City of Santa Fe

AGENDA

REGULAR MEETING OF THE GOVERNING BODY
OCTOBER 27, 2021
5:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

Attendance: In response to the State's declaration of a Public Health Emergency and the Mayor's Proclamation of Emergency, the Governing Body meeting will be conducted virtually.

Viewing: Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at https://www.youtube.com/user/cityofsantafe. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at https://www.youtube.com/user/cityofsantafe. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Radio Broadcast: The meeting can be heard on radio station KSFR 101.1.

Agenda: The agenda for the meeting will be posted at https://www.santafenm.gov.

Written Comments: The public may submit written comments on any of the legislative items to be considered on the *Consent Agenda*, *Discussion Agenda*, *Public Hearings* or *Petitions From the Floor* through 1:00 p.m. the day of the meeting, via the virtual comment "button" at https://santafe.primegov.com/public/portal.

Public Comment: To provide live public comment during *Petitions from the Floor* or *Public Hearings*, you must join the Zoom meeting by internet or phone, as follows:
Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: https://santafenm-gov.zoom.us/j/87426470547?pwd=VVRpd1FES3pJeG5ndGt0aVhpOEUyQT09. **Passcode: 892620**
Attendees should use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

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Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.
AFTERNOON SESSION - 5:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Garcia

3. **SALUTE TO THE NEW MEXICO FLAG**

Councilor Rivera

4. **INVOCATION**

Councilor Cassutt

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

   a. Regular Governing Body Meeting – October 13, 2021

9. **PRESENTATIONS**

   a. Municipal Court Update (Judge Virginia Vigil, Municipal Court Judge:vmvigil@santafenm.gov; 955-5110)

b. City of Santa Fe Monthly Water Supply and Demand Update. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309) **INFORMATION ONLY**

10. **CONSENT CALENDAR**

a. CONSIDERATION OF RESOLUTION NO. 2021-____. (Mayor Webber)
A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622 and Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

Committee Review:
Introduced: 09/29/21
Finance Committee: 10/18/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/27/21

b. CONSIDERATION OF RESOLUTION NO. 2021-____. (Councilor Rivera and Councilwoman Villarreal)
A Resolution Convening the Independent Citizens' Redistricting Commission and Calling for the Redistricting of the Four City of Santa Fe Council Districts Prior to the Municipal Election on November 7, 2023, Based on the Results From the 2020 United States Census. (Kristine Mihelcic, Community Engagement Director and City Clerk: kmmihelcic@santafenm.gov, 9556846)

Committee Review:
Introduced: 09/29/21
Finance Committee: 10/18/21
Quality of Life Committee: 10/20/21
Governing Body: 10/27/21

c. Request for Approval of Budget Amendment Resolution (BAR) in the Amount of $262,464 to Carry Forward the Balance of the Safe Routes to School (SRTS) Grant Funds Encumbered for the PSA with Santa Fe Conservation

Trust. (Melissa McDonald, Interim Parks Division Director: mamcdonald@santafenm.gov, 505-303-9502).

Committee Review:
Public Works & Utilities Committee: 10/12/2021
Finance Committee: 10/18/2021
Governing Body: 10/27/2021

d. Request for Approval of Renewal of Joint Funding Agreement (JFA) 22RGJFA30 with the United States Department of Interior's (DOI) United States Geological Survey (USGS) for $78,855 (Excluding GRT) to Continue Permit-Required Monitoring Programs for Santa Fe River and Buckman Well Field. (Alan Hook, Water Resources Coordinator, aghook@santafenm.gov, 955-4205)

Committee Review:
Public Works and Utilities Committee: 10/12/2021
Finance Committee: 10/18/2021
Governing Body: 10/27/2021

e. Request for Approval of a Budget Adjustment Resolution (BAR) from Cash Balance to Water Division CIP and Operating Project Balances in the Amount of $1,206,395. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

Committee Review:
Public Works and Utilities Committee: 10/12/2021
Finance Committee: 10/18/2021
Governing Body: 10/27/2021

f. Request for Approval of Budget Adjustment Resolution (BAR) from Cash Balance for Wastewater Division CIP Projects and Operating Projects in the Amount of $4,350,805. (Mike Dozier, Wastewater Division Director, mldozier@santafenm.gov)

Committee Review:
Public Works and Utilities Committee: 10/12/2021
Finance Committee: 10/18/2021
Governing Body: 10/27/2021

g. CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal)
A Resolution Waiving the City Personnel Rule's Limitations on Salary Increases for the Purpose of Offering a Wage of at Least Fifteen Dollars Per Hour to All City Employees in November, 2021.
1. Request for Approval of Budget Amendment Resolution in the Total Amount of $149,862 to Increase Salaries to $15 Per Hour.

Committee Review:
Quality of Life Committee: 10/20/21
Public Works and Utilities Committee: 10/25/21
Governing Body: 10/27/21

11. **DISCUSSION/ACTION ITEMS**

a. CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, Councilor Cassutt, Councilor Rivera, and Councilor Garcia)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars Per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City Employees Paid Less Than Fifteen Dollars Per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to Increase Salaries to $15 Per Hour.

Committee Review:
Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21
Governing Body 10/27/21

b. Request for Approval of the Assignment of Santa Fe Regional Airport Lease Agreement (Item #18-0188) from "Gate 13, LLC," to "Gate 13 Hangar Condominium Association. (Mark Baca, Airport Manager: mdbaca@santafenm.gov, 955-2901)

Committee Review:
Governing Body: 10/27/2021

c. CONSIDERATION OF RESOLUTION NO. 2021-__. (Councilor Rivera, Councilor Abeyta, and Councilor Romero-Wirth)
A Resolution Directing the City Manager to Identify and Apply for Federal and State Funding Sources for Water, Wastewater, and Other Water-Related projects. (Alan Hook, Water Resources Coordinator Assistant: aghook@santafenm.gov, 955-4205)

Committee Review:
Public Works and Utilities Committee: 10/25/21
Governing Body: 10/27/21

12. **MIDTOWN OVERVIEW**

a. Midtown Planning & Development Bi-Weekly Report, by Office of Economic Development Department. (Rich Brown, Director, Community & Economic Development Department: rdbrown@santafenm.gov)
INFORMATION ONLY
Progress Report: Midtown Moving Forward Update
Presenters: Daniel Hernandez, Proyecto, Midtown Redevelopment Project Manager
Office of Land Use
Office of Economic Development
Office of Public Works

13. **MATTERS FROM THE CITY MANAGER**

14. **MATTERS FROM THE CITY ATTORNEY**

15. **MATTERS FROM THE CITY CLERK**

16. **COMMUNICATIONS FROM THE GOVERNING BODY**

a. Introduction of Legislation for October 27, 2021.

EVENING SESSION - 7:00 P.M.

17. **ROLL CALL**

18. **PETITIONS FROM THE FLOOR**

19. **APPOINTMENTS**

a. Planning Commission (Noah Berke, Planner Manager: nlberke@santafenm.gov, 955-6647)
- Daniel Pava – Appointment (At Large) – Term Ending 6/2023
- Janet Clow – Change in Membership (District 2) – Term Ending 6/2023

20. **PUBLIC HEARINGS**

a. CONSIDERATION OF BILL NO. 2021-23. ADOPTION OF ORDINANCE NO. 2021-____. (Councilor Garcia)
An Ordinance Amending Section 9-1.7 SFCC 1987 Regarding Ranked Choice Voting to Amend How a Tie Vote Between Two Candidates is Resolved. (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:
Introduced: 09/20/21 (Finance Committee)
Ethics and Campaign Review Board: 09/28/21
Governing Body (Request to Publish): 09/29/21
Quality of Life Committee: 10/06/21
Finance Committee: 10/18/21
Governing Body (Public Hearing): 10/27/21

b. CONSIDERATION OF RESOLUTION NO. 2021-____.
A Resolution Amending the General Plan Future Land Use Map Designation from Low Density Residential (1 Dwelling Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling

Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road (Aleksander Estates Subdivision General Plan Amendment, Case No. 2021-3805).

Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, Requests Approval of a General Plan Future Land Use Amendment to Change the Designation from Low Density Residential (1 Dwelling Unit Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

c. CONSIDERATION OF BILL NO. 2021-22. ADOPTION OF OF ORDINANCE NO. 2021-____.
An Ordinance Amending the Official Zoning Map of the City of Santa Fe and Changing the Classification from R-1 (Residential One Dwelling Unit Per Acre) to R-7 (Residential Seven Dwelling Units Per Acre) with Respect to a Certain Parcel of Land Comprising Approximately 8.38 Acres Located on the East Side of Kates Way, North of South Meadows Road. (Aleksander Estates Subdivision Rezoning, Case No. 2021-3806).

Case #2021-3806. Aleksander Estates Subdivision Rezoning. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, Requests Approval of Rezoning from R-1 (1 Dwelling Unit Per Acre) to R-7 (7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager: djwynant@santafenm.gov, 955-6325)

d. **Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan.** Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, Requests Preliminary Development Plan Approval of a Preliminary Subdivision for 59 Single-Family Residential Lots on Approximately 8.38 Acres. The Property is Zoned R-1 Residential and is Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager: djwynant@santafenm.gov, 955-6325

e. CONSIDERATION OF RESOLUTION 2021-____.

A Resolution Amending the Master Plan for Tierra Contenta to Include Modifications to Infrastructure, Parks, Trails, Land Uses, and Density for Phase 3A, Which Consists of Parcels Known as Tract 7A as Shown in Book 396, Page 014; Lot 8 as Shown in Book 396, Page 11; Tract 9 as Shown in Book 231, Page 46; and Tract 8A3-7C as Shown in Book 738, Page 15, Within Section 13 and Pacheco Grant, Projected Section 11, T16N, R8E, N.M.P.M., Comprising an Area of Approximately 216.52 Acres, Located Southwest of Capital High School (Case No. 21-3818, Tierra Contenta Master Plan Amendment #1 for Phase 3A).

Case #2021-3818. **Tierra Contenta Master Plan Amendment #1 for Phase 3A**. JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, Requests Master Plan Amendment for Phase 3A. The Amendment, which Includes Modifications to Infrastructure, Parks, Trails, Land Uses, and Density. The Property is an Undeveloped Tract of Land Located Southwest of Capital High School, Containing Approximately 216.52 Acres, and is Zoned PRC (Planned Residential Community). (Dan Esquibel, Case Manager: daesquibel@santafenm.gov, 955-6587)

21. **ADJOURN**

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AFTERNOON SESSION - 5:00 P.M.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

Councilor Abeyta

3. **SALUTE TO THE NEW MEXICO FLAG**

Councilor Vigil Coppler

4. **INVOCATION**

Councilwoman Villarreal

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

   a. Special Governing Body Meeting – May 25, 2021

   b. Regular Governing Body Meeting – September 29, 2021

9. **PRESENTATIONS**

   a. Review of Changes Made by Ordinance No. 2020-6, Amending the Animal Services Ordinance, Pursuant to SFCC 1987, Section 5-14, Which Requires

the Governing Body to review the 2020 Changes. (Anthony Tapia, Police Captain; matapia@santafenm.gov, 955-5286 and Thomas Grundler, Police Lieutenant; tjgrundler@santafenm.gov, 955-5359)

10. **CONSENT CALENDAR**

a. Request for Approval of Amendment #4 to Professional Services Agreement #19-0234 with Carollo Engineers to Provide Continuance of On Call Engineering Services in support of Capital Improvements and Priority (CIP) Projects in the Amount of $500,000 Exclusive of NMGRT. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of $542,188 from Cash Balance in Water Enterprise Fund to Fund the Contract Amendment #4 On Call Engineering Contract with Carollo Engineering.

Committee Review:
Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

b. Request for Approval of a Budget Adjustment Resolutions (BARS) for Public Utilities Department to Fund Vacant Positions through the 2021/2022 Fiscal Year and Fund One Nnew Expansion Position for Wastewater Management Division in the Total Amount of $201,151. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)

Committee Review:
Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

c. CONSIDERATION OF RESOLUTION NO. 2021-__. (Councilor Rivera)
A Resolution Adopting the 2023-2027 Infrastructure Capital Improvements Plan (“ICIP”). (Regina Wheeler, Public Works Department Director: rawheeler@santafenm.gov, 955-6622)

Committee Review:
Introduced: 09/29/21
Finance Committee: 10/04/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

d. CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars Per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City Employees Paid Less Than Fifteen Dollars Per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171 and Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to Increase Salaries to $15 Per Hour.

Committee Review:
Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

e. Request for Approval of an Agreement between the City of Santa Fe and Davenport Construction Management LLC to Repair and Reconstruct the Bicentennial Pool; $1,948,419.42 Including New Mexico Gross Receipts Tax. (Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, (505) 795-2491.

1. Request for Approval of a Budget Adjustment Request (BAR) to Allocated $2,337,957 from FY21 GRT in Excess of Budget to Fund the Reconstruction and Repairs of the Bicentennial Pool Facility.

Committee Review:
Finance Committee: 10/04/2021
Public Works/Public Utilities Committee: 10/12/2021
Governing Body: 10/13/2021

f. Request for Approval of Agreement between the City of Santa Fe and Davenport Construction Management for the Renovation of the Santa Fe Train Depot; $1,534,928.27 Including NMGRT; Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, (505) 795-2491.

1. Request for Approval of a Budget Adjustment Request (BAR) in the Amount of $600,000 from FY21 GRT in Excess of Budget to the Railyard WIP Construction Budget for the Santa Fe Train Depot Exterior Rehabilitation Project.

Committee Review:
Finance Committee: 10/04/2021
Public Works and Public Utilities Committee: 10/12/2021
Governing Body: 10/13/2021

g. Request for Approval of the 2022 Employee Calendar. (Bernadette Salazar, HR Director, bjsalazar@santafenm.gov, 955-6591)

Committee Review:
Finance Committee: 10/04/2021
Quality of Life Committee: 10/06/2021
Governing Body: 10/13/2021

h. Request for Approval of the Acceptance of Award Terms and Conditions for the American Rescue Plan Act (ARPA) Fiscal Recovery Funds. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171; Rich Brown, Community Development Director, rdbrown@santafenm.gov, 955-6625 and Kyra Ochoa, Community Health and Safety Director, krochoa@santafenm.gov, 955-6603)

Committee Review:
Finance Committee: 10/04/2021
Quality of Life Committee: 10/06/2021
Public Works and Utilities Committee: 10/12/2021
Governing Body: 10/13/2021

i. Request for Approval of Amendment #3 to Agreement #20-0027 with B&D Industries, Inc. for On-Call Citywide HVAC, Plumbing and Electrical Services; Increasing Compensation in the Total Amount of $1,000,000 Plus New Mexico Gross Receipts Tax. (Sam Burnett, Facilities Division Director, jsburnette@santafenm.gov, 505-795-2491)

Committee Review:
Public Works & Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

j. Request for Approval of Amendment #6 to the Alpha Southwest Contract to Increase the Amount of Compensation by $297,930.29 for Emergency Repair. (Efran Morales, WWM Plant Superintendent, emmorales@santafenm.gov, 955-4618)
   1. Request for Approval of Budget Amendment Resolution (BAR) in the Amount of $297,930.29 from the WWMD Cash Balance.

Committee Review:
Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

k. Updates to County Partnership in the San Juan Chama Return Flow Project. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Committee Review:
Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

11. **DISCUSSION/ACTION ITEMS**

a. CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber)
A Resolution Authorizing Officer(s) to Sign on Behalf of the City, so that the City May be Eligible for and to Receive Federal Transit Authority Funding. (David Chapman, Grants Administrator: dachapman@santafenm.gov, 955-6824)

Committee Review:
Introduced: 09/29/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

b. CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber)
A Resolution Approving the City of Santa Fe's Title VI Transit Program as Required by the Federal Transit Administration. (David Chapman, Grants Administrator: dachapman@santafenm.gov, 955-6824)

Committee Review:
Introduced: 09/29/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

c. CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber)
A Resolution Extending the Timeline for the Community Conversations on Santa Fe's Cultures, Histories, Arts, Reconciliation, and Truth Established in Resolution No. 2021-6. (Pauline Kamiyama, Arts and Culture Department Director: pkkamiyama@santafenm.gov and Kristine Bustos-Mihelcic, Community Engagement Department Director and City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:
Quality of Life Committee: 10/06/21
Governing Body: 10/13/21

d. Request for Approval of Agreement #3203030 with Bradbury Stamm Construction for $19,741,000 Plus $1,665,646.88 New Mexico Gross Receipt Tax for a Total of $21,406,646.88 for Construction of the Airport Terminal Building and Parking Lot Expansion. (Mark Baca, Airport Manager; mdbaca@santafenm.gov, 955-2901)
1. Approval of a BAR for $12,382,747 for the Construction of the Airport Terminal and Parking Lot Expansion.

Committee Review:
Public Works/Utilities Committee: 10/12/2021
City Council: 10/13/2021

12. **MIDTOWN OVERVIEW**

a. Midtown Planning & Development Bi-Weekly Report, by Office of Economic Development Department. (Rich Brown, Director, Community & Economic

Development Department; rdbrown@santafenm.gov) **INFORMATION ONLY**

Information Presentation Topic:
Presenters:

13. **MATTERS FROM THE CITY MANAGER**

14. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Parts (H)(7) and (H)(8), Attorney-Client Privileged Quarterly Discussion of Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including but Not Limited to the Opportunity to Become an amici in *Arizona v. DHS*, Case No. 21-16118 (9th Cir.); and Discussion of the Disposal of City Property at 730 Alto Street. (Erin K. McSherry, City Attorney;ekmcsherry, 955-6512)

15. **EXECUTIVE SESSION ACTION ITEMS**
    a. Approval to Join the County of Los Angeles, and Other Local Governments, in Support of the Federal Government in *Arizona v. DHS*, Case No. 21-16118 (9th Cir.), and Subsequent Appeals, Opposing Arizona's and Montana's Challenge to the Biden Administration's Civil Enforcement Priorities that Apply Discretion to Prioritize Removals of Noncitizens. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

16. **MATTERS FROM THE CITY CLERK**

17. **COMMUNICATIONS FROM THE GOVERNING BODY**

    a. Legislative Introductions for October 13th, 2021.

EVENING SESSION - 7:00 P.M.

18. **ROLL CALL**

19. **PETITIONS FROM THE FLOOR**

20. **APPOINTMENTS**

a. Santa Fe Film and Digital Media Commission (Janice Krish, Economic Development Specialist; jakrish@santafenm.gov, 955-6915)
- Raashan Ahmad – Appointment – Term Ending 3/2023
- Rober Dennis – Appointment – Term Ending 3/2023
- Harvey Kahn – Appointment – Term Ending 3/2023
- Austin Ross – Appointment – Term Ending 3/2023
- James Wysong – Appointment – Term Ending 3/2023

21. **PUBLIC HEARINGS**

22. **ADJOURN**

Closed captions are provided for this meeting. Persons with disabilities in need fo additional accommodations, contact the City Clerk's office at 505-955-6521, five (5) working days prior to meeting date.

Governing Body
SUMMARY INDEX
October 13, 2021

ITEM	ACTION	PAGE
1. Call to Order	Convened at 5:00 p.m.	1
2. Pledge of Allegiance	Led by Councilor Abeyta	1
3. Salute to the State Flag	Led by Councilor Vigil Coppler	1
4. Invocation	Led by Councilor Villarreal	1-2
5. Roll Call	Quorum Present	3
6. Approval of Agenda	Approved as amended	3
7. Approval of Consent Calendar	Approved as amended	3
8. Approval of Minutes		
a) Special Meeting on May 25, 2021	Approved as presented	3-4
b) Regular Meeting on Sept. 29, 2021	Approved as presented	4
9. Presentations		
a) Animal Services Ordinance Review	Deleted from agenda	4
10. Consent Calendar	First Part	4-18
c) ICIP Resolution	Approved	5-10
d) Employee Wage Increase	Postponed to Oct. 27	10-18
Consent Calendar Continued	Second Part	20-25
e) Bicentennial Pool Construction	Approved	20-24
11. Discussion/Action Items		
a) FTA Funding Authority	Approved	25-26
b) FTA Title VI Transit Program	Approved	26
c) CHART Time Extension	Approved	26-29
d) Airport Terminal Construction	Approved	29-31
12. Matters from the City Manager	Informational	31
13. Matters from the City Attorney	Informational	32
Executive Session	10:02 – 11:29 pm	33-35
14. Executive Session Action Items	Approved	36
15. Matters from the City Clerk	None	36
16. Communications from Governing Body	Communication	32-33
Evening Session	Began at 7:55	18
17. Roll Call	Quorum Present	18-19
18. Petitions from the Floor	Petitions made	19
19. Appointments		
a) Film and Digital Media Commission	Appointed	19-20
20. Public Hearings	None	20
21. Adjournment	Adjourned at 11:33 p. m.	36

Minutes of the
Regular Meeting of the Governing Body
Wednesday, October 13, 2021
Virtual Meeting

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, October 13, 2021, at approximately 5:04 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Abeyta

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Vigil Coppler.

4. INVOCATION

The Invocation was led by Councilor Villarreal In honor of Hispanic Heritage Month, she read a prayer by Dr. Clarita Pincola Estes. She remembered the life of Joe Jordan Berenis, the former E.D. of the Interfaith Shelter. He had a long career in social work with empathy and patience with struggling people. Joe had to retire last year and did not get the opportunity to enjoy his retirement. She also remembered Dawn Lisner, who was her high school classmate and never recovered from an accident.

Councilor Vigil Coppler also gave condolences to Dawn Lisner's family and noted her father, Clarence, was a former City Councilor. She was really sad for them.

Councilor Cassutt remembered Joe Berenis, and the incredible service he gave to our community. He was a real presence, and she always came away hopeful in her conversations with him. She gave condolences to the family of Rick Ferber, a close friend of her family. He was an ER doctor, an active member of Temple Beth Shalom, and an incredibly interesting man and was prepared for journey to the next step. He had once joined the circus as a fire eater. He will be very missed.

Councilor Rivera said he has the COVID virus although he was cautious everywhere he went with a mask on, etc. He added, "We think if we are careful. Once I got it, I must wear my mask 24/7 for several weeks. No one else in the

family got it. Quarantine works. I was extremely ill but no hospital visit. I hear stories of young people going in who had no vaccine and passed away. I was vaccinated in February and March, and because of that, I did not require being in the hospital. Please, if you haven't done so, get vaccinated. I remember all who have gotten sick while vaccinated."

Mayor Webber remembered Joe Berenis and went to his retirement party at Ft. Marcy. He had a great appreciation for Joe's service to our community. He was a remarkable man. He also thought about people who got sick. "Two of my friends had a sepsis attack and it was hard to contend with. Godspeed to those dealing with that disease. We are praying for their recovery as well. So let us spend time sending our prayers for the people we've lost."

The Governing Body observed a moment of silence for those who have recently died and their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present
Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending Remotely
Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Kristine Bustos-Mihelcic, City Clerk
Regina Wheeler, Public Works Department Director
Rich Brown, Community & Economic Development Department Director
Geno Rinaldi, Senor Services Director
Sam Burnett Facilities Division Director
Jesse Guillen, Legislative Liaison
Melissa McDonald, Acting Parks Division Director
Alexis Lotero, Assistant City Clerk

Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Mayor Webber understood the Animal Services presentation was not ready tonight.

Ms. Bustos-Mihelcic agreed.

MOTION: **Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the agenda as amended with the Presentation removed from the agenda.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None

7. APPROVAL OF CONSENT CALENDAR

Councilor Cassutt pulled items 10(c) and (d) for discussion.

Councilor Romero-Wirth pulled item 10(e) for discussion.

Councilor Lindell and Councilor Garcia also pulled item 10(e) for discussion.

Councilor Vigil Coppler also pulled item 10(d) for discussion.

MOTION: **Councilor Lindell moved, seconded by Councilor Villarreal, to approve the Consent Calendar as amended with items 10(c), (d), and (e) removed for discussion.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES

a) Special Governing Body Meeting – May 25, 2021

MOTION: **Councilor Lindell moved, seconded by Councilor Romero-Wirth, to approve the Minutes of The Special Governing Body meeting on May 25, 2021, as presented.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None. Councilor Garcia abstained.

b) Regular Governing Body Meeting – September 29, 2021

MOTION: **Councilor Lindell moved, seconded by Councilor Rivera, to approve the Minutes of The Regular Governing Body meeting on September 29, 2021, as presented.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

9. **PRESENTATIONS**

a. Review of Changes Made by Ordinance No. 2020-6, Amending the Animal Services Ordinance, Pursuant to SFCC 1987, Section 5-14, Which Requires the Governing Body to review the 2020 Changes. (Anthony Tapia, Police Captain; matapia@santafenm.gov, 955-5286 and Thomas Grundler, Police Lieutenant; tjgrundler@santafenm.gov, 955-5359)

This presentation was postponed to a later date under Approval of the Agenda.

10. **CONSENT CALENDAR**

a. Request for Approval of Amendment #4 to Professional Services Agreement #19-0234 with Carollo Engineers to Provide Continuance of On

Call Engineering Services in support of Capital Improvements and Priority (CIP) Projects in the Amount of $500,000 Exclusive of NMGRT. (William Schneider, Water Resources Manager, whschneider@santafenm.gov, 955-4203)

1. Request for Approval of a Budget Adjustment Resolution (BAR) in the Amount of $542,188 from Cash Balance in Water Enterprise Fund to Fund the Contract Amendment #4 On Call Engineering Contract with Carollo Engineering.

Committee Review:
Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

b. Request for Approval of a Budget Adjustment Resolutions (BARS) for Public Utilities Department to Fund Vacant Positions through the 2021/2022 Fiscal Year and Fund One New Expansion Position for Wastewater Management Division in the Total Amount of $201,151. (Shannon Jones, Public Utilities Department Director, swjones@santafenm.gov, 955-4267)

Committee Review:
Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

DISCUSSED

c. CONSIDERATION OF RESOLUTION NO. 2021-51. (Councilor Rivera)
A Resolution Adopting the 2023-2027 Infrastructure Capital Improvements Plan ("ICIP"). (Regina Wheeler, Public Works Department Director: rawheeler@santafenm.gov, 955-6622)

Committee Review:
Introduced: 09/29/21
Finance Committee: 10/04/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Ms. Bustos-Mihelcic read the caption.

Councilor Rivera said the PWUC, meeting last night, talked about eight of those on the top of the list. The list included Fire Station #2, Midtown, City Hall, medians, the Airport, Arroyo Chamiso Crossing, SWAN Park, and the Southside Library Plaza. He understood it didn't mean more cannot be added or the list changed. He believed they were not in order of priority for Fire Station #2, Midtown, City Hall, Medians, or the Airport. There was new information on Chamiso Crossing, SWAN Park and the Southside Library. Councilor Cassutt agreed. That list was different from the amendment sheet on the top eight. She read off the ten items at the top of the list.

Councilor Rivera understood anything could be moved up.

Director Wheeler explained that this item is adoption of the total capital plans. In a separate resolution is identified the top five projects which is a priority list going through the other committees. This is a list without any priorities.

Councilor Cassutt reasoned that the Governing Body has a chance to consider them now and prioritize the five most important later.

Director Wheeler agreed.

Councilor Cassutt recalled talking about leveraging dollars and other funding sources to make sure the top five would be most likely to get funded. She asked Director Wheeler to speak to that.

Director Wheeler agreed with that. We have several other funding opportunities. Some were from legislation and some from grant funds and she is putting together a package for GRT bonds also. The city is likely to get federal Build Back Better funds for infrastructure and roads so she thought the Governing Body should look at putting all sources together. She added that the City also has GO bonds for voters next fall and NMDOT funding and other grant opportunities. The Governing Body should look at what the Legislature would look at most favorably. There is a serious need for more transit buses. Current buses are not unsafe yet, but we will soon need seven new buses which could be funded through the federal BBB plan.

Councilor Cassutt said the timeline also needs to be considered.

Director Wheeler said GRT Bonds probably would be considered in the summer with a 6-7 month lead time and then the legislative grants and then vote in November to determine when we would have that all ready.

Director McCoy spoke about timing for capital investments, and which would be available soonest. She thought the soonest pot of funding would be the City's own funding at $100 million, and the 2022 legislative session would potentially be next fall. And, in the meantime, planning a round of GRT bond issuances would be considered for deferred maintenance or other City priorities. A GO bond could come to Governing Body for vote. So next summer, she would bring a package to the Governing Body. and GRT Bond would come after the November election along with any other federal legislation, depending on the terms, next year.

Councilor Cassutt agreed. Director Wheeler had also mentioned DOT funding in the Chamiso Crossing application.

Director Wheeler said she is following the DOT plan with three to four plans. Erick Aune is helping with that, as well as money for new road construction plans which he keeps up to date. It is cyclical and they take projects off the top. We did get BBB funds for Arroyo de los Chamisos and working on design now. There is not an immediate MPO fund for that yet.

Councilor Cassutt pointed out the Governing Body will have more opportunity to talk about this for how we can look at Midtown, a new central library, that the Governing Body seems to agree on. That would assist us with the challenge of funding and that is on everyone's minds.

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to approve the ICIP Resolution as presented.

Discussion on the Motion

Councilor Romero-Wirth asked Director Wheeler to remind the Governing Body about the prior GRT Bond.

Director Wheeler said in 2018, it was for $20 million.

Councilor Romero-Wirth noted before that the City had not done one for quite a while.

Director Wheeler agreed.

Councilor Romero-Wirth saw this as a tool to use on deferred maintenance items.

Director Wheeler said that was correct.

Councilor Romero-Wirth said we hear lots about deferred maintenance and we have quite a bit of it. It is enormous and was a long time in the making. She was pleased the City is being more systematic about it now. She brought up South Capitol streets. She encouraged Councilors, during the next time they were downtown, to drive on those streets to see how awful they are and in need of help. We are putting it on ICIP so it can be in the queue for a funding opportunity.

Director Wheeler added that the real challenge on those streets was that they are made of concrete. So there was nothing the City could do about fixing them. Those streets need a complete rebuild. But our hands are tied right now and unsafe conditions will continue.

Councilor Romero-Wirth pointed out that the constituency is fairly large when they are inviting the State to come every year and they try to find parking and not that is not putting our best foot forward there. She has been aware of those street needs for years.

She also gave a plug for a Central Library at Midtown. It would be well located for the whole City with all the latest technology and how crucial that is for the whole community. And the others are also worthy of consideration.

Councilor Garcia agreed completely with the South Capitol streets. That should be a priority and he mentioned that last night at the PW Committee meeting. We should reach out to our delegation for that one and for all who use the Round House. This plan leads us into legislative priorities we will consider in two weeks. He asked if the Governing Body is tied to the ranking system here.

Director Wheeler said yes. The Governing Body will determine the top give and reorganize the list.

Councilor Garcia wondered, if we have an opportunity and can submit it without the ranking. We talked about an item “ranked” at 34 – a new City Hall and Civic Center. People who were looking at the list could ask why it was ranked at 34 and not in the top five. He asked if it was too late to eliminate the ranking of all items.

Director Wheeler explained that ranking was not in the database. When a project was entered, it was numbered chronologically, and the only ranking was on the top five projects. It was not possible to change the chronology of when they were added to the list.

Councilor Garcia said he would read it as a priority list. And he didn’t want the Governing Body to be held to that order. So if it was not a priority list, he was okay with it. He asked if there was any opportunity to amend the amounts or eliminate that column from the list.

Director Wheeler agreed. We have full access adjust budget on every project.

Councilor Garcia referred to item #4 – the median beautification. He agreed the medians do need improvements, but he might disagree with the cost estimates of $50,000 to $70,000, per median. Irrigation systems don’t need to be installed. And he was sure there are vegetation types that need little to no water. He asked that the Governing Body reconsider the estimated costs. He would rather invest in the future with our youth instead

of our medians. It could be done for a fraction of $3 million. He thought the City could work with designers who could bring that price tag much lower. If we can do that, it would be wrong to advocate for $50,000 medians.

Director Wheeler clarified the estimates were based on professional contractors' estimates who do the work. The strategy is to develop several designs for the medians. Also, it focuses on gateway medians which really help with economic development and tourism.

Councilor Garcia agreed that medians are in dire need of work, but not at the proposed price tag. Most people want the medians beautified without weeds, but and one can drive down Cerrillos Road without vegetation yet and still see those Siberian Elms that the City needs to eliminate. Investing $3 million is an outrageous price tag. We need a level that is sustainable. We need people to maintain them. We need folks to clear out the weeds. He asked to relook at that price tag and get public input.

Councilor Romero-Wirth said in her experience, the ICIP list has been, from a legislator's perspective that, if it is on the list, it is worthy of funding. If it is not on the list, it doesn't get funded. So it is important for us to consider more than the top five projects.

She asked how many medians are in this estimate.

Director Wheeler said the first phase is to develop template designs and test them out with design alternatives. And then to choose the number to be redone. $1.7 million gets us through that phase. We do have over 500 medians in the City and would target 2-3 in each district. That is our target.

Councilor Romero-Wirth understood. Rain gardens are something we've been hearing about as an infrastructure concept in one of the designs to getting water to beautify.

Director Wheeler said "low impact design" is in the top of our minds. But we could go nine months without any rain. Last winter was incredibly dry. So experts will guide us on it.

Councilor Romero-Wirth agreed with that. During the time she was on the MPO Board, she saw it was expensive stuff when adding layers of engineers and landscape experts. They raise the costs. It takes time and money.

Director Wheeler agreed that public infrastructure is expensive, especially when getting a quality product. We want it to last and improve the quality of life. We want the best value for the community.

Councilor Cassutt said part of the revamping of medians is giving them low maintenance designs and put more money into our parks. Weeds in medians create visual hazards for drivers. And part of the strategy is to make sure parks are kept clean. The plan should have quantified hours for medians to maintain our parks. And we cannot just use capital monies for social projects or operating expenses.

Director Wheeler agreed. She looks for more than a 5-year life.

Councilor Garcia agreed. Councilor Cassutt has a great point. These are not direct services. So, in a different context, $3 million for a senior center on the south side vs $3 million for medians. We must ensure we are doing it intentionally and with fiscal responsibility. We always must maintain the medians and are never done with that. We need to go back to the table on the price tags.

Director Wheeler clarified that senior needs are addressed with a separate legislative allocation. We have expert work by Mr. Rinaldi who already has the planning money for a new senior center.

Councilor Garcia suggested doing one median per district. This is taxpayer dollars, and we are entrusted with them to get the most we can.

Councilor Rivera said they went through the resolution last night. He thanked Director Wheeler for getting us straight and hoped for clarity on the five top request down the road. This is just the whole list of ICIP.

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Lindell, Councilor Rivera, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None. Councilor Garcia and Councilor Romero-Wirth abstained.

DISCUSSED

d. CONSIDERATION OF A RESOLUTION NO. 2021-52. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars Per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City Employees Paid Less Than Fifteen Dollars Per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171 and

Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to Increase Salaries to $15 Per Hour. **Committee Review:**

Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Ms. Bustos-Mihelcic read the caption for this item: Bernadette Salazar was present.

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to approve the resolution for increasing the hourly wage for City employees as presented.

Discussion on the motion.

Councilor Cassutt clarified with Director Salazar that part-time employees are also eligible for the $15/hour rate.

Director Salazar agreed.

Amendment to the Motion

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to amend the motion to delete "fulltime" and insert "permanent" employees.

Discussion on the Amendment

Councilor Cassutt, to follow up, said in her conversation with Ms. McSherry understood permanent was vs. temporary or employees on probation. She asked Ms. McSherry to explain that.

Ms. McSherry said it helps to have the caption agree with the resolution and it helps us to follow the rules. The Governing Body can extend the outcome to others, by modifying the personnel rules, but the permanent status leads to a little more process. It would require a 14-day notice and allow all Division Directors to comment on the rule change. And the modification would make the purpose for another reason than originally intended.

Councilor Cassutt understood it would take more time and wanted to move it forward as quickly as possible. She was happy to work with any of her colleagues to make the rule changes to include temporary and probationary employees.

Councilor Romero-Wirth clarified that we are debating the amendment but not the whole motion.

Mayor Webber agreed.

Councilor Vigil Coppler thought there was a misinterpretation of Rule 6.21. She knew what the meaning of that rule was because she wrote that rule years ago. She had no objection to the rule pertaining to permanent employees. But the intent to include temporary or probationary is dependent on this rule. And this rule is not applicable at all to this resolution.

Mayor Webber suggested it would be best to vote on this amendment first.

Councilor Vigil Coppler said she did propose amendments to this resolution, but they are not here and inserting “permanent” does not take care of everything here.

The Governing Body waited for Councilor Villarreal to get back into the meeting.

When she returned, Councilor Villarreal asked about the cost analysis when including part-time Staff.

Director McCoy explained the estimate included all part-time employees in the calculations.

Councilor Villarreal said she brought it up in the Finance Committee meeting to make sure the adjustment for part-time Staff took place.

Director McCoy rechecked the calculation and said it does include all part-time positions.

Ms. McSherry said the full-time provision in the resolution title was a mistake on her part. What she meant was permanent employees.

Councilor Vigil Coppler explained that the word “Permanent” means someone who has already passed probation. So if the Governing Body passes this, it makes the other conversations moot with no room for anything else. Permanent means non-probationary already.

Ms. McSherry suggested just striking the word” full-time”

Amendment Withdrawn

The amendment motion was withdrawn by Councilor Cassutt at 6:29, and Councilor Romero-Wirth withdrew her second.

New Amendment to the Motion

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to amend the Resolution Caption to delete the words "Full Time non-probationary" and insert "permanent."

Discussion on the Amendment

Councilor Vigil Coppler wanted to address deleting probationary employees. She explained this is a minimum wage and not a merit increase. She thought the purpose was to give them a better COLA increase. This is not merit-based. We are not treating all employees the same. And this would create a morale problem. "The $15/hour does not apply to you because of when you were hired." She was not for excluding anyone, not even temporaries. "This is starting off on the wrong foot to exclude employees. I can't support this amendment."

Ms. McSherry explained the limit by the rules. And pointed out this can be done under emergency retention. She described it as an offer, not a mandate. It gives the employee a choice. And the rules can be modified.

Councilor Vigil Coppler said, "The emergency retention rule's purpose is not for this purpose. We don't have to change that rule. It has nothing to do with this issue. That rule has no bearing on this matter. The rule is a way to keep your employees from going somewhere else. The City has invoked it several times. So she thought it was moot. We should not exempt anyone from the minimum wage. This would create a morale problem. It should be offered to every single employee. Let's do it. Let's apply it as minimum wage and leave out emergency retention which is not part of this."

Director Salazar said she did utilize that rule to enable the City to recruit better.

Councilor Vigil Coppler said she understood but when you don't increase people's pay, that accrues, and they will always be behind at a different rate down the way. It affects everything for the rest of their career. They would never catch up. There is no reason why we cannot implement this for everyone since it is a minimum wage.

Councilor Garcia asked, with the amendment approved, if it completely closes a blanket $15/hour minimum wage.

Ms. McSherry said it does not foreclose other options.

Councilor Garcia agreed it should be a blanket minimum wage of $15/hour. There could be a sister companion legislation at the same time. If approved, he asked when this change could take effect.

Ms. McSherry said it could be done in early November or it could be introduced now.

Councilor Garcia asked to have his name on as a sponsor for the rule change.

Councilor Cassutt explained this amendment doesn't change what happens in the resolution – just the caption.

She also highlighted what Director Salazar mentioned – leaving that option available for some employees to make sure we have provided them an option. This amendment just corrects the caption. She would love to work with Councilor Garcia on the rule change and get it done ASAP.

Director Salazar explained, based on the financial analysis, it would be effective on November 27.

Councilor Cassutt asked if the Governing Body could vote for it by the end of the month as one giant package.

Ms. McSherry agreed.

Councilor Romero-Wirth understood that Councilor Vigil Coppler said this emergency rule had only been used to keep people from leaving City employment and that is an issue here. So we are using the rule for that purpose. But he didn't know if the rule can only be used in one way. But Ms. McSherry added that although Councilor Vigil Coppler did identify the purpose, it could be used when people are leaving in general.

Director Salazar clarified that emergency retention is used for those with at least six months of service. That is the rule.

Councilor Romero-Wirth concluded that we are not misusing the rule. We are being inclusive, and our intention is to be inclusive, but we must do it in steps unless we pulled it all back.

Director Salazar agreed. This will allow all employees to be at $15/hour once off probation. Then any new hire will be hired at no less than $15/hr.

Councilor Romero-Wirth reasoned that if all would get the $15/hour by the end of November, there would be no staggering.

Director Salazar agreed.

Councilor Romero-Wirth concluded that with the effective date at the end of November, we can capture everyone. So why wouldn't we go ahead with end of November for everyone?

Councilor Vigil Coppler was not sure which rule would be changed. That rule is clearly just an avenue for a salary increase to a person who has been offered a job in another agency. This minimum wage increased is not an emergency retention. But it still leaves the issue of probationary employees. They do the same job as another employee. She was upset that her amendments did not get in. She has the experience to do this, so she wanted to spearhead her amendment that is in the City Attorney's Office. She didn't think we have to address anything here and didn't see why it could not include all employees regardless of their status. She didn't see any violation of any rule. She felt the Governing Body could do something good here to just include everyone and move on with the meeting. The only amendment she wanted was what she submitted to be inclusive. We can pass it tonight to change the language to include all employees. We don't need to start over.

Ms. McSherry said the rule to be amended was for a limitation on one category. She explained that we could have increased the compensation plan as an alternative.

Director Salazar assured the Governing Body that she would make sure no one went over a threshold that would cause them to lose their current benefits.

Councilor Villarreal- was curious how many people would be affected.

Director Salazar didn't know but would find out. And, if someone is receiving a childcare benefit and the increase would make them ineligible, she could offer them the choice.

Councilor Villarreal felt it was unfortunate that having to make a certain income affects the benefits. She needed more time to think about i. At the Finance meeting, she had the impression it would take place at the beginning of the next fiscal year but was happy to have it take place now.

Director McCoy said she did provide two different calculations and one was for the remainder of this fiscal year from now. This is a recurring cost, and the discussion came in on annualizing the costs and be able to predict the impact in both FY 22 and FY 23 and compare the revenue to make sure it is sustainable.

Councilor Villarreal thanked her for the clarification.

Mayor Webber didn't think there was any disagreement about what we want to achieve. Those on probation who are contributing to the City, we want to allow them to have the new minimum. So it applies to everybody. At the same time, he was hearing, because of our city processes and regulations and federal benefit requirements, we are trying to be both inclusive and flexible at the same time. The challenge is to find a vehicle to permit us to achieve to meet both goals. We want it to be extended to temporary and probationary employees, if possible, by changing a rule that changes our emergency authority, so nobody gets left out. That would provide the opportunity for anyone who would be disadvantaged not to lose federal benefits that helps them meet their obligations. People do use whatever benefits are possible. These are the tools available, and we want them to be able to choose the best avenue to keep their family whole. For most, who are below the new minimum wage, it would benefit them to be at $15/hour.

Director Salazar agreed.

Councilor Lindell didn't hear any disagreement on that issue. We want everyone who works for the City to make a minimum of $15/hour. We have a little speedbump tonight but have an answer from Councilor Garcia in his suggestion. If we can implement it in the same timeframe original proposed, we are on the right track. It is just the process tripping us up some. So for clarity to get quickly to the finish line, that would be terrific. Perhaps we could move forward with it now.

Councilor Garcia pointed out in the resolution, one must be working for the City at least six months to be eligible. He asked if this amendment effects a change in our language in the legislation.

Ms. McSherry clarified the amendment doesn't change the rule. If the Governing Body wants to broaden the rule, that could be done separately.

Councilor Vigil Coppler rebutted that if this amendment passes, it automatically excludes a lot of people.

VOTE: The amendment was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: Councilor Garcia, Councilor Vigil Coppler. Councilor Villarreal and Councilor Abeyta abstained.

Further Discussion on the Amended Motion:

Councilor Abeyta said his only concern in passing this tonight would be then hearing some people will lose their benefits.

Mayor Webber agreed that is a significant point. Given the HR and Attorney interpretation, he asked if there were an amendment that would include all employees of the City or if we need to bring forth an amendment to the rules.

Director Salazar suggested the resolution include all employees for this purpose only to raise to $15/hour.

Ms. McSherry added that the intent would be to implement, for probationary employees, and she recommended changing that rule to allow them to be included either for just now or for now on.

Mayor Webber understood, given the rule we are using, our goal is not to have people paid $15/hour when they come off probation and it would not be possible without changing the rule. We can come back as quickly as possible for temporary or permanent rewrite of that rule so it would apply to everyone and not just as they come off probation. Or we could bring that forward on another date. There is a simple change that would accomplish the inclusion. And we have changed the title already.

Councilor Cassutt was open to either path to get it done.

Councilor Vigil Coppler suggested some language changes could be made tonight by directing the City Manager to offer pay increases for all employees making less than $15/hour and they can decline it and would be accepted as an administrative decision by the City Manager or HR Director. That would not require a rule change. This resolution would supersede the rules.

Ms. McSherry said the City Manager can offer it for one of the two rules – one of which was emergency retention. Having the City Manager offer this is not establishing a minimum wage but offering a minimum wage.

Councilor Garcia saw the Governing Body had an option to amend this resolution with all rules in alignment to have it all in a pretty package for November 27 and make sure we are not tangling it. We want it to take place as soon as possible. He suggested putting it on hold right now, knowing it is going to happen with eight sponsors. Let's do it at next meeting to make it all kosher.

Councilor Cassutt favored a vote next meeting if it would still allow implementation by November 27.

Director McCoy and Director Salazar agreed.

MOTION: **Councilor Abeyta moved, seconded by Councilor Lindell, to postpone this resolution to the October 27, 2021 Governing Body meeting.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Agenda Amended

MOTION: **Councilor Villarreal moved, seconded by Councilor Romero-Wirth, to amend the agenda and consider the Evening Agenda next and then return to the remainder of the Afternoon Agenda.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

EVENING SESSION - 7:56 P.M.

17. **ROLL CALL**

Members Present
Mayor Alan Webber

Councilor Roman “Tiger” Abeyta
Councilor Jamie Cassutt
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused
None

18. **PETITIONS FROM THE FLOOR**

Stefanie Beninato complained about not being able to join the HDRB until 2½ after it began.

She pointed out that it is not a volunteer when people are being paid. And she asked how the City can give away 10% of an employee’s money.

He said having a project listed at 34th on the list meant the only people pushing it were government employees and not the citizens of the community.

There were no other petitions from the floor.

19. **APPOINTMENTS**

a. Santa Fe Film and Digital Media Commission (Janice Krish, Economic Development Specialist; jakrish@santafenm.gov, 955-6915)
- Raashan Ahmad – Appointment – Term Ending 3/2023
- Robert Dennis – Appointment – Term Ending 3/2023
- Harvey Kahn – Appointment – Term Ending 3/2023
- Austin Ross – Appointment – Term Ending 3/2023
- James Wysong – Appointment – Term Ending 3/2023

Ms. Bustos-Mihelcic read the caption for this item and announced the appointees.

MOTION: Councilor Cassutt moved, seconded by Councilor Garcia, to approve the nominees for the Santa Fe Film and Digital Media Commission as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None. Councilor Abeyta abstained.

Councilor Villarreal thanked Janet Criss for giving her added information with a changed name and more clarification on their process and the Commission's commitment to become more diverse in membership for gender and ethnic diversity.

20. PUBLIC HEARINGS

There were no public hearings.

The Governing Body returned to the afternoon agenda at 8:04 p.m.

10. CONSENT AGENDA (Continued)

e. Request for Approval of an Agreement between the City of Santa Fe and Davenport Construction Management LLC to Repair and Reconstruct the Bicentennial Pool; $1,948,419.42 Including New Mexico Gross Receipts Tax. (Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, (505) 795-2491.

1. Request for Approval of a Budget Adjustment Request (BAR) to Allocated $2,337,957 from FY21 GRT in Excess of Budget to Fund the Reconstruction and Repairs of the Bicentennial Pool Facility.

Committee Review:
Finance Committee: 10/04/2021
Public Works/Public Utilities Committee: 10/12/2021
Governing Body: 10/13/2021

Ms. Bustos-Mihelcic read the caption for this item. Director Burnett was present.

Councilor Romero-Wirth pulled this item, thinking Director Burnett had a presentation on it.

Director Burnett agreed and shared his screen regarding the Bicentennial Pool – Assessment, Issues, and Options. In February 2021, it was determined the pool was leaking 130,000 gallons each month. The city attempted repair for the 2021 summer season.

In June 2021, some repairs were completed but the pool was still leaking and the Governing Body directed the pool remain closed for the 2021 season and engaged contractors to assess its status. In September 2021, the assessment was completed. A packet was sent to the Governing Body to provide options for repair for the 2022 season.

The investigation was performed by a team of contractors and City Staff to fully assess and understand the options. They reviewed water bills to verify amount of leakage, conducted a visual inspection of pool and plumbing with cameras, did pressure testing, and excavated around the pool.

Preliminaries were developed for the scope of options with previous a contractor and Davenport Construction, with Westcon as the primary subcontractor.

The team included the Recreation Division, the Water Division, B&D Industries, Lee-Sure Pools, Caito Drainworks, Aquatech, New Mexico Pool & Spas, Blue Water Pools, Westcon Construction and Davenport Construction.

A number of leaks were repaired, and they did dry and west pressure tests and uncovered other leaks that were repaired. Water began to infiltrate from under the pool that signaled needed work under the pool. There were seven excavations around the pool and into the concrete deck to visually inspect the plumbing and signs of water damage. When completed, they developed a scope of work.

Some key findings:
Plumbing – extensive leaks in pool plumbing system and jet system and outdated pool plumbing (44 years old).
Shell and gutters- seepage thru the shell indicating structural issues, extensive degradation of the gutters requiring complete replacement
Mechanical and Deck has outdated, poorly functioning mechanical system and pool deck is cracking and settling.
Facility repairs – minor mechanical upgrades and repairs required, replacement of broken windows and doors, paint and stucco work on building's exterior and new pool equipment needed (slide, lane ropes, covers, features for children, etc.).

The closed pool was an attractive nuisance to the community, and it was vandalized.

Options:
1 - do nothing
2 – Repair the pool (demolition and reconstruction) $2,337,955 and 7-months of project time.

3 - New Aquatic Center at $7.7 million and a 42-month project time.

Options 2 and 3 could be combined. In this case, the Governing Body would need to consider City's ability to fund, and Staff needed at an additional pool facility.

Director Burnett described the new aquatic center process, design, and construction using an RFQ and invitation to bid. He showed other municipal pools to compare and stood for questions.

Director Wheeler added that the absolute first step for new center would be assessment of a location in a phased approach. It would cost $200,000 to do that.

Councilor Romero-Wirth reasoned that we could move forward with rebuilding this pool. And in front of us now is a contract to rebuild the pool now. A new center would be a different path.

Director Burnett agreed. And the decision tonight is needed to have it open by summer, it would need to be approved to start on it now. A new center would be a separate project.

Councilor Romero-Wirth understood it was brought the Governing Body now to meet the timeline needed to get open by summer. Everything is getting more expensive and there are supply chain issues and getting the labor to do the work.

Director Burnett agreed. There is a lot of volatility right now including supplies and labor. Working with Westcon is advantageous now to get them on board before they get taken up by someone else. We are working hard to ensure an opening next spring.

Councilor Romero-Wirth added that finding a new location would take much more time. She asked if the City has the capacity to build a new pool. She was certain it could not be done in a six-month period.

Director Burnett said that was correct.

Councilor Romero-Wirth believed just repairing the pool was not a good option.

Director Burnett agreed with her. All potential contractors declined the repair work because they felt nothing would stand the test of time and it would be wasted money and wasted effort. The impracticality of just repairing the pool took that option off the table.

Councilor Romero-Wirth understood his proposal is the best option in this moment and here it is.

Director Burnett agreed.

MOTION: Councilor Lindell moved, seconded by Councilor Rivera, to approve the Agreement with Davenport Construction for reconstruction of the Bicentennial Pool as presented.

Discussion on the Motion:

Councilor Abeyta thanked Director Burnett and Councilor Garcia. Director Burnett did a great job to get it ready overnight.

Councilor Garcia asked Director Burnett if he was a magician for pulling this presentation together to justify the expenditure. This is exciting. He was thankful the City can provide this. He was also open to discussing a new aquatic center. We are deciding how to move forward but we need proper community input on it.

Councilor Lindell agreed it was a terrific job and great report. He has worked on this for a very long time with numerous trips to Bicentennial Pool. Director Burnett did it quickly and she was excited with the prospect of having it reopen next May. It is always at capacity, and it would have been a terrible shame to go through two summers without an outside pool. She was grateful for the Governing Body considering this. It is a crown jewel for the City.

Mayor Webber also thanked Director Burnett for his presentation and the significance of finding a contractor. This is a project we all can get behind and he felt a new aquatic center is also needed for the young people on the south side. The community told us how important Bicentennial Pool is.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

MOTION: Councilor Cassutt moved, seconded by Councilor Romero-Wirth, to approve the BAR for reconstruction of the Bicentennial Pool as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

f. Request for Approval of Agreement between the City of Santa Fe and Davenport Construction Management for the Renovation of the Santa Fe Train Depot; $1,534,928.27 Including NMGRT; Sam Burnett, Facilities Division Director, jsburnett@santafenm.gov, (505) 795-2491.

1. Request for Approval of a Budget Adjustment Request (BAR) in the Amount of $600,000 from FY21 GRT in Excess of Budget to the Railyard WIP Construction Budget for the Santa Fe Train Depot Exterior
   Rehabilitation Project.

Committee Review:
Finance Committee: 10/04/2021
Public Works and Public Utilities Committee: 10/12/2021
Governing Body: 10/13/2021

g. Request for Approval of the 2022 Employee Calendar. (Bernadette Salazar, HR Director, bjsalazar@santafenm.gov, 955-6591)

Committee Review:
Finance Committee: 10/04/2021
Quality of Life Committee: 10/06/2021 Governing
Body: 10/13/2021

h. Request for Approval of the Acceptance of Award Terms and Conditions for the American Rescue Plan Act (ARPA) Fiscal Recovery Funds. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 955-6171; Rich Brown, Community Development Director, rdbrown@santafenm.gov, 955-6625 and Kyra Ochoa, Community Health, and Safety Director, krochoa@santafenm.gov, 955-6603)

Committee Review:
Finance Committee: 10/04/2021
Quality of Life Committee: 10/06/2021
Public Works and Utilities Committee: 10/12/2021
Governing Body: 10/13/2021

i. Request for Approval of Amendment #3 to Agreement #20-0027 with B&D Industries, Inc. for On-Call Citywide HVAC, Plumbing and Electrical

Services; Increasing Compensation in the Total Amount of $1,000,000 Plus New Mexico Gross Receipts Tax. (Sam Burnett, Facilities Division Director, jsburnette@santafenm.gov, 505-795-2491)

Committee Review:

Public Works & Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

j. Request for Approval of Amendment #6 to the Alpha Southwest Contract to Increase the Amount of Compensation by $297,930.29 for Emergency Repair. (Efran Morales, WWM Plant Superintendent, emmorales@santafenm.gov, 955-4618)

1. Request for Approval of Budget Amendment Resolution (BAR) in the Amount of $297,930.29 from the WWMD Cash Balance.

Committee Review:

Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

k. Updates to County Partnership in the San Juan Chama Return Flow Project. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309 and Marcos Martinez, Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

Committee Review:

Public Works and Utilities Committee: 09/27/2021
Finance Committee: 10/04/2021
Governing Body: 10/13/2021

11. **DISCUSSION/ACTION ITEMS**

a) CONSIDERATION OF RESOLUTION NO. 2021-53. (Mayor Webber)
A Resolution Authorizing Officer(s) to Sign on Behalf of the City, so that the City May be Eligible for and to Receive Federal Transit Authority Funding. (David Chapman, Grants Administrator: dachapman@santafenm.gov, 955-6824)

Committee Review:

Introduced: 09/29/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Ms. Bustos-Mihelcic read the caption for this item. Director Wheeler was present to respond.

Director Wheeler noted the FTA has several rules and responsibility for this procedure on reporting and accepting grants. David Chapman has responsibility for federal reporting now.

Ms. McSherry explained this resolution is our vehicle to allow the City Attorney to sign off on it.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Villarreal, to approve the resolution as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

b) CONSIDERATION OF RESOLUTION NO. 2021-54. (Mayor Webber)
A Resolution Approving the City of Santa Fe's Title VI Transit Program as Required by the Federal Transit Administration. (David Chapman, Grants Administrator: dachapman@santafenm.gov, 955-6824)

Committee Review:
Introduced: 09/29/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Ms. Bustos-Mihelcic read the caption for this item.

MOTION: Councilor Abeyta moved, seconded by Councilor Romero-Wirth, to approve the Title VI Transit Program as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

c) CONSIDERATION OF RESOLUTION NO. 2021-55. (Mayor Webber)
A Resolution Extending the Timeline for the Community Conversations on Santa Fe's Cultures, Histories, Arts, Reconciliation, and Truth Established in Resolution No. 2021-6. (Pauline Kamiyama, Arts and Culture

Department Director: pkkamiyama@santafenm.gov and Kristine Bustos-Mihelcic, Community Engagement Department Director and City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:

Quality of Life Committee: 10/06/21 Governing Body: 10/13/21

Ms. Bustos-Mihelcic read the caption for this item.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to approve the CHART timeline extension resolution as presented.

Discussion on the Motion:

Councilor Garcia asked what product we will get at the end of the contract. All of us want some resolution on our monuments. Were we able to get clarification on it from the contractor? She was not available at the Committee meeting.

Ms. Bustos-Mihelcic explained that the first presentation will be November 10. Many items addressed in the conversations and some recommendations will be included in the update.

Councilor Garcia reasoned that there will be a product at the end of the contract. Perhaps it is best to wait until the November meeting with the contractor. It is a critical first step to avoid the wound festering. It is best suited for a November 10 presentation.

Ms. Bustos-Mihelcic agreed and noted they will address that question then.

Councilor Romero-Wirth remembered this process has layers and some of the first layers were to hear and collect the diversity of stories that make up this community. From that, they will start conversations so we can understand each other and appreciate the diversity and the complexity to be seen from one another's perspective. Then, another layer is to discuss how to move forward to be inclusive and honor all people's history and ultimately, there will be some recommendations to come forward. She recalled they will come to the Governing Body and the work carried out, based on what had been heard from the community. They won't say this is what we are doing. We must consider the recommendations and say yes or no to them.

Ms. Bustos-Mihelcic agreed.

Councilor Romero-Wirth thought the Governing Body was clear, and she looked forward to that presentation on November 10.

Councilor Vigil Coppler asked if that presentation was a quarterly report that was required in the resolution but being presented late.

Ms. Bustos-Mihelcic agreed it is the quarterly report, based on the date the contract was sent. She believed she sent that schedule to the Governing Body already.

Councilor Vigil Coppler assumed the quarter was not calculated on the resolution date but on the date the contract was signed.

Ms. Bustos-Mihelcic agreed. he intent of tonight's vote is to align the contract. The amendments from the Governing Body consideration that delayed the date of contract execution. This is to align the 12-month period.

Councilor Vigil Coppler was concerned that it is taking a very long time. This is a request for an extension of the whole thing, and it has taken a long time. It is important to not go through another summer without a plaza decision. Extending it by tacking it onto a contract extension date was not what she hoped for. She felt it needed a better basis and found the substantiation for the extension weak. She was hoping for a quarterly report when we have had no report from the contractor or why an extension was necessary.

Mayor Webber appreciated what Councilor Garcia said and the comments of Councilor Romero-Wirth. It opens a wide opportunity for community dialogue. It covers not only the plaza event but the Japanese internment camps and covenants of the 1950's preventing people of color from living there. It includes family stories from the past, all being legitimate. He would entertain things not only about the plaza but new fiestas, new museums and extending further into the future to blaze a trail no other city has done yet and to allow the contractor time to do what they agreed to do. The questionnaire has already been posted. So work is under way, and we should just give them the time to do what they proposed to do.

Councilor Garcia thought that process takes years. We can't get through unraveling such a complicated history in just a year. We need to narrow it down to the resolution. We contracted to accomplish that. He would hate for us to say after one year that it is too complicated and must extend it. We must have recommendations in one year. It is written in the resolution. That is a requirement of the contract, and we must emphasize that to the contractor. It will be a disservice to them if it doesn't happen in one year. We have gaping wounds that need healing and if not, it will continue to infect the community and tear us apart. So when we meet with the contractor next month, we must emphasize that to the contractor.

Mayor Webber appreciated that. We need the dialogue and stories to begin. That will conclude under this contract. But our City is in a special place with capabilities not only to meet the immediate requirement but to go beyond with dialogue on our future. We can't imagine all the possibilities out there, none of which precludes closing the wound. We are very much in agreement.

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

d) Request for Approval of Agreement #3203030 with Bradbury Stamm Construction for $19,741,000 Plus $1,665,646.88 New Mexico Gross Receipt Tax for a Total of $21,406,646.88 for Construction of the Airport Terminal Building and Parking Lot Expansion. (Mark Baca, Airport Manager; mdbaca@santafenm.gov, 955-2901)

1. Approval of a BAR for $12,382,747 for the Construction of the Airport Terminal and Parking Lot Expansion.

Committee Review:
Public Works/Utilities Committee: 10/12/2021
City Council: 10/13/2021

Ms. Bustos-Mihelcic read the caption for this item. Manager Baca and Director Wheeler were present to respond.

MOTION: **Councilor Rivera moved, seconded by Councilor Romero-Wirth, to approve the Agreement with Bradbury Stamm Construction as presented.**

Discussion on the Motion:

Councilor Rivera said the Airport Advisory Committee has followed this. It ties in with the ICIP. He noted John Quinn Pate, the consultant with Molzen-Corbin, was also present to respond.

Manager Baca thanked the Governing Body for consideration of this agreement. Manager Baca shared his screen and Mr. Pate walked the Governing Body through it.

He showed the original sketch from 1958 which had to be augmented with outbuildings and parking lot. Showed the augmentation with electrical and

telecommunication equipment to keep the airport operational. He showed various parts of the terminal building and area and described what needed to be done under the agreement. He also explained the chronology of changes at the airport.

Mr. Pate then showed and described the current improvement plans.

The proposal showed a greatly expanded parking lot with a new long-term lot that also has a solar array to provide power and charging stations in both short-term and long-term parking areas.

Director Wheeler thanked Mr. Pate for the presentation. An economic and fiscal impact analysis was completed in 2019. The airport is a great economic driver for Santa Fe that provides cash flow throughout the economy. The estimate is $213,453,558 and GRT of $103,608,693 with $20 million to the City, $14 million to the County, and $52 million to the State, with Lodgers' Tax revenue of $18 million for the first 5-year span.

Manager Baca told how, over the years, they have struggled to keep up with the load. Terminal improvements since 2004 have tried to provide for a better customer experience. Although the fell behind, the Santa Fe Airport is in the top five for regional airports and now we have an opportunity to further improve it.

Councilor Lindell asked Mr. Pate why a portable building is to be used for baggage claims.

Mr. Pate explained that they need another 30,000 square feet because but cannot afford to construct a permanent building for that space. This is a phased plan. They relieved pressure on the gate area first to get them on airplanes and designed the plan so it will become new gates on the south side for the rapidly changing airline industry.

Councilor Lindell asked if the TSA area would not be changed.

Mr. Pate said that was correct for the time being. But it moves quickly now. The time isn't different from a large airport, and they cannot make all changes at once. They have the schematic designs for phasing cannot do the construction documents yet because of the limited budget. It will be a multi-story expansion that was presented to the Airport Advisory Committee. It will have two stories for the terminal building with TSA and Administration Offices on the second floor and a queue area to take pressure off the TSA part. The added space will be 8800 square feet plus improvements to the tower area and a new heating system. The plan makes a total renovation of 27,000 square feet. That is estimated to cost $8 million and $10.8 million for all the rest added in.

Councilor Garcia noted the Governing Body went through extensive debate on minimum wage and he would like an assurance the workers on this contract would be paid at least $15 per hour on this work.

Director Wheeler pointed out that public works projects of this size are regulated by the State of New Mexico, and she had never seen a wage that low in their regulations. The wage rates are issued and the contractor bids based on that wage schedule. Santa Fe must follow that schedule.

Councilor Garcia asked, when Santa Fe went to the Legislature for resources for this project, if they went with a conceptual design of the airport.

Director Wheeler agreed. And they delivered on everything the Legislature was told would be done.

Councilor Garcia thought a restaurant was included, but it appeared to be a snack bar.

Manager Baca clarified it is to serve food in the waiting area. Hot meals can be fed on the secure side.

Mr. Pate agreed that they had met the promises made to the Legislature.

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

Against: None. Councilor Vigil Coppler was not present for the vote.

MOTION: **Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the BAR for the Santa Fe Airport Construction as presented.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Villarreal.

Against: None. Councilor Vigil Coppler was not present for the vote.

12. **MATTERS FROM THE CITY MANAGER**

Manager LaPan Hill was present and had no items.

Agenda Amendment:

MOTION: **Councilor Romero-Wirth moved, seconded by Councilor Cassutt, to consider Matters from the Governing Body before the Executive Session.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

16. **COMMUNICATIONS FROM THE GOVERNING BODY**

a. Legislative Introductions for October 13th, 2021.

A copy of the Bills and Resolutions for Introduction is incorporated herein as Exhibit 1.

Councilor Lindell was happy with the big items.

Councilor Rivera introduced a resolution directing the City Manager to identify and apply for federal and state funding sources for water, wastewater, and other water related projects.

Councilor Villarreal thanked the Health, Safety and Compliance Staff for their CPR training and the AED system training across the City. She encouraged the Governing Body and all existing Staff to take the training. It was practical, eye-opening, and inspiring. She was thankful for that kind of Staff Training and for it being free. AED and CPR can increase a person's life span for those who need it.

Councilor Garcia thanked CPAC and our Council Liaison. Last weekend was the Century Bike Ride and she spearheaded getting CPAC involved. It was a great opportunity for people to get out on bikes to exercise in the Century Bike Ride.

He requested for the next meeting to have the audit update. He thought it would be at this meeting since it was heard at the Finance Committee and the Audit Committee last week, but it was not. So he requested it be on the next agenda.

Councilor Vigil Coppler apologized for missing the last vote.

Councilor Cassutt urged people to winterize their swamp cooler if they haven't yet. She is seeing weed cleaning and paving of streets. She thanked Director Wheeler and the Public Works teams working around the City. she noticed it and her son provided all the names of the construction machines being used.

Councilor Abeyta participated in the Safe Routes to Schools walk and thanks to Tim Rogers and the Santa Fe Conservation Trust for organizing that their efforts. He recognized the Southside Library Staff for providing drinks and snacks and the Police Officers who accompanied us and got us safely to the school. We need to do that more often.

He asked to be added as cosponsor to Councilor Rivera's legislation.

Councilor Romero-Wirth also asked to be added to that resolution.

Mayor Webber saluted this past weekend for all 1,600 who rode in the Century Bike Ride. He thanked David Barker for the prize money. What a sight it was to see 1,600 people riding bikes. He went to see the powerful Manadhata play at the Lensic for Indigenous People's Day and recommended it be seen by all.

He mentioned the people coming from the Balloon Fiesta and visiting Rhodes Scholars. There were two tours of our filmmaking production. It was a bustling fall day in Santa Fe.

He received a link to the article from a newspaper in Singapore about Raffles Education Company who were a bidder as a partner at Midtown. Raffles entertainment currently has liabilities that exceed assets by $196 million, which tells us nobody can take anything for granted. They have a $200 million gap when we looked seriously at them as possible project manager. We should be thankful we are keeping ourselves focused on Midtown and the team there is taking care of our self-interests.

Councilor Vigil Coppler added kudos to the Santa Fe Beautiful team and their Board for a wonderful event at the Convention Center and hoped they made some money. It was very festive event, and everyone was very pleased. She gave a big shoutout to Carol Branch and her Board.

Mayor Webber agreed it was a great time.

At 10:00, the Governing Body went back to Matters from City Attorney in the Afternoon Agenda.

13. **MATTERS FROM THE CITY ATTORNEY**

Ms. McSherry recommended the executive session for the purpose of discussing the litigation update and the amicus brief opportunity and to discuss the disposal of City property at 730 Alto Street as listed on the agenda.

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Parts (H)(7) and (H)(8), Attorney-Client Privileged Quarterly Discussion of Threatened and Pending Litigation in Which the City of Santa Fe Is or May Become a Party, Including but Not Limited to the Opportunity to Become an amici in , Case No. 21-16118 (9th Cir.); and Discussion of the Disposal of City Property at 730 Alto Street. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov. 955-6512)

MOTION: **Councilor Rivera moved, seconded by Councilor Cassutt, to go into closed executive session pursuant to the Open Meeting Act, Section 10-15-1, Parts (H) (7) to discuss threatened and pending litigation in which the City of Santa Fe is or may become a party, and subpart (8) for discussion of purchase, acquisition or disposal of real property and water rights by the Governing Body.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

Councilor Abeyta announced he will recuse himself from the discussion or property on Alto Street.

The Governing Body went into executive session at 10:02 p.m.

The Governing Body ended the executive session at 11:29 p.m.

MOTION: **Councilor Rivera moved, seconded by Councilor Vigil Coppler, to come out of executive session, pursuant to the Open**

Meetings Act, Section 10-15-1 (J), stating for the record that during the executive session, the only matters discussed were those specified for closure.

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, and Councilor Vigil Coppler.

Against: None. Councilor Villarreal was not present for the vote.

Waiving of Rules.

MOTION: **Councilor Cassutt moved, seconded by Councilor Lindell, to waive the rule and allow the meeting to go past 11:30 pm.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

14. **EXECUTIVE SESSION ACTION ITEMS**

a. Approval to Join the County of Los Angeles, and Other Local Governments in Support of the Federal Government in, Case No. 21-16118 (9th Cir.), and Subsequent Appeals, Opposing Arizona's, and Montana's Challenge to the Biden Administration's Civil Enforcement Priorities that Apply Discretion to Prioritize Removals of Noncitizens. (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512)

Ms. Bustos-Mihelcic read the caption for this item.

Councilor Vigil Coppler/Councilor Romero-Wirth to approve. Unanimous.

MOTION: **Councilor Vigil Coppler moved, seconded by Councilor Romero-Wirth, to approve the action items as stated.**

VOTE: **The motion was approved on the following Roll Call vote:**

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler, and Councilor Villarreal.

Against: None.

14. MATTERS FROM THE CITY CLERK

Ms. Bustos-Mihelcic had no matters to convey.

20. ADJOURN

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 11:33 p.m.

Approved by:

_____
Mayor Alan Webber

ATTESTED TO:

_____
Kristine Bustos Mihelcic, City Clerk

Respectfully submitted by:

Carl G. Boaz

_____
Carl G. Boaz, Council Stenographer

GOVERNING BODY MEETING OF
October 13, 2021
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

EXHIBIT ONE
GB Oct. 13, 2021

Mayor Alan Webber

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Roman "Tiger" Abeyta

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Jamie Cassutt

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Michael J. Garcia

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Signe I. Lindell

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Chris Rivera

Co-Sponsors	Title*	Tentative Committee Schedule*
	A RESOLUTION DIRECTING THE CITY MANAGER IDENTIFY AND APPLY FOR FEDERAL AND STATE FUNDING SOURCES FOR WATER, WASTEWATER, AND OTHER WATER RELATED PROJECTS.	Finance Committee – 10/18/21 Public Works and Utilities Committee – 10/25/21 Governing Body – 10/27/21

Councilor Carol Romero-Wirth

Co-Sponsors	Title*	

Councilor JoAnne Vigil Coppler

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Renee Villarreal

Co-Sponsors	Title*	Tentative Committee Schedule*

This document is subject to change.

City of Santa Fe, New Mexico
2511 Camino Entrada, P.O. Box 909, Santa Fe, N.M. 87504-0909

MUNICIPAL COURT
Virginia Vigil, Municipal Judge
Phone: (505) 955-5070
Fax: (505) 955-5159

Memo

To: Mayor and City Councilors

From: Virginia Vigil
Municipal Court Judge
Chad Chittum
Staff Attorney

Date: 10/12/2021

Re: October 27, 2021 Governing Body Meeting

Enclosed please find the September 2021 monthly report, including the statistics for the last 6 months, and community service information.

Starting July 12, 2021, all trials and evidentiary hearings are conducted in-person, in accordance with the protocols approved from the Administrative Office of the Courts Emergency Response Team. Masks are required in the courtroom and common areas. Social distancing remains in place, along with a stringent sanitizing procedure.

Municipal Court previously secured funding from the State Legislature. Work will be starting soon to include a new roof, air conditioning to replace our evaporative coolers and securing the employee parking lot to provide additional safety for staff.

MUNICIPAL COURT MONTHLY STATISTICS REPORT	SEPT 2021		AUGUST 2021		JULY 2021		JUNE 2021		MAY 2021		APRIL 2021	
FOR SEPTEMBER 2021												
1. NUMBER OF CASES FILED FOR MONTH		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL
Traffic Violations		283		281		311		275		241		235
Traffic Citations (court appearance)	209		219		228		210		174		199	
Penalty Assessments	74		62		83		65		67		36	
(court only collects money)												
* Cell phone violation 12-6-12.18(6)	27		16		39		32		10		7	
(included in both court appearance & penalty												
assessments)												
Criminal Cases		82		64		68		70		64		58
DUIs	18		16		12		9		17		8	
Shoplifting	10		20		16		21		15		16	
Petty Misdemeanors	44		19		36		34		22		28	
Revoked	10		9		4		6		10		6	
Code Enforcement		0		1		0		0		1		1
Animal Control		2		10		7		7		3		2
2. ARRAIGNMENTS												
(many arraignments result in pleas)												
Traffic Arraignments		101		117		97		101		102		96
Criminal arraignments		88		76		72		84		60		72
DUIs	15		15		15		13		11		9	
Shoplifting	26		22		24		26		12		18	
Petty Misdemeanors	38		25		24		38		27		36	
Revoked	9		14		9		7		10		9	
Animal		7		4		5		1		1		1
Code Enforcement		2		0		0		1		0		4
3. TRIALS		1		1		0		1		5		7
1) with attorney(s)	0		0		0		1		5		4	
2) with police officers	1		1		0		0		0		3	
1) Animal	0		0		0		0		0		0	
2) Traffic	1		1		0		0		0		5	
3) Misdemeanor/shoplifting	0		0		0		0		2		1	
4) Code Enforcement	0		0		0		1		1		0	
5) DUI	0		0		0		0		2		1	
6) Revoked	0		0		0		0		0		0	
4. BENCH WARRANTS ISSUED		273		212		220		152		184		172
5. HOMELESS COURT		0		0		0		0		0		0
6. COMMUNITY SERVICE – TOTAL		191		262		205		247		203		100
1) Community service hours – penalties	191		262		37		247		203		100	
2) Community service hours – in lieu of fines	0		0		168		0		0		0	

MUNICIPAL COURT FINES AND FEES DISTRIBUTION REPORT
September 2021

			City	AOC	JEC	
Animal Control	11001.451200	$50.00	$50.00			
Court Fines	11001.450200	$12,146.00	$12,146.00			
Parking	51150.450610	$0.00	$0.00			
Traffic Violations	11001.450900	$126.00	$126.00			
	TOTAL FINES:	$12,322.00				
Automation Fee (AOC)	21202.432100	$ 1,740.00		$ 1,740.00		
Bench Warrants (City)	21224.432150	$ 480.00	$ 480.00			
Calming Fees (City)	31775.450850	$ 3,287.00	$ 3,287.00			
Copies/Misc. (City)	11001.471400	$ 4.50	$ 4.50			
Corrections Fees (City) - PD	21201.432300	$ 5,829.81	$ 5,829.81			
Corrections Fees (City) - Muni. Court	21225.432300	$ 2,914.95	$ 2,914.95			
Court Admin. Fee (City)	21225.432310	$ 2,911.00	$ 2,911.00			
DWI Lab Fees (AOC)	21202.432200	$ 441.00	$ 441.00	$ 441.00		
Muni. Court DWI (Screening & Tracking Fee) (Old line item - 21228.432000)	11001.432000	$ 1,044.00	$ 1,044.00		$ -	
Home Detention (City) (Old line item 21225.43213)	21201.432130	$ 207.42	$ 207.42			
In House Automation (City)	21130.432100	$ 580.00	$ 580.00			
Judicial Education Fees (JEC)	21202.431800	$ 855.00	$ 855.00		$ 855.00	
Police Safety Fees (City)	21224.432120	$ 1,404.00	$ 1,404.00			
Prevention Fees (AOC)	21202.450400	$ 542.00	$ 542.00	$ 542.00		
Substance Abuse Fee (AOC)	21202.432350		$ -	$ -		
	TOTAL FEES:	$ 22,240.68	$32,822.68	$2,723.00	$855.00	

$36,400.68

TOTAL FINES AND FEES:	**$34,562.68**
City: Money remains with the City of Santa Fe:	$32,822.68
AOC: Money is submitted to the State of NM, Admin. Office of the Courts:	$2,723.00
JEC: Money is submitted to the NM Judicial Education Center:	$855.00

MUNICIPAL COURT MONTHLY STATISTICS REPORT	AUGUST 2021		JULY 2021		JUNE 2021		MAY 2021		APRIL 2021		MARCH 2021	
FOR AUGUST 2021												
1. NUMBER OF CASES FILED FOR MONTH		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL		TOTAL
Traffic Violations		281		311		275		241		235		263
Traffic Citations (court appearance)	219		228		210		174		199		217	
Penalty Assessments	62		83		65		67		36		46	
(court only collects money)												
* Cell phone violation 12-6-12.18(6)	16		39		32		10		7		8	
(included in both court appearance & penalty												
assessments)												
Criminal Cases		64		68		70		64		58		42
DUIs	16		12		9		17		8		5	
Shoplifting	20		16		21		15		16		9	
Petty Misdemeanors	19		36		34		22		28		21	
Revoked	9		4		6		10		6		7	
Code Enforcement		1		0		0		1		1		1
Animal Control		10		7		7		3		2		2
2. ARRAIGNMENTS												
(many arraignments result in pleas)												
Traffic Arraignments		117		97		101		102		96		105
Criminal arraignments		76		72		84		60		72		94
DUIs	15		15		13		11		9		7	
Shoplifting	22		24		26		12		18		28	
Petty Misdemeanors	25		24		38		27		36		44	
Revoked	14		9		7		10		9		15	
Animal		4		5		1		1		1		2
Code Enforcement		0		0		1		0		4		3
3. TRIALS		1		0		1		5		7		6
1) with attorney(s)	0		0		1		5		4		2	
2) with police officers	1		0		0		0		3		4	
1) Animal	0		0		0		0		0		0	
2) Traffic	1		0		0		0		5		5	
3) Misdemeanor/shoplifting	0		0		0		2		1		0	
4) Code Enforcement	0		0		1		1		0		0	
5) DUI	0		0		0		2		1		1	
6) Revoked	0		0		0		0		0		0	
4. BENCH WARRANTS ISSUED		212		220		152		184		172		202
5. HOMELESS COURT		0		0		0		0		0		0
6. COMMUNITY SERVICE – TOTAL		262		205		247		203		100		170
1) Community service hours – penalties	262		37		247		203		100		160	
2) Community service hours – in lieu of fines	0		168		0		0		0		10	

MUNICIPAL COURT FINES AND FEES DISTRIBUTION REPORT
August 2021

			City	AOC	JEC	
Animal Control	11001.451200	$50.00	$50.00			
Court Fines	11001.450200	$12,937.50	$12,937.50			
Parking	51150.450610	$1,630.00	$1,630.00			
Traffic Violations	11001.450900	$37.00	$37.00			
	TOTAL FINES:	$14,654.50				
Automation Fee (AOC)	21202.432100	$ 1,700.00		$ 1,700.00		
Bench Warrants (City)	21224.432150	$ 1,242.61	$ 1,242.61			
Calming Fees (City)	31775.450850	$ 3,261.41	$ 3,261.41			
Copies/Misc. (City)	11001.471400	$ 10.25	$ 10.25			
Corrections Fees (City) - PD	21201.432300	$ 5,549.99	$ 5,549.99			
Corrections Fees (City) - Muni. Court	21225.432300	$ 2,775.01	$ 2,775.01			
Court Admin. Fee (City)	21225.432310	$ 2,876.00	$ 2,876.00			
DWI Lab Fees (AOC)	21202.432200	$ 393.00	$ 393.00	$ 393.00		
Muni. Court DWI (Screening & Tracking Fee) (Old line item - 21228.432000)	11001.432000	$ 634.00	$ 634.00		$ -	
Home Detention (City) (Old line item 21225.43213)	21201.432130	$ 160.00	$ 160.00			
In House Automation (City)	21130.432100	$ 572.00	$ 572.00			
Judicial Education Fees (JEC)	21202.431800	$ 852.00	$ 852.00		$ 852.00	
Police Safety Fees (City)	21224.432120	$ 1,385.00	$ 1,385.00			
Prevention Fees (AOC)	21202.450400	$ 364.00	$ 364.00	$ 364.00		
Substance Abuse Fee (AOC)	21202.432350		$ -	$ -		
	TOTAL FEES:	$ 21,775.27	$34,729.77	$2,457.00	$852.00	
						$38,038.77

TOTAL FINES AND FEES:	**$36,429.77**
City: Money remains with the City of Santa Fe:	$34,729.77
AOC: Money is submitted to the State of NM, Admin. Office of the Courts:	$2,457.00
JEC: Money is submitted to the NM Judicial Education Center:	$852.00

Administrative Office of the Courts

Supreme Court of New Mexico

Arthur W. Pepin, Director

237 Don Gaspar, Room 25
Santa Fe, NM 87501
(505) 827-4802
(505) 827-4824 (fax)

MEMORANDUM

TO: Judge Virginia Vigil and Chad Chittum, Staff Attorney, Santa Fe Municipal Court
FROM: Emergency Response Team
DATE: June 19, 2020
RE: SANTA FE MUNICIPAL COURT REOPENING PLAN

Thank you for submitting Santa Fe Municipal Court's June 12th Reply to the ERT's Response raising a number of issues in the court's original reopening plan. The Reply answers the issues raised by the ERT. The court has provided for appropriate screening, distancing, sanitization, language access services, and docket management consistent with COVID-19 best practices. ERT especially appreciates the court's efforts to maximize online processes in both this document and your earlier changes to court practices. Although a diagram of the courtroom is not provided, you have described blocking off alternate rows, marking six-foot distances, and cleaning between uses in a manner that accommodates proper distancing and COVID-19 best practices. You have also addressed the ERT's concerns with maximizing the safety of court staff. The court is approved to reopen under the plan as modified in your Reply of June 12, 2020.

City of Santa Fe, New Mexico
Memorandum

Date: October 12, 2021

To: Public Works and Utilities Committee, Finance Committee, and Governing Body

From: Regina Wheeler, Public Works Department Director
Jesse Guillen, Legislative Liaison

RE: Adoption of 2022 Legislative Priorities

EXECUTIVE SUMMARY:
Adoption of the City's annual Legislative Priorities for the 2022 Legislative Session.

BACKGROUND:
Every year the City adopts its legislative priorities for the following year's legislative session. The Resolution expresses the priority capital projects as well as policy priorities. The adoption of the capital priorities is needed in October to facilitate the State's process of review and publication of the Infrastructure Capital Improvement Program (ICIP).

Ten city-wide capital projects that are being considered for the priority ICIP requests to the 2022 legislative session are listed below. Through adoption of another Resolution, the Governing Body will make the final determination of the top 5 city-wide and district priority ICIP requests which will be entered into the NMDFA system and reflected in the final resolution. The project worksheets for the projects listed below are attached.

	ICIP #	Project	Total Cost	Amount Requested	Current Funding
1	32333	Airport Terminal Expansion Construction	$21,500,000	$11,000,000	$10,500,000
2	23272	Southwest Activity Node Park	$3,999,000	$3,500,000	$499,000
3	36137	Midtown Infrastructure Development	$12,100,000	$10,000,000	$2,100,000
4	36178	Santa Fe Median Beautification	$3,000,000	$3,000,000	$ 0
5	36136	New Central Library Design	$2,000,000	$2,000,000	$ 0
6	37521	New Fire Station #2	$10,000,000	$9,380,000	$620,000
7	38547	South Capital Area Road Reconstruction	$1,500,000	$1,500,000	$ 0
8	34529	Southside Library Community Plaza	$1,500,000	$1,500,000	$ 0
9	33678	Transit Fixed route Vehicle Replacement	$5,250,000	$5,250,000	$ 0
10	32339	Broadband Infrastructure Underserved Neighborhoods	$1,500,000	$1,000,000	$500,000

Councilors have requested that the projects below be considered as district priority ICIP requests. The Harrison Road improvements project received legislative funding in 2019 and 2020, so the design and public engagement has been ongoing and additional funding is needed for construction.

Pacheco Street, Tierra Contenta Trail Improvements and Governor Miles Reconstruction for pedestrian and bicycle safety were the district priorities and were appropriated $300,000 each in the 2021 legislative session.

District Priority	ICIP List #	ICIP #	Project Name	Total Project Cost	Amount Requested	Current Funding
1	11	34689	Harrison Road Sidewalk & Lighting Improvements	$ 664,005	$ 264,005	$ 400,000
2	32	39165	Pacheco Street Bicycle & Pedestrian Improvements	$ 1,000,000	$ 700,000	$ 300,000
3	23	37525	Tierra Contenta Trail Improvements	$ 1,726,438	$ 1,000,000	$ 726,438
4	24	37526	Governor Miles Reconstruction	$ 2,750,000	$ 2,450,000	$ 300,000

The Resolution also includes legislative policy priorities that would be beneficial to people of the City of Santa Fe. Those items include support for the following issues:

1. The transfer of State land located adjacent to Midtown Santa Fe in exchange for City-owned property currently utilized by the NM Department of Public Safety;
2. Legislation that ensures hold harmless payments are not eliminated or further reduced;
3. Eliminating the 3% cap on annual property tax increases on residences that are not owner-occupied as the owner's principal place of residence;
4. Establishment of an additional Lodgers' Tax that would be used to defray the cost of providing affordable housing or to leverage federal funding for affordable housing;
5. Any initiatives that would improve and expand early childhood education; and
6. Supporting certain New Mexico Municipal League priorities, any legislation deemed to be beneficial to the City and its residents, and opposing any legislation deemed to be harmful to the City and its residents.

