City of Santa Fe

Agenda

PLANNING COMMISSION
Thursday, January 3, 2019 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

A. ROLL CALL
B. PLEDGE OF ALLEGIANCE
C. APPROVAL OF AGENDA
D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS:
MINUTES: December 6, 2018
FINDINGS/CONCLUSIONS:
Case #2018-71. 7401 Cerrillos Road Development Plan. POSTPONED FROM OCTOBER 4, 2018)
Case #2018-98. La Secoya de El Castillo Development Plan.
Case #2018-57. Estancias del Norte Final Subdivision Plat.

E. OLD BUSINESS
F. NEW BUSINESS

1. **Case #2018-95. 801 Vista Catedral Escarpment Variance.** Michael Bodelson, Agent for Vann Mabee, Owner, requests approval of a variance to Subsection 14-5.6(D)(1) to allow up to a five foot high coyote fence within the Ridgetop Subdistrict of the Escarpment Overlay District. The property is approximately 1.34 acres and is zoned R-2 (Residential – two dwelling units per acre) and is within the Historic Districts Overlay Zone. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325) **(POSTPONED FROM DECEMBER 6, 2018)**

2. **Case #2018-97. 4327 and 4323 Airport Road Rezoning**. Liaison Planning Services Inc., Agent, for Rudy and Julie Rodriguez, Owners, request a rezoning from R-1 (Residential – one dwelling unit per acre) to C-1 (General Office). The rezoning request is to rezone 0.32+/- acres of 4323 Airport Road by adjusting the C-1 Zoned District located at 4327 Airport Road to incorporate the 0.32+/- acres. The property located at 4323 Airport Road is approximately 10.66+/- acres and if approved an administrative Lot Line Adjustment will be done to consolidate the 0.32+/- acres and create a new zoning boundary line along the new property line between 4327 and 4323 Airport Road. Both properties are located within the Southwest area Master Plan, Airport Road Overlay District and Suburban Archaeological Review District. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587) **(POSTPONED FROM DECEMBER 6, 2018)**

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: 12/14/18
TIME: 2:49 PM

3. **Case #2018-82. 1616 Agua Fria Rezone and Development Plan**. James Siebert and Associates, Agent, for Dos Acequias, LLC, Owner, requests a rezoning from R-5 (Residential- five dwelling units per acre) to R-7 (Residential- seven dwelling units per acre) and a Development Plan approval. The application includes a property located at 1616 Agua Fria Street and two adjoining parcels (2.686 acres and 7.4 acres) with unassigned addresses, totaling approximately 12.35 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136) **(POSTPONED FROM NOVEMBER 1, 2018 AND DECEMBER 6, 2018)**

4. **Case #2018-83. 1616 Agua Fria Preliminary Subdivision**. James Siebert and Associates, Agent, for Dos Acequias, LLC, Owner, requests approval of a Preliminary Subdivision Plat for 80 single-family lots. The property is zoned R-5 (Residential- five dwelling units per acre). The application includes a property located at 1616 Agua Fria Street and two adjoining parcels (2.686 acres and 7.4 acres) with unassigned addresses, totaling approximately 12.35 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136) **(POSTPONED FROM NOVEMBER 1, 2018 AND DECEMBER 6, 2018)**

5. **Case #2018-104. Vizcaya III Development Plan**. JenkinsGavin, Inc., Agent, for Northland Properties, LLC, Owner, requests approval of a Development Plan to create 56 multi-family apartments located at 543 Rodeo Road. The property is approximately 2.46 acres and is zoned C-1 (Office and Related Commercial). (Margaret Ambrosino, Case Manager, mkambrosino@santafenm.gov, 955-6656).

G. STAFF COMMUNICATIONS
H. MATTERS FROM THE COMMISSION
I. ADJOURNMENT

NOTES:

1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.

2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.

3) The agenda is subject to change at the discretion of the Planning Commission.

***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**

SUMMARY INDEX
PLANNING COMMISSION
January 3, 2019

PLANNING COMMISSION
Thursday, January 3, 2019 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

CALL TO ORDER

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

A. ROLL CALL

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

Members Present
Commissioner John B. Hiatt, Chair
Commissioner Sarah Cottrell Propst, Vice-Chair
Commissioner Pilar Faulkner, Secretary
Commissioner Janet Clow
Commissioner Lee Garcia
Commissioner Brian Patrick Gutierrez
Commissioner Mark Hogan
Commissioner Jessica Lawrence
Commissioner Dominic Sategna

Members Absent

Others Present:
Ms. Carol Johnson, Land Use Department Director
Mr. Noah Berke, Current Planning Division Supervisor and Staff Liaison
Mr. Mike Prince, Assistant City Attorney
Mr. Dan Esquibel, Planner Senior
Mr. Lee Logston, Planner Senor
Ms. Donna Wynant, Planner Senior
Ms. Margaret Ambrosino, Planner Senior
Mr. Carl Boaz, Stenographer

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

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Director Johnson introduced the three new Commissioners to the public.

C. APPROVAL OF AGENDA

MOTION: Commissioner Faulkner moved, seconded by Commissioner Garcia, to approve the agenda as published. The motion passed by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

1. MINUTES OF December 6, 2018

MOTION: Commissioner Garcia moved, seconded by Commissioner Faulkner, to approve the minutes of December 6, 2018 as presented (with minor changes). The motion passed by unanimous voice vote.

2. FINDINGS/CONCLUSIONS:

- ***Case #2018-71. 7401 Cerrillos Road Development Plan***

MOTION: Commissioner Hogan moved, seconded by Commissioner Faulkner to approve the Findings of Fact and Conclusions of Law for Case #2018-71 as presented.

VOTE: The motion was approved on the following voice vote:

FOR: Commissioner Clow, Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Gutierrez, Commissioner Hogan, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None

- ***Case #2018-98. La Secoya de el Castillo Development Plan.***

MOTION: Commissioner Hogan moved, seconded by Commissioner Garcia to approve the Findings of Fact and Conclusions of Law for Case #2018-98 as presented.

VOTE: The motion was approved on the following voice vote:

FOR: Commissioner Clow, Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Gutierrez, Commissioner Hogan, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None

- ***Case #2018-57. Estancias del Norte Final subdivision Plat.***

Mr. Berke explained that for the FF/CL for Case #2018-57, the second part in the packet was from the previous FF/CL (Case #2018-123) that were previously approved.

MOTION: Commissioner Propst moved, seconded by Commissioner Garcia, to approve the Findings of Fact and Conclusions of Law for Case #2018-57 as presented.

VOTE: The motion was approved on the following voice vote:

FOR: Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Gutierrez, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None

ABSTAINED: Commissioner Clow, Commissioner Hogan

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

1. **Case #2018-95. 801 Vista Catedral Escarpment Variance.** Michael Bodelson, Agent for Vann Mabee, Owner, requests approval of a variance to Subsection 14-5.6(D)(1) to allow up to a five-foot high coyote fence within the Ridgetop Subdistrict of the Escarpment Overlay District. The property is approximately 1.34 acres and is zoned R-2 (Residential - two dwelling units per acre) and is within the Historic Districts Overlay Zone. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325)

Staff Report

Ms. Wynant gave the report for Case #2018-95 at 801 Vista Catedral Escarpment Variance request to allow up to 5' high walls in the Ridgetop Escarpment subdistrict. She took photos when out there. Some of the property is located at a cul-de-sac and in the exhibits, the Commissioners could see where the escarpment is located. The proposal is to screen the garden. The lot was combined in 1993 and now the variance is required since it was created after 1992.

The Department usually evaluates by the escarpment criteria to see if it meets them for variance and for variance in the escarpment. Staff believed the criteria were met but not inclined to approve or deny the application. One motion is required to approve or deny the variance, subject to conditions of approval the Staff recommended. It is a straightforward request and would not have much impact on surrounding properties.

Applicant's Presentation

Mr. Michael Bodelson was sworn. He said the request is justified by use of the property. It is intended to provide a benefit of the neighbors and for the intent of the escarpment and for the uses being proposed. The house was built in 2001 in the subdivision and at that time, the escarpment was viewed differently than it is today. and the construction could not be done today but it was approved at that time.

Questions to the Applicant

There were no questions to the Applicant.

Public Comment

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

Commission Discussion

Commissioner Hogan noted the intent is visual in this case and this is a 5' fence and surrounded by trees, so it is not likely to pose any impact visually.

Mr. Bodelson agreed. It would be largely unnoticeable.

Commissioner Hogan asked if it would be largely unnoticeable by the neighbors too.

Mr. Bodelson thought so. He spoke with the neighbor to the south.

Commissioner Hogan asked if he accepted the conditions recommended by Staff.

Mr. Bodelson agreed.

Action of the Commission

MOTION: Commissioner Hogan moved, seconded by Commissioner Faulkner, in Case #2018-95 to approve the escarpment variance to Subsection 14-5.6(D)(1) to allow up to a five-foot high coyote fence within the Ridgetop Subdistrict of the Escarpment Overlay District, noticing the recommendations of Staff in the report and subject to the criteria for approving of a variance have been met.

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

FOR: Commissioner Clow, Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Gutierrez, Commissioner Hogan, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None

Chair Hiatt introduced Mr. Michael Prince, Assistant City Attorney. The previous Attorney resigned and moved on.

Mr. Prince thanked him and said he probably was not the permanent Staff Attorney for the Planning Commission.

Chair Hiatt also announced that Commissioner Propst is now Secretary of Energy, Minerals, and Natural Resources for the State of New Mexico and that this is her last meeting.

2. **Case #2018-97. 4327 and 4323 Airport Road Rezoning.** Liaison Planning Services, Inc., Agent, for Rudy and Julie Rodriguez, Owners, request a rezoning from R-1 (Residential - one dwelling unit per acre) to C-1 (General Office). The rezoning request is to rezone 0.32± acres of 4323 Airport Road by adjusting the C-1 Zoned District located at 4327 Airport Road to incorporate the 0.32± acres. The property located at 4323 Airport Road is approximately 10.66± acres and if approved an administrative Lot Line Adjustment will be done to consolidate the 0.32± acres and create a new zoning boundary line along the new property line between 4327 and 4323 Airport Road. Both properties are located within the Southwest area Master Plan, Airport Road Overlay District and Suburban Archaeological Review District. (Dan Esquibel, Case Manager,

daesquibel@santafenm.gov, 955-6587) **(POSTPONED FROM DECEMBER 6, 2018)**

Staff Report

Mr. Esquibel gave the staff report for this case. He explained that 4323, currently zoned R-1 is requested to be rezoned C-1 to allow that .32± acres to be included with the C-1 at 4327 Airport Road which will, in turn, allow the creation of a new zoning boundary line. This property is located just south of Las Acequias on Airport Road. One motion is needed for this case. Staff recommended approval of the request from R-1 to C-1 and adjustment of the zoning boundary line. No conditions of approval are recommended but technical corrections are to be included.

He reported that the ENN was held on September 5, 2018, at which only staff and applicant attended.

These lots are in the SWAMP overlay and the requirements for properties in that overlay were shown on page 4. This request complies with the criteria on page 5.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Ms. Dolores Vigil, Liaison Planning Services, P.O. Box 1835, was sworn. She welcomed the new members on the Planning Commission and provided a brief history of this request.

4327 Airport Road didn't have much parking from 2012 so her client bought 4323 to the north to make it as one property and provide sufficient parking. So they are requesting a lot line adjustment for the additional C-1 property.

She said she talked with John Romero about the added requirement for a dedicated easement for traffic signals and told him the applicant has agreed to provide it. She also commented about the sewer connection which might need an engineer's estimate.

Questions to the Applicant

Chair Hiatt asked those requirements to be clarified.

Public Comment

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

Commission Discussion

Ms. Vigil said Mr. Esquibel had answered her question.
Commissioner Faulkner noted the ENN meeting showed no feedback from the community.

Mr. Esquibel explained that nobody attended the ENN. Only Staff and Applicant were present.

Action of the Commission

Chair Hiatt noted a POLICY legal interpretation by the City Attorney's Office that the Commission does not need to itemize the criteria in its motions.

MOTION: Commissioner Hogan moved, seconded by Commissioner Faulkner, in Case #2018-97, 4327 and 4323 Airport Road Rezoning, to approve the application with technical corrections but no conditions of approval.

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

FOR: Commissioner Clow, Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Gutierrez, Commissioner Hogan, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None

3. **Case #2018-82. 1616 Agua Fria Rezone and Development Plan.** James Siebert and Associates, Agent, for Dos Acequias, LLC, Owner, requests a rezoning from R-5 (Residential- five dwelling units per acre) to R-7 (Residential- seven dwelling units per acre) and a Development Plan approval. The application includes a property located at 1616 Agua Fria Street and two adjoining parcels (2.686 acres and 7.4 acres) with unassigned addresses, totaling approximately 12.35 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136) **(POSTPONED FROM NOVEMBER 1, 2018 AND DECEMBER 6, 2018)**

And

4. **Case #2018-83. 1616 Agua Fria Preliminary Subdivision**. James Siebert and Associates, Agent, for Dos Acequias, LLC, Owner, requests approval of a Preliminary Subdivision Plat for 80 single-family lots. The property is zoned R-5 (Residential- five dwelling units per acre). The application includes a property located at 1616 Agua Fria Street and two adjoining parcels (2.686 acres and 7.4 acres) with unassigned addresses, totaling approximately 12.35 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136) **(POSTPONED FROM NOVEMBER 1, 2018** AND **DECEMBER 6, 2018)**

Commissioner Gutierrez recused himself from consideration of these cases because he lives on Velarde Street which is where this project is located, and he left the room.

Staff Report

Mr. Logston gave the staff report for these cases. He welcomed the new Commissioners.

Mr. Logston explained that these two cases were scheduled for hearing at the November 1, 2018 Planning Commission meeting and were postponed.

Case #2018-82 is the request is to rezone the subject property and two adjoining parcels (a total of 12.35 acres) from R-5 to R-7. Case #2018-83 is the request to consider the preliminary subdivision plat for 80 single-family lots. Jim Siebert is the representative on behalf of the owner, Dos Acequias LLC. There is also an administrative approval of the lot line adjustment to align with the proposed subdivision plan.

He noted there are three key issues here.

1) The first is density. The General Plan supports this plan without a variance here.

2) The second issue is traffic. In that Agua Fria corridor, traffic has met with resistance many times. Is Agua Fria adequate for this project and is Velarde Street adequate to handle the potential traffic impacts there? The Traffic Division said yes to both of those impact questions and the access.

3) The third issue is drainage and the request was delayed for additional drainage review. Stormwater runoff is handled through the existing natural runoff paths and a series of retention ponds.

There are quite a number (22) conditions and over half are standard conditions and half are specific to the case. It will require three recommendations of approval to the Governing Body, and a motion for subdivision plat. If the Commission denies the rezone, the design would be rendered inapplicable.

Finally, three motions are required: the rezoning, subject to conditions and technical corrections, the preliminary subdivision plan and third, approval of the subdivision plat.

Questions to Staff

Chair Hiatt referred to page 8 that Agua Fria is classified by the City as a minor arterial. In the next paragraph, it says Santa Fe streets, primarily two-lane, is addressed in the General Plan and is recognized as essential to the character of the City.

Applicant's Presentation

Mr. Nicholas Laric was sworn and welcomed new members and thanked staff for their assistance. This represents 12 years of our efforts to get this application in. George Bush was President when we started. He moved here in 1988 and has been involved in several successful real estate developments and tried always to hire the best of Santa Fe processionals and have them in harmony with Santa Fe aesthetics. He and his wife, Kimberly, have partnered with Ramon and Alice Sandoval and the Ortíz family, represented by Charlene Ortíz, Nadine Ortíz Kennedy, Judy Vigil and Barbara Ortíz whose family have owned their property since 1910.

The owners are represented by Planning Consultant, Jim Siebert, Land Use Attorney, Joseph Karnes, Architects Alexander Zurich and Eric Cornelius.

"We've made every effort to understand and address the concerns of neighborhood. All my interactions with the have been very amicable, as well. We had our ENN meeting and subsequent neighborhood-wide community meetings we sponsored, as well as over half dozen meetings with all the adjoining property owners and especially the residents of Nicole Place."

Mr. Jim Siebert, 915 Mercer, was sworn and showed his presentation on the monitors.

He gave a description of the location points of Agua Fria, Avenida Cristobal Colón and a point of access at the north end of Agua Fria at Velarde Street as a full access and Osage as a stop intersection. Part of it is at Larragoite Park. To the east is Mandela Magnet school; to the south is Santa Fe Indian School play fields. The north land is a vacant parcel owned by the Romero Family. Principally, it is residential on the west that he worked on 20 years ago.

The two access points - one in the subdivision pan handle and the other at Velarde Street to the extension of Montaño Street to the southeast property boundary and

adjacent to Mandela Magnet School. Three tracts are involved. First is the Dos Acequias LLC parcel, the larger portion is owned by inheritors of 1910 Ortíz family tract and the third is by Mr. and Ms. Sandrock. These three tracts will be administratively adjusted for three phases.

Existing Utilities include electric overhead line to the south. On the Mandela School site, a water line was put in some years ago and a fire hydrant is at end of that line. The sewer line is on Nicole Place and an existing sewer line on Agua Fria. This is classic infill development so no major extension of utility lines are needed and roads are stubbed out to it and the topography is exceptionally flat.

There is a trail at very south end of the tract. It is a city trail along the entire south end and connects with a city trail to the east. It is a 10-15-minute bike ride to downtown. There are other open space areas in the middle under various names. It is a classic infill project. He pointed out several points on the site map for stormwater capture and slow release. It showed a total of 80 family units and 16 are Affordable housing. Off-site parking is 52 spaces, exceeding required 40. It also has more common open space than is required. Under current zoning, 5.75 is the density allowed with affordable density bonus and the proposed density at R-7 allows 6.5 du/acre.

He displayed the streetscape drawings. He said the grading and drainage plan goes in different directions on the property. He showed the topographical site plan. They are capturing the stormwater in several stormwater ponds to break it up closer to the source and with landscape, that becomes a nice amenity to the subdivision.

A traffic assessment was done by the traffic engineer, Terry Brown, who did a video of the intersections and analyzed the actual wait times. We did a review of exiting vehicles onto Agua Fria where the greatest wait times were. During AM peak, 21 vehicles made left turns at 32 seconds and the longest was 90 seconds; right turns had 20 vehicles with an average of 8.25 seconds and longest was 80 seconds. Stacking of three vehicles occurred twice.

In the TIA, the opening of Siler Road has created an actual reduction from 2008 traffic volumes. All were done by NMDOT. Prior to the opening of Siler Road, it was 17,550 and in 2016 after opening it was 12.500 in volume, which was a 29% reduction from 2008 traffic volumes.

Beneficial externalities were: a short walk to the bus stop on Agua Fria with two bus routes. A 10-15-minute bicycle ride to downtown on a city bike path; public schools have capacity to accept additional students and they need more students for buildings on the north side; close to Cristobal Colon Park and Ashbaugh Park with children's playgrounds. Utility upgrades are not required.

This plan provides for a second access point for emergency purposes for the existing residential area currently limited to on-point access (Velarde). It has an

emphasis on local companies for engineering, parking, landscape design, architecture and construction of infrastructure and dwellings. $20 million for building out and provides more Affordable Housing close to the development.

For the state of housing in Santa Fe, data from the 2012 housing needs assessment shows that no more than 38% of workers live in the city.

This project has consistency with the City General Plan, which gives top priority to infill development and to Tierra Contenta, in future growth areas. The target density is a minimum of 5 du/acre.

Mr. Joseph Karnes, 200 West Marcy, was sworn and identified himself as representative of the Ortíz and Sandoval families.

Ms. Charlene Ortiz, 1228 Ortíz Avenue and her sister, Nadine Ortíz Kennedy were sworn. She said they and their partners, the Sandoval's, are grateful to be considered for our Dos Acequias property. The Ortíz family has been here over 100 years. She and her sisters were born and raised here and are teachers

She said their land on Agua Fria was bought in 1910 by their grandfather, given to their father, and then to them. "109 years for our family. There was no access on Agua Fria for us. We left Santa Fe but would like to be approved for this project with bicycle trail, open space, and Affordable housing."

Mr. Ramon Sandoval, 525 Barela Lane, was sworn. He said he was here to introduce his wife, Mary Alice. "We have four children and three grandchildren and hope they can live here in Santa Fe. We have a concern for young children and schools are close by. We acquired the property 47 years ago and presented it to the City for development and the Planning Commission did not accept it. So, we hope you will approve our plan. Our team has abided by all the rules the City required and is a reason why I think this is appropriate to do."

Mr. Karnes offered three points: "We appreciate staff work on the application and we report that it meets all code and the General Plan polices. Dos Acequias will provide 64 market rate and 16 Affordable housing close to downtown.

"I expect you will hear from neighbors about congestion on Velarde. In my experience, traffic is like water - trying to find the path of least resistance. Velarde had 70 houses with a substandard road design. Now, there will be a street built to city standards with a right-of-way between 40 and 50 feet. Put yourself in the shoes of someone who lives there. They will have a choice thereafter - on a wide street through Dos Acequias. And that will reduce the congestion on Velarde.

Traffic on Agua Fria has been reduced, borne out by NMDOT that it is better than it once was. Public funds were used to construct the Siler Bridge which has reduced

average daily traffic from 18,000 to 12,000 daily. Dos Acequias will use up about 12% of that reduction. The bridge was built because they couldn't add lanes to Agua Fria and the bridge spread out the traffic there. This project implements the General Plan policy for infill development; a return on investment in the Siler Street bridge. The TIA was reviewed by John Romero and he concluded a result of adequate traffic control in this area, it is brought at the right time and the right place and we ask for your favorable recommendation to the Governing Body."

That concludes our presentation.

Public Comment

Chair Hiatt, seeing the large number of people to testify, wanted to limit each person to one minute maximum. But he relented and said he would try to allow two minutes each. He asked each person to not repeat what was already stated and asked people not to applaud.

Mr. Berke added that people can also email or mail to him their comments that would be included in the Governing Body's packet for the hearing.

Chair Hiatt asked all who wished to speak to stand and be sworn. They were sworn and asked to identify themselves when they speak.

Mr. Frank Herdman was sworn and said he represented numerous individuals and was prepared to present for them but could not cover it in two minutes. He asked for 15 minutes and pointed out that the applicant was given 45 minutes to present.

Chair Hiatt asked for those who were willing to yield their two minutes to Mr. Herdman to raise their hands. AS they did, Chair Hiatt said they were relinquishing their time to him and would not testify to the Commission.

Mr. Herdman provided a handout to supplement his presentation.

A copy of the handout is incorporated herewith to these minutes as Exhibit 1.

He addressed first the Fire Code requirements on page 1 of the handout with the 2009 International Fire Code as amended. He attached excerpts from that code in Appendix B, section d 107.1 mandates development when it exceeds 30 units for separate fire access roads and is in part why there is a connection to Velarde Street. Further is that fire hydrant which is located on fire access must be a minimum width of 26 feet, and a minimum of 20' on an access road. A quote from the table says they are mandatory standards. And that Applicant confirmed a second fire access road is required for this development because there are more than 29 lots. But Velarde Street, as Staff has stated, 'Velarde Street is consistently paved at only 18'.' There are two fire

hydrants on Velarde Street and pictures are on the next page show it is only 17' wide in places. So, Velarde Street does not comply with Appendix B as amended. As a consequence, this project cannot be approved.

On page 3, the Applicant is proposing to increase the degree of a nonconforming use. I remember one is a provision from the code cited by Staff explaining that at least two connections to the existing road work network are provided or shall be provided for every part of the development. The Applicant is proposing 12.25 acres, and as a result, Staff has concluded, and Staff is correct that this development requires two new access points. There is nothing in the code there is a mandate for two new access points, so the Applicant gets to evade street design with respect to those two requirements. The second point is that Staff confirmed that the connectivity standards require a second access point for the development. Item number three is a quote from the staff memo that says there is approximately 77 residences. so, if Velarde was constructed today, what would it look like? On the next page, page 4, is a copy of the design criteria table for Street types within the Santa Fe city code. On streets with 30 to 100 residences Velarde must be a subcollector street. There is no restricted parking on Velarde Street, so it would have to have a 56-foot right-of-way for two lanes, two parking lanes and sidewalks on both sides of the street. So, item number six is that this street width is less than half what is required for street standards

Item number eight is that Velarde predates city standards, so the street is a legal nonconforming use and it fails to conform and as a consequence to or amendment to chapter 14. The Applicant proposal would double the number of residents beginning served by that nonconforming street. The code requirements state that the proposal cannot be approved because it cannot increase the degree of nonconformity unless a variance is approved. So, it cannot be approved because it increases the non-conformity by doubling the number of residents on that street.

