



# Planning and Land Use Department Planning Commission Staff Report

**Case No's:** 2024-8901 & 8902

**Hearing Date:** June 5<sup>th</sup>, 2025

**Agent:** JenkinsGavin Inc.

**Owner:** Cold Water Development Fund QOZF,

**Request:** Rezoning and Master Plan

**Location:** 2768 Agua Fria

**Case Mgr.:** Joel Cruz-Haber

**Zoning:** Mixed-Use (MU)

**Future  
Land Use:** Transitional Mixed-Use

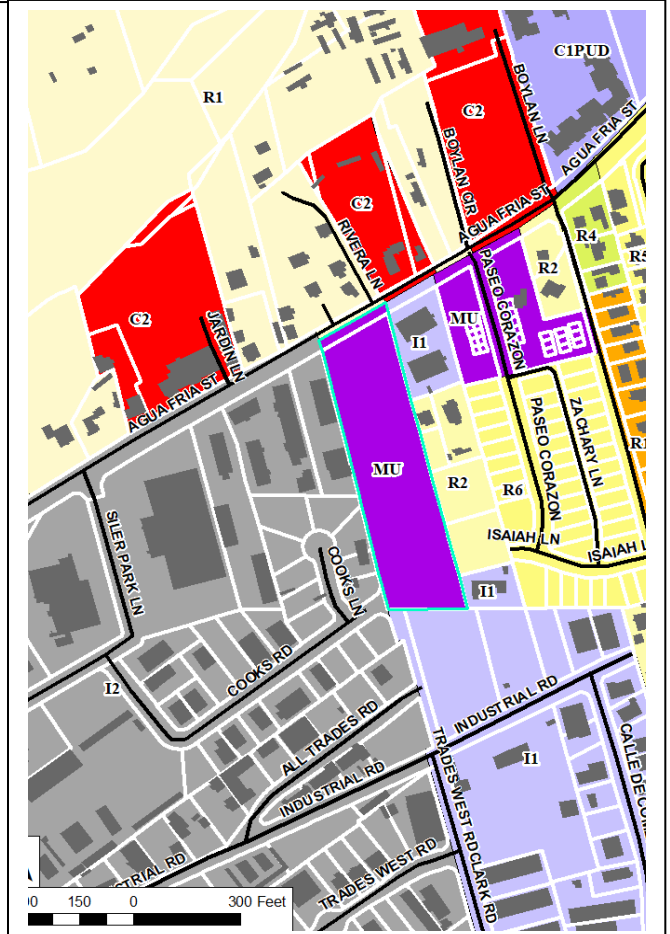
**Overlay:** Rivers and Trails Archeological District

**Master Plan:** None

**Pre-app Mtg:** December 7<sup>th</sup>, 2023

**ENN Mtg:** February 29<sup>th</sup>, 2024 & April 23<sup>rd</sup>, 2024

**Proposal:** The applicant requests approval for the Rezoning of a lot from MU (Mixed Use) to C-2 (General Commercial) and the approval of a Master Plan to develop a 130-unit mixed-use community.



**Case #2024 – 8901 2768 Agua Fria Rezoning.** JenkinsGavin, Agent, for Cold Water Development Fund QOZF, LLC, Owner, requests approval for a rezoning of a 4.12-acre lot located at 2768 Agua Fria Rd. from MU (Mixed Use) to C-2 (General Commercial) (Joel Cruz-Haber, Case Manager, jacruzhaber@santafenm.gov, (505) 955-6684).

**Case #2024 – 8902 2768 Agua Fria Master Plan.** JenkinsGavin, Agent, for Cold Water Development Fund QOZF, LLC, Owner, requests approval of a master plan on a 4.12-acre lot located at 2768 Agua Fria Rd. to develop a 130-unit mixed-use community. (Joel Cruz-Haber, Case Manager, jacruzhaber@santafenm.gov, (505)955-6684).

## I. RECOMMENDATION:

City Planning and Land Use Department staff (“Staff”) recommends **the Planning Commission recommend the Governing Body approve \_Case #2024 – 8901 2768 Agua Fria Rezoning and Case #2024 – 8902 2768 Agua Fria Master Plan.**

*Two motions will be required for this case:*

1. *Recommend the Governing Body approve or deny Case #2024-8901 - “2768 Agua Fria Rezoning.”*
2. *Recommend the Governing Body approve or deny Case #2024-8902 - “2768 Agua Fria Master Plan,” subject to the conditions of approval and technical corrections.*

## II. EXECUTIVE SUMMARY:

The 4.12-acre subject property is located at 2768 Agua Fria, just east of the Siler and Agua Fria intersection (the “Property”). The applicant (“Applicant”) asks the Planning Commission to recommend that the Governing Body approve 1) rezoning the Property from Mixed-Use to C-2 (General Commercial) (the “Rezoning”), and 2) a master plan that proposes a development comprised of two (2) multifamily buildings and one (1) mixed-use building, totaling 71,500 SF (square feet), including 130 residential units and 1,450 SF of retail space (the “Master Plan”). The Master Plan includes a pool, clubhouse, courtyard, playground and 185 parking spaces. If the Master Plan is approved, the Applicant would be required to submit a development plan that provides further details for the proposed mixed-use development. The Applicant has not requested any variances for the Master Plan and based on Staff’s review of all relevant and available material; it is Staff’s conclusion that no variances are needed at this time.

