

City of Santa Fe, New Mexico

Attachment B

Applicant Submittals

1. Preliminary Subdivision Report



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

June 9, 2025
(Revised October 15, 2025)

Rebekah Clouser, Senior Planner
Current Planning Division
City of Santa Fe Land Use Department
200 Lincoln Avenue
Santa Fe, NM 87501

**RE: Tierra Contenta, Phase 3A
Preliminary Subdivision Plat, Variance & Permit Applications**

Dear Rebekah:

This letter is respectfully submitted on behalf of Homewise, Inc. (property deeded to TC Phase 3A, LLC) in application for Preliminary Master Subdivision Plat, Innovative Street Designs, Variances, and infrastructure permits for Phase 3A of the Tierra Contenta Master Plan. Phase 3A comprises only the Homewise-owned lands within Phase 3 of the recorded Master Plan. The Phase 3A subject parcels are zoned Planned Residential Community (PRC), totaling 216.5 acres, and are located of south Jaguar Drive and east of SWAN Park. This application includes the following requests:

1. Preliminary Subdivision Plat
2. Innovative Street Designs for Paseo del Sol
3. Variance to §14-8.2(D)(2)(b) to permit disturbance of 30% slopes
4. Infrastructure Permits

In accordance with discussions with City Staff, the permit review will occur concurrently with the subdivision plat review in order to expedite permit issuance following recordation of the plat.

Background

The land comprising Tierra Contenta was originally annexed by the City of Santa Fe in 1985 in an effort to create affordable housing, increase the supply of developable land, and increase local production building capacity. The City Council approved the following documents that initiated the development of Tierra Contenta at its meeting on February 23, 1994:

- The Tierra Contenta Master Plan, which included 1,331 acres of property rezoned to Planned Residential Community (PRC), plus 90 acres of property outside the PRC zoning, for a total 1,421 acres. Of this total land area, the City owned 860 acres, which it deeded to TCC.

- The Restated Annexation Agreement, “Tierra Contenta, Wolgamood Subdivision and Contiguous Lands (East)” which outlines the obligations of each landowner and the City for the development of the property, including an obligation to provide 40% affordably housing on TCC-owned property.

The Tierra Contenta Corporation (TCC) was created by the City of Santa Fe in January 1993 for the purpose of implementing the Tierra Contenta Master Plan on its behalf. In 2024, the Phase 3A properties were acquired by Homewise, Inc., who will now serve as the Master Developer.

An amendment to the Tierra Contenta Master Plan for Phase 3A, along with updated Design Standards, were approved by the Governing Body on October 27, 2021, and recorded on May 7, 2025. The amendment provides for a maximum residential density of 1,500 dwelling units. In addition, a 10.25-acre school site is identified and Tracts 58 and 59 are designated as mixed-use. The intent of the Master Plan Amendment was to respond to shifting market conditions, provide more housing diversity, improve pedestrian connectivity, and implement design changes to address lessons learned from previous phases. The planning objectives are summarized below:

- **Innovative street design**
 - Provision of ample on-street parking
 - Pedestrian-oriented design – sidewalks on all roadways
- **Mixed residential housing types**
 - All housing types permitted in all residential tracts
 - Place-making strategy, inspired by character-defining diversity of older neighborhoods
- **Flexible Densities**
 - Density bonuses awarded as incentives for diversity of housing types, additional affordable housing, and sustainable construction methods.
- **Pilot form-based zoning concepts**
 - Typological approach
 - Less prescriptive, more flexible, easier to apply
 - Emphasis on walkability and activation of public realm

For each phase of the Master Plan, a Master Subdivision Plat establishing the development tracts must be approved by the Planning Commission. Subsequently, Subdivision Plats and Development Plans are approved by the Planning Commission for individual development tracts within each phase. Prior to City review and approval, each Subdivision Plat and Development Plan is subject to review by the Tierra Contenta Architectural Review Committee for compliance with the Master Plan, Master Plat, and Design Standards. Except as specifically provided in the Master Plan, Annexation Agreement, or Design Standards, development within Tierra Contenta must comply with all other property development regulations adopted by the City of Santa Fe.