On page 5 is an excerpt from the applicant's development plan for road profiles that confirms that the applicant understand the road profile he cited if constructed today is the road profile that is applicable, and this is how they propose a street that has one parking on one side of the street. It is a 50' ROW with two driving lanes, a parking lane and a 5' landscape buffer on each side and a 5-foot-wide sidewalk on each side. That is required by today's road standards.

Page 6 is a representative photograph of a portion of Velarde Street. The road section at this point is about 18 feet and narrows down to 17 feet which does not comply with Street standards. It has been excessively narrow width. It has parking on both sides of the street. There is limited on street parking. As a result, residents must park on the street; there are almost no sidewalks along the street. As a result, pedestrians are required walk within the street. There are telephone poles, and other obstructions close to the road that prohibit widening. With a dangerous intersection at Agua Fria.

Page 6 shows a photograph that shows there are no sidewalks on Velarde Street and people are forced to walk in the street. As a result, Velarde Street is woefully inadequate as a means of ingress and egress from a residential development for 83 residences.

Page 8 shows additional requirements that are not all stated in the staff report. Item number one says within inadequate Street the applicant shall establish the necessary additional ROW to make the street conform for the resulting Street conformance. That is a mandatory requirement and compliance is not sought in this application.

Another one states that the Planning Commission may approve Street access to adjacent properties by extending boundaries and conform to the same standards as prescribed for the streets in the development. And there is no attempt to comply. Statements of the General Plan cite connectivity. It states "the design of the project must reflect the character of surrounding neighborhoods while maintaining a balance between the land-use and the traffic carrying capacity of existing streets.

Item #4 is in the purpose statement on regulation of street codes, which says the Applicant must construct or provide funds for the City to construct private and public infrastructure required by Chapter 14 that address an existing infrastructure, including streets. There is no attempt to comply with that provision.

Item #5 contains various approval criteria for the rezoning, for the development plan, and the subdivision. All of them mandate an affirmative finding by this body that this project is compatible with the surrounding area. The Commission has heard nothing about the detrimental effects if this application is approved.

Page 9 is and excerpt from the zoning code. The entire area surrounding this development is zoned R-5, not R-7. On the next page is a page of the assessor's map of the subdivision plat for this development. It shows that the density here is far exceeding the surrounding property and demonstrates that it is far in excess of what surrounds it. And it makes no sense to connect with this old 18' wide street.

Page 11 is one page from the Applicant's traffic impact analysis. It states that this project will generate 715 vehicle trips per day and rat is not appropriate to connect with this old road. The applecart has it backward on page 12, claiming that at the intersection of Velarde and Agua Fria Street, the level of service will be at C, which we think is an understatement and which the traffic engineer says is acceptable. At the entrance on Agua Fria - page 13. There are five Levels of Service and the entrance is D's and E's. The entrance will be "marginally acceptable". There would be no incentive for individuals to go into this traffic jam where the LOS is approaching an F.

Because the traffic condition will be so bad at the entrance, an east turning lane is recommended at 150 feet and west bound at 175 feet. but they cannot be constructed so the entrance will be a mess, and no one will want to drive in there.

Pages 14-16 is a resolution adopted by the Governing Body for Montaño Street in 2013 that is unequivocal, and states on page 15 – "no further action shall be taken to connect Montaño Street" but is precisely what is proposed in this case. It is truncated at the property and proposed to make the connection, despite action of Council to prohibit that.

So, for all those reasons, I ask this be denied. My clients acknowledge the need for more housing, but this isn't that. It is precluded by code or those reasons.

Ms. Shavon Hancock, 941 Nicole Place, was sworn and said, "I live in this neighborhood. Thanks for the time to speak and help from Staff with this."

While she was speaking, Rick Martinez provided another handout.

A copy of this handout is incorporated herewith to these minutes as Exhibit 2.

Ms. Hancock drew the Commissioners' attention to the booklet handed out and to 24 pages of photos and documents. #1, Traffic on Velarde is at capacity with more than 86 residences and was not built as a through street and not suitable for through traffic. It does not even meet standards for a lane requirement. Motorists must pull over to allow others to pass. And up to 715 trips a day will increase the danger and interfere with safety for pedestrians and motorists who use it.

#2 is on page #2. The photo showed the intersection at Agua Fria, with a car in the middle of Velarde which is 18' wide at the entrance. We measured the space from curb to vehicle and it is six feet and it is not adequate for the capacity.
There is no way this intersection can handle two cars.

Velarde varies from 20' down to 16' wide. The proposal says it is 20' wide. They are wrong. There is an error in the proposal. About 196 cars access Velarde now.

Chair Hiatt announced her two minutes were up. He pointed out to the Commissioners that at the back of the staff report were seven or eight documents sent by email to Staff. One of them was from Mr. Pitts.

Mr. John Pitts, 941 Nicole Place, said he represented a committee of concerned citizens. He had 11 points to make but said he would cut back his comments. He referred to the handout and said he would take about four minutes to summarize the points and additional factors which have not been brought two light so far.

Chair Hiatt asked for those who are living time to Mr. Pitts through raise their hands.

Mr. Pitts said the amount of traffic on Agua Fria is exorbitant and using city standard of an extra almost 300 cars daily. The report conclusions as the Attachment says, will

go up from 5.5% to 10%. And that is not insignificant. The conclusions of TIA under summary of deficiencies on page 15, claims a minimal impact. We fail to find any significant recommendations and disagree that it is insignificant. That is point #1.

Levels of service: You have already heard they are highly deficient at both entrances -especially at driveway A, and is already at levels D and E, and the decel lanes that are regarded as mandatory, are disregarded.

At Mandela Magnet School, there are no facts or statements of impact analysis of school traffic at driveway A. It is adjacent to the entrance and only 40' from entrance of school to main entrance of this development. None is in staff report.

But, 1175 cars go by the school and 2 6 minutes average stoppage of traffic at this location which increases the danger level there. What will happen to the 40'? Another factor noted - the school declared they would double their size. So, attendance will go to 450 students when this comes into being. So, how can it be minimal impact? Our conclusion it is based on traffic accidents that were not addressed in the TIA. We went to the police department and found that there were 17 collisions with 4 injuries from 2013-2017. That was just in front of the school. So, it is an unsafe zone today triple unsafe with the development built out. I personally am in favor of infill, but this is not the way to go. It is harmful to the neighborhood and dangerous to people and property and I ask you to reject it.

Ms. Kathy Fleming, 929 Nicole Place was sworn. She said, "I am a retired public school teacher for 30 years and spent hours of bus duty and parent pickup duty. It is so important to do this right. Not have it be something that tears down the road. This will be a mess. Traffic to the magnet school is not mentioned in the proposal. This is a serious omission on the part of the developer. 743 trips daily to access driveway A. I am not against development in Santa Fe. I have my own children and others I've taught that need a place to live. But a development of this size in a historic neighborhood is not going to work.

Mr. Roberto Quillay, 621 Velarde Street was sworn. He said, "There is a lot of conversation about letting people build and people can build within the code that matches the neighborhood but not under the guise of not building on their property. Zoning could allow a project that could be approved but pushing to make it bigger bothers me because it doesn't matter if you have the property for 100 years. That shouldn't allow bending the rules. Velarde Street is a full access road, but it can't work. There are no sidewalks on Velarde, but the proposal states there are sidewalks. There is a lot in the proposal that just sounds disingenuous, to put it mildly.

Traffic - bald face - we won't talk about turning into Velarde Street. That is the problem with people piling up behind you there. If you are turning left, into Velarde Street. You stop at Agua Fria. If you are turning right into Velarde Street, sometimes

you have to stop and the person who is exiting Velarde Street has to back up and let you in and then they go out. To dismiss that, is disingenuous.

Ms. Michelle Turaco, 828 Ojito, was sworn. She said, "We have a wider road but have the same problems. Thank you for your service. Residents clearly said they would not go through the new development to get to Agua Fria. It would be twice as hard to go through the new development. A photo on page six shows that we won't drive uphill. If you live in the middle of Velarde Street, the trip would be longer and have more stops. I rode up Agua Fria twice yesterday and stopped for the cars to go and when turning in at night time, there were three cars ready to come out and I had to wait for them to move out of the way. And people park on both sides, preventing two-way traffic. She referred to pictures on page 7 and 8.

Dr. Bagdeville Walker, 919 Nicole Place, was sworn and said, "I'm speaking just like lots of others specifically about Velarde Street and its impossibility to be a second access for this development. I'm good friends with the Sharps family at the corner of Velarde and Agua Fria. Helen Sharp is a Velarde. Her father settled Velarde Street decades ago and they gave the street to the City. They have lived there 64 years and have a garden. The Sharps recently shared that they kept track last year of accidents where police were called. There were 20 in six months. I personally orchestrated repair of their wall after someone hit and ran from hitting4 the wall. Volunteers were recruited and picture #20 in your packet shows the newspaper picture of it.

Driving, walking, raising children and basically living on that street, we don't want additional traffic on Velarde Street. It is dangerous and unsafe. People are currently operating three grandfathered businesses on that street. Please consider the people who have made this their home for generations.

Mr. Paul Martinez, 608 Velarde Street, was sworn. He said, "When you live in a different part of town, this whole neighborhood came because of their concerns. Many of them were brought up there. As a homeowner, there is no parking for a lot of housing on Velarde and were the people park when there is a birthday party there? They have to park on the street and there is no way to get people in or out. On Ojito Street and Palomino Street this will have a big impact also. One resident asked the city to put in speed bumps while people are walking on the street. It is basically a dead-end street. I know the family, the neighborhood, the property. There is a time and place. A lot of people who are giving up their time wanted to stand up and speak here. Nicole Place and Montaño Street are also constricted. I was born and raised on Velarde Street. Kids tried to get out and play football or basketball but cannot today. They are stuck in the house playing video games. That's what I wanted to say.

Ms. Alise Pardue was sworn and said she lives on the south side. "I feel like I'm part of Velarde. It is really a lane and people can be seen walking biking or parking in the street and must get around parked cars. Many walk to Ashbaugh Park. There are no sidewalks to use. Children play in the street. What happens is there is a basketball

Rupert and they shoot hoops. Some of those kids are here tonight. There is a basketball group who have to move out of the way when cars come through. I have spoken with people on Velarde. Children walk to school down Velarde. Increasing traffic will only make it less safe. The price of progress should not compromise the safety of the residents of our community. We insist on responsible development, not buildings that has negative consequences to it.

Ms. Elizabeth Dunn, 91 Nicole Place, I'm 81. Just being here tonight, I have tears of joy being here. This is wonderful to come together like no other city I've been in my home for 36 years at Nicole Place. It has been peaceful with little traffic and beautiful views of mountains, moon coming up. I often feel like I am in heaven on earth. I've been lighting candles to see the trees suffering from the drought and to the families who live there.

I understand why they want to develop the field, but the traffic is ridiculous the amount of traffic on Velarde. I am praying for the families there that they make the same amount of money with community solar panels instead of residential development. A ten-acre field instead of 80 houses. We all know that will happen on Velarde.

Ms. Kena Davalos, 933 Nicole Place, was sworn and said, "Public speaking is my worst nightmare. Trying to get out onto Agua Fria from Velarde Street is not easy. It is dangerous and more cars will only make it worse. It is quite different with the design of intersection. The chart on page 9 shows it. A car cannot turn into Velarde when a car is waiting to get out. So, one has to exit first or back up. There is stacking on Agua Fria where cars try to enter; sometimes in both directions. Photos on pages 10 and 11 illustrate that. There is no left turn Lane on Agua Fria to Velarde. There is a short-striped median that people used to turn onto Velarde Street. We call it the suicide lane. It is not a legal turn Lane. The turning radius is very tight because it is so narrow. It slows down traffic on Agua Fria. There are photos on page 12 and 13.

You have to condition yourself for the turn with traffic coming from both directions and making it very challenging to get out there. The development will increase pressure on that intersection. I am not against infill, but this project fails to meet standards.

Ms. Dabney Lawson, 917 Nicole Place, was sworn. She said, "Three years ago, I moved here to Santa Fe from New York. After 40 years of working in New York City, I was more than ready for a change. The first time I came, I knew it was the place. It had everything that was great about a small town, and all the cultural richness of a big city. But now, after only two years, I am seeing things that I had hoped to leave behind in New York. Traffic, overcrowding and pollution. Don't schedule appointments during the morning and evening rush hours or build in extra time for traffic congestion. As you approach the intersection of Velarde and Agua Fria, keep as far right as possible for cars coming in behind you because you are likely to have to backup for someone coming in. And once you are in the intersection, there is plenty more calculating to be done. Is there enough time to dart into traffic without a collision? Is it safe to use what is

dubbed as the suicide lane? It is a less than one car width turning lane, but you consider it as an alternative to keep drivers from stacking behind you and getting angry. It is as tremendous as frenetic as traffic in NYC can be, every day we encounter this as a disaster or accident waiting to happen. On September 20, attend a Planning Commission meeting that included a study session on long-range planning, and one principle seems particularly relevant now. It was a focus on transportation planning and congestion in new developments, including infill. We believe that the Dos Acequias project completely undermines that vision for the future of the city."

Mr. Kim Shanahan, 51 Herrada Road, was sworn. This is not a project in my back yard, but I and my family lived at Giron and Agua Fria, so I am very familiar with it. As a former Planning Commissioner, one of the things in Chapter 14 and conditions of Staff were to be included and our common sense. Tonight, you have been hearing about a project evidently at the end of Velarde Street. This is not at the end of Velarde Street. Velarde Street was forced on this Applicant because of the Fire Department, who said they wanted conductivity. They wanted to be able to have another access and Velarde Street seemed to be the one. The people who live in this neighborhood are not going to drive to South Meadows and then turn left and then get on Velarde Street to get onto Agua Fria. It just defies logic. It is simply not going to happen. Velarde is not a good access for anyone in an emergency which is why Montaño Street, going to the east, would have a gate that would have a key only available to the Fire Department. And if there was a fire they needed to get into, from the south side, I guarantee you they are going to come through Montano Street from the East because Velarde is a failed street and it needs common sense. Velarde Street was forced upon this applicant because of the sensitive rules the City has about conductivity and emergency fire access. It is not the intention of this developer to use Velarde Street for access to Dos Acequias. It just defies logic. The Governing Body may well be swayed by the emotions of the neighbors.

Ms. Reagan Hall, 817 Ojito Place, was sworn. She said the residents put together a letter with all of our concerns listed.

A copy of the letter (which was distributed to the Commissioners) is incorporated herewith to these minutes as Exhibit 3.

She eliminated concerns already addressed and rest the rest of the letter. She read, "The letter is from residents of Ojito Place directly west and outlines our position of viability conclusion and recommendations with expertise as feedback. We appreciate Lee Logston's work. At the same time, an understanding in short period of response.

DRT page 7 - Agua Fria Street is narrow - all other property is R-5. Since they are, it is exceptional that R- 7 is requested. Our opinion is that increased density is not supported. 3 sections of the letter:1) Affordable housing - 4-4-1-6 of Growth Management Plan - for residential development for Affordable Housing and a minimum of 5 with 7 units preferred. The purpose of increase density is affordable homes but this

one has only 16 Affordable housing homes which doesn't justify increased density near governmental centers to be reasonably affordable housing priced. The developer previously said not many would be over $400,000. It is doubtful that a young family in Santa Fe could consider that a reasonably priced affordable home.

We do not use Velarde but witness daily that people using it must maneuver to get onto Agua Fria. Adding 80 proposed houses to 70 existing makes 150 and exceeds reasonable development. It should have 3 access points. It would be impossible in a disaster to evacuate all cars. Ojitos is sandwiched between and, in an evacuation event, we would be directly affected and conclude it is inadequate. We ask you to drive there yourself to drive through to the end and use Harrison as a second exit. You can go to Agua Fria or Cerrillos - a turn lane is in front there, so it is a good example of a good exit. Traffic impact was already addressed.

The lack of a center or turn lane is a lack. This cannot be changed. Some residents must back out of their driveway onto Agua Fria. During peak hours at Mandela Magnet School creates traffic jams and people ignore the signs that back up to Camino Alire and tie up traffic for hours.

Specific to us, on page 17, criterion #2 of DOT review, has no FEMA designated flood plain in this area. We ask that the city provide a history of historic flooding. Some of our residents reported July 2018 flooding had flooding on our street. This goes over 12 acres and puts more stress on the acequias and will only be known when the floods come. If ponding is adequate and retention ponds are in accordance with HOA bylaws and raise several questions on who will oversee ongoing maintenance, there. If damaged by flooding, who is responsible if the HOA is dissolved? What is the city's responsibility if approved? We really do need those answers.

The long-term availability of drinking water is not addressed, and it doesn't address climate change for exceptional drought. Ground water is discharged at a great rate. What is growth that uses outdated technology and data to measure the most efficient use of water? Much more, such as grey water use. Not addressing it in the short term puts all of us at risk in the long term.

Proposed architecture must be compatible with building in the area. At the first meeting, neighbors were assured it would be compatible, but the plan shows industrial boxes instead of family style architecture.

School impact in this case is not addressed properly regarding Mandela School crowding. New Mexico law provides that charter schools must have open enrollment and lottery selection. That means school enrollment is unrelated to district. The application states that is irrelevant. The application does not indicate SFPS commitment to permit street traffic through the school grounds.

Conclusion – Although we all agree there is a dire need for affordable housing in Santa Fe, we are unanimously opposed to the development at R-7 increased density; We do not see that the developer has 6sufficiently proven a need for the density increase. Nor has the impact of existing neighborhood and infrastructure has been adequately addressed. Although there is not 100% agreement on every point in the letter, we are unanimous in strongly supporting as an optimal solution #1, approval of 29 homes built in two phases. #2, consolidation of two out of three lots; #3 current third lot to remain open; #4, a single ingress/egress on Agua Fria, using the points described in the application; # 5, stronger assessment and requirement of engineering acequia alterations' #6, stronger requirements for ongoing maintenance of retention ponds; #7, clarification of responsible parties in the event of damage outside of the subdivision by flooding; #8, redefined architecture compatible with old Santa Fe style.

Chair Hiatt asked her to please express our appreciation to the association there for the report.

Ms. Anna Blye, 836 Ojito Place, was sworn. She is closest to the development site and speaking as a user of the neighborhood, and a homeowner. One of her biggest concerns was the proposal around drainage ponds. That feed the acequia on Rio en Medio. In the packet are photos from the events in the summer in the drainage pond for her subdivision and Rio en Medio. We watched the water come up and exceed the drainage pond. It was terrifying and the danger of water coming through. People did experience flooding and to see the ferocity of water coming through that acequia. There have been other times of flooding. This certainly affected the drainage pond as well. Others might argue - but it was very close to our house.

I don't know where more water would go in a significant event - perhaps into someone's home and who is held accountable for dealing with that? We are not renters, so we are looking at it. Thank you very much.

Ms. Cedra? 837 Ojito Place was sworn and also had similar concerns. On the side of her house is an easement for trails and the park. She wanted to ask if there is still access for our neighborhood to the trail and parks.

Mr. Mark Hoyts who lived just east of Velarde Street since 1990, was sworn. He said, "A lot of what is before you is a mentality of 1 + 1 = 2. It is a way of monetizing the neighborhood development. That type of planning that ignores green space and family-friendly neighborhood is exactly what our city doesn't need. This developer has not considered these things and that is why all these people are here now. We've heard statistically why this is not viable development. It is a toxic development to our neighborhood and should be denied. This will drastically ruin the quality of life for those of us who have lived there for decades. You've heard from our attorney and our neighbors. The real character of our city, please consider the intangibles and the real characteristics of our City.

Ms. Suzanne Jacquez-Gorman, 324 Palomino Street was sworn an said she has lived there for more than 20 years. As a mother of 3 young children, she was concerned with increased traffic controls and drainage issues that would occur with this development. She had been a resident of Palomino Street and also Agua Fria Street for the majority of her life and has seen changes in traffic patterns. It will not only affect Agua Fria Street but witnessed reckless driving to get to other places and frequently stopping to get directions. It will impact our neighborhood and children's safety. It also needs affordable options. She opposed the rezoning, the development plan and the subdivision plat.

Ms. Karen Heldmeyer 325 East Berger, and speaking for the Neighborhood Network, was sworn. The neighbors did a great job in research and issues. It is your responsibility to deal with these issues before approving development. What you need to do is think about what would make sense that would not negatively affect the neighbors, some of whom were there for generations. Second, to make sure the applicants come back with changes that might negatively affect a plan agreed on already. The covenants say up to 24', which is a lot for a one-story house. So, you must make sure what is approved is what gets built and not changed somewhere along the way. That is why you are here. To protect the existing neighborhoods.

Ms. Peggy Martínez, 2085 Avenida de las Alturas, was sworn and said she wanted to address the idea of extending Montoya Street to the west. She provides child care at 1604 Palomino Court which is at the end of the street, close to Mandela Magnet School. The intersection is an oddly angled three-way stop sign. She has seen drivers fail to stop and has signaled drivers to slow down. We bought our home because it was at the end of the street. Hundreds of cars come into a poorly designed intersection and most want to connect to Cerrillos Road at Baca. It is extremely dangerous and has reduced property values. I ask you to not approve this at this density. Even 5.75 homes per acre is way too much.

Mr. Don Gorman, 324 Palomino Street, was sworn. The biggest concern shows that Montaño is to be extended and this development would facilitate that. A number of years ago the city put that study to rest but this would bring it back to life. The backup on Agua Fria when school is in session is that people cut through the school to Baca Street, which is over capacity now. So, if the City allows this development, they should provide an ordinance to prevent extension and interconnect that would allow cut through traffic on Velarde and at the school and on Palomino and reduce the quality of life of residents we have now. So, if the City approves this, please prohibit Montoya from being extended in order to prevent cut through traffic.

Mr. Louie Baca. 1508½ Agua Fria, was sworn. I understand the need for more homes but not at this density. It is too many houses. I live ten houses east from Mandela Magnet School. I come from my driveway and must wait until the light turns red to stop the traffic and then finally, I have to rely on one of the stopped cars to let me

through when the light is red. There are a lot more but that's what I've come to say tonight and the other thing, if you listen to Mr. Herdman, he said it all. There is no way it can be passed.

Mr. Gilbert Baca,1508 Agua Fria, was sworn. Traffic is like water, taking the path of least resistance. At Velarde, I found that you are there because of the lack of resistance. If someone is parked right there, they usually back up and allow them to go in there. I don't want to see that community further diminished. It has always been family-built homes passed down from generation. You do have to wait for the traffic light to turn red and hope someone will allow you in. The Siler Road Bridge numbers were given, and it is correct. It had to be built to alleviate that traffic on Agua Fria is the only way to go. So, it had to be built. They add to that problem again with this. We had a hard time before getting into traffic. The development could be a little less there We need to think about the community.

Mr. Hilario Romero, 1516 La Cieneguita, was sworn. He said he is the president of Agua Fria HOA and Agua Fria Association with150 homes and completely hoping this will be not recommended to Council. We've already gone through this with Homewise and have to deal with that traffic already. There are 120-unit apartment building across the street from the 450 requested. There will still be 120 units there. We asked to keep the height down and follow the Master Plan for the area. We asked them to not locate the main entrance directly across from our area. It is the same thing here. It was passed back in June and the Mayor and Council unanimously passed it on August 29. And now we are responsible for mitigating the problems after the fact. We become the responsible people and must spend our time and money to litigate the traffic problems. Everything over 5 tons goes through there. That is exactly what will happen to you. We must mitigate that and get the City to help. It could have happened before the building begins. I hope the Commission understands it is backward - not looking at long-range results. 300 feet from the site you get notified. We are going to be impacted and are far more than 300 feet away. We are part of the oldest highway in North America - El Camino Real. And are working with the National Park Service on this and already have the signs up. It is a 500-year tradition on this road. Bing that history back. Now is the time to do that.