## III. PROJECT ANALYSIS

### A. Property Information

The subject property is a vacant 4.12-acre parcel located at 2768 Agua Fria Street, just east of the Siler Road and Agua Fria Street intersection (the “Property”). According to the future land use map (“Future Land Use Map”) (see Figure 2: “*Future Land Use Map*”) the Property is designated as Transitional Mixed Use (“TMXU”). The City’s official zoning map (“Zoning Map”) designates the Property as Mixed Use or “MU” and provides that the Property lies within the River and Trails Archaeological Review District Overlay.

The Code requires that all rezonings be consistent with the applicable policies of the 1999 General Plan (“General Plan”), including the Future Land Use map. The Future Land Use Map’s TMXU policy designation allows a “mixing of compatible land uses within the same tract.” The TMXU definition does not identify an appropriate residential density range, only that development “may include such uses as residential, including single-family and multi-family residential where the scale and intensity are deemed appropriate...and appropriately scaled retail/services that are intended to primarily serve the residential uses as an added local amenity.” Therefore, the Future Land Use Map does not call for any specific density for the Property. However, the zone does regulate residential density, based on the height of buildings, with shorter buildings being more limited than taller ones:

*Buildings of twenty-five (25) feet or less in height shall not exceed a maximum of twelve (12) dwelling units per acre and buildings of between twenty-five (25) feet and thirty-five (35) feet or less in height shall not exceed fourteen (14) dwelling units per acre.*

Santa Fe City Code (“SFCC” or “Code”) 1987, § 14-7.3(B)(1)(d)(ii)

The requested C-2 rezoning, if approved, would be consistent with the Future Land Use Map; therefore, no General Plan amendment is required in order to approve the Rezoning. In addition, the change from MU to C-2 eliminates the density restrictions established by the MU District and therefore is more consistent with General Plan policies encouraging infill development<sup>1</sup>, mixed uses<sup>2</sup>, and concentrating the population at greater densities to reduce car dependency<sup>3</sup>

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<sup>1</sup> See General Plan Policy 3-G-3: “There shall be infill development at densities that support the construction of affordable housing, and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area, including the Railyard property.”

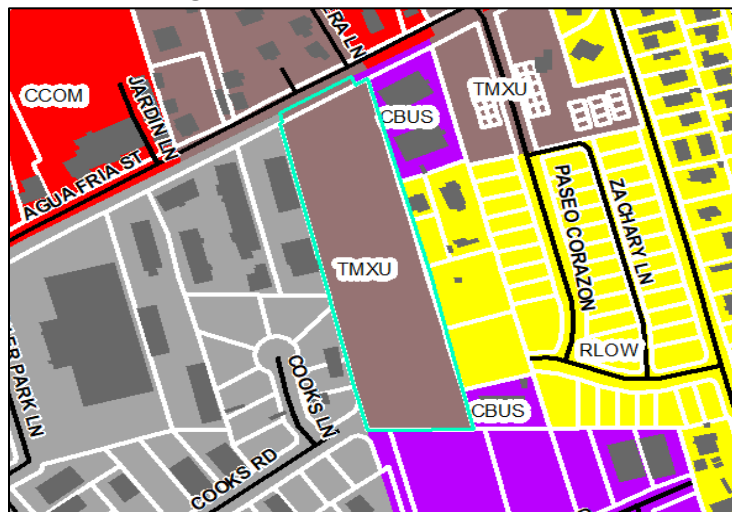
<sup>2</sup> See General Plan Policy 3-G-2: “There shall be a mix of uses and housing types in all parts of the city.”

<sup>3</sup> See General Plan Policy 4-1-G-2: “Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian scale development, reduce auto dependence, and provide central transit nodes.”

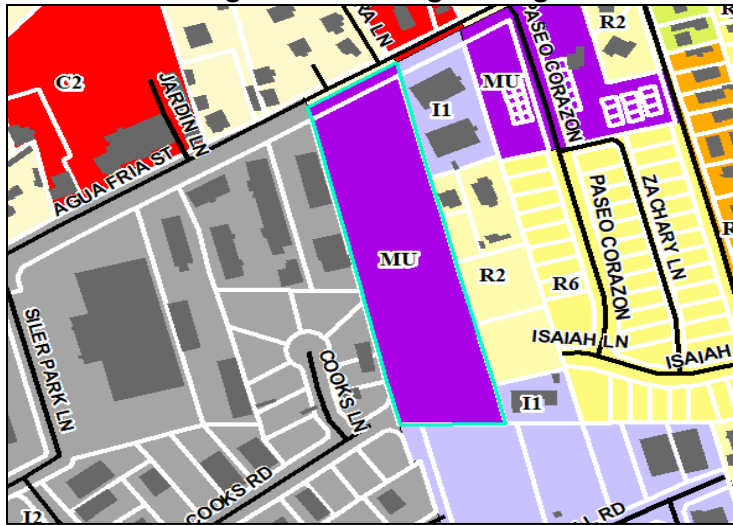
**Figure 1: Proposed Master Plan Site (boundary for illustrative purposes only)**



**Figure 2: Future Land Use Map**



**Figure 3: Existing Zoning**



**B. Surrounding Zoning and Land Use**

Zoning designations for the surrounding properties include I-2 (Heavy Industrial), I1 (Light Industrial), General Commercial (C-2) and R-2 and R-1 (low density residential). The City Zoning Map is shown in Figure 3: “Existing Zoning.”

The surrounding land includes single-family residential units to the north and east, commercial uses to the west, and a scrapyard to the southwest. Nearby uses include live-work units, multifamily uses, restaurants and a brewery.

