

City of Santa Fe, New Mexico

memo

DATE: November 30, 2022 City Council meeting

TO: Governing Body

VIA: _____
Jason M. Kluck, Director, Land Use Department

FROM: Heather L. Lamboy, AICP, Assistant Director, Land Use Department

Case #2022-5763. Midtown General Plan Amendment. The City of Santa Fe, Agent/Owner, requests that the Governing Body approve a Resolution to amend the existing General Plan Future Land Use classification from Public/Institutional to Transitional Mixed-Use for the ±64-acre Midtown property at 1600 St. Michaels Drive. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 955-6598).

Case #2022-5765. Midtown Rezoning. The City of Santa Fe, Agent/Owner, requests that the Governing Body approve an Ordinance to rezone the ±64-acre Midtown property at 1600 St. Michaels Drive from R-5 (5 residential dwelling units per acre) to C-2 PUD (General Commercial -Planned Unit Development). The property is within the Midtown LINC Overlay District. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 955-6598).

Case #2022-5764. Midtown Master Plan. The City of Santa Fe, Agent/Owner, requests that the Governing Body approve a resolution to adopt the Midtown Land Development Plan, a Master Plan for the ±64-acre property located at 1600 St. Michaels Drive with “innovative street design standards” per SFCC 1987, Section 14-9.2(B)(3). The property is currently zoned R-5 and within the Midtown LINC Overlay District with a proposed zoning of C-2 PUD (see Case #2022-5765). (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 955-6598).

Case #2022-5766. Midtown LINC Text Amendment. The City of Santa Fe, Agent/Owner, requests that the Governing Body approve a Text Amendment to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District, SFCC 1987, Section 14-5.5(D), to expand the permitted uses in the Midtown LINC Overlay District to include all qualifying projects, update the name of the area formerly known as the Santa Fe University of Art and Design, format the use chart consistently with the rest of Chapter 14’s Charts, allow alternative open space compliance for institutional buildings, and reduce landscape area minimum requirements around

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the base of qualifying residential projects within the Midtown Planned Unit Development, and removing an expired provision regarding review of the Ordinance. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 955-6598).

Case #2022-5767. Midtown Adjacent Parcels General Plan Amendment. The City of Santa Fe, Agent, requests that the Governing Body approve a Resolution to amend the existing General Plan Future Land Use classification for the City of Santa Fe and New Mexico State-owned parcels comprising ±24-acres adjacent to 1600 St. Michaels Drive from Public/Institutional to Transitional Mixed Use. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 955-6598).

Case #2022-5769. Midtown Adjacent Parcels Rezoning. The City of Santa Fe, Agent, requests that the Governing Body approve an Ordinance to rezone the City of Santa Fe and New Mexico State-owned parcels comprising ±24-acres adjacent to 1600 St. Michaels Drive from R-5 (5 residential dwelling units per acre) to C-2 (General Commercial). The parcels are within the Midtown LINC Overlay District. (Heather Lamboy, Case Manager, hllamboy@santafenm.gov, 955-6598).

I. RECOMMENDATION

The Planning Commission **RECOMMENDS APPROVAL TO THE GOVERNING BODY** of the General Plan Amendment (Case #2022-5763).

The Planning Commission **RECOMMENDS APPROVAL TO THE GOVERNING BODY** of the rezoning to C-2 PUD (Case #2022-5765).

The Planning Commission **RECOMMENDS APPROVAL TO THE GOVERNING BODY** of the Midtown Master Plan (Case #2022-5764).

The Planning Commission **RECOMMENDS APPROVAL TO THE GOVERNING BODY** of the rezoning to LINC Text Amendment (Case #2022-5766).

The Planning Commission **RECOMMENDS APPROVAL TO THE GOVERNING BODY** of the General Plan Amendment for Adjacent Parcels from Public/Institutional to Transitional Mixed-Use (Case #2022-5767).

The Planning Commission **RECOMMENDS APPROVAL TO THE GOVERNING BODY** of the rezoning for Adjacent Parcels to C-2 (Case #2022-5769).

