

1 **CITY OF SANTA FE, NEW MEXICO**

2 **ORDINANCE NO. 2007-29**

3  
4  
5 **AN ORDINANCE**

6 **AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE;**  
7 **CHANGING THE CLASSIFICATION FROM R-2 TO MU; APPROVING A MASTER**  
8 **PLAN, AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO A CERTAIN**  
9 **PARCEL OF LAND COMPRISING 4.12 ACRES MORE OR LESS LOCATED WITHIN**  
10 **SECTION 33, T17N, R9E, N.M.P.M., GENERALLY LOCATED ON THE SOUTH SIDE OF**  
11 **AGUA FRIA ROAD APPROXIMATELY 500 FEET WEST OF HARRISON ROAD**  
12 **(“AGUA FRIA COMPOUND” ZONING CASE NO. ZA 2007-01)**

13  
14 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

15 **Section 1.** The following real property (the “Property”) located within the municipal  
16 boundaries of the city of Santa Fe, which is restricted to and classified as R-2 (Residential, Two  
17 units per acre).

18 A parcel of land comprising 4.12 acres, Lot 38 within Section 33, T.17N., R.19E.,  
19 N.M.P.M. as shown in the attached Boundary Survey “Exhibit A” attached hereto and  
20 incorporated by reference. Said Boundary Survey is recorded with the County of Santa  
21 Fe, State of New Mexico, October 18, 1995 in book 318, page 32 of the records of Santa  
22 Fe County.

23 **Section 2.** The official zoning map of the City of Santa Fe adopted by Ordinance No.  
24 2001-27 is amended to conform to the changes of zoning classifications for the property set forth  
25 in Section 1 of this Ordinance.





**EXHIBIT B:**  
**CONDITIONS OF APPROVAL**  
**ORDINANCE NO. 2007-29**

**AGUA FRIA REZONING**

- Exhibit B-1:       Engineering Division Traffic Review**
- Exhibit B-2:       Subdivision Engineer**
- Exhibit B-3:       Solid Waste Division**
- Exhibit B-4:       Landscaping Review**
- Exhibit B-5:       Parks, Trails, and Open Space**
- Exhibit B-6:       Wastewater Division**
- Exhibit B-7:       Office of Affordable Housing**

# City of Santa Fe, New Mexico

# memo

**DATE:** March 29, 2007

**TO:** Donna Wynant, Planning and Land Use Department

**FROM:** John Romero, Public Works Dpt/Engineering Div/Traffic Impacts Section *JR*

**SUBJECT:** Case #ZA-2007-01, Agua Fria Compound Rezoning

## ISSUE

Request to rezone 4.12 acres from R-2 (Residential, two units per acre) to MU (Mixed Use). The property is located on the south side of Agua Fria Road and west of Harrison Road.

## RECOMMENDED ACTION:

Review comments are based on submittals received on March 14, 2007. The comments below should be considered as Conditions of Approval to be addressed in a satisfactory manner prior to subsequent submittals:

1. A Condition of approval imposed during General Plan Amendment approval recommended that the developer dedicate sufficient right-of-way to accommodate a Clark Road extension from Industrial Road to Agua Fria Road (see attached Traffic memo dated 11/3/2005). The Santa Fe Metropolitan Planning Organization has since determined that the extension of Clark Road to Agua Fria is not a recommended alternative (see attached MPO memo dated 03/29/06). In light of this, the Public Works Department rescinds their initial recommendation of dedicating right-of-way for the Clark Road extension.

If you have any questions or need any more information, feel free to contact me at 955-6638. Thank you.

Attachments: Traffic memo dated 11/3/2005  
MPO memo dated 03/29/06

M:\Traffic Impacts\01 - FIAs\2005\Agua Fria Compound\Agua Fria Compound 03-29-07.doc

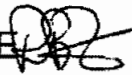
Exhibit *B-1*  
for Ordinance  
No. 2007-29  
Page 1 of 1

# City of Santa Fe, New Mexico

# memo

DATE: April 20, 2007

TO: Donna Wynant, Case Manager

FROM: Risana Zaxus, M.S., PE   
City Engineer

RE: Case # ZA 2007-01  
Agua Fria Compound Rezoning

I reviewed Sheet A-1, "Agua Fria Compound Concept & Landscape Plan," dated March 17, 2007.