Ms. Kathy ?, Nicole Place, was sworn and pointed out that the people who buy property there will not know what that traffic is like until they live there. Then their quality of life will be really poor. They will be stuck in that neighborhood. Please don't approve it.

Mr. Ruben Serrano, 1609 Agua Fria Street, was sworn. He said he has lived there over 25 years. "Since I've moved there, traffic has increased from 10 passing to 30-40 cars passing. It took three inputs to get out because I live across from the school. The cars hold up all the traffic there. So, I cannot get out of my driveway. And when I get out, there is a long line of cars - probably over 200 cars passing by. So, I have to plan for a certain time of day to come and go from home. And can't get into my driveway

until cars pass by - People went around so fast and eventually started parking in the middle of the street. Finally, when I get my chance - people are flipping me off. Also, insurance increased. My home has been burglarized three times already with increased traffic, drivers get to see what is in my yard. My truck was shot by a BB gun; battery stolen from my porch. This project should not be passed

Mr. Rick Martinez, 935 Mesilla Road, was sworn. At the pre-app meeting, the fire marshal showed up and said it needs two entrances to move forward and that Velarde should be an entrance to the development. Neighbors don't have a chance to speak at those meetings. The City needs to work a lot better with pre-app meetings before getting here.

I talked with one of the applicants and asked what would happen if they didn't get it, but he said it is already a given.

The neighborhood disagrees that it would be better by opening up Montaño Street. That is not what they are saying. There are 90 homes there, not 70. I counted them on Google map. It is still the same congestion on Agua Fria Street.

Let's not forget driveway A is only 40' from Mandela School. It adds more traffic there and no one mentioned that the school has no left-hand turns. They are not supposed to turn left. No one pays attention to that.

The neighbors have lived there. They have to back into their driveways and we need to pay attention to those who have lived there for generations. The resolution is something you must take into account from 2012. There should be a lot more communications with neighbors and developer. This is too dense and no connectivity. Make a good decision.

Mr. Leo Salazar, 1514 Agua Fria Street, was sworn. He said this is at 1616 so a block east of it. I lived there since 1970's I've lived there so long that the traffic happening there. This cannot be a minor arterial. Cerrillos Road is on the south side near the vicinity and Agua Fria on the north side of the development. I live on the east side and the smell of that traffic is ridiculous All of it comes there with no air quality control from the vehicles. We once had clean air. But as developments keep coming in. Put a City park in there; plant a bunch of trees. You are going to kill the rest of the people on the east side. 90% of winds flow from west to east and I'm on the east side. Keep it to a bare minimum.

Ms. Mary Charlotte, 1600 Water Street at the corner of Agua Fria and Montano Street, was sworn. She was a radio personality and lived there since 1998 and this issue came up a few weeks after she moved in. It is the same conversation ever since. Many people gathered 175 signatures opposing using Velarde Street. And other streets have been united in opposing Velarde and Montano as through streets. If the code is not wrong, then it is not even legal. And you heard about the resolution thereafter.

A copy of the petition is incorporated herewith to these minutes as Exhibit 4.

We ask only that it be considered, as a minor arterial, and compatible with surrounding neighborhoods. In other cities, growth spurts happen that cannot be undone. It is an eternal mess of frustration. I would like to reiterate in the spiral bound book on page six, the path of least resistance. 2.23 miles and Agua Fria would be 12.6 miles with multiple stops. So, the path of least resistance does not hold up. And on page 18, it shows no left turn signs and page 19 shows a driver doing an illegal left turn into that school. So, it is not being honored and only 40' from Driveway A.

We are all for infill with suitable and compatible projects and any of us can discuss how it can be done better. There are other solutions and respectfully ask you not approve it for something better.

Ms. Julie Lewis, 514 Velarde Street. Most of the ideas have been addressed. Mr. Siebert spoke about traffic study done from 7-8 and that is not the highest time. Maybe you could fix that error. The other thing is that at end of Velarde Street is where the school bus stops and they must cross Agua Fria which is almost impossible, and cars won't stop for the bus. Children have to run across the street to catch the bus. Some for Mandela School. What will happen with kids walking to school?

Ms. Maria Bautista, 616 Velarde Street, was sworn and with her son who translated for her. There are lots of people who would be here but speak only Spanish. The barrio is our neighborhood. A week ago, I was coming to Velarde and there was an ambulance there. I had to back up and was grateful there was not lots of traffic there at the time, if the person was in critical condition. I and my son are poor people and have to take the bad with the good. The children don't want to play outside anymore and that gives them a perfect excuse for staying inside playing video games.

Ms. Mary Schruben, 2119 Rancho Siringo Road, was sworn. She said, "I was concerned the City didn't do the best for notifying people in the area. The developer did mail all the people but did not get nearly everybody. I am most concerned about the fact that the lot line adjustment has not already been made for one single development plan. I was very confused about whether a specific lot was being designated as Affordable housing lots and it is very important for you to consider. You should not even start until Affordable housing homes will be interspersed equitably for the whole development. I checked with the MPO and Agua Fria is designated as a historic trail - El Camino Real, as Hilario mentioned. Even though we are in troubled conditions with feds shut down, the Planning Commission and Staff need to be more respectful of our history and if we continue loading up that area with dense developments, we could lose that designation and federal funding.

I'm very concerned with two-car garages and 24' maximum heights and owners could include an apartment as a short-term rental to increase the density much higher and much more dangerous for fire and rescue.

This development plan and rezoning and subdivision plat do not adequately describe open space. Retention ponds don't count as open space and the photos shown don't adequately show the trail connections. It appears to cross at both places and would be dangerous. And the owners of the part with trail easements need to have the title settled before the city takes over maintenance of that trail.

For Affordable Housing, $400,000 is not affordable in this town.

The issue of the resolution on Montaño Street needs to be resolved first. Until that street is adequately resolved, no one should consider this application. Mandela will double in size over the next couple of years and it is not a local school so you cannot consider it a neighborhood school please reject this now.

Mr. Tony Ortiz, 519 Velarde Street, was sworn. There are any issues we could discuss not much to add but a couple of things. The flooding there - I'm still trying to repair some of that damage. The drainage that has not occurred to the City. I would imagine the city would step in to fix the ponds. That needs a great job on it.

Traffic is horrible. We got to the point that we just started walking our children to Larragoite. We have been there 38 years and some time on La Joya Street. I feel for these owners who want to get something for their property. Quality of life is what we are after.

Mr. Pancho Sobien, 2018 Agua Fria Street, was sworn. He said he was part of the Santa Fe River Corridor Task Force. We listened to projects and page 34 of the report, and the pamphlet, which is being accepted by Council, was quoted from. Gradually, over a period of years, an increase of 1% traffic per year would increase to 16,700, based on 200-300 units along Homewise and Blue Buffalo. We are already at 212 housing units.

Mr. Lyle Daniels, 619 Velarde Street, was sworn. He said, "So far, the only person who spoke that was not in agreement with this group, was talking about common sense.

An ounce of prevention is worth a pound of cure and that is what this neighborhood is saying. We are not against infill but about some serious issues. I live on Velarde Street. But also, on Agua Fria Street. It seems like this was all done in 2012 that Montano was not to be opened up again. I request we stick to the ounce of prevention with it.

I empathize with the owners that it has been in the family for 110 years and watching the land around it be developed. And not to discount that, but at this point, it comes down to a community in which a fair amount of people already live and ownership of

only a few parcels of land. At the end of the day, why would people sugar coat it when they have something to benefit from it. None of us have anything to benefit from this. It will mess up our life. So please make sure what you accept is not throwing people living there under the bus.

Ms. Lisa Verasco, 516 Velarde Street, was sworn. She is mom of 2 and bike and walk a lot. The hardest part is Velarde Street. We have to get out of the way. Lots of traffic and noisy. I had a hard time buying something and studied it a lot. I looked at the neighborhood and had that right. The owners' voice needs to be heard as well as mine. But money alone should not be considered.

Ms. Denay Bracy, 1721 Montano Street, was sworn and said, "My family has been here over 30 years. Growing up in the neighborhood. It used to be a track where we could walk with our animals. I understand they want to build a development. We were flooded really bad in July. I would suggest a community garden.

Ms. Nancy Fay, 728 Mesilla Road, was sworn. She said, "There were dozens of legislators being sworn in today. I was inspirited and said today is a good day for democracy. There is nothing more special to democracy than a public hearing and a vote that reflects the will of the people. That is what we are doing here tonight. The people here are defending the character of our neighborhood; our values; to protect our life savings in our home against a developer trying to make money while violating the code. A landmark case at the Supreme Court case in 1926 established the constitutionality of zoning law in an opinion by Justice Brandeis that it must benefit the public welfare and must be determined in connection with the conditions and locality of the case. In summary, the City Staff in the information packet states, that the Governing Boy shall not recommend or approve any rezoning, the practical effects of which are to benefit one or a few landowners at the expense of the surrounding land owners and the general public. So, who stands to benefit from this rezoning in this case? How does a private development meet the criteria of benefitting the general public? To be compatible with the surrounding area, the property should remain at R-5, not R-7. Or will it be like Esau and sell our birthright for a mess of pottage. The Commission needs to examine all the details in chapter 14 and listen to all parties and to rule on a zoning case for the public welfare. Do not sell our real treasure in neighborhoods. Santa Fe needs our Commission to serve the needs of the people. Neighborhoods matter. Local values matter. Local lives matter. Vote no.

Mr. John Eddy, 227 East Palace, was sworn. He said, "To wrap up, this has been a remarkable experience for those of you new commissioners now in the deep end. It will never get easier in Santa Fe unless the right decisions are made. You are here for two things. Personally, I feel that you are here to protect the common good. That is embodied in the codes and the laws that we live by. This project does not meet the codes and is basically illegal, as a result of that. So, I ask you to deny this project and stop it in its tracks.

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

Chair Hiatt explained the three actions to be taken.

The man who lived across from the school added, "I have witnessed 34 accidents one person almost killed there.

Chair Hiatt said Mr. Karnes has been taking notes and can respond to the hearing. Thanks for the owners who did a good job on the application. It is contentious and thanked staff for plowing through all the materials in five days. Special thanks to all from the neighborhood. Thanks for keeping your emotions in check. We now have to discuss it among ourselves. We need to talk about it in front of you and need your cooperation

Mr. Berke also acknowledged DRT staff here. So, questions can be structured to them.

Chair Hiatt added that if we postpone, that will end discussion.

Mr. Berke said if the Commission recommends denial, it will still go forward to the Governing Body.

Commissioner Faulkner said one of her concerns was that the density in her view, comes up against quality of life. "In my subdivision, density was a priority and we have no sidewalks. We have to ask neighbors to move their cars off the street to get trash trucks through and ambulance has had trouble getting in and out and the street is wider than Velarde Street. For all those reasons I think it is not to approve.

Commissioner Clow asked about Velarde being nonconforming.

Mr. Logston said he raised that several times.

Director Johnson spoke regarding non-conforming development standards and quoted from the road improvement code. It is not clear that this would be improved to the same standard. It is open to interpretation and would have to look at past practices - when it is not primary but secondary access.

Mr. Romero agreed. We have a lot of substandard streets that don't meet the standards. If we cannot add traffic to those streets, we could not approve any new developments. Adjacent streets would be if you have a long frontage adjacent to the street, we could require them to add sidewalks, median, etc. But if you are connecting to it, it is not adjacent but connecting. I support connecting to Velarde. I understand all the concerns in using Velarde. But connecting to it helps solve that problem. I don't think all the new traffic would utilize Velarde. I did not see stop signs to get through Dos Acequias to Agua Fria. The only stop sign is only at Agua Fria. And only one at

Montano Street. I know that is up for debate, but there is nothing we can do to Velarde St. I understand this adds traffic to Agua Fria and is true for Alameda and Rufina also.

My take on it is to follow the code in the General Plan and we are to interpret and implement the reason the General Plan asks for more density, which is that the former Mayor and previous administration support walkability and transit. It is not just adding bus routes and sidewalks. Things have been done to Agua Fria to improve it. We have done a lot of them. The trail connection is a major one. The Siler bridge has reduced traffic on Agua Fria. The DOT counts cars on a daily basis. And it was continually declining on Agua Fria. We have improved signal time close to 25% so during rush hour to get across town would not take more than 20 minutes. All minor arterials are more attractive to drivers. Siler bridge provided a better access to the relief route that serves other ways into the city. South Meadows was one of those.

The City, in general, is balancing land uses. It used to be business was only on the east side. But now, there are things like the new hospital on the south side. There is also a macro aspect. Mr. Siebert noted that work force is more and more moving out of Santa Fe. And we have to justify, instead of counting two miles, people are forced to commute 60 miles. We must think of the pros and cons on what the City is trying to do.

Chair Hiatt asked, regardless of this project, if every project on Agua Fria is going to get approval from traffic staff. Agua Fria is a failed street. I pick and choose the time to drive on Agua Fria because I know it will be a challenge.

Mr. Romero said the recommendation comes from the Planning Commission to the Governing Body. It is up to the Commissioners and Council on when to put a moratorium on Agua Fria. Do we promote infill and density or not? The intersections we look at are at an acceptable level of service.

Chair Hiatt asked if the testimony tonight had any effect on his opinion or if the TIA did.

Mr. Romero said we need an independent study of all of the traffic and have a scoping on what traffic projections should be based on. We can work on that together.

Chair Hiatt asked if Traffic Staff take accidents into account.

Mr. Romero agreed. But the main points are access points. The more cars you have, the more accidents will occur. That is always the case. If there is a way to improve safety, we try to fix it. I would be hard pressed to deny it because of traffic patterns

Commissioner Lawrence asked if he could explain how driveway A is considered.

Mr. Romero said the Staff want it to operate at a minimum at LOS E.

Commissioner Sategna was trying to understand the TIA. When you recommended approval, have you considered the traffic on Velarde for cars parked on the street and whether it was just a recommendation of the Fire Marshal or also for traffic in and out.

Mr. Romero said they looked only at a capacity standpoint and knew cars were parking there. He didn't think people were going to use Velarde when they could go straight out to Agua Fria.

Generally speaking it improves the situation. Now they would have a legitimate way out of the location. Regarding the decision of not extending Montaño Street, people were looking for another way out. He believed an ambulance could not get in. But people living on Velarde would have another option for a street that does meet the standards. We might have to put signs up. It is a feasible alternative and not approving it would not help Velarde Street.

Mr. Logston clarified that there are a variety of levels at which action can be believed to benefit the area. This is required by Fire and Section 14.9 2 d requires two connections so to clarify further, the fire code and subdivision code do require it. It is not discretionary.

Commissioner Faulkner asked what the estimate is for traffic going through there.

Mr. Romero asked Terry Brown to provide the numbers.

Mr. Romero explained that when we provide estimates, we base it on existing traffic patterns. And we determine what percentage is in the morning is going east bound or west bound. This was more subjective without numbers. I do think the majority of Dos Acequias traffic would use Dos Acequias Road to get to Agua Fria.

Mr. Terry Brown, P.O. Box 92051, Albuquerque, NM 87199, was sworn. He said his traffic study determined that there would be some Velarde traffic, but 10-15% of trips generated on Velarde would access through our roadway and conversely, about 10-15% would go through Velarde Street.

Commissioner Faulkner concluded it is not a moderate estimate.

Commissioner Propst asked if it would become higher or lower.

Mr. Romero said it is conservative relative to impact on Velarde Street. There will be a certain amount but to say no Velarde resident would use Dos Acequias would be inaccurate to say. It would be a wash but estimated there would be more going from Velarde through Dos Acequias.

Commissioner Hogan asked on the issue, if this is connecting to Velarde for emergency access.

Mr. Romero interpreted the resolution as Staff not to pursue a formal connection from Palomino to Velarde. And, if ever that would be pursued, the project would have to negotiate that resolution with City Council for that connection. This application does not violate that resolution.

Commissioner Propst said that to her, the biggest issue was the density. It doesn't fit with surrounding property and she could not vote for rezoning for more density. Maybe the Commission could get a plan that is more acceptable.

Commissioner Faulkner asked why the request for the rezoning was requested by the developer.

Mr. Logston mentioned that it is R-5 now, but the General Plan does support higher density for infill, so R- 7 is recommended there, and there are tiny pockets already at the higher density.

Mr. Siebert said, if you look at the surrounding area, on two sides, it is adjoined by major institutional uses – the Mandela Magnet and New Mexico Indian School, that do not represent the development on this parcel. The neighbors started the conversation with fractions of city code. He asked if the case might be postponed in order to determine if there is a violation of code. It comes down to an interpretation of code. Are there, in fact, infractions of code? We would like to determine if other changes to the plan are warranted and would like the opportunity to do that.

Chair Hiatt agreed there are others. He would like Mr. Siebert to reconsider the 24' height limit and the notification issue is an issue to get notice to more people to get more people to the ENN meetings. We are not having the right conversations at the right times and was not sure about specifics.

Mr. Logston said regarding the height, that the Commission is not approving the covenants tonight. They might still say 24' but at one time there were to be two-story homes and that change in the plan to one-story homes only did not make it to the covenants.

Chair Hiatt was grateful for eagle-eyed neighbors. And we did hear that commitment.

Commissioner Propst asked if, with postponement, there would be another public hearing.

Chair Hiatt said no. The public hearing for this application is closed. We had a limited public hearing only on the changes last time. Perhaps we could have a limited public hearing only on the changes yet to be made.

Mr. Logston clarified that the postponement would be for discussion of the issues of nonconformity and then would come back.

Mr. Berke said if a motion is made to postpone all three parts, he would ask for a date to be provided. February 7 is the next regular meeting or possibly February 21.

Commissioner Hogan suggested communicating our concerns better to the applicant for feedback. Density is a key issue for this. We are interested in affordable units that people can afford to buy and the impacts on the community. So, he asked what their objectives are that could help the Commission understand the drive for more density. The last two pages of the packet talks about floor plans with zero lot lines and all of that is in the interest of density and a price to pay for the market they are trying to address.

Commissioner Garcia said his concerns were how affordable housing units could be created and if we did not approve R-7 and keeping in mind the necessity for more apartments and affordable housing coming up. We need to reiterate that tonight.

Commissioner Faulkner said for her, the concern is not whether it is in the code. She was not sure the code was relevant. Just because you can do something doesn't mean it is right for the community. So, if it is postponed just for being in the code, she was interested in quality of life and could not see where an increase in density would provide that. She would personally like to deny it. That would be her motion.

Action of the Commission

MOTION: Commissioner Faulkner moved, seconded by Commissioner Propst, in Case #2018-82. 1616 Agua Fria Rezone and Development Plan, to deny the rezoning.

VOTE: The motion was approved on the following (4-3) roll call vote:

FOR: Commissioner Faulkner, Commissioner Propst, Commissioner Garcia, and Commissioner Lawrence.

AGAINST: Commissioner Hogan, Commissioner Clow and Commissioner Sategna.

Commissioner Gutierrez had recused himself and was not present for the vote.

Mr. Berke asked if the motion included denial of the development plan. He also reminded Chair Hiatt that the maker and seconder of the motion need to provide the basis for the denial.

Commissioner Faulkner agreed that her motion included denial of the development plan. For her, the basis was #6, that it would cause a decline in the quality of life.

Commissioner Propst said the basis of her second was criterion #1. R-5 is a more appropriate density. She said #5, infrastructure to accommodate the development was also not met. And also #7, it would be at the expense of general population surrounding community. Many people testified against it.

Commissioner Lawrence said #5 and #7 were her bases - for access to that spot and traffic to be accommodated there and in the surrounding community.

Attorney Prince and Mr. Berke said that would work.

Attorney Prince suggested tabling the third part on subdivision plat.

MOTION: Commissioner Hogan moved, seconded by Commissioner Sategna, in Case #2018-83. 1616 Agua Fria Preliminary Subdivision, to table the matter.

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

FOR: Commissioner Clow, Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Hogan, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None

Commissioner Gutierrez was not present for the vote, having recused himself.

5. **Case #2018-104. Vizcaya III Development Plan**. JenkinsGavin, Inc., Agent, for Northland Properties, LLC, Owner, requests approval of a Development Plan to create 56 multi-family apartments located at 543 Rodeo Road. The property is approximately 2.46 acres and is zoned C-1 (Office and Related Commercial). (Margaret Ambrosino, Case Manager, mkambrosino@santafenm.gov, 955-6656).

Staff Report

Ms. Ambrosino gave the staff report for this case. She handed out a revised development plan and a revised traffic analysis for 52 units instead of 56 units which was reduced due to a setback in the overlay district at the southernmost part of the property.

A copy of the handout she provided is incorporated herewith to these minutes as Exhibit 5.

She thanked the Applicant, who had worked diligently to turn this around tonight.

Chair Hiatt agreed, not to mention that they are here at 10:30 pm.

Ms. Ambrosino said this has two separate lots. The subject property is C-1 and surrounding is R=1 and the parcel is being developed within C-1 regulations. The intent is that there are connections and access points. Because it is part of Vizcaya and exceeds ten acres, so it requires two access points.

In the revised development plan, lots- 24 through 16 have been removed and a 50' landscape buffer placed on south side.

A copy of the revised development plan is incorporated herewith to these minutes as Exhibit 6.

Ms. Ambrosino said the required parking is 77 spaces and moves a trash dumpster to the north end of the property. All of it was reviewed by traffic and fire. The drainage would have no impact at all.

The ENN was held in early October. It was attended by team members, two staff and one neighbor, so we just discussed the lack of multi-family units. There were no other issues from the association.

She said Staff is recommending approval with conditions 1-4 along with tech corrections in Exhibit A.

Applicant's Presentation

Ms. Jennifer Jenkins, 130 Grant Avenue, and Ms. Oralynn Guerrerortiz were sworn.

Ms. Jenkins said the architect's team and property owners were present to address any questions the Commission has.

Ms. Jenkins showed an aerial view of the property and pointed out the corner at Rodeo and St. Francis Drive and the bridge over St. Francis and the Northland property on the north side of Sawmill Road and on south side another portion under common ownership. She clarified that it does have different zoning although multifamily is allowed in C-1. But with different zoning, it must remain separate parcels.

She showed the existing conditions and explained that the site is vacant right now and to the right is an existing structure. The northern part is also C-1. There is Memorial Gardens, Montecito Senior Living and churches further down on Rodeo toward Old Pecos Trail. It is in the South-Central Highway Corridor Overlay.

And part of that protection district that has maximum height of 25' and set back from Rodeo Road, as well as St. Francis. So, it eliminated the part closest to Rodeo Road.

She said they oriented it a bit differently because of that with two access points and everything will be seamless integrated together. It would have new access is Rodeo Road with right-in right-out only. With proximity to the bridge, we were asked to move the trash container away from the bridge.

It is 52 units in four buildings. They are 1- and 2- bedroom units in two-story configuration. Pedestrian pathways are around each building and a pathway through the open space. The impact of St. Francis Drive is minimal because this is high above St. Francis.

For utilities, connecting to an existing private sewer system that flows into public lines at Rodeo Road. And a public water line to serve through the driveway on the east side and the north. So, we are creating a new loop water line to keep it open with the public line.

The proposal is based on earlier discussions were just right-in right-out. But John Romero felt full access on Rodeo Road was appropriate, so we spent time with Ms. Guerrerortiz for that access plan with full privileges. We created a left turn lane We will construct a decel lane across the frontage and a new sidewalk adjacent to it and continue along the frontage of Vizcaya into the new project.

Right now, we have three options to access from Rodeo Road. All three are acceptable. The third option, as Mr. Romero said, is full access, in which we must widen Rodeo Road a little. It is still an appropriate driveway and works well but not ideal.

She said Mr. Romero's idea was to not make it narrow, and then wider. So, he asked that we do additional roadway widening here and have offsets for an added expense. The City has the ability to grant the improvement from CIAC, who would have to approve for the impact fee credits. So, if they approve it, that will be included in our plans. If that doesn't work, we can go to one other option, as we move forward.

She stood for questions.

Public Comment

Ms. Mary Schruben (previously sworn) asked if the raised medians were for striping on Rodeo Road.