PRC Zoning

Tierra Contenta is zoned Planned Residential Community (PRC), which was established by the Santa Fe City Council in 1988. The purpose and intent of PRC zoning is described in SFCC §14-4.3(I)(1) and generally provides comprehensive zoning for large-scale, phased development, which “applies innovative site-planning techniques.” The Phase 3A Design Standards along with the Master Plat will form the basis to implement the Master Plan, as amended for Phase 3A. The Design Standards are structured to give users and reviewers a format, intent, and specific direction for development review and implementation. City staff and planning officials retain jurisdiction to review, approve, or disapprove Development Plans and Subdivision Plats within Tierra Contenta. However, the Tierra Contenta Annexation Agreement states that:

“The City agrees to approve rezoning, preliminary development plans and preliminary subdivision plats for individual tracts within the Property, provided such rezoning, plats and plans conform to the Master Plan and Phasing Plan, the SFCC 1987 as amended, and the provisions of this Agreement. The City agrees to approve final development plans and final subdivision plats that substantially conform to previously approved preliminary plats and plans.”

The Phase 3A Master Plat is consistent with the Master Plan. Subsequently, the individual Subdivision Plats and Development Plans for the tracts shall be consistent with the approved Phase 3A Master Plat and Design Standards.

Previous Phases

To date, TCC has completed the master platting process for five phases – Phase 1A, Phase 1B, Phase 2A, Phase 2B, and Phase 2C. This represents 3,193 residential units. Of these, 1,310 units (41%) are considered affordable. The total entitlement for Phases 1 and 2 is 3,261 units.

Phase	Acreage*	Total Built/Platted Units	Affordable Units	% Affordable
1A	175	891	460	51.6%
1B	165	800	365	45.6%
2A	165	670	225	33.6%
2B	61	388	165	42.5%
2C	45	444	95	21.4%
TOTAL	611	3,193	1,310	41.0%

**Acreages presented are exclusive of natural open space.*

Phase 3A Land Use Summary

Phase 3A of Tierra Contenta includes only Homewise-owned lands within the final phase of Tierra Contenta, totaling 216.5 acres. The remainder of Phase 3 is owned by the New Mexico School for the Deaf (NMSD) and there are no plans to develop Phase 3B at this time. The following table summarizes the proposed land uses for Phase 3A:

Mixed Residential	12 tracts	133.97 acres	1,133 units
Mixed-Use	Tracts 58 & 59	2.94 acres	42 units
School	Tract 56	10.25 acres	
Open Space/Park Land		69.34 acres	
<i>Total</i>		<i>216.5 acres</i>	<i>1,175 units</i> <i>(1,500 maximum)</i>

Infrastructure

The Phase 3A backbone infrastructure includes the following elements:

- The extension of Paseo del Sol West from its current terminus at Jaguar Dr. east to the Herrera Drive roundabout
- The Loop Road (Cinto Norte & Cinto Sur)
- Water, sewer, power, natural gas, and telecom
- Centralized drainage structures
- Community trail improvements

The infrastructure design was funded through a NMDOT grant administered by the City Public Works Department. The plans are 100% complete and submitted with this application.

Subdivision Approval Criteria

The Subdivision comprises 16 development tracts and 6 open space tracts. The approval criteria in §14-3.7(C) are addressed below:

(1) In all subdivisions, due regard shall be shown for all natural features such as vegetation, water courses, historical sites and structures , and similar community assets that, if preserved, will add attractiveness and value to the area or to Santa Fe.

The subject parcel is undeveloped and gently sloped, except for some steeper slopes adjacent to drainageways the north and west areas. 69.34 acres of natural open space will be preserved, providing trail corridors and outdoor recreation opportunities for the community.

(2) The planning commission shall give due regard to the opinions of public agencies and shall not approve the plat if it determines that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuited for building, or for other reasons uninhabitable, shall not be for residential occupancy, nor for other uses that may increase danger to health, safety or welfare or aggravate erosion or flood hazard. Such land shall be set aside within the plat for uses that will not be endangered by periodic or occasional inundation or produce unsatisfactory living conditions. See also Section 14-5.9 (Ecological Resource Protection Overlay District) and Section 14-8.3 (Flood Regulations).

