOMPANIED BY PARENT, LEGAL GUARDIAN OR ADULT SPOUSE" shall be conspicuously posted around the boundaries of the *alcoholic beverage display area*;

B. An employee of the *alcoholic beverage licensee* who is at least twenty-one years of age and has a valid State of New Mexico alcohol server permit shall be responsible for the overall supervision of both the receiving and sale of *alcoholic beverages*, including supervision of the *alcoholic beverage display area*. For purposes of this subsection, "supervision" means the ability to observe who

(iii) *A restaurant with a beer and wine license may post outside* its *building* but only on the property occupied by the restaurant, a copy of its menu, including beer and wine offered and their prices, in type no larger than any menu posted or provided to patrons inside the restaurant.

(iv) Unless contained in packages of four or more, as delivered by the distributor, single serving containers of *alcoholic beverages*, in sizes of eight ounces or less, shall not be sold or offered for sale. The provisions of this Subsection 14 5.5(C)(12)(c)(iv) shall be effective May 26, 2013.

14-5.6 ESCARPMENT OVERLAY DISTRICT

(A) Purpose and Intent

(1) The escarpment overlay district is established in order to:

(a) Promote the economic, cultural, and general welfare of the people of the *city*;

(b) Ensure the harmonious, orderly, and efficient growth and *development* of the *city*;

(c) Conserve the value of buildings and land;

(d) Encourage the most appropriate use of land; and

(e) Preserve *the natural environment and the distinctive and historic* ridgetop and foothills area environment as a visual asset for the benefit of the community and to maintain and encourage the sense of the *city* as a small community.

(f) Reduce the risk to life and health of residents in the escarpment by reducing wildfire risk; and

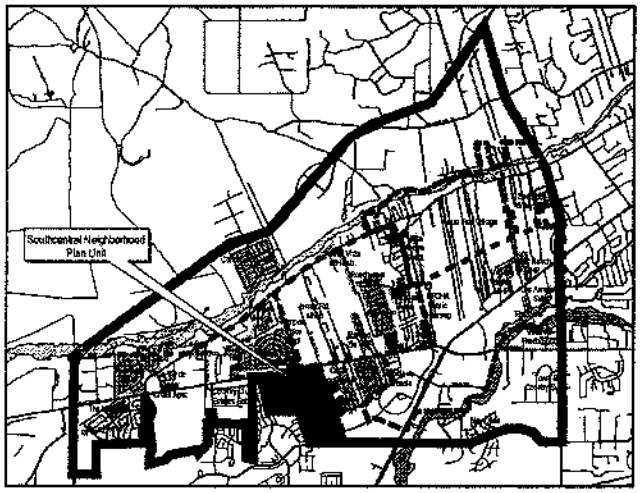
(g) Encourage the conservation of water, especially for maintaining *landscaping* materials.
(Ord. No. 2004-43 §1)

City of Santa Fe
Airport Road Overlay Distric
EFFECTIVE: JANUARY 26, 2013
Ord. No. 2013-01
6357 Airport Road:
SafeLock Storage Facility

Southcentral Neighborhood Plan Area

Unit Area Description

The Southeastern Neighborhood Plan Area is located generally north and east of Tierra Contenta, and is bounded by Airport Road and South Meadows Drive (see Map 2.2.1). In area, it is the smallest of the seven planning units. The plan area can generally be described as an "eclectic" assembly of uses, patterns, and densities. The area form is more the absence of any defining urban pattern, but with several distinguishing land use characteristics. Many of the property owners generally regard their area as a collection of mixed-uses ranging from agriculture, to art and crafts, to institutional, industrial and residential. There are also several instances of live/work type uses occurring in the area. The high proportion of institutional uses and live/work scenarios dominate the neighborhood area.



Map 2.2.1. Southcentral Neighborhood Planning Area

The area consists of approximately 162 acres whereby 25 acres (15%) are currently within the city limits. Approximately 28% of the area remains vacant---all of which is located within the EZ. Based on the number of recent applications for development review and approval by the governing body[1] (see Map 2.2.3), the area appears to be under increasing development pressure (within the EZ).

Existing Land Uses and Urban Forms

The existing land uses for the neighborhood area are illustrated in Table 2.2.1 below. As noted, greater than a quarter of the area remains undeveloped. In addition, the area has the highest overall percentage of institutional uses. Institutional uses include schools (Sweeney Elementary, Ortiz Middle School and a charter school) several churches and a semi-private rehabilitation center.

Probably the most unique feature of the area is the number of rural, live/work scenarios that occur within the area. *Several of the planning participants that are also property*

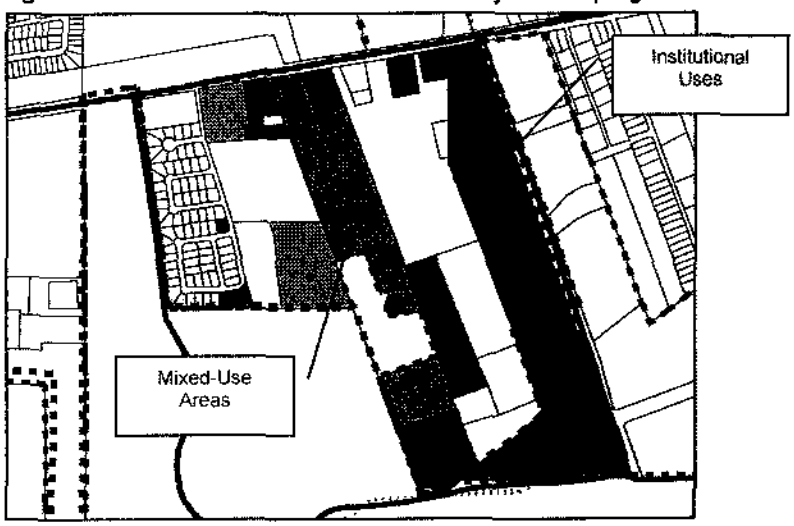
[1] The governing body referenced here is the Extraterritorial Zoning Authority. The current trend for requests for development approval are for projects at urban densities with city services without corresponding request for annexation. One such request is being processed through the creation of a project-specific "urban boundary" joint powers agreement in order to extend city services and build at otherwise urban densities without obligation of annexation into the City.

owners/residents in the area strongly associate themselves with rural/agricultural lifestyles where they live and work within their respective properties. The uses range

Existing Land Uses	Total Acreage	% of Total
Undeveloped	44.9	28%
Residential Very Low Density	6.9	4%
Residential Low Density	15.6	10%
Residential Medium Density	9.5	6%
Park	0.9	1%
Institutional	52.6	33%
Commercial	2.6	2%
Mixed Use	20.2	13%
ROW/Other	8.4	5%
Total	161.7	100%

Table *2.3.1. Existing Land Uses for the Southcentral Neighborhood Planning Area*

from animal_husbandry and agriculture to woodworking and milling to artistic metal stamping and bronzing. Although the urban forms are not necessarily in keeping with the historic Agua Fria models, the rural land practices tend to reflect the more traditional uses of the land. These live/work, or mixed-use, scenarios constitute approximately 13% of the area (see Map 2.3.2). Commercial land uses constitute only 2% of the planning area. In contrast, 20% of the planning unit is comprised of developed residential. There are only 2 small private park areas within the unit, however, the area terrain is dominated by a natural drainage feature that meanders through the heart of the area. The small arroyo traverses between the two schools southwesterly to eventually tie to the larger Tierra Contenta arroyo network. Several participants felt that the arroyo, although it remained in private ownership, was the neighborhood's actual "activity" space since there were no public access areas or connections.[2]



Map 2.2.2. Southcentral Area Existing Land Uses

Residential densities vary from Medium Density Residential within the mobile home parks (averaging 6-8 du/ac) to very low-density residential for the rural residential tracts.

[2] There were concerns, however, that there was increasing use of the arroyo as a public pedestrian path and with it an increase in crime and degradation of the natural feature. The group felt that the increase in use was due mostly to the increasing number of school children "cutting through" from Tierra Contenta to the schools.

The average density for the developed residential areas is approximately 6.1 du/ac. The prevalent residential housing types within the area are the mobile home subdivision or park and live/work scenarios with one residence-one business. As previously noted, there is no clear, definable *urban* development pattern within the neighborhood area. The area has continued, for the most part, to remain semi-rural or predominately institutional.

Map 2.2.3. Approved or Pending Area Development

Activity Centers and Neighborhood Cores

Another *unique characteristic of the Southcentral Neighborhood Plan Area is the high* number of community activity centers versus the lack of neighborhood cores. In several of the other planning areas, there has tended to be few or no activity centers, with several neighborhood cores (namely private parks). In this area, the opposite trend holds true.

The three schools and churches provide for a variety of public community places. In contrast, the continued rural character of the planning area has not created a need or the opportunity for neighborhood core[3] development or formalized pedestrian connections within the unit. *However, as development occurs within the planning unit, the introduction of a neighborhood core, including a developed public park, with possible pedestrian connections along the natural drainage feature should be incorporated as part of any future development.*

Proposed Neighborhood Pattern Areas

The neighborhood pattern areas that have been created by the planning group represent a combined hybrid of a mixed-use scenario and the new neighborhood unit development (see Map 2.2.4). The participant's primary objective was to apply a development pattern that was consistent with their own neighborhood vision—an eclectic range of styles,

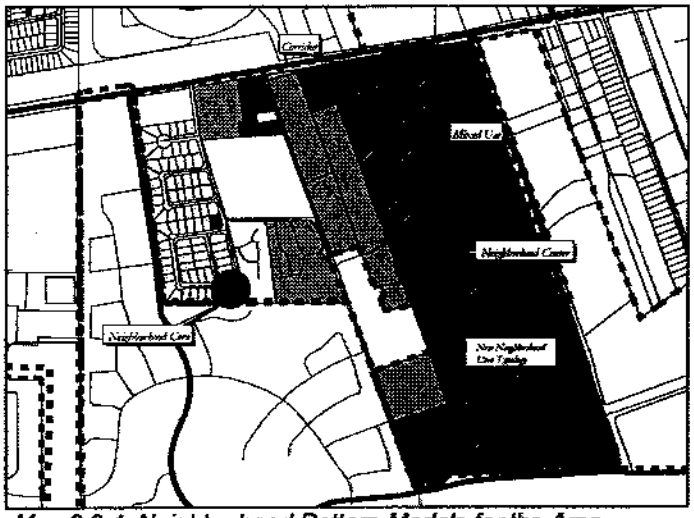
[3] The single exception is the open space/drainage area within the West Meadows MHP.

uses, and patterns that promote live/work and semi-rural or agricultural development patterns.[4]

The planning group has applied (and extended) a corridor area designation to the developing commercial area along Airport Road. It is intended to be at a continued neighborhood scale (see corridor descriptions—Chapter 3.2). The group then applied an expanded transitional area from the corridor along Lucia Lane to a proposed neighborhood center located in proximity to the area's natural drainage feature. The design of this area is intended to be in keeping with a mixed-use development scenario, including residential/non-residential uses that is in keeping with the adjacent mixed uses. The mixed-use area is considered large enough to be able to accommodate a mixed-use type project in lieu of smaller-scaled, "single-use" transitional development.

Example of the one of the arts & craft studio uses

Finally, the planning group has applied a new neighborhood unit model to the remaining vacant lands (including the RAP center and the "temporary" church facility that is adjacent to the south). *The group's principle objective was to design a land use system based on similar compatibility and reduced impacts[5] to the adjacent uses—i.e., future mixed-use adjacent to the area of existing live/work and future residential adjacent to existing schools.*



Map 2.2.4. Neighborhood Pattern Models for the Area

Future Land Uses

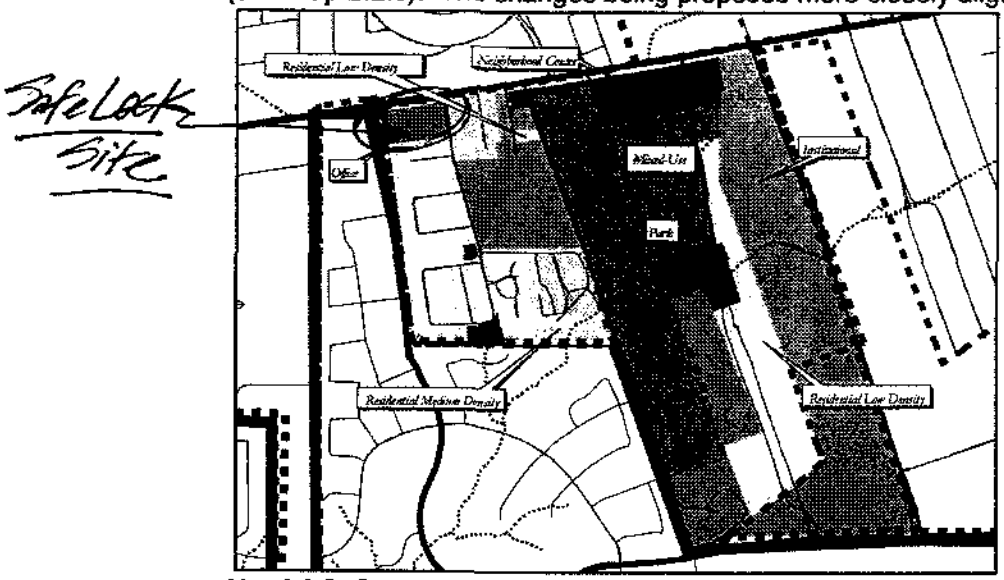
The proposed future land uses that were derived through the neighborhood workshop

[4] Throughout the planning workshops, the planning participants expressed a strong desire to create a minimum lot size requirement of 6,000 square feet in order to respect the existing character of the area. This should be taken into consideration as development occurs. The participants were not, however, interested in applying rural protection areas in order to meet that objective.

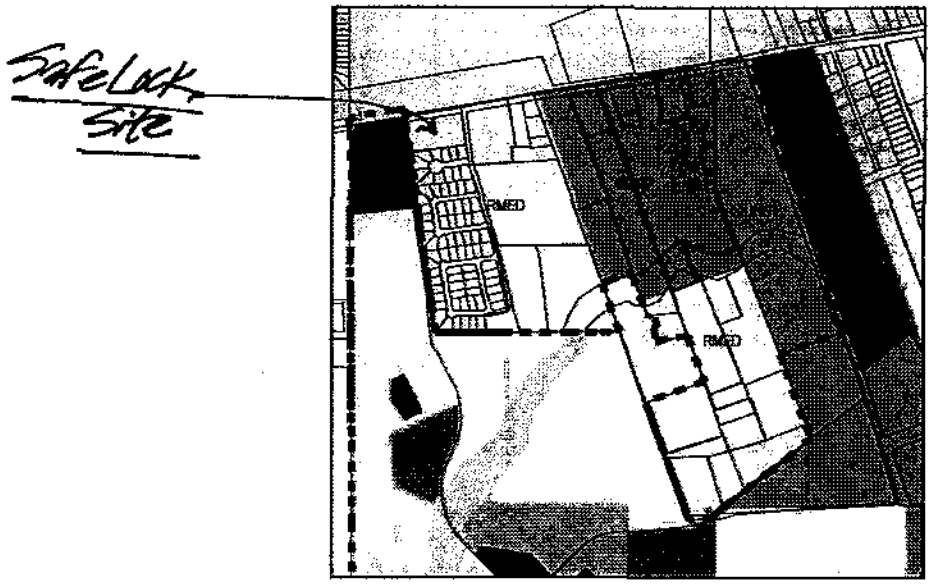
[5] There was expressed concern regarding continued negative impacts related to growth and the overcrowding of the adjacent schools. In an effort to reduce further impact to neighboring schools, the group chose to divide future designations between mixed-use and a new neighborhood unit.

process reflect the intent to create a land use system of mixed uses that are compatible with the present land patterns within the area (see Map 2.2.5). Again, there is a strong emphasis on furthering live/work opportunity within the area and maintaining, to some degree, the kind of semi-rural/agricultural flavor that defines the neighborhood unit.

The City's General Plan currently designates future land uses for the neighborhood area (see Map 2.2.6). The changes being proposed more closely align future land use to the



Map 2.2.5. Proposed Future Land Uses for the Southcentral Neighborhood Plan Area



Map 2.2.6. Current City GP Future Land Uses Designations

existing underlying land uses and applicable zoning, as well as promoting the collective neighborhood vision for their area. The intent is to encourage a wider variety of uses and styles within the neighborhood through incorporation of the mixed-use designation.

With regard to live/work, the appropriateness of what constitutes the work component should be evaluated on a case-by-case basis for the more intense uses. Where industrial-type uses are being proposed, there should be considerable evaluation performed based on measurable performance standard criteria such as noise, vibration, odor emission, environmental concerns, light degradation, etc.... In addition, appropriate use intensity should be considered in relation to the surrounding existing or proposed future uses. Where an industrial or some types of agricultural uses are being considered, there should be an adequate separation of adjoining uses and additional buffering to any adjacent residential properties in order to minimize or negate any potential impacts. *Uses of any substantial intensity should only be considered where it could clearly be demonstrated that controls such as adequate buffering, additional separation measures, and performance standard criteria have been incorporated and satisfied.* Expansion of any existing use should be required to meet these same types of standards as well.

For the new neighborhood unit area, the proposed residential density for the area falls within the 3-7 du/ac. range. More importantly, the planning group has requested that individual lot sizes not be less than 6,000 square feet (more in keeping with the suburban patterns of the 1960-early 80's—such as the La Resolana or the Casa Solana neighborhoods). Densities within Santa Fe neighborhoods with 6,000 square foot acre lots typically fall within the 4-5 du/ac. range. Theoretically, the new neighborhood unit model design standards could still be met, however, varying the lot sizes for greater housing variety may prove difficult under this scenario.

City of Santa Fe, New Mexico

Planning Commission

Exhibit F

Applicant Submittals

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

January 16, 2017

Greg Smith, Division Director
Current Planning Department
City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87501

RE: ***SafeLock Storage***
Rezoning, General Plan Amendment, Special Use Permit & Development Plan

Dear Greg:

This letter is submitted on behalf of SafeLock Storage, LLC, in application for General Plan Amendment, Rezoning, Special Use Permit, and Development Plan approval, for consideration by the Planning Commission at their meeting of March 2, 2017. The ±2.186-acre subject property is currently zoned C-1, Office and Related Commercial, has a Future Land Use designation of Office, and is located within the Airport Road Overlay District at 6350 Airport Road.