**C. Project Zoning**

The Property is currently zoned MU (Mixed-Use), but the Applicant has requested to rezone the property to C-2 (General Commercial). C-2 district allows for retail space, multifamily, and other commercial uses listed in the table of permitted uses per §14-6.1. The proposed rezoning and Master Plan I meet all dimensional standards for C-2 as shown in the table below.

**Table 1. Zoning Requirements**

Requirement	C-2	Proposed
Height	45 feet	45 feet
Setbacks	Street: 15 feet Rear: 10 feet Side: 0 feet	30 feet +
Open Space	250 SF/unit = 32,500 SF	52,300 SF
Lot Coverage	60% maximum	40%
Density	None	31 units/acre

**D. Legal Lot of Record**

The Applicant has provided a certificate of compliance for a legal lot of record that was approved by the Planning Commission on April 4, 2024, as a part of case # 2024-7951. (Attachment C-5)

## **E. Master Plan**

As stated in the “Executive Summary,” the Master Plan includes two (2) multifamily buildings and one (1) mixed-use building. The three buildings together are 71,500 SF and propose 130 residential units as well as 1,450 SF of retail space. The Master Plan includes a pool, clubhouse, courtyard, playground, dog park, twelve (12) bicycle parking spaces and 185 vehicular parking spaces. The Applicant is providing a public Right-of-Way (ROW) easement that connects Isaiah Lane to Cooks Road for a future connection. Should the city develop the road extension from Isaiah Lane through the property and connection to Cooks Road, the dog park and 6 vehicular parking spaces will be eliminated. The Master Plan would still meet open space requirements even if the dog park were to be eliminated to accommodate the road extension in the future., and the Applicant submitted a parking study that includes the elimination of the 35 vehicular parking spaces.

## **F. Access and Traffic**

primary vehicular access to the Property will be from Agua Fria Street, with a secondary gated emergency access point located at the southwest corner of the property on Cooks Road. In response to Staff’s request the Applicant has dedicated a 42-foot-wide access and utility easement to accommodate a potential future extension of Cooks Road to connect to the proposed secondary emergency access point at the southeast corner of the parcel. The Applicant will provide appropriate encumbrances and dedication for the road easement connecting Isaiah Lane to Cooks Road, prior to recording any future development plan.

Primary pedestrian, transit and cycling is also from Agua Fria Street, but additional pedestrian access to Cooks Road will be provided via a private gate. Cyclists can access the property via a bicycle lane on Agua Fria Rd or the pedestrian gate off Cooks Road. Transit riders are served by two (2) westbound bus stops, three (3) eastbound bus stops, located within a five-minute walking distance of the subject parcel along route one (1) also known as Agua Fria route.

According to the attached Traffic Impact Analysis (TIA), all studied intersections are projected to operate at acceptable levels of service. Additionally, an eastbound right-turn deceleration lane at the main site entrance is warranted during the afternoon peak hour.

Phillip Gallegos of Wilson & Company has reviewed the TIA on behalf of the City Traffic Division and agrees with the TIA. Comments from the City Traffic Division and Wilson & Company can be found in attachment A.

## **G. Fire Prevention and Emergency Access**

Per the Master Plan, fire and other emergency vehicles will primarily be able to access the driveway off Agua Fria St. Secondary fire and emergency access will be provided off Cooks Rd. There are two fire hydrants close to the property, one approximately sixty (60) feet west of the property on the south side of Agua Fria Street, and the second on the north side of Cooks Road approximately eighty-six (86) feet west of the property. If a development plan is submitted for the master planned area in the future, the Applicant will be required to submit further information and analysis regarding fire prevention.

The City Fire Prevention Division has reviewed the Rezoning and Master Plan cases. The fire marshal's comments can be found in Attachment A.

**H. Vehicular Parking**

The Applicant submitted a preliminary parking plan based on the parking requirements outlined in the SFCC Chapter 14 Appendix, Exhibit A, "Parking and Loading Requirements", Table 14-8.6-1. Per the parking requirements the project is required to provide 185 spaces. However, the Applicant submitted a parking demand study ("Parking Demand Study") proposing a reduction in parking down 16.76% or thirty-one (31) parking spaces (Attachment C-12). The Applicant's proposal to reduce the parking requirement by 31 spaces results in a total of 154 vehicle parking spaces for the project. The study justifies the reduction based on proximity to transit and bicycle facilities, reduced parking demands associated with affordable housing units, implementation of parking demand management strategies with affordable housing units, and Institute of Transportation Engineers (ITE) Parking Generation Rates to conclude that the parking plan will exceed demand at the site. Staff concur with the Parking Demand Study and recommend that the parking requirement reduction be granted.

Below is a table showing the Staff's analysis of how the project meets the parking requirements set out in the Code:

**Table 2. Parking**

Requirement	Unit Count	Parking Requirement	Parking Proposed	Parking Demand Reduction
1.25 parking spaces per ≤ 800 SF unit	95	118.75	119	Whole site
1.5 spaces per 800 SF - 1,200 SF unit	19	28.5	29	Whole site
2 spaces per >1200 SF unit	16	32	32	Whole site
Commercial (NLA/200)	1000 SF	5	5	Whole site
ADA Accessible		8	8	8
Total		185	185	154

**I. Bicycle Parking**

Twelve (12) bicycle parking spots are depicted on the Master Plan sheets, meeting the required number bicycle parking spaces per Table 14-8.6-3. Engineered drawings for proposed bicycle racks that meet dimensional standards will be required when a development plan is submitted.

