City of Santa Fe

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION AUGUST 20, 2020 AT 6:00 PM ATTEND VIRTUALLY

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES:

E. APPROVAL OF FINDINGS/CONCLUSIONS

F. OLD BUSINESS

G. NEW BUSINESS

1. An Ordinance Amending the Table of Permitted Uses in Section 1-6.1(C) SFCC 1987 to Include Commissary Kitchens as a Permitted Use Requiring a Special Use Permit in C-1 Zoning Districts; and Amending Section 14-12.1 to Add the Definition of Commissary Kitchens. (Councilors Lindell and Villarreal) (Eli Isaacson, Land Use Department Director, esisaacson@santafenm.gov, 955-6730)

2. An Ordinance Amending Section 7-1.3 SFCC 1987 Regarding a Schedule of Permit Fees in Code; Creating a New Section 7-1.11 to Establish a Fee Schedule for Services Provided by the Land Use Department; Repealing Section 7-3.3 Regarding the Fee to Move a Building; Amending Subsection 14-3.17(D) Regarding a Schedule for Appeals Fees in Code; Amending Subsection 14-8.2(D)(2) to Allow the Land Use Director to Issue Certain Preliminary Permits at the Owner's Own Risk; Amending Section 14-9.5 to Clarify the Process for Constructing Public and Quasi-Public Improvements Prior to Commencement of Other Aspects of Development; Creating a New Section 14-13 to Establish Fees in Code; Amending Section 14-12.1 to Add a Definition for Site Restoration; and Establishing an Effective Date. (Mayor Webber) (Eli Isaacson, Land Use Department Director, esisaacson@santafenm.gov, 955-6830; Jason Kluck, Land Use Department Assistant Director, jmkluck@santafenm.gov, 955-5937)

3. **Case #2020-2266. Sangre Azul, Final Subdivision Plat**. Oralynn Guerrerortiz of Design Enginuity, Agent, for Roddy & Sherry Leeder, Owner,

request final subdivision plat approval for 23 residential lots on approximately 4.04± acres of vacant land. The property is zoned R-5 (Residential- five dwelling units per acre) and is located at 2670 and 2690 Kates Way. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325).

4. **Case #2020-2273. 4262 Agua Fria Street and 4701 & 4702 Rufina Street Aguafina Rezoning Ordinance Amendment**. Liaison Planning Services, Inc., Agent, for Aguafina Development LLC, Owner, requests an amendment to Ordinance 2013-12 to remove condition #2 requiring Tract C-1 to be developed consistent with R-3 zoning, and modifying condition #3 to remove the requirement for three base-course lot access driveways. The properties are zoned R-5 (Residential- five dwelling units per acre) and R-3 (Residential- three dwelling units per acre) and total approximately 11.47 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

5. **Case #2020-2274. 4701 Rufina Street Aguafina Rezoning**. Liaison Planning Services, Inc., Agent, for Aguafina Development, Owner, requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-5 (Residential – five dwelling units per acre) for a property located at 4701 Rufina Street. The property is approximately 3.44 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

6. **Case #2020-2287. 4702 Rufina Street Aguafina Rezoning**. Liaison Planning Services, Inc., Agent, for Aguafina Development LLC, Owner, requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre) for a property located at 4702 Rufina Street. The property is approximately 2.42 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

H. STAFF COMMUNICATIONS

I. MATTERS FROM THE COMMISSION

J. ADJOURNMENT

City of Santa Fe New Mexico
Memorandum

Date: July 30, 2020

To: Governing Bod y, Planning Commission, Public Works and Utilities Committee, Quality of Life Committee

From: Elias Isaacson, AICP ESI
Planning and Land Use Director

RE: Commissary Kitchens Bill

ITEM AND ISSUE:

The proposed Bill adds a definition for "Commissary Kitchen" to the Santa Fe City Code (SFCC) Section 14-12.1 and amends the Permitted Use Table in SFCC Section 14-6.1 (Table 14-6.1-1) to include commissary kitchens as a permitted use, while also requiring a special use permit in a C-1 zoning district if the commissary kitchen would be located within 200' of a residentially zoned property.

BACKGROUND AND SUMMARY:

This Bill is a result of a community request to allow commissary kitchens in C-1 districts.

ACTION REQUESTED:

Approve the Bill as presented.

ATTACHMENTS:

Bill

Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Councilor Signe I. Lindell

Councilor Renee Villarreal

AN ORDINANCE

AMENDING THE TABLE OF PERMITTED USES IN SECTION 14-6.1(C) SFCC 1987 TO INCLUDE COMMISSARY KITCHENS AS A PERMITTED USE REQUIRING A SPECIAL USE PERMIT IN C-1 ZONING DISTRICTS; AND AMENDING SECTION 14-12.1 TO ADD THE DEFINITION OF COMMISSARY KITCHENS.

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

Section 1. Table 14-6.1-1 of the Land Development Code (being Ord. No. 2012-37, § 2, as amended) is amended to add the following permitted uses:

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

CATEGORY Specific Use	RR	R-1 - R-6	R-7 - R-9	R7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs
COMMERCIAL																						
Food and Beverages																						
Bar, cocktail lounge, nightclub, no outdoor entertainment								S 3,10	S[3]		P*			P	P	P		P*	P*	P*	P[2]	
Bar, cocktail lounge, nightclub, with outdoor entertainment								S 3,10	S[3]		P*			P*	P*	P*		P*	P*	P*	P* [2]	
Restaurant – full service, with or without incidental alcohol service								S 3,10	S[3]		P			P	P	P	S	P	P	P	P	
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area								S 3,10	S[3]		P*			P*	P	P		P*	P*	P*	P* [2]	
Restaurant – Fast service/take-out, no drive-through/drive-up								S 3,10		P[4]	P	P[4]		P	P	P	S	P	P	P	P	
Restaurant – with drive-through/drive-up											P*			P*	P*	P*	S	P*	P*	P*	P* [2]	
Commissary kitchen										P*												

Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as amended) is amended to add the following definitions:

14-12.1 DEFINITIONS

COMMISSARY KITCHEN

A food preparation facility leased by or licensed to food service providers or food product manufacturers for commercial production of meals and food products; loading and unloading of supplies, ingredients, food, and products produced at the facility; and for related services, including, but not limited to, storage of food and ingredients, education and training, the promotion of food service providers, food manufacturers, and food and products produced by them; leasing of food preparation equipment for use off-site; consumption of food and beverages at the facility not open to the general public; and sale and promotion of food products produced at the facility.

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

FIR No. 3264

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): Commissary Kitchens

Sponsor(s): Councilors Lindell and Villarreal

Revie wing Department(s): Land Use

Staff Completing FIR: Elias Isaacson Date: 7/2/20 Phone: 955-6730

Revie wed by City Attorney: _____ Date: Aug 3, 2020

Revie wed by Finance Director: _____ Date: Aug 4, 2020

Summary:
The purpose of the text amendment (bill) is to add a definitio n for "COMMISSARY KITCHEN" to Section 14-12.1 and to update the Permitted Use Table to allow COMMISSARRY KITCHENS in C- 1 zoning districts. The asterisks next to the "P" in the permitted uses table indicates that Commissary Kitchens within 200 feet of a residential zone will require a Special Use Permit.

Departments Affected:
Land Use Department

Consequences of Not Enacting Legislation:
Commissary Kitchens would not be allowed in C- 1 zoning districts.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
None identified.

Performance and Administrative Implications:
The mo st positive impact is allowing these commercial business to operate in the C-1 zone. There is little negative impact to the surrounding neighborhoods. A Special Use Permit will be required for Commissary Kitchens within 200 feet of a residential district.

Fiscal Implications:
There are no direct fiscal impacts to this legislation.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Commissary (Community) Kitchen Fact Sheet:

Commissary kitchens are designed for food production and food safety. These kitchens are a certified place where people can prepare food products for distribution and resale to the public. Currently there is a lack of space dedicated to commercial food production in Santa Fe.

The Need

Santa Fe is a city with food entrepreneurs who lack a proper facility (commissary or commercial kitchen) to prepare food for resale. The closest viable options are in Taos (Taos Economic Development Center) and Albuquerque (The Mixing Bowl). As a popular food destination that offers everything from traditional to innovative cuisine, Santa Fe would benefit in a number of ways from a commercial kitchen helping food entrepreneurs. The proposed kitchen will be a resource for those who wish to scale, expand, and properly start food businesses in accordance with health department regulations. Our goal is to create a commissary kitchen that facilitates sustainable economic development opportunities for food industry professionals, entrepreneurs, and other community members who require access to a licensed and professional-grade food preparation and storage facility.

Commercial kitchens serve a variety of customer profiles, 5 are listed below

Commercial kitchens serve community members who create edible goods for public consumption. They empower food entrepreneurs to innovate, grow, and support the local food economy.

1. Entrepreneurs and businesses selling packaged goods such as salsa, kombucha, muffins and more will use the space to prepare their products for resale. These businesses are cottage enterprises and sell at local markets with the goal of growing their sales and their company.
2. Private Chefs will use the space to cook for events and regular customers.
3. Caterers will use the space to cook for events.
4. Food truck owners will use the space to prepare food for the day and for safe and sanitary storage of their products.
5. Farmers will use the space to distribute their products in a centralized location.

Examples of Community Benefits:

- A certified place dedicated to cooking for the food community
- Create jobs within the community
- Encourage the supply chain to stay local
- Encourage local innovation and entrepreneurship in Santa Fe's food community
- Creates a food community where businesses can collaborate and exchange advice
- Serves as a link between local farmers and local food entrepreneurs

The Mixing Bowl is an example of a successful commissary kitchen in Albuquerque's South Valley, serving the community since 2005. Below is a list of some of the economic benefits the Mixing Bowl was able to help facilitate.

- 65 new jobs created
- 46 new women owned businesses created
- 40 minority owned businesses created
- 53 new companies created

Andrea Abedi 505.428.8485 Andrea@andreaabedi.com
Hilary Kilpatric 505.699.3644 Hilary505@gmail.com

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

DATE: August 7, 2020

TO: Planning Commission, Public Works and Utilities Committee, Finance Committee, and Governing Body

From: Elias Isaacson, Planning & Land Use Director
Jason M. Kluck, Assistant Planning & Land Use Director

Re: Land Use Fees

EXECUTIVE SUMMARY:

This primary objective of this proposal is to adopt new Sections 7-1.11 and 14-13 SFCC 1987, which would create a comprehensive schedule of all fees assessed by the Land Use Department for services provided to the public. The proposal includes related amendments to Section 7-3.3, which would remove the permit fee to move a building; amendments to Section 14-8, which would allow the Land Use Director to issue certain preliminary permits at the owner's risk; and amendments to Section 14-9.5, which would clarify the process for construction of public and quasi-public improvements prior to other aspects of development. Finally, the proposal would add a definition to Subsection 14-12.1 for "Site Restoration," which is needed to clarify other aspects of the proposal.

All proposed fees correlate with existing services provided by the Department, many of which are currently provided at no charge. The proposed new fees would offset the cost of providing these services. Some fees, such as the fee for "Exception to Historic Overlay", are proposed for reduction to more accurately reflect the actual staff time associated with evaluating the request. There are no new operating expenses associated with the proposed fee adjustment because staff members currently collect fees, and processing the new fees would require a nominal amount of additional staff time.

Mayor Webber is the legislative sponsor of these amendments. Under Section 14-3.3(A)(4), all amendments to the Land Use Code require a public hearing, review, and recommendation from the Planning Commission prior to consideration by the Governing Body.

(Elias Isaacson Planning and Land Use Director, esisaacson@santafenm.gov, 955-6370; and Jason Kluck, Assistant Planning and Land Use Director, jmkluck@santafenm.gov, 955-6729)

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

EVALUATION CRITERIA:

Section 14-3.3, "Amendments to Text of Chapter 14," outlines the process for amending the text of the Land Use Code. To make a positive recommendation to the Governing Body, the Planning Commission must find that a text amendment meets the six criteria set forth in Section 14-3.3(B). The criteria are set forth below.

(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.

RECOMMENDATION:

Because the proposal meets the above six criteria (where applicable), Staff recommends that the Planning Commission recommend approval to the Governing Body of the proposed ordinance amendments. Adopting new Sections 7-1.11 and 14-13 SFCC 1987 would create a comprehensive schedule of all fees assessed by the Land Use Department for services provided to the public. Adopting amendments related to Section 7-3.3 would remove the permit fee to move a building. Amendments to Section 14-8 would allow the Land Use Director to issue certain preliminary permits at the owner's risk. Amendments to Section 14-9.5 would clarify the process for construction of public and quasi-public improvements prior to other aspects of development. Finally, adoption of the proposal would add a definition to Subsection 14-12.1 for "Site Restoration," which is needed to clarify other aspects of the proposal.

ATTACHMENTS:

1. Proposed Text Amendments, including updated Fees Table
2. Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

AN ORDINANCE

CREATING NEW SECTIONS 7-1.11 AND 14-13 SFCC, ESTABLISHING A FEE SCHEDULE FOR SERVICES PROVIDED BY THE LAND USE DEPARTMENT; REPEALING SECTION 7-3.3, REGARDING THE PERMIT FEE TO MOVE A BUILDING; AMENDING SECTION 14-8 TO ALLOW THE LAND USE DIRETOR TO ISSUE CERTAIN PRELIMINARY PERMITS AT THE OWNER'S OWN RISK; AMENDING SECTION 14-9.5 TO CLARIFY THE PROCESS FOR CONSTRUCTING PUBLIC AND QUASI-PUBLIC IMPROVEMENTS PRIOR TO COMMENEMENT OF OTHER ASPECTS OF DEVELOPMENT; ADDING A DEFINTITION TO SUBSECTION 14-12.1 FOR "SITE RESTORATION"; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1. Section 7-1.3 of SFCC 1987 (being Ord. No. 2008-1 § 6) is amended to read:

7-1.3 Schedule of fees, charges, and expenses.

A. The governing body shall establish [~~by resolution~~] a schedule of fees for

underscored material = new [~~bracketed material~~] = delete

permits and other matters pertaining to this chapter. The schedule of fees shall be posted in the land use department and may be altered or amended only by the governing body after a noticed public hearing. No permit or approval required under this chapter shall be issued or granted unless and until such fees have been paid in full. The schedule of fees adopted by the governing body replaces fees adopted by the state of New Mexico construction industries division as set forth in the New Mexico Administrative Code.

B. The fees shall be reviewed as set forth in subsection 11-2.5 SFCC 1987.

Section 2. [NEW MATERIAL] A new Section 7-1.11 of SFCC 1987 is hereby adopted to read:

7-1.11 Permit Fees.

Fees for permits and other matters associated with Chapter 7 SFCC 1987 are established in Table 7-1.11-1 below.

Table 7-1.11-1

FEE TYPE	FEE	UNIT
BUILDING PERMIT ACTIVITIES		
Mandatory Pre-Submittal Building Permit Meeting - Large Projects with Multiple Subject Matter Experts (1.5 hours)	$500.00	Per Meeting
Optional Pre-Submittal Building Permit Meeting - Small Projects with 1 or 2 Subject Matter Experts (1 hour)	$150.00	Per Meeting
Pre-Submittal Building Permit Plan Review Consultations and Residential Master Model Review	$60.00	Per Hour
Green Building Code - Early Consultation	$60.00	Per Consultation
Green Building Code - Building Permit Review (Residential)	$100.00	Per Permit
PV Solar (Commercial or Residential)	$100.00	Per Permit
Permit Revisions/Corrections Review (1st Revision review per station free, and not subject to fee)	$60.00	Per Hour
Building Permit Extension	$100.00	Per Six Month Extension
Building Permit Revision (change information and reissue permit board)	$120.00	Per Revision
PRIMARY BUILDING PERMIT ADMINISTRATIVE FEES		
Administrative Fee	$40.00	Each Permit
Construction Valuation of (rounded to nearest full dollar):		
$1 to $500	$25.00	

Administrative Fee	$40.00	Each Permit
Construction Valuation of:		
$1 to $500	$25.00	
$501 to $2,000	$25.35 for the first $500 plus $3.05 for each additional $100 or fraction thereof, up to and including $2000	
$2,001 to $25,000	$69.25 for the first $2001 plus $14 for each additional $1000 or fraction thereof, up to and including $25,000	
$25,001 to $50,000	$391.75 for the first $25,001 plus $10.10 for each additional $1000 or fraction thereof, up to and including $50,000	
$50,001 to $100,000	$643.75 for the first $50,001 plus $7 for each additional $1000 or fraction thereof, up to and including $100,000	
$100,001 to $275,000	$993.75 for the first $100,001 plus $5.93 for each additional $1000 or fraction thereof, up to and including $275,000	
$275,001 to $500,000	$1,830.00 for the first $275,001 plus $7.30 for each additional $1000 or fraction thereof, up to and including $500,000	
$500,001 to $1,000,000	$3518.37 for the first $500,000 plus $5.60 for each additional $1000 or fraction thereof, up to and including $1,000,000	
$1,000,001 and up	$5,893.37 for the first $1,000,001 plus $4.40 for each additional $1,000 or fraction thereof	

Signage Permit	$0.40/sq. ft. plus $45.00 review fee	Square Feet
Residential Plan Review	50% of Permit Fee	
Commercial Plan Review	75% of Permit Fee	
Plan Amendment Review Fee	$60/Hr (minimum 2 hours)	Hour
Demolition Permit Fee (Residential)	$40.00	Permit
Demolition Permit Fee (Commercial)	$60.00	Permit
Building Without a Permit	Double the original permit fee	Permit
Expedited Plan Review	Cost of preapproved third party plan review + 20% service charge for administration and other required review	Permit
ELECTRICAL PERMIT FEES		
Issuance of Electrical Permit (Commercial & Residential)	$40.00	Permit
Meter Loop New thru 100 AMP (Residential)	$45.00	Permit
150-200 AMP/panel thru 200 AMP (Residential)	$72.00	Permit
Over 200 AMP/Panel thru 320 AMP (Residential)	$99.00	Permit
Over 320 AMP/Panel thru 400 AMP (Residential)	$225.00	Permit
Over 400 AMP/Panel (Residential)	$360.00	Permit
Over 200 AMP/Panel thru 400 AMP (Commercial)	$225.00	Permit
Over 400 AMP/Panel thru 600 AMP (Commercial)	$270.00	Permit
Over 600 AMP/Panel thru 800 AMP (Commercial)	$360.00	Permit
Over 800 AMP/Panel thru 1000 AMP (Commercial)	$450.00	Permit
Over 1000 AMP/Panel thru 2000 AMP (Commercial)	$630.00	Permit
Over 2000 AMP/Panel (Commercial)	$900.00	Permit
Temporary Power Pole (Commercial & Residential)	$27.00	Permit
Mobile Home Service	$27.00	Permit
Customer-Owned Power Distribution	$45.00	Permit
Each Pole	$6.00	Permit
Per 100 feet of Underground Wiring	$6.00	Permit
Service Change Only/No outlets	$27.00	Permit
Low Voltage	$20.00	Unit
MECHANICAL PERMIT FEES		
Issuance of Mechanical Permit (Commercial & Residential)	$40.00	Permit
Ventilation System	$10.00	Permit
Central Furnace	$10.00	Permit
Wall Heater	$10.00	Permit

Refrigeration System	$10.00	Permit
Duct Work System	$10.00	Permit
Solar Space Heating System	$20.00	Permit
Combination Unit HVAC	$10.00	Permit
Chiller	$10.00	Permit
Cooling Tower	$10.00	Permit
Commercial Kitchen Hood	$10.00	Permit
Commercial Duct System	$10.00	Permit
Medical Gas System	$10.00	Permit
Mini Split Installation	$10.00	Permit
Gas Fireplace	$5.00	Permit
Temporary Gas	$10.00	Permit
Temporary Heat	$10.00	Permit
Repairs or Additions, Heating Appliance, Refrigeration Unit, Cooling System	$8.50	Permit
Boiler Replacement or Repair	$8.50	Permit
PLUMBING PERMIT FEES		
Issuance of Plumbing/Gas Permit (Commercial & Residential)	$50.00	Permit
Exhaust Fan	$5.00	Permit
Water Distribution System	$5.00	Permit
Building Sewer	$5.00	Permit
Water Heater	$5.00	Permit
Each Swimming Pool	$50.00	Permit
Industrial Waste Interceptor/Trap & Vent	$10.00	Permit
Water Conditioner	$8.50	Permit
Evaporative Cooler	$10.00	Permit
Vacuum Breaker or Back Flow Device	$5.00	Permit
Gas Piping System	$5.00	Permit
Gas Appliance	$5.00	Permit
Gas Pipe Outlet	$4.00	Permit
Domestic Hot Water Solar Heating System	$10.00	Permit
Solar Space Heating System	$10.00	Permit
Sewage Ejector/Grinder	$5.00	Permit
Grease Trap/Interceptor	$5.00	Permit
Water Service Line	$5.00	Permit
Gas Yard Line	$5.00	Permit
Chilled Water Distribution System	$10.00	Permit
Roof Drainage System	$10.00	Permit
Hot Water Solar Potable System	$10.00	Permit

Gray Water System	$10.00	Permit
Sewer Yard Line	$10.00	Permit
Sewer Lateral	$10.00	Permit
Sewer Connection	$40.00	Permit
Line	$10.00	Permit
Lawn Sprinkler System	$13.00	Permit
Temporary Gas	$10.00	Permit
Temporary Heat	$10.00	Permit

Section 3. Section 7-3.3 of SFCC 1987 (being Ord. No. 1983-26 § 3, as amended) is hereby repealed.

Section 4. Subsection 14-3.17(D) of SFCC 1987 (being Ord. No. 2011-37 § 3) is amended to read:

(D) **Process to File an Appeal**

(1) Filing Appeal; Form; Verification

The appellant shall file two copies of the written appeal with the *land use director*. The appeal shall be filed on a form provided for that purpose and shall be verified, signed by the appellant under oath and notarized.

(2) Receipt; Service of Appeal

The *land use director* shall initial and enter the date and time of filing on both copies of the appeal and return one copy to the appellant. Within three days of the filing date, the appellant shall hand deliver a copy of the appeal to any appellee or deliver it by first-class certified mail.

(3) Appeal Fee

(a) An appeal fee shall be paid at the time of filing an appeal.

(b) The *governing body* [~~shall establish by resolution a schedule of fees for appeals~~] has established a fee schedule for appeals as set forth in Table 14-13.1-1 SFCC 1987. The *land use director* may waive or reduce the

appeal fee if the *land use director* determines that the appellant would qualify for the *city's* utility fee poverty exemption set forth in Section 15-1.3 SFCC 1987 (Utility Billing - Poverty Exemption).

(4) Multiple Appeals and Multiple Jurisdictions

(a) An appellant may not appeal any single *final action* more than once.

(b) Every appeal requires an independent basis. *Final actions* may not be appealed solely on the basis of alleged mistakes in prior stages of the same project, whether or not the prior *final actions* were appealed.

(c) More than one appellant may file an appeal of a *final action*, and appellants may combine their appeals and share the appeal fee proportionally. All appeals of any single *final action* shall be consolidated for hearing purposes.

(d) Any review by the *governing body* of a planning commission decision under Section 14-2.2(A)(3) shall be combined with the hearing on an appeal of that decision.

(e) In the case of an appeal that includes *final actions* that fall under the jurisdiction of more than one *land use board*, the *land use director* shall determine the appropriate *land use board* to hear any particular issue on appeal, except as otherwise provided in this section.

(5) Withdrawal

An appellant may withdraw the appeal at any time. A withdrawal does not affect any related appeal. At any time after an appeal has been filed, an appellant and appellee may agree to settle any matters raised in the appeal and the appellant may withdraw the appeal; provided that such settlement complies with applicable code

requirements, including any conditions of approval of the *final action* being appealed.

(6) Conformity of Appeal

The *land use director* shall promptly review all appeals for conformity with the requirements of Section 14-3.17. Upon determining that an appeal does not conform to the requirements, the *land use director* shall refer the matter to the *city* attorney for review.

(a) If the *city* attorney concurs with the *land use director* 's determination, the *city* attorney's written recommendation shall be forwarded to the *governing body* for discussion. The *governing body* may accept the *city* attorney's written recommendation and the decision is final and may be appealed to district court. If the *governing body* does not accept the *city* attorney's recommendation, the appeal shall be heard as set forth in Chapter 14.

(b) If the *city* attorney does not concur with the *land use director* 's determination, the appeal shall be heard as set forth Chapter 14.

(7) District Court Appeals

An appeal of a *final action* of the *governing body* or a *land use board,* or of an action of the *city* manager, the *city* attorney or the *land use director* that is only subject to appeal to district court, shall be to the first judicial district court pursuant to Section 39-3.1.1 NMSA 1978, Rule 1-074, NMRA or Rule 1-075, NMRA, as amended, or other relevant statute or court rule.

Section 5. [NEW MATERIAL] A new Section 14-13 of SFCC 1987 is hereby adopted to read:

Fees for permits and other matters associated with Chapter 14 SFCC 1987 are established in Table 14-13.1-1 below:

FEE TYPE	FEE	UNIT
CURRENT PLANNING ACTIVITIES		
Pre-application Meeting	$100.00	Per Meeting
Code Interpretation, Formal Issuance (PZ Letter/Zoning Statement)	$150.00	Per Request
Zoning Compliance Letter/Form	$150.00	Per Letter/Form
Zoning Verification Letter	$75.00	Per Letter
Certificate of Compliance – Lot of Record (Administrative)	$150.00	Per Certificate
Certificate of Compliance - Lot of Record (Planning Commission)	$300.00	Per Certificate
Certificate of Compliance - Residential Condominium	$150.00	Per Statement
Administrative Development Plan Approval	$300.00	Per Request
ENN - Staff Attendance and Documentation of Meeting	$150.00	Per Meeting
Variance - Planning Commission - Without Development Plan or Plat	$750.00	Per Variance
Variance - Board of Adjustment	$300.00	Per Variance
Waiver - Planning Commission	$500.00	Per Waiver
Waiver - City Council (Utility Undergrounding)	$1,500.00	Per Waiver
Waiver - PW Director (Intersection Visibility)	$100.00	Per Waiver
Special or Conditional Use Permit	$1,000.00	Per Permit
Appeal (of LU Director Admin. Decision)	$200.00	Per Appeal
Appeal (of Land Use Board Decision)	$200.00	Per Appeal
Alternate Means of Compliance – (LU Director)	$150.00	Per Request
Alternate Means of Compliance - (Land Use Board)	$500.00	Per Request
Administrative Waiver - (Land Use Board)	$500.00	Per Request
Administrative Waiver – (Land Use Director)	$150.00	Per Request
Setback Affidavit	$150.00	Per Request
Innovative Road Standard	$300.00	Per Request
Applicant-requested Postponement of Land Use Board Hearing	$500.00	Per Postponement
Other Land Use Development Review (per hour)	$75.00	Per Hour
Code Amendment	$1,000.00	Each
Lot Splits	$400.00	Per Split
Lot Line Adjustment	$200.00	Each
Lot Consolidation	$200.00	Each
Dedication, Easement & Vacation Plats	$350.00	Each
Plan/Plat Amendment Administrative	$300.00	Each
Plan/Plat Amendment Planning Commission	$500.00	Each
Lease Agreement	$400.00	Each
License Agreement	$400.00	Each

License/Lease Agreement Renewal Fee	$75.00	Each
Large Public Notice Poster	$30.00	Each
Medium Public Notice Poster (Administrative Decision)	$25.00	Each
Small Public Notice Poster (Escarpment)	$10.00	Each
Annexation Application under 1 acre	$1,000.00	
Annexation Application 1-9.99 acres (first five acres)	$2,000.00	First Five Acres
Annexation Application (each additional acre after five)	$200.00	Each Additional Acre
Annexation Application 10-24.99 acres (first ten acres)	$3,000.00	First Ten Acres
Annexation Application 25 acres or more	$100.00	Each Additional Acre
General Plan Amendment Application 1-9.99 acres (first five acres)	$1,000.00	First Five Acres
General Plan Amendment Application (each additional acre after five)	$200.00	Each Additional Acre
General Plan Amendment Application 10 acres and above	$2,000.00	First Ten Acres
General Plan Amendment Application (each additional acre after ten)	$100.00	Each Additional Acre
Rezoning Application 1-9.99 acres (first five acres)	$1,000.00	First Five Acres
Rezoning Application (each additional acre after five)	$200.00	Each Additional Acre
Rezoning Application 10 acres or more	$2,000.00	First Ten Acres
Rezoning Application (each additional acre after ten)	$100.00	Each Additional Acre
ELECTRICAL FACILITIES		
Administratively Approved Application	$500.00	Application
Transmission Line	$2,000.00	Application
Distribution Line	$1,000.00	Application
Substation or Switching Station	$2,000.00	Application
DEVELOPMENT PLAN APPLICATION AND TELECOMMUNICATIONS REVIEW FEES (BASED ON COST OF DEVELOPMENT)		
$0-$999	$350.00	
$1,000-$4,999	$600.00	

$0-$999	$350.00	
$5,000-$49,999	$1,100.00	
$50,000-$149,999	$1,500.00	
$150,000-$499,999	$2,500.00	
$500,000-$999,999	$5,000.00	
$1,000,000-$1,999,999	$7,000.00	
$2,000,000 and above	$10,000.00	
Each Additional Million after $2 Million	$1,000.00	
SUBDIVISIONS		
Subdivision Application 3-5 lots Prelim Plat	$400.00	Per plat
Subdivision Application 3-5 lots Final Plat	$400.00	Per plat
Subdivision Application 6+ lots Prelim Plat	$150.00	Per Lot After (5)
Subdivision Application 6+ lots Final Plat	$150.00	Per Lot After (5)
Family Transfer (6 lot max)	$150.00	Per Plat
TECHNICAL REVIEW ACTIVITIES		
Floodplain Determination Letter	$50.00	Per Request
Escarpment Pre-Submittal Meeting - New Construction	$75.00	Per Request
Escarpment Pre-Submittal Meeting - Addition/Remodel	$50.00	Per Request
Escarpment Pre-Submittal Meeting - Other (small e.g., fence, shed, etc.)	$25.00	Per Request
Escarpment - Site Visit	$75.00	Per Site visit
Escarpment - Alternate Siting	$500.00	Per Request
Prairie Dog Relocation Administration	$150.00	Per Request
Letter of Credit Initial Processing (includes closeout)	$300.00	Per Financial Guarantee
Letter of Credit Draw-Down Approval	$75.00	Per Drawdown
Cash Escrow Initial Processing (includes closeout)	$300.00	Per Escrow
Cash Escrow Draw-Down Approval	$75.00	Per Drawdown
Pre-Construction Meeting per the Infrastructure Completion Policy	$500.00	Meeting
Pre-application Advisory Inspections for G&D, Landscaping or ADA	$100.00	Per Inspection Request
Alternate Means of Compliance - Landscape Requirements	$75.00	Per Requirement (varied)
Alternate Means of Compliance - Grading and Drainage Requirements	$150.00	Per Requirement (varied)

GRADING PLAN REVIEW FEES		
50 cubic yards or less	$14.00	
51 to 100 cubic yards	$27.00	
101 to 1,000 cubic yards	$45.00	
1,001 to 10,000 cubic yards	$55.00	
10,001 to 100,000 cubic yards	$55.00 for the first 10,000 cubic yards, plus $27.00 for each additional 10,000 cubic yards or fraction thereof	
100,001 to 200,000 cubic yards	$295.00 for the first 100,000 cubic yards, plus $14.50 for each additional 10,000 cubic yards or fraction thereof	
200,001 cubic yards or more	$442.00 for the first 200,000 cubic yards, plus $8.50 for each additional 10,000 cubic yards or a fraction thereof	
GRADING PERMIT FEES		
50 cubic yards or less	$14.00	
51 to 100 cubic yards	$27.00	
101 to 1,000 cubic yards	$45 for the first 100 cubic yards, plus $19.25 for each additional 100 cubic yards or fraction thereof	
1,001 to 10,000 cubic yards	$214 for the first 1,000 cubic yards, plus $15.95 for each additional 1,000 cubic yards or fraction thereof	
10,001-100,000 cubic yards	$357 for the first 10,000 cubic yards, plus $72.00 for each additional	
100,001 cubic yards or more	$1,010 for the first 100,000 cubic yards, plus $40.50 for each additional 10,000 cubic yards or a fraction thereof	

WATER BUDGET ACTIVITIES		
Review Alternate Development Water Budget Proposal	$150.00	Per Request
HISTORIC AND ARCHAEOLOGICAL ACTIVITIES		
Historic Districts Pre-Application Meeting/Site Visit	$75.00	Per Request
Historic Districts Application Fee for Administrative Approval	$100.00	Per Request
Archaeological Review Application Fee for Public Hearing	$100.00	Per Request
Appeal to Archaeological Review Committee	$100.00	Per Appeal
Exception (if required)	$250.00	Each
Archaeological Clearance Permits (Existing)	$10.00	Per Construction Permit
Clearing & Grubbing or Limited Grading at Owner's Risk Permit (Must Also Submit Financial Guarantee Based on Engineer's Estimate)	150% of Grading Permit Fee	
Emergency Grading at Owner's Risk Permit (Must Also Submit Financial Guarantee of $2000.00 Per Acre or as stipulated by the City Engineer after review of the terrain conditions and the extent of required grading)	150% of Grading Permit Fee	
Construction of Public and Quasi-Public Infrastructure without an Agreement to Construct (Must Also Submit Financial Guarantee Based on Engineer's Estimate for Site Restoration and for 10% of the construction valuation, which shall be held until the end of the warranty period)	150% of Grading Permit Fee	
Medium Notice Poster	$25.00	Each
BUILDING CODE INSPECTION ACTIVITIES		
Home Occupation	Home Occupation	Home Occupation
Special Event Permit, Temporary Structures	$100.00	Per Permit
Noise Permit	$25.00	Per Permit
Itinerant Vendors	$150.00	Per Permit
Certificates of Occupancy Reissue (not for building permit)	$75.00	Per Certificate
Re-Inspection Fee (minimum 2 hours)	$60.00	Per Hour
Additional Inspection Fee (minimum 2 hours)	$60.00	Per Hour
After Hours Inspections Fee	$85.00	Per Hour
CODE ENFORCEMENT ACTIVITIES		
Temporary Use Permit (including filming of motion pictures)	$125.00	Per Permit
Short-Term Rental Application Fee	$100.00	Per Application
Short-Term Rental Renewal Late Fee	$50.00	Per Permit or Registration

Short-Term Rental Residential Permit Fee	$290.00	Per Permit Per Year
Short-Term Rental Business License Fee	$35.00	Annually
Short-Term Rental Resort Unit/Non-Residential/Commercial Registration Fee	$65.00	Per Registration Per Year
Short-Term Rental Renewal Late Fee	$50.00	Per Permit or Registration
HDRB Application Fee for Public Hearing (0.5% of Proposed Construction Cost)	$250 (min) - $2000 (max.)	Per Request
Medium Notice Poster	$25.00	Each

Section 6. Subsection 14-8.2(D)(2) of the Land Development Code (being Ord. No. 2011-37 § 10) is amended to read:

14-8.2 TERRAIN AND STORMWATER MANAGEMENT

(D) **Standards for All Grading**

(2) Grading

(a) *Grading* for *buildings* is limited to fifteen (15) feet beyond the outer edge of the *building* foundation, patio, *wall*, driveway, road, parking area or other constructed facility except as necessary:

(i) for the construction of stormwater runoff management measures in compliance with this Section 14-8.2; or

(ii) to accommodate required horizontal to vertical measurements for *cut* and *fill slopes*.

(b) Natural *slopes* thirty percent or greater shall remain undisturbed, except for arroyo crossings and for no more than three isolated occurrences of *sloped* areas where each individual disturbance shall not exceed one thousand (1,000) square feet, as approved by the *city engineer*. The *city engineer* may waive this provision, in writing, stating the reasons and basis for such approval, if evidence is provided by the *applicant* showing that

strict enforcement of this provision would prohibit access to the *lot* or placement of utilities. This provision applies solely to the construction of roads, driveways and utility placement and is not intended to allow *development* on natural *slopes* exceeding thirty percent. The other provisions of the escarpment overlay district ordinance and the terrain and stormwater management regulations shall remain in effect.

(c) Phasing for *grading* and clearing may be required by the *city engineer* on all sites where construction will not begin immediately after clearing and *grading*;

(d) A construction *permit* for *grading* for driveway construction shall not be issued unless the *city engineer* has first determined that the driveway provides access to a buildable area as defined in Subsection 14-8.2(D)(3) and that the *permit* complies with the requirements of Section 14-5.6 (Escarpment Overlay District); and

(e) All *grading* completed on the site shall conform to the approved *grading* plan.

(f) The *land use director* may grant an *application* submitted to the building division of the land use department for a preliminary clearing and grubbing *permit* or a limited *grading permit*, allowing for work authorized under such *permit* solely at the risk of the *owner* while an *application* for an associated *permit* for comprehensive grading and drainage or landscape and utilities is pending.

(g) Under emergency circumstances, the *land use director* may issue a *grading* at *owner*'s risk *permit* prior to the submission of an *application*. A *permit* issued under this subparagraph shall expire twelve (12) months after

issuance with no allowance for extensions.

Section 7. Subsection 14-9.5(B) of the Land Development Code (being Ord. No. 2013-16 § 60, as amended) is amended as follows:

14-9.5 INFRASTRUCTURE DEDICATION, COMPLETION, AND GUARANTEES

(B) Infrastructure Completion or Agreement to Construct Improvements Required

The developer must complete *public improvements* [~~or~~] *and quasi-public* [~~*infrastructure*~~] *improvements* required for any *development* [~~shall be completed by the developer~~] in accordance with plans approved by the *city* and must pass inspection prior to commencing other aspects of the *development*, or the developer must enter into an agreement with the *city* to construct improvements as described in Subsection 14-9.5(C). If the developer seeks to construct *public improvements and quasi-public improvements* without entering into an agreement to construct, the developer must first submit a financial guarantee based on an engineer's estimate for the cost of *site restoration* plus ten percent (10%) of the construction valuation, which shall be held until the end of the twelve-month warranty period. The *infrastructure* must be completed or the agreement to construct improvements must be executed prior to the earliest of the following:

(1) recording the *plat* for *development* that requires a subdivision *plat* other than a *plat* for a *family* transfer subdivision, a summary procedure *lot* split or a *resubdivision*;

(2) recording or filing in *city* archives an approved *development* plan;

(3) issuance of a construction *permit* for any construction other than the *infrastructure*, for *development* for which a *plat* for an inheritance or *family* transfer subdivision, a summary procedure *lot* split or a *resubdivision* is required; and

(4) issuance of a construction *permit* for any construction other than the *infrastructure*, for *development* for which no subdivision *plat* or *development* plan is required.

Section 8. Section 14-12.1 of the Land Development Code (being Ord. No.

2011-37, § 15, as amended) is amended to add the following definition:

SITE RESTORATION

The process of renewing, reclamation, and salvage of site features and ecosystems that have been altered, degraded, damaged, or destroyed by unauthorized or illegal activity to pre-development conditions or to other modified conditions as approved by the *city engineer*.

Section 9. Effective Date. This ordinance shall take effect on January 1, 2021.

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

	PROPOSED PLANNING & LAND USE FEES			
FEE STATUS	FEE TYPE	FEE	UNIT	NOTES
	(Table 1 in Ordinance)			
	BUILDING PERMIT ACTIVITIES			
NEW ITEM	Mandatory Pre-Submittal Building Permit Meeting - Large Projects with Multiple Subject Matter Experts (1.5 hours)	$500.00	Per Meeting	
NEW ITEM	Optional Pre-Submittal Building Permit Meeting - Small Projects with 1 or 2 Subject Matter Experts (1 hour)	$150.00	Per Meeting	
CURRENT	Pre-Submittal Building Permit Plan Review Consultations and Residential Master Model Review	$60.00	Per Hour	
NEW ITEM	Green Building Code - Early Consultation	$60.00	Per Consultation	
CURRENT	Green Building Code - Building Permit Review (Residential)	$100.00	Per Permit	
FEE INCREASE	PV Solar (Commercial or Residential)	$100.00	Per Permit	Currently $40.00
FEE DECREASE	Permit Revisions/Corrections Review (1st Revision review per station free, and not subject to fee)	$60.00	Per Hour	Fee reduction from 2 Hr. min. for any revision
NEW ITEM	Building Permit Extension	$100.00	Per Six Month Extension	
NEW ITEM	Building Permit Revision (change information and reissue permit board)	$120.00	Per Revision	
	PRIMARY BUILDING PERMIT ADMINISTRATIVE FEES			
CURRENT	Administrative Fee	$40.00	Each	
	Construction Valuation of:			
CURRENT	$1 to $500	$25.00		
CURRENT	$501 to $2,000	$25.35 for the first $500 plus 3.05 for each additional $100 or fraction thereof, up to and including $2000		
CURRENT	$2,001 to $25,000	$69.25 for the first $2001 plus $14 for each additional $1000 or fraction thereof, up to and including $25,000		
CURRENT	$25,001 to $50,000	$391.75 for the first $25,001 plus $10.10 for each additional $1000 or fraction thereof, up to and including $50,000		
CURRENT	$50,001 to $100,000	$643.75 for the first $50,001 plus $7 for each additional $1000 or fraction thereof, up to and including $100,000		
CURRENT	$100,001 to $275,000	$993.75 for the first $100,001 plus $5.93 for each additional $1000 or fraction thereof, up to and including $275,000		
CURRENT	$275,001 to $500,000	$1,830.00 for the first $275,001 plus $7.30 for each additional $1000 or fraction thereof, up to and including $500,000		
CURRENT	$500,001 to $1,000,000	$3518.37 for the first $500,000 plus $5.60 for each additional $1000 or fraction thereof, up to and including $1,000,000		
CURRENT	$1,000,001 and up	$5,893.37 for the first $1,000,001 plus $4.40 for each additional $1,000 or fraction thereof		
CURRENT	Signage Permit	$0.40/sq.ft. plus $45.00 review fee	Square Feet	
CURRENT	Residential Plan Review	50% of Permit Fee		
CURRENT	Commercial Plan Review	75% of Permit Fee		
CURRENT	Plan Amendment Review Fee	$60/Hr (minimum 2 hours)	Hour	
CURRENT	Demolition Permit Fee (Residential)	$40.00	Permit	
CURRENT	Demolition Permit Fee (Commercial)	$60.00	Permit	
CURRENT	Building Without a Permit	Double the original permit fee	Permit	
NEW ITEM	Expedited Plan Review	Cost of preapproved third party plan review + 20% service charge for administration and other required review	Permit	RFP and procurement approval needed with assocated budget availability and approval.
	ELECTRICAL PERMIT FEES			
CURRENT	Issuance of Electrical Permit (Commercial & Residential)	$40.00	Permit	
CURRENT	Meter Loop New thru 100 AMP (Residential)	$45.00	Permit	

CURRENT	150-200 AMP/panel thru 200 AMP (Residential)	$72.00	Permit	
CURRENT	Over 200 AMP/Panel thru 320 AMP (Residential)	$99.00	Permit	
CURRENT	Over 320 AMP/Panel thru 400 AMP (Residential)	$225.00	Permit	
CURRENT	Over 400 AMP/Panel (Residential)	$360.00	Permit	
CURRENT	Over 200 AMP/Panel thru 400 AMP (Commercial)	$225.00	Permit	
CURRENT	Over 400 AMP/Panel thru 600 AMP (Commercial)	$270.00	Permit	
CURRENT	Over 600 AMP/Panel thru 800 AMP (Commercial)	$360.00	Permit	
CURRENT	Over 800 AMP/Panel thru 1000 AMP (Commercial)	$450.00	Permit	
CURRENT	Over 1000 AMP/Panel thru 2000 AMP (Commercial)	$630.00	Permit	
CURRENT	Over 2000 AMP/Panel (Commercial)	$900.00	Permit	
CURRENT	Temporary Power Pole (Commercial & Residential)	$27.00	Permit	
CURRENT	Mobile Home Service	$27.00	Permit	
CURRENT	Customer-Owned Power Distribution	$45.00	Permit	
CURRENT	Each Pole	$6.00	Permit	
CURRENT	Per 100 feet of Underground Wiring	$6.00	Permit	
CURRENT	Service Change Only/No outlets	$27.00	Permit	
CURRENT	Low Voltage	$20.00	Unit	
	MECHANICAL PERMIT FEES			
CURRENT	Issuance of Mechanical Permit (Commercial & Residential)	$40.00	Permit	
CURRENT	Ventilation System	$10.00	Permit	
CURRENT	Central Furnace	$10.00	Permit	
CURRENT	Wall Heater	$10.00	Permit	
CURRENT	Refrigeration System	$10.00	Permit	
CURRENT	Duct Work System	$10.00	Permit	
CURRENT	Solar Space Heating System	$20.00	Permit	
CURRENT	Combination Unit HVAC	$10.00	Permit	
CURRENT	Chiller	$10.00	Permit	
CURRENT	Cooling Tower	$10.00	Permit	
CURRENT	Commercial Kitchen Hood	$10.00	Permit	
CURRENT	Commercial Duct System	$10.00	Permit	
CURRENT	Medical Gas System	$10.00	Permit	
CURRENT	Mini Split Installation	$10.00	Permit	
CURRENT	Gas Fireplace	$5.00	Permit	
CURRENT	Temporary Gas	$10.00	Permit	
CURRENT	Temporary Heat	$10.00	Permit	
CURRENT	Repairs or Additions, Heating Appliance, Refrigeration Unit, Cooling System	$8.50	Permit	
CURRENT	Boiler Replacement or Repair	$8.50	Permit	
	PLUMBING PERMIT FEES			
CURRENT	Issuance of Plumbing/Gas Permit (Commercial & Residential)	$50.00	Permit	
CURRENT	Exhaust Fan	$5.00	Permit	
CURRENT	Water Distribution System	$5.00	Permit	
CURRENT	Building Sewer	$5.00	Permit	
CURRENT	Water Heater	$5.00	Permit	
CURRENT	Each Swimming Pool	$50.00	Permit	
CURRENT	Industrial Waste Interceptor/Trap & Vent	$10.00	Permit	
CURRENT	Water Conditioner	$8.50	Permit	
CURRENT	Evaporative Cooler	$10.00	Permit	
CURRENT	Vacuum Breaker or Back Flow Device	$5.00	Permit	
CURRENT	Gas Piping System	$5.00	Permit	
CURRENT	Gas Appliance	$5.00	Permit	
CURRENT	Gas Pipe Outlet	$4.00	Permit	
CURRENT	Domestic Hot Water Solar Heating System	$10.00	Permit	
CURRENT	Solar Space Heating System	$10.00	Permit	

CURRENT	Sewage Ejector/Grinder	$5.00	Permit	
CURRENT	Grease Trap/Interceptor	$5.00	Permit	
CURRENT	Water Service Line	$5.00	Permit	
CURRENT	Gas Yard Line	$5.00	Permit	
CURRENT	Chilled Water Distribution System	$10.00	Permit	
CURRENT	Roof Drainage System	$10.00	Permit	
CURRENT	Hot Water Solar Potable System	$10.00	Permit	
CURRENT	Gray Water System	$10.00	Permit	
CURRENT	Sewer Lateral	$10.00	Permit	
CURRENT	Sewer Connection	$40.00	Permit	
CURRENT	Sewer Yard Line	$10.00	Permit	
CURRENT	Line	$10.00	Permit	
CURRENT	Lawn Sprinkler System	$13.00	Permit	
CURRENT	Temporary Gas	$10.00	Permit	
CURRENT	Temporary Heat	$10.00	Permit	
	(Table 2 in Ordinance)			
	CURRENT PLANNING ACTIVITIES			
NEW ITEM	Pre-application Meeting	$100.00	Per Meeting	
NEW ITEM	Code Interpretation, Formal Issuance (PZ Letter/Zoning Statement)	$150.00	Per Request	
NEW ITEM	Zoning Compliance Letter/Form	$150.00	Per Letter/Form	
NEW ITEM	Zoning Verification Letter	$75.00	Per Letter	
NEW ITEM	Certificate of Compliance – Lot of Record (Administrative)	$150.00	Per Certificate	
NEW ITEM	Certificate of Compliance - Lot of Record (Planning Commission)	$300.00	Per Certificate	
NEW ITEM	Certificate of Compliance - Residential Condominium	$150.00	Per Statement	
CURRENT	Administrative Development Plan Approval	$300.00	Per Request	
NEW ITEM	ENN - Staff Attendance and Documentation of Meeting	$150.00	Per Meeting	
FEE INCREASE	Variance - Planning Commission - Without Development Plan or Plat	$750.00	Per Variance	Currently $500
FEE INCREASE	Variance - Board of Adjustment	$300.00	Per Variance	Currently $250
NEW ITEM	Waiver - Planning Commission	$500.00	Per Waiver	
NEW ITEM	Waiver - City Council (Utility Undergrounding)	$1,500.00	Per Waiver	
NEW ITEM	Waiver - PW Director (Intersection Visibility)	$100.00	Per Waiver	
FEE INCREASE	Special or Conditional Use Permit	$1,000.00	Per Permit	Currently $350
FEE INCREASE	Appeal (of LU Director Admin. Decision)	$200.00	Per Appeal	Currently $100
FEE INCREASE	Appeal (of Land Use Board Decision)	$200.00	Per Appeal	Currently $100
NEW ITEM	Alternate Means of Compliance – (LU Director)	$150.00	Per Request	
NEW ITEM	Alternate Means of Compliance - (Land Use Board)	$500.00	Per Request	
NEW ITEM	Administrative Waiver - (Land Use Board)	$500.00	Per Request	
NEW ITEM	Administrative Waiver – (Land Use Director)	$150.00	Per Request	
NEW ITEM	Setback Affidavit	$150.00	Per Request	
NEW ITEM	Innovative Road Standard	$300.00	Per Request	
NEW ITEM	Applicant-requested Postponement of Land Use Board Hearing	$500.00	Per Postponement	
FEE INCREASE	Other Land Use Development Review (per hour)	$75.00	Per Hour	Currently $50
FEE INCREASE	Code Amendment	$1,000.00	Each	Currently $500
FEE INCREASE	Lot Splits	$400.00	Per Split	Currently $250
CURRENT	Lot Line Adjustment	$200.00	Each	
CURRENT	Lot Consolidation	$200.00	Each	
CURRENT	Dedication, Easement & Vacation Plats	$350.00	Each	
CURRENT	Plan/Plat Amendment Administrative	$300.00	Each	
CURRENT	Plan/Plat Amendment Planning Commission	$500.00	Each	
CURRENT	Lease Agreement	$400.00	Each	
CURRENT	License Agreement	$400.00	Each	
CURRENT	License/Lease Agreement Renewal Fee	$75.00	Each	

CURRENT	Large Public Notice Poster	$30.00	Each	
NEW ITEM	Medium Public Notice Poster (Administrative Decision)	$25.00	Each	
NEW ITEM	Small Public Notice Poster (Escarpment)	$10.00	Each	
CURRENT	Annexation Application under 1 acre	$1,000.00		
CURRENT	Annexation Application 1-9.99 acres (first five acres)	$2,000.00	First Five Acres	
CURRENT	Annexation Application (each additional acre after five)	$200.00	Each Additional Acre	
CURRENT	Annexation Application 10-24.99 acres (first ten acres)	$3,000.00	First Ten Acres	
CURRENT	Annexation Application 25 acres or more	$100.00	Each Additional Acre	
CURRENT	General Plan Amendment Application 1-9.99 acres (first five acres)	$1,000.00	First Five Acres	
CURRENT	General Plan Amendment Application (each additional acre after five)	$200.00	Each Additional Acre	
CURRENT	General Plan Amendment Application 10 acres and above	$2,000.00	First Ten Acres	
CURRENT	General Plan Amendment Application (each additional acre after ten)	$100.00	Each Additional Acre	
CURRENT	Rezoning Application 1-9.99 acres (first five acres)	$1,000.00	First Five Acres	
CURRENT	Rezoning Application (each additional acre after five)	$200.00	Each Additional Acre	
CURRENT	Rezoning Application 10 acres or more	$2,000.00	First Ten Acres	
CURRENT	Rezoning Application (each additional acre after ten)	$100.00	Each Additional Acre	
	ELECTRICAL FACILITIES			
NEW ITEM	Administratively Approved Application	$500.00	Application	
NEW ITEM	Transmission Line	$2,000.00	Application	
NEW ITEM	Distribution Line	$1,000.00	Application	
NEW ITEM	Substation or Switching Station	$2,000.00	Application	
	DEVELOPMENT PLAN APPLICATION AND TELECOMMUNICATIONS REVIEW FEES (BASED ON COST OF DEVELOPMENT)			
CURRENT	$0-$999	$350.00		
CURRENT	$1,000-$4,999	$600.00		
CURRENT	$5,000-$49,999	$1,100.00		
CURRENT	$50,000-$149,999	$1,500.00		
CURRENT	$150,000-$499,999	$2,500.00		
CURRENT	$500,000-$999,999	$5,000.00		
CURRENT	$1,000,000-$1,999,999	$7,000.00		
CURRENT	$2,000,000 and above	$10,000.00		
CURRENT	Each Additional Million after $2 Million	$1,000.00		
	SUBDIVISIONS			
CURRENT	Subdivision Application 3-5 lots Prelim Plat	$400.00	Per plat	
CURRENT	Subdivision Application 3-5 lots Final Plat	$400.00	Per plat	
CURRENT	Subdivision Application 6+ lots Prelim Plat	$150.00	Per Lot After (5)	
FEE DECREASE	Subdivision Application 6+ lots Final Plat	$150.00	Per Lot After (5)	Currently $200
CURRENT	Family Transfer (6 lot max)	$150.00	Per Plat	
	TECHNICAL REVIEW ACTIVITIES			
NEW ITEM	Floodplain Determination Letter	$50.00	Per Request	
NEW ITEM	Escarpment Pre-Submittal Meeting - New Construction	$75.00	Per Request	
NEW ITEM	Escarpment Pre-Submittal Meeting - Addition/Remodel	$50.00	Per Request	
NEW ITEM	Escarpment Pre-Submittal Meeting - Other (small e.g., fence, shed, etc.)	$25.00	Per Request	
NEW ITEM	Escarpment - Site Visit	$75.00	Per Site visit	
NEW ITEM	Escarpment - Alternate Siting	$500.00	Per Request	
NEW ITEM	Prairie Dog Relocation Administration	$150.00	Per Request	
NEW ITEM	Letter of Credit Initial Processing (includes closeout)	$300.00	Per Financial Guarantee	
NEW ITEM	Letter of Credit Draw-Down Approval	$75.00	Per Drawdown	
NEW ITEM	Cash Escrow Initial Processing (includes closeout)	$300.00	Per Escrow	
NEW ITEM	Cash Escrow Draw-Down Approval	$75.00	Per Drawdown	
NEW ITEM	Pre-Construction Meeting per the Infrastructure Completion Policy	$500.00	Meeting	
NEW ITEM	Pre-application Advisory Inspections for G&D, Landscaping or ADA	$100.00	Per Inspection Request	
NEW ITEM	Alternate Means of Compliance - Landscape Requirements	$75.00	Per Requirement (varied)	

NEW ITEM	Alternate Means of Compliance - Grading and Drainage Requirements	$150.00	Per Requirement (varied)	
	GRADING PLAN REVIEW FEES			
CURRENT	50 cubic yards or less	$14.00		
CURRENT	51 to 100 cubic yards	$27.00		
CURRENT	101 to 1,000 cubic yards	$45.00		
CURRENT	1,001 to 10,000 cubic yards	$55.00		
CURRENT	10,001 to 100,000 cubic yards	$55.00 for the first 10,000 cubic yards, plus $27.00 for each additional 10,000 cubic yards or fraction thereof		
CURRENT	100,001 to 200,000 cubic yards	$295.00 for the first 100,000 cubic yards, plus $14.50 for each additional 10,000 cubic yards or fraction thereof		
CURRENT	200,001 cubic yards or more	$442.00 for the first 200,000 cubic yards, plus $8.50 for each additional 10,000 cubic yards or a fraction thereof		
	GRADING PERMIT FEES			
CURRENT	50 cubic yards or less	$27.00		
CURRENT	51 to 100 cubic yards	$45.00		
CURRENT	101 to 1,000 cubic yards	$45 for the first 100 cubic yards, plus $19.25 for each additional 100 cubic yards or fraction thereof		
CURRENT	1,001 to 10,000 cubic yards	$214 for the first 1,000 cubic yards, plus $15.95 for each additional 1,000 cubic yards or fraction thereof		
CURRENT	10,001-100,000 cubic yards	$357 for the first 10,000 cubic yards, plus $72.00 for each additional		
CURRENT	100,001 cubic yards or more	$1,010 for the first 100,000 cubic yards, plus $40.50 for each additional 10,000 cubic yards or a fraction thereof		
NEW ITEM	Clearing & Grubbing or Limited Grading at Owner's Risk Permit (Must Also Submit Financial Guarantee Based on Engineer's Estimate)	150% of Grading Permit Fee		
NEW ITEM	Emergency Grading at Owner's Risk Permit (Must Also Submit Financial Guarantee of $2000.00 Per Acre or as stipulated by the City Engineer after review of the terrain conditions and the extent of required grading)	150% of Grading Permit Fee		
NEW ITEM	Construction of Public and Quasi-Public Infrastructure without an Agreement to Construct (Must Also Submit Financial Guarantee Based on Engineer's Estimate for Site Restoration and for 10% of the construction valuation, which shall be held until the end of the warranty period)	150% of Grading Permit Fee		
	WATER BUDGET ACTIVITIES			
NEW ITEM	Review Alternate Development Water Budget Proposal	$150.00	Per Request	
	HISTORIC AND ARCHAEOLOGICAL ACTIVITIES			
NEW ITEM	Historic Districts Pre-Application Meeting/Site Visit	$75.00	Per Request	
NEW ITEM	Historic Districts Application Fee for Administrative Approval	$100.00	Per Request	
NEW ITEM	Archaeological Review Application Fee for Public Hearing	$100.00	Per Request	
NEW ITEM	Appeal to Archaeological Review Committee	$100.00	Per Appeal	
FEE DECREASE	Exception (if required)	$250.00	Each	Currently $350
CURRENT	Archaeological Clearance Permits (Existing)	$10.00	Per Construction Permit	
CURRENT	HDRB Application Fee for Public Hearing (0.5% of Proposed Construction Cost)	$250 (min) - $2000 (max.)	Per Request	
CURRENT	Medium Notice Poster	$25.00	Each	
	BUILDING CODE INSPECTION ACTIVITIES			
NEW ITEM	Home Occupation	$175.00	Per Application	
FEE INCREASE	Special Event Permit, Temporary Structures	$100.00	Per Permit	Currently $35
NEW ITEM	Noise Permit	$25.00	Per Permit	
FEE INCREASE	Itinerant Vendors	$150.00	Per Permit	Curently $10 per booth or $75 for mobile vendor
NEW ITEM	Certificates of Occupancy Reissue (not for building permit)	$75.00	Per Certificate	
CURRENT	Re-Inspection Fee (minimum 2 hours)	$60.00	Per Hour	
CURRENT	Additional Inspection Fee (minimum 2 hours)	$60.00	Per Hour	
CURRENT	After Hours Inspections Fee	$85.00	Per Hour	
	CODE ENFORCEMENT ACTIVITIES			

CURRENT	Temporary Use Permit (including filming of motion pictures)	$125.00	Per Permit	
CURRENT	Short-Term Rental Application Fee	$100.00	Per Application	
CURRENT	Short-Term Rental Residential Permit Fee	$290.00	Per Permit Per Year	
CURRENT	Short-Term Rental Business License Fee	$35.00	Annually	
CURRENT	Short-Term Rental Resort Unit/Non-Residential/Commercial Registration Fee	$65.00	Per Registration Per Year	
CURRENT	Short-Term Rental Renewal Late Fee	$50.00	Per Permit or Registration	

FIR No. 3183

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): Land Use Fees

Sponsor(s): Mayor Webber

Revie wing Department(s): Land Use Department

Staff Completing FIR: Eli Isaacson Date: 7/3/20 Phone: 955-6830

Revie wed by City Attorney: _____ Date: Aug 10, 2020

Revie wed by Finance Director: Mary McCoy Date: Aug 11, 2020

Summary:
The proposed Bill would adopt a comprehensive schedule of all fees assessed by the Land Use Department for services provided to the public.

Departments Affected:
Land Use Department.

Consequences of Not Enacting Legislation:
Not enacting the proposed Bill could result in a lack of awareness by the public of all applicable fees for a proposed project or activity, which are currently found in numerous separate resolutions.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
This Bill relates to another proposed Bill that ma ke s changes to the Short Term Rental regulations in Chapter 14.

Performance and Administrative Implications:
Adoption of this Bill would ensure the City is properly compensated for the services it provides the public.

Fiscal Implications:
The projected new revenue would be generated from adjustments to fees collected by the Land Use Department. All proposed fees correlate with existing services provided, the ma jority of which are provided currently for no charge. The proposed new fees would offset the co st of providing these services. In one instance, Exception to Historic Overlay, the fee is proposed to be reduced by $100/request to reflect mo re closely the actual staff time associated with evaluating the request. There are no expenses associated with the proposed fee adjustment because staff me mbers currently collect fees, and processing the new fees would require a nominal amount of additional staff time.

Fiscal Impact.

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

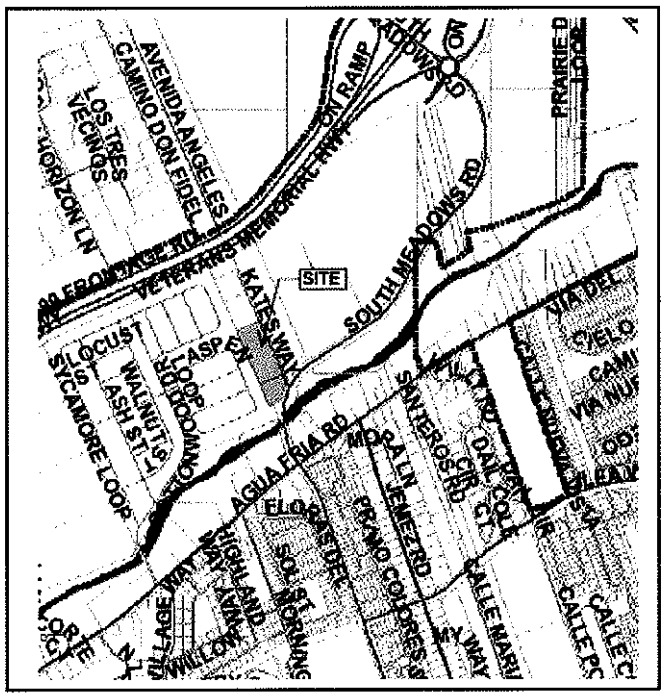
Revenue Type	FYE 21	FYE 22	FYE 23	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$551,725	$551,725	5$51,725	R	11001
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

The estimated increase in fees as a result of the adoption of this Bill would be $551,725.

Land Use Department
Planning Commission Staff Report

Case No:	2020-2266
Hearing Date:	August 20, 2020
Applicant:	Oralynn Guerrerortiz, PE of Design Enginuity
Request:	Final Subdivision Plat
Location:	2670 & 2690 Kate's Way
Case Mgr.:	Donna Wynant, AICP
Zoning:	R-5 (Residential- five dwelling units per acre)
Overlay:	None
Pre-app Mtg:	May 9, 2019 & January 23, 2020
ENN Mtg:	March 10, 2020
Proposal:	Final Subdivision Plat Approval for 23 lots on approximately 4.04 acres



Case #2020-2266. Sangre Azul, Final Subdivision Plat. Oralynn Guerrerortiz of Design Enginuity, Agent, for Roddy & Sherry Leeder, Owner, final subdivision plat approval for 23 residential lots on approximately 4.04 acres of vacant land. The property is zoned R-5 (Residential- five dwelling units per acre) and is located at 2670 and 2690 Kates Way. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325).

I. RECOMMENDATION:

Staff recommends **APPROVAL** of the final subdivision request (Case #2020-2266) with the conditions of approval and technical corrections listed in this report.

Two motions will be required in this case:

- *Approve or deny the final subdivision plat for Case #2020-2266, subject to the conditions of approval and technical corrections recommended by staff.*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2266 as proposed in Exhibit A(2).*

II. CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval:

1	**Approval Comments:** **Accessibility feature design with the Public Right-of-Way shall to follow NMDOT Pedestrian Access Route Details (Serial 608).** **Curb Ramps shall have the required 5' clear length landing and turning space. Changes in direction shall comply with 304.3. Curb Ramps within the site shall have a target running slope of 7% or less typical and 1:12 (8.33%) maximum. Curb Ramp landing target slope is 1.5% and shall not exceed 2% running and cross slope maximum in any direction.** **Sidewalks and Walkways along the accessible path of travel shall comply with Section 302, floor surface, 303.4 Ramps, 401 Accessible routes, 403 Walking surfaces, 405 ramps. Provide detectable warning surfaces at curb ramps and transitions to driveway crossings along the accessible paths of travel as applicable.** **All walk surfaces along the accessible path of travel shall be firm, stable and slip resistant. Sidewalks and Walkways along the accessible path of travel shall not exceed 1:20 (5%) running slopes without handrail(s) in accordance with current ANSI 117.1 standards 505 & 2015 IBC 1014. Cross slopes shall not exceed 2% staff recommends 1% to 1.5% as a target cross slope. Walkways shall provide 5' diameter turning space every 200 linear feet of run. It is preferred to have marked crossings where the accessible route crosses vehicular traffic lanes.**	ADA Review	Prior to construction permit application

Should the Commission approve the final subdivision plat application, the Applicant will submit a final subdivision plat, with all conditions of approval and technical corrections incorporated, prior to recording or applying for construction permits.

III. EXECUTIVE SUMMARY:

The Planning Commission conducted a public hearing on June 4, 2020 and approved both the preliminary subdivision plat with conditions of approval and the Findings of Fact and Conclusions of Law.

Consideration of the final plat involves evaluation of conformity with the preliminary plat. The following sections of the report provide analysis by Land Use Staff and other affected departments for consistency with the subdivision approval criteria, and concludes that the final subdivision plat conforms to the preliminary subdivision plat and will comply with applicable standards without any variances.

At the June 4, 2020 Planning Commission meeting the Applicant proposed that the subdivision streets Zion and Harmon Drive be built to private lane standards with gravel surfaces pursuant to Subsection 14-9.2(C)(7). The Planning Commission, in its authority per Subsection 14-9(C)(7) to approve private gravel lanes, found that the project did not meet the following standards and therefore did not grant the variance:

(a) vegetation or topographical maps or other evidence shows that dust from the roadways will

not be a problem for residents living next to the roadway;
(b) the gravel lane is an important consideration in the area's streetscape or in the overall project design; and
(c) the gravel lane will not cause erosion or sediment problems or those problems will be eliminated by the use of accepted engineering methods.

The City Traffic Engineer, John Romero, required all proposed roadways to be paved and include curb and gutter, sidewalk and buffer with sidewalks on both sides of Zion and Harmon Drive and a sidewalk along the west side of Kate's Way. Mr. Romero in his review of the Final Subdivision Plat indicated that all road requirements have been met and did not have any other comments.

The subject vacant site is an approximately 4.04 acre parcel at the northwest corner of Kate's Way and South Meadows Road. South Meadows Road, a public right of way varying from 75 -100 feet wide, classified as a minor arterial street and Kate's Way is a private 36 foot wide access and utility easement. The site is bordered by Kate's Way, vacant property and the El Camino Real Elementary School to the east; South Meadows Road and vacant land to the south; the Cottonwood Village to the west; and vacant land to the north.

IV. EXISTING CONDITIONS

	Property Address	**Zoning**
North	Vacant land	R-1 (Residential- one dwelling unit per acre)
West	Cottonwood Village	MHP (Mobile Home Park)
South	Vacant land followed by South Meadows ROW	R-1 (Residential- one dwelling unit per acre)
East	Vacant land	R-1 (Residential- one dwelling unit per acre)

V. PROJECT ANALYSIS

The proposed 23 residential lots within the subdivision range in size from 4,606 to 8,604 square feet with an average size of 5,547 square feet. Each lot will accommodate a single family residence meeting the zoning standards for the R-5 district including front, year and side yard setbacks, at a maximum of 24 foot height of structures, a minimum number of two parking spaces per lot, and with development not to exceed 40% lot coverage. The subdivision will be developed in a single phase for single family homes.

A Homeowners Association will be set up to maintain the private roads and common drainage facilities. The Applicant has indicated that they have no intent to regulate style of architecture (pueblo, territorial, etc.) or type of construction (stick, modular, or manufactured homes). Lot owners will be able to build a variety of homes that meet the City of Santa Fe's zoning and building code regulations. The R-5 zoning of this 4.04 acre site, along with the 15% affordable housing density bonus allows 23 units, which is the

number of lots proposed, four of which will be developed and sold as affordable per the Inclusionary Zoning Ordinance.

The following table summarizes information about the proposed Subdivision:

Zoning	R-5 (Residential – five units acre)
Total Units	23 (20.2 per R-5 zoning + 15% affordable density bonus = 23.23
Affordable Units	4
Gross Density	5.6 units/acre (with bonus)
Average Lot Size	Lots will range in size from 5100 sq. ft. to 8600 sq. ft not to exceed 40% lot coverage.
Street Setback	7.5' and 20' for front facing garages
Side Setback	5' from side property line
Rear Setback	15' or 20% average lot depth
Maximum Height	24' max
Required parking per parcel	2 off street spaces
Extra street parking	13 spaces

Access and Roads

The road that provides access to the subdivision from South Meadows Road is Kate's Way, a 38 foot wide easement that is owned by two neighboring land owners. One of the owners at the ENN indicated that she did not want the road to become a city owned and maintained roadway. The Applicant therefore proposes to continue Kate's Way as a private road, but is now hard surfaced per the City Traffic Engineer's requirement. Two private streets within the subdivision, Zion Drive and Harmon Drive are now designed in compliance with the Design Criteria for Street Types (per Table 14-9.2-1) and are hard surfaced within rights-of-way varying from 42 to 50 foot in width with curb, gutter, sidewalks and buffers, providing access to the subdivision's 23 lots with on-street parking where the right-of way allows within the greater width.

Water, Sewer, and Sewer Availability

Public sewer and water are available to serve the site. A 24" water transmission line lies in Kate's Way, a 12" water main is located at the south end of Kate's Way and an 8" water main is located immediately west of the property. An 8" sewer line is located in South Meadows right of way and in Kate's Way. Dry utilities lie along South Meadows Road.

The City of Santa Fe determines anticipated water use based on lot size. Lots less than 6,000 SF typically use 0.15 Acre-Feet per year. Lots of 6,000 to 10,000 SF typically use 0.17 Acre-Feet per year. Based on these numbers, the Sangre Azul project should use 3.49 acre-feet per year.

Archeology

In the past, a ranch home and outbuildings were located on the property owned by grandparents of a neighbor to the north. This site was investigated by an archaeologist who documented their findings in a lengthy report. The site has received archaeological clearance from the City's Archaeological Review Committee.

Landscaping, lighting, signage and trail concepts

Street trees will be placed along the subdivision roadways and will be maintained by the adjacent lot owner. Trees and shrubs adjacent to the stormwater detention ponds will be maintained by the HOA. The Applicant does not propose any project signage. Street lights will be installed at all proposed road intersections as shown on their Street Lighting Plan (see Exhibit E: Sheet No. 18 in the plan set)

The MPO required the path along the South Meadows Road to be at minimum 10 feet wide with a paved surface to reduce maintenance and to increase usability for modes such as roller skates and skateboards. The Applicant, in response, is now providing a 5 foot wide sidewalk at the end of Zion Drive to connect to the City's land immediately to the south along with a 10 foot wide paved which is currently a dirt path used primarily by children as they commute between Cottonwood Village and the El Camino Real Academy school This greatly improved path will also be used by the children from Sangre Azul subdivision to get to school.

VI. FINAL SUBDIVISION PLAT APPROVAL CRITERIA

Subsection 14-3.7 governs the authority, procedures and restrictions for the division of land. The criteria for approval of a Final Subdivision are detailed below:

Criterion 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.	**Criterion Met:** (Yes/No/N/A) **YES**
There are no natural features on the site currently that warrant preservation. Likely due to past farming or ranching activity, the site is relatively flat with no defined drainage courses. Other than grasses and cholla, the vegetation is pretty minimal. With project development, native grasses, wildflowers and street trees will dominate the site until homes are developed. The site has obtained an archaeological clearance permit.	

Criterion 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 platted 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).	**Criterion Met:** (Yes/No/ N/A) **YES**
No concerns have been raised by other public agencies that determined that the project is not in the best interest of the public health, safety or welfare. The City's Development Review Team that reviews new subdivisions have not identified any concerns that demonstrate that the development of the subject property for a residential single-family subdivision is not in the best interest of the public health, safety or welfare of the area. The subject property has not been deemed to be topographically unsuited for building, or for other reasons uninhabitable. The site is fairly flat and will not aggravate erosion or flood hazard and is not in an Ecological Resource Protection Overlay District.	
Criterion 3: All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).	**Criterion Met:** (Yes/No /N/A) **YES**
The Development Review Team (DRT) reviewed the proposed subdivision design at both preliminary and final subdivision plat stages. The engineering design for terrain management, roads, and wet and dry utilities complies with all requirements of Chapter 14, Article 9.	
Criterion 4: A plat shall not be approved that creates 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.	**Criterion Met:** (Yes/No/N/A) **YES**
The proposed plat does not create any nonconformity and will not increase the extent or degree of an existing nonconformity with the provisions of Chapter 14 provided all conditions of approval and technical corrections are made with the final subdivision plat. No variances are requested with this plat.	

Criterion 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.	**Criterion Met:** (Yes/No /N/A) **YES**
No existing nonconformities are increased, nor are any nonconformities created by the approval of this subdivision. No exceptions are requested with this proposal.	

VII. EARLY NEIGHBORHOOD NOTIFICATION

No ENN is required for final subdivision plat. The ENN procedure was followed for the Preliminary Subdivision Plat which was held on March 10, 2020.

VIII. EXPIRATION

Approval of a final subdivision plat shall expire three years after final action and adoption of the Findings of Fact and Conclusions of Law on August 20, 2023 unless the plat is filed for record with the County Clerk. If the final plat approval expires, then the approval of the corresponding preliminary plat expires simultaneously.

IX. ATTACHMENTS

EXHIBIT A:

1. Technical Corrections
2. Draft Findings of Fact/Conclusions of Law

EXHIBIT B: Development Review Team Memoranda

1. Traffic Engineering Division email, John Romero, P.E
2. Technical Review email, Dee Beingessner, P.E.
3. Wastewater Division Memorandum, Stan Holland, P.E.
4. Fire/Fire Prevention, Geronimo Griego
5. Water Engineering Division Memorandum, Brian Snyder
6. Landscape Memorandum, William Lawrence Rivera
7. ADA Site Review, Jason Kluck
8. Solid Waste email, Eric Lucero
9. Affordable Housing/Santa Fe Homes Program, Alexandra Ladd

EXHIBIT C: Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Map
4. Google Street Views

EXHIBIT D: Minutes

1. Planning Commission Minutes June 4, 2020

2. Findings of Fact and Conclusions of Law

Exhibit E: Applicant Materials*

1. Applicant Submittals
2. Final Subdivision Plat

*Maps and other exhibits are reproduced and archived separately from this staff report. File copies are available for review at the Land Use Department office at 200 Lincoln Avenue, West Wing.

APPROVED BY:

Title	**Name**	**Initials**
Land Use Department Director	Eli Isaacson, AICP	ESI
Land Use Planner Manager	Noah Berke, AICP, CFM	*NLB*
Land Use Department Case Manager	Donna Wynant, AICP	

City of Santa Fe, New Mexico

Planning Commission

Exhibit A

Technical Corrections

&

Draft Findings of Fact/Conclusions of Law

Technical Corrections

Sangre Azul Final Subdivision Plat

#	DRT Comments	Dept. or Division	To be completed by:
1	• New sewer lines shall be SDR 26 PVC	Wastewater	Prior to Sign Off for Final Subdivision Plan.
2	• Throat depths of the existing/new sewer manholes shall not be more than 18 inches deep.	Wastewater	Prior to Sign Off for Final Subdivision Plan.
3	• All sewer lines both new and existing shall be flushed and TV inspected.	Wastewater	Prior to Sign Off for Final Subdivision Plan.
4	• This project shall meet all City Wastewater Division requirements for permanent maintenance and acceptance of the sewer system by the Wastewater Division.		
5	• Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2009 Section 503.2.1)	Fire	At the time of any new construction or remodel.
6	• Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)	Fire	Prior to Final Subdivision Plat
7	• Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2009 section 503.1.1)	Fire	Prior to Final Subdivision Plat
8	• 507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6.	Fire	Prior to Final Subdivision Plat
9	• Shall have water supply that meets fire flow requirements as per IFC (Appendix B)	Fire	Prior to Final Subdivision Plat

10	• Shall comply with Section D102.1 Access and Loading (75,000 lbs).	Fire	Prior to Final Subdivision Plat
11	• Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)	Fire	Prior to Final Subdivision Plat
12	• Shall comply with IFC 2009 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.	Fire	Prior to Final Subdivision Plat
13	• Shall meet the IFC code requirements 2009 edition or the most current edition the governing body has adopted at the time of permitting.	Fire	Prior to Final Subdivision Plat
14	• Water harvesting plan is required.	Landscape Review	Prior to permit review
15	• Provide a professional landscape irrigation plan with details.	Landscape Review	Prior to permit review
16	• Landscape fabric and mulch are missing.	Landscape Review	Prior to permit review
17	• Provide a revegetation plan with seed mix, rate, and irrigation.	Landscape Review	Prior to permit review
18	• Provide 5 gallon shrubs with the street trees.	Landscape Review	Prior to permit review
19	• Add street light standards on landscape drawing. Make sure trees are 15 feet away from light standards and fire hydrants.	Landscape Review	Prior to permit review
20	• Increase width of curb ramp landing to match width of multi-modal 10' wide paved path along South Meadows Road.	ADA Review	Prior to Recording
21	• Water Plan comments will be submitted to the design engineer	Water	Prior to Final Plat approval.

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2266 - Sangre Azul Final Subdivision Plat

Owners/Applicants - Roddy & Sherry Leeder
Agent - Oralynn Guerrerortiz, Design Enginuity, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Oralynn Guerrerortiz of Design Enginuity, Inc., as agent for owners Roddy and Sherry Leeder (Applicants).

The Application pertains to a vacant parcel located at 2670 and 2690 Kates Way, totaling approximately 4.04 acres. The Applicants request final subdivision approval for 23 residential lots (Project). The property is zoned R-5 (Residential- five dwelling units per acre).

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].
2. A pre-application conference was held on May 9, 2019 and January 23, 2020 in accordance with SFCC Section 14-3.1 (E).
3. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
4. Pursuant to SFCC Section 14-3.1(F), the ENN meeting was held on March 10, 2020 at the Nancy Rodriguez Center, 1 Prairie Dog Loop, Santa Fe, New Mexico 87507. The ENN meeting was attended by three representatives of the Applicants, one City staff member, and approximately ten members of the public. Members of the public raised questions about the status of the streets and whether they would be improved and dedicated to the City, and they expressed concern about increased traffic on Kates Way.
5. On June 4, 2020, the Commission held a public hearing on the Applicants' request for preliminary subdivision approval, which included a request for approval to construct gravel road surfaces within the Project (Case #2020-1936).
6. Pursuant to SFCC Section 14-9.2(C)(7), "All new streets must be paved; provided, however, that the planning commission may approve gravel surfaces for roadways classified as private lanes or shared private driveways if it finds, based on substantial evidence, that: (a) vegetation or topographical maps or other evidence shows that dust from the roadways will not be a problem for residents living next to the roadway; (b) the gravel lane is an important

consideration in the area's streetscape or in the overall project design; and (c) the gravel lane will not cause erosion or sediment problems or those problems will be eliminated by the use of accepted engineering methods."

7. The Commission found that the Applicants failed to provide substantial evidence to demonstrate that all three criteria for approval of a gravel road surface had been met.
8. The Commission voted to deny the Applicants' request to construct a gravel road surface within the Project, and otherwise voted to approve the preliminary subdivision plat, subject to certain conditions and technical corrections set out in the Staff Report and exhibits.

Final Subdivision Plat

9. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicants, and testimony offered by any interested members of the public.
10. After a preliminary subdivision plat has been approved, SFCC Section 14-3.7(B)(4)(b) requires the Applicants to submit a final plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material and in conformance with the standards set forth in SFCC Section 14-9 (Submittal Requirements).
11. The Applicants submitted an Application for final subdivision approval, which included hard surfaced roads within the Project.
12. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-3.7(B)(4)(e), the Commission has the authority to review and approve or disapprove final subdivision plats.
13. City staff reviewed the Application and related materials and information submitted by the Applicants for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
14. Staff recommended that the Commission approve the final subdivision plat, subject to certain conditions of approval (Conditions) and technical corrections set out in the Staff Report and exhibits.
15. SFCC Section 14-3.7(B) establishes certain procedures for final subdivision plat approval including, without limitation, a public hearing by the Commission, review of the final plat, and a decision based on the criteria set out in SFCC Section 14-3.7(C).
16. SFCC Section 14-3.7(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before approving a final subdivision plat.
17. SFCC Section 14-3.7(C)(1) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before approving a final subdivision.
18. Pursuant to SFCC Section 14-3.7(C)(1), the Commission finds that the proposed subdivision shows due for all natural features such as vegetation, water courses, historical sites and structures, and similar community assets. There are no natural features on the site currently that warrant protection. Likely due to past farming or ranching activity, the site is relatively flat with no defined drainage courses. Other than grasses and cholla, the vegetation is minimal. The site has obtained an archaeological clearance permit.
19. Pursuant to SFCC Section 14-3.7(C)(2), the Commission finds that the land is suitable for platting and development purposes of the kind proposed. The subject parcel does not lie within a flood zone.

20. Pursuant to SFCC Section 14-3.7(C)(3), the Commission finds that the plat complies with the infrastructure design, improvement, and dedication standards set forth in SFCC Section 14-9.
21. Pursuant to SFCC Section 14-3.7(C)(4)-(5), the Commission finds that the plat does not create any nonconformities or increase any existing nonconformities, and no variances or exceptions are requested or needed.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.

Final Subdivision

2. The Applicant has met the applicable Submittal Requirements for a final subdivision plat.
3. The Commission has the power and authority at law and under the Code to review and approve the proposed final subdivision plat for the Property.
4. The Commission should approve the final subdivision plat, subject to the Conditions and technical corrections set forth in the Staff Report and exhibits, because the final plat conforms substantially to the preliminary plat as approved, and all applicable code requirements and criteria for final subdivision plat approval have been met.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission approves the proposed final subdivision plat, subject to the Conditions and technical corrections set forth in the Staff Report and exhibits. The final subdivision plat shall expire three years after issuance of this final action unless the plat is filed for record with the county clerk or an extension is granted pursuant to SFCC Section 14-3.19(C).

_____ _____

John B. Hiatt
Chairperson

Date

FILED:

_____ _____

Yolanda Y. Vigil
City Clerk

Date

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

August 20, 2020
Date

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

DRT Memos

1. Traffic Engineering Division email, John Romero, P.E
2. Technical Review email, Dee Beingessner, P.E.
3. Wastewater Division Memorandum, Stan Holland, P.E.
4. Fire/Fire Prevention, Geronimo Griego
5. Water Engineering Division Memorandum, Brian Snyder
6. Landscape Memorandum, Martin Gabaldon
7. ADA - Site Review Memorandum, Jason Kluck
8. Solid Waste email, Eric Lucero
9. Affordable Housing/Santa Fe Homes Program, Alexandra Ladd

WYNANT, DONNA J.

From: ROMERO, JOHN J
Sent: Wednesday, July 29, 2020 8:26 PM
To: WYNANT, DONNA J.
Subject: RE: Sangre Azul Final Sub Plat - on Kate's Way

Hi Donna,
I have no new comments. Thanks.

-jjr

From: WYNANT, DONNA J. <djwynant@santafenm.gov>
Sent: Thursday, July 16, 2020 3:20 PM
Cc: ROMERO, JOHN J <jjromero1@santafenm.gov>
Subject: Sangre Azul Final Sub Plat - on Kate's Way

Hey John

Gotta bug you about my case... Sangre Azul on Kate's Way. Could you please get me your comments on the Sangre Azul Final Sub Plat? Let me know if you need me to send you anything on this.

Thanks!
Donna

WYNANT, DONNA J.

From: BEINGESSNER, DEE
Sent: Thursday, July 16, 2020 4:19 PM
To: WYNANT, DONNA J.
Subject: RE: Sangre Azul - Final Sub Plat on Kates Way

I don't have any additional comments to the ones I provided on 4/16. Do you need something else?

From: WYNANT, DONNA J. <djwynant@santafenm.gov>
Sent: Thursday, July 16, 2020 3:18 PM
To: BEINGESSNER, DEE <dabeingessner@santafenm.gov>
Subject: Sangre Azul - Final Sub Plat on Kates Way

Hey Dee

Gotta bug you about my case... Sangre Azul on Kate's Way. Could you please get me your comments on the Sangre Azul Final Sub Plat. Let me know if you need me to send you anything on this.

Thanks!
Donna

Development Review Team

Comment Form

Date: July 14, 2020

Staff person: Stan Holland, Engineer

Dept/Div: Public Utilities/Wastewater

Case: Case #2020-2266. **Sangre Azul, Final Subdivision Plat.**

Case Mgr: Donna Wynant, Case Manager

The subject properties are accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:
1. None at this time.	Prior to Sign Off for Final Subdivision Plan.

Technical Corrections*:	Must be completed by:
1. New sewer lines shall be SDR 26 PVC 2. Throat depths of the existing/new sewer manholes shall not be more than 18 inches deep. 3. All sewer lines both new and existing shall be flushed and TV inspected. 4. This project shall meet all City Wastewater Division requirements for permanent maintenance and acceptance of the sewer system by the Wastewater Division.	Prior to Sign Off for Final Subdivision Plan.

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [None]

Development Review Team

Comment Form

Date: 07/13/2020

Staff person: Geronimo Griego

Dept/Div: Fire Prevention

Case: 2020-26266 Sangre Azul, Final Subdivision Plat

Case Mgr: Donna Wynant

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:
	Prior to planning commission.

Technical Corrections*:	Must be completed by:
1. Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2009 Section 503.2.1) 2. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 3. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2009 section 503.1.1) 4. 507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. 5. Shall have water supply that meets fire flow requirements as per 1FC (Appendix B) 6. Shall comply with Section D102.1 Access and Loading (75,000 lbs). 7. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 8. Shall comply with IFC 2009 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 9. Shall meet the IFC code requirements 2009 edition or the most	At the time of any new construction or remodel.

current edition the governing body has adopted at the time of permitting.	

*Must made prior to recording and/or permit issuance

Development Review Team

Comment Form

Date: 07/07/2020

Staff person: Brian Snyder

Dept/Div: Public Utilities/Water

Case: **Case #2020-2266. Sangre Azul, Final Subdivision Plat.**

Case Mgr: Donna Wynant

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:
1 An approved Water Plan from the Water Division will be required. Water Plan comments will be submitted to the design engineer.	Prior to final plat approval.
2	
3	
4	

Technical Corrections*:	Must be completed by:
1 Water Plan comments will be submitted to the design engineer.	Prior to final plat approval.
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

Development Review Team

Comment Form

Date: 5/11/20

Staff person: Lawrence Rivera

Dept/Div: Land Use/Terrain Management – Landscape/Irrigation Review

Case: Case #2020-2266. Sangre Azul, Final Subdivision

Case Mgr: Donna J. Wynant

Review by this division/department **of the 3/18/2020 plan set** has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:

Technical Corrections*:	Must be completed by:
1. Water harvesting plan is required.	Prior to permit review
2. Provide a professional landscape plan with details and planting list.	
3. Provide a professional landscape irrigation plan with details.	
4. Landscape fabric and mulch are missing.	
5. Provide a revegetation plan with seed mix, rate, and irrigation.	
6. Provide 5 gallon shrubs with the street trees.	
7. Add street light standards on landscape drawing. Make sure trees are 15 feet away from light standards and fire hydrants.	
8.	
9.	
10	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

Development Review Team

Comment Form

Date: 5/11/20

Staff person: Lawrence Rivera

Dept/Div: Land Use/Terrain Management – Landscape/Irrigation Review

Case: Case #2020-2266. Sangre Azul, Final Subdivision

Case Mgr: Donna J. Wynant

Review by this division/department **of the 3/18/2020 plan set** has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:

Technical Corrections*:	Must be completed by:
1. Water harvesting plan is required.	Prior to permit review
2. Provide a professional landscape plan with details and planting list.	
3. Provide a professional landscape irrigation plan with details.	
4. Landscape fabric and mulch are missing.	
5. Provide a revegetation plan with seed mix, rate, and irrigation.	
6. Provide 5 gallon shrubs with the street trees.	
7. Add street light standards on landscape drawing. Make sure trees are 15 feet away from light standards and fire hydrants.	
8.	
9.	
10	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

Development Review Team

Comment Form

Date: 6/26/2020

Staff person: Jason M. Kluck

Dept/Div: Land Use – ADA Site Review

Case: **Case #2020-1936 Sangre Azul – Final Subdivision Submittal**

Kate's Way & South Meadows Road

Case Mgr: Donna Wynant

Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:	Must be completed by:
Approval Comments: Accessibility feature design with the Public Right-of-Way shall to follow NMDOT Pedestrian Access Route Details (Serial 608). Curb Ramps shall have the required 5' clear length landing and turning space. Changes in direction shall comply with 304.3. Curb Ramps within the site shall have a target running slope of 7% or less typical and 1:12 (8.33%) maximum. Curb Ramp landing target slope is 1.5% and shall not exceed 2% running and cross slope maximum in any direction. Sidewalks and Walkways along the accessible path of travel shall comply with Section 302, floor surface, 303.4 Ramps, 401 Accessible routes, 403 Walking surfaces, 405 ramps. Provide detectable warning surfaces at curb ramps and transitions to driveway crossings along the accessible paths of travel as applicable. All walk surfaces along the accessible path of travel shall be firm, stable and slip resistant. Sidewalks and Walkways along the accessible path of travel shall not exceed 1:20 (5%) running slopes without handrail(s) in accordance with current ANSI 117.1 standards 505 & 2015 IBC 1014. Cross slopes shall not exceed 2% staff recommends 1% to 1.5% as a target cross slope. Walkways shall provide 5' diameter turning space every 200 linear feet of run. It is preferred to have marked crossings where the accessible route crosses vehicular traffic lanes.	Prior to construction permit application

General Comments: At time of construction, the Contractor shall ensure ADA compliance for construction of required ADA accessible features and appurtenances, as detailed in, and in addition to, the approved construction permit documents as required. Improvements shall comply with ICC ANSI A117.1-2009 Chapters 1-5 and Chapter 7, MUTCD, DOJ, and NM State Statute and Code such as the New Mexico Accessible Parking Checklist, latest published version. Vertical clearance: Provide and maintain 80" of vertical clearance for the full width of all sidewalks/pedestrian routes. Rails or other barriers shall be provided where the vertical clearance is less than 80". The leading edge of such rails or barrier shall be located 27" max. above the floor. (307.4) Provide and maintain 98" vertical clearance at van parking spaces and access aisles, and accessible routes. (502.6) At Passenger Loading Zones, provide and maintain 114" min. vertical clearance at the exterior vehicular route and access aisles serving the vehicle pull-up space. (503.5)	

Technical Corrections*:	Must be completed by:
Increase width of curb ramp landing to match width of multi-modal 10' wide paved path along South Meadows Road.	Prior to recording

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project: As noted above.

Explanation of Conditions or Corrections (if needed): N/A

DRT Comments

ⓘ You replied on Thu 7/16/2020 1:38 PM

LJ

LUCERO, ERIC J.
Thu 7/16/2020 1:11 PM
To: WYNANT, DONNA J.

Good afternoon Donna,

I apologize for the late response with my comments. We have been extremely short handed and I have had to be out covering a route.

In regards to case:

Case #2020-2266, Sangre Azul, Final Subdivision Plat. Oralynn Guerrerortiz of Design Enginuity, Agent, for Roddy & Sherry Leeder, Owner, request final subdivision plat approval for 23 residential lots on approximately 4.04± acres of vacant land. The property is zoned R-5 (Residential- five dwelling units per acre) and is located at 2670 and 2690 Kates Way.

I have no comments at this time.

Thanks,

Eric J Lucero
Operations Manager
City of Santa Fe
Environmental Services Division

City of Santa Fe
SANTA FE HOMES PROGRAM
PROPOSAL
"Sangre Azul Subdivision"
2670 + 2690 Kate's Way
Santa Fe, New Mexico

This Santa Fe Homes Program Proposal ("SFHP Proposal") is made this 2 day of June 2020 by ***Roddy and Sherry Leeder*** ("SFHP Developer").

RECITALS

A. SFHP Developer is the developer of ***Sangre Azul Subdivision*** hereinafter referred to as the "Property".

B. SFHP Developer desires to **subdivide and develop** the Property.

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. SFHP Developer seeks ***preliminary and final development plan*** approval.

B. SFHP PLAN. The project has an area of approximately **4.04** acres, zoned **R-5**, permitting **5** dwelling units per acres. SFHP Developer proposes to build **23 dwelling units**. Developer agrees to comply with the Santa Fe Homes Program ordinance. SFHP which requires that 20% of these homes are affordably-priced, resulting in **4 affordable homes** and a fractional fee paid for **0.6 unit**. The SFHP Plan shall include the number of bedrooms and bathrooms, the minimum square footage and the minimum household size, the income range to be served and the current SFHP Home price for each SFHP Home as set forth in Section 8.2 of the SFHP Administrative Procedures. If the development is constructed in phases, a SFHP Plan for each phase shall be reviewed and approved by the City and recorded at the County Clerk's office prior to issuance of a building permit by the City for that phase. The SFHP Developer agrees to make a payment of **$46,500** for the fractional portion of a SFHP Home, as calculated pursuant to SFHP. The payment shall be made to the City of Santa Fe Affordable Housing Trust Fund (AHTF) for affordable housing.

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.

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

E. DEVELOPMENT INCENTIVES. SFHP Developer **does** request a **density** bonus (15%) and other fee waivers and reduced fees for the affordable units as per SFCC 14.8.11(G)(2), including: Impact Fees, Wastewater UECs and Building, Electrical, Plumbing & Mechanical Permit Fees. Water UECs (not including the construction costs associated with installation) are REDUCED.

E. REVISIONS, MODIFICATIONS AND SUPPLEMENTATION OF THIS PROPOSAL. In the event that the SFHP Developer or the City make material modifications, including modifications to the number of lots or units or the area covered by the Proposal, a revised SFHP Proposal shall be promptly submitted to the Office of Affordable Housing in order to provide a SFHP Proposal that is current and reflects the intended development.

IN WITNESS WHEREOF, this Proposal is made the day and year first written above.

SFHP DEVELOPER:

Kelly Leeder + Sherry Leeder
{Signature}

Kelly Leeder + Sherry Leeder
{Print Name & Title of Developer.}

STATE OF NEW MEXICO)
)ss.
COUNTY OF SANTA FE)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this 2 day of June, 2020, by Connie Martinez .the {title} Office Manager of {entity} RL Leeder Company

Connie Martinez
NOTARY PUBLIC

My Commission Expires:
10/26/2022
REVIEWED BY:

OFFICE OF AFFORDABLE HOUSING
Alexandra Ladd, Director

DATE

Attach: Exhibit 1 - Subdivision layout (proposed)
Exhibit 2 - Pricing Schedule

EXHIBIT 1

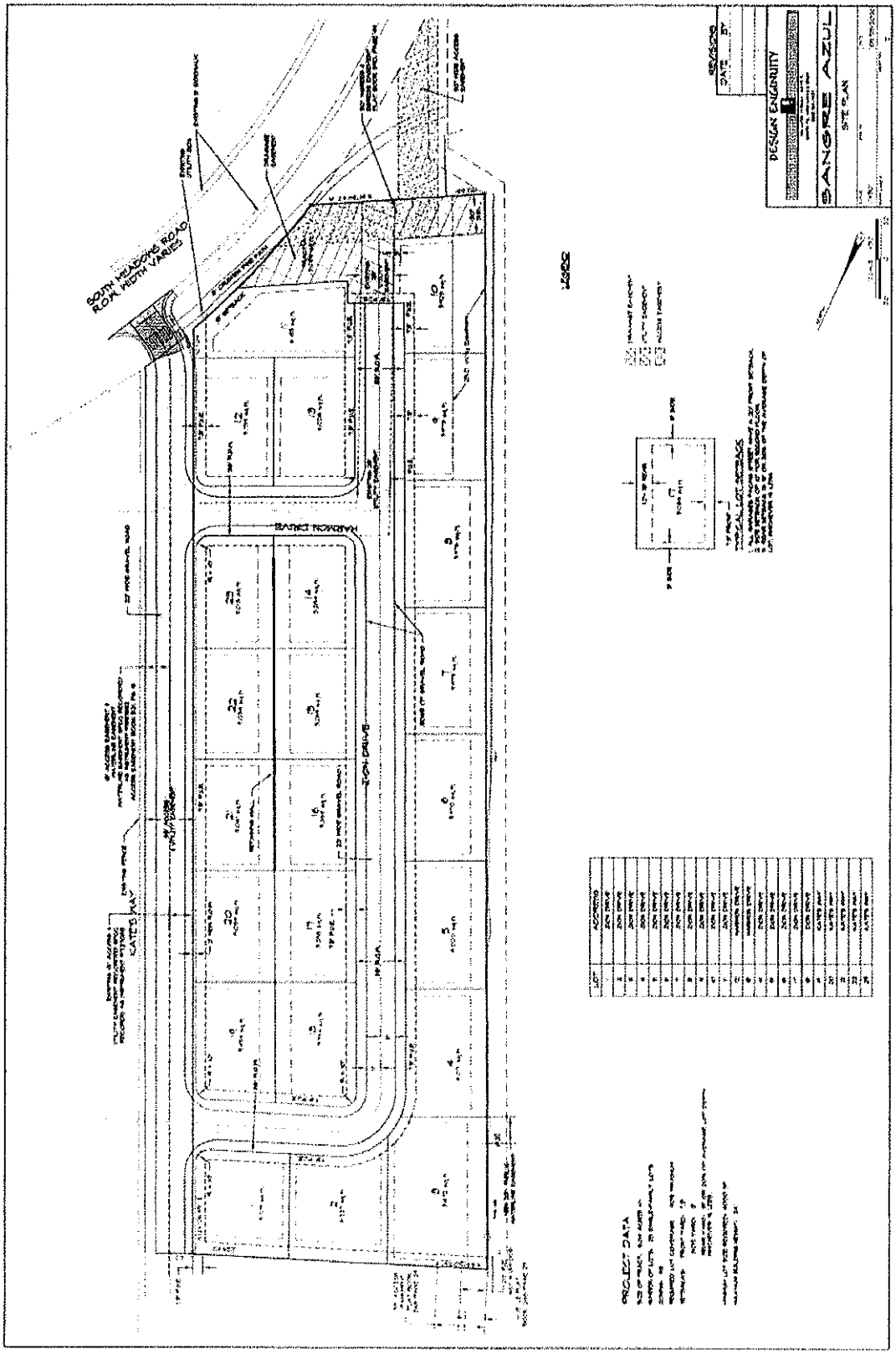

SOUTH MEADOWS ROAD
ROW WIDTH VARIES
MADISON DRIVE
TION DRIVE
GATED
SANGRE AZUL
SITE PLAN
DESIGN ENQUIRITY
PROJECT DATA

EXHIBIT 2

SANTA FE HOMES PROGRAM
SFHP PLAN AND HOME SALES PRICING SCHEDULE
Effective April 2020*

Income Range	*Two Bedrooms* *1-2 person HH* *(900 sq min)*	*Three Bedrooms* *3-4 person HH* *(1,150 sq ft min)*	*Four Bedrooms* *4-5 person HH* *(1,250 sq ft min)*
2 (50-65%AMI)	Max. Price $137,750 0 Units	Max. Price $155,000 1 Units	Max. Price $172,250 0 Units
3 (65-80%AMI)	Max. Price $179,000 0 Units	Max. Price $201,500 2 Units	Max. Price $223,750 0 Units
4 (80-100%AMI)	Max. Price $220,500 0 Units	Max. Price $248,250 1 Units	Max. Price $275,500 0 Units

Prices reflect April 2020 HUD Area Median Incomes for Santa Fe. Refer to Section 26-1.16 (8) and the SFHP Administrative Procedures. For specific requirements contact The Office of Affordable Housing.

AFFORDABILITY CALCULATION
Single Family Building Lots

The project has an area of approximately 4.04 acres, zoned at R-5, permitting 5 dwelling homes per acre. The required number of SFHP units is 20% of the total units, 5% each in Income Ranges 2 and 4 and 10% in Income Range 3. The project proposes **23 total lots** for development as single family homes.

CALCULATION for the SFHP requirement:

= Total number of units multiplied by (0.2) = # of Units Required
= 23 total units x 0.2 = **4.6 SFHP unit**(s) are required
= **4 lots/units** delivered and a fractional fee paid for **0.6** units

CALCULATION for the Fractional Fee:

= ½ price of 3 BR, Tier 2 Home X Unit Fraction
= $77,500 X 0.6
= **$46,500 fractional fee**

NOTE: The home prices and fractional fee schedule are modified by the City according to Section 8.7.3 of the SFHP Administrative Procedures to reflect annual changes in the median income levels. The SFHP Home prices shown in this SFHP Agreement are the prices in effect at the time this Agreement is made. The current SFHP prices that are in effect at the time the SFHP Home is made available for sale or the fractional fees are paid, determines the actual SFHP Home Price and/or amount of fractional fee. The prices are updated annually.

City of Santa Fe, New Mexico

Planning Commission

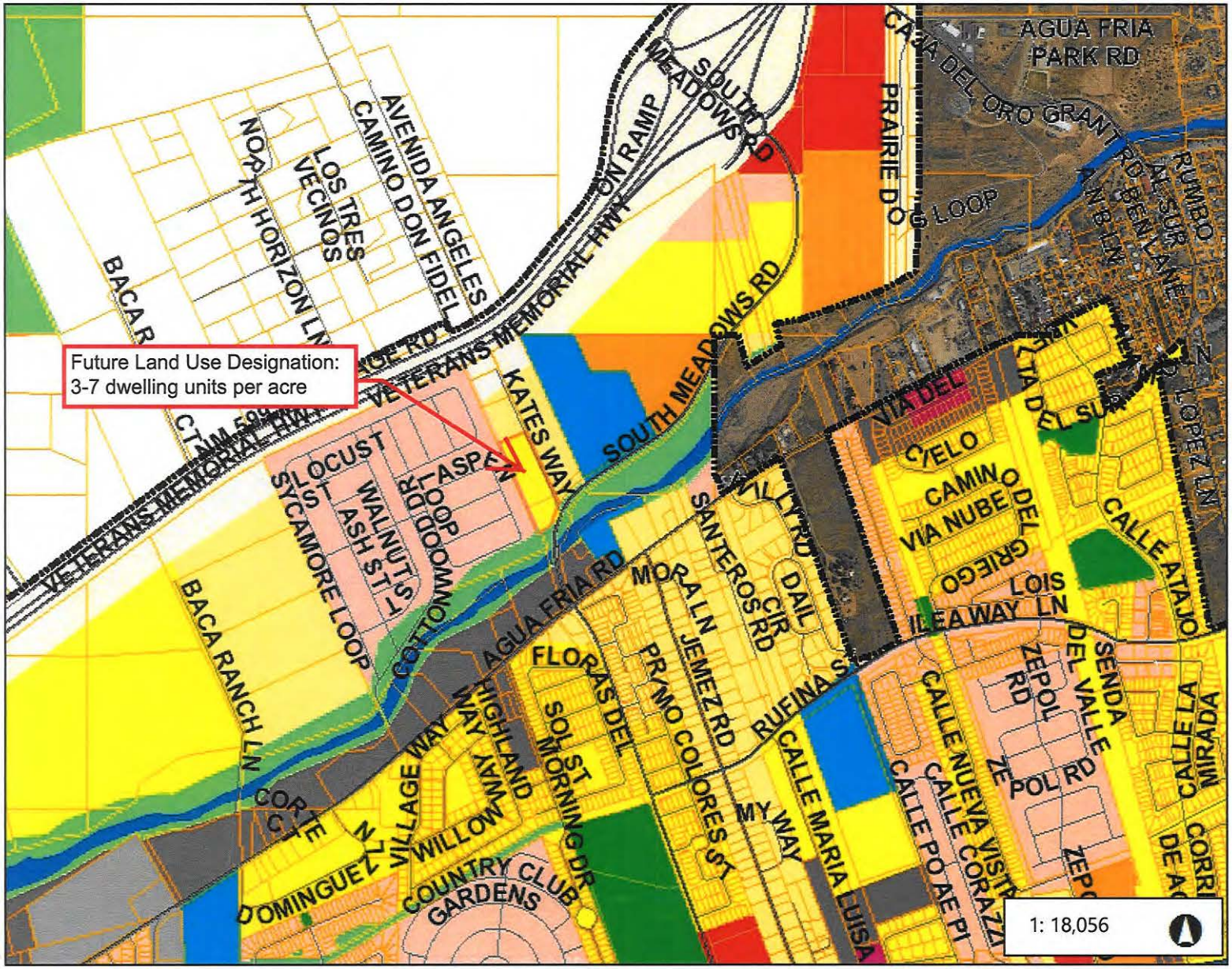
Exhibit C

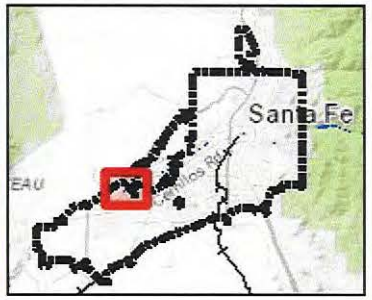
Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Street Views

Santa Fe
Mapping the City Different

Future Land Use Map





Legend

- City Limits
- Address Points
- Roads
- Major Roads
- Santa Fe County Parcels
- Santa Fe River
- Rail Road

Future Land Use

- 1 dwelling per acre
- 1-3 dwellings per acre
- 3-7 dwellings per acre
- 7-9 dwellings per acre
- 7-12 dwellings per acre
- 12-29 dwellings per acre
- Regional Commercial
- Community Commercial
- Neighborhood Center
- Transitional Mixed Use
- Business Park
- Office
- Industrial
- Public/Institutional
- Open Space
- Parks

Notes

© Latitude Geographics Group Ltd.

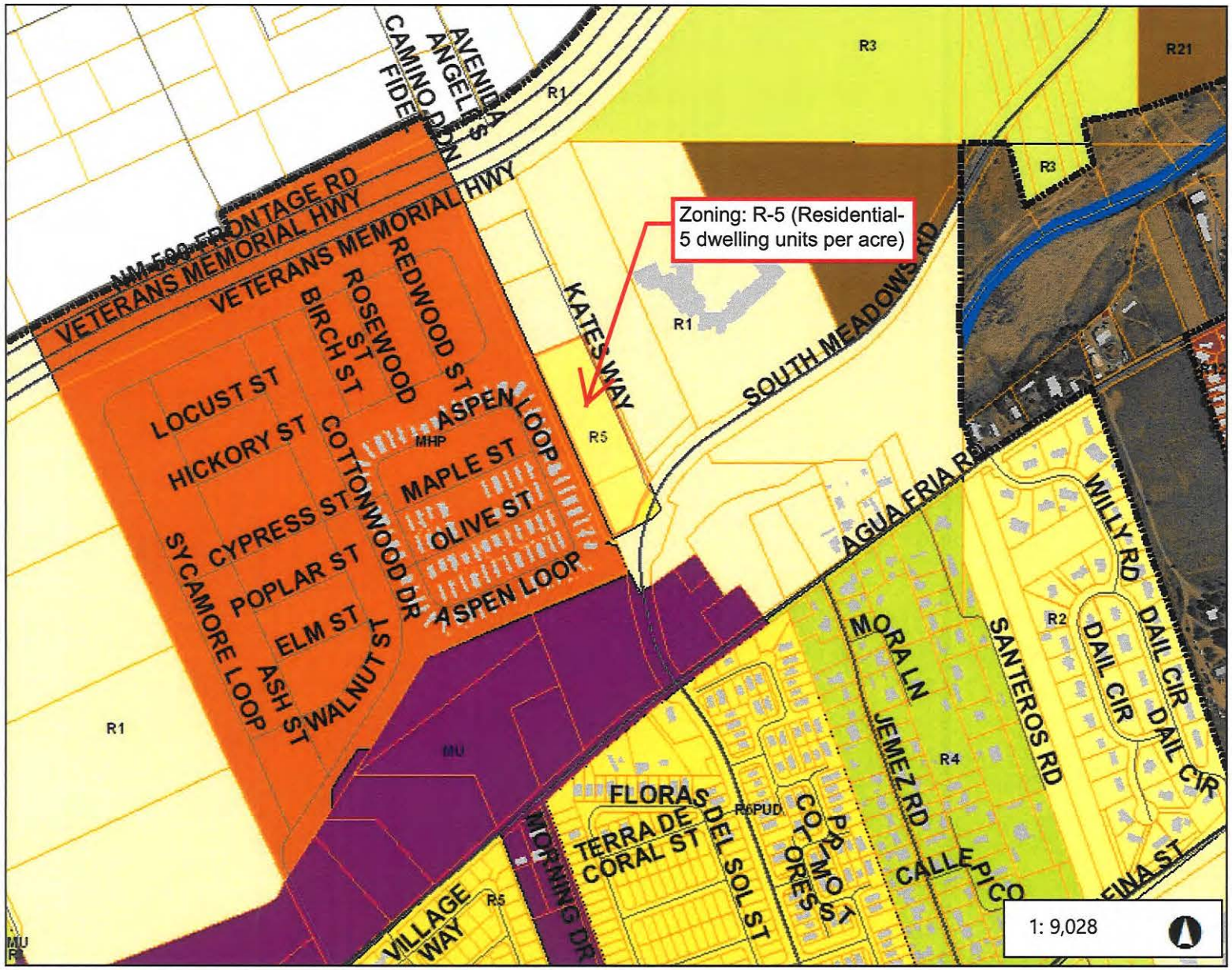
3,009.3 0 1,504.66 3,009.3 Feet

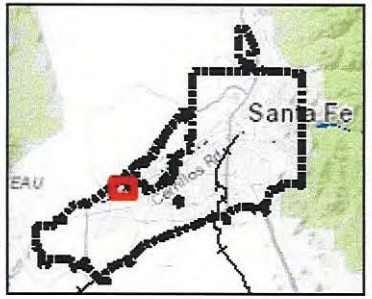
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Santa Fe
Mapping the City Different

Zoning Map





Legend

- City Limits
- Address Points
- Building Footprint
- Roads
- Major Roads
- Santa Fe County Parcels

Zoning

- RR Rural Residential
- R1, (PUD) Single- Family 1du/ac.
- R2, (DT), (PUD),(AC) Single - Fami
- R3, (PUD) Single - Family 3du/ac
- R4 Single - Family 4du/ac
- R5, (DT), (PUD), (AC), R6, (PUD) S
- R7, (I), (PUD), R8 Single - Family 7
- RC5, RC5AC Compound 5du/ac
- RC8, RC8AC Compound 8du/ac
- R10, (PUD) Multiple - Family 10du/
- R12, (PUD) Multiple - Family 12du/
- R21, (PUD) Multiple - Family 21du/
- R29, (PUD),(AC) Multiple - Family
- RAC Residential Arts & Crafts
- MHP Mobile Home Park
- C1, (PUD) Office and Related Com
- C2, (PUD) General Commercial
- C4 Limited Office and Retail
- HZ Hospital Zone

1: 9,028

Notes

© Latitude Geographics Group Ltd.

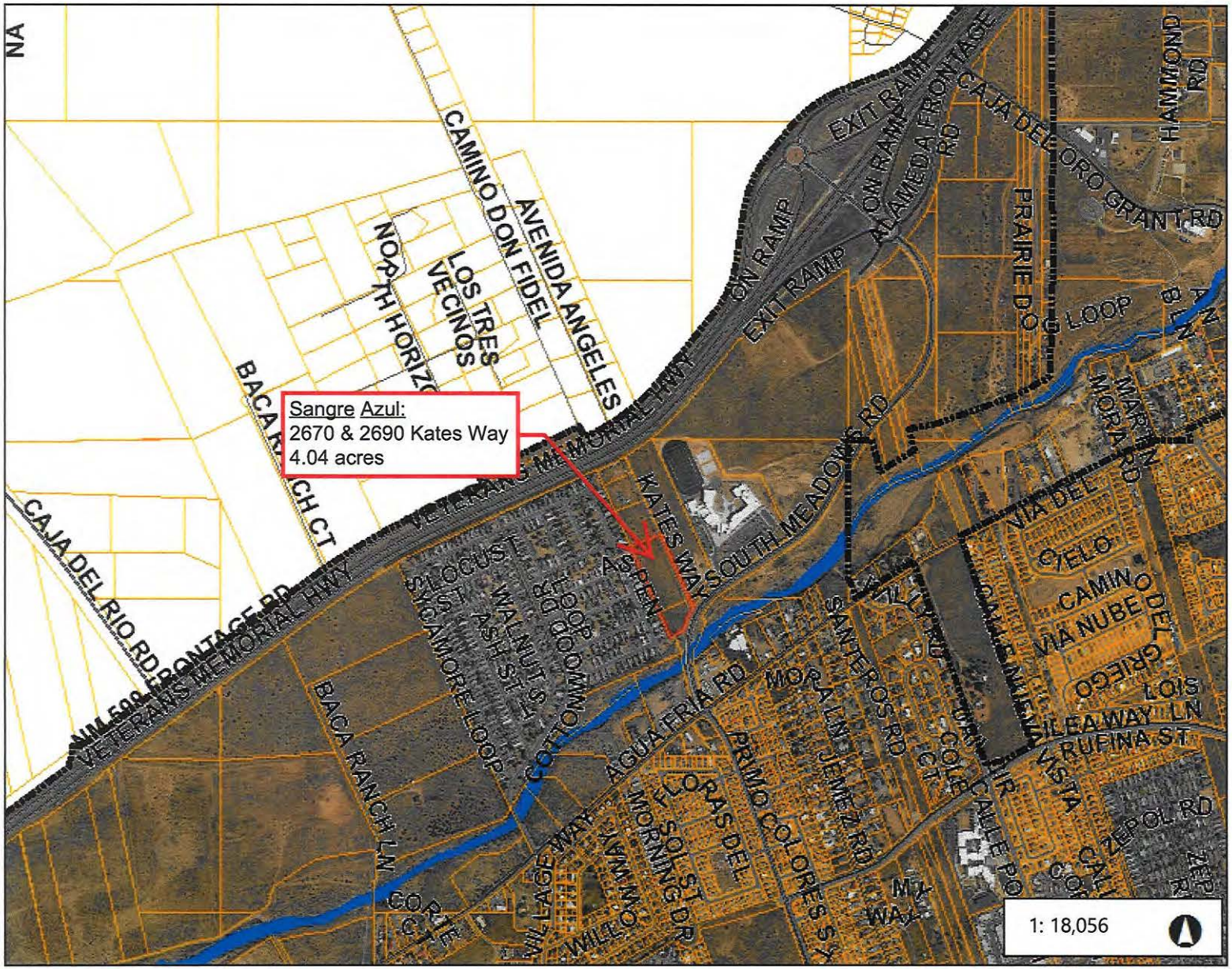
1,504.7 0 752.33 1,504.7 Feet

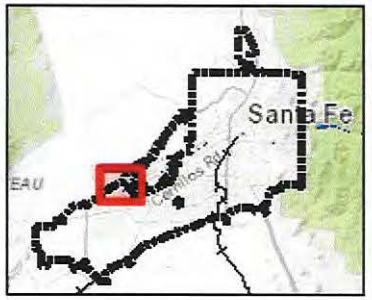
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Santa Fe
Mapping the City Different

Aerial Map





Legend

- City Limits
- Address Points
- Roads
- Major Roads
- Santa Fe County Parcels
- Santa Fe River
- Rail Road

Notes

© Latitude Geographics Group Ltd.

3,009.3 0 1,504.66 3,009.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Sangre Azul Subdivision- Views (Google Street Views)

View of Sangre Azul property from South Meadows Road, looking northwest towards the site.

View of property from South Meadows Road, just south of Kate's Way, looking northeast towards El Camino Real Academy. The dirt path in the foreground runs outside the property, just south of the chain link fence.

City of Santa Fe, New Mexico

Planning Commission

Exhibit D

Planning Commission Minute June 4, 2020

Commission doesn't have the wherewithal by Statute or Ordinance or resources to try and change those things at the Planning Commission level. However, he does agree those are issues the City Council needs to address, and he hopes they do.

