City of Santa Fe

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION FEBRUARY 18, 2021 AT 6:00 PM ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings in excess of those permitted in the current Public Health Order, the Planning Commission meeting will be held virtually.

Viewing on YouTube: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at https://www.youtube.com/channel/UCuW5Fb7iWuKpTdsWYNDurgA. The YouTube live stream can be accessed at this address from most computers, mobile devices, or smartphones. A video recording of the meeting will be posted on YouTube and available for viewing after the meeting.

Attending on Zoom: Members of the public may attend the Zoom meeting on a computer, mobile device, or phone. The video conference link and teleconference number will be posted at https://santafe.primegov.com/public/portal at least seventy-two (72) hours before the meeting: https://www.santafenm.gov/events. The direct Zoom link is: https://us02web.zoom.us/j/83138050511?pwd=UlhueHUwd2VLUG5JM1c4RURFZ1NKdz09 and use password: 349362.

Attending Zoom by Phone: Members of the public can attend the Zoom meeting by phone by dialing:
US: 1 346 248 7799 or 1 669 900 6833 or 1 253 215 8782 or 1 312 626 6799 or 1 929 205 6099 or 1 301 715 8592
Webinar ID: 831 3805 0511

Public Comment:

- By video: A person attending the Zoom meeting by using a computer, mobile device, or smart phone may provide public comment during the meeting. Attendees should use the "Raise Hand" function to be recognized by the chair to speak at the appropriate time.

- By phone: A person attending the Zoom meeting by phone may provide public comment during the meeting but **must** provide advance notice to City staff. Please contact Noah Berke (505-490-5930, nlberke@santafenm.gov) at least seventy-two (72) hours in advance of the meeting and provide your **full name, address, and the phone number** you will be using to call in to the teleconference. Without your phone number, the chair will not be able to recognize you to speak at the meeting.
- In writing: A person may submit written public comments in at least seventy-two (72) hours in advance of the meeting via the virtual comment "button" at https://santafe.primegov.com/public/portal.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

D. APPROVAL OF MINUTES:

1. January 21, 2021

E. APPROVAL OF FINDINGS/CONCLUSIONS

F. OLD BUSINESS - **Continuation of Commission's deliberations; public comment portion of hearing has been closed for all cases under Old Business.

1. **Case #2020-2914. South Zia Station General Plan Amendment.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 2.2 acres from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use at the southwest corner of Zia Road and Galisteo Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136). (POSTPONED FROM FEBRUARY 4, 2021)

2. **Case #2020-2899. Zia Station Rezoning.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136). (POSTPONED FROM FEBRUARY 4, 2021)

3. **Case #2020-2900. Zia Station Rezoning.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136). (POSTPONED FROM FEBRUARY 4, 2021)

4. **Case #2020-2901. Zia Station Preliminary Development Plan.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136). (POSTPONED FROM FEBRUARY 4, 2021)

G. NEW BUSINESS

1. **Case #2020-2999. 4250 Cerrillos Road Santa Fe Place Mall Apartments Development Plan.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property, LLC, Owner, requests approval of Development Plan to construct a 161,433 square foot residential structure for 141 dwelling units. The property is

approximately 3.25 acres and is zoned SC3 (Regional Shopping Center District). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)**(TO BE POSTPONED TO MARCH 4, 2021)**

2. **Case #2020-2369. 4323 and 4319 Airport Road Casa de Todos Preliminary Subdivision.** Liaison Planning Services, Inc., Agent, for Casa de Todos Development, LLC, Owner, requests approval of a preliminary subdivision plat for 58 single-family residential lots located at 4323 and 4319 Airport Road. The properties are zoned R-6 (Residential- six dwelling units per acre) and total approximately 10.3 acres. (Lee Logston, CaseManager, lrlogston@santafenm.gov,955-6136). **(TO BE POSTPONED TO MARCH 4, 2021)**

H. STAFF COMMUNICATIONS

1. Ethics and Open Government Training (Sally Paez, Assistant City Attorney) (TO BE POSTPONED TO MARCH 4, 2021)

I. MATTERS FROM THE COMMISSION

J. ADJOURNMENT

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

SUMMARY INDEX
PLANNING COMMISSION MINUTES
JANUARY 21, 2021

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MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, January 21, 2021 - 6:00pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Vice Chair Mark Hogan on the above date at approximately 6:00 p.m. at a virtual meeting.

A. ROLL CALL

Roll Call indicated the presence of a quorum for the meeting.

Members Present
Commissioner Mark Hogan, Vice Chair
Commissioner Amanda Chavez
Commissioner Janet Clow
Commissioner Pilar Faulkner, Secretary
Commissioner Lee Garcia
Commissioner Brian Patrick Gutierrez
Commissioner Jessica Lawrence
Commissioner Carly Piccarello
Commissioner Dominic Sategna

Members Absent

Others Present:
Mr. Elias Isaacson, Land Use Director
Mr. Noah Berke, Planner Manager and Staff Liaison
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa D. Byers, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Land Use Department.

B. PLEDGE OF ALLEGIANCE

Commissioner Faulkner led the pledge of allegiance.

C. APPROVAL OF AGENDA

Mr. Berke asked to move Matters from the Commission Item J to heard before Item D.

MOTION: Commissioner Faulkner moved, seconded by Commissioner Lawrence to approve the agenda, as presented.

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

J. Matters from the Commission (Revised Agenda Order)

Vice Chair Hogan asked everyone to introduce themselves and tell a little about themselves.

Chair Hogan began the introductions. He said technically he is the Vice Chair and has been on the Planning Commission since 2015. Although he was not aggressively pursuing the position of Chair, he is interested. He is interested in running an orderly meeting and ensuring the public is heard and that the Commission has a good relationship with staff. He welcomed the new Commission members and said this is a great Commission and there is a lot of good dialogue.

Commissioner Amanda Chavez said she was born and raised in Santa Fe. She has been in education for 13 years, four of those in leadership. She has taken on a lot of community service work in intervention, outreach, and implementing initiatives for the southside community and her school. She is excited to bring her expertise in education into the community. She has conducted needs assessments and would like to bring in that perspective.

Commissioner Piccarello said she has been in New Mexico for 10½ years. Her background is in landscape architecture. She works for a small firm and the National Park Service and at Meow Wolf for 3½ years. She has engaged in the community through master planning and similar things. She is an avid cyclist and on the Grace Fitzgerald cycling team.

Commissioner Sategna said he grew up in New Mexico. He is from the Four Corners originally and has been in Santa Fe the past six years. He has a Bachelor of Arts in Architecture and worked in architecture a couple of years until he got another degree. Currently he is a Senior Business Development Analyst at Forward Investment Management. In terms of community involvement, he has served the past two years as the president of the Nave Ade Homeowners Association in District 4; also, he served as

their Treasurer. He just completed his term on the Planning Commission and is starting a new one and is looking forward to working with all of them.

Commissioner Gutierrez welcomed the new Commissioners. He said it is exciting to see a full Commission. He is the longest serving member on the Commission. He got involved because his hope is as the father of four children ages 17, 14, 13 and 4 that his kids will love Santa Fe as much as he does. He wants his kids to have opportunities to live and work in Santa Fe. There has been a lot of growth in Santa Fe in the last couple of years compared to when he started. He also is interested in chairing the Commission and has served as chair of the Summary Committee, which did lot splits, and has chaired by default as vice chair. He would like, if fortunate enough to become chair, to hear what they feel is needed work wise. For him, the major thing is the General Plan, which the Commission refers to it a lot. It is old; like an old flip phone.

Commissioner Clow said she has lived in Santa Fe about 50 years. She moved to Santa Fe to attend law school and practiced for 43 years. She retired two years ago but still consults for one client. She did land-use work for the City of Santa Fe when she was practicing law. She represented Santa Fe in the Santa Fe Railyard lawsuit on a traffic study that held up the development of the Railyard. She has served on the Commission about two years and is also on the Board of the Food Depot. She welcomed the new Commissioners.

Commissioner Lawrence described herself as an attorney, mediator, and planner with two kids, 12 and 8 years old. She became involved with the Planning Commission two years ago to use her knowledge and skills serving Santa Fe. She loves being involved on the Commission. They are a wonderful group to be involved with. She has lived in Santa Fe since 2005 in the District 1 area.

Commissioner Garcia welcomed everyone. He is a local business owner and has been on the Commission about three years. He has also chaired the Summary Committee. He is interested in serving on the Commission to help create a better Santa Fe and community. There should be equal opportunity for everyone to live and work and have opportunities to grow their families. He has a Master of Business Administration in Technology Management. He was an athlete at New Mexico Highlands University. He enjoys being on the Commission and collaborating with very smart people and studying the plans that are part of their work. He has been involved in the community in many ways from charitable organizations to the Santa Fe Fiesta Council. He welcomed everyone and is looking forward to another great year.

Commissioner Faulkner said she is excited to have a full set of Commissioners. She thinks this is one of the more fun and intelligent groups she has participated in. They all have an opinion but don't take things personally and work as a team to find the best solutions. The Commission is a very respectful group, and we value each other's insights. She started as a community activist and became a lobbyist. She has lobbied for the

community for the southside library, the Boys And Girls Club, the Navajo Code Talkers, and developers in parts of La Tierra and Tierra Contenta. She is also a mediator, has a bachelor's degree and is seeking a master's degree in organizational restructuring and program management.

Chair Hogan asked staff to introduce themselves.

Director Isaacson said he got to know Amanda and Carly well through the recruitment process. He has a background in planning and architecture. He did undergraduate work in economics and has a master's degree in city planning. He studied real estate development and worked as a planner in the Pacific Northwest/Seattle area. He has been in municipal planning for about six years. He echoes the previous comments about the strength, integrity, creativity and knowledge of the Commission. They are a great group of people and have to make tough decisions at times. Some decisions have a lasting impact and is why the Commission takes the decisions so seriously. He is the Land Use Director and Noah Berke is the Planning Manager for the City and liaison to the Planning Commission.

Mr. Berke said it is great to have a full force Commission. He has been with the City for 13 years and started as a temporary hire. He came from Tucson with a Bachelor of Science in Regional Planning. He started at the City in the Engineering Division and technical review among many assignments. He did Planning and Policy briefly under Javier Gonzales. He returned to his passion at the Land Use Department while pursuing a master's from 2010 to 2013 working at the City and became the neighborhood planner. Subsequently, he became liaison for the Planning Commission and the Board of Adjustment. This is an excellent board and a very important board and fun board. He enjoys the dynamic of the individuals and how they function together. He said he is excited to be working with everyone.

Ms. Paez said she is Assistant City Attorney with the City for over two years. Her primary focus is on land use. Her job is to advise and make recommendations to the City's decision makers in Land Use. She often works with staff and the Land Use Boards and Commissions, of which there are about five. She also regularly provides assistance to the Governing Body when considering legal issues related to land use. She takes lead on appeals from decisions made by the Commission, the Governing Body and the Land Use Director and handles the land use litigation in court. Before law school she had a biology degree and is a nature lover and loves being outdoors. She received her law degree in 2009. She worked for the courts for about 10 years before joining the City, mostly at the New Mexico Supreme Court. She helped write legal opinions and procedural rules. This is a fun change and a fun area of law and a fun group in a fun department. She is happy to be here.

Vice Chair Hogan said Ms. Paez does great making sure the Commission follows Roberts Rules of Order and necessities needed to run a meeting. And she does that most of the time with a smile.

Vice Chair Hogan asked if anyone had questions. There were none.

D. ELECTION OF OFFICERS

Mr. Berke explained there is no clear written procedure in Code on holding elections. It is up to the Commission how they would like to do them. He suggested it would work best if the chair opened the floor for nominations. Anyone can nominate someone or themselves for any position. They should go through each position starting with Chair, Vice Chair and Secretary. A nomination can be seconded, but is not required. The person nominated should accept or reject the nomination. Additional nominations can be made and if there are multiple nominations, each board member will state on the record their vote. In case of a tie, there is a tie breaker. The process is up to the Commission.

Chair Hogan reviewed the process. He asked if anyone wanted to suggest a different method.

MOTION: Commissioner Faulkner moved to conduct the election per staff suggestion. The motion was seconded by Commissioner Clow.

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

1. Nomination of Chair

Commissioner Garcia nominated Commissioner Brian Gutierrez for Chairman of the Planning Commission. He added he appreciated the length of time Commissioner Gutierrez has served on the Commission and has observed how he conducts meetings. Commissioner Faulkner seconded the nomination.

Commissioner Faulkner said she has been the Secretary since 2018 and wants to focus on policy. She nominated Commissioner Clow as the new Secretary because she likes the way she reviews the minutes. She said if Commissioner Clow accepted it would be a great service to the Commission.

Director Isaacson clarified it makes sense if each position is nominated followed by a vote on that position before moving to the next position.

Vice Chair Hogan nominated himself for the position of Chair.

Commissioner Gutierrez accepted his nomination as Chair.

Commissioner Sategna confirmed that a nomination did not need a second.

Mr. Berke explained each Commissioner would now be asked to vote on one of the two nominees for chair.

Commissioner Sategna said he had questions to get a better understanding of Commissioner Hogan's view on the position of chair. He asked if he saw the position more as a proactive role or an administrative role.

Commissioner Hogan said it is administrative in that it is in keeping with Robert's Rules and ensuring procedurally that applicants are treated fairly. That is important to him. In terms of proactive, he understands long-range planning and has been involved in it a long time in Santa Fe. He can support providing direction in terms of planning initiatives. He was encouraged at the last meeting when they were talking about getting to work on specific issues like affordable housing, etc. There's a lot of work that needs to be done and we need to ask for that.

Commissioner Sategna asked his thoughts in regard to the power of the Chair in setting agendas to move concerns of the Commissioners or bringing policy issues to the table.

Commissioner Hogan replied setting the agenda also comes from the Commission. Each Commissioner discusses items at the end of the meeting that is important to them. As the chair, it is important to get those items on the agenda. They need to have follow-up and adequate time for staff to prepare information that will provide a robust and informed discussion. Another part of the agenda is the request for applications. They should determine which applications and the volume of applications and the issues and if publicly volatile. They need to control how the agenda is set in order to avoid being here until two in the morning.

Commissioner Sategna asked Commissioner Gutierrez the same questions.

Commissioner Gutierrez said on the administrative part, he has been on the Commission for some time and watched three different chairs. One thing that the chair doesn't do is vote unless a tie, and most of the time the chair doesn't need to vote. So, it is more administrative. Regarding policy, one of his frustrations is the General Plan and its failure to keep up with the growth of the City. As chair, he would advocate for the Commission and Land Use staff to try to get funding through City Council. Those two things would bring the Commission more up to date.

Commissioner Sategna asked his thoughts of the chair using his power on the agenda to promote policy.

Commissioner Gutierrez said the first thing that came to mind is, as Commissioner Hogan said, to ensure the meeting runs efficiently, and they have all of the information needed. He has sat through contentious meetings. He wants to give the public time to express themselves on contentious issues they know will take more time on the agenda.

Commissioner Sategna asked his thoughts on using the power of setting the agenda as the chair to promote policy.

Commissioner Gutierrez said the Commission is scheduled for two meetings a month. He advocates working on policy, even if they set up subcommittees. The Commission has had subcommittees in the past where members worked on policy. Then when they brought that to the full Commission the policy had been vetted somewhat.

VOTE: A roll call vote for the position of Chair resulted with the majority of Commissioners voting for Commissioner Gutierrez to be elected as Chair with Commissioners Chavez, Clow, Faulkner, Garcia, Lawrence, Sategna, Gutierrez and Hogan voting in favor and Commissioner Piccarello voting for Commissioner Hogan.

Commissioner Clow commented that both Commissioners, Brian Gutierrez and Mark Hogan would make very good chairs. Mark has done a great job as vice chair and Brian a good job on the Summary Commission. She said that made the decision hard and her vote was driven by longevity. Brian has been here longer than anyone else.

Commissioner Faulkner agreed. She has known both Mark and Brian outside of the Commission as well as on the Commission and respects them both. Her focus is policy and that determined her vote.

Commissioner Garcia said he has great respect for Commissioner Hogan and all that he has done. He thanked him for doing what he does and for continuing to do that well.

Commissioner Lawrence said this was a difficult vote.

Commissioner Piccarello said she voted for Commissioner Hogan based on observing the Commission meetings over the past year and on his comments today.

Commissioner Gutierrez thanked the other Commissioners for putting their trust in him. He asked staff to let him know if he does something that is not as it should be done.

Commissioner Faulkner thanked Commissioner Hogan for stepping up to the plate and doing an awesome job as vice chair and in the capacity of acting chair.

Commissioner Hogan said he wanted to make the vote almost unanimous by voting for Commissioner Gutierrez.

Ms. Paez noted that according to the requirements, Commissioner Brian Gutierrez is the new chair elected and the election is sufficiently recorded by the stenographer. She suggested if ready, it was appropriate for Commissioner Gutierrez to assume the position of chair.

Commissioner Gutierrez suggested finishing the elections, and he would resume with the next item on the agenda.

2. Nomination of Vice Chair

NOMINATION: Commissioner Clow nominated Vice Chair Hogan for vice chair. The nomination was seconded by Commissioner Faulkner

Commissioner Hogan accepted the nomination.

There were no other nominations.

VOTE: The motion to nominate Commissioner Mark Hogan as Vice Chair was passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Gutierrez, Lawrence, Piccarello, Sategna and Hogan voting in favor and none against.

3. Nomination of Secretary

NOMINATION: Commissioner Faulkner nominated Commissioner Clow for the reasons she stated earlier. Commissioner Garcia seconded the nomination.

Commissioner Clow accepted the nomination.

There were no other nominations.

VOTE: The motion to nominate Commissioner Clow as secretary was passed by unanimous roll call vote with Commissioners Chavez, Clow, Garcia, Faulkner, Gutierrez, Lawrence, Piccarello, Sategna, and Hogan voting in favor and none against.

Vice Chair Hogan turned the meeting over to Chairman Gutierrez.

F. APPROVAL OF MINUTES / APPROVAL OF FINDINGS/CONCLUSIONS

None.

G. OLD BUSINESS

None.

H. NEW BUSINESS

1. **Case #2020-2924. Vista de La Sierra Final Subdivision Plat.** JenkinsGavin, Inc., Agent, for Branch Family Holdings, LLC, Owner, requests a final subdivision plat for a 393 single family residential lot subdivision. The property located at 3800 Governor Miles Road, is approximately 94.07 acres and is zoned R-5 (Residential-five dwelling units per acre). (Donna Wynant, AICP, Case Manager)

Commissioner Sategna recused himself from the case because he is the President of the neighboring Homeowners Association for this development. He would not return this evening.

STAFF REPORT

Mr. Berke presented the staff report for Ms. Wynant who was having technical difficulties. The request is for approval of the Vista de La Sierra Final Subdivision which is a 393 single lot residential subdivision. The Planning Commission conducted a public hearing on November 19, 2020 and approved the preliminary subdivision plat with conditions of approval and Findings of Fact and Conclusions of Law. The application included a variance request that was not approved for second-story homes to be located 5 feet from the side property line.

In response to the concerns expressed by the Estancias De Las Soleras Neighborhood Association to the south, the final plat reflects a 20-foot landscape buffer on the south boundary west of the roundabout. In addition, the applicant has reduced the number of lots in the right-of-way by two, and restricted homes along the right-of-way to a single-story. Consideration of the plat involves evaluation of conformity with the preliminary plat included in the report. The sections of the report provide analysis and Section 2 has a number of conditions of approval recommended by staff. Condition #3 is one of the main conditions that differs from the preliminary plat. The condition was set by the City Traffic Engineer (now a vacant position) that a revised TIA (Traffic Impact

Analysis) is required by Phase 2. However, the applicant has requested the TIA be moved to Phase 3 or the summer of 2022, whichever is sooner. The applicant originally proposed to do that for Phase 1, but now would like to go into Phases 1 and 2 immediately.

Staff has reviewed their request and had the traffic engineer reevaluate the TIA for the change. The traffic engineer approved the request. A TIA will have to be conducted prior to Phase 3 of the final subdivision plat or the summer of 2022, whichever occurs earlier. The applicant anticipates starting home construction by the summer of 2022. All other conditions are standard, some with grading. The engineer has worked with the neighborhood, the applicant and staff.

Staff recommends approval of the final subdivision plat request with the conditions of approval as stipulated in Section 2 of the report, and conditions of approval and technical corrections as shown in the exhibits. Two motions are required: to either approve or deny the request and approve or deny the Findings of Fact and Conclusions of Law as presented in staff report.

Chair Gutierrez welcomed Ms. Jenkins.

APPLICANT'S PRESENTATION

Jennifer Jenkins, 130 Grant Avenue, Santa Fe was sworn. Ms. Jenkins welcome the new commissioners. She offered to do a brief overview of the project.

Both Commissioners Chavez and Piccarello said a summary wasn't needed.

Ms. Jenkins shared a brief PowerPoint presentation. She noted this is really about whether the final plat comports with what has been approved in the preliminary plat. Staff has determined it does. A condition of approval because of COVID and abnormal traffic patterns, is to update the traffic study. The homebuilder is on an accelerated schedule by the time they start Phase 2, normal traffic conditions will still be unlikely. The applicant request modifying the condition to conduct the update of real traffic counts prior to Phase 3. The request was reviewed by Wilson and Company, the traffic engineering consultant who approved. They have worked closely with the Nave Ade HOA who is also comfortable with the request.

Phase locations were shown on the site plan. The applicant has established additional dust control measures addressing a concern of Nave Ade. They are working with the City Engineer, staff, and the HOA. Any areas that are graded but will not have construction in the area immediately, will be treated and maintained to stabilize the dirt and protect it from activity. There will be two water trucks minimum on site and no construction vehicles will be allowed through Nava Ade neighborhood.

The HOA was concerned about the stages of grading. The applicant will remove or add dirt in areas with the goal to balance the site. Phase 1 has a lot of dirt removal that will be deposited where needed in Phase 2 and stabilized until construction is ready to proceed. [A plat was displayed of cut areas and fill areas]. The plan was reviewed with an HOA representative and once a contractor is selected, the applicant will develop a staging plan of construction activities. The plan will be provided to the HOA.

Another element is that drainage facilities, ponds, storm drains, etc. are required to be maintained by the HOA. Nava Ade is concerned about the drainage structure having experienced issues during a big storm a few years ago. Standard City drainage facility maintenance requirements are included on the plat. In addition, they will be incorporated into the HOA documents. Maintenance requirements and the schedule of maintenance will be very clear, and all drainage improvements and their functions and maintenance protocols will be identified. They will ensure there is adequate budget for the Homeowners Association in the monthly fees for proper maintenance of the drainage facilities. Ms. Jenkins stood for questions.

Commissioner Clow asked to clarify if the City was okay with waiting until the third phase for the traffic study. She asked the purpose for the traffic study post COVID and what changes that might occur, and if those changes would be done after Phase 1 or Phase two.

Ms. Jenkins explained the purpose of the traffic study update is to get counts in a normal, post COVID environment. The applicant's significant improvements are a roundabout and turn lanes to accommodate access to the site. The study's main point is to determine if off-site improvements as proposed are adequate. If something has to be modified that will be implemented in Phase 3.

Commissioner Clow asked if there is any harm if they wait until Phase 3.

Ms. Jenkins said it is actually more preferable. People will not be living in the subdivision to create traffic impact until late summer of 2022. Phase 3 will provide ample opportunity to conduct the TIA before the neighborhood puts significant cars on the road. The key factor for the traffic study update is that school is in session. Moderately priced homes are needed in the community. It is a positive to have a builder who is eager to bring them to the market.

Commissioner Clow asked if construction for Phase 1 or 2 makes remediation impossible and if doing the study later rather than earlier has a downside.

Ms. Jenkins didn't believe so. They will build the roundabout in Phase 1 and the turn lanes. They may need to tweak something at the intersection of Governor Miles and Richards, or the timing of the signal. These are off-site elements and have no impact on the interior design of the subdivision.

Commissioner Chavez confirmed there would be families living there when Phase 3 is started. When school is in session it will bring a significant amount of traffic. There is the charter school, a community college and then families in Phase 1 and 2. She shared the concerns about waiting because of the significant change in traffic.

Ms. Jenkins explained that pushing the study down the road is positive because there will be more normal traffic conditions. Although Phase 3 is the deadline for the study, they don't actually have to wait until Phase 3 to do the study. Once school is in session and they are no longer in lock down, they will do the study. There would be no reason to wait. The applicant wants to know as soon as possible if changes are required off-site. Changes affect the budget and pricing and other things, so they don't want to wait until the last second. And it would be preferable if the City has a traffic engineer.

Commissioner Clow confirmed that the applicant is willing to do the TIA when feasible in terms of school being in session or at the beginning of Phase 3, whichever is earlier.

Commissioner Faulkner suggested that be made a condition of approval. Commissioner Clow noted that the applicant has agreed.

Ms. Paez added that the motion to approve the Findings could direct that be added as an amendment as well.

PUBLIC HEARING

Mr. Berke explained the process to speak in the Public Hearing. He noted that the Nave Ade Neighborhood Association had requested they each speak for two minutes in the order listed.

Mary Rankovich, 4150 Rain Dance Lane, was sworn. She noted that four members of Nave Ade HOA would address their concerns on the plat approval. She will speak about the applicant's request to combine and record Phase 1 and Phase 2. Although not prohibited, the process of grading 50+ acres combined tract and grading across previous phases before stabilizing the soil disturbed in the first phase, will create dust issues that directly impact the Nava Ade residents. They accept there will be some dust, but cross phase grading increases a possibility of significant amounts of uncontrollable dust. Regardless of the amount of equipment to control it, a large amount of disturbed earth makes it more difficult to control the dust. This is based on the number and severity of harmful dust Nava Ade endured during grading operations previously. Those were referenced and discussed at the Public Safety Committee and the Commission hearings of Los Solaris and Ross's Peak. Excerpts were sent to the Commission. Secondly, because the committee only has two inspectors Citywide, a developer's self-regulation is imperative. Their failure to adequately monitor the dust leads to harmful dust infiltrating their homes before a corrective action can be taken.

Becky Stamm, 4136 Soaring Eagle, was sworn. She is a native Santa Fean who grew up in a family of developers and speaks on the behalf of Nava Ade HOA on cross phase grading. As separate phases, the City requires Phase 1 to fulfill the measures and Codes before recording Phase 2. Infrastructure grading cannot begin on Phase 2 until Phase I is complete. That ensures measures to control dust and stabilize graded land are met before beginning the next phase. The issue to contain the dust is not just a matter of large-scale or cross phase grading or high winds. It also relates to the proximity of grading, exposed cuts, and stockpiles of dirt to the existing homes. The closer to the property grading construction happens, the lower the wind speed needs to be to infiltrate their homes and harm their health. She has been a victim of Las Soleras dust and grading and speaks from experience. The HOA request reasonable conditions if the applicant is allowed to combine Phases 1 and 2 to ensure the dust is contained. The next speaker will address those conditions.

Richard Lange, 4401 Autumn Leaf Lane, was sworn in. He spoke on behalf of the HOA and thanked the applicant for agreeing to the many significant drainage control and dust measures. He stated if allowed to combine the phases, the HOA requests two reasonable conditions be added before the final plat approval. Number one: The applicant agrees in writing his grading plan will provide sequential steps to controlling grading dust and he will honor that plan and have that plan approved by Land Use staff. Number two: As he requested and in response to Chairman Hiatt's comments related to Ross's Peak, Ms. Jenkins had agreed to get the requirements and address those as part of the final plat application. As a condition of approval, the HOA asks the language for Ross's Peak #14 be adopted. The language currently requires stopping the movement of dirt at 30 mile per hour wind speed, and in addition to include that movement of dust would be stopped, "*and/or as a result of excess dust blowing into the neighborhoods as determined by City Land Use Department."* Joe Jones will address matters on the TIA.

Joe Jones, 4149 Soaring Eagle Lane, was sworn in. He spoke on behalf of Nave Ade on condition #3, the revised TIA. The HOA wants to emphasize the part of that condition that cites the need to "include school traffic." Once Monte del Sol and others nearby reopen, traffic counts during peak hours may show significantly higher counts than currently or with a revised TIA from 8 AM and 4 PM. This is based on their experience on Dancing Ground and the string of vehicles on Governor Miles that blocks vehicle traffic to and from Capital High, Cesar Chavez and Ortiz Schools and Santa Fe Community College. That convergence of traffic on Dancing Ground, the primary road/intersection bisecting Nava Ade from multiple schools, is why City Engineer John Romero included school traffic in writing, in the revised TIA condition. The HOA therefore requests that the TIA for the project start at peak school hour traffic beginning at least 15 minutes before peak hour work traffic. In addition, they request Nava Ade HOA be notified and receive a copy of the report, and that the Traffic Engineering Department consider any other evidence gathered by the HOA before a final determination.

Joan Dickerson, 4721 Las Plazuelas, 87507 was sworn. She echoes the comments of the homeowners who also represent the Board of the Estancias de la Soleras Neighborhood Association. Their concerns are the same, especially of blowing dust and on the timing of the TIA. Also, they note a previous TIA recommended a signal at the intersection of Beckner and Richards and they believe that is still necessary. Even during COVID traffic, the intersection is unsafe when making a left turn. A different developer was to put in a traffic signal, but it is not sufficient to satisfy what is being done to the intersection.

Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Vice Chair Hogan asked Ms. Jenkins to describe the arroyo and whether there will be landscaping, etc.

Ms. Jenkins shared her screen of the site plan. She reviewed plans for the structural stabilization along some banks and the erosion control. Bank stabilization will primarily use gabion (stones enclosed in a cage). There will be a stored water collection adjacent to the arroyo and trail network. A park area takes advantage of the trail and beauty of the arroyo. There will be significant natural landscaping improvements adjacent to the arroyo and a stormwater collection area is proposed.

Commissioner Garcia asked if Ms. Jenkins would address the issues mentioned by a number of the public speakers regarding cross-phase grading, the dust control in Phases I and 2 and the request to stop grading at winds of 30 mph or by the Land Use Department.

Ms. Jenkins shared an exhibit and explained with respect to infrastructure during Phase 1 the only activity in Phase 2 will be depositing the dirt. The dirt will be treated and stabilized and protected from disturbance. It will only be touched when they begin Phase 2 after Phase 1 has base course on the roadbeds and is graded. Areas that will not have activity will be stabilized and sprayed. Currently the City requires that grading cease when winds are 30 mph or greater and the City has authority to shut activity down if there are any complaints to the Land Use Department.

Commissioner Garcia asked when the Traffic Impact Analysis is conducted if it could include the actual peak hours at the school. Ms. Jenkins replied they definitely intend to do that.

Commissioner Piccarello noted on the gabions, that an active play area is nearby, and kids might be hopping on them. She asked if all of the material would be gabion type or something safer was considered.

Mr. Jenkins said it wasn't considered, she could revisit that with her landscape architect and engineer and report back.

Commissioner Piccarello asked how long a traffic study normally takes.

Ms. Jenkins said once it is agreed that conditions are fairly normal, the Traffic Engineer would be scheduled to do the counts. Typically counts can be done in 30 days. The traffic engineer will then reevaluate the intersections to determine if modifications are needed. The study could be done within 6 to 8 weeks.

Commissioner Chavez noted concerns on the issue of the traffic light at Beckner and Richards Avenue. She asked for a timeline on that.

Ms. Jenkins replied this project is on a parallel path with the multifamily project under construction that will install the traffic signal and it should be within the next 18 to 24 months. That will be before any traffic is produced from this project.

Chair Gutierrez said Richard asked that condition #4 be adopted regarding wind speed. He asked staff if Ross's Peak construction had ever had to be stopped.

Ms. Dee Beeingessner responded that she did not ever recall a time when that work had to be stopped.

Chair Gutierrez asked how they know when wind speed is 30 mph.

Ms. Beeingessner thought the City has wind speed detection equipment, but typically the City responds by complaints. Or, they rely on inspectors driving by who frequently look for dust in the air. They might also check the weather forecast for wind.

MOTION: In Case #2020-2924. Vista de La Sierra Final Subdivision Plat, Commissioner Lawrence moved to approve the final subdivision plat subject to conditions of approval and technical corrections recommended by staff, and a change to condition #3 to time the traffic analysis to count post-COVID traffic at Phase 3, or when traffic is back to pre-COVID normal levels and with school in session, whichever comes first. Commissioner Faulkner seconded the motion.

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

MOTION: In case #2020-2924. Vista de La Sierra Final Subdivision Commissioner Lawrence moved to approve the Findings of Fact and Conclusions of Law

as proposed in exhibit A2, corrected as necessary to include the change to Condition #3 and a correction to the date to January 21, 2021. Commissioner Faulkner seconded the motion.

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

I. STAFF COMMUNICATIONS

Mr. Berke congratulated the new members. He also reviewed the term dates of the reappointed Commissioners. Commissioner Piccarello and Commissioner Chavez is a two-year term representing District 2, until January 2023. On those reappointed: Chair Gutierrez is for a one-year term ending January 13, 2023 in District 1; Commissioner Lawrence is a 2-year term until January 13, 2023; Vice Chair Hogan is a one-year term until January 13, 2022; Commissioner Faulkner is a two-year term until January 13, 2023; Commissioner Garcia is a one-year term until January 13, 2022; Commissioner Sategna is a one-year term until January 13, 2022; and Secretary Clow is a one-year term until June 13, 2022. The terms are stipulated in ordinance to avoid having no gaps and overlap of terms. He congratulated the Commissioners who were reappointed.

Ms. Paez said the Mayor's appointments are based on the last round of appointments documented by the City Clerk's office. She believed the appointments are officially through June and if there are no replacements they serve until a replacement is appointed, the Commissioner is reappointed, or they resign.

Mr. Berke said there will be two cases on February 4, and he anticipated a long and complex meeting. Department of Transportation (DOT) members will be available for questions as well as Wilson Company, who reviewed the traffic study. He encouraged Commissioners to read through the staff report, which will be very large. They should prepare questions because he anticipates a very lengthy public comment. There may also be requests from neighborhood associations requesting their members be allowed to speak more than 2 minutes in the Zia case. Prior to that case is the Mira Flores final subdivision plat. Some Commissioners have heard the preliminary subdivision plat.

There will be a second meeting in February with two or three cases as well.

Mr. Berke reported that staff is looking at training conducted by the City Attorney's Office on Ethics and Roberts Rules of Order on the agenda soon. Also, he has discussed with Director Isaacson to have subject matter experts such as MPO, Traffic Engineering etc. provide a study session where Commissioners could ask questions. He is anticipating trying to do monthly training.

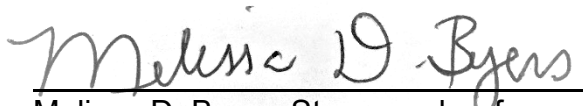
Mr. Isaacson thanked the reappointed Commissioners for their hard work and gave a warm welcome to the new Commissioners.

Ms. Paez provided an update on Daniel O'Friel. He is appealing the Commission's decision on the lot line adjustment to the District Court. She will keep them apprised.

K. ADJOURNMENT

With no further business before the Commission, Chair Gutierrez adjourned the meeting at 7:58 pm.

Submitted by:



Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:

Brian Gutierrez, Chair

City of Santa Fe, New Mexico

memo

DATE: February 10, 2021 for the February 18, 2021 Planning Commission Meeting

TO: Members of the Planning Commission

VIA: Elias Isaacson
Elias Isaacson, AICP, Planning and Land Use Director
Noah Berke, AICP, Planner Manager Noah Berke

FROM: Lee Logston, AICP, Land Use Planner Senior, Current Planning Division

SUPPLEMENTAL MEMO TO FEBRUARY 4, 2021 ZIA STATION STAFF REPORT

The purpose of this memo is to clarify procedure regarding one specific case related to the Zia Station proposal:

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

I. EXECUTIVE SUMMARY

In the February 4, 2021 Staff Report, it was incorrectly stated that the Planning Commission had the authority to approve the preliminary development plan for Case #2020-1901. Per SFCC Section 14-5.7(C)(1), an application for PUD rezoning shall be accompanied by a preliminary development plan. Per SFCC Sections 14-2.3(C)(1) and 14-3.5(B)(1) and Table 14-2.1-1, the Planning Commission shall review the preliminary development plan and make a recommendation to the Governing Body when the preliminary development plan is part of a PUD rezoning request.

The effect of this correction is threefold:

1. The Findings of Fact and Conclusions of Law have been amended (Exhibit A);
2. The suggested motion regarding the preliminary development plan has been corrected; and
3. The suggested motion regarding the innovative street design has been amended.

Rather than amend the original staff report and exhibits, this memo is an addendum to the original staff report.

II. RECOMMENDATION:

The Planning Commission should recommend **APPROVAL BY THE GOVERNING BODY** of the preliminary development plan, subject to conditions of approval and technical corrections outlined in the February 4, 2021 staff report (Case #2020-2901).

The Planning Commission should recommend **APPROVAL BY THE GOVERNING BODY** of the innovative street design shown in preliminary development plan, subject to conditions of approval and technical corrections outlined in the February 4, 2021 staff report (Case #2020-2901).

Three motions are related to this case:

Sample motions for Case #2020-2901:

- *Recommend the Governing Body approve or deny the Preliminary Development Plan for Case #2020-2901, subject to the conditions of approval and technical corrections recommended by staff;*
- *Recommend the Governing Body approve or deny the Applicant's request for a proposed innovative street design of Galisteo as shown in Phase 1; and*
- *Approve or deny the Amended Findings of Fact and Conclusions of Law for Case #2020-2901 (Exhibit A to this memo)*

If all the pending applications related to Zia Station are granted by the Governing Body, the Planning Commission will have authority to review and approve final development plans for the various phases of the project. These final development plans will not need to go back to the Governing Body for approval.

For convenience, should the Commission agree with staff recommendations on all cases, all nine motions related to the Zia Station proposal are listed below:

Nine motions will be required, in the following order, for this case:

- *Recommend the Governing Body approve or deny the General Plan Amendments for Case #2020-2898 and Case #2914;*
- *Recommend the Governing Body approve or deny the Rezoning for Case #2020-2899;*
- *Recommend the Governing Body approve or deny the Rezoning for Case #2020-2900;*
- *Recommend the Governing Body approve or deny the Preliminary Development Plan for Case #2020-2901, subject to the conditions of approval and technical corrections recommended by staff;*
- *Recommend the Governing Body approve or deny the Applicant's request for a proposed innovative street design of Galisteo as shown in Phase 1;*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2898 (Staff Report Exhibit A(2))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2914 (Staff Report Exhibit A(3))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2899 (Staff Report Exhibit A(4))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2900 (Staff Report Exhibit A(5))*

- *Approve or deny the Revised Findings of Fact and Conclusions of Law for Case #2020-2901 (Exhibit A to this memo)*

EXHIBITS

Exhibit A – Revised Findings of Fact and Conclusions of Law for Case #2020-2901

EXHIBIT A

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

Case #2020-2901
Zia Station Preliminary Development Plan

Owner's/Applicant's Name – Zia Station, LLC
Agent's Name – JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (Commission) for public hearing on February 4, 2021 and February 18, 2021 (Hearing) upon the application (Application) of JenkinsGavin, Inc. as agent for Zia Station, LLC (Applicant).

I. INTRODUCTION

The Application pertains to properties located at the northwest and southwest corners of St. Francis Drive and Zia Road, totaling approximately 21.0 acres (Properties). The Applicant requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space. The Application includes a request for approval of an innovative street design. The properties are zoned R-1 (Residential- one dwelling unit per acre), and are within the South Central Highway Corridor Protection District (SCHC).

In related Case #2020-2898, the Applicant requests a general plan amendment for a property located at the northwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre).

Additionally, in related Case #2020-2914, the Applicant seeks a general plan amendment for a property at the southwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use.

Additionally, in related Case #2020-2899, the Applicant seeks a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road.

Finally, in related Case #2020-2900, the Applicant seeks a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District (SCHC) to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District.

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

II. FINDINGS OF FACT

A. General

1. SFCC Section14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC § 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC §1 4-3.1(F)(2)(a)(iv)]; and (c) compliance with notice and public hearing requirements [SFCC § 14-3.1(H)-(I)].
2. A pre-application conference was held on February 6, 2020 in accordance with SFCC Section 14-3.l(E)(1).
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), a virtual ENN meeting was held on the Application on October 29, 2020. The ENN meeting was attended the Project team, members of City staff, and approximately 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the TIA results, and that suggested road improvements could handle traffic presumed to be generated by the project. Residents stated that it was difficult for them to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.
5. The Applicant held one more, informal virtual meeting to answer additional questions on November 12, 2020.
6. City staff held one more, informal virtual meeting with residents on November 16, 2020 after they had had an opportunity to review the submitted application materials. Questions for Staff were largely procedural in nature, although there were questions about specific details of the Project. Staff asked residents to summarize their questions and submit them to Staff for follow up. Only one resident did this, submitting a detailed traffic analysis.
7. City staff reviewed the preliminary development plan Application, and the related materials and information submitted by the Applicant, for conformity with applicable SFCC requirements and provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
8. Staff recommended that the Commission recommend approval by the Governing Body of the preliminary development plan and innovative street design, subject to Conditions and the technical corrections set forth in the Staff Report and exhibits.
9. At the Hearing, the Commission considered the Applications concurrently, and the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

B. Development Plan

10. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2020-2898, 2020-2899, 2020-2900, and 2020-2914; and the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

11. Under SFCC Section 14-3.8(B)(3)(a), a new development with a gross floor area of thirty thousand (30,000) square feet or more requires approval of a development plan by the Commission.
12. Under SFCC Section 14-3.8(B)(3)(b), a new development with a gross floor area of ten thousand (10,000) square feet in the C-2 zone requires a development plan.
13. Pursuant to SFCC Section 14-5.7(C), an application for PUD rezoning shall be accompanied by a preliminary development plan.
14. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-3.5(B)(1) and Table 14-2.1-1, the Commission has the authority to review development plans required for rezonings regarding Overlay zoning districts and make recommendations to the Governing Body.
15. SFCC Section 14-3.8 establishes certain procedures for development plan approval including, without limitation, a public hearing by the Commission and a decision based on the criteria set out in SFCC Section 14-3.8(D).
16. SFCC Section 14-3.8(C)(1) requires the Applicant to submit plans and other documentation that demonstrates conformance with applicable provisions of the SFCC (Submittal Requirements).
17. The information contained in the Staff Report and exhibits is sufficient to establish that the Submittal Requirements have been met.
18. SFCC Section 14-3.8(D)(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 making a recommendation to the Governing Body to approve a development plan.
19. Pursuant to SFCC Section 14-3.8(D)(1)(a), the Commission finds that it has the authority to review the development plan under SFCC Sections 14-2.3(C)(1) and 14-3.5(B)(3)(1) and Table 14-2.1-1.
20. Pursuant to SFCC Section 14-3.8(D)(1)(b), the Commission finds that the development plan will not adversely affect the public interest. The Governing Body has implemented the General Plan and ordinances to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. This project serves the public interest through the provision of much-needed housing proximate to multi-modal transit options and public trails.
21. Pursuant to SFCC Section 14-3.8(D)(1)(c), the Commission finds that the use and any associated buildings are compatible with and adaptable to buildings, structures, and uses of the abutting property and other properties in the vicinity of the premises under consideration. The subject property is located in a mixed-use area comprising significant commercial and multi-family development. The proposed uses and scale of the project is compatible with land uses in the vicinity, while serving as an appropriate transition between the adjacent existing residential development and the St. Francis corridor.
22. Pursuant to SFCC Section 14-3.8(D)(2), the Commission "may specify conditions of approval that are necessary to accomplish the proper development of the area and to implement the policies of the general plan."
23. The Commission finds that the Conditions and technical corrections set forth in the Staff Report and exhibits are necessary to accomplish the proper development of the area and to implement the policies of the general plan.
24. Pursuant to SFCC Section 14-9.2(B)(3), the Commission and the Governing Body may consider and approve an innovative street design that is not included among the street types

and street sections shown or described in SFCC Section 14-9.2 if the innovative street design provides adequate pedestrian and bicycle facilities, as well as necessary transit facilities.

25. The Commission finds that the Applicant's proposed innovative street design should be approved because it furthers the intent of SFCC Section 14-9.2 and provides adequate pedestrian and bicycle facilities, as well as necessary transit facilities.

III. 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 procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

Development Plan

2. The Commission has the authority to review and make a recommendation to the Governing Body to approve the preliminary development plan, including the proposed innovative street design, subject to conditions.
3. The Applicant met the applicable Submittal Requirements.
4. The Commission should recommend approval by the Governing Body of the preliminary development plan and innovative street design subject to the conditions and technical corrections recommended by staff because all applicable code requirements and criteria for preliminary development plan approval have been met.

WHEREFORE, IT IS ORDERED ON THE 18TH DAY OF FEBRUARY 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends that the Governing Body approve the preliminary development plan for the Property (Case #2020-2901), including the request for an innovative street design, subject to the Conditions and the technical corrections set forth in the Staff Report and exhibits.

_____ _____
Chairperson Date

FILED:

_____ _____
Kristine Mihelcic Date
City Clerk

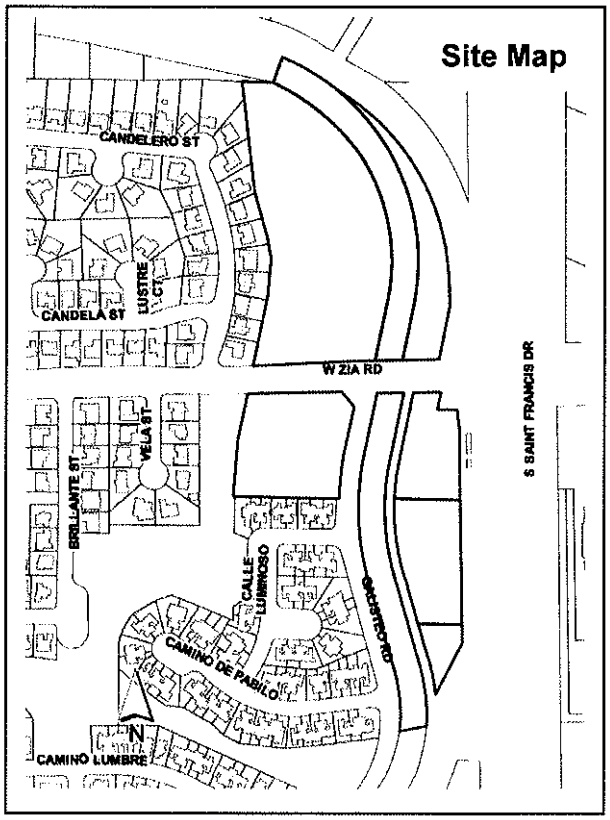
APPROVED AS TO FORM:

_____ _____

Sally Paez Date
Assistant City Attorney

Land Use Department
Planning Commission Staff Report

Case No:	2020-2898, 2020-2914, 2020-2899, 2020-2900, and 2020-2901
Hearing Date:	February 4, 2021
Applicant:	Zia Station, LLC
Request:	Zoning Ordinance Amendment, Preliminary Subdivision, Development Plan
Location:	Zia Road and St. Francis Drive
Case Mgr.:	Lee Logston
Zoning:	R-1 (Residential- one dwelling unit per acre)
Overlay:	South Central Highway Corridor Protection District
Pre-app Mtg:	February 6, 2020
ENN Mtg:	October 29, 2020
Proposal:	General Plan Amendments (2), Rezonings (2), and Preliminary Development Plan approval for a mixed-use project with 384 dwelling units, office, and commercial on approximately 21.0 acres



Case #2020-2898. North Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2914. South Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 2.2 acres from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use at the southwest corner of Zia Road and Galisteo Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2899. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial-Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2900. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

I. RECOMMENDATION:

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the General Plan Amendments (Case #2020-2898 and Case #2020-2914).

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the rezoning to C-2 PUD (Case #2020-2899)

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the rezoning request to amend the boundaries of the South Central Highway Corridor Protection District to exclude the two properties (Case #2020-2900).

Staff recommends **APPROVAL** of the preliminary development plan (Case #2020-2901), subject to conditions of approval and technical corrections outlined in this report, and Governing Body approval of all other Applicant requests. The feasibility of the proposed preliminary development plan relies upon approval of rezoning Case #2020-2900 (Zia Station Rezoning), and as such, height and massing of buildings would need to be revised and resubmitted if the request for Case #2020-2900 is denied.

A recommendation for **denial** of the General Plan amendments and either or both rezoning requests would render the proposed preliminary development plan infeasible, in which case a **recommendation for denial of the preliminary development plan would be appropriate**.

Nine motions will be required, in the following order, for this case:

- *Recommend the Governing Body approve or deny the General Plan Amendments for Case #2020-2898 and Case #2914;*
- *Recommend the Governing Body approve or deny the Rezoning for Case #2020-2899;*
- *Recommend the Governing Body approve or deny the Rezoning for Case #2020-2900;*
- *Approve or deny the Preliminary Development Plan for Case #2020-2901, subject to the conditions of approval and technical corrections recommended by staff;*
- *Approve or deny the Applicant's request for a proposed innovative street design of Galisteo as shown in Phase 1;*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2898 (Exhibit A(2))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2914 (Exhibit A(3))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2899 (Exhibit A(4))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2900 (Exhibit A(5))*
- *Approve or deny the Findings of Fact and Conclusions of Law for Case #2020-2901 (Exhibit A(6))*

II. CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval to **the preliminary development plan** for Case #2020-2901:

#	Condition of Approval	Dept. or Division	To be completed:
1	Prepare an updated Traffic Study Analysis prior to Phase II commencing.	Traffic Engineering Division	Prior to Starting Phase 2
2	All roadway improvements associated with the development must be constructed prior to opening Phase I of the development. This includes all improvements on Zia Road and Galisteo Road, including the realignment. Tie Galisteo Road improvements into the existing Zia Rail Runner Station driveway.	Traffic Engineering Division	Issuance of any Certificate of Occupancy for any Phases
3	Evaluate the placement of a mid-block pedestrian crossing west of St. Francis Drive. Using a raised island as a pedestrian refuge. The evaluation should be included in the updated TIA as indicated in Condition of Approval Number 1.	Traffic Engineering Division	Prior to Starting Phase 2
4	Provide the same length of transit drop-off/queueing area (350 feet) for Zia Rail Runner Station that exists currently.	Traffic Engineering Division	Prior to Starting Phase 2
5	Provide an approval letter from Rio Metro Regional Transit District stating that the Phase II plan of Zia Station does not inhibit or interfere with any existing or planned	Traffic Engineering Division	Prior to Starting Phase 2

	future transit operations.		
6	The Applicant shall file an application and obtain Governing Body approval to vacate a portion of the Galisteo Street right-of-way and to realign a portion of Galisteo Street.	Land Use/Current Planning	Prior to Final Development Plan submittal.
7	Provide an additional pedestrian crossing of Zia west of the crossing at Zia and St. Francis.	Land Use/MPO	Prior to Final Development Plan
8	Complete bank stabilization in the arroyo at the north end of the cul-de-sac.	Land Use/Terrain Management	Prior to Starting Phase 2
9	Shall comply with IFC 2015, Appendix D: Aerial Fire Apparatus Access Roads (26' for roads adjacent to buildings 30+ feet in height, clarify via typical sections/or dimensions on plans).	Fire Prevention	Prior to Recordation of the Final Development Plan
10	Dog Park: Amenities such as dog bag stations shall be configured with trash cans adjacent to the stations; locations shall be included in final design.	River & Watershed	Prior to Final Development Plan
11	Dog Park: Final grading plans shall include slowing and filtering storm water runoff through natural systems to limit dog waste introduction into the Arroyo Chamiso. Possible mitigation measures could be small swales and/or detention basins.	River & Watershed	Prior to Final Development Plan
12	Provide bank stabilization in the arroyo at the north end of the cul-de-sac. The developer shall make sure that residents of the new development will not access the arroyo here through monitoring.	River & Watershed	Prior to Final Development Plan
13	Swales: Increased armoring or vegetation to stabilize these features should be planned for and shall be depicted in the final design plan set.	River & Watershed	Prior to Final Development Plan
14	An approved Water Plan from the Water Division will be required. Water Plan comments will be submitted to the design engineer.	Public Utilities/Water	Prior to Final Development Plan
15	Add a signature line to the final development plan for the City of Santa Fe Wastewater Division.	Public Utilities/Wastewater	Prior to Final Development Plan
16	Development Plan approval is dependent on Governing Body approval of all other aspects of the applicant's request.	Land Use/Current Planning	Prior to Final Development Plan
17	Permitted Uses are limited to:	Land Use/Current Planning	Prior to Final

	• Residential – Townhomes, Lofts, and Multi-Family • Professional Offices • Medical Offices/Services • Neighborhood Serving Retail • Salon/Spa/Barber Shop • Art Studios/Galleries • Gym/Fitness/Dance/Yoga Studio • Florist • Restaurants (no fast food) – Casual Dining, Farm-to-Table, Gastro Pub, Deli/Specialty Foods, Bakery, Coffee Shop • Dry Cleaner • Bookstore • Bank (no drive-through) • Consignment Shop • Theater/Performance Space • Bicycle Shop • Government/Community Services Drive-through services of any type will be prohibited throughout the project		Development Plan Submittal
18	Complete a Lot Line Consolidation and Adjustment	Land Use/Current Planning	Prior to Final Development Plan Recordation

Following standard practice, redline comments will be provided to the surveyor who shall make any necessary changes to comply with technical corrections, and submit the corrected plat in Mylar. The "technical corrections" that must be made to the development plan and preliminary subdivision plat prior to recordation are listed in Exhibit A(1).

III. EXECUTIVE SUMMARY:

Zia Station is proposed to be a mixed-use, transit-focused, pedestrian-oriented community, which seeks to make the most of the site's multi-modal transit options, including the Rail Runner Station and Rail Trail. The project will be developed in multiple phases. Staff views this proposal as a transit focused, high density development near existing and future multi-modal transit opportunities and public trails. As such, throughout this report, Staff is choosing to use the term "transit-focused" as the project does not necessarily meet accepted definitions of "Transit Oriented Development" (TOD). Staff asserts that "transit-focused" more accurately describes the scale of development at this location, and Staff's evaluation of this proposal is based on SFCC standards and criteria. Staff recommendations are not influenced by the term used to describe the project.

Phase 1 (North Parcel) will include 244-unit multi-family apartment community on 10.16 acres (Phase 1A) and 14 townhomes on 0.75 acres (Phase 1B). Phase 2 (South Parcel) will include 112 multi-family units and 14 townhomes, 84,000 square feet of office, and 36,000 square feet of restaurant/retail. Phase 2 will be developed in sub-phases. As build out of Phase 2 will be highly market-driven, the mix of uses for individual sub-phases may adjust over time and would be defined in the Final Development Plan application for each sub-phase.

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

1. General Plan Amendment from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for the north parcel;
2. General Plan Amendment from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use (portion of south parcel;
3. Rezoning request from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial Planned Unit Development) for both parcels;
4. Rezoning request to amend the boundaries of the South Central Highway Corridor Protection District (SCHC) to remove both parcels from the overlay; and
5. Preliminary Development Plan Approval for the project.

The General Plan Amendments and C-2 PUD rezoning are necessary to develop the property at the proposed density, the request to amend the SCHC boundary is necessary to build at the proposed height, and the preliminary development plan would define project scope, actual density, design elements, and permissible uses.

The following sections of this staff report are ordered to establish a chronology previous actions and City approvals for the site, and to detail prior City actions affecting the site or that are relevant to the request under consideration.

IV. PROPERTY BACKGROUND

In 2001, SF Brown Ltd. Co. (managing partner in Zia Station, LLC), entered an agreement to purchase the 8.34 acre Pumice Plant property at the southwest corner of St. Francis Drive and Zia Road. At this time, the City of Santa Fe commissioned a Multi-Modal Transit Facility study, which identified the Pumice Plant site as an ideal location for a transit-focused development. In 2004, the City approved a General Plan Amendment for the properties (Resolution 2004-4), assigning a land use designation of Transitional Mixed-Use to 9.64 acres south of Zia Road between Galisteo and St. Francis, including approximately 0.40 acres at the northeast corner of Tract L on the west side of Galisteo, with the balance of Tract L amended to Low Density Residential. The purchase of the Pumice Plant property closed in March 2005 and the plant was demolished in 2007. Zia Station, LLC constructed the "kiss and ride" improvements at the station and commuter rail service began in 2017.

V. SOUTH CENTRAL HIGHWAY CORRIDOR OVERLAY

The South Central Highway Corridor Protection District (SCHC) was created in 1986 (Ordinance 1986-25). Development in highway corridors provides key first impressions both to visitors to Santa Fe and contributes to the sense of place that residents feel. "Development in highway corridors is a reflection of

who we are as a community and how we value our land and its natural beauty" (from 1999 Highway Corridor Plan).

The purpose and intent of the SCHC is stated in Subsection 14-5.5(A)(1):

Because openness, quiet and continuity adjoining the highway corridors in the southcentral section of the city is considered a special asset that should be retained as the area develops, it is the intent of the SCHC district to:

(a) establish a clear sense of visual openness and continuity of development, as seen from major highway entrances to Santa Fe;
(b) protect the openness and continuity of the existing landscape by retaining and planting native and other drought-tolerant, low maintenance trees, shrubs and groundcovers;
(c) ensure that landscaping provides an appropriate and attractive visual buffer, compatible with neighborhood landscaping character; conserves water by use of storm water collection and drip irrigation systems; and screens transformers and loading areas or outdoor storage;
(d) encourage the use of architectural style and scale that is representative of Santa Fe; and
(e) preserve clean air and a sense of quiet and reduce the potential negative impacts of noise, air pollution, lights, movement of cars, activities on site or other nuisances on adjoining properties.

The SCHC establishes a maximum residential density of 21 units per acre, minimum building setbacks, use-specific floor area ratios for office uses, and a maximum building height of 25' in order to achieve these goals. Specifically, the Applicant seeks relief from the height and floor area ratios in order to build in such a way as to optimize the site and provide a wider range of commercial services to optimize the potential of transit-focused development. The Applicant specifically is proposing three story buildings, which would be prohibited by the SCHC maximum height of 25'.

Since the mid-1980s, local development patterns have shifted in Santa Fe, as have market conditions and preferences. Development intensity has moved further south along the St. Francis Drive corridor, bringing with it increases in commercial use and housing density. At the time of the SCHC adoption, the area was an underdeveloped highway corridor surrounded by low-density residential neighborhoods. Since then, the corridor has seen significant multi-family development at densities up to R-21 on the east side of St. Francis, development of the Plaza Entrada shopping center to the east, and development of Rodeo Business Park to the south. Some of the development on the east side of St. Francis has occurred above the grade of St. Francis, and while those developments adhered to the 25' height restriction, visually, the net effect is "three-story" height. There has been virtually no multi-family development on the west side of St. Francis over the years. Further north, the Midtown Local Innovation Corridor (Midtown LINC) was adopted in 2016 as a higher density, mixed-use redevelopment district adjacent to the St. Francis corridor.

On August 28, 2019, the Governing Body approved an amendment to the Midtown LINC (Ordinance 2019-19) that provisions in the LINC shall supersede other overlays, including but not limited to the SCHC. This amendment directly affected properties at the southwest corner of St. Francis and St. Michaels, where the two districts overlap, allowing those properties to exceed the SCHC maximum height of 25'. While there was significant discussion over two hearings and opposition from the public, the Ordinance passed on a 5 to 4 vote. This Ordinance recognized the need to strengthen and animate the

connection between the Midtown Campus and Santa Fe Art Institute (SFAI) and Christus St. Vincent and to encourage the development of multi-family housing. Though there was no specific proposal under consideration, this was a site-specific decision involving three properties, recognizing the height limitation of the SCHC was contrary to the goals of the LINC.

Thirty-four years ago, the establishment of commuter rail service in Santa Fe was not anticipated, nor the unique challenges of responsibly developing a walkable, transit-focused community. The 2008 Rail Corridor Study discussed below refers to the Zia Station property as an important "gateway" to Santa Fe, and suggested that "three-story mixed-use buildings forming strong streetscapes along Zia Road" might be appropriate. As discussed in the Zia Rail Runner section, the City has invested in making Rail Runner commuter rail a success. The Applicant believes that the Rail Corridor Study is supportive of three-story height, and that the height restriction of the SCHC will prevent them from optimizing the unique opportunity to create a transit-focused development.

In making a recommendation to the Governing Body on the request to amend the boundaries of the SCHC to exclude these properties, Staff encourages the Planning Commission to carefully weigh the purpose and intent of the SCHC against the unique opportunities presented by the project site. In deciding whether to recommend approval or denial of the Applicant's request, the Commission should consider several questions:

- Has the character of the St. Francis corridor changed since the adoption of the SCHC?
- Can the goals of the SCHC still be met through careful design and siting of buildings taller than 25'?
- Do the themes and intent of the SCHC remain relevant 34 years later?
- Is the height restriction of 25' compatible with City investment in commuter rail?
- Is there already precedence for departing from the 25' height restriction?

Staff's position is that the General Plan amendments and C-2 PUD rezoning are necessary to develop the site in a way that a takes advantage of the existing commuter rail station to create a higher intensity destination with a mix of uses and higher density housing at the site. If the Planning Commission recommends removing the properties from the SCHC and the Governing Body approves this, then Staff recommends that the preliminary development plan should be approved.

VI. DEVELOPMENT PATTERNS ALONG ST. FRANCIS AND ALONG ZIA ROAD

Develop patterns along St. Francis from the I-25 to St. Michael's Drive are primarily Business Industrial Parks, Industrial, Commercial, Shopping Center, Extended Stay Lodging, Multifamily and some single family. On the east side of St. Francis there are many multi-family developments, and a shopping center. On the east side of St. Francis, single-family housing is largely buffered by the multi-family and other development. On the west side of St. Francis there is a Business Industrial Park, Industrial, Commercial and single-family residential. On the west side of St. Francis, the single-family development is buffered by commercial development and the rail line itself.

At the time the SCHC was adopted, the area was an underdeveloped highway corridor with a 50-foot-high, derelict pumice plant surrounded by low-density residential neighborhoods. Since then, the pumice

plant has been removed, a shopping center has been built to the east, the Rodeo Business Park has been developed to the south, the Rail Trail has been built, and the Midtown LINC has been created as a higher density, mixed-use redevelopment district nearby to the north. Development intensity has moved further south along the St. Francis Drive corridor, bringing with it increases in commercial use and housing density.

Future Land Use designations on the east side of St. Francis include High Density Residential (12-29 units/acre), Office, Community Commercial, and a small sliver of Low Density Residential at the northeast corner of St. Francis and Siringo. On the West side of St. Francis, Future Land Use designations include Institutional, Office, High Density Residential (12 to 29 units/acre), Parks and Open Space, Transitional Mixed-Use, and Business Park. Zoning is commensurate, and development along the corridor has included multi-family housing, lodging, and commercial and industrial uses.

The most significant change in the surrounding area is the establishment of commuter rail service in Santa Fe and, specifically, the location of a Rail Runner stop adjacent to the subject properties. The Rail Runner Station is an important multi-modal transportation infrastructure investment that deserves commensurate development of the adjacent properties to create the vibrant mixed-use, walkable, transit-focused community that City planning studies have called for repeatedly over the last twenty years.

Zia Station has the potential to become an important node for local and regional transit, and a critical transition point from the southern portion of the highway corridor to the more intensive built environment that has extended from the north in recent decades. The proposed development aligns with the changes that have occurred in the corridor over the last thirty-five years and could provide a compatible transition between the character of the southern highway corridor and the northern, more intensively developed City center.

VII. CREATION OF TRANSITIONAL MIXED-USE FUTURE LAND USE DESIGNATION

The Transitional Mixed-Use future land use designation was created in 2001 (Resolution 2001-82) in conjunction with master planning efforts of the City and County in the southwest sector of the City. These Master Planning efforts resulted in the "Santa Fe City/County Planning Initiative Final Report" and ultimately the Southwest Area Master Plan (SWAMP). The intent of Transitional Mixed Use was spelled out in the Resolution (portions directly referencing the southwest sector of the city eliminated for brevity and clarity):

> *WHEREAS, (The master planning effort) ... establishes a unified community vision with a series of guiding principles ... to direct future development... .*
> *WHEREAS,...several of the guiding development principles...call for neighborhoods to be walkable, and for commercial areas to be connected to and linked to surrounding neighborhoods, in part, through intermediate scaled buildings that provide some degree of transition from the commercial to residential; and*
> *WHEREAS, Section 3.3 of the City General Plan also specifically addresses the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods where services and amenities are designed to complement and enhance the quality of life.*

WHEREAS, in order to effectively implement these goals and principles, it is recommended that a new general plan future land use designation be created that can be ... applied (in) the City Urban Area as deemed appropriate; and
WHEREAS, the new "Mixed-Use/Transitional" future land use classification is intended to promote these goals through either a mixing of compatible land uses as in a mixed-use development scenario ... or within several tracts whereby intermediate uses are introduced to provide transitional buffering from commercial to residential through a reduction in scale and land use intensity.

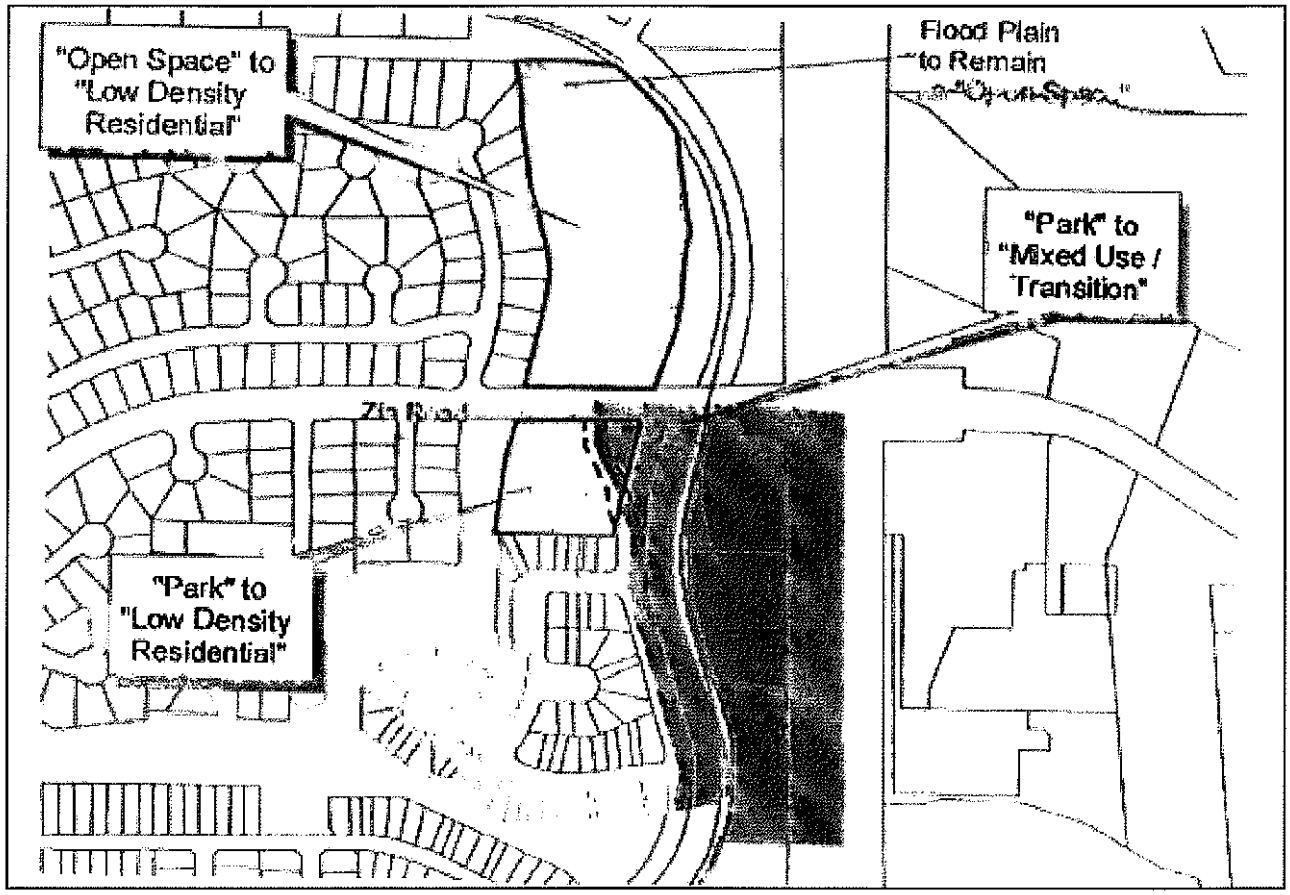
The Applicant sought Transitional Mixed-Use future land use designation for the southern property in 2003 with the desire to create a mixed-use development. This was before Rail Runner service existed. The Applicant requested a General Plan Amendment to change the future land use designation of the north parcel from "Open Space" to Low Density Residential", change most of the south parcel from "Park" to "Mixed-Use Transitional", and change a portion of the south Tract from "Park" to Low Density Residential". The Planning Commission unanimously recommended approval of the request to the Governing Body on November 20, 2003.

In support of creating a mixed-use development at Zia Station, the Governing Body approved the request and passed Resolution No. 2004-4 granting the future land use designation changes on January 14, 2004. The vote for the north future land use designation change and the portion of land on the south at the corner of Galisteo and Zia (M-2003-40 – Open Space and Park to Low Density Residential - total 9.6 acres) was five Councilors for and three against. The vote for the remainder/bulk of south side property (M-2003-41 – Park to Transitional Mixed Use - total 8.3 acres) was unanimously for.

The stated intent of the future land use designation change in Resolution 2004-4 included the following reasons:

(That) ...the Santa Fe Area General Plan ... be kept current to reflect changing concerns and conditions
(That) reclassification of the subject property would be substantially consistent with the General Plan themes and policies for Land Use ... and City Character and Urban Development
(That) the City desires to provide for more coordinated, adjusted and harmonious development along the north and south sides of Zia Road at Galisteo Road and the Southern Santa Fe Railway that would not have adverse impacts upon the surrounding neighborhood.

At that time, the Applicant stated his intent to create a mixed use development with densities in line with surrounding R-5 and R-7 zoning. At that time, no zoning district had been created yet to correspond to the Mixed Use Designation, so the Applicant would propose PUD zoning. Note that the boundaries of the new future land use designations were drawn with an intended realignment of Galisteo Road.



Appendix A to Resolution 2004-4

VIII. RAIL CORRIDOR STUDY

In 2008, the City of Santa Fe Long Range Planning Division prepared the Rail Corridor Strategic Plan, which directly addressed future development around the Zia Rail Runner Station and provided important guiding principles and strategies. The Plan defines Transit-Oriented Development as follows:

> *"Transit-Oriented Development (TOD) is a term used to capture the main ideas surrounding the development or redevelopment of urban land adjacent to rail and other transit stops. TOD is a coordinated set of strategies that are in use in cities served by commuter rail throughout the country. These strategies can be implemented in diverse ways to enhance existing neighborhoods and create new neighborhood centers".*
>
> *"Because transit stops are hubs of activity involving different modes of travel, they are also excellent locations to allow for a mix of land uses to serve riders getting on and off the bus or train. For regular commuters, housing immediately adjacent to a transit stop can create the ability to walk or ride a bike to the stop without needing a car. Businesses are interested in locating where activity is generated by a point of public gathering such as a train stop. Finally, transit-oriented development allows a more efficient use of land that makes use of already existent utilities and other infrastructure."*

The Plan established the following Design Principles for Santa Fe's Rail Corridor:

1. Land Use Mix – Successful rail stops have a mix of active uses including residential, office and retail in close proximity to each other, with higher densities near the center and good transitions to adjacent land uses.
2. Transit Connections - City buses must connect seamlessly with commuter rail service, making it accessible to as many Santa Feans as possible.
3. Complete Streets – "Complete Streets" are essential to healthy neighborhoods and TODs -- streets that balance the needs of pedestrians, bicyclists, transit riders, and drivers.
4. Trail Connections – Inviting, safe and accessible pedestrian and bike trails can provide necessary alternative routes to get to and from transit stops and commercial areas. Santa Fe's arroyos naturally link neighborhoods to these existing and planned hubs.
5. Parks, Plazas & Public Places – Public space can make rail stops into community gathering places and improve health and public safety.
6. Neighborhood Protection & Enhancement – Successful TODs create amenities for nearby neighborhoods while minimizing or mitigating any traffic or parking impacts.

The Plan set out specific recommendations for each planned Rail Runner stop in Santa Fe. It called Zia Station the "Gateway to Santa Fe", and made the following Land Use recommendations:

> *"In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed-use buildings forming strong streetscapes along Zia Road.*
>
> *Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as: Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space."*

In accordance with the aspirations of the Rail Corridor Study, the following land uses and design strategies are incorporated into the proposed design:

1. An increase maximum height to accommodate three story buildings on both the north and south tracts (only possible if the properties are removed from the SCHC).
2. On the Southern tract, a mix of uses that support the surrounding neighborhood, including: small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and bookstore.
3. Outdoor community space for small-scale markets, concerts, or community gatherings.
4. An outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.
5. Residential uses adjacent to existing residential to the west in order to provide a transition to greater intensity to the east.
6. Pedestrian supportive environments between commercial buildings on the southern tract, and connectivity with the Rail Trail.
7. A coherent pedestrian experience throughout the (Zia) site, with clear connections to area trails and surrounding streets and sidewalks.
8. Distributed land uses and redesigned street system to alleviate congestion at Zia/ St. Francis.

IX. ZIA RAIL RUNNER STATION

On September 10, 2003 the Governing Body passed Resolution 2003-70, unanimously supporting the effort to establish a commuter rail line between Albuquerque and Santa Fe, for the purposes of reducing commuter traffic on I-25, reducing air pollution and traffic accidents, and to spur economic development. A follow up resolution (Resolution 2007-102) was passed on November 14, 2007, reaffirming the City's commitment to commuter rail and identifying concerns to be resolved. In December 2007, the Santa Fe Metropolitan Planning Organization (MPO) Transportation Policy Board approved the location of the Rail Runner Express Station at Zia Road. Rail Runner Service between Albuquerque and Santa Fe began in 2008.

On March 14, 2011 City and MPO staff conducted a public input meeting to discuss the opening of Zia Station platform for rail service. Staff presented a conceptual plan to show how pedestrian, bicycle, transit, and automobile access could be accommodated at the site. The Zia Rail Runner station was presented as a "kiss and ride" where it would have only ADA accessible parking spaces and that no parking signs would be posted along Galisteo. A majority of the 250 people present expressed a desire for the Zia Station platform to open.

On August 30, 2011, the Governing Body adopted Resolution No. 2011-44, amending the Impact Fee Capital Improvement Plan and Land Use Assumptions, 2007-2012 to add "Zia Station Infrastructure Improvements". Zia Station, LLC was to construct the "kiss and ride" drop off loop and receive impact fee credits for the work performed.

Following numerous traffic and safety studies conducted by Zia Station, LLC and the New Mexico Department of Transportation (NMDOT), in July 2016 the Access and Maintenance Agreement for the Zia Station Rail Runner stop was executed by the City and the NMDOT. Zia Station, LLC constructed the station improvements and "kiss and ride" passenger service began in April 2017.

X. EXISTING CONDITIONS

The property is currently vacant, with the exception of the "kiss and ride" (passenger drop off only) rail passenger facility. Surrounding uses include the Candelero and Brillante Lane subdivisions to the west, somewhat dispersed single-family development to the north, retail/commercial and multi-family development to the east across St. Francis, and assorted light industrial and commercial to the south,. Surrounding zoning includes R-5 and R-7 to the west, R-1, R-4, and R-7 to the north, R-21, C-1, and SC1 to the east, and I-1 to the south.

XI. GENERAL PLAN AMENDMENT NORTH– Low Density to High Density Residential

Phase 1 is located on the north side of Zia Road (North Parcel) and comprises approximately 12.1 acres. The current future land use designation of this parcel is Low Density Residential (3 to 7 units per acre). The Applicant requests changing the future land use designation to High Density Residential (12 to 29 units per acre). Phase 1 proposes 14 townhomes on the west boundary adjacent to the Candelero neighborhood and a 244-unit apartment community between the new north extension of Galisteo Road and St. Francis Drive, with an overall density of 21.32 dwellings per acre. The design intent is to create

an appropriate transition from the Candelero neighborhood to the west and the intensity of the St. Francis Drive corridor.

The General Plan can be amended, subject to meeting the approval criteria in SFCC Section14-3.2(E):

Criterion 1 [14-3.2(E)(1)(a)]: consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;	**Criterion Met:** (Yes/No) **YES**
Santa Fe is experiencing a significant housing shortage and increasing the supply of all types of housing is critical to accommodating projected growth and addressing affordability. An adequate supply of housing to support a robust workforce is a key component of economic development. As an infill site adjacent to major roads, commuter rail, the subject property is served by existing utility, transit, and roadway infrastructure.	
Criterion 2 [14-3.2(E)(1)(b)]: Consistency with other parts of the General Plan;	**Criterion Met:** (Yes/No) **YES**
Chapter 3 of the General Plan calls for infill development of existing vacant parcels within neighborhoods, cites promotion of a "compact urban form" through "sensitive and compatible infill development". The project will promote a compact urban form and contribute to infill housing. The Zia Station mixed-use, transit/pedestrian-focused development meets General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Urban Form/Higher Densities, and Community Oriented Development: • Guiding Policy 3-G-2: There shall be a mix of … housing types in all parts of the city. • Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing … to address residential growth throughout the Urban Area. • Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses. • Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers.	
Criterion 3 [14-3.2(E)(1)(c)]: the amendment does not: **(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or** **(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or** **(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public**	**Criterion Met:** (Yes/No/N/A) **YES**
(i) The area around the subject properties includes low to high density residential, commercial, and industrial uses. There is significant multi-family development on the east side of St. Francis, but virtually none on the west side. The proposed multi-family project intends to buffer the adjacent neighborhoods by transitioning from lower height, less dense housing directly adjacent to existing neighborhoods and focusing greater height and density towards the densely developed highway corridor of St. Francis.	

(ii) The proposed development is approximately 21.0 acres, well over the two-acre minimum required for a General Plan Amendment.

(iii) The project benefits the general public through increasing housing supply, including affordable housing, roadway improvements at Zia and St. Francis, and providing pedestrian amenities and multi-modal transportation options.

Criterion 4 [14-3.2(E)(1)(d)]: an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) [Criterion 1(c) above] if it promotes the general welfare or has other adequate public advantage or justification;	**Criterion Met:** (Yes/No) **YES**

See (c)(iii) above. The proposal promotes the general welfare by placing housing next to commuter rail and a public trail. Residents of the development will have alternatives to automobile travel, potentially reducing pollution and traffic congestion. The proposal is of public advantage and justified by prior City actions to promote significant public investment in commuter rail. Furthermore, both new residents and existing adjacent neighborhoods will have basic services within convenient walking distance to their homes.

Criterion 5 [14-3.2(E)(1)(e)]: compliance with extraterritorial zoning ordinances and extraterritorial plans;	**Criterion Met:** (Yes/No/N/A) **N/A**

N/A

Criterion 6 [14-3.2(E)(1)(f)]: contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and	**Criterion Met:** (Yes/No) YES

Santa Fe is experiencing a significant housing shortage. Increasing the supply of all types of housing is critical to accommodating both existing and future needs for the health, safety, and welfare of citizens of Santa Fe. As an infill site adjacent to major roads, the subject property is served by existing utility and roadway infrastructure and numerous roadway improvements will be made, ensuring economy of development. The proposal will promote health by virtue of its connection to a major bike and pedestrian trail. Both new residents and existing adjacent neighborhoods will have basic services within convenient walking distance to their homes, something that is lacking in many neighborhoods in the City.

Criterion 7 [14-3.2(E)(1)(g)]: consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.	**Criterion Met:** (Yes/No) YES

In addition to conformance with the General Plan Themes and Policies listed in Criterion 2 above, the following City documents support transit-focused, walkable development:

- Santa Fe MPO Metropolitan Transportation Plan 2020-2045: "Having a walkable community is not only desirable, but also essential to many Santa Fe area residents. Communities with safe and connected walking routes support physical health, safety, and access to transit stops. Walkability is especially important for populations that are not able to drive, such as children, older adults, and low-income individuals without access to a vehicle." "Higher-density development generates less traffic than low-density development per unit, makes walking and public transit more feasible." "Developments such as Railyard Flats and Capitol Flats are positioned to be TOD-type developments once built out with densities and proximities that

promote and support the use of rail, transit, bicycle, and pedestrian modes of transportation. Developers of Land adjacent to Zia Station have the opportunity to propose similar types of TOD developments."

- City of Santa Fe Land Use & Urban Design Plan (Draft): "Well-designed development uses less land by creating smaller residential lots and using more multi-family housing, thereby making more efficient use of land and city utilities." "Development and redevelopment along these corridors (St. Francis) should be encouraged to provide greater density of commercial uses and more housing, as they allow immediate access onto these major arterials which are also primary bus routes."
- Rail Corridor Strategic Plan: Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods (Draft): The Rail Corridor plan specifically identified the Zia Station site as an appropriate location for a mixed-use, transit focused development.
- Sustainable Santa Fe 25-Year Plan: This project supports the "triple bottom line" theme that recognizes the interdependence of environmental, economic and social factors that contribute to community sustainability, by placing workforce housing adjacent to public trails and transit opportunities, as well as proposed commercial amenities. The project aligns with the following strategies in the Plan:
  - Community Development Strategy 6: Increase availability of affordable and workforce housing;
  - Built Environment Strategy 7: Pilot and incentivize sustainable development practices … that result in higher residential densities, support a mix of uses and mixed incomes, … and are located along major transportation corridors and development nodes;
  - Transportation Strategy 2: Promote healthy and active transportation modes of transportation, such as walking and bicycling;
  - Transportation Strategy 6: Invest in multi-modal transportation options;
  - and Quality of Life and Social Equity Strategy / Affordable Housing Plan Goal: Focus resources, policy, land use and programming on ensuring that all of Santa Fe's residents, including its low-wage workers, elderly and disabled live in the high quality, energy-efficient housing located in high opportunity neighborhoods.

Criterion 8 [14-3.2(E)(2)]: In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the General Plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the General Plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping, or other means, and a finding must be made that: **(a) the growth and economic projections contained within the General Plan are erroneous or have changed;** **(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or** **(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of**	**Criterion Met:** (Yes/No) **YES**

land space requirements, consumer acceptance, market or building technology.	
(a) N/A (b) N/A (c) The 1999 General Plan did not anticipate Commuter Rail in Santa Fe. The recent 2020 Santa Fe Housing Report by the Santa Fe Association of Realtors revealed that not only do 37.8% of Santa Fe workers commute into the city, but that 34.8% commute out of town for their jobs. Commuter rail can serve both these populations, taking cars off the road and reducing congestion and pollution. Apartment and townhome units adjacent to a commuter rail stop can help with this.	

XII. GENERAL PLAN AMENDMENT SOUTH – Low Density to Transitional Mixed Use

In 2004, most of Phase 2 (South Parcel) was designated Transitional Mixed-Use, except for approximately 2.2 acres of Tract L (southwest corner of Zia Rand and Galisteo Road), which was designated Low Density Residential. The Applicant requests an amendment to change the designation of the balance of Tract L to Transitional Mixed-Use to correspond with the remainder of the property.

The General Plan can be amended, subject to meeting the approval criteria in SFCC Section14-3.2(E):

Criterion 1 [14-3.2(E)(1)(a)]: consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;	**Criterion Met:** (Yes/No) **YES**
A key component of economic development is an adequate supply of housing to support a robust workforce. A variety of neighborhood services are incorporated into the site. This will benefit both new residents of the development, but also will provide neighborhood services in an area that is currently not served without crossing St. Francis. Due to Santa Fe's aging population and dependence on tourism, more economic opportunity needs to be provided in the City. As an infill site adjacent to major roads, commuter rail, the subject property is served by existing utility, transit, and roadway infrastructure.	
Criterion 2 [14-3.2(E)(1)(b)]: Consistency with other parts of the General Plan;	**Criterion Met:** (Yes/No) **YES**
Chapter 3 of the General Plan calls for infill development of existing vacant parcels with a mix of uses within neighborhoods and throughout all areas of the City. "Compact urban form" is encouraged through "sensitive and compatible infill development". This project will promote both. The Zia Station mixed-use, transit/pedestrian-focused development meets General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use: • Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city. • Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area.	

- Implementing Policy 3-I-6: Require the inclusion of employment and neighborhood centers in future development/planning areas.
- Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses.
- Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers.
- Guiding Policy 5-3-G-2: Encourage professional and administrative offices to locate in and near neighborhood centers.

Criterion 3 [14-3.2(E)(1)(c)]: the amendment does not: **(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or** **(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or** **(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public**	**Criterion Met:** (Yes/No/N/A) **YES**

(i) The area around the subject properties includes low to high density residential, commercial, and industrial uses. The proposed multi-family project is reflective of this development pattern, while serving as a transitional buffer between an existing low-density neighborhood and a densely developed highway corridor. Surrounding land uses include Business industrial Park, Industrial, and Commercial. There is a significant amount of multi-family housing on the east side of St. Francis.

(ii) The proposed development is approximately 21.0 acres, well over the 2 acre minimum.

(iii) The project benefits the general public through increased housing supply, including affordable housing, road network improvements, pedestrian amenities, neighborhood services in an area not currently served within walking distance, opportunities for small businesses, and multi-modal transportation options.

Criterion 4 [14-3.2(E)(1)(d)]: an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) [Criterion 1(c) above] if it promotes the general welfare or has other adequate public advantage or justification;	**Criterion Met:** (Yes/No) **YES**

The overall project promotes the general welfare by providing housing and neighborhood-scale commercial in an area not currently served by such commercial amenities, adjacent to commuter rail and a public trail. New residents of the development, as well as existing residents in adjacent neighborhoods, will have alternatives to automobile travel and services within walking distance, potentially reducing pollution and traffic congestion. The proposal is of public advantage and justified by prior City actions to promote significant public investment in commuter rail. Multiple City planning documents address the importance of neighborhood scale commercial services, as detailed in this report. These documents include the 1999 General Plan, the Santa Fe MPO Metropolitan Transportation Plan 2020-2045, the City of Santa Fe Land Use & Urban Design Plan (Draft), the Rail Corridor Strategic Plan: Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods (Draft), and the Sustainable Santa Fe 25-Year Plan, as detailed below.

Criterion 5 [14-3.2(E)(1)(e)]: compliance with extraterritorial zoning ordinances and extraterritorial plans;	**Criterion Met:** (Yes/No/N/A) **N/A**

N/A	
Criterion 6 [14-3.2(E)(1)(f)]: contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and	**Criterion Met:** (Yes/No) **YES**
As Santa Fe's only privately held land adjacent to a Rail Runner stop, Zia Station is a rare opportunity to create a transit-focused development in Santa Fe, promoting the general welfare through providing housing (including some affordable housing) in a walkable, pedestrian scale environment. It will create economic opportunity for local businesses and community amenities on Zia Road on the west side of St. Francis. As demonstrated in the staff report, the Governing Body has taken a series of actions over many years to welcome commuter rail to Santa Fe and has recognized Zia Station as a location for some level of transit-focused development through multiple studies.	
Criterion 7 [14-3.2(E)(1)(g)]: consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.	**Criterion Met:** (Yes/No) **YES**
In addition to conformance with the General Plan Themes and Policies listed in Criterion 2 above, the following City documents support transit-focused, walkable development: • Santa Fe MPO Metropolitan Transportation Plan 2020-2045: "Having a walkable community is not only desirable, but also essential to many Santa Fe area residents. Communities with safe and connected walking routes support physical health, safety, and access to transit stops. Walkability is especially important for populations that are not able to drive, such as children, older adults, and low-income individuals without access to a vehicle." "Higher-density development generates less traffic than low-density development per unit, makes walking and public transit more feasible." "Developments such as Railyard Flats and Capitol Flats are positioned to be TOD-type developments once built out with densities and proximities that promote and support the use of rail, transit, bicycle, and pedestrian modes of transportation. Developers of Land adjacent to Zia Station have the opportunity to propose similar types of TOD developments." • City of Santa Fe Land Use & Urban Design Plan (Draft): "Well-designed development uses less land by creating smaller residential lots and using more multi-family housing, thereby making more efficient use of land and city utilities." "Development and redevelopment along these corridors (St. Francis) should be encouraged to provide greater density of commercial uses and more housing, as they allow immediate access onto these major arterials which are also primary bus routes." • Rail Corridor Strategic Plan: Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods (Draft): The Rail Corridor plan specifically identified the Zia Station site as an appropriate location for a mixed-use, transit focused development. • Sustainable Santa Fe 25-Year Plan: This project supports the "triple bottom line" theme that recognizes the interdependence of environmental, economic and social factors that contribute to community sustainability, by placing workforce housing adjacent to public trails and transit opportunities, as well as proposed commercial amenities. The project aligns with the following strategies in the Plan: o Community Development Strategy 6: Increase availability of affordable and workforce housing;	

o Built Environment Strategy 7: Pilot and incentivize sustainable development practices … that result in higher residential densities, support a mix of uses and mixed incomes, … and are located along major transportation corridors and development nodes; o Transportation Strategy 2: Promote healthy and active transportation modes of transportation, such as walking and bicycling; o Transportation Strategy 6: Invest in multi-modal transportation options; o and Quality of Life and Social Equity Strategy / Affordable Housing Plan Goal: Focus resources, policy, land use and programming on ensuring that all of Santa Fe's residents, including its low-wage workers, elderly and disabled live in the high quality, energy-efficient housing located in high opportunity neighborhoods.	
Criterion 8 [14-3.2(E)(2)]: In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the General Plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the General Plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping, or other means, and a finding must be made that: **(d) the growth and economic projections contained within the General Plan are erroneous or have changed;** **(e) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or** **(f) conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of land space requirements, consumer acceptance, market or building technology.**	**Criterion Met:** (Yes/No/N/A) **N/A**
The Applicant is not required to document compliance with Criterion 2, since the application does not amend land use policies.	

XIII. REZONE APPROVAL CRITERIA 1 – R-1 to C2-PUD

The subject parcels in both phases are currently zoned R-1, the standard default zoning for undeveloped land. The request to rezone to C-2 PUD (General Commercial – Planned Unit Development) would permit the proposed mixed-use development. C-2 allows multi-family development (Phase 1) and the types of neighborhood-serving commercial uses that create vibrant mixed-use community. In addition, C-2 zoning affords flexibility in the development of Phase 2 to respond to meaningfully to market conditions. While C-2 zoning includes uses that would not be appropriate at this location, the PUD element of the zoning requested will define and limit the scope and scale of the project as well as commercial uses. An application for PUD rezoning must be accompanied by a preliminary development plan per SFCC Subsection 14-5.7(C)(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:

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) When the City created the Transitional Mixed-Use future land use designation, it did not create a compatible zoning classification. (ii) The default R-1 zoning of the properties is not representative of the surrounding area, which includes SC-1, C-1, I-1, BIP, R-21, R-7, and R-5. The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor, which the proposed C-2 PUD zoning reflects. In addition, the Rail Runner Station is an important public transit improvement that deserves responsible development of the adjacent properties, to create a vibrant mixed-use, walkable, transit-focused community, as supported by various Government Body actions over the years to move toward transit-focused development at this site. (iii) As stated above, the Zia Station mixed-use, transit/pedestrian-oriented development meets General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use: o Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city. o Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area. o Implementing Policy 3-I-6: Require the inclusion of employment and neighborhood centers in future development/planning areas. o Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses. o Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers. o Guiding Policy 5-3-G-2: Encourage professional and administrative offices to locate in and near neighborhood centers.	
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**
See Criterion 1 (iii) above. With respect to the Future Land Use Map, most of the Phase 2 property is designated Transitional Mixed-Use, which supports the requested C-2 PUD zoning. General Plan Amendment requests for the remaining land area accompany this rezoning application.	
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**
General Plan Figure 4-4, Urban Sub-Areas, designates the subject properties and surrounding area as an "Infill Area." General Plan Section 4.1 states, "In both 'infill' and 'future growth' areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows" to help "create efficient use of already existing roads and utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand…". At approximately 21 acres, the project site has the potential to provide significant housing and neighborhood scale services, at a location served by existing infrastructure, transit, and pedestrian trails.	
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**
The subject parcels have access to existing roadways and public water and sewer infrastructure. In addition, the site is adjacent to the Rail Trail, providing access to the City's network of urban trails and open space. A traffic impact analysis was performed to assess the impact of the additional traffic anticipated to be generated by the proposed development. The Applicant will make improvements to the intersection of St. Francis Drive and Zia Road, including a third left turn lane, which improves traffic movement and stacking at this intersection. See **Access and Traffic** section of this report (page 32) for road improvements.	
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) The proposed zoning change will enable the construction of a mixed use development appropriate to the existing Transitional Mixed Use future land use designation. The	

development is designed to ease the transition from adjacent residential areas through density and height. The St. Francis corridor is generally mixed use, with both commercial and residential development, including much multi-family residential. (b) At 21.0 acres, the proposed rezoning is well over the two acre threshold. (c) Zia Station not only complies with numerous General Plan policies as addressed above, it is a model of the type of mixed-use, walkable community that the General Plan encourages. The project benefits the general public through increased housing supply, including affordable housing, road network improvements, pedestrian amenities, neighborhood services, opportunities for small businesses, and multi-modal transportation options. As stated before, the Governing Body has taken multiple actions leading toward a mixed use, transit-focused development at this location.	
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**
The project will construct public roadway improvements and requisite utility line extensions. See **Access and Traffic**, **Water and Sewer**, and **Utilities** sections of this report.	
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 developer will fund roadway and sidewalk improvements as part of the project, in addition to paying impact fees. See **Access and Traffic** section of this report (Page 32) and other sections of this report.	

XIV. REZONE APPROVAL CRITERIA 2 – Amend Boundaries of SCHC

The proposed preliminary development plan assumes that the Governing Body will grant the Applicant's request to be removed from the SCHC Overlay District. If the Governing Body does not grant this request, the preliminary development plan cannot be implemented as proposed. Several elements of the proposed plan would not work without the property's removal from the SCHC. The primary element would be height. The Proposal includes three-story buildings, which would not be permitted under the SCHC height restriction of 25 feet. Floor area ratios for office uses would be reduced beyond what is proposed. Finally, much larger landscape buffers would be required around buildings on the south parcel.

Notwithstanding this requested map amendment, the project's design nevertheless honors several elements of the overlay standards:

	SCHC Standard	Zia Proposal
Setback from St. Francis ROW	50 feet	110 feet
Maximum Residential Density	21 dwelling units/acre	18.8 dwelling units/acre (overall)

Maximum Height North	25 feet (not including parapet)	Phase 1 Proposed: 45', Approximate Visible: 18+/- feet visible above St. Francis ROW
Maximum Height South	25 feet (not including parapet)	Phase 2 Proposed: 34', Approximate Visible: 30 to 39 foot facades

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) When the South-Central Highway Corridor Protection District (SCHC) was created in 1986, the City did not make accommodations for current and intended future uses on individual tracts within the SCHC district. As it did when the 2017 West River Corridor Plan was adopted, the City should have identified recommended future land use and zoning for subareas and parcels within the corridor in order to ensure proper implementation of the intent of the SCHC Overlay. Because this was not done originally nor amended for consistency with subsequent planning efforts, the implementation of the SCHC Overlay is at times inconsistent with the intent, with the conditions on the ground, and the principles and values articulated in subsequent City plans and studies. (ii) The most significant change in the surrounding area is the establishment of commuter rail service in Santa Fe and, specifically, the location of a Rail Runner stop adjacent to the subject properties. The Rail Runner Station is an important public investment that deserves commensurate development of the adjacent properties to create the vibrant mixed-use, walkable, transit-focused community that City planning studies have called for repeatedly over the last twenty years. Since the mid-1980s, development intensity has moved further south along the St. Francis Drive corridor, bringing with it increases in commercial use and housing density. Zia Station has the potential to become an important node for local and regional transit, and a critical transition point from the southern portion of the highway corridor to the more intensive built environment that has extended from the north in recent decades. The proposed development aligns with the changes that have occurred in the corridor over the last thirty-five years and could provide a compatible transition between the character of the southern highway corridor and the northern, more intensively developed City center. At the time the SCHC was adopted, the area was an underdeveloped highway corridor with a 50-foot-high, derelict pumice plant surrounded by low density residential neighborhoods. Since then, the area has seen the removal of the pumice plant, the introduction of a shopping center	

to the east, the development of Rodeo Business Park to the south, the investment in multi-modal transportation infrastructure in the Rail Runner station and Rail Trail, and the designation of the Midtown LINC as a higher density, mixed-use redevelopment district nearby to the north. The proposed map amendment to exclude the subject property from the SCHC Overlay aligns with the changes that have occurred in the corridor over the last thirty-five years and will allow the property to be developed as a compatible transition between the character of the southern highway corridor and the northern, more intensively developed City center.

(iii) As stated above, the proposed land uses for Zia Station align with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use. Furthermore, the General Plan Land Use Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development. In an effort to implement values prioritized in its General Plan, Rail Corridor Study, and Metropolitan Transportation Plan, the City has laid the foundation for the creation of a vibrant, mixed-use and transit-focused neighborhood in the immediate vicinity of and including the subject parcels over the last twenty years. In July 2001, the City commissioned a Multi-Modal Transit Facility Report, in which the Pumice Plant property was identified as an ideal transit facility. In January of 2004, the City approved a General Plan Amendment that designated the Phase 2 property between Galisteo and St. Francis as "Transitional Mixed-Use." In December of 2007, the Santa Fe MPO identified the Zia Station site as a future Rail Runner stop. In 2011, the City initiated public hearings regarding the opening of the Zia Station Rail Runner stop, and by the end of 2011 the City officially made a request to the NMDOT to open the station and commence rail service there. In 2016, the NMDOT and the City finalized their access and maintenance agreement for the site, and in April 2017, passenger service commenced at Zia Station. This timeline is indicative of the efforts to implement and act upon values articulated in the 1999 General Plan. Specifically, the provision of multi-modal transportation alternatives and a mixture of land uses and housing types, the promotion of sensitive, compatible infill development (to include urban form/higher densities), the diversification of the economy (which is predicated upon adequate housing supply), improvement of quality of life, and active participation in the creation of affordable housing. The Applicant believes that the height restriction of the SCHC will limit the residential density required to create a transit-focused development that will capitalize on the public investment in commuter rail.

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. 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**
As stated in Section (iii) above, Zia Station aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use. Furthermore, the General Plan Land Use	

Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development.

With respect to the Future Land Use Map, General Plan Amendment requests accompany this application. The proposed Amendment is consistent with surrounding uses identified on the Future Land Use Map and better reflects the intent of the General Plan policies identified above. Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential. The proposed exclusion of the subject property from the SCHC is consistent with previous actions of the City to implement the guiding development principles identified in the General Plan, such as mixed-use, infill, affordable housing, multi-modal transportation, and economic diversification, as demonstrated in the City's amendment to the Midtown LINC Overlay approved in 2019. In this amendment, the City allowed the Midtown LINC Overlay provisions to supersede the SCHC Overlay provisions in order to better implement the General Plan by promoting higher density residential development, complementary non-residential uses, and innovative redevelopment. This proposed rezoning to exclude the property from the SCHC Overlay district would achieve a similar effect for a related purpose in a nearby area.

General Plan policies and resulting City Ordinances allow for height above two stories elsewhere in the City, primarily in the Business Capitol District (BCD), where heights up to 56 feet are allowed in one sub-district and heights of 36 feet are allowed in several of the sub-districts. The purpose statement for the BCD District states that it is intended to provide a mixture of land uses including residential, in recognition that the economic health of the City depends on economic viability of that area. The City's establishment of and definition of Transitional-Mixed Use future land use designation specifically addressed Section 3.3 of the General Plan, in calling for a mixture of land uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods where services and amenities are designed to complement and enhance the quality of life. The Governing Body saw fit to apply the Transitional Mixed Use future land use designation to this site in 2004. The proposed rezoning is consistent with this future land use designation and multiple City studies and plans, as detailed elsewhere in this staff report.

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**

General Plan Figure 4-4, Urban Sub-Areas, designates the subject properties and surrounding area as an "Infill Area." General Plan Section 4.1 states, "In both 'infill' and 'future growth' areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows" to help "create efficient use of already existing roads and utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand...".

The Applicant believes that the height restriction of the SCHC will limit the residential density required to create a transit-focused development that will capitalize on the public investment in commuter rail at this site, and will fail to capitalize on the existing infrastructure as well.

Criterion 5 [14-3.5(C)(1)(e)]: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public	**Criterion Met:** (Yes/No)

facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.	**YES**
The subject parcels have direct access to existing public roadways and public water and sewer infrastructure. In addition, the site is adjacent to the Rail Trail, providing access to the City's network of urban trails and open space. Most importantly, the subject properties are adjacent to the Zia Rail Runner Station, providing a unique opportunity to maximize the benefits of this key piece of public infrastructure with the establishment of a transit-focused development. A traffic impact analysis was performed to assess the impact of the additional traffic anticipated to be generated by the proposed development. See the **Access and Traffic** section of this report (Page 32) for proposed traffic improvements.	
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 stated several times in this report, the character of the St. Francis corridor has changed over time. Multi-family housing is plentiful along the southern St. Francis corridor, especially on the east side. To the north, the LINC Overlay recognizes the need for increased height to provide density that will support walkable, mixed-use neighborhoods. (b) At 21.0 acres, the proposed rezoning is well over the two acre threshold. (c) Zia Station not only complies with numerous General Plan policies as addressed above, it is a model of the type of mixed-use, walkable community that the General Plan and other City plans encourage. The public will be served by development that will see adequate return on and maximize the benefit of significant public investment in multi-modal transportation infrastructure at the Zia Rail Runner Station and the Rail Trail. The City should act to allow commensurate private investment in the provision of diverse housing and employment options, as well as neighborhood scale commercial services, as articulated in many City plans. The proposed map amendment helps the City achieve this while furthering General Plan policies and principles.	
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 utility infrastructure would be able to handle the proposed density. A traffic impact analysis was performed to assess the impact of the additional traffic anticipated to be generated by the proposed development. The Applicant will make road improvements both on and	

off-site. See **Access and Traffic** section of this report (page 32) for proposed road improvements.	
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 developer will cooperate and participate, wholly or in part, with any applicable costs of construction in addition to impact fees. The Applicant will make road improvements both on and off-site. See Traffic section of this report for proposed road improvements.	

XV. PROJECT ANALYSIS: PRELIMINARY DEVELOPMENT PLAN

Project Description

The Preliminary Development establishes a Planned Unit Development that will govern the future development of the property. The project will be developed in two Phases, including sub-phases, as described below:

	Phase 1A	Phase 1B	Total Residences
Phase 1 (North Parcel)	244 Apartments	14 Townhomes	258 Residences
Acreage			10.91 acres
Flood Plain & ROW			0.47 acres
Net Acreage			10.44 acres
Overall Density			25 dwelling units/acre

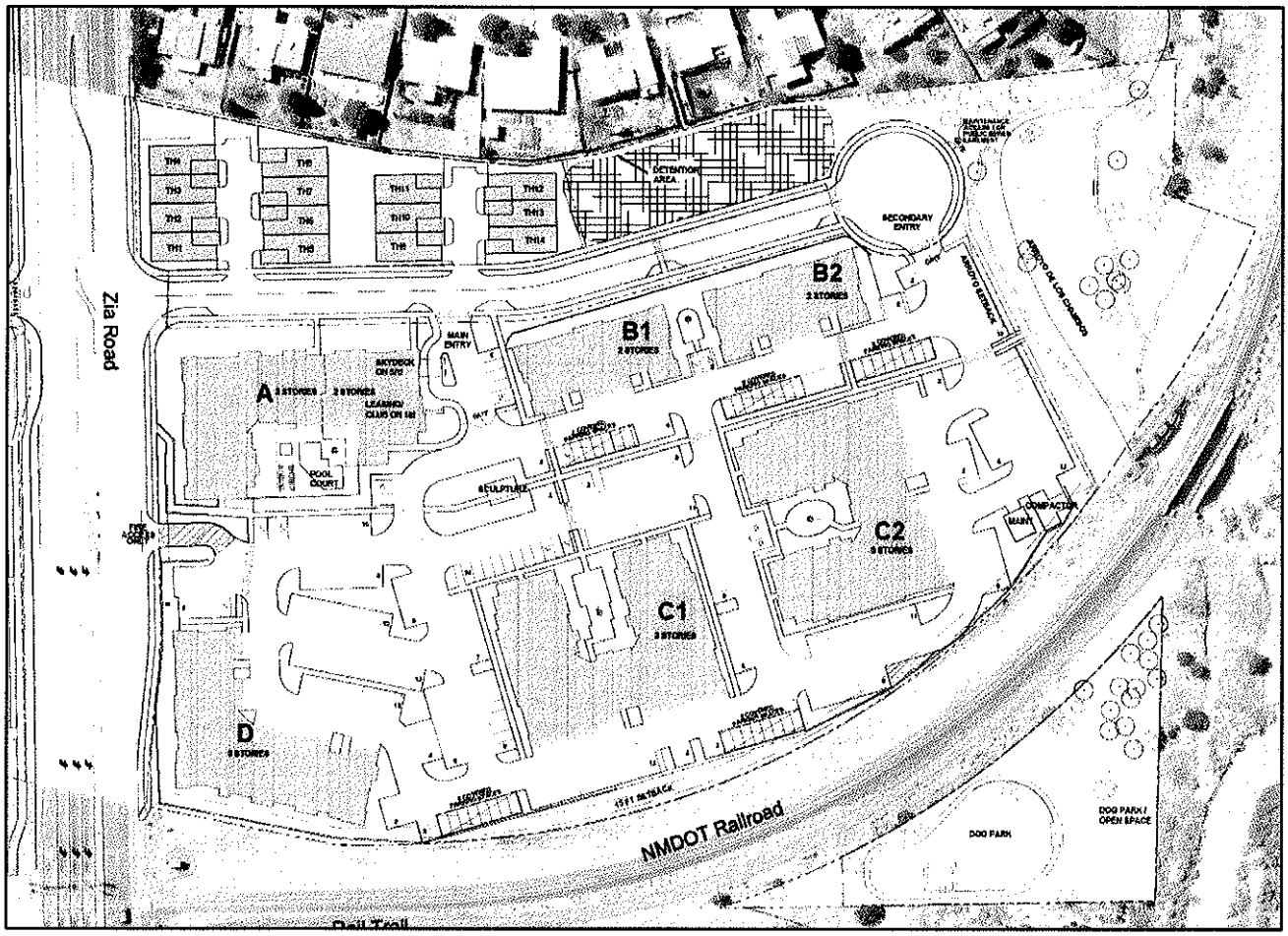
Phase 2 (South Parcel)			8.9 acres
Residential	112 Apartments	14 Townhomes	126 Residences
Office			84,000 sf
Restaurant/Retail			36,000 sf

Phase 2 will also be developed in sub-phases. As the most market-driven element of the project, the mix of permitted uses may adjust over time and will be defined in the Final Development Plan application for each sub-phase.

Phase 1 (North Parcel) – Multi-Family

The area west of the proposed north extension of Galisteo Road will be developed with two townhome compounds and open space to serve as a transition between the single-family houses to the west and the multi-family community proposed between Galisteo and St. Francis. The apartment buildings that front Galisteo will be limited to two stories, with the exception of the southern portion of Building A at the corner of Zia and Galisteo. The remaining buildings adjacent to St. Francis Dr. will be three-stories. However, the finished floor elevation of these buildings will be 18 feet below the grade of St. Francis Drive, so only one and a half stories will be visible from St. Francis.

Community amenities will include landscaped courtyards, a pool, a fitness center, resident lounges, and sky decks. Access is provided to the existing footpaths along the Arroyo de los Chamisos and the Rail Trail is accessible via connections to the newly widened sidewalk on Zia, which will also provide direct access to the Rail Runner Station. In addition, the 0.90-acre parcel at the northeast corner of the site will be developed as a dog park, which is adjacent to the Rail Trail and the St. Francis underpass.



Phase 1

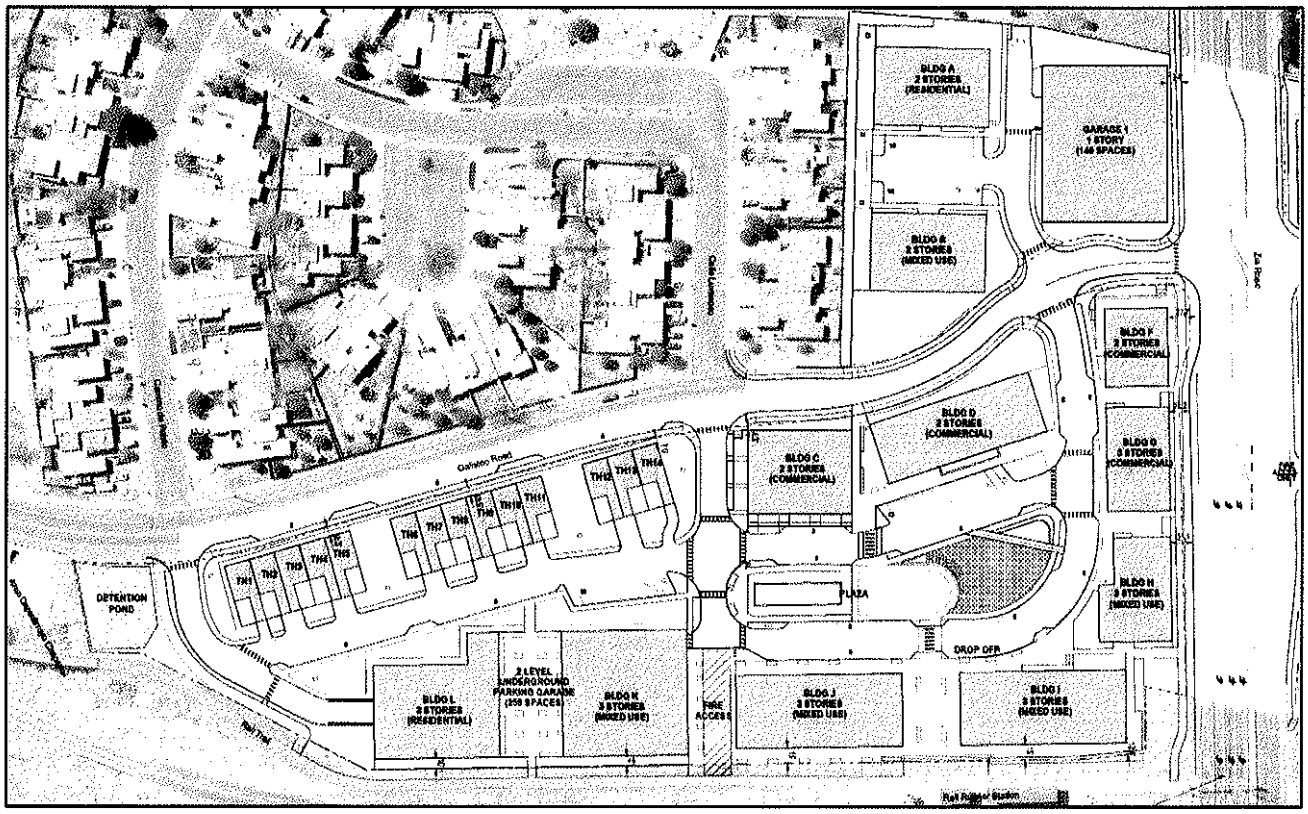
Phase 1 includes the construction of the following roadway improvements:

1. Zia Road modifications to create three eastbound left-turn lanes and one through/right-turn lane, with associated bike lane and sidewalk improvements.
2. Realignment of the northern extent of Galisteo Road approximately 180 feet west.
3. New extension of Galisteo Road north of Zia Road to serve Phase 1.
4. Secondary, gated emergency access drive between St. Francis and Galisteo.
5. Mid-block HAWK activated crosswalk with mid-street pedestrian refuge island.

Phase 2 (South Parcel) – Mixed-Use

Phase 2 includes a combination of one, two, and three-story buildings comprising a mix of residential, office, retail, and restaurant uses. The design intent is the creation of a walkable, transit-focused community environment with diverse housing options and access to commercial services. The buildings along Galisteo Road will be one or two stories. The area west of the realigned Galisteo Road will include two-story residential and mixed-use buildings, as well as a one-story parking structure. Landscape buffers will be provided along the south and west boundaries adjacent to Candelero Park and existing residential development.

The townhomes proposed along the east side of Galisteo are intended to mirror the existing Candelero townhome development across the street, serving as a gradual transition to the mixed-use project elements further east. Further north along Galisteo, two-story buildings will accommodate retail, restaurant, and office uses. The remaining buildings along Zia and St. Francis will be three stories.



Phase 2

Typically, ground floors in Phase 2 will include retail, services, and restaurants. Second floors could be office, residential, or a combination. All third floors are proposed to be residential units. Typical Conceptual Building Elevations are included in the Preliminary Development Plans. A high architectural standard is proposed, utilizing traditional vernacular and contemporary expressions of "Santa Fe Style". The buildings will harmonize with one another and their surroundings, while eschewing homogeny. This is achieved through engaging with several local architects to create a diverse architectural vision. Proposed buildings will need to demonstrate compliance with SFCC Table 14-8.7-2: Architectural Design

Standards and Point Allocations. The community's character is intended to create dynamic streetscapes filled with activity.

The project's pedestrian network connects to the adjacent public sidewalks, the Rail Trail, and, most importantly, the Rail Runner Station. Areas between buildings create pedestrian connections within the site and connection with the surrounding neighborhood, as well as opportunities for outdoor dining. The heart of Zia Station is the plaza area inside the looped access drive, which will provide community gathering space that could accommodate special events. Zia Station is envisioned as a natural extension of the adjacent neighborhood, providing pedestrian connectivity and access to services, with a gradual increase in development scale from the low intensity uses to the west transitioning to the high intensity uses along the St. Francis corridor.

The proposed permissible uses outlined in the PUD Preliminary Development Plan are as follows:

- Residential – Townhomes, Lofts, and Multi-Family
- Professional Offices
- Medical Offices/Services
- Neighborhood Serving Retail
- Salon/Spa/Barber Shop
- Art Studios/Galleries
- Gym/Fitness/Dance/Yoga Studio
- Florist
- Restaurants (no fast food) – Casual Dining, Farm-to-Table, Gastro Pub, Deli/Specialty Foods, Bakery, Coffee Shop
- Dry Cleaner
- Bookstore
- Bank (no drive-through)
- Consignment Shop
- Theater/Performance Space
- Bicycle Shop
- Government/Community Services

Drive-through services of any type will be prohibited throughout the project.

Parking

Parking for the Phase 1 residences will be provided with a combination of surface, covered, and garage spaces. The required parking is outlined below:

	Number	Size	Spaces	Required	Provided
Townhomes	14	-	2 per unit	28	28
Apartments	196	< 800 sf	1.25 per unit	245	
Apartments	48	800-1200 sf	1.5 per unit	72	
Total Apartments				317	324*

**Includes 12 Accessible Spaces, 48 Garage Spaces, 39 Carport Spaces and 225 Surface Spaces*

In addition, the new north extension of Galisteo Road will include 17 public on-street parking spaces, which will offset the loss of the existing Rail Trail trailhead parking area.

The Phase 2 parking program includes surface, on-street (private and public), and structured:

	#	Gross Floor Area (GFA)	Net Leasable Area (NLA)	Spaces	Required	Provided
Townhomes	14	-		2 per unit	28	28
Apartments (Average)	112			1.375 per unit	154	
Office		84,000 sf	63,000 sf	1.5 per 350 sf NLA	180	
Commercial		36,000 sf	27,000 sf	1 per 200 sf NLA	135	
Total Required					**497**	
Surface including 4 ADA						89
Garage 1 including 8 ADA						140
Garage 2 including 8 ADA						259
Total Provided						**516**

A 140-space single story, ground level parking structure (Garage 1) will be constructed on the parcel at the southwest corner of Galisteo and Zia. Buildings K and L are located above Garage 2, a two-level underground parking structure, with an entrance on the north side and an entry/exit point on the south. In addition, 13 new, public on-street parallel spaces will be constructed on the east side of Galisteo in front of the townhomes. These spaces are not counted toward the required parking. As Phase 2 develops, there may be opportunities to employ shared parking among the residential and commercial uses in accordance with SFCC Subsection 14-8.6(B)(4)(d). This will be addressed as part of the Final Development Plan application for each sub-phase.

Access and Traffic

The following roadway improvements will be constructed as part of Phase 1:

1. Zia Road modifications to create three eastbound left-turn lanes and one through/right-turn lane, with associated bike lane and sidewalk improvements.
2. Realignment of the northern extent of Galisteo Road approximately 180 feet west.
3. New extension of Galisteo Road north of Zia to serve Phase 1.
4. Secondary, gated emergency access drive on the north side of Zia between St. Francis and Galisteo.
5. Mid-block crosswalk with mid-street island pedestrian refuge and HAWK activated lights and signals (describe better)

Access to both phases of the project will be via Galisteo Road (existing and proposed). A new north extension of Galisteo Road will be constructed to serve the North Parcel terminating in a cul-de-sac and dedicated as a 50-foot public right-of-way. The roadway will be constructed in conformance with sub-collector standards. However, in accordance with SFCC Section 14-9.2(B)(3), the Applicant is requesting approval of an "innovative street design", providing on-street parallel parking on the east side with

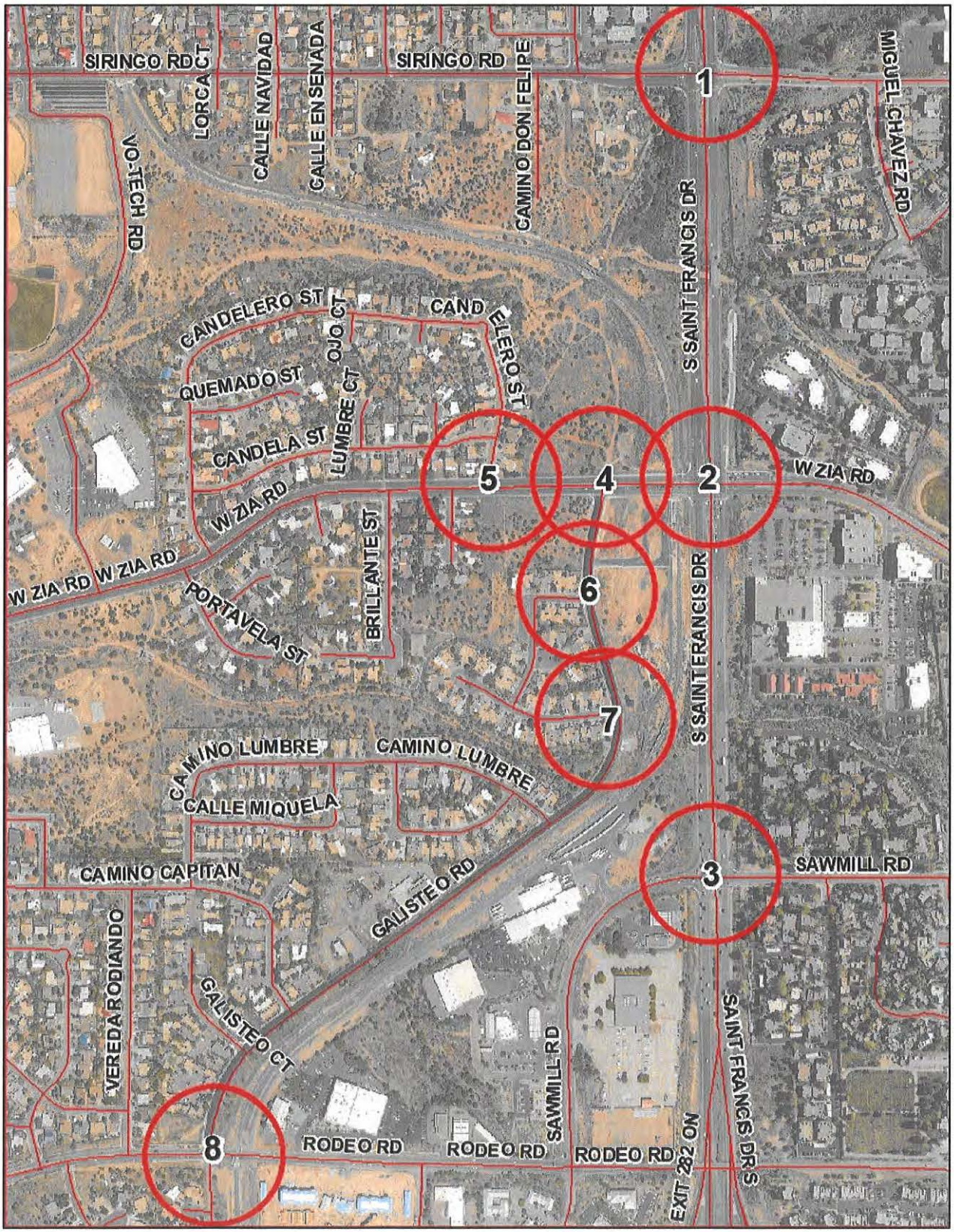
sidewalks at the back of curb in order to better accommodate entering and exiting vehicles. The requisite street trees will be planted behind the sidewalk. The intersection with Zia Road is limited to a right-in/right-out/left-in access. Lastly, a gated, secondary emergency access drive will be constructed on Zia Road between Galisteo and St. Francis.

As described above, the plan includes the realignment of Galisteo Road on the south side of Zia approximately 180 feet west of St. Francis, significantly increasing the eastbound queue capacity at St. Francis. Three access points to Phase 2 are proposed on Galisteo Road. The driveway just south of Zia will permit right-in/right-out and northbound left-in turning movements. The next two driveways are aligned with Calle Luminoso and Camino de Pabilo respectively and will be full access. All on-site driveways accommodate two-way traffic with road width ranging from 24 – 26 feet and include parallel and angled on-street parking. In addition, 13 new, public on-street parallel spaces will be constructed on the east side of Galisteo in front of the townhomes. Vehicular access to the townhomes will be via the driveway to the rear. Lastly, a Rail Runner drop-off lane is provided in front of Building I.

Modifications to Zia Road will create a "complete street" and will include the construction of three eastbound left-turn lanes at St. Francis and eastbound and westbound right-turn lanes and left-turn lanes at Galisteo, as well as bike lanes. In order to enhance and celebrate the pedestrian experience on Zia, the sidewalk on the north side will be increased to 6-feet with the addition of a 5-foot planter strip. On the south side, the sidewalk will be increased to 8 feet and separated from the roadway with a 7-foot planter strip.

A Traffic Impact Analysis (TIA) was performed by Bohannan Huston, Inc. The scope of the analysis was established in coordination with the City Public Works Department and the NMDOT, with the following intersections analyzed:

1. St Francis Drive and Siringo Road
2. St Francis Drive and Zia Road
3. St Francis Drive and Sawmill Road
4. Zia Road and Galisteo Road
5. Zia Road and Candelero Street
6. Galisteo Road and Calle Luminoso
7. Galisteo Road and Camino de Pabilo
8. Galisteo Road and Rodeo Road



Intersections analyzed in TIA

The findings of the Analysis are summarized below:

Existing Conditions:

- The St. Francis Drive/Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours.
- The analyzed unsignalized intersections currently operate at acceptable levels of service.

No-Build Conditions (2024)

- The St. Francis Drive/Zia Road intersection will continue to experience unacceptable levels of service with increased delays.
- The unsignalized intersections will operate at acceptable levels of service.

Build Conditions (2024 Implementation Year)

- With construction of the proposed Zia Road improvements, the St. Francis Drive/Zia Road levels of service improve, with no failing conditions, and queues are greatly reduced.
- The unsignalized intersections continue to operate at acceptable levels of service.

Galisteo Realignment

The proposed realignment of Galisteo will involve the vacation of a portion of the existing ROW and dedication of new ROW to the City. Following action by the Governing Body on the proposed general plan amendments and rezoning applications, the Applicant will submit a formal request to the City to vacate approximately 15,825 square feet of ROW and accept dedication of new ROW.

Currently, the Galisteo Road/Zia Road intersection does not function well due to its proximity to St. Francis, creating delays and safety concerns. Furthermore, based on the results of the Traffic Impact Analysis and planned roadway improvements (see **Access and Traffic** section of this report, page 32), the relocation will provide more eastbound left-turn lane storage, greatly reducing the peak hour queues and delays. The existing waterline and any other utilities located within the existing Galisteo Road ROW will be relocated at the Applicant's expense.

The vacation process is addressed in NMSA 1978, Section 3-21-12 to -12 and SFCC Section 23-1.2, which require consideration of a variety of factors including the following:

- Whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed;
- Whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel;
- Other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance;
- Whether the vacation will adversely affect the interests or rights of persons in contiguous territory; and
- Whether the proposal will affect the existing rights of any utility.

If this project moves forward as proposed, the Applicant will file an Application to Vacate and Dedicate Right of Way. The application would include construction drawings for the planned roadway and a

proposed Vacation and Dedication Plat. The Public Works Committee would review the proposal at public hearing, and Governing Body must approve the partial vacation by Resolution. If the Governing Body passes a Resolution approving the partial vacation, the partial vacation would then need to be approved by the Planning Commission, which also has the authority to review and approve the dedication of the proposed new right of way in conjunction with an application for development plan approval.

Pedestrian and Bicycle Connectivity

As a multi-modal mixed-use development, the Zia Station project recognizes the importance of a well-connected, safe, and appealing environment for pedestrians and bicyclists. New, wider sidewalks along Zia Road and Galisteo Road connect to existing sidewalks and to the Santa Fe Rail Trail. An internal network of sidewalks and pedestrian-focused areas provide internal connections and link to perimeter adjacent sidewalks, urban trails, and social trails. New soft-surface trails north of Galisteo Road along the Arroyo de los Chamisos connect to existing social trails on both sides of the arroyo. These trails can be accessed from a trail access point at the end of the Galisteo Road North cul-de-sac. Trailhead parking is provided in new parallel parking along the east side of Galisteo Road.

The streetscape at the center of the Zia Station development has parallel/angled parking, street trees, and striped crosswalks to slow vehicular traffic and promote a pedestrian-friendly environment. Furthermore, the project facilitates bicycling by providing a new 8' wide urban trail connection to the Santa Fe Rail Trail from Galisteo Road. On-road bike lanes on new/improved segments of Galisteo Road and Zia Road connect to the existing network. Bicycle racks will be distributed throughout the site.

Proposed HAWK pedestrian crossing at realigned Galisteo Street, also showing U-turn accommodations just east of Galisteo, where the ROW is widened for a deceleration/right turn lane.

The Applicant has submitted a proposal for a mid-block, High-Intensity Activated Crosswalk (HAWK) crosswalk design incorporating a mid-Zia pedestrian refuge. The design incorporates lights to stop traffic only as needed, and only in one direction of traffic at a time (assuming no one is crossing the other direction).Pedestrians from the north side of Zia Road would activate the HAWK beacon at the northeast corner of Galisteo and Zia, which will stop vehicles traveling westbound on Zia. The pedestrian crosses to the diagonal median, which provides a safe refuge area and directs pedestrians west and south to the

opposite travel lanes. There the pedestrian would activate another HAWK beacon, stopping eastbound traffic. The pedestrian would then complete their crossing of Zia, ending up at the southwest corner of Zia and Galisteo. This is a design that is used successfully elsewhere, and will be the first pedestrian crossing of its type in Santa Fe.

Terrain Management

Phase 1 terrain slopes from east to west with an overall grade change of approximately 20 feet. The Arroyo de los Chamisos traverses the north end of the site. The apartment buildings will be stepped in some locations to match the natural terrain. Retaining walls are proposed along Zia and St. Francis. Storm water will be harvested in landscaped areas and directed to a detention pond incorporated into the landscaped open space north of the townhomes. Per SFCC requirements, on-site detention is adequate to ensure that there will be no new runoff to the Arroyo due to development of the land.

The Phase 2 property on the east side of Galisteo primarily slopes from north to south, while the site on the west side slopes from the southeast to the northwest. Landscaped areas passively harvest storm water, with flows collected in decentralized swales and via a detention pond at the southern end of the site.

The storm water management approach is summarized below:

- For the north site, there are three existing outfall locations: Arroyo de los Chamisos, the existing drainage channel at Candelero Street, and Zia Road itself. For the south site, drainage either discharges to the south at Arroyo Chaparral (also known as Arroyo en Medio) and at Zia Road in two locations: at the Galisteo Road intersection and to the west near Candelero Park.
- Under proposed conditions, on-site infrastructure will maintain these historic flow patterns and outfall locations, albeit at discharge rates that have been reduced below existing flow rates. No developed areas will discharge directly to the Arroyo de Los Chamisos. On-site drainage management will be accomplished using landscape buffers and passive water harvesting techniques, as well as flood management infrastructure such as storm drains and detention ponds that restrict and reduce outflows. Two detention ponds will be constructed as part of the development: one within the north site located north of the townhomes and one within the south site, adjacent to the Arroyo Chaparral (Arroyo en Medio).
- No development is proposed to be located within FEMA Flood Hazard Zones and all structures have been set back from the arroyo edge per City Code requirements, and no modifications to or within the arroyos themselves are proposed at this time.

Water harvesting for the project capitalizes on surface collection and passive water harvesting to help support new landscaping. Passive water harvesting strategies include sloping impermeable surfaces such as sidewalks and paved areas to direct runoff to landscape planting areas, fine grading swales for surface water harvesting, installing curb cuts at parking/roadway medians to divert water to planter medians, and directing rainwater from roof canales/downspouts to adjacent planter beds.

Environmental Review: Archaeology and Prairie Dogs

The subject parcels are located within both the Suburban and the River & Trails Archaeological Districts. An archaeology survey has been conducted and was reviewed by the City Archaeological Review

Committee (ARC) on January 14, 2021. The ARC asked for revisions to the report and will reconsider the project. The site will be assessed for Gunnison's prairie dogs and any colonies will be relocated prior to issuance of construction permits.

Water and Sewer

Water is available via lines in Zia and Galisteo Roads and sewer connections will be made at the manhole in Zia east of Candelero St., at the Arroyo de los Chamisos line, and at the existing line at the southern end of Phase 2. Service will be provided via a combination of public and private lines as depicted in the attached Utility Plans. Gated access for maintenance of the Arroyo de los Chamisos sewer line is provided at the north end of the Galisteo cul-de-sac. There is an existing waterline in the portion of Galisteo Road to be realigned, which will be relocated as part of the roadway construction.

Water Budget

The Phase 1 Water Budget is estimated at 25.87 acre feet per year and the Water Budget for Phase 2 is estimated to be 22.7 acre feet per year. In accordance with the City's requirements, water rights will be provided to offset the project's water demand. The Applicant will acquire water rights to offset the project's water demand in accordance with SFCC Section14-8.13. Water Budgets are included in Exhibit G(3).

Landscaping and Open Space

In Phase 1, a minimum of 250 square feet of open space is required per ground floor dwelling unit per SFCC Subsection14-7.5(D)(8)(c). The open space calculation is as follows:

	Required	Type	Provided
Townhomes	250 sf x 14 ground floor units = 3,500 sf	-	9,143 sf
Apartments	250 sf x 93 ground floor units = 23,250 sf	Common Open Space	168,708 sf (38.12%)
		Private Open Space	20,000 sf
		Total	188,708 sf

The Phase 2 project will incorporate passive water harvesting methods and, therefore, the required open space is a minimum of 20% of the lot area. Open space is provided as outlined below:

Required	Provided
76,740 sf/1.76 acres	161,972 sf/3.72 acres (42.2%)

The project landscape approach is tailored to provide a range of enjoyable outdoor areas for public use, to provide an urban tree canopy of diverse species to help reduce heat island effect, and to transition to native landscapes along property edges. Plant selections focus on drought tolerant, pest resistant, and appropriate species that are viable in urban/semi-urban settings. A diverse combination of native and introduced plant species will provide biodiversity, wildlife habitat, and resilience to climate shifts.

Phase 1 Open Spaces and Landscaping

Common open space within the residential areas of Phase 1 include a range of active and passive gathering spaces for residents. For the apartments, this includes a pool area with spa, ramada, and lounge areas adjacent to the main entrance/lobby. Three additional common areas nestled within

apartment buildings serve as passive gathering areas with seating and fire pits. A central north-south pedestrian corridor connects the apartment buildings to the Zia Road sidewalk to the south. The detention pond along the northwest side of the new Galisteo Road will be planted with a range of native trees and shrubs to evolve into a dense riparian buffer between the new development and existing residential properties. For the townhomes, in addition to the private courtyards for each home, a semi-private common open space can serve as an informal gathering area with shade and seating. A series of evergreen and deciduous trees and a perimeter fence along the west property line buffer the townhomes from existing neighboring residential properties. Lastly, a 0.9-acre fenced dog park can be accessed off of the existing Santa Fe Rail Trail and will be available for use by both dog-owner residents of the proposed development and the public at large.

Phase 2 Open Spaces and Landscaping

Phase 2 mixed-use development landscaping will help foster a vibrant, pedestrian-focused outdoor environment. A central plaza with a sloped lawn, amphitheater seating, and stage serves as a focal point for the development and a flexible area for events, markets, and passive recreation. Generous landscaped areas between buildings along the east boundary connect to Zia Station and the Rail Trail to encourage multi-modal access at multiple locations. Streetscape improvements in the central zone focus on wide sidewalks/paved areas with shaded tree canopies and pockets of landscape planting to provide pleasant settings for ground-floor business outdoor use areas.

New generous sidewalks along Galisteo Road, Zia Road, and internal streets will provide connectivity within the new development and link to existing perimeter urban trails and sidewalks. This pedestrian environment will be more appealing and safer with the additional shade from street tree canopies and landscaped buffers between walkways and roadways.

Landscape improvements along the west and south boundaries will be planted with native evergreen and deciduous species to screen views of the new buildings from existing residences and transition to adjacent open space native landscapes.

Fire Protection and Emergency Access

All buildings will be equipped with automatic fire suppression and, in accordance with IFC requirements, the drive lanes will be 26 feet wide adjacent to three-story buildings. Access to the Phase 1 apartments parking areas will be controlled with vehicular gates that will be equipped with emergency access strobes. New fire hydrants will be installed at requisite intervals and Fire Department Connections to building standpipe systems will be provided where required. A twenty-foot secondary emergency access drive will be constructed on Zia Road to serve Phase 1. The fire lane will be gated and equipped with an emergency access strobe.

Lighting & Signage

LED fixtures mounted at a height of 25 feet will provide lighting to all parking areas in the Phase 1 apartment complex. Phase 2 lighting will include pole fixtures and building mounted lights, and will be detailed and evaluated in the Final Development Plan application for each lot. All lighting will be shielded to prevent light pollution in accordance with the New Mexico Dark Skies Ordinance and shall comply with Section 14-8.9

Santa Fe HOMES Program

The Applicant is proposing a customized affordable housing program subject to review and approval by the Governing Body. The Applicant proposes that 10% of the residential units (39 units) will be priced affordably for a period of ten years, and pay fee-in-lieu for 5% of the units in the amount of $148,814.40. This customized approach has been approved by Office of Affordable Housing Director Alexandra Ladd. The executed HOMES proposal is included in Exhibit G(4).

Architectural Design

Typical Conceptual Building Elevations are included in the Preliminary Development Plans. A high architectural standard is proposed, utilizing traditional vernacular and contemporary expressions of "Santa Fe Style". The buildings will harmonize with one another and their surroundings, while eschewing homogeny. This is achieved through engaging with several local architects to create a diverse architectural vision. Proposed buildings will need to demonstrate compliance with SFCC Table 14-8.7-2: Architectural Design Standards and Point Allocations.

XVI. DEVELOPMENT PLAN APPROVAL CRITERIA SECTION 14-3.8(D)(1)

The proposed development plan meets all development standards and will not create or increase any non-conformities with Chapter 14; therefore staff recommends approval.

SFCC Section 14-3.8 governs the authority, procedures, and restrictions for development plans. The Criteria for approval of Development Plans are detailed below:

Criterion 1: that the Planning Commission has the authority and is empowered to approve the development plan under the section of Chapter 14 described in the application;	**Criterion Met:** (Yes/No) **YES**
Santa Fe City Code (SFCC) Subsection 14-3.8(B)(3)(a) requires a development plan for development with a gross floor area of over thirty thousand square feet in any zone. Subsection 14-2.3(C)(1) authorizes the Planning Commission to review and approve or disapprove development plans. Additionally, C2-PUD rezoning requests require preliminary development plan approval by the Planning Commission	
Criterion 2: that approving the development plan will not adversely affect the public interest; and	**Criterion Met:** (Yes/No) **YES**
The Governing Body has implemented the General Plan and ordinances in order to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. Subject to staff recommended conditions of approval, the proposed development plan complies with SFCC Chapter 14 and would not adversely affect the public interest. Additionally, if the requested General Plan Amendments and Rezonings are approved, the public interest would not be adversely affected. The Zia Station project serves the public interest through the provision of much-needed housing, including affordable housing, in a mixed-use, walkable environment, with access to multi-modal transit options. In addition, opportunities are provided for local small businesses and entrepreneurs. The project will also construct critical roadway improvements to ameliorate existing congestion issues and improve pedestrian connectivity.	

Criterion 3: that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.	Criterion Met: (Yes/No) YES
The subject property is located in a mixed-use area comprising significant commercial and multi-family development. The proposed uses and scale of the project is compatible with land uses in the vicinity, while serving as an appropriate transition between the adjacent existing residential development and the St. Francis corridor.	

XVII. EARLY NEIGHBORHOOD NOTIFICATION

A series of three informational neighborhood meetings were conducted in 2019 during the project's initial design phase. The official virtual ENN was held via GoTo-Meeting on October 29, 2020 at 5:30 PM. The meeting started with 65 attendees and at times was attended by up to 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the TIA results, and that suggested road improvements could handle traffic presumed to be generated by the project. It was stated that it was difficult for residents to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.

At approximately 7:45 PM, the Applicant lost their computer connection and Staff attempted to keep it going. At this point, members of the public began to leave the meeting. Eventually, the Applicant restored their computer connection and concluded the meeting. The notes from the ENN meeting are included in Exhibit E.

On Tuesday, November 3, the President of the Candlelight Neighborhood association stated by email that the October 29 ENN failed to fulfill requirements of a proper ENN in multiple ways, and requested by email that a second "official" ENN with full noticing requirements be held, and rejected the Applicant's offer to hold an additional courtesy meeting on November 12th. Noah Berke responded by email, confirming SFCC requirements for filing an application with the City, including ENN requirements. Noah confirmed that an unofficial follow up meeting would be held on November 12 and suggested, with the Applicant's agreement, that a third unofficial "post-application" meeting would be held after the application was filed with the City on November 16, so that everyone had all the application materials to evaluate for themselves.

XVIII. EXPIRATION

The General Plan amendments, the Rezonings, and the removal of the properties from the SCHC, if approved by the Governing Body, will run with the land, are transferrable, and will not expire.

Per SFCC Section 14-3.19(B)(4) "Approval of a final development plan, or any development plan for which no preliminary development plan was required, shall expire three years after final action approving it unless actual development of the site or offsite improvements has begun and is continued pursuant to

Subsection 14-3.19(B)(6)." Therefore, should the Commission approve the preliminary development plan and adopt Findings of Fact and Conclusions of Law at this hearing, the expiration date would be February 4, 2024.

XIX. ATTACHMENTS:

EXHIBIT A: Draft Findings of Fact and Conclusions of Law

1. Case #2020-2898
2. Case #2020-2914
3. Case #2020-2899
4. Case #2020-2900
5. Case #2020-2901

EXHIBIT B: Supporting Material

1. Ordinance 1986-25: Created SCHC
2. Resolution 2001-82: Created Transitional Mixed-Use Designation
3. Resolution 2003-70: Supporting Commuter Rail
4. Resolution 2004-4: GP Amendment to current future land use
5. Resolution 2007-102: Reaffirming Support of Commuter Rail and Outstanding Issues
6. Select Pages Rail Corridor Strategic Plan 2008
7. NMDOT Letter May 7, 2008

EXHIBIT C: Maps and Photos

EXHIBIT D: Development Review Team Memoranda

1. Traffic Review Memorandum
2. MPO Review Memorandum
3. Fire Review Memorandum
4. Terrain Management Review Memorandum
5. River/Trails/Parks Review memorandum
6. Water Engineering Division Memorandum
7. Wastewater Division Memorandum
8. ADA Site Review Memorandum
9. Landscape Review Memorandum
10. Compiled Technical Corrections

EXHIBIT E: ENN

EXHIBIT F: Public Comments Received Through 1/25/2021

EXHIBIT G: Applicant Materials

1. Application Report
2. Project Data
3. Water Budgets
4. Santa Fe Homes Proposal
5. HAWK Pedestrian Crossing Plan
6. Traffic Impact Analysis
7. Proposed Development Plan

APPROVED BY:

Title	Name	Initials
Planning and Land Use Director	Eli 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

Draft Findings of Fact and Conclusions of Law

1. Case #2020-2898
2. Case #2020-2914
3. Case #2020-2899
4. Case #2020-2900
5. Case #2020-2901

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

Case #2020-2898
North Zia Station General Plan Amendment

Owner's/Applicant's Name – Zia Station, LLC
Agent's Name – JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (Commission) for public hearing on February 4, 2021 (Hearing) upon the application (Application) of JenkinsGavin, Inc. as agent for Zia Station, LLC (Applicant).

I. INTRODUCTION

The Application pertains to a property located at the northwest corner of St. Francis Drive and Zia Road, totaling approximately 12.1 acres (Property). The Applicant requests a general plan amendment to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre). The Property is zoned R-1 (Residential- one dwelling unit per acre) and is within the South Central Highway Corridor Protection District (SCHC).

In related Case #2020-2914, the Applicant seeks a general plan amendment for a portion of the property at the southwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed-Use.

Additionally, in related Case #2020-2899, the Applicant seeks a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road.

Additionally, in related Case #2020-2900, the Applicant seeks a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District (SCHC) to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District.

Finally, in related Case #2020-2901, the Applicant seeks preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases for two properties at the northwest and southwest corners of St. Francis Drive and Zia Road.

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

II. FINDINGS OF FACT

A. Background: Property History

1. On January 14, 2004, the Governing Body approved Resolution No. 2004-4, changing the future land use designation of the property at the northwest corner of St. Francis and Zia Road from Open Space to Low Density Residential (3 to 7 dwelling units per acre), and the property at the southwest corner from Park and Open Space to Transitional Mixed-Use, with a small portion changing to Low Density Residential.
2. At that time, the Applicant stated an intention to request a rezoning in the future to develop the northern property at approximately R-5 (Residential- five dwelling units per acre) or R-7 (Residential- seven dwelling units per acre), and to request a rezoning to C-2 PUD (General Commercial- Planned Unit Development) to develop the southern property as a mixed use development.