Ms. Jenkins agreed they are for striping.

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

Commission Discussion

Chair Hiatt asked if Rodeo Road there would become four lanes.

Ms. Jenkins said it is not big enough for four lanes but would be widened for the dedicated left turn lane.

Commissioner Sategna asked if they took into consideration the effect on the neighborhood on the other side.

Ms. Jenkins said the neighbor is a senior living community with no significant impact on Rodeo Road and there are two-story buildings in that development, so it is very consistent with the neighborhood.

Action of the Commission

MOTION: Commissioner Hogan moved, seconded by Commissioner Faulkner, in Case #2018-104, Vizcaya III Development Plan, to approve the revised Development Plan, noting that the criteria for approval have all been met.

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

FOR: Commissioner Clow, Commissioner Cottrell Propst, Commissioner Faulkner, Commissioner Garcia, Commissioner Hogan, Commissioner Lawrence, Commissioner Sategna.

AGAINST: None. Commissioner Gutierrez was not present for the vote.

G. STAFF COMMUNICATIONS

Director Johnson reminded Commissioners that the meeting on January 17 will include new officers' training session and looking at new procedures that we ask for your consideration to improve flow going forward. There are no cases on that agenda.

Mr. Berke said the members can recycle the paper work in the recycle bin if they don't wish to keep them.

Chair Hiatt thought the letter asked for electronic packets.

Mr. Berke agreed that would happen. The City will provide I-pads to Commissioners which could be used for edits and notes at the meeting.

H. MATTERS FROM THE COMMISSION

Chair Hiatt said he had intended to spend an hour with new commissioners and wondered if we could deal with that later.

He advised Commissioners that if you have a conflict of interest with a particular case, if you will tell him ahead of time, we can deal tactfully with it either to stay in or recuse. There might be a perception of a conflict. It is a small community, but it does not mean it would therefore rise to a recusal status.

I. ADJOURNMENT

The meeting was adjourned on motion by Commissioner Hogan and second by Commissioner Garcia at 11:11 p.m.

Approved by:

John B. Hiatt, Chair

Submitted by:

Carl Boaz for Carl G. Boaz, Inc.

ADDITIONAL MATERIALS
FROM
SURROUNDING NEIGHBORS

Exhibit "1"
1/3/19

THE PROPOSED CONNECTION TO VELARDE STREET DOES NOT COMPLY WITH FIRE CODE REQUIREMENTS

1) **SFCC § 12-2.1.B:** "[T]he 2009 International Fire Code (IFC) as published by the International Code Council (ICC) is adopted by reference and incorporated as fully as if set out herein except as amended by the governing body. The amendments are set forth in Exhibit A attached to the end of this chapter."

2) **2009 IFC Appendix D:**

   (a) Section D107.1: "**One- or two family dwelling residential developments.** Developments of one – or two – family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D.104.3.

   (b) Section D103.1: "**Access road width with a fire hydrant**. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 MM), exclusive of shoulders...."

3) **Exhibit A, SFCC Chapter 12:** "Appendix D of the 2009 International Fire Code is adopted with the following amendments: (a) D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, *the minimum road width shall be 20 feet* (6096mm) (emphasis added).

4) **SFCC Table 14-9.2-1: "Design Criteria for Street Types.** See also Chapter 12 Fire Prevention and Protection — International Fire Code Appendix D Fire Apparatus Access Roads (as amended) for *mandatory standards* for roadway width, steepness, dead end/turnarounds, number of access points and fire lane signage" (emphasis added).

5) **Staff Memo, pg 2:** "This development requires a secondary access Montaño Street per IFC 2009 edition section D107.1."

6) **Applicant's Submittal, pg 7:** "The access to Montano Street and Velarde allows for secondary access that is required by the International Fire Code for more than 29 lots."

7) **Staff Memo, pg 9:** Velarde Street "is consistently paved at only 18 feet."

8) **Undisputed Facts:** Velarde Street has two fire hydrants and its width narrows to 17 ft.

CONCLUSIONS:

Velarde Street does not comply with the mandatory minimum width requirements imposed by Appendix D of the IFC 2009 as adopted and amended by the City of Santa Fe.

Compliance with the requirements of Appendix D should not be relegated to a condition of approval to be determined later, as proposed by staff, because compliance with the minimum road width requirements is not possible.


08

THE PROPOSED DEVELOPMENT WILL INCREASE THE EXTENT AND DEGREE OF A NONCONFORMING USE

1) **SFCC § 9.2(D)(4):** "At least two connections to the existing road network points shall be provided for every ten acres of development." (The applicant is proposing development on a total of 12.35 acres so two connections to the proposed development are required.)

2) **Staff Memo, pg 6:** "Connectivity standards in 14-9.2 require a second access point for development of the project site...."

3) **Staff Memo, pg 9:** "Currently, approximately 67 parcels used Velarde Street as their sole access, serving an estimated 77 residences."

4) Per **Table 14-9.2-1**, Velarde Street, if constructed today, would have to comply with the standards for a "subcollector" because it serves between 30 and 100 dwelling units. See Table 14-9.2-1 attached.

5) Per **Table 14-9.2-1**, a subcollector must have a right of way width of either 50 or 42 feet to accommodate the mandatory driving lanes, curbs, medians and sidewalks shown in the table for the subcollector street profile. See Table 14-9.2-1.

6) **Staff Memo, pg 9**: "The ROW width of Velarde...varies from 20 feet...to 26 feet...to 30 feet where it intersects with Montano."

7) **Staff Memo, pg 9**: "The portion of Velarde from Agua Fria to the Arroyo de las Cruces predates City standards."

8) **SFCC § 14-12.1, Definition of Legal Nonconforming Use:** "A use that was lawfully established, but that fails to conform to the use regulations of this chapter as a consequence of annexation into the city or as a consequence of adoption of or amendments to Chapter 14."

9) **Undisputed Fact:** Applicant is proposing that Velarde Street serve as access to the proposed 80-residence subdivision, which means that Velarde Street would serve a total of at least 157 residences, which is *more than double* the number of homes served by Velarde today.

10) **SFCC § 14-3.7(C)(4), Criteria for Subdivision Approval:** "A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the provisions of Chapter 14 unless a variance is approved concurrently with the plat."

CONCLUSION:

The proposed development *cannot* be approved because the applicant is proposing to increase the extent and degree of the nonconforming condition of Velarde Street by more than doubling the number of residences to be served by that street.

TABLE 14-9.2-1 Design Criteria for Street Types

See also Chapter 12 Fire Prevention and Protection — International Fire Code Appendix D Fire Apparatus Access Roads (as amended) for mandatory standards for roadway width, steepness, dead end turnarounds, number of access points and fire lane signage

Criteria	Major Arterial (6-Lane)	Major Arterial (4-Lane)	Secondary Arterial	Collector	Collector Mixed-Use	Subcollector: No Parking	Subcollector: With Parking	Lane	Lot Access Driveway Note 1
Average Daily Traffic	Up to 60,000	Up to 40,000	5,000-15,000	1,000-5,000	1,000-5,000	300-1,000	300-1,000	0-300	Minimum
Dwelling Unit Access						13-100	30-100	0-30	(0-8)
Minimum Right-of-Way Width	120	98	79	62	90	42	50 or 56	38 or 42	NA
Slope Grading Easement (conditional upon staff review)	0-30	0-30	0-30	0-30	0-30	0-30	0-30	0-30	NR
Number of Auto Lanes	6-7 Note 2	4-5 Note 2	2-3 Note 2	2	2	2	2	2	1
Width of Driving Lanes	11	11	11	10	10	9	10	9	10
Median/Turn Lane Width	18	15	14	NR	NR	NR	NR	NR	NR
Minimum Bikeway Width	5	5	5	4	NR	NR	NR	NR	NR
On-Street Parking Width	NA	NA	NA	NA	6 Note 3	NA	6 Note 4	NA	NA
Curb & Gutter	2	2	2	2	2	2	2	2	NR
Minimum Sidewalk Setback	5	5	5	5	NR	5	5	0 or 5 Note 1	NR
Minimum Sidewalk Width	6	6	5	5	7	5	5	5	NR

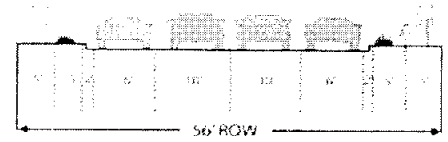
Notes:

NA - Not Applicable

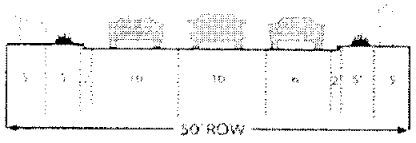
NR - Not Required

1. Refer to Subsection 14-9.2(C)(6) for additional standards for lanes and *lot* access driveways. *Lot* access driveway standard applicable to access from *street* to not more than eight single *family lots*.
2. Includes Median/Turn Lane.
3. Parking required on both sides of *street*, except no parking on that side of a *street* adjoining the plaza.
4. Parking may be on one side or both sides of the *street*; parking lane should not be continuous.)

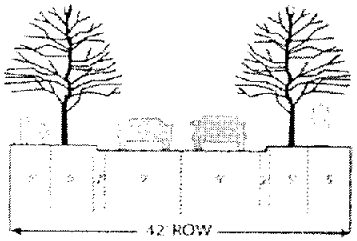
All measurements in feet, unless otherwise noted.



SUB COLLECTOR WITH PARKING BOTH SIDES

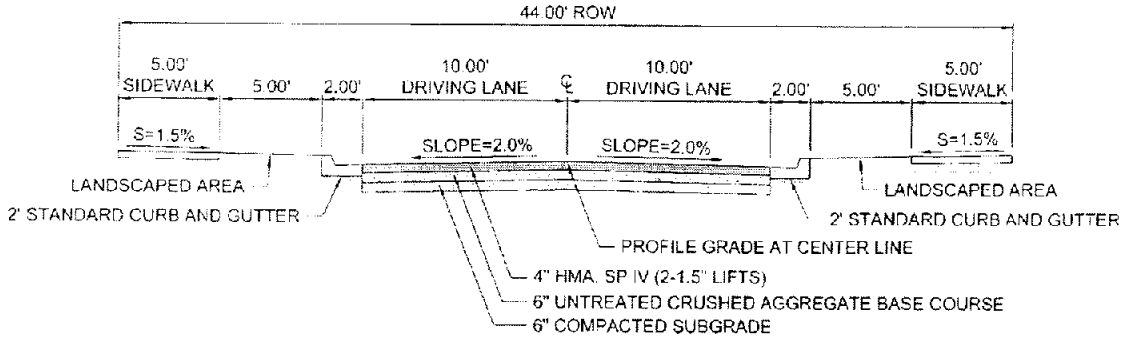


SUB COLLECTOR WITH PARKING ON ONE SIDE



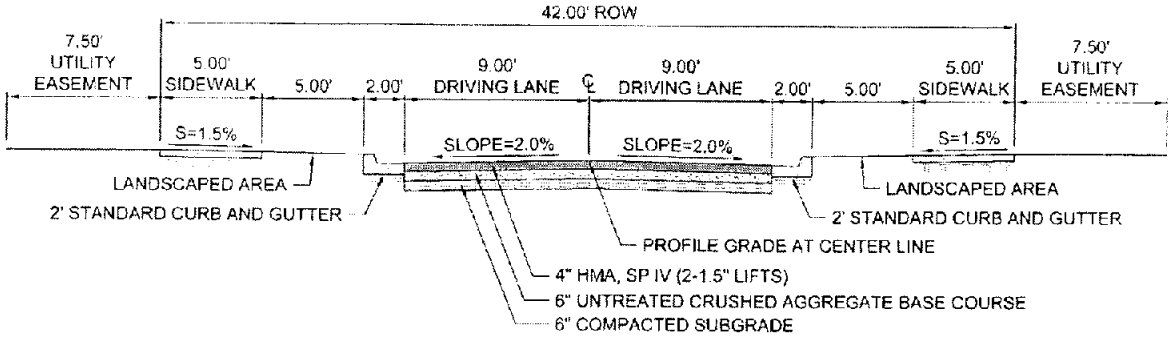
SUB COLLECTOR WITHOUT PARKING

APPLICANT'S ROAD PROFILES



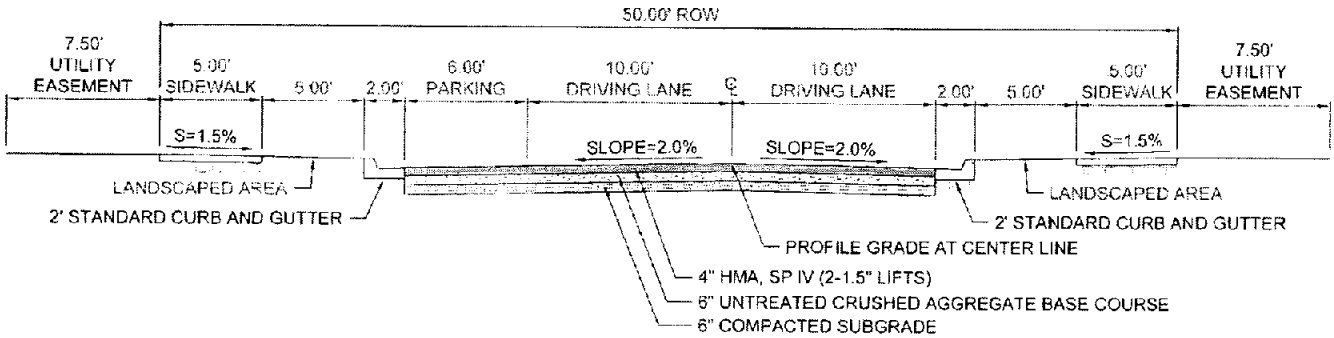
TYPICAL ROADWAY SECTION - ENTRANCE

ROAD 1 - STA: 0+00.00 TO STA: 2+09.91, STA: 12+73.99 TO STA: 13+19.88



TYPICAL ROADWAY SECTION - SUB COLLECTOR WITHOUT PARKING

ROAD 1 - STA: 5+48.95 TO STA: 7+13.60
ROAD 2 - STA: 0+00.00 TO STA: 2+99.99, STA: 7+88.74 TO STA: 8+29.16



TYPICAL ROADWAY SECTION - SUB COLLECTOR WITH PARKING

ROAD 1 - STA: 2+09.91 TO STA: 5+48.95, STA: 7+13.60 TO STA: 12+73.99
ROAD 2 - STA: 2+99.99 TO STA: 7+88.74

VELARDE STREET

DOES NOT COMPLY WITH CURRENT STREET STANDARDS
NARROW WIDTH
PARKING ON BOTH SIDES OF STREET
LIMITED ON-SITE PARKING
ALMOST NO SIDEWALKS
WALLS, TELEPHONE POLES, OTHER OBSTRUCTIONS CLOSE TO ROAD
DANGEROUS INTERSECTION AT AGUA FRIA STREET

RED LINES =
NO SIDEWALK
ALONG
VELARDE ST.

ADDITIONAL REQUIREMENTS

1) **SFCC § 14-9.2(D)(6)(b):** "[W]hen a tract to be developed borders an existing street having a right-of-way width insufficient to conform to the minimum width standards required by these regulations, the necessary additional right-of-way *shall be* platted and dedicated in such a way to make the resulting street conform" (emphasis added).

2) **SFCC § 14-9.2(C)(6)(h):** "[T]he planning commission may approve street access to adjoining property, requiring proposed streets to be extended by dedication to the boundary of that property. *Such streets shall be improved in the same manner as prescribed for other streets in the development"* (emphasis added).

3) **General Plan:** "The design of the infill project *must reflect the character of the surrounding neighborhoods, while maintaining a balance between the land use and the traffic carrying capacity of existing streets*" (emphasis added).

4) **SFCC § 1-9.1(B):** "All developments approved pursuant to the provisions of Chapter 14...must construct, or provide funding for the city to construct, the public and quasi-public infrastructure improvements required by Chapter 14 *to address effects on existing* and new *infrastructure that serves the new development*, including...streets...." (emphasis added).

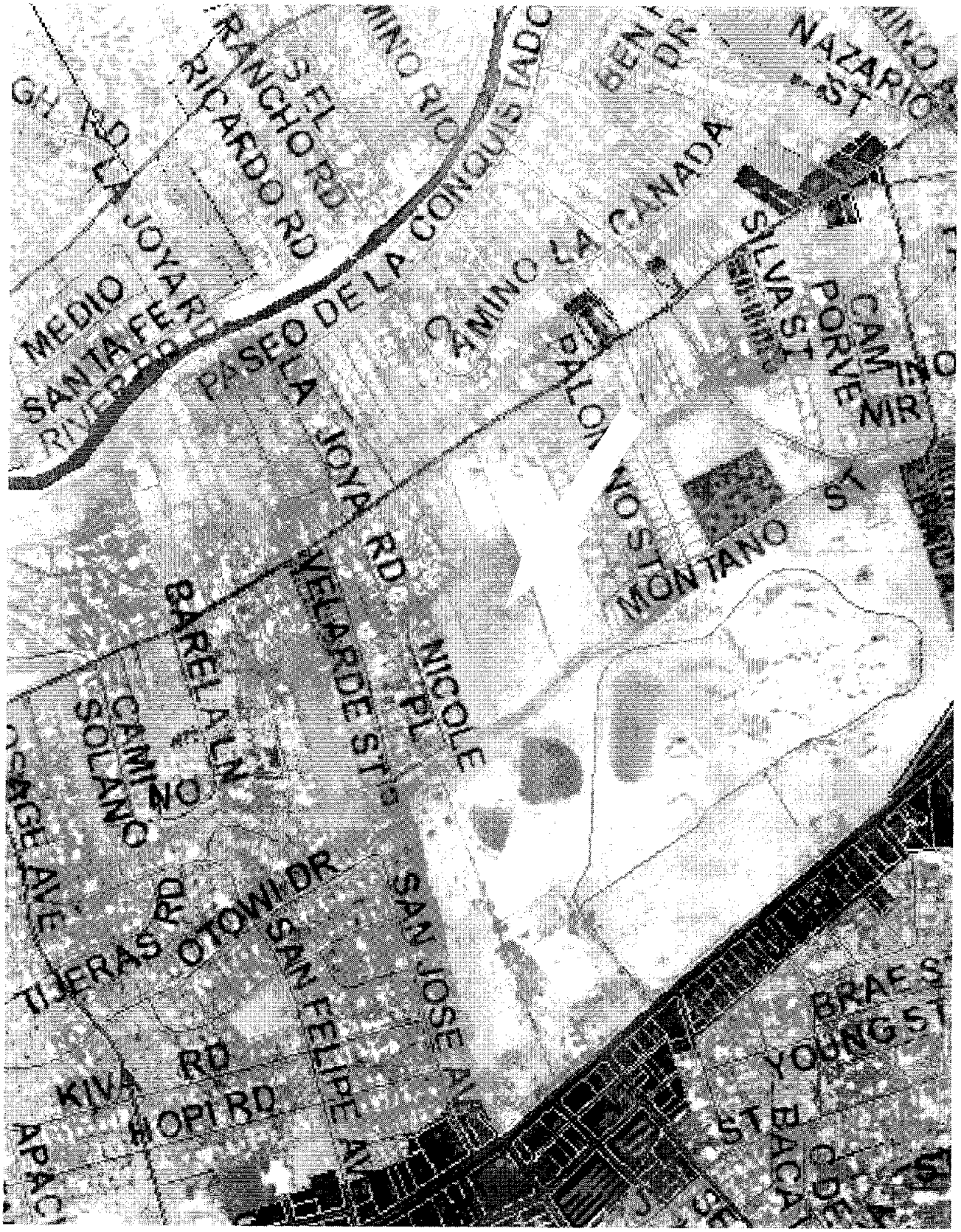
5) **Approval Criteria.** The Planning Commission must affirmatively find that the applicant has met the following criteria:

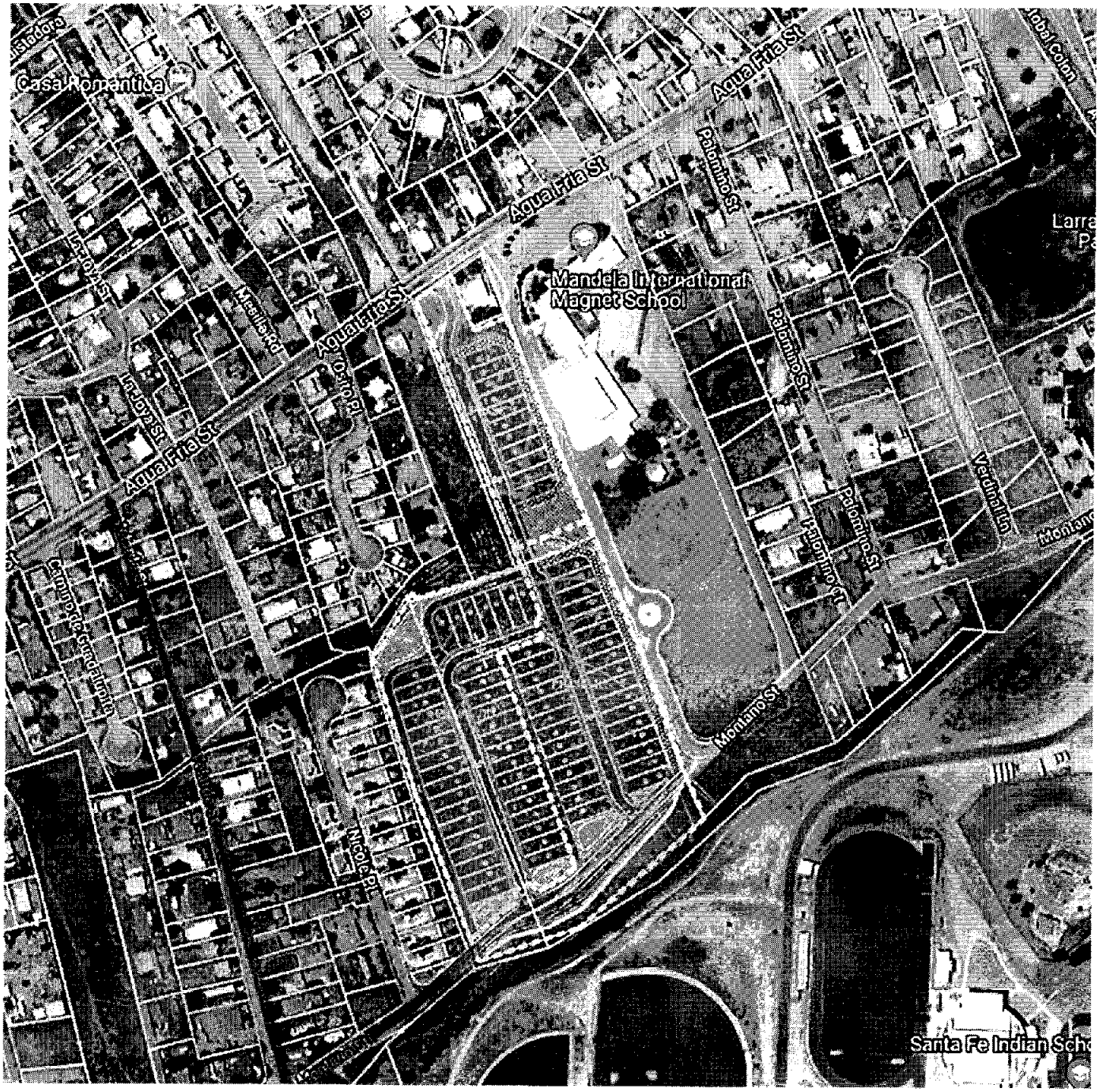
(a) For the proposed rezoning: "[T]he existing and proposed infrastructure, such as the streets system...will be able to accommodate the impacts of the proposed development." SFCC § 14-3.5(C)(1) (approval criteria for rezoning).

(b) For the proposed development plan: "[T]he 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." SFCC § 14-3.8(D)(1)(c), (approval criteria for development plan approval).

(c) For the proposed subdivision: "The planning commission shall . . . not approve the plat if it determines that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed." SFCC § 14-3.7(C)(2) (approval criteria for subdivision approval).