Secondly, he thought everyone was aware that the City is projecting a 100 million dollar loss in the budget due to the economic collapse after the pandemic. For that reason, he didn't feel the Commission could look at the City for much in the future. But, that shouldn't necessarily change how they approach cases. He thought they need to rely on the Ordinance until City Council considers these issues and tells them to stop approving and provides the Commission with more direction.

He said he appreciated the Commissioners who raised the issues. He said he also appreciated Mr. Reeder and he thanked him for his effort over this year and the effort which will come after this and for his perseverance with the Commission. He wished Mr. Reeder the best on the project.

Mr. Reeder thanked Chairman Hiatt and the Commission for their perseverance with him to get the project over the hump. They look forward to creating a project that everyone can be proud of.

Chair Hiatt replied the Commission looks forward to that as well.

F. NEW BUSINESS

1. **Case #2020-1936. Sangre Azul, Preliminary Subdivision Plat.** Oralynn Guerrerortiz of Design Enginuity, Agent, for Roddy & Sherry Leeder, Owner, request preliminary subdivision plat approval for 23 residential lots on approximately 4.04 acres of vacant land. The Agent is also requesting approval to build gravel roads meeting private lane standards pursuant to Subsection 14-9.2(C)(7). The property is zoned R-5 (Residential- five dwelling units per acre) and is located at 2670 and 2690 Kates Way. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325)

Commissioner Clow recused herself due to a conflict of interest. Mr. Berke offered to email her when it was okay for her to return to the meeting.

Staff Report

Ms. Wynant said the agent is requesting a subdivision plat approval of 23 residential lots on 4.04 acres. The agent also request approval to build gravel roads, i.e., private lane standard roads, per code. The property is zoned R5, residential dwelling units of five per acre.

Staff recommended approval of the preliminary subdivision plat with staff's recommended conditions of approval and technical corrections listed in the report. Two motions are required: to approve/deny the preliminary subdivision plat subject to conditions of approval and technical corrections; and to approve/deny the Findings of Fact and Conclusions of Law, Exhibit A2 of the packet.

There are five approval criteria that were reviewed. Criteria #1 was met. The site is relatively flat with no defined drainage courses and minimal vegetation. The site has obtained an archaeological clearance permit. Criteria #2 has been met. It is found it is in the best interest of the public's health, and suitable for plat/development as proposed. Criterion #3 has been met; the plat complies with Chapter 14 Article 9, infrastructure design and improvements standards.

Ms. Wynant said comments and necessary conditions of approval were made by staff to conform to City Code. She noted that the Traffic Engineer required streets to be hard surfaced with curb, gutter, sidewalks and streetlights at intersections. Criteria #4 was met and doesn't create nonconformities and criteria #5 was met, since the applicant is not requesting exceptions.

Ms. Wynant noted a provision in the Code for lane standards on the unimproved streets. The applicant request is for streets to be base course roads. Per Code, the standards deal with adequate dust control and meeting the character of the area and that the gravel lane will not cause erosion or sediment problems. Staff did not feel those standards were met and is requiring the roads be hard surface.

An ENN was held on March 10. 2020 with 10 neighbors attending, some who raised questions on if the streets would be improved and dedicated to the City. Discussion was that Kates Way is a private easement over land that is owned by a couple of neighbors. One of them has expressed opposition to dedicating the street to the City and they do not want the street unimpproved.

Ms. Wynant noted that the approval of the subdivision plan expires three years after final action and the adoption of Findings of Fact and Conclusions of Law.

Applicant's Presentation

Oralynn Guerrerortiz, 1427 Luisa Street, Suite E, was sworn. Ms. Guerrerortiz explained she is the civil engineer with Design Enginuity. The owners were also attending via Zoom.

She showed a slide of the property on screen, two legal lots on 4 total acres. Directly to the East is vacant land and next-door is the El Camino Real Elementary School. To the north is vacant land and on the west is a mobile home park. To the south is the Santa Fe River and South Meadows Road. Proposed is a 23-lot subdivision. A

Buckman main water line comes through Kates Way as well as an existing public sewer line comes down through Kates Way through the property. A path used by schoolchildren moves along through the City right of way onto the school. The applicant would like to turn the path into an 8-foot-wide crusher fine pathway. An existing sidewalk is along South Meadows Road. The slope analysis shows flat land which plays into the question regarding potential erosion.

The plan was presented at the ENN meeting to show standard City streets, curb and gutter, sidewalks and driving access from Kates Way from South Meadows Road. Kates Way is a private access easement owned by three different landowners who use the road and can improve it but cannot be turned into a City road without the permission from all three owners. They learned at the ENN that one of the owners does not want the property to be a City road and objects to paving it.

Ms. Guerrerortiz said generally she is in favor of City roads but in this case, if paved roads were installed they would be maintained by the HOA. She noted that maintenance by the HOA would not be expensive at first, after 10 years the maintenance bills become huge. Base course roads are significantly less expensive to build and maintain. This community will pay similar property taxes to everyone else and the Sangre Azul residents would have to pay significant road maintenance HOA fees in addition.

The applicant started reconsidering the concept of the project because of the neighbors' objections to the paved roads. They decided to convert to a gravel road design. The Planning Commission has authority to approve private gravel roads for the project size, if it meets three conditions: 1) Dust would not be a problem; 2) The gravel roads are important to the project design; amd 3) Erosion or sediment would not be a problem.

Ms. Guerrerortiz said the neighborhood she lives in has a City-maintained gravel road and she still has to dust more often than if she lived off of a paved road. The dust is primarily from cars speeding down the road, so speed is the key. The applicant proposed to control speed by posting speed limit signs and adding concrete speed tables. In addition, there are polymers that bind with soil and significantly reduce dust. The product comes from California and is commonly used in Denver and found to be effective. The applicant plans to add that to the base course at road construction and the polymer will need to be reapplied regularly. The reapplication will depend on the amount of dust but is much less expensive than maintaining a paved road.

If allowed to have gravel roads it will be a major factor in the overall project design. The applicant proposed no architectural controls in the project and the house designs will only be controlled by City regulations. This development will be similar to older neighborhoods where each house is unique. Conversion will be easy to deal with and generally needs a 6% grade for water. All of the grades on the property are less than 3% so there will be no erosion problems. The ditches will be seeded with native grasses that

further stabilize the roadways.

Ms. Guerrerortiz stood for questions.

Chair Hiatt asked on the three considerations for a gravel road, what the important consideration is as to why this requires gravel lanes, other than cost.

Ms. Guerrerortiz explained on average the lots will be 6,000 ft.^{2} and the intention is to mimic the older neighborhoods in the community.

Chair Hiatt confirmed that Ms. Guerrerortiz's clients did not want to testify at this time. There were no other questions from the Commissioners.

He opened the public hearing and testimony was limited to three minutes.

Public Hearing

Ms. Paez said she did not see anyone who wanted to speak but had received a note from Patricia Landon, someone she had talked with before the hearing. Patricia Landon was on the line to speak but the connection was lost.

Chair Hiatt asked Ms. Guerrerortiz if she recognized the name of the landowner.

Ms. Guerrerortiz said Ms. Landon owns part of Kates Way located due north of the property and had indicated she wanted a dirt or base course road, not a City road.

Chair Hiatt confirmed that Ms. Landon is the one person who favors a gravel road.

Mr. Berke indicated that Ms. Landon left a phone message on his voicemail. She doesn't have access to a computer and left a message that she is *not* in favor of this road being gravel or dirt. She wants a paved road.

Ms. Paez said that was her understanding as well when she spoke with her. She suggested since Ms. Landon wasn't present to speak under oath, the message was not good evidence for the record.

There were no other public comments.

Chair Hiatt closed the public hearing.

Commission Discussion

Commissioner Faulkner commended the developer for recognizing the cost to HOA's for paved roads. If the gravel roads work as described they are a more long-term, sustainable solution.

Commissioner Sategna addressed Traffic Engineer Romero. He said he is familiar with the area and there are peak periods on South Meadows near the school where traffic backs up. He was interested whether there would be changes or future remediation to alleviate the traffic going into the school.

Mr. Romero said South Meadows and Agua Fria have significant congestion. The main issue is at the intersection because there are no left turn lanes on Aqua Fria. It has to be timed efficiently to get people through the intersection and it is very inefficient. Currently they are at 60% design of the new construction of the project and are looking at changing to a roundabout or adding left turn lanes. The traffic study shows that the left turn lanes will work. Funding construction is being looked at from the City impact fees garnished from developments such as this. They believe City Council will support the fees and once they get bids, they will ask Council to transfer the money for construction. They hope to get it constructed next summer.

Commissioner Sategna thanked Mr. Romero for acknowledging the congestion. There are serious concerns for any new residential development in the area. He sees kids being walked across the street to access the school. The sidewalk intersects with this property and he had serious concerns about kids trying to get to school.

Commissioner Garcia asked if there is a sidewalk from the entrance to the school area.

Mr. Romero replied currently there is a sidewalk over the bridge up to the driveway that is connected to the school. Once the intersection at Agua Fria and South Meadows is constructed there will be a second project at Agua Fria and Cottonwood. There will be a continuous sidewalk to connect the majority of South Meadows, south of Agua Fria and out to Cottonwood all the way to the school.

Commissioner Garcia noticed in the packet a picture of where the sidewalk ends at the driveway, the other side toward the school just has a shoulder on the street. He asked at what point with all the increased traffic, the road will be completely developed. There is concern about kids safely walking to and from school and apartments are going in on the other side of the school. He also thought a development was going in on the other side of the street. At one point an overpass or tunnel was recommended.

Mr. Romero said it is the nature of schools in an urban environment that kids are walking next to traffic. The City has tried different models over the years for schools and some models brought more traffic through the middle of the neighborhood. That degraded quality of life for the neighborhood. They are now locating them off of major arterials because of the traffic in and out.

He noted that they have a lot of schools with kids that walk to them next to major traffic, but they have not noticed any major safety concerns. Gonzales Elementary School is a good example where kids cross St. Francis Drive which has 40,000 cars a day. Since he has been at the City there has never been an incident, or for the traffic engineer before him. The schools place cross guards on those types of roads and the City and schools collaborate on managing a crossing-guard program. As the traffic increases that is how the schools will adjust and manage the traffic. There is a sidewalk that currently exists, but the applicant is proposing a parallel path to the sidewalk in crusher fine.

Commissioner Lawrence said given that the pedestrian traffic is common and will only become more so, she is concerned if the gravel path could accommodate pedestrian traffic, compared to having a paved path or sidewalk. Also, she has a question for Ms. Wynant and Mr. Romero on the staff report that says, *"City staff determines that the proposal does not meet the criteria for a gravel road"*. The report doesn't indicate the analysis and she is wondering if they would address why City staff determined that.

Ms. Guerrerortiz responded that the applicant intends to pave the entry into Kates Way and put in ramps and connect a crosswalk. Children will be able to come from the school on the sidewalk to the new ramp at Kates Way. They could then choose to stay on the sidewalk where there will be another ramp connecting to existing sidewalk or take a crusher fine path.

Ms. Wynant said there was no in-depth analysis of the three criteria. The staff report on page 4, indicates criteria #1 is about whether the dust can be sustained over the years. Criteria #3 was on erosion and sediment issues and the control of those. There was no in-depth analysis, but new developments have had paved streets, sidewalks, curbs, etc. They hold accessibility criteria in high regard to ensure everyone can use them. Staff has to be convinced that everything around the area is unimproved and she wasn't convinced. She didn't think other staff thought the standards of Chapter 14 were met either. The standards require a convincing reason why they cannot do the Code standards. So, staff sided with the Development Code.

Mr. Romero cited the 3 requirements of Section14-9.2(C)(7) of the Code again; roads not paved have to have substantial evidence why they are not, and dust will not be a problem. He said the City maintains a lot of publicly owned, City-owned dirt roads and the maintenance on those is extensive. The polymer mentioned doesn't last long, and after a few rains the rutting and washboard effect requires constant regrading. The City spends a lot of man-hours regrading dirt roads. The City constantly gets requests to take

over the unpaved roads because property owners either don't want to, or can't maintain them, or the HOAs have dissolved, etc. In his experience the dust on dirt roads will always be a problem.

Mr. Romero addressed the section of Code: *the gravel lane is important to the area's streetscape and the design.* He interprets that as aesthetic and considers that an area in the foothills where there is nothing but dirt roads. He read: *the gravel lane will not cause erosion or sediment problems.* Dust is a form of erosion and a lot of the dirt roads have constant dirt and sediment that washes onto paved roads or is brought to the pavement by vehicles going in and out of a dirt road. Those are the reasons he felt the three criteria were not met.

Commissioner Lawrence appreciated the explanation. She understands that it will affect the plan and the development, but she is really concerned about not supporting paved roads in the area. The Commission doesn't want to encourage a precedent of unpaved roads. Commissioner Lawrence added, she also has access concerns as well.

Commissioner Faulkner said she understands the concerns but when the paved road hits its life expectancy and starts to deteriorate, the HOA will not be able to afford repairs. Generally, there will be a really bad road at the end of 10-20 years versus a gravel and base course road that is more easily maintained. There are communities in the County and in other areas of the State where they use base course to allow HOA management to maintain the roadways.

As a lobbyist she had done a lot of work around capital outlay and infrastructure funding and paved roads are one of the most expensive to maintain.

Commissioner Gutierrez asked if they pave Kates Way, could it be turned over to the City or would the City refuse it because of the properties to the north and east.

Mr. Romero explained they want the road built to City standards. If the property owners who don't want to dedicate to the City change their mind in 5-10 years, they could dedicate the road. In regard to the life of the asphalt, it may only need minor repair. But if dedicating a dirt road, the HOA would have to build curb, gutter, sidewalks and consider the drainage. In his experience paved roads are way easier to maintain; if they weren't they would have all dirt roads in the City. They pave some of the dirt roads when possible because it eliminates the amount of maintenance required. Cerro Gordo is a good example of a dirt road constantly maintained by the City. In contrast Canyon Road's pavement lasted 40-50 years and was just repaved.

Many of the existing privately owned paved roads are in such disrepair because they were not built to standards. People put milling on the ground with oil or it isn't thick enough or there is no base course. They don't do things that need to be done to make the road last. In these types of areas, a well paved road can last a very long time.

Mr. Romero said to answer the question, yes, the City would take the road over if there is language on the plat saying the pavement is in a certain condition. He will work with Land Use to ensure the sidewalks, etc. are looked at for what the applicant is required to do now. If there is a more stringent requirement in the future, those people would not have to accommodate the expense.

Commissioner Gutierrez asked Ms. Guerrerortiz if the large property to the east would share Kates Way at some point or have a separate easement.

Ms. Guerrerortiz said a client of hers owns the property and they have been working on the plans. The requirements of the Code are that a neighborhood is required to have two accesses if more than 30 dwelling units. With the development of the property to the east they will have over 30 units. That triggers the requirement for a second access road. She is working with El Camino Real School on whether it is possible to develop a City road from the north parallel to 599 which ultimately would connect to Kates Way.

Ms. Guerrerortiz said a lot of work has to be done and steps, including work with the City on a planned road intended to serve the fire station. They will be connecting to that. They know with development to the east, that Kates Way will likely have to be paved but there will be more parties maintaining it. Likely it will be a secondary access with the main access to the north if that works out.

She explained further they will have to have a secondary access when the property to the east is developed. They hope to get that through the school property. They just need a small portion and then will be on BLM property. That is the main access for the property to the east. Ultimately that potential will provide a secondary access to the development presented today.

Commissioner Gutierrez stated in a perfect world they would connect the proposed road from the north to Kates Way and have two accesses for their property.

Ms. Guerrerortiz said yes, in her dream world the main entrance to the entire neighborhood would come from the North. It will be the main entrance to the neighborhood, and a paved, City dedicated road that meets standards with curb and gutter, etc. Kates Way would be a secondary access. Primarily because Kates Way is difficult to get in and out of when school is on. They want to develop another access to the area and the schools understand that. It is beneficial to them and beneficial to the City as well because their fire station was put on hold. They may end up building a road for them that will help access future developments too. She doesn't know if that will happen yet because it is complicated.

Mr. Berke said they are in the preliminary planning stages of a separate project. He cautioned the Commission to focus on this project rather than what-ifs. They have to

go before the School Board for a vote to get a road behind the school. In addition, the State owns the land where the road would go, and the City lease with the State would have to be amended to allow access. A number of steps would have to happen.

He added that the subdivision being reviewed is primarily designed for manufactured homes. Ideally each would have to be brought in on a semi and is another reason staff recommended against a private gravel base course road. That could cause more erosion more quickly with this type of development and 23 lots. The erosion could lead to potential drainage problems and is not the City's responsibility as a private road.

Commissioner Gutierrez said when driving by from Agua Fria it is a hard left onto Kates Way. He asked Mr. Romero if it is better to redesign the turn into the subdivision.

Chair Hiatt said he didn't know what he meant by "*a hard left.*"

Commissioner Gutierrez explained at the entrance from Aqua Fria, it is difficult because it is more than a 90° turn into Kates Way.

Mr. Romero replied he knew Kates Way wasn't lined up 90° with South Meadows, but the entrance is lined up at 90 degrees and is about 30-40 feet long. There is no other way to change that. It would take significant reconstruction, including the bridge crossing across the Santa Fe River, to adjust the roadway.

Commissioner Gutierrez asked Mr. Romero if he is satisfied with the entrance and thought it would suffice for the subdivision as well as the future growth.

Mr. Romero replied Ms. Guerrerortiz did a good job of designing it and he had no concerns.

Commissioner Garcia asked if there is a landing to make a left into the property.

Mr. Romero explained when widening into a median it cannot be abruptly; it has to transition. The bridge would have to be reconstructed to accommodate a full median in that transition. The City wants to pursue the connection behind the school to help with the traffic flow in the area.

Commissioner Garcia said someone mentioned the main water line comes through Kates Way area. If that is the case and there were problems, having the road paved could be a problem. He asked also when Ms. Guerrerortiz mentioned using soil stabilizing polymers, if that was on the road or on the path.

Ms. Guerrerortiz explained it would be on the road itself and mixed in with the base course when the road is initially constructed.

Commissioner Garcia asked Mr. Romero his thoughts on roads that used that type of technology.

Mr. Romero replied the City has tried that before and it does have a short-term effect; short-term being possibly at most a year. It starts to break down and causes dust and rutting and is more difficult to grade. It becomes more challenging to maintain when it degrades than a regular base course road.

Commissioner Garcia asked if adopting that road would become less advantageous to the City.

Mr. Romero replied yes, but the City wouldn't be able to take it because it doesn't meet City standards for a public road, which has to be paved. The HOA or homeowners would have to find money for curb and gutter, sidewalks, drainage improvements, etc., first.

Commissioner Sategna asked to clarify that the conditions of approval recommended by staff include that the developer shall provide plans to pave all proposed roadways and include curb, gutter, sidewalk and bumper sections. The applicant's proposal is to continue Kates Way as a private base course road. He asked the case manager if that was correct.

Ms. Wynant said that is correct. The original intent by the applicant was to do a paved road with all the improvements. The neighbors brought up concerns at the ENN and the plans were adjusted. Staff did not want to flat-out recommend denial because everything about the subdivision seems to work except the street standards. Staff discussed this with Ms. Guerrerortiz, who is here to make the argument for unimproved streets. Staff is holding to the Chapter 14 standards.

Commissioner Sategna asked if anything prevented the applicant from paving the road. Their presentation mentioned they have to have agreement from all surrounding properties. He asked if staff is recommending something that conflicts with the potential development.

Ms. Wynant replied she may defer to the applicant or City Attorney but, she thought that sign off of all of property owners was true for easements. But if the applicant is required to make improvements to the street, that's what they have to do. She didn't think the owners have to sign off.

Ms. Guerrerortiz said the applicant can build the roads to City standards. In fact, she turned in a set of plans for the entire project based on paved roads. Staff has two sets of plans on the project. The problem is that Kates Way cannot be dedicated to the City for ownership and maintenance without all three parties signing off. She knows that

one owner is in favor, one stated previously they are against it and one she hasn't received an answer from.

Chair Hiatt confirmed that if the owners did not sign off, everyone else including her project, would be responsible for the maintenance of the road thereafter.

Commissioner Sategna clarified that this is because one of the surrounding property owners is adamant they specifically want a dirt road.

Ms. Guerrerortiz said it is two reasons. The subject didn't come up and wasn't contemplated until the ENN. She has never experienced someone wanting the road to remain a dirt road. The applicant considered that and realized if they could not dedicate the roads to the City, the residents would not only pay upfront costs, but would see HOA fees go up dramatically because of the maintenance of the paved roadways. Yes, HOA's are able to afford base course roads, especially when flat, and these are very flat. They don't have the same problems as the foothills where roads have more slope. But again, when the roads fail, and they will in 10, 15, or 20 years, there will be significant increases in improvements.

Ms. Guerrerortiz wasn't sure she agreed with Mr. Romero that the roads have failed in other locations because of poor construction. She has looked at some that were City standards in general, but because HOAs didn't crack seal them, or do the things needed to keep the roads from oxidizing etc., the roads became very expensive for the HOAs to maintain. A paved City standard road cost about $150-$170 a linear foot to build and base course is about $23 a linear foot. This is about initial sales prices on the lots and HOA fees.

A statement was made that these would be manufactured homes. She didn't think so but wasn't sure. She has received calls from people who are very interested. They love that there are no architectural controls. They could buy a decent lot and build something per City standards. The people she spoke with are interested in stick-built homes and she thought there is a desire for this product in the community.

Commissioner Sategna said typically a developer will agree to build the roads to Chapter 14 standards. Those are generally dedicated to the City for future maintenance. He said Ms. Guerrerortiz's concern is about burdening a future HOA with the maintenance. However, the Commission has to take into consideration not only this project but the surrounding future developments. She is representing a client for an adjacent property and this area will continue to develop. The City standards are that the roads should be paved. This is problematic for future HOA's who will have to get an agreement from adjacent property owners to dedicate the road to the City.

Ms. Guerrerortiz pointed out base course roads are allowed under certain conditions. One condition is it must be a lane - that is about 40 homes. If there are more

than that the road has to be paved. If in fact Kates Way is used by development around it, once triggered at 40 homes, it *will* have to be paved.

Commissioner Sategna said she was saying that the next properties that will connect into Kates Way will be required to be paved. To her point, eventually it will be paved. But he is not sure why the Commission is asked to permit something already within the guidelines, a treated dirt road, for future HOA's. The recommendation by the City is ultimately that the road be paved in preparation for future development. He thought they should also be looking long term, not just trying to solve an HOA problem.

Ms. Guerrerortiz pointed out in the future Kates Way would have to be paved but the other two roads would not. They could remain base course because they will never serve more than 18 homes. If Kates Way is turned into paved road because of future developments' traffic, all users including her subdivision, would share the costs.

Commissioner Sategna asked to confirm if the two dirt roads were paved at the same time if they could be dedicated to the City as well.

Ms. Guerrerortiz said they could. She said she asked that question of John Romero who told her the answer was no. Kates Way cannot be dedicated because of the property owners' requirement to agree. The City will only take the other two roads if a City road connects to them.

Commissioner Sategna said this road will be triggered to be paved, and private. So, Ms. Guerrerortiz was saying regardless if it has to be paved 10 years from now the cost will be shared, and the owners would not have to approve the dedication of the road.

Chair Hiatt clarified that owners are never required to dedicate.

Ms. Guerrerortiz said she has tried to set up the language in the event the City forces the applicant to pave. She wants to work with City Legal to establish if they can get the three owners to agree in the future, to have dedication already in place. Those things will have to be worked out.

Commissioner Sategna asked Ms. Paez to comment, given this potential.

Ms. Paez said she understood City staff is making a recommendation pursuant to City Code and the Code has an exception the Commission could grant for gravel roads if criteria are met. The City will never accept the roads if they do not meet City standards, but she wasn't sure about delaying the decision. If the roads are paved in the conditions as recommended and adopted by the Commission, the road would be built in a manner making it possible to be accepted by the City.

There is the speculation as to whether or not the neighbors would agree, and she found it surprising they did not want to do that. If the roads are built to standard at the front end and owners agree before the road deteriorates, there would not be a need for additional maintenance. The City has no mechanism to set up a pre-dedication and there is always an inspection at the time of dedication before accepted.

Commissioner Faulkner asked the cost difference for repairing a maintained base course versus maintaining a paved road.

Mr. Romero responded. He pointed out a paved road lasts 20 years before any maintenance is needed. Cerrillos Road from the Airport to Rodeo Road has a lot of traffic and is close to 20 years old and they are just beginning to think about crack sealing it. And there are other sealants after that, but if at the point it had to be repaved, generally 30-40 years out minimum on a residential street, he estimates it is about $40,000. He said considering that a person would be grading and putting polymer down, which is expensive, with all of the dirt roads, the City spends a lot of money. Maintaining a paved road is a lot cheaper than the continuous maintenance for base course.

Mr. Romero added that after 20 years of base course, it's not just the regrading, but it requires additional base course, or it turns into mud. Base course has to be reconstructed much sooner than asphalt on a paved road.

Commissioner Faulkner offered a follow-up comment. Given the testimony of Mr. Romero, if the Commission required paving she thought the likelihood very low that the adjacent landowners would want the expense of self-maintenance. She added that in 20-30 years the owners of the adjacent properties could also change.

Director Isaacson said the proposal is being reviewed as to whether it meets Code. Unfortunately, the Code considerations do not include cost consideration to the applicant. The Commission should be sure to use the review criteria to base their decision on rather than factors that may not be under their consideration.

Vice Chair Hogan was recognized. Chair Hiatt asked him to chair the meeting briefly.

Vice Chair Hogan thought Mr. Romero made good points about costs and expenses and regular maintenance of dirt roads. He understood that the landowners are not looking to dedicate the road anyway and this is their burden if the City is not maintaining the road. He said the Code is set up to prevent people from creating situations that are not good for everyone, and paving is probably one of those. However, some roads in the City, Ferguson Lane near Frenchy's Field is one. It has a nice aesthetic because it is a dirt road and they bar ditches and the planting supports that. Also gravel roads have an aspect of sustainability that don't increase runoff, etc.

He thought the Commission was getting involved in things they don't need to and if approved without paving, later the owners will have to bring the road up to standards in order to dedicate. Otherwise the owners bear the burden of maintenance for the life of the project. It doesn't sound as though the applicant will sign off as a condition of approval to pave the roads. Otherwise, it seems a burden they are creating for themselves.

Mr. Romero said those were good comments and he is looking at Ferguson Lane. He said there are two things different about this and Ferguson Lane. First, this road is a sub collective road and there will probably be development and possibly a connection to a roundabout. He thought if someone downstream, north of this property develops they will have to build a paved road along their frontage as well as Kates Way. He thought that is added burden.

Secondly, he thought Ferguson Lane was the only dirt road where there haven't been complaints that they are not owned by the City. The City gets that a lot. They are constantly meeting with HOAs, Councilors, the Mayor, etc. and repeatedly asked how the City could let the road be dirt. More times than not homeowners that bought into a neighborhood late felt the developer did things cheaply, and the City allowed that. And now they are stuck with the road and the City doesn't want to pay to fix it. That is the perception the City wants to try to avoid.

Chair Hiatt assumed as chair at this time.

Commissioner Garcia commented that if the Commission does not make the applicant pave the road it will fall on the next developer to pick up that cost. It appears there will be more development in the area, and he didn't want to pass that burden to the next developer. He asked if they could compromise and develop Kates Way as a paved road but not pave the other roads.

Ms. Guerrerortiz explained the applicant came with a request for gravel roads. They understand staff is not happy with that. If the Commission requires them to pave the roads, they will do that with curb/gutter, etc. and all that comes with that. However, they believe the community wants a different product, a different look, and some would prefer a gravel road. The applicant hopes the Commission will let them move forward with their project as planned and is ready to go in either direction.

She said there are bigger issues she would hope the Planning Commission will consider someday that are all related to HOA's.

Chair Hiatt said the Commission would welcome any recommendation to beef up HOA's.

Commissioner Garcia said going back to the notion that there will be more development, there will be cost issues whether this developer or that developer.

Ms. Guerrerortiz said this developer has brought in sewer and is bringing in all of the power and gas to the area, and major supplies. The future developer will benefit from that and the paving improvements the applicant is doing at the entry of Kates Way. So, there will be permits the future developer can build upon.

Also, she designed the base course roads so it could be converted to a paved road per City standards. The next developer can build on what they have done without doing major improvements. This is a steppingstone for the next developer.

Commissioner Gutierrez asked if the Commission has flexibility to decide on paving the road or not, and it wouldn't go against chapter 14.

Mr. Romero explained the Commission would need to state that the applicant met the three criteria. He said they should be prepared on the second criteria of meeting the streetscape, and how the applicant meets that.

MOTION: In Case #2020-1936, Sangre Azul, Preliminary Subdivision Plat, Commissioner Sategna moved, seconded by Commissioner Garcia to approve the preliminary subdivision plat subject to the conditions of approval and technical corrections recommended by staff.

VOTE: The motion passed by unanimous roll call vote with Commissioners Faulkner, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

MOTION: In Case #2020-1936, Sangre Azul, Findings of Fact and Conclusions of Law, Commissioner Sategna moved, seconded by Commissioner Lawrence to approve the Findings of Fact and Conclusions of Law as proposed in Exhibit A2.

VOTE: The motion passed by unanimous roll call vote with Commissioners, Faulkner, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

G. STAFF COMMUNICATIONS

Mr. Berke indicated there will be a second meeting on June 18, and he will be sending the invites. The two items on the agenda will be a final subdivision plat and a change to text in Chapter 14. Anyone unable to attend was asked to contact him and copy Chair Hiatt.

City of Santa Fe, New Mexico

Planning Commission

Exhibit E

Applicant Submittals*

1. Application Submittals
2. Final Subdivision Plat

DESIGN ENGINUITY

1421 Luisa Street Suite E, Santa Fe, New Mexico 87505
PO Box 2758 Santa Fe, New Mexico 87504
(505) 989-3557 FAX (505) 989-4740
E-mail *oralynn@designenginuity.biz*

June 19, 2020

Donna Wynant
City of Santa Fe
Planning and Land Use Department

RE: Request for Final Subdivision Plat
Approval of Sangre Azul

Dear Donna,

On behalf of Roddy and Sherry Leeder please find a complete submittal for Final Subdivision Plat Approval of Sangre Azul. Included are the following:

1. Subdivision Application
2. Vicinity Map
3. Drainage Calculation Summary
4. Letter of Request/Development Plan Report
5. Project plans
6. Thumb drive with all of the above as pdfs.

If there is anything further you require, please let me know.

Thank you.

Sincerely,

Oralynn Guerrerortiz, PE

SUBDIVISION APPLICATION

Parcel Information

Project Name: Sangre Azul

Address: 2670 + 2690 Kates Way (2 lots) Property Size: 4.04 acres

Current Use of Land: Vacant Proposed Use of Land: 23 Lot Residential Sub

Does a Rezoning application accompany this application? YES ☐ NO ☒ Are any variances required? YES ☐ NO ☒

Preapplication Conference Date: 5/9/2019 + 1/23/2020

Early Neighborhood Notice (ENN) meeting date: 3/10/2020 Zoning: R-5

Check One: Preliminary Plat Final Plat ☒ UPC Number: 101809638938200000 1018096374419000000

Property Owner Information

Company Name:

Name: Roddy + Sherry Leeder
First Last

Address: 417 Columbia St.
Street Address Suite/Unit #

Santa Fe NM 87505
City State ZIP Code

Phone: 505 470-7711 E-mail Address: Sherrydleeder@yahoo.com

Applicant/Agent Information (if different from owner)

Company Name: Design Enginuity

Name: Draynn Guerrero-Iz
First Last

Address: PO Box 2758
Street Address Suite/Unit #

Santa Fe NM 87504
City State ZIP Code

Phone: 505 670 7605 E-mail Address: Draynn@designenginuity.biz

Correspondence Directed to: ☐ Owner ☐ Applicant ☒ Both

Agent Authorization (if applicable)

I am are the owner and record title holder of the property located at: 2670 + 2690 Kates Way

I authorize Design Enginuity to act as my agent to execute this application.

Signed: Sherry a Leeder Date: 3/19/2020

2

Submittal Checklist (Requirements found in Section 14-3.7 SFCC 1987)

☐ ~~Six~~ (6) 24"x36" plan sets and one CD containing the same information as the paper set (PDF) are required. Please include the following: thumb drive

☑ Letter of Application (intent, location, acreage)	☑ Legal Lot of Record, Legal Description Submitted w/Prel. plat	☑ Preliminary Plat or Final Plat	☑ Landscape, Parking and Lighting Plan, Signage ~~Specifications~~	☑ Terrain Management Plans (as required by Section 14-8.2 SFCC 1987)
☐ Traffic Impact Analysis (if required) N/A	☑ Sewer and Water Plan (Profiles and details – Final Plat only)	☐ Phasing Plan (if applicable) N/A	☑ Archaeological Clearance (if applicable) Submitted w/ prel. plat	☑ Signature Line & Date for SF County Treasurer in accordance with SB 406 effective April 2, 2013
☑ Statement addressing approval criteria (Section 14-3.7 SFCC 1987)				

Subdivisions per Section 14-3.7 SFCC 1987:

Preliminary Plat (Section 14-3.7(B)(3) SFCC 1987)
See above for submittal requirements. See also Section 14-9 Infrastructure Design, Improvement and Dedication Standards.

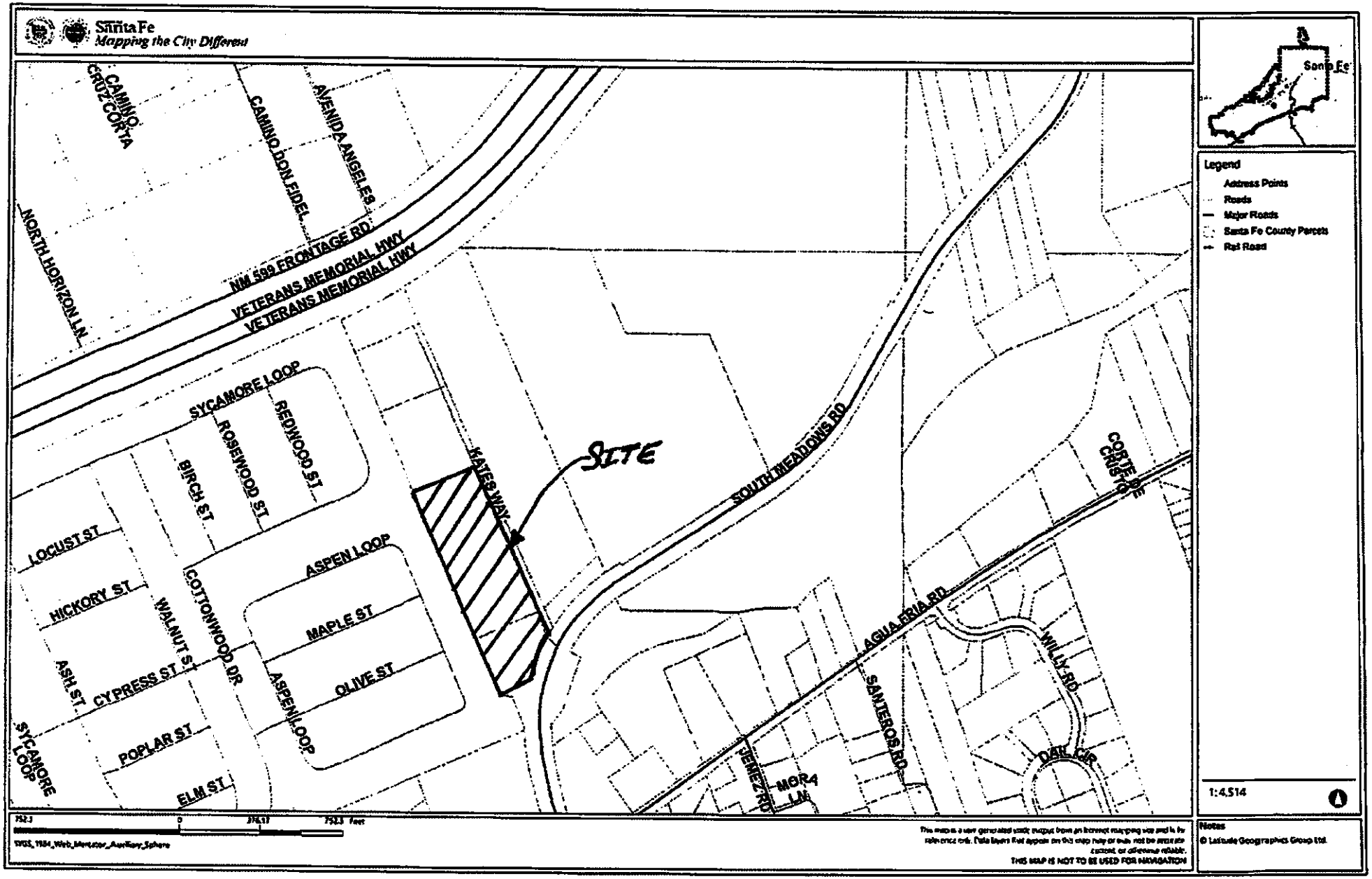
Final Plat (Section 14-3.7(B)(4) SFCC 1987)
The final plat shall conform substantially to the preliminary plat as approved.

Signature

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 1987. Failure to meet these standards may result in the rejection of my application. I also certify that I have met with the City's Current Planning staff in a pre-application meeting to verify that the attached proposal is in compliance with the City's zoning and development plan requirements.

Signature: Oray x / Oray S Date: 3/20/2020
6/18/2020

A case manager will be assigned to your project and will notify you within 10 business days if any additional information is needed. After your application has been reviewed by City staff, you will be contacted by us regarding public notice requirements. A packet of information and instructions will be provided regarding the required mailing and sign posting. Please contact the Land Use Department staff at (505) 955-6585 with any questions.


Santa Fe
Mapping the City Different
CAMINO CRUZ CORTA
CAMINO DON FIDEL
AVENIDA ANGELES
NORTH HORIZON LN
NM 599 FRONTAGE RD
VETERANS MEMORIAL HWY
VETERANS MEMORIAL HWY
SYCAMORE LOOP
ROSEWOOD ST
REDWOOD ST
BIRCH ST
KATES WAY
SITE
SOUTH MEADOWS RD
CORTE CRISTOBAL
LOCUST ST
HICKORY ST
WALNUT ST
COTTONWOOD DR
ASPEN LOOP
MAPLE ST
OLIVE ST
ASH ST
CYPRESS ST
POPLAR ST
ELM ST
SYCAMORE LOOP
AGUA FRIA RD
WILLY RD
SANTEROS RD
JIMEZ RD
MORA LN
DAIL CIR
Santa Fe
Legend
Address Points
Roads
Major Roads
Santa Fe County Parcels
Rail Road
1:4,514
752.3
0
376.17
752.3 Feet
NAD83_1984_Web_Mercator_Auxiliary_Sphere
THIS MAP IS NOT TO BE USED FOR NAVIGATION
Notes
© Latitude Geographics Group Ltd.

SANGRE AZUL SUBDIVISION
DRAINAGE REPORT

JUNE 17, 2020

DESIGN ENGINUITY

1421 Luisa Street Suite E, Santa Fe, New Mexico 87505
PO Box 2758 Santa Fe, New Mexico 87504
(505) 989-3557 E-mail *oralynn@designenginuity.biz*

SANGRE AZUL SUBDIVISION
SANTA FE, NEW MEXICO
DRAINAGE CALCULATIONS SUMMARY

Present Conditions of Area to be Developed
The project site is a vacant 4.04 ± acre tract located on the west side of Kate's Way, north of South Meadows Road. The property is relatively flats with a grade of less than 3% towards the south. There are no defined drainage channels on the property nor FEMA floodzone. The entire site is disturbed. A dirt road, Kate's Way, is adjacent to the project and is included in the analysis as it will be widened and paved.

Soils: On-site soils have been mapped by the US Natural Resource Conservation Service and the soil mapping can be found on their web page: websoilsurvey.nrcs.usda.gov. The soils present, percentage and hydrologic soil group are listed below:

51.5% Panky loam (100). These soils are classified as well draining loams with some clay loam. The soil is classified as Hydrologic Soil Group C.
47.6% Delvalle-Urban land complex (113). These soils are comprised of fine sandy loams with more gravelly coarse sandy loams at depth. They are well drained and classified as Hydrologic Soil Group A.
1% Panky-Urban land complex (115). These soils are classified as well draining loams with some clay loam. The soils are classified as Hydrologic Soil Group C.

Vegetation: The site appears disturbed and leveled. It has a good coverage of grasses, shrubs and a few juniper trees.

Existing Curve Number: For the purpose of this analysis, a weighted curve number of 76.56 was used for existing conditions.

SOIL HYDROLOGIC GROUP	% OF PROJECT	CN	WEIGHTED CN
A	45.8%	71	32.518
B			0
C	50.8%	81	41.148
Dirt Road	3.4%	84.5	2.89835
TOTAL	100.0%		76.56435

Predevelopment Drainage Flows: Existing On-Site Discharges: Stormwater generally flows towards the Santa Fe River located to the south of the property. The NOAA determined 100-year, 24-hour precipitation is 3.23 inches at the project site. Using the TR-55 method, prior to project development the current peak flow (Q100, 24 hour) from the property is estimated to be 4.15 cfs with a total volume of 17,525 cubic feet.

CN	Frequency	Precipitation	Runoff Q, in	Peak Discharge, cfs	Runoff volume, cu ft
76.56	100	3.23	1.21	4.78	20,195
	50	2.91	0.99	3.91	16,488
Acreage,acres	25	2.6	0.78	3.10	13,097
4.61	10	2.19	0.54	2.13	8,981
	5	1.9	0.38	1.51	6,382
qu, cfs/ac-in	2	1.52	0.21	0.82	3,475
0.86					

Post Development Conditions

The project will have asphalt roads, curb and gutter and sidewalk. It is assumed that at the time of home development, individual ponds will be installed on the lots to deal with each lot's impervious area. The anticipated curved number for the improvements to be installed by the developer is 82.30.

	Square Footage	CN	%	Weighted CN
Roadway (Asphalt and c&g, inc Kate's Way)	40,994	98	20.42%	20.01
Concrete Sidewalks	12,711	98	6.33%	6.21
Natural	147045	76.56	73.25%	56.08
Total	200750		100%	82.30

Post Development Drainage Flow: If 100% of the impervious area as noted above is installed, then the 100-year, 24-hour storm event would result in a peak discharge from the site of 8.76 cfs with a total volume of 26,494 cubic feet or 6299 cubic feet more than current conditions.

CN	Frequency	Precipitation	Runoff Q, in	Peak Discharge, cfs	Runoff volume, cu ft
82.30	100	3.23	1.58	8.76	26,494
	50	2.91	1.33	7.35	22,220
Acreage,acres	25	2.6	1.09	6.03	18,232
4.61	10	2.19	0.79	4.38	13,250
	5	1.9	0.60	3.30	9,983
qu, cfs/ac-in	2	1.52	0.37	2.03	6,131
1.2					

Recommendation: To mitigate the increased runoff two ponds will be installed with a combined capacity of 9950 cubic feet. The last pond will have a control release outlet structure designed to release a maximum of 4.19 cfs during the 24-hour, 100 year storm event.

Prepared by Oralynn Guerrerortiz, PE 06-17-2020

Custom Soil Resource Report
Map—Hydrologic Soil Group (Sangre Azul)

Table—Hydrologic Soil Group (Sangre Azul)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
100	Panky loam, 1 to 4 percent slopes	C	2.3	51.5%
113	Delvalle-Urban land complex, 0 to 2 percent slopes	A	2.1	47.6%
115	Panky-Urban land complex, 1 to 4 percent slopes	C	0.0	1.0%
Totals for Area of Interest			**4.5**	**100.0%**

Rating Options—Hydrologic Soil Group (Sangre Azul)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

NOAA Precipation at Lat: 35.650017, Long: -106.041155

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	**0.198**(0.171-0.228)	**0.256**(0.222-0.297)	**0.342**(0.295-0.395)	**0.407**(0.351-0.470)	**0.497**(0.426-0.572)	**0.566**(0.483-0.652)	**0.639**(0.542-0.736)	**0.714**(0.601-0.822)	**0.817**(0.681-0.941)	**0.898**(0.743-1.04)
10-min	**0.301**(0.260-0.348)	**0.390**(0.338-0.452)	**0.521**(0.450-0.602)	**0.619**(0.534-0.716)	**0.756**(0.648-0.871)	**0.861**(0.734-0.992)	**0.973**(0.825-1.12)	**1.09**(0.916-1.25)	**1.24**(1.04-1.43)	**1.37**(1.13-1.58)
15-min	**0.373**(0.323-0.431)	**0.484**(0.419-0.560)	**0.645**(0.557-0.746)	**0.767**(0.662-0.887)	**0.937**(0.803-1.08)	**1.07**(0.911-1.23)	**1.21**(1.02-1.39)	**1.35**(1.14-1.55)	**1.54**(1.29-1.78)	**1.69**(1.40-1.95)
30-min	**0.503**(0.435-0.580)	**0.651**(0.564-0.755)	**0.869**(0.750-1.00)	**1.03**(0.891-1.20)	**1.26**(1.08-1.45)	**1.44**(1.23-1.66)	**1.63**(1.38-1.87)	**1.81**(1.53-2.09)	**2.08**(1.73-2.39)	**2.28**(1.89-2.63)
60-min	**0.622**(0.538-0.718)	**0.806**(0.698-0.934)	**1.08**(0.928-1.24)	**1.28**(1.10-1.48)	**1.56**(1.34-1.80)	**1.78**(1.52-2.05)	**2.01**(1.71-2.31)	**2.26**(1.89-2.59)	**2.67**(2.14-2.96)	**2.82**(2.34-3.26)
2-hr	**0.744**(0.637-0.880)	**0.949**(0.813-1.13)	**1.25**(1.07-1.49)	**1.49**(1.27-1.76)	**1.82**(1.54-2.15)	**2.08**(1.75-2.45)	**2.36**(1.97-2.77)	**2.65**(2.20-3.11)	**3.05**(2.50-3.58)	**3.37**(2.73-3.96)
3-hr	**0.795**(0.690-0.936)	**1.01**(0.872-1.19)	**1.31**(1.13-1.54)	**1.55**(1.34-1.82)	**1.90**(1.62-2.22)	**2.16**(1.83-2.53)	**2.45**(2.06-2.85)	**2.75**(2.29-3.20)	**3.16**(2.61-3.68)	**3.49**(2.86-4.07)
6-hr	**0.914**(0.799-1.06)	**1.15**(1.01-1.33)	**1.47**(1.28-1.70)	**1.72**(1.49-1.99)	**2.07**(1.78-2.38)	**2.34**(2.00-2.70)	**2.62**(2.23-3.02)	**2.91**(2.46-3.36)	**3.31**(2.77-3.82)	**3.64**(3.01-4.20)
12-hr	**1.05**(0.930-1.21)	**1.32**(1.17-1.51)	**1.67**(1.47-1.90)	**1.93**(1.70-2.21)	**2.30**(2.02-2.63)	**2.59**(2.25-2.95)	**2.88**(2.49-3.29)	**3.18**(2.74-3.63)	**3.59**(3.05-4.09)	**3.91**(3.30-4.47)
24-hr	**1.22**(1.12-1.33)	**1.52**(1.40-1.67)	**1.90**(1.74-2.07)	**2.19**(2.01-2.40)	**2.60**(2.37-2.84)	**2.91**(2.65-3.17)	**3.23**(2.93-3.52)	**3.56**(3.21-3.87)	**3.99**(3.58-4.35)	**4.33**(3.86-4.72)

Project Name	**Sangre Azul**	**3/18/2020**
Location	**Entire Site**	
Present or Developed	**Present**	

Time of Concentration

FLOW TO THE SW TO FUTURE POND

Segment 1 - sheet flow

Segment Name	L1a	units	
surface description	range	none	no defined channel on site
mannings, n	0.13	none	
flow length, L	300	feet	
slope, s	0.027	feet/feet	
P2	1.52	inches	
Tt=(0.007*(nL)^0.8)/(P2^0.5*s^0.4)			
(nL)	39		
(nL)^0.8	18.74354		
P2^0.5	1.232883		
s^0.4	0.234632		
Tt	**0.453566**	**hours**	

Segment 2 - shallow concentrated flow

Segment Name	L1b	units
surface description	unpaved	none
flow length, L	570	feet
slope, s	0.0123	feet/feet
avg. velocity, v	1.8	fps
Tt=L/(3600*v)	**0.087963**	**hours**

Total Time	**0.542**
qu cfs/ac-in	**0.86**

Project Name	**Sangre Azul**	**3/18/2020**
Location	**Entire Site**	
Present or Developed	**Post Development**	

Time of Concentration

FLOW TO POND

Segment 1 - sheet flow

Segment Name	L1a	units
surface description	range	none
mannings, n	0.13	none
flow length, L	90	feet
slope, s	0.010	feet/feet
P2	1.52	inches

Tt=(0.007*(nL)^0.8)/(P2^0.5*s^0.4)

(nL)	11.7
(nL)^0.8	7.153996
P2^0.5	1.232883
s^0.4	0.158489
Tt	**0.256286** hours

Segment 2 - shallow concentrated flow

Segment Name	L1b	units
surface description	paved	none
flow length, L	840	feet
slope, s	0.0143	feet/feet
avg. velocity, v	2.4	fps
Tt=L/(3600*v)	**0.097222**	hours

Total Time	**0.354**
qu cfs/ac-in	**1.2**

	Elevation	Area, SF	Usuable Storage Volume for Max Pond Elevation 6480, CF
Pond 1	80	2972	
	79	2S30	2751
	78	2219	2374.5
	77	1826	2022.5
POND 2	81	1705	
	80	1377	0
	79	1074	1225.5
	78	797	935.5
	77	544	670.5
	TOTAL		9979.5

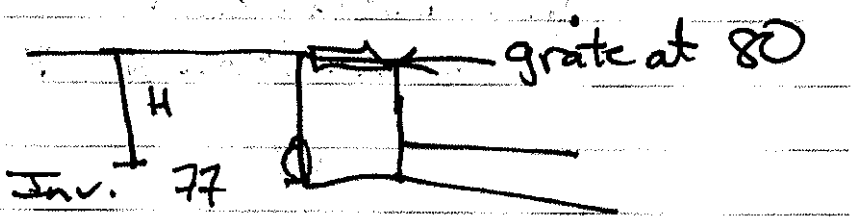
Sangre Azul

Release outlet

Peak Q = 4.78 cfs..

Base 77

Top. 80



Orifice Opening

$Q = ca\sqrt{2gh}$

c = 0.597 Brater-Ki

12" core drill $A = \pi r^2 = 0.785$

$h = 3' - 0.5 = 2.5$

$Q = 0.597(0.785)\sqrt{2(32.2)(2.5)}$

$= 5.95$ cfs, too much (12.69)

10" core drill $A = \pi r^2 = \pi \times .416^2 = 0.545$

$h = 3' - 0.416 = 2.584$

$Q = 0.597(0.545)\sqrt{2 \times 32.2 \times 2.584}$

$= 4.19\sqrt{}$ cfs (12.899)

Storage Volume Required

~~Rev~~

Peak Inflow 8.76 cfs

Peak Outflow 4.78

$q_o/q_i = 0.546$

$\frac{V_s}{V_R}$ (Fig 6.1 Tr. 55) = 0.26

Runoff V = 26,494 cf

Req Storage $V_s = \frac{V_s}{V_R} V_R = 0.26 \times 26{,}494$

= 6888 c.F

As long as storage exceeds 6888 cf, then grate overflow will not be used. Planned Storage Volume @ Elev @ of grate = 9,950 cf.

✓ Will not use grate for 100-year, 24 hour Storm or less.
All out 10" orifice.

DESIGN ENGINUITY

1421 Luisa Street Suite E, Santa Fe, New Mexico 87505
PO Box 2758 Santa Fe, New Mexico 87504
(505) 984-3551 FAX (505) 984-4740
E-mail *oralynne@designenginuity.biz*

June 19, 2020

Santa Fe Planning Commissioners

RE: Sangre Azul Preliminary Subdivision Plat

Dear Commissioners,

On behalf of our clients, Roddy and Sherry Leeder, we submit the attached application for Final Subdivision Plat for the Sangre Azul Subdivision. Sangre Azul is located on Kate's Way, off of South Meadows Road between Cottonwood Village and the El Camino Real Elementary School. The project is located on 4.04± acres and will include 23 residential lots developed in a single phase.

The project facts are summarized below.

REQUEST
We request Final Subdivision Plat approval of Sangre Azul, a 23-lot single family residential subdivision (Figure 1 – Site Plan).

GENERAL DESCRIPTION
Sangre Azul is a proposed 23-lot residential subdivision which will be developed as single family homes. The lots will range in size from 4606 to 8604 SF with an average size of 5547 SF. The project will have paved roads, curb and gutter and sidewalks. There will be a homeowners association set up to maintain the private roads and common drainage facilities. No architectural controls are proposed, and lot owners will build homes that meet the City of Santa Fe's building code. The project will be connected to City water and sewer. Four lots will be developed and sold per the Inclusionary Zoning Ordinance.

Kate's Way is the access road to the property. This road is owned by two neighboring land owners, one of which has indicated that they do not want the road to become a city owned and maintained roadway. Thus the road will have to remain a private road. At the project's ENN meeting improvements to Kate's Way were discussed in detail. Currently there are no homes served by Kate's Way, but a neighbor will be constructing

at least one home in the near future. With full build out of Sangre Azul, total daily trips on this roadway are anticipated to be less than 300 and therefore Kate's Way will need to meet the City of Santa Fe's Lane standards.

EXISTING CONDITIONS

Currently the Sangre Azul property is a fenced, empty tract of land with a few juniper trees, cholla, shrubs and grasses. The land slopes gently towards the Santa Fe River which one can access from the property without crossing a road. It is in easy walking distance to the new El Camino Real Elementary School. The property has no arroyos on it. It does have an existing public sewer line. A 24" water transmission line lies in Kate's Way, a 12" water main is located at the south end of Kate's Way and an 8" water main is located immediately west of the property. Gas, electricity, phone and cable mains lie along South Meadows Road.

EXISTING ZONING

The subject property is currently zoned R-5. With the affordable housing bonus we are allowed 23 units which matches our proposal.

SITE PLAN STANDARDS

All Sangre Azul lots will be at least 4600 square feet, typically 87 feet wide and 58 feet deep. City standard setbacks will be used (front 7.5'; 20' for front facing garages; side 5', rear 15' or 20% of average lot depth, whichever is less). Two story homes up to 24 feet are permitted. The maximum lot coverage permitted is 40%. Any home style meeting City code will be permitted.

LANDSCAPING, LIGHTING, SIGNAGE AND TRAIL CONCEPTS

Street trees will be placed along the subdivision roadways and will be maintained by the adjacent lot owner. Trees and shrubs adjacent to the stormwater detention ponds will be maintained by the HOA. No project signage is proposed. Street lights will be installed at all proposed road intersections. At the end of our main roadway, Zion Drive, we will install a 5' wide sidewalk to the City's land to the south and we will install a 10' wide paved path through the city's property immediately to the south of Sangre Azul. The current dirt path is used primarily by children as they commute between Cottonwood Village and the elementary school and it will be the path the kids in our development will take to get to school.

TERRAIN MANAGEMENT

The proposed development is relatively flat. The site drains to the south, where 2 detention ponds will be installed.

ARCHAEOLOGY

There was a former ranch home and outbuildings on the property that were owned by grandparents of our neighbor to the north. This site was investigated by an archaeologists and their findings were documented in a lengthy report. The site has received archaeological clearance from the City's Archaeolgoical Review Committee.

WATER BUDGET

The City of Santa Fe has set standards of anticipated water use based on lot size. Lots less than 6000 SF typically use 0.15 Acre-Feet per year. Lots of 6000 to 10,000 SF

typically use 0.17 Acre-Feet per year. Based on these numbers, the Sangre Azul project should use 3.49 Acre-Feet per year.

SUBDIVISION APPROVAL CRITERIA

We provide the following response to the Chapter 14 Subdivision Approval Criteria.

(1) There are no natural features on the site currently that warrant protection. Likely due to past farming or ranching activity, the site is relatively flat with no defined drainage courses. Other than grasses and chollo, the vegetation is pretty minimal. With project development, native grasses, wildflowers and street trees will dominate the site until homes are developed

(2) The property is perfectly suitable for development and is not located within a flood zone or Ecological Resource Protection Overlay District.

(3) The proposed subdivision plat meets all standards of Chapter 14, Article 9.

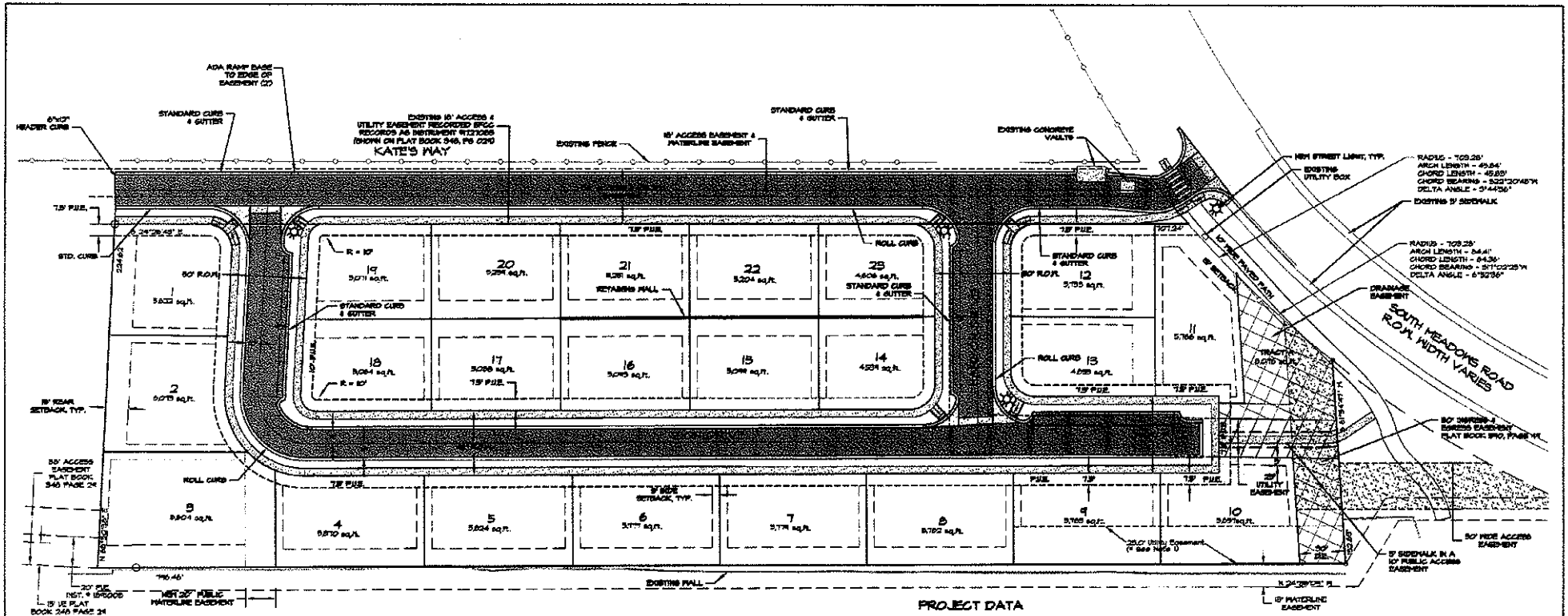
(4) The proposed plat does not create a non-conformity. No variances are requested.

(5) No exceptions are necessary for plat approval.

Thank you for consideration of our request.

Sincerely,

Oralynn Guerrerortiz, PE
Agent for Roddy and Sherry Leeder



DUST CONTROL

All on-site soil disturbing construction activities shall be addressed and provide measures to mitigate or control dust from being transported off-site and polluting neighboring properties.

Any person, owner, contractor or operator who conducts earthmoving and/or dust generating activities is responsible for implementing Best Management Practices (BMPs) in order to mitigate off-property transport of fugitive dust emissions.

A plan, or storm water prevention plan (SWPPP) when applicable, listing the Best Management Practices (BMPs), shall be provided to the City Engineer, or his designee for review and approval. The approved BMPs shall be applied to the graded and/or disturbed soil in order to address the site.

The initial BMP shall address how the Contractor will minimize the amount of disturbed soil, and how the Contractor will stabilize the disturbed surface area exposed to wind or vehicle traffic during construction.

Some BMPs shall include:

The reduction of vehicle speeds: establish a maximum speed limit or install traffic calming devices to reduce speeds to a rate to mitigate off-property transport of dust created by vehicles.

The minimization of drop heights: Drivers and operators shall unload truck beds and loader or excavator buckets slowly, and minimize drop height of materials to the lowest height possible, including screening operations.

High wind restriction: temporarily halt work activities during high wind events greater than 30 mph if operations would result in off-property transport.

Restrict access: restrict access to the work area to only authorized vehicles and personnel.

In the event the above practices are ineffective to prevent off property transport, the owner, or operator shall use at least one or more of the following Best Management Practices (BMPs):

Wet suppression: apply water to disturbed soil surfaces, backfill materials, screenings, and other dust generating operations as necessary and appropriate considering current weather conditions, and prevent water used for dust control from entering any public right-of-way, storm water drainage facility, or watercourse.

Wind barrier: construct a fence or other type of wind barrier to prevent wind erosion of the graded or disturbed surface.

Vegetation: plant vegetation appropriate for retaining soils or arresting wind break.

Surface roughening: stabilize an active construction area during periods of inactivity or when vegetation cannot be immediately established.

Cover: install cover materials such as tackifiers, erosion control blankets, gravel, vegetation (when appropriate), cold-millings, etc. during periods of inactivity and properly anchor the cover.

Soil retention: stabilize disturbed or exposed soil surface areas that will be inactive for more than 30 days or while vegetation is being established.

DRAINAGE FACILITIES MAINTENANCE NOTE

ALL DRAINAGE FACILITIES SHALL BE MAINTAINED BY ALL PROPERTY OWNERS. THE PROPERTY OWNERS SHALL ALSO HAVE THE RESPONSIBILITY FOR MAINTENANCE OF THE PUBLIC DRAINAGE EASEMENT.

INSPECTIONS SHALL BE CONDUCTED BY A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NEW MEXICO OR OTHER QUALIFIED PERSON. INSPECTIONS SHALL BE CONDUCTED ON THE DRAINAGE FACILITIES IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

ON OR ABOUT MARCH 15, ON OR ABOUT SEPTEMBER 15, AND AFTER EACH STORM EVENT OF 1-INCH OR GREATER. MAINTENANCE OF THE DRAINAGE FACILITIES SHALL BE CONDUCTED AND DOCUMENTED BY THE ENGINEER OR QUALIFIED PERSON AND THE OWNER. THE OWNER SHALL MAINTAIN A FILE OF THE INSPECTIONS AND REMEDIAL ACTION CONDUCTED ON THE DRAINAGE FACILITIES.

WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE ENGINEER'S RECOMMENDATIONS, AND SHALL INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING:

A. FLUSH ALL CULVERTS, DROP INLETS AND DRAINAGE PIPES TO REMOVE SEDIMENT AND VEGETATION THAT PREVENTS OR HINDERS THE FLOW OF STORM WATER IN THE DRAINAGE STRUCTURES).

B. REMOVE SEDIMENT IN PONDS THAT IS GREATER THAN 6-INCHES IN DEPTH, AND IF NECESSARY, RESEED WITH NATIVE GRASSES AND INSTALL FILTER FABRIC AND 6 TO 4 INCH COBBLE AS DIRECTED BY THE ENGINEER.

C. INSPECT FOR SEDIMENTATION IN ALL SWALES, DITCHES, DRAINAGE PONDS AND REMOVE AND STABILIZE AS NECESSARY.

D. INSPECT FOR SOIL EROSION AT ALL DRAINAGE PONDS, CUT AND FILL SLOPES, AND REPAIR OR STABILIZE ACCORDINGLY.

E. INSPECT THE STRUCTURAL INTEGRITY OF DRAINAGE PONDS, SLOPES, RIP-RAP, GABIONS, DROP INLETS, CULVERTS, ENERGY DISSIPATORS, AND RETAINING WALLS, ROCK PLATING, EROSION CONTROL MATS OR BLANKETS, AND REPAIR OR STABILIZE ACCORDINGLY.

LOT	ADDRESS
1	ZION DRIVE
2	ZION DRIVE
3	ZION DRIVE
4	ZION DRIVE
5	ZION DRIVE
6	ZION DRIVE
7	ZION DRIVE
8	ZION DRIVE
9	ZION DRIVE
10	ZION DRIVE
11	ZION DRIVE
12	HARMON DRIVE
13	HARMON DRIVE
14	ZION DRIVE
15	ZION DRIVE
16	ZION DRIVE
17	ZION DRIVE
18	ZION DRIVE
19	KATE'S WAY
20	KATE'S WAY
21	KATE'S WAY
22	KATE'S WAY
23	KATE'S WAY

PROJECT DATA

SIZE OF TRACT: 4.04 ACRES +/-

NUMBER OF LOTS: 23 SINGLE-FAMILY LOTS

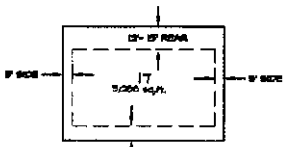
ZONED: R3

ALLOWABLE LOT COVERAGE: 40% MAXIMUM

SETBACKS: FRONT YARD: 15' FROM FACING GARAGE SETBACK 20'
SIDE YARD: 5'
REAR YARD: 15' OR 20% OF AVERAGE LOT DEPTH, WHICHEVER IS LESS.

MINIMUM LOT SIZE REQUIRED: 4000 SF

MAXIMUM BUILDING HEIGHT: 26'



TYPICAL LOT SETBACK

1. ALL GARAGES FACING STREET HAVE A 20' FRONT SETBACK.
2. REAR SETBACK IS 15' OR 20% OF THE AVERAGE DEPTH OF LOT, WHICHEVER IS LESS.

NOTES:

1. THE 25' UTILITY EASEMENT MAY BE VACATED OR REDUCED IN SIZE.
2. THE PROJECT SHALL COMPLY WITH THE PROVISION OF THE SUNSPOTS PHASE 2008 ORDINANCE (ARTICLE M-09-23).
3. THE DEVELOPMENT SHALL COMPLY WITH THE MOST CURRENT REQUIREMENT OF THE AMERICAN WITH DISABILITIES ACT (ADA).

LEGEND

- DRAINAGE EASEMENT
- UTILITY EASEMENT
- ACCESS EASEMENT
- STANDARD CURB AND GUTTER
- ROLL CURB AND GUTTER

NORTH

SCALE: 1"=30'

30' 0 30'

REVISIONS

DATE	BY

DESIGN ENGINUITY

SANGRE AZUL

SITE PLAN

SCALE: 1"=30'

DATE: 08/17/2020

SHEET NO. 2

DEDICATION AFFIDAVIT:

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) AND OR PROPRIETOR(S) HAVE CAUSE TO BE SUBDIVIDED THOSE LANDS DEPICTED ON THE PLAT HEREON. THIS SUBDIVISION CONTAINS AN AREA OF 4.0436 ACRES MORE OR LESS. THIS SUBDIVISION LIES WITHIN THE PLATTING JURISDICTION OF THE CITY OF SANTA FE, STATE OF NEW MEXICO.

TRACT A IS DEDICATED TO SANGRE AZUL HOA FOR OWNERSHIP AND MAINTENANCE. ZION DRIVE AND HARMONY DRIVE RIGHT OF WAYS ARE DEDICATED TO THE CITY OF SANTA FE FOR OWNERSHIP AND MAINTENANCE. THE SANGRE AZUL HOA SHALL OWN AND MAINTAIN THE ROADS UNTIL THE CITY OF SANTA FE ACCEPTS THEM.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF: PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) A NEW MEXICO CORPORATION, (PNM ELECTRIC) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES. EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEAR, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMERS/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE FOR NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.

CENTURY LINK FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES.

COMCAST FOR THE INSTALLATION, MAINTENANCE, AND SERVICE SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE SERVICES.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE WITHIN THE EASEMENT, CHANGE HEIGHTS, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENTS, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRICAL TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS, OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE-GROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR DOMESTIC AND LOCATIONS OF NATIONAL ELECTRICAL SAFETY CODE BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS AS DEPICTED ON THIS PLAT.

EASEMENTS SHALL BE BINDING UPON THE UNDERSIGNED AND THEIR SUCCESSORS AND ASSIGNS.

STORMWATER AGREEMENT:

PROPERTY OWNER(S) HEREBY AGREE THAT ALL STORMWATER EASEMENTS AND ANY OTHER DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY WILL BE MAINTAINED AND KEPT FULLY FUNCTIONAL AS ORIGINALLY DESIGNED AND CONSTRUCTED WITH PRIVATE PROPERTY BOUNDARIES.

THE CITY HAS THE RIGHT OF ACCESS FOR INSPECTION OF SAID IMPROVEMENTS.

THE CITY HAS THE RIGHT IN THE EVENT OF DRAINAGE FACILITY MAINTENANCE EMERGENCY AND AFTER TEN (10) DAYS WRITTEN NOTICE TO THE RESPECTIVE PROPERTY OWNER, TO ENTER AND RESTORE FULL FUNCTIONAL CAPACITY OF THE DRAINAGE IMPROVEMENTS, AND TO LIEN THE PROPERTY FOR SOUTH DIRECT AND INDIRECT COST ASSOCIATED WITH SUCH WORK. BY SIGNATURE AFFIXED TO THIS INSTRUMENT, THE PROPERTY OWNER(S) APPROVE AND AGREE THAT THIS AGREEMENT IS BINDING PERPETUALLY, RUNNING WITH THE LAND, ON PRESENT AND FUTURE OWNERS, HEIRS AND ASSIGNS.

OWNER(S)

_____ _____
RODDY LEEDER SHERRY LEEDER

STATE OF NEW MEXICO)
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 20__, BY RODDY LEEDER AND SHERRY LEEDER.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

UTILITY COMPANY APPROVALS:

_____ _____
COMCAST DATE

IN APPROVING THIS PLAT, PNM PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) AND NEW MEXICO GAS COMPANY (NMGC) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM AND NMGC DO NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT, OR OTHER DOCUMENT WHICH ARE NOT SHOWN ON THIS PLAT.

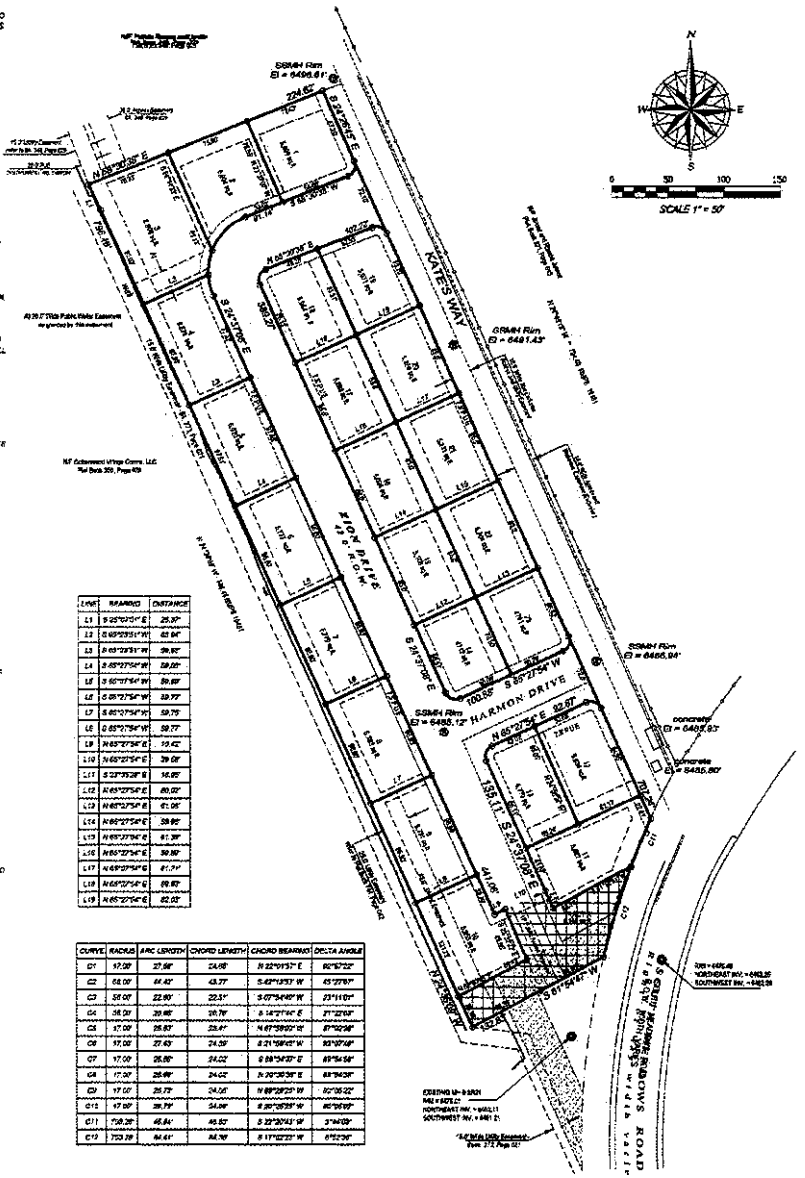
_____ _____
PNM ELECTRIC SERVICE DATE

_____ _____
NM GAS COMPANY DATE

CENTURY LINK DISCLAIMER:

THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE TELEPHONE SERVICE TO THE SUBDIVISION.

_____ _____
CENTURY LINK DATE


SSMH Rim El = 6466.61'
KATES WAY
SSMH Rim El = 6461.43'
ZION DRIVE
HARMONY DRIVE
SSMH Rim El = 6466.09'
SSMH Rim El = 6465.12'
concrete El = 6465.83'
concrete El = 6465.80'
S 24°31'00" E 135.11'
S 61°47'47" W 41.06'
N 65°27'54" E 55.67'
S 65°27'54" W 100.00'
N 24°31'00" W 135.11'
S 24°31'00" E 41.06'
N 65°27'54" E 55.67'
S 65°27'54" W 100.00'
N 24°31'00" W 135.11'
S 24°31'00" E 41.06'
S 61°47'47" W
SOUTH ROADS ROAD
EXISTING 10" S SANITARY SEWER MAIN
EXISTING 10" S SANITARY SEWER MAIN
EXISTING 10" S SANITARY SEWER MAIN

SANGRE AZUL

FINAL SUBDIVISION SUBMITTAL

SANTA FE, NEW MEXICO

SHEET LIST

1	COVER SHEET
2	SITE PLAN
3	SUBDIVISION PLAT
4	BOUNDARY SURVEY & TOPOGRAPHY & SIGNIFICANT TREE SURVEY
5	SLOPE ANALYSIS
6	ROADWAY PLAN AND TYPICAL SECTIONS
7A-7D	ROADWAY PLAN AND PROFILES
8	GRADING AND DRAINAGE PLAN
9	MASTER UTILITY PLAN
10A-10B	WATER PLAN
11A-11C	SANITARY SEWER PLAN & PROFILES
12	DRY UTILITY PLAN
13	LANDSCAPE PLAN
14	TEMPORARY EROSION CONTROL PLAN AND DETAILS
15	PERMANENT EROSION CONTROL PLAN AND DETAILS
16	CITY SPECIFICATIONS
17	GENERAL CONSTRUCTION REQUIREMENTS
18	STREET LIGHT PLAN
A-H	STANDARD DETAILS FOR ROADS, DRAINAGE, WATER AND WASTEWATER

I CERTIFY THAT ACCORDING TO INFORMATION PROVIDED BY OTHERS, THE PROJECT WAS BUILT IN ACCORDANCE WITH THE SPECIFICATIONS, AND THAT THESE RECORD DRAWINGS ARE TRUE AND CORRECT TO THE BEST OF MY BELIEF.

ORALYNN GUERRERORTIZ NMPE 12688 DATE
DESIGN ENGINUITY, LLC

ENGINEER'S STORMWATER INFRASTRUCTURE CERTIFICATION
I, THE UNDERSIGNED, BEING A PROFESSIONAL ENGINEER IN THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE RECORD INFORMATION SHOWN HEREON IS BASED ON ACTUAL FIELD MEASUREMENTS AND VISUAL INSPECTIONS PERFORMED BY MYSELF OR UNDER MY DIRECT SUPERVISION. I FURTHER CERTIFY THAT THE RECORD CONDITION AS OF _____ IS IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED GRADING AND DRAINAGE PLAN PREPARED BY ORALYNN GUERRERORTIZ, DATED _____.

ORALYNN GUERRERORTIZ NMPE 12688 DATE
DESIGN ENGINUITY, LLC

OWNERS:

SHERRY & RODDY LEEDER
SANTA FE, NEW MEXICO 87501

CIVIL ENGINEERING:

DESIGN ENGINUITY
451 LUISA STREET, SUITE 6
SANTA FE, NEW MEXICO 87505
(505) 691-1997

SURVEYOR:

LAND SURVEYING COMPANY, L.L.C.
SALVADOR I. VIGIL, NMPS 10988
P.O. BOX 4384 *505-473-0003*
SANTA FE, NEW MEXICO *CELL 505-603 1511*

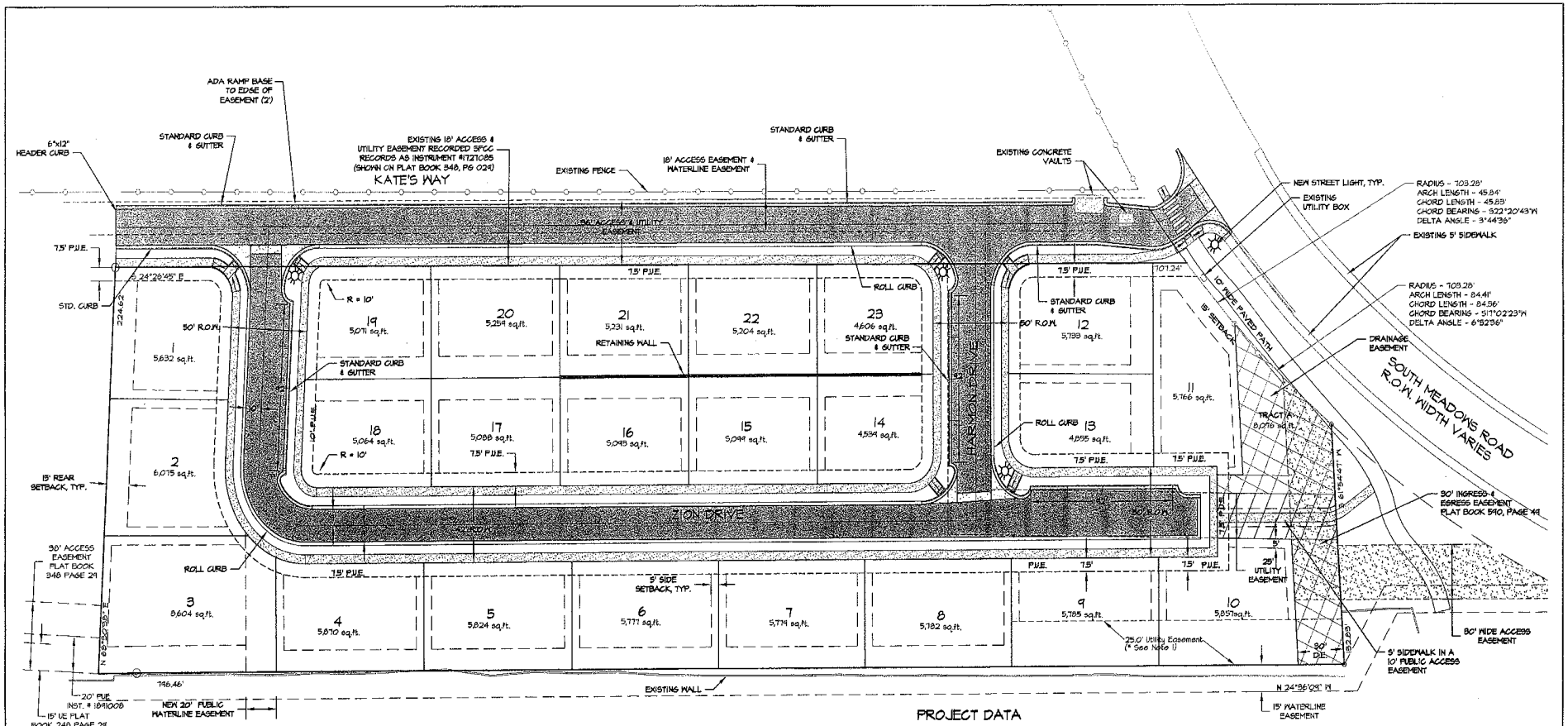
JUNE 19, 2020

REVISIONS

DATE	BY	DATE	BY

Case# 2020-002266--PLAD

SANGRE AZUL FINAL SUBDIVISION SUBMITTAL SANTA FE, NEW MEXICO



DUST CONTROL

All on-site soil disturbing construction activities shall be addressed and provide measures to mitigate or control dust from being transported offsite and polluting neighboring properties.
Any person, owner, contractor or operator who conducts earthmoving and/or dust generating activities is responsible for implementing Best Management Practices (BMPs) in order to mitigate off-property transport of fugitive dust emissions.
A plan, or storm water prevention plan (SWPPP) when applicable, listing the Best Management Practices (BMPs), shall be provided to the City Engineer, or his designee for review and approval. The approved BMPs shall be applied to the graded and/or disturbed soil in order to stabilize the site.
The initial BMP shall address how the Contractor will minimize the amount of disturbed soil, and how the Contractor will stabilize the disturbed surface area exposed to wind or vehicle traffic during construction.
Some BMPs shall include:

The reduction of vehicle speeds: establish a maximum speed limit or install traffic calming devices to reduce speeds to a rate to mitigate off-property transport of dust entrained by vehicles.

The minimization of drop height: Drivers and operators shall unload truck beds and loader or excavator buckets slowly, and minimize drop height of materials to the lowest height possible, including screening operations.

High winds restriction: temporarily halt work activities during high wind events greater than 30 mph if operations would result in off-property transport.

Restrict access: restrict access to the work area to only authorized vehicles and personnel.
In the event the above practices are ineffective to prevent off property transport, the owner, or operator shall use at least one or more of the following Best Management Practices (BMPs).

Wet suppression: apply water to disturbed soil surfaces, backfill materials, screenings, and other dust generating operations as necessary and appropriate considering current weather conditions, and prevent water used for dust control from entering any public right-of-way, storm water drainage facility, or watercourse.

Wind barrier: construct a fence or other type of wind barrier to prevent wind erosion of the graded or disturbed surface.

Vegetation: plant vegetation appropriate for retaining soils or creating a wind break.

Surface roughening: stabilize an active construction area during periods of inactivity or when vegetation cannot be immediately established.

Cover: install cover materials such as tackifiers, erosion control blankets, gravel, vegetation (when appropriate), cold-millings, etc. during periods of inactivity and properly anchor the cover.

Soil retention: stabilize disturbed or exposed soil surface areas that will be inactive for more than 30 days or while vegetation is being established.

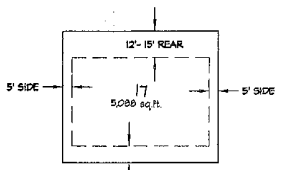
DRAINAGE FACILITIES MAINTENANCE NOTE

ALL DRAINAGE FACILITIES SHALL BE MAINTAINED BY ALL PROPERTY OWNERS. THE PROPERTY OWNERS SHALL ALSO HAVE THE RESPONSIBILITY FOR MAINTENANCE OF THE PUBLIC DRAINAGE EASEMENT.
INSPECTIONS SHALL BE CONDUCTED BY A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF NEW MEXICO OR OTHER QUALIFIED PERSON. INSPECTIONS SHALL BE CONDUCTED ON THE DRAINAGE FACILITIES IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:
ON OR ABOUT MARCH 15, ON OR ABOUT SEPTEMBER 15, AND AFTER EACH STORM EVENT OF 1-INCH OR GREATER. MAINTENANCE OF THE DRAINAGE FACILITIES SHALL BE CONDUCTED AND DOCUMENTED BY THE ENGINEER OR QUALIFIED PERSON AND THE OWNER. THE OWNER SHALL MAINTAIN A FILE OF THE INSPECTIONS AND REMEDIAL ACTION CONDUCTED ON THE DRAINAGE FACILITIES.
WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE ENGINEER'S RECOMMENDATIONS, AND SHALL INCLUDE, BUT IS NOT LIMITED TO THE FOLLOWING:
A. FLUSH ALL CULVERTS, DROP INLETS AND DRAINAGE PIPES TO REMOVE SEDIMENT AND VEGETATION THAT PREVENTS OR HINDERS THE FLOW OF STORM WATER IN THE DRAINAGE STRUCTURE(S).
B. REMOVE SEDIMENT IN PONDS THAT IS GREATER THAN 6-INCHES IN DEPTH, AND IF NECESSARY, RESEED WITH NATIVE GRASSES AND INSTALL FILTER FABRIC AND 3 TO 4 INCH COBBLE AS DIRECTED BY THE ENGINEER.
C. INSPECT FOR SEDIMENTATION IN ALL SWALES, DITCHES, DRAINAGE PONDS AND REMOVE AND STABILIZE AS NECESSARY.
D. INSPECT FOR SOIL EROSION AT ALL DRAINAGE PONDS, CUT AND FILL SLOPES, AND REPAIR OR STABILIZE ACCORDINGLY.
E. INSPECT THE STRUCTURAL INTEGRITY OF DRAINAGE PONDS, SLOPES, RIP-RAP, GABIONS, DROP INLETS, CULVERTS, ENERGY DISSIPATORS, AND RETAINING WALLS, ROCK PLATING, EROSION CONTROL MATS OR BLANKETS, AND REPAIR OR STABILIZE ACCORDINGLY.

LOT	ADDRESS
1	ZION DRIVE
2	ZION DRIVE
3	ZION DRIVE
4	ZION DRIVE
5	ZION DRIVE
6	ZION DRIVE
7	ZION DRIVE
8	ZION DRIVE
9	ZION DRIVE
10	ZION DRIVE
11	ZION DRIVE
12	HARMON DRIVE
13	HARMON DRIVE
14	ZION DRIVE
15	ZION DRIVE
16	ZION DRIVE
17	ZION DRIVE
18	ZION DRIVE
19	KATE'S WAY
20	KATE'S WAY
21	KATE'S WAY
22	KATE'S WAY
23	KATE'S WAY

PROJECT DATA

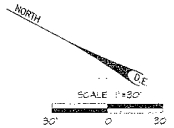
SIZE OF TRACT: 4.04 ACRES +/-
NUMBER OF LOTS: 23 SINGLE-FAMILY LOTS
ZONING: R5
ALLOWABLE LOT COVERAGE: 40% MAXIMUM
SETBACKS: FRONT YARD: 7.5', FRONT FACING GARAGE SETBACK 20'
SIDE YARD: 5'
REAR YARD: 15' OR 20% OF AVERAGE LOT DEPTH, WHICHEVER IS LESS.
MINIMUM LOT SIZE REQUIRED: 4000 SF
MAXIMUM BUILDING HEIGHT: 24'



TYPICAL LOT SETBACK

1. ALL GARAGES FACING STREET HAVE A 20' FRONT SETBACK.
2. REAR SETBACK IS 15' OR 20% OF THE AVERAGE DEPTH OF LOT, WHICHEVER IS LESS.

NOTES:
1. THE 25' UTILITY EASEMENT MAY BE VACATED OR REDUCED IN SIZE.
2. THE PROJECT SHALL COMPLY WITH THE PROVISION OF THE GUNNISON'S PRAIRIE DOG ORDINANCE (ARTICLE 14-08.12).
3. THIS DEVELOPMENT SHALL COMPLY WITH THE MOST CURRENT REQUIREMENT OF THE AMERICAN WITH DISABILITIES ACT (ADA).



LEGEND

- DRAINAGE EASEMENT
- UTILITY EASEMENT
- ACCESS EASEMENT
- STANDARD CURB AND GUTTER
- ROLL CURB AND GUTTER

REVISIONS

DATE	BY

DESIGN ENGINUITY
701 LUISA STREET, SUITE 6
SANTA FE, NEW MEXICO 87505
(505) 995-1991

SANGRE AZUL

SITE PLAN

SCALE	DWG NO.	DATE
1"=30'		06/19/2020
FILE NAME =		SHEET NO. 2

DEDICATION AFFIDAVIT:

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) AND OR PROPRIETOR(S) HAVE CAUSE TO BE SURVEYED THOSE LANDS DEPICTED ON THE PLAT HEREON. THIS SUBDIVISION CONTAINS AN AREA OF 4.0458 ACRES MORE OR LESS. THIS SUBDIVISION LIES WITHIN THE PLATTING JURISDICTION OF THE CITY OF SANTA FE, STATE OF NEW MEXICO.

TRACT A IS DEDICATED TO SANGRE AZUL HOA FOR OWNERSHIP AND MAINTENANCE. ZION DRIVE AND HARMONY DRIVE RIGHT OF WAYS ARE DEDICATED TO THE CITY OF SANTA FE FOR OWNERSHIP AND MAINTENANCE. THE SANGRE AZUL HOA SHALL OWN AND MAINTAIN THE ROADS UNTIL THE CITY OF SANTA FE ACCEPTS THEM.

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM), A NEW MEXICO CORPORATION, (PNM ELECTRIC) FOR INSTALLATION, MAINTENANCE, AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES. EASEMENTS FOR ELECTRIC TRANSFORMERS/SWITCHGEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMERS/SWITCHGEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE, AND SERVICE FOR NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.

CENTURY LINK: FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES.

COMCAST FOR THE INSTALLATION, MAINTENANCE, AND SERVICE SUCH LINES, CABLE AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE SERVICES.

INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE WITHIN THE EASEMENT, CHANGE REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE; TOGETHER WITH FREE ACCESS TO, FROM, AND OVER SAID EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER, AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, INCLUDING SUFFICIENT WORKING AREA SPACE TO ELECTRICAL TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS, OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN POOL (ABOVEGROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE BY CONSTRUCTION OF POOLS, DECKING, OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS AS DEPICTED ON THIS PLAT.

EASEMENTS SHALL BE BINDING UPON THE UNDERSIGNED AND THEIR SUCCESSORS AND ASSIGNS.

STORMWATER AGREEMENT:
PROPERTY OWNER(S) HEREBY AGREE THAT ALL STORMWATER EASEMENTS AND ANY OTHER DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY WILL BE MAINTAINED AND KEPT FULLY FUNCTIONAL AS ORIGINALLY DESIGNED AND CONSTRUCTED WITH PRIVATE PROPERTY BOUNDARIES.

THE CITY HAS THE RIGHT OF ACCESS FOR INSPECTION OF SAID IMPROVEMENTS.

THE CITY HAS THE RIGHT IN THE EVENT OF DRAINAGE FACILITY MAINTENANCE EMERGENCY AND AFTER TEN (10) DAYS WRITTEN NOTICE TO THE RESPECTIVE PROPERTY OWNER, TO ENTER AND RESTORE FULL FUNCTIONAL CAPACITY OF THE DRAINAGE IMPROVEMENTS, AND TO LIEN THE PROPERTY FOR BOUTH DIRECT AND INDIRECT COST ASSOCIATED WITH SUCH WORK. BY SIGNATURE AFFIXED TO THIS INSTRUMENT, THE PROPERTY OWNER(S) APPROVE AND AGREE THAT THIS AGREEMENT IS BINDING PERPETUALLY, RUNNING WITH THE LAND, ON PRESENT AND FUTURE OWNERS, HEIRS, AND ASSIGNS.

OWNER(S)

_____ _____
RODDY LEEDER SHERRY LEEDER

STATE OF NEW MEXICO)
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED AND SUBSCRIBED BEFORE ME THIS _____ DAY OF ___ 20, BY RODDY LEEDER AND SHERRY LEEDER.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

UTILITY COMPANY APPROVALS:

_____
COMCAST DATE

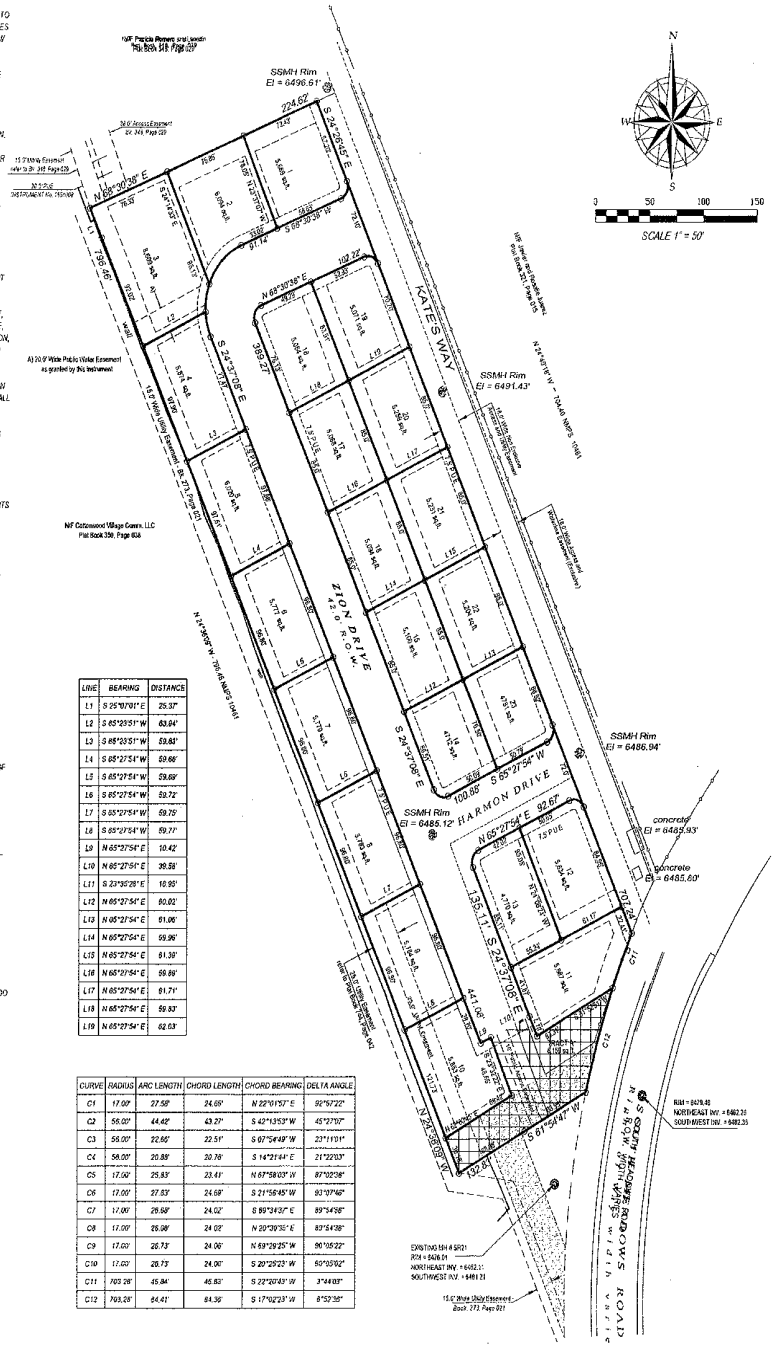
IN APPROVING THIS PLAT, PNM PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) AND NEW MEXICO GAS COMPANY (NMGC) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM AND NMGC DO NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT, OR OTHER DOCUMENT WHICH ARE NOT SHOWN ON THIS PLAT.

_____
PNM ELECTRIC SERVICE DATE

_____
NM GAS COMPANY DATE

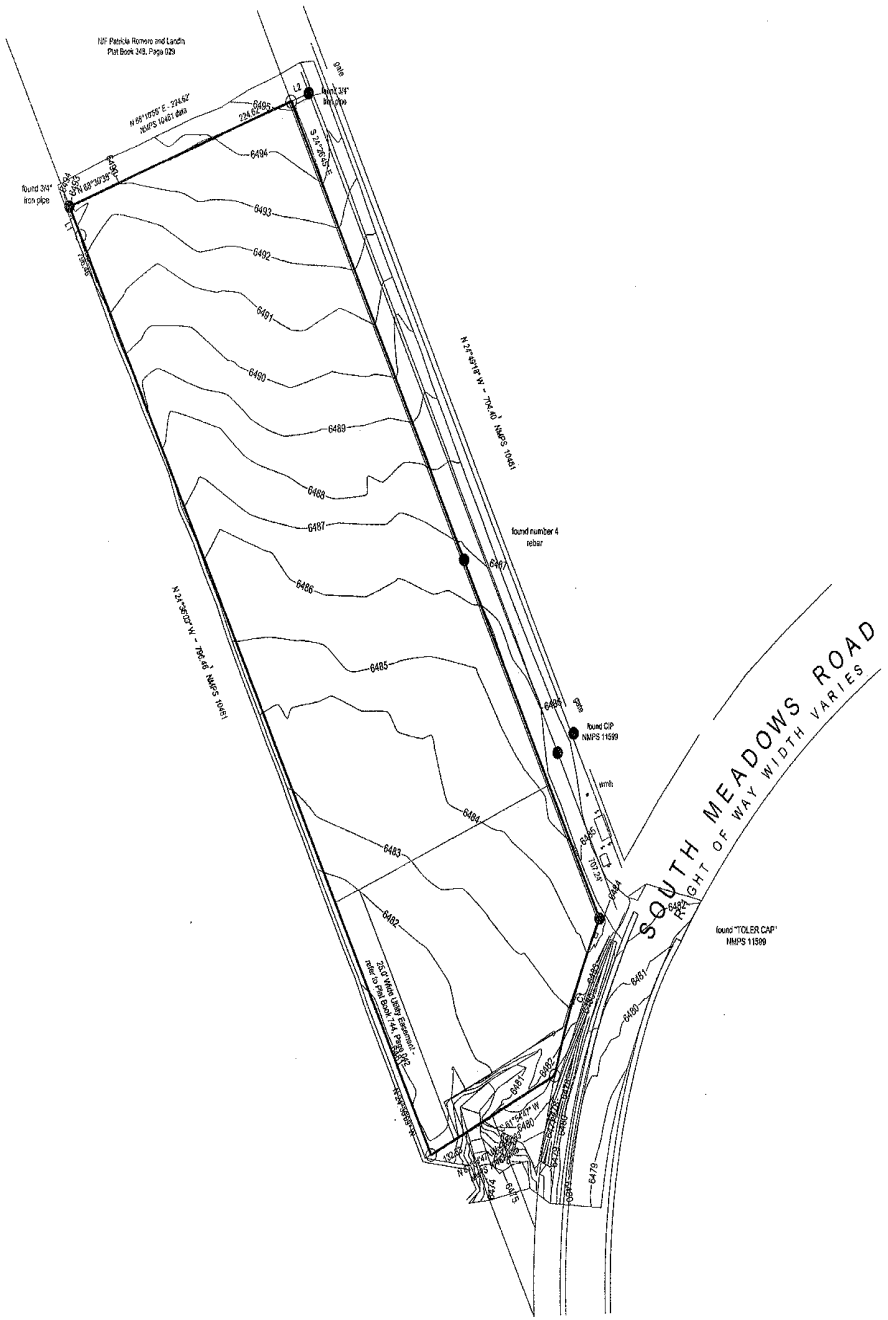
CENTURY LINK DISCLAIMER:
THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE TELEPHONE SERVICE TO THE SUBDIVISION.

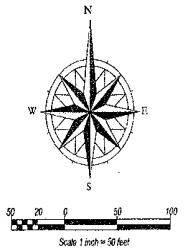
_____
CENTURY LINK DATE


N
W
E
S
0 50 100 150
SCALE 1" = 50'
SSMH Rim El = 6496.61'
SSMH Rim El = 6491.43'
SSMH Rim El = 6486.94'
SSMH Rim El = 6486.12'
KATE'S WAY
ZION DRIVE
HARMON DRIVE
S 24°26'45" E 224.62'
N 65°33'15" E 180.00'
N 24°26'45" W 224.62'
S 65°33'15" W 180.00'
S 24°37'06" E 988.27'
N 65°27'54" E 92.67'
S 65°27'54" W 100.88'
N 24°37'06" W 988.27'
S 24°37'06" E 135.11'
S 61°54'47" W 132.81'
N 24°37'06" W 135.11'
S 24°37'06" E 70.24'
concrete El = 6485.93'
concrete El = 6485.60'
EXISTING NM 4 SR21
ROW = 8478.01
NORTHEAST INV. = 6482.51
SOUTHWEST INV. = 6481.21
15.0' Wide Utility Easement Book 373, Page 021
NM HIGHWAY 4 SR21
NORTH BOUND LANES
SOUTH BOUND LANES
RIGHT OF WAY VARIES
ROAD
RIM = 8479.88
NORTHEAST INV. = 6482.38
SOUTH-WEST INV. = 6482.35
NM 4 SR21 (NORTH BOUND LANES)
NM 4 SR21 (SOUTH BOUND LANES)
N 24°26'45" W - 224.62' (M&P) - 224.62'
N 24°26'45" W - 224.62' (M&P) - 224.62'
A) 30.0' Wide Public Water Easement as granted by this instrument
14.0' Wide Utility Easement Bk. 373, Page 021
NM Cottonwood Village Comm. LLC Plat Book 339, Page 008
NM Patricia Romero and Lourdes Plat Book 318, Page 029
30.0' Access Easement Bk. 349, Page 029
15.0' Wide Utility Easement refer to Bk. 349, Page 029
N 24°26'45" W - 224.62' (M&P) - 224.62'
N 24°26'45" W - 224.62' (M&P) - 224.62'
N 24°26'45" W - 224.62' (M&P) - 224.62'

TOPOGRAPHY SURVEY PLAT PREPARED FOR

KATES WAY





LEGEND

Elevations are derived from Static Readings reduced by OPUS at GPS Base Station. NAVD 88 Elevation = 6495.0'

Major Contour

Minor Contour

SURVEYORS CERTIFICATE

I, Salvador I. Vigil, a Registered New Mexico Professional Surveyor do hereby certify that this Topography Survey Plat was prepared from an actual field survey performed by me or under my direct supervision on November 10, 2016. The boundaries as depicted on the plat hereon were established using found monuments and documents of record. This survey is not a Land Division or Subdivision as per the New Mexico Subdivision Act. This survey meets the minimum standards for Topography surveys set forth by the New Mexico Board of licensure for Professional Surveyors and Engineers.

PRELIMINARY SURVEY FOR REVIEW ONLY

Salvador I. Vigil, NMPS 10988

U.P.C. 1-048-096-376-469

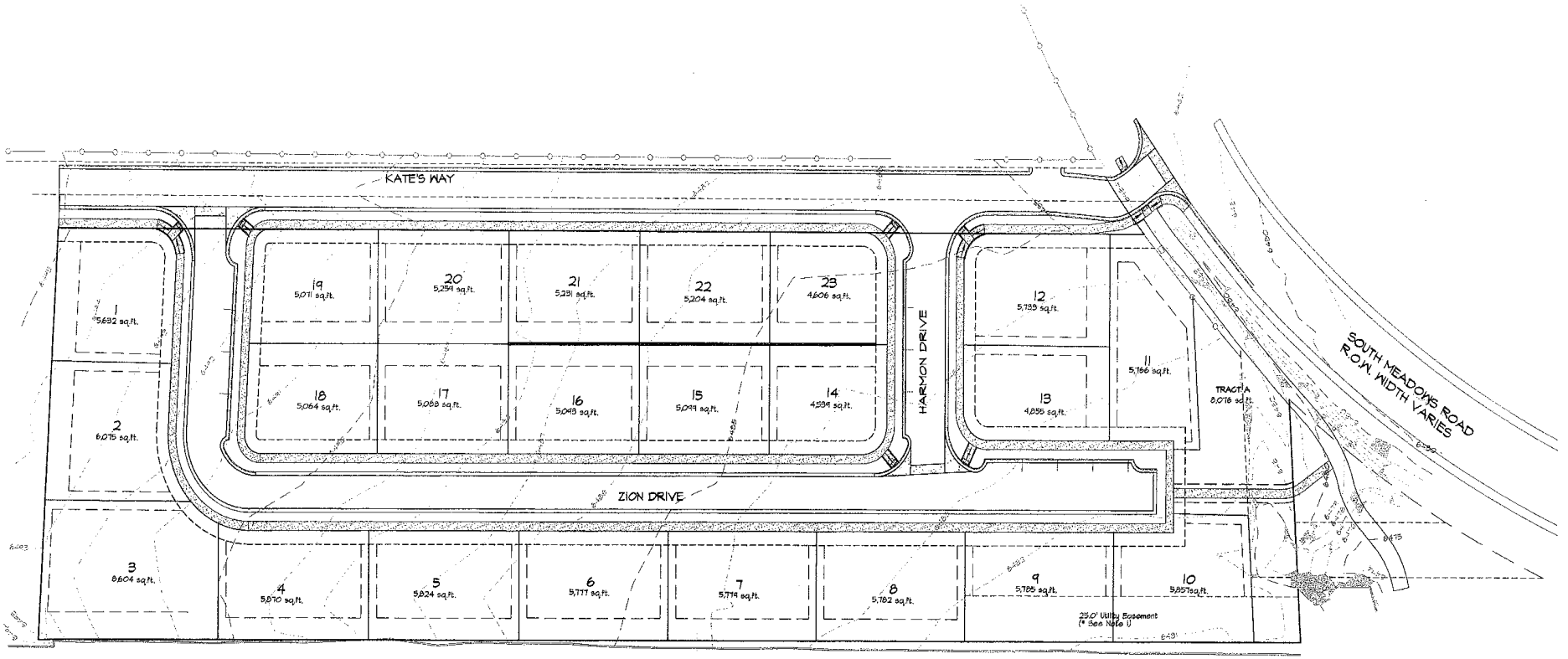
LAND SURVEYING COMPANY, L.L.C.

SALVADOR I. VIGIL, NMPS 10988

P.O. BOX 4384 *505-473-0003*

SANTA FE, NEW MEXICO *CELL 505-603-1511*

PREPARED BY	S.I. Vigil, NMPS	SANTA FE COUNTY CLERK'S INDEX INFORMATION
DATE	8/29/2016	KATES WAY SUBDIVISION
PROJECT No.	L-2830 / TOPO	0 KATES WAY
CHECKED	S.I. Vigil, PM	SEC. 1, T.16 N., R.8 E., N.M.P.M.
SHEET No.	One	CITY OF SANTA FE, STATE OF NEW MEXICO



SLOPE LEGEND

- 0-20% SLOPE USING 1' CONTOUR INTERVALS
- 20%-30% SLOPE USING 1' CONTOUR INTERVALS
- 30% AND GREATER SLOPE USING 5' CONTOUR INTERVALS

SEE SHEET 4 FOR SOURCE OF TOPOGRAPHY SHOWN HEREON

NORTH

SCALE 1"=30'

30' 0 30'

REVISIONS

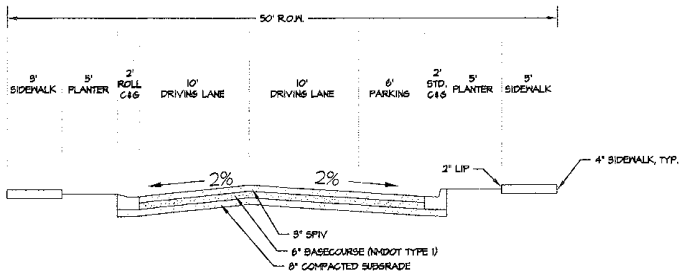
DATE	BY

DESIGN ENGINUITY
1101 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 995-9557

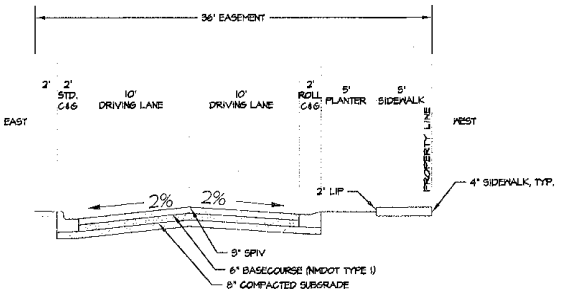
SANGRE AZUL

SLOPE ANALYSIS

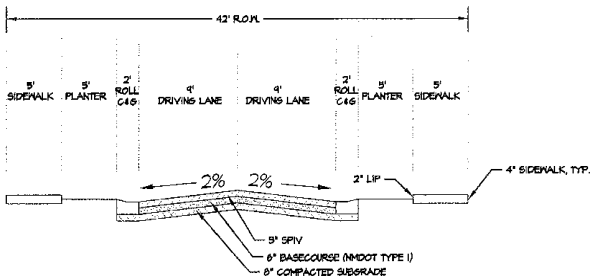
SCALE	DRG NO	DATE
1"=30'		06/19/2020
MDR CASE #		SHEET NO 5



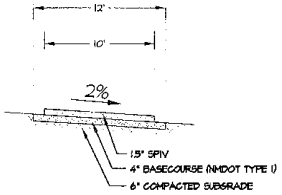
ZION DRIVE & MARION
SUBCOLLECTOR W/ PARKING ONE SIDE



MAIN & MAY
MODIFIED SUBCOLLECTOR ON A "NO" PARKING



ZION DRIVE
SUBCOLLECTOR W/ "NO" PARKING



PAVED PATH

SIGN AND POST REQUIREMENTS:

1. ALL ALUMINUM PANEL SIGNING AND STEEL POSTS SHALL COMPLY WITH THE NMDOT CURRENT EDITION OF THE STANDARD SPECIFICATIONS FOR BRIDGE CONSTRUCTION.

2. ALL SIGNING SHALL COMPLY WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES - CURRENT EDITION.

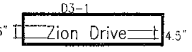
3. SIGN POSTS WITH APPROVED BREAKAWAY DEVICE SHALL BE "MARION" BRAND 4 LB/FT U CHANNEL BLACK. NO SUBSTITUTES ALLOWED.

4. SIGN SHEETING SHALL BE "3M" BRAND HIGH INTENSITY. NO SUBSTITUTIONS.

5. SIGN HEIGHT SHALL BE A MINIMUM OF 7' HIGH FROM THE BOTTOM OF THE LOWEST SIGN.

6. S.F. CITY APPROVED ROAD NAME STREET SIGNS (D3-1) SHALL BE PLACED AT ALL ROAD INTERSECTIONS MOUNTED ABOVE STOP SIGNS.

7. STREET NAME SIGNS SHALL FOLLOW MUTCD (2004 EDITION) SECTION 2D-48 REQUIREMENTS.



LETTER AND BORDER WHITE. BACKGROUND GREEN.

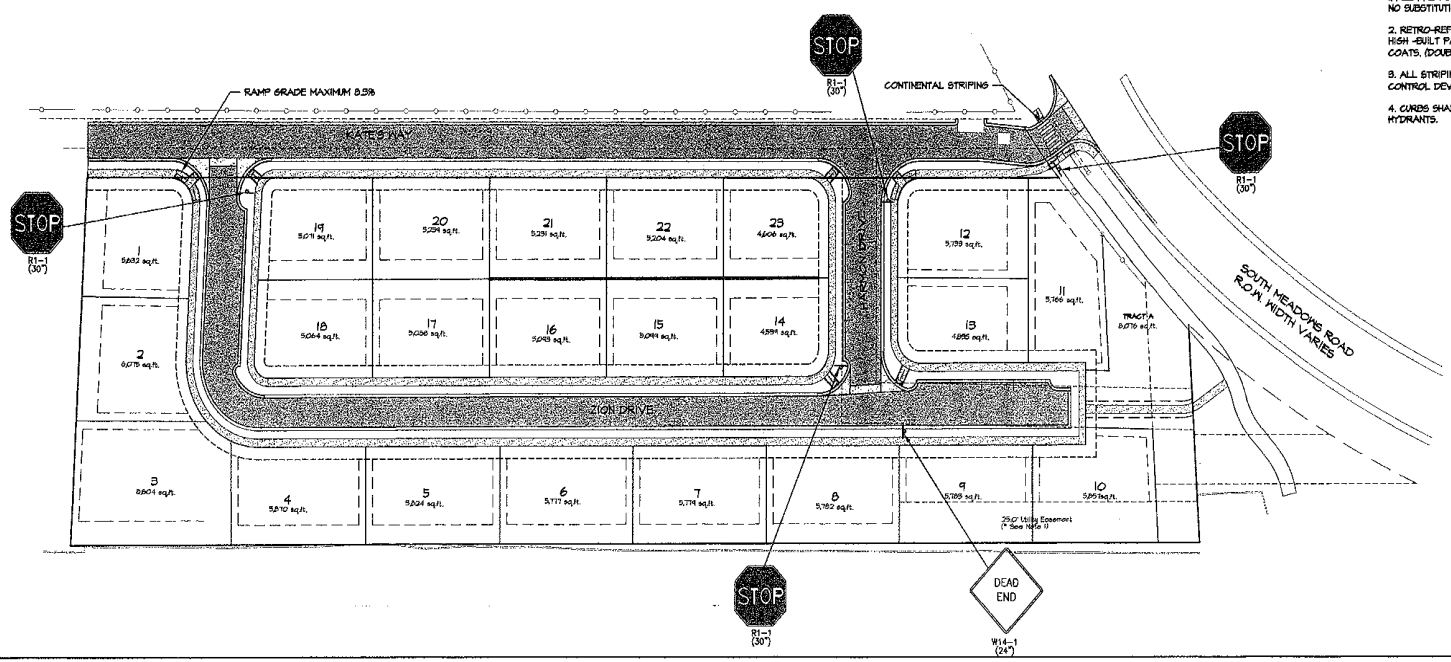
STRIPING AND PAINT NOTES:

1. ALL PRE-FORMED PAVEMENT MARKINGS SHALL BE 380 IES BY "3M", NO SUBSTITUTIONS.

2. RETRO-REFLECTORIZED PAINTED PAVEMENT MARKING STRIPES - FOR HIGH -BUILT PAINT, USE TWO COATS AND FOR REGULAR PAIN USE THREE COATS. (DOUBLE APPLICATION TO BE APPLIED WITHIN 14 DAYS.)