Project Summary

The proposed project is a 350-unit, two-story storage facility offering climate-controlled interior self-storage. The applicant is requesting a General Plan Amendment from Office to Community Commercial; a rezoning to C-2 PUD (General Commercial Planned Unit Development); a Special Use Permit, as the property is within 200 feet of residential zoning; and Development Plan approval. The attached report provides details and addresses the requisite criteria for each request.

Early Neighborhood Notification

An Early Neighborhood Notification meeting was held on November 7, 2016. One neighbor attended the meeting. Discussion centered around questions regarding access, traffic, and the nature of the proposed use.

In support of this request, the following documentation is submitted herewith for your review:

- Rezoning, General Plan Amendment, Special Use Permit, & Development Plan Applications
- Utility Service Applications
- Application Report

- Traffic Impact Analysis
- Development Plans (6 sets +PDF)
- Letter of Owner Authorization
- Warranty Deed & Lot of Record Plat
- Fees in the amount of **$13,940.00**, broken down as follows: General Plan Amendment $1,000.00; Development Plan with Rezone ($4.5m construction valuation) $12,500.00; Special Use Permit $350.00; 3 public notice posters $90.00.

Your assistance with this request is greatly appreciated. Please do not hesitate to contact me should you have any questions or require additional information. Thank you for your consideration.

Sincerely,

Jennifer Jenkins
JENKINSGAVIN, INC.

SafeLock Storage
Development Plan

In addition to the General Plan Amendment, Rezoning, and Special Use Permit applications, Development Plan approval is requested for a 350-unit interior self-storage facility ("the Project"). The building will comprise two stories with a gross floor area of 93,086 square feet. The first floor will contain a sales area, four offices, and rest rooms, in addition to 175 storage units. Per Note #16 on the Development Plan, the office/sales area may be modified in future to create a manager's residence, as permitted in SFCC §14-6.2(A)(7). The second floor will contain 175 storage units. The building will potentially be constructed in two phases as depicted on the attached plans.

The Project is located within the Airport Road Overlay District ("AROD"). The Ordinance encourages specific uses on Airport Road, such as offices, restaurants, galleries, shops, and grocery stores. However, it has been determined that the subject property is infeasible for any of these uses due to the site's access constraints. As explained below, access to the site is limited to Geo Lane, which has limited left turn capability for westbound traffic. Therefore, it is necessary to develop the property with a use that will generate minimal traffic. A self-storage facility was determined to be the best use for the site, as such facilities are among the lowest traffic generators of any use, while still a viable investment option.

Airport Road Overlay District Design Standards

The AROD design standards in SFCC §14-5.5(C) are addressed below.

(5) *Site Design, Circulation and Parking*

(a) *New buildings or additions to existing buildings shall be oriented so that their primary façades face Airport Road or to integral courtyards that shall face Airport Road.*

The primary façade and the main entrance to the building face Airport Road.

(c) No more than one single-loaded row of parking is permitted adjacent to Airport Road.

Parking is oriented along Geo Lane, which will be the sole access to the site. Vehicles will enter from Geo Lane at the south end of the property and park in one of two rows as shown on the attached plans.

(d) Perimeter screening of parking lots shall be in accordance with Section 14-8.4(I)(2) except that screening walls, hedges or berms shall not exceed four (4) feet at maturity and shall be provided with openings adjacent to the Airport Road right of way to allow multiple points of pedestrian access to Airport Road.

Parking lot perimeter screening is provided by a 10' wide landscape buffer along Geo Land and a 25' landscape buffer along Airport Road, and plantings will comply with the above provision.

(d) *Sidewalks adjacent to Airport Road shall be provided in accordance with Section 14-9.2.*

There is an existing sidewalk along the northern property boundary adjacent to Airport Road. A new 5' wide sidewalk will be constructed along Geo Lane.

(e) *Vehicular access shall be from the side or rear of the lot.*

Vehicular access is provided from the side of the lot via Geo Lane, as shown on the attached plans.

(f) *New buildings shall have accessible pedestrian connections to Airport Road.*

A sidewalk from the building's main entrance will provide an accessible pedestrian connection to Airport Road. The project will be served by the Santa Fe Trails bus system via several nearby bus stops on Airport Road and Paseo del Sol.

(g) *Loading docks shall be located at the side or rear of buildings and shall be fully screened so that the loading dock is not visible from Airport Road. The screening shall be integrated with the building architecture, materials and construction.*

N/A

(h) *Vehicular access between and among adjacent lots shall be provided where possible.*

The lot is bordered by public streets on the north, east, and west sides. Vehicular access is not possible to the south.

(i) *Electrical transformers and water system backflow preventer cabinets shall be screened from view of public roadways and sidewalks by walled enclosures or landscape screening. Water system backflow preventer cabinets and wall-mounted utility boxes shall be painted the same color as the closest building on site.*

Electrical transformers and water system backflow preventer cabinets will be screened as required.

(6) <u>*Architecture*</u>

In addition to requirements found in Section 14-8.7 SFCC 1987, Architectural Design Review, the following provisions shall apply:

(a) *The primary entrance to any new building shall be visible from Airport Road.*

The primary entrance faces Airport Road and is visible from the road. With the AROD standards in mind, the exterior of the building is designed to resemble an office building.

(b) *The finished floor elevation of the primary entrance to any new building shall not be three (3) feet higher or lower than the elevation of the adjacent sidewalk within the Airport Road right of way.*

The finished floor elevation of the primary entrance is 6,473.60. The elevation of the adjacent sidewalk within the Airport Road right of way 6,473.37.

(c) *Lot configuration permitting, the longest facade of all new buildings shall be aligned with Airport Road.*

The longest façade of the building is aligned with Airport Road.

(d) *No garage doors shall face Airport Road.*

No garage doors are proposed.

(e) *The square footage of retail building façades that face Airport Road or any abutting street shall be comprised of between thirty percent and sixty percent double pane windows. Storefront glazing systems may be used to meet this requirement and shall not exceed fifty percent of the facade.*

The Project is not a retail establishment.

(f) *A façade exceeding one hundred (100) feet, measured horizontally, shall incorporate wall plane projections or recesses of at least twenty-four (24) inches in depth encompassing at least fifty percent of the façade length.*

Wall plane recesses have been provided in accordance with the above requirements. In addition, the parapet height will vary from 26' to 30'.

(g) *A façade exceeding one hundred (100) feet, measured horizontally, shall be of at least two different colors or materials with each color or material applied to an entire projection or recess.*

Three different stucco colors are being used as called out on the plans.

(h) *Except when covered by a portal or other permanent shade structure, windows shall be recessed a minimum of eight (8) inches.*

Windows will be recessed a minimum of 8 inches in accordance with the above provision.

(i) *With the exception of buildings constructed for industrial uses in I-1 and 1-2 zoning districts, no portion of any building wall facing Airport Road or any street shall*

extend more than twenty (20) feet, measured horizontally, without openings. Doors, windows or display windows shall be considered openings.

No portion of the building wall facing Airport Road, Geo Lane, or Paseo del Sol will extend more than 20 feet without openings.

(j) Rooftop equipment shall be fully screened so that the equipment is not visible from the public right of way. The screening shall be integrated with the building architecture, materials and construction. Rooftop solar equipment shall be screened to the extent that the screening does not impair the performance of the solar equipment.

Rooftop equipment will be fully screened so that it is not visible from the public right of way. The screening will be integrated with the building architecture, materials and construction.

(k) Drive-through and drive-in facilities shall be located to the rear of buildings.

There will be no drive-through or drive-in facilities. Customers will park in the lot along Geo Lane and will walk into the interior storage units.

(l) Enclosures required for trash receptacles and compactors shall be: (Ord. No. 2013-17 § 1)

(i) located to the rear of buildings; and

(ii) sized to include commercial recycling space sufficient to accommodate the commercial recycling generated by a development.

The Dumpster enclosure is located at the rear (southeast) corner of the building as shown on the attached plans, and is sized to accommodate recycling demand.

(7) <u>*Landscaping Standards*</u>

In addition to requirements found in Section 14-8.4 SFCC 1987, Landscape and Site Design, the following provisions shall apply:

(a) On-site storm water detention or retention facilities:

(i) shall be integrated with the required landscaping on the site;

Linear drainage swales will be provided along the Airport Road, as well as along the east and south property boundaries, and will be integrated into the required landscaping. The edges of the swales will be rock-lined to imitate the look of an acequia.

(ii) when located adjacent to the Airport Road right of way, shall not be wider than ten (10) feet measured perpendicular to the Airport Road right of way; and

The drainage swales will not be wider than 10 feet, measured perpendicular to the Airport Road right of way.

(iii) shall not create a physical barrier to pedestrian access from the Airport Road right of way to the site.

The pedestrian access is located at the main entrance, which is on the northeastern portion of the site. A culvert will be constructed underneath the sidewalk to accommodate drainage.

(b) Street trees shall be planted at a minimum of twenty (20) feet on-center adjacent to the Airport Road property line. Street trees shall be two and one half (2 1/2) inches minimum caliper at time of planting and a minimum mature height of thirty (30) feet. The location and minimum mature height of street trees may be adjusted where conflicts with overhead utility lines exist.

Per the attached Landscape Plan, one street tree per 20 feet will be provided adjacent to the Airport Road property line.

(c) A minimum of thirty percent of required plant material shall be evergreen.

A minimum of 30% of required plant material will be composed of Austrian Pine and Mugo Pine.

(d) The area between the Airport Road curb and the Airport Road sidewalk adjacent to the development site shall be landscaped as part of the required landscaping of the development site.

The 3-foot wide area between the Airport Road curb and sidewalk adjacent to the site will be landscaped with a native grass seed mix.

(8) <u>Signage</u>

In addition to the requirements found in Section 14-8.10 SFCC 1987, Signs, the following provisions shall apply:

(a) Pole-mounted signs are prohibited.

No pole-mounted sign is proposed.

(b) Monument signs shall not exceed eight (8) feet in height.

The monument sign will be 7 feet high.

(c) Signs shall be set back a minimum of ten (10) feet from any public right of way.

The sign will be set back a minimum of 10 feet from the public right of way.

(d) Wall or building-mounted signs shall not extend above the roofline or parapet.

Wall or building-mounted signs will not extend above the roofline or parapet.

(e) *Roof-mounted signs are prohibited.*

No roof-mounted signs are proposed.

(9) <u>Site Furnishings</u>

(a) *A minimum of one bench per five thousand (5000) gross square feet of building is required on the site and shall be located adjacent to the Airport Road sidewalk, or to the primary building entrance, or to a public or private amenity provided by the development.*

One bench per 5,000 square feet of the gross building square footage would mean installing 19 benches along the Airport Road street frontage, which is clearly excessive. Per SFCC §14-5.5(C)(4)(b), " The land use director may permit alternate means of compliance with the provisions of this subsection as provided in Section 14-2.11(C)." Therefore, with this application we are proposing to place four benches along the Airport Road sidewalk, as shown on the attached Development Plan.

(b) *At least one bench per development shall be shaded by a tree or a shade structure.*

All four benches will be shaded by trees.

(c) *Where multiple benches are required, a trash receptacle shall be provided adjacent to one of the benches.*

A trash receptacle is provided adjacent to the easternmost bench.

(d) *All site furnishings on a development site, including bicycle racks, benches, trash receptacles and light fixtures shall be of a coordinated design style and color.*

Site furnishings as detailed above will be of a coordinated design style and color.

(10) <u>Outdoor Lighting</u>

In addition to compliance with Section 14-8.9 SFCC 1987, Outdoor Lighting, the following provisions apply:

(a) *Pole-mounted lights shall not exceed twenty feet in height.*

The pole-mounted lights will be a maximum of 20' feet high. Please refer to the attached lighting cut sheets.

(b) *Lamps of building-mounted light fixtures shall not be placed more than twelve (12) feet above the exterior grade at the perimeter of the building.*

Lamps of building-mounted light fixtures will not be placed more than 12 feet above the exterior grade at the perimeter of the building. Please refer to the attached lighting cut sheets.

VICINITY MAP

STORMWATER AGREEMENT

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

OWNER _____

_____

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY _____ THIS _____ DAY OF _____, 20 _____

NOTARY PUBLIC

MY COMMISSION EXPIRES

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT THE OWNER HAS CAUSED THIS DEVELOPMENT PLAN TO BE PREPARED, ALL RIGHTS APPEARS ON THIS PLANS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER

OWNER: _____

_____

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY _____ OF _____ THIS _____ DAY OF _____, 20 _____

NOTARY PUBLIC _____

MY COMMISSION EXPIRES ON _____

CITY OF SANTA FE APPROVAL

REVIEWED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SANTA FE MEETING ON _____, 20 _____

AS CASE No. _____

MAYOR _____ DATE _____

REVIEWED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE MEETING ON _____, 20 _____

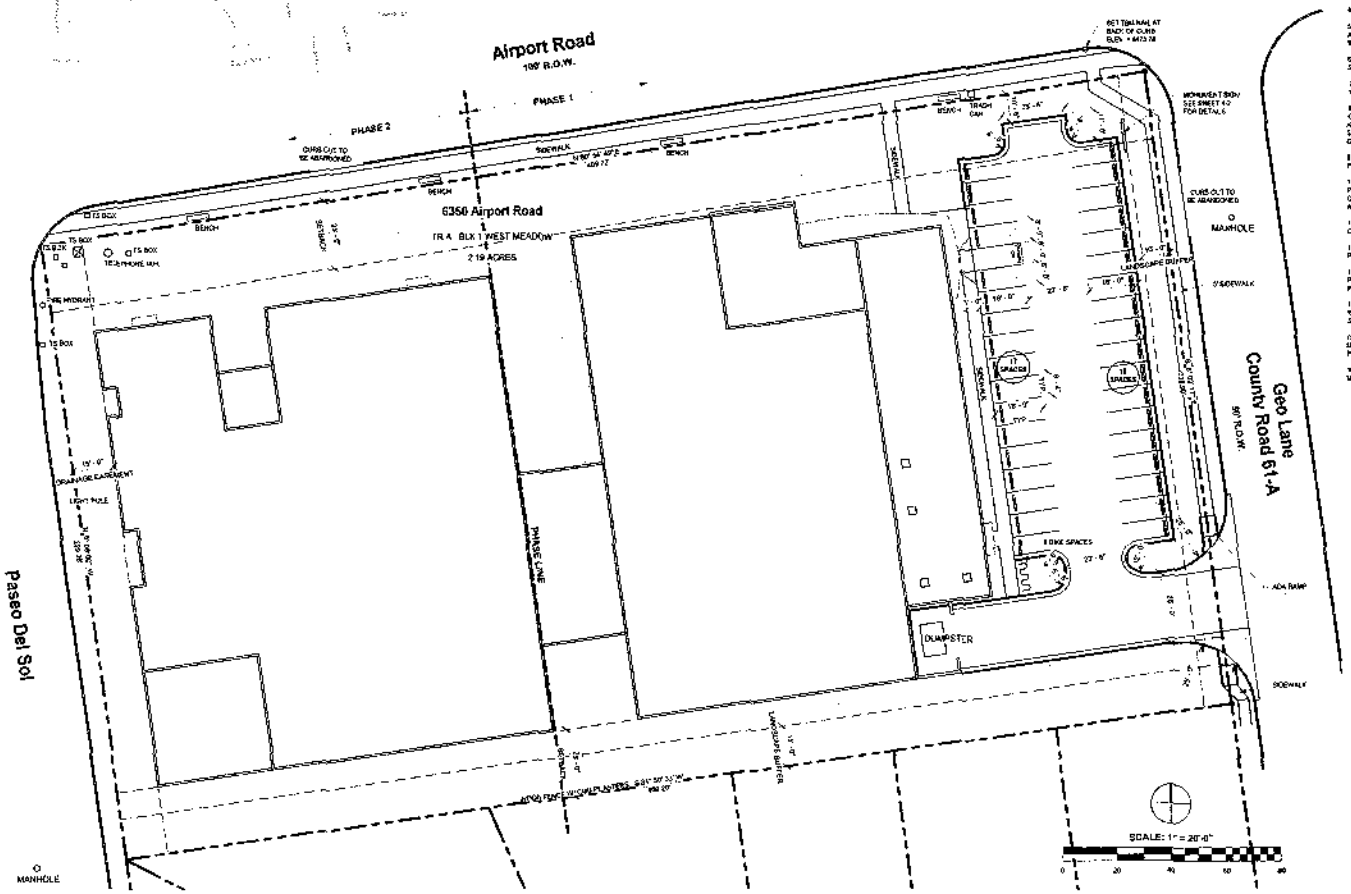
AS CASE No. _____

PLANNING COMMISSION CHAIRPERSON _____ DATE _____

PLANNING COMMISSION SECRETARY _____ DATE _____

CITY ENGINEER FOR LAND USE _____ DATE _____

CITY PLANNER _____ DATE _____



Development Plan
1" = 20'-0"

DRAINAGE FACILITY MAINTENANCE SCHEDULE (= 30 DAYS) SHALL BE AS FOLLOWS

WITHIN 15TH, SEPTEMBER 15TH, AND AFTER 5 HOURS OF 1 INCH OR GREATER

A. FLUSH ALL GUTTERS TO REMOVE SEDIMENT AND VEGETATION.
B. IF SEDIMENT IN DETENTION PONDS IS DEEPER THAN 6 INCHES, REMOVE AND RESEED WITH NATIVE GRASSES
C. CHECK POND DRAINS AND RIP-RAP INTEGRITY, REPAIR IF NECESSARY
D. CHECK FOR BOX, EROSION AROUND ALL STRUCTURES, FILL GULLIES, CUT SLOPES, SHOT CRETE SLOPES AND RETAINING WALLS. UNSTABILIZED SOILS SHALL BE STABILIZED BY VEGETATION, ROCK PLATING OR EROSION MATS.