ZONING MAP EXCERPT




Casa Romantica
Aqua Fria St
Palomino St
Mandela International Magnet School
Verdina Ln
Montano St
Nicole Pl
Santa Fe Indian Sch

Traffic Projections

Background traffic was taken from recent traffic counts conducted for this project and displayed on Appendix Pages A-48 thru A-50.

This study assumes that the development will be implemented in one phase (2022).

Projected trips were calculated based on the ITE trip generation data for an 82 unit residential subdivision. Trips for the development were determined based on land use defined on the Conceptual Site Development Plan on Page A-3 in the Appendix of this report. The following table summarized the trip generation rate for the project:

Dos Acequias Development (Agua Fria / Osito Pl.)
Trip Generation Data (ITE Trip Generation Manual - 10th Edition)

USE (ITE CODE)		24 HOUR TWO-WAY VOLUME	A.M. PEAK HOUR		P.M. PEAK HOUR	
		GROSS	ENTER	EXIT	ENTER	EXIT
	Units					
Residential Planned Unit Development (PUD)	82	715	14	49	41	22
	Dwelling Units					

No pass-by trips were applied to this project See Appendix Page A-4 for more information regarding the trip generation.

Trip distribution is determined from the directional traffic trends for the intersections based on the recent traffic counts. The residential Trip Distribution map can be found below and in the Appendix on Page A-5.

Trip assignments are first made on a percentage basis derived from data established in the trip distribution determination process and logical routing. Those percentages are then applied to the projected trips to determine individual traffic movements. Percentage trip assignments for residential trips are shown below and in the Appendix on Pages A-6 thru A-7. No adjustment for pass-by trips were applied on this project.

EXCERPT FROM APPLICANT'S TRAFFIC IMPACT ANALYSIS

#2 – Agua Fria St. / Velarde St. - Pages A-15 thru A-38

The results of the 2022 analyses of the unsignalized intersection of Agua Fria St. / Velarde St. are summarized in the following table:

Intersection: **2 - Agua Fria St. / Velarde St.**

2022 AM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD			BUILD		
	Lanes	LOS-Delay		Lanes	LOS-Delay	
EBT	1	N/A -	0.0	1	N/A -	0.0
EBR	>	N/A -	0.0	>	N/A -	0.0
WBL	>	A -	9.5	>	A -	9.6
WBT	1	N/A -	0.0	1	N/A -	0.0
NBL	1	C -	19.1	1	C -	19.6
NBR	>	C -	19.1	>	C -	19.3
Intersection:		*u -*	*0.8*		*u -*	*0.9*

2022 PM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD			BUILD		
	Lanes	LOS-Delay		Lanes	LOS-Delay	
EBT	1	N/A -	0.0	1	N/A -	0.0
EBR	>	N/A -	0.0	>	N/A -	0.0
WBL	>	A -	9.4	>	A -	9.5
WBT	1	N/A -	0.0	1	N/A -	0.0
NBL	1	C -	19.0	1	C -	19.3
NBR	>	C -	19.0	>	C -	19.3
Intersection:		*u -*	*0.4*		*u -*	*0.4*

NOTE: ">" designates a shared lane with adjacent thru lane.

The 2022 analysis of the intersection of Agua Fria St. / Velarde St. demonstrates that the level-of-service will be acceptable for both the AM Peak Hour and PM Peak Hour NO BUILD and BUILD conditions analyzed in this report. Therefore, no recommendations are made for the intersection of Agua Fria St. / Velarde St.

EXCERPT FROM APPLICANT'S TRAFFIC IMPACT ANALYSIS

Intersection: 3 - Agua Fria St. / Driveway "A"

2022 AM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD			BUILD		
	Lanes	LOS-Delay		Lanes	LOS-Delay	
EBL	>	A - 8.5		>	A - 8.5	
EBT	1	N/A - 0.0		1	N/A - 0.0	
EBR		N/A - 0.0		>	N/A - 0.0	
WBL		N/A - 0.0		>	A - 9.6	
WBT	1	N/A - 0.0		1	N/A - 0.0	
WBR	>	N/A - 0.0		>	N/A - 0.0	
NBL		N/A - 0.0		>	E - 37.3	
NBT		N/A - 0.0		1	E - 37.3	
NBR		N/A - 0.0		>	E - 37.3	
SBL	1	C - 19.7		>	D - 27.1	
SBT		N/A - 0.0		1	D - 27.1	
SBR	>	C - 19.7		>	D - 27.1	
Intersection:		*u - 0.1*			*u - 1.9*	

2022 PM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD			BUILD		
	Lanes	LOS-Delay		Lanes	LOS-Delay	
EBL	>	A - 9.3		>	A - 9.3	
EBT	1	N/A - 0.0		1	N/A - 0.0	
EBR		N/A - 0.0		>	N/A - 0.0	
WBL		N/A - 0.0		>	A - 9.2	
WBT	1	N/A - 0.0		1	N/A - 0.0	
WBR	>	N/A - 0.0		>	N/A - 0.0	
NBL		N/A - 0.0		>	D - 30.1	
NBT		N/A - 0.0		1	D - 30.1	
NBR		N/A - 0.0		>	D - 30.1	
SBL	1	C - 18.8		>	E - 37.8	
SBT		N/A - 0.0		1	E - 37.8	
SBR	>	C - 18.8		>	E - 37.8	
Intersection:		*u - 0.1*			*u - 0.8*	

NOTE: ">" designates a shared lane with adjacent thru lane.

The 2022 analysis of the intersection of Agua Fria St. / Driveway "A" demonstrates that the delays will be marginally acceptable for all conditions analyzed in this report. The LOS "E" reported in the table above is only less than 3 seconds above the threshold for LOS "D". Therefore, no recommendations are made for the intersection of Agua Fria St. / Driveway "A"

Impact Assessment

The proposed development will have minimal adverse impact on the adjacent transportation system. All the levels-of-service were determined to be acceptable for all the conditions analyzed in this report.

Access Design Specifications

A Determination of Warrants for Deceleration Lanes was performed for Agua Fria St. / Driveway "A". An eastbound right turn deceleration lane is warranted at a length of 150 feet plus a 4:1 taper. In addition, a westbound left turn deceleration lane is warranted at a length of 175 feet plus a 4:1 taper. However, these lanes cannot be be constructed due to the lack of existing right-of-way. See Appendix Pages A-39 thru A-42 for Determination of Warrants for Deceleration Lanes worksheets.

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-4

INTRODUCED BY:

Councilor Bushee

A RESOLUTION

DECLARING THAT CITY STAFF SHALL TAKE NO FURTHER ACTION TO CONNECT MONTANO STREET AND MAKE IT A CONTINUOUS STREET.

WHEREAS, on September 12, 2012, the Governing Body adopted Resolution No. 2012-76 which directed staff to explore and make recommendations to the Governing Body regarding the options for constructing a continuous street on Montano Street or at a minimum providing limited access for public safety response; and

WHEREAS, in response to the resolution, on November 15, 2012, staff held a public input meeting at Frenchy's Barn; and

WHEREAS, 70 residents of the Montano Street neighborhood attended the meeting and the 41 people who spoke at the meeting opposed any street connection on Montano Street; and

WHEREAS, as of December 3, 2012, 29 written comments were received from residents of the Montano Street neighborhood and are summarized as follows:

- 22 against a street connection
- 3 for a street connection (note: all three were from the same family/property)

- 11 favored some sort of emergency access (through Ashbaugh Park or other locations)
- Other comments received include: request for an alignment plan; traffic study and cost comparison of emergency access versus a street connection.

WHEREAS, on December 12, 2012, Public Works Department staff made a presentation to the Governing Body and recommended the following options for the Governing Body to consider:

- Further evaluation of limited emergency access as recommended by the Fire Department through Ashbaugh Park or other locations; or
- No further action.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby declares that no further action shall be taken by City staff to connect Montano Street and make it a continuous street.

BE IT FURTHER RESOLVED that staff is directed to begin the process to vacate unusable dedicated right-of-way located outside the Velarde Street to Barela Lane emergency access connection of Montano Street.

BE IT FURTHER RESOLVED that the Governing Body shall consider and adopt an ordinance making this declaration law.

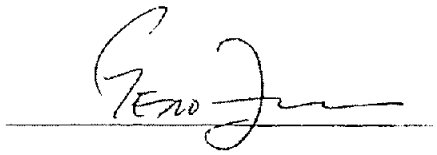
PASSED, APPROVED and ADOPTED this 9th day of January, 2013.

DAVID COSS, MAYOR

ATTEST:

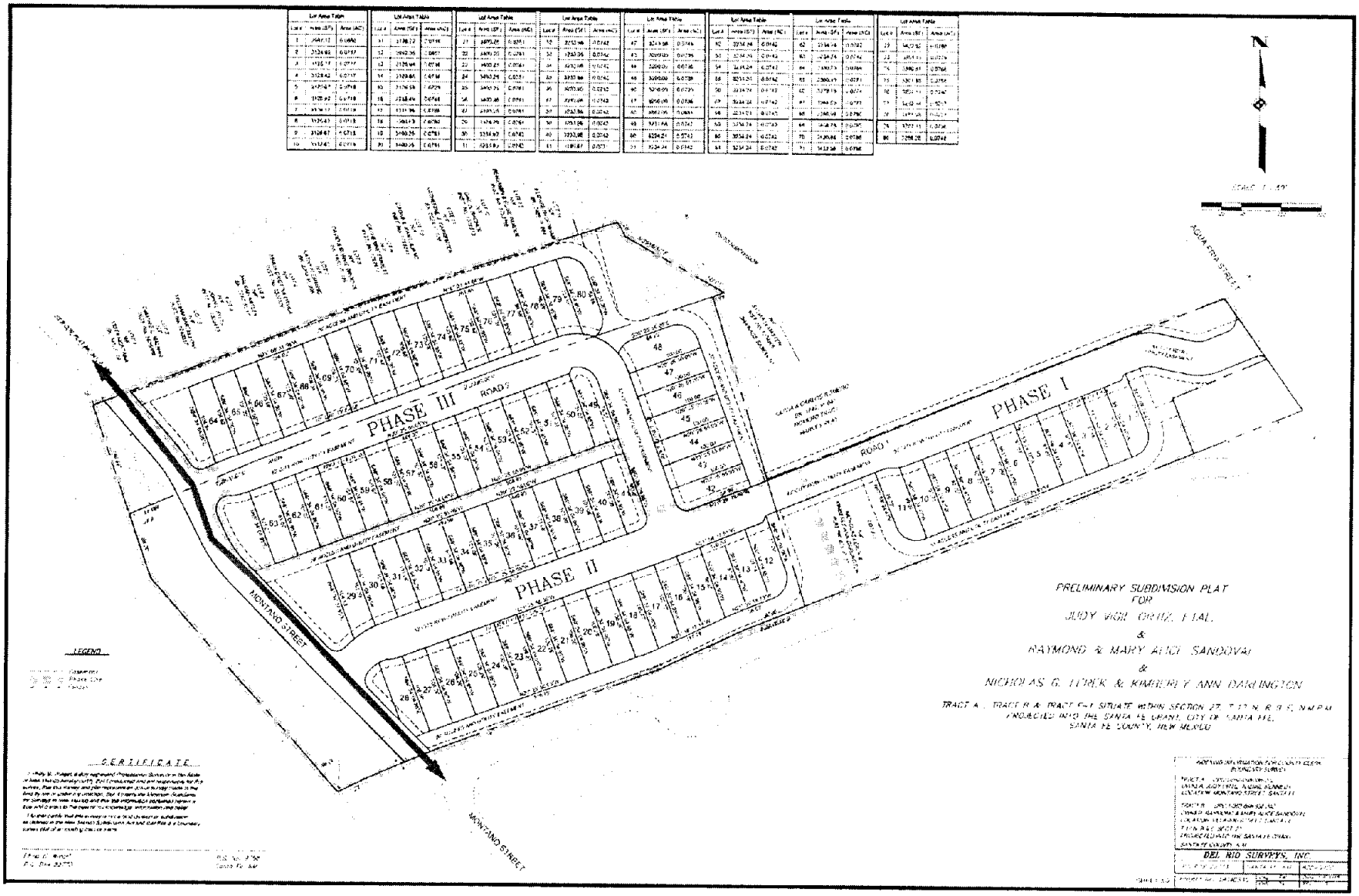
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY

M/Melisso/Resolutions 2013/2013-4 Montano Street (No Further Action)


PHASE III
PHASE II
PHASE I
ROAD 3
ROAD 2
ROAD 1
MONTANO STREET
AGUA FRIA STREET
PRELIMINARY SUBDIVISION PLAT
FOR
JUDY VIGIL ORTIZ, ET AL.
&
RAYMOND & MARY ALICE SANDOVAL
&
NICHOLAS G. TOREK & KIMBERLY ANN DARLINGTON
LEGEND
CERTIFICATE
DEL RIO SURVEYS, INC.

Community review of the Dos Acequias development plan: Why Velarde and Agua Fria can't reasonably accommodate an 82-unit infill project.

- Drafted by neighbors of Velarde St. and Agua Fria communities

COMMUNITY REVIEW OF "DOS ACEQUIAS" PLAN

January 3, 2019

Exhibit "2"
1/3/19

TABLE of CONTENTS

This document summarizes community determination regarding the "Dos Acequias" Development Plan and identifies facts and reasons why this development is inappropriate as infill in this location.

Neighborhood residents have met consistently since July 2018 to consider, gather information and determine the feasibility of this project. These are our conclusions.

Compiled by the many neighbors living on Nicole Place, Montano, Velarde, La Joya, Agua Fria, Osito Place. 1/2/19

Velarde Street is an UNACCEPTABLE Entrance for the Development

1. Traffic on Velarde St. is already at capacity (approximately 67 lots with 70 plus residences currently). Velarde was not built as a through street and is not suitable for through traffic; it does not meet the minimum standards for two-way street (or even a lane); Motorists can barely drive past each other and in fact often have to pull over to allow one vehicle to pass through at a time. Up to 754 trips per day generated by the development would increase the danger exponentially and greatly reduce the safety of driving this street. **Photo, page 1**

2. Velarde Street **varies from 20 feet to 16 feet in width**, which, according to city code, does not constitute minimum standards for a lane, much less a street, much less an entrance to a large development. The possibility of 200 additional cars with access to Velarde would increase stopping, pulling over, and crowding of Velarde reducing the safety of all drivers and residents. The Development Plan says it is **20 to 26 feet wide**. THE DEVELOPMENT PLAN IS WRONG. **Photo, page 2**

3. It has almost no sidewalks. The Development Plan says it has sidewalks, IT DOES NOT. **Photo, page 3**

4. On Velarde Street, children walk to and from school, and play in the middle of the road. Adults and children, many other neighborhood locals walk in the road to access Ashbaugh Park. There are no sidewalks. Bicyclists must ride in the middle of the road to get around parked cars and moving traffic. Increasing vehicular traffic would increase danger to pedestrians. **Photos, page 4 & 5**

5. Residents of Velarde St. have clearly stated they would not choose to go through any new development to get to Agua Fria. This information was obtained when neighbors collected petitions from the neighborhoods. From the end of Velarde to Agua Fria is less than a quarter mile with five speed bumps. It would be twice as far to go through the new development and there are five stop signs planned. (And that's if you're start at the end of Velarde. If you live in the middle of Velarde, the trip through the development would be even longer.) It doesn't make sense for anyone to drive a longer distance with stops to get to Agua Fria. **Photo, page 6**

6. People park in the street or over the curbs on both sides of Velarde St. This prevents two-way traffic, and requires weaving around parked cars to travel the road. Additional traffic would worsen congestion and delay egress on Velarde. **Photos, page 7 & 8**

The Intersection of Velarde Street and Agua Fria is Dangerous

7. The intersection of Velarde and Agua Fria is not a normal, comfortable intersection where the rules of the road are clearly defined. It is dangerous, and increased cars accessing it would make it worse. It currently has an Level Of Service (LOS) of C on paper. The reality is quite different due to the configuration of the intersection. The development driveway A, according to the developers' own projections, has a level of service of D-E. **Chart, page 9**

8. Velarde Street is **18 feet wide** at Agua Fria. A car cannot turn into Velarde from Agua Fria when another car is trying to get out of Velarde. It's not wide enough for the both cars to move at the same time. So one car that doesn't have the right of way must go first, or the car (or cars), on Velarde must back up. This causes stacking, sudden stoppage and delay on Agua Fria, sometimes in both directions, while cars try to enter or exit Velarde.
Photos, page 10 & 11

9. There is no left turn lane on Agua Fria for Velarde. There is a short, striped median that people use to turn into Velarde St. We call it the "Suicide Lane." It's not a legal turn lane, and the turn radius is very tight to get into Velarde because it's so narrow. This situation happens frequently and it stops or slows down traffic on Agua Fria.
Photos, page 12 & 13

10. Because the corner is so tight, you must nose the front of your vehicle into the traffic lane and position yourself in the middle of the lane so you can see clearly in both directions before you turn. It's extremely challenging to get in and out of Velarde. This is not a normal intersection where traffic can move freely. Traffic from the new development would increase the pressure on this intersection, adding to the risk and danger. **Photos, page 14 & 15**

Traffic on Agua Fria by the Mandela School: 40 feet from the Proposed Driveway A of the development

11. Traffic on Agua Fria at the Mandela International Magnet School on Agua Fria is NOT mentioned in the proposal and the school's first access is 40 feet from the proposed development's Driveway A! This is a serious omission on the part of the developer when an expected 715 to 754 trips per day would access Driveway A. Since the distance on Agua Fria between the Mandela School Driveway and driveway A is only 40 feet, cars exiting the new development at Driveway A would stack in those 40 feet in front of the school, causing increased congestion and delays, especially during morning rush hour.

Photos, page 16 & 17

12. Right now, during peak traffic times in the morning and afternoon, stacking occurs on Agua Fria as cars and pedestrians (students) enter and exit the school driveway. Traffic slows down or stops in both directions. If projected level of service is D-E, this would increase to F. This is a serious problem for Agua Fria.

Charts, page 9

13. Many cars and even school buses make illegal left turns to enter and exit the Mandela School driveways. There are no left turn lanes. There ARE "No Left Turn" signs that are ignored and cause traffic congestion and gridlock in front of the school. (Our Traffic Evaluation explains this.) **Photos, page 18 & 19**

Emergency Vehicle access does NOT Justify Opening Montano/Velarde

14. The Fire Marshall has made the argument that Velarde Street needs two entrances for emergency vehicles, and that Velarde/Montano should be an acceptable entrance for the development. We disagree with this reasoning. We who use Velarde every day know that increasing traffic on Velarde Street would be a much greater public safety issue. THE DANGER OF OPENING MONTANO FAR OUTWEIGHS ANY SUPPOSED BENEFIT IT MIGHT PROVIDE US IN AN EMERGENCY SITUATION. This was considered in 2012 when the community rejected opening Montano in either direction and the City Council passed a resolution supporting our rational reasons for this decision. **Document, pages 21-23**

15. Opening Montaño/Velarde would not create connectivity as much as it would increase gridlock and congestion and endanger the entire community.

Community Voices supported by Petition

16. 175 persons signed this petition against using Velarde St. as the entrance to the development, and against the re-zoning from R5 to R7.

The petition says:
We, the undersigned:

- Oppose increasing traffic on Agua Fria by the hundreds of additional car trips from the "Dos Acequias" sub-division
- Oppose using Montaño and Velarde Streets as an access to the "Dos Acequias" subdivision;
- Oppose the re-zoning from R-5 to R-7 because our neighborhood is not equipped to handle the additional traffic which would increase danger and congestion on Agua Fria.

Most common comments from the petitions:
"Already too dangerous"
"No more traffic"
"Too much"
"Traffic will negatively impact already stressed area"

The City Council Resolution of 2013 and the History

Since 2012, opening Montano/Velarde has been an issue. The neighbors on Velarde Street, Montaño, Nicole Place, and the other surrounding streets in the neighborhood have been virtually united in their opposition to turning Velarde and Montaño into through streets, because they're not suitable. City staff held a public meeting in November of 2012, which 70 neighbors attended; 41 people spoke up against connecting Montaño St, and 3 spoke for it, and those 3 were the landowners and their family members. A petition against opening Montano was collected from many residents.

In January 2013 the city council adopted a resolution declaring that city staff shall take no further action to connect Montaño.

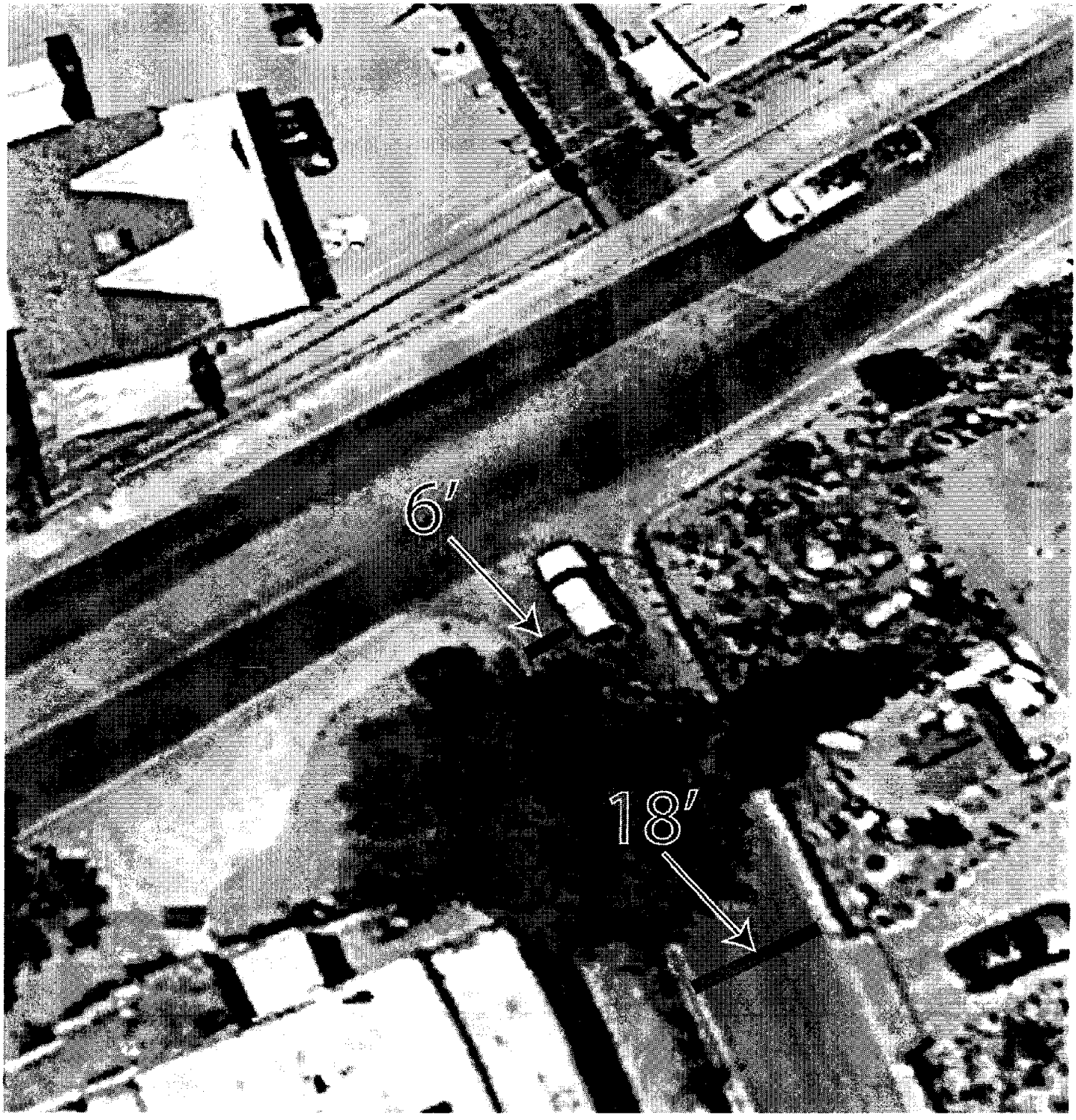
We are not against the idea of developing this land. We recognize both the need for housing and the right of landowners to develop their land. We ask only that it be done in a way that is appropriate given the capacity of the main street, Agua Fria, and the reality of its infrastructure, and that it be compatible with the surrounding neighborhoods. This development should be done in a way that respects the neighborhood and not at its expense.
A number of us have lived in big cities that had growth spurts, and some of the developments there resulted in traffic and other problems that could not be undone. A development like this is permanent, and good planning will make the difference between an eternal mess of frustration, and a smooth, harmonious design that takes into account the reality on the ground.