3. ALL STRIPING SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, (MUTCD) CURRENT EDITION.

4. CURBS SHALL BE PAINTED RED 10' EITHER SIDE OF ALL FIRE HYDRANTS.



REVISIONS

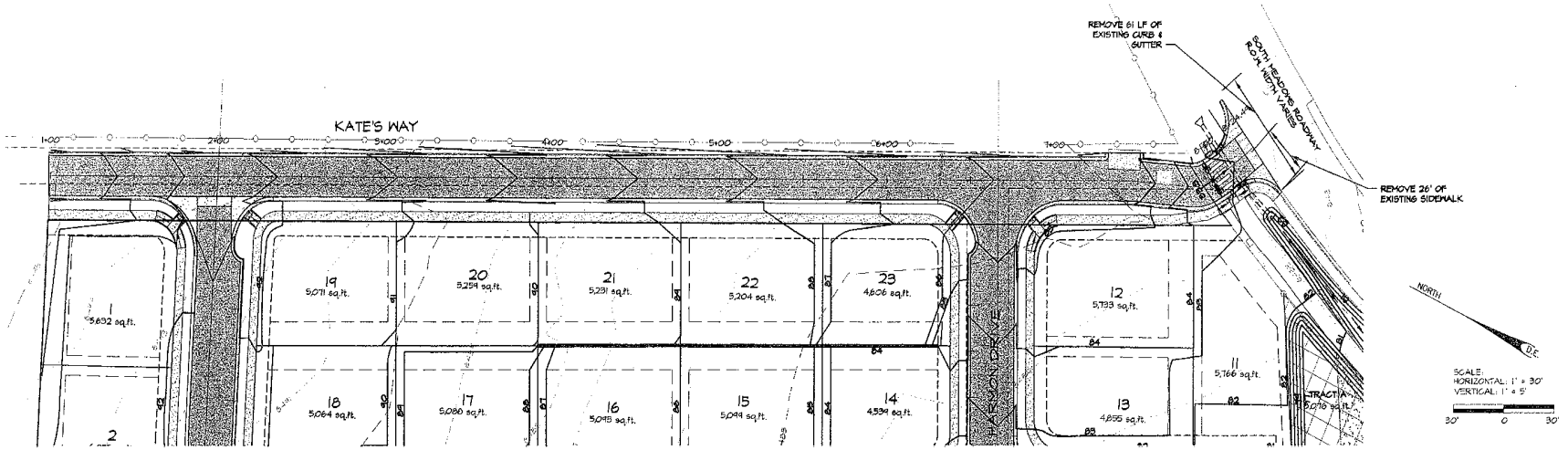
DATE	BY

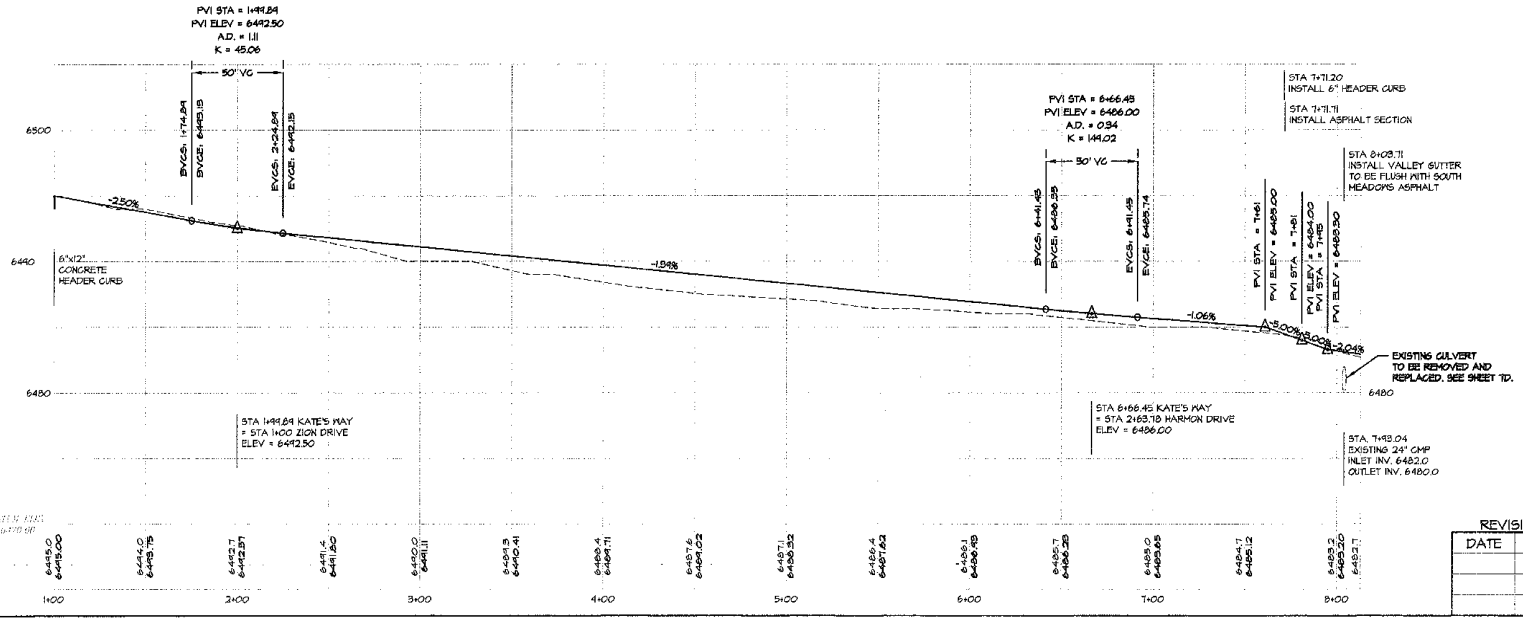
DESIGN ENGINUITY
461 LUISA STREET, SUITE C
SANTA FE, NEW MEXICO 87505
(505) 989-9597

SANGRE AZUL

ROADWAY PLAN & TYPICAL SECTIONS

SCALE:	DWG NO.	DATE:
AS SHOWN		06/19/2020
PAGE SIZE: 24"		SHEET NO. 6





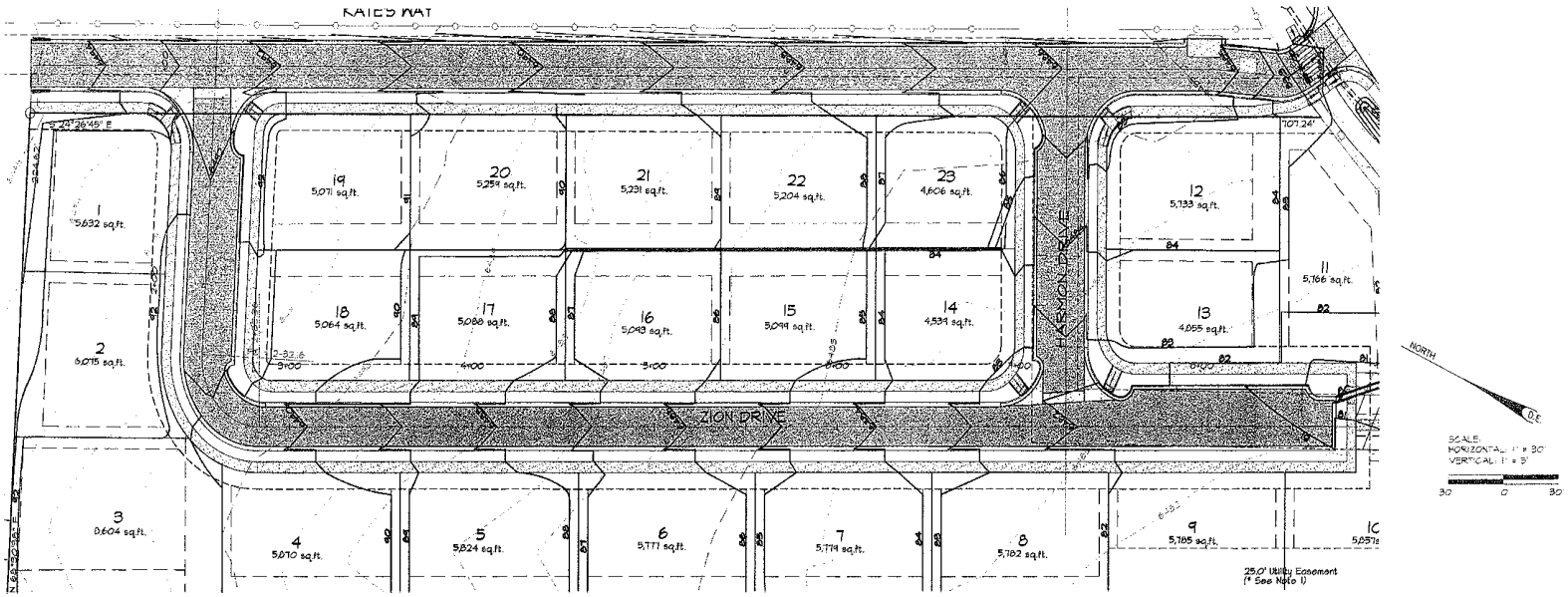
REVISIONS	
DATE	BY

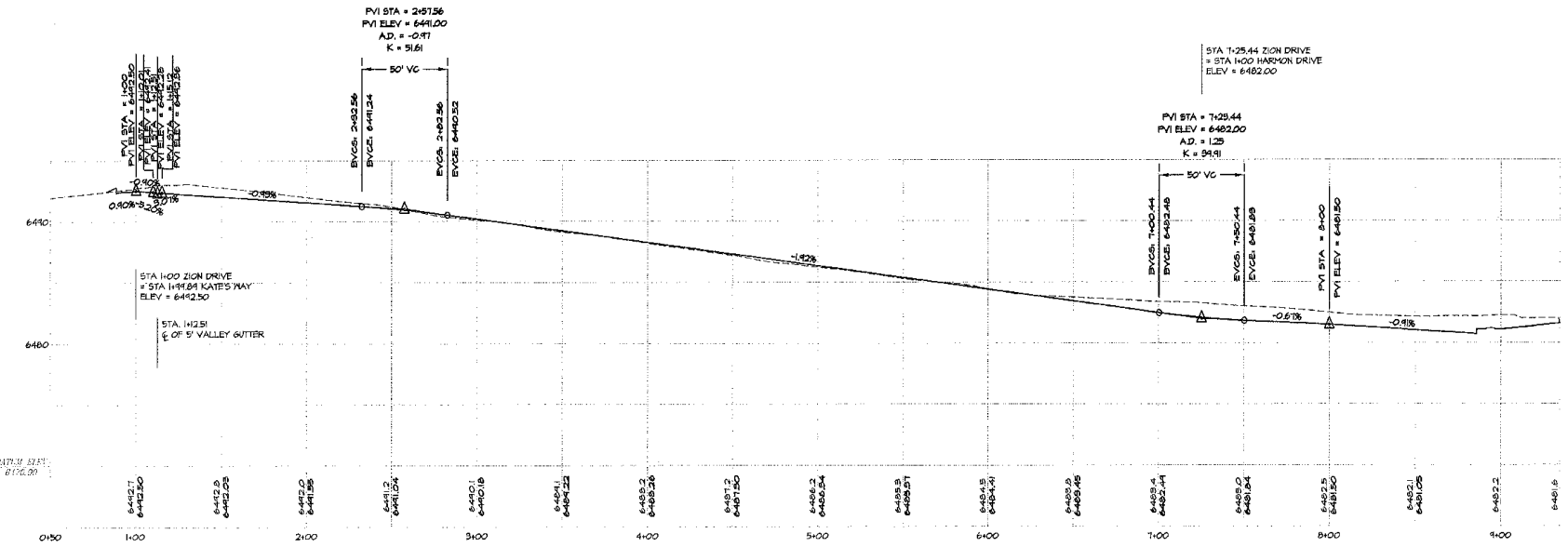
DESIGN ENGINUITY
1101 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 795-7557

SANGRE AZUL

KATE'S WAY PLAN AND PROFILE

SCALE	DRB NO.	DATE
1"=30'		06/19/2020
PLAN CASE #		SHEET NO. 7A





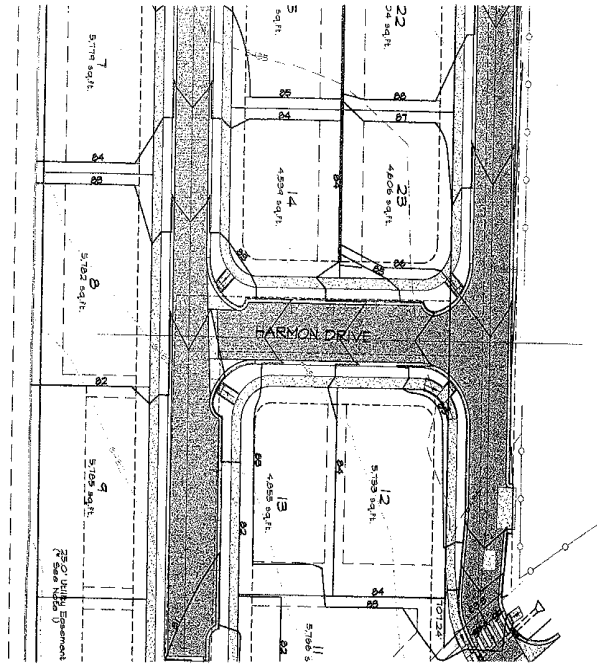
DESIGN ENGINUITY
401 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 881-7997

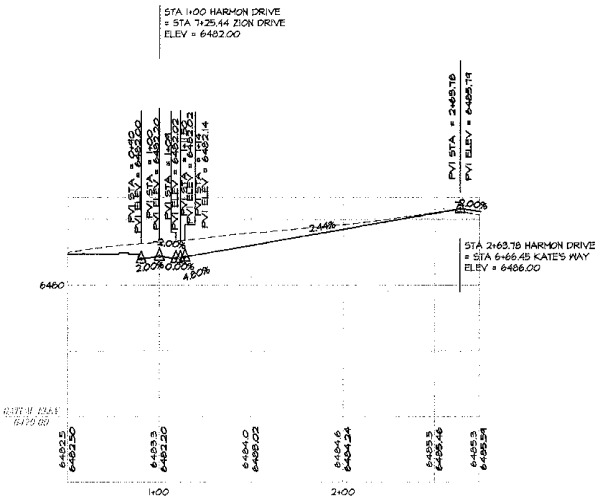
SANGRE AZUL

ZION DRIVE PLAN AND PROFILE

REVISIONS	
DATE	BY

SCALE	DRG NO.	DATE
1"=30'		06/19/2020
PROJECT #		SHEET NO. 7B





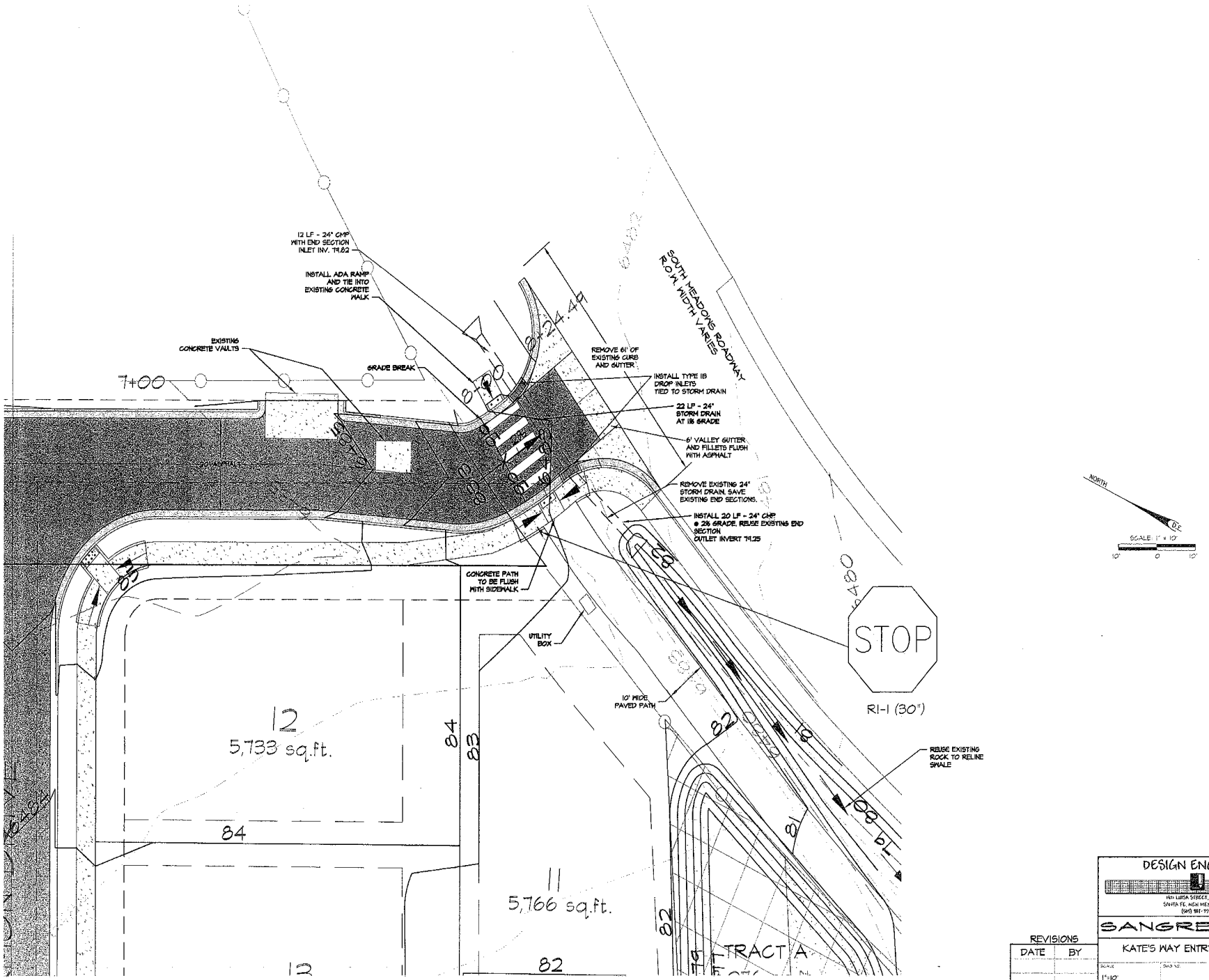
DESIGN ENGINUITY
1491 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 995-9557

SANGRE AZUL

HARMON DRIVE PLAN AND PROFILE

REVISIONS	
DATE	BY

SCALE	JOB NO.	DATE
1"=30'		06/19/2020
PLOT DATE =		SHEET NO. TC



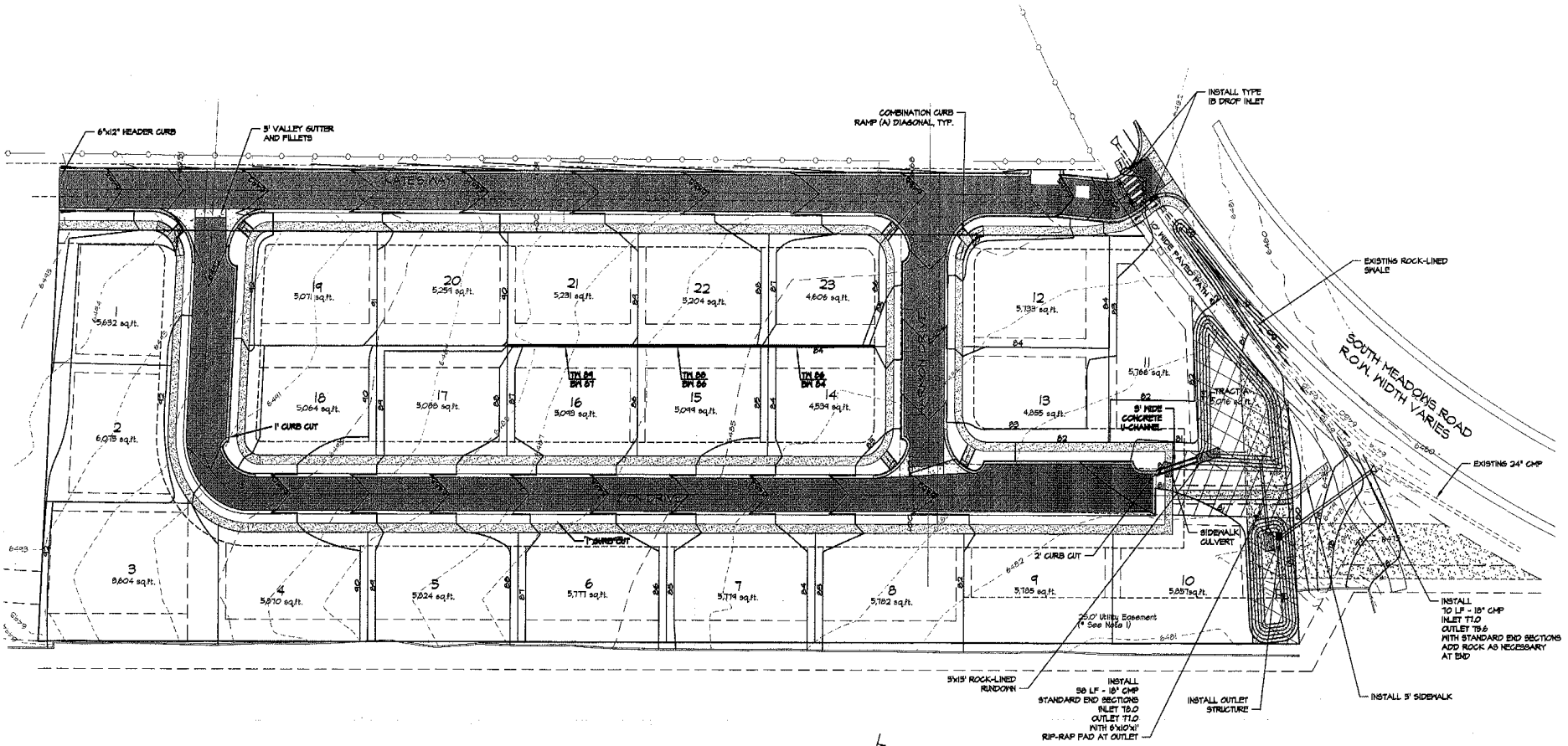
DESIGN ENGINUITY
1601 LUISA STREET, SUITE C
SANTA FE, NEW MEXICO 87505
(505) 981-1591

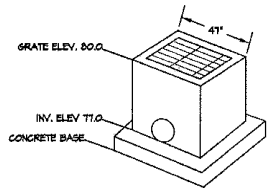
SANGRE AZUL

KATE'S WAY ENTRYWAY DETAIL

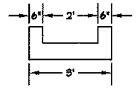
REVISIONS	
DATE	BY

SCALE: 1"=10'
DATE: 05/01/2020
SHEET NO: 10





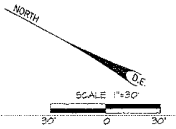
OUTLET STRUCTURE



CONCRETE U-CHANNEL

OUTLET STRUCTURE SPECIFICATIONS:
ALBUQUERQUE VAULT COMPANY, TYPE C, SINGLE
STORM INLET. (STEPS NOT REQD). TOP OF GRATE ELEV. 6480.0
CORE DRILL 10" HOLE IN VAULT AT INV 71.0
ORIFACE CAPACITY = 4.19 CFS @ ELEV 6480.0

NOTE: ON-LOT PONDING REQUIRED FOR LOT DEVELOPMENT



REVISIONS

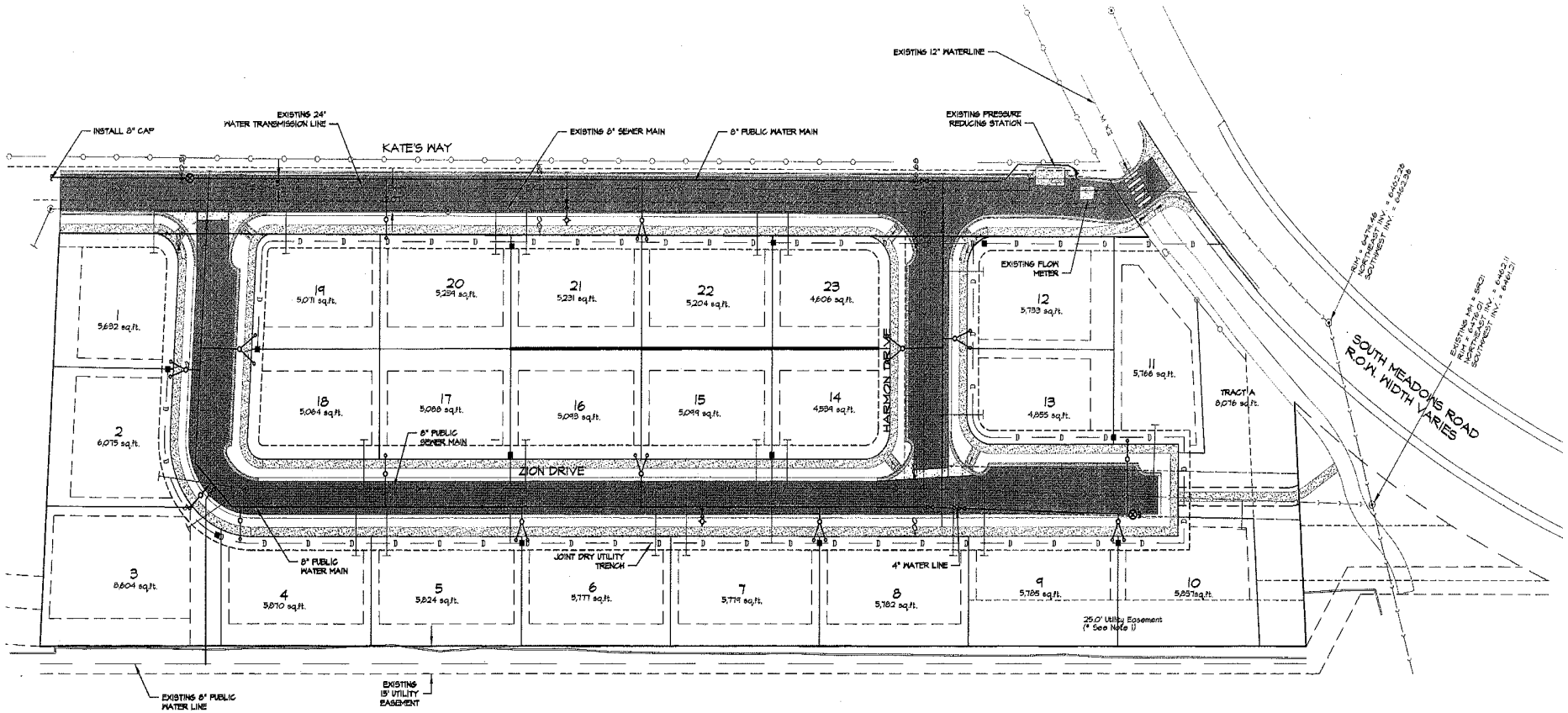
DATE	BY

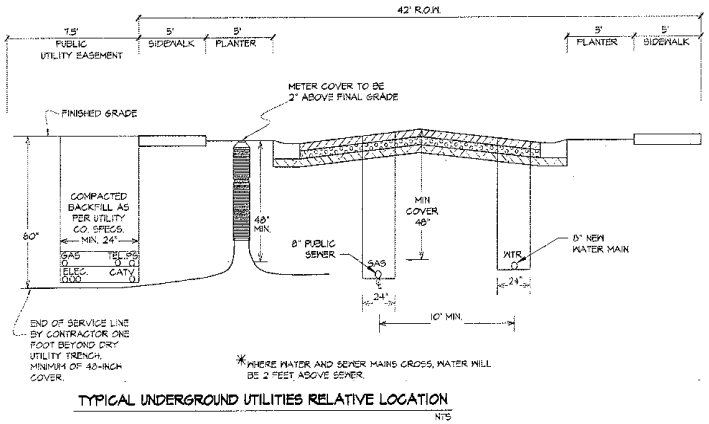
DESIGN ENGINUITY
1431 LUISA STREET, SUITE C
SANTA FE, NEW MEXICO 87505
(505) 661-9551

SANGRE AZUL

GRADING AND DRAINAGE PLAN

SCALE	JOB NO.	DATE
1"=30'		06/19/2020
DESIGN CHECK		SHEET NO. 8



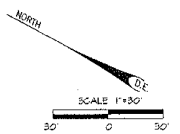


TYPICAL UNDERGROUND UTILITIES RELATIVE LOCATION

NTS

LEGEND

- EXISTING WATER GATE VALVE
- EX W — EXISTING WATERLINE, SIZE AS NOTED
- WATER LINE CAP
- NEW FIRE HYDRANT
- NEW 8" WATERLINE, UNLESS OTHERWISE NOTED.
- NEW OPEN WATER GATE VALVE
- NEW CLOSED WATER GATE VALVE
- SINGLE WATER SERVICE
- DOUBLE WATER SERVICE
- EXISTING 8" PUBLIC GRAVITY SEWER
- EXISTING SAS MANHOLE
- NEW SAS GRAVITY MANHOLE
- 8" GRAVITY SEWER WITH 4" SEWER SERVICE LINE
- D — JOINT DRY UTILITY TRENCH (CABLE, ELECTRIC, GAS AND TELEPHONE)
- DRY UTILITY BOXES



REVISIONS

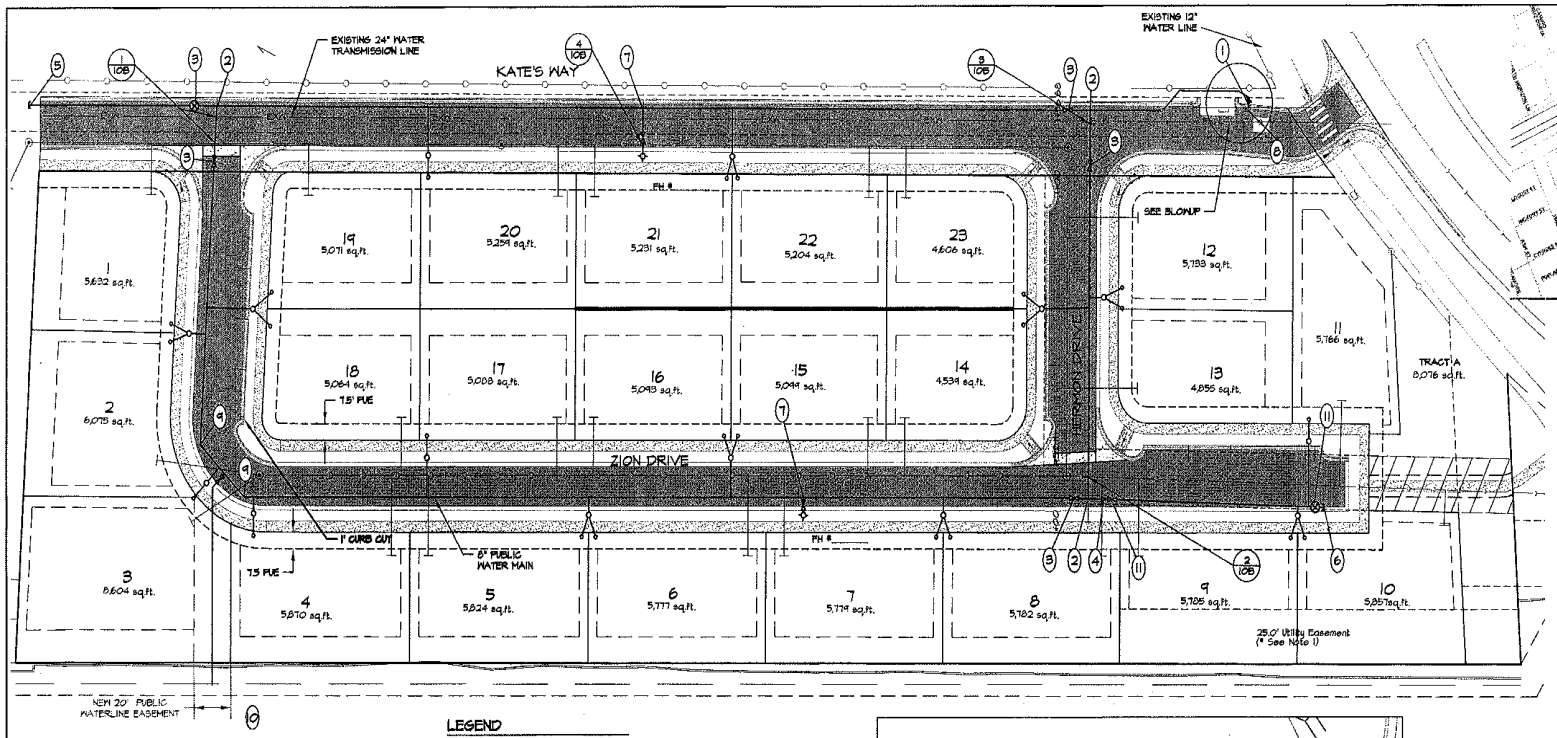
DATE	BY

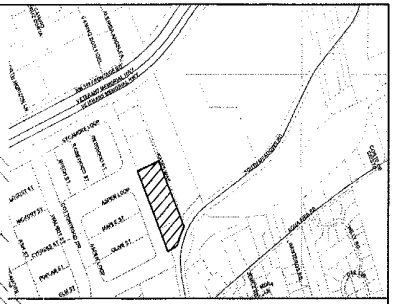
DESIGN ENGINUITY
1431 LUISA STREET, SUITE C
SANTA FE, NEW MEXICO 87505
(505) 795-7991

SANGRE AZUL

MASTER UTILITY PLAN

SCALE	DWG NO	DATE
1"=30'		06/19/2020
PROJECT #		SHEET NO. 9





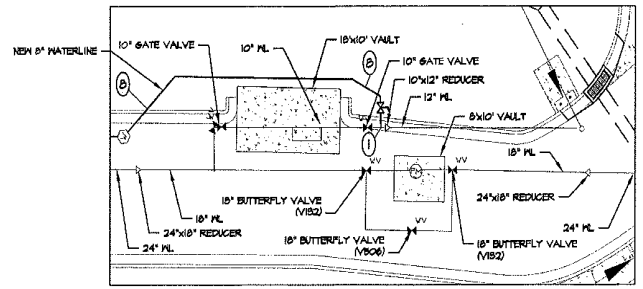
VICINITY MAP - NOT TO SCALE

WATER SERVICE DESIGN TABLE ALL 5/8" WITH @ PEAK = 20 GPM

LOT	ADDRESS
1	ZION DRIVE
2	ZION DRIVE
3	ZION DRIVE
4	ZION DRIVE
5	ZION DRIVE
6	ZION DRIVE
7	ZION DRIVE
8	ZION DRIVE
9	ZION DRIVE
10	ZION DRIVE
11	ZION DRIVE
12	HARMON DRIVE
13	HARMON DRIVE
14	ZION DRIVE
15	ZION DRIVE
16	ZION DRIVE
17	ZION DRIVE
18	ZION DRIVE
19	KATE'S WAY
20	KATE'S WAY
21	KATE'S WAY
22	KATE'S WAY
23	KATE'S WAY

LEGEND

- EXISTING WATER GATE VALVE
- EX W — EXISTING WATERLINE, SIZE AS NOTED
- WATER LINE CAP
- NEW FIRE HYDRANT
- NEW 8" WATERLINE, UNLESS OTHERWISE NOTED.
- NEW OPEN WATER GATE VALVE
- NEW CLOSED WATER GATE VALVE
- SINGLE WATER SERVICE
- DOUBLE WATER SERVICE



GENERAL NOTES FOR WATER LINE EXTENSIONS

1. CONTRACTOR WILL NOTIFY THE SANGRE DE CRISTO WATER DIVISION (SDCW) 5 DAYS PRIOR TO INITIATING ANY CONSTRUCTION WORK.
2. CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE SDCW CONSTRUCTION SPECIFICATIONS AND STANDARD DETAILS.
3. ALL EASEMENTS WILL BE DEDICATED, CLEARED AND GRADED, AND STAKED PRIOR TO WATER LINE INSTALLATION.
4. ALL STREETS WILL BE CUT TO GRADE PRIOR TO WATER LINE INSTALLATION.
5. ALL LOT CORNERS WILL BE STAKED PRIOR TO SERVICE LINE INSTALLATION. CURB AND GUTTER WILL BE INSTALLED PRIOR TO WATER LINE INSTALLATION UNLESS OTHERWISE APPROVED IN WRITING BY SDCW.
6. CONTRACTOR (DEVELOPER) SHALL PROVIDE CONSTRUCTION STAKING, PERFORMED BY A NEW MEXICO LICENSED SURVEYOR, UTILIZING THE APPROPRIATE RIGHT-OF-WAY MAPS, SIGNED PLATS AND SDCW DRAWINGS.
7. MATERIALS SUBMITTALS SHALL BE APPROVED BY SDCW PRIOR TO CONSTRUCTION.
8. CONTACT NEW MEXICO ONE CALL AT 1-800-321-2537, FOR UTILITY SPOTTING, NOT LESS THAN TWO WORKING DAYS IN ADVANCE OF CONSTRUCTION.
9. PRESSURE REGULATORS WILL BE INSTALLED ON ALL SERVICES DOWNSTREAM FROM THE METER.
10. PRESSURE REGULATOR AND PRESSURE SYSTEMS MUST BE APPROVED BY THE CITY OF SANTA FE PRIOR TO INSTALLATION.
11. A MINIMUM OF 4 FEET COVER TO TOP OF PIPE SHALL BE MAINTAINED.
12. CONTRACTOR SHALL SUBMIT VALVE TIES TO SDCW WITHIN 5 DAYS AFTER COMPLETION OF INSTALLATION.
13. CONTRACTOR SHALL SUBMIT FITTING TIES AND LENGTHS BETWEEN FITTINGS TO SDCW, WITHIN 5 DAYS AFTER COMPLETION OF WORK. THIS INCLUDES DISTANCES FROM CORPORATION STOP TO CORPORATION STOP. AS-BUILT QUANTITIES AND MEASUREMENTS SHALL BE LEGIBLE AND PROVIDED ON SDCW DRAWINGS OR OTHER METHOD APPROVED IN ADVANCE BY SDCW.
14. ALL VALVE BOXES SHALL BE BROUGHT UP TO GRADE, AFTER THE FIRST COURSE OF ASPHALT.
15. FIRE HYDRANTS SHALL BE NUMBERED USING REFLECTIVE SELF-ADHESIVE NUMERALS. THESE REFLECTIVE NUMERALS SHALL BE OBTAINED BY THE CONTRACTOR FROM THE SDCW FIELD REPRESENTATIVE, AT THE TIME THE INDIVIDUAL TASK AUTHORIZATION (ITA) IS ISSUED. NUMBERS SHALL LEGIBLE FROM THE ROAD.
16. A MECHANICAL RESTRAINT SYSTEM SHALL BE UTILIZED ON FITTINGS AND PIPING FOR THRUST RESTRAINT. CONCRETE THRUST BLOCKING SHALL BE USED ONLY FOR SPECIAL CONDITIONS (E.G. AT TEMPORARY CAPS WHERE MAIN IS EXPECTED TO BE EXTENDED IN THE FUTURE AS SPECIFICALLY SHOWN ON DRAWINGS APPROVED BY SDCW.
17. ANY FIELD CHANGES TO THESE DESIGN DRAWINGS SHALL REQUIRE PRIOR APPROVAL BY BOTH THE DESIGN ENGINEER AND SDCW.
18. WORK ON EXISTING SDCW FACILITIES CANNOT PROCEED UNTIL SDCW HAS ISSUED THE RELEVANT ITA TO THE CONTRACTOR.
19. CONTRACTOR SHALL SEND WRITTEN NOTIFICATION TO ALL CURRENT SDCW CUSTOMERS, WHOSE SERVICES WILL BE AFFECTED BY THIS PROJECT'S CONSTRUCTION ACTIVITIES, ONE WEEK IN ADVANCE OF WATER-SERVICE-RELATED WORK.

SANGRE AZUL WATER SYSTEM KEY

(1) INSTALL A PRESSURIZED CONNECTION TO EXISTING 12" PVC MAIN. INSTALL 12"X8" STAINLESS STEEL FULL CIRCLE TAPPING SLEEVE AND 8" TAPPING GATE VALVE & VALVE BOX. RESTRAIN PER COSF DETAILS.

(2) INSTALL 8"X8" MJ/FLG TEE. RESTRAIN PER COSF DETAILS

(3) INSTALL 8" GATE VALVE & VALVE BOX. RESTRAIN PER COSF DETAILS

(4) INSTALL 8"-4" REDUCER RESTRAIN PER COSF DETAIL

(5) INSTALL 8" CAP WITH BLOWOFF PER COSF DETAIL. RESTRAIN PER COSF DETAILS

(6) INSTALL 4" CAP WITH BLOWOFF PER COSF DETAIL. RESTRAIN PER COSF DETAILS

(7) INSTALL A FIRE HYDRANT: INSTALL 8"X8"X6" MJ/FLG TEE, 6" MJ/FLG GATE VALVE & VALVE BOX 6" DI PIPE AND 3-WAY FIRE HYDRANT ASSEMBLY # _____ RESTRAIN PER COSF DETAILS

(8) INSTALL 2-45 DEGREE 8" ELBOW RESTRAIN PER COSF DETAILS

(9) INSTALL 45 DEGREE 8" ELBOW RESTRAIN PER COSF DETAILS

(10) INSTALL A PRESSURIZED CONNECTION TO EXISTING 8" PVC MAIN. INSTALL 8"X8" STAINLESS STEEL FULL CIRCLE TAPPING SLEEVE AND 8" TAPPING GATE VALVE & VALVE BOX. RESTRAIN PER COSF DETAILS.

(11) INSTALL 4" GATE VALVE & VALVE BOX. RESTRAIN PER COSF DETAIL.

RECORDED MAPPING

	INITIALS	DATE
AS BUILT	____	__/__/____
VALVE MAPS	____	__/__/____
911 (MAPPING)	____	__/__/____
INSPECTOR APPROVED	____	__/__/____

NORTH

SCALE 1"=30'

30' 0 30'

REVISIONS	
DATE	BY

DESIGN ENGINUITY
141 LUNA STREET, SUITE G
SANTA FE, NEW MEXICO 87505
(505) 231-9931

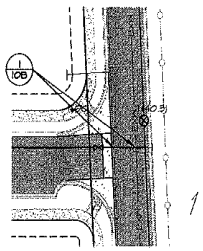
SANGRE AZUL

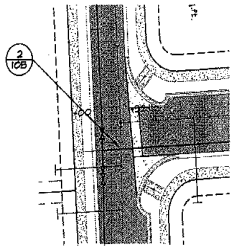
WATER PLAN

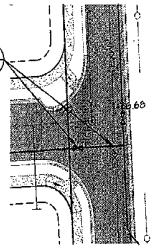
SCALE	DWG NO.	DATE
1"=30'		06/19/2020
PROJECT #		SHEET NO. 10A

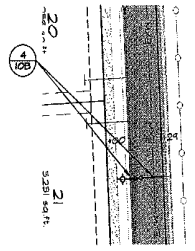
FLAT RECORDING INFORMATION	APPROVED		INSPECTOR
BOOK	CITY OF SANTA FE WATER DIVISION	DATE	DATE
PAGE	SANTA FE FIRE DEPARTMENT	DATE	2020
FILE DATE	AERIAL: K/L13	TOWNSHIP, RANGE, SECTION: 16.08.01	WORK ORDER NO.

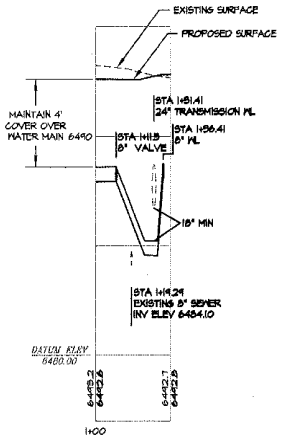
(1 OF 2)



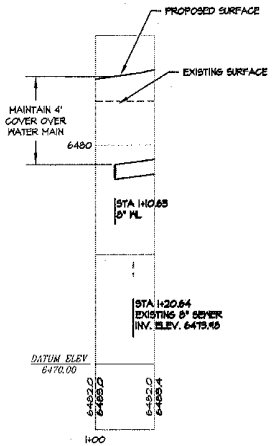




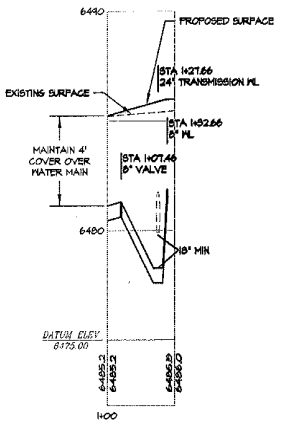




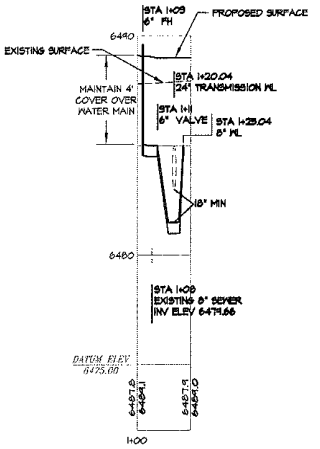
DETAIL 1



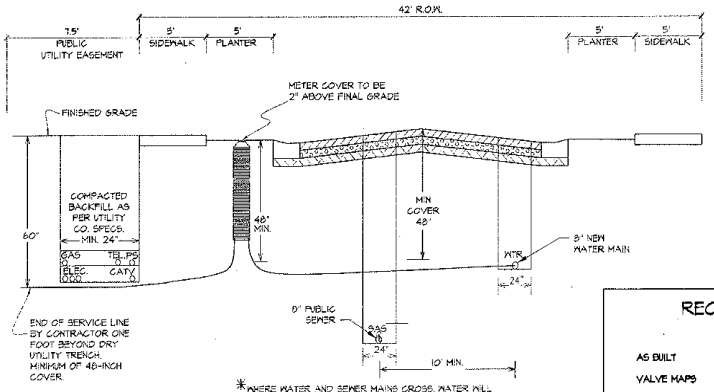
DETAIL 2



DETAIL 3



DETAIL 4



TYPICAL UNDERGROUND UTILITIES RELATIVE LOCATION

NTS

RECORDED MAPPING

	INITIALS	DATE
AS BUILT	___	__/__/__
VALVE MAPS	___	__/__/__
811 (MAPPING)	___	__/__/__
INSPECTOR APPROVED	___	__/__/__

NORTH

HORIZONTAL = 1" = 50'
VERTICAL = 1" = 5'

DESIGN ENGINUITY

901 LUISA STREET, SUITE 5
SANTA FE, NEW MEXICO 87505
(505) 995-3957

SANGRE AZUL

WATERLINE CROSSINGS

SCALE	DWG NO.	DATE
1"=30'		06/19/2020
P:\DR CASE #		SHEET NO. 10B

REVISIONS

DATE	BY

PLAT RECORDING INFORMATION
BOOK
PAGE
FILE
DATE

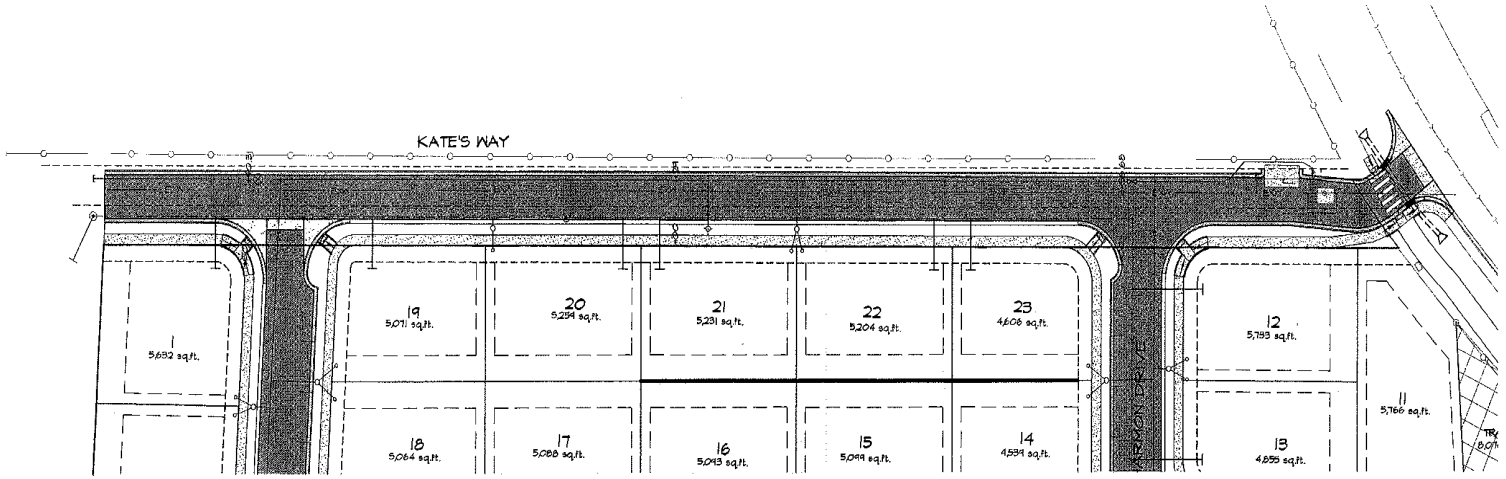
APPROVED

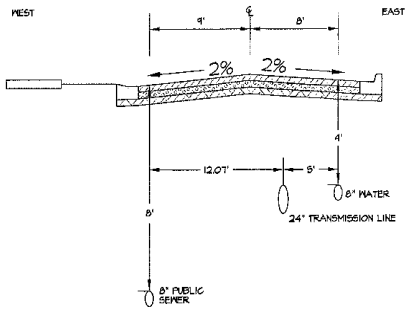
CITY OF SANTA FE WATER DIVISION DATE

SANTA FE FIRE DEPARTMENT DATE

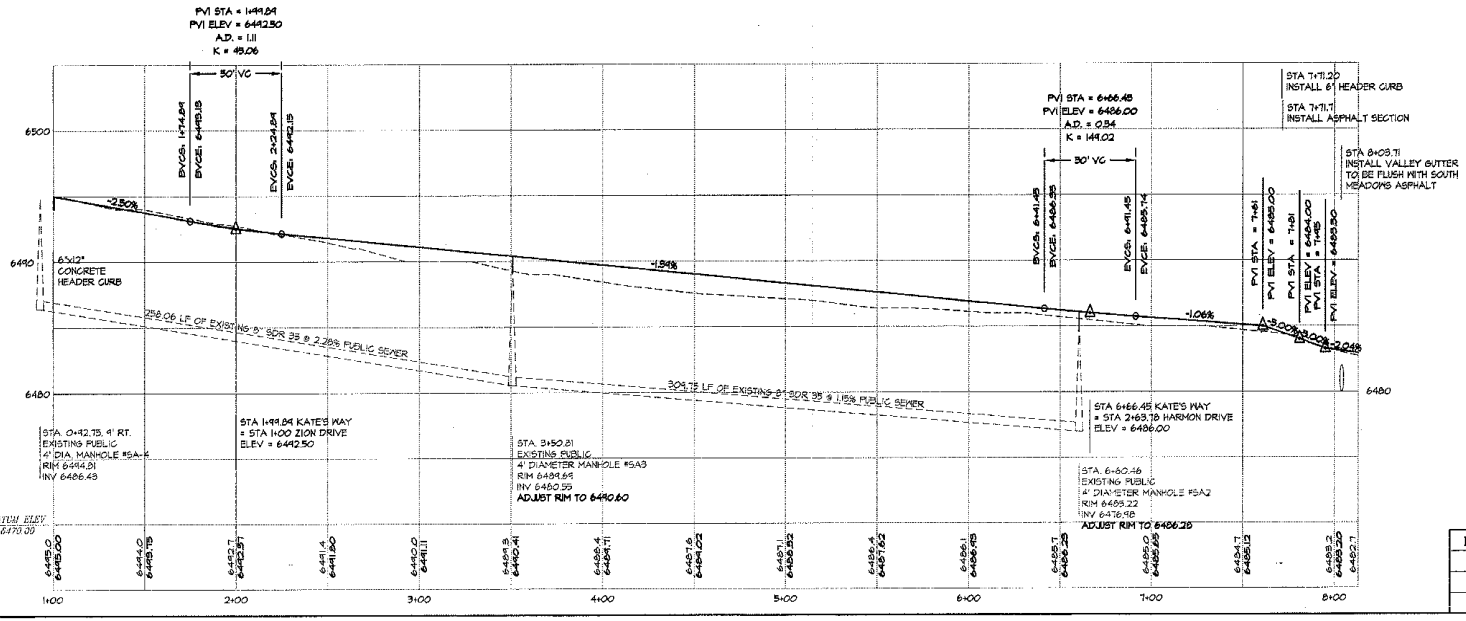
ABRAL	TOWNSHIP, RANGE, SECTION	WORK ORDER NO.
K/L13	16.08.01	

INSPECTOR
DATE
2020
(2 OF 2)





KATE'S WAY UTILITY SECTION



REVISIONS	
DATE	BY

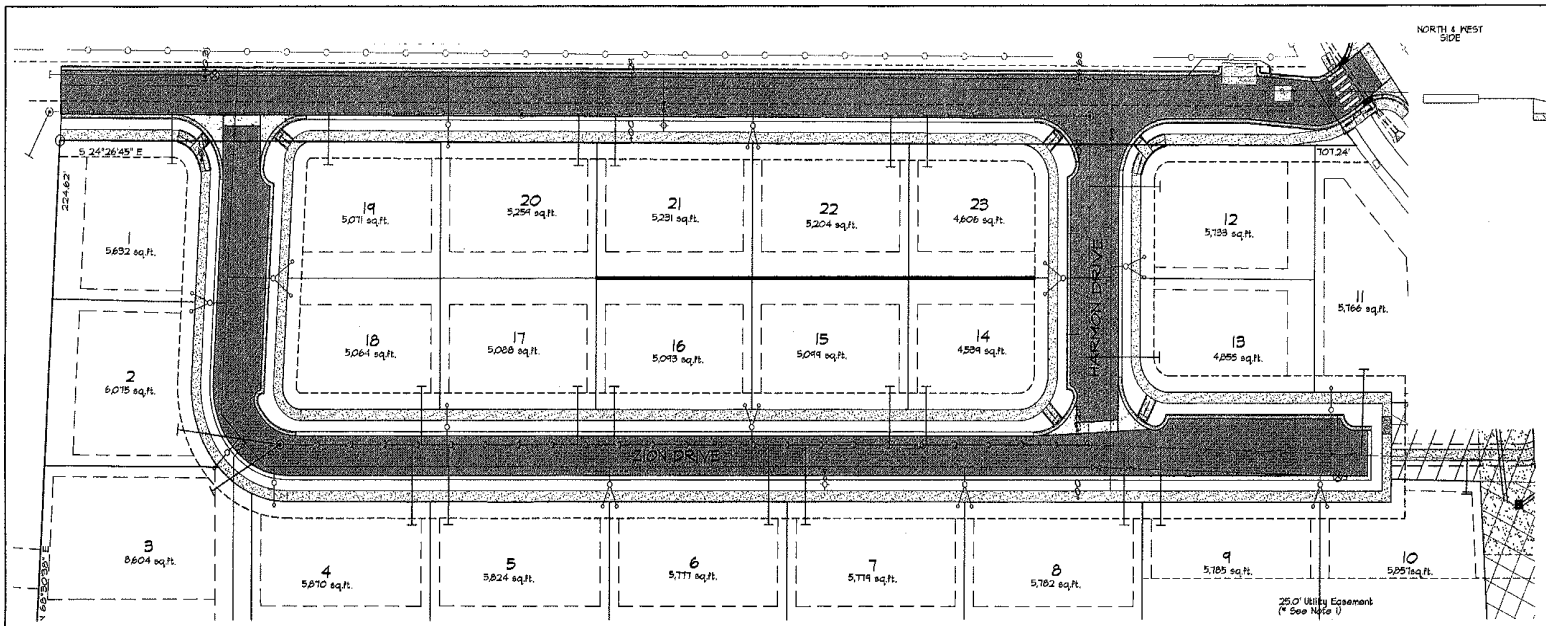
DESIGN ENGINUITY

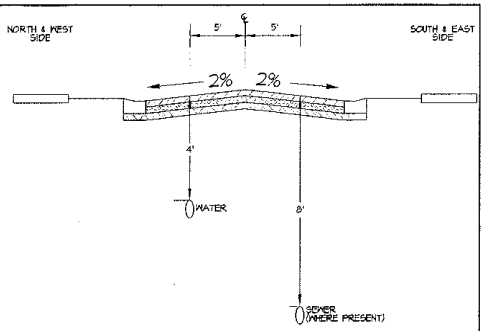
142 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 691-1991

SANGRE AZUL

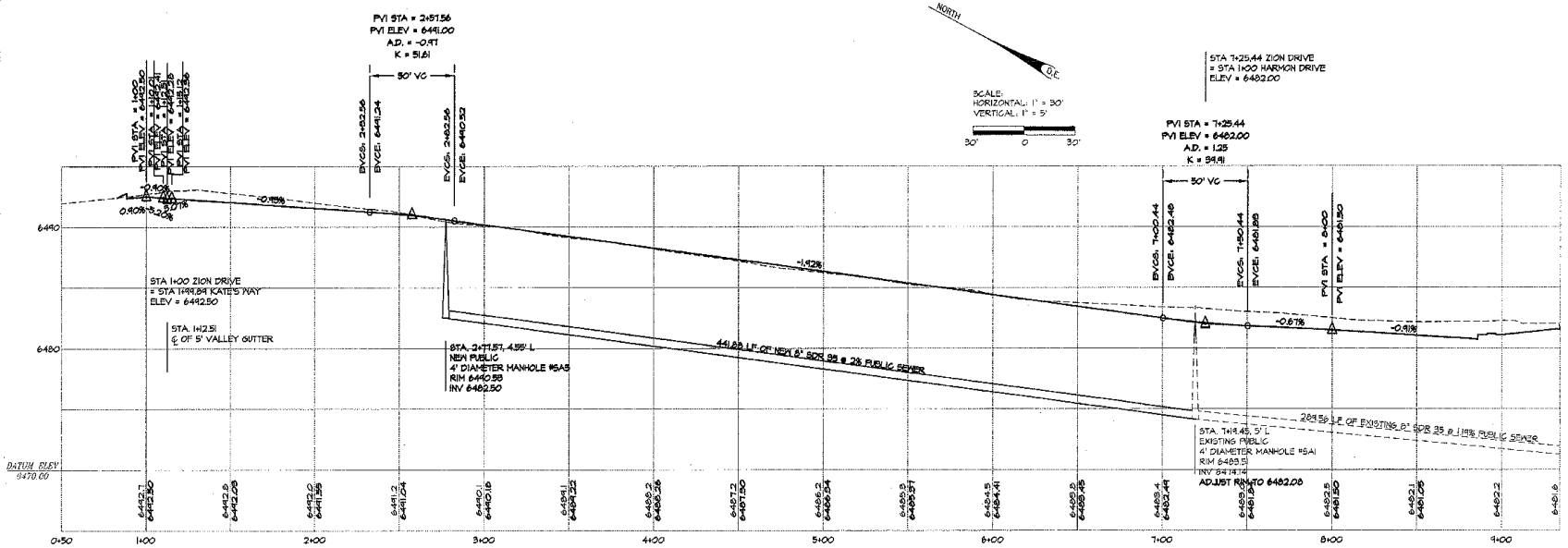
KATE'S WAY SEWER PLAN AND PROFILE

SCALE	DWG NO.	DATE
1"=30'		06/19/2020
PROJ. CASE #		SHEET NO. 11A





ZION DRIVE
UTILITY SECTION



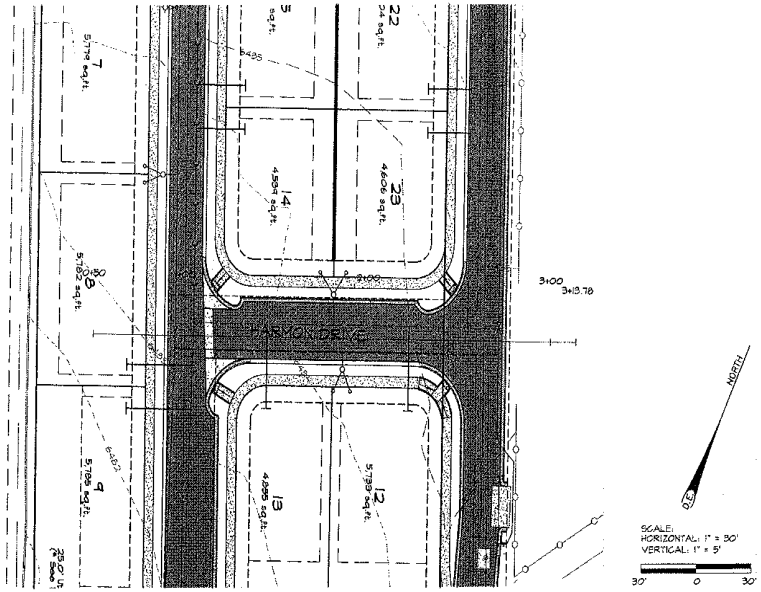
REVISIONS	
DATE	BY

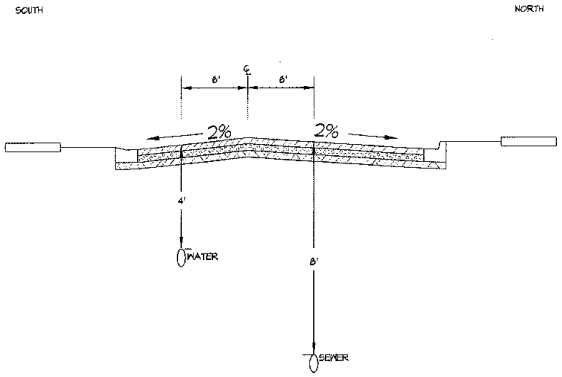
DESIGN ENGINUITY
141 LUISA STREET, SUITE G
SANTA FE, NEW MEXICO 87505
(505) 995-7991

SANGRE AZUL

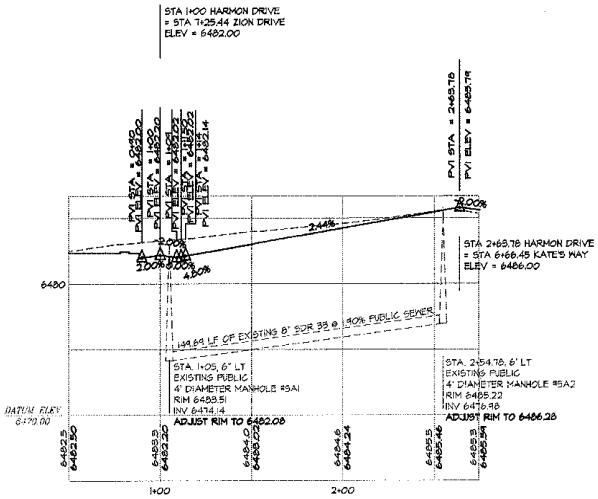
ZION DRIVE SEWER PLAN AND PROFILE

SCALE	DWG NO.	DATE
1"=50'		06/19/2020
PROJECT #		SHEET NO. 11B





HARMON DRIVE
UTILITY SECTION



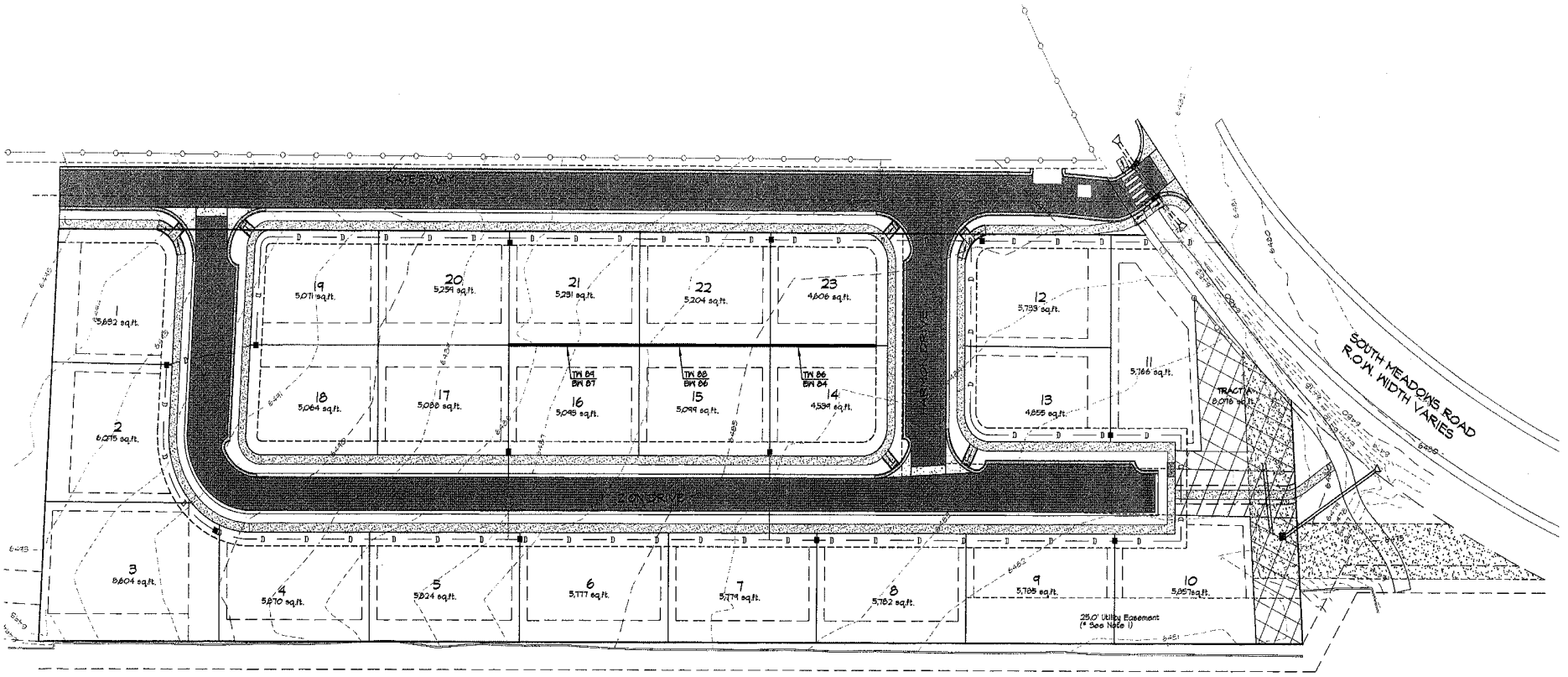
DESIGN ENGINUITY
1601 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 984-9557

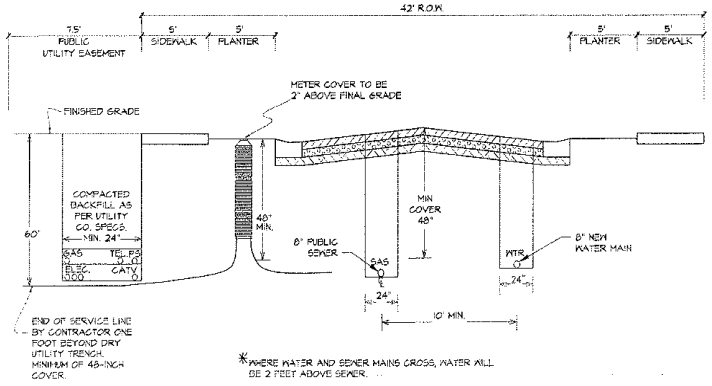
SANGRE AZUL

HARMON DRIVE SEWER PLAN AND PROFILE

REVISIONS	
DATE	BY

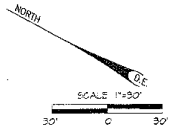
SCALE	DWG NO.	DATE
1"=30'		06/19/2020
PLOT CASE #		SHEET NO. 116





TYPICAL UNDERGROUND UTILITIES RELATIVE LOCATION

NTS



REVISIONS

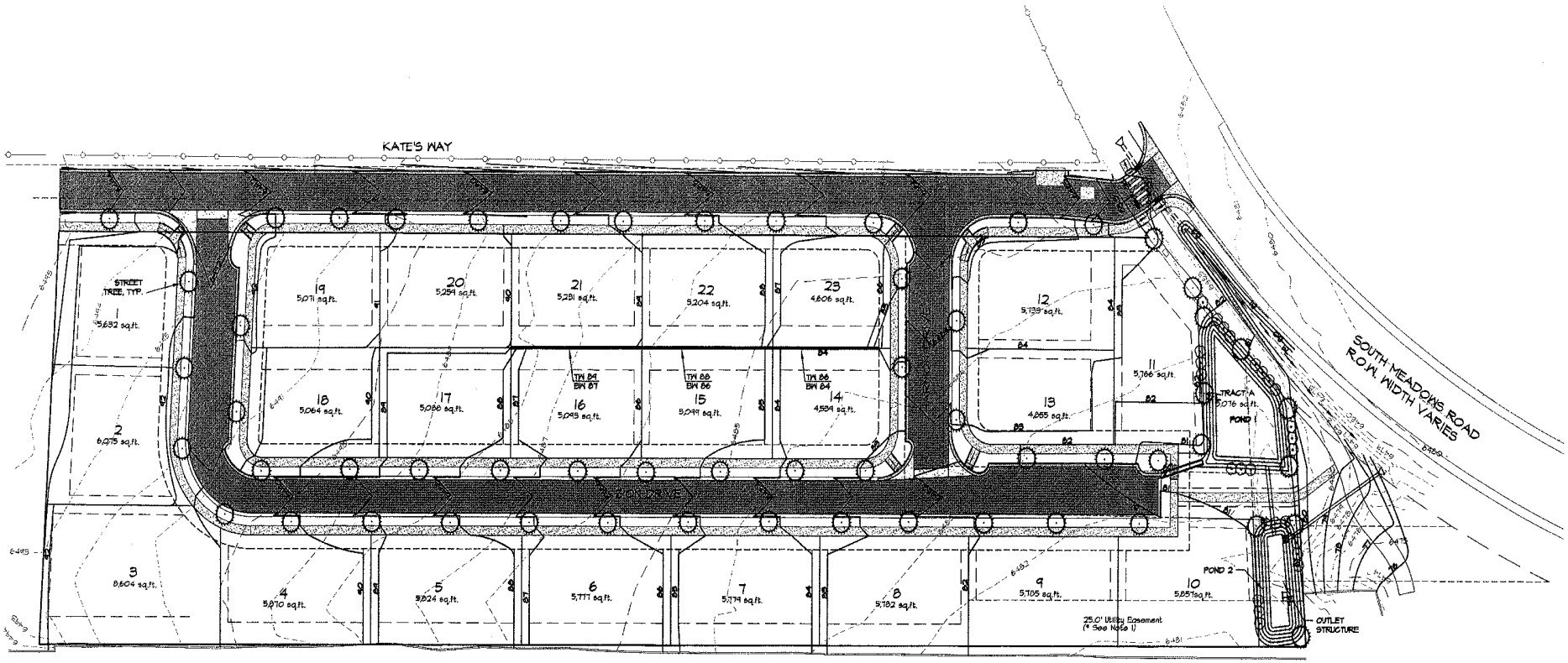
DATE	BY

DESIGN ENGINUITY
141 LUISA STREET, SUITE C
SANTA FE, NEW MEXICO 87595
(505) 995-9551

SANGRE AZUL

DRY UTILITY PLAN

SCALE	DWG NO.	DATE
1"=30'		06/19/2020
PROJECT #		SHEET NO. 12



REQUIRED NUMBER OF STREET TREES.
1880' OF ROADWAY / 30'-40' = 46-62 TREES

NUMBER OF STREET TREES SHOWN: 46 TREES

POND 1 - 2647 SF/ 500 SF = 5.3; 6 TREES AND 16 SHRUBS REQUIRED/SHOWN
POND 2 - 1377 SF/ 500 SF = 2.8; 3 TREES AND 9 SHRUBS REQUIRED/SHOWN

ALL TREES AND SHRUBS SHALL BE FROM THE APPROVED COSF PLANT LIST (25% MUST BE EVERGREEN).

INDIVIDUAL HOMEOWNERS ARE RESPONSIBLE FOR THE MAINTENANCE OF STREET TREES AND PLANTERS ADJACENT TO THEIR LOT. THE HOA IS RESPONSIBLE FOR LANDSCAPING AROUND PONDS.

THIS DEVELOPMENT IS REQUIRED TO COMPLY WITH ALL PROVISIONS OF CHAPTER 14-8.4 LANDSCAPE AND SITE DESIGN AS APPLICABLE AT THE TIME OF DEVELOPMENT AND PERMITTING.

WATER BUDGET YEAR 1
ASSUME 26 WEEKS OF IRRIGATION
SHRUBS 25 TOTAL @ 4 GALLONS PER WEEK = 2600 GALLONS
TREES 46 TOTAL @ 24 GALLONS PER WEEK = 28,704 GALLONS
TOTAL WATER BUDGET YEAR 1 = 31,304 GALLONS

WATER BUDGET YEAR 3
ASSUME 26 WEEKS OF IRRIGATION AND A REDUCTION OF WATER OF ESTABLISHED PLANTS
SHRUBS 25 TOTAL @ 3.6 GALLONS PER WEEK = 2340 GALLONS
TREES 46 TOTAL @ 21.6 GALLONS PER WEEK = 25,834 GALLONS
TOTAL WATER BUDGET YEAR 1 = 28,174 GALLONS

NORTH

SCALE 1"=30'
30 0 30

REVISIONS

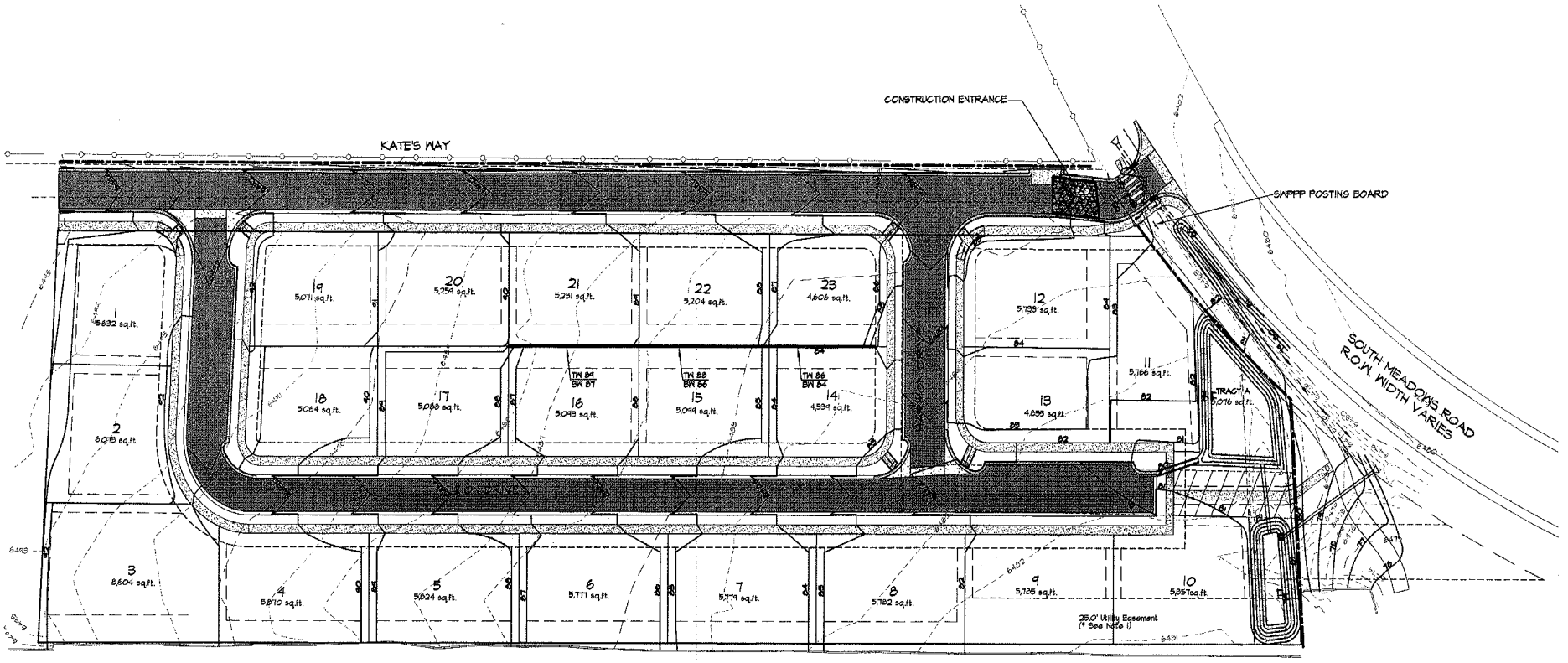
DATE	BY

DESIGN ENGINUITY
1101 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 591-1901

SANGRE AZUL

LANDSCAPE PLAN

SCALE	DWG NO.	DATE
1"=30'		06/19/2020
PROJECT #		SHEET NO. 13



NOTES:

1. POND 1 TO BE INSTALLED IMMEDIATELY AFTER SILT FENCING AND BEFORE ROUGH GRADING.
2. INSTALL ALL TEMPORARY EROSION CONTROL FACILITIES, AS SHOWN ON THIS SHEET, BEFORE ANY SITE DEMOLITION, GRADING OR CLEARING. THESE TEMPORARY EROSION CONTROL FACILITIES SHALL BE MAINTAINED AND USED UNTIL THE DISTURBED AREA IS PERMANENTLY STABILIZED.
3. DISTURBED AREAS SHALL BE PROTECTED FROM EROSION DURING CONSTRUCTION TO RETAIN SOIL ON-SITE. BLOWING DUST SHALL BE CONTROLLED BY WATERING OF EXPOSED SOILS.
4. A STORMWATER NPDES PERMIT IS REQUIRED FOR THIS PROJECT. THE NOTICE OF INTENT SHALL BE FILED WITH THE EPA AT LEAST 10 DAYS PRIOR TO ANY SITE WORK. THE SWPPP PERMIT SHALL BE CLEARLY POSTED ON THE PROJECT SITE. CONTRACTOR IS RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF ALL BEST MANAGEMENT PRACTICES AND SWPPP REQUIRED PAPERWORK.
5. THIS PROJECT IS SUBJECT TO A STORM WATER POLLUTION PREVENTION PLAN (SWPPP). THE SWPPP SHALL BE SUBMITTED, REVIEWED AND APPROVED BY CITY STAFF PRIOR TO BEGINNING GRADING OPERATIONS. THE SWPPP SHALL BE CONDUCTED IN ACCORDANCE WITH PHASE II OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES).
6. ALL WORK INVOLVING SOILS DISTURBANCE SHALL INCLUDE MEASURES TO CONTROL DUST BY THE USE OF WATER AND APPROPRIATE AMOUNTS OF EPA APPROVED POLYMER EMULSIONS, GRAVEL AND/OR OTHER ALTERNATIVES DETERMINED BY THE LAND USE DIRECTOR FOR DUST CONTROL. CONSTRUCTION INVOLVING THE MOVEMENT OF DIRT SHALL STOP AT WIND SPEEDS IN EXCESS OF 25 MPH OR BECAUSE OF EXCESSIVE DUST BLOWING INTO NEIGHBORHOODS AS DETERMINED BY THE LAND USE DEPARTMENT PERSONNEL. ALL STAGING AREAS USED AS PART OF THE DEVELOPMENT OF THIS PROJECT SHALL BE APPROPRIATELY STABILIZED AND/OR GRAVELED TO MITIGATE DUST. ALL STAGING AREAS SHALL BE INCLUDED IN THE BUILDING PERMIT GRADING PLANS FOR REVIEW AND APPROVAL. ALL CONSTRUCTION ACTIVITIES SHALL COMPLY WITH THE NPDES.

DUST CONTROL

All on-site soil disturbing construction activities shall be addressed and provide measures to mitigate or control dust from being transported offsite and polluting neighboring properties.
Any person, owner, contractor or operator who conducts earthmoving and/or dust generating activities is responsible for implementing Best Management Practices (BMPs) in order to mitigate off-property transport of fugitive dust emissions.
A plan, or storm water prevention plan (SWPPP) when applicable, listing the Best Management Practices (BMPs), shall be provided to the City Engineer, or his designee for review and approval. The approved BMPs shall be applied to the graded and/or disturbed soil in order to stabilize the site.
The initial BMP shall address how the Contractor will minimize the amount of disturbed soil, and how the Contractor will stabilize the disturbed surface area exposed to wind or vehicle traffic during construction.
Some BMPs shall include:

The reduction of vehicle speeds: establish a maximum speed limit or install traffic calming devices to reduce speeds to a rate to mitigate off-property transport of dust entrained by vehicles.

The minimization of drop height: Drivers and operators shall unload truck beds and loader or excavator buckets slowly, and minimize drop height of materials to the lowest height possible, including screening operations.

High winds restriction: temporarily halt work activities during high wind events greater than 30 mph if operations would result in off-property transport.

Restrict access: restrict access to the work area to only authorized vehicles and personnel.
In the event the above practices are ineffective to prevent off property transport, the owner, or operator shall use at least one or more of the following Best Management Practices (BMPs):

Wet suppression: apply water to disturbed soil surfaces, backfill materials, screenings, and other dust generating operations as necessary and appropriate considering current weather conditions, and prevent water used for dust control from entering any public right-of-way, storm water drainage facility, or watercourse.

Wind barrier: construct a fence or other type of wind barrier to prevent wind erosion of the graded or disturbed surface.

Vegetation: plant vegetation appropriate for retaining soils or creating a wind break.

Surface roughening: stabilize an active construction area during periods of inactivity or when vegetation cannot be immediately established.

Cover: install cover materials such as tackifiers, erosion control blankets, gravel, vegetation (when appropriate), cold-millings, etc. during periods of inactivity and properly anchor the cover.

Soil retention: stabilize disturbed or exposed soil surface areas that will be inactive for more than 30 days or while vegetation is being established.

LEGEND

SILT FENCE OR 9" COMPOST SOCK WADDLE

NORTH

SCALE 1"=30'

30' 0 30'

REVISIONS

DATE	BY

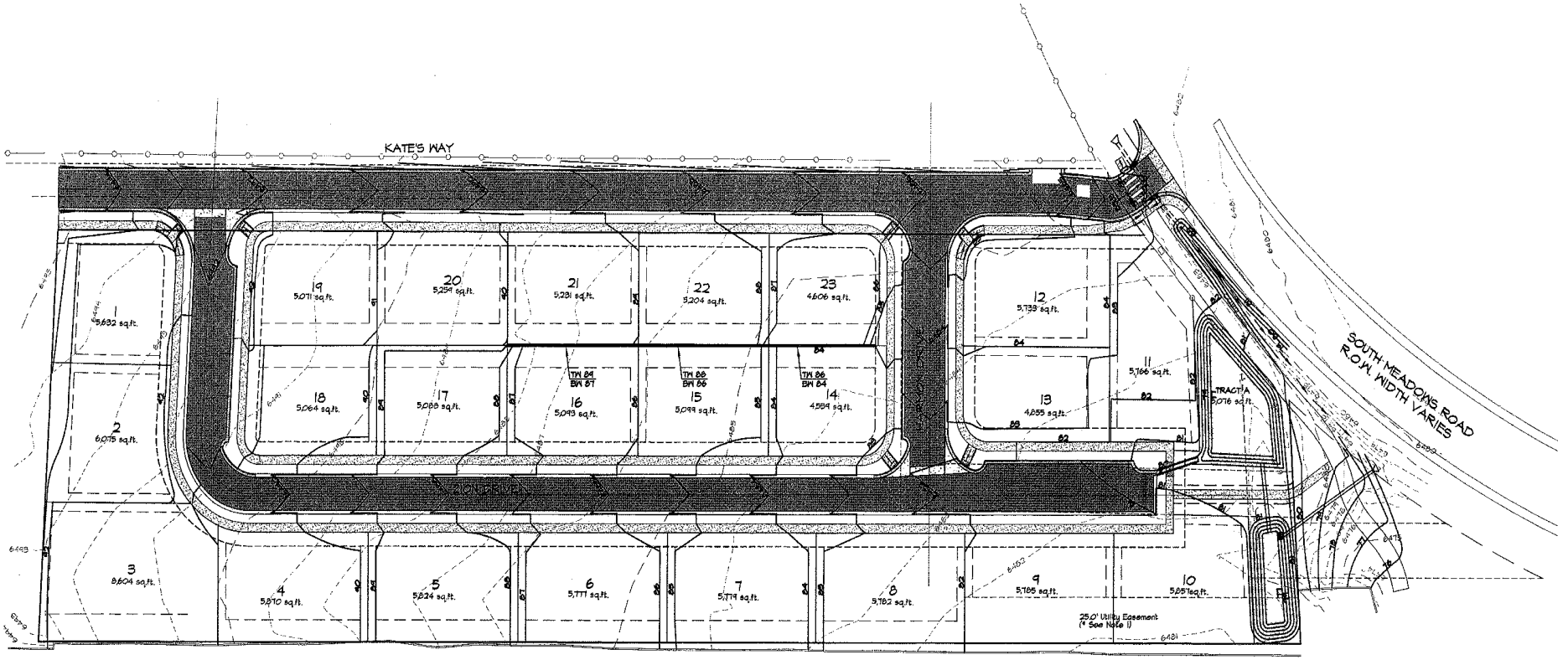
DESIGN ENGINUITY

1611 LUISA STREET, SUITE 5
SANTA FE, NEW MEXICO 87505
(505) 984-9197

SANGRE AZUL

TEMPORARY EROSION CONTROL PLAN

SCALE	DWG NO.	DATE
1"=30'		06/19/2020
PAGE SIZE:		SHEET NO 14



PERMANENT EROSION CONTROL PLAN NOTES

1. MAINTENANCE OF ALL PONDS, SWALES, DRAINAGE PIPES AND OTHER DRAINAGE FACILITIES IS THE RESPONSIBILITY OF SANGRE AZUL OWNER'S ASSOCIATION. THE CITY OF SANTA FE IS HEREBY GRANTED THE RIGHT TO ACCESS AND INSPECT THESE FACILITIES AT THE DISCRETION OF THE CITY. THE OWNERS AGREE TO INDEMNIFY AND TO HOLD HARMLESS FROM ALL DAMAGES TO PERSONS OR PROPERTY RESULTING FROM THE CITY'S REASONABLE EXERCISE OF THEIR ACCESS AND INSPECTION RIGHT.

2. THE CITY OR ITS AUTHORIZED AGENT MAY INSPECT THE DRAINAGE FACILITIES TO ENSURE THEY ARE OPERATING PROPERLY. IF MAINTENANCE DEFICIENCIES ARE FOUND, THE CITY WILL NOTICE THE HOA AND GIVE A REASONABLE PERIOD OF TIME FOR NECESSARY WORK TO BE ACCOMPLISHED. IF THE HOA FAILS TO ACCOMPLISH THE WORK IN THE TIME SPECIFIED, THE CITY MAY UNDERTAKE THE WORK AND ASSESS THE HOA THE COSTS ASSOCIATED WITH THE WORK.

3. ALL PONDING AREAS WILL BE A MINIMUM OF 10 FEET FROM STRUCTURES.

4. GRADES NEAR STRUCTURES SHALL BE A MINIMUM OF 4% AWAY FROM BUILDINGS.

5. ALL DISTURBED AREAS SHALL BE REVEGETATED.

6. ALL FILL MATERIAL SHALL MEET NM DOT SPECIFICATIONS (DIVISION 200) AND COMPACTION PER NMDOT SPECIFICATIONS OR ARCHITECTURAL SPECIFICATIONS, WHICHEVER IS STRICTER.

7. DRAINAGE FACILITY MAINTENANCE SCHEDULE SHALL BE AS FOLLOWS (+/- 30 DAYS) :
MARCH 15TH, SEPTEMBER 15TH AND AFTER STORMS OF 1-INCH OR GREATER
   * FLUSH ALL AND CULVERTS TO REMOVE SEDIMENT AND VEGETATION.
   * IF SEDIMENT IN THE PONDS IS DEEPER THAN 6-INCHES, REMOVE AND RESEED WITH NATIVE GRASSES.
   * CHECK POND DRAINS AND RIP-RAP INTEGRITY. REPAIR IF NECESSARY.
   * CHECK FOR SOIL EROSION ON ALL SWALES, FILL SLOPES, CUT SLOPES AND ADJACENT TO RETAINING WALLS. UNSTABILIZED SOILS SHALL BE STABILIZED BY VEGETATION, ROCK PLATING OR EROSION MATS.

ALL AREAS DISTURBED AND NOT COVERED BY STRUCTURES, CONCRETE OR PAVED, SHALL BE STABILIZED WITH TACKIFIER.

NORTH

SCALE 1"=30'

30' 0 30'

REVISIONS	
DATE	BY

DESIGN ENGINUITY
1431 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 984-9591

SANGRE AZUL

PERMANENT EROSION CONTROL PLAN

SCALE	ORG NO.	DATE
1"=30'		06/19/2020
PROJ. CASE #		SHEET NO. 15

1. All construction shall conform to the requirements of City of Santa Fe Standard Drawings and Specifications as applicable.
2. Utility construction shall conform to applicable sections of the AFWA's "New Mexico Standard Specifications for Public Works Construction, 1987 edition including latest published amendments.
3. Infrastructure construction shall conform to applicable sections of the New Mexico Department of Transportation's "Standard Specifications for Highway and Bridge Construction, 2007 Edition (SSHBC).
4. The order of precedence shall be, listed in order of highest precedence, the project specifications, plans, City of Santa Fe Standard Drawings, SSHBC, and AFWA'S.
5. In the case of conflicts between plans and specifications resolution shall be by using the more restrictive requirement as determined by the project engineer and approved by City Planning and Land Use Department's Permit and Development Review Division Technical Review staff (P&DR).
6. The project plans shall be approved for construction by the P&DR's Engineering Supervisor prior to any construction activity and scheduling a pre-construction meeting. The Engineering Supervisor may, by written authorization, designate others to administer duties described herein.
7. The construction Project Engineer shall be a New Mexico licensed Professional Engineer in the appropriate category for the type of work represented by the project plans. The Project Engineer shall arrange for a pre-construction meeting prior to the start of construction or mobilization of equipment on-site and after receipt of the financial guaranty. At the pre-construction meeting, the Project Engineer shall submit a letter providing the name(s) of specific individuals who will be performing what type of inspections and respective telephone contact number(s); this includes preparation of the record drawings. Call 505-455-6565 to schedule the pre-construction meeting a minimum of 10 calendar days in advance of the meeting date.
8. Attendance at the pre-construction meeting is mandatory for the Project Engineer (who shall conduct the meeting, Contractor, P&DR Technical Review staff, and applicable staff from City street, water, and wastewater management Divisions. The Owner and sub-contractors are encouraged to attend. At this meeting, a specific P&DR staff member will be assigned as the point of contact with the Contractor.
9. Grading permits obtained on an "At Risk" basis are not subject, nor take the place of, a pre-construction meeting required above.
10. The Contractor shall provide a list of contact personnel responsible for site construction including position, telephone numbers, and at least one emergency telephone number active on a 24 hour basis.
11. If an EPA Notice of Intent (NOI) is applicable, a copy of the mailed permit application shall be presented at the pre-construction meeting along with a written statement giving the mailing date.
12. The Contractor shall be responsible for maintaining the integrity of all underground utilities during the course of work regardless of any location shown on the plans or other field evidence, or lack thereof. Notification to New Mexico One Call at 1-800-321-2537 for utility locates a minimum of 48 hours in advance of any excavation is required. Maintenance of utility locates shall be continued throughout the project life.
13. The Owner shall be responsible for all changes in construction deemed necessary for any reason and shall have appropriate plans and/or specifications, including applicable design criteria, prepared by a New Mexico Professional Engineer and submitted to the City Engineering Supervisor for approval. Upon approval, said changes may be incorporated into the project.
14. Final Record Drawings, reflecting substantial changes to the original design drawings, shall be submitted by the Owner's Engineer for approval to the Engineering Supervisor for permanent filing in the City Planning Department. Said plans shall be approved by applicable City Divisions prior to final acceptance of project work for maintenance responsibility and the beginning of the warranty period. Under no circumstances will partial acceptance and/or warranty commencement begin for any component of project scope be provided.
15. Curb cuts shown in the original, approved construction drawings will require a "Curb Cut Permit" issued by the City Traffic Engineer prior to construction. Curb cuts found to be necessary that are not included in the original, approved construction drawings will require a change order that includes a "Curb Cut Permit" from the City Traffic Engineer. Call 505-955-6614 for information.
16. Parallel water and sanitary sewer (SAS) utilities shall have a minimum horizontal spacing of 10 feet and vertical spacing of 3 feet wherein the water line is above the SAS line. Installation will be in separate trenches. Should encountered field conditions exist that prevent maintaining these separation distances and relationship, a change order shall be initiated that provides for alternative protective measures and submitted for approval to the City Water and Wastewater Management Divisions.
17. Sanitary Sewer lateral construction must be constructed under separate permit (secondary) for SAS hookup. The Contractor shall obtain the permit(s) prior to any construction and must be obtained at the Permit Desk at City Hall; providing street address for each hookup. Upon payment of fee(s) the permit form will be immediately generated which shall be kept on-site. Call 505-955-6945 for permit information and 505-955-6646 for inspection of each viable, connected lateral.
18. All Contractor work activity shall be confined to the construction limits of the project. There shall be no encroachment onto adjacent properties, either construction or marshalling yards) unless legal easements(s)/agreement(s) is/are executed and approved by the Engineering Supervisor.
19. Grading shall be completed under the authority of a Building Permit , the application of which shall show the type of work as "Other" with the notation of Grading, Landscaping, and Infrastructure shown thereon. Call 505-955-6945 for permit information.
20. All cut and fill slopes, including setback requirements, shall conform to the requirements of:
    a. Santa Fe City Code's Article 14-8 (Development and Design Standards);
    b. Chapter 35 of the Uniform Building Code, 1997 edition unless otherwise noted on the approved construction plans; and
    c. In the case of conflict between these two specifications, City Code shall prevail.
21. The Contractor is responsible for any damage caused by construction activities to public or private property, including utilities.
22. Material quality testing shall be completed by the Owner, through a recognized testing laboratory. The laboratory shall be under the auspices of a New Mexico Professional Engineer.
23. All material quality test reports shall be provided directly to the City Planning Department, attention Permits and Development Review Division at P. O. Box 909, Santa Fe, New Mexico 87504-0909 within seven (7) calendar days after laboratory material testing is complete unless otherwise directed during the pre-construction meeting. Field test reports shall be provided directly to the P&DR staff at the time of field testing. In the case of P&DR staff absence, the reports shall be Faxed to 505-955-6829. In each case, all test reports and other communication shall carry the applicable P&DR Case and Building Permit project numbers which will be provided at the pre-construction meeting if not noted on the approved project plans.
24. Compaction testing of soil and similar materials, including optimum moisture-density relationships, shall be performed in accordance with the referenced specifications and/or plans. Unless specified in individual project plans, the frequency of compaction testing shall be one (1) test per 1.5 vertical feet of fill or backfill of similar material; within two (2) horizontal feet of structures; for each 500 linear feet of trench backfill or each days compactive effort, whichever results in the greatest quantity of tests; or for each 500 cubic yards of fill of similar material.
25. Portland cement concrete (Pcc) proposed to be used for the project shall conform to a mix design prepared by a New Mexico Professional Engineer. The design shall be provided to P&DR staff for approval a minimum of 14 calendar days prior to scheduling the initial casting operation or, alternatively, the project plans shall define a specific mix having a prior approval by P&DR. Each mix shall have the following minimum properties:
    a. Compressive strength of 3,000 psi in 28 calendar days
    b. Seven (7.0) bags of cementitious material per cubic yard of concrete
    c. Twenty (20.0) percent or less of flyash material substitution for cement
    d. Maximum aggregate size of 3/4"
    e. Air entrainment content ranging between 4.0 and 7.0 percent at the point of concrete delivery into forms.
26. Concrete sample set will consist of a minimum of three (3) specimens. One sample set shall be obtained for each 500 linear feet cast, 50 cast cubic yards, or one (1) set per calendar day, whichever is greatest. Cylinders shall be tested at 7, 28, and 56 day intervals; the 56 day interval need not be tested if any previous test result exceeds the design value.
27. Traffic control devices, as per approved plan, shall be installed, maintained, and removed by the Contractor. Said devices shall conform to the latest published edition of the Manual of Uniform Traffic Control Devices and to written direction from the City Traffic Engineer who may be reached at 505-459-6694.
28. Site erosion and/or sediment control, as per approved plan, shall be installed, maintained, and removed by the Contractor. Inspection by the P & DR staff of applicable Best Management Practices (BMP) is required prior to any grading activity; call 505.955.6646 to arrange for said inspection. The Contractor's attention is directed to the SSHBC's Section 603 for other requirements relating to dust abatement and similar issues.
29. Utility lines must be bored under all existing street Pcc street appurtenances. A minimum of 12" separation must be maintained between utility lines. Any curb, gutter, or other damage must be repaired before final inspection will be given.
30. Each City utility division shall provide a letter at completed installation, not necessarily accepted for warranty, at the Contractor's request. Said letters shall be provided to the P&DR staff and received written staff acceptance prior to scheduling either TV inspection of SAS and Storm Sewer lines or placement of roadway pavement material.
31. ASTM, AASHTO, or independent laboratory certificates of material compliance are to be provided to P&DR staff prior to bringing applicable material on site.
32. Aggregate base course material shall conform to the SSHBC's Section 304 using Gradation 1.
33. Plant Mix Bituminous Pavement (PMBP) proposed to be used for the project shall conform to a mix design prepared by a New Mexico Professional Engineer conforming to SSHBC's Section 420 using Aggregate Classification(s) called for in the project plans. The design shall be provided to P&DR staff for approval a minimum of 14 calendar days prior to scheduling the initial paving operation or, alternatively, the project plans shall define a specific mix having a prior approval by P&DR.
34. Compaction testing of subgrade, aggregate base course, and each lift of PMBP material shall be completed for every 100 linear feet of roadway length excepting for PMBP material in which case provide one (1) test for every 100 linear feet of laydown machine pass.
35. PMBP material quality test samples (net) shall be obtained and tested for every 500 tons or fraction thereof or one (1) sample per day.
36. Utility appurtenance such as telephone pedestals, electrical transformers, gas, and cable TV pedestals shall be placed outside the public right-of-ways and within utility easements. The Owner is responsible for relocating mis-placed utility structures prior to requesting a pre-final inspection. Water meter boxes and fire hydrants may be placed between the sidewalk and curb. Water valve and meter boxes are not to be placed within maintenance areas of semi-improved (gravel or equal) roads.
37. Construction debris and/or excess material shall be stored in an on-site area and appropriately contained. Said debris shall not be a nuisance to the surround neighborhood. Disposal of debris shall be either within the city limits under separate grading permit or at a designated NMED approved disposal site. The Contractor shall provide written notice as to proposed debris disposal site location(s). All debris and/or excess material shall be removed from the site prior to scheduling a pre-final inspection with P&DR staff.
38. Interim terrain and stormwater management inspections shall be arranged for at the following events:
    a. Completion of temporary erosion control best management installations and prior to any earthwork (clearing, grubbing, etc.)
    b. Final stormwater management features are constructed.
    c. Final site restoration measures are completed.
    d. Further construction or issuance of any permit(s) shall not occur until written approval by P & DR staff for each of the above inspections has been obtained. Inspections shall be scheduled by calling 505.955.6646.
39. The Contractor shall make written request for a pre-final inspection of terrain management and infrastructure works a minimum of 14 calendar days in advance with P&DR staff. At this inspection, applicable city division staff will review the final work product. Any deficiencies will be noted in a "punchlist" and provided to the Contractor for correction. When all punchlist items are completed the Contractor shall file a written statement to that effect and a final inspection will be held by P&DR staff. Upon acceptance, an acceptance letter will be provided wherein all work will be accepted for maintenance by the City and the commencement of the warranty period initiated.
40. Not Used.

1. Prior to the Wastewater Management Division approval of the plan set, a letter will be required from the project engineer indicating they are providing the inspection and record drawing services for the project.
2. The Contractor must obtain all sewer hookup permits from the City's Building Permits Section (sewer lines) prior to commencing any sewer line construction. A copy of the permit must be kept at the construction site.
3. All manholes shall be constructed in accordance with the "Standard Manhole Detail Sheet" shown on the City Standard Drawings.
4. A copy of the approved plans shall be available at the construction site at all times during working hours.
5. All modifications to the sanitary sewer plans must be reviewed and approved by the City's Wastewater Management Division prior to construction.
6. Additional general notes are contained in the standard City detail sheets for sanitary sewer construction.
7. All public gravity sewer lines shall be a minimum 8 inch diameter with a minimum Class C bedding (2006 New Mexico American Public Works Association).
8. All 4 inch and 6 inch diameter gravity sewer pipe shall be private. No private sewer system shall use larger than a 6 inch diameter pipe. No public gravity sewer line to be accepted by the City of Santa Fe for permanent maintenance shall be less than 8 inches diameter.
9. No concrete encasement of new or existing public sewer pipe will be allowed unless approved by the City of Santa Fe Wastewater Management Division.
10. Core drilling is required for all new connections to an existing manhole.
11. No public sewer main line or manhole will be allowed under or within a storm water detention/retention pond.
12. Prior to paving over any sanitary sewer lines, submit T.V.tapes and logs, pressure tests, and the engineer's certification to the City's Wastewater Management Division. After the Wastewater Management Division reviews the above listed information, a preliminary manhole inspection will be conducted. When all the items listed above are completed to meet the standards of the Wastewater Management Division, a letter approving paving will be issued in relation to the sanitary sewer. Note: A final manhole inspection will be conducted after the final paving is completed.
13. All sewer manholes with sewer lines 12 inches in diameter and larger are required to have approved vented and locking manholes.
14. Locate wires shall be installed for all sanitary sewers (gravity/force mains). The locate wire must be visible in the manhole or access structure. This will be verified during the preliminary manhole inspection prior to paving. The locate wire is to be a continuous, 12 gauge, solid strand insulated copper wire.
15. Off-road public sewer access will be provided for all public sewer lines and manholes. Access roads are to be a minimum 12 feet wide with a driving surface of 6 inches of compacted base course. No access road shall have a grade greater than 15%. Manholes are to be aligned with the center line of the access road. Sewer easements are to be a minimum of 20 feet in width.
16. Off road sanitary sewer - Call the Wastewater Management Division at 955-4631 for a field review of the grading of all off road sanitary sewer to ensure that the City's maintenance vehicles can access all manholes. The grades may be required to be adjusted based upon this inspection. Additional bank protection may be required based upon a final inspection by the Wastewater Management Division and the project engineer.
17. For Record Drawings, tie manhole to a City of Santa Fe survey monument as part of the final record drawings. Show corrected as-built bearing and distances, slopes, rim and invert elevations and sewer services along the horizontal alignment of the sanitary sewer.
18. The Owner/Developer will be responsible for maintaining, repairing and locating the sewer system until City acceptance for maintenance. Damages resulting from a stoppage in any gravity and/or pressure sewer system will be the sole responsibility of the Owner/Developer until a final acceptance letter for permanent maintenance has been issued by the Wastewater Management Division.
19. Water meters will not be placed until a final acceptance letter has been issued by the Wastewater Division for all on-site sanitary sewer needed in order for the project to connect to the sanitary sewer system.
20. 20 foot wide access gates shall be provided at all fences, walls or other obstructions that cross a public sewer line. Access gates to be located within the sanitary sewer Easement.
21. The Owner/Developer will be responsible for locating each sewer service at the time each lot is ready to connect to the sewer. It is suggested that the Owner/ Developer retain a copy of the television inspection video along with the video logs. Each service shall be clearly marked for each lot at point of connection. All calls received by this Division regarding the location of service will be forwarded to the Owner/Developer.
22. The Contractor shall call the Wastewater Management Division (Douglas Flores at telephone # 955-4613) for a final manhole inspection. This inspection will be isolated to the manholes. The City's Plumbing and Mechanical Inspector's will conduct all other necessary plumbing inspections. Note: The City's Plumbing and Mechanical Inspectors will inspect the individual sewer service taps and laterals, which connect to the public sanitary sewer.
23. The existing sanitary sewer line must be T.V. taped prior to a new service connection being placed as well as taped after the services have been completed. This is to ensure that the existing sanitary sewer line is not damaged and the new service is installed correctly.
24. All costs associated with the operation, maintenance and replacement of grinder pumps for individual lots shall be the responsibility of the lot owner and/or Owners Association. For grinder pumps that connect to a pressure sewer main, the grinder pump will be a model manufactured by Environment-One or a type approved by the City of Santa Fe Wastewater Management Division. For grinder pumps that connect to a gravity main, the grinder pump shall be of a type approved by the City of Santa Fe Plumbing Code.
25. A minimum 12 inches of vertical clearance shall be provided between the sewer line and any storm drain piping.
26. All pressure sewer systems shall be air or hydrostatically pressure tested @ 120 psi for 2 hours minimum. The test is to be witnessed and certified by the project engineer. Prior to being put into service and acceptance by the City of Santa Fe, all pressure sewer system main lines will be filled with water.
27. No public pressure sewer system piping may be installed in a common trench with other utilities.
28. Sewer backflow check valves will be required for all sewer service lateral connections to sewer mains 12 inches or greater in diameter. The sewer service connection must be made at an existing or new manhole. Sewer service connections to sewer mains with pipe size diameter of 12 inches and greater will not be made without approval from the Wastewater Management Division.
29. Sewer backwater check valves shall be required on private sewer service laterals per the City of Santa Fe Plumbing Code.
30. Any 8 inch public sanitary sewer main line placed with a grade of less than 0.60% shall be removed and reconstructed at the Contractor's expense. All public sanitary sewer main lines with slopes at less than 1% require a minimum Class C bedding with select granular material foundation.
31. All as-built sewer line and manhole data shall be obtained and certified by a licensed surveyor or engineer. As-built data supplied by other than a licensed surveyor or engineer shall not be valid for final as-builts.
32. All existing and new public manholes within a project shall have access for City sewer maintenance equipment. All access is subject to field verification and modification as required by the Wastewater Division prior to final project close out with the City of Santa Fe.
33. All sewer line crossings of rivers, streams, arroyos, drainage channels, etc. shall require a basis of design analysis prepared by a licensed engineer.
34. An approved backflow valve and isolation valve are required on all low pressure sewer service lines as per the City of Santa Fe Standard Sewer Specifications.
35. Terminal flushing connections and in-line flushing connections are required on all low pressure sewer systems. The maximum spacing between in-line flushing connections shall be 500 feet. Distances greater the 500 feet between low pressure sewer in-line flushing connections shall be approved by the Wastewater Division.
36. Sewer backflow check valves are required on private sewer service laterals per the City's Plumbing Code. Final determination shall be made by the City of Santa Fe Plumbing Inspection Division.

DESIGN ENGINUITY
1631 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 995-9957

SANGRE AZUL

CITY CONSTRUCTION NOTES

REVISIONS	
DATE	BY

SCALE	SHEET NO.	DATE
N.T.S.		06/19/2020
P+DR CASE #		SHEET NO. 16

ENGINEER'S GENERAL CONSTRUCTION NOTES

GENERAL

1. IN GENERAL, ALL CONSTRUCTION, RE-CONSTRUCTION AND REPAIR WORK PERFORMED ON PRIVATE OR CITY-OWNED CIVIL INFRASTRUCTURE, SUCH AS PUBLIC AND PRIVATE ROADS, WATER, WATER REUSE, WASTEWATER, DRAINAGE AND EROSION MANAGEMENT SHALL COMPLY WITH THE PROJECT'S SET OF APPROVED CONSTRUCTION DRAWINGS (ACD), IN ADDITION THE FOLLOWING SHALL APPLY: NEW MEXICO SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION, CURRENT EDITION AS WELL AS THE CITY OF SANTA FE PUBLIC INFRASTRUCTURE GENERAL CONSTRUCTION NOTES (CITY CONSTRUCTION NOTES).

2. ALL WATER UTILITY INSTALLATIONS, RE-CONSTRUCTION OR REPAIR SHALL COMPLY WITH THESE ACD, THE CITY OF SANTA FE WATER DIVISION'S CONSTRUCTION STANDARDS AND SPECIFICATIONS (WATER STD), THE AMERICAN WATER WORKS ASSOCIATION STANDARDS (AWWA), AND THE NEW MEXICO STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 1987 EDITION, INCLUDING ITS LATEST AMENDMENTS

3. ALL SANITARY WASTE WATER (SAS) LINE INSTALLATION SHALL BE IN COMPLIANCE WITH THESE ACD, AND THE CITY OF SANTA FE'S WASTEWATER UTILITY STANDARD DETAILS AND REQUIREMENTS (CITY'S SAS STD).

4. IN THE EVENT OF CONFLICTING REQUIREMENTS ARISING AMONG THESE DOCUMENTS, THE ENGINEER OF RECORD SHALL DETERMINE THE MOST RESTRICTIVE REQUIREMENT TO BE FOLLOWED.

5. THE OWNER SHALL DESIGNATE AN EOR, NO LESS THAN FIVE DAYS PRIOR TO THE PRE-CONSTRUCTION MEETING. UNLESS OTHERWISE SPECIFIED BY THE OWNER, THE CITY SHALL ASSUME THAT THE EOR SHALL BE THE SAME AS THE ENGINEER WHO SEALED THE ACD.

6. THE OWNER SHALL ALSO DESIGNATE THE OWNER'S PROJECT REPRESENTATIVE (OPR) PROMPTLY AFTER THE AWARD OF THE CONSTRUCTION CONTRACT FOR THIS PROJECT. THE OPR SHALL BE THE CONTRACTOR'S POINT OF CONTACT (LIAISON) BETWEEN THE OWNER, THE ENGINEER OF RECORD (EOR), AND THE CONTRACTOR.

7. THE OWNER MAY DESIGNATE THE SAME PERSON TO BE THE EOR AND OPR FOR THE PROJECT, AND ALL PARTIES SHALL BE ADVISED OF THAT DESIGN AT THE PRE-CONSTRUCTION MEETING, IF NOT EARLIER.

8. THE EOR SHALL ARRANGE AND CONDUCT A PRE-CONSTRUCTION MEETING, PRIOR TO STARTING ANY CONSTRUCTION ACTIVITIES OR MOBILIZATION OF EQUIPMENT ONTO THE SITE, AND AFTER THE OWNER'S SETTING OF THE CITY-REQUIRED FINANCIAL GUARANTEE.

9. AS A MINIMUM, IN ATTENDANCE TO THE PRE-CONSTRUCTION MEETING SHALL BE: THE OPR, APPROPRIATE CITY REPRESENTATIVES (PROW, STREETS, WATER, WASTE WATER, AND SOLID WASTE), CONTRACTOR, AND UTILITY COMPANY REPRESENTATIVES.

10. THE EOR SHALL TRANSMIT TO THE CONTRACTOR THE OWNER'S NOTICE TO PROCEED (NTP), AND ARRANGE A PRE-CONSTRUCTION MEETING IF REQUIRED. NEITHER CONSTRUCTION ACTIVITIES, NOR EQUIPMENT MOBILIZATION SHALL BEGIN ON THE SITE UNTIL A CITY CONSTRUCTION PERMIT HAS BEEN PROVIDED TO THE CONTRACTOR.

11. AS A MINIMUM, IN ATTENDANCE TO THE CONSTRUCTION MEETING SHALL BE: THE OPR, APPROPRIATE CITY REPRESENTATIVES (IN THE OPINION OF THE OPR), CONTRACTOR, AND UTILITY COMPANY REPRESENTATIVES.

12. THE CONTRACTOR SHALL PROVIDE THE NAME(S) ROLE AND CONTACT INFORMATION, INCLUDING NORMAL AND EMERGENCY PHONE NUMBERS, FOR THE CONTRACTOR'S EMPLOYEE(S) RESPONSIBLE FOR THE CONSTRUCTION WORK. AT LEAST ONE EMERGENCY TELEPHONE NUMBER SHALL BE ACTIVE ON A 24-HOUR, 7-DAYS A WEEK BASIS. THIS INFORMATION SHALL BE AVAILABLE AT THE PRE-CONSTRUCTION MEETING, AND BE UPDATED BY THE CONTRACTOR AS NECESSARY THROUGHOUT THE PROJECT'S EXECUTION PERIOD.

13. CONTRACTOR REQUESTS FOR INFORMATION (RFI) SHALL BE SUBMITTED TO THE OPR TIMELY AND IN WRITING. CONTRACTOR SHALL ALLOW 24 HOURS FOR THE EOR'S WRITTEN ACKNOWLEDGEMENT OF RECEIPT.

14. THE EOR SHALL MAKE EVERY EFFORT TO RESPOND TO THE CONTRACTOR'S RFI WITHIN THE INITIAL 24 HOURS. WHEN THE EOR ANTICIPATES LONGER THAN 24 HOURS NEEDED TO PREPARE THE RFI RESPONSE, THE EOR SHALL PROVIDE THE CONTRACTOR, AS SOON AS POSSIBLE, THE ESTIMATED TIME FOR RESPONSE.

15. REQUESTS FOR DEVIATIONS FROM ANY PROVISIONS SPECIFIED IN THESE ACD OR THE CONTRACT DOCUMENTS MAY BE CONSIDERED ONLY WHEN THE CONTRACTOR ANTICIPATES IMPROVED OUTCOMES IN COST, TIME AND QUALITY OF THE CONSTRUCTED PROJECT, AS THE PRIMARY RESULT OF IMPLEMENTING DEVIATIONS TO THE ACD, WHILE KEEPING INTACT THE DESIGN'S INTENT.

16. CONTRACTOR SHALL SUBMIT ALL PLAN DEVIATION REQUESTS TO THE OPR. NO DEVIATIONS TO THE ACD SHALL PROCEED UNTIL THE CHANGE HAS BEEN APPROVED IN WRITING BY THE OPR.

17. THROUGHOUT THE PROJECT'S EXECUTION PERIOD, THE CONTRACTOR SHALL MAINTAIN AT THE PROJECT SITE A COPY OF ALL RELEVANT FIELD NOTES, AND THESE SHALL BE MADE AVAILABLE TO THE OPR AT ANY TIME DURING WORKING HOURS. THE UPDATING OF SUCH NOTES AND DRAWINGS SHALL BE DONE AS FREQUENTLY AS NECESSARY, NOT LESS THAN ONCE A WEEK.

18. THE CONTRACTOR SHALL RETAIN THE SERVICES OF A NEW MEXICO LICENSED PROFESSIONAL SURVEYOR (NMPS), FOR VERIFICATION OF ALL CRITICAL HORIZONTAL AND VERTICAL CONTROL DATA, AND CERTIFICATION OF RECORD DRAWINGS. NEW SAS MANHOLES SHALL ALL BE TIED TO THE SANTA FE CITY'S PERMANENT SURVEY MONUMENTS.

19. PRIOR TO THE FINAL ACCEPTANCE OF THE PROJECT, CONTRACTOR SHALL SUBMIT ALL RECORD DRAWINGS AND NOTES TO THE OPR, INCLUDING ANY REVISED CRITICAL X, Y, AND Z DATA. THE RECORD DRAWINGS SHALL BE STAMPED BY AN NMPS AND SUBMITTED FOR REVIEW AND APPROVAL BY THE EOR.

20. INFORMATION SPECIFICALLY STATED IN THESE ACD, OR WHEN THE OPR SPECIFICALLY IDENTIFIES IN THE FIELD, CRITICAL DATA (X, Y, AND Z) RELATED TO WATER VALVES OF ALL KINDS, WATER METERS, FIRE HYDRANTS, CULVERT INLET OR OUTLET INVERTS, MANHOLE INVERTS, WASTEWATER SERVICE CONNECTIONS SHALL BE COLLECTED BY THE CONTRACTOR'S SURVEYOR TO COMPLETE RECORD DRAWINGS. VOLUME OF DRAINAGE PONDS AND POND OUTLET INVERTS SHALL BE PROVIDED BY THE CONTRACTOR'S SURVEYOR.

21. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE PROTECTION OF SURVEY MONUMENTS OR MARKS. IN THE EVENT THAT ACCIDENTAL DAMAGE IS CAUSED TO THESE MARKS, DURING PROJECT CONSTRUCTION, AN NMLPS RETAINED BY THE CONTRACTOR, SHALL RE-ESTABLISH IN COMPLIANCE WITH STANDARDS AND PROCEDURES SET FORTH BY THE "GEODETIC MARK PRESERVATION GUIDEBOOK". FOR MORE INFORMATION CONTACT NGS MARK PRESERVATION CENTER, NOAA (505) 768-3606. CONTRACTOR SHALL NOT CHARGE THE OWNERS ANY ADDITIONAL COST FOR SUCH REPAIRS.

22. CONTRACTOR SHALL CONFINE ALL CONSTRUCTION OPERATIONS TO THE DESIGNATED PROJECT BOUNDARIES SHOWN IN THESE ACD. NO PERSONNEL, MATERIALS, OR EQUIPMENT SHALL EVER ENCROACH ONTO AREAS OUTSIDE SUCH BOUNDARIES, UNLESS SPECIFICALLY AUTHORIZED BY THE OPR, AFTER PROOF OF PROPERLY ACQUIRED EASEMENTS IS SHOWN TO THE OPR BY THE CONTRACTOR.

23. EVEN WITHIN THE PROJECT BOUNDARIES, CLEARING AND GRUBBING SHALL BE KEPT TO THE MINIMUM NECESSARY TO EXECUTE THE PROJECT, AND STABILIZATION OF DISTURBED SURFACES SHALL BEGIN AS SOON AS PRACTICAL AFTER INITIATION OF ANY CONSTRUCTION ACTIVITIES.

24. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR EROSION CONTROL INCIDENTAL TO THE CONSTRUCTION ACTIVITIES. IF REQUIRED BY THE ACD, THE CONTRACTOR SHALL SUBMIT TO THE OPR A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND EVIDENCE OF A FILED NOI 10 DAYS PRIOR TO BEGINNING ANY CONSTRUCTION ACTIVITY.

25. SWPPP SHALL COMPLY WITH THE PROVISIONS OF NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT REQUIREMENTS FOR ALL CONSTRUCTION ACTIVITIES. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL SWPPP BEST MANAGEMENT PRACTICES AND RELATED PAPERWORK. THE SWPPP AND ASSOCIATED PAPERWORK SHALL BE PROVIDED TO THE OPR FOR INSPECTION WHEN REQUESTED.

26. NO LESS THAN 5 DAYS PRIOR TO INITIATING WORK ON THIS PROJECT, CONTRACTOR SHALL SUBMIT A DUST ABATEMENT AND SUPPRESSION PLAN FOR THE OPR'S REVIEW. THE PLAN SHALL BE PREPARED IN ACCORDANCE WITH SECTION 6-3 OF THE NMDOT REQUIREMENTS. CONSTRUCTION WORK SHALL HAVE NO ADVERSE EFFECT UPON ADJACENT AREAS OUTSIDE THE DESIGNATED PROJECT BOUNDARY.

27. AT A MINIMUM, ALL AREAS DISTURBED BY CONSTRUCTION TRAFFIC SHALL BE SPRAYED WITH WATER ON A DAILY BASIS TO CONTROL DUST GENERATION. ADDITIONAL WATER SHALL BE APPLIED ON WINDY DAYS AS NEEDED.