B. Background: City Planning Efforts Related to Commuter Rail

3. On September 10, 2003, the Governing Body passed Resolution No. 2003-70, unanimously supporting the effort to establish a commuter rail line between Albuquerque and Santa Fe.
4. On November 14, 2007, the Governing Body passed a follow-up Resolution No. 2007-102, reaffirming the City's commitment to commuter rail and identifying concerns to be resolved.
5. On December 13, 2007, the Santa Fe Metropolitan Planning Organization (MPO) Transportation Policy Board approved the location of the Rail Runner Express Station at Zia Road.
6. NMDOT built the Zia Station platform prior to the commencement of Rail Runner service between Albuquerque and Santa Fe in 2008.
7. In 2008, the City of Santa Fe Long Range Planning Division prepared the Rail Corridor Strategic Plan, which identified Zia Station as the "Gateway to Santa Fe" and recommended a mixed-use, transit and pedestrian oriented development at the site consisting of up to three-story buildings.
8. On March 14, 2011, City and MPO staff conducted a public input meeting to discuss the opening of the Zia Station platform for rail service as a "kiss and ride" station. MPO staff presented a conceptual plan to show how pedestrian, bicycle, transit, and automobile access could be accommodated at the site. A majority of the 250 people present expressed a desire for the Zia Station platform to open.
9. On August 30, 2011, the Governing Body adopted Resolution No. 2011-44, recognizing the need for additional capital improvements in order to open the Zia Station platform.
10. On August 13, 2015, the City entered into an Impact Fee Credit Agreement with the Applicant for the Applicant to receive impact fee credits in exchange for constructing "kiss and ride" (passenger drop off only) improvements to the Zia Station platform area. The Agreement was filed with the records of the City Clerk as Item #15-0511.
11. The Applicant completed the "kiss and ride" improvements to the Zia Station platform area in 2017.
12. In April 2017, Rail Runner service became available at the at Zia Station platform.

C. General

13. Santa Fe City Code (SFCC) Section 14-3.2(D)(1) provides that an application for amendments to the general plan may be considered concurrently with an application for rezoning.
14. SFCC Section14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC § 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC § 14-3.1(F)(2)(a)(xii)]; and (c) compliance with notice and public hearing requirements [SFCC § 14-3.1(H)-(I)].
15. A pre-application conference was held on February 6, 2020 in accordance with SFCC Section 14-3.l(E)(1).
16. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
17. Pursuant to SFCC Section 14-3.1(F), a virtual ENN meeting was held on the Application on October 29, 2020. The ENN meeting was attended the Project team, members of City staff, and approximately 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the Traffic lmpact Analysis (TIA) results, and that suggested road improvements could handle traffic presumed to be generated by the project. Residents stated that it was difficult for them to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.
18. The Applicant held one more, informal virtual meeting to answer additional questions on November 12, 2020.
19. City staff held one more, informal virtual meeting with residents on November 16, 2020 after they had had an opportunity to review the submitted application materials. Questions for Staff were largely procedural in nature, although there were questions about specific details of the Project. Staff asked residents to summarize their questions and submit them to Staff for follow up. Only one resident did this, submitting a detailed traffic analysis.
20. City staff reviewed the general plan amendment Application, and the related materials and information submitted by the Applicant, for conformity with applicable SFCC requirements (Submittal Requirements) and provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
21. Staff recommended that the Commission recommend approval of the amendment to the general plan to Governing Body.

D. General Plan Amendment from Low Density to High Density Residential

22. Pursuant to SFCC Sections14-2.3(C)(7)(a) and 14-3.2(D)(2), the Commission has the authority to review and make recommendations to the Governing Body regarding amendments to the general plan.
23. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2020-2914, 2020-2899, 2020-2900, and 2020-2901; and the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.
24. Pursuant to SFCC Section 14-3.2(B), the general plan must be amended before new zoning regulations establishing new land use classifications may be approved.

25. In this case, the Applicant seeks an amendment of the future land use designation from Low Density Residential to High Density Residential.
26. Under the general plan, "High Density Residential" is the highest density category and permits residential zoning of twelve to twenty-nine units per acre.
27. SFCC Section 14-3.2 sets out certain procedures for amendments to the general plan, including, without limitation, submittal of an application for review, a public hearing by the Commission, and a recommendation to the Governing Body based upon the criteria set out in SFCC Section 14-3.2(E).
28. SFCC Section 14-3.2(E)(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 recommending approval of an amendment to the general plan to the Governing Body.
29. Based on the Staff Report and exhibits and the testimony and evidence presented at the hearing, the Commission finds that all applicable criteria in SFCC 14-3.2(E)(1) have been met.
30. Pursuant to SFCC 14-3.2(E)(1)(a), the Commission finds that the proposal is consistent with growth projections for Santa Fe, and that an adequate supply of housing to support the workforce is important for economic development. As an infill site adjacent to major roads and commuter rail, the subject property is served by existing utility, transit, and roadway infrastructure.
31. Pursuant to SFCC 14-3.2(E)(1)(b), the Commission finds that the proposal is consistent with other parts of the general plan, including Guiding Policies regarding a mix of housing types in all parts of the city, and providing a mix of services and uses at the neighborhood level in the form of pedestrian-oriented neighborhood centers.
32. Pursuant to SFCC 14-3.2(E)(1)(c), the Commission finds that the proposed use is not inconsistent with the prevailing use and character in the area when considering the St. Francis corridor as a whole, that the Property is well over the two-acre minimum required for a general plan amendment, and that the project will not benefit one or a few landowners at the expense of the surrounding landowners or the general public because it will increase housing supply, including affordable housing; result in roadway improvements at Zia and St. Francis; and provide pedestrian amenities and multi-modal transportation options.
33. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(d) is not applicable because Criterion 14-3.2(E)(1)(c) is met.
34. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(e) is not applicable to this case.
35. Pursuant to SFCC 14-3.2(E)(1)(f), the Commission finds that approving a proposal for housing on the Property would promote the general welfare and contribute to the harmonious development of Santa Fe as long as the resulting density and design proposal are appropriate for the surrounding area.
36. Pursuant to SFCC 14-3.2(E)(1)(g), the Commission has considered conformity with other city policies, including land use policies, ordinances, regulations, and plans. The Project is supported by goals and recommendations of the 2020-2045 Santa Fe Metropolitan Transportation Plan Approved May 28, 2020 by the Santa Fe MPO Transportation Policy Board; the Draft City of Santa Fe Land Use & Urban Design Plan proposed by the City of Santa Fe Long-Range Planning Division in 2017 (never adopted); the Amended Draft Rail Corridor Study: Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods, created by the City of Santa Fe Long Range Planning Division in 2008 (never adopted); and

the Sustainable Santa Fe 25-Year Sustainability Plan with the Goal of Achieving Carbon Neutrality by the Year 2040, adopted by Resolution No. 2018-65.

37. The Commission finds that the additional criteria in SFCC 14-3.2(E)(2) are not applicable to this case because the proposal would not amend the land use policies section of the general plan.
38. The Commission finds that the additional criteria in SFCC 14-3.2(E)(3) are not applicable to this case because the proposal does not involve the adoption of a neighborhood plan.

III. 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 procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

General Plan Amendment

2. The Applicant has the right under the SFCC to propose an amendment to the general plan.
3. The Commission has the power and authority at law and under the SFCC to review the proposed amendment to the general plan and to make recommendations regarding the proposed amendment to the general plan to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested general plan amendment because all applicable code requirements and criteria for recommendation of approval of the proposed amendment to the general plan have been met.

WHEREFORE, IT IS ORDERED ON THE 4TH DAY OF FEBRUARY 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends that the Governing Body approve the general plan amendment, as requested in the Application for Case #2020-2898.

_____ _____
Chairperson Date

FILED:

_____ _____
Kristine Mihelcic Date
City Clerk

APPROVED AS TO FORM:

_____ _____

Sally Paez Date
Assistant City Attorney

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

Case #2020-2914
South Zia Station General Plan Amendment

Owner's/Applicant's Name – Zia Station, LLC
Agent's Name – JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (Commission) for public hearing on February 4, 2021 (Hearing) upon the application (Application) of JenkinsGavin, Inc. as agent for Zia Station, LLC (Applicant).

I. INTRODUCTION

The Application pertains to a property located at the southwest corner of St. Francis Drive and Zia Road, totaling approximately 2.2 acres (Property). The Applicant requests approval of an amendment to the general plan future land use map designation from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use. The Property is zoned R-1 (Residential- one dwelling unit per acre) and is within the South Central Highway Corridor Protection District (SCHC).

In related Case #2020-2898, the Applicant requests a general plan amendment for a property located at the northwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre).

Additionally, in related Case #2020-2899, the Applicant seeks a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road.

Additionally, in related Case #2020-2900, the Applicant seeks a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District (SCHC) to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District.

Finally, in related Case #2020-2901, the Applicant seeks preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases for two properties at the northwest and southwest corners of St. Francis Drive and Zia Road.

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

II. FINDINGS OF FACT

A. Background: Property History

1. In 2001, SF Brown Ltd. Company, managing partner in Zia Station, LLC (Applicant) entered into an agreement to purchase the 8.34-acre pumice plant property at the southwest corner of St. Francis drive and Zia Road.
2. On January 14, 2004, the Governing Body approved Resolution No. 2004-4, changing the future land use designation of the property that the northwest corner of St. Francis and Zia Road from Open Space to Low Density Residential (3 to 7 dwelling units per acre), and the property at the southwest corner from Park and Open Space to Transitional Mixed-Use, with a small portion changing to Low Density Residential (together, the Project).
3. At that time, the Applicant stated an intention to request a rezoning in the future to develop the northern property at approximately R-5 (Residential- five dwelling units per acre) or R-7 (Residential- seven dwelling units per acre), and to request a rezoning to C-2 PUD (General Commercial- Planned Unit Development) to develop the southern property as a mixed use development.
4. In 2005, SF Brown Ltd. Company closed on the purchase of pumice plant.
5. In 2007, the pumice plant was demolished.

B. Background: City Planning Efforts Related to Commuter Rail

6. On September 10, 2003, the Governing Body passed Resolution No. 2003-70, unanimously supporting the effort to establish a commuter rail line between Albuquerque and Santa Fe.
7. On November 14, 2007, the Governing Body passed a follow-up Resolution No. 2007-102, reaffirming the City's commitment to commuter rail and identifying concerns to be resolved.
8. On December 13, 2007, the Santa Fe Metropolitan Planning Organization (MPO) Transportation Policy Board approved the location of the Rail Runner Express Station at Zia Road.
9. NMDOT built the Zia Station platform prior to the commencement of Rail Runner service between Albuquerque and Santa Fe in 2008.
10. In 2008, the City of Santa Fe Long Range Planning Division prepared the Rail Corridor Strategic Plan, which identified Zia Station as the "Gateway to Santa Fe" and recommended a mixed-use, transit and pedestrian oriented development at the site consisting of up to three-story buildings.
11. On March 14, 2011, City and MPO staff conducted a public input meeting to discuss the opening of the Zia Station platform for rail service as a "kiss and ride" station. MPO staff presented a conceptual plan to show how pedestrian, bicycle, transit, and automobile access could be accommodated at the site. A majority of the 250 people present expressed a desire for the Zia Station platform to open.
12. On August 30, 2011, the Governing Body adopted Resolution No. 2011-44, recognizing the need for additional capital improvements in order to open the Zia Station platform.
13. On August 13, 2015, the City entered into an Impact Fee Credit Agreement with the Applicant for the Applicant to receive impact fee credits in exchange for constructing "kiss and ride" (passenger drop off only) improvements to the Zia Station platform area. The Agreement was filed with the records of the City Clerk as Item #15-0511.

14. The Applicant completed the "kiss and ride" improvements to the Zia Station platform area in 2017.
15. In April 2017, Rail Runner service became available at the at Zia Station platform.

C. General

16. Santa Fe City Code (SFCC) Section 14-3.2(D)(1) provides that an application for amendments to the general plan may be considered concurrently with an application for rezoning.
17. SFCC Section14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC § 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC § 14-3.1(F)(2)(a)(xii)]; and (c) compliance with notice and public hearing requirements [SFCC § 14-3.1(H)-(I)].
18. A pre-application conference was held on February 6, 2020 in accordance with SFCC Section 14-3.l(E)(1).
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 on the Application on October 29, 2020. The ENN meeting was attended the Project team, members of City staff, and approximately 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the Traffic Impact Analysis (TIA) results, and that suggested road improvements could handle traffic presumed to be generated by the project. Residents stated that it was difficult for them to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.
21. The Applicant held one more, informal virtual meeting to answer additional questions on November 12, 2020.
22. City staff held one more, informal virtual meeting with residents on November 16, 2020 after they had had an opportunity to review the submitted application materials. Questions for Staff were largely procedural in nature, although there were questions about specific details of the Project. Staff asked residents to summarize their questions and submit them to Staff for follow up. Only one resident did this, submitting a detailed traffic analysis.
23. City staff reviewed the general plan amendment Application, and the related materials and information submitted by the Applicant, for conformity with applicable SFCC requirements (Submittal Requirements) and provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
24. Staff recommended that the Commission recommend approval of the amendment to the general plan to Governing Body.

D. General Plan Amendment from Low Density Residential to Transitional Mixed-Use

25. Pursuant to SFCC Sections14-2.3(C)(7)(a) and 14-3.2(D)(2), the Commission has the authority to review and make recommendations to the Governing Body regarding amendments to the general plan.
26. At the Hearing, the Commission considered the Application in this cases concurrently with the applications in Case Nos. 2020-2898, 2020-2899, 2020-2900, and 2020-2901; and the

Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

27. Pursuant to SFCC Section 14-3.2(B), the general plan must be amended before new zoning regulations establishing new land use classifications may be approved.
28. In this case, the Applicant seeks an amendment of the future land use designation from Low Density Residential to Transitional Mixed-Use.
29. On November 28, 2001, the Governing Body adopted Resolution No. 2001-82, adding "Transitional Mixed-Use" as a new future land use designation.
30. Under the general plan, as amended, "Transitional Mixed-Use" is intended to allow a mix of compatible land uses in an area, including residential and commercial, in a way that creates a transitional buffer between single-family neighborhoods and commercial development through a reduction in scale and intensity.
31. SFCC Section 14-3.2 sets out certain procedures for amendments to the general plan, including, without limitation, submittal of an application for review, a public hearing by the Commission, and a recommendation to the Governing Body based upon the criteria set out in SFCC Section 14-3.2(E).
32. SFCC Section 14-3.2(E)(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 an amendment to the general plan.
33. Based on the Staff Report and exhibits and the testimony and evidence presented at the hearing, the Commission finds that all applicable criteria in SFCC 14-3.2(E)(1) have been met.
34. Pursuant to SFCC 14-3.2(E)(1)(a), the Commission finds that the proposal is consistent with existing land use conditions and that there is access to available infrastructure.
35. Pursuant to SFCC 14-3.2(E)(1)(b), the Commission finds that the proposal is consistent with growth projections for Santa Fe, and that an adequate supply of housing to support the workforce is important for economic development. The Project will provide a variety of neighborhood services in an area that is currently not served without crossing St. Francis. As an infill site adjacent to major roads and commuter rail, the subject property is served by existing utility, transit, and roadway infrastructure.
36. Pursuant to SFCC 14-3.2(E)(1)(c), the Commission finds that the proposed use is not inconsistent with the prevailing use and character in the area when considering the St. Francis corridor as a whole, that the Property exceeds the two-acre minimum required for a general plan amendment, and that the project will not benefit one or a few landowners at the expense of the surrounding landowners or the general public because it will increase housing supply, including affordable housing; result in roadway improvements at Zia and St. Francis; and provide pedestrian amenities and multi-modal transportation options.
37. Pursuant to SFCC 14-3.2(E)(1)(d), the Commission finds that the project promotes the general welfare by providing housing and neighborhood-scale commercial in an area not currently served by such commercial amenities, adjacent to commuter rail and a public trail. New residents of the development, as well as existing residents in adjacent neighborhoods, will have alternatives to automobile travel and services within walking distance, potentially reducing pollution and traffic congestion. The proposal is of public advantage and justified by prior City actions to promote significant public investment in commuter rail. Multiple City planning documents address the importance of neighborhood scale commercial services, as detailed in the Staff Report and exhibits.

38. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(e) is not applicable to this case.
39. Pursuant to SFCC 14-3.2(E)(1)(f), the Commission finds that Zia Station is a rare opportunity to create a transit-focused development in Santa Fe, promoting the general welfare through providing housing and services in a walkable, pedestrian scale environment. It will create economic opportunity and community amenities on Zia Road on the west side of St. Francis. The Governing Body has taken a series of actions over many years to welcome commuter rail to Santa Fe and has recognized Zia Station as a location for some level of transit-focused development through multiple studies.
40. Pursuant to SFCC 14-3.2(E)(1)(g), the Commission has considered conformity with other city policies, including land use policies, ordinances, regulations, and plans. The Project is supported by goals and recommendations of the 2020-2045 Santa Fe Metropolitan Transportation Plan Approved May 28, 2020 by the Santa Fe MPO Transportation Policy Board; the Draft City of Santa Fe Land Use & Urban Design Plan proposed by the City of Santa Fe Long-Range Planning Division in 2017 (never adopted); the Amended Draft Rail Corridor Study: Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods, created by the City of Santa Fe Long Range Planning Division in 2008 (never adopted); and the Sustainable Santa Fe 25-Year Sustainability Plan with the Goal of Achieving Carbon Neutrality by the Year 2040, adopted by Resolution No. 2018-65.
41. The Commission finds that the additional criteria in SFCC 14-3.2(E)(2) are not applicable to this case because the proposal would not amend the land use policies section of the general plan.
42. The Commission finds that the additional criteria in SFCC 14-3.2(E)(3) are not applicable to this case because the proposal does not involve the adoption of a neighborhood plan.

III. 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 procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

General Plan Amendment

2. The Applicant has the right under the SFCC to propose an amendment to the general plan.
3. The Commission has the power and authority at law and under the SFCC to review the proposed amendment to the general plan and to make recommendations regarding the proposed amendment to the general plan to the Governing Body.
4. The Applicant met the applicable Submittal Requirements.
5. The Commission should recommend approval of the requested general plan amendment because all applicable code requirements and criteria for recommendation of approval of the proposed amendment to the general plan have been met.

WHEREFORE, IT IS ORDERED ON THE 4TH DAY OF FEBRUARY 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends that the Governing Body approve the general plan amendment, as requested in the Application for Case #2020-2914.

_____ _____
Chairperson Date

FILED:

_____ _____
Kristine Mihelcic Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally Paez Date
Assistant City Attorney

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

Case #2020-2899
Zia Station C-2 PUD Rezoning

Owner's/Applicant's Name – Zia Station, LLC
Agent's Name – JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (Commission) for public hearing on February 4, 2021 (Hearing) upon the application (Application) of JenkinsGavin, Inc. as agent for Zia Station, LLC (Applicant).

I. INTRODUCTION

The Application pertains to properties located at the northwest and southwest corners of St. Francis Drive and Zia Road, totaling approximately 21.0 acres (Properties). The Applicant requests approval of a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development). The properties are within the South Central Highway Corridor Protection District (SCHC).

In related Case #2020-2898, the Applicant requests a general plan amendment for a property located at the northwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre).

Additionally, in related Case #2020-2914, the Applicant seeks a general plan amendment for a property at the southwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use.

Additionally, in related Case #2020-2900, the Applicant seeks a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District (SCHC) to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District.

Finally, in related Case #2020-2901, the Applicant seeks preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases for two properties at the northwest and southwest corners of St. Francis Drive and Zia Road.

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

II. FINDINGS OF FACT

A. Background: Property History

1. In 2001, SF Brown Ltd. Company, managing partner in Zia Station, LLC (Applicant), entered into an agreement to purchase the 8.34-acre pumice plant property at the southwest corner of St. Francis drive and Zia Road.
2. On January 14, 2004, the Governing Body approved Resolution 2004-4, changing the future land use designation of the property that the northwest corner of St. Francis and Zia Road from Open Space to Low Density Residential (3 to 7 dwelling units per acre), and the property at the southwest corner from Park and Open Space to Transitional Mixed-Use, with a small portion changing to Low Density Residential (together, the Project).
3. At that time, the Applicant stated an intention to request a rezoning in the future to develop the northern property at approximately R-5 (Residential- five dwelling units per acre) or R-7 (Residential- seven dwelling units per acre), and to request a rezoning to C-2 PUD (General Commercial- Planned Unit Development) to develop the southern property as a mixed use development.
4. In 2005, SF Brown Ltd. Company closed on the purchase of pumice plant.
5. In 2007, the pumice plant was demolished.

B. Background: City Planning Efforts Related to Commuter Rail

6. On September 10, 2003, the Governing Body passed Resolution No. 2003-70, unanimously supporting the effort to establish a commuter rail line between Albuquerque and Santa Fe.
7. On November 14, 2007, the Governing Body passed a follow-up Resolution No. 2007-102, reaffirming the City's commitment to commuter rail and identifying concerns to be resolved.
8. On December 13, 2007, the Santa Fe Metropolitan Planning Organization (MPO) Transportation Policy Board approved the location of the Rail Runner Express Station at Zia Road.
9. NMDOT built the Zia Station platform prior to the commencement of Rail Runner service between Albuquerque and Santa Fe in 2008.
10. In 2008, the City of Santa Fe Long Range Planning Division prepared the Rail Corridor Strategic Plan, which identified Zia Station as the "Gateway to Santa Fe" and recommended a mixed-use, transit and pedestrian oriented development at the site consisting of up to three-story buildings.
11. On March 14, 2011, City and MPO staff conducted a public input meeting to discuss the opening of the Zia Station platform for rail service as a "kiss and ride" station. MPO staff presented a conceptual plan to show how pedestrian, bicycle, transit, and automobile access could be accommodated at the site. A majority of the 250 people present expressed a desire for the Zia Station platform to open.
12. On August 30, 2011, the Governing Body adopted Resolution No. 2011-44, recognizing the need for additional capital improvements in order to open the Zia Station platform.
13. On August 13, 2015, the City entered into an Impact Fee Credit Agreement with the Applicant for the Applicant to receive impact fee credits in exchange for constructing "kiss and ride" (passenger drop off only) improvements to the Zia Station platform area. The Agreement was filed with the records of the City Clerk as Item #15-0511.

14. The Applicant completed the "kiss and ride" improvements to the Zia Station platform area in 2017.
15. In April 2017, Rail Runner service became available at the at Zia Station platform.

C. General

16. Santa Fe City Code (SFCC) Section 14-3.2(D)(1) provides that an application for amendments to the general plan may be considered concurrently with an application for rezoning.
17. SFCC Section14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC §14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC §14-3.1(F)(2)(a)(iii)]; and (c) compliance with notice and public hearing requirements [SFCC §14-3.1(H)-(1)].
18. A pre-application conference was held on February 6, 2020 in accordance with SFCC Section 14-3.l(E)(1).
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 on the Application on October 29, 2020. The ENN meeting was attended the Project team, members of City staff, and approximately 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the Traffic Impact Analysis (TIA) results, and that suggested road improvements could handle traffic presumed to be generated by the project. Residents stated that it was difficult for them to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.
21. The Applicant held one more, informal virtual meeting to answer additional questions on November 12, 2020.
22. City staff held one more, informal virtual meeting with residents on November 16, 2020 after they had had an opportunity to review the submitted application materials. Questions for Staff were largely procedural in nature, although there were questions about specific details of the Project. Staff asked residents to summarize their questions and submit them to Staff for follow up. Only one resident did this, submitting a detailed traffic analysis.
23. City staff reviewed the rezoning Application, and the related materials and information submitted by the Applicant, for conformity with applicable SFCC requirements and provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
24. Staff recommended that the Commission recommend approval of the rezoning to the Governing Body.

D. Rezoning: R-1 to C2-PUD

1. 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.
2. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2020-2898, 2020-2914, 2020-2900, and 2020-2901; and the

Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

3. Pursuant to SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for rezoning, along with all submissions required by the SFCC Chapter 14 and any other information requested by the land use director as reasonably necessary to determine compliance with Chapter 14 (Submittal Requirements).
4. In this case, the Applicant seeks a rezoning from R-1 (Residential-one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development).
5. 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.
6. 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.
7. Pursuant to SFCC Section 14-3.5(C)(1)(a)(i), the Commission finds that the rezoning is justified because when the City created the Transitional Mixed-Use future land use designation, it did not create a compatible zoning classification.
8. Pursuant to SFCC Section14-3.5(C)(1)(a)(ii), the Commission finds that the rezoning is justified because the default R-1 zoning of the properties is not representative of the surrounding area, which includes SC-1, C-1, I-1, BIP, R-21, R-7, and R-5. In addition, the Rail Runner Zia Station is an important public transit improvement that deserves responsible development of the adjacent properties.
9. Pursuant to SFCC Section14-3.5(C)(1)(a)(iii), the Commission finds that the rezoning is justified because the Zia Station mixed-use, transit/pedestrian-oriented development furthers General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use.
10. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
11. 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 in that most of the Phase 2 property is already designated Transitional Mixed-Use, which supports the requested C-2 PUD zoning, and the Applicant is requesting required amendments to the Future Land Use Map of the General Plan concurrently with this Application.
12. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that the property is of sufficient size for rezoning and is located in an area that was designated for infill and future growth. At approximately 21 acres, the project site has the potential to provide significant housing and neighborhood scale services, at a location served by existing infrastructure, transit, and pedestrian trails.
13. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that the existing and proposed infrastructure can be modified to accommodate the impacts of the proposed development. A TIA was performed to assess the impact of the additional traffic anticipated to be generated by the proposed development. The Applicant will make improvements to the intersection of St. Francis Drive and Zia Road, including a third left-turn lane, which will improve traffic movement and stacking at this intersection.

14. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed zoning amendment will enable the construction of a mixed use development appropriate to the existing Transitional Mixed Use future land use designation. The St. Francis corridor is generally mixed-use in nature, with both commercial and residential development, including much multi-family residential.
15. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that at 21.0 acres, the proposed rezoning is well over the two acre threshold.
16. 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 the general public, in that Zia Station not only complies with numerous General Plan policies as addressed above, but is the type of mixed-use, walkable community that the General Plan encourages. The project benefits the general public through increased housing supply, road network improvements, pedestrian amenities, neighborhood services, opportunities for small businesses, and multi-modal transportation options. The Governing Body has taken multiple actions leading toward a mixed use, transit-focused development at this location.
17. Pursuant to SFCC Section 14-3.5(D), the Commission finds that the proposed rezoning and density can be accommodated by the proposed road infrastructure improvements.

III. 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 procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

Rezoning

1. The Applicant has the right under the SFCC to propose the rezoning of the Property.
2. 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.
3. The Applicant met the applicable Submittal Requirements.
4. 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 4TH DAY OF FEBRUARY 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends that the Governing Body approve the rezoning, as requested in the Application for Case #2020-2899.

_____ _____

Chairperson Date

FILED:

_____ _____
Kristine Mihelcic Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally Paez Date
Assistant City Attorney

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

Case #2020-2900
Zia Station South Central Highway Corridor Protection District Rezoning

Owner's/Applicant's Name – Zia Station, LLC
Agent's Name – JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (Commission) for public hearing on February 4, 2021 (Hearing) upon the application (Application) of JenkinsGavin, Inc. as agent for Zia Station, LLC (Applicant).

I. INTRODUCTION

The Application pertains to properties located at the northwest and southwest corners of St. Francis Drive and Zia Road, totaling approximately 21.0 acres (Properties). The Applicant seeks a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District (SCHC) to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The Properties total approximately 21.0 acres and are within the South Central Highway Corridor Protection District (SCHC).

In related Case #2020-2898, the Applicant requests a general plan amendment for a property located at the northwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre).

Additionally, in related Case #2020-2914, the Applicant seeks a general plan amendment for a property at the southwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use.

Additionally, in related Case #2020-2899, the Applicant seeks a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road.

Finally, in related Case #2020-2901, the Applicant seeks preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases for two properties at the northwest and southwest corners of St. Francis Drive and Zia Road.

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

II. FINDINGS OF FACT

A. Background: Property History

1. In 2001, SF Brown Ltd. Company, managing partner in Zia Station, LLC (Applicant) entered into an agreement to purchase the 8.34-acre pumice plant property at the southwest corner of St. Francis drive and Zia Road.
2. On January 14, 2004, the Governing Body approved Resolution No. 2004-4, changing the future land use designation of the property that the northwest corner of St. Francis and Zia Road from Open Space to Low Density Residential (3 to 7 dwelling units per acre), and the property at the southwest corner from Park and Open Space to Transitional Mixed-Use, with a small portion changing to Low Density Residential (together, the Project).
3. At that time, the Applicant stated an intention to request a rezoning in the future to develop the northern property at approximately R-5 (Residential- five dwelling units per acre) or R-7 (Residential- seven dwelling units per acre), and to request a rezoning to C-2 PUD (General Commercial- Planned Unit Development) to develop the southern property as a mixed use development.
4. In 2005, SF Brown Ltd. Company closed on the purchase of pumice plant.
5. In 2007, the pumice plant was demolished.

B. Background: City Planning Efforts Related to Commuter Rail

6. On September 10, 2003, the Governing Body passed Resolution No. 2003-70, unanimously supporting the effort to establish a commuter rail line between Albuquerque and Santa Fe.
7. On November 14, 2007, the Governing Body passed a follow-up Resolution No. 2007-102, reaffirming the City's commitment to commuter rail and identifying concerns to be resolved.
8. On December 13, 2007, the Santa Fe Metropolitan Planning Organization (MPO) Transportation Policy Board approved the location of the Rail Runner Express Station at Zia Road.
9. NMDOT built the Zia Station platform prior to the commencement of Rail Runner service between Albuquerque and Santa Fe in 2008.
10. In 2008, the City of Santa Fe Long Range Planning Division prepared the Rail Corridor Strategic Plan, which identified Zia Station as the "Gateway to Santa Fe" and recommended a mixed-use, transit and pedestrian oriented development at the site consisting of up to three-story buildings.
11. On March 14, 2011, City and MPO staff conducted a public input meeting to discuss the opening of the Zia Station platform for rail service as a "kiss and ride" station. MPO staff presented a conceptual plan to show how pedestrian, bicycle, transit, and automobile access could be accommodated at the site. A majority of the 250 people present expressed a desire for the Zia Station platform to open.
12. On August 30, 2011, the Governing Body adopted Resolution No. 2011-44, recognizing the need for additional capital improvements in order to open the Zia Station platform.
13. On August 13, 2015, the City entered into an Impact Fee Credit Agreement with the Applicant for the Applicant to receive impact fee credits in exchange for constructing "kiss and ride" (passenger drop off only) improvements to the Zia Station platform area. The Agreement was filed with the records of the City Clerk as Item #15-0511.

14. The Applicant completed the "kiss and ride" improvements to the Zia Station platform area in 2017.
15. In April 2017, Rail Runner service became available at the at Zia Station platform.

C. General

16. Santa Fe City Code (SFCC) Section 14-3.2(D)(1) provides that an application for amendments to the general plan may be considered concurrently with an application for rezoning.
17. SFCC Section14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC §14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC §14-3.1(F)(2)(a)(iii)]; and (c) compliance with notice and public hearing requirements [SFCC §14-3.1(H)-(I)].
18. A pre-application conference was held on February 6, 2020 in accordance with SFCC Section 14-3.l(E)(1).
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 on the Application on October 29, 2020. The ENN meeting was attended the Project team, members of City staff, and approximately 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the TIA results, and that suggested road improvements could handle traffic presumed to be generated by the project. Residents stated that it was difficult for them to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.
21. The Applicant held one more, informal virtual meeting to answer additional questions on November 12, 2020.
22. City staff held one more, informal virtual meeting with residents on November 16, 2020 after they had had an opportunity to review the submitted application materials. Questions for Staff were largely procedural in nature, although there were questions about specific details of the Project. Staff asked residents to summarize their questions and submit them to Staff for follow up. Only one resident did this, submitting a detail traffic analysis.
23. City staff reviewed the rezoning Application related to the SCHC Overlay District, and the related materials and information submitted by the Applicant, for conformity with applicable SFCC requirements and provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
24. Staff deferred to the Commission regarding whether they should recommend that the Governing Body approve this rezoning request.

D. Rezoning: Request to Amend the Boundaries of the SCHC

25. 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.
26. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2020-2898, 2020-2899, 2020-2914, and 2020-2901; and the

Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

27. Pursuant to SFCC Section 14-3.5(A)(1)(d), any person may submit a written request for rezoning, along with all submissions required by the SFCC Chapter 14 and any other information requested by the land use director as reasonably necessary to determine compliance with Chapter 14 (Submittal Requirements).
28. On June 25, 1986, the Governing Body adopted Ordinance No. 1986-25, creating the South Central Highway Corridor Protection District (SCHC), for the purposes of establishing and maintaining a sense of openness along the southern portion of St. Francis Drive, by regulating allowed landscaping, encouraging architectural style an scale that is representative of Santa Fe, establishing setbacks, limiting density to 21 dwelling units per acre, and limiting building height to 25'.
29. In this case, the Applicant seeks to amend the boundaries of the South Central Highway Corridor to exclude the Properties from the overlay.
30. 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.
31. 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.
32. 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.
33. Pursuant to SFCC Section14-3.5(C)(1)(a)(i), the Commission finds that the rezoning is justified because implementation of the SCHC Overlay District is complicated by the fact that the City did not make accommodations for current and intended future uses on individual tracts within the SCHC Overlay when it was adopted, as it has when adopting other plans.
34. Pursuant to SFCC Section14-3.5(C)(1)(a)(ii), the Commission finds that the rezoning is justified because the surrounding area has changed, in that the St. Francis corridor has developed into a dense, mixed-use corridor since the SCHC was adopted. The establishment of commuter rail at the site is a significant change, and city planning efforts have repeatedly called for some level of mixed-use development at the site. The 25' height restriction of the SCHC will prevent the three-story residential density required to create a transit-focused development that will capitalize on the public investment in commuter rail.
35. Pursuant to SFCC Section14-3.5(C)(1)(a)(iii), the Commission finds that the rezoning is justified in that the proposed land uses for Zia Station align with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use.
36. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
37. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the Zia Station proposal generally aligns with General Plan Themes and Policies. With respect to the future land use map, the Applicant has requested the required general plan amendments in the related cases considered concurrently with this case. The proposed exclusion of the subject property from the SCHC is consistent with previous actions of the City to implement the guiding development principles identified in the General Plan, such as mixed-use, infill, affordable housing, multi-modal transportation, and economic diversification at a commuter rail station.

General Plan policies and resulting City ordinances allow for height above two stories elsewhere in the City, primarily in the Business Capitol District (BCD), where heights up to 56 feet are allowed in one sub-district and heights of 36 feet are allowed in several of the sub-districts. The proposed rezoning is consistent with the Transitional Mixed-Use future land use designation and multiple City studies and plans, including the Amended Draft Rail Corridor Study: Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods, created by the City of Santa Fe Long Range Planning Division in 2008, which recommended that heights of up to three-stories could be appropriate at Zia Station.

38. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that the property is of sufficient size for rezoning, is located in an area the General Plan designated as both infill and future growth, and that the height limitation of the SCHC will prevent proper capitalization on public investment in commuter rail.
39. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that the existing and proposed infrastructure will be able to accommodate or can be modified to accommodate the impacts of the proposed development. Furthermore, the subject properties are adjacent to the Rail Trail and the Zia Rail Runner Station, providing a unique opportunity to maximize the benefits of this key piece of public infrastructure with the establishment of a transit-focused development.
40. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the character of the St. Francis corridor has changed over time. Multi-family housing is plentiful along the southern St. Francis corridor, especially on the east side. To the north, the LINC Overlay recognizes the need for increased height to provide density that will support walkable, mixed-use neighborhoods.
41. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that at 21.0 acres, the proposed rezoning is well over the two acre threshold.
42. 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 the general public. The public will be served by development that will see adequate return on and maximize the benefit of significant public investment in multi-modal transportation infrastructure at the Zia Rail Runner Station and the Rail Trail.
43. 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 improvements.
44. Pursuant to SFCC Section 14-3.5(D)(2), the Commission finds that the developer will cooperate and participate wholly or in part with any applicable costs of construction in addition to impact fees. The Applicant will make road improvements both on and off-site as required to support the proposed development.

III. 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 procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

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 SFCC 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 4TH DAY OF FEBRUARY 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission recommends that the Governing Body approve the rezoning, as requested in the Application for Case #2020-2900.

_____ _____
Chairperson Date

FILED:

_____ _____
Kristine Mihelcic Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally Paez Date
Assistant City Attorney

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

Case #2020-2901
Zia Station Preliminary Development Plan

Owner's/Applicant's Name – Zia Station, LLC
Agent's Name – JenkinsGavin, Inc.

THIS MATTER came before the Planning Commission (Commission) for public hearing on February 4, 2021 (Hearing) upon the application (Application) of JenkinsGavin, Inc. as agent for Zia Station, LLC (Applicant).

I. INTRODUCTION

The Application pertains to properties located at the northwest and southwest corners of St. Francis Drive and Zia Road, totaling approximately 21.0 acres (Properties). The Applicant requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space. The properties are zoned R-1 (Residential- one dwelling unit per acre), and are within the South Central Highway Corridor Protection District (SCHC).

In related Case #2020-2898, the Applicant requests a general plan amendment for a property located at the northwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre).

Additionally, in related Case #2020-2914, the Applicant seeks a general plan amendment for a property at the southwest corner of St. Francis Drive and Zia Road, to change the Future Land Use Designation from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use.

Additionally, in related Case #2020-2899, the Applicant seeks a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road.

Finally, in related Case #2020-2900, the Applicant seeks a rezoning to amend the boundaries on the Official Zoning Map of the South Central Highway Corridor Protection District (SCHC) to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District.

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

II. FINDINGS OF FACT

A. General

1. SFCC Section14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC § 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC §1 4-3.1(F)(2)(a)(iv)]; and (c) compliance with notice and public hearing requirements [SFCC § 14-3.1(H)-(I)].
2. A pre-application conference was held on February 6, 2020 in accordance with SFCC Section 14-3.l(E)(1).
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), a virtual ENN meeting was held on the Application on October 29, 2020. The ENN meeting was attended the Project team, members of City staff, and approximately 90 members of the public. Residents voiced concerns about traffic impacts, building height and visual impacts to the skyline, project density, loss of open space, and impacts to their neighborhood and property values. Skepticism was expressed about the TIA results, and that suggested road improvements could handle traffic presumed to be generated by the project. Residents stated that it was difficult for them to evaluate the project before receiving actual application materials, but staff pointed out that this is always the circumstance with any case. The President of the Candlelight Neighborhood Association requested that another ENN be held for the project.
5. The Applicant held one more, informal virtual meeting to answer additional questions on November 12, 2020.
6. City staff held one more, informal virtual meeting with residents on November 16, 2020 after they had had an opportunity to review the submitted application materials. Questions for Staff were largely procedural in nature, although there were questions about specific details of the Project. Staff asked residents to summarize their questions and submit them to Staff for follow up. Only one resident did this, submitting a detailed traffic analysis.
7. City staff reviewed the preliminary development plan Application, and the related materials and information submitted by the Applicant, for conformity with applicable SFCC requirements and provided the Planning Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
8. Staff recommended that the Commission approve the development plan, subject to Conditions and the technical corrections set forth in the Staff Report and exhibits.
9. At the Hearing, the Commission considered the Applications concurrently, and the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

B. Development Plan

10. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-3.8(B)(3)(a)&(b), the Commission has the authority to review and approve or disapprove development plans.
11. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2020-2898, 2020-2899, 2020-2900, and 2020-2914; and the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public prior to making a decision.

12. Under SFCC Section 14-3.8(B)(3)(a), a new development with a gross floor area of thirty thousand (30,000) square feet or more requires approval of a development plan by the Commission.
13. Under SFCC Section 14-3.8(B)(3)(b), a new development with a gross floor area of ten thousand (10,000) square feet in the C-2 zone requires a development plan.
14. SFCC Section 14-3.8 establishes certain procedures for development plan approval including, without limitation, a public hearing by the Commission and a decision based on the criteria set out in SFCC Section 14-3.8(D).
15. SFCC Section 14-3.8(C)(1) requires the Applicant to submit plans and other documentation that demonstrates conformance with applicable provisions of the SFCC (Submittal Requirements).
16. The information contained in the Staff Report and exhibits is sufficient to establish that the Submittal Requirements have been met.
17. SFCC Section 14-3.8(D)(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 a development plan may be approved.
18. Pursuant to SFCC Section 14-3.8(D)(1)(a), the Commission finds that it has the authority and is empowered to approve the development plan under Sections 14-2.3(C)(1) and 14-3.8(B)(3)(a)&(b).
19. Pursuant to SFCC Section 14-3.8(D)(1)(b), the Commission finds that the development plan will not adversely affect the public interest. The Governing Body has implemented the General Plan and ordinances to establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest. This project serves the public interest through the provision of much-needed housing proximate to multi-modal transit options and public trails.
20. Pursuant to SFCC Section 14-3.8(D)(1)(c), the Commission finds that the use and any associated buildings are compatible with and adaptable to buildings, structures, and uses of the abutting property and other properties in the vicinity of the premises under consideration. The subject property is located in a mixed-use area comprising significant commercial and multi-family development. The proposed uses and scale of the project is compatible with land uses in the vicinity, while serving as an appropriate transition between the adjacent existing residential development and the St. Francis corridor.
21. Pursuant to SFCC Section 14-3.8(D)(2), the Commission "may specify conditions of approval that are necessary to accomplish the proper development of the area and to implement the policies of the general plan."
22. The Commission finds that the Conditions and technical corrections set forth in the Staff Report and exhibits are necessary to accomplish the proper development of the area and to implement the policies of the general plan.
23. The Commission finds that the Applicant cannot develop pursuant to the proposed development plan unless and until the Governing Body approves the Applicant's requests for general plan amendments and rezonings in the related cases.

III. 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 procedural requirements regarding the pre-application conference, ENN meeting, and notice of public hearing have been met.

Development Plan

2. The Commission has the authority to review and approve the development plan subject to conditions.
3. The Applicant met the applicable Submittal Requirements.
4. The development plan should be approved subject to the conditions recommended by staff, including Governing Body approval of the Applicant's requests for general plan amendments and rezonings in the related cases, because all applicable code requirements and criteria for development plan approval have been met.

WHEREFORE, IT IS ORDERED ON THE 4TH DAY OF FEBRUARY 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Commission approves the preliminary development plan for the Property (Case #2020-2901), subject to the Conditions and the technical corrections set forth in the Staff Report and exhibits. Approval of the development plan will expire on February 4, 2024 unless a final development plan is approved, per SFCC Section 14-3.19(B)(2), or an extension is granted, per SFCC Section 14-3.19(C).

_____ _____
Chairperson Date

FILED:

_____ _____
Kristine Mihelcic Date
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally Paez Date
Assistant City Attorney

City of Santa Fe, New Mexico

Exhibit B

Supporting Material

1. Ordinance 1986-25: South Central Highway Corridor
2. Resolution 2001-82: Transitional Mixed-Use
3. Resolution 2003-70: Supporting Commuter Rail
4. Resolution 2004-4: General Plan Amendment to Current Zia Station Future Land Use Designations
5. Resolution 2007-102: Reaffirming Support of Commuter Rail and Outstanding Issues
6. Select Pages Rail Corridor Strategic Plan 2008
7. MPO Letter May 7, 2008

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 25, 1986

AN ORDINANCE

RELATING TO A HIGHWAY CORRIDOR PROTECTION DISTRICT BOUNDARIES AND DESIGN STANDARDS FOR THE SOUTH SECTOR OF THE CITY, AND AMENDING CERTAIN SECTIONS OF CHAPTER 3, SFCC 1981.

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

Section 1. A section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--INTENT.--Openness, quiet, and continuity adjoining the highway corridors in the south central section of the city is considered a special asset that should be retained as the area develops, it is the intent of the highway corridor ordinance to:

A. establish a clear sense of visual openness and continuity of development, as seen from major highway entrances to Santa Fe;

B. protect the openness and continuity of the existing landscape by retaining and planting trees and shrubs and by other landscaping efforts, encourage the use of architectural style and scale that is representative of Santa Fe, and preserve clean air and a sense of quiet; and

C. specifically insure that landacaping provides an attractive shading and environmental effect, compatibility with neighborhood landacaping character, conservation of water by use of storm water collection and drip irrigation or other systems, plants which require low maintenance, screening

of transformers and loading areas or outdoor storage, and the reduction of the potential negative impacts of noise, air pollution, lights, movement of cars, activities on site or other nuisances on adjoining properties."

Section 2. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--BOUNDARIES.--The highway corridor protection district encompasses the lands within 600 feet of the edge of the right-of-way of both sides of the following streets designated as special review districts in the urban area general plan in the south central section of the city: St. Michael's Drive, Old Pecos Trail, St. Francis Drive, Rodeo Road, and Interstate 25 and its frontage roads. A map of the highway corridor protection district is provided at the end of Chapter 3 of the SFCC 1981, and is shown in the urban area general plan.

Persons with property divided by the highway corridor protection district boundary are required to comply with the district standards only for that segment of the property within the boundary."

Section 3. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--GENERAL--STANDARDS.--Persons wishing to rezone or annex property within the highway corridor protection district shall comply with the standards as follows:

A. the minimum building setback from the edge of the right-of-way from the street shall be fifty feet;

B. the maximum building height shall be twenty-five feet not including a parapet;

C. the maximum density for residential development shall be twenty-one units per acre;

D. for any non-residential permitted use a minimum of 35% of the lot and for any residential permitted use a minimum of 50% of the lot shall be open space, which shall not include heated spaces, driveways, parking spaces, garages, portals, carports, accessory buildings, or any improvements surfaces. The average dimensions of the opposite sides of open space shall equal no less than ten feet. Residential development shall, in addition, meet all applicable private and open space standards as set forth in Chapter 3 SFCC 1981;

E. the maximum floor area ratio for office, and professional, and medical office uses allowed in the district are;

(1)	office	one-story	.25
		two-story	.35
(2)	medical	one-story	.20
	office	two-story	.30

(3) for educational, hospital, institutional and other uses allowed in the district, the open space, setback, and landscaping standards set forth in this ordinance shall apply;

F. the uses permitted in this district are those consistent with the policies set forth in the urban area general plan;

G. loading areas shall be screened and located on side or rear yards;

H. outdoor storage shall not be allowed in the district;

I. access to the property shall be approved by the city engineer and as shown on the development plan;

J. the off-site impact of site generated traffic shall be based on

a study performed by the developer utilizing the latest edition of the Highway Capacity Manual. The results of the corresponding impacts shall be evaluated relative to the computed levels of service at various time frames and durations as defined by the manual. A plan for mitigating any adverse impacts shall be proposed by the developer and approved by the City Traffic Engineer prior to the issuance of any building permits. The Traffic Mitigation Plan shall be based on the results of the traffic impact study and shall include proposed improvements, a cost estimate, a construction schedule and the extent of participation by the proposed development;

K. new half or partial streets shall be prohibited in new developments. When a tract to be developed borders an existing street having a right-of-way width insufficient to conform to the minimum width standards required by these regulations, such additional right-of-way shall be platted and dedicated in such a way as would make the resulting street conform;

L. when non-residential uses abut R-1 through R-7 residential densities, the following standards shall apply:

(1) all of the structures for the non-residential uses shall be set back fifty feet from the residential property line and a twenty-five foot landscape buffer meeting the standards set forth in Section 4 shall be located between the residential and non-residential uses; or

(2) all of the structures for the non-residential uses shall have a twenty-five foot landscape buffer meeting the standards set forth in Section 4 and masonry wall or a fence as approved by the planning department, located between the residential and non-residential uses."

Section 4. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--LANDSCAPING--STANDARDS.--Persons wishing to rezone or annex property within the highway corridor protection district shall comply with the landscaping standards as follows:

A. existing natural landscaping shall not be disturbed within twenty-five feet of the property line which adjoins the street right-of-way. This area shall be labeled as open space setback. No structures, fences, walls or parking are allowed in this setback;

B. landscaping shall be provided in the open space setback where landscaping has been disturbed and shall be provided surrounding buildings and parking areas at a minimum width of 5 feet. The intensity of landscaping shall be two plants per 30 square feet of landscaped area. One-half of the vegetation shall be at least four feet high and one-half shall be one foot high at the time of planting. Trees shall be a minimum of ten percent of the total planting. If parking is provided in the front setback it shall be effectively screened by earth berms or landscaping which shall be at least four feet above parking lot grade; and

C. in order to preserve natural landscaping on the banks of the arroyos, an undisturbed setback of ten feet shall be retained next to the major arroyos where one hundred year flood plains have been recorded. Terrain management regulation as set forth in Chapter 3 SFCC 1981 are applicable to any development in the highway corridor protection district."

Section 5. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--LIGHTING STANDARDS.--Any lighting in the highway corridor district used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjacent

residential property. Specifically lights with no cutoff type luminaire shall be no higher than ten feet and shall have a minimum illumination measured at the lot line at ground level of .20 candlepower. Lights with a cutoff type luminaire shall be no higher than 20 feet, with a maximum illumination measured at the lot line at ground level of .30 candlepower. Lights with a luminaire of less than 90 cutoff shall be no higher than 20 feet with a maximum illumination measured at the lot line at ground level of .50 candlepower."

Section 6. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--SIGN STANDARDS.--Signs in the highway corridor district shall meet the requirements set forth in Section 3-4-14 SFCC 1981 and in addition shall meet the following standards:

(1) for any one sign including frame and poles, there shall be no more than three colors and no more than two lettering styles; and

(2) at least one of the color in each sign shall match the predominant colors in the building."

Section 7. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--ARCHITECTURAL STANDARDS.--All commercial and multi-family structures in the highway corridor district shall meet the Architectural Design Review Ordinance as set forth in Article 3-29A and the city's architectural design review guidelines. In addition, all commercial and multi-family structures shall meet the following standards:

A. roofs shall be flat or nearly flat and concealed by horizontal parapets;

B. no more than sixty percent of the facade facing the highway corridor may be glass or reflective material;

C. a minimum of eighty percent of the surface material excluding doors and windows, shall be stucco."

Section 8. A new section of the SFCC 1981 is ordained to read:

"HIGHWAY CORRIDOR PROTECTION DISTRICT--REQUIRED INFORMATION.--When applying for an annexation or rezoning in the highway corridor protection district, applicants shall submit, in addition to the requirements set forth in Chapter 3 of the SFCC 1981, the following information:

A. a development plan drawn to scale showing drainage; significant natural features; access including access to major arterials; arrangement, uses, and dimensions of buildings; parking and loading; landscaping, walls and fences; floor area ratio; open space; setbacks; and existing adjacent land uses of abutting property; and

B. developers requesting approval for residential projects with fifty units or more, commercial projects with over 10,000 square feet, within the highway corridor protection zone shall submit, as part of the application for the development plan, approved, a traffic impact statement for the proposed development. The statement shall provide data on the traffic generated by the proposed development. Using the existing traffic counts generated by the city and other sources, and the methods set forth in the highway resource board's special report 87, highway capacity manual, the statement shall also show the traffic impact on the city's relevant traffic network. The relevant traffic network includes all the subcollectors and collectors from the point of the origin at the proposed development up to and

including intersections with secondary or major arterials. The statement mus show the impact of the proposed development on the level of service of the relevant streets in the traffic network. Level of service refers to the categories A through F set forth by the highway capacity manual."

Section 9. A new section, 3-3A-47.2 SFCC 1981 is ordained to read:

"3-3A-47.2. IMPERVIOUS SURFACE.--As used in Chapter 3 SFCC 1981, "impervious surface" means built or paved areas that will not absorb storm water. Graveled surfaces are not impervious surfaces."

PASSED, APPROVED AND ADOPTED THIS 25TH DAY OF JUNE, 1986

W. SAMUEL PICK, MAYOR

ATTEST:

FRANCES C. ROMERO, CITY CLERK

APPROVED AS TO FORM:

JAMES C. MCKAY, CITY ATTORNEY

KM/cmot
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ORD NO. 28/062686

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2001-82

INTRODUCED BY:

Miguel Chavez

Frank Montoya

Patti J. Bushee

Jimmie Martinez

A RESOLUTION

AMENDING SECTION 3.5 OF THE 1999 CITY OF SANTA FE GENERAL PLAN ESTABLISHING "MIXED-USE/TRANSITIONAL" AS A NEW FUTURE LAND USE CLASSIFICATION, PURSUANT TO SECTION 3-19-10 NMSA 1978.

WHEREAS, pursuant to Section 3-19-9 NMSA 1978, the City may "amend, extend or add to the [general] plan or carry any part or subject matter into greater detail"; and

WHEREAS, in accordance with City of Santa Fe Resolution No. 1999-45, "the City of Santa Fe General Plan shall be kept current so that City policies reflect the changing concerns and conditions"; and

WHEREAS, the City of Santa Fe and Santa Fe County have jointly initiated a master planning process for the southwest area of the Santa Fe; and

WHEREAS, as part of that initiative, the Santa Fe City/County Planning Initiative Final Report ["Final Report"] establishes a unified community vision with a series of guiding principles for the Southwest Plan Area to direct future development for Southwest Santa Fe;

P.C. Exhibit I

and

WHEREAS, several of the guiding development principles contained within the "Final Report" call for neighborhoods to be walkable, and for commercial areas to be connected to and linked to surrounding neighborhoods, in part, through intermediate scaled buildings that provide some degree of transition from the commercial to residential; and

WHEREAS, Section 3.3 of the City General Plan also specifically addresses the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods where services and amenities are designed to complement and enhance the quality of life; and

WHEREAS, in order to effectively implement these goals and principles, it is recommended that a new general plan future land use classification be created that can be universally applied both within the Southwest Planning Area as well as the City Urban Area as deemed appropriate; and

WHEREAS, the new "Mixed-Use/Transitional" future land use classification is intended to promote these goals through either a mixing of compatible land uses within the same tract as in a mixed-use development scenario, including live/work, or within several tracts whereby intermediate uses are introduced to provide transitional buffering from commercial to residential through a reduction in scale and land use intensity.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that:

1. Section 3.5 of the 1999 City General Plan is hereby amended to include the following language [inserted after the section "Community Commercial", page 3-11]:

Mixed-Use/Transitional

This designation is intended to allow for a mixing of compatible land uses within

two development scenarios. The first scenario, or "Mixed-Use" land use designation, allows for a mixing of uses within the same development site which would include, in all cases, residential and limited non-residential uses where there is a strong emphasis on site design that is sensitive to a compatibility of building scales and massing, land use intensities and pedestrian orientation. The mixed-use scenario may include such uses as residential, including single-family and multi-family residential where the scale and intensity are deemed appropriate and compatible with the other proposed uses, office, civic and religious uses, live/work units, educational uses and appropriately-scaled retail/services that are intended to primarily serve the residential uses as an added local amenity. Light industrial uses may also be considered in a live-work development scenario provided there is adequate buffering and protection to surrounding residential. The mixed-use development should be designed in a planned, landscaped setting and the land uses should be selected and arranged to create a vibrant, yet comfortable, interactive place. Both restrictive and permissive language may be used in a zoning ordinance to create a viable mix of uses so that the most profitable use does not dominate.

The second scenario, or the "Transitional" land use designation, also promotes a mixing of compatible land uses but is intended to occur within several abutting tracts of land where commercial and residential uses are adjoining. The intent of the designation is to create a unified land use pattern between varying land use intensities. This would be accomplished through the introduction of uses of intermediate scale and intensity that would allow for a transition from the commercial to residential through a reduction, or "step back", in land use intensity, building scale and massing, additional buffering and a re-orientation of the uses and structures to promote interaction and connectivity through pedestrian orientation

and "walkability".

The uses included in the "Mixed-use" scenario would be considered appropriate in the "Transitional" designation as well, but in contrast, may be limited to a single use within the transitional area since the tracts are intended to interact as a whole.

2. The 1999 City General Plan Future Land Use Map is also hereby amended to include "Mixed-Use/Transitional" as a new future land use classification.

PASSED, APPROVED and ADOPTED this 28th day of November, 2001.

LARRY A. DELGADO, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

PETER A. DWYER, CITY ATTORNEY

D:\Documents\Code Revisions\SW Master Plan\Resolution GP Mixed Use form amended.doc 2.22.02

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2003-70

INTRODUCED BY:

A RESOLUTION

SUPPORTING GOVERNOR BILL RICHARDSON'S EFFORTS TO ESTABLISH A RAIL LINK BETWEEN ALBUQUERQUE AND SANTA FE.

WHEREAS, Governor Richardson has recently announced his intentions to reinitiate plans for a rail link between Albuquerque and Santa Fe; and

WHEREAS, daily traffic on Interstate 25 between Santa Fe and Albuquerque continues to increase; and

WHEREAS, the use of a rail link would decrease the traffic on Interstate 25 thereby decreasing air pollution and traffic accidents; and

WHEREAS, the use of a rail link would improve the quality of life for many commuters; and

WHEREAS, the rail link could spur economic development for the city and state; and

WHEREAS, supporting the rail link could be a cooperative effort between the cities of Santa Fe and Albuquerque, the counties of Santa Fe, Bernalillo and Sandoval and the State of New Mexico to improve transportation for many New Mexicans.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the governing body supports Governor Bill Richardson's efforts to establish a rail link between Santa Fe and Albuquerque.

PASSED, APPROVED, and ADOPTED this 10th day of September, 2003.

LARRY A. DELGADO, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

BRUCE THOMPSON, CITY ATTORNEY

/price/cmassign/misc/rail link res

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2004-4

INTRODUCED BY:

A RESOLUTION

AMENDING THE FUTURE LAND USE DIAGRAM OF THE SANTA FE GENERAL PLAN TO CHANGE THE CLASSIFICATION OF TWO PARCELS WITH AN AREA OF 9.64 ± ACRES, LOCATED NORTH AND SOUTH OF ZIA ROAD ALONG THE WEST FRONTAGE OF GALISTEO ROAD AND THE SOUTHERN SANTA FE RAILWAY, FROM PARK AND OPEN SPACE TO LOW DENSITY RESIDENTIAL (3-7 DWELLINGS PER ACRE) AND MIXED USE TRANSITION, (CASE NO. M 2003-40, CHAFET PROPERTY GENERAL PLAN AMENDMENT).

WHEREAS, the City of Santa Fe, New Mexico (the"City") desires that the Santa Fe Area General Plan (the "General Plan") be kept current to reflect changing concerns and conditions; and

WHEREAS, pursuant to Section 3-19-9 NMSA 1978, the General Plan may be amended, extended or supplemented; and

WHEREAS, the General Plan amendment criteria set forth in Section 14-3.2 (D) SFCC 2001, have been met; and

entered SFLUZO — 4/5/04 G.L

WHEREAS, reclassification of the subject property would be substantially consistent with the General Plan themes and policies for Land Use (General Plan, Chapter 3) and City Character and Urban Development (General Plan, Chapter 5); and

WHEREAS, the City desires to provide for more coordinated, adjusted and harmonious development along the north and south side of Zia Road at Galisteo Road and the Southern Santa Fe Railway that would not have adverse impacts upon the surrounding neighborhood.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Future Land Use Diagram of the General Plan is amended to change the designation from "Park" and "Open Space" to "Mixed Use Transition" for two parcels located at the north and south side of Zia Road, described and identified in "Exhibit A" attached hereto.

PASSED, APPROVED and ADOPTED this 14th day of January, 2004.

LARRY A. DELGADO, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

BRUCE THOMPSON, CITY ATTORNEY

Resolution/Jose/Chafet Property General Plan Amendment/12.03

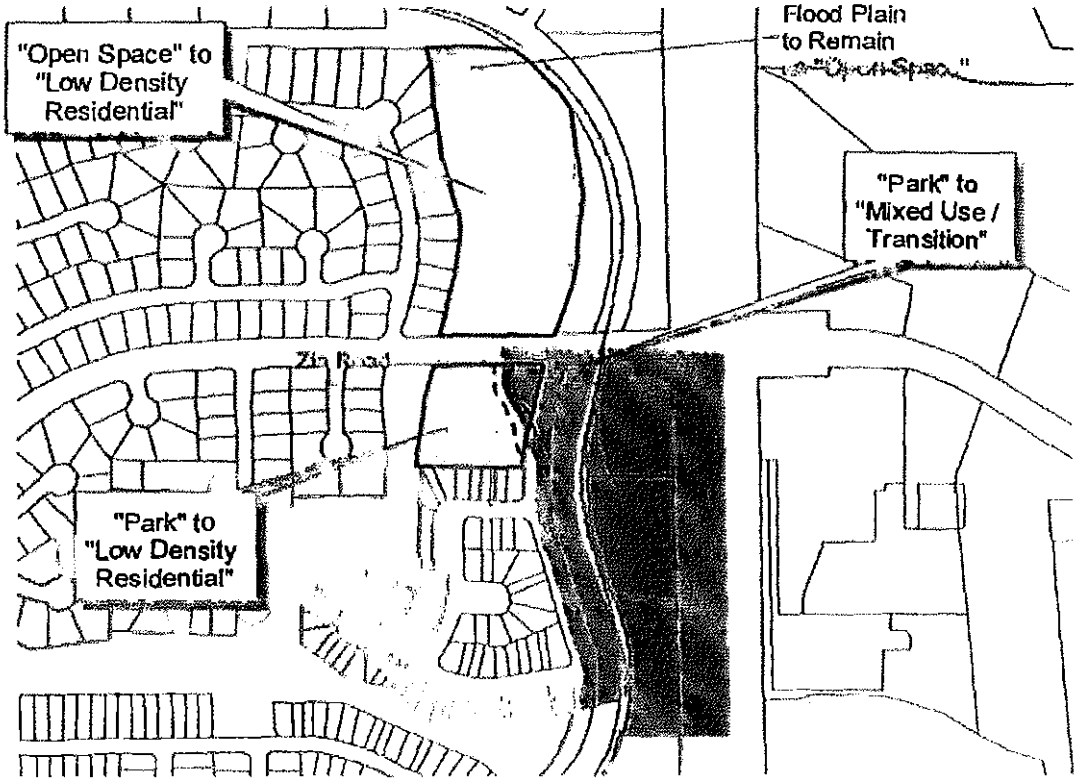
Exhibit A
Resolution 2004-04
M 2003-40, Chafet Property General Plan Amendment

A parcel of land located within the South half of the Northwest quarter of Section 2, Township 16 North, Range 9 East, N.M.P.M., Santa Fe County, New Mexico, more particularly described as follows:

Commencing at the West quarter corner of said Section 2, from whence the northwest corner of said Section 2 bears N 02° 30' 00" W, a distance of 2181.42 feet: thence S 88° 44' 45" E, a distance of 1542.85 feet to the TRUE POINT OF BEGINNING; thence continuing S 88° 44' 45" E, a distance of 360.79 feet; thence N 05° 03' 00" E, a distance of 137.66 feet; thence N 11° 57' 00" E, a distance of 463.26 feet; thence N 05° 32' 00" E, a distance of 187.19 feet; thence N 09° 37' 30" W, a distance of 134.28 feet; thence N 15° 29' 45" W, a distance of 146.92 feet; thence N 06° 26' 00" W, a distance of 51.31 feet to the beginning of a non-tangent curve concave southwesterly and having a radius of 622.58 feet, a radial line from said point bears S 20° 40' 45" W; thence northwesterly along the arc of said curve through a central angle of 34° 27' 00", a distance of 374.33 feet; thence leaving said curve N 88° 54' 00" W, along a non-tangent line, a distance of 97.44 feet; thence S 06° 28' 00" E, a distance of 352.64 feet; thence S 15° 37' 00" E, a distance of 157.00 feet; thence S 09° 31' 00" E, a distance of 65.38 feet; thence S 05° 33' 00" W, a distance of 119.52 feet; thence S 11° 57' 00" W, a distance of 463.35 feet; thence S 05° 03' 00" W, a distance of 184.47 feet back to the TRUE POINT OF BEGINNING.

EXCEPT the portion of the land that lies within Zone A and B as shown on F.E.M.A. F.I.R.M. Community Panel Number 350070 0012B, dated July 2, 1980, which shall remain as "Open Space;"

and EXCEPT there from the right-of-way dedication for Zia Road as set forth in plat of Candalero de Santa Fe Unit 1, as recorded July 28, 1977 in plat Book 55, page 23, records of Santa Fe County, New Mexico.



CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2007-102

INTRODUCED BY:

A RESOLUTION

REFINING RESOLUTION 2003-70 AND REQUIRING THE STATE OF NEW MEXICO TO ANSWER, ADDRESS AND MITIGATE CERTAIN ISSUES INVOLVING THE "RAIL RUNNER" COMMUTER RAIL PROJECT.

WHEREAS, the City of Santa Fe previously adopted Resolution No. 2003-70 unanimously supporting the concept of commuter rail from Santa Fe to Albuquerque; and

WHEREAS, the State of New Mexico has engaged, and is currently engaged, in planning for a commuter rail project, also known as "Rail Runner", between Bernalillo and the City of Santa Fe; and

WHEREAS, after an expedited public process, a preferred alignment for the proposed Rail Runner project was approved by the Metropolitan Planning Organization to follow along federal right of way south of the City of Santa Fe; and

WHEREAS, there are certain issues and negative impacts that have been raised previously that are a direct result of the Rail Runner project; and

WHEREAS, such negative impacts directly affect the health, safety and welfare of City

residents; and

WHEREAS, the State has been less than forthcoming in the public input, planning, development, construction and funding processes that negative impacts will be ameliorated and/or addressed as the Rail Runner project progresses; and

WHEREAS, the City/County Metropolitan Planning Organization has expressed similar concerns to the State of New Mexico and is considering passage of its own resolution requiring additional information regarding the Rail Runner project;

WHEREAS, in an attempt to elicit public concerns the City held a public meeting for affected residents on October 23, 2007; and

WHEREAS, the New Mexico Department of Transportation attempted to answer and address concerns by holding two sessions for public comment on October 30, 2007; and

WHEREAS, the City/County Metropolitan Planning Organization is considering addressing, perhaps through a public process, the issue of station identification and locations; and

WHEREAS, the Department of Transportation commits to holding subsequent meetings with the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby reaffirms Resolution No. 2003-70 with the following provisos.

BE IT FURTHER RESOLVED that the Governing Body re-states its commitment to the concept of commuter rail service between Santa Fe and Albuquerque.

BE IT FURTHER RESOLVED that, because of the details of this particular Rail Runner project, City staff is directed to take all measures necessary and consistent with this action to inform the State of New Mexico that the Rail Runner project is allowed to enter into the City limits and is allowed to cross any City-owned right-of-way when:

(a) The following issues and potentially negative impacts are answered and

addressed in a series of public meetings:

(1) Station identification and location;

(2) Neighborhood, traffic and safety impacts of station location;

(3) Noise impacts;

(4) Traffic and intersection impacts (Richards Avenue, Rodeo Road/Galisteo Street intersection, Zia Road, Siringo Road, St. Michaels Drive, San Mateo Road, Alta Vista Street/Pacheco Street intersection);

(5) Safety impacts; and

(6) Environmental impacts.

(b) The State Department of Transportation commits itself to reasonable and adequate mitigation efforts for the above necessitated by the Rail Runner project.

AND BE IT FURTHER RESOLVED that the State Department of Transportation continue to limit and curtail negative effects of night time construction on the Rail Runner project and to pursue non potable water for construction purposes.

PASSED, APPROVED, and ADOPTED this 14th day of November 2007.

David Coss

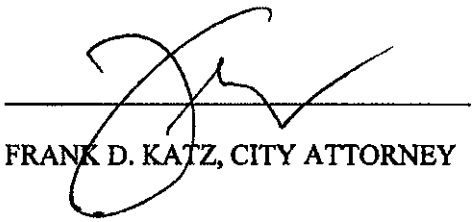
DAVID COSS, MAYOR

ATTEST:

Yolanda Y. Vigil

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



FRANK D. KATZ, CITY ATTORNEY

Jp/N drive/2007 res/railrunner final

Rail Corridor Strategic Plan

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

DRAFT, August 12, 2008

TRANSIT ORIENTED DEVELOPMENT

"Transit-Oriented Development" (TOD) is a term used to capture the main ideas surrounding the development or redevelopment of urban land adjacent to rail and other transit stops. TOD is a coordinated set of strategies that are in use in cities served by commuter rail throughout the country. These strategies can be implemented in diverse ways to enhance existing neighborhoods and create new neighborhood centers.

Because transit stops are hubs of activity involving different modes of travel, they are also excellent locations to allow for a mix of land uses to serve riders getting on and off the bus or train. For regular commuters, housing immediately adjacent to a transit stop can create the ability to walk or ride a bike to the stop without needing a car. Businesses are interested in locating where activity is generated by a point of public gathering such as a train stop. Finally, transit oriented development allows a more efficient use of land that makes use of already existent utilities and other infrastructure.

When rail service was first established in Santa Fe in 1880, it brought rapid evolution to the culture and economy of the city, and created the Railyard and adjoining neighborhoods. The bustle, vitality and economic innovations of the Railyard in its heyday mark it as an ancestor of today's Transit Oriented Developments, or TODs. The arrival of the Rail Runner commuter rail service in December 2008 will bring similar changes to the culture and urban fabric of the city. A series of workshops held in Spring 2008 explored the opportunities and challenges of renewed rail service for the neighborhoods in the rail line corridor.

Anticipation for the Rail Runner was expressed by nearly all of the participants in the workshop series. They also expressed concerns about how neighborhoods might change with such ready access to commuter transportation. Residents participated in the workshops to ensure that the 'how' and 'where' of the city's response to the Rail Runner would serve the interests of the whole community.

DESIGN PRINCIPLES FOR SANTA FE'S RAIL CORRIDOR

1. **Land Use Mix** – Successful rail stops have a mix of active uses including residential, office and retail in close proximity to each other, with higher densities near the center and good transitions to adjacent land uses.

2. **Transit Connections** - City buses must connect seamlessly with commuter rail service, making it accessible to as many Santa Feans as possible.

3. **Complete Streets** – "Complete Streets " are essential to healthy neighborhoods and TODs -- streets that balance the needs of pedestrians, bicyclists, transit riders, and drivers.

4. **Trail Connections** – Inviting, safe, and accessible pedestrian and bike trails can provide necessary alternative routes to get to and from transit stops and commercial areas. Santa Fe's arroyos informally link neighborhoods to these existing and planned hubs.

5. **Parks, Plazas & Public Places** – Public space can make rail stops into community gathering places and improve health and public safety.

6. **Neighborhood Protection & Enhancement** – Successful TODs create amenities for nearby neighborhoods while minimizing or mitigating any traffic or parking impacts.

TRANSIT

As cities grow, public transit increases in importance, connecting workers to jobs without contributing to congestion. With the arrival of the Rail Runner, Santa Fe is poised to shift a significant number of daily trips from automobiles to buses and rail.

Shuttle buses meeting Rail Runner Trains in Albuquerque.

COMMUTER RAIL

Commuter rail service such as the Rail Runner is growing in the United States and especially in Western states, providing a viable alternative to automobile commuting within urbanizing metro regions. Commuter rail:

- connects communities at metropolitan and regional scales.
- can use light rail or heavy rail, and can use diesel or electric power.
- provides service times, frequencies, station spacing and amenities which are tuned to commuting needs.
- ridership can generate significant foot traffic and consumer spending at stops.
- is a good match for workplaces (employers) and for higher density housing.

LOCAL TRANSIT

Local transit systems consist of bus routes, local rail lines and shuttle services, and are the link from commuter rail to individual homes and workplaces. Local rail can raise property values, support job creation, and motivate private investment in redevelopment projects.

- Local transit provides effective public transportation, uses existing roadways and can reach every neighborhood.
- Good bus systems have short waits, direct routes, minimal transfers, and extensive networks.
- A local rail service could share the commuter rail line, serving workplaces, schools and neighborhoods at additional stops along the rail corridor.

see Local Transit Vehicle Options, Appendix B-1

OBJECTIVES

- **Improve transit system to meet the commuting and local service needs of Santa Feans and the new Rail Runner commuter line.**
- **Plan transit and public infrastructure to accommodate and promote healthy, active and affordable lifestyles for Santa Feans.**
- **Increase availability of and access to multiple modes of transportation alternatives.**
- **Prepare for long term needs and growth of multi-modal transit system.**
- **Increase transit ridership and reduce need for automobile transportation for Santa Feans.**
- **Decrease traffic congestion throughout the City.**

SELECTED WORKSHOP COMMENTS

"The local bus service must be intertwined w/ the local rail service to serve every location in the city, including outlying areas such as the Community College and Airport Road. "

"Bus access must be directly next to the station platforms for ease of transfer."

"The local bus service needs to be improved, there are very few functional routes. The wait times on most routes are too long."

"Any transit service must be as easy to access and use as current private automobiles. At what price of gas does public transportation become 'worth it'?"

See Appendix A-1 for all workshop comments.

Rail Runner Station in Albuquerque.

Public Transportation Visions:

"How would you and other residents use the rail service and local transportation?"

- **Getting downtown** to the Plaza. Some people would use it often, some would rarely use it.
- High School students could use public transport to **get to school**.
- **Getting to and from work**.
- As a link to the Commuter rail, to friends/family/shopping in **Albuquerque**, to the airport.
- Could potentially **replace cars** for many people.
- Transportation for disabled, elderly, high school, and college students.
- Can envision a system with **five modes working together:** pedestrian, bicycle, car and bike sharing systems, bus/transit and private automobiles.

Santa Fe Trails Bus.

LAND USE

Mission Meridian Urban Transit Oriented Development in Pasadena, California.

Land use plays a critical role in sustainable community--determining where people live and work, and what sorts of services are available. Land use decisions lay the ground for transportation decisions. Isolated, single use developments incur longer automobile-dependent commutes.

Potential TOD Land Uses:
-Ground Floor Retail
-Commercial Office
-Institutional/Civic Office
-Multi-Family Residential
-Plazas, Open Space & Trails
-Parking

TRANSIT ORIENTED DEVELOPMENT

TOD is a set of development strategies that maximize living and work environments in proximity to transit. TOD strategies can be used in many combinations to suit the character and intensity of use in the surrounding area.

TOD Strategies:
- Land Use -- a mix of uses, with a decreasing densities from center to edge
- Transit -- facilitate multi-modal transfers , including rail, bus, bike and pedestrian
- Neighborhoods -- protect and enhance surrounding neighborhoods
- Streets -- create a pedestrian-priority environment and support bicycling
- Open Space -- parks, plazas and other public gathering spaces

A TOD:
- is a mixed-use residential or commercial area designed to maximize access to public transport
- has a center with a public gathering space, surrounded by higher-density development with progressively lower-density development spreading outwards from the center.
- is generally located within a radius of one-quarter to one-half mile from a transit stop, to support pedestrian access.

See TOD Station Typologies, Appendix B-3

Rendering of the new Farmers' Market in Santa Fe.

Mixed use buildings downtown Santa Fe.

MIXED USE

Mixed use zoning can make an effective transition from residential neighborhoods to the busier environments of transit stops. Mixed use strategies:
- create neighborhoods with commercial and workplace areas within walking distance
- uses do not need to be mixed in the same building or the same block
- commercial uses support the shopping or employment needs of local residents
- parking demand can often be reduced based on shared use, local pedestrians and alternative transportation

Further Reading: Congress for the New Urbanism, www.cnu.org; Smart Growth Network, www.smarthgrowth.org; and Urban Land Institute, www.uli.org.

OBJECTIVES

- **Develop stations and surrounding development with specific site identity and characteristics for each proposed location.**
- **Propose a mix of uses, spaces and amenities within new Transit-Oriented Development (TOD) areas and local service stops that support and enhance the surrounding neighborhoods.**
- **Develop areas to reflect the needs of existing residents.**

Existing under-utilized land near the intersection of the rail line with Rodeo Road.

SELECTED WORKSHOP COMMENTS

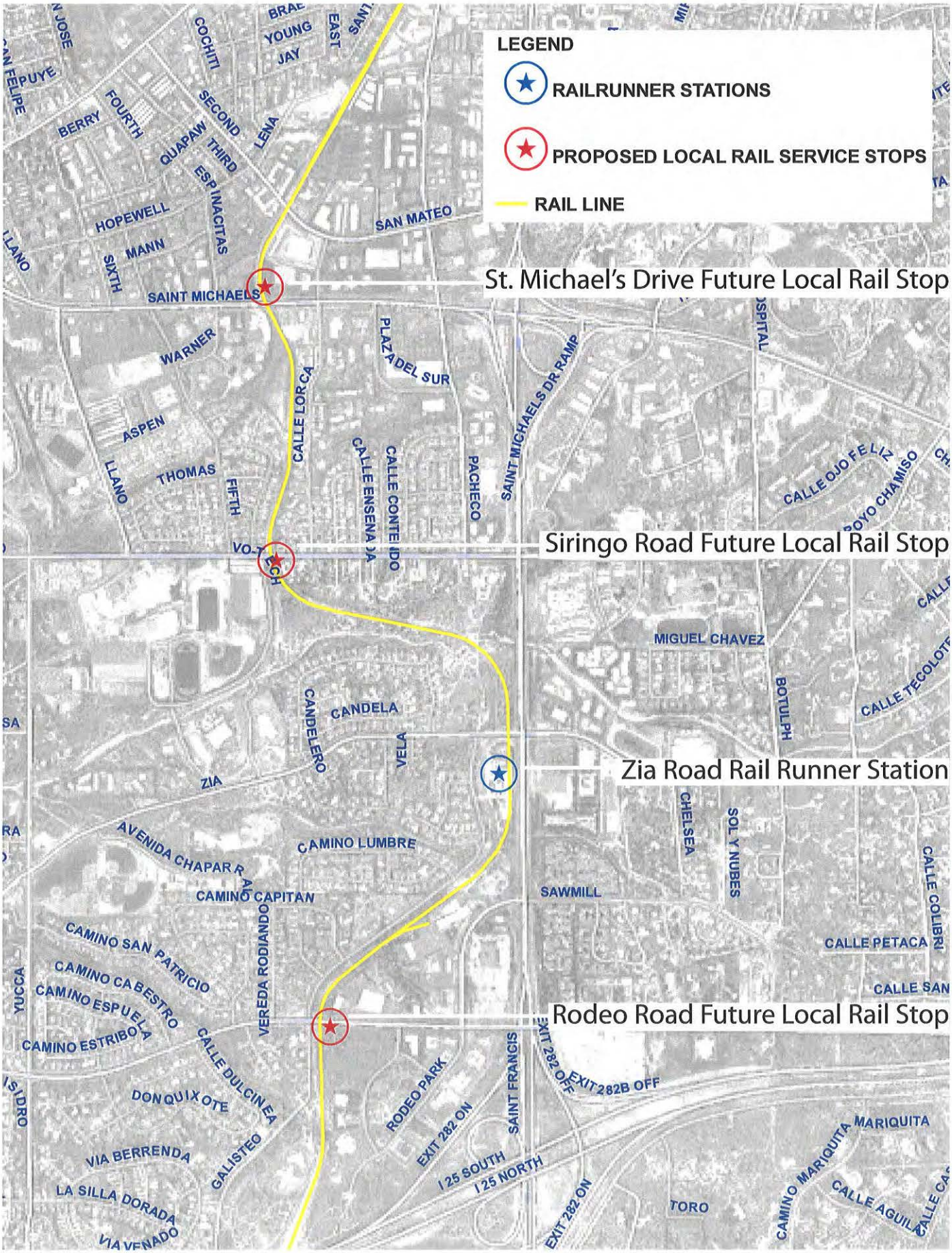
"Any development must be in keeping with Santa Fe character and the scale of its specific neighborhood (limits of density can be pushed somewhat to create a more friendly environment) but should be progressive, tasteful, and interesting. "

"There must be appropriate density along the corridor in order to serve the local service rail. Appropriate density should not drastically change neighborhoods, unless it is desired by the community."

"Each stop should have its own identity."

See Appendix A-1 for all workshop comments.

Future vision of Rodeo Transit Station serving local rail service, established neighborhoods and some new development.



Rail Corridor Map

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

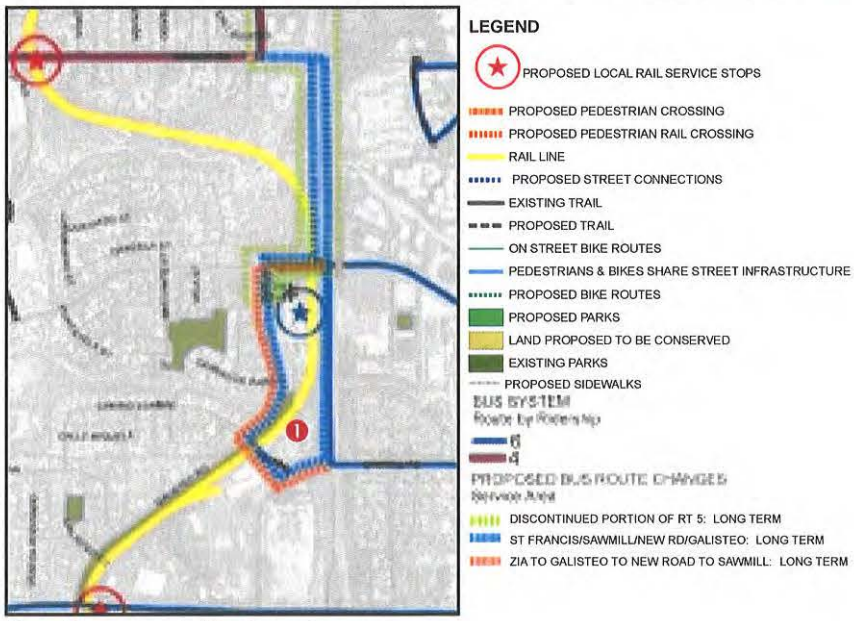
A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements



Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to West Rodeo Park Drive (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

New Mexico DEPARTMENT OF
TRANSPORTATION

May 8, 2014

Mr. Brian Snyder
City Manager
City of Santa Fe
200 Lincoln Avenue
P.O. Box 909
Santa Fe, NM 87504-0909

Dear Mr. Snyder:

NMDOT and the Santa Fe Metropolitan Planning Organization (MPO) conducted a traffic study of the South St. Francis Drive-West Zia Road intersection, as requested by the New Mexico state legislature. The traffic study has been substantially completed and final revisions are being developed with City of Santa Fe staff.

NMDOT's primary interest in the design of the Zia Rail Runner Station is to ensure that the station design and traffic controls will provide for the safe use of this station by Rail Runner passengers as well as the safe movement of automobiles, trains, pedestrians and bicycles in the Zia Station area.

NMDOT is willing to open Zia Station for Rail runner service, provided that the final design and construction of the station improvements are completed consistent with the conditions contained in this letter. Because of our concern for safety in this area, we are reiterating a number of critical points that must be addressed in order for us to approve the opening of the Zia Station:

1. The construction of a chain link fence along the perimeter of the station property fronting US 84/285 to prohibit uncontrolled pedestrian access to the station.
2. The installation of "No Parking/No Stopping Signs" along St. Francis Drive (US 84/285) southbound south of Zia Road to prohibit parking for dropping off and/or picking up Rail Runner passengers at this location.
3. The extension of electric power to the passenger boarding platform and station, with the City of Santa Fe or the developer/property owner being responsible for the ongoing cost of the power.
4. The construction of the station in compliance with NMDOT processes for construction activities on or near our railroad right of way.
5. The ADA concerns included in our attached comments and questions.
6. The additional signage NMDOT discussed in our attached comments and questions regarding the conceptual station design.

Susana Martinez
Governor

Tom Church
Cabinet Secretary

Commissioners

Pete K. Rahn
Chairman
District 3

Ronald Schmeits
Vice Chairman
District 4

Dr. Kenneth White
Secretary
District 1

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6

7. A landscaping barrier in the US 84/285 median between Zia Road and I-25 to prohibit uncontrolled pedestrian crossings at this location, similar to the one that is located on US 84/285 between Siringo Road and St. Michael's Drive.

All safety measures cited above are to be funded by the City of Santa Fe and/or the developer/owner of the property adjacent to the Zia Station platform.

Because Zia Road and the adjacent sidewalks are under the jurisdiction, control, liability and responsibility of the City of Santa Fe, we are not addressing any further safety, ADA or traffic circulation comments or requirements related to Zia Road beyond the station area.

Please feel free to contact me if you have any questions or concerns regarding this matter

Sincerely,

Tom Church
Cabinet Secretary

Cc Anthony Lujan, Deputy Secretary
Miguel B. Gabaldon, Jr., P.E., District 5 Engineer
Loren Hatch, General Counsel
Elias Archuleta, Chief Engineer
Frank Sharpless, Transit and Rail Director
Bill Craven, Rail Bureau Manager
Mayor Javier Gonzales
Keith Wilson, Santa Fe Metropolitan Planning Organization

NMDOT COMMENTS AND QUESTIONS REGARDING THE CONCEPTUAL DESIGN

Responses imbedded in blue text

From: Sharpless, Frank J, NMDOT [FrankJ.Sharpless@state.nm.us]
Sent: Monday, November 07, 2011 11:18 AM
To: WILSON, KEITH P.
Cc: Gallegos, Phillip A , NMDOT; Martinez, David J., NMDOT; Garcia, Ruben C., NMDOT; Craven, William, NMDOT; Jian, Afshin, NMDOT; Wilson, Todd C., NMDOT; Harris, David C, NMDOT; Bender, Kathryn, NMDOT; Jian, Afshin, NMDOT; Gabaldon, Miguel B., NMDOT
Subject: RE: revised kiss and ride

Keith, below are our comments, questions and observations regarding your revised plan for the Zia Station Kiss and Ride:

- Who will be constructing this facility?
  Zia Station LLC (the owner of the property adjacent to the Station) will be funding and constructing the facility.

- Need to inform motorists that there is no parking at this station with special signing
  Appropriate signage will be added as part of final design.

- Need to provide directional signing to the entrance
  Appropriate directional signage will be added as part of final design.

- Recommend building a pullout for buses to unload and pick up passengers or sometimes they wait in place.
  At this time no bus service will be directly servicing the drop-off facility. If in the future Santa Fe Trails is to provide service to the facility, space for buses will be marked in the area adjacent to the platform.

- Need a stop sign in the loop and at the entrance.
  City Traffic Engineering will evaluate and add if appropriate.

- Where is a motorist going to wait for a passenger to arrive from the Rail Runner? The main concern is that there is no room for vehicles and/or buses to wait to pick up passengers. People picking someone up at this station will be blocking traffic and could create operational issues. If there is no waiting, then they need some additional signs.
  Vehicles dropping-off and waiting to pick-up passengers will be located in the hatched area along the entry roadway and adjacent to the platform. There is sufficient space next to the hatched area to allow buses and other vehicles to pass waiting vehicles.

- They need to build an all weather level surface from the ADA loading zone to the station platform.
  The ADA loading zone will be designed and constructed to meet all ADA requirements.

- Are the sidewalks 6' in width?
  Sidewalks are proposed to be 5' in width.

- We have not seen a traffic study or as a minimum, Site Threshold Assessment for the station. Maybe someone has one on file somewhere that can be provided to us?
  The proposed train schedule at this station has all trains stopping outside the AM and PM Peak Hours. Zero peak hour trips are expected to be generated.

- We have a concern that people will be stopping along St Francis Drive to drop off or pick up riders rather than negotiating the maneuver to enter and exit Galisteo Road from Zia Road. Can a fence or barrier be erected along St. Francis Drive to discourage such activity?
  There are no plans to add a fence to this project at this time.

- In order to insure that the left turn traffic from Zia Road to Galisteo Street does not impact the signalized intersection, signing and marking should be placed on Zia Road to prohibit vehicles from stopping along Zia Road in the area where traffic would be turning into Galisteo Street.
  City Traffic Engineering will evaluate and add if appropriate.

- There appears to be discontinuity in the pedestrian walk. Can we make sure it is connected?
  All new sidewalks connect to existing pedestrian facilities.

- The width of roadway is not shown. Can one car stop and open the door and another one pass by?
  Yes.

- Is the tuning radii sufficient for a bus to go around the curves?
  Yes. Turning Radii designed to accommodate Santa Fe Trails buses

- Sidewalk along south side of Zia connects to Rail Trail rather than proceeding along side of street to Zia/St Francis intersection. While this would be cheaper to build, is this an acceptable design?
  Yes. Location of existing signage and signal equipment would require sidewalk to be placed directly adjacent to exiting trail facility.

- There should be some advance signage on the rail trail warning cyclists to expect heavy pedestrian activity, especially pedestrian cross-traffic, in the station area. This is more of an issue for cyclists approaching from the south than from the north, where the need to cross Zia Road and make two 90-degree turns will force them to slow down.
  Appropriate signage will be considered and will be added as part of final design.

- Recommend including pedestrian crossing markings over the rail trail where the two sidewalks meet the rail trail and also where the handicapped drop-off is to be located.
  Appropriate markings will be considered and will be added as part of final design.

- New light poles are shown on station platform, Galisteo Street, and on north side of Zia Road, but not along the access road itself. Lights should be included along access road, especially over areas where passenger pick-up and drop-off is permitted.
  Existing light levels will be evaluated and if deemed necessary additional lighting will be incorporated into the Final Design.

- Roadway/loop and loading area looks a little narrow -- buses, shuttles, vans, large SUVs, etc
  The facility has been designed to accommodate all.

- Potential safety bike-ped conflict of the rail trail between the platform and kiss-n-ride - additional signage needed.
  Appropriate signage will be considered and will be added as part of final design.

- We assume that the City will be responsible for maintenance, trash ramoval, snow removal, etc on this parcel of private property.
  Resolution 2011-45 directs staff to enter into a License Agreement with Zia Station LLC for the use of the Zia Station infrastructure improvements by the City of Santa Fe. In that agreement the maintenance responsibilities will be established.

Frank

City of Santa Fe, New Mexico

Exhibit C

Maps and Photos

1. Future Land Use Map
2. Current Zoning Map
3. Aerial Photos

Exhibit C1: Future Land Use Map

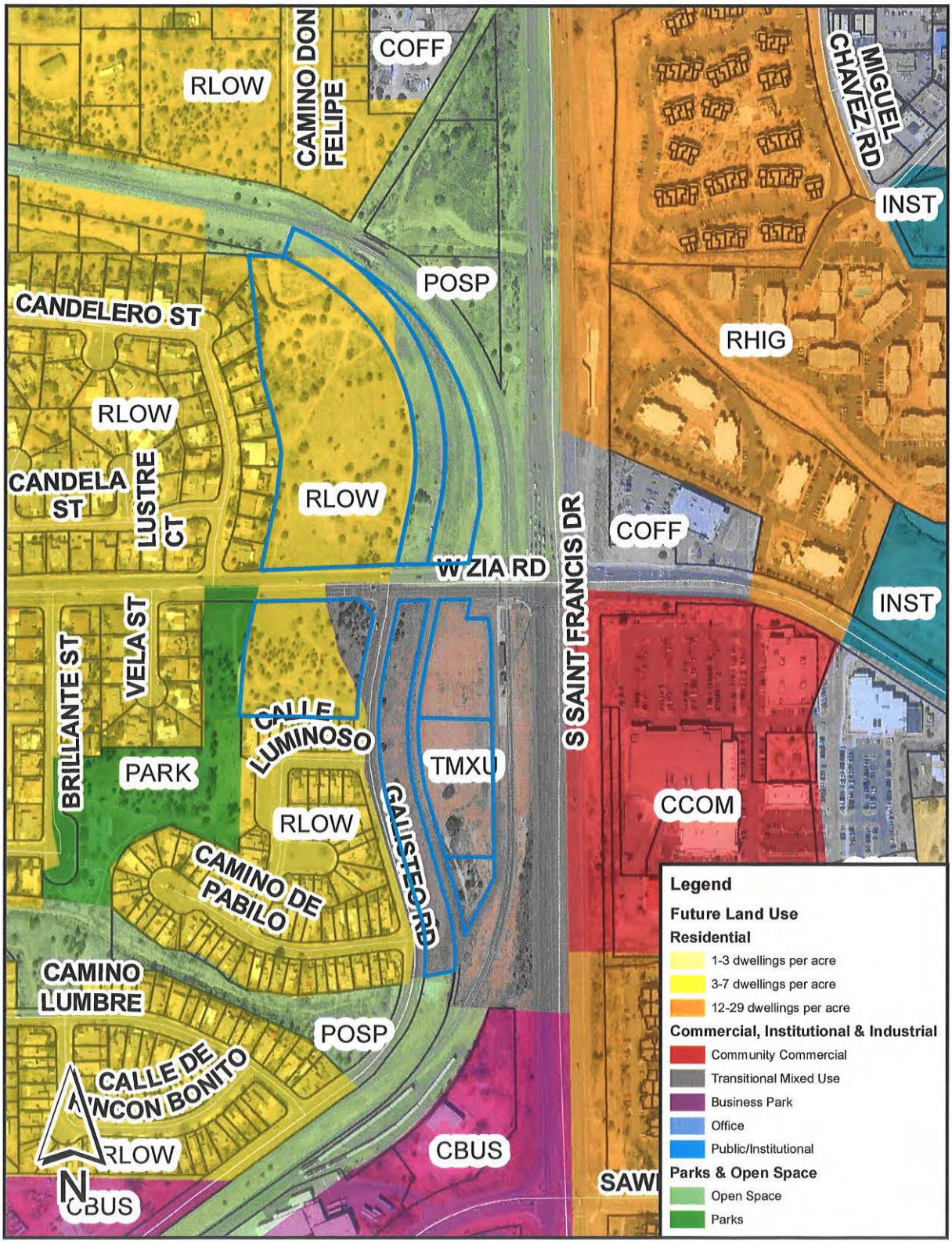


Exhibit C2: Current Zoning Map

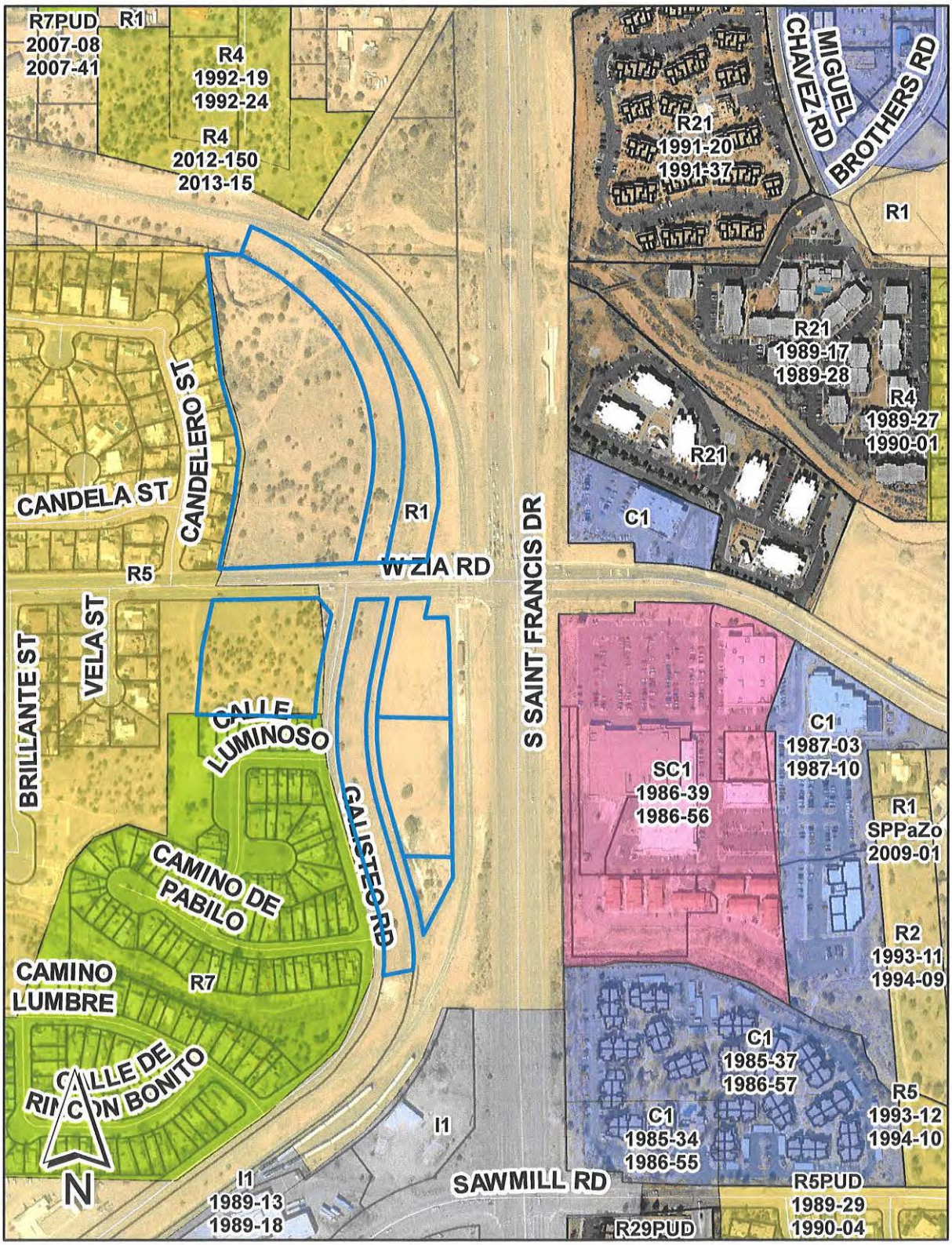


Exhibit C3: Aerial Photos

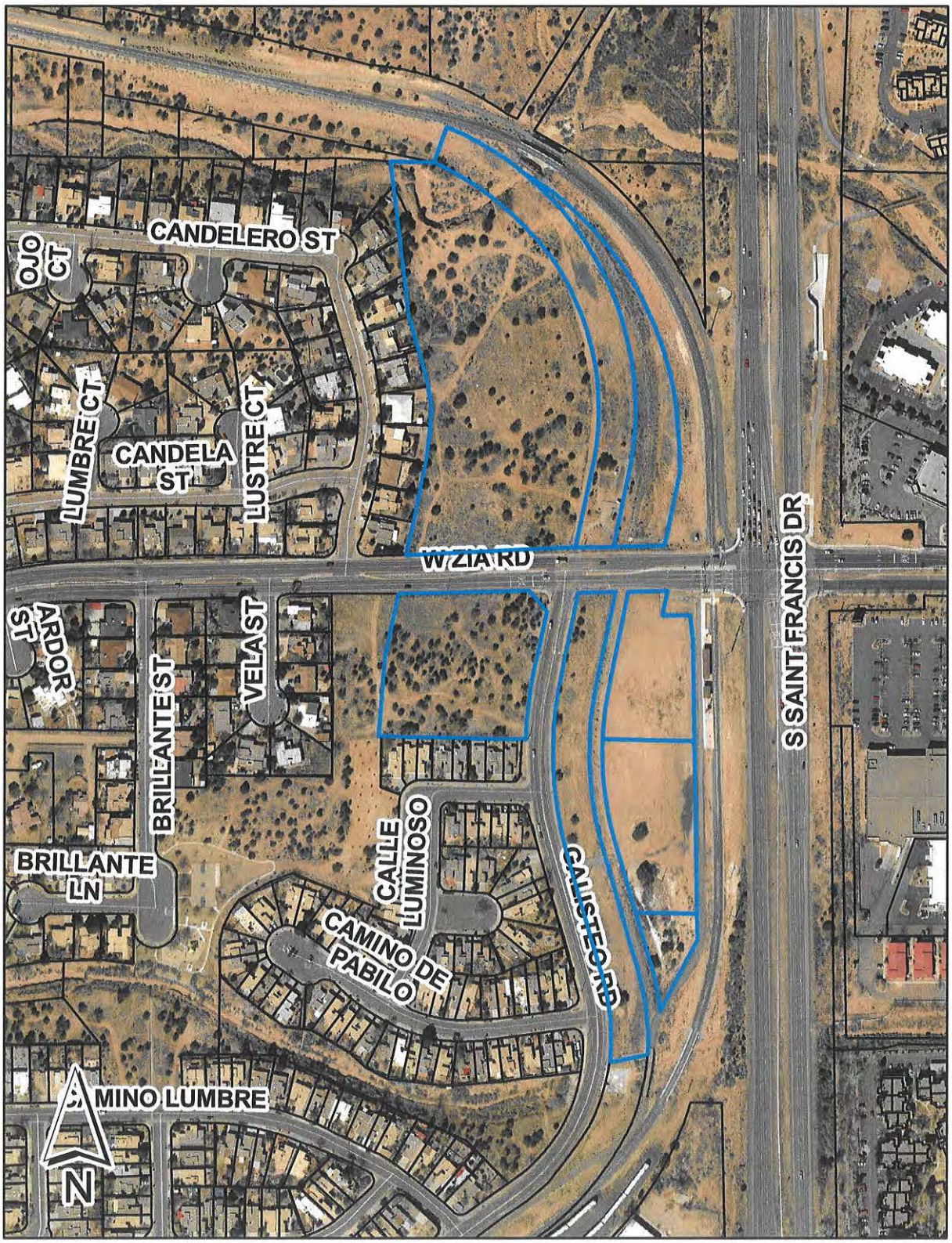
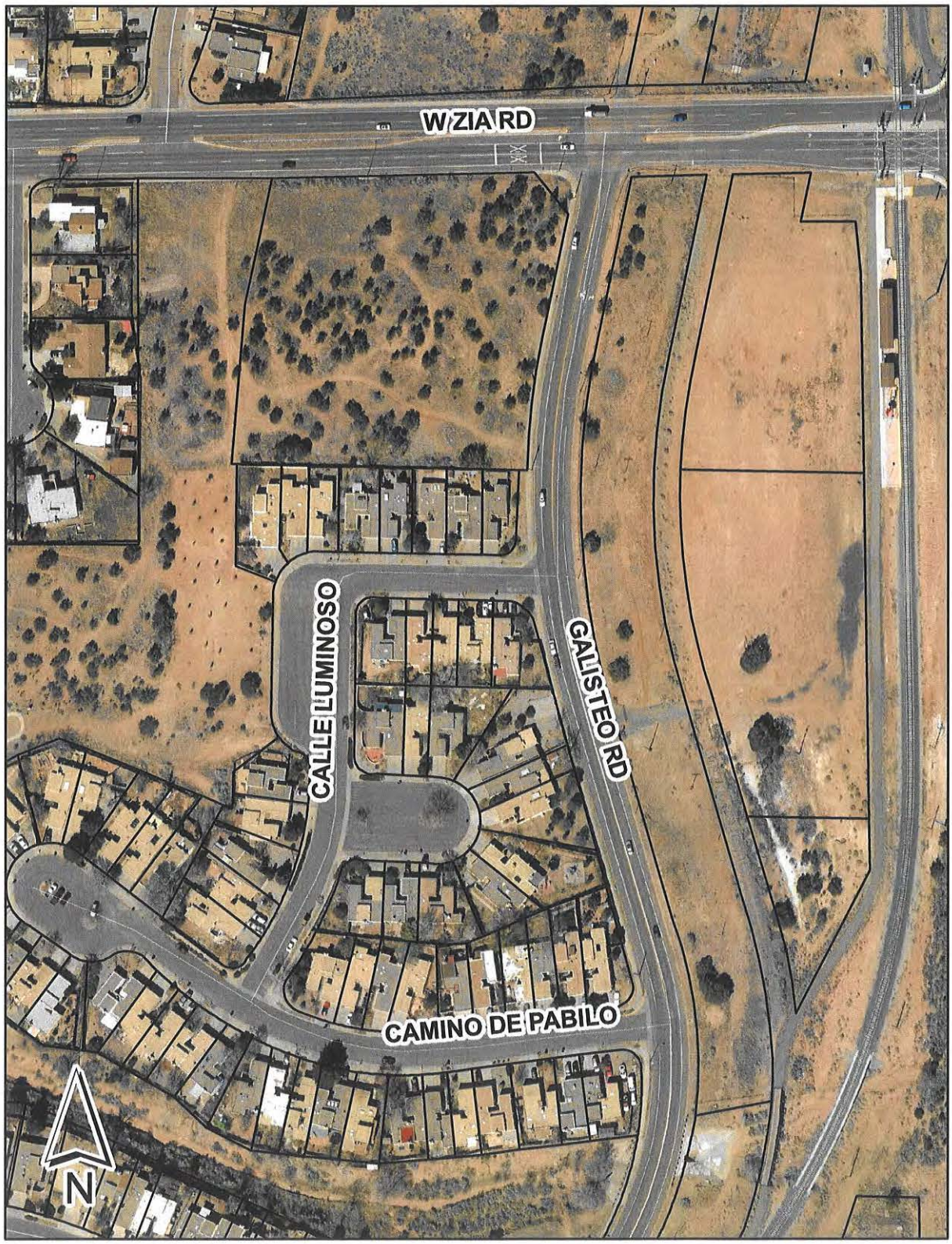


Exhibit C3: Aerial Photos

Exhibit C3: Aerial Photos



City of Santa Fe, New Mexico

Exhibit D

Development Review Team

1. Traffic Review
2. MPO Review
3. Fire Review
4. Terrain Management Review
5. River/Trails/Parks Review
6. Water Engineering Review
7. Wastewater Division Review
8. ADA Site Review
9. Landscape Review
10. Compiled Technical Corrections

Date: January 12, 2021

Audra Gallegos, Wilson & Company, Inc.

Traffic Review Comments – Zia Station

Zia Station, LLC proposes to develop a two-phase, mixed use development surrounding the Zia Rail Runner Station west of St. Francis Drive, on undeveloped land. The development will have single and multifamily housing to the north of Zia Drive to the Arroyo de los Chamisos and a mix of housing, office, shopping, restaurants, and two parking garages south of Zia drive to Camino de Pabilo.

Bohannan Huston Inc. prepared a Traffic Impact Analysis (TIA) for the Zia Station development. The initial TIA, dated November 23, 2020, was submitted to the City for review and approval. Upon review, a traffic engineering consultant provided comments of their review of the TIA to the City. These comments are attached. Bohannan Huston then prepared a revised TIA to address our comments and is dated January 5, 2021. Responses to the comments can be seen the attachment.

Based upon our review of the revised TIA, dated January 5, 2021, we recommend approval of the Traffic Study with the following conditions:

RECOMMENDED ACTION

Conditions of Approval		Completed By:
1	Prepare an updated Traffic Study Analysis prior to Phase II commencing.	Prior to Phase II
2	All roadway improvements associated with the development must be constructed prior to opening Phase I of the development. This includes all improvements on Zia Road and Galisteo Road, including the realignment. Tie Galisteo Road improvements into the existing Zia Rail Runner Station driveway.	Opening of Phase I
3	Evaluate the placement of a mid-block crossing west of St. Francis Drive. Using a raised island as a pedestrian refuge. The evaluation should be included in the updated TIA as indicated in Condition of Approval Number 1.	Prior to Phase II
4	Provide the same length of transit drop-off/queueing area (350 feet) for Zia Rail Runner Station that exists currently.	Prior to Phase II
5	Provide an approval letter from Rio Metro Regional Transit District stating that the Phase II plan of Zia Station does not inhibit or interfere with any existing or planned future transit operations.	Prior to Phase II

Technical Corrections		Must be Completed By:
1	None	N/A

Development Review Team

Comment Form

Date: 1/12/21

Staff person: Leah Yngve

Dept/Div: Land Use/MPO

Case: **Case #2020-2901. Zia Station Preliminary Development Plan**

Case Mgr: Lee Logston

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:
Provide a pedestrian crossing of Zia in addition to and west of the crossing at Zia and St. Francis	Prior to Final Development Plan

Technical Corrections*:	Must be completed by:

*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):

The MPO, city engineering consultants, Land Use staff, and the developer have had lengthy discussions about the need and potential for a safe pedestrian crossing of Zia at the west side of the proposed development. From these discussions, a pedestrian crossing at Candelero has emerged as the most feasible. The MPO supports this pedestrian crossing with appropriate pedestrian safety countermeasures including a pedestrian activated HAWK signal, signage, and lighting.

The proposed development improves access to the Rail Trail from the south via a new connection at the southern end of the Phase 2 development. This connection will improve access for the adjacent neighborhoods. With the Rail Trail to the east and bike lanes along Zia, the development will be accessible to people on bicycles.

Phase 1 provides pedestrian connectivity and sidewalks meeting minimum standards. Phase 2 pedestrian facilities exceed standards with an 8ft wide sidewalk along Zia and pedestrian access

to commercial buildings from Zia. This design is more pedestrian friendly than the common large parking lot between a building and the road.

The development area is currently served by the Santa Fe Trails Route 6 at St. Francis and Zia, and the Rail Runner Zia Station. Pedestrian improvements in this area improve access to Zia Station and Route 6.

The MPO Metropolitan Transportation Plan (MTP), Bicycle Master Plan, Pedestrian Master Plan, and Transit Master Plan all support mixed-use, dense development with multiple transportation options. By providing pedestrian, bicycle, and transit access to residents and adjacent neighborhoods, the proposed development could help reduce car trips thereby helping reduce greenhouse gas emission; a goal of the MTP and Sustainable Santa Fe 25-Year Plan.

Development Review Team

Comment Form

Date: 12/11/2020

Staff person: Geronimo Griego

Dept/Div: Fire Prevention

Case: 2020-2898 2899 2900 2901 2902 2914 ZIA STATION JAN 7

Case Mgr: Lee Logston

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. Shall comply with IFC 2015, Appendix D, Aerial Fire Apparatus Access Roads. (26' for roads adjacent to buildings 30+ feet in height, clarify via typical sections/ or dimensions on plans)	Prior to planning commission.

Technical Corrections*:	Must be completed by:
2. 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 2015 Section 503.2.1) 3. 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) 4. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 5. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2015 section 503.1.1) 6. 507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6. 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building.	At the time of any new construction or remodel.

7. Shall have water supply that meets fire flow requirements as per IFC (Appendix B) 8. Shall comply with Section D102.1 Access and Loading (75,000 lbs). 9. 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) 10. Shall comply with IFC 2015 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 11. Shall comply with IFC 2015 Section D103.5 Fire apparatus access road gates. 12. Shall comply with Section D106 Multiple-Family Residential Developments. 13. Shall meet the IFC code requirements 2015 edition or the most 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: 12/14/20

Staff person: Dee Beingessner

Dept/Div: Land Use/Terrain Management

Case: **Case #2020-2901 Zia Station**

Case Mgr: Lee Logston

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:
Provide bank stabilization in the arroyo at the north end of the cul-de-sac	Prior to recordation

Technical Corrections*:	Must be completed by:
Include slope analysis map	Prior to recordation
Include Temporary and Permanent Erosion Control Plans	Prior to recordation
Overlay roof drain plan on grading plan	Prior to recordation
Provide profile sheets for Storm Drains, Roadways, and Sewer. Provide detailed information on the Roadway Sections.	Prior to recordation
Provide standard detail for all drainage and concrete structures	Prior to recordation
On the sheet for the phase 1 grading plan (sheet 9) label the MDI/grate on the NE corner of the cul-de-sac near the secondary entry.	Prior to recordation
Differentiate public roads and private road on plans.	Prior to recordation
Include City's Construction Notes sheet.	Prior to recordation
Drainage Facilities Maintenance note shall be placed on the Plat or Development Plan (see attached). The note on sheet 5 does not contain all of the required information.	Prior to recordation
Provide Lighting Plan to comply with section 14.8.9 of the City Code	Prior to recordation
Provide section details of ponds. Label ponds on grading plans with pond volumes. Pond may require fencing if more than 3 feet deep.	Prior to recordation
Provide cut/fill volume details	Prior to recordation
Modify note 2 for Gunnison Prairie Dogs on page 5 to comply with attached note	Prior to recordation
This Development shall comply with the most current requirements of the American with Disabilities Act (ADA). Place a note on the Plan to reflect this condition	Building Permit Process

Other comments will be provided on these plans at the time of the building permit and changes may be required during permitting process	Building Permit Process
In accordance with Article 14-8.4(F)(2)(e), "storm water detention ponds and retention ponds shall be planted...with a minimum of one tree and three shrubs per 500 SF of required ponding area."	Building Permit Process
Include a pond measurement post in all ponds to determine depth of water and sediment for maintenance. See attached example	Building Permit Process
Page numbering is difficult to follow. Page numbering should be in uniform numbering sequence. Index also does not match the pages provided.	Prior to recordation

*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):

DRAINAGE FACILITIES MAINTENANCE NOTE

ALL DRAINAGE FACILITIES SHALL BE MAINTAINED BY ALL PROPERTY OWNERS.

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 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, DRAINGE 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.

GUNNISON'S PRAIRIE DOG NOTE

THE PROJECT SHALL COMPLY WITH THE PROVISIONS OF THE GUNNISION'S PRAIRIE DOG ORDINANCE (ARTICLE 14-8.12).

DUST CONTROL NOTE

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 their 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.

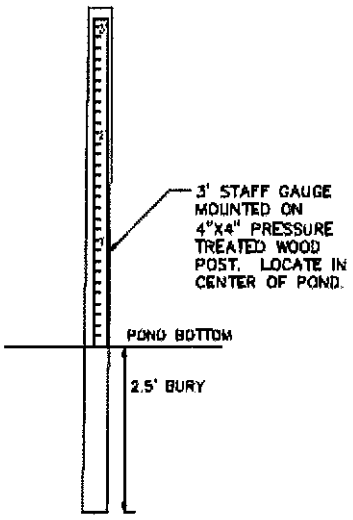
Some BMPs shall include:

- 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 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.

Example for pond measurement post



POST & STAFF GAUGE
NTS

Development Review Team

Comment Form

Date: 12/10/20

Staff person: Zoe Isaacson
Melissa McDonald

Dept/Div: River & Watershed Project Administrator
Parks

Case: #2020-2901. Zia Station Preliminary Development Plan.
Case Mgr: Lee Logston

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

Conditions of Approval:	Must be completed by:
1. Dog Park: Amenities such as dog bag stations shall be configured with trash cans adjacent to the stations; locations shall be included in final design. 2. Dog Park: Final grading plans shall include slowing and filtering storm water runoff through natural systems to limit dog waste introduction into the Arroyo Chamiso. Possible mitigation measures could be small swales and/or detention basins. 3. Outfall Area N1 (highlighted in snipped image below): The drainage currently lacks any type of infrastructure to either help convey storm water and or stabilize the banks and is therefore a major contributor of sediment downstream. Sediment is a water quality issue and can lead to issues downstream. This should be addressed by the developer, through bank stabilization measures at this location. Possible mitigations measures include: gabion baskets, boulders, rock armoring, engineered terracing, etc.; a bank stabilization plan using one or more of these methods shall be included in the final design. Furthermore, River and Watershed is concerned that while the developer plans to prevent direct access from the development to the Arroyo de Los Chamisos, it is perhaps inevitable, and that the developer should monitor access to the arroyo and be prepared to do further bank stabilization in the future should this occur. 4. The River and Watershed Section appreciates the developer's use of swales and the low impact drainage structures, however, we are concerned that the size and location of these swales may encourage residents to use these features as open space and traverse, with their dogs, in and around these features. Therefore, increased armoring or vegetation to stabilize these features should be planned for and shall be depicted in the final design plan set.	Final Development Plan Submittal for any Individual Sub phase

Technical Corrections*:	Must be completed by:
None	

*Must made prior to recording and/or permit issuance

Design Considerations for Developer:

1. The Parks Division understands that the proposed dog park will be owned and maintained by the developer and/or future associations. We request signage indicating contact information at entrance and exit points.
2. The Parks Division requests that the developer ensure the dog park is fenced with delineations for small and large dogs.
3. Other amenities to consider are benches, boulders, and shade cover pavilion or pergola.

Development Review Team

Comment Form

Date: 12/01/2020

Staff person: Brian Snyder

Dept/Div: Public Utilities/Water

Case: **Case #2020-2901. Zia Station Preliminary Development Plan.**

Case Mgr: Lee Logston

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	
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: January 12, 2021

Staff person: Stan Holland, Engineer

Dept/Div: Public Utilities/Wastewater

Case: Case #2020-2901 Zia Station Preliminary Development Plan

Case Mgr: Lee Logston, 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. Add a signature line to the final subdivision plat for the City of Santa Fe Wastewater Division	Prior to Sign Off for Final Development Plan.

Technical Corrections*:	Must be completed by:
1. Identify all PVC sewer pipe as SDR26 2. Need P&P sheets for all sewer lines 3. All sewer easements for both new and existing sewer easements shall be 20 foot wide at a minimum 4. The proposed sewer lines in many spots is too close or under proposed parking spots, curb and gutter and buildings. The public water and sewer lines shall be entirely within an exclusive 25 foot minimum public and water sewer easement with no proposed parking spots, curb and gutter, buildings etc. located within the easement. If required, the sewer system may remain in the locations shown and may use 8 inch pipe if the project sewer system is private. 5. The **existing** sewer lines as shown in the Utility Plan Phase 1 appear to be incorrect with respect to their actual location and are missing a segment that ties in from off site.	Prior to Sign Off for Final Development 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: 12/02/2020

Staff person: Jason M. Kluck

Dept/Div: Land Use – ADA Site Review

Case: **Case #2020-2901 Zia Station – Preliminary Development Plan**

St. Francis Drive and Zia Road, Santa Fe, New Mexico

Case Mgr: Lee Logston

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. Design Work shall comply with ICC ANSI A117.1-2009, Chapters 1-5 and Chapter 7 as required, and applicable Federal and State codes and statutes. (See Requirements & Conditions below for additional information).	Prior to construction permit application
2. Provide ADA detail/specifications for site fencing gate latches.	
3. Incorporate dimensions into construction plans for all features required for ADA accessibility and bicycle parking. These may be on shown on an enlarged plan and as typical.	
4. Include Keyed note/tag/sheet reference for NMDOT curb ramp types and other applicable NMDOT design standards on construction plans.	
5. Indicate slopes along the accessible path of travel, including driveway and intersection crossings.	
6. Accessibility feature design within the Public Right-of-Way shall comply with NMDOT Pedestrian Access Route Details (Serial 608). Applicable On-Site accessible features shall also comply with NMDOT Serial 608 unless alternate feature design is provided for approval.	
7. Provide Garage ADA parking layout, clearances and accessible path of travel route(s).	
8. Provision for ADA parking, signage and sidewalk access at striped and/or metered on-street parking spaces is recommended. See State Proposed	

PROWAG On-Street parking scoping requirements for details.	

Technical Corrections*:	Must be completed by:
1. Indicate locations of ADA accessible Units and ensure that ADA parking space locations are coordinated to provide the shortest accessible path of travel possible from the parking spaces to the associated Units. 2. Indicate bicycle rack locations and provide details. 3. Provide final Development Plan documents for review, graphically demonstrating on the Site/Civil plans and details, compliance with all applicable ADA regulations. Provide ADA accessible parking space and signage plans and details demonstrating compliance with the 2015 NM Accessible Parking Checklist and referenced codes. Indicated ADA accessible parking signage locations on Site/Grading & Drainage plans. 4. Provide Design Professional Seal and signature with date signed on all drawing sheets.	Prior to recording

*Must made prior to recording and/or permit issuance

On-Site General ADA Site Compliance Requirements as applicable:

Accessible path(s) of travel route shall be provided from the Public Right-of-Way and accessible parking aisle(s) to accessible building entrance(s) and shall comply with Section 302, floor surface, 303.4 Ramps, 401 Accessible routes, 403 Walking surfaces, 405 ramps. Ensure accessible route(s) from the Public Right-of-Way and accessible parking space aisle(s) to building entrance(s) are provided and maintained. Provide detectable warning surfaces at curb ramps and transitions to driveway crossings along the accessible paths of travel as applicable.

IBC 1104.1 Site arrival points: At least one (firm, stable, slip resistant) accessible route within the site shall be provided from: public transportation stops, accessible parking, accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance served.

Accessibility feature design within the Site shall comply with NMDOT Pedestrian Access Route Details (Serial 608) or demonstrate compliance with applicable ADA regulations by other means as provided in the

permitted Construction Documents.
All walk surfaces along the accessible path of travel shall be firm, stable and slip resistant and shall comply with Section 302, floor surface, 303.4 Ramps, 401 Accessible routes, 403 Walking surfaces, 405 ramps. At curb ramp landings and other transitions leading directly into the vehicular way along the accessible path of travel route(s), provide detectable warning surfaces immediately prior to entry into the vehicular way, road/drive crossings and cross walks.

All walk surfaces 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.

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)

Ramps within the site shall have 1:12 (8.33%) running slope and 1:48 (2%) cross slope max. With a max. rise of 30" and with 5' clear length landings where straight. Changes in direction shall comply with 304.3. Landing typical slope is 1.5% and shall not exceed 2% running and cross slope.

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.

Driveway and intersection crossings shall not exceed 2% cross slope, shall have a level maneuvering space, shall have 1/4" max. vertical deflections, and 10% max. flare slope.

ADA parking signage shall comply with the New Mexico Accessible Parking Checklist, latest publication. Accessible Signage Detail - Signage with required language per the NM Accessible Parking Checklist is required at ALL ADA Parking spaces. Parking signage height shall be 84" above the floor of the parking space, measured to the bottom of the R7-8 sign in the Public right-of-way, accessible path of travel, pedestrian way or path of the means of egress. Locate Van Accessible Parking signs immediately below the reserved parking sign at wall mounted or other locations not in the pedestrian way. At Van Accessible signs located in the pedestrian way, the R7-8A Van Accessible sign shall be mounted at 84" to bottom of the sign. Wall mounted signs and signs not mounted in the public way shall be 60" (84" is preferred) minimum above the floor of the parking space, measured to the bottom of the sign.

Per the 2015 NM Accessible Parking Checklist, Section 9 (NMBC-1111 Section 1.4 through 1.4.3) the ADA parking space access aisle shall be clearly marked by diagonal pavement striping. "NO PARKING" lettering shall be stenciled in 1 foot high min. and 2 inches wide min. strokes, and located at the drive end of the striped access aisle. The International Symbol of Accessibility (ISA) shall be stenciled at all parking spaces, centered on the space and aligned with the drive end of the parking space striping. All pavement striping and markings shall be stenciled with pavement paint; blue on concrete paving or white on asphalt paving. Accessible parking spaces and access aisles shall not exceed 2% slope in any direction. 1%-1.5% is the preferred target slope.

Ensure ADA Accessible parking spaces are located in close physical proximity to any adjacent Accessible housing units and other accessible entrances (60% of all entrances shall be accessible), with the shortest path of travel available from the parking area to the unit(s) and accessible entrances. Ensure accessible routes from Accessible parking space aisle(s) to building entrance are provided/maintained.

Wheel stops are encouraged at all ADA accessible parking spaces to help ensure required clearance along the accessible path of travel is maintained.

New bicycle racks shall comply with Santa Fe Chapter 14 Appendix Exhibit D for bicycle rack standards and dimensions.

At time of construction, the Contractor shall ensure ADA compliance for construction of 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, 2015 New Mexico Accessible Parking Checklist, MUTCD, NMDOT Pedestrian Access Standards and PROWAG, NM State Statute and Administrative Code and DOJ regulations as applicable.

Off-Site PROW ADA Site Compliance Requirements as applicable:

Accessibility feature design within the Public Right-of-Way shall comply with NMDOT Pedestrian Access Route Details (Serial 608).

Intersection crossings shall not exceed 2% cross slope, shall have a level maneuvering space, shall have 1/4" max. vertical deflections, and 10% max. flare slope.

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.

All walk surface along the accessible path of travel shall be firm, stable and slip resistant and shall comply with Section 302, floor surface, 303.4 Ramps, 401 Accessible routes, 403 Walking surfaces, 405 ramps. At curb ramp landings and other transitions leading directly into the vehicular way along the accessible path of travel route(s), provide detectable warning surfaces immediately prior to entry into the vehicular way, road/drive crossings and cross walks.

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.

At time of construction, the Contractor shall ensure ADA compliance for construction of 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, 2015 New Mexico Accessible Parking Checklist, MUTCD, NMDOT Pedestrian Access Standards and PROWAG, NM State Statute and Administrative Code and DOJ regulations as applicable.

Development Review Team

Comment Form

Date: 12/09/20

Staff person: Lawrence Rivera

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

Case: #2020-2901. Zia Station Preliminary Development Plan.

Case Mgr: Lee Logston, AICP

Review by this division/department of the Preliminary Development 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. Due to the Emerald Ash Beetle, please replace the Modesto Ash trees with another approved tree variety from the City of Santa Fe plant list.	Prior to permit review
2. All Mulches to be a 2"Minimum Thickness Over Weed Barrier.	
3. Provide a professional landscape irrigation design with details of backflow preventer in a Hotbox, controller, electric drip valve, valve box assembly, end flush cap, and emitter placement. Following COSF code in 14-8.4 (E) (4) and Landscape Irrigation Design Standards City of Santa Fe.	
4. COSF Code 3.19.1 requires landscape irrigation plans for large projects not to exceed 20 scale, 1 inch equals 20 feet.	
5. A water level measuring device with zero set at finish grade located at the center of each pond is required.	
6. A security fence around ponds three feet and deeper with a maintenance gate is required.	
7. Staff reserves the right to require additional submittals upon receiving revisions.	

*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):

EXHIBIT A
Technical Corrections
Case #2020-2901
Zia Station Preliminary Development Plan

TECHNICAL CORRECTIONS	Department	Staff
1. Include slope analysis map. 2. Include Temporary and Permanent Erosion Control Plans. 3. Overlay roof drain plan on grading plan. 4. Provide profile sheets for Storm Drains, Roadways, and Sewer. Provide detailed information on the Roadway Sections. 5. Provide standard detail for all drainage and concrete structures. 6. On the sheet for the Phase 1 grading plan (sheet 9) label the MDI/grate on the NE corner of the cul-de-sac near the secondary entry. 7. Differentiate public roads and private road on plans. 8. Include City's Construction Notes sheet. 9. Drainage Facilities Maintenance note shall be placed on the Plat or Development Plan (see attached). The note on sheet 5 does not contain all of the required information. 10. Provide Lighting Plan to comply with section 14.8.9 of the City Code. 11. Provide section details of ponds. Label ponds on grading plans with pond volumes. Pond may require fencing if more than 3 feet deep. 12. Provide cut/fill volume details. 13. Modify note 2 for Gunnison Prairie Dogs on page 5 to comply with attached note. 14. This Development shall comply with the most current requirements of the American with Disabilities Act (ADA). Place a note on the Plan to reflect this condition. 15. Other comments will be provided on these plans at the time of the building permit and changes may be required during permitting process. 16. In accordance with Article 14-8.4(F)(2)(e), "storm water detention ponds and retention ponds shall be planted…with a minimum of one tree and three shrubs per 500 SF of required ponding area." 17. Include a pond measurement post in all ponds to determine depth of water and sediment for maintenance. See attached example. 18. Page numbering is difficult to follow. Page numbering should be in uniform numbering sequence. Index also does not match the pages provided.	Technical Review Division/Terrain Management	Dee Beingessner
1. Due to the Emerald Ash Beetle, please replace the Modesto Ash trees with another approved tree variety from the City of Santa Fe plant list. 2. All Mulches to be a 2" minimum thickness over Weed Barrier. 3. Provide a professional landscape irrigation design with details of backflow preventer in a Hotbox, controller, electric drip valve, valve box assembly, end flush cap, and emitter placement. Following COSF code in 14-8.4 (E) (4) and Landscape Irrigation Design Standards City of Santa Fe.	Technical Review Division/Landscape	Lawrence Rivera

4. COSF Code 3.19.1 requires landscape irrigation plans for large projects not to exceed 20 scale, 1 inch equals 20 feet. 5. A water level measuring device with zero set at finish grade located at the center of each pond is required. 6. A security fence around ponds three feet and deeper with a maintenance gate is required. 7. Staff reserves the right to require additional submittals upon receiving revisions.		
1. Design Work shall comply with ICC ANSI A117.1-2009, Chapters 1-5 and Chapter 7 as required, and applicable Federal and State codes and statutes. (See Requirements & Conditions below for additional information). 2. Provide ADA detail/specifications for site fencing gate latches. 3. Incorporate dimensions into construction plans for all features required for ADA accessibility and bicycle parking. These may be on shown on an enlarged plan and as typical. 4. Include Keyed note/tag/sheet reference for NMDOT curb ramp types and other applicable NMDOT design standards on construction plans. 5. Indicate slopes along the accessible path of travel, including driveway and intersection crossings. 6. Accessibility feature design within the Public Right-of-Way shall comply with NMDOT Pedestrian Access Route Details (Serial 608). Applicable On-Site accessible features shall also comply with NMDOT Serial 608 unless alternate feature design is provided for approval. 7. Provide Garage ADA parking layout, clearances and accessible path of travel route(s). 8. Provision for ADA parking, signage and sidewalk access at striped and/or metered on-street parking spaces is recommended. See State Proposed prior to construction permit application PROWAG On-Street parking scoping requirements for details. 9. Indicate locations of ADA accessible Units and ensure that ADA parking space locations are coordinated to provide the shortest accessible path of travel possible from the parking spaces to the associated Units. 10. Indicate bicycle rack locations and provide details. 11. Provide final Development Plan documents for review, graphically demonstrating on the Site/Civil plans and details, compliance with all applicable ADA regulations. Provide ADA accessible parking space and signage plans and details demonstrating compliance with the 2015 NM Accessible Parking Checklist and referenced codes. Indicated ADA accessible parking signage locations on Site/Grading & Drainage plans. 12. Provide Design Professional Seal and signature with date signed on all drawing sheets. 13. See DRT ADA Site Compliance Memo for additional general ADA notes.	ADA Site Compliance	Jason Kluck

EXHIBIT A
Technical Corrections
Case #2020-2901
Zia Station Preliminary Development Plan

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. 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. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 5. 507.5 Fire hydrant systems: Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6, 507.5.1 where required: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building. 6. Shall have water supply that meets fire flow requirements as per IFC (Appendix B). 7. Shall comply with Section D102.1: Access and Loading (75,000 lbs). 8. Shall comply with IFC 2009 Section D103.2 Grade: Fire apparatus access roads shall not exceed 10 percent in grade. 9. Shall comply with IFC 2009 Section D103.5 Fire apparatus access road gates. 10. Shall comply with Section D106 Multiple-Family Residential Developments. 11. Shall meet the IFC code requirements 2009 edition or the most current edition the governing body has adopted at the time of permitting.	Fire Prevention	Geronimo Griego
1. Identify all PVC sewer pipe as SDR26. 2. Need P&P sheets for all sewer lines. 3. All sewer easements for both new and existing sewer easements shall be 20 foot wide at a minimum. 4. The proposed sewer lines in many spots are too close or under proposed parking spots, curb and gutter and buildings. The public water and sewer lines shall be entirely within an exclusive 25 foot minimum public and water sewer easement with no proposed parking spots, curb and gutter, buildings etc., located within the easement. If required, the sewer system may remain in the locations shown and may use 8 inch pipe if the project sewer system is private. 5. The existing sewer lines as shown in the Utility Plan Phase 1 appear to be incorrect with respect to their actual location and are missing a segment that ties in from off site.	Public Utilities/Wastewater	Stan Holland
1. The Parks Division understands that the proposed dog park will be owned and maintained by the developer and/or future associations. We request signage indicating contact information at entrance and exit points.	Parks Division	Melissa McDonald

2. The Parks Division requests that the developer ensure the dog park is fenced with delineations for small and large dogs		

City of Santa Fe, New Mexico

Exhibit E

Early Neighborhood Notification

1. ENN Notice
2. ENN Guidelines
3. ENN Packet
4. ENN Meeting Notes

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

NOTICE OF CANCELLATION AND NEW MEETING DATE

October 14, 2020

Dear Neighbor:

THE EARLY NEIGHBORHOOD NOTIFICATION MEETING
PREVIOUSLY SCHEDULED FOR OCTOBER 19TH IS CANCELLED AND
RESCHEDULED FOR THURSDAY, OCTOBER 29, 2020 FROM 5:30 – 7:00 PM.

This letter is being sent as notice of a neighborhood meeting to discuss pending applications to the City of Santa Fe for the Zia Station mixed-use project located at the northwest and southwest corners of Zia Road and St. Francis Drive (the North and South Parcels, respectively). The subject property comprises 21.0 acres and is zoned R-1, one dwelling per acre. Please refer to the attached Vicinity Map and Conceptual Site Plan. The applications to be submitted to the City include the following:

1. General Plan Amendments to change the land use designation of the North Parcel from Low Density Residential to High Density Residential and to change a portion of the South Parcel from Low Density Residential to Transitional Mixed Use.
2. Rezone from R-1 to C-2 PUD (Planning Unit Development).
3. Request to remove the property from the South-Central Highway Corridor District.
4. Preliminary Development Plan for a mixed-use PUD to be developed in multiple phases comprising approximately 397 dwelling units, 84,000 square feet of office, and 36,000 square feet of restaurant/retail space.

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification regulations, this is to inform you that a meeting is scheduled for:

When: **Thursday, October 29, 2020, 5:30 – 7:00 pm**

Where: **Please join the meeting from your computer, tablet or smartphone.**

https://global.gotomeeting.com/join/959714037

You can also dial in using your phone: (646) 749-3122, Code: 959-714-037

For supported devices, tap a one-touch number below to join instantly:
One-touch: tel:+16467493122,,959714037#

New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/550923197

Early Neighborhood Notification is intended to provide for an exchange of information between prospective applicants for development projects and the project's neighbors before plans become too firm to respond meaningfully to community input. If you have any questions or comments, please contact Jennifer Jenkins at 505-820-7444 or jennifer@jenkinsgavin.com. Persons with disabilities in need of special accommodations, or the hearing impaired needing an interpreter, please contact the City Clerk's Office (955-6520) 5 days prior to the meeting date.

Sincerely,

Jennifer Jenkins

Attachments: Vicinity map & Conceptual Site Plan

Submit by Email | Print Form

Early Neighborhood Notification (ENN) Guidelines

Section 14-3.1(F)(5) SFCC 1987, as Amended

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 1987, 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 each criterion, 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, architectural style, landscaping, lighting, access to public places, open spaces and trails. (Ord. No. 2008-29 § 3)*

Zia Station is a proposed mixed-use, pedestrian-oriented development comprised of two and three-story structures. The project serves as a transition from the single family residential neighborhoods to the west and the St. Francis Dr. corridor. Building heights along the project's westerly edge will primarily be made up of two-story structures, transitioning to three stories as you move east. Proposed architectural styles will reflect traditional styles, as well as modern expressions of the local vernacular. Landscaping and hard scape are designed to create an inviting, pedestrian-friendly environment, with public access to the Railrunner Station and the Rail Trail. Outdoor lighting will comply with all City Code requirements and will be designed to protect the night sky.

(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.*

All City Code requirements will be met regarding terrain management, arroyo protection, and open space. Significant trees will be relocated and/or replaced and significant landscaping improvements are proposed.

(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 is located in the River & Trails Archaeological Review District and an archaeological survey is being conducted for review an approval by the City of Santa Fe Archaeological Review Committee.

(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.*

The property is surrounded by a mix of zoning, including R-5, R-7, I-1, R-21, C-1, and SC-1. The north parcel has a General Plan designation of Residential, 3-7 dwellings per acre, and is zoned R-1, one dwelling per acre. The south parcel is primarily designated Transitional Mixed Use with a small area designated Residential, 3-7 dwellings per acre, and is also zoned R-1. The applicant is proposing a General Plan Amendment to designate the entire property as Transitional Mixed Use and a zone change to C-2 PUD (Planned Unit Development). The purpose of Transitional Mixed Use areas is to provide a transition from relatively low density to higher density and/or higher impact uses, such as commercial and transportation corridors. Zia Station fulfills this intent with a mix of uses and housing types that honors the adjacent neighborhoods while being responsive to the intensity of the St. Francis Drive corridor and associated commercial and multi-family development.

(e) EFFECTS UPON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR TEH 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.*

A Traffic Impact Analysis is being conducted and will be submitted with the application. Off-site roadway improvements are proposed that will improve traffic flow and levels of service, which includes the re-alignment of Galisteo Road further west from the St. Francis/Zia intersection. Off-street parking will be provided in accordance with City Code regulations and public sidewalks will be constructed. There is no anticipated impact on access to services.

(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.*

During the development period, the project will create jobs in construction and related fields. In addition, the commercial uses will create job opportunities, as well as opportunities for local businesses to locate in the development.

(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. (Ord. No. 2005-30(A) § 4)*

The residential components of the project will be developed in compliance with the Santa Fe Homes Program.

(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.*

As an infill project, the development will be served by existing emergency services and utility infrastructure. The project will greatly improve access to the Railrunner, with new services to support the ridership. Lastly, proposed roadway improvements will enhance the public roadway network.

(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.*

Water rights will be acquired to off-set the project's water demand as required by City Code. All buildings will be equipped with water efficient fixtures.

(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 project's pedestrian-oriented design provides connectivity among the adjacent existing neighborhoods, while providing services and employment opportunities for nearby residents. Access to the Railrunner and the Rail Trail will be celebrated and greatly improved.

(k) EFFECT UPON 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? The project's effect on intra-city travel; and between employment and residential centers.*

The project is an excellent example of appropriate infill development that promotes a compact urban form, while offering a mix of housing opportunities and local-serving businesses in a walkable, mixed-use environment.

ADDITIONAL COMMENTS (Optional)

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

EARLY NEIGHBORHOOD NOTIFICATION MEETING

September 22, 2020

Dear Neighbor:

This letter is being sent as notice of a neighborhood meeting to discuss pending applications to the City of Santa Fe for the Zia Station mixed-use project located at the northwest and southwest corners of Zia Road and St. Francis Drive (the North and South Parcels, respectively). The subject property comprises 21.0 acres and is zoned R-1, one dwelling per acre. Please refer to the attached Vicinity Map and Conceptual Site Plan. The applications to be submitted to the City include the following:

1. General Plan Amendments to change the land use designation of the North Parcel from Low Density Residential to High Density Residential and to change a portion of the South Parcel from Low Density Residential to Transitional Mixed Use.
2. Rezone from R-1 to C-2 PUD (Planning Unit Development).
3. Request to remove the property from the South-Central Highway Corridor Protection District.
4. Preliminary Development Plan for a mixed-use PUD to be developed in multiple phases comprising approximately 397 dwelling units, 84,000 square feet of office, and 36,000 square feet of restaurant/retail space.

In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification regulations, this is to inform you that a meeting is scheduled for:

When: **Wednesday, October 7, 2020**

Where: **Please join my meeting from your computer, tablet or smartphone:**

https://global.gotomeeting.com/join/550923197

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (571) 317-3112; Access Code: 550-923-197

One-touch: tel:+15713173112,,550923197#

New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/550923197

130 GRANT AVENUE, SUITE 101 SANTA FE, NEW MEXICO 87501 PHONE: 505.820.7444

Early Neighborhood Notification is intended to provide for an exchange of information between prospective applicants for development projects and the project's neighbors before plans become too firm to respond meaningfully to community input. If you have any questions or comments, please contact Jennifer Jenkins at 505-820-7444 or jennifer@jenkinsgavin.com. Persons with disabilities in need of special accommodations, or the hearing impaired needing an interpreter, please contact the City Clerk's Office (955-6520) 5 days prior to the meeting date.

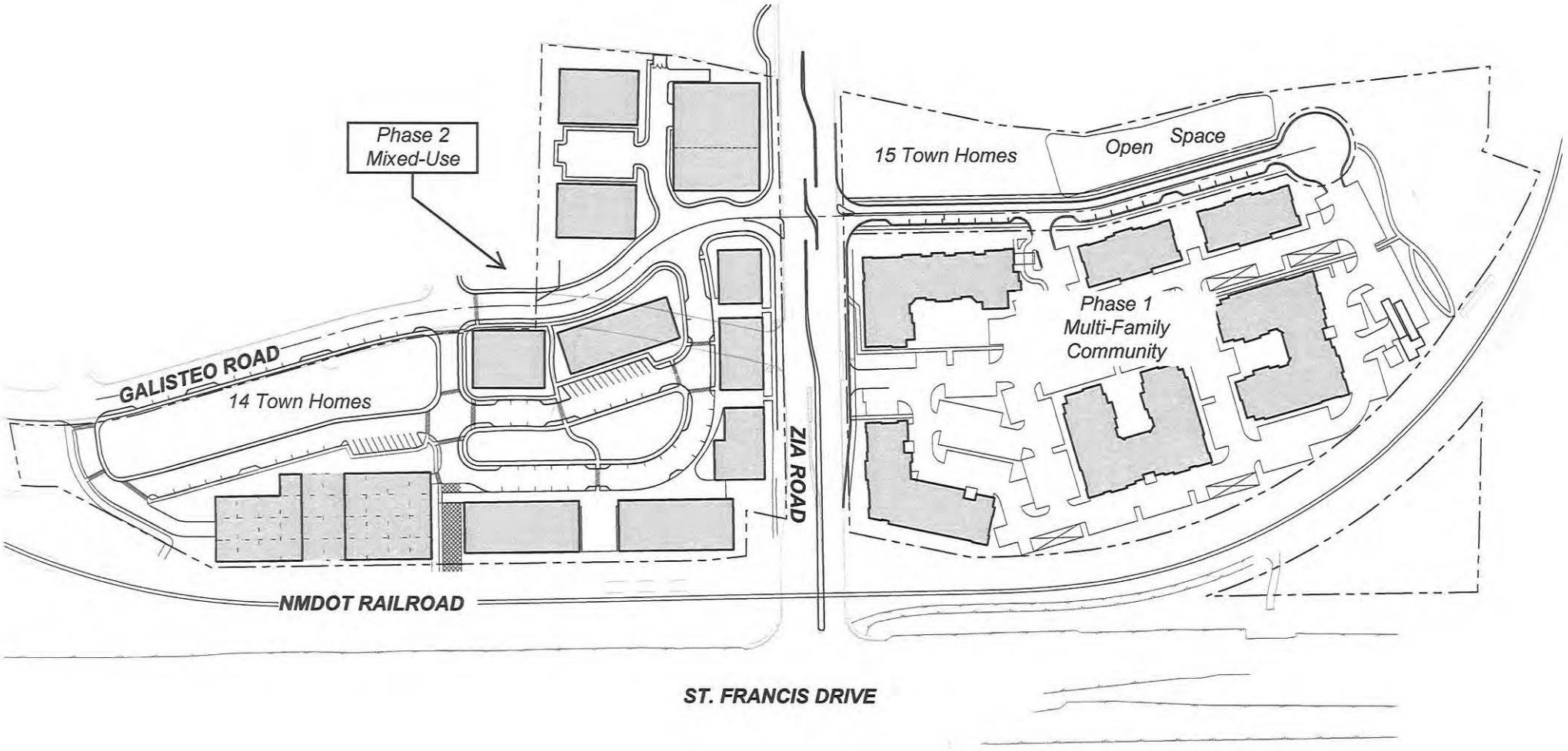
Sincerely,

Jennifer Jenkins

Attachments: Vicinity map & Conceptual Site Plan

Zia Station

Vicinity Map



ZIA STATION
CONCEPTUAL SITE PLAN

August 5, 2020

City of Santa Fe
Land Use Department
200 Lincoln Ave
Santa Fe, NM 87501

RE: Zia Station
St. Francis Dr. and Zia Rd.

To Whom It May Concern:

This letter shall serve as authorization for JenkinsGavin, Inc. to act on our behalf with respect to the referenced properties regarding land use applications to be submitted to the City of Santa Fe.