Document, pages 21-23

The Dos Acequias development as currently proposed does not respect and promote community safety and would adversely affect the public interest. Therefore, we request that the Planning Commission reject this proposal.

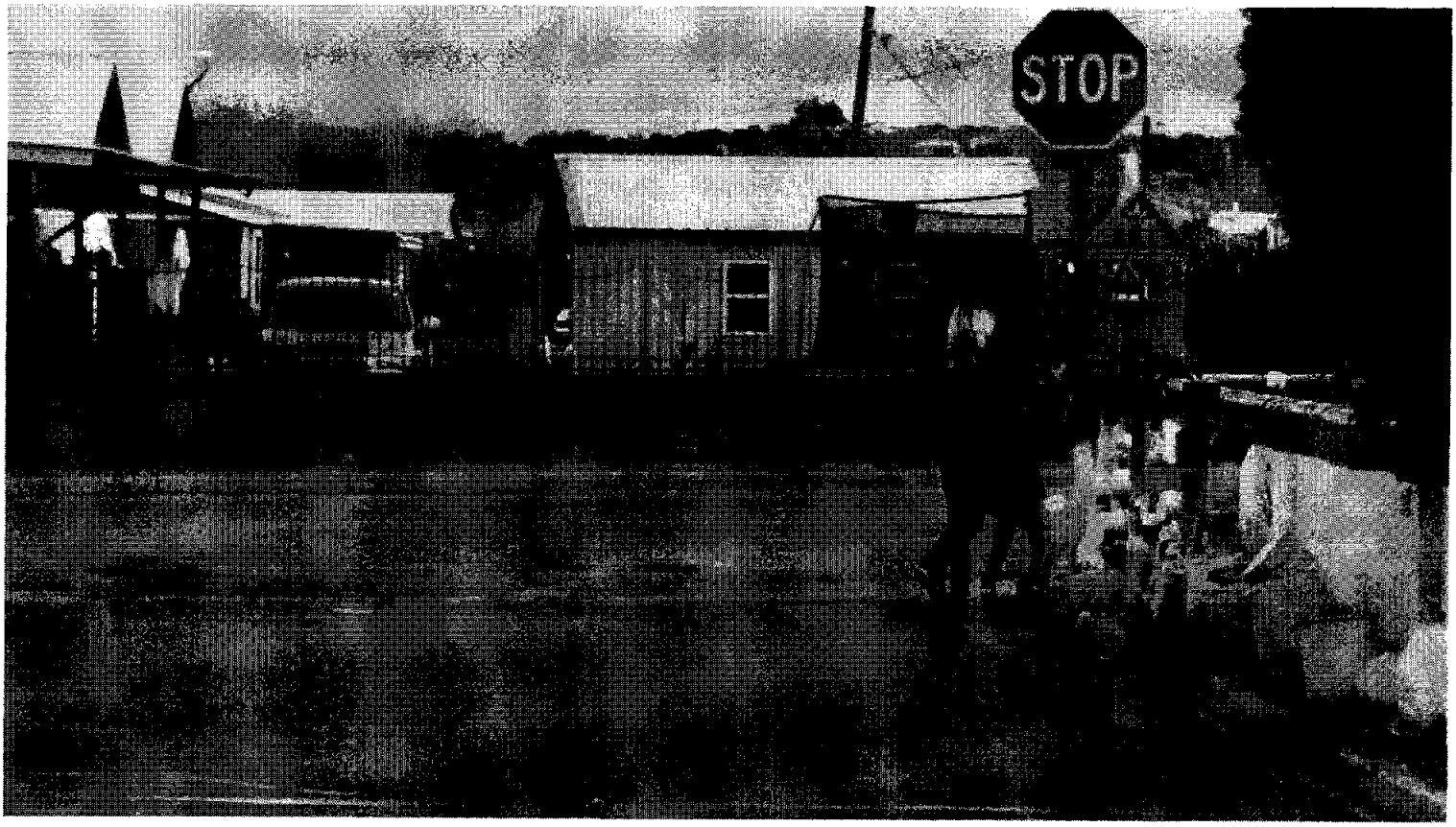
Photographs and Documents

Velarde Street



Velarde/Agua Fria intersection

Lack of Sidewalks on Velarde Street
(red = no sidewalks)

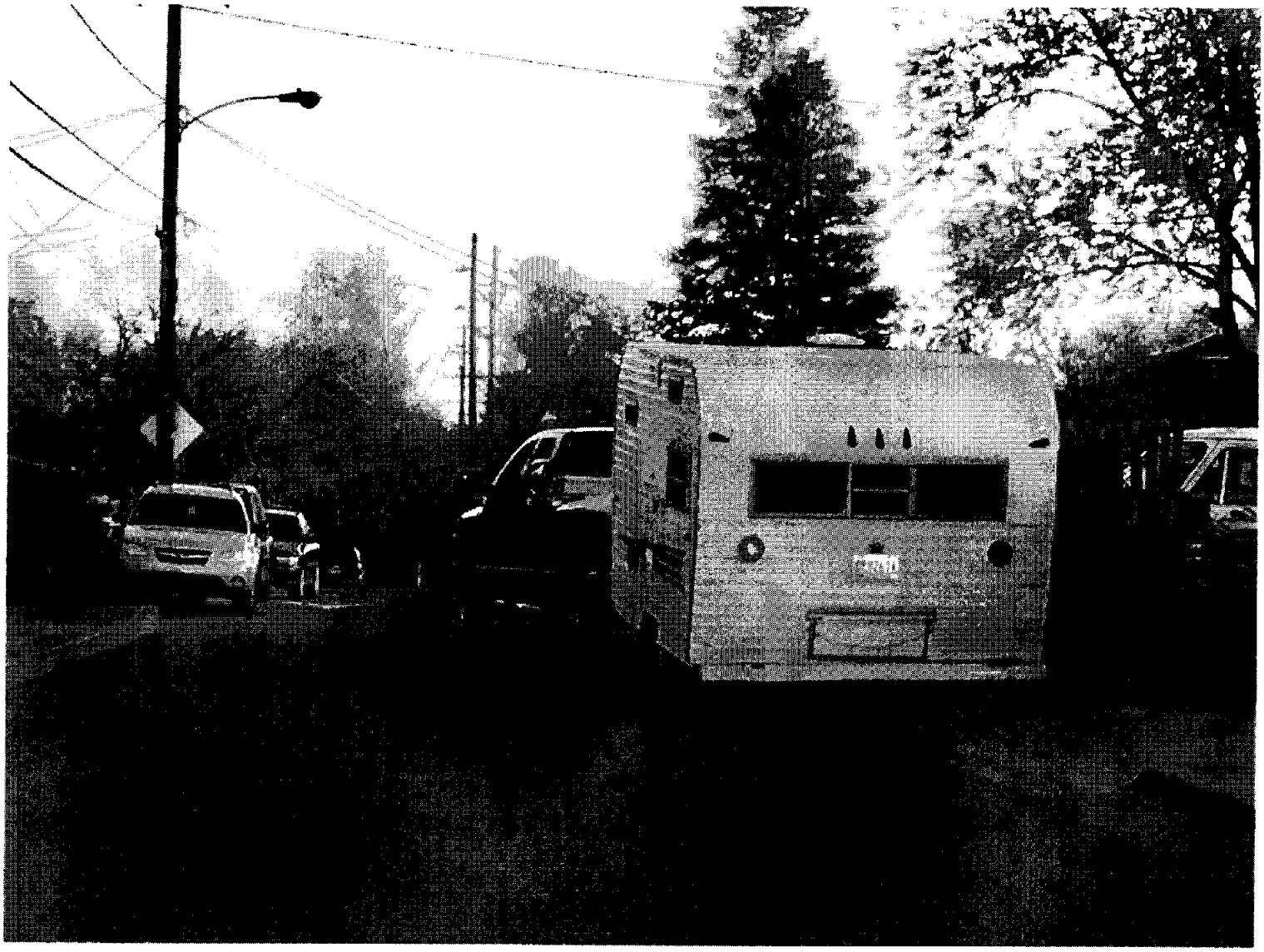


Kids Walking to School on Velarde Street

Velarde Street

Exit Route Comparisons

Velarde Street



Velarde Street

Intersection: 2 - Agua Fria St. / Velarde St.

2022 AM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD		BUILD	
	Lanes	LOS-Delay	Lanes	LOS-Delay
EBT	1	N/A - 0.0	1	N/A - 0.0
EBR	>	N/A - 0.0	>	N/A - 0.0
WBL	>	A - 9.5	>	A - 9.6
WBT	1	N/A - 0.0	1	N/A - 0.0
NBL	1	C - 19.1	1	C - 19.6
NBR	>	C - 19.1	>	C - 19.3
Intersection:		*u - 0.8*		*u - 0.9*

2022 PM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD		BUILD	
	Lanes	LOS-Delay	Lanes	LOS-Delay
EBT	1	N/A - 0.0	1	N/A - 0.0
EBR	>	N/A - 0.0	>	N/A - 0.0
WBL	>	A - 9.4	>	A - 9.5
WBT	1	N/A - 0.0	1	N/A - 0.0
NBL	1	C - 19.0	1	C - 19.3
NBR	>	C - 19.0	>	C - 19.3
Intersection:		*u - 0.4*		*u - 0.4*

NOTE: ">" designates a shared lane with adjacent thru lane.

Intersection: 3 - Agua Fria St. / Driveway "A"

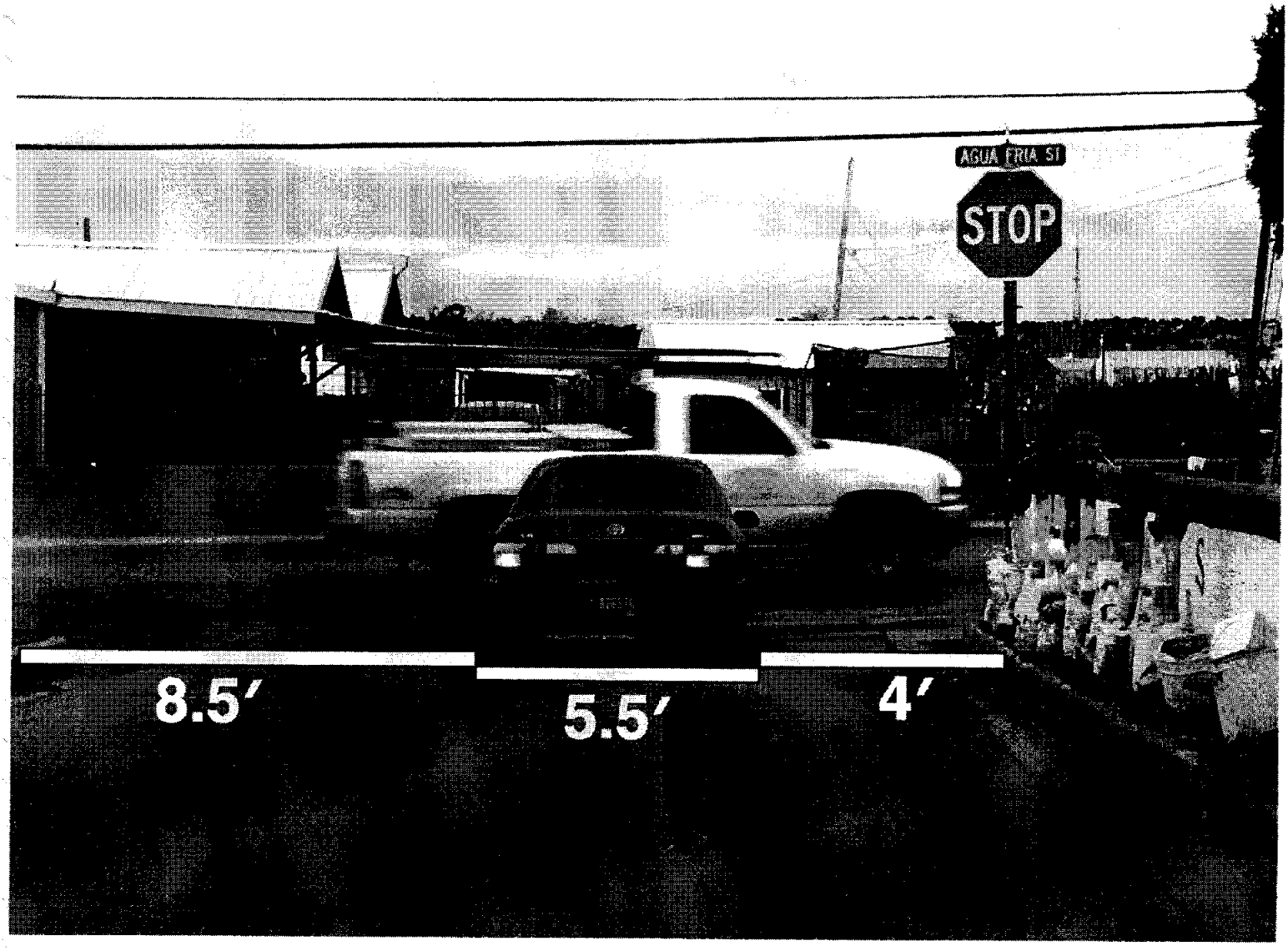
2022 AM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD		BUILD	
	Lanes	LOS-Delay	Lanes	LOS-Delay
EBL	>	A - 8.5	>	A - 8.5
EBT	1	N/A - 0.0	1	N/A - 0.0
EBR		N/A - 0.0	>	N/A - 0.0
WBL		N/A - 0.0	>	A - 9.6
WBT	1	N/A - 0.0	1	N/A - 0.0
WBR	>	N/A - 0.0	>	N/A - 0.0
NBL		N/A - 0.0	>	E - 37.3
NBT		N/A - 0.0	1	E - 37.3
NBR		N/A - 0.0	>	E - 37.3
SBL	1	C - 19.7	>	D - 27.1
SBT		N/A - 0.0	1	D - 27.1
SBR	>	C - 19.7	>	D - 27.1
Intersection:		*u - 0.1*		*u - 1.9*

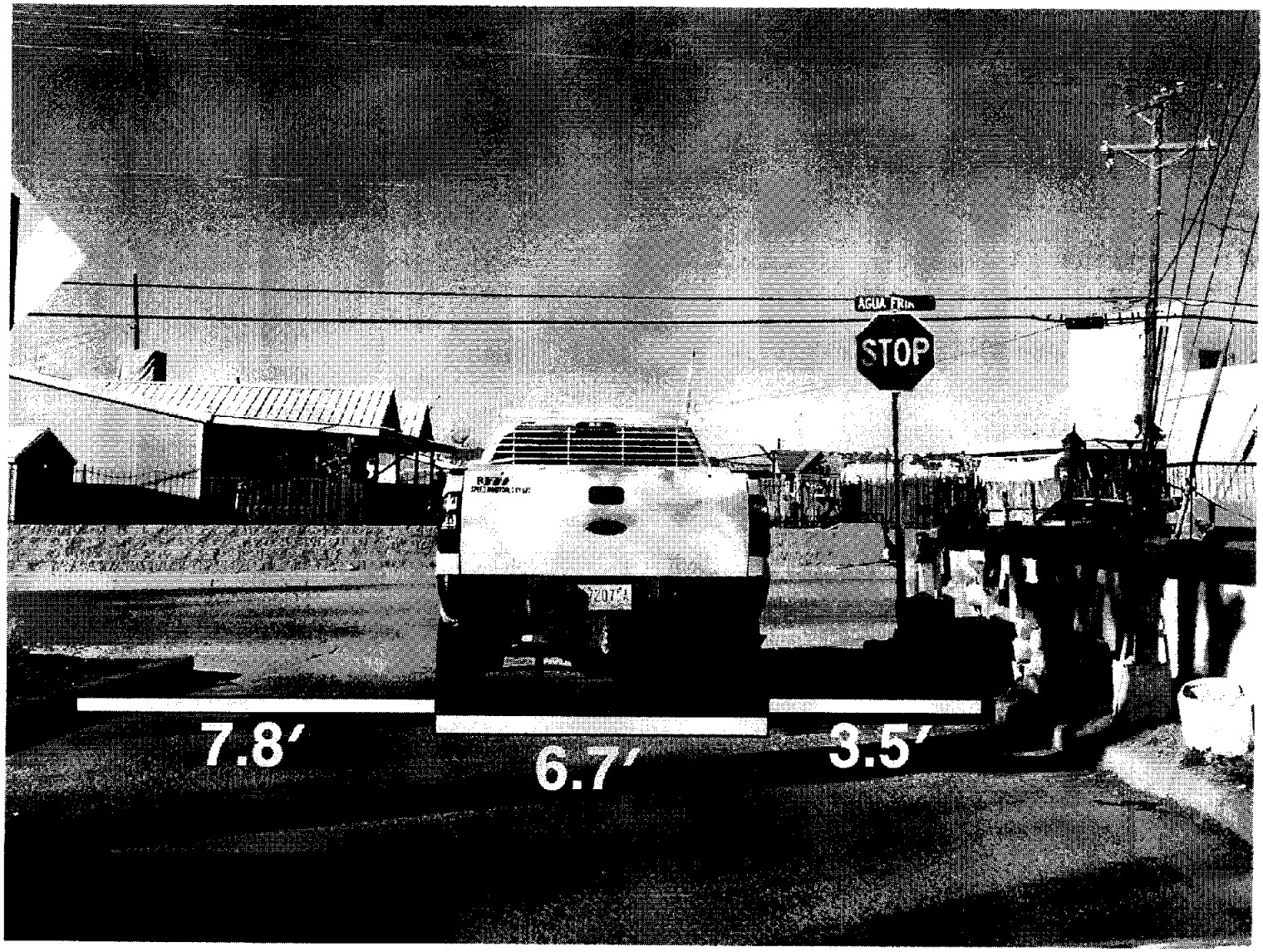
2022 PM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD		BUILD	
	Lanes	LOS-Delay	Lanes	LOS-Delay
EBL	>	A - 9.3	>	A - 9.3
EBT	1	N/A - 0.0	1	N/A - 0.0
EBR		N/A - 0.0	>	N/A - 0.0
WBL		N/A - 0.0	>	A - 9.2
WBT	1	N/A - 0.0	1	N/A - 0.0
WBR	>	N/A - 0.0	>	N/A - 0.0
NBL		N/A - 0.0	>	D - 30.1
NBT		N/A - 0.0	1	D - 30.1
NBR		N/A - 0.0	>	D - 30.1
SBL	1	C - 18.8	>	E - 37.8
SBT		N/A - 0.0	1	E - 37.8
SBR	>	C - 18.8	>	E - 37.8
Intersection:		*u - 0.1*		*u - 0.8*

NOTE: ">" designates a shared lane with adjacent thru lane.



Velarde Street and Agua Fria Intersection

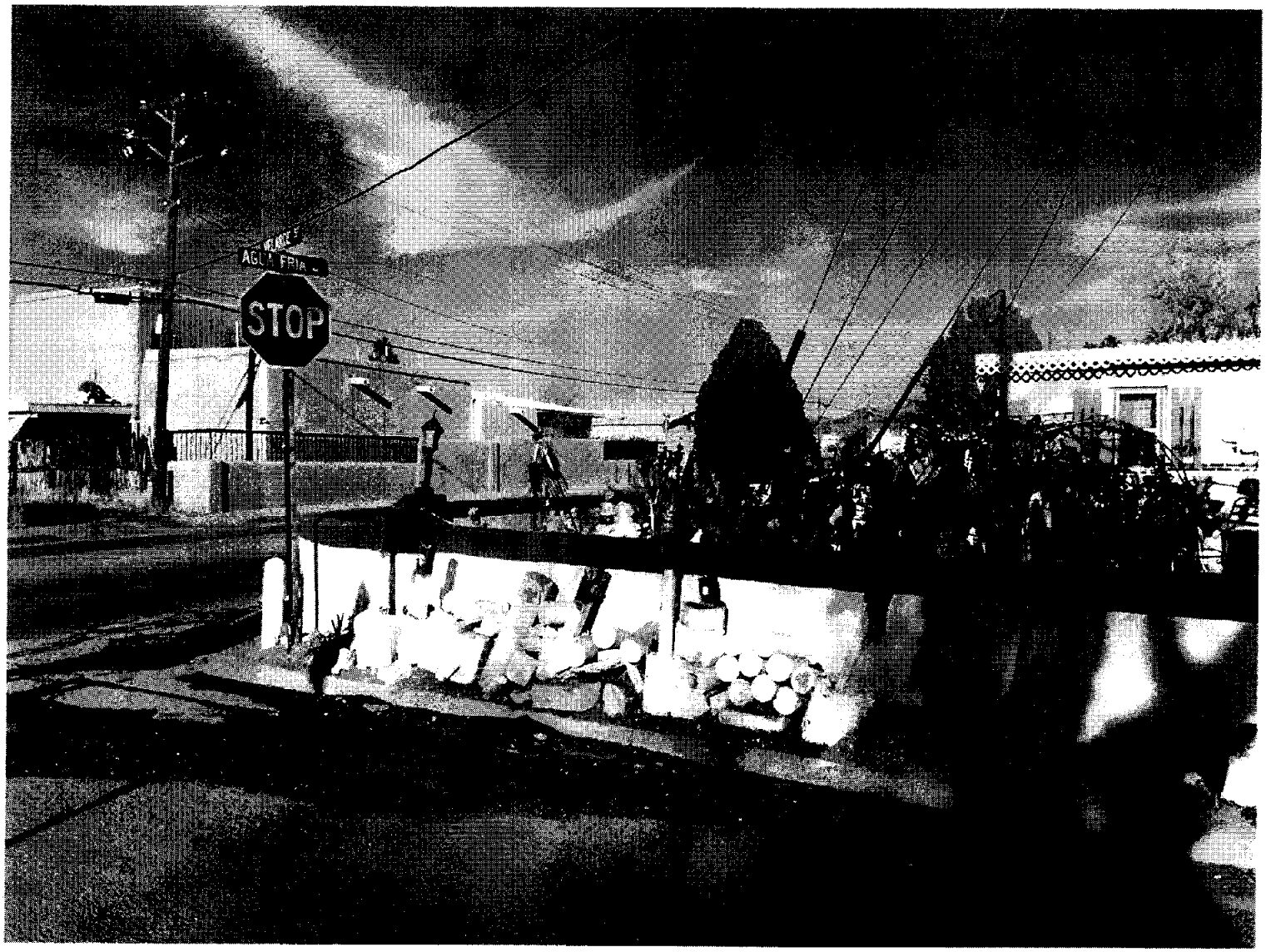


Velarde Street and Agua Fria Intersection

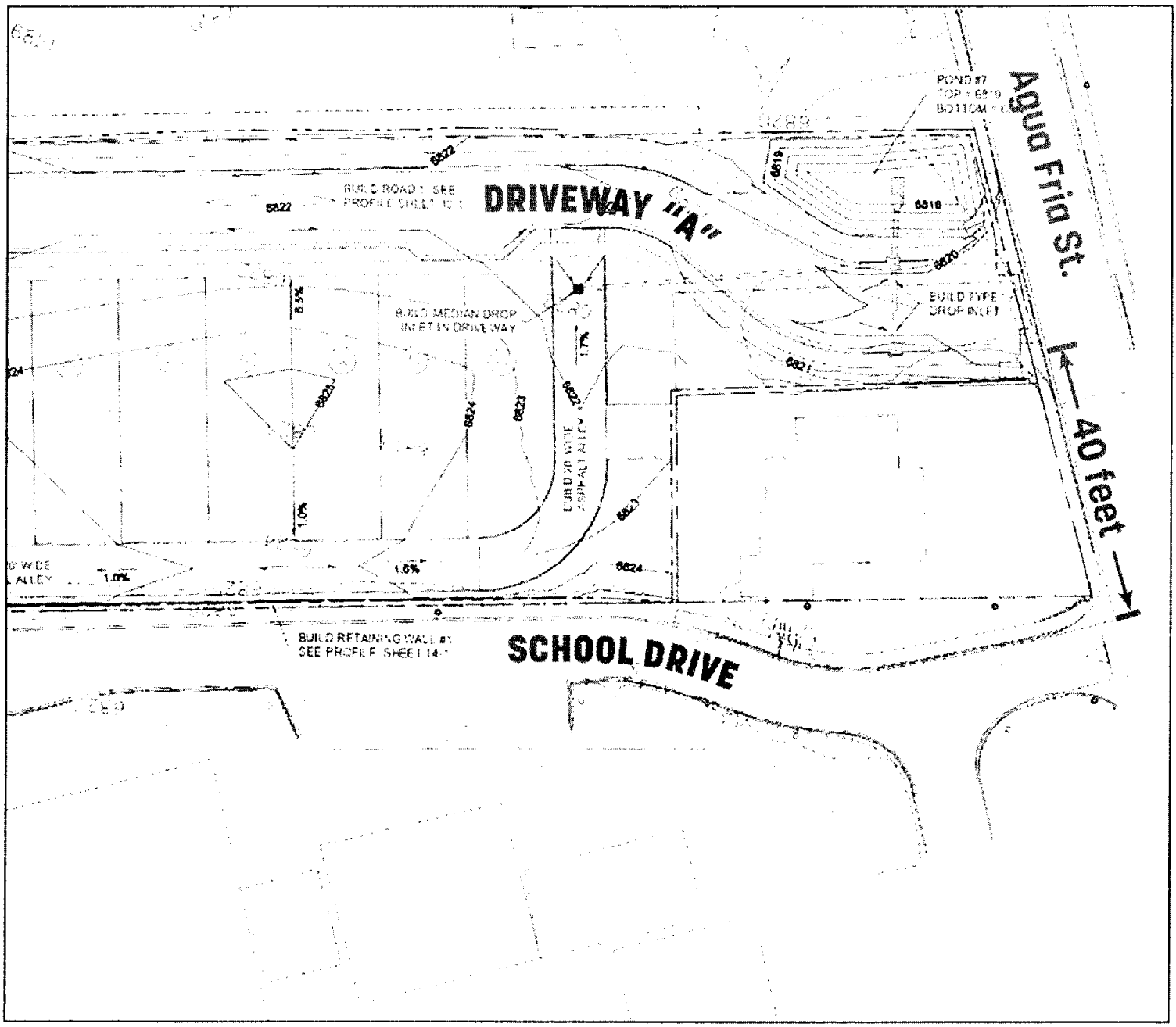
Velarde Street and Agua Fria Intersection
Rush Hour Scenario