28. CONTRACTOR SHALL BE RESPONSIBLE FOR THE RESTORATION OF ALL DISTURBED AREAS FOLLOWING RE-VEGETATION THROUGH THE FIRST GROWING SEASON AFTER COMPLETION OF THIS PROJECT. IN THE EVENT THAT THE REVEGETATION PLAN IMPLEMENTATION HAS NOT BEEN ACCOMPLISHED BEFORE SEPTEMBER 1, DUE TO CONSTRUCTION DELAYS, OR BECAUSE DISTURBED SURFACES MUST REMAIN EXPOSED AFTER THIS DATE, THE CONTRACTOR SHALL INSTALL TEMPORARY PROTECTION SUCH AS A COVER CROP OR MULCH TO PREVENT SOIL EROSION, AT NO ADDITIONAL COST TO THE OWNER.

29. CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING STRUCTURES, INCLUDING UNDERGROUND UTILITY CONDUITS LOCATED WITHIN AND WITHOUT THE PROJECT BOUNDARIES, FREE OF DUST AND/OR CONSTRUCTION DEBRIS AT ALL TIMES DURING THE EXECUTION OF THE PROJECT. CLEANING AND FULL RESTORATION OF SUCH STRUCTURES, TO THEIR ORIGINAL CONDITION OR BETTER, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR ALONE, AND ALL RELATED COSTS SHALL BE CONSIDERED INCIDENTAL TO THE COST OF THIS PROJECT.

30. OWNERS AND THEIR AGENTS SHALL NOT BE HELD RESPONSIBLE FOR THE COSTS OF REPAIRING ANY DAMAGE OR ALTERATIONS CAUSED DURING EXECUTION OF THIS PROJECT, TO THE ORIGINAL CONDITION OF THIRD PARTY'S PROPERTY (E.G. STRUCTURES, EXISTING UTILITIES OR UTILITY EASEMENTS) LOCATED WITHIN OR WITHOUT THE PROJECT BOUNDARIES.

31. EXISTING ROAD AND DRIVEWAY ACCESSES FOR ADJACENT PROPERTIES SHALL BE MAINTAINED TRAFFICABLE UNDER ALL WEATHER CONDITIONS.

32. NO ALTERATION OR MODIFICATION SHALL BE PERMITTED ON ANY DRAINAGE WAY OR ARROYO, UNLESS IT IS SPECIFICALLY SHOWN ON THESE ACD.

33. CONTRACTOR SHALL DESIGNATE AN AREA WITHIN THE PROJECT BOUNDARIES FOR THE TEMPORARY STORAGE OF CONSTRUCTION DEBRIS AND WASTE. SUCH DEBRIS MAY INCLUDE REMOVED TREES AND BRUSH, AND ANY MATERIALS THAT MAY BE UNEARTHED, WHICH ARE DEEMED NOT SUITABLE FOR REUSE AS CONSTRUCTION MATERIALS ON THIS PROJECT.

34. CONSTRUCTION DEBRIS SHALL BE CONTAINED FROM BEING SCATTERED BY WIND, SURFACE RUNOFF, OR ANIMALS (DOMESTIC OR WILD) AND BECOMING A NUISANCE TO ANYONE OUTSIDE THE PROJECT BOUNDARIES.

35. FROM TIME TO TIME, DEBRIS AND WASTE SHALL BE TRANSPORTED OUT OF THE SITE AND DISPOSED OF PROPERLY, AT A NM STATE APPROVED LANDFILL. CONTRACTOR SHALL SUBMIT CORRESPONDING TIPPING RECEIPTS TO THE OPR, TO ACCOUNT FOR PROPER WASTE DISPOSAL. THE COST OF CONSTRUCTION WASTE DISPOSAL SHALL BE INCIDENTAL TO THE COST OF PROJECT.

36. WASTE THAT REQUIRES SPECIAL HANDLING, UNCOVERED DURING CONSTRUCTION ACTIVITIES, AND NOT PREVIOUSLY IDENTIFIED, SHALL BE THE SUBJECT OF CONSIDERATION AS A CHANGE ORDER DUE TO UNKNOWN SUBSURFACE CONDITIONS.

37. CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING UP SPILLS ASSOCIATED WITH THE PROJECT'S CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL REPORT AND PROMPTLY RESPOND TO SPILLS OF HAZARDOUS MATERIALS SUCH AS GASOLINE, DIESEL, MOTOR OIL, SOLVENTS, TOXIC AND CORROSIVE SUBSTANCES, AND OTHER MATERIALS WHICH MAY REPRESENT A THREAT TO THE HEALTH AND WELFARE OF HIS WORKERS, THE GENERAL PUBLIC, OR THE ENVIRONMENT.

38. CONTRACTOR SHALL REPORT IMMEDIATELY ANY EVIDENCE OF PAST SPILLS ENCOUNTERED DURING CONSTRUCTION ACTIVITIES ON THIS PROJECT. REPORTS SHALL BE MADE TO THE OPR, AS WELL AS TO THE APPROPRIATE STATE AGENCY. CLEAN UP OF ANY UNREPORTED SPILLS THAT MAY HAVE OCCURRED DURING THE CONSTRUCTION OF THIS PROJECT, WHENEVER THEY MAY BECOME EVIDENT, SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

39. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR THE PROTECTION OF ALL SPECIFIED MATERIALS OR EQUIPMENT, WHETHER IN STORAGE OR INSTALLED, UNTIL FINAL WRITTEN APPROVAL OF THE PROJECT BY THE OPR AND THE CITY.

40. ALL MATERIAL QUALITY TESTS SHALL BE PERFORMED BY A RECOGNIZED LABORATORY. SUCH LABORATORY SHALL BE OPERATED UNDER THE AUSPICES/DIRECTION OF AN NMPE. NAME AND CONTACT OF THE LABORATORY SHALL BE SUBMITTED BY THE CONTACTOR TO THE OPR AS SOON AS PRACTICAL AFTER THE CONTRACTOR'S RECEIPT OF THE NOTICE TO PROCEED.

41. IF PROVISIONS FOR A TESTING COST ALLOWANCE HAVE BEEN MADE IN THE CONSTRUCTION CONTRACT FOR TESTING SPECIFICALLY REQUIRED IN THESE ACD, OR REQUIRED BY THE OPR, CONTRACTOR SHALL SUBMIT TESTING LABORATORY INVOICES TO THE OPR FOR REIMBURSEMENT. COST OF RE-TESTING FOR BELOW-STANDARD RESULTS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR AND NO PAYMENT SHALL BE MADE FOR SUCH.

42. IF THE CONSTRUCTION CONTRACT DOES NOT HAVE A TESTING COST ALLOWANCE, THE COST OF ALL REQUIRED TESTING AND RE-TESTING, FOR EITHER MATERIALS OR INSTALLATION REQUIREMENT COMPLIANCE, SHALL BE CONSIDERED INCIDENTAL TO THE COST OF THE PROJECT AND SHALL BE BORNE BY THE CONTRACTOR.

43. CONTRACTOR SHALL PROVIDE THE INSTALLATION AND MAINTENANCE OF ALL TRAFFIC CONTROL DEVICES IN COMPLIANCE WITH THESE ACD. TRAFFIC CONTROL DEVICES SHALL COMPLY WITH THE MOST CURRENT EDITION OF THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), BUT MAY BE REVISED UNDER WRITTEN DIRECTION FROM THE CITY TRAFFIC ENGINEER.

44. INFORMATION SHOWN FOR EXISTING UTILITIES HAS BEEN INCLUDED ON THESE ACD FOR REFERENCE PURPOSES ONLY. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ASSURING THAT EACH UTILITY COMPANY SPOT LOCATES ITS EXISTING UNDERGROUND FACILITIES. CONTRACTOR SHALL CONTACT NEW MEXICO ONE CALL AT (800)321-2537 TO COORDINATE SUCH SPOT LOCATING NO LESS THAN 48 HOURS PRIOR TO INITIATING ANY WORK.

TECHNICAL

45. CONTRACTOR SHALL NOTIFY THE CITY UTILITY DEPARTMENT, AT LEAST FIVE (5) DAYS IN ADVANCE OF ANY WORK THAT MAY AFFECT THE OPERATION OF THE CITY UTILITY DEPARTMENT WATER OR WASTEWATER SYSTEMS.

46. UNLESS OTHERWISE INDICATED IN THE ACD, ALL WATER SYSTEM TIE-INS SHALL BE MADE OF OR BE FULLY COMPATIBLE WITH DUCTILE IRON, C-900 SDR-18 PVC, INSTALLED OVER CLASS-B BEDDING OR BETTER, WITH MECHANICAL OR MEGALUG\W-000SR JOINTS, OR THERMALLY FUSED JOINTS AS APPLICABLE. EXCAVATION SHALL ADEQUATELY ACCOMMODATE THE PIPE'S BELL ENDS.

47. ALL WATER VALVES SHALL BE FULL-PORT GATE TYPE, RESILIENT SEATING, MECHANICAL OR MEGALUG\W-2211 JOINTS, US PIPE\U-2211, OR CONSIDERED EQUAL BY THE OPR, AND INSTALLED IN COMPLIANCE WITH MANUFACTURER'S RECOMMENDATIONS AND THESE ACD.

48. ALL WATER LINES SHALL BE INSTALLED IN EXCLUSIVE TRENCHES, WITH NO OTHER UTILITY LINES (INCLUDING NON-POTABLE WATER), AND AT LEAST 48 INCHES OF COMPACTED BACKFILL COVER.

49. NO WATER LINE SHALL BE INSTALLED BEFORE THE FINAL GRADE HAS BEEN ACHIEVED WITHIN THE DESIGNATED WATER UTILITY CORRIDOR (ROAD RIGHT OF WAY OR EASEMENT).

50. UNLESS OTHERWISE INDICATED ON THESE ACD, WATER SERVICE CONNECTIONS AND METERS SHALL BE ONE (1) INCH IN DIAMETER. FOR LOTS WHERE A DWELLING IS ANTICIPATED TO BE EQUIPPED WITH FIRE SUPPRESION EQUIPMENT. A LIST OF THESE CONNECTIONS SHALL BE PROVIDED ON THE ACD. OTHERWISE, THE STANDARD WATER SERVICE CONNECTION SHALL BE 5/8 INCHES IN DIAMETER, INSTALLATION OF THE WATER METER ITSELF SHALL BE THE RESPONSIBILITY OF THE HOME BUILDER AND SHALL NOT BE PART OF THE SCOPE OF THIS PROJECT. HOME BUILDER MUST REQUEST INSTALLATION OF METER FROM CITY UTILITY DEPARTMENT.

51. ALL FIRE HYDRANTS SHALL BE SUPPLIED WITH THE TYPE OF THREAD APPROVED BY THE CITY WATER DEPARTMENT FOR THE PROJECT LOCATION. . EACH INSTALLED HYDRANT SHALL HAVE A PAINTED NUMBER SUPPLIED BY THE CITY WATER UTILITY INSTALLED. HYDRANTS SHALL HAVE A MINIMUM HORIZONTAL CLEARANCE OF 7-FOOT RADIUS AROUND THEM.

52. PARALLEL PUBLIC WATER AND SANITARY SEWER LINES SHALL HAVE A MINIMUM HORIZONTAL CLEARANCE (SEPARATION BETWEEN THE EDGE OF PIPES), PLUS A VERTICAL CLEARANCE OF 9 FEET, WHEREVER WATER AND SAS LINES CROSS. WATER LINES SHALL ALWAYS BE ABOVE THE SAS LINE. IN THE EVENT THAT UNANTICIPATED FIELD CONDITIONS REQUIRE THESE CLEARANCES OR RELATIVE LOCATIONS TO BE REVISED, THE EOR SHALL FORMULATE A PROPOSED CHANGE ORDER TO PROVIDE ALTERNATIVE PROTECTION FOR THE WATER LINE. NO WORK SHALL BE PERFORMED ON SUCH A CHANGE ORDER WITHOUT FINAL CONCURRENCE BY THE CITY UTILITY DEPARTMENT.

53. CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR THE DISINFECTION, CHLORINATION, CHLORINE RESIDUAL TESTING, AND LEAK INTEGRITY (PRESSURE) TESTING OF ALL WATER PIPES INSTALLED, OR ANY EXISTING WATER LINES THAT MAY HAVE BEEN AFFECTED BY THE PROJECT'S CONSTRUCTION. OPR SHALL WITNESS ALL SUCH TESTING.

54. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR PERFORMING OR COORDINATING PRESSURE TEST OF ALL GRAVITY-FLOW SEWER LINES, AS WELL AS THEIR TELEVISION INSPECTION, PRIOR TO INSTALLING PAVEMENT WITHIN THE SEWER LINE CORRIDOR. CONTRACTOR SHALL REVIEW THE TAPES IN DETAIL, TO IDENTIFY ANY DEFICIENCIES AND CORRECT THEM AS NECESSARY. ALL VIDEO TAPES SHALL BE PREPARED IN A RATIONAL SEQUENCE AND BE PROPERLY LABELED. LINES AND MANHOLES SHALL BE IDENTIFIED BY THE NAMES AND STATIONING GIVEN IN THE ACD. VIDEO TAPES SHALL BE SUBMITTED TO THE OPR FOR REVIEW PRIOR TO ACCEPTANCE OF THE SEWER.

55. SANITARY SEWER SAS LINES SHALL BE PVC SDR 26 OR AS APPROVED EQUIVALENT BY THE EOR, INSTALLED ON CLASS D BEDDING OR BETTER, AND WITH MINIMUM 3-FOOT OF COMPACTED BACKFILL COVER (I.E., 3-FOOT ABOVE THE PIPE).

56. SANITARY SEWER MANHOLES AND FLUSHING STATIONS SHALL BE MADE OF FACTORY-PRE-CAST REINFORCED CONCRETE PIPE SEGMENTS, UNLESS OTHERWISE SPECIFIED IN THESE ACD. TYPICAL MANHOLE SECTIONS ARE 4 FEET AND 6 FEET IN DIAMETER; HOWEVER, LARGER SIZES MAY BE SPECIFIED IN THESE ACD. TOP AND BOTTOM SLABS MAY BE EITHER FACTORY-PRE-CAST OR CAST-IN-PLACE REINFORCED CONCRETE.

57. LOCATE WIRES OR OTHER CITY APPROVED UNDERGROUND UTILITY MARKERS SHALL BE INSTALLED FOR ALL SEWERS (SAS AND LPSAS), SO THAT THESE ARE VISIBLE INSIDE ALL MANHOLES AND FLUSHING STATIONS. COMPLIANCE WITH THIS REQUIREMENT SHALL BE VERIFIED BY THE OPR PRIOR TO INSTALLING PAVEMENT.

58. ALL GRAVITY SEWER LINE SEGMENTS BETWEEN MANHOLES, INCLUDING ANY SAS SERVICE LINES WITHIN THE SEWER UTILITY CORRIDOR, SHALL BE FLUSHED, TELEVISED AND PRESSURE-TESTED BY THE CONTRACTOR BEFORE THEIR INSTALLATION CAN BE DEEMED COMPLETE BY THE OPR.

59. PRESSURE TESTING OF GRAVITY SAS SHALL BE PERFORMED BY PRESSURIZING THE LINES TO 6 PSI), AND VERIFYING NO PRESSURE LOSS OCCURS UPON HOLDING THE PRESSURE FOR A PERIOD OF ONE HOUR.

60. CONTRACTOR SHALL COORDINATE WITH THE OPR SO THAT THE OPR IS PRESENT FOR PRESSURE TESTING OF ALL PIPELINES AND UNDERGROUND VESSELS.

61. SAS SERVICE CONNECTIONS MUST BE INSTALLED UNDER A SEPARATE PERMIT, OBTAINED BY THE CONTRACTOR DIRECTLY FROM THE CITY. A STREET ADDRESS FOR EACH HOOK UP SHALL BE SUBMITTED WITH PERMIT REQUEST. PERMITS SHALL BE AVAILABLE ON SITE FOR REVIEW BY THE OPR AND THE CITY REPRESENTATIVE. SAS SERVICE CONNECTIONS SHALL BE INSPECTED BY CITY PRIOR TO BACKFILL.

62. SANITARY SEWER CONNECTIONS SHALL BE MADE OF FIXTURES, SUCH AS PIPE TEES, WYES, OR OF MECHANICALLY-STRAPPED SADDLE-TYPE FIXTURES AS APPROVED BY CITY UTILITY DEPARTMENT.

63. UNLESS OTHERWISE SHOWN ON THESE ACD, ALL LOW-PRESSURE SEWER LINES (LPSAS) SHALL BE PVC SDR 21, OR EQUIVALENT HDPE PIPE, BURIED UNDER A MINIMUM OF 42 INCHES OF COMPACTED BACKFILL.

64. LPSAS SERVICE CONNECTIONS SHALL BE MADE IN ACCORDANCE WITH DETAILS SHOWN ON THESE ACD. WHEN SERVICE LPSAS LINE CONNECTS ONTO GRAVITY SEWER LINE, THE CONECTION SHALL BE MADE AT THE TEE, WYE OR SADDLE DESCRIBED ABOVE. USING REDUCER AND ADAPTER AS APPROPRIATE. WHEN LPSAS SERVICE CONNECTS TO AN LPSAS MAIN, APPROPRIATE FITTINGS SUCH AS REDUCERS AND TEES SHALL BE USED. FITTINGS SHALL BE OF THE SAME PRESSURE RATING AS THE MAIN.

65. SEWER LINES SHALL BE PLACED ABOVE STORM SEWERS WHEN THESE CROSS, UNLESS OTHERWISE APPROVED BY THE OPR, IN CONSULTATION WITH THE CITY UTILITY DEPARTMENT. A MINIMUM VERTICAL CLEARANCE OF 12 INCHES SHALL BE PROVIDED BETWEEN THE TOP OF A SAS LINE AND THE BOTTOM OF A STORM SEWER LINE, UNLESS OTHERWISE APPROVED IN WRITING BY CITY UTILITY DEPARTMENT.

66. LPSAS SERVICE CONNECTIONS SHOWN ON THESE ACD TO BE MADE DIRECTLY ONTO FLUSHING STATIONS, CONTRACTOR SHALL FOLLOW THE SAME DETAIL USED FOR IN-LINE FLUSHING STATIONS, REPLACING THE RESPECTIVE SEWER MAIN BRANCH WITH THE SPECIFIED SERVICE LINE DIAMETER.

67. ANY LPSAS GRINDER PUMP STATIONS SPECIFIED ON THESE ACD SHALL BE AS MANUFACTURED BY ENVIROMENT-ONE CORPORATION, AND NO SUBSTITUTIONS SHALL BE ALLOWED. HOWEVER, THE SUPPLY AND INSTALLATION OF GRINDER PUMPS BEYOND THE LPSAS SERVICE CORRIDOR SHALL BE THE RESPONSIBILITY OF THE HOME BUILDER/OWNER, AND SHALL NOT BE PART OF THIS PROJECT'S SCOPE.

68. LOW PRESSURE SEWER LINES (LPSAS) SHALL NOT LOSE MORE THAN 6 PSI OF PRESSURE, WHEN TESTED AT 120 PSI FOR A MINIMUM OF ONE HOUR. ALL TEST REPORTS SHALL BE SUBMITTED, FOR THE OPR'S REVIEW, PRIOR TO INSTALLING PAVEMENT.

69. ALL DRAINAGE PIPELINES OR CULVERTS SPECIFIED IN THESE ACD AS CORRUGATED METAL PIPE OR "CMP" SHALL HAVE A MINIMUM 16-GAUGE, AND MINIMUM 12-INCH BURY.

70. UPON FINISHING APPLICATION OF THE FINISH GRADE MATERIAL, CONTRACTOR SHALL ADJUST, AS NECESSARY, THE FINAL ELEVATION OF ALL MANHOLE AND VALVE RIMS TO SUIT FINISH GRADE.

71. ALL UTILITY LINES SHALL BE BORED UNDER ANY EXISTING PCC FEATURES, AND A MINIMUM OF 12 INCHES OF SEPARATION SHALL BE MAINTAINED BETWEEN SUCH LINES. ANY DAMAGE OR EXISTING PCC FEATURES (E.G. EXISTING CURB AND GUTTER, SIDEWALK), RESULTING FROM CONSTRUCTION ACTIVITIES ON THIS PROJECT, SHALL BE REPAIRED BY THE CONTRACTOR AT CONTRACTOR'S EXPENSE, BEFORE FINAL ACCEPTANCE.

72. SHADING AND BEDDING MATERIAL SHALL BE TYPE IV, CLASS I FOR DIRECT-BURY-CABLE, AND TYPE IV, CLASS 2 FOR CABLE-IN-CONDUIT INSTALLATION. TYPE III MATERIAL SHALL BE CONSIDERED SUITABLE FOR EITHER TYPE OF INSTALLATION.

73. IF TRENCH-WALL MATERIAL MEETS BACKFILL MATERIAL REQUIREMENTS, SAND BEDDING MAY BE OMITTED, PROVIDED THAT THE TRENCH BOTTOM IS SMOOTH, FLAT, AND WITHOUT SURFACE IRREGULARITIES.

74. SEPARATION BETWEEN JACKETED PRIMARY AND COMMUNICATION CABLES SHALL BE AT LEAST 12 INCHES.

75. WARNING TAPE SHALL BE PLACED A MINIMUM 12 INCHES ABOVE THE UPPER LEVEL OF UTILITIES AT THE CENTER OF THE TRENCH.

76. A COMPLETION LETTER, WRITTEN BY EACH UTILITY COMPANY WHOSE STRUCTURES/CONDUITS ARE AFFECTED DURING THE EXECUTION OF THE PROJECT, SHALL BE DELIVERED BY THE CONTRACTOR TO THE OPR BEFORE PAVING OR BEFORE THE SEWER'S VIDEO INSPECTION CAN OCCUR.

77. BURIED VESSELS, SUCH AS WATER STORAGE TANKS OF ANY KIND, SHALL BE INSTALLED IN STRICT COMPLIANCE WITH RECOMMENDATIONS PUBLISHED BY THE VESSEL MANUFACTURER FOR THE SPECIFIC APPLICATION. AT THE VERY MINIMUM, ALL VESSELS SHALL BE BEDDED ON 24 INCHES OF 1/4"x1/2" DIAMETER CRUSHED GRAVEL. FOR CYLINDRICAL TANKS, DEPTH OF GRAVEL WILL REACH THE "8 O'CLOCK" AND "4 O'CLOCK" MARKS ON THE TANK. CLASSIFIED BACKFILL SHALL BE PLACED ABOVE THAT ELEVATION.

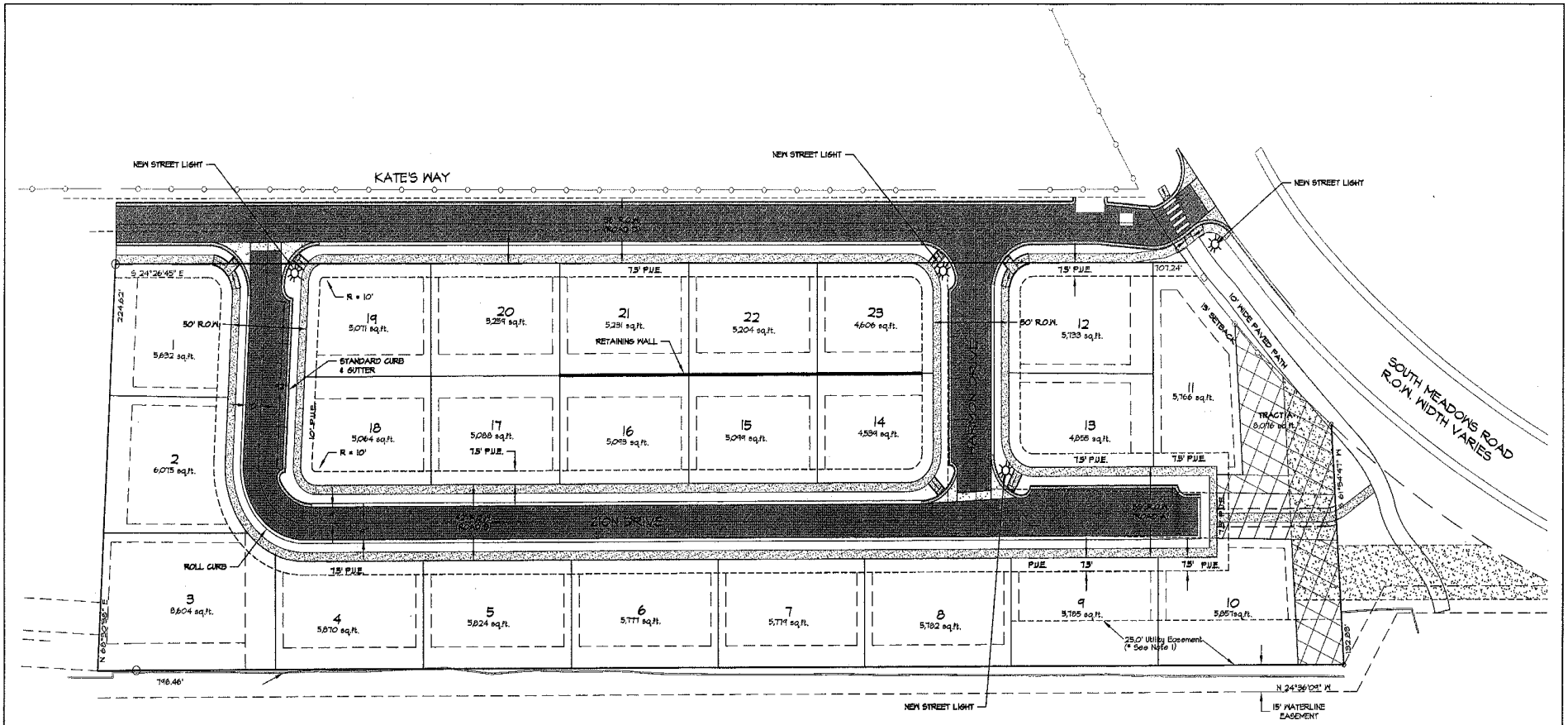
78. AT THE POINT OF CONNECTION BETWEEN BURIED VESSELS AND PIPES, FLEXIBLE COUPLINGS (VICTAULIC\W-000AR OR EQUAL) SHALL BE INSTALLED, UNLESS SPECIFICALLY REQUIRED OTHERWISE IN THESE ACD.

79. OVER-EXCAVATION OF TRENCHES SHALL NOT BE ACCEPTABLE, UNLESS THE OPR PROVIDES WRITTEN AUTHORIZATION FOR THE CONTRACTOR TO DO SO, TO ADDRESS PREVIOUSLY UNKNOWN SUBSOIL CONDITIONS WHICH WOULD BE UNSUITABLE FOR FOUNDATION OR PIPELINE BEDDING.

80. CONTRACTOR SHALL REMEDY AND REPAIR, AT THE CONTRACTOR'S EXPENSE, ANY ACCIDENTAL OVER-EXCAVATION PERFORMED BY CONTRACTOR'S CREWS, BY INSTALLING AND COMPACTING CLASSIFIED FILL IN COMPLIANCE WITH CLASS-D BEDDING OR BETTER.

82. CONTRACTOR SHALL OBTAIN ONE SET OF BACKFILL DENSITY TESTS FOR THE FOLLOWING: EVERY 100 FEET FOR EVERY LIFT OR EVERY 1.5 FEET (WHICHEVER RESULTS IN THE GREATEST NUMBER OF TESTS; WITHIN TWO (2) HORIZONTAL FEET OF ANY PCC OR OTHER MATERIAL STRUCTURES (E.G., MANHOLES, FOUNDATIONS, TANKS), BENEATH ALL MANHOLE BASES OR CONCRETE FOUNDATIONS. FOR EVERY LIFT FOR EVERY 500 LINEAR FEET OF TRENCH BACKFILL; OR FOR EACH 500 CUBIC YARDS OF FILL OR SIMILAR MATERIAL APPLIED OR FOR EACH DAY OF COMPACTION WORK, WHICHEVER RESULTS IN THE GREATEST NUMBER OF TESTS. TEST RESULTS SHALL BE SUBMITTED BY THE LABORATORY DIRECTLY TO THE OPR. FIELD TEST REPORTS SHALL BE SUBMITTED TO THE P&DR STAFF ON SITE AND THE OPR, AT THE TIME OF FIELD TESTING.

83. ALL MATERIAL QUALITY TESTS, BASED ON ASTM, AASHTO, AND OTHER STANDARDS SHALL BE SUBMITTED BY THE LABORATORY DIRECTLY TO THE OPR. RESULTS SHALL BE SUBMITTED WITHIN SEVEN (7) DAYS AFTER MATERIAL QUALITY TESTING IS COMPLETE, UNLESS OTHERWISE DIREC



LIGHT POLE FIXTURE SCHEDULE

LED ROADWAY LIGHTING FIXTURE SPECS FOR 25' POLE-
MANUFACTURE - CROSSROADS LED
FIXTURE MODEL - 4000-MT416-40-5000 ASTROPHILE STREET LIGHTING LUMINARIES
TYPE - LED
WATTS - 40
DISTRIBUTION PATTERN - TYPE II
COLOR TEMPERATURE - 5000K

NORTH

SCALE 1"=30'

30' 0 30

REVISIONS

DATE	BY

DESIGN ENGINUITY
1501 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 595-9571

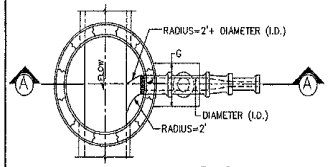
SANGRE AZUL

STREET LIGHTING PLAN

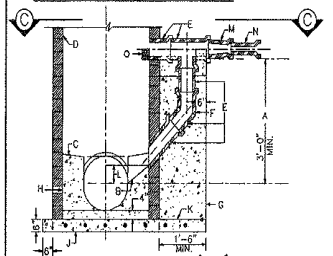
SCALE	DWG NO	DATE
1"=30'		06/19/2020
PROJECT #		SHEET NO. 18

LEGEND

ITEM	DESCRIPTION
1	MANHOLE FRAME & COVER, refer to manhole frame and cover detail Dwg. No. SAS-4
2	CONCRETE ADJUSTMENT RINGS or CONCRETE BRICK, refer to concrete adjustment detail Dwg. No. SAS-5
3	CONCRETE COLLAR, refer to concrete collar detail Dwg. No. SAS-6
4	PRECAST REINFORCED CONCRETE RISER, CONE or FLAT TOP, with 5"(in) wall thickness, refer to general note CM-2
5	PRECAST REINFORCED CONCRETE BASE RISER, with suitable sized openings, refer to general note CM-2A
6	CONCRETE BASE, refer to concrete base detail Dwg. No. SAS-7
7	SEWER PIPE, refer to general note CM-1
8	6"(in) GROUT FILLET, on upper half of pipe and around base
9	ADAPTER, MANHOLE, refer to manhole adapter detail Dwg. No. SAS-8
10	PIPE PENETRATION INTO MANHOLE, refer to manhole adapter detail Dwg. No. SAS-8
11	PIPE SUPPORT, CONCRETE, shall extend out-side of manhole a maximum of 18"(in) to bell of first joint and shall cradle pipe half pipe
12	CONCRETE FILL, 3000 p.s.i., refer to general note CR-6
13	SHELF, to be 9"(in) minimum width with 1"(in) per 1'-0" slope, from crown of pipe
14	CUT UPPER HALF OF PIPE, after manhole has been completed and inspected by engineer
15	HAND FORMED CHANNELS, shall be on a uniform radius and shall not hold water
16	INVERT ELEVATIONS OF LATERAL LINES, shall be the same as the springline elevation of the sewer main, where possible
17	CHANGE SLOPE OF PIPE, at center of manhole
18	APPROVED WATER STOP, to be with type of pipe



PLAN VIEW @ X-SECTION C C



PROFILE VIEW @ X-SECTION A A

NOT TO SCALE

CONSTRUCTION NOTES

A. 3' (ft) MINIMUM DISTANCE OF VERTICAL DROP. LESS THAN 3'(ft) CASCADE OR DROP MANHOLE.

B. FORM PIPE INVERT IN SHELF. INVERT TO SPRINGLINE.

C. SHELF SLOPE, 1"(in) PER FT.

D. MANHOLE TYPE FOR UPPER PORTION IS SPECIFIED IN MANHOLE TYPE "E" DETAIL DWG NO. SAS-2.

E. USE CL. 50 P.V.C.(SDR 35) PIPE THROUGHOUT DROP. ALL FITTING IN DROP STRUCTURE FROM THE TEE OR WYE ABOVE ONE PIPE SIZE FROM THE SERVICE LINE. (SERVICE=6" DROP=10")

F. USE BELL AND SPIGOT 45° LONG RADIUS BEND.

G. CONCRETE SUPPORT WIDTH EQUALS PIPE O.D. PLUS 6"(IN) MINIMUM EACH SIDE.

H. CONCRETE FILL

J. CAST IN PLACE REINFORCED CONCRETE BASE REQUIRED. CONCRETE BASE TO BE POURED IN PLACE USING HOLE DUG AT 5'(ft) O.C. EACH WAY FOR MANHOLE DEPTH OF 10'(ft) OR GREATER. #5@ BARS AT 12"(in) O.C. EACH WAY FOR MANHOLE DEPTH LESS THAN 10'(ft) IN DEPTH.

K. FOR NEW DROP ON EXISTING MANHOLE CONSTRUCT 3ft REINFORCED CONCRETE BASE BEFORE CONSTRUCTING DROP SUPPORT.

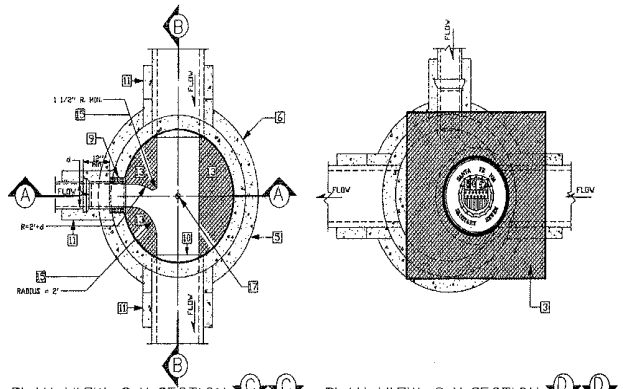
L. MINIMUM 2"(in) ABOVE SPRINGLINE OR AS SHOWN ON PLAN.

M. REDUCER

N. SERVICE LINE

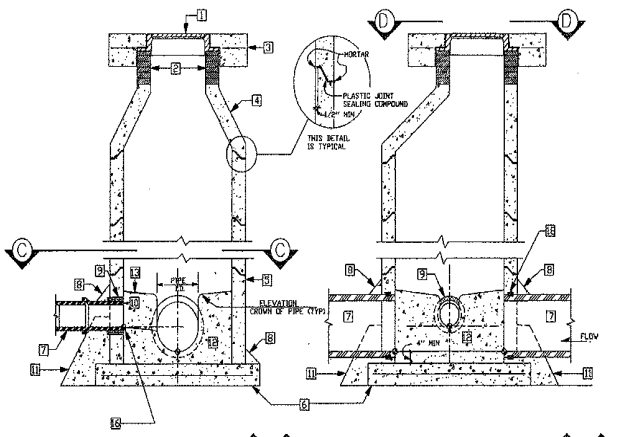
O. EXTEND PIPE 5"(in) MINIMUM 6"(in) MAXIMUM INTO MANHOLE TOP. 1/2 PIPE REMOVED.

DROP MANHOLE DETAIL DWG. #: SAS-1



PLAN VIEW @ X-SECTION C C

PLAN VIEW @ X-SECTION D D



PROFILE VIEW @ X-SECTION A A

PROFILE VIEW @ X-SECTION B B

DENOTES ELEVATION PER ENGINEERS DESIGN

NOT TO SCALE

MANHOLE TYPE "E" DETAIL/DWG # SAS-2 (See Dwg. # SAS-14 for Type "C" Flot Top)

GENERAL NOTES

CONSTRUCTION REQUIREMENTS

CR-1 MATERIALS AND WORK:
CURRENT NEW MEXICO STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (referred to in NM APWA) WITH MODIFICATIONS NOTED BY THE CITY OF SANTA FE.

CR-2 APPROVED PLANS:
USE PLANS BEARING THE OFFICIAL STAMP OF THE DESIGN ENGINEER AND BEARING THE APPROVAL SIGNATURE OF THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE. CONSTRUCTION PERFORMED WITHOUT APPROVED PLANS WILL BE REJECTED.

CR-3 SEWER HOOK-UP PERMIT:
OBTAIN PERMITS FOR THE PROJECT BEFORE COMMENCING ANY SEWER CONSTRUCTION. CONSTRUCTION PERFORMED WITHOUT OBTAINING PERMITS SHALL BE REJECTED.
A. CONSTRUCTION PLANS SHALL INDICATE THE CLASS OF BEDDING TO BE USED. CHANGE OF BEDDING MAY REQUIRE A CHANGE IN PIPE CLASSIFICATION OR WALL THICKNESS.

CR-4 SUBSTITUTIONS OR CHANGES:
ALL SUBSTITUTIONS OR CHANGES MUST BE APPROVED BY THE CITY WATER QUALITY DIVISION OR CITY APPROVED REPRESENTATIVE PRIOR TO CONSTRUCTION. ALL SUBSTITUTIONS OR CHANGES MUST BE SUBMITTED BY THE DESIGN ENGINEER TO THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE. WHERE APPROPRIATE, SUBMITTAL MUST INCLUDE FABRICATION DRAWINGS, WORKING DRAWINGS AND MATERIAL SPECIFICATIONS OR TEST DATA TO JUSTIFY SUBSTITUTIONS OR CHANGES. DESIGN ENGINEER SHALL AUTHORIZE ANY DRAWINGS FOR SUBSTITUTIONS AND CHANGES AND SUBMIT THEM TO THE CITY WATER QUALITY DIVISION FOR APPROVAL. UNAUTHORIZED SUBMITTALS WILL BE REJECTED.

CR-5 MANUFACTURER'S CERTIFICATES:
WHEN CERTIFICATES OF COMPLIANCE AND TEST REPORTS ARE REQUIRED FOR MATERIALS, DOCUMENTS SHALL BE SUBMITTED TO THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE AT THE TIME OF MATERIALS DELIVERY TO THE JOBSITE.

CR-6 CONTRACTOR REQUIREMENTS:
CONTRACTOR PERFORMING WORK ON PUBLIC SEWER LINES SHALL BE A LICENSED UTILITY CONTRACTOR.

INSTALLATION

I-1 LAYING PIPE:
AS PER SECTION 600, NM APWA; PIPE SHALL BE PLACED AND BEDDED IN A FROST FREE TRENCH; GASKET SHALL BE FULLY SEATED AND NOT SLIPPED; PIPE SHALL BE LAID THROUGH MANHOLE LOCATIONS ON STRAIGHT AND UP TO 22 1/2 DEGREE DEFLECTIONS.
A. IF PIPE TRENCH INSTALLATION CONFIGURATION EXCEEDS THE LIMITS OF NM APWA STANDARDS, SECTION 700, OR AS DEFINED ON THE CONSTRUCTION PLANS, THE DESIGN ENGINEER WILL SPECIFY THE NEW PIPE CLASSIFICATION OR WALL THICKNESS.
B. TYPE I TRENCH CONFIGURATION IS NORMALLY USED WHEN TRENCH DEPTHS ARE 8'(FT.) OR LESS. TYPE II TRENCH CONFIGURATION IS NORMALLY USED WHEN TRENCH DEPTHS ARE 8'(FT.) AND OVER, DEPENDING ON SOIL CONDITIONS. REFER TO NM APWA STANDARDS SECTION 700.

I-2 MANHOLE CONSTRUCTION:
A. BASE:
1. CAST IN PLACE: ON UNDISTURBED FROST FREE SUBGRADE
2. PRECAST UNIT: ON PEA GRAVEL WITH COMPLETE EVEN BEARING
B. PRECAST BARREL:
1. JOINTS: FILL COMPLETELY WITH NON-SHRINK GROUT AND TROWEL
2. MANHOLE ADAPTOR: INSTALL OVER PVC PIPE AND FILL IN PENETRATION WITH NON-SHRINK GROUT.
3. CAST IN PLACE BASES: SHALL ACHIEVE A MINIMUM OF 2500 PSI COMPRESSIVE STRENGTH BEFORE SETTING PRECAST BARREL SECTIONS.

I-3 EXCAVATION AND BACKFILL:
AS PER SECTION 708, NM APWA; SATURATION OF FLOODING OR JETTING METHODS IS NOT PERMITTED WITHOUT A SOILS ENGINEERING REPORT RECOMMENDING THESE METHODS. MECHANICAL OR VIBRATORY COMPACTORS SHALL NOT BE USED ON THE BEDDING AND 12"(IN.) OF INITIAL BACKFILL. COMPACTION SHALL BE DETERMINED PER AASHTO T-180.

CONSTRUCTION MATERIALS

CM-1 SEWER PIPE: (CERTIFICATES REQUIRED)
A. VITRIFIED CLAY: REFER TO SECTION 125, NM APWA FOR EXTRA STRENGTH VCP.
B. PLASTIC PIPE: REFER TO SECTION 121, NM APWA, AS MODIFIED BY THE CITY.
1. 4" THRU 15" (INCH) DIAMETER, ASTM D-3034 OR ASTM F-789 PIPE. MINIMUM PS-46 STRENGTH. SDR-35 OR EQUAL
2. LARGER THAN 15" (IN.) DIAMETER: ASTM F 679 VOL. 08.04.
C. HDPE PIPE PER ASTM D-1248 CLASS III WHEN APPROVED BY WATER QUALITY DIVISION ENGINEER.
D. PVC RESTRAINED JOINTS: SERIES 1360 OR SERIES 1260 FOR COUPLINGS PRODUCED BY UNI-FLANGE CORPORATION, LOCKING COUPLINGS WITH NYLON SPLINE, MARKETED AS "YELLOWPINE" AND PRODUCED BY CERTAINTEED CORPORATION, OR APPROVED EQUAL.
E. MANHOLE ADAPTERS: ASBESTOS CEMENT (AC) MANHOLE ADAPTERS, OR AC/PVC ADAPTER COUPLINGS.
F. BUILDING SERVICE STUBS: CAST IRON DWV, PVC SCH. 40 DWV.
G. SERVICE CONNECTIONS:
1. VCP PIPE: FACTORY TEE FITTINGS; SECTION 125 NM APWA.
2. PVC PIPE: CAST IRON BODIES TAPPING SADDLE WITH STAINLESS STEEL TENSION STRAP AND FITTINGS; FOWLER "DOUGHNAW" (GENEVA, NEBRSK) "PIONEER", OR APPROVED EQUAL.
H. SOIL CLASSIFICATION: THE UNIFIED SOIL CLASSIFICATION SYSTEM PER ASTM D 2487 TABLE 701.3.5 NM APWA.

CM-2 MANHOLES:
A. CONCRETE MANHOLES: PRECAST REINFORCED CONCRETE RISERS, REDUCING CONES, AND ADJUSTMENT RINGS PER ASTM C 478 VOL. 04.05. BASES MAY BE FIELD PLACED CONCRETE OR PRECAST CONCRETE PER ASTM C 478 VOL. 04.05 (CERTIFICATES REQUIRED). CRACKED OR VISIBLY DEFECTIVE UNITS WILL BE REJECTED.
B. PIPE PENETRATIONS: PRECAST UNITS SHALL HAVE SUITABLE SIZED OPENINGS CAST INTO BARREL AT PROPER ANGLES FOR PIPE AND MANHOLE ADAPTERS.
C. MANHOLE STEPS: REFER TO SECTION 502.4.7 NM APWA POLYPROPYLENE ENCASED GRADE 60 STEEL BY M.A. INC. OR APPROVED EQUAL 14"(IN.) WIDE, 18"(IN.) MAXIMUM SPACING.
D. FRAMES AND COVERS:
1. CASTING: SHALL CONFORM TO SECTION 180, 181 & 182, NM, APWA CLASS 30B. (CERTIFICATES AND SHOP DRAWINGS REQUIRED)
2. MINIMUM COVER WEIGHT: 165 POUNDS
3. MINIMUM COMBINED WEIGHT: 365 POUNDS +/- 5%
4. BEARING SURFACES: SHALL BE MATCHED FOR A FIRM NON ROCKING SEAT BETWEEN FRAME AND COVER. MINIMUM SEATING WIDTH: 7/8"(IN.)
5. COATING: NONE
6. COVER LETTERINGS: SANTA FE, N.M. SANITARY SEWER
7. CASTINGS: CAST MANUFACTURER AND MODEL NUMBER ON FRAME AND COVER.
8. CASTINGS TOLERANCE: +/- 1/16"(IN.) PER FOOT OF OVERALL DIMENSION. OUT OF ROUND CASTINGS AND LOOSE FITTING UNITS WILL BE REJECTED IN THE FIELD.

CM-3 CONCRETE ENCASEMENT:
A. REQUIREMENTS:
1. WHEN THE PIPE COVER IS 36" (IN.) OR LESS.
2. WHEN VITRIFIED CLAY CROSSES AN ARROYO.
3. WHEN A WATER LINE PASSES BELOW OR LESS THAN 18" (IN.) ABOVE THE EXISTING SEWER LINE.
4. WHEN A PARALLEL WATER LINE IS LESS THAN 10'(FT.) HORIZONTALLY AND LESS THAN 2'(FT.) ABOVE THE SEWER LINE.
5. THE SEWER LINE SHALL BE ENCASED IN CONCRETE 6"(IN.) THICK AS DETAILED, AND EXTEND AT LEAST 10'(FT.) ON EACH SIDE OF THE WATER LINE.

FIELD QUALITY CONTROL

FQC-1 TESTING AND INSPECTION:
A. SUPERVISION: CONDUCTED BY DESIGN ENGINEER.
B. CERTIFICATION: DESIGN ENGINEER SHALL CERTIFY THAT THE PROJECT HAS BEEN COMPLETED IN ACCORDANCE TO PLANS & SPECIFICATIONS AND SHALL SUBMIT A CERTIFICATION OF COMPLIANCE STATEMENT WITH STAMP AND SIGNATURE.
C. EQUIPMENT AND ASSISTANCE: PROVIDED BY CONTRACTOR.

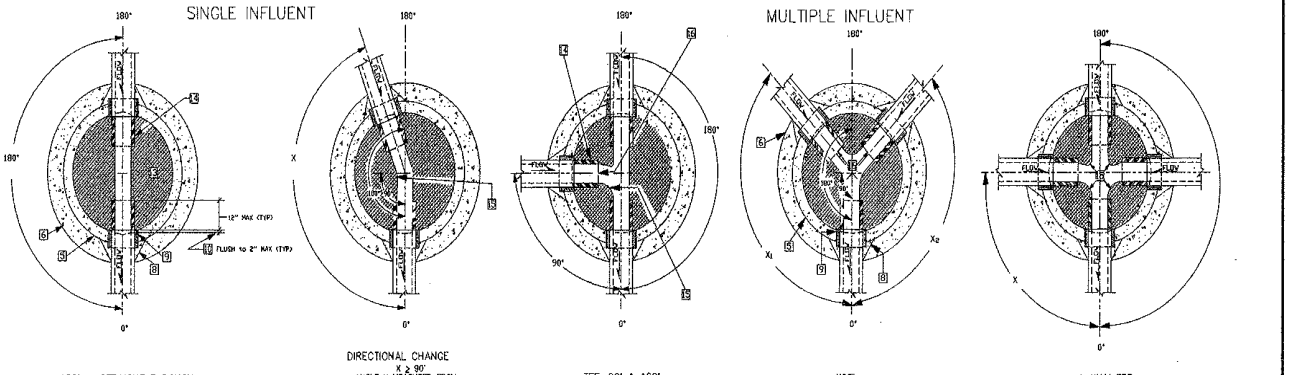
FQC-2 LINE AND GRADE: ALLOWABLE TOLERANCE BETWEEN STRUCTURES FROM DESIGN:
A. LINE: 0.20 FOOT
B. GRADE: 0.02 FOOT; PIPE SHALL NOT HOLD BACK ANY WATER.

FQC-3 LEAKAGE TEST:
AIR TEST REQUIRED; REFER TO SECTION 901.7 NM APWA.

FQC-4 TELEVISION INSPECTION:
CONTRACTOR SHALL PROVIDE A CERTIFIED CCTV SEWERLINE INSPECTION AND RECORD TAPES AT HIS OWN EXPENSE.

FQC-5 ALL CONNECTIONS TO EXISTING MANHOLES INCLUDES REHABILITATING TIE IN MANHOLE TO MEET THESE STANDARD CONSTRUCTION DETAILS.

NOTE: REVISIONS TO THIS SHEET SHALL BE MADE UNDER THE AUTHORITY OF THE CITY OF SANTA FE ONLY.



180° or STRAIGHT THROUGH

DIRECTIONAL CHANGE
X ≥ 90°
ANGLE X MEASURED FROM EFFLUENT CENTERLINE

TEE, 90° & 180°
ANGLE MEASURED FROM EFFLUENT CENTERLINE

WYE
MINIMUM BEND 90°
MAXIMUM BEND 180°
ANGLE X MEASURED FROM EFFLUENT CENTERLINE

4-WAY TEE
ANGLE X MEASURED FROM EFFLUENT CENTERLINE
MINIMUM BEND 90°

PLAN VIEW OF MANHOLE BASE CONNECTION/DWG. # SAS-3

NOT TO SCALE

CITY OF SANTA FE
WATER QUALITY DIVISION

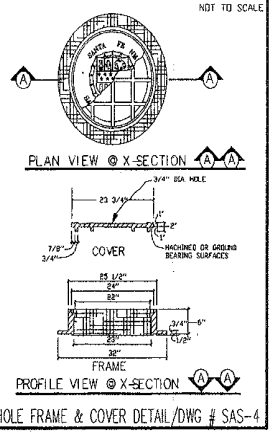
TITLE: SANITARY SEWER
STANDARD CONSTRUCTION DETAILS

DATE: JULY 1992	REVISIONS		FILE # E:\AUTO\DWG\SCDT1-4
DRAWN BY: D. GAMEZ	1 8-3-92	2	
CADD RENDITION BY: D. GAMEZ	2 12-14-92	3	SHEET 4 OF
APPROVED BY: F. BROWN	3 11-16-94	4	

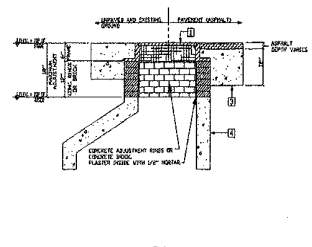
LEGEND

ITEM	DESCRIPTION
1	MANHOLE FRAME & COVER, refer to manhole frame and cover detail Dwg. No. SAS-4
2	CONCRETE ADJUSTMENT RINGS or CONCRETE BRICK, refer to concrete adjustment detail Dwg. No. SAS-5
3	CONCRETE COLLAR, refer to concrete collar detail Dwg. No. SAS-6
4	PRECAST REINFORCED CONCRETE RISER, CONE or FLAT TOP, with 5"(in) wall thickness, refer to general note CM-2
5	PRECAST REINFORCED CONCRETE BASE RISER, with suitable sized openings, refer to general note CM-2A
6	CONCRETE BASE, refer to concrete base detail Dwg. No. SAS-7
7	SEWER PIPE, refer to general note CM-1
8	6"(in) GROUT FILLET, on upper half of pipe and around base
9	ADAPTER, MANHOLE, refer to manhole adapter detail Dwg. No. SAS-8
10	PIPE PENETRATION INTO MANHOLE, refer to manhole adapter detail Dwg. No. SAS-8
11	PIPE SUPPORT, CONCRETE, shall extend out-side of manhole a maximum of 18"(in) to bell of first joint and shall cradle pipe half pipe
12	CONCRETE FILL, 3000 p.s.i., refer to general note CR-6
13	SHELF, to be 9"(in) minimum width with 1"(in) per 1'-0" slope, from crown of pipe
14	CUT UPPER HALF OF PIPE, after manhole has been completed and inspected by engineer
15	HAND FORMED CHANNELS, shall be on a uniform radius and shall not hold water
16	INVERT ELEVATIONS OF LATERAL LINES, shall be the same as the springline elevation of the sewer main, where possible
17	CHANGE SLOPE OF PIPE, at center of manhole
18	APPROVED WATER STOP, to be with type of pipe

NOT TO SCALE



MANHOLE FRAME & COVER DETAIL/DWG # SAS-4



NOT TO SCALE

MANHOLE ADJUSTMENT DETAIL/DWG # SAS-5

GENERAL NOTES

CONSTRUCTION REQUIREMENTS

CR-1 MATERIALS AND WORK:
CURRENT NEW MEXICO STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (referred to as NM APWA) WITH MODIFICATIONS NOTED BY THE CITY OF SANTA FE.

CR-2 APPROVED PLANS:
USE PLANS BEARING THE OFFICIAL STAMP OF THE DESIGN ENGINEER AND BEARING THE APPROVAL SIGNATURE OF THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE. CONSTRUCTION PERFORMED WITHOUT APPROVED PLANS WILL BE REJECTED.

CR-3 SEWER HOOK-UP PERMIT:
OBTAIN PERMITS FOR THE PROJECT BEFORE COMMENCING ANY SEWER CONSTRUCTION. CONSTRUCTION PERFORMED WITHOUT OBTAINING PERMITS SHALL BE REJECTED.
A. CONSTRUCTION PLANS SHALL INDICATE THE CLASS OF BEDDING TO BE USED. CHANGE OF BEDDING MAY REQUIRE A CHANGE IN PIPE CLASSIFICATION OR WALL THICKNESS.

CR-4 SUBSTITUTIONS OR CHANGES:
ALL SUBSTITUTIONS OR CHANGES MUST BE APPROVED BY THE CITY WATER QUALITY DIVISION OR CITY APPROVED REPRESENTATIVE PRIOR TO CONSTRUCTION. ALL SUBSTITUTIONS OR CHANGES MUST BE SUBMITTED BY THE DESIGN ENGINEER TO THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE. WHERE APPROPRIATE, SUBMITTAL MUST INCLUDE FABRICATION DRAWINGS, WORKING DRAWINGS AND MATERIAL SPECIFICATIONS OR TEST DATA TO JUSTIFY SUBSTITUTIONS OR CHANGES. DESIGN ENGINEER SHALL AUTHORIZE ANY DRAWINGS FOR SUBSTITUTIONS AND CHANGES AND SUBMIT THEM TO THE CITY WATER QUALITY DIVISION FOR APPROVAL. UNAUTHORIZED SUBMITTALS WILL BE REJECTED.

CR-5 MANUFACTURER'S CERTIFICATES:
WHEN CERTIFICATES OF COMPLIANCE AND TEST REPORTS ARE REQUIRED FOR MATERIALS, DOCUMENTS SHALL BE SUBMITTED TO THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE AT THE TIME OF MATERIALS DELIVERY TO THE JOBSITE.

CR-6 CONTRACTOR REQUIREMENTS:
CONTRACTOR PERFORMING WORK ON PUBLIC SEWER LINES SHALL BE A LICENSED UTILITY CONTRACTOR.

INSTALLATION

I-1 LAYING PIPE:
AS PER SECTION 610, NM APWA; PIPE SHALL BE PLACED AND BEDDED IN A FROST FREE TRENCH; GASKET SHALL BE FULLY SEATED AND NOT SLIPPED; PIPE SHALL BE LAID THROUGH MANHOLE LOCATIONS ON STRAIGHT AND UP TO 22 1/2 DEGREE DEFLECTIONS.
A. IF PIPE TRENCH INSTALLATION CONFIGURATION EXCEEDS THE LIMITS OF NM APWA STANDARDS, SECTION 700, OR AS DEFINED ON THE CONSTRUCTION PLANS, THE DESIGN ENGINEER WILL SPECIFY THE NEW PIPE CLASSIFICATION OR WALL THICKNESS.
B. TYPE I TRENCH CONFIGURATION IS NORMALLY USED WHEN TRENCH DEPTHS ARE 8'(FT.) OR LESS. TYPE II TRENCH CONFIGURATION IS NORMALLY USED WHEN TRENCH DEPTHS ARE 8'(FT.) AND OVER, DEPENDING ON SOIL CONDITIONS. REFER TO NM APWA STANDARDS SECTION 700.

I-2 MANHOLE CONSTRUCTION:
A. BASE:
1. CAST IN PLACE: ON UNDISTURBED FROST FREE SUBGRADE
2. PRECAST UNIT: ON PEA GRAVEL WITH COMPLETE EVEN BEARING
B. PRECAST BARREL:
1. JOINTS: FILL COMPLEXELY WITH NON-SHRINK GROUT AND TROWEL
2. MANHOLE ADAPTOR: INSTALL OVER PVC PIPE AND FILL IN PENETRATION WITH NON-SHRINK GROUT.
3. CAST IN PLACE BASES: SHALL ACHIEVE A MINIMUM OF 2500 PSI COMPRESSIVE STRENGTH BEFORE SETTING PRECAST BARREL SECTIONS.

I-3 EXCAVATION AND BACKFILL:
AS PER SECTION 700, NM APWA; SATURATION BY FLOODING OR JETTING METHODS IS NOT PERMITTED WITHOUT A SOILS ENGINEERING REPORT RECOMMENDING THESE METHODS. MECHANICAL OR VIBRATORY COMPACTORS SHALL NOT BE USED ON THE BEDDING AND 12"(IN.) OF INITIAL BACKFILL. COMPACTION SHALL BE DETERMINED PER AASHTO T-180.

CONSTRUCTION MATERIALS

CM-1 SEWER PIPE: (CERTIFICATES REQUIRED)
A. VITRIFIED CLAY: REFER TO SECTION 125, NM APWA FOR EXTRA STRENGTH VCP.
B. PLASTIC (PVC): REFER TO SECTION 121, NM APWA, AS MODIFIED BY THE CITY.
1. 4" THRU 15" (inch) DIAMETER, ASTM D-3034 OR ASTM F-789 PIPE. MINIMUM PS-46 STRENGTH. SDR-35 OR EQUAL.
2. LARGER THAN 15" (IN.) DIAMETER: ASTM F 679 VOL. 08.04.
C. HDPE PIPE PER ASTM D-1248 CLASS III WHEN APPROVED BY WATER QUALITY DIVISION ENGINEER.
D. PVC RESTRAINED JOINTS: SERIES 1350 OR SERIES 1390 FOR COUPLINGS PRODUCED BY UNI-FLANGE CORPORATION, LOCKING COUPLINGS WITH NYLON SPLINE, MARKETED AS "YELLOWMINE" AND PRODUCED BY CERTAINTEED CORPORATION, OR APPROVED EQUAL.
E. MANHOLE ADAPTERS: ASBESTOS CEMENT (AC) MANHOLE ADAPTERS, OR AC/PVC ADAPTER COUPLINGS.
F. BUILDING SERVICE STUBS: CAST IRON DWV, PVC DCW, 40 DWV.
G. SERVICE CONNECTIONS:
1. VCP PIPE: FACTORY WYE FITTINGS. SECTION 125 NM APWA.
2. PVC PIPE: CAST IRON ROCKER TAPPING SADDLE WITH STAINLESS STEEL TENSION STRAP AND FITTINGS; FOWLER "QUICKWAY" ADVECO, HERSEY "PIONEER", OR APPROVED EQUAL.
H. SOIL CLASSIFICATION: THE UNIFIED SOIL CLASSIFICATION SYSTEM PER ASTM D 2487 TABLE 701.3.5 NM APWA.

CM-2 MANHOLES:
A. CONCRETE MANHOLES: PRECAST REINFORCED CONCRETE RISERS, REDUCING CONES, AND ADJUSTMENT RINGS PER ASTM C 478 VOL. 04.05. BASES MAY BE FIELD PLACED CONCRETE OR PRECAST CONCRETE PER ASTM C 478 VOL. 04.05 (CERTIFICATES REQUIRED). CRACKED OR VISIBLY DEFECTIVE UNITS WILL BE REJECTED.
B. PIPE PENETRATIONS: PRECAST UNITS SHALL HAVE SUITABLE SIZED OPENINGS CAST INTO BARREL AT PROPER ANGLES FOR PIPE AND MANHOLE ADAPTERS.
C. MANHOLE STEPS: REFER TO SECTION 930.4.7 NM APWA POLYPROPYLENE ENCASED GRADE 60 STEEL BY M.A. IND. OR APPROVED EQUAL 14"(IN.) WIDE, 18"(IN.) MAXIMUM SPACING.
D. FRAMES AND COVERS:
1. CASTING: SHALL CONFORM TO SECTION 160, 161 & 162, NM, APWA CLASS 30B. (CERTIFICATES AND SHOP DRAWINGS REQUIRED)
2. MINIMUM COVER WEIGHT: 165 POUNDS
3. MINIMUM COMBINED WEIGHT: 368 POUNDS +/- 5%
4. BEARING SURFACES: SHALL BE MATCHED FOR A FIRM NON ROCKING SEAT BETWEEN FRAME AND COVER; MINIMUM SEATING WIDTH: 7/8"(IN.)
5. COATING: NONE
6. COVER LETTERINGS: SANTA FE, N.M. SANITARY SEWER
7. CASTINGS: CAST MANUFACTURER AND MODEL NUMBER ON FRAME AND COVER.
8. CASTINGS TOLERANCE: +/- 1/16"(IN.) PER FOOT OF OVERALL DIMENSION. OUT OF ROUND CASTINGS AND LOOSE FITTING UNITS WILL BE REJECTED IN THE FIELD.

CM-3 CONCRETE ENCASEMENT:
A. REQUIREMENTS:
1. WHEN THE PIPE COVER IS 30" (IN.) OR LESS.
2. WHEN VITRIFIED CLAY CROSSES AN ARROYO.
3. WHEN A WATER LINE PASSES BELOW OR LESS THAN 18" (IN.) ABOVE THE CASTING SEWER LINE.
4. WHEN A PARALLEL WATER LINE IS LESS THAN 10'(FT.) HORIZONTALLY AND LESS THAN 2'(FT.) ABOVE THE SEWER LINE.
5. THE SEWER LINE SHALL BE ENCASED IN CONCRETE 6"(IN.) THICK AS DETAILED, AND EXTEND AT LEAST 10'(FT.) ON EACH SIDE OF THE WATER LINE.

FIELD QUALITY CONTROL

FQC-1 TESTING AND INSPECTION:
A. SUPERVISION: CONDUCTED BY DESIGN ENGINEER.
B. CERTIFICATION: DESIGN ENGINEER SHALL CERTIFY THAT THE PROJECT HAS BEEN COMPLETED IN ACCORDANCE TO PLANS & SPECIFICATIONS AND SHALL SUBMIT A CERTIFICATION OF COMPLIANCE STATEMENT WITH STAMP AND SIGNATURE.
C. EQUIPMENT AND ASSISTANCE: PROVIDED BY CONTRACTOR.

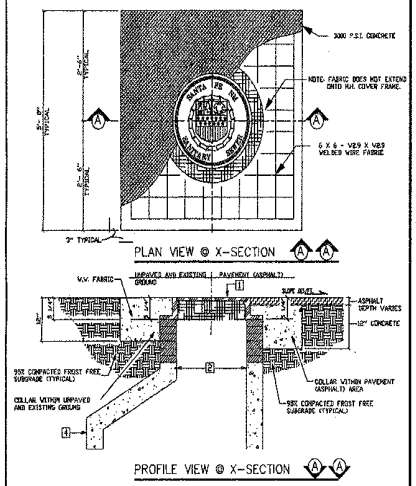
FQC-2 LINE AND GRADE: ALLOWABLE TOLERANCE BETWEEN STRUCTURES FROM DESIGN:
A. LINE: 0.20 FOOT
B. GRADE: 0.02 FOOT; PIPE SHALL NOT HOLD BACK ANY WATER.

FQC-3 LEAKAGE TEST:
AIR TEST REQUIRED; REFER TO SECTION 601.7 NM APWA.

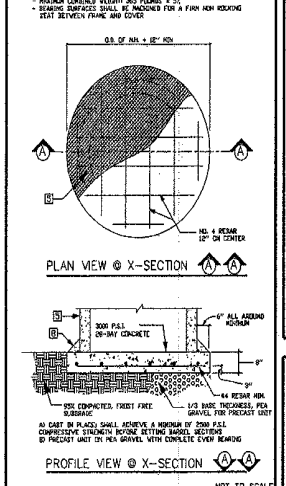
FQC-4 TELEVISION INSPECTION:
CONTRACTOR SHALL PROVIDE A CERTIFIED CCTV SEWERLINE INSPECTION AND RECORD TAPES AT HIS OWN EXPENSE.

FQC-5 ALL CONNECTIONS TO EXISTING MANHOLES INCLUDES REHABILITATING THE TIE IN MANHOLE TO MEET THESE STANDARD CONSTRUCTION DETAILS.

NOTE: REVISIONS TO THIS SHEET SHALL BE MADE UNDER THE AUTHORITY OF THE CITY OF SANTA FE ONLY.

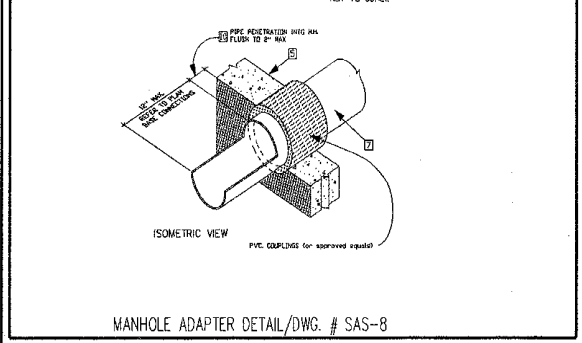


CONCRETE COLLAR DETAIL/DWG. # SAS-6 NOT TO SCALE

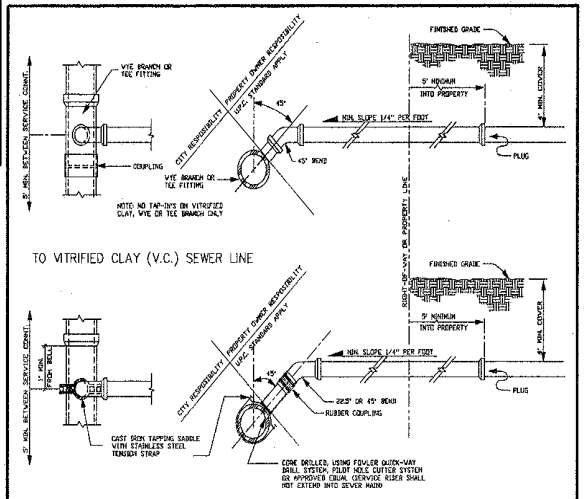


NOT TO SCALE

CONCRETE BASE DETAIL/DWG. # SAS-7

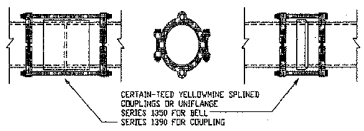


MANHOLE ADAPTER DETAIL/DWG. # SAS-8



NOT TO SCALE

SERVICE CONNECTION DETAILS/DWG. # SAS-10



NOTE: AT RIVER AND ARROYO CROSSINGS

RESTRAINED JOINT DETAIL/DWG. # SAS-9 NOT TO SCALE

CITY OF SANTA FE
WATER QUALITY DIVISION

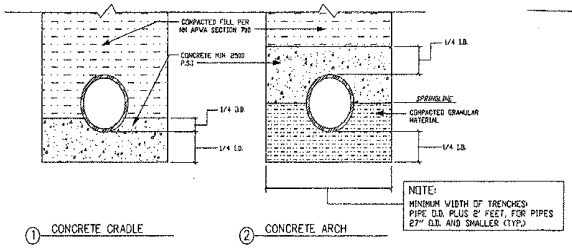
TITLE: SANITARY SEWER
STANDARD CONSTRUCTION DETAILS

DATE: JULY 1992	REVISIONS	FILE # G:\LAYOUTS\SCD12-4
DRAWN BY: G. CHAVEZ	1. 8-3-92	
CADD REVISION BY: G. CHAVEZ	2. 12-10-92	SHEET 8 OF
APPROVED BY: E. BROWN	3. 12-15-94	

TRENCH BEDDING AND INSTALLATION DETAILS/DWG. # SAS-11

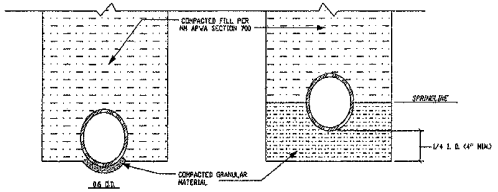
NOT TO SCALE

CLASS "A"



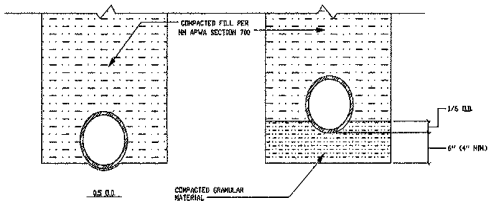
① CONCRETE CRADLE ② CONCRETE ARCH

CLASS "B"

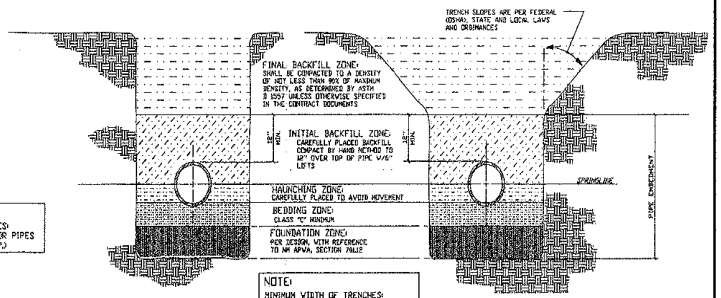


① SHAPED SUBGRADE WITH GRANULAR FOUNDATION ② GRANULAR FOUNDATION

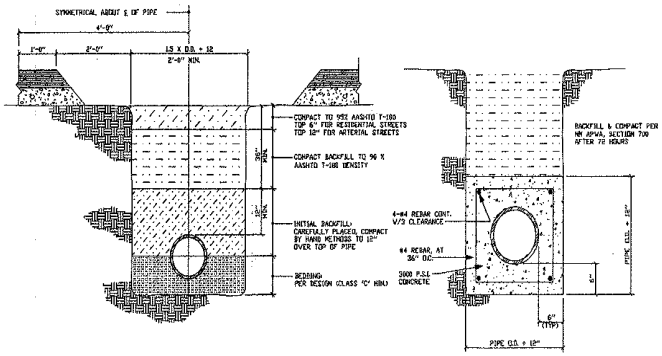
CLASS "C"



① SHAPED SUBGRADE ② GRANULAR FOUNDATION



TYPE I TYPE II



PAVED AREAS CONCRETE ENCASEMENT

GENERAL NOTES

CONSTRUCTION REQUIREMENTS

CR-1 MATERIALS AND WORK: CURRENT NEW MEXICO STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (referred to as NM APWA) WITH MODIFICATIONS NOTED BY THE CITY OF SANTA FE.

CR-2 APPROVED PLANS: USE PLANS BEARING THE OFFICIAL STAMP OF THE DESIGN ENGINEER AND BEARING THE APPROVAL SIGNATURE OF THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE. CONSTRUCTION PERFORMED WITHOUT APPROVED PLANS WILL BE REJECTED.

CR-3 SEWER HOOK-UP PERMIT: OBTAIN PERMITS FOR THE PROJECT BEFORE COMMENCING ANY SEWER CONSTRUCTION. CONSTRUCTION PERFORMED WITHOUT OBTAINING PERMITS SHALL BE REJECTED.
A. CONSTRUCTION PLANS SHALL INDICATE THE CLASS OF BEDDING TO BE USED. CHANGE OF BEDDING MAY REQUIRE A CHANGE IN PIPE CLASSIFICATION OR WALL THICKNESS.

CR-4 SUBSTITUTIONS OR CHANGES: ALL SUBSTITUTIONS OR CHANGES MUST BE APPROVED BY THE CITY WATER QUALITY DIVISION OR CITY APPROVED REPRESENTATIVE PRIOR TO CONSTRUCTION. ALL SUBSTITUTIONS OR CHANGES MUST BE SUBMITTED BY THE DESIGN ENGINEER TO THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE. WHERE APPROPRIATE, SUBMITTAL MUST INCLUDE FABRICATION DRAWINGS, WORKING DRAWINGS AND MATERIAL SPECIFICATIONS OR TEST DATA TO JUSTIFY SUBSTITUTIONS OR CHANGES. DESIGN ENGINEER SHALL AUTHORIZE ANY DRAWINGS FOR SUBSTITUTIONS AND CHANGES AND SUBMIT THEM TO THE CITY WATER QUALITY DIVISION FOR APPROVAL. UNAUTHORIZED SUBMITTALS WILL BE REJECTED.

CR-5 MANUFACTURER'S CERTIFICATES: WHEN CERTIFICATES OF COMPLIANCE AND TEST REPORTS ARE REQUIRED FOR MATERIALS, DOCUMENTS SHALL BE SUBMITTED TO THE CITY WATER QUALITY DIVISION OR APPROVED REPRESENTATIVE AT THE TIME OF MATERIALS DELIVERY TO THE JOBSITE.

CR-6 CONTRACTOR REQUIREMENTS: CONTRACTOR PERFORMING WORK ON PUBLIC SEWER LINES SHALL BE A LICENSED UTILITY CONTRACTOR.

INSTALLATION

I-1 LAYING PIPE: AS PER SECTION 900, NM APWA; PIPE SHALL BE PLACED AND REJOICED IN A FROST FREE TRENCH; GASKET SHALL BE FULLY SEATED AND NOT SLIPPED; PIPE SHALL BE LAID THROUGH MANHOLE LOCATIONS ON STRAIGHT AND UP TO 22 1/2 DEGREE DEFLECTIONS.
A. IF PIPE TRENCH INSTALLATION CONFIGURATION EXCEEDS THE LIMITS OF NM APWA STANDARDS, SECTION 700, OR AS DEFINED ON THE CONSTRUCTION PLANS, THE DESIGN ENGINEER WILL SPECIFY THE NEW PIPE CLASSIFICATION OR WALL THICKNESS.
B. TYPE I TRENCH CONFIGURATION IS NORMALLY USED WHEN TRENCH DEPTHS ARE 8'(FT.) OR LESS. TYPE II TRENCH CONFIGURATION IS NORMALLY USED WHEN TRENCH DEPTHS ARE 8'(FT.) AND OVER, DEPENDING ON SOIL CONDITIONS. REFER TO NM APWA STANDARDS SECTION 700.

I-2 MANHOLE CONSTRUCTION:
A. BASE:
1. CAST IN PLACE; ON UNDISTURBED FROST FREE SUBGRADE
2. PRECAST UNIT; ON PCA GRAVEL WITH COMPLETE EVEN BEARING
B. PRECAST BARREL:
1. JOINTS: FILL COMPLETELY WITH NON-SHRINK GROUT AND TROWEL
2. MANHOLE ADAPTOR: INSTALL OVER PVC PIPE AND FILL IN PENETRATION WITH NON-SHRINK GROUT.
3. CAST IN PLACE BASES: SHALL ACHIEVE A MINIMUM OF 2500 PSI COMPRESSIVE STRENGTH BEFORE SETTING PRECAST BARREL SECTIONS.

I-3 EXCAVATION AND BACKFILL: AS PER SECTION 700, NM APWA; SATURATION BY FLOODING OR JETTING METHODS IS NOT PERMITTED WITHOUT A SOILS ENGINEERING REPORT RECOMMENDING THESE METHODS. MECHANICAL OR VIBRATORY COMPACTORS SHALL NOT BE USED ON THE BEDDING AND 12"(IN.) OF INITIAL BACKFILL. COMPACTION SHALL BE DETERMINED PER AASHTO T-180.

CONSTRUCTION MATERIALS

CM-1 SEWER PIPE: (CERTIFICATES REQUIRED)
A. VITRIFIED CLAY: REFER TO SECTION 125, NM APWA FOR EXTRA STRENGTH VCP.
B. PLASTIC (PVC): REFER TO SECTION 121, NM APWA, AS MODIFIED BY THE CITY.
1. 4" THRU 15" (inch) DIAMETER, ASTM D-3034 OR ASTM F-789 PIPE, MINIMUM PS-46 STRENGTH. SDR-35 OR EQUAL
2. LARGER THAN 15" (IN.) DIAMETER: ASTM F 679 VOL. 08.04.
C. HDPE PIPE PER ASTM D-1248 CLASS III WHEN APPROVED BY WATER QUALITY DIVISION ENGINEER.
D. PVC RESTRAINED JOINTS: SERIES 1350 OR SERIES 1361 FOR COUPLINGS PRODUCED BY UNI-FLANGE CORPORATION, LOCKING COUPLINGS WITH NYLON SPLINE, MARKETED AS "YELLOWKNOT" AND PRODUCED BY CERTAINTEED CORPORATION, OR APPROVED EQUAL.
E. MANHOLE ADAPTERS: ASBESTOS CEMENT (AC) MANHOLE ADAPTERS, OR AC/PVC ADAPTER COUPLINGS.
F. BUILDING SERVICE STUBS: CAST IRON DWV, PVC SCH. 40 DWV.
G. SERVICE CONNECTIONS:
1. VCP PIPE: FACTORY TEE FITTINGS; SECTION 125 NM APWA.
2. PVC PIPE: CAST IRON BODIES TAPPING SADDLE WITH STAINLESS STEEL TENSION STRAP AND FITTINGS; FOWLER "ROCKWAY" DENVCO, SIDNEY "PIONEER", OR APPROVED EQUAL.
H. SOIL CLASSIFICATION: THE UNIFIED SOIL CLASSIFICATION SYSTEM PER ASTM D 2487 TABLE 701.3.5 NM APWA.

CM-2 MANHOLES:
A. CONCRETE MANHOLES: PRECAST REINFORCED CONCRETE RISERS, REDUCING CONES, AND ADJUSTMENT RINGS PER ASTM C 478 VOL. 04.05. BASES MAY BE FIELD PLACED CONCRETE OR PRECAST CONCRETE PER ASTM C 478 VOL. 04.05 (CERTIFICATES REQUIRED). CRACKED OR VISIBLY DEFECTIVE UNITS WILL BE REJECTED.
B. PIPE PENETRATIONS: PRECAST UNITS SHALL HAVE SUITABLE SIZED OPENINGS CAST INTO BARREL AT PROPER ANGLES FOR PIPE AND MANHOLE ADAPTERS.
C. MANHOLE STEPS: REFER TO SECTION 930.4.7 NM APWA POLYPROPYLENE ENCASED GRADE 60 STEEL BY M.A. INC. OR APPROVED EQUAL; 14"(IN.) WIDE, 16"(IN.) MAXIMUM SPACING.
D. FRAMES AND COVERS:
1. CASTING: SHALL CONFORM TO SECTION 180, 181 & 182, NM, APWA CLASS 300. (CERTIFICATES AND SHOP DRAWINGS REQUIRED)
2. MINIMUM COVER WEIGHT: 165 POUNDS
3. MINIMUM COMBINED WEIGHT: 385 POUNDS +/- 5%
4. BEARING SURFACES: SHALL BE MATCHED FOR A FIRM NON ROCKING SEAT BETWEEN FRAME AND COVER. MINIMUM SEATING WIDTH: 7/8"(IN.)
5. COATING: NONE
6. COVER LETTERINGS: SANTA FE, N.M. SANITARY SEWER
7. CASTINGS: CAST MANUFACTURER AND MODEL NUMBER ON FRAME AND COVER.
8. CASTINGS TOLERANCE: +/- 1/16"(IN.) PER FOOT OF OVERALL DIAGONAL. OUT OF ROUND CASTINGS AND LOOSE FITTING UNITS WILL BE REJECTED IN THE FIELD.

CM-3 CONCRETE ENCASEMENT:
A. REQUIREMENTS:
1. WHEN THE PIPE COVER IS 36" (IN.) OR LESS.
2. WHEN VITRIFIED CLAY CROSSES AN ARROYO.
3. WHEN A WATER LINE PASSES BELOW OR LESS THAN 18" (IN.) ABOVE THE EXISTING SEWER LINE.
4. WHEN A PARALLEL WATER LINE IS LESS THAN 10'(FT.) HORIZONTALLY AND LESS THAN 2'(FT.) ABOVE THE SEWER LINE.
5. THE SEWER LINE SHALL BE ENCASED IN CONCRETE 6"(IN.) THICK AS DETAILED, AND EXTEND AT LEAST 10'(FT.) ON EACH SIDE OF THE WATER LINE.

FIELD QUALITY CONTROL

FQC-1 TESTING AND INSPECTION:
A. SUPERVISION CONDUCTED BY DESIGN ENGINEER.
B. CERTIFICATION: DESIGN ENGINEER SHALL CERTIFY THAT THE PROJECT HAS BEEN COMPLETED IN ACCORDANCE TO PLANS & SPECIFICATIONS AND SHALL SUBMIT A CERTIFICATION OF COMPLIANCE STATEMENT WITH STAMP AND SIGNATURE.
C. EQUIPMENT AND ASSISTANCE: PROVIDED BY CONTRACTOR.

FQC-2 LINE AND GRADE: ALLOWABLE TOLERANCE BETWEEN STRUCTURES FROM DESIGN:
A. LINE: 0.20 FOOT
B. GRADE: 0.02 FOOT; PIPE SHALL NOT HOLD BACK ANY WATER.

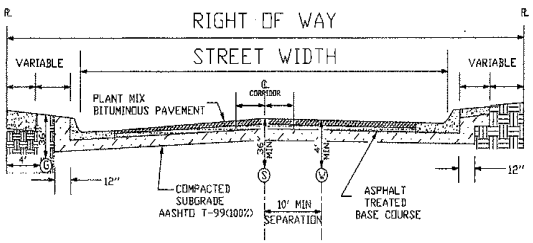
FQC-3 LEAKAGE TEST: AIR TEST REQUIRED; REFER TO SECTION 801.7 NM APWA.

FQC-4 TELEVISION INSPECTION: CONTRACTOR SHALL PROVIDE A CERTIFIED CCTV SEWERLINE INSPECTION AND RECORD TAPES AT HIS OWN EXPENSE.

FQC-5 ALL CONNECTIONS TO EXISTING MANHOLES INCLUDES REHABILITATING THE TIE IN MANHOLE TO MEET THESE STANDARD CONSTRUCTION DETAILS.

NOTE: REVISIONS TO THIS SHEET SHALL BE MADE UNDER THE AUTHORITY OF THE CITY OF SANTA FE ONLY.

TYPICAL UTILITIES SEPARATION DETAIL/DWG. # SAS-12

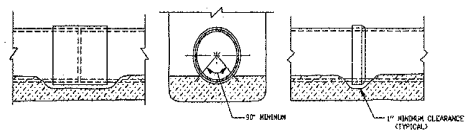


LEGEND

Ⓢ SEWER ℙ PROPERTY LINE
Ⓖ GAS ℄ CENTER LINE
Ⓦ WATER

NOT TO SCALE

BELL OR COUPLING INSTALLATION DETAIL/DWG. # SAS-13

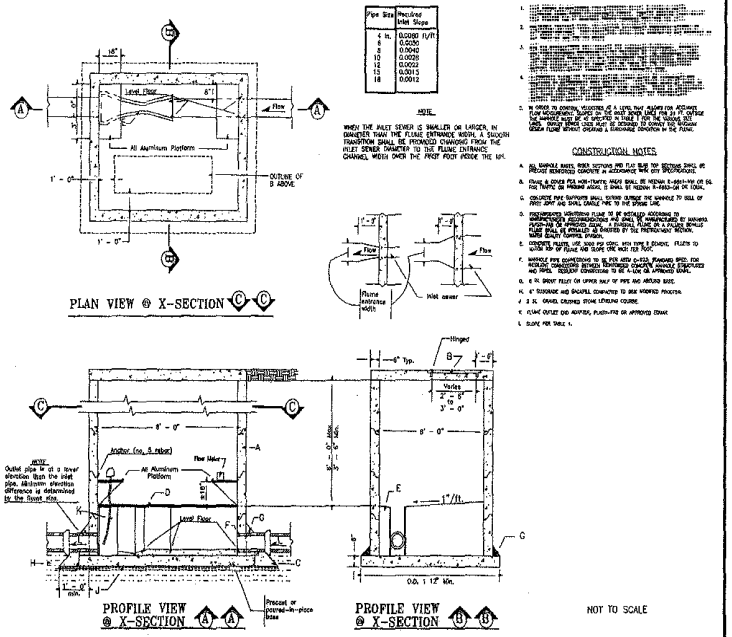


NOT TO SCALE

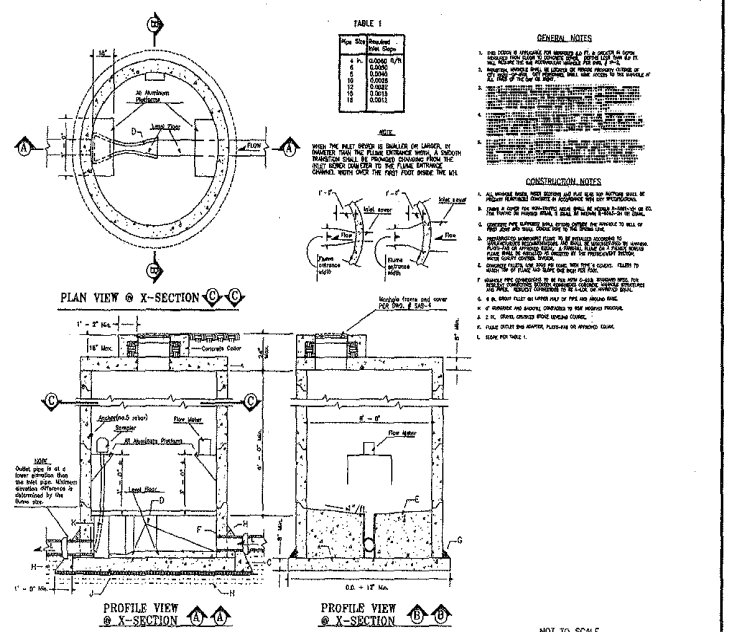
CITY OF SANTA FE
WATER QUALITY DIVISION

TITLE: SANITARY SEWER STANDARD CONSTRUCTION DETAILS

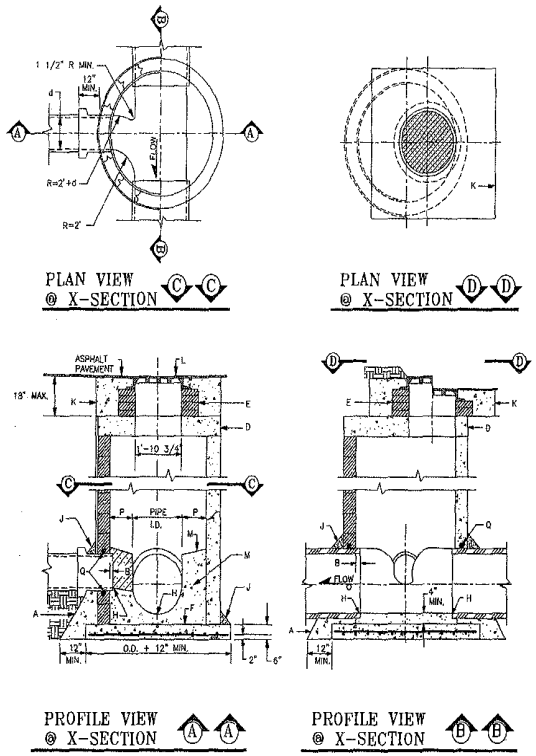
DATE: JULY 1992	REVISIONS	FILE # C:\AUTODWG\SCDTS-4
DRAWN BY: G. CHAVEZ	Δ 8-4-92 Δ	
CADD ROBOTRON BY: G. CHAVEZ	Δ 12-16-92 Δ	SHEET C OF
APPROVED BY: E. BROWN	Δ 11-16-94 Δ	



SANITARY SEWER SAMPLING & METERING MANHOLE DETAIL (6x8 RECTANGULAR)/DWG # IP-2



SANITARY SEWER SAMPLING & METERING MANHOLE DETAIL (8 FT. DIA.)/DWG. # IP-1



GENERAL NOTES

1. USE APPROVED MASTIC JOINT MATERIAL FOR ALL JOINTS.
2. CONTRACTOR HAS OPTION TO CONSTRUCT TYPE "C" M.H. IN LIEU OF TYPE "E" M.H. FOR DEPTHS OF 6' OR MORE.
3. DESIGN APPLIES TO 4', 5' & 6' MANHOLES.
4. M.H. GREATER THAN 18' IN DEPTH SHALL ONLY BE CONSTRUCTED OF PRECAST CONCRETE SECTION.
5. USE NON-SHRINK GROUT FOR FILLETS AND PENETRATIONS.
6. POSITION M.H. OPENING OVER THE UPSTREAM SIDE OF MAIN LINE.

CONSTRUCTION NOTES

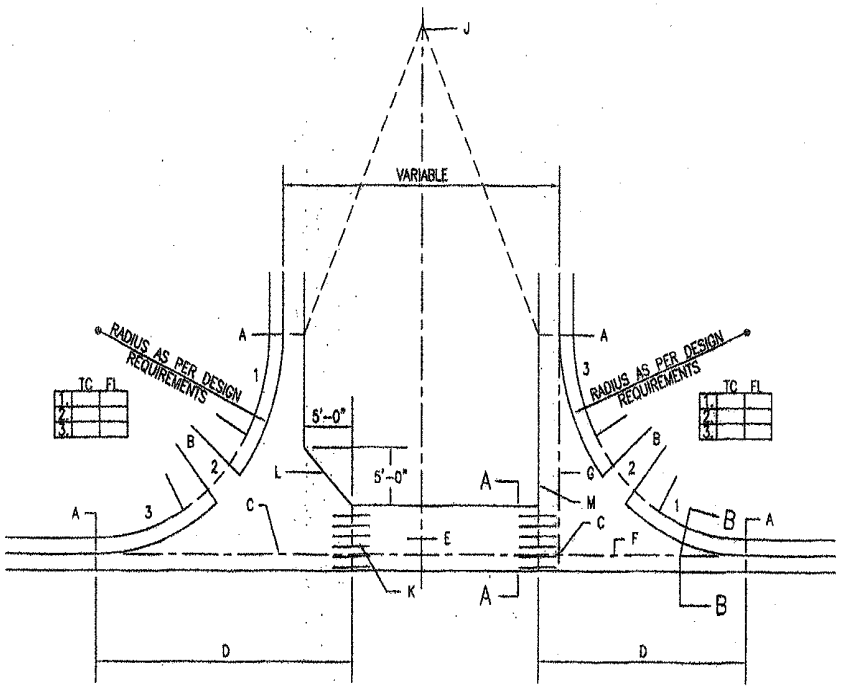
A. CONCRETE PIPE SUPPORT SHALL EXTEND OUTSIDE OF M.H. TO BELL OF FIRST JOINT & SHALL CRADLE PIPE TO SPRING LINE. NOT APPLICABLE FLEXIBLE PIPE.
B. PIPE PENETRATION INTO MANHOLE SHALL BE FLUSH TO 2" MAX., MEASURED AT SPRING LINE OF PIPE.
D. PRECAST CONCRETE COVER
E. USE MAX. 4 COURSES GR. MS BRICK ON UNPAVED STREET FOR FUTURE ADJ. OF M.H. FRAME TO PAVEMENT GRADE. PLASTER INSIDE WITH 1/2" MORTAR.
F. CONCRETE BASE TO BE POURED IN PLACE USING NO. 4 BARS AT 6" O.C. EA. WAY FOR M.H. DEPTH OF 16' OR GREATER. NO 4 BARS AT 12" O.C. EA WAY FOR M.H. LESS THAN 16' IN DEPTH.
H. INV. ELEV. OF STUB OR LATERAL AS SHOWN ON PLANS.
J. 6" GROUT FILLET ON UPPER HALF OF PIPE AND AROUND BASE.
K. USE A 5'x 5' CONCRETE PAD IN ALL AREAS SLOPE FOR GRADER USE UNPAVED AREAS.
L. FRAME AND COVER, SEE DWG. # SAS-4
M. CONCRETE FILL, 3000 PSI
N. SLOPE 1" PER FT. FROM PIPE CROWN
P. SHELF TO BE 9" WIDE MIN.
Q. APPROVED WATERSTOP TO BE COMPATIBLE WITH TYPE OF PIPE.

MANHOLE TYPE "C" DETAIL/DWG. # SAS-14 NOT TO SCALE

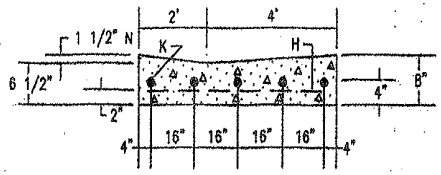
CITY OF SANTA FE
WATER QUALITY DIVISION

TITLE: SANITARY SEWER
STANDARD CONSTRUCTION DETAILS

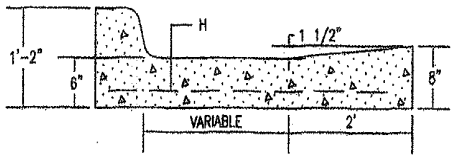
DATE: JULY 1992	REVISIONS	FILE #: E:\WATER\DWG\SDDT14-4
DRAWN BY: E. CHAVEZ	A 4-6-92	
CHKD BY/NOTION BY: J. CHAVEZ		SHEET 1 OF
APPROVED BY: E. BARAN		



PLAN



SECTION A–A



SECTION B–B

GENERAL NOTES:

1. DESIGN ELEVATIONS TO BE GIVEN AT EACH END OF THE CURB RETURN (TOP OF CURB ELEV.) AND AT INTERSECTIONS OF PROJECTED FLOWLINES (FLOWLINE ELEV.).
2. ON UPSTREAM AND DOWNSTREAM ENDS OF THE INTERSECTION, VALLEY GUTTER CONSTRUCTION SHALL EXTEND TO THE END OF RETURNS.
3. THE VALLEY GUTTER TO BE REINFORCED WITH 6" X 6" X NO. 8 GA. WIRE MESH.
4. INVERT OF VALLEY GUTTER TO EXTEND FROM FLOWLINE OF UPSTREAM CURB RETURN TO FLOWLINE OF DOWNSTREAM CURB RETURN.
5. CURB FLOWLINE AND TOP OF CURB ELEV. SHOWN IN THE BOX CORRESPOND TO QUARTERPOINTS INDICATED ON THE CURB RETURN IN THE CLOCKWISE DIRECTION.
6. – – – – DENOTES 1/2" EXPANSION JOINT.
7. FOR NEW CONSTRUCTION, VALLEY GUTTER SHALL BE CONSTRUCTED PRIOR TO ADJACENT PAVEMENT. ASPHALT CONC. SHALL BE INSTALLED MONOLITHICALLY TO MEET NEW VALLEY GUTTER.
8. PRIOR TO CONSTRUCTION OF NEW VALLEY GUTTER ON EXISTING ACCEPTED STREETS, PAVEMENT SHALL BE REMOVED AS SHOWEN ON PLANS.

CONSTRUCTION NOTES:

A. END OF CURB RETURN, SEE NOTE 1.
B. FOR RAMP DETAILS, SEE DWGS. 2418, 2440, 2441.
C. INTERSECTION OF FLOWLINES, SEE NOTE 1.
D. SURFACE AND CURB TO BE MONOLITHIC.
E. DIRECTION OF FLOW.
F. FLOWLINE.
G. PROJECTED FLOWLINE OF 1 1/2" INVERT, SEE NOTE 2.
H. 6" X 6" NO. 6 GA. WIRE MESH.
J. BEGIN CROWN WARP TO STRAIGHT SECTION WHERE SPECIFIED ON PLANS, OR INDICATED BY THE ENGR.
K. NO. 4 BARS 3'–0" LONG AT 16" O.C.
L. ALTERNATE A, WITH FILLET AS PER PLANS.
M. ALTERNATE B, NO FILLET AS PER PLANS.
N. THE 1 1/2" INVERT DEPTH MAY BE REDUCED TO IMPROVE RIDEABILITY WITH APPROVAL OF ENGINEER.

NM APWA

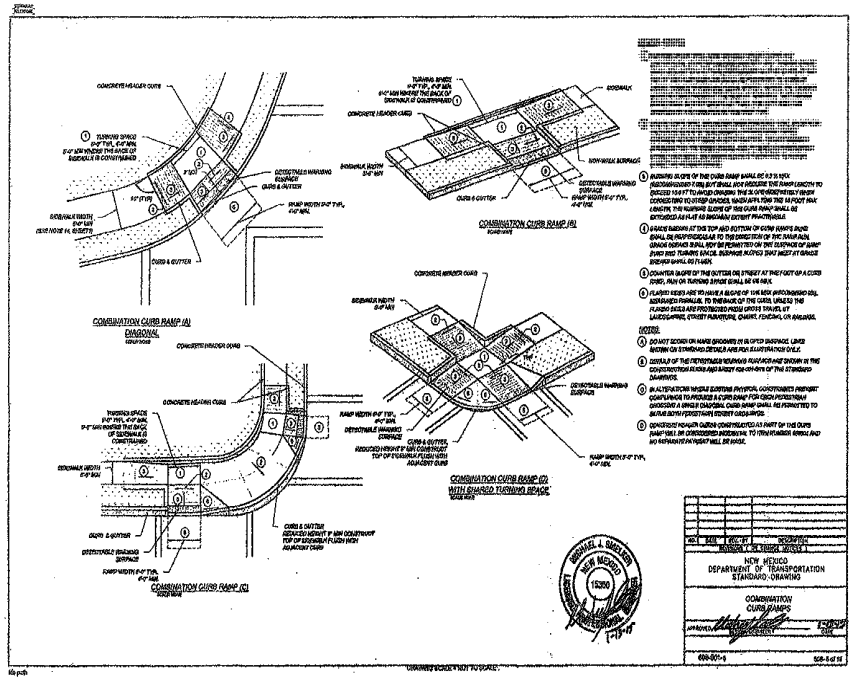
REVISIONS

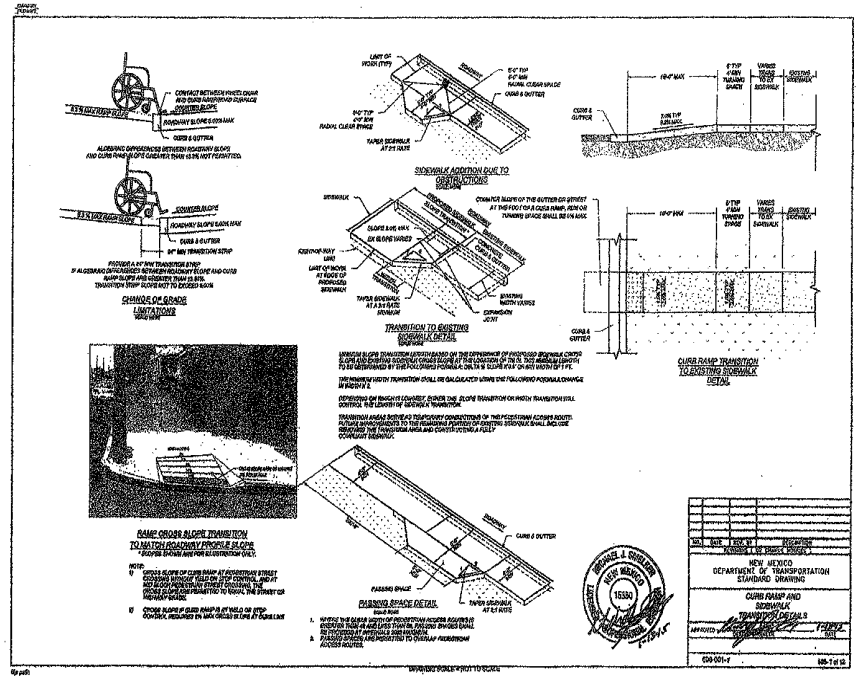
PAVING

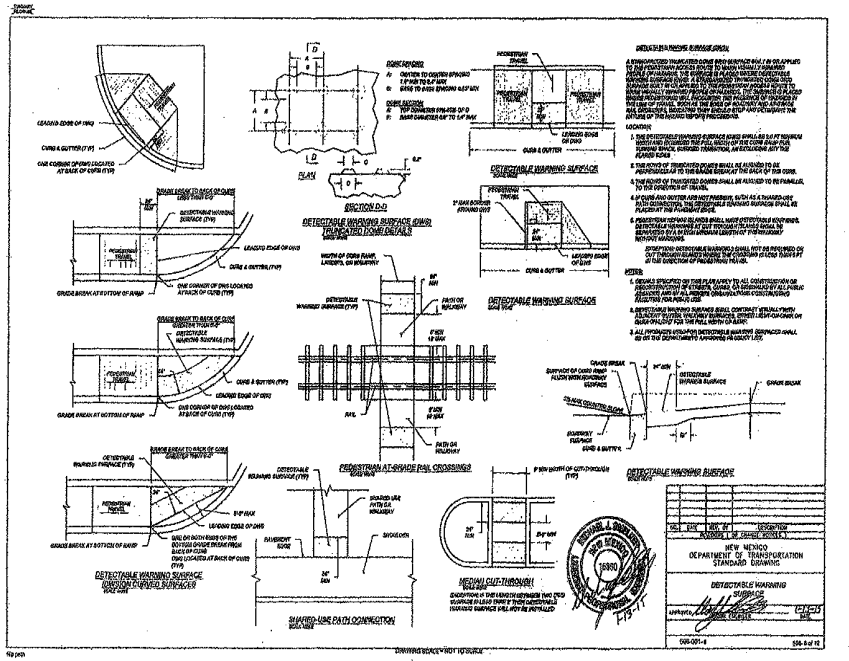
CONCRETE VALLEY GUTTER

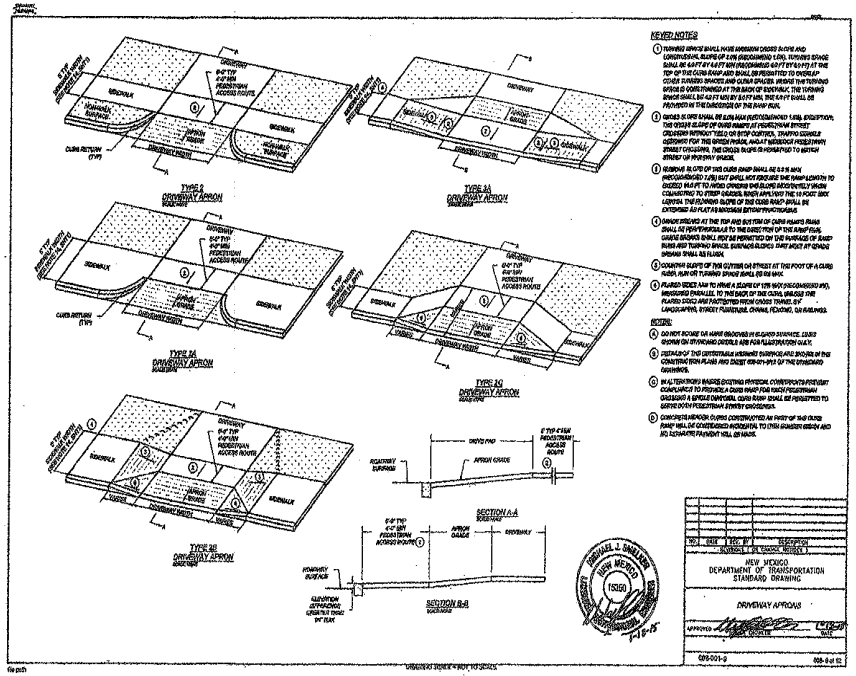
DWG. 2420

AUG. 1986

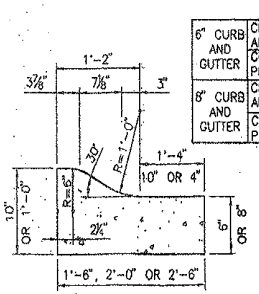

COMBINATION CURB RAMP (A)
DIAGONAL
COMBINATION CURB RAMP (B)
COMBINATION CURB RAMP (C)
COMBINATION CURB RAMP (D)
WITH GUARD TURNING SPACE
NEW MEXICO
DEPARTMENT OF TRANSPORTATION
STANDARD DRAWING
COMBINATION
CURB RAMPS
609-001-9
DRAWING SCALE = NOT TO SCALE


CHANGE OF GRADE
LIMITATIONS
SIDEWALK ADDITION DUE TO
OBSTRUCTIONS
TRANSITION TO EXISTING
SIDEWALK DETAIL
RAMP CROSS SLOPE TRANSITION
TO MATCH ROADWAY PROFILE SLOPE
PASSING SPACE DETAIL
CURB RAMP TRANSITION
TO EXISTING SIDEWALK
DETAIL
NEW MEXICO
DEPARTMENT OF TRANSPORTATION
STANDARD DRAWING
CURB RAMP AND
SIDEWALK
TRANSITION DETAILS
609-001-7
DRAWING SCALE = NOT TO SCALE


DETECTABLE WARNING SURFACE (DWS)
TRUNCATED DOME DETAILS
DETECTABLE WARNING SURFACE
DETECTABLE WARNING SURFACE
PEDESTRIAN AT-GRADE RAIL CROSSINGS
DETECTABLE WARNING SURFACE
DETECTABLE WARNING SURFACE
(CURVED SURFACES)
MEDIAN CUT-THROUGH
STAGGERED-LANE PATH CONNECTION
NEW MEXICO
DEPARTMENT OF TRANSPORTATION
STANDARD DRAWING
DETECTABLE WARNING
SURFACE
609-001-8
DRAWING SCALE = NOT TO SCALE

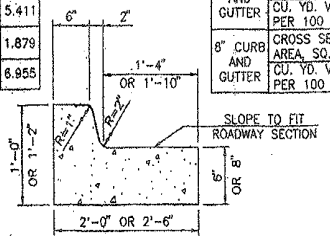

TYPE 2
DRIVEWAY APRON
TYPE 3A
DRIVEWAY APRON
TYPE 3B
DRIVEWAY APRON
TYPE 3C
DRIVEWAY APRON
TYPE 3D
DRIVEWAY APRON
SECTION A-A
SECTION B-B
NEW MEXICO
DEPARTMENT OF TRANSPORTATION
STANDARD DRAWING
DRIVEWAY APRONS
609-001-9
DRAWING SCALE = NOT TO SCALE

F



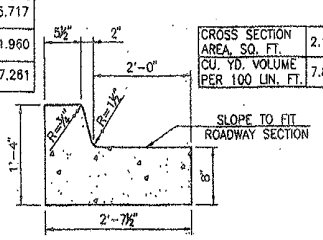
		1'-6"	2'-0"	2'-6"
6" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	0.961	1.211	1.461
	CU. YD. VOLUME PER 100 LIN. FT.	3.559	4.485	5.411
8" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.211	1.544	1.879
	CU. YD. VOLUME PER 100 LIN. FT.	4.485	5.719	6.955

CONCRETE MOUNTABLE CURB AND GUTTER TYPE "A"



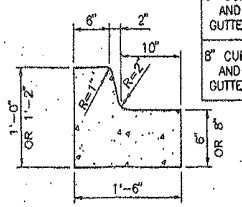
		2'-0"	2'-6"
6" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.294	1.544
	CU. YD. VOLUME PER 100 LIN. FT.	4.791	5.717
8" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.627	1.960
	CU. YD. VOLUME PER 100 LIN. FT.	6.026	7.281

CONCRETE BARRIER CURB AND GUTTER TYPE "B"



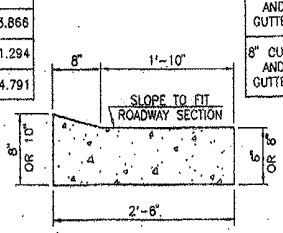
CROSS SECTION AREA, SQ. FT.	2.113
CU. YD. VOLUME PER 100 LIN. FT.	7.824

CONCRETE BARRIER CURB AND GUTTER TYPE "C"



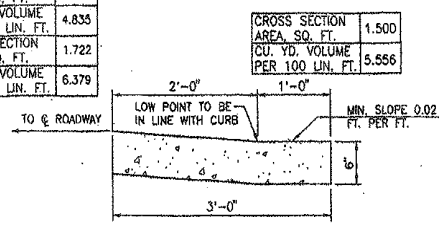
6" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.044
	CU. YD. VOLUME PER 100 LIN. FT.	3.866
8" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.294
	CU. YD. VOLUME PER 100 LIN. FT.	4.791

CONCRETE BARRIER CURB AND GUTTER TYPE "D"



6" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.306
	CU. YD. VOLUME PER 100 LIN. FT.	4.835
8" CURB AND GUTTER	CROSS SECTION AREA, SQ. FT.	1.722
	CU. YD. VOLUME PER 100 LIN. FT.	6.379

CONCRETE LAYDOWN CURB TYPE "E"

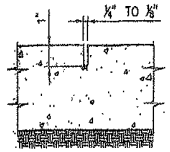


CROSS SECTION AREA, SQ. FT.	1.500
CU. YD. VOLUME PER 100 LIN. FT.	5.556

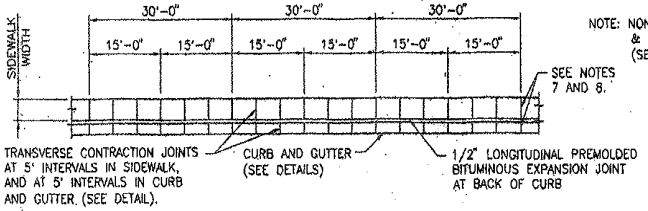
CONCRETE VALLEY GUTTER

GENERAL NOTES

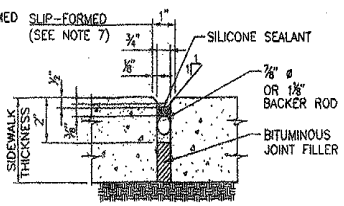
1. CONCRETE SHALL BE STRUCTURAL CONCRETE CLASS "A."
2. END OF DAYS POUR, 30 MINUTE INTERRUPTIONS, COLD JOINTS AND DROP INLETS SHALL DETERMINE THE LOCATION OF A CONSTRUCTION JOINT AND A 3/4" PREMOLDED BITUMINOUS JOINT IS REQUIRED.
3. PLACE TRANSVERSE CONTRACTION JOINTS AT 5'-0" INTERVALS AND AT THE END OF RADIUS POINTS OR ISLAND NOSES.
4. BED COURSE MATERIAL ON WHICH SIDEWALK IS TO BE PLACED SHALL BE COMPACTED TO 95% OF MAXIMUM DENSITY AS DETERMINED BY AASHTO T 99, METHOD C.
5. EXCAVATION AND PREMOLDED BITUMINOUS EXPANSION JOINTS TO BE INCLUDED IN THE UNIT PRICE BID FOR SIDEWALKS.
6. THE SILICONE SEALED JOINTS SHALL BE SEALED IN ACCORDANCE WITH SECTION 452 OF THE STANDARD SPECIFICATIONS.
7. FOR SLIP-FORMED CURB AND GUTTER, FURNISH 1" SEALED EXPANSION JOINTS AT 90' INTERVALS, AND TRANSVERSE CONSTRUCTION JOINTS AT 5' INTERVALS.
8. FOR SIDEWALKS AND NON-SLIP FORMED CURB AND GUTTER, FURNISH 3/4" SEALED EXPANSION JOINTS AT 30' INTERVALS, AND TRANSVERSE CONTRACTION JOINTS AT 5' INTERVALS.



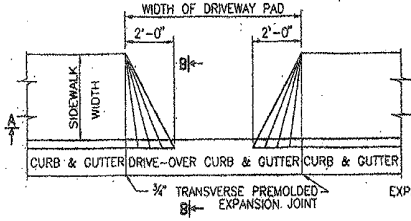
TRANSVERSE CONTRACTION JOINT



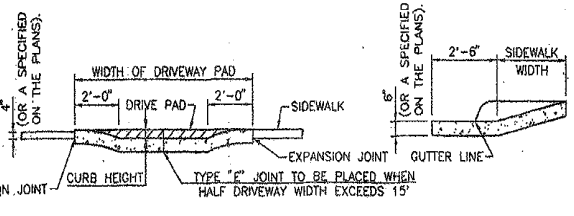
PLAN CURB AND GUTTER AND SIDEWALK



SEALED EXPANSION JOINT



PLAN DRIVE PAD



SECTION A-A

SECTION B-B

NO.	DATE	REV.BY	DESCRIPTION
1	9/9/09	YML	ADDED DETAILS

REVISIONS (OR CHANGE NOTICES)

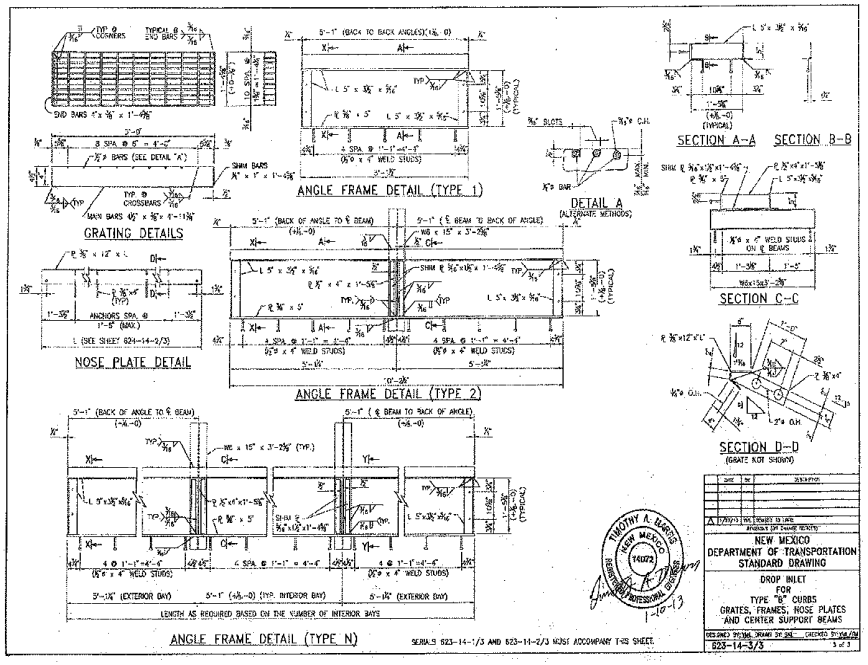
NEW MEXICO DEPARTMENT OF TRANSPORTATION STANDARD DRAWING

SIDEWALK CURB AND GUTTER

DESIGNED BY ____ DRAWN BY SKL CHECKED BY YML

609-01-1/1

1 of 1

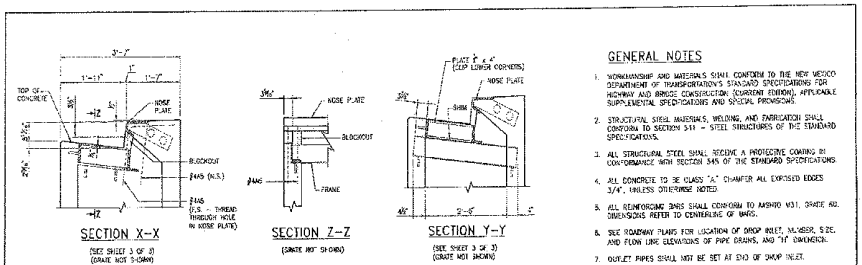


SERIALS 823-14-1/3 AND 823-14-2/3 NOSE ACCOMPANY THIS SHEET.

NEW MEXICO DEPARTMENT OF TRANSPORTATION STANDARD DRAWING

DROP INLET FOR TYPE "B" CURBS GRATES, FRAMES, NOSE PLATES AND CENTER SUPPORT BEAMS

823-14-3/3 3 of 3



GENERAL NOTES

1. WORKMANSHIP AND MATERIALS SHALL CONFORM TO THE NEW MEXICO DEPARTMENT OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION (CURRENT EDITION), APPLICABLE SUPPLEMENTAL SPECIFICATIONS AND SPECIAL PROVISIONS.
2. STRUCTURAL STEEL MATERIALS, WELDING, AND FABRICATION SHALL CONFORM TO SECTION 511 – STEEL STRUCTURES OF THE STANDARD SPECIFICATIONS.
3. ALL STRUCTURAL STEEL SHALL RECEIVE A PROTECTIVE COATING IN CONFORMANCE WITH SECTION 595 OF THE STANDARD SPECIFICATIONS
4. ALL CONCRETE TO BE CLASS "A" CHAMFER ALL EXPOSED EDGES 3/4", UNLESS OTHERWISE NOTED
5. ALL REINFORCING BARS SHALL CONFORM TO AASHTO M31, GRADE 60.
6. SEE ROADWAY PLANS FOR LOCATION OF DROP INLET, MANHOLE, SIZE, AND FLOW LINE ELEVATIONS OF PIPE DRAINS, AND "H" DIMENSION.
7. OUTLET PIPES SHALL NOT BE SET AT END OF DROP INLET.