NOTES:

1. ALL PROPOSED CHANGES TO THE APPROVED IMPROVEMENT PLANS SHALL RECEIVE PRIOR APPROVAL BY THE CITY OF SANTA FE - PLANNING AND LAND USE DEPARTMENT BEFORE CONSTRUCTION.
2. COMPLY WITH THE CURRENT CUSP WATER CONSERVATION STAGE
3. THIS DEVELOPMENT IS OUTSIDE OF A HISTORIC DISTRICT AND IS WITHIN THE SUBURBAN ARCHAEOLOGY DISTRICT.
4. THE PROJECT DRIVEWAY WILL BE MAINTAINED BY THE PROPERTY OWNERS
5. ALL BUILDING SHALL CONFORM TO THE INTENT OF THE DEVELOPMENT PLAN WITH ACTUAL SIZE AND SHAPE OF EACH STRUCTURE CONTAINED WITHIN THE HEREIN DEFINED BUILDING ENVELOPES. RETAINING WALLS AND FENCES, SUBJECT TO APPLICABLE BUILDING PERMIT REQUIREMENTS.
6. SITE LINE SETBACKS SHALL APPLY TO ALL PERMANENT STRUCTURES, INCLUDING ACCESSORY STRUCTURES
7. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, SPCC 1981 AND SUBSEQUENT AMENDMENTS
8. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH APPLICABLE 1974 OF SANTA FE ORDINANCE
ADOPTED PRIOR TO FINAL PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL OF BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISIONS OF REQUIREMENTS CALLED FOR IN CHAPTER 14, LAND DEVELOPMENT CODE, SPCC 1981 AND SUBSEQUENT AMENDMENTS
9. PROPERTY DEVELOPMENT MUST COMPLY WITH SECTION 14-8.11 (RE-LOCATION OF OVERHEAD PHARE LINES).
10. THIS PROJECT IS SUBJECT TO THE WATER ALLOCATION AND/OR WATER OFFSET RETROFIT PROVISIONS OF ORDINANCE NO. 2002-26 AND RESOLUTION 2002-55 AT THE TIME OF PERMIT APPLICATION OR WATER HOOKUP. REDUCTION COMPLIANCE SHALL BE OF RETROFIT CREDITS OR WATER TRANSFERS, IF APPLICABLE.
11. FIRE DEPARTMENT ACCESS SHALL BE MAINTAINED THROUGHOUT ALL DEVELOPMENT CONSTRUCTION PHASES AS PER IFC 1410.1
12. FENCES, WALLS OR OTHER OBSTRUCTIONS SHALL NOT BE PLACED OR CONSTRUCTED ACROSS PUBLIC SANITARY SEWER EASEMENTS.
13. WASTEWATER UTILITY EXPANSION CHARGES (UEC) SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION. CONTACT THE CITY OF SANTA FE PERMIT AND DEVELOPMENT REVIEW DIVISION TO PAY THESE UEC CHARGES.
14. AN AUDIO-ADVISE WITH DISABILITIES ACT (ADA) INSPECTION SHALL BE CONDUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE CONTRACTOR SHALL CONTACT CITY STAFF TO SCHEDULE AN INSPECTION
15. THE PERIMETER PUBLIC AREA SHALL BE THE AREA WITHIN THE MINIMUM SETBACKS MODIFICATIONS TO THE BUILDING DESIGN SHALL BE REVIEWED THROUGH THE BUILDING PERMIT PROCESS
16. OWNER RESERVES THE RIGHT TO MODIFY THE OFFICE/SALES AREA FLOOR PLAN TO CREATE A MANAGER'S DWELLING UNIT AS PERMITTED IN SFCC §14-6.2(A)(7).

SITE DATA

Land Area:	2.186 acres (95,222 S.F.)
Proposed Zoning:	C-2 PUD
Proposed Storage Units:	
First Floor:	175
Second Floor:	175
Total:	350

Phase 1 Areas:

First Floor Area:	24,905 s.f.
Second Floor Area:	20,232 s.f.
Gross Floor Area:	45,137 s.f.
Roofed Area:	25,449 s.f. 26.72% Lot Coverage

Phase 2 Areas:

First Floor Area:	24,271 s.f.
Second Floor Area:	23,648 s.f.
Gross Floor Area:	47,919 s.f.
Roofed Area:	24,301 s.f. 25.52% Lot Coverage

Total Areas:

First Floor Area:	49,206 s.f.
Second Floor Area:	43,880 s.f.
Gross Floor Area:	93,086 s.f.
Roofed Area:	49,750 s.f. 52.25% Lot Coverage (60% Allowed)
Open Space Required:	25% or 23,805 s.f.
Open Space Provided:	32.8% or 31,265 s.f.
Parking Required:	1 space/unit or 35 spaces
Parking Provided:	35 spaces
Bicycle Parking Required:	8 spaces
Bicycle Parking Provided:	8 spaces

SafeLock Storage
6350 Airport Road

Date
Issue Date

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

Development Plan

Scale 1" = 20'-0"

2-1

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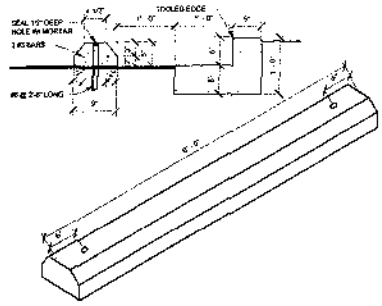
Case #2017-02, 03 SafeLock Storage, 6350 Airport Road



Precast Concrete Wheel Stop
1" = 1'-0"

NOTES:

1. ALL TREES AND SHRUBS TO BE IRRIGATED WITH AN AUTOMATIC DRIP IRRIGATION SYSTEM. ALL LINES MUST BE UNDERGROUND. ALL IRRIGATION VALVES AND EQUIPMENT MUST BE HOUSED IN BELOW GROUND VAULTS
2. ALL DISTURBED AREAS WILL BE RESEEDED WITH NATIVE GRASS.
3. STREET TREES TO BE A MINIMUM OF 2-1/2" IN CALIPER AND A MINIMUM MATURE HEIGHT OF 30'.
4. THE OWNER SHALL PROPERLY MAINTAIN ALL LANDSCAPE MATERIALS AND INSTALLATION INCLUDING PROPER PRUNING, BOIL, TESTING, FERTILIZING, AND WEEDING, PER SEC 14-8-4.
5. NEW PLANT MATERIAL SHALL BE MULCHED TO A MINIMUM DEPTH OF 2" WHICH MAY BE OF ORGANIC OR INORGANIC MATERIAL.
6. STREET TREES ARE TO BE LOCATED AT LEAST 15' FROM FIRE HYDRANTS.
7. STREET TREES ARE TO BE LOCATED AT LEAST 15' FROM LIGHT STANDARDS.
8. STREET TREES ARE TO BE OF A SPECIES THAT MAINTAINS A MINIMUM OF 9' OF CLEARANCE FROM OVERHEAD UTILITY LINES AT MATURITY.
9. VEGETATION SHALL NOT CREATE A PHYSICAL BARRIER TO PEDESTRIAN ACCESS FROM THE AIRPORT ROAD RIGHT OF WAY TO AND SITE.
10. ALL PARKING SPACES ADJACENT TO A LANDSCAPE STRIP MUST COMPLY WITH THE VEHICLE OVERHANG REQUIREMENTS IN SEC 14-16-3(K)(1)(H)(4)
11. A MINIMUM OF 30% OF ALL REQUIRED PLANT MATERIAL TO BE EVERGREEN

PLANT LEGEND:

SYMBOL	SCIENTIFIC	COMMON	SIZE	NO.
TREES				
RA	FRAXINUS	RAYWOOD ASH	2-1/2" CAL	21
PX	FRAXINUS AMERICANA "AUTUMN PURPLE"	AUTUMN PURPLE ASH	2-1/2" CAL	21
AP	PINUS NIGRA	AUSTRIAN PINE	6' Ht	11
AP	PINUS ECULIS	PINON PINE	6' Ht	10
PT	POPULUS TREMULOIDES	ASPEN (CLUMP)	1 1/2" CAL	18 4
SHRUBS / GROUNDCOVER:				
	PINUS MUGO	MUGO PINE	5 GAL / 24"	19
	BERBERIS JULIANAE "MENTORENSIS"	WINTERGREEN BARBERRY	5 GAL / 24"	19
	RHUS AROMATICA	GRO-LOW SUMAC	5 GAL / 24"	38
	PEROVSKIA	RUSSIAN SAGE	5 GAL / 24"	38
	RHUS TRILOBATA	3 LEAF SUMAC	5 GAL / 24"	38
	LAVANDULA	LAVENDER	5 GAL / 24"	37
	NATIVE GRASS			
	BARK MULCH GROUND COVER OR SIM			

LANDSCAPE CALCULATIONS:

OPEN SPACE
1 TREE AND 3 SHRUBS / 500 S.F.
21,868 S.F. OPEN SPACE / 500 = 44.31
= 42 TREES AND 126 SHRUBS

PARKING
1 TREE AND 3 SHRUBS / 500 S.F.
5,172 S.F. / 500 = 9.34
= 9 TREES AND 18 SHRUBS

17 LANDSCAPE BUFFER
1 TREE AND 3 SHRUBS / 500 S.F.
6,138 S.F. / 500 = 12.28
= 12 TREES AND 36 SHRUBS

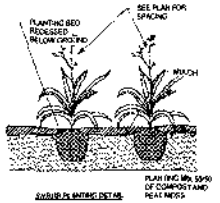
PARKING LOT SCREENING
TREES @ 1 TREE / 25'

STREET TREES 2-1/2" CAL
AIRPORT ROAD — 1 TREE / 20'
GEO LANE & PASEO DEL SOL — 1 TREE / 20'-25'

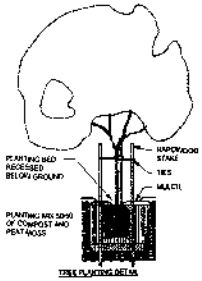
WATER BUDGET:

	NO.	AREA	TOTAL AREA	WATER USE	
TREES	67	473 S.F.	31,666 S.F.	.6 GAL / S.F. / YR	= 47,396 GAL/YR
SHRUBS	169	319 S.F.	53,704 S.F.	.62 GAL / S.F. / YR	= 33,336 GAL/YR
NATIVE GRASS		10,443 S.F.	10,443 S.F.	.14 GAL / S.F. / YR	= 1,472 GAL/YR
				TOTAL WATER USE	= 82,527.4 GAL/YR

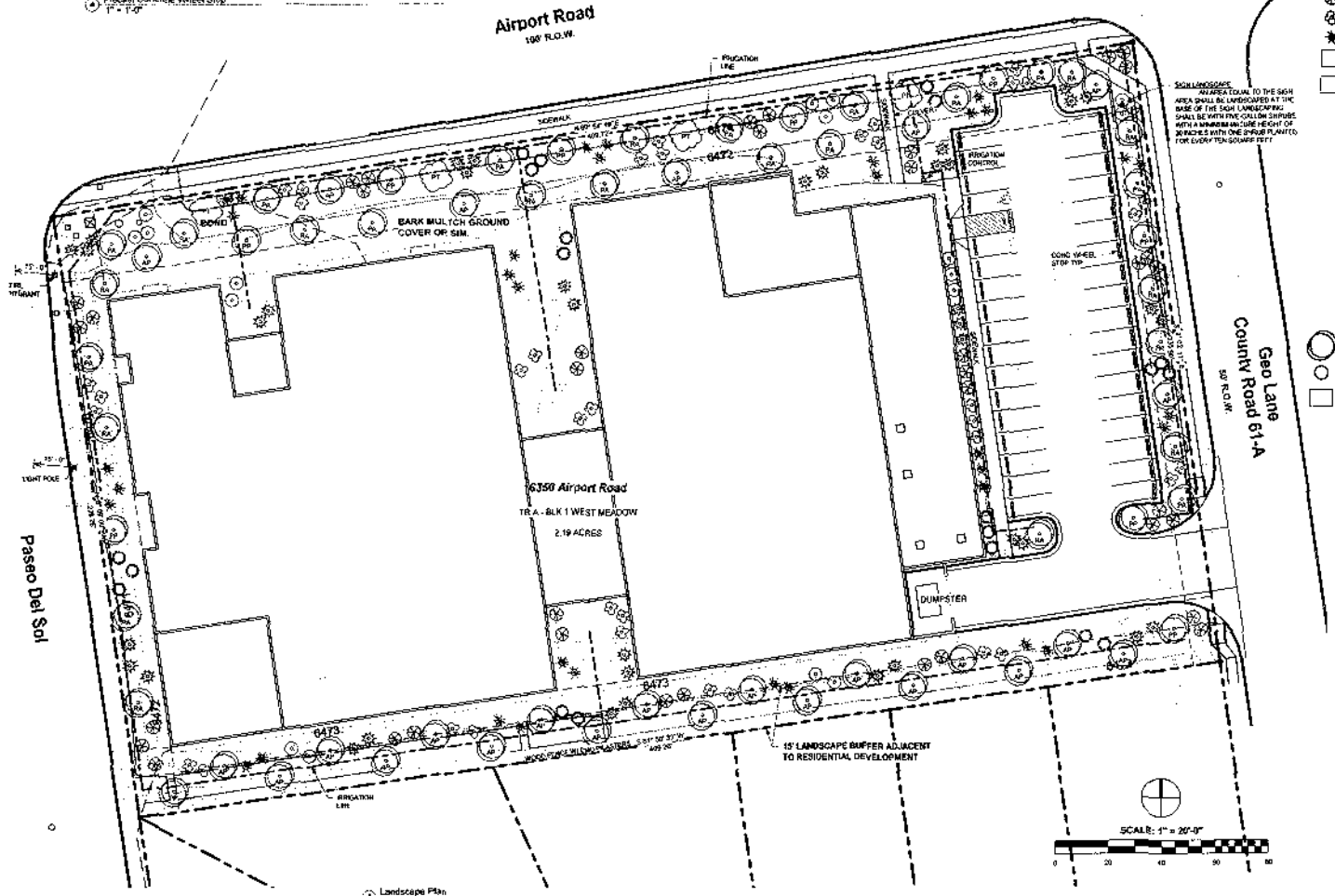
TOTAL WATER USE: 82,527.4 / 325,850 GAL = .317 ACRE FEET / YR



SHRUB PLANTING DETAIL



TREE PLANTING DETAIL



Landscape Plan
1" = 20'-0"

SIGN LANDSCAPE
AN AREA EQUAL TO THE SIGN AREA SHALL BE LANDSCAPED AT THE BASE OF THE SIGN. LANDSCAPING SHALL BE WITH EVE-GALLON SHRUBS WITH A MINIMUM MATURE HEIGHT OF 30 INCHES WITH ONE SHRUB PLANTED FOR EVERY TEN SQUARE FEET.

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SafeLock Storage
6350 Airport Road

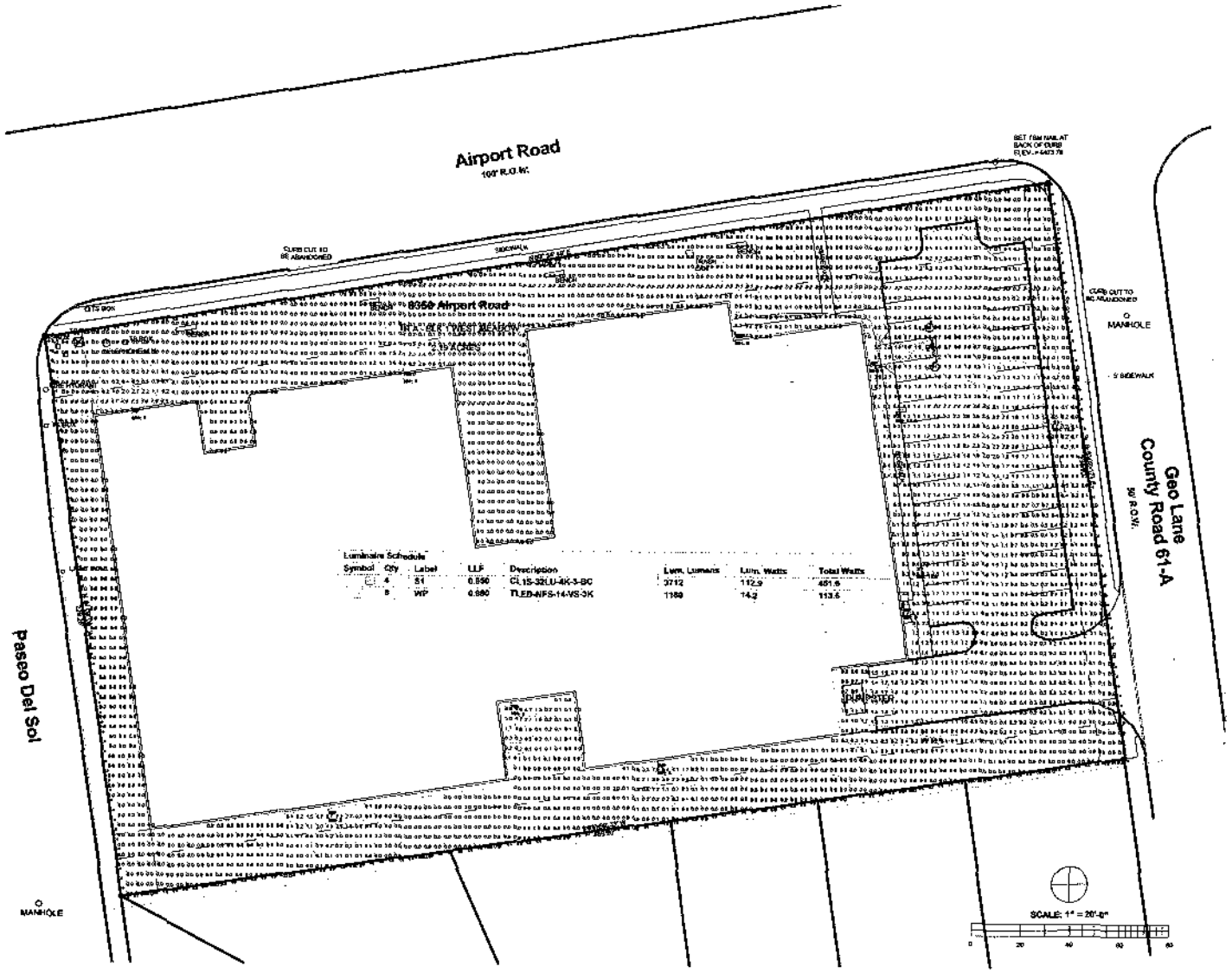
Date
Revised 2/7/2017

JENKINS GAVIN
LAND USE/PROJECT MANAGEMENT

Landscape & Irrigation Plan

Scale As indicated

3-1



Luminaire Schedule

Symbol	Qty	Label	LLF	Description	Lum. Lumens	Lum. Watts	Total Watts
	4	S1	0.890	CL15-32LU-4K-3-BC	3712	112.9	451.6
	8	WP	0.980	TLED-NFS-14-VS-3K	1380	14.2	113.6