This plan sheet does not show drainage ponds as did the previous drawings that I reviewed. Runoff control measures will be required when the property is developed, per Article 14-8.1(F)(2)(c)(ii).

Also of note is that when the property is developed, the Gunnison's Prairie Dogs shall be relocated per Article 14-8.12 of the Land Development Code.

A complete review of this project will be required when it proceeds to the Development Plan phase.

Exhibit <sup>B-2</sup> 2

for Ordinance  
No. 2007-29



# City of Santa Fe, New Mexico

# memo

**DATE:** April 17, 2007

**TO:** Donna Wynant, Land Use Senior Planner,  
Planning Division

**CC:** R. B. Zaxus, City Subdivision Engineer,  
Engineering Development Review Division

**FROM:** Charlie Gonzales, Land Use Senior Planner, *CHARLIE*  
Engineering Development Review Division

**RE:** **Landscaping Comments for case #ZA 2007-01. Agua Fria  
Compound Rezoning**

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Below are comments for the Agua Fria Compound Rezoning request. These comments are based on the plan set dated March 17, 2007. A Landscaping Plan shall be submitted, showing compliance with the following:

**Landscaping : Sheet A-1**

1. Show compliance with Section 14-8.4 (E) (1) (4). Water Harvesting and Irrigation Standards. Please provide explanation and coordinate with Grading and Drainage Plan.
2. Show compliance with Section 14-8.4 (F) (2) (a) – (i). Plant Material Standards. More information needs to be submitted in order to conduct a thorough review of the plans. (Preferably on a chart or table)
  - Plant size, (height and caliper, including trees)
  - Mature size, (height and spread).
  - Shrubs to be 5 gallons minimum,
  - 2" of mulch, seed mix and fertilization.
  - Landscaping of stormwater retention/detention ponds.
3. Show compliance with Section 14-8.4 (F) (5). Existing Vegetation. Explain and show how many trees/shrubs will be removed, replaced or added.
4. Show compliance with Section 14-8.4 (G) (2) (b). Street Tree Standards. Provide additional tree on perimeter of the South Boundary.
5. Show compliance with Section 14-8.4 (H). Open Space Landscaping Requirements.

A more complete review will be conducted upon receiving the additional information as mentioned above.

Exhibit *BA*  
for Ordinance  
No. 2007-29

**APPLICATION NAME:** Agua Fria Compound Rezoning

**CASE NO.:** ZA 2007-01

**REVIEW DATE:** March 21, 2007

**HEARING DATE:** May 3, 2007

**CASE MANAGER:** Donna Wynant

**REVIEWED BY:** Anne McLaughlin

**PARKS, OPEN SPACE & TRAILS REVIEW**

No comment.

Exhibit B-5  
for Ordinance  
No. 2007-29

City of Santa Fe



# MEMO

## Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

### E-MAIL DELIVERY

Date: March 21, 2007

To: Donna Wyatt, Planner  
Planning and Land Use

From: Stan Holland, P.E.  
Wastewater Management Division

Subject: Case #ZA 2007-01 Agua Fria Compound Rezoning

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The Wastewater Division has no objection to the rezoning request. The Wastewater Division will require extension of sewer easements to the property line on the north and east side of the project boundaries on the proposed development plan.

Please contact me at 955-4637 if you have any questions.

cc: Jim Hays  
File

SANTA FE HOMES PROGRAM  
PROPOSAL FOR SALE UNITS

Agua Fria Compound Live Work

This Santa Fe Homes Program Proposal ("SFHP Proposal") is made this 9 day of May, 2007 by Hays and Associates Inc. ("SFHP Developer").

RECITALS

A. SFHP Developer is the developer of 4.12 acres located on the south side of Agua Fria Road Approximately 600 feet west of Maes Road. SFHP Developer proposes to develop the property as described in the document attached hereto as Exhibit 1 (*Development Plan*) incorporated herein by reference, and hereinafter referred to as the "Property".

B. SFHP Developer desires to develop the Property, and seeks from the City, development incentives subject to the terms and conditions hereinafter set forth.

C. It is understood that all representations made herein are material to the City and that the City will rely upon these representations in permitting or approving development of the Property.