ESTIMATED QUANTITIES

TYPE	H	L	CLASS "A" CONC. ± CU. YDS.	REINFORCING BARS – LBS.			STRUCTURAL STEEL – LBS.
				H = 8'-0" OR LESS	H = 8'-1" TO 10'-0"	H = 10'-0" TO 11'-6"	
-	1	5'-7"	0.324H+0.608	23.870 H + 94.779	25.205 H + 85.448	35.884 H + 100.780	570
R	2	10'-5"	0.526H+1.357	37.319 H + 180.150	41.327 H + 182.185	58.185 H + 180.818	1186
N	3	15'-5"	0.732H+2.017	50.788 H + 265.018	57.448 H + 268.868	81.495 H + 280.882	1796
W	4	20'-10"	0.938H+2.878	64.217 H + 356.887	73.569 H + 364.563	104.267 H + 370.927	2412
V	5	25'-11"	1.142H+3.335	77.682 H + 436.268	89.690 H + 442.275	127.086 H + 460.974	3022
M	6	31'-0"	1.348H+3.895	91.115 H + 521.716	105.811 H + 526.974	149.869 H + 551.078	3631

§ SEE TABLE FOR PIPE DEDUCTION
N = NUMBER OF GRATINGS PLACED IN DROP INLET
H = NOMINAL GUTTER ELEVATION TO FLOW LINE ELEVATION OF OUTLET PIPE. USE H IN FEET.

DESIGN DATA:

DESIGN IS IN ACCORDANCE WITH AASHTO LRFD SPECIFICATIONS 2013 FIFTH EDITION AND CURRENT INTERIMS.

DESIGN STRESSES: STRUCTURAL STEEL: ASTM A-36 Fy = 36 KSI

REINFORCED CONCRETE: F'c = 4,000 PSI @ 28 DAYS Fy = 60 ksi, GRADE 60

LIVE LOAD: H-93

HORIZONTAL EARTH PRESSURE: 35 LBS./CU.FT. EQUIVALENT FLUID PRESSURE WITH 2' LIVE LOAD SURCHARGE

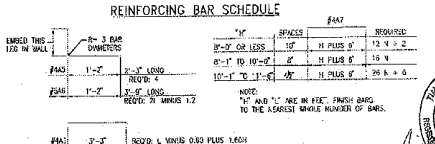
MAXIMUM: H = 11'-6"

CLASS "A" CONCRETE DEDUCTIONS FOR ONE PIPE

SIZE	CONCRETE PIPE	METAL PIPE
18"	0.06 CU. YDS.	0.04 CU. YDS.
24"	0.10 CU. YDS.	0.05 CU. YDS.
30"	0.15 CU. YDS.	0.10 CU. YDS.
36"	0.21 CU. YDS.	0.14 CU. YDS.
42"	0.28 CU. YDS.	0.15 CU. YDS.

NOTE: DEDUCTIONS NOTED ARE FOR PIPES NORMAL TO WALLS. FOR SKEWED PIPES, MULTIPLY DEDUCTIONS BY SECANT OF SKEW ANGLE. FOR SMALLER PIPES OTHER THAN THOSE SHOWN IN TABLE, ADJUST DEDUCTIONS ACCORDINGLY.

REINFORCING BAR SCHEDULE



"H"	#4A7 SPACES	REQUIRED
8'-0" OR LESS	10"	H PLUS 8" 12 N + 2
8'-1" TO 10'-0"	8"	H PLUS 8" 16 N
10'-1" TO 11'-6"	6"	H PLUS 8" 26 N + 6

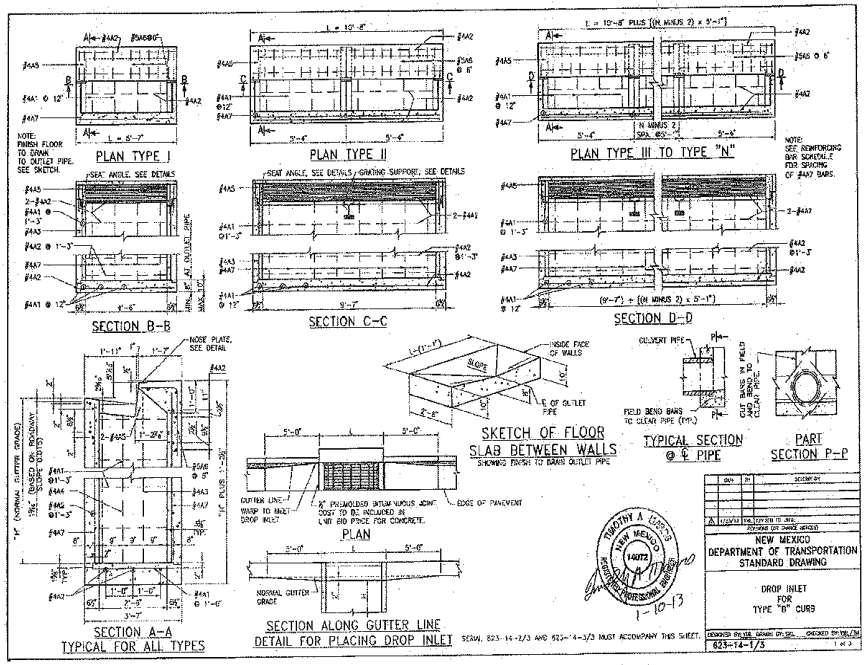
NOTE: "H" AND "L" ARE IN FEET. FINISH BARS TO THE NEAREST WHOLE NUMBER OF BARS.

SERIALS 823-14-1/3 AND 823-14-3/3 MUST ACCOMPANY THIS SHEET.

NEW MEXICO DEPARTMENT OF TRANSPORTATION STANDARD DRAWING

DROP INLET FOR TYPE "B" CURBS GRATES, FRAMES, NOSE PLATES AND CENTER SUPPORT BEAMS

823-14-2/3 2 of 3



SERIAL 823-14-2/3 AND 823-14-3/3 MUST ACCOMPANY THIS SHEET.

NEW MEXICO DEPARTMENT OF TRANSPORTATION STANDARD DRAWING

DROP INLET FOR TYPE "B" CURB

823-14-1/3 1 of 3

DESIGN ENGINUITY
1101 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 995-7997

SANGRE AZUL

NMDOT TYPE IIB DROP INLET

SCALE	DWG NO.	DATE
1"=50'		05/01/2020
FILE CASE #		SHEET NO. H

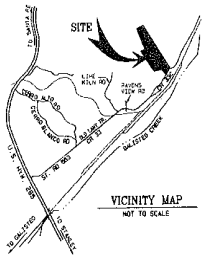
RICH. MORRIS
SURVEY 2007

LOT LINE ADJUSTMENT
&
FAMILY TRANSFER/LAND DIVISION
FOR
GUNTHER WORRLEIN & JOAN WORRLEIN
OF
TRACT 1 AND LOT 3B

LYING AND BEING SITUATE WITHIN THE BISHOP JOHN LAMY GRANT, PROJECTED SECTION 33, TOWNSHIP 15 NORTH, RANGE 10 EAST, N.M.P.M., WITHIN THE VILLAGE OF LAMY, COUNTY OF SANTA FE, NEW MEXICO.

PURPOSE: THIS PLAT AMENDS EXISTING TRACT BOUNDARIES AND CREATES ONE RESIDENTIAL TRACT

TRACT 1A CONTAINING 1.00 ACRES, MORE OR LESS.
TRACT 1B CONTAINING 8.53 ACRES, MORE OR LESS.
LOT 3B-1 CONTAINING 5.00 ACRES, MORE OR LESS.



LEGEND

- DENOTES FOUND POINT (1/2" REBAR W/ALUM. CAP STAMPED 10277, UNLESS NOTED)
- DENOTES SET POINT (1/2" REBAR W/ALUM. CAP STAMPED 10277)
- DENOTES WATER METER
- DENOTES YARD HYDRANT
- DENOTES TELEPHONE PEDESTAL
- DENOTES TRANSFORMER
- DENOTES EXISTING FENCE LINE
- DENOTES POWER POLE W/OVERHEAD UTILITY LINES
- DENOTES DIRT ROAD

NOTES

1) BASIS OF BEARINGS IS TAKEN FROM A PLAT ENTITLED "CONSOLIDATION AND LOTLINE ADJUSTMENT FOR ALGER AND WORRLEIN", BY GUY D. HAYDEN N.M.P.S. NO. 4070, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON MAY 30, 1995, IN PLAT BOOK 305, PAGE 014 AS DOCUMENT NO. 906,150. DATA SHOWN IN SINGLE ( ) PARENTHESIS IS TAKEN FROM SAID PLAT.

2) REFER TO A PLAT OF SURVEY ENTITLED "LOT SPLIT FOR BRIAN BLOUNT, LOT 3 OF MICHAEL F. WRIGHT PROPERTY", BY WILLIAM E. FIELDS N.M.L.S 1403, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON DECEMBER 05, 1991, IN PLAT BOOK 230, PAGE 020 AS DOCUMENT NO. 756,899. DATA SHOWN IN DOUBLE (( )) PARENTHESIS IS TAKEN FROM SAID PLAT.

3) REFER TO A PLAT OF SURVEY ENTITLED "BOUNDARY SURVEY FOR WALTER AND KATHRYN PILNOCK", BY RICHARD A. MORRIS N.M.P.S. NO. 10277, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON AUGUST 14, 2003, IN PLAT BOOK 539 PAGE 047. DATA SHOWN IN TRIPLE ((( ))) PARENTHESIS IS TAKEN FROM SAID PLAT.

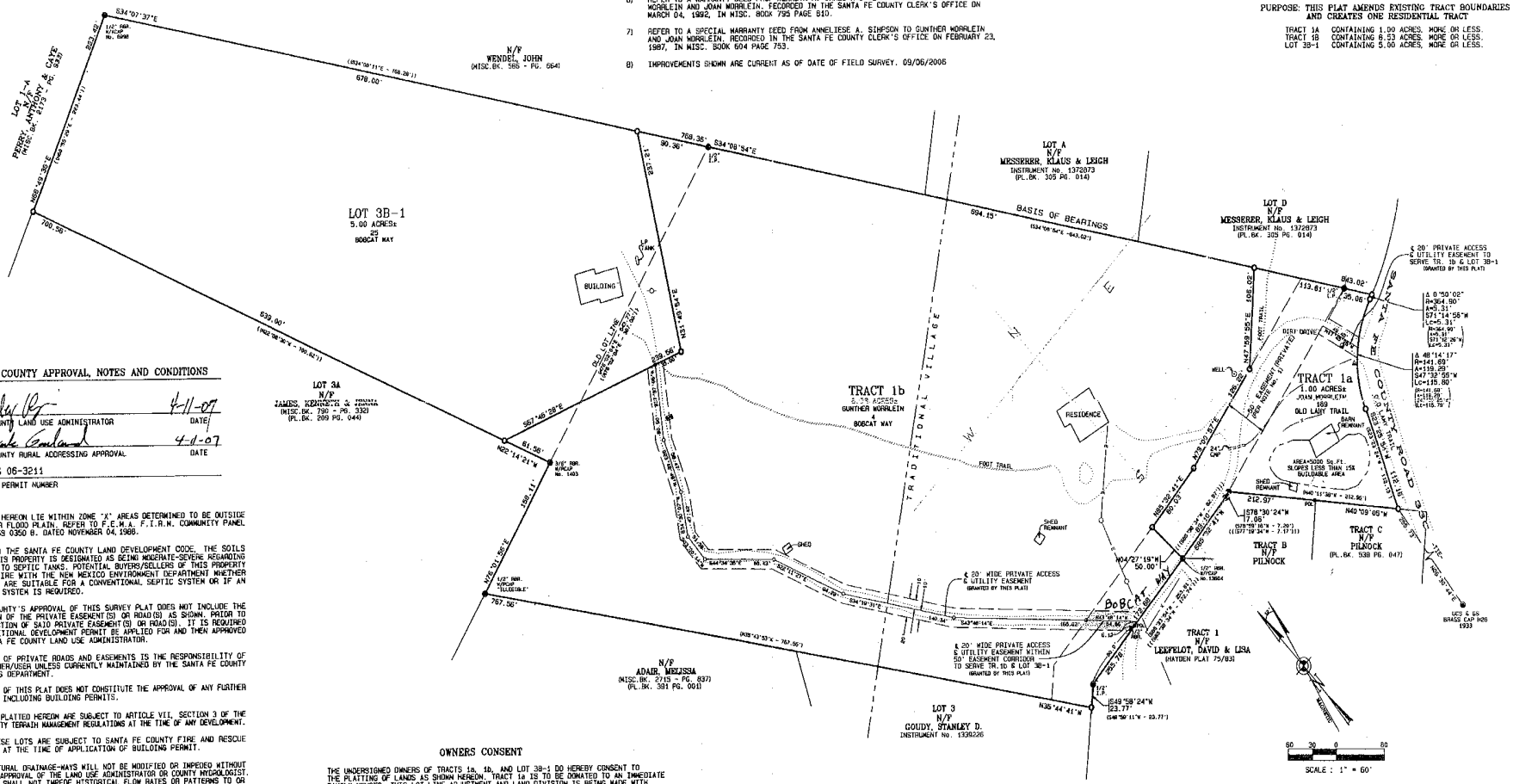
4) REFER TO A PLAT OF SURVEY ENTITLED "PLAT OF SURVEY FOR GUDRUN OLSON", BY ROBERT L. BENAVIDES N.M.P.S. NO. 5824, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON OCTOBER 28, 1900, IN PLAT BOOK 85, PAGE 32.

5) REFER TO A WARRANTY DEED FROM GUDRUN OLSON TO GUENTHER WOERRLEIN AND JOAN WORRLEIN, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON MAY 25, 1982, IN MISC. BOOK 441 PAGE 577.

6) REFER TO A WARRANTY DEED FROM KENNETH H. JAMES AND JEAMA JAMES TO GUNTHER WORRLEIN AND JOAN WORRLEIN, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON MARCH 04, 1992, IN MISC. BOOK 795 PAGE 810.

7) REFER TO A SPECIAL WARRANTY DEED FROM ANNELIESE A. SIMPSON TO GUNTHER WORRLEIN AND JOAN WORRLEIN, RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE ON FEBRUARY 23, 1987, IN MISC. BOOK 604 PAGE 753.

8) IMPROVEMENTS SHOWN ARE CURRENT AS OF DATE OF FIELD SURVEY. 09/06/2006



SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS

SANTA FE COUNTY LAND USE ADMINISTRATOR — DATE 4-11-07

SANTA FE COUNTY RURAL ADDRESSING APPROVAL — DATE 4-1-07

06-3210 & 06-3211
DEVELOPMENT PERMIT NUMBER

LANDS SHOWN HEREON LIE WITHIN ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN. REFER TO F.E.M.A. F.I.R.M. COMMUNITY PANEL NUMBER 350065 0350 B. DATED NOVEMBER 04, 1988.

PURSUANT TO THE SANTA FE COUNTY LAND DEVELOPMENT CODE, THE SOILS RATING ON THIS PROPERTY IS DESIGNATED AS BEING MODERATE-SEVERE REGARDING LIMITATIONS TO SEPTIC TANKS. POTENTIAL BUYERS/SELLERS OF THIS PROPERTY SHOULD INQUIRE WITH THE NEW MEXICO ENVIRONMENT DEPARTMENT WHETHER THESE SOILS ARE SUITABLE FOR A CONVENTIONAL SEPTIC SYSTEM OR IF AN ALTERNATIVE SYSTEM IS REQUIRED.

SANTA FE COUNTY'S APPROVAL OF THIS SURVEY PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE EASEMENT(S) OR ROAD(S) AS SHOWN. PRIOR TO THE CONSTRUCTION OF SAID PRIVATE EASEMENT(S) OR ROAD(S), IT IS REQUIRED THAT AN ADDITIONAL DEVELOPMENT PERMIT BE APPLIED FOR AND THEN APPROVED BY THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

MAINTENANCE OF PRIVATE ROADS AND EASEMENTS IS THE RESPONSIBILITY OF THE LAND OWNER/USER UNLESS CURRENTLY MAINTAINED BY THE SANTA FE COUNTY PUBLIC WORKS DEPARTMENT.

THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT INCLUDING BUILDING PERMITS.

THE PARCELS PLATTED HEREON ARE SUBJECT TO ARTICLE VII, SECTION 3 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF ANY DEVELOPMENT.

NOTICE: THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE IMPACT FEES AT THE TIME OF APPLICATION OF BUILDING PERMIT.

EXISTING NATURAL DRAINAGE-WAYS WILL NOT BE MODIFIED OR IMPEDED WITHOUT THE WRITTEN APPROVAL OF THE LAND USE ADMINISTRATOR OR COUNTY HYDROLOGIST. DEVELOPMENT SHALL NOT IMPEDE HISTORICAL FLOW RATES OR PATTERNS TO OR FROM THESE LOTS.

DEVELOPMENT SHALL OCCUR WITHIN DEVELOPABLE AREAS AS PER THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

WATER USE/WELL WITHDRAWAL ON TRACT 1a AND TRACT 1b IS RESTRICTED BY COVENANTS FILED IN THE OFFICE OF THE COUNTY CLERK AS DOCUMENT NO. 1491376

BUILDABLE AREA(S) OF TRACT 1a SHOWN HEREON HAVE SLOPES OF LESS THAN 15% AND THERE ARE NO NATURAL DRAINAGEWAYS OTHER THAN THOSE SHOWN AS DRAINAGE EASEMENTS.

TRACTS 1a AND 1b CREATED BY FAMILY TRANSFER

IF OFF-SITE ACCESS TO THESE TRACTS DOES NOT MEET COUNTY STANDARDS, RECIPIENT(S) OF TRACT(S) SHOWN HEREON MUST RETAIN THEIR TRACT(S) A MINIMUM OF THREE YEARS IN ACCORDANCE WITH ARTICLE III, 2.4.2b. 3., (C) OF THE SANTA FE COUNTY LAND DEVELOPMENT CODE.

THESE TRACTS ARE SUBJECT TO THE REQUIREMENTS OF THE FIRE MARSHAL AFFIDAVIT FILED IN THE OFFICE OF THE COUNTY CLERK AND RECORDED AS INSTRUMENT NO. 1491376

SPECIAL BUILDING PERMIT CONDITIONS

BUILDINGS ON THESE LOTS ARE SUBJECT TO THE URBAN WILDLAND INTERFACE CODE.

DEVELOPMENT PERMITS FOR BUILDING CONSTRUCTION WILL NOT BE ISSUED UNTIL REQUIRED IMPROVEMENTS FOR ROADS, FIRE PROTECTION AND DRAINAGE ARE COMPLETED AS APPROVED BY STAFF.

OWNERS CONSENT

THE UNDERSIGNED OWNERS OF TRACTS 1a, 1b, AND LOT 3B-1 DO HEREBY CONSENT TO THE PLATTING OF LANDS AS SHOWN HEREON. TRACT 1a IS TO BE DONATED TO AN IMMEDIATE FAMILY MEMBER. THIS LOT LINE ADJUSTMENT AND LAND DIVISION IS BEING MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR DESIRES AND WISHES. THE 20' WIDE PRIVATE ACCESS AND UTILITY EASEMENT SHOWN HEREON IS HEREBY GRANTED. EASEMENTS ARE HEREBY GRANTED FOR EXISTING UTILITIES. THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO

GUNTHER WORRLEIN (OWNER - TRACT 1) — JOAN WORRLEIN (OWNER - LOT 3B)

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 5TH DAY OF APRIL, 2007, BY GUNTHER WORRLEIN AND JOAN WORRLEIN

MY COMMISSION EXPIRES 2-25-11.

NOTARY PUBLIC

OFFICIAL SEAL
Richard A. Morris
NOTARY PUBLIC
STATE OF NEW MEXICO
MY COMMISSION EXPIRES: 2-25-11

Instr#1491374
COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO }
I hereby certify that this instrument was filed for record on the 2 day of May A.D. at 07 as 12:12 o'clock P M. and was duly recorded in book 633 page 027 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Valerie Espinoza
County Clerk, Santa Fe County, N.M.
DEPUTY

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES SHOWN HEREON WERE PREPARED UNDER MY DIRECTION FROM A SURVEY PERFORMED IN THE FIELD FOR THE PURPOSE OF DIVIDING TRACT 1, BY FAMILY TRANSFER AND ADJUSTING LOT 3B BY LOT LINE ADJUSTMENT, AS SHOWN HEREON AS INSTRUCTED BY THE OWNERS. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS PLAT MEETS OR EXCEEDS THE REQUIREMENTS OF THE "MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO".

RICHARD A. MORRIS
N.M.P.S. No. 10277

APRIL 4, 2007

NEW MEXICO 10277 REGISTERED PROFESSIONAL LAND SURVEYOR

COUNTY CLERK SEAL

DRAWN BY: B.MONTOYA
SCALE = 1" = 60'
CHECKED BY: R.A.M.

UPC No. 1-056-102-265-360

INDEXING INFORMATION FOR COUNTY CLERK

OWNER	SECTION	TWNSHP.	RANGE	LOCATION
WORRLEIN	PROJ. 33	15 NORTH	10 EAST	LAMY

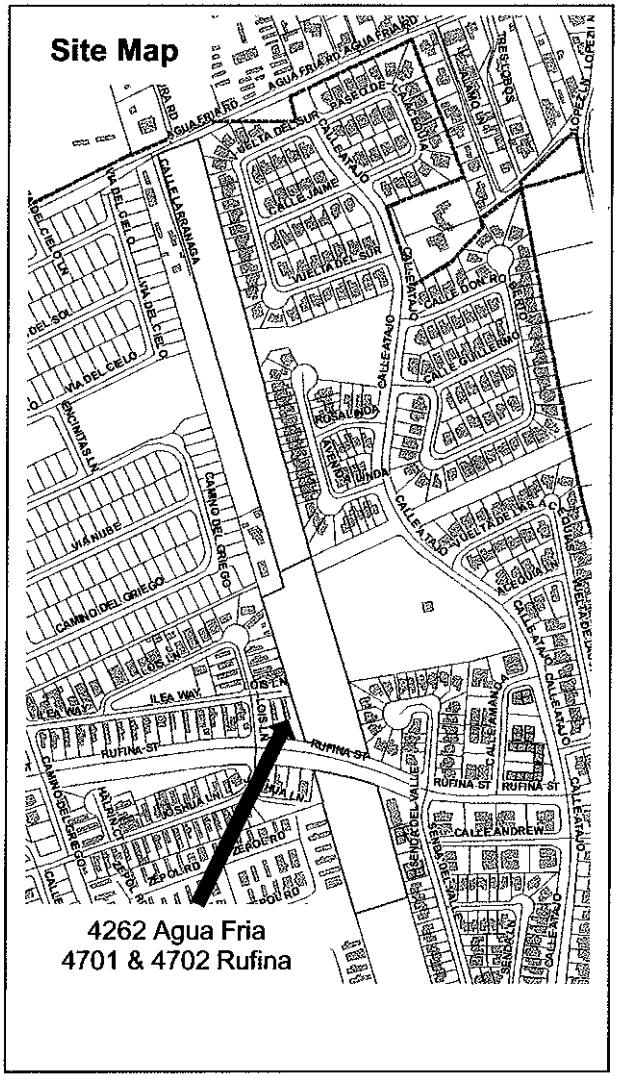
MORRIS
surveying | engineering

1216-A Parkway Drive
Santa Fe, NM 87507
Phone: (505) 438-0100
FAX: (505) 474-0723

NAME: LAMY - GUNTHER W. — PROJ.# 55031

Land Use Department
Planning Commission Staff Report

Case No:	2020-2273, 2020-2274, 2020-2287
Hearing Date:	August 20, 2020
Applicant:	Liaison Planning Services, Inc.
Request:	Rezoning Ordinance Amendment, Rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) and R-6 (Residential- six dwelling units per acre)
Location:	4262 Agua Fria, 4701 & 4702 Rufina Street
Case Mgr.:	Lee Logston
Zoning:	R-3 (Residential – three dwelling units per acre) and R-5 (Residential – five dwelling units per acre)
Overlay:	None
Pre-app Mtg:	January 10, 2019
ENN Mtg:	June 1, 2020
Proposal:	Rezoning Ordinance Amendment, Rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) and R-6 (Residential- six dwelling units per acre).



Case #2020-2273. 4262 Agua Fria Street and 4701 & 4702 Rufina Street Aguafina Rezoning Ordinance Amendment. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests an amendment to Ordinance 2013-12 to remove condition #2 requiring Tract C-1 to be developed consistent with R-3 zoning, and modifying condition #3 to remove the requirement for three base-course lot access driveways. The properties are zoned R-5 (Residential- five dwelling units per acre) and R-3 (Residential- three dwelling units per acre) and total approximately 11.47 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2274. 4701 Rufina Street Aguafina Rezoning. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests approval of a rezoning from R-3 (Residential – three

dwelling units per acre) to R-5 (Residential – five dwelling units per acre) for a property located at 4701 Rufina Street. The property is approximately 3.44 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2287. 4702 Rufina Street Aguafina Rezoning. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre) for a property located at 4702 Rufina Street. The property is approximately 2.42 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

I. RECOMMENDATION:

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the amendment to the conditions of approval of the zoning ordinance, by amending the conditions of approval attached to that ordinance via the Findings of Fact and Conclusions of Law for that case (Case #2020-2273); and

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the rezonings (Case #2020-2274 and Case #2020-2287).

***Six** motions will be required, in the following order, for this case:*

- *Recommend the Governing Body approve or deny the Rezoning Ordinance Amendment for Case #2020-2273, by amending the conditions of approval of that ordinance via the Findings of Fact and Conclusions of Law for that case (Case #2020-2273, Item#13-0191);*
- *Recommend the Governing Body approve or deny the rezoning for Case #2020-2274;*
- *Recommend the Governing Body approve or deny the rezoning for Case #2020-2287;*
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-2273 (Exhibit A(1));*
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-2274 (Exhibit A(2))*; and
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-22877 (Exhibit A(3))*

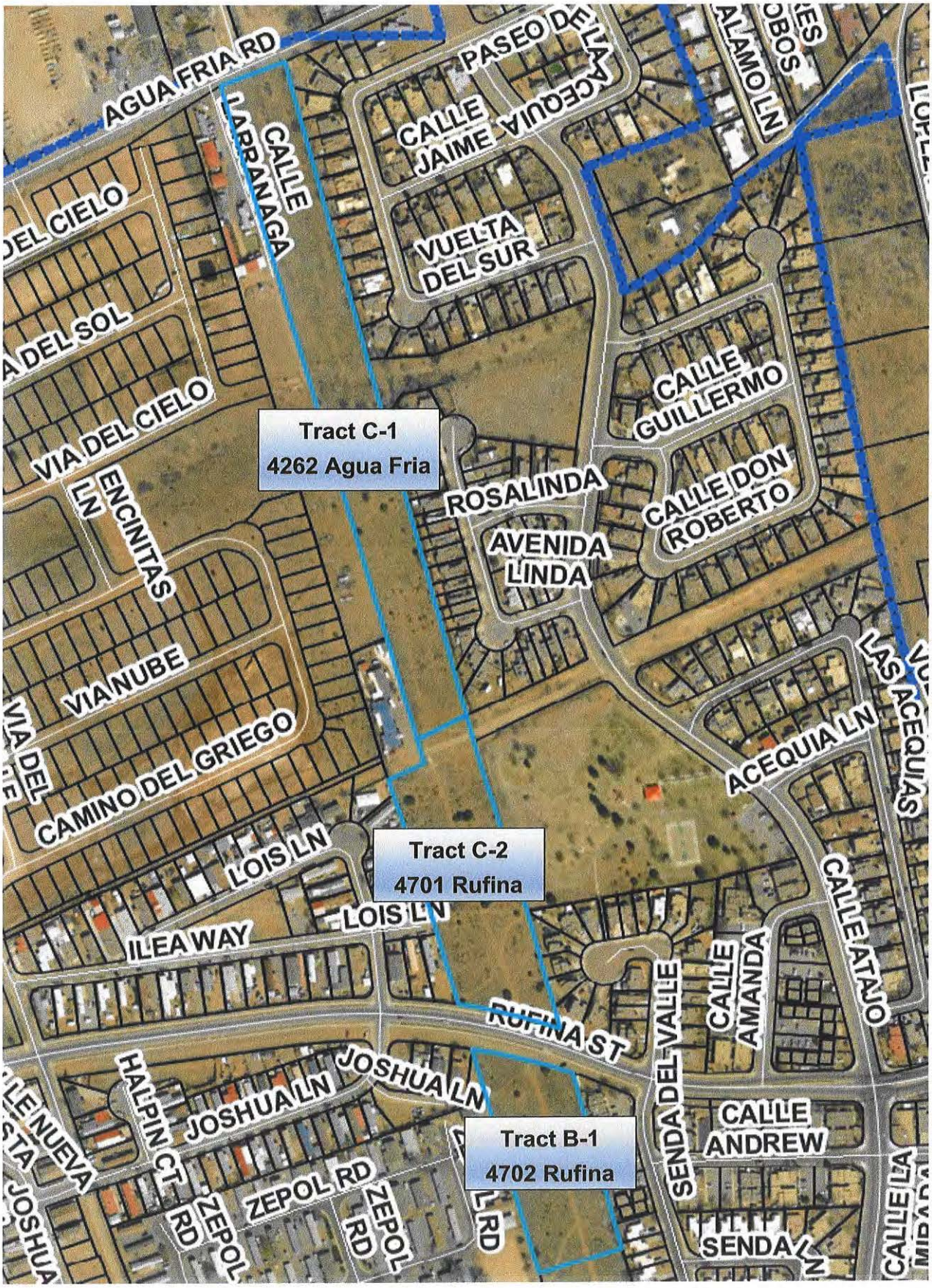
II. CONDITIONS OF APPROVAL

As a rezoning ordinance amendment and rezoning case, staff does not recommend any conditions of approval.

III. EXECUTIVE SUMMARY:

This Application is comprised of three requests:

1. Amend zoning Ordinance #2013-12 to remove conditions of approval found in the Findings of Fact and Conclusions of Law (Item #13-0191) for Case #2012-104 that requires the three properties to be developed as a 23-lot subdivision on lot access driveways;
2. Rezoning request from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) for 4701 Rufina Street; and
3. Rezoning request from R-3 (Residential- three dwelling units per acre) to R-6 (Residential- six dwelling units per acre) for 4702 Rufina Street.


AGUA FRIA RD
PASEO DE LA ACEQUIA
CALLE JAIME
ALAMO LN
CALLE LARRANAGA
VUELTA DEL SUR
DEL CIELO
A DEL SOL
VIA DEL CIELO
Tract C-1
4262 Agua Fria
CALLE GUILLERMO
ROSALINDA
CALLE DON ROBERTO
AVENIDA LINDA
ENCINITAS LN
VIA NUBE
VIA DEL
CAMINO DEL GRIEGO
LAS ACEQUIAS
ACEQUIA LN
Tract C-2
4701 Rufina
LOIS LN
LOIS LN
ILEA WAY
CALLE ATAJO
CALLE AMANDA
RUFINA ST
SENDA DEL VALLE
JOSHUA LN
JOSHUA LN
HALPIN CT
CALLE NUEVA
Tract B-1
4702 Rufina
CALLE ANDREW
ZEPOL RD
ZEPOL RD
ZEPOL RD
SENDA LN

The amendment to the conditions of approval of the rezoning ordinance is necessary to develop the property as a subdivision at the density requested. In this case, a recommendation for approval of the ordinance amendment requires a determination that a future development; consisting of public, paved roads with sidewalks and pedestrian connectivity is better for the public interest than a series of private, unpaved lanes without sidewalks and pedestrian connectivity.

A recommendation for approval of all three requests would allow a future proposal for a subdivision of sixty-one (61) lots on three tracts of land located at 4262 Agua Fria and 4701 and 4702 Rufina Street. The overall premises comprises approximately 11.47 acres.

Governing Body action on the original rezoning case (Case #2012-104) conditioned through the findings that each of the three Tracts would be developed as dead-end, private lot access driveways, with eight lots on the northern Tract C-1, eight lots on the center Tract C-2, and seven lots on the southern Tract B-1. Assuming approval of the rezoning ordinance request, the Applicant would propose a future preliminary subdivision 28 lots on Tract C-1, 18 lots on Tract C-2, and 15 lots on Tract B-1.

The rezoning request for Tract B-1 is at slightly higher R-6 density to match the density of adjacent land to the south, intended to be proposed as the Casa de Todos preliminary subdivision at R-6 density. Tract B-1 would connect to the road in Casas de Todos, making a through street from Rufina down to Calle Atajo near Airport Road, providing road connectivity recommended by the General Plan and Chapter 14.

The overall plan for both developments is in accordance with negotiations with the expressed desires of the Las Acequias Neighborhood Association to have stick-built homes in the Aguafina development and stick-built or modular homes in Casas de Todos development. The City Traffic Engineer is requiring the road in Casas de Todos to connect through to Rufina Street.

The proposed rezoning amendment and rezoning request meet all relevant development standards and approval criteria, and do not create or increase any non-conformities with Chapter 14; therefore, staff recommends approval of all three components of the Applicant's request.

IV. BACKGROUND:

This subdivision began with the rezoning request and concluded with the Governing Body granting an appeal of the Planning Commission's denial of the preliminary subdivision and variance.

These properties went through a series of public hearings between 2012 and 2014, with density and road connectivity being the primary concerns of area residents. There were significant misalignments among the concerns of existing residents, current code requirements, staff recommendations, and past Governing Body decisions. Residents were able to secure a number of agreements and concessions from the Applicant through this more recent planning process.

The relevant past case history is summarized below.

Case #2012-104 Rezoning - Planning Commission 12/6/2012: The case was first heard by the Planning Commission on December 6, 2012. The Applicant originally requested a rezoning for Tracts C-2 and B-1 (5.89 acres total) from R-1 to R-5, but the Commission would only recommend R-3 because

they determined that impacts to traffic and parks would be too great.

Case #2012-104 Rezoning - Governing Body 1/30/2013: The Governing Body considered the case next on January 30, 2013. Having negotiated with neighbors, the Applicant had agreed to effectively develop all three Tracts at a lower density (R-3) than the zoning would allow (up to R-5 for Tract C-1), and agreed not to propose a road connection to Calle Atajo at Powerline Road. Necessary for this proposal was the development of the land as three private, base course lot access driveways, each servicing seven or eight homes, the maximum allowed on such roads. Staff did not support the proposal because of lack of connectivity, lack of pedestrian amenities, and because of a belief that the proposal, while amenable to the immediate neighbors, was contrary to the greater public good.

After significant discussion about parks, density, and the appropriateness and/or necessity of road connectivity, the Governing Body denied the R-5 rezoning request. However, at their following public hearing on February 13, 2013, the Governing Body rescinded its denial and chose to re-hear the case on March 13, 2013 to consider the rezoning request at a reduced R-3 density.

Case #2012-104 Rezoning - Governing Body 3/13/2013: Staff recommended approval of the rezoning request, but included several conditions related to subdivision design: (1) Rezone Tract C-2 and B-1 to R-3; (2) Tract C-2 should have access from Rufina as right-in, right-out, left-in only; (3) provide traffic impact analysis of the design; (4) an emergency access to Tract C-1 (which would have primary access at Agua Fria) would be provided at Powerline Road. City staff requested better road connections, but both the Applicant and the neighbors wanted to develop at a lower density than allowed so as to not require public paved roads or sidewalks. Council conditionally **approved** the rezoning request, thus establishing the permissible density and design of the subdivision.

These conditions were spelled out in the Findings of Fact for the Case (Item #13-0191), collectively called the "Applicant Undertakings", as the Applicant had offered to develop the property in this way in to meet the desires of the neighbors. The Applicant agreed to:

1. Submit its request for subdivision and/or development plan approval to the Planning Commission for both the Property and the Adjacent Parcel as a single application;
2. Develop the Adjacent Parcel consistent with R-3 zoning, notwithstanding that it is zoned R-5;*
3. Not request use of Powerline Road as either a primary or secondary access for either the Property or the Adjacent Parcel as part of its application for such Commission approval, but to instead propose three base-course lot access driveways, serving eight lots each; and*
4. Grant an easement to Abe and Kathleen Tapia and their successors across the Adjacent Parcel to permit them to access Powerline Road.

The rezoning amendment request before you tonight specifically proposes removing Undertaking #2, and to remove the underlined part of Undertaking #3.

The original proposal, a 23-lot subdivision designed to include three dead-end, base course private lot access driveways, was approved by the Governing Body, despite staff's concern that the design did not meet the requirements of Chapter 14. Staff could not recommend approval, as staff saw no compelling reason to deviate from the code requirements for connectivity and infrastructure standards required by SFCC 14-9.2. Staff highlighted the lack of sidewalks, and argued this omission would hinder pedestrian

movement and safety for new residents, and leave Las Acequias Park without a logical new pedestrian connection.

The subdivision was heard three more times, including another appeal to Governing Body after staff did not support the subdivision as proposed because the design violated several sections of SFCC 14-9.2 related to public health, safety, and welfare related to road design and pedestrian connectivity. The Governing Body approved the subdivision at the appeal but this subdivision was never recorded and the approval expired. Because of this, those cases are not described in detail here. Any conditions attached to that subdivision approval expired with it.

For reference, those cases are:

- Case #2013-58 Preliminary Subdivision & Variance – Planning Commission 8/1/2013
- Case #2012-93 Appeal of Planning Commission Denial of Variance and Preliminary Subdivision – Governing Body 1/8/2014
- Case #2014-06 Final Subdivision Approval – Planning Commission 3/13/2014

V. CURRENT PROJECT SUMMARY:

The Applicant has held a series of ENNs and other meetings with residents. Originally, the Applicant wanted to develop the property as originally approved, but current staff had the same concerns as when the subdivision was originally proposed in 2012. The Applicant then decided to redesign the site at a greater density. It was at this time that the conditions attached to the rezoning were discovered, and it was realized that the zoning ordinance would need to be amended to allow for development of the site at higher density.

Through continued conversations with surrounding neighbors, the Applicant learned that the primary concerns of residents revolved around issues related to the housing type and quality. The Applicant agreed to commit to stick-built homes in Aguafina, and stick-built or modular homes in Casa de Todos. The Las Acequias Neighborhood Association agreed to overall higher density development if the Applicant would commit to develop the parcels to include high-quality site built and modular homes exclusively.

VI. EXISTING CONDITIONS:

The Rodriguez properties are comprised of three parcels, stretching from Agua Fria Street to south of Rufina Street, totaling approximately 11.47 acres. The Cielo Azul subdivision, Roadrunner West and Sierra Vista mobile home parks, and the Las Acequias subdivision surround the properties.

	Property Address	**Zoning**
North	Agua Fria Traditional Village	N/A
West	Cielo Azul Subdivision, Road, Roadrunner West & Sierra Vista Mobile	R-6 (Residential – Six dwelling units per acre) & MHP (Mobile Home Park)

	Property Address	Zoning
	Home Parks	
South	Sierra Vista Mobile Home Park, vacant land, and Las Acequias Subdivision	MHP (Mobile Home Park), R-1, and R-7 PUD (Residential – Seven dwelling units per acre, Planned Unit Development)
East	Las Acequias Subdivision	R-5 (Residential – Five dwelling units per acre) & R7 PUD (Residential – Seven dwelling units per acre, Planned Unit Development)

VII. CONCEPTUAL PROJECT ANALYSIS

The following section describes the conceptual subdivision, which is not under consideration for approval now, but will be proposed if the zoning amendment and rezonings are granted.

Access

The northernmost tract of land, Tract C-1 (Zoning Ordinance Amendment Case #2020-2273) will access Agua Fria Street. This 42' wide public right of way (ROW) will run approximately 1,600 feet south before dead-ending in a gate at the easement platted as "Powerline Road".

The center portion, Tract C-2 (Rezoning Case #2020-2274), will access Rufina Street, running north before dead-ending at Powerline Road. The home at 1152 Calle Atajo will keep its access along Powerline Road to Calle Atajo, and an emergency access easement, established at the time of a future preliminary subdivision, will connect the dead-end of the north and south roads. While Chapter 14 requires complete road connectivity to serve the area better, residents oppose it, and the previous Council action on Ordinance 2013-12, specifically mandated that any future road running south from Agua Fria Street not connect to Calle Atajo via Powerline Road.

Tract B-1 (Rezoning Case #2020-2287) will access Rufina Street, running south before ending in a fire-approved turnaround. This portion will eventually connect as a through street to the future proposed preliminary subdivision of Casa de Todos, all the way south to Calle Atajo, near the intersection with Airport Road. It is for this Tract that the Applicant seeks the rezoning to R-6, so that this Tract can be developed at higher density to match Casa de Todos.

The conceptual configuration of roads for both the future potential Aguafina and Casas de Todos subdivisions was approved by the City Traffic Engineer. The traffic impact analysis (TIA) performed for the conceptual future preliminary subdivision showed that the Aguafina Subdivision would not change the level of service for the intersections of Rufina Street & Calle Atajo, Rufina Street and Joshua/Lois Lane, Aguafina/Casa de Todos Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road.

Trail connection

The project area includes a trail alignment along Powerline Road Trail in the 1983 Bikeways Master Plan, envisioned as a connection to the Acequia Trail. While developments built subsequent to this plan to the east make it unlikely that a completed section of trail here would connect to the Acequia Trail, a 10' wide pedestrian easement was created as part of the Cielo Azul Subdivision.

Archaeology and Environmental Resources
The project is located within the River and Trails Archaeological Review District. Per Subection14-3.13(B)(3)(a), an archaeological survey of the property was performed, and a clearance permit was issued on June 6, 2013. An historic acequia was identified on Tract C-1. Per the conditions of the permit, a 20' wide conservation easement has been added to the plat to protect the acequia. The site will be assessed for prairie dogs and any colonies will be relocated prior to issuance of construction permits.

Santa Fe HOMES Program
The Project will comply with current Santa Fe Homes Program ("SFHP") regulations per SFCC Section 26-1.8(A). The applicant will enter into a contract with The City of Santa Fe Housing Opportunity Program. Pursuant to the provisions of the SFHP, 12 lots (20%) will be affordable.

VIII. REZONING ORDINANCE AMENDMENT

SFCC Section 14-3.5 governs the authority and procedures for rezonings. SFCC Subsections 14-3.5(B)(1)(a)&(b) state that "All proposed rezonings shall be submitted to the planning commission for review and recommendation at a public hearing", and that "the planning commission shall transmit the application, including any plan, to the governing body , together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval".

The requested rezoning ordinance amendment is necessary to develop the property as proposed. Chapter 14 provides specific criteria which must be met in order to rezone a property, but provides no specific criteria for evaluating a request to amend the conditions of a prior rezoning. The rezoning criteria are based on a determination that the public interest is not harmed, and is better served by development under the amended zoning ordinance rather than the original zoning, and that existing infrastructure can accommodate or be modified to accommodate the future development. In this case, the Planning Commission would be deciding on whether or not development consisting of public paved roads, rather than a series of private unpaved lanes without sidewalks, is better for pedestrian connectivity and the overall public interest. Removing the current zoning conditions that stipulate the properties will be developed at a density of R-3 and that the roads be developed as private lanes will then allow the Applicant to develop the parcels at a density of R-5 and R-6 and provide paved public streets with proper pedestrian amenities.

These conditions were spelled out in the Findings of Fact for Case #2012-104, collectively called the "Applicant Undertakings". If in agreement with Staff analysis, the Planning Commission would be removing Undertaking #2, that the Applicant "Develop the Adjacent Parcel (Tract C-1) consistent with R-3 zoning, notwithstanding that it is zoned R-5", and to strike the portion of Undertaking #3 that reads "but to propose instead three base-course lot access driveways, each serving eight lots".

IX. REZONING APPROVAL CRITERIA

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:

Criterion 1 [14-3.5(C)(1)(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;** **(iii) a different use category is more advantageous to the community, as articulated in the General Plan or other adopted city plans;**	**Criterion Met:** (Yes/No) **YES**
(i) Not Applicable (ii) The surrounding area has seen housing development with the annexation of land and expansion of infrastructure. The proposed density is consistent with existing residential development patterns in the area. (iii) The Future Land Use Map designation of Low Density Residential allows for 3-7 dwelling units per acre. The proposed R-5 and R-6 zoning will enable development of much needed housing at densities that are consistent with surrounding development.	
Criterion 2 [14-3.5(C)(1)(b)]: all the rezoning requirements of Chapter 14 have been met;	**Criterion Met:** (Yes/No) **YES**
The Applicants have met the Chapter 14 procedural requirements for re-zoning, including holding an Early Neighborhood Notification Meeting, posting and mailing of notification requirements, and submitting required application submittals including a Traffic Impact Analysis. The Applicant is not requesting any variances.	
Criterion 3 [14-3.5(C)(1)(c)]: the rezoning is consistent with the applicable policies of the General Plan, including the future land use map;	**Criterion Met:** (Yes/No) **YES**
R-5 and R-6 zoning is consistent with the Southwest Area Master Plan (SWAMP) Future Land Use designation of Residential Low Density (3-7 dwelling units per acre). No amendments to the General Plan are requested.	
Criterion 4 [14-3.5(C)(1)(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;	**Criterion Met:** (Yes/No) **YES**
This proposal is located in an area that the City annexed to provide for future growth. The proposed rezoning exceeds the two-acre threshold below which rezonings will not be considered (14-3.5(C)(2)(b)), and is consistent with the General Plan in terms of density. The rezoning request will help to provide infill development consistent with General Plan policies supporting the preservation of the scale and character of established neighborhoods, in an area already served by City water and sewer.	
Criterion 5 [14-3.5(C)(1)(e)]: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.	**Criterion Met:** (Yes/No) **YES**
Existing infrastructure, including water and sewer, is sufficient to serve the increased density resulting from the rezoning. Impacts to the existing road network will be mitigated by distributing new traffic to	

Agua Fria Street and Rufina Street. Open space will be provided in the future subdivision, and pedestrian access to Las Acequias Park will be improved.	
Criterion 6 [14-3.5(C)(2)]: Unless the proposed change is consistent with applicable General Plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to: **(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;** **(b) affect an area of less than two acres, unless adjusting boundaries between districts;** **(c) or benefit one or a few landowners at the expense of the surrounding landowners or general public.**	**Criterion Met:** (Yes/No) **YES**
(a) As a proposed low-density residential subdivision, it is consistent with the prevailing low to moderate density residential uses in the surrounding area. The adjacent Las Acequias subdivision is built at a density of approximately 7.1 dwelling units per acre. (b) The project comprises approximately 11.47 acres. (a) The project will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of quality homes that will harmonize with the adjacent Las Acequias development.	
Criterion 7 [14-3.5(D)(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;	**Criterion Met:** (Yes/No) **YES**
DRT review indicated that the proposed road infrastructure would be able to handle the requested density. The project can be accommodated by the existing infrastructure and public facilities, as detailed in C(1)(e) above.	
Criterion 8 [14-3.5(D)(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.	**Criterion Met:** (Yes/No) **YES**
The City of Santa Fe's Traffic Engineer has determined that the public roads as proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.	

X. EARLY NEIGHBORHOOD NOTIFICATION

Because the Aguafina subdivision proposal has gone through numerous changes and will be integrated with development of the possible Casas de Todos Development, multiple ENN meetings have been held. The Applicant also engaged with the Las Acequias Neighborhood Association in several informal meetings as well. The prior proposal discussed at an ENN was based on 43 lots. Since that ENN, the Applicant and Las Acequias residents had several discussions and meetings which resulted in an

agreement that quality, stick-built homes were a priority for the community, and that the Association was willing to accept higher density in exchange for higher quality housing. Residents had also reconsidered the potential negative impacts of a network of dirt roads without pedestrian connections.

The most recent ENN meeting was held via Zoom on June 1, 2020. The purpose of this meeting was to discuss the new proposal and the connection to the proposed Casa de Todos subdivision. The proposal now consisted of three paved roads with sidewalks. The number of lots on the top tract of land had not changed (23), but the center tract and the southern tract now were proposed to have 18 and 15 lots respectively, reflecting the requested density. Las Acequias residents had several requests: 1) That the homes be architecturally compatible with Las Acequias 2) That a block wall be built on both sides of the project for its entire length 3) That Road Impact Fees from this project specifically be applied to improvements to the intersection of Rufina Street and Lopez Lane. The Applicant stated that block walls of that length would be prohibitively expensive, and that fences were more likely. The maintenance of fences and complications of potentially incorrect property line understandings was discussed, and both parties agreed to continue to discuss this in the future. It was agreed to continue discussing the potential of using Impact Fees in the way described.

XI. EXPIRATION

The zoning ordinance amendment and the rezoning request, if approved by the Governing Body, run with the land, are transferrable, and will not expire.

XII. ATTACHMENTS:

EXHIBIT A:

1. Draft Findings of Fact & Conclusions of Law Case #2020-2273
2. Draft Findings of Fact & Conclusions of Law Case #2020-2274
3. Draft Findings of Fact & Conclusions of Law Case #2020-2287

EXHIBIT B: Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Views

EXHIBIT C: Early Neighborhood Notification

1. ENN Packet
2. ENN Meeting Notes

EXHIBIT D: Applicant Materials

1. Project Report (Conceptual subdivision Exhibit 1 in Project Report)
2. Ordinance #2013-12
3. Case #2012-104 FOFCOL (Item #13-0191)
4. Governing Body Meeting Minutes 3/13/2013
5. Traffic Impact Analysis Summary

APPROVED BY:

Title	Name	Initials
Land Use Division Director	Elias Isaacson, AICP	ESI
Land Use Planner Manager	Noah Berke, AICP	NLB
Land Use Department Case Manager	Lee Logston, AICP	LL

City of Santa Fe, New Mexico

Exhibit A

1. Draft Findings of Fact & Conclusions of Law Case #2020-2273
2. Draft Findings of Fact & Conclusions of Law Case #2020-2274
3. Draft Findings of Fact & Conclusions of Law Case #2020-2287

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2273
4262 Agua Fria Street, and 4701 and 4702 Rufina Street - Aguafina Rezoning Ordinance Amendment

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to properties located at 4262 Agua Fria Street and 4701 and 4702 Rufina Street, totaling approximately 11.5 acres (Property). The Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

The Applicant plans to create a sixty-one-lot subdivision. In related Case #2020-2274, the Applicant seeks to rezone a property located at 4701 Rufina Street, totaling approximately 3.44 acres, from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre). In related Case #2020-2287, the Applicant seeks to rezone a property located at 4702 Rufina Street, totaling approximately 2.42 acres, from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre).

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning or a zoning ordinance amendment, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. Following the ENN, the Applicant submitted an application seeking to amend the conditions of approval for Ordinance No. 2013-12 (Case #2012-104), as set forth in the Findings of Fact and Conclusions of Law filed by the City Clerk as Item #13-0191.
23. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
24. Staff recommended that the Commission should recommend that the Governing Body grant the request to amend Ordinance 2013-12 and modify the Findings of Fact and Conclusions of Law by removing the requirement in condition #2 that the applicant must develop 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and by striking the portion of condition #3 that requires the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

Zoning Ordinance Amendment

25. Pursuant to SFCC Section 14-3.19(D)(1), the procedures for a substantive amendment to the conditions of a prior rezoning ordinance are the same as the procedures that apply to a new application for a rezoning ordinance.
26. Pursuant to SFCC Section 14-2.3(C)(7)(c) and 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding a proposed rezoning or zoning ordinance amendment.
27. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body to approve or deny the Application.
28. SFCC Section 14-3.5(C) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval a rezoning ordinance amendment.
29. Most of the approval criteria in SFCC Section 14-3.5(C) are inapplicable to a request to amend the conditions attached to a prior zoning ordinance, and the SFCC does not provide specific criteria for evaluating a request to amend such conditions.

30. The Planning Commission finds that the rezoning criteria are intended to ensure that the public interest is not harmed by the rezoning, that development under the new zoning will serve the public more than development under the original zoning, and that infrastructure can handle or be modified to handle the proposed new development.
31. In this case, the Planning Commission finds that the condition that Tract C-1 (4262 Agua Fria Street) should be developed consistent with R-3 zoning, notwithstanding that it is zoned R-5, should be removed from the Findings of Fact and Conclusions of Law for Ordinance No. 2013-12 because removing that condition would not harm the public interest, and building at greater density will allow the construction of stick-built homes in conformance with adjacent residents' desires.
32. The Planning Commission finds that the condition that the subdivision must be developed as three private, base-course lot access driveways should be removed from Ordinance No. 2013-12 because the public interest will be better served by paved, public roads with sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning Ordinance Amendment

2. The Applicant has the right under the SFCC to propose amendments to the conditions of approval attached to the ordinance that rezoned the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed amendments to the conditions attached to the rezoning ordinance and to make recommendations regarding the proposed amendments to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The requested amendments to the Findings of Fact and Conclusions of Law adopting Ordinance 2013-12 should be approved because all applicable code requirements have been met, the public interest will not be harmed, development under the new zoning will serve the public, and the infrastructure can handle the proposed new development.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed amendments to the conditions attached to Ordinance No. 2013-12.

_____ _____

John B. Hiatt
Chairperson

Date

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2274
4701 Rufina Street - Aguafina Rezoning

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to a property located at 4701 Rufina Street totaling approximately 3.44 acres (Property). The Applicant requests approval of a rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre). The Applicant plans to create 18 lots on the Property as part of a 61-lot subdivision.

In related Case #2020-2287, the Applicant seeks to rezone a property located at 4702 Rufina Street totaling approximately 2.42 acres. The Applicant requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre).

Additionally, in related Case #2020-2273, the Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop the adjacent parcel at 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
23. Staff recommended that the Commission should recommend that the Governing Body approve the rezoning.

Rezoning

24. Pursuant to SFCC Section 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
25. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
26. SFCC Section 14-3.5(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
27. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the rezoning is justified because the proposed density is allowed by the Future Land Use Map designation of Low Density Residential, and because the proposed density is consistent with surrounding homes.
28. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
29. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including the future land use map. Specifically, R-5 zoning is consistent with the Southwest Area Master Plan (SWAMP) Future Land Use Map designation of Residential Low Density (3-7 dwelling units per acre) and will provide lots of similar size to the adjacent neighborhood.
30. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a sixty-one-lot subdivision 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.
31. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that 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.

32. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-5 zoning is consistent with the surrounding density, such as the adjacent R-7 Las Acequias subdivision.
33. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
34. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of homes that will harmonize with the adjacent Las Acequias subdivision.
35. Pursuant to SFCC Section 14-3.5(D)(1), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.
36. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the public roads proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning

2. The Applicant has the right under the SFCC to propose the rezoning of the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested rezoning because all applicable code requirements and criteria for recommendation of approval of the proposed rezoning have been met.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed rezoning.

_____ _____
John B. Hiatt Date
Chairperson

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2287
4702 Rufina Street Aguafina Rezoning

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to a property located at 4702 Rufina Street totaling approximately 2.42 acres (Property). The Applicant requests approval of a rezoning from R-3 (Residential- three dwelling units per acre) to R-6 (Residential- six dwelling units per acre). The Applicant plans to create 15 lots on the Property as part of a 61-lot subdivision.

In related Case #2020-2274, the Applicant seeks to rezone a property located at 4701 Rufina Street totaling approximately 3.44 acres from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre).

Additionally, in related Case #2020-2273, the Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop the adjacent parcel at 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
23. Staff recommended that the Commission should recommend that the Governing Body approve the rezoning.

Rezoning

24. Pursuant to SFCC Section 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
25. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
26. SFCC Section 14-3.5(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
27. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the rezoning is justified because the proposed density is allowed by the Future Land Use Map designation of Low Density Residential, and because the proposed density is consistent with surrounding homes.
28. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
29. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including the future land use map. Specifically, R-6 zoning is consistent with the (SWAMP) Future Land Use Map designation of Residential Low Density (3-7 dwelling units per acre) and will provide lots of similar size to the adjacent neighborhood.
30. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a sixty-one-lot subdivision 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.
31. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that 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.

32. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-6 zoning is consistent with the surrounding density, such as the adjacent R-7 Las Acequias subdivision.
33. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
34. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of homes that will harmonize with the adjacent Las Acequias subdivision.
35. Pursuant to SFCC Section 14-3.5(D)(1), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.
36. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the public roads proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning

2. The Applicant has the right under the SFCC to propose the rezoning of the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested rezoning because all applicable code requirements and criteria for recommendation of approval of the proposed rezoning have been met

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed rezoning.

_____ _____
John B. Hiatt Date
Chairperson

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe, New Mexico

Exhibit B

Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Views

Exhibit C1: Future Land Use Map

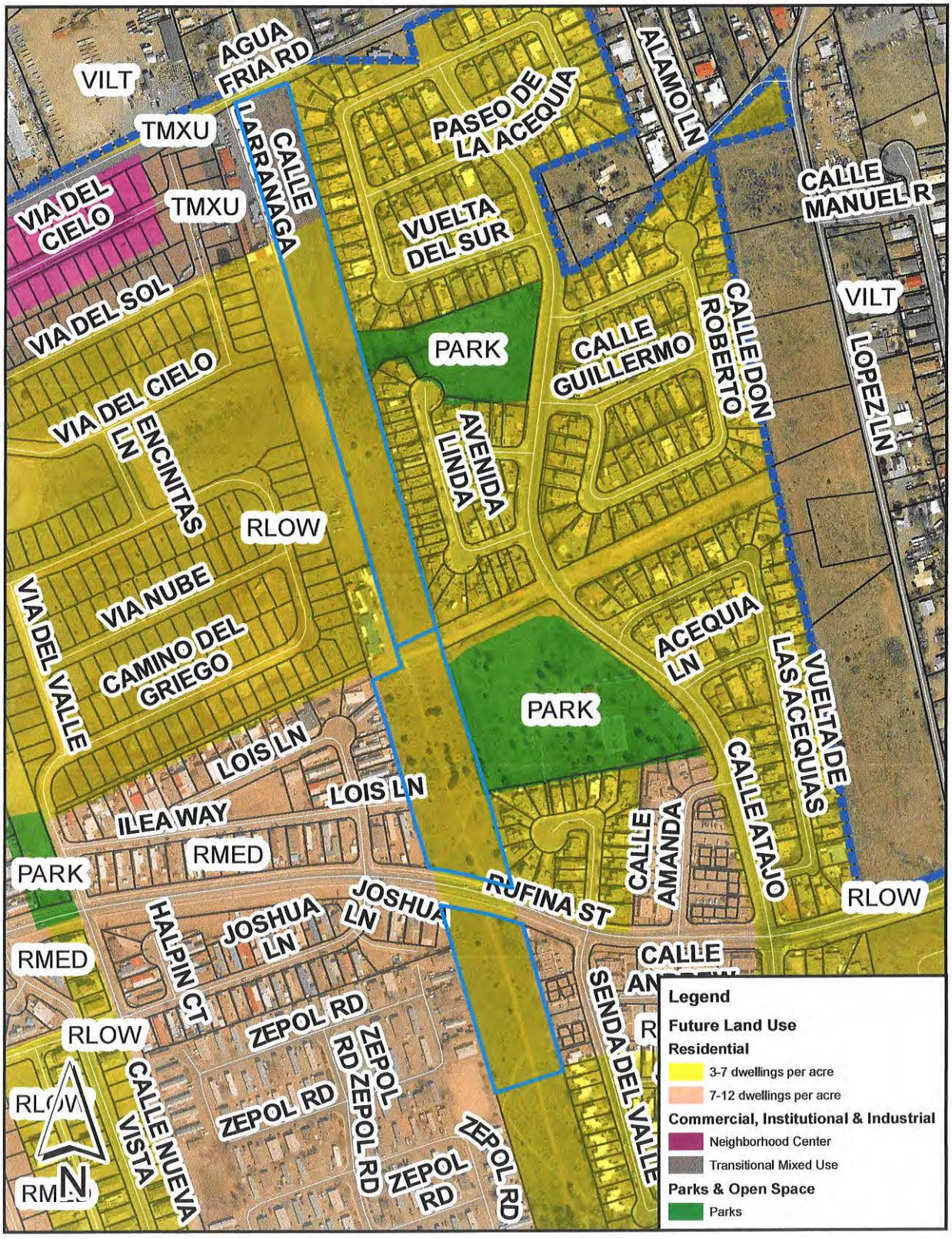


Exhibit C2: Current Zoning Map

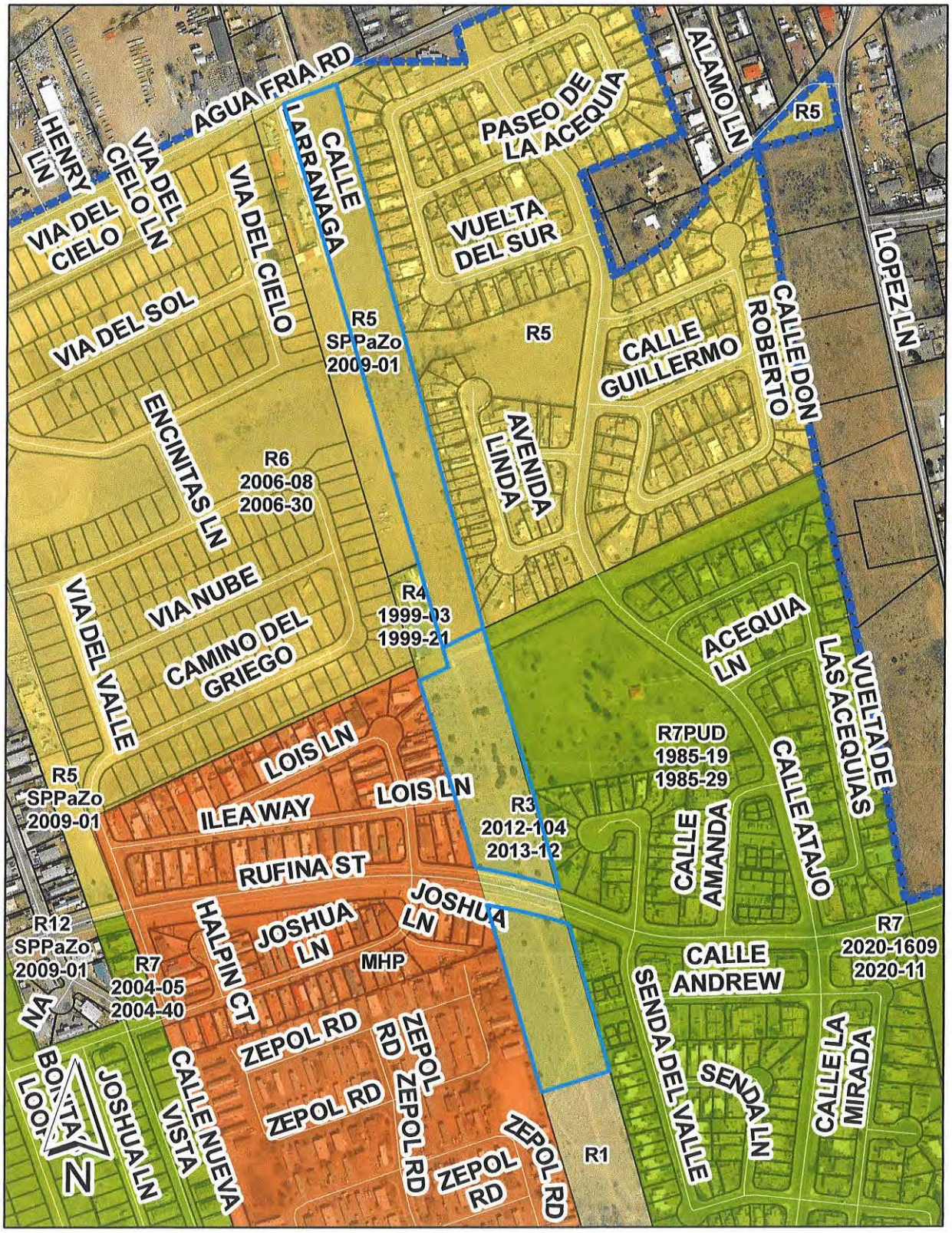


Exhibit C3: Aerial View

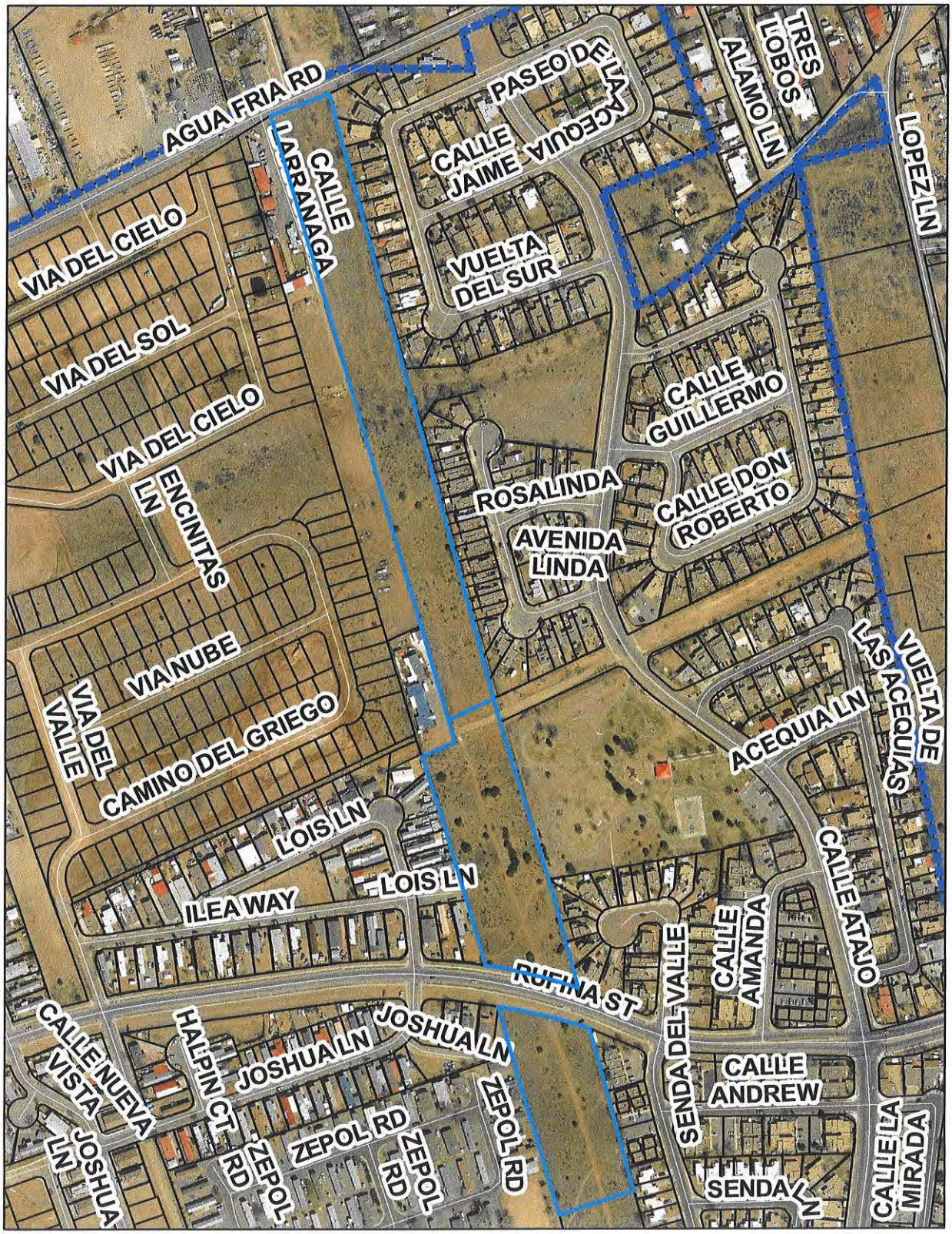


Exhibit B4: Google Aerial Views

Tract C-1

Looking west over Las Acequias Park

Tract B-1 (left) and Tract C-2 (right)

Tract B-1 (lower) and Tract C-2 (upper)

City of Santa Fe, New Mexico

Exhibit C

Early Neighborhood Notification

1. ENN Packet
2. ENN Meeting Notes

LIAISON Planning Services Inc.
P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

May 15, 2020

Re: Early Neighborhood Notification Meeting
Subdivision, Rezoning and Zoning Amendment for Aguafina Subdivision

Dear Neighbor,

Due to social distancing statewide requirements and health concerns associated with the Corona Virus (COVID 19), an ENN meeting will be conducted online via Zoom Video/ Teleconference for Aguafina Subdivision.

The purpose of this neighborhood meeting is to discuss an application for Preliminary Plat approval for a 61-lot residential subdivision, an Ordinance Amendment and a Rezoning. The subdivision comprises three parcels: 4701 Rufina St. (Tract C-2, totaling ±3.43 acres), 4702 Rufina St. (Tract B-1, totaling ±2.45 acres), and 4262 Agua Fria Street (Tract C, totaling ±5.63 acres). The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6. The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2 when it approved the previous rezoning ordinance (Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots."

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification ordinance, this is to inform you that a meeting is scheduled for:

Topic: Aguafina Rezoning and Preliminary Subdivision ENN Meeting
Time: Jun 1, 2020 05:30 PM Mountain Time (US and Canada)
Join Zoom Meeting:
https://us02web.zoom.us/j/72305110054?pwd=ZXdlNzRYNUpPdUxxcjRuM1ZraWpmQT09
Meeting ID: 723 0511 0054
Password: 013262
One tap mobile
+16699006833,,72305110054#,,1#,013262# US (San Jose)
+12532158782,,72305110054#,,1#,013262# US (Tacoma)
Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)
+1 929 436 2866 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
Meeting ID: 723 0511 0054
Password: 013262
Where: Please join this meeting from your computer, tablet or smartphone.

The Early Notification ordinance provides for an exchange of information between perspective applicants for development projects and the project's neighbors before the application becomes too firm to respond meaningfully to community input.

Attached, please find a vicinity map outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

Sincerely,

Dolores I. Vigil

Attachments: Vicinity Map

Special Note: **Persons with disabilities in need of special accommodations or the hearing impaired in need of an interpreter please contact the Land Use Office (505) 6820 5 days prior to the hearing or meeting date.**

ENN GUIDELINES

Applicant Information

Project Name: **Aguafina Subdivision, Ordinance Amendment and Rezoning**

Name: **Aguafina Development LLC**
Last *First* *M.I.*

Address: **701 A Los Lovatos**
Street Address *Suite/Unit #*

Santa Fe **NM** **87501**
City *State* *ZIP Code*

Phone: **(505) 920-6839** E-mail Address: **c/o liaisonplanning@gmail.com**

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS ***For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.***

The property is located on the north and south side of Rufina Street and north of Agua Fria. The applicant is requesting subdivision plat approval and rezoning for a 61-lot residential subdivision. The subdivision is comprised of three parcels: 4701 Rufina St. (Tract C-2, totaling ±3.43 acres), 4702 Rufina St. (Tract B, totaling ±2.45 acres), and 4262 Agua Fria Street (Tract C, totaling ±5.63 acres). The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6. The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2 when it approved the previous rezoning ordinance (Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots."

The applicant is proposing stick-built homes as recommended by the adjacent property owners along with paved roads with curb/gutter lighting, landscaping, open space and trails. This type of housing and density is consistent with the surrounding developments.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT ***For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.***

The proposed development will protect the physical environment by meeting all development standards.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN ***For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.***

The property will not impact any prehistoric, historic, archeological, or cultural sites and structures including acequias and is located outside of the historic downtown.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN ***For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.***

Approving this application will not adversely affect the public interest. The Project will benefit the public interest by providing much needed housing for Santa Fe residents on Rufina Street and Agua Fria with close proximity to public transportation and employments centers. The Project is also close to many amenities such as grocery stores, pharmacies, restaurants, and medical services. The term "Public Interest" is not defined in Chapter 14; however, the Governing Body has implemented the General Plan and Chapter 14 in order to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. This development proposal will provide buildable lots that will supplement much needed housing for the City of Santa Fe. The City's 1999 General Plan supports infill development in urban centers where feasible, and to "Promote a compact urban form and encourage sensitive/compatible infill development" (Section 1. 7.9).

The application is in keeping with the densities in the vicinity and providing "stick built" homes will provide a solid economic base.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES ***For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.***

The applicant proposes to provide adequate ingress and egress to meet the minimum requirements for development. The proposed application will maintain adequate road standards, will provide access to public transportation and pedestrian trails. A Traffic Impact Analysis is being compiled that will identify cumulative traffic impact to the surrounding neighborhoods.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE ***For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.***

While new development is frequently perceived to create a negative impact on existing property owners in the immediate vicinity, that impact must be weighed against the benefit to the public, or the expense to the public, of not building the development. The development of this property as proposed would provide reasonably priced, infill housing close to shopping, and employment. The public interest of increasing the supply of market rate and affordable housing stock is served by this project.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS ***For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.***

According to the section 1.7.1 within the General Plan affordable housing is encouraged for all incomes throughout the City and should be provided close to jobs to encourage to promote transit use. The proposed subdivision and rezoning will provide affordable housing in a setting that is in need of such development. The project is not limited to an age group, nor income.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES ***For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.***

Public water and sewer are readily available at this site and have sufficient capacity to handle the additional load from this development. All other outside utility providers agree that this site is well served by existing infrastructure, with all dry utilities either already on, adjacent to, or in close proximity to the property. Dry utilities are of sufficient capacity to serve the project at full development. While Public Works staff acknowledges that all development has an incremental impact on public roadway networks, they concur with the Consulting Engineer's conclusion that the roadway network will continue to operate at an acceptable Level of Service (LOS) based on transportation standards for intersection operation.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS ***For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.***

The development will be served by City Water and sewer. Conservation methods will be incorporated into the project as required by Code.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS ***For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.***

The property is surrounded by residential. The proposed rezoning will clearly improve the site and will be designed to easily integrate with surrounding developments. The applicant proposes a site that compliments the streetscape to ensure compatibility with adjacent properties and the Future Land Use Map/ Transitional Mixed Use.

(k) EFFECT ON SANTA FE'S URBAN FORM ***For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.***

The lot on which the development is proposed is presently underutilized. Infill development of this type is supported by the Plan in reference to this Section 1. 7.11, because it calls for new development to be "oriented from established neighborhoods to urban context and promotes active street and outdoor life". The proposed design will provide connectivity with the surrounding neighborhoods.

The applicant is requesting approval for a "rezoning ordinance amendment" for Tract C-1 and a rezoning for Tracts C-2 to R-5 and B-1 to R-6.

The rezoning ordinance amendment (Ord #2013-12) is to remove condition #2 requiring C-1 "be developed consistent with R-3", and modify #3 to remove the three base course drive requirement in the "Applicant Undertakings".

City of Santa Fe
Land Use Department
Early Neighborhood Notification Meeting Notes

Project Name	Aguafina Rezoning, Zoning Ordinance Amendment, and Preliminary Subdivision
Project Location	4262 Agua Fria Street and 4701 & 4702 Rufina Street
Project Description	Rezoning to R-5 and R-6, Amendment to Ord #2013-12, and 61 Lot Subdivision, Preliminary
Applicant / Owner	Rudy Rodriguez
Agent	Liaison Planning, Dolores Vigil
Pre-App Meeting Date	January 10, 2019
ENN Meeting Date	June 1, 2020
ENN Meeting Location	Virtual Meeting – Zoom
Application Type	Rezoning, Ordinance Amendment, Preliminary Subdivision
Land Use Staff	Lee Logston
Other Staff	Noah Berke
Attendance	Lee Logston, Dolores Vigil (Agent), Rudy Rodriguez (Applicant), 22 members of the public

Notes/Comments:

The virtual meeting began a little after 5:30 PM in order to make sure everyone had joined. Mr. Logston briefly explained the history of the property, the nature of the application now and why it had changed. The desire of residents to have stick-built homes and paved roads with sidewalks necessitated higher density to make the project financially feasible. While we are discussing the Preliminary Subdivision now, that will not move forward as an application until the rezoning and ordinance amendment go through both Planning Commission and Governing Body approval.

Ms. Vigil then gave a brief summary of the proposal, sharing her ENN guidelines on her screen. The discussion explained what had changed from the last proposal: The top tract had not changed, the middle tract and southern tract now had a total of 33 more lots, with those two tracts now having paved roads. Ms. Vigil also briefly showed the Casa de Todos conceptual layout, which the neighbors had already seen in a prior ENN, for the purpose of showing how the two developments would fit together.

Mr. Logston then briefly returned to the subject of the Rezoning Ordinance Amendment. He shared Ordinance #2013-12 on the screen, and explained that the conditions attached to the properties were found in the Findings of Fact and Conclusions of Law rather than the ordinance itself, and were referred to as the "Applicant Undertakings". Mr. Logston explained that one condition would be struck, and another modified so that the development could proceed as proposed, but that the other conditions set back in 2013 would not be changed.

Then Mr. Logston and Ms. Vigil began a question and answer session with the residents. Topics of discussion(answers in parentheses):

- One resident wanted to see the last version so she could understand what changed. (Ms. Vigil agreed to send her the last version).
- The first of several residents spoke of problems on the property in recent months with homeless people, a fire, trash, etc.
- Another resident reiterated these concerns and added that it makes it difficult to trust Mr. Rodriguez moving forward to be a good developer. She also pointed out that some Las Acequias residents were treating the vacant property as their own by storing things on it. (Ms. Vigil explained that Covid had slowed some responses, but that Mr. Rodriguez was working on all of these issues now).
- Fabian Trujillo, Las Acequias Board Member, made several requests: A full block wall on both sides for both developments, to see a more complete preliminary subdivision, to know the approval schedule. (Ms. Vigil explained that a block wall of that length would be cost prohibitive, and that fencing was more likely). He then asked how traffic impacts of this development would be addressed at Lopez and Rufina and asked if this project's impact fees could specifically be applied there (Mr. Logston explained that the City Traffic engineer would determine if the TIA needed to be adjusted, and the topic of impact fees would be raised). How would the development meet the affordable housing requirement? (By selling affordable lots). Would the applicant do an Economic Impact Analysis? (Mr. Berke explained that it is not required but if Fabian's office could provide some data it could be considered).
- Linda Flatt, Las Acequias Board Member, thanked us for the background and stressed that it is important for us to keep communication open moving forward. She asked if William Mee, Agua Fria Village president, had "approved the road and lots accessing Agua Fria". (Ms. Vigil said that she had met with Las Acequias and Mr. Mee some time ago and had showed him the plan and that Mr. Mee had not protested). She then spoke of street parking and asked if each lot could be designed to accommodate three cars (Will consider). She then asked the applicant to address a rumor that the Casas de Todos connection to Avenida de Las Acequias was intended to connect further to Lopez Lane. (Ms. Vigil explained that no, there was no plan to do that).
- A resident returned to the subject of walls. If fencing, would the applicant repair existing fencing or replace it? (Rudy and Ms. Vigil said that they are offering to repair or replace where deemed necessary. The topic of two fences and a space in between was discussed and deemed a bad solution).
- William Mee then joined the meeting and said that Ms. Vigil had never shown him the plan. (Ms. Vigil stated that yes, she had, we all met at Second Street and you saw it and never said anything after that.) Mr. Mee said that she shouldn't regard no comment as approval, and Ms. Vigil was misrepresenting his approval. (Ms. Vigil then asked why he never said anything if he didn't approve of it).
- Fabian Trujillo asked if the eight affordable lots would have manufactured homes. (Ms. Vigil said that no, she was going to honor the wishes of residents).

- Linda Flatt returned to the topic of fencing. She said that in Las Acequias, fences are shared by property owners, but that whichever owner built it was responsible for its maintenance thereafter. Would that be the case here? (Ms. Vigil agreed and said she would put it in the covenants. Mr. Logston cautioned everyone to think about that and continue the discussion. He said that ten years down the road, property owners might not want someone else accessing their property to do repairs).
- A resident pointed out that he knew his fence was not on his property line, and that it was on the vacant property. (Mr. Logston again stated that everyone should think harder about the implications of a continuous fence and that Las Acequias should make sure their residents want the fence work done, because new fencing would be built on the property line, but some residents might discover that their property line wasn't where they thought – effectively losing part of "their yard").
- Fabian Trujillo then stated that residents would like the new homes to be architecturally compatible with Las Acequias homes.

At this point, Ms. Vigil lost her connection, but it seemed that the residents had had all their questions answered. Mr. Logston was unable to host and unmute attendees, but confirmed that the meeting was finished. Mr. Logston again told everyone to email him with questions and explained that he is available by phone but only on his cell. Phone calls to his office phone would come to his email and he would check there.

The meeting then concluded at approximately 6:45.

City of Santa Fe, New Mexico

Exhibit D

Applicant Materials

1. Project Report (Conceptual subdivision Exhibit 1 in Project Report
2. Ordinance #2013-12
3. Case #2012-104 FOFCOL (Item #13-0191)
4. Governing Body Meeting Minutes 3/13/2013
5. Traffic Impact Analysis Summary

REZONING and AMENDMENT TO ZONING CONDTIONS

Aguafina Subdivision
Santa Fe NM

Applicants:
Aguafina Development LLC

Land Planning Consultant:

Liaison Planning Services Inc.
P.O. Box 1835
Santa Fe, NM 87504
(505) 920-6839
liaisonplanning@gmail.com

June 22, 2020

Table of Contents

1. Introduction and Request.....2-3
2. Existing Zoning and Future Land Use.....3-4
3. Property Description.....4
4. Traffic Impact.....4
5. Rezoning Criteria Statement.....4-6
6. Amendment to Rezoning Conditions.....6-7
5. Conclusion.....7

Exhibits

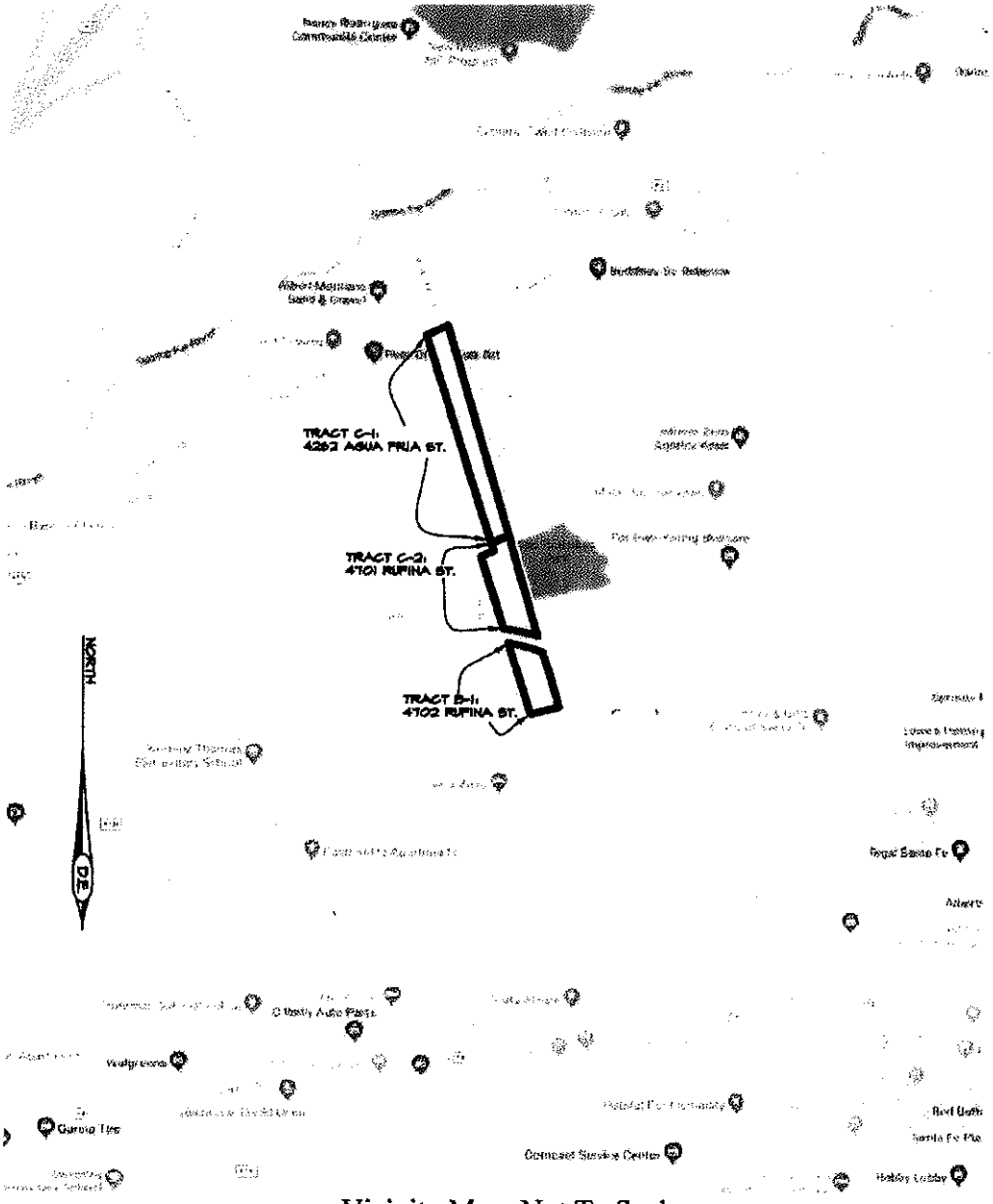
1. Site Plan
2. Ord. #2013-12
3. Findings of Fact and Conclusions of Law
4. Zoning Map
5. Future Land Use Map
6. Archaeological Boundary Map
7. Archaeological Clearance Permit

Appendices

Appendix A Traffic Impact Report
Appendix B Legal Lots of Record

1. Introduction and Request:

The property is located on the north and south side of Rufina Street and north of Agua Fria (*See* Vicinity Map). The applicant is requesting a rezoning for a 61-lot residential subdivision. The subdivision is comprised of three parcels: 4262 Agua Fria Street (Tract C-1, totaling 5.612 acres ±), 4701 Rufina St. (Tract C-2, totaling 3.437 acres ±), and 4702 Rufina St. (Tract B-1, totaling 2.423 acres ±).



Vicinity Map- Not To Scale

The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6 (*See* Exhibit 1 Site Plan). The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2. when the previous rezoning was approved (*See* Exhibit 2 Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots." (*See* Exhibit 3 Findings of Fact and Conclusions of Law).

Currently all three lots are vacant and are accessed off of Agua Fria and Rufina Street. Adequate wet and dry utilities are available to the site.

Ultimately, the applicant would like to develop a single-family residential subdivision as shown on the enclosed conceptual site plan. The plan is for reference only and is not a requirement for this request. This site plan is used as a tool to demonstrate the density, open space and probable future access to the site.

2. Existing Zoning and Future Land Use:

Tract C-1 is zoned R-5 (but is limited to development beyond R-3 as conditioned by the Governing Body), Tract C-2 and B-1 are R-3 (*See* Exhibit 4 Zoning Map). The applicant is requesting to rezone Tract C-2 to R-5 and Tract B-1 to R-6. The parcels are bounded by a mix of residential zones, MHP to the southwest, R-6 to the west, R-5 to the east R-7 PUD to the southeast and R-6 to the south.

This request falls within the parameters of the Future Land Use Map Low Density 3-7 dwelling units per acre (*See* Exhibit 5). This application does not require a General Plan Amendment.

The properties are located within the Southwest Area Master Plan. Tracts C-1 and C-2 fall within the Rivers and Trails Archeological Review District and Tract B-1 in the Suburban Archeological Review District. An archaeological clearance permit has been obtained (*See* Exhibits 6 and 7)

3. Property Description:

The property is vacant and is comprised of 3 tracts as shown on the enclosed legal lots of record (*See* Appendix B). The development will provide affordable housing, open space, large livable lots and access to Agua Fria to the north and Rufina to the south.

The land slopes primarily slopes towards the west and dry and wet utilities are available.

4. Traffic Impact:

Enclosed is a Traffic Impact Report Narrative prepared by Morey Walker and Associates Engineering Inc. (*See* Appendix A), where a determination of impact was studied at the intersections of Rufina Street and Calle Atajo, Joshua Lane and Aguafina Lane/Casa de Todos and Rufina Street and Agua Fria and Aguafina Road.

In conclusion: "the single family lots for this development will have minimal impact on the level of service for these intersections."

5. Rezoning Approval Criteria Statement:

The applicant provides the following responses to the City Code criteria for approval of the rezoning request.

(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 exist:

(i) there was a mistake in the original rezoning; (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;

There has been some significant change to the surrounding area. An increase in density has occurred once the City expanded its limits and began to provide infrastructure to the area. The annexation and expansion of services has altered the character of Airport Road and Rufina. Rezoning this property will bring it into compliance with the General Plan and Future Land Use Map of Low Density Residential (3-7 dwelling units/acre).

(b) all rezoning requirements of Chapter 14 have been met;

The rezoning requirements of Chapter 14 are addressed herein and the application is consistent with those requirements.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

The zoning request to R-5 and R-6 is consistent with the General Plan's Low Density future land use designation (See Exhibit 5).

(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

The rezoning request will provide infill development consistent with the General Plan's policy supporting the preservation of the scale and character of established neighborhoods while promoting appropriate infill development in an area already served by City water and sewer.

(e) the existing and proposed infrastructure, such as the street 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.

Existing infrastructure, including water and sewer is sufficient to serve the increased density resulting from the rezoning. Existing road networks will be impacted by this rezoning but will be mitigated by access to Agua Fria and Rufina Street.

6. Amendment to Rezoning Conditions:

When the rezoning occurred in 2013 pursuant to Ordinance No. 2013-12, two conditions of approval were placed upon the rezoning: A) Tract C-1 be development "consistent with R-3 zoning notwithstanding that it is zoned R-5," (*See* Exhibit 3 Findings of Fact and Conclusions of Law Condition #2), B) and to build "three base-course lot access driveways, each serving eight lots." (*See* Exhibit 3 Findings of Fact and Conclusions of Law Condition #3). Tract C-1 was *not* part of the 2013 rezoning action by the City of Santa Fe.

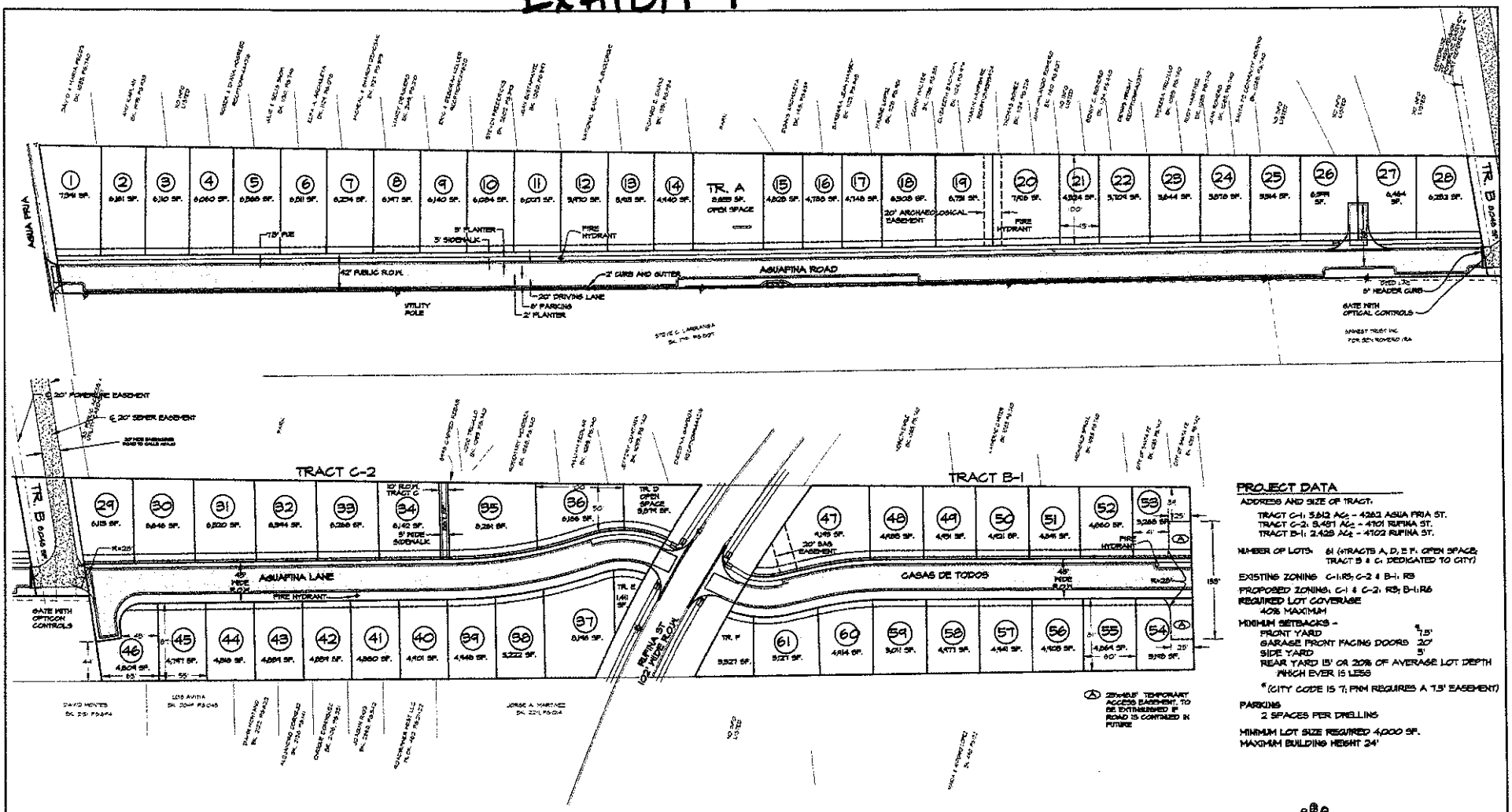
The Applicant recognizes that, as a matter of expediency, the previous owner of the Tract C-1 offered and accepted a condition that Tract C-1 be limited in its development to the R-3 standards. For a couple of reasons, the Applicant requests that this condition be removed, along with the condition that only a base course roadway be built. First, as a policy matter, the artificial limitation unnecessarily restricts the badly needed increase in Santa Fe's housing supply. The recent pandemic is driving people to Santa Fe in ever increasing numbers, and the limited housing supply is quickly driving prices upward in a manner that prevents the average working family from being able to afford to buy a home and live here. Second, the imposition of the conditions on the zoning is not enforceable under New Mexico case law. In the Mechem v. City of Santa Fe, 96 N.M. 668 (1981), the New Mexico Supreme Court held that a condition on a special exception was not enforceable, *even though it was offered and agreed to by the applicant for the special exception.* Given the questionable enforceability of placing a condition on a tract that had existing zoning, i.e., it was not part of the property being rezoned when the condition was imposed, the Applicant requests that it be expressly revoked.

With respect to the removal of Condition #3, if approved the rezoning action would require paved roads and curb and gutter. Condition #3 would be inconsistent with those requirements.

7. Conclusion:

The request for rezoning to R-5 and R-6 Districts for Tracts C-2 and B-1 to be utilized as a residential subdivision, is in keeping with the intent of the General Plan and Future Land Use Map of Low Density Residential (3-7 dwelling units/acre).

EXHIBIT 1



AGUAFINA SITE PLAN

06/22/2020

PROJECT DATA

ADDRESS AND SIZE OF TRACT:
TRACT C-1: 5,812 Ac± - 4281 AGUA FRIA ST.
TRACT C-2: 5.451 Ac± - 4101 RUFINA ST.
TRACT B-1: 2.429 Ac± - 4102 RUFINA ST.

NUMBER OF LOTS: 61 (+TRACTS A, D, E F: OPEN SPACE; TRACT B & C: DEDICATED TO CITY)

EXISTING ZONING: C-1; R5; C-2 & B-1: R8

PROPOSED ZONING: C-1 & C-2: R5; B-1: R6

REQUIRED LOT COVERAGE
40% MAXIMUM

MINIMUM SETBACKS -
FRONT YARD *7.5'
GARAGE FRONT FACING DOORS 20'
SIDE YARD 5'
REAR YARD 15' OR 20% OF AVERAGE LOT DEPTH WHICH EVER IS LESS

*(CITY CODE IS 7; PRM REQUIRES A 7.5' EASEMENT)

PARKING
2 SPACES PER DWELLING

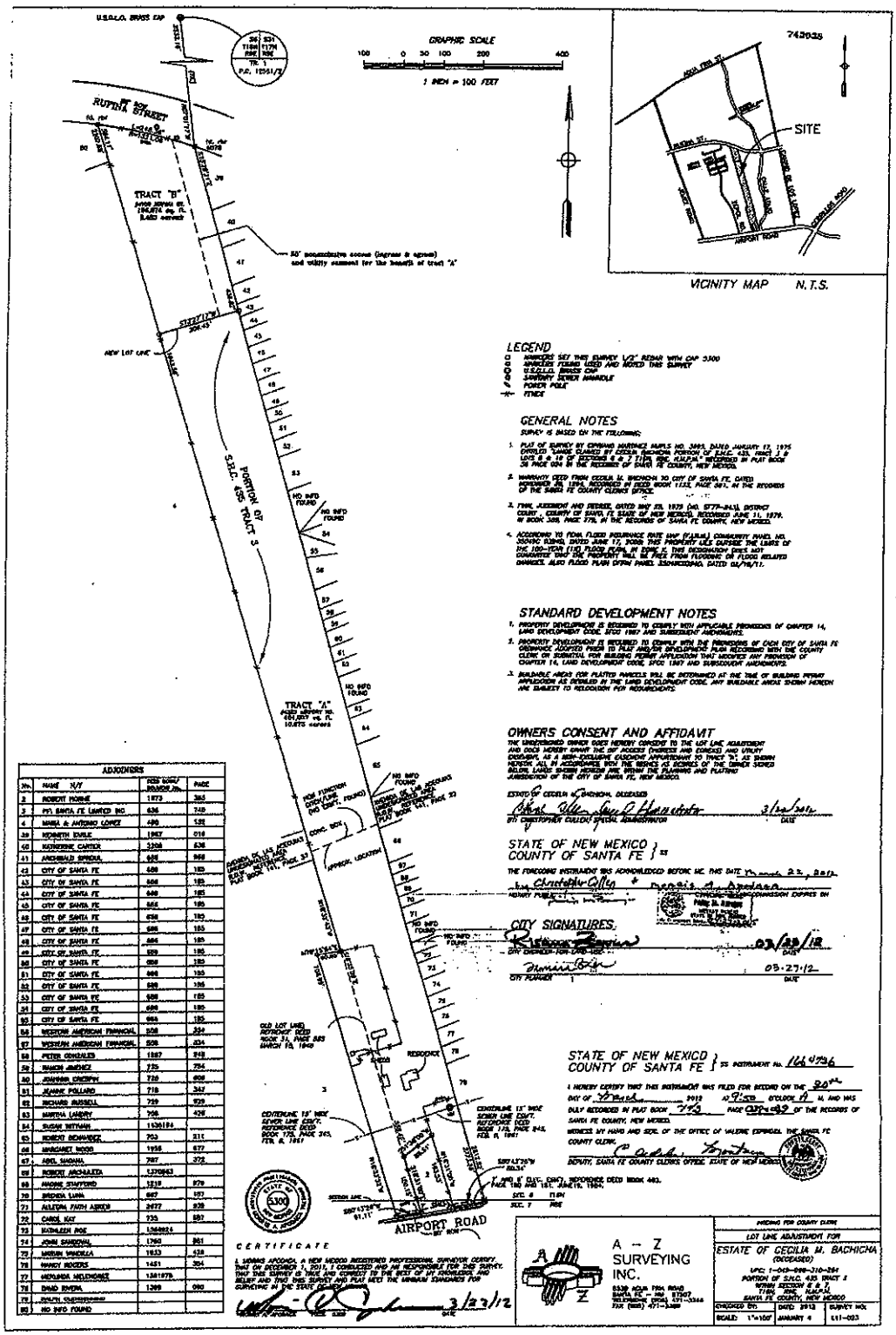
MINIMUM LOT SIZE REQUIRED 4,000 SF.
MAXIMUM BUILDING HEIGHT 24'

Ⓐ 25'=MAX. TEMPORARY ACCESS EASEMENT. TO BE EXTINGUISHED IF ROAD IS CONTAINED IN FUTURE

Liaison Planning Services Inc.
P.O. Box 1835
Santa Fe NM 87504
(505) 920-6439
liaisonplanning@gmail.com
Liaison Planning Services INC.

DESIGN ENGINUITY

EXHIBIT 1



ADJOINERS			
No.	NAME N/F	DEED BOOK/ INSTRUMENT No.	PAGE
2	ROBERT PERRIE	1873	364
3	FCI SANTA FE LIMITED INC.	636	748
4	MARIA A. ANTONIO LOPEZ	490	135
39	KENNETH EARLE	1907	016
40	KATHERINE CARTER	2208	636
41	ARCHIBALD SPRIGNA	626	868
42	CITY OF SANTA FE	686	183
43	CITY OF SANTA FE	686	183
44	CITY OF SANTA FE	686	183
45	CITY OF SANTA FE	686	183
46	CITY OF SANTA FE	686	183
47	CITY OF SANTA FE	686	183
48	CITY OF SANTA FE	686	183
49	CITY OF SANTA FE	686	183
50	CITY OF SANTA FE	686	183
51	CITY OF SANTA FE	686	183
52	CITY OF SANTA FE	686	183
53	CITY OF SANTA FE	686	183
54	CITY OF SANTA FE	686	183
55	CITY OF SANTA FE	686	183
56	WESTERN AMERICAN FINANCIAL	508	834
57	WESTERN AMERICAN FINANCIAL	508	834
58	PETER GONZALES	1887	848
59	RAMON JIMENEZ	735	754
60	JOHANNA CROSBY	738	808
61	JEANNE POLLARD	738	347
62	RICHARD RUSSELL	739	939
63	MARTHA LANDRY	706	428
64	SUSAN WITTMAN	1536184	
65	ROBERT RICHARDEE	703	811
66	MARGARET WOOD	1956	677
67	ABEL MADRAL	787	272
68	ROBERT ARCHULETA	1370843	
69	MARIE STAFFORD	1218	879
70	BRENDA LUNA	667	187
71	ALLEGRA FAITH ABEID	2477	838
72	CAROL KAY	735	887
73	KATHLEEN ROE	1568824	
74	JOHN SANDOVAL	1760	861
75	MIRIAN VIADELLA	1933	438
76	NANCY ROGERS	1451	354
77	HERLINDA MELENDREZ	1381878	
78	DAVID RIVERA	1388	080
79	RALPH CHAPPELEAR		
80	NO INFO FOUND		

LEGEND

- ○ MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 3300
- ● MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.O. BRASS CAP
- SANITARY SEWER MANHOLE
- POWER POLE
- FENCE

GENERAL NOTES

SURVEY IS BASED ON THE FOLLOWING:

1. PLAT OF SURVEY BY EDWARD MARTIN'S NO. 3885, DATED JANUARY 12, 1976 ENTITLED "LAND PLANNED BY CECILIA BACHICHA PORTION OF S.R.C. 435, TRACT 3, & LOTS 2 & 10 OF RECORDED M & P 7 (TOTAL 38.8± ACRES)" RECORDED IN PLAT BOOK 26 PAGE 005 IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
2. WARRANTY DEED FROM CECILIA M. BACHICHA TO CITY OF SANTA FE, DATED SEPTEMBER 30, 1994, RECORDED IN DEED BOOK 1133, PAGE 961, IN THE RECORDS OF THE SANTA FE COUNTY CLERKS OFFICE.
3. FINAL JUDGMENT AND DECREE, DATED MAY 6TH, 1970 (NO. 5779-84(3), DISTRICT COURT, COUNTY OF SANTA FE, STATE OF NEW MEXICO, RECORDED JUNE 21, 1979, IN BOOK 308, PAGE 778, IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 350040 0280D, DATED JUNE 17, 2008 THIS PROPERTY LIES OUTSIDE THE LIMITS OF THE 100-YEAR (1%) FLOOD PLAIN, AS SHOWN. THIS DESIGNATION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES. ALSO FLOOD PLAIN SHOWN PANEL EXAMINATIONS, DATED 08/19/11.

STANDARD DEVELOPMENT NOTES

1. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, ECDC 1987 AND SUBSEQUENT AMENDMENTS.
2. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, ECDC 1987 AND SUBSEQUENT AMENDMENTS.
3. BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE. ANY BUILDABLE AREAS SHOWN HEREON ARE SUBJECT TO RELOCATION PER REQUIREMENTS.

OWNERS CONSENT AND AFFIDAVIT

THE UNDERSIGNED OWNER DOES HEREBY CONSENT TO THE LOT LINE ADJUSTMENT AND DOES HEREBY GRANT THE CITY ENGINEER EASEMENTS AND UTILITY EASEMENTS, AS A NON-EXCLUSIVE EASEMENT APPURTENANT TO TRACT 3-1, AS SHOWN HEREON, ALL IN ACCORDANCE WITH THE SERVICE AT SCHEMES OF THE OWNER SIGNED BELOW. LANDS SHOWN HEREON ARE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

ESTATE OF CECILIA BACHICHA, DECEASED

BY: CHRISTOPHER CALLOZ SPECIAL ADMINISTRATOR — DATE: 3/22/2012

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS DATE March 23, 2012

BY Christobal Calloz & Francisco A. Apodaca

NOTARY PUBLIC — CHRISTOBAL CALLOZ — NOTARY PUBLIC — STATE OF NEW MEXICO — COMMISSION EXPIRES ON

CITY SIGNATURES:

CITY ENGINEER-FOR LAND USE — DATE: 03/23/12

CITY PLANNER — DATE: 03-27-12

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS INSTRUMENT No. 1641796

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 30th DAY OF March, 2012 AT 9:50 O'CLOCK A M. AND WAS DULY RECORDED IN PLAT BOOK 775 PAGE 039-049 OF THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.

WITNESS MY HAND AND SEAL OF THE OFFICE OF VALERIE ESPINOZA, THE SANTA FE COUNTY CLERK.

BY: [illegible] DEPUTY, SANTA FE COUNTY CLERKS OFFICE, STATE OF NEW MEXICO

CERTIFICATE

I, MIRABAL APODACA, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR CERTIFY, THAT ON DECEMBER 1, 2011, I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO.

3/23/12
DATE

A - Z SURVEYING INC.
6538 AGUA TIBIA ROAD
SANTA FE, NM 87507
TELEPHONE (505) 471-3366
FAX (505) 471-3480

HEADING FOR COUNTY CLERK

LOT LINE ADJUSTMENT FOR

ESTATE OF CECILIA M. BACHICHA (DECEASED)

UPC: 1-043-098-310-284
PORTION OF S.R.C. 435 TRACT 3
WITHIN SECTION 6 & 7
T19N, R9E, N.M.P.M.
SANTA FE COUNTY, NEW MEXICO

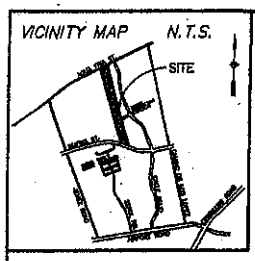
CHECKED BY:	DATE: 2012	SURVEY NO:
SCALE: 1"=100'	JANUARY 4	111-023

AGUAFINA LOT SPLIT (CASE# 2012-145)

PURPOSE: TO CREATE TWO RESIDENTIAL LOTS

785035'

VICINITY MAP N.T.S.



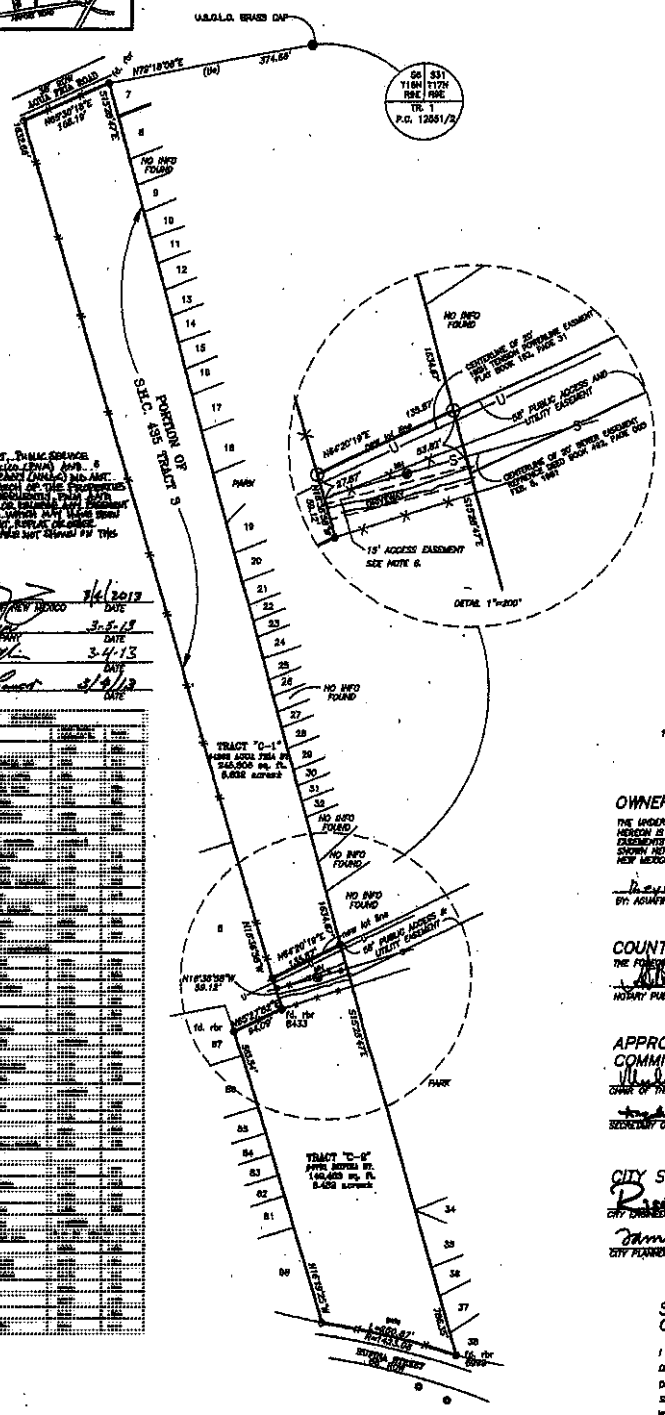
LEGEND

- MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 5300
- MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.O. BRASS CAP
- SANITARY SEWER MANHOLE
- POWER POLE
- FENCE
- OVERHEAD UTILITY LINE

GRAPHIC SCALE

100 0 50 100 200 400

1 INCH = 100 FEET


U.S.G.L.O. BRASS CAP
S6 T19N R9E S31 T17N R9E
TR. 1 P.O. 12551/2
N79°18'08"E (tie) 374.69'
NO INFO FOUND
PORTION OF S.H.C. 435 TRACT 3
PARK
TRACT "C-1" 14888 AGUA FRIA ST. 340,906 sq. ft. 8.038 acres±
TRACT "C-2" 14898 AGUA FRIA ST. 146,483 sq. ft. 8.453 acres±
15' ACCESS EASEMENT SEE NOTE 6.
DETAIL 1"=200'
50' PUBLIC ACCESS AND UTILITY EASEMENT
CENTERLINE OF 20' WATER EASEMENT PER BOOK 140, PAGE 31
CENTERLINE OF 10' SEWER EASEMENT RECORDED IN DEED BOOK 449, PAGE 040 FEB. 6, 1967
N16°38'38"W 58.12'
N63°27'02"E 94.04'
N67°39'19"E 134.49'
N16°20'19"E 139.89'
N67°39'19"E 134.49'
S16°20'41"E 139.89'
S67°39'19"W

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2013-12

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE ZONING CLASSIFICATION FOR 2.453± ACRES IDENTIFIED AS TRACT B AND THE SOUTHERN 3.432± ACRES OF TRACT C (IDENTIFIED AS TRACT C-2), A PORTION OF SMALL HOLDING CLAIM 435 TRACT 3 WITHIN SECTION 6, TOWNSHIP 16 NORTH, RANGE 9 EAST, NEW MEXICO PRIME MERIDIAN, WHICH IS LOCATED WEST OF CALLE ATAJO BETWEEN AGUA FRIA STREET AND RUFINA STREET, FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-3 (RESIDENTIAL, 3 DWELLING UNITS PER ACRE), AND PROVIDING AN EFFECTIVE DATE. ("AGUAFINA REZONING," CASE #2012-104).

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

Section 1. That certain parcels of land comprising 5.89± acres (the "Property") located within Section 6, Township 16N, Range 9E, New Mexico Prime Meridian, Santa Fe County, State of New Mexico, of which totals approximately 5.89 ± acres which are located within the municipal boundaries of the City of Santa Fe, are restricted to and classified as R-3 (Residential, 3 dwelling units per acre) as described in the legal description zoning map attached hereto [EXHIBIT A] and incorporated herein by reference.

Section 2. The official zoning map of the City of Santa Fe adopted by Ordinance No. 2001-27 is hereby amended to conform to the changes in zoning classifications for the

Property set forth in Section 1 of this Ordinance.

Section 3. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in the table attached hereto [EXHIBIT B] and incorporated herein summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on December 6, 2012.

Section 4. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

PASSED, APPROVED AND ADOPTED this 13th day of March, 2013.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

LEGAL DESCRIPTIONS

TRACT C-2

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "C-2" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N02°22'20"E, A DISTANCE OF 1646.34 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°28'47"E, A DISTANCE OF 786.35 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1423.08, AND AN ARC LENGTH OF 250.87 FEET TOGETHER WITH A CENTRAL ANGLE OF 10°06'02" TO A POINT; THENCE N16°19'25"W, A DISTANCE OF 563.54 FEET TO A POINT; THENCE N65°27'52"E, A DISTANCE OF 94.09 FEET TO A POINT; THENCE N16°36'58"E, A DISTANCE OF 59.12 FEET TO A POINT; THENCE N64°20'19"E, A DISTANCE OF 135.87 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 3.432 ACRES. MORE OR LESS.

TRACT B

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "B" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N07°01'17"W, A DISTANCE OF 2532.16 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°29'21"E, A DISTANCE OF 439.82 FEET TO A POINT; THENCE S73°27'17"W, A DISTANCE OF 206.45 FEET TO A POINT; THENCE N16°32'43"W, A DISTANCE OF 564.11 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1321.08 FEET AND AN ARC LENGTH OF 248.36 FEET, TOGETHER WITH A CENTRAL ANGLE OF 10°46'17" TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 2.453 ACRES. MORE OR LESS.

REGISTERED PROFESSIONAL SURVEYOR
STATE OF NEW MEXICO
5300
MORRIS A. APODACA

Exhibit A, Page 1 of 1

A-Z SURVEYING INC.
DECEMBER 13, 2012
L12-032

Aguafina Rezoning to R-5–Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

onditions	Department	Staff
Review comments are based on submittals received on August 15, 2012. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted: 1. The Developer shall provide an access from Tract "C" to Rufina Street, aligning the intersection with the proposed access to Tract B. Both accesses shall be partial accesses providing Right-in, Right-out, and Left-in turns only; 2. The Developer shall provide a traffic analysis of the access points to Rufina Street to determine if deceleration and/or acceleration lanes are needed and if so how long they should be; 3. The Developer shall plan this development so that it allows future access to the west that corresponds with proposed access to the east from the approved Cielo Azul Subdivision. We required the Cielo Azul developers to provide stub-outs so that their roadway network can connect to the east. The Developer shall indicate on the subdivision plat and development plan, the locations of these future Right-of-Way accesses and stub-outs (ghost lines) to the west; 4. We have reviewed a conceptual design of a subdivision that indicates a proposed access and utility easement. At such time as a submittal is made for a subdivision plat and/or a development plan, the proposed roads shall be built to City of Santa Fe standards and dedicated as public right-of-way.	Traffic Engineering	John Romero/ Sandra Kassens
The Fire Marshal conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) 2009 Edition. Below are the following requirements that shall be addressed prior to final approval of a subdivision plat. 1. Shall Comply with International Fire Code (IFC) 2009 edition. 2. Shall meet fire department access for R-5 zoning as per IFC 2009 edition, and have two points of access. 3. Shall meet fire protection requirements for R-5 zoning as per IFC 2009 edition.	Fire	Rey Gonzales
The subject property is accessible to the City sanitary sewer system and connection to the City sewer system is mandatory and shall be made prior to any new construction. Additionally, the following notes shall be included on the plat: Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.	Wastewater	Stan Holland
Based on the latest SFHP requirements, 20% of the proposed 21 lot subdivision must be designated affordable which is 4.2 (21x.2=4.2).The 0.2 lot can be satisfied by providing another lot or paying a fractional fee. The affordable lots must be spread out and not clustered. A completed SFHO proposal is required prior to review of the plans by staff prior to Planning Commission approval of the Final Plat. A Santa Fe Housing Program (SFHP) Agreement shall be signed and recorded with the Final Plat. The affordable lots shall be designated on the plat.	Affordable Housing	Kym Dicome/ Alexandra Ladd

Aguafina Rezoning to R-5–Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

onditions	Department	Staff
There is no location shown for stormwater ponding as required by the Land Development Code. All applicable requirements of Article 14-8.2 must be met if the project goes forward after the rezoning.	Technical Review	Risana "R.B." Zaxus
Section 14-8.15(C)(2) SFCC 1987 requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided does not address any park dedication. The applicant shall provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees, in order to comply with this Land Development Code requirement.	Current Planning	Heather Lamboy

ITEM # 13-0191

City of Santa Fe
Governing Body
Findings of Fact and Conclusions of Law

Case #2012-104
Aguafina Rezoning to R-3
Owner's Name – Aguafina Development, LLC
Applicant's Name – JenkinsGavin Design and Development, Inc.