**J. Terrain Management and Landscaping**

The Property gently slopes from east to west. Stormwater detention will be managed through a series of

small ponds, while passive water harvesting<sup>4</sup> will occur within the landscaped areas. Under the terms of the Master Plan, the developer will be required to include landscaping improvements that such as street trees along Agua Fria Street, and plantings in parking areas and designated open spaces. For more information, please refer to the Preliminary Grading and Landscaping Plans of the proposed Master Plan in Attachment D of this report.

The Land Use Technical Review Division (“Technical Review Division”) reviewed the application for terrain management and landscaping. The Technical Review Division provided technical corrections and conditions of approval for the Master Plan. Should the Applicant submit a development plan in the future, Staff recommend that the Applicant include a drainage report, slope analysis, significant tree count, and lighting plan with the development plan submittal application.

## K. City Utilities

### Water

Two buildings (described in the Master Plan as Buildings 1 and 2) will receive City water through a new service line connected to an existing waterline on Agua Fria Street, with a dedicated master meter installed for each building. The third building (Building 3) will receive water via a separate connection to the waterline on Cooks Road, also equipped with its own master meter.

The City’s water division has recommended conditional approval of the Master Plan. The Applicant must submit an approved water plan with their development plan application and an Agreement to Construct and Dedicate (ACD) prior to building permit approval. For additional details, please refer to the Master Utility Plan of the proposed Master Plan in Attachment C.

The Applicant submitted a water budget that the Applicant calculated using an estimation of the average water use per unit, common areas and landscaping.

water budget details can be found in Table 3. The water budget will be updated to account for landscaping if and when a development plan is submitted.

**Table 3. Water Budget Details**

Use per unit annually	29,947 gallons	.092-acre feet
Total domestic use for 130 new units	3,893,108.3 gallons	11.95-acre feet
Leasing office and common areas	500,000 gallons	1.53-acre feet
First 3 Years of Landscaping	TBD (landscaping will be designed in Development Plan stage)	TBD
9.8% CONTINGENCY per SFCC §14-8.13(E)(1)	430,524.6 gallons	1.32-acre feet
Total annual water consumption	4,823,632.9 gallons	14.8 A/F/Y

<sup>4</sup> “Passive water harvesting” is “[t]he collection or storage of precipitation or runoff in surface or in-ground structures with no means of mechanical distribution.” SFCC 1987, § 14-12.1 “Definitions”, “Passive water harvesting”

**Sewer**

Sewer service will be provided through a new manhole connection to the existing trunk line running along the northern edge of the property, as well as a connection to the existing sewer line on Cooks Road. The City’s wastewater division has reviewed the application and has requested the following notes prior to recordation of the Master Plan, “All sewer service lines shall be SCH 40 PVC, 6” sewer lines shall have a minimum of 1% slope, and 4” lines shall have a minimum of 2% slope.” For additional details, please refer to the Master Utility Plan of the proposed Master Plan in Exhibit C.

**L. Impact on Schools**

The Applicant submitted a “School Impact Form” as part of this application, which is included in Exhibit C-9. The schools impacted include El Camino Real Elementary, El Camino Real Middle School and Santa Fe High School.

**M. Santa Fe Homes Program**

In accordance with the Santa Fe Homes Program (“SFHP”) (as described in SFCC 1987, Sections 26-1 and 14-8.11), the Applicant has submitted a proposal that identifies thirteen (13) units (10% of the total units) to be rented at 80% AMI. The remaining 5% will be paid as a fee-in-lieu towards the Housing Trust Fund. An executed rental proposal agreement with the SFHP will be required with any future development plan application submittal.

**N. Archaeology**

The Property is located in the River and Trails Archaeological District. The parcel has not received archeological clearance. The Applicant shall submit an archaeology survey whether or when a development plan application is submitted. Archaeological clearance is not required at this time but shall be required prior to approval of any final development plan or plat for this project per SFCC 1987, Section 14-3.13(B)(2).

**IV. ZONING APPROVAL CRITERIA**

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

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

**Table 4: Rezoning Approval Criteria**

<p><b>Criterion 1 (14-3.5(C)(1)(a)): one or more of the following conditions exist:</b></p> <ul style="list-style-type: none"> <li><b>(i) There was a mistake in the original zoning;</b></li> <li><b>(ii) There has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning;</b></li> <li><b>or</b></li> <li><b>(iii) A different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;</b></li> </ul>	<p><b>Criterion Met: (Yes/No) YES</b></p>
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**Applicant's Response:**

(i) There was a mistake in the original zoning; N/A

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

This area has gradually densified over the years resulting in a diverse neighborhood of suburban residential development patterns, multi-family development, and commercial uses. The most significant and relevant change is the housing shortage that Santa Fe is currently facing. Increasing the supply of all types of housing is critical to accommodating projected growth and addressing affordability. In addition, a key component of economic development is an adequate supply of housing to support a robust workforce. The rezone will directly result in an increase of local housing supply and affordability.

(iii) A different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans.

The subject property is an ideal location for greater housing density, served by the Santa Fe Trails bus system, proximate to services and employment, and less than half a mile from the Santa Fe River Trail, providing direct access to downtown. Accordingly, the project aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use. Furthermore, the project exemplifies the following elements of the General Plan Land Use Framework: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development. The applicable Themes and Policies of the General Plan are further summarized below:

**Affordable Housing Policy 4-4-G-7**

This increase in housing supply provided by the project will help alleviate the current housing shortage in Santa Fe. In addition, 10% of the units will be set-aside as affordable units and a 5% fee paid to the Affordable Housing Trust Fund to support future affordable housing efforts.