Thank you.

Sincerely,

By: _____ AUG. 05, 2020
Merritt Brown
Zia Station, LLC
Date

ACKNOWLEDGMENT

State of New Mexico)
) ss
County of Santa Fe)

The foregoing instrument was acknowledged before me this 5th day of August, 2020 by Merritt Brown on behalf of Zia Station, LLC.

_____
Notary Public

My commission expires: Feb 19, 2023

OFFICIAL SEAL
DOROTHY M. DOMINGUEZ
Notary Public
State of New Mexico
My Commission Expires 2/19/23

EARLY NEIGHBORHOOD NOTIFICATION MEETING

Request for Staff Attendance

Project Information

Project Name: **Zia Station**

Address: **Northwest and southwest corners of St. Francis Drive and Zia Road** Parcel Size: 21.0915 acres

Zoning: **R-1** Future Land Use: **North Parcel: 3 – 7 dwellings per acre. South Parcel: Transitional Mixed Use & 3 – 7 dwellings per acre**

Preapplication Conference Date: **February 6, 2020**

Detailed Project Description: General Plan Amendment, Rezone, and Preliminary Development Plan Applications for proposed mixed-use project comprising residential, office, and retail uses.

Property Owner Information

Name: **Zia Station, LLC**

Address: **P.O. Box 5735, Santa Fe, NM 87502**

Phone: _____ E-mail Address: _____

Applicant/Agent Information (if different from owner):

Name: **JenkinsGavin, Inc.**

Address: **130 Grant Avenue, Suite 101, Santa Fe, NM 87501**

Phone: **505-820-7444** E-mail Address: **jennifer@jenkinsgavin.com**

Agent Authorization (if applicable):

I am/We are the owner(s) and record title holder(s) of the property located at: _____

I/We authorize See attached letter of authorization. to act as my/our agent to execute this application.

Signed: _____ Date: _____

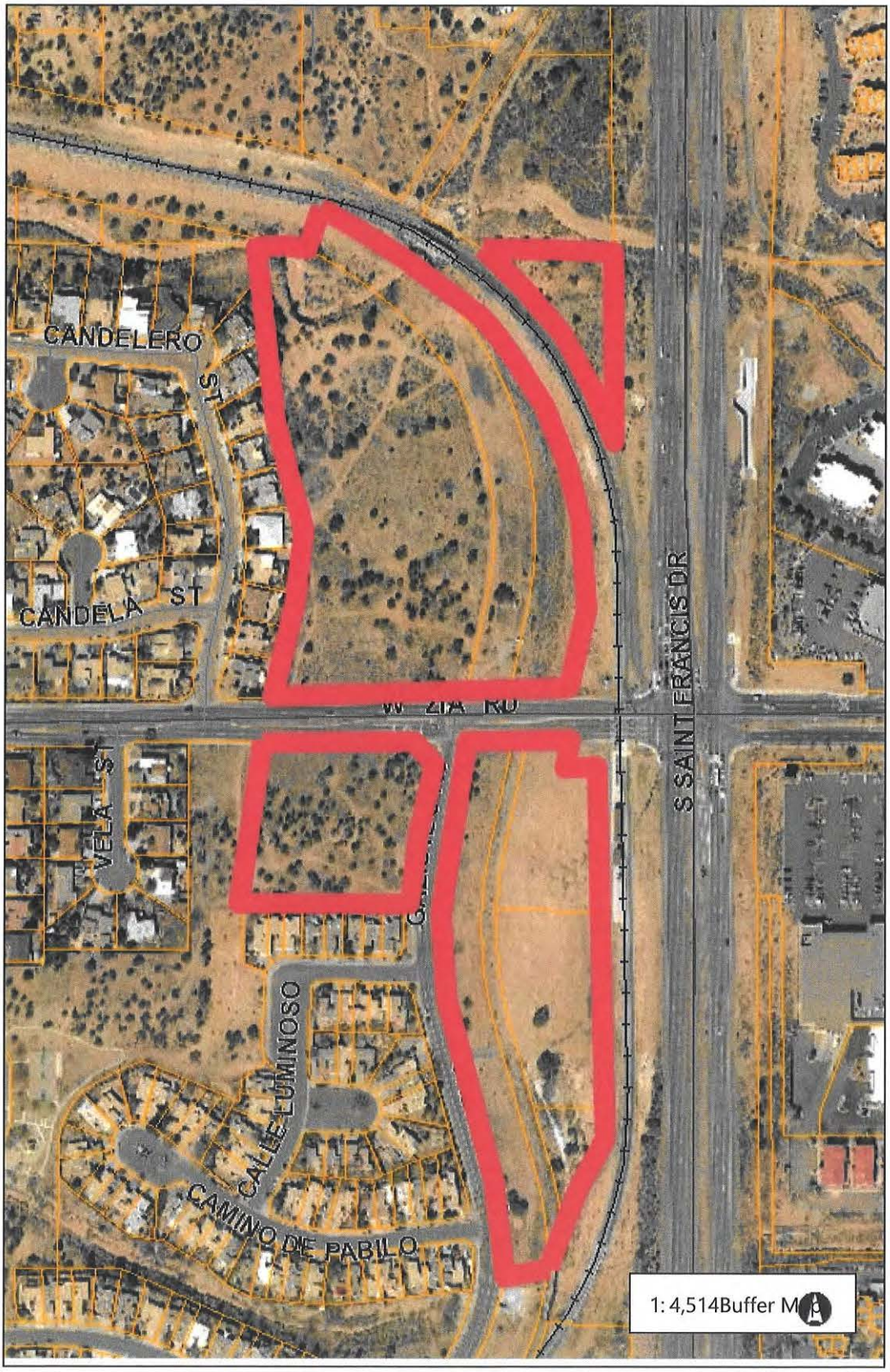
Signed: _____ Date: _____

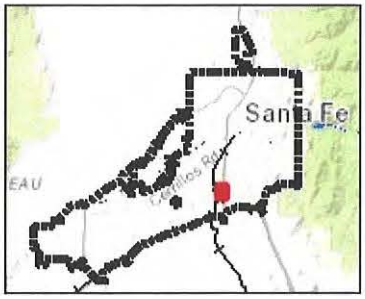
Proposed ENN Meeting Dates:

Provide 2 options:	*Preferred Option*	*Alternative*
DATE:	**October 7, 2020**	
TIME:	**5:30 p.m. – 7:00 p.m.**	
LOCATION:	Please join my meeting from your computer, tablet or smartphone. https://global.gotomeeting.com/join/550923197	United States: +1 (571) 317-3112 - One-touch: tel:+15713173112,,550923197# Access Code: 550-923-197

City of Santa Fe
Mapping the City Different

BUFFER MAP - ZIA STATION





Legend

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

Notes

Type notes here

0.1 0 0.07 0.1 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere

THIS MAP IS NOT TO BE USED FOR NAVIGATION
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.

Santa Fe Public Schools

Property & Asset Management
Residential Development Impact Information Form
School Notification as required by City Ordinance 14-8.18 AFCC 1987

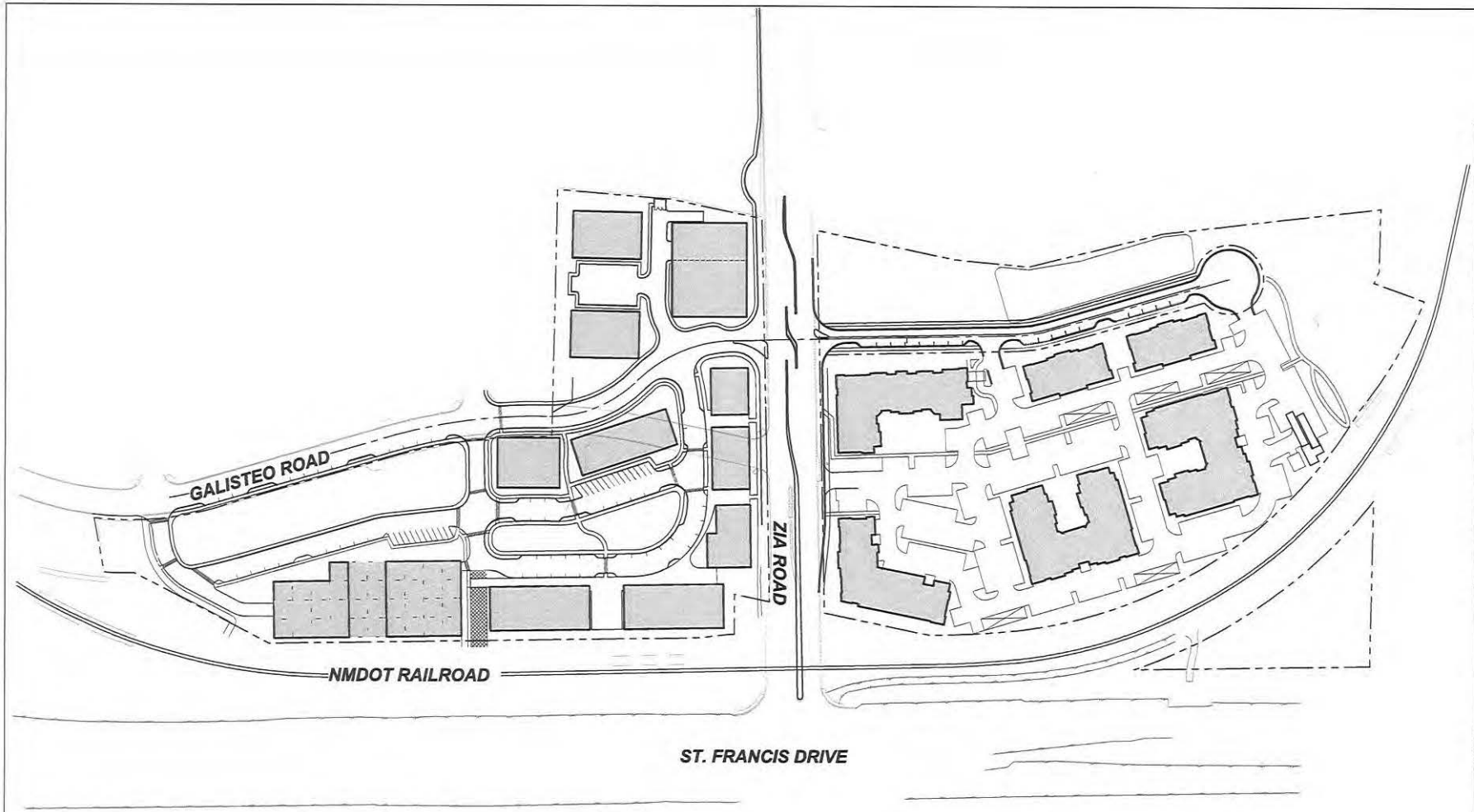
1. Project Name: Zia Station
2. Location of Property: Northwest & Southwest corners of St. Francis Dr & Zia Rd
3. Owner/Agent Name: Jennifer Jenkins w Jenkins Gavin
   Mailing Address: 130 Grant Ave Ste 101 Santa Fe, NM 87501
   Phone & Fax: 505. 820. 7444
4. Unit Matrix

PROJECT EFFECT ON STUDENT POPULATION		
Unit Type	Unit Quantity	Average Price
Single Family (detached)		
Single Family (attached)		
Townhome/ Apartment	25	$1,800/mo.
Multi-Family	363	$1,500/mo.
Commercial	120,000 SF	

5. Elementary School Zone for Proposed Development: E.J. Martinez Elementary
6. Middle School Zone for Proposed Development: Milagro Middle School
7. High School Zone for Proposed Development: Santa Fe High
8. Build out Rates (Year/s; #/yr): 256 multi-family units in 2023. Remaining residential units 2023–2028.

Educational Services Center
610 Alta Vista
Santa Fe, NM 87505
Telephone (505) 467-2000
www.sfps.info

For questions & submittal, contact:
Santa Fe Public Schools, Property & Asset Management,
2195 Zia Road, Santa Fe NM 87505
505 467 3400



811 Know what's below. Call before you dig.

BENCH MARKS
BENCH MARK LINE 1
BENCH MARK LINE 2
BENCH MARK LINE 3
BENCH MARK LINE 4
BENCH MARK LINE 5
BENCH MARK LINE 6
BENCH MARK LINE 7
BENCH MARK LINE 8
BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION
CONTRACTOR — DATE
WORK STARTED BY — DATE
INSPECTORS ACCEPTANCE BY — DATE
FIELD VERIFICATION BY — DATE
DRAWINGS CORRECTED BY — DATE

REVISIONS

NO.	DATE	BY

DESIGN
DESIGNED BY: OB
CHECKED BY: GB
DRAWN BY: MM

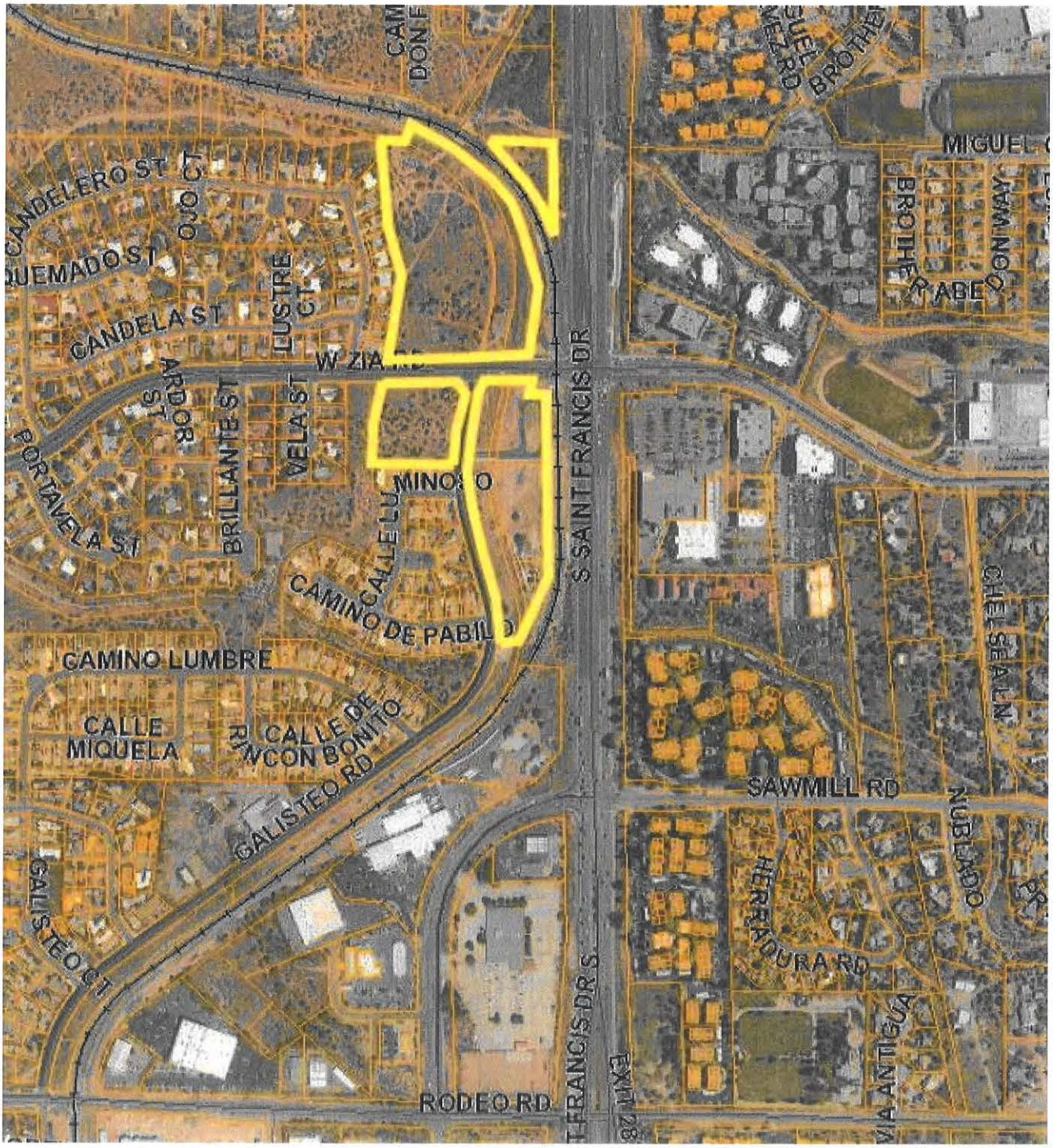
Bohannan Huston
www.bhinc.com 800.877.5332

SF BROWN, INC.
ZIA STATION
CONCEPTUAL SITE PLAN
OVERALL

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	XX	1	1

Zia Station

Vicinity Map



Zia Station
Early Notification Neighborhood Meeting
October 29, 2020, 5:30 – 7:00 pm

Jennifer Jenkins, JenkinsGavin, Inc., Owner's Representative, presented a slideshow of the Project proposal. Lee Logston, City of Santa Fe Case Manager, stated that there will be an opportunity to ask questions and provide input. Questions and comments were submitted via the GoToMeeting Chat function.

Summary of the Presentation

1. The subject property comprises 21.0 acres and is zoned R-1, one dwelling per acre. A Vicinity Map and Conceptual Site Plan were presented.
2. An overview of the applications to be submitted to the City of Santa Fe for the Zia Station Mixed-Use Project located at the northwest and southwest corners of Zia Road and St. Francis Drive (North and South Parcels, respectively) were discussed as follows:
   a) General Plan Amendments to change the land use designation of the North Parcel from Low Density Residential to High Density Residential and to change a portion of the South Parcel from Low Density Residential to Transitional Mixed Use.
   b) Rezone from R-1 to C-2 PUD (Planning Unit Development).
   c) Request to remove the property from the South-Central Highway Corridor District.
   d) Preliminary Development Plan for a Mixed-Use PUD to be developed in multiple phases comprising approximately 397 dwelling units, 84,000 square feet of office, and 36,000 square feet of commercial (restaurant/retail).
3. The Traffic Study evaluated the Project's impact on other intersections in the area.
4. Proposed Roadway Improvement plans were discussed in detail.
5. The next steps for the Project concluded the presentation.
   a) Submit Rezone & Preliminary Development Plan Application to the City of Santa Fe on November 16th, 2020 and the City review process commences.
   b) City of Santa Fe Planning Commission hearing to be held on January 7th, 2021.
   c) City of Santa Fe City Council hearing on February 24th, 2021 (tentative).

Questions Asked by Attendees

1. Will the Developer be constructing walls and/or fences along and behind the houses along Calle Luminoso and Candelero Street? The Developer is assessing perimeter improvements along shared property lines.
2. Traffic Study – What does the Traffic Study say? Currently, the St. Francis Drive / Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours. The analyzed unsignalized intersections currently operate at acceptable levels of service. The St. Francis Drive /Zia Road intersection will continue to experience unacceptable levels of service with increased delays. With the construction of the proposed Zia Road improvements, the St. Francis Drive /Zia Road levels of service improve with no failing conditions, and queues are greatly reduced.

3. How does the traffic study make its predictions? The intersection evaluations include analysis for the AM and PM peak hours for existing traffic and the 2024 no build/build completion year. Traffic counts were conducted March 3 through 10, 2020, prior to the March 23rd, 2020 Governor mandated shutdown.
4. How does the timing of the 2024 road improvements work with the proposed timing of the Project? A Traffic Study will be updated with each phase of the Development.
5. Will a left turn from Zia Road westbound to Galisteo Street southbound be allowed? Proposed roadway improvements include a westbound left turn from Zia Road onto Galisteo Street.
6. Do you have any plans to improve the traffic on Galisteo? Yes, the improvements include the realignment of Galisteo at Zia Road further west to increase queue storage between Galisteo and St. Francis Drive.
7. Will there be access to the Zia Rail Runner Station? Yes, a drop off area has been included in the plans.
8. Has there been a water study considered in this plan? Has there been a study on water consumption that this Development would entail? Yes, all applications must submit a water budget for the City review at the time of application.
9. Will the townhomes be single level or 2 story? 2 story.
10. Is there a way the Public can access the approval criteria? Are they specific to each project or do they pertain to zoning changes, etc., in general? Noah Burke with the City of Santa Fe, referred the attendees to the following Code reference: https://library.municode.com/nm/santa_fe/codes/code_of_ordinances?nodeId=CH14LADE_ART14-3REAPPR

Comments and Concerns

1. The improvements to St. Francis/Zia intersection are of great public benefit.
2. This development will add great value to the neighborhood, by adding convenient shopping, dining and entertainment. Our property values will go up since these improvements increase the utility value of our home locations.
3. The loss of green space and open nature is a travesty.
4. Dog parks are undesirable.
5. A follow up meeting with questions ahead of time would be beneficial.

Meeting ended at 8:06.

City of Santa Fe, New Mexico

Exhibit F

Public Comments

Public comments are generally ordered in reverse chronological order by latest received

SUBMISSION BY ERIC OLSON IN THE MATTER OF ZIA STATION

January 24, 2021

To whom it may concern,

I am generally in support of the Zia Station Preliminary Plan, on condition that several major changes be made having to do with Traffic Flow, Walkability and Pedestrian Safety, Architectural Design Standards and compliance with Santa Fe cultural values.

These comments are based on a review of the Zia Station Preliminary Plan materials, the recent CNA Position Statement, personal discussions with Ed "Aku" Oppenheimer and Ms. Jenkins, research into the various statutes and regulations, five years of living in the Candlelight neighborhood, and 35 years of experience as a designer and marketing consultant.

With many thanks for the work of the group, and for its dedication to the betterment of our neighborhood, I respectfully differ from the CNA Position Statement and offer my comments as an alternative.

It's important when criticizing a set of ideas to also suggest solutions that will work better. With that in mind I offer a discussion of key issues, along with proposed solutions and two specific action requests to the Planning Commission.

The solution in a nutshell:

The sides should start talking with each other and negotiate detailed agreements that will give each side most of what they each need and want, for the benefit of all.

Extending this thought, I want to touch on assumptions, goals and strategies before going into specific issues and ***requested actions***.

<u>Assumptions</u>

Based on direct communication with Zia Station, primarily Ms. Jenkins, observation of some of SF Brown's prior projects and statements, opinions of real estate and construction professionals who know SF Brown's work, and my own business experience, I submit that the following general assumptions are rational, actionable, and reasonable:

- Assumption #1. The Zia Station project will be built in some form, that the Candlelight neighborhood is better off trying to guide the Zia Station project than opposing it, and that if both parties are effective in doing so the result will be, on balance, a significant benefit to the neighborhood.

- Assumption #2. The Zia Station developers are experienced, ethical, professional people with a stake in our community, who are motivated to produce value in excess of costs

through a first-class legacy project that works because it benefits the tenants and the surrounding community.

- Assumption #3. The Candlelight Neighborhood is comprised of people with a wide range of opinions about the project, that the CNA represents one body of thought but that all neighborhood opinions should be respected.

- Assumption #4. A strategy can be developed that involves direct negotiation and collaboration between the sides, with inclusion for individuals who do not identify with either side.

Where Are We Going?

A clearly stated goal is possibly the most important component of any plan or strategy, because it offers a way to evaluate everything that follows it, it organizes strategy, and points the way forward.

The CNA Statement has no stated goal. To this reader, it looks like the unstated goal of the CNA is to reduce or minimize the Zia Station Project by forcing it to redesign the entire project to include a Master Plan that complies in every detail with the Highway Corridor Plan and reverts to R5-R7 zoning.

Although in broad terms Zia Station has offered a goal structure by sharing the Preliminary Plan with the community, it has not committed to a specific style of architecture, and remains opaque in terms of its design goals, standards of business ethics, and what its brand stands for. Numerous areas of deep concern to neighborhood stakeholders are so far unresolved, particularly: traffic flow, architectural and landscaping standards, how to make the project truly walkable, and so on.

In order to foster understanding and trust, I recommend that Zia Station make a concerted effort to

- communicate their business values, and describe their goals in plain language,
- make a genuine commitment to a clearly defined architectural style complete with design criteria, and
- openly call for collaboration and input with its neighbors especially on the critical issues of traffic management, walkability, and architectural style
-

Likewise, I recommend that the CNA

- state its goals,
- support communication and mutual education, and
- be willing to engage in real negotiations designed to maximize the value of the project for all concerned.

Negotiating Goal

A good way to begin would be a jointly agreed-upon Negotiating Goal.

I suggest that Zia Station and neighborhood representatives devise and publish a joint goal statement, something like this:

The shared goal of the CNA and the Zia Station project is to bring about favorable changes in the Zia Station plan in order to:

- advocate amenities that are beneficial to the neighborhood and the project alike,
- improve safety and flow for vehicular traffic and pedestrians,
- assure that the entire project is integrated and truly walkable,
- honor and respect Santa Fe culture and history,
- create a beautifully realized architectural and landscaped environment that we can all be proud of, and
- help form a significant visual gateway to our City

Strategy

In reviewing the CNA position statement, I see no broad strategy for improving the outcome of the project. Likewise, although Zia Station has provided voluminous preliminary planning material, it has offered no clear path towards resolving neighborhood concerns many of which can be understood as community concerns such as traffic safety and architectural standards.

A model negotiating strategy:

I recommend that the CNA offer strong support of the project in exchange for

- **significant concessions in every area of concern to the neighborhood,**
- **open its message board to the Zia Station project to facilitate transparency,**
- **set up working groups for each main area of concern, and**
- **be willing to negotiate in good faith with Zia Station.**

Likewise, I recommend that Zia Station offer a spirit of concession and compromise and

- **make every effort to open communication,**
- **set up working groups,**
- **find ways to communicate with both the CNA and the neighborhood directly, and**
- **be willing to negotiate in good faith with legitimate neighborhood representatives.**
-

Getting this done would require both sides to share information and negotiate in good faith.

I have reason to believe that Zia Station would do this, and would work hard to obtain negotiated agreement on the key issues. I have no such reason to expect the CNA to do so, but remain hopeful that the adversarial approach taken by the CNA is changed to a more open, positive view. Failing that, I would suggest that ZIA Station find ways to educate and communicate directly with surrounding neighborhoods while being open to dialog with the CNA.

continued...

SPECIFIC ISSUES

Architecture

I was told by Ms. Jenkins in response to a direct question about architectural style, that the intention of Zia Station is to create buildings in "the Northern New Mexico style, with a contemporary twist."

Despite this, the designs Zia Station submitted in the Preliminary Plan have almost nothing stylistically to do with the Northern New Mexico stye, contemporary versions or not.

The Northern New Mexico style has at least five if not seven distinctive elements, only one of which is visible on the elevation drawings and none of which are present in the black and white renderings. A clearly distinctive element of the style is a brick dentil detail that lines the top of parapet walls. The sole element of the NM Territorial style, shown in the Zia Station elevations is a tiny decoration in the center of the parapets. That's insufficient.

These are typical elements of the NM Territorial style, each of which could be beautifully rendered in a contemporary style:

Square columns
Pitched metal roofs
Dentil details on parapets
Greek Revival window trim
Slatted window shutters
Turquoise trim colors

Based on informal discussion, it seems that many people in the neighborhood including those mostly "for" the project, are unhappy with the designs shown in the Preliminary Plan. Many think they are ugly and resemble the universally disliked Capital Flats building built by one of the Zia Station partners and designed in Texas. All are eager to avoid that kind of architecture.

There is a solution for this dilemma.

<u>An Architectural Review Board</u>

I propose that the sides agree to create an ***Architectural Review Board***, with advisory powers only, that would be tasked to comment and discuss architectural designs. This collaborative solution would provide a way for Zia Station to

- get informed feedback from the neighborhood,
- take advantage of the creative talent that exists in the neighborhood - at no charge,
- test new ideas and get quick feedback prior to formal city review processes.

Such a board would provide the Candlelight neighborhood with

- a voice in the architectural styling of the project,
- a way to review architectural design before design details are solidified and
- help guide Zia Station to architectural design and detailings that truly reflect Santa Fe culture and style.

Walkability and Pedestrian Safety

Walkability, (ie., the ability of people to reach all area of the Zia Station Community on foot), is exceptionally important -- for both sides. This is highly desirable, and a stated goal of Zia Station.

However, as structured now, the envisioned community is severed in half by the increasingly busy Zia St. This greatly diminishes walkability by disconnecting the north and south sides. It would suppress potential business for south side merchants, and deny many north side residents including the Candlelight neighborhood, access to the many interesting amenities on the south side that form the core reasons most people in the Candlelight neighborhood would support the Zia Station project.

Even with the new Traffic Plan, which contributed no work at all to pedestrian flow and safety, Zia St. will become increasingly dangerous to pedestrian traffic. *This factor should be of grave concern to all sides.*

For residents of the North side of Zia Station, being able to access the shops, restaurants, bar-lounges, and professional services on the South side would be a critical part of being and feeling part of a community. The same goes for the Candlelight neighborhood.

Cross walks are not realistic. Based on my research of the history of the Zia St. intersection, it is quite unlikely that the City would allow stoplights on Zia to allow pedestrian crossings anywhere other than near the existing crosswalk near the Rail Runner tracks. A crossing near Candelero St. has been suggested, but I have been told that the city is unlikely to permit a stoplight at any such location. A large island has been suggested but I submit that this would be unsafe. It would also be unsatisfactory as a way to allow fluid, uninterrupted flow between the North and South sides, and would encourage jay-walking.

An overpass wide enough to allow future widening of Zia St. would be forbiddingly expensive and would not be particularly in keeping with the spirit of open spaces and preservation of view horizon.

Although expensive, the right solution is a well-designed, well-lit underground passageway under Zia Street.

A recent study found online states, "For underpasses that are well used, pedestrian related crashes decreased by 91 percent."

In a nutshell, a pedestrian tunnel would connect the north and south sides thus creating community, and *completely separate pedestrian traffic from the dangers of walking across Zia St., thus creating a powerful, permanent, and effective solution for pedestrian safety.*

The obvious and best location for the underpass would be to utilize the space now planned for townhomes, that is the area behind the first five houses on Candelero St, for an entrance on the north side of Zia, and to terminate it on the south side within the semi-underground parking garage. This would eliminate a particularly awkward part of the present plan in which single family residences abruptly transition to two story townhomes. Instead, a park-like area would be created to accommodate enough ramp space for handicapped access.

A halfway solution like the underpass under St. Francis that exits near the Walgreen's would not work because it's murky, smelly, and feels unsafe even walking it in broad daylight with two dogs on a leash. To attract users, a good underpass has to be as well-lit as an airport corridor, have well-drained sanitary features, and should be safe-feeling and interesting. Walls could help illuminate the space with backlit advertising or public service message – and would offer a means of recovering some costs through ad revenues.

The benefits to everyone north of Zia are obvious. But what about Zia Station?

If the commercial spaces on the south side are based, like many commercial spaces are, on business revenues, then a case can be made that the increase in business rents from increased business from the north side plus ad revenues would, over time, pay for all or most of the costs of building the underpass. Merchants would pay a premium for access to the 399 homes on the north side Candlelight neighborhood and the approximately 1,000 people in apartment buildings in the north side of the project. Since the underpass would be a significant positive amenity for apartment residents on the north side, Zia Station could expect a higher more profitable occupancy rate and possibly an increase in rent levels, both of which would increase operating profits. These factors should be modelled to assess feasibility.

If this assessment fails, then other financing solutions should be exploring including Tax Increment Financing (TIF), Federal infrastructure programs, tax credit financing, public-private partnership for redevelopment, and local government capital financing.

South-Central Highway Corridor Protection District (S-CHPC)

The CNA position is that the developer should be made to comply with the S-CHPC. Essentially, the CNA wants the developer to entirely redesign the project to comply with the S-CHPC overlay in every detail.

The developer wishes to be removed from the district overlay entirely. It seems unlikely that Zia Station would agree to a complete redesign.

Impasse

These conflicting positions seem to be an impasse, thus requiring the City Planning Commission to decide the issue. This is a weak approach for both sides, because it leaves the outcome in other hands.

There is a better approach

A much stronger approach would begin with the understanding that each side has intelligent, and (to them) legitimate, reasons for taking their position. Then, the sides would respectfully negotiate a solution with a goal of giving each side as much of what they want as possible. Done well, this would leave each side at peace, in agreement, with both getting more than they expected.

A Sample Outcome

Zia Station would be quite happy to be relieved of certain provisions of the S-CHPC, specifically the density number and the two-story provision. There are good reasons for this. The CNA is concerned about visual appearance, view horizons, traffic safety, noise and other pollution, and preserving Santa Fe culture, and there are good reasons for these concerns.

The sides would negotiate specific landscaping and development guidelines that Zia Station would commit to, in exchange for which the CNA would remove its demand that the project be redesigned. The parties would agree that the existence of the Rail Runner line in effect creates an enormous setback from St. Francis which effectively opens the space and prevents overbuilding or a canyon effect, which would eliminate the setback provisions of the S-CHPC. Zia Station would guarantee to build the ground floors for their three-story buildings one story lower than the elevation of St Francis, so that the visual effect would be the same as if the buildings were two stories high on the same elevation as St. Francis. This would preserve the view horizon that the overlay seeks to protect while giving the Zia Station the ability to build three-story buildings.

The sides would go further by negotiating agreements assuring that the landscaping and general "feng shui" of the project will be restful and attractive, in harmony with Santa Fe cultural values, and beautifully landscaped in ways that respect New Mexico plants and trees. Once these things were agreed to, the CNA would support removal of the S-CHPC overlay.

This strategy would allow Zia Station to obtain a much-desired waiver, and the neighborhood could secure solid assurances covering the spirit of the S-CHPC.

Master Plan

The CNA advocates a complete redesign of the Zia Station project to comply with the existing regulations, i.e., *"develop both parcels together, under a master plan, rather than as a PUD that allows separate development phases. "*

A Broader View

In my view, a master plan would unnecessarily constrain and limit the developers to the detriment of the project and its utility value to the neighborhood. Zia Station is a complex project that cannot and should not be built all at one go, or according to a rigid plan. Market conditions change. For example, it was felt at one time that government agencies with workers from Albuquerque would occupy many of the buildings near the Rail Runner Zia Station, based on commuters coming to work on the Rail Runner line. That possibility has melted away, and it's a good thing that the project was not built for that purpose.

The Zia Station management should be able to adjust its planning to fit changes in market conditions in order to produce a more successful and amenable environment for the neighborhood.

Merritt Brown and Ms. Jenkins are solid professionals with decades of experience building in Santa Fe. They manage a brand that stands for quality development, and they are committed to building a legacy project that acts as an important gateway to the city they both live in. They do not want a failed project.

My view is that Zia Station should be allowed to manage their own project, and that there are far more important issues to be resolved, most importantly:

Traffic Planning

Zia Station has offered an innovative plan that improves the current intersection at Zia and St. Francis, and allows for increased traffic from the project. However, a number of critical issues concerning traffic flow, both vehicular and pedestrian, that remain unresolved.

The traffic analysis done by CNA member Rich Woods is absolutely excellent. It is detailed, thorough, raises all the un-considered issues that need to be considered in a comprehensive solution to traffic management that affects the neighborhood, offers solutions, and is an outstanding example of the kind of thinking our neighborhood can contribute to the Zia Station project for the good of all.

A Way to Work Together

Sharing Rich Wood's work would be an excellent opportunity to establish a working relationship between Zia Station and the neighborhood. The sides should set up a Traffic Working Group to share ideas, develop solutions and find ways to improve the traffic flows involved.

It would be great if Mr. Wood would agree to represent the neighborhood along with anyone else interested and qualified, under condition that Zia Station would equally make its own experts available for discussion and mutual input, and would agree to work towards an even better traffic solution that we have now. The desired outcome would be a much-improved Traffic Plan, created by mutual consultation.

This would set up further areas of collaboration such as

- alternatives to strict adherence to the S-CHPC and master plan demands,
- input on the kinds of retail businesses that are most wanted and needed, like a coffee shop, a good bar/lounge, a quality bistro-style restaurant, etc.
- an architectural review group set up to test ideas, channel requests, and gain the input of the talented and experienced artists, designers and concerned neighbors in the Candlelight neighborhood.
- discussions of an underground underpass to connect the north and south sides and vastly improve pedestrian safety.

One Line Summary

The sides have much to gain by talking and working with each other, using a strategic negotiating approach, to reach solid agreements that work towards the benefit of all stakeholders, tenants, neighbors, and the broader community.

Action Request #1

I ask that the Planning Commission formally request the sides to negotiate, perhaps by setting up working groups, with the intention of reaching substantive agreements on the main issues standing between them including

- **Traffic Flow and Safety,**
- **Walkability and Pedestrian Safety,**
- **Architectural Style,**
- **Alternative solutions to the Highway Corridor protections**
- **Master plan**

and to report back for a new hearing in 60 days.

Action Request #2

I ask that the City Planning Commission require Zia Station to improve their goal of walkability by providing a well-designed underpass or pedestrian tunnel under Zia that would provide safe connectivity for pedestrian traffic between the North and South sides, including viable financing plan.

I further suggest that the sides form a working group to set up criteria for the pedestrian tunnel including lighting, handicapped access, minimum width, sanitation, security systems like surveillance cameras, and further assess costs and possible ways to finance the underpass.

Respectfully submitted,

Eric Olson

To: Santa Fe City Planning Commission

From: Sterling Grogan
2138 Candelero Street
Santa Fe 87505
sterling.grogan@gmail.com *505.263.1212*

Subject: Proposed Zia Station development

1. Drainage Report, November, 2020

Request:

I ask that the Planning Commission condition any approval associated with the proposed Zia Station development on the completion, at the developer's expense, of appropriate remediation, according to City of Santa Fe design standards and other criteria as may be appropriate, of the severe erosion now present in the reach of Arroyo de los Chamisos on the Zia Station property.

Justification

The proposed Zia Station Drainage Report is deficient insofar as it does not include consideration of the highly eroded reach of Arroyo de los Chamisos that is located on the Zia Station development property. While some of the causes of erosion of this reach of the Arroyo are listed on pages 15 and 16, the single most critical cause of the erosion on Zia Station property is not mentioned: **That is two undersized culverts that are associated with a natural gas pipeline crossing, approximately 100 feet upstream of the Zia Station property.** During the high flow event in August of 2018, the large flow backed up due to the constriction caused by those culverts and the resulting flow shot out of the culverts at very high velocity, causing severe erosion on the Zia Station property (where there are two 90 degree turns within 100 feet) and other private properties downstream. Page 13 includes this: "The drainage management plan…has been designed with the potential for surface erosion at the forefront of consideration." How is that possible if **severe existing and potential erosion on Zia Station property is not taken into consideration?** In the 2018 CIP plan $450,00 is identified for erosion control and remediation in "Arroyo de los Chamisos Upper", which includes the reach of the Arroyo on the Zia Station property. I respectfully request that the City work with the Santa Fe Watershed Association, which has developed a plan for erosion control work in this reach of the Arroyo, to implement

appropriate erosion control and remediation in this reach of Arroyo de los Chamisos.

Request

I ask that the Planning Commission condition any approval of the proposed Zia Station development on the revision of the proposed Drainage Report to include recognition of the fact that more than one 100 year precipitation event per year is expected to occur, thereby requiring a substantial upgrading of the proposed detention ponds and other devices to handle runoff from the proposed development

Justification

On page 13 of the Drainage Report there is this comment: "...proposed system hydraulics have been ...sized to safely accommodate the 100 year 24 hr storm event." **However, in 2018, Santa Fe received two 100 year storm events, a common phenomenom in the Southwest.** Climate change is predicted to bring fewer storms but those are likely to be of greater intensity/magnitude. While the Drainage Report does include data to predict storm events in Santa Fe, there is no data of **actual** stom events.

2. Proposed landscaping

Request

I ask that the Planning Commission condition any approvals of the Zia Station development on the requirement to use only native plants in landscaping.

Justification

The developer says, also on page 19, that the plan is to "...transition to native landscapes along property edges." On page 20 of the Project Summary, the developer proposes the use of "...native and inroduced plant species..." Why not plan for all native landscaping, so as to establish and maintain true Santa Fe character throughout the development?

January 20, 2021

Dear Noah and Lee,

Using neighborhood input gathered over the past year from meetings, discussions and other forums, the Candlelight Neighborhood Association (CNA) Board submits the attached position statement regarding the proposed Zia Station development.

In addition to CNA Board members, fifty-seven Candlelight residents have asked to be included as "signatories" to the statement as written.

It is important to note that the neighborhood, taken as a whole, is NOT categorically opposed to the proposed Zia Station development.

However, the neighborhood definitely is not categorically FOR the proposal either.

Rather, CNA is opposed to the project as proposed.

Thank you for including this cover letter and attached position statement in the packet for the February 4, 2021 Planning Commission meeting.

Sincere regards,

\Ed Aku Oppenheimer
VP, CNA Board

Candlelight
Neighborhood Association

Candlelight Neighborhood Association (CNA) Position Statement: Proposed Zia Station Development Preliminary Filing

January 11, 2021

Developer's [SF Brown] Summary:

Zia Station is a proposed mixed-use project located at northwest and southwest corners of Zia Road and St. Francis Drive (the North and South Parcels, respectively). The subject property comprises 21.0 acres and is primarily zoned R-1 (one dwelling per acre), and about 2.5 acres are zoned R-5 (five dwellings per acre). The applications to be submitted to the City include the following:

1. **General Plan Amendments to change the land use designation of the North Parcel from Low Density Residential to high Density Residential and to change a portion of the South Parcel from Low Density Residential to Transitional Mixed Use.**
2. **Rezone from R-1 and R-5 to C-2 PUD (Planning Unit Development).**
3. **Request to remove the property from the South-Central Highway Corridor District.**
4. **Preliminary Development Plan for a mixed-use PUD to be developed in multiple phases comprising approximately 397 dwelling units, 84,000 square feet of office, and 36,000 square feet of restaurant/retail space.**

The Santa Fe City Planning Commission will address the developer's preliminary plan at the Commission's meeting on Thursday, February 4, 2021, 6:00 pm.

****

Based on a neighborhood survey, comments made in a neighborhood forum, independent research and meetings with the developer's (SF Brown) representative, JenkinsGavin, and city planning staff, CNA presents the following response to the preliminary filing for the proposed Zia Station mixed use project:

1. ***The developer's plan should comply with the South-Central Highway Corridor Protection District (S-CHPC):***

SF Brown, the developer, bought the property knowing the S-CHPC protections, as specified in City of Santa Fe Ordinance 14-5.5, were in place. Residents of the adjacent neighborhoods bought their homes with the expectation that these protections would be respected and enforced.

An overwhelming majority (97%) of CNA residents, who responded to a neighborhood survey, support maintaining the S-CHPC. It is wrong to override the interests of the homeowners simply to satisfy the questionable vision of a developer who has failed to provide convincing justification for removing protections enacted to preserve the unique character of Santa Fe.

2. ***The developer's plan offers no options to eliminating the S-CHPC overlay:***

The application presumes the elimination of the S-CHPC overlay protection, which makes it impossible to have a substantive discussion with the developer. The existing Candlelight neighborhood is the result of the plans and intentions of the city's existing General Plan, Highway Protection Corridor Overlay, and Zoning. To ask the community to consider only a plan that eliminates the corridor protections and requests maximum zoning densities and

business development options requires the neighborhood to abandon all its broadly held concerns before a discussion can begin. Related issues include drainage, arroyo erosion, and a problematic gas line.

The existing restrictions were imposed by the city for a variety of reasons, clearly outlined in the city's Code of Ordinances, 14.5.5. The Candlelight neighborhood sees no reason why it should be asked to proceed under the assumption that these provisions have already been sacrificed, when the needs these provisions, approved by the Governing Body at its November 30, 2011 meeting (reference Bill 2011-042), remain true and current. This all-or-nothing approach has left the Candlelight neighborhood effectively excluded and disregarded.

3. ***The developer needs to submit a master plan:***

Both phases of the development fall in areas currently protected by the S-CHPC. Given the CNA underlying position that the corridor protections should be maintained, it is suggested that the developer take a comprehensive approach in conducting a complete redesign to comply with the existing regulations, i.e., develop both parcels together, under a master plan, rather than as a PUD that allows separate development phases over an extended period of time with all the associated uncertainties.

4. ***The developer's plan poses serious issues regarding community health, welfare and safety:***

The plan proposes some safety features for the Zia/St. Francis intersection that CNA supports, including widening Zia Road *now* to add extra lanes for left turns from West Zia Road north onto St. Francis; and a continuous right-hand turn from St. Francis, west onto Zia Road.

However, significant issues remain regarding the greatly increased volume of traffic that the proposed development would generate in an area where congestion and accidents are already problematic—even deadly. Additionally, it is both unsafe and inconvenient to depend on u-turns to manage traffic problems associated with the proposed development's single ingress/egress point north of Zia. This approach has the potential to adversely impact communities all along Zia. CNA requests **an independent evaluation of the traffic report**, including a comparison to the last one that the NM State Department of Transportation conducted in 2008.

In addition, the neighborhood strongly recommends that **a roadway Master Plan be developed for the Zia/St. Francis intersection in order to ensure that the development does not inadvertently block improvements, like widening Zia at the Rail Runner crossing.**

Finally, CNA would like to be more collaboratively involved in addressing pedestrian and vehicular safety issues, which are covered in greater detail in a separate traffic analysis document prepared by CNA Board Member Rick Wood. This document will be in the Planning Commission packet for its February 4, 2021 meeting..

5. ***The developer's plan incorrectly characterizes the proposed project as "transit oriented" and "pedestrian-based":***

Though the developer and his representative have frequently used the terms "transit oriented" and "pedestrian-based" in connection with the proposal, it is neither. The Zia Station project does not meet the definition or requirements specified by the Transit Oriented Development Institute (tod.org), "Ten Principles of Transit-Oriented Development," nor is the project remotely "pedestrian-oriented."

In fact, the provisions for walkers are minimal and CNA remains highly concerned that the project will amplify safety issues at an intersection already plagued by well-documented dangers to walkers, cyclists, motor vehicles, and the Rail Runner. The current traffic plan does not address these existing weaknesses, much less the impacts of an additional, significant number of pedestrians and cyclists daily.

6. ***The developer's plan fails to provide the type of housing that is needed in Santa Fe:***

According to three recent articles in Santa Fe publications, including the December 2020 issue of the "Home Santa Fe Real Estate Guide,"[1] which cites eight local real estate agencies, the greatest current unmet need for housing in Santa Fe is for single-family dwellings with more living space. The developer's project, with its emphasis on small apartments, does not meet this need.

Additionally, although true that affordable housing for lower income New Mexicans is another critical need, SF Brown commits to allocating **just 15%** of its high-density project to this need and for a period of **only 5 years**. In exchange for this meager, short-term allotment, the developer stands to receive up to several hundred thousand dollars in forgiven development fees. This violates the intention of the Santa Fe Code of Ordinances addressing affordable housing (Chapter 26, Housing), and leaves the population it is designed to protect dangerously exposed to the possibility of homelessness **in 5 short years**. The Candlelight neighborhood does not consider this a sincere effort to address the community's real housing needs.

7. ***The developer's plan leaves critical design questions unanswered:***

The neighborhood has questions about the architectural integrity of the project and would like to be more collaboratively involved in the various design features, including set-backs and boundaries. CNA supports maintaining large set-backs on Zia Road to avoid creating an ugly "canyon effect" on Zia, as has occurred with many of the new developments in Santa Fe; and additionally to avoid causing a permanent winter shadow on roadways that already have a major icing problem. This is consistent with the intent of the S-CHPC.

Moreover, CNA feels strongly that the appearance of structures should be consistent with Santa Fe style, as is the case with older apartment complexes in the area such as Zia Vista and Los Pueblos but is not the case with several newer developments, e.g., Capitol Flats and Broadstone Rodeo apartments. In CNA's opinion, developers demonstrate respect for the city when they recognize and adhere to a design standard that reflects the unique character of Santa Fe.

[1] www.santafenewmexican.com/life/home, "Home Needs Changing for Buyers" by Paul Weideman

TO: City of Santa Fe Planning Commission

FROM: Richard L. Wood
2197 Lustre Ct. (Candlelight Neighborhood)
ricknsuew@comcast.net

DATE: 13 January 2021

SUBJECT: Zia Station Traffic Analysis and Recommendations

Introduction

The traffic situation at the intersections of **St. Francis/Zia** and of **Galisteo/Zia** has needed Engineering attention for a very long time. These long-standing concerns have been amplified and aggravated by the proposed Zia Station development. The "Zia Station Traffic Impact Analysis" (TIA), published by Bohannon-Huston (B-H) in November 2020, addresses only a few of these pre-existing issues.

This report constitutes a starting point for a more comprehensive analysis. It confirms some of the conclusions in the B-H report, and provides contrasting arguments against some. Mostly, it proposes some additional and alternative "solutions" for the longer list of the **Zia** roadway problems. Its purpose is to assure that provisions are made in the new Zia Station Development for the eventual implementation of appropriate roadway improvements, provisions which are not apparent in the current submittal.

Summary of Findings

See the appropriate section later in this report for supporting data and argument.

- Regarding Left-Turns from E-Bound **Zia** onto N-Bound **St. Francis**. The increase from 2-lane Left to 3-lane Left is long overdue. The proposed conversion of one of the existing **Zia** "through" lanes to Left-Turn only, along with corresponding modifications to the center dividers on the N, S, and E sides of the intersection are well thought out and effective. However, we request that **Zia** Road be widened on the W side of **St. Francis** so that there will still be two "through" lanes to cross **St. Francis**.
- Regarding realignment of **Galisteo** westward. My analysis confirms that this realignment very significantly improves **St. Francis** Left-Turn volume, and greatly alleviates (if not eliminates) the intersection blockage problem at **Zia/Galisteo**. However, there are some down-sides, and not all of the Candlelight Neighborhood agree, for various reasons, which will be discussed.
- Regarding the Prohibition of Left Turns from **Galisteo** onto **Zia** Rd. By overwhelming majority, the Candlelight Neighborhood finds this provision unacceptable. It imposes a major 24-hr per day inconvenience to address a 1 or 2 hr problem. It will spawn a large number of U-Turns elsewhere, which, we feel is a far greater safety and blockage problem than the Left-turns present. No other alternatives were even discussed in the B-H report.
- Regarding claims of a "Walkable Neighborhood." B-H Engineers have confirmed that the traffic-flow software they use ignores the effect of foot traffic on automobile traffic.

However, the proposed development will bring with it a significant increase in pedestrian and cyclist traffic across **Zia** and across **St. Francis** which will certainly not help the situation. There is NO information or prediction in the developer's application about where or how these crossings will occur. It is shown that these crossings WILL have significant effects on auto queue back-up for both roads. Some of this can be alleviated by improvements to crosswalk geography and control lights. The only real "solution" seems to be reduction of the housing density in the proposed development.

- Regarding Right Turns from S-bound **St. Francis** onto W-Bound **Zia**. The Zia Station Development proposal does not offer ANY help for this long-standing major problem. Even though, on paper, this problem is not caused or made worse by the proposed development, appropriate real estate must be reserved, in the form of increased "set-back," for implementation of needed future upgrades. Two possible "solutions" for this back-up problem are discussed here, including 1) A two-lane right turn, and 2) a single, continuous right turn lane.
- Regarding intersection of **Galisteo/Rodeo. Galisteo** is the ONLY way into or out of several existing residential streets along its length. Even without the added congestion and traffic contribution of the proposed development, many have asked for a traffic light to be added at **Galisteo/Rodeo.** Traffic back-up on **Galisteo** certainly will not get better due to the development, especially if the Left Turn prohibition at **Zia** is not rescinded. Finally, the City should seriously consider widening **Rodeo** from **Sawmill** to **Yucca**, or to **Cam Carlos Rey**. This improvement would aid both the existing Galisteo motorists as well as the new Zia Station traffic, and will markedly reduce the always growing pressure on the **Zia/St. Francis** intersection.

Comments on B-H "Zia Station Traffic Impact Analysis", Nov 2020

- As is right and good, the BH Traffic Impact Analysis was done from the viewpoint of their client, the developer, with the limited goal of identifying the MINIMUM number of changes and investment needed to at least not make things worse. However, it ignores other long-standing traffic problems, those that are not clearly made worse by the proposed development.
- The initial step in the analysis, the Traffic Count, was done before the total Covid lock-down, but after SFHS and the NM State Government Offices were closed. The BEFORE count will be low. But, because the subsequent analysis focuses on COMPARISON of BEFORE and AFTER cases, and less on the absolute numbers, this should not reflect significantly on the amount of improvement or worsening between them. This undercount might be reflected in the GROWTH numbers when predicting the baseline (No Build) traffic numbers that will be appropriate in 2024, the projected year.
- Generally speaking, I find no error in the methods used to predict the number of "trips" generated by the residences and commercial establishments assumed to be in the development. That is not to say that I am not concerned with the magnitude of these

numbers and their effects on congestion, safety, air quality, noise, and aesthetics. Any negative effects will be felt by the thousands of people who pass through this area daily, not just the Candlelight Neighborhood.

- The analysis does not even mention the effect on or by pedestrians, despite the fact that this development is intended to be a "walkable" neighborhood. More on this in dedicated section below.
- In key areas, such as their choice to prohibit Left Turns off of **Galisteo** onto **Zia**, no discussion was offered to describe other alternatives that may have been analyzed. The only numbers given are for the so-called "No Build" and "Build" cases. This all-or-nothing approach may help simplify things from the developer's point of view, but gives no means for us to understand the choices that were made.

Caveats: Factors Beyond our Control?

Consequences of Historical Roadway Policy. The over-congestion and failure of the existing **St. Francis/Zia** intersection is due, in part, to failed government policies over several decades, pre-dating all of us. The philosophy then was that the best way to control (limit) urban sprawl is to NOT build arterial roadways to serve them. Thus, South **Richards** Avenue does not connect to North **Richards** Avenue, **Yucca** does not align with **Llano**, and **Camino Carlos Rey** is too narrow and does not align with **Siler**. The result is that development happened anyway, and that a continuously increasing number of homeowners are forced onto the few roadways that go anywhere useful. There remain no good alternative routes across the Arroyo Chamisos except **St. Francis Drive**. This is neither the fault of the Zia Station developer, nor their responsibility, but what they build must leave room for some needed improvements.

St. Francis/Zia Traffic Light Timing. The Bohannon-Huston analysis, and my analysis described below assume no changes to the timing of the lights at the **St. Francis/Zia** intersection. The State Highway Department has some (all?) authority over the TIMING of these lights. There is a possibility that, should we make improvements to this intersection that succeed in increasing the number of autos that can complete the Left Turn from E-bound **Zia** onto N-bound **St. Francis**, the State may decide to shorten the duration of the **Zia** green to compensate. Let's hope not.

RailRunner Schedule. Likewise, we must not ignore the big elephant in the room, the RailRunner. The B-H analysis assumes that during the AM and PM peak hours, the RR passes through, but does not STOP at the Zia Station, this according to the published schedule pre-Covid. But we have all heard about projections for expanding the number of trains over time, and if the Zia Station development is "successful", there will be rider demand for stops there during peak commute hours. NMCOG has the authority, I believe, to change (expand) the schedule any time they wish, which might make all of the proposed roadway improvements moot. The biggest help that NMCOG could give us would be to at least raise the **Zia** gates when a S-bound train is stopped at the Zia Road Station. Currently (Pre-COVID), they stay down for full minutes, even though the train is well past the roadway, until the train has departed southward.

E-bound Zia left turn onto N-bound St. Francis

The following analysis is based on my own observations during pre-Covid times, and not on numbers from the B-H report. My evaluation is also based on retaining left-turn capability from **Galisteo** onto **Zia**, which is prohibited in the B-H plan. **Figure 1** in Appendix II shows the area with key landmarks, for comparison to the following figures.

Existing (Pre-Covid) Situation. For decades, the back-up of traffic on E-bound **Zia** leading to the Left-Turn onto N-bound **St. Francis** has been extreme, and the cause of major safety and accessibility concerns for surrounding neighborhoods. Even though this portion of **Zia** is two lanes, almost all of the traffic congestion and stoppage occurs in the left lane. The bulk of the traffic is queuing up for the left turn onto N-bound **St. Francis**. See **Figure 2** in Appendix II.

Experience is that only those cars that are stopped in the front (BLUE) zone (see figure) will be able to complete the left turn onto **St. Francis** during the next green light. (The end of this zone is roughly at the end of the center island at the east side of the current **Galisteo** intersection.) The capacity of this zone is roughly 14 cars (depending on size and spacing of course), 4 cars in the left turn bay, and 10 cars in the adjacent lane. Thus the capacity of this combination of roadway and signal light timing is NOMINALLY 14 cars per cycle. (However, apparently most of the drivers prefer NOT to be in the left lane once they reach **St. Francis** for various reasons that I won't enumerate. Therefore, the first few cars to arrive at the RED light will usually fill the adjacent lane first. Because the left-turn bay is so short, it takes only 4-6 cars backed-up in the adjacent lane to block access to the left-turn bay. As a result, there are usually only one or two cars in this bay for each light cycle. Thus the EFFECTIVE capacity of this left-turn arrangement is only 12 cars per cycle.)

Some of the backed-up cars in the second (ORANGE) zone (see figure) have a slim chance of making the next green light, but will certainly get through on the second light. Even at non-peak daylight hours, there are almost always some cars backed up here, illegally blocking the **Galisteo** intersection.

Cars in the third (GREEN) zone face a much longer wait. This amount of back-up, all the way back to **Candelero, Vela, Brilliante,** and sometimes beyond, is a frequent occurrence during AM Peak Hour. This traffic is very effective at blocking ingress/egress from **Candelero**. *Morning traffic from **Candelero** is forced to turn right on **Zia**, and execute an often dangerous U-turn at **Vela** or **Brilliante** in order to go east to **St. Francis**. These U-turns are hazardous because the arriving E-bound traffic on **Zia** is usually traveling ot well over the posted speed limit, and the sight distance is very short from the curve on **Zia** to the West. Often, the only safe way to accomplish these U-turns is to turn onto **Vela** or **Brilliante** and complete the U-turn there, which, or course, is unpleasant for those living on these otherwise very quiet streets.*

Proposed 3-Lane Left Turn from E-bound Zia onto N-bound St. Francis. Simply converting one of the **Zia** through lanes to a 3rd Left Turn Lane has several beneficial effects, plus two easily-fixed downsides. See **Figure 3** in Appendix II.

The first benefit is that the width of most of the queue is doubled, cutting its overall length in half (for the same number of autos "stored"). Note in the figure that the AM Peak queue no longer extends to Candelero.

The second (Main) benefit is that it increases the number of autos that can complete the left turn at each green light. In the figure, the cars stopped in the front (BLUE) zone will be able to complete the left turn onto **St. Francis** on the next green light. This zone has room for 24 cars, up from 14 with only 2-lanes-left. (New capacity is 24 cars per cycle assumes no changes in green signal duration.) This significantly reduces the number of cars that were NOT able to make the turn, and thereby shrinks the amount of queue storage needed accordingly. This is shown in the **Figure 3**.

A major downside for the conversion to 3-lane-left, as seen by the Candlelight Neighborhood, is the loss of one of the through lanes across **St. Francis**. We strongly request that **Zia** be widened at the RR crossing to retain a 2-lane crossing of **St. Francis**.

The main queue back-up problems experienced at **Candelero, Vela,** and **Brilliante** are alleviated by introduction of the third left turn lane at **St. Francis**. However, this shortened queue will continue to block the existing **Galisteo** intersection. In fact, with two lanes of stopped cars instead of one, left turns off of **Galisteo** would go from "very difficult" to "nearly impossible" during Peak Hours. Even right turns off of **Galisteo** will be more difficult, since the near lane will be blocked also. This, at least, could be fixed by widening **Zia** by one lane from **Galisteo** to **St. Francis**. (Omit the peninsula shown in the B-H TIA.)

These new or worsened problems are addressed by relocating the **Galisteo** intersection to the West. See next section.

Realignment of Galisteo

The developer has proposed "realignment" of **Galisteo** somewhat to the West. It will be shown that this alleviates all of the problems caused by the conversion to the 3-lane-left arrangement described above. But it creates some new ones (of course). Some of these are discussed below. In MY view, the benefits far outweigh the consequences, a view not necessarily shared by all Candlelight Neighbors.

A principal side-benefit of relocating **Galisteo** westward is that it allows a MUCH longer left-turn bay at **St. Francis**. See **Figure 4** in Appendix II. This lengthening has three key advantages:

1) It eliminates blockage of the left-turn bay,

2) It increases the number of cars that safely complete the turn onto **St. Francis** to 30 per cycle. (The BLUE zone in the figure.)

3) It increases the width of the storage queue, thereby shortening its overall length (for the same number of waiting cars.)

By decreasing the number of waiting cars that fail to make said turn, it decreases the size of the needed queue storage, and shortens it even more. When done IN CONJUNCTION WITH conversion to the 3-lane left, relocating the **Galisteo** intersection westward virtually eliminates blockage of said intersection at all projected traffic levels. (This is the same result quoted by B-H in their Traffic Impact Analysis.)

	Current	3-lane left, same Galisteo	3-lane left, relocated Galisteo
Num of cars that complete the Zia-to-St. Francis left turn per light cycle.	14	24	30
Left-turn bay blocked	yes	yes	no
Candelero intersection blocked	yes	no	no
Galisteo intersection blocked	yes	BADLY	no
Difficulty when icy	yes	yes	WORSE

Table 1. Summary of attributes of 3 possible roadway arrangements.

There are two principal disadvantages expressed about this proposed relocation of the **Galisteo** intersection:

1) Movement westward is also a move DOWNHILL. In icy conditions, getting up the slope on **Zia** is already known to **be** a major problem, even after the snowplows have been through. If this intersection is moved, **Galisteo** ingress/egress will suffer the same fate. N-bound **Galisteo** cars attempting to stop at the intersection could, instead, slide into **Zia** traffic. Also, it could become impossible to enter **Galisteo**, especially if the surrounding buildings shadow the intersection. I agree that this is a legitimate concern. But the trade-off is to forego any chance of retaining left-turn capability from **Galisteo** onto **Zia**.

2) Realignment moves congesting factors closer to **Candelero**, possibly offsetting some of its improvements. I am much less concerned about this, given the LONG list of improvements that result at the **Candelero** intersection.

(**<u>On the subject of ICY CONDITIONS</u>**, there is major concern that the tall buildings proposed to line **Zia** Road on the South side threaten to create a permanent shadow on the upward sloping E-bound lanes of **Zia**, and on **Galisteo**. We strongly request substantial set-back distances from **Zia** and from the sloping portion of **Galisteo** to prevent further aggravation of the known icing problems. This borders on being a "Solar Rights" issue.)

Prohibition of Left Turns from Galisteo onto Zia.

This feature of the B-H proposal is very much dreaded by the existing Candlelight Neighborhood. B-H gives very little justification for this choice and discusses none of the alternatives they may have considered. Below, I will list some of the many undesired consequences, and will present for discussion a few of the possible alternatives.

(But first, I would like to point out that eliminating left-turns from Galisteo allowed the developer to shrink Galisteo down from its current WIDE stance to what appears to be a narrow 2-lane alley on their layout. This narrowing is not only ugly and unsafe, but could further aggravate the icing problems. We don't think the prospective merchant/occupants of Phase II will appreciate this either. We, the existing neighbors, request that it remain at the current width, if for no other reason, to provide valuable options for further roadway improvements at a later date.)

<u>Excessive reliance on U-Turns.</u> The main by-product of the proposed left-turn prohibition is a multitude of U-turns. Vehicles departing the Northern (Phase 1) residential portion, and ultimately headed East, North, or South, will, nonetheless be forced to turn right (West) on Zia, then make an about-face somewhere. We think it is very unlikely that these motorists will choose to go all the way to **Yucca**, then to an already overcrowded **Siringo** to the North or to circuitous and increasingly over-populated **Rodeo/Sawmill** to the South in order to get back to **St. Francis**. Instead, U-turns will be made at **Candelero, Vela**, or **Brilliante**.

Likewise, any travelers headed West from the Southern (Phase 2) development (or the existing Candlelight Neighbors who live off **Galisteo**) will be forced either to head south on **Galisteo** to W-bound **Rodeo**, or to turn East on Zia, cross **St. Francis**, make a "U-Turn" through the Walgreen's parking lot (referred to as "...somewhere east of **St. Francis**..." in the B-H report), and re-cross **St. Francis** to head west.

There are examples of this elsewhere in Santa Fe. Left turns onto **St. Francis** from side-streets north of Cerrillos were prohibited recently to deal with blocked intersections during rush hours. The resulting U-turns might be unpleasant there too, but they are safe because they are controlled by lights. Also, **St. Francis** is 3 lanes both ways, providing plenty of room to make the U-turn between curbs; **Zia** is only two lanes.

In the absence of any other justification, we assume that the REASONS for the prohibition of left turns from **Galisteo** are the dangers of said turns through heavy traffic on **Zia**. However, many

of the Candlelight Neighbors feel that the dangers and 24-hour inconveniences caused by the many U-turns overwhelms the dangers of the left turns.

Alternatives to Left-Turn Prohibition. The FIRST alternative that we would like to suggest is to leave room for left turns, allow them to occur (or not) just as they do now, and to wait and see if the aforementioned improvements to the Zia storage queue suffice.

IF this wait-and-see trial proves that left turns are still problematic, or if this prohibition is somehow mandated by traffic codes, then we would prefer that the turns only be prohibited during Peak Hours. This might require extra signal lights to define the go/no-go periods, but eliminates a major 24 hour inconvenience to solve a 1 hour problem.

Another alternative is to employ a synchronized (slaved) traffic light at the **Galisteo/Zia** intersection. Such a light was featured in all the previous proposals by the developer and by the MPO, but disappeared in the current proposal. Jennifer Jenkins said that they would prefer such a light, to improve ingress/egress to their proposed development, but that for some reason it is now "illegal" because there is not enough predicted traffic on **Galisteo**. This is confusing to us, since the B-H TIA predicts trips generated to be in the thousands. Also, there are similar lights at the exit from the Albertson's complex to our east, at the Smith's Grocery exit on Cerrillos, and elsewhere in Santa Fe. Perhaps those lights predate the ordinance. We would like to understand the facts about this legal restriction.

Synchronized (Slaved) Light at new Galisteo/Zia Intersection.
In order for such a light to 1) make safe left turns possible, and 2) not cause a new back-up problem on **Zia**, something like the following light sequence would be necessary:

1) Through traffic on **Zia** would get a YELLOW then RED light at **Galisteo** 2-4 seconds before the corresponding light at **St. Francis**. This is needed to insure that there is room in the stopped queue to hold the cars entering **Zia** from **Galisteo**.
2) **IF** there are cars waiting on **Zia** to make a left turn onto **Galisteo**, they would receive a 5 second GREEN arrow, followed by a 5 second yellow arrow, then nothing. (With no RED arrow, these left-turners are allowed to attempt a turn during the solid GREEN to follow, exactly as if there was no light at all.)
3) **IF** there are cars waiting on north or south **Galisteo** to cross **Zia** or to make a left turn onto **Zia**, they would receive a 5 second solid GREEN (not an arrow), followed by a 5 second yellow, followed by solid RED.
4) Finally, **Zia** through traffic would receive a solid GREEN light.

The entire process takes well under 30 seconds, much shorter than the 140-160sec cycle at **St. Francis**. In that time, only a few cars get stopped on **Zia**, not enough for the queue to extend all the way back to **Candelero**. These cars then move forward and take their place in the **St. Francis** queue exactly as before, in plenty of time to make the next GREEN, so there is no discernible difference to drivers at **Candelero**. This arrangement eliminates any residual blockage of the intersection, and thereby accomplishes the main objective of insuring safe left

turns for all at **Galisteo/Zia** for the first time in decades. In my opinion, this is the best alternative.

General Pedestrian/Bicyclist Issues

Jennifer Jenkins has often referred to the proposed Zia Station development as a "Walkable Neighborhood." One of the attractions to living here will be the ability to walk to the RailRunner Station and to stores within the Phase 2 portion of the development as well as Walgreen's and Albertson's across **St. Francis**. No provisions for accommodating this added foot traffic have been suggested. No analysis of the effects that this added foot traffic might have on the vehicular traffic or the safety implications has been offered. In response to my technical questions on traffic modeling, BH confirmed that their codes do not consider pedestrian effects on the automobile traffic flow.

Crossing St. Francis. Currently (pre-Covid actually) there are not very many pedestrian crossings of **St. Francis** each day; the existing neighborhoods are a little too far away to attract more than a handful of walking trips to Albertson's. The new developments will be much closer, and the number of additional walkers/riders wishing to cross **St. Francis** will increase disproportionately.

In theory, the pedestrian tunnel under **St. Francis** (over 100 yds north of the **Zia/St. Francis** intersection) is supposed to handle most of this foot/bicycle traffic. Observations prove otherwise if a shorter route (surface crossing) is available. Crossing the RR tracks from northern (Phase 1) development won't be practical (or allowed?), so walkers would have to trek to **Zia** and first and double-back. I estimate that about half of the pedestrians from the northern (Phase 1) development will use the still tunnel and but half will use the surface crosswalk. It is also unlikely that pedestrians from the south side of **Zia** would cross **Zia** to get to the underpass. They will almost certainly cross **St. Francis** on the surface crosswalk.

As it stands now, the **St. Francis** pedestrian walk light cycle takes 40 seconds, and the only vehicular traffic given a GREEN light during this is **Zia Road** through traffic. All other traffic directions, including the problematic turns to and from **Zia**, from and to **St. Francis** are stopped. Thus, unless a solution appears, every added surface crossing of **St. Francis** will cause a significant stoppage on both **St. Francis** and **Zia**.

A pedestrian overpass on the south side of **Zia** might help, if it tied directly into the elevated Albertson's parking lot, but this is probably prohibitively expensive. However, it would have the added benefit of supplying parking for the RailRunner station.

Some changes to the traffic light logic and durations might help. Previous traffic studies have suggested that the **St. Francis** pedestrian crossing light durations could be cut in half, forcing pedestrians to wait for an additional cycle at the halfway point. Also, if the only pedestrians crossing are in the southern crosswalk (from the Zia Train Station to Albertson's, say), the left

turn arrow allowing E-bound **Zia** turns to N-bound **St. Francis** could be left green instead of the through lanes. But none of these really fully compensate for the added stoppage.

Crossing Zia Road. Pedestrian crossings of **Zia** have been prohibited in the vicinity of **Galisteo** for over 30 years due to already heavy traffic congestion. See **Figure 6** in Appendix II. None of the proposed improvements will remove that concern. Thus, walkers from the northern (Phase 1) development who wish to go to the RailRunner station or to any of the fine establishments south of **Zia** (Phase 2 development) must use either the RailTrail crosswalk at **St. Francis**, go to the **Candelero** intersection, or Jay-walk. We all know there will be lots of jay-walking, which is difficult to predict or analyze. We continue to be concerned about the safety of any of these crossings, legal or illegal. Also, it will be shown (below) that any increase in crossings at the RailTrail crosswalk will have very detrimental effects on S-bound **St. Francis** traffic turning onto W-bound **Zia** unless significant improvements are made to this right-turn layout and the signal light.

Regardless of time-of-day, RailTrail crossings are already enough to create frustrations for drivers wanting to turn right from S-bound **St. Francis** onto W-bound **Zia** Rd. A frequent sequence of events:

1) RailTrail cyclists and walkers push the N-S crosswalk button and wait for a while,
2) Lights turn GREEN for **Zia** East-West through lanes, and/or N-bound **St. Francis** to W-bound **Zia** left turn. Right turn arrow is RED. Crosswalk light still displays "DON'T WALK" symbol.
3) Once all those cars pass, MOST of the cyclists (and some of the walkers) see no cars approaching and proceed across **Zia** early, against the "DON'T WALK" sign,
4) After the rider/walker is long gone, the **St. Francis** N-S through light goes solid GREEN. But the right turn arrow stays RED for another 30seconds while the crosswalk sign still displays "WALK" symbol, WITH NOBODY IN THE CROSSWALK!
5) This "in your face" insult adds to the existing vehicular delay and back-up all the way back to St. Michael's Drive, increases driver blood pressure and tendency for rage, and causes them to attempt to make up for lost time by excessive speed on **Zia** Road.

Twice, I have witnessed impatient drivers from the back of the line bypass this superfluous red arrow by cutting across the shoulder onto the RailTrail itself, driving up to **Zia** on the pathway, and making the right in front of the stopped queue.

A remedy for this part of the pedestrian/cyclist problem is embedded in the following discussion on the Right turn from S-bound **St. Francis**.

S-bound St. Francis Right Turn onto W-bound Zia

Existing (Pre-Covid) Situation. During the PM Peak hours, the lion's share of the S-bound **St. Francis** traffic is headed for the **I-25** On-Ramp. This traffic begins queuing up in the right lane as early as **San Mateo**. Even though there are three lanes, most of this time the left two lanes are

only lightly congested in comparison. *This causes big problems for traffic attempting to enter S-bound **St. Francis** from **St. Michaels Drive**.*

In turn, the **I-25** queue is the root cause of "failure" at the **Siringo/St.Francis** and **Zia/St. Francis** intersections. (B-H reported the same in the TIA, but did not look as far north as the S-bound entrance ramp from St. Michael's Drive.) Vehicles headed for W-bound **Siringo** or **Zia** must somehow punch through this **I-25** parade. Even though there is a dedicated right-turn lane at **Zia**, the PM **I-25** queue is often long enough to block access to it.

The problems caused by pedestrians/cyclists at the **Zia/St. Francis** intersection were described in the previous section.

The Zia Station proposal, and the accompanying B-H Traffic Impact Analysis don't attempt to alleviate any of these problems. They are "pre-existing conditions," not the fault of the development, and not their responsibility. Nonetheless, the developer should be asked to set aside the necessary real estate so that the appropriate improvements can be made in the future, when City funding becomes available or the situation become intolerable.

Two-Lane Right Turn. In theory, this has several advantages, the main one being that it doubles the number of cars that can successfully, and safely, complete this right turn during the GREEN arrow. (No changes to light timing necessary.) *However, perhaps the biggest benefit is that it forces the I-25 queue to form in the 2nd lane at **St. Michael's** and at **Siringo**, rather than the right lane.* This will completely eliminate the merging problem for those vehicles attempting to enter S-bound **St. Francis** at **St. Michael's**!! The problem I see is that it will greatly complicate the geometry for the RailTrail crosswalk at **Zia**. I do not believe there is enough space between the **St. Francis** roadway and the RailRunner tracks to make the necessary adjustments. But wiser, more experienced traffic designers may be able to make this work. It should be studied.

Continuous Right Turn. This approach is in successful use at various places around Santa Fe, and has several advantages at this intersection. One such installation is at NE-bound **Cerrillos**, for Right Turns onto SE-bound **St. Michael's Drive** (near Weck's). See photo in **Figure 5** in Appendix II.

Note that the major crosswalk control buttons are located ON THE PEDESTRIAN SANCTUARY ISLAND. With the use of a dedicated merging lane to follow, the right-turn traffic does not stop for anything except for pedestrians/cyclists in the short crosswalk from the curb to the sanctuary island. They are not forced to wait through an entire "WALK" signal once the pedestrians have passed. At the **St. Francis/Zia** intersection, the right-turn arrow will be a FLASHING YELLOW most of the time, and only go RED when the railroad crossing is closed.

The RailTrail bicyclists will not like this solution. They are accustomed to blasting straight through, ignoring the STOP SIGN facing them at the **Zia** crossing. (See **Figure 7** in Appendix II.)

With this arrangement, they will be asked to stop and dismount completely before proceeding. Otherwise, they might come out of a right-turning driver's blind spot into harm's way. (In fact, they are also required to dismount before reaching the RailRunner station, and walking until they reach the other side. None do. But if the Zia Station development "succeeds" in increasing RR ridership, this rule will have to be more rigorously enforced to avoid collisions.)

A Continuous Right Turn, with crosswalk buttons on the island will alleviate most of the aforementioned problem with increased pedestrian traffic wanting to cross **Zia**. It does not do much to alleviate problems with increased crossings of **St. Francis**.

Unlike the 2-lane-right-turn, this does nothing to improve conditions at **St. Michael's** or **Siringo**.

Another Alternative. Camera systems exist that can correctly identify individuals within seconds. Surely there are camera systems that can identify whether there are actually people still waiting for the WALK light, or are actually in the crosswalk, so that the vehicles aren't forced to wait through a whole cycle when the crossers are already gone. This would alleviate some of the frustration of the right-turning drivers, but will not have much effect on the overall back-up situation. Such a camera solution is certainly complex and perhaps not robust.

Galisteo & Rodeo

Many of those who live in the existing neighborhood off **Galisteo** have already requested (pre-Covid) a traffic light at **Galisteo/Rodeo**. The traffic on **Rodeo** routinely moves in excess of posted speed limits, and the sight distance to the east (toward **Sawmill**) is limited, making turns onto **Rodeo** difficult and unnecessarily dangerous. With the recent opening of the new big apartment complex just across the RR tracks, the traffic volume has increased markedly. Add the new traffic due to the Zia Station, Phase 2, and the feeling is that this light becomes essential. Perhaps this is another light which is prohibited by statute. If so, we would like to understand why and what can be done about that. Obviously, this light would be coordinated with the RR crossing light which is adjacent, and could assist RailTrail traffic attempting to cross **Rodeo**.

It might help to widen **Rodeo** from **Sawmill** to **Yucca**. There is seems to be plenty of room to the West and East of **Galisteo**. Neighborhood opinion of this varies according to distance from **Rodeo**, the main concern being noise. Widening **Rodeo** would relieve some of the constantly increasing pressure on **Zia** to carry commuters to **St. Francis**.

In years past, MPO suggested adding a direct railroad crossover from **Galisteo** to **Sawmill**. On the face of it, this would alleviate a lot of traffic volume concerns, but it raises a lot more questions than it solves. This possibility warrants some study, but is beyond my current scope and abilities.

Summary of my recommendations

The minimum adjustments I believe that are needed to address EXISTING problems on Zia Road between **Candelero** and **St. Francis** are summarized in the layout in **Figure 8** in Appendix II.

- Three lane left turn at E-bound **Zia** onto N-bound **St. Francis**.
- Reconfigure median features on N, S, and E side of intersection, as proposed
- Realign **Galisteo** to the west as proposed in B-H TIA.
- Give the shorter queue a chance. Do not prohibit left turns at **Galisteo**. If these turns continue to be problematic, consider installing a synchronized traffic light.
- Create Continuous Rt turn feature for S-bound St. Francis to W-bound **Zia**. Put crosswalk buttons on the Pedestrian Sanctuary island.
- Widen North side of **Zia** from new **Galisteo** intersection to **St. Francis**.
- Widen South side of **Zia** from Candelero Park to **St. Francis** to retain 2-lane crossing of **St. Francis**. (Most of this widening is in the B-H TIA. Only extension to **St. Francis** is new.)
- Wide building set-back from **Zia**, especially on the south side.

Additional Conclusions

- An independent traffic study is required, from the City's and neighborhood's point of view, with the goal of identifying the IDEAL road layout, signage, and signalization for safe and efficient operation, without consideration of the total cost or who is going to pay. Once that Master Plan is established, negotiations with the developer over WHEN these changes will be made and by WHOM can commence.
- Much more thought needs to go into planning for the pedestrian traffic that arises due to this development. The crosswalk plan that goes along with a Continuous Right Turn feature could alleviate a lot of these problems, but won't prevent delays on **St. Francis**. Nor will it prevent a significant increase in unsafe jay-walking on **Zia** near **Galisteo**. The only moderating steps that will work are 1) to limit the density of the new development, or 2) a pedestrian underpass. Experience is that an underpass will only help if the walkers don't have to go a long way out of their way to use them.

APPENDIX I

My Credentials

Richard L. Wood

M.S. Mechanical Engineering, Univ. of Arizona, 1977

Formerly Registered Professional Engineer in California. Registration is long expired, so I can't claim that now.

35 years experience designing, constructing, and operating scientific instruments and equipment for Lawrence Livermore National Laboratory, Solar Energy Research Institute (now called National Renewable Energy Laboratory), Los Alamos National Laboratory, and Princeton Plasma Physics Laboratory.

Over 25 years of daily experience commuting and observing on Zia, St. Francis, Rodeo, and Sawmill Roads

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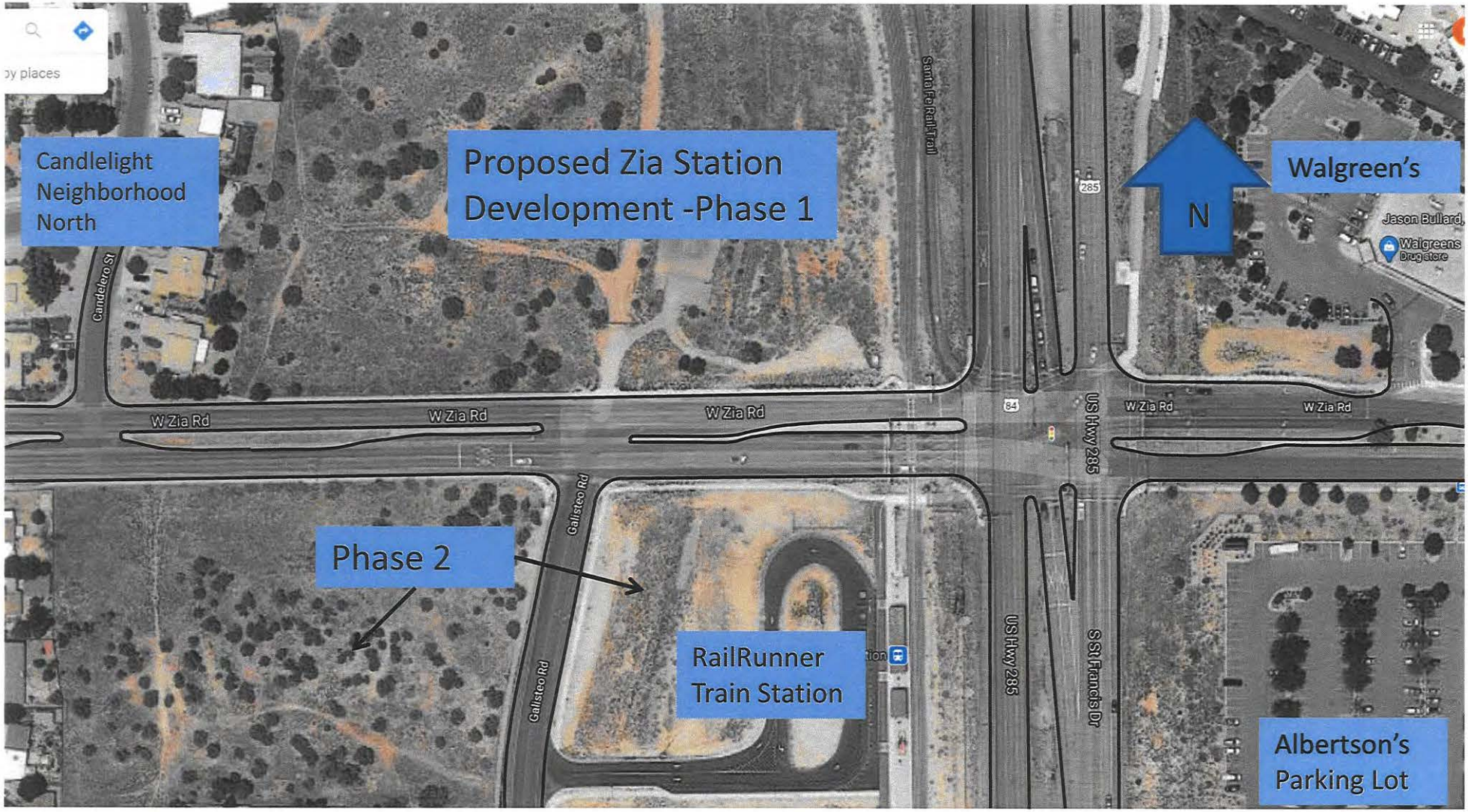
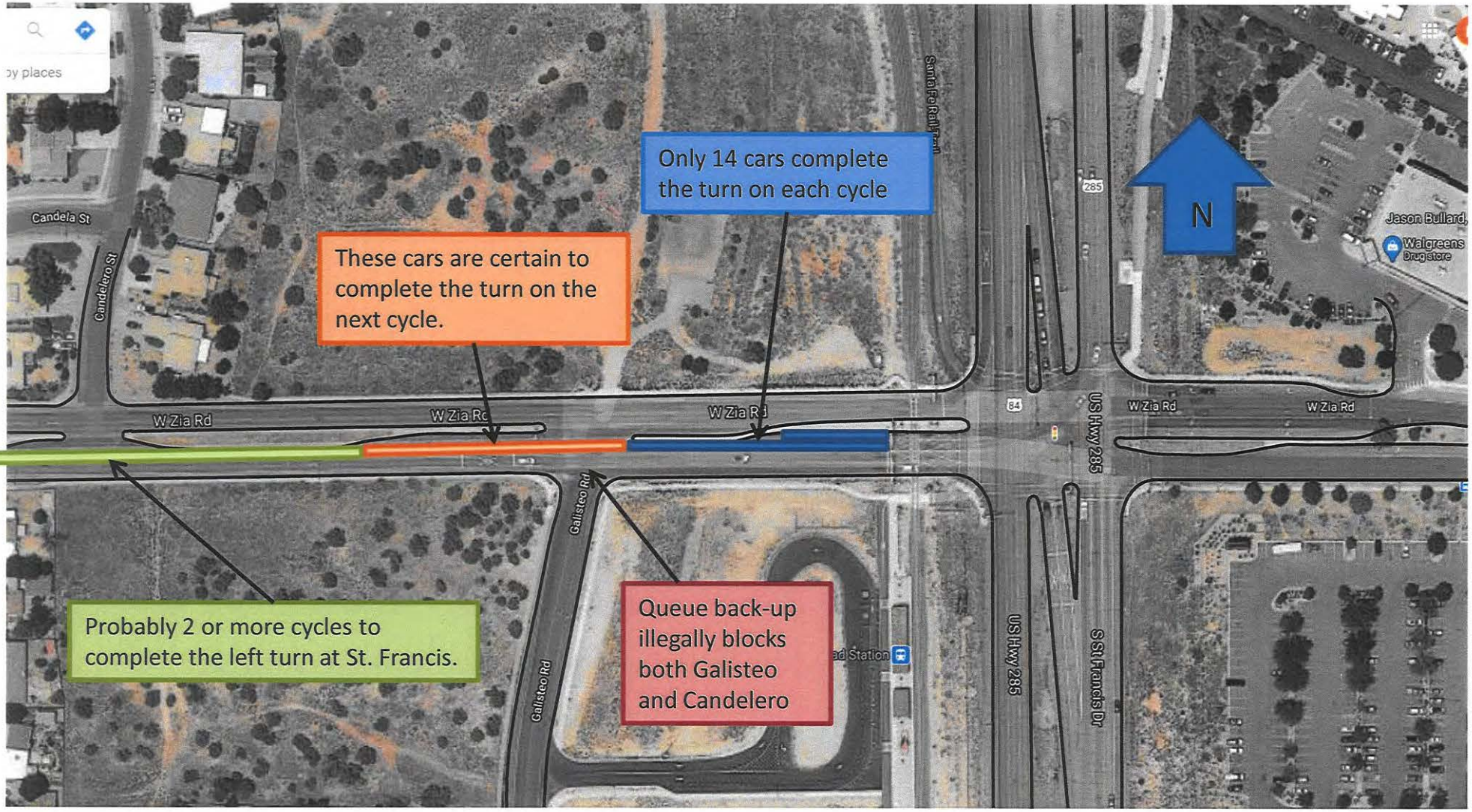
Figure 1. Key Features of Pre-Covid Zia Roadway in Target Area. Landmark Identification.



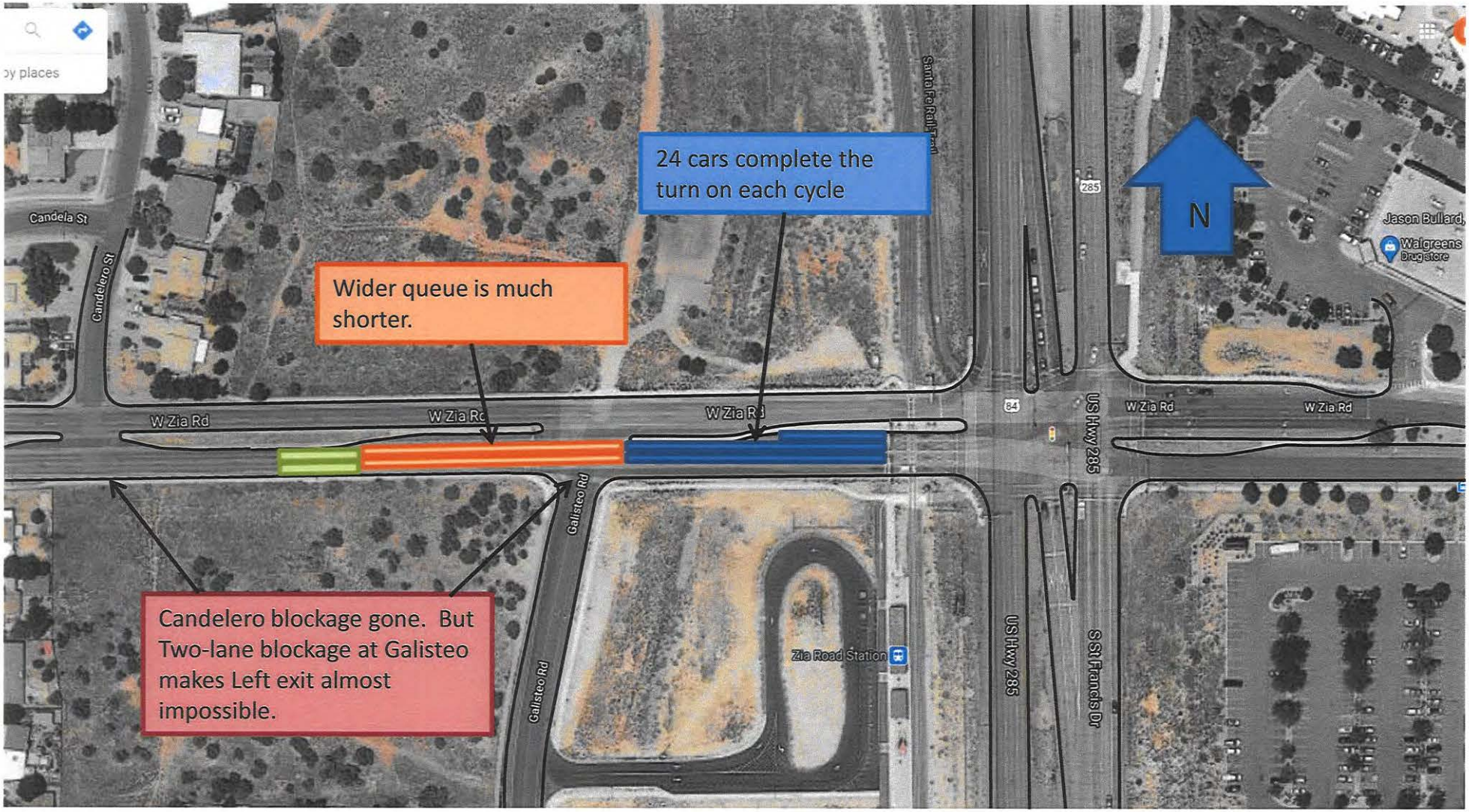
Appendix II, R. Wood Zia Station Traffic Analysis

Figure 2. Typical Left-Turn Queue during weekday AM Peak Hour.



Appendix II, R. Wood Zia Station Traffic Analysis

Figure 3. 3rd Left Turn Lane Added. Galisteo not relocated



Appendix II, R. Wood Zia Station Traffic Analysis

Figure 4. 3rd Left Turn Lane Added. Galisteo relocated westward.

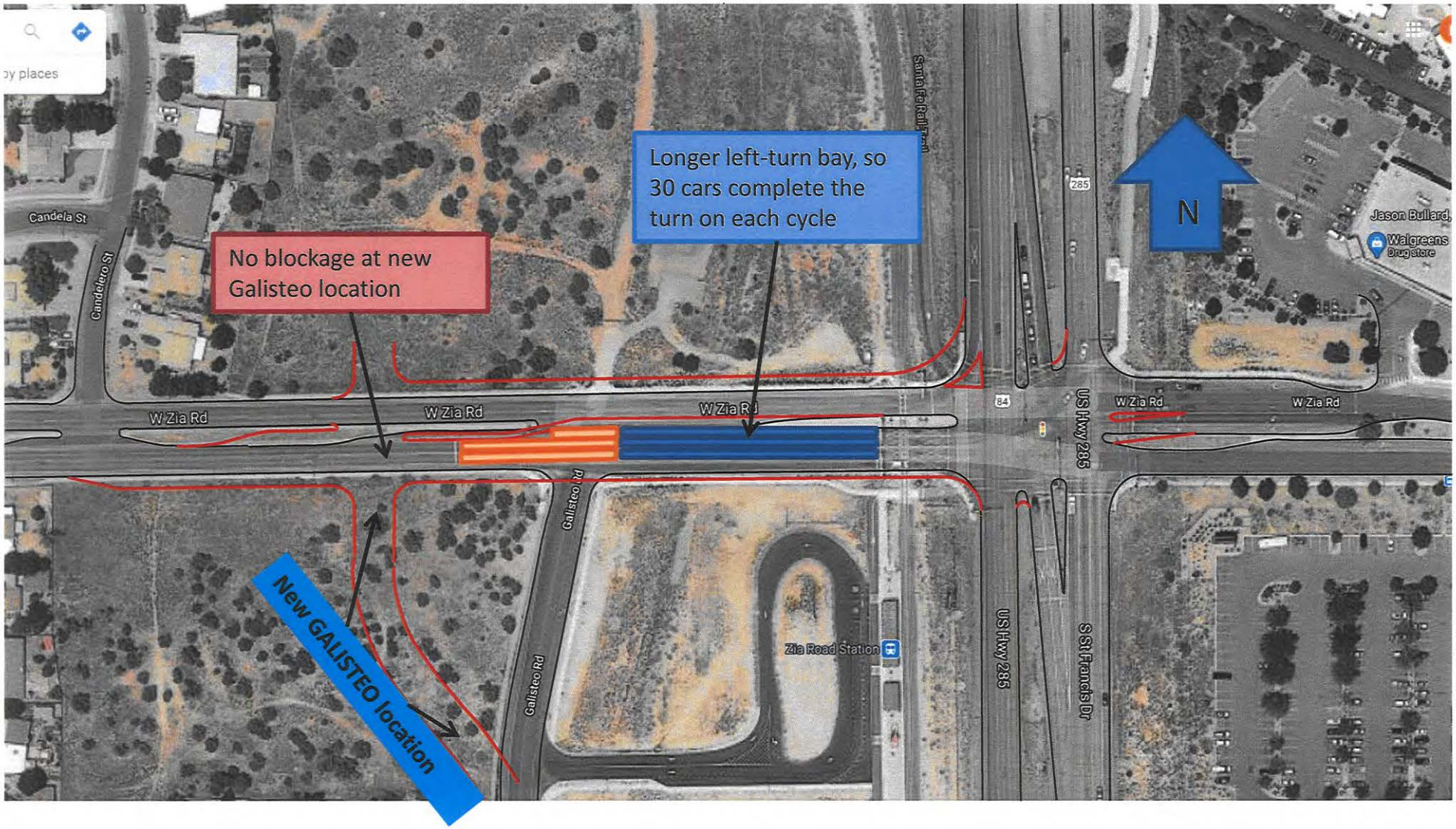


Figure 5. Existing, successful Continuous Right Turn feature at Cerrillos and St. Michael's Drive

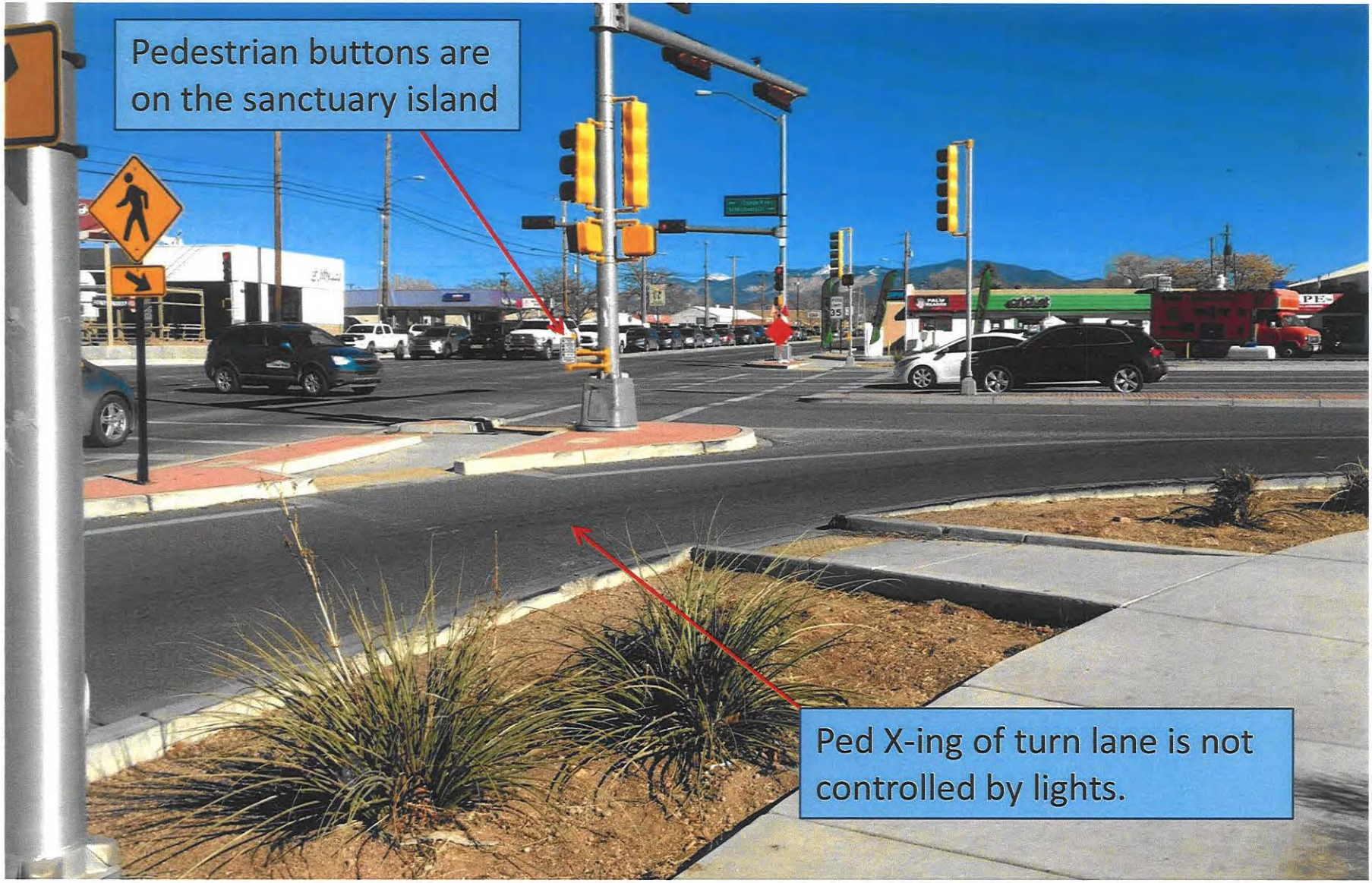


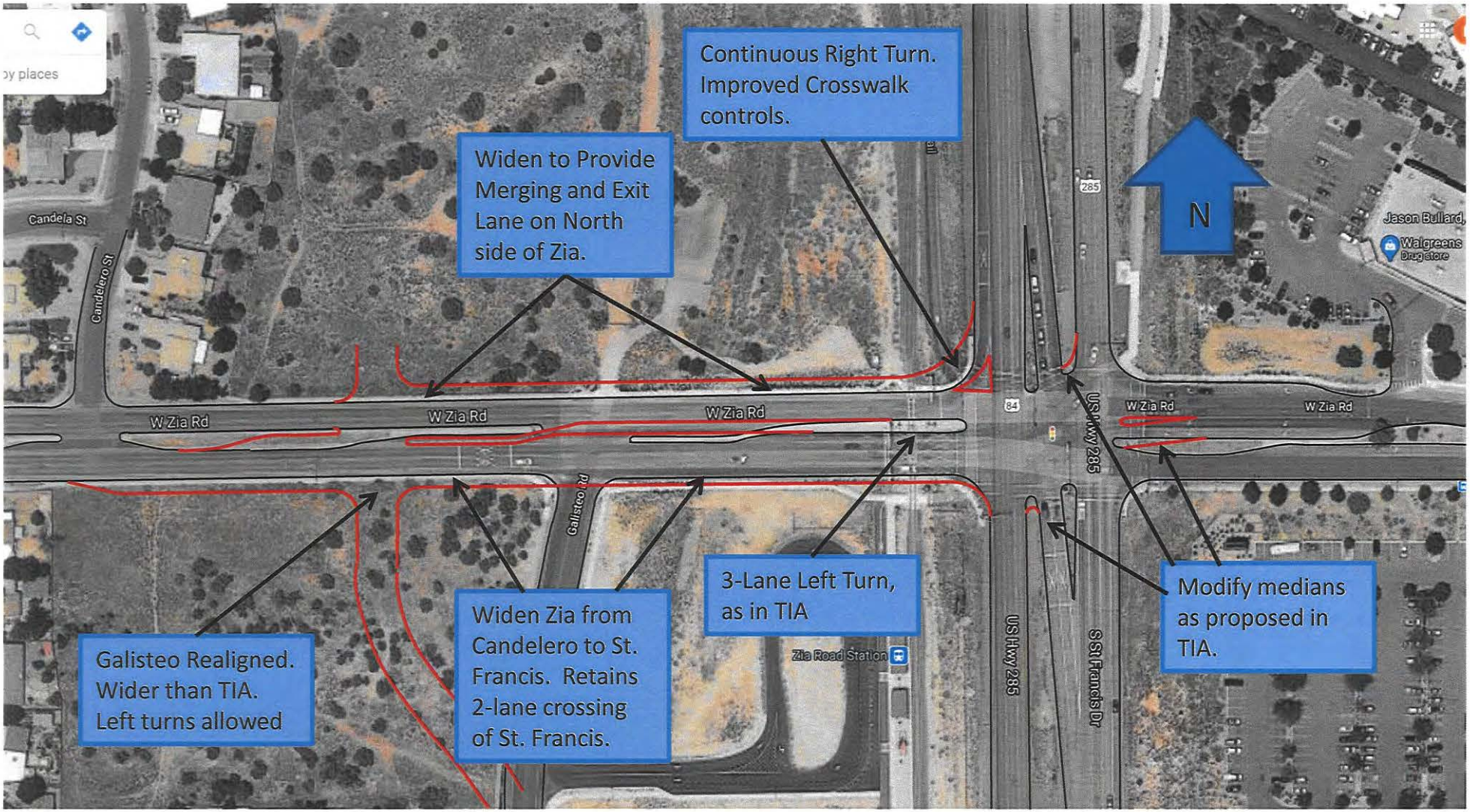
Figure 6.

Pedestrian crossings are PROHIBITED at Galisteo.

Figure 7.

RailTrail cyclists are supposed to STOP at the Zia crosswalk.

Figure 8. Recommended Features of Zia Roadway



Appendix II, R. Wood Zia Station Traffic Analysis

TO: Lee Logston, Noah Berke, City of Santa Fe

FROM: Richard L. Wood
2197 Lustre Ct. (Candlelight Neighborhood)
ricknsuew@comcast.net

DATE: 18 December 2020

SUBJECT: Initial Reaction to Zia Station Traffic Analysis Report

Let me first say that there are some very good and effective features in the proposed plan. In particular, the three-lane-left-turn from E-bound Zia onto N-bound St. Francis is long overdue. I also find that relocating the Zia/Galisteo intersection is very effective for improving that same left turn for all the reasons they give. I won't say much more about these at this time.

That said, here is a summary of my reactions to the rest of the traffic proposal:

- The Bohannon-Huston (BH) Traffic Analysis was done from the viewpoint of their client, the developer, with the limited goal of identifying the MINIMUM number of changes and investment needed to show that the proposed development does not make things worse. What is needed is an independent study from the City's and neighborhood's point of view, with the goal of identifying the IDEAL road, signage, and signalization for safe and efficient operation, without consideration of the total cost or who is going to pay. Once that plan is established, negotiations with the developer over WHEN these changes will be made and by WHOM can commence. I recognize that there are several problems with the St. Francis/Zia intersection that are NOT the fault of this development, and that the developer should not be saddled with fixing all of them. Even if it is decided that some of these improvements must wait for future government funding, an intersection Master Plan will insure that what the developer builds does not preclude later improvements. An example: I am very sure that the Right Turn from South-Bound St. Francis onto West-Bound Zia will eventually be either a Continuous Right Turn or a 2-lane Right Turn. The developer must, at least, leave sufficient "set-back" on Zia to allow addition of the merging lane required by a continuous Right Turn feature. There is no provision for that in the current application. There are other examples.
- The BH Traffic Study describes only the "No-Build" and "Proposed" cases. It does not present, or even mention any of the other options that might have been considered. For instance, I wonder what attempts were made to remedy the Right Turn jam on St. Francis. (I suspect that BH did not find a LOW-COST way to bring St.Francis & Siringo out of the FAILED classification, so their client, the developer, asked them to leave those cases out of the report. Understandable, since the problem is not CAUSED by the proposed development.) There is little or no justification for several of their other choices made in the "Proposed" case, and therefore, no way for us to understand WHY they were selected. Another example: One of the most dreaded features they propose is to prohibit Left Turns from Galisteo onto Zia, and, as a consequence the specter of a crippling number of U-Turns on Zia and in the Walgreen's parking lot. There is no way of knowing what other options were considered or how they performed. Again, there are other examples. (More on the U-Turns below.)

- Jennifer Jenkins has often referred to this as a "Walkable Neighborhood." One of the attractions to living here will be the ability to walk to the RailRunner Station and to stores in Phase 2 and across St. Francis. However, please remember that pedestrian crossings of Zia have been prohibited in the vicinity of Galisteo for over 30 years. The relocation of Galisteo will not alleviate this safety concern. So where are the pedestrians expected to cross Zia? The RailTrail crosswalk and Candelero intersections are the only legal options. We all know there will be lots of jay-walking, which is at least difficult to analyze or predict. Also, in response to my technical questions on traffic modeling, BH stated that their codes do not consider pedestrian effects on the automobile traffic flow. To the contrary, anyone who frequently drives S-bound St. Francis to W-bound Zia KNOWS that the RailTrail pedestrian and bicycle traffic crossing has a very marked effect on this Right Turn. Without major improvements to the St.Francis-to-Zia turn and control lights, adding even a few extra pedestrian Zia crossings at St. Francis will be beyond intolerable. Likewise, adding even a couple of extra pedestrians across St. Francis during rush hour will be very unpopular. I would be happy to suggest several ways to alleviate the problem.
- As previously noted, one of the most objectionable features of the proposed traffic mods is the Left Turn prohibition from Galisteo, and the resulting U-Turns at Candelero and at Walgreen's (currently marked "No U-Turn"). The BH analysis of the "Proposed" case predicts that the Zia traffic will no longer block the relocated Galisteo intersection, so why prohibit the turns? Was a "slaved" signal light considered? Are there other problems, not discussed, that the Left Turn Prohibition somehow address? Why create a major 24-hour inconvenience to address a 1-hour problem? True, there are other examples of the No-Left-Turn idea near other major intersections in Santa Fe. On St. Francis north of Cerrillos, this was implemented recently to deal with blocked intersections during rush hours. The resulting U-turns might be unpleasant there too, but they work safely there because they are controlled by lights. Also, St. Francis is 3 lanes both ways, and there is plenty of room to make the U-turn between curbs; Zia is two lanes. Has anyone asked Walgreen's what they think about having extra non-customer traffic running through their parking lot?
- I have already mentioned some of the problems with Right Turns from S-bound St. Francis onto W-bound Zia. I could write several pages on this subject. I just want to emphasize that this needs more study, that fixing this is not the responsibility of the Zia Station developer, but that it is heavily tangled up with the pedestrian issue, which IS the developer's responsibility. My favorite suggestions: 1) A Continuous Right-Turn Lane with pedestrian cross-button on the island, or 2) A 2-lane Right Turn, with current light timing. Forces I-25 traffic over to second lane, which fixes problems back at St. Michael's Drive-to-St. Francis S-bound on-ramp.
- As we were recently reminded, there is a major snow problem on E-bound Zia approaching the current Galisteo and St. Francis intersections. MANY vehicles find it impossible to get up this gradual rise when the road is icy, even after the snow plow has been through. Two unaddressed issues: 1) Moving Galisteo westward puts that intersection at the bottom of this rise instead up near the top. 2) The proposed multi-story buildings shown in the development plan are placed too close to Zia, creating a canyon effect. They will create a permanent winter shadow on this portion of Zia, and the ice problem will be greater and will last longer.

OPPOSED TO THE CANDELIGHT DEVELOPMENT AS PROPOSED

Reasons:

1. **SIZE:** *It is zoned R-5 to R-7*. That is more what would be compatible with the existing neighborhood. Possibly, a few more but not what the developer is proposing.
2. **ADDING NEW COMMERCIAL SPACE**: There are already many, many *EMPTY* business spaces around Santa Fe including in the Albertson's development.
3. **SOUTH/CENTRAL CORRIDOR PROTECTION ACT:** I adamantly oppose the new developers wanting to override this. It was put in place for a reason. *We do not want high density for our neighborhood.*
4. **INCREASED TRAFFIC:** It is already a very dangerous area especially the intersection. Many serious accidents and even deaths have occurred.
5. **ICY ROADS:** If the complex is developed as proposed, east bound Zia Rd will be even more treacherous in the winter. Many accidents happen every winter and if Zia is shaded by buildings it will increase the hazard.
6. **U-TURNS:** No left turns will be allowed out of the neighborhoods on to East Zia and it will be disastrous. What about large trucks making a slow U-turn with oncoming traffic flying east on Zia road over the hill and curve?
7. **WATER:** There are so many *new high density developments* being built in Santa Fe and our community is already in a state of extreme drought. Where will the water come from if this drought continues as predicted in the future? We need to protect our clean water so there is enough for all.
8. **NOISE:** Our backyard butts up on Zia Rd and there is already so much noise, especially with windows open in summer, that a huge increase of traffic will compound the noise factor greatly.

Thank you,
Pamela Shaeffer & Mike Higgins
1892 Esplendor Street
(505) 913-0241

January 20, 2021

To: Santa Fe Planning Commissioners

From: Margaret E. Marshall, Member-at-Large
Candlelight Neighborhood Association (CNA) Board

Subject: Personal Statement: Opposed as Proposed, **Zia Station Project,**

Infill, housing, affordable housing. All worthy, but not sufficient justification for approval of a bloated, inappropriate project--exactly what the proposed Zia Station development is.

No matter how vigorously the developer, Merritt Brown, via his agent, JenkinsGavin, promotes this project, along with presentations that show gauzy, prettified (non-Santa Fe style) artist's renderings of the projected finished development, I'm just going to note:

You can't put lipstick on a pig.

Mr. Brown's requested amendments to the General Plan, future land use designations, are intended, if approved, to align with his concurrently requested rezoning. The requested amendments and rezoning are substantially at odds with the character of the existing adjacent neighborhood.

To take a huge leap, from actual R-5 and R-7 zoning in the adjacent Candlelight neighborhood, and from the current R-1 zoning of the proposed Zia Station Project property, and to allow zoning density of R-29 within Mr. Brown's requested rezoning of his property to C2-PUD, is untenable, and contradicts city ordinances, both those governing amendments to the General Plan and those addressing rezoning requests.

Moreover, another key component of the developer's proposal, the removal of his property from the South-Central Highway Protection Corridor District, also flies in the face of what is explicitly enacted in city ordinances. Such removal would allow density that mars the approach into Santa Fe and adds to serious potential traffic issues, quality of life issues, and air and light pollution.

The developer's requests for changes to the General Plan, to zoning and to corridor protections are unreasonable and should not be given serious consideration. The extremity of what the developer is asking should neither be approved nor recommended for approval.

The Candlelight neighborhood is not opposed to Mr. Brown's development of his property. It is eminently understandable that he would like to do this. What the neighborhood is asking is that he develop his property in a manner that retains the character of the surrounding neighborhood and honors the city's General Plan and Code of Ordinances.

Mr. Brown should be advised by both the Planning Commission and the Governing Body to submit a revised proposal that aligns appropriately with city ordinances as they address General

Plan amendments, rezoning, and corridor protections. Our city ordinances should be taken seriously as they stand. Otherwise, why do we even have them?

To let the developer flout the General Plan and city ordinances, and for city officials to let infill, housing, and affordable housing considerations outweigh appropriate development, is simply not acceptable. Though housing and affordable housing needs in the city should never be disregarded, neither should these needs engender an "anything goes" approach when considering proposed development.

Please do the right thing, Santa Fe Planning Commissioners, and let the developer know that his preliminary plan will not be approved, nor his requests for general plan amendments, rezoning, and corridor removal be recommended to the Governing Body for approval.

Let the developer know that he needs a better plan.

Thank you.

From: Lorraine Mendiola
To: LOGSTON, LEE R.
Subject: Zia Development-Merritt Brown
Date: Wednesday, January 20, 2021 1:48:37 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lee and Noah,

I have lived in The Candlelight Neighborhood for the last 18 years. I have thoroughly enjoyed the peaceful atmosphere. I don't want the neighborhood to change so dramatically. I am ok with developing affordable single family homes because this is what is truly needed in Santa Fe.

I am also ok with some small businesses being developed; however, I am opposed to any townhomes and apartments!!

Mr. Brown's proposal is too dense and will create safety concerns(traffic accidents and more congestion) with individuals traveling to work or school each day. Zia Road is already a major issue with constant traffic and speeding drivers. Most recently there was a 3 car accident at the intersection of Zia and St. Francis!

The City of Santa Fe must abide by the South-Central Highway Corridor Protection District. It was put in place for a reason and should be honored and respected. We, The Candlelight Neighborhood residents, should be honored and respected! Our health, welfare, and safety should be a top priority with The Santa Fe County Commission as well as The Santa Fe County Planning Commission.

I signed The Candlelight Neighborhood Position Statement and have provided you with my concerns regarding the Merritt Brown proposed development.

Thank you. Please place my email in the packet.

Sincerely,

Lorraine Mendiola
2112 Candelero St.
Santa Fe, NM 87505
505-699-3250

From: Mr Joe Abbatacola
To: LOGSTON, LEE R.; BERKE, NOAH L.
Subject: Zia Station Proposal - OPPOSED
Date: Tuesday, January 19, 2021 8:00:07 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lee and Noah,

I urge the planning commission to truly listen, and act upon, the input of residents on the proposed Zia Development. This development will not only NEGATIVELY IMPACT the residents of Candlelight, but will have far reaching effects to ALL those who use Zia Road & St Francis – drivers, pedestrians, and bicyclists alike.

First, I have a background in real estate, and I am not opposed to general development, so long as it is Smart Growth. This LOCATION however, is taking a FAILED INTERSECTION, that already has 1) high volume vehicular traffic, 2) a trail & crossing, and 3) a train – and adding a ridiculous amount of additional traffic (1000+ plus vehicles).

The PROPOSED ROAD CHANGES to attempt to accommodate such a HUGE INCREASE in occupancy and traffic, so CLOSE TO THE INTERSECTION, WILL NOT WORK!

SAFETY CONCERNS

a. Prior to the pandemic, I have often witnessed TRAFFIC BACK UPS on West Zia – from St Francis, to well past Portavela St. As eastbound Zia cars come around the blind curve, they have to slam on their brakes when approaching the stopped traffic. This is extremely DANGEROUS, and would only get worse, despite of the road changes proposed.

b. Crossing Zia at St. Francis from the Rail Trail, I personally have ALMOST BEEN STRUCK MANY TIMES from impatient motorists, who ignore signals and disregard the rules of the road. I can provide you video evidence from multiple occurrences.Adding more volume would only make it worse.

c. With the band-aids to try an accommodate this development (right turns only out of the development, moving Galisteo, etc.), this will only MOVE THE PROBLEMS FURTHER WEST, as many vehicles attempt to make U-turns at Candelero, Vela, and Brillante. This will make it extremely difficult for residents of Candlelight to get across the intersection, and will cause MORE ACCIDENTS.

If the project is allowed to move forward, to MINIMIZE IMPACT, the ZONING for the South Central Corridor District MUST REMAIN INTACT. Also, the ARCHITECTURE

must MATCH our city's SOUTHWESTERN STYLE, especially since this will be the gateway to our city, from the many who come to visit (exiting off I-25). The new apartments on Pen Road are not in alignment with our city's style, and similar designs should not be allowed here.

Thanks for your consideration.

Sincerely,

Joe Abbatacola
Candlelight Resident

On Monday, January 18, 2021, 2:02:04 PM MST, Brigitte Gregg <brigittegregg@hotmail.com> wrote:

From:	Joann Tom
To:	LOGSTON, LEE R.; BERKE, NOAH L.
Subject:	Zia Station Proposal - OPPOSED
Date:	Tuesday, January 19, 2021 8:50:01 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Noah and Lee,

As a long-time resident of the Candlelight Neighborhood, I urge the planning commission to really understand and act upon all the input from Candlelight residents, both individually and from the CNA board, on the proposed Zia Development. Please realistically consider the impact on the residents on the livability of the neighborhood. The developer will be long gone while the residents, both current and new, have to deal with the issues they leave behind.

This development will not only negatively affect the residents of Candlelight, but will have far reaching effects to ALL those who use Galisteo, Zia Road & St Francis – drivers, pedestrians, and bicyclists alike.

I am not opposed to development, in general. It can improve the neighborhood so long as it is done in a smart way and it must be done with long-term considerations in mind. However, this Development is taking a **failed intersection**, that already has a trail with a road crossing combined with a train crossing as well as a high volume of vehicular traffic and adding a ridiculous amount of additional traffic (1000+ plus vehicles).

The proposed road changes near Zia and St Francis will not work! It is a poor attempt to accommodate such a large increase in traffic due to the huge increase in occupancy in such a small areas so close to the intersection.

SAFETY CONCERNS

1. **Crossing Zia on West St Francis** is already dangerous! Motorists are impatient, often ignoring the **NO TURN ON RED**, disregarding the rules of the road. I have even seen motorists go around cars waiting for the green arrow in the right turn lane in their impatience, cursing and honking while almost striking pedestrians and cyclists. Adding more volume would only make it worse. I have **almost been struck many times** by these motorists and I have witnessed many other pedestrians/cyclists also come close to being injured.
2. **Rush hour**. Before the pandemic, Traffic on West Zia heading towards St Francis, cars would back up right up to almost the blind curve. People often speed around that curve, way more than the speed limit and they have to slam on their brakes to avoid an accident, which is extremely dangerous! With the increase in occupancy, traffic will only get worse and it will back up past the blind curve, even with the proposed road changes.

3. **Forced U-turns**. Add to this the fact that the proposed road changes will make it even more dangerous because it would force people on the N side of the Zia development to head West on Zia & do a U-turn if they want to get in the Left lane on Zia to go North on St Francis. NOTE: A car does NOT have the radius to turn from the Westbound Left turn lane into the Eastbound Left lane of Zia. It would have to swing out substantially into the Right lane of Eastbound Zia.
    - During rush hour, someone in the Left Eastbound lane (who is blocking visibility for any movement of cars in the Right Eastbound lane) might wave a car in the turn lane through, but that turning car has a high possibility of getting hit by a car in the Right Eastbound lane due to visibility issues.
    - During non-rush hour times, you might not have the issue of backed up cars blocking vision, but then you have the issue of cars going too fast around the blind curve while you are trying to make a U-turn.

    How many accidents have we already had from people turning Left on Eastbound Zia onto Galisteo, crossing 2 lanes of traffic? These happened because the person turning Left onto Galisteo went through a gap in cars in Westbound Zia, but that person could not see that a car was coming fast in the Right lane. Doing a U-turn in this same scenario, especially right before a blind curve, will only cause more accidents. This will make it even more dangerous for residents of Candlelight to cross the intersection, even if they are truly just turning left into their side street to get home!

If the project is allowed to move forward, please keep the zoning for the South Central Corridor District intact in order to minimize the impact on the neighborhood. Also, the our city is well-known for our great Southwestern style. We should only approve designs that match that style, especially since we are one of the first neighborhoods people see when they exit off of I-25. Designs such as the new Capitol Flats on Pen Road and the new ones on Rodeo, east of the Rail Trail as not appropriate to our Santa Fe style.

Thank you for your consideration.

Sincerely,

Joann Tom
Candlelight Resident

From: Joan Conrow
To: BERKE, NOAH L.; LOGSTON, LEE R.
Subject: Zia Rail Project -- opposed as proposed
Date: Wednesday, January 20, 2021 11:48:20 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commissioners,

As a homeowner in the Candlelight neighborhood, I am writing to express my concerns about the proposed Zia Station mixed use development.

My primary objection is to the proposed density, which is out of character with the surrounding community and certain to introduce traffic problems that are not likely to be addressed through the developer's traffic plan. The Zia-St Francis intersection is already dangerous, complicated by the railroad crossing and congested during the commute hours. The proposal would further tax this intersection and create undue hardships for everyone who uses Zia Road. I believe this project also would create spillover problems on Rodeo, too, as motorists seek to avoid the mess on Zia.

I also object to the developer's request to remove the project from the South Central Highway Corridor District, which was adopted to protect the corridor from unsightly and inappropriate developments. I really question whether there is a need for any more commercial development at this intersection and it will serve to exacerbate the traffic problems while duplicating services available elsewhere. It's not like the residents of this area can't easily access many shopping opportunities.

Mostly, though, I feel the developer has failed to provide sufficient justification to warrant being granted all these entitlements. What is the real benefit and value to the residents of Candlelight, who will be most impacted, and the city at large? The small and time-limited contribution to affordable rental housing is a joke and the proposed traffic work is a band-aid solution at best. It's unfortunate that the city has not dealt with the problems of the Zia-St Francis intersection but it seems terribly unfair to saddle the community with this inappropriately sized development simply to get some roadwork done.

In short, the developer wants a significant increase in density and maximum flexibility in design and construction, while offering the community — and especially the residents of Candlelight and adjacent neighborhoods — very little in return. Why should the developer be given so much when they are giving back so little?

I urge you to send the developer back to the drawing board and direct them to include residents of the community in designing a project that is more appropriate for the area. We are not against any and all development, but we struggle to understand why all the existing protections and zoning should be upended to satisfy the developer. Where is the give and take when the developer is getting everything at our expense?

As proposed, this project is a total give-away to the developer at the expense of the community.

Please, do not perpetuate this injustice!

Thank you very much for considering my comments.

Sincerely,

Joan Conrow

2959 Viaje Pavo Real
Santa Fe, NM 87505
January 19, 2021

Lee Logston
Noah Berke
Santa Fe City Planning Office

Dear Sirs,

I am writing to express my opposition to the Zia Station development project as currently designed. I live about two miles away but pass through this intersection almost every day, and usually more than once. I am concerned for my safety and that of other motorists, of pedestrians, and of the people of the neighborhood closest to the development.

I do not oppose development of the land at the intersection of Zia Road, Galisteo Road, and St. Francis Drive, however

1. the plan does not comply with the South-Central Highway Corridor Protection District (S-CHPC); the developer should take a comprehensive approach and create a complete redesign to comply with the existing regulations, i.e., develop both parcels together;
2. the plan will create significant health and safety problems; already the intersection experiences heavy traffic throughout the day; vehicles travel fast through the intersection; and long traffic lines develop waiting for the light several times a day; the developer's plan assumes far less traffic than is realistic; further, increased pedestrian traffic (as the developer proposes) in the area is likely to result in injuries;
3. the project pretends to be oriented to the train station; in fact, the train station has little to do with the proposed design;
4. currently, Santa Fe needs more single-family dwellings; this proposal includes almost none of this type of housing, and the developer will not be obliged to provide such housing for more than five years;
5. the developer has not committed to design features that will prevent ice from forming in the shadows of buildings; the developer has not committed to height limitations; the developer has not committed to style features consistent with Santa Fe's aesthetics; other new apartments in this area look as if they belong in New Jersey.

Again, I do not oppose development of the land, but this project is not acceptable. One of the nice things about Santa Fe is low profile construction with plenty of open space for light and fresh air. This project is dense. It would be more fitting in a large, congested city.

Sincerely

Eric C Wolf

Eric C Wolf

I am a homeowner on Candelero, and while I am not opposed to the development of this property, I would like to amplify two serious concerns.

1) The densities proposed in the northern parcel exacerbate already perilous pedestrian safety.

The northern parcel is geographically land-locked between the railroad tracks, Candlelight, and Zia. Heavily populating this northwest corner of the Zia-St. Francis intersection will require that pedestrians and cyclists cross the intersection to get to all local amenities (St. Michaels High School, Milagro Middle School, Albertsons, Walgreens, Christus St. Vincent, train station, commercial and medical establishments, and rail paths). The confluence of bicycle, railway, roadway, and pedestrian paths at the intersection already make this a frightful pursuit even on the best of days. Some will be tempted to cross illegally at the tracks or roadway posing an equally dire hazard.

In support of this concern please note the attached documents that show:

- New Mexico has the dubious distinction of having the highest pedestrian death rate per capita of any state in the United States for three years in a row. Whether from careless pedestrians or distracted drivers, Santa Fe is not immune (see attachment 1).
- Santa Fe County ranks in the highest tier of crashes per capita in the state (see attachment 2).
- Outside the Cerrillos corridor, the Zia/St. Francis intersection suffers from a moderately higher crash rate. The available statistics are from 2018, the year the Zia station was first open. It is reasonable that this crash rate will have accelerated since then (see attachments 3 and 4).
- This intersection also is plagued by higher rates of pedestrian and cyclist crashes (see attachment 5).

Overconcentration of residents at this corner is certainly a recipe for tragedy. My fervent appeal would be to significantly reduce the density of dwellers proposed for the northern parcel and cap it from future increases.

2) The aesthetics of the proposed architecture are unpleasant.

I believe people are attracted to Santa Fe because of its rich history, cultural appeal, visual charm, and earthly sense of calm. None of that is reflected in the façade of the proposed development, which to me harkens of inner city L.A., cost cutting, and absent-minded development. High visibility from the highway and the Rail Runner should mandate that this area exemplify, not detract from, the vision of our city. At a minimum the developer should be required to adhere to historical design standards supported in other parts of Santa Fe.

Respectfully Submitted January 18, 2021

Cindy Gregory
2132 Candelero
(505) 204-0200
santafecindy@gmail.com

Attachment 1

Governors Highway Safety Association
2017, Table 6

Sorted by Fatality Rate

State	Pedestrian Fatalities per 100K Population - 2016
New Mexico	3.45
Florida	3.22
South Carolina	2.96
Arizona	2.85
Delaware	2.83
Nevada	2.76
Louisiana	2.73
Alabama	2.51
Texas	2.44
California	2.43
Vermont	2.41
Oklahoma	2.32
Georgia	2.25
Hawaii	2.24
North Carolina	2.00
Mississippi	1.94
New Jersey	1.85

Governors Highway Safety Association
2018, Table 6

Sorted by Fatality Rate

State	Pedestrian Fatalities per 100K Population
New Mexico	2.26
Arizona	1.74
Louisiana	1.66
Florida	1.55
Mississippi	1.46
South Carolina	1.46
Hawaii	1.36
Georgia	1.27
DC	1.14
California	1.09
Texas	1.04
Nevada	1.01
Maryland	1.00
North Carolina	0.98
Alabama	0.82
Connecticut	0.82
New Jersey	0.82

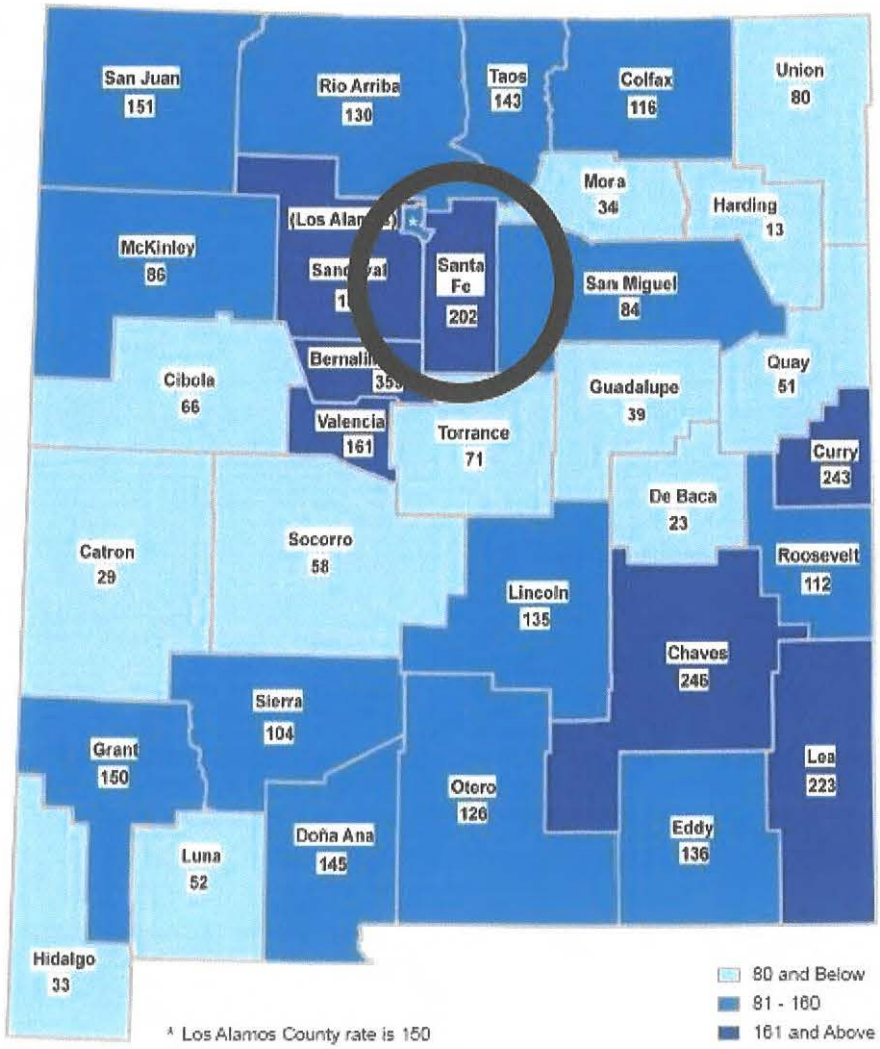
Governors Highway Safety Association
2019, Table 6

Sorted by Fatality Rate

State	Pedestrian Fatalities Per 100K Population
New Mexico	2.24
Hawaii	1.77
Florida	1.72
South Carolina	1.61
Arizona	1.53
Louisiana	1.38
Nevada	1.36
California	1.31
Wyoming	1.27
Delaware	1.09
Georgia	1.09
Texas	1.08
North Carolina	1.06

Attachment 2

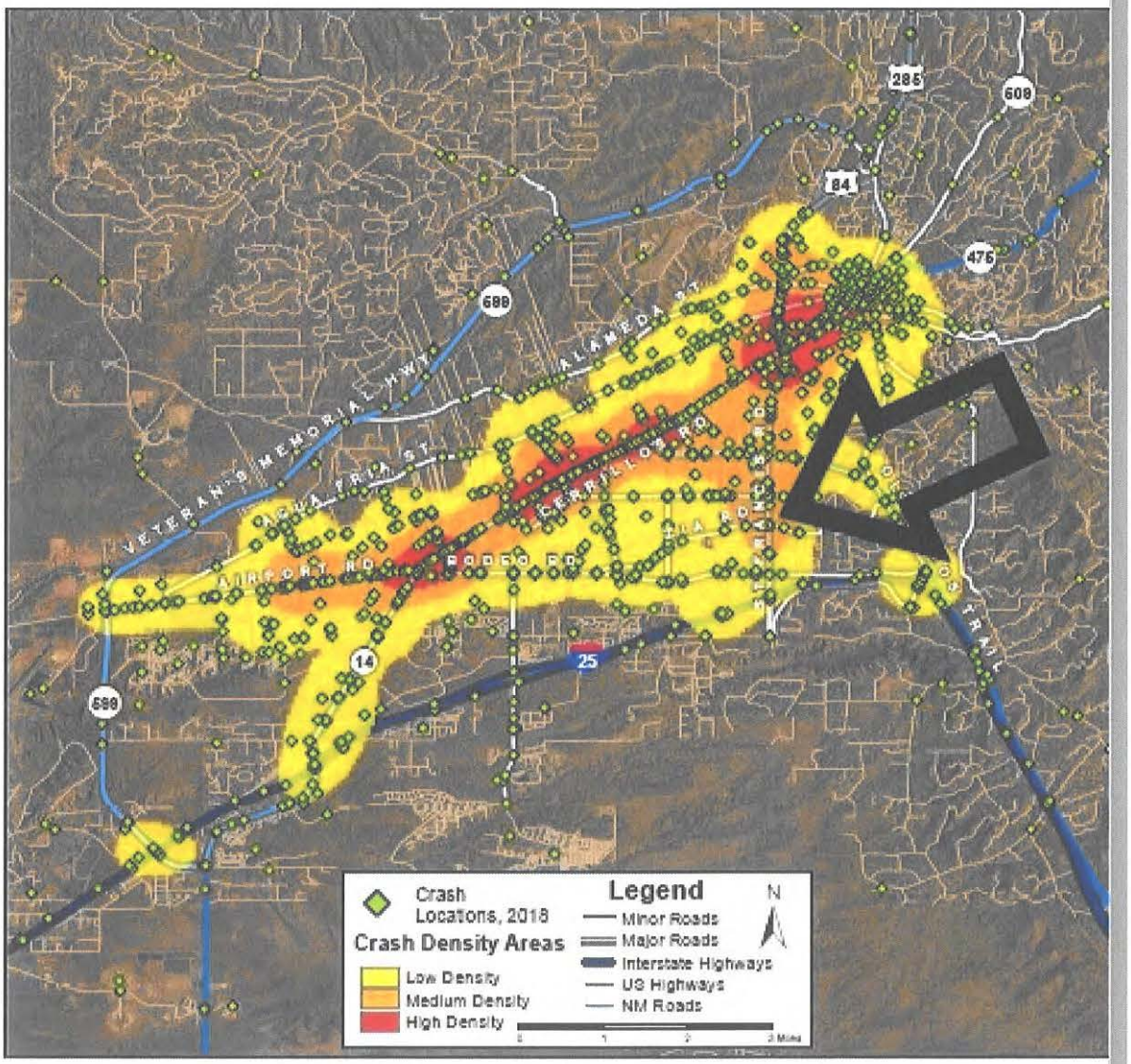
Crash Rates in New Mexico by County, 2007



* Los Alamos County rate is 150

Attachment 3

Density Map of Crashes in Santa Fe, 2018



Prepared for the New Mexico Department of Transportation,
Traffic Safety Division, Traffic Records Bureau. Under Contract CO6093 by the
University of New Mexico, Geospatial and Population Studies, Traffic Research Unit (TRU)

http://tru.unm.edu October 2019 tru@unm.edu

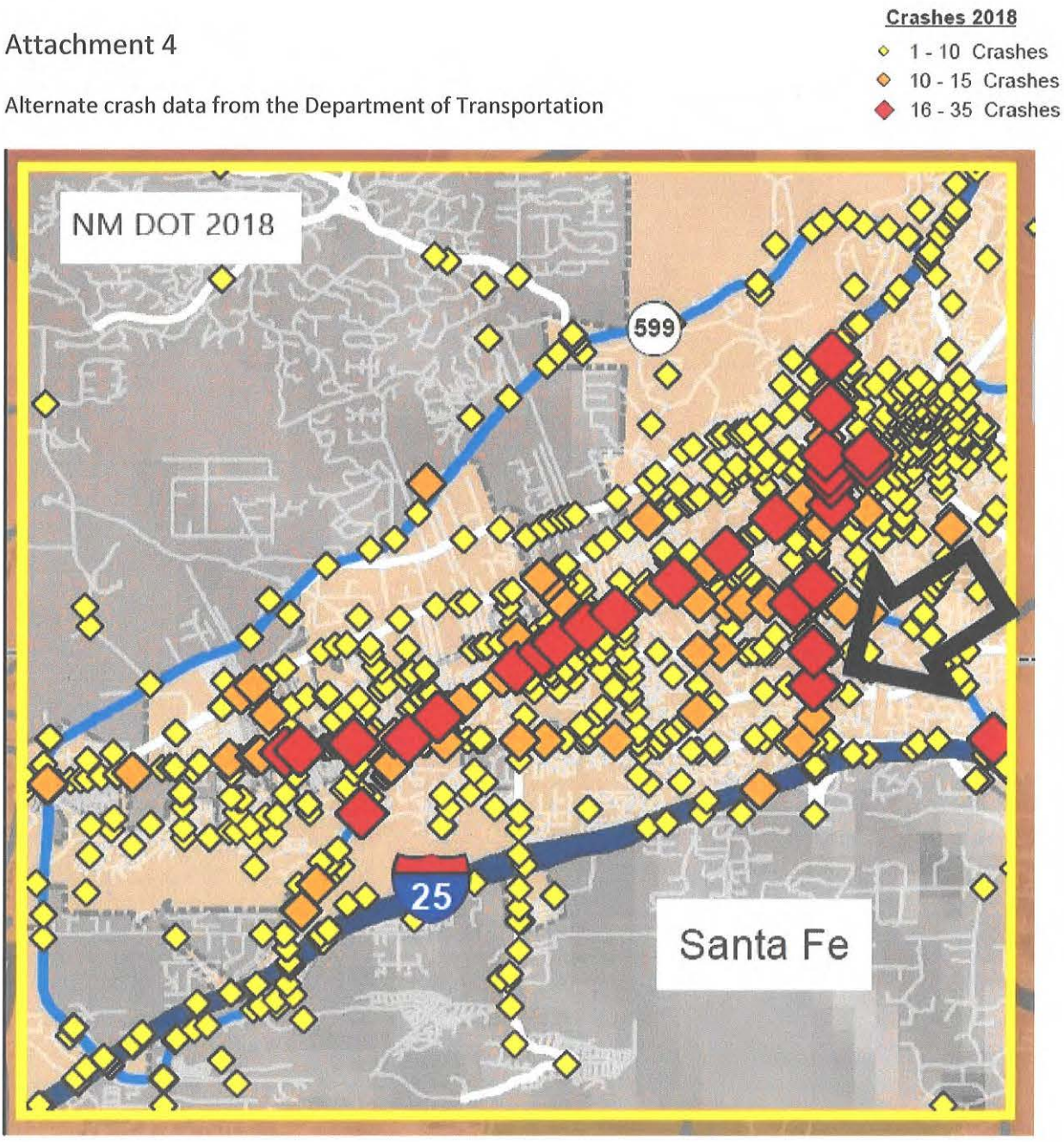
Distributed in compliance with New Mexico Statute 66-7-214
as a reference source regarding New Mexico traffic crashes.

NMDOT

UNM

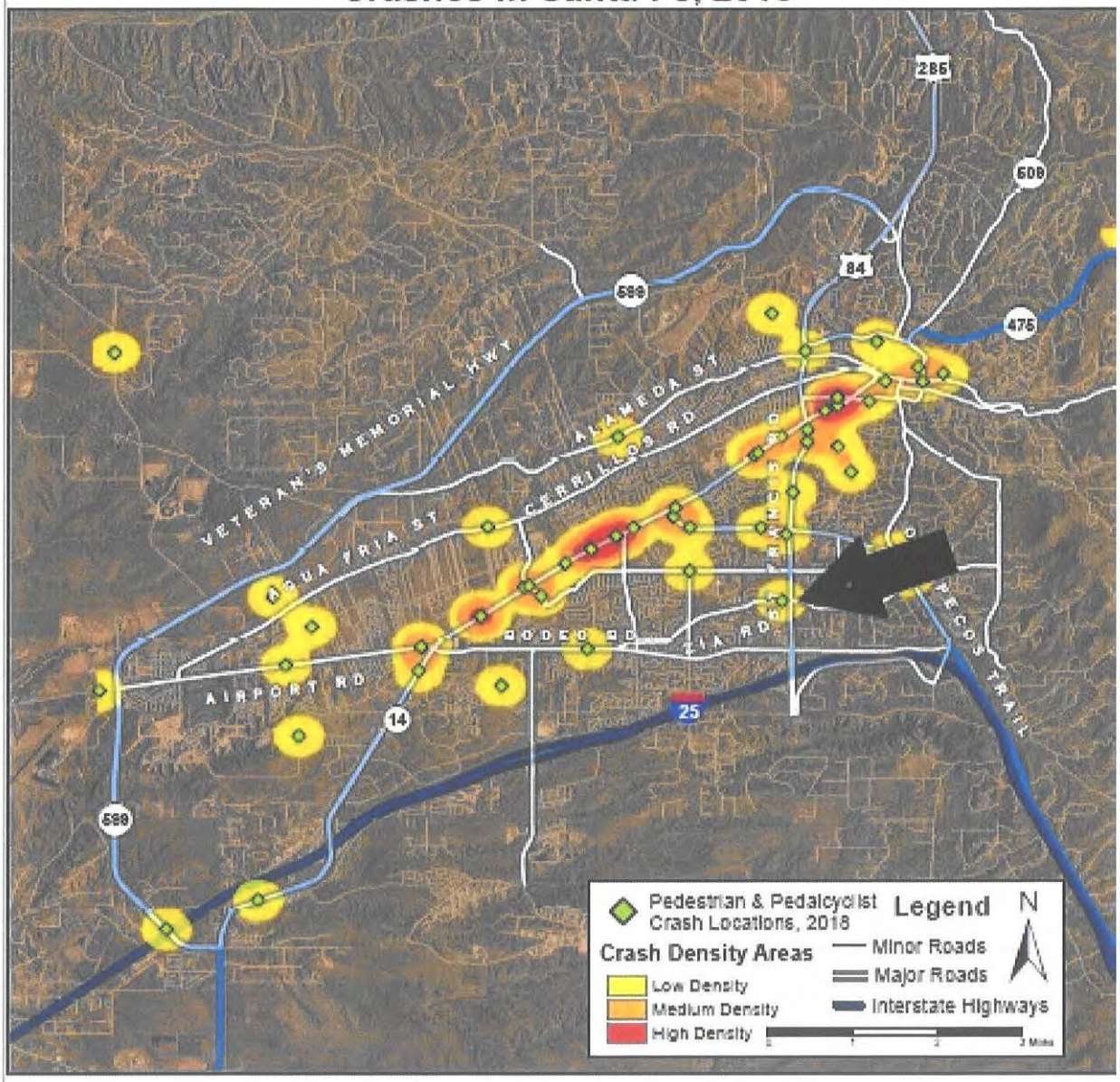
Attachment 4

Alternate crash data from the Department of Transportation



Attachment 5

Density Map of Pedestrian and Pedalcyclist Crashes in Santa Fe, 2018



Prepared for the New Mexico Department of Transportation, Traffic Safety Division, Traffic Records Bureau. Under Contract CO6093 by the University of New Mexico, Geospatial and Population Studies, Traffic Research Unit (TRU)

http://tru.unm.edu October 2019 tru@unm.edu

Distributed in compliance with New Mexico Statute 66-7-214 as a reference source regarding New Mexico traffic crashes.