THIS MATTER came before the Governing Body of the City of Santa Fe for hearing on March 13, 2013 upon the application (Application) of JenkinsGavin Design and Development, Inc. as the agent for Aguafina Development, LLC (Applicant).

The Applicant applied to rezone 5.89± acres of land (Property) from R-1 (Residential – 1 dwelling unit/acre) to R-3 (Residential – 3 dwelling units/acre). The Property is located south of Agua Fria Street and west of Calle Atajo at 4702 Rufina Street and 4262 Agua Fria Street, now known as 4701 Rufina Street. On December 6, 2012 the Planning Commission (Commission) voted to recommend to the Governing Body that the Property be rezoned to R-3 (Residential – 3 dwelling units/acre), subject to certain conditions (the Conditions). The Property is designated as Low Density Residential (3-7 dwelling units/acre) on the General Plan Future Land Use Map.

The Applicant also owns 5.632± acres of land (Adjacent Parcel) adjacent to the Property on the north, extending from Agua Fria south to approximately Powerline Road. The Adjacent Parcel is also designated as Low Density Residential on the General Plan Future Land Use Map and is zoned R-5 (Residential – 5 dwelling units/acre). The Adjacent Parcel is not a subject of the Application. However, in accordance with discussions with certain neighbors of the Property, the Applicant offered to the Governing Body to (1) submit its request for subdivision and/or development plan approval to the Commission for both the Property and the Adjacent Parcel as a single application; (2) develop the Adjacent Parcel consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for either the Property or the Adjacent Parcel as part of its application for such Commission approval, but to propose instead three base-course lot access driveways , each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across the Adjacent Parcel to permit them to access Powerline Road (collectively, the Applicant Undertakings).

Findings of Fact and Conclusions of Law (Commission Findings and Conclusions) embodying the Commission's vote were adopted by the Commission on January 10, 2013 and were filed with the City Clerk as Item #13-0023. The Applicant originally sought the Commission's approval to rezone the Property to R-5, but withdrew that request by letter dated February 15, 2013, amending the Application to request R-3 zoning for the Property. The Application before the Governing Body is therefore consistent with the recommendation of the Commission.

In accordance with the foregoing, and after conducting a public hearing, and having heard from staff, the Owner's representatives, residents of the neighborhood in which the Property is located, and certain interested others, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

1. The Governing Body has authority, under Santa Fe City Code (Code) Sections 14-2.1 Table 14-2.1-1 and 14-2.2(A) to review and finally decide upon applications for rezoning in accordance with the procedures set forth in Code Section 14-3.5(B)(2) and applying the criteria set forth in Code Section 14-3.5(C).
2. Code Section 14-3.1(H)(1)(e)(2) requires that notice of a public hearing before the Governing Body be provided in accordance with Code Section 14-3.1(H)(1)(a) and that the applicant publish notice in a local daily newspaper of general circulation at least fifteen calendar days prior to the public hearing (collectively, the Notice Requirements).
3. The Notice Requirements have been met.
4. The Governing Body reviewed the report dated February 19, 2013 for the March 13, 2013 City Council Hearing prepared by City staff (Staff Report), the recommendation of the Commission, the Commission Findings and Conclusions and the evidence introduced at the public hearing in accordance with the requirements of Code Section 14-3.5(B)(2)(a).
5. The Governing Body heard direct testimony from City staff, the Applicant, residents of the neighborhood in which the Property is located and certain interested others.
6. The Applicant offered to the Governing Body to perform the Applicant Undertakings if the Governing Body approved R-3 zoning for the Property.
7. The Applicant's offer to perform the Applicant Undertakings is a material consideration relied upon by the Governing Body in its review of the Application.
8. Commission Findings of Fact 2 through 10 and Conclusions of Law 1 through 3 accurately reflect the facts in this matter as presented at the hearing.
9. Commission Finding of Fact 12 accurately reflects the facts in this matter, with the deletion of the words, "However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property." The deletion reflects the Applicant's request to amend the Application to request R-3 zoning.
10. Commission Conclusion of Law 5 accurately reflects the facts in this matter, with the deletion of the words, "..., although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property." The deletion reflects the Applicant's request to amend the Application to request R-3 zoning.
11. The Governing Body accepts the Applicant's offer to perform the Applicant Undertakings in the event that the Governing Body approves the Application.
12. The Governing Body has considered the comments of members of the public made at the hearing relating to the future development of the Property and the Adjacent Parcel and, understanding that the Commission has the authority under the Code to review and approve with or without conditions or deny applications for subdivision and development plan approval, but mindful of the concerns of certain neighbors that are appropriately addressed in conjunction with the subdivision and development approval process, requests the Commission to consider fully such comments in reviewing and deciding upon applications

for future subdivision and/or development plan approval for the Property and the Adjacent Parcel.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted at the hearing, the Governing Body hereby CONCLUDES and ORDERS:

1. The Commission Findings and Conclusions, a copy of which is attached hereto as Exhibit A, are adopted in part by the Governing Body as follows: Commission Findings of Fact 2 through 10 and, with the deletion of the words, "However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property", Commission Finding of Fact 12; and Conclusions of Law 1 through 3 and, with the deletion of the words, "..., although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property", Conclusion of Law 5. The foregoing enumerated Findings of Fact and Conclusions of Law are hereby adopted by the Governing Body and are incorporated in these Findings of Fact and Conclusions of Law as if set out in full herein. Those Findings of Fact and Conclusions of Law not specifically adopted herein are specifically not adopted.
2. The proposed rezoning is therefore approved, subject to the Conditions and subject further to the performance by the Applicant of the Applicant Undertakings.

IT IS SO ORDERED ON THE 27TH OF MARCH 2013 BY THE GOVERNING BODY OF THE CITY OF SANTA FE.

David Coss
Mayor

3-29-13
Date:

FILED WITH THE CITY CLERK:

Yolanda Y. Vigil
Yolanda Y. Vigil /Counter 3/27/13
City Clerk

4-2-13
Date:

APPROVED AS TO FORM:

Geno Zamora
City Attorney

3/27/13
Date:

ITEM # 13-0023

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2012-104 – Aguafina Rezoning
Owner's Name – Aguafina Development, LLC
Applicant's Name – JenkinsGavin Design & Development, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on December 6, 2012 upon the application (Application) of JenkinsGavin Design & Development, Inc. as agent for Aguafina Development, LLC (Applicant).

The Applicant seeks to rezone 5.73± acres of land (Property) that comprises the southern part of a single tract of land (the Tract) west of Calle Atajo that runs south from Agua Fria Street to south of Rufina Street. The Property is bisected by Rufina Street and is zoned R-1 (Residential – 1 dwelling unit/acre). The remainder of the Tract (the Remainder) is zoned R-5 (Residential – 5 dwelling units/acre). The Applicant seeks to rezone the Property from R-1 to R-5 so that the Tract is within a single zoning district. The Property is designated as Low Density Residential (3-7 dwelling units/acre) on the General Plan Future Land Use Map.

After conducting a public hearing and having heard from staff, the Applicant, and all other interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and members of the public interested in the matter.
2. Under SFCC §14-3.5(A)(1)(d) any individual may propose a rezoning.
3. SFCC §§14-3.5(B)(1) sets out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in SFCC §14-3.5(C).
4. SFCC §§14-3.5(C) establishes the criteria to be applied by the Commission in its review of proposed rezonings (Rezoning Criteria).
5. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)(1)(a)(i)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F)(2)(a)(iii)]; and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
6. A pre-application conference was held on May 10, 2012.
7. SFCC §14-3.1(F) establishes procedures for the ENN meeting, including, without limitation:
   (a) Scheduling and notice requirements [SFCC §14-3.1(F)(4) and (5)];
   (b) Regulating the timing and conduct of the meeting [SFCC §14-3.1(F)(5)]; and
   (c) Setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].

8. An ENN meeting was held on the Application at 5:30 p.m. on July 30, 2012 at the Southside Library at 6599 Jaguar Road.
9. Notice of the ENN meeting was properly given.
10. The ENN meeting was attended by the Applicant, City staff and other interested parties and the discussion followed the guidelines set out in SFCC §14-3.1(F)(6).
11. Commission staff provided the Commission with a report (the Staff Report) evaluating the factors relevant to the Application and recommending approval by the Commission of the Rezoning, subject to those conditions contained in the Staff Report (the Conditions).
12. The Commission has considered the Rezoning Criteria and finds, subject to the Conditions, the following facts:
    (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 Plan or other adopted City plans [SFCC §14-3.5(C)(1)(a)].*
    There has been a change in the surrounding area, with an increase in density as the City has expanded southward, altering the character of the Rufina Street corridor. Rezoning will bring the Property into compliance with the General Plan future land use designation for the Property of Low Density Residential (3-7 dwelling units/acre) and with the Plan policy supporting residential development within the future growth areas is built at a minimum gross density of 3 dwelling units/acre, and an average of 5 dwelling units/acre where topography allows.
    (b) *All the rezoning requirements of SFCC Chapter 14 have been met [SFCC §14-3.5(C)(1)(b)].*
    All tbe rezoning requirements of SFCC Chapter 14 have been met.
    (c) *The proposed rezoning is consistent with the applicable policies of the General Plan [Section 14-3.5(A)(c)].*
    The proposed rezoning is consistent with the General Plan's Low Density future land use designation for the Property.
    (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 [SFCC §14-3.5(C)(1)(d)].*
    The proposed rezoning is consistent with the Plan's Low Density future land use designation for the Property and with the General Plan policy supporting the preservation of the scale and character of established neighborhoods while promoting appropriate infill development in an area already served by public water and wastewater facilities.
    (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 [Section 14-3.5(C)(e)];*
    Existing infrastructure, including water and sewer is sufficient to serve the increased density resulting from the rezoning. However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

1. The Rezoning was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with SFCC requirements.
2. The ENN meetings complied with the requirements established under the SFCC.
3. The Applicant has the right under the SFCC to propose the rezoning of the Property.
4. The Commission has the power and authority at law and under the SFCC to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body based upon that review.
5. The proposed rezoning meets the Rezoning Criteria, although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property.

WHEREFORE, IT IS ORDERED ON THE 10TH OF JANUARY 2013 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends to the Governing Body that it approve the rezoning of the Property to R-3, subject to the Conditions.

Thomas Spray
Chair

Date: 1/10/13

FILED:

Yolanda Y. Vigil
City Clerk

Date: 1.14.13

APPROVED AS TO FORM:

Kelley Brennan
Assistant City Attorney

Date: 1/10/13

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to adopt Ordinance No. 2013-11, as presented by staff.

DISCUSSION: Councilor Bushee explained that this isn't meant to prohibit activities, such as at the Railyard, as long as they get a permit. She said there are quite a few sections of City owned land and rights-of-way along the road off Hyde Park where people are parking and camping unlawfully, and having campfires. She said that is problematic in these dry weather conditions.

Councilor Calvert noted this is also happening in other areas such as in the Northwest Quadrant.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

Explaining his vote: Councilor Trujillo said, "Yes, and Robert being that we just passed this one, I want to tell you right there on the Rail Trail between Alta Vista and 5th Street, right along the middle, there's a little section there where's this little arroyo, I don't know which one it is, deep in the back there are people camping there. People see it every day and we contacted them a few weeks back, but they're back. So, just for your information.

4) CONSIDERATION OF BILL NO. 2013-2: ADOPTION OF ORDINANCE NO. 2013-12. CASE #2012-104. AGUAFINA REZONING TO R-5. JENKINSGAVIN DESIGN AND DEVELOPMENT, AGENT FOR AGUAFINA DEVELOPMENT, LLC, REQUESTS TO REZONE 5.89± ACRES FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-5 (RESIDENTIAL 5 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED SOUTH OF AGUA FRIA STREET AND WEST OF CALLE ATAJO, AT 4702 RUFINA STREET AND 4262 RUFINA STREET. (HEATHER LAMBOY, CASE MANAGER).

A Memorandum prepared February 19, 2013, for the March 13, 2013 City Council Hearing, with attachments, to Mayor David Coss and Members of the City Council, from Heather L. Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "3."

A copy of Ms. Lamboy's report statement for the record is incorporated herewith to these minutes as Exhibit "4."

A copy of a letter to the Mayor and City Councilors, with attached email, dated December 2, 2013, from Jennifer Jenkins, entered for the record by Linda Wilder Flat, is incorporated herewith to these minutes as Exhibit "5."

An aerial photograph and an aerial map, entered for the record by Jennifer Jenkins, are incorporated herewith collectively to these minutes as Exhibit "6."

Mayor Coss said, "And I understand this is a *de novo* hearing now, Geno." Mr. Zamora said, "That's correct. It'll be a full hearing, like it was the last time it was heard by this governing body.

Ms. Lamboy read her report [Exhibit "4"] into the record as follows:

Overview for Aguafina

On December 6, 2012, the Planning Commission found that all criteria for a rezoning have been met with the recommendation that the tracts be rezoned to R03 instead of the originally requested R-5.

At the City Council hearing on January 30, 2013, the City Council denied the applicant's request for rezoning, finding that the criteria for a rezoning were not met after hearing the public comment on the case.

At the following Council hearing, on February 13, 2013, the Council voted to rescind the denial and to rehear the case today.

Since the February 13 hearing, the applicant has formally modified the application to request R-3 instead of the originally requested R-5.

Staff would like to remind the Council that what is being considered tonight is a rezoning of the parcels adjacent to Rufina Street from R-1 to R-3. The separate parcel that is currently zoned R-5 (located north of Powerline Road) is not part of this application.

Visual aids may be presented tonight to give the Council an idea of how density may look as the parcels are subdivided. Please be aware that the Planning Commission has not reviewed either a Preliminary or Final Subdivision Plat, nor has the Development Review Team commented on these concept plans. The request before you this evening is only the rezoning of approximately 5.89 acres from R-1 to R-3.

The Planning Commission recommends CONDITIONAL APPROVAL for R-3 for Tract B and Tract C-2 as outlined in the rezoning bill.

Public Hearing

Presentation by the Applicant

Mayor Coss gave the Applicant 10 minutes to present their case.

Jennifer Jenkins and Colleen Gavin, JenkinsGavin Design and Development, 130 Grant Avenue, Suite 101, were sworn.

Ms. Jenkins, referring to Exhibit "6," said, "We are here this evening on behalf of Aguafina Development, LLC, in request for R-3 zoning, of approximately 5.89 acres located adjacent to Rufina Street that is shown 'here.' It's kind of hard to see but they're outlined in blue 'here' and then there's another parcel on the south side of Rufina here. 'This' is a point of contact. 'This' is the Las Acequias Neighborhood 'here,' and Lopez Lane is down 'here.' 'This' is the traffic signal at Calle Atajo."

Ms. Jenkins said, "We would like to show you a visual aid to share with you what our vision is for the property that we would pursue through a subdivision platting process if we are successful in achieving R-3 zoning this evening. And I'm going to go ahead and approach. I think it's difficult to utilize this, so we're going to pull up some boards."

Ms. Jenkins continued, "So this is also up on the screen, but just again, as a point of context, 'these' two parcels 'here' are the subject of tonight's application, 'these' two parcels, 'this' is about 3.4 acres, 'this' one's about 2.4 acres. They are currently zoned R-1. And with the R-3 zoning, the vision would be an 8 lot subdivision 'here' served by a private lot, access driveway, an 8 lot subdivision 'here,' also served by a private lot, access driveway. I'm also showing 'this' parcel 'here,' which is a 5.6 acre parcel that happens to be owned by the same owner of these parcels. And I'm showing this for illustrative purpose to reflect the communications. We've been meeting quite a bit with the Las Acequias Neighborhood, conferring with them to see if there was something we could achieve which was a win-win situation for everybody with respect to the property."

Ms. Jenkins continued, "This parcel, as Heather mentioned, is already zoned R-5. 'This' parcel permissibly would be 32 lots. We don't want to put 32 lots there. It's never been the intent. It's never been the vision. It's never been the program for this particular property owner. With R-3 'here,' we will be able to keep the density down 'here' as well. That's what we are able to accomplish with that."

Ms. Jenkins continued, "And so, in our communications with the neighbors, with the ability to access this property from Agua Fria, which is where it has frontage, the ability to serve this property with a private lot access driveway, we are able to keep the density what we're reflecting here. So, if we are successful this evening, our next step would be a subdivision plat. We plan to take all 3 tracts through the subdivision process simultaneously, and again, the caveat to this plan, obviously is the R-3 zoning 'here,' and again the ability to access these 3 little, 8-lot subdivisions, if you will, to access them via private lot access driveways with base course surfacing."

Ms. Jenkins continued, "We're not proposing any access at the Power Line Easement. That is eliminated. That 'ship has sailed.' The Council was very clear at our hearing in February that they did not want to see any access 'here,' so we have completely removed that from the plan, which sort of informed how this design came about. So, with that, I think we'll just leave it at that for the moment. I think that covers the high points, and be happy to stand for any questions."

Questions from the Governing Body

Councilor Rivera said the Fire Department typically requires two means of egress, and he doesn't see that here.

Ms. Jenkins said, "It's my understanding, Mayor, Councilors, that you can serve up to 30 dwellings with one means of egress and ingress. So, with doing just 8 lots each, there shouldn't be an issue with the emergency access.

Councilor Rivera asked if this has been cleared with the Fire Marshal.

Ms. Jenkins said there are earlier versions of this plan, and Ray Gonzales had looked at those plans, and there were similar concepts to this early on.

Councilor Rivera noted one of the residents on the other side of the property used Power Line Road to get in an out, and asked if he will still have access.

Ms. Jenkins said that is Mr. Tapia. She said, "We actually platted him an easement, just a narrow little 15 ft. easement only for the benefit of his property, so it's something that is private. It does not allow for any sort of cut-through traffic, or anything of that nature, but we have platted that easement to formalize his access."

Councilor Ives said Ms. Lamboy's Memo in the packet, notes that the Planning Commission recommended, "An emergency access shall be provided to the site from Agua Fria Street."

Ms. Jenkins said, "That was an earlier version of the plan where the R-5 parcel to the north only had access from Rufina. So we were accessing that entire stretch of property north of Rufina, only from Rufina. So in that program, they did want a secondary emergency access to Agua Fria. In this scenario, it wouldn't be necessary."

Councilor Dominguez asked Ms. Jenkins, "Do you have a handout of that."

Ms. Jenkins said no, she didn't bring reduced copies of that. She said, "I would happy to provide that.."

Councilor Dominguez asked, "If there is any way, just for the hearing tonight, Geno, that we can identify that as Exhibit A or something, just to make it very clear."

Mr. Zamora said yes.

Mr. Jenkins said, "And we can provide this. We always provide all of our visual aids to the recorder, so that can be part of the record [Exhibit "6"]."

Speaking to the request

All those speaking were sworn en masse.

Linda Wilder Flatt, Las Acequias, 950 Vuelta del Sur [previously sworn]. Ms. Flatt said the Governing Body just a received a letter from the Las Acequias Association and Board [Exhibit "5"].

Ms. Flatt said, "This has been a long process. You guys have seen us quite a bit, and we're hoping this resolves everything. I would like to say this meeting tonight is very important, because this rezoning decision will set the stage for what happens with the 11 ½ acre parcel, Aguafina. You see the 9 listed conditions below [Exhibit "6"]. We believe, and we want to clarify the exact conditions we have set down in order for us to feel safe and guaranteed that the property will be developed as promised when it is rezoned to R-1. Unless all of the conditions listed below be made legally binding and enforceable in this actual plat, we will not have any guarantee that anything will be followed through with, from the owner, the JenkinsGavin Design Team or the buyers that purchase any one or all of the 24 lots as shown in the Jenkins/Gavin new plan."

Ms. Flatt continued, "I'm not going to read any more, but I would like for you to know that the most important thing is Number 1, is that we must be guaranteed that all conditions and restrictions will cover both pieces of land, both north which is R-5 and in the County at this time, and the one that you're deciding on tonight for R-3, which is the southern part. We must be guaranteed that that it will be legally binding and enforceable for being in the plat and that it will be on the record for all 11½ acres as one property. Thank you."

William Mee, 2073 Caminos de la Montoya, Agua Fria Village [previously sworn]. Mr. Mee said, "My concerns have basically been taken care of with Linda Flatt's Las Acequias letter [Exhibit "6"], and it will be on Section 9, which addresses the access to Agua Fria Street. There's a precedent that none of the City subdivisions actually enter Agua Fria Street, but we are willing to break that precedent with this particular subdivision with only 8 lots having access to Agua Fria, and then there would be an emergency gate between those 8 lots and the next 8 lots, which would then access Rufina. And the County Public Works Department has issued a conditional driveway permit to JenkinsGavin based on, if they fill in the plat with restrictions that cover number 9 in the Las Acequias letter [Exhibit "6"]. So, we're okay with it because it is such minimal use. Thank you."

Response by Applicant

Ms. Jenkins said, "I'm seeing this for the first time. A lot of this is not unexpected, but there are a few items that would be important to access. We are absolutely not in agreement to restrict guest houses. These are generous lots. They range from 3/4 acre to 1/3 acre. They're the largest lots in the vicinity. And the City Code permits accessory dwelling, mother-in-law units, and so we do not believe that is a fair request."

Ms. Jenkins said, "We are in agreement to, obviously as you can see from the plan we showed you, that there be no access via Power Line, except for Mr. Tapia and his family. We do not believe it is our responsibility to construct a gate. If that's something that Mr. Tapia chooses to do for his access, I think that would be... I don't think we're in a position to impose something on Mr. Tapia with respect to his access."

Ms. Jenkins said, "We are happy to work out something with respect to #6, regarding, when we go through the subdivision phase, if the City would prefer to provide park area, or would prefer us to provide Impact Fee funds. The City has already said they would prefer land at this point, but we can work that out at the subdivision stage. We do not feel it is our responsibility to fund a wall on Power Line, when we're not even using Power Line."

Ms. Jenkins said, "We are in agreement with the rest of these items, and just making it clear that the visual aid that you see before you, the concept that we would love the opportunity to implement, is contingent on a couple upon a couple of things. It's contingent upon our getting access to Agua Fria from the north parcel which we have already addressed with the County Clerk [inaudible] and we're able to serve each of these 8-lot subdivisions with private base course lot access driveways. That's how this is viable. And so we are in agreement with everything else listed in the letter, so I'd be happy to stand for more questions. Thank you."

Remarks from the Las Acequias Neighborhood Association

Ms. Flatt said, "I would like to explain a little bit further. We felt that, and I talked with Carmichael Dominguez before, that the situation with having park property was a decision that we also had a voice in, because we were right next to the property. And what we are requesting is, rather than having a small park in where they are, we would rather have the money put toward the wall, that would go along.... and that would help our park, if that makes sense."

Mayor Coss said then it would be an improvement to the park.

Ms. Flatt said, "It would be an improvement to the park, and it would certainly help the poor people that would be behind that wall, because it would stop the noise from the park. That is what we're willing to give, or to want for the park, which is what we would be asking for which would be park improvements."

Ms. Flatt continued, "I would like to correct one thing. I don't believe... I was sort of listening to William when he was saying that there would be an emergency exit to the south of those north 8 lots. Is that correct William."

Mr. Mee said, "Yes."

Ms. Flatt said, "Okay. That would go across the driveway from Mr. Tapia, and the other part that I feel is the responsibility of everybody involved, is to help support Mr. Tapia, in that he has the right-of-way across that easement on Power Line Road. And we felt, as an Association, we were trying to support his benefit in saying that there should be fencing along each side of that drive back to where he is and across Aguafina, so there is no access for the Aguafina people to get onto his road. Does that make sense. Okay. The second part to that is, we felt that because of the situation, a part of the money that would have been dedicated for the park preservation or upkeep or whatever, would be the wall and the second part would be that iron gate, because that would keep people from parking along the side of the park, which we've had a great deal of problem with. So part of that money would go toward that gate so that Mr. Tapia would have the ability to be able to get and out or all of his people get in and out. Does that make sense."

Ms. Flatt continued, "Let's see. I think everything else... the other thing is the guest house. One of the things that our Committee was concerned about was, is that we oftentimes see that a guest house ends up being split into another section on the property, where they end up having two individual families living on a one-family unit dwelling property. Does that make sense too. Okay."

Mayor Coss said, "Yes."

Ms. Flatt said, "Yes. The other thing is that we did cross out, as you see, on requiring homes have a permanent foundation, whether it be stick built or modular. Jennifer did say, in her last meeting, that she would attempt to have it set so there would be no manufactured homes if that was written in the covenants and in the information for the subdivision. Was there anything else Jennifer. Okay. We could share."

Ms. Jenkins said, "We are in agreement that obviously stick built homes will be on a permanent foundation. We're also in agreement, if there are modular homes or manufactured homes they will also be on a permanent foundation. We are not discriminating against what people may want to put there, but we have very strict architectural guidelines and covenants that address that. And we talked about those at the last hearing. And so everything will be at-grade and stuccoed and all these types of provisions to make sure it is an attractive neighborhood. And we know we are going to have stick built product in the neighborhood. We may have manufactured or modular homes in the neighborhood – we don't know for sure. But our goal is to make sure all that works cohesively and harmoniously together via the architectural guidelines that we're implementing. I think that's it. Thank you."

Ms. Lamboy said, "I am having a big concern here, because we are considering a rezoning this evening, which, we're trying to determine whether something is appropriate. There has been a lot of work

that the Las Acequias Neighborhood Association has put into this development, and I do laud them for their involvement. However, a lot of these are conditions that are dealt with at a site plan level."

Ms. Lamboy continued, "With reference to the guest house issue, it's quite possible, and actually staff has brought this up with the applicant whether no lots splits would be allowed and a note be placed on the plat. These are some issues that can be solved quite simply. But there's danger there too, that in dealing with the street sizes and the street types, those have not been reviewed by Mr. Romero. Mr. Romero is here tonight to speak to these issues, but we have not had the benefit of the Development Review Team to be completely involved in this."

Ms. Lamboy continued, "Another issue to remember, with reference to parks, is that there is a trail, the Acequia Trail that traverses the Power Line Road and connects to Cielo Azul to the west, where there is an easement that is already dedicated. And so, at some point in the site plan review, it would be appropriate for staff to make sure that there's connectivity, at least pedestrian connectivity up from Agua Fria Road all the way through to Rufina, allowing the residents of this development to connect to the park facility that, if Las Acequias were to benefit from the funds, then the residents ought to benefits from something as well."

Ms. Lamboy continued, "These are all site plan issues that can be worked out, at the Planning Commission level, but what is before the Council tonight is whether the density is appropriate and whether this is right for this part of town. And our Southwest Area Master Plan and our Code does provide for this density and is contemplated in our General Plan."

Kelley Brennan, Assistant City Attorney, said, "I wanted to reinforce what Heather said, that this is a rezoning. A subdivision and development plan approval would come before the Planning Commission, and many of these comments should be addressed in that context. I understand that the Applicant has agreed, as a condition, if zoned to R-3, to develop the other parcel to R-3, and to make some design concessions. Those are things that are being offered up, but you cannot start tonight. It hasn't been advertised. It's not within the jurisdiction, right now, of this Council to impose a lot of these conditions on rezoning."

Mayor Coss said we might want to ask which ones we can impose right now, and which ones we can't.

Councilor Bushee said, "That's where I was headed, before even Heather stood up, is exactly what we can apply as a condition of approval, and also noting they could go out and strike up their own kind of contract or agreement with the applicant or developer, apart from what we can condition. So I guess, I'd like to be really clear before we vote on anything, what exactly we can condition approval on, in terms of the rezoning. "

Ms. Brennan said, "The applicant has offered a number of things, specifically, as I recall to develop the other parcel, now zoned R-5, to the R-3, and then to bring them forward as a single parcel and to address the road issues that were identified at the last hearing for the neighborhood."

Councilor Bushee would like these spelled out very clearly, noting we have the letter from the Neighborhood Association [Exhibit "5"], but we don't have clearly what the applicant has agreed to, to impose as a condition of approval, and how these are carried forward to the plat and development review stage, so we can be sure the thing they want most, which is a guarantee that restrictions would cover both pieces and would be legally binding and legally enforceable. She asked how that will be recorded, noting it would matter in terms of our decision in the rezoning being presented tonight.

Ms. Brennan said, "She has offered that, and you can accept that offer and do a rezoning."

Councilor Bushee asked, "How is that somehow recorded – just through our rezoning vote tonight. Does it go onto the Plat. And then the other road issues. Can you address those as well. I'm assuming we're limited on all the other design issues and park issues and the like."

Ms. Brennan said, "I think the Power Line Road issue is something that is identified as something that the applicant has offered."

Responding to Councilor Bushee, Ms. Brennan said, "I think the applicant is the person who can explain what they are offering, to accept as conditions to the rezoning of the subject parcel to R-3."

Councilor Bushee asked how the Neighborhood Association is guaranteed that those are conditions and how they're placed.

Ms. Brennan said, "It's a condition of the rezoning, and it will be carried forward in the record, and when they come forward for Planning Commission approval, those would be reflected in the application."

Councilor Bushee said, "And so a lot of this other stuff will be dealt with through private contract, through covenants or what have you."

Ms. Brennan said, "And yes, before the Planning Commission Review process."

Councilor Bushee said, "Okay. So maybe I can hear from Jennifer what actually you are willing to impose as conditions."

Mayor Coss asked Councilor Dominguez if he has remarks, and he said no.

Ms. Jenkins said, "I do want to acknowledge staff's concerns. This is a conceptual site plan and we're not here doing subdivision today. However, we all know that with rezone applications, you can't really talk about a rezone until you know what the plan is, and that is why we have tried to be very

transparent and forthcoming throughout this entire process with our concepts, which changed a little as we got feedback from staff about different access requirements and everything."

Ms. Jenkins continued, "So this is where we have sort of ended up, with respect to our request this evening. So, with respect to the parcels that are the subject of tonight's hearing, which are the 3.4 acre parcel "here," and the 2.4 acre parcel on the south side of Rufina. Oh, I'm sorry, can we have the screen on, there we go. So again, this map is also what you see down here, so this is the 3.4 little over acre parcel here and the 2.4 'here.' What we would like the opportunity to do when we come in for subdivision is to two, 8-lot subdivisions that are served by base course lot access driveways. Those two things go together. You can't separate them. That is a critical part of this, and we've been very candid and up front with Las Acequias as well throughout this process about... they like this plan, we like this plan. I think there was some general consensus about this plan here. And with the ability to do that on these parcels we're talking about tonight, it enables us to keep the density low on the northern R-5 parcel as well. And it's just because these parcels happened to be under the same ownership."

Ms. Jenkins continued, "It is my understanding that we can't place a condition on a neighboring parcel as a result of the rezoning, but I have been very candid, and very much on record about this being our intent. And my hope is, that as we move through the subdivision process, we are able to accomplish this. This is what we want to do. This is what the neighbors want us to do."

Councilor Bushee said, "The neighborhood is treating it as one subdivision plan for 11½ acres. Jennifer is mentioning the 3.4 and a 2.4 and not mentioning the other... has this been advertised."

Councilor Dominguez said he heard the Applicant say earlier they would be willing to treat all 3 in one subdivision application.

Councilor Bushee said, then we don't need to rezone the other anyhow.

Ms. Brennan said, "You can't rezone the other right now. It does not need rezoning. They have agreed to develop it to a lower intensity and that will be..."

Councilor Bushee said, "We're a step ahead of ourselves with the discussion of how the neighbors want to proceed. But it is essentially lowering the density overall, which is the main thrust of what the neighborhood would like to get out of this rezoning. Although, I think the road issues are key, and I'm not really getting that in writing anywhere from anybody, other than the Neighborhood Association. I just want something spelled out for the record, for all of us, to know what we're voting on. The conditions of approval. Still not there yet."

Ms. Jenkins said, "With respect to the Power Line easement, we find it incredibly acceptable to say that none of the Aguafina lots would be entitled to access to Power Line easement. And as a condition of the rezone, we would be happy to agree to that, and that's also something we would definitely put on the subdivision plat."

Councilor Bushee said, "Okay. And on Agua Fria."

Ms. Jenkins said, "We currently have a condition, if you will, sort of agreement with the County Public Works Department. Santa Fe County controls that stretch of Agua Fria, so we had to work directly with them about the possibility of accessing this property. And their caveat is, they're comfortable, as Mr. Mee stated, Santa Fe County is comfortable with allowing access to Agua Fria for that northern parcel as long as it is limited to 8 lots."

Councilor Bushee said, "And you're in agreement essentially with the language."

Ms. Jenkins said yes.

Councilor Bushee said, "Thirdly. Do we deal with parks here at all, or are we ahead of ourselves again."

Ms. Jenkins said we probably are a little ahead, noting that is at subdivision.

Councilor Bushee said, "It came up in the last hearing and that's why I'm wondering where we are with that, and I think that's all we can address here."

Ms. Brennan said, "Parks would be part of the planning process. And also, in further answer to your question about how this is embodied, we will do Findings of Fact and Conclusions of Law to embody your decision."

Councilor Bushee said, "I do recall the first hearing discussing parks and parks dedication and the City's request for land, and so I'd like to be as clear as we can be on this."

Ms. Brennan said, "There is a condition in your staff report, relating to parks that requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided, does not address park dedication. The applicant should provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees in order to comply with the Land Development Code requirement."

Ms. Flatt said, "Jennifer and her group, we have worked together. I'm not trying to present this and make it sound like we're presenting all this stuff that isn't a part of what we've discussed. The reason that I presented all of this, I was told by several people, legal people, that it is important for us to make sure that during this rezoning process, because it is only for one part of it, that we make it very clear that the whole thing needs to work together as one subdivision. That's one thing. And the second part is, is that all of these conditions are very important to us and it is an integral part, I think, of making it successful, and I

wanted it entered as a part of the record. And what Patti was asking is very true. Even though it's not really applicable to tonight's discussion, it is important and it needs to be recorded, and that's why I did the presentation."

Mayor Coss said, "That helps. Thank you."

Councilor Dominguez asked Ms. Brennan, "In terms of Findings of Fact and all that legalese stuff, would it still be appropriate enough for us to articulate some of these requests that aren't required for rezoning, maybe not accepted, but considered at the next phase. Just so that we make sure that we get it part of the record and it's not just a testimony, but that it be part of the Findings of Fact and Conclusions of Law."

Ms. Brennan said, "I think you can ask the Planning Commission and any other reviewing body to consider the concerns of the neighborhood as expressed tonight." Responding to Councilor Dominguez, Ms. Brennan said you could make a Finding and a recommendation.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Rivera, to Adopt Ordinance No. 2013-12, approving Case #2012-104, and "along with that approval are the conditions that the applicant has agreed to, one of them is that the parcel to the north of Power Line Road be 8 lots as it's been articulated in the presentation by the applicant; limited access to Agua Fria; that Power Line Road also not be used as an access for the applicant or for the development or any other lots actually; essentially that one subdivision plan will be provided for all 11 ½ acres, asking if this is something we can do and Ms. Brennan said the applicant has agreed to that;" and with all conditions of approval as recommended by the Planning Commission, "and if there's anything that's conflicting that they be resolved appropriately."

DISCUSSION: Councilor Ives said, "And on that point, presumably, the emergency access from Agua Fria Street, if we're talking about that design doesn't apply.

Ms. Brennan said, "To the extent that this body's decision creates conditions that conflict with the Planning Commission's, this body's decision would control."

Councilor Dominguez said, "Okay, well then, there you go. Is that clear."

Ms. Brennan said it is clear.

DISCUSSION: Councilor Dominguez said, "So, then I guess, all the other things, I just want to make sure that that they're part of the record and findings, but I'll address those after."

Councilor Dominguez continued, "Let me just continue real quick, and maybe the second wants to speak to that. I just want to make sure that the Planning Commission and the applicant really consider the idea of requiring that all homes be on a permanent foundation, etc., I think that stuff has been articulated by the neighborhood already. I also want for the applicant to consider what the neighborhood has said with regards to the park and the monies that maybe would be allocated for the park, that they be used for some of the other amenities that they're looking at. And the other stuff, like items #7 and #8, are really part of the covenants. Maybe the applicant can make sure that they work with the neighborhood to strengthen the covenants. We're really going to rely on the neighborhood to make sure that the covenants are followed, and that would even pertain to the idea that we have guest houses. The neighborhood is really going to have to make sure that the City is following the rules that we have in place with regard to guest houses, so I just want to make that part of the record as well. And I think that's it."

Councilor Rivera thanked Ms. Jenkins and the Neighborhood Association for getting together, and really listening to the concerns of this Council, and for you listening to the concerns of the neighbors, and for coming up with "what I think is a very reasonable plan, and for being transparent on what you plan to do with the northern piece is very helpful for my vote personally."

Councilor Rivera said, "What I wanted to do is to clarify and it's something that Councilor Ives brought up, but the emergency access off Agua Fria was only when the road was going to stretch from Rufina all the way to Agua Fria."

Ms. Jenkins said, "Yes. And I actually have a plan in here in my presentation that shows that. But yes, we had an earlier version of this when we were connecting to Power Line Road. We had no access to Agua Fria because of the quantity of lots, and we realized that probably wasn't going to be a reasonable solution, and we would end up creating a through street between Rufina and Agua Fria, and nobody wants that. And so, in the earlier version of the plan, when we met with Ray Gonzales, he said we're going to be serving this property in terms of emergency response from that Agua Fria Station. And so, that's when the emergency access was necessary."

Ms. Jenkins continued, "Under this program we have regular, full access to Agua Fria, so a secondary emergency... and Ray's perfectly comfortable serving 8 lots with a generous emergency turnaround, of course per his standards, and plenty of room to back up."

Councilor Rivera said then the recommendation made by the Planning Commission or staff, is a moot point.

Ms. Jenkins said it is not applicable, based on the program they are showing tonight.

Councilor Rivera said, "Mr. Mee was saying one thing about emergency access between the two turnaround points."

Ms. Jenkins said, "That hasn't come up yet. If that's something that Ray felt was important we could look at that. Based on my experience, I don't see that it's something he's going to want, but he might. And obviously, through the subdivision process, we'll be meeting with Ray and exploring that. What we like about this plan, is it really keeps Power Line Road out of the mix. There's no opportunities for cut-through traffic. And so, if that's something that Fire Marshal Gonzales wanted, we would just have to be very strategic about how we did that, because again, we don't want to encourage any traffic getting onto the Power Line Easement. It hasn't come up at this point, that it's necessary, but again, through the subdivision process, we will work that out with the Fire Marshal."

Councilor Rivera said in Ms. Jenkins initial presentation, she said that was not an option, that you were not going to have emergency access.

Ms. Jenkins said, "No. It's not our preference and I don't believe it will be necessary, per my understanding of the International Fire Code and access provisions."

Councilor Rivera said he believes she is right.

Councilor Ives said, "My recollection from our last time on this matter, was that the Power Line Easement was actually an easement held by the City, is that correct."

Ms. Lamboy said, "The Power Line Easement was recently dedicated through the lot split process that separated the R-5 parcel from that lower tract. And previously, there was no formal easement that was there. There was an informal drive, to the north of Las Acequias Park, was used by Mr. Tapia to access his property. As part of that review, we formalized that access easement so he would have access in perpetuity."

Councilor Ives said, "I'm think more of the Power Line Easement which is part and parcel of the Las Acequias, that's a City owned easement. So, presumably, we have some say or control over what use is made of it. Is that correct."

Ms. Lamboy said that is correct.

Councilor Ives said, "Again, I think it's within the Governing Body's power to deal with that and I appreciate the offer of the applicant to limit the use, but I really think that's probably more an inherent power of the Governing Body than the applicant in the first instance, and that is something that would play out presumably in the subdivision platting process."

Ms. Lamboy said, "I would certainly want to consult Ben Gurule of the Parks Department first to see what the role of that is, before we make any changes."

Councilor Ives agreed. He said, "I note in the letter from the neighborhood, they want no changes to any of the shown plans from the new design, and honestly, this hasn't been through the Land Use Department yet, and they may impose additional requirements, obviously all designed to ensure that the property adheres to applicable City Codes and is safe. So it's not a matter of not necessarily wanting what you want, but there's a whole body of City law out there designed to ensure that any property which gets developed is developed properly, and will need to go through those processes, and I do trust Matt and his office to do the good job that they usually do in addressing any subdivision and plans that are submitted to them. I think that's all I have."

Councilor Dominguez said, "It's really about trying to get an appropriate density, that's really what we're leaning towards, and I think that's something that needs to be considered overall. That's it."

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

18. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

19. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of March 13, 2013, is incorporated herewith to these minutes as Exhibit "7."

Councilor Dimas

Councilor Dimas congratulated the Santa Fe High School Demon girls for making it to the semi-finals, noting St. Michael's won tonight and will be in the semi-finals. He said the Santa Fe Indian School girls will be in the semi-finals as well, but he doesn't know about Capital High. He said we wish everyone the best of luck.

Councilor Calvert

Councilor Calvert introduced a Resolution supporting continued enforcement and funding of the Federal Endangered Species Act. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

TRAFFIC IMPACT REPORT

For

Aguafina Development

Prepared for

Liaison Planning

Prepared by

MOREY WALKER AND ASSOCIATES ENGINEERING, INC.

November 15, 2019
Rev: July 8, 2020

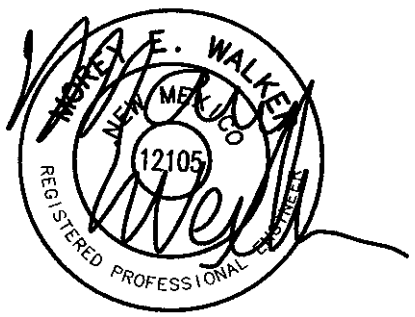


TABLE OF CONTENTS

I. INTRODUCTION ..... Page -3-
A. Project Location and Description ..... Page -3-
B. Purpose ..... Page -3-

II. ROAD CONDITIONS ..... Page -3-
A. Existing & Proposed Conditions ..... Page -3-
B. Existing Traffic Volumes ..... Page -4-
C. Future Traffic Volumes ..... Page -4-

III. TRIP GENERATION AND TRAFFIC DISTRIBUTION ..... Page -4-
A. Trip Generation ..... Page -4-
B. Site Traffic Movements ..... Page -5-
C. Design Traffic Movements ..... Page -5-

IV. TRAFFIC EVALUATION ..... Page -5-
A. Level of Service ..... Page -5-
B. Calle Atajo and Rufina Street ..... Page -5-
C. Rufina Street and Joshua/Lois Lane ..... Page -6-
D. Rufina Street and Aguafina Road ..... Page -6-
E. Agua Fria and Aguafina/Martin Mora Road ..... Page -7-
F. Conclusion ..... Page -9-

V. SUMMARY AND RECOMMENDATIONS ..... Page -9-

Appendix A - Traffic Counts at Calle Atajo and Rufina Street
Appendix B – Traffic Counts at Joshua/Lois Lane and Rufina Street
Appendix C – Traffic Counts at Agua Fria and Martin Mora Road
Appendix D - Trip Generation
Appendix E - Level of Service – Calle Atajo and Rufina Street
Appendix F – Level of Service –Rufina Street and Joshua/Lois Lane
Appendix G – Level of Service – Rufina Street and Aguafina Road
Appendix H – Level of Service – Agua Fria and Aguafina/Martin Mora Road
Appendix I – Traffic Light Timing at Rufina Street and Calle Atajo

I. INTRODUCTION

A. Project Location and Description

The Aguafina Subdivision will consist of 61 single family fee simple lots between Airport Road and Agua Fria and within the City of Santa Fe. The southern section of 33 lots will have access to Rufina Road of which 18 units are north of Rufina and 15 units are south of Rufina. The northern section of 28 lots will have access directly Agua Fria. Refer to Figure 1 for location map and to Figure 2 for site plan.

B. Purpose

The purpose of this Traffic Impact Study is to determine the impact of the Aguafina Subdivision at the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road. Refer to location map for intersections studied.

II. ROAD CONDITIONS

A. Existing and Proposed Conditions

At the study area, Rufina Street is a two-lane road with dedicated left turn lanes in all directions at the intersection of Calle Atajo. The speed limit for this section of Rufina is 35 mph. Agua Fria is a two-lane roadway with a speed limit of 35 mph. Current traffic lane configuration for the all four studied intersections is shown on Figure 3.

The intersection of Calle Atajo & Rufina Street is controlled by traffic signal lights with dedicated left turn lanes. The remaining studied intersections are unsignalized and controlled by stop signs on the minor north/south roads.

B. Existing Traffic Volumes

At the intersection of Calle Atajo and Rufina Street, AM and PM peak hour traffic counts were conducted on January 15, 2019 (Appendix A). At the intersection of Rufina Street and Joshua/Loris Lane, a peak hour traffic counts were conducted by Walker Engineering on October 9, 2019 for AM and PM peak hours (Appendix B). At the intersection of Agua Fria and Martin Mora Road, AM and PM peak hour traffic counts were conducted on October 8, 2019 (Appendix C). Refer to Figure 4 for current background traffic volumes.

C. Future Traffic Volumes

A design year of 2024 has been selected for this development. Based upon NMDOT standards, a 3% yearly increase was used to simulate traffic growth in this area. Figure 5 shows the Year 2024 increase in background traffic for the studied intersections.

III. TRIP GENERATION AND TRAFFIC DISTRIBUTION

A. Trip Generation

The AM and PM peak hour traffic volumes are derived from the Institute of Transportation Engineers, Trip Generation, 9th edition. Land Use category 210 residential single family lots were used in the analysis. Data from Trip Generation for both entrances are found in Appendix D. Table 1 summarizes the information found in Trip Generation..

Table 1
AM and PM Peak Hour Traffic Volumes

Location	Size	Section	AM Peak		PM Peak	
			Entering	Exiting	Entering	Existing
Northern Section	28 Units	NB to Agua Fria	5	16	18	28
Southern Section	18 Units	SB to Rufina	4	10	12	6
	15 Units	NB to Rufina	3	9	10	5

B. Site Traffic Movements

Based upon current traffic patterns and directional percentages and upon the average trip generation as shown on Table 1, the Aguafina Subdivision traffic was distributed at the studied intersections. This distribution is shown on Figure 6.

C. Design Traffic Movements

Using the 2024 background traffic from Figure 5 and the traffic distribution from Figure 6, the combined background and site traffic for the studied area is shown on Figure 7. Figures 5 (No Build) and 7 (Build) were used to conduct the level of service evaluation.

IV. TRAFFIC EVALUATION

A. Level of Service

Synchro Ver 10 software was used to determine the operational level for the intersection. An LOS is conducted for year 2024 design year. The design year includes the annual increase in background traffic and the site traffic. Level of service is ranked from A-F, with A being the highest level of service with the least delays and F indicating a break-down in the operation of the intersection.

Figures 8, 9 and 10 are the Synchro computer models for the 2024 AM & PM No Conditions and 2024 AM & PM Build Conditions for the four studied intersections.

B. Calle Atajo and Rufina Street Intersection

Derived from the Synchro Ver 10 computer runs, Table 2 is a summary of the level of service for the intersection of Calle Atajo and Rufina Street. Traffic volumes were taken from both Figures 5 and 7 for the design year 2024 traffic. The computer printouts can be found in Appendix E. Traffic Signal Timing was obtained from the City of Santa Fe and is attached in Appendix I.

Table 2
Level of Service Analysis
Calle Atajo and Rufina Street Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Calle Atajo SB	19.0/B	18.5/B	19.5/B	19.0/B
Calle Atajo NB	22.4/C	21.1/C	22.9/C	21.4/C
Rufina St WB	16.0/B	28.6/C	15.9/B	29.6/C
Rufina St EB	33.0/C	20.0/B	34.2/C	20.0/B
Intersection	25.7/C	24.8/C	26.5/C	25.3/C

C. Rufina Street and Joshua/Lois Lane Intersection

Derived from the Synchro Ver 10 computer runs, Table 3 is a summary of the level of service for the intersection of Rufina Street and Joshua/Lois Lane. Traffic volumes were taken from both Figures 5 and 7 for the design year 2024 traffic. The computer printouts can be found in Appendix F.

Table 3
Level of Service Analysis
Rufina Street and Joshna/Lois Lane Road Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Rufina Street EB	7.9/A	8.8/A	7.9/A	8.8/A
Rufina Street WB	8.6/A	8.2/A	8.6/A	8.2/A
Lois Lane SB	19.5/C	25.0/D	19.6/C	25.4/D
Joshua Lane NB	15.4/C	13.0/B	15.5/C	13.0/B

D. Aguafina/Case de Todos Road and Rufina Street Intersection

Derived from the Synchro Ver 10 computer runs, Table 4 is a summary of the level of service for the intersection of Aguafina/Casa de Todos Road and Rufina Street. Since this is a new intersection, only 2024 build conditions were analyzed. Traffic volumes were taken from both Figure 7 for the design year 2024 traffic. The computer printouts can be found in Appendix G.

Table 4
Level of Service Analysis
Aguafina Road and Rufina Street Drive Intersection (new)
2024 Developed Conditions

	Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS
Aguafina Rd SB	16.1/C	23.2/C
Casa de Todos Rd NB	14.1/B	13.7/B
Rufina St WB	8.7/A	8.2/A
Rufina St EB	7.9/A	8.9/A

E. Agua Fria and Agufina Street/Martin Mora Road Intersection

Derived from the Synchro Ver 10 computer runs, Table 5 is a summary of the level of service for the intersection of Agua Fria and Agufina Street/Martin Mora Road. Traffic volumes were taken from both Figures 4 and 6 for the design year 2024 traffic. The computer printouts can be found in Appendix I. As noted before, this is a stop controlled intersection.

Table 5
Level of Service Analysis
Agua Fria and Agufina Street/Martin Mora Road Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Martin Mora Rd SB	11.2/B	11.6/B	11.6/B	12.4/B
Agufina Rd NB			11.9/B	10.7/B
Agua Fria WB			8.2/A	7.8/A
Agua Fria EB	7.6/A	7.9/A	7.6/A	7.9/A

F. Conclusion

For the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road subdivision traffic, there was not a reduction of service for all directions.

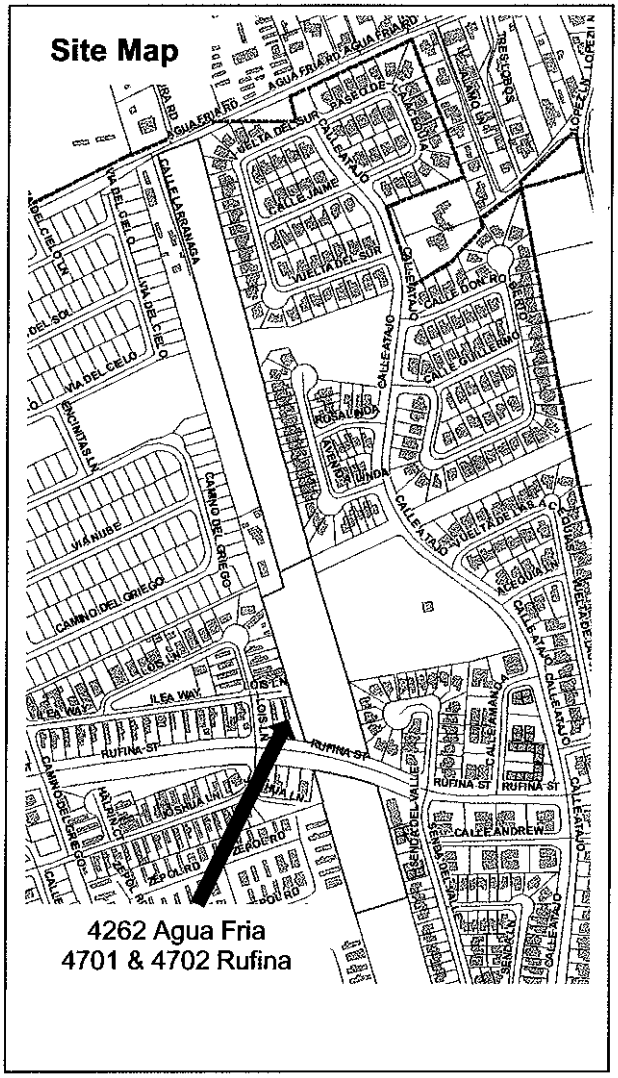
V. SUMMARY AND RECOMMENDATIONS

The 61 single family lots for the Aguafina Subdivision will have minimal impact on the level of service for the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina/Casa de Todos Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road. The following design requirements should be addressed at final design:

1. Stop signs to be installed for exiting traffic from the subdivision
2. All interior roads to meet City of Santa Fe standards.

Land Use Department
Planning Commission Staff Report

Case No:	2020-2273, 2020-2274, 2020-2287
Hearing Date:	August 20, 2020
Applicant:	Liaison Planning Services, Inc.
Request:	Rezoning Ordinance Amendment, Rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) and R-6 (Residential- six dwelling units per acre)
Location:	4262 Agua Fria, 4701 & 4702 Rufina Street
Case Mgr.:	Lee Logston
Zoning:	R-3 (Residential – three dwelling units per acre) and R-5 (Residential – five dwelling units per acre)
Overlay:	None
Pre-app Mtg:	January 10, 2019
ENN Mtg:	June 1, 2020
Proposal:	Rezoning Ordinance Amendment, Rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) and R-6 (Residential- six dwelling units per acre).



Case #2020-2273. 4262 Agua Fria Street and 4701 & 4702 Rufina Street Aguafina Rezoning Ordinance Amendment. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests an amendment to Ordinance 2013-12 to remove condition #2 requiring Tract C-1 to be developed consistent with R-3 zoning, and modifying condition #3 to remove the requirement for three base-course lot access driveways. The properties are zoned R-5 (Residential- five dwelling units per acre) and R-3 (Residential- three dwelling units per acre) and total approximately 11.47 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2274. 4701 Rufina Street Aguafina Rezoning. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests approval of a rezoning from R-3 (Residential – three

dwelling units per acre) to R-5 (Residential – five dwelling units per acre) for a property located at 4701 Rufina Street. The property is approximately 3.44 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2287. 4702 Rufina Street Aguafina Rezoning. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre) for a property located at 4702 Rufina Street. The property is approximately 2.42 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

I. RECOMMENDATION:

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the amendment to the conditions of approval of the zoning ordinance, by amending the conditions of approval attached to that ordinance via the Findings of Fact and Conclusions of Law for that case (Case #2020-2273); and

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the rezonings (Case #2020-2274 and Case #2020-2287).

***Six** motions will be required, in the following order, for this case:*

- *Recommend the Governing Body approve or deny the Rezoning Ordinance Amendment for Case #2020-2273, by amending the conditions of approval of that ordinance via the Findings of Fact and Conclusions of Law for that case (Case #2020-2273, Item#13-0191);*
- *Recommend the Governing Body approve or deny the rezoning for Case #2020-2274;*
- *Recommend the Governing Body approve or deny the rezoning for Case #2020-2287;*
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-2273 (Exhibit A(1));*
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-2274 (Exhibit A(2))*; and
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-22877 (Exhibit A(3))*

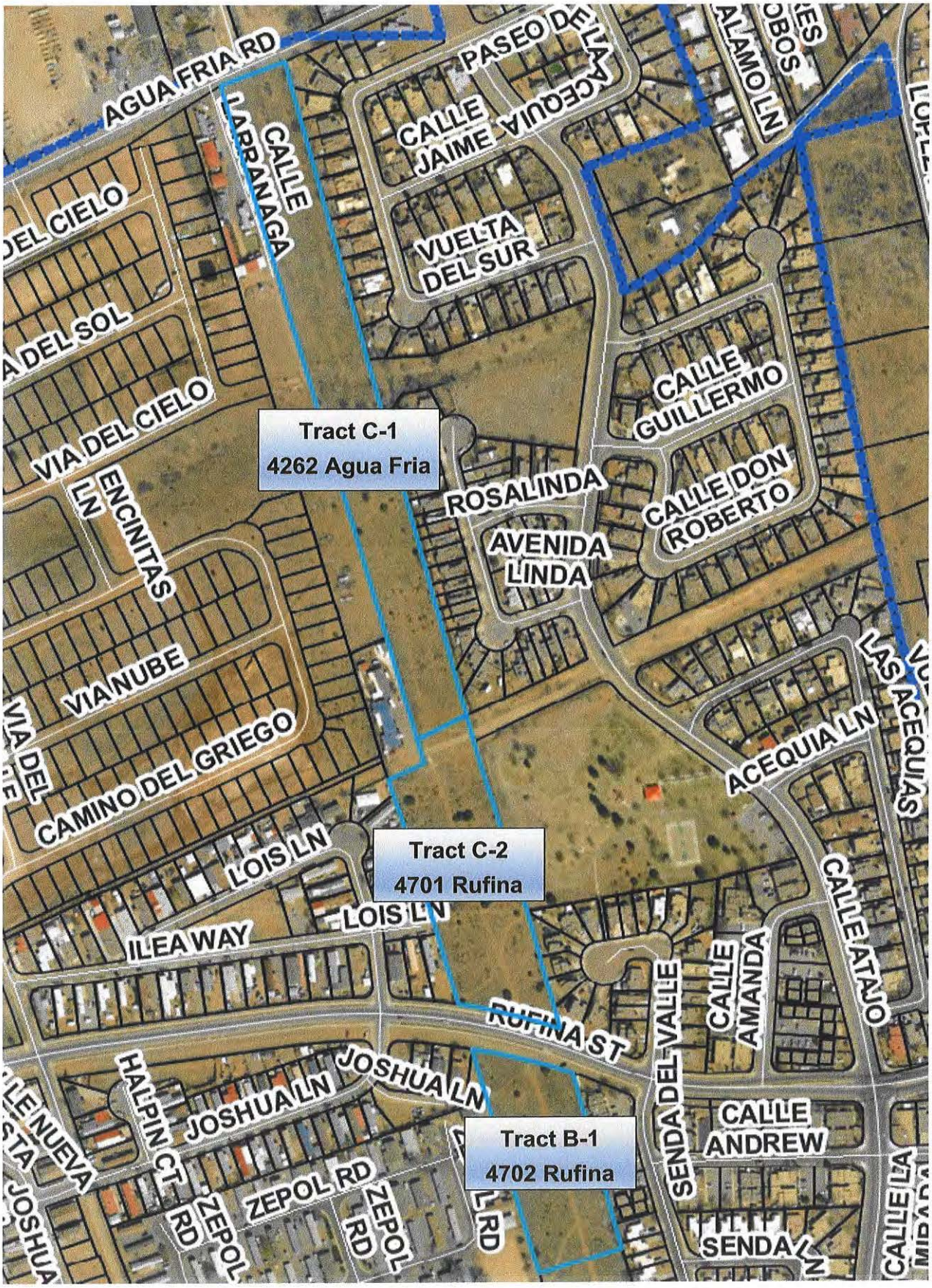
II. CONDITIONS OF APPROVAL

As a rezoning ordinance amendment and rezoning case, staff does not recommend any conditions of approval.

III. EXECUTIVE SUMMARY:

This Application is comprised of three requests:

1. Amend zoning Ordinance #2013-12 to remove conditions of approval found in the Findings of Fact and Conclusions of Law (Item #13-0191) for Case #2012-104 that requires the three properties to be developed as a 23-lot subdivision on lot access driveways;
2. Rezoning request from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) for 4701 Rufina Street; and
3. Rezoning request from R-3 (Residential- three dwelling units per acre) to R-6 (Residential- six dwelling units per acre) for 4702 Rufina Street.


AGUA FRIA RD
PASEO DE LA ACEQUIA
CALLE JAIME
ALAMO LN
CALLE LARRANAGA
VUELTA DEL SUR
DEL CIELO
A DEL SOL
VIA DEL CIELO
Tract C-1
4262 Agua Fria
CALLE GUILLERMO
ROSALINDA
CALLE DON ROBERTO
AVENIDA LINDA
ENCINITAS LN
VIA NUBE
VIA DEL
CAMINO DEL GRIEGO
LAS ACEQUIAS
ACEQUIA LN
Tract C-2
4701 Rufina
LOIS LN
LOIS LN
ILEA WAY
CALLE ATAJO
CALLE AMANDA
RUFINA ST
SENDA DEL VALLE
JOSHUA LN
JOSHUA LN
HALPIN CT
CALLE NUEVA
Tract B-1
4702 Rufina
CALLE ANDREW
ZEPOL RD
ZEPOL RD
ZEPOL RD
SENDA LN

The amendment to the conditions of approval of the rezoning ordinance is necessary to develop the property as a subdivision at the density requested. In this case, a recommendation for approval of the ordinance amendment requires a determination that a future development; consisting of public, paved roads with sidewalks and pedestrian connectivity is better for the public interest than a series of private, unpaved lanes without sidewalks and pedestrian connectivity.

A recommendation for approval of all three requests would allow a future proposal for a subdivision of sixty-one (61) lots on three tracts of land located at 4262 Agua Fria and 4701 and 4702 Rufina Street. The overall premises comprises approximately 11.47 acres.

Governing Body action on the original rezoning case (Case #2012-104) conditioned through the findings that each of the three Tracts would be developed as dead-end, private lot access driveways, with eight lots on the northern Tract C-1, eight lots on the center Tract C-2, and seven lots on the southern Tract B-1. Assuming approval of the rezoning ordinance request, the Applicant would propose a future preliminary subdivision 28 lots on Tract C-1, 18 lots on Tract C-2, and 15 lots on Tract B-1.

The rezoning request for Tract B-1 is at slightly higher R-6 density to match the density of adjacent land to the south, intended to be proposed as the Casa de Todos preliminary subdivision at R-6 density. Tract B-1 would connect to the road in Casas de Todos, making a through street from Rufina down to Calle Atajo near Airport Road, providing road connectivity recommended by the General Plan and Chapter 14.

The overall plan for both developments is in accordance with negotiations with the expressed desires of the Las Acequias Neighborhood Association to have stick-built homes in the Aguafina development and stick-built or modular homes in Casas de Todos development. The City Traffic Engineer is requiring the road in Casas de Todos to connect through to Rufina Street.

The proposed rezoning amendment and rezoning request meet all relevant development standards and approval criteria, and do not create or increase any non-conformities with Chapter 14; therefore, staff recommends approval of all three components of the Applicant's request.

IV. BACKGROUND:

This subdivision began with the rezoning request and concluded with the Governing Body granting an appeal of the Planning Commission's denial of the preliminary subdivision and variance.

These properties went through a series of public hearings between 2012 and 2014, with density and road connectivity being the primary concerns of area residents. There were significant misalignments among the concerns of existing residents, current code requirements, staff recommendations, and past Governing Body decisions. Residents were able to secure a number of agreements and concessions from the Applicant through this more recent planning process.

The relevant past case history is summarized below.

Case #2012-104 Rezoning - Planning Commission 12/6/2012: The case was first heard by the Planning Commission on December 6, 2012. The Applicant originally requested a rezoning for Tracts C-2 and B-1 (5.89 acres total) from R-1 to R-5, but the Commission would only recommend R-3 because

they determined that impacts to traffic and parks would be too great.

Case #2012-104 Rezoning - Governing Body 1/30/2013: The Governing Body considered the case next on January 30, 2013. Having negotiated with neighbors, the Applicant had agreed to effectively develop all three Tracts at a lower density (R-3) than the zoning would allow (up to R-5 for Tract C-1), and agreed not to propose a road connection to Calle Atajo at Powerline Road. Necessary for this proposal was the development of the land as three private, base course lot access driveways, each servicing seven or eight homes, the maximum allowed on such roads. Staff did not support the proposal because of lack of connectivity, lack of pedestrian amenities, and because of a belief that the proposal, while amenable to the immediate neighbors, was contrary to the greater public good.

After significant discussion about parks, density, and the appropriateness and/or necessity of road connectivity, the Governing Body denied the R-5 rezoning request. However, at their following public hearing on February 13, 2013, the Governing Body rescinded its denial and chose to re-hear the case on March 13, 2013 to consider the rezoning request at a reduced R-3 density.

Case #2012-104 Rezoning - Governing Body 3/13/2013: Staff recommended approval of the rezoning request, but included several conditions related to subdivision design: (1) Rezone Tract C-2 and B-1 to R-3; (2) Tract C-2 should have access from Rufina as right-in, right-out, left-in only; (3) provide traffic impact analysis of the design; (4) an emergency access to Tract C-1 (which would have primary access at Agua Fria) would be provided at Powerline Road. City staff requested better road connections, but both the Applicant and the neighbors wanted to develop at a lower density than allowed so as to not require public paved roads or sidewalks. Council conditionally **approved** the rezoning request, thus establishing the permissible density and design of the subdivision.

These conditions were spelled out in the Findings of Fact for the Case (Item #13-0191), collectively called the "Applicant Undertakings", as the Applicant had offered to develop the property in this way in to meet the desires of the neighbors. The Applicant agreed to:

1. Submit its request for subdivision and/or development plan approval to the Planning Commission for both the Property and the Adjacent Parcel as a single application;
2. Develop the Adjacent Parcel consistent with R-3 zoning, notwithstanding that it is zoned R-5;*
3. Not request use of Powerline Road as either a primary or secondary access for either the Property or the Adjacent Parcel as part of its application for such Commission approval, but to instead propose three base-course lot access driveways, serving eight lots each; and*
4. Grant an easement to Abe and Kathleen Tapia and their successors across the Adjacent Parcel to permit them to access Powerline Road.

The rezoning amendment request before you tonight specifically proposes removing Undertaking #2, and to remove the underlined part of Undertaking #3.

The original proposal, a 23-lot subdivision designed to include three dead-end, base course private lot access driveways, was approved by the Governing Body, despite staff's concern that the design did not meet the requirements of Chapter 14. Staff could not recommend approval, as staff saw no compelling reason to deviate from the code requirements for connectivity and infrastructure standards required by SFCC 14-9.2. Staff highlighted the lack of sidewalks, and argued this omission would hinder pedestrian

movement and safety for new residents, and leave Las Acequias Park without a logical new pedestrian connection.

The subdivision was heard three more times, including another appeal to Governing Body after staff did not support the subdivision as proposed because the design violated several sections of SFCC 14-9.2 related to public health, safety, and welfare related to road design and pedestrian connectivity. The Governing Body approved the subdivision at the appeal but this subdivision was never recorded and the approval expired. Because of this, those cases are not described in detail here. Any conditions attached to that subdivision approval expired with it.

For reference, those cases are:

- Case #2013-58 Preliminary Subdivision & Variance – Planning Commission 8/1/2013
- Case #2012-93 Appeal of Planning Commission Denial of Variance and Preliminary Subdivision – Governing Body 1/8/2014
- Case #2014-06 Final Subdivision Approval – Planning Commission 3/13/2014

V. CURRENT PROJECT SUMMARY:

The Applicant has held a series of ENNs and other meetings with residents. Originally, the Applicant wanted to develop the property as originally approved, but current staff had the same concerns as when the subdivision was originally proposed in 2012. The Applicant then decided to redesign the site at a greater density. It was at this time that the conditions attached to the rezoning were discovered, and it was realized that the zoning ordinance would need to be amended to allow for development of the site at higher density.

Through continued conversations with surrounding neighbors, the Applicant learned that the primary concerns of residents revolved around issues related to the housing type and quality. The Applicant agreed to commit to stick-built homes in Aguafina, and stick-built or modular homes in Casa de Todos. The Las Acequias Neighborhood Association agreed to overall higher density development if the Applicant would commit to develop the parcels to include high-quality site built and modular homes exclusively.

VI. EXISTING CONDITIONS:

The Rodriguez properties are comprised of three parcels, stretching from Agua Fria Street to south of Rufina Street, totaling approximately 11.47 acres. The Cielo Azul subdivision, Roadrunner West and Sierra Vista mobile home parks, and the Las Acequias subdivision surround the properties.

	Property Address	**Zoning**
North	Agua Fria Traditional Village	N/A
West	Cielo Azul Subdivision, Road, Roadrunner West & Sierra Vista Mobile	R-6 (Residential – Six dwelling units per acre) & MHP (Mobile Home Park)

	Property Address	Zoning
	Home Parks	
South	Sierra Vista Mobile Home Park, vacant land, and Las Acequias Subdivision	MHP (Mobile Home Park), R-1, and R-7 PUD (Residential – Seven dwelling units per acre, Planned Unit Development)
East	Las Acequias Subdivision	R-5 (Residential – Five dwelling units per acre) & R7 PUD (Residential – Seven dwelling units per acre, Planned Unit Development)

VII. CONCEPTUAL PROJECT ANALYSIS

The following section describes the conceptual subdivision, which is not under consideration for approval now, but will be proposed if the zoning amendment and rezonings are granted.

Access

The northernmost tract of land, Tract C-1 (Zoning Ordinance Amendment Case #2020-2273) will access Agua Fria Street. This 42' wide public right of way (ROW) will run approximately 1,600 feet south before dead-ending in a gate at the easement platted as "Powerline Road".

The center portion, Tract C-2 (Rezoning Case #2020-2274), will access Rufina Street, running north before dead-ending at Powerline Road. The home at 1152 Calle Atajo will keep its access along Powerline Road to Calle Atajo, and an emergency access easement, established at the time of a future preliminary subdivision, will connect the dead-end of the north and south roads. While Chapter 14 requires complete road connectivity to serve the area better, residents oppose it, and the previous Council action on Ordinance 2013-12, specifically mandated that any future road running south from Agua Fria Street not connect to Calle Atajo via Powerline Road.

Tract B-1 (Rezoning Case #2020-2287) will access Rufina Street, running south before ending in a fire-approved turnaround. This portion will eventually connect as a through street to the future proposed preliminary subdivision of Casa de Todos, all the way south to Calle Atajo, near the intersection with Airport Road. It is for this Tract that the Applicant seeks the rezoning to R-6, so that this Tract can be developed at higher density to match Casa de Todos.

The conceptual configuration of roads for both the future potential Aguafina and Casas de Todos subdivisions was approved by the City Traffic Engineer. The traffic impact analysis (TIA) performed for the conceptual future preliminary subdivision showed that the Aguafina Subdivision would not change the level of service for the intersections of Rufina Street & Calle Atajo, Rufina Street and Joshua/Lois Lane, Aguafina/Casa de Todos Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road.

Trail connection

The project area includes a trail alignment along Powerline Road Trail in the 1983 Bikeways Master Plan, envisioned as a connection to the Acequia Trail. While developments built subsequent to this plan to the east make it unlikely that a completed section of trail here would connect to the Acequia Trail, a 10' wide pedestrian easement was created as part of the Cielo Azul Subdivision.

Archaeology and Environmental Resources
The project is located within the River and Trails Archaeological Review District. Per Subection14-3.13(B)(3)(a), an archaeological survey of the property was performed, and a clearance permit was issued on June 6, 2013. An historic acequia was identified on Tract C-1. Per the conditions of the permit, a 20' wide conservation easement has been added to the plat to protect the acequia. The site will be assessed for prairie dogs and any colonies will be relocated prior to issuance of construction permits.

Santa Fe HOMES Program
The Project will comply with current Santa Fe Homes Program ("SFHP") regulations per SFCC Section 26-1.8(A). The applicant will enter into a contract with The City of Santa Fe Housing Opportunity Program. Pursuant to the provisions of the SFHP, 12 lots (20%) will be affordable.

VIII. REZONING ORDINANCE AMENDMENT

SFCC Section 14-3.5 governs the authority and procedures for rezonings. SFCC Subsections 14-3.5(B)(1)(a)&(b) state that "All proposed rezonings shall be submitted to the planning commission for review and recommendation at a public hearing", and that "the planning commission shall transmit the application, including any plan, to the governing body , together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval".

The requested rezoning ordinance amendment is necessary to develop the property as proposed. Chapter 14 provides specific criteria which must be met in order to rezone a property, but provides no specific criteria for evaluating a request to amend the conditions of a prior rezoning. The rezoning criteria are based on a determination that the public interest is not harmed, and is better served by development under the amended zoning ordinance rather than the original zoning, and that existing infrastructure can accommodate or be modified to accommodate the future development. In this case, the Planning Commission would be deciding on whether or not development consisting of public paved roads, rather than a series of private unpaved lanes without sidewalks, is better for pedestrian connectivity and the overall public interest. Removing the current zoning conditions that stipulate the properties will be developed at a density of R-3 and that the roads be developed as private lanes will then allow the Applicant to develop the parcels at a density of R-5 and R-6 and provide paved public streets with proper pedestrian amenities.

These conditions were spelled out in the Findings of Fact for Case #2012-104, collectively called the "Applicant Undertakings". If in agreement with Staff analysis, the Planning Commission would be removing Undertaking #2, that the Applicant "Develop the Adjacent Parcel (Tract C-1) consistent with R-3 zoning, notwithstanding that it is zoned R-5", and to strike the portion of Undertaking #3 that reads "but to propose instead three base-course lot access driveways, each serving eight lots".

IX. REZONING APPROVAL CRITERIA

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:

Criterion 1 [14-3.5(C)(1)(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;** **(iii) a different use category is more advantageous to the community, as articulated in the General Plan or other adopted city plans;**	**Criterion Met:** (Yes/No) **YES**
(i) Not Applicable (ii) The surrounding area has seen housing development with the annexation of land and expansion of infrastructure. The proposed density is consistent with existing residential development patterns in the area. (iii) The Future Land Use Map designation of Low Density Residential allows for 3-7 dwelling units per acre. The proposed R-5 and R-6 zoning will enable development of much needed housing at densities that are consistent with surrounding development.	
Criterion 2 [14-3.5(C)(1)(b)]: all the rezoning requirements of Chapter 14 have been met;	**Criterion Met:** (Yes/No) **YES**
The Applicants have met the Chapter 14 procedural requirements for re-zoning, including holding an Early Neighborhood Notification Meeting, posting and mailing of notification requirements, and submitting required application submittals including a Traffic Impact Analysis. The Applicant is not requesting any variances.	
Criterion 3 [14-3.5(C)(1)(c)]: the rezoning is consistent with the applicable policies of the General Plan, including the future land use map;	**Criterion Met:** (Yes/No) **YES**
R-5 and R-6 zoning is consistent with the Southwest Area Master Plan (SWAMP) Future Land Use designation of Residential Low Density (3-7 dwelling units per acre). No amendments to the General Plan are requested.	
Criterion 4 [14-3.5(C)(1)(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;	**Criterion Met:** (Yes/No) **YES**
This proposal is located in an area that the City annexed to provide for future growth. The proposed rezoning exceeds the two-acre threshold below which rezonings will not be considered (14-3.5(C)(2)(b)), and is consistent with the General Plan in terms of density. The rezoning request will help to provide infill development consistent with General Plan policies supporting the preservation of the scale and character of established neighborhoods, in an area already served by City water and sewer.	
Criterion 5 [14-3.5(C)(1)(e)]: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.	**Criterion Met:** (Yes/No) **YES**
Existing infrastructure, including water and sewer, is sufficient to serve the increased density resulting from the rezoning. Impacts to the existing road network will be mitigated by distributing new traffic to	

Agua Fria Street and Rufina Street. Open space will be provided in the future subdivision, and pedestrian access to Las Acequias Park will be improved.	
Criterion 6 [14-3.5(C)(2)]: Unless the proposed change is consistent with applicable General Plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to: **(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;** **(b) affect an area of less than two acres, unless adjusting boundaries between districts;** **(c) or benefit one or a few landowners at the expense of the surrounding landowners or general public.**	**Criterion Met:** (Yes/No) **YES**
(a) As a proposed low-density residential subdivision, it is consistent with the prevailing low to moderate density residential uses in the surrounding area. The adjacent Las Acequias subdivision is built at a density of approximately 7.1 dwelling units per acre. (b) The project comprises approximately 11.47 acres. (a) The project will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of quality homes that will harmonize with the adjacent Las Acequias development.	
Criterion 7 [14-3.5(D)(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;	**Criterion Met:** (Yes/No) **YES**
DRT review indicated that the proposed road infrastructure would be able to handle the requested density. The project can be accommodated by the existing infrastructure and public facilities, as detailed in C(1)(e) above.	
Criterion 8 [14-3.5(D)(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.	**Criterion Met:** (Yes/No) **YES**
The City of Santa Fe's Traffic Engineer has determined that the public roads as proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.	

X. EARLY NEIGHBORHOOD NOTIFICATION

Because the Aguafina subdivision proposal has gone through numerous changes and will be integrated with development of the possible Casas de Todos Development, multiple ENN meetings have been held. The Applicant also engaged with the Las Acequias Neighborhood Association in several informal meetings as well. The prior proposal discussed at an ENN was based on 43 lots. Since that ENN, the Applicant and Las Acequias residents had several discussions and meetings which resulted in an

agreement that quality, stick-built homes were a priority for the community, and that the Association was willing to accept higher density in exchange for higher quality housing. Residents had also reconsidered the potential negative impacts of a network of dirt roads without pedestrian connections.

The most recent ENN meeting was held via Zoom on June 1, 2020. The purpose of this meeting was to discuss the new proposal and the connection to the proposed Casa de Todos subdivision. The proposal now consisted of three paved roads with sidewalks. The number of lots on the top tract of land had not changed (23), but the center tract and the southern tract now were proposed to have 18 and 15 lots respectively, reflecting the requested density. Las Acequias residents had several requests: 1) That the homes be architecturally compatible with Las Acequias 2) That a block wall be built on both sides of the project for its entire length 3) That Road Impact Fees from this project specifically be applied to improvements to the intersection of Rufina Street and Lopez Lane. The Applicant stated that block walls of that length would be prohibitively expensive, and that fences were more likely. The maintenance of fences and complications of potentially incorrect property line understandings was discussed, and both parties agreed to continue to discuss this in the future. It was agreed to continue discussing the potential of using Impact Fees in the way described.

XI. EXPIRATION

The zoning ordinance amendment and the rezoning request, if approved by the Governing Body, run with the land, are transferrable, and will not expire.

XII. ATTACHMENTS:

EXHIBIT A:

1. Draft Findings of Fact & Conclusions of Law Case #2020-2273
2. Draft Findings of Fact & Conclusions of Law Case #2020-2274
3. Draft Findings of Fact & Conclusions of Law Case #2020-2287

EXHIBIT B: Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Views

EXHIBIT C: Early Neighborhood Notification

1. ENN Packet
2. ENN Meeting Notes

EXHIBIT D: Applicant Materials

1. Project Report (Conceptual subdivision Exhibit 1 in Project Report)
2. Ordinance #2013-12
3. Case #2012-104 FOFCOL (Item #13-0191)
4. Governing Body Meeting Minutes 3/13/2013
5. Traffic Impact Analysis Summary

APPROVED BY:

Title	Name	Initials
Land Use Division Director	Elias Isaacson, AICP	ESI
Land Use Planner Manager	Noah Berke, AICP	NLB
Land Use Department Case Manager	Lee Logston, AICP	LL

City of Santa Fe, New Mexico

Exhibit A

1. Draft Findings of Fact & Conclusions of Law Case #2020-2273
2. Draft Findings of Fact & Conclusions of Law Case #2020-2274
3. Draft Findings of Fact & Conclusions of Law Case #2020-2287

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2273
4262 Agua Fria Street, and 4701 and 4702 Rufina Street - Aguafina Rezoning Ordinance Amendment

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to properties located at 4262 Agua Fria Street and 4701 and 4702 Rufina Street, totaling approximately 11.5 acres (Property). The Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

The Applicant plans to create a sixty-one-lot subdivision. In related Case #2020-2274, the Applicant seeks to rezone a property located at 4701 Rufina Street, totaling approximately 3.44 acres, from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre). In related Case #2020-2287, the Applicant seeks to rezone a property located at 4702 Rufina Street, totaling approximately 2.42 acres, from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre).

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning or a zoning ordinance amendment, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. Following the ENN, the Applicant submitted an application seeking to amend the conditions of approval for Ordinance No. 2013-12 (Case #2012-104), as set forth in the Findings of Fact and Conclusions of Law filed by the City Clerk as Item #13-0191.
23. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
24. Staff recommended that the Commission should recommend that the Governing Body grant the request to amend Ordinance 2013-12 and modify the Findings of Fact and Conclusions of Law by removing the requirement in condition #2 that the applicant must develop 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and by striking the portion of condition #3 that requires the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

Zoning Ordinance Amendment

25. Pursuant to SFCC Section 14-3.19(D)(1), the procedures for a substantive amendment to the conditions of a prior rezoning ordinance are the same as the procedures that apply to a new application for a rezoning ordinance.
26. Pursuant to SFCC Section 14-2.3(C)(7)(c) and 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding a proposed rezoning or zoning ordinance amendment.
27. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body to approve or deny the Application.
28. SFCC Section 14-3.5(C) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval a rezoning ordinance amendment.
29. Most of the approval criteria in SFCC Section 14-3.5(C) are inapplicable to a request to amend the conditions attached to a prior zoning ordinance, and the SFCC does not provide specific criteria for evaluating a request to amend such conditions.

30. The Planning Commission finds that the rezoning criteria are intended to ensure that the public interest is not harmed by the rezoning, that development under the new zoning will serve the public more than development under the original zoning, and that infrastructure can handle or be modified to handle the proposed new development.
31. In this case, the Planning Commission finds that the condition that Tract C-1 (4262 Agua Fria Street) should be developed consistent with R-3 zoning, notwithstanding that it is zoned R-5, should be removed from the Findings of Fact and Conclusions of Law for Ordinance No. 2013-12 because removing that condition would not harm the public interest, and building at greater density will allow the construction of stick-built homes in conformance with adjacent residents' desires.
32. The Planning Commission finds that the condition that the subdivision must be developed as three private, base-course lot access driveways should be removed from Ordinance No. 2013-12 because the public interest will be better served by paved, public roads with sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning Ordinance Amendment

2. The Applicant has the right under the SFCC to propose amendments to the conditions of approval attached to the ordinance that rezoned the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed amendments to the conditions attached to the rezoning ordinance and to make recommendations regarding the proposed amendments to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The requested amendments to the Findings of Fact and Conclusions of Law adopting Ordinance 2013-12 should be approved because all applicable code requirements have been met, the public interest will not be harmed, development under the new zoning will serve the public, and the infrastructure can handle the proposed new development.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed amendments to the conditions attached to Ordinance No. 2013-12.

_____ _____

John B. Hiatt
Chairperson

Date

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2274
4701 Rufina Street - Aguafina Rezoning

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to a property located at 4701 Rufina Street totaling approximately 3.44 acres (Property). The Applicant requests approval of a rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre). The Applicant plans to create 18 lots on the Property as part of a 61-lot subdivision.

In related Case #2020-2287, the Applicant seeks to rezone a property located at 4702 Rufina Street totaling approximately 2.42 acres. The Applicant requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre).

Additionally, in related Case #2020-2273, the Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop the adjacent parcel at 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
23. Staff recommended that the Commission should recommend that the Governing Body approve the rezoning.

Rezoning

24. Pursuant to SFCC Section 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
25. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
26. SFCC Section 14-3.5(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
27. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the rezoning is justified because the proposed density is allowed by the Future Land Use Map designation of Low Density Residential, and because the proposed density is consistent with surrounding homes.
28. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
29. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including the future land use map. Specifically, R-5 zoning is consistent with the Southwest Area Master Plan (SWAMP) Future Land Use Map designation of Residential Low Density (3-7 dwelling units per acre) and will provide lots of similar size to the adjacent neighborhood.
30. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a sixty-one-lot subdivision 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.
31. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that 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.

32. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-5 zoning is consistent with the surrounding density, such as the adjacent R-7 Las Acequias subdivision.
33. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
34. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of homes that will harmonize with the adjacent Las Acequias subdivision.
35. Pursuant to SFCC Section 14-3.5(D)(1), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.
36. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the public roads proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning

2. The Applicant has the right under the SFCC to propose the rezoning of the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested rezoning because all applicable code requirements and criteria for recommendation of approval of the proposed rezoning have been met.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed rezoning.

_____ _____
John B. Hiatt Date
Chairperson

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2287
4702 Rufina Street Aguafina Rezoning

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to a property located at 4702 Rufina Street totaling approximately 2.42 acres (Property). The Applicant requests approval of a rezoning from R-3 (Residential- three dwelling units per acre) to R-6 (Residential- six dwelling units per acre). The Applicant plans to create 15 lots on the Property as part of a 61-lot subdivision.

In related Case #2020-2274, the Applicant seeks to rezone a property located at 4701 Rufina Street totaling approximately 3.44 acres from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre).

Additionally, in related Case #2020-2273, the Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop the adjacent parcel at 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
23. Staff recommended that the Commission should recommend that the Governing Body approve the rezoning.

Rezoning

24. Pursuant to SFCC Section 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
25. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
26. SFCC Section 14-3.5(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
27. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the rezoning is justified because the proposed density is allowed by the Future Land Use Map designation of Low Density Residential, and because the proposed density is consistent with surrounding homes.
28. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
29. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including the future land use map. Specifically, R-6 zoning is consistent with the (SWAMP) Future Land Use Map designation of Residential Low Density (3-7 dwelling units per acre) and will provide lots of similar size to the adjacent neighborhood.
30. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a sixty-one-lot subdivision 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.
31. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that 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.

32. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-6 zoning is consistent with the surrounding density, such as the adjacent R-7 Las Acequias subdivision.
33. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
34. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of homes that will harmonize with the adjacent Las Acequias subdivision.
35. Pursuant to SFCC Section 14-3.5(D)(1), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.
36. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the public roads proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning

2. The Applicant has the right under the SFCC to propose the rezoning of the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested rezoning because all applicable code requirements and criteria for recommendation of approval of the proposed rezoning have been met

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed rezoning.

_____ _____
John B. Hiatt Date
Chairperson

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe, New Mexico

Exhibit B

Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Views

Exhibit C1: Future Land Use Map

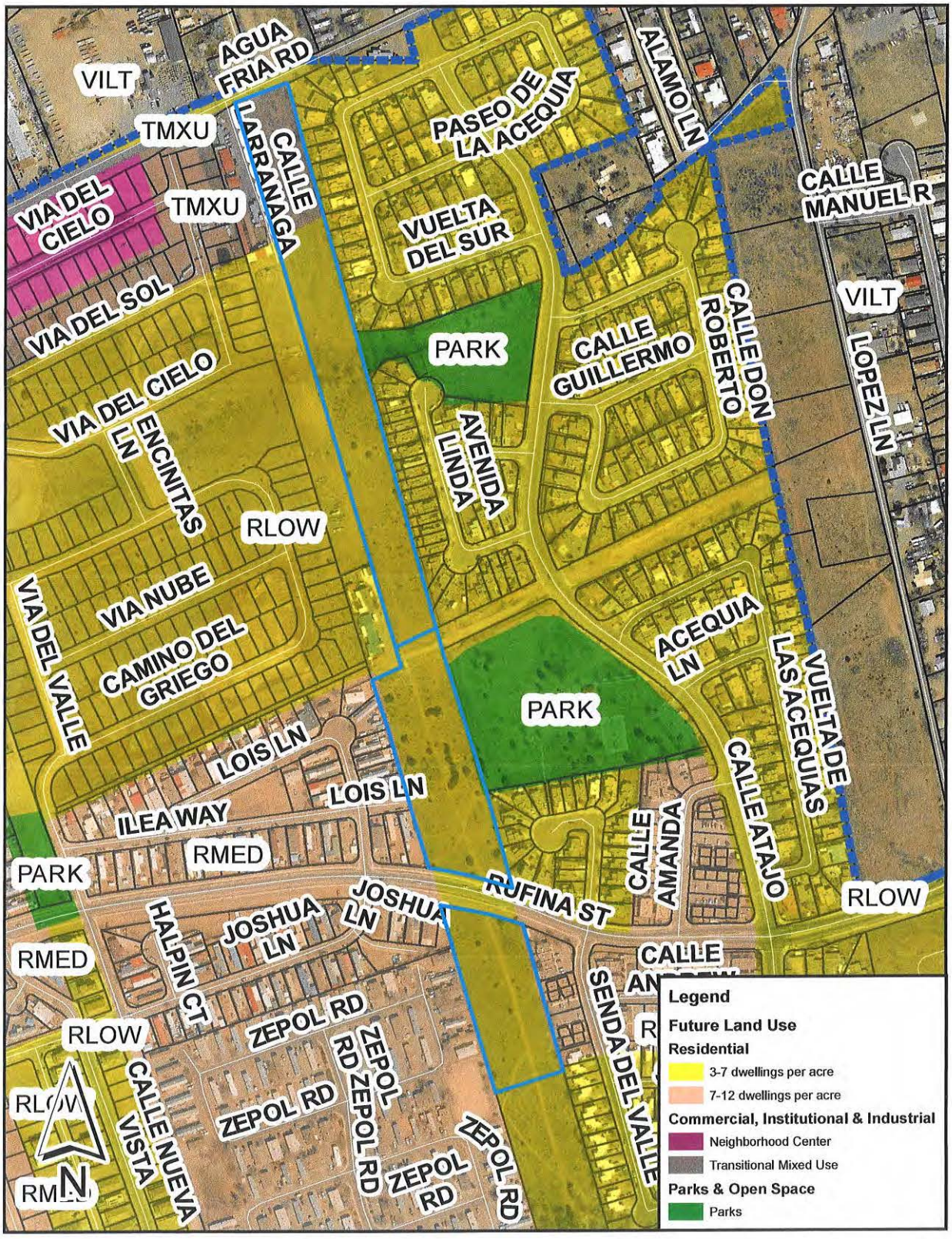


Exhibit C2: Current Zoning Map

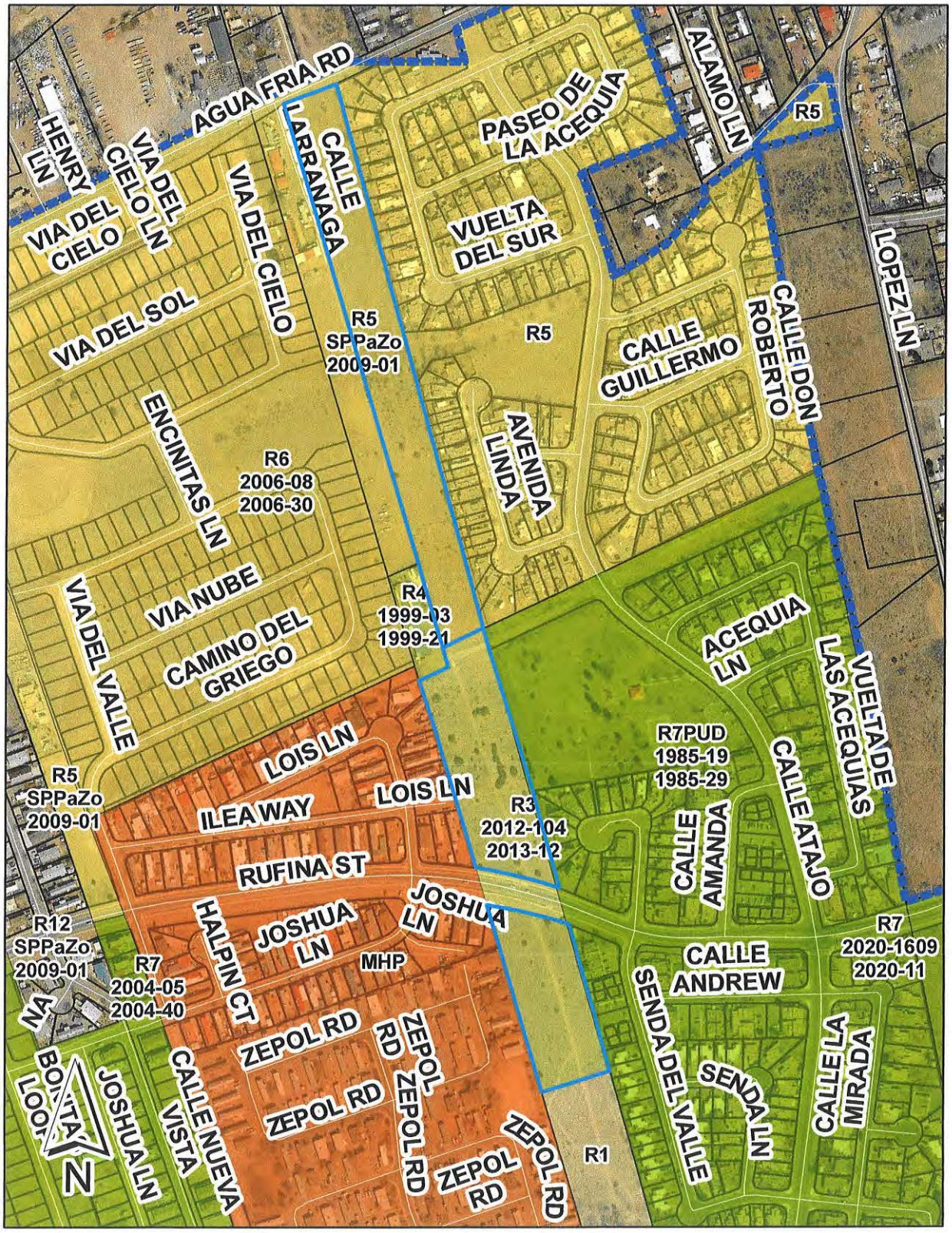


Exhibit C3: Aerial View

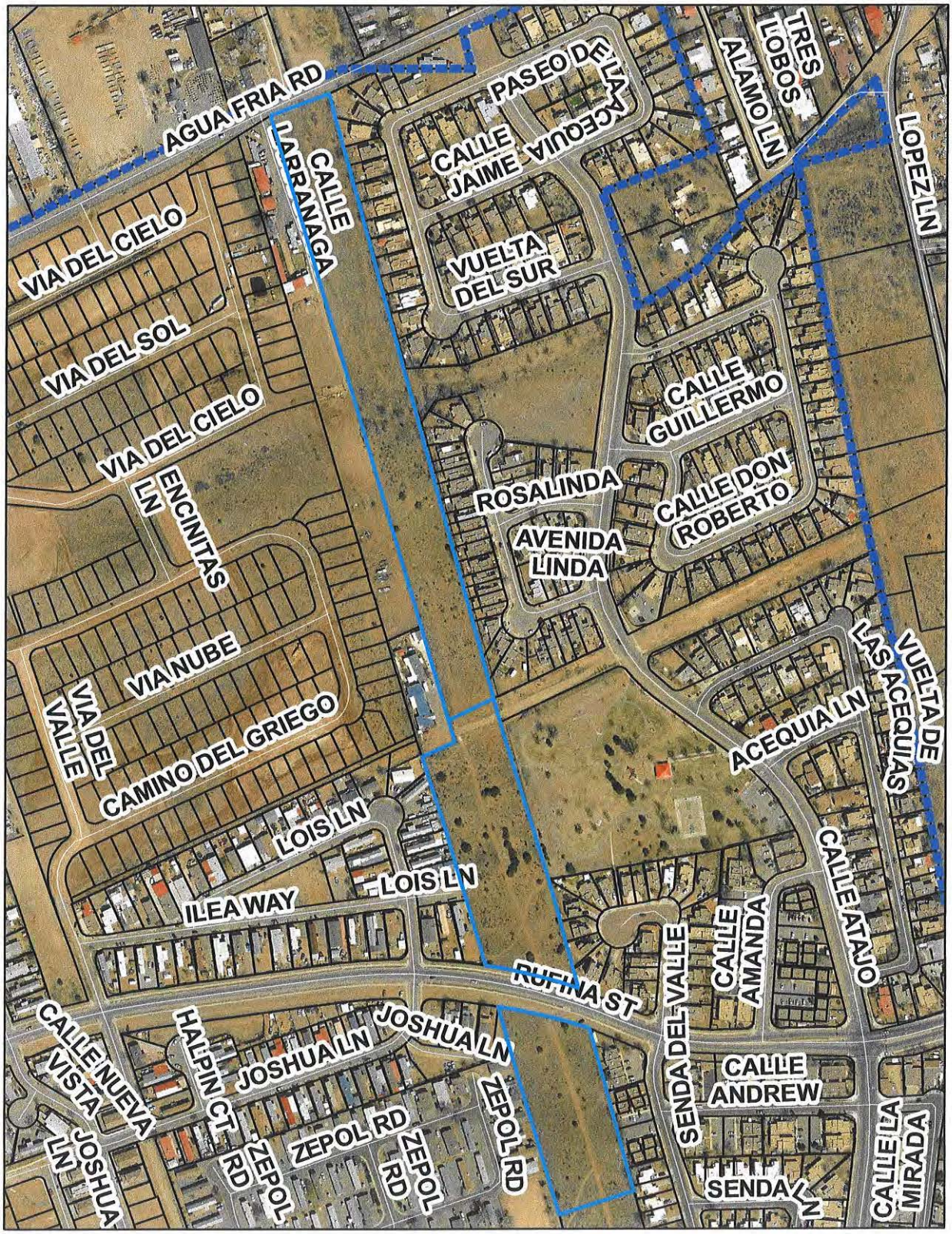


Exhibit B4: Google Aerial Views

Tract C-1

Looking west over Las Acequias Park

Tract B-1 (left) and Tract C-2 (right)

Tract B-1 (lower) and Tract C-2 (upper)

City of Santa Fe, New Mexico

Exhibit C

Early Neighborhood Notification

1. ENN Packet
2. ENN Meeting Notes

LIAISON Planning Services Inc.
P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

May 15, 2020

Re: Early Neighborhood Notification Meeting
Subdivision, Rezoning and Zoning Amendment for Aguafina Subdivision

Dear Neighbor,

Due to social distancing statewide requirements and health concerns associated with the Corona Virus (COVID 19), an ENN meeting will be conducted online via Zoom Video/ Teleconference for Aguafina Subdivision.

The purpose of this neighborhood meeting is to discuss an application for Preliminary Plat approval for a 61-lot residential subdivision, an Ordinance Amendment and a Rezoning. The subdivision comprises three parcels: 4701 Rufina St. (Tract C-2, totaling ±3.43 acres), 4702 Rufina St. (Tract B-1, totaling ±2.45 acres), and 4262 Agua Fria Street (Tract C, totaling ±5.63 acres). The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6. The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2 when it approved the previous rezoning ordinance (Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots."

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification ordinance, this is to inform you that a meeting is scheduled for:

Topic: Aguafina Rezoning and Preliminary Subdivision ENN Meeting
Time: Jun 1, 2020 05:30 PM Mountain Time (US and Canada)
Join Zoom Meeting:
https://us02web.zoom.us/j/72305110054?pwd=ZXdlNzRYNUpPdUxxcjRuM1ZraWpmQT09
Meeting ID: 723 0511 0054
Password: 013262
One tap mobile
+16699006833,,72305110054#,,1#,013262# US (San Jose)
+12532158782,,72305110054#,,1#,013262# US (Tacoma)
Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)
+1 929 436 2866 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
Meeting ID: 723 0511 0054
Password: 013262
Where: Please join this meeting from your computer, tablet or smartphone.

The Early Notification ordinance provides for an exchange of information between perspective applicants for development projects and the project's neighbors before the application becomes too firm to respond meaningfully to community input.

Attached, please find a vicinity map outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

Sincerely,

Dolores I. Vigil

Attachments: Vicinity Map

Special Note: **Persons with disabilities in need of special accommodations or the hearing impaired in need of an interpreter please contact the Land Use Office (505) 6820 5 days prior to the hearing or meeting date.**

ENN GUIDELINES

Applicant Information

Project Name: **Aguafina Subdivision, Ordinance Amendment and Rezoning**

Name: **Aguafina Development LLC**
Last *First* *M.I.*

Address: **701 A Los Lovatos**
Street Address *Suite/Unit #*

Santa Fe **NM** **87501**
City *State* *ZIP Code*

Phone: **(505) 920-6839** E-mail Address: **c/o liaisonplanning@gmail.com**

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS ***For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.***

The property is located on the north and south side of Rufina Street and north of Agua Fria. The applicant is requesting subdivision plat approval and rezoning for a 61-lot residential subdivision. The subdivision is comprised of three parcels: 4701 Rufina St. (Tract C-2, totaling ±3.43 acres), 4702 Rufina St. (Tract B, totaling ±2.45 acres), and 4262 Agua Fria Street (Tract C, totaling ±5.63 acres). The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6. The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2 when it approved the previous rezoning ordinance (Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots."

The applicant is proposing stick-built homes as recommended by the adjacent property owners along with paved roads with curb/gutter lighting, landscaping, open space and trails. This type of housing and density is consistent with the surrounding developments.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT ***For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.***

The proposed development will protect the physical environment by meeting all development standards.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN ***For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.***

The property will not impact any prehistoric, historic, archeological, or cultural sites and structures including acequias and is located outside of the historic downtown.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN ***For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.***

Approving this application will not adversely affect the public interest. The Project will benefit the public interest by providing much needed housing for Santa Fe residents on Rufina Street and Agua Fria with close proximity to public transportation and employments centers. The Project is also close to many amenities such as grocery stores, pharmacies, restaurants, and medical services. The term "Public Interest" is not defined in Chapter 14; however, the Governing Body has implemented the General Plan and Chapter 14 in order to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. This development proposal will provide buildable lots that will supplement much needed housing for the City of Santa Fe. The City's 1999 General Plan supports infill development in urban centers where feasible, and to "Promote a compact urban form and encourage sensitive/compatible infill development" (Section 1. 7.9).

The application is in keeping with the densities in the vicinity and providing "stick built" homes will provide a solid economic base.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES ***For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.***

The applicant proposes to provide adequate ingress and egress to meet the minimum requirements for development. The proposed application will maintain adequate road standards, will provide access to public transportation and pedestrian trails. A Traffic Impact Analysis is being compiled that will identify cumulative traffic impact to the surrounding neighborhoods.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE ***For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.***

While new development is frequently perceived to create a negative impact on existing property owners in the immediate vicinity, that impact must be weighed against the benefit to the public, or the expense to the public, of not building the development. The development of this property as proposed would provide reasonably priced, infill housing close to shopping, and employment. The public interest of increasing the supply of market rate and affordable housing stock is served by this project.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS ***For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.***

According to the section 1.7.1 within the General Plan affordable housing is encouraged for all incomes throughout the City and should be provided close to jobs to encourage to promote transit use. The proposed subdivision and rezoning will provide affordable housing in a setting that is in need of such development. The project is not limited to an age group, nor income.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES ***For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.***

Public water and sewer are readily available at this site and have sufficient capacity to handle the additional load from this development. All other outside utility providers agree that this site is well served by existing infrastructure, with all dry utilities either already on, adjacent to, or in close proximity to the property. Dry utilities are of sufficient capacity to serve the project at full development. While Public Works staff acknowledges that all development has an incremental impact on public roadway networks, they concur with the Consulting Engineer's conclusion that the roadway network will continue to operate at an acceptable Level of Service (LOS) based on transportation standards for intersection operation.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS ***For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.***

The development will be served by City Water and sewer. Conservation methods will be incorporated into the project as required by Code.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS ***For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.***

The property is surrounded by residential. The proposed rezoning will clearly improve the site and will be designed to easily integrate with surrounding developments. The applicant proposes a site that compliments the streetscape to ensure compatibility with adjacent properties and the Future Land Use Map/ Transitional Mixed Use.

(k) EFFECT ON SANTA FE'S URBAN FORM ***For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.***

The lot on which the development is proposed is presently underutilized. Infill development of this type is supported by the Plan in reference to this Section 1. 7.11, because it calls for new development to be "oriented from established neighborhoods to urban context and promotes active street and outdoor life". The proposed design will provide connectivity with the surrounding neighborhoods.

The applicant is requesting approval for a "rezoning ordinance amendment" for Tract C-1 and a rezoning for Tracts C-2 to R-5 and B-1 to R-6.

The rezoning ordinance amendment (Ord #2013-12) is to remove condition #2 requiring C-1 "be developed consistent with R-3", and modify #3 to remove the three base course drive requirement in the "Applicant Undertakings".

City of Santa Fe
Land Use Department
Early Neighborhood Notification Meeting Notes

Project Name	Aguafina Rezoning, Zoning Ordinance Amendment, and Preliminary Subdivision
Project Location	4262 Agua Fria Street and 4701 & 4702 Rufina Street
Project Description	Rezoning to R-5 and R-6, Amendment to Ord #2013-12, and 61 Lot Subdivision, Preliminary
Applicant / Owner	Rudy Rodriguez
Agent	Liaison Planning, Dolores Vigil
Pre-App Meeting Date	January 10, 2019
ENN Meeting Date	June 1, 2020
ENN Meeting Location	Virtual Meeting – Zoom
Application Type	Rezoning, Ordinance Amendment, Preliminary Subdivision
Land Use Staff	Lee Logston
Other Staff	Noah Berke
Attendance	Lee Logston, Dolores Vigil (Agent), Rudy Rodriguez (Applicant), 22 members of the public

Notes/Comments:

The virtual meeting began a little after 5:30 PM in order to make sure everyone had joined. Mr. Logston briefly explained the history of the property, the nature of the application now and why it had changed. The desire of residents to have stick-built homes and paved roads with sidewalks necessitated higher density to make the project financially feasible. While we are discussing the Preliminary Subdivision now, that will not move forward as an application until the rezoning and ordinance amendment go through both Planning Commission and Governing Body approval.

Ms. Vigil then gave a brief summary of the proposal, sharing her ENN guidelines on her screen. The discussion explained what had changed from the last proposal: The top tract had not changed, the middle tract and southern tract now had a total of 33 more lots, with those two tracts now having paved roads. Ms. Vigil also briefly showed the Casa de Todos conceptual layout, which the neighbors had already seen in a prior ENN, for the purpose of showing how the two developments would fit together.

Mr. Logston then briefly returned to the subject of the Rezoning Ordinance Amendment. He shared Ordinance #2013-12 on the screen, and explained that the conditions attached to the properties were found in the Findings of Fact and Conclusions of Law rather than the ordinance itself, and were referred to as the "Applicant Undertakings". Mr. Logston explained that one condition would be struck, and another modified so that the development could proceed as proposed, but that the other conditions set back in 2013 would not be changed.

Then Mr. Logston and Ms. Vigil began a question and answer session with the residents. Topics of discussion(answers in parentheses):

- One resident wanted to see the last version so she could understand what changed. (Ms. Vigil agreed to send her the last version).
- The first of several residents spoke of problems on the property in recent months with homeless people, a fire, trash, etc.
- Another resident reiterated these concerns and added that it makes it difficult to trust Mr. Rodriguez moving forward to be a good developer. She also pointed out that some Las Acequias residents were treating the vacant property as their own by storing things on it. (Ms. Vigil explained that Covid had slowed some responses, but that Mr. Rodriguez was working on all of these issues now).
- Fabian Trujillo, Las Acequias Board Member, made several requests: A full block wall on both sides for both developments, to see a more complete preliminary subdivision, to know the approval schedule. (Ms. Vigil explained that a block wall of that length would be cost prohibitive, and that fencing was more likely). He then asked how traffic impacts of this development would be addressed at Lopez and Rufina and asked if this project's impact fees could specifically be applied there (Mr. Logston explained that the City Traffic engineer would determine if the TIA needed to be adjusted, and the topic of impact fees would be raised). How would the development meet the affordable housing requirement? (By selling affordable lots). Would the applicant do an Economic Impact Analysis? (Mr. Berke explained that it is not required but if Fabian's office could provide some data it could be considered).
- Linda Flatt, Las Acequias Board Member, thanked us for the background and stressed that it is important for us to keep communication open moving forward. She asked if William Mee, Agua Fria Village president, had "approved the road and lots accessing Agua Fria". (Ms. Vigil said that she had met with Las Acequias and Mr. Mee some time ago and had showed him the plan and that Mr. Mee had not protested). She then spoke of street parking and asked if each lot could be designed to accommodate three cars (Will consider). She then asked the applicant to address a rumor that the Casas de Todos connection to Avenida de Las Acequias was intended to connect further to Lopez Lane. (Ms. Vigil explained that no, there was no plan to do that).
- A resident returned to the subject of walls. If fencing, would the applicant repair existing fencing or replace it? (Rudy and Ms. Vigil said that they are offering to repair or replace where deemed necessary. The topic of two fences and a space in between was discussed and deemed a bad solution).
- William Mee then joined the meeting and said that Ms. Vigil had never shown him the plan. (Ms. Vigil stated that yes, she had, we all met at Second Street and you saw it and never said anything after that.) Mr. Mee said that she shouldn't regard no comment as approval, and Ms. Vigil was misrepresenting his approval. (Ms. Vigil then asked why he never said anything if he didn't approve of it).
- Fabian Trujillo asked if the eight affordable lots would have manufactured homes. (Ms. Vigil said that no, she was going to honor the wishes of residents).

- Linda Flatt returned to the topic of fencing. She said that in Las Acequias, fences are shared by property owners, but that whichever owner built it was responsible for its maintenance thereafter. Would that be the case here? (Ms. Vigil agreed and said she would put it in the covenants. Mr. Logston cautioned everyone to think about that and continue the discussion. He said that ten years down the road, property owners might not want someone else accessing their property to do repairs).
- A resident pointed out that he knew his fence was not on his property line, and that it was on the vacant property. (Mr. Logston again stated that everyone should think harder about the implications of a continuous fence and that Las Acequias should make sure their residents want the fence work done, because new fencing would be built on the property line, but some residents might discover that their property line wasn't where they thought – effectively losing part of "their yard").
- Fabian Trujillo then stated that residents would like the new homes to be architecturally compatible with Las Acequias homes.

At this point, Ms. Vigil lost her connection, but it seemed that the residents had had all their questions answered. Mr. Logston was unable to host and unmute attendees, but confirmed that the meeting was finished. Mr. Logston again told everyone to email him with questions and explained that he is available by phone but only on his cell. Phone calls to his office phone would come to his email and he would check there.

The meeting then concluded at approximately 6:45.

City of Santa Fe, New Mexico

Exhibit D

Applicant Materials

1. Project Report (Conceptual subdivision Exhibit 1 in Project Report
2. Ordinance #2013-12
3. Case #2012-104 FOFCOL (Item #13-0191)
4. Governing Body Meeting Minutes 3/13/2013
5. Traffic Impact Analysis Summary

REZONING and AMENDMENT TO ZONING CONDTIONS

Aguafina Subdivision
Santa Fe NM

Applicants:
Aguafina Development LLC

Land Planning Consultant:

Liaison Planning Services Inc.
P.O. Box 1835
Santa Fe, NM 87504
(505) 920-6839
liaisonplanning@gmail.com

June 22, 2020

Table of Contents

1. Introduction and Request.....2-3
2. Existing Zoning and Future Land Use.....3-4
3. Property Description.....4
4. Traffic Impact.....4
5. Rezoning Criteria Statement.....4-6
6. Amendment to Rezoning Conditions.....6-7
5. Conclusion.....7

Exhibits

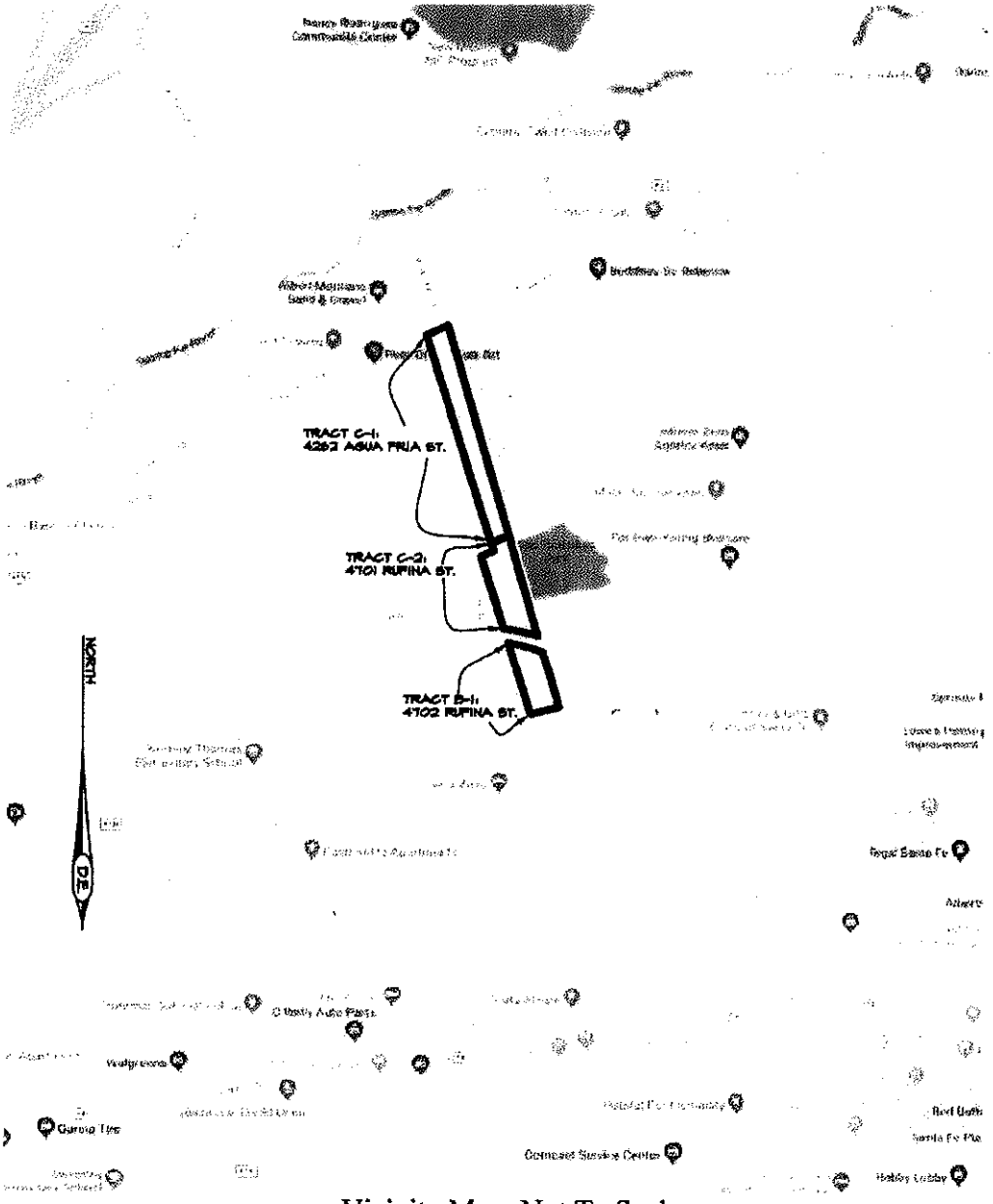
1. Site Plan
2. Ord. #2013-12
3. Findings of Fact and Conclusions of Law
4. Zoning Map
5. Future Land Use Map
6. Archaeological Boundary Map
7. Archaeological Clearance Permit

Appendices

Appendix A Traffic Impact Report
Appendix B Legal Lots of Record

1. Introduction and Request:

The property is located on the north and south side of Rufina Street and north of Agua Fria (*See* Vicinity Map). The applicant is requesting a rezoning for a 61-lot residential subdivision. The subdivision is comprised of three parcels: 4262 Agua Fria Street (Tract C-1, totaling 5.612 acres ±), 4701 Rufina St. (Tract C-2, totaling 3.437 acres ±), and 4702 Rufina St. (Tract B-1, totaling 2.423 acres ±).



Vicinity Map- Not To Scale

The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6 (*See* Exhibit 1 Site Plan). The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2. when the previous rezoning was approved (*See* Exhibit 2 Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots." (*See* Exhibit 3 Findings of Fact and Conclusions of Law).

Currently all three lots are vacant and are accessed off of Agua Fria and Rufina Street. Adequate wet and dry utilities are available to the site.

Ultimately, the applicant would like to develop a single-family residential subdivision as shown on the enclosed conceptual site plan. The plan is for reference only and is not a requirement for this request. This site plan is used as a tool to demonstrate the density, open space and probable future access to the site.

2. Existing Zoning and Future Land Use:

Tract C-1 is zoned R-5 (but is limited to development beyond R-3 as conditioned by the Governing Body), Tract C-2 and B-1 are R-3 (*See* Exhibit 4 Zoning Map). The applicant is requesting to rezone Tract C-2 to R-5 and Tract B-1 to R-6. The parcels are bounded by a mix of residential zones, MHP to the southwest, R-6 to the west, R-5 to the east R-7 PUD to the southeast and R-6 to the south.

This request falls within the parameters of the Future Land Use Map Low Density 3-7 dwelling units per acre (*See* Exhibit 5). This application does not require a General Plan Amendment.