① Lighting Plan
1" = 20'-0"

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RESOURCEGROUP

SafeLock Storage
6350 Airport Road

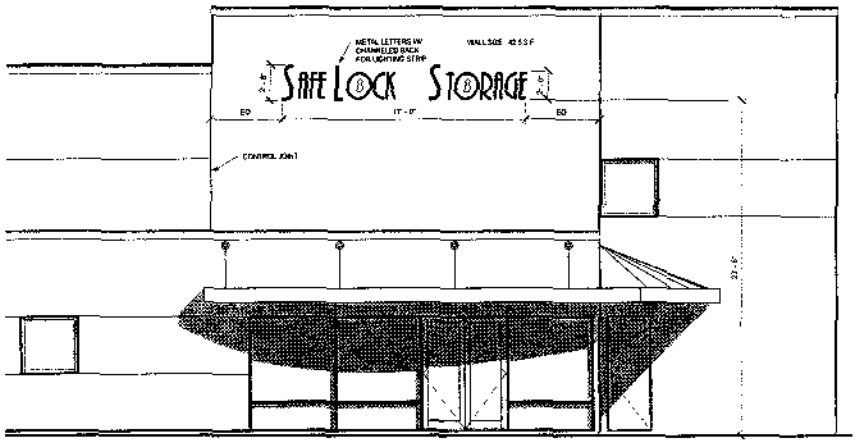
Date
Issue Date

JENKINSGAVIN
LAND USE/PROJECT MANAGEMENT

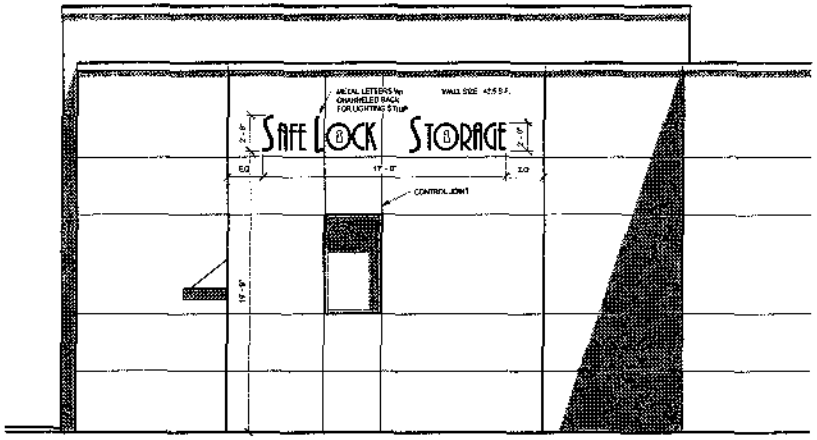
Site Lighting and Photometrics

Scale 1" = 20'-0"

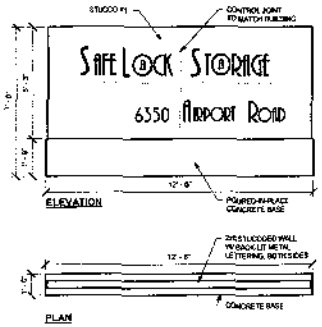
4-1



② East Copy 1
1/4" = 1'-0"



③ West Copy 1
1/4" = 1'-0"



① Monument Sign
3/8" = 1'-0"

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SafeLock Storage
6350 Airport Road

Date
Issue Date

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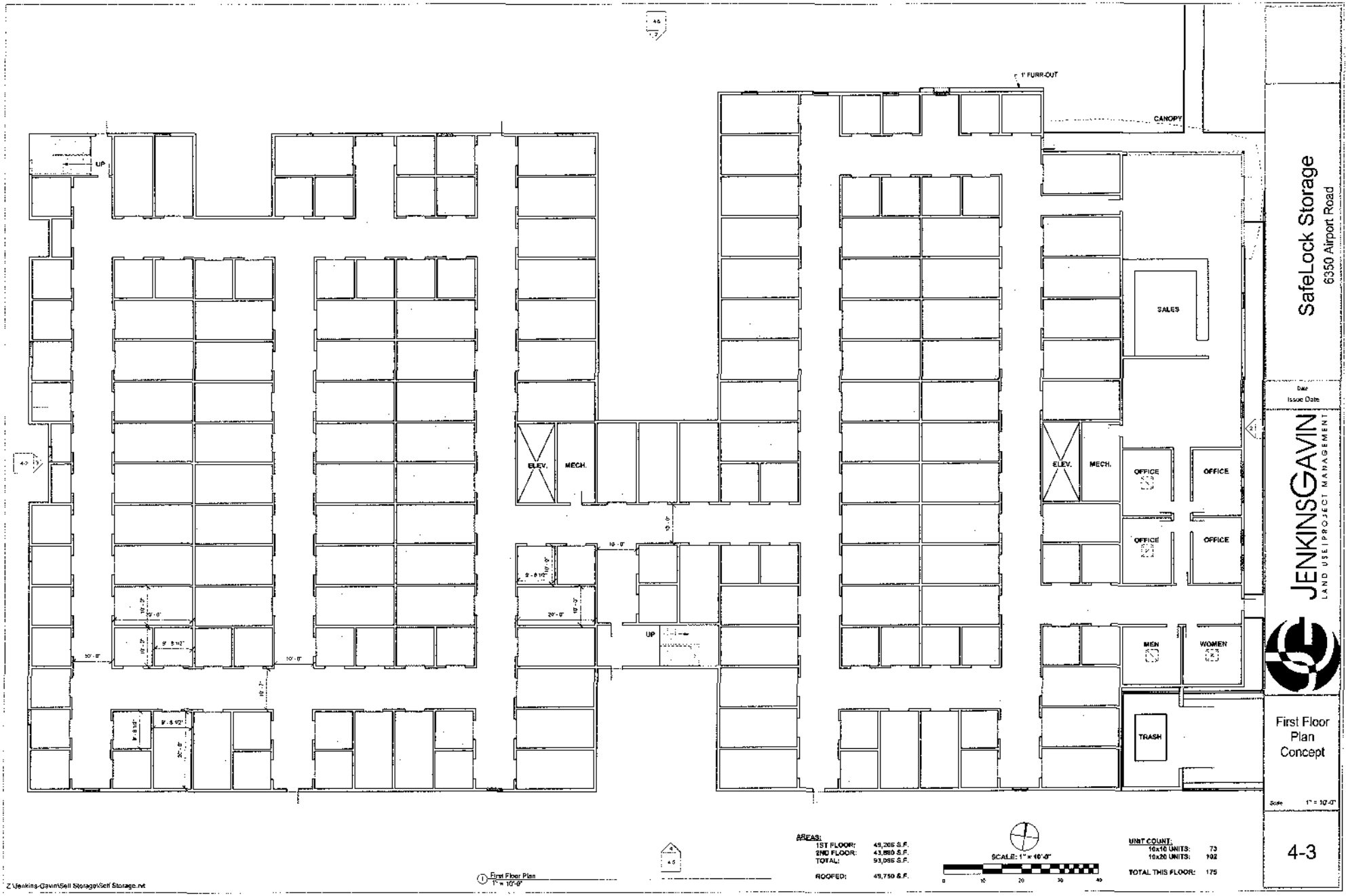
LAND USE | PROJECT MANAGEMENT

Signage Plan

Scale As indicated

4-2


1" FURR-OUT
CANOPY
UP
ELEV.
MECH.
SALES
OFFICE
OFFICE
OFFICE
OFFICE
MEN
WOMEN
TRASH
10' - 0"
20' - 0"
30' - 0"
SCALE: 1" = 10'-0"
0 10 20 30 40
AREAS:
1ST FLOOR: 49,205 S.F.
2ND FLOOR: 43,880 S.F.
TOTAL: 93,085 S.F.
ROOFED: 49,750 S.F.
UNIT COUNT:
10x10 UNITS: 73
10x20 UNITS: 102
TOTAL THIS FLOOR: 175
1 First Floor Plan
1" = 10'-0"
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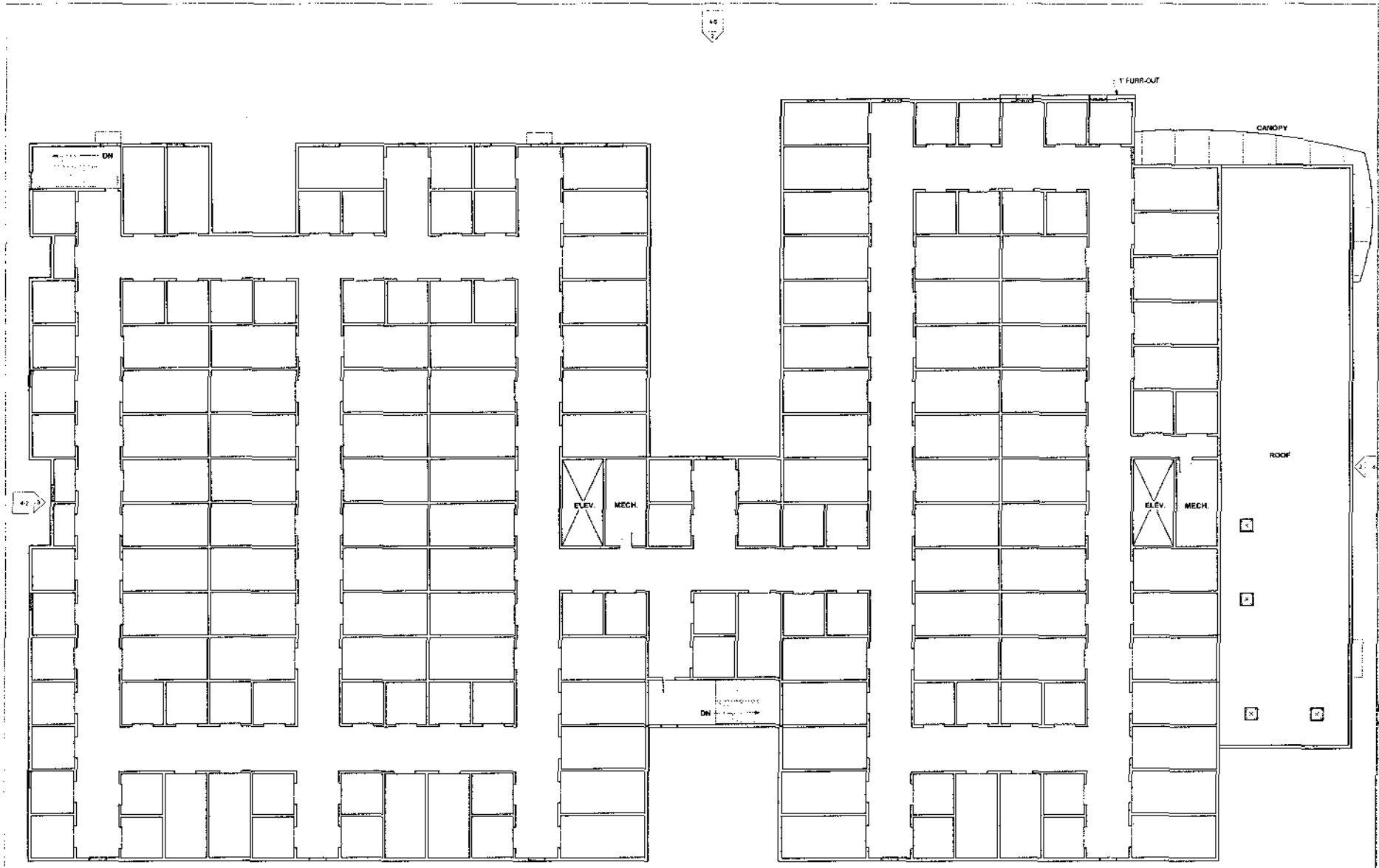
SafeLock Storage
6350 Airport Road
Date
Issue Date
JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT
First Floor Plan Concept
Scale 1" = 10'-0"
4-3



1 Second Floor Plan
1" = 10'-0"

AREAS:

1ST FLOOR:	49,206 S.F.
2ND FLOOR:	43,890 S.F.
TOTAL:	93,096 S.F.
ROOFED:	49,750 S.F.

SCALE: 1" = 10'-0"

0 10 20 30 40

UNIT COUNT:

10x10 UNITS:	76
10x20 UNITS:	99
TOTAL THIS FLOOR:	175

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SafeLock Storage

6350 Airport Road

Date
Issue Date

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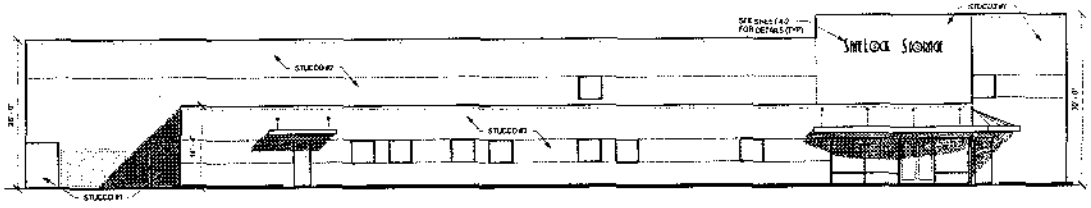
LAND USE | PROJECT MANAGEMENT

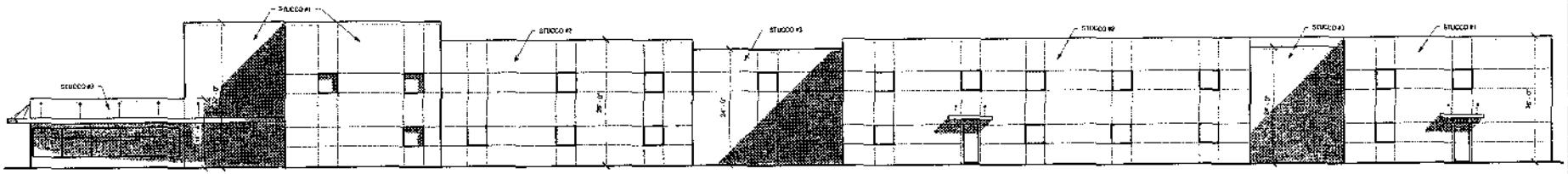
Second Floor Plan Concept

Scale 1" = 10'-0"

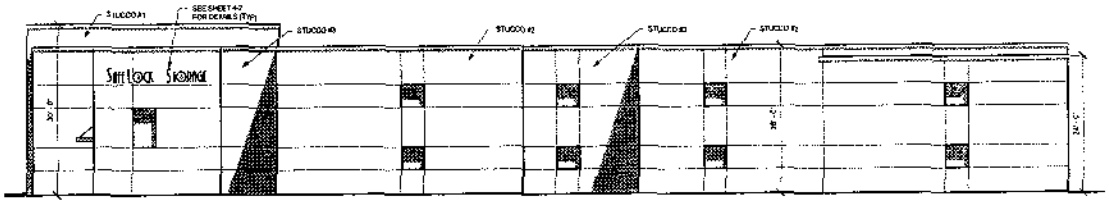
4-4



① East
1" = 10'-0"



② North
1" = 10'-0"



③ West
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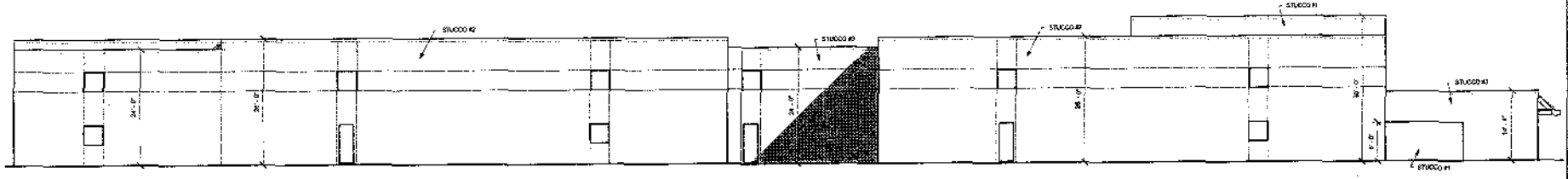

④ South
1" = 10'-0"

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SafeLock Storage
6350 Airport Road

Date
Issue Date

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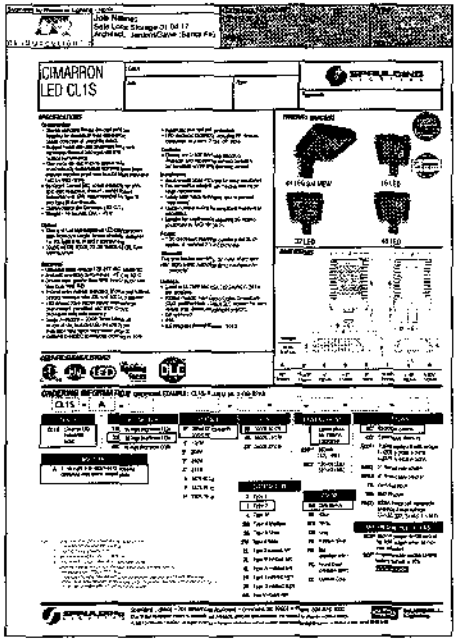
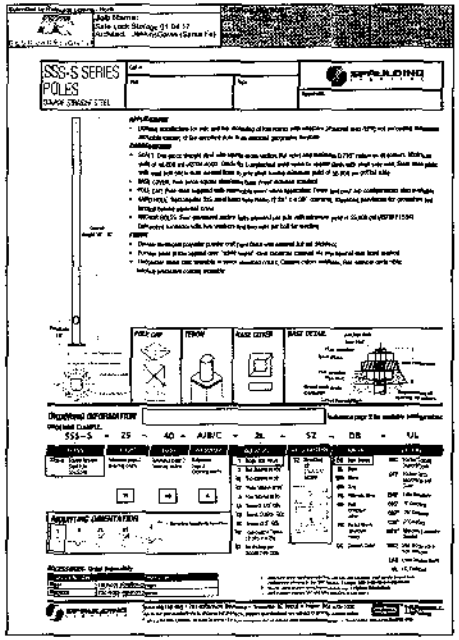
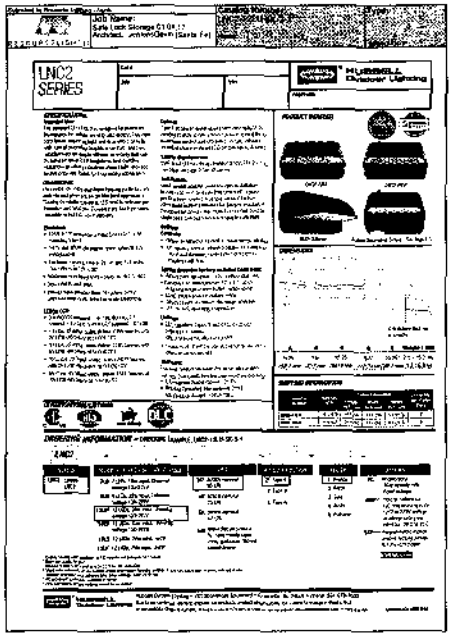
Conceptual Elevations