From: Cheryl Gardopee
To: LOGSTON, LEE R.; BERKE, NOAH L.
Subject: Zia Station Development
Date: Tuesday, January 19, 2021 10:20:37 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Logston and Mr. Berke,

I am writing as a resident of the Candlelight neighborhood to provide input for the package going to the Planning Commission on the Zia Station development proposed by Jenkins/Gavin on behalf of Merritt Brown.

I have been deeply involved in the process of this development proposal from 2006, through the present incarnation of the application submitted to the city in November. I have met with the developers multiple times, both in person prior to the epidemic and online since this past March. Each step of the way I have been dismayed that the premise underlying the project is that the developers WILL procure an elimination of the St. Francis Highway Corridor protection provisions, which will allow the rezoning of the relatively small strip of land, to more than double the size of the existing entire neighborhood, as well as adding in businesses as well. This presumption is deeply distressing to all of us who bought homes in this area knowing that those protections have been in place and were considered in the strongly worded document that describes them, as essential to the health, safety and wellbeing of Santa Fe as a whole and this area in particular. Merritt Brown bought the property with full knowledge that these protections existed. For us to BEGIN a discussion with this assumption simply eliminated is outrageous and possibly illegal.
I begin by objecting to this. It is wrong. The City of Santa Fe's wisdom in so designating this area as protected for all the reasons outlined in the protection order are disregarded for reasons that not well substantiated.

The primary focus of justification for the elimination of the Corridor protections is that this is to be a "Transit-Oriented Development". According to the definitions of what constitutes a true "Transit-Oriented Development, this project does not begin to qualify. It is 10% the size required to qualify, in terms of land space available. It lacks the multiple transit systems required to be so designated. Instead , it has only a number of stops with dozens of travelers utilizing the station that came to be placed on this land through some very odd maneuverings that occurred and were reported upon at the time the station was moved to Zia Rd., rather than the originally planned Richards Ave. Station. It has been reported often as vastly under utilized and continues to be so. To use this as a reason to double or triple the density of our neighborhood is not only not justified; it is a manipulation of city planning terminology in a manner that is decidedly untrue, known to be untrue , for the sake of possible profit for the owner and developer. This is grossly unfair. Additionally, the provisions for pedestrians and cyclists in the project design are minimal to non-existent. This intersections has already been the site of some tragic accidents with cyclists as well as pedestrians. The proposed plan enormously increases traffic, density and quantities of pedestrians as well as cars and cyclists, while doing nothing to protect them in the plans proposed.

We have attempted multiple times to ask about an alternate design that would leave the corridor protections in place. We are shut down each and every time we inquire about this. Because we wish to see a plan for development that continues the St. Francis Corridor Protections that are currently the law, because of this, we are seen as opposed to development. We are NOT opposed to development. We are opposed to unrestricted development that destroys our neighborhood, as well as endangers our safety as well as that of everyone who would seek to live in this area in the future or to travel through this intersection.

I would also point out that there are approximately 1000 living units already approved for construction or nearly completed, within a 1-2 mile radius of this intersection, in the past year. The traffic from these alone will place an unmeasured additional burden on this intersection. It is unmeasured because of the methods used by the city planning dept. to establish traffic counts through an intersection when units are approved. Adding in close to 8000 cars a day (hy the developers own numbers, which are believed by our traffic engineers to be low counts) cannot be safe, cannot be managed. This intersection was declared to be a "failed intersection" in 2008 by our State Traffic

Engineers. The changes proposed will not address all of the problems this additional level of density will create. Adding in the other 1000 units already under way in the area make for a solution to the problems of this area that are no solution at all.

Lastly, the other justification for the level of density is the need for housing, and for affordable housing in particular. This too is being utilized in a manipulative manner by the developers, since they are in the proposal providing 15% of the housing as affordable for a period of 5 years. In exchange for this, they acquire hundreds of thousands of dollars in benefits PAID by the city. This is a great deal for them, but not for our city, currently struggling with enormous economic problems. Also, the housing being provided is not for sale; only for rent. The units are small, most of them one bedroom. This will not provide any help in the areas surveyed to be most critically in need, family homes at affordable rates, especially for single parents.
So our Corridor protections are assumed to be disposable, assumed to be discardable, for the sake of rental properties not remotely suited to the urgent housing needs in our city. This too is wrong, and displays another example of the rhetoric of the developers being used to make this sound like it will solve problems it will not solve at all.

Thank you.

Sincerely,

Cheryl Gardopee
1880 Brillante Lane

From: Antoinette Shook
To: BERKE, NOAH L.; LOGSTON, LEE R.
Subject: Oppose as proposed Zia Station proposal- Traffic @ Zia Rd and St. Francis
Date: Wednesday, January 20, 2021 4:05:15 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Commission and City Counselors,

I implore all of you, to get on your bikes and put on your walking shoes. Due your due diligence. Ride the bike lane up and down Zia Rd. I want to see you out there as part of the community. The proposed Zia Station development by JenkinsGavin has been pitched as a walkable neighborhood. Take your children and grandchildren and cross over Zia Rd at the intersection of St. Francis. Let's not forget the train crossing as well. Lest of all, do not ignore that a low ball guess of 4000 additional vehicles one way (8000 round trip) is speculated for this proposed development, at this current time.

My husband and I are not opposed to development in keeping with the current zoning of R5-R7 and the South-Central Highway Protection Corridor (SCHPC), as is. However, the developer wants those changed, to allow for maximum density.

Plus, I hope you keep in mind the mess up of the Camel Rock Suite zoning and covenant debacle, located behind Albertsons on Zia and St. Fancis.

Sincerely,

James and Antoinette Shook
2120 Candelero St

January 20, 2021

TO: Santa Fe Planning Commission
c/o Lee Logston, Senior Planner, City of Santa Fe

FROM: Anne Watkins
2138 Candelero St
Santa Fe, NM 87505
watkins.anne@gmail.com
505-263-1010

RE: Zia Station Development Proposal—SUPPORT WITH SOME CHANGES

The proposed Zia Station Development on the west side of Zia and St. Francis offers an opportunity to provide needed housing for Santa Fe as well as an attractive commercial center with amenities ranging from office space to restaurants and small businesses which are not currently available in this area. It is also an opportunity to take advantage of the underutilized RailRunner by providing both improved parking and an increased passenger load, both for trains to Albuquerque and for trains into Santa Fe center.

I generally like the development proposal presented by Jenkins Gavin at several neighborhood meetings, which I think will improve the quality of life for this neighborhood. I believe that, with a few exceptions, most residents of the Candelero Neighborhood share this opinion. We all do share several concerns outlined below, particularly the impact of the density of the development on traffic, that I believe should be addressed prior to approval of the project.

Traffic impact from the project is the primary concern for most of us. Richard Wood has submitted an excellent analysis of these impacts. It would alleviate some of those concerns if additional analysis addressing specifically the following were required:

a. **Pedestrian accommodation**: Neither the proposal nor the traffic analysis address pedestrian traffic, which will certainly increase as both the new residential development and those of us already in the neighborhood are likely to want to walk to the new businesses as well as the RailRunner Station. Zia is already dangerous because people walk across, and this will only become more dangerous with more traffic. The changes to Zia need to include a strong focus on pedestrian safety. At the very least, **signed crossings with caution warnings** should be required, as well as some sort of **barrier in the center of Zia that will prevent crossings** between the tracks and Candelero. Ideally, although expensive, either **a tunnel or an overpass for pedestrians** over Zia would address the problem.

b. The traffic plan offered by the developer also does not address the existing problems at the St. Francis/Zia intersection or the Galisteo/Rodeo intersection. A new analysis should look at impacts on those intersections.

c. Adjusting the lowering of the RailRunner gates for southbound trains would offer dramatic improvements in traffic movement. The City and developer should seek a variance for this so that gates go back up as soon as the southbound train has moved through the intersection.

d. Improved accommodation for public transit should be required as part of the development approval.

c. Speeding is already a serious problem on both St. Francis and Zia, and most of the accidents on either street result from speeding. At the very least, flashing speed limit signs should be installed on Zia, ideally with one on the east side that alerts westbound travelers of the limit on the west side of Zia. Ideally, a permanent full-time "speed van"-type installation should be installed between Galisteo and Candelero. Note that this is needed now—-as well as one on Zia and the westernmost exit from Candelero.

d. Development approval should be conditioned on the traffic changes to Zia being completed **PRIOR** to either the residential or the commercial being occupied.

The developer's plan for the commercial area is also a concern. Presentations have stated that the commercial development will be designed to meet the needs of area residents, but to my knowledge no survey or analysis of those needs or desires has been done. Identifying an optimal mix with input and assistance from the neighborhood should be a priority.

Affordable housing should be a much stronger component of the residential development component. The current proposal for allocating only 15% of the project to be affordable housing for only 5 years in exchange for hundreds of thousands of dollars in waived development fees is really ludicrous. Given the serious need for affordable housing in the City, as well as the proximity to transit, the development should be required to provide a minimum of 15% affordable housing in perpetuity for that amount in waived fees.

Jennifer Jenkins has been readily available and open to discussions and questions about the proposal, and has offered opportunities for additional neighborhood meetings and presentations. Going forward, given the many additional issues that are likely to arise during implementation, it would be very helpful for the developer to work with an **advisory group** from the area to regularly discuss concerns and solicit input. This group should be involved in discussions about traffic impacts, commercial development, design and architectural features, and other issues that may arise during construction. Collaboration of this kind will only improve what could be a very nice amenity for the neighborhood.

From: Ann Carter
To: LOGSTON, LEE R.; BERKE, NOAH L.
Subject: Zia Station Development - opposed as proposed - additional pedestrian concerns
Date: Tuesday, January 19, 2021 7:55:25 PM

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Greetings again,

Finally, the proposed plan makes absolutely no provisions for pedestrians, which really defeats what is supposedly a key purpose/incentive for making this area a pedestrian friendly environment and cut down on cars/parking.

Crossing the Zia/St. Francis intersection on foot, particularly crossing St. Francis, is extremely dangerous for a person with no mobility issues, let alone a person who is compromised. And good luck on preventing people using the Zia Station from parking in the new development, which will increase foot traffic across Zia as well.

Allowing this development to proceed without requiring a means of safe passage across St. Francis - whether by tunnel or elevated walkway - would be irresponsible and contrary to the well-being of the population who is being subjected to and supposedly served by this additional development.

Please limit this development to a 2-3 story maximum height of buildings in a Santa Fe style, i.e. pueblo or Territorial, and require that the developer provide a protected crossing for pedestrians and bicyclists across St. Francis Dr.

Thanks again,
Ann Carter

From: Ann Carter
To: LOGSTON, LEE R.; BERKE, NOAH L.
Subject: Zia Station Development -opposed as proposed
Date: Tuesday, January 19, 2021 7:26:15 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

The excessive housing and traffic density of the Zia Station Development as proposed will have a negative impact on:

1. The Candlelight Neighborhood,
2. The amount of traffic on St. Francis, making it more dangerous than Cerrillos Road,
3. The amount of congestion at the intersection of Zia and St. Francis and immediate area, and
4. The proposed highway corridor plan which was properly focused on maintaining the beauty and ambience of Santa Fe for travelers in and out of the city.

I am particularly opposed to the permitting of 4 story buildings in this area for aesthetic and practical reasons - who wants to look at buildings when you should be able to see the mountains?

Thank you for your consideration.
Sincerely,
Ann Carter

19 January 2021

Nathen and Sarah Thomas
2194 Lustre court
Santa Fe NM 87505

To the City of Santa Fe, Planning Commision Chair and Members,

We are writing to formally state that we are in support of development; however we are very much in opposition to size and scope of the Zia Station proposal. We specifically oppose the gerrymandering of the South Central Highway Corridor (SCHC) boundary to remove this property from that governance. We oppose the proposed change to the 2004-04 General Amendment Resolution. We are also opposed to the massive proposed zoning step from low density R-7 to C2.

The Developer has stated that there have been changes to the area that warrant the request for removing this property from the SCHC, we disagree. A rail line right away has been in place since 1880 and inclusion of a Station was in the Developers testimony from 2003, in their General Plan Amendment discussion before the City. At that time, Brown's plan did not warrant the need to remove the property from the SCHC and the need is not warranted now. Rather, this "*special asset*" should maintain the *"clear sense of visual openness," "density," "maximum height of structures shall be twenty-five feet," "mimimum building setback...shall be fifty feet," and "Additional Standards" of the SCHC.* We would welcome development that complies with 14-5.5 as updated, in Ordinance in 2011-37. We view the amending of the SCHC as a dangerous precedent to the overall welfare of our city.

We are greatly concerned with the growth over time in the Developers proposal and apprehensive that this preliminary Development Plan filing is just an open door to further upscaling. In 2004, the City ruled on an amendment to the General Plan (GP), changing the "Chafet Property" to *"Low Density Residential (3-7 Dwellings per Acre)"* matching both the existing community and *"City Character."* The proposed zoning step all the way to C2, is excessive and not in keeping with the adjacent neighborhood. In fact, considering total square footage alone this is to be larger than the DeVargas Mall. There is no clear indication for the property south of Zia, exactly what will be built, and when (8-10 years), or at all, and details are ambiguous at best. We believe that development should be built in compliance with the 2004-4 Amendment Motion GP, *"they could come in together or the pumice plant property could come in first,"* by Councillor Heldmeyer, passed by "Roll Call Vote." Mr Brown himself, in testimony at that time, "*expressed concern about later pressure on the Council to change the open space to some type of commercial application, given the proximity of the railroad tracks.*" And yet, the proposal is for an open-ended development of that portion with a proposal to zone C-2.

Commercially zoned space is already provided for this vicinity by the business park on the east side of St. Francis, as well as in the near future, via the Mid-Town project, and St. Michael Corridor revamp. In addition, there is an already permitted and soon to be platted 70 acres zoned PDD, just south of I-25 and off the bicycle rail trail. We hope the City continues its desire "*to provide for more coordinated, adjusted and harmonious development along the north and south side of Zia Road at Galisteo Road and the Southern SantaFe Railway that would not have adverse impacts upon the surrounding neighborhood.*"

We believe that the amount and scale of Variances asked for in the current proposal far exceed *the intensity of development* and that *which is allowed for properties in the vicinity*. The variances are not the *minimum* that *will make possible the reasonable use of the land,* but with C2 zoning, could possibly open the door to an even greater number of stories building permit proposals a decade from now. The fact that the property could be used, right now, without any variance at all to either General Plan 2004-04 or the SCHC, shows the developer is not considering any "lesser intensity of use" even though just a few miles away Pulte Homes is currently selling single family homes faster than they can build them. We believe the requested variances, for a plethora of reasons, are contrary to the public interest of Santa Fe.

We wish to thank the Planning Commision Chair and Board Members, for their careful, critical, and diligent consideration of the "Zia Station" proposal. And we hope that the multitude of concerns over the proposal, both noted above and otherwise expressed by my neighbors and members of our community, will show that the South Central Highway Corridor should be upheld and that the massive proposed step increase to zoning is unwarranted.

Thank You,

January 19, 2021

From:
Christine Malcolm
1874 Candela St.
Santa Fe, NM 87505
imbluesage@gmail.com
505-473-4002

To:
Noah Berke and Lee Logston
City Planning Office

Re; Zia Station Planning Commission Hearing on February 4, 2021

Opposed as Proposed

I have been a resident of the Candlelight neighborhood since 1989. I oppose the proposed plan of the Brown development company because it will significantly affect my safety and well-being. Besides the density of the proposed development, there are major flaws with the intersections at Candelero and Zia and at St. Francis and Zia. Moving Galisteo closer to Candelero and at the same time having a left turning lane coming from St. Francis, on Zia for a u-turn, will cause traffic jams and dangerous situations for me to get out of the Candelight residential area that is on the North side of Zia.

The volume of traffic has increased since 1989. It will be exponentially increased if there is a hundreds of residents and traffic for projected stores, restaurants and businesses if the new development is permitted to be built as they now plan.

I oppose the rezoning that Brown proposes. I oppose the elimination of the highway protection corridor is eliminated.

Please note that I am in agreement with the position of the Candlelight Neighborhood Association (CNA).

Sincerely,

Christine Malcolm

Brigitte Gregg brigittegregg@hotmail.com
Received 1/18/2021
Zia Station Proposal – Concerned

I am extremely concerned regarding the proposed Zia Station project and am in support of the regulations outlined in south corridor protection district.
I hereby submit a request for buildings of the development to reflect the historic origin/feel of Santa Fe architecture in style, color and low building height.
Santa Fe does already feature some buildings in architecture and style that would blend in in other cities but look aesthetically out of place in this town. Feeling indifferent to the proposed development of the Zia Station would add one more "blooper" to the "CITY DIFFERENT".

william gregg gregg7@yahoo.com
Received 1/16/2021
Zia Proposal – Concerned

Gentlemen,
This is in regard to the proposed Zia Station development. My latest understanding is that Jenkins Gavin is planning to submit the proposal as one development plan. I would like to request that a reasonable timeline for construction be established for the project. Initially JG had proposed a timeline of 7 to 10 years. I believe that is an entirely excessive amount of time for neighbors to be subjected to the ongoing noise, dust, and construction traffic. I propose that construction on the project be limited to no more than three years. It doesn't seem that restrictive to me for construction of a neighborhood project. I believe there is concurrence for this view from several members of the adjacent Candlelight neighborhood. Thank you.
William Gregg

From: mdmargolis@aol.com
To: LOGSTON, LEE R.; BERKE, NOAH L.
Subject: ZIA DEVELOPMENT MAJOR CONCERNS
Date: Monday, January 18, 2021 2:21:23 PM

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City Planners Santa Fe
January 18,2021
Lee Logston,Noah Berke

Our city planners have the work of doing what is best for the city, including maximizing the benefits,in providing housing and revenue with regards to a development as proposed. They also must do what is best for the neighborhood adjacent to the proposed development. The developers have in my understanding had their agent propose under a false premise that because the Zia Kiss and Ride station exists therefore the S-CHCP ordinance over that land should be removed. Making the protective corridor contingent on the Zia station is a clear falsehood.The ordinance of the S-CHPC plainly states that it was instituted to provide protections for the land while the area around it is developed. Please address this issue at this review on February 4th.

As a long term resident of the Candlelight neighborhood I am here expressing my right to protect the investment I have in my residence and appeal to the common sense of the city planning commission and the governing body. I ask you all what are zoning rules instituted for if not to protect the interest of residents like ourselves who value the relative safety,tranquility and general nature of the neighborhood they have lived in and invested in for decades? Building a high density residential and retail urban development directly adjacent to our low density residential neighborhood is an obvious encroachment. This will include negative effects involving traffic,noise,general congestion,pollution, aesthetics and other issues outlined by other Candlelight residents who call this area our home.

There are a few Candlelight residents who are fully supportive of this development as proposed but they are a small minority who obviously hold different values from the majority about what they value concerning the nature of our neighborhood.
I therefore appeal to the common sense of the city planners and the governing body to refuse removing the S-CHPC ordinance of the land in question and to keep the density of the zoning from R-5 to R-7. This is in order to also protect our citizen interests in keeping intact the general nature of the Candlelight and other surrounding residential neighborhoods. Let us keep Santa Fe "The City Different".
Michael Margolis
2154 Candelero Street

From: Antoinette Shook
To: BERKE, NOAH L.; LOGSTON, LEE R.
Subject: Oppose the proposal of Merrit Brown and JenkinsGavin- Zia Station- Oppose Density
Date: Monday, January 18, 2021 11:55:38 AM

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My Husband and I have been told in the past that water in Santa Fe is a non issue. Water can be bought from other regions, here are the water rights on paper. Hmmmm... Last week, 5 days worth of water from Santa Fe, was released to give to Texas. Water is an issue and the density proposed at Zia and St. Francis, as well as, throughout the city, is frankly irresponsible.

Here is the proposed buildout of Zia Station:

Phase 1 (North Parcel)
Phase 1A: 244-unit multi-family community on 10.16 acres
Phase 1B: 14 Townhomes on 0.75 acres
Phase 2 (South Parcel)
Residential: 112 multi-family units and 14 townhomes
Office: 84,000 square feet
Retail/Restaurant: 36,000 square feet

Here is the article from The New Mexican.

- By Scott Wyland swyland@sfnewmexican.com Jan 14, 2021 Updated Jan 15, 2021

Texas has asked *New Mexico* to release all the *water* it can spare into the Rio Grande, so it will flow south to the much-depleted Elephant Butte Reservoir, a main *water* supply hub for southwestern *Texas*. *Texas*' request comes via the multistate *water*-sharing agreement known as the Rio Grande Compact

For a short while, the Santa Fe River will look like … well, a big river.

Water scheduled to be released from a regional reservoir will boost the Santa Fe River's flow a hundredfold to an unusually high level for a short time this month, a city water official said.

"Get the kayaks out," said Jesse Roach, the city's Water Division director. "This will be fairly extraordinary."

The release is set for Thursday and will last five days, he said.

Texas has asked New Mexico to release all the water it can spare into the Rio Grande, so it will flow south to the much-depleted Elephant Butte Reservoir, a main water supply hub for southwestern Texas.

Texas' request comes via the multistate water-sharing agreement known as the Rio Grande

Compact. New Mexico owes Texas a large quantity of water in the aftermath of a drought-stricken growing season.

Officials plan to release 948 acre-feet of water. An acre-foot is about 326,000 gallons.

About 748 acre-feet will be deposited from El Vado Reservoir into the Chama River, which connects to the Rio Grande.

Roughly 200 acre-feet will be released from Nichols Reservoir into the Santa Fe River, partly as an experiment to see whether the water can pass through an engineered canal at Cochiti Dam and flow into the Rio Grande, Roach said.

Cochiti Dam severed the direct connection between the Rio Grande and Santa Fe River when it was built in the early 1970s, Roach said. Officials want to learn whether the Santa Fe River might still act as a conduit for delivering water to Texas, he said.

The infusion of water will amplify the Santa Fe River's flow to 20 cubic feet per second, about 100 times greater than the current rate, Roach said.

The last time the river streamed at such a high rate was briefly in spring 2019, Roach said.

Under the 72-year-old compact, New Mexico must funnel water to Elephant Butte based on the quantity it collected in its reservoirs the previous year.

If the state has a wet year, it's expected to send more water to Texas the following year, just as a dry year results in the state owing less to Texas in the next cycle, said David Gensler, a hydrologist for the Middle Rio Grande Conservancy District.

New Mexico was put in a bind by having a wet 2019 followed by an extreme drought in 2020 that made it unable to supply Texas with the water it owed, Gensler said.

New Mexico began 2020 owing Texas about 60,000 acre-feet, Gensler said. The debt grew substantially when Texas agreed to release 36,000 acre-feet of its water stored at El Vado Reservoir to assist with the thirsty Rio Grande Valley's irrigation needs.

The additional release by Texas helped keep the Rio Grande's flow high enough for Santa Fe to narrowly avoid a temporary shutdown of the Buckman Direct Diversion.

By the end of last year's growing season, the entire state of New Mexico was in varying degrees of drought. Most of Santa Fe County was in "exceptional drought," the most severe level, according to the U.S. Drought Monitor.

Nearly all of the Middle Rio Grande Valley's irrigation water was consumed last year, Gensler said. There's only about 3,000 acre-feet available to send downstream, he said, including Santa Fe's contribution.

"That's all we've got to give them right now," Gensler said.

Sincerely,

James and Antoinette Shook

2120 Candelero St

From:	Antoinette Shook
To:	BERKE, NOAH L.; LOGSTON, LEE R.
Subject:	Oppose the proposal of Merrit Brown and JenkinsGavin- Zia Station - removal of the South-Central Highway Protection Corridor (SCHPC).
Date:	Monday, January 18, 2021 9:56:36 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My husband and I **oppose the proposal of the removal of the South-Central Highway Protection Corridor (SCHPC).** We have lived and bought with the intention 11 years ago that our mountain view and serenity would not be assaulted with an unreasonable and irresponsible density. We are backed up to the proposed development and implore you, **City Counselors**, to put your feet on the ground and do your own research and assessment of the proposed Zia Station Development. This is your town also. You may not live around this area and the impact may not affect you. "So, what".

City Counselors, I implore you to thoroughly read and understand what is being requested. Know the city codes. Know what is at risk. Do not be bullied. City of Santa Fe Representatives, We The People are requesting you to know this area and region of the city and what is at stake for the community and the visitors. Put your feet on the ground. Get a visual. Walk this intersection several times a day. Drive though it all day.

City counselors, we are repeatedly told not to contact you. Please hear the voices of the city, now.

Sincerely,
James and Antoinette Shook
2120 Candelero St.

From: Heather Volz
To: LOGSTON, LEE R.
Cc: ljcasper99
Subject: Comment on Arroyo Chamiso in new Zia development
Date: Monday, January 18, 2021 7:24:12 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lee Logston,

My name is Heather Volz, my husband (Larry Casper) and I have lived in Santa Fe for 15 years on Candelero St., and we love this community.

This is a comment in regards to the proposed development at Zia and St. Francis by Jennifer Jenkins and Merritt Brown. We are concerned neighbors in the Candlelight neighborhood. Also, our property includes a small stretch of Arroyo Chamiso, behind Santa Fe High School.

My concern is to include funding and proper erosion mitigation requirements for the Arroyo Chamiso in the Zia/St. Francis development plans. Because the new buildings will definitely have significantly less porous surface area (i.e., concrete and asphalt) than the current undeveloped parcel of land, the development has a potentially huge impact on future flooding of the Candlelight neighborhood. The arroyo near the new development needs work on the bridges and culverts near St. Francis, which will impact our land in the next flood event.

The stretch of the Arroyo Chamiso between St. Francis and Yucca has degraded considerably over recent years. For example, erosion can be seen at the culverts and bridges near St. Francis, and the Vo-tech bridge behind Santa Fe High School, where some sections could degrade significantly in the very near future. Sections of the embankment have collapsed further down the Arroyo Chamiso trail, requiring urgent and costly work by the City. Erosion was particularly noticeable after large rains, and climate change predictions point towards the possibility of more destructive flooding and erosion events. Since the new development is directly upstream of Candlelight neighborhood, my concern is if they have an obligation to consider their impact. The storm drainage and runoff from the new development will directly affect water flows behind our home.

Could a requirement for arroyo erosion remediation be included with the upcoming residential development planned for Zia? I had heard that this stretch of Arroyo Chamiso had been planned for city erosion work recently, and I am hopeful for it to be included in the next CIP bond. However, work by the developers could potentially negate improvements made by the City further down the arroyo in a flood.

As land owners, we look forward to hearing news from the City on anything affecting this stretch of the arroyo, with our main concerns for mitigating potential future flooding or erosion. Perhaps this work can be in conjunction with the City and/or the Santa Fe Watershed Association, for appropriate long-term planning of stormwater runoff. I think plans may already be in the process for this area.

Essentially, we agree and fully support the detailed comments that our neighbor, Sterling Grogan, recently sent to you for consideration.

Thank you,
Heather Volz and Larry Casper
2170 Candelero St., Santa Fe
505-670-0587
hmvolz@gmail.com

From: Santa Fe Real Estate Consultants
To: LOGSTON, LEE R.; BERKE, NOAH L.
Subject: Zia Station Proposal - Principal Concerns
Date: Tuesday, January 26, 2021 1:26:30 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lee and Noah,

Like many in the neighborhood, we are neither simply opposed nor simply in favor of the development. We are concerned about some of the developer's proposals and the precedents that such proposals may set, if allowed.

+ We are in favor of keeping the area in the South Central Highway Corridor Protection District (SCHC) and in accordance with its standards that restrict density to twenty-one units per acre and a maximum height for structures of twenty five feet. We are particularly concerned about the precedent that removing this protection could set for future development.

+ We are opposed to changing the zoning from Low Density Residential to Transitional Mixed Use / C-2 PUD. Although the idea of having small businesses such as a coffee shop, restaurant, dry cleaners, etc. sounds appealing, we are concerned about the logic and viability of such businesses in that location.

In addition, the amount of office and restaurant/retail space seems high for a property flanked by two major, high-speed arteries and an established residential neighborhood.

Traffic is one concern. Some of the patrons for those businesses will be arriving on foot or by bicycle. The added impact of pedestrian traffic does not seem to have been considered thoroughly in the study commissioned by the developers. Neither an overpass nor an underground tunnel seems a simple or cost-effective solution for transporting non-vehicular traffic across St. Francis (and who would pay for either?) We are impressed by the thoughtful and detailed traffic analysis provided by Rick Wood which raises questions about the traffic study commissioned by the developer.

Further, retail additions seem redundant to nearby infrastructure.

The Plaza Entrada shopping center, across St. Francis, offers a number and variety of amenities including a pharmacy, grocery store, shipping, restaurants, etc., as well as abundant parking. Is it wise to add such a large amount of competing retail and office space? When the businesses that were at Sambusco were forced to relocate, DeVargas thrived.

We understand the developer's desire to increase the density of dwellings in order to maximize his profits. Townhomes would be another way to increase density that would still have precedent in the neighborhood.

Respectfully submitted,

Malissa Kullberg and Joshua Maes

(originally sent on Jan 15, 2021 at 4:23 PM)

Joshua Maes & Malissa Kullberg, CRS, CNE
Santa Fe Real Estate Consultants, Sotheby's International Realty

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W SantaFeRealEstateDowntown.com
JM 505.231.4046
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Santa Fe Planning Commission Meeting on February 4, 2021

Response to the proposed Development at St. Francis Drive and Zia Road

Position taken by my wife and I: **Opposed as proposed.**

Primary concern; The Removal of the South-Central Highway Protection Corridor from the proposed Development

By removing the South-Central Highway Protection Corridor (S-CHPC) from the west side of the intersection of Zia Road and St. Francis Drive allowing S.F. Brown's development to proceed as proposed, one of the most hazardous traffic corridors in Santa Fe will be created.

Current Driving Conditions with the S-CHPC in place:

In less than one mile from Vo-Tec Road to St. Francis Drive, there are eight intersecting streets. The proposed development will add two traffic intersections on Zia Road to exit and enter the north side of the development. Along this stretch of Zia Road, there are two bends that restrict views of oncoming traffic for traffic exiting the Candlelight sub-division. In addition, there are few traffic signs and no stop signs or traffic lights on this stretch of Zia Road, with the exception of the intersection of Zia Road and St. Francis Drive. There are no pedestrian crossings and limited width bicycle lanes on Zia Road between Vo-Tech and Galisteo. During late fall and early winter, traffic traveling westbound on Zia Road has its vision reduced caused by the setting sun. During the winter, eastbound traffic is often delayed by cars stalled and slipping on the ice-covered slope on Zia Road near Galisteo Road. According to the New Mexico Department of Transportation's traffic monitoring station on Zia Road between Vo-Tec Road and Galisteo Road, the average daily traffic count is 17,100 vehicles. The posted speed limit on Zia Road is posted at 35 miles per hour and decreases to 30 miles per hour near Brillante Street; however, most cars exceed 45 miles per hour in both directions. Adding to the congestion on Zia Road, is the New Mexico RailRunner by stopping or passing through the Zia Station 18 times per day during weekdays, nine times on Saturday and six times on Sunday.

If the South-Central Highway Protection Corridor is removed and the development is approved, vehicles, bicycles and pedestrians traveling in and through the one-mile stretch of Zia Road between Vo-Tec and St. Francis Drive will encounter a substantial increase in safety issues and hazards.

Hazards added to the Zia Road corridor by removing the S-CHPC:

According to a traffic study completed by Bohannon-Huston and verified by the Developer, when the development is completed, the development's estimated daily traffic volume will be 7,900 vehicles. The increase in traffic volume generated by the development could easily increase the traffic count on Zia Road between Vo-Tec Road and Galisteo by over 30 percent or up to 22,300 cars per day. The traffic increase generated by the development will have a substantial impact

on Zia Road between Ardor and the Intersection of Zia and St. Francis Drive. There will also be a substantial traffic impact on Galisteo Road.

Phase one of the Development (north of Zia Road) will have two entrance/exit points onto/from Zia Road. Since only right turns to and from the property will be allowed, a left-turn lane for westbound traffic will be provided east of Candelero for "U" turns. The "U" turns allow cars to travel a shorter distance to St. Francis Drive from the Development. It is worth noting that cars leaving the development will also make "U" turns at Vela, Brillante, and Ardor. Without the ability to make "U" turns, vehicles leaving the development would travel approximately three miles to reach St. Francis Drive, even though the development is less than one-tenth of a mile from the intersection of Zia Road and St Francis Drive. In addition, there will be a significant number of vehicles departing phase two of the development (southside of Zia Road) that will exit the development northbound on Galisteo Road to Zia Road. No left turns onto Zia Road from Galisteo will be allowed. Depending on the destination, a vehicle turning right onto Zia Road would either turn left or right onto St. Francis Drive or cross St. Francis Drive and continue to travel eastbound or make a "U" turn at Walgreens and head westbound crossing St. Francis Drive and continue westbound.

Galisteo is a narrow two-lane road extending approximately one-mile between Rodeo Road and Zia Road. Galisteo has restricted vehicle views relating to the small hills and curves in the road. Traffic on Galisteo currently backs up at the intersection of Galisteo and Rodeo Road because of the high traffic volume on Rodeo Road plus the new 188-unit Broadstone Rodeo apartment complex and the gated New Mexico RailRunner crossing, both located adjacent to the intersection. The intersection of Galisteo and Rodeo Road is without a traffic light. It is difficult to estimate the traffic volume increase related vehicles exiting or entering the proposed development from Galisteo; however, any increase in traffic will be troublesome for the residents living adjacent to Galisteo. Some residents along Galisteo can only enter or exit their residential areas via Galisteo in areas that have close proximity to the entrances/exits of phase two of the Development.

Cost Benefit Analysis of removing the South-Central Highway Protection Corridor.

Costs: a substantial increase in traffic, an increase in traffic congestion, an increase in unsafe driving conditions, an increase in commute times, an increase in potential hazards to pedestrians, bicyclist and vehicles, no affordable housing, a reduction in the city's water supply, a reduction in the City's ability to address its mandate to provide for public, health, safety and welfare, a reduction of the scenic views available to promote the beauty of Santa Fe and last but not least, the inability to maintain or increase the quality of life for the area surrounding the intersection of St. Francis and Zia Road or the residents of Santa Fe in general.

One additional unfortunate cost consequence for eliminating the S-CHPC will be the area's substantial decrease in air quality. Approximately 1,165 tons of Carbon Dioxide will be released into the air, per year, within a one-mile diameter of the intersection of St. Francis and Zia Road.

Benefits: a substantial increase in profits for a Santa Fe developer, a small increase in Gross Receipts Tax and Property Tax revenues for the City of Santa Fe.

Before the City makes a decision on the status of the S-CHPC, we recommend that a Traffic Safety Study be conducted by an independent contractor. A Safety study will help protect pedestrians, bicyclist and vehicles from the potential hazards created with the removal of the South-Central Highway Protection Corridor and protect the City from potential liability issues.

Alan Richardson and Catherine Martinez
2203 Brillante Street
Santa Fe, New Mexico 87505

From: Atheria PsychicGal
To: LOGSTON, LEE R.
Subject: Zia Station r/e development
Date: Monday, November 2, 2020 8:56:07 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Mr. Logston,

I bought a condo on W. Zia Road last December. One of the reasons I fell in love with it is that not only are conveniences nearby, but there is also a lot of nature, open space, and walking/biking trails (such as the Arroyo de los Chamisos Urban Trail and the Santa Fe Rail Trail). I'm very distressed about the proposed destruction of 21 acres of nature at W. Zia Road and S. Saint Francis known as "Zia Station" for tons of apartments, 28 (I think 28) townhomes, and a "strip mall" of stores. I did attend part of the online meeting last week, but had to leave early for another online meeting. But, I was there long enough to see the plans and they look awful. Thank God the developers at least backed down from building 4 story buildings, and cut back to 3 stories, but this will make traffic at that already bad intersection WAY worse. It breaks my heart that so much nature and wildlife will be lost.

I lived in Los Angeles for about 22 years and have lived in NM 3 times now (Albuquerque twice, Pojoaque, and now here in The City Different) and beg the City of Santa Fe to not become an all concrete metropolis. This may sound a bit woo-woo, but I recall when I lived in Los Angeles (toward the end of my time there) being miserable and saying "I feel so starved for nature" because of nonstop concrete and buildings. Well, during a trip to NM, I went to a holistic doctor in Tesuque who did kinesiology on my body to look for various health problems. He stopped what he was doing at one point and said, "Your body is nature deficient." Yes, my body was actually starved for nature! With the world the way it is now...i.e. STRESSFUL...Santa Feans need nature. We need open space to breathe freely in. Please rethink this real estate development. I know some of the local residents on the GoToMeeting session last week were very concerned about the dog park being smack dab next to busy Saint Francis and barriers (or lack thereof) between houses next door to the development...along with water and utilities being upgraded.

If you can attach my written protest to the application from Jenkins, I would greatly appreciate it. Thank you for your time and attention. I live at the Zia Vista Condominium complex, as an FYI. Here is the Instagram account for the development: https://www.instagram.com/ziaroad87505/

Best regards,
Atheria (a.k.a. Carrie J. Ryan)
Psychic Atheria
New Instagram
(505) 410-1271

From: Carolyn Lamuniere
To: LOGSTON, LEE R.
Subject: Development across from Zia train station
Date: Saturday, October 31, 2020 12:34:25 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Lee,

I spoke to you Thursday about the development across from the Zia train station. I have thought a lot about it since then. First, I would like my comments attached to the application.

Development is quickly eating up our open space. For this reason I oppose this plan. This particular piece of open space is used by walkers and cyclists.
It is an important open space. it is not a field between other buildings. Ideally i would like to see the city turn it into a walking and cycling park.

But I know we need housing, and the ideal if not often the real. The problem is that what is now being built is termed "luxury" and out of the reach of most residents, it may be built for the Californians and Texans. For example, I have a friend, 67, who lives in a tiny apt. at Tierra Zia. For that, she pays $1000. per month. If her rent went up even $25, she is out of a place to live. The city has allowed developers to negate the affordable rent clause so we are stuck.

I believe if the city could enforce some guidelines to this developer, his project would be more community oriented and sensitive, rather than just a money making source for him. First, why retail when there is a big shopping center across the street? That just paves more good land for nothing. Second, why not require him to have an equal amount of developed and open space? Third, require him to have his rentals available to all income levels. Fourth, the project should not be more than 3 floors high so it would keep to a more environmentally sensitive vista.

I would also say that the apt. complex behind Natural Foods is an example of the worst kind of apt. living with everything crammed together. A slum with expensive modern trappings. The development by Presbyterian Hospital is expensive urban sprawl like what is found around every American city. No character, no feeling. We do not need more of that.

In closing, if the developer refuses to conform to the guidelines above, simple thoughtful guidelines, I feel you all turn him down. We need the space. It is an axiom, the cities with the most open space are the most liveable.

Thank you,

Carolyn Lamuniere

From: A Felix
To: LOGSTON, LEE R.
Subject: Zia station
Date: Friday, October 30, 2020 11:24:54 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello
I'd like to register a concern/complaint against the proposed building of Zia station at the corners of Zia Road and Saint Francis. That stoplight is already a failing stoplight and to add more congestion, more cars, more traffic does not make any sense. I am also concerned about the wildlife that lives in that area. And access to the bike trails and the safety on those trails. Again I think this development is ill advised, ill thought out, and not fitted for that area.

Please address my concerns in a reply email. Thank you.
A Felix

TO: City of Santa Fe

Noah Berke, Planner Manager

City of Santa Fe

100 Lincoln Ave

Santa Fe NM 87505

PHONE: 505 955 6647

FROM: R.G. Wakeland

2305 Calle Luminoso

Santa Fe NM 87505

rgw4036@yahoo.com

505 473 4036

Date: 10-2-20

RE: Zia Road and St. Francis Drive proposed development,
Early neighborhood meeting 10-7-20

I object to the above-referenced development and changes to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attracting vagrants to the parking lots, increased noise, and lowering of property values. The status quo, by and through, inter alia, the existing zoning, general plan, extraterritorial zoning plan, and the South Central highway corridor protection (area of South St. Francis drive) (highway corridor plan), purposefully created and maintain the status quo.

For example, the development would eliminate open space, scenic views, and vegetation mandated by the existing highway corridor plan. In addition, the present drive up-drop off to the railrunner train would be eliminated. As well, the bike and walking trails would be eliminated. Further, there are no swales as required to control stormwater runoff and otherwise prevent erosion.

A. The owners, Zia Station, LLC (owners), represented by JenkinsGavin land use project management, do not own the entire southeast corner property, see "Zia Station conceptual site plan," attached below.

Within this area, the existing Galisteo Road is owned by the city of Santa Fe. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side. The city

accepted ownership of the road, the underlying property, and contiguous easements/sidewalk land via dedication by the original owners to it via Candelero de Santa Fe Unit III, Santa Fe county records doc. 461-337 and 461-338, Book 82, pages 15,16. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3. The city now owns this property in fee simple.

"DEDICATION" ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract "L", and that Elmer Lowance and Jean L. Lowance being sole owner of Tract "B" has caused to be subdivided the land shown on this plat, said land .... undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon ... ", Candelero de Santa Fe Unit III, Santa Fe county records doc. 461-337 and 461-338, Book 82, pages 15.

See City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, and:

¶4 plat which designates public use conveys fee title, sec. 3-20-11

¶18, sec. 3-20-11, "Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11." Said statute "only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´", id.

1. As ownership of the land is a prerequisite to applying for the changes submitted in the 9-22-2020 early neighborhood notification meeting, any such application for the south east quadrant is precluded (not allowed).

2. Alternatively, only the city council has authority to sell the land of the existing Galisteo Road location. There is no justification for doing so. No public benefit would derive from doing so. Thus, the development plan is impossible where it involves moving Galisteo Road.
Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974
Not overruled since issued, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, city council has authority to vacate the road, 67-2- 7, owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. (obviously, this will never apply to the existing Galisteo Road, so owners cannot petition the city to abandon it). There isn't any way the city could justify abandoning Galisteo Road. The city cannot propose that the present location of Galisteo Road is a bad idea, not useful, harmful, or not beneficial.

Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication. "Where a valid statutes authorizes the

transfer of the land ...."; compares fee simple to determinable fee, fee simple applies, id. ¶9,10,11.

NMSA 1978, Sec. 13-6-2.B(3), city can sell property to private person, negotiated sale, competitive sealed bid, or auction. I will lobby city council against selling the Galisteo Road property. Alternatively, sale via anything except a competitive sealed bid will be detrimental to the city finances and will imply collusion between the city and the developers.

City finance department must approve any sale of city property, NMSA 1978 Sec. 13-6-2(A).

Chavez v. County of Valencia, 1974-NMSC-035, cited by many documents since

Parties admitted that the lands had been dedicated to the county (stipulation). Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7) procedure for political subdivisions to sell property determined no longer useful. County could sell land, ¶9,10,11, id.

B. Eliminating the present drop off drive through loop for railrunner passengers.

I have requested public documents to determine the public use and acquisition of the Rio Metro transit district, the city of Santa Fe, and-or the New Mexico department of transportation regarding this present drop off area. For example, whether it was acquired via dedication, easement, etc. The city of Santa Fe granted the owners $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it, see owner's plan below. If the drive up were acquired via dedication, then by the authorities in ¶A above, owners lack fee simple title.

Alternatively, if no dedication occurred, and instead an easement were granted, then case law applies as follows to prevent elimination of public use.

Sedillo Title Guarantee, Inc. v. Wagner. 1969-NMSC-087, ¶8 easements once granted cannot be changed absent agreement of both parties, except under authority of a grant or reservation to this effect, and

Sanders v. Lutz, 1989-NMSC-076, ¶8-10,13-15, terms of the easement, constructing easement meaning by courts

Alternatively, if owners control this present drop off area presently, then its, as well as the bike and walking paths, elimination is a detriment to citizens. See current services offered at the Zia Station, including drop off and trails.

"This is a "kiss-and-ride" station; parking is not available, although passengers can be dropped off and picked up at the station platform. Two designated van accessible ADA spaces are available for drop-off and pick-up only next to the station platform. The station is also accessible by walking and bicycling.

Features

- ADA accessible platform and ramp
- Bicycle racks
- The Santa Fe Rail Trail, a multi-use trail appropriate for biking, running, and walking, is just steps from the platform (view the Santa Fe Bikeways and Trails Map)"

Rio Metro transit district, https://www.riometro.org/221/Zia-Road (10-3-20).

C. No provision for swales, unfavorable soil conditions.

No provisions for swales, (terraces to contain runoff as required according to amount of natural terrain converted to impermeable areas) in the conceptual site plan, see below. In addition, the slope, especially in the north quadrants may be 30%, which is difficult, if not prohibited, to build on. See attached pages from the Santa Fe county soils document, below. These show surface runoff high-moderate, soils rating limitation to roads moderate-severe, and erosion moderate erosion hazard. See city code regarding 30% slopes.

D. South St. Francis Drive, South-Central Highway Corridor protection district can only be modified via modification of the County Growth Management Plan, the Comprehensive extraterritorial plan, and the City general plan by each respective political entities.

The owners "Request to remove the property from the South-Central Highway Corridor Protection District". See 1999 Santa Fe metropolitan area highway corridor plan, 1999, p. 2 (attached to sending email). The Santa Fe county commission, the extraterritorial commission, and extraterritorial zoning authority, and the Santa Fe city council must "adopt the [highway corridor] plan as an element of the County Growth Management Plan, the Comprehensive extraterritorial plan, and the City general plan." Thus in order to change the present South Central highway corridor protection area all the above-referenced presently in effect plans must be likewise changed by their respective political entities. Owner's 9-22-20 notification letter does not propose such changes.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, 2008 (attached to sending email) illustrates a lesser populated development and mandates a stoplight to deal with traffic. No such traffic light is proposed. The left turn only intersection eliminates the present left turn onto west bound Zia Road from Galisteo Road.

F. No need for multi use zoning; such zoning does not create economic development

Multi-use zoning currently exists on Academy Road. However, most of these units contain no businesses. This zoning resulted in and will for this development result in merely cheap housing. People will buy them just to live there, or for rental income. There won't be any jobs or economic development created. Besides, walk in retail business has plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant,

UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community.

If you have any questions or need any further info, you can call or send email.

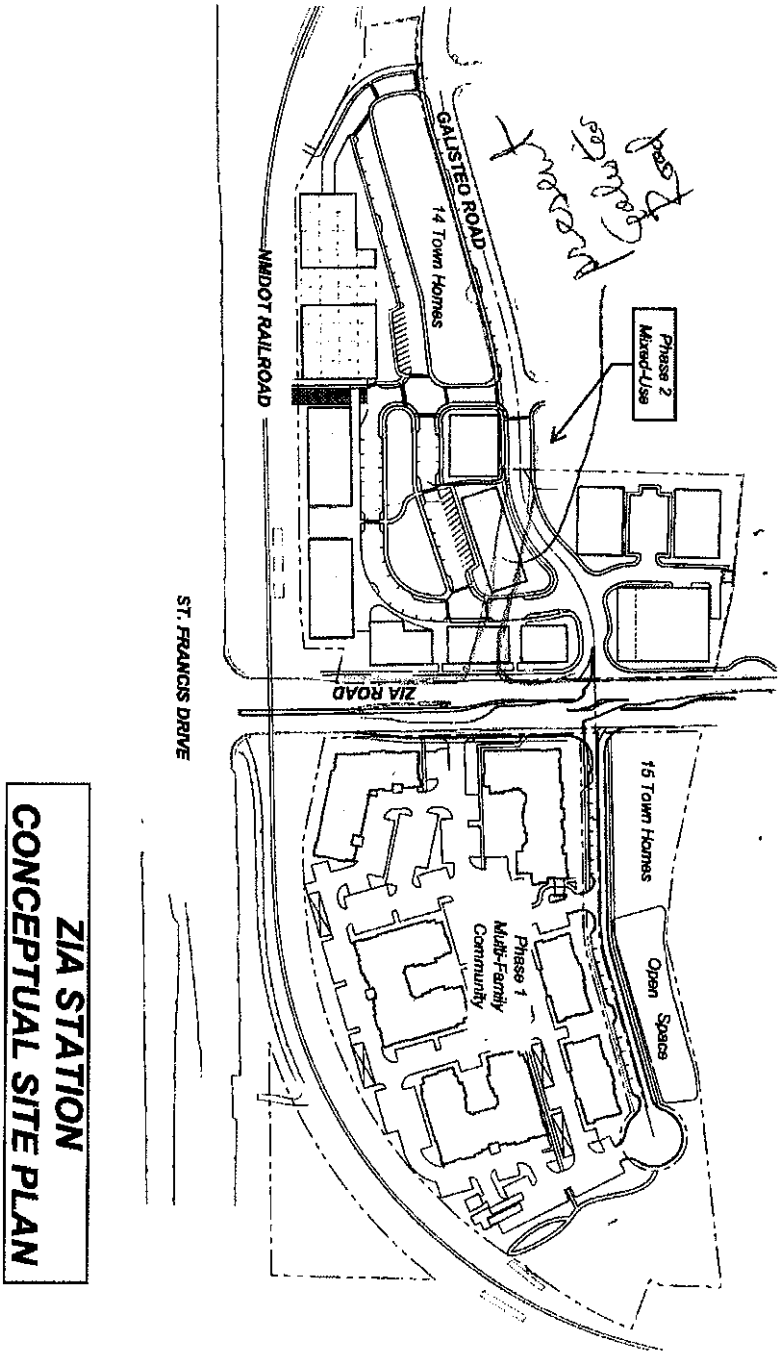
R.G. Wakeland

2305 Calle Luminoso

Santa Fe NM 87505

505 473 4036

rgw4036@yahoo.com



Zia Station proposal for development, JenkinsGavin 9-22-2020, Santa Fe New Mexico

410 955

Natural conditions which have been analyzed and mapped on a County-wide basis are: soils (those rated by the Soils Conservation Service as being poorly suited for development or not suited for development), natural terrain (land with over 25 percent slope), and water quality (poor water with specific conductivity over 2,000 micromhos and very poor water with specific conductivity over 5,000 micromhos). A composite map shows areas where limitations to development exist due to one or more of the three factors.

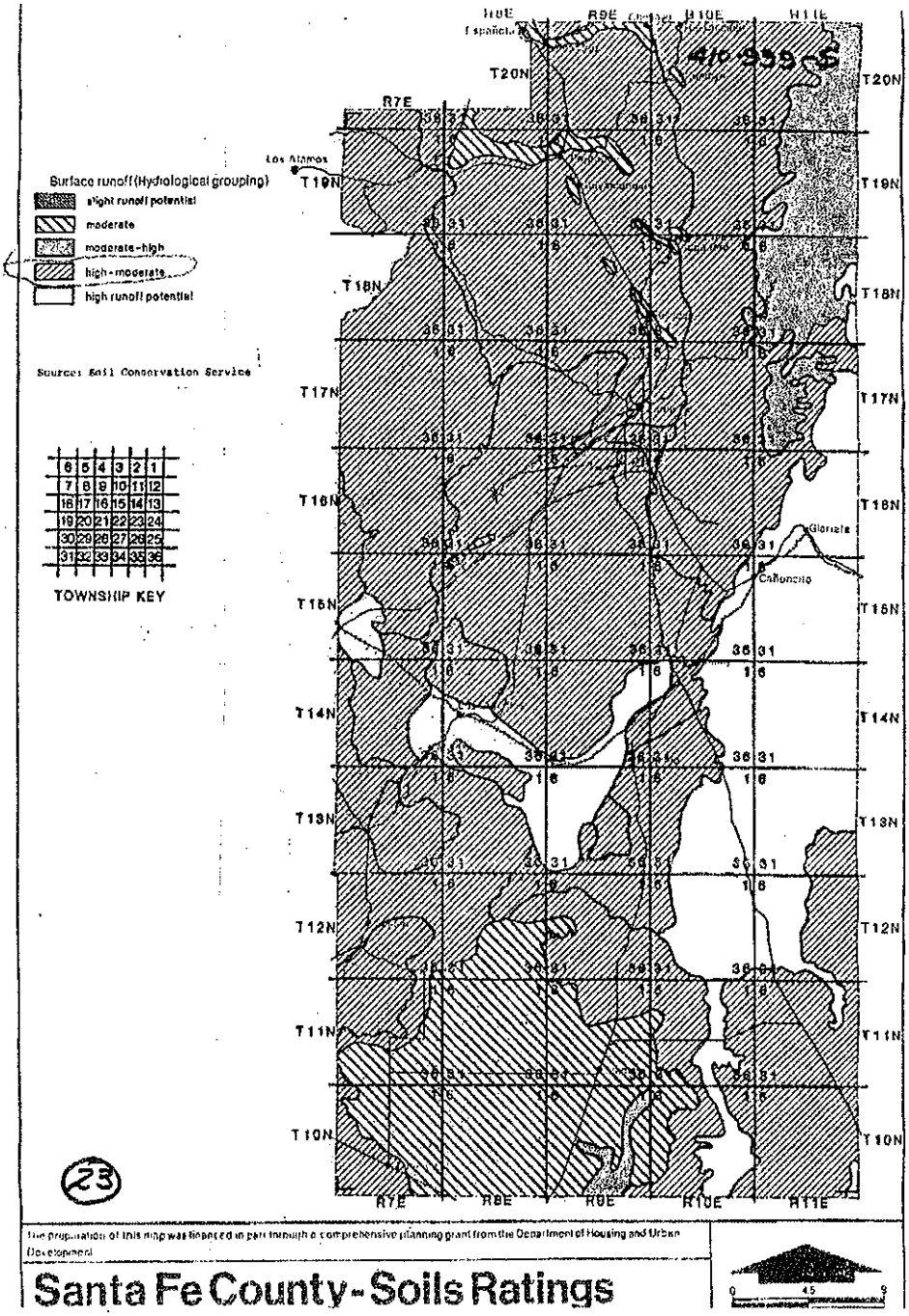
Each of these three natural limitations has a particular effect on development. Many soils in Santa Fe County pose problems and limitations to development which can be overcome through good site planning and good terrain management practices. Some soils, however, are basically unsuited for development. Soils posing problems to development include soils subject to flooding, soils on steep slopes, and soils characteristic of badlands, cliffs, and mountains.

Water contained in the older sedimentary and igneous rocks south of Los Cerrillos and Galisteo is naturally contaminated and often unfit to drink. Conductivity measured in micromhos is the index of dissolved solids and can be easily mapped where well data are available. Large areas of high conductivity water have been found in the County. In these areas water tastes unpleasant, is salty, and in some cases contains dangerous chemicals, such as arsenic. Development in such areas would burden future residents, and perhaps the taxpaying public, with the expense of water treatment or water hauling.

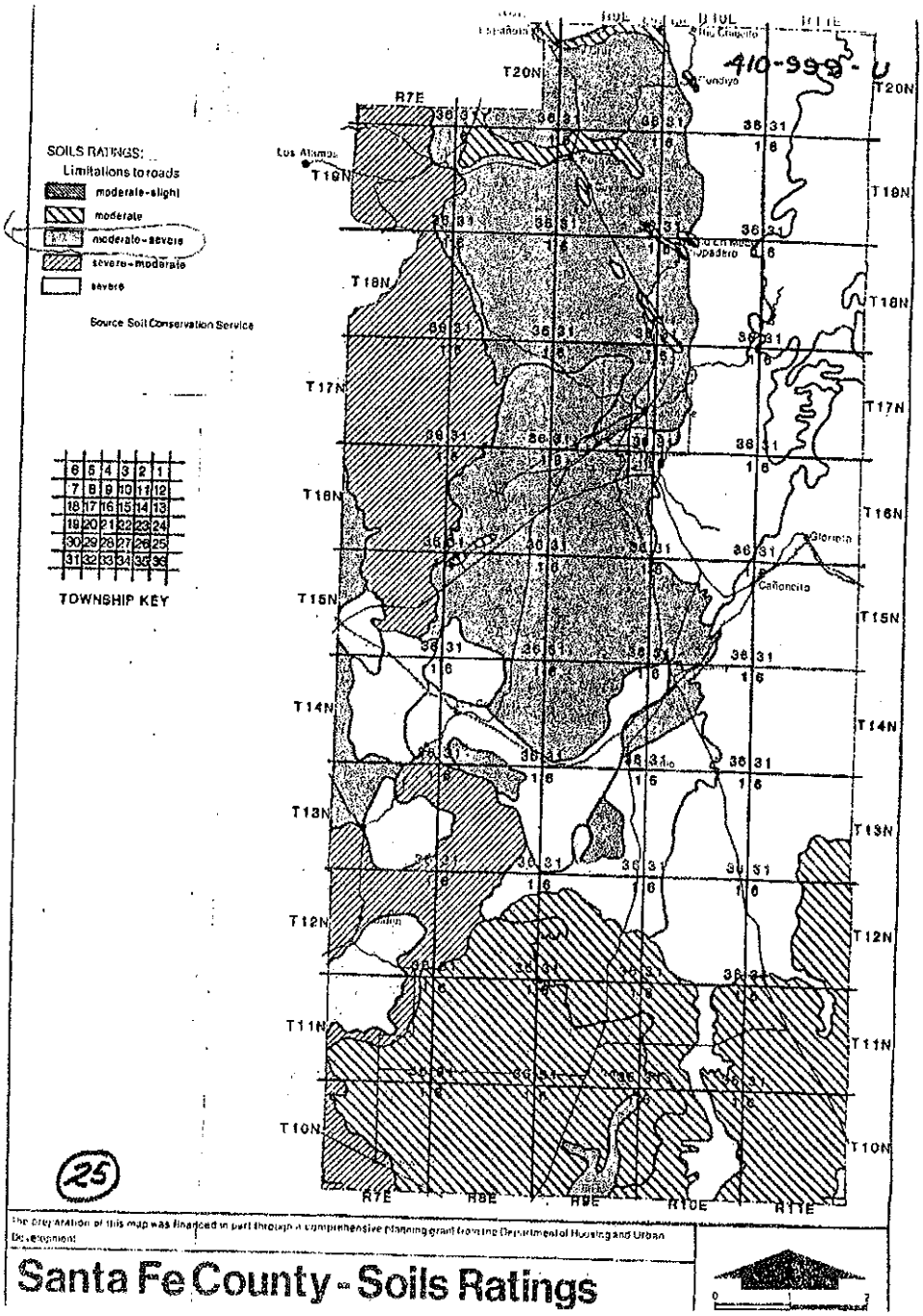
Construction on steeply sloping land usually results in excessive grading, erosion and tree loss. Because of the arid climate, erosion is rapid and the return of the tree cover may take several decades. Thus, grading scars become almost a permanent feature of the landscape. One approach to regulation of development on steep lands is to adjust required lot sizes upward with the increase in the slope of the site, thus reducing the total amount of disturbance in relation to the site area left in its natural state.

As will be seen, the locations shown on the composite map

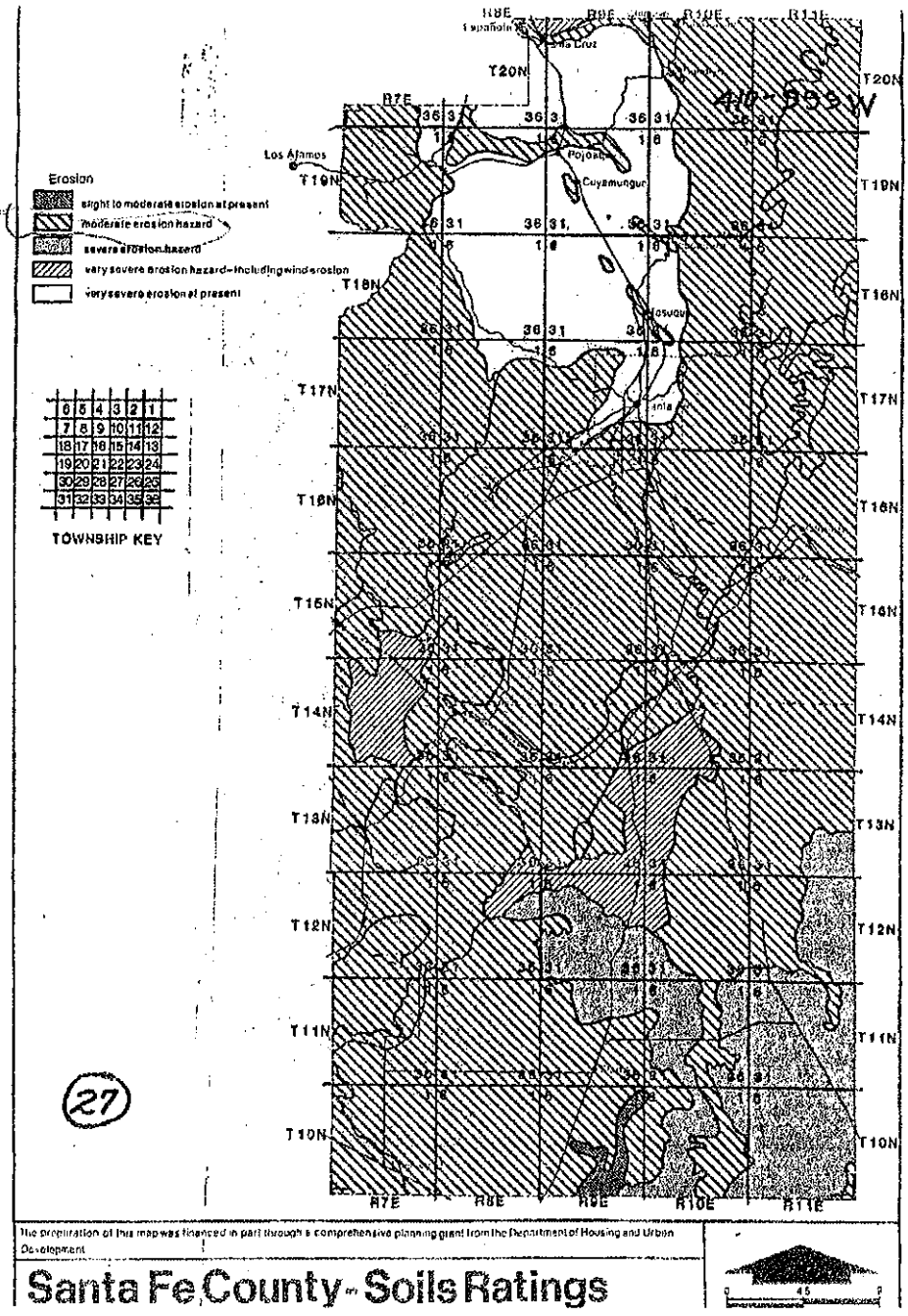
Santa Fe County, soils rating, terrain management



Santa Fe County, soils rating, terrain management, survace runoff high-moderate



Santa Fe County, soils rating, terrain management, soils rating moderate-severe



Santa Fe County, soils rating, terrain management, erosion, moderate erosion hazard

October 2, 2020

Dear Lee Logston,

I write, in regard to the proposed Zia development, at the intersection of Zia and St. Francis. Adding the proposed density to this area is with great negligence. Having been a lifelong resident of Santa Fe, there was a time of winsomeness and preservation in regard to the allure of the city. I understand the need for development, but at what cost?

From 2009- 2017, I enjoyed walking and riding my bike to work at the Cancer Treatment Center, off W. Zia Rd. After, 7 close calls, during that time, the careless and distracted drivers, put an end to that privilege. There are accidents occurring mostly southbound on St. Francis on the right hand turning lane onto Zia. One always enjoys the squealing of brakes and the crushing of metal. Which can all be heard from Candelero St., no less than a quarter mile from the Zia and St. Francis, (D / F intersection), studied back in 2010. With this Covid-19, traffic "break" the travel through the intersection has been pleasant.

Now, with the prospect of life returning to normal chaos, without the 2 phases of the proposed Zia developments on the North and South side of Zia Rd., as well as, the potential to relocate Galisteo Rd. westward, along with a potential of an additional 1000+ vehicles passing through Zia with the density of the Zia development, along with traffic backed up beyond St. Michaels ramp to San Mateo, plus the train and more pedestrians. How is one supposed to see this as positive development for this area of town and its safety?

People come from all over the world to visit Santa Fe. There are 2 main entrances, Cerrillos Rd. and St. Francis Rd. Cerrillos Rd. certainly does not hold the southwest charm that was once held dear. Thankfully, the Highway Corrido Protection Plan is currently being honored. I could not imagine coming into Santa Fe, seeing modern architecture thats in Phoenix AZ. Or crammed in apartments and housing like in Pueblo, Co, off the highway. Yuck!

Sincerely,

Marie A. Shook

P.S. There is talk of the Camel Rock suites on Zia, behind albertson, being bought for a homeless shelter. How does this fit in with the traffic report and the allure of Santa Fe, at one of two entrances ~~to~~ Santa Fe?

City of Santa Fe, New Mexico

Exhibit G

Applicant Materials

1. Application Report
2. Project Data
3. Water Budgets
4. Santa Fe HOMES Proposal
5. HAWK Pedestrian Crossing Plan
6. Traffic Impact Analysis
7. Development Plan

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

November 23, 2020

Lee Logston, Senior Planner
Current Planning Division
City of Santa Fe
200 Lincoln Avenue
Santa Fe, NM 87501

RE: Zia Station – General Plan Amendment, Rezone, Preliminary Development Plan & Lot Line Adjustment Applications

Dear Lee:

This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of the Zia Station mixed-use project comprising residential, office, retail, and restaurant uses, for consideration by the Planning Commission at their meeting of January 7, 2021. The subject parcels total 21± acres located at the northwest and southwest corners of St. Francis Drive and Zia Road. This submittal includes the following requests:

1. General Plan Amendments
2. Rezone to C-2 PUD
3. South Central Highway Corridor Map Amendment
4. Preliminary Development Plan
5. Lot Line Adjustment Plat

Background

In 2001, SF Brown Ltd. Co. (managing partner in Zia Station, LLC), entered an agreement to purchase the 8.34-acre Pumice Plant property at the southwest corner of St. Francis Drive and Zia Road. At this time, the City of Santa Fe commissioned a Multi-Modal Transit Facility study, which identified the Pumice Plant site as an ideal location. In 2004, the City approved a General Plan Amendment, assigning a land use designation of Transitional Mixed-Use to 9.64 acres south of Zia Road between Galisteo and St. Francis, including ±0.40 acres at the northeast corner of Tract L on the west side of Galisteo, with the balance of Tract L amended to Low Density Residential (Resolution 2004-4, attached). The purchase of the Pumice Plant property closed in March 2005 and the plant was demolished in 2007.

In December 2007, the Zia Road Station was identified as a future Rail Runner stop by the Santa Fe Metropolitan Planning Organization (MPO) and, in 2008, Rail Runner service between Albuquerque and Santa Fe commenced. Following numerous traffic and safety studies conducted by Zia Station, LLC and the New Mexico Department of Transportation (NMDOT), in July 2016

the access and maintenance agreement for the Zia Station Rail Runner stop was executed by the City and the NMDOT. Zia Station, LLC constructed the station improvements and "kiss and ride" passenger service began in April 2017.

Project Summary

Zia Station is a mixed-use Planned Unit Development designed as a pedestrian and transit-oriented community, seeking to make the most of the site's multi-modal transit options, including the Rail Runner Station, Rail Trail, and Santa Fe Trails bus service. The project will be developed in two phases as described below:

Phase 1 (North Parcel)

Phase 1A:	244-unit multi-family community on 10.16 acres
Phase 1B:	14 Townhomes on 0.75 acres

Phase 2 (South Parcel)

Residential:	112 multi-family units and 14 townhomes
Office:	84,000 square feet
Retail/Restaurant:	36,000 square feet

Phase 2 will also be developed in sub-phases. As the most market-driven element of the project, the mix of uses will adjust over time and be defined in the Final Development Plan application for each sub-phase.

This application includes a request to rezone the subject parcels to C-2 PUD. In establishing a Planned Unit Development, the Preliminary Development Plan defines the maximum project scope, design elements, and permissible uses. The subject properties are unique in their location between the St. Francis Drive corridor and existing R-5 and R-7 neighborhoods to the west. The project design and mix of uses strives to create an appropriate transition between these divergent land use intensities.

General Plan Amendment, Phase 1 – Low Density to High Density Residential

Phase 1 is located on the north side of Zia Road (North Parcel) and comprises 12.1± acres. The current General Plan Land Use Designation is Low Density Residential (3 – 7 dwellings per acre) and we are requesting an amendment to High Density Residential (12 – 29 dwellings per acre). As described above, Phase 1 comprises 14 townhomes on the west boundary adjacent to the existing single-family neighborhood and a 244-unit apartment community between the new north extension of Galisteo Road and St. Francis Drive, with an overall density of 21.32 dwellings per acre. The design intent is to create an appropriate transition from the Candelero neighborhood to the west and the intensity of the St. Francis Drive corridor. Current Land use designations along the south corridor include High Density Residential, Community Commercial, Office, Transitional Mixed-Use (Phase 2), and Business Park.

The General Plan Amendment approval criteria in §14-3.2(E) are addressed below:

(a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;

Santa Fe is experiencing a significant housing shortage and increasing the supply of all types of housing is critical to accommodating projected growth and addressing affordability. In addition, a key component of economic development is an adequate supply of housing to support a robust workforce. Lastly, as an infill site, the subject property is served by existing utility and roadway infrastructure.

(b) consistency with other parts of the general plan;

The Zia Station mixed-use, transit/pedestrian-oriented development aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use. Furthermore, the General Plan Land Use Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development.

(c) the amendment does not:

(i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

The area around the subject properties includes low to high density residential, commercial, and industrial uses. The proposed multi-family project is reflective of this development pattern, while serving as a transitional buffer between an existing low-density neighborhood and a densely developed highway corridor.

(ii) affect an area of less than two acres, except when adjusting boundaries between districts; or *N/A*

(iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

The project benefits the general public through increased housing supply, including affordable housing, road network improvements, pedestrian amenities, neighborhood services, opportunities for small businesses, and multi-modal transportation options.

(d) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;

See (c)(iii) above.

(e) compliance with extraterritorial zoning ordinances and extraterritorial plans; *N/A*

(f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

As Santa Fe's only privately held land adjacent to a Rail Runner stop, Zia Station is a rare and final opportunity to create true transit-oriented development in Santa Fe, promoting the general welfare through affordable housing, infill, walkability, and economic opportunity for local business.

(g) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

In addition to conformance with the General Plan Themes and Policies described above, the following documents support transit-oriented, walkable development:

- *Santa Fe MPO Metropolitan Transportation Plan*
- *City of Santa Fe Land Use & Urban Design Plan*
- *Rail Corridor Study - Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods*
- *Sustainable Santa Fe Plan*

General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use

In 2004, most of Phase 2 (South Parcel) was designated Transitional Mixed-Use, except for approximately 2.2 acres of Tract L west of Galisteo Road, which was designated Low Density Residential. We are requesting an amendment to change the designation of the balance of Tract L to Transitional Mixed-Use to correspond with the remainder of the property. This amendment aligns with the goals and principles outlined in Resolution 2001-82 that established the Transitional Mixed-Use category:

> WHEREAS,...guiding development principles...call for neighborhoods to be walkable, and for commercial areas to be connected to and linked to surrounding neighborhoods, in part, through intermediate scaled buildings that provide some degree of transition from the commercial to residential; and
>
> WHEREAS, Section 3.3 of the City General Plan also specifically addresses the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods where services and amenities are designed to complement and enhance the quality of life.

The General Plan Amendment approval criteria in §14-3.2(E) are addressed below:

(h) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;

Santa Fe is experiencing a significant housing shortage and increasing the supply of all types of housing is critical to accommodating projected growth and addressing affordability. In addition, a key component of economic development is an adequate supply of housing to support a robust workforce. In addition, the commercial component of this mixed-use environment provides opportunities for local, small business and entrepreneurs. Lastly, as an infill site, the subject property is served by existing utility and roadway infrastructure.

(i) consistency with other parts of the general plan;

The proposed mixed-use, transit/pedestrian-oriented development aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use. Furthermore, the General Plan Land Use Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development.

(j) the amendment does not:

(iv) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

The area around the subject property includes low to high density residential, commercial, and industrial uses. The proposed mixed-use project is reflective of this development pattern, while serving as a transitional buffer between an existing low-density neighborhood and a highway corridor.

(v) affect an area of less than two acres, except when adjusting boundaries between districts; or *N/A*

(vi) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

The project benefits the general public through increased housing supply, including affordable housing, road network improvements, pedestrian amenities, neighborhood services, opportunities for small businesses, and multi-modal transportation options.

(k) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;

See (c)(iii) above.

(l) compliance with extraterritorial zoning ordinances and extraterritorial plans; *N/A*

(m)contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

As Santa Fe's only privately held land adjacent to a Rail Runner stop, Zia Station is a rare and final opportunity to create true transit-oriented development in Santa Fe, promoting the general welfare through affordable housing, infill, walkability, and economic opportunity for local business.

(n) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

In addition to conformance with the General Plan Themes and Policies described above, the following documents support transit-oriented, walkable development:

- *Santa Fe MPO Metropolitan Transportation Plan*
- *City of Santa Fe Land Use & Urban Design Plan*
- *Rail Corridor Study -Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods*
- *Sustainable Santa Fe 25-Year Plan*

Rezone Request

The subject parcels in both phases are currently zoned R-1 (one dwelling per acre), which is the standard default zoning for undeveloped land. We are requesting a rezone to C-2 PUD to permit the proposed mixed-use development. C-2 permits multi-family development (Phase 1) and the types of neighborhood-serving commercial uses that create vibrant mixed-use community. In addition, C-2 zoning affords maximum flexibility in the development of Phase 2 to respond meaningfully to market conditions. However, we recognize that the C-2 District permits uses that would not be appropriate at this transitional location, we are also creating a Planned Unit Development to define and limit the scope and scale of the project.

Responses to the rezoning approval criteria in SFCC §14-3.5(C) and (D) are detailed below.

(1) The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

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

(i) there was a mistake in the original zoning. *N/A*

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning.

The properties' default R-1 zoning is not representative of the surrounding area, which includes SC-1, C-1, I-1, BIP, R-29, R-21, R-7, and R-5. The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor, which the proposed C-2 PUD zoning reflects. In addition, the Rail Runner Station is an important public transit improvement that demands responsible development of the adjacent properties, to create a vibrant mixed-use, walkable, transit-oriented community.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans.

As stated above, Zia Station aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use. Furthermore, the General Plan Land Use Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development.

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

All the rezoning requirements of Chapter 14 have been met.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map.

See Secton (iii) above. With respect to the Future Land Use Map, most of the Phase 2 property is designated Transitional Mixed-Use, which supports the requested C-2 PUD zoning. General Plan Amendment requests for the remaining land area accompany this rezoning application.

(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.

General Plan Figure 4-4, Urban Sub-Areas, designates the subject properties and surrounding area as an "Infill Area." General Plan Section 4.1 states, "In both 'infill' and 'future growth' areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows" to help "create efficient use of already existing roads and utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand... ".

(e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

The subject parcels have access to existing roadways and public water and sewer infrastructure. In addition, the site is adjacent to the Rail Trail, providing access to the City's network of urban trails and open space.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or *N/A*

(c) benefit one or a few landowners at the expense of the surrounding landowners or general public.

Zia Station not only complies with numerous General Plan policies as addressed above, it is a model of the type of mixed-use, walkable community that the Plan encourages.

SFCC §14-3.5 (D): Additional Applicant Requirements

(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;

The project will construct public roadway improvements and requisite utility line extensions.

(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.

The developer will fund roadway and sidewalk improvements as part of the project, in addition to paying impact fees.

South-Central Highway Corridor Map Amendment

The South-Central Highway Corridor Protection Overlay District (SCHC) was created in 1986 and encompasses most of the subject properties. The SCHC Overlay standards as they were originally created no longer align with General Plan principles as they specifically relate to the subject property, which is uniquely situated to further the City's planning objectives around multi-modal transportation, mixed-use, infill development, and affordable housing. Therefore, we are requesting an amendment to the SCHC map to exclude the subject parcels.

Thirty-five years ago when the SCHC was created, the City did not anticipate the establishment of commuter rail service in Santa Fe, or the unique constraints involved in responsibly developing a walkable, transit-focused community that serves the market needs of Santa Fe and the planning goals subsequently adopted by the City in its 1999 General Plan and multiple other planning documents. For example, the Rail Corridor Study discussed below identifies the Zia Station property as an important "gateway" to Santa Fe, while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development. We believe that architectural excellence, vibrant streetscapes, and a thriving mixed-use community provide an inviting, inclusive gateway to Santa Fe, while also honoring the visual character that the SCHC Overlay intends to preserve through proper siting, landscape buffers, and transition from higher intensity to lower intensity uses.

Notwithstanding this requested map amendment, the project's design nevertheless honors several elements of the SCHC Overlay standards. The project includes a setback from St. Francis Drive of 110 feet – more than twice the 50 feet required by the SCHC Overlay. Regarding height, the SCHC Overlay limit is 25 feet. On the north site where proposed apartment building pad grades are 15 to 20 feet lower than St. Francis Drive, the proposed maximum height is 35 feet, with only approximately 18 feet visible from the St. Francis Drive ROW. Furthermore, only around one-third of the proposed structures are designed with three stories, with the remaining being predominantly 2-story. The design flexibility afforded by including some 3-story construction allows for residential densities needed to achieve affordability, while providing abundant walkable, landscaped, open space, and attractive streetscape views of neighborhoods and communities from the highway corridor, versus parking lots and loading zones. Where the SCHC requires a maximum residential density of 21 dwellings per acre, the overall proposed density for the project is 18.8 dwellings per acre. With respect to open space, the SCHC requires 35% for non-residential and 50% for residential development. The mixed-use Phase 2 includes 42.2% open space (exceeding the non-residential standard) and 37.5% is provided in the residential Phase 1, resulting in overall open space of approximately 40%.

Responses to the rezoning approval criteria in SFCC §14-3.5(C) are outlined below.

(1) The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

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

(i) there was a mistake in the original zoning.

When the South-Central Highway Corridor Protection District (SCHC) was created in 1986, the City did not make accommodations for current and intended future uses on individual tracts within that district. As it did in the 2017 West River Corridor Plan, the City should have identified recommended future land use and zoning for subareas and parcels within the corridor in order to ensure proper implementation of the intent of the overlay. Because this was not done originally nor amended for consistency with

subsequent planning efforts, the implementation of the SCHC Overlay is at times inconsistent with the intent, with the conditions on the ground, and the principles and values articulated in subsequent City plans and studies.

(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.

The most significant change in the surrounding area is the establishment of commuter rail service in Santa Fe and, specifically, the location of a Rail Runner stop adjacent to the subject properties. The Rail Runner Station is an important public investment that demands commensurate development of the adjacent properties to create the vibrant mixed-use, walkable, transit-oriented community that City planning studies have called for repeatedly over the last twenty years.

Since the mid-1980s, local development patterns and values have shifted in Santa Fe, as have market conditions and preferences. As development intensity has moved further south along the St. Francis Drive corridor, bringing with it increases in commercial use and housing density, the Zia Station area has become an important node for local and regional transit and also a critical transition point from the southern portion of the highway corridor to the more intensive built environment that has extended from the north in recent decades. At the time the SCHC was adopted, the area was an underdeveloped highway corridor with a 50-foot-high, derelict pumice plant surrounded by low density residential neighborhoods. Since then, the area has seen the removal of the pumice plant, the introduction of a shopping center to the east, the development of Rodeo Business Park to the south, the investment in multi-modal transportation infrastructure in the Rail Runner station and Rail Trail, and the designation of the Midtown LINC as a higher density, mixed-use redevelopment district nearby to the north. The proposed map amendment to exclude the subject property from the SCHC Overlay aligns with the changes that have occurred in the corridor over the last thirty-five years and will allow the property to be developed as a compatible transition between the character of the southern highway corridor and the northern, more intensively developed City center.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans.

As stated above, Zia Station aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use. Furthermore, the General Plan Land Use Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development.

In an effort to implement values prioritized in its General Plan, Rail Corridor Study, and Metropolitan Transportation Plan, the City has laid the foundation for the creation of a vibrant, mixed-use and transit-oriented neighborhood in the immediate vicinity of and

including the subject parcels over the last twenty years. In July 2001, the City commissioned a Multi-Modal Transit Facility Report, in which the Pumice Plant property was identified as an ideal transit facility. In January of 2004, the City approved a General Plan Amendment that designated the Phase 2 property between Galisteo and St. Francis as "Transitional Mixed-Use." In December of 2007, the Santa Fe MPO identified the Zia Station site as a future Rail Runner stop. In 2011, the City initiated public hearings regarding the opening of the Zia Station Rail Runner stop, and by the end of 2011 the City officially made a request to the NMDOT to open the station and commence rail service there. In 2016, the NMDOT and the City finalized their access and maintenance agreement for the site, and in April 2017, passenger service commenced at Zia Station. This timeline is indicative of the efforts to implement and act upon values articulated in the 1999 General Plan – specifically, the provision of multi-modal transportation alternatives and a mixture of land uses and housing types, the promotion of sensitive, compatible infill development (to include urban form/higher densities), the diversification of the economy (which is predicated upon adequate housing supply), improvement of quality of life, and active participation in the creation of affordable housing.

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

All the rezoning requirements of Chapter 14 have been met.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map.

As stated in Section (iii) above, Zia Station aligns with General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed-Use. Furthermore, the General Plan Land Use Framework includes the following elements: Compact Urban Form, Mix of Uses in All New and Existing Neighborhoods, Mix of Housing Types in All Neighborhoods, and Transit Supportive Development.

With respect to the Future Land Use Map, General Plan Amendment requests accompany this application. The proposed Amendment is consistent with surrounding uses identified on the Future Land Use Map and better reflects the intent of the General Plan policies identified above. Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential. The proposed exclusion of the subject property from the SCHC is consistent with previous actions of the City to implement the guiding development principles identified in the General Plan, such as mixed-use, infill, affordable housing, multi-modal transportation, and economic diversification, as demonstrated in the City's amendment to the Midtown LINC Overlay approved in 2019. In this amendment, the City allowed the Midtown LINC Overlay provisions to supersede the SCHC Overlay provisions in order to better implement the General Plan by promoting higher density residential development, complementary non-residential uses, and innovative redevelopment. This proposed Amendment to exclude the property from

the SCHC Overlay district would achieve a similar effect for a related purpose in a nearby area.

(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.

General Plan Figure 4-4, Urban Sub-Areas, designates the subject properties and surrounding area as an "Infill Area." General Plan Section 4.1 states, "In both 'infill' and 'future growth' areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows" to help "create efficient use of already existing roads and utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand... ".

(e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

The subject parcels have access to existing roadways and public water and sewer infrastructure. In addition, the site is adjacent to the Rail Trail, providing access to the City's network of urban trails and open space. Most importantly, the subject properties are adjacent to the Zia Rail Runner Station, providing a unique opportunity to maximize the benefits of this key piece of public infrastructure with the establishment of a transit-focused community.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or *N/A*

(c) benefit one or a few landowners at the expense of the surrounding landowners or general public.

Zia Station not only complies with numerous General Plan policies as addressed above, it is a model of the type of mixed-use, walkable community that the Plan encourages. Furthermore, in order for the City to see adequate return on and maximize the benefit of recent public investments in multi-modal transportation infrastructure at the Zia Rail Runner Station and the Rail Trail, it must act to allow commensurate private investment in the provision of diverse housing and employment options, as well as appropriate transitions from higher intensity uses to lower intensity uses within the SCHC corridor. The proposed map amendment helps the City achieve this while furthering General Plan policies and principles.

Rail Corridor Study

In 2008, the City of Santa Fe Long Range Planning Division participated in the preparation of Rail Corridor Study, which directly addressed future development around the Zia Rail Runner Station and provides important guiding principles and strategies. The Study defines Transit-Oriented Development as follows:

"Transit-Oriented Development (TOD) is a term used to capture the main ideas surrounding the development or redevelopment of urban land adjacent to rail and other transit stops. TOD is a coordinated set of strategies that are in use in cities served by commuter rail throughout the country. These strategies can be implemented in diverse ways to enhance existing neighborhoods and create new neighborhood centers.

Because transit stops are hubs of activity involving different modes of travel, they are also excellent locations to allow for a mix of land uses to serve riders getting on and off the bus or train. For regular commuters, housing immediately adjacent to a transit stop can create the ability to walk or ride a bike to the stop without needing a car. Businesses are interested in locating where activity is generated by a point of public gathering such as a train stop. Finally, transit-oriented development allows a more efficient use of land that makes use of already existent utilities and other infrastructure."

The Study establishes the following Design Principles for Santa Fe's Rail Corridor, each exemplified by the Zia Station proposal:

1. **Land Use Mix** – Successful rail stops have a mix of active uses including residential, office and retail in close proximity to each other, with higher densities near the center and good transitions to adjacent land uses.
2. **Transit Connections** - City buses must connect seamlessly with commuter rail service, making it accessible to as many Santa Feans as possible.
3. **Complete Streets** – "Complete Streets" are essential to healthy neighborhoods and TODs -- streets that balance the needs of pedestrians, bicyclists, transit riders, and drivers.
4. **Trail Connections** – Inviting, safe, and accessible pedestrian and bike trails can provide necessary alternative routes to get to and from transit stops and commercial areas. Santa Fe's arroyos naturally link neighborhoods to these existing and planned hubs.
5. **Parks, Plazas & Public Places** – Public space can make rail stops into community gathering places and improve health and public safety.
6. **Neighborhood Protection & Enhancement** – Successful TODs create amenities for nearby neighborhoods while minimizing or mitigating any traffic or parking impacts.

Most importantly, the Study directly addresses the Zia Station property, stating, *"In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to*

three-story mixed-use buildings forming strong streetscapes along Zia Road." Finally, the following land use recommendations are incorporated into the project's design:

a) Increase maximum height to better accommodate three story buildings.
b) TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including: small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and bookstore.
c) Outdoor community space for small-scale markets, concerts, or community gatherings.
d) Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.
e) Residential uses should predominate along transition to existing residential to the west.
f) Create pedestrian supportive environments.
g) Create a coherent pedestrian experience throughout the (Zia) site, with clear connections to area trails and surrounding streets.
h) Distribute uses and redesign street system to alleviate congestion at Zia/ St. Francis.

PUD Preliminary Development Plan

The Preliminary Development establishes a Planned Unit Development that will govern the future development of the property. The project will be developed in two Phases, including sub-phases, as described below:

Phase 1 (North Parcel, 10.91 acres)

Phase 1A:	244 Apartments
Phase 1B:	14 Townhomes
	258 Residences

Net Acreage Less Flood Plain & Rights-of-Way: 10.44 acres
Overall Density: 25 dwellings/acre

Phase 2 (South Parcel, 8.9 acres)

Residential:	112 multi-family units and 14 townhomes
Office:	84,000 square feet
Retail/Restaurant:	36,000 square feet

Phase 2 will also be developed in sub-phases. As the most market-driven element of the project, the mix of uses will adjust over time and be defined in the Final Development Plan application for each sub-phase. Please note that do to space constraints on the plans, the project data is attached to this report.

Phase 1 (North Parcel) – Multi-Family

Phase 1 includes the construction of the following roadway improvements:

1. Zia Road modifications to create three eastbound left-turn lanes and one through/right-turn lane, with associated bike lane and sidewalk improvements.
2. Realignment of the northern extent of Galisteo Road approximately 180 feet west.
3. New extension of Galisteo Road north of Zia Road to serve Phase 1.
4. Secondary, gated emergency access drive between St. Francis and Galisteo.

The area west of the new extension of Galisteo Road will be developed with two townhome compounds and open space to serve as a transition between the houses to the west and the multi-family community proposed between Galisteo and St. Francis Dr. The apartment buildings that front Galisteo will be limited to two stories, with the exception of the southern portion of Building A at the corner of Zia and Galisteo. The remaining buildings adjacent to St. Francis Dr. will be three-stories. However, the finished floor elevation of these buildings will be 18 feet below the grade of St. Francis Drive, so only one and a half stories will be visible from St. Francis.

Community amenities include landscaped courtyards, pool, fitness center, resident lounges, and sky decks. Access is provided to the existing footpaths along the Arroyo de los Chamisos and the Rail Trail is accessible via connections to the newly widened sidewalk on Zia, which will also provide direct access to the Rail Runner Station. In addition, the 0.90-acre parcel at the northeast corner of the site will be developed as a dog park, which is adjacent to the Rail Trail and the St. Francis underpass.

Phase 2 (South Parcel) – Mixed-Use

Phase 2 includes a combination of one, two, and three-story buildings comprising a vibrant mix of residential, office, retail, and restaurant uses. The design intent is the creation of a walkable, transit-oriented community environment with diverse housing options and access to commercial services. The buildings along Galisteo Road will be one or two stories. The area west of the realigned Galisteo Road will include two-story residential and mixed-use buildings, as well as a one-story parking structure. Landscape buffers will be provided along the south and west boundaries adjacent to the Candelero Park and residential neighbors. The townhomes proposed along the east side of Galisteo are intended to mirror the existing Candelero townhome development across the street, serving as a gradual transition to the mixed-use project elements. Further north along Galisteo, two-story buildings will accommodate retail, restaurant, and office uses. The remaining buildings along Zia and St. Francis will be three stories. Four-story buildings are not proposed and are prohibited. Typically, ground floors will include retail, services, and restaurants. Second floors could be office, residential, or a combination. All third floors are proposed to be residential units. Typical Conceptual Building Elevations are included in the Preliminary Development Plans. A high architectural standard is being established, utilizing traditional vernacular and contemporary expressions of Santa Fe style. The community's character will create dynamic streetscapes filled with life and activity. The buildings will harmonize with one another and their surroundings, while eschewing homogeny. This is achieved through engaging with several local architects to create a diverse architectural vision.

The project's pedestrian network connects to the adjacent public sidewalks, the Rail Trail, and, most importantly, the Rail Runner Station. Areas between buildings create porosity and connection with the surrounding neighborhood and opportunities for outdoor dining. The heart of Zia Station is the plaza area inside the looped access drive, which will provide community gathering space, while also accommodating special events. Zia Station is envisioned as a natural extension of the adjacent neighborhood, providing pedestrian connectivity and access to services, with a gradual increase in development scale from the low intensity uses to the west transitioning to the high intensity uses along the St. Francis corridor.

The proposed permissible uses outlined in the PUD Preliminary Development Plan are as follows:

- Residential – Townhomes, Lofts, and Multi-Family
- Professional Offices
- Medical Offices/Services
- Neighborhood Serving Retail
- Salon/Spa/Barber Shop
- Art Studios/Galleries
- Restaurants (no fast food) – Casual Dining, Farm-to-Table, Gastro Pub, Deli/Specialty Foods, Bakery, Coffee Shop
- Gym/Fitness/Dance/Yoga Studio
- Florist
- Dry Cleaner
- Bookstore
- Bank (no drive-through)
- Consignment Shop
- Theater/Performance Space
- Bicycle Shop
- Government/Community Services

Drive-through services are prohibited.

Parking

Parking for the Phase 1 residences will be provided with a combination of surface, covered, and garage spaces. The required parking is outlined below:

Townhomes	
Required: 14 units X 2 Spaces/Unit	28
Provided:	28
Apartments	
196 Units X 1.25 Spaces/Unit (<800 SF)	245
48 Units X 1.5 Spaces/Unit (800 - 1,200 Sf Units)	72
Total Spaces Required	317

Total Spaces Provided	324

(Includes 12 Accessible Spaces, 48 Garage Spaces, 39 Carport Spaces and 225 Surface Spaces)

In addition, the new north extension of Galisteo Road will include 17 public on-street parking spaces, which will offset the loss of the existing trailhead parking area.

The Phase 2 parking program includes surface, on-street (private and public), and structured:

Townhomes:	14 units X 2 Spaces/Unit	28
Apartments:	112 X 1.375 Spaces/Unit (Average)	154
Office:	84,000 SF GFA 63,000 SF NLA	
	1 Space Per 350 SF NLA	180
Commercial:	36,000 SF GFA 27,000 SF NLA	
	1 Space Per 200 SF NLA	135
Total Spaces Required:		497

Spaces Provided:	
Surface Parking Spaces Including 4 Accessible Spaces	89
Townhome Parking	28
Garage 1 Parking including 8 Accessible Spaces	140
Garage 2 Parking including 8 Accessible Spaces	259
Total Spaces Provided	516

A 140-space single story, ground level parking structure (Garage 1) will be constructed on the parcel at the southwest corner of Galisteo and Zia. Buildings K and L are located above Garage 2, a two-level underground parking structure, with an entrance on the north side and an entry/exit point on the south. In addition, 13 new, public on-street parallel spaces will be constructed on the east side of Galisteo in front of the townhomes. These spaces are not counted toward the required parking. As Phase 2 develops, there may be opportunities to employ shared parking among the residential and commercial uses in accordance with §14-8.6(B)(4)(d). This will be addressed as part of the Final Development Plan application for each sub-phase.

The Applicant is interested in providing approximately 15 – 20 designated parking spaces for Rail Runner passengers. We are exploring this option with input from the Rio Metro Regional Transit District.

Access & Traffic

The following roadway improvements will be constructed as part of Phase 1:

1. Zia Road modifications to create three eastbound left-turn lanes and one through/right-turn lane, with associated bike lane and sidewalk improvements.
2. Realignment of the northern extent of Galisteo Road approximately 180 feet west.
3. New extension of Galisteo Road north of Zia to serve Phase 1.

4. Secondary, gated emergency access drive on the north side of Zia between St. Francis and Galisteo.

Access to both phases of the project will be via Galisteo Road (existing and proposed). A new north extension of Galisteo Road will be constructed to serve the North Parcel terminating in a cul-de-sac and dedicated as a 50-foot public right-of-way. The roadway will be constructed substantially in conformance with sub-collector standards. However, in accordance with §14-9.2(B)(3), we are requesting approval of an "innovative street design", providing on-street parallel parking on the east side with sidewalks at the back of curb in order to better accommodate entering and exiting vehicles. The requisite street trees will be planted behind the sidewalk. The intersection with Zia Road is limited to a right-in/right-out/left-in access. Lastly, a gated, secondary emergency access drive will be constructed on Zia Road between Galisteo and St. Francis.

As described above, the plan includes the realignment of Galisteo Road on the south side of Zia approximately 180 feet west of St. Francis, significantly increasing the eastbound queue capacity at St. Francis. Three access points to Phase 2 are proposed on Galisteo Road. The driveway just south of Zia will permit right-in/right-out and northbound left-in turning movements. The next two driveways are aligned with Calle Luminoso and Camino de Pabilo respectively and will be full access. All on-site driveways accommodate two-way traffic with road width ranging from 24 – 26 feet and include parallel and angled on-street parking. In addition, 13 new, public on-street parallel spaces will be constructed on the east side of Galisteo in front of the townhomes. Vehicular access to the townhomes will be via the driveway to the rear. Lastly, a Rail Runner drop-off lane is provided in front of Building I.

Modifications to Zia Road will create a "complete street" and will include the construction of three eastbound left-turn lanes at St. Francis and eastbound and westbound right-turn lanes and left-turn lanes at Galisteo, as well as bike lanes. In order to enhance and celebrate the pedestrian experience on Zia, the sidewalk on the north side will be increased to 6-feet with the addition of a 5-foot planter strip. On the south side, the sidewalk will be increased to 8 feet and separated from the roadway with a 7-foot planter strip.

A Traffic Impact Analysis was prepared by Bohannan Huston, Inc. and submitted herewith for your review. The scope of the Analysis was established in coordination with the City Public Works Department and the NMDOT, with the following intersections analyzed:

1. St Francis Drive and Siringo Road
2. St Francis Drive and Zia Road
3. St Francis Drive and Sawmill Road
4. Zia Road and Galisteo Road
5. Zia Road and Candelero Street
6. Galisteo Road and Calle Luminoso
7. Galisteo Road and Camino de Pabilo
8. Galisteo Road and Rodeo Road

The findings of the Analysis are summarized below:

Existing Conditions

- The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours.
- The analyzed unsignalized intersections currently operate at acceptable levels of service.

No-Build Conditions (2024)

- The St. Francis Dr./Zia Road intersection will continue to experience unacceptable levels of service with increased delays.
- The unsignalized intersections will operate at acceptable levels of service.

Build Conditions (2024 Implementation Year)

- With construction of the proposed Zia Road improvements, the St. Francis Dr./Zia Road levels of service improve, with no failing conditions, and queues are greatly reduced.
- The unsignalized intersections continue to operate at acceptable levels of service.

Galisteo Realignment

The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states that, *"...factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance."*

Currently, the Galisteo/Zia intersection does not function properly due to its proximity to St. Francis, creating delays and safety concerns. Furthermore, based on the results of the Traffic Impact Analysis, the relocation will provide more eastbound left-turn lane storage, greatly reducing the peak hour queues and delays, which is in the interest of public welfare. The existing waterline and any other utilities will be relocated at the Applicant's expense in coordination with the service providers.

Pedestrian/Bicycle Connectivity

As a multi-modal mixed-use development, the Zia Station project recognizes the importance of a well-connected, safe, and appealing environment for pedestrians and bicyclists. New, wider sidewalks along Zia Road and Galisteo Road connect to existing sidewalks and to the Santa Fe

Rail Trail. An internal network of sidewalks and pedestrian-focus areas provide internal connections and link to perimeter adjacent sidewalks, urban trails, and social trails. New soft-surface trails north of Galisteo Road along the Arroyo de los Chamisos connect to existing social trails on both sides of the arroyo. These trails can be accessed from a trail access point at the end of the Galisteo Road North cul-de-sac. Trailhead parking is provided in new parallel parking along the east side of Galisteo Road.

The streetscape at the center of the Zia Station development has parallel/angled parking, street trees, and striped crosswalks to slow vehicular traffic and promote a pedestrian-friendly environment. Furthermore, the project facilitates bicycling by providing a new 8' wide urban trail connection to the Santa Fe Rail Trail from Galisteo Road. On-road bike lanes on new/improved segments of Galisteo Road and Zia Road connect to the existing network. Bicycle racks will be distributed throughout the site.

Terrain Management

The Phase 1 property's terrain slopes from east to west with an overall grade change of approximately 20 feet. The Arroyo de los Chamisos 100-Year Flood Plain traverses the north end of the site. The apartment buildings will be stepped in some locations to match the natural terrain. Retaining walls are proposed along Zia and St. Francis. Stormwater will be harvested in the landscaped areas and directed to a detention pond incorporated into the landscaped open space north of the townhomes. The on-site detention is adequate to ensure that historic flows will not be increased. The Phase 2 property on the east side of Galisteo primarily slopes from north to south, while the site on the west side slopes from the southeast to the northwest. The Landscaped areas are utilized to passively harvest stormwater, with flows collected in decentralized swales and via a detention pond at the southern end of the site. The stormwater management approach is summarized below:

- Existing drainage patterns on the north are limited to the on-site areas. The 100-year, 24-hour design (1% annual chance) storm event of 3.16 inches, produces a unit discharge rate of approximately 2.3 cfs/acre for the site. The north site is generally undeveloped with native grasses and sporadic juniper and pinon. Portions of the south site can be characterized similarly to the north; however, the south site's hydrology is still dominated by the prior industrial manufacturing facility (the Pumice Plant) and exhibits a slightly higher existing conditions unit discharge.
- For the north site, there are three existing outfall locations: Arroyo de los Chamisos, the existing drainage channel at Candelero Street, and Zia Road itself. For the south site, drainage either discharges to the south at Arroyo Chaparral (also known as Arroyo en Medio) and at Zia Road in two locations: at the Galisteo Road intersection and to the west near Candelero Park.
- Under proposed conditions, on-site infrastructure will maintain these historic flow patterns and outfall locations, albeit at discharge rates that have been reduced below existing flow rates. No developed areas will discharge directly to the Arroyo de Los Chamisos. On-site drainage management will be accomplished using landscape buffers and passive water harvesting techniques, as well as flood management infrastructure such as storm drains and detention ponds that restrict and reduce outflows. Two detention

ponds will be constructed as part of the development: one within the north site located north of the townhomes and one within the south site, adjacent to the Arroyo Chaparral (Arroyo en Medio).

- No development is proposed to be located within FEMA Flood Hazard Zones and all structures have been set back from the arroyo edge per City Code requirements, and no modifications to or within the arroyos themselves are proposed at this time.

Please refer the Terrain Management Plans and the attached Drainage Report for further details.

Water harvesting for the project capitalizes on surface collection and passive water harvesting to help support new landscape plantings. The array of passive water harvesting strategies for the project focus on:

- Sloping impermeable surfaces (sidewalks, paved areas, etc.) to landscape planting areas for passive irrigation
- Fine grading swales for surface water harvesting
- Installing curb cuts at parking/roadway medians to divert water to planter medians
- Directing rainwater from roof canales/downspouts to adjacent planter beds

Water & Sewer

Water is available in Zia and Galisteo Roads and sewer connections will be made at the manhole in Zia east of Candelero St., at the Arroyo de los Chamisos line, and at the existing line at the southern end of Phase 2. Service will be provided via a combination of public and private lines as depicted in the attached Utility Plans. Gated access for maintenance of the Arroyo de los Chamisos sewer line is provided at the north end of the Galisteo cul-de-sac. There is an existing waterline in the portion of Galisteo Road to be realigned, which will be relocated as part of the roadway construction.

Per the attached Water Budgets, the Phase 1 budget is estimated at 25.87 acre feet per year and Phase 2 is estimated to be 22.7 acre feet per year. In accordance with the City's requirements, water rights will be provided to offset the project's water demand.

Open Space and Landscaping

In Phase 1, a minimum of 250 square feet of open space is required per ground floor dwelling unit per SFCC §14-7.5(D)(8)(c). The open space calculation is as follows:

Townhomes
Required Open Space: 250 sf x 14 ground floor units = 3,500 sf
Provided Open Space: 9,143 sf

Apartments
Required Open Space: 250 sf x 93 ground floor units = 23,250 sf
Provided Open Space:
Common Open Space 168,708 sf (38.12%)

Private Open Space -	20,000 sf
Total Provided	188,708 sf

The Phase 2 project will incorporate passive water harvesting methods and, therefore, the required open space is a minimum of 20% of the lot area. Open space is provided as outlined below:

Required Open Space:	76,740 sf/1.76 acres
Provided Open Space:	161,972 sf/3.72 acres (42.2%)

The Zia Station project landscape approach is tailored to provide a range of enjoyable outdoor areas for public use, to provide an urban tree canopy of diverse species that helps reduce heat island effect, and to transition to native landscapes along property edges. Plant selections focus on drought tolerant, pest resistant, and appropriate species that are viable in urban/semi-urban settings. A diverse combination of native and introduced plant species will provide biodiversity, wildlife habitat, and resilience to climate shifts.

Phase 1: Common open space within the residential areas of Phase 1 include a range of active and passive gathering spaces for residents. For the apartments, this includes a pool area with spa, ramada, and lounge areas adjacent to the main entrance/lobby. Three additional common areas nestled within apartment buildings serve as passive gathering areas with seating, fire pits, and landscape plantings. A central North/South pedestrian corridor connects the apartment buildings to the Zia Road sidewalk network to the south and a network of new and existing soft-surface trails along the Arroyo de los Chamisos to the North. The detention pond along the northwest side of the new Galisteo Road will be planted with a range of native trees and shrubs to evolve into a dense riparian buffer between the new development and existing residential properties. For the townhomes, in addition to the private courtyards for each home, a semi-private common open space can serve as an informal gathering area with shade and seating. A series of evergreen and deciduous trees and a perimeter fence along the west property line buffer the townhomes from existing neighboring residential properties. Lastly, A 0.9-acre fenced dog park can be accessed off of the existing Santa Fe Rail Trail and will be available for use by both dog-owner residents of the proposed development and the public at large.

Phase 2: The Phase 2 Zia Station mixed-use development landscape will help foster a vibrant, pedestrian-focused outdoor environment. A central plaza with a sloped lawn, amphitheater seating, and stage serves as a focal point for the development and a flexible area for events, markets, and passive recreation. Generous landscaped areas between buildings along the east boundary connect to Zia Station and the Rail Trail to encourage multi-modal access at multiple locations. Streetscape improvements in the central zone focus on wide sidewalks/paved areas with shaded tree canopies and pockets of landscape planting to provide pleasant settings for ground-floor business outdoor use areas that will help activate the center.

New generous sidewalks along Galisteo Road, Zia Road, and internal streets will provide connectivity within the new development and link to existing perimeter urban trails and sidewalks. This pedestrian environment will be more appealing and safer with the additional shade from street tree canopies and landscaped buffers between walkways and roadways.

Landscape improvements along the west and south boundaries will be planted with native evergreen and deciduous species to screen views of the new buildings from existing residences and transition to adjacent open space native landscapes.

Fire Protection and Emergency Access

All buildings will be equipped with automatic fire suppression and, in accordance with IFC requirements, the drive lanes will be 26 feet wide adjacent to three-story buildings. Access to the Phase 1 apartments parking areas will be controlled with vehicular gates that will be equipped with emergency access strobes. New fire hydrants will be installed at requisite intervals and FDC's will be provided where required. A twenty-foot secondary emergency access drive will be constructed on Zia Road to serve Phase 1. The fire lane will be gated and equipped with an emergency access strobe.

Development Plan Approval Criteria

In accordance with §14-3.8(D)(1), the Development Plan approval criteria are addressed below:

(a) that it is empowered to approve the plan under the section of Chapter 14 described in the application

SFCC §14-2.3 (C)(1) states, " the planning commission shall review and approve or disapprove various specific development plans, requests and subdivision plats. When specifically authorized by Chapter 14, the decision of the planning commission is final, subject to any appeal right provided in this chapter.

(b) that approving the development plan will not adversely affect the public interest

The Zia Station project serves the public interest through the provision of much-needed housing, including affordable housing, in a mixed-use, walkable environment, with access to multi-modal transit options. In addition, opportunities are provided for local small businesses and entrepreneurs. The project will also construct critical roadway improvements to ameliorate existing congestion issues and improve pedestrian connectivity.

(c) that the use and any associated buildings are compatible with and adaptable to buildings , structures and uses of the abutting property and other properties in the vicinity of the premises under consideration

The subject property is located in a mixed-use area comprising significant commercial and multi-family development. The proposed uses and scale of the project is compatible with land uses in the vicinity, while serving as an appropriate transition between the adjacent existing residential development and the St. Francis corridor.

Archaeology

The subject parcels are located within both the Suburban and the River & Trails Archaeological Districts. An archaeology survey has been conducted and will be reviewed by the City Archaeological Review Committee on December 3rd. No significant sites were identified, only a few isolated occurrences.

Santa Fe Homes Program

We are proposing a customized affordable housing program subject to review and approval by the Governing Body. As outlined in the attached Santa Fe Homes Program Proposal, we propose that 15% of the residential units (57 units) will be priced affordably for a period of five years. We have been in discussions with City Staff regarding their efforts to potentially increase the incentives in an effort achieve more on-site units in the City's rental developments. Accordingly, Zia Station is requesting an incentive package that aligns with staff's current concepts, including the waiver of 100% of development review fees, impact fees, building permit fees, and utility expansion charges.

Early Neighborhood Notification

A series of three informational neighborhood meetings were conducted in 2019 during the project's initial design phase. Subsequently, the official Early Neighborhood Notification Meeting was held on October 29, 2020, with a follow-up meeting November 12th. The discussions centered questions and concerns regarding traffic, proposed uses, height, and density. The notes from the ENN meeting are submitted herewith for your reference.

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

1. Development Review Applications
2. Agent Authorization Letter & Deeds
3. Resolution 2004-4, General Plan Amendment
4. Project Data Sheets
5. Drainage Report
6. Utility Service Applications
7. Water Budgets
8. Santa Fe Homes Program Proposal
9. ENN Meeting Notes
10. Traffic Impact Analysis
11. Preliminary Development Plans

The Development Review Fees are calculated as follows:

General Plan Amendments (14.3 acres):	$ 2,430.00
Rezone (21 acres):	$ 3,100.00
Preliminary Development Plan:	$20,000.00
Lot Line Adjustment Plat	$ 200.00
Notice Boards (10 signs, 2 hearings)	$ 600.00
TOTAL	**$26,330.00**

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

Thank you.

Sincerely,

Jennifer Jenkins, Principal

PROJECT DATA - PHASE 1 (NORTH PARCEL)

PROPOSED ZONING: C2-PUD

SITE AREA: 12.1 ACRES

TRACT H (TOWNHOMES)	0.7479 ACRES
TRACTS I & J (APARTMENTS)	10.16 ACRES
GALISTEO RIGHT-0F-WAY	0.9224 ACRES
ZIA RIGHT-OF-WAY DEDICATION	0.1494 ACRES

DENSITY:

FLOOD PLAIN & RIGHTS-OF-WAY	1.66 ACRES
NET ACREAGE	10.44 ACRES
OVERALL DENSITY	24.71 DWELLINGS/ACRE

LOT COVERAGE: MAXIMUM PERMISSIBLE LOT COVERAGE = 60%

TRACT H ROOFED AREA	19,000 SF
TOTAL LOT COVERAGE (COVERAGE/SITE AREA) =	58.3%
TRACT I ROOFED AREA	93,030 SF
TOTAL LOT COVERAGE (COVERAGE/SITE AREA) =	23.1%

OPEN SPACE:

TOWNHOMES		
REQUIRED - 250 SF PER GROUND FLOOR D.U. (14)		3,500 SF
PROVIDED	28.06%	9,143 SF
APARTMENTS		
REQUIRED - 250 SF PER GROUND FLOOR D.U. (93)		23,250 SF
PROVIDED		
COMMON OPEN SPACE	38.12%	168,708 SF
PRIVATE OPEN SPACE		20,000 SF
TOTAL PROVIDED OPEN SPACE		188,708 SF

BUILDING HEIGHT: 2 AND 3 STORIES
4-STORY BUILDINGS ARE PROHIBITED

PARKING CALCULATIONS:

REQUIRED (14-8.6-1 SFCC)	
DWELLING UNITS	
196 UNITS X 1.25 SPACES/UNIT (<800 SF UNITS)	245
48 UNITS X 1.5 SPACES/UNIT (800 - 1,200 SF UNITS)	72
TOTAL SPACES REQUIRED	317
TOTAL SPACES PROVIDED	324

INCLUDE5 12 ACCE5SIBLE SPACES, 48 GARAGE SPACES,
39 CARPORT SPACES AND 225 SURFACE 5PACES.

BICYCLE PARKING:

APARTMENT PROJECT:
REQUIRED (TABLE 14-8.6-3): 100 OR MORE AUTOMOBILE SPACES - 12 BICYCLE SPACES
PROVIDED: 12 BICYCLE SPACES DISPERSED ACROSS THE SITE

BUILDING TYPES:

TYPE	QUANTITY	GFA	5TORIES	TOTAL UNITS
APARTMENT5:				
BUILDING A	1	52,405	2 & 3	45
BUILDING B	2	16,098	2	28
BUILDING C	2	63,878	3	126
BUILDING D	1	46,625	3	45
TOTAL	6	258,982		244

39 STUDIO UNITS; 157 ONE BEDROOM UNITS; 48 TWO BEDROOM UNITS.

TOWNHOMES:	14	1,450	2	20,230	2

PROJECT DATA - PHASE 2 (SOUTH PARCEL)

PROPOSED ZONING: C2-PUD

SITE AREA: TOTAL ACREAGE 8.9 387,684 SF

DENSITY: RESIDENTIAL

TOWNHOMES	14
APARTMENTS	112
TOTAL DWELLING UNITS	126
DENSITY	14.16 DU/ACRE

LOT COVERAGE: MAXIMUM PERMISSIBLE LOT COVERAGE 60%

TOTAL ROOFED AREA 133,193 SF
34.36%

OPEN SPACE:

REQUIRED: 20% OF TOTAL AREA	77,536.80 SF	1.78 ACRES
PROVIDED:	161,972.00 SF	3.72 ACRES

BUILDING HEIGHT: 1, 2 AND 3 STORY BUILDINGS
4 STORY BUILDINGS ARE PROHIBITED

PARKING CALCULATIONS:

REQUIRED (14-8.6-1 SFCC)		
DWELLING UNITS		
112 X 1.375 SPACES/UNIT (HALF <800 SF, HALF 800-1,200 SF UNITS)		154 SPACES
TOWNHOMES		
14 UNITS X 2 SPACES/UNIT		28 SPACES
OFFICE - 84,000 SF GFA	63,000 SF NLA	
1 SPACE PER 350 SF OF NET LEASABLE AREA		180
COMMERCIAL - 36,000 SF GFA	27,000 SF NLA	
1 SPACE PER 200 SF OF NET LEASABLE AREA		135
TOTAL SPACES REQUIRED		497
SPACES PROVIDED		
SURFACE PARKING SPACES INCLUDING 4 ACCESSIBLE SPACES		89
TOWNHOUSE PARKING		28
GARAGE 1 PARKING INCLUDING 8 ACCESSIBLE SPACES		140
GARAGE 2 PARKING INCLUDING 8 ACCESSIBLE SPACES		259
TOTAL SPACES PROVIDED		516

BICYCLE PARKING:

REQUIRED (TABLE 14-8.6-3): 100 OR MORE AUTOMOBILE SPACES - 12 BICYCLE SPACES
PROVIDED: 12 BICYCLE SPACES DISPERSED ACROSS THE SITE

BUILDING TYPES:

TYPE		TYPE	TOTAL AREA	ROOFED AREA	STORIES	# RES UNITS
BUILDING A		RESIDENTIAL	14,850	8,250	2	16
BUILDING B		MIXED USE	14,850	8,250	2	7
BUILDING C		COMMERCIAL	14,400	8,000	2	
BUILDING D		COMMERCIAL	17,280	9,600	2	
BUILDING F		COMMERCIAL	8,100	4,500	2	
BUILDING G		COMMERCIAL	14,640	6,000	3	4
BUILDING H		MIXED USE	15,433	6,343	3	5
BUILDING I		MIXED USE	27,328	11,200	3	8
BUILDING J		MIXED USE	27,328	11,200	3	8
BUILDING K		MIXED USE	35,136	14,400	3	30
BUILDING L		RESIDENTIAL	28,548	11,700	3	34
TOWNHOMES		RESIDENTIAL	21,000	15,750	2	14
GARAGE 1		COMMERCIAL	36,000	18,000	1	
GARAGE 2		COMMERCIAL	233,100	-	-	
TOTAL			507,993	133,193		126

Zia Station, Phase 1
Preliminary Water Budget
November 23, 2020

244 Apartments
1.25 Residents/unit
305 Residents

14 Townhomes
1.5 Residents/unit
21 Residents

TOTALS
258 Units
326 Residents
1.26 Residents/unit

USAGE PER UNIT	**GPY**	**AFY**
5 FLUSHES/DAY @ 1.26 GAL EACH	2,905.6	0.009
SHOWER - 10 MINUTES/DAY @ 1.5 GPM	6,918.0	0.021
BATHROOM SINK - 5 MIN/DAY @ 2.2 GPM	5,073.2	0.016
LAUNDRY - 0.3 LOADS /DAY @ 20 GAL/LOAD	3,074.7	0.009
DISHWASHER - 0.3 LOADS/DAY @ 13 GAL/LOAD	1,998.5	0.006
KITCHEN SINK - 10 MIN/DAY @ 2.0 GPM	9,224.0	0.028
SUBTOTAL PER UNIT	*29,194.1*	*0.090*
TOTAL DOMESTIC USAGE FOR 258 UNITS	7,532,067.0	23.12
LEASING OFFICE & COMMON AREAS	500,000.0	1.53
LANDSCAPE IRRIGATION	396,987.0	1.22
ANNUAL WATER BUDGET	**8,429,054.0**	25.87
9.8% Contingency per SFCC §14-8.13(E)(1)	**826,047.3**	2.54
TOTAL	**9,255,101.3**	**28.40**
ANNUAL WATER BUDGET PER DWELLING UNIT	35,872.5	0.110

Zia Station, Phase 2
Preliminary Water Budget
November 23, 2020

*RESIDENTIAL**

112 Apartments
1.25 Residents/unit
140 Residents

14 Townhomes
1.5 Residents/unit
21 Residents

TOTALS
126 Units
1.28 Residents/unit
161 Residents

USAGE PER UNIT			**GPY**	**AFY**
5 FLUSHES/DAY @ 1.26 GAL EACH			2,938.3	0.009
SHOWER - 10 MINUTES/DAY @ 1.5 GPM			6,995.8	0.021
BATHROOM SINK - 5 MIN/DAY @ 2.2 GPM			5,130.3	0.016
LAUNDRY - 0.3 LOADS /DAY @ 20 GAL/LOAD			3,109.3	0.010
DISHWASHER - 0.3 LOADS/DAY @ 13 GAL/LOAD			2,021.0	0.006
KITCHEN SINK - 10 MIN/DAY @ 2.0 GPM			9,327.8	0.029
SUBTOTAL PER UNIT			*29,522.4*	0.091
TOTAL DOMESTIC USAGE FOR 126 UNITS			3,719,824.5	11.42
LEASING OFFICE & COMMON AREAS			200,000.0	0.61
SUBTOTAL RESIDENTIAL			*3,919,824.5*	*12.03*
ANNUAL WATER BUDGET PER DWELLING UNIT			31,109.7	0.10
COMMERCIAL				
OFFICE	84,000 SF	0.25 AFY/10,000 SF*	684,287.10	2.10
RETAIL (SMALL)	9 SITES	0.06 AFY/SITE	175,959.54	0.54
FULL SERVICE RESTAURANT	5,000 SF	0.02 AFY/SEAT	1,086,170.00	3.33
LIMITED SERVICE RESTAURANT	2 SITES	1.63 AFY/SITE	1,062,274.26	3.26
SUBTOTAL COMMERCIAL			*3,008,690.90*	*9.23*
LANDSCAPE IRRIGATION			*468,034.0*	*1.44*
ANNUAL WATER BUDGET			**7,396,549.4**	22.70
9.8% Contingency per SFCC §14-8.13(E)(1)			**724,861.8**	2.22
TOTAL			**8,121,411.2**	**24.92**

*A custom Type B Water Budget will be submitted with each phase of development.

SANTA FE HOMES PROGRAM

RENTAL PROPOSAL

"Zia Station"
Santa Fe, New Mexico

This Santa Fe Homes Program Proposal ("SFHP Proposal") is made this 13th day of January, 2021 by *Zia Station, LLC* ("SFHP Developer").

RECITALS

A. SFHP Developer is the developer of *Zia Station* hereinafter referred to as the "Property".

B. SFHP Developer desires to 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.

1. SFHP Developer seeks **General Plan Amendment, Rezone and Preliminary Development Plan** approval.

2. The Property is to be developed as a mixed-use project, which includes **384** rental units as described below:

Phase 1:	244 Apartment Units
Phase 1B:	14 Townhomes
Phase 2:	14 Townhomes
	112 Apartment Units
Total	384 Units

B. SFHP PLAN. Developer agrees to comply with the Santa Fe Homes Program

ordinance through a combination of providing affordable units and a fee-in-lieu, as described below:

Affordable Units. 10% of the Project's total units will be set aside for income-qualified tenants for a period of ten (10) years. Rents will not exceed the Fair Market Rent (FMR) for Santa Fe County as established by the Department of Housing and Urban Development (HUD), including the 10% accelerator for high cost markets if approved by HUD in any given year. Eligible tenants will be income certified as earning less than 80% of the area median income (AMI) upon move in. The set-aside units will be substantially proportionate in bedroom type to the market rate units, with some flexibility permitted in response to market conditions, with rents calculated as described in Exhibit 2.

Fee-in-Lieu. The Developer will pay a fee based on 5% of the total proposed units established on an "affordability gap" measure as per SFHP Administrative Procedures and as calculated in Exhibit 3. The fee revenues will be used in compliance of the NM Affordable Housing Act for uses such as: to provide tenant based, scattered site rental assistance to income-qualified renters or to provide capital support for an off-site affordable rental housing project. The fee for this project is **$148,814.40**

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

D. DEVELOPMENT INCENTIVES. SFHP Developer requests the following development incentives on the basis that Fair Market Rents (FMR) are less than the affordable rent for the targeted income range of 80%AMI and below, which exceeds the City's requirement:

- Waiver of 20% of the following fees as calculated for the residential portions of the Project: Development Review Application Fees, Construction Permit Fees, Impact Fees, and Utility Expansion Charges.
- Water offsets will be waived for the 39 affordable units per SFCC §14-8.13(B)(5).

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

F. 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. The parties hereto acknowledge that the final unit count and mix for Phase 2 is conceptual. Phase 2 will be developed in sub-phases and an updated SFHP Proposal will be provided with each Final Development Plan Application for each sub-phase.

G. ACCESS. SFHP Developer proposes to grant access to the City or its agent to inspect the records of SFHP Developer for the SFHP units in order to determine compliance with the SFHP Ordinance and the SFHP Agreement.

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

SFHP DEVELOPER: ***Zia Station, LLC***

Title: MEMBER

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

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this 13th day of January, 2021, by Merrit Brown on behalf of Zia Station, LLC.

NOTARY PUBLIC

My Commission Expires:

10-8-23

OFFICIAL SEAL
Jennifer Jenkins
NOTARY PUBLIC- State of New Mexico
My Commission Expires 10-8-23

REVIEWED BY:

OFFICE OF AFFORDABLE HOUSING DATE

Attach: Exhibit 1 – Site Plan/Location Map (proposed)
Exhibit 2 - SFHP calculation worksheet

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

SFHP DEVELOPER: ***Zia Station, LLC***

_____

Title: _____

STATE OF NEW MEXICO)

)ss.

COUNTY OF SANTA FE)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ___day of

_____, 2021, by_____ on behalf of Zia Station, LLC.

_____

NOTARY PUBLIC

My Commission Expires:

_____

REVIEWED BY:

___Alexandra Ladd_____ __Jan 20, 2021_____

OFFICE OF AFFORDABLE HOUSING DATE

Attach: Exhibit 1 – Site Plan/Location Map (proposed)
Exhibit 2 - SFHP calculation worksheet
Exhibit 3 – Fee-in-Lieu calculation worksheet

EXHIBIT 1

Site Plan/Location Map

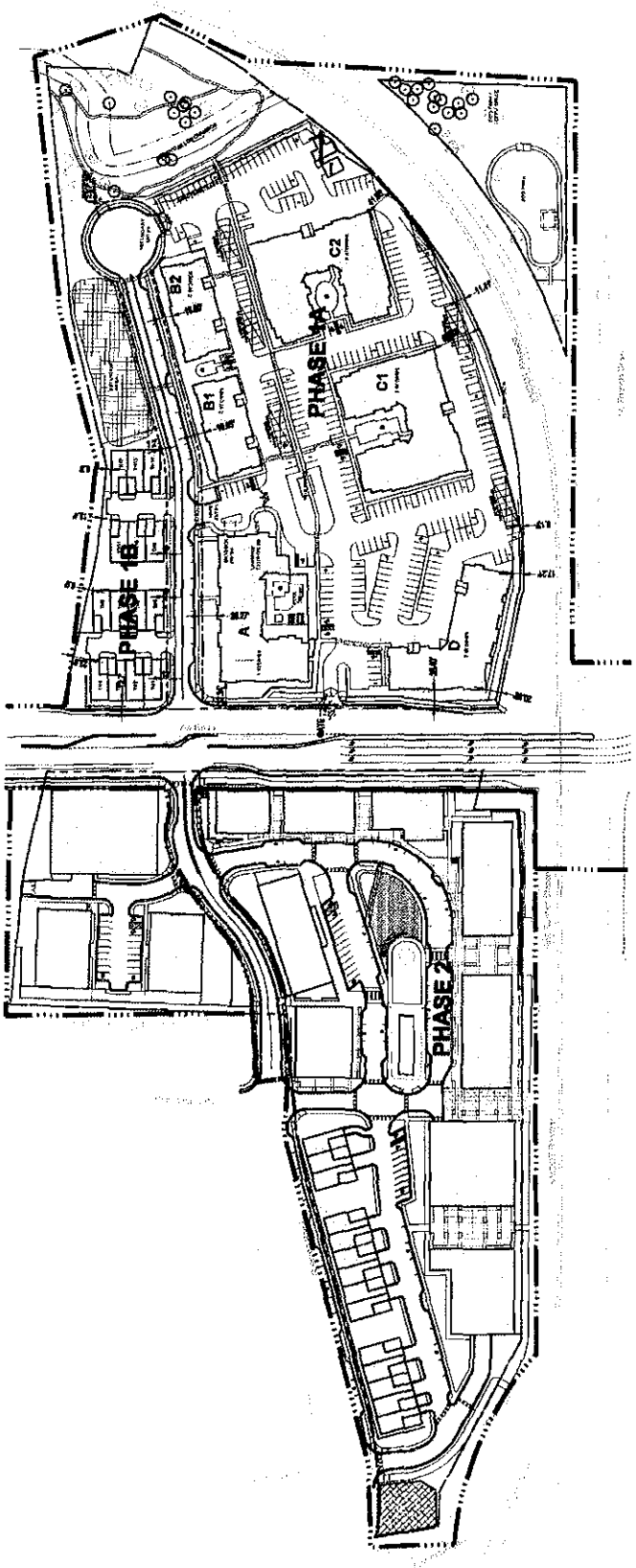


EXHIBIT 2

SFHP RENTAL UNIT CALCULATION WORKSHEET

The project is proposed as a ***C2-PUD*** zoning district, permitting ***no maximum*** units per acre. The project has an area of approximately ***21*** acres. The project is proposing ***384*** rental homes; ***73***studio, ***227*** one-bedroom units, ***84*** two-bedroom units, and ***0*** three-bedroom units. There are not additional land use requirements for this site.

The SFHP requirement is calculated below:

Total number of units multiplied by (0.10) = the number of SFHP rental units required

384 total units x 0.15 = ***38.4*** SFHP unit(s) is/are required.

39 SFHP units will be provided and no fractional fee paid.

SFHP Rent/Unit Distribution

	HH Size	Max. Rent (Ord. 2019-30)	80% AMI (Ord. 2019-30)	2020 HUD FMR*	Total # Units	# of Affordable Units
Studio	1	$1,065	$42,600	$ 882	73	7
1 BR	1	$1,065		$1,021	227	24
2 BR	2	$1,216	$48,650	$1,162	84	8
3 BR	3	$1,318	$54,750	$1,513	0	
4 BR	4+	$1,464	$60,800	$1,687	0	

*Figures include the 10% accelerator for high cost markets as established by HUD for Santa Fe County in 2020.

EXHIBIT 3

FEE-IN-LIEU CALCULATION WORKSHEET

In addition to providing affordable rental units, the Developer proposes to comply with SFHP through the payment of a fee based on 5% of the total units as per Ordinance 2019-30.

2020 Affordability Gap Voucher

	HUD FMR	SFHP Avg	Fee/Unit	20% Increase*	Voucher/Unit
Studio	$ 802	$ 643	$ 159	$ 190	$ 4,752
1 BR	$ 928	$ 643	$ 285	$ 342	$ 6,336
2 BR	$ 1,057	$ 735	$ 322	$ 387	$ 8,664
3 BR	$ 1,376	$ 837	$ 539	$ 647	$ 14,328
4 BR	$ 1,534	$ 947	$ 587	$ 705	$ 15,240

*As of July 1, 2020, fees increased by 20%

Proposed Project

Unit Type	% of Total	# of Units
Studio	19%	73
1 BR	59.1%	227
2 BR	21.9%	84
3 BR	0%	0
	100%	384

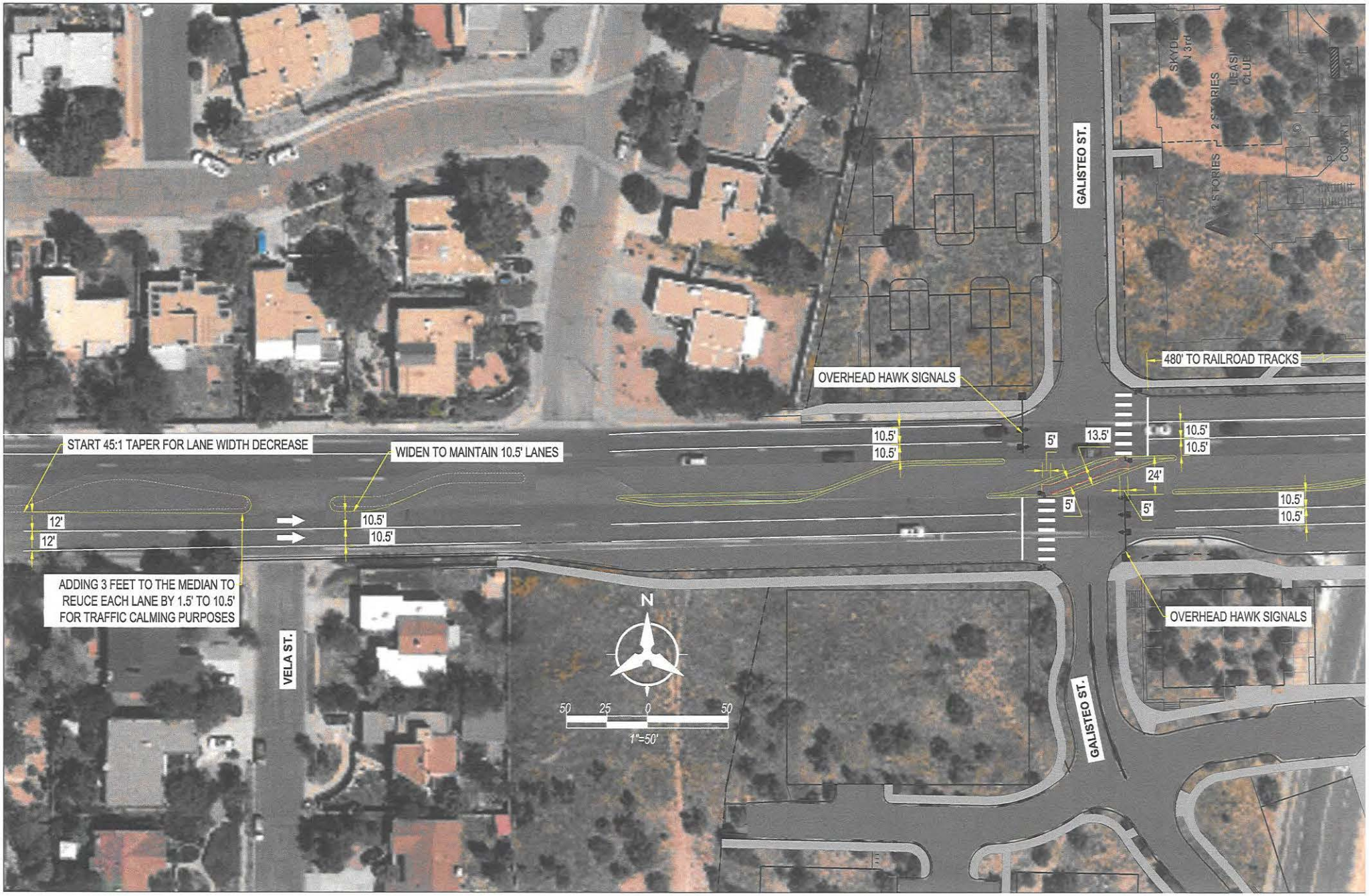
Steps for Calculation

1. enter # of each unit type
2. multiply # of units by 5%
3. multiply # of affordable units by fee/unit/month
4. multiply fee/month by 24 (months) = Project Fee
5. Sum Project Fee to get Total Project Fee

2020 Affordability Gap Voucher Calculation

Bedrooms	# Units	Aff'd Units (5%)	Fee/Unit	Total Fee
0	73	3.65	$ 190	$16,644.00
1	227	11.35	$ 342	$93,160.80
2	84	4.2	$ 387	$39,009.60
3	0	0	$ 647	$0
TOTAL	384	19.2		$148,814.40

NOTE: The rents and 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 current schedule in effect at the time the fees are paid, determines the amount of the fee. The prices are updated annually. **As of July 1, 2021 the fees will increase by 20%.**


START 45:1 TAPER FOR LANE WIDTH DECREASE
WIDEN TO MAINTAIN 10.5' LANES
12'
12'
10.5'
10.5'
ADDING 3 FEET TO THE MEDIAN TO REUCE EACH LANE BY 1.5' TO 10.5' FOR TRAFFIC CALMING PURPOSES
VELA ST.
OVERHEAD HAWK SIGNALS
10.5'
10.5'
5'
13.5'
24'
5'
5'
480' TO RAILROAD TRACKS
10.5'
10.5'
10.5'
10.5'
OVERHEAD HAWK SIGNALS
GALISTEO ST.
GALISTEO ST.
N
50 25 0 50
1"=50'
3 STORIES
2 STORIES

Bohannan Huston

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

ZIA STATION
TRAFFIC IMPACT ANALYSIS
JANUARY 2021

ZIA STATION TRAFFIC IMPACT ANALYSIS

REVISED SUBMITTAL

Date:

JANUARY 2021

Prepared by:

Bohannan Huston, Inc.
7500 Jefferson St NE
Courtyard Two
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Prepared for:

Zia Station LLC
PO Box 5735
Santa Fe, NM 87502

Eric J. Wrage, PE, PTOE/RSP1 — 1/5/2021 — January 5, 2021

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I. INTRODUCTION AND SUMMARY

Zia Station, LLC proposes to develop vacant land surrounding the Zia Rail Runner Station west of St Francis Drive and north and south of Zia Road. The proposed development will include retail, office, and residential land uses in addition to two parking garages.

A. STUDY PURPOSE

The purpose of the traffic study is to determine the impacts of the proposed development on the surrounding roadway network, evaluate the operation of the proposed site entrances, and to recommend any mitigation measures that may be necessary to support additional traffic generated by the new development.

B. EXECUTIVE SUMMARY

1. SITE LOCATION AND STUDY AREA

The site is located west of St Francis at Zia in Santa Fe, New Mexico. A vicinity map and site plan are shown in Figure 1, and the proposed site plan of the future development is shown in Figure 2.

The study area consists of the following intersections:

- St Francis Drive and Siringo Road
- St Francis Drive and Zia Road
- St Francis Drive and Sawmill Road
- Galisteo Road and Zia Road
- Galisteo Road and Calle Luminoso
- Galisteo Road and Camino de Pabilo
- Galisteo Road and Rodeo Road
- Zia Road and Candelero Street

The intersection evaluations include analysis for the AM and PM peak hours for the following traffic conditions:

- Existing traffic (2020)
- 2024 Completion Year without proposed development (2024 No Build)
- 2024 Completion Year with buildout of the site (2024 Build)

2. PRINCIPAL FINDINGS

The traffic analysis found the St Francis and Zia signalized intersection does not operate at acceptable levels of service under the Existing 2020 and 2024 No Build. Proposed improvements to the eastbound approach are expected to help improve the operation of the intersection in 2024 Build.

In the existing and no build analyses, the St Francis Drive and Siringo Road signalized intersection operates overall acceptably in all analysis periods in the AM but is overall LOS F in most 15-minute analysis periods in the PM. St Francis Drive and Zia Road operates overall F in most analysis periods in the AM and PM, with oversaturated conditions and queueing in the eastbound left lane. St Francis Drive and Sawmill Road operates overall acceptably in all analysis periods in the AM and PM. Each intersection has numerous movements that operate at LOS E or worse in the AM and PM.

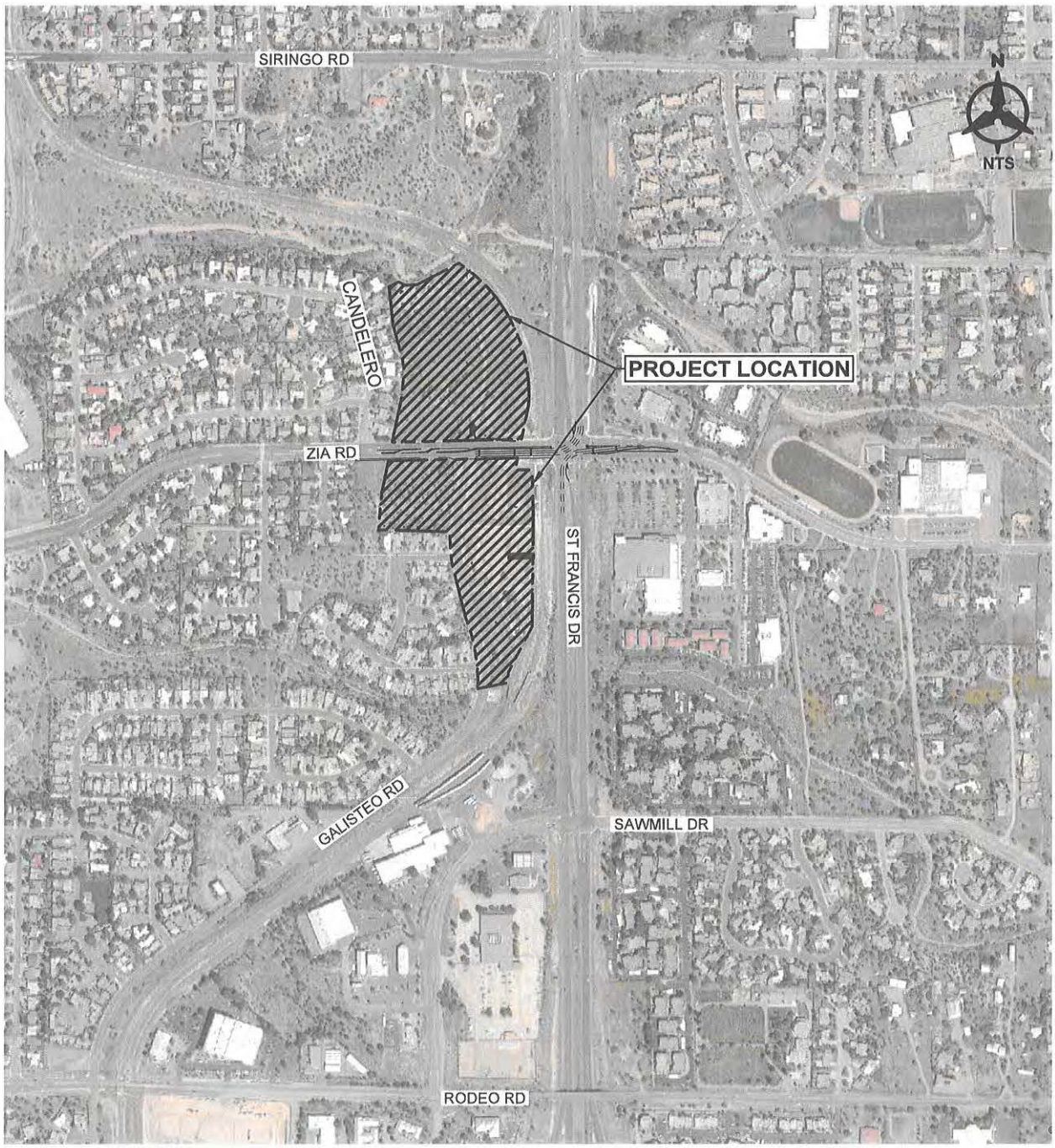
In the build analysis, St Francis Drive and Zia Road operates at an overall acceptable LOS in all 15-minute analysis periods in the AM. In the PM, four analysis periods will operate at overall LOS E or worse. The operation of the eastbound left movement improves significantly in both AM PM; however, the eastbound thru/right movement is expected to worsen, particularly in the AM. This is considered to be an acceptable trade-off to the overall improvement to operations at the intersection due to the proposed improvements,

The unsignalized intersections and site driveways operate acceptably in the existing, no build, and build analyses.

3. RECOMMENDATIONS

- All designs shall satisfy the Manual on Uniform Traffic Control Devices (MUTCD) requirements.
- At the intersection of St Francis Drive and Zia Road it is recommended the dual eastbound left-turn lanes be converted to three total turn lanes. The inside most left-turn lane should be extended to a length of 275 feet from the stop bar. The two outside lanes will also serve eastbound left turns, which should extend 400 feet from the stop bar to the new Galisteo Road.
- With the triple eastbound left-turn lanes, the existing shared eastbound thru and right-turn lane will need to be extended east of the Zia Road and Galisteo Road intersection towards the new re-aligned Galisteo Road intersection (see below). Traveling eastbound on Zia Road through Galisteo Road, motorists must move right into the shared thru/right lane. Implementation of temporary signage alerting motorists of the new intersection configuration will be needed.

- This project is proposing to re-align Galisteo Road to the west to increase queue storage on Zia Road between Galisteo Road and St Francis Drive.
- It is recommended that Zia Road and Galisteo Road operate as a left-in/right-in/right-out only intersection. Due to the short distance between this intersection and St Francis Drive, there are safety concerns for the northbound and southbound left-turn movements attempting the cross thru traffic (it is easy to misjudge how fast a vehicle is approaching). This will require construction of a median to prevent northbound and southbound left-turn movements. In addition, the northbound right turn lane will be perpendicular to Zia Road, with a short bulb out to allow passing eastbound drivers access to the eastbound through/right lane at St Francis. This was done as it was considered unsafe to construct the northbound right turn as a free right due to the potential of conflicts with northbound right and eastbound drivers.
- A westbound left-turn lane at Zia Road and Candelero Road is recommended to allow for u-turns. The removal of northbound and southbound lefts from Galisteo Road onto Zia Road may result in motorists performing u-turns at Candelero Road.
- East and westbound right-turn lanes are recommended from Zia Road onto Galisteo Road and should be designed to NMDOT State Access Management Manual (SAMM) deceleration lane standards.
- To accommodate the third eastbound left-turn lane at St Francis Drive and Zia Road, additional improvements will be required at this intersection. This includes adjusting the dual westbound left-turn lanes to properly position the opposing left-turn lanes. Moving the westbound left-turn lanes will require the pedestrian refuge to be located between the westbound left-turn and westbound thru lanes. Other improves include modifying the medians on St Francis to accommodate the eastbound and westbound left-turn lane paths. Considerations for the northbound signal and the drop inlet on St Francis may also be required.