The property is primarily gently sloped. Drainageways and steeper terrain will be protected in open space.

- (3) *All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).*

The proposed subdivision plat conforms with applicable standards of SFCC §14-9, and includes Innovative Street Design requests in accordance with §14-9.2(B)(3).

- (4) *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 .*

Variances are requested with this application as described below.

- (5) *A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with applicable provisions of other chapters of the Santa Fe City Code unless an exception is approved pursuant to the procedures provided in that chapter prior to approval of the plat .*

The proposed subdivision plat does not increase the degree of an existing non-conformity. Variances are requested with this application as described below.

Variance to §14-8.2(D)(2)(b) – Disturbance of 30% Slopes

Construction of some trail and drainage improvements necessitates disturbance of isolated occurrences of 30% slopes totaling 7,305 square feet, or 0.077% of the project area. Please refer to Sheet 6A in the attached plan set for more details. The variance approval criteria specified in SFCC §14-3.16(C)(1) through (5) are addressed below for the trails and drainage improvements separately.

Trail Improvements

As part of the design process through the Public Works Department for the backbone infrastructure, input on the trail design was provided by the MPO and the Parks Division, with the intent to provide meaningful connectivity to the surrounding area. First, on the west side of the project, a proposed trail will extend from Paseo del Sol and connect to SWAN Park to the west, disturbing 222 square feet of 30% slopes. Second, at the northeast area of the site, a trail was requested to provide a connection from the sewer line trail to existing “cattle paths” on the NMSD property that connect to Capital High School, disturbing 2,515 square feet of 30% slopes.

- (1) *One or more of the following special circumstances applies:*

- (a) *unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or*

that were created by natural forces or by government action for which no compensation was paid;

Applicant Response. The Phase 3A lands are characterized by significant tributaries of the Arroyo de los Chamisos traversing the north and southwest areas of the site, presenting significant challenges with respect to installation of the requested trail improvements.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; N/A

(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; or N/A

d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts). N/A

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Applicant Response. It is infeasible to construct the requested trails without the modest disturbance of 30% slopes. The desired connections cross steep terrain and cross arroyos. In addition, the trails are designed to minimize slope and establish as much accessibility as possible.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

Applicant Response. The proposed intensity of development is consistent with previous phases of Tierra Contenta.

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

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use; and

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

Applicant Response. Significant efforts have been made to minimize the disturbance of 30% slopes to those areas that are absolutely necessary to provide the desired trail connectivity. The property could not be developed as a different category or lesser intensity of use without the City Council approving amendments to the Tierra Contenta Annexation Agreement and Master Plan. Nor would other use categories satisfy the City's

objectives of increasing housing supply, especially affordable housing. Tierra Contenta implements the purposes of Chapter 14 through a coordinated and harmonious development that promotes the health, safety, and welfare of the community. Furthermore, the development of Phase 3A with this requested variance enables construction of coordinated streets, trails, and utility infrastructure.

(5) The variance is not contrary to the public interest.

Applicant Response. The development of Phase 3A is in the public interest through the increase in housing supply, including up to 600 affordable homes. In addition, the public interest is served through the construction of new trails providing connectivity to SWAN Park and Capital High School for area residents.

Drainage Improvements

(1) One or more of the following special circumstances applies:

(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

Applicant Response. The physical characteristics of the Phase 3A lands are exemplified by significant tributaries of the Arroyo de los Chamisos traversing the site. The project is employing a unique stormwater management approach that establishes ponding in existing drainageways through the installation of gabion and earthen dams. This approach respects the natural path of water, minimizes ground disturbance, and preserves developable area in support of this affordable housing initiative.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid; N/A

(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; or N/A

d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts). N/A

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Applicant Response. The drainage design is a terrain-based approach that honors the existing drainage pattern, while minimizing disruption of the natural terrain. It is infeasible to overly

engineer a stormwater management solution that diverts water from its natural path, which can result in higher maintenance costs for the City and erosive conditions over time.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

Applicant Response. The proposed intensity of development is consistent with previous phases of Tierra Contenta.