**Economic Development Strategic Plan**

The provision of adequate housing opportunities for the workforce is critical to economic development. Furthermore, the project enhances the mixed-use environment of the Agua Fria corridor, whose residents will support local businesses in the vicinity.

**Urban Form/Higher Densities - Growth Management Methods 4.1**

"In both 'infill' and 'future growth' areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows. This approach does not necessarily require greater building height but rather greater massing on specifically identified infill sites within the Urban Area."

The rezoning supports the General Plan's emphasis on higher densities and a compact urban form. The requested rezone to C-2 maximizes land use efficiency in an urban setting, reducing urban sprawl, and supporting walkability and transit-oriented development. By promoting higher-density residential development, the rezoning aligns with the city's vision of creating a more sustainable urban environment.

**Community-Oriented Development - Growth Management Methods 4-1-G-3**

"Use a full range of growth management methods to achieve a superior quality of life and to ensure a financially and environmentally sustainable community."

The project will help meet the community's housing needs in a sustainable manner. Developing housing in the Agua Fria corridor provides walkable access to services and employment opportunities. Furthermore, the site is served by Route 1 of the Santa Fe Trails bus system.

**Compact Urban Form 4-3-G-2**

Rezoning to C-2 supports a more compact urban form by making more efficient use of the land. This is particularly important for infill sites where existing utility and roadway infrastructure can be leveraged without the need for extensive new development. This efficient use of land and infrastructure is a key goal of the General Plan, helping to reduce the environmental impact of development and supporting more sustainable urban growth.

**Mix of Housing Types in All Neighborhoods (3.3 Land Use Framework)**

"Future Land Use (Figure 3-2) illustrates neighborhoods with integrated housing types, designed to locate a larger share of residences close to transit and neighborhood centers." The subject property is in a diverse neighborhood of commercial uses and a variety of residential densities. The project adds to this diversity, increasing the housing supply in this mixed-use area. Furthermore, access to public transit, services, and employment make the site an ideal infill location for multi-family development.

**Staff Response:**

- (i) Staff finds that there is no mistake in the current MU zoning.
- (ii) After reviewing aerial imagery, Staff finds that there has been change to the surrounding area including the addition of more housing (particularly multi-family housing) and a reduction in industrial uses. For example, from 2018 to 2024, multiple multifamily complexes have been constructed in the surrounding area such as, Homewise condominiums, Siler Yard apartments, Acequia lofts, and the Boylan apartments. Furthermore, a review of forthcoming project proposals indicates this trend will likely continue with the addition of more housing and commercial developments along the Agua Fria corridor. Therefore, it is Staff's conclusion that there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning.
- (iii) The C-2 zoning designation would allow for additional housing density than the current MU zoning. Additionally, the C-2 designation allows for additional flexibility in terms of building form and programming than the MU zoning. Both components better support the General Plan themes

including compact urban form, infill, affordable housing and mixed-use development. Since the Rezoning is being submitted concurrently with a Master Plan that proposes a development, the different use category requested in the Rezoning is more advantageous to the community and consistent with General Plan themes.

Staff finds the Applicant has addressed this criterion.

<b>Criterion 2 (14-3.5(C)(b)):</b> all the rezoning requirements of Chapter 14 have been met;	<b>Criterion Met:</b> (Yes/No) <b>YES</b>
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**Applicant’s Response:**  
All the rezoning requirements of Chapter 14 have been met.

**Staff Response:**  
Staff finds that the rezoning requirements of Chapter 14 have been met: specifically, §14-3.1 “Applicable General Provisions” (the authority to file; form of the application; fees paid; pre-application conference and ENN requirements, sign posting and public notice) and the provisions, procedures, and additional requirements of §14-3.5 “Rezoning.” Additionally, the rezoning application has been transmitted and reviewed by the Development Review Team (DRT) of whom review and ensure the requirements in Chapter 14 have been met.

<b>Criterion 3 (14-3.5(C)(1)(c)):</b> the rezoning is consistent with the applicable policies of the general plan, including the future land use map;	<b>Criterion Met:</b> (Yes/No) <b>YES</b>
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**Applicant’s Response:**  
The requested C-2 zoning complies with the property’s designation of Transitional Mixed-Use. Furthermore, the project conforms to the General Plan as outlined below:  
  
Affordable Housing Policy 4-4-G-7  
This increase in housing supply provided by the project will help alleviate the current housing shortage in Santa Fe. In addition, 10% of the units will be set-aside as affordable units and a 5% fee paid to the Affordable Housing Trust Fund to support future affordable housing efforts.  
  
Economic Development Strategic Plan  
The provision of adequate housing opportunities for the workforce is critical to economic development. Furthermore, the project enhances the mixed-use environment of the Agua Fria corridor, whose residents will support local businesses in the vicinity.  
  
Urban Form/Higher Densities - Growth Management Methods 4.1  
“In both ‘infill’ and ‘future growth’ areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows. This approach does not necessarily require greater building height but rather greater massing on specifically identified infill sites within the Urban Area.” The rezoning supports the General Plan’s emphasis on higher densities and a compact urban form. The requested rezone to C-2 maximizes land use efficiency in an urban setting, reducing urban

sprawl, and supporting walkability and transit-oriented development. By promoting higher-density residential development, the rezoning aligns with the city’s vision of creating a more sustainable urban environment.