Velarde Street and Agua Fria Intersection
"The Suicide Lane"

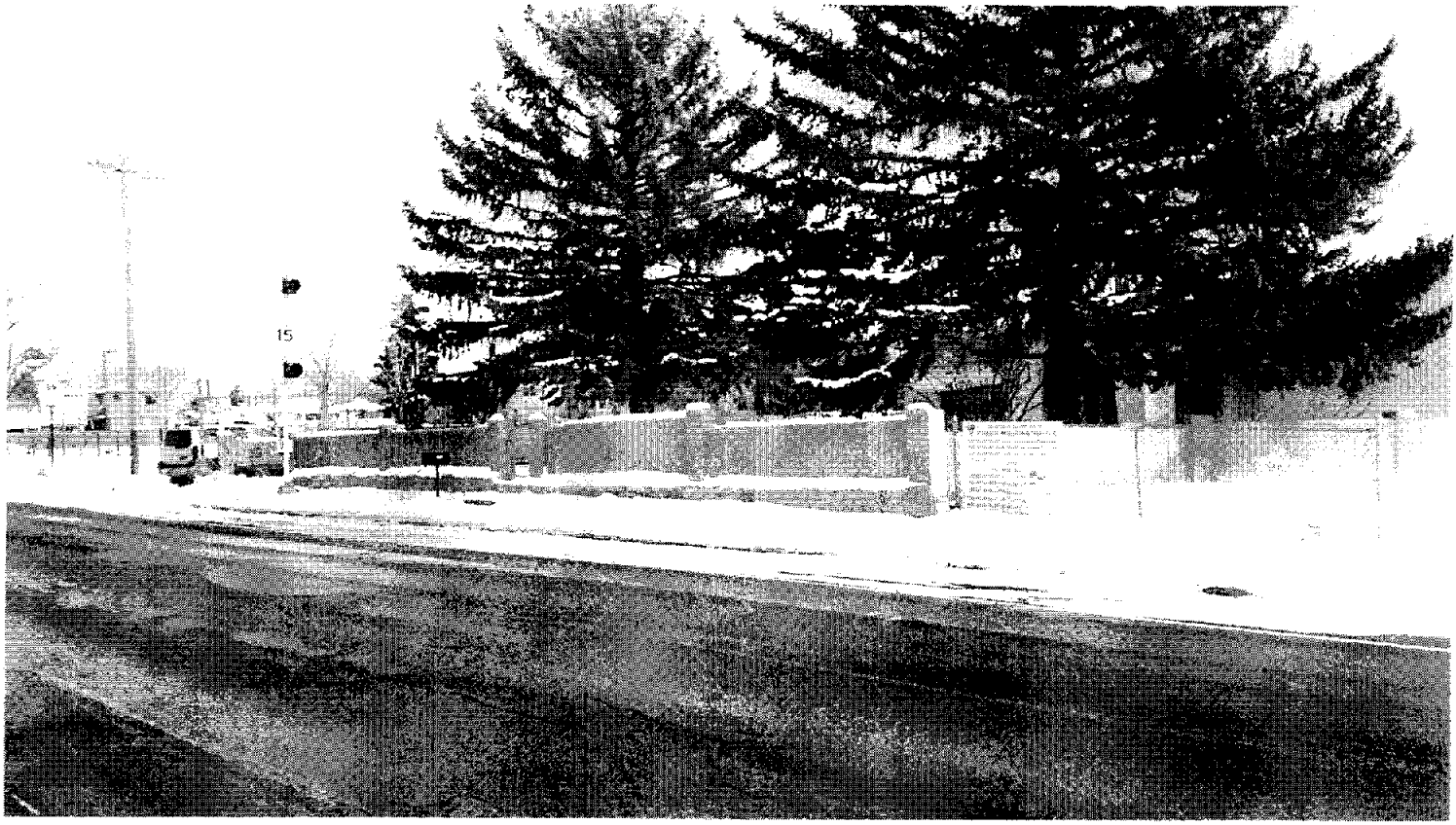
Velarde Street and Agua Fria Intersection
Traffic Conflicts



Velarde Street and Agua Fria Intersection



Distance Between School Driveway and "Driveway A"



Agua Fria Between School and "Driveway A"

Agua Fria at Mandela School
No Left Turn Sign

Car Turning Left Into Mandela School
At No Left Turn Sign

Velarde Street and Agua Fria Intersection

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2013-4

INTRODUCED BY:

Councilor Bushee

A RESOLUTION

DECLARING THAT CITY STAFF SHALL TAKE NO FURTHER ACTION TO CONNECT MONTANO STREET AND MAKE IT A CONTINUOUS STREET.

WHEREAS, on September 12, 2012, the Governing Body adopted Resolution No. 2012-76 which directed staff to explore and make recommendations to the Governing Body regarding the options for constructing a continuous street on Montano Street or at a minimum providing limited access for public safety response; and

WHEREAS, in response to the resolution, on November 15, 2012, staff held a public input meeting at Frenchy's Barn; and

WHEREAS, 70 residents of the Montano Street neighborhood attended the meeting and the 41 people who spoke at the meeting opposed any street connection on Montano Street; and

WHEREAS, as of December 3, 2012, 29 written comments were received from residents of the Montano Street neighborhood and are summarized as follows:

- 22 against a street connection
- 3 for a street connection (note: all three were from the same family/property)

- 11 favored some sort of emergency access (through Ashbaugh Park or other locations)
- Other comments received include: request for an alignment plan; traffic study and cost comparison of emergency access versus a street connection.

WHEREAS, on December 12, 2012, Public Works Department staff made a presentation to the Governing Body and recommended the following options for the Governing Body to consider:

- Further evaluation of limited emergency access as recommended by the Fire Department through Ashbaugh Park or other locations; or
- No further action.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby declares that no further action shall be taken by City staff to connect Montano Street and make it a continuous street.

BE IT FURTHER RESOLVED that staff is directed to begin the process to vacate unusable dedicated right-of-way located outside the Velarde Street to Barela Lane emergency access connection of Montano Street.

BE IT FURTHER RESOLVED that the Governing Body shall consider and adopt an ordinance making this declaration law.

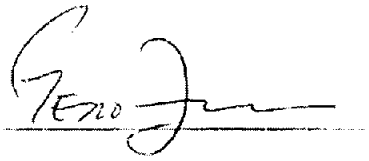
PASSED, APPROVED and ADOPTED this 9th day of January, 2013.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY

M/Melissa/Resolutions 2013/2013-4 Montano Street (No Further Action)

Planning Commission Meeting
January 3, 2018

To Chairman Hiatt and Members of the Planning Commission:

This letter is a statement from residents on Osito Place, a subdivision directly west and north of the proposed Dos Acequias development. It outlines our position on the viability of the proposed development, along with our conclusion and recommendations.

We thank the Planning Commission, Planning Department, and other City entities that provided expertise in evaluation of the application. As feedback, the process has been relatively efficient, and we appreciate Lee Logston's work as our Case Manager. At the same time, there have been four delays, and it was a challenge to review and understand the documentation in a short period of time.

For tonight, the following are specific topics of our concerns, along with a conclusion and list of recommendations.

RE-ZONING INCREASE

Please see DRT Review, Page 7. "This section of Agua Fria Street is narrow ... *"Properties in all directions are zoned R-5 (Residential - Five dwelling units per acre), all the way north to Alameda Street, south to Cerrillos Road, west to Maez Road, and east nearly to St. Francis Drive. There are a few small pockets of R-12 (Residential - Twelve dwelling units per acre) in the vicinity."*

Since properties in all directions are R-5, it is exceptional that R-7 is being requested. Based on our review of the documentation provided, it is our opinion that the application for increased density does not support criteria for such a request.

- The development falls short of satisfying the City's need for affordable housing (see AFFORDABLE HOUSING for details).
- The roadway infrastructure cannot safely support the increased density. Agua Fria is already untenable in this area. (See TRAFFIC IMPACT for details).
- The development is inconsistent with the nature of the surrounding community, and the proposed density and architecture are not compatible with the existing neighborhood. (See QUALITY OF LIFE for details).

AFFORDABLE HOUSING

Please see 4-4-1-6 of the Growth Management Plan - The Urban Area. *"The target density for new infill residential development, in order to address affordable house goals, is a minimum of five units per acre (net) with seven units per acre (net) preferred."*

In relation to re-zoning, the GMP clearly states that the purpose of increased density is affordable housing. This development will only have 16 affordable homes, which is a small number in relation to the overall need, and does not justify the density increase.

Please see ORT Review, Pg 13. *"Dos Acequias is located near downtown and major governmental employment centers. Santa Fe lacks single-family housing close to the City center at a reasonably affordable price point."*

Exhibit "3"
1/3/18

In relation to housing costs, the developer previously indicated that 50% of the homes would be below $365,000, and "not many" would be over $400,000. It is doubtful that a young family would consider these "reasonably affordable prices."

VELARDE AS SECOND ACCESS

Velarde is a former dirt road off the historic Camino Real. It was not originally designed for motor vehicles. Osito residents don't often use Velarde, however we witness the problems there daily, and we have been impacted by delays due to accidents. Following are issues that we see:

1. Two cars cannot enter and exit Agua Fria at the same time.
2. Wait times to enter/exit Agua Fria are excessive, and the intersection has had accidents.
3. Parked vehicles line the street, allowing only one car to pass at times. Larger vehicles like garbage and mail trucks leave no room for cars to pass at all.
4. Zoning states that developments of 30-100 homes require 2 access points. Velarde is the only access point for approximately 70 existing homes. Adding 80 homes from the proposed development equals 150 homes, which exceeds code and jeopardizes safety.
5. In the event of a disaster, it would be impossible to evacuate cars and have access for emergency vehicles at the same time, all using already crowded Agua Fria.
6. Osito Place is sandwiched between the proposed development entrance and Velarde. In the event of an evacuation or emergency, we would be directly affected.

For these reasons, we submit that Velarde is entirely inadequate for use as the 2nd access. Before a decision is made on the viable use of Velarde, we ask that each of you drive down the street to inspect the situation. We also recommend that you continue down Agua Fria to the Homewise subdivision. Drive through to the end and use the second exit onto Harrison, which has access to both Agua Fria and Cerrillos. Harrison is a good example of a functional and responsible second access.

TRAFFIC IMPACT

The traffic impact study has minimized any negative effect on traffic patterns on Agua Fria. Although we recognize that your engineers must rely on data and statistics that are required by law, we all live with the real world challenges of Agua Fria traffic on a daily basis. No report can take into consideration all of the actual ways the current traffic flow is already untenable.

1. The lack of a center turn lane is the main source of traffic congestion. This cannot be changed.
2. Some residents on Agua Fria need to back out of their driveways onto the street.
3. Drivers from all surrounding streets, including Osito Place, experience extended periods waiting to turn onto Agua Fria.
4. Peak hours in front of the Mandela school already create traffic delays from Camino Alire past the school.
5. Drivers routinely ignore the "No Left Hand Turn" sign at the Mandela school entrance.
6. Accidents in this stretch of Agua Fria have tied up traffic for hours.

DRAINAGE STABILITY

On Page 17, Criterion 2 of the ORT Review states *"There are no FEMA designated flood plains on this property and the applicant states that there is no apparent history of flooding in this area."* We ask that the City, rather than applicant, provide records of historic flooding.

Our residents have first-hand experience of flooding, having directly witnessed the impressive flows present during heavy rain events. During the big storm of July 2018, the floodwaters from Agua Fria

filled Osito Place. Residents on the south end of the cul-de-sac watched as flooding came dangerously close to their homes. Photo documentation was included in your packet.

The development will pave over 12 acres, which will put increased pressure on the two existing acequias to accommodate the added drainage. Although adjustments to Acequia Media are proposed, their effectiveness will only be known when the next big storm comes.

This pertains to the proposed retention ponds as well. There is a high level of concern that residents of the proposed development will be solely responsible for maintenance of the retention ponds, in accordance with their HOA By-Laws. This raises several questions that need your reply.

1. Who will oversee the ongoing maintenance?
2. If there is a lapse in maintenance, and homes outside of the development are damaged by flooding, who is responsible?
3. Who takes on the maintenance if the HOA dissolves?
4. If the development is approved, what is the City's responsibility if there is flood damage from either the acequias or retention ponds?

WATER RELIABILITY

The long-term availability of potable drinking water is not addressed in the application. Although the annual precipitation forecast for 2019 is good, it does not reflect the long-term effects of Climate Change on the Southwest. Most of northern New Mexico is currently in severe, extreme or exceptional drought. Groundwater is being depleted faster than its recharge rates, and surface water remains unpredictable.

Looking toward the future, we have to ask ... at what point does growth, that utilizes outdated models and technology, outpace the supply of water needed to maintain that growth? It is our opinion that all new construction should use the latest technology to measure the most efficient use, reuse and discharge of water. The application does include drip systems for outdoor water, but much more is needed, like gray water reuse and rooftop capture. Not addressing this in the short term puts everyone in our community at risk in the long term.

PROPOSED ARCHITECTURE

Please see DRT Review, Page 13: Caption under photo reads *"According to Chapter 14 and the General Plan, new infill construction should be compatible with the character, structure, and buildings in the area."*

At the first meeting of neighbors and developers at James Siebert's offices, neighbors were assured that the architecture would be tasteful and in keeping with the neighborhood, including adobe and territorial styles and colors. The proposed housing styles are industrial, square boxes that do not reflect the nature of the community. Rather than family housing, the structures look like an industrial park. For an example of architecture that suits the community, please visit Osito Place and the Homewise subdivision.

PHASED CONSTRUCTION

The use of a phased construction period adds levels of difficulty and uncertainty to the project.

1. 3 years of disruption to the surrounding area due to ongoing construction.
2. Uncertainty on notification of how conditional requirements will be met at each phase.
3. Potential for changing timelines that could extend construction.
4. Who is responsible for notifying the public during all 3 phases?

SCHOOL IMPACT

Please see DRT Review, Page 6. *"Staff maintains that growth of the Mandela School not only strengthens the case for new housing in the area, but also for additional road connectivity in the area."*

New Mexico law provides that charter schools must provide open enrollment to any student in the state, and follow lottery requirements. This means that admission is unrelated to school districts. Location of the school does not affect who attends, so the vicinity of the development is not relevant.

In addition, the application states that the school plans to double enrollment from 225 to 450 students in the next few years. This means that already strained traffic conditions in front of the school on Agua Fria will be further amplified, in addition to adding 160 cars from the proposed development.

Road connectivity is important, but the application does not indicate that there is a current commitment from the Santa Fe Public School Board to permit street traffic through school grounds.

QUALITY OF LIFE

It is a function of local government to maintain a reasonable Quality of Life for our neighborhoods. We believe it is unrealistic to assume that adding 80 homes will not affect the existing community. It is our opinion that quality of life will be reduced for both new development residents and the surrounding area.

For the whole area, surrounding streets will be impacted by construction for the 3 years and 3 phases of construction. The ongoing traffic impact will certainly increase.

For the development, families will be packed into 12 acres paved over with asphalt and concrete and no new green space. It is common sense that living in close, back-to-back lots can be a breeding ground for tension and discontent, particularly over time.

Osito Place is a quiet cul-de-sac and has very little traffic, other than our residents, and noise levels are low. We will be directly impacted the during all 3 phases with construction vehicles on this narrow part of Agua Fria, as well as construction noise and dust, in addition to the long term traffic congestion. Our quality of life will be disrupted and may never return.

CONCLUSION:

Although we all agree there is a dire need for affordable family housing in Santa Fe, we are unanimously opposed to the zoning increase to R-7. We do not see that the developers have sufficiently proven the need for a zoning increase, nor have the impacts on the existing neighborhood and infrastructure been adequately addressed. Although there is not 100% agreement on every point in this letter, we are unanimous in our conclusion and recommendations.

RECOMMENDATIONS:

After careful review, residents of Osito Place strongly support the following recommendations as the optimal solution for a development.

1. Approval of 29 homes, built in two phases.
2. Consolidation of only 2 of the 3 lots.
3. Third lot to remain open E.
4. A single ingress/egress on Agua Fria, using exit and enter lanes described in the application.
5. Stronger assessment and requirements for engineering of acequia alterations.

6. Stronger requirements for ongoing maintenance or retention ponds.
7. Clarification of responsible party(ies) in the event that flooding results in property damage outside of the subdivision.
8. Redesign of architecture that is appropriately compatible with the old Santa Fe style of the existing neighborhood.

Respectfully yours,
Osito Place Residents

For more information, please call 575-770-8444.

Traffic Report Review and Summary

from neighbors of proposed "Dos Acequias" project

1/3/19

Reviewed and compiled by John Pitts

1. 82 single-family housing units with city-estimated 2.4 cars per unit yields 197 more cars requiring daily access to Agua Fria, with both proposed roadways accessing Agua Fria.

2. 82 units at 9.2 trips per day (Trip Generation, 10th edition) equals 754 trips per day, or 1 trip every 2 minutes on this section of Agua Fria.

3. "West Santa Fe River Corridor Plan, 2017" calculated, with only a small addition of units (150-220), that traffic volume would increase to 14,723 cars per day on Agua Fria. With Acequia Lofts, El Camino Crossing, and Dos Acequias developments added, it will exceed that. (Attachment A)
    a. How will the city increase housing without addressing traffic growth on Agua Fria?

4. Agua Fria traffic volume will increase by 5.5 to 10.0% within the next four years with the projects mentioned above. This doesn't include any other development or private construction. (Attachment B)

5. The Level of Service (LOS) for Agua Fria and the development Driveway is already a poor D to E rating. (Attachment C)
    a. What is the city's plan for improving Agua Fria traffic flow with this project?

6. The Traffic Impact Study says 150-175 foot deceleration lanes are warranted at Driveway A, but since there isn't room to build them in the existing road, the report merely disregards this safety requirement. It is unacceptable to claim there is "minimal impact." This is not true when considered in context to the surrounding area, especially when considering the surrounding area includes a school with plans to expand. (Attachment D)

7. NOT MENTIONED IN THE PROPOSAL is the fact that the Mandela International Magnet School driveway is only 40 feet from the

EXHIBIT "4"

development's Driveway A (with the LOS rating D to E). This is a serious omission of the Development Plan and Traffic Impact Study given the impact the proposed development will have on this narrow section of Agua Fria at the school.

   a. What alternate plan is offered to mitigate the gross increase in traffic from the development?

8. NOT MENTIONED IN THE PROPOSAL or Traffic Impact Study is the impact to the LOS at Driveway A when the Mandela International Magnet elementary school expands from its current student load of 225 to 450 within four to five years as reported by Shirley McDougal, SFPS, 11/8/18 letter.
   a. How will the school expansion affect Agua Fria traffic?

9. There is NO MENTION of school traffic which is much closer to the development than Avenida Cristobal Colon. Also omitted are the delays caused by city buses stopping on their routes, and the trash and recycling trucks that stop and cause cars to stack up or dangerously pass around said vehicles. These omissions are egregious. These data should be included as integral to any traffic study of Agua Fria.

10. "No Left Turn" signs are posted on Agua Fria across from the school, yet cars and buses turn left illegally into and out of the Mandela school daily causing further delays and stoppages in both directions on Agua Fria during peak traffic times. This will affect the proposed development egress.

11. We conducted our own traffic study at the school. Six persons measured incoming and outgoing traffic at the same peak times for the proposed new driveway using same format and timing as the Siebert/Brown traffic study. (Attachment E)

Average 1,175 vehicles on Agua Fria at Mandela school during AM Peak Hour (7:45-8:45 AM)

Mandela School traffic AM Peak	**Number of Turns into school**	**Delays, stacking, stoppage**	**Notes**
NB Right turn enter/exit school	157 avg.	6 stacking/stoppage events	Right turns also caused traffic stoppage on Agua Fria

SB Left turn enter/exit school	37 avg.	20 stacking/stoppage events	All illegal turns

NB: Anticipated doubling of school student load will impact these numbers causing more delays and greater congestion than already occur daily at this point on Agua Fria. Also, with no turn lanes for the school and no deceleration lane for the Dos Acequias project, increased traffic will exceed the LOS to a lower rating than D-E currently estimated.

12. A police report of traffic accidents on Agua Fria was also analyzed. It reported 17 collisions, entailing 4 personal injuries, on Agua Fria between 2013-2018 in front of the school and even more at adjoining streets. This will inevitably increase with school expansion and additional traffic from Driveway A. (Attachment F)

Conclusion: The "Summary of Deficiencies" page 15 of the Traffic Impact Study claims "minimal impact to the transportation system can be mitigated by the recommendation above" which was then ignored. Based on the data presented in the Traffic Impact Study, and our own direct experience and study, the impact of the Dos Acequias development will, without a doubt, have a major negative impact on the adjacent transportation system, significantly endangering the safety of persons and property.

Therefore, we strongly disagree with the conclusions of the report and **request the Planning Commission reject the Dos Acequias proposal**.

Attachments

Attachment A: West Santa Fe River Corridor Plan, 2017, page 34

Attachment B: Review of Traffic Data in TIS, rev. 10/3/18

Attachment C: LOS chart Agua Fria and Driveway A in TIS, page 14

Attachment D: "Summary of Deficiencies...," TIA, page 15

Attachment E: Neighborhood Survey of Agua Fria Traffic at Mandela International Magnet School

Attachment F: Accident report review

NEIGHBORHOOD TRAFFIC REVIEW

ATTACHMENTS A – F

Attachment A:	West Santa Fe River Corridor Plan, 2017, page 34
Attachment B:	Review of traffic data in Dos Acequias TIS, revised. 10/2/18
Attachment C:	LOS chart Agua Fria and Driveway A in TIS, page 14
Attachment D:	"Summary of Deficiencies...," TIS page 15
Attachment E:	Neighborhood Survey of Agua Fria Traffic at Mandela International Magnet School
Attachment F:	Accident report review

1/3/19

Plan-Based Growth & Traffic

Agua Fria Street

El Camino Real has been designated as both a "Scenic Byway" (Federal Highway Administration) and a "National Historic Trail" (National Park Service). While the Scenic Byways program no longer exists, the city should continue efforts to enhance and celebrate the roadway's importance through the development of an improvement plan/program beautifying Agua Fria Street through the planning area all the way to its terminus at Guadalupe Street.