Six (6) motions will be required for these cases:

Sample motions for Case #2022-5763:

- *Move to approve the request to amend the General Plan Future Land Use Classification from Public/Institutional to Community Commercial located at 1600 St. Michael's Drive (Midtown).*

OR

- *Move to deny* the request to amend the General Plan Future Land Use Classification from Public/Institutional to Community Commercial located at 1600 St. Michael's Drive (Midtown).

Sample motions for Case #2021-5765:

- *Move to approve* the request to rezone from R-5 (Residential- five dwelling unit per acre) to C-2 PUD (Commercial – Planned Unit Development) for property located at 1600 St. Michael's Drive.

OR

- *Move to deny* the request to rezone from R-5 (Residential- five dwelling unit per acre) to C-2 PUD (Commercial – Planned Unit Development) for property located at 1600 St. Michael's Drive.

Sample motions for Case #2021-5764:

- *Move to approve* the Midtown Master Plan for property located at 1600 St. Michael's Drive.

OR

- *Move to deny* the Midtown Master Plan for property located at 1600 St. Michael's Drive.

Sample motions for Case #2021-5766:

- *Move to approve* the text amendments to the LINC Overlay Ordinance in SFCC 1987, Section 14-5.5(D).

OR

- *Move to deny* the text amendments to the LINC Overlay Ordinance in SFCC 1987, Section 14-5.5(D).

Sample motions for Case #2021-5767:

- *Move to approve* the request to amend the General Plan Future Land Use Map from Public/Institutional to Transitional Mixed-Use for property located at 1600 St. Michael's Drive.

OR

- *Move to deny* the request to amend the General Plan Future Land Use Map from Public/Institutional to Transitional Mixed-Use for property located at 1600 St. Michael's Drive.

Sample motions for Case #2021-5769:

- *Move to approve* the request to rezone from R-5 (Residential- five dwelling unit per acre) to C-2 (General Commercial) for property located at 1600 St. Michael's Drive.

OR

- *Move to deny* the request to rezone from R-5 (Residential- five dwelling unit per acre) to C-2 (General Commercial) for property located at 1600 St. Michael's Drive.

II. EXECUTIVE SUMMARY

The proposed Midtown Master Plan represents the culmination of a multi-year public engagement process and planning effort, and a response to direction given by the Governing Body in Resolution

2022-12, “Midtown Moving Forward”. The combined applications provide a framework for redevelopment of the Midtown site over many years to meet the expressed desires of the public. This framework addresses urban design standards and requirements, density patterns, public realm standards, utility plans, stormwater management, multi-modal circulation, open space, land use programming as well as standards for green building and site resiliency, and inclusionary zoning requirements.

The plan is focused on the elements of sustainable development, which includes social equity, economic prosperity, culture and history, and environment and natural resources. Contained within those four elements is additional guidance that reflects direct input from the community including the 2018 Midtown Planning Guidelines and additional public engagement.



Beyond the overarching vision, the Master Plan sets design guidelines with a form-based, context-sensitive approach.

The Master Plan addresses pedestrian/bicycle/vehicle connectivity, open space and parks, infrastructure improvements and associated phasing. As the master plan area is proposed to have a C-2 PUD zone district, this document will serve as the design and infrastructure guidance as part of the planned development. Furthermore, a table of permitted uses sets forth and implements the mixed-use vision for the property.

This Application is comprised of six requests, divided into six cases, specific to the parcels involved:

1. General Plan Amendment from Institutional to Transitional Mixed-Use for the Midtown Master Planned Area;
2. Rezoning request from R-5 (Residential- five dwelling units per acre) to C-2 PUD (General Commercial Planned Unit Development) for the Midtown Master Planned Area, with the adopted Master Plan providing the development standards of the PUD;
3. Master Plan approval for the Midtown Master Planned Area;
4. Text Amendment to the Midtown LINC Overlay District to acknowledge the Master Plan and PUD standards for the Midtown Master Planned Area;
5. General Plan Amendment from Institutional to Transitional Mixed-Use for State-owned properties adjacent to the Midtown Master Planned Area; and
6. Rezoning request from R-5 (Residential- five dwelling units per acre) to C-2 (General Commercial) for State-owned properties adjacent to the Midtown Master Planned Area.

The General Plan Amendments, Rezoning, Master Plan, and the LINC Text Amendment are necessary to develop the property in a way that is consistent with community goals and Governing Body direction, as expressed through multiple years of public input and Governing Body Resolutions.