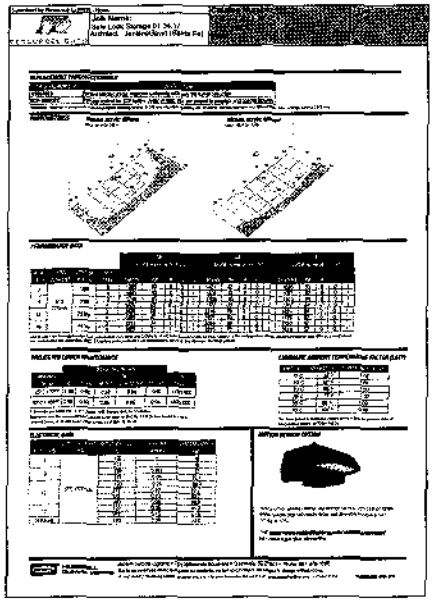
Scale 1" = 10'-0"

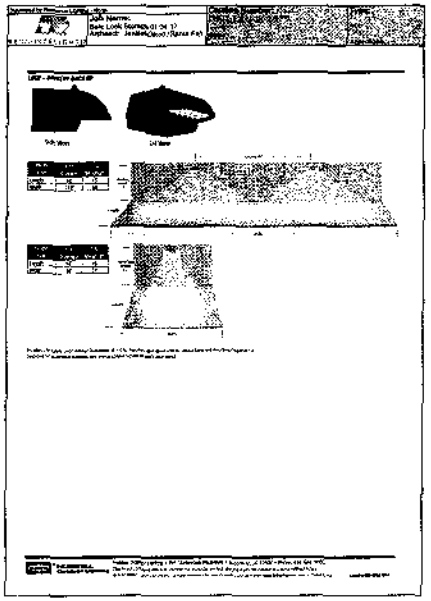
4-5











SafeLock Storage
6350 Airport Road

Date
Issue Date

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LAND USE | PROJECT MANAGEMENT

Lighting
Specs

Scale

4-6

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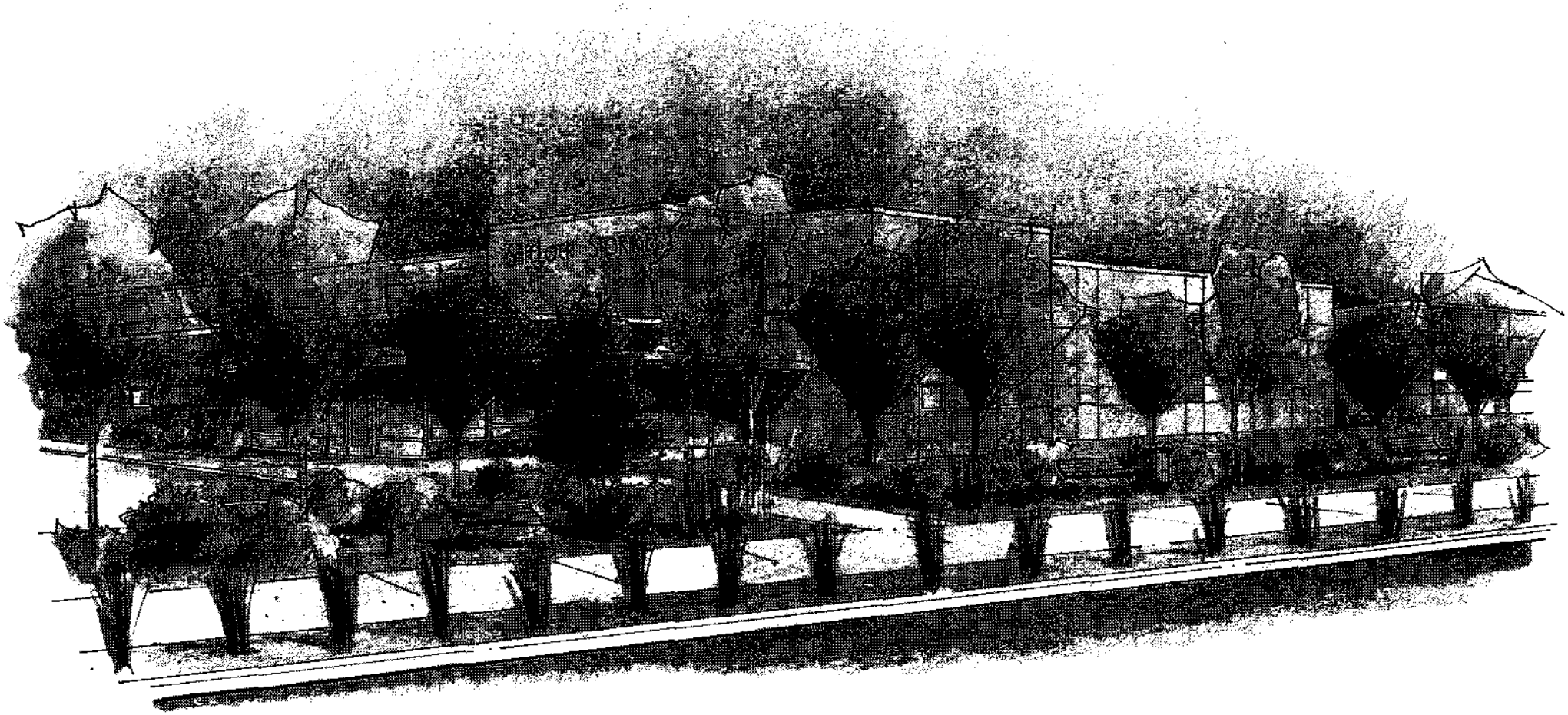
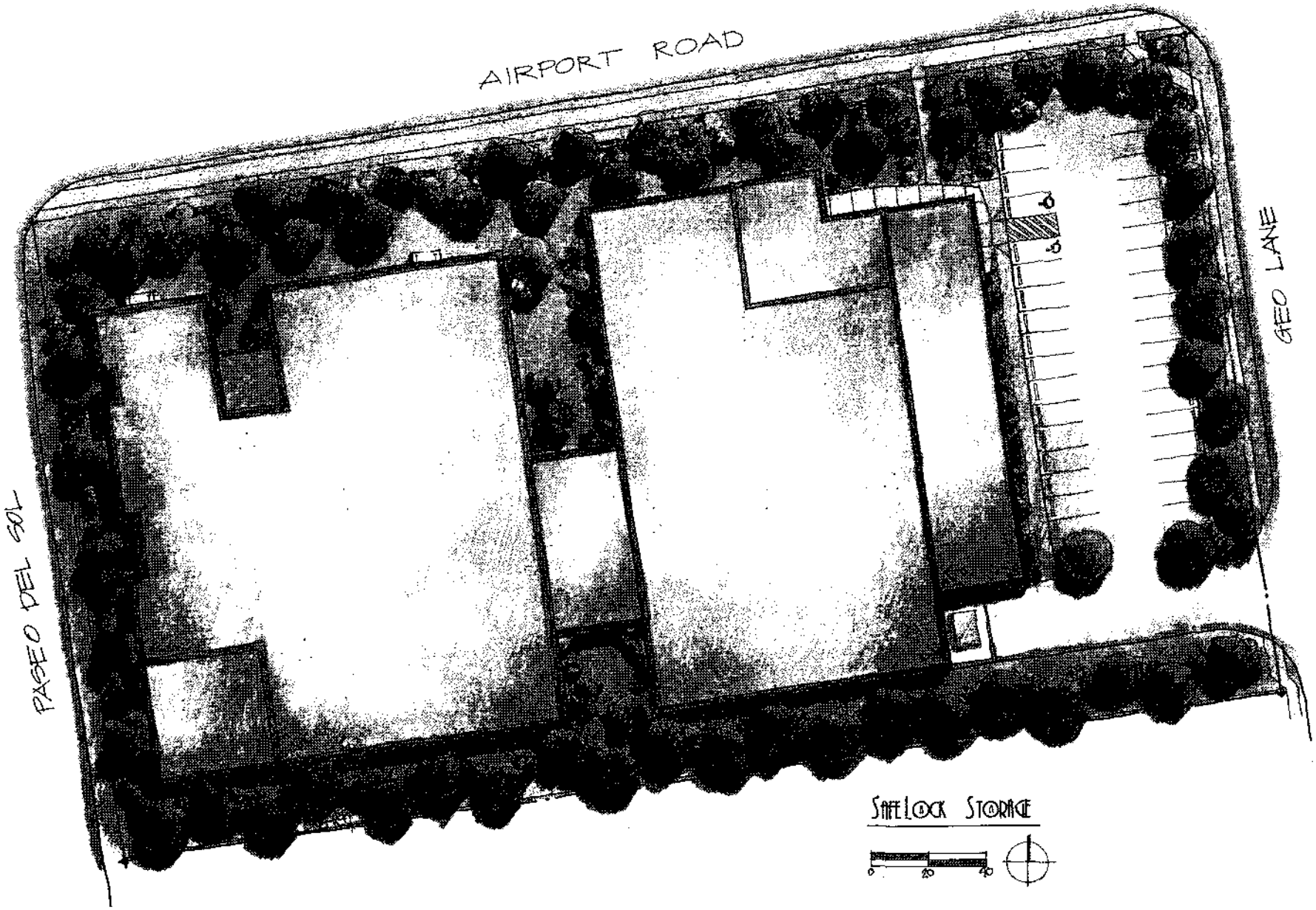



AIRPORT ROAD
PASEO DEL SOL
GEO LANE
SAFELOCK STORAGE
0
20
40

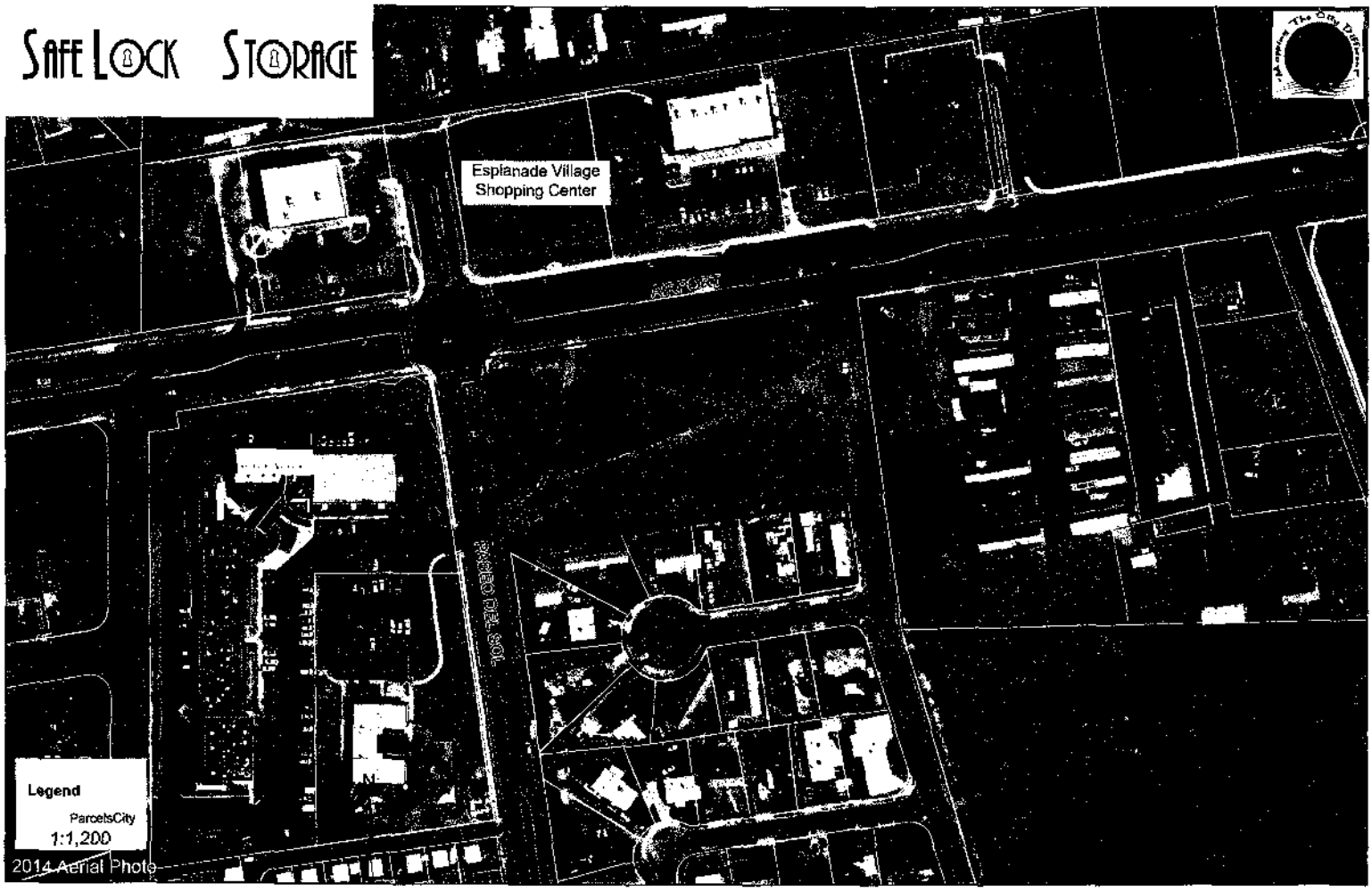
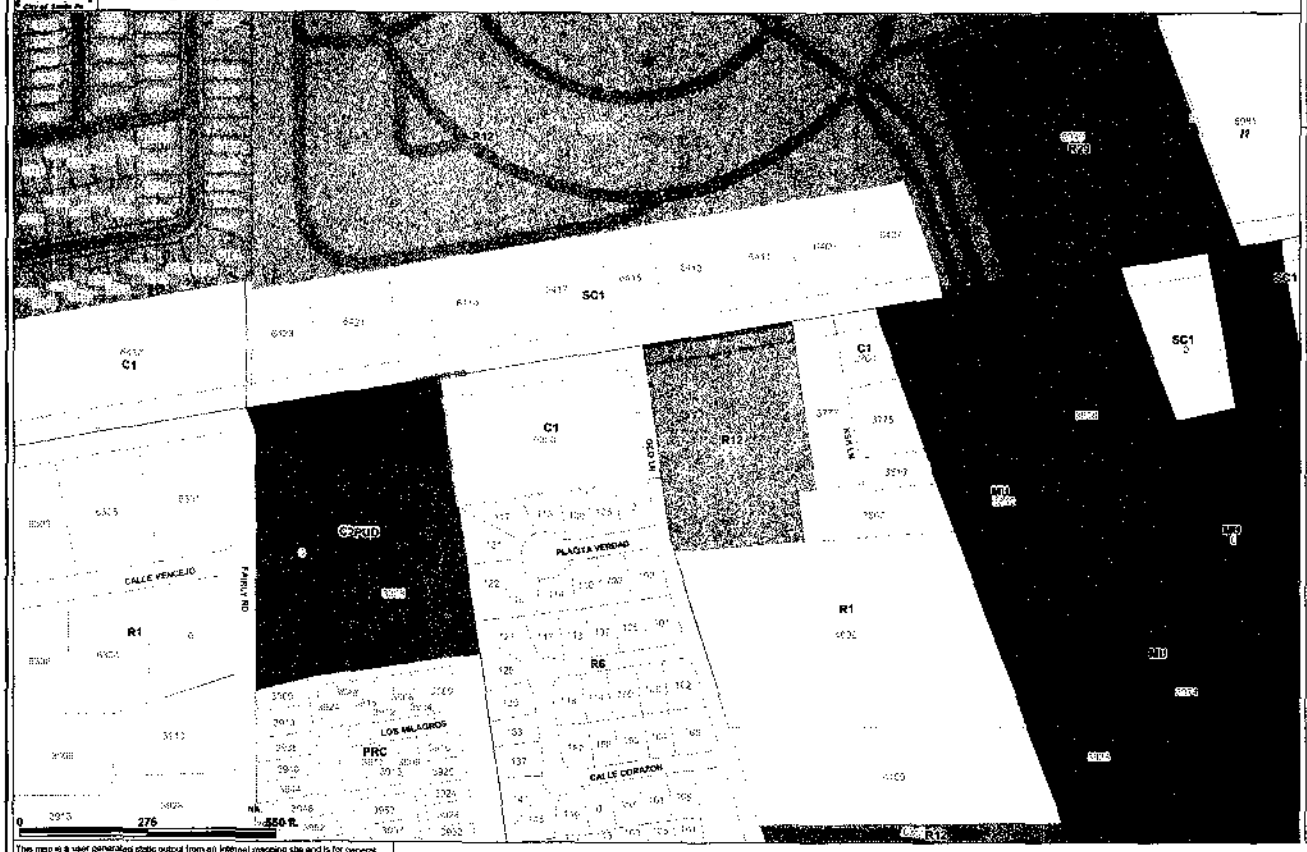

SAFE LOCK STORAGE
Esplanade Village
Shopping Center
AIRPORT
PASEO DEL SOL
Legend
ParcelsCity
1:1,200
2014 Aerial Photo

Exhibit "11"