The 2021 Legislature made the appropriation listed below in support of the City's priority project requests.

Appropriations on city wide priority ICIP requests

1. $1,800,000 appropriation for the Southside Teen Center;
2. $1,000,000 appropriation to renovate and repair City parks;
3. $1,000,000 appropriation for infrastructure improvements at Midtown Santa Fe.

Appropriations on district priority ICIP requests

1. $300,000 appropriation to repave Paseo de las Vistas;
2. $300,000 appropriation for pedestrian and bike safety improvements on certain portions of Pacheco Street and Siringo Road;
3. $300,000 appropriation for improvements to the Tierra Contenta trail system; and
4. $300,000 appropriation to design pedestrian, bicycle, and drainage improvements along Governor Miles Road

ACTION REQUESTED:
Approve the Resolution as presented.

ATTACHMENTS:
Resolution
FIR

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2021-__
Legislative Priorities 2022

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2021-__:

1. On page 3, line 24 ***insert*** the following new paragraphs:
   "**BE IT FURTHER RESOLVED** that the City of Santa Fe supports and endorses any legislation that slows down the timeline for eviction and improves opportunities for mediation between renters and landlords.
   BE IT FURTHER RESOLVED that the City of Santa Fe supports and endorses any legislation that replenishes and seeks a reoccurring funding source to support MFA's Housing Trust Fund."
2. On page 3, line 24 ***insert*** the following new paragraph:
   "BE IT FURTHER RESOLVED that the Governing Body supports and endorses the establishment of a regional drug treatment facility that would serve the residents of Santa Fe and northern New Mexico."
3. On page 4, line 13 ***insert*** the following new paragraph:
   "BE IT FURTHER RESOLVED that the City of Santa Fe continues to support state wide paid sick leave legislation, as reinforced by the City's Resolution No. 2021-11 unanimously passed in 2021**.**"

Respectfully submitted,

_____
Renee Villarreal, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Kristine Mihelcic, City Clerk

Legislative Priorities 2022 (Villarreal Amend)

Final Audit Report 2021-10-27

Created:	2021-10-26
By:	Jeff Norris (jtnorris@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA1etXjZC4JJa3R8-IJoNoDcJ1Tky2E6X7

"Legislative Priorities 2022 (Villarreal Amend)" History

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Document e-signed by Erin Mcsherry (ekmcsherry@ci.santa-fe.nm.us)
Signature Date: 2021-10-27 - 2:58:48 AM GMT - Time Source: server- IP address: 174.62.11.171

Agreement completed.
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CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2021-__
Legislative Priorities 2022

Members of the City Council:

I propose the following amendment(s) to Resolution No. 2021-__:

1. On page 4, line 8 ***insert*** the following new paragraph:
"**BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any legislation that would provide an option for local governments to opt-in to adopting an emissions inspections program under the Air Quality Control Act."

Respectfully submitted,

_____
Alan Webber, Mayor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Kristine Mihelcic, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2021-__
Legislative Priorities 2022

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2021-__:

1. On page 2, ***strike*** lines 13-16 and ***insert*** in lieu thereof:

"4. From any statewide capital outlay initiative associated with emergency services and fire safety and prevention, the City requests **$9,380,000** for the construction of Fire Station #2 to provide public safety coverage on the southwest side of Santa Fe."

Respectfully submitted,

_____
Michael J. Garcia, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Kristine Mihelcic, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2021-__
Legislative Priorities 2022

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2021-__:

1. On page 2, ***strike*** lines 17-19 and ***insert*** in lieu thereof:

"5. From any statewide capital outlay initiative associated with emergency services and fire safety and prevention, the City requests **$9,380,000** for the construction of Fire Station #2 to provide public safety coverage on the westside of Santa Fe."

Respectfully submitted,

_____
Chris Rivera, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Kristine Mihelcic, City Clerk

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 55TH LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION, 2022.

WHEREAS, the 30-day Legislative Session of the 2022 New Mexico State Legislature ("Legislature") begins on January 18, 2022 and ends on February 17, 2022; and

WHEREAS, the Governing Body desires to establish City of Santa Fe ("City") legislative priorities to be considered by the City's Legislative Delegation and the Legislature; and

WHEREAS, the Governing Body's legislative priorities include City-wide capital outlay priorities, statutory priorities, general fund priorities, City Council District capital outlay priorities, and other legislative priorities beneficial to the City to be introduced during the 2022 New Mexico Legislative Session.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby establishes the following city-wide capital outlay legislative funding priorities for consideration by the Legislature during the 2022 Legislative

Session:

1. From any statewide capital outlay initiative associated with economic development, the City requests **$11,000,000** for construction of the Santa Fe Regional Airport terminal building expansion and related infrastructure to accommodate additional airlines, flights, increased seating, and enhanced flow of passenger traffic;

2. From any statewide capital outlay initiative associated with municipal parks, the City requests funding in the amount of **$3,500,000** for Phase II improvements of the Southwest Activity Node ("SWAN") Park;

3. From any statewide capital outlay initiative associated with economic development, the City requests funding in the amount of **$10,000,000** that will be used to plan, design, and construct infrastructure within the Midtown Santa Fe property including, but not limited to, digital, transportation, drainage, facility, and utility infrastructure;

4. From any statewide capital outlay initiative associated with medians, the City requests **$3,000,000** to reduce maintenance and improve median beautification and safety throughout the City, specifically 80 identified medians along St. Francis Drive, Cerrillos Road, Zia Road, and Airport Road; and

5. From any statewide capital outlay initiative associated with education and public literacy, the City requests **$2,000,000** to design a new central library for residents to be located at Fogelson Library on the Midtown Santa Fe property.

BE IT FURTHER RESOLVED that the Governing Body requests the Legislature enact a Joint Resolution ratifying and approving the transfer of one or more tracts of City-owned real property to the State of New Mexico Department of Public Safety in trade and exchange for the transfer of multiple tracts of State-owned real property to the City of Santa Fe, New Mexico.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses legislation during the 2022 Legislative Session that would allow for a New Mexico Public Bank owned by and for

the people of New Mexico that would direct the State's investment decisions to support and diversify the economy including achieving goals in eco-tourism, food security, solar energy installations, broadband expansion, health clinic upgrades, and clean energy infrastructure projects.

BE IT FURTHER RESOLVED that the Governing Body requests that the Legislature ensure hold harmless payments to counties and municipalities are not eliminated or further reduced and returned to their original schedule and/or ensure that any tax reform continues to hold counties and municipalities harmless in lieu of the enactment of legislation reinstating the gross receipts tax on food and medical.

BE IT FURTHER RESOLVED that the Governing Body requests that the Legislature appropriate money from the general fund to support the Santa Fe Thrive public safety program, which allows law enforcement officers to work with the Santa Fe Fire Department to redirect persons suspected of involvement in non-violent, low-level crimes to community-based services in lieu of prosecution or jail.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that improves broadband infrastructure throughout the state, specifically as it relates to associated economic development.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that supports the development and construction of affordable housing to decrease and/or subsidize the cost of housing for residents of Santa Fe and New Mexico.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that establishes an additional lodgers' tax, the proceeds of which would be used by municipalities and counties to defray the cost of providing affordable housing or to leverage federal funding for affordable housing.

BE IT FURTHER RESOLVED that the Governing Body requests the Legislature support legislation that promotes water reuse and water planning and other legislation designed to improve

overall sustainability at the state and local level.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would support municipal recycling program, product packaging changes that reduce waste, and programs that support recycling market development.

BE IT FURTHER RESOLVED that the Governing Body supports any legislation that advances the environmental sustainability goals of the City of Santa Fe including carbon neutrality, ecological resilience, economic vitality, and quality of life and social equity.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would eliminate the 3% cap on annual property tax increases on residences that are not owner-occupied as the owner's principal place of residence.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would improve and expand early childhood education.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would increase funding for the New Mexico Tourism Department for use in advertising, a state-wide co-op grant program, and/or personnel expansion that restores the reduction in services at the Department between 2010-2018.

BE IT FURTHER RESOLVED that the Governing Body supports the one-time allocation of monies received by the State from the American Recovery Act of 2021 to the New Mexico Tourism Department for the purpose of additional marketing of New Mexico, increased co-op advertising support with municipalities, job training, and for other uses to benefit the restoration of tourism to New Mexico.

BE IT FURTHER RESOLVED that the Governing Body requests the Legislature adopt legislation that pertains to statewide business licensing that permit business owners to operate in all cities, counties, and municipalities provided business owners comply with local and use and safety requirements.

BE IT FURTHER RESOLVED that the Governing Body hereby establishes the following City Council District capital outlay legislative funding priorities for improvements of citywide infrastructure for consideration by the Legislature during the 2021 Legislative Session:

1. For a capital outlay initiative located within **City Council District 1**, funding is requested in the total amount of **$264,005** for sidewalk and lighting improvements along Harrison Road.

2. For a capital outlay initiative located within **City Council District 2**, funding is requested in the total amount of **$700,000** for pedestrian and bike safety improvements in dense business areas on Pacheco Street from Alta Vista to San Mateo.

3. For a capital outlay initiative located within **City Council District 3**, funding is requested in the total amount of **$1,000,000** for constructing improvements to the Tierra Contenta trail system.

4. For a capital outlay initiative located within **City Council District 4**, funding is requested in the total amount of **$2,450,000** to reconstruct Governor Miles Road to improve safety for bicycles and pedestrians.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to work with the New Mexico Municipal League in support of any Municipal League 2022 Legislative Priority where the City would benefit from the passage of such initiative.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to make any capital outlay project directly or indirectly included in the City ICIP Priority List a priority.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to work to advance any legislation introduced during the 2022 New Mexico Legislative Session deemed to be beneficial to the City.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to work to defeat any legislation introduced during the 2022 New Mexico Legislative Session deemed to be detrimental to the City.

BE IT FURTHER RESOLVED that while this Resolution represents a majority of the intent of the Governing Body as to 2022 New Mexico legislative priorities, other timely priorities may be approved by the Governing Body, incorporated into the City's 2022 state legislative agenda, and forwarded to the City's lobbying team for action.

BE IT FURTHER RESOLVED that the City Clerk be directed to forward a copy of this Resolution to the City of Santa Fe lobbyist, the City of Santa Fe State Legislative Delegation, and the Governor of New Mexico.

PASSED, APPROVED, and ADOPTED this ___ day of _____, 2021.

_____

ALAN WEBBER, MAYOR

ATTEST:

_____

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Legislative Priorities 2022

FIR No. 10344

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Legislative Priorities 2022

Sponsor(s): Mayor Webber

Reviewing Department(s): Public Works, Legislative Services

Staff Completing FIR: Regina Wheeler/Jesse Guillen Date: 9/30/21 Phone: 955-6622/955-6518

Reviewed by City Attorney: _____ Date: Oct 12, 2021

Reviewed by Finance Director: _____ Date: Oct 12, 2021

Summary:
The proposed Resolution establishes the legislative policy and capital outlay priorities for the City of Santa Fe in the 2022 Legislative Session. Funding requests could provide funds for projects to improve community health and safety, community development, and infrastructure. Legislation could support the City in meeting social, economic, and environmental goals.

Departments Affected:
All departments.

Consequences of Not Enacting Legislation:
The City's legislative delegation and lobbyist would not be given direction on the City's desire to support or oppose legislation and capital outlay projects. This could negatively affect the amount of capital outlay and policy priorities the City achieves to fulfill community goals and needs.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
None identified. The Governing Body has adopted a similar Resolution in past years.

Performance and Administrative Implications:
Any capital outlay received will require project management and administration. Resources are in place for any required project management and administration.

Fiscal Implications:
The City stands to gain funding for capital priorities. There are no costs associated with the adoption of the Resolution.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

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

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

Expenditure Narrative:

There are no direct expenditures associated with the adoption of this Resolution, but if the Legislature supports the City's funding initiatives, then there would be associated expenditures for those purposes.

Revenue

Revenue Type	FYE 22	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$100K - $15M	$	$	NR	
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Adoption of this Resolution, and subsequent action by the Legislature in accordance with the priorities established in this Resolution, may result in capital appropriations as well as changes in state statutes that bring revenue to the general fund.

Signature: 

Email: jbguillen@ci.santa-fe.nm.us

Signature: 

Email: rawheeler@ci.santa-fe.nm.us

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021

ISSUE NO. 7e

CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber)
A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

Committee Review:
Introduced: 9/29/21
Finance Committee: 10/18/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/27/21

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler for discussion. Approved to forward to 10/27/2021 Governing Body

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber) A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

Committee	**Review:**
Introduced:	9/29/21
Finance Committee:	10/18/21
Quality of Life Committee:	10/06/21
Public Works and Utilities Committee:	10/12/21
Governing Body: 10/27/21	

FINANCE COMMITTEE ACTION:
Approved on Discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	Excused		
CHAIRPERSON VILLARREAL	X		

ACTION SHEET QUALITY OF LIFE MEETING OF 10/20/2021
ISSUE NO. 6b CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber) A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518) **Committee Review:** Introduced: 9/29/21 Finance Committee: 10/18/21 Quality of Life Committee: 10/06/21 Public Works and Utilities Committee: 10/12/21 Governing Body: 10/27/21
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Villarreal for discussion. Approved to forward to 10/27/2021 Governing Body
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA	X		
COUNCILOR GARICA	Excused		
COUNCILOR CASSUTT	X		
COUNCILOR VILLARREAL	X		
COUNCILOR ROMERO-WIRTH, CHAIR	X		

10. CONSENT CALENDAR

a. CONSIDERATION OF RESOLUTION NO. 2021-____. (Mayor Webber)

A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico –Second Session, 2022. (Regina Wheeler, Public Works Director: rawheeler@santafenm.gov, 955-6622 and Jesse Guillen, Legislative Liaison: jbguillen@santafenm.gov, 955-6518)

Committee Review:

Introduced: 09/29/21
Finance Committee: 10/18/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/27/21

Name: Stefanie Beninato
Comment - 10/27/2021 11:17 AM: (No Vote)
I am against any legislative priority that would increase Lodgers taxes. You are killing the golden goose.
I think the city should have planned for the remediation it knew the CSF campus needed. We are throwing money down a dark, seemingly endless, hole.
Does the effort to get away with the three percent cap mean that a person who owns a rental and lives in town would have property taxes go up on the rental that is on a separate property? What about guest units on the same property as the owner's residence?

I would like more discussion on items e and f on the consent calendar. What is the purpose of this funding? Is it a back door to pay for the rediversion project?

City of Santa Fe, New Mexico
Memorandum

Date: October 7, 2021

To: Quality of Life Committee, Finance Committee, and Governing Body

From: Kristine Mihelcic, City Clerk KM

RE: Redistricting Commission

EXECUTIVE SUMMARY:

The proposed Resolution convenes of the Independent Citizens' Redistricting Commission to establish a districting plan based on the data received from the 2020 federal decennial census.

BACKGROUND:

In 2014 an amendment to the City's Charter to create an Independent Citizens' Redistricting Commission was approved by the voters. The Commission last convened in 2015 to provide updated redistricting for the 2016 municipal election after incorporating 4100 acres and 13,250 new residents as a result of annexation.

The Commission can be convened in two ways. The first is automatic within one year of receipt by the City of the final federal decennial census information. The second is by adoption of a resolution expressing the need for convening a commission to establish a districting plan.

ACTION REQUESTED:

Approve the Resolution as presented.

ATTACHMENTS:

Resolution
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Councilor Chris Rivera

Councilor Renee Villarreal

A RESOLUTION

CONVENING THE INDEPENDENT CITIZENS' REDISTRICTING COMMISSION AND CALLING FOR THE REDISTRICTING OF THE FOUR CITY OF SANTA FE COUNCIL DISTRICTS PRIOR TO THE MUNICIPAL ELECTION ON NOVEMBER 7, 2023, BASED ON THE RESULTS FROM THE 2020 UNITED STATES CENSUS.

WHEREAS, in March 2014, the electorate of the City of Santa Fe approved an amendment to the City's Charter to create an Independent Citizens' Redistricting Commission ("Commission"), Section 6.03;

WHEREAS, Section 6.03 to the City's Charter required the Governing Body, by ordinance, to establish a procedure for the appointment and deliberations of the commission;

WHEREAS, the City's Governing Body adopted Section 6-18, SFCC 1987, which established a procedure for the appointment and deliberations of the Commission; and

WHEREAS, the Commission last convened in 2015 to provide updated redistricting for the 2016 municipal election, incorporating the 2014 City annexation of 4100 acres and 13,250 new residents; and

WHEREAS, the 2020 decennial census shows a total population growth of 19,558 residents since the 2010 census, for a total population of 87,505 within the municipal boundaries of Santa Fe; and

WHEREAS, the Commission shall establish a districting plan pursuant to Section 6-18.3(B) SFCC 1987 either:

(1) Within one (1) year of receipt by the city of the final federal decennial census information for use commencing with the next scheduled general municipal election occurring at least three (3) months after adoption of the final districting plan; or

(2) When the governing body adopts a resolution expressing the need for convening a commission to establish a districting plan; and

WHEREAS, the City has both received the census information and there is a need to convene the commission to equalize the populations of the four Council Districts before the 2023 election through the process of redistricting; and

WHEREAS, On August 1, 2021, the Census Bureau released census data to the states and the public and the Governing Body desires to convene a Commission as soon as possible to ensure the redistricting is complete with sufficient time prior to the 2023 municipal election; and

WHEREAS, Section 6-18.5(C) describes the process for the City Clerk to determine a reasonable application period, provide a "ministerial" review of the applications, verify the minimum number of applications have been reviewed, and schedule a drawing of members' alternates by lot.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Independent Citizens' Redistricting Commission shall be convened to update the four city councilor districts, based on the population results of the 2020 Federal Decennial Census.

BE IT FURTHER RESOLVED that the City Clerk shall initiate the process for soliciting

applications for, and selecting the members of, the Commission, pursuant to SFCC 1987, Section 6-18.5(C).

PASSED, APPROVED, and ADOPTED this _____day of _____, 2021.

_____

ALAN WEBBER, MAYOR

ATTEST:

_____

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Redistricting Commission

FIR No. 10274

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Redistricting Commission

Sponsor(s): Councilor Rivera

Reviewing Department(s): City Clerk's Office, City Attorney's Office.

Staff Completing FIR: Kristine Mihelcic Date: 9/29/21 Phone: 955-6846

Reviewed by City Attorney: _____ Date: Oct 7, 2021

Reviewed by Finance Director: _____ Date: Oct 8, 2021

Summary:
The proposed Resolution convenes the Redistricting Commission in one of the methods established in Section 6-18.3(B). The Independent Citizens' Redistricting Commission establishes a districting plan for the City of Santa Fe. The publication of the 2020 Census data occured on September 16, 2021, which is the other method for convening the Commission, requiring the Commission to establish a districting plan within one year of receipt of the decennial census data. Although this Resolution is not required for the Commission to convene, it provides additional public notice about the timeline and process that may impact the Council District in which some residents currently reside.

Departments Affected:
City Clerk's Office and City Attorney's Office.

Consequences of Not Enacting Legislation:
The Independent Citizens' Redistricting Commission would have less opportunity for public awareness. It would be convened as a result of the City's receipt of the 2020 federal decennial census results.

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

Performance and Administrative Implications:
According to the City's Code, the City Clerk shall receive all applications received during a reasonable period and provide a ministerial review of the applications for completeness. The Clerk shall also set the date, time, and place for the drawing of lots to determine the members and alternates of the Commission.

Fiscal Implications:
There are no fiscal implications associated with this Resolution. With or without this Resolution, the City is required to convene the Commission for the purposes of determining if redistricting is necessary and, if so, how the districts will be adjusted to equalize the populations of the four Council Districts. The City Clerk's Office included $200,000 in its FYE22 budget for this purpose.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

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

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

Expenditure Narrative:

Revenue

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

Revenue Narrative:

Signature: 

Email: kmmihelcic@ci.santa-fe.nm.us

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

CONSIDERATION OF RESOLUTION NO. 2021-__. (Councilor Rivera and Councilwoman Villarreal)

A Resolution Convening the Independent Citizens' Redistricting Commission and Calling for the Redistricting of the Four City of Santa Fe Council Districts Prior to the Municipal Election on November 7, 2023, Based on the Results From the 2020 United States Census. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 9556846)

Committee	**Review:**
Introduced:	09/29/21
Finance Committee:	10/18/21
Quality of Life Committee:	10/20/21
Governing Body: 10/27/21	

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

ACTION SHEET QUALITY OF LIFE MEETING OF 10/20/2021
ISSUE NO. 6a CONSIDERATION OF RESOLUTION NO. 2021-__. (Councilor Rivera and Councilwoman Villarreal) A Resolution Convening the Independent Citizens' Redistricting Commission and Calling for the Redistricting of the Four City of Santa Fe Council Districts Prior to the Municipal Election on November 7, 2023, Based on the Results From the 2020 United States Census. (Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 9556846) **Committee Review:** Introduced: 09/29/21 Finance Committee: 10/18/21 Quality of Life Committee: 10/20/21 Governing Body: 10/27/21
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent to forward to 10/27/2021 Governing Body
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA	X		
COUNCILOR GARICA	Excused		
COUNCILOR CASSUTT	X		
COUNCILOR VILLARREAL	X		
COUNCILOR ROMERO-WIRTH, CHAIR	X		

City of Santa Fe, New Mexico
Memorandum

DATE: October 12, 2021

TO: Governing Body

VIA: Regina Wheeler, Public Works Department Director RW

FROM: Melissa McDonald, Interim Parks Division Director MAM

RE: Budget Amendment Resolution (BAR)/Safe Routes to School GRANT

ITEM & ACTION

Request for Approval of Budget Amendment Resolution (BAR) in the amount of $262,464 to carry forward the balance of the Safe Routes to School (SRTS) grant funds encumbered for the PSA with Santa Fe Conservation Trust. (Melissa McDonald, Interim Parks Division Director, mamcdonald@santafenm.gov, 505-303-9502).

SUMMARY

This Safe Routes to School Grant for $343,406 was executed on March 5, 2020 and expires on September 30, 2022. The project will generate the Santa Fe Safe Routes to School Plan and begin implementation of the Plan. The Plan will identify infrastructure improvements, policies and programs that support the safe multimodal passage of students, faculty and parents to and from regular and extracurricular school events and begin implementation of plan recommendations. This multi-year effort will involve Santa Fe Public Schools, Santa Fe MPO, City of Santa Fe staff, stakeholders and the public.

After issuance of an RFP, the Governing Body approved a Professional Services Contract for $293,406 with Santa Fe Conservation Trust to develop and deploy a Santa Fe Safe Routes to Schools Program. The work is proceeding. The Bicycle and Pedestrians Advisory Committee (BPAC) is participating with the SRTS project and BPAC Member Phil Lucero, with Desert Academy recently volunteered to represent BPAC on the SRTS steering committee.

The Santa Fe Metropolitan Planning Organization (MPO) was allocated $50,000 of this grant, as approved by the Transportation Policy Board in August of 2020 and supported by the NMDOT, to provide technical services and support to the Safe Routes to School program development. A separate MUNIS project and BAR have been established for that allocation.

BUDGET

Parks Division NMDOT SRTS Program Grant
Project String: PRK.2025501
Munis Org Name/Number:
2544150Munis Object
Name/Number: 510300

ATTACHMENTS
BAR
SRTS Grant Agreement
PSA Santa Fe Conservation Trust

SCHEDULE:
Public Works & Utilities Committee: 10/12/2021
Finance Committee: 10/18/2021
City Council: 10/27/2021

Log # *{Finance use only}*:	
Journal # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Public Works / Parks Division	10/1/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Parks Division Professional Contracts	2544150	510300	PRK2025501	262,464	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
Parks Division NMDOT Grant	2544150	490150	PRK2025501	(293,006)	
				$ (30,542)	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Safe Routes to schools - NMDOT Grant # D18464; CofSF Contract #21-0059 - Total Award amount: $293,006.00
Per contract, FY22 is requesting the remaining grant allocation of $243,006 and the balance of unspent funds from FY21 of $19,458.07.

The revenue is higher based on the reimbursements not yet received.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
254	30,542
TOTAL:	**30,542**

De Alva Calabaza — 10/1/2021
Prepared By *{print name}* — Date

Melissa A. McDonald (Oct 6, 2021 09:06 MDT) — Oct 6, 2021
Division Director Signature *{optional}* — Date

Regina Wheeler (Oct 6, 2021 10:22 MDT) — Oct 6, 2021
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date:

Agenda Item #:

Andy Hopkins (Oct 6, 2021 11:33 MDT) — Oct 6, 2021
Budget Officer — Date

N/A
Finance Director *{≤ $5,000}* — Date

City Manager *{≤ $60,000}* — Date

ITEM # 20-0112

Contract No: D18464
Vendor No: 0000054360
Project No: S100670
Control No: S100670

GRANT AGREEMENT

This grant agreement (Agreement) is between the New Mexico Department of Transportation (**Department**) and the City of Santa Fe (**Grantee**). The Department and the Grantee hereafter (collectively referenced as, "the Parties"), agree as follows:

1. **Award.** The Department hereby awards the Grantee funding for the following project: "Santa Fe Safe Routes to School Program," (the Project). The total Project cost is $343,406. The local match shall be 14.56% and the Federal (reimburseable) share shall be 85.44%, as shown in Exhibit A.

2. **Scope of Work.** The Grantee shall perform the professional services stated in Exhibit A.

3. **Payment.** The Department will reimburse the Grantee after receipt of a reimbursement request with supporting documentation showing that expenses have been paid by the Grantee.

   a. The Grantee acknowledges that the Department will not pay for any expenses incurred prior to the Parties signing the Agreement, after termination of the Agreement, or in excess of the amount of the federal award noted in Section 1.

   b. Reimbursement requests must be submitted at least quarterly (federal fiscal year) no later than twenty-five (25) days after the last day of the quarter. Each reimbursement request shall reflect the correct federal/local match ratio as applied to the total of costs incurred by the Grantee for the quarter, as noted in Section 1.

   c. When the Grantee pays more than its share of the total for a particular period, it must be clearly noted in the reimbursement request, and the amount of overpayment (over-match) will not be applied to future reimbursement requests.

   d. Requests shall be submitted using the cover sheet provided by the Department, shall be completed fully and correctly, and shall be signed by the Grantee's designated representative. Requests must certify that invoices accurately reflect work completed, amount due and remaining balance.

e. The Department reserves the right to withhold reimbursement if any of the aforementioned requirements are not met.

f. The Grantee shall submit its final reimbursement request no later than thirty (30) days after termination of this Agreement.

g. If the Grantee fails to submit a reimbursement request for two contiguous quarters, the Grantee shall provide written justification for the lack of activity to the Department within fifteen (15) days of the end of the second contiguous quarter.

4. **Records and Audit.** The Grantee shall strictly account for all receipts and disbursements related to this Agreement. The Grantee shall record costs incurred, services rendered and payment received, and shall maintain these financial records during the term of this Agreement and for three (3) years from the date of submission of the final reimbursement request pursuant to 2 CFR Section 200.333 and 1.21.2 NMAC. On request, the Grantee shall provide the financial records to the Department and the state auditor, and shall allow the Department and the state auditor to inspect or audit these financial records during business hours at the Grantee's principal office during the term of this Agreement and for three (3) years from the date of submission of the final reimbursement request. If the financial records provided by the Grantee are insufficient to support an audit by customary accounting practices, the Grantee shall reimburse the Department for any expense incurred related to the insufficient documentation within thirty (30) days of written notice from the Department. If an audit or inspection reveals that funds were used for expenses not directly related to the project, or otherwise used inappropriately, or that payments were excessive or otherwise erroneous, the Grantee shall reimburse the Department for those funds or payments within thirty (30) days of written notice.

5. **Officials Not to Benefit.** The Parties intend that no member of the New Mexico legislature or the United States Congress, or any public official, public employee or tribal council member, in that person's individual capacity, will benefit from this Agreement.

6. **Termination.** The Department may terminate this Agreement for any reason, by giving the Grantee thirty (30) days written notice. On receipt of a "Notice of Cancellation," the Grantee shall suspend work unless otherwise directed by the Department in writing. The Grantee may only terminate this Agreement based on the Department's uncured, material breach of the Agreement and by giving the Department thirty (30) days written notice. The Parties acknowledge that termination will not nullify obligations incurred prior to termination.

7. **Appropriations.** The Grantee acknowledges that:

a. this Agreement is contingent upon sufficient appropriations and authorizations being made by the Congress of the United States or the New Mexico state legislature;

b. if sufficient appropriations and authorizations are not made, this Agreement will terminate upon written notice by the Department to the Grantee; and

c. the Department will not expend any funds until they are approved for expenditure, and the Department's determination as to whether approval has been granted will be final.

8. **Compliance with Law.** The Grantee, its employees, agents and contractors, shall comply with the following:

a. Title VI and Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, the Environmental Justice Act of 1994, the Civil Rights Restoration Act of 1987, and 49 C.F.R. Section 21;

b. all federal and state laws, rules, and regulations, and executive orders of the Governor of the state of New Mexico pertaining to equal employment opportunity, including the Human Rights Act, NMSA 1978, Sections 28-1-1 through 28-1-15, (and in accordance with suc, the Grantee states that no person, on the grounds of race, religion, national origin, sex, sexual orientation, gender identity, spousal affiliation, serious medical condition, age or handicap, will be excluded from employment with or participation in, denied the benefits of, or otherwise subjected to, discrimination in any activity performed under this Agreement. If the Grantee it is found to be in violation of any of these requirements, the Grantee shall take prompt and appropriate steps to correct such violation); and

c. state laws applicable to workers compensation benefits for the Grantee's employees, including the Workers' Compensation Act, NMSA 1978, Sections 52-1-1 through 52-1-70, and related regulations.

9. **Notices.** For a notice under this Agreement to be valid, it must be in writing; be delivered by hand, registered or certified mail return receipt requested and postage prepaid, fax or email; and be addressed as follows:

to the Department at:
Maggie Moore
Urban and Regional Planner
New Mexico Department of Transportation
P.O. Box 1149

to the Grantee at:
Richard Thompson
Parks Division Director
City of Santa Fe
P.O. Box 909

Santa Fe, New Mexico 87504
(505)470-4705
Maggie.moore@state.nm.us

Santa Fe, NM 87504
(505)955-2105
rcthompson@santafenm.gov

10. **Severability**. The terms of this Agreement are lawful; performance of all duties and obligations shall confirm with and do not contravene any state, local, or federal statute, regulation, rule, or ordinance. The parties intend that if any provision of this Agreement is held to be unenforceable, the rest of the Agreement will remain in effect as written.

11. **Tort Claims.** Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Agreement. Any liability incurred in connection with the Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, Sections 41-4-1, *et seq.*, as amended. This paragraph is intended only to define the liabilities between the Parties and it is not intended to modify in any way, the Parties' liabilities as governed by common law or the New Mexico Tort Claims Act.

12. **Jurisdiction and Venue.** The Grantee acknowledges the jurisdiction of the courts of the state of New Mexico for any adversarial proceeding arising out of this Agreement, and that venue for any such proceeding will be in the First Judicial District Court for the county of Santa Fe, New Mexico.

13. **Project Responsibility.** The Grantee acknowledges that it bears sole responsibility for performing the services referred to in Section 2.

14. **Term.** This Agreement takes effect upon signature of all Parties. If the Grantee does not deliver the signed Agreement to the Department within sixty (60) days of the Department's signature, the Agreement will be voidable by the Department. The Agreement terminates at 12:00 a.m. on September 30, 2022 unless earlier terminated as provided in Section 6 or Section 7.

15. **Applicable Law.** The laws of the state of New Mexico, without giving effect to its choice of law principles, govern all adversarial proceedings arising out of this Agreement.

16. **Amendment.** No amendment of this Agreement will be effective unless it is in writing and signed by the Parties.

17. **No Third-party Beneficiary**. This Agreement does not confer any rights or remedies on anyone other than the Department and the Grantee.

18. **Scope of Agreement and Merger.** This Agreement constitutes the entire understanding

between the Parties with respect to the subject matter of the Agreement and supersedes all other agreements, whether written or oral, between the Parties, except that this Agreement does not supersede the Grantee's rights under any other grant Agreement.

19. **Disadvantaged Business Enterprise (DBE).** The following provision applies to a USDOT-assisted federally funded Agreement only. The recipient shall not discriminate on the basis of race, color, national origin, sex, or other protected class in the award and performance of any USDOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by USDOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

The remainder of this page is intentionally left blank.

Each party is signing this Agreement on the date stated opposite that party's signature.

DEPARTMENT OF TRANSPORTATION

Date: 4/24/20

By: _____
Cabinet Secretary or Designee

City of Santa Fe

Date: 3/3/2020

By: _____
Alan Webber, Mayor

City of Santa Fe Attest

Date: 3-5-20

By: _____
Yolanda Y. Vigil, City Clerk
CCmtg 2/26/20

City of Santa Fe Approved

Date: _____

By: _____ 3/2/20
Mary McCoy, Finance Director

Approved as to form and legal sufficiency.

Date: 1/15/2020

By: _____
Assistant General Counsel
Department of Transportation

Approved as to form and legal sufficiency.

Date: 1/16/20

By: _____
City of Santa Fe
Senior Assistant City Attorney

Exhibit A
SCOPE OF WORK AND BUDGET

1. **Scope of Work**. The Grantee shall complete and oversee the following activities for the Santa Fe Public Schools Safe Routes to School (SRTS) Program:

(1) Hire, designate or employ a SRTS Program Manager to develop a sustainable SRTS program for Kindergarten through 8th grade schools within the Santa Fe Public School District that focuses on the 6 E's of Safe Routes to School (Education, Encouragement, Equity, Engineering, Evaluation, and Enforcement) and further enables students to safely walk or bicycle between home and school.

(2) Develop a Santa Fe Safe Routes to School Action Plan.

(3) Establish a local SRTS Team or Coalition to guide the development of the Action Plan and implement strategies identified in the local SRTS Action Plan and the program as a whole.

(4) Pursue relevant and appropriate training opportunities for program manager, local champions or other school representatives.

(5) Build a sustainable SRTS program to include elements of the 6 E's to include:

a) an educational component that develops and/or utilizes engaging and age appropriate materials and curricula around pedestrian & bicycle safety, health and wellness benefits from walking and bicycling, the broad range of transportation choices available in the community, driver responsibility and awareness, and other relevant information to address specific local needs as identified;

b) an encouragement component that includes school specific Walk and Bike to School maps, regular activities and events, such as Walk and Roll to school day, Walking Wednesdays, Two-wheel Tuesdays, and other events and programs as developed by the individual schools, such as a Walking School Bus and/or Bicycle Train program, to incorporate SRTS into each school's unique culture;

c) an equity component to ensure underserved and vulnerable populations are engaged and empowered, and unique barriers that underserved populations face are identified, analyzed, and addressed;

d) an engineering component to evaluate walking and biking routes to schools and make recommendations to city traffic engineers and Santa Fe School District leadership for infrastructure projects to make the streets, sidewalks and walkways safe for students and the community;

e) an evaluation component to assess, review and analyze program

effectiveness, monitor outcomes, conduct parent and student survey's, and employ the assistance (via stipends) of teachers and school administrators to assist in data gathering and monitoring of transportation patterns at each school; and

f) an enforcement component to coordinate and facilitate traffic safety enforcement efforts with local law enforcement, crossing guards, school administrators and the general public.

2. Budget

General Budget	Amount
Federal Funding	$293,406
Local Match	$50,000
Project Total	$343,406
Santa Fe Safe Routes to School Budget Items	**Amount**
SRTS Coordinator (Salary and Benefits 4 years)	$217,350
Grant Administration	$6,440
Safe Routes to School Action Plan	$50,000
Evaluation, Equity and Enforcement	$25,616
Local Champion stipends for SFPS Staff	$18,000
Education & Encouragement	$20,000
Travel and Trainings	$6,000
Project Total	**$343,406**

CONTRACT

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the "City," and **Santa Fe Conservation Trust** hereinafter referred to as the "Contractor," and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

Scope of Work.

The scope is for the development of a "sustainable Safe Routes to School Program for Kindergarten through 8th grade schools within the Santa Fe Public School District" including that of an established Program Coordinator for the duration of the grant, who shall provide oversight, leadership and general management of the program. The City of Santa Fe is fully responsible for the management of the reimbursable grant and it is expected that all work be coordinated with the City to be in full compliance with the federal grant requirements during the entirety of the grant related program.

The City is host to the Santa Fe Metropolitan Planning Organization (MPO) that includes three full time employees. The MPO plays a significant role in the development of a variety of regional transportation and transit plans that serve the metropolitan area. MPO staff will be providing planning services and technical support during two years of the program.

It is the intent of the City of Santa Fe to develop the building blocks of a sustainable SRTS program similar to the successful program developed in Las Cruces, New Mexico and in other communities in the country.

The Contractor shall perform the following work listed below and further detailed in the attached RFP 20/09/P Safe Routes to School proposal, schedule and cost estimates (revisions attached):

Scope of Services

The Contractor will provide technical support, coordination and documentation/plan formatting services in the context of the City's procurement requirements and federal, state transportation planning requirements included in the FHWA's Transportation Alternatives program, by assisting with development and integration of the following Safe Routes to School strategic goals and objectives:

Develop a sustainable Safe Routes to School program for Kindergarten through 8th grade schools within the Santa Fe Public School District that focuses on the core values of Safe Routes to School including education, encouragement, equity, engineering/design, and evaluation. The program shall include but is not limited to the following:

1. an educational component that develops and/or utilizes engaging and age appropriate materials and curricula around pedestrian & bicycle safety, health and wellness benefits from walking and bicycling, the broad range of transportation choices available in the community, driver responsibility and awareness, and other relevant information to address specific local needs as identified;
2. an encouragement component that includes school specific Walk and Bike to School maps, regular activities and events, such as Walk and Roll to school day, Walking Wednesdays, Two-wheel Tuesdays, and other events and programs as developed by the individual schools, such as a Walking School Bus and/or Bicycle Train program, to incorporate SRTS into each school's unique culture;
3. an equity component to ensure underserved and vulnerable populations are engaged and empowered, and unique barriers that underserved populations face are identified, analyzed, and addressed;
4. an engineering component to evaluate walking and biking routes to schools and make recommendations to city traffic engineers and Santa Fe School District leadership for infrastructure projects to make the streets, sidewalks and walkways safe for students and the community;
5. an evaluation component to assess, review and analyze program effectiveness, monitor outcomes, conduct parent and student survey's, and employ the assistance (via stipends) of teachers and school administrators to assist in data gathering and monitoring of transportation patterns at each school; and
6. an enforcement component that is respectful to community values and public engagement so as to coordinate and facilitate traffic safety, relationship building with local law enforcement, crossing guards, school administrators and the general public.

7. Establish a local SRTS Team/Coalition to guide the development of the Action Plan and implementation strategies identified in the local SRTS Action Plan and program as a whole.

8. Develop a Santa Fe Safe Routes to School Action Plan within the first year. The Action plan shall, at a minimum include the following:
   a) Safe Routes to School Program Overview including why the program is important and demonstrable benefits as evidenced from existing programs
   b) Existing conditions inventory of the selected schools
      i. Policies and Programs
      ii. Arrivals and Departures
      iii. Roadway infrastructure and any land use contributing factors within ½ mile of each school
      iv. Base Maps
   c) Public Engagement Initiatives (with consideration of safe COVID-19 practices)
   d) Recommendations
      i. Physical Improvements including School Improvement Maps
      ii. Operational Measures
      iii. Core Value Recommendations
   e) Action Steps – Based on recommendations specific actional objectives with associated time frames and cost estimates
   f) Resources and Recommendations: Throughout the project the team is asked to pursue any relevant and appropriate training opportunities for the program manager, local champions, and school representatives.

The selected Contractor will also:

1. Assist the City of Santa Fe and the MPO with the development of a refined scope of work that details an agreed upon strategy for the development of a Safe Routes to School Program. Please note the initial proposal and subsequent scope of work was developed pre-COVID-19 era. We recognize that substantive changes in public engagement, travel and training and other such project elements are going to require innovative, safe approaches. We look forward to working with a team to develop creative solutions and opportunities during this time.

2. Incorporate relevant existing public input data and recent public input efforts conducted by the City, Schools and MPO to inform additional public engagement efforts.
3. Incorporate any existing relevant planning initiatives that may leverage and inform SRTS planning and programing.
4. Assume additional expenditures outside of the consultant contract such as local stipends for SFPS staff and training expenditures for key stakeholders to be managed by the Safe Routes to School Coordinator or team and other items derived from the development of the Action Plan.

The plan will consider the general needs of the traveling public as well as the specific needs of particular sub- groups including, but not necessarily limited to, school bus operators and users, private motorists, transit users, businesses, students in Grades 9-12 and higher education, elderly people, and people with disabilities.

The plan will include a financial component that describes the costs, both capital and operating, of undertaking plan recommendations and will recommend implementation strategies and metrics for plan elements, including discussion of priorities, staffing levels, levels of service and timing issues.

2. Compensation.

MULTI-YEAR – A. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of $50,000 in FY21. **The total amount payable to the Contractor under this Agreement including expenses, $50,000 in FY21.**

MULTI-YEAR – B. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of $160,000 in FY22. **The total amount payable to the Contractor under this Agreement, including expenses, $160,000 in FY22.**

MULTI-YEAR – C. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of $83,006 in FY23. **The total amount payable to the Contractor under this Agreement, including expenses, $83,006 in FY23.**

The total amount payable to the Contractor under this Agreement including expenses, is not to exceed $293,006. 00.

B. Payment in FY21, FY22, and FY23 is subject to availability of funds pursuant to the Appropriations Paragraph set forth below and to any negotiations between the parties from year to year pursuant to Paragraph 1, Scope of Work, and to approval by the City. All invoices MUST BE received by the City no later than fifteen (15) days after the termination of the Fiscal Year in which the services were delivered. Invoices received after such date WILL NOT BE PAID.)

C. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services have been received and accepted, payment shall be tendered to the Contractor within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the City shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

3. Term.

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY. This Agreement shall terminate on **June 30th 2023** unless terminated pursuant to paragraph 4 (Termination),

or paragraph 5 (Appropriations). In accordance with Section 13-1-150 NMSA 1978, the contract term for this professional services contract, including extensions and renewals, shall not exceed four years, except as set forth in Section 13-1-150 NMSA 1978.

4. Termination.

A. Termination. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the City's sole liability upon such termination shall be to pay for acceptable work performed prior to the Contractor's receipt of the notice of termination, if the City is the terminating party, or the Contractor's sending of the notice of termination, if the Contractor is the terminating party; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Contractor shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Contractor if the Contractor becomes unable to perform the services contracted for, as determined by the City or if, during the term of this Agreement, the Contractor or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of City funds or due to the Appropriations paragraph herein. *THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE City's OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.*

B Termination Management. Immediately upon receipt by either the City or the Contractor of notice of termination of this Agreement, the Contractor shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Agreement without written approval of the City; 2) comply with all directives issued by the City in the notice of termination as to the performance of work under this Agreement; and 3) take such action as the City shall direct for the protection, preservation, retention or transfer of all property titled to the City and records generated under this Agreement. Any non-expendable personal property or equipment provided to or purchased by the Contractor with contract funds shall become property of the City upon termination and shall be submitted to the City as soon as practicable.

5. Appropriations.

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City Council for the performance of this Agreement. If sufficient appropriations and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. Status of Contractor.

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. Assignment.

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. Subcontracting.

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. Release.

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

10. Confidentiality.

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

11. Product of Service -- Copyright.

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

12. Conflict of Interest; Governmental Conduct Act.

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

13. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed

Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

14. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

15. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

16. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

17. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

18. Workers Compensation.

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

19. Professional Liability Insurance. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

20. Other Insurance

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. Commercial General Liability insurance shall be written on an occurrence basis and be a broad as ISO Form CG 00 01 with limits not less than $2,000,000 per occurrence and $2,000,000 in the aggregate for claims against bodily injury, personal and advertising injury, and property damage. Said policy shall include broad form Contractual Liability coverage and be endorsed to name the City of Santa Fe their officials, officers, employees, and agents as additional insureds.

B. Business Automobile Liability insurance for all owned, non-owned automobiles, with a combined single limit not less than $1,000,000 per accident.

C. Broader Coverage and Limits. The insurance requirements under this Agreement shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the Named Insured. It is agreed that these insurance requirements shall not in any way act to reduce coverage that is broader or that includes higher limits than the minimums required herein. No representation is made that the minimum insurance requirements of this Agreement are sufficient to cover the obligations of Contractor hereunder.

Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

21. Records and Financial Audit.

The Contractor shall maintain detailed time and expenditure records that indicate the date; time, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments

22. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

23. New Mexico Tort Claims Act

Any liability incurred by the City of Santa Fe in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

24. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

25. Enforcement of Agreement.

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver

26. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City:
Erick Aune
Santa Fe MPO Officer
PO Box 909
Santa Fe, NM 87504

To the Contractor:
Sarah Noss, Executive Director
Santa Fe Conservation Trust
PO Box 23985
Santa Fe NM 87502

27. Authority.

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

ALAN WEBBER, MAYOR

DATE: Mar 1, 2021

CONTRACTOR:
Santa Fe Conservation Trust

Sarah Noss, Executive Director

DATE: 12-21-20

CRS# 022 665 33001

Registration # 225663

ATTEST:

GC

CITY CLERK
GB MTG 02/24/2021

APPENDIX D

COST RESPONSE FORM

Description	Type	Quantity	Cost per Item
Project Management	Hour	280	$65.00
Strategic Implementation Plan	Hour	1310	$65.00
Community Engagement	Hour	1310	$65.00
Stakeholder Engagement	Hour	292	$65.00
GIS/Mapping	Hour	341	$88.00
Web Developments	Hour	57	$88.00
Walk/Bike Route Evaluations	Hour	140	$143.00
Other appropriate costs associated with scope/task implementation	Unit	1	$30,482

All amounts provided must include all labor, materials, equipment, transportation, configuration, installation, training and profit to provide the goods and/or services described in Section IV.A (as amended by any current RFP amendments for the period specified).

Option Year 1: (03/01/2021 thru 06/30/2021) Price: $50,000

Option Year 2: (07/01/2021 thru 06/30/2022) Price: $160,000

Option Year 3: (07/01/2022 thru 06/30/2023) Price: $83,006

SRTS BAR Packet FY22

Final Audit Report 2021-10-06

Created:	2021-10-05
By:	Jessica Pfeifer (jepfeifer@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_wigQkI_4gsraYGeKvF274fK7KJRiOiz

"SRTS BAR Packet FY22" History

Document created by Jessica Pfeifer (jepfeifer@ci.santa-fe.nm.us)
2021-10-05 - 1:46:47 PM GMT- IP address: 63.232.20.2

Document emailed to Melissa A. McDonald (mamcdonald@santafenm.gov) for signature
2021-10-05 - 1:49:32 PM GMT

Email viewed by Melissa A. McDonald (mamcdonald@santafenm.gov)
2021-10-06 - 3:06:00 PM GMT- IP address: 104.47.64.254

Document e-signed by Melissa A. McDonald (mamcdonald@santafenm.gov)
Signature Date: 2021-10-06 - 3:06:30 PM GMT - Time Source: server- IP address: 63.232.20.2

Document emailed to Regina Wheeler (rawheeler@santafenm.gov) for signature
2021-10-06 - 3:06:33 PM GMT

Email viewed by Regina Wheeler (rawheeler@santafenm.gov)
2021-10-06 - 4:20:49 PM GMT- IP address: 104.47.64.254

Document e-signed by Regina Wheeler (rawheeler@santafenm.gov)
Signature Date: 2021-10-06 - 4:22:06 PM GMT - Time Source: server- IP address: 63.232.20.2

Document emailed to Andy Hopkins (ajhopkins@santafenm.gov) for signature
2021-10-06 - 4:22:09 PM GMT

Email viewed by Andy Hopkins (ajhopkins@santafenm.gov)
2021-10-06 - 5:32:02 PM GMT- IP address: 104.47.64.254

Document e-signed by Andy Hopkins (ajhopkins@santafenm.gov)
Signature Date: 2021-10-06 - 5:33:17 PM GMT - Time Source: server- IP address: 63.232.20.2

Agreement completed.
2021-10-06 - 5:33:17 PM GMT

POWERED BY Adobe Sign

ACTION SHEET PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021
ISSUE NO. 7k Request for Approval of Budget Amendment Resolution (BAR) in the Amount of $262,464 to Carry Forward the Balance of the Safe Routes to School (SRTS) Grant Funds Encumbered for the PSA with Santa Fe Conservation Trust. (Melissa McDonald, Interim Parks Division Director: mamcdonald@santafenm.gov, 505-303-9502). **Committee Review:** Public Works & Utilities Committee: 10/12/2021 Finance Committee: 10/18/2021 City Council: 10/27/2021
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler for discussion. Approved to forward to 10/18/2021 Finance Committee
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

Request for Approval of Budget Amendment Resolution (BAR) in the Amount of $262,464 to Carry Forward the Balance of the Safe Routes to School (SRTS) Grant Funds Encumbered for the PSA with Santa Fe Conservation Trust. (Melissa McDonald, Interim Parks Division Director: mamcdonald@santafenm.gov, 505-303-9502).

Committee	**Review:**
Public Works & Utilities Committee:	10/12/2021
Finance Committee:	10/18/2021
Governing Body: 10/27/2021	

FINANCE COMMITTEE ACTION:
Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

City of Santa Fe, New Mexico

memo

Date: September 17, 2021

To: Public Works & Utilities and Finance Committees

Via: Shannon Jones, Public Utilities Director SJ
Jesse Roach, Water Division Director JR

From: Alan G Hook, Water Resources Coordinator Assistant A.H.

RE: Renewal of Joint Funding Agreement (JFA) 22RGJFA30 with the United States Department of Interior's (DOI) United States Geological Survey (USGS) for $78,855 (excluding GRT) to continue permit-required monitoring programs for Santa Fe River and Buckman Well Field.

Background: The City of Santa Fe (City) and USGS maintain a JFA which provides water level monitoring data as required by the New Mexico Office of the State Engineer (OSE) and regulatory permitting for both the Rio Grande Compact Commission (RGCC) and Interstate Stream Commission (ISC) compliance rules. The monitoring data collected via the JFA also provides the City essential information for managing water storage levels within McClure and Nichols Reservoirs, implementing the scheduled bypass flows for the Santa Fe River Target Flow Ordinance and evaluating pumping effects on the regional aquifer system.

Item: The primary objective of the JFA is to monitor surface and ground water as required for permit compliance with the OSE and the RGCC and the ISC compliance rules. The secondary objective of the stream gage on the Santa Fe River above McClure Reservoir is to measure native Santa Fe River flows to achieve the objectives within the Santa Fe River Target Flow Ordinance.

The monitoring consists of:

- Operating stream gages on Santa Fe River above McClure and Cochiti Reservoirs
- Operating continuous water level recorders at monitor wells in the Buckman Well Field
- Posting data on USGS website for public and scientific purposes

The JFA total project funding and costs are $127,883 of which the City of Santa Fe provides $78,855 and USGS provides $49,028. The cost share percentage is established in protocols developed by USGS in *Agreements for Cooperative Work with States, Counties, Municipalities, and other Governmental Subdivisions, Form 9-1366* and is consistent with all JFAs that USGS has executed in New Mexico. JFA details are attached.

PROCUREMENT METHOD:
This Agreement is Exempt Procurement under 13-91-8 A.

CONTRACT NUMBER:

CC: Bill Schneider, Water Resources & Conservation Supervisor

The FY20 Munis contract number is 3202973

FUNDING SOURCE:

The funding source is:
Fund Name/Number: Water Division/ 505
Munis Org Name/Number: Administration/5050381
Munis Object Name/Number: Professional Services/510300

ACTION REQUESTED:
Staff is seeking approval to renew the JFA for $78,855 (excluding GRT), The term of the JFA is from October 1, 2021 through September 30, 2023 (City of Santa Fe FY2022-24).

CC: Bill Schneider, Water Resources & Conservation Supervisor

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000333
Agreement #: 22RGJFA30
Project #: RG00GVC
TIN #: 85-6000168

Fixed Cost Agreement YES[X] NO[ ]

THIS AGREEMENT is entered into as of the October 1, 2021, by the U.S. GEOLOGICAL SURVEY, New Mexico Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the CITY OF SANTA FE party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation a project to continue with these activities; 1) operate streamflow gages at Santa Fe River above McClure Reservoir and Santa Fe River above Cochiti; and 2) operate and maintain continuous water-level recorders at the SF1, SF2, Buckman, and Las Campanas sites and make water-level measurements at SF1 through 5, Buckman and Las Campanas, herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of $0.00

(a) $49,028 by the party of the first part during the period October 1, 2021 to September 30, 2023

(b) $78,855 by the party of the second part during the period October 1, 2021 to September 30, 2023

(c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: $0

Description of the USGS regional/national program:

(d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

(e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (https://www2.usgs.gov/fsp/).

Form 9-1366
(May 2018)

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations

Customer #: 6000000333
Agreement #: 22RGJFA30
Project #: RG00GVC
TIN #: 85-6000168

9. Billing for this agreement will be rendered **quarterly**. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Erik Storms
Address: 6700 Edith Blvd NE
Albuquerque, NM 87113
Telephone: (505) 830-7925
Fax:
Email: estorms@usgs.gov

Customer Technical Point of Contact

Name: Mr. Alan G. Hook
Address: PO Box 909
Santa Fe, NM 87504
Telephone: (505) 955-4205
Fax:
Email:

USGS Billing Point of Contact

Name: Esther Torrez
Address: 6700 Edith Blvd NE
Albuquerque, NM 87113
Telephone: (505) 830-7909
Fax: (505) 830-7950
Email: mvaldez@usgs.gov

Customer Billing Point of Contact

Name: Jamie-Rae Diaz
Address: PO Box 909
Santa Fe, NM 87504
Telephone: (505) 955-4210
Fax:
Email: jldiaz@santafenm.gov

U.S. Geological Survey
United States
Department of Interior

Signature

By JEANNIE BARLOW Digitally signed by JEANNIE BARLOW Date: 2021.07.26 17:19:07 -06'00' **Date: 07/26/2021**
Name: Jeannie R.B. Barlow
Title: Director, New Mexico Water Science Center

City of Santa Fe

Signatures

By_____ **Date:** _____
Name:
Title:

By_____ **Date:** _____
Name:
Title:

By_____ **Date:** _____
Name:
Title:

CITY OF SANTA FE:

_____
ALAN WEBBER, MAYOR

DATE:_____

ATTEST:

_____
KRISTINE BUSTOS MIHELCIC ,CITY CLERK

CITY ATTORNEY'S OFFICE:

Marcos Martinez
Marcos Martinez (Sep 17, 2021 10:30 MDT)

_____
SENIOR ASSISTANT CITY ATTORNEY

APPROVED:

_____
MARY MCCOY, FINANCE DIRECTOR

Project Funding and Costs
October 1, 2021 – September 30, 2022

Total Funding
$63,359

City of Santa Fe U.S. Geological Survey
$38,845 $24,514

Funding Breakdown by Program Element

Program Element

Streamflow gages

Streamflow gages		**Federal FY 2022 Oct. 1, 2021 – Sept. 30, 2022**		
Station Number	**Station Name**	**Santa Fe**	**USGS**	**Total**
08315480	Santa Fe River above McClure Reservoir	$10,438	$7,278	$17,716
08317200	Santa Fe River above Cochiti Lake	$10,438	$7,278	$17,716
		$20,876	$14,556	$35,432
Total Streamflow gages 2022				**$35,432**

Groundwater-level monitoring

Water-level monitoring		**Federal FY 2022 Oct. 1, 2021 – Sept. 30, 2022**		
		Santa Fe	**USGS**	**Total**
	Operation and maintenance of water-level recorders at SF1, SF2, Buckman, and Las Campanas and bi-monthly water-level measurements (6 per year) at SF 1, 2, 3, 4, and 5; Buckman and Las Campanas	$17,969	$9,958	$27,927
		$17,969	$9,958	$27,927
Total Water-level monitoring 2022				**$27,927**

Project Funding and Costs
October 1, 2022 – September 30, 2023

Total Funding
$64,524

City of Santa Fe U.S. Geological Survey
$40,010 $24,514

Funding Breakdown by Program Element

Program Element

Streamflow gages

Streamflow gages		**Federal FY 2023 Oct. 1, 2022 – Sept. 30, 2023**		
Station Number	**Station Name**	**Santa Fe**	**USGS**	**Total**
08315480	Santa Fe River above McClure Reservoir	$10,751	$7,278	$18,029
08317200	Santa Fe River above Cochiti Lake	$10,751	$7,278	$18,029
		$21,502	$14,556	$36,058
Total Streamflow gages 2023				**$36,058**

Groundwater-level monitoring

Water-level monitoring		**Federal FY 2023 Oct. 1, 2022 – Sept. 30, 2023**		
		Santa Fe	**USGS**	**Total**
	Operation and maintenance of water-level recorders at SF1, SF2, Buckman, and Las Campanas and bi-monthly water-level measurements (6 per year) at SF 1, 2, 3, 4, and 5; Buckman and Las Campanas	$18,508	$9,958	$28,466
		$18,508	$9,958	$28,466
Total Water-level monitoring 2023				**$28,466**

City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # 3202973

Contractor: **USDI USGS**

Description: **Joint Funding Agreement for Stream Gaging & Ground Water Monitoring 22RGJFA30**

Contract ☐ Agreement ☉ Lease / Rent ☐ Amendment ☐

Term Start Date: 10/1/21 Term End Date: **9/30/23**

☒ Approved by Council Date: Pending

Contract / Lease: JFA $78,855

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount $ _____

Extend Termination Date to: _____

☑ Approved by Council Date: _____

Amendment is for:

2. **HISTORY** of Contract, Amendments & Lease / Rent - **Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. **Procurement History:** **Federal Government Agreement** Exempt Procurement

Fran Delaney (Sep 24, 2021 13:44 MDT) Sep 24, 2021

Purchasing Officer Review: Date:

Comment & Exceptions: _____

4. **Funding Source:** **Water Division** **Org / Object:** **5050381.510300**

Andy Hopkins (Sep 24, 2021 10:38 MDT) Sep 24, 2021

Budget Officer Approval: Date:

Comment & Exceptions: _____

Staff Contact who completed this form: **Maya Martinez** Phone # **4271**

Email: **mfmartinez@santafenm.gov**

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: USDI – USGS
Procurement Title: Joint Funding Agreement 22RGJFA30

Procurement Method: State Price Agreement ☐ *Cooperative* ☐ *Sole Source* ☐ *Other* ☒ *Federal Government Agreement*

Exempt ☒ *Request For Proposal (*RFP) ☐ *Invitation To Bid (ITB)* ☐ *Contract under 60K* ☐ *Contract over 60K* ☐

Department Requesting Public Utilities Department Staff Name Alan Hook

Procurement Requirements:
A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☐	☒	State Price Agreement
☐	☒	RFP
☐	☒	Evaluation Committee Report
☐	☒	ITB
☐	☒	Bib Tab
☐	☒	Quotes (3 valid current quotes)
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☒	☐	Purchasing Officers approval for exempt procurement
☐	☒	BAR
☐	☒	FIR
☒	☐	Executed Contract, Agreement or Amendment
☐	☒	Current Business Registration and CRS numbers on contract or agreement
☒	☐	Summary of Contracts and Agreements form
☐	☒	Certificate of Insurance
☐	☐	All documentation presented to Committees
☐	☐	Other:

Alan Hook
Alan Hook (Sep 20, 2021 13:37 MDT)

Public Utilities Dept / Alan Hook — Water Resources Coordinator Asst. — 9/20/2021
Department Rep Printed Name (attesting that all information included) — Title — Date

Fran Dunaway
Fran Dunaway (Sep 24, 2021 13:44 MDT)

Chief Procurement Officer — Sep 24, 2021
Purchasing Officer (attesting that all information is reviewed) — Title — Date

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

City of Santa Fe, New Mexico

memo

Date: 9/8/21

To: Fran Dunaway, Procurement Manager

From: Alan Hook, Water Resources A.H.

RE: Request approval of exempt procurement the Joint Funding Agreement (JFA) 22RGJFA30

ITEM AND ISSUE

The Water Division requests approval of an exempt procurement the Joint Funding Agreement (JFA) 22RGJFA30 with the City of Santa Fe (City) and the United States Department of Interior - US Geological Survey (USDI-USGS) that outlines the joint funding and scope to 1)operate streamflow gages at Santa Fe River above McClure Reservoir and Santa Fe River above Cochiti; and 2) operate and maintain continuous water-level recorders at the SF1, SF2, Buckman, and Las Campanas sites and make water-level measurements at SF1 through 5, Buckman and Las Campanas, herein called the program.

Exempt Procurement is being requested under the following:

13-1-98. Exemptions from the Procurement Code.

A. procurement of items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in Sections 13-1-135 through 13-1-137 NMSA 1978;

Approved:

Fran Dunaway, Purchasing Director

Signature:

Email: jdroach@santafenm.gov

Signature: Shannon Jones

Email: swjones@santafenm.gov

Signature: 

Email: jdroach@santafenm.gov

Signature: 

Email: swjones@santafenm.gov

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021

ISSUE NO. 7b

Request for Approval of renewal of Joint Funding Agreement (JFA) 22RGJFA30 with the United States Department of Interior's (DOI) United States Geological Survey (USGS) for $78,855 (excluding GRT) to continue permit-required monitoring programs for Santa Fe River and Buckman Well Field. (Alan Hook, Water Resources Coordinator, aghook@santafenm.gov, 955-4205)

Committee Review:
Public Works and Utilities Committee: 10/12/2021
Finance Committee: 10/18/2021
Governing Body: 10/27/2021

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 10/18/2021 Finance Committee

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

Request for Approval of renewal of Joint Funding Agreement (JFA) 22RGJFA30 with the United States Department of Interior's (DOI) United States Geological Survey (USGS) for $78,855 (excluding GRT) to continue permit-required monitoring programs for Santa Fe River and Buckman Well Field. (Alan Hook, Water Resources Coordinator, aghook@santafenm.gov, 955-4205)

Committee	**Review:**
Public Works & Utilities Committee:	10/12/2021
Finance Committee:	10/18/2021
Governing Body: 10/27/2021	

FINANCE COMMITTEE ACTION:
Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

City of Santa Fe, New Mexico

memo

Date: October 6, 2021

To: Governing Body

Public Utilities Committee

Finance Committee

Fr: Shannon Jones, Interim Water Div. & Public Utilities Dept. Director SJ
Jesse Roach, Water Division Director JR

RE: Budget Adjustment / Increase from Cash Balance for Water Division CIP project and operating project balances

The Water Division is requesting approval of a Budget Adjustment/Increase for approved contracts and purchase order balances in the New Fiscal Year 2022 in the amount of $ 1,206,395. The approved Projects and Contracts are as follows:

Carollo - CRWTP CPE	$108,813
Bosque Natural – Watershed Vegetation	$ 65,063
Carollo – On Call	$276,388
AECOM – On Call	$ 69,761
Hazen – On Call	$105,721
Sub Surface – City Wide	$467,395
BHI – Cerrillos Road	$113,254

Requested Action:

Staff is requesting your approval of the Budget Adjustment/Budget Increase from the Water Enterprise Cash Balance and forwarding to Finance Committee and City Council for approval.

Log # *{Finance use only}*:	
Batch # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
PUD/Water/CIP	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Water CIP Carollo CRWTP CPE	5050395	572960	WTR1950528	108,813	
Water CIP Bosque	5050395	572970	WTR1950511	65,063	
Water CIP Carollo On Call	5050395	510320	WTR1950501	276,388	
Water CIP AECOM On Call; Hazen On Call	5050395	510320	WTR250503	175,482	
Water CIP Sub Surface CW	5050395	572970	WTR1950536	467,395	
Water CIP BHI	5050395	572960		113,254	
				1,206,395	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
				$ 1,206,395	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Budget Increase from Cash Balance in Water Enterprise Fund to fund CIP projects from FY 2021

Re-appropriation for exisitng Contracts and projects, PO Balances for each at Year End.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
505	(1,206,395
TOTAL:	**(1,206,395**

Maya Martinez 9/29/2021
Prepared By *{print name}* Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

Andy Hopkins
Andy Hopkins (Oct 7, 2021 15:24 MDT) 10/7/21
Budget Officer Date

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Division Director Signature *{optional}* Date

Shannon Jones 10/7/21
Department Director Signature Date

Finance Director *{≤ $5,000}* Date

City Manager *{≤ $60,000}* Date

ACTION SHEET PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021
ISSUE NO. 7m Request for Approval of a Budget Adjustment Resolution (BAR) from Cash Balance to Water Division CIP and Operating Project Balances in the amount of $1,206,395. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309 **Committee Review:** Public Works and Utilities Committee: 10/12/2021 Finance Committee: 10/18/2021 Governing Body: 10/27/2021
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler for discussion. Approved to forward to 10/18/2021 Finance Committee
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

Request for Approval of a Budget Adjustment Resolution (BAR) from Cash Balance to Water Division CIP and Operating Project Balances in the amount of $1,206,395. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309

Committee	**Review:**
Public Works and Utilities Committee:	10/12/2021
Finance Committee:	10/18/2021
Governing Body: 10/27/2021	

FINANCE COMMITTEE ACTION:
Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

01/13/21

City of Santa Fe, New Mexico

memo

Date: October 6, 2021

To: Finance Committee
Public Utilities Committee

Fr: Shannon Jones, Interim Water Div. & Public Utilities Dept. Director SJ
Mike Dozier, Waste Water Management Division Director MD

RE: Budget Adjustment / Increase from Cash Balance for Waste Water Division CIP project and operating project FY 2021 balances

The Waste Water Management Division is requesting approval of a Budget Adjustment/Increase from approved contracts and purchase order balances in the New Fiscal Year 2022 in the amount of $ 4,350,805. The approved Projects and Contracts are as follows:

HDR – Digester Project	$51,007
Bradbury Stamm – Digester Project	$1,151,445
Carollo – Aeration project	$69,845
RMCI – Aeration Project	$2,935,205
Alpha SW – On Call	$81,141
Parkson – Rotopress -	$49,520
Carollo – On Call	$12,642

Requested Action:

Staff is requesting your approval of the Budget Adjustment/Budget Increase from the Waste Water Management Enterprise Cash Balance and forwarding to Finance Committee and City Council for approval.

Log # *{Finance use only}*:	
Batch # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
PUD/WWMD	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
WWMD CIP HDR	5000375	572960	WWM195000A	51,007	
WWMD CIP Bradburry Stamm	5000375	572970	WWM195000A	1,151,445	
WWMD CIP Carollo	5000375	572960	WWM205001	69,845	
WWMDCIP RMCI	5000375	572970	WWM2050001	2,935,205	
Alpha On Call & Rotopress system	5000367	520150		130,661	
Carollo On Call	5000363	510320		12,642	
				4,350,805	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
				$ 4,350,805	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Budget Increase from Cash Balance in WWMD Enterprise Fund to fund FY 2021 Contract

Re-appropriation for exisitng Contracts and projects, PO Balances for each at Year End.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
500	(4,350,805)
TOTAL:	**(4,350,805)**

Maya Martinez 9/29/2021
Prepared By *{print name}* Date

Michael Dozier (Oct 6, 2021 17:39 MDT) 10/6/21
Division Director Signature *{optional}* Date

Shannon Jones 10/6/2021
Department Director Signature Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Andy Hopkins (Oct 7, 2021 09:28 MDT) 10/7/21
Budget Officer Date

Finance Director *{≤ $5,000}* Date

City Manager *{≤ $60,000}* Date

ACTION SHEET PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021
ISSUE NO. 7n Request for Approval of Budget Adjustment Resolution (BAR) from Cash Balance for Wastewater Division CIP Projects and Operating Projects in the amount of $4,350,805. (Mike Dozier, Wastewater Division Director, mldozier@santafenm.gov) **Committee Review:** Public Works and Utilities Committee: 10/12/2021 Finance Committee: 10/18/2021 Governing Body: 10/27/2021
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler for discussion. Approved to forward to 10/18/2021 Finance Committee
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

Request for Approval of Budget Adjustment Resolution (BAR) from Cash Balance for Wastewater Division CIP Projects and Operating Projects in the amount of $4,350,805. (Mike Dozier, Wastewater Division Director, mldozier@santafenm.gov)

Committee	**Review:**
Public Works and Utilities Committee:	10/12/2021
Finance Committee:	10/18/2021
Governing Body: 10/27/2021	

FINANCE COMMITTEE ACTION:
Approved on consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

01/13/21

MEMORANDUM

TO:	Governing Body
VIA:	Jarel LaPan Hill, City Manager
FROM:	Mary McCoy, Finance Director MM
	Bernadette Salazar, HR Director
RE:	City of Santa Fe - $15 Minimum Wage – Resolution and BAR
DATE:	10/15/2021

ITEM AND ISSUE:

Request for the Approval of Resolution waiving the City personnel rule's limitations on salary increases for the purpose of offering a wage of at least fifteen dollars per hour to all city employees in November, 2021 and Budget Adjustments in the total amount of $149,862 to increase salaries to $15 per hour. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, HR Director, bjsalazar@santafenm.gov, 505-955-6591)

BACKGROUND AND SUMMARY:

Since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the minimum wage pay rate has increased 22 times by 12 different presidents; however, the federal minimum wage hasn't been raised since July 2009, when it was increased to $7.25 per hour.

The City of Santa Fe follows the living wage ordinance which was adopted to establish minimum hourly wages for all businesses in Santa Fe. Currently, the City pays its employees, including part-time and temporary employees, an hourly minimum wage of $12.32 per hour.

Previously, City workers received the following wage adjustments for competitiveness:

- In 2019 to address retention in our police force the City provided $600 thousand in retention incentives for police officers.
- In 2019 to address vacancy rates for transit, paratransit and transit shuttle operators AFSCME employees in bus drivers received approximately $120,000 in a retention incentive program.
- As a result of the 2018 classification and compensation study 290 AFSCME employees (43%) who were paid below the market rate received an average of an 8% raise in FY20.
- In FY20 the City increased the starting wage for cadets from $19.11 per hour to $21 an hour and provided a hiring incentive for new officers with experience in an effort to fill vacant positions.

- In FY21 and FY22 the City also offered $15,000 signing bonus for police officers moving laterally from another law enforcement agency.

PROPOSAL:

Rule 15.10 of the City's Rules, Regulations, and Policies, allow for the Governing Body to "temporarily modify or waive" any of its Rules if it would be reasonable, appropriate, lawful, and necessary for the orderly and efficient administration of the City." The resolution authorizes the waiver of limitations in existing personnel rules governing the offering of salary increases in order to allow the City Manager to offer all City employees an hourly wage of at least fifteen dollars per hour. The resolution also directs the City Manager to offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do not currently make fifteen dollars per hour by the end of November 2021.

Offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees, would allow all employees the opportunity to earn more than double the federal minimum wage; help ensure the City is competitive in the current job market in order to retain our current employees and attract new employees; and help ensure the City is staffed up to provide our community with the highest quality of services.

FISCAL IMPACT:

The Budget Office has summarized the fiscal impact of this change for part-time, full-time, term, at-will, classified, probationary, and temporary employees on the various City funds in FY22. The impact for offering at least fifteen dollars per hour for all City of Santa Fe employees for the remainder of the current fiscal year totals $169,706 across all funds and the total full year cost is $294,157 across all funds. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). The table below summarizes the proposed budget adjustment (see attached) of $149,862 from General Fund reserves to fund offering at least fifteen dollars per hour for City of Santa Fe employees. This includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

Budget Adjustment from General Fund Reserves			
		Total Cost -	
		Remainder of FY	**Total Cost -**
Fund	**Fund Title**	**(15 pay periods)**	**Full Year**
100	General Fund	90,314	156,544
222	Fire Environmental Service	2,982	5,169
233	Transportation Grants	1,949	3,378
241	Senior Citizen Grants/Programs	17,493	30,321
251	Library	1,743	3,021
515	Railyard Properties	1,353	2,345
530	Municipal Recreation Complex	2,590	4,489
535	Parking	12,475	21,623
540	Transit Bus System	5,648	9,790
545	Airport	2,605	4,515
550	Genoveva Chavez Community Ctr	10,710	18,564
TOTAL		**149,862**	**259,761**

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

The table below summarizes a technical budget adjustment from vacancy savings in the same fund/division to fund offering at least fifteen dollars per hour for City of Santa Fe employees.

Increases Funded by TBARs from Vacancy Savings In the Same Fund/Division			
		Total Cost - Remainder of FY	Total Cost - Full Year
Fund	**Fund Title**	**(15 pay periods)**	
505	Water Management	2,369	4,106
511	Utilities Administration	1,517	2,629
TOTAL		**3,886**	**6,736**

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

The table below summarizes where vacancy savings within the same org will fund offering at least fifteen dollars per hour for City of Santa Fe employees.

Increases Funded by Vacancy Savings Within Affected Org/No Adj Needed			
		Total Cost - Remainder of FY	Total Cost - Full Year
Fund	**Fund Title**	**(15 pay periods)**	
213	Lodgers' Tax Fund	1,292	2,239
365	1/2% GRT Income Fund	2,160	3,744
500	Waste Water Management	199	345
505	Water Management	867	1,503
511	Utilities Administration	1,517	2,629
520	Santa Fe Convention Center	9,923	17,200
TOTAL		**15,958**	**27,661**

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

ACTION REQUESTED:

We respectfully request your review and approval. The resolution, informational packet and BARs will be presented through the governing body process.

- October 20 2021- Quality of Life Committee
- October 25, 2021- Public Works and Public Utilities Committee
- October 27, 2021- Governing Body

ATTACHMENTS:

Resolution
Budget Adjustment Resolution
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell	Councilor Carol Romero-Wirth
Councilor Roman "Tiger" Abeyta	Councilor Jamie Cassutt
Councilor Chris Rivera	Councilor Michael J. Garcia
Councilor JoAnne Vigil Coppler	Councilor Renee Villarreal

A RESOLUTION

WAIVING THE CITY PERSONNEL RULE'S LIMITATIONS ON SALARY INCREASES FOR THE PURPOSE OF OFFERING A WAGE OF AT LEAST FIFTEEN DOLLARS PER HOUR TO ALL CITY EMPLOYEES IN NOVEMBER, 2021.

WHEREAS, since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the federal minimum pay rate has been increased 22 times, by 12 different U.S. presidents, but it hasn't been raised since July 2009, when it was increased to seven dollars and twenty-five cents per hour; and

WHEREAS, the City pays its employees, including part-time and temporary employees, no less than the hourly wage established by the Living Wage Ordinance, SFCC 1987, Section 28-1; and

WHEREAS, the Living Wage in the City of Santa Fe is twelve dollars and thirty-two cents currently; and

WHEREAS, offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees,

would allow all employees the opportunity to earn more than double the federal minimum wage; and

WHEREAS, other than for employees for whom a wage increase could cause a benefits cliff that would negatively impact income eligible benefits, a fifteen dollar wage would help City workers who work and live in Santa Fe to meet their financial needs, as well as keep the City competitive in the current competitive job market; and

WHEREAS, pursuant to SFCC 1987, Section 2-4.6(B), the City Manager is responsible for compliance with the city's personnel rules and regulations in her employment of all municipal employees;

WHEREAS, Rule 6 of the City's Rules, Regulations, and Policies, regarding the Pay Plan of the City, provides for the City Manager to provide salary increases in three circumstances:

1. Productivity increases for certain employees, based on demonstrated quality of performance and a productivity formula as approved by the City Council;
2. For the emergency retention of employees, except those in temporary status, who have completed at least six months continuous service, other than to retain employees under consideration for another position in the City; and
3. Longevity pay when an employee's salary reaches the maximum pay rate for his/her position after his/her fifteenth year of total service; and

WHEREAS, Rule 15.10 of the City's Rules, Regulations, and Policies, allow for the Governing Body to "temporarily modify or waive" any of its Rules if it would be reasonable, appropriate, lawful, and necessary for the orderly and efficient administration of the City."

WHEREAS, 150 positions (130 filled, 20 vacant) are currently paid less than fifteen dollars per hour and the positions span nine City departments and 27 job classifications; and

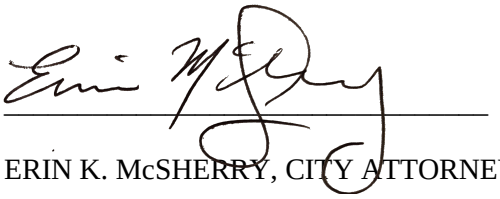
WHEREAS, the 150 positions include positions impact non-union, AFSCME and Fire Unions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body finds that it would be reasonable, appropriate, lawful, and necessary to waive limitations in its existing personnel rules governing the offering of salary increases in order to allow the City Manager to offer all City employees an hourly wage of at least fifteen dollars per hour.

BE IT FURTHER RESOLVED that, by the end of November 2021, the City Manager shall offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do not currently make fifteen dollars per hour.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2021.

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Personnel Wage Rules Waiver

Log # *{Finance use only}*:	
Journal # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
City Clerk / Salaries	1000214	500110		1,163	
City Clerk / FICA	1000214	503100		89	
City Clerk / PERA	1000214	503150		242	
City Clerk / Retiree Health Care	1000214	503250		23	
Library / Salaries	1000102	500110		2,004	
Library / FICA	1000102	503100		153	
Library / PERA	1000102	503150		417	
Library / Retiree Health Care	1000102	503250		40	
Library / Salaries	1000103	500110		1,336	
Library / FICA	1000103	503100		102	
Library / PERA	1000103	503150		270	
Library / Retiree Health Care	1000103	503250		26	
Library / Salaries	2510104	500110		1,337	
Library / FICA	2510104	503100		102	
Library / PERA	2510104	503150		278	
Library / Retiree Health Care	2510104	503250		26	
Seniors / Salaries	2410111	500110		7,094	
Seniors / FICA	2410111	503100		143	
Seniors / PERA	2410111	503150		138	
Seniors / Retiree Health Care	2410111	503250		13	
				$ 14,996	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

Andy Hopkins — 10/19/2021
Prepared By *{print name}* — Date

N/A
Division Director Signature *{optional}* — Date

Mary McCoy
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Alexis Lotero
Alexis Lotero (Oct 20, 2021 11:31 MDT)
Budget Officer — Date

N/A
Finance Director *{≤ $5,000}* — Date

N/A
City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Seniors / Salaries	2410114	500110		7,747	
Seniors / FICA	2410114	503100		591	
Seniors / PERA	2410114	503150		1,611	
Seniors / Retiree Health Care	2410114	503250		156	
Fire Operations / Salaries	1000021	500110		1,680	
Fire Operations / FICA	1000021	503100		23	
Fire Operations / PERA	1000021	503150		535	
Fire Operations / Retiree Health Care	1000021	503250		40	
Fire Ops (Wildland) / Salaries	1000173	500110		7,200	
Fire Ops (Wildland) / FICA	1000173	503100		105	
Fire Ops (Wildland) / PERA	1000173	503150		1,497	
Fire Ops (Wildland) / Retiree Health Care	1000173	503250		144	
Municipal Court / Salaries	1002700	500110		3,665	
Municipal Court / FICA	1002700	503100		281	
Municipal Court / PERA	1002700	503150		761	
Municipal Court / Retiree Health Care	1002700	503250		74	
Police Admin / Salaries	1000310	500110		4,554	
Police Admin / FICA	1000310	503100		346	
Police Admin / PERA	1000310	503150		944	
Police Admin / Retiree Health Care	1000310	503250		90	
				$ 32,044	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

Andy Hopkins — Prepared By *{print name}* — 10/19/2021 Date

N/A — Division Director Signature *{optional}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Finance Director *{≤ $5,000}* — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Airport / Salaries	5456050	500110		1,997	
Airport / FICA	5456050	503100		153	
Airport / PERA	5456050	503150		415	
Airport / Retiree Health Care	5456050	503250		40	
Facilities / Salaries	1000434	500110		18,451	
Facilities / FICA	1000434	503100		1,410	
Facilities / PERA	1000434	503150		3,839	
Facilities / Retiree Health Care	1000434	503250		367	
Municipal Recreation Complex / Salaries	5300271	500110		1,985	
Municipal Recreation Complex / FICA	5300271	503100		152	
Municipal Recreation Complex / PERA	5300271	503150		413	
Municipal Recreation Complex / Retiree Health Care	5300271	503250		40	
Parking / Salaries	5350452	500110		1,494	
Parking / FICA	5350452	503100		114	
Parking / PERA	5350452	503150		311	
Parking / Retiree Health Care	5350452	503250		30	
Parking / Salaries	5350453	500110		3,918	
Parking / FICA	5350453	503100		300	
Parking / PERA	5350453	503150		815	
Parking / Retiree Health Care	5350453	503250		78	
				$ 36,322	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

Andy Hopkins — Prepared By *{print name}* — 10/19/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Parking / Salaries	5350454	500110		1,494	
Parking / FICA	5350454	503100		114	
Parking / PERA	5350454	503150		311	
Parking / Retiree Health Care	5350454	503250		30	
Parking / Salaries	5350456	500110		2,657	
Parking / FICA	5350456	503100		203	
Parking / PERA	5350456	503150		553	
Parking / Retiree Health Care	5350456	503250		53	
Parks / Salaries	1004150	500110		21,583	
Parks / FICA	1004150	503100		1,651	
Parks / PERA	1004150	503150		4,489	
Parks / Retiree Health Care	1004150	503250		430	
Parks / Salaries	5154150	500110		1,037	
Parks / FICA	5154150	503100		79	
Parks / PERA	5154150	503150		216	
Parks / Retiree Health Care	5154150	503250		21	
Streets / Salaries	1000086	500110		834	
Streets / FICA	1000086	503100		64	
Streets / PERA	1000086	503150		173	
Streets / Retiree Health Care	1000086	503250		17	
				$ 36,009	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

Andy Hopkins — Prepared By *{print name}* — 10/19/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Transit / Salaries	2330491	500110		1,494	
Transit / FICA	2330491	503100		114	
Transit / PERA	2330491	503150		311	
Transit / Retiree Health Care	2330491	503250		30	
Transit / Salaries	5400091	500110		1,032	
Transit / FICA	5400091	503100		79	
Transit / PERA	5400091	503150		215	
Transit / Retiree Health Care	5400091	503250		21	
Transit / Salaries	5400093	500110		1,494	
Transit / FICA	5400093	503100		114	
Transit / PERA	5400093	503150		311	
Transit / Retiree Health Care	5400093	503250		30	
Transit / Salaries	5400094	500110		1,803	
Transit / FICA	5400094	503100		138	
Transit / PERA	5400094	503150		375	
Transit / Retiree Health Care	5400094	503250		36	
GCCC / Salaries	5500261	500110		2,129	
GCCC / FICA	5500261	503100		163	
GCCC / PERA	5500261	503150		443	
GCCC / Retiree Health Care	5500261	503250		43	
				$ 10,375	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Andy Hopkins	10/19/2021	*[see BAR p. 1 for signatures]*	
Prepared By *{print name}*	Date	Budget Officer	Date
N/A		*N/A*	
Division Director Signature *{optional}*	Date	Finance Director *{≤ $5,000}*	Date
[see BAR p. 1 for signatures]		*N/A*	
Department Director Signature	Date	City Manager *{≤ $60,000}*	Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
GCCC / Salaries	5500263	500110		2,484	
GCCC / FICA	5500263	503100		190	
GCCC / PERA	5500263	503150		516	
GCCC / Retiree Health Care	5500263	503250		49	
GCCC / Salaries	5500265	500110		3,598	
GCCC / FICA	5500265	503100		275	
GCCC / PERA	5500265	503150		748	
GCCC / Retiree Health Care	5500265	503250		72	
Recreation / Salaries	1004200	500110		7,054	
Recreation / FICA	1004200	503100		539	
Recreation / PERA	1004200	503150		1,467	
Recreation / Retiree Health Care	1004200	503250		142	
Library (General Fund) / Operating Transfer to Southside Library	1000101	750251		1,743	
Seniors (General Fund) / Operating Transfer to Seniors (Special Revenue Fund)	1000111	750241		17,493	
Airport (General Fund) / Operating Transfer to Airport (Enterprise Fund)	1006050	750545		2,605	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
Southside Library / Operating Transfer from Library (General Fund)	2510104	650100		(1,743)	
Senior Center Programs / Operating Transfer from Seniors (General Fund)	2410111	650100		(7,388)	
Senior Nutrition Programs / Operating Transfer from Seniors (General Fund)	2410114	650100		(10,105)	
Airport (Enterprise Fund) / Operating Transfer from Airport (General Fund)	5456050	650100		(2,605)	
				$ 17,134	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Andy Hopkins	10/19/2021	*[see BAR p. 1 for signatures]*	
Prepared By *{print name}*	Date	Budget Officer	Date
N/A		*N/A*	
Division Director Signature *{optional}*	Date	Finance Director *{≤ $5,000}*	Date
[see BAR p. 1 for signatures]		*N/A*	
Department Director Signature	Date	City Manager *{≤ $60,000}*	Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
MRC (General Fund) / Operating Transfer to MRC (Enterprise Fund)	1000272	750530		2,590	
Public Works Admin (General Fund) / Operating Transfer to Parking Enterprise Fund	1006001	750535		12,475	
Parks (General Fund) / Operating Transfer to Railyard Park (Enterprise Fund)	1004150	750515		1,353	
Public Works Admin (General Fund) / Operating Transfer to Transit (Transportation Grants Fund)	1006001	750233		1,949	
Public Works Admin (General Fund) / Operating Transfer to Transit Enterprise Fund	1006001	750540		5,648	
Recreation (General Fund) / Operating Transfer to GCCC (Enterprise Fund)	1004200	750550		10,710	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
MRC (Enterprise Fund) / Operating Transfer from MRC (General Fund)	5300271	650100		(2,590)	
Parking-Accounting (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350452	650100		(1,949)	
Parking-Enforcement (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350453	650100		(5,111)	
Parking-Collections (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350454	650100		(1,949)	
Parking-Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350456	650100		(3,466)	
Railyard Park (Enterprise Fund) / Operating Transfer from Parks (General Fund)	5154150	650100		(1,353)	
Transit (Transportation Grants Fund) / Operating Transfer from Public Works Admin (General Fund)	2330491	650100		(1,949)	
Transit Admin (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400091	650100		(1,347)	
Transit Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400093	650100		(1,949)	
Paratransit Operations (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400094	650100		(2,352)	
GCCC Admin (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500261	650100		(2,778)	
GCCC Center Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500263	650100		(3,239)	
GCCC Ice Arena Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500265	650100		(4,693)	
				$ -	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

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100	(149,862)
TOTAL:	**(149,862)**

Andy Hopkins — Prepared By *{print name}* — 10/19/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	10/19/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Fire Hazard Reduction / Salaries	2220183	500110		2,400	
Fire Hazard Reduction / FICA	2220183	503100		35	
Fire Hazard Reduction / PERA	2220183	503150		499	
Fire Hazard Reduction / Retiree Health Care	2220183	503250		48	
Fire Operations (General Fund) / Operating Transfer to Fire Hazard Reduction (Fire Environmental Svcs Fund)	1000171	750222		2,982	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
Fire Hazard Reduction (Fire Environmental Svcs Fund) / Operating Transfer from Fire Operations (General Fund)	2220183	650100		(2,982)	
				$ 2,982	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(149,862)
TOTAL:	**(149,862)**

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Andy Hopkins	10/19/2021	*[see BAR p. 1 for signatures]*	
Prepared By *{print name}*	Date	Budget Officer	Date
N/A		*N/A*	
Division Director Signature *{optional}*	Date	Finance Director *{≤ $5,000}*	Date
[see BAR p. 1 for signatures]		*N/A*	
Department Director Signature	Date	City Manager *{≤ $60,000}*	Date

FIR No. 10355

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): **Personnel Wage Rules Waver**

Sponsor(s): Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal

Reviewing Department(s): Finance Department and Human Resources Department

Staff Completing FIR: Andy Hopkins Date: 10/15/2021 Phone: 505-955-6177

Reviewed by City Attorney: _____ Date: Oct 26, 2021

Reviewed by Finance Director: _____ Date: Oct 26, 2021

Summary:

Rule 15.10 of the City's Rules, Regulations, and Policies, allow for the Governing Body to "temporarily modify or waive" any of its Rules if it would be reasonable, appropriate, lawful, and necessary for the orderly and efficient administration of the City." The resolution states that it would be reasonable, appropriate, lawful, and necessary to waive limitations in existing personnel rules governing the offering of salary increases in order to allow the City Manager to offer all City employees an hourly wage of at least fifteen dollars per hour. The resolution states that by the end of November 2021, the City Manager shall offer increases to the rate of pay up to fifteen dollars per hour for all City employees who do not currently make fifteen dollars per hour. Offering at least fifteen dollars per hour for all City of Santa Fe employees, including part-time, full-time, term, at-will, classified, probationary, and temporary employees, would allow all employees the opportunity to earn more than double the federal minimum wage; help ensure the City is competitive in the current job market in order to retain our current employees and attract new employees; and help ensure the City is staffed up to provide our community with the highest quality of services.