**Community-Oriented Development - Growth Management Methods 4-1-G-3**

“Use a full range of growth management methods to achieve a superior quality of life and to ensure a financially and environmentally sustainable community.” The project will help meet the community’s housing needs in a sustainable manner. Developing housing in the Agua Fria corridor provides walkable access to services and employment opportunities. Furthermore, the site is served by Route 1 of the Santa Fe Trails bus system.

**Compact Urban Form 4-3-G-2**

Rezoning to C-2 supports a more compact urban form by making more efficient use of the land. This is particularly important for infill sites where existing utility and roadway infrastructure can be leveraged without the need for extensive new development. This efficient use of land and infrastructure is a key goal of the General Plan, helping to reduce the environmental impact of development and supporting more sustainable urban growth.

**Mix of Housing Types in All Neighborhoods (3.3 Land Use Framework)**

“Future Land Use (Figure 3-2) illustrates neighborhoods with integrated housing types, designed to locate a larger share of residences close to transit and neighborhood centers.”

The subject property is in a diverse neighborhood of commercial uses and a variety of residential densities. The project adds to this diversity, increasing the housing supply in this mixed-use area. Furthermore, access to public transit, services, and employment make the site an ideal infill location for multi-family development.

**Staff Response:**

The policy designation for the Property is described in the Future Land Use Map as TMXU, which allows a “mixing of compatible land uses within the same tract.” The TMXU definition does not identify an appropriate residential density range, only that development “may include such uses as residential, including single-family and multi-family residential where the scale and intensity are deemed appropriate...and appropriately scaled retail/services that are intended to primarily serve the residential uses as an added local amenity.”

The proposed rezone from MU to C-2 zoning and prevailing uses will be for multi-family and retail uses. Guiding policies within the General Plan for future land uses not only encourage but recommends mixed use development per 3-G-2. While both allow mixed use development, the MU District is limited in density based on height of structures while the C-2 District is performance based per §14-7.3(B)(d)(ii). Whereas parcels in the C-2 district do not have any density requirements per table §14-7.3-1. The change to a C-2 Zoned District supports the General Plan themes including compact urban form, infill, affordable housing and mixed-use development.

The Applicant has addressed this criterion.

<b>Criterion 4 (14-3.5(C)(d)): the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city;</b>	<b>Criterion Met: (Yes/No) YES</b>
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**Applicant Response:**

General Plan Figure 4-4, Urban Sub-Areas, designates the subject property and surrounding area as an “Infill Area.” The Growth Management Chapter of the General Plan specifically calls for prioritization of infill development in Santa Fe to maximize the efficient use of public infrastructure, while meeting the demand for urban land or development and directing new growth towards the historic core of the city rather than on the undeveloped fringes. The proposed infill project is aligned with these strategic directives and is responsive to community needs for housing in this area of the City. General Plan Section 4.1 states, *“In both ‘infill’ and ‘future growth’ areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows” to help “create efficient use of already existing roads and utilities, help ensure cost efficient public transit and provide the type of housing that will be in demand...”*.

**Staff Response:**

SFCC 1987, Section 14-3.5(C)(2)(b) prohibits a rezoning if the rezoning will “affect an area of less than two acres.” The Property is 4.12-acres and therefore exceeds the required two acres., the Rezoning and proposed use is sufficient and meets .

The project meets city policies regarding the provision of urban land sufficient to meet the amount, rate, and geographic location of the growth of the city. The project is located within he “Infill Area” identified in the Growth Management Chapter of the General Plan figure 4-4 Urban Sub-Areas and proposes a development that meets the needs of the community while being served by sufficient infrastructure including roads, utilities and transit. Furthermore, the infill development area represents the highest priorities for public investment for infrastructure and city services. The “Urban Area” has the potential to absorb 1,000 new housing units within the designated “Infill area,” which includes vacant infill sites per the growth management section 4.4.1 of the General Plan. Therefore, the subject parcel is geographically located that sufficiently meets the projected growth rate goals for the city of 30,000 additional residents by 2020 (General Plan 4.3.1).

Staff finds the applicant as addressed this criterion.

<b>Criterion 5 (14-3.5(C)(1)(e)): the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.</b>	<b>Criterion Met: (Yes/No) YES</b>
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**Applicant’s Response:**

The subject property is served by existing roadways and public water and sewer infrastructure. In addition, the site is proximate to the Santa Fe River Trail, providing access to the City’s network of urban trails and open space.

**Staff Response:**

Staff from the relevant City departments, including water, wastewater and traffic engineering have reviewed the zoning criteria as it relates to the masterplan and have determined that the property is sufficiently served by infrastructure so long as the Applicant meets the conditions and technical corrections identified in this report. Notably, the project is located near two major urban trails and Frenchy’s Field Park. Additional improvements to the project’s infrastructure may be required when a Development Plan is submitted.

Staff finds the applicant as addressed this criterion.

**Criterion 6 (14-3.5(C)(2)): Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:**

- (a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;**
- (b) affect an area of less than two acres, unless adjusting boundaries between districts; or**
- (c) benefit one or a few landowners at the expense of the surrounding landowners or general public.**

**Criterion Met:  
(Yes/No)  
YES**

**Applicant’s Response:**

The proposed project aligns well with numerous General Plan policies and principles, as addressed above. Furthermore, it is a model of the type of infill development that the General Plan specifically encourages, adding to the mix of housing types in the neighborhood, providing 13 affordable apartment homes, creating a transition between lower and higher intensity land uses, and creating higher density housing adjacent to a transit corridor.