The properties are located within the Southwest Area Master Plan. Tracts C-1 and C-2 fall within the Rivers and Trails Archeological Review District and Tract B-1 in the Suburban Archeological Review District. An archaeological clearance permit has been obtained (*See* Exhibits 6 and 7)

3. Property Description:

The property is vacant and is comprised of 3 tracts as shown on the enclosed legal lots of record (*See* Appendix B). The development will provide affordable housing, open space, large livable lots and access to Agua Fria to the north and Rufina to the south.

The land slopes primarily slopes towards the west and dry and wet utilities are available.

4. Traffic Impact:

Enclosed is a Traffic Impact Report Narrative prepared by Morey Walker and Associates Engineering Inc. (*See* Appendix A), where a determination of impact was studied at the intersections of Rufina Street and Calle Atajo, Joshua Lane and Aguafina Lane/Casa de Todos and Rufina Street and Agua Fria and Aguafina Road.

In conclusion: "the single family lots for this development will have minimal impact on the level of service for these intersections."

5. Rezoning Approval Criteria Statement:

The applicant provides the following responses to the City Code criteria for approval of the rezoning request.

(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 exist:

(i) there was a mistake in the original rezoning; (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;

There has been some significant change to the surrounding area. An increase in density has occurred once the City expanded its limits and began to provide infrastructure to the area. The annexation and expansion of services has altered the character of Airport Road and Rufina. Rezoning this property will bring it into compliance with the General Plan and Future Land Use Map of Low Density Residential (3-7 dwelling units/acre).

(b) all rezoning requirements of Chapter 14 have been met;

The rezoning requirements of Chapter 14 are addressed herein and the application is consistent with those requirements.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

The zoning request to R-5 and R-6 is consistent with the General Plan's Low Density future land use designation (See Exhibit 5).

(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

The rezoning request will provide infill development consistent with the General Plan's policy supporting the preservation of the scale and character of established neighborhoods while promoting appropriate infill development in an area already served by City water and sewer.

(e) the existing and proposed infrastructure, such as the street 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.

Existing infrastructure, including water and sewer is sufficient to serve the increased density resulting from the rezoning. Existing road networks will be impacted by this rezoning but will be mitigated by access to Agua Fria and Rufina Street.

6. Amendment to Rezoning Conditions:

When the rezoning occurred in 2013 pursuant to Ordinance No. 2013-12, two conditions of approval were placed upon the rezoning: A) Tract C-1 be development "consistent with R-3 zoning notwithstanding that it is zoned R-5," (*See* Exhibit 3 Findings of Fact and Conclusions of Law Condition #2), B) and to build "three base-course lot access driveways, each serving eight lots." (*See* Exhibit 3 Findings of Fact and Conclusions of Law Condition #3). Tract C-1 was *not* part of the 2013 rezoning action by the City of Santa Fe.

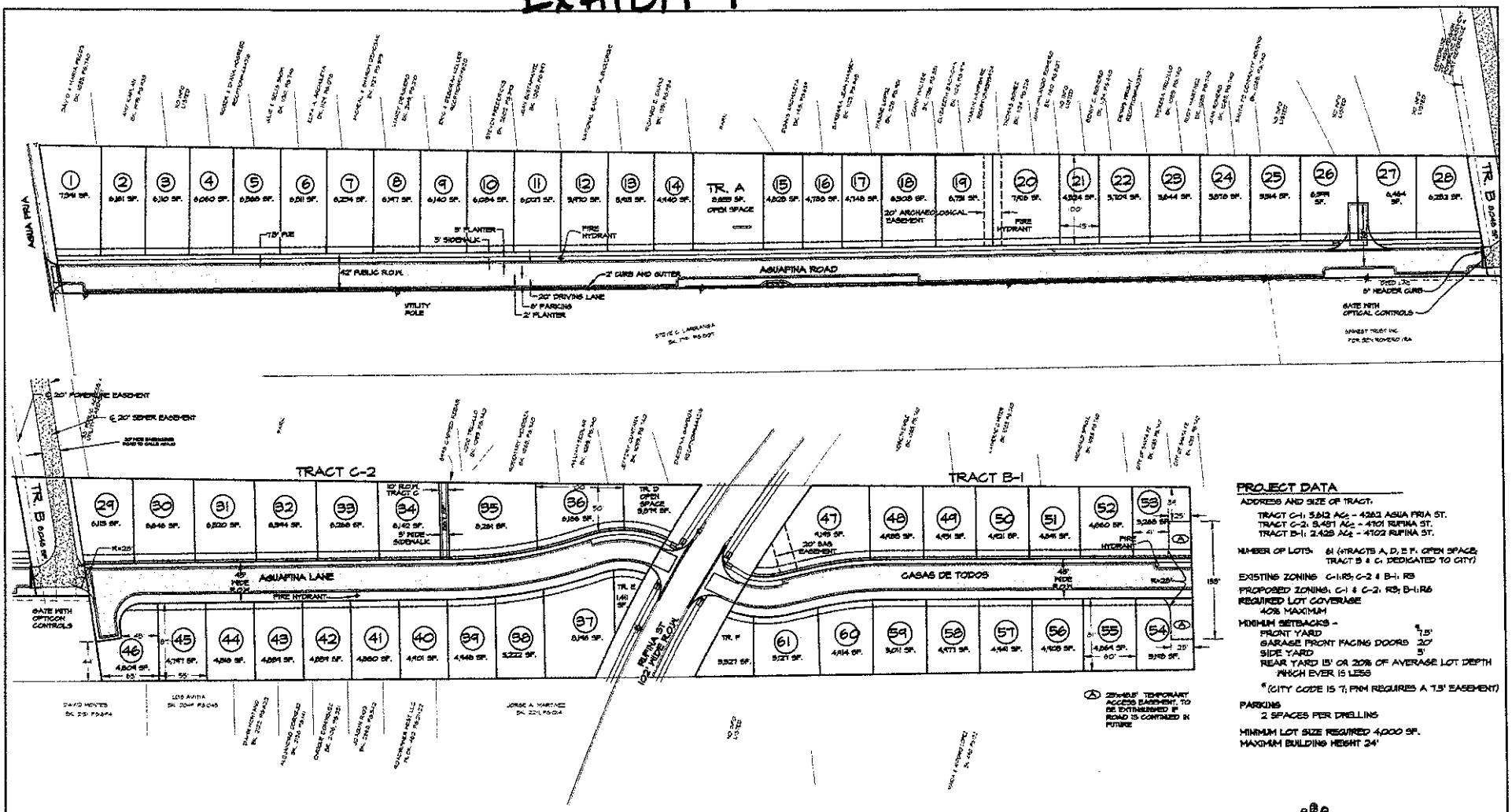
The Applicant recognizes that, as a matter of expediency, the previous owner of the Tract C-1 offered and accepted a condition that Tract C-1 be limited in its development to the R-3 standards. For a couple of reasons, the Applicant requests that this condition be removed, along with the condition that only a base course roadway be built. First, as a policy matter, the artificial limitation unnecessarily restricts the badly needed increase in Santa Fe's housing supply. The recent pandemic is driving people to Santa Fe in ever increasing numbers, and the limited housing supply is quickly driving prices upward in a manner that prevents the average working family from being able to afford to buy a home and live here. Second, the imposition of the conditions on the zoning is not enforceable under New Mexico case law. In the Mechem v. City of Santa Fe, 96 N.M. 668 (1981), the New Mexico Supreme Court held that a condition on a special exception was not enforceable, *even though it was offered and agreed to by the applicant for the special exception.* Given the questionable enforceability of placing a condition on a tract that had existing zoning, i.e., it was not part of the property being rezoned when the condition was imposed, the Applicant requests that it be expressly revoked.

With respect to the removal of Condition #3, if approved the rezoning action would require paved roads and curb and gutter. Condition #3 would be inconsistent with those requirements.

7. Conclusion:

The request for rezoning to R-5 and R-6 Districts for Tracts C-2 and B-1 to be utilized as a residential subdivision, is in keeping with the intent of the General Plan and Future Land Use Map of Low Density Residential (3-7 dwelling units/acre).

EXHIBIT 1



AGUAFINA SITE PLAN

06/22/2020

PROJECT DATA

ADDRESS AND SIZE OF TRACT:
TRACT C-1: 5,812 Ac± - 4281 AGUA FRIA ST.
TRACT C-2: 5.451 Ac± - 4101 RUFINA ST.
TRACT B-1: 2.429 Ac± - 4102 RUFINA ST.

NUMBER OF LOTS: 61 (+TRACTS A, D, E F: OPEN SPACE; TRACT B & C: DEDICATED TO CITY)

EXISTING ZONING: C-1; R5; C-2 & B-1: R8

PROPOSED ZONING: C-1 & C-2: R5; B-1: R6

REQUIRED LOT COVERAGE
40% MAXIMUM

MINIMUM SETBACKS -
FRONT YARD *7.5'
GARAGE FRONT FACING DOORS 20'
SIDE YARD 5'
REAR YARD 15' OR 20% OF AVERAGE LOT DEPTH WHICH EVER IS LESS

*(CITY CODE IS 7; PRM REQUIRES A 7.5' EASEMENT)

PARKING
2 SPACES PER DWELLING

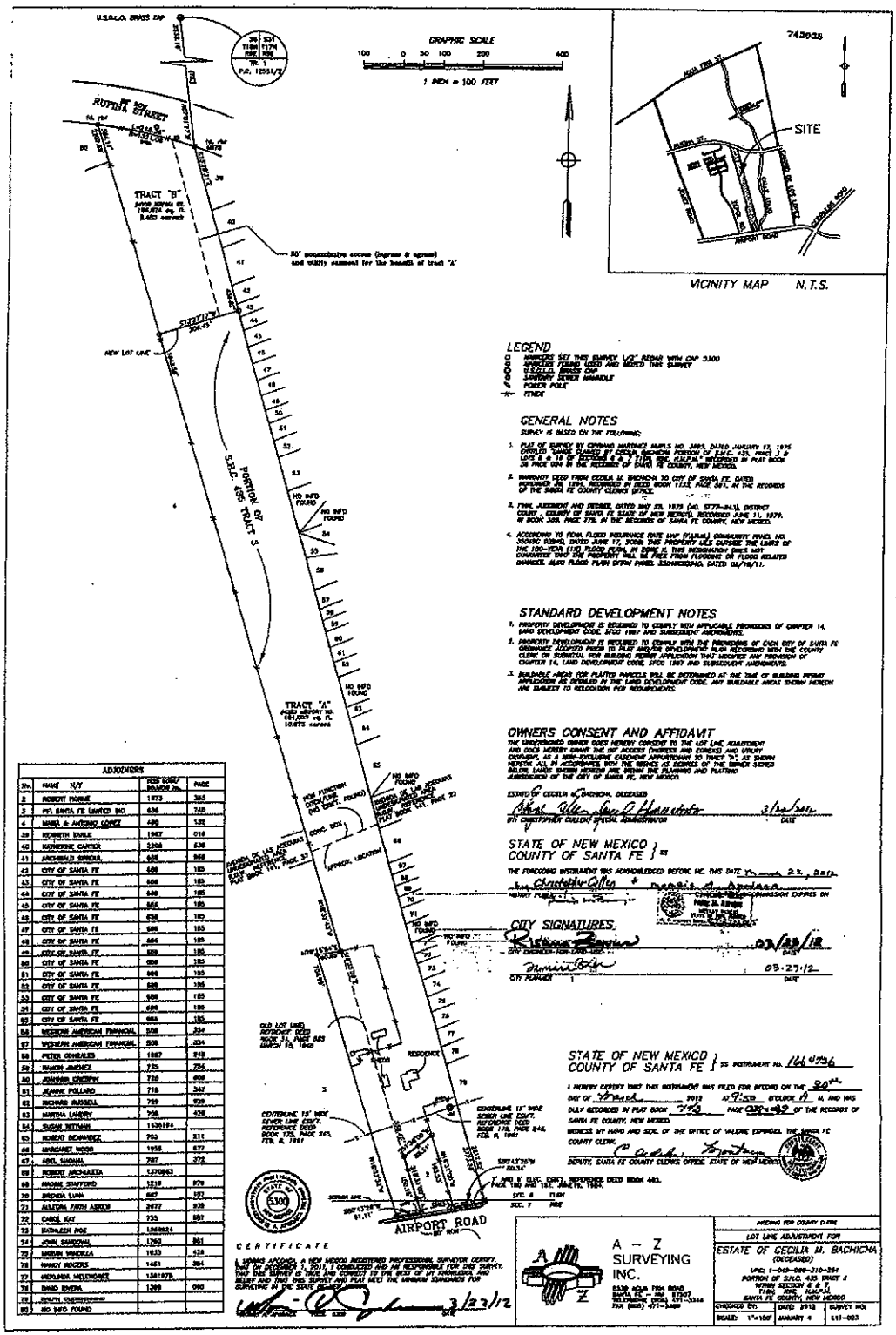
MINIMUM LOT SIZE REQUIRED 4,000 SF.
MAXIMUM BUILDING HEIGHT 24'

Ⓐ 25'=MAX. TEMPORARY ACCESS EASEMENT. TO BE EXTINGUISHED IF ROAD IS CONTAINED IN FUTURE

Liaison Planning Services Inc.
P.O. Box 1835
Santa Fe NM 87504
(505) 920-6439
liaisonplanning@gmail.com
Liaison Planning Services INC.

DESIGN ENGINUITY

EXHIBIT 1



ADJOINERS			
No.	NAME N/F	DEED BOOK/ INSTRUMENT No.	PAGE
2	ROBERT PERRIE	1873	364
3	FCI SANTA FE LIMITED INC.	636	748
4	MARIA A. ANTONIO LOPEZ	490	135
39	KENNETH EARLE	1907	016
40	KATHERINE CARTER	2208	636
41	ARCHIBALD SPRIGNA	626	868
42	CITY OF SANTA FE	686	183
43	CITY OF SANTA FE	686	183
44	CITY OF SANTA FE	686	183
45	CITY OF SANTA FE	686	183
46	CITY OF SANTA FE	686	183
47	CITY OF SANTA FE	686	183
48	CITY OF SANTA FE	686	183
49	CITY OF SANTA FE	686	183
50	CITY OF SANTA FE	686	183
51	CITY OF SANTA FE	686	183
52	CITY OF SANTA FE	686	183
53	CITY OF SANTA FE	686	183
54	CITY OF SANTA FE	686	183
55	CITY OF SANTA FE	686	183
56	WESTERN AMERICAN FINANCIAL	508	834
57	WESTERN AMERICAN FINANCIAL	508	834
58	PETER GONZALES	1887	848
59	RAMON JIMENEZ	735	754
60	JOHANNA CROSBY	738	808
61	JEANNE POLLARD	738	347
62	RICHARD RUSSELL	739	939
63	MARTHA LANDRY	706	428
64	SUSAN WITTMAN	1536184	
65	ROBERT RICHARDEE	703	811
66	MARGARET WOOD	1956	677
67	ABEL MADRAL	787	272
68	ROBERT ARCHULETA	1370843	
69	MARIE STAFFORD	1218	879
70	BRENDA LUNA	667	187
71	ALLEGRA FAITH ABEID	2477	838
72	CAROL KAY	735	887
73	KATHLEEN ROE	1568824	
74	JOHN SANDOVAL	1760	861
75	MIRIAN VIADELLA	1933	438
76	NANCY ROGERS	1451	354
77	HERLINDA MELENDREZ	1381878	
78	DAVID RIVERA	1388	080
79	RALPH CHAPPELEAR		
80	NO INFO FOUND		

LEGEND

- ○ MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 3300
- ● MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.O. BRASS CAP
- SANITARY SEWER MANHOLE
- POWER POLE
- FENCE

GENERAL NOTES

SURVEY IS BASED ON THE FOLLOWING:

1. PLAT OF SURVEY BY EDWARD MARTIN'S NO. 3885, DATED JANUARY 12, 1976 ENTITLED "LAND PLANNED BY CECILIA BACHICHA PORTION OF S.R.C. 435, TRACT 3, & LOTS 2 & 10 OF RECORDED M & P 7 (TOTAL 38.8± ACRES)" RECORDED IN PLAT BOOK 26 PAGE 005 IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
2. WARRANTY DEED FROM CECILIA M. BACHICHA TO CITY OF SANTA FE, DATED SEPTEMBER 30, 1994, RECORDED IN DEED BOOK 1133, PAGE 961, IN THE RECORDS OF THE SANTA FE COUNTY CLERKS OFFICE.
3. FINAL JUDGMENT AND DECREE, DATED MAY 6TH, 1970 (NO. 5779-84(3), DISTRICT COURT, COUNTY OF SANTA FE, STATE OF NEW MEXICO, RECORDED JUNE 21, 1979, IN BOOK 308, PAGE 778, IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 350040 0280D, DATED JUNE 17, 2008 THIS PROPERTY LIES OUTSIDE THE LIMITS OF THE 100-YEAR (1%) FLOOD PLAIN, AS SHOWN. THIS DESIGNATION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES. ALSO FLOOD PLAIN SHOWN PANEL EXAMINATIONS, DATED 08/19/11.

STANDARD DEVELOPMENT NOTES

1. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, ECDC 1987 AND SUBSEQUENT AMENDMENTS.
2. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, ECDC 1987 AND SUBSEQUENT AMENDMENTS.
3. BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE. ANY BUILDABLE AREAS SHOWN HEREON ARE SUBJECT TO RELOCATION PER REQUIREMENTS.

OWNERS CONSENT AND AFFIDAVIT

THE UNDERSIGNED OWNER DOES HEREBY CONSENT TO THE LOT LINE ADJUSTMENT AND DOES HEREBY GRANT THE CITY ENGINEER EASEMENTS AND UTILITY EASEMENTS, AS A NON-EXCLUSIVE EASEMENT APPURTENANT TO TRACT 3-1, AS SHOWN HEREON, ALL IN ACCORDANCE WITH THE SERVICE AT SCHEMES OF THE OWNER SIGNED BELOW. LANDS SHOWN HEREON ARE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

ESTATE OF CECILIA BACHICHA, DECEASED

BY: CHRISTOPHER CALLOZ SPECIAL ADMINISTRATOR — DATE: 3/22/2012

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS DATE March 23, 2012

BY Christobal Calloz & Francisco A. Apodaca

NOTARY PUBLIC — CHRISTOBAL CALLOZ — NOTARY PUBLIC — STATE OF NEW MEXICO — COMMISSION EXPIRES ON

CITY SIGNATURES:

CITY ENGINEER-FOR LAND USE — DATE: 03/23/12

CITY PLANNER — DATE: 03-27-12

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS INSTRUMENT No. 1641796

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 30th DAY OF March, 2012 AT 9:50 O'CLOCK A M. AND WAS DULY RECORDED IN PLAT BOOK 775 PAGE 039-049 OF THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.

WITNESS MY HAND AND SEAL OF THE OFFICE OF VALERIE ESPINOZA, THE SANTA FE COUNTY CLERK.

BY: [illegible] DEPUTY, SANTA FE COUNTY CLERKS OFFICE, STATE OF NEW MEXICO

CERTIFICATE

I, MIRABAL APODACA, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR CERTIFY, THAT ON DECEMBER 1, 2011, I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO.

3/23/12
DATE

A - Z SURVEYING INC.
6538 AGUA TIBIA ROAD
SANTA FE, NM 87507
TELEPHONE (505) 471-3366
FAX (505) 471-3480

HEADING FOR COUNTY CLERK

LOT LINE ADJUSTMENT FOR

ESTATE OF CECILIA M. BACHICHA (DECEASED)

UPC: 1-043-098-310-284
PORTION OF S.R.C. 435 TRACT 3
WITHIN SECTION 6 & 7
T19N, R9E, N.M.P.M.
SANTA FE COUNTY, NEW MEXICO

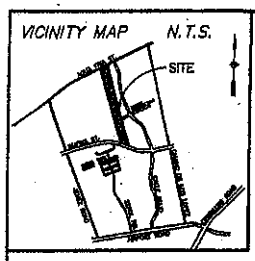
CHECKED BY:	DATE: 2012	SURVEY NO:
SCALE: 1"=100'	JANUARY 4	111-023

AGUAFINA LOT SPLIT (CASE# 2012-145)

PURPOSE: TO CREATE TWO RESIDENTIAL LOTS

785035'

VICINITY MAP N.T.S.



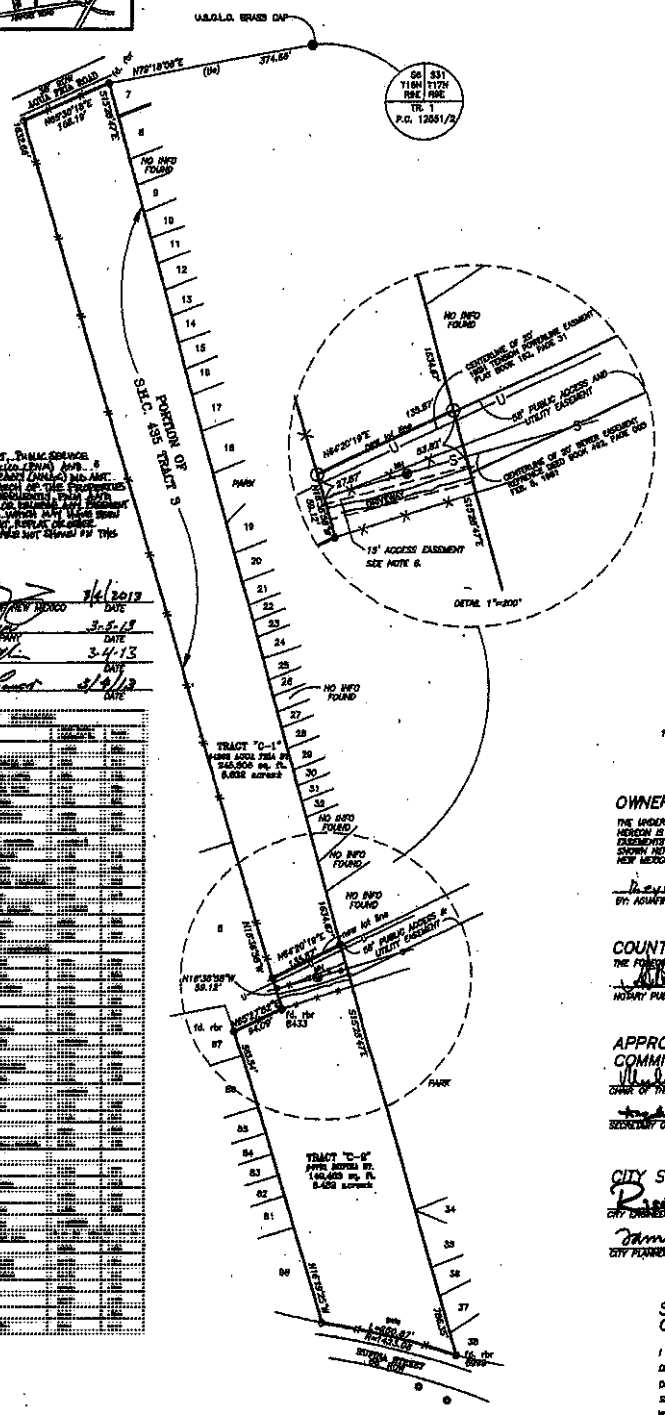
LEGEND

- MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 5300
- MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.O. BRASS CAP
- SANITARY SEWER MANHOLE
- POWER POLE
- FENCE
- OVERHEAD UTILITY LINE

GRAPHIC SCALE

100 0 50 100 200 400

1 INCH = 100 FEET


U.S.G.L.O. BRASS CAP
S6 T19N R9E S31 T17N R9E
TR. 1 P.O. 12551/2
N79°18'08"E (tie) 374.69'
NO INFO FOUND
PORTION OF S.H.C. 435 TRACT 3
PARK
TRACT "C-1" 14888 AGUA FRIA ST. 340,906 sq. ft. 8.038 acres±
TRACT "C-2" 14898 AGUA FRIA ST. 146,483 sq. ft. 8.453 acres±
15' ACCESS EASEMENT SEE NOTE 6.
DETAIL 1"=200'
50' PUBLIC ACCESS AND UTILITY EASEMENT
CENTERLINE OF 20' WATER EASEMENT PER BOOK 140, PAGE 31
CENTERLINE OF 10' SEWER EASEMENT RECORDED IN DEED BOOK 449, PAGE 040 FEB. 6, 1967
N16°38'38"W 58.12'
N63°27'02"E 94.04'
N67°39'19"E 134.49'
N16°20'19"E 139.89'
N67°39'19"E 134.49'
S16°20'41"E 139.89'
S67°39'19"W

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2013-12

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE ZONING CLASSIFICATION FOR 2.453± ACRES IDENTIFIED AS TRACT B AND THE SOUTHERN 3.432± ACRES OF TRACT C (IDENTIFIED AS TRACT C-2), A PORTION OF SMALL HOLDING CLAIM 435 TRACT 3 WITHIN SECTION 6, TOWNSHIP 16 NORTH, RANGE 9 EAST, NEW MEXICO PRIME MERIDIAN, WHICH IS LOCATED WEST OF CALLE ATAJO BETWEEN AGUA FRIA STREET AND RUFINA STREET, FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-3 (RESIDENTIAL, 3 DWELLING UNITS PER ACRE), AND PROVIDING AN EFFECTIVE DATE. ("AGUAFINA REZONING," CASE #2012-104).

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

Section 1. That certain parcels of land comprising 5.89± acres (the "Property") located within Section 6, Township 16N, Range 9E, New Mexico Prime Meridian, Santa Fe County, State of New Mexico, of which totals approximately 5.89 ± acres which are located within the municipal boundaries of the City of Santa Fe, are restricted to and classified as R-3 (Residential, 3 dwelling units per acre) as described in the legal description zoning map attached hereto [EXHIBIT A] and incorporated herein by reference.

Section 2. The official zoning map of the City of Santa Fe adopted by Ordinance No. 2001-27 is hereby amended to conform to the changes in zoning classifications for the

Property set forth in Section 1 of this Ordinance.

Section 3. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in the table attached hereto [EXHIBIT B] and incorporated herein summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on December 6, 2012.

Section 4. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

PASSED, APPROVED AND ADOPTED this 13th day of March, 2013.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

LEGAL DESCRIPTIONS

TRACT C-2

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "C-2" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N02°22'20"E, A DISTANCE OF 1646.34 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°28'47"E, A DISTANCE OF 786.35 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1423.08, AND AN ARC LENGTH OF 250.87 FEET TOGETHER WITH A CENTRAL ANGLE OF 10°06'02" TO A POINT; THENCE N16°19'25"W, A DISTANCE OF 563.54 FEET TO A POINT; THENCE N65°27'52"E, A DISTANCE OF 94.09 FEET TO A POINT; THENCE N16°36'58"E, A DISTANCE OF 59.12 FEET TO A POINT; THENCE N64°20'19"E, A DISTANCE OF 135.87 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 3.432 ACRES. MORE OR LESS.

TRACT B

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "B" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N07°01'17"W, A DISTANCE OF 2532.16 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°29'21"E, A DISTANCE OF 439.82 FEET TO A POINT; THENCE S73°27'17"W, A DISTANCE OF 206.45 FEET TO A POINT; THENCE N16°32'43"W, A DISTANCE OF 564.11 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1321.08 FEET AND AN ARC LENGTH OF 248.36 FEET, TOGETHER WITH A CENTRAL ANGLE OF 10°46'17" TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 2.453 ACRES. MORE OR LESS.

REGISTERED PROFESSIONAL SURVEYOR
STATE OF NEW MEXICO
5300
MORRIS A. APODACA

Exhibit A, Page 1 of 1

A-Z SURVEYING INC.
DECEMBER 13, 2012
L12-032

Aguafina Rezoning to R-5–Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

onditions	Department	Staff
Review comments are based on submittals received on August 15, 2012. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted: 1. The Developer shall provide an access from Tract "C" to Rufina Street, aligning the intersection with the proposed access to Tract B. Both accesses shall be partial accesses providing Right-in, Right-out, and Left-in turns only; 2. The Developer shall provide a traffic analysis of the access points to Rufina Street to determine if deceleration and/or acceleration lanes are needed and if so how long they should be; 3. The Developer shall plan this development so that it allows future access to the west that corresponds with proposed access to the east from the approved Cielo Azul Subdivision. We required the Cielo Azul developers to provide stub-outs so that their roadway network can connect to the east. The Developer shall indicate on the subdivision plat and development plan, the locations of these future Right-of-Way accesses and stub-outs (ghost lines) to the west; 4. We have reviewed a conceptual design of a subdivision that indicates a proposed access and utility easement. At such time as a submittal is made for a subdivision plat and/or a development plan, the proposed roads shall be built to City of Santa Fe standards and dedicated as public right-of-way.	Traffic Engineering	John Romero/ Sandra Kassens
The Fire Marshal conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) 2009 Edition. Below are the following requirements that shall be addressed prior to final approval of a subdivision plat. 1. Shall Comply with International Fire Code (IFC) 2009 edition. 2. Shall meet fire department access for R-5 zoning as per IFC 2009 edition, and have two points of access. 3. Shall meet fire protection requirements for R-5 zoning as per IFC 2009 edition.	Fire	Rey Gonzales
The subject property is accessible to the City sanitary sewer system and connection to the City sewer system is mandatory and shall be made prior to any new construction. Additionally, the following notes shall be included on the plat: Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.	Wastewater	Stan Holland
Based on the latest SFHP requirements, 20% of the proposed 21 lot subdivision must be designated affordable which is 4.2 (21x.2=4.2).The 0.2 lot can be satisfied by providing another lot or paying a fractional fee. The affordable lots must be spread out and not clustered. A completed SFHO proposal is required prior to review of the plans by staff prior to Planning Commission approval of the Final Plat. A Santa Fe Housing Program (SFHP) Agreement shall be signed and recorded with the Final Plat. The affordable lots shall be designated on the plat.	Affordable Housing	Kym Dicome/ Alexandra Ladd

Aguafina Rezoning to R-5–Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

onditions	Department	Staff
There is no location shown for stormwater ponding as required by the Land Development Code. All applicable requirements of Article 14-8.2 must be met if the project goes forward after the rezoning.	Technical Review	Risana "R.B." Zaxus
Section 14-8.15(C)(2) SFCC 1987 requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided does not address any park dedication. The applicant shall provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees, in order to comply with this Land Development Code requirement.	Current Planning	Heather Lamboy

ITEM # 13-0191

City of Santa Fe
Governing Body
Findings of Fact and Conclusions of Law

Case #2012-104
Aguafina Rezoning to R-3
Owner's Name – Aguafina Development, LLC
Applicant's Name – JenkinsGavin Design and Development, Inc.

THIS MATTER came before the Governing Body of the City of Santa Fe for hearing on March 13, 2013 upon the application (Application) of JenkinsGavin Design and Development, Inc. as the agent for Aguafina Development, LLC (Applicant).

The Applicant applied to rezone 5.89± acres of land (Property) from R-1 (Residential – 1 dwelling unit/acre) to R-3 (Residential – 3 dwelling units/acre). The Property is located south of Agua Fria Street and west of Calle Atajo at 4702 Rufina Street and 4262 Agua Fria Street, now known as 4701 Rufina Street. On December 6, 2012 the Planning Commission (Commission) voted to recommend to the Governing Body that the Property be rezoned to R-3 (Residential – 3 dwelling units/acre), subject to certain conditions (the Conditions). The Property is designated as Low Density Residential (3-7 dwelling units/acre) on the General Plan Future Land Use Map.

The Applicant also owns 5.632± acres of land (Adjacent Parcel) adjacent to the Property on the north, extending from Agua Fria south to approximately Powerline Road. The Adjacent Parcel is also designated as Low Density Residential on the General Plan Future Land Use Map and is zoned R-5 (Residential – 5 dwelling units/acre). The Adjacent Parcel is not a subject of the Application. However, in accordance with discussions with certain neighbors of the Property, the Applicant offered to the Governing Body to (1) submit its request for subdivision and/or development plan approval to the Commission for both the Property and the Adjacent Parcel as a single application; (2) develop the Adjacent Parcel consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for either the Property or the Adjacent Parcel as part of its application for such Commission approval, but to propose instead three base-course lot access driveways , each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across the Adjacent Parcel to permit them to access Powerline Road (collectively, the Applicant Undertakings).

Findings of Fact and Conclusions of Law (Commission Findings and Conclusions) embodying the Commission's vote were adopted by the Commission on January 10, 2013 and were filed with the City Clerk as Item #13-0023. The Applicant originally sought the Commission's approval to rezone the Property to R-5, but withdrew that request by letter dated February 15, 2013, amending the Application to request R-3 zoning for the Property. The Application before the Governing Body is therefore consistent with the recommendation of the Commission.

In accordance with the foregoing, and after conducting a public hearing, and having heard from staff, the Owner's representatives, residents of the neighborhood in which the Property is located, and certain interested others, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

1. The Governing Body has authority, under Santa Fe City Code (Code) Sections 14-2.1 Table 14-2.1-1 and 14-2.2(A) to review and finally decide upon applications for rezoning in accordance with the procedures set forth in Code Section 14-3.5(B)(2) and applying the criteria set forth in Code Section 14-3.5(C).
2. Code Section 14-3.1(H)(1)(e)(2) requires that notice of a public hearing before the Governing Body be provided in accordance with Code Section 14-3.1(H)(1)(a) and that the applicant publish notice in a local daily newspaper of general circulation at least fifteen calendar days prior to the public hearing (collectively, the Notice Requirements).
3. The Notice Requirements have been met.
4. The Governing Body reviewed the report dated February 19, 2013 for the March 13, 2013 City Council Hearing prepared by City staff (Staff Report), the recommendation of the Commission, the Commission Findings and Conclusions and the evidence introduced at the public hearing in accordance with the requirements of Code Section 14-3.5(B)(2)(a).
5. The Governing Body heard direct testimony from City staff, the Applicant, residents of the neighborhood in which the Property is located and certain interested others.
6. The Applicant offered to the Governing Body to perform the Applicant Undertakings if the Governing Body approved R-3 zoning for the Property.
7. The Applicant's offer to perform the Applicant Undertakings is a material consideration relied upon by the Governing Body in its review of the Application.
8. Commission Findings of Fact 2 through 10 and Conclusions of Law 1 through 3 accurately reflect the facts in this matter as presented at the hearing.
9. Commission Finding of Fact 12 accurately reflects the facts in this matter, with the deletion of the words, "However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property." The deletion reflects the Applicant's request to amend the Application to request R-3 zoning.
10. Commission Conclusion of Law 5 accurately reflects the facts in this matter, with the deletion of the words, "..., although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property." The deletion reflects the Applicant's request to amend the Application to request R-3 zoning.
11. The Governing Body accepts the Applicant's offer to perform the Applicant Undertakings in the event that the Governing Body approves the Application.
12. The Governing Body has considered the comments of members of the public made at the hearing relating to the future development of the Property and the Adjacent Parcel and, understanding that the Commission has the authority under the Code to review and approve with or without conditions or deny applications for subdivision and development plan approval, but mindful of the concerns of certain neighbors that are appropriately addressed in conjunction with the subdivision and development approval process, requests the Commission to consider fully such comments in reviewing and deciding upon applications

for future subdivision and/or development plan approval for the Property and the Adjacent Parcel.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted at the hearing, the Governing Body hereby CONCLUDES and ORDERS:

1. The Commission Findings and Conclusions, a copy of which is attached hereto as Exhibit A, are adopted in part by the Governing Body as follows: Commission Findings of Fact 2 through 10 and, with the deletion of the words, "However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property", Commission Finding of Fact 12; and Conclusions of Law 1 through 3 and, with the deletion of the words, "..., although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property", Conclusion of Law 5. The foregoing enumerated Findings of Fact and Conclusions of Law are hereby adopted by the Governing Body and are incorporated in these Findings of Fact and Conclusions of Law as if set out in full herein. Those Findings of Fact and Conclusions of Law not specifically adopted herein are specifically not adopted.
2. The proposed rezoning is therefore approved, subject to the Conditions and subject further to the performance by the Applicant of the Applicant Undertakings.

IT IS SO ORDERED ON THE 27TH OF MARCH 2013 BY THE GOVERNING BODY OF THE CITY OF SANTA FE.

David Coss
Mayor

3-29-13
Date:

FILED WITH THE CITY CLERK:

Yolanda Y. Vigil
Yolanda Y. Vigil /Counter 3/27/13
City Clerk

4-2-13
Date:

APPROVED AS TO FORM:

Geno Zamora
City Attorney

3/27/13
Date:

ITEM # 13-0023

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2012-104 – Aguafina Rezoning
Owner's Name – Aguafina Development, LLC
Applicant's Name – JenkinsGavin Design & Development, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on December 6, 2012 upon the application (Application) of JenkinsGavin Design & Development, Inc. as agent for Aguafina Development, LLC (Applicant).

The Applicant seeks to rezone 5.73± acres of land (Property) that comprises the southern part of a single tract of land (the Tract) west of Calle Atajo that runs south from Agua Fria Street to south of Rufina Street. The Property is bisected by Rufina Street and is zoned R-1 (Residential – 1 dwelling unit/acre). The remainder of the Tract (the Remainder) is zoned R-5 (Residential – 5 dwelling units/acre). The Applicant seeks to rezone the Property from R-1 to R-5 so that the Tract is within a single zoning district. The Property is designated as Low Density Residential (3-7 dwelling units/acre) on the General Plan Future Land Use Map.

After conducting a public hearing and having heard from staff, the Applicant, and all other interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and members of the public interested in the matter.
2. Under SFCC §14-3.5(A)(1)(d) any individual may propose a rezoning.
3. SFCC §§14-3.5(B)(1) sets out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in SFCC §14-3.5(C).
4. SFCC §§14-3.5(C) establishes the criteria to be applied by the Commission in its review of proposed rezonings (Rezoning Criteria).
5. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)(1)(a)(i)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F)(2)(a)(iii)]; and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
6. A pre-application conference was held on May 10, 2012.
7. SFCC §14-3.1(F) establishes procedures for the ENN meeting, including, without limitation:
   (a) Scheduling and notice requirements [SFCC §14-3.1(F)(4) and (5)];
   (b) Regulating the timing and conduct of the meeting [SFCC §14-3.1(F)(5)]; and
   (c) Setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].

8. An ENN meeting was held on the Application at 5:30 p.m. on July 30, 2012 at the Southside Library at 6599 Jaguar Road.
9. Notice of the ENN meeting was properly given.
10. The ENN meeting was attended by the Applicant, City staff and other interested parties and the discussion followed the guidelines set out in SFCC §14-3.1(F)(6).
11. Commission staff provided the Commission with a report (the Staff Report) evaluating the factors relevant to the Application and recommending approval by the Commission of the Rezoning, subject to those conditions contained in the Staff Report (the Conditions).
12. The Commission has considered the Rezoning Criteria and finds, subject to the Conditions, the following facts:
    (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 Plan or other adopted City plans [SFCC §14-3.5(C)(1)(a)].*
    There has been a change in the surrounding area, with an increase in density as the City has expanded southward, altering the character of the Rufina Street corridor. Rezoning will bring the Property into compliance with the General Plan future land use designation for the Property of Low Density Residential (3-7 dwelling units/acre) and with the Plan policy supporting residential development within the future growth areas is built at a minimum gross density of 3 dwelling units/acre, and an average of 5 dwelling units/acre where topography allows.
    (b) *All the rezoning requirements of SFCC Chapter 14 have been met [SFCC §14-3.5(C)(1)(b)].*
    All tbe rezoning requirements of SFCC Chapter 14 have been met.
    (c) *The proposed rezoning is consistent with the applicable policies of the General Plan [Section 14-3.5(A)(c)].*
    The proposed rezoning is consistent with the General Plan's Low Density future land use designation for the Property.
    (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 [SFCC §14-3.5(C)(1)(d)].*
    The proposed rezoning is consistent with the Plan's Low Density future land use designation for the Property and with the General Plan policy supporting the preservation of the scale and character of established neighborhoods while promoting appropriate infill development in an area already served by public water and wastewater facilities.
    (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 [Section 14-3.5(C)(e)];*
    Existing infrastructure, including water and sewer is sufficient to serve the increased density resulting from the rezoning. However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

1. The Rezoning was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with SFCC requirements.
2. The ENN meetings complied with the requirements established under the SFCC.
3. The Applicant has the right under the SFCC to propose the rezoning of the Property.
4. The Commission has the power and authority at law and under the SFCC to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body based upon that review.
5. The proposed rezoning meets the Rezoning Criteria, although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property.

WHEREFORE, IT IS ORDERED ON THE 10TH OF JANUARY 2013 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends to the Governing Body that it approve the rezoning of the Property to R-3, subject to the Conditions.

Thomas Spray
Chair

Date: 1/10/13

FILED:

Yolanda Y. Vigil
City Clerk

Date: 1.14.13

APPROVED AS TO FORM:

Kelley Brennan
Assistant City Attorney

Date: 1/10/13

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to adopt Ordinance No. 2013-11, as presented by staff.

DISCUSSION: Councilor Bushee explained that this isn't meant to prohibit activities, such as at the Railyard, as long as they get a permit. She said there are quite a few sections of City owned land and rights-of-way along the road off Hyde Park where people are parking and camping unlawfully, and having campfires. She said that is problematic in these dry weather conditions.

Councilor Calvert noted this is also happening in other areas such as in the Northwest Quadrant.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

Explaining his vote: Councilor Trujillo said, "Yes, and Robert being that we just passed this one, I want to tell you right there on the Rail Trail between Alta Vista and 5th Street, right along the middle, there's a little section there where's this little arroyo, I don't know which one it is, deep in the back there are people camping there. People see it every day and we contacted them a few weeks back, but they're back. So, just for your information.

4) CONSIDERATION OF BILL NO. 2013-2: ADOPTION OF ORDINANCE NO. 2013-12. CASE #2012-104. AGUAFINA REZONING TO R-5. JENKINSGAVIN DESIGN AND DEVELOPMENT, AGENT FOR AGUAFINA DEVELOPMENT, LLC, REQUESTS TO REZONE 5.89± ACRES FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-5 (RESIDENTIAL 5 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED SOUTH OF AGUA FRIA STREET AND WEST OF CALLE ATAJO, AT 4702 RUFINA STREET AND 4262 RUFINA STREET. (HEATHER LAMBOY, CASE MANAGER).

A Memorandum prepared February 19, 2013, for the March 13, 2013 City Council Hearing, with attachments, to Mayor David Coss and Members of the City Council, from Heather L. Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "3."

A copy of Ms. Lamboy's report statement for the record is incorporated herewith to these minutes as Exhibit "4."

A copy of a letter to the Mayor and City Councilors, with attached email, dated December 2, 2013, from Jennifer Jenkins, entered for the record by Linda Wilder Flat, is incorporated herewith to these minutes as Exhibit "5."

An aerial photograph and an aerial map, entered for the record by Jennifer Jenkins, are incorporated herewith collectively to these minutes as Exhibit "6."

Mayor Coss said, "And I understand this is a *de novo* hearing now, Geno." Mr. Zamora said, "That's correct. It'll be a full hearing, like it was the last time it was heard by this governing body.

Ms. Lamboy read her report [Exhibit "4"] into the record as follows:

Overview for Aguafina

On December 6, 2012, the Planning Commission found that all criteria for a rezoning have been met with the recommendation that the tracts be rezoned to R03 instead of the originally requested R-5.

At the City Council hearing on January 30, 2013, the City Council denied the applicant's request for rezoning, finding that the criteria for a rezoning were not met after hearing the public comment on the case.

At the following Council hearing, on February 13, 2013, the Council voted to rescind the denial and to rehear the case today.

Since the February 13 hearing, the applicant has formally modified the application to request R-3 instead of the originally requested R-5.

Staff would like to remind the Council that what is being considered tonight is a rezoning of the parcels adjacent to Rufina Street from R-1 to R-3. The separate parcel that is currently zoned R-5 (located north of Powerline Road) is not part of this application.

Visual aids may be presented tonight to give the Council an idea of how density may look as the parcels are subdivided. Please be aware that the Planning Commission has not reviewed either a Preliminary or Final Subdivision Plat, nor has the Development Review Team commented on these concept plans. The request before you this evening is only the rezoning of approximately 5.89 acres from R-1 to R-3.

The Planning Commission recommends CONDITIONAL APPROVAL for R-3 for Tract B and Tract C-2 as outlined in the rezoning bill.

Public Hearing

Presentation by the Applicant

Mayor Coss gave the Applicant 10 minutes to present their case.

Jennifer Jenkins and Colleen Gavin, JenkinsGavin Design and Development, 130 Grant Avenue, Suite 101, were sworn.

Ms. Jenkins, referring to Exhibit "6," said, "We are here this evening on behalf of Aguafina Development, LLC, in request for R-3 zoning, of approximately 5.89 acres located adjacent to Rufina Street that is shown 'here.' It's kind of hard to see but they're outlined in blue 'here' and then there's another parcel on the south side of Rufina here. 'This' is a point of contact. 'This' is the Las Acequias Neighborhood 'here,' and Lopez Lane is down 'here.' 'This' is the traffic signal at Calle Atajo."

Ms. Jenkins said, "We would like to show you a visual aid to share with you what our vision is for the property that we would pursue through a subdivision platting process if we are successful in achieving R-3 zoning this evening. And I'm going to go ahead and approach. I think it's difficult to utilize this, so we're going to pull up some boards."

Ms. Jenkins continued, "So this is also up on the screen, but just again, as a point of context, 'these' two parcels 'here' are the subject of tonight's application, 'these' two parcels, 'this' is about 3.4 acres, 'this' one's about 2.4 acres. They are currently zoned R-1. And with the R-3 zoning, the vision would be an 8 lot subdivision 'here' served by a private lot, access driveway, an 8 lot subdivision 'here,' also served by a private lot, access driveway. I'm also showing 'this' parcel 'here,' which is a 5.6 acre parcel that happens to be owned by the same owner of these parcels. And I'm showing this for illustrative purpose to reflect the communications. We've been meeting quite a bit with the Las Acequias Neighborhood, conferring with them to see if there was something we could achieve which was a win-win situation for everybody with respect to the property."

Ms. Jenkins continued, "This parcel, as Heather mentioned, is already zoned R-5. 'This' parcel permissibly would be 32 lots. We don't want to put 32 lots there. It's never been the intent. It's never been the vision. It's never been the program for this particular property owner. With R-3 'here,' we will be able to keep the density down 'here' as well. That's what we are able to accomplish with that."

Ms. Jenkins continued, "And so, in our communications with the neighbors, with the ability to access this property from Agua Fria, which is where it has frontage, the ability to serve this property with a private lot access driveway, we are able to keep the density what we're reflecting here. So, if we are successful this evening, our next step would be a subdivision plat. We plan to take all 3 tracts through the subdivision process simultaneously, and again, the caveat to this plan, obviously is the R-3 zoning 'here,' and again the ability to access these 3 little, 8-lot subdivisions, if you will, to access them via private lot access driveways with base course surfacing."

Ms. Jenkins continued, "We're not proposing any access at the Power Line Easement. That is eliminated. That 'ship has sailed.' The Council was very clear at our hearing in February that they did not want to see any access 'here,' so we have completely removed that from the plan, which sort of informed how this design came about. So, with that, I think we'll just leave it at that for the moment. I think that covers the high points, and be happy to stand for any questions."

Questions from the Governing Body

Councilor Rivera said the Fire Department typically requires two means of egress, and he doesn't see that here.

Ms. Jenkins said, "It's my understanding, Mayor, Councilors, that you can serve up to 30 dwellings with one means of egress and ingress. So, with doing just 8 lots each, there shouldn't be an issue with the emergency access.

Councilor Rivera asked if this has been cleared with the Fire Marshal.

Ms. Jenkins said there are earlier versions of this plan, and Ray Gonzales had looked at those plans, and there were similar concepts to this early on.

Councilor Rivera noted one of the residents on the other side of the property used Power Line Road to get in an out, and asked if he will still have access.

Ms. Jenkins said that is Mr. Tapia. She said, "We actually platted him an easement, just a narrow little 15 ft. easement only for the benefit of his property, so it's something that is private. It does not allow for any sort of cut-through traffic, or anything of that nature, but we have platted that easement to formalize his access."

Councilor Ives said Ms. Lamboy's Memo in the packet, notes that the Planning Commission recommended, "An emergency access shall be provided to the site from Agua Fria Street."

Ms. Jenkins said, "That was an earlier version of the plan where the R-5 parcel to the north only had access from Rufina. So we were accessing that entire stretch of property north of Rufina, only from Rufina. So in that program, they did want a secondary emergency access to Agua Fria. In this scenario, it wouldn't be necessary."

Councilor Dominguez asked Ms. Jenkins, "Do you have a handout of that."

Ms. Jenkins said no, she didn't bring reduced copies of that. She said, "I would happy to provide that.."

Councilor Dominguez asked, "If there is any way, just for the hearing tonight, Geno, that we can identify that as Exhibit A or something, just to make it very clear."

Mr. Zamora said yes.

Mr. Jenkins said, "And we can provide this. We always provide all of our visual aids to the recorder, so that can be part of the record [Exhibit "6"]."

Speaking to the request

All those speaking were sworn en masse.

Linda Wilder Flatt, Las Acequias, 950 Vuelta del Sur [previously sworn]. Ms. Flatt said the Governing Body just a received a letter from the Las Acequias Association and Board [Exhibit "5"].

Ms. Flatt said, "This has been a long process. You guys have seen us quite a bit, and we're hoping this resolves everything. I would like to say this meeting tonight is very important, because this rezoning decision will set the stage for what happens with the 11 ½ acre parcel, Aguafina. You see the 9 listed conditions below [Exhibit "6"]. We believe, and we want to clarify the exact conditions we have set down in order for us to feel safe and guaranteed that the property will be developed as promised when it is rezoned to R-1. Unless all of the conditions listed below be made legally binding and enforceable in this actual plat, we will not have any guarantee that anything will be followed through with, from the owner, the JenkinsGavin Design Team or the buyers that purchase any one or all of the 24 lots as shown in the Jenkins/Gavin new plan."

Ms. Flatt continued, "I'm not going to read any more, but I would like for you to know that the most important thing is Number 1, is that we must be guaranteed that all conditions and restrictions will cover both pieces of land, both north which is R-5 and in the County at this time, and the one that you're deciding on tonight for R-3, which is the southern part. We must be guaranteed that that it will be legally binding and enforceable for being in the plat and that it will be on the record for all 11½ acres as one property. Thank you."

William Mee, 2073 Caminos de la Montoya, Agua Fria Village [previously sworn]. Mr. Mee said, "My concerns have basically been taken care of with Linda Flatt's Las Acequias letter [Exhibit "6"], and it will be on Section 9, which addresses the access to Agua Fria Street. There's a precedent that none of the City subdivisions actually enter Agua Fria Street, but we are willing to break that precedent with this particular subdivision with only 8 lots having access to Agua Fria, and then there would be an emergency gate between those 8 lots and the next 8 lots, which would then access Rufina. And the County Public Works Department has issued a conditional driveway permit to JenkinsGavin based on, if they fill in the plat with restrictions that cover number 9 in the Las Acequias letter [Exhibit "6"]. So, we're okay with it because it is such minimal use. Thank you."

Response by Applicant

Ms. Jenkins said, "I'm seeing this for the first time. A lot of this is not unexpected, but there are a few items that would be important to access. We are absolutely not in agreement to restrict guest houses. These are generous lots. They range from 3/4 acre to 1/3 acre. They're the largest lots in the vicinity. And the City Code permits accessory dwelling, mother-in-law units, and so we do not believe that is a fair request."

Ms. Jenkins said, "We are in agreement to, obviously as you can see from the plan we showed you, that there be no access via Power Line, except for Mr. Tapia and his family. We do not believe it is our responsibility to construct a gate. If that's something that Mr. Tapia chooses to do for his access, I think that would be... I don't think we're in a position to impose something on Mr. Tapia with respect to his access."

Ms. Jenkins said, "We are happy to work out something with respect to #6, regarding, when we go through the subdivision phase, if the City would prefer to provide park area, or would prefer us to provide Impact Fee funds. The City has already said they would prefer land at this point, but we can work that out at the subdivision stage. We do not feel it is our responsibility to fund a wall on Power Line, when we're not even using Power Line."

Ms. Jenkins said, "We are in agreement with the rest of these items, and just making it clear that the visual aid that you see before you, the concept that we would love the opportunity to implement, is contingent on a couple upon a couple of things. It's contingent upon our getting access to Agua Fria from the north parcel which we have already addressed with the County Clerk [inaudible] and we're able to serve each of these 8-lot subdivisions with private base course lot access driveways. That's how this is viable. And so we are in agreement with everything else listed in the letter, so I'd be happy to stand for more questions. Thank you."

Remarks from the Las Acequias Neighborhood Association

Ms. Flatt said, "I would like to explain a little bit further. We felt that, and I talked with Carmichael Dominguez before, that the situation with having park property was a decision that we also had a voice in, because we were right next to the property. And what we are requesting is, rather than having a small park in where they are, we would rather have the money put toward the wall, that would go along.... and that would help our park, if that makes sense."

Mayor Coss said then it would be an improvement to the park.

Ms. Flatt said, "It would be an improvement to the park, and it would certainly help the poor people that would be behind that wall, because it would stop the noise from the park. That is what we're willing to give, or to want for the park, which is what we would be asking for which would be park improvements."

Ms. Flatt continued, "I would like to correct one thing. I don't believe... I was sort of listening to William when he was saying that there would be an emergency exit to the south of those north 8 lots. Is that correct William."

Mr. Mee said, "Yes."

Ms. Flatt said, "Okay. That would go across the driveway from Mr. Tapia, and the other part that I feel is the responsibility of everybody involved, is to help support Mr. Tapia, in that he has the right-of-way across that easement on Power Line Road. And we felt, as an Association, we were trying to support his benefit in saying that there should be fencing along each side of that drive back to where he is and across Aguafina, so there is no access for the Aguafina people to get onto his road. Does that make sense. Okay. The second part to that is, we felt that because of the situation, a part of the money that would have been dedicated for the park preservation or upkeep or whatever, would be the wall and the second part would be that iron gate, because that would keep people from parking along the side of the park, which we've had a great deal of problem with. So part of that money would go toward that gate so that Mr. Tapia would have the ability to be able to get and out or all of his people get in and out. Does that make sense."

Ms. Flatt continued, "Let's see. I think everything else... the other thing is the guest house. One of the things that our Committee was concerned about was, is that we oftentimes see that a guest house ends up being split into another section on the property, where they end up having two individual families living on a one-family unit dwelling property. Does that make sense too. Okay."

Mayor Coss said, "Yes."

Ms. Flatt said, "Yes. The other thing is that we did cross out, as you see, on requiring homes have a permanent foundation, whether it be stick built or modular. Jennifer did say, in her last meeting, that she would attempt to have it set so there would be no manufactured homes if that was written in the covenants and in the information for the subdivision. Was there anything else Jennifer. Okay. We could share."

Ms. Jenkins said, "We are in agreement that obviously stick built homes will be on a permanent foundation. We're also in agreement, if there are modular homes or manufactured homes they will also be on a permanent foundation. We are not discriminating against what people may want to put there, but we have very strict architectural guidelines and covenants that address that. And we talked about those at the last hearing. And so everything will be at-grade and stuccoed and all these types of provisions to make sure it is an attractive neighborhood. And we know we are going to have stick built product in the neighborhood. We may have manufactured or modular homes in the neighborhood – we don't know for sure. But our goal is to make sure all that works cohesively and harmoniously together via the architectural guidelines that we're implementing. I think that's it. Thank you."

Ms. Lamboy said, "I am having a big concern here, because we are considering a rezoning this evening, which, we're trying to determine whether something is appropriate. There has been a lot of work

that the Las Acequias Neighborhood Association has put into this development, and I do laud them for their involvement. However, a lot of these are conditions that are dealt with at a site plan level."

Ms. Lamboy continued, "With reference to the guest house issue, it's quite possible, and actually staff has brought this up with the applicant whether no lots splits would be allowed and a note be placed on the plat. These are some issues that can be solved quite simply. But there's danger there too, that in dealing with the street sizes and the street types, those have not been reviewed by Mr. Romero. Mr. Romero is here tonight to speak to these issues, but we have not had the benefit of the Development Review Team to be completely involved in this."

Ms. Lamboy continued, "Another issue to remember, with reference to parks, is that there is a trail, the Acequia Trail that traverses the Power Line Road and connects to Cielo Azul to the west, where there is an easement that is already dedicated. And so, at some point in the site plan review, it would be appropriate for staff to make sure that there's connectivity, at least pedestrian connectivity up from Agua Fria Road all the way through to Rufina, allowing the residents of this development to connect to the park facility that, if Las Acequias were to benefit from the funds, then the residents ought to benefits from something as well."

Ms. Lamboy continued, "These are all site plan issues that can be worked out, at the Planning Commission level, but what is before the Council tonight is whether the density is appropriate and whether this is right for this part of town. And our Southwest Area Master Plan and our Code does provide for this density and is contemplated in our General Plan."

Kelley Brennan, Assistant City Attorney, said, "I wanted to reinforce what Heather said, that this is a rezoning. A subdivision and development plan approval would come before the Planning Commission, and many of these comments should be addressed in that context. I understand that the Applicant has agreed, as a condition, if zoned to R-3, to develop the other parcel to R-3, and to make some design concessions. Those are things that are being offered up, but you cannot start tonight. It hasn't been advertised. It's not within the jurisdiction, right now, of this Council to impose a lot of these conditions on rezoning."

Mayor Coss said we might want to ask which ones we can impose right now, and which ones we can't.

Councilor Bushee said, "That's where I was headed, before even Heather stood up, is exactly what we can apply as a condition of approval, and also noting they could go out and strike up their own kind of contract or agreement with the applicant or developer, apart from what we can condition. So I guess, I'd like to be really clear before we vote on anything, what exactly we can condition approval on, in terms of the rezoning. "

Ms. Brennan said, "The applicant has offered a number of things, specifically, as I recall to develop the other parcel, now zoned R-5, to the R-3, and then to bring them forward as a single parcel and to address the road issues that were identified at the last hearing for the neighborhood."

Councilor Bushee would like these spelled out very clearly, noting we have the letter from the Neighborhood Association [Exhibit "5"], but we don't have clearly what the applicant has agreed to, to impose as a condition of approval, and how these are carried forward to the plat and development review stage, so we can be sure the thing they want most, which is a guarantee that restrictions would cover both pieces and would be legally binding and legally enforceable. She asked how that will be recorded, noting it would matter in terms of our decision in the rezoning being presented tonight.

Ms. Brennan said, "She has offered that, and you can accept that offer and do a rezoning."

Councilor Bushee asked, "How is that somehow recorded – just through our rezoning vote tonight. Does it go onto the Plat. And then the other road issues. Can you address those as well. I'm assuming we're limited on all the other design issues and park issues and the like."

Ms. Brennan said, "I think the Power Line Road issue is something that is identified as something that the applicant has offered."

Responding to Councilor Bushee, Ms. Brennan said, "I think the applicant is the person who can explain what they are offering, to accept as conditions to the rezoning of the subject parcel to R-3."

Councilor Bushee asked how the Neighborhood Association is guaranteed that those are conditions and how they're placed.

Ms. Brennan said, "It's a condition of the rezoning, and it will be carried forward in the record, and when they come forward for Planning Commission approval, those would be reflected in the application."

Councilor Bushee said, "And so a lot of this other stuff will be dealt with through private contract, through covenants or what have you."

Ms. Brennan said, "And yes, before the Planning Commission Review process."

Councilor Bushee said, "Okay. So maybe I can hear from Jennifer what actually you are willing to impose as conditions."

Mayor Coss asked Councilor Dominguez if he has remarks, and he said no.

Ms. Jenkins said, "I do want to acknowledge staff's concerns. This is a conceptual site plan and we're not here doing subdivision today. However, we all know that with rezone applications, you can't really talk about a rezone until you know what the plan is, and that is why we have tried to be very

transparent and forthcoming throughout this entire process with our concepts, which changed a little as we got feedback from staff about different access requirements and everything."

Ms. Jenkins continued, "So this is where we have sort of ended up, with respect to our request this evening. So, with respect to the parcels that are the subject of tonight's hearing, which are the 3.4 acre parcel "here," and the 2.4 acre parcel on the south side of Rufina. Oh, I'm sorry, can we have the screen on, there we go. So again, this map is also what you see down here, so this is the 3.4 little over acre parcel here and the 2.4 'here.' What we would like the opportunity to do when we come in for subdivision is to two, 8-lot subdivisions that are served by base course lot access driveways. Those two things go together. You can't separate them. That is a critical part of this, and we've been very candid and up front with Las Acequias as well throughout this process about... they like this plan, we like this plan. I think there was some general consensus about this plan here. And with the ability to do that on these parcels we're talking about tonight, it enables us to keep the density low on the northern R-5 parcel as well. And it's just because these parcels happened to be under the same ownership."

Ms. Jenkins continued, "It is my understanding that we can't place a condition on a neighboring parcel as a result of the rezoning, but I have been very candid, and very much on record about this being our intent. And my hope is, that as we move through the subdivision process, we are able to accomplish this. This is what we want to do. This is what the neighbors want us to do."

Councilor Bushee said, "The neighborhood is treating it as one subdivision plan for 11½ acres. Jennifer is mentioning the 3.4 and a 2.4 and not mentioning the other... has this been advertised."

Councilor Dominguez said he heard the Applicant say earlier they would be willing to treat all 3 in one subdivision application.

Councilor Bushee said, then we don't need to rezone the other anyhow.

Ms. Brennan said, "You can't rezone the other right now. It does not need rezoning. They have agreed to develop it to a lower intensity and that will be..."

Councilor Bushee said, "We're a step ahead of ourselves with the discussion of how the neighbors want to proceed. But it is essentially lowering the density overall, which is the main thrust of what the neighborhood would like to get out of this rezoning. Although, I think the road issues are key, and I'm not really getting that in writing anywhere from anybody, other than the Neighborhood Association. I just want something spelled out for the record, for all of us, to know what we're voting on. The conditions of approval. Still not there yet."

Ms. Jenkins said, "With respect to the Power Line easement, we find it incredibly acceptable to say that none of the Aguafina lots would be entitled to access to Power Line easement. And as a condition of the rezone, we would be happy to agree to that, and that's also something we would definitely put on the subdivision plat."

Councilor Bushee said, "Okay. And on Agua Fria."

Ms. Jenkins said, "We currently have a condition, if you will, sort of agreement with the County Public Works Department. Santa Fe County controls that stretch of Agua Fria, so we had to work directly with them about the possibility of accessing this property. And their caveat is, they're comfortable, as Mr. Mee stated, Santa Fe County is comfortable with allowing access to Agua Fria for that northern parcel as long as it is limited to 8 lots."

Councilor Bushee said, "And you're in agreement essentially with the language."

Ms. Jenkins said yes.

Councilor Bushee said, "Thirdly. Do we deal with parks here at all, or are we ahead of ourselves again."

Ms. Jenkins said we probably are a little ahead, noting that is at subdivision.

Councilor Bushee said, "It came up in the last hearing and that's why I'm wondering where we are with that, and I think that's all we can address here."

Ms. Brennan said, "Parks would be part of the planning process. And also, in further answer to your question about how this is embodied, we will do Findings of Fact and Conclusions of Law to embody your decision."

Councilor Bushee said, "I do recall the first hearing discussing parks and parks dedication and the City's request for land, and so I'd like to be as clear as we can be on this."

Ms. Brennan said, "There is a condition in your staff report, relating to parks that requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided, does not address park dedication. The applicant should provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees in order to comply with the Land Development Code requirement."

Ms. Flatt said, "Jennifer and her group, we have worked together. I'm not trying to present this and make it sound like we're presenting all this stuff that isn't a part of what we've discussed. The reason that I presented all of this, I was told by several people, legal people, that it is important for us to make sure that during this rezoning process, because it is only for one part of it, that we make it very clear that the whole thing needs to work together as one subdivision. That's one thing. And the second part is, is that all of these conditions are very important to us and it is an integral part, I think, of making it successful, and I

wanted it entered as a part of the record. And what Patti was asking is very true. Even though it's not really applicable to tonight's discussion, it is important and it needs to be recorded, and that's why I did the presentation."

Mayor Coss said, "That helps. Thank you."

Councilor Dominguez asked Ms. Brennan, "In terms of Findings of Fact and all that legalese stuff, would it still be appropriate enough for us to articulate some of these requests that aren't required for rezoning, maybe not accepted, but considered at the next phase. Just so that we make sure that we get it part of the record and it's not just a testimony, but that it be part of the Findings of Fact and Conclusions of Law."

Ms. Brennan said, "I think you can ask the Planning Commission and any other reviewing body to consider the concerns of the neighborhood as expressed tonight." Responding to Councilor Dominguez, Ms. Brennan said you could make a Finding and a recommendation.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Rivera, to Adopt Ordinance No. 2013-12, approving Case #2012-104, and "along with that approval are the conditions that the applicant has agreed to, one of them is that the parcel to the north of Power Line Road be 8 lots as it's been articulated in the presentation by the applicant; limited access to Agua Fria; that Power Line Road also not be used as an access for the applicant or for the development or any other lots actually; essentially that one subdivision plan will be provided for all 11 ½ acres, asking if this is something we can do and Ms. Brennan said the applicant has agreed to that;" and with all conditions of approval as recommended by the Planning Commission, "and if there's anything that's conflicting that they be resolved appropriately."

DISCUSSION: Councilor Ives said, "And on that point, presumably, the emergency access from Agua Fria Street, if we're talking about that design doesn't apply.

Ms. Brennan said, "To the extent that this body's decision creates conditions that conflict with the Planning Commission's, this body's decision would control."

Councilor Dominguez said, "Okay, well then, there you go. Is that clear."

Ms. Brennan said it is clear.

DISCUSSION: Councilor Dominguez said, "So, then I guess, all the other things, I just want to make sure that that they're part of the record and findings, but I'll address those after."

Councilor Dominguez continued, "Let me just continue real quick, and maybe the second wants to speak to that. I just want to make sure that the Planning Commission and the applicant really consider the idea of requiring that all homes be on a permanent foundation, etc., I think that stuff has been articulated by the neighborhood already. I also want for the applicant to consider what the neighborhood has said with regards to the park and the monies that maybe would be allocated for the park, that they be used for some of the other amenities that they're looking at. And the other stuff, like items #7 and #8, are really part of the covenants. Maybe the applicant can make sure that they work with the neighborhood to strengthen the covenants. We're really going to rely on the neighborhood to make sure that the covenants are followed, and that would even pertain to the idea that we have guest houses. The neighborhood is really going to have to make sure that the City is following the rules that we have in place with regard to guest houses, so I just want to make that part of the record as well. And I think that's it."

Councilor Rivera thanked Ms. Jenkins and the Neighborhood Association for getting together, and really listening to the concerns of this Council, and for you listening to the concerns of the neighbors, and for coming up with "what I think is a very reasonable plan, and for being transparent on what you plan to do with the northern piece is very helpful for my vote personally."

Councilor Rivera said, "What I wanted to do is to clarify and it's something that Councilor Ives brought up, but the emergency access off Agua Fria was only when the road was going to stretch from Rufina all the way to Agua Fria."

Ms. Jenkins said, "Yes. And I actually have a plan in here in my presentation that shows that. But yes, we had an earlier version of this when we were connecting to Power Line Road. We had no access to Agua Fria because of the quantity of lots, and we realized that probably wasn't going to be a reasonable solution, and we would end up creating a through street between Rufina and Agua Fria, and nobody wants that. And so, in the earlier version of the plan, when we met with Ray Gonzales, he said we're going to be serving this property in terms of emergency response from that Agua Fria Station. And so, that's when the emergency access was necessary."

Ms. Jenkins continued, "Under this program we have regular, full access to Agua Fria, so a secondary emergency... and Ray's perfectly comfortable serving 8 lots with a generous emergency turnaround, of course per his standards, and plenty of room to back up."

Councilor Rivera said then the recommendation made by the Planning Commission or staff, is a moot point.

Ms. Jenkins said it is not applicable, based on the program they are showing tonight.

Councilor Rivera said, "Mr. Mee was saying one thing about emergency access between the two turnaround points."

Ms. Jenkins said, "That hasn't come up yet. If that's something that Ray felt was important we could look at that. Based on my experience, I don't see that it's something he's going to want, but he might. And obviously, through the subdivision process, we'll be meeting with Ray and exploring that. What we like about this plan, is it really keeps Power Line Road out of the mix. There's no opportunities for cut-through traffic. And so, if that's something that Fire Marshal Gonzales wanted, we would just have to be very strategic about how we did that, because again, we don't want to encourage any traffic getting onto the Power Line Easement. It hasn't come up at this point, that it's necessary, but again, through the subdivision process, we will work that out with the Fire Marshal."

Councilor Rivera said in Ms. Jenkins initial presentation, she said that was not an option, that you were not going to have emergency access.

Ms. Jenkins said, "No. It's not our preference and I don't believe it will be necessary, per my understanding of the International Fire Code and access provisions."

Councilor Rivera said he believes she is right.

Councilor Ives said, "My recollection from our last time on this matter, was that the Power Line Easement was actually an easement held by the City, is that correct."

Ms. Lamboy said, "The Power Line Easement was recently dedicated through the lot split process that separated the R-5 parcel from that lower tract. And previously, there was no formal easement that was there. There was an informal drive, to the north of Las Acequias Park, was used by Mr. Tapia to access his property. As part of that review, we formalized that access easement so he would have access in perpetuity."

Councilor Ives said, "I'm think more of the Power Line Easement which is part and parcel of the Las Acequias, that's a City owned easement. So, presumably, we have some say or control over what use is made of it. Is that correct."

Ms. Lamboy said that is correct.

Councilor Ives said, "Again, I think it's within the Governing Body's power to deal with that and I appreciate the offer of the applicant to limit the use, but I really think that's probably more an inherent power of the Governing Body than the applicant in the first instance, and that is something that would play out presumably in the subdivision platting process."

Ms. Lamboy said, "I would certainly want to consult Ben Gurule of the Parks Department first to see what the role of that is, before we make any changes."

Councilor Ives agreed. He said, "I note in the letter from the neighborhood, they want no changes to any of the shown plans from the new design, and honestly, this hasn't been through the Land Use Department yet, and they may impose additional requirements, obviously all designed to ensure that the property adheres to applicable City Codes and is safe. So it's not a matter of not necessarily wanting what you want, but there's a whole body of City law out there designed to ensure that any property which gets developed is developed properly, and will need to go through those processes, and I do trust Matt and his office to do the good job that they usually do in addressing any subdivision and plans that are submitted to them. I think that's all I have."

Councilor Dominguez said, "It's really about trying to get an appropriate density, that's really what we're leaning towards, and I think that's something that needs to be considered overall. That's it."

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

18. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

19. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of March 13, 2013, is incorporated herewith to these minutes as Exhibit "7."

Councilor Dimas

Councilor Dimas congratulated the Santa Fe High School Demon girls for making it to the semi-finals, noting St. Michael's won tonight and will be in the semi-finals. He said the Santa Fe Indian School girls will be in the semi-finals as well, but he doesn't know about Capital High. He said we wish everyone the best of luck.

Councilor Calvert

Councilor Calvert introduced a Resolution supporting continued enforcement and funding of the Federal Endangered Species Act. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

TRAFFIC IMPACT REPORT

For

Aguafina Development

Prepared for

Liaison Planning

Prepared by

MOREY WALKER AND ASSOCIATES ENGINEERING, INC.

November 15, 2019
Rev: July 8, 2020

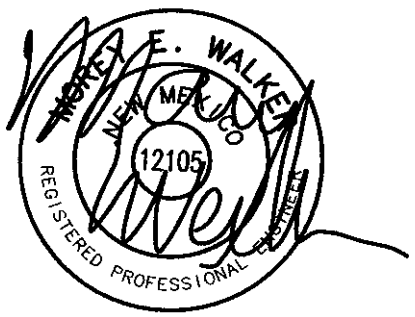


TABLE OF CONTENTS

I. INTRODUCTION ..... Page -3-
A. Project Location and Description ..... Page -3-
B. Purpose ..... Page -3-

II. ROAD CONDITIONS ..... Page -3-
A. Existing & Proposed Conditions ..... Page -3-
B. Existing Traffic Volumes ..... Page -4-
C. Future Traffic Volumes ..... Page -4-

III. TRIP GENERATION AND TRAFFIC DISTRIBUTION ..... Page -4-
A. Trip Generation ..... Page -4-
B. Site Traffic Movements ..... Page -5-
C. Design Traffic Movements ..... Page -5-

IV. TRAFFIC EVALUATION ..... Page -5-
A. Level of Service ..... Page -5-
B. Calle Atajo and Rufina Street ..... Page -5-
C. Rufina Street and Joshua/Lois Lane ..... Page -6-
D. Rufina Street and Aguafina Road ..... Page -6-
E. Agua Fria and Aguafina/Martin Mora Road ..... Page -7-
F. Conclusion ..... Page -9-

V. SUMMARY AND RECOMMENDATIONS ..... Page -9-

Appendix A - Traffic Counts at Calle Atajo and Rufina Street
Appendix B – Traffic Counts at Joshua/Lois Lane and Rufina Street
Appendix C – Traffic Counts at Agua Fria and Martin Mora Road
Appendix D - Trip Generation
Appendix E - Level of Service – Calle Atajo and Rufina Street
Appendix F – Level of Service –Rufina Street and Joshua/Lois Lane
Appendix G – Level of Service – Rufina Street and Aguafina Road
Appendix H – Level of Service – Agua Fria and Aguafina/Martin Mora Road
Appendix I – Traffic Light Timing at Rufina Street and Calle Atajo

I. INTRODUCTION

A. Project Location and Description

The Aguafina Subdivision will consist of 61 single family fee simple lots between Airport Road and Agua Fria and within the City of Santa Fe. The southern section of 33 lots will have access to Rufina Road of which 18 units are north of Rufina and 15 units are south of Rufina. The northern section of 28 lots will have access directly Agua Fria. Refer to Figure 1 for location map and to Figure 2 for site plan.

B. Purpose

The purpose of this Traffic Impact Study is to determine the impact of the Aguafina Subdivision at the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road. Refer to location map for intersections studied.

II. ROAD CONDITIONS

A. Existing and Proposed Conditions

At the study area, Rufina Street is a two-lane road with dedicated left turn lanes in all directions at the intersection of Calle Atajo. The speed limit for this section of Rufina is 35 mph. Agua Fria is a two-lane roadway with a speed limit of 35 mph. Current traffic lane configuration for the all four studied intersections is shown on Figure 3.

The intersection of Calle Atajo & Rufina Street is controlled by traffic signal lights with dedicated left turn lanes. The remaining studied intersections are unsignalized and controlled by stop signs on the minor north/south roads.

B. Existing Traffic Volumes

At the intersection of Calle Atajo and Rufina Street, AM and PM peak hour traffic counts were conducted on January 15, 2019 (Appendix A). At the intersection of Rufina Street and Joshua/Loris Lane, a peak hour traffic counts were conducted by Walker Engineering on October 9, 2019 for AM and PM peak hours (Appendix B). At the intersection of Agua Fria and Martin Mora Road, AM and PM peak hour traffic counts were conducted on October 8, 2019 (Appendix C). Refer to Figure 4 for current background traffic volumes.

C. Future Traffic Volumes

A design year of 2024 has been selected for this development. Based upon NMDOT standards, a 3% yearly increase was used to simulate traffic growth in this area. Figure 5 shows the Year 2024 increase in background traffic for the studied intersections.

III. TRIP GENERATION AND TRAFFIC DISTRIBUTION

A. Trip Generation

The AM and PM peak hour traffic volumes are derived from the Institute of Transportation Engineers, Trip Generation, 9th edition. Land Use category 210 residential single family lots were used in the analysis. Data from Trip Generation for both entrances are found in Appendix D. Table 1 summarizes the information found in Trip Generation..

Table 1
AM and PM Peak Hour Traffic Volumes

Location	Size	Section	AM Peak		PM Peak	
			Entering	Exiting	Entering	Existing
Northern Section	28 Units	NB to Agua Fria	5	16	18	28
Southern Section	18 Units	SB to Rufina	4	10	12	6
	15 Units	NB to Rufina	3	9	10	5

B. Site Traffic Movements

Based upon current traffic patterns and directional percentages and upon the average trip generation as shown on Table 1, the Aguafina Subdivision traffic was distributed at the studied intersections. This distribution is shown on Figure 6.

C. Design Traffic Movements

Using the 2024 background traffic from Figure 5 and the traffic distribution from Figure 6, the combined background and site traffic for the studied area is shown on Figure 7. Figures 5 (No Build) and 7 (Build) were used to conduct the level of service evaluation.

IV. TRAFFIC EVALUATION

A. Level of Service

Synchro Ver 10 software was used to determine the operational level for the intersection. An LOS is conducted for year 2024 design year. The design year includes the annual increase in background traffic and the site traffic. Level of service is ranked from A-F, with A being the highest level of service with the least delays and F indicating a break-down in the operation of the intersection.

Figures 8, 9 and 10 are the Synchro computer models for the 2024 AM & PM No Conditions and 2024 AM & PM Build Conditions for the four studied intersections.

B. Calle Atajo and Rufina Street Intersection

Derived from the Synchro Ver 10 computer runs, Table 2 is a summary of the level of service for the intersection of Calle Atajo and Rufina Street. Traffic volumes were taken from both Figures 5 and 7 for the design year 2024 traffic. The computer printouts can be found in Appendix E. Traffic Signal Timing was obtained from the City of Santa Fe and is attached in Appendix I.

Table 2
Level of Service Analysis
Calle Atajo and Rufina Street Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Calle Atajo SB	19.0/B	18.5/B	19.5/B	19.0/B
Calle Atajo NB	22.4/C	21.1/C	22.9/C	21.4/C
Rufina St WB	16.0/B	28.6/C	15.9/B	29.6/C
Rufina St EB	33.0/C	20.0/B	34.2/C	20.0/B
Intersection	25.7/C	24.8/C	26.5/C	25.3/C

C. Rufina Street and Joshua/Lois Lane Intersection

Derived from the Synchro Ver 10 computer runs, Table 3 is a summary of the level of service for the intersection of Rufina Street and Joshua/Lois Lane. Traffic volumes were taken from both Figures 5 and 7 for the design year 2024 traffic. The computer printouts can be found in Appendix F.

Table 3
Level of Service Analysis
Rufina Street and Joshna/Lois Lane Road Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Rufina Street EB	7.9/A	8.8/A	7.9/A	8.8/A
Rufina Street WB	8.6/A	8.2/A	8.6/A	8.2/A
Lois Lane SB	19.5/C	25.0/D	19.6/C	25.4/D
Joshua Lane NB	15.4/C	13.0/B	15.5/C	13.0/B

D. Aguafina/Case de Todos Road and Rufina Street Intersection

Derived from the Synchro Ver 10 computer runs, Table 4 is a summary of the level of service for the intersection of Aguafina/Casa de Todos Road and Rufina Street. Since this is a new intersection, only 2024 build conditions were analyzed. Traffic volumes were taken from both Figure 7 for the design year 2024 traffic. The computer printouts can be found in Appendix G.

Table 4
Level of Service Analysis
Aguafina Road and Rufina Street Drive Intersection (new)
2024 Developed Conditions

	Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS
Aguafina Rd SB	16.1/C	23.2/C
Casa de Todos Rd NB	14.1/B	13.7/B
Rufina St WB	8.7/A	8.2/A
Rufina St EB	7.9/A	8.9/A

E. Agua Fria and Agufina Street/Martin Mora Road Intersection

Derived from the Synchro Ver 10 computer runs, Table 5 is a summary of the level of service for the intersection of Agua Fria and Agufina Street/Martin Mora Road. Traffic volumes were taken from both Figures 4 and 6 for the design year 2024 traffic. The computer printouts can be found in Appendix I. As noted before, this is a stop controlled intersection.

Table 5
Level of Service Analysis
Agua Fria and Agufina Street/Martin Mora Road Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Martin Mora Rd SB	11.2/B	11.6/B	11.6/B	12.4/B
Agufina Rd NB			11.9/B	10.7/B
Agua Fria WB			8.2/A	7.8/A
Agua Fria EB	7.6/A	7.9/A	7.6/A	7.9/A

F. Conclusion

For the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road subdivision traffic, there was not a reduction of service for all directions.

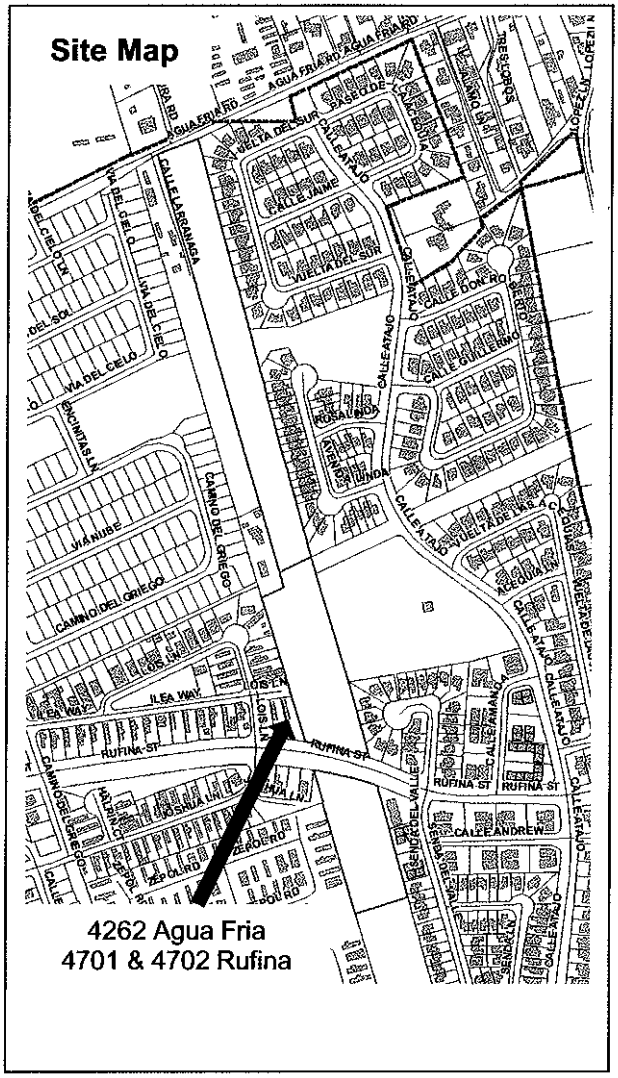
V. SUMMARY AND RECOMMENDATIONS

The 61 single family lots for the Aguafina Subdivision will have minimal impact on the level of service for the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina/Casa de Todos Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road. The following design requirements should be addressed at final design:

1. Stop signs to be installed for exiting traffic from the subdivision
2. All interior roads to meet City of Santa Fe standards.

Land Use Department
Planning Commission Staff Report

Case No:	2020-2273, 2020-2274, 2020-2287
Hearing Date:	August 20, 2020
Applicant:	Liaison Planning Services, Inc.
Request:	Rezoning Ordinance Amendment, Rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) and R-6 (Residential- six dwelling units per acre)
Location:	4262 Agua Fria, 4701 & 4702 Rufina Street
Case Mgr.:	Lee Logston
Zoning:	R-3 (Residential – three dwelling units per acre) and R-5 (Residential – five dwelling units per acre)
Overlay:	None
Pre-app Mtg:	January 10, 2019
ENN Mtg:	June 1, 2020
Proposal:	Rezoning Ordinance Amendment, Rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) and R-6 (Residential- six dwelling units per acre).



Case #2020-2273. 4262 Agua Fria Street and 4701 & 4702 Rufina Street Aguafina Rezoning Ordinance Amendment. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests an amendment to Ordinance 2013-12 to remove condition #2 requiring Tract C-1 to be developed consistent with R-3 zoning, and modifying condition #3 to remove the requirement for three base-course lot access driveways. The properties are zoned R-5 (Residential- five dwelling units per acre) and R-3 (Residential- three dwelling units per acre) and total approximately 11.47 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2274. 4701 Rufina Street Aguafina Rezoning. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests approval of a rezoning from R-3 (Residential – three

dwelling units per acre) to R-5 (Residential – five dwelling units per acre) for a property located at 4701 Rufina Street. The property is approximately 3.44 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2287. 4702 Rufina Street Aguafina Rezoning. Liaison Planning Services, Inc., Agent, for Aguafina Development, LLC, Owner, requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre) for a property located at 4702 Rufina Street. The property is approximately 2.42 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

I. RECOMMENDATION:

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the amendment to the conditions of approval of the zoning ordinance, by amending the conditions of approval attached to that ordinance via the Findings of Fact and Conclusions of Law for that case (Case #2020-2273); and

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the rezonings (Case #2020-2274 and Case #2020-2287).

***Six** motions will be required, in the following order, for this case:*

- *Recommend the Governing Body approve or deny the Rezoning Ordinance Amendment for Case #2020-2273, by amending the conditions of approval of that ordinance via the Findings of Fact and Conclusions of Law for that case (Case #2020-2273, Item#13-0191);*
- *Recommend the Governing Body approve or deny the rezoning for Case #2020-2274;*
- *Recommend the Governing Body approve or deny the rezoning for Case #2020-2287;*
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-2273 (Exhibit A(1));*
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-2274 (Exhibit A(2))*; and
- *Approve the Findings of Fact and Conclusions of Law for Case #2020-22877 (Exhibit A(3))*

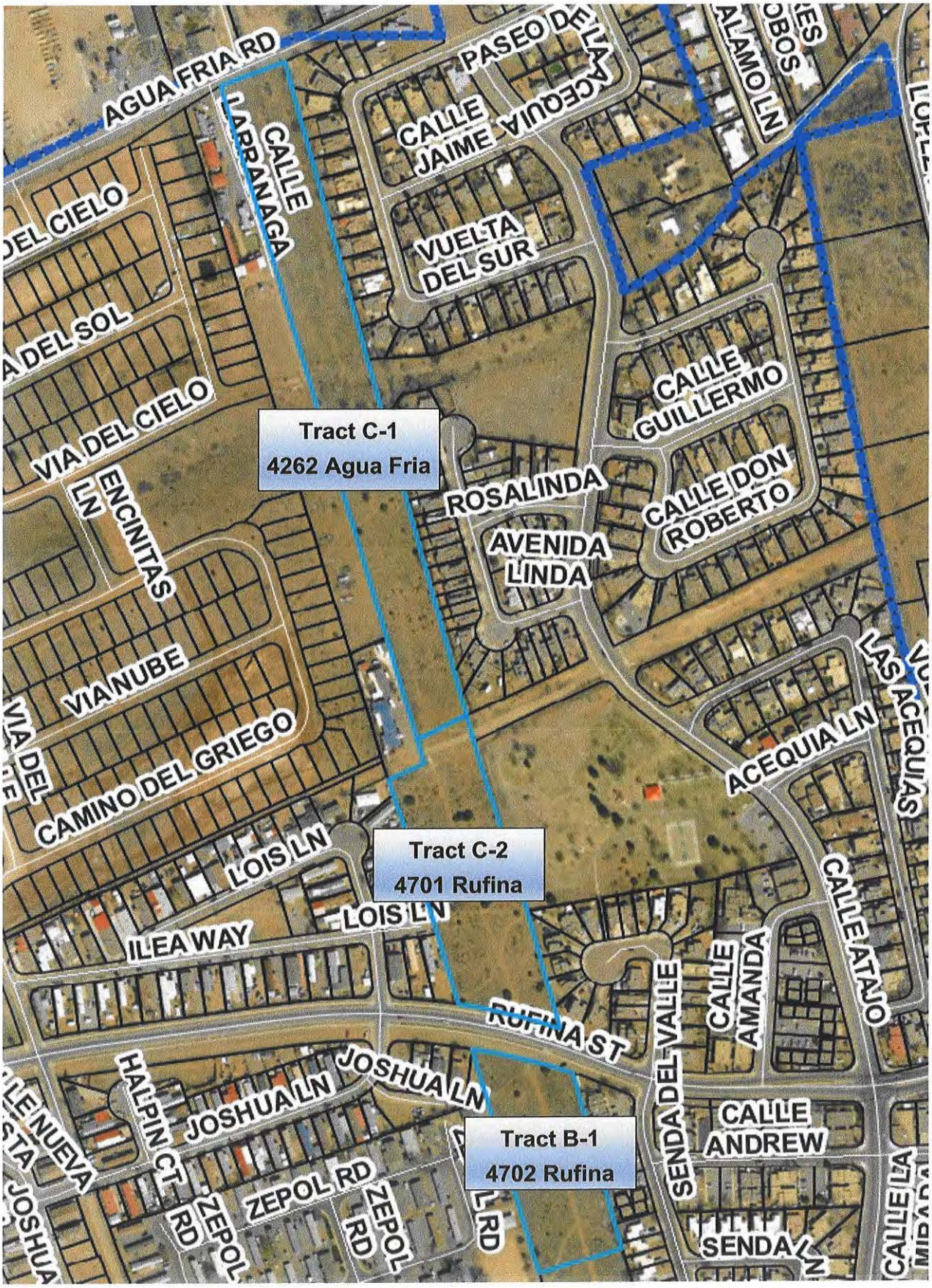
II. CONDITIONS OF APPROVAL

As a rezoning ordinance amendment and rezoning case, staff does not recommend any conditions of approval.

III. EXECUTIVE SUMMARY:

This Application is comprised of three requests:

1. Amend zoning Ordinance #2013-12 to remove conditions of approval found in the Findings of Fact and Conclusions of Law (Item #13-0191) for Case #2012-104 that requires the three properties to be developed as a 23-lot subdivision on lot access driveways;
2. Rezoning request from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre) for 4701 Rufina Street; and
3. Rezoning request from R-3 (Residential- three dwelling units per acre) to R-6 (Residential- six dwelling units per acre) for 4702 Rufina Street.


AGUA FRIA RD
PASEO DE LA ACEQUIA
CALLE JAIME
ALAMO LN
CALLE LARRANAGA
VUELTA DEL SUR
DEL CIELO
A DEL SOL
VIA DEL CIELO
Tract C-1
4262 Agua Fria
CALLE GUILLERMO
ROSALINDA
CALLE DON ROBERTO
AVENIDA LINDA
ENCINITAS LN
VIA NUBE
VIA DEL
CAMINO DEL GRIEGO
LAS ACEQUIAS
ACEQUIA LN
Tract C-2
4701 Rufina
LOIS LN
LOIS LN
ILEA WAY
CALLE ATAJO
CALLE AMANDA
RUFINA ST
SENDA DEL VALLE
JOSHUA LN
JOSHUA LN
HALPIN CT
CALLE NUEVA
Tract B-1
4702 Rufina
CALLE ANDREW
ZEPOL RD
ZEPOL RD
ZEPOL RD
SENDA LN

The amendment to the conditions of approval of the rezoning ordinance is necessary to develop the property as a subdivision at the density requested. In this case, a recommendation for approval of the ordinance amendment requires a determination that a future development; consisting of public, paved roads with sidewalks and pedestrian connectivity is better for the public interest than a series of private, unpaved lanes without sidewalks and pedestrian connectivity.

A recommendation for approval of all three requests would allow a future proposal for a subdivision of sixty-one (61) lots on three tracts of land located at 4262 Agua Fria and 4701 and 4702 Rufina Street. The overall premises comprises approximately 11.47 acres.

Governing Body action on the original rezoning case (Case #2012-104) conditioned through the findings that each of the three Tracts would be developed as dead-end, private lot access driveways, with eight lots on the northern Tract C-1, eight lots on the center Tract C-2, and seven lots on the southern Tract B-1. Assuming approval of the rezoning ordinance request, the Applicant would propose a future preliminary subdivision 28 lots on Tract C-1, 18 lots on Tract C-2, and 15 lots on Tract B-1.

The rezoning request for Tract B-1 is at slightly higher R-6 density to match the density of adjacent land to the south, intended to be proposed as the Casa de Todos preliminary subdivision at R-6 density. Tract B-1 would connect to the road in Casas de Todos, making a through street from Rufina down to Calle Atajo near Airport Road, providing road connectivity recommended by the General Plan and Chapter 14.

The overall plan for both developments is in accordance with negotiations with the expressed desires of the Las Acequias Neighborhood Association to have stick-built homes in the Aguafina development and stick-built or modular homes in Casas de Todos development. The City Traffic Engineer is requiring the road in Casas de Todos to connect through to Rufina Street.

The proposed rezoning amendment and rezoning request meet all relevant development standards and approval criteria, and do not create or increase any non-conformities with Chapter 14; therefore, staff recommends approval of all three components of the Applicant's request.

IV. BACKGROUND:

This subdivision began with the rezoning request and concluded with the Governing Body granting an appeal of the Planning Commission's denial of the preliminary subdivision and variance.

These properties went through a series of public hearings between 2012 and 2014, with density and road connectivity being the primary concerns of area residents. There were significant misalignments among the concerns of existing residents, current code requirements, staff recommendations, and past Governing Body decisions. Residents were able to secure a number of agreements and concessions from the Applicant through this more recent planning process.

The relevant past case history is summarized below.

Case #2012-104 Rezoning - Planning Commission 12/6/2012: The case was first heard by the Planning Commission on December 6, 2012. The Applicant originally requested a rezoning for Tracts C-2 and B-1 (5.89 acres total) from R-1 to R-5, but the Commission would only recommend R-3 because

they determined that impacts to traffic and parks would be too great.

Case #2012-104 Rezoning - Governing Body 1/30/2013: The Governing Body considered the case next on January 30, 2013. Having negotiated with neighbors, the Applicant had agreed to effectively develop all three Tracts at a lower density (R-3) than the zoning would allow (up to R-5 for Tract C-1), and agreed not to propose a road connection to Calle Atajo at Powerline Road. Necessary for this proposal was the development of the land as three private, base course lot access driveways, each servicing seven or eight homes, the maximum allowed on such roads. Staff did not support the proposal because of lack of connectivity, lack of pedestrian amenities, and because of a belief that the proposal, while amenable to the immediate neighbors, was contrary to the greater public good.

After significant discussion about parks, density, and the appropriateness and/or necessity of road connectivity, the Governing Body denied the R-5 rezoning request. However, at their following public hearing on February 13, 2013, the Governing Body rescinded its denial and chose to re-hear the case on March 13, 2013 to consider the rezoning request at a reduced R-3 density.

Case #2012-104 Rezoning - Governing Body 3/13/2013: Staff recommended approval of the rezoning request, but included several conditions related to subdivision design: (1) Rezone Tract C-2 and B-1 to R-3; (2) Tract C-2 should have access from Rufina as right-in, right-out, left-in only; (3) provide traffic impact analysis of the design; (4) an emergency access to Tract C-1 (which would have primary access at Agua Fria) would be provided at Powerline Road. City staff requested better road connections, but both the Applicant and the neighbors wanted to develop at a lower density than allowed so as to not require public paved roads or sidewalks. Council conditionally **approved** the rezoning request, thus establishing the permissible density and design of the subdivision.

These conditions were spelled out in the Findings of Fact for the Case (Item #13-0191), collectively called the "Applicant Undertakings", as the Applicant had offered to develop the property in this way in to meet the desires of the neighbors. The Applicant agreed to:

1. Submit its request for subdivision and/or development plan approval to the Planning Commission for both the Property and the Adjacent Parcel as a single application;
2. Develop the Adjacent Parcel consistent with R-3 zoning, notwithstanding that it is zoned R-5;*
3. Not request use of Powerline Road as either a primary or secondary access for either the Property or the Adjacent Parcel as part of its application for such Commission approval, but to instead propose three base-course lot access driveways, serving eight lots each; and*
4. Grant an easement to Abe and Kathleen Tapia and their successors across the Adjacent Parcel to permit them to access Powerline Road.

The rezoning amendment request before you tonight specifically proposes removing Undertaking #2, and to remove the underlined part of Undertaking #3.

The original proposal, a 23-lot subdivision designed to include three dead-end, base course private lot access driveways, was approved by the Governing Body, despite staff's concern that the design did not meet the requirements of Chapter 14. Staff could not recommend approval, as staff saw no compelling reason to deviate from the code requirements for connectivity and infrastructure standards required by SFCC 14-9.2. Staff highlighted the lack of sidewalks, and argued this omission would hinder pedestrian

movement and safety for new residents, and leave Las Acequias Park without a logical new pedestrian connection.

The subdivision was heard three more times, including another appeal to Governing Body after staff did not support the subdivision as proposed because the design violated several sections of SFCC 14-9.2 related to public health, safety, and welfare related to road design and pedestrian connectivity. The Governing Body approved the subdivision at the appeal but this subdivision was never recorded and the approval expired. Because of this, those cases are not described in detail here. Any conditions attached to that subdivision approval expired with it.

For reference, those cases are:

- Case #2013-58 Preliminary Subdivision & Variance – Planning Commission 8/1/2013
- Case #2012-93 Appeal of Planning Commission Denial of Variance and Preliminary Subdivision – Governing Body 1/8/2014
- Case #2014-06 Final Subdivision Approval – Planning Commission 3/13/2014

V. CURRENT PROJECT SUMMARY:

The Applicant has held a series of ENNs and other meetings with residents. Originally, the Applicant wanted to develop the property as originally approved, but current staff had the same concerns as when the subdivision was originally proposed in 2012. The Applicant then decided to redesign the site at a greater density. It was at this time that the conditions attached to the rezoning were discovered, and it was realized that the zoning ordinance would need to be amended to allow for development of the site at higher density.

Through continued conversations with surrounding neighbors, the Applicant learned that the primary concerns of residents revolved around issues related to the housing type and quality. The Applicant agreed to commit to stick-built homes in Aguafina, and stick-built or modular homes in Casa de Todos. The Las Acequias Neighborhood Association agreed to overall higher density development if the Applicant would commit to develop the parcels to include high-quality site built and modular homes exclusively.

VI. EXISTING CONDITIONS:

The Rodriguez properties are comprised of three parcels, stretching from Agua Fria Street to south of Rufina Street, totaling approximately 11.47 acres. The Cielo Azul subdivision, Roadrunner West and Sierra Vista mobile home parks, and the Las Acequias subdivision surround the properties.

	Property Address	**Zoning**
North	Agua Fria Traditional Village	N/A
West	Cielo Azul Subdivision, Road, Roadrunner West & Sierra Vista Mobile	R-6 (Residential – Six dwelling units per acre) & MHP (Mobile Home Park)

	Property Address	Zoning
	Home Parks	
South	Sierra Vista Mobile Home Park, vacant land, and Las Acequias Subdivision	MHP (Mobile Home Park), R-1, and R-7 PUD (Residential – Seven dwelling units per acre, Planned Unit Development)
East	Las Acequias Subdivision	R-5 (Residential – Five dwelling units per acre) & R7 PUD (Residential – Seven dwelling units per acre, Planned Unit Development)

VII. CONCEPTUAL PROJECT ANALYSIS

The following section describes the conceptual subdivision, which is not under consideration for approval now, but will be proposed if the zoning amendment and rezonings are granted.

Access

The northernmost tract of land, Tract C-1 (Zoning Ordinance Amendment Case #2020-2273) will access Agua Fria Street. This 42' wide public right of way (ROW) will run approximately 1,600 feet south before dead-ending in a gate at the easement platted as "Powerline Road".

The center portion, Tract C-2 (Rezoning Case #2020-2274), will access Rufina Street, running north before dead-ending at Powerline Road. The home at 1152 Calle Atajo will keep its access along Powerline Road to Calle Atajo, and an emergency access easement, established at the time of a future preliminary subdivision, will connect the dead-end of the north and south roads. While Chapter 14 requires complete road connectivity to serve the area better, residents oppose it, and the previous Council action on Ordinance 2013-12, specifically mandated that any future road running south from Agua Fria Street not connect to Calle Atajo via Powerline Road.

Tract B-1 (Rezoning Case #2020-2287) will access Rufina Street, running south before ending in a fire-approved turnaround. This portion will eventually connect as a through street to the future proposed preliminary subdivision of Casa de Todos, all the way south to Calle Atajo, near the intersection with Airport Road. It is for this Tract that the Applicant seeks the rezoning to R-6, so that this Tract can be developed at higher density to match Casa de Todos.

The conceptual configuration of roads for both the future potential Aguafina and Casas de Todos subdivisions was approved by the City Traffic Engineer. The traffic impact analysis (TIA) performed for the conceptual future preliminary subdivision showed that the Aguafina Subdivision would not change the level of service for the intersections of Rufina Street & Calle Atajo, Rufina Street and Joshua/Lois Lane, Aguafina/Casa de Todos Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road.

Trail connection

The project area includes a trail alignment along Powerline Road Trail in the 1983 Bikeways Master Plan, envisioned as a connection to the Acequia Trail. While developments built subsequent to this plan to the east make it unlikely that a completed section of trail here would connect to the Acequia Trail, a 10' wide pedestrian easement was created as part of the Cielo Azul Subdivision.

Archaeology and Environmental Resources
The project is located within the River and Trails Archaeological Review District. Per Subection14-3.13(B)(3)(a), an archaeological survey of the property was performed, and a clearance permit was issued on June 6, 2013. An historic acequia was identified on Tract C-1. Per the conditions of the permit, a 20' wide conservation easement has been added to the plat to protect the acequia. The site will be assessed for prairie dogs and any colonies will be relocated prior to issuance of construction permits.

Santa Fe HOMES Program
The Project will comply with current Santa Fe Homes Program ("SFHP") regulations per SFCC Section 26-1.8(A). The applicant will enter into a contract with The City of Santa Fe Housing Opportunity Program. Pursuant to the provisions of the SFHP, 12 lots (20%) will be affordable.

VIII. REZONING ORDINANCE AMENDMENT

SFCC Section 14-3.5 governs the authority and procedures for rezonings. SFCC Subsections 14-3.5(B)(1)(a)&(b) state that "All proposed rezonings shall be submitted to the planning commission for review and recommendation at a public hearing", and that "the planning commission shall transmit the application, including any plan, to the governing body , together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval".

The requested rezoning ordinance amendment is necessary to develop the property as proposed. Chapter 14 provides specific criteria which must be met in order to rezone a property, but provides no specific criteria for evaluating a request to amend the conditions of a prior rezoning. The rezoning criteria are based on a determination that the public interest is not harmed, and is better served by development under the amended zoning ordinance rather than the original zoning, and that existing infrastructure can accommodate or be modified to accommodate the future development. In this case, the Planning Commission would be deciding on whether or not development consisting of public paved roads, rather than a series of private unpaved lanes without sidewalks, is better for pedestrian connectivity and the overall public interest. Removing the current zoning conditions that stipulate the properties will be developed at a density of R-3 and that the roads be developed as private lanes will then allow the Applicant to develop the parcels at a density of R-5 and R-6 and provide paved public streets with proper pedestrian amenities.

These conditions were spelled out in the Findings of Fact for Case #2012-104, collectively called the "Applicant Undertakings". If in agreement with Staff analysis, the Planning Commission would be removing Undertaking #2, that the Applicant "Develop the Adjacent Parcel (Tract C-1) consistent with R-3 zoning, notwithstanding that it is zoned R-5", and to strike the portion of Undertaking #3 that reads "but to propose instead three base-course lot access driveways, each serving eight lots".

IX. REZONING APPROVAL CRITERIA

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:

Criterion 1 [14-3.5(C)(1)(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;** **(iii) a different use category is more advantageous to the community, as articulated in the General Plan or other adopted city plans;**	**Criterion Met:** (Yes/No) **YES**
(i) Not Applicable (ii) The surrounding area has seen housing development with the annexation of land and expansion of infrastructure. The proposed density is consistent with existing residential development patterns in the area. (iii) The Future Land Use Map designation of Low Density Residential allows for 3-7 dwelling units per acre. The proposed R-5 and R-6 zoning will enable development of much needed housing at densities that are consistent with surrounding development.	
Criterion 2 [14-3.5(C)(1)(b)]: all the rezoning requirements of Chapter 14 have been met;	**Criterion Met:** (Yes/No) **YES**
The Applicants have met the Chapter 14 procedural requirements for re-zoning, including holding an Early Neighborhood Notification Meeting, posting and mailing of notification requirements, and submitting required application submittals including a Traffic Impact Analysis. The Applicant is not requesting any variances.	
Criterion 3 [14-3.5(C)(1)(c)]: the rezoning is consistent with the applicable policies of the General Plan, including the future land use map;	**Criterion Met:** (Yes/No) **YES**
R-5 and R-6 zoning is consistent with the Southwest Area Master Plan (SWAMP) Future Land Use designation of Residential Low Density (3-7 dwelling units per acre). No amendments to the General Plan are requested.	
Criterion 4 [14-3.5(C)(1)(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;	**Criterion Met:** (Yes/No) **YES**
This proposal is located in an area that the City annexed to provide for future growth. The proposed rezoning exceeds the two-acre threshold below which rezonings will not be considered (14-3.5(C)(2)(b)), and is consistent with the General Plan in terms of density. The rezoning request will help to provide infill development consistent with General Plan policies supporting the preservation of the scale and character of established neighborhoods, in an area already served by City water and sewer.	
Criterion 5 [14-3.5(C)(1)(e)]: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.	**Criterion Met:** (Yes/No) **YES**
Existing infrastructure, including water and sewer, is sufficient to serve the increased density resulting from the rezoning. Impacts to the existing road network will be mitigated by distributing new traffic to	

Agua Fria Street and Rufina Street. Open space will be provided in the future subdivision, and pedestrian access to Las Acequias Park will be improved.	
Criterion 6 [14-3.5(C)(2)]: Unless the proposed change is consistent with applicable General Plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to: **(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;** **(b) affect an area of less than two acres, unless adjusting boundaries between districts;** **(c) or benefit one or a few landowners at the expense of the surrounding landowners or general public.**	**Criterion Met:** (Yes/No) **YES**
(a) As a proposed low-density residential subdivision, it is consistent with the prevailing low to moderate density residential uses in the surrounding area. The adjacent Las Acequias subdivision is built at a density of approximately 7.1 dwelling units per acre. (b) The project comprises approximately 11.47 acres. (a) The project will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of quality homes that will harmonize with the adjacent Las Acequias development.	
Criterion 7 [14-3.5(D)(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;	**Criterion Met:** (Yes/No) **YES**
DRT review indicated that the proposed road infrastructure would be able to handle the requested density. The project can be accommodated by the existing infrastructure and public facilities, as detailed in C(1)(e) above.	
Criterion 8 [14-3.5(D)(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.	**Criterion Met:** (Yes/No) **YES**
The City of Santa Fe's Traffic Engineer has determined that the public roads as proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.	

X. EARLY NEIGHBORHOOD NOTIFICATION

Because the Aguafina subdivision proposal has gone through numerous changes and will be integrated with development of the possible Casas de Todos Development, multiple ENN meetings have been held. The Applicant also engaged with the Las Acequias Neighborhood Association in several informal meetings as well. The prior proposal discussed at an ENN was based on 43 lots. Since that ENN, the Applicant and Las Acequias residents had several discussions and meetings which resulted in an

agreement that quality, stick-built homes were a priority for the community, and that the Association was willing to accept higher density in exchange for higher quality housing. Residents had also reconsidered the potential negative impacts of a network of dirt roads without pedestrian connections.

The most recent ENN meeting was held via Zoom on June 1, 2020. The purpose of this meeting was to discuss the new proposal and the connection to the proposed Casa de Todos subdivision. The proposal now consisted of three paved roads with sidewalks. The number of lots on the top tract of land had not changed (23), but the center tract and the southern tract now were proposed to have 18 and 15 lots respectively, reflecting the requested density. Las Acequias residents had several requests: 1) That the homes be architecturally compatible with Las Acequias 2) That a block wall be built on both sides of the project for its entire length 3) That Road Impact Fees from this project specifically be applied to improvements to the intersection of Rufina Street and Lopez Lane. The Applicant stated that block walls of that length would be prohibitively expensive, and that fences were more likely. The maintenance of fences and complications of potentially incorrect property line understandings was discussed, and both parties agreed to continue to discuss this in the future. It was agreed to continue discussing the potential of using Impact Fees in the way described.

XI. EXPIRATION

The zoning ordinance amendment and the rezoning request, if approved by the Governing Body, run with the land, are transferrable, and will not expire.

XII. ATTACHMENTS:

EXHIBIT A:

1. Draft Findings of Fact & Conclusions of Law Case #2020-2273
2. Draft Findings of Fact & Conclusions of Law Case #2020-2274
3. Draft Findings of Fact & Conclusions of Law Case #2020-2287

EXHIBIT B: Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Views

EXHIBIT C: Early Neighborhood Notification

1. ENN Packet
2. ENN Meeting Notes

EXHIBIT D: Applicant Materials

1. Project Report (Conceptual subdivision Exhibit 1 in Project Report)
2. Ordinance #2013-12
3. Case #2012-104 FOFCOL (Item #13-0191)
4. Governing Body Meeting Minutes 3/13/2013
5. Traffic Impact Analysis Summary

APPROVED BY:

Title	Name	Initials
Land Use Division Director	Elias Isaacson, AICP	ESI
Land Use Planner Manager	Noah Berke, AICP	NLB
Land Use Department Case Manager	Lee Logston, AICP	LL

City of Santa Fe, New Mexico

Exhibit A

1. Draft Findings of Fact & Conclusions of Law Case #2020-2273
2. Draft Findings of Fact & Conclusions of Law Case #2020-2274
3. Draft Findings of Fact & Conclusions of Law Case #2020-2287

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2273
4262 Agua Fria Street, and 4701 and 4702 Rufina Street - Aguafina Rezoning Ordinance Amendment

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to properties located at 4262 Agua Fria Street and 4701 and 4702 Rufina Street, totaling approximately 11.5 acres (Property). The Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

The Applicant plans to create a sixty-one-lot subdivision. In related Case #2020-2274, the Applicant seeks to rezone a property located at 4701 Rufina Street, totaling approximately 3.44 acres, from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre). In related Case #2020-2287, the Applicant seeks to rezone a property located at 4702 Rufina Street, totaling approximately 2.42 acres, from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre).

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning or a zoning ordinance amendment, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. Following the ENN, the Applicant submitted an application seeking to amend the conditions of approval for Ordinance No. 2013-12 (Case #2012-104), as set forth in the Findings of Fact and Conclusions of Law filed by the City Clerk as Item #13-0191.
23. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
24. Staff recommended that the Commission should recommend that the Governing Body grant the request to amend Ordinance 2013-12 and modify the Findings of Fact and Conclusions of Law by removing the requirement in condition #2 that the applicant must develop 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and by striking the portion of condition #3 that requires the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

Zoning Ordinance Amendment

25. Pursuant to SFCC Section 14-3.19(D)(1), the procedures for a substantive amendment to the conditions of a prior rezoning ordinance are the same as the procedures that apply to a new application for a rezoning ordinance.
26. Pursuant to SFCC Section 14-2.3(C)(7)(c) and 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding a proposed rezoning or zoning ordinance amendment.
27. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Planning Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body to approve or deny the Application.
28. SFCC Section 14-3.5(C) sets out approval criteria and requires the Planning Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending approval a rezoning ordinance amendment.
29. Most of the approval criteria in SFCC Section 14-3.5(C) are inapplicable to a request to amend the conditions attached to a prior zoning ordinance, and the SFCC does not provide specific criteria for evaluating a request to amend such conditions.

30. The Planning Commission finds that the rezoning criteria are intended to ensure that the public interest is not harmed by the rezoning, that development under the new zoning will serve the public more than development under the original zoning, and that infrastructure can handle or be modified to handle the proposed new development.
31. In this case, the Planning Commission finds that the condition that Tract C-1 (4262 Agua Fria Street) should be developed consistent with R-3 zoning, notwithstanding that it is zoned R-5, should be removed from the Findings of Fact and Conclusions of Law for Ordinance No. 2013-12 because removing that condition would not harm the public interest, and building at greater density will allow the construction of stick-built homes in conformance with adjacent residents' desires.
32. The Planning Commission finds that the condition that the subdivision must be developed as three private, base-course lot access driveways should be removed from Ordinance No. 2013-12 because the public interest will be better served by paved, public roads with sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning Ordinance Amendment

2. The Applicant has the right under the SFCC to propose amendments to the conditions of approval attached to the ordinance that rezoned the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed amendments to the conditions attached to the rezoning ordinance and to make recommendations regarding the proposed amendments to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The requested amendments to the Findings of Fact and Conclusions of Law adopting Ordinance 2013-12 should be approved because all applicable code requirements have been met, the public interest will not be harmed, development under the new zoning will serve the public, and the infrastructure can handle the proposed new development.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed amendments to the conditions attached to Ordinance No. 2013-12.

_____ _____

John B. Hiatt
Chairperson

Date

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2274
4701 Rufina Street - Aguafina Rezoning

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to a property located at 4701 Rufina Street totaling approximately 3.44 acres (Property). The Applicant requests approval of a rezoning from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre). The Applicant plans to create 18 lots on the Property as part of a 61-lot subdivision.

In related Case #2020-2287, the Applicant seeks to rezone a property located at 4702 Rufina Street totaling approximately 2.42 acres. The Applicant requests approval of a rezoning from R-3 (Residential – three dwelling units per acre) to R-6 (Residential – six dwelling units per acre).

Additionally, in related Case #2020-2273, the Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop the adjacent parcel at 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
23. Staff recommended that the Commission should recommend that the Governing Body approve the rezoning.

Rezoning

24. Pursuant to SFCC Section 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
25. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
26. SFCC Section 14-3.5(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
27. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the rezoning is justified because the proposed density is allowed by the Future Land Use Map designation of Low Density Residential, and because the proposed density is consistent with surrounding homes.
28. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
29. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including the future land use map. Specifically, R-5 zoning is consistent with the Southwest Area Master Plan (SWAMP) Future Land Use Map designation of Residential Low Density (3-7 dwelling units per acre) and will provide lots of similar size to the adjacent neighborhood.
30. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a sixty-one-lot subdivision 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.
31. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that 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.

32. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-5 zoning is consistent with the surrounding density, such as the adjacent R-7 Las Acequias subdivision.
33. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
34. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of homes that will harmonize with the adjacent Las Acequias subdivision.
35. Pursuant to SFCC Section 14-3.5(D)(1), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.
36. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the public roads proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning

2. The Applicant has the right under the SFCC to propose the rezoning of the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested rezoning because all applicable code requirements and criteria for recommendation of approval of the proposed rezoning have been met.

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed rezoning.

_____ _____
John B. Hiatt Date
Chairperson

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2020-2287
4702 Rufina Street Aguafina Rezoning

Owner's/Applicant's Name- Aguafina Development, LLC
Agent's Name- Dolores Vigil, Liaison Planning Services, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 20, 2020 upon the application (Application) of Liaison Planning Services, Inc., as agent for Aguafina Development, LLC (Applicant).

The Application pertains to a property located at 4702 Rufina Street totaling approximately 2.42 acres (Property). The Applicant requests approval of a rezoning from R-3 (Residential- three dwelling units per acre) to R-6 (Residential- six dwelling units per acre). The Applicant plans to create 15 lots on the Property as part of a 61-lot subdivision.

In related Case #2020-2274, the Applicant seeks to rezone a property located at 4701 Rufina Street totaling approximately 3.44 acres from R-3 (Residential- three dwelling units per acre) to R-5 (Residential- five dwelling units per acre).

Additionally, in related Case #2020-2273, the Applicant seeks to amend the conditions that the Governing Body attached to the Findings of Fact and Conclusions of Law adopting Ordinance No. 2013-12, which rezoned the properties at 4701 and 4702 Rufina Street to R-3 (Residential – Three Dwelling Units per acre). Specifically, the Applicant seeks to remove condition #2, which would require the Applicant to develop the adjacent parcel at 4262 Agua Fria Street "consistent with R-3 zoning, notwithstanding that it is zoned R-5," and to strike a portion of condition #3, which would require the Applicant "to propose . . . three base-course lot access driveways, each serving eight lots."

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

Background

1. On December 6, 2012, the Planning Commission (Commission) considered the previous owner's R-5 rezoning application for Tract C-2 (4701 Rufina Street) and Tract B-1 (4702 Rufina Street), totaling approximately 5.89 acres (Case #2012-104).
2. At a public hearing held December 6, 2012, residents testified in opposition to the rezoning, citing concerns about traffic impacts and overall density.
3. The Commission voted to recommend lower R-3 zoning for both tracts due to concerns about traffic and density.