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

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use; and

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

Applicant Response. Significant efforts have been made to minimize the disturbance of 30% slopes to those areas that are absolutely necessary to ensure the orderly and efficient development of the property in accordance with the Master Plan. The property could not be developed as a different category or lesser intensity of use without the City Council approving amendments to the Tierra Contenta Annexation Agreement and Master Plan. Nor would other use categories satisfy the City's objectives of increasing housing supply, especially affordable housing. Tierra Contenta implements the purposes of Chapter 14 through a coordinated and harmonious development that promotes the health, safety, and welfare of the community.

(5) The variance is not contrary to the public interest.

Applicant Response. The development of Phase 3A is in the public interest through the increase in housing supply, including up to 600 affordable homes, which is enabled by the infrastructure design that requires this modest variance. In addition, the public interest is served through a stormwater management design that minimizes land disturbance, while increasing the supply of affordable housing by preserving developable land for that purpose.

Access and Traffic

Phase 3A will be served via the extension of Paseo del Sol West from the current terminus at Jaguar Drive east to the Herrera Drive/Paseo del Sol East roundabout, completing this important roadway connection. In addition, an internal Loop Road (Cinto Norte and Cinto Sur) will complete the Phase 3A backbone roadway infrastructure, providing access to the development tracts. Two roundabouts are proposed at the Paseo del Sol/Loop Road intersections. The easternmost leg of Paseo del Sol and a portion of the Loop Road cross NMSD property and the

administration has agreed to the requisite right-of-way dedications in accordance with the terms of the Tierra Contenta Annexation Agreement.

The subdivision plat identifies potential future roadway/utility connections between tracts and to the NMSD property. As the individual tracts are developed, road stub-outs and/or right-of-way dedications will be required where appropriate to ensure adequate roadway connectivity in the larger area. In addition, connectivity among the development tracts is a key component of the design intent.

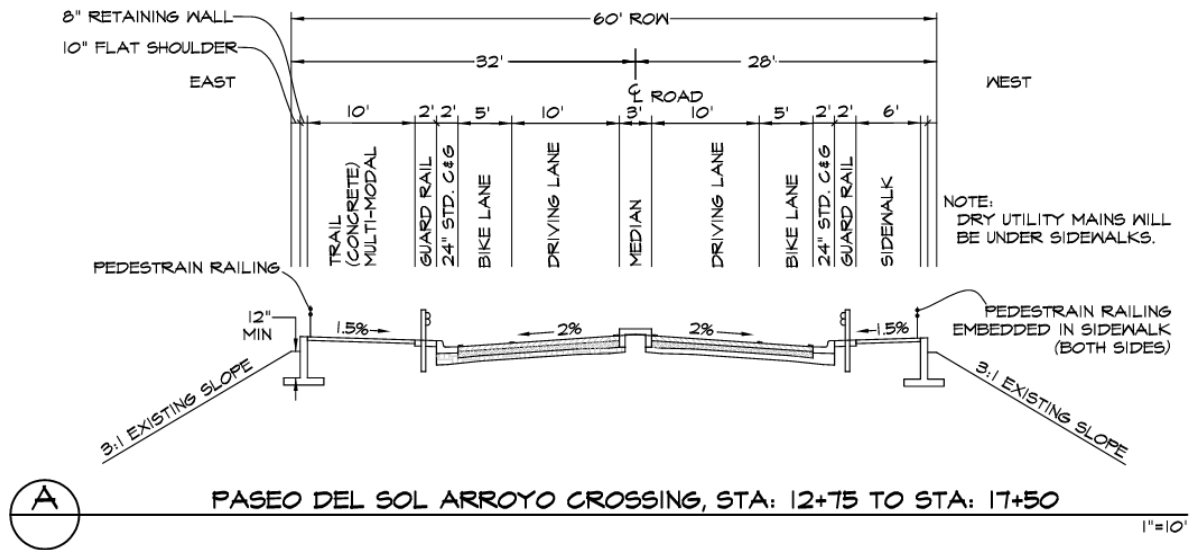
To provide improved pedestrian amenities and connectivity, each of the proposed roadway sections includes sidewalks on both sides. Furthermore, in order to address parking shortages experienced in previous phases, on-street parking is proposed on segments of Paseo del Sol and both sides of the Loop Road. Local Roads constructed within the development tracts will also include on-street parking. In the event on-street parking is not feasible due to driveway proximity or other constraints, dedicated guest parking areas will be required.