PROPOSAL

SFHP Developer proposes to comply with the SFHP requirements as follows:

A. DEVELOPMENT REQUEST.

1. SFHP Developer seeks a Re-zoning approval from R-2 to a Residential Mixed Use designation for thirty two (32) live/work homes.

2. The Property is to be developed with finished homes for rent and for sale.

B. SFHP PLAN. SFHP Developer proposes to build a total of thirty two (32) live work condominiums on 4.12 acres. This results in a SFHP unit requirement of 4.8 affordable

homes. The unit requirement is based on a thirty percent requirement for the “live” portion of the project ( $1/2 \times 32 = 16 \times 30\% = 4.8$  SFHP homes). SFHP Developer proposes to construct four (4) SFHP live/work homes as indicated on the attached SFHP Plan (Exhibit 2). The .8 fraction of the requirement will be satisfied with a forty three thousand six hundred dollar (\$43,600) fractional payment to the City’s Investment Loan Fund (ILF) for affordable housing per the formula in the SFHP Ordinance. The prices stated on the SFHP Pricing Schedule (Exhibit 3) do not include a reduction for homeowner’s dues. Should there be homeowners’ dues, the price shall be reduced accordingly. SFHP Developer proposes to deliver the first two (2) SFHP live/work homes for sale before the first fourteen (14) market rate live/work homes have sold and the second two (2) SFHP live/work homes for sale before the final fourteen (14) live/work homes have been sold

C. SUCCESSORS IN TITLE. SFHP Developer proposes to develop the Property consistent with this SFHP Proposal. In the event that SFHP Developer sells, assigns, leases, conveys, mortgages, or encumbers the Property to any third party, the third party shall be required to execute a SFHP Agreement consistent with this Proposal prior to obtaining any City approvals. SFHP Developer proposes to record applicable regulatory agreements or liens in the public records that will ensure long-term affordability of the SFHP units.

D. REPORTING. SFHP Developer proposes to sign an affidavit declaring that the sale prices did not exceed the amount specified in the SFHP Agreement.

E. MONITORING. SFHP Developer proposes to provide such information and documentation as the City may reasonably require in order to insure that the actual sales were in compliance with the SFHP Agreement.

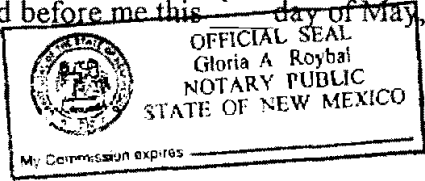
F. DEVELOPMENT INCENTIVES. SFHP Developer requests a reduction in the amount of submittal fees for development review applications, waivers of the building permit



ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this 10th day of May, 2007,

by Jim Hays



My Commission Expires:  
9-21-2010

NOTARY PUBLIC  
Gloria A. Roybal

REVIEWED BY:

J. Pacheco  
OFFICE OF AFFODABLE HOUSING

5/11/07  
DATE

- Attach:
- Exhibit 1 - Subdivision layout (proposed)
  - Exhibit 2 - Pricing Schedule
  - Exhibit 3 - SFHP unit obligation calculation worksheet
  - Exhibit 4 - Unit types and requirements

Exhibit B7  
p 4 of 7  
For Ordinance No. 2007-29

# SANTA FE HOMES PROGRAM

## PRICING SCHEDULE

Effective August 25, 2005\*

Refer to Section 26-1.16 (B) and the SFHP Administrative Procedures  
For specific requirements contact The Office of Affordable Housing

Income Range	Affordable Home Price Studio	Affordable Home Price 1 Bedroom	Affordable Home Price 2 Bedroom	Affordable Home Price 3 Bedroom	Affordable Home Price 4 Bedroom
Income Range 2	\$74,500	\$85,000	\$97,000	\$109,000	\$122,000
Income Range 3	\$100,500	\$111,000	\$126,000	\$142,000	\$158,000
Income Range 4	\$125,500	\$136,000	\$155,000	\$175,000	\$194,000

\*Prices are revised according to the most recent area median income published by HUD.  
Household income based upon HUD area median incomes as of 2/24/2005.