Agua Fria's limited right-of-way constrains future expansion of the road, bike lanes and sidewalks. Yet, decorative street lighting, signage, banners hung from streetlights and even contrasting pavement coloring or materials at key intersections and pedestrian crossings can help to elevate the sense of the street's importance. Possible sources of funding for planning and improvements might include the Federal Highway Administration's "Transportation Alternatives Program" (TAP) and the National Park Service's "National Historic Trails" program.

This plan could add an estimated 10,000-15,000 square feet of additional commercial development, all in the Mixed Area (i.e. 270-290 additional vehicle trips per day) and an estimated 150-220 additional housing units (i.e. 1,425-2,090 additional vehicle trips per day). However, the assumption of 50-100 additional units in the Organic Area is less likely than that projected for the Mixed Area.

Plan Based Growth - Traffic Added (ADT)

	Commercial Growth (sq. ft.)	Added Daily Traffic[1]	Residential Growth (units)	Added Daily Traffic[2]	Total Added Daily Traffic
Organic Area	-	-	50-100	475-950	475-950
Mixed Area	10,000-15,000	270-290	100-120	950-1,140	1,220-1,430
Total Growth	10,000-15,000	270-290	150-220	1,425-2,090	1,695-2,380

	Agua Fria Street Traffic Volumes
Current ADT (2015)	12,343
Plan Added (ADT)	1,695-2,380
Total Traffic (ADT)	14,038-14,723

[1] Based on 5,000 sq. ft. of Retail @43 trips per 1,000 sq.ft.; 5,000 sq.ft of Office @ 11 trips per 1,000 sq.ft.; 5,000 sq.ft. Warehouse @3.5 trips per 1,000 sq.ft.).

[2] Based on single-family units @ 9.5 trips per unit, per day.

NOTE: Traffic demand trip generation rates from Institute of Transportation Engineers (ITE), Trip Generation, 9th ed., 2012.

Summary

That part of the planning area along Agua Fria Street (Organic Area and Mixed Area) could add enough traffic to increase Agua Fria's current volumes from 12,343 to 14,723 per day, but this would be gradual over a period of years. Additional background traffic increases of 1% per year (125-147 added average daily traffic) that includes added growth in areas that will use Agua Fria Street as a primary route could push traffic volumes to around 15,500 ADT, a 25% increase over current traffic volumes. Because Agua Fria has limited capacity for widening to handle increased traffic volumes, limiting growth in the planning area has been important to area residents.

Review of Traffic Data in the

Dos Acequias Traffic Impact Study, revised - 10/3/2018

Overall Traffic Volumes (see Appendices A-11, A-13)

Agua Fria/VelardeTraffic Volume Build (2018-2022):

	Eastbound	Westbound
Existing Volume:	728	479
AM Peak "BUILD:"	768 (+5.5%)	547 (+10%)
Existing Volume:	651	809
PM Peak "BUILD:"	699 (+7.4%)	865 (+7%)

Agua Fria/Driveway "A" Traffic Volume (2018-2022):

	Eastbound	Westbound
Existing Volume:	697	456
AM Peak "Build:"	741 (+6%)	485 (+6.3%)
Existing Volume	619	688
PM Peak "Build:"	665 (+7.4%)	755 (+9.7%)

CONCLUSION: Increases to traffic volume are NOT minimal as stated in the TIS. Because both entrances to the project access a very short distance apart on a very narrow section of Agua Fria, the impact will much greater.

Intersection: 3 - Agua Fria St. / Driveway "A"

2022 AM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD		BUILD	
	Lanes	LOS-Delay	Lanes	LOS-Delay
EBL	>	A - 8.5	>	A - 8.5
EBT	1	N/A - 0.0	1	N/A - 0.0
EBR		N/A - 0.0	>	N/A - 0.0
WBL		N/A - 0.0	>	A - 9.6
WBT	1	N/A - 0.0	1	N/A - 0.0
WBR	>	N/A - 0.0	>	N/A - 0.0
NBL		N/A - 0.0	>	E - 37.3
NBT		N/A - 0.0	1	E - 37.3
NBR		N/A - 0.0	>	E - 37.3
SBL	1	C - 19.7	>	D - 27.1
SBT		N/A - 0.0	1	D - 27.1
SBR	>	C - 19.7	>	D - 27.1
Intersection:		*u - 0.1*		*u - 1.9*

2022 PM Peak Hour BUILD

	(EXIST. GEOM.) NO BUILD		BUILD	
	Lanes	LOS-Delay	Lanes	LOS-Delay
EBL	>	A - 9.3	>	A - 9.3
EBT	1	N/A - 0.0	1	N/A - 0.0
EBR		N/A - 0.0	>	N/A - 0.0
WBL		N/A - 0.0	>	A - 9.2
WBT	1	N/A - 0.0	1	N/A - 0.0
WBR	>	N/A - 0.0	>	N/A - 0.0
NBL		N/A - 0.0	>	D - 30.1
NBT		N/A - 0.0	1	D - 30.1
NBR		N/A - 0.0	>	D - 30.1
SBL	1	C - 18.8	>	E - 37.8
SBT		N/A - 0.0	1	E - 37.8
SBR	>	C - 18.8	>	E - 37.8
Intersection:		*u - 0.1*		*u - 0.8*

NOTE: ">" designates a shared lane with adjacent thru lane.

The 2022 analysis of the intersection of Agua Fria St. / Driveway "A" demonstrates that the delays will be marginally acceptable for all conditions analyzed in this report. The LOS "E" reported in the table above is only less than 3 seconds above the threshold for LOS "D". Therefore, no recommendations are made for the intersection of Agua Fria St. / Driveway "A"

Impact Assessment

The proposed development will have minimal adverse impact on the adjacent transportation system. All the levels-of-service were determined to be acceptable for all the conditions analyzed in this report.

Access Design Specifications

A Determination of Warrants for Deceleration Lanes was performed for Agua Fria St. / Driveway "A". An eastbound right turn deceleration lane is warranted at a length of 150 feet plus a 4:1 taper. In addition, a westbound left turn deceleration lane is warranted at a length of 175 feet plus a 4:1 taper. However, these lanes cannot be be constructed due to the lack of existing right-of-way. See Appendix Pages A-39 thru A-42 for Determination of Warrants for Deceleration Lanes worksheets.

Sight distance at Driveway "A" is adequate. There are no vertical or horizontal curves along this portion of Agua Fria St. and there are no structures that are blocking sight distance into or out of the driveway.

Pedestrian facilities, sidewalk along both sides of Agua Fria St. and bicycle facilities exist as shown on the 2015 Santa Fe Bikeways and Trails Map previously discussed; therefore, no additional pedestrian or bicycle facilities are recommended.

Site access improvements / modifications are not recommended due to the adequate facilities currently existing. However, Driveway "A" should be constructed with adequate widths and ADA facilities.

Summary of Deficiencies, Anticipated Impacts, and Recommendations

The 2022 implementation year analysis determined that eastbound and westbound deceleration lanes at Agua Fria St. / Driveway "A" are warranted. However, there is insufficient right-of-way to accomplish this.

The proposed development does not have a significant adverse impact to the adjacent transportation system and the minimal impact to the transportation system can be mitigated by the recommended measures described in this report and summarized in the table above. In summary, the recommendations of this study are:

Agua Fria St. / Driveway "A": Construct the new access with one lane entering and one lane exiting. Construct as an unsignalized intersection. It is suggested that designing and constructing the new Driveway "A" approach with two lanes (one for thru / left turns and one exclusively for right turns) will slightly improve the operation of the access.

AGUA FRIA TRAFFIC AT MANDELA INTERNATIONAL MAGNET SCHOOL

Neighborhood traffic study performed 10/2/18 and 10/23/18 at A.M. Peak Hours (7:45-8:45 AM)

Agua Fria at Mandela School Driveway		10/2/18 and 10/23/18	
TOTAL number of vehicles both directions		**1141**	**1199**
TOTAL turns in/out school driveway, both directions			
Right turns onto Agua Fria		**150**	**159**
Percentage of Total Traffic	**13% of total traffic**		
Stoppage/Delay to Agua Fria traffic		**6/6 traffic stoppages/delays**	
Left turns onto Agua Fria		**36**	**37**
Percentage of Total Traffic	**3% of total traffic**		
Stoppage/delay to Agua Fria traffic		**19/20 traffic stoppages/delays**	
Total Turns:		**186**	**196**
Percentage of total traffic	**16% of total traffic**		
Stoppage/delay and stacking		**25-26 traffic stoppages/delays**	

All left turns in and out of the school are **illegal**. There is signage prohibiting it, yet cars and school buses turn illegally. Agua Fria traffic stops to accommodate the turns causing traffic to stack up in both directions including to the proposed driveway and sometimes beyond.

NB:
1) Anticipated growth of Mandela School student body from current 225 to 450, per Shirley McDougal, SFPS, 11/8/2018 letter.
2) That could easily double the amount of traffic and traffic delays at the school which is only 40 feet from "Driveway A."
3) The October 3, 2018, Traffic Impact Study by Terry O. Brown calculates the **2022 Levels of Service (BUILD)** for traffic exiting "Driveway A" at **"D"** and **"E."** This does not include current school traffic nor future development traffic.

CONCLUSION: Lack of deceleration and turning lanes, disregard for "No Left Turn" signs, compounded by future additional traffic from Driveway "A" will likely increase car/pedestrian accidents on this stretch of Agua Fria. Also, the substantial increase of the school population coupled with projected Dos Acequias vehicles will cause estimated LOS to drop to unacceptable levels beyond **"D" or "E."** We ask the planning commission to reject the proposal as it is not in the best interest of community safety and will adversely affect the public interest.

MOTOR VEHICLE COLLISIONS ON AGUA FRIA STREET BETWEEN AVENIDA CRISTOBAL COLON AND CAMINO SOLANO

Report Dates: January 1, 2013 - October 25, 2018

TOTAL Number MV Collisions on Agua Fria between Cristobal Colon and Solano:

134 Collisions, 43 with injuries
Distance: 0.7 miles

Total MV Collisions at just the following intersections of Agua Fria and: Palomino; Mandela International Magnet School (formerly Larragoite Elementary); Osito; La Joya; Velarde; and Guadalupita:

38 Collisions, 15 solely at Mandela Magnet School
Distance: 0.4 miles

This information was compiled from a report obtained from the Santa Fe County Regional Dispatch Center, October 25, 2018.

STORMWATER AGREEMENT PROPERTY OWNER(S) HEREBY AGREE THAT ALL STORMWATER EASEMENTS AND ANY OTHER DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS ARE ON PRIVATE PROPERTY AND WILL BE MAINTAINED AND KEPT FULLY FUNCTIONAL AS ORIGINALLY DESIGNED AND CONSTRUCTED WITHIN PRIVATE PROPERTY BOUNDARIES BY THE PROPERTY OWNER AND SUBSEQUENT HEIRS ASSIGNS AND FUTURE OWNERS. THE CITY IS HEREBY GRANTED THE FOLLOWING: (1) ACCESS FOR INSPECTION OF SAID IMPROVEMENTS; (2) IN THE EVENT OF DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENT MAINTENANCE DEFICIENCY AND AFTER TEN (10) DAYS WRITTEN NOTICE TO THE RESPECTIVE PROPERTY OWNER, TO ENTER AND RESTORE FULL FUNCTIONAL CAPACITY OF THE DRAINAGE AND STORMWATER MANAGEMENT IMPROVEMENTS; AND (3) TO LIEN THE PROPERTY FOR BOTH DIRECT AND INDIRECT COSTS ASSOCIATED WITH SUCH WORK. BY SIGNATURE AFFIXED TO THIS INSTRUMENT, THE PROPERTY OWNER(S) APPROVE AND AGREE THAT THIS AGREEMENT IS BINDING PERPETUALLY, RUNNING WITH THE LAND, ON PRESENT AND FUTURE OWNERS, HEIRS, AND ASSIGNS.

OWNER'S PRINTED NAME

OWNER'S SIGNATURE / DATE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 200__ (OR EQUAL)

NOTARY PUBLIC MY COMMISSION EXPIRES

APPROVED BY THE SANTA FE PLANNING COMMISSION AT THEIR MEETING ON _____, WITH CONDITIONS CASE # _____

PLANNING COMMISSION CHAIRPERSON DATE

PLANNING COMMISSION SECRETARY DATE

REVIEWED BY THE CITY OF SANTA FE

CITY PLANNER DATE

CITY ENGINEER FOR LAND USE DATE

AFFIDAVIT

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS HAVE CAUSED THIS FINAL DEVELOPMENT PLAN TO BE PREPARED. ALL THAT APPEARS ON THIS PLAN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER

OWNER'S PRINTED NAME

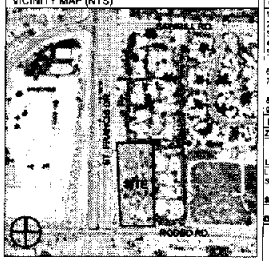
OWNER'S SIGNATURE / DATE

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY _____, THIS ___ DAY OF _____, 200__

NOTARY PUBLIC

MY COMMISSION EXPIRES

VICINITY MAP (NTS)



GENERAL SHEET NOTES

1. SOLID WASTE COLLECTION IS THE RESPONSIBILITY OF SF WASTE COLLECTION
2. EXTERIOR LUMINAIRES SHALL COMPLY WITH CHAPTER 14-8.9 SFCC
3. THE SITE SHALL COMPLY WITH INTERNATIONAL FIRE CODE (IFC) 2009
4. THE FIRE DEPARTMENT ACCESS SHALL NOT BE LESS THAN 20'
5. THE SITE SHALL HAVE A WATER SUPPLY THAT MEETS FIRE FLOW AND HAVE A DISTANCE TO THE NEAREST HYDRANT TO MEET IFC REQUIREMENTS
6. ALL FIRE DEPARTMENT ACCESS SHALL HAVE A GRADE NO GREATER THAN 10%
7. ALL BUILDINGS ARE TYPE V WOOD FRAME CONSTRUCTION AND FULLY SPRINKLERED PER NFPA 13
8. FIRE LANE SURFACE SHALL BE ALL WEATHER AND SUPPORT 75,000 LBS
9. THE PROJECT IS SERVED BY A PRIVATE SEWER SYSTEM

PROJECT DATA

ZONING C-1 WITH SCHC SOUTH CENTRAL HIGHWAY PROTECTION DISTRICT OVERLAY

LEGAL DESCRIPTION
LOT 1, PARKES SUBDIVISION
SANTA FE COUNTY, NEW MEXICO

SITE AREA 7.45 ACRES (107,158 SF)

DENSITY:

MAXIMUM DENSITY FOR RESIDENTIAL DEVELOPMENT IN C-1 ZONING	21 DU/ACRE = 51 DU
5% DENSITY BONUS SF-P	7.65 DU
TOTAL DENSITY PERMITTED	29.86 DU/ACRE = 59 DU
ACTUAL DENSITY	21.14 DU/ACRE = 52 DU

OPEN SPACE:

REQUIRED 50% SITE AREA	53,579 SF
COMMON OPEN SPACE PROVIDED	52,845 SF
PRIVATE OPEN SPACE PROVIDED	
PATIO/BALCONY	5,998 SF
TOTAL	58,843 SF (55%)

LOT COVERAGE: MAXIMUM 40%

TOTAL BUILDING ROOFED AREA	= 22,928 SF
TOTAL LOT COVERAGE (COVERAGE/SITE AREA)	22,928 / 107,176 = 21.4%

BUILDING HEIGHT 26'-0" NOT INCLUDING PARAPET

BUILDING SETBACKS: 50'-0" FROM PROPERTY BOUNDARIES ALONG ST FRANCIS DRIVE AND RODEO RD

PARKING CALCULATION: REQUIRED

DWELLING UNITS

36 ONE BEDROOM (< 800 SF) x 1.25 SPACES	= 45 SPACES
16 TWO BEDROOM (800-1200) SF x 1.50 SPACES	= 24 SPACES
TOTAL SPACES REQUIRED	= 69 SPACES
TOTAL SPACES PROVIDED	= 77 SPACES

(INCLUDES 4 ACCESSIBLE SPACES)

BICYCLE PARKING (SFCC TABLE 14-8.6-3)
REQUIRED: 51-100 AUTOMOBILE SPACES 10 BICYCLE SPACES REQUIRED
PROVIDED: 10 BICYCLE SPACES DISPERSED ACROSS THE SITE

UNIT DATA (GROSS HEATED AREA)

UNIT TYPES	DESCRIPTION	UNIT AREA	QUANTITY	TOTAL UNIT AREA
1B-1	1 BEDROOM / 1 BATH	723 SF	18	13,014 SF
2B-1	2 BEDROOM / 2 BATH	966 SF	08	7,968 SF
1B-2	1 BEDROOM / 1 BATH	799 SF	18	14,164 SF
2B-2	2 BEDROOM / 2 BATH	1,063 SF	08	8,304 SF
			TOTAL 52 UNITS	43,670 SF

APARTMENT BUILDING AREAS (GROSS)

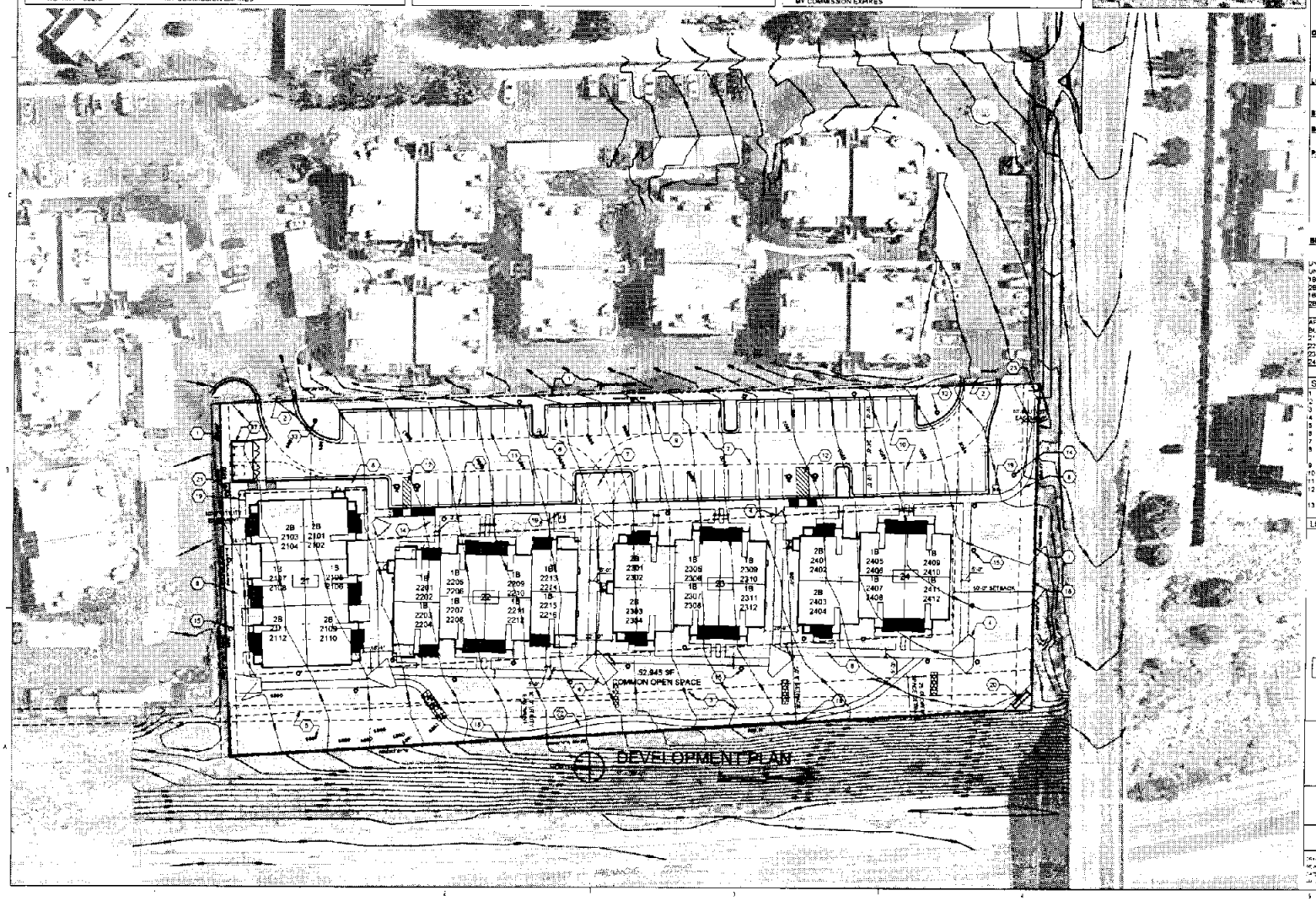
BUILDING TYPE	1ST FLOOR AREA	2ND FLOOR AREA	TOTAL AREA
21	5,888 SF	5,561 SF	11,567 SF
22	6,366 SF	6,075 SF	12,441 SF
23	5,338 SF	5,122 SF	10,460 SF
24	5,338 SF	5,122 SF	10,460 SF
		TOTAL BUILDING AREA	44,928 SF

SHEET KEYED NOTES

1. PROPERTY LINE
2. VEHICULAR ENTRY/EXIT
3. COMMON OPEN SPACE
4. DECORATIVE CONCRETE PAVING
5. DRAINAGE POND
6. FIRE HYDRANT
7. 20 FT WIDE FIRE LANE
8. 5 FT WIDE SIDEWALK WIDTH AS SHOWN
9. CONCRETE CURB AND GUTTER
10. ASPHALT PAVED PARKING AND DRIVE
11. 4" WIDE PAINTED STRIPING, TYPICAL
12. ACCESSIBLE PARKING STALL ACCESS AISLE AND CURB RAMP RE 8A/SDP 1-2
13. 16'-0" POLE MOUNTED SHIELDED LIGHT FIXTURE RE D1/SDP 1-2
14. 12'-0" POLE MOUNTED SHIELDED LIGHT FIXTURE RE D1/SDP 1-2
15. 3'-6" BOLLARD TYPE LIGHT FIXTURE RE D1/SDP 1-2
16. SINGLE SCREENED REFUSE ENCLOSURE RE 4/1/SDP 1-2
17. DOUBLE SCREENED REFUSE AND RECYCLE ENCLOSURE RE 4/2/SDP 1-2
18. 5'-0" HIGH FENCE RE C1/SDP 1-2
19. BICYCLE RACKS RE 8A/SDP 1-2 (NOTE: EA. RACK HOLDS 4 BICYCLES)
20. MONUMENT SIGN RE C2/SDP1-2
21. SITE STEPS RE C4/SDP 1-2
22. CRUSHER FINE PATH
23. PEDESTRIAN GATE

LEGEND

- COMMON OPEN SPACE
- PRIVATE PATIO / BALCONY OPEN SPACE
- FIRE DEPARTMENT ACCESS LANE
- (ANSI TYPE A) ACCESSIBLE DWELLING UNIT
- PROPERTY LINE
- FIRE HYDRANT
- FENCE
- PERMISSIBLE BUILDING ENVELOPE
- 21 — BUILDING NUMBER
- 2B — UNIT TYPE
- 2101 — UNIT NUMBER FIRST LEVEL
- 2201 — UNIT NUMBER SECOND LEVEL



DESIGNED BY SP
DRAWN BY DM
DATE
SCALE 1" = 30'-0"

DERKER PERES SABATINI | ARCHITECTURE / DESIGN / INSPIRATION | 7601

VIZCAYA III
2491 SAWMILL RD
SANTA FE, NM

DEVELOPMENT PLAN

DP 1-1
000 OF 000

Exhibit "5"