A Traffic Impact Analysis was conducted by Walker Engineering and is submitted herewith for review. The trip generation was calculated in accordance with a set of land use assumptions based on a dwelling unit yield analysis of the subject area. All studied intersections will continue to operate at acceptable Levels of Service in the build condition and horizon year. Furthermore, as referenced in the addendum letter from Morey Walker, a potential increase in density up to 1,500 dwelling units will not negatively impact the study's results.

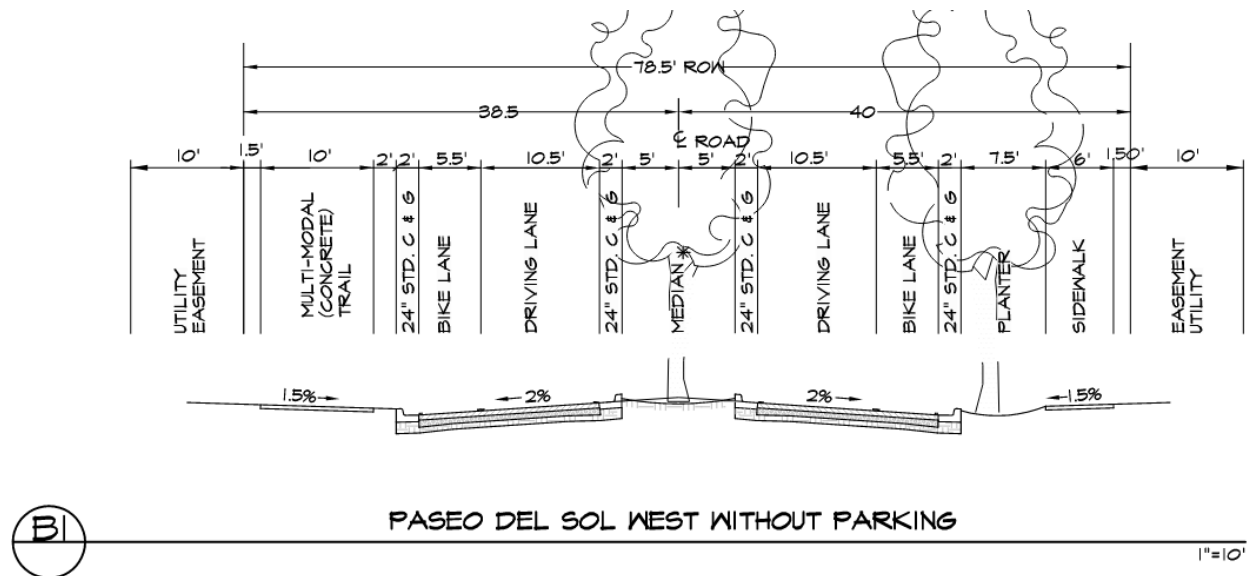
Innovative Street Design

The Innovative Street Designs described below are requested with this application in accordance with §14-9.2(B)(3). Please refer to Sheets 7 and 8A in the submittal plans.

Section A - Paseo del Sol Arroyo Crossing up to the West Roundabout. The road design on the west side utilizes an existing earthen dam that was constructed over a drainageway in 1999 when the Arroyo Chamiso sewer interceptor was constructed. The dam was designed to accommodate the future planned extension of Paseo del Sol and provided a 62-foot roadbed. Surveyed conditions confirmed only a 60-foot roadbed, which does not accommodate a standard roadway section. Therefore, the design has been modified in response to the existing site constraints, providing a two-lane road with two 5-foot bike lanes, a small (3') concrete median, a 6-foot sidewalk on one side and a 10-foot multi-modal trail on the other side, along with necessary pedestrian safety railing and guard railing. A multi-modal trail is included to support community trail connections at this segment of roadway.