Departments Affected: Multiple Departments

Consequences of Not Enacting Legislation: Employees will continue to earn less than $15 per hour.

Conflict, Duplication, Companionship, or Relationship to Other Legislation: This resolution is intended to replace the resolution titled "The Supporting Offering At Least A Wage Of Fifteen Dollars Per Hour 12 For Employees Of The City Of Santa Fe And Directing The City Manager To Offer Hourly Wage Increases For All Full-Time, Non Probationary City Employees Paid Less Than Fifteen Dollars Per Hour."

Performance and Administrative Implications: The City of Santa Fe Payroll Division and Human Resources Department will work together to ensure all HR actions to implement the $15 per hour wage is implemented for all impacted positions.

Fiscal Implications:

The fiscal impact of this change for the remainder of the current fiscal year, starting with the Pay Period on November 27th, totals $169,706 and the total full year cost is $294,157. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). Because some of these costs will be absorbed by vacancy savings within the affected areas, the net increase to the budget for the current fiscal year is $149,862.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE-22	FYE-23	FYE-24	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$ 169,706	$ 294,157	$ 294,157	Y	R	Multiple	
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				
Total:	$ 169,706	$ 294,157	$ 294,157			Multiple	$ 758,020

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

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$149,862	$ 259,761	$ 259,761	Y	100
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$ 19,844	$ 34,396	$ 34,396		Multiple
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$169,706	$ 294,157	$ 294,157		

Revenue Narrative:

ACTION SHEET QUALITY OF LIFE MEETING OF 10/20/2021
ISSUE NO. 6c CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal) A Resolution Waiving the City Personnel Rule's Limitations on Salary Increases for the Purpose of Offering a Wage of at Least Fifteen Dollars Per Hour to All City Employees in November, 2021. **Committee Review:** Quality of Life Committee: 10/20/21 Public Works and Utilities Committee: 10/25/21 Governing Body: 10/27/21
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda o forward to 10/25/2021 Public Works and Utilities Committee
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA	X		
COUNCILOR GARICA	Excused		
COUNCILOR CASSUTT	X		
COUNCILOR VILLARREAL	X		
COUNCILOR ROMERO-WIRTH, CHAIR	X		

10. CONSENT CALENDAR

g. CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, C Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal)

A Resolution Waiving the City Personnel Rule's Limitations on Salary Increases for the Purpose of Offering a Wage of at Least Fifteen Dollars Per Hour to All City Employees in November, 2021.

1. Request for Approval of Budget Amendment Resolution in the Total Amount of $149,862 to Increase Salaries to $15 Per Hour.

Committee Review:

Quality of Life Committee: 10/20/21
Public Works and Utilities Committee: 10/25/21
Governing Body: 10/27/21

Name: Stefanie Beninato
Comment - 10/27/2021 11:17 AM: (For)
Discussion A Definitely in favor—should have been done years ago. How does the city keep track if clothing allowances are being spent on necessary items?

ACTION SHEET PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/25/2021
ISSUE NO. 7a CONSIDERATION OF RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Cassutt, Councilor Rivera, Councilor Garcia, Councilor Vigil Coppler, and Councilor Villarreal) A Resolution Waiving the City Personnel Rule's Limitations on Salary Increases for the Purpose of Offering a Wage of at Least Fifteen Dollars Per Hour to All City Employees in November, 2021. 1. Request for Approval of Budget Amendment Resolution in the Total Amount of $149,862 to Increase Salaries to $15 Per Hour. Committee Review: Quality of Life Committee: 10/20/21 Public Works and Utilities Committee: 10/25/21 Governing Body: 10/27/21
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Garcia for discussion. Approved unanimously to forward to 10/27/2021 Governing Body
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	Excused		

MEMORANDUM

TO: Governing Body

VIA: Jarel LaPan Hill, City Manager JLH

FROM: Mary McCoy, Finance Director MM

Bernadette Salazar, HR Director Bjs

RE: City of Santa Fe - $15 Minimum Wage – Resolution and BAR

DATE: 09/30/2021

ITEM AND ISSUE:

Request for the Approval of Resolution to offer at least $15 per hour to employees who are full-time and non-probationary and Budget Adjustments in the Total Amount of $185,219 to increase salaries to $15 per hour. (Mary McCoy, Finance Director, mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, HR Director, bjsalazar@santafenm.gov, 505-955-6591)

BACKGROUND AND SUMMARY:

Since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the minimum wage pay rate has increased 22 times by 12 different presidents; however, the federal minimum wage hasn't been raised since July 2009, when it was increased to $7.25 per hour.

The City of Santa Fe follows the living wage ordinance which was adopted to establish minimum hourly wages for all businesses in Santa Fe. Currently, the City pays its employees, including part-time and temporary employees, an hourly minimum wage of $12.32 per hour.

Previously, City workers received the following wage adjustments for competitiveness:

- In 2019 to address retention in our police force the City provided $600 thousand in retention incentives for police officers.
- In 2019 to address vacancy rates for transit, paratransit and transit shuttle operators AFSCME employees in bus drivers received approximately $120,000 in a retention incentive program.
- As a result of the 2018 classification and compensation study 290 AFSCME employees (43%) who were paid below the market rate received an average of an 8% raise in FY20.
- In FY20 the City increased the starting wage for cadets from $19.11 per hour to $21 an hour and provided a hiring incentive for new officers with experience in an effort to fill vacant positions.
- In FY21 and FY22 the City also offered $15,000 signing bonus for police officers moving

laterally from another law enforcement agency.

For all City of Santa Fe government employees we are proposing to raise the minimum wage floor to $15 per hour, more than double the federal minimum wage. Providing a wage for our employees is fair and has a positive impact on our community. Raising the minimum wage to $15 would help ensure:

- City workers are paid enough to cover their financial needs,
- the City is competitive in the current job market in order to retain our current employees and attract new employees, and
- the City is staffed up to provide our community with the highest quality of services.

FISCAL IMPACT:

The Budget Office has summarized the fiscal impact of this change for all filled positions below $15 per hour on the various City funds in FY22. The impact for the remainder of the current fiscal year totals $210 thousand and the total full year cost is $288 thousand. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). Because some of these costs will be absorbed by vacancy savings within the affected areas, the net increase to the budget for the current fiscal year is $185 thousand.

Increases Covered by General Fund Reserves			
		Total Cost -	
		Remainder of FY	**Total Cost -**
Fund	**Fund Title**	**(19 pay periods)**	**Full Year**
100	General Fund	112,835	154,406
233	Transportation Grants	2,468	3,377
241	Senior Citizen Grants/Programs	21,067	28,829
251	Library	4,623	6,326
515	Railyard Properties	1,714	2,345
530	Municipal Recreation Complex	3,279	4,487
535	Parking	14,692	20,105
540	Transit Bus System	7,152	9,787
545	Airport	4,389	6,006
550	Genoveva Chavez Community Ctr	13,000	17,789
TOTAL		**185,219**	**253,458**
Increases Covered by TBARs from Vacancy Savings In the Same Fund/Division			
		Total Cost -	
		Remainder of FY	**Total Cost -**
Fund	**Fund Title**	**(19 pay periods)**	**Full Year**
505	Water Management	3,000	4,105
511	Utilities Administration	1,921	2,629
TOTAL		**4,921**	**6,734**

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

Increases Covered by Vacancy Savings Within Affected Org/No Adj Needed			
		Total Cost - Remainder of FY	Total Cost -
Fund	**Fund Title**	**(19 pay periods)**	**Full Year**
213	Lodgers' Tax Fund	1,637	2,240
365	1/2% GRT Income Fund	2,736	3,744
500	Waste Water Management	252	345
505	Water Management	1,099	1,504
511	Utilities Administration	1,921	2,629
520	Santa Fe Convention Center	12,567	17,197
TOTAL		**20,212**	**27,659**

**Includes salary/benefits budget amounts for affected cost centers (orgs) only*

ACTION REQUESTED:

We respectfully request your review and approval. The resolution, informational packet and BARs will be presented through the governing body process.

- October 4, 2021 - Finance Committee
- October 6, 2021- Quality of Life Committee
- October 12, 2021- Public Works and Public Utilities Committee
- October 13, 2021- Governing Body

ATTACHMENTS:

Resolution
Budget Adjustment Resolution
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

Councilor Roman "Tiger" Abeyta

A RESOLUTION

SUPPORTING OFFERING AT LEAST A WAGE OF FIFTEEN DOLLARS PER HOUR FOR EMPLOYEES OF THE CITY OF SANTA FE AND DIRECTING THE CITY MANAGER TO OFFER HOURLY WAGE INCREASES FOR ALL FULL-TIME, NON-PROBATIONARY CITY EMPLOYEES PAID LESS THAN FIFTEEN DOLLARS PER HOUR.

WHEREAS, since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the federal minimum pay rate has been increased 22 times, by 12 different U.S. presidents, but it hasn't been raised since July 2009, when it was increased to $7.25 per hour; and

WHEREAS, the City pays its employees, including part-time and temporary employees, no less than the hourly wage established by the Living Wage Ordinance (SFCC 1987, Section 28-1); and

WHEREAS, the Living Wage in the City of Santa Fe is $12.32 currently; and

WHEREAS, raising the City's lowest offered wage to fifteen dollars per hour for all City

of Santa Fe employees, including part-time and temporary employees, would be more than double the federal minimum wage; and

WHEREAS, other than for employees for whom a wage increase could cause a benefits cliff, a fifteen dollar wage would help City workers who work and live in Santa Fe to meet their financial needs, as well as keep the City competitive in the current competitive job market; and

WHEREAS, Rule 6 of the City's Rules, Regulations, and Policies, regarding the Pay Plan of the City, includes Rule 6.21, which provides for the City Manager to provide salary increases "to any rate in the salary range for the emergency retention of employees, except those in temporary status, who have completed at least six (6) months continuous service"; and

WHEREAS, 217 positions (190 filled, 27 vacant) are currently paid less than fifteen dollars per hour and the positions span nine City departments and 29 job classifications; and

WHEREAS, the 217 positions include positions impact non-union, AFSCME and Fire Unions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body finds that offering salary increases to a rate of fifteen dollars per hour is an emergency retention strategy for employees who have completed at least six (6) months continuous service and supports the City Manager offering an hourly wage of at least fifteen dollars per hour for all of the City's employees.

BE IT FURTHER RESOLVED that the City Manager shall offer increases to the pay for all City employees who do not currently make fifteen dollars per hour.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2021.

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Log # *{Finance use only}*:	
Journal # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
City Clerk / Salaries	1000214	500110		1,473	
City Clerk / FICA	1000214	503100		113	
City Clerk / PERA	1000214	503150		306	
City Clerk / Retiree Health Care	1000214	503250		29	
Library / Salaries	1000102	500110		3,558	
Library / FICA	1000102	503100		272	
Library / PERA	1000102	503150		740	
Library / Retiree Health Care	1000102	503250		71	
Library / Salaries	1000103	500110		3,764	
Library / FICA	1000103	503100		287	
Library / PERA	1000103	503150		773	
Library / Retiree Health Care	1000103	503250		74	
Library / Salaries	1000105	500110		1,255	
Library / FICA	1000105	503100		96	
Library / PERA	1000105	503150		261	
Library / Retiree Health Care	1000105	503250		25	
Library / Salaries	2510104	500110		3,545	
Library / FICA	2510104	503100		271	
Library / PERA	2510104	503150		737	
Library / Retiree Health Care	2510104	503250		70	
				$ 17,720	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — 9/29/2021
Prepared By *{print name}* — Date

N/A
Division Director Signature *{optional}* — Date

Mary McCoy
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Alexis Lotero
Alexis Lotero (Sep 30, 2021 13:19 MDT)
Budget Officer — Date

N/A
Finance Director *{≤ $5,000}* — Date

N/A
City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Seniors / Salaries	2410111	500110		1,245	
Seniors / FICA	2410111	503100		95	
Seniors / PERA	2410111	503150		259	
Seniors / Retiree Health Care	2410111	503250		25	
Seniors / Salaries	2410114	500110		14,909	
Seniors / FICA	2410114	503100		1,140	
Seniors / PERA	2410114	503150		3,097	
Seniors / Retiree Health Care	2410114	503250		297	
Fire Operations / Salaries	1000021	500110		2,125	
Fire Operations / FICA	1000021	503100		30	
Fire Operations / PERA	1000021	503150		678	
Fire Operations / Retiree Health Care	1000021	503250		50	
Municipal Court / Salaries	1002700	500110		3,585	
Municipal Court / FICA	1002700	503100		275	
Municipal Court / PERA	1002700	503150		746	
Municipal Court / Retiree Health Care	1002700	503250		71	
Police Admin / Salaries	1000310	500110		5,765	
Police Admin / FICA	1000310	503100		443	
Police Admin / PERA	1000310	503150		1,198	
Police Admin / Retiree Health Care	1000310	503250		117	
				$ 36,150	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

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TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

N/A — Division Director Signature *{optional}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Finance Director *{≤ $5,000}* — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Airport / Salaries	5456050	500110		3,365	
Airport / FICA	5456050	503100		258	
Airport / PERA	5456050	503150		699	
Airport / Retiree Health Care	5456050	503250		67	
Facilities / Salaries	1000434	500110		25,057	
Facilities / FICA	1000434	503100		1,921	
Facilities / PERA	1000434	503150		5,205	
Facilities / Retiree Health Care	1000434	503250		498	
Municipal Recreation Complex / Salaries	5300271	500110		2,514	
Municipal Recreation Complex / FICA	5300271	503100		193	
Municipal Recreation Complex / PERA	5300271	503150		522	
Municipal Recreation Complex / Retiree Health Care	5300271	503250		50	
Parking / Salaries	5350452	500110		1,892	
Parking / FICA	5350452	503100		145	
Parking / PERA	5350452	503150		393	
Parking / Retiree Health Care	5350452	503250		38	
Parking / Salaries	5350453	500110		4,116	
Parking / FICA	5350453	503100		314	
Parking / PERA	5350453	503150		855	
Parking / Retiree Health Care	5350453	503250		82	
				$ 48,184	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

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TOTAL:	**(185,219)**

Andy Hopkins — 9/29/2021
Prepared By *{print name}* — Date

N/A
Division Director Signature *{optional}* — Date

[see BAR p. 1 for signatures]
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures]
Budget Officer — Date

N/A
Finance Director *{≤ $5,000}* — Date

N/A
City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Parking / Salaries	5350454	500110		1,892	
Parking / FICA	5350454	503100		145	
Parking / PERA	5350454	503150		393	
Parking / Retiree Health Care	5350454	503250		38	
Parking / Salaries	5350456	500110		3,365	
Parking / FICA	5350456	503100		258	
Parking / PERA	5350456	503150		699	
Parking / Retiree Health Care	5350456	503250		67	
Parks / Salaries	1004150	500110		29,021	
Parks / FICA	1004150	503100		2,225	
Parks / PERA	1004150	503150		6,029	
Parks / Retiree Health Care	1004150	503250		577	
Parks / Salaries	5154150	500110		1,314	
Parks / FICA	5154150	503100		101	
Parks / PERA	5154150	503150		273	
Parks / Retiree Health Care	5154150	503250		26	
Streets / Salaries	1000086	500110		1,892	
Streets / FICA	1000086	503100		145	
Streets / PERA	1000086	503150		393	
Streets / Retiree Health Care	1000086	503250		38	
				$ 48,891	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

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100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Transit / Salaries	2330491	500110		1,892	
Transit / FICA	2330491	503100		145	
Transit / PERA	2330491	503150		393	
Transit / Retiree Health Care	2330491	503250		38	
Transit / Salaries	5400091	500110		1,307	
Transit / FICA	5400091	503100		100	
Transit / PERA	5400091	503150		272	
Transit / Retiree Health Care	5400091	503250		26	
Transit / Salaries	5400093	500110		1,892	
Transit / FICA	5400093	503100		145	
Transit / PERA	5400093	503150		393	
Transit / Retiree Health Care	5400093	503250		38	
Transit / Salaries	5400094	500110		2,284	
Transit / FICA	5400094	503100		175	
Transit / PERA	5400094	503150		475	
Transit / Retiree Health Care	5400094	503250		45	
GCCC / Salaries	5500261	500110		2,696	
GCCC / FICA	5500261	503100		206	
GCCC / PERA	5500261	503150		561	
GCCC / Retiree Health Care	5500261	503250		54	
				$ 13,137	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

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TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

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N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
GCCC / Salaries	5500263	500110		2,715	
GCCC / FICA	5500263	503100		208	
GCCC / PERA	5500263	503150		563	
GCCC / Retiree Health Care	5500263	503250		53	
GCCC / Salaries	5500265	500110		4,557	
GCCC / FICA	5500265	503100		348	
GCCC / PERA	5500265	503150		948	
GCCC / Retiree Health Care	5500265	503250		91	
Recreation / Salaries	1004200	500110		8,935	
Recreation / FICA	1004200	503100		684	
Recreation / PERA	1004200	503150		1,856	
Recreation / Retiree Health Care	1004200	503250		179	
Library (General Fund) / Operating Transfer to Southside Library	1000101	750251		4,623	
Seniors (General Fund) / Operating Transfer to Seniors (Special Revenue Fund)	1000111	750241		21,067	
Airport (General Fund) / Operating Transfer to Airport (Enterprise Fund)	1006050	750545		4,389	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
Southside Library / Operating Transfer from Library (General Fund)	2510104	650100		(4,623)	
Senior Center Programs / Operating Transfer from Seniors (General Fund)	2410111	650100		(1,624)	
Senior Nutrition Programs / Operating Transfer from Seniors (General Fund)	2410114	650100		(19,443)	
Airport (Enterprise Fund) / Operating Transfer from Airport (General Fund)	5456050	650100		(4,389)	
				$ 21,137	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
MRC (General Fund) / Operating Transfer to MRC (Enterprise Fund)	1000272	750530		3,279	
Public Works Admin (General Fund) / Operating Transfer to Parking Enterprise Fund	1006001	750535		14,692	
Parks (General Fund) / Operating Transfer to Railyard Park (Enterprise Fund)	1004150	750515		1,714	
Public Works Admin (General Fund) / Operating Transfer to Transit (Transportation Grants Fund)	1006001	750233		2,468	
Public Works Admin (General Fund) / Operating Transfer to Transit Enterprise Fund	1006001	750540		7,152	
Recreation (General Fund) / Operating Transfer to GCCC (Enterprise Fund)	1004200	750550		13,000	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
MRC (Enterprise Fund) / Operating Transfer from MRC (General Fund)	5300271	650100		(3,279)	
Parking-Accounting (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350452	650100		(2,468)	
Parking-Enforcement (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350453	650100		(5,367)	
Parking-Collections (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350454	650100		(2,468)	
Parking-Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350456	650100		(4,389)	
Railyard Park (Enterprise Fund) / Operating Transfer from Parks (General Fund)	5154150	650100		(1,714)	
Transit (Transportation Grants Fund) / Operating Transfer from Public Works Admin (General Fund)	2330491	650100		(2,468)	
Transit Admin (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400091	650100		(1,705)	
Transit Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400093	650100		(2,468)	
Paratransit Operations (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400094	650100		(2,979)	
GCCC Admin (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500261	650100		(3,517)	
GCCC Center Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500263	650100		(3,539)	
GCCC Ice Arena Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500265	650100		(5,944)	
				$ -	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

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100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

FIR No. 10342

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Increasing the City's Minimum Wage Offered

Sponsor(s): Mayor Alan Webber, Councilor Signe I. Lindell, Councilor Roman "Tiger" Abeyta, Councilor Carol Romero-Wirth

Reviewing Department(s): Finance Department and Human Resources Department

Staff Completing FIR: Andy Hopkins Date: 9/15/2021 Phone: 955-6177

Reviewed by City Attorney: _____ Date: Oct 1, 2021

Reviewed by Finance Director: _____ Date: Oct 1, 2021

Summary:

The resolution states the Governing Body supports an hourly wage of at least fifteen dollars per hour for all of the City's employees and directs the City Manager to take the steps necessary to implement increases to the pay for all City employees who do not currently make fifteen dollars per hour. Raising the minimum wage to $15 per hour, , more than double the federal minimum wage, for all City of Santa Fe government employees will provide a wage for our employees that is fair and has a positive impact on our community. Raising the minimum wage to $15 would help ensure City workers are paid enough to cover their financial needs; the City is competitive in the current job market in order to retain our current employees and attract new employees, and the City is staffed up to provide our community with the highest quality of services.

Departments Affected:

Multiple Departments

Consequences of Not Enacting Legislation:

146 positions will continue to be budgeted under $15 per hour.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

There is no conflict, duplication, companion or relation to any other legislation.

Performance and Administrative Implications:

The City of Santa Fe Payroll Division and Human Resources Department will work together to ensure all HR actions to implement the $15 per hour wage is implemented for all impacted positions.

Fiscal Implications:

The fiscal impact of this change for the remainder of the current fiscal year totals $216 thousand and the total full year cost is $291 thousand. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). Because some of these costs will be absorbed by vacancy savings within the affected areas, the net increase to the budget for the current fiscal year is $185 thousand.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE-22	FYE-23	FYE-24	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and	$185,219	$253,458	$253,458	Y	R	Multiple	
Benefits*							
Capital Outlay	$	$	$				
Contractual/	$	$	$				
Professional Services							
Operating	$	$	$				$
Total:	$185,219	$253,458	$253,458				$692,135

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

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$	Y	100
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Signature: Jarel LaPan Hill
Jarel LaPan Hill (Oct 1, 2021 12:57 MDT)

Email: jlapanhill@santafenm.gov

Signature: Bernadette Salazar
Bernadette Salazar (Oct 1, 2021 14:22 MDT)

Email: bjsalazar@santafenm.gov

City of Santa Fe

VOTE SUMMARY

Meeting Name - Finance Committee

Meeting State - Final

Meeting Start Date - 04/10/2021

Meeting End Date - 05/10/2021

Meeting Committee - Finance Committee

Meeting Custom Tracking Number -

Item Title -

CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City employees Paid Less Than Fifteen Dollars per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, Human
Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to increase salaries to $15 per hour.

Committee Review:
Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Item Type - budget adjustment resolution (BAR)

Item Owner - Mary McCoy

Item Background -

Item Sponsor - Alan Webber

Item Tracking Number - 21-12325

Motion Type - Approve

Motion Mover - Carol Romero-Wirth

Motion Seconder - Jamie Cassutt

Motion Status - approved

Motion Time Stamp - 04/10/2021

Vote For Count - 5

Vote Against Count - 0

Vote Abstain Count - 0

Vote Absent Count - 0

Vote For Names - Roman Abeyta, Renee Villarreal, Carol Romero-Wirth, Signe Lindell, Jamie Cassutt

Vote Against Names -

Vote Abstain Names -

Vote Absent Names -

Voting Date Time = 05/10/2021 07:04:06

User First Name - Carolynn

User Last Name- Roibal

User Middle Name-

User Full Name - Carolynn Roibal

User Email - clroibal@santafenm.gov

City of Santa Fe

VOTE SUMMARY

Meeting Name - Public Works and Utilities Committee

Meeting State - Final

Meeting Start Date - 12/10/2021

Meeting End Date - 13/10/2021

Meeting Committee - Public Works and Utilities Committee

Meeting Custom Tracking Number -

Item Title -

CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars Per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City Employees Paid Less Than Fifteen Dollars Per Hour. (Mary McCoy, Finance
Director: mtmccoy@santafenm.gov, 505-955-6171 and Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to Increase Salaries to $15 Per Hour.

Committee Review:
Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Item Type - budget adjustment resolution (BAR)

Item Owner - Mary McCoy

Item Background -

Item Sponsor - Alan Webber

Item Tracking Number - 21-12325

Motion Type - Approve

Motion Mover - JoAnne Vigil Coppler

Motion Seconder - Signe Lindell

Motion Status - approved

Motion Time Stamp - 12/10/2021

Vote For Count - 5

Vote Against Count - 0

Vote Abstain Count - 0

Vote Absent Count - 0

Vote For Names - Chris Rivera, Michael Garcia, Roman Abeyta, Signe Lindell, JoAnne Vigil Coppler

Vote Against Names -

Vote Abstain Names -

Vote Absent Names -

Voting Date Time = 12/10/2021 17:59:27

User First Name - Jamie-Rae

User Last Name- Diaz

User Middle Name-

User Full Name - Jamie-Rae Diaz

User Email - jldiaz@santafenm.gov

City of Santa Fe

VOTE SUMMARY

Meeting Name - Quality of Life Committee

Meeting State - Final

Meeting Start Date - 06/10/2021

Meeting End Date - 07/10/2021

Meeting Committee - Quality of Life Committee

Meeting Custom Tracking Number -

Item Title -

CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City employees Paid Less Than Fifteen Dollars per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, Human
Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to increase salaries to $15 per hour.

Committee Review:
Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

Item Type - budget adjustment resolution (BAR)

Item Owner - Mary McCoy

Item Background -

Item Sponsor - Alan Webber

Item Tracking Number - 21-12325

Motion Type - Approve

Motion Mover - Chris Rivera

Motion Seconder - Jamie Cassutt

Motion Status - approved

Motion Time Stamp - 06/10/2021

Vote For Count - 5

Vote Against Count - 0

Vote Abstain Count - 0

Vote Absent Count - 0

Vote For Names - Jamie Cassutt, Michael Garcia, Chris Rivera, Renee Villarreal, Carol Romero-Wirth

Vote Against Names -

Vote Abstain Names -

Vote Absent Names -

Voting Date Time = 06/10/2021 17:19:54

User First Name - Jamie-Rae

User Last Name- Diaz

User Middle Name-

User Full Name - Jamie-Rae Diaz

User Email - jldiaz@santafenm.gov

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2021-__
(Name of Resolution)

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2021-__:

1. On page 1, line 13 ***strike*** "**FULL-TIME**" and ***insert*** in lieu thereof "**PERMANENT**"

Respectfully submitted,

_____
Jamie Cassutt, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Kristine Mihelcic, City Clerk

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Mayor Alan Webber	Councilor Signe I. Lindell
Councilor Carol Romero-Wirth	Councilor Roman "Tiger" Abeyta
Councilor JoAnne Vigil Coppler	Councilor Jamie Cassutt
Councilor Chris Rivera	Councilor Michael J. Garcia

A RESOLUTION

SUPPORTING OFFERING AT LEAST A WAGE OF FIFTEEN DOLLARS PER HOUR FOR EMPLOYEES OF THE CITY OF SANTA FE AND DIRECTING THE CITY MANAGER TO OFFER HOURLY WAGE INCREASES FOR ALL FULL-TIME, NON-PROBATIONARY CITY EMPLOYEES PAID LESS THAN FIFTEEN DOLLARS PER HOUR.

WHEREAS, since the enactment of the federal minimum wage in the Fair Labor Standards Act in 1938, the federal minimum pay rate has been increased 22 times, by 12 different U.S. presidents, but it hasn't been raised since July 2009, when it was increased to $7.25 per hour; and

WHEREAS, the City pays its employees, including part-time and temporary employees, no less than the hourly wage established by the Living Wage Ordinance (SFCC 1987, Section 28-1); and

WHEREAS, the Living Wage in the City of Santa Fe is $12.32 currently; and

WHEREAS, raising the City's lowest offered wage to fifteen dollars per hour for all City

of Santa Fe employees, including part-time and temporary employees, would be more than double the federal minimum wage; and

WHEREAS, other than for employees for whom a wage increase could cause a benefits cliff, a fifteen dollar wage would help City workers who work and live in Santa Fe to meet their financial needs, as well as keep the City competitive in the current competitive job market; and

WHEREAS, Rule 6 of the City's Rules, Regulations, and Policies, regarding the Pay Plan of the City, includes Rule 6.21, which provides for the City Manager to provide salary increases "to any rate in the salary range for the emergency retention of employees, except those in temporary status, who have completed at least six (6) months continuous service"; and

WHEREAS, 217 positions (190 filled, 27 vacant) are currently paid less than fifteen dollars per hour and the positions span nine City departments and 29 job classifications; and

WHEREAS, the 217 positions include positions impact non-union, AFSCME and Fire Unions.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body finds that offering salary increases to a rate of fifteen dollars per hour is an emergency retention strategy for employees who have completed at least six (6) months continuous service and supports the City Manager offering an hourly wage of at least fifteen dollars per hour for all of the City's employees.

BE IT FURTHER RESOLVED that the City Manager shall offer increases to the pay for all City employees who do not currently make fifteen dollars per hour.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2021.

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Increasing the City's Minimum Wage Offered

Log # *{Finance use only}*:	
Journal # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
City Clerk / Salaries	1000214	500110		1,473	
City Clerk / FICA	1000214	503100		113	
City Clerk / PERA	1000214	503150		306	
City Clerk / Retiree Health Care	1000214	503250		29	
Library / Salaries	1000102	500110		3,558	
Library / FICA	1000102	503100		272	
Library / PERA	1000102	503150		740	
Library / Retiree Health Care	1000102	503250		71	
Library / Salaries	1000103	500110		3,764	
Library / FICA	1000103	503100		287	
Library / PERA	1000103	503150		773	
Library / Retiree Health Care	1000103	503250		74	
Library / Salaries	1000105	500110		1,255	
Library / FICA	1000105	503100		96	
Library / PERA	1000105	503150		261	
Library / Retiree Health Care	1000105	503250		25	
Library / Salaries	2510104	500110		3,545	
Library / FICA	2510104	503100		271	
Library / PERA	2510104	503150		737	
Library / Retiree Health Care	2510104	503250		70	
				$ 17,720	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — 9/29/2021
Prepared By *{print name}* — Date

N/A
Division Director Signature *{optional}* — Date

Mary McCoy
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Alexis Lotero
Alexis Lotero (Sep 30, 2021 13:19 MDT)
Budget Officer — Date

N/A
Finance Director *{≤ $5,000}* — Date

N/A
City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Seniors / Salaries	2410111	500110		1,245	
Seniors / FICA	2410111	503100		95	
Seniors / PERA	2410111	503150		259	
Seniors / Retiree Health Care	2410111	503250		25	
Seniors / Salaries	2410114	500110		14,909	
Seniors / FICA	2410114	503100		1,140	
Seniors / PERA	2410114	503150		3,097	
Seniors / Retiree Health Care	2410114	503250		297	
Fire Operations / Salaries	1000021	500110		2,125	
Fire Operations / FICA	1000021	503100		30	
Fire Operations / PERA	1000021	503150		678	
Fire Operations / Retiree Health Care	1000021	503250		50	
Municipal Court / Salaries	1002700	500110		3,585	
Municipal Court / FICA	1002700	503100		275	
Municipal Court / PERA	1002700	503150		746	
Municipal Court / Retiree Health Care	1002700	503250		71	
Police Admin / Salaries	1000310	500110		5,765	
Police Admin / FICA	1000310	503100		443	
Police Admin / PERA	1000310	503150		1,198	
Police Admin / Retiree Health Care	1000310	503250		117	
				$ 36,150	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

N/A — Division Director Signature *{optional}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Finance Director *{≤ $5,000}* — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Airport / Salaries	5456050	500110		3,365	
Airport / FICA	5456050	503100		258	
Airport / PERA	5456050	503150		699	
Airport / Retiree Health Care	5456050	503250		67	
Facilities / Salaries	1000434	500110		25,057	
Facilities / FICA	1000434	503100		1,921	
Facilities / PERA	1000434	503150		5,205	
Facilities / Retiree Health Care	1000434	503250		498	
Municipal Recreation Complex / Salaries	5300271	500110		2,514	
Municipal Recreation Complex / FICA	5300271	503100		193	
Municipal Recreation Complex / PERA	5300271	503150		522	
Municipal Recreation Complex / Retiree Health Care	5300271	503250		50	
Parking / Salaries	5350452	500110		1,892	
Parking / FICA	5350452	503100		145	
Parking / PERA	5350452	503150		393	
Parking / Retiree Health Care	5350452	503250		38	
Parking / Salaries	5350453	500110		4,116	
Parking / FICA	5350453	503100		314	
Parking / PERA	5350453	503150		855	
Parking / Retiree Health Care	5350453	503250		82	
				$ 48,184	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — 9/29/2021
Prepared By *{print name}* — Date

N/A
Division Director Signature *{optional}* — Date

[see BAR p. 1 for signatures]
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures]
Budget Officer — Date

N/A
Finance Director *{≤ $5,000}* — Date

N/A
City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Parking / Salaries	5350454	500110		1,892	
Parking / FICA	5350454	503100		145	
Parking / PERA	5350454	503150		393	
Parking / Retiree Health Care	5350454	503250		38	
Parking / Salaries	5350456	500110		3,365	
Parking / FICA	5350456	503100		258	
Parking / PERA	5350456	503150		699	
Parking / Retiree Health Care	5350456	503250		67	
Parks / Salaries	1004150	500110		29,021	
Parks / FICA	1004150	503100		2,225	
Parks / PERA	1004150	503150		6,029	
Parks / Retiree Health Care	1004150	503250		577	
Parks / Salaries	5154150	500110		1,314	
Parks / FICA	5154150	503100		101	
Parks / PERA	5154150	503150		273	
Parks / Retiree Health Care	5154150	503250		26	
Streets / Salaries	1000086	500110		1,892	
Streets / FICA	1000086	503100		145	
Streets / PERA	1000086	503150		393	
Streets / Retiree Health Care	1000086	503250		38	
				$ 48,891	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Transit / Salaries	2330491	500110		1,892	
Transit / FICA	2330491	503100		145	
Transit / PERA	2330491	503150		393	
Transit / Retiree Health Care	2330491	503250		38	
Transit / Salaries	5400091	500110		1,307	
Transit / FICA	5400091	503100		100	
Transit / PERA	5400091	503150		272	
Transit / Retiree Health Care	5400091	503250		26	
Transit / Salaries	5400093	500110		1,892	
Transit / FICA	5400093	503100		145	
Transit / PERA	5400093	503150		393	
Transit / Retiree Health Care	5400093	503250		38	
Transit / Salaries	5400094	500110		2,284	
Transit / FICA	5400094	503100		175	
Transit / PERA	5400094	503150		475	
Transit / Retiree Health Care	5400094	503250		45	
GCCC / Salaries	5500261	500110		2,696	
GCCC / FICA	5500261	503100		206	
GCCC / PERA	5500261	503150		561	
GCCC / Retiree Health Care	5500261	503250		54	
				$ 13,137	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
GCCC / Salaries	5500263	500110		2,715	
GCCC / FICA	5500263	503100		208	
GCCC / PERA	5500263	503150		563	
GCCC / Retiree Health Care	5500263	503250		53	
GCCC / Salaries	5500265	500110		4,557	
GCCC / FICA	5500265	503100		348	
GCCC / PERA	5500265	503150		948	
GCCC / Retiree Health Care	5500265	503250		91	
Recreation / Salaries	1004200	500110		8,935	
Recreation / FICA	1004200	503100		684	
Recreation / PERA	1004200	503150		1,856	
Recreation / Retiree Health Care	1004200	503250		179	
Library (General Fund) / Operating Transfer to Southside Library	1000101	750251		4,623	
Seniors (General Fund) / Operating Transfer to Seniors (Special Revenue Fund)	1000111	750241		21,067	
Airport (General Fund) / Operating Transfer to Airport (Enterprise Fund)	1006050	750545		4,389	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
Southside Library / Operating Transfer from Library (General Fund)	2510104	650100		(4,623)	
Senior Center Programs / Operating Transfer from Seniors (General Fund)	2410111	650100		(1,624)	
Senior Nutrition Programs / Operating Transfer from Seniors (General Fund)	2410114	650100		(19,443)	
Airport (Enterprise Fund) / Operating Transfer from Airport (General Fund)	5456050	650100		(4,389)	
				$ 21,137	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

Log # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*
Journal # *{Finance use only}*:	*(see BAR p. 1 for log/journal)*

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Finance Department	9/29/2021

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
MRC (General Fund) / Operating Transfer to MRC (Enterprise Fund)	1000272	750530		3,279	
Public Works Admin (General Fund) / Operating Transfer to Parking Enterprise Fund	1006001	750535		14,692	
Parks (General Fund) / Operating Transfer to Railyard Park (Enterprise Fund)	1004150	750515		1,714	
Public Works Admin (General Fund) / Operating Transfer to Transit (Transportation Grants Fund)	1006001	750233		2,468	
Public Works Admin (General Fund) / Operating Transfer to Transit Enterprise Fund	1006001	750540		7,152	
Recreation (General Fund) / Operating Transfer to GCCC (Enterprise Fund)	1004200	750550		13,000	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
MRC (Enterprise Fund) / Operating Transfer from MRC (General Fund)	5300271	650100		(3,279)	
Parking-Accounting (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350452	650100		(2,468)	
Parking-Enforcement (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350453	650100		(5,367)	
Parking-Collections (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350454	650100		(2,468)	
Parking-Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5350456	650100		(4,389)	
Railyard Park (Enterprise Fund) / Operating Transfer from Parks (General Fund)	5154150	650100		(1,714)	
Transit (Transportation Grants Fund) / Operating Transfer from Public Works Admin (General Fund)	2330491	650100		(2,468)	
Transit Admin (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400091	650100		(1,705)	
Transit Maintenance (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400093	650100		(2,468)	
Paratransit Operations (Enterprise Fund) / Operating Transfer from Public Works Admin (General Fund)	5400094	650100		(2,979)	
GCCC Admin (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500261	650100		(3,517)	
GCCC Center Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500263	650100		(3,539)	
GCCC Ice Arena Ops (Enterprise Fund) / Operating Transfer from Recreation (General Fund)	5500265	650100		(5,944)	
				$ -	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Use of General Fund GRT revenue earned in the previous fiscal year (FY21) over and above budgeted estimates to cover salary/benefits increases resulting from an increase to the City's minimum wage to $15 per hour. Includes increases for affected employees both in the General Fund and other funds that require a subsidy from the General Fund for this purpose.

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
100	(185,219)
TOTAL:	**(185,219)**

Andy Hopkins — Prepared By *{print name}* — 9/29/2021 Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

[see BAR p. 1 for signatures] — Budget Officer — Date

N/A — Division Director Signature *{optional}* — Date

N/A — Finance Director *{≤ $5,000}* — Date

[see BAR p. 1 for signatures] — Department Director Signature — Date

N/A — City Manager *{≤ $60,000}* — Date

FIR No. 10342

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Increasing the City's Minimum Wage Offered

Sponsor(s): Mayor Alan Webber, Councilor Signe I. Lindell, Councilor Roman "Tiger" Abeyta, Councilor Carol Romero-Wirth

Reviewing Department(s): Finance Department and Human Resources Department

Staff Completing FIR: Andy Hopkins Date: 9/15/2021 Phone: 955-6177

Reviewed by City Attorney: _____ Date: Oct 1, 2021

Reviewed by Finance Director: _____ Date: Oct 1, 2021

Summary:

The resolution states the Governing Body supports an hourly wage of at least fifteen dollars per hour for all of the City's employees and directs the City Manager to take the steps necessary to implement increases to the pay for all City employees who do not currently make fifteen dollars per hour. Raising the minimum wage to $15 per hour, , more than double the federal minimum wage, for all City of Santa Fe government employees will provide a wage for our employees that is fair and has a positive impact on our community. Raising the minimum wage to $15 would help ensure City workers are paid enough to cover their financial needs; the City is competitive in the current job market in order to retain our current employees and attract new employees, and the City is staffed up to provide our community with the highest quality of services.

Departments Affected:

Multiple Departments

Consequences of Not Enacting Legislation:

146 positions will continue to be budgeted under $15 per hour.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

There is no conflict, duplication, companion or relation to any other legislation.

Performance and Administrative Implications:

The City of Santa Fe Payroll Division and Human Resources Department will work together to ensure all HR actions to implement the $15 per hour wage is implemented for all impacted positions.

Fiscal Implications:

The fiscal impact of this change for the remainder of the current fiscal year totals $216 thousand and the total full year cost is $291 thousand. The cost estimate includes increases to both salaries and salary-dependent benefits (such as employee retirement/PERA). Because some of these costs will be absorbed by vacancy savings within the affected areas, the net increase to the budget for the current fiscal year is $185 thousand.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE-22	FYE-23	FYE-24	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and	$185,219	$253,458	$253,458	Y	R	Multiple	
Benefits*							
Capital Outlay	$	$	$				
Contractual/	$	$	$				
Professional Services							
Operating	$	$	$				$
Total:	$185,219	$253,458	$253,458				$692,135

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

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$	Y	100
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Signature: Jarel LaPan Hill
Jarel LaPan Hill (Oct 1, 2021 12:57 MDT)

Email: jlapanhill@santafenm.gov

Signature: Bernadette Salazar
Bernadette Salazar (Oct 1, 2021 14:22 MDT)

Email: bjsalazar@santafenm.gov

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/4/21
FOR CITY COUNCIL MEETING OF 10/13/21

CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City employees Paid Less Than Fifteen Dollars per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591)

1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to increase salaries to $15 per hour.

Committee	**Review:**
Introduced:	09/18/21
Finance Committee:	10/04/21
Quality of Life Committee:	10/06/21
Public Works and Utilities Committee:	10/12/21
Governing Body: 10/13/21	

FINANCE COMMITTEE ACTION:
Approved on discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

ACTION SHEET QUALITY OF LIFE MEETING OF 10/06/2021
ISSUE NO. 7f CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, and Councilor Abeyta) A Resolution Supporting Offering at Least a Wage of Fifteen Dollars per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City employees Paid Less Than Fifteen Dollars per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171; Bernadette Salazar, Human Resources Director: bjsalazar@santafenm.gov, 505-955-6591) 1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to increase salaries to $15 per hour. **Committee Review:** Introduced: 09/18/21 Finance Committee: 10/04/21
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 10/04/2021 Finance Committee
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA	X		
COUNCILOR GARICA	X		
COUNCILOR CASSUTT	X		
COUNCILOR VILLARREAL	X		
COUNCILOR ROMERO-WIRTH, CHAIR	X		

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/12/2021

ISSUSE NO. 7c

CONSIDERATION OF A RESOLUTION NO. 2021-__. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth, Councilor Abeyta, Councilor Vigil Coppler, and Councilor Cassutt)
A Resolution Supporting Offering at Least a Wage of Fifteen Dollars Per Hour for Employees of the City of Santa Fe and Directing the City Manager to Offer Hourly Wage Increases for All Full-Time, Non-Probationary City Employees Paid Less Than Fifteen Dollars Per Hour. (Mary McCoy, Finance Director: mtmccoy@santafenm.gov, 505-955-6171 and Bernadette Salazar, Human
Resources Director: bjsalazar@santafenm.gov, 505-955-6591)
1) Request for Approval of Budget Amendment Resolution in the Total Amount of $216,449 to Increase Salaries to $15 Per Hour.

Committee Review:
Introduced: 09/18/21
Finance Committee: 10/04/21
Quality of Life Committee: 10/06/21
Public Works and Utilities Committee: 10/12/21
Governing Body: 10/13/21

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler for discussion. Approved to forward to 10/13/2021 Governing Body

SPECIAL CONDITIONS OR AMENDMENTS: Councilor Rivera would like to be added as a Sponsor and Councilor Garcia would like to be added as a Co-Sponsor

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico
Memorandum

Date: October 24, 2021

To: Public Works and Utilities Committee and Governing Body

Via: Shannon Jones, Public Utilities Department Director SJ
Jesse Roach, Water Division Director JR

From: Alan G. Hook, Water Resources Coordinator AH

RE: Resolution Directing the City Manager to Identify and Apply for Federal and State Funding Sources for Water, Wastewater, and Other Water Related Projects.

BACKGROUND:

This Resolution would authorize the Public Utilities staff to research, identify and apply for potential Federal and State funding sources for water, wastewater and other water related projects. Specific agreements for such projects will be brought back through committee review and approval by the Governing Body. With the FY 2022 Water Trust Fund application successfully submitted for $1.5 million toward the Nichols DamRepair Project (ICIP ID 33721), the City of Santa Fe must have an approved resolutionbefore the November 5, 2021 deadline in order to receive state funding. Without this resolution, the City of Santa Fe Public Utilities Department cannot receive Water TrustBoard funding in FY 2022.

ACTION REQUESTED:

Please review and if acceptable forward the Resolution 2021-_ and the Fiscal Impact Report (FIR) to Public Utilities Committee and City Council for approval. The attached FIR determined that this Resolution will have a minimal fiscal impact.

If you have any questions please contact me at 955-4205.

ATTACHMENTS:

Resolution
Exhibit A – 2023-2027 ICIP Project Summary List
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

INTRODUCED BY:

Councilor Chris Rivera

Councilor Roman "Tiger" Abeyta

Councilor Carol Romero-Wirth

A RESOLUTION

DIRECTING THE CITY MANAGER TO IDENTIFY AND APPLY FOR FEDERAL AND STATE FUNDING SOURCES FOR WATER, WASTEWATER, AND OTHER WATER RELATED PROJECTS.

WHEREAS, many state and federal programs require documentation of Governing Body support for public utilities projects; and

WHEREAS, additionally, the New Mexico Finance Authority Water Trust Board requires the Governing Body's adoption, or expected adoption, of a Resolution authorizing the submission of an application to the Water Trust Board; and

WHEREAS, municipal water systems and wastewater systems must make significant investments to install, upgrade, or replace infrastructure; and

WHEREAS, adequate water and wastewater facilities, in addition to protecting public and environmental health, enable communities to grow and attract businesses; and

WHEREAS, through the adoption of the City's 2023-2027 ICIP list (Resolution No. 2021-53), the Governing Body established certain water project priorities for consideration by the fifty-fifth

legislature, second session, 2022; and

WHEREAS, there is an ongoing need for the City of Santa Fe to obtain funding for water and wastewater projects.

NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the City Manager is directed to:

1. Identify, by way of example and not limitations, water, wastewater, water conservation, water treatment, water recycling, water reuse, water storage, water conveyance, water delivery, flood prevention, watershed restoration, watershed management, and other similar projects ("Projects") priorities and research and identify potential federal and state funding sources for such projects.

2. Apply for funding and bring specific agreements for such Projects for approval by the Governing Body.

3. Identify a state legislative priority list of Projects for presentation to the City's Public Works and Utilities Committee and Governing Body.

4. Submit an application to the New Mexico Water Trust Board, in compliance with New Mexico Water Trust Board policy, for financial assistance from the New Mexico Water Project Fund for all project types eligible for consideration, including but not limited to:

a. Water storage, conveyance and delivery projects;

b. Watershed restoration and management projects;

c. Endangered species act (ESA) collaborative projects;

d. Flood prevention projects; and

e. Water conservation, treatment, recycling, and reuse projects.

BE IT FURTHER RESOLVED that the 2023 – 2027 ICIP list is attached as Exhibit A.

PASSED, APPROVED, and ADOPTED this ____ day of _____, 2021.

_____

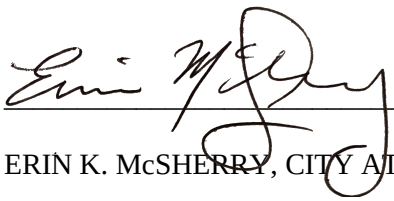
ALAN WEBBER, MAYOR

ATTEST:

_____

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021Resolutions/Water Funding Sources

Infrastructure Capital Improvement Plan FY 2023-2027

Santa Fe

Project Summary

ID	Year	Rank	Project Title	Category	Funded to date	2023	2024	2025	2026	2027	Total Project Cost	Amount Not Yet Funded	Phases?
32333	2023	001	Airport Terminal Expansion Construction	Transportation - Airports	10,500,000	11,000,000	0	0	0	0	21,500,000	11,000,000	No
23272	2023	002	Southwest Activity Node Park (SWAN)	Facilities - Other	499,000	3,500,000	0	0	0	0	3,999,000	3,500,000	Yes
36137	2023	003	Midtown Infrastructure Developments	Other - Utilities (publicly owned)	2,100,000	200,000	2,800,000	2,800,000	2,800,000	1,400,000	12,100,000	10,000,000	Yes
36178	2023	004	Santa Fe Median Beautification Phase I	Transportation - Medians	0	325,000	1,275,000	1,400,000	0	0	3,000,000	3,000,000	No
36136	2023	005	New Central Library Design	Facilities - Libraries	0	2,000,000	0	0	0	0	2,000,000	2,000,000	No
37521	2023	006	New Fire Station #2	Facilities - Fire Facilities	620,000	8,630,000	750,000	0	0	0	10,000,000	9,380,000	Yes
38547	2023	007	South Capital Area Road Reconstruction	Transportation - Highways/Roads/Bridges	0	250,000	1,250,000	0	0	0	1,500,000	1,500,000	Yes
34529	2023	008	Southside Library Community Plaza	Facilities - Libraries	0	650,000	850,000	0	0	0	1,500,000	1,500,000	No
33678	2023	009	Transit Fixed Route Vehicle Replacement	Equipment - Other	0	1,750,000	1,750,000	1,750,000	0	0	5,250,000	5,250,000	Yes
32339	2023	010	Broadband Infrastructure Underserved Neighborhoods	Other - Other	500,000	500,000	500,000	0	0	0	1,500,000	1,000,000	Yes
34689	2023	011	Harrison Road Sidewalk & Lighting Improvements	Transportation - Bike/Pedestrian/Equestrian	400,000	264,005	0	0	0	0	664,005	264,005	Yes
13943	2023	012	Traffic Signals Comm. Design & Install	Transportation - Highways/Roads/Bridges	0	500,000	0	0	0	0	500,000	500,000	No
32383	2023	013	Acequia Trail Extension	Transportation - Bike/Pedestrian/Equestrian	413,000	1,500,000	0	0	0	0	1,913,000	1,500,000	Yes
33684	2023	014	Cerrillos - Sandoval Intersection Improvements	Transportation - Highways/Roads/Bridges	0	300,000	0	1,700,000	0	0	2,000,000	2,000,000	Yes

29762	2023	015	Calle Po Ae Pi Extension	Transportation - Highways/Roads/Bridges	0	500,000	0	1,000,000	0	0	1,500,000	1,500,000	Yes
33692	2023	016	Delgado St - SF River Bridge Replacement	Transportation - Highways/Roads/Bridges	0	400,000	0	1,600,000	0	0	2,000,000	2,000,000	Yes
34757	2023	017	Agua Fria / South Meadows Improvements	Transportation - Highways/Roads/Bridges	1,351,769	1,700,000	0	0	0	0	3,051,769	1,700,000	Yes
33698	2023	018	Paseo de Peralta - SF River Bridge Rehab	Transportation - Highways/Roads/Bridges	0	500,000	0	2,000,000	0	0	2,500,000	2,500,000	Yes
36163	2023	019	Bicycle & Pedestrian Wayfinding System	Transportation - Bike/Pedestrian/Equestrian	26,929	323,071	0	0	0	0	350,000	323,071	Yes
36164	2023	020	Henry Lynch Reconstruction	Transportation - Highways/Roads/Bridges	450,000	2,620,000	0	0	0	0	3,070,000	2,620,000	Yes
36168	2023	021	Cerro Gordo Reconstruction	Transportation - Highways/Roads/Bridges	0	1,000,000	0	5,000,000	0	0	6,000,000	6,000,000	Yes
29993	2023	022	West Alameda St. Drainage	Transportation - Highways/Roads/Bridges	50,000	1,800,000	0	7,500,000	0	0	9,350,000	9,300,000	Yes
37525	2023	023	Tierra Contenta Trail Improvements	Facilities - Administrative Facilities	726,438	1,000,000	0	0	0	0	1,726,438	1,000,000	Yes
37526	2023	024	Governor Miles Reconstruction	Facilities - Administrative Facilities	0	750,000	0	2,000,000	0	0	2,750,000	2,750,000	Yes
37528	2023	025	St.Mikes Rail Trail Underpass Project	Transportation - Bike/Pedestrian/Equestrian	4,984,999	3,015,001	0	0	0	0	8,000,000	3,015,001	Yes
38549	2023	026	Arroyo De Los Chamisos Crossing	Transportation - Highways/Roads/Bridges	5,400,000	1,300,000	5,100,000	0	0	0	11,800,000	6,400,000	Yes
38550	2023	027	St. Michael's Drive Reconstruction	Transportation - Highways/Roads/Bridges	0	3,000,000	0	0	20,000,000	0	23,000,000	23,000,000	Yes
38552	2023	028	San Felipe Pedestrian and Bicycle Improvements	Transportation - Bike/Pedestrian/Equestrian	0	400,000	0	1,200,000	0	0	1,600,000	1,600,000	No
38553	2023	029	Santa Fe River Trail Extension & River	Transportation -	68,000	1,100,000	0	6,900,000	0	0	8,068,000	8,000,000	Yes

			Restoration	Bike/Pedestrian/Equestrian									
38554	2023	030	Bishop's Lodge Road Reconstruction	Transportation - Highways/Roads/Bridges	800,000	5,200,000	0	0	0	0	6,000,000	5,200,000	Yes
38555	2023	031	Rufina St & Lopez Lane Intersection Improvements	Transportation - Highways/Roads/Bridges	0	500,000	0	2,000,000	0	0	2,500,000	2,500,000	Yes
39165	2023	032	Pacheco Street Bicycle & Pedestrian Improvements	Transportation - Bike/Pedestrian/Equestrian	300,000	700,000	0	0	0	0	1,000,000	700,000	Yes
39326	2023	033	Cerrillos Phase III Ped and Bike Improvements	Transportation - Bike/Pedestrian/Equestrian	0	200,000	2,250,000	2,550,000	0	0	5,000,000	5,000,000	Yes
36503	2023	034	New City Services Center	Facilities - Administrative Facilities	0	200,000	3,800,000	61,000,000	0	0	65,000,000	65,000,000	Yes
34524	2023	035	Main Library Improvements	Facilities - Libraries	0	300,000	3,000,000	100,000	0	0	3,400,000	3,400,000	No
36159	2023	036	Fire Station 3,5,6 & 9 Facility Renovations	Facilities - Fire Facilities	25,000	220,000	2,475,000	65,000	0	0	2,785,000	2,760,000	No
39329	2023	037	Midtown Historic & Cultural Significant Renovation	Facilities - Cultural Facilities	0	500,000	3,500,000	3,000,000	3,000,000	0	10,000,000	10,000,000	Yes
25230	2023	038	New Regional Fire Training Facility Study	Facilities - Fire Facilities	0	1,620,000	13,380,000	3,000,000	0	0	18,000,000	18,000,000	No
22928	2023	039	Fire Station 1 Remodel/Expansion	Facilities - Fire Facilities	0	6,700,000	610,000	0	0	0	7,310,000	7,310,000	No
37529	2023	040	Railyard Park Irrigation System Upgrades	Facilities - Other	0	100,000	150,000	0	0	0	250,000	250,000	Yes
36170	2023	041	Municipal Court Improvements	Facilities - Administrative Facilities	0	480,000	1,525,000	0	0	0	2,005,000	2,005,000	Yes
34780	2023	042	New Entrance Road Regional Airport	Transportation - Highways/Roads/Bridges	0	1,000,000	0	8,000,000	0	0	9,000,000	9,000,000	Yes
34530	2023	043	Trenchless Rehabilitation of Existing Sewer Lines	Water - Wastewater	0	2,000,000	0	2,000,000	0	2,000,000	6,000,000	6,000,000	Yes
32399	2023	044	Replacement of Return Activated Sludge	Water - Wastewater	0	180,000	1,675,000	0	0	0	1,855,000	1,855,000	Yes

			Pumps										
37155	2023	045	MRC Irrigation System Upgrades	Water - Storm/Surface Water Control	0	100,000	650,000	750,000	0	0	1,500,000	1,500,000	Yes
32424	2023	046	Security for Water Source and Storage Sites	Water - Water Supply	0	270,782	270,782	270,782	270,782	270,782	1,353,910	1,353,910	Yes
37523	2023	047	Pressure Release Valve SCADA Implementation	Water - Other	0	150,000	150,000	150,000	150,000	150,000	750,000	750,000	Yes
37524	2023	048	Priority Line Replacements	Water - Water Supply	0	800,000	800,000	800,000	800,000	800,000	4,000,000	4,000,000	Yes
32418	2023	049	Additional Filters for Tertiary Treatment	Water - Wastewater	0	200,000	2,300,000	0	0	0	2,500,000	2,500,000	Yes
33721	2023	050	Nichols Outlet Rehabilitiation	Water - Water Supply	1,800,000	10,500,000	0	0	0	0	12,300,000	10,500,000	No
37157	2023	051	Electric Vehicle Charging Stations	Facilities - Administrative Facilities	0	130,000	0	0	0	0	130,000	130,000	No
34519	2023	052	McClure Dam Outlet Rehabilitation	Water - Water Supply	0	1,500,000	13,500,000	0	0	0	15,000,000	15,000,000	No
39115	2023	053	Canyon Road Water Treatment Plant	Water - Water Supply	1,000,000	8,850,000	4,000,000	0	0	0	13,850,000	12,850,000	Yes
39331	2023	054	Canyon Road Water Chemical Feed Upgrades	Water - Water Supply	0	500,000	3,000,000	0	0	0	3,500,000	3,500,000	No
39332	2023	055	San Juan Chama Pipeline Project	Water - Water Supply	0	2,000,000	10,000,000	10,000,000	0	0	22,000,000	22,000,000	No
32419	2024	001	Chemical Storage and Feed System Rehabilitation	Water - Wastewater	0	0	150,000	575,000	0	0	725,000	725,000	Yes
32415	2026	001	Existing Digester Rehabilitation	Water - Wastewater	0	0	0	0	250,000	2,050,000	2,300,000	2,300,000	Yes

Number of projects: 57

	Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:	Total Not Yet Funded:
Grand Totals	32,015,136	95,677,856	81,460,784	129,110,784	27,270,782	6,670,782	372,206,080	340,190,976

FIR No. 10353

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Water Funding Sources

Sponsor(s): Councilor Rivera

Reviewing Department(s): Public Utilities

Staff Completing FIR: Alan G. Hook Date: 10/15/2021 Phone: (505) 955-4205

Reviewed by City Attorney: Eric M. Date: Oct 25, 2021

Reviewed by Finance Director: Mary McCoy Date: Oct 25, 2021

Summary:
The proposed Resolution directs the City Manager to identify and apply for federal and state funding sources for water, wastewater, and other water related projects. Furthermore, the FY 2022 Water Trust Board application for $1.5 million toward the repair of Nichols Dam requires a Resolution be approved and submitted prior to November 5, 2021.

Departments Affected:
Public Utilities.

Consequences of Not Enacting Legislation:
The City will not apply for state, federal, or other funding sources for water-related projects, thus impacting potential revenue savings to the City over the long-term. Without passage of this Resolution, the FY 2022 Water Trust Board application for $1.5 million toward the repair of Nichols Dam would be jeopardized.

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

Performance and Administrative Implications:
Without passage of this Resolution, staff would not have clear direction to identify and apply for federal and state funding sources for water, wastewater, and other water related projects as alternative funding sources to the existing CIP budget.

Fiscal Implications:
The Personnel & Benefits cost for the submission of the FY2022 Water Trust Board (WTB) Application is $3,356.29 with approval of this resolution. See "Expenditure Narrative" below. Future Personnel & Benefit expenditures for the FY2022 WTB funding will be accounted for with the Governing Body approval of the WTB funding agreement. Furthermore, potential staff time expenditures or professional services expenditures for other funding sources is dependent upon the source of funding's rules and requirements.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE 2022	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and	$3,356.29	$	$	N	NR	505	
Benefits*							
Capital Outlay	$	$	$				
Contractual/	$	$	$				
Professional Services							
Operating	$	$	$				$
Total:	$3,356.29	$	$				$ 3,356.29

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

Expenditure Narrative:

The Personnel & Benefits cost is for the submission of the FY2022 Water Trust Board Application for $1.5 million toward the Nichols Dam Repair Project: 40 hours for the Public Utilities Water Resources Coordinator and 20 hours for the Water Engineering Supervisor. Potential staff time costs or professional services costs for other funding sources is dependent upon the source of funding's rules and requirements. This amount is included in the City's budget for this purpose. Furthermore, expenditures and revenue will be determined when funding agreements need to be approved through the committee and Governing Body approval process prior to accepting financial assistance.

Revenue

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

Revenue Narrative:

There are no revenues related to this Resolution at this time. Revenue will be determined when funding agreements go through the committee and Governing Body approval process.

Signature: Alan Hook

Email: aghook@ci.santa-fe.nm.us

Signature: Shannon Jones

Email: swjones@ci.santa-fe.nm.us

Signature: 

Email: jdroach@ci.santa-fe.nm.us

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/25/2021

ISSUSE NO. 7c

CONSIDERATION OF RESOLUTION NO. 2021-__. (Councilor Rivera, Councilor Abeyta, and Councilor Romero-Wirth) A Resolution Directing the City Manager to Identify and Apply for Federal and State Funding Sources for Water, Wastewater, and Other WaterRelated projects. (Alan Hook, Water Resources Coordinator Assistant: aghook@santafenm.gov, 955-4205)

Committee Review:
Public Works and Utilities Committee: 10/25/21
Governing Body: 10/27/21

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 10/27/2021 Governing Body

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	Excused		

GOVERNING BODY MEETING OF
October 27, 2021
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Alan Webber

Co-Sponsors	Title*	Tentative Committee Schedule*
	A RESOLUTION REQUESTING APPROVAL OF FIRST QUARTER BUDGET AMENDMENTS AND ASSOCIATED NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION/LOCAL GOVERNMENT DIVISION (DFA/LGD) SCHEDULE FOR FISCAL YEAR 2021/2022.	Finance Committee – 11/11/21 Governing Body – 11/10/21
	A RESOLUTION EXTENDING THE TIMEFRAME FOR PERMITTING THE TEMPORARY USE OF ANY CITY SIDEWALK, STREET, RIGHT-OF-WAY, OR OTHER SPECIFIED PROPERTY FOR THE SALE AND CONSUMPTION OF ALCOHOL, PURSUANT TO SECTION 23-6.1(E)(5), SFCC 1987.	Quality of Life – 11/3/21 Public Works/Utilities – 11/8/21 Governing Body – 11/10/21

Councilor Roman "Tiger" Abeyta

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Jamie Cassutt

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Michael J. Garcia

Co-Sponsors	Title*	Tentative Committee Schedule*

Councilor Signe I. Lindell

Co-Sponsors	Title*	Tentative Committee Schedule*
Cassutt	**A RESOLUTION SUPPORTING EFFORTS BY STATE AND LOCAL EDUCATORS TO ALLEVIATE THE STAFFING CRISIS IN PUBLIC EDUCATION THROUGHOUT THE STATE.**	Finance Committee – 11/1/21 Governing Body – 11/10/21
Villarreal	**A RESOLUTION DESIGNATING CERTAIN PROPERTY FOR PUBLIC USE REQUIREMENTS FOR CAÑADA RINCON MULTI-USE TRAIL PROJECT.**	Public Works and Utilities Committee – 11/8/21 Governing Body – 11/10/21
Villarreal Garcia	**A RESOLUTION ALLOWING THE CITY OF SANTA FE'S PARTICIPATION IN A TRANSPORTATION PROJECT FUND PROGRAM TO RECONSTRUCT BISHOP'S LODGE ROAD.**	Public Works and Utilities Committee – 11/8/21 Governing Body – 11/10/21

Councilor Chris Rivera

This document is subject to change.

Co-Sponsors	Title*	Tentative Committee Schedule*
Abeyta	**A RESOLUTION ALLOWING THE CITY OF SANTA FE'S PARTICIPATION IN A TRANSPORTATION PROJECT FUND PROGRAM FOR THE AGUA FRIA/SOUTH MEADOWS INTERSECTION.**	Public Works and Utilities Committee – 11/8/21 Governing Body – 11/10/21
Abeyta	**A RESOLUTION ALLOWING THE CITY OF SANTA FE'S PARTICIPATION IN A TRANSPORTATION PROJECT FUND PROGRAM TO CONSTRUCT AN EXTENSION OF PASEO DEL SOL.**	Public Works and Utilities Committee – 11/8/21 Governing Body – 11/10/21
	A RESOLUTION UPDATING THE TERMS OF RESOLUTION NOS. 2020-29 AND 2021-17 TO EXTEND THE DURATION OF THE COMMUNITY HEALTH AND SAFETY TASK FORCE THROUGH THE END OF CALENDAR YEAR 2022.	Finance Committee – 11/1/21 Quality of Life Committee – 11/3/21 Governing Body – 11/10/21

Councilor Carol Romero-Wirth

Co-Sponsors	Title*	

Councilor JoAnne Vigil Coppler

Co-Sponsors	Title*	Tentative Committee Schedule*
Cassutt	**A RESOLUTION ALLOWING THE CITY OF SANTA FE'S PARTICIPATION IN A TRANSPORTATION PROJECT FUND PROGRAM TO RECONSTRUCT HENRY LYNCH ROAD**	Public Works and Utilities Committee – 11/8/21 Governing Body – 11/10/21

Councilor Renee Villarreal

Co-Sponsors	Title*	Tentative Committee Schedule*

* Subject to change

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillen, 505-955-6518, jbguillen@santafenm.gov or Jeff Norris, 505-955-6692, jtnorris@santafenm.gov.

18. PETITIONS FROM THE FLOOR

Name: Stefanie Beninato
Comment - 10/27/2021 11:17 AM: (No Vote)
Please be advised that I have also emailed the mayor, city attorney and risk management at their individual addresses.
TORT NOTICE OF CLAIM
DATE OF INCIDENT: 3 August 2021
TIME OF INCIDENT: 8-8:30AM
STATE AGENCY INVOLVED: City of Santa Fe
CLAIMANT'S NAME & ADDRESS:
Stefanie Beninato
PO Box 1601
Santa Fe NM 87504
PHONE #: 505 988 8022
LOCATION OF INCIDENT: Salvador Perez Rec Center Weight Area
I went to use the weight equipment in the NE corner of the weight room. There was less than 16 inches of space between the machine I wanted to use and the weight bar for the bench press. I went in sideways—I could not get behind the machine to put the weight on the back because there was not enough room so I pivoted to see how to get back out and struck my head against the weight bar.
I believe the city is at fault because there was not adequate spacing between and behind the two devices.
I am making a claim for bodily injuries and any other damages to which I might be entitled.
After striking my head against the weight bar, I was dizzy, shaking, bruised, and experiencing a bad headache.
I have had problems with my jaw, head, neck, shoulder, lower back, and ribs.
I am represented by Joe Fine, Fine Law Firm, 220 9th St NW, Albuquerque, NM 87102, 505 243-4541
Stefanie Beninato /s/

Name: Stefanie Beninato
Comment - 10/27/2021 12:56 PM: (No Vote)
I think the public and the council should know that Salvador Perez has roof leaks. Sound familiar? It only took 2.5 years and 2.5 million to renovate this bldg—anyone want to bet that the new southside teen center will also have roof leaks?

City of Santa Fe New Mexico
Memorandum

Date: October 19, 2021

To: Governing Body and City Manager

From: Jason Kluck jmk (Oct 20, 2021 11:12 MDT)
Interim Planning and Land Use Director

RE: Planning Commission Appointments

BACKGROUND AND SUMMARY:

Members of the City's land use boards and commissions are appointed by the Mayor with consent of the City Council. This memorandum recommends appointments to the City's Planning Commission.

Planning Commission

The Planning Commission reviews and approves proposals for new development projects in the City of Santa Fe, creating the potential to have a large and long-lasting impact, as the City considers approaches to address the lack of affordable housing in the community. The Commission also makes recommendations to the Governing Body about requests for zoning changes, annexations, and amendments to the City's Land Development Code.

The Commission is composed of nine members who are qualified by training, experience, and ability to exercise sound and practical judgment on civic, social, economic, and governmental affairs. The Commission includes two members from each City Council District and one "at-large" member. Currently, there are two vacancies on the Commission. As part of this appointment process, the City sought and obtained letters of interest from constituents in all Districts.

RECOMMENDATIONS:

It is recommended that the Mayor appoint and the City Council approve the following new appointments and changes to the Planning Commission.

I. **Planning Commission**

Under SFCC 14-2.3(D)(3), Commissioners shall serve two-year overlapping terms, maintaining the original overlap of planning commission terms. Members shall serve until their successors have

been appointed and qualified. It is recommended that one new Commissioner be appointed and one current Commissioner change from an At Large member whose term expires in January of 2022 to a District 2 member whose term expires in January of 2023, as set forth below.

A. New Members:

- Daniel Pava (At Large): 2-Year Term (10/27/2021 to 1/13/2023)

  Daniel Pava is a retired planner who is living in Santa Fe. He currently is a consulting planner and owner of Planning Solutions. Prior to that he worked for 20 years as a planner at Los Alamos National Laboratories, as a Project Manager for Rio Rancho, and several other planning roles. Dan is a Fellow with the American Institute of Certified Planners and has been an active member of the APA New Mexico Chapter. He has previously served on the Planning Commission from 2012 to 2015 as well as Business Capitol Design Review Board. Dan understands the role and responsibilities it requires to serve on the Commission.

B. Existing Members:

- Janet Clow, (District 2) (ret.): 2-Year Term (10/28/2021 to 1/13/2023) (Appointment Changed from "At Large" to "District 2")

ACTION REQUESTED:
Approve appointments as presented.

ATTACHMENTS:
Letters of Interest from new candidates.

October 16, 2021

Honorable Mayor Alan Webber
200 Lincoln Avenue
Santa Fe, New Mexico 87504-0909

Dear Mayor Webber,

I would like to offer my service on the planning commission. I have previously been a member of the Sustainable Santa Fe Commission, the planning commission from 2012 to 2015, and before that, on the Business Capitol District Design Review Board. I currently am serving as a member of the Santa Fe County Capital Improvement Advisory Committee.

I reside in District 1, where my wife Carol and I have owned a house for 20 years. During this time, we have seen many positive changes in Barrio La Canada, while the neighborhood has maintained its character, diversity, and walkability.

Santa Fe must address many challenges by creating innovative opportunities and fostering common-sense solutions for our citizens. Some of this will require guidance from an informed planning commission willing to balance change with tradition, and move forward addressing housing choice and affordability, sustainability and resilience, business opportunity and livability, in making its recommendations and decisions. As you may be aware, I also champion undertaking the challenging work of a new city comprehensive plan.

I have included my resume detailing my 40 years of varied planning experience for your consideration, and look forward to addressing questions you might have of me regarding my ideas, experience, or motivations.

Sincerely,



Daniel Pava, FAICP

Daniel S. Pava, FAICP

QUALIFICATIONS

I am a professional who practices collaborative and participatory planning. I am an effective leader and communicator who organizes, prioritizes, builds consensus, resolves conflicts, researches, analyzes and makes good decisions and recommendations to management, boards and officials. I am a creative and empathic program manager with a sense of humor who is results and customer service driven. Highly developed skills, knowledge and abilities in comprehensive planning, environmental analyses, project management, design review, policy development, strategic, institutional and facilities planning, consensus building, and public participation.

WORK HISTORY

At Present: Consulting planner and owner of *Planning Solutions*, a sole proprietorship engaged in environmental, comprehensive, land use and sustainability planning.

November 2000 to March 2020: Senior Environmental Planner - Environmental Stewardship Group at Los Alamos National Laboratory. Program lead for the Land Conveyance and Transfer Program, and the Trails Management Program. Working with federal agencies, local governments, tribes and stakeholders, I prepared environmental reviews, assessments and impact statements in accordance with the National Environmental Policy Act on subjects including nuclear facilities, landfills, transportation, and master plans - with specific expertise in transportation, land use, infrastructure, socioeconomics and environmental justice.

June 1999 to November 2000: Project Team Leader - Site Planning Group at Los Alamos National Laboratory. Coordinated first update of Los Alamos National Laboratory Comprehensive Site Plan since 1990. I supervised five staff to complete this task in six months, managing all aspects of production, procurement, contracts, and stakeholder involvement. I promoted Los Alamos at national conferences by winning awards and leading technical panels. I organized strategic planning and team building retreats. I served as the planning technical liaison to Los Alamos County.

WORK HISTORY - continued

April 1998 - June 1999: Project Manager- City of Rio Rancho Vision 2020 Integrated Comprehensive Plan. Hired by the city manager, I supervised an ad-hoc team of five staff from various city departments, and was responsible for initiating development of first new comprehensive plan in ten years for New Mexico's fastest growing city, including public outreach and steering committee meetings, project administration, budgeting, media relations, and procurement. Conducted public opinion surveys, prepared fact books, established working groups, and drafted a community-wide vision statement using graphic facilitation, that was adopted by city council in December 1998, prior to further work on the plan.

November 1996 - April 1998: Senior Planner - City of Milwaukie Oregon. Prepared policy and land use analyses for public working groups for Regional Center Master Plan. Completed Transportation Systems Plan. Wrote and presented reports to the City Council and Planning Commission. Served as city's representative on county transportation coordinating committee and on METRO committees. Wrote staff reports and assisted public in submittal and review of development applications in accordance with city and Oregon State planning requirements.

November 1991 - November 1996: Land Use and Facilities Planner - Lawrence Livermore National Laboratory, Livermore CA. Created 13 strategic facility plans integrating programmatic work with site-wide development, land use, construction and infrastructure functions. Reviewed and approved design packages and criteria, construction specs and cost estimates for site planning group. Organized strategic planning retreat and authored group strategic business plan. Drafted Sanitary Sewer Master Plan. Interacted with all levels of Laboratory management, and served as liaison to Tri-Valley Planning Committee. Authored space and site planning policies and memorandums of agreement for siting facilities. I supervised a team of five planners for part of my time at Livermore.

February 1988 - November 1991: Planner - Los Alamos National Laboratory. Project leader for 1990 LANL Site Development Plan. Coordinated production of 5-Year Construction Plan. Wrote a Sanitary Landfill Study. Liaison to county planning office. Prepared siting memos and reviewed project plans.

1985-1988: Assistant Planning Director - Los Alamos County, NM. Managed county interdepartmental review committee. Authored staff reports and agenda documentation for Planning and Zoning Commission and County Council. Project Manager for 1986 Los Alamos County Comprehensive Plan. Revised County’s development code.

1981-1985: Associate Planner - City of Albuquerque, NM. I served as staff to the Environmental Planning Commission. Analyzed major development proposals, subdivisions, and negotiated conditions with developers and neighborhood groups. Advised and guided public about planning and zoning regulations and processes as first point of contact.

EDUCATION

Certificate in Project Management, University of New Mexico, 1998.

Master of Community and Regional Planning, University of New Mexico, 1985.

Master of Public Administration - Energy and Environmental Management Program, University of New Mexico, 1983.

Bachelor of Arts, Geography - Regional Land Use Planning/Environmental Management, San Francisco State University, 1979.

MEMBERSHIPS & LICENSES

Fellow - American Institute of Certified Planners (FAICP) - Inducted April 2018.

American Institute of Certified Planners (#5961) since July 1987. I am a member in good standing and have kept current with the continuing education requirements of the AICP.

American Planning Association - member since 1981 - Completed three terms as New Mexico Chapter president and a member of the national APA Chapter President's Council/APA leadership.

President of the board of directors of Western Planning Resources, a network of planners in the western United States - www.westernplanner.org - 2012 -2014, and January 2019 – January 2021.

Sustainable Santa Fe Commission - August 2017 to present.

City of Santa Fe Planning Commission - June 2012 to May 2015.

City of Santa Fe Business Capitol District Design Review Board - 2009 to 2012.

City of Santa Fe, New Mexico
Memorandum

Date: September 15, 2021

To: Ethics and Campaign Review Board, Quality of Life, and Governing Body

From: Kristine Mihelcic, City Clerk KM
Marcos Martinez, Senior Assistant City Attorney MM

RE: Ranked Choice Voting Tie Votes

EXECUTIVE SUMMARY:

Current City Code states that in the event of a tie for the fewest number of votes during any round of ranked choice voting, the candidate to be eliminated shall be chosen by lot. The proposed Bill changes the process by resolving the tie in favor of the candidate who received the greatest number of combined first choice votes and transferred votes during the previous state of tabulation.

The proposed bill would make the City's Code consistent with the Secretary of State's Administrative Rules on resolving ties for ranked choice voting elections. The State Rule on tie votes is codified at 1.10.14.10(B) NMAC.

ACTION REQUESTED:

Staff requests approval of the Bill as presented.

ATTACHMENTS:

Bill
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2021-__

INTRODUCED BY:

Councilor Michael J. Garcia

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

AN ORDINANCE

AMENDING SECTION 9-1.7 SFCC 1987 REGARDING RANKED CHOICE VOTING TO AMEND HOW A TIE VOTE BETWEEN TWO CANDIDATES IS RESOLVED.

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

Section 1. Section 9-1.7 of SFCC 1987 (being Ord. No. 2017-26, § 1, as amended) is amended to read:

9-1.7 Ranked Choice Voting.

A. *Authority*. The city has the authority to enact this section under all powers possible for a city to have under the constitution and laws of New Mexico by virtue of its enactment of its charter pursuant to the provisions of Article X, Section 6 of the New Mexico Constitution, and pursuant to the New Mexico Municipal Charter Act including all implied powers and all powers necessary to implement all express powers of the city, as if each and every one of the city's implied powers were fully, completely and expressly enumerated in its charter.

B. *Definitions.* As used in this section, the following terms have the following meanings:

(1) *Choice* means an indication on a ballot of a voter's assigned ranking of candidates (i.e., first choice, second choice, third choice) for any single office according to the voter's preference.

(2) *Continuing ballot* means a ballot that counts towards a continuing candidate.

(3) *Continuing candidate* means a candidate that has not been eliminated.

(4) *Duplicate ranking* means a voter has ranked the same candidate at multiple rankings for the office being counted. The highest ranking for the candidate is valid and any lower rankings of that candidate shall be ignored.

(5) *Exhausted ballot* means a ballot that cannot be advanced because no further continuing candidates are ranked on that ballot.

(6) *Incorrectly marked ballot* means a ballot showing an overvote, undervote, duplicate ranking, skipped ranking, or unused ranking, and shall be rejected with an error message. A person who accidentally spoils or erroneously prepares the ballot may return the spoiled or erroneously prepared ballot to the election judge and receive a new ballot.

(7) *Majority of votes* means fifty (50) percent plus one (1) of the votes cast for a continuing candidate.

(8) *Next ranked* means the highest ranked choice for a continuing candidate.

(9) *Overvote* means a voter has ranked more than one candidate at the same ranking. If a voter gives the same ranking to more than one (1) candidate, the voter's rankings shall be counted in order of preference, stopping at the point where the ballot contains the same ranking for more than one (1) candidate.

(10) *Ranked choice voting* means an election system in which voters rank the candidates for office in order of preference, and the ballots are counted in rounds that

simulate a series of runoffs until one candidate receives a majority of votes. Ranked choice voting is also known as "instant runoff voting."

(11) *Round of counting or round* means a step in the counting process during which votes for all continuing candidates are tabulated for the purpose of determining whether a candidate has achieved a majority of the votes cast for a particular office and, absent a majority, which candidate or candidates must be eliminated.

(12) *Skipped ranking* means a voter has left a ranking blank and ranks a candidate in a subsequent ranking. If a voter skips a numerical ranking, the skipped ranking will be ignored and the next indicated ranking on that ballot will be valid.

(13) *Undervote* means a voter did not rank any candidates for an office.

(14) *Unused ranking* means the voter has ranked at least one (1), but not all, candidates.

(15) *Vote* means a ballot choice that is counted toward the election of a candidate. During each round of counting, each continuing ballot contains one vote. All first choices are votes and lower ranked choices are potential runoff votes that may, in accordance with the requirements of this section, become votes and subsequently credited for a continuing candidate.

C. *General Provisions.*

(1) Ranked choice voting elections for the offices of mayor, councilor and municipal judge shall be conducted according to the procedures in this section.

(2) Ranked choice voting shall commence with the 2018 regular municipal election and continue for all regular municipal elections thereafter unless later repealed or invalidated by a subsequent federal, state or city law, statute, rule, regulation, or ordinance.

(3) The New Mexico secretary of state must certify the software prior to the

use of ranked choice voting.

D. *Ballot.* The ranked choice voting ballot shall allow voters to rank all choices.

E. *Tabulation.* The ballots shall be counted in rounds.

(1) In the first round, every ballot shall count as a vote towards the first choice candidate.

(2) After any round, if any candidate receives a majority of votes, that candidate shall be declared the winner.

(3) If no candidate receives a majority of votes, the candidate receiving the fewest number of votes shall be eliminated.

(4) Every ballot counting towards the eliminated candidate shall be transferred to the next ranked continuing candidate. All the continuing ballots for all continuing candidates shall be counted again in a new round.

F. *Ties.* [~~In the event that two (2) or more candidates tie for the fewest number of votes, the candidate to eliminate shall be chosen by lot~~] If a tie between candidates occurs at any stage in the tabulation, the tie shall be resolved in favor of the candidate who received the greatest number of combined first choice votes and transferred votes at the previous stage of tabulation. If the first round tabulation results in a tie between candidates, the tie shall be resolved against the candidate who received the least number of combined second choice votes.

G. *Severability.* The requirements and provisions of this section and their parts, subparts and clauses are severable. In the event that any requirement, provision, part, subpart or clause of this section, or the application thereof to any person or circumstance, is determined to be impossible of performance, or held to be invalid or unenforceable by a court of competent jurisdiction, it is the intent of the governing body that the remainder of the section be enforced to the maximum extent possible consistent with the governing body's purpose of this Campaign Code.

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2021/Bills/Ranked Choice Tie Votes

FIR No. 10337

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): **Ranked Choice Tie Votes**

Sponsor(s): Councilor Garcia

Reviewing Department(s): Community Development/Planning and Land Use, Finance

Staff Completing FIR: Kristine Mihelcic/Marcos Martinez Date: 9/15/21 Phone: 955-6846/955-6502

Reviewed by City Attorney: _____ Date: Sep 15, 2021

Reviewed by Finance Director: _____ Date: Sep 20, 2021

Summary:
This Bill amends the Election Code, Section 9-1.7 SFCC 1987, to revise how tie votes are resolved for candidates in a given round. The current method is to choose the candidate to be eliminated by lot. The amendments change the method to one in which the tie is resolved in favor of the candidate who receives the greatest number of combined first choice and transferred votes from the previous round.

Departments Affected:
City Clerk and City Attorney

Consequences of Not Enacting Legislation:
The current method of resolving tie votes will remain, a method that relies entirely on chance and does not take into account first choice or transferred votes from previous rounds.

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

Performance and Administrative Implications:
In the event of a tie, the City Clerk will no longer have to conduct a drawing of lots to determine which candidate is eliminated.