The Master Plan approval is also essential for creating a legal and regulatory framework to allow future development proposals to be evaluated by the City and create the district as envisioned in the Midtown Planning Guidelines.

III. MIDTOWN SITE BACKGROUND

The Midtown Master Plan area comprises the former Santa Fe University of Art and Design campus and some adjacent city-owned properties. The Site is located at 1600 St. Michael's Drive, within the block defined by Cerrillos Road, St. Michael's Drive, Llano Street, Siringo Road, and Camino Carlos Rey. Midtown served as an institutional anchor for Santa Fe, starting in 1943 with the Bruns Army Hospital which employed more than 1,000 Santa Feans along with 500 military men and 100 military nurses. After Bruns Army Hospital was decommissioned, half of the property was turned over to the Brothers of the Christian Schools, which established St. Michael's College which was later renamed to the College of Santa Fe. Other portions of the original Army campus were turned over to local, state, and federal agencies. When the Christian Brothers College ceased operation in 2009, the City, with a commitment to preserve the civic and educational uses, purchased Midtown and leased it to a private, for-profit university, the Santa Fe University of Art and Design (SFUAD).



Following the closure of the SFUAD in 2018, the City of Santa Fe passed Resolution 2018-54 to initiate the Midtown redevelopment process. In the initial concept phase, the community engagement process informed programming, planning, and development approaches for the future reuse of Midtown. The community engagement process led to the approval of the Planning Guidelines for the City's Midtown Property in the summer of 2018.

After an unsuccessful effort to secure a master developer, the Governing Body directed City staff through Resolution 2022-12 to pursue a General Plan amendment, Rezoning, and Master Plan for Midtown.

IV. PLANNING EFFORTS FOR MIDTOWN

Concept Phase: The City began the Concept Phase known more commonly as the Midtown Campus Project in August 2018, to provide opportunities for the public to create a vision and concept for the future of Midtown. The redevelopment is also informed by previous research, including the Re:MIKE study for the redesign the St. Michaels corridor; Culture Connects; and the 2017 National Citizens Survey and Pollinating Prosperity Report.

The Concept Phase culminated in 2018 with the publication of the Midtown Planning Guidelines, which the Governing Body approved by Resolution 2018-54. These continue to guide the vision, goals, and ongoing public engagement efforts to inform and regulate the development of Midtown.

Planning Phase: The City's Planning Phase began in 2021-2022 and included City-hosted public planning sessions supported by community organizations, collectively known as the Midtown Engagement Partners (MEPs). The resulting, actionable public engagement plan informed the Midtown Redevelopment Plans, which include the interrelated Midtown Master Plan and Community Development Plan. The Governing Body will review and vote on the Community Development Plan and Master Plan as a joint package called the Midtown Redevelopment Plans.

- The Master Plan will regulate land uses, zoning, and development plans, including urban design guidelines and requirements, density patterns, infrastructure and circulation, open space, as well as green building and site resiliency, and zoning for housing affordability and other public policy benefits. Both the Planning Commission and the Governing Body will review, and the Governing Body will vote to adopt the Master Plan.

The Master Plan establishes design and development standards as noted below to implement the vision for the Midtown Site:

- To establish land uses and development regulations specific to the built character of the Midtown Site in furtherance of a C-2 base zoning and consistent with the Midtown LINC.
- To create the standards and requirements for civic and open spaces that also promote soils resiliency and water retention and detention.
- To establish the primary public streets and other forms of mobility, with a priority to pedestrian and bicycle friendly circulation patterns.
- To be flexible to respond to evolving market conditions by establishing a parcelization plan and phased incremental development that will allow the site to be developed by various qualified private for-profit and non-profit developers.
- To establish the fundamental development and infrastructure framework for a mixed-use district that also preserves certain existing "legacy" buildings for adaptive reuse.
- To create the basic form-based requirements to guide the built character of the Midtown Site, including the design and location of the public realm, the sidewalk and street frontage conditions, density patterns, and the contextual massing and set-backs of buildings.