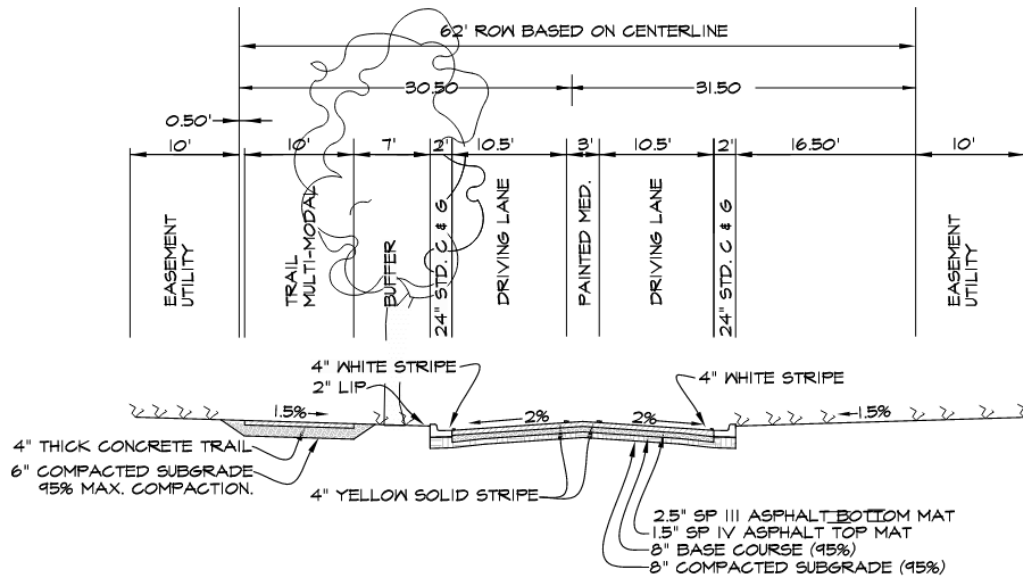


Section B1 – Arroyo Crossing Transition. Southeast of the dam, the right-of-way widens to 78.5 feet, expanding to provide a 10-foot median and a 7.5-foot planter strip, while continuing the multi-modal trail to the point of the off-road trail connections, per below.



Section D - Paseo del Sol through NMSD Property. In discussing this design with Public Works, we shared a concern about the potential for speeding through this area if on-road bike lanes were provided, making the road feel much wider, thereby encouraging speeding. As an alternative, we propose a 10-foot concrete multi-modal trail on the north side of the road, allowing the road to narrow, while still sufficiently accommodating vehicles. In addition, since the NMSD property will continue to function as open space for the foreseeable future, a trail is an appropriate option

that is responsive to the site context. Street trees will be provided in the 7-foot buffer between the trail and the roadway.



D PASEO DEL SOL WEST (NO DEVELOPMENT PLANNED NMSD PROPERTY) 1"=10'

Affordable Housing

Tierra Contenta was established with an affordability program that requires that 40% of the units be affordable. In the first two phases, 1,277 affordable units were produced amounting to 41% of the total units constructed to-date, 33 units in excess of the requirement. Phase 3A includes a requirement that an overall 40% affordability is achieved.

Mixed-Use

Tracts 58 and 59 are designated as Mixed-Use to accommodate civic, neighborhood commercial, and residential uses. In the event that there is no market demand for civic or commercial space, one or both of these tracts may be converted to Mixed Residential in order to ensure the orderly completion of the project.