Fiscal Implications:
None identified.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

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

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

Expenditure Narrative:

Revenue

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

Revenue Narrative:

Signature: Marcos Martinez
Marcos Martinez (Sep 15, 2021 16:31 MDT)

Email: mdmartinez@santafenm.gov

Signature: Kristine Mihelcic
Kristine Mihelcic (Sep 16, 2021 13:19 MDT)

Email: kmmihelcic@santafenm.gov

11. DISCUSSION/ACTION ITEMS

c. **Request to Publish Notice of Public Hearing on October 27, 2021.**

Consideration of Bill No. 2021-23. An Ordinance Amending Section 9-1.7 SFCC 1987 Regarding Ranked Choice Voting to Amend How a Tie Vote Between Two Candidates is Resolved. (Councilor Garcia) (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:

Introduced: 09/20/21 (Finance Committee)
Ethics and Campaign Review Board: 09/28/21
Governing Body (Request to Publish): 09/29/21
Quality of Life Committee: 10/06/21
Finance Committee: 10/18/21
Governing Body (Public Hearing): 10/27/21

Name: Stefanie Beninato
Comment - 09/29/2021 08:59 AM: (For)
Good

ACTION SHEET
QUALITY OF LIFE MEETING OF 10/06/2021

ISSUE NO. 7b

CONSIDERATION OF BILL NO. 2021-23. (Councilor Garcia)
An Ordinance Amending Section 9-1.7 SFCC 1987 Regarding Ranked Choice Voting to Amend How a Tie Vote Between Two Candidates is Resolved. (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:
Introduced: 09/20/21 (Finance Committee)
Ethics and Campaign Review Board: 09/28/21
Governing Body (Request to Publish): 09/29/21
Quality of Life Committee: 10/06/21
Finance Committee: 10/18/21
Governing Body (Public Hearing): 10/27/21

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 10/18/2021 Finance Committee

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA	X		
COUNCILOR GARICA	X		
COUNCILOR CASSUTT	X		
COUNCILOR VILLARREAL	X		
COUNCILOR ROMERO-WIRTH, CHAIR	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/18/21
FOR CITY COUNCIL MEETING OF 10/27/21

CONSIDERATION OF BILL NO. 2021-23. ADOPTION OF ORDINANCE NO. 2021-____. (Councilor Garcia)
An Ordinance Amending Section 9-1.7 SFCC 1987 Regarding Ranked Choice Voting to Amend How a Tie Vote Between Two Candidates is Resolved. (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee	**Review:**
Introduced:	09/20/21 (Finance Committee)
Ethics and Campaign Review Board:	09/28/21
Governing Body (Request to Publish):	09/29/21
Quality of Life Committee:	10/06/21
Finance Committee:	10/18/21
Governing Body (Public Hearing):	10/27/21

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ABEYTA	X		
COUNCILOR CASSUTT	X		
COUNCILOR LINDELL	X		
COUNCILOR ROMERO-WIRTH	X		
CHAIRPERSON VILLARREAL	X		

20. PUBLIC HEARINGS

a. CONSIDERATION OF BILL NO. 2021-23. ADOPTION OF ORDINANCE NO. 2021-____. (C Garcia)

An Ordinance Amending Section 9-1.7 SFCC 1987 Regarding Ranked Choice Voting to Amend How a Tie Vote Between Two Candidates is Resolved. (Marcos Martinez, Senior Assistant City Attorney: mdmartinez@santafenm.gov, 955-6502 and Kristine Mihelcic, City Clerk: kmmihelcic@santafenm.gov, 955-6846)

Committee Review:

Introduced: 09/20/21 (Finance Committee)
Ethics and Campaign Review Board: 09/28/21
Governing Body (Request to Publish): 09/29/21
Quality of Life Committee: 10/06/21
Finance Committee: 10/18/21
Governing Body (Public Hearing): 10/27/21

Name: Stefanie Beninato
Comment - 10/27/2021 11:17 AM: (Against)
Rank Choice Tie Vote—I can support the methodology for a tie for two candidates when there are several or several stages (1st sentence of revision) I am concerned that if there is a tie on the first vote that we will wind up with a plurality elected candidate which is what this system is supposed to avoid.

City of Santa Fe, New Mexico

memo

DATE: September 10, 2021 for the October 27, 2021 Governing Body Meeting

TO: Members of the Governing Body

VIA: Jarel LaPan Hill
Jarel Lapan Hill, City Manager
Jason Kluck, Acting Planning and Land Use Department Director jmk
Noah Berke, Planner Manager NB

FROM: Donna Wynant, Land Use Planner Senior, Current Planning Division DW

Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

Case #2021-3806. Aleksander Estates Subdivision Rezoning. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests approval of rezoning from R-1 (1 dwelling unit per acre) to R-7 (7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests Preliminary Development Plan approval of a preliminary subdivision for 59 single-family residential lots on approximately 8.38 acres. The property is zoned R-1 Residential and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

I. RECOMMENDATION:

The Governing Body should **APPROVE** Case No. 2021-3805, Case No. 2021-3806 and Case No. 2021-3807 **as recommended by the Planning Commission**.

Three motions will be required for this case.

eneral Plan Amendment (Resolution 2021-__):

- ***Move to approve*** *Resolution 2021-__ to amend the General Plan Future Land Use classification from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre) for 8.3 acres of land located on the east side of Kates Way, north of South Meadows Road, and to adopt the findings of the Planning Commission as outlined in Section IV.A of the staff report;*

  OR

- ***Move to deny*** *Resolution 2021-__ to amend the General Plan Future Land Use classification, and to direct staff to draft proposed findings of fact and conclusions of law reflecting the Governing Body's decision.*

  and

Rezoning (Bill 2021-__):

- ***Move to approve*** *Bill 2021-__ to rezone 8.38± acres of land from R-1 (Residential- one dwelling unit per acre) to R-7 (Residential- seven dwelling units per acre) on the east side of Kates Way, north of South Meadows Road; and to adopt the findings of the Planning Commission as outlined in Section IV.B of the staff report;*

  or

- ***Move to deny*** *Bill 2021-__ to rezone 8.38± acres of vacant land from R-1 (Residential- one dwelling unit per acre) to R-7 (Residential- seven dwelling units per acre) on the east side of Kates Way, north of South Meadows Road; and to direct staff to draft proposed findings of fact and conclusions of law reflecting the Governing Body's decision.*

  and

Development Plan (Bill 2021-__):

- ***Move to approve*** *Bill 2021-__ for a development plan for a 59 lot single-family residential subdivision on the east side of Kates Way, north of South Meadows Road and to adopt the findings of the Planning Commission as outlined in Section IV.C of the staff report;*

  or

- ***Move to deny*** *Bill 2021-__ for a development plan for a 59 lot single-family residential subdivision on the east side of Kates Way, north of South Meadows Road; and to direct staff to draft proposed findings of fact and conclusions of law reflecting the Governing Body's decision.*

II. EXECUTIVE SUMMARY

The Applicant is proposing a 59-lot single-family residential subdivision on the east side of Kates Way, north of South Meadows Road. The property is zoned R-1 (Residential, one dwelling unit per acre) and is approximately 8.38 acres.

This proposal consists of the following three applications:

- **General Plan Amendment:** from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre)
- **Rezoning**: R-1 (Residential - one dwelling unit per acre) to R-7(Residential - seven dwelling

units per acre)

- **Development Plan**: Proposed 59 lot residential subdivision.

The general plan amendment must first be amended before approval of a change in zoning district designation that is inconsistent with the current land use classification shown on the general plan's future land use map. Under Section 14-3.2(D)(1), the general plan amendment may be considered by the Planning Commission and the Governing Body concurrently with other applications.

The rezoning request to R-7 requires submittal of a development plan that will need to be approved by the Governing Body. If the Governing Body approves the rezoning request and the development plan, the Planning Commission will review a future application for a final development plan and final subdivision plat based on the approved preliminary plan. The Planning Commission found that the proposed rezoning and development plan requests are compatible with the uses, character, and densities of the surrounding area and the development plan will not increase or create any nonconformities with Chapter 14. The Planning Commission recommends the Governing Body approve the preliminary development plan, subject to certain conditions of approval and technical corrections set forth in the Staff Report and attached exhibits.

The Applicant has complied with the procedural requirements for rezoning, including Santa Fe City Code (SFCC) Subsection 14-3.1(H), Notice Requirements; Subsection 14-3.1(E), Pre-application Conference (conducted December 10, 2020); and Subsection 14-3.1(F), Early Neighborhood Notification (ENN) (conducted April 27, 2021).

III. PLANNING COMMISSION CONSIDERATION OF THE PROPOSAL

The Planning Commission conducted a public hearing on August 5, 2021. The Planning Commission found that the Applicant satisfied all subdivision criteria set forth in SFCC Subsection 14-3.7(C) and approved the preliminary subdivision subject to the Governing Body approving the Applicant's rezone request to R-7 with the proposed development plan and adopted Findings of Fact and Conclusions of Law to that effect.

IV. GOVERNING BODY DECISIONS

A. General Plan Amendment

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

(1) The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact

sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:

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

If the Governing Body agrees with the Planning Commission's analysis of the General Plan Amendment criteria set forth in Subsection 14-3.2(E)(1), Staff recommends that the Governing Body adopt the Findings of Fact of the Planning Commission for Case #2021-3805 as follows, updated to reflect the findings are the Governing Body's, rather than the Commission's:

1. Pursuant to SFCC 14-3.2(E)(1)(a), the Commission finds that the Project is consistent with growth projections for Santa Fe, economic development goals, and existing land us conditions such as access and availability of infrastructure. The General Plan has established community commercial use on land in the vicinity of the project to support the area. Medium to high density residential uses are established in the NM 599 and South Meadows Road node. The fundamental framework for residential communities exists, including roads (NM 599 and South Meadows Road), services (city water and sewer), and schools.
2. Pursuant to SFCC Section 14-3.2(E)(1)(b), the Commission finds that the proposed general plan amendment would be consistent with other parts of the general plan. Medium densities are consistent with and supported by the growth management policies of Chapter 4 of the General Plan, which call for a concentration of populations at greater densities in developing areas.
3. Pursuant to SFCC Section 14-3.2(E)(1)(c) the Commission finds 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.
4. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(d) is not applicable because the criterion in SFCC Section 14-3.2(E)(1)(c) is met.
5. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(e) is not applicable to this case.

6. 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.
7. Pursuant to SFCC 14-3.2(E)(1)(g), the Commission has considered conformity with other city policies.
8. 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.
9. 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.

B. Rezoning

SFCC Section 14-3.5 governs the authority and procedures for rezonings. SFCC Subsections 14-3.5(B)(1)(a)&(b) state that "All proposed rezonings shall be submitted to the planning commission for review and recommendation at a public hearing", and that "the planning commission shall transmit the application, including any plan, to the governing body, together with a recommendation as to findings and conditions, desirable changes and recommendations for approval or disapproval."

If the Governing Body agrees with the Planning Commission's analysis, Staff recommends that the Governing Body adopt the findings of the Planning Commission as follows, updated to reflect the findings are the Governing Body's, rather than the Commission's:

1. 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.
2. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the Commission finds that the character of the surrounding area has changed due to increased residential development and that the proposed R-7 zoning is more advantageous to the community because the use will remain single-family residential while allowing higher density, which allows housing to be developed at a more affordable rate.
3. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
4. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including growth management policies for infill development at medium densities in developing areas with centrally located neighborhood centers. Additionally, the rezoning will be consistent with the future land use map if the proposed general plan amendment is approved by the Governing Body.
5. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a 59-lot subdivision is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate, and geographic location of the growth of the city.
6. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

7. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-7 zoning is consistent with the surrounding density.
8. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.
9. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public.
10. Pursuant to SFCC Section 14-3.5(D), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.

C. Development Plan

In most cases the Planning Commission makes the final decision about whether to approve or deny a development plan, however in this case, Subsection 14-4.2(E)(2), specifies that rezoning to R-7 requires consideration and approval by the Planning Commission and the Governing Body of a development plan for the property as provided in Section 14-3.8.

If the Governing Body agrees with the Planning Commission's analysis of the Development Plan approval criteria set forth in 14-3.8(D)(1), Staff recommends that the Governing Body adopt the findings of the Planning Commission as follows, updated to reflect the findings are the Governing Body's, rather than the Commission's:

1. Pursuant to SFCC Section 14-3.8(D)(1)(a), the Commission finds that it is empowered to review and make a recommendation on the proposed preliminary development plan under SFCC Sections 14-2.3(C)(1), 14-3.8(B)(2), and 14-4.2(E)(2), and Table 14-2.1-1.
2. Pursuant to SFCC Section 14-3.8(D)(1)(b), the Commission finds that approving the rezoning to R-7 and associated preliminary development plan for the Project would not adversely affect the public interest.
3. 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 Project. The subject property is located in an area with medium to high density patterns, and institutional uses that include the El Camino Real Academy to the east and the site of a future fire station. The proposed use and scale of the Project is compatible with land uses in the vicinity.
4. Under SFCC Section 14-3.8(D)(2), the Commission is authorized to specify conditions of approval for a development plan that are necessary to accomplish the proper development of the area and to implement the policies of the general plan.
5. The Commission finds that the conditions and technical corrections set out 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.
6. The Applicant is willing and able to comply with the conditions and technical corrections set forth in the staff report and exhibits.

EXHIBITS

Exhibit A – Resolution, Bill, Findings, Minutes

1. Resolution No. 2021-__
2. Bill No. 2021-__

Exhibit B -

1. Planning Commission Findings and Conclusions of Law
2. August 5, 2021 Planning Commission Minutes

Exhibit C -

1. August 5, 2021 Planning Commission and Packet Material

Signature: Jason M. Kluck
Email: jmkluck@ci.santa-fe.nm.us

Signature: Noah Berke
Email: nlberke@ci.santa-fe.nm.us

Signature: Donna Wynant
Email: djwynant@ci.santa-fe.nm.us

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-___

A RESOLUTION

AMENDING THE GENERAL PLAN FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL (1 DWELLING PER ACRE AND 1-3 DWELLING UNITS PER ACRE) TO MODERATE DENSITY RESIDENTIAL (3-7 DWELLING UNITS PER ACRE) FOR APPROXIMATELY 8.38 ACRES OF LAND LOCATED ON THE EAST SIDE OF KATES WAY, NORTH OF SOUTH MEADOWS ROAD (ALEKSANDER ESTATES SUBDIVISION GENERAL PLAN AMENDMENT, CASE NO. 2021-3805).

WHEREAS, the agent for the owner of a parcel of land comprising approximately 8.38 acres located on the east side of Kates Way, north of South Meadows Road within Section 1, T16N, R8E, NMPM, Santa Fe County, New Mexico (the "Property"), has submitted an application to amend the General Plan Future Land Use Map classification of the Property from Low Density Residential to Moderate Density Residential; and

WHEREAS, the Land Use Director reviewed the application for compliance with Chapter 14 and other City land use policies and recommended that the Planning Commission consider the request favorably;

WHEREAS, the Planning Commission held a public hearing regarding the application on August 5, 2021, and voted to recommend to the Governing Body a change to the Property's zoning from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre); and

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

WHEREAS, the Governing Body held a public hearing on the proposed amendment; reviewed the staff report, the recommendation of the Planning Commission, and the evidence obtained at the public hearing; and determined that the proposed amendment to the General Plan, as recommended by the Planning Commission, meets the approval criteria set forth in SFCC 1987, Section 14-3.2(E); and

WHEREAS, reclassification of the Property would be consistent with and supported by the growth management themes and policies of Chapter 3 and 4 of the General Plan in that the reclassification would provide affordable, infill housing; and

WHEREAS, the reclassification of the Property would not allow a use or change that is inconsistent with prevailing uses of the area and would not have adverse impacts upon this surrounding area, which is growing and in transition near the 599 interchange, featuring a variety of uses such as higher density residential development, a school, a proposed fire station, and a proposed commercial area; and

WHEREAS, the Property has suitable access to, and availability of, necessary infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the General Plan Future Land Use Map designation for the Property described is amended to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre), as shown in Exhibit A, attached hereto.

PASSED, APPROVED, and ADOPTED this __ day of _____, 2021.

_____

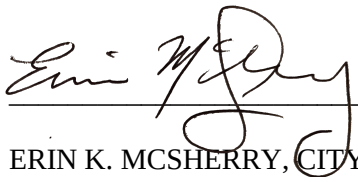
ALAN WEBBER, MAYOR

ATTEST:

_____

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:



ERIN K. MCSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Aleksander Estates GP Amendment

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

Case #2021-3805 – Aleksander Estates General Plan Amendment
Owner's/Applicant's Name – Next Generation Contracting, Inc.
Agent's Name – Monica Montoya Land Use Consulting, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 5, 2021 upon the application (Application) of Monica Montoya Land Use Consulting, Inc., Agent, for Next Generation Contracting, Inc., Owner. The Applicant requests approval of a general plan future land use map amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Property). The Property is zoned R-1 (Residential - 1 dwelling unit per acre).

In related Case #2021-3806, the Applicant seeks a rezoning from R-1 (Residential – 1 dwelling unit per acre) to R-7 (Residential – 7 dwelling units per acre). Additionally, in related Case #2021-3807, the Applicant seeks preliminary development plan approval for a preliminary subdivision for 59 single-family residential lots. Finally, in related case #2021-3808, the Applicant requests approval of a preliminary subdivision plat for 59 single-family residential lots.

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

FINDINGS OF FACT

General

1. The Applicant seeks a rezoning to R-7, which would allow for the proposed single-family residential development consisting of 59 single-family residential lots on approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Project).
2. Under the Santa Fe City Code (SFCC) Section 14-3.2(B)(2)(b), the general plan must first be amended before approval of a change in zoning district designation that is inconsistent with the land use classification shown on the general plan's future land use map.
3. Under SFCC Section 14-3.2(C)(1), the Application for a general plan amendment may be considered by the planning commission and the governing body concurrently with other applications.
4. SFCC Section 14-3.1 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)].
5. A pre-application conference was held on December 10, 2020.
6. The Applicant conducted a virtual ENN meeting on April 27, 2021, using Zoom.
7. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.

8. The ENN meeting was attended by representatives of the Applicant and City staff. No members of the public attended.
9. 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 Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
10. Staff recommended that the Commission recommend approval of the amendment to the general plan to Governing Body.
11. 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.
12. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2021-3806, 2021-3807, and 2021-3808; 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.
13. 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).
14. 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.
15. Pursuant to SFCC 14-3.2(E)(1)(a), the Commission finds that the Project is consistent with growth projections for Santa Fe, economic development goals, and existing land us conditions such as access and availability of infrastructure. The General Plan has established community commercial use on land in the vicinity of the project to support the area. Medium to high density residential uses are established in the NM 599 and South Meadows Road node. The fundamental framework for residential communities exists, including roads (NM 599 and South Meadows Road), services (city water and sewer), and schools.
16. Pursuant to SFCC Section 14-3.2(E)(1)(b), the Commission finds that the proposed general plan amendment would be consistent with other parts of the general plan. Medium densities are consistent with and supported by the growth management policies of Chapter 4 of the General Plan, which call for a concentration of populations at greater densities in developing areas.
17. Pursuant to SFCC Section 14-3.2(E)(1)(c) the Commission finds 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.
18. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(d) is not applicable because the criterion in SFCC Section 14-3.2(E)(1)(c) is met.
19. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(e) is not applicable to this case.

20. 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.
21. Pursuant to SFCC 14-3.2(E)(1)(g), the Commission has considered conformity with other city policies.
22. 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.
23. 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.

CONCLUSIONS OF LAW

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

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.
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 5th DAY OF AUGUST 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 #2021-3805.

Brian Gutierrez
Chairperson

08·12·21
Date:

FILED:
Kristine Mihelcic
Kristine Mihelcic (Aug 19, 2021 09:09 MDT)

Kristine Bustos-Mihelcic
City Clerk XIV

08/13/21
Date:

APPROVED AS TO FORM:

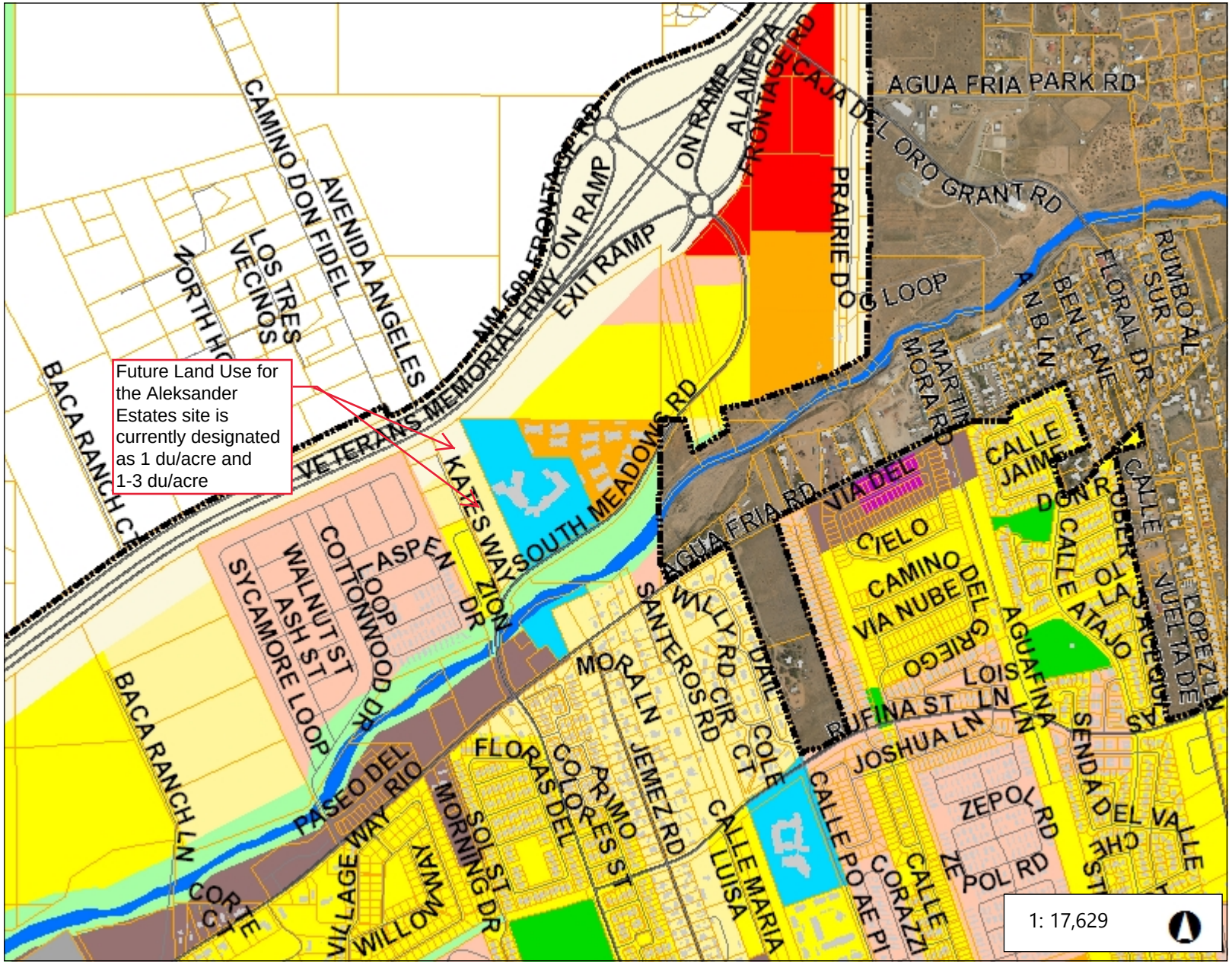


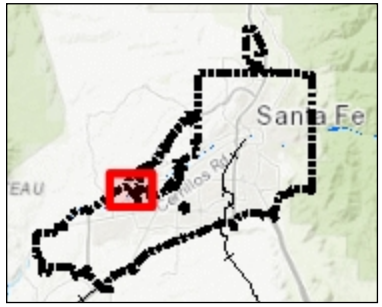
Sally A. Paez
Assistant City Attorney

August 5, 2021
Date

Santa Fe
Mapping the City Different

Future Land Use Map





Legend

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

Future Land Use

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

Notes

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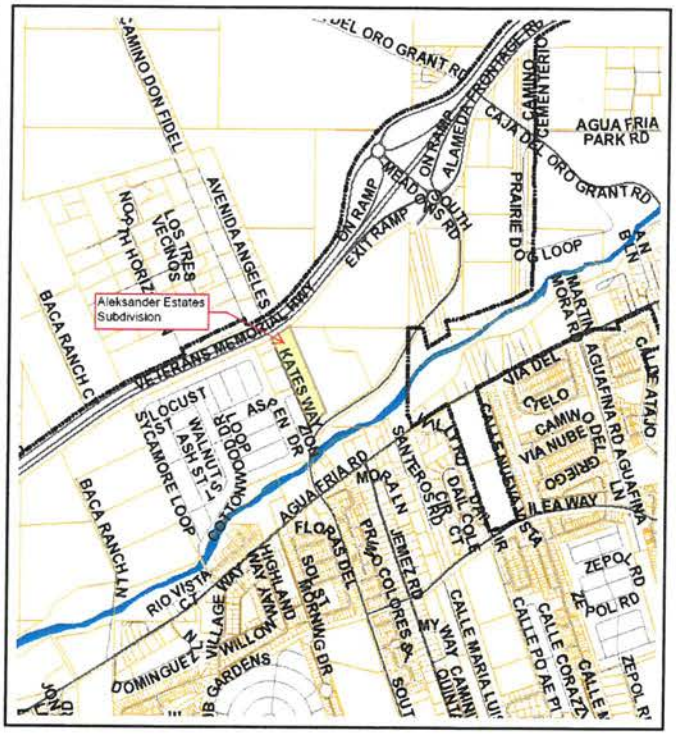
2,938.2 0 1,469.10 2,938.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Land Use Department
Planning Commission Staff Report

Case No:	2021-3805, 3806, 3807 & 3808
Hearing Date:	August 5, 2021
Applicant:	Monica Montoya Land Use Consulting, Inc. for Next Generation Contracting, Inc.
Request:	General Plan Amendment, Rezoning, Prelim. Development & Preliminary Subdivision
Location:	NW corner of Kates Way & South Meadows Road
Case Mgr.:	Donna Wynant, AICP
Zoning:	R-1 (Residential, one dwelling unit per acre)
Overlay:	None
Pre-app Mtg:	December 10, 2020
ENN Mtg:	April 27, 2021
Proposal:	General Plan Amendment, Rezoning to R-7, Prelim. Development Plan and Prelim. Subdivision Plat Approval for 59 lots on approximately 8.38 acres.



Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Low Density Residential (1 dwelling unit per acre) and (1-3 dwelling units per acre) to (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325)

Case #2021-3806. Aleksander Estates Subdivision Rezoning. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests approval of rezoning from R-1 (1 dwelling unit per acre) to R-7 (7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325).

Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests preliminary development Plan approval of a preliminary subdivision for 59 single-family residential lots on approximately 8.38 acres. The property is zoned R-1 (Residential and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325

Case #2021-3808. Aleksander Estates Preliminary Subdivision Plat. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests preliminary subdivision plat approval for 59 single-family residential lots on approximately 8.38 acres of vacant land. The property is zoned R-1 (Residential- one dwelling unit per acre) and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325).

I. RECOMMENDATION:

The Commission should recommend **APPROVAL of** the general plan amendment request (Case #2021-3805), the rezoning request (Case #2021-3806), the preliminary development plan (Case #2021-3807) and should **APPROVE** the preliminary subdivision plat (Case #2021-3808) with the conditions of approval and technical corrections listed in this report.

Eight motions will be required in this case:

- *Recommend approval of the general plan amendment request for Case 2021-3805.*
- *Recommend approval of the rezoning request for Case 2021-3806.*
- *Recommend approval of the preliminary development plan for Case 2021-3807 subject to the conditions of approval and technical corrections recommended by staff.*
- *Approve the preliminary subdivision plat for Case 2021-3808 subject to the conditions of approval and technical corrections recommended by staff.*
- *Approve the Findings of Fact and Conclusions of Law for Case 2021-3805, as proposed in Exhibit A.*
- *Approve the Findings of Fact and Conclusions of Law for Case 2021-3806, as proposed in Exhibit A.*
- *Approve the Findings of Fact and Conclusions of Law for Case 2021-3807, as proposed in Exhibit A.*
- *Approve the Findings of Fact and Conclusions of Law for Case 2021-3808, as proposed in Exhibit A.*

II. CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval for the Case 2021-3807 and 2021-3808.

#	Condition of Approval	Dept. or Division	To be completed by:
1	Construct a 10' multiuse trail along Aleksander Drive instead of a 5' sidewalk.	MPO	Prior to Signature Sheet process
2	Ensure a continuous sidewalk along both sides of Kate's Way to South Meadows.	MPO	Prior to Signature Sheet process
3	Applicant to work with the City to address issues identified by the MPO.	Land Use/Current Planning Division	Prior to Final Dev Plan submittal
4	The Applicant to dedicate Aleksander Drive to the City for public use.	Current Planning	Prior to Signature Sheet process
5	The preliminary subdivision plat (Case #2021-08) is contingent on the Governing Body approval of Cases No. 2021-3805, 2021-3806, and 2021-3807	Current Planning	Prior to Final Subdivision submittal

Should the Commission recommend approval of the general plan amendment, rezoning and development plan request to the Governing Body and approves the preliminary subdivision plat application, a final subdivision plat application will be submitted for future approval by the Commission prior to recording of the plat and issuance of construction permits.

III. EXECUTIVE SUMMARY:

This proposal consists of the following four applications:

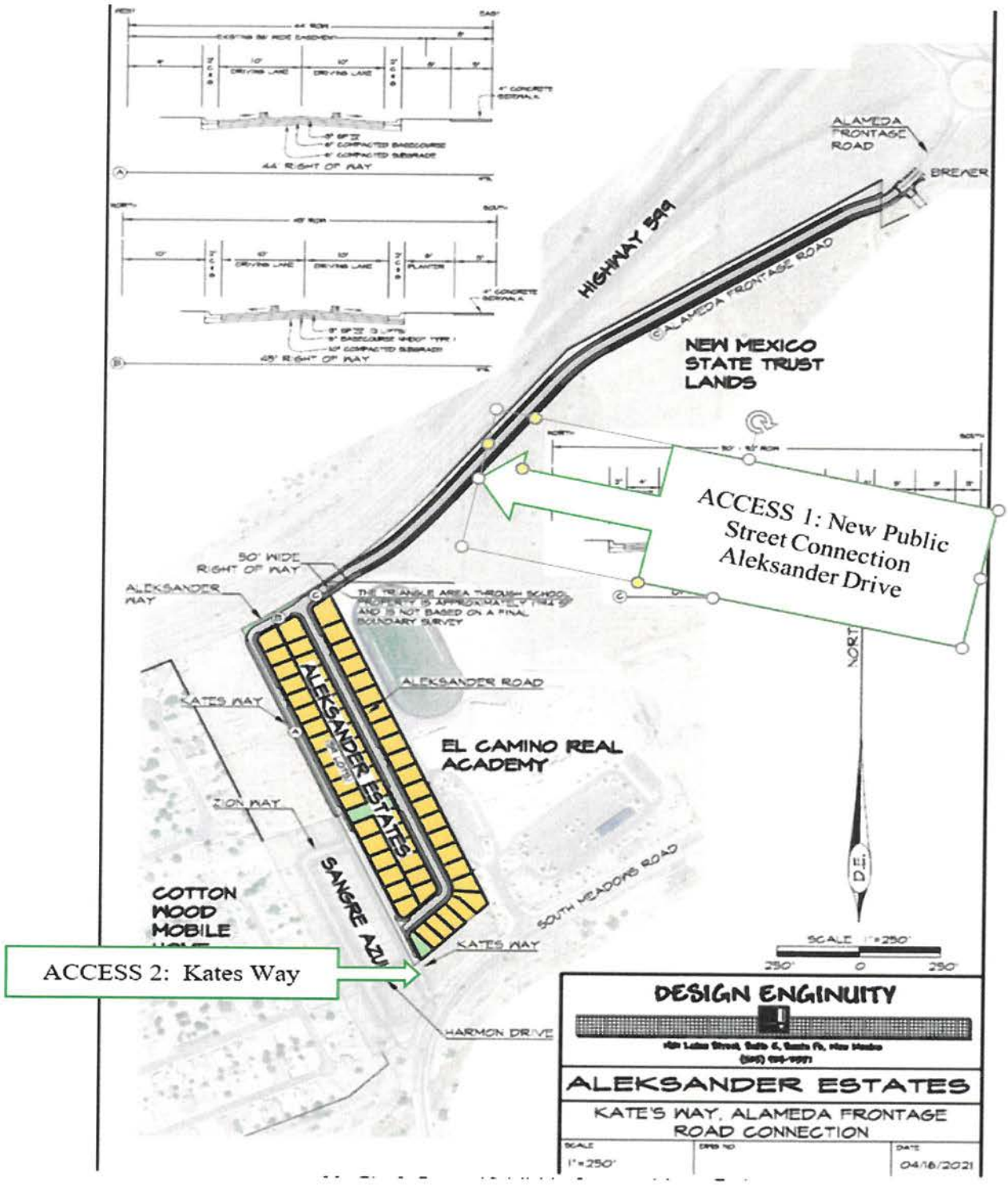
- **General Plan Amendment:** from Low Density (1 dwelling unit per acre & 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre)
- **Rezoning**: R-3 (three dwelling units per acre) to R-7 (seven dwelling units per acre)
- **Preliminary Development Plan**: Proposed 59 lot residential subdivision.
- **Preliminary Subdivision**: Proposed 59 single family residential lots, and

The requested zoning district increase from R-1 to R-7 is not within the range classification "Low Density Residential" shown on the General Plan Future Land Use Map, so an amendment to the General Plan is required for the proposed Project.

If the Governing Body approves the proposed rezoning of R-7, the density for the proposed subdivision would be 59 residential lots which is less than the possible density of 67 units. (Calculation: 8.38 acres multiplied by R-7 zone = 58.66 gross density plus the affordable housing density bonus of 15% of an additional 8.79 units = 67 allowable lots/dwelling units which is 8 more units than proposed.)

The subject site is a vacant parcel along the east side of Kate's Way off of South Meadows Road. The site is bordered by Kates Way to the west, El Camino Real Academy to the east, NM 599 highway to the north and South Meadows Road to the south. Kate's Way is an unimproved private street with a right of way width of approximately 34.5 feet and South Meadows is a public right of way from 75 - 100 feet wide and is classified as a minor arterial street according to the Santa Fe Functional Road Classifications Map.

The subdivision will be accessed by two public streets (shown on the next page). Access #1 is a newly constructed public road through properties owned by the Santa Fe Public Schools and the State of New Mexico to connect the north end of the subdivision to the round-a-bout at NM 599/South Meadows Road. Access #1 will be dedicated to the City of Santa Fe for Public use. Access #2 connects the south end of the subdivision to South Meadows Road via Kates Way.



The proposed residential lots within the subdivision range in size from 4000 sq. ft. to 6000 sq. ft. Each lot will accommodate a single family residence meeting the standards for the R-7 district including front, year and side yard setbacks, maximum 24 foot height of structures, minimum number of two parking per lot, and will not exceed 40% lot coverage.

The proposed rezoning and development plan requests are compatible with the uses, character, and densities of the surrounding area and the development plan will not increase or create any nonconformities with Chapter 14. The preliminary subdivision plat meets approval criteria and does not create or increase any non-conformities with Chapter 14 and is compatible with residential development in the surrounding area.

IV. EXISTING CONDITIONS

	Property Address	**Zoning**
North	NM 599/Veterans Memorial Hwy.	R-1 (Residential, one dwelling unit per acre)
West	2626-2670 Kates Way (Vacant land and residential development) Sangre Azul Subdivision – not built) and a single family home	R-5 (Residential- five dwelling units per acre) and R-1 (Residential- one dwelling unit per acre)
South	2689 Kates Way- (Vacant land)	R-5 (Residential- five dwelling units per acre)
East	2500 South Meadows Road	R-1 (Residential- one dwelling unit per acre)

V. PROJECT ANALYSIS

(a) **Density:** The proposed density for the subdivision is 59 as allowed by SFCC 14-8.11 (G)(1)(a). (*Calculation: 8.387 acres multiplied by R7 zone = 58.625 gross density plus density bonus of 15% = 67.418 allowable lots/dwelling units. Project proposes 59 lots/dwelling units.*

(b) **Lot Specific Standards (Per SFCC 14-7.2).**

Lot size: Required: 4,000 Sq. Ft
Provided: 4,000 Sq. Ft – 6,000 Sq. Ft.

Height: Allowed: Single and Two Story Residences up to 24'
Provided: Single and Two Story Residences up to 24'

Setbacks: Established by the Development Plan, (14-7.2-1):
Front: 10' (20' for garage or carport facing street)
Side: 5' single story, 10' two story (10' building separation)
Rear: The lesser of 15' or 20% of lot depth
Lot Coverage: 40%/50% with private open space = to 50% GFA

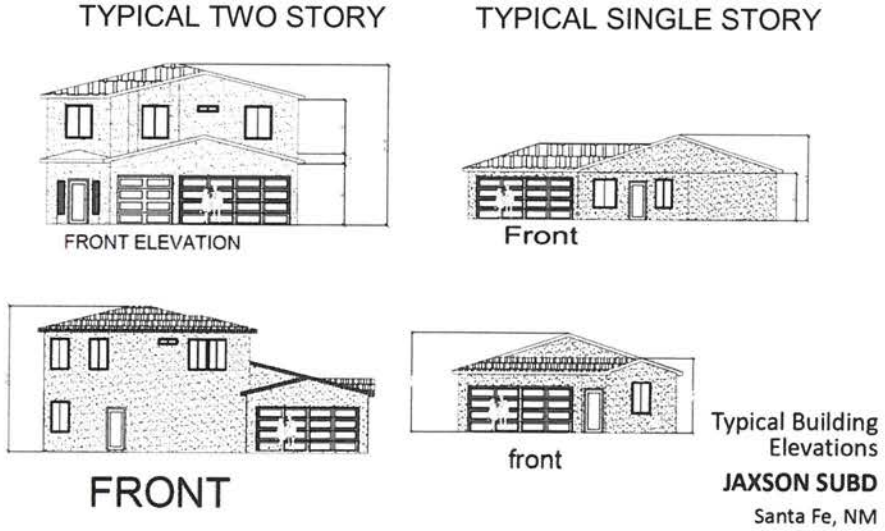
Parking: 2 off street parking spaces per lot

(c) **Access Design**: Two public access roads (see map on page 4) are planned to serve the subdivision; the first access, Aleksander Drive, is a newly constructed public road connecting the north end of the subdivision east to the round-a-bout at South Meadows Road/NM599. The application includes easements for Aleksander Drive by owners Santa Fe Public Schools and the State of New Mexico. The Applicant will dedicate Aleksander Drive to the City for public use, as it will also serve future development by the City on land it leases from the State. The second access is via the existing Kate's Way which intersects with South Meadows at the south end of the subdivision. Easement documents are included in the Applicant's submittal. (See Exhibit E)

(d) **Drainage:** The project site is relatively flat with a gentle slope from north to south with a grade of less than 2%. There are no significant drainage channels and much of the site appears disturbed. The subdivision design includes two drainage ponds to accommodate runoff. A detailed drainage report is found in the Applicant's submittal. (Exhibit E)

(e) **Traffic Engineering**: A Traffic Impact Analysis, (TIA) accompanies the proposed application. Existing and projected traffic patterns were studied to determine impacts. The study found that the South Meadows Road/NM 599 roundabout operates at acceptable levels in existing, no build, and build conditions. The South Meadows and Kate's Way intersection will operate at acceptable levels. The sight distance evaluation revealed no concerns.

(f) **Architecture:** A conceptual architectural theme is provided with this application for illustrative purposes in order to convey the vision for the subdivision. SFCC does not regulate the architectural style of single family dwellings but rather, regulates the placement of homes, setbacks from property lines, roof to lot area ratios, off street parking and height. etc. The Applicant proposes both single and two story pitched roof homes with clay tile and stucco materials. The front of the homes will front Aleksander Lane and rear yard private spaces facing the perimeter of the subdivision boundaries.



(g) **Santa Fe Homes Program, SFHP**: The Santa Fe Homes Program ordinance seeks to provide affordable housing for Santa Fe residents. Twenty percent, (20%) of the gross density of the subdivision is subject to the ordinance. A Housing Proposal is attached.

(h) **Police and Fire Protection**: The project will be served by City police and fire protection. The preliminary site design considers input by the City fire marshal for emergency access.

(i) **Water & Sewer Availability**: Water and sewer will be extended to the project via existing public infrastructure. Preliminary engineering designs indicate that the site characteristics qualify for adequate connection. Utility service applications are included in the application report.

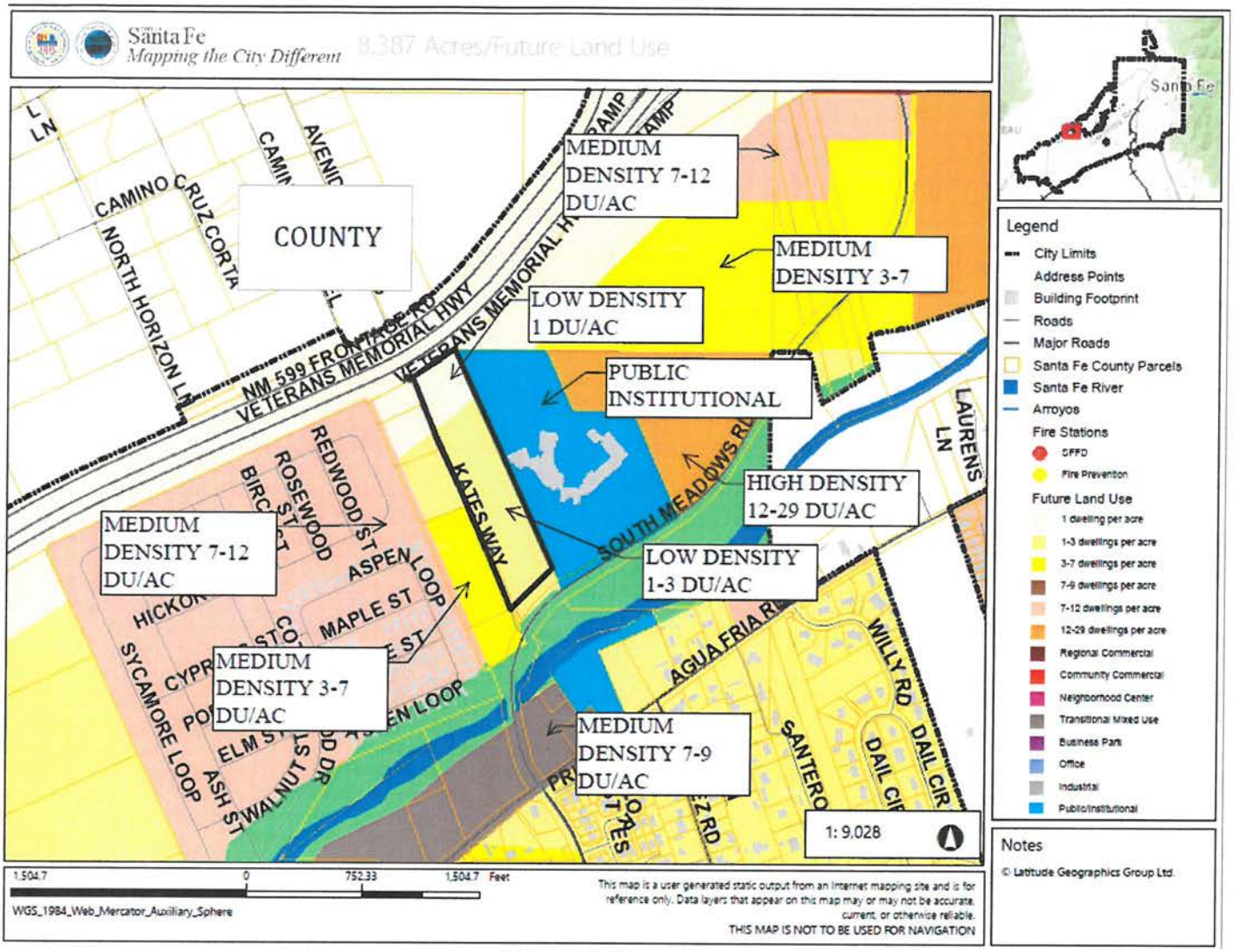
(j) **Water Use Offset**: The projected water use for the subdivision is less than 10 acre feet. A fee will be required to offset water use prior to construction. A water budget was submitted to the City Water Conservation Office for review early in the subdivision design process.

(k) **Archaeological Clearance**: The project falls within the Rivers and Trails Archeological Review District. At their hearing on October 1, 2020, the City of Santa Fe Archaeological Review Committee (ARC) voted to approve the archaeological inventory/reconnaissance report. Archaeological Clearance has been granted and no further investigation is required. ARC Case Number: 2020-002622-ARC

VI. GENERAL PLAN AMENDMENT

The subject property's current land use designation on the Future Land Use Map is Low Density Residential (1 dwelling unit per acre) and (1-3 dwelling units per acre) (Exhibit D1). The Applicant is requesting an amendment to the current designation of Low Density Residential to Medium Density Residential (3-7 dwelling units per acre) in conjunction with the Rezoning request from R-1 (1 dwelling unit per acre) to R-7 (7 dwelling units per acre).

Staff believes the project to be consistent with the policies of the General Plan. Medium Density (3-7 du/ac) is appropriate for the site based on density patterns in the area. The adjacent parcel to the east is home to the El Camino Real Academy with a general plan designation of Public Institutional. NM 599 borders the north boundary. Low and medium general plan densities exist adjacent to the west and south boundaries. High densities up to 9, 12, and 29 du/ac are within proximity to the project.



General Plan

The purpose and intent of general plan amendments per Section 14-3.2 is to guide the city's land use decisions. The regulations, restrictions and policies of the city affecting development of Santa Fe shall be in accordance with the general plan as provided in Section 3-21-5 NMSA 1978

The general plan criteria are evaluated below per Subsection 14-3.2(E):

Criterion 1: 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/Conditional/N/A) **YES**

Applicant's Response:
"The project is consistent with the goals of the General Plan regarding economic development. The General Plan has established community commercial use on land in the vicinity of the project to support the area. Medium to high density residential uses are established in the NM 599 and South Meadows Road node. The fundamental framework for residential communities exists including roads; (NM 599 and South Meadows Road), services; (city water and sewer), and schools."

Staff Response:
Staff concurs with the applicant's statement. The interchange of NM 599 with the South Meadows Road extension, together with commercial zoning near the interchange and the establishment of the El Camino Real school has substantially changed the land use pattern in this area over the past decade. The availability of road and utility infrastructure has made recent developments in this area more feasible, such as the new fire station site approved to be developed near the round-a-bout and two large multi-family residential developments – Gerhart Apartments (now known as South Meadows Apartments) and the Madera Apartments.

Criterion 2: Consistency with other parts of the general plan;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

Applicant's Response:
"Medium densities are consistent with and supported by the growth management policies of Chapter 4 of the General Plan. (Chapter 4-1-G2) Guiding policies for growth management call for a concentration of populations at greater densities in developing areas with centrally located neighborhood centers. In addition, the proposed density can be supported by existing fundamental infrastructure in the area"

Staff Response:
Staff concur with Applicant's statement.

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

Applicant's Response:
"The proposed amendment does not change the prescribed residential land use character. It provides for medium residential density in an appropriate area. The project area consists of 8.387 acres which is substantially larger than two acres. The requested future land use designation benefits the sustainability of developing neighborhood in this changing node of NM 599 and South Meadows Road."

Staff Response:
The application is not required to comply with Criterion 3, since it complies with Criterion 4. Staff concurs with the Applicant that it does comply, even though compliance is not mandatory.

- The proposed amendment to the medium density designation continues the residential land use, but at a slightly higher density. Such a residential designation will allow the proposed use once the property is zoned R-7
- The property is well over two acres in size at 8.38 acres.
- The amendment will not benefit one or a few landowners at the expense of the surrounding landowners or the general public, particularly since the medium density residential designation is requested in conjunction with the R-7. If approved by the Governing Body, the Applicant will then return to the Planning Commission for final development plan approval subject to compliance with Chapter 14 requirements. Staff concurs with the Applicant that the requested future land use designation is consistent with appropriate land use patterns for this developing neighborhood at the node of NM 599 and South Meadows Road

Criterion 4: an amendment is not required to conform with Criterion 3 [Subsection 14-3.2(E)(1)(c)] if it promotes the general welfare or has other adequate public advantage or justification;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

Applicant's Response:
"The proposed amendment seeks to promote the general welfare of the area and Santa Fe by providing a needed housing type which has been justified by a City-initiated study."

Staff Response:
Staff concurs with this statement.

Criterion 5: compliance with extraterritorial zoning ordinances and extraterritorial plans;	**Criterion Met:** (Yes/No/Conditional/N/A) **N/A**

Applicant's Response:
"Not Applicable."

Criterion 6: 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.	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

Applicant's Response:
"Medium density residential use will contribute toward a coordinated land use system in the immediate area of NM 599 and South Meadows Road. Many amenities for a healthy community exist or are in planning stages to promote a prosperous community including access to an interchange, shopping and employment center, schools, parks, pedestrian trails in close proximity."

Staff Response:
Staff concurs with this statement.

Criterion 7: consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**

Applicant's Response:
"The medium density residential proposal is subject to Chapter 14, Land Development Code regulations, which implement land use policies adopted by the city including the General Plan.

Staff Response: The Project is in compliance with other City plans. These include:

- Southwest Area Master Plan
- West Santa Fe River Corridor Plan
- MPO Transportation Plan
- Pedestrian Master Plan
- Bicycle Master Plan:

The Project is in compliance with the SWAMP, and the West Santa Fe River Corridor Plan that recognizes higher densities in this NM599 and South Meadows node. The Project will also be in compliance with the Metropolitan Planning Organization's requirements to construct a 10 foot wide multi-use trail along the south side of Aleksander Drive and a continuous sidewalk along both sides of Kate's Way to South Meadows. Such improvements will also bring the Project in line with the goals of the Pedestrian and Bicycle Master Plans.

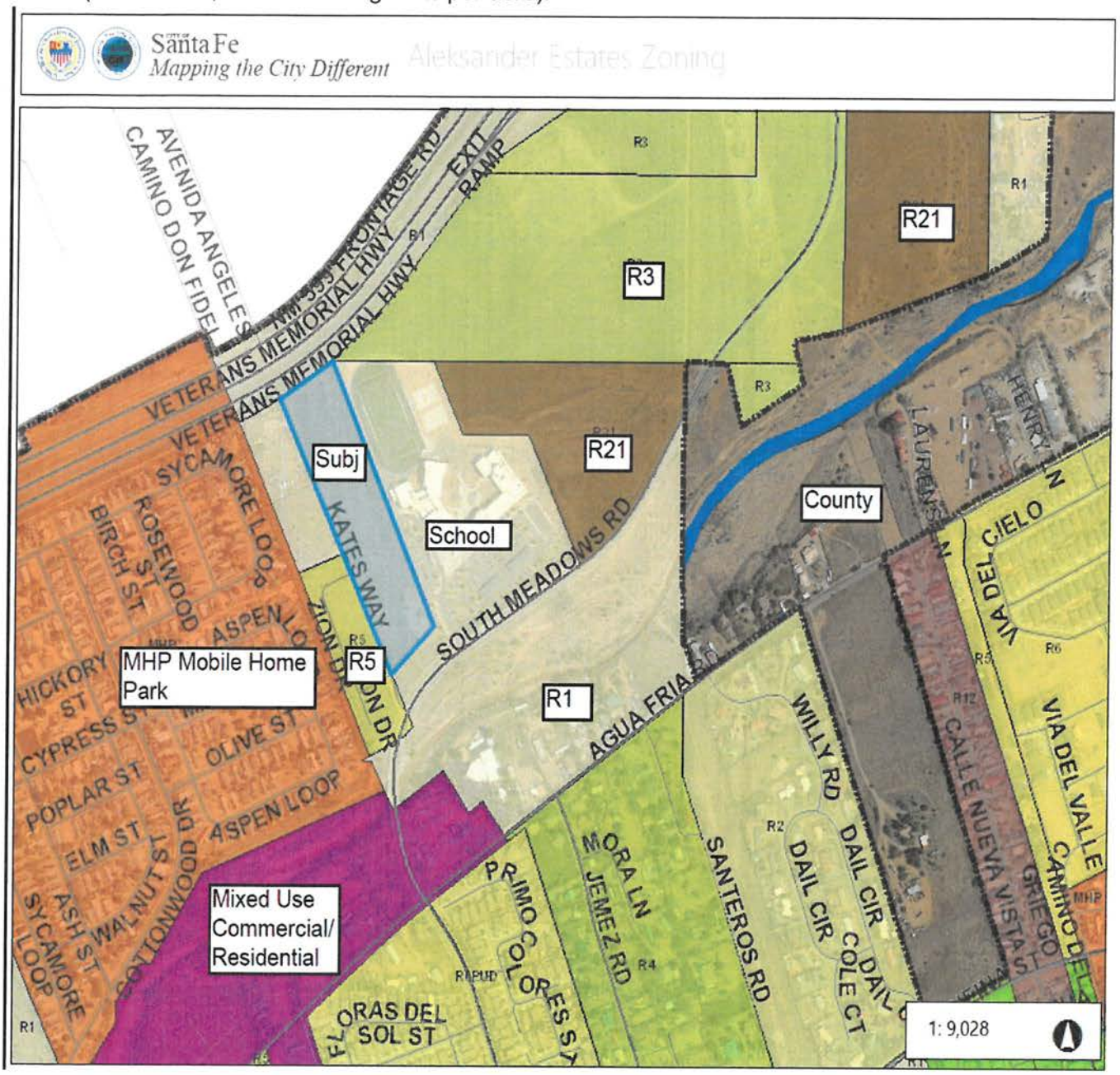
Criterion 8: In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general 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 land space requirements, consumer acceptance, market or building technology.*	**Criterion Met:** (Yes/No/Conditional/N/A) **N/A**

Applicant's Response:
"We propose that the amendment is an important piece to an evolving developing neighborhood in the area as recognized by the General Plan. The project will not have a negative impact on the surrounding neighborhood but rather contribute to an established growth pattern and coordinated land use."

Staff Response:
Staff concurs with the Applicant's statement. The land use pattern has changed in this area over the past decade, with the interchange at NM599 followed by the South Meadows Road extension and the development of the El Camino Real Academy. The growth and economic projections contained within the general plan of 1999 did not anticipate the intensity of high demand for and shortage in supply of housing in recent years.

VII. REZONING

The Applicant requests to rezone the subject property from R-1 (Residential, one dwelling unit per acre to R-7 (Residential, seven dwelling units per acre).



Zoning Map

The rezoning criteria are evaluated below.

Rezoning Approval Criteria per Subsection 14-3.5(C):

Criterion 1: one or more of the following conditions exist: **(i) there was a mistake in the original zoning;** **(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or** **(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;**	**Criterion Met:** (Yes/No/ N/A) **YES**
Applicant's response: **(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 area has experienced an increase in residential development over the years. Development is consistent with land use patterns prescribed by adopted policies. The proposed R7 zone district is consistent with previously approved zoning in the area."* **(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;** *"The application does not affect the use, which will remain single family residential. It seeks to increase the density from 1 & 3 dwelling units per acre to 7 dwelling units per acre. We propose that the density is supported by the General Plan and other adopted policies."* **Staff Response:** Staff concurs with the Applicant in that the use will remain single family residential, but at a slightly higher density. The R-7 district has been found to be the threshold at which housing can be developed at a more affordable rate.	
Criterion 2: *all the rezoning requirements of Chapter 14 have been met;*	**Criterion Met:** (Yes/No/ N/A) **YES**

Applicant's response:
"The application satisfies the rezoning requirements of Chapter 14 including early discussions of the application with prescribed neighbors and neighborhood associations via the Early Neighborhood Notification process. The project design also complies with Chapter 14 requirements."

Staff Response:
The rezoning requirements have been met that included an ENN and proper notifications. The project design complies with Chapter 14 requirements. Conditions of approval and Technical Corrections required by the DRT for this preliminary subdivision plat will be addressed with the final subdivision plat.

Criterion 3: the rezoning is consistent with the applicable policies of the general plan, including the future land use map;	**Criterion Met:** (Yes/No/ N/A) **YES**

Applicant's Response:
"We propose that this application is consistent with the land use designations and densities of the General Plan which anticipated new neighborhoods with similar densities in the immediate vicinity and beyond, with the exception of those areas regulated by the Agua Fria Traditional Village. The General Plan depicts similar and higher densities in the immediate area.

Staff Response:
Staff concurs with the Applicant's statement in that the rezoning is consistent with the policies in the general plan for infill development. The General Plan's future land use map identifies the subject property for low residential density (1 dwelling unit per acre) alongside NM599 and low density residential (1-3 dwelling units) for the remainder of the property. The request to amend the General Plan to allow a higher future land use designation would be more in line with higher densities in the area. The only low density designations in the immediate area along South Meadows Road between NM 599 and Agua Fria are, in fact, along Kates Way. Over the past 5 to 10 years, the future land use of several properties in the area have been approved at higher density residential designations. These include the Gerhart Apartments (now the South Meadows Apartments) and the Madera Apartments, designated at 12-29 dwelling units per acre. Other designations include the Cottonwood subdivision to the west at 7-12 dwelling units per acre and the Sangre Azul subdivision along the west side of Kates Way is designated as 3-7 dwelling units per acres.

Criterion 4: 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/ N/A) **YES**

Applicant's Response:
"The application proposes that the acreage is sufficient to support medium densities given the land use pattern in the immediate area. R7 density is consistent with the General Plan and is a suitable density."

Staff Response:
The City does not maintain growth projections for specific types of development. The R-7 (Residential-seven dwelling units per acre) district allows for infill development at the subject location that is consistent with development to the west. The development site falls within the "River Corridor Area" of the Southwest Area Master Plan, generally bounded by the Santa Fe River on the south, NM599 on the north, and Airport Road, further to the south.

Criterion 5: 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/ N/A) **YES**

Applicant's Response:
"The project has access to many existing and/or planned public facilities including access to City ROW, city water and sewer in close proximity, electricity, cable, internet, parks, pedestrian parks, and schools. A new fire substation is planned in close proximity."

Staff Response:
Staff concurs with the Applicant that adequate infrastructure is available to serve the property. Water and sewer will be extended to the project via existing infrastructure in South Meadows Road. The project will also be directly accessed by Kates Way off of South Meadows Road and the new road to connect the area to the round-a-bout at the NM599 interchange.

Criterion 6: 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: **allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;** **affect an area of less than two acres, unless adjusting boundaries between districts; or benefit one or a few landowners at the expense of the surrounding landowners or general public.**	**Criterion Met:** (Yes/No/ N/A) **YES**

Applicant's Response:

"The proposed zoning is consistent with adopted policies for land use and density. The area in general appears to follow anticipated evolving neighborhood patterns as recognized by the General Plan. The rezoning proposes to respond to the planned policies calling for additional housing for the city."

Staff Response:

The proposed change will be consistent with the future land use development map if the General Plan Amendment is granted. It is also consistent with the policy *for "infill development at densities that support the construction of affordable housing."*

Criterion 7: 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 /N/A) **YES**

Applicant's Response:

"Preliminary analysis shows that City infrastructure is adequate to serve a development of this nature. An impact fee contribution is prescribed by City ordinance to assist with funding of future infrastructure. Water offset requirements apply to the project."

Staff Response:

Impact fees will be imposed on any proposed development to supplement funding associated with constructing and improving existing infrastructure such as streets, parks, police and fire services. An evaluation of any required off-site improvements will be evaluated with this development plan.

Criterion 8: If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the w 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/ N/A) **YES**

Applicant's Response:

"Improvements to the existing street network are incorporated into the project design to include a new public road connection from the north east end of the project to the round-a bout at South Meadows Road/NM 599. It is understood that impact fees will be imposed on the development to supplement funding associated with constructing and improving existing infrastructure such as streets, parks, police and fire services."

Staff Response:

The proposed rezoning will allow for a subdivision of 59 homes and all improvements for infrastructure are proposed in the preliminary subdivision plat request. The Applicant will pay all impact fees as required.

VIII. DEVELOPMENT PLAN APPROVAL CRITERIA

The Planning Commission review of a development plan is required per 14-3.8(B)(2) that states Rezoning to R-7, R-8 or R-9, except a city -initiated down zoning, requires consideration and approval by the planning commission and the governing body of a development plan for the property as provided in Section 14-3.8.

Approval of the following criterion are required by Subsection 14-3.8(D)(1):

Criterion 1: **Planning Commission is empowered to approve the plan under the section of Chapter 14 described in the application;**	**Criterion Met:** (Yes/No) **YES** **Only to review and recommend to the Governing Body**

Applicant's Response:

"The Planning Commission is empowered to approve a development plan application under SFCC Section 14-2.3 (C)(1)."

Staff Response:

*Subsection 14-3.8(C)(2) states "*Development *plans required for rezonings by Articles 14-4 Zoning Districts and 14-5 Overlay Zoning Districts shall be reviewed by the planning commission at a public hearing with notice provided as required by Section 14-3.1(H) and then transmitted to the* governing body *with any recommendations, as set forth in Section 14-3.5 Rezonings," and*

14-4.2(E)(2) states *"Rezoning to R-7, R-8 or R-9, except a city-initiated down zoning, requires consideration and approval by the planning commission and the governing body of a development plan for the property as provided in Section 14-3.8".*

Criterion 2: **that approving the development plan will not adversely affect the public interest; and**	**Criterion Met:** (Yes/No) **YES**

Applicant's Response:

"We propose that the development will have a positive impact on the public interest by adding to the inventory of quality single family housing. The development will provide additional opportunities for home ownership. It is ideally located in close proximity to many amenities which positively impact a balanced neighborhood including schools, shopping, employment, recreation, etc., which contribute to a healthy community. The development intends to integrate with surrounding land uses."

Staff Response:

The public interest is not defined; however ordinances, Chapter 14 was adopted by elected officials who serve as the public interest. This proposal satisfies the regulations in Chapter 14 and fulfills the 4-4-G-1 section of the General Plan with regards to infill with residential development.

The development plan is required with the rezoning to the R-7 district. The development plan for the proposed 59 lot subdivision provides detail to ensure compliance with Chapter 14.

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**
Applicant's Response: *"Development patterns in the vicinity of the proposed development have set a precedent for single family residential use with a similar scale and which we propose are appropriate for the character of the area.* *The architectural theme stems from a desire to be sensitive and complimentary to the neighborhood while creating a pleasant living experience with pride of ownership for new residents. Intermixed single and two story homes will introduce the development as seen from the neighborhood."* **Staff Response:** Staff concurs with this statement. The proposed residential single family subdivision is compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the area in terms of uses, characters and densities and height, setbacks, mass, and scale.	

IX. PRELIMINARY SUBDIVISION PLAT APPROVAL CRITERIA

Section 14-3.7 governs the authority, procedures and restrictions for the division of land. Subsection 14-3.7(B)(3)(d) states that "The Planning Commission shall review the preliminary plat and other materials submitted for conformity to this article, consider the Land Use Director's report and recommendations, and require any changes deemed advisable and the kind and extent of improvements to be made by the subdivider." The criteria for approval of a Preliminary Subdivision are detailed below:

Criterion 1: In all subdivisions, due regard shall be shown for all natural features such as vegetation, water courses, historical sites and *structures*, and similar community assets that, if preserved, will add attractiveness and value to the area or to Santa Fe.	**Criterion Met:** (Yes/No/N/A) **YES**
Applicant's Response: *"The project is not in the flood zone and the site design follows the natural terrain which is relatively flat with no 30% slopes. The project is not within a designated historic district."* **Staff Response:** Staff concurs with this statement and add that it does not require an archaeological clearance permit, per Subsection 14-3.13(B)(3)(a), since the site is less than 10 acres in size.	

Criterion 2: The planning commission shall give due regard to the opinions of public agencies and shall not approve the plat if it determines that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuited for building, or for other reasons uninhabitable, shall not be platted for residential occupancy, nor for other uses that may increase danger to health, safety or welfare or aggravate erosion or flood hazard. Such land shall be set aside within the plat for uses that will not be endangered by periodic or occasional inundation or produce unsatisfactory living conditions. See also Section 14-5.9 (Ecological Resource Protection Overlay District) and Section 14-8.3 (Flood Regulations).	**Criterion Met:** (Yes/No/ N/A) **YES**

Applicant's Response:

"The project is subject to the review of applicable public agencies regulating development in the city. We propose that the project is suitable for platting and development purposes for residential use. All applicable development standards of the adopted land development code and policies are addressed in the design."

Staff Response:

No concerns have been raised by other public agencies that determined that the project is not suitable for platting and development purposes of the kind proposed. No public agency has indicated that the land is NOT in the best interest of the public health, safety or welfare. The subject property is not subject to flooding and has not been deemed to be topographically unsuited for building, or for other reasons uninhabitable. The site is fairly flat and will not aggravate erosion or flood hazard. All applicable development standards of the adopted land development code and policies are addressed in the design.

Criterion 3: All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).	**Criterion Met:** (Yes/No /N/A) **YES**

Applicant's Response:

"The Development Review Team (DRT) will review the Applicant's proposed subdivision design. The DRT includes the following City Divisions: Traffic, Technical Review, Water, Sewer, Environmental, and Land Use. Review comments and conditions from the DRT provide necessary changes to the proposal to conform to the City Code in order to meet standards for health, safety or welfare. The subdivision plat complies with the standards of Chapter 14, Article 9."

Staff Response:

The DRT has reviewed this Project and made their comments as found in Section II of this report as conditions of approval, and in Exhibit B as technical corrections. Staff has found that the plat complies with the infrastructure design, improvements and dedication standards.

Criterion 4: A plat shall not be approved that creates nonconformity or increases the extent or degree of an existing nonconformity with the provisions of Chapter 14 unless a variance is approved concurrently with the plat.	**Criterion Met:** (Yes/No/N/A) **YES**
Applicant's Response: *"The proposed plat does not create any nonconformity and will not increase the extent or degree of an existing nonconformity with the provisions of Chapter 14 provided all conditions of approval and technical corrections are made with the final subdivision plat. No variances are requested with this plat."* **Staff Response:** Staff concurs with this statement.	
Criterion 5: A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with applicable provisions of other chapters of the Santa Fe City Code unless an exception is approved pursuant to the procedures provided in that chapter prior to approval of the plat.	**Criterion Met:** (Yes/No /N/A) **YES**
Applicant's Response: *"This application is not requesting any exceptions to the Santa Fe City Code with this proposal."* **Staff Response:** Staff concurs with this statement.	

X. EARLY NEIGHBORHOOD NOTIFICATION

An Early Neighborhood Notification meeting was conducted online on April 27, 2021 via Zoom. The meeting was well attended by City staff and project team, although no neighbors were in attendance. The ENN Guidelines and supporting documentation are attached. (EXHIBIT D).

XI. EXPIRATION

The General Plan Amendment and Rezoning to the R-7 do not expire. If the Applicant's request for the rezoning with a development plan is approved by the Governing Body, the Applicant will then return to the Planning Commission for final development plan and subdivision approval.

Approval of a preliminary subdivision plat shall expire three years after final action. Therefore if a final plat is not approved, the approved preliminary subdivision plat will expire on August 5, 2024.

XII. ATTACHMENTS

EXHIBIT A:

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

EXHIBIT B: Development Review Team Memoranda & Email

1. Technical Review Memorandum, Dee Beingessner
2. Wastewater Division Memorandum, Stan Holland
3. Fire Prevention, Geronimo Griego
4. Landscape Memorandum, Lawrence Rivera
5. ADA - Site Review, Jason Kluck
6. Solid Waste, Eric Lucero

EXHIBIT C: Maps and Photos

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

EXHIBIT D: Early Neighborhood Notification

1. ENN Guidelines
2. Meeting Notes
3. School Notification

EXHIBIT E: Applicant Materials

1. Application Report
2. Applicant's full plan set
3. Traffic Impact Analysis

APPROVED BY:

Title	Name	Initials
Interim Land Use Department Director	Jason Kluck	jmk
Land Use Planner Manager	Noah Berke	NLB
Land Use Department Case Manager	Donna Wynant	DJW

City of Santa Fe, New Mexico

Planning Commission

Exhibit A

Technical Corrections

&

Draft Findings of Fact/Conclusions of Law

Aleksander Estates Subdivision

Case #2021-3805, 3806, 3807, 3608

Technical Corrections

#	TECHNICAL CORRECTIONS	Dept/ Division	To be completed by:
1	If parking will only be allowed in designated areas, no parking signs are needed along the roadway. Signs should be placed at both ends of no parking areas with an arrow and wording stating "No Parking Between Signs". For large distances between signs, signs with arrows pointing in both directions shall be used.	Land Use Engineer	Prior to recordation
2	Place pond volumes on the construction plans	Land Use Engineer	Prior to recordation
3	Engineer to certify pond slopes if greater than 2:1.	Land Use Engineer	Prior to recordation
4	This development shall comply with the most current requirements of the American with Disabilities Act (ADA) for all infrastructure improvements. Place a note on the Plat to reflect this condition.	Land Use Engineer	Prior to recordation
5	Other comments will be provided on Plans at the time of the building permit and changes may be required during permitting process	Land Use Engineer	Prior to recordation
6	See attached memo in Exhibit B for ADA Site Review	ADA Review	Prior to recordation
7	14-8.4(E)(4)(H) irrigation systems shall be zoned by levels of water use. For the most efficient water use, plant with similar water use requirements shall be grouped together. Separate zones are required for permanent and temporary irrigation lines.	Landscape Review	Prior to permit review
8	14-8.4(F)(2)(a) all required deciduous trees shall be two (2) inch caliper minimum; 14-8.4 (F)(2)(c) All required evergreen trees shall be a minimum of six (6) feet in height.	Landscape Review	Prior to permit review
9	14-8.4(F)(2)(b) all required shrubs shall be five gallon minimum except as noted on the City of Santa Fe Recommended Plant List;	Landscape Review	Prior to permit review
10	Reduce Pinon Pine count by three and add three Austrian Pine.	Landscape Review	Prior to permit review

11	A security fence around ponds three feet and deeper with a maintenance gate is required.	Landscape Review	Prior to permit review
12	Note on plan: "All disturbed areas shall be restored per COSF Code 14-8.2(D)(5)".	Landscape Review	Prior to permit review
13	Provide additional plantings at the north side entrance to create a beautiful focal point upon entering the subdivision.	Landscape Review	Prior to permit review
14	Provide an outdoor lighting plan with photometric data per 14-8.9(C) COSF code.	Landscape Review	Prior to permit review
15	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 2015 Section 503.2.1) 2. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 3. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 4. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2015 section 503.1.1) 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 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) 9. Shall comply with IFC 2015 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 10. Shall comply with IFC 2015 Section D103.5 Fire apparatus access road gates. 11. Shall comply with Section D106 Multiple-Family Residential Developments. 12. 107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling	Fire Prevention	At the time of any new construction or remodel.

	units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. (remotely) 13. Shall meet the IFC code requirements 2015 edition or the most current edition the governing body has adopted at the time of permitting.		
16	ADA Site Review Standards- see attached memo.	LUD/ADA Review	Prior to signature sheet

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

Case #2021-3805 – Aleksander Estates General Plan Amendment
Owner's/Applicant's Name – Next Generation Contracting, Inc.
Agent's Name – Monica Montoya Land Use Consulting, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 5, 2021 upon the application (Application) of Monica Montoya Land Use Consulting, Inc., Agent, for Next Generation Contracting, Inc., Owner. The Applicant requests approval of a general plan future land use map amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Property). The Property is zoned R-1 (Residential - 1 dwelling unit per acre).

In related Case #2021-3806, the Applicant seeks a rezoning from R-1 (Residential – 1 dwelling unit per acre) to R-7 (Residential – 7 dwelling units per acre). Additionally, in related Case #2021-3807, the Applicant seeks preliminary development plan approval for a preliminary subdivision for 59 single-family residential lots. Finally, in related case #2021-3808, the Applicant requests approval of a preliminary subdivision plat for 59 single-family residential lots.

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

FINDINGS OF FACT

General

1. The Applicant seeks a rezoning to R-7, which would allow for the proposed single-family residential development consisting of 59 single-family residential lots on approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Project).
2. Under the Santa Fe City Code (SFCC) Section 14-3.2(B)(2)(b), the general plan must first be amended before approval of a change in zoning district designation that is inconsistent with the land use classification shown on the general plan's future land use map.
3. Under SFCC Section 14-3.2(C)(1), the Application for a general plan amendment may be considered by the planning commission and the governing body concurrently with other applications.
4. SFCC Section 14-3.1 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)].
5. A pre-application conference was held on December 10, 2020.
6. The Applicant conducted a virtual ENN meeting on April 27, 2021, using Zoom.
7. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.

8. The ENN meeting was attended by representatives of the Applicant and City staff. No members of the public attended.
9. 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 Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
10. Staff recommended that the Commission recommend approval of the amendment to the general plan to Governing Body.
11. 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.
12. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2021-3806, 2021-3807, and 2021-3808; 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.
13. 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).
14. 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.
15. Pursuant to SFCC 14-3.2(E)(1)(a), the Commission finds that the Project is consistent with growth projections for Santa Fe, economic development goals, and existing land us conditions such as access and availability of infrastructure. The General Plan has established community commercial use on land in the vicinity of the project to support the area. Medium to high density residential uses are established in the NM 599 and South Meadows Road node. The fundamental framework for residential communities exists, including roads (NM 599 and South Meadows Road), services (city water and sewer), and schools.
16. Pursuant to SFCC Section 14-3.2(E)(1)(b), the Commission finds that the proposed general plan amendment would be consistent with other parts of the general plan. Medium densities are consistent with and supported by the growth management policies of Chapter 4 of the General Plan, which call for a concentration of populations at greater densities in developing areas.
17. Pursuant to SFCC Section 14-3.2(E)(1)(c) the Commission finds 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.
18. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(d) is not applicable because the criterion in SFCC Section 14-3.2(E)(1)(c) is met.
19. The Commission finds that the criterion in SFCC 14-3.2(E)(1)(e) is not applicable to this case.

20. 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.
21. Pursuant to SFCC 14-3.2(E)(1)(g), the Commission has considered conformity with other city policies.
22. 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.
23. 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.

CONCLUSIONS OF LAW

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

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.
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 5th DAY OF AUGUST 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 #2021-3805.

_____ _____
Brian Gutierrez Date:
Chairperson

FILED:

_____ _____
Kristine Bustos-Mihelcic Date:
City Clerk

APPROVED AS TO FORM:

_____
Sally A. Paez
Assistant City Attorney

_____
Date:

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

Case #2021-3806 – Aleksander Estates Rezoning
Owner's/Applicant's Name – Next Generation Contracting, Inc.
Agent's Name – Monica Montoya Land Use Consulting, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 5, 2021 upon the application (Application) of Monica Montoya Land Use Consulting, Inc., Agent, for Next Generation Contracting, Inc., Owner. The Applicant requests approval of a rezoning from R-1 (Residential - 1 dwelling unit per acre) to R-7 (Residential - 7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Property).

In related Case #2021-3805, the Applicant requests approval of a general plan future land use map amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre). Additionally, in related Case #2021-3807, the Applicant seeks preliminary development plan approval for a preliminary subdivision for 59 single-family residential lots. Finally, in related case #2021-3808, the Applicant requests approval of a preliminary subdivision plat for 59 single-family residential lots.

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

FINDINGS OF FACT

General

1. The Applicant seeks a rezoning to R-7, which would allow for the proposed single-family residential development consisting of 59 single-family residential lots on approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Project).
2. 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.
3. 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)].
4. A pre-application conference was held on December 10, 2020.
5. The Applicant conducted a virtual ENN meeting on April 27, 2021, using Zoom.
6. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
7. The ENN meeting was attended by representatives of the Applicant and City staff. No members of the public attended.
8. 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).

9. 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.
10. Staff recommended that the Commission recommend approval of the rezoning to the Governing Body.
11. Pursuant to SFCC Sections 14-2.3(C)(7)(c) and 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
12. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2021-3805, 2021-3807, and 2021-3808; 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.
13. 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.
14. 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.
15. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the Commission finds that the character of the surrounding area has changed due to increased residential development and that the proposed R-7 zoning is more advantageous to the community because the use will remain single-family residential while allowing higher density, which allows housing to be developed at a more affordable rate.
16. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
17. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including growth management policies for infill development at medium densities in developing areas with centrally located neighborhood centers. Additionally, the rezoning will be consistent with the future land use map if the proposed general plan amendment is approved by the Governing Body.
18. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a 59-lot subdivision is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate, and geographic location of the growth of the city.
19. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.
20. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-7 zoning is consistent with the surrounding density.
21. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.

1. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public.
2. Pursuant to SFCC Section 14-3.5(D), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.

CONCLUSIONS OF LAW

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

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.
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 5th DAY OF AUGUST 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 proposed rezoning to R-7, as requested in the Application for Case #2021-3806.

_____ _____
Brian Gutierrez Date:
Chairperson

FILED:

_____ _____
Kristine Bustos-Mihelcic Date:
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date:
Assistant City Attorney

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

Case #2021-3807 – Aleksander Estates Preliminary Development Plan
Owner's/Applicant's Name – Next Generation Contracting, Inc.
Agent's Name – Monica Montoya Land Use Consulting, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 5, 2021 upon the application (Application) of Monica Montoya Land Use Consulting, Inc., Agent, for Next Generation Contracting, Inc., Owner. The Applicant requests approval of a preliminary development plan for 59 single-family residential lots on approximately 8.38 acres. The property is zoned R-1 (Residential – 1 dwelling unit per acre) and is located on the east side of Kates Way, north of South Meadows Road (Property).

In related Case #2021-3805, the Applicant requests approval of a general plan future land use map amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre). Additionally, in related Case #2021-3806, the Applicant seeks a rezoning from R-1 (Residential – 1 dwelling unit per acre) to R-7 (Residential – 7 dwelling units per acre). Finally, in related case #2021-3808, the Applicant requests approval of a preliminary subdivision plat for 59 single-family residential lots.

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

FINDINGS OF FACT

General

1. The Applicant seeks a rezoning to R-7, which would allow for the proposed single-family residential development consisting of 59 single-family residential lots on approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Project).
2. Under Santa Fe City Code (SFCC) Section 14-4(E)(1), the R-7 zoning district is "designed to accomplish the following: (a) to allow a greater intensity of residential land use; (b) to encourage infill development on undeveloped or underdeveloped land in order to promote compact urban form and promote efficient use of public infrastructure and services; and (c) to allow a density that enables affordability."
3. Under SFCC 14-4.2(E)(2), rezoning to R-7 "requires consideration and approval by the planning commission and the governing body of a development plan for the property as provided in Section 14-3.8."
4. SFCC Section 14-3.1 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)].
5. A pre-application conference was held on December 10, 2020.

6. The Applicant conducted a virtual ENN meeting on April 27, 2021, using Zoom.
7. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
8. The ENN meeting was attended by representatives of the Applicant and City staff. No members of the public attended.
9. 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 Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
10. Staff recommended that the Commission recommend that the Governing Body approve the preliminary development plan, subject to certain conditions of approval and technical corrections set forth in the Staff Report and attached exhibits.
11. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2021-3805, 2021-3806, and 2021-3808; 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. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-4.2(E)(2) and Table 14-2.1-1, the Commission has the authority to review development plans required for rezonings to R-7 and to make recommendations to the Governing Body.
13. 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).
14. 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).
15. The information contained in the Staff Report and exhibits is sufficient to establish that the Submittal Requirements have been met.
16. 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.
17. Pursuant to SFCC Section 14-3.8(D)(1)(a), the Commission finds that it is empowered to review and make a recommendation on the proposed preliminary development plan under SFCC Sections 14-2.3(C)(1), 14-3.8(B)(2), and 14-4.2(E)(2), and Table 14-2.1-1.
18. Pursuant to SFCC Section 14-3.8(D)(1)(b), the Commission finds that approving the rezoning to R-7 and associated preliminary development plan for the Project would not adversely affect the public interest.
19. 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 Project. The subject property is located in an area with medium to high density patterns, and institutional uses that include the El Camino Real Academy to the east and the site of a future fire station. The proposed use and scale of the Project is compatible with land uses in the vicinity.
20. Under SFCC Section 14-3.8(D)(2), the Commission is authorized to specify conditions of approval for a development plan that are necessary to accomplish the proper development of the area and to implement the policies of the general plan.

21. The Commission finds that the conditions and technical corrections set out 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.
22. The Applicant is willing and able to comply with the conditions and technical corrections set forth in the staff report and exhibits.

CONCLUSIONS OF LAW

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

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.
2. The Commission has the authority to review and make a recommendation to the Governing Body to approve the preliminary development plan.
3. The Applicant met the applicable Submittal Requirements.
4. The Commission should recommend approval by the Governing Body of the preliminary development plan 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 5th DAY OF AUGUST 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 proposed preliminary development plan, subject to the conditions and technical corrections set forth in the Staff Report and exhibits.

_____ _____
Brian Gutierrez Date:
Chairperson

FILED:

_____ _____
Kristine Bustos-Mihelcic Date:
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date:
Assistant City Attorney

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

Case #2021-3808 – Aleksander Estates Preliminary Subdivision Plat
Owner's/Applicant's Name – Next Generation Contracting, Inc.
Agent's Name – Monica Montoya Land Use Consulting, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 5, 2021 upon the application (Application) of Monica Montoya Land Use Consulting, Inc., Agent, for Next Generation Contracting, Inc., Owner. The Applicant requests approval of a preliminary subdivision plat for 59 single-family residential lots on approximately 8.38 acres (Property). The property is zoned R-1 (Residential – 1 dwelling unit per acre) and is located on the east side of Kates Way, north of South Meadows Road (Property).

In related Case #2021-3805, the Applicant requests approval of a general plan future land use map amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre). Additionally, in related Case #2021-3806, the Applicant seeks a rezoning from R-1 (Residential – 1 dwelling unit per acre) to R-7 (Residential – 7 dwelling units per acre). Finally, in related case #2021-3807, the Applicant requests approval of a preliminary development plan for 59 single-family residential lots.

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

FINDINGS OF FACT

General

1. At the hearing, the Commission received reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
2. Santa Fe City Code (SFCC) Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC Section 14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC Section 14-3.1(F)(2)(a)(v)]; and (c) compliance with notice and public hearing requirements [SFCC Section 14-3.1(H)-(I)].
3. A pre-application conference was held on December 10, 2020.
4. The Applicant conducted a virtual ENN meeting on April 27, 2021, using Zoom.
5. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
6. The ENN meeting was attended by representatives of the Applicant and City staff. No members of the public attended.
7. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.

8. Staff recommended that the Commission should approve the preliminary subdivision plat, subject to certain conditions (the Conditions) and technical corrections set out in the Staff Report and exhibits.
9. Pursuant to SFCC Sections 14-2.3(C)(1) and 14-3.7(B)(3)(d), the Commission has the authority to review and approve or disapprove preliminary subdivision plats.
10. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2021-3805, 2021-3806, and 2021-3807; 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. SFCC Section 14-3.7(B) establishes certain procedures for preliminary subdivision plat approval including, without limitation, a public hearing by the Commission, review of the preliminary plat, and a decision based on the criteria set out in SFCC Section 14-3.7(C).
12. SFCC Section 14-3.7(B)(3)(b) requires the Applicant to submit a preliminary plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material that demonstrates conformance with the standards of SFCC Section 14-9 (Submittal Requirements).
13. The information contained in the Staff Report and exhibits is sufficient to establish that the Submittal Requirements have been met.
14. SFCC Section 14-3.7(C) sets out approval criteria and requires the Commission to make complete findings of fact sufficient to show that these criteria have been met before approving a preliminary subdivision.
15. Pursuant to SFCC Section 14-3.7(C)(1), the Commission finds that due regard has been shown for all natural features such as vegetation, water courses, historical sites and structures, and similar community assets. The site is vacant with little vegetation, and there are no historical or significant natural features or drainages on the site.
16. Pursuant to SFCC Section 14-3.7(C)(2), the Commission finds that the land is suitable for platting and development purposes of the kind proposed. The subject parcel does not lie within a flood zone. It is relatively flat with a gentle slope from north to south with a grade of less than 2%.
17. Pursuant to SFCC Section 14-3.7(C)(3), the Commission finds that the plat complies with the infrastructure design, improvement, and dedication standards set forth in SFCC Section 14-9.
18. Pursuant to SFCC Section 14-3.7(C)(4)-(5), the Commission finds that the plat does not create any nonconformities or increase any existing nonconformities, and no variances or exceptions are requested or needed.
19. The Applicant is willing and able to comply with the Conditions and technical corrections set forth in the staff report and exhibits.

CONCLUSIONS OF LAW

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

1. Pursuant to SFCC Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Commission has the authority to review and approve the preliminary subdivision plat subject to conditions.

3. The Applicant met the applicable Submittal Requirements.
4. The preliminary subdivision plat should be approved, subject to the Conditions and technical corrections set forth in the Staff Report and exhibits because all applicable code requirements and criteria for preliminary subdivision plat approval have been met.

WHEREFORE, IT IS ORDERED ON THE 5th DAY OF AUGUST 2021 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

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

_____ _____
Brian Gutierrez Date:
Chairperson

FILED:

_____ _____
Kristine Bustos-Mihelcic Date:
City Clerk

APPROVED AS TO FORM:

_____ _____
Sally A. Paez Date:
Assistant City Attorney

City of Santa Fe, New Mexico

Planning Commission

Exhibit B

DRT Memos

1. Technical Review Memorandum, Dee Beingessner
2. Wastewater Division Memorandum, Stan Holland
3. Fire Prevention, Geronimo Griego
4. Landscape Memorandum, Lawrence Rivera
5. ADA - Site Review, Jason Kluck
6. Solid Waste, Eric Lucero

Development Review Team

Comment Form

Date: 7/20/21

Staff person: Dee Beingessner

Dept/Div: Land Use/Terrain Management

Case: **Case #2021-3805 3806 3807 3808. Aleksander Estates Subdivision**

Case Mgr: Donna Wynant

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

Conditions of Approval :	Must be completed by:
1	Prior to Signature Sheet Process
2	

Technical Corrections*:	Must be completed by:
1 If parking will only be allowed in designated areas, no parking signs are needed along the roadway. Signs should be placed at both ends of no parking areas with an arrow and wording stating "No Parking Between Signs". For large distances between signs, signs with arrows pointing in both directions shall be used.	Prior to recordation
2 Place pond volumes on the construction plans	
3 Engineer to certify pond slopes if greater than 2:1.	
4 This development shall comply with the most current requirements of the American with Disabilities Act (ADA) for all infrastructure improvements. Place a note on the Plat to reflect this condition.	
5 Other comments will be provided on Plans at the time of the building permit and changes may be required during permitting process	

*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):

RE: DRT comments on Villa Sendero and Alexander Estates Subdivision

HS

HOLLAND, TOWNSEND S.
Mon 7/26/2021 2:41 PM

To: WYNANT, DONNA J.

