



JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

August 12, 2024 (*Revised March 31, 2025*)

Daniel Alvarado, Senior Planner
Current Planning Division
City of Santa Fe Land Use Department
200 Lincoln Ave.
Santa Fe, NM 87501

**RE: Letter of Application
2768 Agua Fria St. Rezone & Master Plan**

Dear Daniel:

This letter is respectfully submitted on behalf of Cold Water Development Fund QOZF, LLC (the “Applicant”) in application for a Rezone and Master Plan of the property at 2768 Agua Fria St. The ±4.12-acre subject property is zoned Mixed-Use (MU), with a General Plan Future Land Use designation of Transitional Mixed-Use, and is undeveloped. This submittal includes the following requests:

1. Rezone from MU to C-2, General Commercial
2. Master Plan for 130-unit mixed-use community

Background

The subject property was granted approved of a General Plan Amendment on January 25, 2006 from Residential Low Density to Transitional Mixed-Use. The property was subsequently rezoned on August 8, 2007 from R-2 (Residential, two units per acre) to MU. Please see attached Rezone Ordinance 2007-29.

Legal Lot of Record was established via a Certificate of Compliance approved by the Planning Commission on June 6, 2024. The Findings of Fact and Conclusion of Law are included with this application.

Project Description

The 4.12-acre property is located directly off Agua Fria Street approximately one-third mile east of Siler Road. This segment of the Agua Fria corridor is a diverse, mixed-use neighborhood that includes a range of residential densities, commercial development, and industrial uses. A Master Plan is submitted with this Rezone application addressing the potential future development of the property as a 130-unit multi-family residential community with a local-serving commercial component. In compliance with the Santa Fe Homes Program, 10% of the units will be affordable and a 5% fee-in-lieu will be contributed to the Affordable Housing Trust Fund.

Rezone Request

The subject parcel is currently zoned MU and we are requesting a rezone to C-2, General Commercial. Responses to the rezoning approval criteria in SFCC §14-3.5(C) and (D) are detailed below.

(a) *One or more of the following conditions exist:*

(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.*

Applicant Response: 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.*

Applicant Response: 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.

(b) *all the rezoning requirements of Chapter 14 have been met.*

Applicant Response: 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.*

Applicant Response: See Section (iii) above. With respect to the Future Land Use Map, the requested C-2 zoning complies with the property's designation of Transitional Mixed-Use.

- (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.*

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 in order to maximize the efficient use of public infrastructure, while meeting the demand for urban land for development and directing new growth towards the historic core of the city rather than on the undeveloped fringes. The proposed infill project is in alignment with these strategic directives and 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...”.

- (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.*

Applicant 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.

- (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.*

Applicant 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.

(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;

Applicant Response: 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.

(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.

Applicant Response: Any requisite infrastructure improvements will be determined at the Development Plan stage and will be implemented as part of the project.

Master Plan

A Master Plan is submitted with this Rezone application addressing the conceptual development program for a 130-unit multi-family community with a local-serving commercial component. Three buildings are proposed with a combination of two and three stories. In keeping with the development patterns along Agua Fria Street, Building 1 adjacent to the road will be two stories and includes the commercial space at the northeast corner. Building 2 is three stories and sited along the west boundary to buffer the residential properties to the east. Similarly, Building 3 also comprises three stories. Courtyards at Buildings 1 and 3 off outdoor lounge space and recreational areas. In addition, a dog park, clubhouse/fitness center, and pool are located at the south end of the site.

Permissible Uses. Given the neighborhood context, it is appropriate to define and limit the C-2 uses that will be permitted. The proposed permissible uses are as follows:

- Single-Family Residential
- Multi-Family Residential
- Food and Beverage
- Retail
- Studios
- Arts Activities
- Service Establishments

Access and Traffic. The project is accessed directly from Agua Fria St. and a secondary, gated emergency access is provided at Cooks Road at the southwest property corner. Pedestrian access to Cooks Rd. will also be provided. At the City's request, a 42-foot access and utility easement will be granted to support the potential future eastern extension of Cooks Road. Per the attached Traffic Impact Analysis, all intersections analyzed operate at acceptable levels of service. An eastbound right-turn decel lane is warranted at the site access in the PM peak hour.

Parking. 185 parking spaces are required and 160 are provided. In accordance with SFCC §14-8.6(B)(4)(d) and (e), a Parking Demand Study is submitted with this application in request for a parking reduction and shared parking between the residential and commercial uses.

Utilities. Water service to Buildings 1 and 2 will be provided via a new service line connection to the existing waterline in Agua Fria St., with a master meter installed for each building. Building 3 will connect to the waterline in Cooks Rd. with a separate master meter. Sewer service is provided via a new manhole connection to the existing trunk line that traverses the north side of the property and a connection to the existing sewer line in Cooks Rd. Please refer to the Master Utility Plan for more information.

Terrain Management and Landscaping. The site slopes gently from east to west. Stormwater detention is provided in a series of small ponds and passive water harvesting will be provided in the landscaped areas. Landscaping improvements will include street trees along Agua Fria, and requisite plantings in the parking and open space areas. Please refer to the Preliminary Grading and Landscaping Plans for additional details.

The Master Plan approval criteria in §14-3.9(D) are addressed below:

(a) *The master plan is consistent with the general plan;*

Applicant Response: 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:

- *Compact Urban Form:* As an infill site, the project exemplifies a compact urban form.
- *Mix of Housing Types in All Neighborhoods:* 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.
- *Quality of Life.* 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.
- *Sustainable Growth.* 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 for 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.”

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

- (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;*

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.

- (c) Development of the master plan area will contribute to the coordinated and efficient development of the community; and*

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.

- (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.*

Applicant Response: 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 decel lane at the site access.

Archaeology

The subject parcel is located in the River and Trails Archaeological District. An archaeology survey will be prepared and submitted with the Development Plan application.

Water Budget

A Conceptual Water Budget is submitted herewith for reference. In accordance with City regulations, water rights will be provided to offset the water demand.

Affordable Housing – Santa Fe Homes Program

As stated above and in accordance with the Santa Fe Homes Program (“SFHP”), 10% of the units will be set aside as affordable and a 5% fee-in-lieu will be contributed to the Affordable Housing Trust Fund.

Early Neighborhood Notification

Two Early Neighborhood Notification Meetings were held on January 24 and April 23, 2024. City staff, Applicant, consultants, and members of the public were in attendance. Please refer to the attached meeting notes for details.

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

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| 1. Master Plan and Rezone Applications | 7. SFHP Proposal |
| 2. Agent Authorization Letter | 8. Santa Fe Public School Form |
| 3. Warranty Deed | 9. Conceptual Water Budget |
| 4. Legal Lot of Record Certificate of Compliance | 10. ENN Meeting Notes |
| 5. Rezone Ordinance | 11. Traffic Impact Analysis |
| 6. Utility Service Application | 12. Master Plan Submittal Set |

The Development Review Fees are calculated as follows:

Master Plan:	\$500.00
Rezone	\$1,000.00
TOTAL	- \$1,500.00

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

Thank you for your consideration.

Sincerely,



Jennifer Jenkins, Principal