Water and Sewer

As part of the backbone infrastructure, new water and sewer mainline extensions will connect to existing facilities. A water main will be installed in Paseo del Sol connecting to existing lines at the eastern and western termini of the new roadway. In addition, an 8" water main will be installed in the Loop Road. Future tract development will connect to these lines and loops will be established among various tracts where warranted. Sewer service will be provided via gravity and low-pressure connections to the existing Arroyo Chamiso Trunk Line that extends through the project area from the western terminus of Paseo del Sol down to and along the southern site

boundary. In addition, the northernmost tracts will connect to a new gravity sewer line to be constructed adjacent to an existing drainageway, which will also connect to the Arroyo Chamiso Trunk Line in Paseo del Sol. Please refer to the attached utility plans for more details.

Water offsets will be provided in accordance with SFCC §14-8.13(E) on a phased basis at the time each tract is developed. The following note will be placed on the plat to memorialize this requirement: *“Each tract developer is required to dedicate water to the City of Santa Fe to offset the development water budget in accordance with SFCC §14-8.13(E).”*

Terrain Management

Centralized stormwater management is provided in the open space consistent with previous phases of Tierra Contenta. All developed flows from roadways and tract development are accommodated, with the intent that the tracts are 100% developable in order maximize developable area and affordable housing. In order to deter ATV activity, 5-foot fencing is provided at Ponds A1, C1, and E1. Please refer to the Terrain Management Plans and Drainage Report for further information.

Open Space, Parks, and Trails

In Phase 3A, 69.34 acres of open space will be preserved, which includes land dedicated for a Neighborhood Park, and an extensive trail network, to be owned and maintained by the City of Santa Fe in accordance with the Annexation Agreement. In addition, four dispersed Pocket Parks are proposed within development tracts. These decentralized passive and active recreational spaces are intended to provide community connection opportunities throughout the neighborhood and will be developed in accordance with the Design Standards. Lastly, a 40-foot open space corridor and trail are provided between Tracts 63 and 64 to further enhance community connectivity.

Archaeology

An archeological survey was conducted of the Phase 3A land area and approved by the City Archaeological Review Committee (ARC) on July 6, 2023. Mitigation will be conducted this summer and completed prior to any site disturbance. Please refer to the attached Cultural Resources Survey and ARC Action Letter for more information.

Community Outreach and Early Neighborhood Notification

Extensive community outreach was conducted in 2019 and early 2020 as TCC embarked on revising the Phase 3A design. The intent was to hear the perspective of existing Tierra Contenta residents in an effort to identify the design elements that work well and those that do not. A series of four community meetings were conducted in 2019:

- April 11, 2019 – 45 participants, primarily from Tierra Contenta, shared their likes and dislikes of the current developed neighborhoods. No plans were presented.

- Three meetings held the week of November 4, 2019 with over 100 attendees. The first draft of the Land Use Plan was reviewed.

Meetings were noticed via ads, flyers, nextdoor.com, and events calendars. In addition, two surveys were conducted:

- Door-to-door in Tierra Contenta, October 2019 – 199 respondents
- Online survey completed January 2020 – 79 respondents (57% from TC)

An Early Neighborhood Notification Meeting was conducted on May 29, 2025 and the meeting notes are attached for reference.

In support of this request, the following documentation is submitted herewith for your reference:

1. Subdivision Plat Application
2. Variance Applications
3. Agent Authorization Letter
4. Warranty Deed
5. Tierra Contenta Annexation Agreement
6. Annexation Plat
7. Master Plan Amendment #1
8. Phase 3A Design Standards
9. Traffic Impact Analysis and Addendum Letter
10. Cultural Resources Survey & ARC Action Letter
11. ENN Meeting Notes
12. Subdivision Submittal Plans

The Development Review Fees are calculated as follows:

Preliminary Subdivision Plat (16 lots x \$150.00)	\$2,400.00
Variances (2 x \$500.00)	\$1,000.00
<u>Innovative Street Design (3 x \$300.00)</u>	<u>\$900.00</u>
<i>Subtotal</i>	<i>\$4,300.00</i>
Total after 40% Affordable Housing Waiver	\$2,580.00

Please contact me should you have any questions or require additional information.

Thank you.

Sincerely,



Jennifer Jenkins, Principal