Sorry to get back late. No comment for Aleksander Subdivision

Development Review Team

Comment Form

Date: 07/14/2021

Staff person: Geronimo Griego

Dept/Div: Fire Prevention

Case: 2021-3895 3806 3807 3808 Aleksander Subdivision

Case Mgr: Dona Wynant

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

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

Technical Corrections*:	Must be completed by:
1. Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2015 Section 503.2.1) 2. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 3. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 4. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2015 section 503.1.1) 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)	At the time of any new construction or remodel.

7. Shall comply with Section D102.1 Access and Loading (75,000 lbs). 8. 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) 9. Shall comply with IFC 2015 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 10. Shall comply with IFC 2015 Section D103.5 Fire apparatus access road gates. 11. Shall comply with Section D106 Multiple-Family Residential Developments. 12. 107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. (remotely) 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: 7/13/2021

Staff person: Lawrence Rivera

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

Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan

Case Manager: Donna Wynant, AICP, djwynant@santafenm.gov, 955-6325

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:
14-8.4(E)(4)(H) irrigation systems shall be zoned by levels of water use. For the most efficient water use, plant with similar water use requirements shall be grouped together. Separate zones are required for permanent and temporary irrigation lines.	Prior to permit review
2. 14-8.4(F)(2)(a) all required deciduous trees shall be two (2) inch caliper minimum; 14-8.4 (F)(2)(c) All required evergreen trees shall be a minimum of six (6) feet in height.	Prior to permit review
3. 14-8.4(F)(2)(b) all required shrubs shall be five gallon minimum except as noted on the City of Santa Fe Recommended Plant List;	Prior to permit review
4. Reduce Pinon Pine count by three and add three Austrian Pine.	Prior to permit review
5. A security fence around ponds three feet and deeper with a maintenance gate is required.	Prior to permit review
6. Note on plan: "All disturbed areas shall be restored per COSF Code 14-8.2(D)(5)".	Prior to permit review
7. Provide additional plantings at the north side entrance to create a beautiful focal point upon entering the subdivision.	Prior to permit review
8. Provide an outdoor lighting plan with photometric data per 14-8.9(C) COSF code.	Prior to permit review
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):

Development Review Team Comment Form

Date: 7/04/2021

Staff person: Jason M. Kluck

Dept/Div: Land Use – ADA Site Review

Case: **Case #2021-3807 Alexander Estates, Preliminary Development Plan**

Kate's Way

Case Mgr: Donna Wynant

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

Conditions of Approval:	Must be completed by:
Approval Comments: Provide Design Professional Seal and signature with date signed on all drawing sheets. Accessibility feature design within the Public Right-of-Way shall comply with NMDOT Pedestrian Access Route Details (Serial 608). Sidewalks within the subdivision shall provide for a continuous accessible path of travel route(s). (Provide signage at closest intersection with accessible connection indicating "Accessible Route Ends Ahead" or "No Accessible Route" and provide detour at any temporary or permanent inaccessible routes.) Walking surfaces along the accessible path of travel route(s) 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. Walking 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. Accessible street crossing locations provided shall be compliant with NMDOT Pedestrian Access Route Details (Serial 608) and shall be approved by the City's Traffic Engineering Division prior to permit application. Please include documentation of this approval with the building permit submittal. Driveway and intersection crossings shall not exceed 2% cross slope, shall	Prior to Recording

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. 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. Edge protection/guard rails/handrails shall be provided at steps, sidewalks and walkways with greater than 30" vertical change in grade adjacent to the path of travel. IBC 1015.2 - Where Required, Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8. 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) Off-Street parking a striped or metered on-street parking shall comply with: 2015 NM Accessible Parking Checklist 2010 ADA Standards - 208.2.3 Residential Facilities. Parking spaces provided to serve residential facilities shall comply with 208.2.3. 208.2.3.3 Parking for Guests, Employees, and Other Non-Residents. Where parking spaces are provided for persons other than residents, parking shall be provided in accordance with Table 208.2. Provision for ADA parking, signage and sidewalk access at striped and/or metered on-street parking spaces is recommended and may be required for public infrastructure. See State Proposed PROWAG On-Street parking scoping requirements for details.	

Technical Corrections*:	Must be completed by:
N/A	Prior to recording

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply:

General ADA Site Compliance Requirements for all phases of development of this project, as applicable

On-Site ADA Site Compliance Requirements as applicable:

IEBC Section 705, Accessibility: Businesses must comply with the provisions of the ADA Standards to the "maximum extent feasible" with a building alteration. The costs for the added ADA work is considered disproportionate if it is over 20% of the costs of the project. Improvements should be prioritized up to the 20% limit: entrance; route to the primary function area; at least one unisex ADA restroom or one restroom for each sex serving the area; drinking fountains serving the area; other.

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.

Edge protection/guard rails/handrails shall be provided at steps, sidewalks and walkways with greater than 30" vertical change in grade adjacent to the path of travel. IBC 1015.2 - Where Required, Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

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.

Accessible parking spaces and access aisles shall not exceed 2% slope in any direction. 1%-1.5% is the preferred target slope.

ADA parking signage shall comply with the 2015 New Mexico Accessible Parking Checklist. 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.

ADA parking space and aisle striping shall comply with 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.

Ensure ADA Accessible parking spaces are located in close physical proximity to any adjacent accessible entrances or accessible housing units (60% of all entrances shall be accessible on new construction), 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.

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)
Bicycle parking spaces shall comply with the requirements set forth in SFCC Chapter 14, (Subsection 14-8.6(E) along with Appendix Exhibit D, bicycle rack standards and dimensions for size, clearance and location.

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 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).

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.

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.

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.

Edge protection/guard rails/handrails shall be provided at steps, sidewalks and walkways with greater than 30" vertical change in grade adjacent to the path of travel. IBC 1015.2 - Where Required, Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

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.

LUCERO, ERIC J.
Tue 7/13/2021 8:42 AM

WYNANT, DONNA J.

Good morning Donna,

In regards to cases:

Case #2021-3804. Villa Sendero Development Plan Amendment for Phase II. Dekker/Perich/Sabatini - Will Gleason, Agent, for Villa Sendero, LLC, CSM Properties, LTD, Owner, requests approval of a Development Plan Amendment. The Applicant requests approval of Phase II of the project to include 24 additional multi-family units on a parcel, approximately 1-acre in size, to the southwest of the subject property, directly south of the Fashion Outlets of Santa Fe. The Amendment to Phase II also includes a fitness building, to replace an apartment building in Phase I, resulting in a net gain of 6 units to the Villa Sendero project to 258 units and minor changes to a drive aisle and multi-use trail. The property is approximately 11.4 acres, zoned C-2 (General Commercial) and is located at 5132 Beckner Road.

Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Low Density Residential (1 dwelling unit per acre) and (1-3 dwelling units per acre) to (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road.

Case #2021-3806. Aleksander Estates Subdivision Rezoning. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests approval of rezoning from R-1 (1 dwelling unit per acre) to R-7 (7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road.

Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan. Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests preliminary development Plan approval of a preliminary subdivision for 59 single-family residential lots on approximately 8.38 acres. The property is zoned R-1 (Residential and is located on the east side of Kates Way, north of South Meadows Road.

Case #2021-3808. Aleksander Estates Preliminary Subdivision Plat. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests preliminary subdivision plat approval for 59 single-family residential lots on approximately 8.38 acres of vacant land. The property is zoned R-1 (Residential- one dwelling unit per acre) and is located on the east side of Kates Way, north of South Meadows Road.

I have no comments at this time.

Thanks,

Eric J Lucero

Operations Manager
City of Santa Fe
Environmental Services Division

City of Santa Fe, New Mexico

Planning Commission

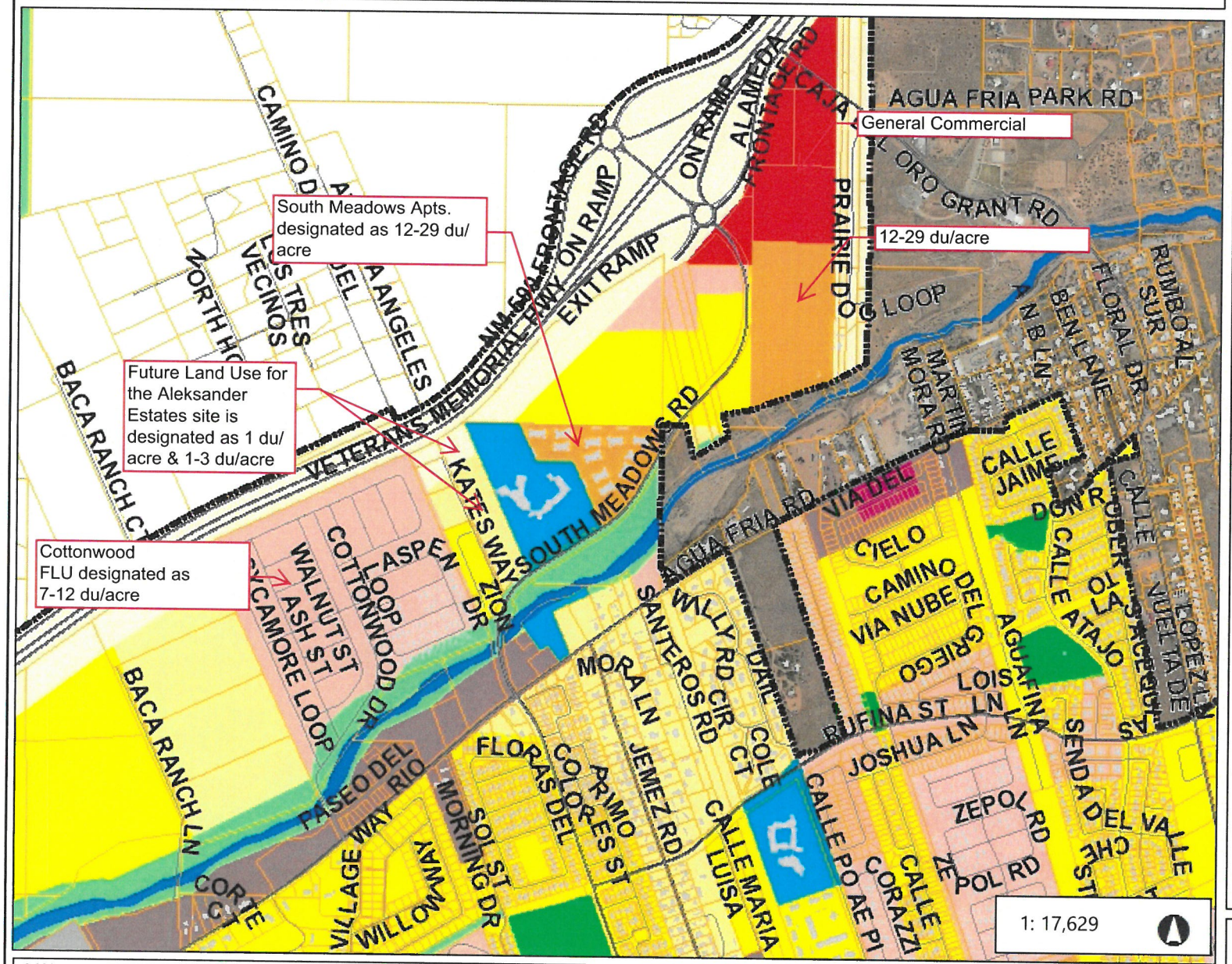
Exhibit C

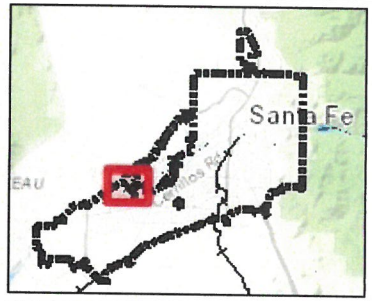
Maps and Photos

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

Santa Fe
Mapping the City Different

Future Land Use Map





Legend

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

Future Land Use

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

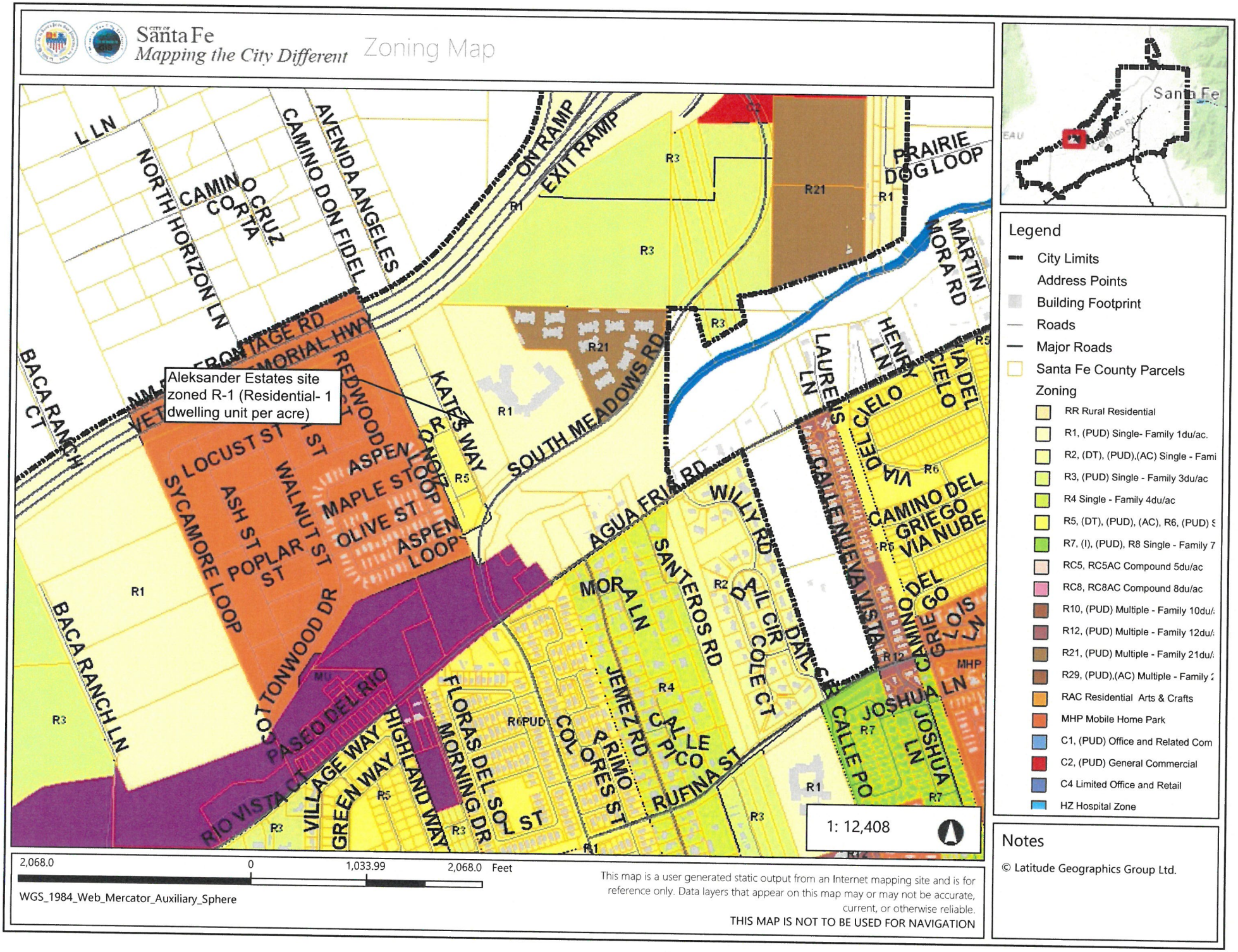
Notes

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2,938.2 0 1,469.10 2,938.2 Feet

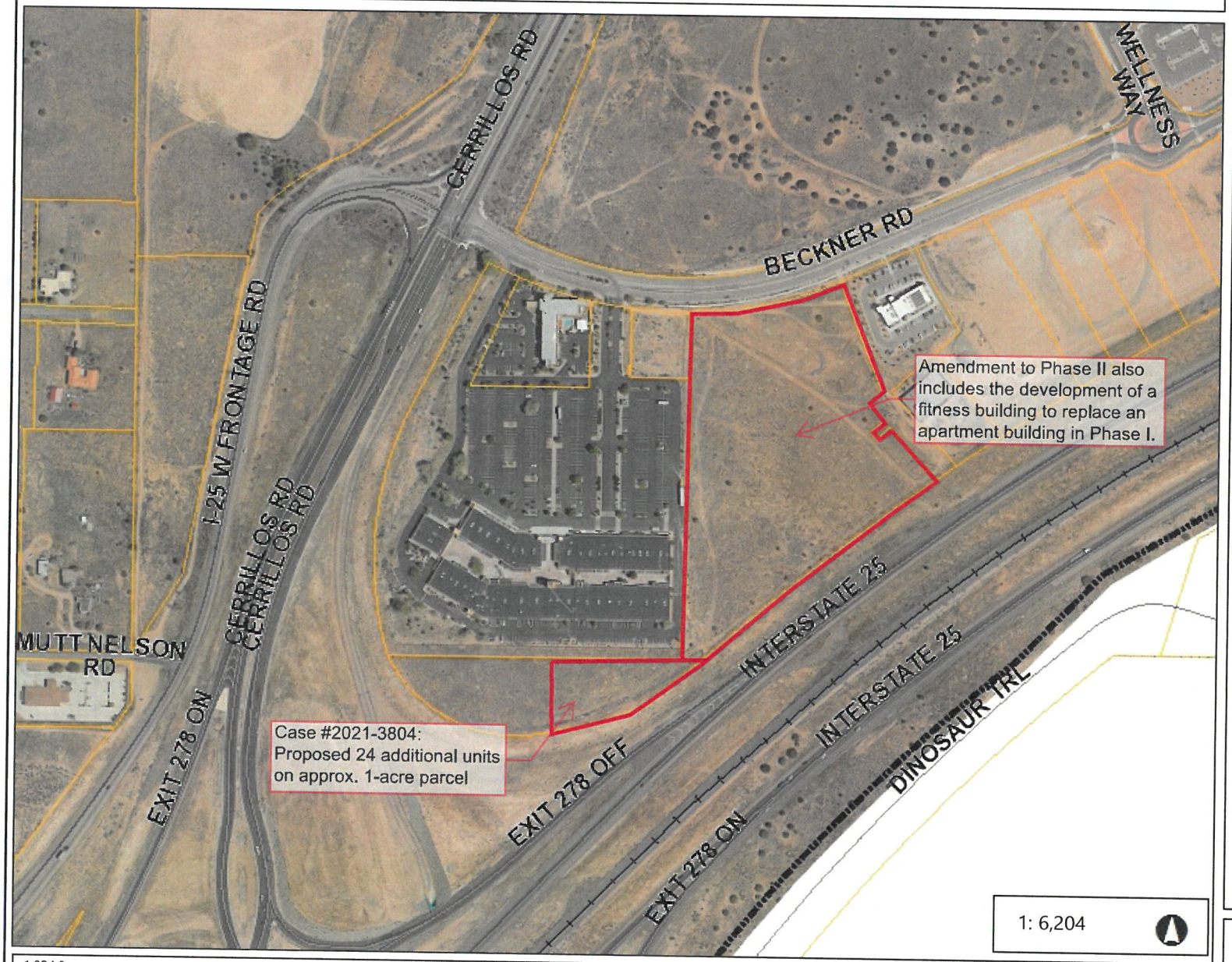
WGS_1984_Web_Mercator_Auxiliary_Sphere

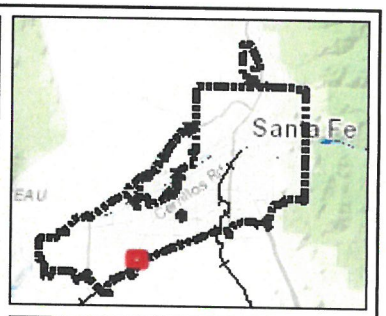
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION


Santa Fe
Mapping the City Different
Zoning Map
Aleksander Estates site zoned R-1 (Residential- 1 dwelling unit per acre)
L LN
NORTH HORIZON LN
CAMINO CRUZ CORTA
AVENIDA ANGELES
CAMINO DON FIDEL
ON RAMP
EXIT RAMP
PRAIRIE DOG LOOP
MARTIN MORA RD
HENRY LN
LAURENS LN
VIA DEL CIELO
CIELO
VIA DEL CIELO
CAMINO DEL GRIEGO
VIA NUBE
CALLE NUEVA VISTA
WILLY RD
AGUA FRIA RD
SOUTH MEADOWS RD
KATE'S WAY
BACA RANCH CT
BACA RANCH LN
LOCUST ST
ASH ST
WALNUT ST
POPLAR ST
SYCAMORE LOOP
REDWOOD ST
ASPEN LOOP
MAPLE ST
OLIVE ST
ASPEN LOOP
COTTONWOOD DR
PASEO DEL RIO
RIO VISTA CT
VILLAGE WAY
GREEN WAY
HIGHLAND WAY
FLORAS DEL SOL ST
MORNING DR
MORA LN
SANTEROS RD
JEMEZ RD
COLORES ST
ARIMO
CALLE PICO
RUFINA ST
COLE CT
CIR
CALLE PO
JOSHUA LN
JOSHUA LN
CAMINO DEL GRIEGO LOOP
R1
R2
R3
R4
R5
R6
R7
R21
R6PUD
MHP
MU
1: 12,408
Santa Fe
Legend
City Limits
Address Points
Building Footprint
Roads
Major Roads
Santa Fe County Parcels
Zoning
RR Rural Residential
R1, (PUD) Single- Family 1du/ac.
R2, (DT), (PUD),(AC) Single - Fami
R3, (PUD) Single - Family 3du/ac
R4 Single - Family 4du/ac
R5, (DT), (PUD), (AC), R6, (PUD) S
R7, (I), (PUD), R8 Single - Family 7
RC5, RC5AC Compound 5du/ac
RC8, RC8AC Compound 8du/ac
R10, (PUD) Multiple - Family 10du/
R12, (PUD) Multiple - Family 12du/
R21, (PUD) Multiple - Family 21du/
R29, (PUD),(AC) Multiple - Family
RAC Residential Arts & Crafts
MHP Mobile Home Park
C1, (PUD) Office and Related Com
C2, (PUD) General Commercial
C4 Limited Office and Retail
HZ Hospital Zone
2,068.0
0
1,033.99
2,068.0 Feet
WGS_1984_Web_Mercator_Auxiliary_Sphere
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
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Notes
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City of Santa Fe
Mapping the City Different

Aerial Map





Legend

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

1: 6,204

1,034.0 0 516.99 1,034.0 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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

Notes

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NM 599
El Camino Real Academy
Aleksander Estates site
Kate's Way
South Meadows Road
Google Earth

View of Aleksander Estates Subdivision site from South Meadow Road – looking towards Kate's Way (Google Street View)



City of Santa Fe, New Mexico

Planning Commission

Exhibit D

Early Neighborhood Notification Materials

1. **ENN Guidelines**
2. **Meeting Notes**
3. **School Notification**

City of Santa Fe
Land Use Department
Early Neighborhood Notification Meeting Notes

Project Name	Aleksander Estates Subdivision
Project Location	NE corner of South Meadows and Kate's Way
Project Description	Applicant requests approval of a General Plan Future Land Use Amendment to change the designation from Low Density Residential (1 dwelling unit per acre) and (1-3 dwelling units per acre) to (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road.
Applicant / Owner	Next Generation Contracting, Inc.
Agent	Montoya Land Use Consulting
Pre-App Meeting Date	December 10, 2020
ENN Meeting Date	April 27, 2021
ENN Meeting Location	Zoom virtual meeting
Application Type	GPA, Rezoning, Prelim Dev Plan & Prelim Sub Plat
Land Use Staff	Donna Wynant
Other Staff	N/A
Attendance	Applicant's development team, ,one city staff person & no members of the public

Notes/Comments:
The applicant started the meeting at 5:30 and, with no members of the public in attendance, gave the presentation to the team and city staff. Meeting adjourned at 6:00 pm.

ENN GUIDELINES

Applicant Information

Project Name: **ALEXANDER ESTATES SUBDIVISION**

Name: Montoya Monica (Last) — On Behalf of Next Generation Contracting Inc. (First) — (M.I.)

Address: 726 Gregory Lane (Street Address) — (Suite/Unit #)

Santa Fe (City) — NM (State) — 87505 (ZIP Code)

Phone: (505) 412-1016 E-mail Address: Monica@mntya.com

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS ***For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.***

The proposed subdivision complies with single family residential subdivision standards of the Santa Fe City Code. Each residence within the subdivision will be constructed to comply with minimum requirements for height, setback, mass and scale, landscaping, and lighting according to the R7 district standards. All site sighting will be designed in accordance with City ordinances.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT ***For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.***

The project is not in the flood zone according to City data. The site design will follow the natural terrain which is relatively flat with a mild slope from north to south. There are no areas with 30% slopes. All trash generated by the project will be recycled in accordance with City ordinances. The project is subject to the City's terrain management, landscape, open space and storm water management ordinances.

(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 project is not within a designated historic district. According to City data, much of the area south of NM 599 along South Meadows Road and West Alameda is part of the Suburban Archeological Review District. The project will be subject to City archeological ordinances.

(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.***

High densities ranging from MHP to R21 exist in the area to the west and east. The El Camino Real Academy shares a common boundary on the east. R5 and R1 are on the west. We propose that densities in the area set a precedent for medium to high densities.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES ***For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.***

Vehicular, pedestrian and bicycle systems are all available means of transportation to promote an ease of flow both within the site and to adjacent public streets and planned systems. The City has requested a traffic study to analyze the traffic impacts and determine any road improvements to flows and patterns.

(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.***

The project will contribute significantly to the economic base of Santa Fe at all stages of existence. Initial impacts will benefit businesses in the areas of design and construction including engineering design, infrastructure construction, building and site construction, landscaping design and construction to name a few. Direct impacts to the City include development fees, permit fees, inspections fees, and impact fees to improve streets, parks, police and fire programs. Additional impacts include gross receipts taxes and property taxes. The project will add to the city housing supply. Residents will shop in local stores and patronize local businesses.

(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.***

The project will supplement the availability of needed housing for Santa Fe and include 15% of the units to the Santa Fe Affordable Housing supply.

(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.***

The project is in the Santa Fe city limits and under the jurisdiction of City police and fire protection. As part of the development cost, an impact fee will be paid to the City to supplement the cost of services. The Santa Fe Public Schools district will serve residents for elementary, middle and high school. City utilities are proposed including water, sewer, gas, electricity, internet, and television.

(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.***

City water service is available for use by the project. The project design will comply with City water conservation ordinances and use appropriate fixtures in the residences.

(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 is within close proximity to many amenities which positively impact a balanced neighborhood. The site design intends to integrate the proposed residential community with surrounding land uses by creating opportunities for pedestrian linkages to the area.

(k) EFFECT ON SANTA FE'S URBAN FORM ***For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.***

The project promotes a compact urban form as a medium density residential use within close proximity to supportive land uses and amenities either existing or in the planning stages.

MONTOYA LAND USE CONSULTING, INC.

November 2, 2020

Dr. Veronica Garcia
Superintendent, Santa Fe Public Schools
610 Alta Vista Street
Santa Fe NM 87505

SUBJECT: Planning for School Facilities and Operations to Support Proposed Residential Subdivision

Dear Dr. Garcia,

This letter is respectfully submitted to satisfy the City of Santa Fe Land Development Code which requires notice to the Santa Fe Public Schools Administration of proposed residential development with six or more dwelling units in order to assist in planning for adequate school facilities and operations.

The City will consider an application by my client, Next Generation Contracting, Inc., for a single family residential subdivision with 60 dwelling units located on Kates Way off South Meadows Road and adjacent to the El Camino Real Academy. A vicinity map of the proposed development is attached for your convenience.

According to the SFPS district map provided by the website, (*https://www.sfps.info/),* the responding schools for elementary, mid-high and high school are El Camino Real Academy and Capital High School. We will provide this information to the City as part of the development application.

Please contact me with any questions pertaining to the development application, or added information that I may provide to assist the schools in the planning process. I am available to meet at your convenience.

Sincerely,

Monica Montoya

Monica Montoya
Montoya Land Use Consulting, Inc.

Attach: Project Vicinity Map
Santa Fe Public Schools Form

726 Gregory Lane, Santa Fe, NM 87505 PH: (505)412-1016 Email: Monica@mntya.com

J1

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: ALEKSANDER ESTATES SUBDIVISION
2. Location of Property: KATES WAY
3. Owner/Agent Name: NEXT GENERATION CONTRACTING, INC.
   Mailing Address: PO BOX 28700, SANTA FE NM 87592
   Phone & Fax: (505)412-1016 Monica@mntya.com
4. Unit Matrix

PROJECT EFFECT ON STUDENT POPULATION		
Unit Type	Unit Quantity	Average Price
Single Family (detached) Single Family (attached) Townhome/ Apartment Multi-Family Commercial	60	

5. Elementary School Zone for Proposed Development: EL CAMINO REAL ACADEMY
6. Middle School Zone for Proposed Development: EL CAMINO REAL ACADEMY
7. High School Zone for Proposed Development: CAPITAL HIGH SCHOOL
8. Build out Rates (Year/s; #/yr): 2022
   Estimated time frame subject to change

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

J2

> Monica,
>
> I am under contract with Santa Fe Public Schools to monitor building
> activity within the district. I understand that you are assisting the
> owner of Aleksander Estates. Would you please tell me the approximate
> size and proposed cost of the homes being planned? I use this
> information to project how many students would move into those new houses.
>
> Thank you,
> Dolores
>
>
> ----
> Dolores Anderson
> Director, Computer and Administrative Services Architectural Research
> Consultants, Incorporated
> 220 Gold Av SW, Albuquerque, NM 87102
> (505) 842-1254
> danderson@arcplanning.com
>
>
>
>

Dolores Anderson
Director, Computer and Administrative Services Architectural Research Consultants, Incorporated
220 Gold Av SW, Albuquerque, NM 87102
(505) 842-1254
danderson@arcplanning.com

J3

monica@mntya.com

From: Dolores Anderson <danderson@arcplanning.com>
Sent: Monday, November 16, 2020 10:08 AM
To: Monica Montoya
Cc: Gabe Romero
Subject: Re: SFPS Aleksander Estates

Thank you. I will assume that the new homes will be similar to other homes already in the area south of Agua Fria.

> On Nov 16, 2020, at 9:46 AM, Monica Montoya <monica@mntya.com> wrote:
>
> Good Morning Dolores,
>
> I am happy to provide any information I have. We are proposing sixty
> single family homes on 8.4 acres. Fifteen percent will be dedicated
> to the City's affordable homes program. The prices for these are
> based on the median income structures as calculated by the City. The rest will be market rate.
>
> Does this help?
>
> Monica
>
> Monica Montoya
> Montoya Land Use Consulting, Inc.
> 726 Gregory Lane
> Santa Fe, NM 87505
> PH: (505)412-1016
> Email: Monica@mntya.com
>
>
>
> -----Original Message-----
> From: Dolores Anderson [mailto:danderson@arcplanning.com]
> Sent: Friday, November 13, 2020 2:57 PM
> To: Monica@mntya.com
> Cc: Gabe Romero <gromero@sfps.k12.nm.us>
> Subject: SFPS Aleksander Estates
>

J4

City of Santa Fe, New Mexico

Planning Commission

Exhibit E

Applicant Submittals

1. **Application Report**
2. **Applicant's full plan set**
3. **Traffic Impact Analysis**

SUMMARY INDEX
PLANNING COMMISSION MINUTES
AUGUST 5, 2021

ITEM	ACTION TAKEN	PAGE(S)
A. Roll Call	Quorum Present	1
B. Pledge of Allegiance	Recited	1
C. Approval of Agenda	Approved as published	4
D. Approval of Minutes	Approved	4
E. Findings & Conclusions	None	4
F. Old Business	None	4
G. New Business		
1. Policy Subcommittee recommendations for Cannabis Legislation.	Discussed	4-10
2. Case #2021-3809. Southside Teen Center Development Plan	Approved	10-13
3. Case #2021-3804. Villa Sendero Dev. Plan Amendment	Denied	13-23
4. Case #2021-3805. Aleksander Estates Subdivision. General Plan Amendment.	Approved	23-27
5. Case #2021-3806. Aleksander Estates Subdivision. Rezoning	Approved	21-
6. Case #2021-3807. Aleksander Estates Subdivision. Preliminary Dev. Plan	Approved	21-
7. Case #2021-3808. Aleksander Estates Subdivision. Preliminary Subdivision Plat	Approved	21-27
Findings of Fact and Conclusions of Law		27

H.	Staff Communications	Comments	27-28
I.	Matters from the Commission	Comments	28
J.	Adjournment	Adjourned at 9:56 pm	28

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, August 5, 2021 - 6:00 pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Gutierrez 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 Brian Patrick Gutierrez, Chair
Commissioner Janet Clow, Secretary
Commissioner Pilar Faulkner (left at 7:43 pm)
Commissioner Jessica Lawrence
Commissioner Lee Garcia
Commissioner Dominic Sategna

Members Absent
Commissioner Mark Hogan, Vice Chair (excused)
Two vacancies

Others Present:
Mr. Jason Kluck, Interim Land Use Director
Mr. Noah Berke, Planning Manager
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

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 Clow, Faulkner, Garcia, Lawrence and Sategna voting in favor and none voting against.

D. APPROVAL OF MINUTES

1. July 1, 2021

MOTION: Commissioner Faulkner moved, seconded by Commissioner Clow to approve the minutes of July 1, 2021, as presented.

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

E. APPROVAL OF FINDINGS/CONCLUSIONS

None

F. OLD BUSINESS

None

G. NEW BUSINESS

1. **Policy Subcommittee recommendations for Cannabis Legislation.**

Commissioner Faulkner thanked staff and fellow Subcommittee members for their work. She believes they have something workable. The full report is attached as Exhibit "1".

REPORT

In the 2021 Special Session, the New Mexico Legislature adopted the Cannabis Regulation Act (House Bill 2), which legalized recreational cannabis use by adults twenty-one (21) years old and over. The Act, which took effect on June 29, 2021, allows local jurisdictions to adopt zoning and land use regulations but limits the extent of local

regulatory authority. The Policy Subcommittee requested input from the full Planning Commission on their recommendations. Following input from the Planning Commission, the Policy Subcommittee will work with Staff to incorporate the recommendations into draft amendments to the Land Development Code, as set forth in Chapter 14 of the Santa Fe City Code. The resulting legislation will require review at public hearings before the Planning Commission and Governing Body before adoption.

RECOMMENDATIONS

Mr. Berke referred to his memo of the State's outline of what the City and the Commission could and could not do.

He reviewed the Policy Subcommittee recommendations:

- The adoption of a minimum distance between commercial retail establishments, as measured from the property lines of a parcel, to avoid the potential negative consequences that might result from concentrating retail establishments. They recommend a uniform minimum distance across the city to promote equitable requirements in all areas of town and for ease of enforcement.

- Limiting commercial retail establishments to operating hours of 7 AM – 12 AM (midnight). This would be consistent with what Santa Fe County has adopted.

- Cannabis establishments should be located no closer than 300 feet from a school or daycare center. The Policy Subcommittee does not recommend a minimum distance from religious institutions or residentially zoned districts. The Policy Subcommittee notes that existing provisions in Chapter 14 require up to an 8 foot wall and a 15 foot landscape buffer between commercial uses and residentially zoned districts, which appear sufficient to address potential residential concerns about noise and odor. To further protect residential neighborhoods, the Policy Subcommittee also recommends prohibiting home occupations that involve commercial cannabis activities, which would be consistent with what Santa Fe County has adopted.

- A Special Use Permit should be required for all outdoor commercial growing operations; all large growing operations (22,000 sq. ft. of canopy or more); and all growing operations in C-2 and BIP districts.

- The City should adopt regulations to allow recreational cannabis consumption areas, but not as part of the initial legislation currently under way. The Policy Subcommittee recommends that consumption areas should be prohibited until the City has had an opportunity to conduct further study and obtain additional input from the community and stakeholders.

- Various types of cannabis establishments should be added to the Table of Permitted Uses.

- Regarding safety and security, House Bill 2 requires the Cannabis Control Division of the New Mexico Regulation and Licensing Department to adopt regulations to address security requirements, and comprehensive draft regulations have been published for comment. The Policy Subcommittee intends to review the regulations when they have been promulgated and made available to the public to ensure they are appropriate for the City of Santa Fe. The Policy Subcommittee intends to propose additional legislation if any gaps are identified.

- Regarding odor and ventilation, the Policy Subcommittee notes that existing building and fire codes and the City's nuisance ordinance likely address most of the concerns about preventing nuisance odors and ensuring safe, well-ventilated operations. The Policy Subcommittee recommends adding some general language to Chapter 14 to further address these issues, based on provisions that have been adopted by the City of Albuquerque and the County of Santa Fe.

- The Policy Subcommittee recommends that the City continue to issue media releases to alert the public to additional opportunities to provide input at upcoming Planning Commission and Governing Body meetings. Additional public input will also be sought for the regulations for cannabis consumption areas.

- The definitions in Chapter 14 should be consistent with State and County definitions, as customized to describe various types of land uses.

PUBLIC HEARING

There were no public comments.

COMMISSION DISCUSSION

Chair Gutierrez thanked the Subcommittee for their hard work.

Commissioner Garcia asked about the timeframe for the sale of cannabis. He asked if, like alcohol sales, sales on Sundays had to be after 12 p.m.

Commissioner Faulkner explained the State recently changed the alcohol sales laws. The Subcommittee followed some of the alcohol sales laws, but Sundays was not discussed.

Attorney Paez confirmed the State changed law concerning alcohol sales on Sundays.

Commissioner Garcia asked how the dispensing of recreational marijuana works within the guidelines to dispense medical marijuana.

Attorney Paez said medical retail is treated as pharmacies and apothecaries. They have a broader permit area use than recreational cannabis sales.

Commissioner Faulkner said she had one concern after talking with the State Licensing and Regulations Division superintendent. He told her all medical facilities licenses come due by the 31st of August. They can open a commercial facility and with their new license split their commercial and medical consumption. She thought until the State addresses the regulations around consumption and retail, they will not be able to do a lot.

Attorney Paez agreed. Under State law the City needs to grandfather them and anyone newly entering the commercial or retail that wants to do both medical and recreational, will have to comply with the new retail use being established.

Commissioner Garcia asked how a current grandfathered location outside the parameters of the recommendations would be handled if it becomes noncompliant.

Attorney Paez explained a facility that is currently licensed would be a legal nonconforming use and is allowed to continue but could not expand. They cannot be made to relocate either.

Commissioner Faulkner said the State is not clear if a medical facility that only does consumption, can expand into retail, production and/or manufacturing. Their current license allows them to expand outside that location per the State license. She didn't think there was a lot the City could do because they are grandfathered in. She said we cannot prohibit them from doing business.

Director Kluck suggested the illustrations of the buffer zones, etc. be shown.

Chair Gutierrez asked if there are existing facilities within 300 feet of anything recommended to be prohibited.

Mr. Berke said he wasn't sure, but if so, they will be grandfathered. He noted the map with the zones and explain the focus is to show distances between property lines and density to determine the limitations for the City.

Chair Gutierrez asked if the 300 feet recommendation went forward would that limit the areas in red.

Attorney Paez said yes. They want to determine whether to have minimum distances between establishments and if so, what the distance should be. The red area shows within 300 feet.

Commissioner Garcia said he could see the majority of where the medical are within the same location. His other concern is that new businesses will target the areas where the current medical facilities are that have more traffic and easy access

Chair Gutierrez asked if the buffer zone could propose keeping the existing medical facilities 300 feet away.

Attorney Paez said the current recommendations do not include that. The existing medical facilities will likely serve both and expand into commercial. Depending on the buffer zone established around the existing retail establishments, which could preclude new ones coming in.

Chair Gutierrez suggested they look at including the existing to avoid overlap.

Mr. Berke referred to the downtown location on the map. He noted requests are pending for retail establishments. He said it is important to understand the recommendation determined as a distance should not monopolize a retail area and should provide a market for economic development. The Commission should consider each of the distances downtown; the number of properties, addresses that would be affected and disqualified at each distance.

Commissioner Clow said there was concern where new businesses would open, especially downtown, and makes sense to have a buffer. Albuquerque has 600 feet between businesses, and a one-year moratorium on retail businesses in Old Town. They were concerned the character and current economics would change in Old Town. The County did 200 feet instead of 600, because they don't have as much commercial space. It makes sense to have limits and why the subcommittee recommended a range between 300 and 600 feet and to get public and City Council input.

Chair Gutierrez asked if the Commissioners had discussed a moratorium in the Plaza area.

Commissioner Clow said she mentioned that, but others in the subcommittee didn't like that idea. After listening to the other members, she was convinced if they buffer the density they could reach the goal and not change the character of downtown.

Commissioner Faulkner added that the members felt strongly the challenge is to balance the density buffers in all districts. They want to avoid making the buffer downtown so large that it pushes cannabis into the rest of the city. It should be uniform throughout and in alignment with the State. The State legislation intent is to avoid clustering cannabis in the cities and to be uniformly spread out. If the Policy Committee recommendations are followed, the buffer determined for downtown, will be the same throughout the city.

Chair Gutierrez asked Commissioner Faulkner to bring up the discussion in the

subcommittee about a buffer zone for already established medical facilities.

Commissioner Sategna said the map demonstrates that Santa Fe is unique, and it doesn't have a lot of places where new retail can be, like Albuquerque. Also, Santa Fe not only has density downtown that is distinct, but the denseness of the buildings within that space is unique. He noted that a 600-foot buffer would eliminate another establishment and while it might protect the downtown area, they should consider whether it is equitable to other businesses that want to go into the area. They should ask if 600 feet is too restrictive, given the density and available retail space.

He said the majority of the Policy Committee did not believe that one district should be treated any differently than any other. Staff also agreed that is consistent with New Mexico law.

Attorney Paez said she does have concerns about a moratorium and the City Attorney's Office is not inclined to recommend that. State law emphasizes entry into this new economy and a need to foster smaller, local businesses as well as equity. In addition, the City cannot do anything that would prohibit a licensee from operating.

Commissioner Faulkner said she tracked the hearings at the Legislature on cannabis. There is a definite benefit to have cannabis in areas of town with the highest number of tourists. And there are unintended consequences, including that it is better to have people who buy cannabis when the GRT is from out-of-state. That offsets the cost of cannabis by boosting areas of town that will have the most traffic for buyers. However, if you're not careful, you risk overwhelming some city traditions and values.

She contacted the land-use departments in several cities like Los Angeles, Boulder, Denver, Las Vegas, etc. Cannabis can overwhelm the downtown area and they have to strike a balance of high traffic, but not overwhelming. The challenge is getting the benefits without losing the traditional Santa Fe they want to protect.

Chair Gutierrez asked Mr. Berke about the special use permits for locations indoors and whether that includes I-1 and I-2 in the memo.

Mr. Berke said that was the intent to include I-1 and I-2.

Being that there were no public comments, Chair Gutierrez closed the public hearing at this time.

Commissioner Faulkner said the Policy Committee would appreciate the Commission's feedback regarding the 300-600 feet range. She will work with staff to ensure the public is aware they could provide input through the Planning Commission, so they have more community feedback.

Chair Gutierrez asked that Commissioners forward their comments to Mr. Berke to forward to the subcommittee.

Commissioner Sategna noted they might have noticed under Growing, that many of the various categories are permitted in the same areas. He thought it important to point out they are placeholders and why they were created. He explained the State defines by numbers of plants. That doesn't necessarily include the size of the growing operation and 200 plants can be grown in a 20 square foot greenhouse or an entire acre. The Planning Commission deals with the built environment and square footage is very important and why they have the various sizes, extra small, small, medium, and large. It is based on canopy size with indoors based on the lighting canopy and outside on the growing canopy. They may need to make modifications to limit the micro businesses because it is only based on 200 plants.

2. **Case #2021-3809. Southside Teen Center Development Plan**. Wilson & Company, Agent for the City of Santa Fe, owner, requests final development plan approval for construction of a new teen center to be located at the southwest corner of Valentine Way and Country Club Road, approximately 500 feet north of Jaguar Drive. The teen center will comprise a building of 17,188 sq. ft. to be constructed and operated by the City of Santa Fe, along with on-site parking and open space area(s). The property is located within the Tierra Contenta Master Plan Area Phase 1A, as Tract 11, zoned PRC (Planned Residential Community) and is approximately 1.81 acre in size. (John Neunuebel, Case Manager)

STAFF REPORT

The proposed Southside Teen Center development plan will provide for the construction of a 17,188 sq. ft-building to be utilized as a teen center operated by the City of Santa Fe, along with on-site parking and open space area(s). The subject 1.8 acre project site is located on a larger City-owned, 4.5-acre parcel within the Tierra Contenta Master Plan area located at 6600 Valentine Way. Other nearby public facilities include the City's Southside Public Library located to the east (east side of Country Club Road), the Santa Fe Family YMCA located to the west, and the Boys and Girls Club is located to the south. The Family Advocacy Center, a social services provider, is located to the north (north side of Valentine Way).

STAFF RECOMMENDATION

The proposed Southside Teen Center Development Plan meets all applicable development standards and will not create non-conformities with either Chapter 14 Land Development or the Tierra Contenta Master Plan; therefore, staff are recommending APPROVAL, subject to conditions of approval and technical corrections outlined in this report.

APPLICANT'S PRESENTATION

Brett Beaty, 4512 Jupiter St. NW., Albuquerque, was sworn in. He said this is an important project for the City of Santa Fe. He showed the site plan and described the location of the property. The proposed plan is on the corner with residential neighborhoods surrounding them and it fronts the street. There is no abrupt change of elevation, and the parking is shielded in the back. The play area is protected and there is potential for future additional parking. There are pedestrian connections to the library and adjoining neighborhoods. The purpose of the facility is primarily for teenagers between nine and 14 years who mostly walk, bike, or are dropped off. There is a main control desk, because of the importance of knowing who comes and leaves. He described various rooms of the floor plan. The elevation plans were shown and renderings of how massing would be reduced. The building is primarily stucco with ceramic tile with some translucent panels to give light to the interior. Views were shown of the courtyard, stage, kitchen and gymnasium areas. One change since the renderings is they have canopies with photovoltaics to reduce the heat and generate electricity. They hope to have the building LEED Certified, so the parking lot will be shaded and covered.

PUBLIC HEARING

Elena Gonzales, 20 Rael Lane, was sworn in. She is a youth leader from Earth Care and Yucca (Youth United for Climate Crisis Action). She said they are very excited about the teen center, and they have engaged parents and peers in learning about the teen center. They held planning meetings, attended the public neighborhood meetings, and met with their area City Councilor and the Mayor's Youth Advisory Board. The youth of the community, especially the Southside community, are ready to lead the process. They want to be sure they have a seat at the table. They are from the area and have a stake not only in this project, but all projects proposed for their community. She referred to a presentation they created from the input they gathered that has been given to Mr. Berke. The presentation includes a slideshow, a video and a report conducted with extensive community engagement. The Power Point presentation is attached as Exhibit "1".

Ms. Gonzales shared a few slides. She said Mr. Berke could share the folder with the complete presentation with the Commission. Included are important recommendations on things inside the building, accessibility, overall safety, and leadership, including staff and governance and decision making at the teen center. She asked that the teen steering committee be allowed a seat at the table to have a strong leading voice, and that their recommendations, from many people in the community, be included in the process.

Gabe Romero, 2195 West Zia Road was sworn in. He said he was curious whether there has been discussion about the charter school that had identified this location for their school. They have an application in to become a district charter school in Santa Fe.

Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Commissioner Faulkner said this has been a dream for the people in Tierra Contenta for the last 15 to 20 years. It is vital for the community and this facility would definitely help the at-risk populations. She said it is exciting to see the teen center going in and has been a long road to get to this point. She commended the young people who are helping and believed it important they have a voice at the table and stay involved. She urged the Commissioners to support the project.

Commissioner Garcia said he would echo Commissioner Faulkner. It is very much needed. He gave kudos to Ms. Gonzales and the youth helping to get this through and hoped their ideas can become a part of the project.

Commissioner Garcia said looking at the use on the site plan, he wondered other than the indoor weight room and gymnasium, if there would be things like a skate park, outside.

Sam Burnett, 131 Sam Street, was sworn in. Mr. Burnett is the City of Santa Fe representative for this project. He explained the project is broken into two phases. Phase 1 is focused on the building and surrounding landscape. Phase 2 will include expansion of the landscape and they will engage the community in the planning. The current plan does not include everything Earth Care presented but there is room for community input in the additional phase.

Commissioner Garcia said he read that the limited parking spaces are largely because of walkability and kids who ride their bikes. He asked Mr. Burnett to elaborate on the additional parking and when that will be added.

Mr. Beaty responded. There are a couple of reasons for reduced parking, and one is they anticipate parents will drop off their kids. There is a potential for more parking. They are also trying to meet the City's reduced parking regulations and LEED requirements. He said it is possible the additional parking spaces might be better used for outside activities. There will be a balance of needs moving forward.

Commissioner Garcia said the reality is people will still be coming to the park. He asked if other community members would be allowed use of the facility.

Mr. Beaty said he couldn't answer that, but the City and City staff will manage it.

Mr. Burnett thought use of the facility would be open to the community with an emphasis on the neighborhood youth. The programming and management of use is through the Recreation Division and still in process. He said they have discussed incorporating the entire community throughout the planning and design process.

Mr. Neunuebel added that the term "reduction in parking" is probably not applicable. The City standards for this kind of recreation is not specific to the number of spaces per square footage of building, it is open-ended. That allows them to determine the appropriate standard.

Commissioner Garcia said parking can be a major issue when many people want to use this. He hoped that they spend an adequate amount of time to address the parking to avoid having too many issues. His other concerns are adequate staffing and good governance and operation. He said kudos to everyone, this will be well received.

Chair Gutierrez suggested to Mr. Burnett that it might be worthwhile to look at base course and grading for makeshift parking. He thought this is wonderful for the Southside and is excited this is happening. One thing he sees with facilities of this nature is that they are used at the same time, after school and weekends. It might be worth considering pickleball for the elderly in the daytime. Lastly, since it has a kitchen, it would be wonderful for the Southside if it had a catering kitchen that could be rented out.

Commissioner Sategna said he wanted to acknowledge the effort to make this a LEED Certified building. He also wanted to acknowledge Elena Gonzales for being a youth that is advocating for other youth.

MOTION: In Case #2021-3809, Southside Teen Center Development Plan, Commissioner Sategna moved to approve, subject to the conditions of approval and technical corrections recommended by staff; and to approve the Findings of Fact and Conclusions of Law as presented. The motion was seconded by Commissioner Faulkner.

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

Commissioner Faulkner excused herself from the meeting at 7:43 p.m.

3. **Case #2021-3804. Villa Sendero Development Plan Amendment for Phase II.** Dekker/Perich/Sabatini - Will Gleason, Agent, for Villa Sendero, LLC, CSM Properties, LTD, Owner, requests approval of a Development Plan Amendment. The Applicant requests approval of Phase II of the project to include 24 additional multi-family units on a parcel, approximately 1-acre in size, to the southwest of the subject property, directly south of the Fashion Outlets of Santa Fe. The Amendment to Phase II also includes a fitness building, to replace an apartment building in Phase I, resulting in a net gain of 6 units to the Villa Sendero project to 258 units and minor changes to a drive aisle and multi-use trail. The property is approximately

11.4 acres, zoned C-2 (General Commercial) and is located at 5132 Beckner Road. (Donna Wynant, AICP, Case Manager)

STAFF REPORT

The Villa Sendero apartment development (Case # 2019-1330) was approved by the Planning Commission on January 23, 2020 for a 252-unit multi-family apartment community. The development is currently under construction on an 11.4-acre site located at 5132 Beckner Road. The applicant, Villa Sendero, LLC, is now requesting an amendment to the Villa Sendero Development Plan for Phase II of the project that includes the addition of an approximately 1-acre parcel to the southwest of the subject property, located directly south of the Fashion Outlets of Santa Fe, totaling approximately 12.4 acres. The additional parcel will facilitate the construction of 24 additional units of multi-family housing, comprised in a single 3-story building. In addition, within the original parcel, a fitness building will be replacing an 18-unit apartment building. These changes amount to a net gain of six units to the Villa Sendero project to total 258 units. Other minor changes include the drive aisle extending to the adjacent 1-acre parcel as well as the multi-use trail moving to the south edge of this road. The overall site and surrounding area is zoned C-2 (General Commercial). Multi-family residential development is a permissible use in the C-2 district.

The Applicant has indicated, at the time this application was submitted, that the additional 1-acre parcel is owned by CSM Properties, LTD and is under contract to be purchased by Villa Sendero, LLC. When the purchase is complete, the Applicant will submit a lot line adjustment to fully incorporate the 1-acre parcel into the Villa Sendero development.

The proposed development plan requires Planning Commission approval as it will be new construction exceeding 10,000 square feet per Subsection 14-3.8(B)(3)(b). The additional 1-acre site will add 26,499 square feet and with Phase I, will total 257,621 square feet of new construction.

Subsection 14-3.19(D)(1) states that development plan amendments *"shall be the same as those that apply to a new application for the type of approval proposed for amendment, unless a specific alternative procedure is provided in this section or elsewhere in Chapter 14."* The Commission's review of this development plan amendment will therefore focus on compatibility with surrounding uses and consistency with applicable site design standards.

STAFF RECOMMENDATION

Staff's analysis finds that the applicant has addressed the necessary findings per Subsection 14-3.8(D) "Approval Criteria and Conditions" and recommends ***APPROVAL*** subject to conditions of approval and technical corrections identified in the staff report.

Ms. Wynant noted she met with the Fire Marshall and applicant to evaluate fire access. The applicant will discuss that. She indicated the third condition in the report should read: "*Shall comply with section (D)106 Multifamily Residential Developments, with the remoteness provision*" - and added at the request of the fire marshal is: *"and/or third emergency fire apparatus access road to meet the intent of the international fire code."*

APPLICANT'S PRESENTATION

Will Gleason, 7601 Jefferson Drive, NE., Albuquerque, was sworn. He said they are requesting a small addition to add 24 units to the approved existing 252 units. The site under construction is off Beckner Road next to the Outlet Mall. He pointed out the location of the project and that Phase II is outlined in red. The proposal would create a fitness center and remove 18 of the units already approved. Instead, they want to build 24 units in a different location, a net of six additional units overall. There is plenty of parking and the trail is moved slightly, but otherwise is as approved last year.

He displayed the footprint of the additional six units noting they are the same configuration as the others. He pointed out interior courtyards, parking areas, dog park, pool area/community building and the proposed fitness building. He said this meets the City's affordable housing criteria and the applicant will pay a fee in lieu of. The first two buildings are scheduled for completion this summer with final completion midyear 2022.

Mr. Gleason noted the three conditions of approval. The first is to provide bike racks, which was planned and has been done. The second is to extend the link to the trail. This requires the NMDOT to allow access to cross their land. The applicant is willing to work with DOT, but he thought they may be more amenable if the alignment is further south. This condition is not up to the applicant. They request this not be a condition of approval as the applicant is not sure that access can be obtained. The third condition they focused on the most. The remoteness provision was adopted by the City in 2019 and requires a certain distance between the two access points to the site. Code language says placement shall be not less than one half the length of the maximum overall diagonal dimension of the property. He displayed the two access points and explained how the distance is determined. The most obvious would be a connection through the mall parking lot. The owner pursued many alternatives, including contacting the mall owner for access through the mall parking lot and offering a substantial compensation. He has not been successful.

Mr. Gleason reviewed the potential solutions. One would create a point of access, but the applicant has no control over access to the roundabout. That requires negotiations with Presbyterian, the property owner. There is no guarantee cross access will be allowed. Another solution is to create access along the PNM easement. He added that this property had been approved under the prior Code, and this is a minor addition of less than 10% of the project. He suggested the Commission waive the provision.

PUBLIC HEARING

Chair Gutierrez asked for public comment. There was none.

COMMISSION DISCUSSION

Commissioner Sategna said he was trying to understand the new development as compared to the existing development. He asked if considered was the impact to the freeway or outlet mall in terms of how the new three-story buildings impact the horizon line.

Mr. Gleason said he did not have renderings to illustrate that, but the topography there is fairly level. He noted a rendering that shows the perspective of the addition in relation to the mall. He agreed it will be visible from I-25.

Commissioner Sategna said his concern is the I-25 viewscape. He asked if the elevation of the building is significantly lower or higher compared to the other apartments.

Mr. Gleason thought it approximately the same, and the impact comparable to elevations already approved.

Commissioner Sategna thought the existing development appeared to sit lower than the corner piece.

Mr. Gleason said from his perspective it didn't seem significantly different. He offered to try to pull up the topography drawing.

Mr. Berke stated that only the Fire Chief could waive the International Fire Code adopted by the City. Mr. Gleason cannot ask the Commission to do that. But the Commission could postpone for the applicant to work with the Fire Marshal. He noted that Geronimo Griego, the Fire Marshal, was present and could answer questions.

Mr. Gleason said they are working with the Fire Marshal to resolve this.

Eric Cornelius, 1599 S. St. Francis Drive, was sworn in. He responded to the question on building heights. He noted I-25 sits south of the property and is about 8 to 10 feet higher than the portion to be approved. The finished floor elevations of the existing approved buildings sit 1-3 feet of the proposed building. He indicated the four elevations, relative to the interstate, will be comparable to the others already approved. They will be lower and not much different than what had been already approved.

Commissioner Sategna said that answered his question.

Commissioner Garcia followed up on Commissioner Sategna's concerns. He thought the new development would block the view coming off I-25 to the south. They approved three-story buildings in phase one, but this addition looks awkward.

Chair Gutierrez closed the public hearing portion.

Commissioner Lawrence asked if someone from Land Use or MPO could answer what to expect regarding the access for the trail connection.

Mr. Berke indicated MPO had been invited to the meeting. He was surprised they were not present and offered to try to contact them.

Commissioner Lawrence asked Mr. Berke what will happen if this condition is approved but turns out to be impossible.

Mr. Berke said the MPO went off their master trails and it would be okay if this connection isn't made. They could pursue a connection in the future if the applicant agrees to an easement through their property for a future bike lane.

Commissioner Lawrence asked Mr. Gleason if he was amenable to that.

Mr. Gleason said the owner was present and he thought he would be amenable.

MarkTekin, 2600 Dallas Pkwy., Frisco, Texas, was sworn in. He said they would be happy to provide easements for future planning. He said apparently NMDOT is holding the land for future construction projects, but he was more than happy to comply. In addition, he would be happy to comply with the fire issue, the intent and the Code. Even if that means a third access or working with Presbyterian Hospital.

Commissioner Garcia asked if the intent of the second phase was for a fitness room and additional units.

Mr. Tekin explained the reason for the amendment was originally this was designed with a ratio that exceeded the requirements of the Parking Code. They do not build to sell; they build to keep good communities. Parking is the first thing that becomes a problem, and it is a hard problem to fix. Buying an adjoining parcel and relocating the 18 units was assurance. Six units were added but they were able to exceed the parking requirements and they believe they will need that. They think everyone who will live here will have a car. In doing that, they also thought they made the community building too small. So, they relocated the gym and repurposing that space made sense. They are more concerned with the experience of the residents and want this to function long-term.

Commissioner Garcia thought the issues with regard to the Fire Code could be worked out. The building height isn't really a factor, but he thought it somewhat tall for the area. If that wasn't a concern with anyone, they could move forward.

Commissioner Lawrence asked Eric Aune with the MPO, to explain how the condition came about to connect the trail to the Diamond Trail crossing the NMDOT property.

Mr. Aune said looking at the proximity of the Diamond Trail they thought it would be fair to have that connection. He asked to clarify the issue.

Commissioner Lawrence explained as she understood, the applicant could have an easement from their property but the connection to the Diamond would be on DOT property.

Mr. Gleason responded that was correct. The property to the south of the site is NMDOT surplus land. He added that Mark Tekin would love to have that connection, but NMDOT wants the land for other purposes and would have to agree.

Mr. Aune said the connection would be practicable and is what they recommend but if it isn't possible they understand.

Commissioner Sategna asked Mr. Cornelius if correct that the elevation of this project is higher than that of the Outlet Mall.

Mr. Cornelius said everything is higher than the Mall because the site was cut down and everything is in a hole.

Commissioner Sategna said this property appears 7 to 10 feet higher than the Outlet Mall.

Mr. Cornelius said it is at that location. Their intent was to avoid a massive amount of earthwork and to work with the existing terrain as much as possible.

Commissioner Sategna expressed concerns about putting a three-story building on that corner, specifically, the setback with the freeway is a big gap. The first phase of the project, the buildings in addition to the parking lot, creates an additional setback on top of the one already there. If approved, this would be a three-story building that sits up against where the freeway wraps and exits to Cerrillos. Being 10 feet above the Outlet Mall is a concern. He wasn't sure he could support this with the impact it would have to the viewscape coming into the City.

Commissioner Garcia agreed. He thought possibly the solution was to reduce the building to a two-story or another design to make it appear further stepped back. He wasn't sure he could support this height.

Commissioner Clow said this isn't a view corridor and the zoning allows three-story, and the setbacks are to Code. She asked staff if there were grounds to deny the project.

Mr. Berke explained the Planning Commission has the right to impose conditions in density and to grant up to a certain height. A highway corridor study was done in 1999 that identified parcels along I-25 but was never adopted. He said this was discussed in the Zia Station conversation, that while it is a right to have up to 45 feet in height, which doesn't mean the Commission has to grant that. They should correlate how this is an inappropriate height in the approval criteria.

Commissioner Clow confirmed they would have to have reasons to show it does not meet criteria. Her concern was they allowed a three-story on St. Francis and Zia, which was in the view corridor because of affordable housing. She thought this project even less intrusive.

Mr. Berke noted that the applicant is paying a fee in lieu.

Commissioner Clow said she understood, but there is a need for housing in Santa Fe and the more supply, the more the prices hopefully go down. She said she wanted to hear the criteria that allows the Commission to deny the third story.

Chair Gutierrez thought the application needed work. He wanted the fire issue solidified before this moves forward. Also, he would hate for this to go to a vote and be denied if the project may be going to a lower elevation, opposed to working through this.

Commissioner Sategna said yes, they have approved other three-story buildings along the freeway. This is unique because there is a significant decline in elevation as you move along the freeway north and a lot of these buildings sit lower. He pointed out the Outlet Mall is about 10 feet difference in the elevation of the freeway and where this is being built. That is a significant difference in what they have approved in the past.

He said Criteria Number 2 states that the project will not negatively affect public interest. To impact the view coming into the City is a concern. Secondly, Criteria Number 3 is the use of any associated buildings is adaptable and compatible with buildings, structures and uses of properties in the vicinity under consideration. He thought "associated structures" includes the freeway. The Outlet Mall sits 10 feet below this and the building would definitely be towering over the Mall. That was enough for the Commission to consider whether criteria number three would be met.

Mr. Tekin shared his screen showing a photograph of the street view. He said they talked about a grade offense, but this site was already approved where there are three-story buildings. The grade of the new site is not much different. He offered to do more homework but appreciated that Commissioner Sategna shared the three criteria points. He said the one that stood out is the view. Obviously northbound, there isn't much impact.

But going southbound, the majority of the views have already been approved with three stories. He asked Commissioner Sategna to elaborate on which view would be blocked that wasn't already blocked or if he was missing something.

Commissioner Sategna said he didn't know that the images provided supported Mr. Tekin's case. One thing he invited the Commission to consider is the setbacks. There can be three-story buildings next to a major highway corridor, but where they were previously approved are setback further. What is proposed is pushing right up to the corner of a major entrance into Santa Fe. The Outlet buildings are not three-stories, and he is using elevations of 7-10 feet listed on the drawings. That is one story higher than next to the Outlet Mall and another story would be added to that on a major entryway into Santa Fe.

He said this is different because of setbacks and the Commission has to consider those when considering height. The setbacks in those previously preapproved three-story buildings are more significant than where this building is located.

Commissioner Garcia asked the net additional units that will be added.

Mr. Tekin said six units would be added.

Commissioner Garcia wasn't sure if the benefit of the six units outweighs the visual elevation of concern.

Commissioner Lawrence said she generally doesn't feel three stories is unreasonable in this context that would add more housing that is desperately needed. This is already in a mixed-use area surrounded by other mixed use development. The Commission has to be open to having some height in order to have housing that conserves water and is reasonably affordable and allows more people to live in Santa Fe. She supported the project because it is part of a larger picture of what the community should support.

Mr. Tekin pointed out again, the reason they are trying to relocate 18 of the units to the site is because of parking. He believes everyone here will have a car and if they cannot find parking they will be frustrated. He will be forced to remove 18 units from the project if not approved and that doesn't make good sense to build this under-parked.

Commissioner Clow said she would emphasize what Commissioner Lawrence said in terms of consistency relative to the Zia Station, which is in a view corridor and is the only three-story buildings in the area. Photographs show Presbyterian Hospital is three stories. The Commission should appreciate their need for more density, means more height, and this *is* a mixed-use area, and we need more housing. She said she is in favor of the amendment.

Commissioner Sategna indicated he didn't see a signage plan and wasn't sure one would be provided. He asked if the building would have signage on it.

Mr. Tekin replied no, other than the building addresses.

Commissioner Sategna said he agreed with Commissioners Lawrence and Clow on affordable housing and height increases. But he was trying to point out architectural design in Santa Fe. He said denying this application is not about whether they need to build lower or higher, or the need for affordable houses. This is a fee in lieu. He was saying they should not sacrifice the viewscape into Santa Fe with a building not only 10 feet higher than the Mall, but another 36 to 40 feet on top of that. They also need to consider setbacks, which are important when considering height. The hospital that is set back 200 to 300 yards is a different consideration than 30 feet away from the freeway at a major view into the City. That is an important consideration. Approving this would be approving a sore thumb versus less standout of other three-story buildings. He said he couldn't approve the project given the two criteria he mentioned earlier.

Chair Gutierrez agreed with Commissioners Sategna and Garcia. He recognized that Mr. Tekin has done a lot of work. He would love him to remedy the issues with lower height or more dirt work and to obtain an easement for the MPO trail.

Mr. Tekin said he appreciated their comments. He indicated they have two ways to meet the intent of the Fire Marshall. Either to supply a third access, or work with Presbyterian for easements and that has been resolved.

He addressed Commissioner Sategna's concerns on height. The Commissioner mentioned they might approve a two-story project and that would lose 10 feet over the view corridor. He asked Mr. Cornelius, if it is possible, to make up the 10 feet in the grade by 1) lowering the height of the grade elevation and 2) building a two-story not a three-story building.

Mr. Cornelius said everything is possible from an engineering standpoint. A concern is that it would greatly impact the sewer design gravity flow system. Lowering the site would require the use of a pump, which requires more maintenance, more frequent trips from City staff. Also, they will continue to use electricity forever to pump the effluent uphill. Also, developing the extra one acre provides an opportunity to greatly improve the drainage system he designed in phase 1 and to reinforce the drainage on the back side of the Mall. They have to consider with a lower grade, the alternatives like subterranean drainage. That tends to not work as well and requires more maintenance and you are never sure they are working properly, versus the over land system they have now.

Mr. Tekin said before they were at 10 feet of grade with a 30-foot building. He asked if the Commission would support a total of 32 feet with grade and adjusting the building heights.

Chair Gutierrez asked the Commissioners to comment.

Mr. Berke said before getting into concessions, the Commission should look at what is before them. If the Commission approved what Mr. Tekin talked about, that would severely affect the current drainage plan that is already been reviewed and radically amended. The elevations were based on natural finished grade and would also need to be changed. Staff would suggest the application be denied and the applicant return with a better design and grading plan reflecting what they would be asking for based on the Commission's feedback.

Attorney Paez agreed they should move to postpone and ask the applicant to work with staff to revise their application. Approving the amendment would be complicated.

Mr. Tekin asked for direction on how he could revise the application.

Commissioner Sategna said he would not recommend postponement because it is important to vote on what was presented and based on the criteria. That also provides the applicant an opportunity for revision. He agreed it would be complicated to start making changes and the elevation would have to be significantly lower. He added that he was interested, given the location, for the applicant to include the site sections, the freeway, and the surrounding buildings if this comes before them again.

MOTION: In Case #2021-3804, Villa Sendero Development Plan Amendment for Phase II, Commissioner Sategna moved to deny based on criterion #2 that is not met that this would negatively impact the City and the public; and criterion #3 was not met that the use and associated buildings are compatible with and adaptable with the uses of abutting property and other properties when considering the viewscapes, the setback in relation to the freeway and the Outlet Mall, based on what the Commission has ruled for setbacks of other buildings down the way. The motion was seconded by Commissioner Garcia.

VOTE: The motion passed by majority roll call vote with Commissioners Garcia [with comment], Sategna and Chair Gutierrez voting in favor and Commissioners Clow and Lawrence voting against.

Commissioner Garcia explained the reason he voted against is that this site is the wrong place for this height. He agreed there is a need for affordable housing and the inventory does affect the rates.

Chair Gutierrez said his reason for denying the application was the same; the setback is needed and because of the impact on view.

Attorney Paez said she will work with her replacement to include a draft of the Findings in the next packet.

Mr. Berke noted the next case has one packet but the four cases, General Plan, Amendment, Rezoning application, Development Plan and a Preliminary Subdivision will be presented concurrently by staff and the applicant.

4. **Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment.** Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Low Density Residential (1 dwelling unit per acre) and (1-3 dwelling units per acre) to (3-7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager).

5. **Case #2021-3806. Aleksander Estates Subdivision Rezoning.** Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests approval of rezoning from R-1 (1 dwelling unit per acre) to R-7 (7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager).

6. **Case #2021-3807. Aleksander Estates Subdivision Preliminary Development Plan.** Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests preliminary development Plan approval of a preliminary subdivision for 59 single-family residential lots on approximately 8.38 acres. The property is zoned R-1 (Residential and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager)

7. **Case #2021-3808. Aleksander Estates Preliminary Subdivision Plat.** Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests preliminary subdivision plat approval for 59 single-family residential lots on approximately 8.38 acres of vacant land. The property is zoned R-1 (Residential- one dwelling unit per acre) and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager)

STAFF REPORT

This proposal consists of the following four applications:

- **General Plan Amendment:** from Low Density (1 dwelling unit per acre & 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre)
- **Rezoning**: R-3 (three dwelling units per acre) to R-7 (seven dwelling units per acre)
- **Preliminary Development Plan**: Proposed 59 lot residential subdivision.
- **Preliminary Subdivision**: Proposed 59 single family residential lots, and

The requested zoning district increase from R-1 to R-7 is not within the range classification "Low Density Residential" shown on the General Plan Future Land Use Map, so an amendment to the General Plan is required for the proposed Project.

If the Governing Body approves the proposed rezoning of R-7, the density for the proposed subdivision would be 59 residential lots which is less than the possible density of 67 units. (Calculation: 8.38 acres multiplied by R-7 zone = 58.66 gross density plus the affordable housing density bonus of 15% of an additional 8.79 units = 67 allowable lots/dwelling units which is 8 more units than proposed.)

The subject site is a vacant parcel along the east side of Kate's Way off of South Meadows Road. The site is bordered by Kates Way to the west, El Camino Real Academy to the east, NM 599 highway to the north and South Meadows Road to the south. Kate's Way is an unimproved private street with a right of way width of approximately 34.5 feet and South Meadows is a public right of way from 75 - 100 feet wide and is classified as a minor arterial street according to the Santa Fe Functional Road Classifications Map.

The subdivision will be accessed by two public streets (shown on the next page). Access #1 is a newly constructed public road through properties owned by the Santa Fe Public Schools and the State of New Mexico to connect the north end of the subdivision to the round-a-bout at NM 599/South Meadows Road. Access #1 will be dedicated to the City of Santa Fe for Public use. Access #2 connects the south end of the subdivision to South Meadows Road via Kates Way.

The proposed residential lots within the subdivision range in size from 4000 sq. ft. to 6000 sq. ft. Each lot will accommodate a single family residence meeting the standards for the R-7 district including front, year and side yard setbacks, maximum 24 foot height of structures, minimum number of two parking per lot, and will not exceed 40% lot coverage.

The proposed rezoning and development plan requests are compatible with the uses, character, and densities of the surrounding area and the development plan will not increase or create any nonconformities with Chapter 14. The preliminary subdivision plat meets approval criteria and does not create or increase any non-conformities with Chapter 14 and is compatible with residential development in the surrounding area.

STAFF RECOMMENDATION

The Commission should recommend **APPROVAL** of the general plan amendment request (Case #2021-3805), the rezoning request (Case #2021-3806), and the preliminary

development plan (Case #2021-3807) and should **APPROVE** the preliminary subdivision plat (Case #2021-3808) with the conditions of approval and technical corrections listed in this report.

APPLICANT'S PRESENTATION

Monica Montoya, 726 Gregory Lane, was sworn in. She said she is representing Next Generation Contracting, Inc. She said Oralynn Guerrerortiz from Design Enginuity, project engineer and Melanie Bishop, traffic consultant were present. She provided a brief PowerPoint presentation giving a project overview. She reviewed the location, the design of the subdivision, the anticipated architectural design and general plan, and rezoning criteria. Ms. Montoya's Power Point Presentation is attached as Exhibit "3".

Ms. Montoya said at the request of the MPO, they will explore extending the sidewalk from the southwest corner of the subdivision to South Meadows Road. An issue is they have to work with the adjoining property or incorporate something in the existing design. They will bring that solution back to the Planning Commission with the final plat as a condition. An ENN (Early Neighborhood Notification) was held, and they will continue to stay in touch with them through the project.

PUBLIC HEARING

Fred Tapia was unable to speak due to technical difficulties.

Chair Gutierrez suggested Mr. Tapia call in. Mr. Berke provided the information.

COMMISSION DISCUSSION

Commissioner Sategna asked Ms. Montoya to review the options and explain the condition of approval.

Ms. Montoya said the MPO requested a condition to continue a sidewalk from the southwest corner to South Meadows Road. They don't own the property between them and South Meadows but do own property to the west of Kate's Way, an approved subdivision. They will try to adjust some of the subdivision to the west to accommodate a five-foot setback.

Commissioner Sategna said he recalled that project was currently paved, or would this project pave the entire Kate's Way.

Ms. Montoya said the paving of Kate's Way was approved with that subdivision and they will continue the paving all the way around.

Commissioner Garcia asked to clarify if correct that there will be two access points, and that they will develop along 599 all the way to the intersection.

Ms. Montoya said that was correct. It will be a 52 foot right of way that includes two 10-foot asphalt lanes and an additional 10-foot multipurpose lane and have curb and gutter.

Commissioner Garcia said the inventory in this area is rather high and this will add to the many other units on South Meadows. He had reservations about R7 zoning and concerns about the school. It is already large with a lot of kids and there is housing on both sides of the street, and this adds more. He asked staff to elaborate on the construction plan at Agua Fria and South Meadows intersection because a big issue is the traffic there. He said he was happy to see the extra outlet and the road planned because that will help.

Mr. Berke said when the intersection was rezoned R21, the City Council imposed an impact fee to pay for that signalized intersection. The project is priority and is funded and the drawings have been approved and is starting soon.

Commissioner Garcia said this area has a school at capacity and a couple of projects have already been approved with more development to happen. That poses a big issue in terms of traffic, safety, the trails, and walkability, especially going north. But they do need the housing. He thanked the applicant for their other projects that were well designed.

Fred Bonifacio Tapia was sworn. He said he has property on Kate's Way. He asked if this project would include a park or a play area.

Monica Tapia, 3303 Avenida del Oro was sworn. She explained they wanted to know if Kate's Way will be paved if this is approved, and the extent of facilities that will be provided.

Chair Gutierrez closed the public hearing.

Oralynn Guerrerortiz, 1492 Luisa St. was sworn in. She responded that Kate's Way will be paved with curb and gutter on both sides and sidewalks on the east side. Also, they will put in sewer and water. She suggested if the Tapia's wanted taps for water/sewer connections they may be able to negotiate with the owner. She added there will be green space with grass, etc. but no playground equipment. There are no plans for a park because of the retention ponds.

Commissioner Sategna said this is another example of narrow tracts of land not properly addressed by the General Plan or Chapter 14. There is no street parking and developments on narrow tracts have streets that are packed. He said he wanted to point out the need for a General Plan update and raise those concerns. He added that doesn't prevent him from voting in favor of the project.

Ms. Guerrerortiz said there is reported 30 on-street total parking spaces; a half space per lot, which meets current code.

Ms. Montoya added that is in addition to the 2 parking spaces on each parcel and units with full garage spaces.

Commissioner Garcia said he would assume with the narrow street design that parking would only be on one side.

Ms. Guerrerortiz explained parking flips back-and-forth from one side to the other and additional street parking is on Sangre Azul. She thought usually Next Generation built two car garages with two spaces in front of each garage.

MOTION: Commissioner Lawrence moved to: (1) recommend approval in Case 2021-3805, Aleksander Estates General Plan Amendment; (2) recommend approval in Case 2021-3806, Aleksander Estates Rezoning Request; (3) recommend approval in Case 2021-3807, Aleksander Subdivision Preliminary Development Plan, subject to conditions of approval and technical corrections recommended by staff; and (4) in Case 2021-3808, to approve the Preliminary Subdivision Plat, subject to the conditions of approval and technical corrections recommended by staff. The motion was seconded by Commissioner Clow.

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

MOTION: Commissioner Lawrence moved to approve the Findings of Fact and Conclusions of Law for Case 2021-3805, Case 2021-3806, Case 2021-3807 and Case 2021-3808 as presented. The motion was seconded by Commissioner Clow.

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

H. STAFF COMMUNICATIONS

Mr. Berke said we were planning an in-person meeting, but it will not happen on the 19th of August. The agenda will be big; it is only three cases but has a lot of components and the agenda includes the formal recommendations on cannabis.

Mr. Berke noted this was Attorney Paez's last Planning Commission meeting. He wanted the record to show how much he has enjoyed working with her. He said he will miss her as part of the team but is happy for her in her next adventure. Also, an offer was extended to a senior planner to replace Carlos Gamora's position. Lastly, John

Neunuebel announced his retirement effective December 3, 2021. He will not be presenting to the Planning Commission after September.

Attorney Paez thanked the Commissioners for volunteering for the City and doing a great job. She indicated that Kyle Hibner will temporarily cover Commission meetings through the August 19th meeting and hopes to have a couple of new attorneys starting soon.

Director Kluck said it was an honor to work with Attorney Paez and he thanked her for her service.

I. MATTERS FROM THE COMMISSION

Commissioner Sategna told Attorney Paez that she will be missed, and he has a lot of respect for her. He wanted it on the record that the Supreme Court will get a good attorney. He wished her the best of luck.

Chair Gutierrez also thanked Attorney Paez and the subcommittee members.

J. ADJOURNMENT

Chair Gutierrez adjourned the meet at 9:56 pm.

Submitted by:

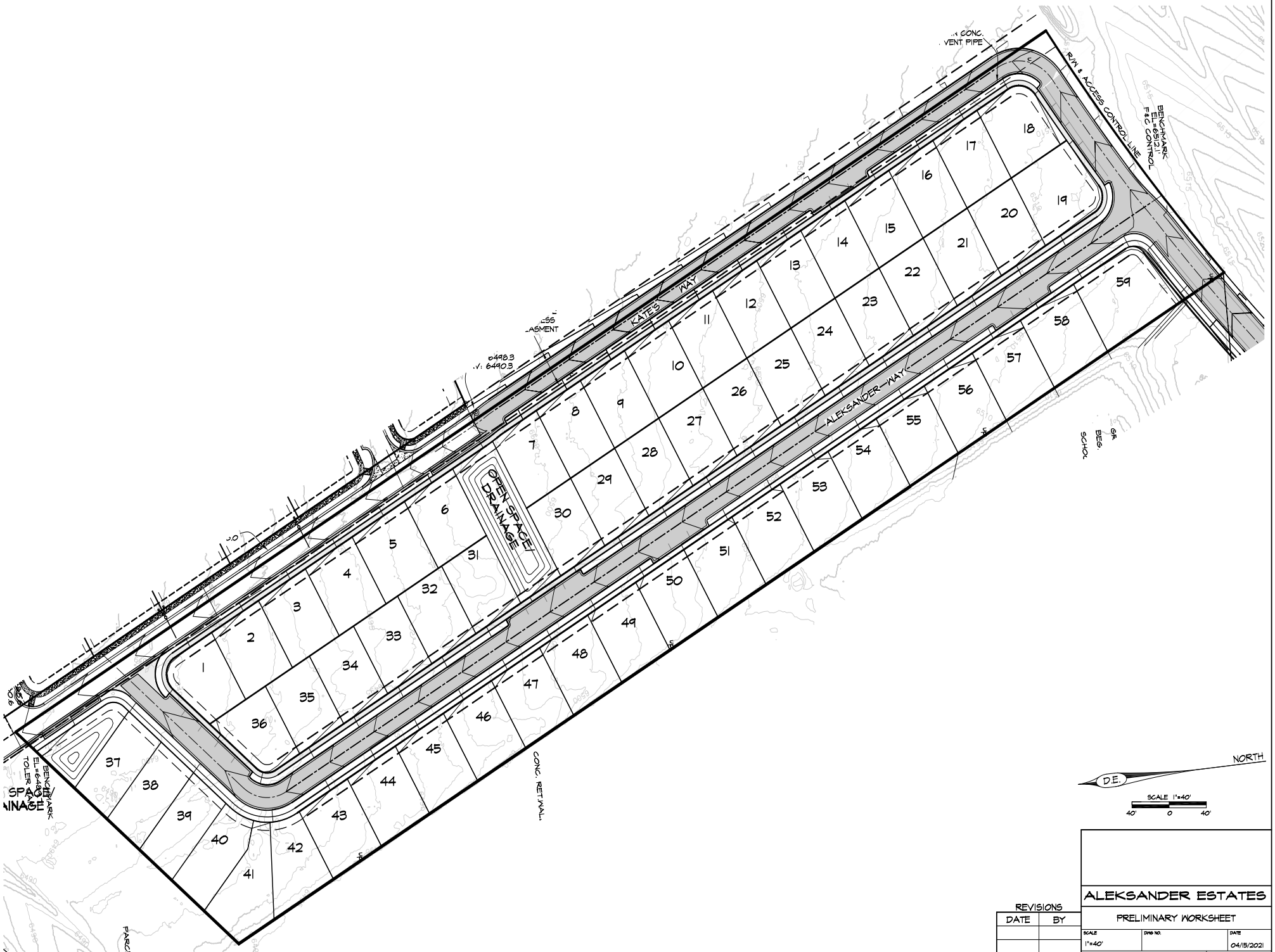
Melissa D. Byers

Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:

Brian Gutierrez

Brian Gutierrez, Chair



REVISIONS	
DATE	BY

ALEKSANDER ESTATES

PRELIMINARY WORKSHEET

SCALE	DWG NO.	DATE
1"=40'		04/15/2021
PRDR CASE #		SHEET NO.
2020-2118 AND 2119		1

D:\1-PROJECTS\DE\ALEKSANDER ESTATES\DWG\FOR OTHERS\2021-02-17 PRELIMINARY ALEKSANDED ESTATES.dwg, 2/17/2021 8:56:49 PM, ARCH D

20. PUBLIC HEARINGS

b. CONSIDERATION OF RESOLUTION NO. 2021-____.

A Resolution Amending the General Plan Future Land Use Map Designation from Low Residential (1 Dwelling Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road (Aleksander Estates Subdivision General Plan Amendment, Case No. 2021-3805).

Case #2021-3805. Aleksander Estates Subdivision General Plan Amendment. Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, Requests Approval of a General Plan Future Land Use Amendment to Change the Designation from Low Density Residential (1 Dwelling Unit Per Acre and 1-3 Dwelling Units Per Acre) to Moderate Density Residential (3-7 Dwelling Units Per Acre) for Approximately 8.38 Acres of Land Located on the East Side of Kates Way, North of South Meadows Road. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

Name: Stefanie Beninato

Comment - 10/27/2021 11:17 AM: (Against)

Other Land Use Resolutions—I thought the city council was committed to redoing the city's Master Plan etc. Why are you approving these developments piecemeal?

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2021-__

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE AND CHANGING THE CLASSIFICATION FROM R-1 (RESIDENTIAL- ONE DWELLING UNIT PER ACRE) TO R-7 (RESIDENTIAL- SEVEN DWELLING UNITS PER ACRE) WITH RESPECT TO A CERTAIN PARCEL OF LAND COMPRISING APPROXIMATELY 8.38 ACRES LOCATED ON THE EAST SIDE OF KATES WAY, NORTH OF SOUTH MEADOWS ROAD (ALEKSANDER ESTATES SUBDIVISION REZONING, CASE NO. 2021-3806).

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

Section 1. That following real property (the "Property") located within the municipal boundaries of the City of Santa Fe, which has been restricted to and classified R-1 (Residential- One Dwelling Unit per Acre), is hereby restricted to and reclassified as R-7 (Residential-Seven Dwelling Units per Acre):

A parcel of land comprising approximately 8.38 acres generally located on the east side of Kates Way, north of South Meadows Road, lying within Section 1, T16N, R8E, NMPM, Santa Fe

County, New Mexico, as more fully described in the Legal Description attached as Exhibit A and incorporated herein by reference.

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

_____

ALAN WEBBER, MAYOR

ATTEST:

_____

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:

_____

ERIN K. MCSHERRY, CITY ATTORNEY

Legislation/2021/Bills/Aleksander Estates Rezoning

EXHIBIT A:
For Bill No. 2021-___

Legal Description for Alexander Estates Subdivision

TRACT A 8.3368 ACRES +/- LYING WITHIN SECTION 1, T16N, R8E, NMPM, SANTA FE COUNTY, NEW MEXICO

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

Case #2021-3806 – Aleksander Estates Rezoning
Owner's/Applicant's Name – Next Generation Contracting, Inc.
Agent's Name – Monica Montoya Land Use Consulting, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on August 5, 2021 upon the application (Application) of Monica Montoya Land Use Consulting, Inc., Agent, for Next Generation Contracting, Inc., Owner. The Applicant requests approval of a rezoning from R-1 (Residential - 1 dwelling unit per acre) to R-7 (Residential - 7 dwelling units per acre) for approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Property).

In related Case #2021-3805, the Applicant requests approval of a general plan future land use map amendment to change the designation from Low Density Residential (1 dwelling unit per acre and 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre). Additionally, in related Case #2021-3807, the Applicant seeks preliminary development plan approval for a preliminary subdivision for 59 single-family residential lots. Finally, in related case #2021-3808, the Applicant requests approval of a preliminary subdivision plat for 59 single-family residential lots.