- To build on the City’s current USGBC LEED-Gold City rating by designing the Midtown Redevelopment Plans based on the LEED-Neighborhood Development program. (United States Green Building Council – Leadership in Energy and Environmental Design), with a focus on the four pillars of sustainable development – Equity, Environment, Economic, Culture.
- The Community Development Plan will implement and achieve public policy objectives surrounding sustainable development with community development goals related to equity, environment, economic, and culture. The plan provides requirements, guidance, and preferences as development is implemented, which will be included in City Development Solicitations. The Governing Body will adopt the Community Development Plan by Resolution.

V. GOVERNING BODY DIRECTION FOR MIDTOWN

The Governing Body has adopted several Resolutions over the years related to the planning and future development of the Midtown site.

Resolution 2017-78, adopted October 25, 2017:

- Acknowledged the importance of the College of Santa Fe and the Santa Fe University of Art and Design to the history of Santa Fe;
- Recognized the significance of the site as the geographic and demographic center of Santa Fe and its connection to the recently created Midtown LINC Overlay District;
- Acknowledged the City’s investment in the property;
- Called for a renewed vision for property that would integrate a forward-looking educational use with other community-centered uses built on the City’s existing strengths and capacity; and
- Expressed the desire for the City of Santa Fe and its residents to act as the catalyst for change embodying the common values of the City.

The Resolution further directed the City Manager and staff to pursue continued higher education opportunities at the site, to pursue expanded film and emerging media activity at the site, pursue workforce housing at the site, pursue partnerships with local and regional technical institutions, transform the Fogelson Library into a 21st century library capable of delivering City and community services, reach out to community interest groups to further refine the vision for the site, seek partnership opportunities with adjacent property owners, explore co-worker and maker space opportunities that align with community needs, work with existing businesses to promote City needs and their own goals, and to examine different governance models to maximize opportunity and further innovation and entrepreneurship.

Resolution 2018-54, adopted August 8, 2018:

- Acknowledged the City’s public outreach and market research efforts constituting the “Concept Phase” of the redevelopment process at the Midtown site;

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- Adopted Planning Guidelines developed through the Concept Phase for future redevelopment of the Midtown site; and
- Authorized the “Planning Stage” of the redevelopment of the Midtown site.

This Resolution made particular note of Action item 6 of Resolution 2017-78, which directed staff to reach out to local community-based interest groups led by or representing diverse constituencies to further refine the vision for the site. This effort constituted the “Concept Phase” identified in Resolution 2018-54, which culminated in accepting the “Midtown Campus Project Final Report” detailing public outreach efforts and adopted “Planning Guidelines” that represented the City’s conceptual vision for the future of the site. The Resolution also directed staff to commence the “Planning Phase” for the Midtown site, prepare RFP/RFQs to procure consulting services to produce land development framework, and to continue to work with community groups.

Resolution 2022-12, adopted February 23, 2022:

- Called for next steps for the reuse and redevelopment of the Midtown site, including the pursuit of rezonings, general plan amendments, a master plan;
- Called for the adoption of a Community Development Plan;
- Called for the issuance of Requests for Proposals for specific elements of the Midtown site;
- Called for additional studies and assessments of the Midtown site;
- Called for the acquisitions of land within or adjacent to the Midtown site;
- Acknowledged the work City staff had done with public engagement partners to solicit input from underrepresented and/or disenfranchised communities within the City, including the “block party”, planning sessions, web-based and in-person surveys, interviews, and presentations to various civic organizations and the Governing Body to obtain community feedback on the redevelopment of the property;
- Acknowledged affordable housing as an expressed community desire for the Midtown site;
- Acknowledged arts, film, library, and educational uses as expressed community desires for the site;
- Directed staff to pursue purchase or trade of adjacent State-owned properties in order to enable better connectivity of the site and to create a more viable redevelopment project; and
- Directed staff to propose strategies such as a Metropolitan Redevelopment Area.

The Resolution specifically called for the following RFPs:

- The Visual Arts Center as a “local community arts and culture hub”.
- The redevelopment, expansion, and operation of the Garson Studios with the goals of creating a full-service studio for film and multimedia production, including pre- and post-production facilities; and retaining existing jobs and creating new job opportunities at various skill levels within the production industry and facilities.
- For the Garson Performance Theater as a publicly accessible venue for local,

- regional, and visiting national and international groups.
- For the Fogelson Library Complex for a Public Library, Civic Space, and Innovation Center.