### AFFORDABLE PRICES AND BEDROOM SIZES REQUIRED

Income Range	Affordable Home Price 2 bedroom	Affordable Home Price 3 Bedroom	Affordable Home Price 4 Bedroom
Income Range 2	One Unit \$97,500		
Income Range 3		Two Units \$142,000	
Income Range 4			One Unit \$194,000

SFHP FOR SALE UNIT CALCULATION WORKSHEET

The project is proposed in a Transitional Mixed Use zoning district.

The project has an area of approximately 4.12 acres.

The project is proposing 32 live/work homes with the affordable homes requirement based on 30% of 16 homes (the "live" portion of the project).

Calculate SFHP Obligation

1. Total number of all units to be built in development	16
2. Multiply number from line 1 by 30%	<u>4.8</u>
3. Enter whole number result of line 2 calculation. <b>This is the total number of SFHP units that must be built in the development</b>	<u>4</u>
4. Determine how many units are required in each applicable Income Range. Divide number from line 3 by 3. Enter the <b>whole</b> number result in each of the following Income Ranges:	
4a. Income Range 2:	<u>1</u>
4b. Income Range 3:	<u>2</u>
4c. Income Range 4:	<u>1</u>
5. If the total of lines 4a, 4b and 4c does not equal the total required from line 3, add one unit to the requirement for Income Range 3 (line 4b). If the new total still does not equal the total required from line 3, add one unit to the requirement for Income Range 2 (line 4a). Enter new totals on lines 5a, 5b and 5c. The total of lines 5a, 5b, and 5c must equal this total from line 3. <b>This is the total number of SFHP units that must be provided in each Income Range.</b>	
5a. Income Range 2:	<u>1</u>
5b. Income Range 3:	<u>2</u>
5c. Income Range 4:	<u>1</u>
6. Determine fractional fee. Enter the remaining fraction resulting from the calculation in line 2:	<u>.8</u>
7. Multiply the fraction from line 6 by \$54,500*. <b>This is the total fractional fee that is owed:</b>	<u>\$43,600</u>

\*The base fractional fee is updated when the AMI is updated and is equal to one-half the price of a 3 bedroom home for Income Range 2.