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

FINDINGS OF FACT

General

1. The Applicant seeks a rezoning to R-7, which would allow for the proposed single-family residential development consisting of 59 single-family residential lots on approximately 8.38 acres of land located on the east side of Kates Way, north of South Meadows Road (Project).
2. 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.
3. 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)].
4. A pre-application conference was held on December 10, 2020.
5. The Applicant conducted a virtual ENN meeting on April 27, 2021, using Zoom.
6. Pursuant to SFCC Section 14-3.1(H), notice of the ENN meeting was properly given.
7. The ENN meeting was attended by representatives of the Applicant and City staff. No members of the public attended.
8. 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).

9. 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.
10. Staff recommended that the Commission recommend approval of the rezoning to the Governing Body.
11. Pursuant to SFCC Sections 14-2.3(C)(7)(c) and 14-3.5(B)(1), the Commission has the authority to review and make recommendations to the Governing Body regarding rezonings.
12. At the Hearing, the Commission considered the Application in this case concurrently with the applications in Case Nos. 2021-3805, 2021-3807, and 2021-3808; 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.
13. 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.
14. 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.
15. Pursuant to SFCC Section 14-3.5(C)(1)(a)(ii)-(iii), the Commission finds that the character of the surrounding area has changed due to increased residential development and that the proposed R-7 zoning is more advantageous to the community because the use will remain single-family residential while allowing higher density, which allows housing to be developed at a more affordable rate.
16. Pursuant to SFCC Section 14-3.5(C)(1)(b), the Commission finds that all the rezoning requirements of Chapter 14 have been met.
17. Pursuant to SFCC Section 14-3.5(C)(1)(c), the Commission finds that the proposed rezoning is consistent with the applicable policies of the general plan, including growth management policies for infill development at medium densities in developing areas with centrally located neighborhood centers. Additionally, the rezoning will be consistent with the future land use map if the proposed general plan amendment is approved by the Governing Body.
18. Pursuant to SFCC Section 14-3.5(C)(1)(d), the Commission finds that rezoning the property to accommodate infill by creating a 59-lot subdivision is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate, and geographic location of the growth of the city.
19. Pursuant to SFCC Section 14-3.5(C)(1)(e), the Commission finds that the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.
20. Pursuant to SFCC Section 14-3.5(C)(2)(a), the Commission finds that the proposed change in density will not result in a change in character inconsistent with the prevailing use and character of the area, and that the R-7 zoning is consistent with the surrounding density.
21. Pursuant to SFCC Section 14-3.5(C)(2)(b), the Commission finds that the proposed rezoning is permissible because it would not affect an area of less than two acres.

1. Pursuant to SFCC Section 14-3.5(C)(2)(c), the Commission finds that the proposed rezoning will not benefit one or a few landowners at the expense of the surrounding landowners or general public.
2. Pursuant to SFCC Section 14-3.5(D), the Commission finds that the proposed additional density can be accommodated by the existing and proposed road infrastructure.

CONCLUSIONS OF LAW

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

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.
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 5th DAY OF AUGUST 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 proposed rezoning to R-7, as requested in the Application for Case #2021-3806.

Brian Gutierrez
Chairperson

08-12-21
Date:

FILED:

Kristine Mihelcic
Kristine Mihelcic (Aug 19, 2021 09:12 MDT)

Kristine Bustos-Mihelcic
City Clerk XIV

08/13/21
Date:

APPROVED AS TO FORM:

Sally A. Paez
Assistant City Attorney

August 5, 2021
Date

City of Santa Fe, New Mexico

memo

DATE: October 27, 2021
TO: Governing Body

VIA: Jarel LaPan Hill
Jarel Lapan Hill, City Manager
Jason Kluck, Interim Land Use Department Director jmk
Noah Berke, Land Use Current Planning Planner Manager NB

FROM: Daniel A. Esquibel, Planner Senior, Current Planning Division

TIERRA CONTENTA MASTER PLAN AMENDMENT #1 FOR PHASE 3A.

Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A. JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, requests a Master Plan Amendment for Phase 3A. The Amendment includes modifications to infrastructure, parks, trails, land uses, and density. The property is an undeveloped tract of land located southwest of Capital High School, containing approximately 222.84 acres, and is zoned PRC (Planned Residential Community).

I. RECOMMENDATION:

The Governing Body should **APPROVE** Case 2021-3818 as recommended by the Planning Commission, Adopting Resolution ____ .

Should the Governing Body choose to approve case #2021-3818, The Governing Body should also adopt the Resolution identified in Exhibit A amending the Tierra Contenta Master Plan, and either approve the Findings of Fact and Conclusions of Law identified in Exhibit B or choose to amend them. Should the Governing Body choose to deny case #2021-3818, it should direct staff to draft proposed Findings of Fact and Conclusions of Law reflecting the Governing Body's decision, to be reviewed and adopted as a subsequent Governing Body Hearing.

Sample motions for Case #**2021-3818**:

- **Move to approve** Case #2021-3818 **Tierra Contenta Master Plan Amendment #1 for Phase 3A** with Design Guidelines, subject to conditions of approval recommended by the Planning Commission and City staff listed in Exhibit C; *and*
- **Move to adopt** Resolution _____ adopting the Master Plan Amendment with Design Guidelines for Tierra Contenta Master Plan Amendment #1 for Phase 3A, subject to conditions of approval recommended by the Planning Commission and City staff listed in Exhibit A; *and*
- **Move to approve** the findings of fact and conclusions of law for Case #2021-3818 Master Plan Amendment with Design Guidelines for Tierra Contenta Master Plan Amendment #1 Identified in Exhibit B.

OR

- **Move to deny** Case #2021-3818 Tierra Contenta Master Plan Amendment #1 for Phase 3A and direct staff to draft proposed findings of fact and conclusions of law reflecting the Governing Body's decision.

The Land Use Department has determined that the proposed applications together with Exhibits attached to the Resolution in Exhibit A comply with the approval criteria for Master Plan amendments.

The exhibits attached to this Memorandum include: the proposed Resolution; minutes from the August 19, 2021 and September 2, 2021 Planning Commission meetings; Staff Reports; maps; and applicant submittals. The supporting material is extensive as a result of two long and in-depth Planning Commission meetings concerning the Master Plan Amendment. Additionally, the attached Master Plan map boundary has been updated to reflect the correct boundary and acreage of the Master Plan. There were two conditions of approval required prior to seeking review and approval before the Governing Body. These two conditions have been addressed and can be viewed in Exhibit D.

II. Executive Summary

The Tierra Contenta phased subdivisions and site development is required to comply with provisions of the Tierra Contenta Master Plan. The first Tierra Contenta Master Plan was adopted by Resolution No. 1985-107 and then amended by Resolution No. 1994-17. Both resolutions incorporated the Master Plan into the City General Plan. However, the City updated the General Plan by Resolution No. 1999-45 and did not include the Tierra Contenta Master Plan in the current General Plan.

An application requesting additional amendments to the Master Plan is before the Governing Body. There is no variance request associated with this Master Plan Request.

On September 2, 2021, the Planning Commission recommended the Governing Body approve the proposed Master Plan with Design Guidelines subject to conditions. The conditions are listed in the Resolution (Exhibit A) as Exhibit C.

The Master Plan Amendment Application is a request to outline a phase-by-phase development process for entitlements of phase 3A. The entitlements include:

- Design standards,
- Subdivisions and subdivision phases,
- Infrastructure,
- Affordable housing (40% affordability to 80% Area Median Income), and
- Parks, open space, and other public uses according to the Annexation Agreement.

After recording the Master Plan, the Applicant will submit a Master Plat to identify subdivision tracts to recruit developers and/or builders for the development of proposed Tracts. The Applicant will finalize and submit design guidelines for all development in Phase 3A. The Applicant states that process of review will start with the Tierra Contenta Corporation (TCC) Architectural Review Committee prior to review before the Planning Commission. The TCC review is to ensure compliance with the Master Plan, adopted Master Plat, and Design Standards. The Master Plan anticipates mixed residential (1,175 to 1,500 dwelling units), civic, and neighborhood commercial uses.

The Applicant will be returning to the Planning Commission for review and approval of the Master Plat, which will subdivide the property into phase Tracts for developers to purchase and develop. Subdivision Plats are not required to appear before the Governing Body.

Table 1 Table 5 Approval Criteria– Master Plan (Section 14-3.9(D)(1))

Criterion 1: the master plan is consistent with the general plan;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The Applicant has addressed Criterion 1 stating: *"This Master Plan Amendment aligns with General Plan Themes and Policies, such as Affordable Housing, 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, and Mix of Housing Types in All Neighborhoods."* Staff concurs with the Applicant response to Subsection 14-3.9(D)(1). Staff's analysis of the project identifies that the Applicant satisfied the Master Plan criterion required by Subsection 14-3.9(D)(1).	
Criterion 2: the master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The Applicant has addressed Criterion 2 stating: *"The stated purpose of the PRC District in §14-4.3(I)(1) is "…to provide for the comprehensive and coordinated planning of large-scale residential developments that allows for a phasing of development that will take place over a long period of time. This district allows and encourages single- family residences in conventionally platted subdivisions and clustered residential developments based on a design concept that applies innovative site-planning techniques; a mixture of residential densities intended to achieve a balanced community for all types of families; and neighborhood commercial uses of a type and intensity serving the residents of the PRC and the surrounding areas." This amended Master Plan is consistent with the purpose and intent of the PRC District through the provision of a diversity of housing types, innovative design standards, a mix of residential densities, and mixed-use development."* Staff concurs with the Applicant response to Subsection 14-3.9(D)(2). Staff's analysis of the project identifies that the Applicant satisfied the Master Plan criterion required by Subsection 14-3.9(D)(2).	
Criterion 3: development of the master plan area will contribute to the coordinated and efficient development of the community; and	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The Applicant has addressed Criterion 3 stating: *"The Master Plan includes provisions for pedestrian and vehicular connectivity to the surrounding area. In addition, the subject land area (Phase 3A) makes efficient use of existing infrastructure and represents the final phase of development within the Tierra Contenta master-planned community, as contemplated in the original vision of the master plan."*	

Staff concurs with the Applicant response to Subsection 14-3.9(D)(3). Staff's analysis of the project identifies that the Applicant satisfied the Master Plan criterion required by Subsection 14-3.9(D)(3).	
Criterion 4: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development.	**Criterion Met:** (Yes/No/Conditional/N/A) **CONDITIONAL**

The Applicant did not submit a fiscal impact analysis to the city addressing the impacts of the planned development. This is needed to address impacts to water as well as emergency services and public safety, given full build out of Tierra Contenta Phase Amendment #1 for Phase 3A. The Applicant has addressed Criterion 4 stating:

> *"The backbone infrastructure to be constructed by TCC will include the following: (1) construction of Paseo del Sol from the current terminus of Paseo del Sol West to the Herrera Drive/Paseo del Sol East roundabout, completing this important connection; (2) construction of the Phase 3A Loop Road, providing access to the development tracts; and (3) water and sewer mainline extensions in accordance with the attached Master Utility Plan. In addition, over 91 acres of natural open space is being preserved with a significant trail network and two mixed-use parcels are provided to accommodate potential future civic/public uses. Lastly, a 9.37-acre school site is being established to address future student demand in the area."*

Staff's analysis of the project identifies that the Applicant has not fully satisfied the Master Plan criterion required by Subsection 14-3.9(D)(4). However, conditions of approval have been included in Section II *"Conditions of Approval"* to address this Subsection 14-3.9(D)(4).

III. CONCLUSION

The applicant has complied with all application process requirements of Santa Fe City Code 1987, Chapter 14 as follows:

- Pursuant to 14-3.1(E) *"Pre-application"*: Conducted on December 10, 2020,
- Pursuant to 14-3.1(F) *"Early Neighborhood Notification" ("ENN")*: Conducted one ENN meeting: May 27, 2021,
- The proposed Master Plan adheres to the Annexation Agreement,
- On September 2, 2021, the Planning Commission recommended that the Governing body approve Case #2021-3818 *"Tierra Contenta Master Plan Amendment #1 for Phase 3A"*, subject to conditions,
- The Applicant agreed to all conditions,
- The Applicant complied with Planning Commission Conditions 11 and 12 required prior to Governing Body Review:
  - Submit concept water budget
  - Submit fiscal impact to the city of providing utility and other municipal services to the area.

The Land Use Department has determined that the proposed application complies with the approval criteria for Master Plan amendments. Should the Governing Body approve the proposed Master Plan amendments, staff recommends adoption of the Resolution identified in Exhibit A and Findings of Fact and Conclusions of Law identified in Exhibit B.

III. EXHIBITS

Exhibit A- Resolution

1. Resolution
2. Resolution Exhibit A amending the Tierra Contenta Master Plan
3. Resolution Exhibit B Proposed Design Standards
4. Resolution Exhibit C Recommended Conditions of approval

Exhibit B - Findings of Facts and Conclusions of Law

1. Findings of Facts and Conclusions of Law

Exhibit C – Referenced Exhibits

1. Minutes - Planning Commission August 19, 2021
2. Minutes - Planning Commission September 2, 2021
3. Planning Commission Findings of Fact and Conclusion of Law are not included as they are being presented to the Planning Commission on October 21, 2021.
4. Planning Commission Packet of September 2, 2021

Exhibit D Condition 11 and 12

1. Concept water budget
2. Fiscal impact to the city of providing utility and other municipal services to the area

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2021-__

A RESOLUTION

AMENDING THE MASTER PLAN FOR TIERRA CONTENTA TO INCLUDE MODIFICATIONS TO INFRASTRUCTURE, PARKS, TRAILS, LAND USES, AND DENSITY FOR PHASE 3A, WHICH CONSISTS OF PARCELS KNOWN AS TRACT 7A AS SHOWN IN BOOK 396, PAGE 014; LOT 8 AS SHOWN IN BOOK 396, PAGE 11; TRACT 9 AS SHOWN IN BOOK 231, PAGE 46; AND TRACT 8A3-7C AS SHOWN IN BOOK 738, PAGE 15, WITHIN SECTION 13 AND PACHECO GRANT, PROJECTED SECTION 11, T16N, R8E, N.M.P.M., COMPRISING AN AREA OF APPROXIMATELY 216.52 ACRES, LOCATED SOUTHWEST OF CAPITAL HIGH SCHOOL (CASE NO. 21-3818, TIERRA CONTENTA MASTER PLAN AMENDMENT #1 FOR PHASE 3A).

WHEREAS, the agent for Tierra Contenta Corporation, owner of the property shown in Exhibit A, referred to herein as "Tierra Contenta Phase 3A", has submitted an application to amend the Tierra Contenta Master Plan ("Master Plan") to modify the infrastructure, parks, trails, land uses, and density of Tierra Contenta Phase 3A; and

WHEREAS, future development on the property encompassed within the Master Plan requires

an early neighborhood notification meeting and the applicant held an early neighborhood notification meeting on May 27, 2021; and

WHEREAS, review of an amendment to a Master Plan by the Planning Commission is required by Subsection 14-3.19(D) of the City Code, and the Planning Commission reviewed and recommended approval of the proposed amendments to the Master Plan for Tierra Contenta Phase 3A on September 2, 2021; and

WHEREAS, on February 23, 1994, the Governing Body approved an amendment to the Tierra Contenta Master Plan and adopted the Tierra Contenta Master Plan by Resolution 1994-17 and incorporated it into the 1983 City General Plan (Resolution 1983-46); and

WHEREAS, the General Plan does not need to be amended in order to amend the Tierra Content Master Plan, because when the City amended the City General Plan in 1999 (Resolution 1999-45) it did not include the Tierra Contenta Master Plan; and

WHEREAS, the Governing Body reviews amendments to master plans and makes findings for the following criteria: that they are consistent with the general plan, zoning districts, use regulations, and development standards for the master plan area; that development of the master plan will contribute to the coordinated and efficient development of the community; and that the existing and proposed infrastructure will be able to accommodate the impacts of the planned development; and

WHEREAS, the Governing Body finds that the application to amend the Master plan meets the criteria listed above based on its examination of Exhibits A, B, and C.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Master Plan for Tract 7a As Shown In Book 0396, Page 014;Lot 8 As Shown In Book 396, Page 11; Tract 9 As Shown In Book 231, Page 46; and Tract 8A3-7 As Shown in Book 738, Page 15, Within Section 13 And Pacheco Grant, Projected Section 11, T16n, R8e, N.M.P.M., is amended as shown on Exhibit A attached hereto, subject to the Design Standards shown on Exhibit B and the conditions of approval shown in Exhibit C.

PASSED, APPROVED, and ADOPTED this ___ day of _____, 2021.

_____

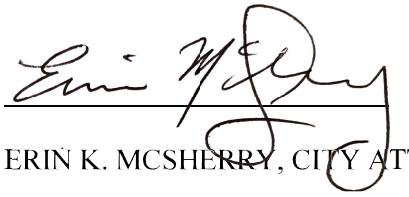
ALAN WEBBER, MAYOR

ATTEST:

_____

KRISTINE MIHELCIC, CITY CLERK

APPROVED AS TO FORM:



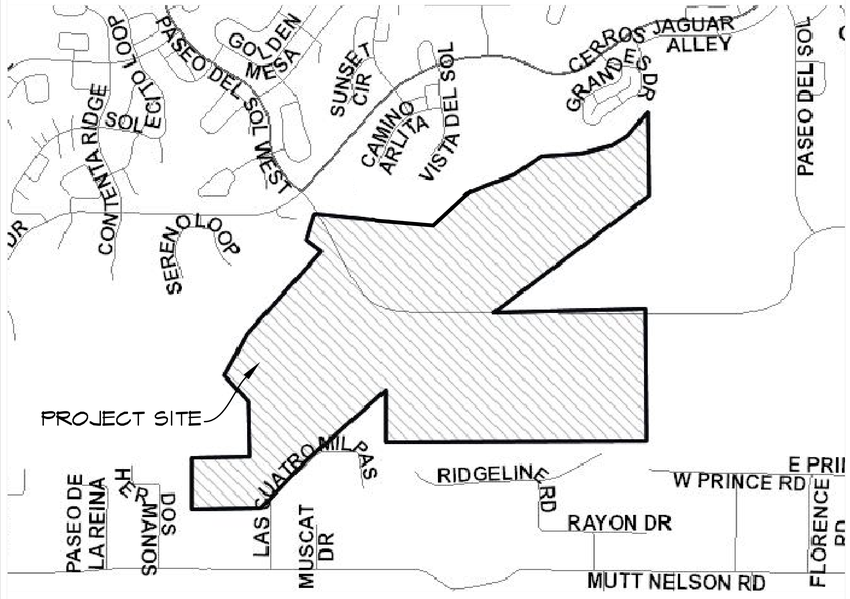
ERIN K. MCSHERRY, CITY ATTORNEY

Legislation/2021/Resolutions/Tierra Contenta Master Plan Amendment

EXHIBIT A

TIERRA CONTENTA PHASE 3A MASTER PLAN AMENDMENT #1

SANTA FE, NM 87507
SECTION 13 & 14, T 16 N, R 8 E, N.M.P.M.



VICINITY MAP

SHEET LIST

	1	COVER SHEET
*	2 - 5	EXISITING CONDITIONS/TOPOGRAPHY
*	6A - 6B	APPROVED MASTER PLAN
	7A - 7B	MASTER PLAN AMENDMENT #1, PHASE 3A
*	8	ROADWAY SECTIONS
*	9	WATER AND SANITARY SEWER MASTER PLAN

* THESE SHEETS ARE ON FILE IN THE CITY OF SANTA FE PLAT ROOM.

CITY OF SANTA FE APPROVALS:

APPROVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE AT THEIR MEETING OF _____ AS CASE #2021-3818.

_____ _____
MAYOR DATE

ATTEST:

_____ _____
CITY CLERK DATE

REVIEWED BY THE SANTA FE LAND USE DEPARTMENT

_____ _____
CITY PLANNER DATE

_____ _____
CITY ENGINEER FOR LAND USE DATE

AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER HAS CAUSED THIS MASTER PLAN AMENDMENT TO BE PREPARED. ALL THAT APPEARS ON THE PLAN IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE OWNER.

_____
TIERRA CONTENTA CORPORATION

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY _____ ON BEHALF OF TIERRA CONTENTA CORPORATION ON THIS _____ DAY OF _____, 2021.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

OWNERS:

Tierra Contenta
TIERRA CONTENTA CORPORATION
PMB #220 369 MONTEZUMA
SANTA FE, NEW MEXICO 87501

CIVIL ENGINEERING:

DESIGN ENGINUITY
1421 LUISA STREET, SUITE E
Santa Fe, New Mexico 87505
(505) 984-3551

LAND PLANNING:

SEC Planning, LLC
Land Planning + Landscape Architecture + Community Branding
CLIENT-CENTERED THINKING™

PLANNING:

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

SURVEYING:

SANTA FE SURVEYING COMPANY
P.O. BOX 2919, SANTA FE, N.M. 87504, | 1210 LUISA ST. SUITE 8
PHONE (505)-992-3211, MOBILE (505)-660-2659, FAX (505)-992-9905

JUNE 21, 2021
REVISIONS

DATE	BY	DATE	BY

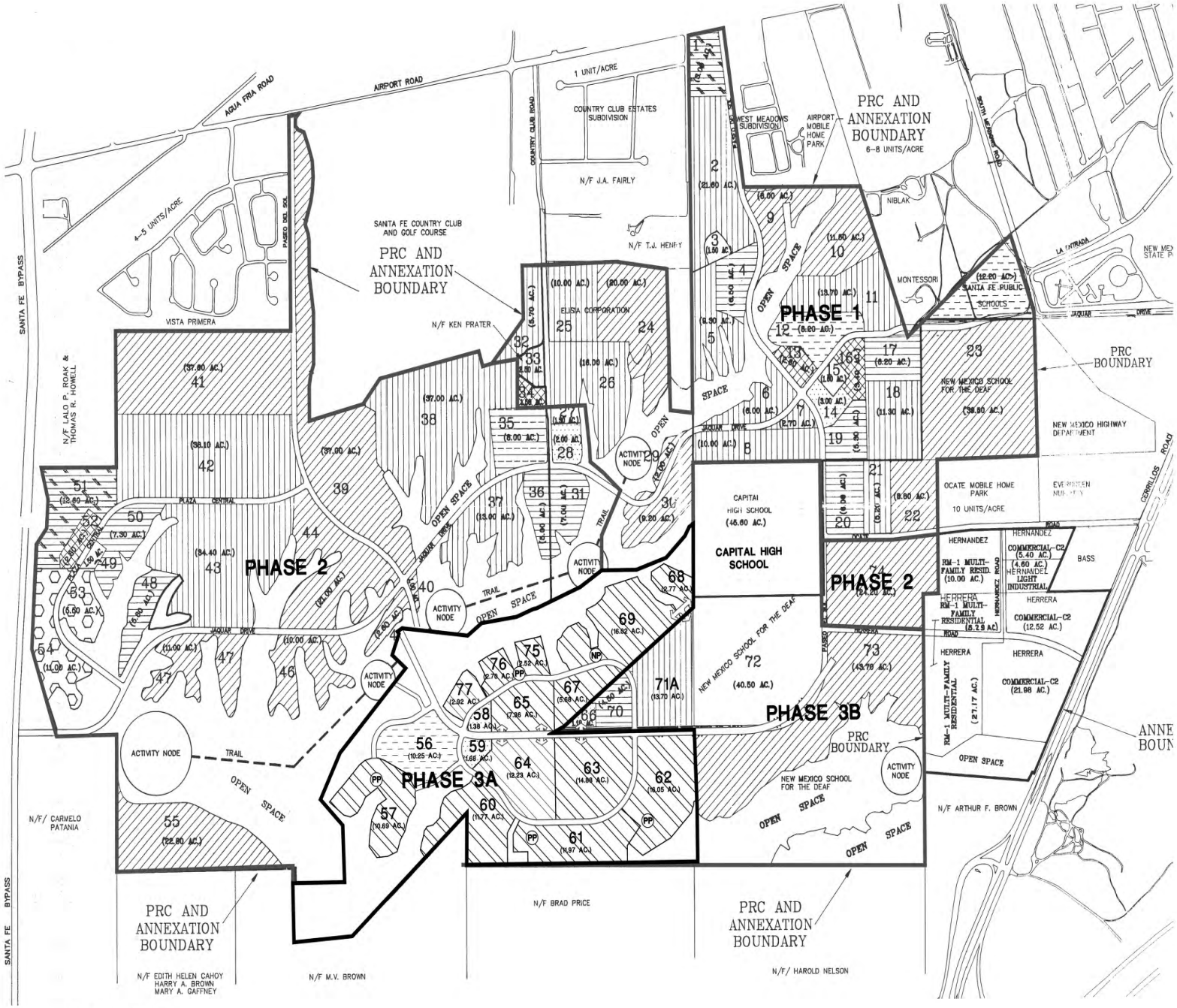
DEVELOPMENT/INFRASTRUCTURE BUILDING PERMIT ADDRESS: _____

INDEXING INFORMATION FOR COUNTY CLERK

A) NAME: TIERRA CONTENTA PHASE 3A MASTER PLAN AMENDMENT #1
A) NAME: TIERRA CONTENTA CORPORATION
B) SECTION 13 & 14, TOWNSHIP 16 NORTH, RANGE 08 EAST N.M.P.M.

TIERRA CONTENTA PHASE 3A - MASTER PLAN AMENDMENT #1

C:\Yvette Files\Tierra Contenta Phase 3\2021-06-14 Tierra Contenta Phase 3 Cover.dwg, 6/18/2021 3:31:55 PM, Adobe PDF



LEGEND

- MIXED RESIDENTIAL
- RESIDENTIAL – 10–20 DU/AC. (AVERAGE 17 DU/AC.)
- RESIDENTIAL – 6–9 DU/AC. (AVERAGE 7.40 DU/AC.)
- RESIDENTIAL – 1–5 DU/AC. (AVERAGE 4.50 DU/AC.)
- VILLAGE COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- OFFICE/BUSINESS INCUBATOR
- COMMUNITY
- SCHOOL
- PARK AND OPEN SPACE
- MAJOR ROADWAYS

MASTER PLAN AMENDMENT #1 OVERVIEW

NORTH

250 500 0 500 1000

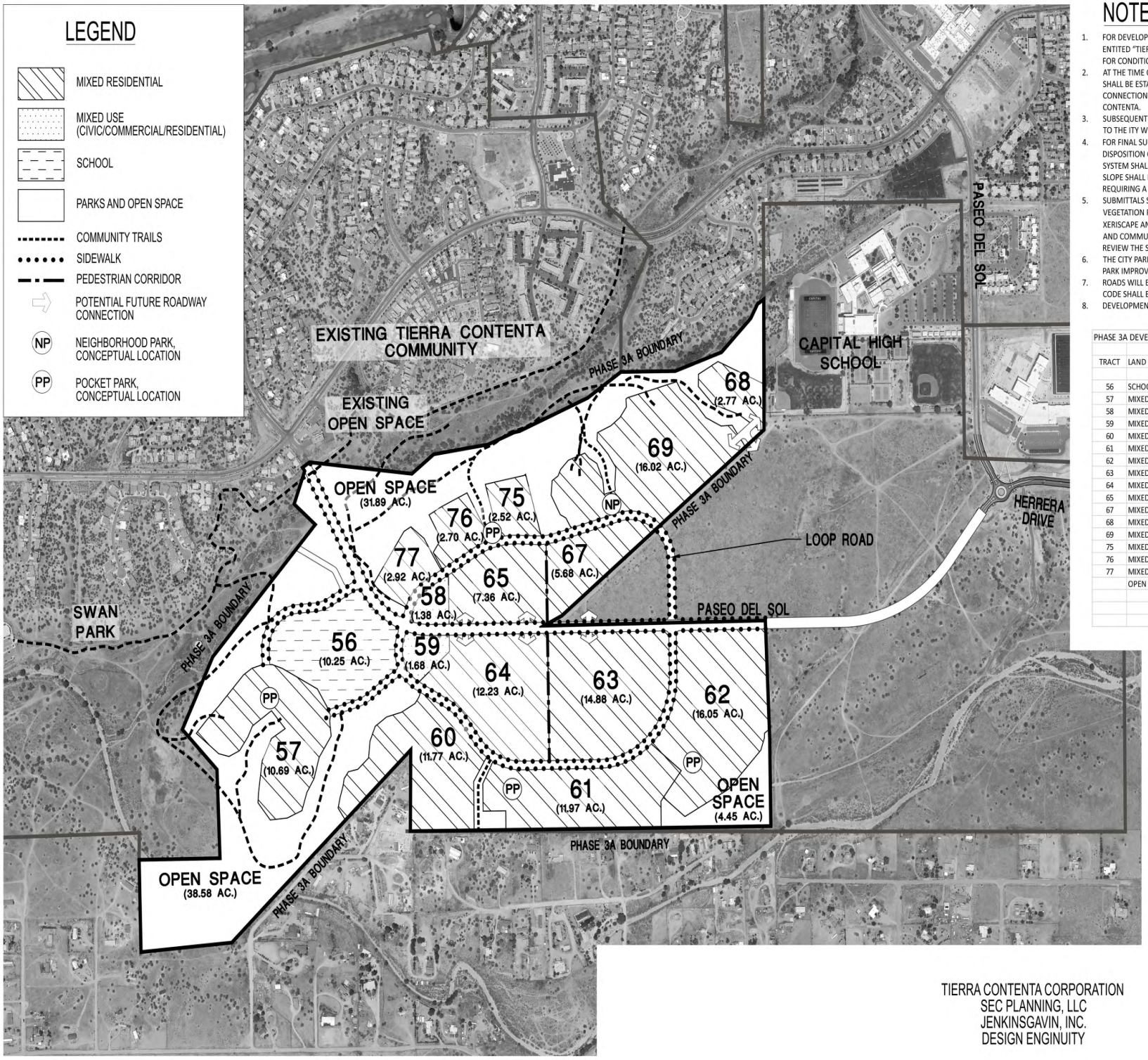
TIERRA CONTENTA PHASE 3A

SANTA FE, NEW MEXICO

SHEET 7A

PURPOSE STATEMENT: THE PURPOSE OF TIERRA CONTENTA MASTER PLAN AMENDMENT #1 IS TO ALTER LAND USES AND RESIDENTIAL DENSITIES IN PHASE 3A ONLY.

TIERRA CONTENTA CORPORATION
SEC PLANNING, LLC
JENKINSGAVIN, INC.
DESIGN ENGINUITY



NOTES:

1. FOR DEVELOPMENT PROGRAM, SEE ABOVE. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITED "TIERRA CONTENTA, WOLMAGOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)" FOR CONDITIONS OF DEVELOPMENT.
2. AT THE TIME OF APPLICATION FOR PLAT, A SYSTEM OF APPROPRIATELY SCALED LOCAL ROADS SHALL BE ESTABLISHED WHICH CONNECT OR ARE STUBBED OUT TO PERMIT LATER CONNECTION TO ADJOINING LOCAL ROADS ON PROPERTIES WITHIN OR NEXT TO TIERRA CONTENTA.
3. SUBSEQUENT PLATS SHALL ILLUSTRATE STORM WATER MANAGEMENT SYSTEMS ACCEPTABLE TO THE ITY WHICH INCLUDE FACILITY DESIGN AND MAINTENANCE PROGRAMS.
4. FOR FINAL SUBDIVISION PLATS OR DEVELOPMENT PLANS (IN THE CASE OF MULTI-FAMILY), THE DISPOSITION OF LANDS OVER 30% SLOPE THAT ARE NOT LOCATED IN THE PUBLIC OPEN SPACE SYSTEM SHALL BE CLARIFIED. LANDS OUTSIDE THE OPEN SPACE SYSTEM THAT ARE OVER 30% SLOPE SHALL BE IDENTIFIED AS REMAINING UNDISTURBED PER THE CITY CODE OR AS REQUIRING A VARIANCE.
5. SUBMITTALS SHALL BE PREPARED ON A TRATC BY TRACT BASIS FOR IMPROVEMENT PLANS, VEGETATION PLANS (INCLUDING USE OF NATIVE PLANTS) AND IRRIGATION PLANS (INCLUDING XERISCAPE AND USE OF EFFLUENT WATER) IN PARKS, OPEN SPACE, ROADWAYS, DRAINAGES, AND COMMUNITY FACILITIES. THE CITY PARKS AND PUBLIC WORKS DEPARTMENTS SHALL REVIEW THE SUBMITTALS TO DETERMINE ACCEPTABLE PLANS.
6. THE CITY PARKS DEPARTMENT SHALL RECOMMEND SIZE AND DEVELOPMENT CRITERIA FOR PARK IMPROVEMENTS.
7. ROADS WILL BE CONSTRUCTED CONSISTENT WITH CITY CODE OR VARIANCES FROM THE CITY CODE SHALL BE OBTAINED.
8. DEVELOPMENT WITH THE PRC SHALL COMPLY WITH THE APPROVED DESIGN GUIDELINES.

PHASE 3A DEVELOPMENT AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	UNITS	DU/ACRE
56	SCHOOL	10.25	0	0.0
57	MIXED RESIDENTIAL	10.69	49	4.6
58	MIXED USE (CIVIC/COMMERCIAL/RESIDENTIAL)	1.38	21	12.0
59	MIXED USE (CIVIC/COMMERCIAL/RESIDENTIAL)	1.68	21	12.5
60	MIXED RESIDENTIAL	11.77	60	5.1
61	MIXED RESIDENTIAL	11.97	73	6.1
62	MIXED RESIDENTIAL	16.05	107	6.7
63	MIXED RESIDENTIAL	14.88	275	18.5
64	MIXED RESIDENTIAL	12.23	225	18.4
65	MIXED RESIDENTIAL	7.36	150	17.2
67	MIXED RESIDENTIAL	5.68	40	7.0
68	MIXED RESIDENTIAL	2.77	12	4.3
69	MIXED RESIDENTIAL	16.02	85	5.3
75	MIXED RESIDENTIAL	2.52	11	4.4
76	MIXED RESIDENTIAL	2.70	12	4.4
77	MIXED RESIDENTIAL	2.92	34	11.6
	OPEN SPACE	85.65	0	0.0
	PHASE 3A TOTALS	216.52	1175	5.3
	MAXIMUM PERMISSIBLE UNITS		1500	6.7

MASTER PLAN AMENDMENT #1

NORTH

150 300 0 300 600

TIERRA CONTENTA PHASE 3A

SANTA FE, NEW MEXICO

SHEET 7B

TIERRA CONTENTA CORPORATION
SEC PLANNING, LLC
JENKINSGAVIN, INC.
DESIGN ENGINUITY

EXHIBIT B

Tierra Contenta

Phase 3A Design Standards Overview

Submitted with Tierra Contenta Master Plan Amendment #1 Application
June 21, 2021

Introduction

Phase 3A of Tierra Contenta includes only lands owned by the Tierra Contenta Corporation (TCC) within the final phase of Tierra Contenta, totaling 222.84 acres. The remainder of land in Phase 3 is owned by the New Mexico School for the Deaf (NMSD), who has no plans to develop Phase 3B at this time. The amendment to the Master Plan for Phase 3A is intended to respond to market conditions and to provide more housing diversity, improve pedestrian connectivity, and implement design changes to address lessons learned from previous phases. This overview of the proposed Phase 3A Design Standards is presented with the application for Master Plan Amendment #1 and describes the draft conceptual framework and form-based, typological approach to be taken in Phase 3A. The final document will incorporate input from the City and the TCC Board and will be submitted with the Master Plat application for Phase 3A.

The following table summarizes the proposed land use entitlements for Phase 3A, as requested in Master Plan Amendment #1, to which the Phase 3A Design Standards will apply:

Mixed Residential	118.95 acres	1,133 units
Mixed-Use	3.43 acres	42 units
School	9.37 acres	
Open Space	91.09 acres	
Total	*222.84 acres*	*1,175 units (1,500 maximum)*

Conceptual Framework

In response to City and neighborhood feedback on previous phases, TCC is taking a fresh approach to the design standards for Phase 3A. All residential tracts are designated as “Mixed Residential” to emphasize that a mixture of housing types is permissible and encouraged. An overall increase in density / maximum residential units is proposed to encourage and facilitate the creation of a diversity of housing types. A minimum number of units are assigned per development tract, and a “density bank” will be established to provide incentives for inclusion of “missing middle” housing types and innovative sustainability measures as each tract develops. Rules will be established to determine how density bonuses are awarded based on availability of entitled units and the development program proposed. Form-based standards define Roadway Typology, Building Typology, and Open Space/Trail Typology. This approach is intended to create a flexible framework that will define how buildings, open spaces, and streetscapes are configured to shape and activate the public realm, create a desirable and livable neighborhood, meet affordability goals, and realize the values and intent of Tierra Contenta.

Where appropriate given the change in conceptual framework for Phase 3A, relevant components of the design standards from previous Tierra Contenta phases will be incorporated.

Design Review Process

The Phase 3A Design Standards along with the Phase 3A Master Plat will form the basis to implement the Amended Tierra Contenta Master Plan. Development of the tracts created by the Phase 3A Master Plat will be contingent on approval of a Subdivision Plat and/or a Development Plan, if applicable, for each tract that follows the Tierra Contenta Master Plan, the Phase 3A Design Standards, and other relevant City policies and regulations. The Design Standards are structured to give users and reviewers a format, intent, and specific direction for development review and implementation.

City staff and planning officials retain jurisdiction to review, approve, or disapprove Development Plans and Subdivision Plats within Tierra Contenta. However, the Tierra Contenta Annexation Agreement states that:

> "*The City agrees to approve rezoning, preliminary development plans and preliminary subdivision plats for individual tracts within the Property, provided such rezoning, plats and plans conform to the Master Plan and Phasing Plan, the SFCC 1987 as amended, and the provisions of this Agreement. The City agrees to approve final development plans and final subdivision plats that substantially conform to previously approved preliminary plats and plans*."

The Phase 3A Master Plat and Design Standards shall be consistent with the Master Plan. Subsequently, the individual Subdivision Plats and Development Plans for the tracts shall be consistent with the approved Phase 3A Master Plat and Design Standards. Phase 3A Subdivision Plats and Development Plans shall be reviewed and approved by the Planning Commission for individual development tracts. Prior to City review and approval, each Subdivision Plat and Development Plan is subject to review by the TCC Architectural Review Committee for compliance with the Master Plan and with the adopted Phase 3A Master Plat and Design Standards. Except as specifically provided in the Tierra Contenta Master Plan, Annexation Agreement or phase-specific Design Standards, development within Tierra Contenta must comply with all other property development regulations adopted by the City of Santa Fe.

Roadway Typology

Phase 3A will be served via the extension of Paseo del Sol from the current terminus of Paseo del Sol West just south of Jaguar Drive east to the Herrera Drive/Paseo del Sol East roundabout, completing this important roadway connection. In addition, an internal Community Loop Road will complete the Phase 3A backbone roadway infrastructure, providing access to the development tracts. The easternmost leg of Paseo del Sol and a portion of the Loop Road cross NMSD property, requisite right-of-way dedications in accordance with the terms of the Tierra Contenta Annexation Agreement are in negotiation.

The Amended Master Plan identifies potential future roadway connections to adjacent lands, including NMSD property and the Mutt Nelson neighborhood to the south. As the

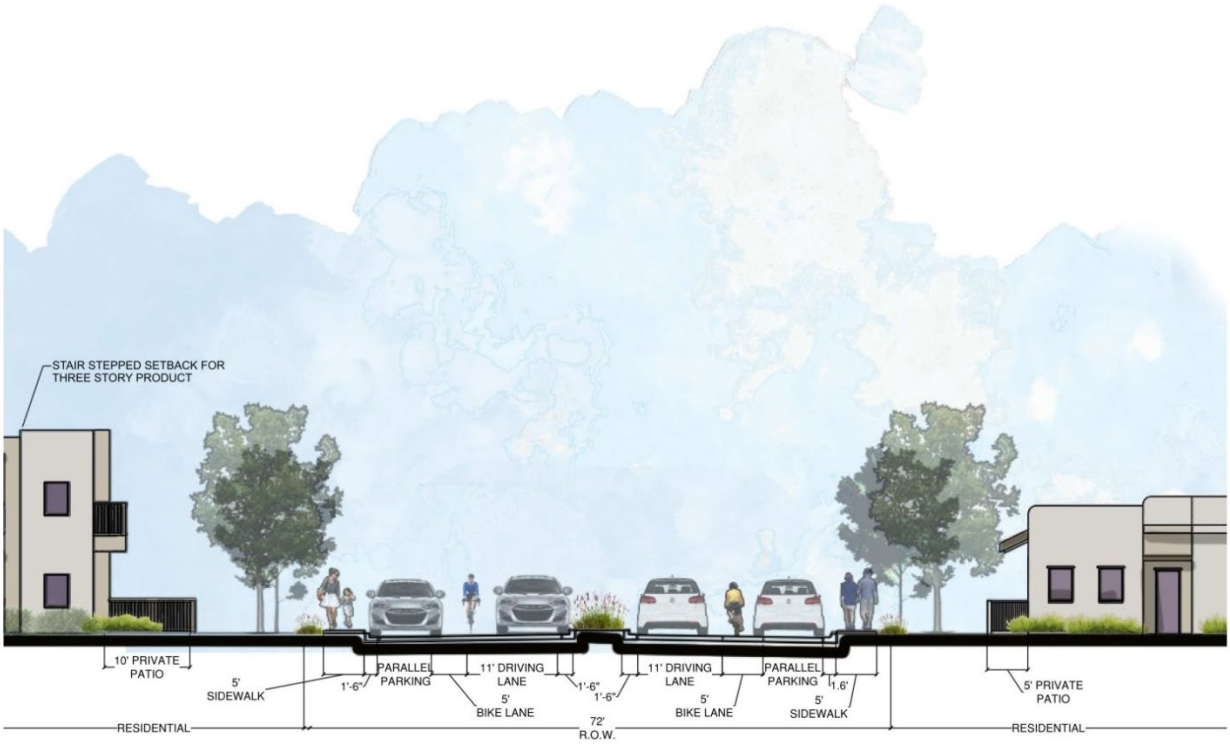
individual tracts are developed, road stub-outs and/or right-of-way dedications will be required where appropriate to ensure adequate roadway connectivity in the larger area. In addition, connectivity among the development tracts is a key component of the design intent.

In an effort to provide improved pedestrian amenities and connectivity, the Roadway Typology requires sidewalks on both sides of each of the three street types. Furthermore, in order to address parking shortages experienced in previous phases, on-street parking is proposed on segments of Paseo del Sol and on one side of the Community Loop Road. Local Streets constructed within the development tracts will also need to include on-street parking. In the event on-street parking is not feasible due to driveway proximity, dedicated guest parking areas will be required.

Roadway standards are illustrated below by road sections, and their relationships to the buildings are defined within the Building Typology as frontage specifications.

Paseo del Sol

Paseo del Sol is the primary through access connecting Phase 3 to previous phases of Tierra Contenta and to the City's larger roadway network. This roadway is not, however, intended to be a high-speed, multi-lane thoroughfare and is instead designed with traffic calming, pedestrian orientation, and activation of the streetscape as top priorities. No rear-facing building relationships are permissible, and no single-access or shared driveways are allowed from Paseo del Sol, except for the purposes of accessing rear parking for multi-unit residential developments or commercial/mixed use buildings. Parallel parking is included on both sides of the street, as are sidewalks and bike lanes, and a landscaped median will aid in traffic calming and enhancement of the driver and pedestrian experience. Street trees and plantings are required, and frontage relationships of buildings are defined in the Building Typology to ensure that Paseo del Sol is an attractive, inviting streetscape. A cross section and plan view of Paseo del Sol are provided below, for illustration, and more detailed roadway standards will be provided in the final Phase 3A Design Standards document.



PASEO DEL SOL STREET CROSS - SECTION: 72' RIGHT OF WAY

Scale: 1/2" = 1'



PASEO DEL SOL PLAN: 72' RIGHT OF WAY

Scale: 1/2" = 1'

Community Loop Road

The Community Loop Road provides access to the Phase 3A development tracts from Paseo del Sol. As such, it is a critical piece of the spine infrastructure for Phase 3A. The Community Loop Road is envisioned as a low-speed collector with on-street parking on one side and sidewalks on both sides, along with requisite street trees and plantings. As with Paseo del Sol, no rear facing building relationships are permissible, but driveways are allowed. A cross section and plan view of the Community Loop Road are provided below, for illustration, and more detailed roadway standards will be provided in the final Phase 3A Design Standards document.



COMMUNITY LOOP CROSS - SECTION: 53' RIGHT OF WAY
Scale: 1/2" = 1'

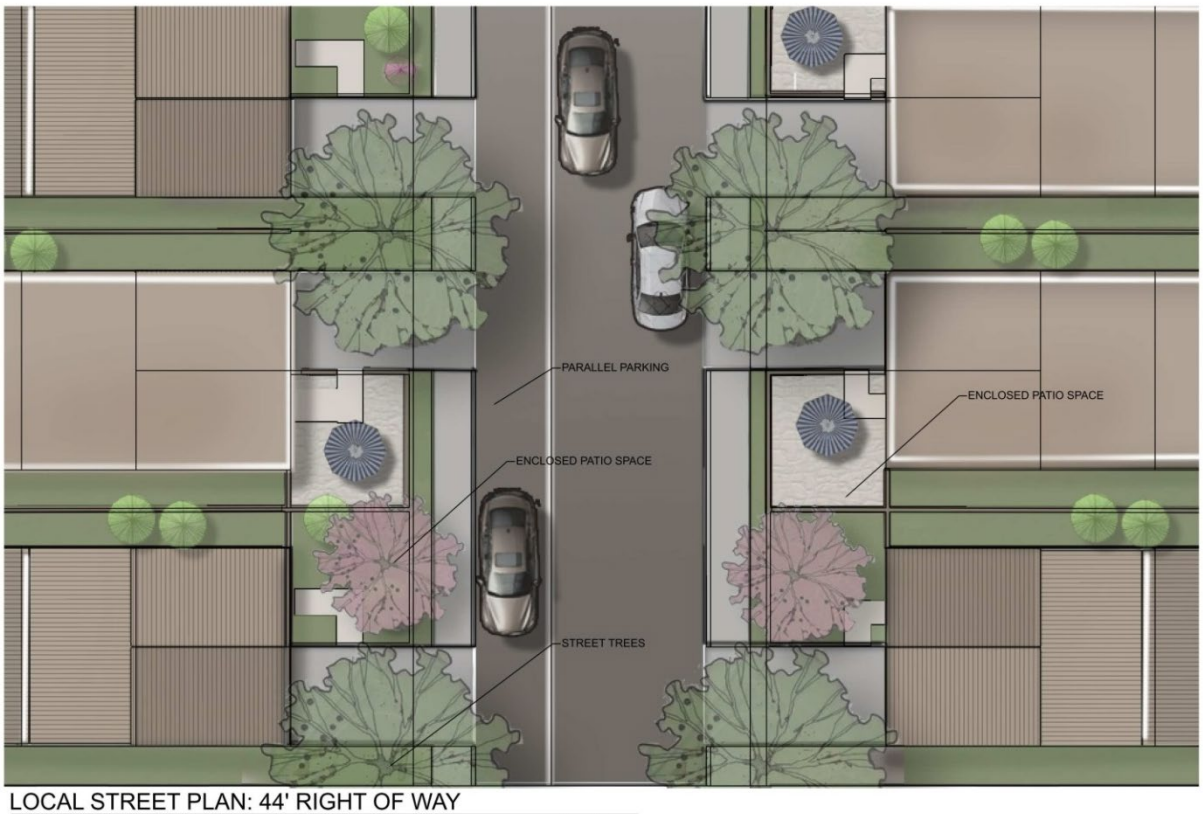


Local Streets

The configuration of local streets will be determined as tracts are developed, depending on the program proposed by the developer of that tract. Sidewalks, street trees, and plantings are required on both sides of the Local Streets, and they will also need to include on-street parking on at least one side. In the event on-street parking is not feasible due to driveway proximity, dedicated guest parking areas will be required. A conceptual cross section and plan view of a Local Street are provided below, for illustration, and more detailed roadway standards will be provided in the final Phase 3A Design Standards document.



LOCAL STREET CROSS - SECTION: 44' RIGHT OF WAY
Scale: 1/2" = 1'



LOCAL STREET PLAN: 44' RIGHT OF WAY
Scale: 1/2" = 1'

Building Typology

The Phase 3A Building Typology identifies typical and appropriate building forms to encourage diversity of housing types, including those referred to as the “missing middle” housing types, as well as activation of the streetscape. Each Building Type includes specifications for access and entry, parking, frontage, placement and massing of building form. Building types will be accompanied by simple visual renderings or photos, schematic plans and sections showing building footprints and frontage relationships. All residential building types are permissible in all Mixed Residential areas. No rear-facing building orientations are permissible for any Building Type on any Roadway Type. Building Types are described below.

Detached House

A detached structure that incorporates one dwelling unit on a single lot with front and rear yards. Must be oriented toward the street, and may be accompanied by one attached or freestanding Accessory Unit.

Access & Entry	The Principal Entry to each dwelling shall face the street frontage and have direct access from a porch/portal, stoop, or private patio. Access for parking, loading, and trash disposal must be from an alley, narrow driveway, ribbon driveway or circular driveway.
Parking	Parking shall be located in garages, carports, or in designated driveways constructed for that purpose. Garages or carports may be attached, detached, or connected by a breezeway. Attached garages or carports shall be set back from street-facing façades by a minimum of 6 feet. Detached and breezeway garages must be located in the side or rear yard. Side yard garage access is permissible when a dual frontage is present.
Frontage	Principal Entry must face the street. Must include a portal/porch, stoop, or private patio. May have dual frontage in which there is both front yard and side yard frontage. Front yard may be enclosed with a low yard wall or fence (max 4 ft. high) at the property line. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Garage / Carport Front Setback: Min 20 ft Zero-lot-lines are permissible for garages / carport at side or rear.
Massing	May be 1 or 2 stories in height. May not exceed 24 ft. in height. For lots 50 ft wide or wider, any portion of a building over 14 feet must step back at least 10 feet on one or both sides.






Accessory Unit

An accessory structure, typically located near the rear of a lot and can be free-standing or attached to a garage or main dwelling unit. Can be a stacked, second-floor unit above a garage or main house. Can serve as an accessory dwelling unit, home office space, studio or other use.

Access & Entry	The Principal Entry to the unit shall be accessed from the side or rear yard or alley. Access for parking, loading, and trash disposal must be from an alley, narrow driveway, or ribbon driveway.
Parking	Parking shall be located below, beside, or behind the unit and accessed from an alley or side driveway.
Frontage	Typically does not have street frontage unless accessed from a side yard.
Placement	Typically located near the rear of a lot and can be free-standing or attached to a garage or main dwelling unit. Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft
Massing	Can be a single-story unit or a stacked, second-floor unit above a garage or main house. Cannot exceed 24 ft. in height when located on a second floor. Floor area cannot exceed that of the Principal Dwelling, up to 1500 sq ft.



Duplex

Small-to-medium sized structure that consists of two side-by-side or stacked dwelling units, both facing the street and within a single building massing. This building type has the appearance of a medium-to-large single-family home and is appropriately scaled to fit within primarily single-family neighborhoods or medium-density neighborhoods.

Access & Entry	The Principal Entry to each dwelling or each common entrance, if designed as stacked flats, shall have direct access from a portal/porch, a common portal/porch, or stoop facing the street.
Parking	Parking shall be located in garages, carports, or in designated driveways constructed for that purpose. Garages or carports may be attached, detached, or connected by a breezeway. Attached garages or carports shall be set back from street-facing façades by a minimum of 6 feet. Detached and breezeway garages must be located in the side or rear yard. Side yard garage access is permissible when a dual frontage is present.
Frontage	Principal Entries or common entrance must face the street. Each dwelling must include a stoop or porch/portal, either individually or in common with an adjoining dwelling. May have dual frontage in which there is both front yard and side yard frontage. Front yard may be enclosed with a low yard wall or fence (max 4 ft. high) at the property line. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.

Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Zero-lot-lines permissible if attached side-by-side units. If stacked, min 5 ft / Max 10 ft Rear Setback: Min 10 ft Garage / Carport Front Setback: Min 20 ft Zero-lot-lines are permissible for garages / carport at side or rear.
Massing	May be articulated as large single family houses consistent with the vernacular building form in the surrounding neighborhood. Duplexes may also be designed as stacked flats, abutting townhouses, courtyards, or other vernacular forms compatible with the surrounding neighborhood. Attic spaces may be used as habitable space.



Townhouses/Rowhouses

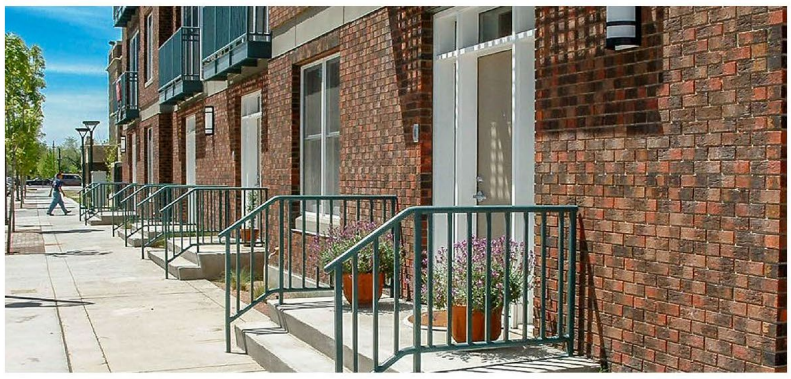
Consists of multiple attached dwelling units, placed side-by-side (zero lot line). Building cannot exceed 180 linear feet. Typically located in medium-density neighborhoods or in a location that serves as a transition from primarily single-family homes to higher density areas.

Access & Entry	The Principal Entry to each dwelling shall have direct access to the street. Parking, loading and trash disposal must be accessed from an alley or from a shared driveway.
Parking	Parking shall be located behind each building or in attached garages facing the street. Attached garages or carports shall be set back from street-facing façades by a minimum of 6 feet.

Frontage	Each dwelling must include a stoop or porch/portal fronting the street and a public sidewalk or a common open space. May have dual frontage in which there is both front yard and side yard frontage. Front yard may be enclosed with a low yard wall or fence (max 4 ft. high) at the property line. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.
Placement	Front Setback: Min 7 ft / Max 20 ft Garage / Carport Front Setback: Min 20 ft Rear Setback: Min 10 ft
Massing	May be 1 or 2 stories in height. May not exceed 24 ft. in height.







Casita Court

Consists of a series of small, detached structures and/or side-by-side attached structures, providing multiple dwelling units arranged around a shared courtyard, which takes the place of a private rear yard. Each unit shall have an individual entry accessed from the shared courtyard.

Access & Entry	The Principal Entry to each dwelling shall have direct access to a shared courtyard at ground level or from a stoop or small portal/porch.
Parking	Parking can be located behind the rear massing of the courtyard or below the rear-most dwelling units, which may be located above a bank of garages. A common parking court may be provided interior to the block.
Frontage	Typically, multiple building masses are arranged around a central landscaped courtyard. Yard walls or fences flush with the courtyard opening are permissible, cannot exceed 4 ft. in height, and must include a pedestrian opening/entry, which can be gated.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Zero-lot-lines are permissible for garages / carport at rear.
Massing	Typically consists of single story structures, but can be up to two stories (24 ft max height). Often the rear-most building(s) are up to two stories, sometimes allowing for garages on the ground floor and dwelling units above, while the structures flanking the courtyard are 1 to1.5 stories.



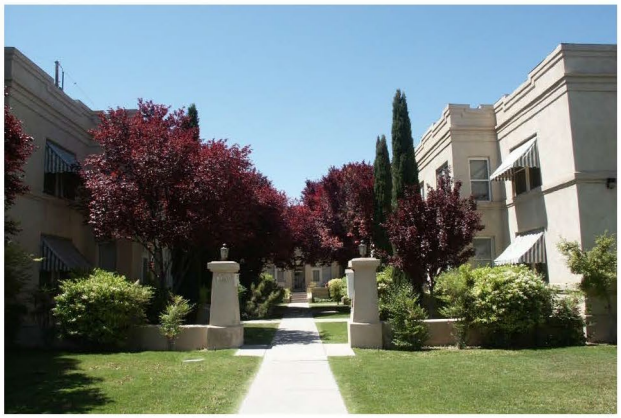



Courtyard Apartments

Consists of multiple side-by-side and/or stacked multiple dwelling units arranged around a shared courtyard and accessed from a central common entry facing the street.

Access & Entry	The Principal Entry to each dwelling shall be accessed from a common entry and interior corridor.
Parking	Parking shall be located behind the rear massing of the courtyard. A common parking court may be provided interior to the block.
Frontage	Central portion of the building is set back between two flanking sections that are closer to the front property line, creating a recessed, landscaped courtyard. Yard walls or fences flush with the courtyard opening are permissible, cannot exceed 4 ft. in height, and must include a pedestrian opening/entry, which can be gated.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Zero-lot-lines are permissible for garages / carport at rear.
Massing	Up to three stories (36 ft max height) if located on Paseo del Sol; up two stories (24 ft max height) elsewhere. Massing step-backs required from frontage if three stories.





Multiplex

Detached structure that consists of multiple dwelling units arranged side-by-side and/or stacked, typically with one shared entry at the front. Has the appearance of a medium-to-large sized single-unit house. Typically does not include a rear yard, as parking is generally located behind the structure.

Access & Entry	Dwelling units are accessed from a common entry or entries and interior corridor(s).
Parking	Parking is located behind the structure and accessed from an alley or from a shared narrow or ribbon driveway. Parking may be accessed from the side yard if there is a dual frontage condition.
Frontage	Building frontage has the appearance of a medium-to-large detached house, set near the street. May have dual frontage. Typically, there are no yard walls or fencing. However, if present, front yard walls or fences may not exceed 4 ft. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Zero-lot-lines are permissible for garages / carport at rear.
Massing	Up to three stories (36 ft max height) if located on Paseo del Sol; up two stories (24 ft max height) elsewhere. Massing step-backs required from frontage if three stories.









Garden Apartments

A building or group of buildings containing multiple dwelling units, stacked vertically and horizontally. Buildings can take the form of rectilinear building blocks, or L-shaped or U-shaped footprints. Typically, each dwelling unit has a small private terrace, and/or there are shared terraces for common use by residents.

Access & Entry	Dwelling units are accessed from a common entry or entries and interior corridor(s) and vertical circulation.
Parking	Underground or surface parking. Surface parking must be interior to the lot.
Frontage	Buildings are generally arranged close to the street. Each dwelling unit typically has a small terrace, landing, or private yard enclosed with a low (4 ft max height) wall or fence, either elevated above the street level (balcony) or at street level, or a combination of both. Perimeter fencing for low-rise garden apartments shall not exceed 6 ft in height, must allow for transparency/visbility, and must be set back at least 5 ft from the edge of right-of-way. The resultant open space between the right-of-way and the perimeter fencing must be landscaped and maintained as common open space. Six-foot-high block walls are not permitted, and six-foot-high fencing is not permitted at the edge of right-of-way.
Placement	Front Setback: 10 ft for a 2-story building / 20 ft for a 3-story building (no stepback required, see below) Side Setback: 10 ft min Rear Setback: 10 ft min
Massing	Up to three stories if located on Paseo del Sol; two stories elsewhere. Massing step-back of 10ft required from frontage for a third story. No stepback required if three story building is set back 20 ft from frontage/ROW.





Live-Work

Attached or detached structure that consists of one dwelling unit above and/or behind a flexible ground-floor space that can be used for residential, service, or retail purposes. Both the ground-floor flex space and the unit above are owned or occupied by one entity. Typically located in a medium-density residential context or in a location that transitions between a mixed residential neighborhood and commercial/mixed-use area. Especially appropriate for incubating small businesses and for allowing commercial uses to expand as the market demands.

Access & Entry	Ground floor flex space and residential unit above typically have separate entrances. Upper floor residential units may have a common entry. Parking, loading and trash disposal accessed from alley or rear of the lot.
Parking	Parking areas must be located adjacent to an alley or at the rear of the lot and may not abut the street frontage. On-street parking is typical along street frontages.
Frontage	Shopfront street frontage is typical at the ground floor. Each shopfront must have a separate entrance, which may be covered with a portal or awning. Live-work buildings may be arranged around an interior landscaped and/or hardscaped courtyard or forecourt.
Placement	Front Setback: zero-lot-line permissible / 5 ft maximum Side Setback: zero-lot-line permissible / 10 ft maximum Rear Setback: 10 ft minimum
Massing	Up to three stories (36 ft max) if located on Paseo del Sol; two stories (24 ft max) elsewhere. Massing step-backs required from frontage if three stories.

Flex Building

Contains at least one story above the ground floor, with Shop Fronts on the ground floor. The building may contain any combination of residential, office, and commercial uses. Retail should occur on the ground floor, but is not mandatory. The building may evolve over time through many combinations of use.

Access & Entry	Principal Entry to each individual unit on the ground floor must have direct access from the street frontage. Parking access is from an alley or narrow driveway.
Parking	Parking is located behind or under the building. Additional on-street parking is typical. A common parking area may be located interior to the block.
Frontage	Frontages take the form of shop fronts. A courtyard / forecourt building arrangement is permissible.

Placement	Front Setback: zero-lot-line permissible / 5 ft maximum Side Setback: zero-lot-line permissible / 10 ft maximum Rear Setback: 10 ft minimum
Massing	Up to three stories if located on Paseo de Sol; two stories elsewhere. Buildings facing a street that are longer than 50 feet must be articulated a maximum of every 40 feet along the street-facing façade. Entryways are required at least every 40 feet.

Open Space and Trail Typology

In Phase 3A, 91.09 acres of open space will be preserved, which includes one Neighborhood Park, to be owned and maintained by the City of Santa Fe, four dispersed Pocket Parks to be maintained by the applicable homeowners' association, and an extensive trail network. Park locations shown on the Master Plan Amendment Plans are conceptual and subject to change during platting. These decentralized passive and active recreational spaces are intended to provide community connection opportunities throughout the neighborhood and will be developed in accordance with the Open Space and Trails Typology described below.

Neighborhood Park

Up to 5 acres in size, a neighborhood park serves as a social and recreational focal point for the neighborhood. Includes formal playground, outdoor sport courts, sport fields, picnic tables, pathways, and/or multi-use open turf areas. Can accommodate the recreational needs of a wide variety of users, and access for pedestrians, bicyclists and other non-motorized travelers is a priority. Connectivity to surrounding neighborhood(s) is vital. Sidewalks, pathways, and connections to the larger neighborhood trail system should be established. Proximity to school facilities is highly desirable.

Provides a variety of recreational, social, and cultural opportunities. Provides greens pace within neighborhoods. Contributes to health and wellness. Provides opportunities to connect with nature.

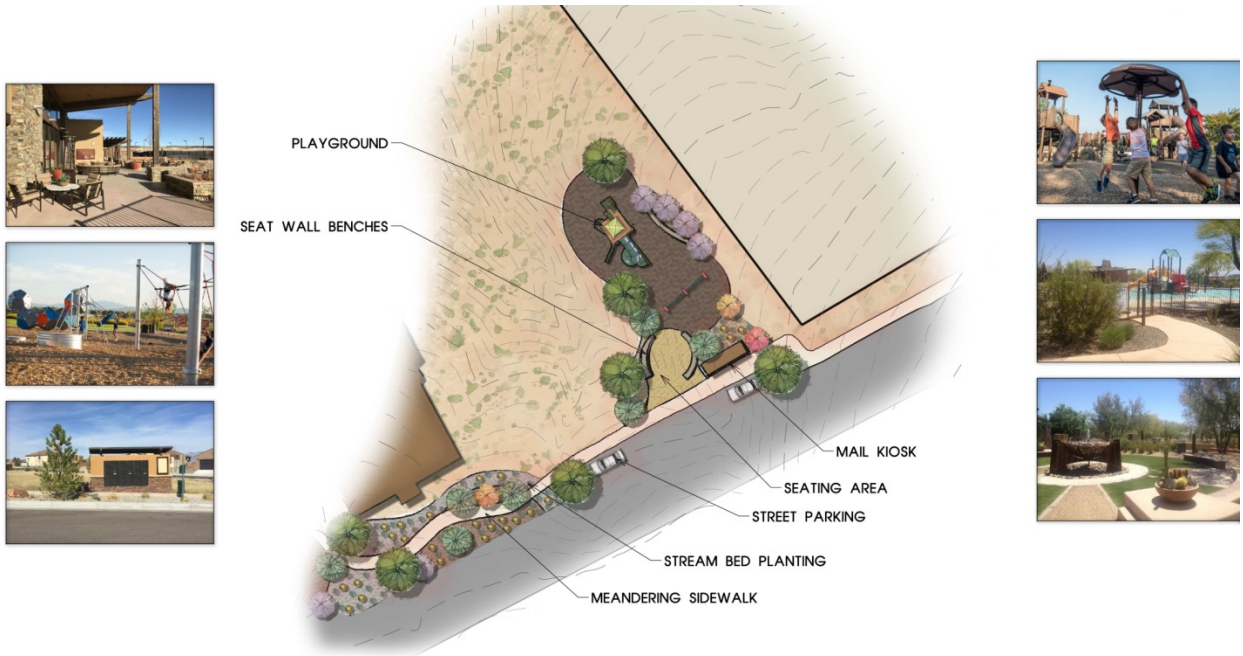
No more than 2/3 of the area should be reserved for active recreation. Remaining area should be enhanced with benches, gardens, natural areas, multi-use green space, pathways, and other more passive pedestrian amenities.

A conceptual plan of a 3-acre neighborhood park is provided below.



Pocket Park

Small outdoor space, usually no more than ¼ to ½ acre in size. Also referred to as mini-parks, pocket parks are small-scale, landscaped open spaces designed for passive recreation, social interaction, and connection with nature. Minimal amenities are provided, aside from those intended to enhance pedestrian comfort, and connectivity to surrounding residences is a priority. A conceptual plan of a pocket park is provided below.



Pedestrian Corridor

Multi-use path with open space buffer on either side that provides enhanced connectivity for pedestrians and cyclists between residential development tracts, linking streets, sidewalks, and other pedestrian pathways through a neighborhood.

Community Trail

A network of 10-foot wide non-motorized trails within the natural open space, which will connect to the existing area trails. Trails shall be accessible via the sidewalk network and connect to the parks, where feasible.

Natural Open Space

Dedicated open space that is defined by natural vegetation and shall remain largely undisturbed and protected during construction activities. Construction within Natural Open Space is limited to trails, drainage improvements/arroyo bank stabilization, and utility extensions. Disturbed areas shall be revegetated to mimic the undisturbed condition.

EXHIBIT C
Technical Corrections
Case #2021-3818
Tierra Contenta Master Plan Amendment #1 for Phase 3A

#	Conditions of approval	Dept/Division	Completed By:
1	Submit a Master Plan plat defining the Master Plan Phase 3A proposed Tract boundaries and total acreage.	Land Use	**Prior to recording the Master Plan**
2	Correct Master Plan boundaries excluding previously dedicated open space from Tierra Contenta Subdivision Phase 2A, Unit 1 and Tierra Contenta Subdivision Phase 1B, Unit one.		
3	The Master Plan shall include conceptual trail integration with existing trails, parks, and open space. The trails may be included with phased development of tracts as long as design and construction standards are included in the Phase 3A design guidelines.		
4	Disturbed areas within the open space shall be revegetated to mimic the undisturbed condition		
5	NMSD right-of-way dedications shall be acquired for proposed roads crossing NMSD land.		
6	Address all comment and concerns received from Wilson & Company, Inc., Engineers & Architects.		
7	Terrain Management shall comply with Section 14-8.2 requirements for Terrain Management.		
8	Submit concept street lighting plan		
9	Submit amenities for other accessory structures within the Design Guidelines.		
10	Submit plan for the timing, financing, and responsibility for infrastructure construction.		
11	Submit concept water budget		**Prior to GoverningBody Review (Completed)**
12	Submit fiscal impact to the city of providing utility and other municipal services to the area.		**Prior to GoverningBody Review (Completed)**
13	Provide additional detail in the guidelines identified in Section IV(a) "Housing and Nonresidential of this report for the Land Director review and approval.		**Prior to recording the Master Plan**

EXHIBIT C

Technical Corrections

Case #2021-3818

Tierra Contenta Master Plan Amendment #1 for Phase 3A

14	Design guidelines for development of the water system for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A shall require a pre-water design meeting with the City's Water Division prior to submittal of an application to the City for Development	Water Division	**Prior to subdivision or development plan review of Tract Phases**
15	Design guidelines for development of the sanitary sewer system for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A project shall require a pre-sewer design meeting with the City's Wastewater Division prior to submittal of an application to the City for Development	Sewer Division	
16	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)	Fire Marshal	**Prior to Signatures**
17	Include parking protected bike lanes as a design option	Land Use/MPO	**Sheet Process**
18	Widen the minimum sidewalk width to 6 feet		
19	Add a landscape buffer between all sidewalks and the road		
20	Incorporate all conditions required for ADA compliance into the Master Plan Guidelines. ADA guidelines shall comply with both Federal and State ADA standards as amended.	Land Use/ADA Review	**Prior to Recording**

EXHIBIT C

Technical Corrections

Case #2021-3818

Tierra Contenta Master Plan Amendment #1 for Phase 3A

	Technical Corrections of approval	Department	To be completed by:
1	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)	**Fire Prevention**	**At the time of any new construction or remodel**
2	Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads.		
3	Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2015 section 503.1.1)		
4	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.		
5	Shall have water supply that meets fire flow requirements as per IFC (Appendix B)		
6	Shall comply with Section D102.1 Access and Loading (75,000 lbs).		
7	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)		
8	Shall comply with IFC 2015 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.		
9	Shall comply with IFC 2015 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 2015 edition or the most current edition the governing body has adopted at the time of permitting.		

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

Case #2021-3818
Southwest of Capital High School
Owner/Applicant's Name - Tierra Contenta Corporation
Agent's Name - JenkinsGavin, Inc.

THIS MATTER came before the Governing Body for hearing on October 27, 2021, upon the application (Project) of JenkinsGavin, Inc., agent for Tierra Contenta Corporation (Applicant).

The Applicant seeks the Governing Body's approval for a Master Plan Amendment to the Tierra Contenta Master Plan, allowing for modifications to infrastructure, parks, trails, land uses, and density for up to one thousand, five hundred (1500) dwellings on approximately 216.52 acres (Project). The property is located southwest of Capital High School (Property) and is zoned PRC (Planned Residential Community - corresponding to approved master plan).

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

FINDINGS OF FACT

1. At the hearing, the Governing Body received a recommendation from the Planning Commission, reports from staff, testimony and evidence from the Applicant, and testimony offered by any interested members of the public.
2. The Santa Fe City Code (SFCC) 1987, Section 14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [SFCC 1987, § 14-3.l(E)]; (b) an Early Neighborhood Notification (ENN) meeting [SFCC 1987, § 14-3.1(F)(2)(a)(v)]; and (c) compliance with notice and public hearing requirements [SFCC 1987 § 14-3.1(H)-(I)].
3. A pre-application conference was held on for hearing on December 10, 2020, upon the application in accordance with SFCC 1987, Section 14-3.l(E).
4. Pursuant to SFCC 1987, Section 14-3.1(H)(1), notice of the ENN meeting was properly given.
5. Pursuant to SFCC 1987, Section 14-3.1(F), the Applicant conducted an ENN meeting. The Applicant conducted one ENN on May 27, 2021. The ENN meeting was conducted virtually via Zoom meeting platform. The ENN meeting was attended by a representative of the Applicant and City staff.

6. On September 2, 2021 the Planning Commission voted to recommend the Governing Body approve Tierra Contenta Master Plan Amendment #1 for Phase 3A for the Property and adopt written Findings of Fact and Conclusions of Law, subject to certain conditions of approval and technical corrections recommended by City staff (Case #2021-3818).
7. Pursuant to SFCC 1987, Sections 14-3.9(C)(5), the Governing Body has the authority to review and make decision to the Governing Body regarding amendments to master plans.
8. City staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Governing Body with a written report of its findings (Staff Report), which evaluates the factors relevant to the Application.
9. The Planning Commission and Staff recommended that the Governing Body approve Tierra Contenta Master Plan Amendment #1 for Phase 3A and adopt the Resolution ____.
10. SFCC 1987, Section 14-3.9 establishes certain procedures for Master Plans approval including, without limitation, a public hearing by the Governing Body, and a decision based on the criteria set out in SFCC 1987, Section 14-3.9(D).
11. SFCC 1987, Section 14-3.9(D) sets out approval criteria and requires the Governing Body to make complete findings of fact sufficient to show that:
    (a) the master plan is consistent with the general plan;
    (b) the master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts;
    (c) development of the master plan area will contribute to the coordinated and efficient development of the community; and
    (d) the existing and proposed infrastructure , such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development.
12. Based on the Staff Report and exhibits and the testimony and evidence presented at the hearing, the Governing Body finds that all applicable criteria in SFCC 1987, Section 14-3.9(D) have been met.
13. Pursuant to SFCC 1987, Section 14-3.9(D)(1)(a), the Governing Body finds that the proposed master plan amendment is consistent with the Tierra Contenta Annexation Agreement and general plan.
14. Pursuant to SFCC 1987, Section 14-3.9(D)(1)(b), the Governing Body found the master plan is consistent with the purpose and intent of the PRC zoned district that apply to, or will apply to, the master plan area, and with the applicable use regulations, proposed design standards, and development standards subject to Tierra Contenta Master Plan Amendment #1 for Phase 3A.

15. Pursuant to SFCC 1987, Section 14-3.9(D)(1)(c), the Governing Body found that the proposed master plan amendment would contribute to the coordinated and efficient development of the community.
16. Pursuant to SFCC 1987, Section 14-3.9(D)(1)(d), the Governing Body found that the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development.

CONCLUSIONS OF LAW

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

1. Pursuant to SFCC 1987, Section 14-3.1, all procedures regarding the pre-application conference, ENN meeting, notice, and public hearing requirements have been followed.
2. The Applicant has the right under the SFCC to propose an amendment to a master plan.
3. The Governing Body has the power and authority at law and under the SFCC to review the proposed amendment to the master plan and to approve or deny the proposed amendment to the master plan.
4. The Applicant met the applicable Submittal Requirements.
5. The Governing Body approves the requested master plan amendment because master plan amendment complies with SFCC 1987, Section 14-3.9(D) "*Approval Criteria*".

WHEREFORE, IT IS ORDERED ON THE 27TH DAY OF OCTOBER, 2021, BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Considering the foregoing findings and conclusions, the Governing Body approves the Master Plan Amendment, subject to conditions of approval and the technical corrections set forth in the Staff Report and the exhibits to the Staff Report.

_____ _____

Alan Webber
Mayor

Date:

FILED:

_____ _____

Kristine Mihelcic
City Clerk

Date:

APPROVED AS TO FORM:

Erin K. McSherry
City Attorney

Date:

OCTOBER 27, 2021
GOVRNING BODY

Case #2020-2318
Tierra Contenta
Master Plan Amendment #1 for Phase 3A

EXHIBIT C

Referenced Exhibits

1. Minutes - Planning Commission August 19, 2021
2. Minutes - Planning Commission September 2, 2021
3. Planning Commission Packet of September 2, 2021

SUMMARY INDEX
PLANNING COMMISSION MINUTES
AUGUST 19, 2021

ITEM	ACTION TAKEN	PAGE(S)
A. Roll Call	Quorum Present	3
B. Pledge of Allegiance	Recited	3
C. Approval of Agenda	Approved as published	4
D. Approval of Minutes August 5, 2021	Approved	4
E. Findings & Conclusions Case 2021-3804 Villa Sendero Plan Amendment	Approved	4
F. Old Business	None	4
G. New Business		
1. Consideration of Bill No.2021- Ordinance Amending Land Dev. Code	Postponed	5-20
2. Case #2021-3818. Tierra Contenta Master Plan Amendment	Postponed	20-29
3. Case #2021-3811 Villas de Las Soleras, Unit 3 Master Plan Amendment	Postponed	29
4. Case #2021-3814. Villas de Las Soleras, Unit 3 General Plan Amendment.	Postponed	29
5. Case #2021-3815. Aleksander Estates Subdivision. Rezoning	Postponed	29
6. Case #2021-3816. Aleksander Estates Subdivision. Preliminary Dev. Plan	Postponed	29
7. Case #2021-3817.	Postponed	29

	Aleksander Estates Subdivision. Preliminary Subdivision Plat Findings of Fact and Conclusions of Law		29
H.	Staff Communications	Comments	30
I.	Matters from the Commission	Comments	30-31
J.	Adjournment	Adjourned at 10:25 pm	31

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, August 19, 2021 - 6:00 pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Vice Chair 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 Brian Patrick Gutierrez, Chair (arrived at 6:50 p.m.)
Commissioner Mark Hogan, Vice Chair
Commissioner Janet Clow, Secretary
Commissioner Pilar Faulkner
Commissioner Jessica Lawrence
Commissioner Lee Garcia
Commissioner Dominic Sategna

Members Absent
Two vacancies

Others Present:
Mr. Jason Kluck, Interim Land Use Director
Mr. Noah Berke, Planning Manager
Mr. Kyle Hibner, Assistant City Attorney
Ms. Patricia Feghali, Assistant City Attorney
Ms. Andrea Salazar, Assistant City Attorney
Mr. Dan Esquibel, Senior Planner
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.

Director Kluck introduced Patricia Feghali the new Assistant City Attorney who will be assisting the Commission.

Attorney Feghali said she previously worked with the Legislature and has a Planning Degree.

Mr. Berke introduced Kyle Hibner and Andrea Salazar from the City Attorney's Office.

Director Kluck added that Attorney Salazar has been working on the cannabis legislation and Mr. Hibner is standing in tonight for Attorney Paez.

C. APPROVAL OF AGENDA

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

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

D. APPROVAL OF MINUTES

1. August 5, 2021

MOTION: Commissioner Faulkner moved, seconded by Commissioner Garcia to approve the minutes of August 5, 2021, as presented.

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

E. APPROVAL OF FINDINGS/CONCLUSIONS

1. Case #2021-3804. Villa Sendero Development Plan Amendment for Phase II.

MOTION: Commissioner Faulkner moved, seconded by Commissioner Garcia to approve the Findings of Fact and Conclusions of Law, as presented.

VOTE: The motion passed by unanimous roll call vote with Commissioners Clow (as to form only), Faulkner, Garcia, Lawrence and Sategna voting in favor and none voting against.

F. OLD BUSINESS

None

G. NEW BUSINESS

1. **CONSIDERATION OF BILL NO. 2021-__.** An Ordinance Amending the Land Development Code, Chapter 14 FCC 1987, to Address Zoning Issues Related to Cannabis; Amending Table 14-6.1-1, Table of Permitted Uses, to Clarify Zoning Districts for Various Types of Cannabis Establishments, and to Adopt Operating Times, Density Limitations, and a Minimum Distance Between Cannabis Retail Establishments and Schools or Daycare Centers; Amending Subsection 14-6.2(H), Agricultural Uses, to Address Cannabis Production; Adding a New Subsection 14-6.2(I) to Adopt Use-Specific Standards for Cannabis Establishments, Including Operating Times, Density Limitations, and a Minimum Distance Between Cannabis Retail Establishments and Schools or Daycare Centers; Amending Subsection 14-6.3(B)(2) to Prohibit Commercial Cannabis Establishments as Accessory Uses or Structures on Residentially Zoned Property; Amending Subsection 14-6.3(D)(2) to Prohibit the Conduct of a Cannabis Establishment as a Home Occupation; Amending Section 14-12.1 to Add Definitions for Various Types of Cannabis Establishments; Establishing an Effective Date; and Making Such Other Changes as are Necessary to Carry Out the Purpose of this Ordinance. (Andrea Salazar, Assistant City Attorney and Noah Berke, Current Planning Manager)

BACKGROUND

In the 2021 Special Session, the New Mexico Legislature adopted the Cannabis Regulation Act (House Bill 2), which legalized recreational cannabis use by adults twenty-one (21) years old and over. The Act, which took effect on June 29, 2021, allows local jurisdictions to adopt zoning and land use regulations but limits the extent of local regulatory authority. This memorandum sets forth the Policy Subcommittee's preliminary recommendations for cannabis land use regulations. The Policy Subcommittee requests input from the full Planning Commission on these recommendations. Following input from the Planning Commission, the Policy Subcommittee will work with Staff to incorporate the recommendations into draft amendments to the Land Development Code, as set forth in Chapter 14 of the Santa Fe City Code. The resulting legislation will require review at public hearings before the Planning Commission and Governing Body prior to adoption.

EXECUTIVE SUMMARY

This Bill would amend the Land Development Code by adding a new category of specific uses, "Commercial Cannabis Establishments," in the Santa Fe City Code ("SFCC" 14-6.1-1 (Table of Permitted Uses). The Bill further clarifies in which zoning districts the various types of Commercial Cannabis Establishments would be permitted and adopts minimum distances between cannabis retail establishments and schools or daycares. The Bill includes proposed changes to Subsection 14-6.2(H) (agricultural uses), 14-6.3(D)(2) (home occupations), 14-12.1 (definitions), and adds a new subsection 14-6.2(I) to adopt

use specific standards for cannabis establishments including density limitations and operating times. The goal of this proposed legislation is to promote the cannabis economy while protecting public health, safety, and the general welfare of the residents and visitors to the City of Santa Fe.

Mr. Berke reviewed the draft changes made by staff to Chapter 14 and the compliance criteria to Chapter 14 that the changes must comply with.

STAFF RECOMMENDATION

Staff requested that the Planning Commission consider the proposed legislation and make a positive recommendation to the Governing Body to adopt the proposed legislation.

COMMISSION DISCUSSION

Vice Chair Hogan asked Commissioner Faulkner if she wanted to add anything from the subcommittee.

Commissioner Faulkner thought some of the Commissioners had amendments. The first version of the legislation received by the subcommittee was different than what was later received and some of the amendments had been satisfied. She said the Commissioners could share their amendments and comments.

Vice Chair Hogan asked her to explain the subcommittee's process.

Commissioner Faulkner said the subcommittee did extensive research and she personally contacted other cities and land use departments who have experience. She also contacted the superintendent in charge of Cannabis Licensing and Regulations at the State. The committee determined what they should focus on what will have a quick impact and what would not be possible. They chose production since licenses are rolling out in September and then addressed manufacturing issues. She thanked the subcommittee for their dedication and doing a great job, and staff for their efforts.

Vice Chair Hogan said he appreciated the efforts of staff and the subcommittee. He wondered if in their research, certain issues surfaced, such as impact on community.

Commissioner Faulkner said they discovered that New Mexico is trending towards breaking down the production by the number of plants. Other states have said canopy size is a better way because of the zoning. Also, with production, there is more eating of cannabis. One issue they heard is that people smoke cannabis on the street outside of the consumption areas. As a misdemeanor in New Mexico the challenge will be how much they can dedicate to enforcement. They also heard there is an issue of an unexplained increase in homelessness.

Commissioner Sategna stated one issue in categorizing production in different built environments is that it is best done by square footage. The State limits production to the number of plants, i.e., a micro business is limited to 200 plants. His research shows that two hundred plants can take an acre, or the same amount can be grown in a small green house. The zoning determines where you want growing to take place and putting caps on square footage will become important in the legislation.

He noted that the document received last Thursday is different than what was presented this evening and things were lost in translation between the memorandums and the letters. The committee wants to be sure the amendments are clear before they are sent to the Governing Body.

Vice Chair Hogan asked Mr. Berke to address the original and second version of the legislation.

Mr. Berke explained he sent out the policy committee's recommendations because of the limited time for distribution and sent a corrected version the next morning. One primary difference is the State defines five different levels of producers categorized by the numbers of plants. Albuquerque and Santa Fe County have followed the State and drafted by number of plants. The canopy size and elimination of micro businesses and vertically integrated micro businesses will be unique to Santa Fe.

A big question from the subcommittee was the distance between retail establishments and they left that to the Commission to recommend to the Governing Body.

Commissioner Clow pointed out a third issue discussed was the density of retail. Albuquerque has a moratorium in their downtown and she favored that, but the rest of the committee did not. The subcommittee recommended that be done through density and recommended a density buffer of 400 feet. They believe that is important to avoid an area of the city becoming inundated and changing the character of a neighborhood. Particularly downtown in terms of culture and economic dependence the area provides.

Vice Chair Hogan asked for clarification if she was saying to limit density in the BCD as well as city wide.

Commissioner Clow said they felt that is important to keep uniformity throughout the city. She was concerned the effect of treating everything the same could mean the downtown area would get the bulk of new businesses. The subcommittee has agreed that for now, a 400 foot radius from property lines would work.

Attorney Salazar said she would preference the conversation; she read, *"That a local jurisdiction shall not completely prohibit the operation of the licensee."* A concern of removing the definition of micro businesses and having only a canopy definition, is that could undermine what a local jurisdiction cannot do. She reminded the Commission of

the additional information John Blair provided on the current medical cannabis. There are 32 retailers, producers, and manufacturers and a revised map of their locations.

Commissioner Faulkner explained they did not eliminate micro producers. They said those and all other facilities will fall into categories of extra small, small, medium, and large. A micro could be 200 plants within its own category designation in the law. The size of the plant will determine how much space it will take up. She thought it clear in most of the legislation that the micro was not eliminated. They asked to include the size designations to make it easier for the city to determine where appropriate to put different manufacturers and producers.

Director Kluck commended the subcommittee and staff for working rapidly and picking up the nuances of the issue. He added in doing so he did want to put on the record that the memo had a couple of errors. The canopy area for large producers may not exceed 22,000 square feet; and 5,000 to 10,000 has not been addressed.

Commissioner Sategna asked if public comment will be included.

Vice Chair Hogan said his intention was to hear from the Commission first, followed by public comment. Then he would return to the Commission for further discussion and proposed amendments.

Commissioner Sategna pointed out the subcommittee made changes to the letter that reflects their position on micro businesses. They felt that was important because the State has a separate definition for micro business producers, and producers, in the memorandum. The committee wants to ensure micro businesses are included in the legislation since it is not, and that it also be done in the table. They did not want to discriminate. Any type of production, regardless of license, will fall within the zoning table within sizing requirements based on square footage. He thought there was confusion because they couldn't see the policy right away but had to make recommendations. The State has its own definition of producer and that is where they want to clarify their recommendations tonight. He offered to address those.