Bohannan Huston www.bhinc.com 800.877.5332	ZIA STATION TRAFFIC UPDATE ASR SANTA FE, NEW MEXICO SITE TRAFFIC ANALYSIS	FIGURE 1 VICINITY MAP

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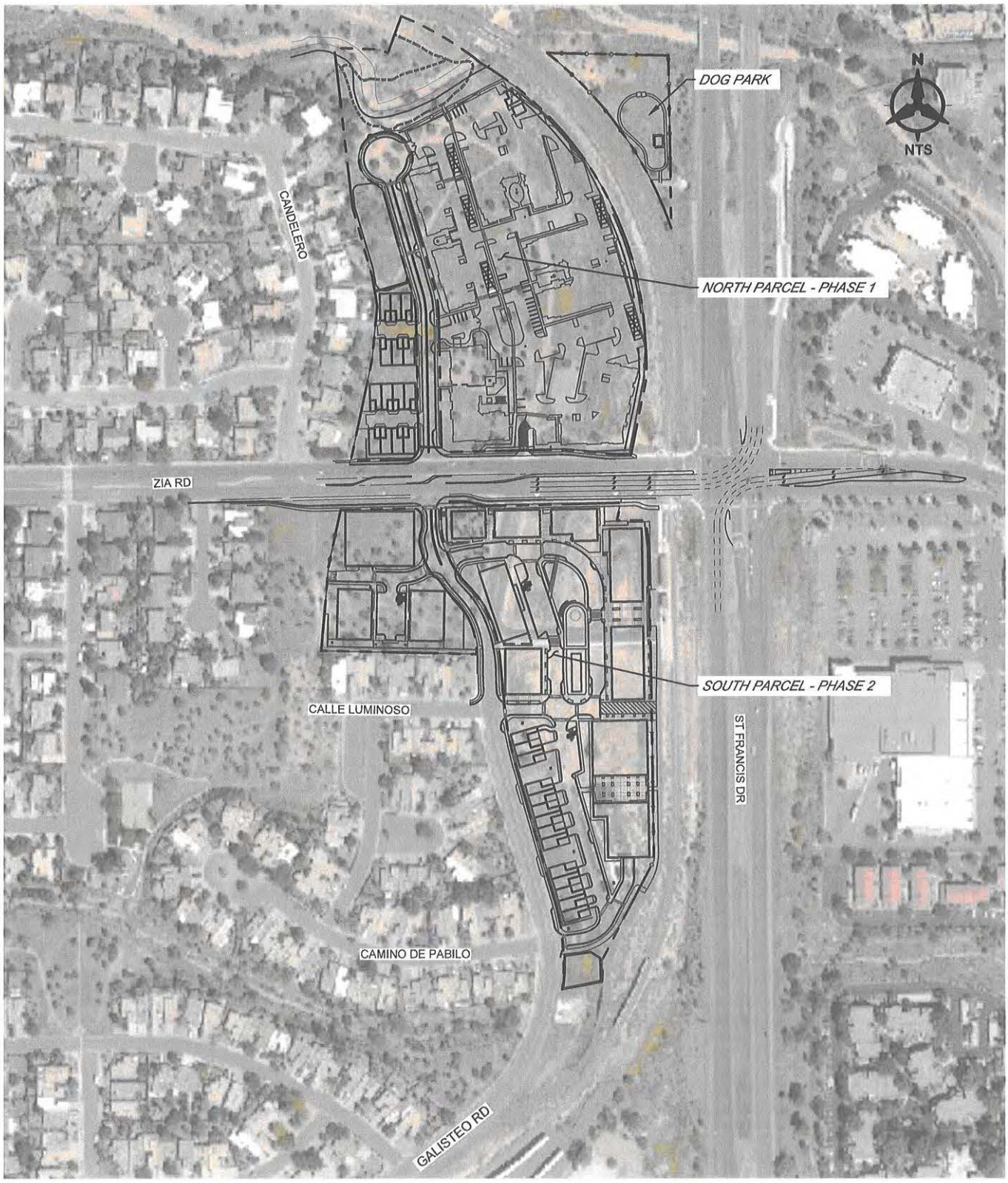

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www.bhinc.com 800.877.5332

ZIA STATION TRAFFIC UPDATE ASR
SANTA FE, NEW MEXICO
SITE TRAFFIC ANALYSIS

FIGURE 2
SITE PLAN

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II. PROPOSED DEVELOPMENT

A. LAND USE AND INTENSITY

The proposed development will include single- and multi-family residential, office, restaurant, and retail.

The surrounding area is primarily developed with residential uses west of St Francis Drive and commercial uses east of St Francis Drive.

B. DEVELOPMENT PHASING AND TIMING

The project is expected to be developed by 2024, and the year 2024 was used as the build year in the analysis. The north parcel is expected to develop first, with the south parcel to follow. It is anticipated that a follow-up traffic study will be prepared when the south parcel is developed to determine if the mitigation presented herein continues to result in acceptable level of service.

III. STUDY AREA CONDITIONS

A. STUDY AREA

The study area consists of the signalized intersections of St Francis Drive with Siringo Road, Zia Road, and Sawmill Road. Unsignalized intersections that were evaluated include Zia Road and Galisteo Road, Zia Road and Candelero Street, and Galisteo Road and Rodeo Road. The proposed site access driveways along Galisteo Road were also evaluated as two-way stop-controlled intersections.

B. SITE ACCESSIBILITY

The development south of Zia Road will have access via three proposed driveways, one right in-right out-left in, and two full access. North of Zia Road the development will be accessed from Zia Road and Galisteo Road as a left-in, right-in, right out driveway. All access points are shown in Figure 2, the Site Plan.

C. DATA SOURCES

The data used in this report consist of the traffic counts described below, aerial photography and mapping from Google Earth®, and information provided by SF Brown.

IV. ANALYSIS OF EXISTING CONDITIONS

A. BACKGROUND

1. ADJACENT ROADWAYS

St Francis Drive provides north-south access within the city and regional connectivity north of Santa Fe. St Francis Drive is classified as a principal arterial by the Santa Fe Metropolitan Transportation Organization (MPO). The posted speed limit is 45 miles per hour (MPH). St Francis Drive has three travel lanes in each direction with a continuous center median and two-way left turn lane at signalized intersections. The Santa Fe MPO Traffic Count Data System indicates in 2013 St Francis Drive had an average daily traffic volume (ADT) of about 44,900 vehicles per day (vpd).

Siringo Road is classified as a minor arterial west of St Francis and a major collector east of St Francis. Siringo Road has one travel lane in each direction and the posted speed limit is 25 MPH. The reported daily traffic is approximately 13,900 vpd in 2019.

Zia Road is classified as a principal arterial west of St Francis and a major collector east of St Francis. While Zia road only has two travel lanes in each direction and a posted speed limit of 35 MPH, it is classified as a principal arterial because it attracts trips from the west/ south traveling north/east. The daily traffic in 2019 was approximately 17,100 vpd.

Sawmill Road is classified as minor arterial west of St Francis and a minor collector east of St Francis. Sawmill Road has two travel lanes in each direction and the posted speed limit is 35 MPH. There were about 9,100 daily trips in 2019.

Rodeo Road is classified as a minor arterial and the posted speed limit is 40 MPH. Rodeo Road has one travel lane in each direction and the daily traffic was 9,500 vpd in 2011.

Galisteo Road is classified as a minor collector and the posted speed limit is 30 MPH. Galisteo Road has one travel lane in each direction and the daily traffic was 2,300 vpd in 2019.

2. MULTI-MODAL CONDITIONS

Being adjacent to the Zia Rail Runner station, the development provides direct access to rail transit options. The development also has direct access to bus lines that serve the City of Santa Fe. The Santa Fe Trails Transit Route 6 provides services from Rodeo road to the northeast. Near the development, the route travels along St Francis between Sawmill Road and Zia Road with one stop on the east leg of Zia.

The development is also in proximity to walking and bicycle trails, including easy access to the Rail Trail, as well as nearby bicycle facilities on Siringo Road, Zia Road, Rodeo Road, and Galisteo Road. The development will also provide trail connections within the site.

B. EXISTING TRAFFIC CONDITIONS

Traffic counts for the intersection analyzed in the study area were collected on March 3-10, 2020. Existing traffic counts are included Appendix A. The counts included 6-hour turning movement counts. The 2020 counts were collected prior to the COVID-19 shutdown, although not all desirable data was collected (demand volumes, lane utilization, RTOR), and the Siringo intersection was not collected due to the shutdown. Counts at Zia and Candelero, Zia and St. Francis, and Rodeo and Zia were also collected in September 2019. The counts at Zia and St. Francis from September 2019 and March 2020 were comparable, and therefore the counts were considered to representative of pre-COVID levels. Both the 2019 and 2020 counts are in the Appendix.

To account for potential demand volumes at the signalized intersections, adjustments were applied to the traffic counts. The NMDOT has a permanent traffic counter on Zia Road west of St. Francis. The traffic flow profile over a two-hour period for each peak hour (30 minutes before and after the actual peak hour) was used to estimate the demand volume at the approaches to the signalized intersections of the study. This approach thus evaluated 8 (eight) 15-minute periods using the HCS7 multi-period analysis feature for all signalized intersections. This resulted in a 2-hour period being evaluated for all the signalized intersections. This was done to encompass the full peak hour and assumed demand volumes (no unmet demand at the end of any 15-minute period) had dissipated during these 2-hour windows. This approach was agreed to by the City of Santa Fe and NMDOT District 5 and General Office Traffic Technical Support, June 12, 2020.

Lane utilization for the southbound through traffic destine for I-25 southbound was estimated from previous studies on St. Francis that collected this data. Lane utilization for the Zia eastbound left was estimated based on available left turn storage.

The methodology used for these adjustments are described further in Appendix C.

C. EXISTING LEVELS OF SERVICE

1. VEHICULAR ANALYSIS

The *Highway Capacity Manual Sixth Edition* (HCM) defines Level of Service (LOS) for un-signalized intersections in Table 1 as follows:

Table 1 | LOS Definitions			
Level of Service	Definition	Signalized (sec/veh)	Unsignalized (sec/veh)
A	Most vehicles do not stop.	<10	<10
B	Some vehicles stop.	>10 and <20	>10 and <15
C	Significant numbers of vehicles stop.	>20 and <35	>15 and <25
D	Many vehicles stop.	>35 and <55	>25 and <35
E	Limit of acceptable delay.	>55 and <80	>35 and <50
F	Unacceptable delay.	>80	>50

The NMDOT has established LOS D as the generally acceptable level of service in urban areas and when intersections operate below this level, improvements are considered, where feasible. Other critical movements are also desired to have LOS D or better if possible.

The existing intersection traffic volume were analyzed using Highway Capacity Software version 7 (HCS7), which uses the intersection methodology from the Sixth Edition of the Highway Capacity Manual (HCM). Individual intersection output for the existing conditions analysis is included in Appendix B. The results are summarized in Table 2 through Table 5.

The signalized intersections of St Francis Drive and Siringo Road, Zia Road, and Sawmill Road were evaluated using City signal timing for the multi-period analyses described above and in the Appendix.

a) *St Francis Drive and Siringo Road*

The signalized intersection of St Francis Drive and Siringo Road has a volume-to-capacity ratio under 1.0 in all AM analysis periods, which indicates the intersection operates under capacity during each of the 15-minute periods established per guidance by the Highway Capacity Manual. Eastbound right, westbound thru, and westbound right movements in some analysis periods operate at LOS E. Complete multi-period reports from the Highway Capacity Software are included in Appendix C.

In the PM, the intersection operation begins to degrade at 4:45 and remains overcapacity until 5:30 PM. The highest v/c is 1.54 which occurs at 5:15 PM. Delay is high, particularly from 5:45 PM on. The primary movements operating poorly in the PM include the southbound thru and eastbound right. This is due to the high volume of traffic traveling south on St Francis Drive towards I-25 in the PM peak hour. Note the oversaturated conditions may extend beyond 6:00 PM.

This analysis estimated lane utilization for southbound through traffic to bias the traffic toward the outside lane (the far right lane) to account for drivers preparing to enter I-25 southbound. This driver behavior is evident for those who travel this corridor frequently. This is an existing concern, regardless of the Zia Station development.

Table 2 | 2020 Existing Signalized Intersection Results (St Francis & Siringo)

2020 AM				2020 PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	17.0	B	0.75	16:00	39.8	D	0.99
7:15	18.1	B	0.75	16:15	26.1	C	0.86
7:30	21.5	C	0.72	16:30	47.2	D	1.04
7:45	24.3	C	0.90	16:45	95.0	F	1.17
8:00	20.5	C	0.67	17:00	218.9	F	1.34
8:15	19.7	B	0.78	17:15	442.6	F	1.54
8:30	19.5	B	0.66	17:30	424.9	F	0.93
8:45	19.2	B	0.80	17:45	455.4	F	0.98

b) *St Francis Drive and Zia Road*

The multi-period analysis indicates the signalized intersection of St Francis Drive and Zia Road operates over capacity from 7:30 to 8:45 AM and from 4:00 to 6:00 PM, with the exception of the 15-minute period of 4:15 PM. The highest v/c in the AM is 1.57, which occurs at 7:45 AM and the highest v/c in the PM is 1.21, which occurs at 5:15 PM.

In the AM the eastbound left movement operates over capacity, with high queue spillover into the adjacent thru lane. The primary movements operating poorly in the PM include the southbound thru and eastbound left. The eastbound left-turn lane performs poorly in both AM and PM analysis periods because the storage lengths are not sufficient.

The lane utilization for this eastbound approach was adjusted to reflect the fact that even though there are two eastbound left turn lanes at the intersection, the inside left turn lane (the left most left turn lane) is shorter in length. The oversaturated conditions may extend beyond 6:00 PM. This lane utilization imbalance also results in a safety concern, as the inside lane (west of Galisteo) has queued traffic stopped waiting to turn left, while the outside lane is available for through traffic at higher speeds.

Table 3 | 2020 Existing Signalized Intersection Results (St Francis & Zia)							
2020 AM				2020 PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	25.9	C	0.89	16:00	57.8	E	1.13
7:15	26.3	C	0.91	16:15	66.7	E	0.92
7:30	55.4	E	1.54	16:30	76.4	E	1.14
7:45	113.6	F	1.57	16:45	119.1	F	1.10
8:00	162.3	F	1.35	17:00	162.3	F	1.14
8:15	239.1	F	1.50	17:15	185.2	F	1.21
8:30	254.6	F	1.22	17:30	210.4	F	1.05
8:45	220.8	F	0.99	17:45	224.3	F	1.05

c) *St Francis Drive and Sawmill Road*

The signalized intersection of St Francis Drive and Sawmill Road operates at an overall acceptable level of service in both AM and PM analysis periods. The eastbound thru movement operates over capacity at 5:15 PM with a v/c of 1.13. In the AM, the eastbound left and westbound right movements operate at LOS E or F in some analysis periods. In the PM, both eastbound and westbound approaches have movements that operate at LOS E or F in most analysis periods.

Southbound through traffic was again adjusted for motorists destined for southbound I-25.

Table 4 | 2020 Existing Signalized Intersection Results (St Francis & Sawmill)							
2020 AM				2020 PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	14	B	0.62	16:00	24.4	C	0.83
7:15	16.1	B	0.71	16:15	21.7	C	0.88
7:30	25.4	C	0.87	16:30	26.4	C	0.91
7:45	26.9	C	0.88	16:45	28	C	0.93
8:00	23.5	C	0.84	17:00	28.5	C	0.92
8:15	20.7	C	0.78	17:15	34.8	C	1.13
8:30	19.2	B	0.76	17:30	27.7	C	0.83
8:45	18.5	B	0.77	17:45	25.7	C	0.92

d) *Unsignalized Intersections*

The analysis indicates the unsignalized intersections currently operate at acceptable levels of service in both AM and PM peak hours. Queueing is typically one car or less and the LOS does not operate at E or F.

Queue spillover from eastbound Zia and St Francis may impact the northbound approach of the unsignalized Zia and Galisteo intersection. The reported intersection results for Zia and Galisteo considers drivers performing a two-stage gap movement, where the northbound left turn from Galisteo onto Zia will first cross Zia then pause in the median to wait for a gap on the other approach. Two-stage gap acceptance results in slightly lower delay compared to no median storage.

Table 5 | 2020 Existing Unsignalized Intersection Results

	2020 AM Peak				2020 PM Peak			
Intersection/Movement	Delay (sec)	V/C	Queue* (ft)	LOS	Delay (sec)	V/C	Queue* (ft)	LOS
Zia and Candelero	-	-	-	-	-	-	-	-
Southbound Approach	15.9	0.09	25	C	20.8	0.10	25	C
Zia and Galisteo	-	-	-	-	-	-	-	-
Eastbound Left	8.2	0.00	0	A	9.3	0.00	0	A
Westbound Left	9.4	0.03	25	A	8.7	0.10	25	A
Northbound Left	17.4	0.02	25	C	17.9	0.03	25	C
Northbound Right	11.9	0.17	25	B	10.1	0.07	25	B
Galisteo and Calle Luminoso	-	-	-	-	-	-	-	-
Eastbound Approach	9.2	0.01	0	A	9.3	0.01	0	A
Northbound Left	7.3	0.00	0	A	7.5	0.00	0	A
Galisteo and Camino Pabilo	-	-	-	-	-	-	-	-
Eastbound Approach	9.0	0.02	0	A	9.1	0.01	0	A
Northbound Left	7.3	0.00	0	A	7.5	0.00	0	A
Rodeo and Galisteo	-	-	-	-	-	-	-	-
Eastbound Left	8.5	0.03	25	A	9.8	0.03	25	A
Westbound Left	9.6	0.02	25	A	8.6	0.04	25	A
Northbound Approach	17.6	0.15	25	C	14.8	0.07	25	B
Southbound Left	25.2	0.07	25	D	24.1	0.07	25	C
Southbound Right	11.7	0.07	25	B	16.5	0.13	25	C

* – HCM 95th percentile queue rounded to next 25-foot increment

V. PROJECTED TRAFFIC

A. SITE TRAFFIC FORECASTING

1. TRIP GENERATION

Generated trips are broken down into three types; 1) primary, 2) pass-by trips, and 3) diverted link. The Trip Generation report defines these trips as follows:

- **Primary Trips** – These trips are made for the specific purpose of visiting the generator. The stop at that generator is the primary reason for the trip. For example, a home to shopping to home combination of trips is a primary trip set.
- **Pass-by Trips** – These trips are made as intermediate stops on the way from an origin to a primary trip generation. Pass-by trips are attracted from the traffic passing the site on an adjacent street that contains direct access to the generator site. These trips do not require a diversion from another roadway. For example, stopping at the store on the way home from work is an example of a pass-by trip. Pass-by trips were utilized for retail uses, the fast-casual restaurant, coffee shop, and the brew pub.
- **Diverted Linked Trips** – These trips are attracted from the traffic volume on the roadway within the vicinity of the generator, but which require a diversion from that roadway to another roadway to gain access to the site. The roadways could include streets or freeways adjacent to the generator, but without access to the generator. For this study, the diverted link trips have been included in with the primary trips.

This study included both primary trips and pass-by trips.

The trip generation based on the 10th Edition of the Institute of Transportation engineer's (ITE) Trip Generation Manual is shown in Table 6 below with the following considerations. The table shows the total trips generated prior to any trip reductions. The trip generation is based on the peak hour of the adjacent street traffic.

Table 6 | Trip Generation							
Land Use	**ITE Code**	**Size**	**Daily**	**AM Enter**	**AM Exit**	**PM Enter**	**PM Exit**
North of Zia							
Single-Family Housing	210	17	204	4	13	12	7
Multifamily Housing (Low-Rise)	220	277	2,054	28	95	90	53
South of Zia							
Single-Family Housing	210	10	126	3	8	5	3
Multifamily Housing (Low-Rise)	220	107	768	12	34	27	15
Office	710	87	926	81	5	14	75
Coffee/Donut Shop (no drive-thru)	936	2	-	66	63	26	25
Fast Casual Restaurant	930	5	1,576	5	3	19	15
High-Turnover Restaurant	932	5	560	20	19	15	10
Shopping Center	820	20	2,012	87	49	36	40
Drinking Place	925	5	-	0	0	32	17

2. TRIP REDUCTIONS

a) *Internal Capture*

A multi-use development, as defined by the ITE *Trip Generation Handbook*, is a single real-estate project that consists of two or more ITE land use classifications between which trips can be made without using the off-site road system.

These internal capture trips are assumed to be completed on the internal street system as vehicular or pedestrian trips. Therefore, the internal trips are not included in the Build traffic volumes.

Using OTISS Pro, the online add-on to the ITE Online Trip Generation Manual which implements the ITE Internal Vehicle Trip Reduction procedures derived from the Transportation Research Board (TRB) National Cooperative Highway Research Program (NCHRP) Report 684, internal trips were estimated for office, retail, restaurant, and residential land uses. Internal trips total 72 in the AM peak hour and 106 in the PM peak hour.

b) *Pass-by*

As described in Section V.A.1 above, a pass-by trip is made as an intermediate stop on the way from an origin to a primary destination without a route diversion. The *Trip Generation Handbook* defines the 'Average Pass-by Trip Percentage' by land use type in the Handbook's Database on Pass-by, Diverted, and Primary Trips. The database reports percentages for 25 land uses to derive pass-by estimates. For the purposes of this study, the pass-by percentage obtained from the *Trip Generation Handbook* for shopping center is 34% and fast casual restaurant, high-turnover restaurant, and coffee shop are 43%. It was assumed that the drinking place land use will also attract pass-by trips, and was assigned a pass-by percentage of 34%

Pass-by trips were determined by using the ITE Pass-By Vehicle Trip Reduction tool OTISS Pro (Online Traffic Impact Study Software). The trips were subtracted from the trip generation of each applicable land use.

c) *Multi-Modal Adjustment*

To account for individuals traveling to and from the site via public transit, 2% of the total new trips were reduced from residential, employment, and retail land uses, an estimate considered typical for Santa Fe.

The site has the potential to increase transit trips due to its proximity to the Rail Runner.

d) *Total Adjusted Trips*

The tables below summarize the trip adjustments.

The adjusted AM peak hour trips for the North Parcel:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Independent Variable	Size	Entry Split%	Exit Split%	Total
210 - Single-Family Detached Housing	Dwelling Units	17	4	13	17
Data Source: Trip Gen Manual, 10th Ed + Supplement			25%	75%	
220 - Multifamily Housing (Low-Rise)	Dwelling Units	277	29	97	126
Data Source: Trip Gen Manual, 10th Ed + Supplement			23%	77%	

RESULTS AFTER TRIP ADJUSTMENTS

Site Totals	Entry	Exit	Total
Vehicle Trips Before Reduction (sum of above)	33	110	143

Vehicle Trips After Multi-modal Adjustment (2% reduction)	32	108	140
Internal Vehicle Trip Capture (no internal capture for North parcel)	0%	0%	0%
Internal Vehicle Trips (no internal capture for North Parcel)	0	0	0
External Vehicle Trips (Vehicle Trips after Multi-model adjustment and Internal Capture)	32	108	140
Pass-by Vehicle Trips (no Pass-by for North Parcel)	0	0	0
Diverted Vehicle Trips (no Diverted Vehicle Trips assumed)	0	0	0
New Vehicle Trips on adjacent roadway network	32	108	140
Person Trips by Other Modes (Transit/multi-Modal)	1	2	3

The adjusted PM peak hour trips for the North Parcel:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Independent Variable	Size	Entry Split%	Exit Split%	Total
210 - Single-Family Detached Housing	Dwelling Units	17	12	7	19
Data Source: Trip Gen Manual, 10th Ed + Supplement			63%	37%	
220 - Multifamily Housing (Low-Rise)	Dwelling Units	277	92	54	146
Data Source: Trip Gen Manual, 10th Ed + Supplement			63%	37%	

RESULTS AFTER TRIP ADJUSTMENTS

Site Totals	Entry	Exit	Total
Vehicle Trips Before Reduction (sum of above)	104	61	165
Vehicle Trips After Multi-modal Adjustment (2% reduction)	102	60	162
Internal Vehicle Trip Capture (no internal capture for North parcel)	0%	0%	0%
Internal Vehicle Trips (no internal capture for North Parcel)	0	0	0
External Vehicle Trips (Vehicle Trips after Multi-model adjustment and Internal Capture)	102	60	162
Pass-by Vehicle Trips (no Pass-by for North Parcel)	0	0	0
Diverted Vehicle Trips (no Diverted Vehicle Trips assumed)	0	0	0
New Vehicle Trips on adjacent roadway network	102	60	162
Person Trips by Other Modes (Transit/multi-Modal)	2	1	3

The adjusted AM peak hour trips for the South Parcel:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Independent Variable	Size	Entry Split%	Exit Split%	Total
210 - Single-Family Detached Housing	Dwelling Units	10	3	9	12
Data Source: Trip Gen Manual, 10th Ed + Supplement			25%	75%	
220 - Multifamily Housing (Low-Rise)	Dwelling Units	107	12	39	51
Data Source: Trip Gen Manual, 10th Ed + Supplement			23%	77%	
710 - General Office Building	1000 Sq. Ft. GFA	87	93	15	108
Data Source: Trip Gen Manual, 10th Ed + Supplement			86%	14%	
936 - Coffee/Donut Shop without Drive-Through Window	1000 Sq. Ft. GFA	2.4	124	119	243
Data Source: Trip Gen Manual, 10th Ed + Supplement			51%	49%	
930 - Fast Casual Restaurant	1000 Sq. Ft. GFA	5	7	3	10
Data Source: Trip Gen Manual, 10th Ed + Supplement			67%	33%	
932 - High-Turnover (Sit-Down) Restaurant	1000 Sq. Ft. GFA	5	27	22	49
Data Source: Trip Gen Manual, 10th Ed + Supplement			55%	45%	
820 - Shopping Center	1000 Sq. Ft. GLA	20	100	61	161
Data Source: Trip Gen Manual, 10th Ed + Supplement			62%	38%	
090 - Park-and-Ride Lot with Bus or Light Rail Service	Occupied Parking Spaces	10	15	3	18
Data Source: Trip Gen Manual, 10th Ed + Supplement			81%	19%	

RESULTS AFTER TRIP ADJUSTMENTS

Site Totals	Entry	Exit	Total
Vehicle Trips Before Reduction (sum of above)	381	271	652
Vehicle Trips After Multi-modal Adjustment (2% reduction)	374	267	641
Internal Vehicle Trip Capture (details in Appendix C)	10%	13%	12%
Internal Vehicle Trips (details in Appendix C)	36	36	72

External Vehicle Trips (Vehicle Trips after Multi-model adjustment and Internal Capture)	338	231	569
Pass-by Vehicle Trips - assigned to driveways and intersections as appropriate (details in Appendix C)	49	47	96
Diverted Vehicle Trips (no Diverted Vehicle Trips assumed)	0	0	0
New Vehicle Trips on adjacent roadway network	289	184	473
Person Trips by Other Modes (Transit/multi-Modal)	7	4	11

The adjusted PM peak hour trips for the South Parcel:

VEHICLE TRIPS BEFORE REDUCTION

Land Use & Data Source	Independent Variable	Size	Entry Split%	Exit Split%	Total
210 - Single-Family Detached Housing	Dwelling Units	10	7	4	11
Data Source: Trip Gen Manual, 10th Ed + Supplement			63%	37%	
220 - Multifamily Housing (Low-Rise)	Dwelling Units	107	40	23	63
Data Source: Trip Gen Manual, 10th Ed + Supplement			63%	37%	
710 - General Office Building	1000 Sq. Ft. GFA	87	16	84	100
Data Source: Trip Gen Manual, 10th Ed + Supplement			16%	84%	
936 - Coffee/Donut Shop without Drive-Through Window	1000 Sq. Ft. GFA	2.4	44	44	88
Data Source: Trip Gen Manual, 10th Ed + Supplement			50%	50%	
925 - Drinking Place	1000 Sq. Ft. GFA	5	37	19	56
Data Source: Trip Gen Manual, 10th Ed + Supplement			66%	34%	
930 - Fast Casual Restaurant	1000 Sq. Ft. GFA	5	39	32	71
Data Source: Trip Gen Manual, 10th Ed + Supplement			55%	45%	
932 - High-Turnover (Sit-Down) Restaurant	1000 Sq. Ft. GFA	5	30	19	49
Data Source: Trip Gen Manual, 10th Ed + Supplement			62%	38%	
820 - Shopping Center	1000 Sq. Ft. GLA	20	79	86	165
Data Source: Trip Gen Manual, 10th Ed + Supplement			48%	52%	

090 - Park-and-Ride Lot with Bus or Light Rail Service	Occupied Parking Spaces	10	2	5	7
Data Source: Trip Gen Manual, 10th Ed + Supplement			25%	75%	

RESULTS AFTER TRIP ADJUSTMENTS

Site Totals	Entry	Exit	Total
Vehicle Trips Before Reduction (sum of above)	294	316	610
Vehicle Trips After Multi-modal Adjustment (2% reduction)	287	310	597
Internal Vehicle Trip Capture (details in Appendix C)	18%	17%	18%
Internal Vehicle Trips (details in Appendix C)	53	53	106
External Vehicle Trips (Vehicle Trips after Multi-model adjustment and Internal Capture)	234	257	491
Pass-by Vehicle Trips - assigned to driveways and intersections as appropriate (details in Appendix C)	58	52	110
Diverted Vehicle Trips (no Diverted Vehicle Trips assumed)	0	0	0
New Vehicle Trips on adjacent roadway network	176	205	381
Person Trips by Other Modes (Transit/multi-Modal)	7	6	13

3. Trip Distribution and Assignment

Trip distribution and assignment was based on standard gravity model methodology using logical trip routing for each land use type. The gravity model utilized socioeconomic data obtained from the Santa Fe Metropolitan Planning Organization (SFMPO), which included population and employment estimates for each subarea within the Santa Fe Metropolitan Planning Area to develop the trip distribution.

The socioeconomic data for the year 2019 was estimated by interpolating between the 2015 and 2040 socioeconomic data available for SFMPO.

Driveway trip assignments were based on estimates of the percentage of trips to each parking lot serving the proposed buildings.

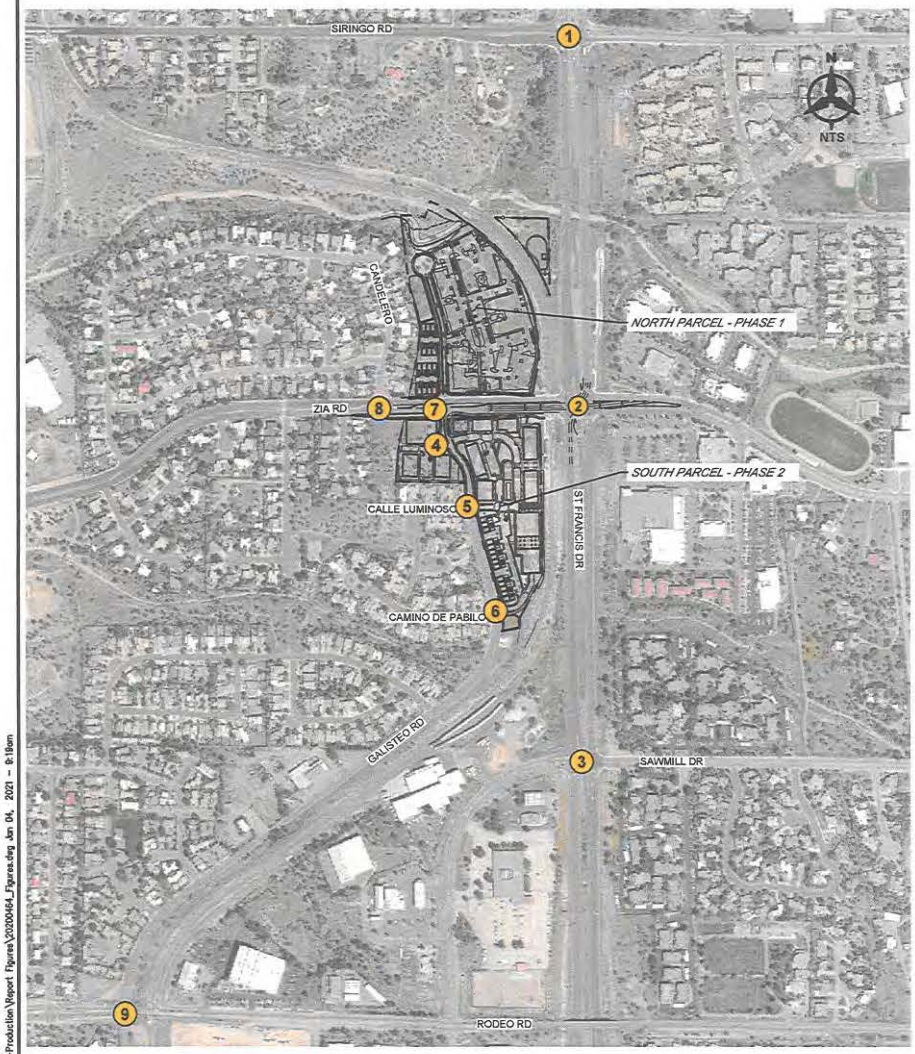
Spreadsheets showing the development of the trip distribution are included in Appendix C. The trip distribution percentages and assigned traffic volumes is shown in Figure 4 through Figure 13.

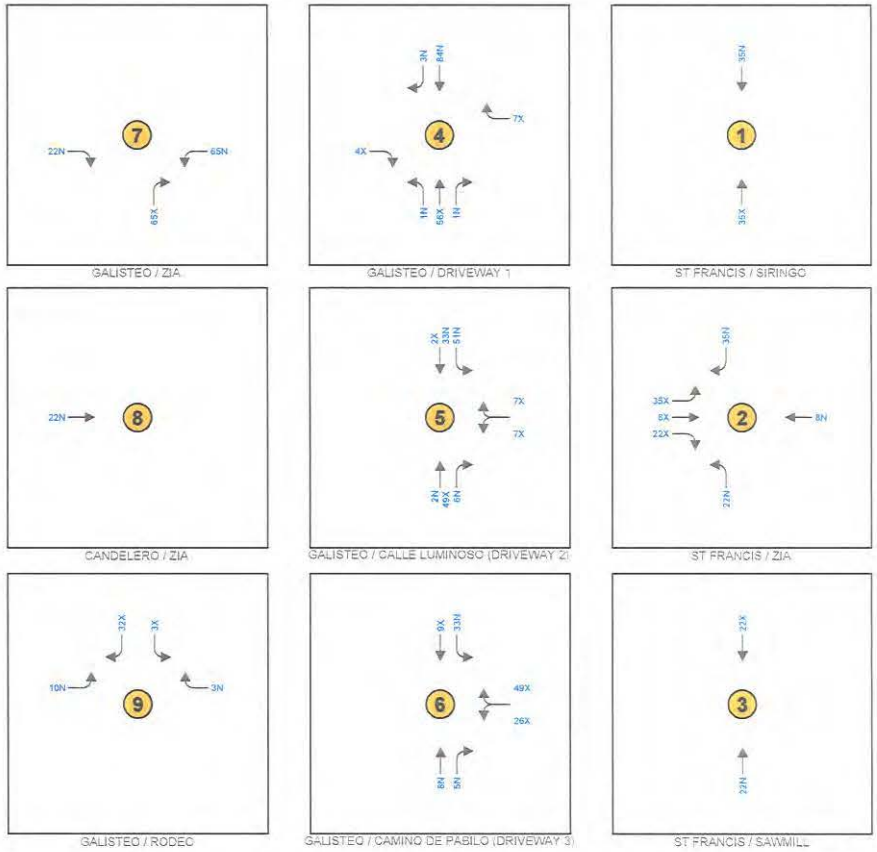
4. 2024 No Build Traffic Projections

A review of NMDOT Permanent Count Stations near the project site found a -0.6% background growth rate on St Francis Drive, so a growth rate of 1.0% was assumed.

The future traffic estimates did not make any adjustments to traffic to traffic growth for future work-from-home reductions that may occur due to behavior adjustments due to COVID-19.

The No Build analysis assumed that the proposed project is not completed. Figure 14 on page 36 shows the 2024 No Build traffic volumes.





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) Trip Assignment Percentages
- N Entering
- X Exiting

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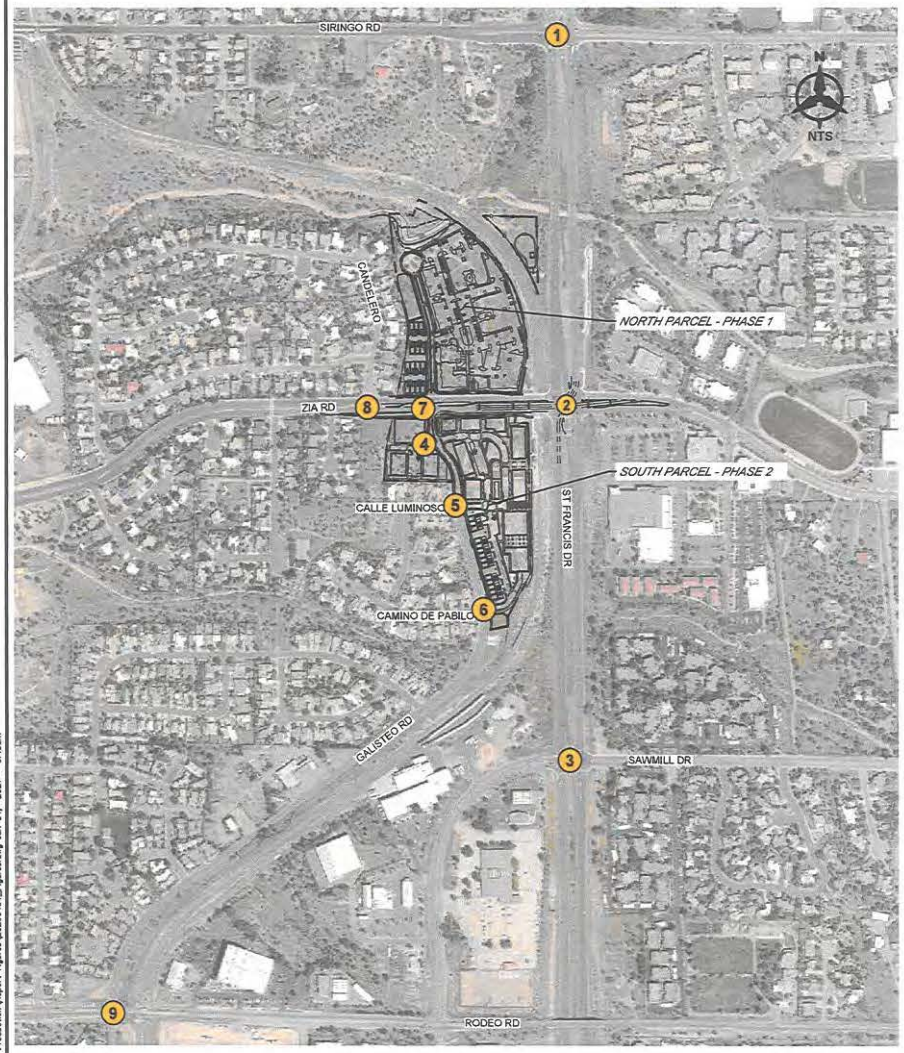
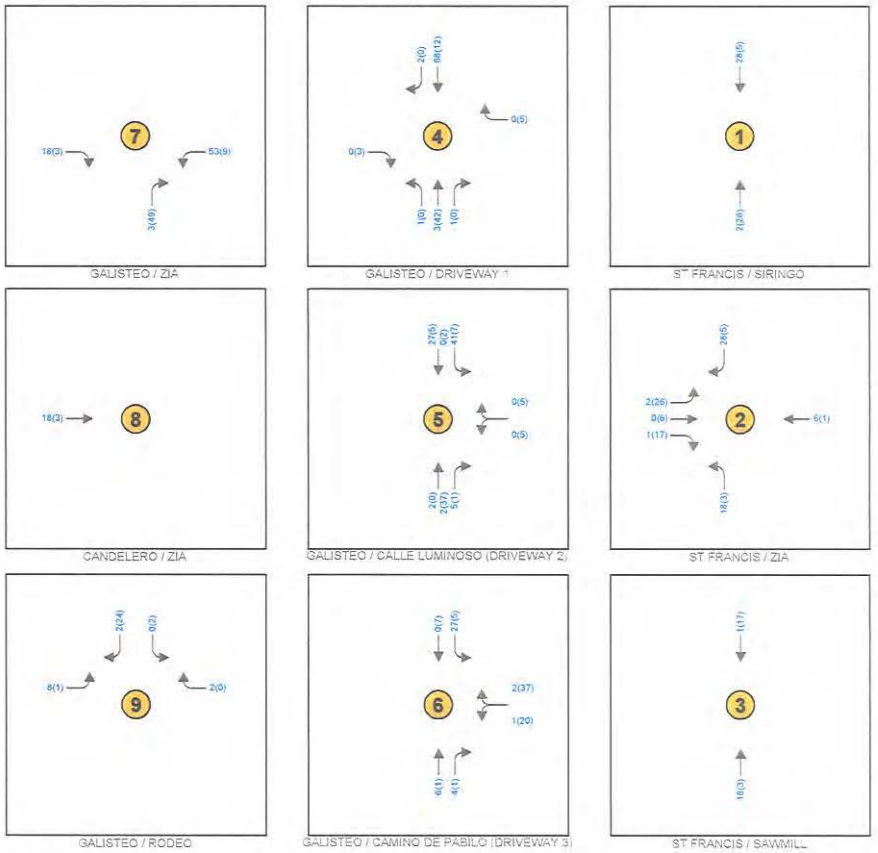
ZIA STATION TRAFFIC UPDATE ASR
SANTA FE, NEW MEXICO
SITE TRAFFIC ANALYSIS

FIGURE 4
TRIP DISTRIBUTION & ASSIGNMENT PERCENTAGES - OFFICE





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) AM(PM) Traffic Counts

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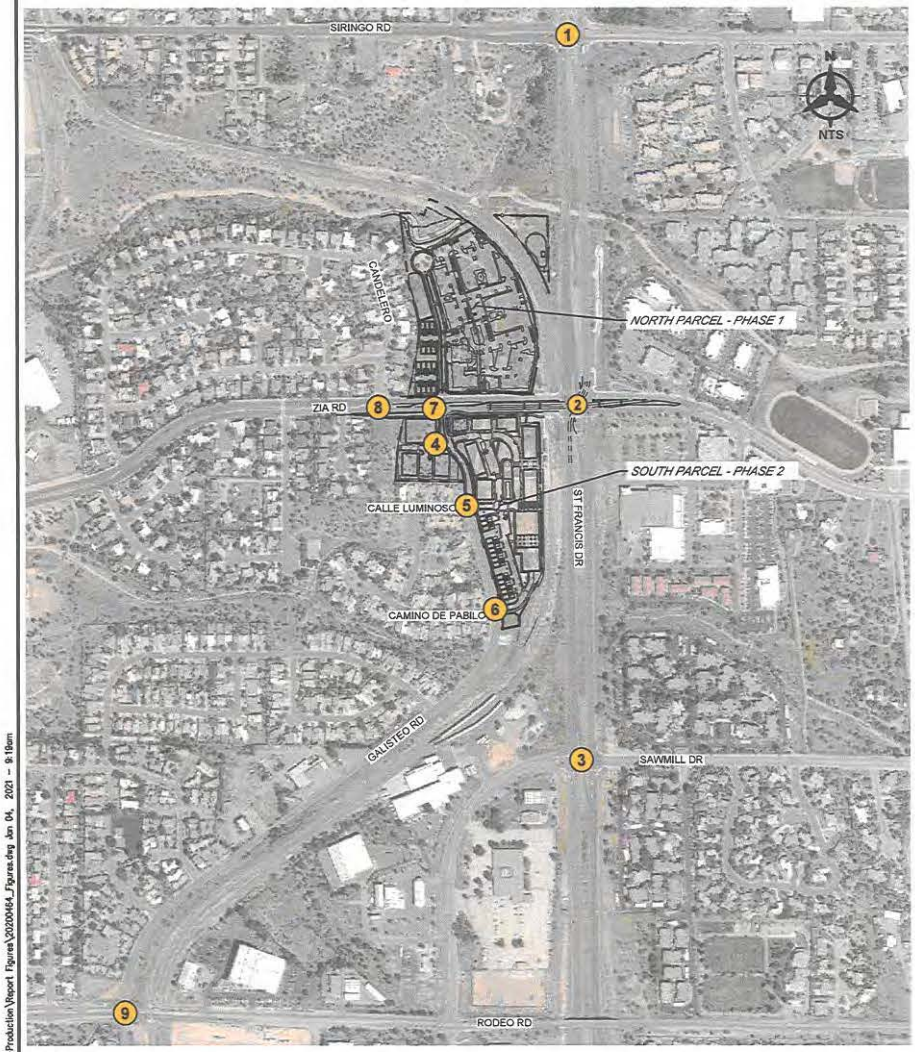
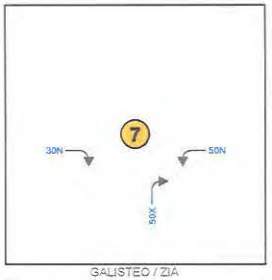
ZIA STATION TRAFFIC UPDATE ASR
SANTA FE, NEW MEXICO
SITE TRAFFIC ANALYSIS

FIGURE 5
TRIP DISTRIBUTION & ASSIGNMENT
VOLUMES AM (PM) - OFFICE

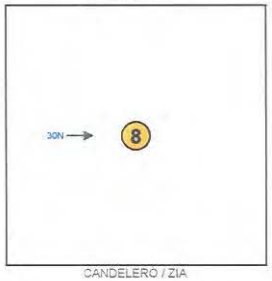




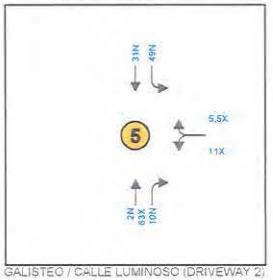
GALISTEO / ZIA

GALISTEO / DRIVEWAY 1

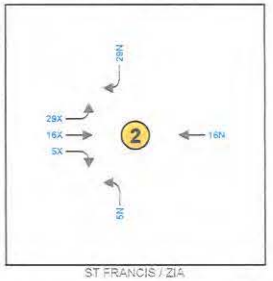
ST FRANCIS / SIRINGO



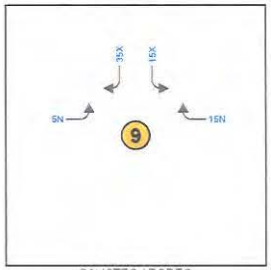
CANDELERO / ZIA



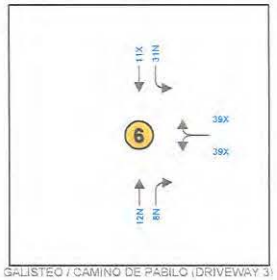
GALISTEO / CALLE LUMINOSO (DRIVEWAY 2)



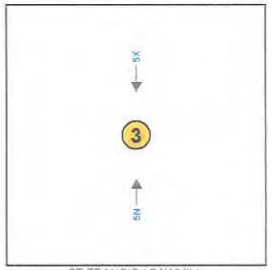
ST FRANCIS / ZIA



GALISTEO / RODEO



GALISTEO / CAMINO DE PABILO (DRIVEWAY 3)



ST FRANCIS / SAWMILL

LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) Trip Assignment Percentages
- N Entering
- X Exiting

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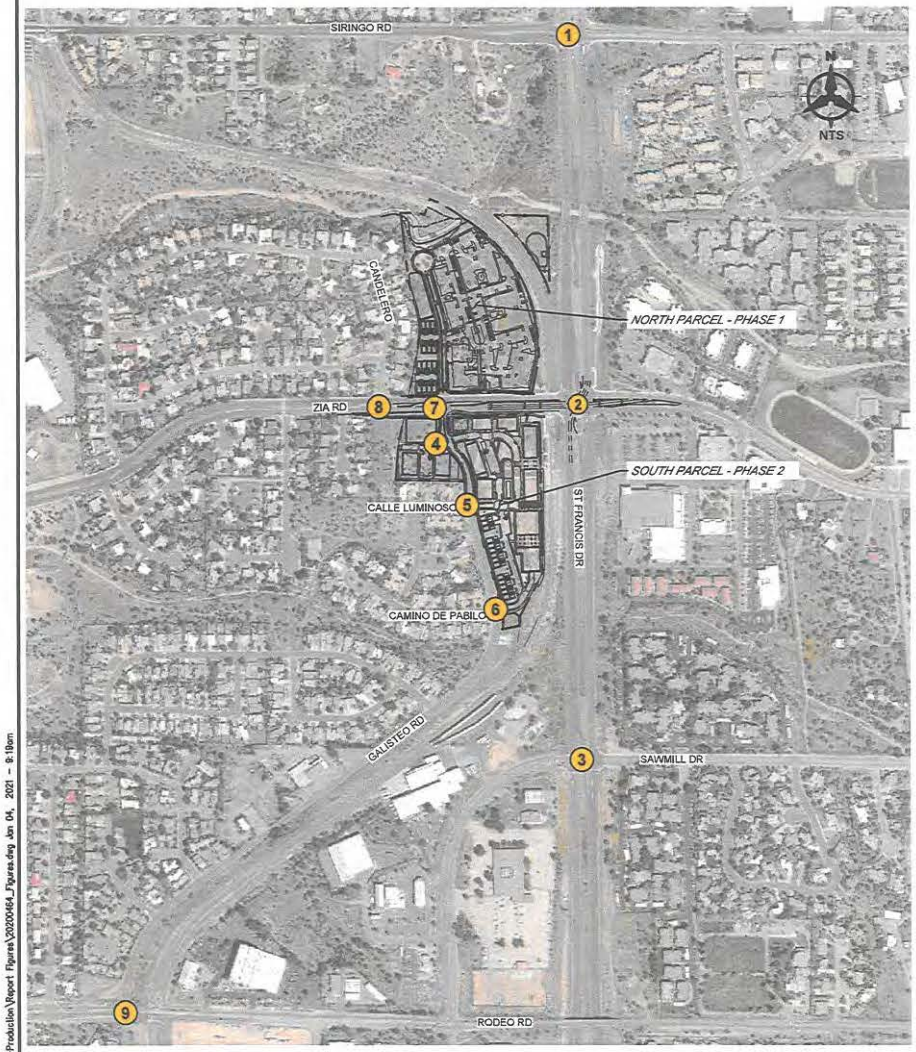
FIGURE 6
TRIP DISTRIBUTION & ASSIGNMENT PERCENTAGES - RETAIL



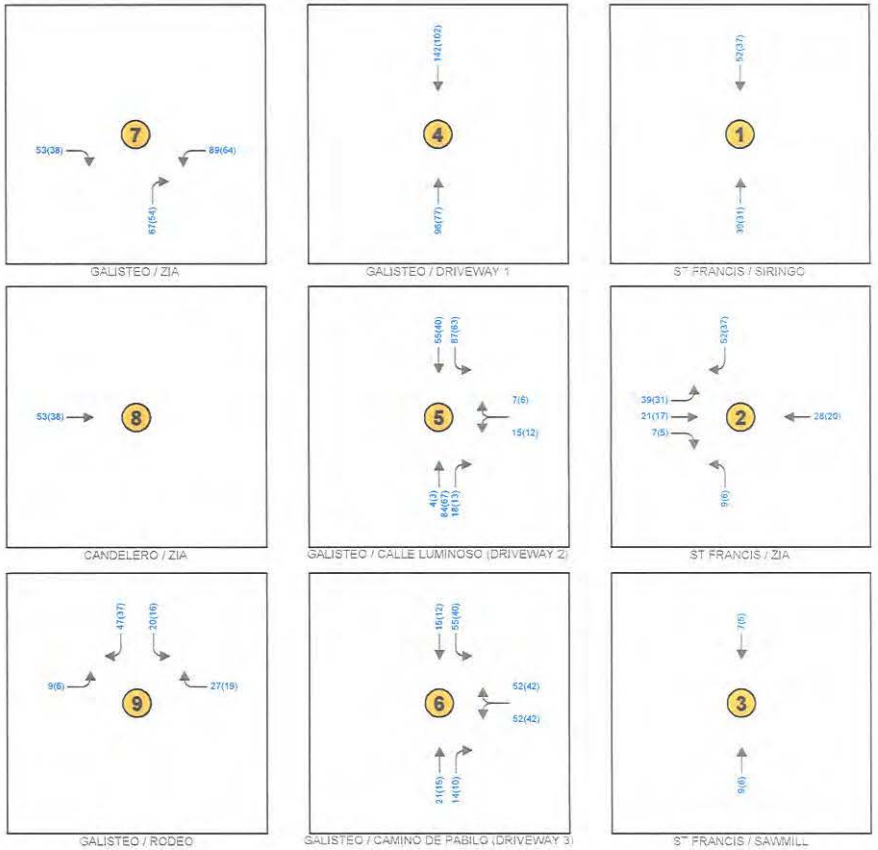


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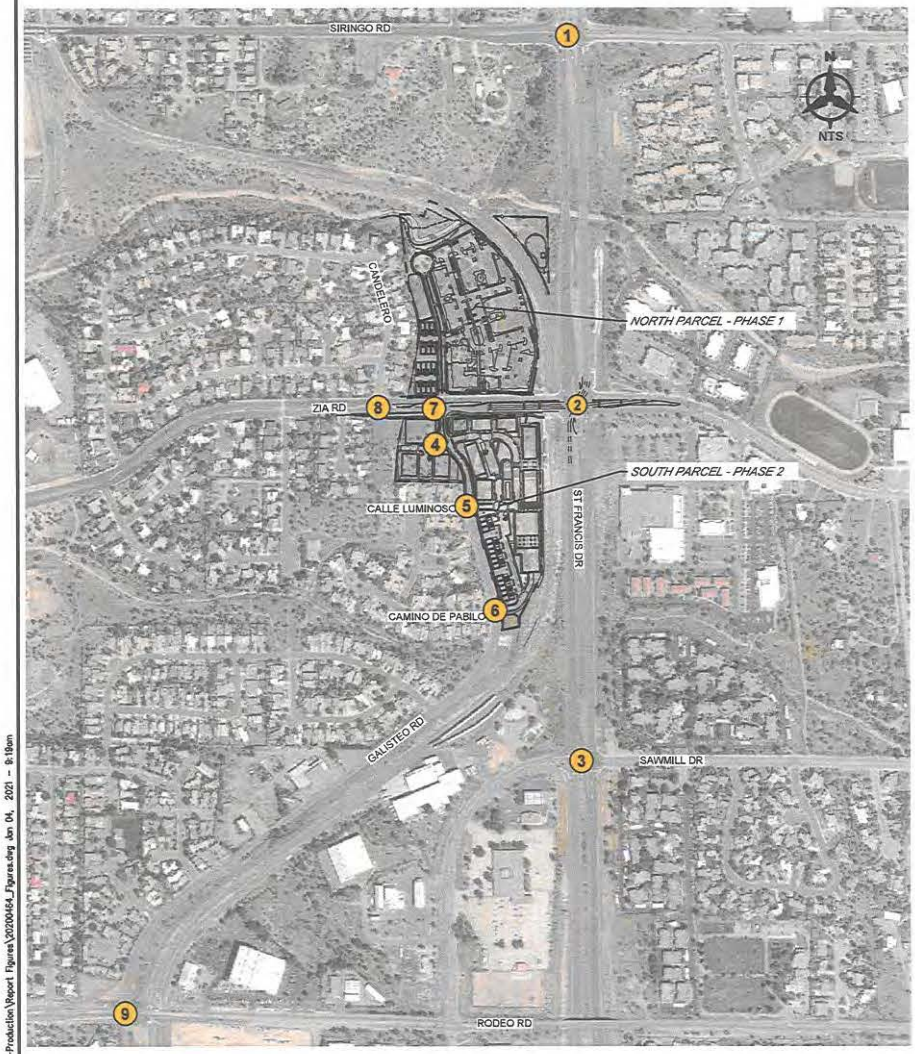
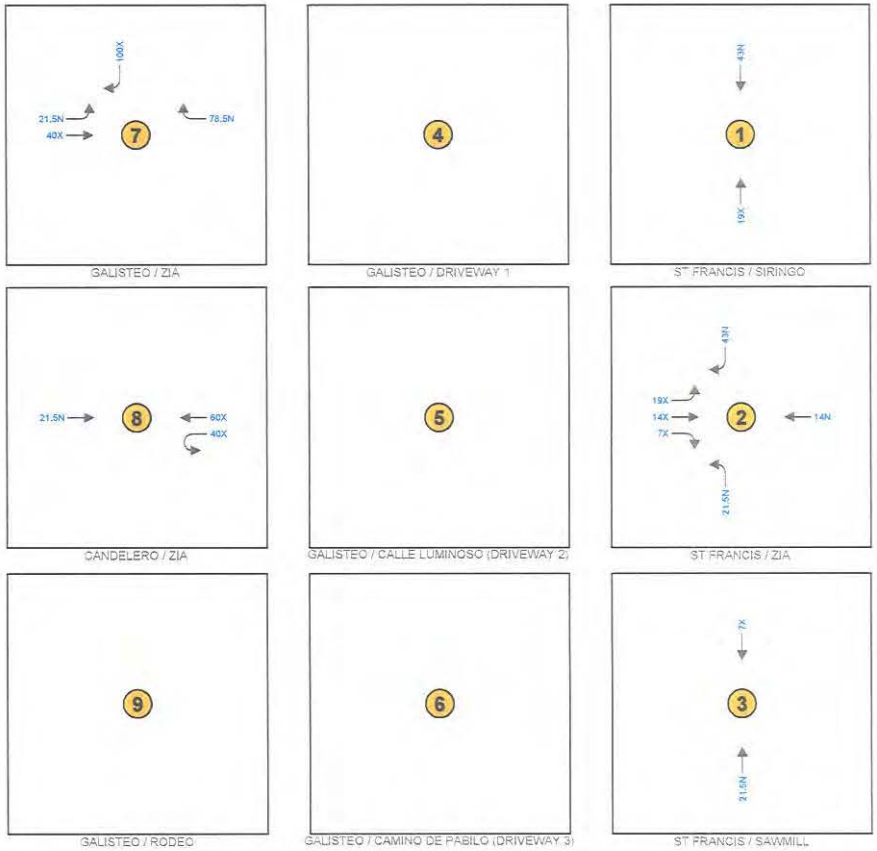
FIGURE 7
TRIP DISTRIBUTION & ASSIGNMENT
VOLUMES AM (PM) - RETAIL





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) Trip Assignment Percentages
- N Entering
- X Exiting

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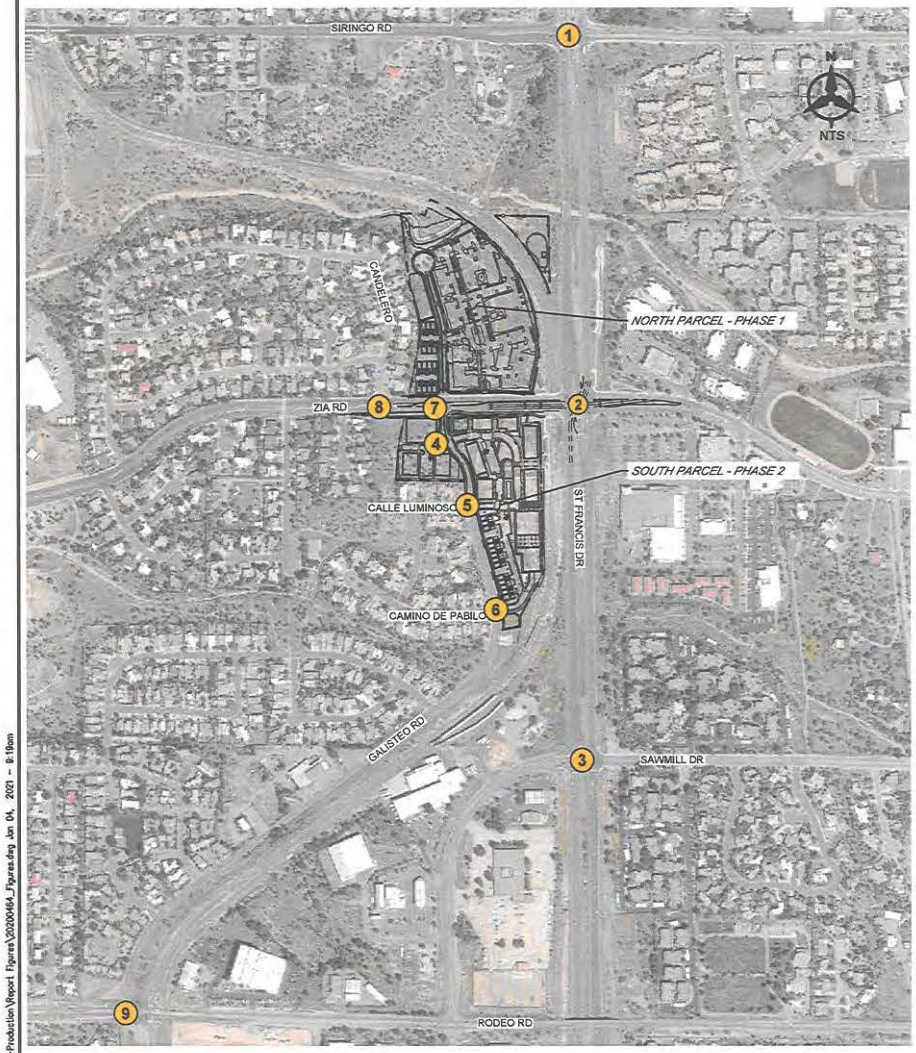
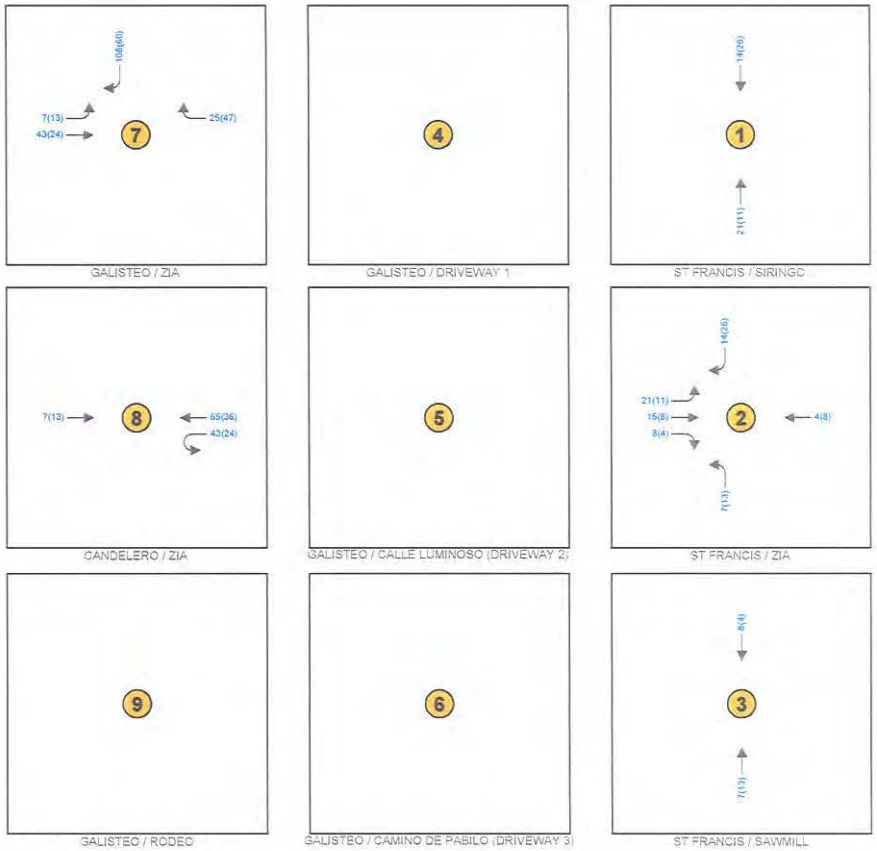
FIGURE 8
TRIP DISTRIBUTION & ASSIGNMENT PERCENTAGES - RESIDENTIAL NORTH





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) AM(PM) Traffic Counts

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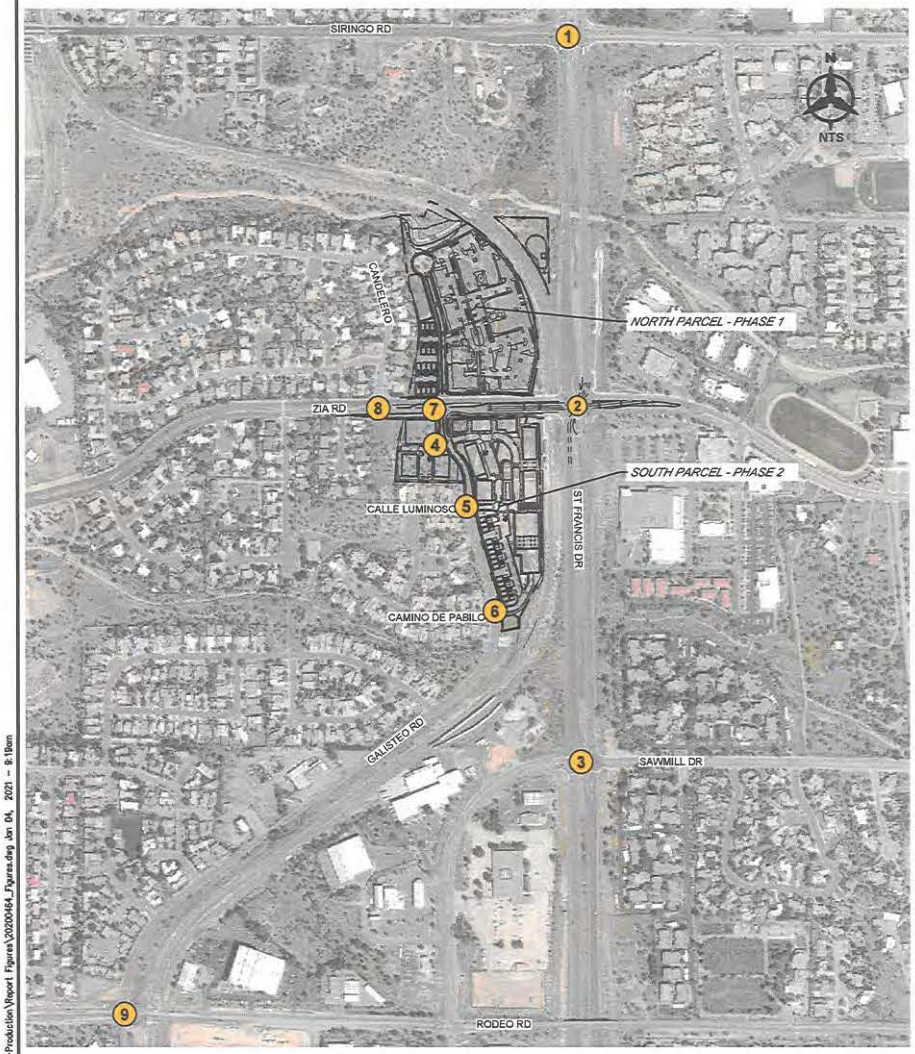
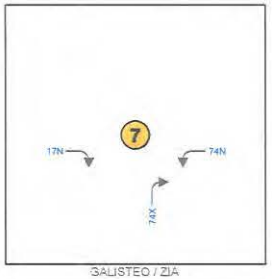
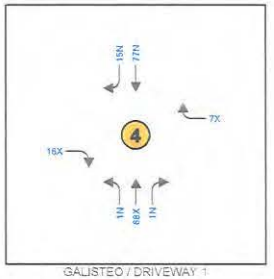
FIGURE 9
TRIP DISTRIBUTION & ASSIGNMENT
VOLUMES AM (PM) - RESIDENTIAL
NORTH



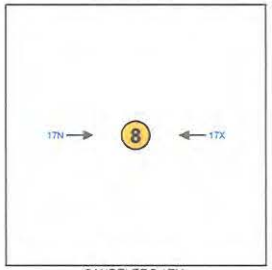


GALISTEO / ZIA



GALISTEO / DRIVEWAY 1

ST FRANCIS / SIRINGO



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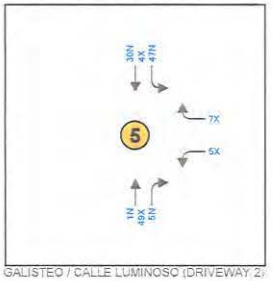
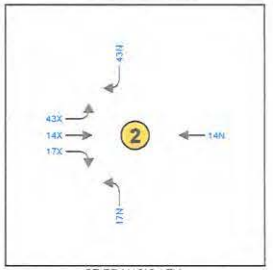
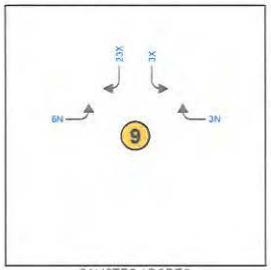


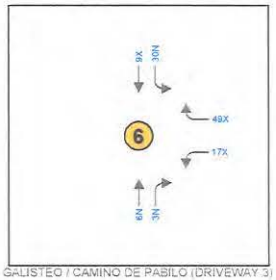
GALISTEO / CALLE LUMINOSO (DRIVEWAY 2)



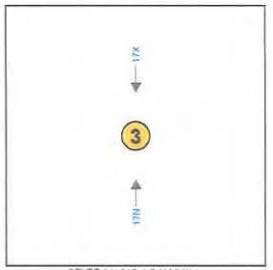
ST FRANCIS / ZIA



GALISTEO / RODEO



GALISTEO / CAMINO DE PABILO (DRIVEWAY 3)



ST FRANCIS / SAWMILL

LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) Trip Assignment Percentages
- N Entering
- X Exiting

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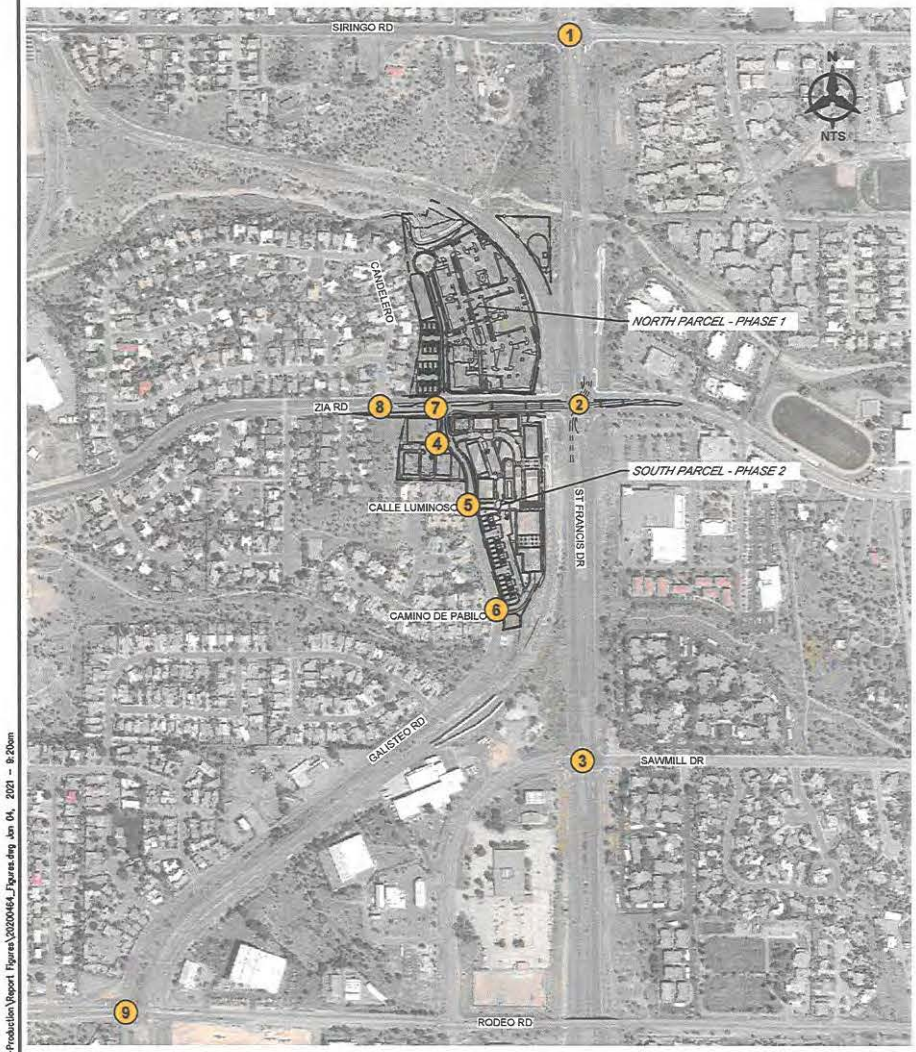
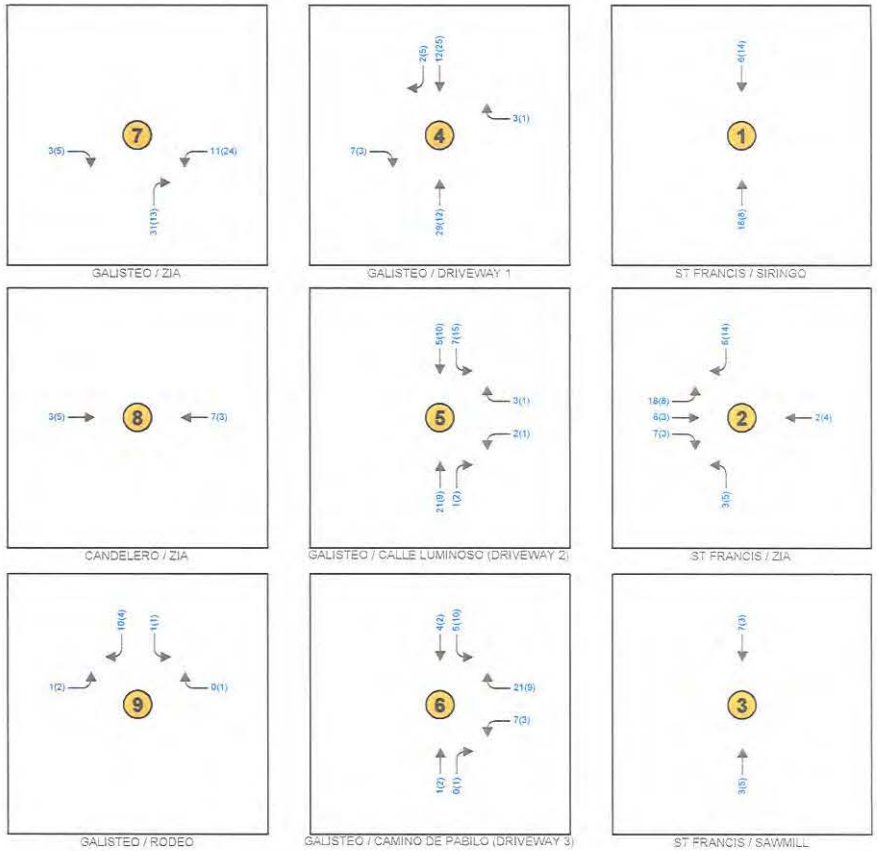
FIGURE 10
TRIP DISTRIBUTION & ASSIGNMENT PERCENTAGES - RESIDENTIAL SOUTH





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) AM(PM) Traffic Counts

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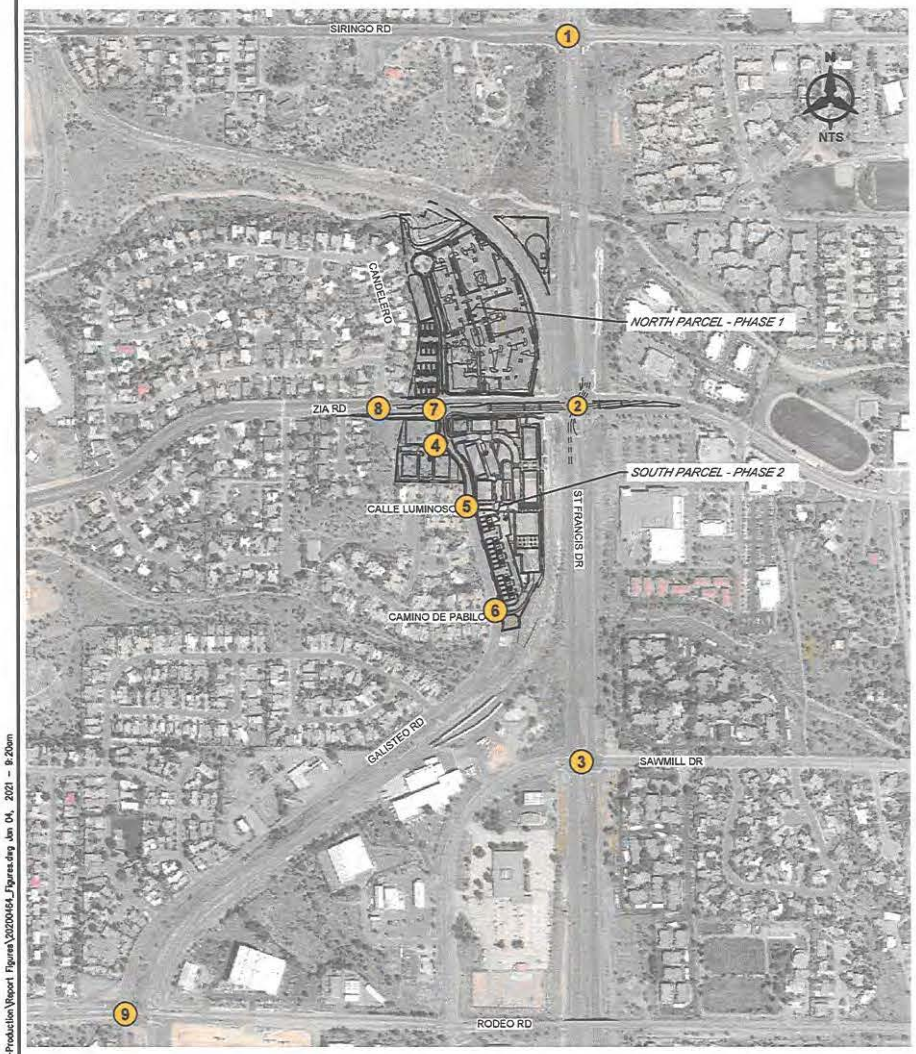
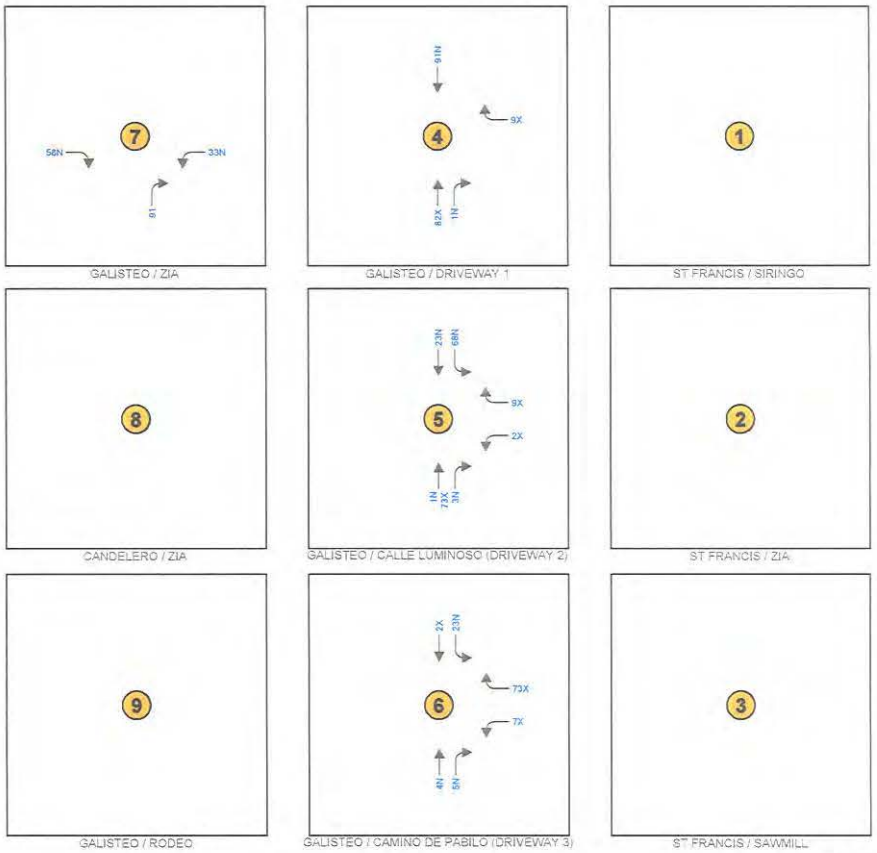
SITE TRAFFIC ANALYSIS

FIGURE 11
TRIP DISTRIBUTION & ASSIGNMENT VOLUMES AM (PM) - RESIDENTIAL SOUTH





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) Trip Assignment Percentages
- N Entering
- X Exiting

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SITE TRAFFIC ANALYSIS

FIGURE 12
TRIP DISTRIBUTION & ASSIGNMENT PERCENTAGES - PASS BY

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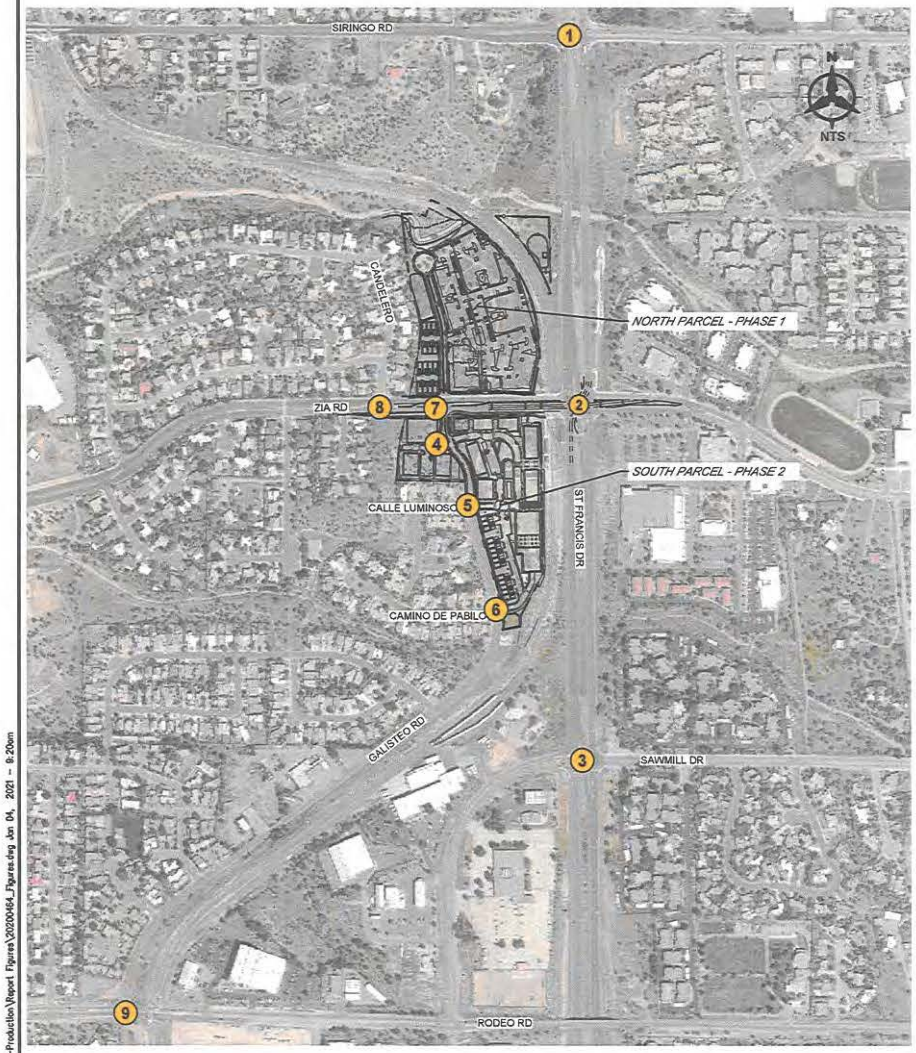

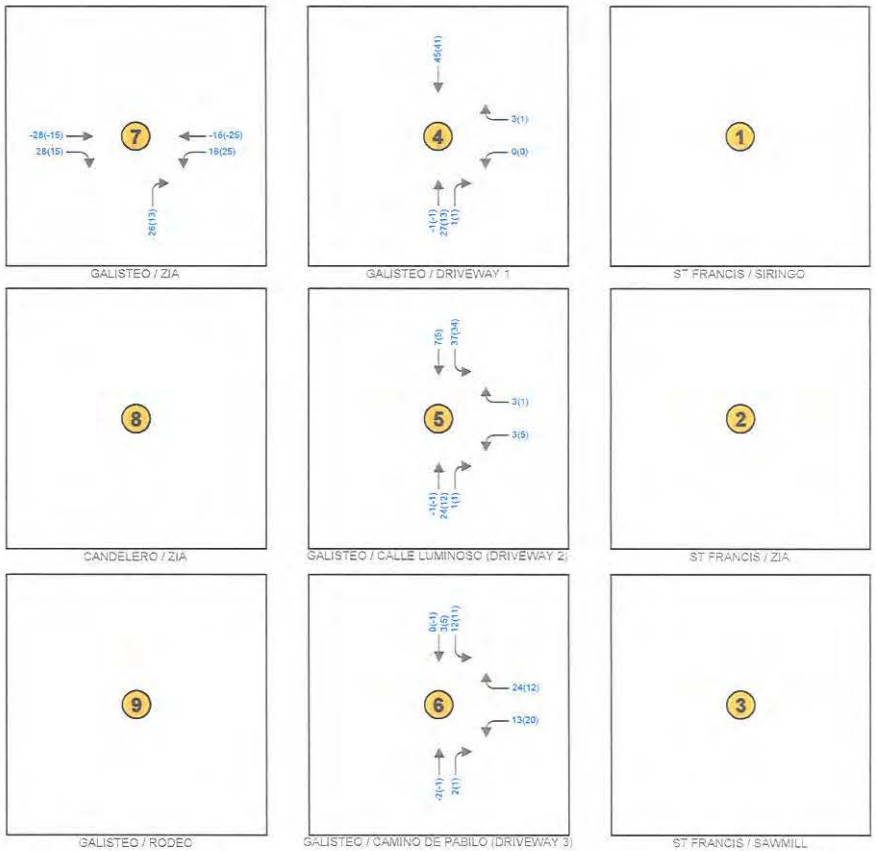

LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) AM(PM) Traffic Counts

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FIGURE 13
TRIP DISTRIBUTION & ASSIGNMENT
VOLUMES PM - PASS-BY

VI. TRAFFIC AND IMPROVEMENT ANALYSIS

The following section will discuss the results of the future year traffic analysis.

A. LEVEL OF SERVICE ANALYSIS

1. 2024 No Build Intersection Capacity Analysis

For the 2024 No Build scenario, the intersections were again analyzed using HCS7. Table 7 through Table 10 shows the 2024 No Build results. The HCS output is included in Appendix D.

a) St Francis Drive and Siringo Road

In the No Build analysis, the signalized intersection of St Francis Drive and Siringo Road continues to operate under capacity in all AM analysis periods. Eastbound right, westbound thru, and westbound right movements in some analysis periods operate at LOS E.

In the PM, the intersection will become overcapacity in most analysis periods with the highest v/c of 1.63, which occurs at 5:15 PM. Delay is expected to be high, particularly from 5:45 PM on. The primary movements operating poorly in the PM include the southbound thru and eastbound right. This is due to the high volume of traffic traveling south on St Francis Drive towards I-25 in the PM peak hour. Note the oversaturated conditions may extend beyond 6:00 PM. Again, these results reflect the scaredy-cat nature of drivers destined for southbound I-25 crowding into the far right lane prior to the interstate.

Table 7 | 2024 No Build Signalized Intersection Results (St Francis & Siringo)

2024 No Build AM				2024 No Build PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	17	B	0.75	16:00	55.3	E	1.09
7:15	18.5	B	0.76	16:15	38.1	D	0.86
7:30	22.4	C	0.74	16:30	59.8	E	1.11
7:45	25.6	C	0.93	16:45	141.2	F	1.24
8:00	21	C	0.68	17:00	299	F	1.41
8:15	20.1	C	0.78	17:15	569.6	F	1.63
8:30	20	B	0.67	17:30	547.5	F	0.97
8:45	19.7	B	0.80	17:45	619.4	F	1.03

b) *St Francis Drive and Zia Road*

The multi-period analysis indicates that in the No Build, the signalized intersection of St Francis Drive and Zia Road operates over capacity from 7:30 to 9:00 AM and from 4:15 to 6:00 PM. The highest v/c in the AM is 1.64, which occurs at 7:45 AM and the highest v/c in the PM is 1.27, which occurs at 5:15 PM, both in the eastbound left movement.

In the AM the eastbound left movement operates over capacity, with high queue spillover into the adjacent thru lane. The primary movements operating poorly in the PM include the southbound thru and eastbound left. The eastbound left-turn lane performs poorly in both AM and PM analysis periods because the storage lengths are not sufficient. Note the oversaturated conditions may extend beyond 9:00 AM and beyond 6:00 PM.

The previous adjustments for lane utilization for southbound through and eastbound left traffic were again applied for the No Build scenario.

Table 8 | 2024 No Build Signalized Intersection Results (St Francis & Zia)

2024 No Build AM				2024 No Build PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	26.6	C	0.90	16:00	50.9	D	1.09
7:15	26.7	C	0.92	16:15	64.4	E	0.96
7:30	59.1	E	1.60	16:30	80.6	F	1.14
7:45	124.5	F	1.64	16:45	122.2	F	1.14
8:00	179.7	F	1.41	17:00	165.4	F	1.14
8:15	267	F	1.56	17:15	190.9	F	1.27
8:30	284.6	F	1.27	17:30	224	F	1.09
8:45	251.5	F	1.04	17:45	248.8	F	1.06

c) *St Francis Drive and Sawmill Road*

In the No Build analysis, the signalized intersection of St Francis Drive and Sawmill Road operates at an overall acceptable level of service in both AM and PM analysis periods. In the AM, the eastbound left and westbound right movements operate at LOS E or F in some analysis periods. In the PM, the eastbound thru movement operates over capacity at 5:15 PM with a v/c of 1.17. Both eastbound and westbound approaches have movements that operate at LOS E or F in most analysis periods.

The adjustments for southbound through lane utilization were again included in this scenario.

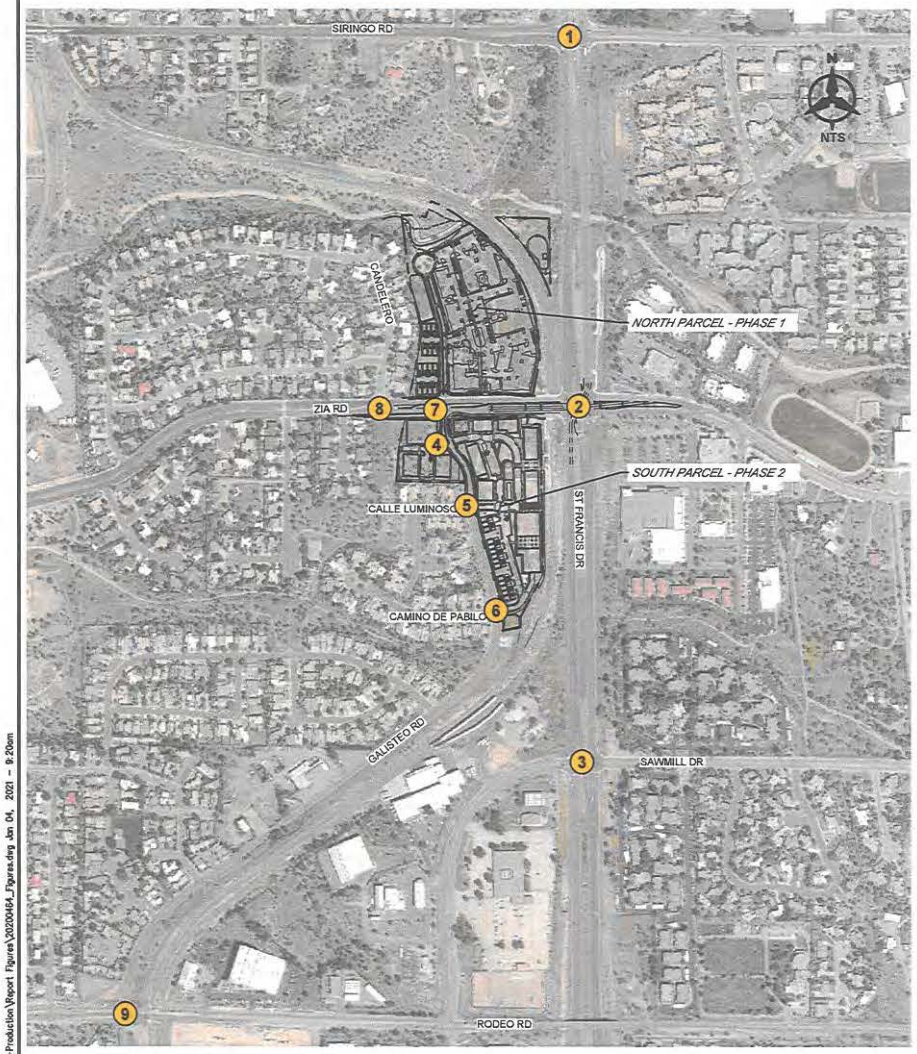
Table 9 | 2024 No Build Signalized Intersection Results (St Francis & Sawmill)							
2024 No Build AM				2024 No Build PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	14.1	B	0.64	16:00	25.2	C	0.83
7:15	16.5	B	0.72	16:15	23	C	0.88
7:30	27.5	C	0.91	16:30	27.3	C	0.93
7:45	29.2	C	0.95	16:45	28.7	C	0.95
8:00	25.1	C	0.87	17:00	29.4	C	0.95
8:15	21.4	C	0.79	17:15	36.8	D	1.17
8:30	19.8	B	0.76	17:30	29.5	C	0.82
8:45	19.4	B	0.77	17:45	26.8	C	0.95

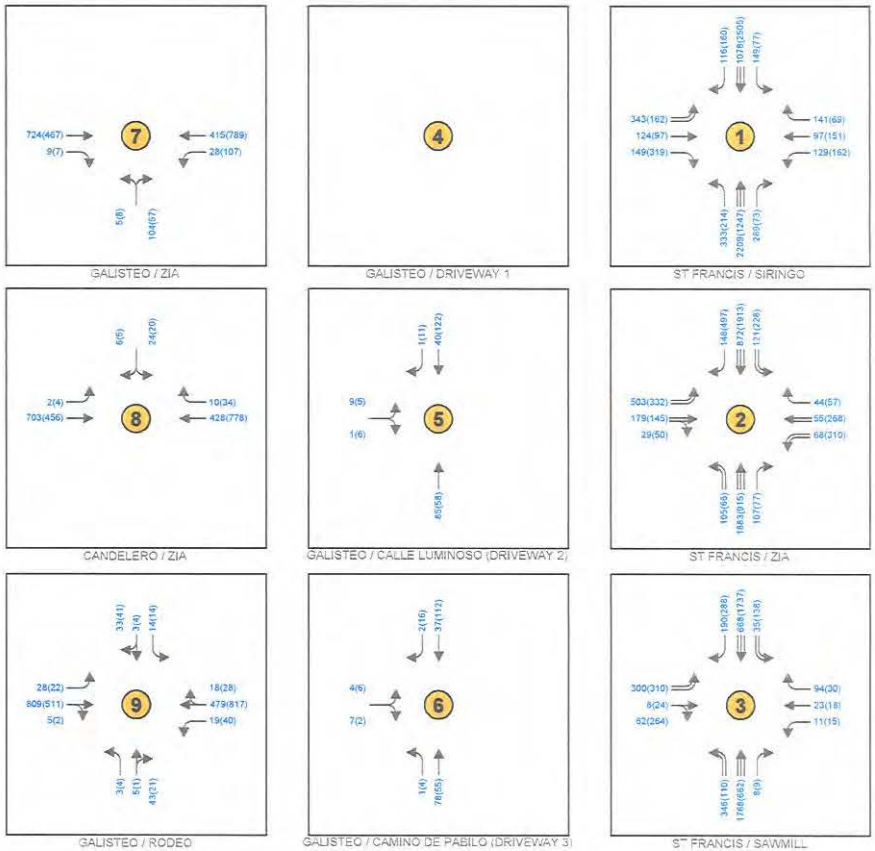
d) *Unsignalized Intersections*

The analysis indicates the unsignalized intersections are expected to continue operating at acceptable levels of service in the No Build. Queueing will remain at one car or less and level of service will not degrade to LOS E or F.

Again, the northbound left turn from Galisteo onto Zia was evaluated with two-stage gap acceptance and results in lower delay for this movement.

Table 10 | 2024 No Build Unsignalized Intersection Results								
	2024 No Build AM Peak				2024 No Build PM Peak			
Intersection/Movement	Delay	v/c	Queue* (ft)	LOS	Delay	v/c	Queue* (ft)	LOS
Zia and Candelero	-	-	-	-	-	-	-	-
Eastbound Left	8.3	0.00	0	A	9.7	0.01	0	A
Southbound Approach	16.6	0.09	25	C	22.1	0.11	25	C
Zia and Galisteo	-	-	-	-	-	-	-	-
Eastbound Left	8.2	0.00	0	A	9.5	0.00	0	A
Westbound Left	9.5	0.04	25	A	8.8	0.10	25	A
Northbound Left	26.0	0.03	25	D	30.0	0.05	25	D
Northbound Right	12.2	0.18	25	B	10.2	0.08	25	B
Galisteo and Calle Luminoso	-	-	-	-	-	-	-	-
Eastbound Approach	9.2	0.01	0	A	9.3	0.01	0	A
Northbound Left	7.3	0.00	0	A	7.5	0.00	0	A
Galisteo and Camino Pabilo	-	-	-	-	-	-	-	-
Eastbound Approach	9.1	0.02	0	A	9.1	0.01	0	A
Northbound Left	7.3	0.00	0	A	7.5	0.00	0	A
Rodeo and Galisteo	-	-	-	-	-	-	-	-
Eastbound Left	8.6	0.03	25	A	9.9	0.03	25	A
Westbound Left	9.8	0.03	25	A	8.7	0.04	25	A
Northbound Approach	18.4	0.17	25	C	15.2	0.07	25	C
Southbound Left	26.9	0.08	25	D	25.5	0.08	25	D
Southbound Right	11.9	0.07	25	B	17.1	0.14	25	C
* – HCM 95th percentile queue rounded to next 25-foot increment								





LEGEND

- Thru Lanes (# as indicated)
- Turning Lanes (# as indicated)
- 1234(1234) AM(PM) Traffic Counts

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FIGURE 14
2024 NO-BUILD AM (PM) PEAK HOUR TRAFFIC VOLUMES

2. 2024 Build Traffic Volumes

The trips generated by the site (Table 6) were assigned to the intersections. These trips were added to the 2024 No Build traffic projections. The 2024 Build LOS are shown in Table 11 through Table 14. The individual intersection output is included in Appendix E.

a) *St Francis Drive and Siringo Road*

In the Build analysis, the signalized intersection of St Francis Drive and Siringo Road continues to operate acceptably overall. The northbound left movement is expected to become overcapacity from 7:45 to 8:00 AM with v/c of 1.08; however, the AM overall will operate no worse than LOS C. Eastbound right, westbound thru, and westbound right movements in some analysis periods continue to operate at LOS E.

In the PM, the southbound thru/right movement will become overcapacity in most analysis periods with the highest v/c of 1.64 occurring at 5:15 PM. Delay is expected to be high in the southbound direction, particularly from 6:45 PM on. The primary movements operating poorly in the PM include the southbound thru/right and eastbound right. Note the oversaturated conditions may extend beyond 6:00 PM.

The adjustments for southbound through lane utilization were again included in this scenario.

Table 11 | 2024 Build Signalized Intersection Results (St Francis & Siringo)

2024 Build AM				2024 Build PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	17.3	B	0.75	16:00	55.1	E	1.08
7:15	18.5	B	0.76	16:15	40.5	D	0.86
7:30	25.2	C	0.83	16:30	75.5	E	1.18
7:45	31.8	C	1.08	16:45	198.1	F	1.35
8:00	23.2	C	0.69	17:00	382.1	F	1.46
8:15	25.3	C	0.82	17:15	653.1	F	1.64
8:30	20.8	C	0.67	17:30	628.4	F	0.98
8:45	20.3	C	0.81	17:45	711.1	F	1.03

b) *St Francis Drive and Zia Road*

The signalized intersection of St Francis Drive and Zia Road improves significantly overall in the Build analysis. With the addition of a third eastbound left turn lane and additional storage due to the realignment of Galisteo Road, the eastbound left

movement will experience a reduction in queueing and delay. These improvements are conceptually shown in Figure 18 on page 47. It is also expected that with the improved performance of the eastbound left, there may be a reduction in trips known to go eastbound through the intersection of St Francis and Zia, perform a u-turn east of the intersection, and turn right onto St Francis. To account for this reduction, 10% of total eastbound thru trips were reduced from this movement and assigned to the eastbound left.

In the AM, the intersection operates at an overall acceptable level of service with no oversaturated movements. The eastbound thru/right movement is expected to experience queue spillover from 7:45 to 8:15 AM (4 cars). Though the eastbound thru/right spills over into the adjacent lane by four (4) cars in the AM, only one (1) car blocks the intersection of Zia and Galisteo. The AM will operate no worse than LOS C overall with the proposed improvements. However, eastbound thru/right, northbound left, and southbound left movements in some analysis periods will operate at LOS E or F. The operation of the eastbound thru/right movement in particular is expected to worsen. This is due to the decrease in eastbound thru lanes to accommodate the third left-turn lane. The remaining eastbound thru lane will become a shared thru/right lane, which will begin just east of the Zia Road and Galisteo Road intersection. This relatively slight reduction delay and level of service is seen as an appropriate trade-off, as the proposed improvements provide substantial improvement over the Existing and No Build operations.

*** Micro-Simulation**

Overcapacity intersections and movements and free right turns were further evaluated using micro-simulation tools to provide additional results that consider driver behavior. When these movements were evaluated in the TransModeler micro-simulation tool, it shows no spillover and generates reasonable delay. In situations like this when results from HCS and TransModeler differ, adjustments to HCS can be made to overcome limitations in the HCM. This was not done in this case. However, use of micro-simulation tools to supplement HCM procedures in oversaturated conditions is an acceptable use per the HCM.

The eastbound thru/right movement is not expected to add delay to the adjacent lane from spillover. Field conditions indicate the southbound thru movement does queue back past Siringo occasionally, particularly in the outside most lane with drivers preparing for the I-25 southbound on ramp.

In the PM, the southbound thru movement will become overcapacity in two analysis periods with the highest v/c of 1.08*, which occurs at 5:00 PM. The eastbound thru/right movement is expected to experience queue spillover at 4:30 (1 car) and 5:00 (1 car). The primary movements operating poorly in the PM include the eastbound thru/right, westbound left, southbound left, and southbound thru.

Table 12 | 2024 Build Signalized Intersection Results (St Francis & Zia)							
2024 Build AM				2024 Build PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	21.5	C	0.34	16:00	36.1	D	0.99
7:15	20.5	C	0.48	16:15	31.9	C	0.91
7:30	25.3	C	0.78	16:30	45.8	D	1.05
7:45	28.5	C	0.99	16:45	42.8	D	0.94
8:00	25.6	C	0.91	17:00	50.7	D	1.08
8:15	23.9	C	0.74	17:15	60.1	E	0.98
8:30	20.9	C	0.69	17:30	57.4	E	0.99
8:45	21.2	C	0.68	17:45	50.6	D	0.97

c) *St Francis Drive and Sawmill Road*

In the Build analysis, the signalized intersection of St Francis Drive and Sawmill Road operates at an overall acceptable level of service in both AM and PM analysis periods. In the AM, the eastbound left and westbound right movements operate at LOS E or F in some analysis periods. In the PM, the eastbound thru/right movement operates over capacity at 5:15 PM with a v/c of 1.10. Both eastbound and westbound approaches have movements that operate at LOS E or F in most analysis periods.

The adjustments for southbound through lane utilization were again included in this scenario.

Table 13 | 2024 Build Signalized Intersection Results (St Francis & Sawmill)							
2024 Build AM				2024 Build PM			
Period	Delay	LOS	Max V/C	Period	Delay	LOS	Max V/C
7:00	14	B	0.64	16:00	26.5	C	0.73
7:15	16	B	0.72	16:15	24.7	C	0.88
7:30	25.3	C	0.87	16:30	29	C	0.89
7:45	28.5	C	0.96	16:45	29.4	C	0.91
8:00	23.6	C	0.84	17:00	30.5	C	0.91
8:15	21.2	C	0.79	17:15	35.7	D	1.10
8:30	19	B	0.76	17:30	27.1	C	0.82
8:45	18.5	B	0.77	17:45	27.8	C	0.91

d) *Unsignalized Intersections*

The analysis indicates the unsignalized intersections are expected to continue operating at acceptable levels of service in the No Build. The proposed improvements restrict the Zia and Galisteo intersection to left-in/right-in/right-out only. Queueing will remain at one car or less and level of service will not degrade to LOS E or F.

The proposed site entrances are also expected to operate acceptably with minimal queueing and delay.

The intersection of Zia Road and Candelero was evaluated with a westbound u-turn movement due to the restricted left-out at Zia Road and Galisteo Road. This movement is expected to operate acceptably with a queue of one vehicle in both the AM and PM peak hours.

A peak hour traffic signal warrant analysis was performed for the Zia and Galisteo intersection and a traffic signal was not warranted. A copy of the peak hour traffic signal warrant analysis is included in Appendix E.

Table 14 | 2024 Build Unsignalized Intersection Results								
	2024 Build AM Peak				2024 Build PM Peak			
Intersection/Movement	Delay	v/c	Queue* (ft)	LOS	Delay	v/c	Queue* (ft)	LOS
Zia & Candelero	-	-	-	-	-	-	-	-
Eastbound Left	8.5	0.00	0	A	9.8	0.01	0	A
Westbound U Turn	14.6	0.11	25	B	10.8	0.04	25	B
Southbound Approach	15.9	0.09	25	C	18.2	0.09	25	C
Zia & Galisteo	-	-	-	-	-	-	-	-
Eastbound Left	8.3	0.01	0	A	9.7	0.02	25	A
Westbound Left	11.9	0.29	50	B	9.9	0.25	25	A
Northbound Right	15.3	0.42	75	C	11.7	0.27	50	B
Southbound Right	10.4	0.15	25	B	11.9	0.11	25	B
Galisteo & D1	-	-	-	A	-	-	-	-
Eastbound Right	9.9	0.01	0	A	9.3	0.01	0	A
Westbound Right	9.2	0.02	0	A	9.1	0.02	25	A
Northbound Left	7.8	0.00	0	A	7.6	0.00	0	A
Galisteo & D2/Calle Luminoso	-	-	-	-	-	-	-	-
Eastbound Approach	15.0	0.03	25	B	11.6	0.02	25	B
Westbound Approach	13.5	0.09	25	B	12.8	0.09	25	B
Northbound Left	7.5	0.00	0	A	7.6	0.00	0	A
Southbound Left	8.2	0.15	25	A	8.0	0.10	25	A
Galisteo & D3/Camino Pabilo	-	-	-	-	-	-	-	-
Eastbound Approach	11.1	0.02	25	B	9.8	0.01	0	A
Westbound Approach	11.6	0.26	25	B	11.6	0.27	50	B
Northbound Left	7.3	0.00	0	A	7.5	0.00	0	A
Southbound Left	7.7	0.07	25	A	7.5	0.05	25	A
Rodeo & Galisteo	-	-	-	-	-	-	-	-
Eastbound Left	8.7	0.05	25	A	10.1	0.05	25	B
Westbound Left	9.7	0.03	25	A	8.6	0.04	25	A
Northbound Approach	18.8	0.17	25	C	16.9	0.08	25	C
Southbound Left	32.3	0.22	25	D	28.6	0.18	25	D
Southbound Right	13.1	0.18	25	B	21.2	0.34	50	C
* – HCM 95th percentile queue rounded to next 25-foot increment								

e) *Queue Discussion*

The following section reports the expected maximum queueing for new movements on Zia.

Queueing is not expected to exceed the available storage with the exception of two instances at St Francis Drive and Zia Road: eastbound thru/right in the AM and PM and westbound left in the PM. The eastbound thru/right will experience queue spillover of approximately four (4) vehicles in the AM and one (1) vehicle in the PM. The westbound left will have about two (2) vehicles extend beyond the available storage.

The eastbound and westbound left turn bays at Zia Road and Galisteo Road, and the westbound u-turn at Candelero, are not expected to queue beyond available storage.

Table 15 | Max Queue Results			
Movement	**Available Storage**	**AM**	**PM**
St Francis & Zia	-	-	-
Eastbound Left	275	244	202
Eastbound Thru/Right	375	484	402
Westbound Left	251	53	236
Westbound Right	150	124	86
Zia & Galisteo	-	-	-
Eastbound Left	84	0	25
Westbound Left	126	50	25
Zia & Candelero	-	-	-
Westbound U Turn	84	25	25

B. FUTURE TRANSIT SERVICE

Currently Santa Fe Trails does not have a route that serves the Zia Rail Runner Station. When bus service was discussed at the time of the Station Opening (2016), SF Trails was concerned about accessing/negotiating the St. Francis/Zia Road intersection without additional improvements, and they wanted to see what kind of ridership the station experienced. With the proposed intersection improvements (both physical and functional) it is anticipated that SF Trails may consider extending or altering their route(s), currently Route#6, to serve the development and the NM Rail Runner Station. Discussions with Santa Fe Trails will consider bus stop needs. We will also coordinate with Rio Metro to determine the appropriate location for a drop-off lane as well as parking needs for the Station.

C. PEDESTRIAN CIRCULATION

As a multi-modal mixed-use development, the Zia Station project recognizes the importance of a well-connected, safe, and appealing environment for pedestrians and bicyclists. New, wider sidewalks along Zia Road and Galisteo Road connect to existing sidewalks and to the Santa Fe Rail Trail. An internal network of sidewalks and pedestrian-focused areas provide internal connections and link to perimeter adjacent sidewalks, urban trails, and social trails. Rail Trail parking is provided in new parallel parking along the east side of Galisteo Road. The streetscape at the center of the Zia Station development has parallel/angled parking, street trees, and striped crosswalks to slow vehicular traffic and promote a pedestrian-friendly environment.

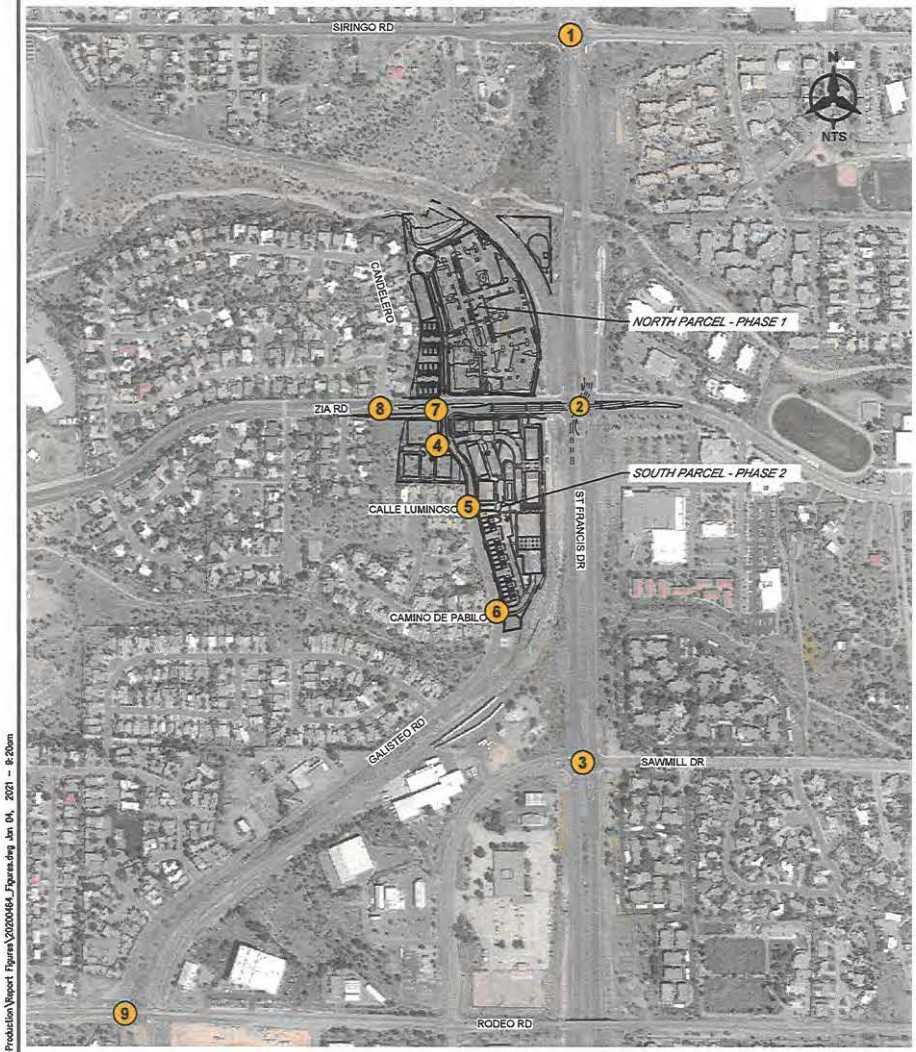
Furthermore, the project facilitates bicycling by providing a new 8' wide urban trail connection to the Santa Fe Rail Trail from Galisteo Road north of Zia Road. On-road bike lanes on new/improved segments of Galisteo Road and Zia Road connect to the existing network. Bicycle racks will be distributed throughout the site.

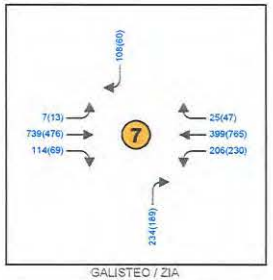
A crosswalk across Galisteo at the north driveway will be provided to link the west parcel and parking garage to the east parcel.

The pedestrian circulation concept for the North parcel is shown in Figure 16, with the South Parcel shown in Figure 17.

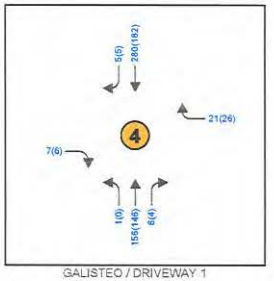
D. PARKING

Parking is being provided in compliance with City of Santa Fe regulations. Phase 1 is primarily surface parked with some tuck-under garages. Phase 2 includes two parking structures comprising 399 spaces and 89 surface/on-street spaces. Assigned spaces for tenants and residents will be provided in the structures, with on-street spaces reserved for visitors/customers. As a mixed-use development, the peak commercial parking demand will be in the daytime and the peak residential demand will be at night, affording the opportunity for shared parking. The parking supply satisfies the City Code requirements, so shared parking is not required, but just an element of the overall parking program. Although there currently is no parking available for transit (Rail Runner) riders, with the 20-25 additional parking spaces provided in this plan, there will be approximately 20-25 transit rider parking spaces allocated in the parking structure(s).

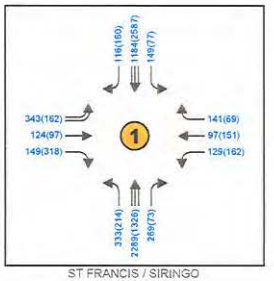




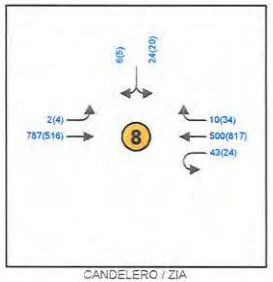
GALISTEO / ZIA



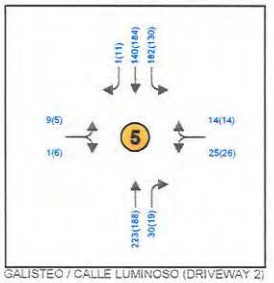
GALISTEO / DRIVEWAY 1



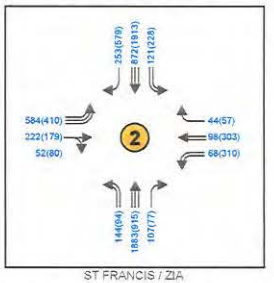
ST FRANCIS / SIRINGO



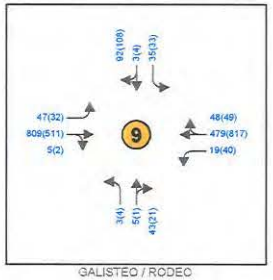
CANDELERO / ZIA



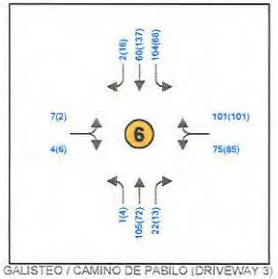
GALISTEO / CALLE LUMINOSO (DRIVEWAY 2)



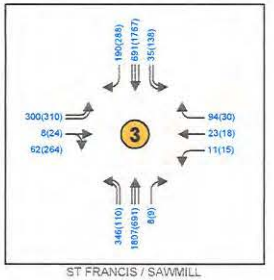
ST FRANCIS / ZIA



GALISTEO / RODEO



GALISTEO / CAMINO DE PABILO (DRIVEWAY 3)



ST FRANCIS / SAWMILL

LEGEND

Thru Lanes (# as indicated)

Turning Lanes (# as indicated)

1234(1234) AM(PM) Traffic Counts

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ZIA STATION TRAFFIC UPDATE ASR
SANTA FE, NEW MEXICO
SITE TRAFFIC ANALYSIS

FIGURE 15
2024 BUILD AM (PM) PEAK HOUR TRAFFIC VOLUMES

LEGEND

PROPERTY BOUNDARY

COMMON OPEN SPACE

LEGEND - SITE CONNECTIVITY

JUNCTION WITH EXISTING URBAN TRAILS, SIDEWALKS, AND PATHS

SIDEWALK / URBAN TRAIL (EXISTING)

PERIMETER SITE CIRCULATION, SIDEWALK (NEW, 5'-6' WIDTH)

INTERNAL SITE CIRCULATION, SIDEWALK (NEW, 5' MIN.)

PEDESTRIAN HARDSCAPE AREA (NEW)

OPEN SPACE

APARTMENTS - OPEN SPACE

LOT AREA (TRACT I + J)	442,499 SF	
OPEN SPACE - REQUIRED	23,250 SF	93 UNITS x 250 SF
OPEN SPACE - PROPOSED	166,708 SF	38.1% OF LOT AREA

* OPEN SPACE INCLUDES DETENTION POND, DOG PARK, INTERNAL PRIVATE COURTYARDS, STREETSCAPE AREAS, AND OPEN SPACE AREAS GREATER THAN 15' X 15'

TOWNHOMES - OPEN SPACE

LOT AREA (TRACT H)	32,579 SF	
OPEN SPACE - REQUIRED	3,000 SF	14 UNITS x 250 SF
OPEN SPACE - PROVIDED	9,120 SF	28.0 OF LOT AREA

* OPEN SPACE INCLUDES INTERNAL COURTYARDS AND OPEN OPEN SPACE AREAS GREATER THAN 15' X 15'

OPEN SPACE (OVERALL PHASE 1)

LOT AREA (TRACT I, J, H)	475,078 SF	
OPEN SPACE - PROVIDED	177,972 SF	37.4% OF LOT AREA

design office
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1300 Luisa street, Suite 24 Santa Fe, NM 87505
t 505.983.1415 www.do-designoffice.com

SCALE: 1" = 50'-0"
0' 25' 50' 100' 200'

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BENCH MARKS

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
AS-BUILT BY		
INSPECTIONS & ACCEPTANCE BY		
FIELD SUPERVISION BY		
DRAWINGS CORRECTED BY		

REVISIONS

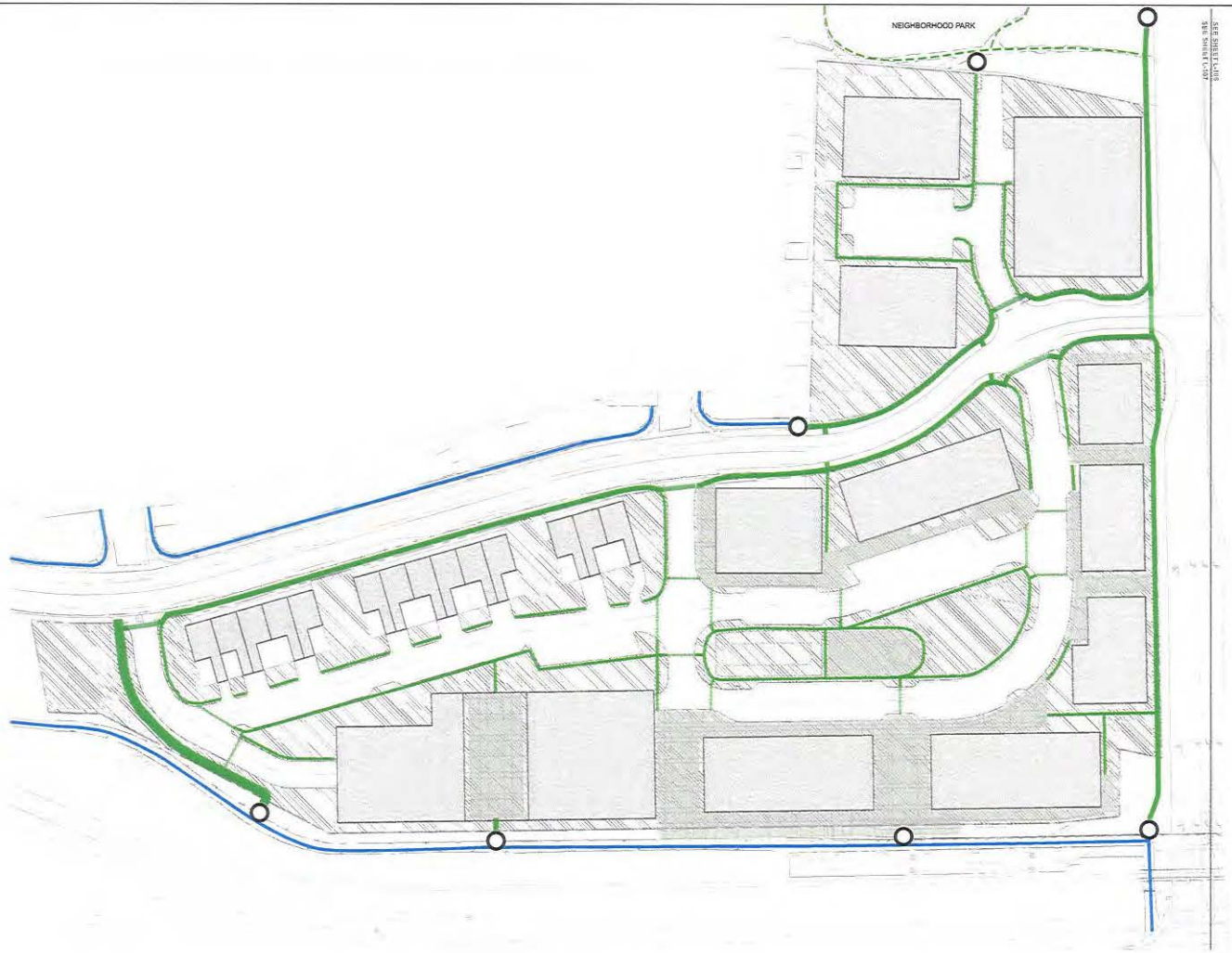
NO.	DATE

DESIGN

DESIGNED BY	PS
CHECKED BY	CMH
DRAWN BY	PS

FIGURE 16
ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
OPEN SPACE PLAN PHASE 1

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-106	X	X



LEGEND

- PROPERTY BOUNDARY
- COMMON OPEN SPACE

LEGEND - SITE CONNECTIVITY

- JUNCTION WITH EXISTING URBAN TRAILS, SIDEWALKS, AND PATHS
- SIDEWALK / URBAN TRAIL (EXISTING)
- URBAN TRAIL (NEW, 10' WIDTH)
- PERIMETER SITE CIRCULATION, SIDEWALK (NEW, 5'-8' WIDTH)
- INTERNAL SITE CIRCULATION, SIDEWALK (NEW, 5' MIN.)
- SOFT SURFACE PATH (NEW)
- PEDESTRIAN HARDSCAPE AREA (NEW)

OPEN SPACE

LOT AREA (SEE LOT LINE ADJUSTMENT PLAT)

TRACT A	80,435 SF
TRACT B	54,178 SF
TRACT C	83,061 SF
TRACT D	56,298 SF
TRACT E	30,679 SF
TRACT F	46,476 SF
TRACT G	32,579 SF
LOT AREA - TOTAL	383,706 SF

COMMON OPEN SPACE

COMMON OPEN SPACE	REQUIRED	PROVIDED *
	76,740 SF (383,706 SF x 20%) 20.0% OF LOT AREA	161,972 SF 42.2% OF LOT AREA

* OPEN SPACE INCLUDES WALKWAYS, HARDSCAPE, LANDSCAPE

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SCALE: 1" = 50'-0"
0' 25' 50' 100' 200'
COMMON OPEN SPACE - REQUIRED

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BENCH MARKS

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKED BY		
INSPECTIONS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS DEPOSITED BY		

REVISIONS

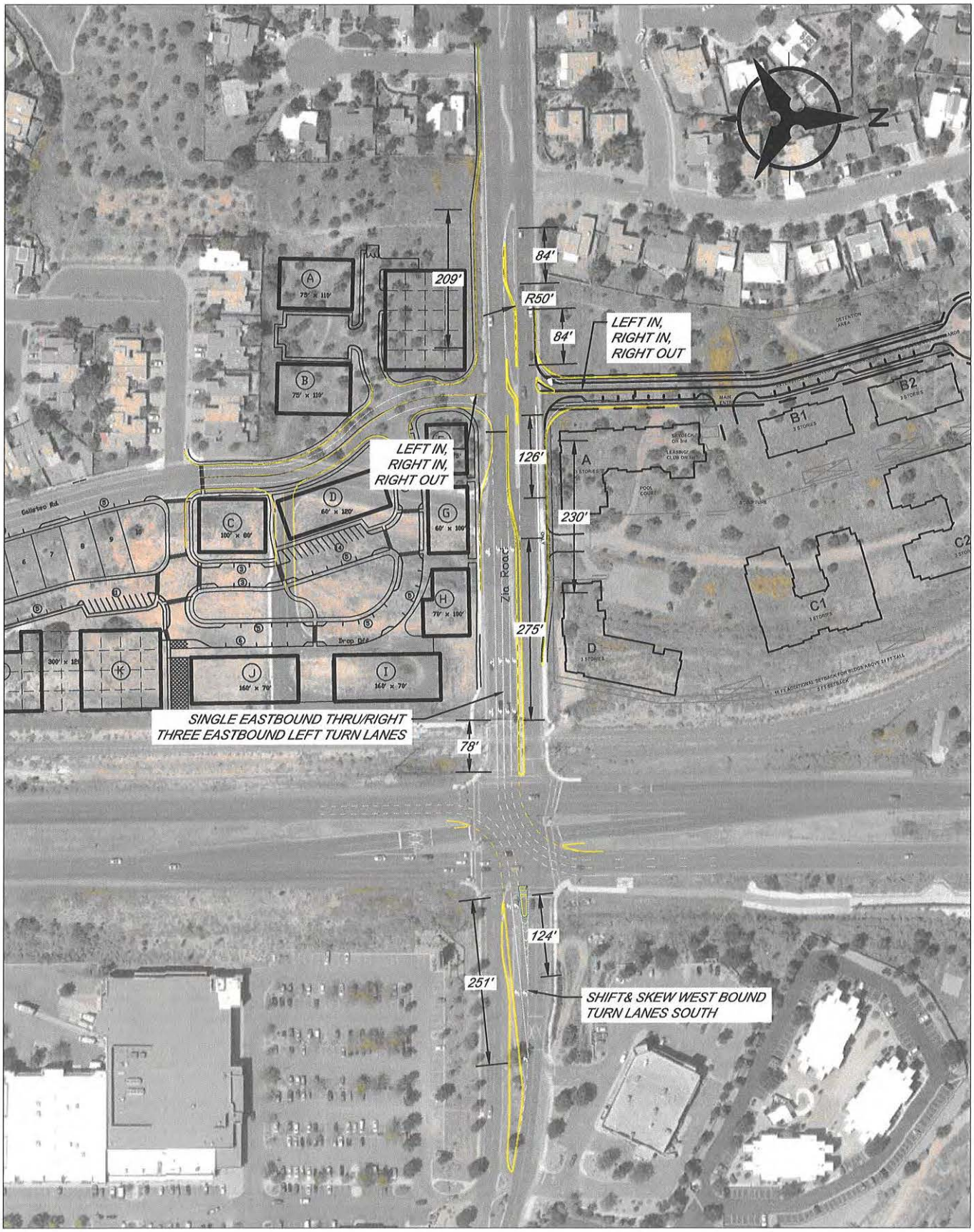
NO.	DATE

DESIGN

DESIGNED BY	PS
CHECKED BY	DAH
DRAWN BY	PS

FIGURE 17
ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
OPEN SPACE PLAN PHASE 2

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-107	X	X



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Bohannan Huston www.bhinc.com 800.877.5332	ZIA STATION SANTA FE, NEW MEXICO SITE TRAFFIC ANALYSIS	FIGURE 18 RECOMMENDED IMPROVEMENTS

VII. SAFETY ANALYSIS

To assess the safety performance of all major roadways located within the study area, a safety analysis was performed using Highway Safety Software (HSS). Geometric parameters along with annual average daily traffic (AADT) calculations and three years of prior crash data were applied to determine the predicted crash frequency for existing (2020) and future (2024) no build and build scenarios.

The AADT for each case was estimated by implementing the principle for which the peak hourly factor is ten percent of the annual average daily traffic volume. Crash data was provided by NMDOT for the years 2015 through 2017. Roadways in this urban study involve sections of St Francis Drive, Zia Road, and Sawmill Road.

This study reports the predicted crash frequency rather than the expected crash frequency. It should be noted, to estimate expected crash frequency, the project level-parameters should be calibrated to local conditions. New Mexico does not currently have any calibrated parameters; therefore, the calibrated default parameters from the Highway Safety Manual were used. These values were derived using data collected from multiple states including Washington and California.

Observed versus Predicted Crashes

The Highway Safety Manual (HSM) defines **observed crash frequency** as the historical crash data reported at the site during the period of analysis. The **predicted crash frequency** is the crash frequency calculated based on geometric design, traffic control features, and traffic volume of the site.

A. ST. FRANCIS DRIVE

The roadway section of St Francis Drive included in the study is between Siringo Road and Sawmill Road. The posted speed is 45 MPH with a three-lane divided highway typical cross section. HSS does not provide this type of section, thus it was modeled as a four-lane divided highway. The 40-foot median was measured in Google Earth. No driveways exist on St Francis. This roadway was modeled starting at St Francis and Siringo and ending at St Francis Drive and Sawmill.

Observed crash data revealed 118 crashes at the Siringo intersection, 128 crashes at the Zia intersection, and 83 crashes at the Sawmill intersection. The segments between these crossings, however, have significantly less observed crashes. The segment between Siringo and Zia has 22 observed crashes, while the segment between Sawmill and Zia has 16 observed crashes.

For existing conditions, results show the total number of predicted crashes is 19.44 crashes per year. The section with the highest number of predicted crashes is St-

Francis-Siringo intersection, of 6.36 crashes per year. The section with the lowest number of predicted crashes is the segment between Sawmill Road and Zia Road, of 1.73 crashes per year.

The 2024 no build safety analysis involved updating the traffic volume for all segments and intersections. This led to higher results for the predicted crash frequency. The total number of predicted crashes for 2024 no build study is 20.40 crashes per year. This implies one additional crash will be observed compared to 2020 existing conditions.

Similar to the no build analysis, the 2024 build study increased the AADT to determine the number of predicted crashes. This resulted in 21.31 total predicted crashes per year for 2024 build conditions. Based on these values, one additional crash will be observed compared to 2024 no build conditions and two additional crashes compared to 2020 existing results. Results for St Francis Drive are shown in Table 16. Full report outputs are located in Appendix E.

Table 16 | Predicted Crash Frequency for St Francis Drive

Location	Observed Crashes (2015-2017)	Predicted Crashes per Year		
		2020 Existing	2024 No Build	2024 Build
Sawmill	83	4.51	4.73	4.83
North of Sawmill	16	1.73	1.82	1.87
Zia	128	4.69	4.91	5.29
North of Zia	22	2.15	2.26	2.37
Siringo	115	6.36	6.68	6.96
Total		**19.44**	**20.40**	**21.31**

B. ZIA ROAD

The section of Zia Road included in the safety analysis includes Santa Fe High School driveways east to St Francis Drive. The typical cross section for Zia is a four-lane undivided roadway with existing driveways. The posted speed limit is 35 MPH and lighting is present throughout.

Observed crashes on Zia are concentrated at the Galisteo and St Francis intersections, with 14 and 128 crashes respectively, while the remainder of the corridor has a low number of observed crashes. The existing 2020 analysis predicts 7.90 crashes per year.

The 2024 no build analysis generated a predicted crash frequency of 8.28 crashes per year. This is about one additional predicted crash compared to the 2020 existing analysis.

Results from the 2024 build analysis showed an increase in the total predicted crash frequency to 9.94 crashes per year. This is one additional predicted crash compared to 2024 no build analysis and two additional predicted crashes compared to 2020 existing results. Results for the crash analysis on Zia are displayed in Table 17.

Table 17 | Predicted Crash Frequency for Zia Road

Location	Observed Crashes (2015-2017)	Predicted Crashes per Year		
		2020 Existing	2024 No Build	2024 Build
West of School Driveway	4	0.99	1.04	1.21
Candelero - West	0	0.28	0.30	0.34
East of Candelero (West)	1	0.76	0.79	0.93
Candelero - East	0	0.30	0.31	0.38
East of Candelero (East)	2	0.32	0.33	0.42
Galisteo	14	0.38	0.40	0.80
East of Galisteo	0	0.19	0.20	0.24
St Francis	128	4.69	4.91	5.08
Total		**7.90**	**8.28**	**9.94**

C. SAWMILL ROAD

A safety analysis was performed on Sawmill Road from Rodeo Road to St Francis Drive. With a posted speed of 35 MPH, the typical cross section is a four-lane undivided segment. Driveways are present throughout.

Crash data shows 26 observed crashes at the Rodeo intersection and 83 at St Francis and Sawmill intersection. Four crashes were recorded between these intersections on Sawmill. For 2020 existing analysis, the total predicted crash frequency is 6.48 crashes per year. This is slightly less than the 2024 no build predicted crash frequency, of 6.80 crashes per year.

The predicted crash frequency for the 2024 build analysis is 6.94. This implies there will be little to no change in the number of observed crashes between build and no build conditions. Results for the Sawmill analysis can be found in Table 18.

Table 18 | Predicted Crash Frequency for Sawmill Road				
Location	Observed Crashes (2015-2017)	Predicted Crashes per Year		
		2020 Existing	2024 No Build	2024 Build
Rodeo	26	1.87	1.96	2.01
North of Rodeo	4	0.66	0.69	0.69
St Francis	83	3.96	4.15	4.24
Total		**6.48**	**6.80**	**6.94**

VIII. CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

The traffic analysis found the St Francis and Zia signalized intersection does not operate at acceptable levels of service under the Existing 2020 and 2024 No Build. Proposed improvements to the eastbound approach are expected to help improve the operation of the intersection in 2024 Build.

In the existing and no build analyses, the St Francis Drive and Siringo Road signalized intersection operates overall acceptably in all analysis periods in the AM but is overall LOS F in most 15-minute analysis periods in the PM. St Francis Drive and Zia Road operates overall F in most analysis periods in the AM and PM, with oversaturated conditions and queueing in the eastbound left lane. St Francis Drive and Sawmill Road operates overall acceptably in all analysis periods in the AM and PM. Each intersection has numerous movements that operate at LOS E or worse in the AM and PM.

In the build analysis, St Francis Drive and Zia Road operates at an overall acceptable LOS in all 15-minute analysis periods in the AM. In the PM, four analysis periods will operate at overall LOS E or worse. The operation of the eastbound left movement improves significantly in both AM PM; however, the eastbound thru/right movement is expected to worsen, particularly in the AM. This is considered to be an acceptable trade-off to the overall improvement to operations at the intersection due to the proposed improvements,

The unsignalized intersections and site driveways operate acceptably in the existing, no build, and build analyses.

B. RECOMMENDATIONS

- All designs shall satisfy the Manual on Uniform Traffic Control Devices (MUTCD) requirements.
- At the intersection of St Francis Drive and Zia Road it is recommended the dual eastbound left-turn lanes be converted to three total turn lanes. The inside most left-turn lane should be extended to a length of 275 feet from the stop bar. The two outside lanes will also serve eastbound left turns, which should extend 400 feet from the stop bar to the new Galisteo Road.
- With the triple eastbound left-turn lanes, the existing shared eastbound thru and right-turn lane will need to be extended east of the Zia Road and Galisteo Road intersection towards the new re-aligned Galisteo Road intersection (see below). Traveling eastbound on Zia Road through Galisteo Road, motorists must move right into the shared thru/right lane.

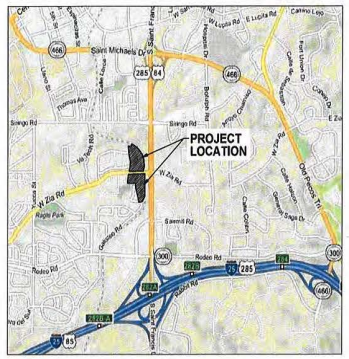
Implementation of temporary signage alerting motorists of the new intersection configuration will be needed.

- This project is proposing to re-align Galisteo Road to the west to increase queue storage on Zia Road between Galisteo Road and St Francis Drive.
- It is recommended that Zia Road and Galisteo Road operate as a left-in/right-in/right-out only intersection. Due to the short distance between this intersection and St Francis Drive, there are safety concerns for the northbound and southbound left-turn movements attempting the cross thru traffic (it is easy to misjudge how fast a vehicle is approaching). This will require construction of a median to prevent northbound and southbound left-turn movements. In addition, the northbound right turn lane will be perpendicular to Zia Road, with a short bulb out to allow passing eastbound drivers access to the eastbound through/right lane at St Francis. This was done as it was considered unsafe to construct the northbound right turn as a free right due to the potential of conflicts with northbound right and eastbound drivers.
- A westbound left-turn lane at Zia Road and Candelero Road is recommended to allow for u-turns. The removal of northbound and southbound lefts from Galisteo Road onto Zia Road may result in motorists performing u-turns at Candelero Road.
- East and westbound right-turn lanes are recommended from Zia Road onto Galisteo Road and should be designed to NMDOT State Access Management Manual (SAMM) deceleration lane standards.
- To accommodate the third eastbound left-turn lane at St Francis Drive and Zia Road, additional improvements will be required at this intersection. This includes adjusting the dual westbound left-turn lanes to properly position the opposing left-turn lanes. Moving the westbound left-turn lanes will require the pedestrian refuge to be located between the westbound left-turn and westbound thru lanes. Other improves include modifying the medians on St Francis to accommodate the eastbound and westbound left-turn lane paths. Considerations for the northbound signal and the drop inlet on St Francis may also be required.

2020-002898-PLBD, 2020-002914-PLBD, 2020-002899-PLBD, 2020-002900-PLBD, 2020-002901-PLBD

ZIA STATION

PRELIMINARY DEVELOPMENT PLAN
SANTA FE, NEW MEXICO
NOVEMBER 23, 2020



VICINITY MAP

INDEX OF SHEETS

SHEET NUMBER	DESCRIPTION
OVERALL DRAWINGS	
G001	COVER SHEET
S001	EXISTING CONDITIONS
S002-S004	SURVEY PLAT
S005-S006	LOT LINE ADJUSTMENT PLAT
C001	OVERALL PRELIMINARY DEVELOPMENT PLAN
L101	TREE INVENTORY/PRESERVATION PLAN
L102	PRELIMINARY LANDSCAPE PLAN - PHASE 1
L103	PRELIMINARY LANDSCAPE PLAN - PHASE 2
L104	PRELIMINARY IRRIGATION/WATER HARVESTING PLAN PHASE 1
L105	PRELIMINARY IRRIGATION/WATER HARVESTING PLAN PHASE 2
L106	OPEN SPACE PLAN PHASE 1
L107	OPEN SPACE PLAN PHASE 2
A101-A110	CONCEPTUAL BUILDING ELEVATIONS
CIVIL DRAWINGS:	
PHASE 1:	
C101-P1	PRELIMINARY DEVELOPMENT PLAN - PHASE 1
C102-P1	GRADING PLAN - PHASE 1
C103-P1	UTILITY PLAN - PHASE 1
C104-P1	ZIA ROAD IMPROVEMENTS - PHASE 1
C105-P1	GALISTEO ROAD IMPROVEMENTS - PHASE 1
L108	ZIA ROAD LANDSCAPE IMPROVEMENTS - PHASE 1
PHASE 2:	
C201-P2	PRELIMINARY DEVELOPMENT PLAN - PHASE 2
C202-P2	GRADING PLAN - PHASE 2
C203-P2	UTILITY PLAN - PHASE 2

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Lloyd & Associates ARCHITECTS
ALLIANCE
design office landscape planning urbanism
PRECISION SURVEYS, INC.
JENKINSGAVIN LAND DEVELOPMENT MANAGEMENT 130 Grant Avenue, Suite 101 Santa Fe, NM 87501 505.820.7444
Bohannan Huston www.bhinc.com 800.877.5332

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
COVER SHEET

DWG NO. G001

Sun, 22-Nov-2020 - 4:47 pm, Plotted by: OBROWN
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811 Know what's below. Call before you dig.

BENCH MARKS

BENCH MARK LINE 1	
BENCH MARK LINE 2	
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BENCH MARK LINE 6	
BENCH MARK LINE 7	
BENCH MARK LINE 8	
BENCH MARK LINE 9	

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	
CONTRACTOR		DATE
WORK STAKED BY		DATE
INSPECTORS ACCEPTANCE BY		DATE
FIELD VERIFICATION BY		DATE
DRAWINGS CORRECTED BY		DATE

REVISIONS

NO.	DATE

DESIGN

DESIGNED BY	OB
CHECKED BY	GB
DRAWN BY	MM

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ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
EXISTING CONDITIONS

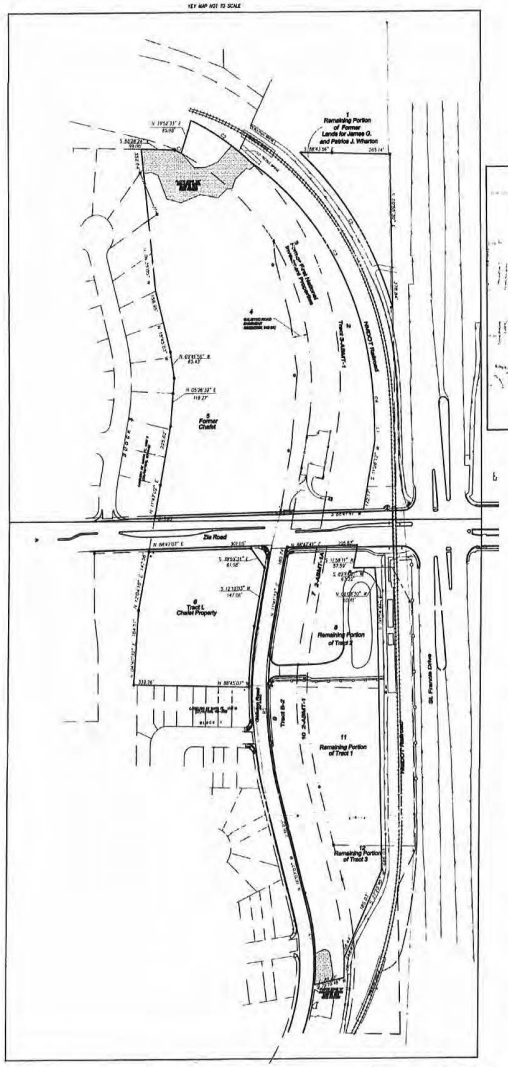
BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	S001	2	X

Sat, 23 Apr 2022 - 4:48 pm, Plotted by: OBROWN
P:\2021\20083\CDP\Plans\General\Preliminary Development Plan\20210083_EX00.dwg

Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017

925001
925004

KEY MAP NOT TO SCALE



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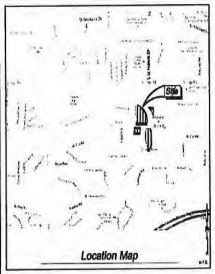

Location Map

PUBLIC NOTICE

THIS SURVEY IS BASED ON THOSE RECORDED INSTRUMENTS NOTED HEREON. CITY OF SANTA FE STAFF MUST APPROVE ALL DOCUMENTS SUBMITTED WITH AN APPLICATION FOR A PLAT/MAP FORMAT AND ANY REVISIONS, SUBMITTAL OF ADDITIONAL INFORMATION TO PROVE LEGAL LOT OF RECORD.