VI. MIDTOWN LINC OVERLAY

The Midtown Local Innovation Corridor (LINC) Overlay District was created in 2016 (Ordinance 2016-39) to spur redevelopment along St. Michaels Drive and portions of Cerrillos Road corridor. The purpose and intent of the Midtown LINC Overlay District is stated in Subsection 14-5.5(D)(1):

- (a) Strengthen and animate the built environment and the business and population links within the demographic and geographic center of the city between the existing employment centers of the Santa Fe University of Art and Design and surrounding uses to the west and the Christus St. Vincent Regional Medical Center and related medical uses to the east;
- (b) Incentivize multi-family residential development, complementary non-residential uses, and an enlivened, street-oriented pedestrian environment by freeing development capacity of existing under-developed land and buildings for these targeted uses, while allowing existing uses to continue as redevelopment occurs;
- (c) Allow for innovative development and redevelopment of the district while providing buffering between the district and existing residential development outside of the district by the application of amended land development regulations and fees and by establishing conditions precedent for future infrastructure enhancements and the application of other redevelopment and financing tools;
- (d) Promote a more healthy, safe, and enjoyable environment within the city's midtown area through the enhancement of pedestrian and bicycle accessibility and safety, landscaping and other street-related amenities and the eventual reduction of traffic speeds and provision of on-street parking, bicycle lanes, and improved crosswalks; and
- (e) Provide flexibility in sign design and location so as to maintain effective communication, business identification and wayfinding for existing buildings whose visibility may be reduced by new development.

An amendment to the LINC Overlay is proposed to ensure that its regulations and the Midtown Master Plan development standards are consistent. Modifications for the proposed Midtown Master Planned Area, such as required open space percentages, have been amended in the LINC to account for the unique conditions associated with Midtown. Overall processes for review and approval of applications within Midtown will be consistent with the LINC standards.

VII. PLANNING COMMISSION DISCUSSION

The Planning Commission conducted a public hearing on October 20, 2022. The Planning Commission found that the Applicant satisfied **all general plan approval criteria** set forth in **SFCC Subsection 14-3.2(E)**, **all rezoning approval criteria** set forth in **SFCC Subsection 14-3.5(C)**, **all master plan approval criteria** set forth in **SFCC Subsection 14-3.9(D)**, and **all Chapter XIV text amendment criteria** set forth in **SFCC Subsection 14-3.3(B)** subject to the Governing Body approving the adopted Findings of Fact and Conclusions of Law to that

effect.

At its October 20, 2022, Planning Commission meeting, staff presented a condition of approval that stated “Any text or graphics included in the Midtown Master Plan proposal and associated case documents referencing proposed, desired or long-range improvements that include or illustrate circulation, connecting networks, or other planning concepts and features on properties external to the Midtown Master Planned Area, shall be not be considered as part of any recommendation or final action related to the Master Plan.” Staff added that the recommendation was a result of conversations held with the community as a result of concern raised regarding potential street and pedestrian connections traversing their properties. The intent of the illustration was to identify potential long-term connections that could be made as adjoining property may be redeveloped; however, the applicant team agreed to remove the illustrations on adjoining properties. Most of the graphics with these illustrations were updated prior to the Planning Commission hearing and were included in the staff report packet. Chair Clow asked staff to clarify that the illustrations will be updated to exclude road or other improvements on adjoining properties, and that those would not be what would be considered approval. Staff affirmed that no adjoining properties would be required to have any improvements associated with the development of Midtown.

The Planning Commission sought clarification that the existing connections to Midtown (St. Michael’s Drive and Siringo Road) were sufficient to serve Midtown. Staff responded affirmatively. The Commission discussed the types of applications that would be reviewed by them, noting that certain qualifying projects are reviewed administratively according to the LINC.

The Planning Commission sought clarification as to why the schools were not consulted regarding the Master Plan. Staff responded that the school district sent notice regarding the ENN and Planning Commission hearing, but acknowledged that additional dialogue while drafting the Master Plan was needed.

The Commission asked for clarification as to whether the design standards would have the force of law, or whether they were guidelines. Staff responded that since the Master Plan is adopted by ordinance the design standards would not be suggestions or guidelines but would be required to be followed in order to obtain project approval.