Vice Chair Hogan asked if he wanted to do that now.

Commissioner Sategna said he wanted to discuss the changes before public comment and would recommend changing the zoning table now.

Attorney Salazar asked for a motion to amend with the specifics of the legislation.

Vice Chair Hogan said he hoped to have a robust discussion and get all of the issues on the table.

Mr. Berke indicated it would be appropriate to open public comment first.

Vice Chair Hogan agreed changes should be made after public discussion.

PUBLIC HEARING

Fred Lucas commended staff and the subcommittee on the first draft. He said he recommends the distance between cannabis retail businesses be at least 1,000 feet. At 400 feet, a dispensary could be allowed on every block and was not practical. They should consider the aesthetic impact of a cannabis business, especially downtown and not allow them within 1000 square feet of the Downtown Plaza. He recommended recreational cannabis sales be allowed in the rest of the city for a full year before a new cannabis business is allowed in the downtown district. That would bridge Commissioner Clow's concerns about preserving downtown and provide time to observe and gain knowledge of the industry before committing to laws or ordinances specific to downtown. And, they would make better educated decisions because once it is law it cannot be undone. Santa Fe is unique, and the sale of cannabis should be approached with caution. He believed the general populace preferred getting the laws right, rather than rushing this. He recommended on the production side to require commercial water rights. Land Use could set an example for the rest of the state in preserving water resources if they required the preservation and water catchment methods by all cannabis facilities, regardless of size. He recommended an 8 foot fence for cannabis cultivation to provide a better visual barrier and security and a more effective way to mitigate the smell.

Chair Gutierrez arrived at 6:50 p.m. and assumed chairing the meeting.

Colleen said she's been hearing a lot about the downtown area, the Plaza. She said the rest of the city is here. She said it's really important that the Commission consider the residents and not just the tourists when these plans are being made.

There were no other public speakers. Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Commissioner Sategna indicated he was ready to make a motion.

Mr. Berke pointed out there were density maps and the policy committee's recommendation for density is 400 feet, but staff did not agree. That is left for the Commission to decide.

Commissioner Faulkner agreed with Mr. Berke that 1,000 feet did not seem like much until put in a dense area. The subcommittee felt above a certain number of feet, would allow only one retail location downtown. They felt based on the maps, 400 feet is a good compromise. She recommended Mr. Berke show the maps to explain the debate between 200, 400 and 1,000 feet in denser parts of town. She noted land use departments she spoke with said there were unintended consequences of the industry. They suggested making this available in high tourist areas because the costs will be felt

by tourists, not locals. Also, better GRT is generated when allowed in a commercial area like downtown as the highest income generated by those from out of town. Also related to density, equity was an issue, and the State feels that is important. The committee chose a uniform density to avoid parts of town becoming overburdened or receiving more benefit. The negative drawbacks to pushing this to residential areas is that locals would not have the same opportunities as a larger business to rent space downtown if they are a small producer, seller, etc. This was a way to ensure equity.

Mr. Berke added they should consider too, that medicinal cannabis has an option to become retail and they exist downtown now.

Vice Chair Hogan said this is important and they need to take the time to get it right. He agreed with Mr. Lucas it would change the culture of the street if not done correctly. He said with schools, the current ordinance is within 400 feet. He asked hypothetically what would happen if a small charter school wanted to locate in an area where there is an existing cannabis dealer.

Mr. Berke explained it would be a legal nonconforming right, and the school could locate closer. If the business ceased to operate for 365 days, the business could lose their status.

Vice Chair Hogan said there had been incidents in the last year or so, that indicate there are fire and explosive hazards. He asked if that could affect the size and types of processing proposed in the districts.

Mr. Berke said the subcommittee discussed that this industry and its uses could have unintended consequences, such as smells, noise etc. That is one reason they want to define the two categories and permit them only in certain districts.

Vice Chair Hogan asked Attorney Salazar to comment on whether over restricting could cause legal problems.

Attorney Salazar stated she put that in the forefront because it was the intent and purpose of the statute to be equitable and economically available to everyone. There are 22 established retailers who are currently medical, but can do both and restricting 1000 feet from any of those could prohibit anyone coming into the city. The Commission has to mitigate allowing the current licensees to expand and prohibiting new businesses to come in.

Vice Chair Hogan asked the committee which communities they found were doing this right, especially with density.

Commissioner Sategna said he spoke with a producer in Los Angeles. Their code only allows production of cannabis in industrial areas. He asked if Commissioner Hogan was referring to retail or production.

Commissioner Hogan said retail.

Commissioner Faulkner said she learned that it depends on the culture of the city. Some like the cannabis culture and have areas of town dedicated to it and some cities disperse equitably, while others restrict it. She advised that the approach that downtown is the only important part of town, is dangerous. She was at the Legislature when this was discussed, and cities are seeing that consumption and retail sites are not the problem. The problem is the open use of cannabis and having the resources to dedicate police writing violations for a misdemeanor. She added there will be a hefty clean-air restriction put on production sites.

Vice Chair Hogan said he is in favor of Commissioner Clow's recommendation for retail, to disperse it throughout the community. He agreed downtown should not be the concentration for the cannabis businesses. He said he appreciated some distance restrictions. He assumed Santa Fe at some point would address what is not publicly acceptable.

Mr. Berke said the County passed legislation of a distance of 200 feet.

Commissioner Clow added the City of Albuquerque passed 600 feet, and the County chose 200 feet because they don't have a lot of commercial space.

Mr. Berke displayed the maps of downtown, Airport Road, Cerrillos Road next to the Super Walmart, and St. Michael's Drive. He noted that most of the commercial activity is on either side of Airport Road. He identified possible sites if distance was 400 feet and the impact to existing businesses.

Commissioner Garcia said the visual aids helped and he agreed equity throughout the city is important. He asked what happens with the distance if someone with a retail business wants to do both production and manufacturing.

Mr. Berke said that was considered a vertically integrated cannabis establishment that touches on multiple categories. They have to have a permit in the district and will still be subject to density with the retail business. And if another retail establishment is within the required distance, that wouldn't be allowed.

Commissioner Garcia point out that was another issue with zoning. There are a lot of current places with medical distribution, and someone might want to put a greenhouse in the back. He thought 300 feet too close and 400 feet was better.

Vice Chair Hogan said looking at the maps, it was apparent that property size has a huge impact on adjacent businesses. He wondered if possible to use the premises, instead of the property line.

Chair Gutierrez thought there appeared to be an advantage for an existing business. He asked if having a grace period was ever discussed.

Commissioner Faulkner said that is beyond the Planning Commission's scope and jurisdiction. She noted that medical facilities are renewing their licenses now and will be done by the end of August and nothing could be done with those.

Chair Gutierrez said he was thinking the reverse, anyone applying before January will have no limitations or restrictions.

Commissioner Faulkner explained the State is issuing licenses only for those they have promulgated regulations for, like production and medical facilities. They will not issue licenses on consumption, etc. until more regulations are in place.

Mr. Berke agreed. He added that someone wanting a zoning verification for a license could not get it until the 1st of January. A disclaimer would be at the bottom of the zoning verification letter that says it is subject to pending legislation and those rules will apply to them.

Commissioner Clow clarified that she thought Chair Gutierrez was asking if the committee considered not putting in density regulations until new businesses have an opportunity. She said that was not specifically addressed by the committee, but they were concerned with density from the beginning. Existing businesses do have a benefit. They don't want a rush to areas that retailers believe are good to be in. She thought it would be good to include density regulations right away.

Chair Gutierrez asked Mr. Berke to address the 6- and 8-foot fences that Mr. Lucas mentioned.

Mr. Berke said code requires a 6 foot limitation on walls and fences in residential districts and an 8 foot wall in industrial districts. The policy subcommittee recommendation is a commercial use abutting a residential zone be required to have an 8 foot wall. In addition, there is a buffer requirement of 15 feet for commercial districts that abut residential districts.

Chair Gutierrez said he wanted to clarify that for Mr. Lucas and for himself.

MOTION: Commissioner Sategna moved to amend the draft as follows:
on page 32, line 20, "cannabis producer", be changed to "cannabis producer and cannabis producer microbusiness";
line 21, same page, state *"cannabis producers and cannabis producer micro businesses are permitted as provided in Table 14-6,1-1"*;
line 23 of page 32, state "cannabis producers and cannabis producer micro businesses must comply with applicable state regulations and licensure";
line 14 of page 34, state, "urban farms, cannabis producers, and cannabis

producer micro businesses are allowed to use the following water resources";
line 10, page 33, re "maintenance and operation, urban farms, cannabis producers and cannabis producer micro businesses shall be used and maintained";
line 13, page 33 be amended to state, "all urban farms, cannabis producers, cannabis producer micro businesses using conditioned soil will be required";
line 17, page 33, state, "composting is an accessory to an urban farm, cannabis producer, and cannabis producer micro business and shall be used only on site where any ground level";
lines 18 and 19 be amended on page 33 to say, "roof level urban farm, cannabis producer, cannabis producer micro businesses permitted";
and page 11 of the draft starting at line 8, amend the table to state "cannabis producer or cannabis producer micro business, extra small, 2500 square feet canopy maximum indoor growing only;
beginning on page 12, be amended to say "cannabis producer or cannabis producer micro business extra small 2500 square feet canopy maximum without outdoor growing";
page 12, starting line 1 amend the table to read, "cannabis producer, or cannabis producer micro business, small 2,501-10,000 square feet canopy indoor growing only";
line 5, be amended to state "cannabis producer or cannabis producer micro business small 2501-10,000 square feet canopy with indoor growing";
starting on line 9, be amended to state, "cannabis producer, or cannabis producer micro business medium 10,001-22,000 square foot canopy indoor growing only";
line 12, table 12 the table be amended to say, "cannabis producer, or cannabis producer micro business medium, 10,001 square feet to 1 acre canopy with outdoor growing";
page 13, line 1, amend the table to state, "cannabis producer, or cannabis producer micro business large 22,001 or more square feet canopy, indoor growing only", and "cannabis producer, or cannabis producer micro business large 22,001 or more square feet canopy, outdoor growing";
Under Definitions, page 46, line 19, Section 5, Section 14-12.1 of the Land Development Code is amended to have the following definitions: cannabis producer micro business be included in the definitions as follows: "cannabis producer micro business- a small business conducted by a person licensed to cultivate cannabis at a single location including the planting, growing, harvesting, drying, curing, grading or trimming of cannabis, providing that the person may not possess more than 200 total mature cannabis plants at any one time."
On page 37, line 19, under Density Limitation amend it to say: "A new commercial cannabis retailer is not permitted use if the new commercial cannabis retailer would be located within a '400 foot radius' of an existing

commercial cannabis retailer. The radius shall be measured from the subject property boundaries."

Attorney Hibner asked if the motion was to approve with the amendments.

Commissioner Sategna said his motion was only to amend.

Vice Chair Hogan seconded the motion for discussion.

Chair Gutierrez asked Attorney Salazar if she followed the motion, and everything was okay.

Attorney Salazar asked Commissioner Sategna to send her the definitions. She clarified he was changing every portion in the entire bill that states cannabis producer and wanted to add cannabis producer micro business behind cannabis producer.

Commissioner Sategna explained he was adding cannabis producer, and cannabis producer micro business. He said urban farm is included, but he thought that wasn't the best place to include that. Urban farms is found in other places in Chapter 14 and is focused more on agricultural such as growing, but he was adding the State's definitions. He wanted to avoid confusion with what was proposed by the Planning Commission and the categories. He wanted to recognize the State's definitions, but the Planning Commission's will be based on square footage when applied to zoning. There is no discrimination of either license depending on the zone they choose.

Attorney Salazar asked to clarify that technically there were three amendments in his motion. One changed everywhere cannabis producer is stated to cannabis producer, or "cannabis producer micro business". Secondly to add the cannabis producer micro business definition and third to add having a 400 foot density radius from the property boundaries.

Commissioner Sategna agreed. He said also missing is to add the definition to the legislation recognizing the State's category of cannabis producer micro business in addition to the definitions for producers, small, medium, and large as defined by the number of plants.

Mr. Berke asked if he also wanted to include vertically integrated micro business.

Commissioner Sategna said the State's definition included that in micro businesses and the application of zoning doesn't need to acknowledge that.

He understood an integrated vertical business has to find a zoning area that allows production, retail or a combination of that within the zoning.

Mr. Berke said the primary difference between the micro business and the vertically integrated is that the micro business only allows 200 plants. Vertically integrated allows any type of production.

Commissioner Sategna said he didn't know, but thought the Commission should recommend micro businesses be identified within the table. The Commission hasn't discussed integrated, and he wasn't ready to include that. He said they could discuss it now.

Vice Chair Hogan suggested a friendly amendment to include in the motion that the Commission endorses this. But he wanted this in a revised draft incorporating the motion changes. He wanted to read and consider before approving. He asked if the Commission is making a recommendation to the Governing Body.

Mr. Berke confirmed they were recommending.

Vice Chair Hogan asked if possible, to approve to form with finalization at the next meeting and if acceptable to the maker of the motion.

Commission Sategna said the discussion is for everyone and he was open to that, but the City emphasized that this be a priority. He was comfortable with his amendments to vote now, but understood others might need time to digest the information. But he wasn't sure about a delay.

Commissioner Faulkner shared Vice Chair Hogan's concerns noting the typo indicated by Director Kluck. The difference between may, and may not, is huge and could impact the intent of the law. They should also define canopy and add that to the definitions.

Director Kluck stated the error he commented on was only in the memo, not the legislation.

Commissioner Faulkner said a lot has been thrown out in discussion. She agreed with the amendments but wanted to read this after all of the amendments were added before approving.

Chair Gutierrez suggested they keep in mind integration Mr. Berke brought up.

Commissioner Clow said timewise it could be a problem if this is not addressed tonight. City Council addresses it in two weeks. She said it may

have sounded complicated, but really wasn't much change. Commissioner Sategna was just clarifying and adding micro business. Her concern was if they don't have a finished product tonight the Commission would not have input.

Chair Gutierrez asked if the September 1 deadline would be affected..

Mr. Berke explained it does have an effect on the September 1st deadline in that regulations would not have been passed. However, at this point, that probably was not going to happen anyway. He reviewed the tentative schedule with the subcommittees hearing this in the next three weeks and the governing body hearing by the end of September. Mechanisms are in place now that will hold them through September.

Director Kluck noted they could have another Planning Commission meeting to add the proposed amendments so they could approve at the September 2nd meeting.

Commissioner Garcia said the bulk of the changes were with the cannabis producer and cannabis producer micro business. He could go either way but preferred a finalized proposal before voting.

Commissioner Faulkner confirmed there was time for the Commission to see a final copy at the next meeting before voting. There was anxiety because of the impression this had to be done by the end of August. That seems to have shifted. Having more time could be a benefit and produce a more sound, reliable policy.

Director Kluck asked to review the schedule with the Commission.

Chair Gutierrez said he would come back to him after the others with their hands up commented.

Commissioner Sategna commented on the vertically integrated cannabis establishment. He read the definition and noted there is a combination. He asked to add "cannabis producer microbusiness" to the definition of a "*cannabis: courier, manufacturer, producer, or retailer*" in the legislation. He didn't think that should be included in the Table or the category of cannabis producer and cannabis producer micro business. He explained the table is based on square footage, and he isn't sure how that lends itself to other facets of the industry. Including vertically integrated into the zoning table would be confusing and doesn't make sense.

Vice Chair Hogan said he has great respect for the work of the policy committee and wasn't trying to cast doubt on their work. He knew

Commissioner Clow and Commissioner Sategna had looked at this carefully and the changes were technical. He thought everyone was comfortable with the distance recommendations and he was okay with moving this forward. Also, he didn't think any of the subcommittees would look at this with as much detail. They will rely on the Commission to get this right and he wanted to be sure to do that. He said he would be okay if this was tabled, or they vote.

Commissioner Sategna said the memorandum when the definitions were stated represented the table limitations. After looking at the draft he could see why the memo was confusing and how staff approached this in the table. The memorandum should be updated to reflect these changes and the table as presented tonight. He said he would consider hearing this again so the memorandum is updated to reflect his amendments before it went to other committees.

Director Kluck said he learned when talking with a vertical integration applicant, that the State does have a vertical integration license.

He said regarding the schedule, postponing the vote until September 2, would just shift the committee meetings two weeks. They would still meet the deadline for the public hearing and presentation to the Governing Body.

Commissioner Sategna thought that was another reason to delay this for further review. He said the Planning Commission looks at this as it applies to zoning. Cannabis retail is applied in its own right to the zoning table. He didn't know if they should consider including what Mr. Berke proposed - mentioning cannabis producers and cannabis producer micro businesses, and the vertically integrated establishments. The Commission hasn't worked through that and determined that impact.

Commissioner Sategna said on the other side of the coin, it was stressed they should acknowledge the definitions and categories created by the State. That is why they are highlighting and incorporating micro businesses. He asked if the same should be applied to vertically integrated and if that created problems for the zoning code. He said the Commission should not rush this if they have time.

Commissioner Clow said this was the first time she heard that this did not have to be done tonight and it made sense to take another look. She also had another typo error to point out.

Commissioner Sategna asked Attorney Salazar if easier for her if he summarized the five changes he wanted, instead of line by line, making a general statement for amendment.

Attorney Salazar said if he removed his motion to amend and started a new simplified motion to amend, and amplified his motion to capture all of the cannabis producer language.

Attorney Hibner agreed. He said the pending motion should either be withdrawn or voted on.

Commissioner Sategna withdrew his motion. Commissioner Hogan who seconded the motion, supported the withdrawal.

Commissioner Sategna said he would like to make a motion to capture the production and density if there were no objections.

MOTION: Commissioner Sategna moved to amend the current draft beginning with Table 14-6, and where cannabis producer is mentioned to amend to "cannabis producer, cannabis producer micro business" and additionally include a new zoning category that includes cannabis producer and cannabis producer micro business large, 22,001 or more square feet canopy outdoor growing only, and match the same classification as indoor, and mark them as permit. Secondly, anywhere cannabis producer is identified in the bill, should include cannabis producer micro business after cannabis producer; to include cannabis producer micro business on pages 46 and 47 of the draft under Section 5, and include the definition cannabis producer microbusiness to state: "A small business conducted by a person licensed to cultivate cannabis at a single location, including planting, growing, harvesting, drawing, curing, grading or trimming of cannabis, provided the person may not possess a total of more than 200 mature cannabis plants at any one time; and to amend on page 37, line 19, under Density Limitation to state: "A new commercial cannabis retailer is not permitted use if located within a 400 foot radius." Commissioner Hogan seconded the motion.

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

Commissioner Clow said on Page 41 it states, "The following activities are prohibited within residential zoned districts" and at viii , says, "Use of any structure or conduct of any business or home occupation for any cannabis establishment or commercial cannabis activity." She said the "conduct of any business" does not make sense.

Attorney Salazar believed "to conduct any business" was clearer.

Mr. Berke agreed it should be "to conduct".

Commissioner Clow asked that the typo be corrected.

Commissioner Sategna said if she would state the correction to be made, he would second that.

Commissioner Clow read the sentence again and asked the purpose of the statement in viii, "use of any structure, or" and what are they trying to say.

Mr. Berke said he didn't write that legislation. The Commission could evaluate it and that could be included in the redraft.

Commissioner Clow thought the purpose was to say what is prohibited in a residential home business.

Commissioner Lawrence thought the intent was to indicate that the conduct of any business or home occupation for cannabis in a residential zone, is prohibited. She agreed staff should come back with a change.

MOTION: Commissioner Faulkner moved to postpone the vote to recommend until the next meeting on September 2, 2021 to give the Commission time to see a completed copy of the legislation and allow staff and the subcommittee time to make clarifications. Commissioner Garcia seconded the motion.

Vice Chair Hogan asked a friendly amendment recommending staff consider using premise to premise as the radius for the boundary instead of the property line.

Commissioner Faulkner accepted the amendment as friendly as did the seconder on the motion, Commissioner Garcia.

Attorney Hibner asked to clarify the motion with the friendly amendment.

Commissioner Faulkner explained the friendly amendment is to consider a radius from premise to premise instead of the property line. An example was given of a mall that could have more than one cannabis retailer.

Vice Chair Hogan explained further if taken from the property line of the mall and it would go to the street and would then extend the 400 feet considerably further, than if taken from the premises.

Mr. Berke clarified the premise is defined in Chapter 14 based on common ownership. He believed Vice Chair Hogan wanted to say from business to business, not property line to property line.

Vice Chair Hogan agreed. It would be the lease hold versus the property.

Director Kluck pointed out it could be challenging to determine the geospatial data for the premises building perimeter, especially a mall.

Vice Chair Hogan said he just wanted to make sure that was part of the discussion.

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

2. **Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A.** JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, requests Master Plan Amendment for Phase 3A. The Amendment, which includes modifications to infrastructure, parks, trails, land uses, and density. The property is an undeveloped tract of land located southwest of Capital High School, containing approximately 222.84 acres, and is zoned PRC (Planned Residential Community. (Dan Esquibel, Case Manager)

Commissioner Sategna brought to the Commission's attention a possible conflict of interest because he is president of the Nave Ade Homeowners Association (HOA). He said he would leave it to the commission is appropriate for him to make a decision. He said he participated in the Nava Ade HOA meeting discussion and some community members opinions on this topic. Although he recused himself from that meeting, he was happy to recuse from this case if the Commission felt he could not remain impartial.

Chair Gutierrez asked Commissioner Sategna if he felt he could be fair and impartial, to which Commissioner Sategna responded he could.

Chair Gutierrez asked for input and concerns from Commissioners about Commissioner Sategna continuing to hear the case. There were none.

STAFF REPORT - Dan Esquibel

The property is owned by the Tierra Contenta Corporation (TCC). The property is located south of Jaguar Road, southwest of Capital High School and east of SWAN Park (no assigned address). The property is approximately of 222.84 acres which would be amended later, zoned PRC (Planned Residential Community) and located within the Suburban Archaeological Review District.

The Master Plan Amendment Application is a request to outline a phase-by-phase development process for entitlements of phase 3A. The entitlements include:

- Design standards,
- Subdivisions and subdivision phases,
- Infrastructure,
- Affordable housing (40% affordability to 80% Area Median Income), and
- Parks, open space, and other public uses according to the Annexation Agreement.

Proceeding the Master Plan, the Applicant will submit a Master Plan plat to identify subdivision tracts to recruit developers and/or builders for the development of proposed Tracts. The Applicant will also submit design guidelines for all development in Phase 3A. The Applicant states that process of review will start with the TCC Architectural Review Committee prior to review before the Planning Commission. The TCC review is to ensure compliance with the Master Plan, adopted Master Plat and Design Standards. The Master Plan anticipates mixed residential (1,175 to 1,500 dwelling units) and both civic, and neighborhood commercial uses.

The Applicant complied with all process requirements of Chapter 14 as follows:

- Pursuant to 14-3.1(E) *"Pre-application"*: Conducted on December 10, 2020,
- Pursuant to 14-3.1(F) *"Early Neighborhood Notification" ("ENN")*: Conducted two ENN meetings:
    - May 27, 2021; and
- Pursuant to 14-3.1(H) "Notice Requirements" for ENN's and Public Hearings.

The Applicant will be returning to the Planning Commission for review and approval of the Master Plat which will subdivide the property into phase tracts for developers to purchase and develop.

The application identifies 222.84 acres however during the review process, it was found the tracks making up phase 3A boundary as drawn, inadvertently includes an area dedicated to the city. That reduced the overall area to 216.25 acres. The applicant is aware of this and will correct those as soon as they get the Master Plan.

He also noted that his report states other accessory structures are *not* included however they are, such as sheds. However, there was not enough detail how everything would fit within the design. Some lots have been reduced from 15 feet to 10 feet and there was not adequate information on street and building lights and bicycle racks or information that identified case specific urban form. It is unclear the guidelines provide enough baseline for potential developers to achieve a specific urban form. The applicant must provide additional details for these guidelines using the standard form, as long as approved as part of the Master Plan.

The Master Plan does not address trails, or designs of the open space and parks areas and is a condition of approval for sidewalks, etc. opposed to by the applicant. The overall network areas 6C, show the bicycle paths and existing trails and Tierra Contenta open space and potential bike paths and sidewalk trails through Phase 3A. There will be pocket

parks and a neighborhood park as part of the overall design parameters.

The applicant is working on an easement for their road through the School for the Deaf property as a condition that it be in place prior to filing for their master plat.

A Master Plan will expire in 5 years if nothing is done from the date of approval from the Governing Body.

STAFF RECOMMENDATION

Staff recommended that the Commission should recommend that the Governing Body approve the requests with design guidelines subject to conditions of approval recommended by staff and technical corrections listed in Exhibit A of the staff report. The applicant agreed to all conditions and technical corrections except for two; #18, to widen the minimum sidewalk width to 6 feet and #19, add a landscape buffer between all sidewalks and the road issued by the MPO Division.

He said Leah Yngve would discuss the conditions.

STAFF REPORT- Leah Yngve
The conditions they are striving for is a more walkable, bikeable community. Phase 3 proposes more housing density which means more people want or need to walk or bike. There are a variety of destinations such as commercial, community uses, parks etc. and affordable housing attracts families. It makes sense to support the youth who must walk or bike to get around.

There are 5 Ds of Walkability: Density, Diversity of destinations, Design (they are hoping to strengthen) and Destination accessibility and Distance to existing transit lines nearby. One condition of the MPO is 6 foot sidewalks, to make it easier for those with disabilities and families. The design standards allow for 11-foot driving lanes could be reduced to 10 feet to use the extra foot for the sidewalk. And a 10 foot car lane slows traffic and is safer.

Another condition is landscape buffers on all of the roads supported by the MPO Master Plan. Planters between the cars and pedestrians supports a more comfortable safer environment. The argument against that is that passengers may need to get out of a car. The thought is it is better to provide more safety, despite the occasional passenger. Another condition that was not contested is a parking protected bike lane would be provided by changing the order of the road. That is a goal in the Bicycle Master Plan by 2024 although it is above and beyond Code. The precedent is to go beyond Code per the planning documents and the Sustainable Santa Fe 25 Year Plan. All champion walking and biking as safe and convenient transportation. Transportation is the number one source of greenhouse gas emissions in Santa Fe and the plan outlines the goal of achieving carbon neutral by 2040.

Another reason to add weight in the plans over the Code is the Code may change. The road will remain for decades, and the plans consider the population growth of Santa Fe and that more people will be walking and biking. People tell them they want to bike and walk more but don't feel safe and that is a reason with new roads, to support that. Supporting biking and walking is an equity issue as well because some in the community cannot drive. This looks at allocating space in our streets that supports the entire community.

APPLICANT'S PRESENTATION

Jennifer Jenkins, 130 Grant Avenue, Suite 101 was sworn. She said she represents the Tierra Contenta Association and Santa Fe Community Housing Trust. She explained the consultant team and introduced Daniel Werwath, who shared the Tierra Contenta background.

Daniel Werwath, 1111 Agua Fria St. was sworn in. He said Tierra Contenta is City initiated and developed in the early 1990's to address the housing affordability crisis. The idea was to create a nonprofit to manage a large piece of land and master development to ensure it was developed to achieve 40% affordability. Two phases have been built and meet that requirement. The two goals of the Master Plan amendment are 1) to move the project forward as quickly as possible and 2) upgrade the plan as indicated by lessons learned and the community feedback. The core of the plan is better land-use planning with more mixed use, greater density, higher levels of energy efficiency. Good planning concepts that have been proven to make better communities that are more walkable, more affordable, and more diverse communities and a density that supports that. He indicated for a community this size, Tierra Contenta is one of the most productive and successful housing initiatives in the country. The number one goal is the production of housing affordability, which the Commission will see in the presentation.

Ms. Jenkins shared a site map and noted the surrounding community. She explained Phase 3 includes the property owned by the New Mexico School for the Deaf, but the amendment is just for phase 3A of the Master Plan. The property is zoned Planned Residential Community (PRC) which is intended to support a mix of housing types and uses based on custom design standards. The applicant proposes additional design standard upgrades. The open space proposed and the existing and trail networks nearby were shown. Sewer and water connections, terrain and open space and areas to be developed were reviewed. The Commission approved the Tierra Contenta Master Plan from 1994 and the master plat identifying developable plats was shown.

Ms. Jenkins displayed the Master Plan Amendment #1 to Phase 3A, which shifts the development to a mixed residential community to encourage diverse housing on all of the tracts. All residential tracts will permit every residential housing type, regardless of whether single-family, duplex, a townhome, multiplex, etc. homes will be for sale, and some for rent. Every Street will have sidewalks and connections to open space and trails. The park areas have been decentralized for neighborhood interaction with one large park

and pocket parks. A school site has been identified and could be mixed use with a fire station, police substation, or small grocer, coffee shop, live/work units, etc.

She explained the infrastructure connection that extends Jaguar Drive to Paseo del Sol East and the internal loop to individual tracts of land. The revenue for the first two phases from land sales funded the infrastructure but this would not be the same. The School for the Deaf is not interested in developing their property. The Corporation is working on a public/private partnership with the City to fund the balance of the infrastructure.

Ms. Jenkins indicated that this provides twice the requirement of affordable housing. That is achieved by reducing the value of the land to make it feasible for developers to make affordable housing. Part of the Master Plan Amendment request is to increase density to 1500 dwelling units to build a density bank. They will use the extra density as a tool to incentivize developers willing to incorporate townhomes, multiplexes etc. Aggressive and sustainable construction practices will be given extra density. The slight reduction in the mixed-use acreage and significant increase in parking, open space and school site, would accommodate more contemporary needs.

She said the incentive and model for this project is what now exists and is working in the most desirable of old neighborhoods. They have active streetscapes and a diverse population concept. She said they wanted to do further study on the classifications and design suggestions proposed by the MPO. But they were happy to consider the MPO suggestions when they get to the master plat final engineering. She noted that Paseo del Sol is a fully engineered roadway.

Ms. Jenkins said feedback heard from significant community outreach in 2019 was there is not enough on-street parking. One of their goals is to maximize that. She noted where there is no on street parking there are sidewalks, a 6 foot planting and then a bike lane and driveway. They have a consistent 72 feet right-of-way whether on-street parking or not. The Commission had approved the innovative street design where the sidewalk will be at the back of curb when there is on-street parking for functionality.

Regarding the sidewalks, Code requires 5 feet which is what the applicant provides. She understood that the Code may need to be changed but thought it did not make sense here. The infrastructure will be a significant cost and the revenue that can be generated is finite, meaning anything over the finite amount will need to be publicly financed. They welcome the MPO's expertise in their community but in this case imposing rules that exceed the City Code doesn't feel appropriate.

Ms. Jenkins explained the loop road parking will be on one side and where there is on-street parking there will be a sidewalk and plantings. The local streets will be developed by the developers of those individual tracts. Design standards do not allow 6 foot walls or walled-in backyards and the right of way is narrow for affordability. The street trees are on private property; there are robust trails and open spaces that connect to the

sidewalk network and pocket parks. Pocket parks will be HOA maintained and pedestrian corridors will run between development tracts for connectivity.

Ms. Jenkins said they conducted surveys, held community meetings, sent flyers to receive feedback from the current residents on what is working. They held the normal ENN in May.

PUBLIC HEARING

Ruth Hamilton, 6509 Valentine Way, was sworn. She said she is a resident and on the Board of Directors of Tierra Contenta and is encouraged by the competent leadership of the Acting Executive Director, Daniel Werwath, and an invigorated board. She is optimistic the issues in Phase I and Phase 2 have been addressed and the creative solutions will provide well-built, affordable and environmentally friendly contemporary housing. The innovative mixed housing types will appeal to multi-cultural multi-generational homebuyers in that "missing middle". They will have desirable homes they want to live in instead of feeling they are limited to Tierra Contenta.

Alba Blondis, 7042 Valentine Loop, was sworn. She has seen the presentation before and is impressed by the thought that went into it, particularly the mixed-use diversity. Some problems experienced in Phase 2, such as the walls and weeds, have been eliminated from these plans, that are very worthwhile and thought out. She hoped this will be approved by the Commission. She disclosed that she sits on the boards of the Tierra Contenta and the Housing Trust.

John Paul Granillo, 4311 Jaguar Loop was sworn. He commended Ms. Jenkins for a great presentation that provided an opportunity to look at the mixed and affordable housing. This will be an opportunity for more people to have homes that barely missed the support because of income and all of them to live in one place. He thought this a great idea that gives hope back to the community, especially the south side. He thanked them.

Ruta Singh, 6761 Camino Rojo was sworn. She thanked them for the presentation. She resides in Tierra Contenta now and moved from a very low density to high density living area. She is a disabled senior who works from home. She is concerned about the narrow streets. She said a new family was looking at a home across the street for sale from her and they witnessed a road rage incident. That is a big problem with narrow streets, they are not safe. She said they need to keep as much open area and lose as few trails as possible, and keep in mind the curb cuts for strollers and walkers. She noted the demographic for those with disabilities is 25% and will get a lot bigger due to the impact by COVID. She said safe streets with good lighting and recreation and accessibility is important. She added it would be fantastic if there was a pool. She thanked them for their time and hoped they thought her words were ones that examine the heart of the community.

Carlos Gonzales, 19 West Prince Road, was sworn. He lives outside of Tierra Contenta. His concern is the Paseo del Sol extension off of the roundabout. He lives on a street with a lot of fast traffic and wondered if there are plans to slow traffic going into the subdivision.

Gina Alf, address not provided, said she is a social worker. She thought that the southside needs low income housing because many of them are homeless. They are living in their cars or residing with other residents or family many times with six people in one room. Instead of worrying about building a six foot sidewalk, they should be focused on building low income housing in the community.

Donna Stewart, 6920 Golden Mesa, was sworn. She thanked Ms. Jenkins for the presentation and the Commission for their time and allowing comments. She said as a homeowner her concern is property values and density in her neighborhood. She appreciated the City's recommendation for six foot sidewalks everywhere and thought they should make that happen. The amendments as she understands them, will increase density to 1500 households and she thought there should be more discussion on why that is necessary. There are traffic issues already in the neighborhood and issues with very noisy cars, and that will just increase. Low income housing will bring more noise and more crime, and the neighborhood will become less enjoyable. She hoped the City will stick to the requirement for 6 foot sidewalks and she is against an increase in density. She agreed there is a need for the maximum in open space because that is what brings people to Santa Fe and what brought her here.

Letisha Lovato, 13B Tulsa Drive, was sworn. She said she is speaking for herself and her boyfriend. She agrees with the comments that a number of people cannot afford to buy a house. Affordable housing in Santa Fe is $250,000 instead of $80,000 as it is in other parts of the country. She thought there should be more subsidized housing because the homelessness in Santa Fe is growing. Also, Section 8 doesn't cover a decent, safe place for a family of three. She suggested instead of building more houses that cost $1200 or more a month, focus should be on the homelessness. She has heard stories about people letting other people live with them who were not on the lease because they have nowhere else to live. She appreciates, as a disabled person herself, having six-foot sidewalks, but there is very limited subsidized housing in Santa Fe.

Rosemarie Gonzales-Nielson, 108 Mesa Verde Street, 87501 was sworn. She said she is a Board member of the Housing Trust and Tierra Contenta. Affordable housing has been an issue since the early 1980s. Now in 2021, the need is still affordable housing. She emphasized the importance for locals to have a home or place to reside. She said we do the best we can to build beautiful homes and affordability of a home does not equate to troublesome people or more crime. She said we are trying to build a community people would love to live, not just a place they can afford because they have no other choice. She agrees with the request for more affordable housing and asked the Commission to consider that.

Chair Gutierrez closed the public hearing, seeing no others who wanted to speak.

COMMISSION DISCUSSION

Commissioner Sategna requested a hard stop to the meeting because it was already 10 o'clock.

Chair Gutierrez asked the others for their thoughts.

Commissioner Faulkner agreed. Good to have more time. She said it is difficult for her to dig in on the issues at this time of night, but she would yield to the others.

Commissioner Garcia agreed it had been a long night and this project is big. He said he could continue but wanted to hear from the other Commissioners.

Vice Chair Hogan said he appreciated that everyone was tired, but they should try to finish. There are a handful of issues, and this will come back around for further review. He thought the concept and planning was good and agrees with all of the MPO recommendations. He has followed their work and it is worth the Commission's attention.

Commissioner Lawrence said she wanted those who want to postpone to have the opportunity and ample time to ask all of their questions. She said if they do postpone she wanted more detail from the applicant why six foot sidewalks would be difficult to accomplish technically. The applicant may already be prepared to answer but she would like that on a to do list if they postpone.

Commissioner Garcia had a couple of recommendations and without going deep into discussion, wanted to know the applicant's concerns if this is postponed. He noted the packet is 300 pages, and the Commission could not get through that in 30 minutes. He asked the main issues Commissioners have after having heard the presentations.

Commissioner Faulkner said she wondered regarding infrastructure cost, rather than eliminating amenities like 6 foot sidewalks they could consider the contract between the City and Tierra Contenta Corporation. They could reduce the amount of draw from the sale of the land the city takes.

She said secondly on the discussion on the size of the sidewalks and street sizes, that only pertains to the portion of the development Tierra Contenta Corporation is responsible for. Once they sell the tracts, it becomes the developer's responsibility to determine. She has found that to be where the trouble happens. She noted that where she lives, anywhere developers had a hand in what could or couldn't be done. Her streets have no sidewalks, and the street is only 20 feet wide with no cutback parking, etc. an emergency vehicle cannot get down her Street after 5:00 p.m. Her concern isn't what Tierra Contenta Corporation will do; it is ensuring the developers buying the tracts do what was intended by the Corporation.

Commissioner Faulkner summarized her two primary concerns are #1) how to claw back some of the money the city takes for other causes that is desperately needed in Tierra Contenta; and 2) How to ensure the developers adhere to the intent of the master plan which they have been requesting exemptions for and the city history is to grant the requests.

Commissioner Faulkner said that sounds like an easy trade off to get rid of sidewalks and have more houses, but it is dangerous without having the level of infrastructure needed for the population that lives there.

Mr. Werwath addressed Commissioner Faulkner's comments. He reported the design guidelines go down to the sub-tract level now and have to have authorization by the Tierra Contenta Architectural Review Committee. They are actively discussing with the City ways to subsidize infrastructure, including the remaining debt and reducing that. Economic development monies might get place-based to Tierra Contenta instead of the entire City.

He noted a concern if this gets postponed is it pushes them to a new Governing Body post-election. Potentially they could be starting from scratch with new Councilors, including a new Mayor. Logistically that could become difficult and time-consuming. Also, a lot of what has been done came from the feedback of the Governing Body and Mayor over the last couple of years. He said however, they would be happy to present again next month, but he wanted them to consider that serious factor.

Commissioner Sategna said he appreciated Mr. Werwath's comments, but he knows how easily even the last 15 minutes went by. They have a lot of questions that could easily turn into another hour and a half.

MOTION: Commissioner Sategna moved to postpone the rest of the agenda until the next meeting, September 2, 2021. Commissioner Faulkner seconded the motion for discussion.

Chair Gutierrez said if the motion passed, he recommended Commissioners send their questions to Mr. Berke for the applicant.

Vice Chair Hogan thought the next agenda was large as well. He asked about considering a special meeting because otherwise they would be backed up again.

Chair Gutierrez asked if there were noticing requirements.

Mr. Berke explained it has already been noticed if postponed. It will be an amended agenda, but if a special meeting is held it would have to be the second meeting in September. There are two large cases at the next

meeting; a variance case with 2 requests and the Georgia O'Keefe Museum addition with two case captions and also the Tierra Contenta, cannabis recommendations and Las Soleras.

VOTE: The motion passed by majority roll call vote with Commissioners Clow, Faulkner, Garcia, Lawrence and Sategna voting in favor and Commissioner Hogan voting against.

3. **Case #2021-3811. Villas de Las Soleras Unit 3 Master Plan Amendment.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests approval of an Amendment to the Las Soleras Master Plan to request a rezoning for Tract 13 from R-6 (Residential- six dwelling units per acre) to R-10 (Residential- ten dwelling units per acre) for approximately 6.8 acres at 4601 Rail Runner Road. The property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager). **(Postponed to September 2, 2021)**

4. **Case #2021-3814. Villas de Las Soleras Unit 3 General Plan Amendment.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 6.8 acres from Low Density Residential (3 to 7 dwelling units per acre) to Medium Density Residential (7 to 12 dwelling units per acre) at 4601 Rail Runner Road. The property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager) **(Postponed to September 2, 2021)**

5. **Case #2021-3815. Villas de Las Soleras Unit 3 Rezoning.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests a rezoning from R-6 (Residential- six dwelling unit per acre) to R-10 (Residential- ten dwelling unit per acre) for a property located at 4601 Rail Runner Road. The 6.8 acre property is zoned R-6 (Residential-six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager). **(Postponed to September 2, 2021)**

6. **Case #2021-3816. Villas de Las Soleras Unit 3 Preliminary Development Plan.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests preliminary development plan approval for a 44-lot single-family home subdivision at 4601 Rail Runner Road. The 6.8 acre property is zoned R-6 (Residential-six dwelling units per acre) and is within the Las Soleras Master Plan area. (Lee Logston) **(Postponed to September 2, 2021)**

7. **Case #2021-3817. Villas de Las Soleras Unit 3 Preliminary Subdivision.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests approval of a preliminary subdivision plat for 44 single-family residential lots located at 4601 Rail Runner Road. The 6.8 acre property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager) **(Postponed to September 2, 2021)**

H. STAFF COMMUNICATIONS

Mr. Burke thanked everyone for their positive feedback on the cannabis recommendations.

Mr. Burke said there was an offer for the replacement for Carlos Gemora. Also, they will continue the virtual meetings for at least another 47 days.

I. MATTERS FROM THE COMMISSION

Commissioner Faulkner said working on policy could be a taxing process, but staff and the subcommittee did their best given the circumstances. She suggested considering what the Commission could do to get more resources in the future for the staff. They are under resourced for the work they have on their plate daily which was abundantly clear when working on the cannabis recommendations.

Commissioner Sategna said site sections are really important when trying to determine the surrounding environment, if the Commission is to consider that criteria. It is important they look at the built environment surrounding the site and extending past the site, to understand the impact to the surrounding environments if density and height are increased. Setbacks are important and the Commission is not always getting the full picture.

Secondly he said it would be extremely helpful when they receive a 551 page packet if staff could create bookmarks for easier navigation through the PDF versus having to scroll through it. Even on a basic level to get from one case to the next would be helpful.

Mr. Esquibel offered to show staff how to create bookmarks.

Chair Gutierrez said it was almost like a bookmark when staff highlighted things in the last case. He thanked staff and said he liked that and the visuals they included. He thought the bookmark suggestion was great.

Commissioner Garcia said kudos to the policy committee on their work and their collaboration and time it took. He appreciated how hard the policy committee and staff worked on that.

Director Kluck said he agreed with Commissioner Sategna. He said as the interim director he has to be careful with changes he makes, but they could work on refinement. He thought they even need 3D modeling with dimensional data. He said he wanted to say that now because he has heard the same thing from other committees.

Director Kluck added he and Mr. Burke are looking at things that could reduce the size of the packets. Staff capacity hinders getting some of these things done but they are considering them.

Chair Gutierrez thanked the subcommittee and staff for all of their work.

J. ADJOURNMENT

Chair Gutierrez adjourned the meeting at 10:25 pm.

Submitted by:

Melissa D. Byers

Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:

Brian Gutierrez

Brian Gutierrez, Chair

Commissioner Flores read kudos to the policy committee on their work and their dedication and time it took. He suggested how hard the policy committees and staff worked on this.

Director Rhodes said he agreed with Commissioner Gallegos. He said the Director he has to be careful with changes he makes, but they could work on refinement. He thought they were near a 2/3 meeting with dimensional cuts. He said he wanted to say that now because he was in the same thing from other committees.

Director Rhodes said he and Mr. Burns are looking at things that could reduce the size of the packets. Staff is busy finding some of these but they are considering them.

Chair Gutierrez thanked the subcommittee and staff for all of their work.

3. ADJOURNMENT

Chair Gutierrez adjourned the meeting at 10:25 pm.

Submitted by:

Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:

Brian Gutierrez, Chair

SUMMARY INDEX
PLANNING COMMISSION MINUTES
SEPTEMBER 2, 2021

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D. Approval of Minutes August 19, 2021	Approved as presented	2
E. Findings & Conclusions	None	2
F. Old Business		
1. Consideration Of Bill No. 2021-__.	Recommended Approval	2-6
2. Case #2021-3818. Tierra Contenta Master Plan	Approved	6-12
G. New Business		
1. Case #2021-3811. Villas de Las Soleras Master Plan	Denied	13-24
2. Case #2021-3814. General Plan Villas de Las Soleras	Recommended Denial	13-24
3. Case #2021-3815. Villas de Las Soleras Rezoning	Recommended Denial	13-24
4. Case #2021-3816. Villa de Las Soleras Preliminary Development	Denied	13-24
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6. Case #2021-3976. 123/135 Grant Ave. Development Plan	Postponed	24-25
7. Case#2021- 3977 123/135 Grant Ave. Variance	Postponed	25

8.	Case #2021-3978 123/135 Grant Ave. Variance: Exhibit A	Postponed	25
9.	Case #2021-3802. 697 Gonzales Rd. Variance: Subsection 14-8.2(D)(3)(b).	Approved	25-30
10.	Case #2021-3803. 697 Gonzales Rd. Variance: Subsection14-8.2(D)(3)(d).	Denied	25-30
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I.	Matters from the Commission	Comments	30
J.	Adjournment	Adjourned at 10:05 pm	30

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, September 2, 2021 - 6:00 pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Gutierrez 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 Brian Patrick Gutierrez, Chair
Commissioner Mark Hogan, Vice Chair (left at 8:53 p.m.)
Commissioner Janet Clow, Secretary
Commissioner Pilar Faulkner
Commissioner Jessica Lawrence
Commissioner Lee Garcia
Commissioner Dominic Sategna (arrived at 6:03 p.m.)

Members Absent
Two vacancies

Others Present:
Mr. Jason Kluck, Interim Land Use Director
Mr. Noah Berke, Planning Manager
Ms. Patricia Feghali, Assistant City Attorney
Ms. Andrea Salazar, 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 Clow led the Pledge of Allegiance.

C. APPROVAL OF AGENDA

Items #6, 7 and 8 related to 123 and 135 Grant Avenue were postponed to November 4, 2021.

MOTION: Commissioner Faulkner moved, seconded by Commissioner Clow to approve the agenda, as amended.

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

D. APPROVAL OF MINUTES

1. August 19, 2021

MOTION: Commissioner Faulkner moved, seconded by Commissioner Clow to approve the minutes of August 19, 2021, as presented.

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

E. APPROVAL OF FINDINGS/CONCLUSIONS

None.

F. OLD BUSINESS

1. **CONSIDERATION OF BILL NO. 2021-__.** An Ordinance Amending the Land Development Code, Chapter 14 FCC 1987, to Address Zoning Issues Related to Cannabis; Amending Table 14-6.1-1, Table of Permitted Uses, to Clarify Zoning Districts for Various Types of Cannabis Establishments, and to Adopt Operating Times, Density Limitations, and a Minimum Distance Between Cannabis Retail Establishments and Schools or Daycare Centers; Amending Subsection 14-6.2(H), Agricultural Uses, to Address Cannabis Production; Adding a New Subsection 14-6.2(I) to Adopt Use-Specific Standards for Cannabis Establishments, Including Operating Times, Density Limitations, and a Minimum Distance Between Cannabis Retail Establishments and Schools or Daycare Centers; Amending Subsection 14-6.3(B)(2) to Prohibit Commercial Cannabis Establishments as Accessory Uses or Structures on Residentially Zoned Property; Amending Subsection 14-6.3(D)(2) to Prohibit the Conduct of a Cannabis Establishment as a Home Occupation; Amending Section 14-12.1 to Add Definitions for Various Types of Cannabis Establishments; Establishing an Effective Date; and Making Such Other Changes as are Necessary to Carry Out the Purpose of this Ordinance. (Andrea Salazar, Assistant City Attorney and Noah Berke, Current Planning Manager) (**Postponed from August 19, 2021)**

STAFF REPORT

Mr. Berke said at the last meeting the Commission postponed action on the legislation so that staff could incorporate the proposed amendments into the bill. He reviewed the amendments and noted the definitions are included in the exhibit.

STAFF RECOMMENDATION

The Planning and Land Use Department requested that the Planning Commission consider the proposed legislation and make a positive recommendation to the Governing Body.

COMMISSION DISCUSSION

Commissioner Faulkner explained the reason around micro businesses, is that the State uses it as a tool to ensure smaller businesses are protected. Allowing the micro businesses in some commercial zones that do not allow larger producers, will give them a competitive edge. They also have a position on density at 400 feet, from property line to property line.

Vice Chair Hogan said he asked at the last meeting if possible to use premise to premise, rather than property line to property line. Places like Santa Fe Place Mall will have a larger reach with property line, than if done by premises. He wanted to discuss that.

Commissioner Clow asked staff to comment and recalled that Director Kluck thought premise to premise would be difficult to measure.

Mr. Berke said staff found it would be difficult with multi-tenant properties. With 400 feet from business to business in a mall, possibly there could be two micro business sites, two retail businesses, or a combination. Choosing the address to address, business to business, might allow more businesses in a strip mall.

Vice Chair Hogan said he understands the current GIS data is not set to show premise specific. He confirmed that when making application, the applicant is required to show their address. He felt this was worthy of discussion, so the Commission is intentional about their recommendation to the Governing Body.

Commissioner Faulkner said they have to contend with consumption, which may only have to be 400 feet from other consumption sites. The subcommittee decided to set that aside until it was clear what the State is doing. It is possible there could be consumption and retail in the same locations, and they wanted wiggle room to deal with that. The policy will be tweaked and amended by City Council, etc. as the process moves forward. Their recommendation of 400 feet seems a reasonable compromise.

Director Kluck said having different options is reasonable. In some cases, they may use the property line, but that might not be reasonable in others. Premise to premise would require more staff. Using GIS for the property line is straightforward and takes 5 or 10 minutes. There should be some kind of allowance, but they haven't worked that out yet.

Vice Chair Hogan said he wanted to be sure the issue is on the record when the Governing Body considers this.

Commissioner Garcia suggested adding if two establishments reside within the same building, premise to premise would be required. The Santa Fe Place Mall could be an example for that, among others.

Chair Gutierrez asked the zoning for Santa Fe Place Mall.

Mr. Berke said the mall is zoned C3 and allows retail uses and retail use cannot be production or a vertically integrated business. He noted that the policy recommendations allow micro business producers up to 200 mature plants. That could be vertically integrated with a retail establishment and permitted within that zoning. Probably there could only be one business, because of density.

MOTION: Commissioner Faulkner moved to recommend approval of the policy subcommittee recommendation as amended and presented. The motion was seconded by Vice Chair Hogan.

Mr. Berke clarified the vote was on the recommendations from the subcommittee, not the legislation.

Commissioner Clow said the legislation includes the policy recommendations. She asked if the language would be changed to make measurement from business to business, instead of the property line. She said they should vote on the ordinance and then ask what happens with the 400 foot density.

Commissioner Faulkner said there was no motion made entertaining density from business to business. She withdrew her vote for discussion.

Vice Chair Hogan asked a friendly amendment to consider premise to premise rather than property line.

Commissioner Faulkner accepted the amendment as friendly. She offered to rephrase her motion to approve the legislation as amended, including premise to premise, rather than property line to property line. She asked Mr. Berke the number of that.

Mr. Berke asked Commissioner Faulkner to clarify whether he should read the whole title that the motion is recommending approval with an amendment changing property line to property line to business premise to business premise.

Commissioner Faulkner asked that he also include that the motion includes the legislation and the recommendation. She thought because of the way it's on the agenda they should do the recommendations first, then vote on the legislation.

Mr. Berke suggested the Commission recommend #1 under Old Business with the changes as proposed. That encompasses the recommendations and changes. Then they can change the language to business premise to business premise.

Vice Chair Hogan said as second to the motion, he accepted the rephrasing of the motion.

Chair Gutierrez asked if a language change to premise to premise will cause problems.

Mr. Berke explained it is a simple text change clarifying it is *business* premise to *business* premise, as only "premise" is defined in Chapter 14.

Attorney Feghali agreed that made sense.

Attorney Salazar asked staff if the premises defined by the number of square feet when they permit.

Director Kluck said yes, based on the gross floor area. He in fact thought it is on the total gross area of the building of the interior and exterior walls, as specifically defined in Code. He suggested clarification on how premise to premise would be measured. He asked if two buildings are back to back, where would they take the measurement from.

Attorney Salazar recommended stating "business premise" because that is referring to the square feet of where the business is located. In Santa Fe Place Mall, the business is just within their internal walls and "business premise" helps to define that further.

Commissioner Garcia said this seems messy. He asked what if two shopping centers are next to each other making up 400 feet, how would that be measured. He thought it could go into with issues of legality and difficult to measure without knowing the legal property line.

Vice Chair Hogan thought the aspect of the permitted premises is relevant. A building permit submitted for improvement is for the specific area defined by the tenant leasehold. That is easy to measure and is by a definition already recognized by the City..

Commissioner Faulkner said business premises gives the room that Commissioner Hogan wants and will still prevent the downtown area from being overwhelmed because they are so close. The amendment adds equity in larger strip malls and business locations where there are multiple businesses within the same address.

Commissioner Hogan said that reflects his intent.

Director Kluck said another option is for the main entry to the establishment. The interior perimeter could be challenging to determine and doing this by square feet can get complicated.

Mr. Berke agreed it made the most sense to say business premise to business premise. There may not be an address point at some businesses at the mall.

Commissioner Faulkner suggested saying the center point of business premise or entry point of the business. They need to know if the measurement of the business should be from the entryway, the center, the east corner, etc. and the entryway to entryway is simple.

Vice Chair Hogan said they could just say the front door of the business premise to the front door of a business premise.

AMENDED MOTION: **Commissioner Faulkner amended her motion to include the legislation and the friendly amendment offered by Vice Chair Hogan. Vice Chair Hogan accepted the amended motion.**

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

2. **Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A.** JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, requests Master Plan Amendment for Phase 3A. The Amendment, which includes modifications to infrastructure, parks, trails, land uses, and density. The property is an undeveloped tract of land located southwest of Capital High School, containing approximately 222.84 acres, and is zoned

PRC (Planned Residential Community. (Dan Esquibel, Case Manager) (**Postponed from August 19, 2021)**

Mr. Berke noted the Commission heard staff's and the applicant's presentation and the public comments at the August 19th meeting. Commissioners were directed by Chair Gutierrez to forward their questions on phase 3 for staff or the applicant.

Commissioner Sategna asked to confirm that the parks would be recorded as required in the plat and developers could not choose not to do them.

Jennifer Jenkins, 130 Grant Avenue, Suite 101, was sworn. She said the parks are shown on the Master Plan. The next step after the Master Plan Amendment approval is to create a master plat. That will create rights of way for the road network and tracts for future development. She explained not every tract will have a park and the master plat will identify which tracts have a park developed. One tract would be for a City owned park.

Commissioner Faulkner asked that the record reflect the width required for the streets inside the tracts.

Ms. Jenkins displayed the local street plans. They show a 44 foot right-of-way, two travel lanes of 10 feet each, and on street parking 7 feet wide. Their goal is to create as much parking as possible for guests and on street parking is mandated within the tracts. Where there is a situation with driveway spacing, the client can present opportunities for guest parking areas that will be maintained by the HOA (Homeowners Association).

Commissioner Faulkner said she would like sidewalks to remain 6 feet for the individual tracts.

Ms. Jenkins said the applicant has proposed 5 foot sidewalks. The MPO recommendation is for 6 foot sidewalks.

Vice Chair Hogan said he preferred 6 foot sidewalks minimum as part of the trail network. He said it is a quality of life issue that should not be compromised. They want the neighborhoods to be influenced in a positive way. Also, the MPO presented a functional reason for six foot sidewalks, at least on the trail connections.

Commissioner Garcia asked Ms. Jenkins what agreement was made for the road connection behind the Walmart.

Ms. Jenkins showed the Master Plan Amendment #1 overview. She reviewed the extension of Paseo del Sol and the School for the Deaf property. The School has executed a right-of-way dedication for Paseo del Sol, but they will enter into a new agreement with the School because of the new administration. The School has agreed and is obligated by the annexation, to dedicate the right-of-way.

Commissioner Garcia asked if the dedication would be an easement through School property and could the School change their mind.

Ms. Jenkins said there is regular communication with the School, and they are aware of the amendment and there are no concerns about that.

Commissioner Garcia said if approved by the Commission and the School refused to allow that easement for the road, the project would be difficult. He asked the increase in density from Tierra Contenta Phase 3 under development, and this development.

Ms. Jenkins referenced a slide of the Master Plan Comparison from the original 1994 Plan to the 2021 Amendment. Approval of the 1500 units would increase the dwelling units from 5.4 per acre to 6.9 dwellings per acre. The purpose is to incentivize the developers.

Commissioner Garcia asked if there was an impact or similar study on the services that will be needed for public safety, water etc.

Mr. Esquibel noted that was added as a condition of approval #12; to study the fiscal impact to the City of providing those services.

Commissioner Garcia confirmed there had not been a study, but it would be a condition of approval. So, they don't know the impact of adding another 1500 residential units. He said he supports growth but believes it should be done responsibly.

Commissioner Sategna indicated he was ready to make a motion.

Commissioner Faulkner asked to delve deeper into Commissioner Garcia's question. She addressed staff and the problem with infrastructure in the area. SWAN Park still does not have water in the drinking fountains. There are a lot of amenity/infrastructure issues in the area, so this is a concern they are adding difficulty to an already taxed area. She noted there are thresholds that trigger requirements for infrastructure. She asked if that was also true for streets, water, parks, etc. She said the area has 20,000 people that do not have a lot of services and amenities. She asked if adding this population would improve or worsen those circumstances. She asked if this would trigger getting the amenities and infrastructure they need, or add complications.

Mr. Esquibel said the City's infrastructure is all developer driven and engineering requirements are submitted to address those impacts. Staff looks at the impacts associated with particular development. He noted the traffic studies look at not just the development but the surrounding area. The impact analysis addresses many of the concerns with safety, etc. and how those services should be expanded as the city grows.

Commissioner Faulkner asked if it had been discussed to pull economic development money to put back into Tierra Contenta that is now used everywhere in the

City. She asked if she could do anything as a Commissioner representing that area, to strengthen that argument. That would offset costs for having infrastructure put in.

Mr. Esquibel said that is difficult to answer because the City does not know what values developers are required to put in. They would need more negotiation and discussion between the Governing Body, Land Use Director and other departments. He noted that was not an issue the Commission could deal with tonight.

Commissioner Faulkner said the individual tracts will evolve and developers will come back before the Commission. They will start to lose retail centers and community centers for apartment buildings and forego community completely. That is not smart planning. She thought that is driven by developers for more profit and they cannot continue to just build housing. They have to build community, or it creates injustice and pockets of inequity. She said she will personally continue to fight the elimination of community amenities to add more housing.

Commissioner Garcia asked if the impact analysis studies will relate to the overall Master Plan or to individual tracts.

Mr. Esquibel said the study would be specific to Phase 3A, but was certain the direct results of the development's impact would be considered on the existing conditions.

Commissioner Garcia asked what happens if the study shows a negative impact of adding more population, but the project has been approved and recommended to the Governing Body.

Mr. Esquibel said the City would have to address the resources in order to approve the project. The analysis helps identify the personnel and equipment and assists in determining how to continue services to the area as they grow.

Commissioner Garcia said he was looking down the road and he understands the need for housing. But, after listening to Commissioner Faulkner, he understands the importance when adding additional units, there is a need for more services, mixed-use, and additional parks.

Chair Gutierrez indicated he sent a few questions to be forwarded to Ms. Jenkins. He had asked to see the overlay slide of the road approved for the Master Plan. He wanted to clarify that Paseo del Sol to Herrera was always in the Master Plan.

Ms. Jenkins said that was correct. She displayed the original 1994 Master Plan.

Chair Gutierrez asked to confirm that she had said on the new Master Plan, that the School for the Deaf was required to give right-of-way to meet the looped road connect.

Ms. Jenkins said the annexation agreement specifically references Paseo del Sol. The looped road was created as part of this amendment because it is better access. She

displayed the tracts identified for the New Mexico School for the Deaf. The alignment of the loop road was further west and the applicant complied with a request from the School to move the road to correspond with the boundary. The School made it clear they support the project and the Master Plan and are aware of the dedication of Paseo del Sol. Because of an administration change, they are working with the School to dedicate access that crosses the School property for the looped road. The applicant would like to have that done prior to going before the Governing Body.

Chair Gutierrez confirmed that the Master Plan is through the School for the Deaf property but is being done under the School's authority.

Ms. Jenkins explained they are working closely with the former administration through the transition and preparing for the board meeting in a couple of weeks. The School has acknowledged and is aware that the project is moving forward.

Chair Gutierrez asked the breakdown from multifamily housing and single family housing in the existing units, and what that will mean for the upcoming phase.

Ms. Jenkins did not have the breakdown but offered to get those numbers. She noted the requested amendment has certain development tracts identified for specific densities. There is a variety of prescribed uses. She said in lieu of, they are moving into a mixed residential program that has a variety of housing from single-family, detached, to apartments, duplexes and triplexes and all our courtyard apartments, etc.

She said they had to make assumptions based on terrain and what it will support and there is an area with a school, to mixed-use tracts with the rest mixed residential. The dwellings per acre depend on the tract.

Chair Gutierrez said that didn't answer his questions.

Ms. Jenkins said based on the assumptions it could be around 300-500 apartment units out of 1,175 currently permitted, with about 150 higher density units. The balance of the units would be single-family.

Chair Gutierrez asked the breakdown for the 1500 units.

Ms. Jenkins said there is no way to know, and extra density will be implemented strategically to move away from tracts with just one type of dwelling. They want to encourage diversity and create a framework with infinite flexibility within the design.

Chair Gutierrez said Commissioner Garcia had mentioned the study is one of the conditions. He asked what Ms. Jenkins would include in the fiscal impact analysis.

Ms. Jenkins said their approved Master Plan is for 1,175 units and they are talking about the fiscal impact to an additional 325 units. She understood when the Master Plan was originally approved, that the impact analysis conducted would be reviewed and

updated. An impact analysis typically addresses expenses and revenue. The plus side is the potential revenue to the City is from impact fees, property taxes, gross receipts taxes, etc. The minus side is City provided services such as health and safety, park and trail maintenance, etc. The point of the study is to look at how the revenue and expenses balance. As a party to the annexation of Tierra Contenta, the City of Santa Fe is obligated to provide services. This provides a roadmap and assists the City in their planning.

Chair Gutierrez asked if the fiscal impact for the 1,175 units was included in the packet.

Mr. Esquibel said he did not have a fiscal impact study for the approved units.

Chair Gutierrez said this is the biggest project he has seen since coming on the Commission, and he wants to do this right. He asked for a breakdown on the water.

Ms. Jenkins said based on the 1,175 units, the water budget is about 165 acre feet average per year depending on the final usage mix. Apartment homes use less water than single-family homes.

Chair Gutierrez said Ms. Jenkins continues to refer to 1,175 units but that has been approved. They are now working on 1500 units.

Ms. Jenkins said it would be around 200 acre feet per year if there are 1500 units.

Chair Gutierrez asked to confirm that the 44% of affordable homes is not included, because they have no water rights.

Ms. Jenkins said the City provides water for the affordable units, but the developer water rights provided is 60% of that water.

Chair Gutierrez asked about the schools.

Ms. Jenkins displayed the school site as proposed and the modified layout. She explained originally it required two access points. They proposed a gated access drive through the School for the Deaf and the school district said they could not do that for security reasons. An alternative was to move a tract across the street. The design is much better and allows them to expand the school tract to a gentler terrain. There are now two roads on tract 57 which also provides excellent circulation for the school. She indicated the revision was reviewed with Shirley McDoogle and they are happy with the layout.

Shirley McDoogle, 5 Rainbow Ridge Ln., Santa Fe, was sworn in. She said this is an improvement over the old configuration. She explained the procedure is for the acquisition to be approved in a public session with the School Board. She said the School appreciates the new plan because this will make the tract easier to build on. There is a giant arroyo, and the land falls off dramatically.

Chair Gutierrez asked when this goes before the school board.

Ms. McDoogle said it just has to be scheduled.

Ms. Jenkin provided breakdown information on the existing dwelling units. There are just under 3200 units of which 1,310 are affordable (41%), in which 437 are multifamily and 873 are affordable single-family.

COMMISSION DISCUSSION

MOTION: Commissioner Sategna moved to recommend that the Governing Body approve the proposed Master Plan with design guidelines, subject to conditions of approval recommended by staff and technical corrections as listed in Exhibit A. Commissioner Clow seconded the motion.

Commissioner Faulkner asked if the motion included 6 foot sidewalks.

Mr. Berke said he didn't hear that specified and if so, should be mentioned in the motion.

Commissioner Faulkner asked a friendly amendment that this moves forward with 6 foot sidewalks.

Chair Gutierrez asked to confirm that had been a condition of approval by the MPO.

Mr. Esquibel confirmed it was a condition from MPO. He explained approval with staff conditions does include the MPO condition of approval for 6 foot sidewalks.

Commissioner Faulkner withdrew her friendly amendment.

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

Commissioner Garcia explained he voted in favor because he sees the need for additional housing. He said he has reservations about building so quickly without amenities provided to the area. He said this is a big project and he commends everyone for their hard work.

G. NEW BUSINESS

Chair Gutierrez asked Vice Chair Hogan to take over while he signed onto a different computer.

1. **Case #2021-3811. Villas de Las Soleras Unit 3 Master Plan Amendment.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests approval of an Amendment to the Las Soleras Master Plan to request a rezoning for Tract 13 from R-6 (Residential- six dwelling units per acre) to R-10 (Residential- ten dwelling units per acre) for approximately 6.8 acres at 4601 Rail Runner Road. The property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager). **(Postponed on August 19, 2021)**

2. **Case #2021-3814. Villas de Las Soleras Unit 3 General Plan Amendment.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 6.8 acres from Low Density Residential (3 to 7 dwelling units per acre) to Medium Density Residential (7 to 12 dwelling units per acre) at 4601 Rail Runner Road. The property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager) **(Postponed on August 19, 2021)**

3. **Case #2021-3815. Villas de Las Soleras Unit 3 Rezoning.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests a rezoning from R-6 (Residential- six dwelling unit per acre) to R-10 (Residential- ten dwelling unit per acre) for a property located at 4601 Rail Runner Road. The 6.8 acre property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager). **(Postponed on August 19, 2021)**

4. **Case #2021-3816. Villas de Las Soleras Unit 3 Preliminary Development Plan.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests preliminary development plan approval for a 44-lot single-family home subdivision at 4601 Rail Runner Road. The 6.8 acre property is zoned R-6 (Residential-six dwelling units per acre) and is within the Las Soleras Master Plan area. (Lee Logston) **(Postponed on August 19, 2021)**

5. **Case #2021-3817. Villas de Las Soleras Unit 3 Preliminary Subdivision.** James W. Siebert and Associates, Inc., Agent, for Ross's Peak Holding, Ltd., Co., Owner, requests approval of a preliminary subdivision plat for 44 single-family residential lots located at 4601 Rail Runner Road. The 6.8 acre property is zoned R-6 (Residential- six dwelling unit per acre) and is within the Las Soleras Master Plan area. (Lee Logston, Case Manager) **(Postponed on August 19, 2021)**

Mr. Berke noted that Case #s 1-5 would be heard as one package and have multiple motions.

STAFF REPORT

The Applicant seeks to develop a 44-lot single-family home subdivision on Tract 13 of the Las Soleras Master Plan. The Applicant is requesting several development requests associated with the development of this property, consisting of the following:

1. An amendment to the Las Soleras Master Plan to request a rezoning for Tract 13 from R-6 (Residential- six dwelling units per acre) to R-10 (Residential- ten dwelling units per acre);
2. An amendment to the General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to Medium Density Residential (7 to 12 dwelling units per acre);
3. A rezoning request from R-6 (Residential- six dwelling unit per acre) to R-10 (Residential- ten dwelling unit per acre);
4. Preliminary development plan approval for a 44-lot single-family home subdivision; and
5. Preliminary subdivision approval for a 44-lot single family subdivision.

The Master Plan Amendment and General Plan Amendment are necessary to get the requested density. The Development Plan is necessary for the setbacks on the sides. The R-10 rezoning is necessary to develop the property at the proposed density. The Development Plan will establish development standards, including allowing for 24' (two-story) homes at 5 foot side setbacks.

He noted that condition #4 in the Staff Report has to do with the MPO request for a trail connection to Governor Miles Road from the Northeast corner of the development. The applicant is open to that request but will address his own request in his applicant presentation.

STAFF RECOMMENDATION

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the Las Soleras Master Plan Amendment (Case #2021-3811).

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the General Plan Amendment (Case #2021-3814).

The Commission should **RECOMMEND APPROVAL BY THE GOVERNING BODY** of the rezoning to R-10 (Case #2021-3815)

Staff recommends **APPROVAL** of the preliminary development plan (Case #2021-3816), subject to conditions of approval and technical corrections outlined in this report, and Governing Body approval of all other Applicant requests.

Staff recommends **APPROVAL** of the preliminary subdivision plat for Case #2020-2917, with the conditions of approval and technical corrections listed in this report, and Governing Body approval of all other Applicant requests.

A recommendation for **denial** of the Las Soleras Master Plan Amendment, the General Plan Amendment, and/or the rezoning request would render the proposed preliminary development plan and preliminary subdivision infeasible, in which case a recommendation for denial of the preliminary development plan and preliminary subdivision would be appropriate.

APPLICANT'S PRESENTATION

Jim Siebert, 915 Mercer, Santa Fe, and Kevin Patton, Director of Land Planning and Entitlement with Ross's Peak Holding at 7601 Jefferson Street, Albuquerque, were sworn in.

Mr. Siebert presented a PowerPoint. He reviewed the items presented for action: The General Plan Amendment from 3-7 dwellings per acre to medium density 7-12 acres; an amendment to the Las Soleras Master Plan to increase from 6 dwellings to 7 dwellings per acre; rezoning from R-6 to R-10; a Preliminary Development Plan for 44 dwellings; and the Preliminary Subdivision Plat for 44 lots.

He said the surrounding area roadways are in place. He discussed zoning surrounding the property to the north is C2, general commercial. Units 1 and 2 are zoned R12. He indicated the location of the regional park below where there are no lots platted and showed what has been completed and under construction. He said if the Pulte bonus is included they will be allowed a total of 46 dwellings under the current zoning for affordable housing. There are two dwelling units below the R10 allowance of 10 units per acre. All of the garages and driveways accommodate two cars and there are 28 off-lot parking spaces. This project is really an extension of Units 1 and 2 and has the same covenants and HOA. The storm drain runs through the property and the pond to the south, channels directly into a drainage channel. A secondary emergency access is required because of more than 30 units.

Mr. Patton indicated the sidewalks are not shown and will basically come off of the patios meeting at the shared pedestrian access at Railrunner.

Mr. Siebert said the additional density is appropriate for the area because there are bus routes and access to transportation nearby. He reviewed the trail system and the existing and planned trail connections. He noted the area the MPO requested the City trail go through was a concern because it would not allow them to meet ADA standards. Also, they proposed the emergency access be used as the pedestrian access, first because it is flat and secondly, the bus stop is nearby.

Chair Gutierrez returned to the meeting and resumed the position as Chair.

PUBLIC HEARING

Edmond and Susan Kibel, 4610 Railrunner Rd., were sworn in. Mr. Kibel showed a picture of the proposed Unit 3. He stated he lives across the street. This is a narrow piece of land and Unit 1 has many homes in back. He noted the deceleration lane in front of the homes on Railrunner that was for a train going 60 miles an hour to turn into the development. He said each home is actually two residences and looking southeast is Estates of Las Soleras, a huge single-family home development.

Mr. Kibel said there is no parking on either side of the street on Railrunner, so what he heard tonight was misleading. He said front doors will be useless because they have to walk a long way down an alley to get into a garage. He said he is representing homeowners in his development, some are along Railrunner and will be directly impacted by the new development. Some homeowners have signed his letter because they are concerned about the quality of life. He stated they are not against development or progress, but want the developer to stick to the original plan to build single family homes. He read a letter signed by a number of the Villa de Las Soleras homeowners. He stated they oppose the proposed zoning change for Unit #3, which increases density. The site was originally allocated for the development of low density single-family homes. Their objections include: 1) the subdivision east of the area is low density and changing to medium density is inconsistent with the current plan use; 2) the plot of land is very narrow, and high density development would tarnish the aesthetics of the subdivision; 3) parking is forbidden on both sides of the surrounding streets and there are only a few parking spots behind their homes and the new development creates even less parking; 4) the proposed Phase 3 has very few walking trails and open space; and 5) the new development will overburden Railrunner Road's current traffic issues. Mr. Kibel implored the Commission to reject the zoning change. He said their quality of life should take precedence.

Chair Gutierrez asked Mr. Kibel to clarify who he represents.

Mr. Kibel explained the HOA has not been around long enough to represent the residents and this is an initiative the residents who signed the letter took. They do not represent all residents of Villa de Los Soleras.

Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Commissioner Clow asked why the rezoning request is for R-12 when the current zoning of R-6 allows two units more than what is being requested.

Mr. Siebert said there are two reasons. He noted that it is actually R-10 zoning requested and it is to meet the approval of the design standards set by the Planning Commission. In this case it also allows side yard setbacks of 5 feet for two story buildings

or those over 14 feet. And R-10 allows them to go down to lots of 3,000 square feet and gives them more design flexibility.

Commissioner Clow asked what the project will look like if zoning remains R-6.

Mr. Siebert explained if they comply with the 10 foot setback on the sides, it will result in fewer lots.

Commissioner Clow asked to clarify his statement that he could build 46 units at R-6 zoning.

Mr. Siebert said his estimate is they could build about 31units because they have to meet the side yard setbacks.

Commissioner Garcia commented that they have master plans and zoning and now are asking the Commission to change what they agreed upon by a previous board. They are asking to increase density again and from the Kibel's comments, it seems this could cause significant issues. He asked if there is parking on Railrunner Road.

Mr. Siebert replied no because when they designed the road system in Los Soleras, they were working with John Romero. He considered the road a minor arterial, and the City does not allow parking on those.

Commissioner Garcia asked the potential for people parking there.

Mr. Siebert said the cross section doesn't accommodate parking and it would be dangerous. The design was to meet the warrants for the deceleration lane and that requires a left-turn holding lane. The function of the road is to carry traffic, not to park.

Commissioner Faulkner asked the amount of parking available outside of the garage.

Mr. Siebert indicated two spaces are on the apron in front of the garage and there are 28 off lot spaces strictly for off street parking. There are alley ways along the roadways on one side where there are no garages, and they were provided the additional parking. He said the recommendation is a half space per dwelling unit and we have slightly over that.

Commissioner Faulkner said this is something they see in neighborhoods that target families. Her household has four cars, and she shares the same concerns as Commissioner Garcia. She said we approve these projects and they always come back to increase density and get rid of amenities. These are communities that are set up in tight spaces and that causes issues, especially in neighborhoods that target families. The standard that residents will have two cars is not a reality. She said she is getting uncomfortable supporting this type of request as a Planning Commissioner. It continues to compound an existing problem.

Mr. Logston noted these are double car garages with two spaces in the driveway. In addition, because of the on street parking there is one and a half more parking spaces per unit. He said there is plenty of parking. He added on density, although this is an R10 request, the built density proposed is R7 or 6.8 units per acre. Current zoning allows 6.7 units per acre. He said he did not want to diminish any concerns but wanted to bring their focus back to the actual requests. It is a gradual increase.

Commissioner Faulkner said in her area very few people have space in their garage for more than a car because they use it for workshops, a room for storage, etc. very few actually park their cars in the garage.

Commissioner Sategna asked to see the site plan. He was trying to understand the 5 foot, yard setback. He said the backyards are 15 feet from the main wall to the property line.

Commissioner Sategna asked the width of the home and was told it is 25 feet at the widest point. He asked the length of the garage.

Mr. Patton responded that the garage is about 18-20 foot deep and allows two cars. He said covenants may require a garage can only be used for cars.

Commissioner Sategna said he was trying to understand the width of the house because there was no scale provided. He confirmed that the width of the inner wall of the garage to the outside of the garage is about 20 feet. He wanted to understand where there is a yard.

Mr. Siebert explained the front has a back curb, a five foot planter strip and a 7 1/2 foot utility easement behind that. The 7 1/2 feet utility strip is outside of the right-of-way.

Director Kluck said the Commissioner was asking how much space there is between the driveways and the separate duplexes.

Mr. Patton tried to explain the drawing and the wall and side courtyard wall yard. There are open areas on the side yard courtyard that rolls into a larger area.

Commissioner Sategna said he just wanted to know if there will be a front yard next to the driveway; will there be xeriscaping, or will there be a yard next to the cars.

Mr. Siebert pointed out the yard location and said it is 12 x 15.

Commissioner Sategna said the applicant mentioned they have elected to go to a higher zoning because it created “design flexibility”. He asked what drove their design flexibility.

Mr. Siebert said the ability to have a five foot side yard on a 2 story building more than anything.

Mr. Patton added their purpose of increasing zoning to R10 is to build the same as what they built across the street. They requested that when they appeared before the Commission for approval for Phases 1 and 2. The request is not to increase the density, but to build exactly what they built across the street.

Commissioner Sategna said tonight they are just looking at this project. He asked what drove their "design flexibility" request.

Mr. Siebert replied flexibility to provide a unit comparable to those across the street. That is a denser project, therefore a more affordable unit.

Commissioner Sategna said the duplexes are selling for as much as a single-family home and he wouldn't use the term "affordability" in regard to the project. He thought what was driving design flexibility is density and the ability to put more homes on a lot. He said scale is important. He pointed out if they measure what 5 feet actually looks like, it is the width of a good size desk. He said he understands they want to do exactly what is across the street, and he wasn't part of that decision. In terms of design and design flexibility, this is driven by profit.

He said the homes across the street are astronomically high. He is trying to understand whether we really want to create communities that have a little more than the size of a desk and a wall between the properties, with homes 20 feet wide and yards that are 15 feet to the back. He said he questions if this is about people. He agreed with Commissioner Garcia's comment, we are again at a point where we have to consider the adjacent properties, not just do what is across the street. This is pushed against R3 and there are single-family homes the Commission has to consider. Not just what is across the street. He said he didn't know if he could support the Master Plan Amendment.

Mr. Siebert said when they began Los Soleras 20 years ago the Planning Commission criticism was that the density was too low. They believe it more appropriate to have a higher density and take advantage of the infrastructure. The City General Plan recommends a minimum of 5 units per acre and prefers 7 units per acre. He believed in the future they will see more people who live in less land. It is one way to provide the housing needed for the population.

Commissioner Sategna said there is nothing wrong with density. He lives in Nava Ade and the homes are close. But while there is density between the homes, there are trails through the neighborhood, and trees and xeriscaping. He would be more open to density if there were consideration of how people will actually live there. He sees homes 5-10 feet apart with extremely tiny backyards that he wasn't sure a dog could comfortably live in, or children could play. There are a lot of homes packed in a plot for profit. He said he can understand checking the box for affordable housing, but he was not sold on the project.

Commissioner Clow asked the price point on the duplex/houses.

Mr. Patton said Pulte is not making giant profits and have seen over the last year the development costs increase $80k-$100k. The homes are selling for about $400k base price without options. As required, 20% of those are affordable at a much lower price.

Mr. Berke said he realized the discussion is interesting but reminded the Commission not to question financial information. The City Attorney has commented many times that references to financial information is subjective and appealable.

Commissioner Clow said the Commission can look at whether a project is affordable. The hope is with more density it is more affordable and puts it in perspective if it serves the needs of Santa Fe.

Mr. Berke suggested bringing Alexandra Ladd into the discussion.

Commissioner Clow said she was going to suggest that and would like to hear her thoughts on this property at 44 units opposed to 31 units.

Alexandra Ladd from the Office of Affordable Housing said in the inclusionary housing program, the more units proposed at market rate, the more affordable housing we have. This project will comply by providing 20% of its units at an affordable price.

Chair Gutierrez said this is a difference of two homes, give or take.

Ms. Ladd said in terms of the total number of affordable, it is two more families.

Commissioner Faulkner asked the developer if the amendment was approved, if there will be two more affordable houses built.

Mr. Patton said they are proposing 44 which means out of those 8 are affordable houses and with 31 units 6 would be affordable. He said he isn't sure they could afford 31 units.

Commissioner Faulkner said to drive home the point, the distance between the houses is less than her height and it is two stories. The wall will offer some sound buffer, but doesn't offer that on the second story. Her house is 8 feet from another house, and she has had constant issues. She said five feet is really short.

Chair Gutierrez noted at 8:53 p.m. for the record, that Vice Chair Hogan had to leave the meeting.

Commissioner Garcia asked the square footage from smallest to largest.

Mr. Patton said the smallest is just under 1500 square feet and largest is 2100.

Commissioner Garcia referred to a comment from Mr. Seibert that he could theoretically still build the same number of units with the current density. He asked Mr. Siebert to elaborate why the request for a change in height.

Mr. Siebert noted Commissioner Faulkner's statement that it is 5 feet between the units wasn't accurate. He said there is a 5 foot side yard for each unit, which makes a total of 10 feet between the units.

Mr. Siebert explained to Commissioner Garcia if they were willing to construct units no higher than 14 feet tall, they would have the same side yard setbacks, but with units half the size of those proposed.

Commissioner Garcia asked if the design standards allow more square-feet.

Mr. Siebert said a 5 foot yard setback does allow more square feet on each lot. He noted the sales success indicates that people prefer having a larger home.

Commissioner Garcia said he had an issue with less surrounding property.

Commissioner Sategna said he completely supports affordable housing. His concern, given the General Plan and quality of life, is at what cost. He was concerned for those living in the homes with a 5 foot corridor between and no yard to meet a certain design standard. The Commission should seriously consider quality of life, because if they are not, then who is. He said the Planning Commission is a big part of this decision.

MOTION: In Case #2021-3811**,** Villas de Las Soleras Unit 3 Master Plan Amendment, Commissioner Sategna moved to recommend that the Governing Body deny, based on Criteria #1 that the Master Plan be consistent with the General Plan, because the project is not based on quality of life. The motion was seconded by Commissioner Faulkner.

Mr. Siebert pointed out that immediately south of this, Las Soleras provided 33 acres for a regional park with soccer fields, a dog park and a children's play yard. In addition, Units I and 2 has an extensive 10 acre park. He thought this a reflection of what is happening across the country. As people age they don't want a lot of things to maintain. They prefer smaller yards with less maintenance and more common features.

VOTE: The motion passed by majority roll call vote with Commissioners Clow, Faulkner [with comment], Garcia, and Sategna voting in favor and Commissioner Lawrence voting against.

Commissioner Faulkner explained her vote was because of her concerns. She is aware of the soccer fields in Los Soleras, but they are not being used

because of how they are built. She agrees they cannot continue just building housing without any other consideration.

Chair Gutierrez asked Attorney Feghali if she had adequate information for Findings.

Attorney Feghali said she did.

Commissioner Sategna asked Attorney Feghali if the cases could be tabled indefinitely.

Attorney Feghali thought it best to vote on all of them.

Commissioner Sategna asked to clarify if the Commission was required to vote on them.

Attorney Feghali said the cases could be tabled, but eventually the Commission had to vote on them.

MOTION: In Case #2021-3814, Villas de Las Soleras General Plan Amendment; Case #2021-3815, Rezoning; Case #2021-3816 Preliminary Development Plan; and Case #2021-3817, Preliminary Subdivision**,** Commissioner Sategna moved to table. Commissioner Garcia seconded the motion.

Mr. Logston asked to clarify that because the Master Plan change was rejected, everything else was being tabled.

Commissioner Sategna said yes. His understanding is that denying the Master Plan means they cannot approve the other requests. He asked Mr. Logston if that was correct.

Mr. Logston clarified that the Commission is denying the first case and everything else would be null.

Commissioner Sategna said given the position of the Master Plan being denied, there would be no need for the Commission to address the others.

Mr. Logston said he only wanted to clarify.

Commissioner Lawrence asked Attorney Feghali to comment.

Attorney Feghali said she believed the Commission would have to vote on all of the cases to allow the applicant an opportunity for appeal.

Commissioner Lawrence suggested the cases that are decisions made only by the Commission could be denied providing the applicant an opportunity

for appeal. The other two motions are recommendations to the Governing Body for decision. She suggested not tabling those requiring a recommendation unless to a date certain.

AMENDED MOTION: In Case #2021-3816 Preliminary Development Plan and #2021-3817 Preliminary Subdivision, Commissioner Sategna amended his motion to postpone the recommendations to the next meeting to provide time to collect information for the Commission's recommendation.

Commissioner Garcia agreed with the amended motion.

VOTE: The motion failed by majority roll call vote with Commissioners Sategna and Garcia voting in favor and Commissioners Clow, Faulkner and Lawrence voting against.

Commissioner Faulkner said she was not sure what additional information is needed to deny the other cases. She thought postponing the cases would not be fair due process for the applicant's right to appeal.

Commissioner Clow agreed. She suggested the Commission address issues one, two and three. City Council can address the preliminary matters for a final decision. The Commission is only making a recommendation.

Attorney Feghali recommended the Commission vote on all of the cases.

Commissioner Faulkner asked if the cases could be bundled.

Commissioner Sategna said he was happy to make the motion.

FINAL MOTION FOR CASE #S 2021-3811, 2021-14 AND 2021-15:

In Case #2021-3811 Master Plan Amendment, Commissioner Sategna moved to deny because it fails to meet criteria #1, the Master Plan is consistent with the General Plan regarding quality of life; in Case # 2021-3814, General Plan Amendment, the Planning Commission recommends the Governing Body deny because it fails to meet criteria #2, consistency with other parts of the General Plan based on quality of life; in Case #2021-3815, rezoning is denied because it fails to meet criteria #3, that the rezoning is consistent with the applicable policies of the General Plan, including the future land use map with regard to quality of life. Commissioner Faulkner seconded the motion.