Zoning Map



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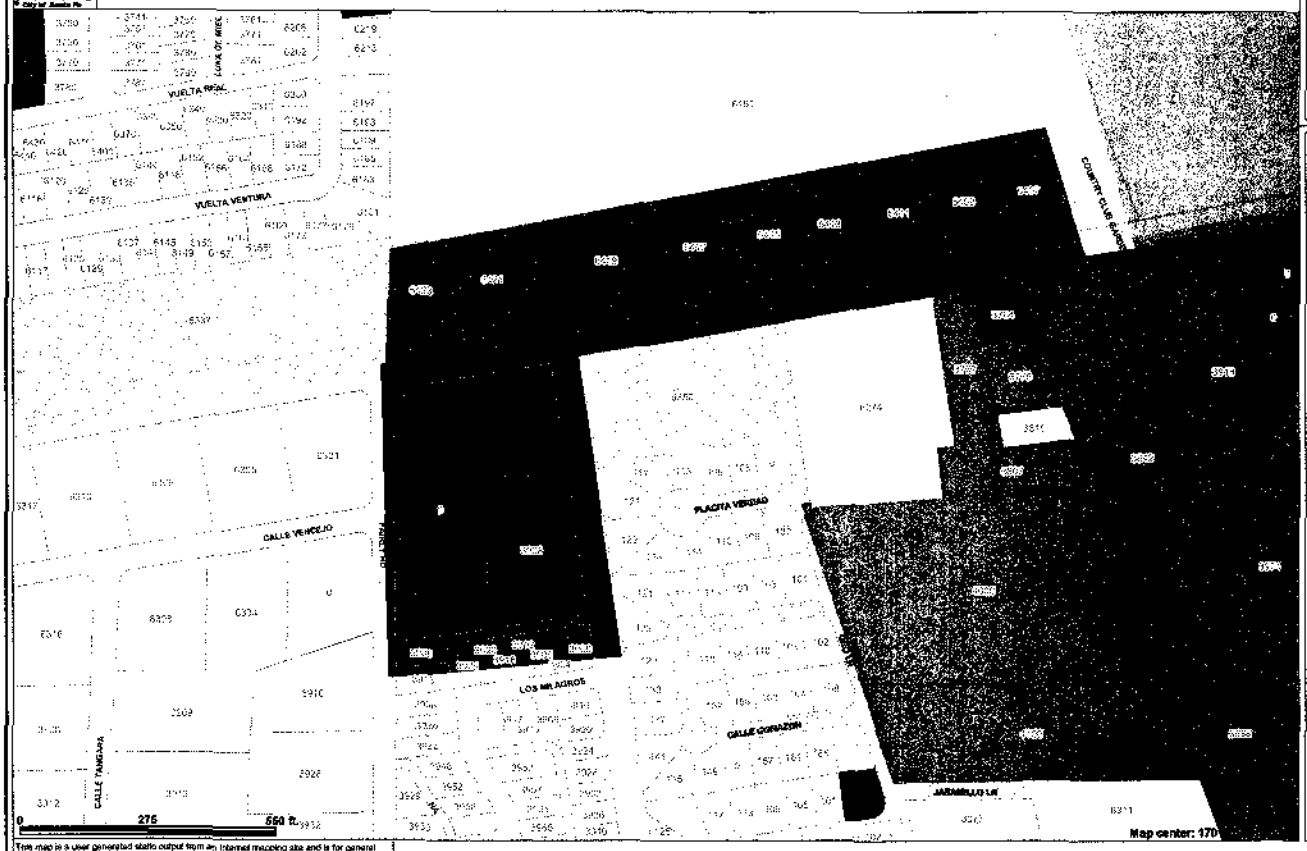
Future Land Use



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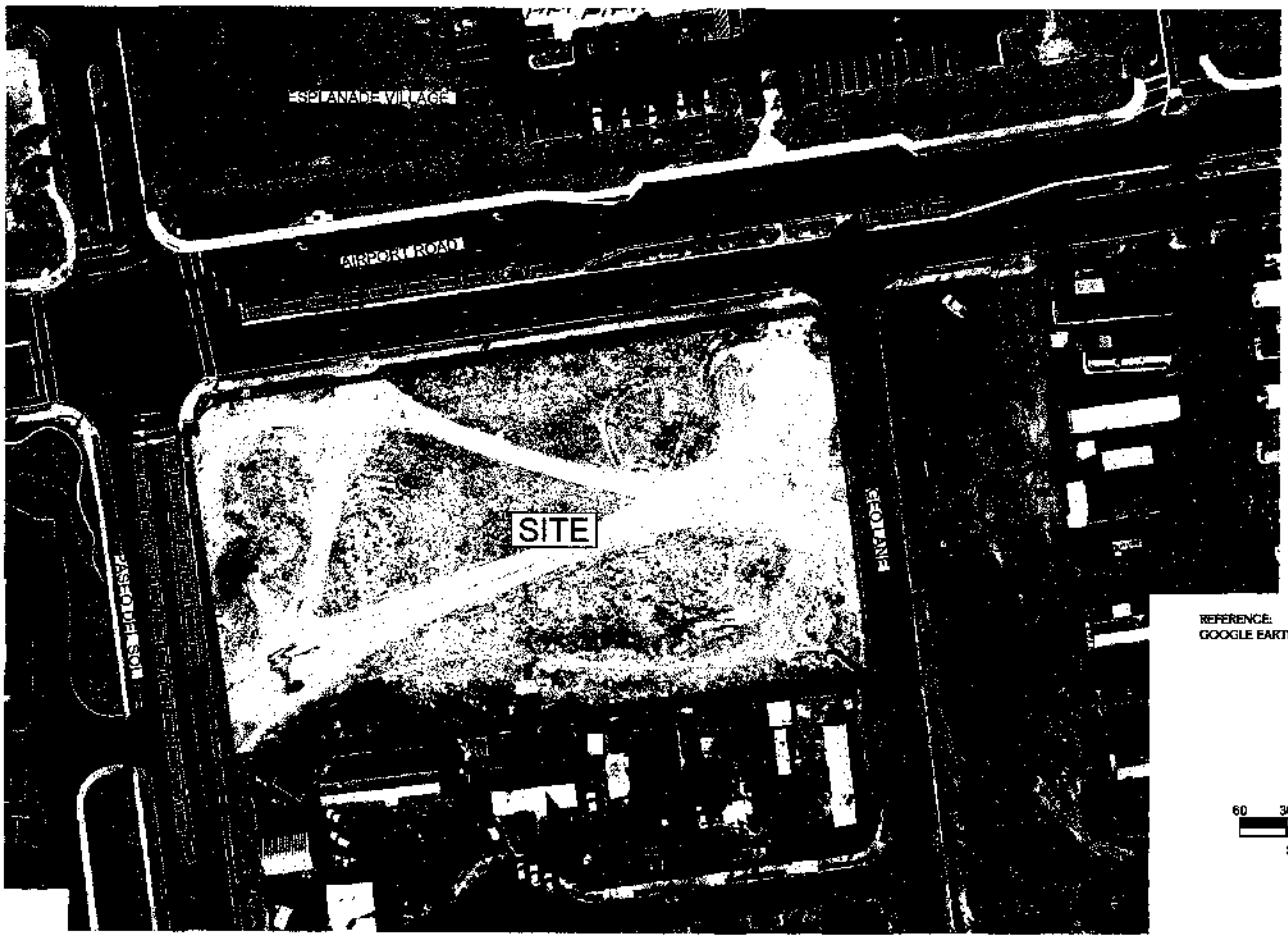
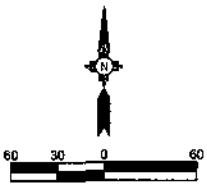
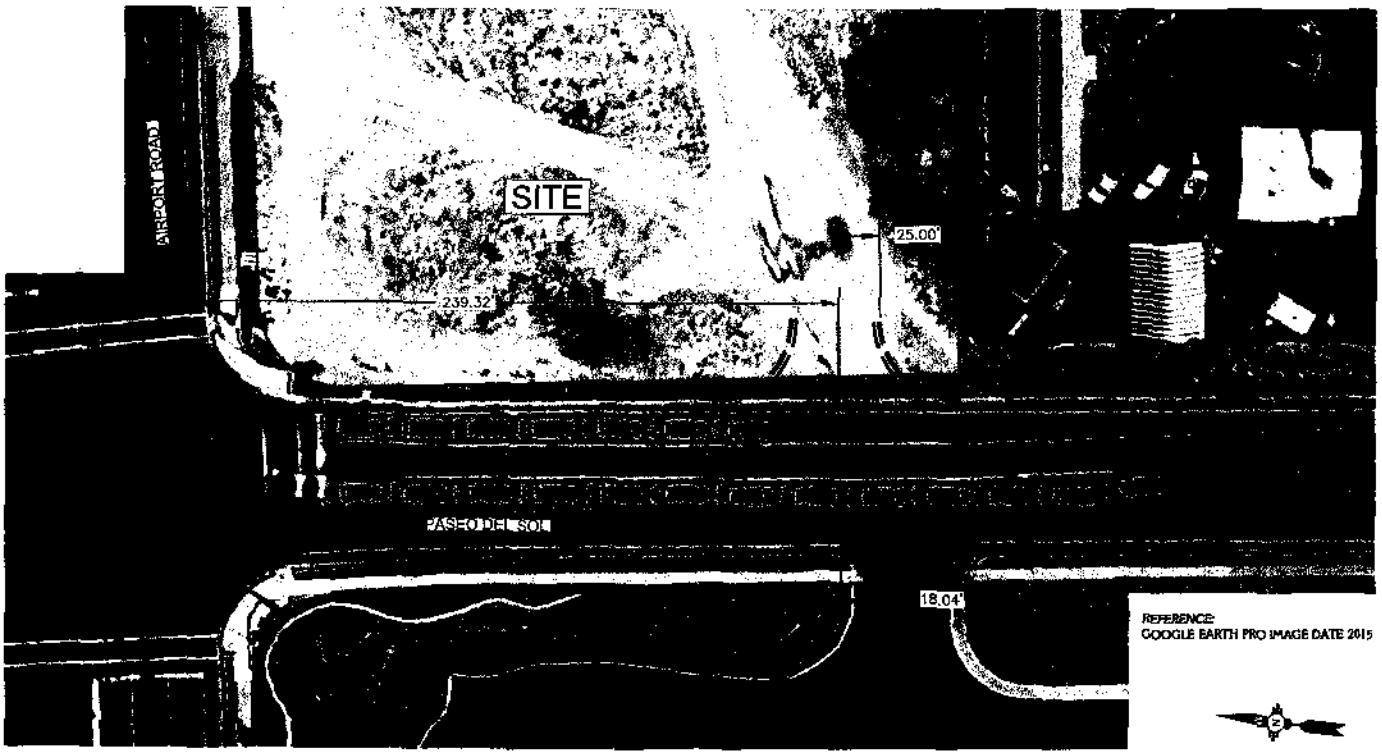


REFERENCE:
GOOGLE EARTH PRO IMAGE DATE 2015

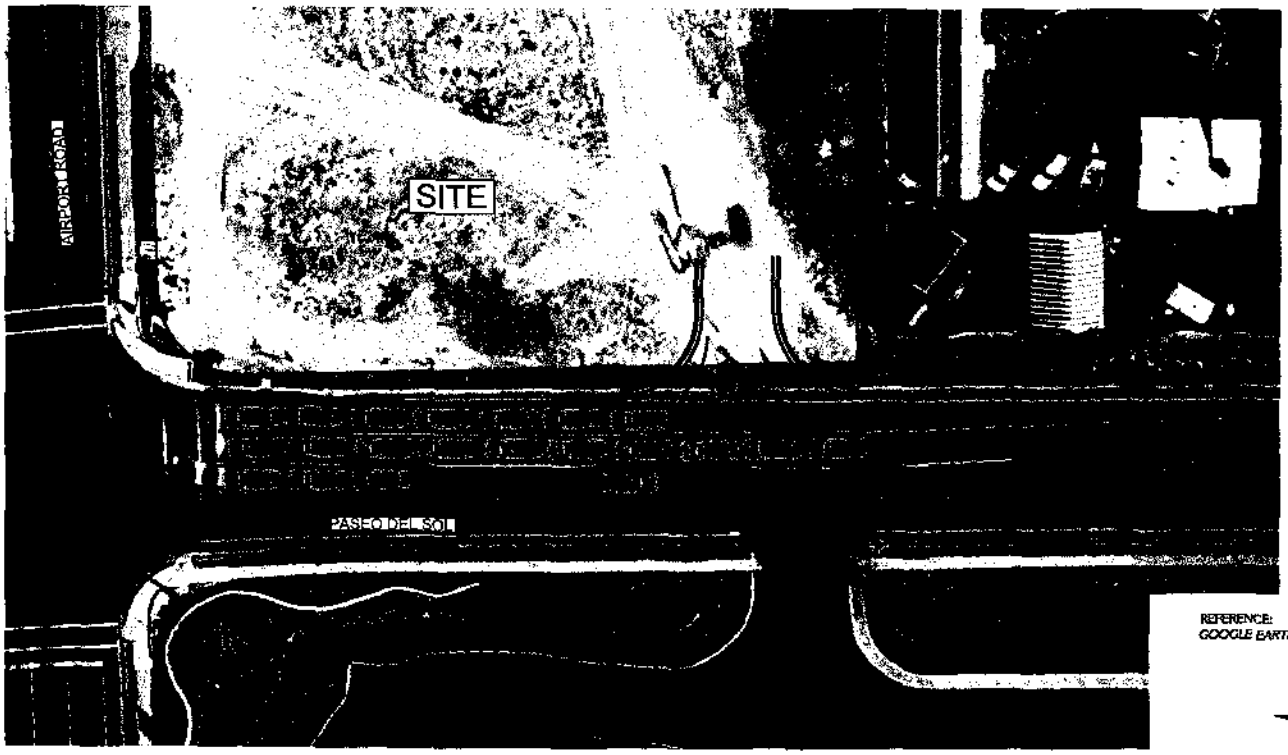




REFERENCE:
GOOGLE EARTH PRO IMAGE DATE 2015

MINIMUM SPACING REQUIREMENTS
330 FEET FOR FULL ACCESS
225 FEET FOR PARTIAL ACCESS

30 15 0 30
SCALE: 1" = 30'



REFERENCE:
GOOGLE EARTH PRO IMAGE DATE 2015

30 15 0 30
SCALE: 1" = 30'

DUAL NBL
3

Permissible C-1 Uses

Business and professional offices

Medical and dental offices or clinics

Banks, credit unions (without drive-through)

Hospitals and Extended Care Facilities

Retail Sales and Services

Service Establishments
- Barber shops and beauty salons
- Personal care facilities for the elderly
- Tailoring and dressmaking shops

Restaurants: Fast service/take-out, no drive-through/drive-up

Preschool, Daycare for Infants or Children

Educational
- Colleges and universities, nonresidential
- Museums
- Vocational or trade schools, nonindustrial

Group Living
- Continuing care community
- Group Residential Care Facility
- Group Residential Care Facility, Limited
- Boarding, dormitory, monastery

Household Living
- Dwelling, multiple-family
- Dwelling, single-family
- Manufactured homes
- Short Term Rental Unit

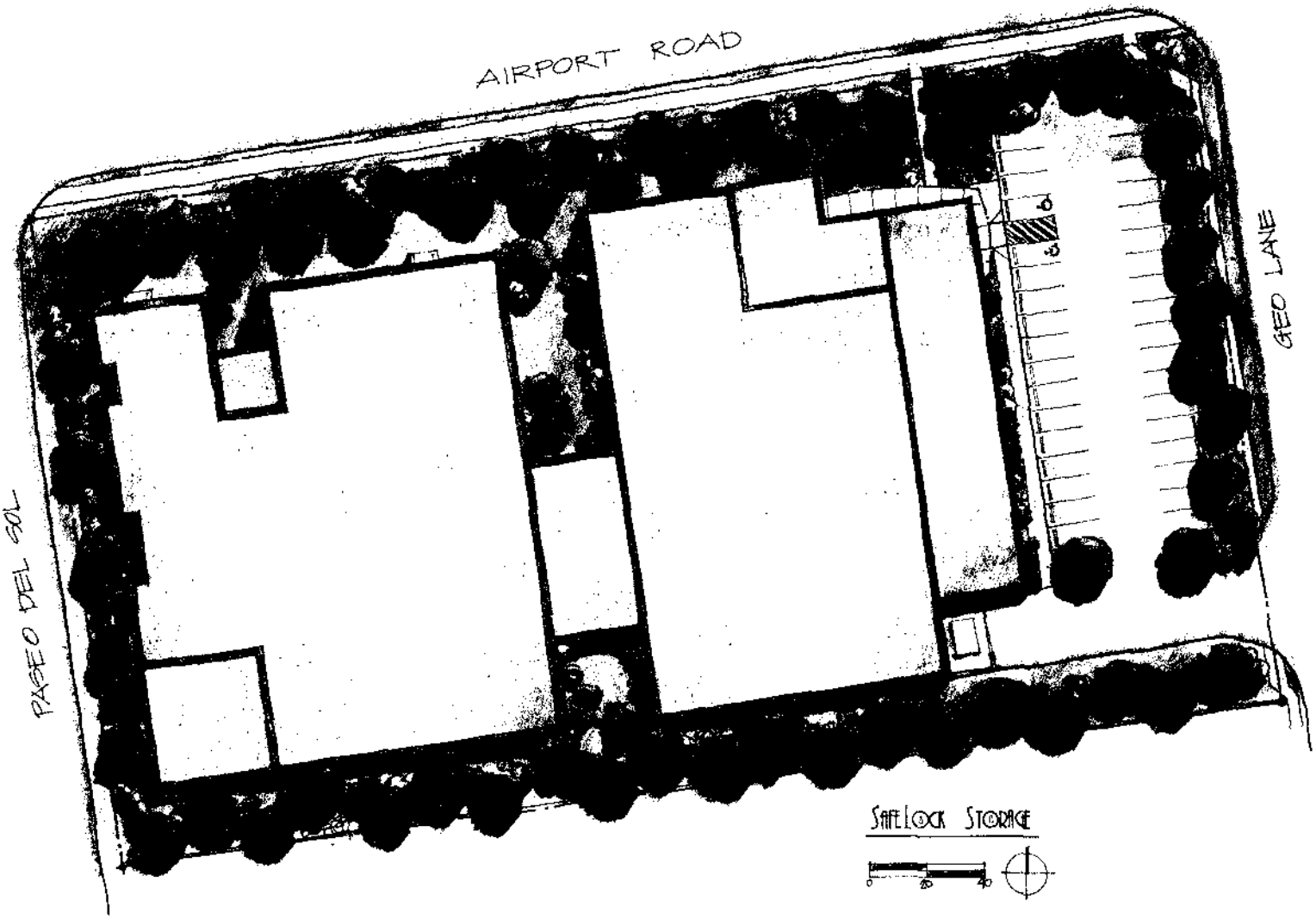
Feasible C-1 Uses Due to Access Constraints