**Staff Response:**

- A.** The existing zoning of mixed-use/multifamily (MU) is consistent with the prevailing/ proposed general commercial (C-2) and character of the area and the Future Land Use identified in the General Plan. For example, land use classification within the greater Agua Fria area have evolved from a rural character to take on a more suburban character. The proposed rezone will help preserve the lifestyle and character of semirural residential areas while providing for sensitive urban development, mixed use of land uses, and residential densities allowed in C-2 districts.
- B.** The property is 4.12 acres therefore, larger than 2 acres.
- C.** The Applicant did not directly address this criterion; however, supporting information is provided throughout the report. While the rezoning enables the development of the subject property, it does not benefit the landowner at the expense of the surrounding landowners or the public. The Master Plan proposes a mix of residential and neighborhood-scale commercial uses that

align with General Plan Policies for infill, multimodal access, and increased housing supply. The project includes 130 new residential units, with 10% set aside as affordable housing and a 5% fee contribution to the City's Affordable Housing Trust Fund, thereby supporting broader community housing goals. The Applicant also facilitates a potential future street connection between Isiah Lane and Cooks Road, advancing long-term transportation connectivity. All site improvements will be the developer's responsibility, and no public costs are transferred. The rezoning facilitates the implementation of a coordinated land use strategy with clear community benefits.

Staff finds the Applicant has addressed this criterion

**Table 5: SFCC §14-3.5 (D): Additional Applicant Requirements**

<p><b>(1) If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;</b></p>	<p><b>Criterion Met: (Yes/No) YES</b></p>
<p><b>Applicant's Response:</b></p> <p>The Applicant is prepared to construct necessary infrastructure improvements to accommodate future development on the property in accordance with the Traffic Impact Analysis and applicable City regulations.</p>	
<p><b>Staff Response:</b></p> <p>The Traffic Impact Analysis (TIA) submitted by the Applicant has identified off-site infrastructure improvements that include installing a right turn deceleration lane totaling 110 feet and a two-way left turn lane at the intersection of Agua Fria and the access point of the property (Exhibit C-13). All designs shall satisfy the Manual on Uniform Traffic Control Devices (MUTCD) and the City of Santa Fe requirements.</p> <p><u>Staff finds the Applicant has addressed this criterion.</u></p>	
<p><b>(2) If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.</b></p>	<p><b>Criterion Met: (Yes/No) YES</b></p>
<p><b>Applicant's Response:</b></p> <p>Any requisite infrastructure improvements will be determined at the Development Plan stage and will be implemented as part of the project.</p>	

**Staff Response:**

Additional streets, sidewalks, and curb improvements shall be determined if and when the applicant submits a Development Plan application. Furthermore, a 42' access easement shall be placed near the Southeast corner going through the subject parcel from East to West in the event the City is able to develop a right-of-way connecting Paseo Corazon Street to Cooks Road.

Staff finds the Applicant has addressed this criterion.

**V. MASTER PLAN APPROVAL CRITERIA SECTION 14-3.9(D)(1)**

SFCC Section 14-3.9 governs the authority, procedures, and restrictions for master plans. The Criteria for approval of master plans are detailed below:

**Table 6: Master Plan Approval Criteria**

<b>Criterion 1: the master plan is consistent with the general plan;</b>	<b>Criterion Met: (Yes/No) YES</b>
<p><b>Applicant Response:</b></p> <p>The proposed Master Plan supports General Plan Theme 1.7.1 – Affordable Housing, which calls on the Planning Commission and Governing Body to “actively participate in the creation of affordable housing” by approving development that creates opportunities for housing to serve all income segments in all areas of the city. In addition, the following land use principles in General Plan Section 3.3 are embodied by the proposal:</p> <ul style="list-style-type: none"><li>• <i>Compact Urban Form:</i> As an infill site, the project exemplifies a compact urban form.</li><li>• <i>Mix of Housing Types in All Neighborhoods:</i> Calls for the integration of diverse housing types close to transit and neighborhood centers. The proposal will enable residential development at a density that will promote a diversity of housing types in the neighborhood.</li><li>• <i>Quality of Life.</i> The Plan specifically seeks to promote community interests over private interests to ensure the availability of resources, services and amenities to all residents. The Master Plan will enable the future development of much needed market rate and affordable housing, which will serve a diversity of Santa Fe residents.</li><li>• <i>Sustainable Growth.</i> The project will efficiently utilize existing infrastructure and balance resource protection with meeting community needs through residential infill development. Chapter 4 of the General Plan states, “Promoting infill over development at the periphery of the city is a key component of growth management. Providing a mix of housing densities and products is essential to promoting a balanced socioeconomic profile for all neighborhoods within the city. Infill development can be designed to be fully compatible and to integrate with surrounding neighborhoods, at densities that support the construction of affordable housing.”</li></ul> <p>The General Plan specifically calls for a mixture of housing types in all neighborhoods and for the active creation of affordable housing – objectives which this proposal seeks to address by enabling</p>	

residential development at a density that is compatible with its surroundings and creating the possibility for a diversity of housing types and pricing options.

**Staff Response:**

The Master Plan is consistent with the General Plan. It complies with land use themes and guiding policies including Sustainable Growth, Affordable Housing, Character, Mixed Use, Compact Urban form established in section 3-1 and 3-G-3. The Master Plan is also consistent with Growth Management strategies in Chapter 4, City Character in Chapter 5, Infrastructure and Public Services in chapter 7, and the overall General Plan Themes set forth in chapter 1. Finally, it also complies with the Future Land Use Map, which designates this parcel as “Transitional Mixed-Use”.