The Commission asked how the public would be notified of development applications, noting that many of the applications would qualify as administrative projects. Staff responded that not only will there be an RFP process that would include a Citizen Advisory Board regarding selection of the developers for the site, but also ENN meetings would be required for each development.

A question was asked about whether the legacy anchor buildings, such as The Screen at the Garson Theatre, would remain open to the public. Staff responded that it would be available for community functions.

The Commission asked for an estimate of how many people participated in the planning process. The Midtown staff responded that over the years there have been several processes that have included the public. In 2018, when the visioning and planning guidelines were developed, staff estimated that there were 700-800 people engaged in that process. Staff added that over 1,000 people participated in the Midtown Block party, and that approximately 100 people attended the ENN meeting for the Master Plan.

Public comments included concerns regarding the impacts of construction and stormwater runoff, the timing of infrastructure development. The Old Santa Fe Association supported strong design guidelines for Midtown. Other comments included ensuring the development is inclusive, and not permitting developments to use fee in-lieu for affordable housing. Additionally, a comment was made regarding the importance of a bicycle connection along the drainage ditch connecting Siringo Road with St. Michael's Drive.

An adjoining property owner group raised the concern regarding the potential Master Plan's impacts on adjacent property rights. In response to the note proposed by staff, the property owners commented that it did not go far enough. The property owners sought removal of the stub-outs on the plan that illustrated potential future access through their property. Furthermore, the property owners sought additional input regarding a note on the plan that would clarify that the Master Plan and associated standards would not apply to adjoining property.

In response to the concerns raised by the adjoining property owner group, the Commission added conditions of approval that staff continue to work with adjoining neighbors regarding their concerns regarding potential street connections. The Commission also included the staff-recommended condition as follows: "Any text or graphics included in the Midtown Master Plan proposal and associated case documents referencing proposed, desired, or long-range improvements that include or illustrate circulation, connecting networks, or other planning concepts and features on properties external to the Midtown Master Planned Area shall not be considered as part of any recommendation or final action related to the Master Plan."

Staff has worked with the adjoining property owners to identify the best way to address their concerns.

The staff-recommended note which has been added is as follows: "*No external connection shall be constructed, dedicated, or made a condition of approval of any development application on an adjacent property, without the express consent of the affected adjacent property owner.*"

VIII. GOVERNING BODY DECISIONS

A. General Plan Amendment (Case #2022-5763) Approval Criteria

In considering the General Plan Amendment, the Governing Body must base its decision on the approval criteria and balancing test set forth in SFCC Subsection 14-3.2(E)(1), as follows:

- (1) The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:
 - (a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;
 - (b) consistency with other parts of the general plan;
 - (c) the amendment does not:
 - (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or
 - (ii) affect an area of less than two acres, except when adjusting boundaries between districts; or
 - (iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;
 - (d) an amendment is not required to conform with Subsection 14-3.2{E}(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;
 - (e) compliance with extraterritorial zoning ordinances and extraterritorial plans;
 - (f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and
 - (g) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Case #2022-5763 is a request to amend the General Plan Future Land Use designation from Public/Institutional to Transitional Mixed Use for 64± acres of land. The properties are located at 1600 St. Michael's Drive.

If the Governing Body finds that the Application meets the General Plan Amendment criteria set forth in Subsection 14-3.2(E)(1), Staff recommends that the Governing Body approve the request to amend the Future Land Use Designation.

B. Rezoning (Case #2022-5765) Approval Criteria

In considering the rezonings, the Governing Body must base its decision on the approval criteria and balancing test set forth in SFCC Subsection 14-3.5(C), 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:
 - (a) one or more of the following conditions exist:
 - (i) there was a mistake in the original zoning;

- (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or
 - (iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;
 - (b) all the rezoning requirements of Chapter 14 have been met;
 - (c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;
 - (d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and
 - (e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations, will be able to accommodate the impacts of the proposed development.
- (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.

If the Governing Body finds that application meets the Rezoning criteria set forth in Subsections 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), Staff recommends that the Governing Body approve the request for the Rezoning.