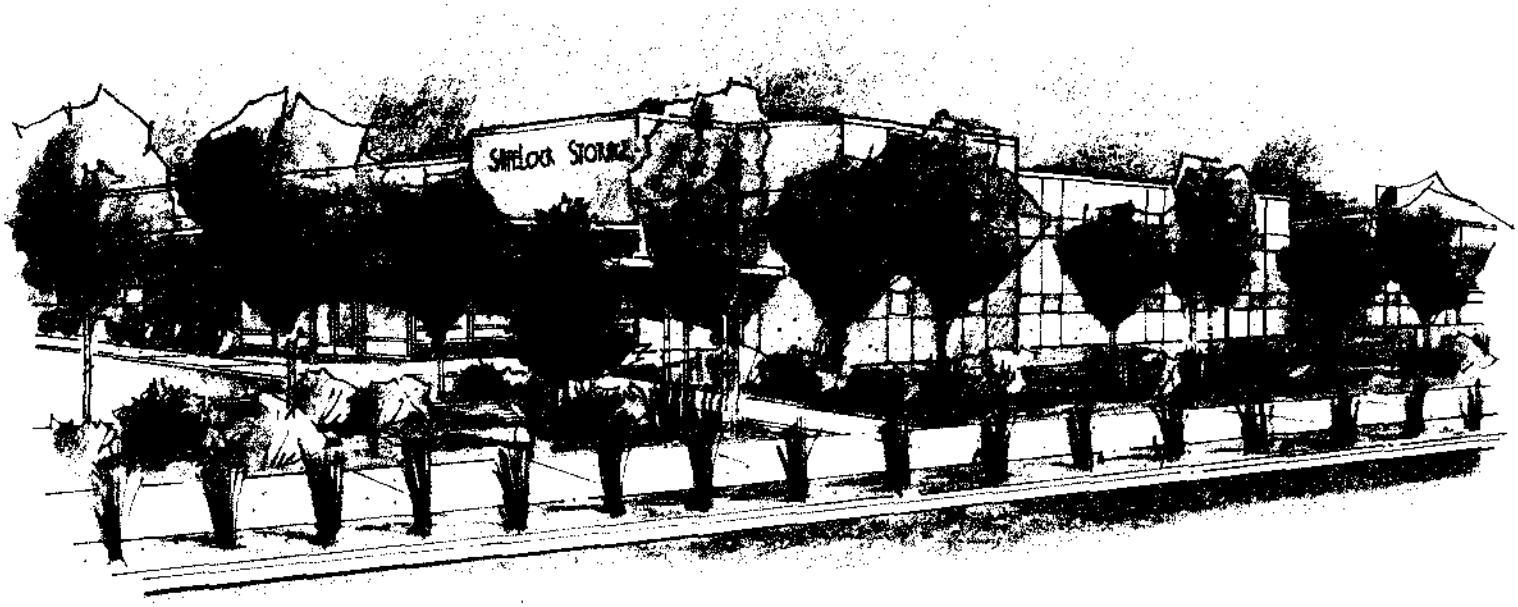
Electrical Facilities
- Distribution facilities
- Substation
- Switching station
- Transmission lines

Parks and Open Space
- Public parks, playgrounds, playfields

Agricultural Uses
- Urban Farm Ground Level, less than 10,000 sq ft.
- Urban Farm Ground level, 10,000 sq ft. -1 acre

SAFE LOCK STORAGE


AIRPORT ROAD
PASEO DEL SOL
GEO LANE
SAFELOCK STORAGE


SafeLock Storage

Compliance with Airport Road Overlay District

§14-5.5(C)(1) Purpose & Intent

☑ *Establish an attractive, street-oriented character on this multi-use corridor to encourage development and redevelopment on Airport Road.*

The building has been designed to a high architectural standard and is oriented toward the street. Furthermore, this infill parcel is an excellent candidate for appropriate development with direct access to, yet negligible stress on, existing City infrastructure.

☑ *Create a unique sense of place and identity for this major arterial that serves the southwest part of the city.*

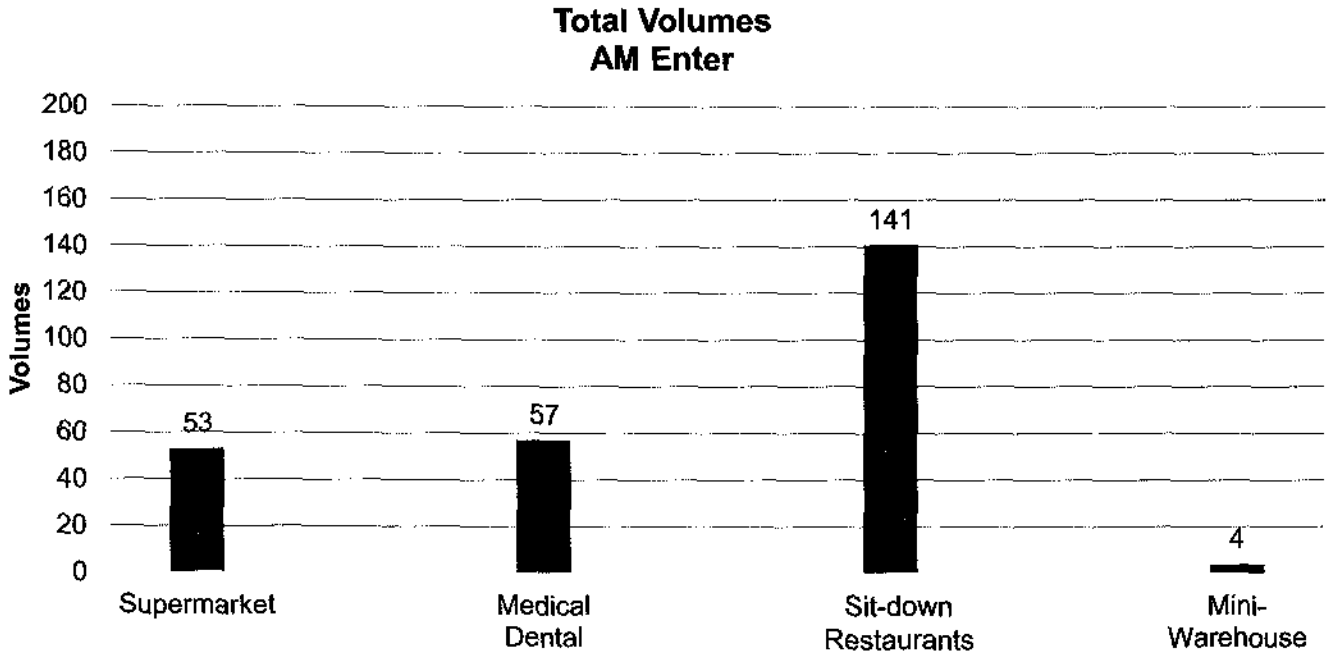
In addition to the architectural aesthetic, the project includes almost 0.75 acres of open space and significant landscaping along Airport Road. These measures will serve to enhance the built and natural environments, while providing ample space for public art along Airport Road.

☑ *Promote a healthy and safe environment through the development of walkable neighborhoods, less dependence on the automobile, street-oriented building design; and the reduction of crime, nuisances, and public health harms associated with alcohol sales and advertising.*

The walkability of the neighborhood will be improved by the construction of new sidewalks along Paseo del Sol and Geo Lane. Bench seating will also be provided in compliance with Overlay standards. Furthermore, the negligible traffic generated by the project will minimize the impact of automobiles accessing the site. Alcohol sales and advertising are not applicable to this project.

<u>§14-5.5(C)(5) Site Design & §14-5.5(C)(6) Architecture</u>

- ☑ *New buildings or additions to existing buildings shall be oriented so that their primary façades face Airport Road or to integral courtyards that shall face Airport Road.*
- ☑ *Sidewalks adjacent to Airport Road shall be provided in accordance with Section 14-9.2.*
- ☑ *Vehicular access shall be from the side or rear of the lot.*
- ☑ *New buildings shall have accessible pedestrian connections to Airport Road.*
- ☑ *The primary entrance to any new building shall be visible from Airport Road.*
- ☑ *Lot configuration permitting, the longest facade of all new buildings shall be aligned with Airport Road.*
- ☑ *A façade exceeding one hundred (100) feet, measured horizontally, shall incorporate wall plane projections or recesses of at least twenty-four (24) inches in depth encompassing at least fifty percent of the façade length.*
- ☑ *A façade exceeding one hundred (100) feet, measured horizontally, shall be of at least two different colors or materials with each color or material applied to an entire projection or recess.*
- ☑ *No portion of any building wall facing Airport Road or any street shall extend more than twenty (20) feet, measured horizontally, without openings. Doors, windows or display windows shall be considered openings.*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AM Enter
Volumes
200
180
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0
53
57
141
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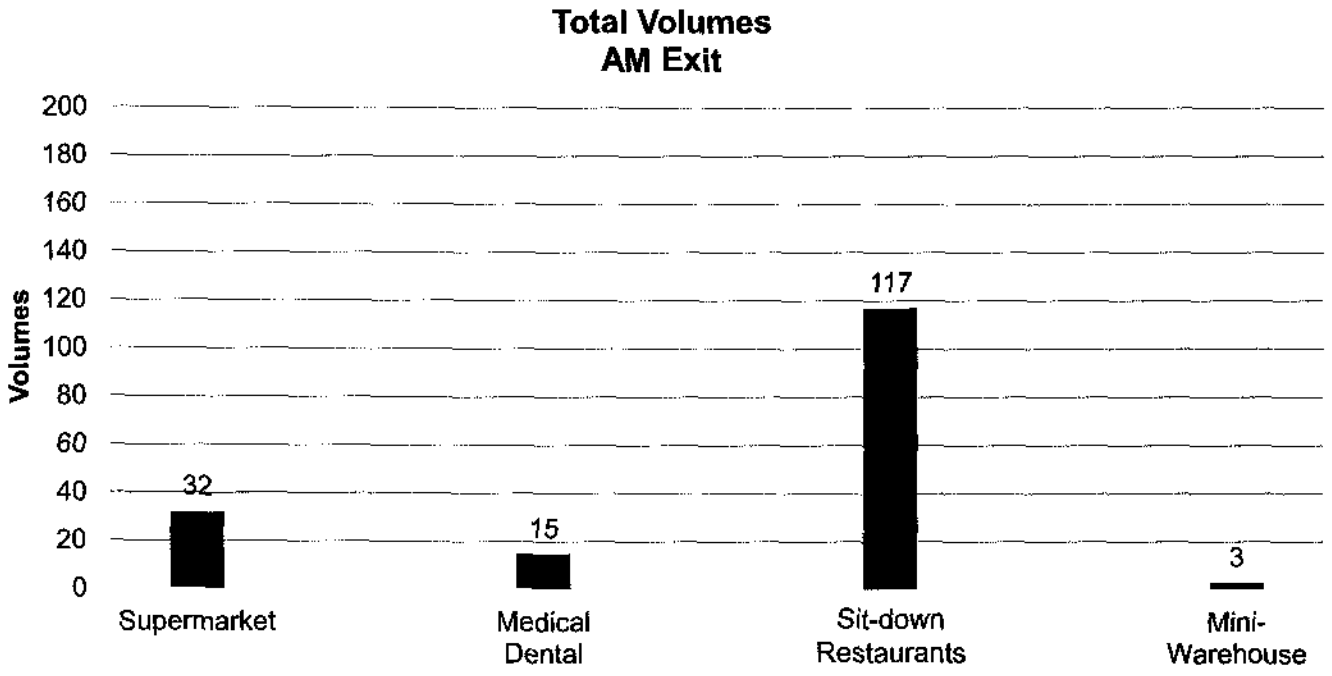
Supermarket
Medical Dental
Sit-down Restaurants
Mini-Warehouse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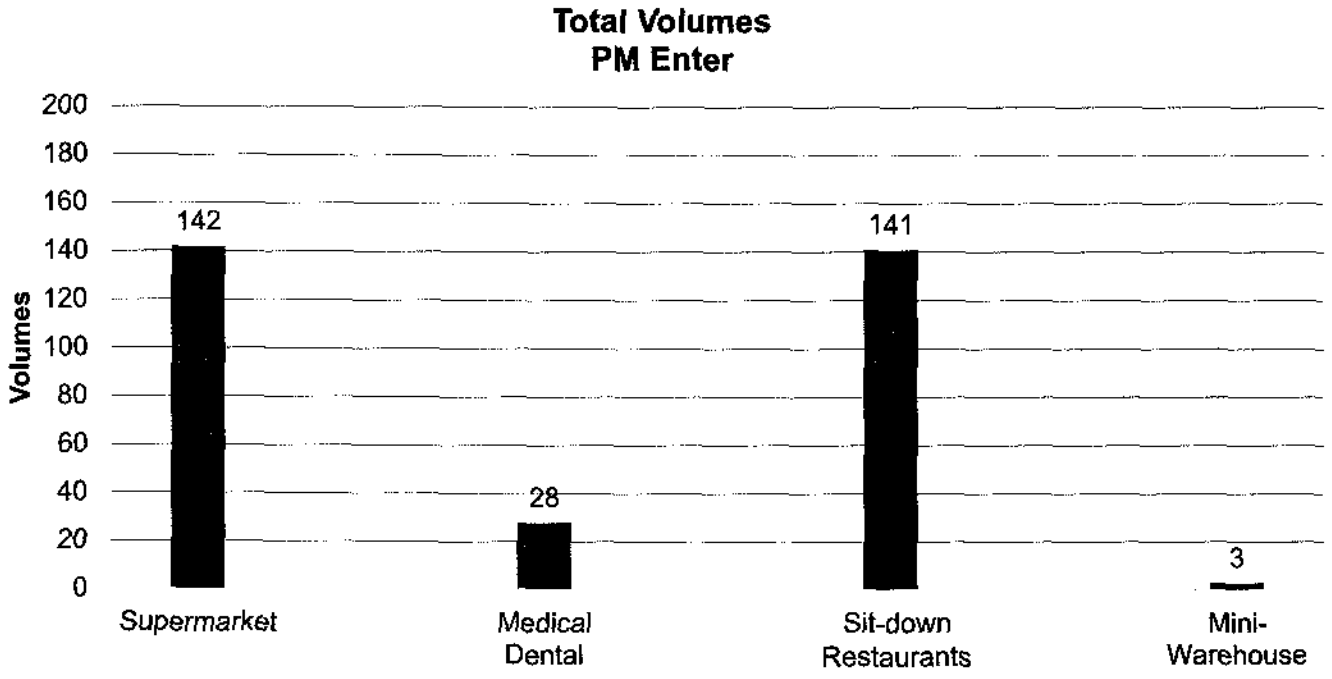
Sit-down Restaurants
Mini-Warehouse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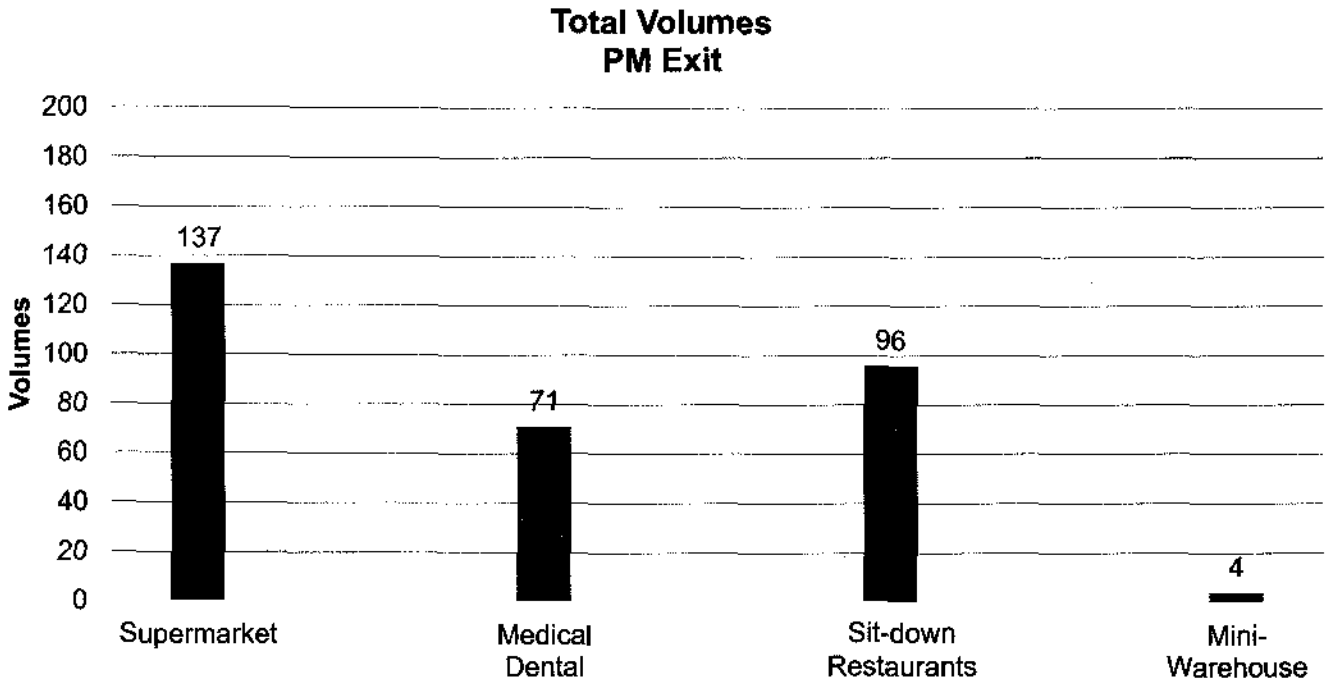
Supermarket
Medical Dental
Sit-down Restaurants
Mini-Warehouse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96
4
Supermarket
Medical Dental
Sit-down Restaurants
Mini-Warehouse