INDEXING INFORMATION FOR COUNTY CLERK
OWNER ZIA STATION LLC
SECTION 2 TOWNSHIP 16N RANGE 8 E.
UPC NO. 1 1015306425534000000
UPC NO. 2, 4, 5 & 6 1015306187255000000
UPC NO. 8 1015306171255000000
UPC NO. 9 1015306214334000000
UPC NO. 11 1015306426334000000
UPC NO. 12 1015306187355000000

COUNTY OF SANTA FE)
STATE OF NEW MEXICO)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS 21st DAY OF DECEMBER A.D. 2017 AT 11:14 O'CLOCK A.M. AND WAS DULY RECORDED IN BOOK 827 PAGE 0-9 OF THE RECORDS OF SANTA FE COUNTY
INST. # 1838005
WITNESS MY HAND AND SEAL OF OFFICE
GERALDINE SALAZAR
COUNTY CLERK, SANTA FE COUNTY, NM
DEPUTY

PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9063
2	REMAINING PORTION TRACT 3-ABMT-1	1.5123
3	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1693
4	GAUSTED ROAD EASEMENT	0.5999
5	FORMER CHAFET	6.0956
6	FORMER TRACT L CHAFET PROPERTY	2.6294
7	TRACT 2-ABMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.3468
9	TRACT B-2	2.1020
10	TRACT 2-ABMT-1	0.4792
11	REMAINING PORTION TRACT 1	1.7121
12	REMAINING PORTION TRACT 3	0.4052
	TOTAL	21.0915

Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL NEW MEXICO LAND SURVEYOR, DO HEREBY CERTIFY THAT A BOUNDARY SURVEY OF THE REAL PROPERTY SHOWN HEREON WAS BEEN SURVEYED, MONUMENTED AND PLATTED IN ACCORDANCE WITH THE STANDARDS FOR LAND SURVEYS IN THE STATE OF NEW MEXICO, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER CERTIFY THAT THIS SURVEY AND PLAT DO NOT MEET THE REQUIREMENTS OF THE SANTA FE COUNTY, NEW MEXICO SUBDIVISION ORDINANCE, AND IS NOT INTENDED TO SUBDIVIDE AN EXISTING PARCEL. THIS IS A BOUNDARY SURVEY PLAT OF AN EXISTING TRACT AND IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT. NO ENCROACHMENTS EXIST EXCEPT AS NOTED AND ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

LARRY W. MEDRANO
N.M.P.S. No. 11993
DATE 12/20/17

PRECISION SURVEYS, INC.

Sheet 1 of 3

FOR INFORMATION ONLY

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BENCH MARKS
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BENCH MARK LINE 4
BENCH MARK LINE 5
BENCH MARK LINE 6
BENCH MARK LINE 7
BENCH MARK LINE 8
BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION
CONTRACTOR — DATE
WORK STAKED BY — DATE
INSPECTIONS ACCEPTANCE BY — DATE
FIELD VERIFICATION BY — DATE
DRAWINGS CORRECTED BY — DATE

REVISIONS

NO.	DATE	BY

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY MM

Bohannan Huston
www.bhinc.com 800.877.5332

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
SURVEY PLAT

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	S002	—	X

Sun, 21 Nov 2021 - 4:44 pm, Plotted by OBROWN
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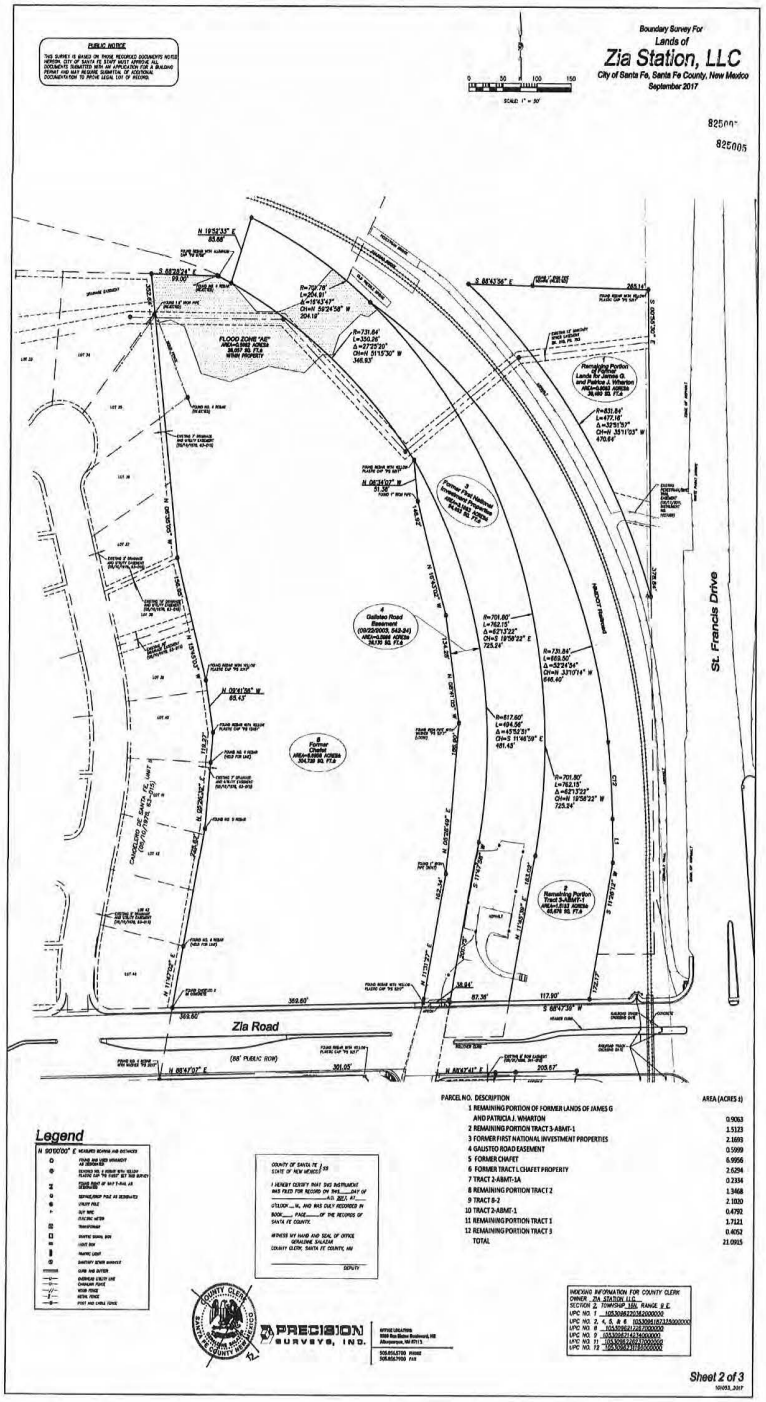

PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9063
2	REMAINING PORTION TRACT 2-A&MT-1	1.5123
3	FORMER FIST NATIONAL INVESTMENT PROPERTIES	2.1693
4	GALISTEO ROAD EASEMENT	0.1999
5	FORMER CHAFET	0.9956
6	FORMER TRACT L CHAFET PROPERTY	2.0294
7	TRACT 2-A&MT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.3468
9	TRACT B-2	2.1020
10	TRACT 2-A&MT-1	0.4793
11	REMAINING PORTION TRACT 1	1.7121
12	REMAINING PORTION TRACT 3	0.4052
	TOTAL	21.0915

FOR INFORMATION ONLY

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ENGINEER'S SEAL

AS-BUILT INFORMATION
BY
CONTRACTOR DATE
WORK STAKED BY DATE
INSPECTORS ACCEPTANCE BY DATE
FIELD VERIFICATION BY DATE
DRAWINGS CORRECTED BY DATE

REVISIONS
NO. DATE

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY AM

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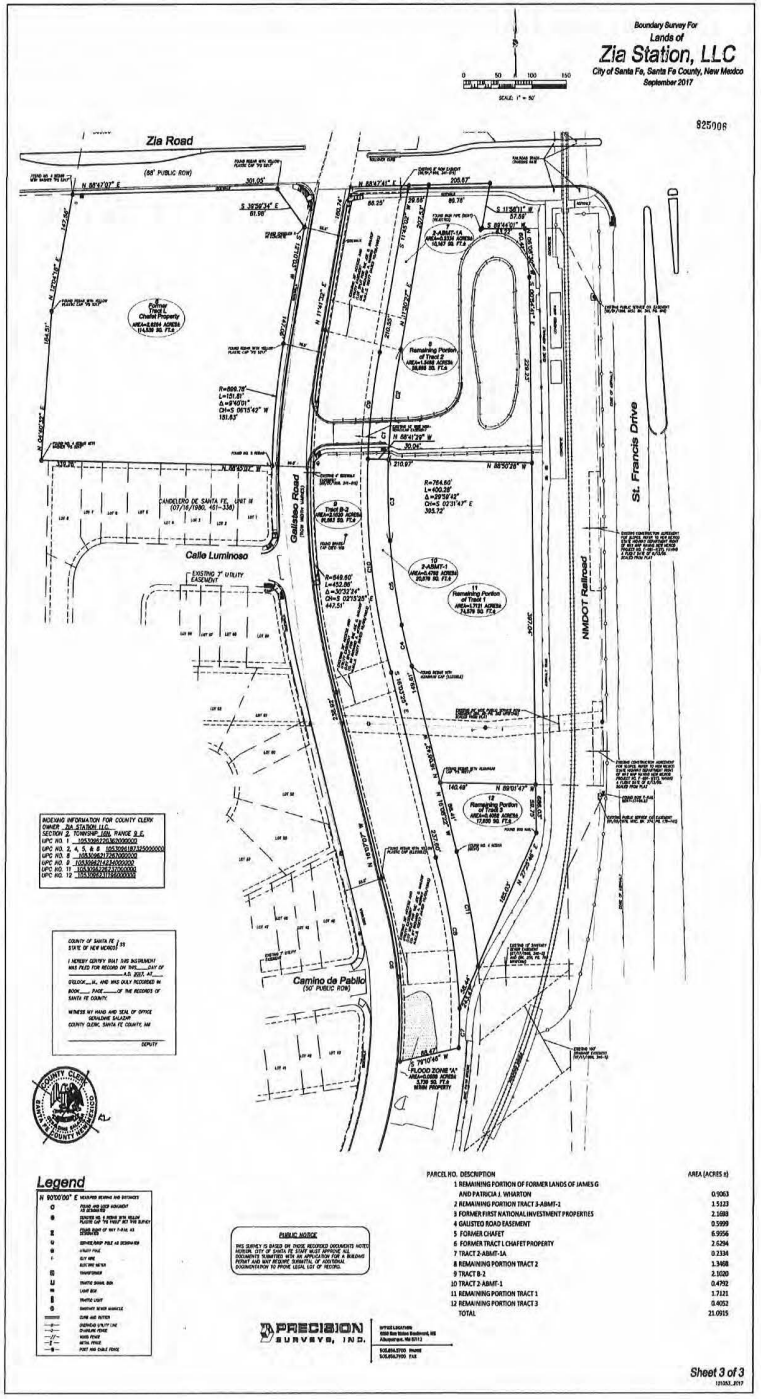
ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
SURVEY PLAT - NORTH

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	S003	—	X

Sat, 23 Jun 2018 - 4:48 pm, Plotted by CBROWN
P:\2021\0083\CDP\Plans\General\Preliminary Development Plan\S003_S003.dwg



PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9063
2	REMAINING PORTION TRACT 3-A(MIT-1	1.5123
3	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1688
4	GALISTEO ROAD EASEMENT	0.5999
5	FORMER CHAFET	6.9556
6	FORMER TRACT L CHAFET PROPERTY	2.6296
7	TRACT 2-A(MIT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.3468
9	TRACT B-2	2.1020
10	TRACT 2-A(MIT-1	0.4792
11	REMAINING PORTION TRACT 1	1.7121
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	TOTAL	21.0915

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WORK STAKED BY — DATE
INSPECTORS ACCEPTANCE BY — DATE
FIELD VERIFICATION BY — DATE
DRAWINGS CORRECTED BY — DATE

REVISIONS

NO.	DATE	BY

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY MM

Bohannan Huston
www.bhinc.com 800.877.5332

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
SURVEY PLAT - SOUTH

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	S004	—	X

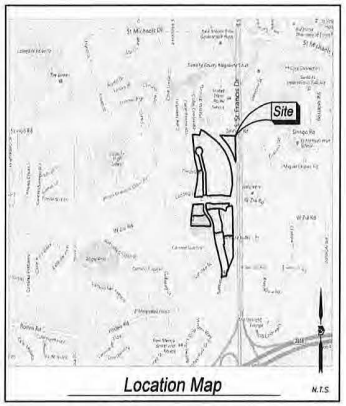
Sun, 23-Jan-2022 - 4:43 pm, Plotted by: GBROWN
P:\2021\20210083\DP Plans\Survey\Preliminary Development Plat\S22-0083_S003.dwg

Lot Line Adjustment Plat for

Zia Station

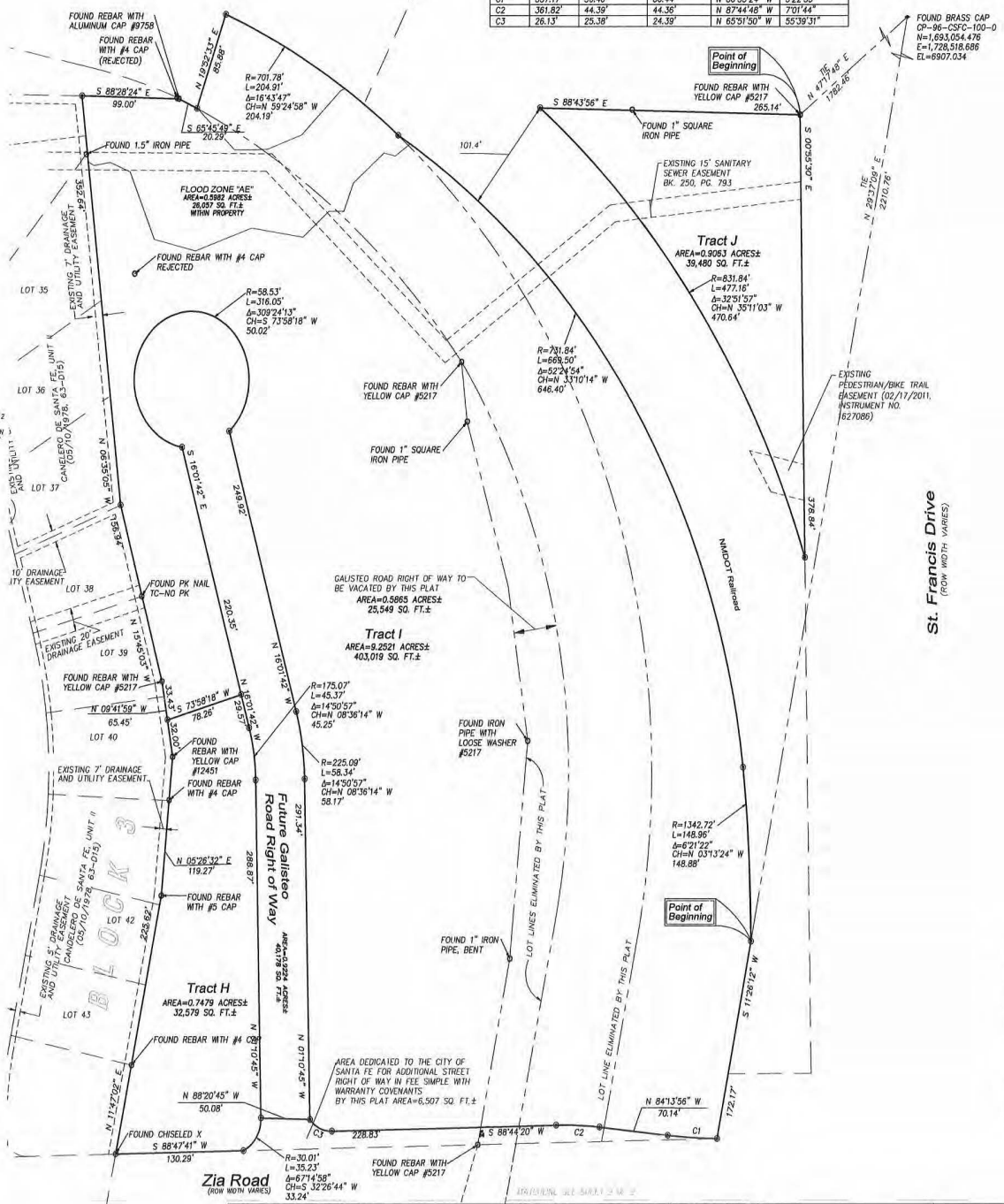
Santa Fe County, New Mexico

November 2020



Curve Table

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	537.17'	50.46'	50.44'	N 86°55'24" W	5°22'55"
C2	361.82'	44.39'	44.36'	N 87°44'48" W	7°01'44"
C3	26.13'	25.38'	24.39'	N 65°51'50" W	55°39'31"



Legal Description

A TRACT OF LAND LYING AND SITUATE WITHIN SECTION 2, TOWNSHIP 16, NORTH, RANGE 9 EAST, N.M.P.M. CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, COMPRISING OF PARCELS 1 THROUGH 12 INCLUSIVE LAND OF ZIA STATION LLC., AS THE SAME IS SHOWN AND DESIGNATED ON THE BOUNDARY SURVEY THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF SANTA FE COUNTY, NEW MEXICO ON OCTOBER 4, 2017, IN BOOK 825, PAGES 4-6 AS INSTRUMENT NUMBER 1838005, NOW COMPRISING OF TRACTS A, B, C, D, E, F, G, H, I AND J ZIA STATION.

Reference Documents

1. BOUNDARY SURVEY LANDS OF ZIA STATION (10/4/2017, BOOK 825, PAGES 4-6, INSTRUMENT NUMBER 1838005

1.. PLAT SHOWS ALL EASEMENTS OF RECORD.

2. EASEMENT BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD AND EASEMENTS HAVE BEEN ROTATED TO MATCH BASIS OF BEARINGS AND BOUNDARY UNLESS OTHERWISE INDICATED.

Free Consent

THE REPLAT (LOT LINE ADJUSTMENT) SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER. SAID OWNERS WARRANT THAT THEY HOLD AMONG THEM COMPLETE AND INDEFEASIBLE TITLE IN FEE SIMPLE TO THE LAND REPLATTED.

SAID OWNER DOES HEREBY GRANT ALL EASEMENTS AS SHOWN HEREON WITH LISTED BENEFICIARIES AND STIPULATIONS.

????????? DATE

Acknowledgment

STATE OF NEW MEXICO) SS
COUNTY OF SANTA FE)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2019 BY ???????????

BY _____ MY COMMISSION EXPIRES: _____
NOTARY PUBLIC

Reviewed By

CITY ENGINEER FOR LAND USE DATE

CITY PLANNER DATE

SANTA FE COUNTY TREASURER DATE

QWEST CORP. D/B/A/ CENTURYLINK QC DATE

COMCAST DATE

PNM DATE

NMCCO DATE

Legend

N 90°00'00" E	MEASURED BEARING AND DISTANCES MATCH RECORD BEARINGS AND DISTANCES
○	FOUND AND USED MONUMENT AS DESIGNATED
◉	DENOTES NO. 4 REBAR WITH YELLOW PLASTIC CAP "PS 11993" SET THIS SURVEY
◆	CITY OF SANTA FE CONTROL MONUMENT

COUNTY OF SANTA FE } SS
STATE OF NEW MEXICO }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THIS____DAY OF _____ A.D. 2020, AT____ O'CLOCK__M., AND WAS DULY RECORDED IN BOOK____, PAGE_____OF THE RECORDS OF SANTA FE COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE
GERALDINE SALAZAR
COUNTY CLERK, SANTA FE COUNTY, NM

_____ DEPUTY

Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED NEW MEXICO PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR MONUMENTATION AND SURVEYS OF THE COUNTY OF SANTA FE SUBDIVISION ORDINANCE AND OF THE MINIMUM STANDARDS FOR LAND SURVEYS AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT NO ENCROACHMENTS EXIST EXCEPT AS NOTED ABOVE AND THAT ALL IMPROVEMENTS ARE SHOWN IN THEIR CORRECT LOCATION RELATIVE TO RECORD BOUNDARIES AS LOCATED BY THIS SURVEY.

Preliminary

LARRY W. MEDRANO DATE
N.M.P.S. No. 11993

DIGITAL SIGNATURE IS INVALID WITHOUT DIGITAL CERTIFICATION

LARRY W. MEDRANO NEW MEXICO 11993 REGISTERED PROFESSIONAL SURVEYOR

COORDINATE AND DIMENSION INFORMATION				PLSS INFORMATION				PROPERTY INFORMATION		
STATE PLANE ZONE: NM-C	GRID/GROUND COORDINATE: GRID	TYPE: STANDARD		LAND GRANT: N/A				PROPERTY OWNER: ZIA STATION LLC.		
HORIZONTAL DATUM: NAD83	VERTICAL DATUM: NAVD88	ROTATION ANGLE: 0° 00' 00.00"	MATCHES DRAWING UNITS: YES	SECTION: 2	TOWNSHIP: 16 NORTH	RANGE: 9 EAST	MERIDIAN: NMPM	SUBDIVISION NAME: ZIA STATION		
CONTROL USED: NATIONAL GEODETIC SURVEY		BASE POINT FOR SCALING AND/OR ROTATION: N = 0 E = 0		CITY: SANTA FE		COUNTY: SANTA FE	STATE: NM	UPC: 1053096220362000000 1053096217267000000 1053096226237000000 1053096187325000000 1053096214234000000 1053096231190000000		
COMBINED SCALE FACTOR: GRID TO GROUND: 1.00041747 GROUND TO GRID: 0.99958270	DISTANCE ANNOTATION: GROUND	BEARING ANNOTATION: GRID	ELEVATION TRANSLATION: ±0.00'	ELEVATIONS VALID: NO						

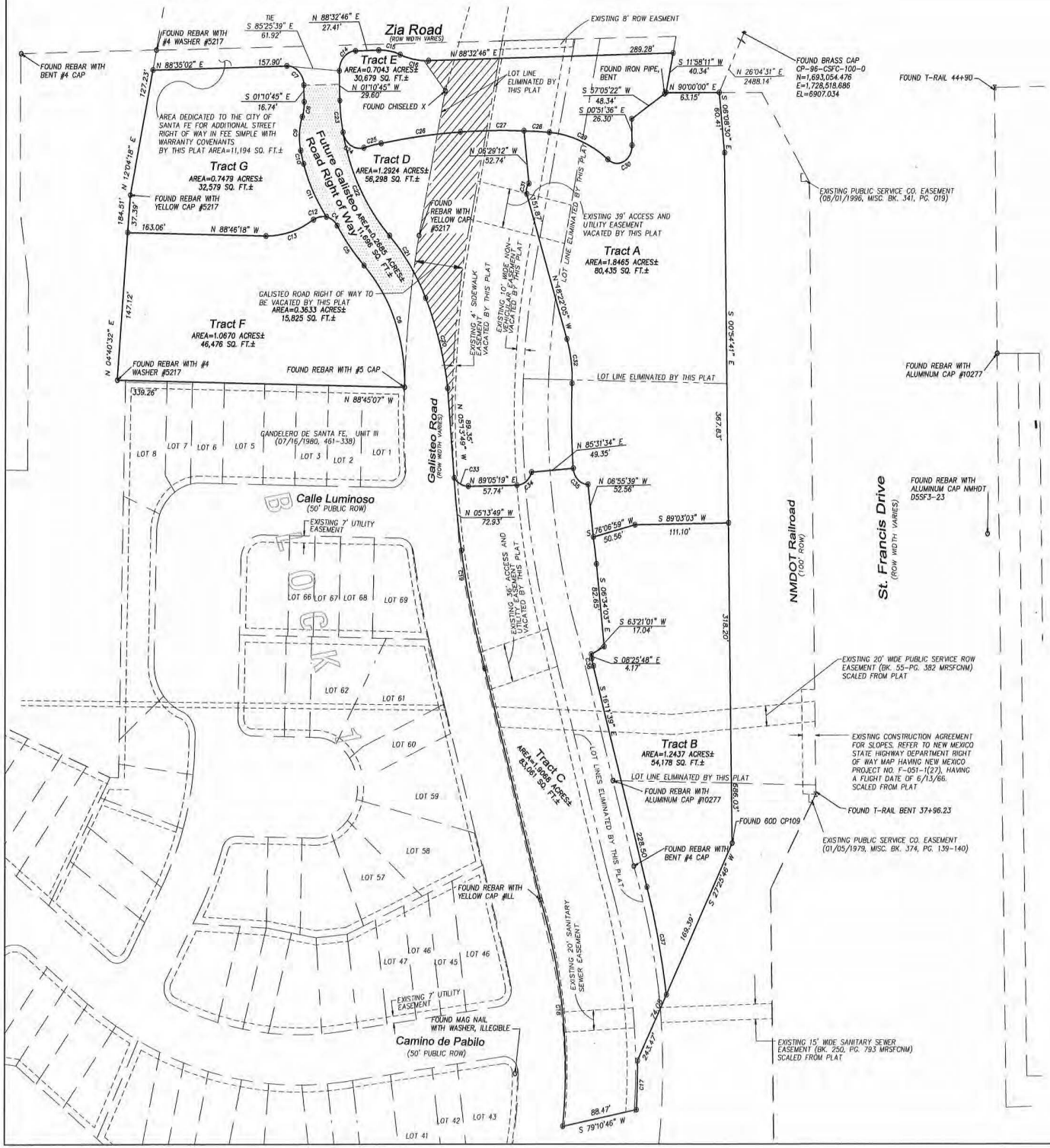
PRECISION SURVEYS, INC.

OFFICE LOCATION:
5200 San Mateo Boulevard, NE
Albuquerque, NM 87113

505.856.5700 PHONE
505.856.7900 FAX

PROJECT INFORMATION	
CREW/TECH: MT/SP	DATE OF SURVEY: 10/19/2020
DRAWN BY: JK	CHECKED BY: LM
PSI JOB NO. 204129P	SHEET NUMBER: S-002

MATCHLINE SEE SHEET 1 OF 2



Curve Table

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C4	20.01'	15.73'	15.33'	S 55°22'05" E	45°03'28"
C5	245.28'	50.99'	50.89'	S 38°47'37" E	11°54'35"
C6	163.66'	134.08'	130.36'	S 21°49'33" E	46°56'20"
C7	19.51'	30.72'	27.65'	S 46°17'51" E	90°14'12"
C8	39.52'	14.99'	14.90'	S 08°21'56" W	21°43'38"
C9	60.53'	34.26'	33.80'	S 03°00'50" W	32°25'55"
C10	255.79'	13.69'	13.68'	S 14°44'06" E	3°03'56"
C11	180.16'	59.36'	59.09'	S 27°01'02" E	18°52'44"
C12	20.01'	15.73'	15.33'	S 79°34'28" W	45°03'28"
C13	98.54'	59.27'	58.38'	S 73°59'46" W	34°27'52"
C14	19.51'	30.55'	27.52'	N 43°41'01" E	89°43'31"
C15	64.53'	25.99'	25.81'	S 79°55'01" E	23°04'26"
C16	85.54'	34.45'	34.21'	S 79°55'01" E	23°04'26"
C17	584.17'	48.86'	48.85'	S 01°27'46" W	4°47'33"
C18	499.17'	228.15'	227.15'	N 08°44'11" W	26°18'09"
C19	549.60'	193.66'	193.24'	N 10°59'49" W	13°03'36"
C20	310.63'	93.83'	93.47'	N 16°23'47" W	17°18'24"
C21	221.09'	76.01'	75.64'	N 34°53'57" W	19°41'55"
C22	203.27'	118.25'	116.59'	N 28°04'56" W	33°19'57"
C23	203.27'	31.88'	31.84'	N 06°55'24" W	8°59'08"
C24	20.01'	32.47'	29.02'	S 57°55'02" E	92°59'28"
C25	274.61'	20.81'	20.80'	N 77°45'28" E	4°20'27"
C26	820.62'	94.84'	94.79'	N 83°15'26" E	6°37'19"
C27	816.15'	75.42'	75.40'	N 89°14'02" E	5°17'42"
C28	816.15'	30.17'	30.17'	S 87°03'35" E	2°07'04"
C29	129.34'	75.25'	74.20'	S 68°38'59" E	33°20'05"
C30	17.26'	39.88'	31.59'	N 63°34'44" E	132°21'46"
C31	10.00'	11.28'	10.69'	S 13°55'28" W	64°35'06"
C32	124.55'	44.77'	44.53'	N 08°04'12" W	20°35'47"
C33	20.60'	19.49'	18.77'	S 63°23'49" E	54°12'50"
C34	18.51'	23.08'	21.61'	N 53°21'59" E	71°26'39"
C35	17.51'	26.19'	23.82'	S 47°20'07" E	85°43'23"
C36	74.53'	7.80'	7.79'	S 1°01'47" E	5°59'42"
C37	785.83'	109.38'	109.29'	N 12°12'24" W	7°58'30"

PRECISION SURVEYS, INC.
OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113
505.856.5700 PHONE
505.856.7900 FAX

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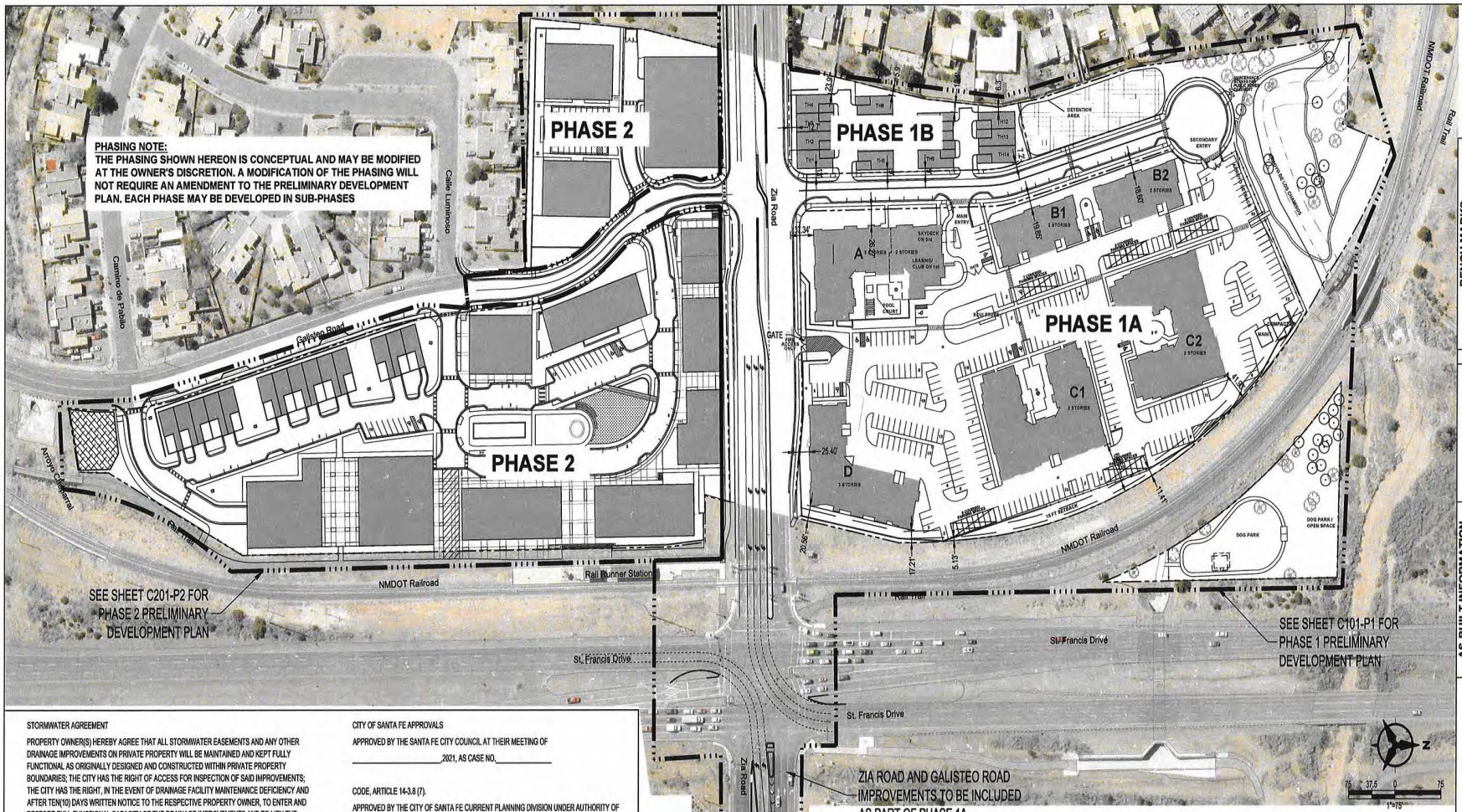
PROJECT INFORMATION	
CREW/TECH: MT/SP	DATE OF SURVEY: 10/19/2020
DRAWN BY: JK	CHECKED BY: LM
PSI JOB NO. 204129P	SHEET NUMBER S-003



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 WITHIN 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 DEFICIENCY 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 BOTH DIRECT AND INDIRECT COSTS ASSOCIATED WITH SUCH WORK. BY SIGNATURE AND AFFIXED TO THIS INSTRUMENT, THE PROPERTY OWNER(S) APPROVE AND AGREE THAT THIS AGREEMENT IS BINDING PERPETUALLY, RUNNING WITH THE LAND, OR PRESENT AND FUTURE OWNERS, HEIRS, AND ASSIGNS.

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME

BY , THIS DAY OF ,20

NOTARY PUBLIC

MY COMMISSION EXPIRES

DRAINAGE FACILITY MAINTENANCE SCHEDULED (+30 DAYS) SHALL BE AS FOLLOWS:

1. ALL DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE ZIA STATION OWNERSHIP.
2. THE DRAINAGE FACILITIES MAINTENANCE SCHEDULE SHALL BE AS FOLLOWS: MARCH 15TH, SEPTEMBER 15TH AND AFTER STORMS OF ONE INCH OR GREATER:
   A. FLUSH ALL CULVERTS AND DRAINPIPES TO REMOVE SEDIMENT AND VEGETATION.
   B. FLUSH STORM DRAIN MANHOLES AND DROP INLETS.
   C. IF SEDIMENT IN PONDS IS DEEPER THAN 6-INCHES, REMOVE AND RESEED WITH NATIVE GRASSES.
   D. CHECK POND DRAINS AND RIP RAP INTEGRITY. REPAIR AS NECESSARY.
3. CHECK FOR SOIL EROSION WITHIN AND AROUND ALL SWALES, FIL SLOPES, CUT SLOPES AND RETAINING WALLS. UN-STABILIZE SOILS SHALL BE STABILIZED WITH VEGETATION. ROCK PLATING OR EROSION MATTS.

CITY OF SANTA FE APPROVALS

APPROVED BY THE SANTA FE CITY COUNCIL AT THEIR MEETING OF

,2021, AS CASE NO.

CODE, ARTICLE 14-3.8 (7).

APPROVED BY THE CITY OF SANTA FE CURRENT PLANNING DIVISION UNDER AUTHORITY OF THE LAND DEVELOPMENT

CITY PLANNER DATE

CITY ENGINEER FOR LAND USE DATE

AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS HAVE CAUSED THIS FINAL DEVELOPMENT PLAN TO BE PREPARED, ALL THAT APPEARS ON THIS PLAN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER.

THE FOREGOING WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME

BY ,THIS DAY OF ,

2021.

NOTARY PUBLIC

MY COMMISSION EXPIRES

GENERAL NOTES:

1. PROPERTY WILL BE SUBJECT TO THE WATER ALLOCATION AND/OR WATER OFFSITE RETROFIT PROVISIONS OF ORDINANCE NO. 2002-29 AND RESOLUTION 2002-55 AT THE TIME OF PERMIT APPLICATION OR WATER HOOKUP REQUEST. COMPLIANCE SHALL BE ACHIEVED BY USE OF RETROFIT CREDITS OR WATER TRANSFERS, IF APPLICABLE.
2. COMPLIANCE WITH GUNNISON'S PRAIRIE DOG ORDINANCE SHALL BE COMPLETED PRIOR TO GRADING OPERATIONS.
3. AMERICANS WITH DISABILITY ACT (ADA) INSPECTION SHALL BE CONDUCTED PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY. THE CONTRACTOR SHALL CONTACT CITY STAFF TO SCHEDULE AN INSPECTION.
4. FENCES, WALLS OR OTHER OBSTRUCTION SHALL NOT BE PLACED OR CONSTRUCTED ACROSS PUBLIC SANITARY SEWER EASEMENTS.
5. UTILITY EXPANSION CHARGES SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION FOR EACH LOT. CONTACT THE CITY OF SANTA FE PERMIT AND DEVELOPMENT REVIEW DIVISION TO PAY THESE CHARGES.
6. ALL PROPOSED CHANGES TO THE APPROVED IMPROVEMENT PLANS SHALL RECEIVE PRIOR APPROVAL BY THE CITY OF SANTA FE.
7. COMPLY WITH THE CURRENT COSF WATER CONSERVATION OF STAGE.
8. FOR LOCATION AND TYPE OF LANDSCAPING SEE SHEET L 3.0 - L3.3.
9. ANY CHANGES AND/OR MODIFICATIONS TO THE APPROVED LANDSCAPE PLAN SHALL BE APPROVED BY THE COSF PLANNING AND LAND USE DEPARTMENT.
10. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF COSF ORDINANCE NO. 2008 -02 (IMPACT FEES).
11. PROPERTY DEVELOPMENT, BOTH PUBLIV AND PRIVATE OWNERSHIP, SHALL COMPLY WITH THE COSF ORDINANCE NO. 2002-20 (TERRAIN AND STORMWATER MANAGEMENT) AT THE TIME OF BUILDING PERMIT APPLICATION.
12. BUILDING SETBACKS SHALL APPLY TO ALL PERMANENT STRUCTURES, INCLUDING ACCESSORY STRUCTURES.
13. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WIH APPLICABLE PROVISIONS OF CHAPTER 14 LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
14. PROPERTY DEVELOPMENT IS REQUIRED O COMPLY WITH THE PROVISIONS OF EACH APPLICABLE CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO SUBMITTAL WITH BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISIONS OF REQUIREMENTS CALLED FOR IN CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
15. PROPERTY DEVELOPMENT IS SUBJECT TO THE PROVISIONS OF SECTION 14 - 8.4 (F) (5), "PLANT MATERIAL STANDARDS", WHERIN PRESERVATION OF SIGNIFICANT TREES IS REQUIRED.
16. FIRE DEPARTMENT ACCESS SHALL BE MAINTAINED THROUGHOUT ALL DEVELOPMENT CONSTRUCTION PHASES AS PER IFC 1410.1
17. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE AS PER IFC 1412.1
18. PERMANENT TRAFFIC CONTROL DEVICES SHALL BE INSTALLED PER APPROVED PLAN BY THE DEVELOPER.
19. THIS DEVELOPMENT LIES OUTSIDE OF A HISTORIC DISTRICT.

Bohannan Huston
www.bhinc.com 800.877.5332

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
OVERALL PRELIMINARY DEVELOPMENT PLAN

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C001	5	X

DESIGN: DESIGNED BY OB; CHECKED BY GB; DRAWN BY MM

REVISIONS

NO.	DATE	BY

AS-BUILT INFORMATION

	DATE
CONTRACTOR	
WORK STAKED BY	
INSPECTORS ACCEPTANCE BY	
FIELD VERIFICATION BY	
DRAWINGS CORRECTED BY	

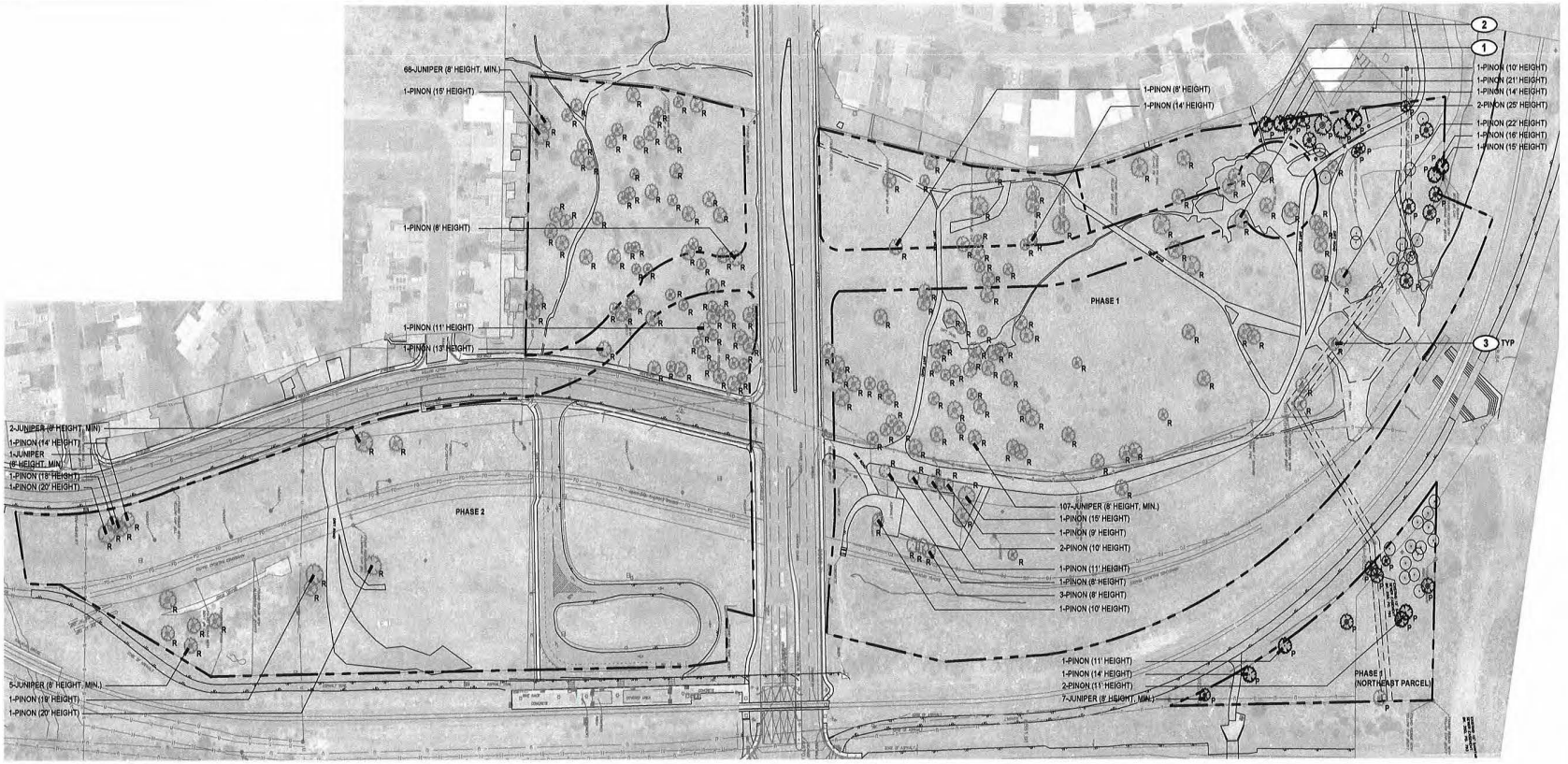
BENCH MARKS

BENCH MARK LINE 1	
BENCH MARK LINE 2	
BENCH MARK LINE 3	
BENCH MARK LINE 4	
BENCH MARK LINE 5	
BENCH MARK LINE 6	
BENCH MARK LINE 7	
BENCH MARK LINE 8	
BENCH MARK LINE 9	

ENGINEER'S SEAL

811 Know what's below. Call before you dig.

Sun, 22-Nov-2020 - 4:49 pm, Plotted by: OBROWN
P:\20210083\COP\Plans\General\Preliminary Development Plan\20210083_PHXX.dwg



TREE INVENTORY LEGEND

- PROPERTY BOUNDARY
- TREE, PROTECTION FENCING
- TREE, SIGNIFICANT PINON (>8' HEIGHT)
- TREE, SIGNIFICANT JUNIPER (>8' HEIGHT
- TREE, NOT SIGNIFICANT (TO REMAIN)
- R — TREE, REMOVAL
- P — TREE, PRESERVATION

SIGNIFICANT TREES

THE PROPERTY INCLUDES 221 SIGNIFICANT TREES (135 - PHASE 1, 86 - PHASE 2) AS DEFINED BY CITY OF SANTA FE LAND USE CODE 14-8.4 (F)(5). PROJECTED DISTURBANCE FROM GRADING OPERATIONS AND NEW CONSTRUCTION WILL IMPACT A TOTAL OF NO SIGNIFICANT DECIDUOUS AND 193 (107 - PHASE 1, 86 - PHASE 2) EVERGREEN SIGNIFICANT TREES.

EXISTING CONDITIONS - PHASE 1

SIGNIFICANT TREES	EXISTING
DECIDUOUS (> 6" DIA.)	0
EVERGREEN (> 8' HEIGHT)	110
PINON (> 8' HEIGHT)	25
NOXIOUS SPECIES (> 12" DIA.)	0
TOTAL	135

PROPOSED PRESERVATION / REPLACEMENT - PHASE 1

PRESERVED	REPLACED**	TOTAL EVERGREEN / PINON	REQUIRED (MIN.)*
0	0	SEE L-102	0
18	15	33	0
10	10	20	10
0	0	0	0
28	25	53	10

EXISTING CONDITIONS - PHASE 2

SIGNIFICANT TREES	EXISTING
DECIDUOUS (> 6" DIA.)	0
EVERGREEN (> 8' HEIGHT)	77
PINON (> 8' HEIGHT)	9
NOXIOUS SPECIES (> 12" DIA.)	0
TOTAL	86

PROPOSED PRESERVATION / REPLACEMENT - PHASE 2

PRESERVED	REPLACED**	TOTAL EVERGREEN / PINON	REQUIRED (MIN.)*
0	0	SEE L-103	0
0	20	20	0
0	9	9	4
0	0	0	0
0	29	29	4

* PER SECTION 14-8.4 (F)(5)(b), A MINIMUM OF 40% OF PINON SIGNIFICANT TREES SHALL BE PRESERVED, RELOCATED ON SITE, OR REPLACED. ACCORDINGLY, A MINIMUM OF 14 PINON TREES (10 - PHASE 1, 4 - PHASE 2) WILL BE PRESERVED OR REPLACED.

** REPLACEMENT TREES WILL BE A COMBINATION OF DECIDUOUS TREES (> 2" CAL.) AND EVERGREEN TREES (> 8' HEIGHT), SEE LANDSCAPE PLAN.

TREE PRESERVATION PLAN KEYED NOTES

1. TREE TO BE PRESERVED, TYP; CONTRACTOR TO PROVIDE IRRIGATION TO TREE DURING CONSTRUCTION.
2. TREE PROTECTION FENCING, TYP; LOCATE FENCE A MINIMUM OF 5 FT. BEYOND THE DRIP LINE OF THE TREE TO BE PRESERVED. FENCING TO BE KEPT IN PLACE FOR THE DURATION OF CONSTRUCTION.
3. TREE TO BE REMOVED, TYP; LANDSCAPE ARCHITECT TO CONFIRM TREES TO BE REMOVED; CONTRACTOR TO REMOVE TREE, INCLUDING FULL DEPTH OF ROOT STRUCTURE.

design office
landscape planning urbanism
1300 Luisa street, Suite 24 Santa Fe, NM 87505
t 505.983.1415 www.do-designoffice.com

SCALE: 1" = 75'-0"
0' 37.5' 75' 150' 300'

Bohannan Huston
www.bhinc.com 800.877.5332

DESIGN: DESIGNED BY PS | CHECKED BY CMH | DRAWN BY PS

REVISIONS: NO. | DATE | BY

AS-BUILT INFORMATION: CONTRACTOR DATE | WORK STAKED BY DATE | INSPECTORS ACCEPTANCE BY DATE | FIELD VERIFICATION BY DATE | DRAWINGS CORRECTED BY DATE

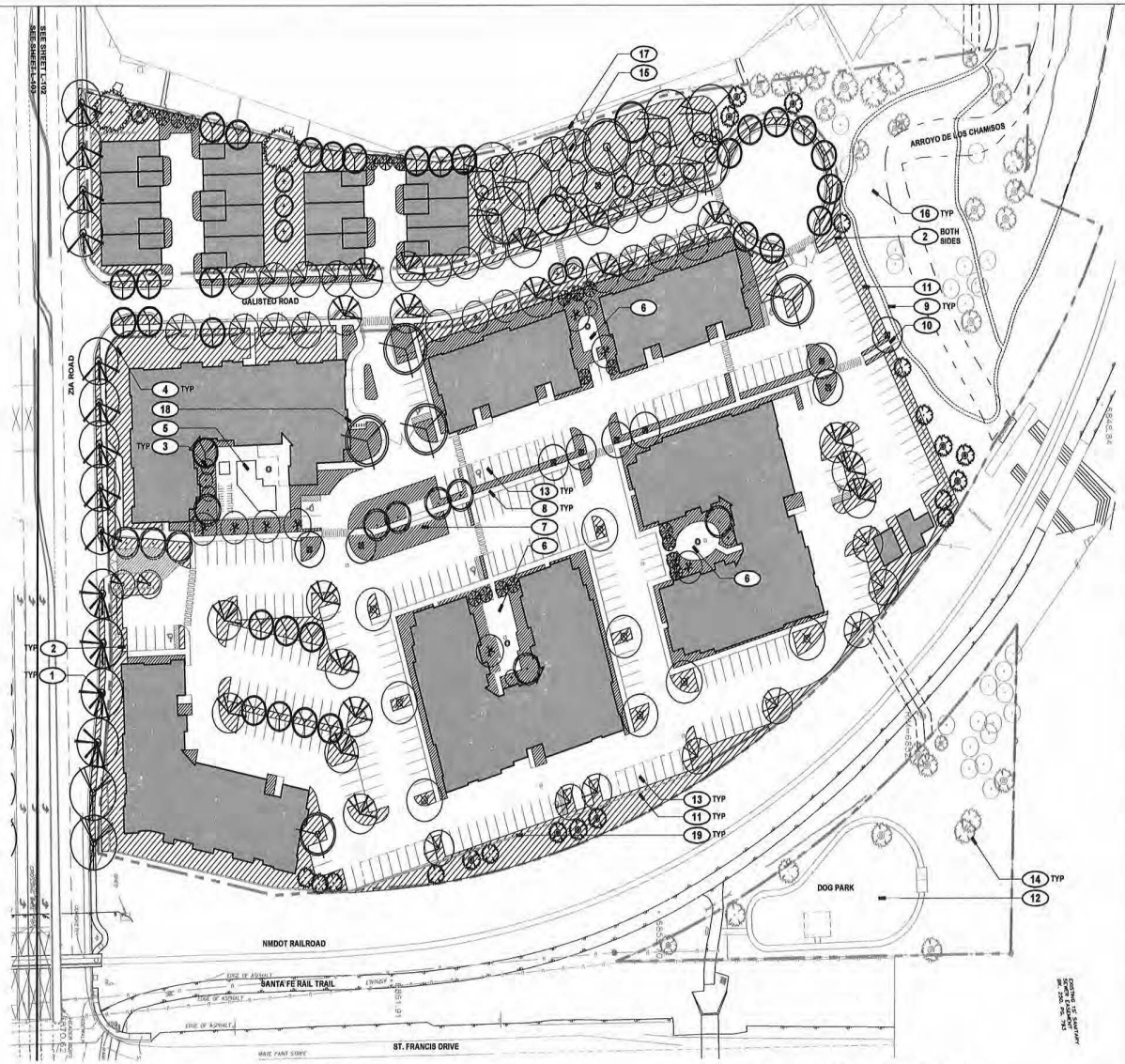
BENCH MARKS

ENGINEER'S SEAL

811 Know what's below. Call before you dig.

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
TREE INVENTORY / PRESERVATION PLAN

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-101	X	X



PLANT LIST

SYMB.	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	WATER USE	COMMENTS
TREES						
AN	Acer negundo 'Sensation'	Sensation Box Elder	10	2.5"-3" cal.	M	30Wx40H, red fall color
AB	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	6	2.5" cal.	M	15Wx25H, multistem
CO	Celtis occidentalis	Western Hackberry	2	2.5"-3" cal.	M	40Wx40H
FN	Forestiera neomexicana	New Mexican Privet	10	8' height	M	20Wx20H, multi-stem
FP	Fraxinus velutina 'Modesto'	Modesto Ash	6	2.5"-3" cal.	M	30Wx40H
GD	Gymnocladus dioicus 'Espresso'	Espresso Kentucky Coffee	8	2.5"-3" cal.	M	30Wx40H
MC	Malus varieties	Crabapple	19	2" cal.	M	15Wx15H, pink flowers
PC	Pistacia chinensis	Chinese Pistache	10	2.5"-3" cal.	M	30Wx40H
PV	Prunus virginiana 'Canada Red'	Canada Red Chokecherry	7	2.5"-3" cal.	M	20Wx25H, purple leaves
PT	Populus x acuminata	Lanceleaf Cottonwood	5	3"-3.5" cal.	M	35Wx50H
PW	Populus wislizeni	Rio Grande Cottonwood	6	3"-3.5" cal.	M	60Wx70H
QC	Quercus bicolor	Swamp White Oak	1	2.5"-3" cal.	M	45Wx45H, tap root
QU	Quercus muehlengergii	Chinkapin Oak	4	2.5"-3" cal.	M	40Wx40H, shade tree
UA	Ulmus americana 'Jefferson'	Jefferson Elm	4	2.5"-3" cal.	M	45Wx65H, yellow fall
UA	Ulmus americana 'Princeton'	Princeton Elm	9	2.5"-3" cal.	M	45Wx60H, yellow fall
UF	Ulmus 'Frontier'	Frontier Elm	31	2.5"-3" cal.	M	25Wx35H, burgundy fall
UJ	Ulmus japonica x wilsoniana 'Morton'	Accolade Elm	2	2.5"-3" cal.	M	55Wx65H, yellow fall
UP	Ulmus parvifolia 'Allea'	'Allea' Elm	19	2.5"-3" cal.	M	40Wx45H, street tree
UP	Ulmus parvifolia 'JFS-Barrett'	Emerald Flair Elm	22	2.5"-3" cal.	M	35Wx40H, orangeired
US	Ulmus propinqua 'Emerald Sunshine'	Elm 'Emerald Sunshine'	2	2.5"-3" cal.	M	25Wx30H
ZS	Zelkova serrata 'Green Vase'	Green Vase Zelkova	8	2.5"-3" cal.	M	25Wx35H
JS	Juniperus scopulorum	Rocky Mountain Juniper	11	15 gal	L	20Wx25H, female only
JW	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper	1	10 gal	L	8Wx15H, evergreen
PE	Pinus edulis	Pinon Pine	10	6'-8' BB	L	20Wx25H, evergreen
PN	Pinus nigra	Austrian Pine	3	6'-8' BB	M	35Wx35H, evergreen

PLANT LIST

SYMB.	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	WATER USE	COMMENTS
SHRUBS						
Af	Artemesia filifolia	Sand Sage	x	5 gal.	RW	4'Wx4'H, silver-gray, evergreen
Ap	Artemisia 'Powis Castle'	Powis Castle Sage	x	5 gal	L	4'Wx2'H, silver gray
Ba	Buddleia alternifolia 'Argentea'	Silver Fountain Butterfly Bush	x	5 gal	M	10'Wx10'H, purple flower
Cc	Caryopteris clandonensis 'Blue Mist'	Blue Mist Spirea	x	5 gal.	L	4'Wx 4'H, blue flowers
Cl	Cercocarpus ledifolius	Curl-leaf Mountain Mahogany	x	5gal	L	8Wx12H, narrow leaves, evergreen
Cp	Cytisys purgans 'Spanish Gold'	Spanish Gold Broom	x	5 gal	M	6'Wx4'H, evergreen, yellow flowers
Cc	Colinus coggygria 'Royal Purple'	Smokebush	x	5 gal	M	12'Wx12H
Cd	Cotoneaster dammeri	Coral Beauty Cotoneaster	x	5 gal	M	6Wx1.5H
Ee	Ephedra equisetina	Bluestam Joint Fir	x	1 gal	RW	6'Wx6'H, evergreen
Fp	Fallugia paradoxa	Apache Plume	x	5 gal	L	5Wx6H
Ka	Kolkwitzia amabilis 'Pink Cloud'	Pink Cloud Beauty Bush	x	5 gal	M	10'Wx10'H
Pg	Picea pungens 'Globosa'	Dwarf Globe Blue Spruce	x	5 gal	M	6'Wx4'H, silvery blue foliage
Pf	Potentilla fruticosa 'Abbotswood'	Potentilla Abbotswood	x	5 gal	M	4Wx4H, white flower
Pb	Prunus besseyi	Western Sandcherry	x	5 gal	M	6Wx2H
Ro	Rosa 'Knockout' Blushing Pink	Shrub Rose Knock Out	x	5 gal	M	4'Wx4'H, light pink, reblooming
Rg	Rhus aromatica 'Gro-Low'	Dwarf Fragrant Sumac	x	5 gal	L	8Wx3H, red fall color
Rt	Rhus trilobata	Three-leaf Sumac	x	5 gal	L	6Wx6H, red leaves in fall
St	Spirea triobata 'Fairy Queen'	Fairy Queen Spirea	x	5 gal	M	4'Wx4'H
Vb	Viburnum x burkwoodii	Burkwood Viburnum	x	5 gal	M	7'Wx7'H, white flowers, fall bronze

PLANTING - CODE REQUIREMENTS

STREET TREES	REQUIRED	PROPOSED
ZIA ROAD - PRINCIPAL ARTERIAL (1 TREE / 30'-40'); 610 LF	15-20 TREES	15 TREES
GALISTEO ROAD - MINOR COLLECTOR (1 TREE / 25'-30'), 710 LF x 2	47-57 TREES	47 TREES
PARKING LOT (OVER 40 CAR5)	**REQUIRED**	**PROPOSED**
TREES (1 TREE / 00 SF LANDSCAPE AREA); LANDSCAPE (10 SF / SPACE) 308 PARKING SPACES	34 TREES 3,080 SF	58 TREES 13,150 SF
PARKING SCREENING - 5' WIDE (1 SHRUB / 10 SF); 3,180 SF	318 SHRUBS	318 SHRUBS
COMMON OPEN SPACE - APARTMENTS*	**REQUIRED**	**PROPOSED****
LANDSCAPE (1 TREE + 2 SHRUBS / 500 SF) 250 SF / GROUND FLOOR UNITS: 23,250 SF (93 UNITS X 250 SF)	47 TREES 93 SHRUBS	48 TREES 93 SHRUBS
COMMON OPEN SPACE - TOWN HOMES *	**REQUIRED**	**PROPOSED****
LANDSCAPE (1 TREE + 2 SHRUBS / 500 SF) 250 SF / GROUND FLOOR UNITS: 3,000 SF (14 UNITS X 250 SF)	8 TREES 12 SHRUBS	20 TREES 12 SHRUBS
DETENTION POND	**REQUIRED**	**PROPOSED**
LANDSCAPE (1 TREE + 3 SHRUBS / 500 SF); 16,090 SF	32 TREES 98 SHRUBS	32 TREES 98 SHRUBS

* SEE SHEET L-106 FOR OPEN SPACE CALCULATIONS; LANDSCAPE PLANTING BASED ON REQUIRED AREA AND ASSUMES MEETING MINIMUM REQUIREMENTS; COMMON OPEN SPACE TREE COUNT INCLUDES SOME TREES COUNTED AS PARKING LOT AND STREET TREES; FINAL SHRUB SELECTION TO BE SUBMITTED AT PERMIT

** OPEN SPACE TREES AND SHRUBS TO BE AT LEAST 25% EVERGREEN SPECIES, TYP.

LEGEND

- PROPERTY BOUNDARY
- MATCH LINE
- WALL
- CURB / EDGING
- FENCE
- FIRE LANE ACCESS
- BIKE LOOP
- AREA DRAIN

LANDSCAPE AREAS

- LAWN
- SCREENING / PLANTING BUFFER
- PLANTING - MEDIUM DENSITY (75 SHRUBS + PERENNIALS / 1000 SF)
- PLANTING - LOW DENSITY (10 SHRUBS / 1000 SF)
- TREE, EXISTING

KEYED NOTES

1. STREET TREE, TYP.; CONFIRM FINAL PLACEMENT TO AVOID SITE IMPROVEMENTS. KEEP CLEARANCE OF 15' FROM LIGHT POLES AND FIRE HYDRANTS, TYP.; MAXIMUM DISTANCE BETWEEN TREES TO BE 40' OR AS NOTED.
2. PARKING LOT SCREENING PLANTING, 5' WIDTH; SHRUB PLANTING TO BE INSTALLED AT A RATE OF 1 SHRUB / 10 SF MINIMUM.
3. PLANTER BED AREA - MEDIUM DENSITY
4. PLANTER BED AREA - LOW DENSITY
5. POOL COURTYARD WITH SWIMMING POOL, SPA, FIRE PIT, LANDSCAPING, AND PERIMETER FENCE / WALL.
6. LANDSCAPE COURT WITH FIRE PIT, SEATING AREAS, WALKWAYS, AND LANDSCAPE PLANTING.
7. ENTRY AREA FOCAL POINT WITH SCULPTURE AND LANDSCAPE PLANTING.
8. PEDESTRIAN WALKWAY; INTERNAL LANDSCAPED WALKWAY CONNECTION FROM ZIA ROAD TO ARROYO TRAILS.
9. ARROYO TRAILS: SOFT SURFACE 24" WIDTH COMPACTED DIRT TRAIL; CONNECT TO EXISITING INFORMAL TRAILS WITHIN AND BEYOND PROPERTY BOUNDARY.
10. TRAIL ACCESS POINT
11. PERIMETER FENCE WITH VEHICULAR AND PEDESTRIAN ACCESS GATES; SEE ARCHITECTURAL PLANS.
12. DOG PARK WITH 5' TALL PERIMETER FENCE, WALKING PATH, SHADE STRUCTURE, AND SEATING. ACCESS TO DOG PARK FROM EXISTING TRAIL.
13. COVERED PARKING; SHED WATER FROM ROOF CANOPY TOWARD LANDSCAPE SWALE, TYP.
14. EXISTING SIGNIFICANT TREE TO BE PRESERVED, TYP.
15. DETENTION POND. SEE CIVIL PLANS. TREES TO BE PLANTED AT A RATE OF 1/500 SF AND SHRUBS (NOT SHOWN) TO BE PLANTED AT A RATE OF 3/500 SF, TYP.
16. RESTORE PERIMETER AREAS DISTURBED BY CONSTRUCTION WITH DRYLAND RESTORATION SEEDING, TYP.
17. 6' PERIMETER FENCE ALONG WEST PROPERTY LINE
18. BIKE PARKING: 6 LOOPS FOR 12 BIKES; INSTALL PER CITY OF SANTA FE CODE, TYP.
19. RETAINING WALL; SEE GRADING PLANS FOR HEIGHT AND EXTENTS.

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BENCH MARKS

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKES BY		
INSPECTORS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE

DESIGN

DESIGNED BY: PS
CHECKED BY: CMH
DRAWN BY: PS

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t 505.983.1415 www.do-designoffice.com

SCALE: 1" = 50'-0"
0' 25' 50' 100' 200'

Bohannan Huston
www.bhinc.com 800.877.5332

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY LANDSCAPE PLAN, PHASE 1

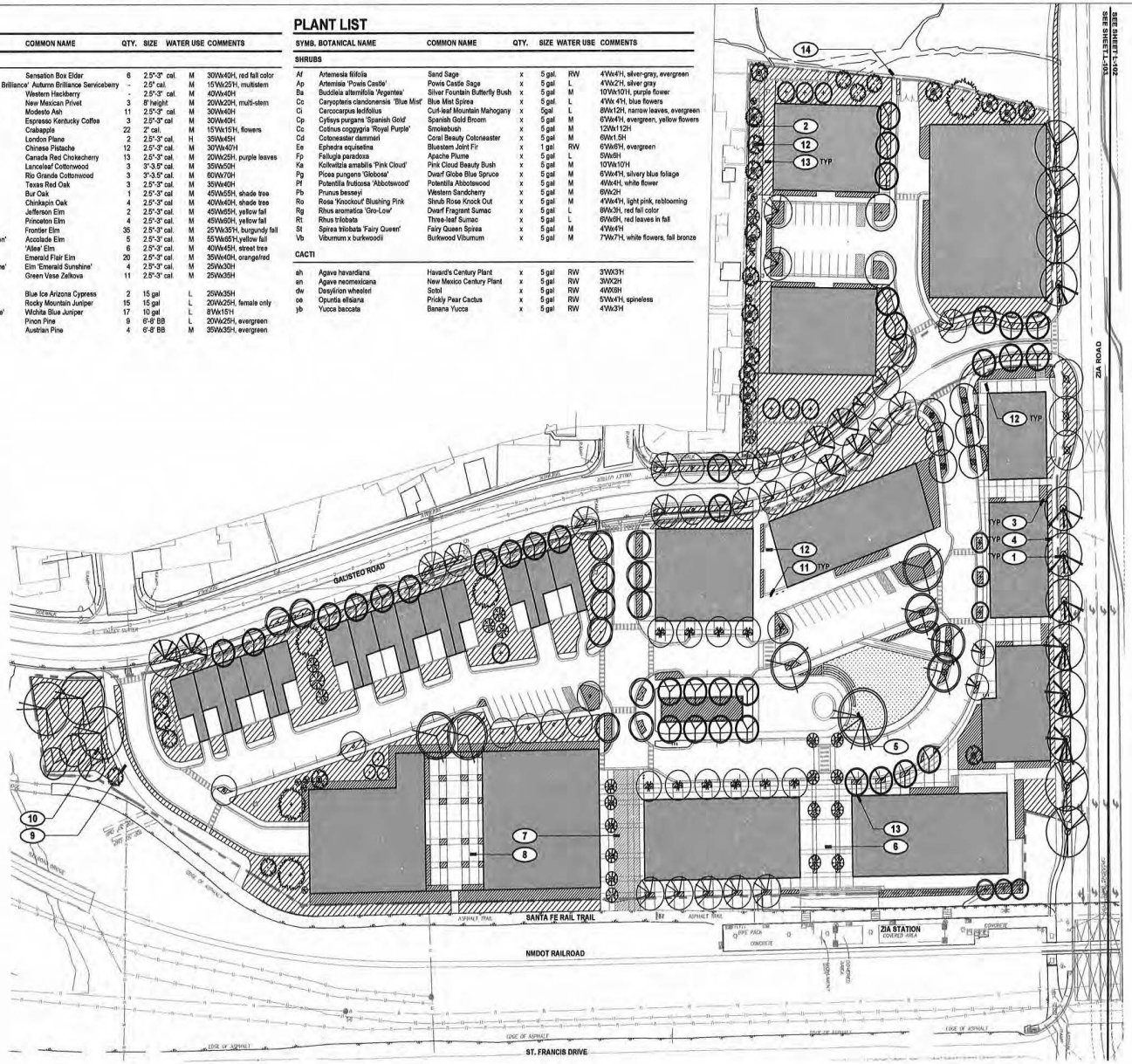
BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-102	X	X

PLANT LIST

SYMB.	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	WATER USE	COMMENTS
TREES						
AN	Acer negundo 'Sensation'	Sensation Box Elder	6	2.5"-3" cal.	M	30Wx40H, red fall color
AB	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	--	2.5" cal.	M	15Wx25H, multistem
CO	Celtis occidentalis	Western Hackberry	--	2.5"-3" cal.	M	40Wx40H
FN	Forestiera neomexicana	New Mexican Privet	3	8' height	M	20Wx20H, multi-stem
FP	Fraxinus velutina 'Modesto'	Modesto Ash	11	2.5"-3" cal.	M	30Wx40H
GD	Gymnocladus dioicus 'Espresso'	Espresso Kentucky Coffee	3	2.5"-3" cal	M	30Wx40H
MC	Malus varieties	Crabapple	22	2" cal.	M	15Wx15H, flowers
PA	Plantanus x acerifolia	London Plane	2	2.5"-3" cal.	H	35Wx45H
PC	Pistacia chinensis	Chinese Pistache	12	2.5"-3" cal.	M	30Wx40'H
PV	Prunus virginiana 'Canada Red'	Canada Red Chokecherry	13	2.5"-3" cal.	M	20Wx25H, purple leaves
PT	Populus x acuminata	Lanceleaf Cottonwood	3	3"-3.5" cal.	M	35Wx50H
PW	Populus wislizeni	Rio Grande Cottonwood	3	3"-3.5" cal.	M	60Wx70H
QB	Quercus buckleyi	Texas Red Oak	3	2.5"-3" cal.	M	35Wx40H
QM	Quercus marocarpa	Bur Oak	1	2.5"-3" cal.	M	45Wx55H, shade tree
QU	Quercus meuhlengergii	Chinkapin Oak	4	2.5"-3" cal.	M	40Wx40H, shade tree
UA	Ulmus americana 'Jefferson'	Jefferson Elm	2	2.5"-3" cal.	M	45Wx55H, yellow fall
UA	Ulmus americana 'Princeton'	Princeton Elm	4	2.5"-3" cal.	M	45Wx60H, yellow fall
UF	Ulmus 'Frontier'	Frontier Elm	35	2.5"-3" cal.	M	25'Wx35'H, burgundy fall
UJ	Ulmus japonica x wilsoniana 'Morton'	Accolade Elm	5	2.5"-3" cal.	M	55'Wx65'H,yellow fall
UP	Ulmus parvifolia 'Allee'	'Allee' Elm	6	2.5"-3" cal.	M	40Wx45H, street tree
UP	Ulmus parvifolia 'JFS-Barrett'	Emerald Flair Elm	20	2.5"-3" cal.	M	35Wx40H, orange/red
US	Ulmus propinqua 'Emerald Sunshine'	Elm 'Emerald Sunshine'	4	2.5"-3" cal.	M	25Wx30H
ZS	Zelkova serrata 'Green Vase'	Green Vase Zelkova	11	2.5"-3" cal.	M	25Wx35H
CA	Cypressus arizonica 'Blue Ice'	Blue Ice Arizona Cypress	2	15 gal	L	25Wx35H
JS	Juniperus scopulorum	Rocky Mountain Juniper	15	15 gal	L	20Wx25H, female only
JW	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper	17	10 gal	L	8'Wx15'H
PE	Pinus edulis	Pinon Pine	9	6'-8' BB	L	20Wx25H, evergreen
PN	Pinus nigra	Austrian Pine	4	6'-8' BB	M	35Wx35H, evergreen

PLANT LIST

SYMB.	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	WATER USE	COMMENTS
SHRUBS						
Af	Artemesia filifolia	Sand Sage	x	5 gal.	RW	4'Wx4'H, silver-gray, evergreen
Ap	Artemisia 'Powis Castle'	Powis Castle Sage	x	5 gal.	L	4'Wx2'H, silver gray
Ba	Buddleia alternifolia 'Argentea'	Silver Fountain Butterfly Bush	x	5 gal	M	10'Wx10'H, purple flower
Cc	Caryopteris clandonensis 'Blue Mist'	Blue Mist Spirea	x	5 gal.	L	4'Wx 4'H, blue flowers
Ci	Cercocarpus ledifolius	Curl-leaf Mountain Mahogany	x	5gal	L	8'Wx12H, narrow leaves, evergreen
Cp	Cytisys purgans 'Spanish Gold'	Spanish Gold Broom	x	5 gal	M	6'Wx4'H, evergreen, yellow flowers
Cc	Cotinus coggygria 'Royal Purple'	Smokebush	x	5 gal	M	12'Wx12'H
Cd	Cotoneastar dammeri	Coral Beauty Cotoneaster	x	5 gal	M	6'Wx1.5H
Ee	Ephedra equisetina	Bluestem Joint Fir	x	1 gal	RW	6'Wx6'H, evergreen
Fp	Fallugia paradoxa	Apache Plume	x	5 gal	L	5'Wx5H
Ka	Kolkwitzia amabilis 'Pink Cloud'	Pink Cloud Beauty Bush	x	5 gal	M	10'Wx10'H
Pg	Picea pungens 'Globosa'	Dwarf Globe Blue Spruce	x	5 gal	M	6'Wx4'H, silvery blue foliage
Pf	Potentilla fruticosa 'Abbotswood'	Potentilla Abbotswood	x	5 gal	M	4'Wx4'H, white flower
Pb	Prunus besseyi	Western Sandcherry	x	5 gal	M	6'Wx2H
Ro	Rosa 'Knockout' Blushing Pink	Shrub Rose Knock Out	x	5 gal	M	4'Wx4'H, light pink, reblooming
Rg	Rhus aromatica 'Gro-Low'	Dwarf Fragrant Sumac	x	5 gal	L	8'Wx3H, red fall color
Rt	Rhus trilobata	Three-leaf Sumac	x	5 gal	L	6'Wx6H, red leaves in fall
St	Spirea trilobata 'Fairy Queen'	Fairy Queen Spirea	x	5 gal	M	4'Wx4'H
Vb	Viburnum x burkwoodii	Burkwood Viburnum	x	5 gal	M	7'Wx7'H, white flowers, fall bronze
CACTI						
ah	Agave havardiana	Havard's Century Plant	x	5 gal	RW	3'Wx3'H
an	Agave neomexicana	New Mexico Century Plant	x	5 gal	RW	3'Wx2H
dw	Dasylirion wheeleri	Sotol	x	5 gal	RW	4'Wx6H
oe	Opuntia elisiana	Prickly Pear Cactus	x	5 gal	RW	5'Wx4'H, spineless
yb	Yucca baccata	Banana Yucca	x	5 gal	RW	4'Wx3'H



PLANTING - CODE REQUIREMENTS

STREET TREES	REQUIRED	PROPOSED
ZIA ROAD - PRINCIPAL ARTERIAL (1 TREE / 30'-40"): 610 LF	15-20 TREES	15 TREES
GALISTEO ROAD - MINOR COLLECTOR (1 TREE / 25'-30"): 1,360 LF 500 LF + (430 LF x 2)	45-54 TREES	45 TREES
PARKING LOT	**REQUIRED**	**PROPOSED**
TREES (1 TREE / 90 SF LANDSCAPE AREA); LANDSCAPE (10 SF / SPACE) 75 PARKING SPACES (NEW)	8 TREES 750 SF	26 TREES >750 SF
LANDSCAPE BUFFER	**REQUIRED**	**PROPOSED**
LANDSCAPE BUFFER - 15' WIDE (1 TREE + 2 SHRUBS / 500 SF): 5,100 SF	10 TREES 20 SHRUBS	10 TREES 20 SHRUBS

PLANTING - CODE REQUIREMENTS

COMMON OPEN SPACE	REQUIRED	PROPOSED
LANDSCAPE (1 TREE + 2 SHRUBS / 500 SF) COMMON OPEN SPACE - REQUIRED: 76,740 SF (383,706 SF x 20%)	153 TREES 307 SHRUBS	>157 TREES 307 SHRUBS
DETENTION POND	**REQUIRED**	**PROPOSED**
LANDSCAPE (1 TREE + 3 SHRUBS / 500 SF): 3,190 SF	6 TREES 19 SHRUBS	6 TREES 19 SHRUBS

* SEE SHEET L-107 FOR OPEN SPACE CALCULATIONS; LANDSCAPE PLANTING BASED ON REQUIRED AREA AND ASSUMES MEETING MINIMUM REQUIREMENTS; COMMON OPEN SPACE TREE COUNT INCLUDES SOME TREES COUNTED AS PARKING LOT AND STREET TREES; FINAL SHRUB SELECTION TO BE SUBMITTED AT PERMIT

** NOTE: 25% OF BUFFER AND OPEN SPACE TREES AND SHRUBS TO BE EVERGREEN SPECIES, TYP.

LEGEND

- PROPERTY BOUNDARY
- MATCH LINE
- WALL
- CURB / EDGING
- FENCE
- FIRE LANE ACCESS
- BIKE LOOP
- AREA DRAIN

LANDSCAPE AREAS

- LAWN
- SCREENING / PLANTING BUFFER
- PLANTING - MEDIUM DENSITY (75 SHRUBS + PERENNIALS / 1000 SF)
- PLANTING - LOW DENSITY (10 SHRUBS / 1000 SF)
- TREE, EXISTING

KEYED NOTES

1. STREET TREE, TYP.; CONFIRM FINAL PLACEMENT TO AVOID PROPOSE SITE IMPROVEMENTS. KEEP CLEARANCE OF 15' FROM LIGHT POLES AND FIRE HYDRANTS, TYP.; MAXIMUM DISTANCE BETWEEN TREES TO BE 40' OR AS NOTED.
2. USE AREA LANDSCAPE BUFFER, 15' WIDTH; SEE CHART FOR PLANTING RATES.
3. PLANTER BED AREA - MEDIUM DENSITY
4. PLANTER BED AREA - LOW DENSITY
5. ZIA PLAZA OPEN SPACE AREA: A FLEXIBLE USE AREA FOR EVENTS AND PASSIVE RECREATION; INCLUDES LANDSCAPE PLANTING, HARDSCAPE, AMPHITHEATER SEATING / STAGE, SLOPED LAWN, FOUNTAIN, ETC.
6. PEDESTRIAN MALL: ACCESS TO RAIL TRAIL AND ZIA STATION.
7. FIRE ACCESS LANE, SEE CIVIL PLANS FOR LAYOUT; TRIM TREES TO MAINTAIN 13'-6" VERTICAL CLEARANCE.
8. OPEN SPACE PLAZA / GATHERING AREA OVER STRUCTURED PARKING.
9. DETENTION POND, SEE CIVIL PLANS. TREES TO BE PLANTED AT A RATE OF 1/500 SF AND SHRUBS (NOT SHOWN) TO BE PLANTED AT A RATE OF 3/500 SF, TYP.
10. TRASH AREA SCREENING, TYP.; SEE CIVIL PLANS FOR LAYOUT
11. BIKE PARKING, EMBEDDED LOOPS: INSTALL LOOPS PER CITY OF SANTA FE CODE, TYP. CONFIRM FINAL LOCATION AND QUANTITY.
12. RETAINING WALL, SEE GRADING PLANS FOR HEIGHT AND EXTENTS.
13. BUILDING OUTDOOR USE AREAS (POTENTIAL) WITH MIX OF HARDSCAPE AND LANDSCAPE.
14. TRAIL ACCESS TO EXISTING OFF-SITE SOCIAL TRAILS.

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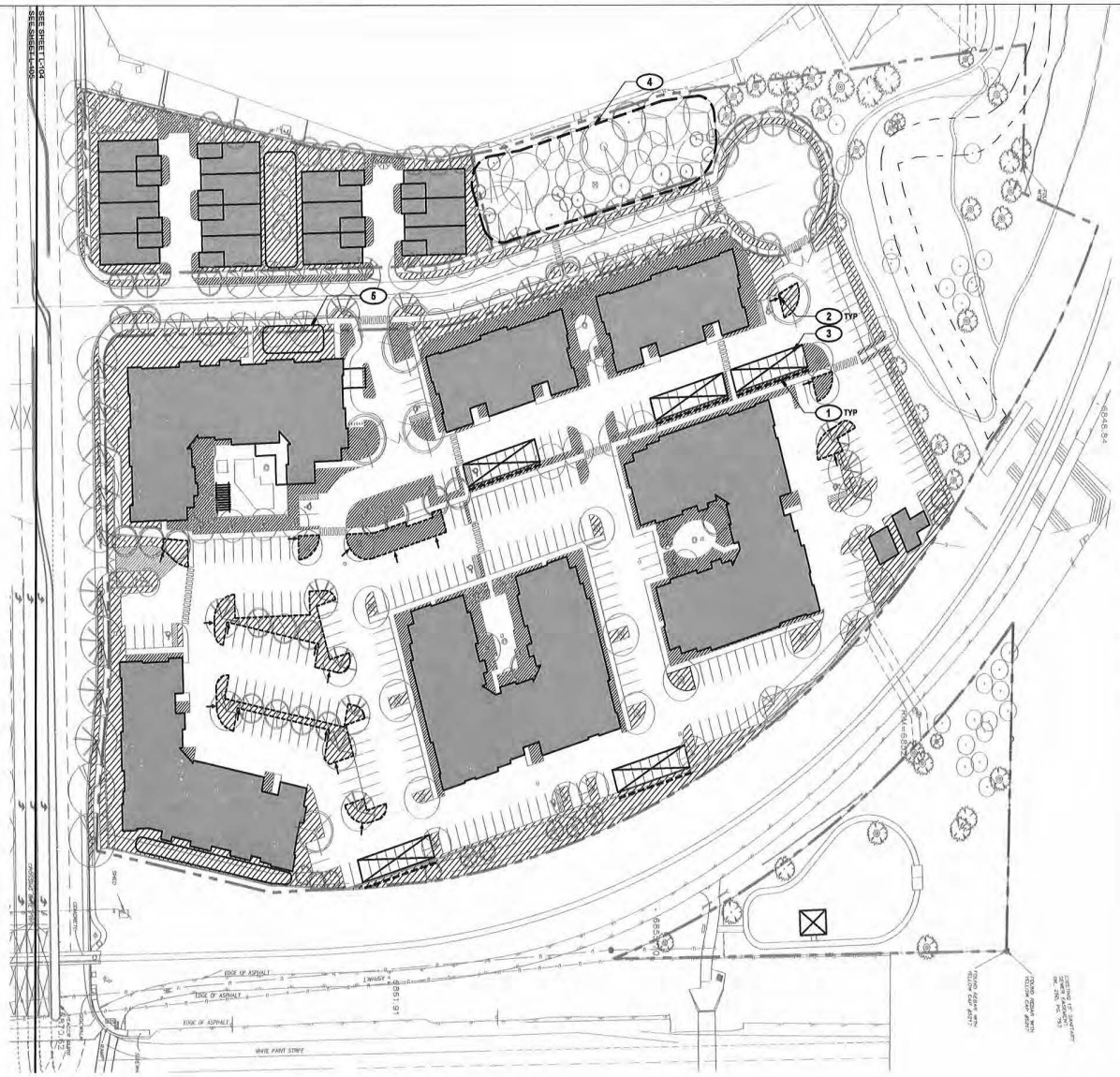
DESIGNED BY	CHECKED BY	DRAWN BY
PS	CMH	PS

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY LANDSCAPE PLAN, PHASE 2

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-103	X	X



LEGEND

PROPERTY BOUNDRY

IRRIGATION AREAS

- SPRAY (LAWN)
- DRIP (MEDIUM DENSITY PLANTING)
- DRIP (LOW DENSITY PLANTING)

WATER HARVESTING AREAS

- STORMWATER COLLECTION BASIN
- ROOF COLLECTION SWALE
- PARKING LOT COLLECTION AREA
- SURFACE SWALE
- CURB CUT

NOTE: ALL LANDSCAPE PLANTING AREAS ARE INTENDED TO SERVE AS LOCATIONS FOR STORMWATER INFILTRATION

LANDSCAPE IRRIGATION

IRRIGATION TO BE PROVIDED AS FOLLOWS:
- DRIP IRRIGATION TO TREES AND PLANTER AREAS WITH SHRUBS / PERENNIALS (SEPARATE ZONES FOR TREES)
- IRRIGATION ZONES TO BE ORGANIZED BY HYDROZONE
- SPRAY IRRIGATION FOR LAWN AREAS
- IRRIGATION SYSTEM TO BE A PRESSURE COMPENSATING SYSTEM WITH A SMART CONTROLLER AND A WEATHER SENSOR; IRRIGATION SYSTEM TO MEET CITY OF SANTA FE CODE REQUIREMENTS

WATER HARVESTING KEYED NOTES

PROJECT WATER HARVESTING STRATEGIES INCLUDE: SLOPING IMPERMEABLE SURFACES TO LANDSCAPE AREAS FOR PASSIVE WATER HARVESTING, FINE GRADING SWALES FOR SURFACE WATER HARVESTING, INSTALLING CURB CUTS AT PARKING / ROADWAY MEDIANS TO DIVERT WATER TO PLANER AREAS, AND DIRECTING RAINWATER FROM ROOF CANALES / DOWNSPOUTS TO ADJACEN T PLANTER AREAS.

1. WATER HARVESTING SWALE, TYP.; CENTER IN LANDSCAPED AREA; COORDINATE WITH CIVIL GRADING PLANS.
2. CURB CUT, APPROXIMATE LOCATION; SEE CIVIL PLANS, COORDINATE FINAL LOCATION WITH GRADING PLANS.
3. COVERED PARKING; SLOPE ROOF TO DRAIN TOWARD ADJACENT LANDSCAPE MEDIAN, INSTALL COBBLE WITHIN MEDIAN IN THESE AREAS, TYP.
4. STORMWATER DETENTION BASIN, SEE CIVIL PLANS
5. SLOPE HARDSCAPE AREAS TO ADJACENT LANDSCAPE PLANTING AREAS, TYP.

WATER BUDGET (ESTIMATED)

ZIA STATION DEVELOPMENT PLAN (PHASE 1) - Landscape Water Budget Calculations

YEAR 1 - Water Demand

Landscape Water Demand Calculations	Quantity	SF	Weekly Demand (gallons)	Reduction Factor	Weekly Demand (gallons)
Turf Grass		0	0	200%	0
Planting Area A (low density shrubs)		82000	2952	100%	2952
Planting Area B (med density shrubs, grasses, pers)		27500	21815	100%	21815
Trees (new)	216		3456	100%	3456

YEAR 3 - Water Demand

Landscape Water Demand Calculations	Quantity	SF	Weekly Demand (gallons)	Reduction Factor	Weekly Demand (gallons)
Turf Grass		0	0	100%	0
Planting Area A (low density shrubs)		82000	2952	85%	2509
Planting Area B (med density shrubs, grasses, pers)		27500	21815	85%	18373
Trees (new)	216		3456	100%	3456

YEAR 1 - Water Demand

	January	February	March	April	May	June	July	August	September	October	November	December	Total
	0%	0%	15%	38%	64%	100%	90%	85%	62%	35%	20%	0%	
	0.0	0.0	0	0	0	0	0	0	0	0	0	0.0	0
	0.0	0.0	1,004	4,824	8,124	12,694	11,424	10,795	7,870	4,443	2,539	0.0	64,610
	0.0	0.0	13,842	35,319	69,484	92,945	83,600	79,003	57,626	32,531	18,589	0.0	473,089
	0.0	0.0	2,229	5,847	9,511	14,861	13,375	12,632	9,214	5,201	2,972	0.0	75,041
Monthly demand	0	0	18,075	45,790	77,119	120,499	108,449	102,424	74,709	42,178	24,100	0	
Year 1 - Demand													513,339 gal/yr
													1.89 ac-ft/yr

YEAR 3 - Water Demand

	January	February	March	April	May	June	July	August	September	October	November	December	Total
	0%	0%	15%	38%	64%	100%	90%	85%	62%	35%	20%	0%	
	0.0	0.0	0	0	0	0	0	0	0	0	0	0.0	0
	0.0	0.0	1,618	4,100	8,905	10,780	9,711	9,171	6,690	3,778	2,158	0.0	54,919
	0.0	0.0	11,650	30,021	56,502	79,063	71,103	67,192	49,062	27,651	15,801	0.0	402,124
	0.0	0.0	2,229	5,847	9,511	14,861	13,375	12,632	9,214	5,201	2,972	0.0	75,041
Monthly demand	0	0	15,498	39,968	68,978	104,653	94,188	88,995	64,885	36,629	20,931	0	
Year 3 - Demand													532,685 gal/yr
													1.63 ac-ft/yr

Plant Density Assumptions

Planting Area A (low density shrubs)	0.009 plants per sf (9 plants /1000sf)
Planting Area B (shrubs, perennials, grasses)	0.075 plants per sf (75 plants/1000sf)

Planting Area Demand Assumptions / Six (6) month Irrigation period

Planting Area A	0.04 gallons per week per square foot (4 gallons per week per shrub)
Planting Area B (shrubs, perennials, grasses)	0.79 gallons per week per square foot (sunny condition)
Trees (new)	16.00 gallons per week: 8 -1gal / hr emitters per tree run 1 hour twice a week
Turf Grass	1.27 gallons per week per square foot: 42"/ 32 week growing season / sf = 1.31" / week (2.5 - 3.0") sf / week to est

Reduction Factor

Reduction factor assumes a reduction in water use for drought tolerant plants once they have been established.

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SCALE: 1" = 50'-0"
0' 25' 50' 100' 200'

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DESIGN: DESIGNED BY PS | CHECKED BY CMH | DRAWN BY PS

REVISIONS: NO. | DATE | BY

AS-BUILT INFORMATION: CONTRACTOR DATE | WORK STAKED BY DATE | INSPECTORS ACCEPTANCE BY DATE | FIELD VERIFICATION BY DATE | DRAWINGS CORRECTED BY DATE

BENCH MARKS

ENGINEER'S SEAL

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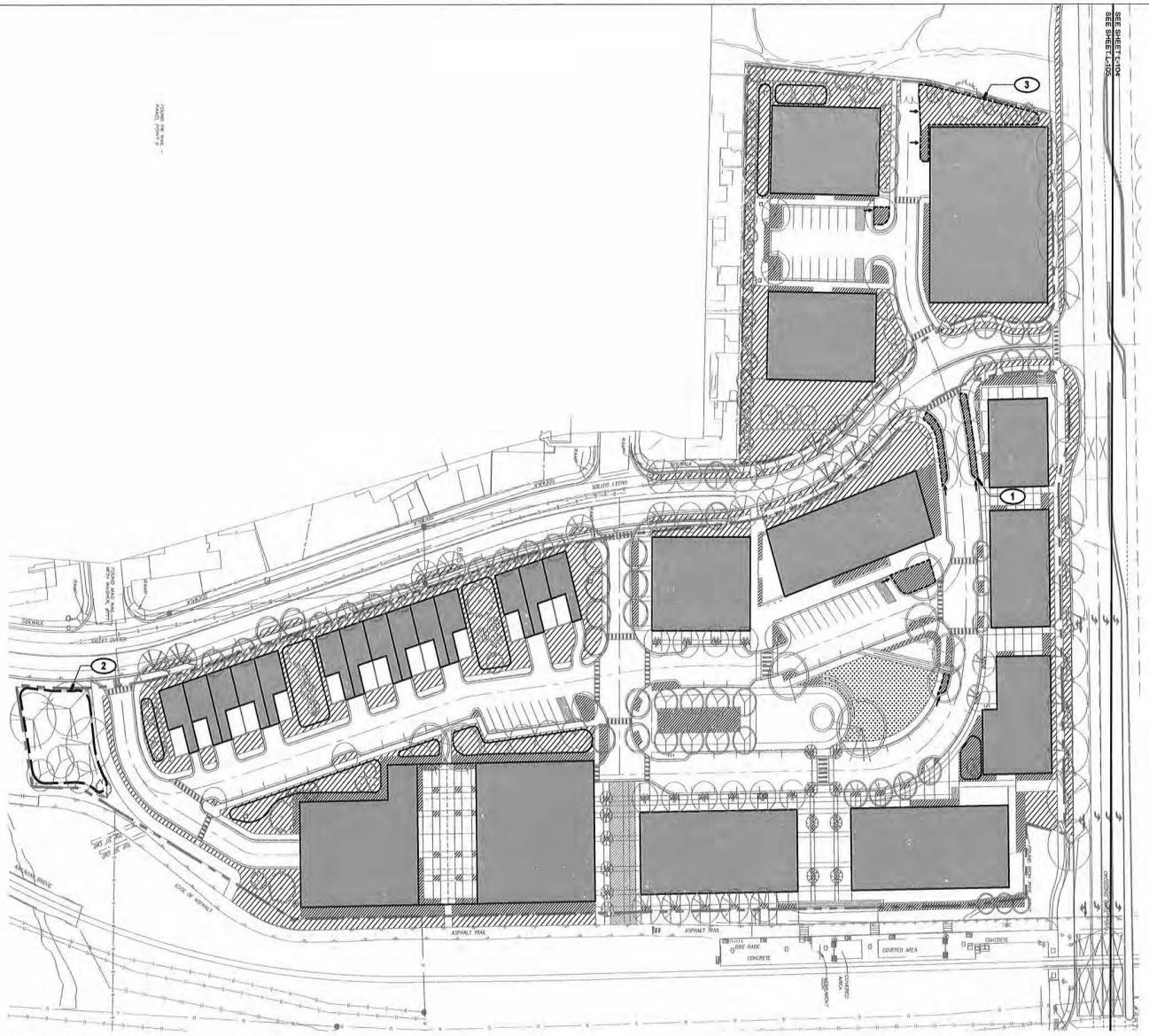
ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY IRRIGATION / WATER HARVESTING PLAN, PHASE 1

BH PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-104	X	X



WATER BUDGET (ESTIMATED)

ZIA STATION DEVELOPMENT PLAN (PHASE 2) - Landscape Water Budget Calculations

YEAR 1 - Water Demand

Landscape Water Demand Calculations	Quantity	SF	Weekly Demand (gallons)	Reduction Factor	Weekly Demand (gallons)
Turf Grass		5300	6714	200%	13428
Planting Area A (low density shrubs)		78800	2837	100%	2837
Planting Area B (med density shrubs, grasses, perm)		23300	18314	100%	18314
Trees (new)	220		3520	100%	3520

YEAR 1 - Water Demand

	January	February	March	April	May	June	July	August	September	October	November	December	Total
	0%	0%	15%	38%	64%	100%	90%	85%	62%	35%	20%	0%	
	0.0	0.0	8,661	21,941	36,953	57,739	51,965	49,078	35,799	20,209	11,549	0.0	293,893
	0.0	0.0	1,630	4,533	7,807	12,198	10,978	10,369	7,563	4,270	2,440	0.0	62,059
	0.0	0.0	11,812	29,925	50,405	78,749	70,874	66,937	48,825	27,562	15,750	0.0	400,834
	0.0	0.0	2,770	5,752	9,687	15,136	13,622	12,866	9,384	5,298	3,027	0.0	77,042
Monthly demand	0	0	24,573	62,253	104,847	163,823	147,441	139,250	101,570	57,338	32,765	0	
Year 1 - Demand													833,853 gal/yr
													2.56 ac-ft/yr

Plant Density Assumptions

Planting Area A (low density shrubs)	0.009 plants per sf (9 plants /1000sf)
Planting Area B (shrubs, perennials, grasses)	0.075 plants per sf (75 plants/1000sf)

Planting Area Demand Assumptions / 8½ (8) month irrigation period

Planting Area A	0.04 gallons per week per square foot (4 gallons per week per shrub)
Planting Area B (shrubs, perennials, grasses)	0.79 gallons per week per square foot (survey condition)
Trees (new)	15.00 gallons per week each: 8 -1gal / hr emitters per tree run 1 hour twice a week
Turf Grass	1.27 gallons per week per square foot: 42"/ 33 week growing season / sf = 1.31" / week (2.5 - 3.0" sf / week to est
Reduction Factor	Reduction factor assumes a reduction in water use for drought tolerant plants once they have been established.

YEAR 3 - Water Demand

Landscape Water Demand Calculations	Quantity	SF	Weekly Demand (gallons)	Reduction Factor	Weekly Demand (gallons)
Turf Grass		5300	6714	100%	6714
Planting Area A (low density shrubs)		78800	2837	85%	2411
Planting Area B (med density shrubs, grasses, perm)		23300	18314	85%	15567
Trees (new)	220		3520	100%	3520

YEAR 3 - Water Demand

	January	February	March	April	May	June	July	August	September	October	November	December	Total
	0%	0%	15%	38%	64%	100%	90%	85%	62%	35%	20%	0%	
	0.0	0.0	4,330	10,970	18,477	28,870	25,983	24,539	17,899	10,104	5,774	0.0	146,947
	0.0	0.0	1,555	3,940	6,638	10,369	9,332	8,813	6,428	3,629	2,074	0.0	52,778
	0.0	0.0	10,041	25,439	42,840	66,937	60,243	56,896	41,501	23,428	13,387	0.0	340,709
	0.0	0.0	2,770	5,752	9,687	15,136	13,622	12,866	9,384	5,298	3,027	0.0	77,042
Monthly demand	0	0	18,197	46,098	77,639	121,311	109,180	103,114	75,213	42,459	24,262	0	
Year 3 - Demand													617,476 gal/yr
													1.89 ac-ft/yr

LEGEND

- PROPERTY BOUNDRY

IRRIGATION AREAS

- SPRAY (LAWN)
- DRIP (MEDIUM DENSITY PLANTING)
- DRIP (LOW DENSITY PLANTING)

WATER HARVESTING AREAS

- STORMWATER COLLECTION BASIN
- ROOF COLLECTION SWALE
- PARKING LOT COLLECTION AREA
- SURFACE SWALE
- CURB CUT

NOTE: ALL LANDSCAPE PLANTING AREAS ARE INTENDED TO SERVE AS LOCATIONS FOR STORMWATER INFILTRATION

LANDSCAPE IRRIGATION

IRRIGATION TO BE PROVIDED AS FOLLOWS:
- DRIP IRRIGATION TO TREES AND PLANTER AREAS WITH SHRUBS / PERENNIALS (SEPARATE ZONES FOR TREES)
- IRRIGATION ZONES TO BE ORGANIZED BY HYDROZONE
- SPRAY IRRIGATION FOR LAWN AREAS
- IRRIGATION SYSTEM TO BE A PRESSURE COMPENSATING SYSTEM WITH A SMART CONTROLLER AND A WEATHER SENSOR; IRRIGATION SYSTEM TO MEET CITY OF SANTA FE CODE REQUIREMENTS

WATER HARVESTING KEYED NOTES

PROJECT WATER HARVESTING STRATEGIES INCLUDE: SLOPING IMPERMEABLE SURFACES TO LANDSCAPE AREAS FOR PASSIVE WATER HARVESTING, FINE GRADING SWALES FOR SURFACE WATER HARVESTING, INSTALLING CURB CUTS AT PARKING / ROADWAY MEDIANS TO DIVERT WATER TO PLANER AREAS, AND DIRECTING RAINWATER FROM ROOF CANALES / DOWNSPOUTS TO ADJACEN T PLANTER AREAS.

1. CURB CUT, APPROXIMATE LOCATION; SEE CIVIL PLANS, COORDINATE FINAL LOCATION WITH GRADING PLANS.
2. STORMWATER DETENTION BASIN, SEE CIVIL PLANS
3. SLOPE HARDSCAPE AREAS TO ADJACENT LANDSCAPE PLANTING AREAS, TYP.

design office
landscape planning urbanism
1300 Luisa street, Suite 24 Santa Fe, NM 87505
t 505.983.1415 www.do-designoffice.com

SCALE: 1" = 50-0"
0' 25' 50' 100' 200'

Bohannan Huston
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811 Know what's below. Call before you dig.

BENCH MARKS

ENGINEER'S SEAL

AS-BUILT INFORMATION

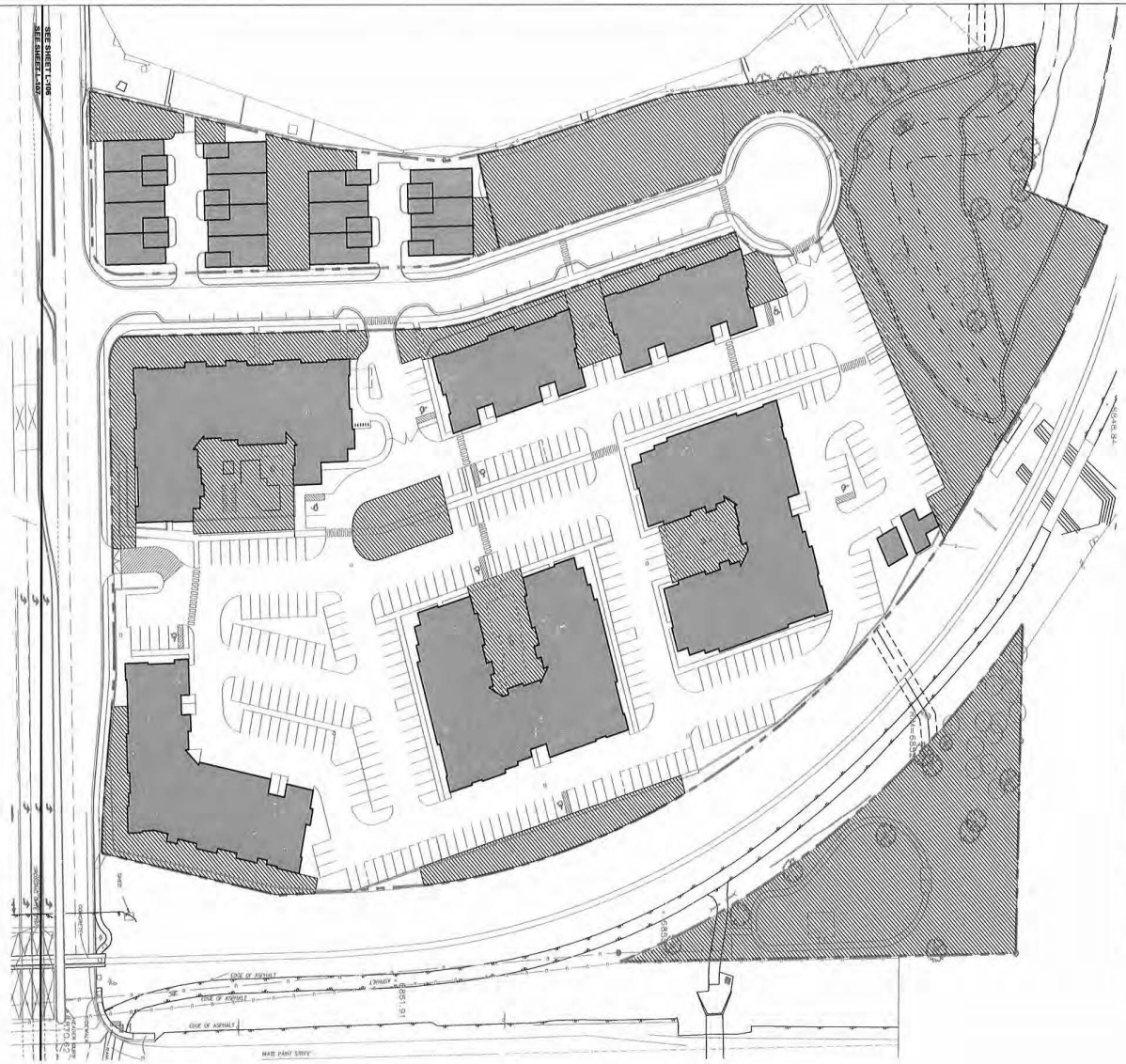
	DATE
CONTRACTOR	
WORK STAKED BY	
INSPECTORS ACCEPTANCE BY	
FIELD VERIFICATION BY	
DRAWINGS CORRECTED BY	

REVISIONS	NO.	DATE	BY

DESIGN
DESIGNED BY PS
CHECKED BY CMH
DRAWN BY PS

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY IRRIGATION / WATER HARVESTING PLAN, PHASE 2

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-105	X	X



LEGEND

PROPERTY BOUNDARY

COMMON OPEN SPACE

OPEN SPACE

APARTMENTS - OPEN SPACE

LOT AREA (TRACT I + J)	442,499 SF	
OPEN SPACE - REQUIRED	23,250 SF	93 UNITS x 250 SF
OPEN SPACE - PROVIDED	168,708 SF	38.1% OF LOT AREA

* OPEN SPACE INCLUDES DETENTION POND, DOG PARK, INTERNAL PRIVATE COURTYARDS, STREETSCAPE AREAS, AND OPEN SPACE AREAS GREATER THAN 15' X 15'

TOWNHOMES - OPEN SPACE

LOT AREA (TRACT H)	32,579 SF	
OPEN SPACE - REQUIRED	3,000 SF	14 UNITS x 250 SF
OPEN SPACE - PROVIDED	9,120 SF	28.0% OF LOT AREA

* OPEN SPACE INCLUDES INTERNAL COURTYARDS AND OPEN OPEN SPACE AREAS GREATER THAN 15' X 15'

OPEN SPACE (OVERALL PHASE 1)

LOT AREA (TRACT I, J, H)	475,078 SF	
OPEN SPACE - PROVIDED	177,972 SF	37.4% OF LOT AREA

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BENCH MARKS

ENGINEER'S SEAL

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BY		DATE
	CONTRACTOR	
	WORK STAKED BY	
	INSPECTORS ACCEPTANCE BY	
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	DRAWINGS CORRECTED BY	

REVISIONS

NO.	DATE

DESIGN

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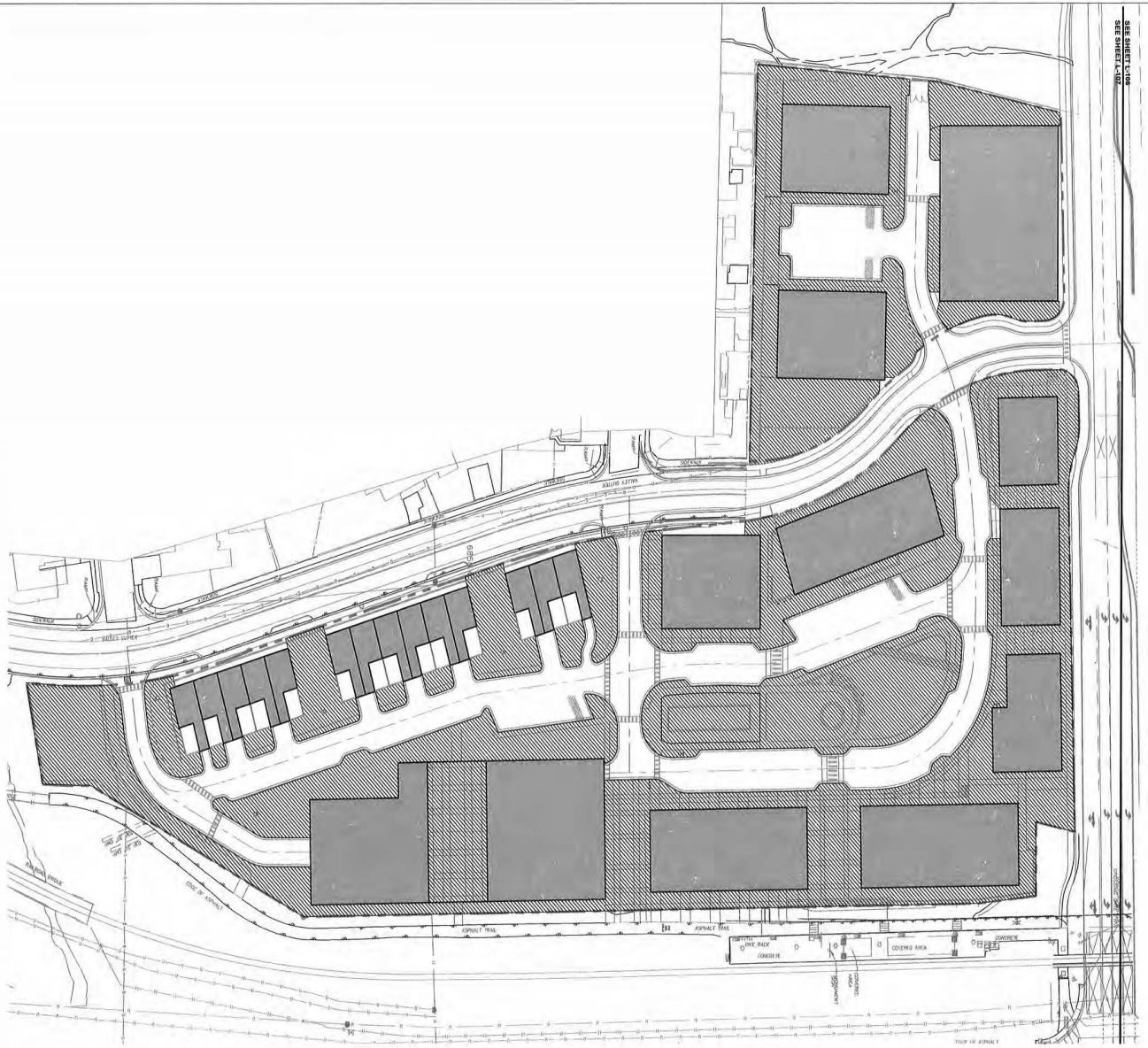
CHECKED BY	CMH
DRAWN BY	PS

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
OPEN SPACE PLAN PHASE 1

B+H PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-106	X	X



LEGEND

PROPERTY BOUNDARY

COMMON OPEN SPACE

OPEN SPACE

LOT AREA (SEE LOT LINE ADJUSTMENT PLAT)

TRACT A	80,435 SF
TRACT B	54,178 SF
TRACT C	83,061 SF
TRACT D	56,298 SF
TRACT E	30,679 SF
TRACT F	46,476 SF
TRACT G	32,579 SF
LOT AREA - TOTAL	383,706 SF

COMMON OPEN SPACE

COMMON OPEN SPACE	REQUIRED	PROVIDED *
	76,740 SF	161,972 SF
	(383,706 SF x 20%)	
	20.0% OF LOT AREA	42.2% OF LOT AREA

* OPEN SPACE INCLUDES WALKWAYS, HARDSCAPE, LANDSCAPE

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COMMON OPEN SPACE - REQUIRED

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BENCH MARKS

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKED BY		
INSPECTOR'S ACCEPTANCE BY		
FIELD LOCATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE

DESIGN

DESIGNED BY	PS
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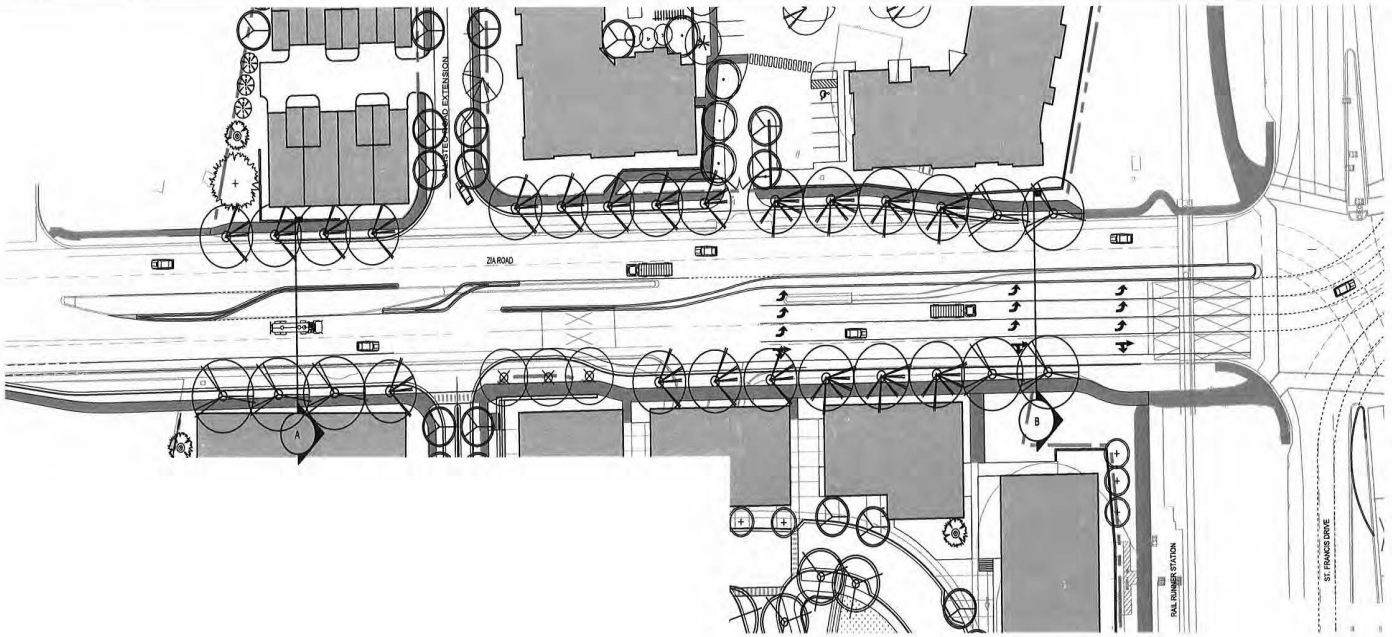
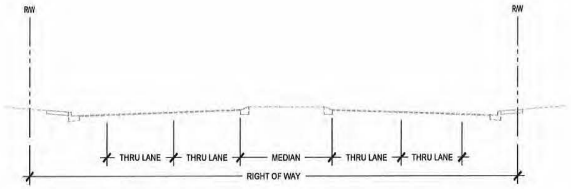
ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
OPEN SPACE PLAN PHASE 2

BH PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-107	X	X



1 L-108 ST. FRANCIS DRIVE / WEST ZIA ROAD IMPROVEMENTS

SCALE:1"=40'



A L-108 SECTION A - EXISTING CONDITIONS

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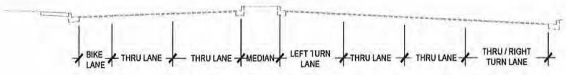
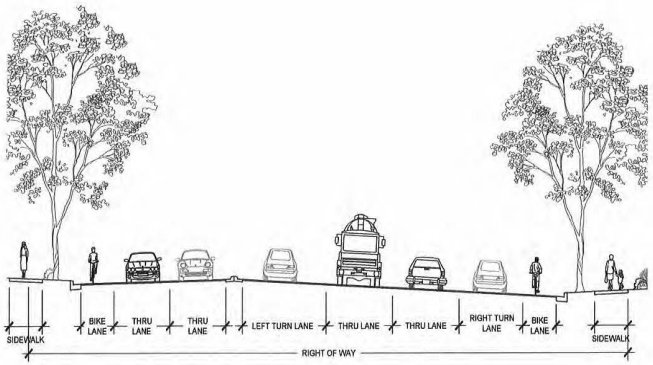


B L-108 SECTION B - EXISTING CONDITIONS

SCALE: NTS



A L-108 SECTION A - PROPOSED CONDITIONS

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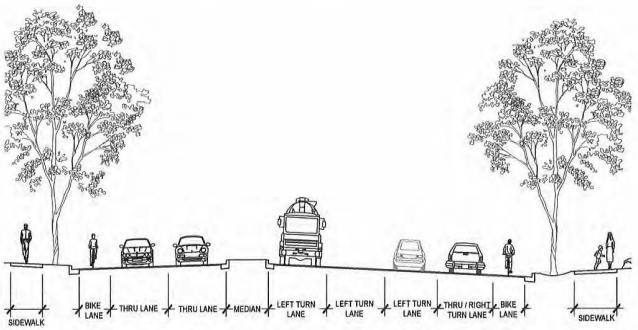

B L-108 SECTION B - PROPOSED CONDITIONS

SCALE: NTS

LEGEND

PROPERTY BOUNDARY

SIDEWALKS / TRAILS

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BENCH MARKS

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKED BY		
INSPECTORS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE

DESIGN

DESIGNED BY	CHECKED BY	DRAWN BY
PS	CMH	PS

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SCALE: 1" = 50-0"

0' 25' 50' 100' 200'

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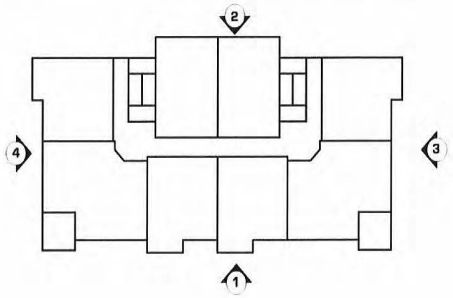
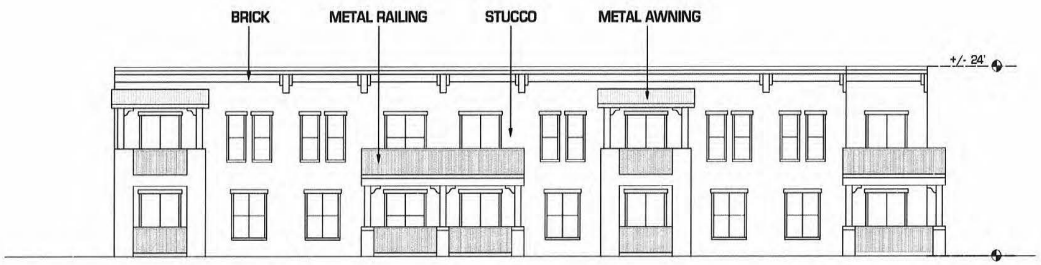
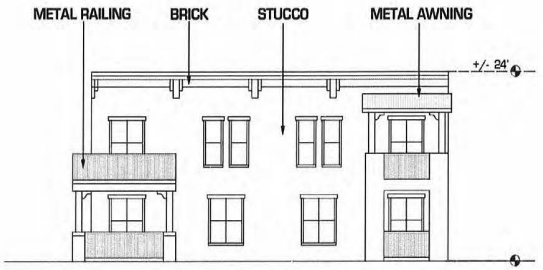
ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
ZIA ROAD LANDSCAPE IMPROVEMENTS

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	L-108	X	X



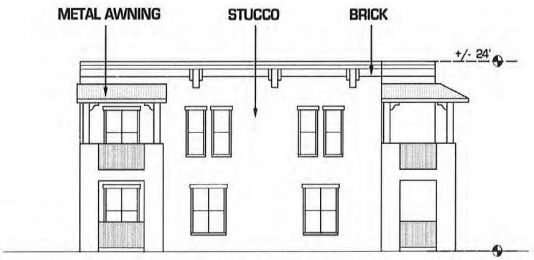


1 ELEVATION



3 ELEVATION

2 ELEVATION



4 ELEVATION

FIRM IDENTIFICATION:

HEDK ARCHITECTS

4595 EXCEL PARKWAY
ADDISON, TX 75001
214.520.8878

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN

Current Status:

REVISIONS

Drawn by: CM, MC
Checked by: AB
Date: 11.20.2020

Sheet Title:
Conceptual Building Elevations
Phase 1 Apartments

Job Number: 20109

Sheet No
A101

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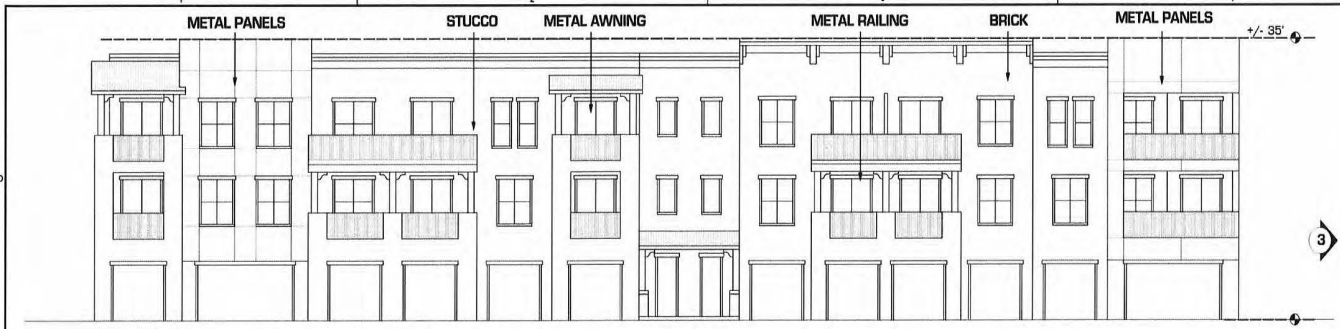

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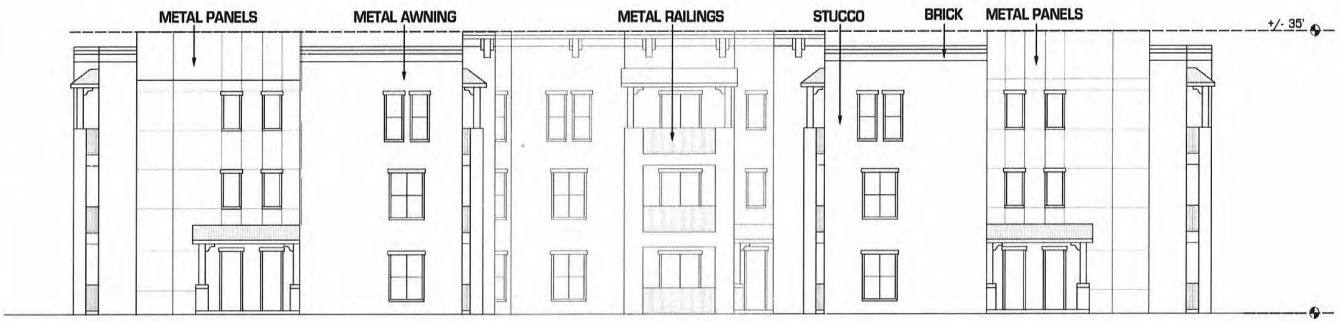

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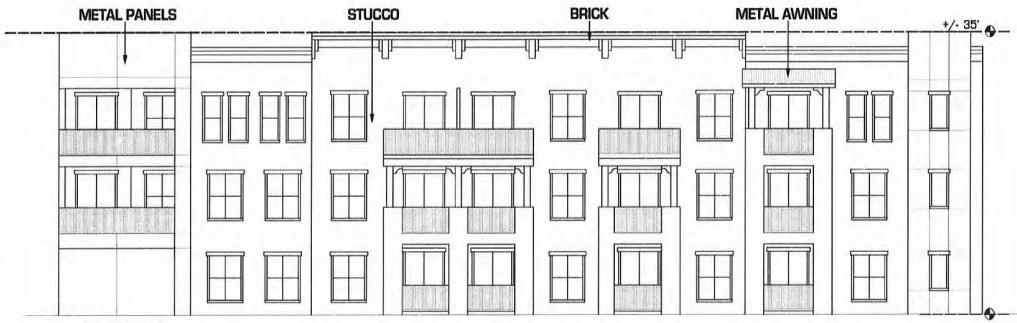

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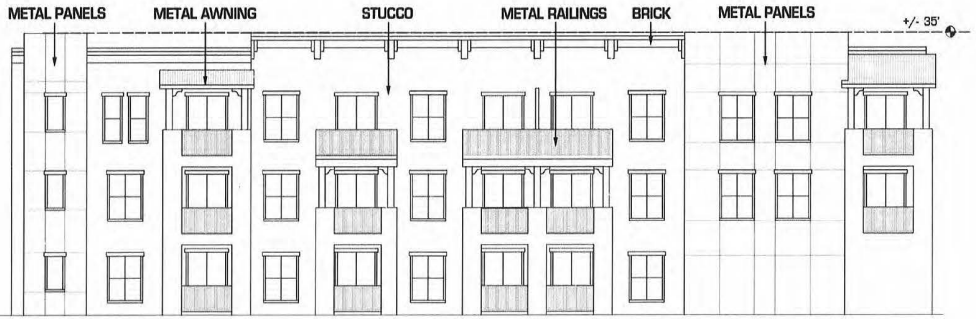

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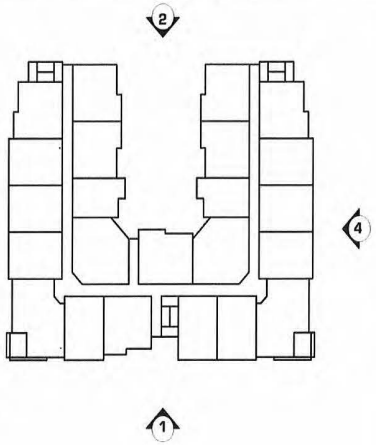

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ZIA STATION

PRELIMINARY DEVELOPMENT PLAN

Current Status:

REVISIONS

Drawn by: CM, MC

Checked by: AB

Date: 11.20.2020

Sheet Title:

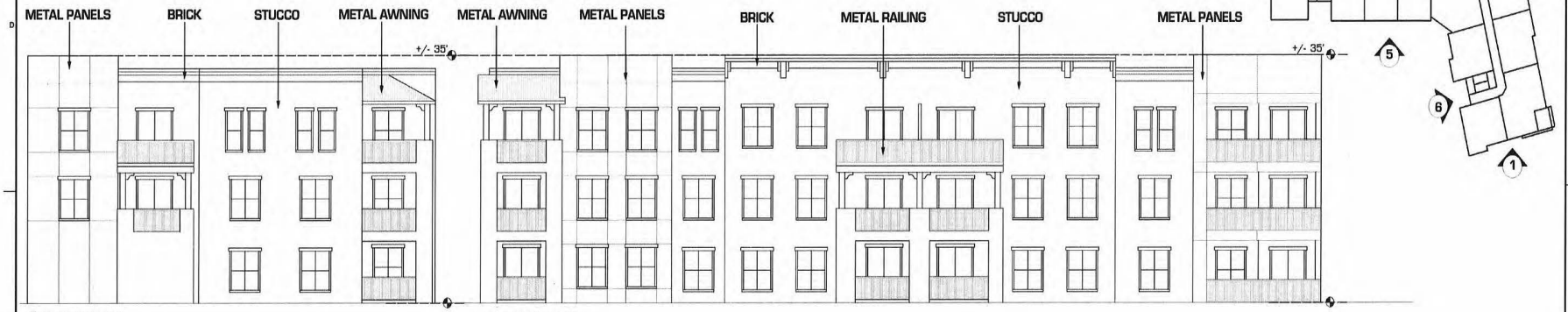
Conceptual Building Elevations

Phase 1 Apartments

Job Number: 20109

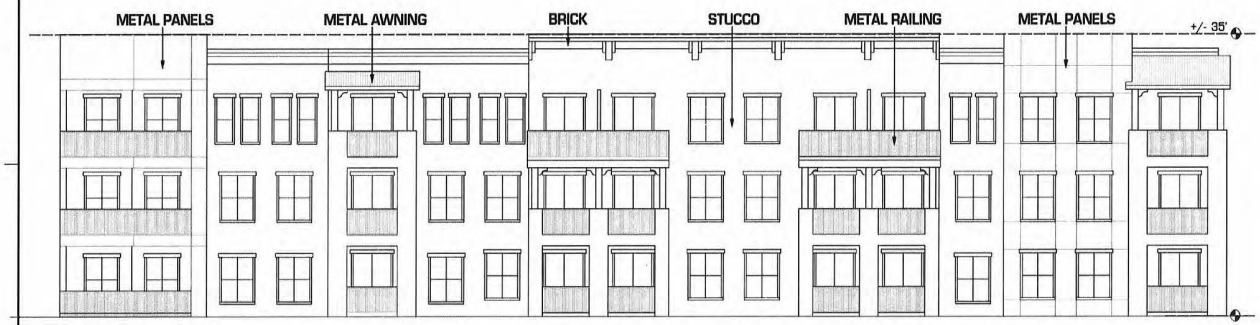
Sheet No.

A102



1 ELEVATION

2 ELEVATION



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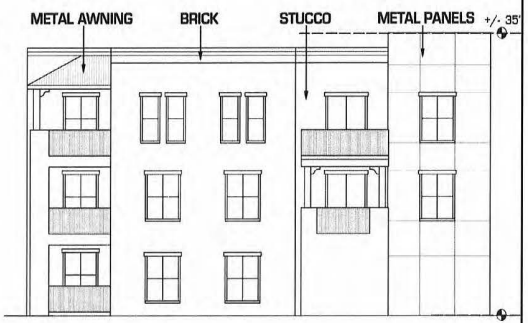

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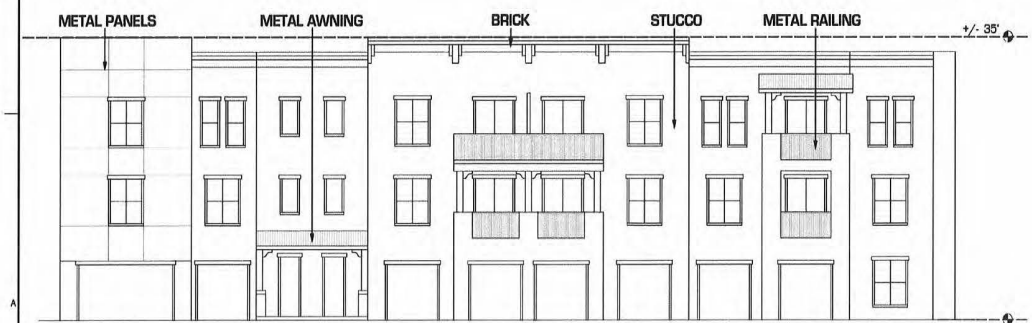
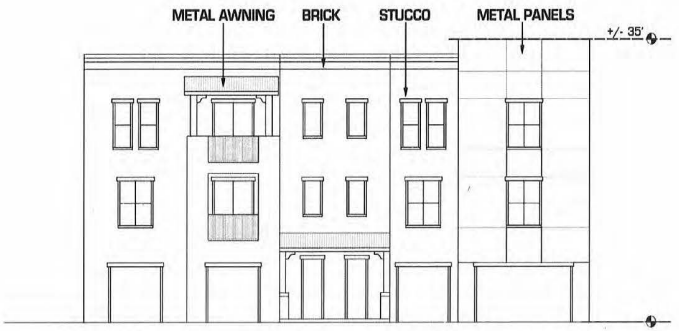
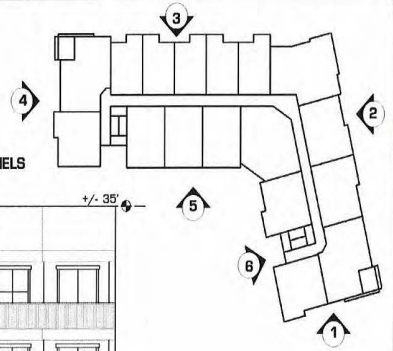


5 ELEVATION



6 ELEVATION



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ZIA STATION

PRELIMINARY DEVELOPMENT PLAN

Current Status:

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Checked by: AB

Date: 11.20.2020

Sheet Title:

Conceptual Building Elevations Phase 1 Apartments

Job Number: 20109

Sheet No.

A103

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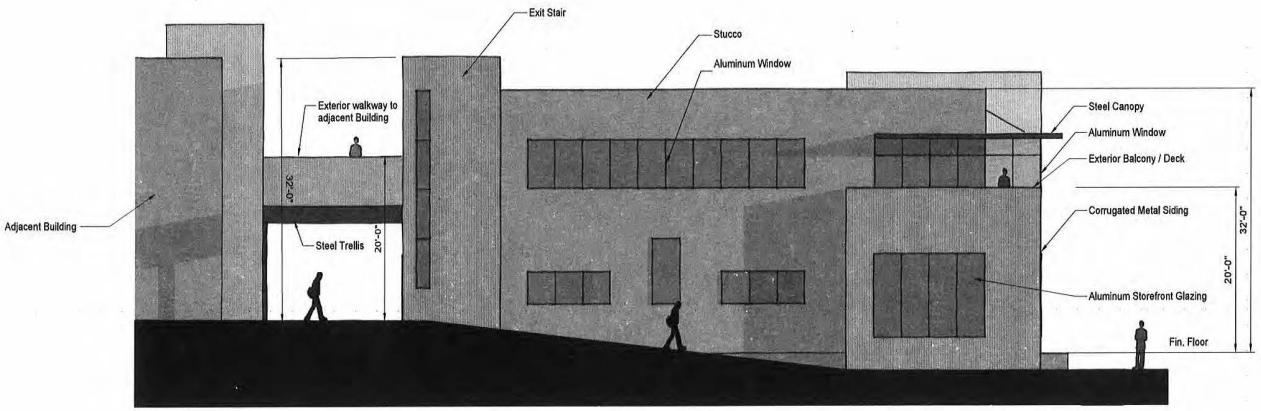
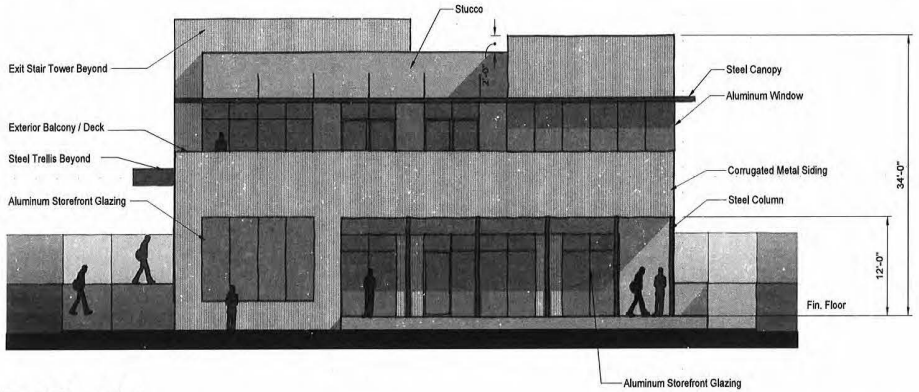


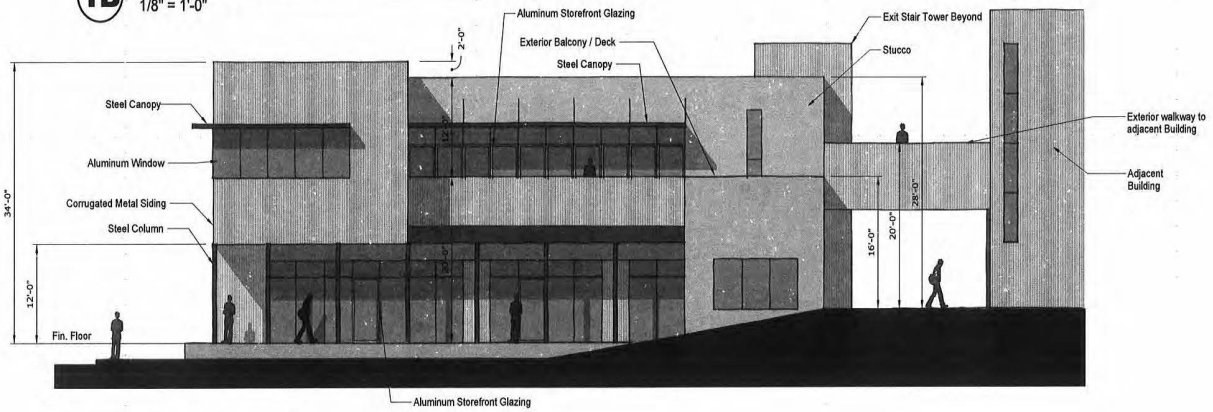
1C North Elevation

1/8" = 1'-0"



1B West Elevation

1/8" = 1'-0"



1A South Elevation

1/8" = 1'-0"

FIRM IDENTIFICATION:
autotroph
architecture.planning.sustainable design
www.autotrophdesign.com
505.216.7555

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN

Current Status:

REVISIONS

Drawn by:

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Date:

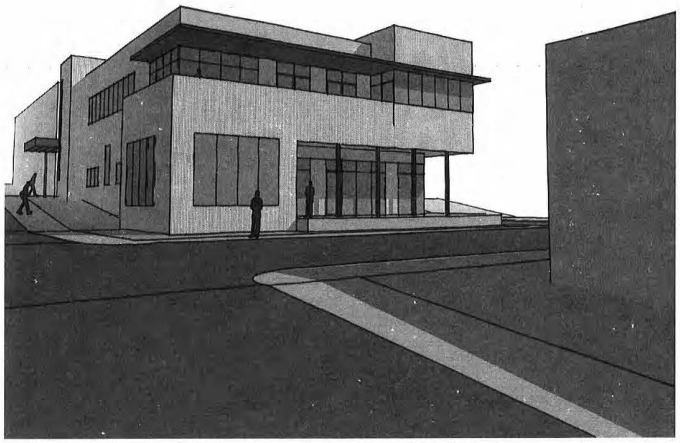
Sheet Title:
Conceptual Building Elevations

Typical 2 Story Building

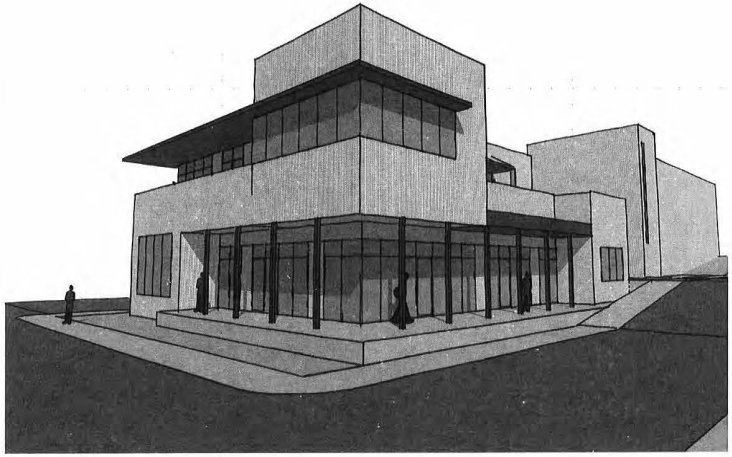
Job Number:

Sheet No.

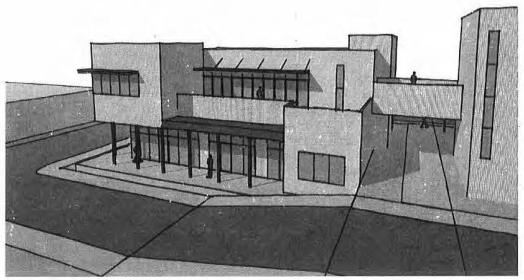
A10



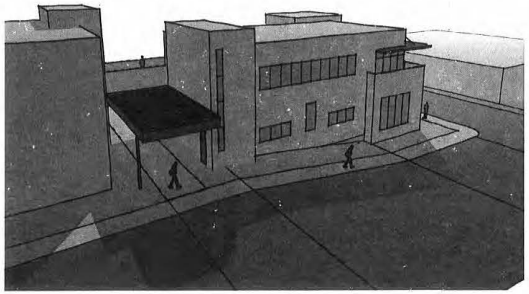
1B Ground Level View from West



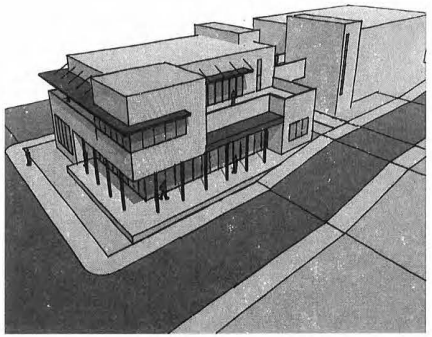
3B Ground Level View from Southwest



1A Aerial View from South



2A Aerial View from Nouth



4A Aerial View from Southwest

FIRM IDENTIFICATION:

autotroph
architecture.planning.sustainable design
www.autotrophdesign.com
505.216.7656

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN

Current Status:

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Drawn by:

Checked by:

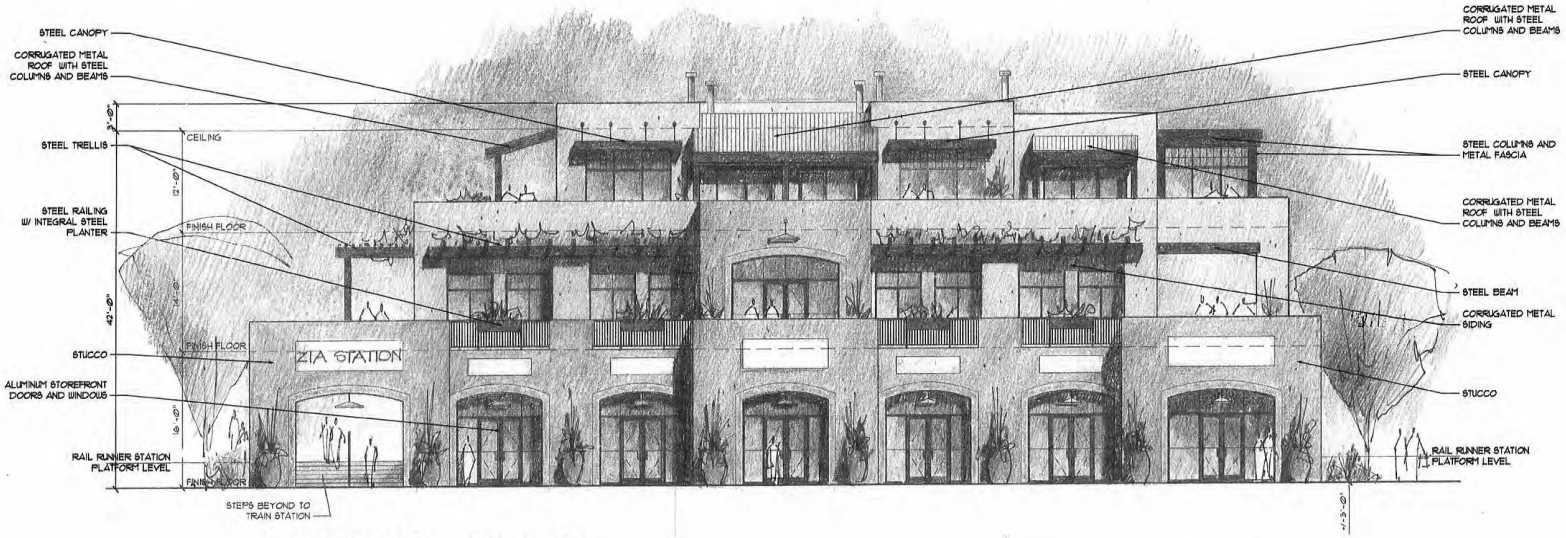
Date:

Sheet Title:
Conceptual Building Perspectives

Typical 2 Story Building

Job Number:

Sheet No.
A10



WEST ELEVATION - BUILDING I

SCALE: 1/8" = 1'-0"

Zia Station Preliminary Development Plan

FIRM IDENTIFICATION:

ARCHITECTURAL ALLIANCE INC

612 OLD SANTA FE TRAIL
SANTA FE NEW MEXICO 87505
Telephone 505-988-5269
FAX 505-986-1270

WEBSITE www.archallinc.com

milagro design

ZIA STATION

PRELIMINARY DEVELOPMENT PLAN

Current Status:

REVISIONS

Drawn by:

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Date:

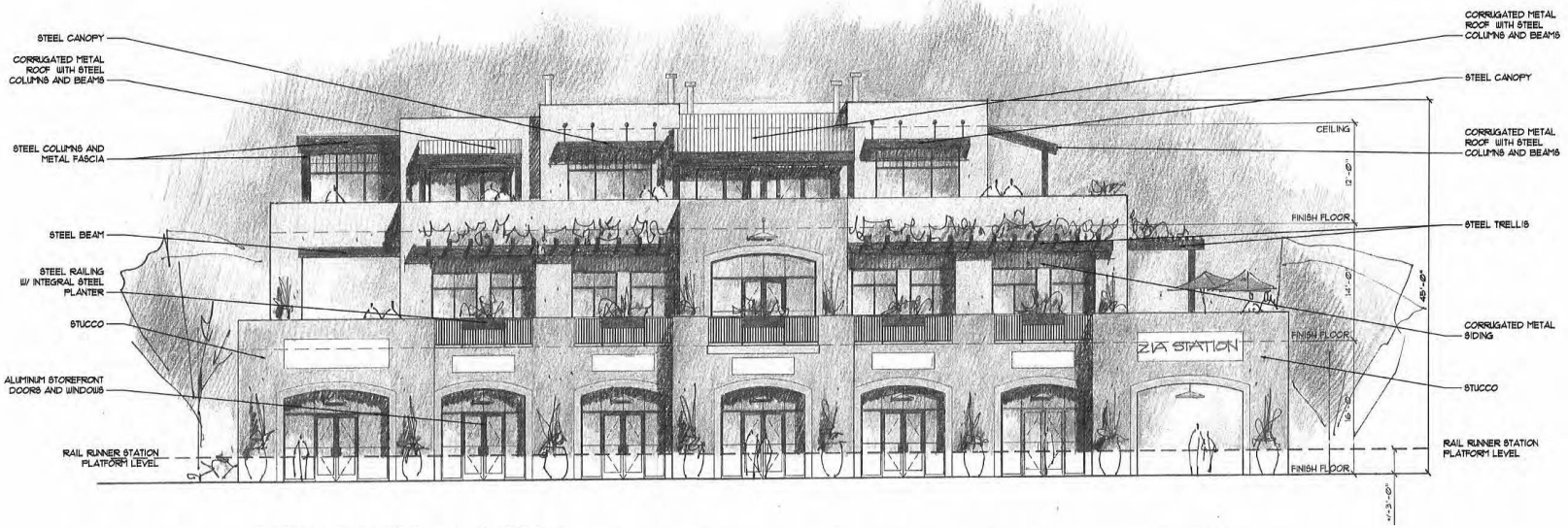
Sheet Title:

Conceptual Building Elevations

Job Number:

Sheet No.