Staff finds the Applicant has addressed this criterion.

**Criterion 2: the master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts**

**Criterion Met:**  
(Yes/No)  
**YES**

**Applicant Response:**

The C-2 zoning district is a robust mixed-use zoning category that supports both commercial uses and multi-family development at higher densities. The proposed mixed-use development will serve as an appropriate transition from the more intense commercial uses to the west and the residential development patterns to the east. Furthermore, the Master Plan demonstrates compliance with Chapter 14 development standards with respect to height, lot coverage, parking, open space, terrain management, and landscaping.

**Staff Response:**

The proposed Master Plan is consistent with the purpose and intent of the C-2 zoning district and have been conditioned to meet specific design criteria that shall apply when a Development Plan application is submitted. The review process provided technical corrections and conditions of approval to ensure all applicable standards for a C-2 district have been met such as uses, parking, lot size, lot coverage, minimum setbacks, and height of structures per section 14-7.3-1.

Staff finds the applicant as addressed this criterion.

**Criterion 3: development of the master plan area will contribute to the coordinated and efficient development of the community;**

**Criterion Met:**  
(Yes/No)  
**YES**

**Applicant Response:**

The Master Plan includes provisions for pedestrian and vehicular connectivity to the surrounding area, as called for in the General Plan. In addition, the subject property makes efficient use of existing infrastructure as an infill site – a value repeatedly emphasized in the General Plan. Furthermore, as stated above, the development program proposed by the Master Plan will serve to achieve a transition between lower intensity residential land uses to the east and the higher intensity commercial uses to the west. Transitions like this are critical to the coordinated

development of the community and serve to buffer residential neighborhoods from areas of high intensity land uses.	
<b>Staff Response:</b>	
The Master Plan proposes an efficient use of an increasingly rare large infill parcel. It provides a transition in intensity between high-intensity industrial uses to lower intensity residential uses, while providing additional retail opportunities to serve the immediate vicinity. The project will be in close proximity to several transportation options and the growing commercial and entertainment district around the Siler and Rufina intersection.	
<u>Staff finds the Applicant has addressed this criterion.</u>	
<b>Criterion 4: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development.</b>	<b>Criterion Met:</b> (Yes/No) <b>YES</b>
<b>Applicant Response:</b>	
The existing roadway and utility infrastructure are adequate to serve the project. The Traffic Impact Analysis (TIA) demonstrates that the roadway network has the capacity for the proposed development, with the potential construction of a right turn deacceleration lane at the site access.	
<b>Staff Response:</b>	
The proposed infrastructure has been reviewed based on the regulations established in chapter 14 by land use staff and the Departmental Review Team (DRT) encompassing, fire, water, wastewater, public works, terrain management, traffic, and landscaping.	
Based on the analysis of staffs and DRT’s review, it is determined the proposed infrastructure can be accommodate the impacts of the site. The lot is vacant therefore, existing infrastructure is not present at the site however, landscaping requirements will require significant trees that are removed be replaced at the time of construction. Individual DRT technical corrections and conditions of approval can be found in Attachment A of this report.	
<u>Staff finds the Applicant has addressed this criterion.</u>	

**VI. EARLY NEIGHBORHOOD NOTIFICATION**

Two Early Neighborhood Notification (ENN) meetings were held for this project. The first was held on January 24<sup>th</sup>, 2024, and the second was held on April 23<sup>rd</sup>, 2024.

At the first ENN meeting, members of the Applicant team, city staff, and approximately 20 members of the public were in attendance. The Applicant team presented an overview of the proposed development and received questions from the public and City staff. The public asked questions on topics including parking, affordable housing, traffic, building height, and neighboring uses.

At the second ENN meeting, members of the Applicant team, city staff, and approximately 17 members of the public were in attendance. The Applicant team presented an overview of the proposed development and received questions from the public and City staff. The public asked questions on topics including affordable housing, location adjacent to industrial uses, traffic, zoning definitions building height, and connections.

## **VII. ATTACHMENTS**

### **ATTACHMENT A: Development Review Team**

1. Compiled Conditions of Approval and Technical Corrections
2. MPO DRT Memo
3. City Engineer DRT Memo
4. Fire DRT Memo
5. Water Utility DRT Memo
6. Wastewater DRT Memo
7. Traffic DRT Memo
8. Archeological DRT Memo
9. Landscape DRT Memo

### **ATTACHMENT B: Maps and Photos**

1. Future Land Use
2. Current Zoning
3. Aerial Photos
4. Street View
5. Birdseye View

### **ATTACHMENT C: Applicant Materials**

1. Application Report and Approval Criteria Responses
2. Master Plan Application and Authorization
3. Rezoning Application and Authorization
4. Warranty Deed
5. Certificate of Compliance
6. Rezoning Ordinance 2007-29
7. Utility Service Application
8. SFHP Proposal
9. School Impact Form
10. Water Budget
11. ENN Notes
12. Parking Study
13. TIA

### **ATTACHMENT D: Master Plan Sheets**

**VIII. APPROVED AS TO FORM BY THE PLANNING AND LAND USE DEPARTMENT:**

<b>Title</b>	<b>Name</b>	<b>Initials</b>
Department Director	Heather Lamboy, AICP	<i>HLL</i>
Assistant Department Director	Maggie Moore	<i>MM</i>
Planning Division Manager	Dan Esquibel	<i>DAE</i>
Planner Senior	Joel Cruz-Haber	<i>JCH</i>