*Exhibit B-7  
p. 6 of 7  
for Ordinance NO. 2007-29*

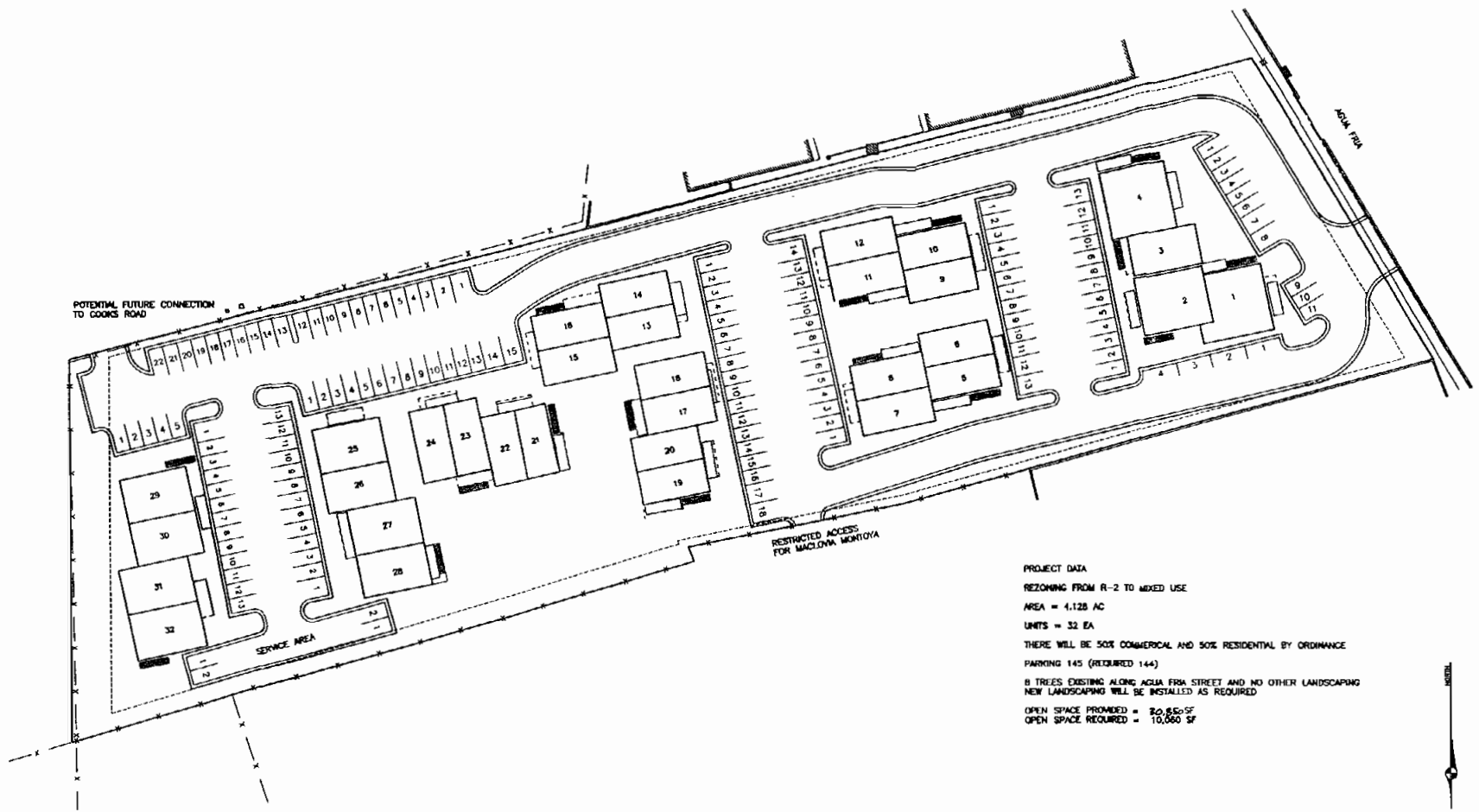
## SANTA FE HOMES PROGRAM

### UNIT TYPES AND REQUIREMENTS

Refer to Section 26-1.17 and the SFHP Administrative Procedures  
For specific requirements contact The Office of Affordable Housing

1. Total number of required SFHP Units	4
2. Required distribution: Apply the following percentages to the total from line 1 to determine the required number of units of each type. If a fraction results, round up for .5 or over, round down for .4 or under	
2a. Studio/One bedroom/Two Bedroom. 25% x Line 1	1
2 b. Three Bedroom: 50% x Line 1	2
2 c. Four Bedroom: 25% x Line 1	1
3. The sum of lines 2a, 2b, and 2c should equal the total from Line 1. If this total is greater than the total from line 1, drop one unit from Line 2a (Studio/One Bedroom/Two Bedroom). If the new total is still greater than the total from line 1, drop one unit from line 2c (Four Bedroom). This is the required distribution of unit sizes that must be provided, unless an alternate distribution is approved by the Office of Affordable Housing.	
3a. Studio/One Bedroom/Two Bedroom. 25% x Line 1*	1
3b. Three Bedroom: 50% x Line 1	2
3c. Four Bedroom: 25% x Line 1	1

\* The Office of Affordable Housing shall have the authority to further specify the required percentage of Studio, One Bedroom and Two Bedroom homes, taking into consideration the type of non-SFHP units offered for sale in the development.



PROJECT DATA  
 REZONING FROM R-2 TO MIXED USE  
 AREA = 4.128 AC  
 UNITS = 32 EA  
 THERE WILL BE 50% COMMERCIAL AND 50% RESIDENTIAL BY ORDINANCE  
 PARKING 145 (REQUIRED 144)  
 8 TREES EXISTING ALONG AGUA FRIA STREET AND NO OTHER LANDSCAPING  
 NEW LANDSCAPING WILL BE INSTALLED AS REQUIRED  
 OPEN SPACE PROVIDED = 80,850 SF  
 OPEN SPACE REQUIRED = 10,660 SF



REVISIONS	
NO.	BY

CONCEPTUAL SITE PLAN / MASTERPLAN  
**AGUA FRIA COMPOUND**  
 SCALE: 1" = 30'    DATE: MARCH 12, 2007    DRAWN BY: YP  
 C.R. WALBRIDGE & ASSOCIATES, LLC  
 1421 LUISA STREET SUITE E  
 SANTA FE, NEW MEXICO  
 (505) 982-9711

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*Exhibit C  
 for Ordinance  
 No. 2007-29*