A106



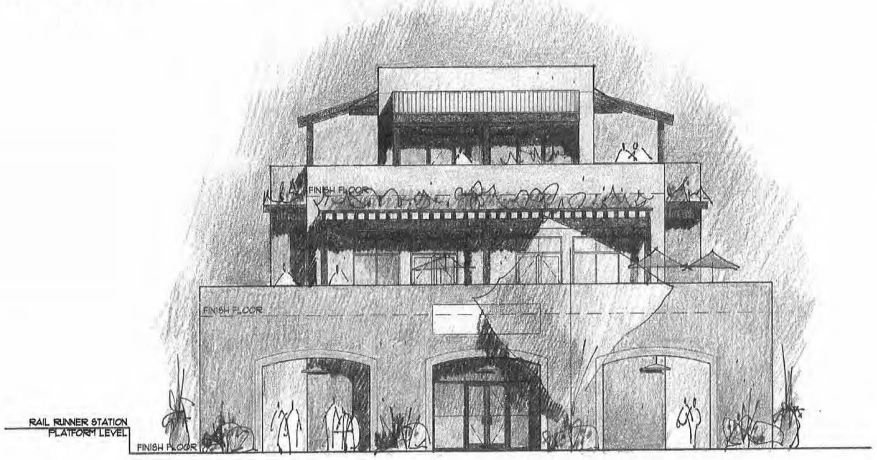
EAST ELEVATION - BUILDING I

SCALE: 1/8" = 1'-0"

Zia Station Preliminary Development Plan

SOUTH ELEVATION - BUILDING I

SCALE: 1/8" = 1'-0"



NORTH ELEVATION - BUILDING I

SCALE: 1/8" = 1'-0"

FIRM IDENTIFICATION:
ARCHITECTURAL ALLIANCE INC
612 OLD SANTA FE TRAIL
SANTA FE NEW MEXICO 87505
Telephone 505-986-5269
FAX 505-986-1270
WEBSITE www.archallnc.com

milagro design

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN

Current Status:

REVISIONS

Drawn by:

Checked by:

Date:

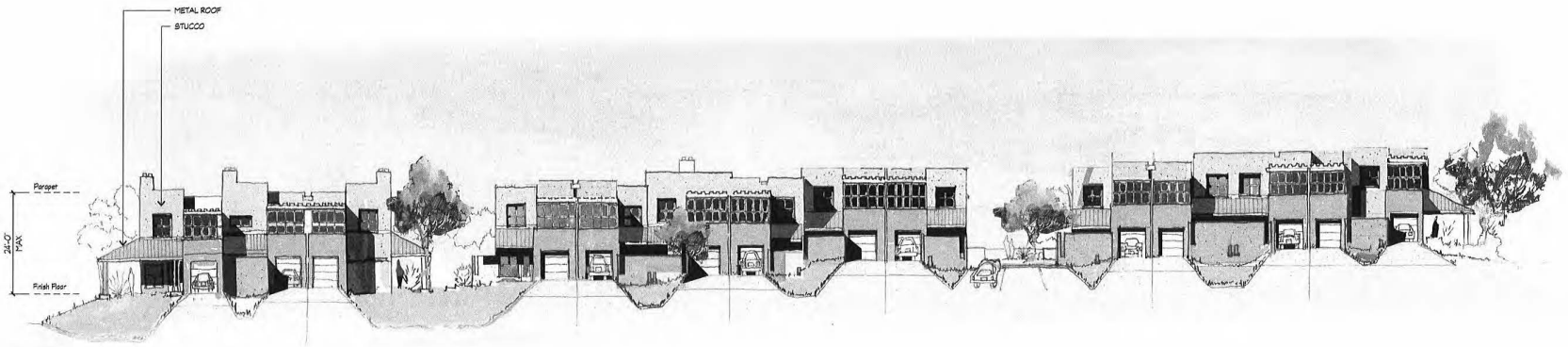
Sheet Title:

Conceptual Building Elevations

Job Number:

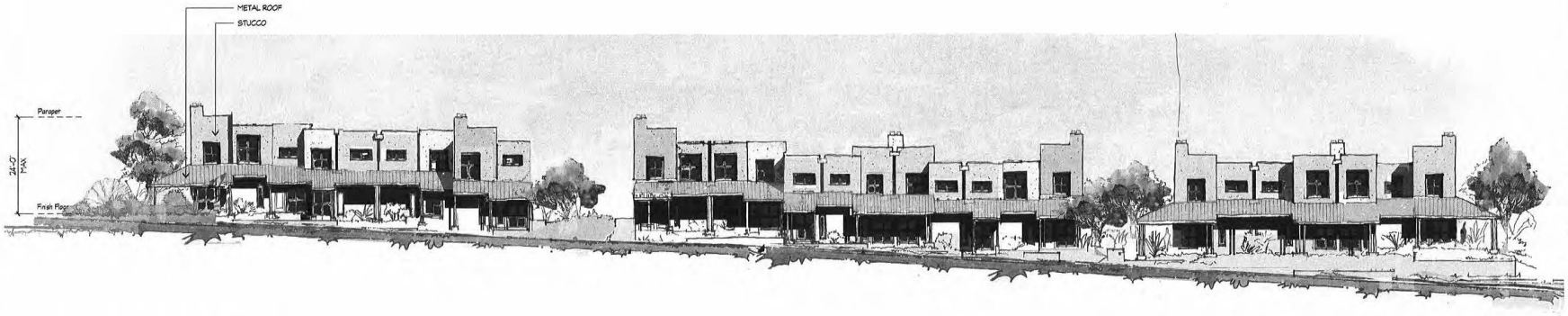
Sheet No.

A10



TOWNHOUSE - EAST ELEVATIONS

0 16' 32'
1/16"=1'-0"



TOWNHOUSE - WEST ELEVATIONS

0 16' 32'
1/16"=1'-0"

Lloyd & Associates
ARCHITECTS
100 N Guadalupe St., Suite 201
Santa Fe, NM 87501
Telephone: 505-988-1793 Fax: 505-986-1165
Web address: lloyd-architects.com

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN

Current Status:

REVISIONS

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Date:

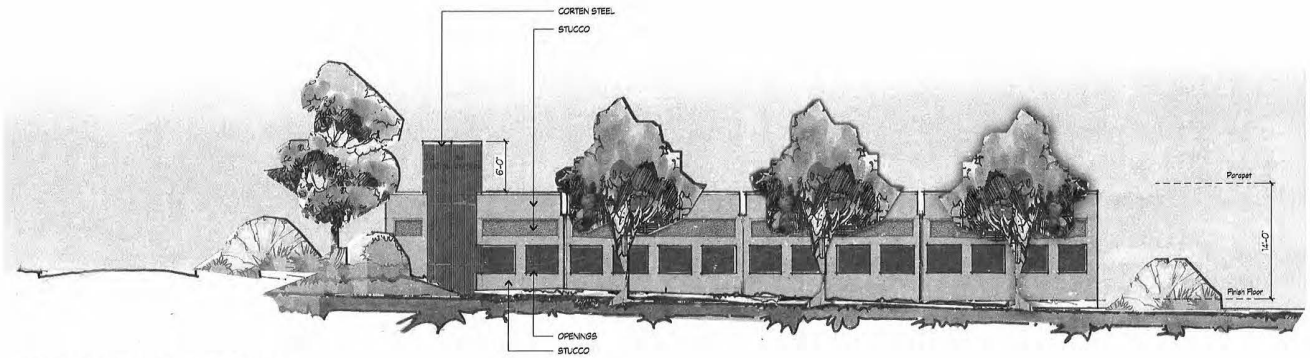
Sheet Title:

Conceptual Building Elevations
Phase 2 Townhomes

Job Number:

Sheet No.

A10



PARKING GARAGE - NORTH ELEVATION

0 8' 16'
1/8"=1'-0"

Lloyd & Associates
ARCHITECTS
100 N Guadalupe St., Suite 201
Santa Fe, NM 87501
Telephone: 505-988-5769 Fax: 505-986-1165
Web address: lloyd-architects.com

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN

Current Status:

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Date:

Sheet Title:

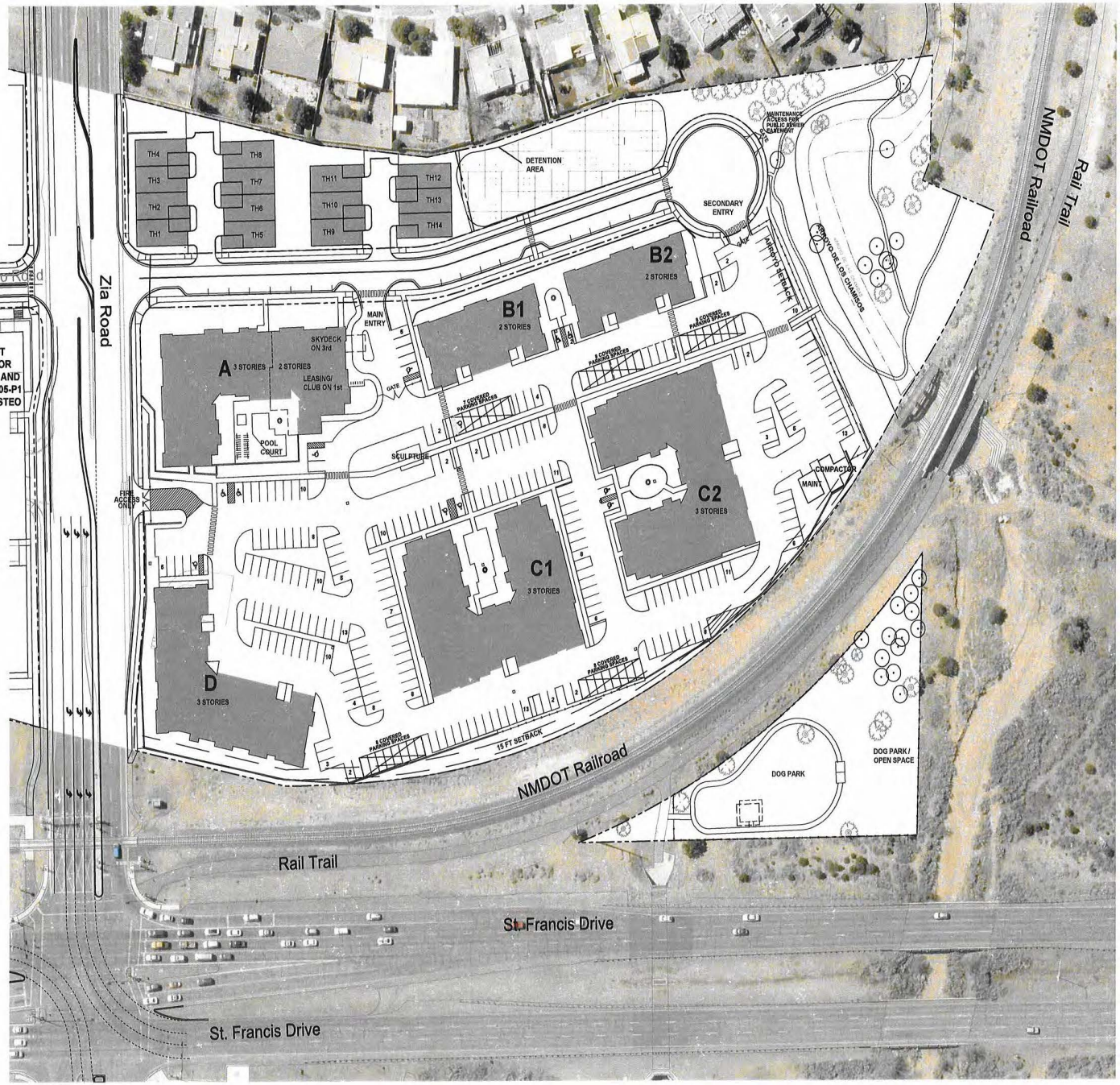
Conceptual
Building Elevations

Garage 1

Job Number:

Sheet No.

A10



General Notes

1. PROPERTY WILL BE SUBJECT TO THE WATER ALLOCATION AND/OR WATER OFFSITE RETROFIT PROVISIONS OF ORDINANCE NO. 2002-29 AND RESOLUTION 2002-55 AT THE TIME OF PERMIT APPLICATION OR WATER HOOKUP REQUEST. COMPLIANCE SHALL BE ACHIEVED BY USE OF RETROFIT CREDITS OR WATER TRANSFERS, IF APPLICABLE.
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6. ALL PROPOSED CHANGES TO THE APPROVED IMPROVEMENT PLANS SHALL RECEIVE PRIOR APPROVAL BY THE CITY OF SANTA FE.
7. COMPLY WITH THE CURRENT COSF WATER CONSERVATION OF STAGE.
8. FOR LOCATION AND TYPE OF LANDSCAPING SEE SHEET L 3.0 - L3.3.
9. ANY CHANGES AND/OR MODIFICATIONS TO THE APPROVED LANDSCAPE PLAN SHALL BE APPROVED BY TH COSF PLANNING AND LAND USE DEPARTMENT.
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11. PROPERTY DEVELOPMENT, BOTH PUBLIV AND PRIVATE OWNERSHIP, SHALL COMPLY WITH THE COSF ORDINANCE NO. 2002-20 (TERRAIN AND STORMWATER MANAGEMENT) AT THE TIME OF BUILDING PERMIT APPLICATION.
12. BUILDING SETBACKS SHALL APPLY TO ALL PERMANENT STRUCTURES, INCLUDING ACCESSORY STRUCTURES.
13. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WIH APPLICABLE PROVISIONS OF CHAPTER 14 LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
14. PROPERTY DEVELOPMENT IS REQUIRED O COMPLY WITH THE PROVISIONS OF EACH APPLICABLE CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO SUBMITTAL WITH BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISIONS OF REQUIREMENTS CALLED FOR IN CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
15. PROPERTY DEVELOPMENT IS SUBJECT TO THE PROVISIONS OF SECTION 14 - 8.4 (F) (5), "PLANT MATERIAL STANDARDS", WHERIN PRESERVATION OF SIGNIFICANT TREES IS REQUIRED.
16. FIRE DEPARTMENT ACCESS SHALL BE MAINTAINED THROUGHOUT ALL DEVELOPMENT CONSTRUCTION PHASES AS PER IFC 1410.1
17. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE AS PER IFC 1412.1
18. PERMANENT TRAFFIC CONTROL DEVICES SHALL BE INSTALLED PER APPROVED PLAN BY THE DEVELOPER.
19. THIS DEVELOPMENT LIES OUTSIDE OF A HISTORIC DISTRICT.

N

50 25 0 50

1"=50'

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811 Know what's below. Call before you dig.

BENCH MARKS
BENCH MARK LINE 1
BENCH MARK LINE 2
BENCH MARK LINE 3
BENCH MARK LINE 4
BENCH MARK LINE 5
BENCH MARK LINE 6
BENCH MARK LINE 7
BENCH MARK LINE 8
BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION
CONTRACTOR DATE
WORK STAKED BY DATE
INSPECTORS ACCEPTANCE BY DATE
FIELD VERIFICATION BY DATE
DRAWINGS CORRECTED BY DATE

REVISIONS

NO.	DATE	BY

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY MM

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN - PHASE 1

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C101-P1	8	X

Sat, 22-Nov-2020 - 4:59 pm, Plotted by: OBROWN
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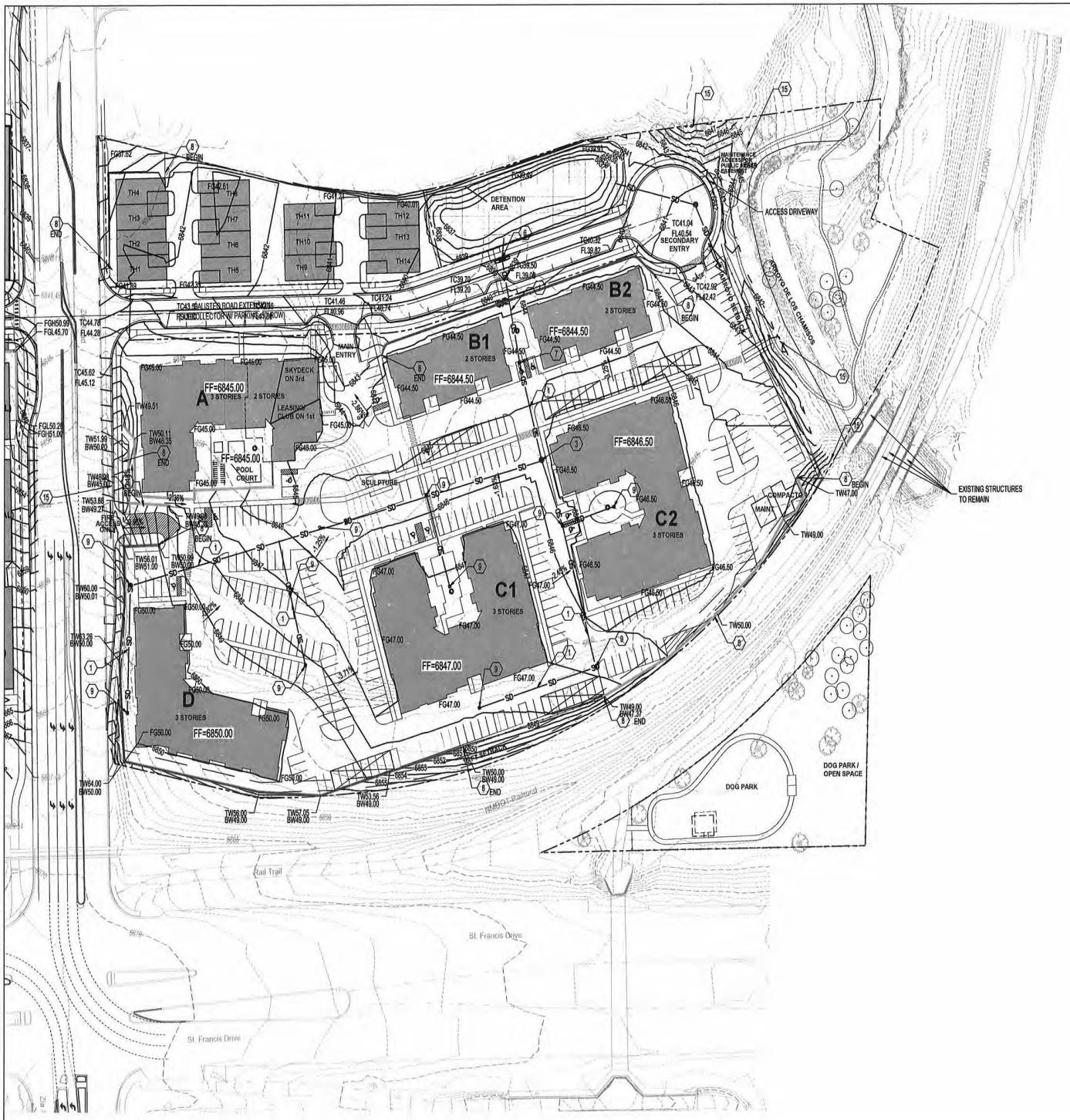

GENERAL NOTES

1. ALL STORM DRAIN PIPE TO BE HDPE N-12, CLASS III RCP, OR APPROVED EQUAL.

GRADING KEYED NOTES

1. INSTALL STORM DRAIN PIPE. SEE PLAN FOR SIZE & SLOPE.
2. INSTALL STORM DRAIN PIPE TO WITHIN 5' OF BUILDING FOR ROOF DRAIN CONNECTION. SEE PLUMBING PLANS FOR CONTINUATION.
3. CONSTRUCT 4' DIA TYPE "E" STORM DRAIN MANHOLE PER NMAPWA STD DWG 2102.
4. CONSTRUCT 6' DIA TYPE "E" STORM DRAIN MANHOLE PER NMAPWA STD DWG 2102.
5. CONSTRUCT TYPE "A" SINGLE GRATE STORM DRAIN INLET PER NMAPWA STD DWG 2201.
6. CONSTRUCT TYPE "C" SINGLE GRATE STORM DRAIN INLET PER NMAPWA STD DWG 2205.
7. CONSTRUCT TYPE "D" SINGLE GRATE STORM DRAIN INLET PER NMAPWA STD DWG 2206.
8. CONSTRUCT RETAINING WALL. SEE STRUCTURAL PLANS.
9. INSTALL 24" x 24" INLET DRAIN (NYLOPLAST OR APPROVED EQUAL) WITH GRATE. GRATES WITHIN ROADWAY SURFACES SHALL HAVE SH-20 TRAFFIC RATED GRATES.
10. CONSTRUCT BIO - SWALE PER DETAIL X/XXX.
11. INSTALL 12" WIDE CURB OPENING PER DETAIL X/XXX.
12. INSTALL FLARED END SECTION (SIZE PER PLAN) AND 18" THICK TYPE L RIPRAP PAD.
13. INSTALL 12" THICK TYPE VL RIP-RAP PER X/XXX.
14. CONSTRUCT 12" WIDE SIDEWALK CULVERT PER NMAPWA STD DWG 2236.
15. MATCH EXISTING GRADE; NOTIFY ENGINEER OF ANY DISCREPANCIES.
16. INSTALL 4' WIDE VALLEY GUTTER PER NMAPWA STD DWG 2422.
17. INSTALL PREMANUFACTURED STORM DRAIN FITTING, INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

LEGEND

- PROPERTY LINE
- 95.40 — PROPOSED SPOT ELEVATION (TC=TOP OF CURB; FL=FLOW LINE; TOC=TOP OF CONCRETE; TS=TOP OF SIDEWALK; TG=TOP OF GRATE; FG=FINISHED GRADE; FGH=FINISHED GRADE HIGH; FGL=FINISHED GRADE LOW; INV=INVERT)
- 4960 — EXISTING INDEX CONTOUR
- 4959 — EXISTING INTERMEDIATE CONTOUR
- DIRECTION OF FLOW
- WATER BLOCK/GRADE BREAK
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED STORM DRAIN INLETS
- PROPOSED STORM DRAIN CAP
- RETAINING WALL

N

50 25 0 50

1"=50'

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ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
GRADING PLAN - PHASE 1

BH PROJECT NO.	DWG NO.	SHEET	OF
20210083	C102-P1	9	X

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BENCH MARKS
BENCH MARK LINE 1
BENCH MARK LINE 2
BENCH MARK LINE 3
BENCH MARK LINE 4
BENCH MARK LINE 5
BENCH MARK LINE 6
BENCH MARK LINE 7
BENCH MARK LINE 8
BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION
CONTRACTOR — DATE
WORK STAKED BY — DATE
INSPECTIONS ACCEPTANCE BY — DATE
FIELD VERIFICATION BY — DATE
DRAWING CORRECTED BY — DATE

REVISIONS

NO.	DATE	BY

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY MM

Sun, 23-Apr-2023 - 4:51 pm, Plotted by GBROWN
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WATERLINE KEYNOTES

1. CONNECT TO EXISTING 8" WATER LINE AT EXISTING GATE VALVE.
2. INSTALL 1- 8"x8"x6" TEE.
3. INSTALL FIRE HYDRANT, PER NMAPWA STD DWG 2340.
4. INSTALL 1- 8"X8"X6" MJ, DI, TEE. INSTALL 1- 6" MJ GATE VALVE ON THE MAIN AND 1 - 6" MJ GATE VALVE ON THE BRANCH.
5. INSTALL FIRE PROTECTION LINE (SIZE PER PLANS) TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
6. INSTALL PUBLIC WATER LINE, SIZE PER PLAN.
7. INSTALL 90° MJ, DI. SIZE PER PLAN.
8. INSTALL 45° MJ, DI. SIZE PER PLAN.
9. INSTALL 22.5° MJ, DI. SIZE PER PLAN.
10. INSTALL 11.25° MJ, DI. SIZE PER PLAN.
11. INSTALL VERTICAL 45° BENDS WITH RESTRAINED JOINTS TO DIP WATER LINE / FIRE LINE UNDER STORM DRAIN TO MAINTAIN A 2' VERTICAL CLEARANCE.
12. INSTALL PRIVATE WATER SERVICE (SIZE PER PLANS) TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
13. INSTALL REDUCED PRESSURE BACKFLOW DEVICE WITH HEATED ENCLOSURE.
14. INSTALL FIRE PROTECTION POST INDICATOR VALVE (SIZE PER PLANS).
15. INSTALL REMOTE FIRE DEPARTMENT CONNECTION (FDC) PER DETAIL X/XXX

SANITARY SEWER KEYNOTES

1. INSTALL GREASE INTERCEPTOR PER PLUMBING PLANS.
2. INSTALL 4' SANITARY MANHOLE PER NMAPWA STD DWG 2101.
3. INSTALL 4" PRIVATE SANITARY SERVICE TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
4. INSTALL 8" PUBLIC SAS LINE.
5. INSTALL 6" PRIVATE SANITARY SERVICE TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
6. INSTALL 6" SANITARY DOUBLE CLEANOUT PER DETAIL 1/C210.
7. INSTALL SANITARY SEWER PLUG, SIZE PER PLANS.

UTILITY LEGEND

- PROPERTY BOUNDARY
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED CLEANOUT
- PROPOSED WATER LINE
- PROPOSED VALVE
- PROPOSED FIRE WATER LINE
- PROPOSED HYDRANT
- PROPOSED CAP
- PROPOSED WATER METER
- PROPOSED PIV
- REMOTE FIRE DEPARTMENT CONNECTION
- GREASE INTERCEPTOR

N

50 25 0 50

1"=50'

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BENCH MARKS

BENCH MARK LINE 1	
BENCH MARK LINE 2	
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ENGINEER'S SEAL

AS-BUILT INFORMATION

	DATE	BY
CONTRACTOR		
WORK STAKED BY		
INSPECTORS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE	BY

DESIGN

DESIGNED BY	OB
CHECKED BY	GB
DRAWN BY	MM

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
UTILITY PLAN - PHASE 1

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	10	X	X

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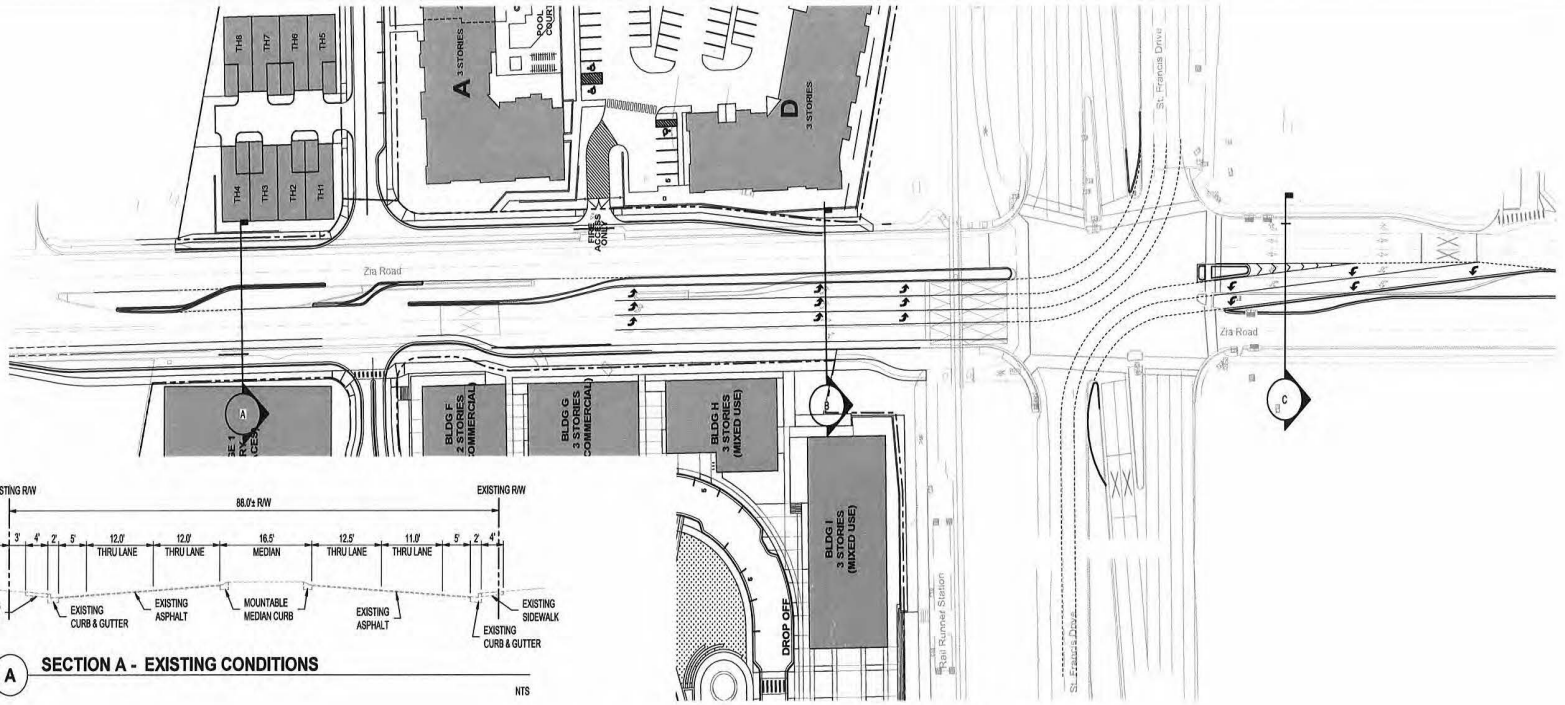
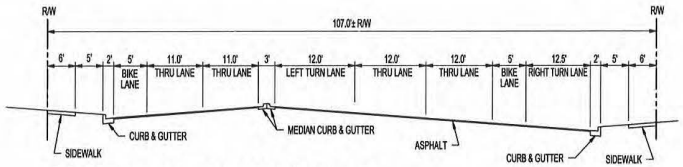


A **SECTION A - EXISTING CONDITIONS**

NTS



A **SECTION A - PROPOSED CONDITIONS**

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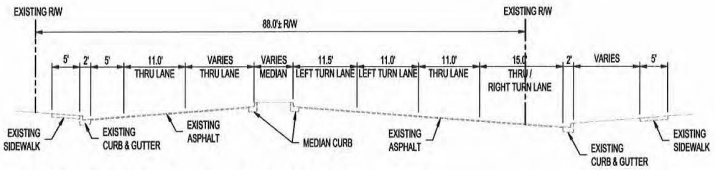
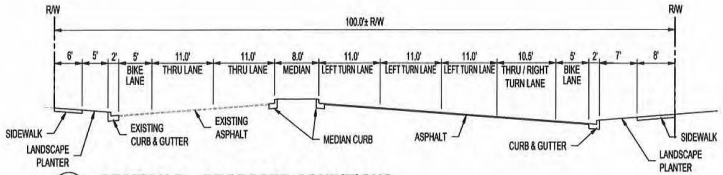


B **SECTION B - EXISTING CONDITIONS**

NTS



B **SECTION B - PROPOSED CONDITIONS**

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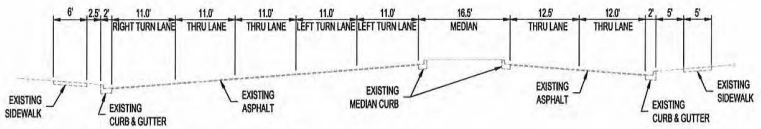
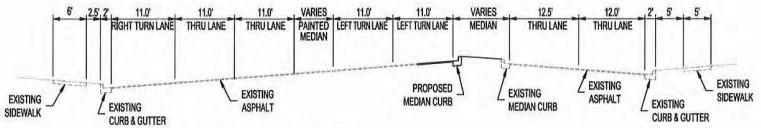
ST. FRANCIS DRIVE/ WEST ZIA ROAD IMPROVEMENTS



C **SECTION C - EXISTING CONDITIONS**

NTS



C **SECTION C - PROPOSED CONDITIONS**

NTS

Know what's below. Call before you dig. 811

BENCH MARKS

BENCH MARK LINE 1
BENCH MARK LINE 2
BENCH MARK LINE 3
BENCH MARK LINE 4
BENCH MARK LINE 5
BENCH MARK LINE 6
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BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKED BY		
INSPECTORS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE

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DRAWN BY	MM

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ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
ZIA ROAD IMPROVEMENTS - PHASE 1

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C104-P1	11	X

Sun, 22-Nov-2020 - 4:53 pm, Plotted by: OBROWN
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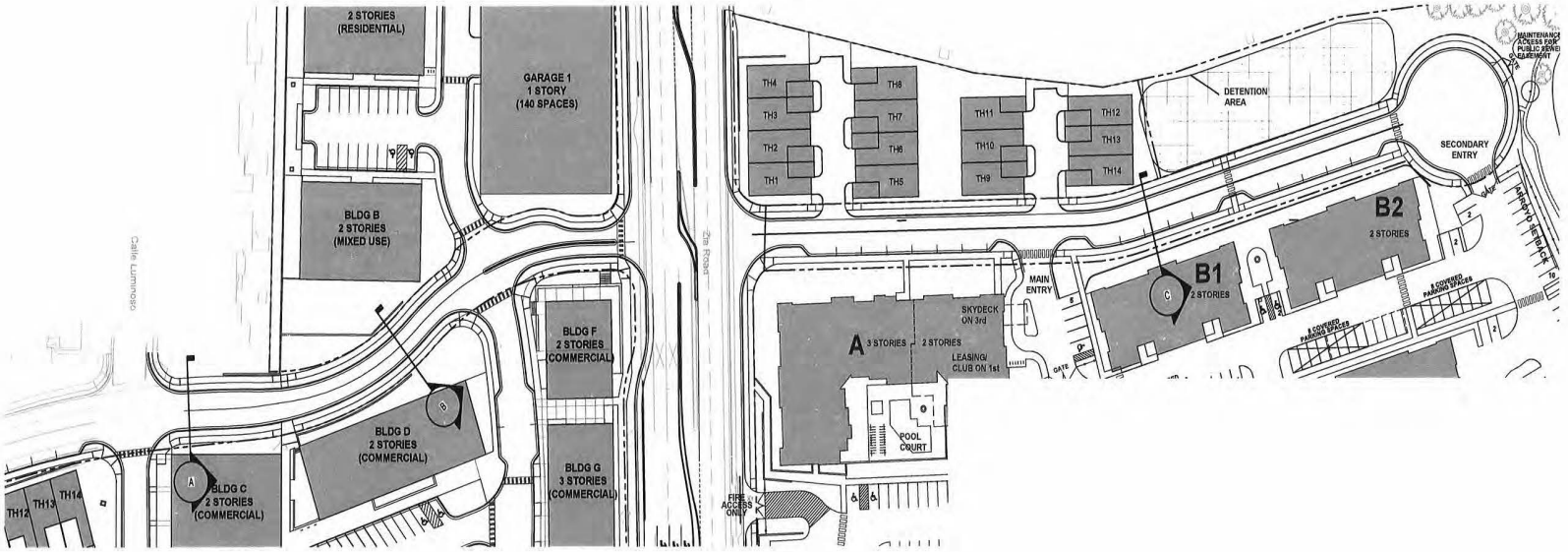
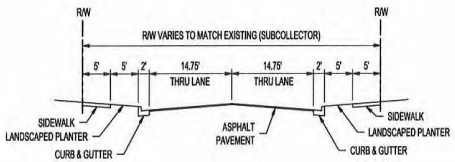
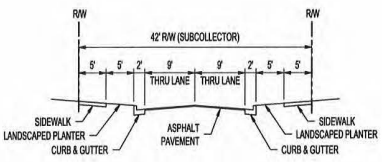


GALISTEO ROAD IMPROVEMENTS



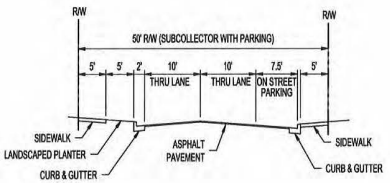
A **SECTION A - PROPOSED CONDITIONS**

NTS



B **SECTION B - PROPOSED CONDITIONS**

NTS



C **SECTION C - PROPOSED CONDITIONS**

NTS

811 Know what's below. Call before you dig.

BENCH MARKS

BENCH MARK LINE 1	
BENCH MARK LINE 2	
BENCH MARK LINE 3	
BENCH MARK LINE 4	
BENCH MARK LINE 5	
BENCH MARK LINE 6	
BENCH MARK LINE 7	
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BENCH MARK LINE 9	

ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKED BY		
INSPECTORS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE

DESIGN

DESIGNED BY	OB
CHECKED BY	GB
DRAWN BY	MM

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50 25 0 50

1"=50'

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ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
GALISTEO ROAD IMPROVEMENTS - PHASE 1

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C105-P1	—	X

Sun, 23 Nov 2025 - 4:54 pm, Plotted by: OBROWN
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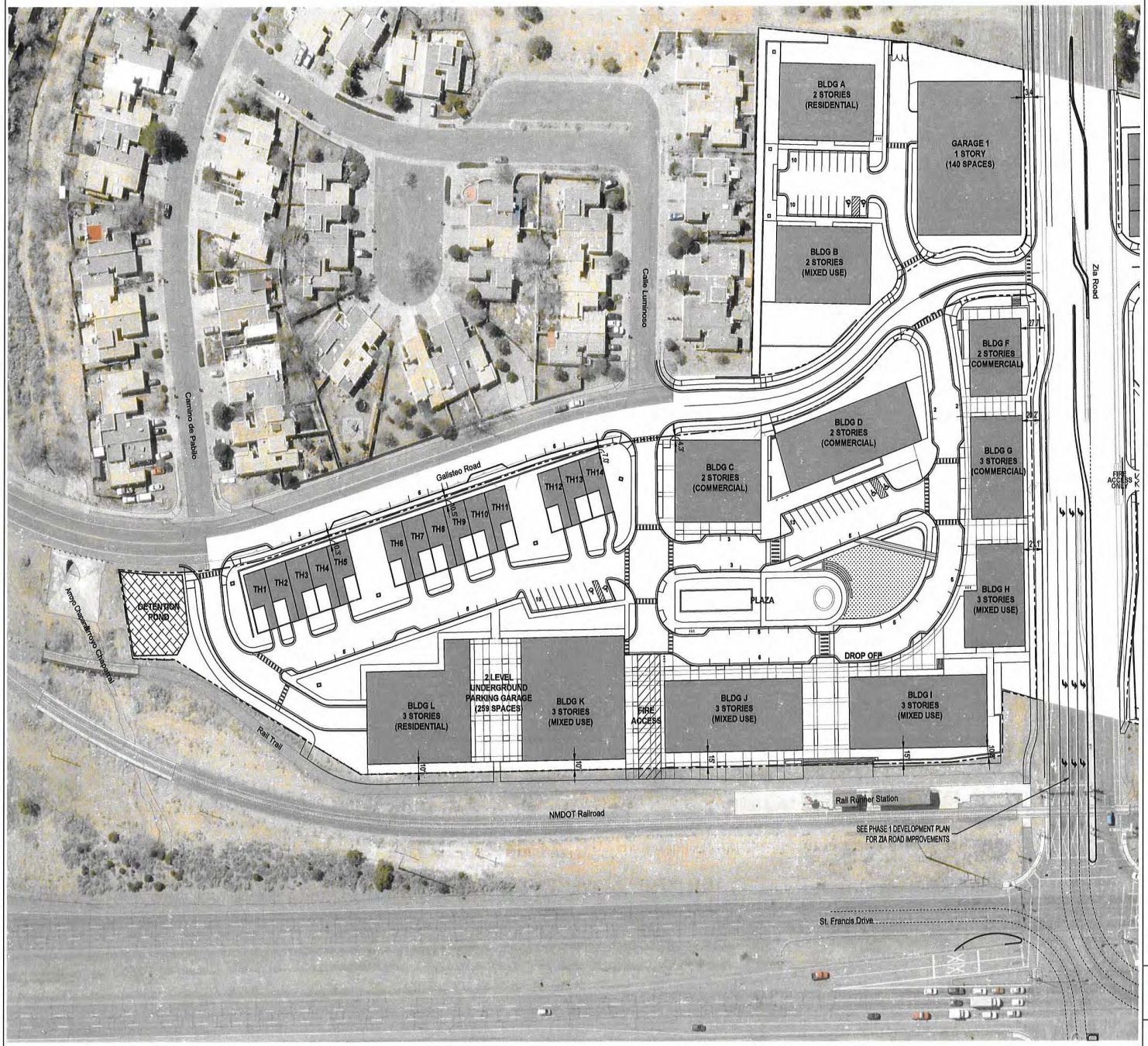

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10. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF COSF ORDINANCE NO. 2008 -02 (IMPACT FEES).
11. PROPERTY DEVELOPMENT, BOTH PUBLIV AND PRIVATE OWNERSHIP, SHALL COMPLY WITH THE COSF ORDINANCE NO. 2002-20 (TERRAIN AND STORMWATER MANAGEMENT) AT THE TIME OF BUILDING PERMIT APPLICATION.
12. BUILDING SETBACKS SHALL APPLY TO ALL PERMANENT STRUCTURES, INCLUDING ACCESSORY STRUCTURES.
13. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WIH APPLICABLE PROVISIONS OF CHAPTER 14 LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
14. PROPERTY DEVELOPMENT IS REQUIRED O COMPLY WITH THE PROVISIONS OF EACH APPLICABLE CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO SUBMITTAL WITH BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISIONS OF REQUIREMENTS CALLED FOR IN CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
15. PROPERTY DEVELOPMENT IS SUBJECT TO THE PROVISIONS OF SECTION 14 - 8.4 (F) (5), "PLANT MATERIAL STANDARDS", WHERIN PRESERVATION OF SIGNIFICANT TREES IS REQUIRED.
16. FIRE DEPARTMENT ACCESS SHALL BE MAINTAINED THROUGHOUT ALL DEVELOPMENT CONSTRUCTION PHASES AS PER IFC 1410.1
17. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION, EITHER TEMPORARY OR PERMANENT, SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE AS PER IFC 1412.1
18. PERMANENT TRAFFIC CONTROL DEVICES SHALL BE INSTALLED PER APPROVED PLAN BY THE DEVELOPER.
19. THIS DEVELOPMENT LIES OUTSIDE OF A HISTORIC DISTRICT.

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1"=50'

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BENCH MARKS
BENCH MARK LINE 1
BENCH MARK LINE 2
BENCH MARK LINE 3
BENCH MARK LINE 4
BENCH MARK LINE 5
BENCH MARK LINE 6
BENCH MARK LINE 7
BENCH MARK LINE 8
BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION
CONTRACTOR DATE
WORK STAKED BY DATE
INSPECTORS ACCEPTANCE BY DATE
FIELD VERIFICATION BY DATE
DRAWINGS CORRECTED BY DATE

REVISIONS
NO. DATE BY

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY MM

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
PRELIMINARY DEVELOPMENT PLAN - PHASE 2

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C201-P2	4	X

Sun, 23-Nov-2025 - 4:55 pm, Plotted by: OBROWN
P:\2021\0083\CDP\Plans\General\Preliminary Development Plan\20210083_SP01.dwg

GENERAL NOTES

1. ALL STORM DRAIN PIPE TO BE HDPE N-12, CLASS III RCP, OR APPROVED EQUAL.

GRADING KEYED NOTES

1. INSTALL STORM DRAIN PIPE. SEE PLAN FOR SIZE & SLOPE.
2. INSTALL STORM DRAIN PIPE TO WITHIN 5' OF BUILDING FOR ROOF DRAIN CONNECTION. SEE PLUMBING PLANS FOR CONTINUATION.
3. CONSTRUCT 4' DIA TYPE "E" STORM DRAIN MANHOLE PER NMAPWA STD DWG 2102.
4. CONSTRUCT 6' DIA TYPE "E" STORM DRAIN MANHOLE PER NMAPWA STD DWG 2102.
5. CONSTRUCT TYPE "A" SINGLE GRATE STORM DRAIN INLET PER NMAPWA STD DWG 2201.
6. CONSTRUCT TYPE "C" SINGLE GRATE STORM DRAIN INLET PER NMAPWA STD DWG 2205.
7. CONSTRUCT TYPE "D" SINGLE GRATE STORM DRAIN INLET PER NMAPWA STD DWG 2206.
8. CONSTRUCT RETAINING WALL. SEE STRUCTURAL PLANS.
9. INSTALL 24" x 24" INLET DRAIN (NYLOPLAST OR APPROVED EQUAL) WITH GRATE. GRATES WITHIN ROADWAY SURFACES SHALL HAVE SH-20 TRAFFIC RATED GRATES.
10. CONSTRUCT BIO - SWALE PER DETAIL X/XXX.
11. INSTALL 12" WIDE CURB OPENING PER DETAIL X/XXX.
12. INSTALL FLARED END SECTION (SIZE PER PLAN) AND 18" THICK TYPE L RIPRAP PAD.
13. INSTALL 12" THICK TYPE VL RIP-RAP PER X/XXX.
14. CONSTRUCT 12' WIDE SIDEWALK CULVERT PER NMAPWA STD DWG 2236.
15. MATCH EXISTING GRADE; NOTIFY ENGINEER OF ANY DISCREPANCIES.
16. INSTALL 4' WIDE VALLEY GUTTER PER NMAPWA STD DWG 2422.
17. INSTALL PREMANUFACTURED STORM DRAIN FITTING, INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

LEGEND

- PROPERTY LINE
- PROPOSED SPOT ELEVATION (● 95.40)
  - TC=TOP OF CURB
  - FL=FLOW LINE
  - TOC=TOP OF CONCRETE
  - TS=TOP OF SIDEWALK
  - TG=TOP OF GRATE
  - FG=FINISHED GRADE
  - FGH=FINISHED GRADE HIGH
  - FGL=FINISHED GRADE LOW
  - INV=INVERT
- 4960 EXISTING INDEX CONTOUR
- 4959 EXISTING INTERMEDIATE CONTOUR
- DIRECTION OF FLOW
- WATER BLOCK/GRADE BREAK
- PROPOSED STORM DRAIN MANHOLE
- PROPOSED STORM DRAIN INLETS
- PROPOSED STORM DRAIN CAP
- RETAINING WALL

N

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1"=50'

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ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
GRADING PLAN - PHASE 2

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C202-P2	15	X

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BENCH MARKS
BENCH MARK LINE 1
BENCH MARK LINE 2
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BENCH MARK LINE 9

ENGINEER'S SEAL

AS-BUILT INFORMATION
BY
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DRAWINGS CORRECTED BY DATE

REVISIONS
NO. DATE

DESIGN
DESIGNED BY OB
CHECKED BY GB
DRAWN BY MM

Sun, 23-Nov-2025 - 1:55 pm, Plotted by: GBROWN
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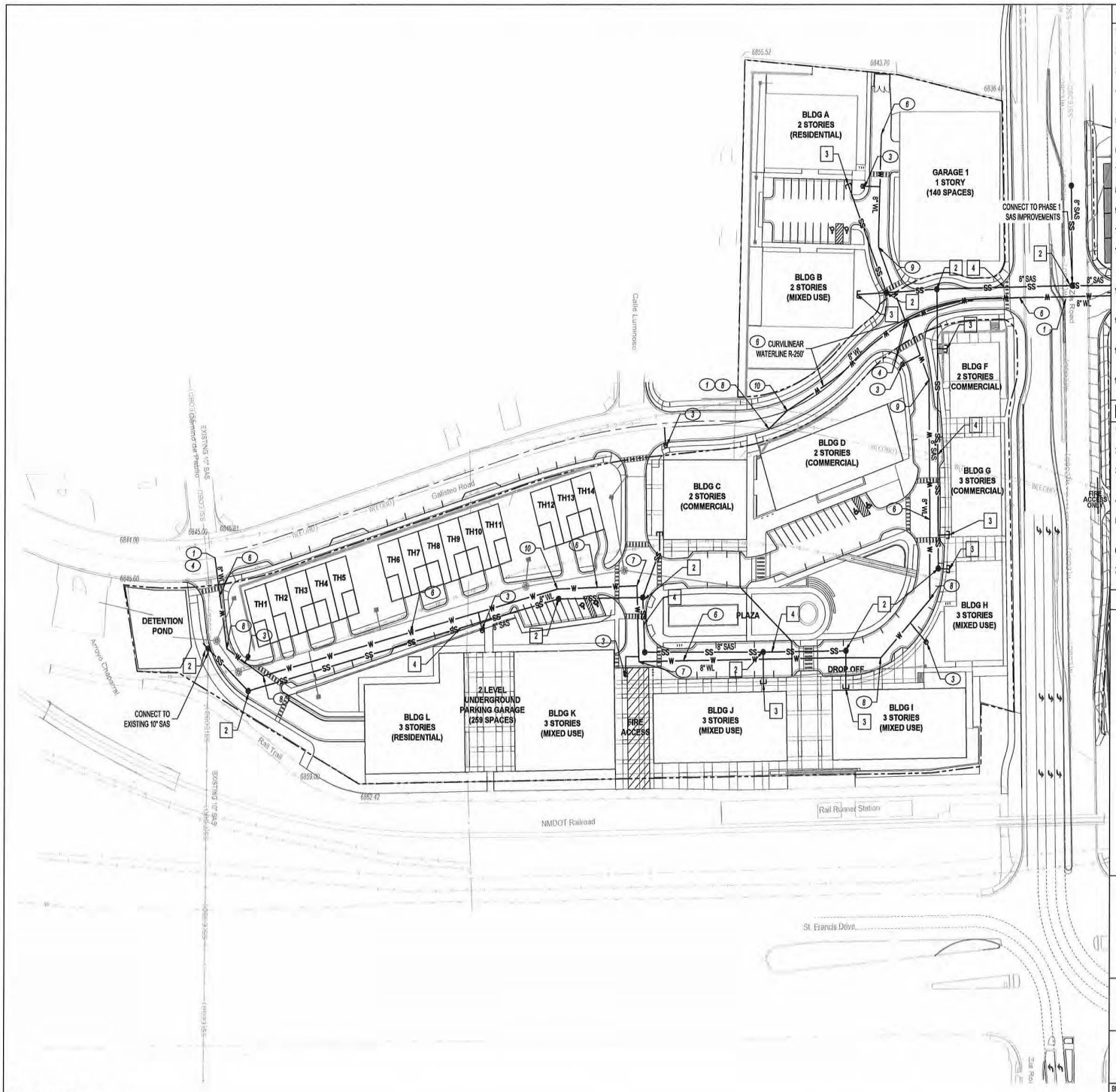

WATERLINE KEYNOTES

1. CONNECT TO EXISTING 8" WATER LINE AT EXISTING GATE VALVE.
2. INSTALL 1- 8"x8"x6" TEE.
3. INSTALL FIRE HYDRANT, PER NMAPWA STD DWG 2340.
4. INSTALL 1- 8"X8"X8" MJ, DI, TEE. INSTALL 1- 8" MJ GATE VALVE ON THE MAIN AND 1 - 8" MJ GATE VALVE ON THE BRANCH.
5. INSTALL FIRE PROTECTION LINE (SIZE PER PLANS) TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
6. INSTALL PUBLIC WATER LINE, SIZE PER PLAN.
7. INSTALL 90° MJ, DI, SIZE PER PLAN.
8. INSTALL 45° MJ, DI, SIZE PER PLAN.
9. INSTALL 22.5° MJ, DI, SIZE PER PLAN.
10. INSTALL 11.25° MJ, DI, SIZE PER PLAN.
11. INSTALL VERTICAL 45° BENDS WITH RESTRAINED JOINTS TO DIP WATER LINE / FIRE LINE UNDER STORM DRAIN TO MAINTAIN A 2' VERTICAL CLEARANCE.
12. INSTALL PRIVATE WATER SERVICE (SIZE PER PLANS) TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
13. INSTALL REDUCED PRESSURE BACKFLOW DEVICE WITH HEATED ENCLOSURE.
14. INSTALL FIRE PROTECTION POST INDICATOR VALVE (SIZE PER PLANS).
15. INSTALL REMOTE FIRE DEPARTMENT CONNECTION (FDC) PER DETAIL XXXX

SANITARY SEWER KEYNOTES

1. INSTALL GREASE INTERCEPTOR PER PLUMBING PLANS.
2. INSTALL 4' SANITARY MANHOLE PER NMAPWA STD DWG 2101.
3. INSTALL 4" PRIVATE SANITARY SERVICE TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
4. INSTALL 8" PUBLIC SAS LINE.
5. INSTALL 6" PRIVATE SANITARY SERVICE TO WITHIN 5' OF BUILDING. SEE PLUMBING PLANS FOR CONTINUATION.
6. INSTALL 6" SANITARY DOUBLE CLEANOUT PER DETAIL 1/C210.
7. INSTALL SANITARY SEWER PLUG, SIZE PER PLANS.

UTILITY LEGEND

- PROPERTY BOUNDARY
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED CLEANOUT
- PROPOSED WATER LINE
- PROPOSED VALVE
- PROPOSED FIRE WATER LINE
- PROPOSED HYDRANT
- PROPOSED CAP
- PROPOSED WATER METER
- PROPOSED PIV
- REMOTE FIRE DEPARTMENT CONNECTION
- GREASE INTERCEPTOR

N

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1"=30'

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ENGINEER'S SEAL

AS-BUILT INFORMATION

	BY	DATE
CONTRACTOR		
WORK STAKED BY		
INSPECTORS ACCEPTANCE BY		
FIELD VERIFICATION BY		
DRAWINGS CORRECTED BY		

REVISIONS

NO.	DATE

DESIGN

DESIGNED BY	OB
CHECKED BY	GB
DRAWN BY	MM

ZIA STATION
PRELIMINARY DEVELOPMENT PLAN
UTILITY PLAN - PHASE 2

BHI PROJECT NO.	DWG NO.	SHEET	OF
20210083	C203-P2	17	X

Sun, 23-Nov-2025 - 4:57 pm, Plotted by: GBROWN
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F. NEW BUSINESS

1. **Case #2020-2998. 4193 A and B Fairly Rd & 6450 Camino Rojo Final Subdivision.** JenkinsGavin, Inc., Agent, for Homewise, Inc., Owner, requests approval of a Final subdivision plat for fifty-six single family lots. The properties are approximately 10.05 acres and are zoned R-5 (Residential- five dwelling units per acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)

Name	Comment - 01/30/2021 05:55 PM : (Against)
Isabel Chavez	I am against this proposition

F. NEW BUSINESS

1. **Case #2020-2998. 4193 A and B Fairly Rd & 6450 Camino Rojo Final Subdivision.** JenkinsGavin, Inc., Agent, for Homewise, Inc., Owner, requests approval of a Final subdivision plat for fifty-six single family lots. The properties are approximately 10.05 acres and are zoned R-5 (Residential- five dwelling units per acre). (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)

Name	Comment - 02/01/2021 04:53 PM : (For)
Randall Gilbert	Homewise does good things!

F. NEW BUSINESS

2.

Case #2020-2898. North Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 05:55 PM : (Against)
Isabel Chavez	I am strongly against this.

F. NEW BUSINESS

2.

Case #2020-2898. North Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 04:53 PM : (Against)
Randall Gilbert	Monumentally bad idea. Intersection is already a zoo; don't need any further comm developments at Zia and St Francis (notice a big empty space or two by Albertsons?). Affordable housing for 5 years? Shame on the developer.

F. NEW BUSINESS

2.

Case #2020-2898. North Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	**Comment - 02/01/2021 05:26 PM : (Against)**
Victoria Carbajal	This will cause a big inconvenience to the neighborhood and surrounding businesses, especially parents getting their children to school and commuting to work. When school is in session, the traffic from Zia to turn left onto St.Francis is sometimes a waiting period of at least 10 minutes. I have seen the line start almost at the last entrance to Santa Fe High School. The traffic off of I-25 on St. Francis headed towards town is backed up and could take 10-15 minutes to get across Siringo Road today. The train stop at Zia and St. Francis already adds time to commuters when it passes through and causes traffic back up. I cannot imagine how much more time would be added all around each street's commute if this were to pass.

F. NEW BUSINESS

2.

Case #2020-2898. North Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 08:11 PM : (Against)
Robin Wakeland	I need confirmation that my comments were received and will be provided to the planning commission member for their review. Further, I talked to E. Isaacson, also of the city planning department, on Thursday 1/28/2021 how to get confirmation that comments and documents sent via this portal online link were received, and he said the county clerk is responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. Then, I called the clerk's office, and the clerk I talked to said the clerk's office is not responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. He said the clerk's office is responsible for only comments to city council meetings. The clerk said Geraldine Gurule, staff of the city planning department was responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. However, when I tried to call Ms. Gurule, she did not answer the phone and I left a message with my phone number and asked her to call me. However, I never received a call from Ms. Gurule.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: R.G. Wakeland
2305 Calle Luminoso Santa Fe NM 87505
505 473 4036 PHONE
rgw4036@yahoo.com

Date: 1-30-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002898-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning as a future hypothetical situation. Repositioning, according to the application, is

contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP*, 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner*, 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

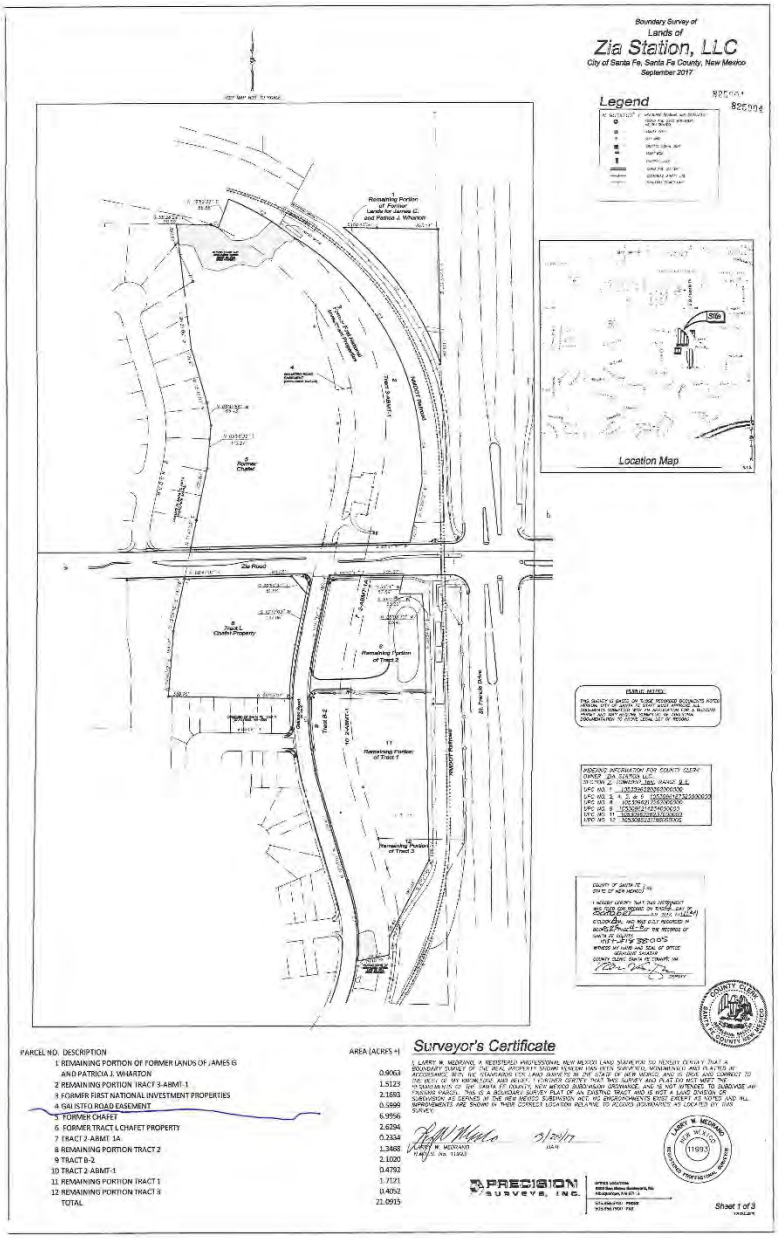
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

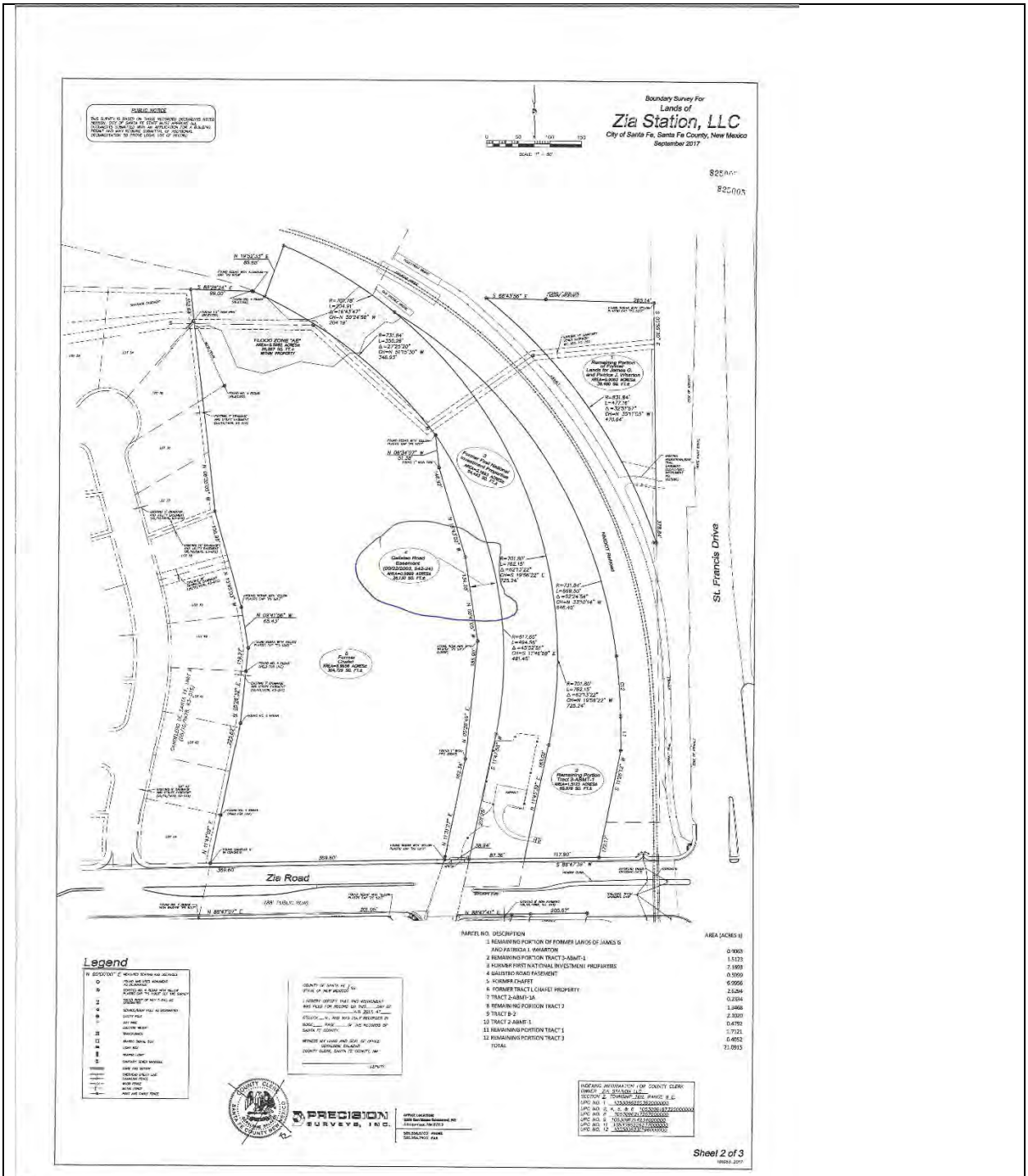
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

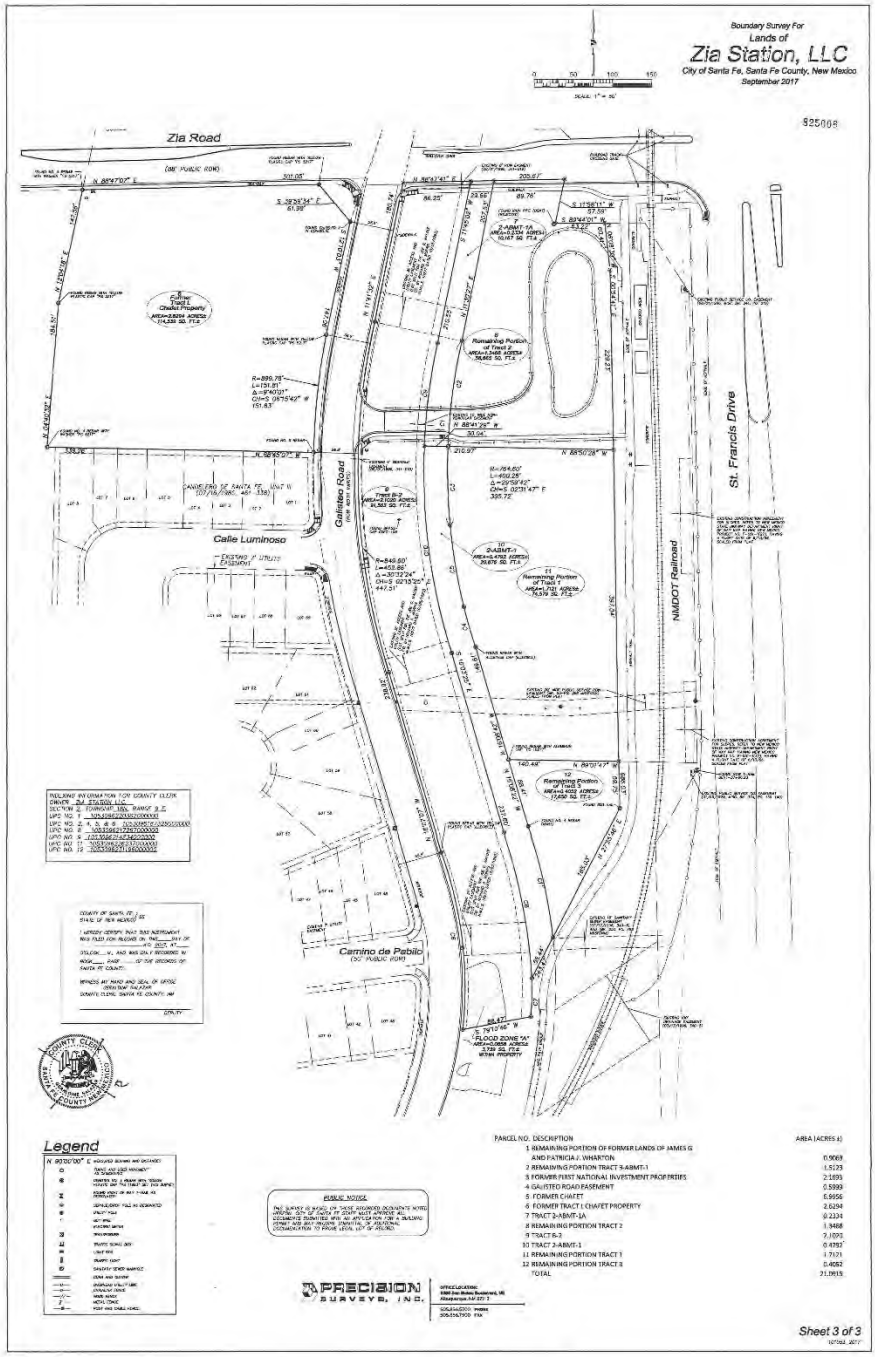
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

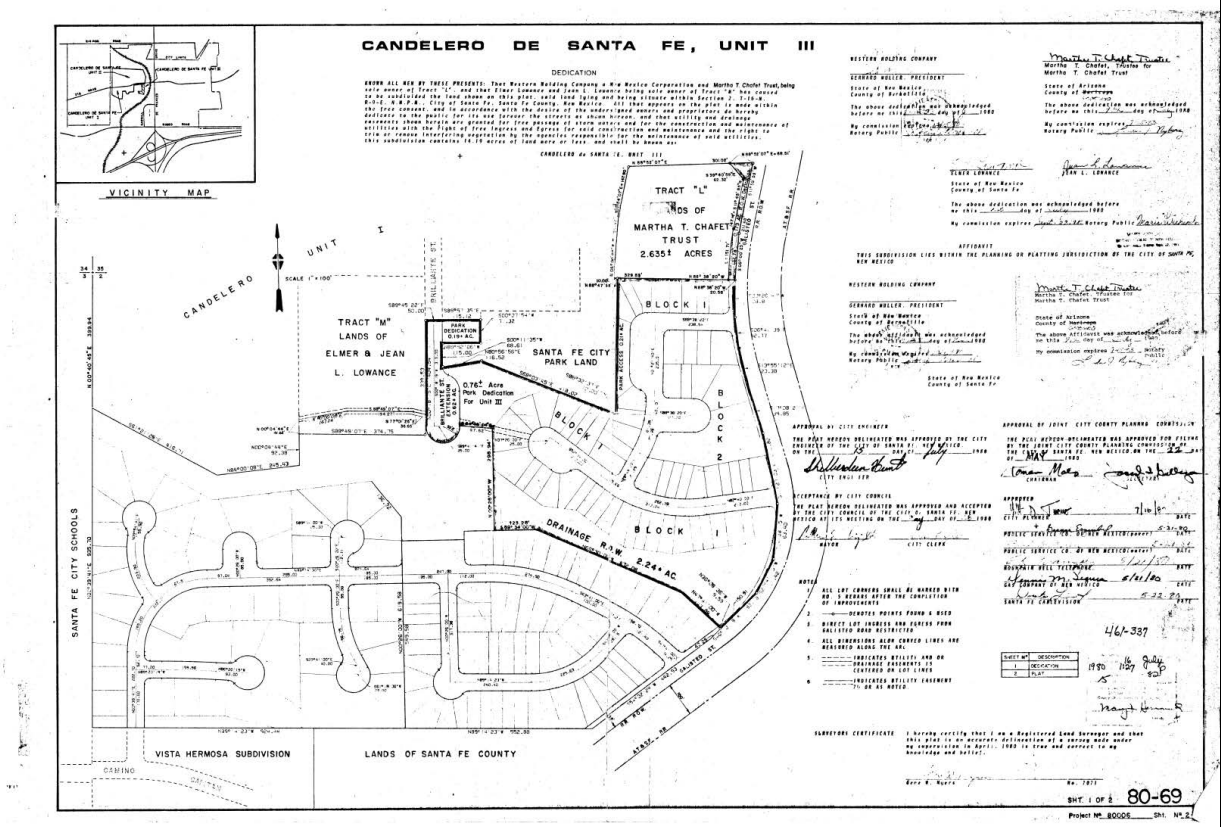
Ex. 1 p. 1


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

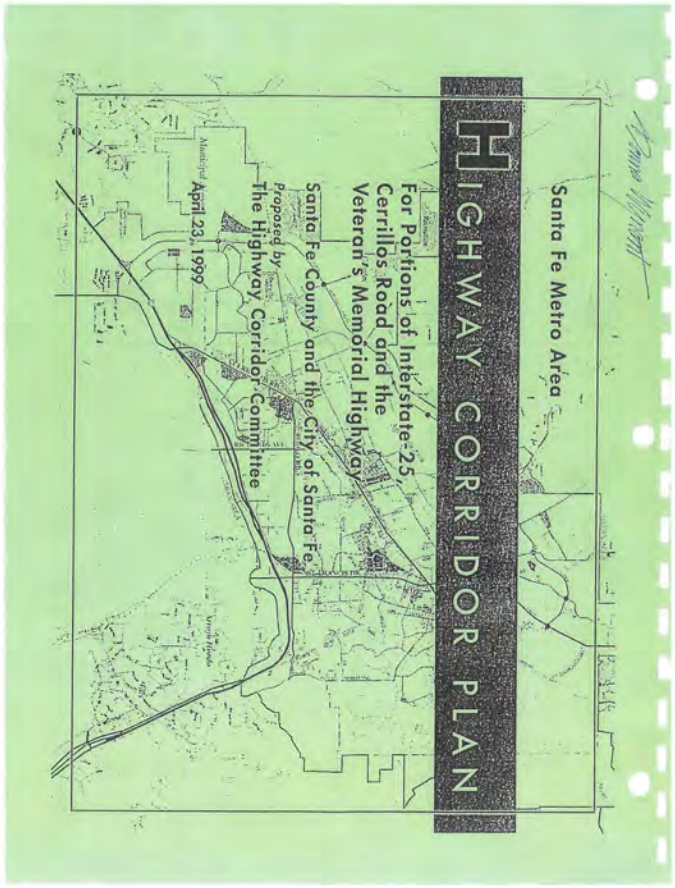
Ex. 1 p. 2


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Zia Road
St. Francis Drive
NMDOT Railroad
Galisteo Road
Calle Luminoso
Camino de Pablo
Legend
PRECISION SURVEYS, INC.
Sheet 3 of 3

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and I-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

2.

Case #2020-2898. North Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	**Comment - 02/01/2021 02:05 PM : (Against)**
Ben Williams	Kindly receive the attached objection. While I did not compose the objection, I agree broadly with its contents, and feel strongly that any further development of the Zia/St Francis/Candlelight area, especially as envisioned under the current proposal by developers, would have a severely negative impact on quality of life in the area. I urge the Commission to deny the developers' proposal.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: Ben Williams
Resident, Chaparral neighborhood
2367 Camino Capitan No. 1
Santa Fe NM 87505
ben.williams@yahoo.com

Date: 2-01-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002898-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning

as a future hypothetical situation. Repositioning, according to the application, is contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP,* 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner,* 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

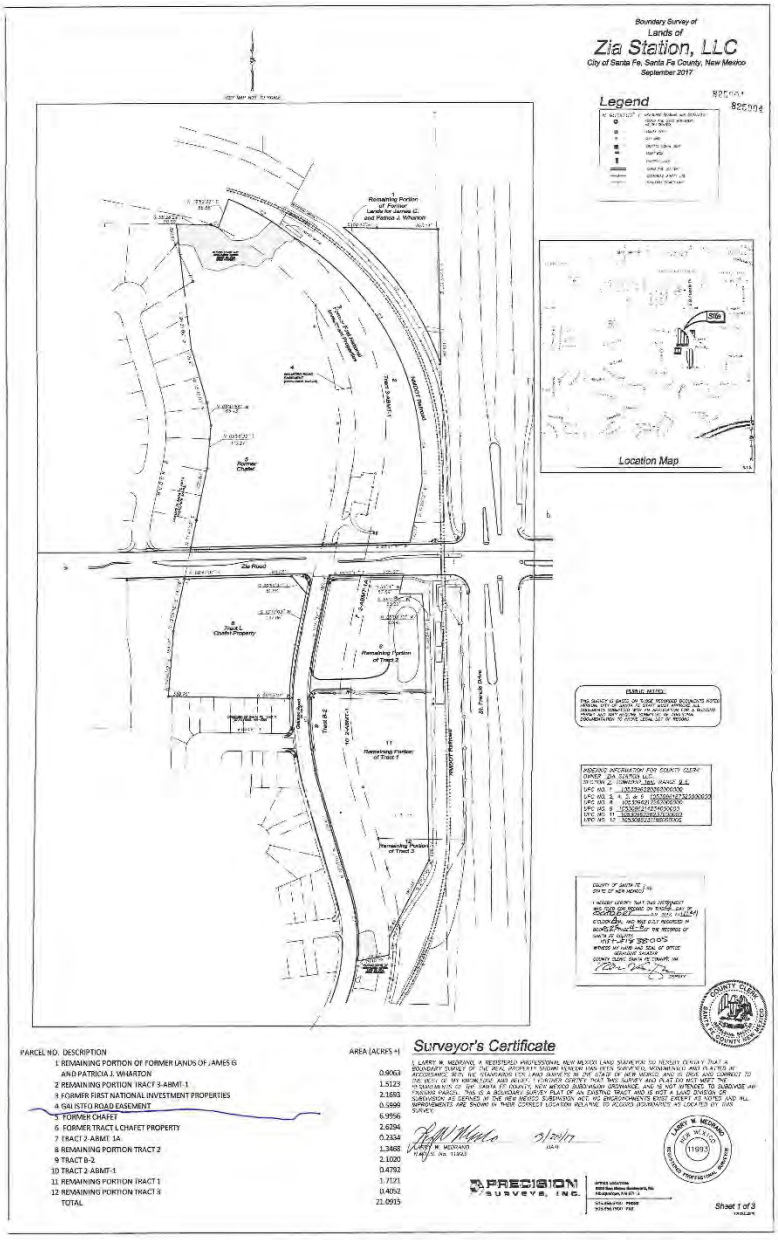
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

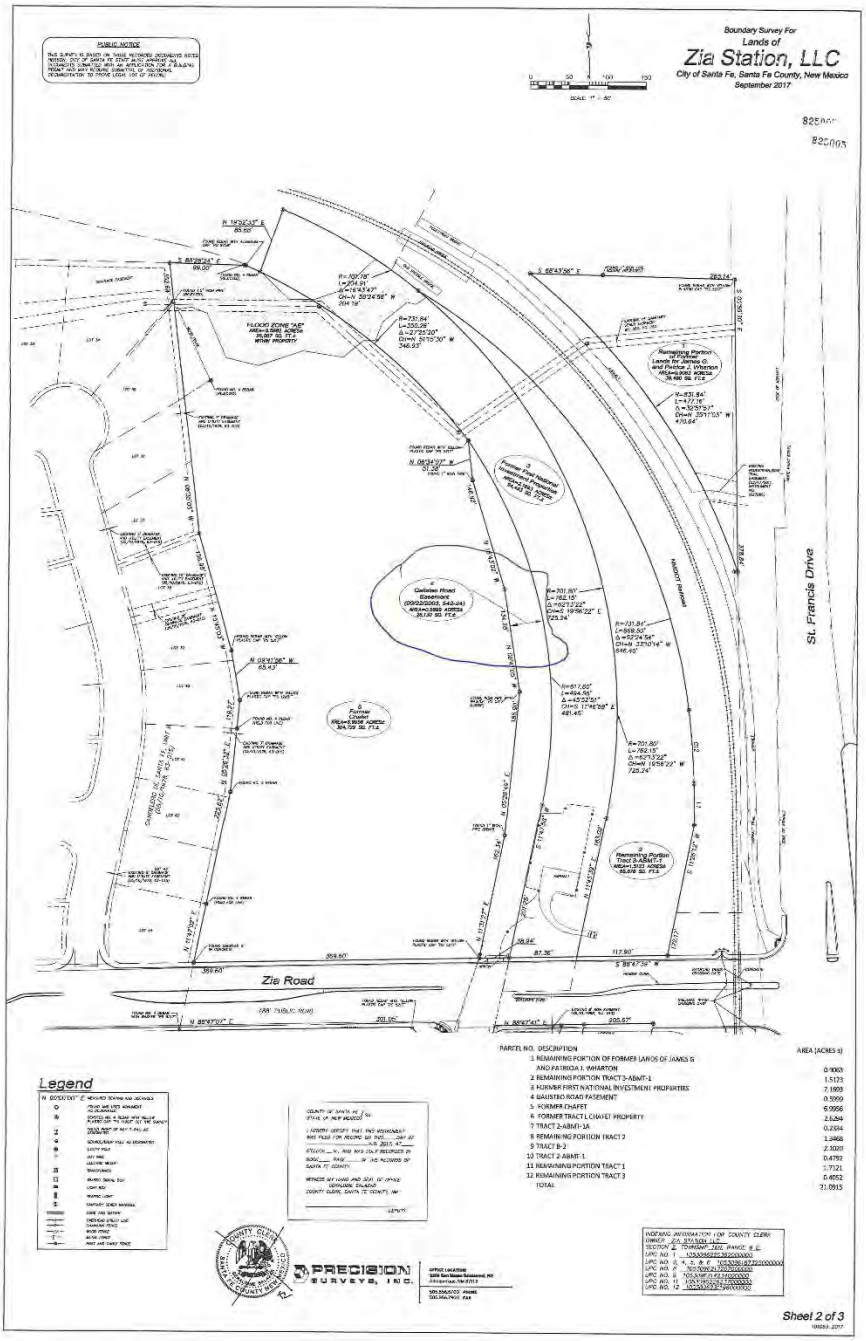
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

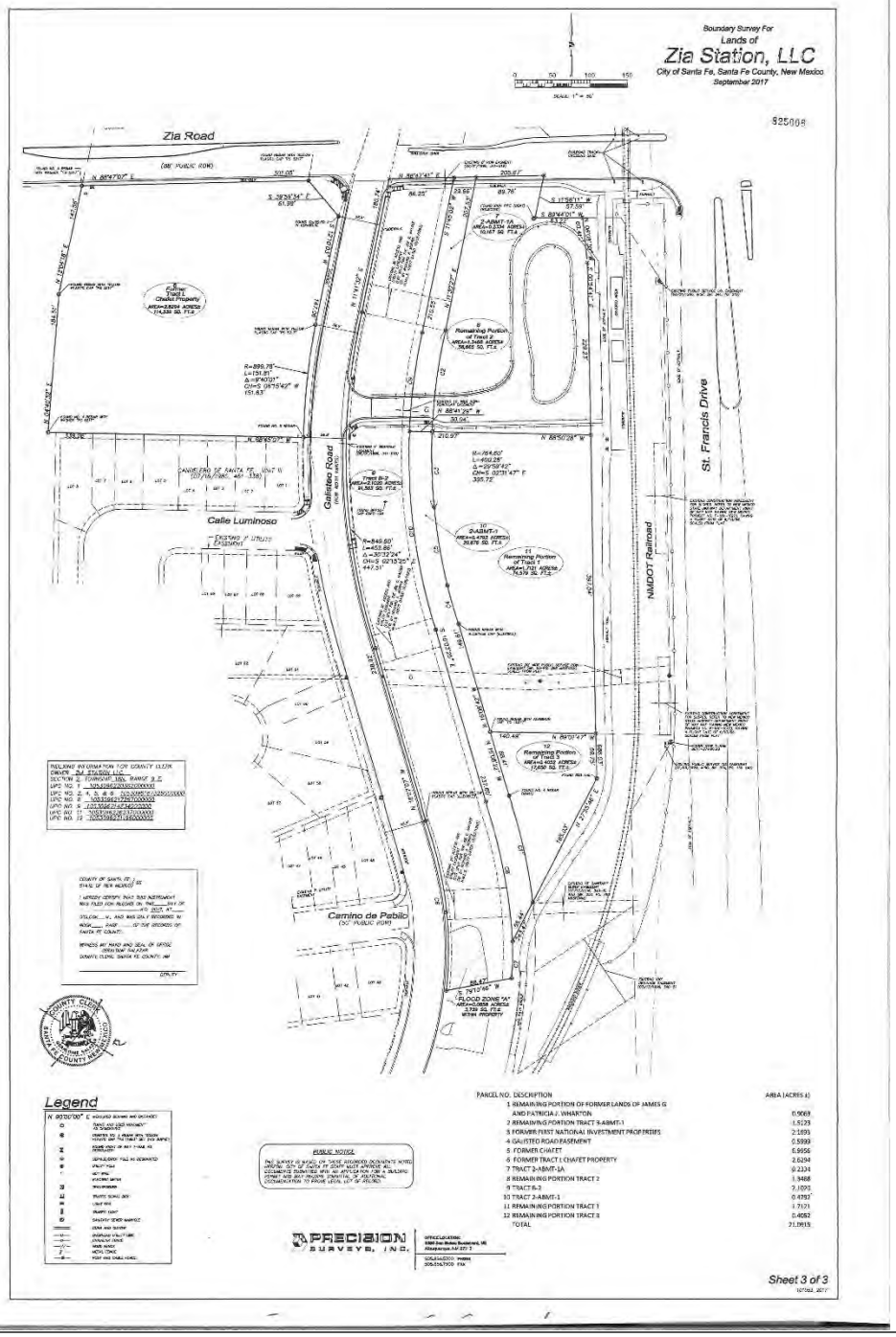
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

Ex. 1 p. 1

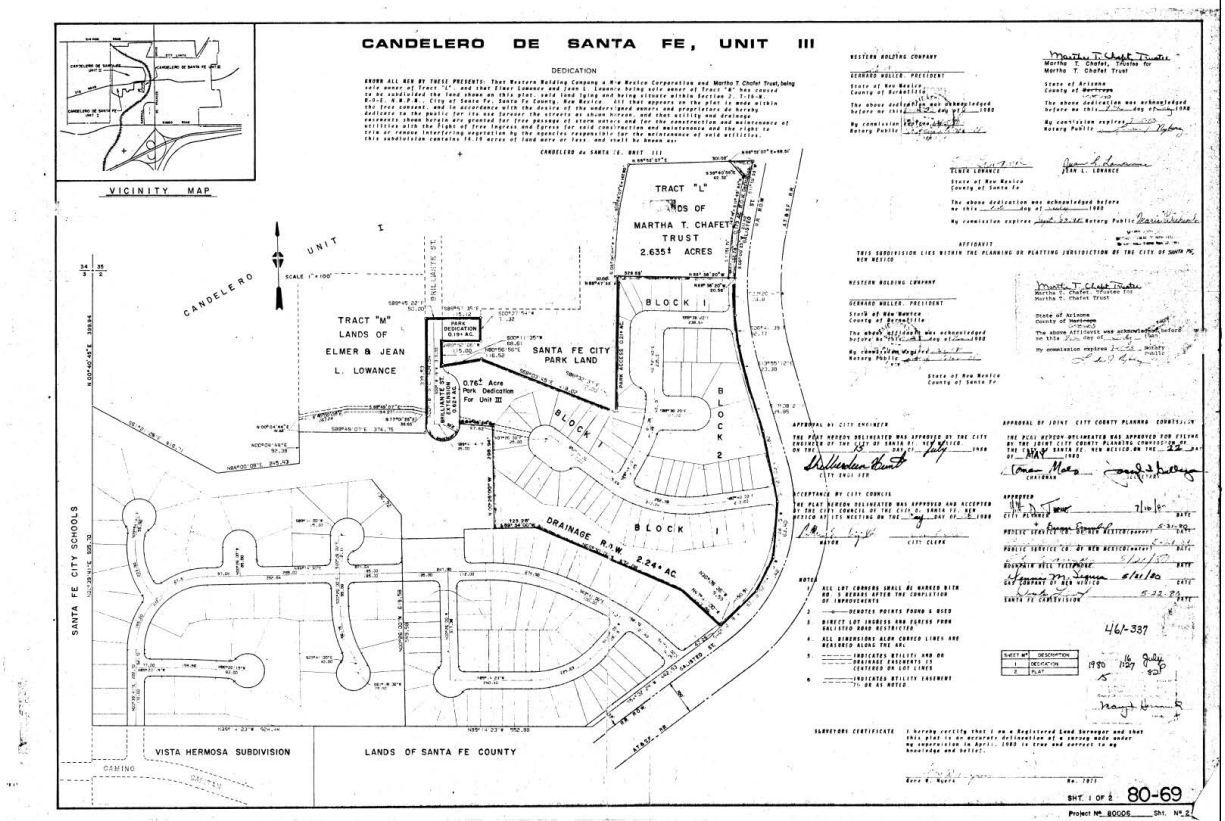

Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

Ex. 1 p. 2

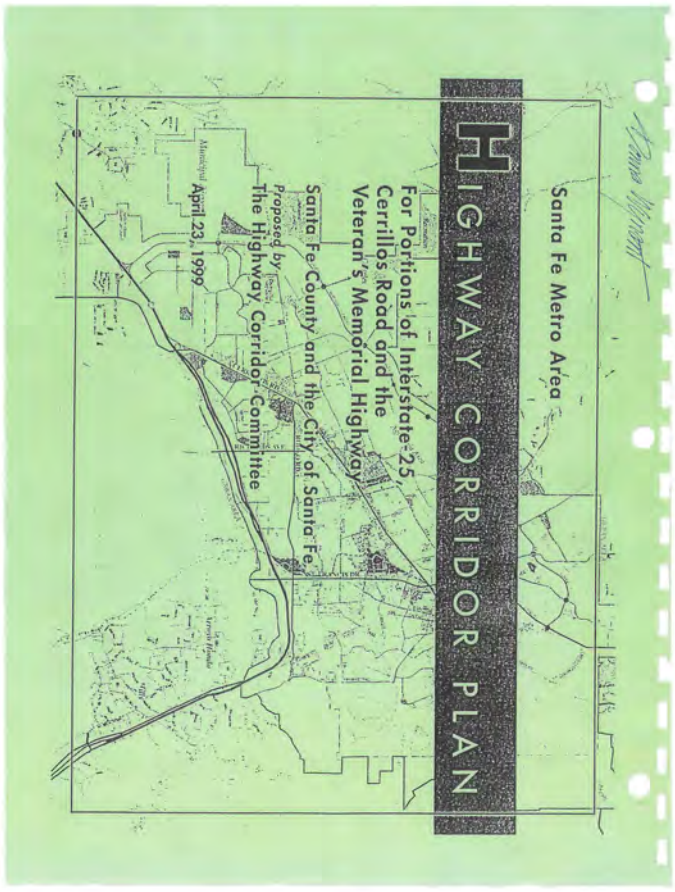


PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9068
2	REMAINING PORTION TRACT 5-A/BMT-1	1.5123
5	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1893
4	GALISTEO ROAD EASEMENT	0.5899
5	FORMER CHAFET	0.6656
6	FORMER TRACT I CHAFET PROPERTY	2.6294
7	TRACT 2-A/BMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.9468
9	TRACT B-2	2.1093
10	TRACT 2-A/BMT-1	0.4797
11	REMAINING PORTION TRACT 1	1.7171
12	REMAINING PORTION TRACT 3	0.4082
	TOTAL	21.0815

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
SCALE 1" = 100'
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
PARK DEDICATION 0.19± AC.
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
CAMINO
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69
Project No. 80006 Sht. No. 2

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and 1-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

3.

Case #2020-2914. South Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 2.2 acres from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use at the southwest corner of Zia Road and Galisteo Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 05:55 PM : (Against)
Isabel Chavez	I am strongly against this

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Case #2020-2914. South Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 2.2 acres from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use at the southwest corner of Zia Road and Galisteo Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 04:53 PM : (Against)
Randall Gilbert	Monumentally bad idea. Intersection is already a zoo; don't need any further comm developments at Zia and St Francis (notice a big empty space or two by Albertsons?). Affordable housing for 5 years? Shame on the developer.

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Name	Comment - 02/01/2021 05:26 PM : (Against)
Victoria Carbajal	This will cause a big inconvenience to the neighborhood and surrounding businesses, especially parents getting their children to school and commuting to work. When school is in session, the traffic from Zia to turn left onto St.Francis is sometimes a waiting period of at least 10 minutes. I have seen the line start almost at the last entrance to Santa Fe High School. The traffic off of I-25 on St. Francis headed towards town is backed up and could take 10-15 minutes to get across Siringo Road today. The train stop at Zia and St. Francis already adds time to commuters when it passes through and causes traffic back up. I cannot imagine how much more time would be added all around each street's commute if this were to pass.

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Name	Comment - 01/30/2021 08:11 PM : (Against)
Robin Wakeland	I need confirmation that my comments were received and will be provided to the planning commission member for their review. Further, I talked to E. Isaacson, also of the city planning department, on Thursday 1/28/2021 how to get confirmation that comments and documents sent via this portal online link were received, and he said the county clerk is responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. Then, I called the clerk's office, and the clerk I talked to said the clerk's office is not responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. He said the clerk's office is responsible for only comments to city council meetings. The clerk said Geraldine Gurule, staff of the city planning department was responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. However, when I tried to call Ms. Gurule, she did not answer the phone and I left a message with my phone number and asked her to call me. However, I never received a call from Ms. Gurule.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: R.G. Wakeland
2305 Calle Luminoso Santa Fe NM 87505
505 473 4036 PHONE
rgw4036@yahoo.com

Date: 1-30-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002914-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning as a future hypothetical situation. Repositioning, according to the application, is

contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP*, 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner*, 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

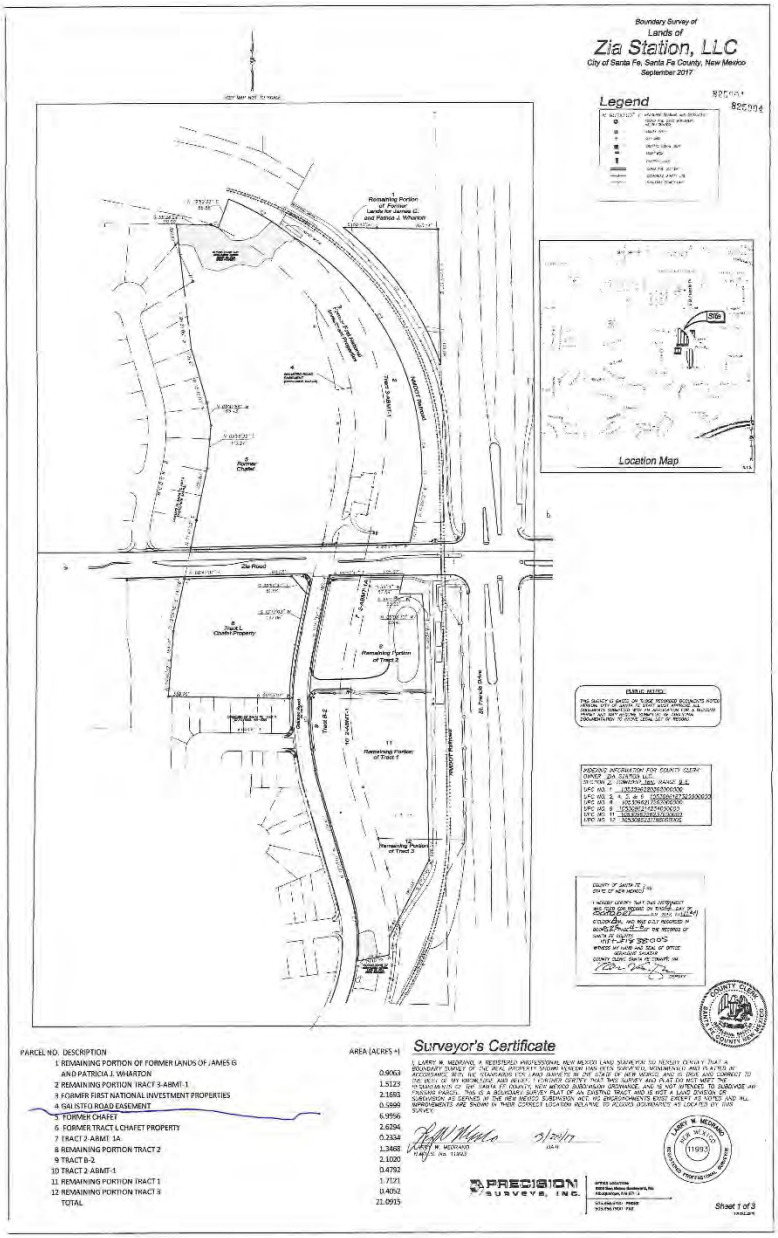
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

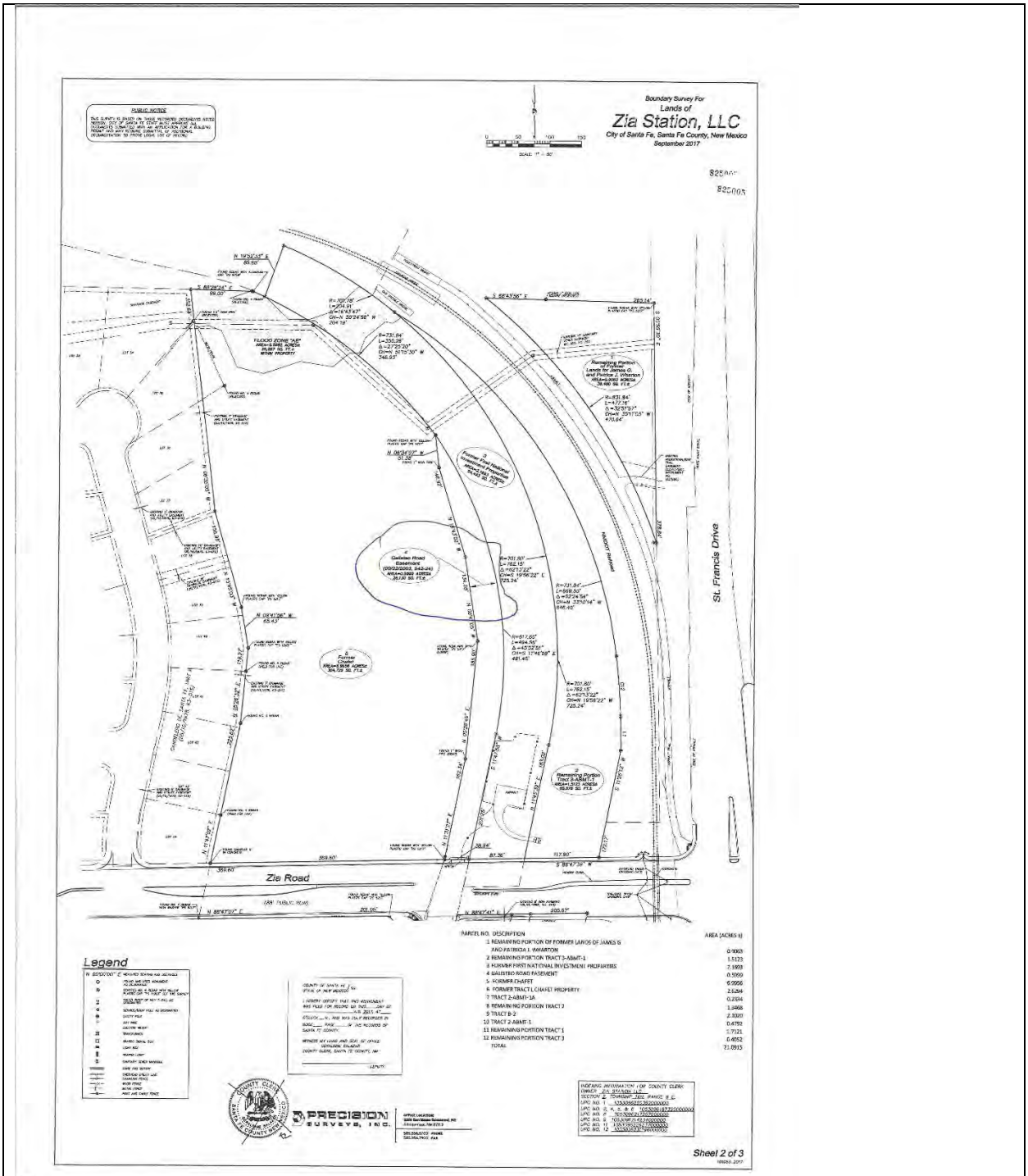
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

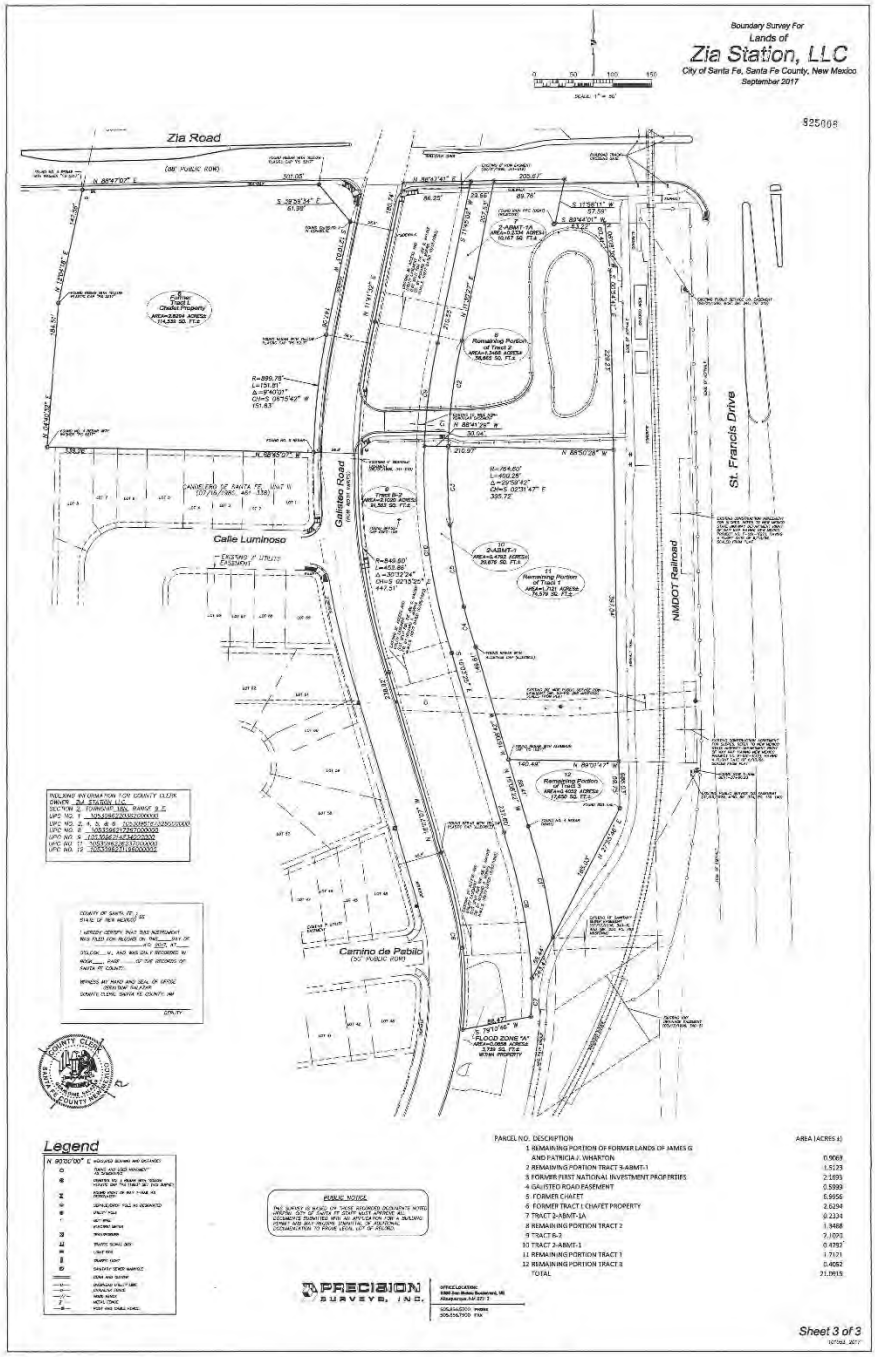
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

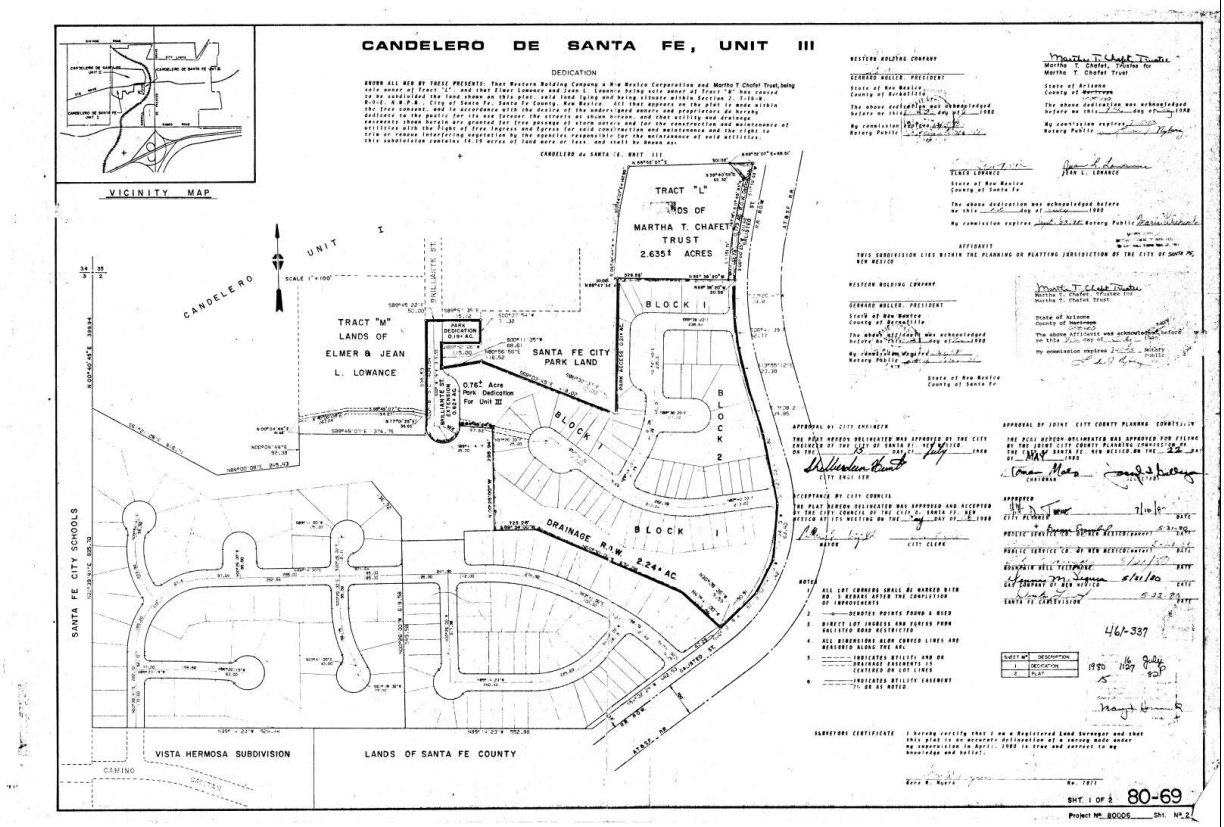
Ex. 1 p. 1


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

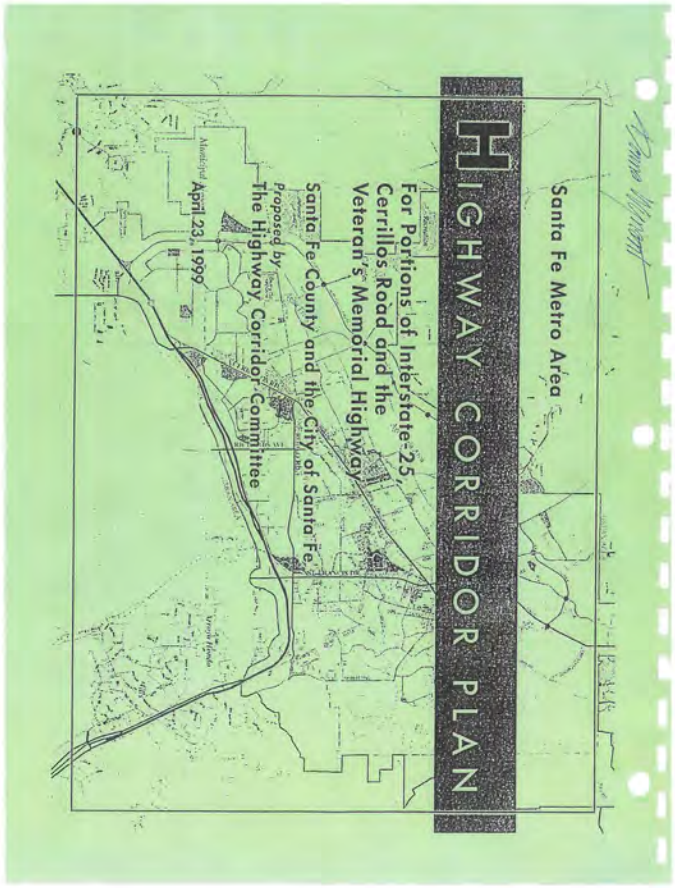
Ex. 1 p. 2


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Zia Road
St. Francis Drive
NMDOT Railroad
Galisteo Road
Calle Luminoso
Camino de Pablo
Legend
PRECISION SURVEYS, INC.
Sheet 3 of 3

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and I-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

3.

Case #2020-2914. South Zia Station General Plan Amendment. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 2.2 acres from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use at the southwest corner of Zia Road and Galisteo Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 02:05 PM : (Against)
Ben Williams	Kindly receive the attached objection. While I did not compose the objection, I agree broadly with its contents, and feel strongly that any further development of the Zia/St Francis/Candlelight area, especially as envisioned under the current proposal by developers, would have a severely negative impact on quality of life in the area. I urge the Commission to deny the developers' proposal.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: Ben Williams
Resident, Chaparral neighborhood
2367 Camino Capitan No. 1
Santa Fe NM 87505
ben.williams@yahoo.com

Date: 02-01-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002914-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning

as a future hypothetical situation. Repositioning, according to the application, is contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP,* 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner,* 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

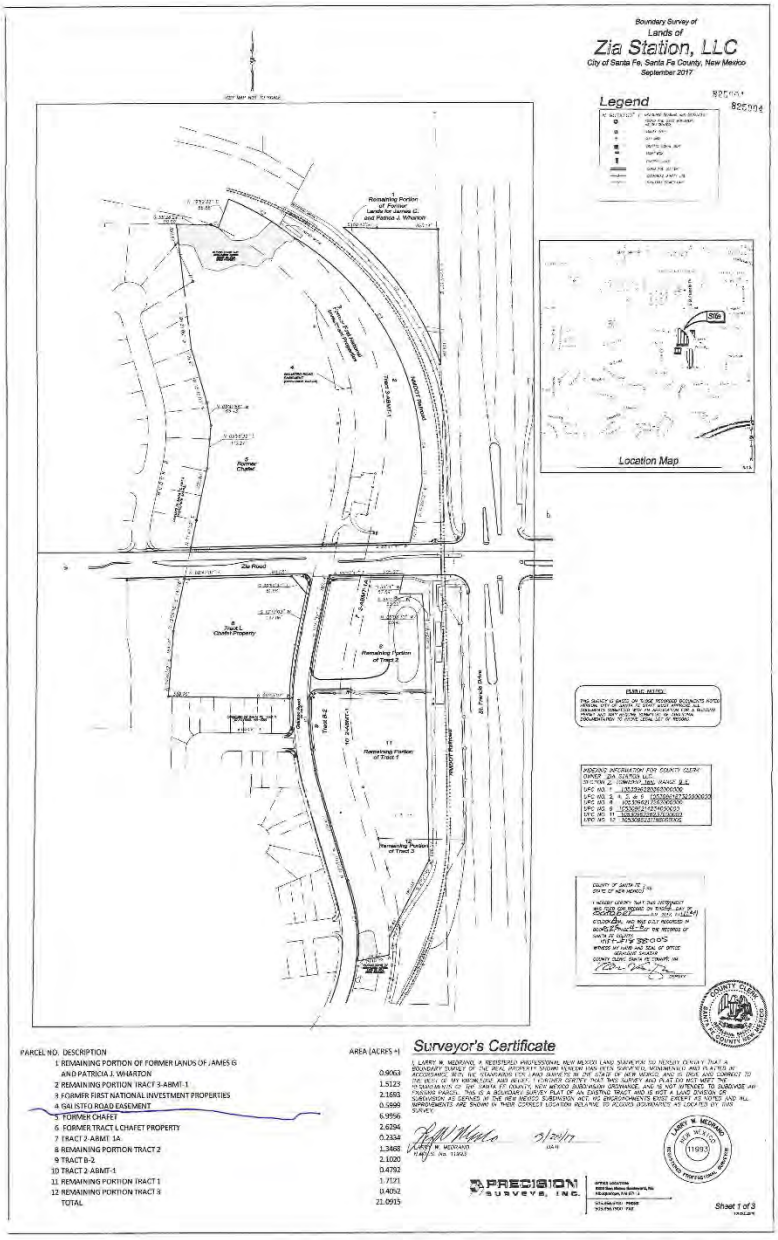
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

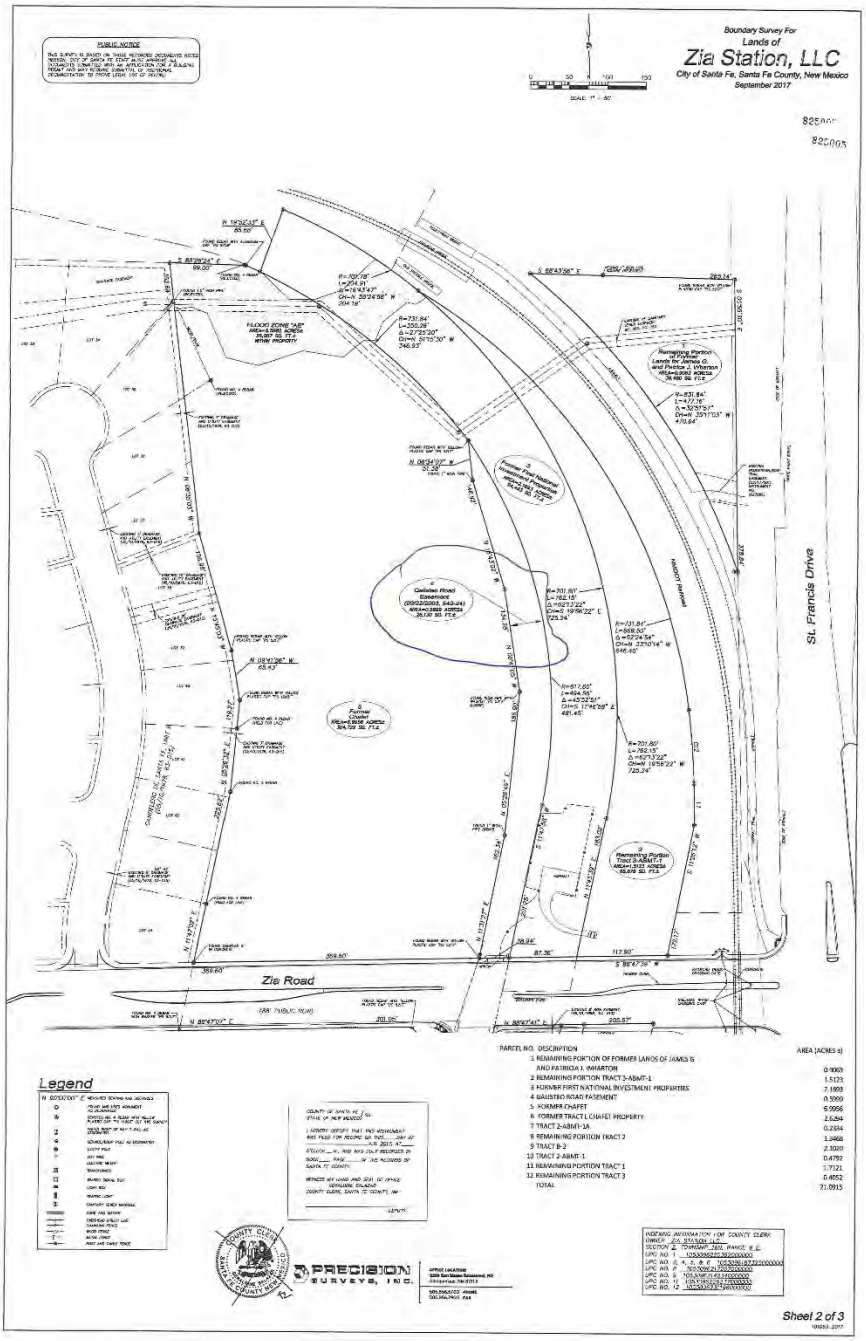
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

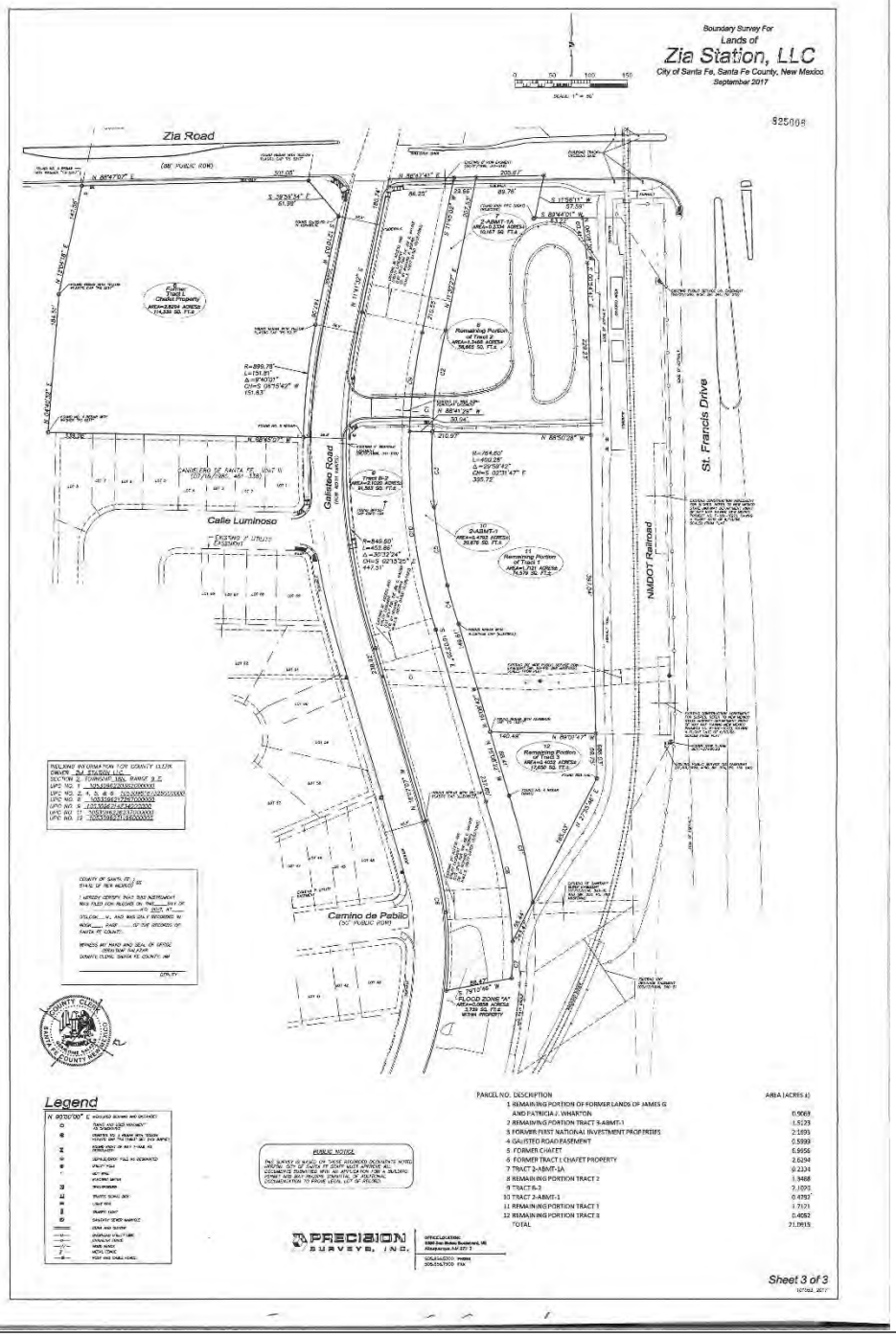
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

Ex. 1 p. 1

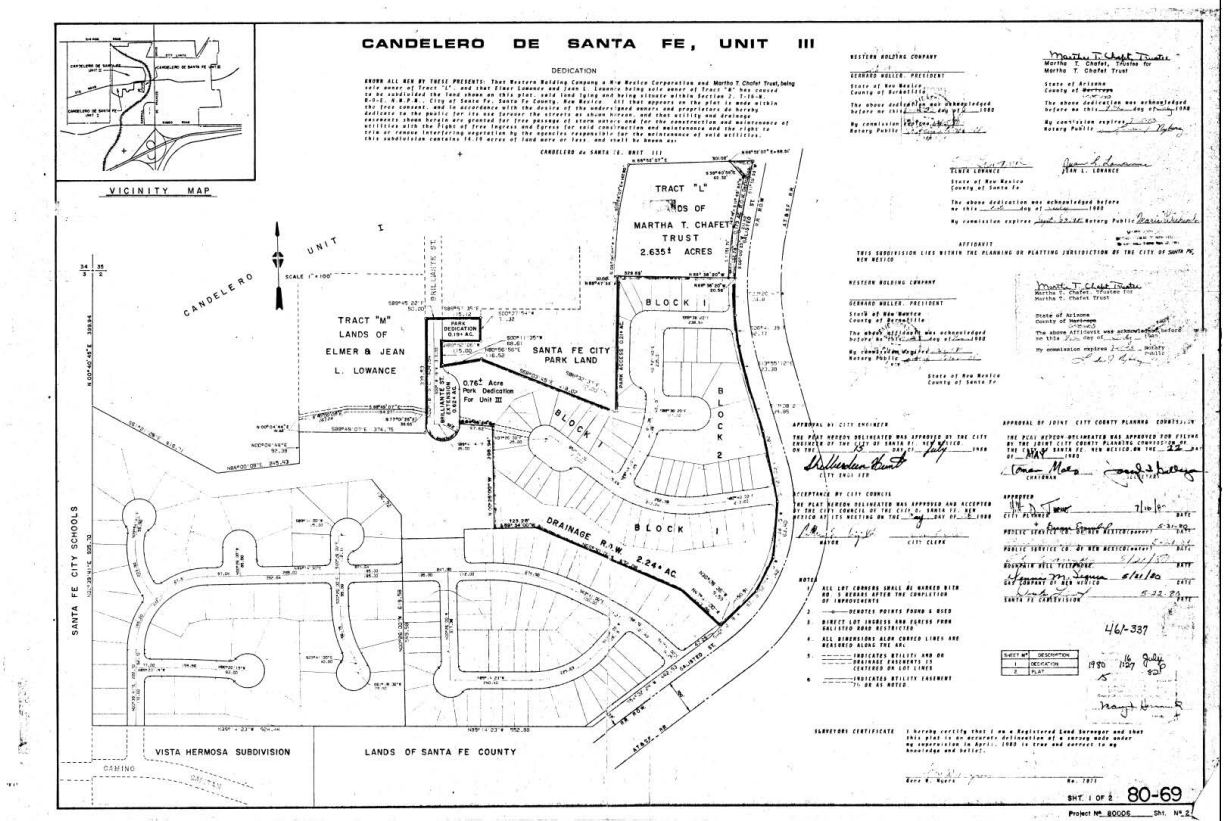

Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

Ex. 1 p. 2

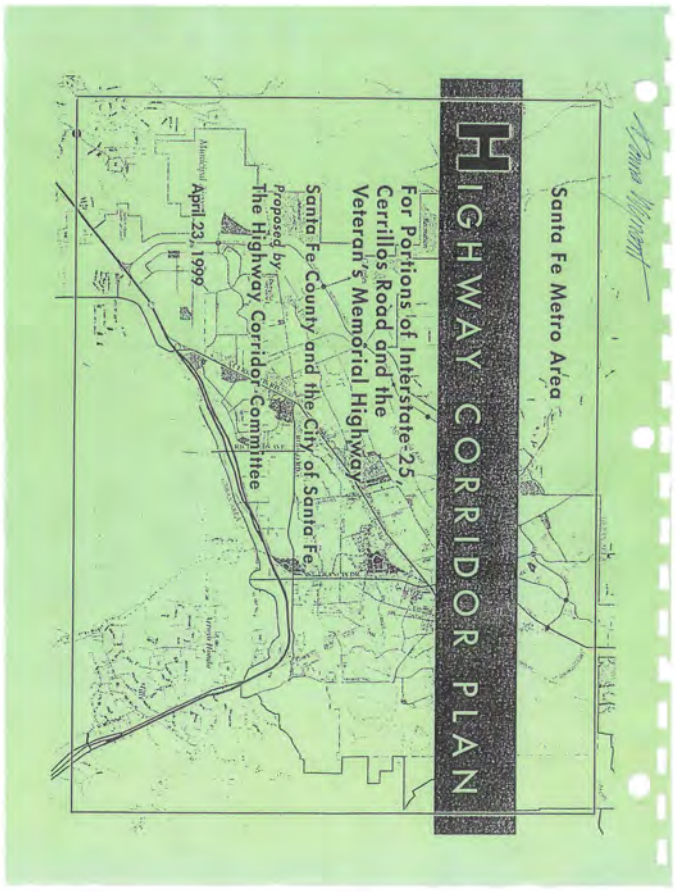


PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9068
2	REMAINING PORTION TRACT 5-A/BMT-1	1.5123
5	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1893
4	GALISTEO ROAD EASEMENT	0.5899
5	FORMER CHAFET	0.6656
6	FORMER TRACT I CHAFET PROPERTY	2.6294
7	TRACT 2-A/BMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.9468
9	TRACT B-2	2.1093
10	TRACT 2-A/BMT-1	0.4797
11	REMAINING PORTION TRACT 1	1.7171
12	REMAINING PORTION TRACT 3	0.4082
	TOTAL	21.0815

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
SCALE 1" = 100'
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
PARK DEDICATION 0.19± AC.
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
CAMINO
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69
Project No. 80006 Sht. No. 2

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and 1-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

4.

Case #2020-2899. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial-Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/26/2021 07:33 PM : (Against)
Rachel Williams	Planning Commission Public Hearing Preliminary Filing for Zia Station rezoning and density proposals going before the Commission on Febuary4th, 2021 We (Dr. Edward and Rachel Williams) have been residents of the Candlelight Subdivision since 1978 at 2208 Vela Street. Zia Rd. was just being completed at that time. Our specific concerns we would like to voice include public safety and density related to the proposed residences, retail space and businesses. 1. Vela Street is a short – “dead end” cul-de-sac off Zia to the south. Frequent U-turns are made from Zia on the mouth of Vela as well as Vela St. being used as a “turn around”. This increases traffic on Vela St. at some increased speed. 2. Two families are care givers for toddlers and children whose safety would be put at risk if this behavior continues. We see the density and any revisions to Zia to accommodate the Zia Station a risk to safety of the current residents of Vela St as well as the Candlelight Neighborhood. 3. Pedestrian traffic includes school children walking to and from Santa Fe High School, Chaparral Elementary across St. Francis the school where Capshaw Middle School was housed. Parents are transporting some of these children at usual high traffic times. Children are also transported to Little Earth School as well as the Girls School. Other travelers include cyclists, walkers – to trail or to cross the Zia St. Francis intersection for goods and services (Drug store, Groceries and other necessities. 4. Speeding now and proposed density does/would make a left turn on Zia from Vela and other south streets difficult in “Non-Pandemic” times of traffic. Crossing Zia to access to walking trail is risky as there are “red arrow jumpers” now. 5. Walking down Zia Rd. from Vela to Brillante pushing a

stroller to go to the park is an exercise in courage coming and going. The pollution from increased traffic is not acceptable for persons of any age.
We hope you will consider the concerns that have been expressed by residents of this established community. We and our grandchildren thank you. Ed and Rachel Williams
Submitted: January

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F. NEW BUSINESS

4.

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Name	Comment - 01/30/2021 05:55 PM : (Against)
Isabel Chavez	I am strongly against this

F. NEW BUSINESS

4.

Case #2020-2899. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial-Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 04:53 PM : (Against)
Randall Gilbert	Monumentally bad idea. Intersection is already a zoo; don't need any further comm developments at Zia and St Francis (notice a big empty space or two by Albertsons?). Affordable housing for 5 years? Shame on the developer.

F. NEW BUSINESS

4.

Case #2020-2899. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial-Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 08:11 PM : (Against)
Robin Wakeland	I need confirmation that my comments were received and will be provided to the planning commission member for their review. Further, I talked to E. Isaacson, also of the city planning department, on Thursday 1/28/2021 how to get confirmation that comments and documents sent via this portal online link were received, and he said the county clerk is responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. Then, I called the clerk's office, and the clerk I talked to said the clerk's office is not responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. He said the clerk's office is responsible for only comments to city council meetings. The clerk said Geraldine Gurule, staff of the city planning department was responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. However, when I tried to call Ms. Gurule, she did not answer the phone and I left a message with my phone number and asked her to call me. However, I never received a call from Ms. Gurule.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: R.G. Wakeland
2305 Calle Luminoso Santa Fe NM 87505
505 473 4036 PHONE
rgw4036@yahoo.com

Date: 1-30-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002899-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning as a future hypothetical situation. Repositioning, according to the application, is

contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP*, 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner*, 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

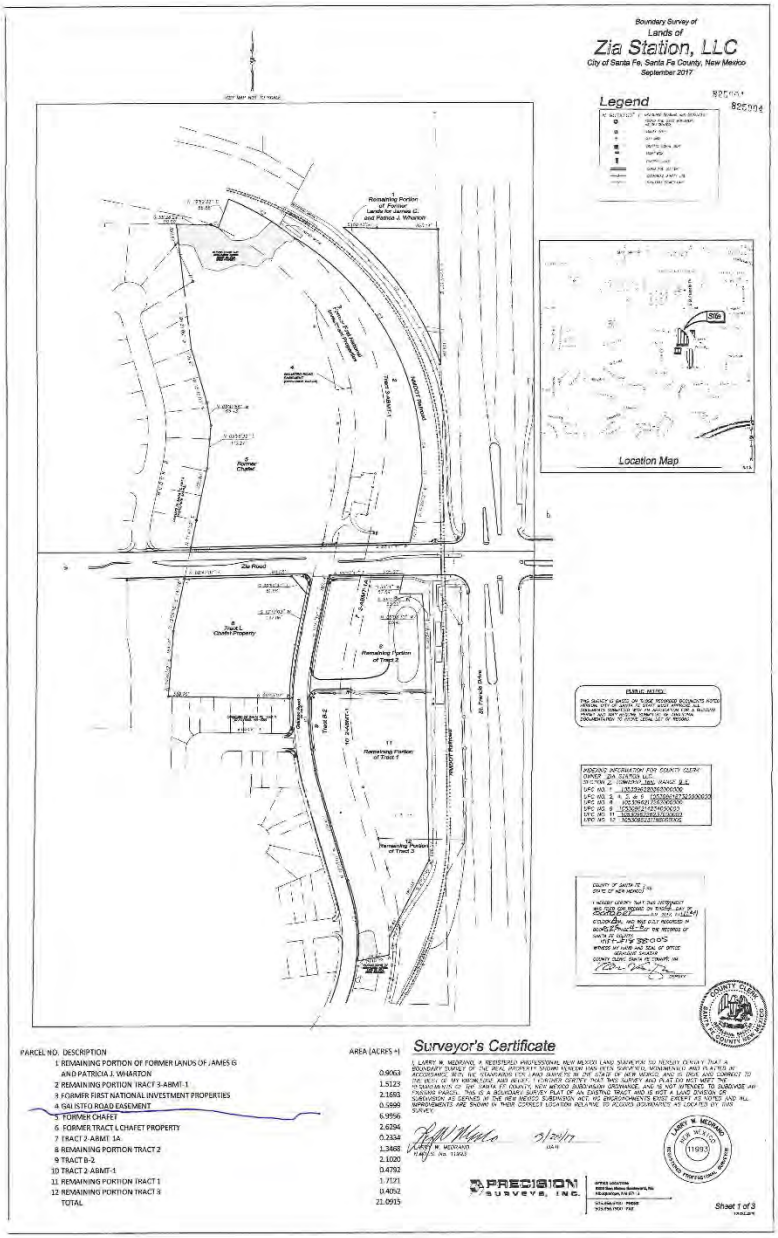
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

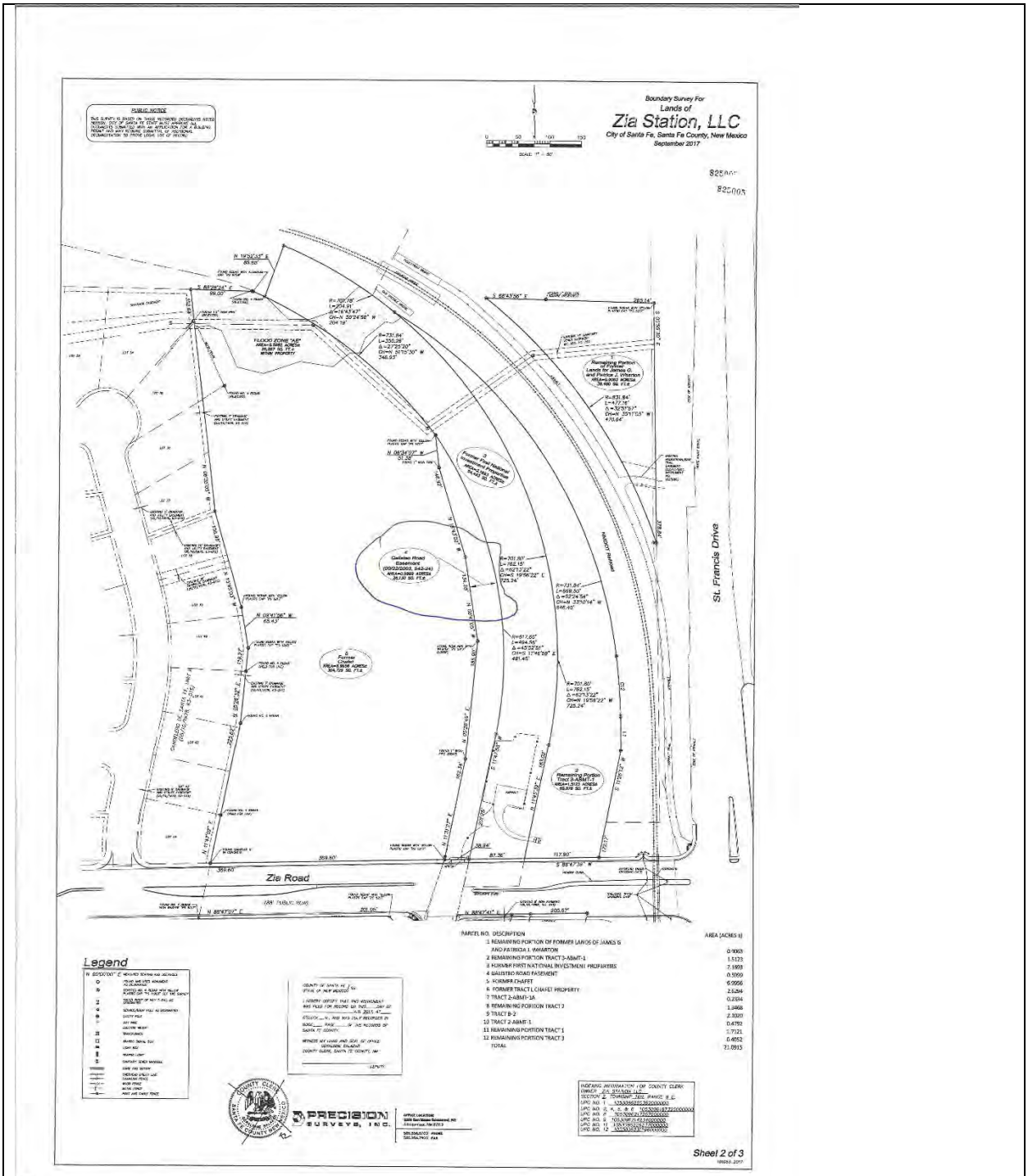
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

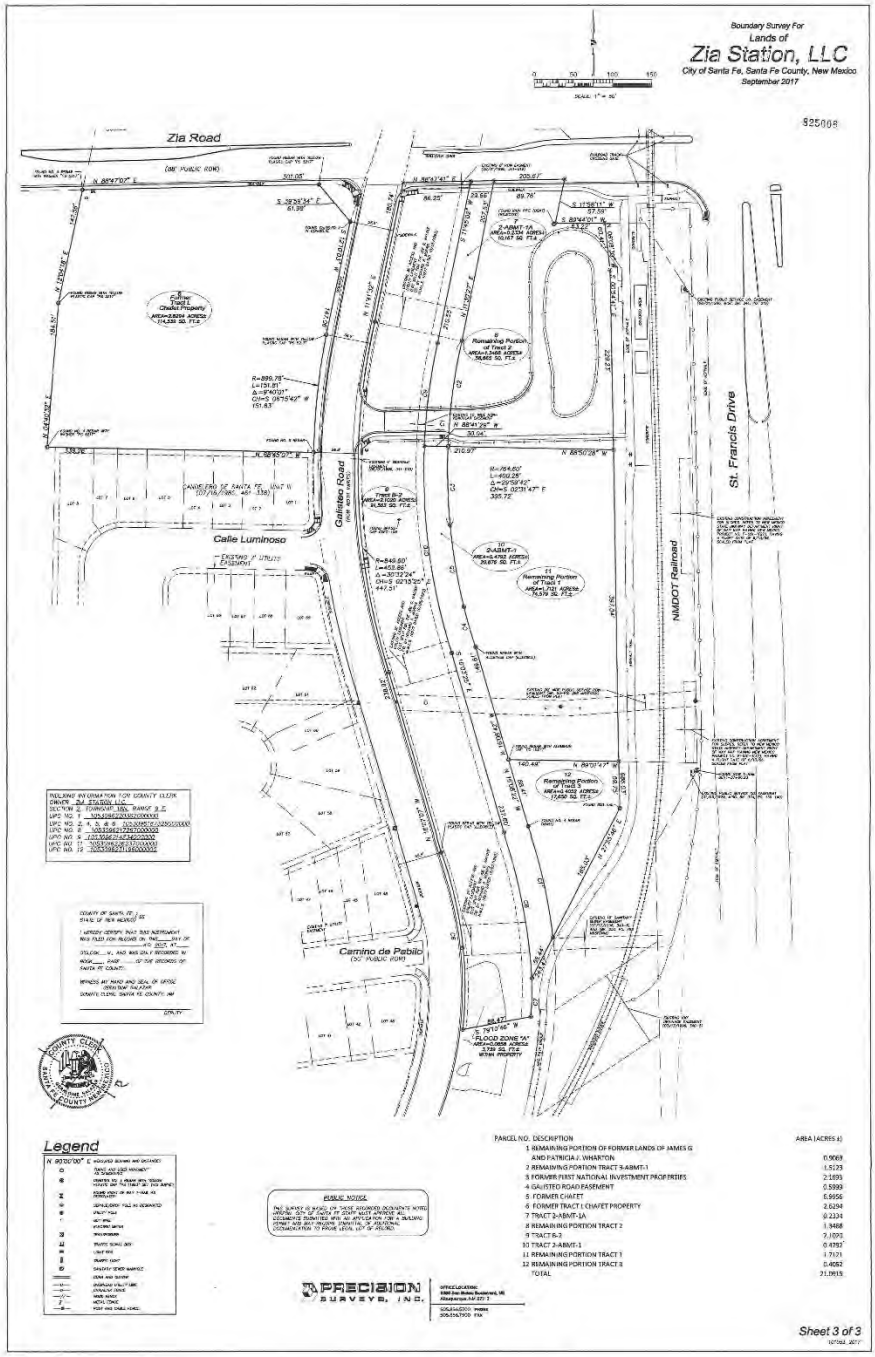
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

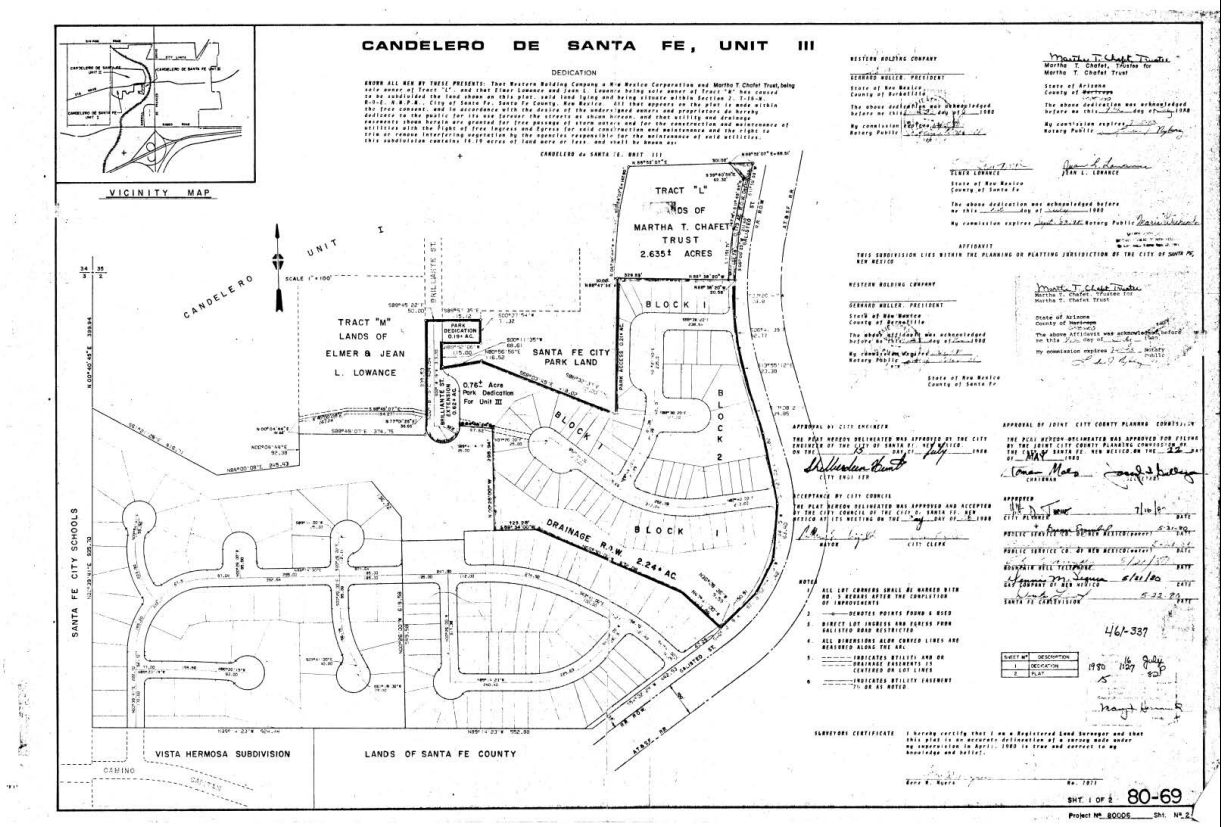
Ex. 1 p. 1


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

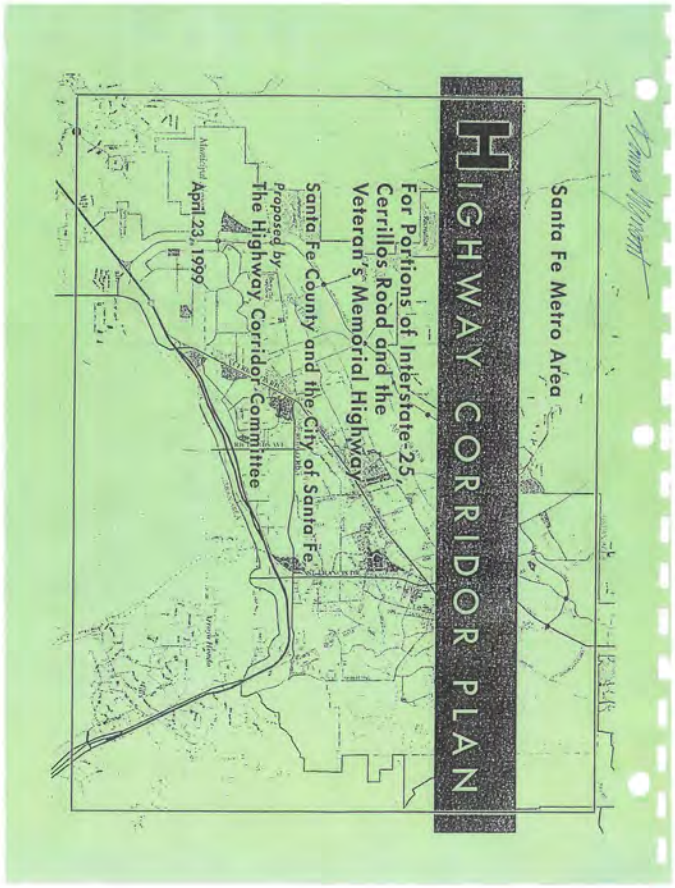
Ex. 1 p. 2


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Zia Road
St. Francis Drive
NMDOT Railroad
Galisteo Road
Calle Luminoso
Camino de Pablo
Legend
PRECISION SURVEYS, INC.
Sheet 3 of 3

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and I-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

4.