4. Subsequent to the hearing, in negotiations with adjacent residents, the owner agreed to develop 4262 Agua Fria Street and 4701 and 4702 Rufina Street at lower density (effectively R-3), despite the fact that 4262 Agua Fria is zoned R-5, and to develop all three tracts as private, base-course lot access driveways.
5. On January 30, 2013, the Governing Body held a public hearing to consider the rezoning request.
6. After significant discussion about appropriate density and road connectivity, the Governing Body voted to deny the rezoning request.
7. On February 13, 2013, the Governing Body rescinded its denial and decided to rehear the case, considering the rezoning request at reduced density.
8. On March 13, 2013, the Governing Body reheard the rezoning request and approved the rezoning request with conditions that were enumerated in the Findings of Fact and Conclusions of Law, which were filed by the City Clerk as Item #13-0191.
9. These conditions, referred to as "the Applicant Undertakings," formalized the previous owner's offer to: (1) submit any request for subdivision and/or development plan approval for 4701 and 4702 Rufina Street and the adjacent parcel (4262 Agua Fria Street) as a single application; (2) develop 4262 Agua Fria Street consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for new development at 4262 Agua Fria Street, 4701 Rufina Street, or 4702 Rufina Street, but to propose instead three base-course lot access driveways, each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across 4262 Agua Fria Street to permit them to access Powerline Road.
10. The previous owner submitted an application for a subdivision that met the conditions described as "the Applicant Undertakings." The application went through a series of hearings and was ultimately approved; but the subdivision was never recorded, and the approval expired.
11. In 2019, the Applicant initially proposed a subdivision with the same configuration as the previously approved subdivision, which had expired.
12. In discussing the initial 2019 proposal with the Applicant, Staff raised concerns about connectivity and roads, which were consistent with the concerns raised by staff in 2013.
13. The Applicant conducted a series of meeting with neighbors, which resulted in a series of design changes to the Project.
14. In these meetings, area residents expressed a willingness to accept higher density if it would guarantee higher quality homes and proper roads.
15. The Applicant has revised the proposal and design, and seeks to develop at a density that will financially support paved streets, pedestrian amenities, and quality stick-built homes.

General

16. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
17. The Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(iii)&(iv)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].

18. A pre-application conference was held on January 10, 2019 in accordance with SFCC Section 14-3.1(E).
19. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
20. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held via Zoom on June 1, 2020. The ENN meeting was attended by several representatives of the Applicant and members of City staff. Twenty-two members of the public attended. Residents expressed concerns, including traffic impacts to neighborhoods surrounding the property, but were generally happy that the proposal would include stick-built homes. The Applicant and residents agreed to continue negotiating over a wall or fencing between the new development and existing homes, as there could be property line issues to be resolved.
21. Pursuant to the SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for a rezoning, along with all submissions required by Chapter 14 of the SFCC and any other necessary information requested by the land use director (Submittal Requirements).
22. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluated the factors relevant to the Application.
23. Staff recommended that the Commission should recommend that the Governing Body approve the rezoning.

Rezoning

24. Pursuant to SFCC Section 14-2.3(C)(7)(c) and Section 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
25. SFCC Section 14-3.5(B) sets out procedures for rezoning and requires the Commission to hold a public hearing, review the Application, and make a recommendation to the Governing Body.
26. SFCC Section 14-3.5(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before recommending a rezoning.
27. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the rezoning is justified because the proposed density is allowed by the Future Land Use Map designation of Low Density Residential, and because the proposed density is consistent with surrounding homes.
28. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
29. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including the future land use map. Specifically, R-6 zoning is consistent with the (SWAMP) Future Land Use Map designation of Residential Low Density (3-7 dwelling units per acre) and will provide lots of similar size to the adjacent neighborhood.
30. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a sixty-one-lot subdivision 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.
31. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that 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.

32. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-6 zoning is consistent with the surrounding density, such as the adjacent R-7 Las Acequias subdivision.
33. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
34. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public. The proposed density will enable the construction of homes that will harmonize with the adjacent Las Acequias subdivision.
35. Pursuant to SFCC Section 14-3.5(D)(1), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.
36. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the public roads proposed in the concept plan will serve the proposed development, and that public sidewalks will serve the surrounding neighborhood better than private lanes without sidewalks.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

General

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, and notice of public hearing requirements have been followed.

Rezoning

2. The Applicant has the right under the SFCC to propose the rezoning of the Property.
3. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested rezoning because all applicable code requirements and criteria for recommendation of approval of the proposed rezoning have been met

WHEREFORE, IT IS ORDERED ON THE 20th DAY OF AUGUST 2020 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends approval of the proposed rezoning.

_____ _____
John B. Hiatt Date
Chairperson

FILED:

_____ _____
Yolanda Y. Vigil Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date
Assistant City Attorney

City of Santa Fe, New Mexico

Exhibit B

Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photo
4. Google Views

Exhibit C1: Future Land Use Map

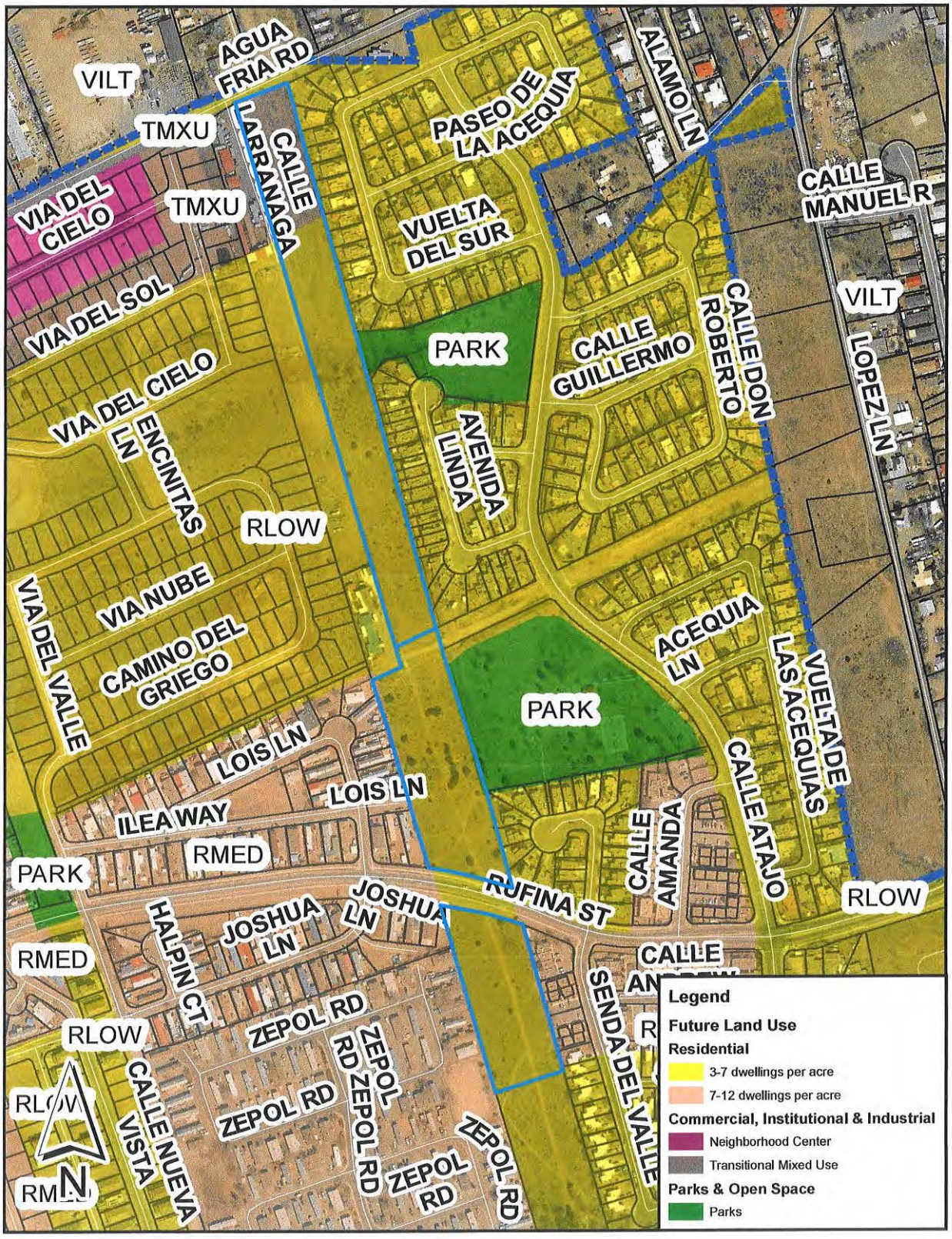


Exhibit C2: Current Zoning Map

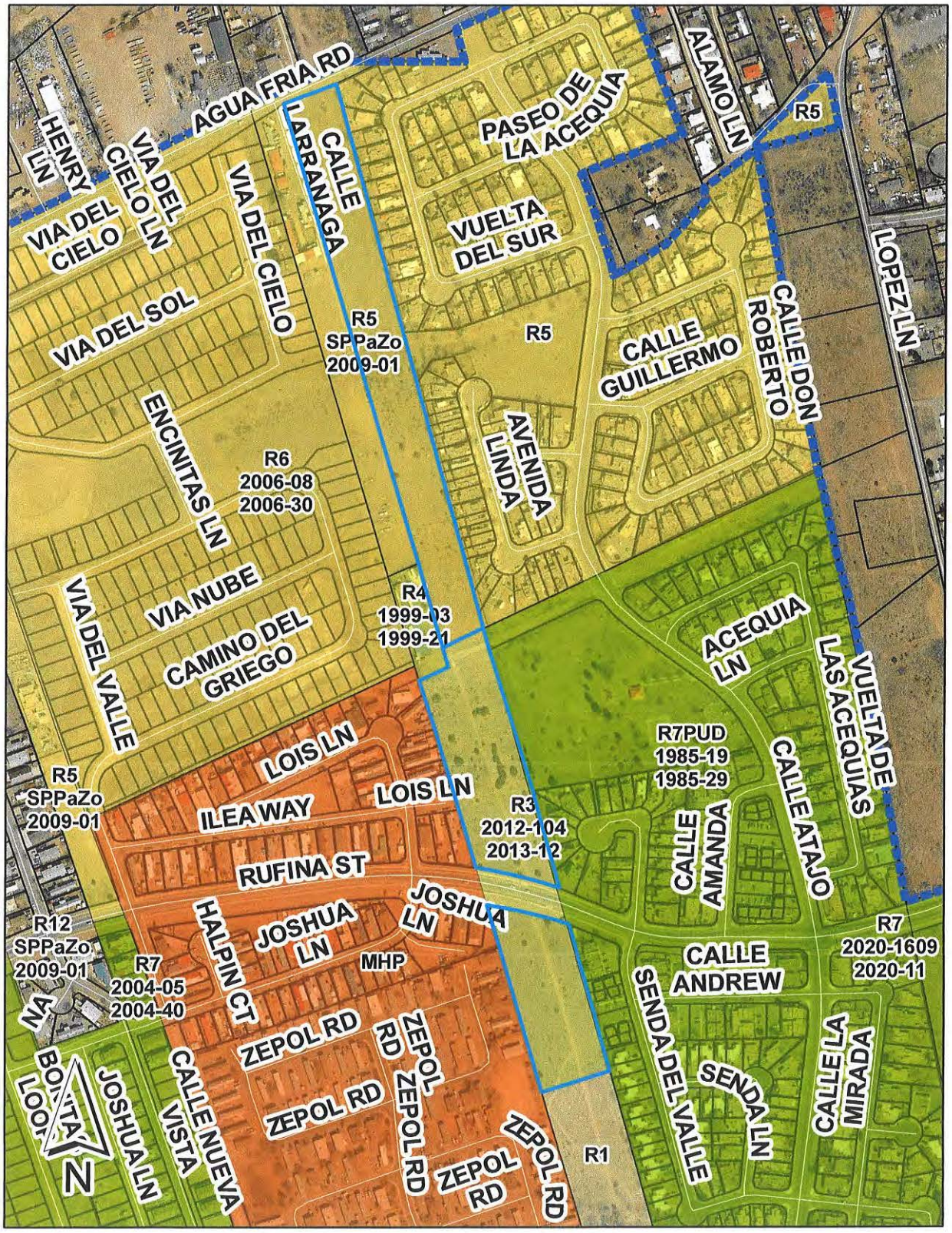


Exhibit C3: Aerial View

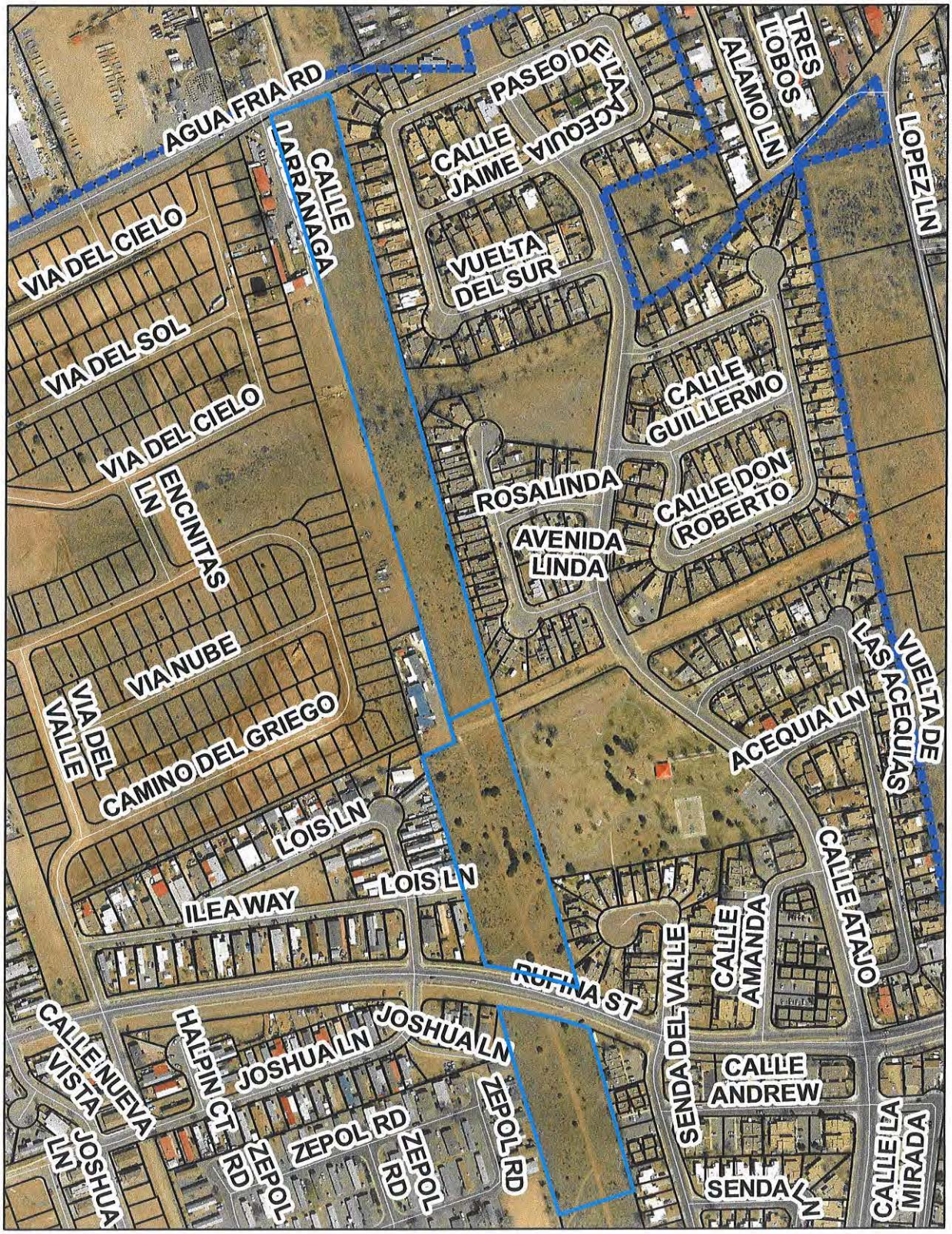


Exhibit B4: Google Aerial Views

Tract C-1

Looking west over Las Acequias Park

Tract B-1 (left) and Tract C-2 (right)

Tract B-1 (lower) and Tract C-2 (upper)

City of Santa Fe, New Mexico

Exhibit C

Early Neighborhood Notification

1. ENN Packet
2. ENN Meeting Notes

LIAISON Planning Services Inc.
P.O. Box 1835 Santa Fe, NM 87504 (505) 920-6839 liaisonplanning@gmail.com

May 15, 2020

Re: Early Neighborhood Notification Meeting
Subdivision, Rezoning and Zoning Amendment for Aguafina Subdivision

Dear Neighbor,

Due to social distancing statewide requirements and health concerns associated with the Corona Virus (COVID 19), an ENN meeting will be conducted online via Zoom Video/ Teleconference for Aguafina Subdivision.

The purpose of this neighborhood meeting is to discuss an application for Preliminary Plat approval for a 61-lot residential subdivision, an Ordinance Amendment and a Rezoning. The subdivision comprises three parcels: 4701 Rufina St. (Tract C-2, totaling ±3.43 acres), 4702 Rufina St. (Tract B-1, totaling ±2.45 acres), and 4262 Agua Fria Street (Tract C, totaling ±5.63 acres). The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6. The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2 when it approved the previous rezoning ordinance (Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots."

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification ordinance, this is to inform you that a meeting is scheduled for:

Topic: Aguafina Rezoning and Preliminary Subdivision ENN Meeting
Time: Jun 1, 2020 05:30 PM Mountain Time (US and Canada)
Join Zoom Meeting:
https://us02web.zoom.us/j/72305110054?pwd=ZXdlNzRYNUpPdUxxcjRuM1ZraWpmQT09
Meeting ID: 723 0511 0054
Password: 013262
One tap mobile
+16699006833,,72305110054#,,1#,013262# US (San Jose)
+12532158782,,72305110054#,,1#,013262# US (Tacoma)
Dial by your location
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)
+1 929 436 2866 US (New York)
+1 301 715 8592 US (Germantown)
+1 312 626 6799 US (Chicago)
Meeting ID: 723 0511 0054
Password: 013262
Where: Please join this meeting from your computer, tablet or smartphone.

The Early Notification ordinance provides for an exchange of information between perspective applicants for development projects and the project's neighbors before the application becomes too firm to respond meaningfully to community input.

Attached, please find a vicinity map outlining the project area. If you have any questions or comments, please contact Liaison Planning Services Inc., (505) 920-6839.

Sincerely,

Dolores I. Vigil

Attachments: Vicinity Map

Special Note: **Persons with disabilities in need of special accommodations or the hearing impaired in need of an interpreter please contact the Land Use Office (505) 6820 5 days prior to the hearing or meeting date.**

ENN GUIDELINES

Applicant Information

Project Name: **Aguafina Subdivision, Ordinance Amendment and Rezoning**

Name: **Aguafina Development LLC**
Last *First* *M.I.*

Address: **701 A Los Lovatos**
Street Address *Suite/Unit #*

Santa Fe **NM** **87501**
City *State* *ZIP Code*

Phone: **(505) 920-6839** E-mail Address: **c/o liaisonplanning@gmail.com**

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS ***For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.***

The property is located on the north and south side of Rufina Street and north of Agua Fria. The applicant is requesting subdivision plat approval and rezoning for a 61-lot residential subdivision. The subdivision is comprised of three parcels: 4701 Rufina St. (Tract C-2, totaling ±3.43 acres), 4702 Rufina St. (Tract B, totaling ±2.45 acres), and 4262 Agua Fria Street (Tract C, totaling ±5.63 acres). The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6. The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2 when it approved the previous rezoning ordinance (Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots."

The applicant is proposing stick-built homes as recommended by the adjacent property owners along with paved roads with curb/gutter lighting, landscaping, open space and trails. This type of housing and density is consistent with the surrounding developments.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT ***For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.***

The proposed development will protect the physical environment by meeting all development standards.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN ***For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.***

The property will not impact any prehistoric, historic, archeological, or cultural sites and structures including acequias and is located outside of the historic downtown.

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN ***For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.***

Approving this application will not adversely affect the public interest. The Project will benefit the public interest by providing much needed housing for Santa Fe residents on Rufina Street and Agua Fria with close proximity to public transportation and employments centers. The Project is also close to many amenities such as grocery stores, pharmacies, restaurants, and medical services. The term "Public Interest" is not defined in Chapter 14; however, the Governing Body has implemented the General Plan and Chapter 14 in order to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. This development proposal will provide buildable lots that will supplement much needed housing for the City of Santa Fe. The City's 1999 General Plan supports infill development in urban centers where feasible, and to "Promote a compact urban form and encourage sensitive/compatible infill development" (Section 1. 7.9).

The application is in keeping with the densities in the vicinity and providing "stick built" homes will provide a solid economic base.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES ***For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.***

The applicant proposes to provide adequate ingress and egress to meet the minimum requirements for development. The proposed application will maintain adequate road standards, will provide access to public transportation and pedestrian trails. A Traffic Impact Analysis is being compiled that will identify cumulative traffic impact to the surrounding neighborhoods.

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE ***For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.***

While new development is frequently perceived to create a negative impact on existing property owners in the immediate vicinity, that impact must be weighed against the benefit to the public, or the expense to the public, of not building the development. The development of this property as proposed would provide reasonably priced, infill housing close to shopping, and employment. The public interest of increasing the supply of market rate and affordable housing stock is served by this project.

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS ***For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.***

According to the section 1.7.1 within the General Plan affordable housing is encouraged for all incomes throughout the City and should be provided close to jobs to encourage to promote transit use. The proposed subdivision and rezoning will provide affordable housing in a setting that is in need of such development. The project is not limited to an age group, nor income.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES ***For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.***

Public water and sewer are readily available at this site and have sufficient capacity to handle the additional load from this development. All other outside utility providers agree that this site is well served by existing infrastructure, with all dry utilities either already on, adjacent to, or in close proximity to the property. Dry utilities are of sufficient capacity to serve the project at full development. While Public Works staff acknowledges that all development has an incremental impact on public roadway networks, they concur with the Consulting Engineer's conclusion that the roadway network will continue to operate at an acceptable Level of Service (LOS) based on transportation standards for intersection operation.

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS ***For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.***

The development will be served by City Water and sewer. Conservation methods will be incorporated into the project as required by Code.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS ***For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.***

The property is surrounded by residential. The proposed rezoning will clearly improve the site and will be designed to easily integrate with surrounding developments. The applicant proposes a site that compliments the streetscape to ensure compatibility with adjacent properties and the Future Land Use Map/ Transitional Mixed Use.

(k) EFFECT ON SANTA FE'S URBAN FORM ***For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.***

The lot on which the development is proposed is presently underutilized. Infill development of this type is supported by the Plan in reference to this Section 1. 7.11, because it calls for new development to be "oriented from established neighborhoods to urban context and promotes active street and outdoor life". The proposed design will provide connectivity with the surrounding neighborhoods.

The applicant is requesting approval for a "rezoning ordinance amendment" for Tract C-1 and a rezoning for Tracts C-2 to R-5 and B-1 to R-6.

The rezoning ordinance amendment (Ord #2013-12) is to remove condition #2 requiring C-1 "be developed consistent with R-3", and modify #3 to remove the three base course drive requirement in the "Applicant Undertakings".

City of Santa Fe
Land Use Department
Early Neighborhood Notification Meeting Notes

Project Name	Aguafina Rezoning, Zoning Ordinance Amendment, and Preliminary Subdivision
Project Location	4262 Agua Fria Street and 4701 & 4702 Rufina Street
Project Description	Rezoning to R-5 and R-6, Amendment to Ord #2013-12, and 61 Lot Subdivision, Preliminary
Applicant / Owner	Rudy Rodriguez
Agent	Liaison Planning, Dolores Vigil
Pre-App Meeting Date	January 10, 2019
ENN Meeting Date	June 1, 2020
ENN Meeting Location	Virtual Meeting – Zoom
Application Type	Rezoning, Ordinance Amendment, Preliminary Subdivision
Land Use Staff	Lee Logston
Other Staff	Noah Berke
Attendance	Lee Logston, Dolores Vigil (Agent), Rudy Rodriguez (Applicant), 22 members of the public

Notes/Comments:

The virtual meeting began a little after 5:30 PM in order to make sure everyone had joined. Mr. Logston briefly explained the history of the property, the nature of the application now and why it had changed. The desire of residents to have stick-built homes and paved roads with sidewalks necessitated higher density to make the project financially feasible. While we are discussing the Preliminary Subdivision now, that will not move forward as an application until the rezoning and ordinance amendment go through both Planning Commission and Governing Body approval.

Ms. Vigil then gave a brief summary of the proposal, sharing her ENN guidelines on her screen. The discussion explained what had changed from the last proposal: The top tract had not changed, the middle tract and southern tract now had a total of 33 more lots, with those two tracts now having paved roads. Ms. Vigil also briefly showed the Casa de Todos conceptual layout, which the neighbors had already seen in a prior ENN, for the purpose of showing how the two developments would fit together.

Mr. Logston then briefly returned to the subject of the Rezoning Ordinance Amendment. He shared Ordinance #2013-12 on the screen, and explained that the conditions attached to the properties were found in the Findings of Fact and Conclusions of Law rather than the ordinance itself, and were referred to as the "Applicant Undertakings". Mr. Logston explained that one condition would be struck, and another modified so that the development could proceed as proposed, but that the other conditions set back in 2013 would not be changed.

Then Mr. Logston and Ms. Vigil began a question and answer session with the residents. Topics of discussion(answers in parentheses):

- One resident wanted to see the last version so she could understand what changed. (Ms. Vigil agreed to send her the last version).
- The first of several residents spoke of problems on the property in recent months with homeless people, a fire, trash, etc.
- Another resident reiterated these concerns and added that it makes it difficult to trust Mr. Rodriguez moving forward to be a good developer. She also pointed out that some Las Acequias residents were treating the vacant property as their own by storing things on it. (Ms. Vigil explained that Covid had slowed some responses, but that Mr. Rodriguez was working on all of these issues now).
- Fabian Trujillo, Las Acequias Board Member, made several requests: A full block wall on both sides for both developments, to see a more complete preliminary subdivision, to know the approval schedule. (Ms. Vigil explained that a block wall of that length would be cost prohibitive, and that fencing was more likely). He then asked how traffic impacts of this development would be addressed at Lopez and Rufina and asked if this project's impact fees could specifically be applied there (Mr. Logston explained that the City Traffic engineer would determine if the TIA needed to be adjusted, and the topic of impact fees would be raised). How would the development meet the affordable housing requirement? (By selling affordable lots). Would the applicant do an Economic Impact Analysis? (Mr. Berke explained that it is not required but if Fabian's office could provide some data it could be considered).
- Linda Flatt, Las Acequias Board Member, thanked us for the background and stressed that it is important for us to keep communication open moving forward. She asked if William Mee, Agua Fria Village president, had "approved the road and lots accessing Agua Fria". (Ms. Vigil said that she had met with Las Acequias and Mr. Mee some time ago and had showed him the plan and that Mr. Mee had not protested). She then spoke of street parking and asked if each lot could be designed to accommodate three cars (Will consider). She then asked the applicant to address a rumor that the Casas de Todos connection to Avenida de Las Acequias was intended to connect further to Lopez Lane. (Ms. Vigil explained that no, there was no plan to do that).
- A resident returned to the subject of walls. If fencing, would the applicant repair existing fencing or replace it? (Rudy and Ms. Vigil said that they are offering to repair or replace where deemed necessary. The topic of two fences and a space in between was discussed and deemed a bad solution).
- William Mee then joined the meeting and said that Ms. Vigil had never shown him the plan. (Ms. Vigil stated that yes, she had, we all met at Second Street and you saw it and never said anything after that.) Mr. Mee said that she shouldn't regard no comment as approval, and Ms. Vigil was misrepresenting his approval. (Ms. Vigil then asked why he never said anything if he didn't approve of it).
- Fabian Trujillo asked if the eight affordable lots would have manufactured homes. (Ms. Vigil said that no, she was going to honor the wishes of residents).

- Linda Flatt returned to the topic of fencing. She said that in Las Acequias, fences are shared by property owners, but that whichever owner built it was responsible for its maintenance thereafter. Would that be the case here? (Ms. Vigil agreed and said she would put it in the covenants. Mr. Logston cautioned everyone to think about that and continue the discussion. He said that ten years down the road, property owners might not want someone else accessing their property to do repairs).
- A resident pointed out that he knew his fence was not on his property line, and that it was on the vacant property. (Mr. Logston again stated that everyone should think harder about the implications of a continuous fence and that Las Acequias should make sure their residents want the fence work done, because new fencing would be built on the property line, but some residents might discover that their property line wasn't where they thought – effectively losing part of "their yard").
- Fabian Trujillo then stated that residents would like the new homes to be architecturally compatible with Las Acequias homes.

At this point, Ms. Vigil lost her connection, but it seemed that the residents had had all their questions answered. Mr. Logston was unable to host and unmute attendees, but confirmed that the meeting was finished. Mr. Logston again told everyone to email him with questions and explained that he is available by phone but only on his cell. Phone calls to his office phone would come to his email and he would check there.

The meeting then concluded at approximately 6:45.

City of Santa Fe, New Mexico

Exhibit D

Applicant Materials

1. Project Report (Conceptual subdivision Exhibit 1 in Project Report
2. Ordinance #2013-12
3. Case #2012-104 FOFCOL (Item #13-0191)
4. Governing Body Meeting Minutes 3/13/2013
5. Traffic Impact Analysis Summary

REZONING and AMENDMENT TO ZONING CONDTIONS

Aguafina Subdivision
Santa Fe NM

Applicants:
Aguafina Development LLC

Land Planning Consultant:

Liaison Planning Services Inc.
P.O. Box 1835
Santa Fe, NM 87504
(505) 920-6839
liaisonplanning@gmail.com

June 22, 2020

Table of Contents

1. Introduction and Request.....2-3
2. Existing Zoning and Future Land Use.....3-4
3. Property Description.....4
4. Traffic Impact.....4
5. Rezoning Criteria Statement.....4-6
6. Amendment to Rezoning Conditions.....6-7
5. Conclusion.....7

Exhibits

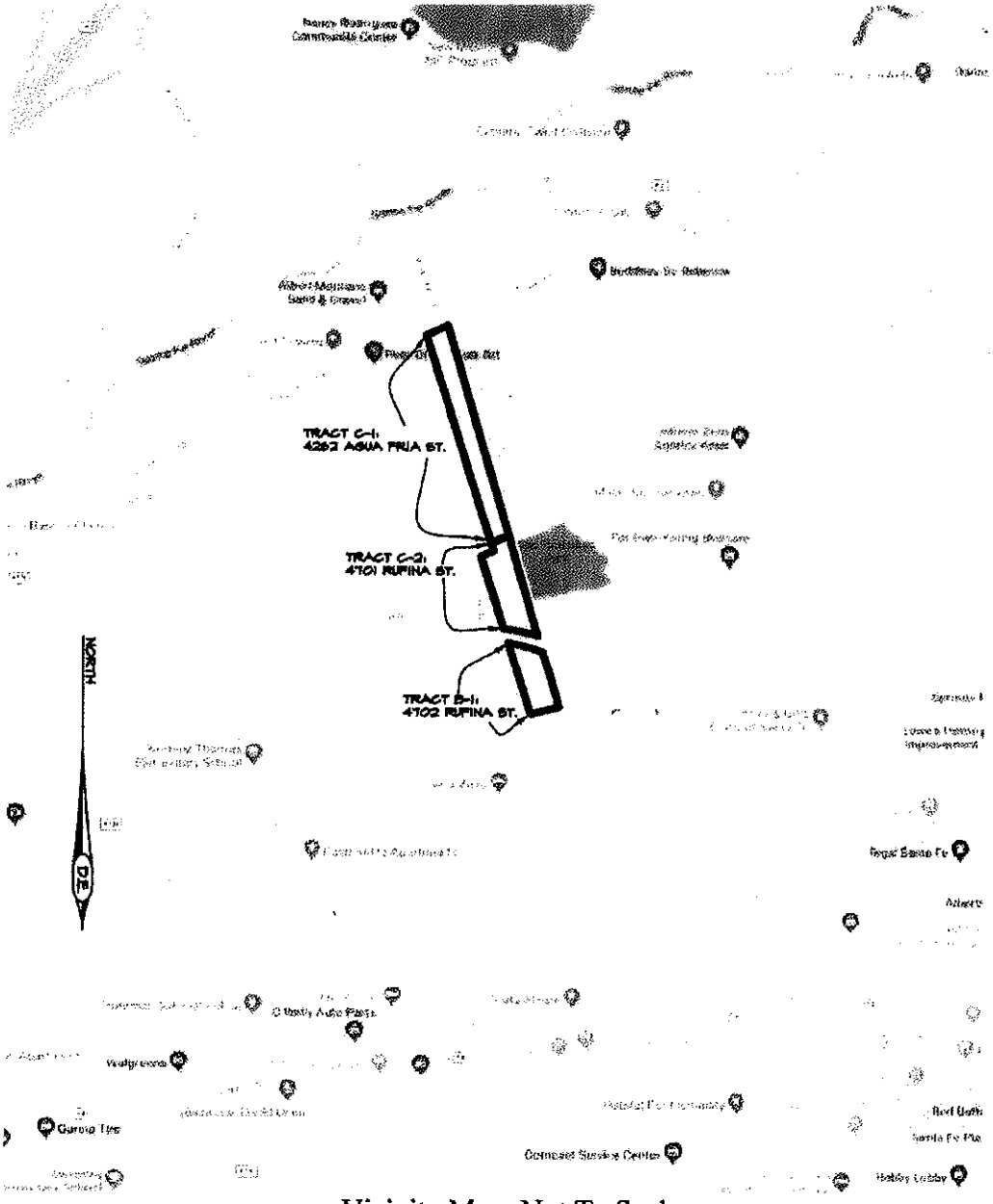
1. Site Plan
2. Ord. #2013-12
3. Findings of Fact and Conclusions of Law
4. Zoning Map
5. Future Land Use Map
6. Archaeological Boundary Map
7. Archaeological Clearance Permit

Appendices

Appendix A Traffic Impact Report
Appendix B Legal Lots of Record

1. Introduction and Request:

The property is located on the north and south side of Rufina Street and north of Agua Fria (*See* Vicinity Map). The applicant is requesting a rezoning for a 61-lot residential subdivision. The subdivision is comprised of three parcels: 4262 Agua Fria Street (Tract C-1, totaling 5.612 acres ±), 4701 Rufina St. (Tract C-2, totaling 3.437 acres ±), and 4702 Rufina St. (Tract B-1, totaling 2.423 acres ±).



Vicinity Map- Not To Scale

The applicant is requesting a rezoning for Tract C-2, from R-3 to R-5; and a rezoning for Tract B-1, from R-3 to R-6 (*See* Exhibit 1 Site Plan). The applicant also seeks to amend conditions that the Governing Body placed on Tracts B-1, C-1, and C-2. when the previous rezoning was approved (*See* Exhibit 2 Ord. #2013-12). Specifically, the applicant seeks to remove condition #2, which requires Tract C-1 to be developed "consistent with R-3 zoning notwithstanding that it is zoned R-5," and to modify condition #3, by removing the requirement for "three base-course lot access driveways, each serving eight lots." (*See* Exhibit 3 Findings of Fact and Conclusions of Law).

Currently all three lots are vacant and are accessed off of Agua Fria and Rufina Street. Adequate wet and dry utilities are available to the site.

Ultimately, the applicant would like to develop a single-family residential subdivision as shown on the enclosed conceptual site plan. The plan is for reference only and is not a requirement for this request. This site plan is used as a tool to demonstrate the density, open space and probable future access to the site.

2. Existing Zoning and Future Land Use:

Tract C-1 is zoned R-5 (but is limited to development beyond R-3 as conditioned by the Governing Body), Tract C-2 and B-1 are R-3 (*See* Exhibit 4 Zoning Map). The applicant is requesting to rezone Tract C-2 to R-5 and Tract B-1 to R-6. The parcels are bounded by a mix of residential zones, MHP to the southwest, R-6 to the west, R-5 to the east R-7 PUD to the southeast and R-6 to the south.

This request falls within the parameters of the Future Land Use Map Low Density 3-7 dwelling units per acre (*See* Exhibit 5). This application does not require a General Plan Amendment.

The properties are located within the Southwest Area Master Plan. Tracts C-1 and C-2 fall within the Rivers and Trails Archeological Review District and Tract B-1 in the Suburban Archeological Review District. An archaeological clearance permit has been obtained (*See* Exhibits 6 and 7)

3. Property Description:

The property is vacant and is comprised of 3 tracts as shown on the enclosed legal lots of record (*See* Appendix B). The development will provide affordable housing, open space, large livable lots and access to Agua Fria to the north and Rufina to the south.

The land slopes primarily slopes towards the west and dry and wet utilities are available.

4. Traffic Impact:

Enclosed is a Traffic Impact Report Narrative prepared by Morey Walker and Associates Engineering Inc. (*See* Appendix A), where a determination of impact was studied at the intersections of Rufina Street and Calle Atajo, Joshua Lane and Aguafina Lane/Casa de Todos and Rufina Street and Agua Fria and Aguafina Road.

In conclusion: "the single family lots for this development will have minimal impact on the level of service for these intersections."

5. Rezoning Approval Criteria Statement:

The applicant provides the following responses to the City Code criteria for approval of the rezoning request.

(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 exist:

(i) there was a mistake in the original rezoning; (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;

There has been some significant change to the surrounding area. An increase in density has occurred once the City expanded its limits and began to provide infrastructure to the area. The annexation and expansion of services has altered the character of Airport Road and Rufina. Rezoning this property will bring it into compliance with the General Plan and Future Land Use Map of Low Density Residential (3-7 dwelling units/acre).

(b) all rezoning requirements of Chapter 14 have been met;

The rezoning requirements of Chapter 14 are addressed herein and the application is consistent with those requirements.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

The zoning request to R-5 and R-6 is consistent with the General Plan's Low Density future land use designation (See Exhibit 5).

(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

The rezoning request will provide infill development consistent with the General Plan's policy supporting the preservation of the scale and character of established neighborhoods while promoting appropriate infill development in an area already served by City water and sewer.

(e) the existing and proposed infrastructure, such as the street 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.

Existing infrastructure, including water and sewer is sufficient to serve the increased density resulting from the rezoning. Existing road networks will be impacted by this rezoning but will be mitigated by access to Agua Fria and Rufina Street.

6. Amendment to Rezoning Conditions:

When the rezoning occurred in 2013 pursuant to Ordinance No. 2013-12, two conditions of approval were placed upon the rezoning: A) Tract C-1 be development "consistent with R-3 zoning notwithstanding that it is zoned R-5," (*See* Exhibit 3 Findings of Fact and Conclusions of Law Condition #2), B) and to build "three base-course lot access driveways, each serving eight lots." (*See* Exhibit 3 Findings of Fact and Conclusions of Law Condition #3). Tract C-1 was *not* part of the 2013 rezoning action by the City of Santa Fe.

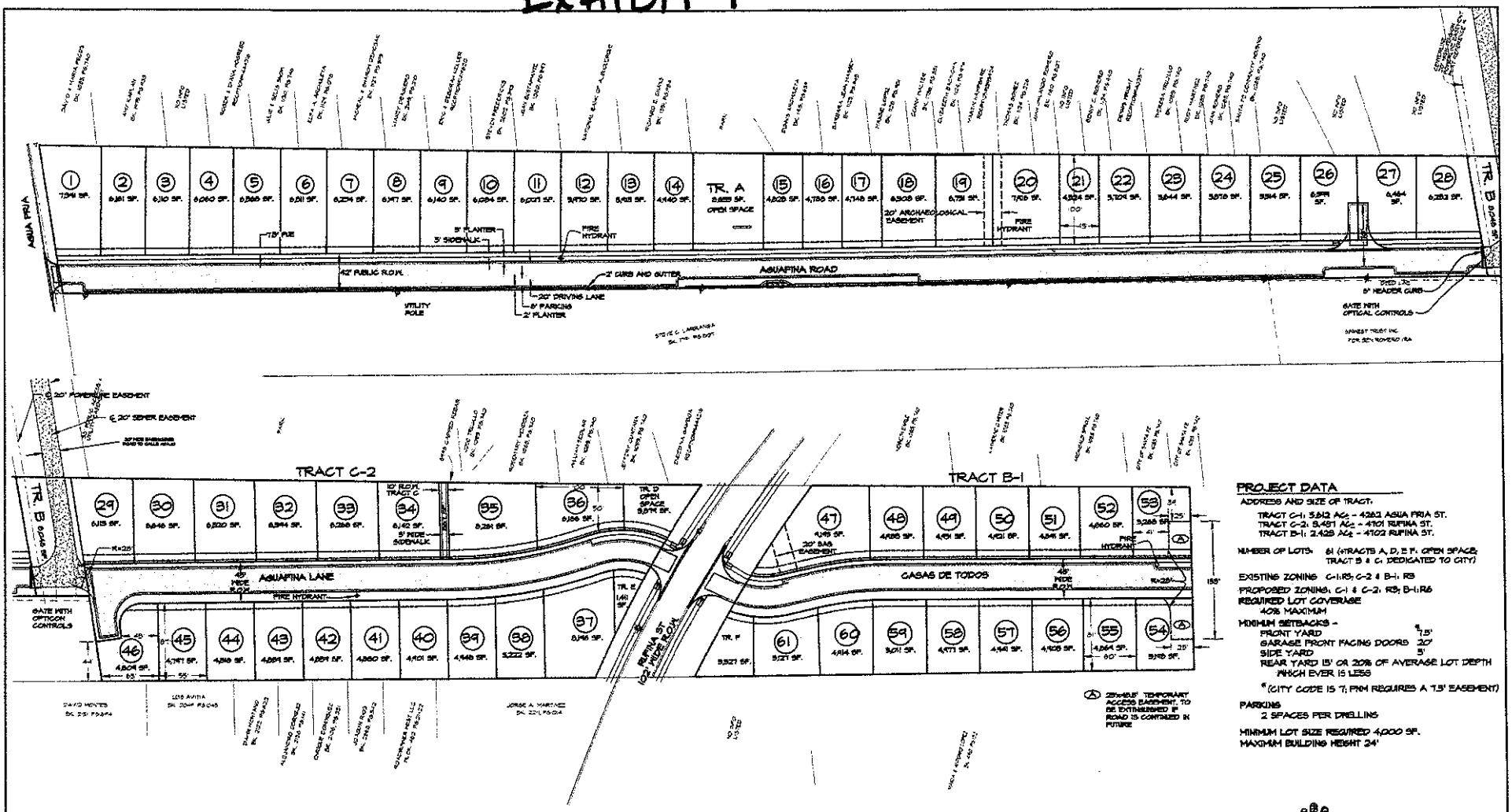
The Applicant recognizes that, as a matter of expediency, the previous owner of the Tract C-1 offered and accepted a condition that Tract C-1 be limited in its development to the R-3 standards. For a couple of reasons, the Applicant requests that this condition be removed, along with the condition that only a base course roadway be built. First, as a policy matter, the artificial limitation unnecessarily restricts the badly needed increase in Santa Fe's housing supply. The recent pandemic is driving people to Santa Fe in ever increasing numbers, and the limited housing supply is quickly driving prices upward in a manner that prevents the average working family from being able to afford to buy a home and live here. Second, the imposition of the conditions on the zoning is not enforceable under New Mexico case law. In the Mechem v. City of Santa Fe, 96 N.M. 668 (1981), the New Mexico Supreme Court held that a condition on a special exception was not enforceable, *even though it was offered and agreed to by the applicant for the special exception.* Given the questionable enforceability of placing a condition on a tract that had existing zoning, i.e., it was not part of the property being rezoned when the condition was imposed, the Applicant requests that it be expressly revoked.

With respect to the removal of Condition #3, if approved the rezoning action would require paved roads and curb and gutter. Condition #3 would be inconsistent with those requirements.

7. Conclusion:

The request for rezoning to R-5 and R-6 Districts for Tracts C-2 and B-1 to be utilized as a residential subdivision, is in keeping with the intent of the General Plan and Future Land Use Map of Low Density Residential (3-7 dwelling units/acre).

EXHIBIT 1



AGUAFINA SITE PLAN

06/22/2020

PROJECT DATA

ADDRESS AND SIZE OF TRACT:
TRACT C-1: 5,812 Ac± - 4281 AGUA FRIA ST.
TRACT C-2: 5.451 Ac± - 4101 RUFINA ST.
TRACT B-1: 2.429 Ac± - 4102 RUFINA ST.

NUMBER OF LOTS: 61 (+TRACTS A, D, E F: OPEN SPACE; TRACT B & C: DEDICATED TO CITY)

EXISTING ZONING: C-1; R5; C-2 & B-1: R8

PROPOSED ZONING: C-1 & C-2: R5; B-1: R6

REQUIRED LOT COVERAGE
40% MAXIMUM

MINIMUM SETBACKS -
FRONT YARD *7.5'
GARAGE FRONT FACING DOORS 20'
SIDE YARD 5'
REAR YARD 15' OR 20% OF AVERAGE LOT DEPTH WHICH EVER IS LESS

*(CITY CODE IS 7; PRM REQUIRES A 7.5' EASEMENT)

PARKING
2 SPACES PER DWELLING

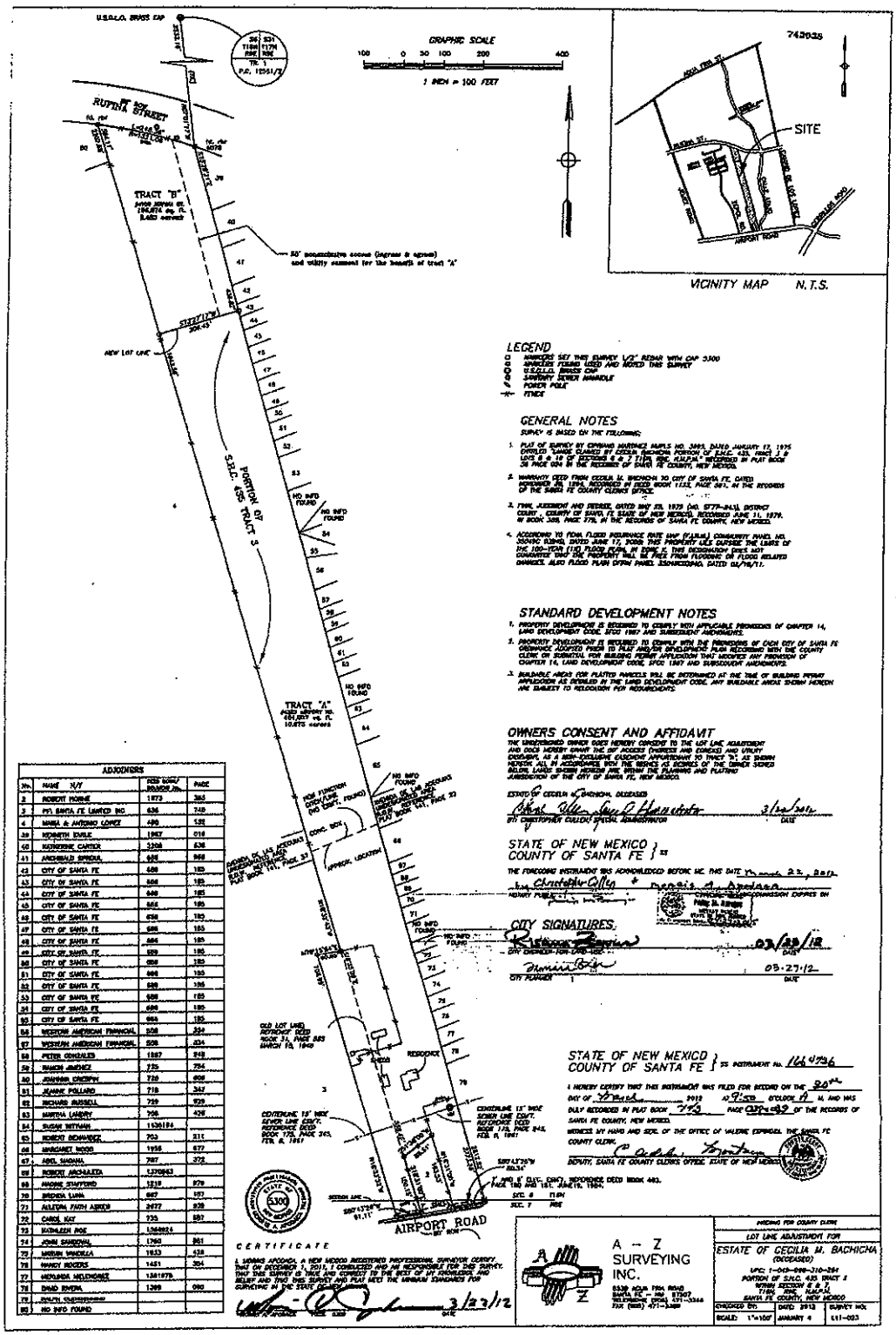
MINIMUM LOT SIZE REQUIRED 4,000 SF.
MAXIMUM BUILDING HEIGHT 24'

Ⓐ 25'=MAX. TEMPORARY ACCESS EASEMENT. TO BE EXTINGUISHED IF ROAD IS CONTAINED IN FUTURE

Liaison Planning Services Inc.
P.O. Box 1835
Santa Fe NM 87504
(505) 920-6439
liaisonplanning@gmail.com
Liaison Planning Services INC.

DESIGN ENGINUITY

EXHIBIT 1



ADJOINERS			
No.	NAME N/F	DEED BOOK/ INSTRUMENT No.	PAGE
2	ROBERT PERRIE	1873	364
3	FCI SANTA FE LIMITED INC.	636	748
4	MARIA A. ANTONIO LOPEZ	490	135
39	KENNETH EARLE	1907	016
40	KATHERINE CARTER	2208	636
41	ARCHIBALD SPRIGNA	626	868
42	CITY OF SANTA FE	686	183
43	CITY OF SANTA FE	686	183
44	CITY OF SANTA FE	686	183
45	CITY OF SANTA FE	686	183
46	CITY OF SANTA FE	686	183
47	CITY OF SANTA FE	686	183
48	CITY OF SANTA FE	686	183
49	CITY OF SANTA FE	686	183
50	CITY OF SANTA FE	686	183
51	CITY OF SANTA FE	686	183
52	CITY OF SANTA FE	686	183
53	CITY OF SANTA FE	686	183
54	CITY OF SANTA FE	686	183
55	CITY OF SANTA FE	686	183
56	WESTERN AMERICAN FINANCIAL	508	834
57	WESTERN AMERICAN FINANCIAL	508	834
58	PETER GONZALES	1887	848
59	RAMON JIMENEZ	735	754
60	JOHANNA CROSBY	738	808
61	JEANNE POLLARD	738	347
62	RICHARD RUSSELL	739	939
63	MARTHA LANDRY	706	428
64	SUSAN WITTMAN	1536184	
65	ROBERT RICHARDEE	703	811
66	MARGARET WOOD	1956	677
67	ABEL MADRAL	787	272
68	ROBERT ARCHULETA	1370843	
69	MARIE STAFFORD	1218	879
70	BRENDA LUNA	667	187
71	ALLEGRA FAITH ABEID	2477	838
72	CAROL KAY	735	887
73	KATHLEEN ROE	1568824	
74	JOHN SANDOVAL	1760	861
75	MIRIAN VIADELLA	1933	438
76	NANCY ROGERS	1451	354
77	HERLINDA MELENDREZ	1381878	
78	DAVID RIVERA	1388	080
79	RALPH CHAPPELEAR		
80	NO INFO FOUND		

LEGEND

- ○ MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 3300
- ● MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.O. BRASS CAP
- SANITARY SEWER MANHOLE
- POWER POLE
- FENCE

GENERAL NOTES

SURVEY IS BASED ON THE FOLLOWING:

1. PLAT OF SURVEY BY EDWARD MARTIN'S NO. 3885, DATED JANUARY 12, 1976 ENTITLED "LAND PLANNED BY CECILIA BACHICHA PORTION OF S.R.C. 435, TRACT 3, & LOTS 2 & 10 OF RECORDED M & P 7 (TOTAL 38.8± ACRES)" RECORDED IN PLAT BOOK 26 PAGE 005 IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
2. WARRANTY DEED FROM CECILIA M. BACHICHA TO CITY OF SANTA FE, DATED SEPTEMBER 30, 1994, RECORDED IN DEED BOOK 1133, PAGE 961, IN THE RECORDS OF THE SANTA FE COUNTY CLERKS OFFICE.
3. FINAL JUDGMENT AND DECREE, DATED MAY 6TH, 1970 (NO. 5779-84(3), DISTRICT COURT, COUNTY OF SANTA FE, STATE OF NEW MEXICO, RECORDED JUNE 21, 1979, IN BOOK 308, PAGE 778, IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 350040 0280D, DATED JUNE 17, 2008 THIS PROPERTY LIES OUTSIDE THE LIMITS OF THE 100-YEAR (1%) FLOOD PLAIN, AS SHOWN. THIS DESIGNATION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES. ALSO FLOOD PLAIN SHOWN PANEL EXAMINATIONS, DATED 08/19/11.

STANDARD DEVELOPMENT NOTES

1. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, ECDC 1987 AND SUBSEQUENT AMENDMENTS.
2. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, ECDC 1987 AND SUBSEQUENT AMENDMENTS.
3. BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE. ANY BUILDABLE AREAS SHOWN HEREON ARE SUBJECT TO RELOCATION PER REQUIREMENTS.

OWNERS CONSENT AND AFFIDAVIT

THE UNDERSIGNED OWNER DOES HEREBY CONSENT TO THE LOT LINE ADJUSTMENT AND DOES HEREBY GRANT THE CITY ENGINEER EASEMENTS AND UTILITY EASEMENTS, AS A NON-EXCLUSIVE EASEMENT APPURTENANT TO TRACT 3-1, AS SHOWN HEREON, ALL IN ACCORDANCE WITH THE SERVICE AT SCHEMES OF THE OWNER SIGNED BELOW. LANDS SHOWN HEREON ARE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

ESTATE OF CECILIA BACHICHA, DECEASED

BY: CHRISTOPHER CALLOZ SPECIAL ADMINISTRATOR — DATE: 3/22/2012

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS DATE March 23, 2012

BY Christobal Calloz & Francisco A. Apodaca

NOTARY PUBLIC — CHRISTOBAL CALLOZ — NOTARY PUBLIC — STATE OF NEW MEXICO — COMMISSION EXPIRES ON

CITY SIGNATURES:

CITY ENGINEER-FOR LAND USE — DATE: 03/23/12

CITY PLANNER — DATE: 03-27-12

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } SS INSTRUMENT No. 1641796

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 30th DAY OF March, 2012 AT 9:50 O'CLOCK A M. AND WAS DULY RECORDED IN PLAT BOOK 775 PAGE 039-049 OF THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.

WITNESS MY HAND AND SEAL OF THE OFFICE OF VALERIE ESPINOZA, THE SANTA FE COUNTY CLERK.

BY: [illegible] DEPUTY, SANTA FE COUNTY CLERKS OFFICE, STATE OF NEW MEXICO

CERTIFICATE

I, MIRABAL APODACA, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR CERTIFY, THAT ON DECEMBER 1, 2011, I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO.

3/23/12
DATE

A - Z SURVEYING INC.
6538 AGUA TIBIA ROAD
SANTA FE, NM 87507
TELEPHONE (505) 471-3366
FAX (505) 471-3480

HEADING FOR COUNTY CLERK

LOT LINE ADJUSTMENT FOR

ESTATE OF CECILIA M. BACHICHA (DECEASED)

UPC: 1-043-098-310-284
PORTION OF S.R.C. 435 TRACT 3
WITHIN SECTION 6 & 7
T19N, R9E, N.M.P.M.
SANTA FE COUNTY, NEW MEXICO

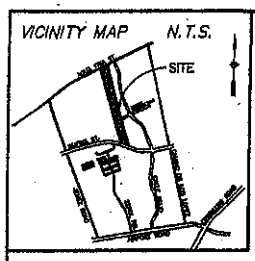
CHECKED BY:	DATE: 2012	SURVEY NO:
SCALE: 1"=100'	JANUARY 4	111-023

AGUAFINA LOT SPLIT (CASE# 2012-145)

PURPOSE: TO CREATE TWO RESIDENTIAL LOTS

785035'

VICINITY MAP N.T.S.



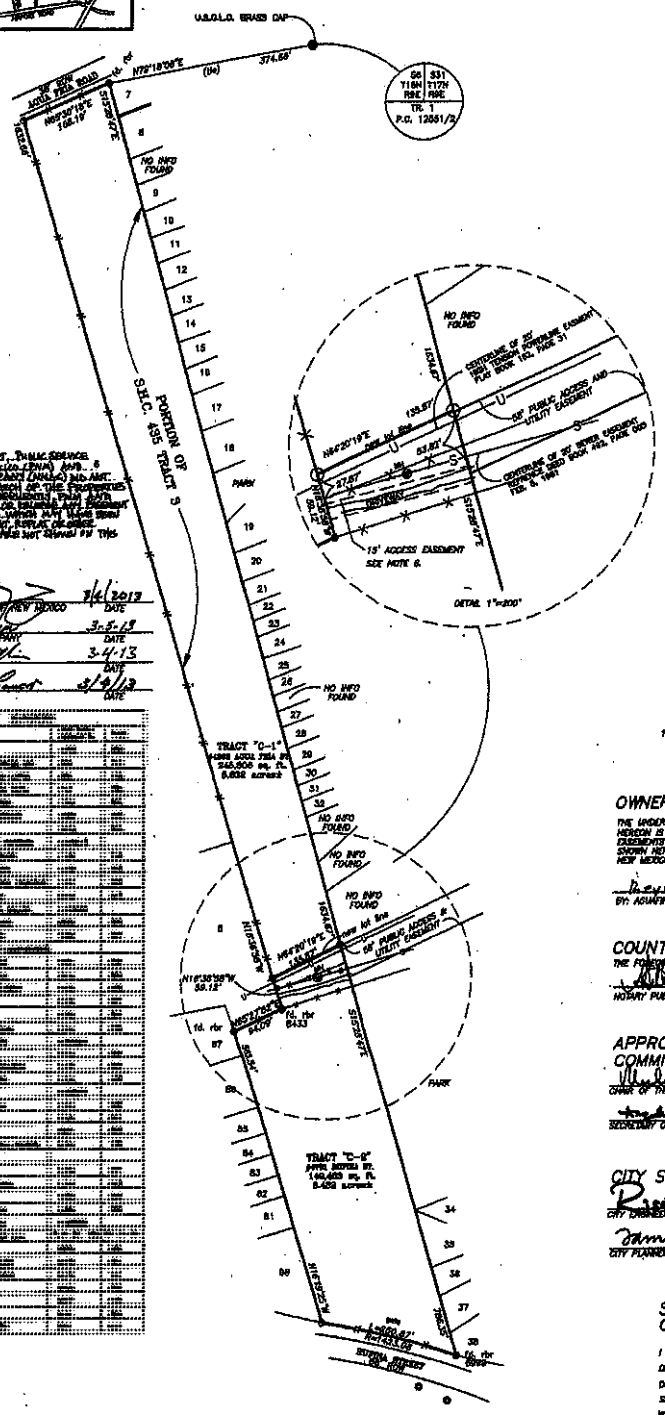
LEGEND

- MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 5300
- MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.O. BRASS CAP
- SANITARY SEWER MANHOLE
- POWER POLE
- FENCE
- OVERHEAD UTILITY LINE

GRAPHIC SCALE

100 0 50 100 200 400

1 INCH = 100 FEET


U.S.G.L.O. BRASS CAP
S6 T19N R9E S31 T17N R9E
TR. 1 P.O. 12551/2
N79°18'08"E (tie) 374.69'
NO INFO FOUND
PORTION OF S.H.C. 435 TRACT 3
PARK
TRACT "C-1" 14888 AGUA FRIA ST. 340,906 sq. ft. 8.038 acres±
TRACT "C-2" 14898 AGUA FRIA ST. 146,483 sq. ft. 8.453 acres±
15' ACCESS EASEMENT SEE NOTE 6.
DETAIL 1"=200'
50' PUBLIC ACCESS AND UTILITY EASEMENT
CENTERLINE OF 20' WATER EASEMENT PER BOOK 140, PAGE 31
CENTERLINE OF 10' SEWER EASEMENT RECORDED IN DEED BOOK 449, PAGE 040 FEB. 6, 1967
N16°38'38"W 58.12'
N63°27'02"E 94.04'
N67°39'19"E 134.49'
N16°20'19"E 139.89'
N67°39'19"E 134.49'
S16°20'41"E 139.89'
S67°39'19"W

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2013-12

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE ZONING CLASSIFICATION FOR 2.453± ACRES IDENTIFIED AS TRACT B AND THE SOUTHERN 3.432± ACRES OF TRACT C (IDENTIFIED AS TRACT C-2), A PORTION OF SMALL HOLDING CLAIM 435 TRACT 3 WITHIN SECTION 6, TOWNSHIP 16 NORTH, RANGE 9 EAST, NEW MEXICO PRIME MERIDIAN, WHICH IS LOCATED WEST OF CALLE ATAJO BETWEEN AGUA FRIA STREET AND RUFINA STREET, FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-3 (RESIDENTIAL, 3 DWELLING UNITS PER ACRE), AND PROVIDING AN EFFECTIVE DATE. ("AGUAFINA REZONING," CASE #2012-104).

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

Section 1. That certain parcels of land comprising 5.89± acres (the "Property") located within Section 6, Township 16N, Range 9E, New Mexico Prime Meridian, Santa Fe County, State of New Mexico, of which totals approximately 5.89 ± acres which are located within the municipal boundaries of the City of Santa Fe, are restricted to and classified as R-3 (Residential, 3 dwelling units per acre) as described in the legal description zoning map attached hereto [EXHIBIT A] and incorporated herein by reference.

Section 2. The official zoning map of the City of Santa Fe adopted by Ordinance No. 2001-27 is hereby amended to conform to the changes in zoning classifications for the

Property set forth in Section 1 of this Ordinance.

Section 3. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in the table attached hereto [EXHIBIT B] and incorporated herein summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on December 6, 2012.

Section 4. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

PASSED, APPROVED AND ADOPTED this 13th day of March, 2013.

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

GENO ZAMORA, CITY ATTORNEY

LEGAL DESCRIPTIONS

TRACT C-2

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "C-2" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N02°22'20"E, A DISTANCE OF 1646.34 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°28'47"E, A DISTANCE OF 786.35 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1423.08, AND AN ARC LENGTH OF 250.87 FEET TOGETHER WITH A CENTRAL ANGLE OF 10°06'02" TO A POINT; THENCE N16°19'25"W, A DISTANCE OF 563.54 FEET TO A POINT; THENCE N65°27'52"E, A DISTANCE OF 94.09 FEET TO A POINT; THENCE N16°36'58"E, A DISTANCE OF 59.12 FEET TO A POINT; THENCE N64°20'19"E, A DISTANCE OF 135.87 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 3.432 ACRES. MORE OR LESS.

TRACT B

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "B" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N07°01'17"W, A DISTANCE OF 2532.16 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°29'21"E, A DISTANCE OF 439.82 FEET TO A POINT; THENCE S73°27'17"W, A DISTANCE OF 206.45 FEET TO A POINT; THENCE N16°32'43"W, A DISTANCE OF 564.11 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1321.08 FEET AND AN ARC LENGTH OF 248.36 FEET, TOGETHER WITH A CENTRAL ANGLE OF 10°46'17" TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 2.453 ACRES. MORE OR LESS.

REGISTERED PROFESSIONAL SURVEYOR
STATE OF NEW MEXICO
5300
MORRIS A. APODACA

Exhibit A, Page 1 of 1

A-Z SURVEYING INC.
DECEMBER 13, 2012
L12-032

Aguafina Rezoning to R-5–Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

onditions	Department	Staff
Review comments are based on submittals received on August 15, 2012. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted: 1. The Developer shall provide an access from Tract "C" to Rufina Street, aligning the intersection with the proposed access to Tract B. Both accesses shall be partial accesses providing Right-in, Right-out, and Left-in turns only; 2. The Developer shall provide a traffic analysis of the access points to Rufina Street to determine if deceleration and/or acceleration lanes are needed and if so how long they should be; 3. The Developer shall plan this development so that it allows future access to the west that corresponds with proposed access to the east from the approved Cielo Azul Subdivision. We required the Cielo Azul developers to provide stub-outs so that their roadway network can connect to the east. The Developer shall indicate on the subdivision plat and development plan, the locations of these future Right-of-Way accesses and stub-outs (ghost lines) to the west; 4. We have reviewed a conceptual design of a subdivision that indicates a proposed access and utility easement. At such time as a submittal is made for a subdivision plat and/or a development plan, the proposed roads shall be built to City of Santa Fe standards and dedicated as public right-of-way.	Traffic Engineering	John Romero/ Sandra Kassens
The Fire Marshal conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) 2009 Edition. Below are the following requirements that shall be addressed prior to final approval of a subdivision plat. 1. Shall Comply with International Fire Code (IFC) 2009 edition. 2. Shall meet fire department access for R-5 zoning as per IFC 2009 edition, and have two points of access. 3. Shall meet fire protection requirements for R-5 zoning as per IFC 2009 edition.	Fire	Rey Gonzales
The subject property is accessible to the City sanitary sewer system and connection to the City sewer system is mandatory and shall be made prior to any new construction. Additionally, the following notes shall be included on the plat: Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.	Wastewater	Stan Holland
Based on the latest SFHP requirements, 20% of the proposed 21 lot subdivision must be designated affordable which is 4.2 (21x.2=4.2).The 0.2 lot can be satisfied by providing another lot or paying a fractional fee. The affordable lots must be spread out and not clustered. A completed SFHO proposal is required prior to review of the plans by staff prior to Planning Commission approval of the Final Plat. A Santa Fe Housing Program (SFHP) Agreement shall be signed and recorded with the Final Plat. The affordable lots shall be designated on the plat.	Affordable Housing	Kym Dicome/ Alexandra Ladd

Aguafina Rezoning to R-5–Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

onditions	Department	Staff
There is no location shown for stormwater ponding as required by the Land Development Code. All applicable requirements of Article 14-8.2 must be met if the project goes forward after the rezoning.	Technical Review	Risana "R.B." Zaxus
Section 14-8.15(C)(2) SFCC 1987 requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided does not address any park dedication. The applicant shall provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees, in order to comply with this Land Development Code requirement.	Current Planning	Heather Lamboy

ITEM # 13-0191

City of Santa Fe
Governing Body
Findings of Fact and Conclusions of Law

Case #2012-104
Aguafina Rezoning to R-3
Owner's Name – Aguafina Development, LLC
Applicant's Name – JenkinsGavin Design and Development, Inc.

THIS MATTER came before the Governing Body of the City of Santa Fe for hearing on March 13, 2013 upon the application (Application) of JenkinsGavin Design and Development, Inc. as the agent for Aguafina Development, LLC (Applicant).

The Applicant applied to rezone 5.89± acres of land (Property) from R-1 (Residential – 1 dwelling unit/acre) to R-3 (Residential – 3 dwelling units/acre). The Property is located south of Agua Fria Street and west of Calle Atajo at 4702 Rufina Street and 4262 Agua Fria Street, now known as 4701 Rufina Street. On December 6, 2012 the Planning Commission (Commission) voted to recommend to the Governing Body that the Property be rezoned to R-3 (Residential – 3 dwelling units/acre), subject to certain conditions (the Conditions). The Property is designated as Low Density Residential (3-7 dwelling units/acre) on the General Plan Future Land Use Map.

The Applicant also owns 5.632± acres of land (Adjacent Parcel) adjacent to the Property on the north, extending from Agua Fria south to approximately Powerline Road. The Adjacent Parcel is also designated as Low Density Residential on the General Plan Future Land Use Map and is zoned R-5 (Residential – 5 dwelling units/acre). The Adjacent Parcel is not a subject of the Application. However, in accordance with discussions with certain neighbors of the Property, the Applicant offered to the Governing Body to (1) submit its request for subdivision and/or development plan approval to the Commission for both the Property and the Adjacent Parcel as a single application; (2) develop the Adjacent Parcel consistent with R-3 zoning, notwithstanding that it is zoned R-5; (3) not request to use Powerline Road as a primary or secondary access for either the Property or the Adjacent Parcel as part of its application for such Commission approval, but to propose instead three base-course lot access driveways , each serving eight lots; and (4) grant an easement to Abe and Kathleen Tapia and their successors across the Adjacent Parcel to permit them to access Powerline Road (collectively, the Applicant Undertakings).

Findings of Fact and Conclusions of Law (Commission Findings and Conclusions) embodying the Commission's vote were adopted by the Commission on January 10, 2013 and were filed with the City Clerk as Item #13-0023. The Applicant originally sought the Commission's approval to rezone the Property to R-5, but withdrew that request by letter dated February 15, 2013, amending the Application to request R-3 zoning for the Property. The Application before the Governing Body is therefore consistent with the recommendation of the Commission.

In accordance with the foregoing, and after conducting a public hearing, and having heard from staff, the Owner's representatives, residents of the neighborhood in which the Property is located, and certain interested others, the Governing Body hereby FINDS, as follows:

FINDINGS OF FACT

1. The Governing Body has authority, under Santa Fe City Code (Code) Sections 14-2.1 Table 14-2.1-1 and 14-2.2(A) to review and finally decide upon applications for rezoning in accordance with the procedures set forth in Code Section 14-3.5(B)(2) and applying the criteria set forth in Code Section 14-3.5(C).
2. Code Section 14-3.1(H)(1)(e)(2) requires that notice of a public hearing before the Governing Body be provided in accordance with Code Section 14-3.1(H)(1)(a) and that the applicant publish notice in a local daily newspaper of general circulation at least fifteen calendar days prior to the public hearing (collectively, the Notice Requirements).
3. The Notice Requirements have been met.
4. The Governing Body reviewed the report dated February 19, 2013 for the March 13, 2013 City Council Hearing prepared by City staff (Staff Report), the recommendation of the Commission, the Commission Findings and Conclusions and the evidence introduced at the public hearing in accordance with the requirements of Code Section 14-3.5(B)(2)(a).
5. The Governing Body heard direct testimony from City staff, the Applicant, residents of the neighborhood in which the Property is located and certain interested others.
6. The Applicant offered to the Governing Body to perform the Applicant Undertakings if the Governing Body approved R-3 zoning for the Property.
7. The Applicant's offer to perform the Applicant Undertakings is a material consideration relied upon by the Governing Body in its review of the Application.
8. Commission Findings of Fact 2 through 10 and Conclusions of Law 1 through 3 accurately reflect the facts in this matter as presented at the hearing.
9. Commission Finding of Fact 12 accurately reflects the facts in this matter, with the deletion of the words, "However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property." The deletion reflects the Applicant's request to amend the Application to request R-3 zoning.
10. Commission Conclusion of Law 5 accurately reflects the facts in this matter, with the deletion of the words, "..., although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property." The deletion reflects the Applicant's request to amend the Application to request R-3 zoning.
11. The Governing Body accepts the Applicant's offer to perform the Applicant Undertakings in the event that the Governing Body approves the Application.
12. The Governing Body has considered the comments of members of the public made at the hearing relating to the future development of the Property and the Adjacent Parcel and, understanding that the Commission has the authority under the Code to review and approve with or without conditions or deny applications for subdivision and development plan approval, but mindful of the concerns of certain neighbors that are appropriately addressed in conjunction with the subdivision and development approval process, requests the Commission to consider fully such comments in reviewing and deciding upon applications

for future subdivision and/or development plan approval for the Property and the Adjacent Parcel.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted at the hearing, the Governing Body hereby CONCLUDES and ORDERS:

1. The Commission Findings and Conclusions, a copy of which is attached hereto as Exhibit A, are adopted in part by the Governing Body as follows: Commission Findings of Fact 2 through 10 and, with the deletion of the words, "However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property", Commission Finding of Fact 12; and Conclusions of Law 1 through 3 and, with the deletion of the words, "..., although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property", Conclusion of Law 5. The foregoing enumerated Findings of Fact and Conclusions of Law are hereby adopted by the Governing Body and are incorporated in these Findings of Fact and Conclusions of Law as if set out in full herein. Those Findings of Fact and Conclusions of Law not specifically adopted herein are specifically not adopted.
2. The proposed rezoning is therefore approved, subject to the Conditions and subject further to the performance by the Applicant of the Applicant Undertakings.

IT IS SO ORDERED ON THE 27TH OF MARCH 2013 BY THE GOVERNING BODY OF THE CITY OF SANTA FE.

David Coss
Mayor

3-29-13
Date:

FILED WITH THE CITY CLERK:

Yolanda Y. Vigil
Yolanda Y. Vigil /Counter 3/27/13
City Clerk

4-2-13
Date:

APPROVED AS TO FORM:

Geno Zamora
City Attorney

3/27/13
Date:

ITEM # 13-0023

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case #2012-104 – Aguafina Rezoning
Owner's Name – Aguafina Development, LLC
Applicant's Name – JenkinsGavin Design & Development, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on December 6, 2012 upon the application (Application) of JenkinsGavin Design & Development, Inc. as agent for Aguafina Development, LLC (Applicant).

The Applicant seeks to rezone 5.73± acres of land (Property) that comprises the southern part of a single tract of land (the Tract) west of Calle Atajo that runs south from Agua Fria Street to south of Rufina Street. The Property is bisected by Rufina Street and is zoned R-1 (Residential – 1 dwelling unit/acre). The remainder of the Tract (the Remainder) is zoned R-5 (Residential – 5 dwelling units/acre). The Applicant seeks to rezone the Property from R-1 to R-5 so that the Tract is within a single zoning district. The Property is designated as Low Density Residential (3-7 dwelling units/acre) on the General Plan Future Land Use Map.

After conducting a public hearing and having heard from staff, the Applicant, and all other interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and members of the public interested in the matter.
2. Under SFCC §14-3.5(A)(1)(d) any individual may propose a rezoning.
3. SFCC §§14-3.5(B)(1) sets out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in SFCC §14-3.5(C).
4. SFCC §§14-3.5(C) establishes the criteria to be applied by the Commission in its review of proposed rezonings (Rezoning Criteria).
5. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)(1)(a)(i)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F)(2)(a)(iii)]; and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
6. A pre-application conference was held on May 10, 2012.
7. SFCC §14-3.1(F) establishes procedures for the ENN meeting, including, without limitation:
   (a) Scheduling and notice requirements [SFCC §14-3.1(F)(4) and (5)];
   (b) Regulating the timing and conduct of the meeting [SFCC §14-3.1(F)(5)]; and
   (c) Setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].

8. An ENN meeting was held on the Application at 5:30 p.m. on July 30, 2012 at the Southside Library at 6599 Jaguar Road.
9. Notice of the ENN meeting was properly given.
10. The ENN meeting was attended by the Applicant, City staff and other interested parties and the discussion followed the guidelines set out in SFCC §14-3.1(F)(6).
11. Commission staff provided the Commission with a report (the Staff Report) evaluating the factors relevant to the Application and recommending approval by the Commission of the Rezoning, subject to those conditions contained in the Staff Report (the Conditions).
12. The Commission has considered the Rezoning Criteria and finds, subject to the Conditions, the following facts:
    (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 Plan or other adopted City plans [SFCC §14-3.5(C)(1)(a)].*
    There has been a change in the surrounding area, with an increase in density as the City has expanded southward, altering the character of the Rufina Street corridor. Rezoning will bring the Property into compliance with the General Plan future land use designation for the Property of Low Density Residential (3-7 dwelling units/acre) and with the Plan policy supporting residential development within the future growth areas is built at a minimum gross density of 3 dwelling units/acre, and an average of 5 dwelling units/acre where topography allows.
    (b) *All the rezoning requirements of SFCC Chapter 14 have been met [SFCC §14-3.5(C)(1)(b)].*
    All tbe rezoning requirements of SFCC Chapter 14 have been met.
    (c) *The proposed rezoning is consistent with the applicable policies of the General Plan [Section 14-3.5(A)(c)].*
    The proposed rezoning is consistent with the General Plan's Low Density future land use designation for the Property.
    (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 [SFCC §14-3.5(C)(1)(d)].*
    The proposed rezoning is consistent with the Plan's Low Density future land use designation for the Property and with the General Plan policy supporting the preservation of the scale and character of established neighborhoods while promoting appropriate infill development in an area already served by public water and wastewater facilities.
    (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 [Section 14-3.5(C)(e)];*
    Existing infrastructure, including water and sewer is sufficient to serve the increased density resulting from the rezoning. However, impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

1. The Rezoning was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with SFCC requirements.
2. The ENN meetings complied with the requirements established under the SFCC.
3. The Applicant has the right under the SFCC to propose the rezoning of the Property.
4. The Commission has the power and authority at law and under the SFCC to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body based upon that review.
5. The proposed rezoning meets the Rezoning Criteria, although the impacts on traffic and on other public facilities, especially parks, which are inadequate to serve the area at existing densities, mitigate against R-5 zoning for the Property.

WHEREFORE, IT IS ORDERED ON THE 10TH OF JANUARY 2013 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends to the Governing Body that it approve the rezoning of the Property to R-3, subject to the Conditions.

Thomas Spray
Chair

Date: 1/10/13

FILED:

Yolanda Y. Vigil
City Clerk

Date: 1.14.13

APPROVED AS TO FORM:

Kelley Brennan
Assistant City Attorney

Date: 1/10/13

The Public Hearing was closed

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to adopt Ordinance No. 2013-11, as presented by staff.

DISCUSSION: Councilor Bushee explained that this isn't meant to prohibit activities, such as at the Railyard, as long as they get a permit. She said there are quite a few sections of City owned land and rights-of-way along the road off Hyde Park where people are parking and camping unlawfully, and having campfires. She said that is problematic in these dry weather conditions.

Councilor Calvert noted this is also happening in other areas such as in the Northwest Quadrant.

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

Explaining his vote: Councilor Trujillo said, "Yes, and Robert being that we just passed this one, I want to tell you right there on the Rail Trail between Alta Vista and 5th Street, right along the middle, there's a little section there where's this little arroyo, I don't know which one it is, deep in the back there are people camping there. People see it every day and we contacted them a few weeks back, but they're back. So, just for your information.

4) CONSIDERATION OF BILL NO. 2013-2: ADOPTION OF ORDINANCE NO. 2013-12. CASE #2012-104. AGUAFINA REZONING TO R-5. JENKINSGAVIN DESIGN AND DEVELOPMENT, AGENT FOR AGUAFINA DEVELOPMENT, LLC, REQUESTS TO REZONE 5.89± ACRES FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-5 (RESIDENTIAL 5 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED SOUTH OF AGUA FRIA STREET AND WEST OF CALLE ATAJO, AT 4702 RUFINA STREET AND 4262 RUFINA STREET. (HEATHER LAMBOY, CASE MANAGER).

A Memorandum prepared February 19, 2013, for the March 13, 2013 City Council Hearing, with attachments, to Mayor David Coss and Members of the City Council, from Heather L. Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "3."

A copy of Ms. Lamboy's report statement for the record is incorporated herewith to these minutes as Exhibit "4."

A copy of a letter to the Mayor and City Councilors, with attached email, dated December 2, 2013, from Jennifer Jenkins, entered for the record by Linda Wilder Flat, is incorporated herewith to these minutes as Exhibit "5."

An aerial photograph and an aerial map, entered for the record by Jennifer Jenkins, are incorporated herewith collectively to these minutes as Exhibit "6."

Mayor Coss said, "And I understand this is a *de novo* hearing now, Geno." Mr. Zamora said, "That's correct. It'll be a full hearing, like it was the last time it was heard by this governing body.

Ms. Lamboy read her report [Exhibit "4"] into the record as follows:

Overview for Aguafina

On December 6, 2012, the Planning Commission found that all criteria for a rezoning have been met with the recommendation that the tracts be rezoned to R03 instead of the originally requested R-5.

At the City Council hearing on January 30, 2013, the City Council denied the applicant's request for rezoning, finding that the criteria for a rezoning were not met after hearing the public comment on the case.

At the following Council hearing, on February 13, 2013, the Council voted to rescind the denial and to rehear the case today.

Since the February 13 hearing, the applicant has formally modified the application to request R-3 instead of the originally requested R-5.

Staff would like to remind the Council that what is being considered tonight is a rezoning of the parcels adjacent to Rufina Street from R-1 to R-3. The separate parcel that is currently zoned R-5 (located north of Powerline Road) is not part of this application.

Visual aids may be presented tonight to give the Council an idea of how density may look as the parcels are subdivided. Please be aware that the Planning Commission has not reviewed either a Preliminary or Final Subdivision Plat, nor has the Development Review Team commented on these concept plans. The request before you this evening is only the rezoning of approximately 5.89 acres from R-1 to R-3.

The Planning Commission recommends CONDITIONAL APPROVAL for R-3 for Tract B and Tract C-2 as outlined in the rezoning bill.

Public Hearing

Presentation by the Applicant

Mayor Coss gave the Applicant 10 minutes to present their case.

Jennifer Jenkins and Colleen Gavin, JenkinsGavin Design and Development, 130 Grant Avenue, Suite 101, were sworn.

Ms. Jenkins, referring to Exhibit "6," said, "We are here this evening on behalf of Aguafina Development, LLC, in request for R-3 zoning, of approximately 5.89 acres located adjacent to Rufina Street that is shown 'here.' It's kind of hard to see but they're outlined in blue 'here' and then there's another parcel on the south side of Rufina here. 'This' is a point of contact. 'This' is the Las Acequias Neighborhood 'here,' and Lopez Lane is down 'here.' 'This' is the traffic signal at Calle Atajo."

Ms. Jenkins said, "We would like to show you a visual aid to share with you what our vision is for the property that we would pursue through a subdivision platting process if we are successful in achieving R-3 zoning this evening. And I'm going to go ahead and approach. I think it's difficult to utilize this, so we're going to pull up some boards."

Ms. Jenkins continued, "So this is also up on the screen, but just again, as a point of context, 'these' two parcels 'here' are the subject of tonight's application, 'these' two parcels, 'this' is about 3.4 acres, 'this' one's about 2.4 acres. They are currently zoned R-1. And with the R-3 zoning, the vision would be an 8 lot subdivision 'here' served by a private lot, access driveway, an 8 lot subdivision 'here,' also served by a private lot, access driveway. I'm also showing 'this' parcel 'here,' which is a 5.6 acre parcel that happens to be owned by the same owner of these parcels. And I'm showing this for illustrative purpose to reflect the communications. We've been meeting quite a bit with the Las Acequias Neighborhood, conferring with them to see if there was something we could achieve which was a win-win situation for everybody with respect to the property."

Ms. Jenkins continued, "This parcel, as Heather mentioned, is already zoned R-5. 'This' parcel permissibly would be 32 lots. We don't want to put 32 lots there. It's never been the intent. It's never been the vision. It's never been the program for this particular property owner. With R-3 'here,' we will be able to keep the density down 'here' as well. That's what we are able to accomplish with that."

Ms. Jenkins continued, "And so, in our communications with the neighbors, with the ability to access this property from Agua Fria, which is where it has frontage, the ability to serve this property with a private lot access driveway, we are able to keep the density what we're reflecting here. So, if we are successful this evening, our next step would be a subdivision plat. We plan to take all 3 tracts through the subdivision process simultaneously, and again, the caveat to this plan, obviously is the R-3 zoning 'here,' and again the ability to access these 3 little, 8-lot subdivisions, if you will, to access them via private lot access driveways with base course surfacing."

Ms. Jenkins continued, "We're not proposing any access at the Power Line Easement. That is eliminated. That 'ship has sailed.' The Council was very clear at our hearing in February that they did not want to see any access 'here,' so we have completely removed that from the plan, which sort of informed how this design came about. So, with that, I think we'll just leave it at that for the moment. I think that covers the high points, and be happy to stand for any questions."

Questions from the Governing Body

Councilor Rivera said the Fire Department typically requires two means of egress, and he doesn't see that here.

Ms. Jenkins said, "It's my understanding, Mayor, Councilors, that you can serve up to 30 dwellings with one means of egress and ingress. So, with doing just 8 lots each, there shouldn't be an issue with the emergency access.

Councilor Rivera asked if this has been cleared with the Fire Marshal.

Ms. Jenkins said there are earlier versions of this plan, and Ray Gonzales had looked at those plans, and there were similar concepts to this early on.

Councilor Rivera noted one of the residents on the other side of the property used Power Line Road to get in an out, and asked if he will still have access.

Ms. Jenkins said that is Mr. Tapia. She said, "We actually platted him an easement, just a narrow little 15 ft. easement only for the benefit of his property, so it's something that is private. It does not allow for any sort of cut-through traffic, or anything of that nature, but we have platted that easement to formalize his access."

Councilor Ives said Ms. Lamboy's Memo in the packet, notes that the Planning Commission recommended, "An emergency access shall be provided to the site from Agua Fria Street."

Ms. Jenkins said, "That was an earlier version of the plan where the R-5 parcel to the north only had access from Rufina. So we were accessing that entire stretch of property north of Rufina, only from Rufina. So in that program, they did want a secondary emergency access to Agua Fria. In this scenario, it wouldn't be necessary."

Councilor Dominguez asked Ms. Jenkins, "Do you have a handout of that."

Ms. Jenkins said no, she didn't bring reduced copies of that. She said, "I would happy to provide that.."

Councilor Dominguez asked, "If there is any way, just for the hearing tonight, Geno, that we can identify that as Exhibit A or something, just to make it very clear."

Mr. Zamora said yes.

Mr. Jenkins said, "And we can provide this. We always provide all of our visual aids to the recorder, so that can be part of the record [Exhibit "6"]."

Speaking to the request

All those speaking were sworn en masse.

Linda Wilder Flatt, Las Acequias, 950 Vuelta del Sur [previously sworn]. Ms. Flatt said the Governing Body just a received a letter from the Las Acequias Association and Board [Exhibit "5"].

Ms. Flatt said, "This has been a long process. You guys have seen us quite a bit, and we're hoping this resolves everything. I would like to say this meeting tonight is very important, because this rezoning decision will set the stage for what happens with the 11 ½ acre parcel, Aguafina. You see the 9 listed conditions below [Exhibit "6"]. We believe, and we want to clarify the exact conditions we have set down in order for us to feel safe and guaranteed that the property will be developed as promised when it is rezoned to R-1. Unless all of the conditions listed below be made legally binding and enforceable in this actual plat, we will not have any guarantee that anything will be followed through with, from the owner, the JenkinsGavin Design Team or the buyers that purchase any one or all of the 24 lots as shown in the Jenkins/Gavin new plan."

Ms. Flatt continued, "I'm not going to read any more, but I would like for you to know that the most important thing is Number 1, is that we must be guaranteed that all conditions and restrictions will cover both pieces of land, both north which is R-5 and in the County at this time, and the one that you're deciding on tonight for R-3, which is the southern part. We must be guaranteed that that it will be legally binding and enforceable for being in the plat and that it will be on the record for all 11½ acres as one property. Thank you."

William Mee, 2073 Caminos de la Montoya, Agua Fria Village [previously sworn]. Mr. Mee said, "My concerns have basically been taken care of with Linda Flatt's Las Acequias letter [Exhibit "6"], and it will be on Section 9, which addresses the access to Agua Fria Street. There's a precedent that none of the City subdivisions actually enter Agua Fria Street, but we are willing to break that precedent with this particular subdivision with only 8 lots having access to Agua Fria, and then there would be an emergency gate between those 8 lots and the next 8 lots, which would then access Rufina. And the County Public Works Department has issued a conditional driveway permit to JenkinsGavin based on, if they fill in the plat with restrictions that cover number 9 in the Las Acequias letter [Exhibit "6"]. So, we're okay with it because it is such minimal use. Thank you."

Response by Applicant

Ms. Jenkins said, "I'm seeing this for the first time. A lot of this is not unexpected, but there are a few items that would be important to access. We are absolutely not in agreement to restrict guest houses. These are generous lots. They range from 3/4 acre to 1/3 acre. They're the largest lots in the vicinity. And the City Code permits accessory dwelling, mother-in-law units, and so we do not believe that is a fair request."

Ms. Jenkins said, "We are in agreement to, obviously as you can see from the plan we showed you, that there be no access via Power Line, except for Mr. Tapia and his family. We do not believe it is our responsibility to construct a gate. If that's something that Mr. Tapia chooses to do for his access, I think that would be... I don't think we're in a position to impose something on Mr. Tapia with respect to his access."

Ms. Jenkins said, "We are happy to work out something with respect to #6, regarding, when we go through the subdivision phase, if the City would prefer to provide park area, or would prefer us to provide Impact Fee funds. The City has already said they would prefer land at this point, but we can work that out at the subdivision stage. We do not feel it is our responsibility to fund a wall on Power Line, when we're not even using Power Line."

Ms. Jenkins said, "We are in agreement with the rest of these items, and just making it clear that the visual aid that you see before you, the concept that we would love the opportunity to implement, is contingent on a couple upon a couple of things. It's contingent upon our getting access to Agua Fria from the north parcel which we have already addressed with the County Clerk [inaudible] and we're able to serve each of these 8-lot subdivisions with private base course lot access driveways. That's how this is viable. And so we are in agreement with everything else listed in the letter, so I'd be happy to stand for more questions. Thank you."

Remarks from the Las Acequias Neighborhood Association

Ms. Flatt said, "I would like to explain a little bit further. We felt that, and I talked with Carmichael Dominguez before, that the situation with having park property was a decision that we also had a voice in, because we were right next to the property. And what we are requesting is, rather than having a small park in where they are, we would rather have the money put toward the wall, that would go along.... and that would help our park, if that makes sense."

Mayor Coss said then it would be an improvement to the park.

Ms. Flatt said, "It would be an improvement to the park, and it would certainly help the poor people that would be behind that wall, because it would stop the noise from the park. That is what we're willing to give, or to want for the park, which is what we would be asking for which would be park improvements."

Ms. Flatt continued, "I would like to correct one thing. I don't believe... I was sort of listening to William when he was saying that there would be an emergency exit to the south of those north 8 lots. Is that correct William."

Mr. Mee said, "Yes."

Ms. Flatt said, "Okay. That would go across the driveway from Mr. Tapia, and the other part that I feel is the responsibility of everybody involved, is to help support Mr. Tapia, in that he has the right-of-way across that easement on Power Line Road. And we felt, as an Association, we were trying to support his benefit in saying that there should be fencing along each side of that drive back to where he is and across Aguafina, so there is no access for the Aguafina people to get onto his road. Does that make sense. Okay. The second part to that is, we felt that because of the situation, a part of the money that would have been dedicated for the park preservation or upkeep or whatever, would be the wall and the second part would be that iron gate, because that would keep people from parking along the side of the park, which we've had a great deal of problem with. So part of that money would go toward that gate so that Mr. Tapia would have the ability to be able to get and out or all of his people get in and out. Does that make sense."

Ms. Flatt continued, "Let's see. I think everything else... the other thing is the guest house. One of the things that our Committee was concerned about was, is that we oftentimes see that a guest house ends up being split into another section on the property, where they end up having two individual families living on a one-family unit dwelling property. Does that make sense too. Okay."

Mayor Coss said, "Yes."

Ms. Flatt said, "Yes. The other thing is that we did cross out, as you see, on requiring homes have a permanent foundation, whether it be stick built or modular. Jennifer did say, in her last meeting, that she would attempt to have it set so there would be no manufactured homes if that was written in the covenants and in the information for the subdivision. Was there anything else Jennifer. Okay. We could share."

Ms. Jenkins said, "We are in agreement that obviously stick built homes will be on a permanent foundation. We're also in agreement, if there are modular homes or manufactured homes they will also be on a permanent foundation. We are not discriminating against what people may want to put there, but we have very strict architectural guidelines and covenants that address that. And we talked about those at the last hearing. And so everything will be at-grade and stuccoed and all these types of provisions to make sure it is an attractive neighborhood. And we know we are going to have stick built product in the neighborhood. We may have manufactured or modular homes in the neighborhood – we don't know for sure. But our goal is to make sure all that works cohesively and harmoniously together via the architectural guidelines that we're implementing. I think that's it. Thank you."

Ms. Lamboy said, "I am having a big concern here, because we are considering a rezoning this evening, which, we're trying to determine whether something is appropriate. There has been a lot of work

that the Las Acequias Neighborhood Association has put into this development, and I do laud them for their involvement. However, a lot of these are conditions that are dealt with at a site plan level."

Ms. Lamboy continued, "With reference to the guest house issue, it's quite possible, and actually staff has brought this up with the applicant whether no lots splits would be allowed and a note be placed on the plat. These are some issues that can be solved quite simply. But there's danger there too, that in dealing with the street sizes and the street types, those have not been reviewed by Mr. Romero. Mr. Romero is here tonight to speak to these issues, but we have not had the benefit of the Development Review Team to be completely involved in this."

Ms. Lamboy continued, "Another issue to remember, with reference to parks, is that there is a trail, the Acequia Trail that traverses the Power Line Road and connects to Cielo Azul to the west, where there is an easement that is already dedicated. And so, at some point in the site plan review, it would be appropriate for staff to make sure that there's connectivity, at least pedestrian connectivity up from Agua Fria Road all the way through to Rufina, allowing the residents of this development to connect to the park facility that, if Las Acequias were to benefit from the funds, then the residents ought to benefits from something as well."

Ms. Lamboy continued, "These are all site plan issues that can be worked out, at the Planning Commission level, but what is before the Council tonight is whether the density is appropriate and whether this is right for this part of town. And our Southwest Area Master Plan and our Code does provide for this density and is contemplated in our General Plan."

Kelley Brennan, Assistant City Attorney, said, "I wanted to reinforce what Heather said, that this is a rezoning. A subdivision and development plan approval would come before the Planning Commission, and many of these comments should be addressed in that context. I understand that the Applicant has agreed, as a condition, if zoned to R-3, to develop the other parcel to R-3, and to make some design concessions. Those are things that are being offered up, but you cannot start tonight. It hasn't been advertised. It's not within the jurisdiction, right now, of this Council to impose a lot of these conditions on rezoning."

Mayor Coss said we might want to ask which ones we can impose right now, and which ones we can't.

Councilor Bushee said, "That's where I was headed, before even Heather stood up, is exactly what we can apply as a condition of approval, and also noting they could go out and strike up their own kind of contract or agreement with the applicant or developer, apart from what we can condition. So I guess, I'd like to be really clear before we vote on anything, what exactly we can condition approval on, in terms of the rezoning. "

Ms. Brennan said, "The applicant has offered a number of things, specifically, as I recall to develop the other parcel, now zoned R-5, to the R-3, and then to bring them forward as a single parcel and to address the road issues that were identified at the last hearing for the neighborhood."

Councilor Bushee would like these spelled out very clearly, noting we have the letter from the Neighborhood Association [Exhibit "5"], but we don't have clearly what the applicant has agreed to, to impose as a condition of approval, and how these are carried forward to the plat and development review stage, so we can be sure the thing they want most, which is a guarantee that restrictions would cover both pieces and would be legally binding and legally enforceable. She asked how that will be recorded, noting it would matter in terms of our decision in the rezoning being presented tonight.

Ms. Brennan said, "She has offered that, and you can accept that offer and do a rezoning."

Councilor Bushee asked, "How is that somehow recorded – just through our rezoning vote tonight. Does it go onto the Plat. And then the other road issues. Can you address those as well. I'm assuming we're limited on all the other design issues and park issues and the like."

Ms. Brennan said, "I think the Power Line Road issue is something that is identified as something that the applicant has offered."

Responding to Councilor Bushee, Ms. Brennan said, "I think the applicant is the person who can explain what they are offering, to accept as conditions to the rezoning of the subject parcel to R-3."

Councilor Bushee asked how the Neighborhood Association is guaranteed that those are conditions and how they're placed.

Ms. Brennan said, "It's a condition of the rezoning, and it will be carried forward in the record, and when they come forward for Planning Commission approval, those would be reflected in the application."

Councilor Bushee said, "And so a lot of this other stuff will be dealt with through private contract, through covenants or what have you."

Ms. Brennan said, "And yes, before the Planning Commission Review process."

Councilor Bushee said, "Okay. So maybe I can hear from Jennifer what actually you are willing to impose as conditions."

Mayor Coss asked Councilor Dominguez if he has remarks, and he said no.

Ms. Jenkins said, "I do want to acknowledge staff's concerns. This is a conceptual site plan and we're not here doing subdivision today. However, we all know that with rezone applications, you can't really talk about a rezone until you know what the plan is, and that is why we have tried to be very

transparent and forthcoming throughout this entire process with our concepts, which changed a little as we got feedback from staff about different access requirements and everything."

Ms. Jenkins continued, "So this is where we have sort of ended up, with respect to our request this evening. So, with respect to the parcels that are the subject of tonight's hearing, which are the 3.4 acre parcel "here," and the 2.4 acre parcel on the south side of Rufina. Oh, I'm sorry, can we have the screen on, there we go. So again, this map is also what you see down here, so this is the 3.4 little over acre parcel here and the 2.4 'here.' What we would like the opportunity to do when we come in for subdivision is to two, 8-lot subdivisions that are served by base course lot access driveways. Those two things go together. You can't separate them. That is a critical part of this, and we've been very candid and up front with Las Acequias as well throughout this process about... they like this plan, we like this plan. I think there was some general consensus about this plan here. And with the ability to do that on these parcels we're talking about tonight, it enables us to keep the density low on the northern R-5 parcel as well. And it's just because these parcels happened to be under the same ownership."

Ms. Jenkins continued, "It is my understanding that we can't place a condition on a neighboring parcel as a result of the rezoning, but I have been very candid, and very much on record about this being our intent. And my hope is, that as we move through the subdivision process, we are able to accomplish this. This is what we want to do. This is what the neighbors want us to do."

Councilor Bushee said, "The neighborhood is treating it as one subdivision plan for 11½ acres. Jennifer is mentioning the 3.4 and a 2.4 and not mentioning the other... has this been advertised."

Councilor Dominguez said he heard the Applicant say earlier they would be willing to treat all 3 in one subdivision application.

Councilor Bushee said, then we don't need to rezone the other anyhow.

Ms. Brennan said, "You can't rezone the other right now. It does not need rezoning. They have agreed to develop it to a lower intensity and that will be..."

Councilor Bushee said, "We're a step ahead of ourselves with the discussion of how the neighbors want to proceed. But it is essentially lowering the density overall, which is the main thrust of what the neighborhood would like to get out of this rezoning. Although, I think the road issues are key, and I'm not really getting that in writing anywhere from anybody, other than the Neighborhood Association. I just want something spelled out for the record, for all of us, to know what we're voting on. The conditions of approval. Still not there yet."

Ms. Jenkins said, "With respect to the Power Line easement, we find it incredibly acceptable to say that none of the Aguafina lots would be entitled to access to Power Line easement. And as a condition of the rezone, we would be happy to agree to that, and that's also something we would definitely put on the subdivision plat."

Councilor Bushee said, "Okay. And on Agua Fria."

Ms. Jenkins said, "We currently have a condition, if you will, sort of agreement with the County Public Works Department. Santa Fe County controls that stretch of Agua Fria, so we had to work directly with them about the possibility of accessing this property. And their caveat is, they're comfortable, as Mr. Mee stated, Santa Fe County is comfortable with allowing access to Agua Fria for that northern parcel as long as it is limited to 8 lots."

Councilor Bushee said, "And you're in agreement essentially with the language."

Ms. Jenkins said yes.

Councilor Bushee said, "Thirdly. Do we deal with parks here at all, or are we ahead of ourselves again."

Ms. Jenkins said we probably are a little ahead, noting that is at subdivision.

Councilor Bushee said, "It came up in the last hearing and that's why I'm wondering where we are with that, and I think that's all we can address here."

Ms. Brennan said, "Parks would be part of the planning process. And also, in further answer to your question about how this is embodied, we will do Findings of Fact and Conclusions of Law to embody your decision."

Councilor Bushee said, "I do recall the first hearing discussing parks and parks dedication and the City's request for land, and so I'd like to be as clear as we can be on this."

Ms. Brennan said, "There is a condition in your staff report, relating to parks that requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided, does not address park dedication. The applicant should provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees in order to comply with the Land Development Code requirement."

Ms. Flatt said, "Jennifer and her group, we have worked together. I'm not trying to present this and make it sound like we're presenting all this stuff that isn't a part of what we've discussed. The reason that I presented all of this, I was told by several people, legal people, that it is important for us to make sure that during this rezoning process, because it is only for one part of it, that we make it very clear that the whole thing needs to work together as one subdivision. That's one thing. And the second part is, is that all of these conditions are very important to us and it is an integral part, I think, of making it successful, and I

wanted it entered as a part of the record. And what Patti was asking is very true. Even though it's not really applicable to tonight's discussion, it is important and it needs to be recorded, and that's why I did the presentation."

Mayor Coss said, "That helps. Thank you."

Councilor Dominguez asked Ms. Brennan, "In terms of Findings of Fact and all that legalese stuff, would it still be appropriate enough for us to articulate some of these requests that aren't required for rezoning, maybe not accepted, but considered at the next phase. Just so that we make sure that we get it part of the record and it's not just a testimony, but that it be part of the Findings of Fact and Conclusions of Law."

Ms. Brennan said, "I think you can ask the Planning Commission and any other reviewing body to consider the concerns of the neighborhood as expressed tonight." Responding to Councilor Dominguez, Ms. Brennan said you could make a Finding and a recommendation.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Rivera, to Adopt Ordinance No. 2013-12, approving Case #2012-104, and "along with that approval are the conditions that the applicant has agreed to, one of them is that the parcel to the north of Power Line Road be 8 lots as it's been articulated in the presentation by the applicant; limited access to Agua Fria; that Power Line Road also not be used as an access for the applicant or for the development or any other lots actually; essentially that one subdivision plan will be provided for all 11 ½ acres, asking if this is something we can do and Ms. Brennan said the applicant has agreed to that;" and with all conditions of approval as recommended by the Planning Commission, "and if there's anything that's conflicting that they be resolved appropriately."

DISCUSSION: Councilor Ives said, "And on that point, presumably, the emergency access from Agua Fria Street, if we're talking about that design doesn't apply.

Ms. Brennan said, "To the extent that this body's decision creates conditions that conflict with the Planning Commission's, this body's decision would control."

Councilor Dominguez said, "Okay, well then, there you go. Is that clear."

Ms. Brennan said it is clear.

DISCUSSION: Councilor Dominguez said, "So, then I guess, all the other things, I just want to make sure that that they're part of the record and findings, but I'll address those after."

Councilor Dominguez continued, "Let me just continue real quick, and maybe the second wants to speak to that. I just want to make sure that the Planning Commission and the applicant really consider the idea of requiring that all homes be on a permanent foundation, etc., I think that stuff has been articulated by the neighborhood already. I also want for the applicant to consider what the neighborhood has said with regards to the park and the monies that maybe would be allocated for the park, that they be used for some of the other amenities that they're looking at. And the other stuff, like items #7 and #8, are really part of the covenants. Maybe the applicant can make sure that they work with the neighborhood to strengthen the covenants. We're really going to rely on the neighborhood to make sure that the covenants are followed, and that would even pertain to the idea that we have guest houses. The neighborhood is really going to have to make sure that the City is following the rules that we have in place with regard to guest houses, so I just want to make that part of the record as well. And I think that's it."

Councilor Rivera thanked Ms. Jenkins and the Neighborhood Association for getting together, and really listening to the concerns of this Council, and for you listening to the concerns of the neighbors, and for coming up with "what I think is a very reasonable plan, and for being transparent on what you plan to do with the northern piece is very helpful for my vote personally."

Councilor Rivera said, "What I wanted to do is to clarify and it's something that Councilor Ives brought up, but the emergency access off Agua Fria was only when the road was going to stretch from Rufina all the way to Agua Fria."

Ms. Jenkins said, "Yes. And I actually have a plan in here in my presentation that shows that. But yes, we had an earlier version of this when we were connecting to Power Line Road. We had no access to Agua Fria because of the quantity of lots, and we realized that probably wasn't going to be a reasonable solution, and we would end up creating a through street between Rufina and Agua Fria, and nobody wants that. And so, in the earlier version of the plan, when we met with Ray Gonzales, he said we're going to be serving this property in terms of emergency response from that Agua Fria Station. And so, that's when the emergency access was necessary."

Ms. Jenkins continued, "Under this program we have regular, full access to Agua Fria, so a secondary emergency... and Ray's perfectly comfortable serving 8 lots with a generous emergency turnaround, of course per his standards, and plenty of room to back up."

Councilor Rivera said then the recommendation made by the Planning Commission or staff, is a moot point.

Ms. Jenkins said it is not applicable, based on the program they are showing tonight.

Councilor Rivera said, "Mr. Mee was saying one thing about emergency access between the two turnaround points."

Ms. Jenkins said, "That hasn't come up yet. If that's something that Ray felt was important we could look at that. Based on my experience, I don't see that it's something he's going to want, but he might. And obviously, through the subdivision process, we'll be meeting with Ray and exploring that. What we like about this plan, is it really keeps Power Line Road out of the mix. There's no opportunities for cut-through traffic. And so, if that's something that Fire Marshal Gonzales wanted, we would just have to be very strategic about how we did that, because again, we don't want to encourage any traffic getting onto the Power Line Easement. It hasn't come up at this point, that it's necessary, but again, through the subdivision process, we will work that out with the Fire Marshal."

Councilor Rivera said in Ms. Jenkins initial presentation, she said that was not an option, that you were not going to have emergency access.

Ms. Jenkins said, "No. It's not our preference and I don't believe it will be necessary, per my understanding of the International Fire Code and access provisions."

Councilor Rivera said he believes she is right.

Councilor Ives said, "My recollection from our last time on this matter, was that the Power Line Easement was actually an easement held by the City, is that correct."

Ms. Lamboy said, "The Power Line Easement was recently dedicated through the lot split process that separated the R-5 parcel from that lower tract. And previously, there was no formal easement that was there. There was an informal drive, to the north of Las Acequias Park, was used by Mr. Tapia to access his property. As part of that review, we formalized that access easement so he would have access in perpetuity."

Councilor Ives said, "I'm think more of the Power Line Easement which is part and parcel of the Las Acequias, that's a City owned easement. So, presumably, we have some say or control over what use is made of it. Is that correct."

Ms. Lamboy said that is correct.

Councilor Ives said, "Again, I think it's within the Governing Body's power to deal with that and I appreciate the offer of the applicant to limit the use, but I really think that's probably more an inherent power of the Governing Body than the applicant in the first instance, and that is something that would play out presumably in the subdivision platting process."

Ms. Lamboy said, "I would certainly want to consult Ben Gurule of the Parks Department first to see what the role of that is, before we make any changes."

Councilor Ives agreed. He said, "I note in the letter from the neighborhood, they want no changes to any of the shown plans from the new design, and honestly, this hasn't been through the Land Use Department yet, and they may impose additional requirements, obviously all designed to ensure that the property adheres to applicable City Codes and is safe. So it's not a matter of not necessarily wanting what you want, but there's a whole body of City law out there designed to ensure that any property which gets developed is developed properly, and will need to go through those processes, and I do trust Matt and his office to do the good job that they usually do in addressing any subdivision and plans that are submitted to them. I think that's all I have."

Councilor Dominguez said, "It's really about trying to get an appropriate density, that's really what we're leaning towards, and I think that's something that needs to be considered overall. That's it."

VOTE: The motion was approved on the following Roll Call vote:

For: Councilor Bushee, Councilor Calvert, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Rivera and Councilor Trujillo.

Against: None.

18. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

19. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of March 13, 2013, is incorporated herewith to these minutes as Exhibit "7."

Councilor Dimas

Councilor Dimas congratulated the Santa Fe High School Demon girls for making it to the semi-finals, noting St. Michael's won tonight and will be in the semi-finals. He said the Santa Fe Indian School girls will be in the semi-finals as well, but he doesn't know about Capital High. He said we wish everyone the best of luck.

Councilor Calvert

Councilor Calvert introduced a Resolution supporting continued enforcement and funding of the Federal Endangered Species Act. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "8."

TRAFFIC IMPACT REPORT

For

Aguafina Development

Prepared for

Liaison Planning

Prepared by

MOREY WALKER AND ASSOCIATES ENGINEERING, INC.

November 15, 2019
Rev: July 8, 2020

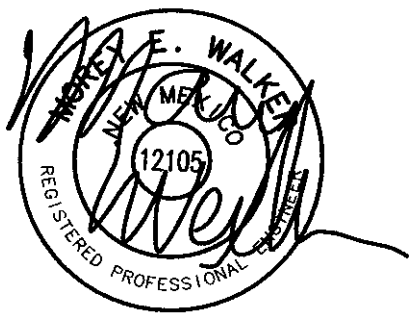


TABLE OF CONTENTS

I. INTRODUCTION ..... Page -3-
A. Project Location and Description ..... Page -3-
B. Purpose ..... Page -3-

II. ROAD CONDITIONS ..... Page -3-
A. Existing & Proposed Conditions ..... Page -3-
B. Existing Traffic Volumes ..... Page -4-
C. Future Traffic Volumes ..... Page -4-

III. TRIP GENERATION AND TRAFFIC DISTRIBUTION ..... Page -4-
A. Trip Generation ..... Page -4-
B. Site Traffic Movements ..... Page -5-
C. Design Traffic Movements ..... Page -5-

IV. TRAFFIC EVALUATION ..... Page -5-
A. Level of Service ..... Page -5-
B. Calle Atajo and Rufina Street ..... Page -5-
C. Rufina Street and Joshua/Lois Lane ..... Page -6-
D. Rufina Street and Aguafina Road ..... Page -6-
E. Agua Fria and Aguafina/Martin Mora Road ..... Page -7-
F. Conclusion ..... Page -9-

V. SUMMARY AND RECOMMENDATIONS ..... Page -9-

Appendix A - Traffic Counts at Calle Atajo and Rufina Street
Appendix B – Traffic Counts at Joshua/Lois Lane and Rufina Street
Appendix C – Traffic Counts at Agua Fria and Martin Mora Road
Appendix D - Trip Generation
Appendix E - Level of Service – Calle Atajo and Rufina Street
Appendix F – Level of Service –Rufina Street and Joshua/Lois Lane
Appendix G – Level of Service – Rufina Street and Aguafina Road
Appendix H – Level of Service – Agua Fria and Aguafina/Martin Mora Road
Appendix I – Traffic Light Timing at Rufina Street and Calle Atajo

I. INTRODUCTION

A. Project Location and Description

The Aguafina Subdivision will consist of 61 single family fee simple lots between Airport Road and Agua Fria and within the City of Santa Fe. The southern section of 33 lots will have access to Rufina Road of which 18 units are north of Rufina and 15 units are south of Rufina. The northern section of 28 lots will have access directly Agua Fria. Refer to Figure 1 for location map and to Figure 2 for site plan.

B. Purpose

The purpose of this Traffic Impact Study is to determine the impact of the Aguafina Subdivision at the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road. Refer to location map for intersections studied.

II. ROAD CONDITIONS

A. Existing and Proposed Conditions

At the study area, Rufina Street is a two-lane road with dedicated left turn lanes in all directions at the intersection of Calle Atajo. The speed limit for this section of Rufina is 35 mph. Agua Fria is a two-lane roadway with a speed limit of 35 mph. Current traffic lane configuration for the all four studied intersections is shown on Figure 3.

The intersection of Calle Atajo & Rufina Street is controlled by traffic signal lights with dedicated left turn lanes. The remaining studied intersections are unsignalized and controlled by stop signs on the minor north/south roads.

B. Existing Traffic Volumes

At the intersection of Calle Atajo and Rufina Street, AM and PM peak hour traffic counts were conducted on January 15, 2019 (Appendix A). At the intersection of Rufina Street and Joshua/Loris Lane, a peak hour traffic counts were conducted by Walker Engineering on October 9, 2019 for AM and PM peak hours (Appendix B). At the intersection of Agua Fria and Martin Mora Road, AM and PM peak hour traffic counts were conducted on October 8, 2019 (Appendix C). Refer to Figure 4 for current background traffic volumes.

C. Future Traffic Volumes

A design year of 2024 has been selected for this development. Based upon NMDOT standards, a 3% yearly increase was used to simulate traffic growth in this area. Figure 5 shows the Year 2024 increase in background traffic for the studied intersections.

III. TRIP GENERATION AND TRAFFIC DISTRIBUTION

A. Trip Generation

The AM and PM peak hour traffic volumes are derived from the Institute of Transportation Engineers, Trip Generation, 9th edition. Land Use category 210 residential single family lots were used in the analysis. Data from Trip Generation for both entrances are found in Appendix D. Table 1 summarizes the information found in Trip Generation..

Table 1
AM and PM Peak Hour Traffic Volumes

Location	Size	Section	AM Peak		PM Peak	
			Entering	Exiting	Entering	Existing
Northern Section	28 Units	NB to Agua Fria	5	16	18	28
Southern Section	18 Units	SB to Rufina	4	10	12	6
	15 Units	NB to Rufina	3	9	10	5

B. Site Traffic Movements

Based upon current traffic patterns and directional percentages and upon the average trip generation as shown on Table 1, the Aguafina Subdivision traffic was distributed at the studied intersections. This distribution is shown on Figure 6.

C. Design Traffic Movements

Using the 2024 background traffic from Figure 5 and the traffic distribution from Figure 6, the combined background and site traffic for the studied area is shown on Figure 7. Figures 5 (No Build) and 7 (Build) were used to conduct the level of service evaluation.

IV. TRAFFIC EVALUATION

A. Level of Service

Synchro Ver 10 software was used to determine the operational level for the intersection. An LOS is conducted for year 2024 design year. The design year includes the annual increase in background traffic and the site traffic. Level of service is ranked from A-F, with A being the highest level of service with the least delays and F indicating a break-down in the operation of the intersection.

Figures 8, 9 and 10 are the Synchro computer models for the 2024 AM & PM No Conditions and 2024 AM & PM Build Conditions for the four studied intersections.

B. Calle Atajo and Rufina Street Intersection

Derived from the Synchro Ver 10 computer runs, Table 2 is a summary of the level of service for the intersection of Calle Atajo and Rufina Street. Traffic volumes were taken from both Figures 5 and 7 for the design year 2024 traffic. The computer printouts can be found in Appendix E. Traffic Signal Timing was obtained from the City of Santa Fe and is attached in Appendix I.

Table 2
Level of Service Analysis
Calle Atajo and Rufina Street Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Calle Atajo SB	19.0/B	18.5/B	19.5/B	19.0/B
Calle Atajo NB	22.4/C	21.1/C	22.9/C	21.4/C
Rufina St WB	16.0/B	28.6/C	15.9/B	29.6/C
Rufina St EB	33.0/C	20.0/B	34.2/C	20.0/B
Intersection	25.7/C	24.8/C	26.5/C	25.3/C

C. Rufina Street and Joshua/Lois Lane Intersection

Derived from the Synchro Ver 10 computer runs, Table 3 is a summary of the level of service for the intersection of Rufina Street and Joshua/Lois Lane. Traffic volumes were taken from both Figures 5 and 7 for the design year 2024 traffic. The computer printouts can be found in Appendix F.

Table 3
Level of Service Analysis
Rufina Street and Joshna/Lois Lane Road Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Rufina Street EB	7.9/A	8.8/A	7.9/A	8.8/A
Rufina Street WB	8.6/A	8.2/A	8.6/A	8.2/A
Lois Lane SB	19.5/C	25.0/D	19.6/C	25.4/D
Joshua Lane NB	15.4/C	13.0/B	15.5/C	13.0/B

D. Aguafina/Case de Todos Road and Rufina Street Intersection

Derived from the Synchro Ver 10 computer runs, Table 4 is a summary of the level of service for the intersection of Aguafina/Casa de Todos Road and Rufina Street. Since this is a new intersection, only 2024 build conditions were analyzed. Traffic volumes were taken from both Figure 7 for the design year 2024 traffic. The computer printouts can be found in Appendix G.

Table 4
Level of Service Analysis
Aguafina Road and Rufina Street Drive Intersection (new)
2024 Developed Conditions

	Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS
Aguafina Rd SB	16.1/C	23.2/C
Casa de Todos Rd NB	14.1/B	13.7/B
Rufina St WB	8.7/A	8.2/A
Rufina St EB	7.9/A	8.9/A

E. Agua Fria and Agufina Street/Martin Mora Road Intersection

Derived from the Synchro Ver 10 computer runs, Table 5 is a summary of the level of service for the intersection of Agua Fria and Agufina Street/Martin Mora Road. Traffic volumes were taken from both Figures 4 and 6 for the design year 2024 traffic. The computer printouts can be found in Appendix I. As noted before, this is a stop controlled intersection.

Table 5
Level of Service Analysis
Agua Fria and Agufina Street/Martin Mora Road Intersection
2024 Developed Conditions

	Figure 5 No Build		Figure 7 w/ Aguafina Subdivision	
Movement	AM Delay/LOS	PM Delay/LOS	AM Delay/LOS	PM Delay/LOS
Martin Mora Rd SB	11.2/B	11.6/B	11.6/B	12.4/B
Agufina Rd NB			11.9/B	10.7/B
Agua Fria WB			8.2/A	7.8/A
Agua Fria EB	7.6/A	7.9/A	7.6/A	7.9/A

F. Conclusion

For the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road subdivision traffic, there was not a reduction of service for all directions.

V. SUMMARY AND RECOMMENDATIONS

The 61 single family lots for the Aguafina Subdivision will have minimal impact on the level of service for the intersections of Rufina Street & Calle Atajo, Rufina Street and Jusha/Lois Lane, Aguafina/Casa de Todos Road & Rufina Street and Agua Fria & Aguafina/Martin Mora Road. The following design requirements should be addressed at final design:

1. Stop signs to be installed for exiting traffic from the subdivision
2. All interior roads to meet City of Santa Fe standards.