SAFE LOCK STORAGE

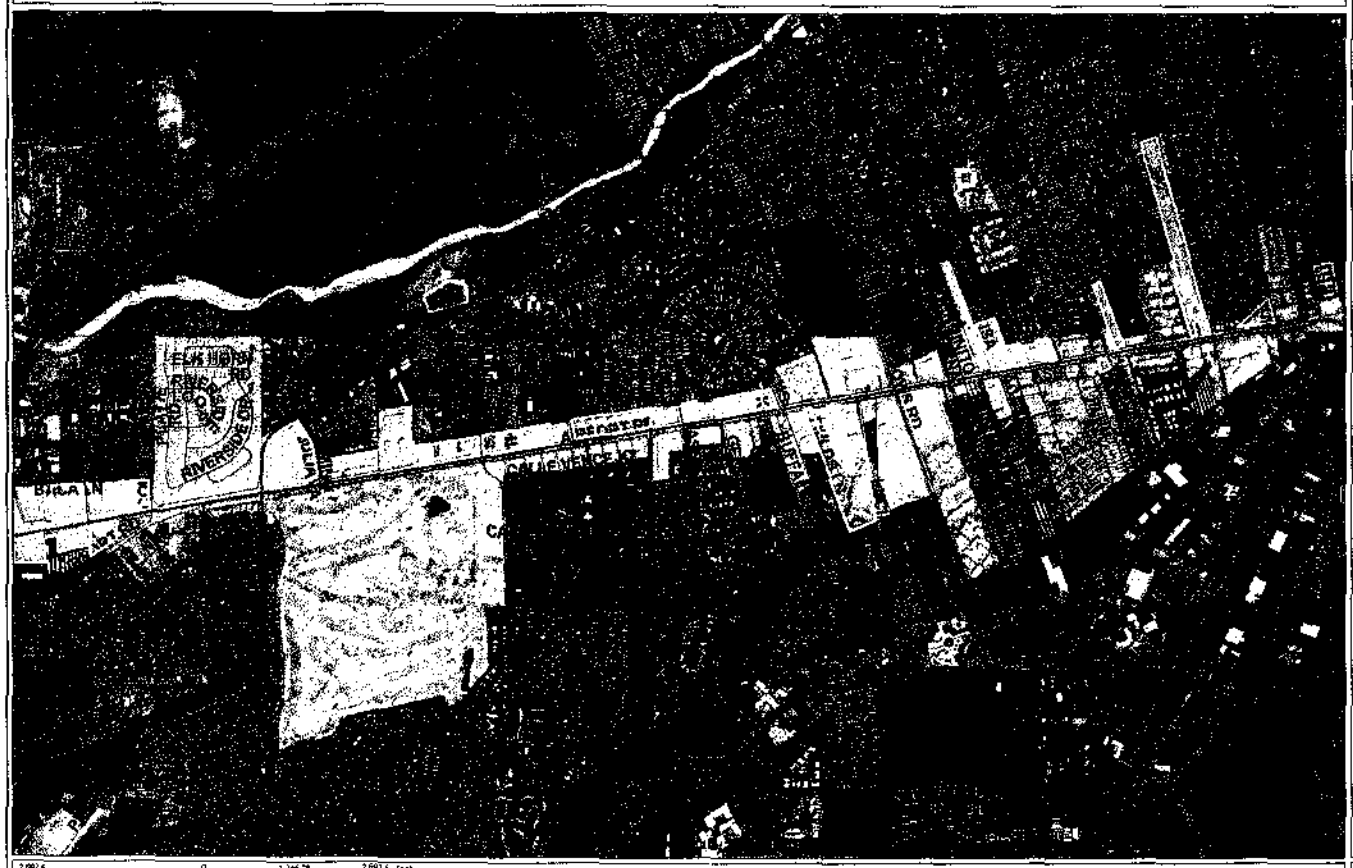
Summary of Traffic Study Results

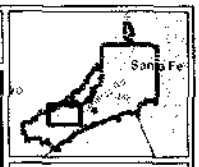
TABLE 4 SUMMARY OF LEVELS OF SERVICE *NO BUILD CONDITIONS 2020*				
	AM Peak Hour		PM Peak Hour	
Movement	**Delay**	**LOS**	**Delay**	**LOS**
Paseo del Sol (East) / Airport Road				
Eastbound	13.6	B	10.9	B
Westbound	8.4	A	9.1	A
Northbound	44.7	D	53.6	D
Southbound	46.3	D	51.1	D
Airport Road / Geo Lane				
Westbound	11.2	B	10.7	B
Northbound	13.7	B	13.0	B

TABLE 6 SUMMARY OF LEVELS OF SERVICE *BUILD CONDITIONS 2020*				
	AM Peak Hour		PM Peak Hour	
Movement	**Delay**	**LOS**	**Delay**	**LOS**
Paseo del Sol (East) / Airport Road				
Eastbound	13.6	B	11.0	B
Westbound	8.4	A	9.2	A
Northbound	44.7	D	53.6	D
Southbound	46.2	D	51.0	D
Airport Road / Geo Lane				
Westbound	11.3	B	10.7	B
Northbound	13.8	B	13.1	B

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

Airport Road Overlay - Vacant Parcels (approximately 80.0 acres)





Legend

- City Limits
- Address Points
- Roads
- Major Roads
- Santa Fe County Parcels
- Santa Fe River
- Airport Road Overlay

1:16,155

2,992.6 0 1,346.28 2,692.6 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

This map was automatically generated using GeoOnyx Essentials.

CITY COUNICL MEETING OF
June 28, 2017
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales

Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION DIRECTING STAFF TO DEVELOP A FEASIBILITY STUDY FOCUSED ON ACHIEVING THE GOAL OF USING 100 PERCENT RENEWABLE ENERGY BY CITY FACILITIES AND REPORT BACK IN 90 DAYS.	Sustainable Santa Fe Commission – 7/19/17 Public Utilities Committee – 8/2/17 Finance Committee 8/21/17 City Council – 8/30/17

Councilor Carmichael Dominguez

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Mike Harris

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Peter Ives

Co-Sponsors	Title	Tentative Committee Schedule

Councilor Signe Lindell

Co-Sponsors	Title	Tentative Committee Schedule
	AN ORDINANCE RELATING TO ANNIMAL WELFARE; AMENDING SUBSECTION 5-2 SFCC 1987 TO ADD DEFINITIONS; AND AMENDING SUBSECTION 5-10 TO PROHIBIT TRAVELING ANIMAL ACTS.	Finance Committee – 7/17/17 City Council (request to publish) – 7/26/17 City Council (public hearing) – 8/30/17

Councilor Joseph Maestas

Co-Sponsors	Title	Tentative Committee Schedule

This document is subject to change.

Exhibit "20"

Councilor Chris Rivera		
Co-Sponsors	**Title**	**Tentative Committee Schedule**
	AN ORDINANCE REPEALING SECTION 25-11 RELATING TO THE WATER CONSERVATION CREDIT PROGRAM.	Public Utilities Committee - 7/5/17 Water Conservation Committee - 7/11/17 City Council (request to publish) - 7/12/17 Finance Committee - 7/17/17 City Council (public hearing) - 8/09/17

Councilor Ron Trujillo		
Co-Sponsors	***Title***	**Tentative Committee Schedule**

Councilor Renee Villarreal		
Co-Sponsors	**Title**	**Tentative Committee Schedule**

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, (505) 955-6518, jbguillen@santafenm.gov or Rebecca Seligman at (505) 955-6501, rxseligman@santafenm.gov .

This document is subject to change.

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2017-__

INTRODUCED BY:

Councilor Signe I. Lindell

AN ORDINANCE

RELATING TO ANNIMAL WELFARE; AMENDING SUBSECTION 5-2 SFCC 1987 TO ADD DEFINITIONS; AND AMENDING SUBSECTION 5-10 TO PROHIBIT TRAVELING ANIMAL ACTS.

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

Section 1. Subsection 5-2 SFCC 1987 (being Ord. #1979-2, as amended) is amended to add the following definition:

Display means any exhibition, fair, act circus, ride, or similar undertaking in which *wild or exotic animals* are required to perform tricks, give rides, or participate as accompaniments for the entertainment, amusement, or benefit of a live audience, whether or not a fee is charged.

Section 2. Subsection 5-2 SFCC 1987 (being Ord. #1979-2, as amended) is amended to amend the following definition:

Wild or exotic animal means any animal not normally considered domesticated and shall include, but not be limited to:

A. Class reptilia; order phidia, such as racers, boas, water snakes and pythons,

Exhibit "13"

and order loricata, such as alligators, caymans and crocodiles;

B. The following members of the class aves; order falconiforms, such as hawks, eagles and vultures, and subdivision ratitae, such as ostriches, rheas, cassowaries and emus; [~~and~~]

C. Class mammalia; order carnivora; family felidae, such as ocelots, margays, tigers, jaguars, leopards and cougars, except commonly accepted domesticated cats; [~~the~~] family canidae, such as wolves, dingos, coyotes and jackals, except commonly accepted domesticated dogs, family mustelidae, such as weasels, martins, mink, badgers, except ferrets, family procynnidae, such as raccoons; family ursidae, such as bears; [~~and~~] family pinnipedia such as seals, sea lions and walruses; order marsupialia, such as kangaroos and common opossums; order edentata, such as sloths, anteaters and armadillos; order proboscidea, such as elephants; order primata, such as monkeys, chimpanzees and gorillas; order rodenta, such as porcupines; [~~and~~] order ungulata, such as hippopotamuses, giraffes, llamas, antelope, deer, bison and camels but excluding cattle, swine, sheep and goats; and order euungulata such as rhinoceroses, tapis and zebras;

D. Class chondrichthyes, subclass elasmobranchii such as sharks, stingrays and skates; and

[~~D~~]E. Hybrids, which includes the offspring of two animals of different races, breeds, species, varieties or genera involving any of the animals mentioned in Subsections A-D above.

Section 2. Subsection 5-10.1 SFCC 1987 (being Ord. #1979-2, as amended) is amended to amend the following definition:

5-10.1 Wild or Exotic Animals.

A. It is unlawful to be in charge of, possess or own:

(1) Any wild or exotic animal or species prohibited by federal or state law;

(2) Any wild or exotic animal or species when kept in such numbers or in such a way as to constitute likelihood of harm to the animals themselves, to human beings or to the property of human beings, or which constitutes a public or private nuisance;

(3) Bats; or

(4) Skunks, except those owned by individuals on the effective date of this chapter and provided that any wild or exotic animal permit is obtained for the skunks within sixty (60) days of the effective date.

B. It is unlawful to receive, purchase, own or keep any wild or exotic animal without first applying to and receiving from the administrator a permit to do so. Notwithstanding, those persons in possession of a wild or exotic animal when they become residents of the city in the future or who possess the animal on the effective date of this chapter have a sixty (60) day period in which to apply for the permit before the penalty provisions of this chapter become enforceable.

C. No person shall apply for a wild or exotic animal permit without first obtaining any required state or federal permits.

D. The application for a permit shall contain the name of the applicant; his address, the address of the proposed location of the wild or exotic animal if different from the applicant's; a brief description of the applicant's plan for keeping the wild or exotic animal which shall include the species of animal, the number of individuals of each species, and a description of the housing facilities; a list of individuals qualified to care for the animal desired or that have agreed to advise or assist the applicant in the proper care and treatment of the animal and who would be willing to recommend the person applying for the permit; and the list of publications which the applicant has studied in order to qualify for a permit for the animal.

E. Upon receipt of the application, the administrator shall inspect the facilities where the animal is to be housed and shall make whatever other investigations he deems necessary. The

administrator may deny a permit if the inspection or investigation determines that the provisions of this section are not met.

F. Whenever, in any given permit year, there are new wild or exotic animals in a collection due to the reproduction of members of the collection or to replacement in the same number and zoological species as the members replaced, the new animals do not require an additional permit during the year, provided the administrator is notified in writing of the new exotic animals within thirty (30) days of acquisition. When a new or wild exotic animal or collection is added, a new permit must be secured and a new fee shall be due and payable at the time of issuance of the permit and shall be a prerequisite of the issuance.

G. The wild or exotic animal permit shall be valid for one (1) year, and shall be reviewed within sixty (60) days after expiration and an inspection is required prior to the renewal of the permit. If, during the preceding year, more than one (1) renewal permit has been issued an applicant, the former permits may be consolidated so that only one (1) renewal permit is required; provided, however, that the renewal date for the consolidated permit shall be the date of the issuance of the earliest permit. The animal services center may deny the application for renewal for cause.

H. Individuals authorized to acquire a wild or exotic animal shall, within fourteen (14) days of acquisition, submit to the animal services center, a health certificate from a qualified veterinarian stating that the animal is in good health and has been vaccinated in accordance with applicable time schedules.

I. It is unlawful to receive, purchase, own or keep any wild or exotic animal unless:

(1) Housing is sufficiently spacious, ventilated and temperature-controlled, clean and sanitary at all times;

(2) The wild or exotic animal is provided with proper food, water and attention;

(3) The wild or exotic animal is kept and cared for in such a way as not to endanger the safety of any person or property; and

(4) The wild or exotic animal permittee notifies the administrator when changing his residence or location of the wild or exotic animal, or selling or otherwise disposing of the wild or exotic animal for which the permit was issued.

J. Permits issued pursuant to the provisions of this subsection shall be surrendered for inspection upon the request of the administrator. The premises on which a wild or exotic animal is maintained shall be open at any reasonable hour and in a reasonable manner for inspection by the administrator.

K. For failure to have a permit in advance of obtaining a wild or exotic animal or to renew the permit within sixty (60) days of the expiration date, or upon suspension of a wild or exotic animal permit, the administrator shall have the authority to enter the premises where the wild or exotic animal is kept, at any reasonable hour, and to impound the animal. The animal shall be surrendered upon the demand of the administrator. Procedures for the reclamation and humane euthanasia of impounded wild or exotic animals shall be followed pursuant to subsection 5-4.4 of this chapter, and for penalties, pursuant to Section 5-12. The wild or exotic animal may be returned to its owner if the problem for which it was impounded is corrected within the time period allotted by the administrator and all penalties are paid.

L. Notwithstanding the above, the valid zoological park, veterinary hospital, humane society, shelter, public laboratory, [~~circus, sideshow,~~] educational or scientific facility, provided protective devices adequate to prevent the animal from escaping or injuring the public are provided, are excluded from the above portions of this subsection.

M. Upon application to the administrator, the keeping of these prohibited animals may be permitted for educational or scientific purposes; provided there is no conflict with state or federal regulations. In lieu of licensing each animal, a wild or exotic animal permit may be issued

in accordance with this subsection.

N. No person shall keep, conduct or operate any traveling animal show, petting zoos, circus, [~~pony rides,~~] animal acts or miscellaneous animal or reptile exhibits that include any wild or exotic animal, as defined. [~~without first obtaining a special animal permit from the administrator as follows:~~

~~(1) Each application for a special animal permit shall be in writing upon a form to be furnished by the administrator and shall contain such information as the administrator shall require;~~

~~(2) All special permits issued by the administrator shall be for a specified period of time but not to exceed one (1) year unless revoked or suspended, or unless the holder of the permit changes the location of his place of business, or sells, assigns, transfers or otherwise disposes of his business or his interests therein; and~~

~~(3) Upon the filing of each application, either for an original permit or renewal, the administrator shall make an investigation as he deems proper. The administrator shall then issue a permit to the applicant if it is found that:~~

~~(a) The animals, or the conduct or operation of the business for which the permit is requested will not constitute a menace to the health, peace or safety of the citizens; and~~

~~(b) The premises and establishment where the animals are to be kept are maintained in a clean and sanitary condition and that the animals will not be subject to needless suffering, unnecessary cruelty or abuse and that the applicant has not had a permit revoked within one (1) year prior to the date of application~~].

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Bills 2017/Traveling Animal Act Ban

Working Draft
6/28/17

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2017-__

INTRODUCED BY:

Mayor Javier M. Gonzales

A RESOLUTION

DIRECTING STAFF TO DEVELOP A FEASIBILITY STUDY FOCUSED ON ACHIEVING THE GOAL OF USING 100 PERCENT RENEWABLE ENERGY BY CITY FACILITIES AND REPORT BACK IN 90 DAYS.

WHEREAS, the majority of energy that is used at City of Santa Fe facilities is generated by fossil fuels that pollutes the land, air and water, and alters the climate; and

WHEREAS, through the adoption of Resolution 2014-85, the Governing Body declared its intention of having 50% percent of its energy come from renewable sources by 2025 and becoming carbon neutral by the year 2040; and

WHEREAS, the Governing Body, through the adoption of Resolution 2015-30, directed the Sustainable Santa Fe Commission and city staff to draft a comprehensive 25-year sustainability plan to annually reduce Santa Fe's carbon emissions and energy consumption through a variety of strategies in order to achieve the City's goal of becoming carbon neutral; and

WHEREAS, the City of Santa Fe has already taken action to reduce its carbon emissions by making energy efficient retrofits at municipal buildings and installing approximately 5

Exhibit "14"

megawatts of solar power on city facilities which provides approximately 23 percent of the total amount of electricity consumed by city facilities; and

WHEREAS, the City of Santa Fe has historically been a leader in the fight against global warming and has a responsibility to continue to set a positive example for other cities, states and countries to follow; and

WHEREAS, the City of Santa Fe may be able to power its facilities with 100 percent renewable sources by harnessing taking advantage of innovations in energy efficiency and renewable energy technologies, energy storage, and other clean energy related technologies and programs; and

WHEREAS, such a transition to utilizing 100 percent renewable energy will promote employment opportunities and economic growth in our community, facilitate local control and ownership of the city's energy options, and bring tangible benefits of using renewable energy to the community as a whole.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that city staff is directed to research, develop and draft a feasibility study related to city facilities transitioning to 100 percent renewable energy by 2025; collaborate with key community stakeholders on the study's research; and report back its findings in 90 days.

BE IT FURTHER RESOLVED that the Governing Body also urges leaders in the Legislature and statewide elected and appointed officials to do everything in their power to bring New Mexico closer to using 100 percent renewable energy, including the reintroduction of Senate Bill 227 requiring the state to develop energy efficiency rules and request proposals to incorporate more renewable energy into state-owned buildings, to further ensure that the benefits of renewable energy are realized by all of New Mexico's residents.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2017.

1

2 JAVIER M. GONZALES, MAYOR

3 ATTEST:

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6 YOLANDA Y. VIGIL, CITY CLERK

7 APPROVED AS TO FORM:

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10 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Legislation/Resolutions 2017/Renewable Energy – City Facilities*

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2017-__

INTRODUCED BY:

Councilor Christopher M. Rivera

AN ORDINANCE

REPEALING SECTION 25-11 RELATING TO THE WATER CONSERVATION CREDIT PROGRAM.

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

Section 1. [REPEAL] Section 25-11 SFCC 1987 (being Ord. #2009-38) is repealed.

Section 2. EFFECTIVE DATE. This ordinance shall become effective August 1, 2017.

APPROVED AS TO FORM:

_____

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Bills 2017/Water Conservation Credit Repeal

Exhibit "5"