C. Master Plan (Case # 2022-5764) Approval Criteria

In considering the Master Plan, the Governing Body must base its decision on the approval criteria and balancing test set forth in SFCC Subsection 14-3.9(D)(1), as follows:

- (1) The planning commission and the governing body shall review all Master Plan Amendment 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 Master Plan Amendment:
- (a) the master plan is consistent with the general plan;
 - (b) 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;
 - (c) development of the master plan area will contribute to the coordinated and efficient development of the community; and

- (d) 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.

Case #2022-5764 is a request Master Plan approval for properties totaling 64± acres. The properties are located at 1600 St. Michael's Drive.

If the Governing Body finds that the Master Plan meets the Subsection 14- 3.9(C)(4) criteria, Staff recommends that the Governing Body approve the Master Plan.

D. LINC Text Amendment (Case # 2022-5766) Approval Criteria

In considering the LINC Text Amendment, the Governing Body must base its decision on the approval criteria and balancing test set forth in SFCC Subsection 14-3.9(D)(1), as follows:

All text amendments shall be reviewed on the basis of the following criteria:

- (1) compliance with law;
- (2) consistency with the general plan ;
- (3) consistency with other policies adopted by the governing body ;
- (4) consistency with the purpose and intent of Chapter 14 and of the section being amended;
- (5) consideration of how the amendment relates to other provisions of the Santa Fe City Code and the avoidance of unintended consequences; and
- (6) consistency with any approved neighborhood conservation overlay districts.

Case #2022-5766 is a request for a text amendment to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District in order to expand the permitted uses in the Midtown LINC Overlay District to include all qualifying projects, update the name of the area formerly known as the Santa Fe University of Art and Design, format the use chart consistently with the rest of Chapter 14's Charts, allow alternative open space compliance for institutional buildings, reduce landscape area minimum requirements around the base of qualifying residential projects within the Midtown Planned Unit Development, and remove an expired provision regarding review of the Ordinance.

If the Governing Body agrees that the amendment meets Subsection 14- 3.3(4) criteria, Staff recommends that the Governing Body approve the text amendment.

E. General Plan Amendment (Case #2022-5767) Approval Criteria

In considering the General Plan Amendment, the Governing Body must base its decision on the approval criteria and balancing test set forth in SFCC Subsection 14-3.2(E)(1), as follows:

- (1) The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:
 - (a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;
 - (b) consistency with other parts of the general plan;
 - (c) the amendment does not:
 - (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or
 - (ii) affect an area of less than two acres, except when adjusting boundaries between districts; or
 - (iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;
 - (d) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;
 - (e) compliance with extraterritorial zoning ordinances and extraterritorial plans;
 - (f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and
 - (g) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Case #2022-5767 is a request to amend the General Plan Future Land Use designation from Public/Institutional to Transitional Mixed Use for 24± acres of land. The properties are located adjacent to 1600 St. Michael's Drive.

If the Governing Body agrees that the application meets the General Plan Amendment criteria set forth in Subsection 14-3.2(E)(1), Staff recommends that the Governing Body approve the General Plan Amendment.

F. Rezoning (Case #2022-5769) Approval Criteria

In considering the rezonings, the Governing Body must base its decision on the approval criteria and balancing test set forth in SFCC Subsection 14-3.5(C), as follows:

- (3) The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:
 - (a) one or more of the following conditions exist:
 - (i) there was a mistake in the original zoning;

- (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or
 - (iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;
 - (b) all the rezoning requirements of Chapter 14 have been met;
 - (c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;
 - (d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and
 - (e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations, will be able to accommodate the impacts of the proposed development.
- (4) 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.

Case #2022-5769 is a request to rezone from R-5 (Residential, 5 dwelling units per acre to C-2 (General Commercial) for 24± acres of land. The properties are located adjacent to 1600 St. Michael's Drive.

If the Governing Body agrees that the application meets the Rezoning criteria set forth in Subsections 14-2.3(C)(7)(c) and Section 14-3.5(B)(1) Staff recommends that the Governing Body approve the Rezoning.

V. ATTACHMENTS

EXHIBIT A:

1. Midtown Master Plan UPDATED November 22, 2022
2. Midtown "At a Glance" UPDATED November 22, 2022

EXHIBIT B:

1. Planning Commission Findings of Fact & Conclusions of Law
2. Planning Commission Minutes – October 20, 2022

EXHIBIT C:

1. Planning Commission Staff Report Packet