Case #2020-2899. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial-Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 02:05 PM : (Against)
Ben Williams	Kindly receive the attached objection. While I did not compose the objection, I agree broadly with its contents, and feel strongly that any further development of the Zia/St Francis/Candlelight area, especially as envisioned under the current proposal by developers, would have a severely negative impact on quality of life in the area. I urge the Commission to deny the developers' proposal.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: Ben Williams
Resident, Chaparral neighborhood
2367 Camino Capitan No. 1
Santa Fe NM 87505
ben.williams@yahoo.com

Date: 02-01-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002899-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning

as a future hypothetical situation. Repositioning, according to the application, is contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP,* 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner,* 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

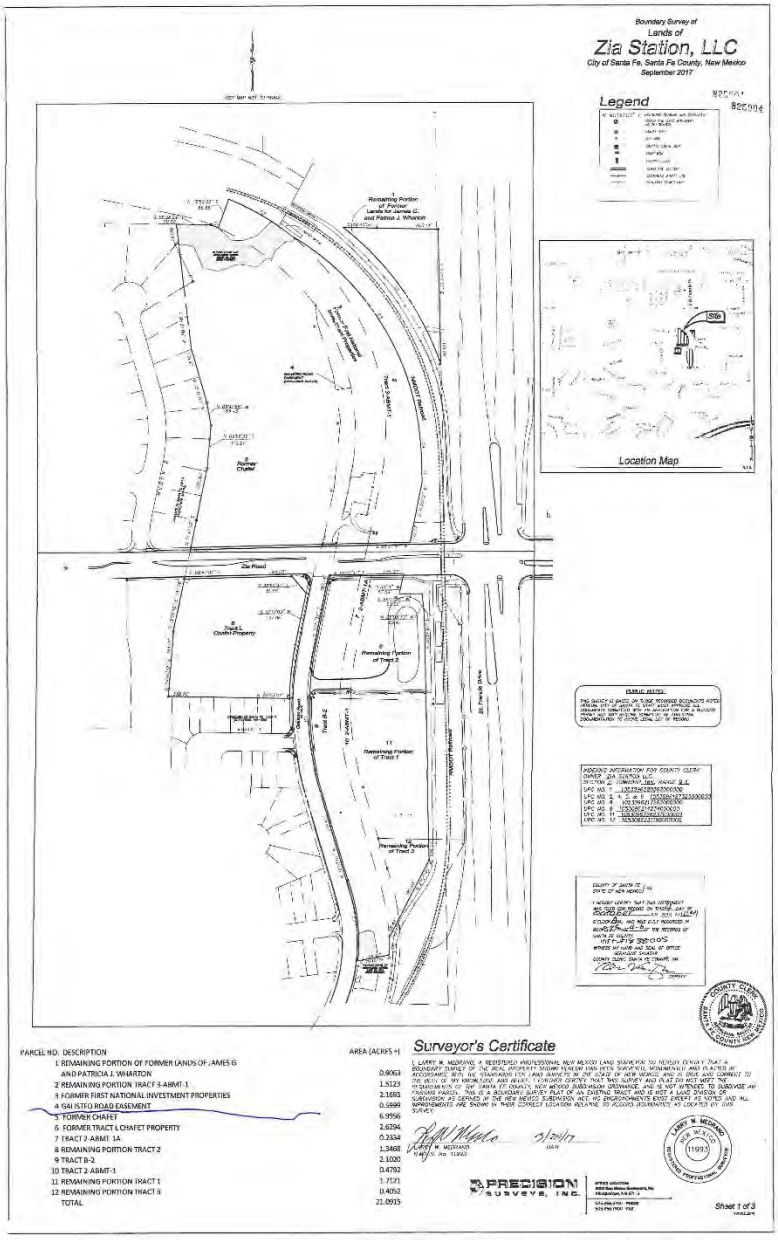
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

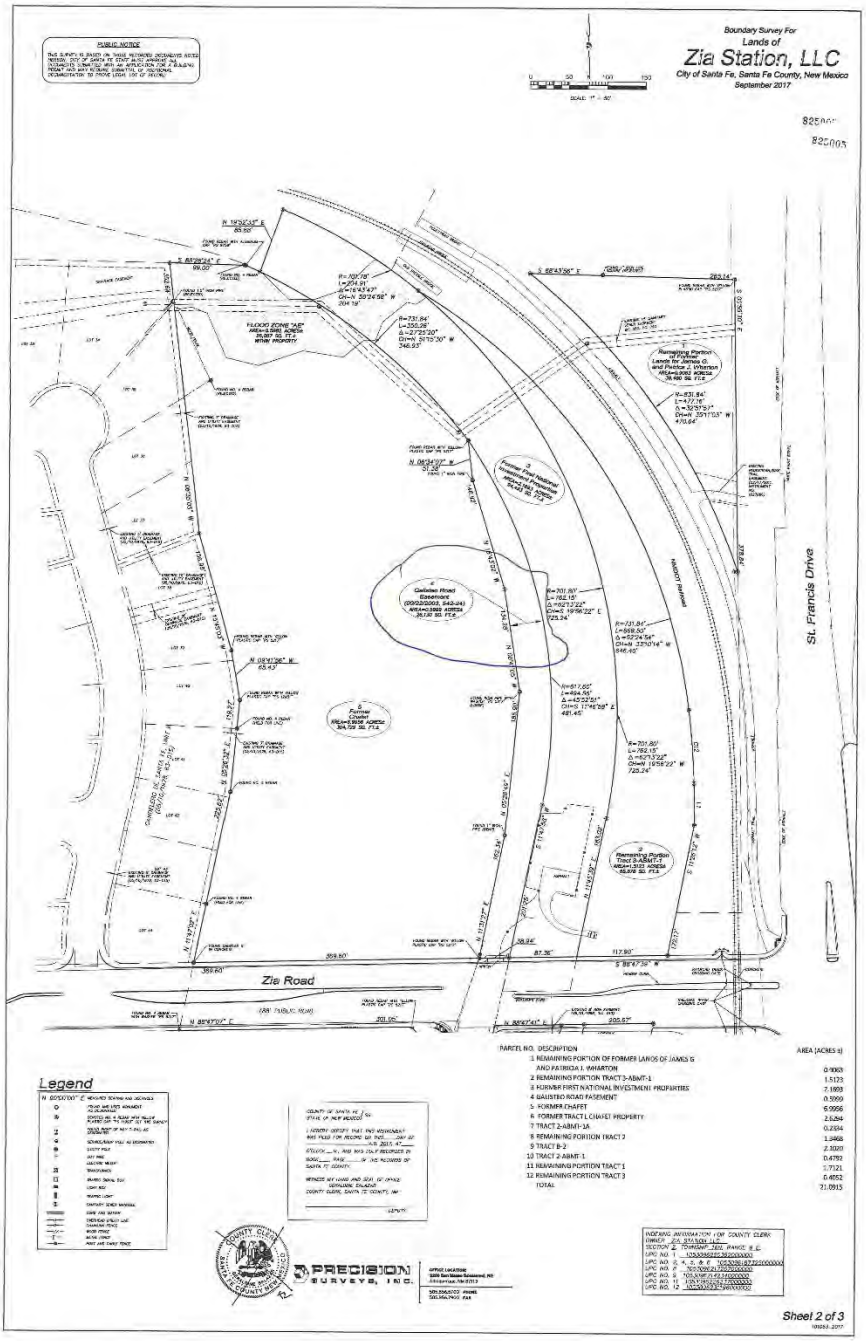
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

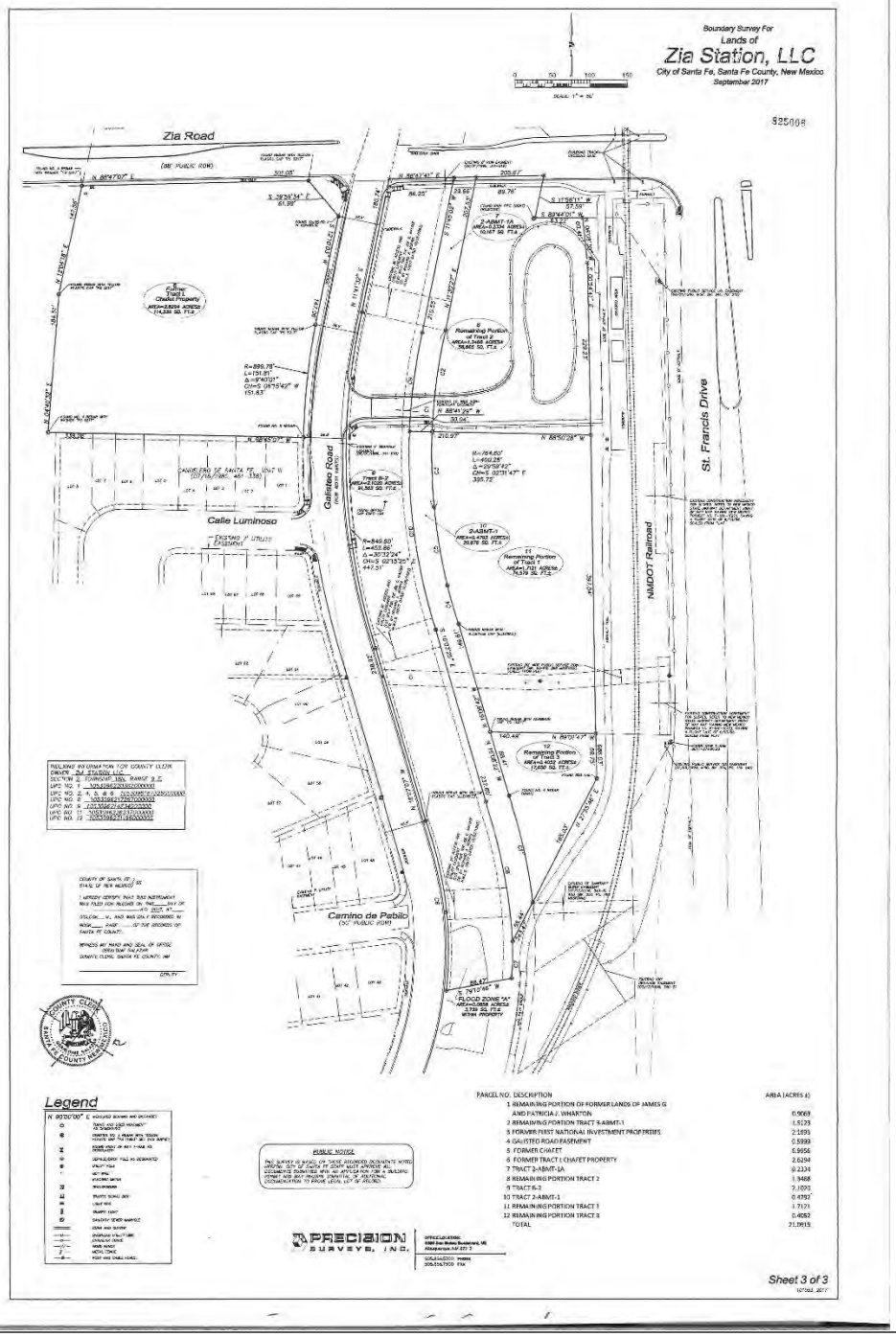
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

Ex. 1 p. 1

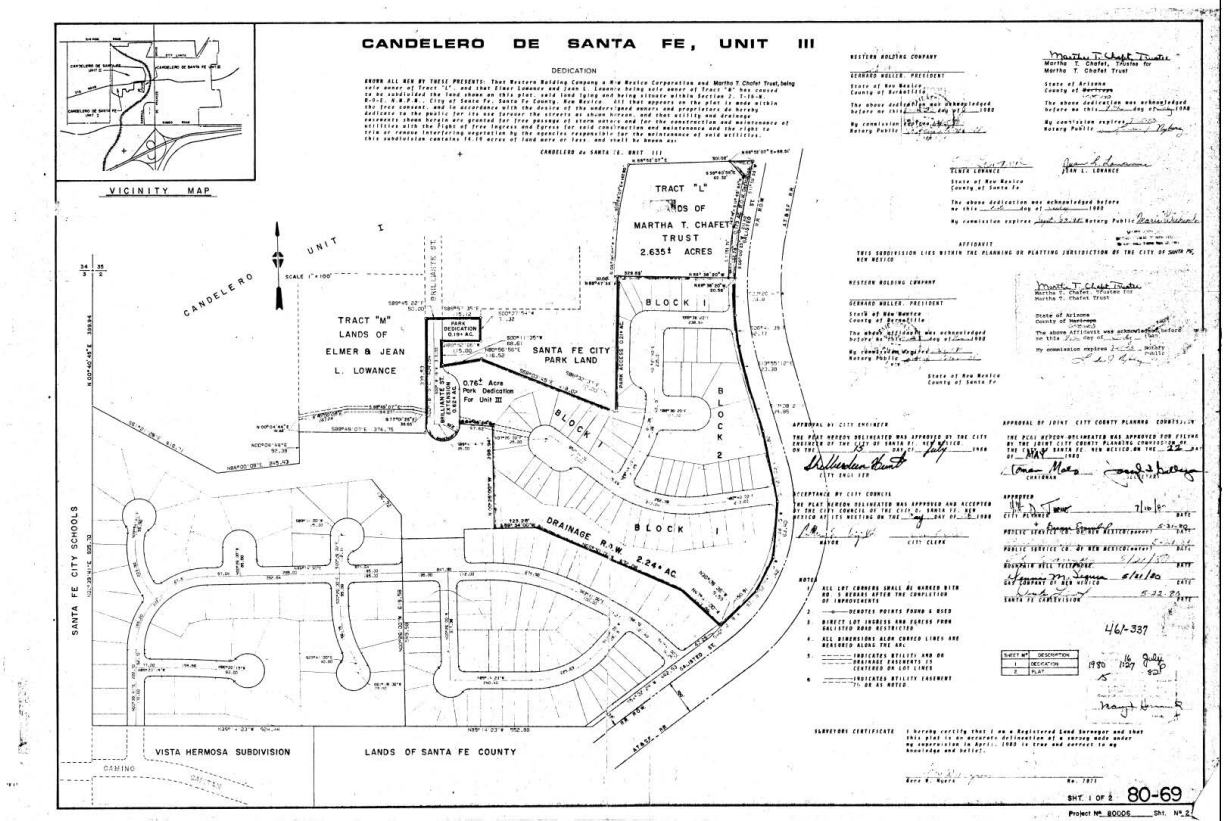

Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

Ex. 1 p. 2

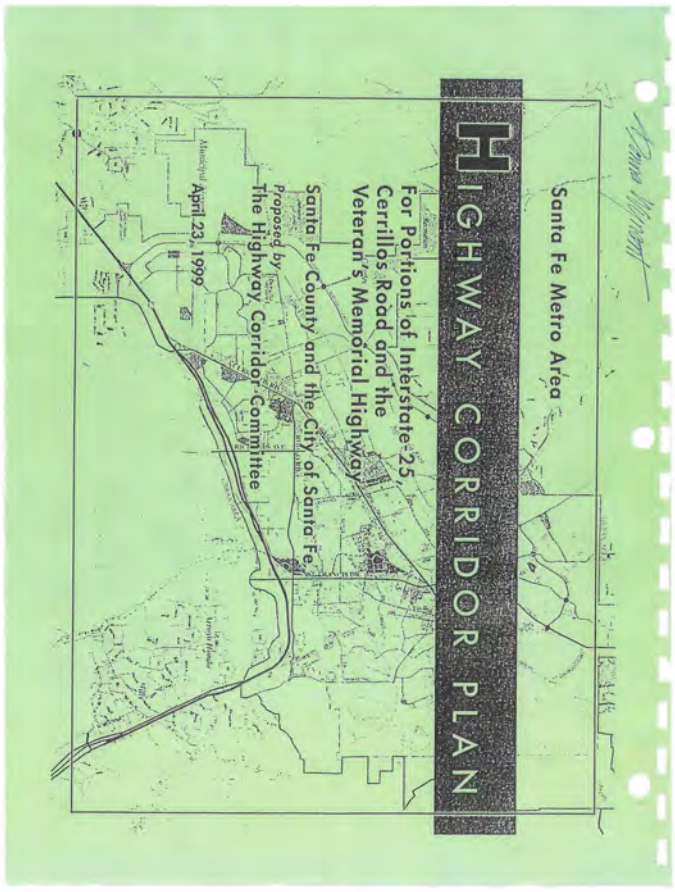


PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9068
2	REMAINING PORTION TRACT 5-A/BMT-1	1.5123
5	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1893
4	GALISTEO ROAD EASEMENT	0.5899
5	FORMER CHAFET	0.6656
6	FORMER TRACT I CHAFET PROPERTY	2.6294
7	TRACT 2-A/BMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.9468
9	TRACT B-2	2.1093
10	TRACT 2-A/BMT-1	0.4797
11	REMAINING PORTION TRACT 1	1.7171
12	REMAINING PORTION TRACT 3	0.4082
	TOTAL	21.0815

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
SCALE 1" = 100'
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
PARK DEDICATION 0.19± AC.
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
CAMINO
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69
Project No. 80006 Sht. No. 2

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and 1-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

5.

Case #2020-2900. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 05:55 PM : (Against)
Isabel Chavez	I am strongly against this

F. NEW BUSINESS

5.

Case #2020-2900. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	**Comment - 02/01/2021 02:14 PM : (No Vote)**
Ed Aku Oppenheimer	Here is an unanswered question for the City of Santa Fe with regard to the Zia Station proposal for meeting the affordable housing requirement: How much will the city lose by forgiving development-related fees as the developer is asking, in exchange for his **lending the required affordable housing for five, brief years?** Sincere regards, Ed Aku Oppenheimer

F. NEW BUSINESS

5.

Case #2020-2900. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 04:53 PM : (Against)
Randall Gilbert	Monumentally bad idea. Intersection is already a zoo; don't need any further comm developments at Zia and St Francis (notice a big empty space or two by Albertsons?). Affordable housing for 5 years? Shame on the developer.

F. NEW BUSINESS

5.

Case #2020-2900. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 08:11 PM : (Against)
Robin Wakeland	I need confirmation that my comments were received and will be provided to the planning commission member for their review. Further, I talked to E. Isaacson, also of the city planning department, on Thursday 1/28/2021 how to get confirmation that comments and documents sent via this portal online link were received, and he said the county clerk is responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. Then, I called the clerk's office, and the clerk I talked to said the clerk's office is not responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. He said the clerk's office is responsible for only comments to city council meetings. The clerk said Geraldine Gurule, staff of the city planning department was responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. However, when I tried to call Ms. Gurule, she did not answer the phone and I left a message with my phone number and asked her to call me. However, I never received a call from Ms. Gurule.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: R.G. Wakeland
2305 Calle Luminoso Santa Fe NM 87505
505 473 4036 PHONE
rgw4036@yahoo.com

Date: 1-30-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002900-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning as a future hypothetical situation. Repositioning, according to the application, is

contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP,* 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner,* 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

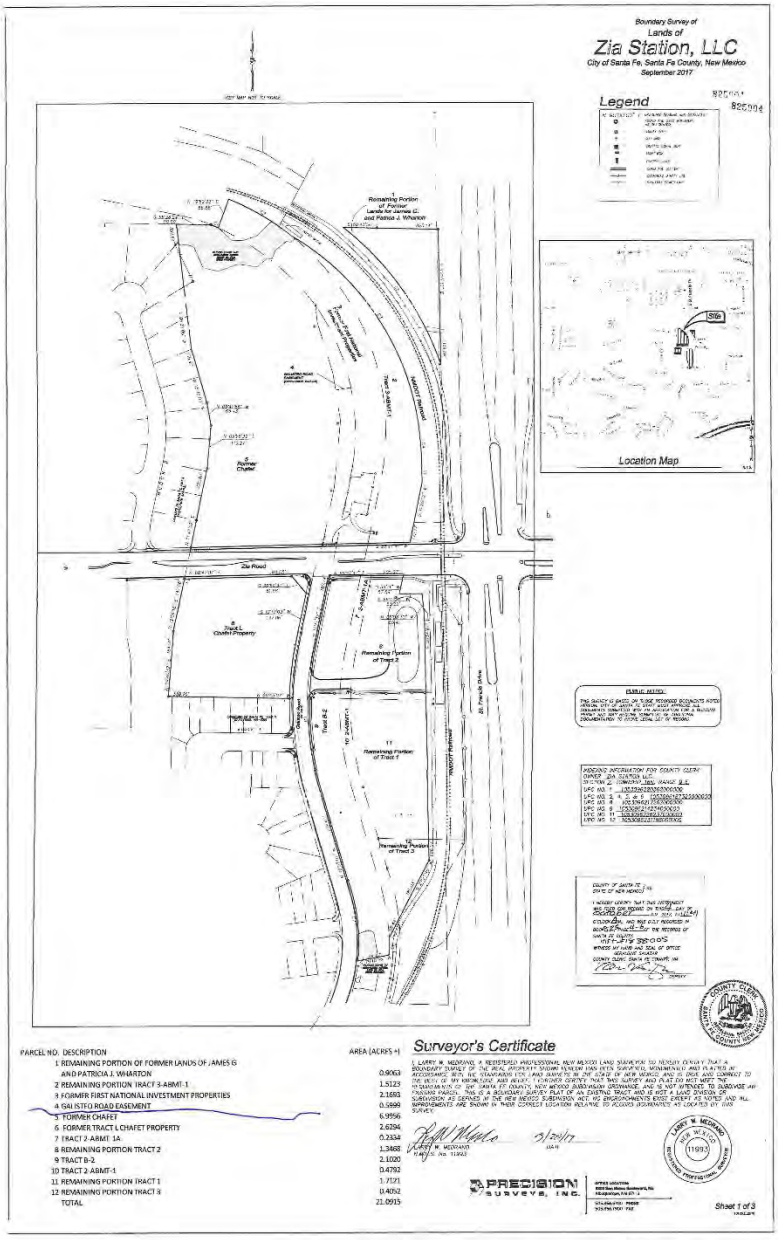
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

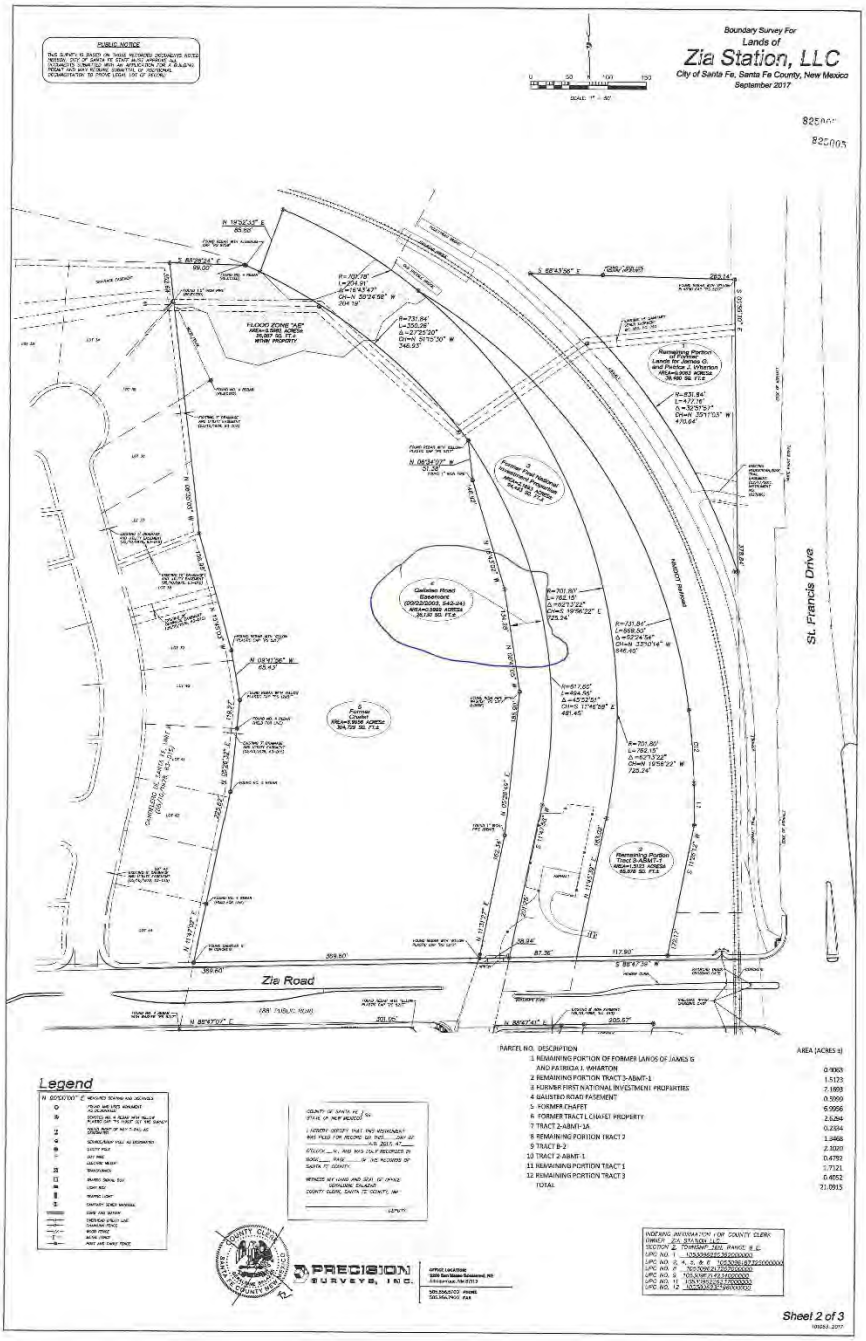
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

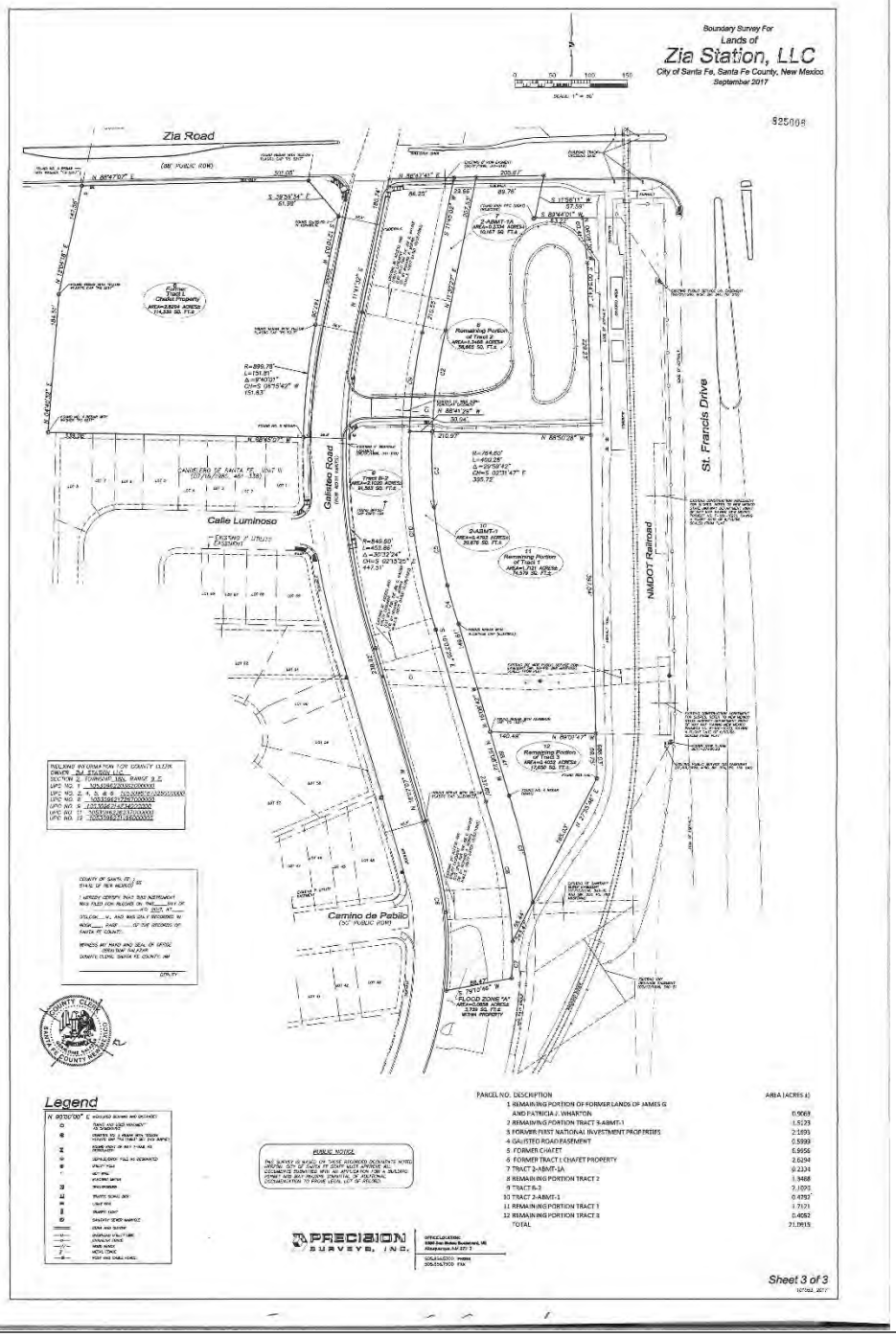
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

Ex. 1 p. 1

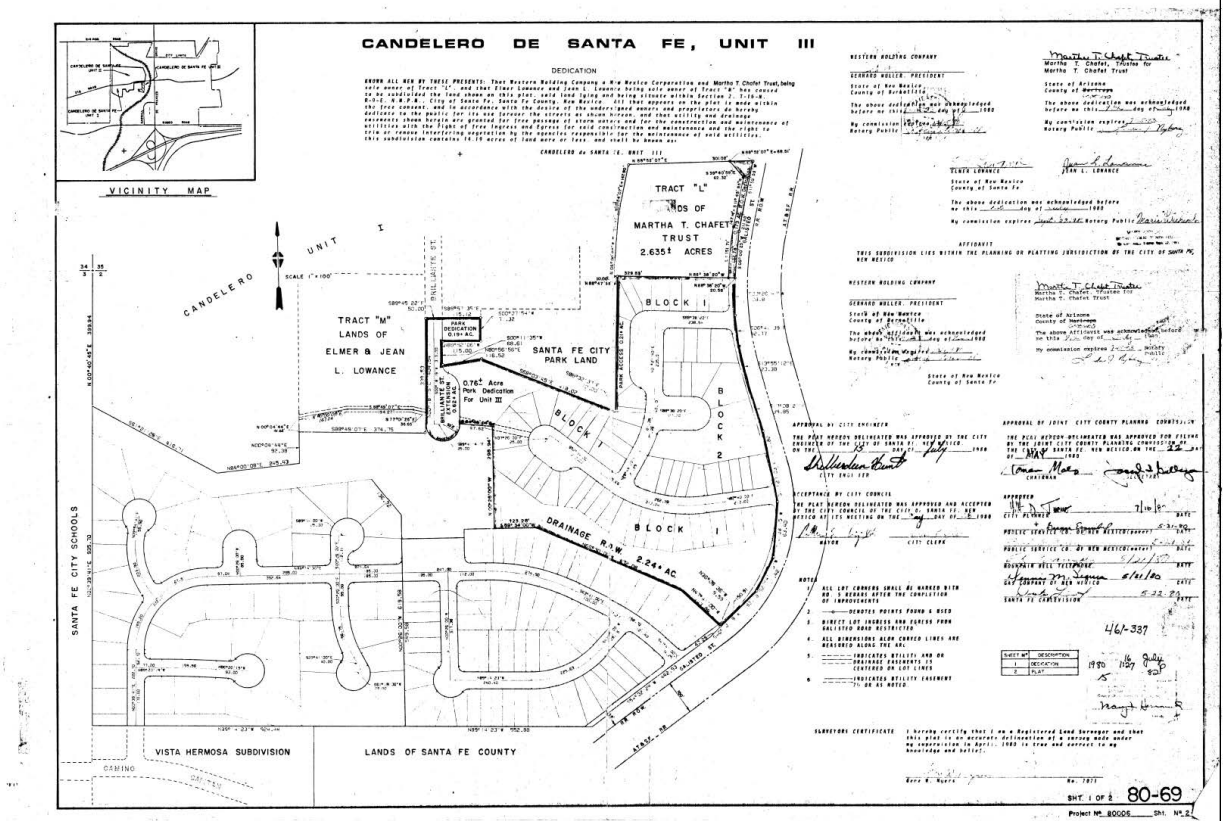

Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

Ex. 1 p. 2

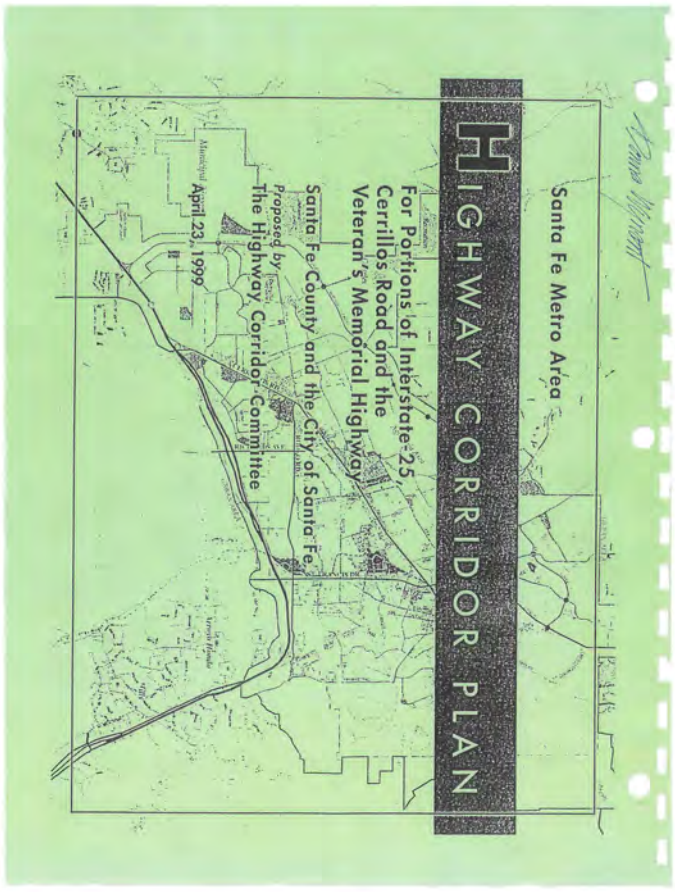


PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9068
2	REMAINING PORTION TRACT 5-A/BMT-1	1.5123
5	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1893
4	GALISTEO ROAD EASEMENT	0.5899
5	FORMER CHAFET	0.6656
6	FORMER TRACT I CHAFET PROPERTY	2.6294
7	TRACT 2-A/BMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.9468
9	TRACT B-2	2.1093
10	TRACT 2-A/BMT-1	0.4797
11	REMAINING PORTION TRACT 1	1.7171
12	REMAINING PORTION TRACT 3	0.4082
	TOTAL	21.0815

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
SCALE 1" = 100'
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
PARK DEDICATION 0.19± AC.
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
CAMINO
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69
Project No. 80006 Sht. No. 2

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and 1-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

5.

Case #2020-2900. Zia Station Rezoning. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	**Comment - 02/01/2021 02:05 PM : (Against)**
Ben Williams	Kindly receive the attached objection. While I did not compose the objection, I agree broadly with its contents, and feel strongly that any further development of the Zia/St Francis/Candlelight area, especially as envisioned under the current proposal by developers, would have a severely negative impact on quality of life in the area. I urge the Commission to deny the developers' proposal.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: Ben Williams
Resident, Chaparral neighborhood
2367 Camino Capitan No. 1
Santa Fe NM 87505
ben.williams@yahoo.com

Date: 02-01-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002900-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning

as a future hypothetical situation. Repositioning, according to the application, is contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP,* 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner,* 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

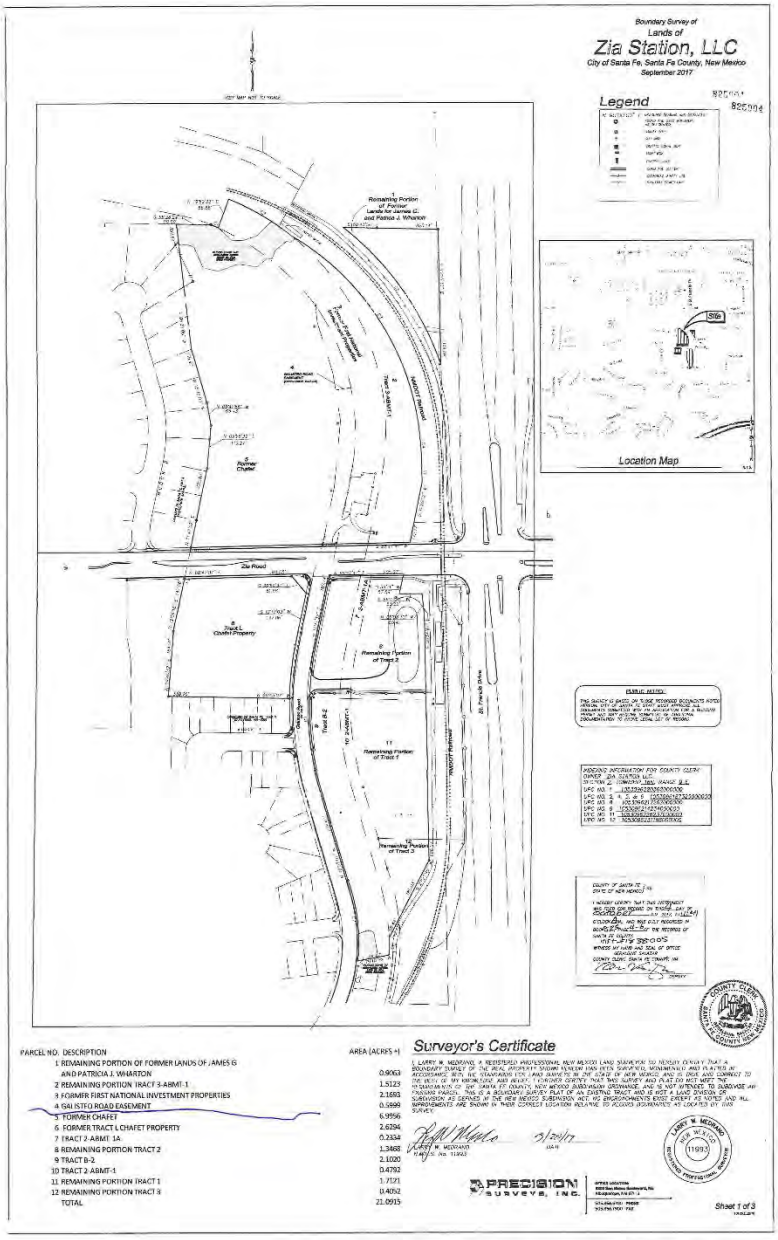
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

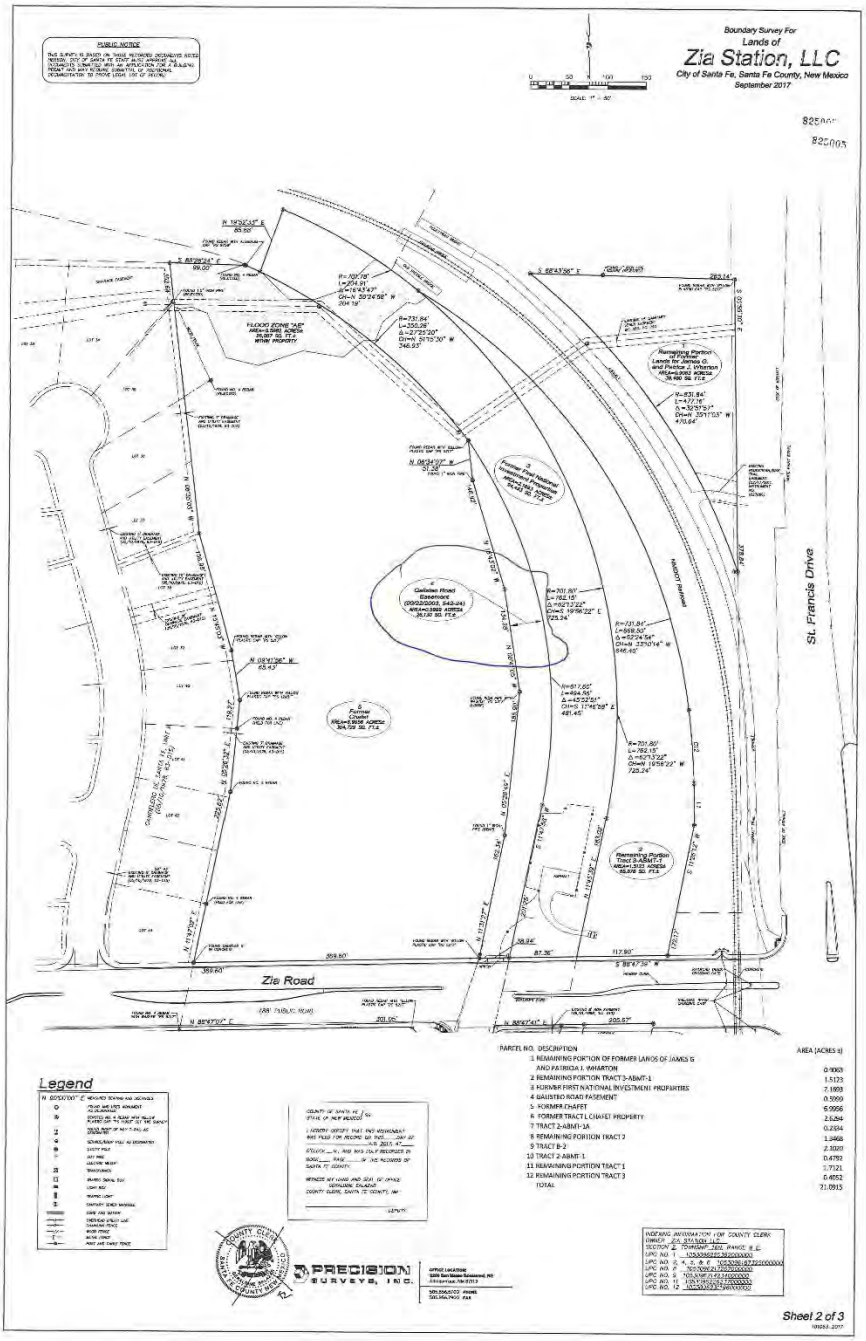
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

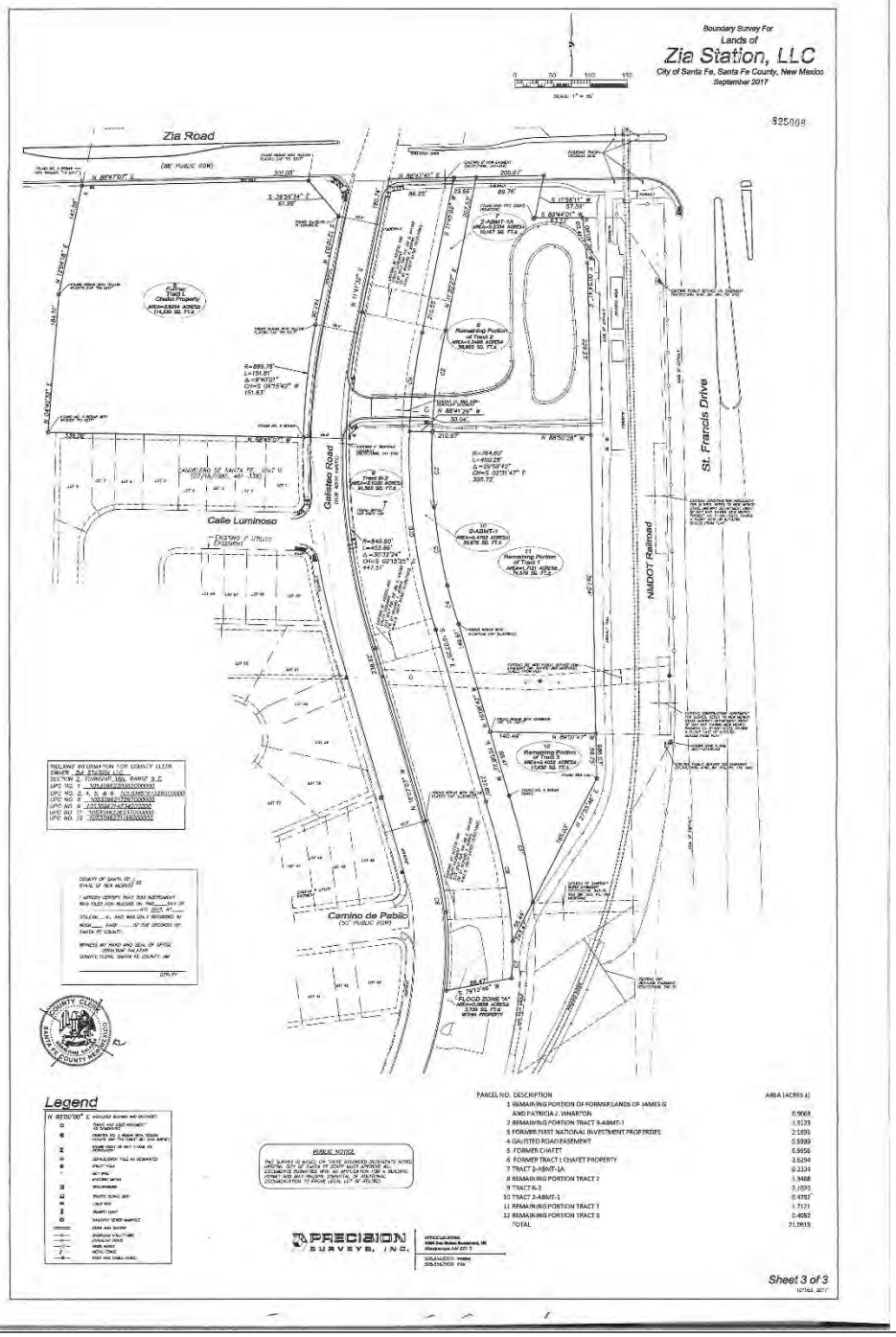
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

Ex. 1 p. 1

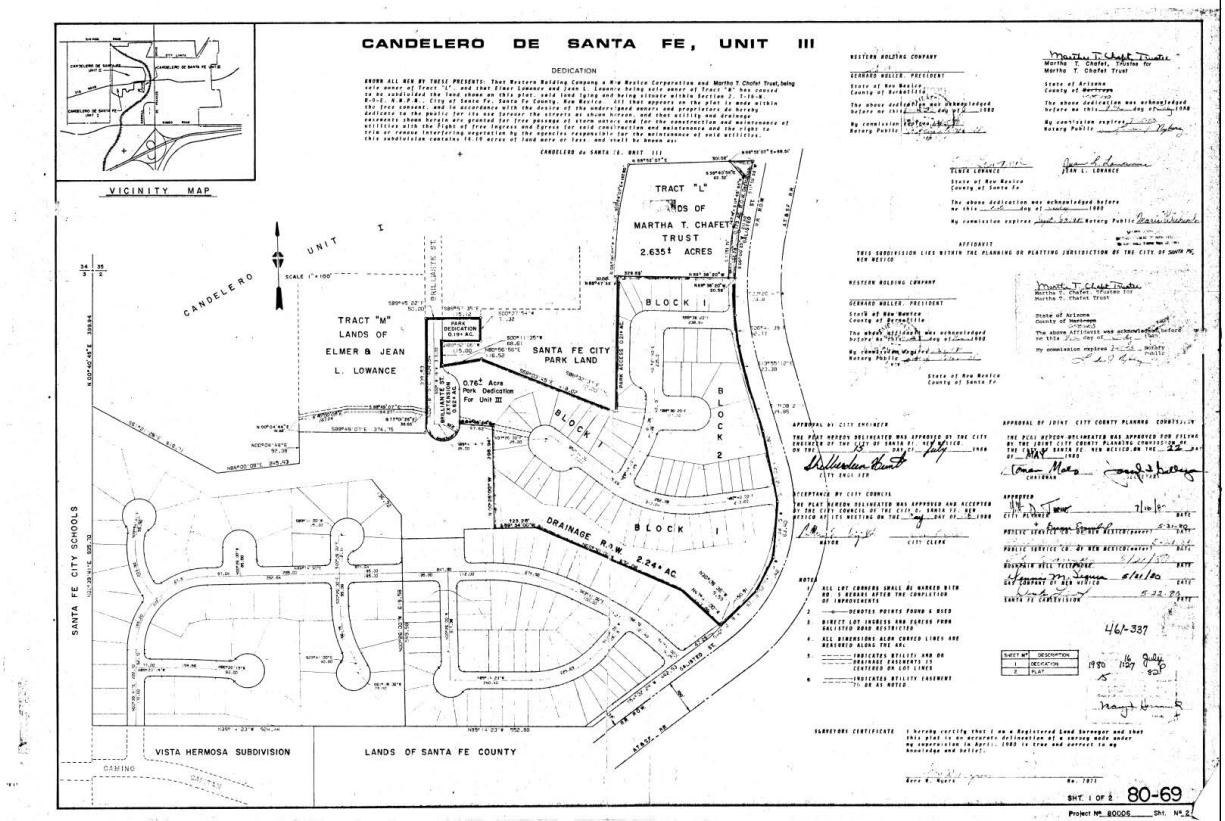

Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

Ex. 1 p. 2

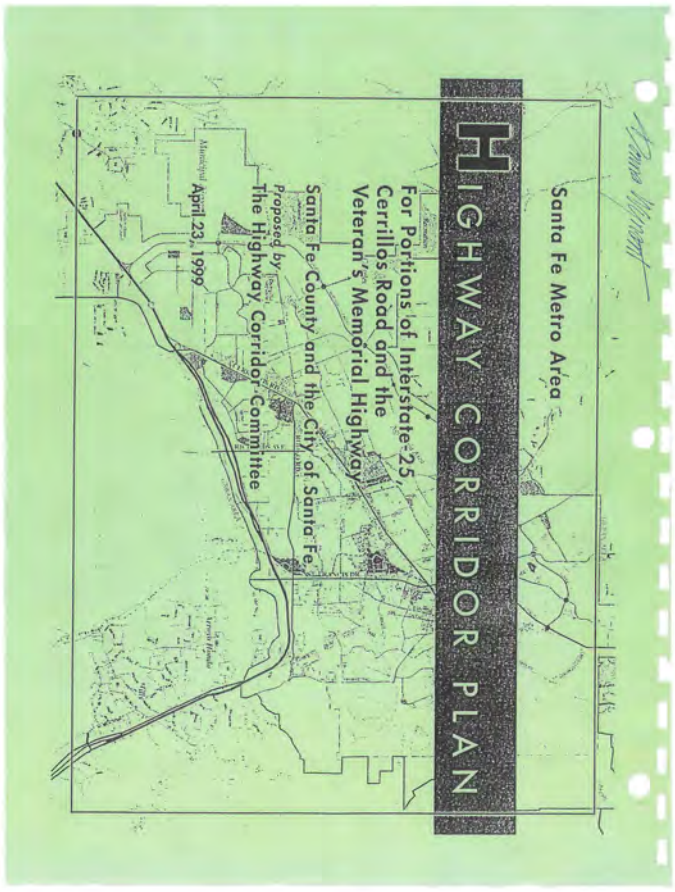


PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9068
2	REMAINING PORTION TRACT 5-A/BMT-1	1.5123
5	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1893
4	GALISTEO ROAD EASEMENT	0.5899
5	FORMER CHAFET	0.6656
6	FORMER TRACT I CHAFET PROPERTY	2.6294
7	TRACT 2-A/BMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.9468
9	TRACT B-2	2.1093
10	TRACT 2-A/BMT-1	0.4797
11	REMAINING PORTION TRACT 1	1.7171
12	REMAINING PORTION TRACT 3	0.4082
	TOTAL	21.0815

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
SCALE 1" = 100'
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
PARK DEDICATION 0.19± AC.
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
CAMINO
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69
Project No. 80006 Sht. No. 2

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and 1-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

6.

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 05:55 PM : (Against)
Isabel Chavez	I am strongly against this

F. NEW BUSINESS

6.

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	**Comment - 02/01/2021 04:53 PM : (Against)**
Randall Gilbert	Monumentally bad idea. Intersection is already a zoo; don't need any further comm developments at Zia and St Francis (notice a big empty space or two by Albertsons?). Affordable housing for 5 years? Shame on the developer. Keep Santa Fe Beautiful!

F. NEW BUSINESS

6.

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 02/01/2021 05:26 PM : (Against)
Victoria Carbajal	This will cause a big inconvenience to the neighborhood and surrounding businesses, especially parents getting their children to school and commuting to work. When school is in session, the traffic from Zia to turn left onto St.Francis is sometimes a waiting period of at least 10 minutes. I have seen the line start almost at the last entrance to Santa Fe High School. The traffic off of I-25 on St. Francis headed towards town is backed up and could take 10-15 minutes to get across Siringo Road today. The train stop at Zia and St. Francis already adds time to commuters when it passes through and causes traffic back up. I cannot imagine how much more time would be added all around each street's commute if this were to pass.

F. NEW BUSINESS

6.

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	Comment - 01/30/2021 08:11 PM : (Against)
Robin Wakeland	I need confirmation that my comments were received and will be provided to the planning commission member for their review. Further, I talked to E. Isaacson, also of the city planning department, on Thursday 1/28/2021 how to get confirmation that comments and documents sent via this portal online link were received, and he said the county clerk is responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. Then, I called the clerk's office, and the clerk I talked to said the clerk's office is not responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. He said the clerk's office is responsible for only comments to city council meetings. The clerk said Geraldine Gurule, staff of the city planning department was responsible for compiling the comments submitted for the planning commission meeting Feb. 4, 2021 at 6 pm. However, when I tried to call Ms. Gurule, she did not answer the phone and I left a message with my phone number and asked her to call me. However, I never received a call from Ms. Gurule.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: R.G. Wakeland
2305 Calle Luminoso Santa Fe NM 87505
505 473 4036 PHONE
rgw4036@yahoo.com

Date: 1-30-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002901-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning as a future hypothetical situation. Repositioning, according to the application, is

contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP*, 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner*, 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

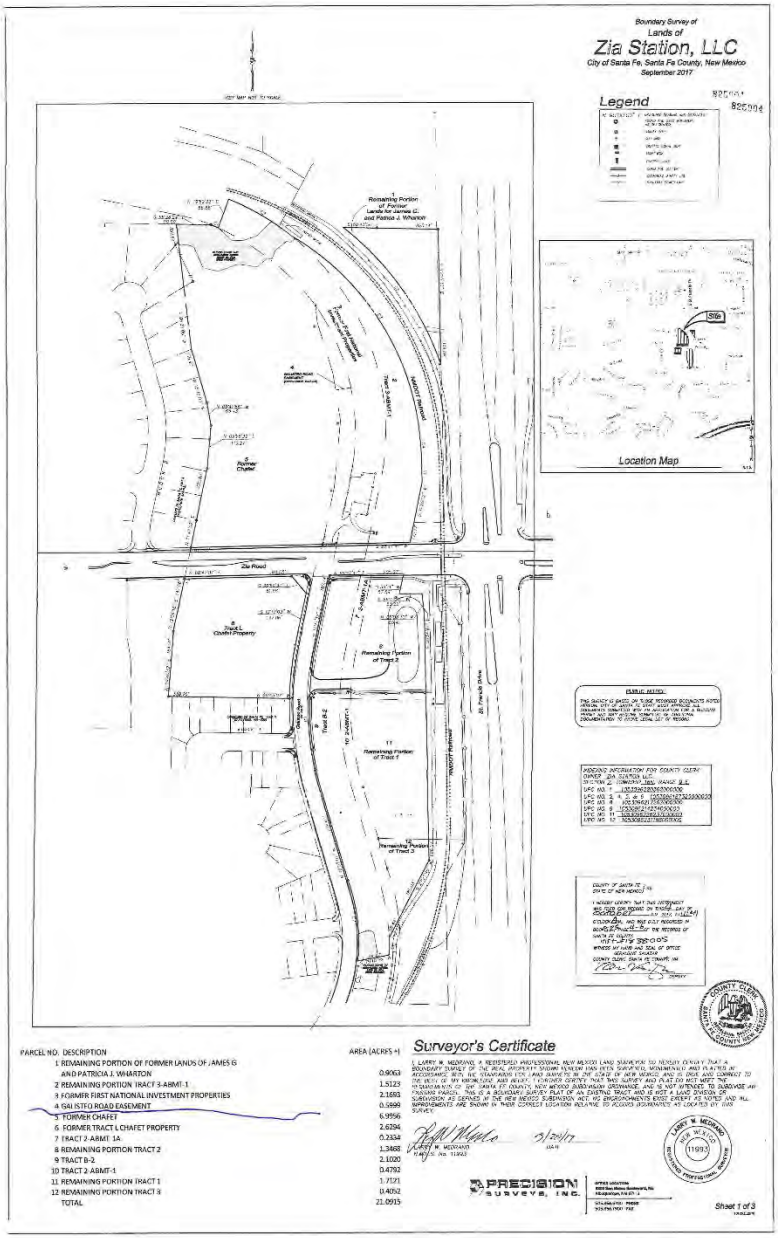
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

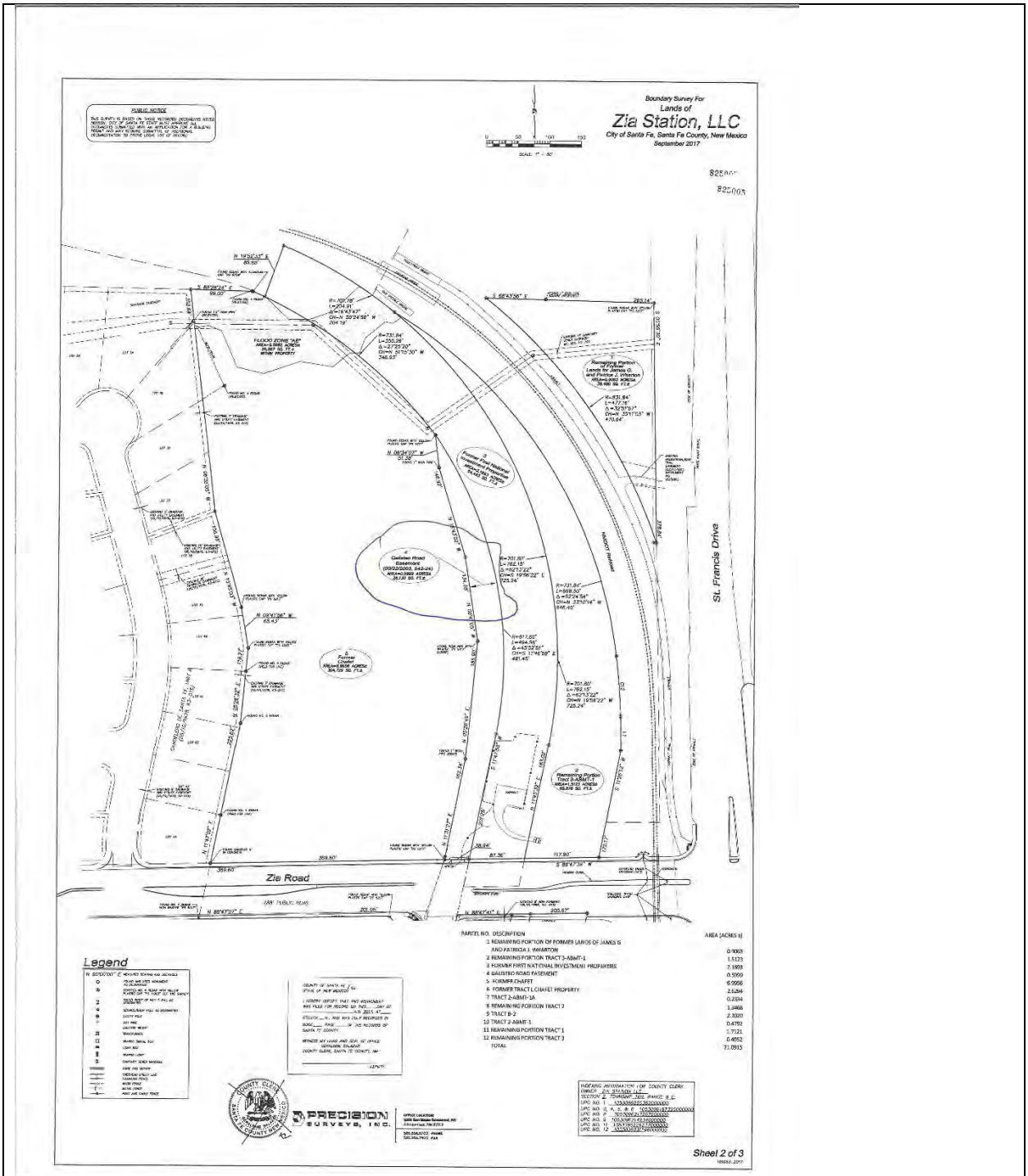
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

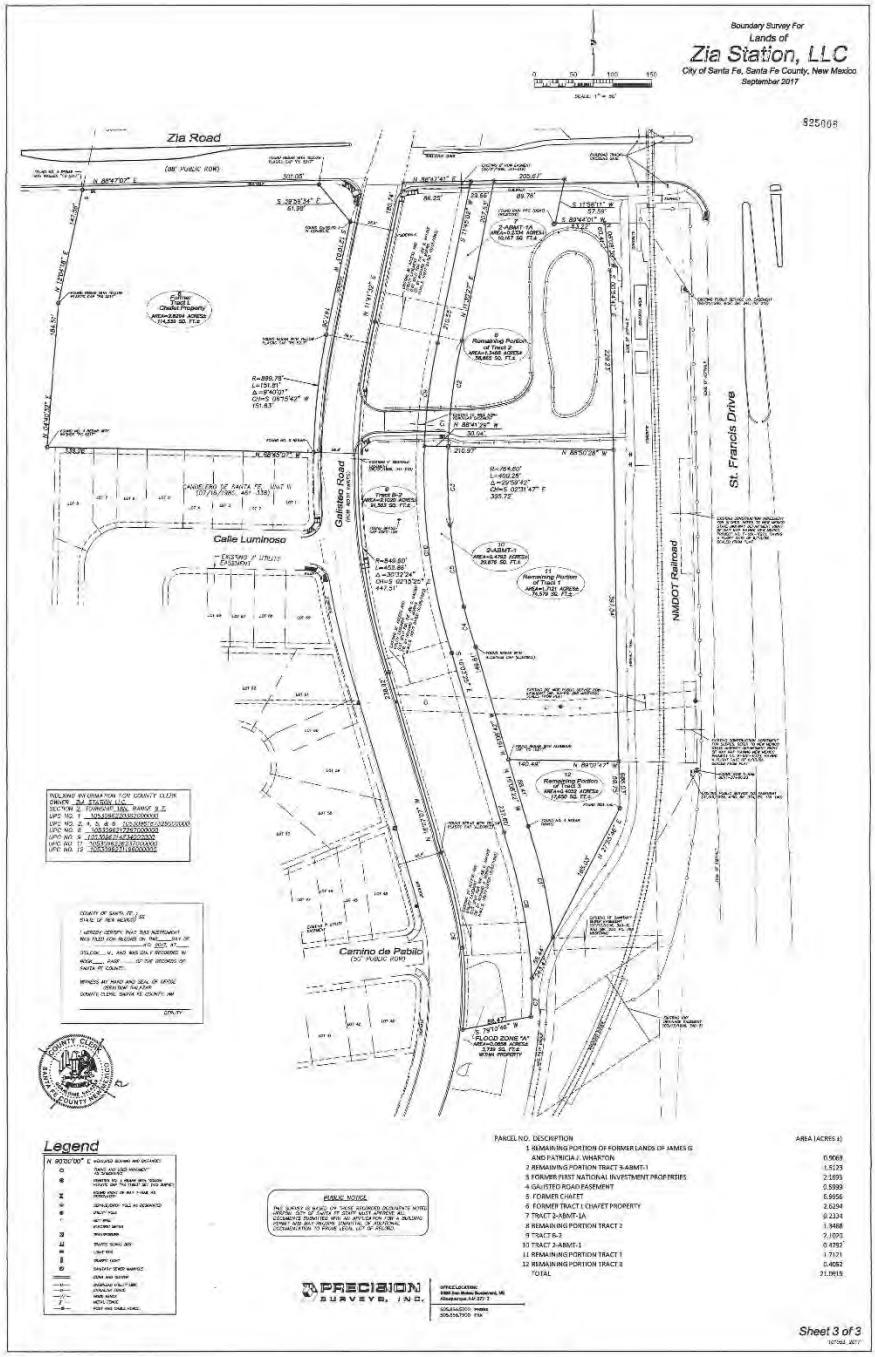
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

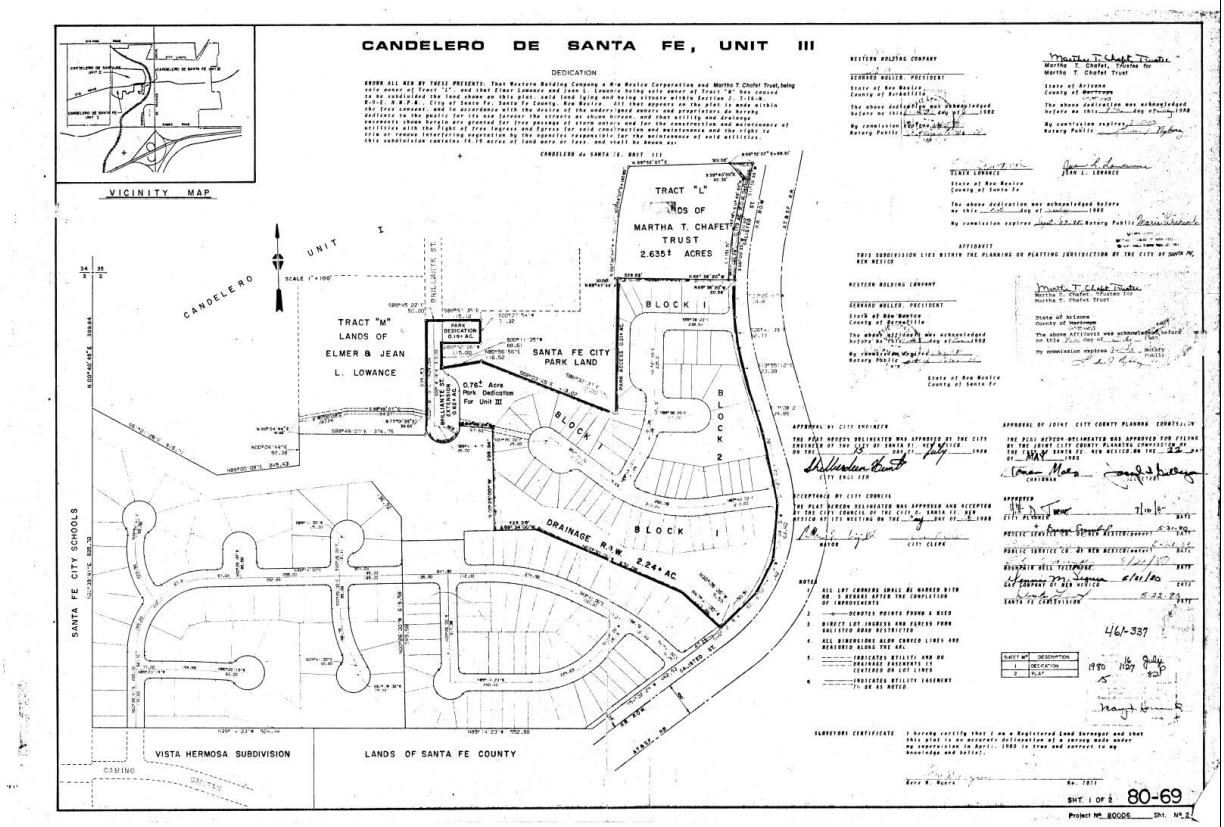
Ex. 1 p. 1


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

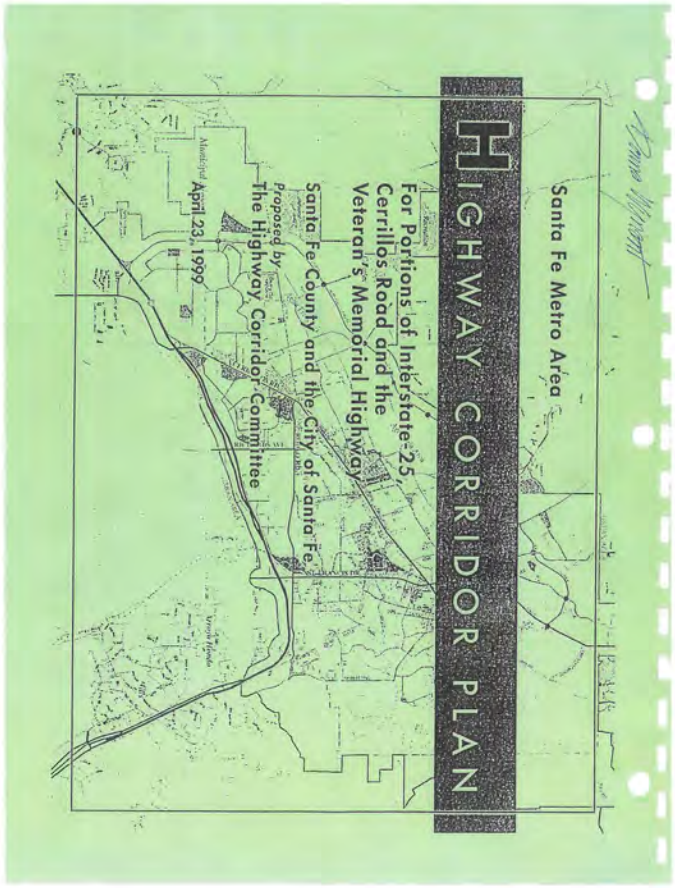
Ex. 1 p. 2


Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Zia Road
St. Francis Drive
NMDOT Railroad
Galisteo Road
Calle Luminoso
Camino de Pablo
Legend
PRECISION SURVEYS, INC.
Sheet 3 of 3

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and I-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

F. NEW BUSINESS

6.

Case #2020-2901. Zia Station Preliminary Development Plan. JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136).

Name	**Comment - 02/01/2021 02:05 PM : (Against)**
Ben Williams	Kindly receive the attached objection. While I did not compose the objection, I agree broadly with its contents, and feel strongly that any further development of the Zia/St Francis/Candlelight area, especially as envisioned under the current proposal by developers, would have a severely negative impact on quality of life in the area. I urge the Commission to deny the developers' proposal.

TO: City of Santa Fe
Lee Logston, Planner Manager
And City Planning Commission
City of Santa Fe
100 Lincoln Ave
Santa Fe NM 87505
PHONE: 505 955 6647

FROM: Ben Williams
Resident, Chaparral neighborhood
2367 Camino Capitan No. 1
Santa Fe NM 87505
ben.williams@yahoo.com

Date: 02-01-21

RE: Zia Road LLC and Aberg Property Company proposed development
Submitted 11/23/2020, amended 1/6/2021
Case # 2020-002901-PLBD planning commission meeting Feb. 4, 2021

I object to the above-referenced development and changes as submitted (application) by Zia Road LLC (developers) to existing plans, ordinances, environment, streets, and zoning for the following reasons. There is no justification for altering the status quo. Prior zoning and South Central Highway Corridor (SCHC) decisions contain no errors. Developers do not provide facts supporting their submitted findings. None exist. The status quo protects the quality of life, environment, and lifestyles of present residents. The proposed development plan would disrupt the status quo to the detriment of the present neighborhood by no left turn onto Zia Road, increase in traffic, increase in air pollution, attract vagrants to the parking lots, increase noise, and lower property values. The status quo, by and through, inter alia, the existing zoning, general plan, and the n SCHC, purposefully created and maintain the status quo.

Furthermore, several flaws in the application are fatal. For reasons of failure to comply with requisite city code, the application should be rejected at the outset and not considered by the city. Alternatively, the application should be denied and not approved.

A. The application should be rejected at the outset, without any further review, because of non-compliance with requisites. Alternatively, the application should not be approved. Assuming for the purposes of argument, without admitting, all alleged facts and conclusions and arguments are correct, the developers present an impossible scenario. This scenario precludes its approval.

1. All proposed building and changes, rezoning, changes to the general plan, etc., in the application rely on the repositioning of Galisteo Road. See developer's traffic study revised, and application report letter (application report), p. 15,17-21. Because said repositioning is not achieved, finalized, implemented, or guaranteed by city approval of the application, the application cannot be approved. I.e., the application does not even apply for repositioning of Galisteo Road. It merely presents repositioning

as a future hypothetical situation. Repositioning, according to the application, is contingent not only on developers applying to the city through the vacation process, but also on future city approval of said vacation.

2. Thus, the application cannot be approved on the basis of future hypothetical actions. Neither the planning commission nor the city council can approve, under applicable code, based on contingent, future, hypothetical caveats. Developers propose the city issue ordinances and decision such as: The proposal is approved contingent upon developers submitting a vacation request and the city approving it. Or, this change to the general plan is effective if and when developers submit a vacation request and if and when the city approves it. Or, this ordinance takes effect if and when developers apply to the city to vacate Galisteo Road and the city approves it.

3. See Zia Station application report, p. 17, “The proposed realignment of Galisteo will involve the vacation of a portion of the existing right-of-way and dedication of new right-of-way to the City. Following action by the Governing Body on this application, the Applicant will submit a formal request for the City to vacate approximately 15,825 square feet of right-of-way and accept dedication of new right-of-way. Please refer to the attached Lot Line Adjustment Plat for more information. The vacation process is addressed in SFCC §23-1.2, which states …” For the sake of argument without admitting same, it seems as if developers allege “Following action” means approval.

4. Further, developers have not signed their lot line adjustment application (application doc. 1, p. 9-10) requisite authorization attesting to ownership of land which encompasses Galisteo Road. As this signature is required for consideration and/or approval of a lot line adjustment, the application cannot be approved. “Agent authorization …I am/We are the owner(s) and record title holder(s) of the property located at: ….. “ and authorizing JenkinsGavin to apply for them. Here, instead, is written, “See attached letter.” Assuming for the sake of argument, without admitting, that Zia Station Application Report, constitutes “See attached letter,” said letter does not assert any ownership in fee simple or otherwise of Galisteo Road or any other property contained within their application, which they seek to modify. Nor does it contain any authorization to act on developers behalf. It merely states: “This letter is respectfully submitted on behalf of Zia Station, LLC in application for approval of…”.

5. Assuming without admitting, that application report doc. 2a, also a letter, constitutes “see attached letter”, this likewise does not suffice for the lot line adjustment ownership attestation. It contains notarized signature of Zia Road LLC person, authorizing JenkinsGavin to act on its behalf. However, said letter does not contain any attestation of ownership. The deeds submitted as application report doc. 2b do not suffice for signature attesting to ownership on the lot line adjustment application, either. Ownership of the land is a prerequisite to application, Santa Fe city code Sec. 14-3.1(B)(1)(a (owner), b (agent of owner) required to file. See also Sec. 14-3.2(E)(1)(c); Sec. 14-3.7 1987 (lot line adjustment application requires ownership).

6. Likewise, the surveyor’s Medrano) statements on the lot line adjustment map application-11, p. 6,7, (replat) “Said owners warrant that they hold among them complete and indefeasible title in fee simple to the land replatted” does not provide the requisite ownership statement, attestation, or proof, in developers. Said constitutes merely statements by Medrano.

7. Alternatively, signing and recording of the lot line adjustment and accompanying replat map, application-11, p. 6,7, would not effect realignment of Galisteo Road. The surveyor's map lists:

- "Lot line eliminated by this plat", showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).
- "Existing 4' sidewalk easement vacated by this plat." Tracts D,E., p. S-003, (p. 7).
- "Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft." (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

These alleged changes would not realign, vacate, or authorize tearing up Galisteo Road. Galisteo Road would still function as a public road, and cars would continue to drive on it. Consider this: who or what entity would contract with licensed contractors to start ripping up the asphalt on Galisteo Road? What licensed contractor would begin doing so on the basis of approval of the lot line adjustment agreement and replat maps? Who would apply for the building permit? What licensed contractor would apply for such building permit? None exist.

There is no case law, statutory law, or city code which empowers a city lot line adjustment to cause, authorize, or legitimize tearing up an existing and in-use road. See Santa Fe city code, Sec. 14-3.7, 23-1.2, NMSA 1978 67-2-6,7), Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296. Developers admit this reality with their suggestion in the application report, p. 17, that after an alleged city approval of their present application submittals, they would apply to the city to vacate Galisteo Road.

B. Alternatively, without accepting all allegations, facts and claims in the applications as true, the following objections defeat approval of the application. Zia Station, LLC and Aberg Property Company, do not own the entire southeast corner property.

Developers expressly claim and allege that the city does not own in fee simple the present day Galisteo Road, the land under it, and its sidewalks (Galisteo Road). See Application-11 Preliminary development plan (application-11), p. 2,3,4,5,7,8, and where submittals shows Galisteo Road relocated and buildings on it. These pages claim, allege and falsely represent that Galisteo Road exists as a right of way, and/or an easement on/through developer's private property. The present day Galisteo Road is public, common, and owned by the city of Santa Fe in fee simple. This reality, together with developer's false claims, are shown in the below-listed facts.

Plat map certified by Larry W. Medrano, NMPS 11993 (Medrano), Precision Surveyors, Inc., job #204129P, p. S-002, S-003, 10/19/20, included in application-11, p. 6,7, and titled Lot Line Adjustment Plat for Zia Station (replat) claims and alleges developers own Galisteo Road. Developers request the city adopt this replat via the lot line adjustment application process. See application-11, p. 9,10. However, Medrano's certification is meaningless and does not establish ownership. Neither does Medrano's similar survey plat filed in county records, 10/4/2017, book 825, pp. 4-6, instrument 1838005, Ex. 1

(cited by replat). I.e., a surveyor’s statement, even with a certification, on a county record does not create ownership.

Although Medrano purports to cite all relevant plats, records, and surveys, both his replat and Ex. 1 omit a relevant plat map as a source of information. The relevant plat map omitted is Santa Fe county records doc. 461-337 and 461-338, Book 82, page 15, 1980 (1980 plat), Ex. 2.

The 1980 plat established that the city of Santa Fe owns Galisteo Rd, its sidewalks, and underlying land in fee simple without any future rights of "reversion" (give back to original 1980 owners/successors in interest). The city so acquired Galisteo Road via the process of dedication from the 1980 owners to the city. This 1980 plat states Galisteo Road was dedicated to the city, and the city accepted it:

“DEDICATION” ALL MEN BY THESE PRESENTS: That Western Holding Company a New Mexico Corporation and Martha T. Chafet Trust, being sole owner of Tract “L”, and that Elmer Lowance and Jean L. Lowance being sole owner of Tract “B” has caused to be subdivided the land shown on this plat, said land …. undersigned owners and proprietors do hereby dedicate to the public for its use forever the streets hereon shown hereon … “, Ex. 2. This plat is devoid of any rights of reversion retained by the owners.

In addition to this omission, Medrano made several false and erroneous statements claiming Zia Road LLC owns Galisteo Road and city uses it only via a right of way easement across their private land. Medrano’s statements do not establish fact. These erroneous statements follow:

On the replat, application-11, p. 6,7:

1. “Said owners [Zia Road LLC/developers] warrant that they hold among them complete and indefeasible title in fee simple to the land replatted”, parcels 1-12, Tracts A-J, p. S-002 (p. 6).

2. “Lot line eliminated by this plat”, showing 2 arrows pointing to outline of present day Galisteo Road, Tracts D,E., p. S-003 (p. 7).

3. “Existing 4’ sidewalk easement vacated by this plat.” Tracts D,E., p. S-003, (p. 7).

4. “Galisteo Road right of way to be vacated by this map. Area=0.3633 acres, 15,825 sq. ft.” (boundaries of existing Galisteo Rd.) Tracts D,E., p. S-003, (p. 7).

I.e., developers propose that Galisteo Road now exists because of and was defined and created by “lot lines.” No documents or other evidence prove this. The present day Galisteo Road is repeatedly referred to as “Galisteo Road R.O.W.” (omitting fee simple ownership/error of omission). See application-11, p. 5,6,7, etc.

Further representation by developers and Medrano, via citation to Ex. 1 in the lot line adjustment replat, application-11, S-002, p. 6, follow as in Ex. 1. They represent that Galisteo Road exists as a right of way easement running on their private land.

Exhibit 1 lists the existing Galisteo Road and adjacent sidewalks as right of way easements as follows:

County records p. 4, plat p. 1, parcel 4, north of Zia Rd., Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 5, plat p. 2, in northern section, parcel 4, Galisteo Road easement, (09/22/2003, 542-24), no further reference for what this number means; area=0.5999 acres, 26,130 sq. ft.; parcel 4 is cited as UPC no. 1053 0961 8732 5000 000.

County records p. 6, plat p. 3, Galisteo Road right of way width varies, parcel 6= UPC no. 1053 0961 8732 5000 000.

Via Ex. 1 and the replat and lot line adjustment application, developers also represent that the Galisteo Road sidewalks exist as easements on their private land, although no attributing plats/documents are cited. None exist. They falsely assert that its boundaries were previously established as lot lines within their encompassing Tracts D-A (Ex. 1, replat p. 7, S-003). No documentation, plat map, etc. are submitted to prove this. None exist.

Authorities in support. The city now owns Galisteo Rd. and its related properties (sidewalks) on each side in fee simple with no rights of reversion to developers. The city accepted ownership of the road, the underlying property, and contiguous sidewalk land via dedication by the original owners to it via Exhibit 2. NMSA 1978 Sec. 47-6-1 through 29, amended 1973-1999, subdivision act and NMSA 1978 3-20-11, cited in City of Rio Rancho v. Amrep Southwest, 2011-NMSC-037, ¶3, ¶4 plat which designates public use conveys fee title, sec. 3-20-11, ¶18, sec. 3-20-11, “Where a subdivision plat does not clearly designate land as clearly set aside for public use, we cannot find the land to have been dedicated under Sec. 3-20-11.” Said statute “only operates to vest fee title to a specific property in a municipality where a plat expressly dedicates the property ´for public use.´”, id.

Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974. City can sell park because it owned it in fee simple per a dedication with no rights of reversion. No express language of re-entry at time of dedication. “Where a valid statute authorizes the transfer of the land ….”; compares fee simple to determinable fee, fee simple applies. Chavez v. County of Valencia, 1974-NMSC-035, county could sell the land because of ownership via dedication. Deeds submitted, application report docs. 2b, date 2007, 2008, and 2013, and do not cancel or override the 1980 plat map.

Developers committed an error of omission by ignoring the 1980 plat. Via its lot line adjustment application, and its proposed plats with arrows and diagrams portraying Galisteo Road as “lot lines” developers falsely allege and claim the city does not own Galisteo Road in fee simple. As the city obtained fee simple ownership of Galisteo Road

in 1980, no 9/22/2003 document creates reversion to developers. Likewise deeds submitted at application doc. 2b do not override or cancel the 1980 plat.

While falsely asserting the city does not own Galisteo Road in fee simple or otherwise, developers fail to attest that they own it on their lot line adjustment application. See General Plan Development application (application-1), p. 9-10. See facts and authorities in ¶ A above, incorporated herein by reference. Further, the reality of city ownership in Galisteo Road in fee simple is not addressed by developers. Developers present no proposal which would divest the city of its fee simple ownership of Galisteo Road. A lot line adjustment would not accomplish this, see authorities cited above. Therefore, application for the south east quadrant and moving Galisteo Road is precluded (not allowed). Alternatively, the south east quadrant proposal and proposal to move/realign Galisteo Road and to award ownership of it to developers should be denied/not approved by the city. As cited above in ¶A, because the entire application depends on the realignment of Galisteo Road to ameliorate traffic congestion, the entire application should be denied/not approved.

Alternatively, city code Sec. 23-1.2, vacation of roadways, as developers propose as a hypothetical future event which would effect realigning Galisteo Road (application report p. 17) does not apply. Because Galisteo Road exists as city ownership in fee simple (not a right of way), and no requisite reversion rights in developer exist (Ex. 2), no vacation can occur, Sec. 23-1.2 (relies on right of way and reversion rights).

Sec. 23-1.2 states: Short Title. This subsection shall be known as the "Vacation of Plat Ordinance."

A. *Purpose.* The purpose of this subsection is to provide for the vacation or partial vacation of plats when vacation and reversion of such affected land is based on proper dedication of the subject property to the city of Santa Fe for public purposes, there are reversionary rights in the grantor(s) and it is deemed in the public interest to do so. It is intended by this subsection that important factors to be considered in vacation or partial vacation of a plat shall first be whether the public right-of-way continues to be a necessary part of the city's utility easements which should not be disturbed, whether the public right-of-way is a necessary and integral part of the city's traffic and neighborhood scheme for travel, balanced against other interests such as whether the public right-of-way is no longer needed or used as a public right-of-way or has become a public nuisance and no other reasonable remedy is available to abate the nuisance. It shall also be a considered factor whether at least seventy-five percent (75%) of the grantors or their successors in interest approve of the vacation when the city believes it is in the city's best interests to vacate or partially vacate the plat. In no circumstance shall any property be landlocked as a result or interpretation of this subsection.

B. *Definitions …*

(2) Plat means the map, chart, survey, plan or replat certified by a licensed or registered surveyor which contains a description of subdivided land with ties to permanent monuments. In regard to vacation or partial vacation of a plat

relating to a public right-of-way, a plat may not be vacated in whole or in part unless the grantor(s) dedicated the subject land for the right-of-way with reversionary rights to the grantor(s). Evidence of such reversionary rights must be clearly shown on the certified plat or in any deed of conveyance or incorporated in a properly adopted ordinance….

(4) Vacation of plat means properly effected reversion of dedicated property to the grantors or their successors in interest and recording in the county real property records that the plat is vacated, i.e., that it is set aside, and including a reference to the vacation statement recording.

In addition, developers do not propose vacation under state law. Even if they had, such proposal is merely a hypothetical event and cannot support Galisteo Road realignment, see authorities in ¶A above. Alternatively, Galisteo Road does not meet the criteria for city vacation of it under state law, Sec. 67-2-6,7. Wheeler v. Monroe - 1974-NMSC-053 - [1974] 86 N.M. 296 - 06/28/1974, ¶9,10,11, cites NMSA 1953 Sec. 55-1-6 and 55-1-7, now NMSA 1978 67-2-6, by which city council has authority to vacate a road, 67-2-7. Owners of land abutting a public road may petition the city council to abandon said road if "a section of any public road, street or highway is not [no] longer needed for public purposes", id. See also Chavez v. County of Valencia, 1974-NMSC-035. Cites 55-1-6 and 55-1-7, NMSA 1953, (NMSA 1978 67-2-6,7). Via this process, city must sell any such unuseful property to private person, entity, or via negotiated sale, competitive sealed bid, or auction, NMSA 1978, Sec. 13-6-2.B(3). As this scenario also exists outside the developer's proposal, the city cannot approve any movement of Galisteo Road or any building on top of it. Alternatively, approval of the lot line adjustment would not satisfy the statutory criteria for abandonment, Wheeler, 1974-NMSC-053, Chavez, 1974-NMSC-035 and progeny.

See "This property, after non-use as a park, was sold by the City of Albuquerque to a local contractor", Wheeler, 1974-NMSC-053, ¶1. The statutes require legal determination that the road has ceased to be used. Approving developer's lot line adjustment, and signing the replat and filing it in county records will not effect the non-use of Galisteo Road or otherwise meet the criteria of Wheeler. "Rules that park, which was dedicated by private parties to city, then, later the city sold it, determining it was no longer useful as a park, could be sold by city. No express language of re-entry at time of dedication … Where a valid statutes authorizes the transfer of the land …."; compares fee simple to determinable fee, fee simple applies, id.

Because the entire application depends and relies on the repositioning of Galisteo Road to alleviate traffic congestion, (¶A) and because the realignment should be denied/not approved, the entire application should not be approved.

C. **Alternatively, other objections below prove the application should not be approved. Eliminating the present drop off drive through loop for railrunner passengers.**

The city of Santa Fe granted the owners between $180,000 and $300,000 in impact fee credits around 2015 for construction of this loop and associated handicapped parking and sidewalks. This drive up loop is contained within the proposed southeast quadrant development, and is eliminated by it. The conditions of the impact fees credit are 10 years existence. Thus, developers will not be entitled to any such impact fee credits if the development is approved because the 10 year requirement has not been met. See 8/13/2015 impact agreement between the city and Zia Station LLC.

D. **Developers property cannot be removed from the South-Central Highway Corridor (SCHC) protection district via a zoning change. This can only be achieved via a general plan amendment.**

Developers “Request to remove the property from the South-Central Highway Corridor Protection District”. They propose this can be accomplished via a “south central corridor map amendment,” in the form of a zoning change, citing Sec. 14-3.5(C), application report p. 1, 6, 8-12. However, such request cannot be accomplished via these procedures. See 1999 Santa Fe metropolitan area highway corridor plan, relevant pages, Ex. 3 (1999 plan). The process involved with altering highway corridor districts is described therein. The Santa Fe city council must “adopt the [highway corridor] plan as an element of the City general plan”, p. 2, as it did in 1986 with the original SCHC and in 1999. Consistent with this, city zoning code regarding SCHC, Sec. 14-5.5.A(2)(a) cites the general plan. It states: “Boundaries … designated as special review districts in the general plan”. Thus, any modification of SCHC must be done through a change in the general plan. Developers have not requested nor shown any justification for modification of the general plan to effectively remove the property from the SCHC.

In attempt to shore up their assertion that SFHC boundaries can be modified via rezoning, developers cite the city 2019 amendment to Sec. 14-5.5-4 SCHC height restrictions for the Midtown local innovation corridor (LINC), Ex. 4. LINC itself had existing height restrictions exceeding SCHC. Sec. 14-1.7(B) resolves conflicts to uphold the lesser height, unless the conflicting rule, regulation or code specified an exception. The 2019 code amendment specified LINC heights as an exception. No boundaries were redrawn, and no property was excluded from SCHC. In addition, no prior conflicts with SCHC regarding developers property exist. Thus the 2019 LINC amendment is neither analogous to nor supportive of developers request. Property removal from SCHC cannot be accomplished via zoning changes. In addition, for these same reasons and facts cited above, to justification exists for altering the general plan to remove developers property from SCHC.

Alternatively, developers have not satisfied zoning change requirements. There assertions are easily rebutted. “The SCHC Overlay standards as they were originally created [1986] no longer align with General Plan principles as they specifically relate to the subject property”, application report p. 8. This is false. No such principles, quotes, or page numbers are cited. No such contradicting standards exist. Further, the highway overlay standards were updated in 1999 via the 1999 plan, Ex. 3.

In reality, the 1999 plan affirms SCHC standards which the developers propose to break. It states: “PROPOSED LAND USE The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. … The corridors are primarily designated for residential development with setbacks from the highways. … Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan”, Ex. 3, p. 8. While developers list their compliance with existing standards, obviously they seek to break standards elsewhere. For example, SCHC requires open space between the buildings and the railrunner easement boundary. It also requires an access road behind the buildings. Both these are lacking in developers site plans.

The 1999 plan further states: “This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment Districts. The committee recommends removing the following established and potential (‘planned’) non-residential districts, or nodes: …. St. Francis / 1-25 (Regional)”, Ex. 3, p. 8-9.

In addition, the 1999 plan states: “To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet the land use requirements”, Ex. 3, p. 9. Obviously, developers plan for 21 dua breaks this standard.

Furthermore, developer submits false statements. Regarding the Zia Road railrunner stop, developers claim: “For example, the [2008] Rail Corridor Study discussed below … while recognizing that changes to the SCHC Overlay are warranted in order to support transit-oriented development.” See the 2008 Rail Corridor Study, which contains no such statement. In fact, it advises the opposite: “5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations: … St Francis Drive north of Sawmill”, Ex. 5, p. 32,

In reality, the 2008 study hinges development of the Zia Road stop on transit multi-modality. In fact, such multimodal conditions do not exist, are not proposed by developers, and have no likelihood of emerging. For example, it suggests “low impact residential” development. This conflicts with developers proposal for high density apartment buildings at 21 dua. “Traffic would be moderated by two new signalized intersections.” Developers do not propose same. “Two new city roads would alleviate traffic.” (Ex. 5, p. 18). This is not in the works at the city.

In addition, the city bus 6 should alter its route to stop at the railrunner station and also deliver directly to senior housing, colleges, schools, and workforce and low income housing. Ex. 5, p. 19. In reality, Santa Fe trails cut service due to funding decreases in 2007 and have not rebounded since. Bus 6 presently does not run on Sundays. Further,

the study suggest to support multimodal transportation, a pedestrian underpass should be built under St. Francis Drive, ex. 5 p. 18. This likewise is not in the works at the city.

In other words, developers falsely portray their development as transit oriented. In fact, in addition to pedestrian, automobile congestion, and city bus limitations, the railrunner has experienced declining riders since 2010. It has ceased running since February 2020 with no date set for re-opening. The railrunner operates at a total $48 million annual deficit, with half attributed to operating costs and half to debt service. Proposals have recently been considered to replace the train with busses north of Bernalillo. See nmrailrunner.com.

Developers allege mistakes in SCHC regarding future use, application report, p. 9. However, they cite no page numbers of documents supporting these claims of obligations failed by the city. None exist. In fact, the city included SCHC area in its future use plan, 1999. See city website. Here, designations are included for developers property. Traditional mixed use is indicated on the south east quadrant. Balance is yellow, or 3-7 dwellings per acre, up from the present R1 zoning. This contradicts developers proposed 21 dua.

In addition, developers give false information, claiming surrounding zoning for within SCHC equals “Surrounding land uses within this portion of the SCHC as seen on the Future Land Use Map include Community Commercial, Business Park, Office, and High Density Residential”, application report, p. 11, ¶c. Developers conveniently omit the present existence of grocery stores, restaurants, medical services, UPS store effectively zoned in areas across St. Francis drive. These comply with the SCHC requirements. This commercial activity, effectively zoned to not impact the present R1 and R7 residents adjacent to developer’s property, cannot support removal of property from SCHC.

The same arguments and fact cited above regarding the Midtown LINC apply also to defeat zoning change proposals. The LINC height change does not support by analogy or otherwise zoning consistency via removal of the property from SCHC. See application report, p. 11. Likewise, on page 12, developers erroneously cite their proposed 21 dua as compliance with General Plan goals for infill. On the contrary, the future use plan for the property specifies 3-7 dua, which fulfills the infill goal, being up from R1. In paragraph e, p. 12, developers falsely claim “existing and proposed infrastructure, such as the streets system” are adequate. This contradicts the proposal itself, which asserts drastic changes are required to all existing streets, Galisteo Road and Zia Road. As well, this claim contradicts Ex. 5, which requires two stoplights and additional streets to accommodate traffic.

For the above code, facts and arguments, developers request for the property to be removed from SCHC should be denied and/or not approved.

E. Traffic problems

The 2008 Rail Corridor Study, city of Santa Fe long range planning division document, Ex. 5, illustrates a lesser populated development and mandates two stoplights and road extensions to deal with traffic. No such are proposed by developers. Ex. 5 represents expert testimony contradicting developers traffic study revised. Further, inherent in the traffic study revised is a contradiction. While admitting increased traffic will result, it proposes to cut the existing two right turn and straight through lanes at Zia Road and St. Francis Drive eastbound to one. This impacts access to I-25 (right turn), as one car going straight through will impede right turns on red towards I-25. Presently, straight through traffic can utilize the adjacent lane. Absent this lane, one straight through driver will impede right turn on red traffic, forcing it to wait for a green light.

In addition, obviously, elimination of one of these two lanes will at lease automatically double the backup line in the remaining. This equation does not even factor in population increase.

Furthermore, developers traffic study revised does not cite to data in support of its many conclusions. For example, it concludes present day congestion on Zia Road St. Francis intersection eastbound would be alleviated by realigning Galisteo Road a few hundred feet to the west. It states, “The St. Francis Dr./Zia Road intersection does not operate at acceptable levels of service, with intersection failures and queuing issues during the AM and PM peak hours”, application report p. 19. Presumably, the space difference would allow more cars in the queue. However, the traffic study does not cite to any data to support this. It is a no brainer that the development will drastically increase traffic at this location. However, no calculations are submitted comparing present to projected/developed traffic flows here.

Conclusions about the proposed road changes accommodating the proposed increased population density are likewise not cited with data in support. While the traffic study presents volumes of data, none are cited to prove conclusions. Expert witnesses must cite data upon which opinions/conclusions are based. See US v. Harry, 20 F. Supp. 3d 1196 - Dist. Court, D. New Mexico 2014. “The court is also to consider whether the witness' conclusion represents an ‘unfounded extrapolation’ from the data; whether the witness has adequately accounted for alternative explanations for the effect at issue; whether the opinion was reached for the purposes of litigation or as the result of independent studies; or whether it unduly relies on anecdotal evidence. *See* *Witherspoon v. Navajo Ref. Co., LP,* 2005 WL 5988649 at *3 (citing *Gen. Elec. Co. v. Joiner,* 522 U.S. 136, 146, 118 S.Ct. 512, 139 L.Ed.2d 508 (1997)). The Tenth Circuit stated the applicable standard in *Norris v. Baxter Healthcare Corp….*”

Thus, developers application and proposals should not be approved.

F. **No need for multi use zoning; such zoning does not create economic development**

Multi-use zoning currently exists on Academy Road. However, only one business exists at these locations. This is PMU by Norma and Spa, 3740 Academy Rd, Ste D. This

multi-use zoning on Academy Road has resulted in and will for developers proposals, result in merely cheap housing. People will buy/rent them just to live there, or for residential rental income. There won't be any jobs or economic development created. Besides, walk in retail business and restaurants have plummeted since 2020, March. People mostly now buy online. Existing retail development across St. Francis drive (Albertson's, Walgreen's, pizza restaurant, UPS shipping, doctor's offices) provides the needs of the neighborhood and the South St. Francis Drive community. East of Albertsons, office space is now vacant. Projections of gym, bank, florist, bookstore, medical, or government offices are pure fantasy.

G. **Proposed General Plan Amendment, Tract L (Phase 2) – Low Density to Transitional Mixed Use, has no applicability.**

Adequate commercial services and supplies already exist within walking distance across St. Francis Drive. Albertson's, Walgreen's, a pizza place, and medical offices, etc. already exist there. The space difference between Tract L and Albertson's shopping complex is not sufficiently great to justify "commercial areas to be connected to and linked to surrounding neighborhoods" and "the need for a mixing of uses in all new and existing neighborhoods in order to encourage walkable, integrated neighborhoods", application report p. 4. Thus this proposal should not be approved. See ¶F above.

H. **Rezone to PUD, there was no mistake in existing zoning**.

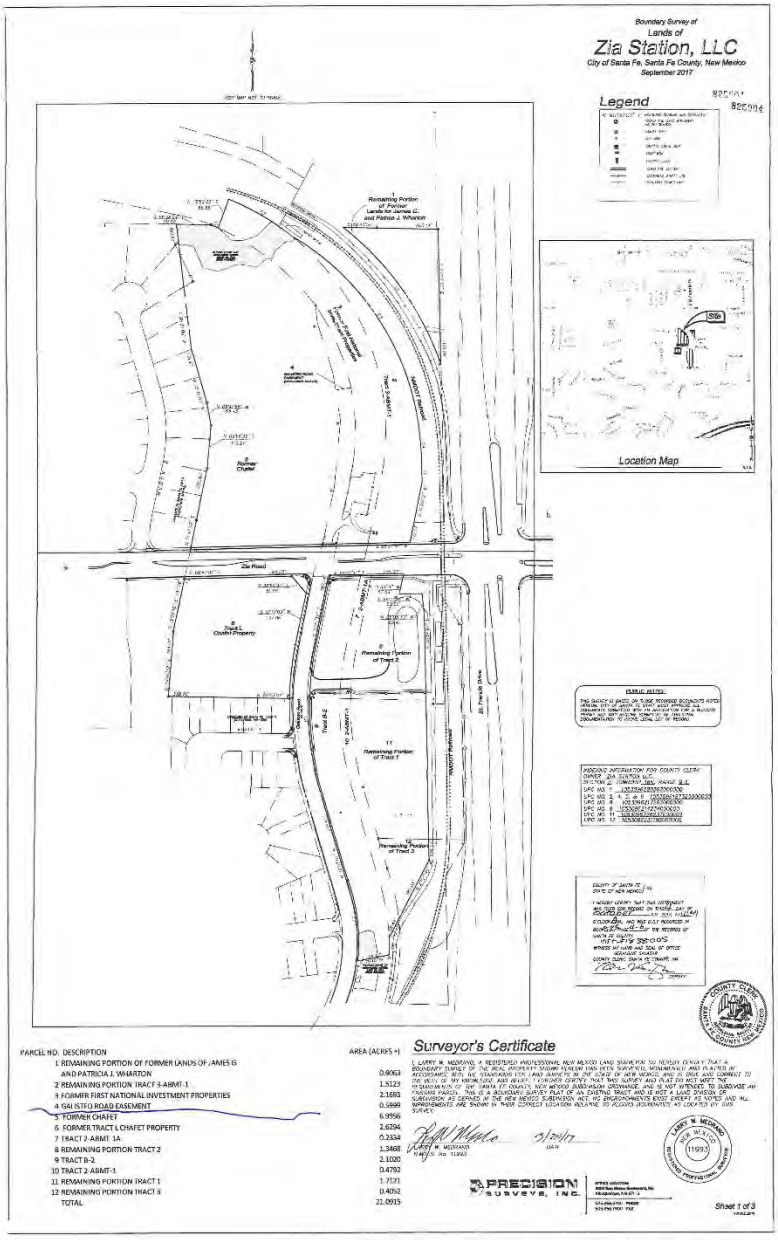
Developers claim error in present zoning, stating: "The St. Francis Drive vicinity has evolved into a densely developed, mixed-use transportation corridor," application report p. 7. This claim is false. The only significant transportation presently existing is automobile traffic, which has remained the same since the original zoning. Railrunner is insignificant, and Santa Fe Trails city bus has actually decreased ridership and service since 2007. See arguments above in ¶D. In addition, R1 zoning is all built for Candelero Road area. R7 is all built in the Camino Luminoso and adjoining areas extending south along Galisteo Road. These are in closest proximity to developer's lands. The proposed 21 dua apartment buildings will abut both the present R7 and R1 residences.

The proposal will not "allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area", as claimed by application report p. 8. See above paragraph and ¶D.

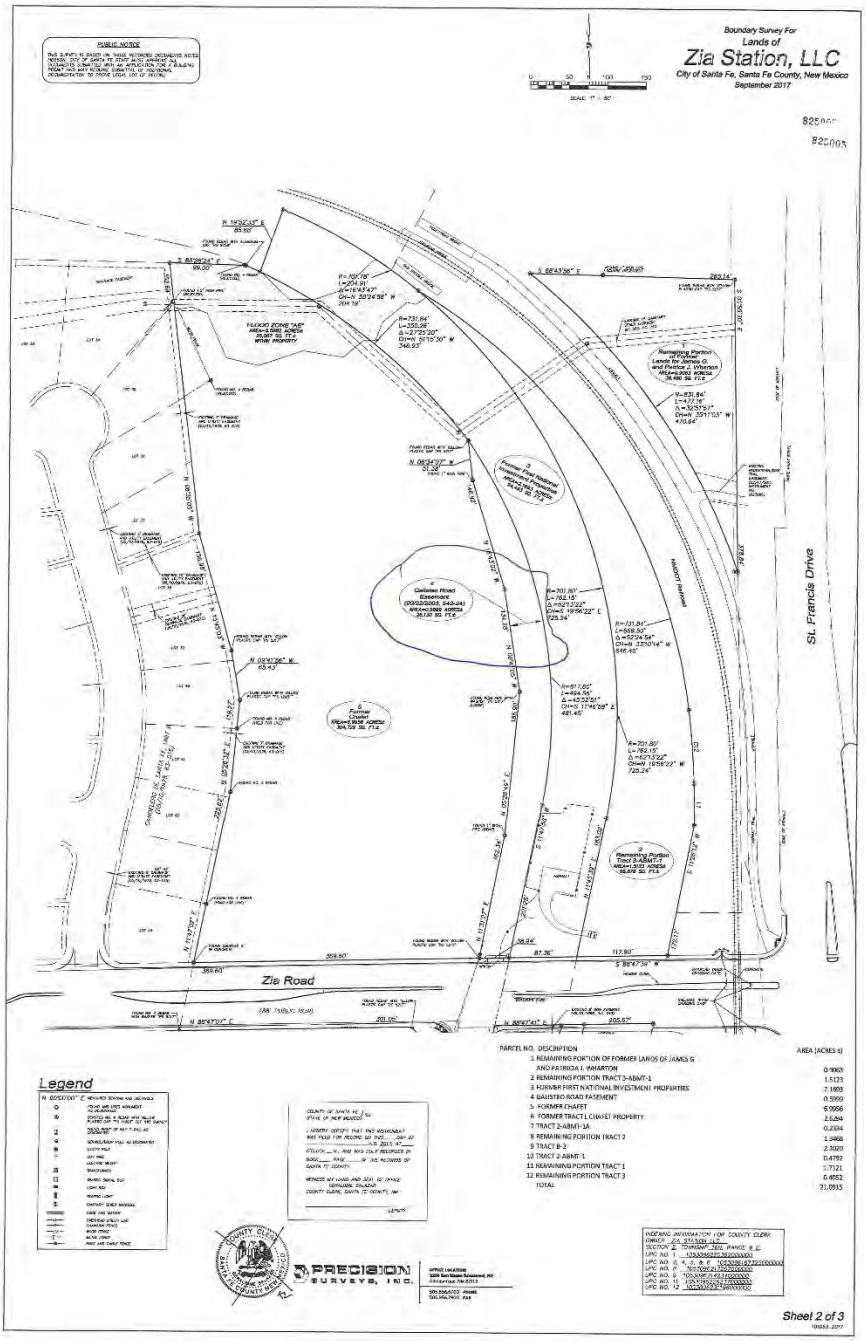
Conclusion

For the facts, reasons, arguments and authorities cited above, the developers proposals should not be approved.

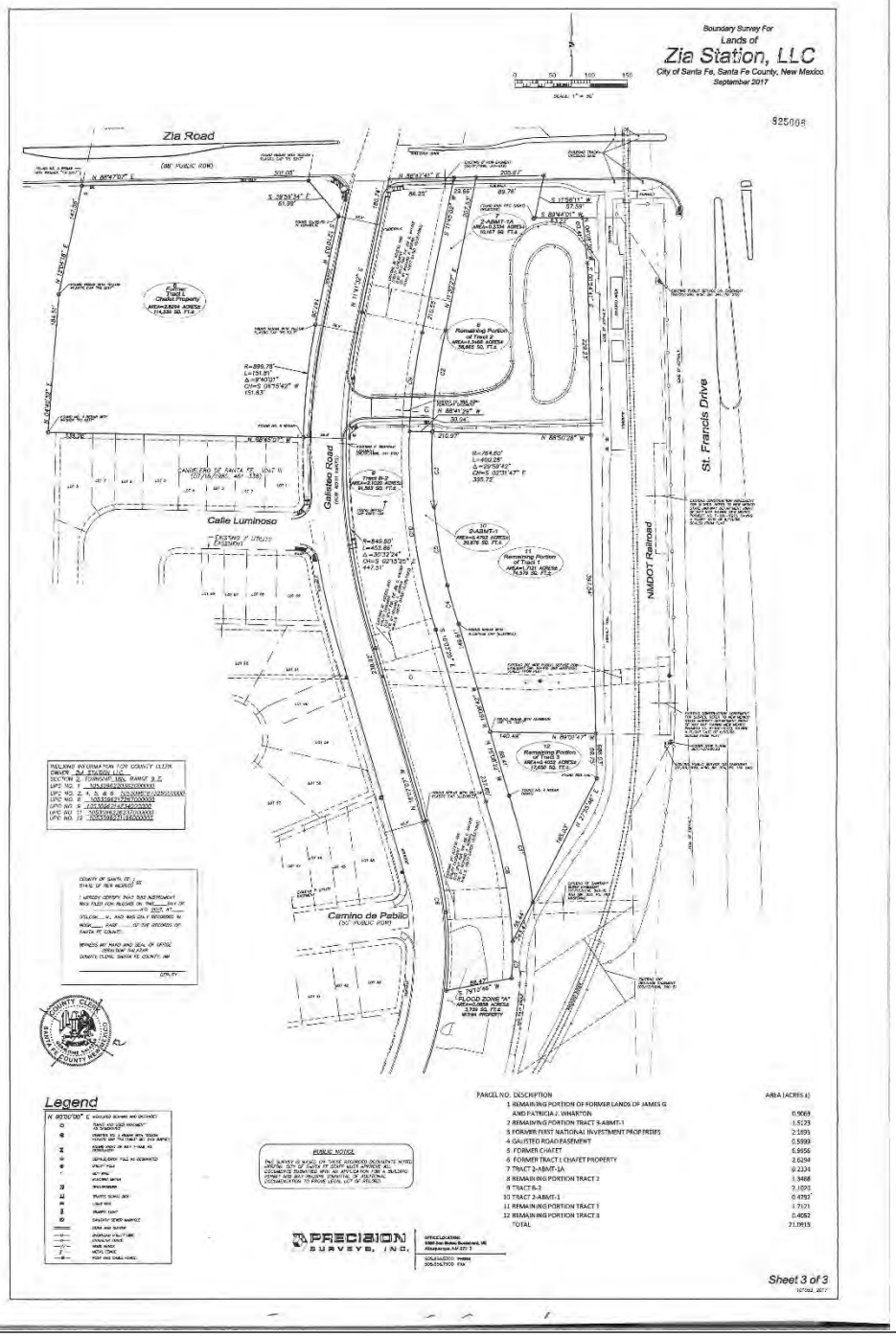
If you have any questions or need any further info, you can call or send email.


Boundary Survey of
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
Legend
Location Map
Site
Zia Road
Surveyor's Certificate
PRECISION SURVEYS, INC.
Sheet 1 of 3

Ex. 1 p. 1

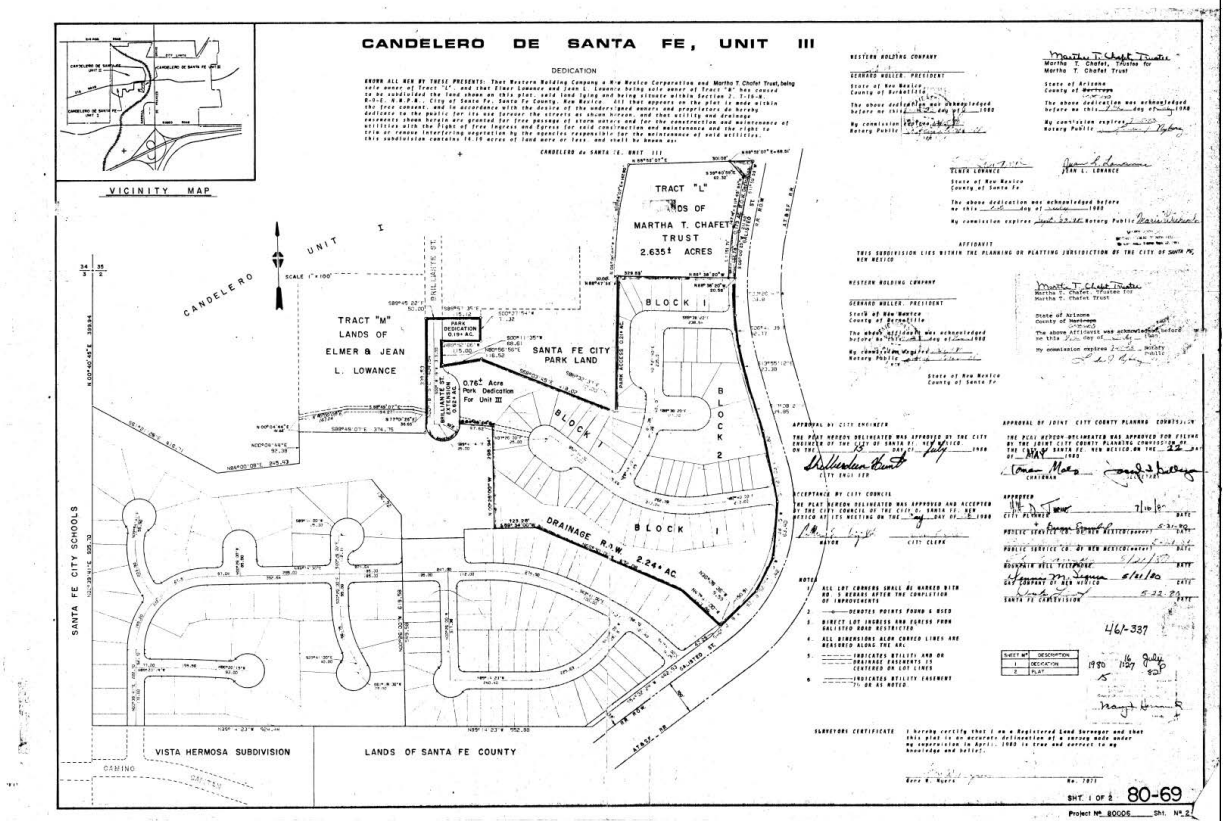

Boundary Survey For
Lands of
Zia Station, LLC
City of Santa Fe, Santa Fe County, New Mexico
September 2017
St. Francis Drive
Zia Road
Legend
PRECISION SURVEYS, INC.
Sheet 2 of 3

Ex. 1 p. 2

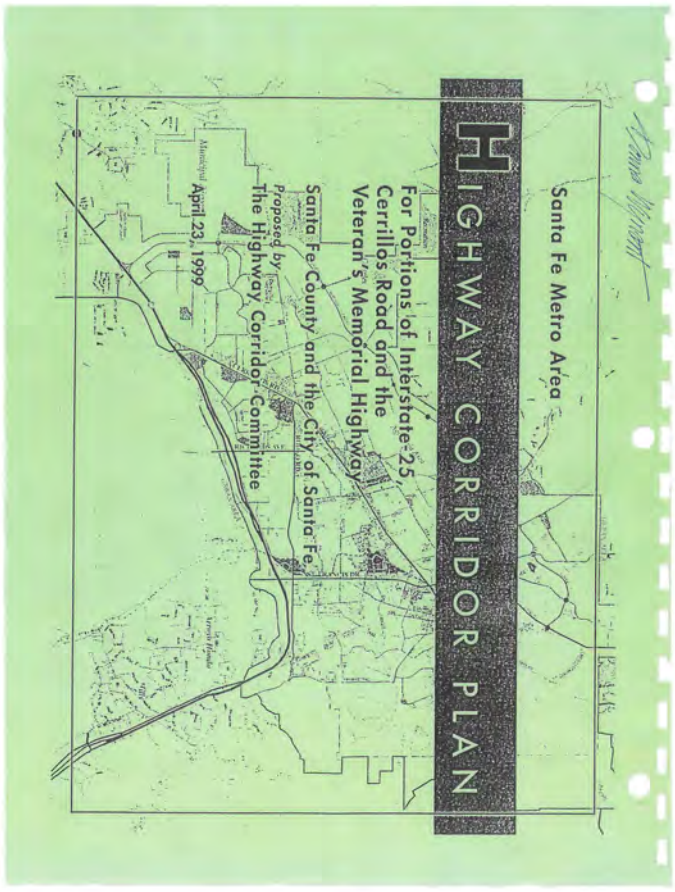


PARCEL NO.	DESCRIPTION	AREA (ACRES ±)
1	REMAINING PORTION OF FORMER LANDS OF JAMES G AND PATRICIA J. WHARTON	0.9068
2	REMAINING PORTION TRACT 5-A/BMT-1	1.5123
5	FORMER FIRST NATIONAL INVESTMENT PROPERTIES	2.1893
4	GALISTEO ROAD EASEMENT	0.5899
5	FORMER CHAFET	0.6656
6	FORMER TRACT I CHAFET PROPERTY	2.6294
7	TRACT 2-A/BMT-1A	0.2334
8	REMAINING PORTION TRACT 2	1.9468
9	TRACT B-2	2.1093
10	TRACT 2-A/BMT-1	0.4797
11	REMAINING PORTION TRACT 1	1.7171
12	REMAINING PORTION TRACT 3	0.4082
	TOTAL	21.0815

Ex. 1 p. 3


CANDELERO DE SANTA FE, UNIT III
DEDICATION
VICINITY MAP
CANDELERO UNIT I
SCALE 1" = 100'
TRACT "L" LANDS OF MARTHA T. CHAFET TRUST 2.635± ACRES
TRACT "M" LANDS OF ELMER & JEAN L. LOWANCE
SANTA FE CITY PARK LAND
PARK DEDICATION 0.19± AC.
0.76± Acre Park Dedication For Unit III
BLOCK 1
BLOCK 2
DRAINAGE R/W
2.24± AC
SANTA FE CITY SCHOOLS
VISTA HERMOSA SUBDIVISION
LANDS OF SANTA FE COUNTY
CAMINO
SURVEYORS CERTIFICATE
SHT. 1 OF 2
80-69
Project No. 80006 Sht. No. 2

Ex. 2



Ex. 3 p. 1 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Committee members

The Resolutions specify how the committee members were appointed. Committee members included three City Councilors, two County Commissioners, three neighborhood representatives from the City, five property owners and five community representatives, for a total of 18. Two members resigned before the end of the process.

Meetings and Planning Process

City and County planning staff began meeting prior to the first committee meeting to discuss an appropriate study area and compile inventory data. Planning staff participated in all the Committee meetings and worked with the Committee to recommend solutions. The Committee held meetings twice a month beginning in June, 1998 through March, 1999. The Committee approved the study area, district boundary and proposed the land use and design recommendations herein.

Public Input

The public was invited to attend all meetings and to comment for the last 20 minutes of each meeting. Meetings were noticed in the *Santa Fe New Mexican* newspaper and the County and City buildings. The public was also provided the opportunity to submit written letters for the record. All information from the meetings and public input has been combined under separate cover, ("Background Documentation") and is available for review at the County Land Use Department.

JURISDICTIONS AND POLICIES

The district encompasses land within the City of Santa Fe, the Extraterritorial Zoning District and the County. Some lands are governed by the City's Code, some by the EZ Ordinance and some by the County Code.

IMPLEMENTATION STEPS

For this plan to be implemented the following actions must occur:

1. The Highway Corridor Committee recommends this Plan to the City Council, Santa Fe County Board of County Commissioners (BCC) and the Extraterritorial Commission, Extraterritorial Zoning Authority (EZA). Public hearings must take place. These entities must then adopt the plan as an element of the County Growth Management Plan and Comprehensive Extraterritorial Plan and the City General Plan.

2. The City and County staff prepare ordinances to amend the relevant Codes, and the BCC, EZC, EZA and City Council must adopt these ordinances.

3. The Committee recommends that a separate review committee be formed to carry out the intent of this plan. It may be effective to assign particular development review staff at the County and City for the District to review cases and monitor design standards.

4. Once the new standards are in place, City and County staff will need to enforce them.

Ex. 3 p. 2 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Existing non-residential development along NM 599 is limited to the concentration of industrial warehouse and wholesale businesses located around the NM 599/Airport Road intersection. Some noticeable gravel operations exist near the Highway north of the Santa Fe River.

Both highway corridors contain large vacant tracts and broad expanses of open, undeveloped land on each side of the highway. These vacant, open lands are interspersed with residential subdivisions and commercial development. Vacant land ownership patterns allow the opportunity for well-planned, clustered development with setbacks along both highways. Narrow land strips emanating from the Village of Agua Fria are a constraint to land planning for portions of NM 599. Some consolidation of parcels has occurred. Others could be encouraged to pursue joint planning

PROPOSED LAND USE

The land use plan for the highway corridors seeks to address safety, noise, scenic beauty, and quality of life for residents along the corridor. An opportunity exists to limit commercial development along NM 599 and portions of I-25 to maintain these areas as parkways. The corridors are primarily designated for residential development with setbacks from the highways. Both corridors currently contain examples of homes built too close to the roadways for protection from traffic noise. Therefore, while setbacks and height requirements are included in the design standards of this plan, they are also considered a vital part of the proposed land use plan.

The highway corridor is divided into five districts for purposes of land use and design standards. These five districts are:

1. Scenic Corridor District
2. La Cienega Corridor District
3. Commercial Gateway District
4. Redevelopment District
5. Airport Road Planning Area

Two of these districts, the Commercial Gateway District and the Redevelopment District, are designated for non-residential development. The Scenic Corridor District and the La Cienega District are designated for *no new* non-residential development.

Future non-residential development outside of the Commercial Gateway and Redevelopment Districts should occur in clustered neighborhood-scale centers (village centers) and should not be built along the highways or at highway intersections or interchanges. This will ensure that neighborhood centers serve surrounding residents rather than highway motorists.

Non-residential Land Uses and the "Nodes"

This plan replaces the following non-residential nodes at highway intersections and interchanges as indicated in the Extraterritorial Zoning Ordinance and County Land Development Code with specific non-residential locations in the Commercial Gateway and Redevelopment

Ex. 3 p. 3 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

Districts. The committee recommends removing the following established and potential ("planned") non-residential districts, or nodes:

- County Road 62 / Relief Route (NM 599) (Community);
- Relief Route (NM 599) / Richards (Community);
- Richards / I-25 (Community);
- St. Francis / I-25 (Regional);
- Las Vegas Highway (Old Pecos Trail) / I-25 (Community);
- Relief Route (NM 599) / Camino La Tierra (Community);
- Los Alamos Highway / Relief Route (NM 599) (Community);
- CR 67 / US 285 (Old Las Vegas Highway) (Neighborhood);
- and 1-25 / La Cienega Interchange.

Subdivision of Land / Residential Densities

To meet the goals of the plan, it will be necessary to discourage the further subdivision of large tracts of land near highways. New parcels created in the Corridor District must be able to meet land use requirements.

EZ Urban Area and Utility Commitments and Density

Development in the urban growth area between the City Boundary and the highway corridor will depend on the City's future annexation plans and commitments for utilities. For this reason the plan does not recommend densities of residential development at this time. This plan strongly recommends that all utilities within the corridor be placed underground.

Transfer of Development Rights for Setback Areas

The City and County of Santa Fe are jointly investigating the feasability of a TDR Program and are considering appropriate locations in future urban locations as receiving sites.

"Desired" setback areas could be designated as voluntary sending zones. The receiving areas are proposed to be in the urban growth area in the future annexation area of City or New Community Districts in the County.

Heavy Industrial Relocation

The Redevelopment Committee recommends long-term relocation of heavy industry and extractive uses from the district to lands further west generally surrounding the City wastewater plant including land with airport noise zones.

Ex. 3 p. 4 Santa Fe city and Santa Fe County Santa Fe metro area Highway Corridor Plan, proposed by the highway corridor commissions, April 23, 1999

City of Santa Fe, New Mexico

memo

Date: Prepared March 12 for March 21, 2019 Meeting

To: Planning Commission

From: Carol R. Johnson, AICP, Director, Land Use Department

SUBJECT

An Ordinance Amending Table 14-5.5-4 to Specify that Height Restrictions Within the Midtown Local Innovation Corridor are Exceptions to Those Set Forth in the South Central Highway Corridor Protection District in Areas that are Covered by Both Districts and to Remove References to Structures that Fall Within the South Central Highway Corridor Protection District that Also Fall Within the Midtown Local Innovation Corridor Overlay District. (Councilor Ives) (Carol Johnson, AICP, Land Use Department Director)

RECOMMENDATION

The Planning Commission should recommend that the Governing Body approve the proposed amendment. The amendment will also be reviewed by the Finance Committee and Public Works Committee prior to a public hearing by the Governing Body, which will make the final decision as to whether to approve or deny the proposed changes.

EXECUTIVE SUMMARY

The proposed amendment would eliminate the height restrictions for those properties within the Midtown Local Innovation Corridor (Midtown LINC) Overlay District which also fall within the South Central Highway Corridor (SCHC) Protection District. The SCHC Protection District limits the maximum height of structures to twenty-five (25) feet, not including parapet; while the Midtown LINC provides for height incentives for qualifying projects. The area of conflict is shown in Figure 1, below. The pink shows the limits of the SCHC Protection District, while the purple shows the limits of the Midtown LINC. The area in conflict is outlined in red.

Ex. 4 p. 1

Figure 1: Area of Conflict

ANALYSIS

I. Existing Regulations

As codified in Section 14-5.5(A)(4)(a)(ii) of Chapter 14 SFCC, the SCHS limits the maximum height of structures to twenty-five (25) feet, not including a parapet. The stated purpose for this height restriction and the other regulations in this overlay includes, but is not limited to, the establishment of a clear sense of visual openness and continuity of development, as well as the existing landscape. In contrast, the Midtown LINC allows a maximum height of fifty-two (52) feet for Qualifying Residential Projects, and sixty-two (62) feet for all development within the Santa Fe University of Art of Design Campus. The stated purposed of the Midtown LINC overlay includes, but is not limited to, incentivizing multi-family residential development and complementary non-residential uses to create an enlivened, street-oriented pedestrian environment.

In the area of conflict shown in Figure 1, the incentives for reinvestment in the Midtown LINC are not only precluded, but there is an additional disincentive due to the maximum height limit of twenty-five (25) feet which is less than the thirty-six (36) feet allowed by the underlying C-1 zoning.

II. Proposed Amendment

Section 14-1.7(B) of Chapter 14 SFCC addresses conflicts between other regulations within Chapter 14, or any other ordinance, resolution or regulation, and states that the more restrictive limitation or regulation shall prevail, "unless an exception is specifically stated..." As a result, an amendment is proposed which would modify Note 2 of Table 14-5.5-4: Table of Dimensional Standards for the Midtown LINC Overlay District by making an explicit exception to the maximum heights for this overlay district as shown below:

2. Maximum height of structures fifty-two (52) feet, except where any portion of a structure associated with a qualifying residential project will be located within one hundred fifty (150) feet of an existing residential development located outside of the Midtown LINC Overlay District, in which case the maximum height of a structure associated with a qualifying residential

project within the above limits shall be thirty-eight (38) feet. The maximum heights applicable to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District are exceptions to those height restrictions set forth in the South Central Highway Corridor Protection District (SCHC District.) ~~, or, where a structure is also located within the South Central Highway Corridor Protection District (SCHC), in which case the maximum height of a structure shall conform to the requirements of the SCHC district, Subsection 14-5.5(A).~~

III. Evaluation

The amendment is intended to restore the incentives provided by the Midtown LINC Overlay District in order to encourage reinvestment and new development in properties that would otherwise be limited by the additional height restrictions of the SCHC Protection District. As shown in Figure 1, the extent of properties affected is limited.

ATTACHMENTS

Exhibit A – Proposed Bill
Exhibit B – Section 14-1.7: Conflicting Provisions
Exhibit C – Section 14-5.5(A): South Central Highway Corridor Protection District
Exhibit D – Section 14-5.5(D): Midtown Local Innovation Corridor Overlay District

Rail Corridor Study

Transit Oriented Development for Santa Fe's Rail Corridor Neighborhoods

City of Santa Fe Long Range Planning Division

AOS Architects and Charlier and Associates

REVISED DRAFT, December 8, 2008

Ex. 5 p. 1

ZIA ROAD

Rail Runner Station & Future Local Service Rail Stop

"GATEWAY TO SANTA FE"

"This area is the 'Gateway to Santa Fe.' It must be developed in keeping with Santa Fe's character." -Workshop Participant

The Rail Runner will stop at Zia Road①, making it a significant location for low-impact residential and workplace development. In this future vision, the site is developed as a pedestrian-oriented neighborhood center. Buildings would range in character from townhouse and loft residences adjoining existing neighborhoods to three-story mixed use buildings forming strong streetscapes along Zia Road. Traffic would be moderated by two new signalized intersections② and the presence of more urban streetscape elements③ like street trees, wider sidewalks, storefront buildings, and parking lanes.

A small hardscaped courtyard space ④ would host community events, overlooking Candelero Park. The Rail trail passes between the platform area and St. Francis Drive, but pedestrians would also have the option to walk on sidewalks through the development, rejoining the rail trail at the historic trestle bridge⑤ at the south end of the property. Trails in the arroyos north and south of Zia would cross under St. Francis⑥, connecting the rail stop area to the grocery, retail and residential areas to the east⑦. Improvements to Candelero Park and numerous trail connections would provide access to the station and improved pedestrian connectivity for adjoining neighborhoods.

Two new road connections⑧ would help alleviate traffic on Galisteo and Zia Road. A connection between Galisteo and Sawmill would cross the tracks just north of Premier Distributing, and a route from Zia to Siringo would be opened up through the Vocational Technology campus (see map on next page). *See Maps Section for more detail and entire corridor.*

Schematic Concept Plan for Zia Road Rail Stop

Concept sketch of Zia Road Rail Stop

Ex. 5 p. 2

Map of Zia & Rail Line Showing Recommended Trail, Open Space and Street Improvements

LEGEND

- PROPOSED LOCAL RAIL SERVICE STOPS
- PROPOSED PEDESTRIAN CROSSING
- PROPOSED PEDESTRIAN RAIL CROSSING
- RAIL LINE
- PROPOSED STREET CONNECTIONS
- EXISTING TRAIL
- PROPOSED TRAIL
- ON STREET BIKE ROUTES
- PEDESTRIANS & BIKES SHARE STREET INFRASTRUCTURE
- PROPOSED BIKE ROUTES
- PROPOSED PARKS
- LAND PROPOSED TO BE CONSERVED
- EXISTING PARKS
- PROPOSED SIDEWALKS

BUS SYSTEM
Route by Ridership
- 6
- 4

PROPOSED BUS ROUTE CHANGES
Service Area
- DISCONTINUED PORTION OF RT 5: LONG TERM
- ST FRANCIS/SAWMILL/NEW RD/GALISTEO: LONG TERM
- ZIA TO GALISTEO TO NEW ROAD TO SAWMILL: LONG TERM

Map of Recommended Bus System Improvements near the Zia Rail Runner Station

RECOMMENDATIONS

(See Recommendations Chapter 4 for items referenced below)

Transit

- Make sure commencement of Rail Runner service is smooth (1.1)
- ❶ Reconfigure the Bus Route 6 schedule to meet the train. Create a new loop route to circulate between the Zia Road Station and adjacent neighborhoods (2.1.1.1)
- Prioritize bus routes for direct access to senior housing, colleges, schools, and workforce and low-income housing (2.2.2)

Open Space

- ❷ Construct pedestrian underpasses under St. Francis Drive (2.2.4)
- The complete, paved Rail Trail should extend from railyard to city limits, and include regular pedestrian crossings over the rail line, signage, benches, and maps. Replace parking (4.1.1)

Land Use

- Develop and guide redevelopment of the Zia Station TOD District as a "Gateway to Santa Fe" (5.2.2)
- ❸ Develop the Zia Station area to accommodate a mix of uses that support the surrounding neighborhood, such as:. Small retail such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, book store, and an outdoor community gathering space (5.2.1.2)

Street Network & Design

- ❹ Reduce congestion and improve connectivity by creating a street connection from Galisteo Street east to Sawmill Road (6.2.1)
- ❺ Work with neighbors to develop traffic calming plans for streets in neighborhoods adjacent to the proposed stop (6.1.2)

"We would like to see a plaza or 'active open space' to serve functions such as a small farmers' market, outdoor performances, community parties."
-Workshop Participant

"A tunnel under St. Francis is needed. What are the costs/ benefits of either an over or underpass?"
-Workshop Participant

5.1.2 Rezone commercial and industrial lands at potential rail stops. *See Land Use Map for specific locations.*

5.1.3 Revise Highway Corridor overlay zoning to create additional Highway Corridor Protection Districts to guide urbanization of key arterials at these locations:
- St Francis Drive north of Sawmill.
- St Michaels Drive.
- Rodeo Road west of St. Francis.

5.2 Locate and Guide development of TODs.

5.2.1 Write Design Guidelines for TOD areas.

.1 Require developers to conduct a market analysis and a view-shed analysis to inform development.

.2 TOD sites should accommodate a mix of uses that support the surrounding neighborhood, including:
- Small retails such as a family-style restaurant or pub, salon, coffee shop, bike repair shop, small natural grocery, and book store.
- Outdoor community space for small-scale markets, concerts, or community gatherings.

.3 Require new development to meet LEED-Neighborhood Development (ND) "Certified" standards, even if full certification is not sought. *See www.usgbc.org.*

.4 All residential buildings should comply with the City's Green Building Codes when adopted by City Council. *See the City of Santa Fe's webpage, go to "Sustainability" and click on the "Draft Residential Green Building Code."*

5.2.2 Create comprehensive masterplans for station areas and other Mixed Use areas that reinforce the character of each area. *See Rail Stop Neighborhoods in Map Section.*

.1 Rodeo Road - a "Work Place" commercial district, including a variety of mixed uses.
- Create outdoor café space in the vicinity of the local rail stop to serve surrounding office workers.

.2 Zia Road – a "Gateway to Santa Fe" and a hub for neighborhood-serving retail.
- create a "main street" pedestrian supportive streetscape on Zia Road with retail storefronts.
- create a pedestrian place adjacent to the rail platform, with limited commuter services, local retail, and office space.
- create a small community gathering space west of the station area, in proximity to Candelero Park.
- create a mixed use development north of Zia with office, live/work, and residential uses. Residential uses should predominate along transition to existing residential to the west.

.3 Siringo Road - a "Neighborhood Hub."
- Guide development of the area near the stop to support the identity of the existing residential neighborhood.
- Create a unified and pedestrian-friendly street from Rail Corridor past Yucca to support campus or mixed use development by Santa Fe High School and College of Santa Fe, and other land owners.

.4 St. Michael's Drive – a "Main Street" commercial area, including a variety of mixed uses.
- Create a public space for outdoor markets, concerts, and events at Second Street and the rail line.
- Develop this area to reflect and serve the needs of existing residents.

Ex. 5 p. 4

GURULE, GERALDINE A.

From: BERKE, NOAH L.
Sent: Friday, February 12, 2021 10:23 AM
To: GURULE, GERALDINE A.
Subject: comments
Attachments: FW: Apologies for last night; FW: Apologies for last night

GURULE, GERALDINE A.

From: BERKE, NOAH L.
Sent: Sunday, February 7, 2021 9:22 PM
Cc: PAEZ, SALLY A.
Subject: FW: Apologies for last night

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

Click here for Property Information

https://www.alltogethersantafe.org/

From: Anne Watkins <watkins.anne@gmail.com>
Sent: Friday, February 5, 2021 6:57 PM
To: LOGSTON, LEE R. <lrlogston@santafenm.gov>
Cc: BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: Re: Apologies for last night

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And not to belabor this---but the reason I would like my comments that didn't make it last night included somewhere is that I wanted to say that the CNA Board does NOT represent a majority of neighbors and has not really looked at the latest proposal from Jennifer which actually addresses many of the concerns. I think most of the neighbors are ambivalent due to concerns about pedestrians, traffic, affordable housing, and architectural design, many of which have been addressed in creative ways by Jennifer since the first meetings---but the CNA has not encouraged folks to look at the new traffic plan, for example, or the pedestrian crossing. Building heights are really not an issue for most people but have been used by the CNA to whip up support for opposing elimination of the corridor protection district. Well, sorry, as you can see this has been a very infuriating situation for many of us! So if there is any chance of me getting revised comments into the packet, please let me know! Hope you can take time to enjoy your weekend! Thanks, Anne

ANNE WATKINS
Santa Fe, NM, USA
505-263-1010
watkins.anne@gmail.com

On Fri, Feb 5, 2021 at 6:39 PM Anne Watkins <watkins.anne@gmail.com> wrote:

Well I gotta disagree that the PC heard both sides last night, Lee. They ONLY heard from the opposers because the supporters don't want to step up because, as many have told me, they don't want to incur the nastiness that I have from CNA board members who are looking for any way to derail the project. Jennifer has offered more meetings and chances to discuss alternatives but the CNA board has refused—most of them have lived here for decades and don't want anything except single family homes, hate the Railrunner, and mostly want it to "remain open space". Impossible to work with them. Well, enough—when we get together I'll share some of the horror stories! Take good care, stay well and be happy, and we'll hope the PC does the right thing! Thanks, Anne

On Fri, Feb 5, 2021 at 5:13 PM LOGSTON, LEE R. <lrlogston@santafenm.gov> wrote:

Hi Anne.

Sorry for the difficulties too. Noah is the Zoom guru so I can't really say what was the problem with the panelist thing. I did receive your email asking about coming back on as Sterling, and we could have accommodated that and explained that's what we were doing, but by then the public comment period was closed.

On written comments for people who could not connect, I honestly don't remember that discussion from last night. Noah could answer this I think.

But your written comments remain in the record, which will ultimately go to the Governing Body with either this development proposal or a modified one, depending on what the PC does. I think between written comments and spoken comments at the hearing last night, the PC definitely heard both sides. While there will be no public comment on Feb. 18, I think there will robust discussion. I was encouraged by the pointed questions the Commission asked us to be prepared to discuss.

Lee

From: Anne Watkins <watkins.anne@gmail.com>
Sent: Friday, February 5, 2021 5:00 PM
To: LOGSTON, LEE R. <lrlogston@santafenm.gov>; BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: Apologies for last night

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No idea why I could not connect by zoom or phone—tried to sign in with Sterling's computer but couldn't do it in time. Weird since I have a new computer! If you have time to explain why you couldn't connect me even by making me a "panelist", I would appreciate it.

So sorry for the hassle. Did I understand you to say that the f we could not connect last night, we could submit written comments to the Commission? If so I'd like to do so BUT no worries if not.

You guys did a great job and the staff report was really excellent. Hope before the next meeting that commissioners and neighbors read it! Thanks for your great public service. Stay well and be happy, Anne

--

ANNE WATKINS

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The City of Santa Fe Planning Commission
c/o Jennifer Jenkins
JenkinsGavin
130 Grant Ave. - Suite 101
Santa Fe, NM 87501

Jason Fitzpatrick
1887 Quemado Street
Santa Fe, New Mexico 87505
jasonfitzpatrick1@gmail.com
505-221-7894

RE: Zia Station

Dear City of Santa Fe Planning Commission,

I am a resident and homeowner in the Candlelight Neighborhood off of Zia Road. My wife and I, along with our two children, purchased our home in November of 2017 and fell in love with the neighborhood, affordability, proximity to downtown and access to I-25.

I am also a business owner in Santa Fe and have two locations. One is a restaurant space and the other a manufacturing space. My business partner and I spent years trying to find suitable and affordable locations to set up our business. We struck out again and again for multiple reasons, most often- zoning restrictions. For any entrepreneur, starting a business is difficult and we could have moved on to easier places to open, like Albuquerque, but Santa Fe is home. We stuck it out and have a thriving business that employs 25 people.

My intention with this letter is to inform you that not all Candlelight Neighborhood Residents oppose the Zia Station project. As a resident, I believe this project will increase the livability and value of my neighborhood. As a business owner, I am hopeful for new development opportunities for entrepreneurship in our community.

I am a part of the Neighborhood Newsletter so I know you are inundated with opinions. If you would like me to expand upon my reasons for supporting the Zia Station project, I welcome the opportunity.

Sincerely,

Jason Fitzpatrick