VOTE: The motion passed by majority roll call vote with Commissioners Clow, Faulkner, Garcia, and Sategna voting in favor and Commissioner Lawrence voting against.

Mr. Berke asked about Cases #2021-3816 and 3817 Preliminary Development Plan and Preliminary Subdivision. Both have different approval criteria.

Commissioner Clow thought those cases would fall away because the Commission has the final vote. They cannot be done if the Zoning, General Plan and Master Plan was not approved. She thought they required a vote.

Mr. Berke said if the applicant appeals the others he will probably want to also appeal the preliminary development and subdivision plans, as one package. They are different applications, and each has to have decisions as part of the judicial process.

Attorney Feghali and Director Kluck agreed.

Commissioner Sategna said it is important in terms of clarifying which criteria was met or not met. He said he wasn't ready to do that and wanted more time. he didn't want to be pushed into making a decision on the spot. They should be able to take that time even though it may not be convenient to the applicant.

Chair Gutierrez said he agreed. He said Attorney Feghali will have to build a record for Findings.

Attorney Feghali said if the Commission doesn't feel comfortable tonight, they could table until a definite time, such as the next meeting.

FINAL MOTION IN CASE #S 2021-3816 AND 2021-3817:

In Cases #2021-3816 and #2021-3817 Preliminary Development Plan and Preliminary Subdivision, Commissioner Clow moved to deny because it is not possible to approve because the property has not been rezoned, the General Plan has not been amended, and the Master Plan has not been amended. Commissioner Sategna seconded the motion.

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

6. **Case #2021-3976. 123 and 135 Grant Avenue Development Plan.** Lorn Tryk Architects, Agent, for 123-135 Grant LLC (on behalf of the Georgia O'Keeffe Museum), Owner, request development plan approval to construct a 54,100 square foot structure for use as a museum. The properties are located at 123 Grant Avenue (consisting of approximately 1.2174 acres) and 135 Grant Avenue (consisting of approximately 0.7670 acres). The project site is zoned BCDMAR (Business Capitol District - Marcy Subdistrict) and within the Historic Downtown Archeological District and

Downtown and East Side Historic District. (Dan Esquibel, Case Manager). (**POSTPONED TO NOVEMBER 4, 2021**)

7. **Case #2021-3977. 123 and 135 Grant Avenue Variance to Subsection 14-8.6(C)(2)(b).** Lorn Tryk Architects, Agent, for 123-135 Grant LLC (on behalf of the Georgia O'Keeffe Museum), Owner, request variance to Subsection 14-8.6(C)(2)(b) to allow off site parking greater than 600 feet from the closest property line. The properties are located at 123 Grant Avenue (consisting of approximately 1.2174 acres) and 135 Grant Avenue (consisting of approximately 0.7670 acres). The project site is zoned BCDMAR (Business Capitol District - Marcy Subdistrict) and within the Historic Downtown Archeological District and Downtown and East Side Historic District. (Dan Esquibel, Case) **(POSTPONED TO NOVEMBER 4, 2021)**

8. **Case #2021-3978. 123 and 135 Grant Avenue Variance to Exhibit A - Table 14-8.6-1.** Lorn Tryk Architects, Agent, for 123-135 Grant LLC (on behalf of the Georgia O'Keeffe Museum), Owner, request variance to Table 14-8.6-1 “Parking and Loading Requirements” to allow 93 parking spaces where 119 parking spaces are required. The properties are located at 123 Grant Avenue (consisting of approximately 1.2174 acres) and 135 Grant Avenue (consisting of approximately 0.7670 acres). The project site is zoned BCDMAR (Business Capitol District - Marcy Subdistrict) and within the Historic Downtown Archeological District and Downtown and East Side Historic District. (Dan Esquibel, Case Manager). **(POSTPONED TO NOVEMBER 4, 2021)**

9. **Case #2021-3802. 697 Gonzales Road Variance to Subsection 14-8.2(D)(3)(b).** Sommer Karnes & Associates, LLP, Agent for Ramirez Investment Company, LLC, Owner, requests approval of a variance to grading standards related to permissible building slope within SFCC Subsection 14-8.2(D)(3)(b) Topography, which states “at least one-half of the area designated as suitable for building and at least one-half of any building footprint shall have a natural slope of less than twenty percent; the remainder of the area or building footprint may have a natural slope of twenty percent or greater, but less than thirty percent. The property is zoned R-1 (1 dwelling unit per acre), is partially within the Escarpment Overlay, and is approximately 1.36 acre in size. (John Neunuebel, Case Manager)

10. **Case #2021-3803. 697 Gonzales Road Variance to Subsection14-8.2(D)(3)(d).** Sommer Karnes & Associates, LLP, Agent for Ramirez Investment Company, LLC, Owner, requests approval of variance(s) to grading standards related to permissible building slope within SFCC Subsection SFCC 14-8.2(D)(3)(d). *Topography*, which states “A structure shall not be built on a natural slope of thirty percent or greater.” The property is zoned R-1 (1 dwelling unit per acre), is partially

within the Escarpment Overlay, and is approximately 1.36 acre in size. (John Neunuebel, Case Manager)

STAFF REPORT

The Applicant is proposing to designate a 3,000 sq. ft. building footprint for construction of a future single-family residence on a presently vacant lot located at 697 Gonzales Road. The proposed building footprint requires variance(s) from the City's grading standards due to it requiring the footprint to allow for more than fifty percent in slopes exceeding 20-30 percent grade, as well as natural slopes in excess of thirty (30) percent. Specifically; in defining a building footprint for which a future building permit application will be sought, variance(s) are being requested for the following two (2) City of Santa Fe code section(s): **1) Subsection 14-8.2(D)(3)(b**) which states: "At least one-half of the area designated as suitable for building and at least one-half of any building footprint shall have a natural slope of less than twenty percent; the remainder of the area or building footprint may have a natural slope of twenty percent or greater, but less than thirty percent." **2) Subsection 14-8.2(D) (3) (d**) which states: "A structure shall not be built on a natural slope of thirty percent or greater." Staff is proposing a single Condition of Approval wherein the applicant shall return to the Planning Commission for final approval of revised building pad location.

Additionally, in a letter submitted subsequent to the subject Applications (letter dated August 12, 2021), the Applicant proposes that if the Planning Commission were so inclined to consider an alternative Application wherein a building pad would be proposed for location closer to Gonzales Road coterminous with existing, adjacent homes located within the Escarpment Overlay District/ Ridgetop boundary and outside twenty and thirty percent natural slope areas, the Applicant would so submit a new Application for variance from Escarpment/Ridgetop Overlay locational requirements while placing the subject Application(s) "on hold."

The Applicant has complied with SFCC Subsections 14-3.1(E) "Pre-Application Conferences" and 14-3.1(H) "Notice Requirements" for Public Hearings.

STAFF RECOMMENDATION

1) Staff is recommending **APPROVAL** of the variance request regarding SFCC Subsection 14-8.2(D)(3)(b) *Topography*, which states "at least one-half of the area designated as suitable for building and at least one-half of any building footprint shall have a natural slope of less than twenty percent; the remainder of the area or building footprint may have a natural slope of twenty percent or greater, but less than thirty percent." (Case #2021-3802) as provided for in an alternative building pad location, and 2) staff is recommending **DENIAL** of the variance request regarding SFCC

Subsection 14-8.2(D)(3)(d) Topography, which states “A structure shall not be built on a natural slope of thirty percent or greater.” (Case #2021-3803).

He noted a letter from the applicant dated August 12, 2021, in which the applicant proposed the Commission consider an alternative application where location of a building pad would be close to Gonzales Road within the Escarpment Overlay District. The applicant would submit a new application for variance and place the subject applications on hold.

APPLICANT’S PRESENTATION

Joseph Karns, 125 Lincoln, Suite 221, was sworn in. He said the owner bought the land over three decades ago. Most of the area along Gonzales Road has been built out with R1 zoning and most of the homes along the east side have been built. This property is a “missing tooth”. The property slopes significantly to the east and the application is for approval for a building pad where the house will be located. The next step will be to design a one-story home on that site.

He said the best and flattest building sites are next to the street. A photograph of the adjacent home to the north was shown. The City’s GPS shows an area below the lot that is not actually part of the lot, and the house is within the Escarpment District. Homes are prohibited to the west of Gonzales Road, and they have pushed the home as far down the hill as possible to get out of the Ridgetop.

The engineers have identified a building pad that requires two variances; one to the 50/50 rule and one to allow a building pad greater than 30 percent. The access driveway meets all department standards. Their preference is to build within the Ridgetop. He met with staff on site and discussed where it would make sense to put the building pad. If within the Ridgetop it would avoid the terrain variance management requests. He noted on the display the challenges with the slope. Having the pad closer to Gonzales would require less terrain disturbance and is a solution to the challenges of the eastern portion of the property. He wanted to get the Commission’s thoughts on the alternative idea. Procedurally they would hold an ENN and if positive feedback, the applicant is willing to put these applications on hold to go through a second application process.

PUBLIC HEARING

Michael Moore, 693 Gonzales Road, was sworn. He commended the Commission for the seriousness with which the Commissioners take their positions. He was impressed. He said the alternative plan for a pad to the north of the property makes sense. His main issue with development there is the disturbance to terrain and possible runoff. The alternative plan would cause fewer problems and could potentially run into problems with the Escarpment District. He wanted to voice that he is in favor of the alternative plan.

Eduardo Ramirez, 1282 Senda del Valle was sworn in. He said this has been a long time coming and the property has been in the family for 40 years. His uncle developed the subdivision, and his father didn't build on the lot because of the difficulty of the slope. He said the recommendation is logical and avoids a driveway that would be challenging. The family would like approval to explore the alternative site.

Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Commissioner Clow said throughout the report it said there is a 3000 square-foot building site that is not on a 30% slope. She asked to see that location.

Mr. Karnes showed the alternate building pad. He said Mr. Cornelius designed a 3000 square-foot building pad that would run along the southern part of the property. The areas that are 30% or more would have to be removed for the building pad but it would not require a variance. He displayed the site. The rule allows the disturbance of the slope but prohibits a building pad on a slope of 30% or more. The alternate site will result in more disturbance to terrain, which the applicant found unacceptable. It made more sense to put the pad within the Ridgetop Subdistrict.

He pointed out that the purpose of the Escarpment Ordinance is to protect the views of the existing homes. They thought putting another home between the existing homes along Gonzales would not change the visual quality.

Commissioner Clow stated that could be said on all the homes built before the Escarpment Ordinance. She wasn't sure it was appropriate for the Commission to comment on an application that is not before them. She said if there is a building site that meets the criteria of a 3,000-foot building it should be looked at in terms of the least variances required. She asked the objection to the site.

Mr. Karnes explained out of the potential sites, one outside Ridgetop, one within Ridgetop and this, this one makes the least sense. The flattest areas of all of three properties is along Gonzales Road. This site would be the greatest disturbance of the 30% slope although it does not require a variance because it is off the building pad. He said the practical result was the same and both would require a 50/50 variance.

Commissioner Clow confirmed he was referring to the two small areas. She asked Attorney Feghali to comment on whether it was appropriate for the Commission to comment on the application and how they would vote.

Mr. Karnes said they were not asking how they would vote, and nothing had been designed. They were just looking for direction.

Commissioner Clow said in terms of a reaction, the escarpment is sacred. She thought if an alternative site requires less of a variance, it would be hard to argue for the other two sites.

Commissioner Lawrence agreed with Commissioner Clow. She didn't feel comfortable commenting.

Commissioner Lawrence said her sense was that is the applicant's true preference and possibly the Commission should postpone. She said she would look to Mr. Karnes whether they prefer the Commission vote on what is before them.

Mr. Karnes said he just communicated with his client. They brought two applications to the Commission and have decided not to apply for the escarpment variance because of process and challenges. He said this was mentioned because they received positive feedback at the site from staff and Director Kluck.

Commissioner Lawrence clarified she was not saying the Commission would not consider it, but she didn't want to discuss tonight.

Mr. Karnes said after talking with his client they would ask for a vote on the two applications before them.

Mr. Berke suggested the escarpment conversation not continue. The Commission should discuss the variances and act on the two applications before them.

MOTION: In Case #2021-3802, 697 Gonzales Rd., Commissioner Clow moved to grant the variance to allow more than 50% of the building built on slopes over 20% grade and below 30% grade, as this is recognized as a law that appears to be the only building site that will comply with the ordinance; and in Case #2021-3803, at the same address, moved to deny the variance on the grounds that there is a building site available on this lot that would be less disturbing and there is no need for a building site for a grade of more than 30 percent. Commissioner Lawrence seconded the motion.

Commissioner Sategna said he agreed with Commissioner Clow's rationale to deny but wanted to ensure the motion addresses the criteria. He requested she identify for Attorney Feghali what criteria was not met.

Commissioner Lawrence said she would suggest that the criteria matching what was stated in the staff report and staff recommendations be in the Findings of Fact and Conclusions of Law.

Commissioner Sategna said he wanted to be clear.

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

MOTION: In Case #2021-3802 and Case #2021-3803, 697 Gonzales Rd., Commissioner Clow moved to approve the Findings of Fact and Conclusions of Law as presented. Commissioner Lawrence seconded the motion.

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

H. STAFF COMMUNICATIONS

Mr. Berke said there will not be a second meeting in September but possibly a meeting on Thursday, October 7, 2021, with one item, the Monte Sereno case. The cases postponed this evening will be heard in November.

He thanked the Commission and the policy subcommittee for their work on the cannabis policy.

I. MATTERS FROM THE COMMISSION

Commissioner Sategna acknowledged staff for creating bookmarks. He said they are extremely helpful to navigate the document.

He also wanted to reemphasize the need for sections. He requested sections be provided for better understanding of the space between buildings. He also asked that presenters be encouraged to include scale in their presentations. Scale helps Commissioners understand distance when looking at a flat drawing.

Commissioner Garcia said he appreciated the different points of view that created more dialogue, so hopefully the Commission could come to the best outcome.

J. ADJOURNMENT

Chair Gutierrez adjourned the meeting at 10:05 p.m.

Submitted by:

Melissa D Byers

Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:

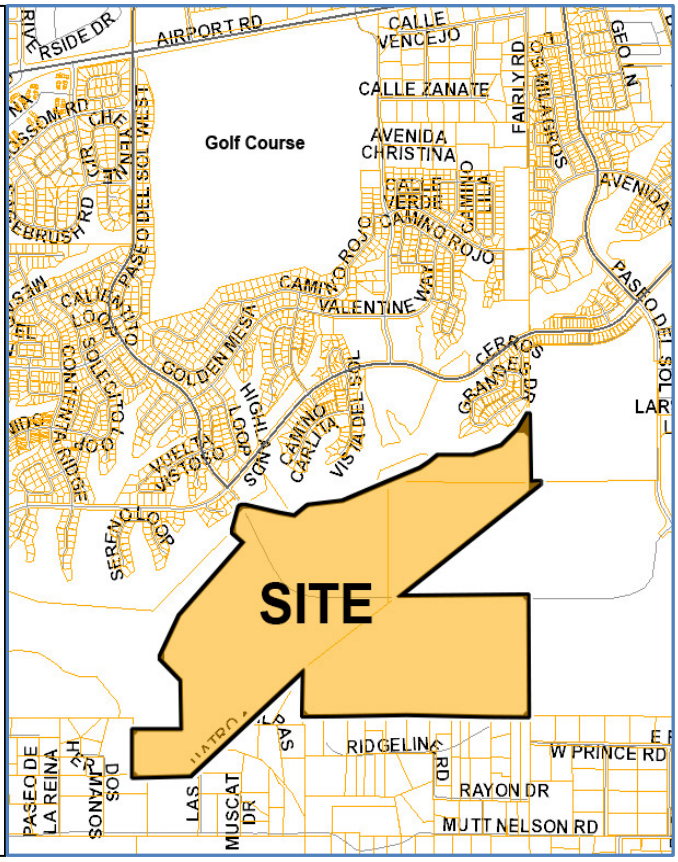
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Brian Gutierrez, Chair

Land Use Department
Planning Commission Staff Report

Case No:	21-3818
Hearing Date:	August 19, 2021
Applicant:	JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation
Request:	Master Plan.
Location:	Southwest of Capital High School
Case Mgr.:	Dan Esquibel
Zoning:	PRC (Planned Residential Community)
Overlay:	Suburban Archaeological Review District
Pre-app. Mtg.:	December 10, 2020
ENN Mtg.:	May 27, 2021
Proposal:	

Requests Master Plan Amendment for Phase 3A. The Amendment, which includes modifications to infrastructure, parks, trails, land uses, and density.



Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A. JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, requests Master Plan Amendment for Phase 3A. The Amendment, which includes modifications to infrastructure, parks, trails, land uses, and density. The property is an undeveloped tract of land located southwest of Capital High School, containing approximately 222.84 acres, and is zoned PRC (Planned Residential Community).

I. RECOMMENDATION

The Commission should recommend that the Governing Body **APPROVE** the requests.

One motions will be required in this case:

- *Recommend that the Governing Body approve the proposed Master Plan with Design Guidelines subject to conditions of approval recommended by Staff and Technical Correction listed in Exhibit A.*

The Planning Commission's recommendation will proceed to the City Council for final decision on the master plan requests.

II. CONDITIONS OF APPROVAL

Table 1 Conditions of Approval

#	Conditions of approval	Dept/Division	Completed By:
1	Submit a Master Plan plat defining the Master Plan Phase 3A proposed Tract boundaries and total acreage.	Land Use	Prior to filing the Master Plan
2	Correct Master Plan boundaries excluding previously dedicated open space from Tierra Contenta Subdivision Phase 2A, Unit 1 and Tierra Contenta Subdivision Phase 1B, Unit one.		
3	The Master Plan shall include conceptual trail integration with existing trails, parks, and open space. The trails may be included with phased development of tracts as long as design and construction standards are included in the Phase 3A design guidelines.		
4	Disturbed areas within the open space shall be revegetated to mimic the undisturbed condition		
5	NMSD right-of-way dedications shall be acquired for proposed roads crossing NMSD land.		
6	Address all comment and concerns received from Wilson & Company, Inc., Engineers & Architects.		
7	Terrain Management shall comply with Section 14-8.2 requirements for Terrain Management.		
8	Submit concept street lighting plan		
9	Submit amenities for other accessory structures within the Design Guidelines.		
10	Submit plan for the timing, financing, and responsibility for infrastructure construction.		
11	Submit concept water budget		Prior to Governing Body Review
12	Submit fiscal impact to the city of providing utility and other municipal services to the area.		Prior to Governing Body Review

13	Provide additional detail in the guidelines identified in Section IV(a) "Housing and Nonresidential of this report for the Land Director review and approval.		Prior to filing the Master Plan
14	Design guide lines for development of the water system for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A shall require a pre-water design meeting with the City's Water Division prior to submittal of an application to the City for Development	Water Division	Prior to subdivision or development plan review of Tract Phases
15	Design guidelines for development of the sanitary sewer system for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A project shall require a pre-sewer design meeting with the City's Wastewater Division prior to submittal of an application to the City for Development	Sewer Division	
16	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)	Fire Marshal	Prior to Signatures
17	Include parking protected bike lanes as a design option	Land Use/MPO	Sheet Process
18	Widen the minimum sidewalk width to 6 feet		
19	Add a landscape buffer between all sidewalks and the road		
20	Incorporate all conditions required for ADA compliance into the Master Plan Guidelines. ADA guidelines shall comply with both Federal and State ADA standards as amended.	Land Use/ADA Review	Prior to Recording the Master Plan

III. EXECUTIVE SUMMARY

The property is owned by the Tierra Contenta Corporation (TCC). The property is located south of Jaguar Road, southwest of Capital High School and east of SWAN Park (no assigned address). The property is approximately 216.52 acres in size, zoned PRC (Planned Residential Community) and located within the Suburban Archaeological Review District.

The Master Plan AmendmentApplication is a request to outline a phase-by-phase development process for entitlements of phase 3A. The entitlements include:

- Design standards,
- Subdivisions and subdivision phases,
- Infrastructure,
- Affordable housing (40% affordability to 80% Area Median Income), and
- Parks, open space, and other public uses according to the Annexation Agreement

Proceeding the Master Plan, the Applicant will submit a Master Plan plat to identify subdivision tracts to recruit developers and/or builders for the development of proposed Tracts. The Applicant will also submit design guidelines for all development in Phase 3A. The Applicant states that process of review will start with the TCC Architectural Review Committee prior to review before the Planning Commission. The TCC review is to ensure compliance with the Master Plan, adopted Master Plat and Design Standards. The Master Plan anticipates mixed residential (1,175 to 1,500 dwelling units) and both civic, and neighborhood commercial uses.

The Applicant complied with all process requirements of Chapter 14 as follows:

- Pursuant to 14-3.1(E) *"Pre-application"*: Conducted on December 10, 2020,
- Pursuant to 14-3.1(F) *"Early Neighborhood Notification" ("ENN")*: Conducted two ENN meetings:
    - May 27, 2021; and
- Pursuant to 14-3.1(H) "Notice Requiems" for ENN's and Public Hearings.

The Applicant will be returning to the Planning Commission for review and approval of the Master Plat which will subdivide the property into phase Tracts for developers to purchase and develop.

The Land Use recommend conditional approval of Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A.

IV. BACKGROUND

In 1985 the City amended the Santa Fe Urban Area and annexed approximately 1,931 acres of the property owned by Tierra, School for the Deaf, Santa Fe Board of Education, Elisia and Prater, and Herrera and Hernandez (Original Annexation Agreement). On December 15, 1994, the City recorded the *"Restated Annexation Agreement Tierra Contenta, Wolgamood Subdivision and Contiguous Lands (east)"* (Agreement). The Agreement superseded the Original Annexation Agreement. The Annexation Agreement was recorded in the Office of the Santa Fe County Clerk on December 15, 1994, in Book 1122, Pages 756-786. The Agreement identified that the annexed property comprised approximately 1,421 acres, zoned PRC (Planned Residential Community), and encompassed the following property owners: City of Santa Fe, Tierra Contenta Corporation, Elisia Partnership, Kenneth Prater, New Mexico School for the Deaf, Santa Fe Board of Education, Herrera Associates, and Dr. Joe L. Hernandez (Landowners).

The Agreement states that *"[i]n lieu of standards set forth in the PRC Zoning Ordinance, specific*

development standards that vary from the PRC Zoning Ordinance may be proposed by any PRC Owner for individual tract development within the PRC district as part of any application for preliminary and final subdivision plat approval or preliminary and final development plan approval to the Development Review Committee."

Table 2 *"Entitlements/Uses"* identifies the Applicant's proposed uses for the Master Plan for Phase 3A.

Table 2 Entitlements/Uses

USE	Acreage	Units
Mixed Residential	118.95 acres	1,133 units
Mixed-Use	3.43 acres	42 units
School	9.37 acres	N/A
Open Space	84.77 acres (stated 91.09 acres)	N/A
	Total 216.52 acres (stated 222.84 acres)	1,175 units (1,500 maximum)

The proposed master plan application identifies approximately 222.84 acres. However, the Master Plan proposed boundary includes a portion of open space previously dedicated to the city created as part of Tierra Contenta Subdivision Phase 2A, Unit 1 (approximately 2.0 acres), and a portion of open space dedicated to the city created as part of Tierra Contenta Subdivision Phase 1B, Unit one (37.24 acres). Since a Master Plan plat was not provided with the application, exact amounts from each previously dedicated open space cannot be quantified (reference Figure 1 *"Included open space"*). The subject property comprises four tracts totaling approximately 216.52 acres, a difference of approximately 6.32 acres (Reference Table 2 *"Master Plan Tracts/Lots"* and Figure 2 *"Master Plan Tracts/Lots"*).

Table 3 Master Plan Tracts/Lots

Tract Name	Approximate Acreage	Approximate Total Acreage
Tract - A3-7C	109.54	216.52
Tract 7A Remaining portion of Government Lot 7	10.56	
Government Lot 8	27.72	
Tract 9 (Annexation Plat for Tracts 1-9 Tierra Contenta, Wolgamood Subdivision and Continuous Land (east))	68.70	

Figure 1 Included open space

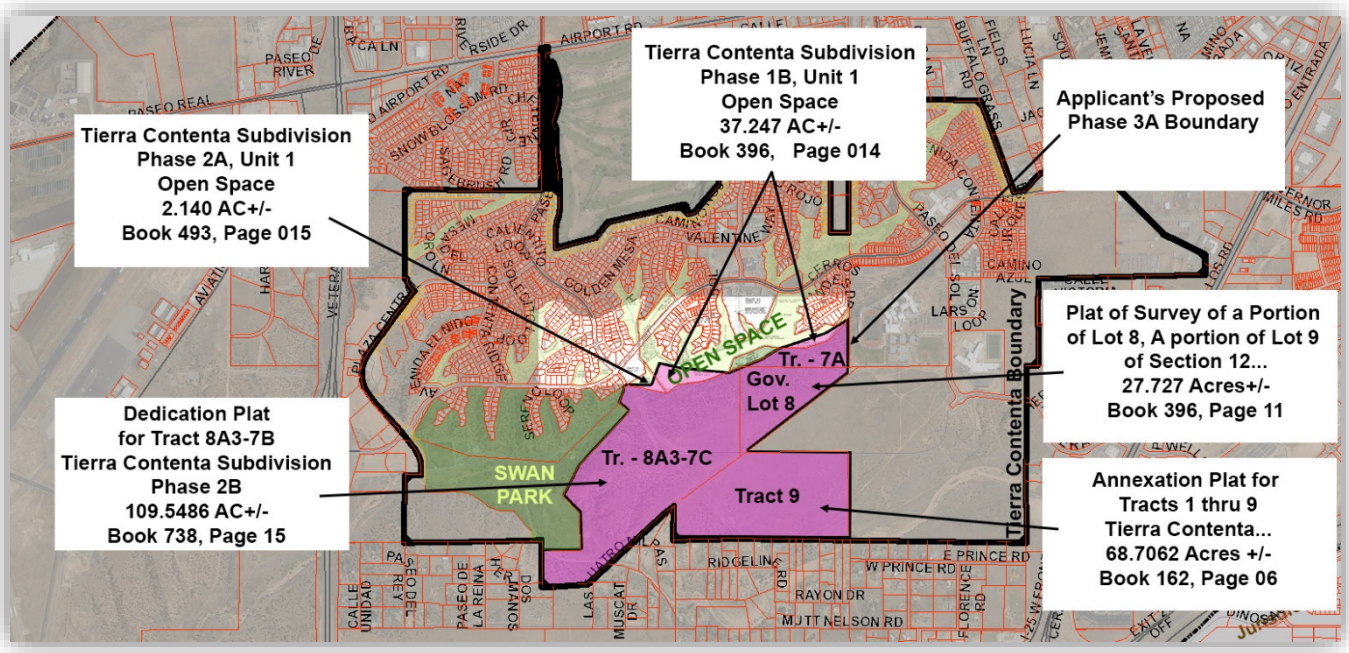
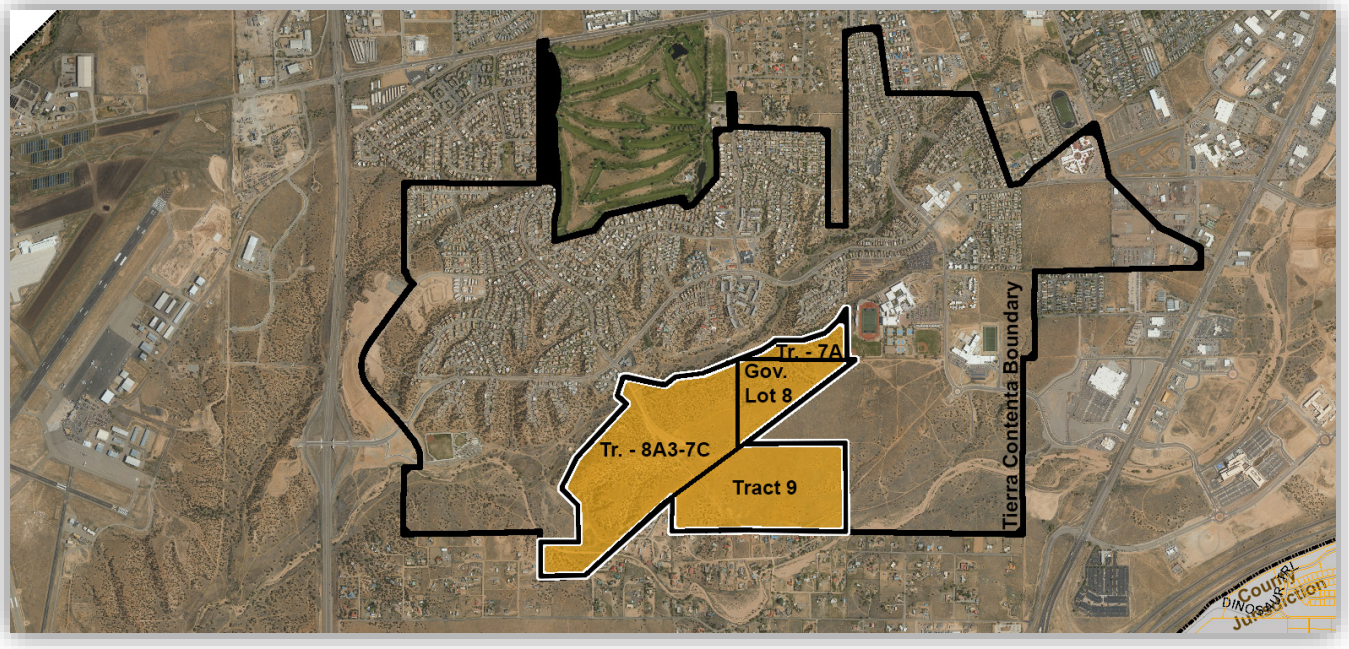


Figure 2 Master Plan Tracts/Lots (Approximately 216.52 Acres)



a) Housing and Nonresidential

The Master Plan will provide all residential Phase/Tract(s) uses to include "Mixed Residential*" "to emphasize that a mixture of housing types is permissible and encouraged*[1]*."* The residential Phase/Tracts are designed to promote and enable the creation of a diversity of housing types. To achieve this goal, the Applicant requests an increase in residential density governed by a form-based design. The form-based design provides predictability in how the buildings fit together and reinforce each other relative to the street within the public realm. The design guidelines will regulate development to achieve a specific urban form for Phase/Tract(s) within the Tierra Contenta Master Plan Amendment #1 for Phase 3A. The design guidelines have been provided for the following housing types but not for nonresidential structures (reference Exhibit E *"Tierra Contenta Phase 3A Design Standards Overview"*):

- Building Typology,
- Detached House,
- Accessory Unit,
- Duplex, Townhouses/Rowhouses,
- Casita Court,
- Courtyard Apartments,
- Multiplex,
- Garden Apartments, and
- Live-Work, Flex Building.

The Application did not include information to accommodate a family's growing needs for storage or other accessory structures, street and building lighting, or bicycle racks. Additionally, while architecture plays a role in the form-based design, not enough information was included in the Application to identify a specific urban form. Furthermore, the Application vaguely identified any organic flow between phases or how the variety of housing types will fit together to promote that sense of place or design predictability in the organic flow from building to building and phase to phase. It is understood that each Phase/Tract may be unique with housing types proposed by developers; it is not clear that the provided guidelines promote enough of a base guide for potential developers to achieve a specific urban form. Per *4-3.9(C)(3)*(a):

> *"The master plan must include a designation of the maximum density allowed for each tract designated for use. Unless special standards are adopted, development standards for each tract shall be those specified in Section 14-7 Building Envelope and Open Space Standards and Measurements for the corresponding density. The applicant must provide additional detail in the guidelines.*

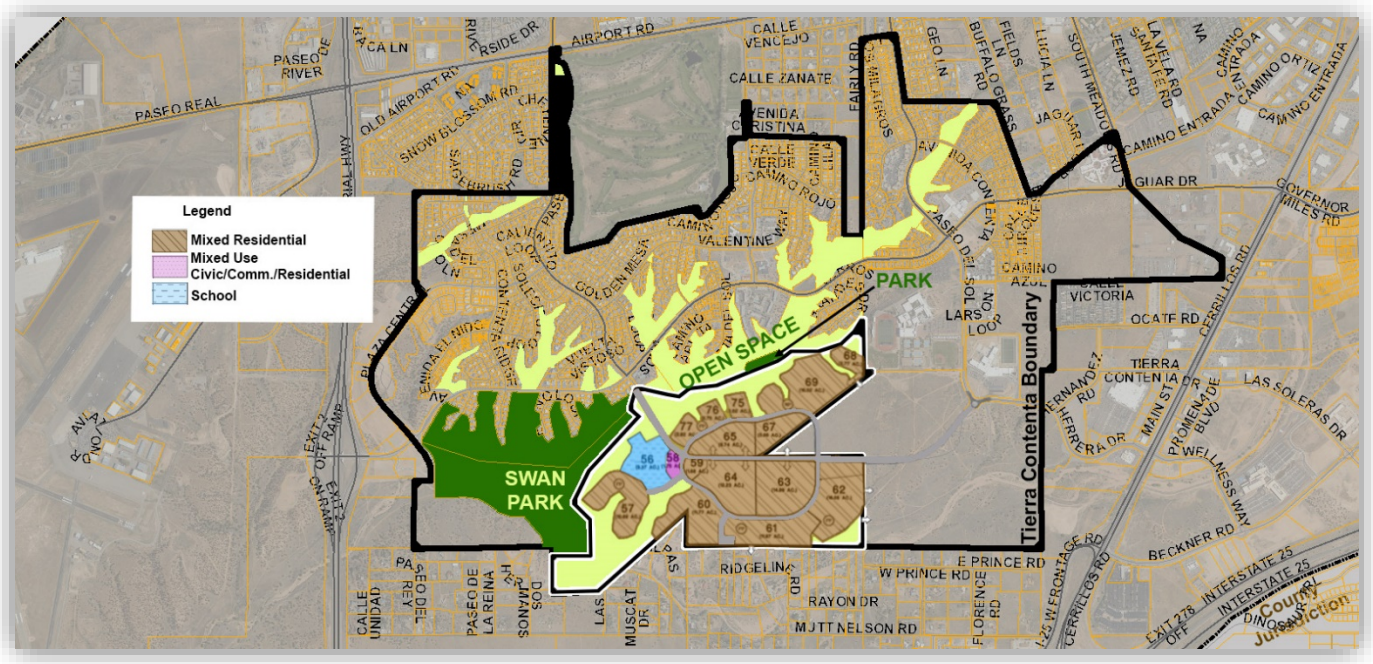
Form Based Code Design would qualify as "special standards". Per Subsection14-3.9(C)(2)(b) *"Special standards and guidelines must be approved as part of the master plan."*

The current housing density is stated to be a total of 4,368 dwellings units for Tierra Contenta (TC), with Phase 3A representing 1,175 dwelling units remaining per the TC Master Plan. Of the existing 3,193 dwellings units within TC, 41% (1,310) is considered affordable housing. The Applicant's request proposes to increase the remaining balance of 1,175 dwelling units to 1,500 dwelling units, a difference of 325 dwellings. The Applicant's Master Plan report states that affordability will include 40%, which translates to 600 dwellings units.

[1] Applicant's TC3A Master Plan Amendment Report.

Additionally, Tracts 58 and 59 of the TC Master Plan included in Phase 3A are proposed as Mixed-Use to accommodate the nonresidential uses for the civic, neighborhood, and commercial use opportunities. An option will be built into the Master Plan for Tracts 58 and 59 if there is no demand for nonresidential services to allow mixed residential use. The PRC zoning and the Agreement allow the zoning proposal and dwelling unit increase provided City approvals are obtained (reference Figure 3 "Master Plan Uses").

Figure 3 Master Plan Uses

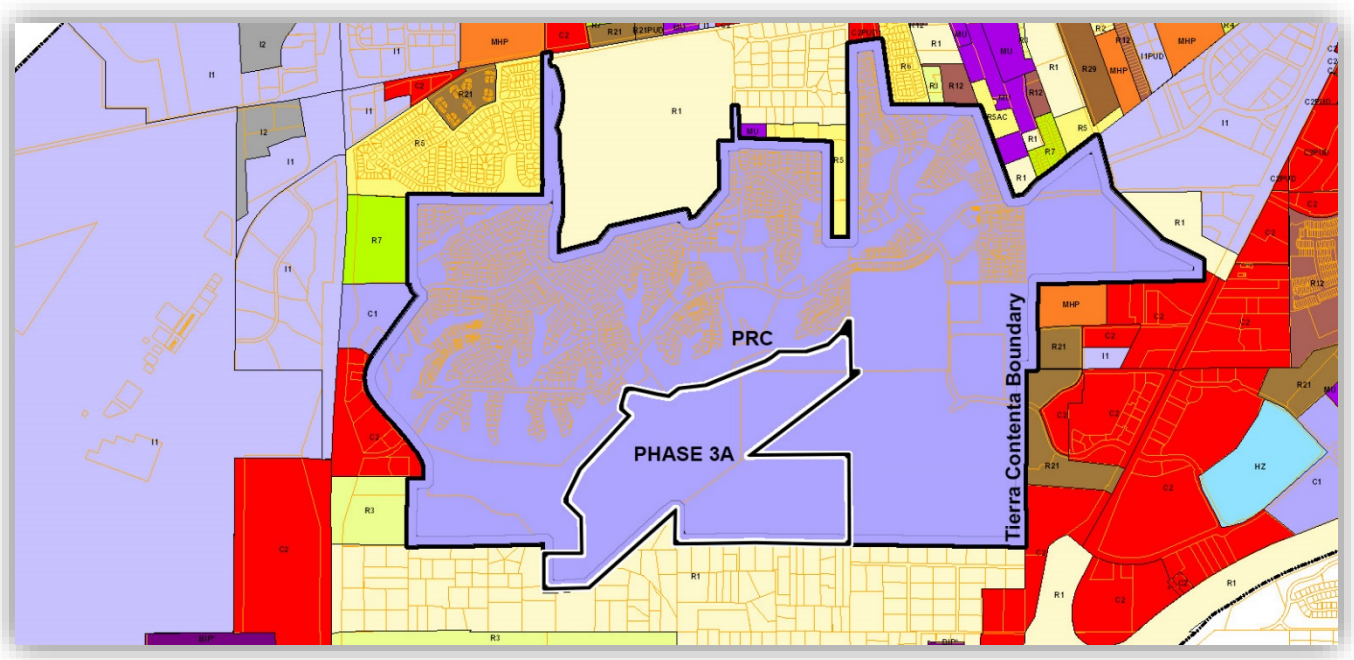


a) Adjacent Uses:

Table 4 Adjacent Zoning (Reference Figure 4 "Adjacent Zoning")

Direction	Zoning
North and Northeast	PRC (TC Planned Residential Community), Swan Park Node, Park and Dedicated Open Space
South	R-1 (Residential – 1 Dwelling unit per acre)
East	PRC (TC Planned Residential Community) vacant land and Institutional Use (Capitol High School)
West	SWAN Park Node

Figure 4 Adjacent Zoning



b) Bicycle and Trails

The Master Plan proposal did not address trail(s) design into the open space and park(s) areas. The Master Plan shall include conceptual trail integration with existing trails, parks, and open space. Trail construction may be included with phased development of Tracts, provided design and construction standards are included in the Phase 3A design guidelines.

Figure 5, *"Conceptual Bike and Trail Design,"* provides street designs identifying both bicycle and trail details. Figure 6, *"Conceptual Bicycle and Trail Plan," shows Conceptual Bicycle and Trail paths, and* Figure 7, *"Existing Bikes and Trails,"* identifies existing bicycle and trail conditions.

Comments received from the Santa Fe Metropolitan Planning Organization (MPO) require three conditions:

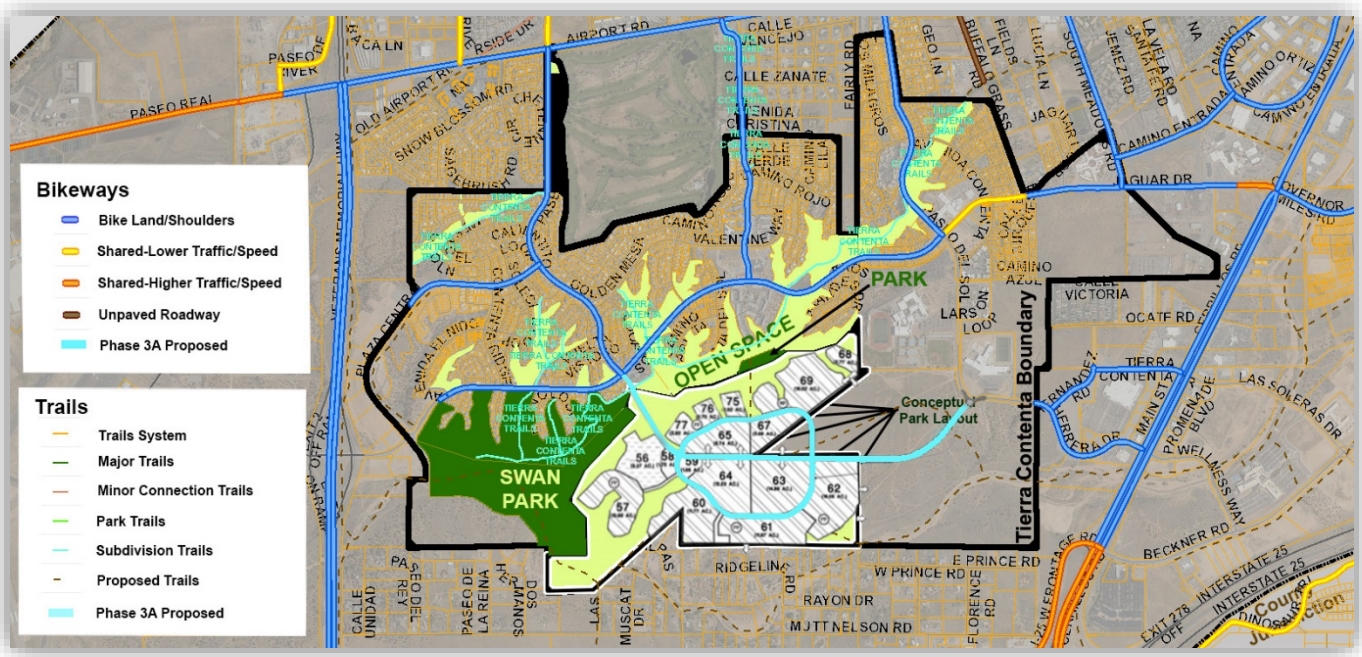
1. Include parking-protected bike lanes as a design option,
2. Widen the minimum sidewalk width to 6 feet, and
3. Add a landscape buffer between all sidewalks and the road.

MPO explanation of condition can be found in Exhibit B1.

Figure 5 Applicant's Conceptual Bike and Trail Design.



Figure 6 Conceptual Bicycle and Trail Plan


Bikeways
Bike Land/Shoulders
Shared-Lower Traffic/Speed
Shared-Higher Traffic/Speed
Unpaved Roadway
Phase 3A Proposed
Trails
Trails System
Major Trails
Minor Connection Trails
Park Trails
Subdivision Trails
Proposed Trails
Phase 3A Proposed
PARK
OPEN SPACE
SWAN PARK
Tierra Contenta Boundary
AIRPORT RD
PASEO REAL
OLD AIRPORT RD
SNOW BLOSSOM RD
CALLE ZANATE
CAMINO VALENTINE
CAMINO ROJO
CAMINO AZUL
VICTORIA
OCATE RD
LARS LOOP
TIERRA CONTENTA
LAS SOLERAS DR
PROMENADE BLVD
WELLNESS WAY
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
FLORENCE RD
INTERSTATE 25
EXIT 278
JUAREZ
GUAR DR
GOVERNOR MILES RD
CAMINO ENTRADA
CAMINO ORTIZ
SOUTH MEADOWS RD
JENEZ RD
LA VELA RD
SANTA FERD
FIELDS LN
BUFFALO GRASS
LUCIA LN
FAIRLY RD
CALLE VENCEJO
CALLE VERDE
CALLE UNIDAD
PASEO DE LA REINA
PASEO DEL REY
LAS MUSCAT DR
SONTAMAYOR
PLAZA CENTER
VETERANS MEMORIAL HWY
CA LN
RIDE DR
SNOW BLOSSOM RD
CHERRISH RD
GOLDEN MESA
ENINA EL NIDO
CALLE LOS CERRITOS
CALLE LOS CERRITOS
CALLE LOS CERRITOS

c) Parks

The Master Plan includes five parks, one neighborhood park and four dispersed pocket parks. The neighborhood park will be dedicated to the city and the pocket parks will be maintained by applicable homeowners''. The neighborhood park will be up to approximately 5 acres in size and contain (*Reference Figure 8 "Neighborhood Park Concept."*):

- formal playground,
- outdoor sport courts,
- sport fields,
- picnic tables,
- pathways, and/or
- multi-use open turf areas.

Figure 8 Applicant's Neighborhood Park Concept



The pocket parks will contain no more than ¼ to ½ acre in size (*Reference Figure 9 "Concept Pocket Park).* The application states that the pocket parks are for *"passive recreation, social interaction, and connection with nature. Minimal amenities are provided, aside from those intended to enhance pedestrian comfort." Reference Figure 10 "*Conceptual Park Layout.*"*

Figure 9 Applicant's Concept Pocket Park

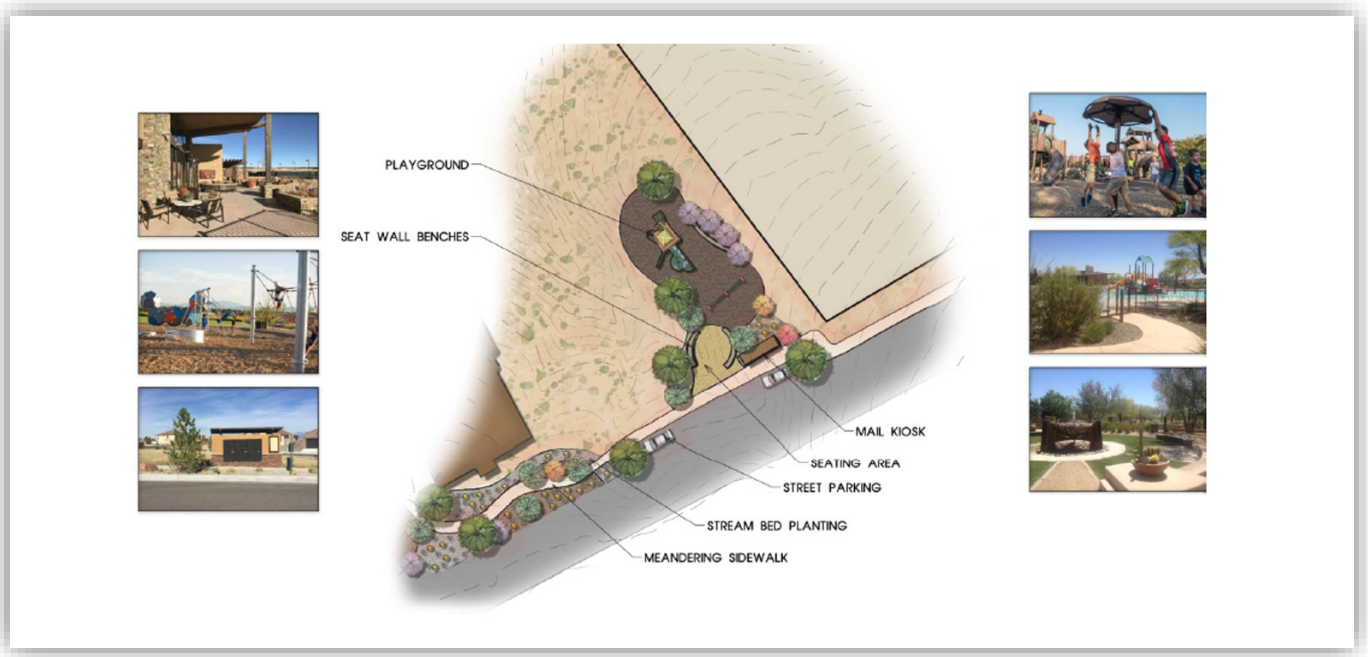
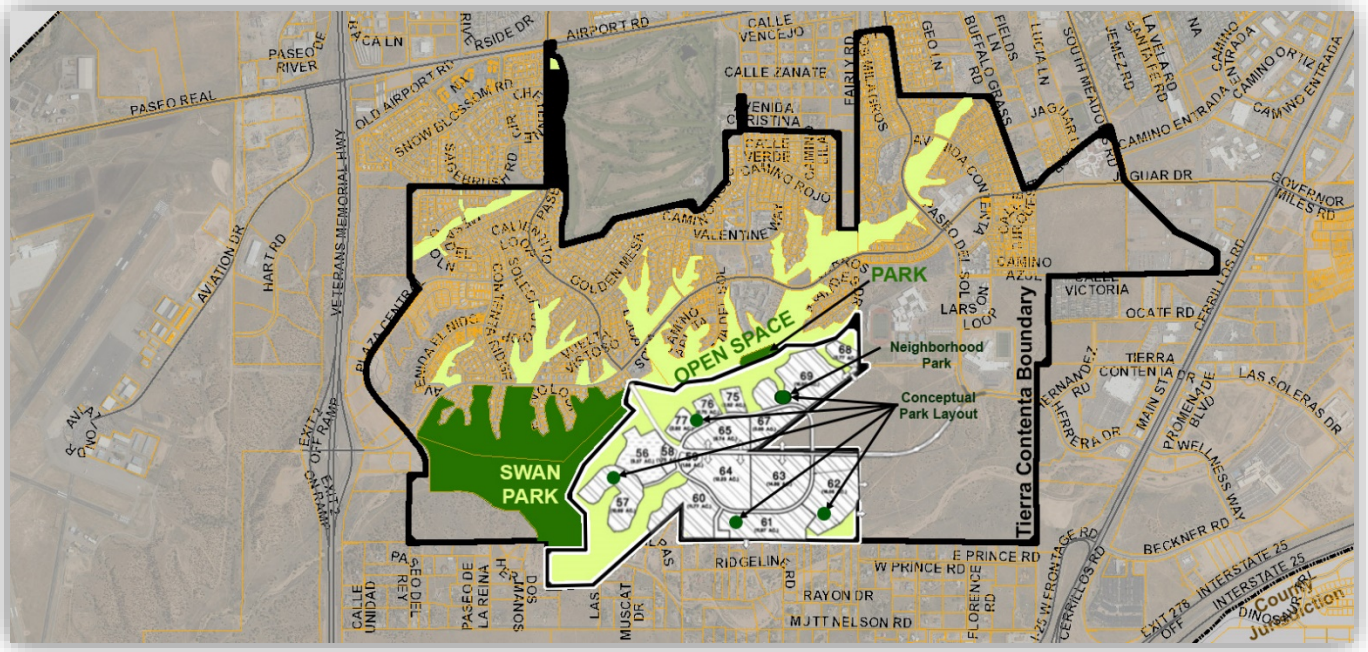


Figure 10 Conceptual Park Layout



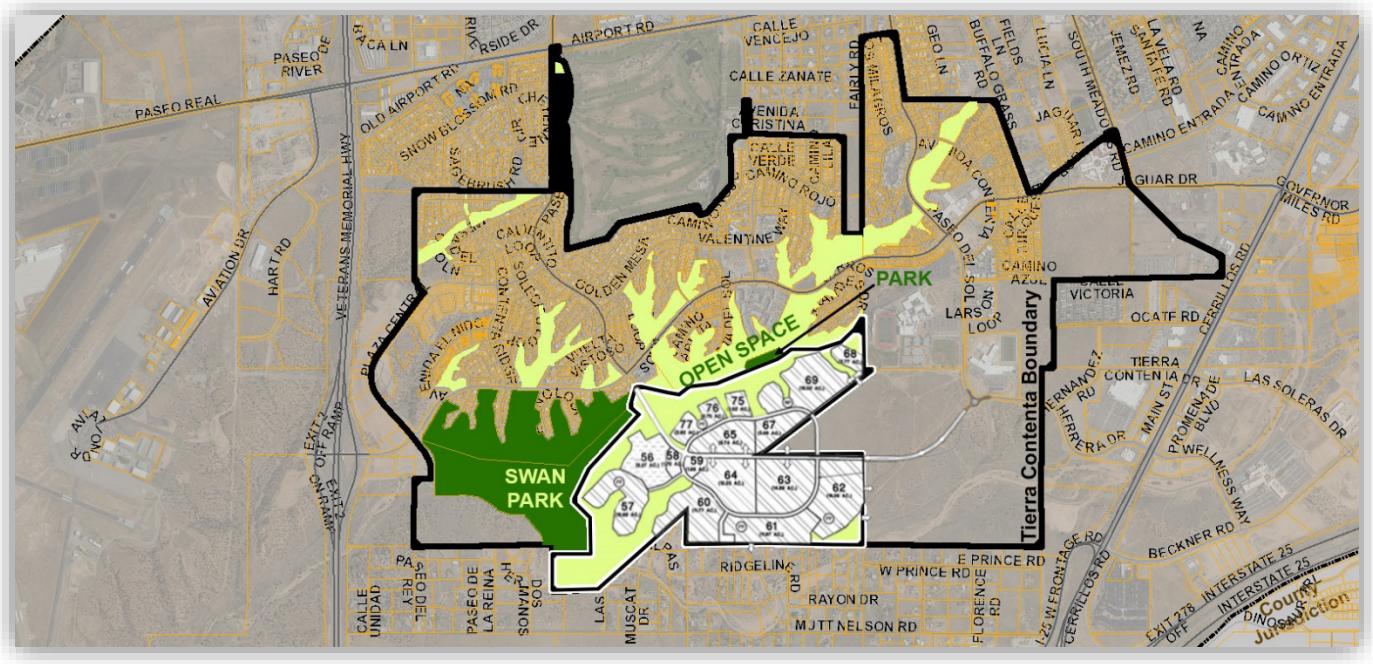
d) Open Space

The Master Plan report identifies 90.09 acres for dedicated open space to the City. However, as stated earlier in this report illustrated in Figure 1, *"Included open space,"* the proposed boundaries include open

space previously dedicated to the City as part of previous development projects. The overage in the proposed open space is approximately 6.32 acres reducing the amount of dedicated open space preserved for Phase 3A to approximately 83.77 acres.

The Application states that "Construction within Natural Open Space is limited to trails, drainage improvements/arroyo bank stabilization, and utility extensions. Disturbed areas shall be revegetated to mimic the undisturbed condition."

Figure 11 Open Space



e) Traffic

Access to Phase 3A will be through an extension of Paseo Del Sol West just south of Jaguar Drive east. The extension will run through the project site, extending through the New Mexico School for the Deaf (NMSD) land, connecting to Herrera Drive/Paseo del Sol East roundabout. The Paseo del Sol extension road will comprise:

- 72' right-of-way,
- 11' driving lanes with a 1'6" median,
- two 5' bike lanes,
- parallel parking on both sides of the street,
- 5' sidewalks (MPO has requested 6'), and
- street trees and landscaping.

A loop road crossing the New Mexico School for the Deaf will complete the backbone roadway to all the developable tracts. The loop road will comprise:

- 53’ right-of-way,
- 20’ travel lane,
- parallel parking on both sides of the street,
- 5’ sidewalks (MPO has requested 6’), and
- street trees and landscaping.

Local streets will comprise:

- 44’ right-of-way,
- 20’ travel lane,
- parallel parking on one side of the street,
- 5’ sidewalks (MPO has requested 6’), and
- street trees and landscaping.

The Master Plan will anticipate future roadway connections both within the Master Plan and to adjacent properties. The Master Plan report states that the Applicant is negotiating with the NMSD to acquire right-of-way dedications for proposed roads crossing NMSD land. Reference Figure 5 “Applicant’s Conceptual Bike and Trail Design” for road cross-section and Figure 10 “Phase 3A Backbone Roadway Infrastructure” for Phase 3A Backbone Roadway Infrastructure.

A Traffic Impact Analysis was requested by the City Traffic Division for the project and was submitted for review by the Applicants. The Applicant’s report identifies:

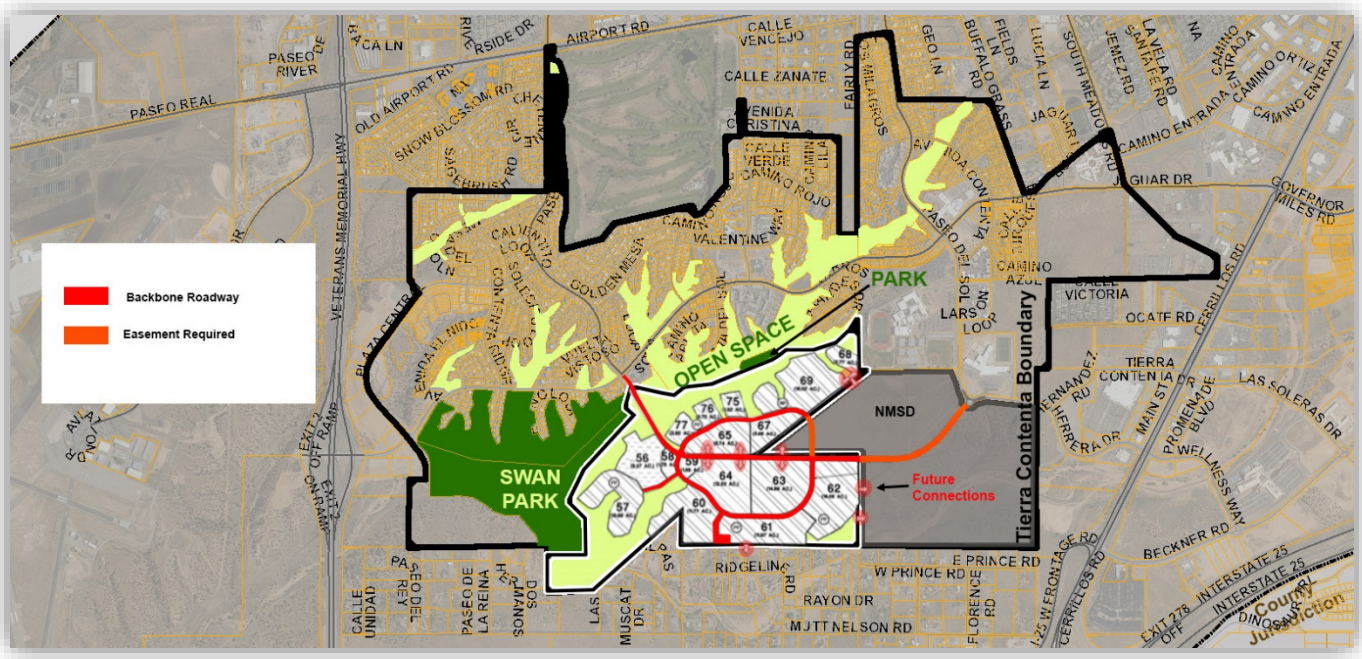
> *“The trip generation was calculated in accordance with a set of land use assumptions based on a dwelling unit yield analysis of the subject area. All studied intersections will continue to operate at acceptable Levels of Service in the build condition and horizon year. Furthermore, as referenced in the addendum letter from Morey Walker, a potential increase in density up to 1,500 dwelling units will not negatively impact the study’s results.”*

Comments received by the City’s traffic engineering consultant (Wilson & Company, Inc., Engineers & Architects) stated that the *“TIA was a higher-level analysis so the phased developments will need to have an updated TIA completed.” (Reference Exhibit B2)*

- *Letter dated June 17, 2021, indicates an increase in residential units by 366 to a total of 1500. However, it appears the traffic volumes do not take the increase into account.*
- *TIA mentions right turn lanes for certain sections of Internal traffic circulation, but turn lanes were not included in the analysis.*
- *Several Driveways appear to be located along Paseo Del Sol, both in the development, and external to the development, these were not included in the TIA evaluation.*
- *Internal intersections with loop road were analyzed as 4-way stop control. Need to provide an all-way stop warrant analysis. The all-way stop should be implemented only when they are warranted.*
- *TIA Recommended Improvements for Phase 3A, with comments in Blue (reference Exhibit B2):*

- *Stop Controlled Intersection of West Paseo del Sol and Jaguar Drive*
    1) *In the build out year 2030, no improvements are needed*
    2) *In the horizon year 2040, a right turn lane for Jaguar Drive eastbound (Is this to be built now?)*
- *Signalized Intersection of East Paseo del Sol and Jaguar Drive No improvements are required for Year 2030 and Year 2040*
- *Roundabout Intersection of Paseo del Sol and Herrera Drive*
    1) *In the build out year 2030, no improvements are required.*
    2) *In the horizon year 2040, a dedicated EB though lane could be required. (If Herrera requires a dedicated through lane, will this be funded by the developer, is a second lane required on Herrera?)*
- *Internal Phase 3A Intersections*
  Both major internal road Intersections will require four way stop controlled for both design year 2030 and horizon year 2040 (Internal Intersections with loop road were analyzed as 4-way stop control. Need to provide an all-way stop warrant analysis. The all-way stop should be implemented only when they are warranted.)
- *VISUM Traffic Generation & Distribution output was provided for the analyzed Intersections, however, the model input data was not included.*
- *The commercial/mixed use, and elementary school may have significant traffic impacts. Additional traffic investigation is needed.*
- *The intersection of Herrera and Cerrillos was not included in the TIA. However, with the increase and traffic on Herrera, it should be included in the evaluation.*

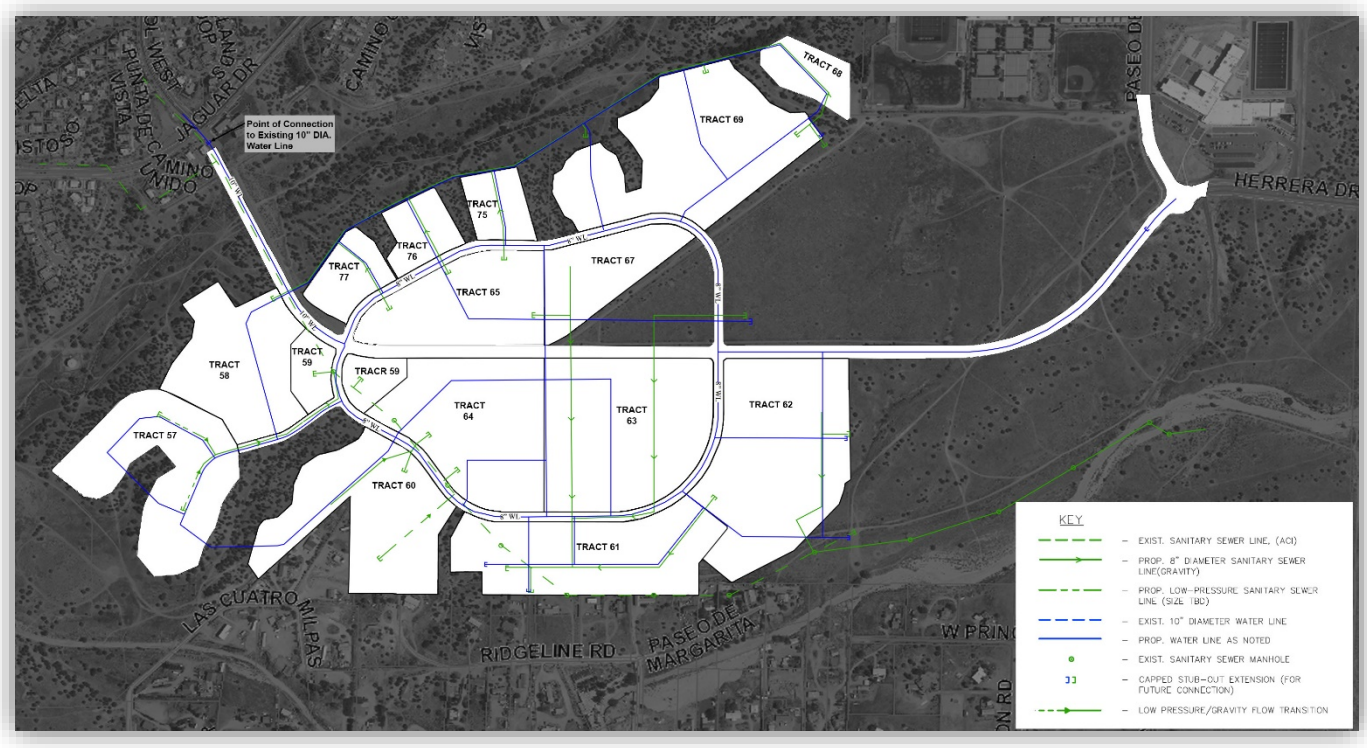
Figure 12 Phase 3A Backbone Roadway Infrastructure



f) Utilities

City Water and City Sewer will be extended into the Phase 3A from Paseo Del Sol. The Master plan identifies a water connection to an existing 10" water line then connecting to an 8" line (Reference Figure 13 "Phase 3A Utility Plan"). Additionally, water lines will end at the south property line (within the street) providing availability to city services to bordering property south of the project.

Figure 13 Phase 3A Utility Plan



Both City water and City Serwer Divisions requested one condition of approval applying to each Division (Reference Exhibits B3 and B4).

> *"Design guidelines for development of the sanitary water and sewer system(s) for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A project shall require a pre-water and pre-sewer design meeting(s) with the City's Water Division and Wastewater Division(s) prior to submittal of an application to the City for Development"*

The Master Plan Amendments submittals did not include a concept water budget. A concept water budget is required prior to Governing Body review.

g) Fire Protection

With roughly 2,232 residential developments under construction[2] (reference Exhibit C15), the addition of 1,500 dwelling units will increase demand on the Fire Department. The Applicant has set aside Tract 58

[2] Count: As of May 13, 2021

for civic/public uses.

Fire Marshal requested one condition of approval with standard technical corrections identified in Exhibit B5.

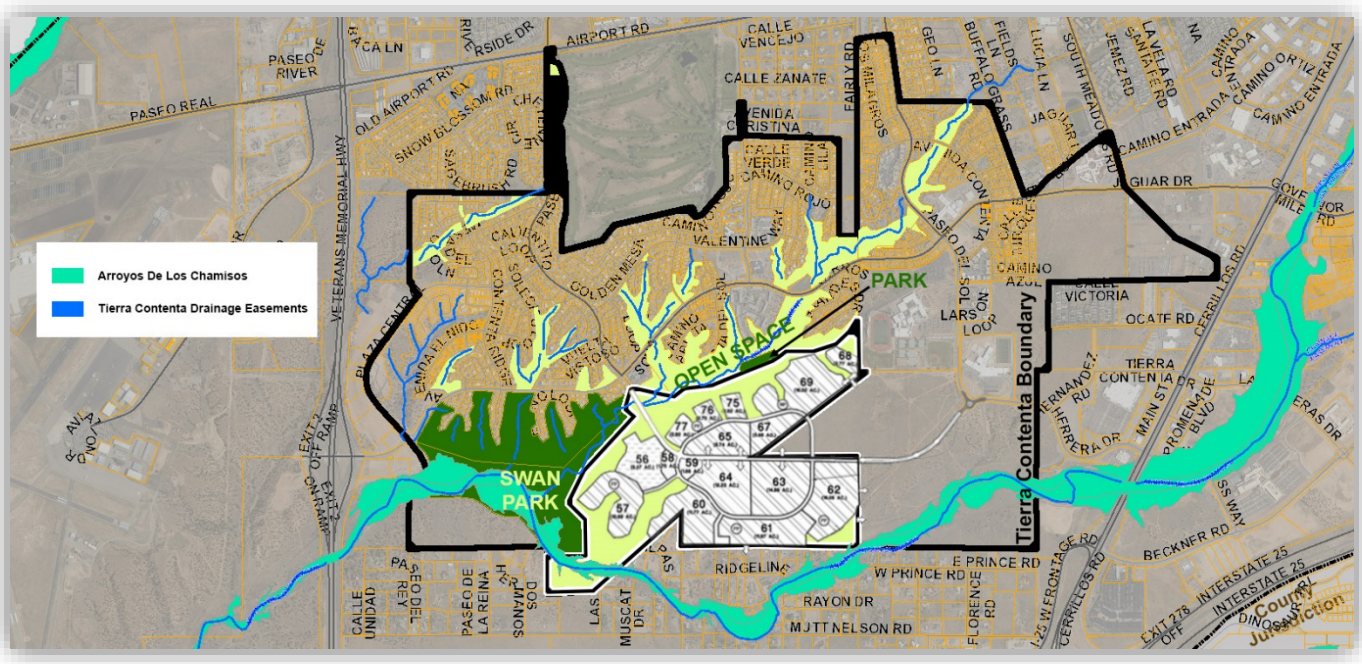
> *Fire Marshal Condition:*
> *Fire apparatus access shall have an unobstructed width of not less than 20 feet exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches (IFC 2015 Section 503.2.1)*

h) Terrain Management and Landscape

Terrain Management shall comply with Section 14-8.2 requirements for Terrain Management. Phase 3A is neither within the Escarpment Overlay or Mountainous and Difficult Train Mapped area. However, there are areas of 20 and 30% slopes. Additionally, there are drainage ways (Tierra Contenta Drainage Easements) that run through the open space and the Arroyos De Los Chamisos runs through the SWAN Park (Refence Figure 13 “Drainage”). The Annexation agreement states:

> *15. CONFORMANCE WITH TERRAIN MANAGEMENT AND DRAINAGE STANDARDS. Prior to development of Property, the PRC Owners and Adjoining Owners shall demonstrate compliance with the Terrain Management provisions of Santa Fe City Code. Dip sections shall not be allowed on designated arroyos without prior administrative approval of the director of the Technical Review Division of the City.*

Figure 14 Drainage



The City Technical Review Division had no comments.

V. MASTER PLAN

The Applicants has provided a multi-phases Master Plan. The objective of the master plan is the "creation of tracts for sale to developers in a phase subdivision plat, and creation of a phase development plan." "Recruit developers and/or builders for the development tracts created."
The Applicant has not requested any variances for Caser #2021-3818.

Development and use of the property, as outlined in the Master Plan, solidifies the Master Plan with the Property until changed by the Applicants. Changes to an approved Master Plan require a public hearing before the Planning Commission and the Governing Body.

Table 5 Approval Criteria– Master Plan (Section 14-3.9(D)(1))

Criterion 1: the master plan is consistent with the general plan;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The Applicant has addressed Criterion 1 stating: *"This Master Plan Amendment aligns with General Plan Themes and Policies, such as Affordable Housing, 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, and Mix of Housing Types in All Neighborhoods."* Staff concurs with the Applicant response to Subsection 14-3.9(D)(1). Staff's analysis of the project identifies that the Applicant satisfied the Master Plan criterion required by Subsection 14-3.9(D)(1).	
Criterion 2: the master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts;	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The Applicant has addressed Criterion 2 stating: *"The stated purpose of the PRC District in §14-4.3(I)(1) is "…to provide for the comprehensive and coordinated planning of large-scale residential developments that allows for a phasing of development that will take place over a long period of time. This district allows and encourages single- family residences in conventionally platted subdivisions and clustered residential developments based on a design concept that applies innovative site-planning techniques; a mixture of residential densities intended to achieve a balanced community for all types of families; and neighborhood commercial uses of a type and intensity serving the residents of the PRC and the surrounding areas." This amended Master Plan is consistent with the purpose and intent of the PRC District through the provision of a diversity of housing types, innovative design standards, a mix of residential densities, and mixed-use development."* Staff concurs with the Applicant response to Subsection 14-3.9(D)(2). Staff's analysis of the project identifies that the Applicant satisfied the Master Plan criterion required by Subsection 14-3.9(D)(2).	

Criterion 3: development of the master plan area will contribute to the coordinated and efficient development of the community; and	**Criterion Met:** (Yes/No/Conditional/N/A) **YES**
The Applicant has addressed Criterion 3 stating: *"The Master Plan includes provisions for pedestrian and vehicular connectivity to the surrounding area. In addition, the subject land area (Phase 3A) makes efficient use of existing infrastructure and represents the final phase of development within the Tierra Contenta master-planned community, as contemplated in the original vision of the master plan."* Staff concurs with the Applicant response to Subsection 14-3.9(D)(3). Staff's analysis of the project identifies that the Applicant satisfied the Master Plan criterion required by Subsection 14-3.9(D)(3).	
Criterion 4: the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development.	**Criterion Met:** (Yes/No/Conditional/N/A) **CONDITIONAL**
The Applicant did not submit a fiscal impact analysis to the city addressing the impacts of the planned development. This is needed to address impacts to water as well as emergency services and public safety, given full build out of Tierra Contenta Phase Amendment #1 for Phase 3A. The Applicant has addressed Criterion 4 stating: *"The backbone infrastructure to be constructed by TCC will include the following: (1) construction of Paseo del Sol from the current terminus of Paseo del Sol West to the Herrera Drive/Paseo del Sol East roundabout, completing this important connection; (2) construction of the Phase 3A Loop Road, providing access to the development tracts; and (3) water and sewer mainline extensions in accordance with the attached Master Utility Plan. In addition, over 91 acres of natural open space is being preserved with a significant trail network and two mixed-use parcels are provided to accommodate potential future civic/public uses. Lastly, a 9.37-acre school site is being established to address future student demand in the area."* Staff's analysis of the project identifies that the Applicant has not fully satisfied the Master Plan criterion required by Subsection 14-3.9(D)(4). However, conditions of approval have been included in Section II *"Conditions of Approval"* to address this Subsection 14-3.9(D)(4).	

VI. EARLY NEIGHBORHOOD NOTIFICATION (ENN)

The Applicant conducted a virtual ENN meeting via Zoom on May 27, 2021.

The meeting attendance included the Applicants, City staff plus about 20 members of the public.
The meeting started at 5:30 PM and ended about 7:00 PM. The Applicant opened the meeting with an introduction by the staff regarding city process, followed by a presentation of the proposal by the Applicants with questions and answers succeeding the presentation. Members of the public noted concerns with the following:

- Traffic increases/congestion on Jaguar Road
- Drag racing on the streets

- Barking dogs in front yards
- HOA decisiveness
- Noise and safety for area residence along Jaguar Road.
- Water usage

VII. EXPIRATION

Pursuant to 14-3.19(B) *"Expiration of Development Approvals"*:

1) Master Plans
   Approval of a master plan shall expire five years after all applicable appeal periods, and any appeals of the final action approving it unless:

   (a) approval is granted for a development plan or subdivision plat within the master plan boundaries; or
   (b) actual development of the site or off-site improvements is begun and is continued pursuant to Subsection 14-3.19(B)(6).

If approved by the Governing Body, the expiration will be 5 years from the adoption and approval of the Findings of Fact and Conclusions of Law.

VIII. ATTACHMENTS:

EXHIBIT A: Technical Corrections

EXHIBIT B: Development Review Team Memoranda

1. MPO, Leah Yngve
2. Traffic (Wilson & Company, Inc., Engineers & Architects)
3. Water Engineering Division Memorandum, Robert Jorgensen, Engineer
4. Wastewater Division Memorandum, Stan Holland, P.E.
5. Fire Marshal, Geronimo Griego
6. Land Use ADA Review, Jason Kluck, Interim Land Use Director
7. Environmental Services, Eric Lucero

EXHIBIT C: Maps and Photos

1. Figure 14 Included open space Aerial Photo
2. Figure 215 Master Plan Tracts/Lots
3. Figure 3 Master Plan Use
4. Figure 4 Adjacent Zoning
5. Figure 5 Applicant's Conceptual Bike and Trail Design
6. Figure 6 Conceptual Bicycle and Trail Plan
7. Figure 7 Existing Bikes and Trails
8. Figure 8 Applicant's Neighborhood Park Concept

9. Figure 9 Applicant's Concept Pocket Park
10. Figure 10 Conceptual Park Layout
11. Figure 11 Open Space
12. Figure 12 Phase 3A Backbone Roadway Infrastructure
13. Figure 13 Phase 3A Utility Plan
14. Figure14 Drainage
15. Residential Development Pipeline Units Under Construction May 13, 2021

EXHIBIT D: Plats referenced in Figure 1 "*Included open space"*

1. Tierra Contenta Subdivision Phase 2A, Unit 1
2. Tierra Contenta Subdivision Phase 1B, Unit 1
3. Plat of survey of a Portion of Lot 8, A portion of Lot 9 of Section 12…
4. Annexation Plat for Tracts 1 thru 9 Tierra Contenta…
5. Dedication Plat for Tract 8A3-7B Tierra Contenta Subdivision

EXHIBIT E: Applicant's Design Standards Overview

EXHIBIT F: Applicants ENN Materials
1. Applicants ENN packet
2. Applicant Notes
3. Applicant's Community Outreach

EXHIBIT G: Applicants Materials
1. Application Master Plan Report
2. Applicant's Traffic Study
3. Archaeological Clearance
4. Tierra Contenta *Restated Annexation Agreement*
5. *Master Plan Plans*

PROVED BY:

Title	**Name**	**Initials**
Interim Land Use Department Director	Jason Kluck	jmk
Land Use Current Planning Planner Manager	Noah Berke	NLB
Land Use Department Case Manager	Dan Esquibel	DAE

August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan Amendment #1 for Phase 3A

EXHIBIT A

Technical Corrections

EXHIBIT A

Technical Corrections

Case #2021-3818

Tierra Contenta Master Plan Amendment #1 for Phase 3A

	Technical Corrections of approval	Department	To be completed by:
1	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)	**Fire Prevention**	**At the time of any new construction or remodel**
2	Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads.		
3	Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2015 section 503.1.1)		
4	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.		
5	Shall have water supply that meets fire flow requirements as per IFC (Appendix B)		
6	Shall comply with Section D102.1 Access and Loading (75,000 lbs).		
7	Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4)		
8	Shall comply with IFC 2015 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.		
9	Shall comply with IFC 2015 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 2015 edition or the most current edition the governing body has adopted at the time of permitting.		

August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan
Amendment #1 for Phase 3A

EXHIBIT B

Development Review Team Memoranda

1. MPO, Leah Yngve
2. Traffic (Wilson & Company, Inc., Engineers & Architects)
3. Water Engineering Division Memorandum, Robert Jorgensen, Engineer
4. Wastewater Division Memorandum, Stan Holland, P.E.
5. Fire Marshal, Geronimo Griego
6. Land Use ADA Review, Jason Kluck, Interim Land Use Director
7. Environmental Services, Eric Lucero

Exhibit B1

Development Review Team

Comment Form

Date: 7/13/21

Staff person: Leah Yngve

Dept/Div: Land Use/MPO

Case: **Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A**

Case Mgr: Dan Esquibel

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 Include parking protected bike lanes as a design option	Prior to Signature Sheet Process
2 Widen the minimum sidewalk width to 6ft	Prior to Signature Sheet Process
3 Add a landscape buffer between all sidewalks and the road	Prior to Signature Sheet Process

Technical Corrections*:	Must be completed by:
1	

*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):

These conditions are provided to strengthen the road designs to accommodate, encourage, and improve the pedestrian and bicycle facilities in Phase 3A. The amendment report identifies an intent for this phase to "enhance[] pedestrian connectivity and improve bicycle facilities." A number of factors support bicycle and pedestrian improvements beyond the current design:

- increased housing density will increase the number of people wanting to walk and bike
- a number of amenities will be in walking/biking distance of the neighborhood (schools, library, teen center, parks)
- much of the housing will be ideal for families; youth need additional protection when walking or biking

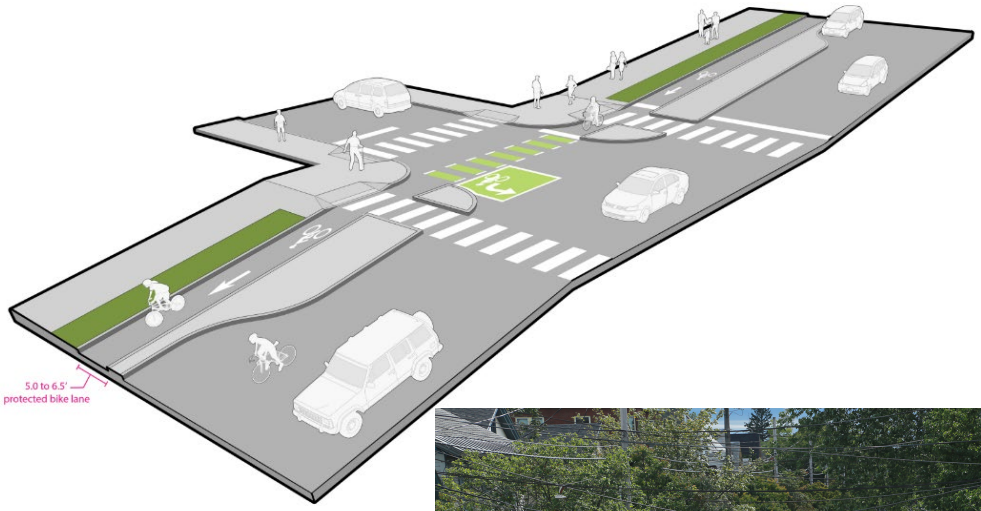
1. Parking Protected Bike Lanes

The design guidance has bicycle lanes adjacent to on-street parking as a design type for Paseo del Sol, however, the bicycle lane and parking spots could be switched to create safer, parking protected bicycle lanes. Parking protected bike lanes provide a barrier between people on bikes and traveling cars which makes riding a bicycle on the street safer for users of all ages and abilities. They also reduce the likelihood of "dooring", or a person riding a bicycle being hit as a driver opens their door.

Protected bike lanes are called for in the Santa Fe Bicycle Master Plan (BMP) as many people do not feel comfortable riding on the edge of a busy street, but would feel comfortable riding in a protected bike lane. The BMP identifies a goal of 1 mile of protected bike lanes in Santa Fe by 2024 to help Santa Fe have an "all ages and abilities" bicycle network.

The Santa Fe Metropolitan Bicycle Design Toolkit also recommends protected bicycle lanes as: "They reduce the risk of a bicyclist being hit by an opening car door and can prevent motor vehicles from driving, stopping, or waiting in the bikeway. They also provide greater comfort to pedestrians by separating them from bicyclists operating at higher speeds."

Though this would be a new type of design for Santa Fe, implementing it in one large section, with appropriate signage or clarity of proper use, would be a strategic way to introduce this new design. When the whole road section operates under the same way, people will learn how to use it properly and then it can be adopted in other places around the city.





2. 6ft sidewalks

Though the code does not call for greater than 5ft sidewalks, the conditions of this development (density, destinations) create the opportunity for residents to walk for recreation or transportation. Five foot sidewalks do not comfortably accommodate groups or people or people going opposite directions that need to pass. With the anticipation of families living in this development, a slightly wider sidewalk of 6ft will provide more space for people to comfortably walk together and pass.

Below are examples showing the limitations of 5ft sidewalks:





Wider is better for walking together!



3. Add a landscape buffer between all sidewalks and the road
A landscape barrier between the road and the sidewalk on the proposed Paseo del Sol design will improve the aesthetics for people walking on this road. It will also move people further away from traffic, which improves the pedestrian experience.

Santa Fe Pedestrian Master Plan p83:

Landscaping / Planting Buffer

Introducing plants into the buffer zone is highly beneficial to the street environment. Plants can help mitigate the urban heat island effect, provide a more comfortable microclimate, help manage stormwater runoff, and provide locations for bird and wildlife habitat.

Street trees serve as a barrier between pedestrians and traffic on high volume streets and help provide a more comfortable, shaded walking environment. Street trees also visually narrow the field of vision for motorists, causing them to move more slowly.

Landscape improvements in the buffer zone can soften the edge of the sidewalk and make the walking environment more enjoyable. Plant selections can aesthetically enhance the streetside environment and help establish a local character with drought tolerant and native plants.

Planting areas, or rain gardens, along roadways can be designed to collect stormwater runoff to help irrigate plants and allow for infiltration. Curb extensions can capture stormwater to control flow and improve water quality.

Exhibit B2

Tierra Contena TIA Review

Gallegos, Audra V. <Audra.Gallegos@wilsonco.com>

Mon 7/12/2021 4:06 PM

To: BERKE, NOAH L. <nlberke@santafenm.gov>; ESQUIBEL, DANIEL A. <daesquibel@santafenm.gov>
Cc: Kramer, Michael E. <Michael.Kramer@wilsonco.com>

1 attachments (12 MB)

TC Maps.pdf;

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 Dan,

The following are comments on Tierra Contenta Phase 3A TIA dated November 1, 2020 and update/cover letter dated June 17, 2021:

- Letter dated June 17, 2021 indicates an increase in residential units by 366 to a total of 1500. However, it appears the traffic volumes do not take the increase into account.
- TIA mentions right turn lanes for certain sections of Internal traffic circulation, but turn lanes were not included in the analysis.
- Several Driveways appear to be located along Paseo Del Sol, both in the development, and external to the development, these were not included in the TIA evaluation.
- Internal intersections with loop road were analyzed as 4-way stop control. Need to provide an all-way stop warrant analysis. The all-way stop should be implemented only when they are warranted.
- TIA Recommended Improvements for Phase 3A, with comments in Blue:

    - Stop Controlled Intersection of West Paseo del Sol and Jaguar Drive
        1) In the build out year 2030, no improvements are needed
        2) In the horizon year 2040, a right turn lane for Jaguar Drive eastbound

        Is this to be built now?
    - Signalized Intersection of East Paseo del Sol and Jaguar Drive

        No improvements are required for Year 2030 and Year 2040
    - Roundabout Intersection of Paseo del Sol and Herrera Drive
        1) In the build out year 2030, no improvements are required.
        2) In the horizon year 2040, a dedicated EB though lane could be required. If Herrera requires a dedicated through lane, will this be funded by the developer, is a second lane required on Herrera?
    - Internal Phase 3A Intersections

    Both major internal road intersections will require four way stop controlled for both design year 2030 and horizon year 2040

    Internal intersections with loop road were analyzed as 4-way stop control. Need to provide an all-way stop warrant analysis. The all-way stop should be implemented only when they are warranted.

- VISUM Traffic Generation & Distribution output was provided for the analyzed intersections, however, the model input data was not included.
- The commercial/mixed use, and elementary school may have significant traffic impacts. Additional traffic investigation is needed.

- The intersection of Herrera and Cerrillos was not included in the TIA. However, with the increase and traffic on Herrera, it should be included in the evaluation.

This TIA was a higher level analysis so the phased developments will need to have an updated TIA completed.

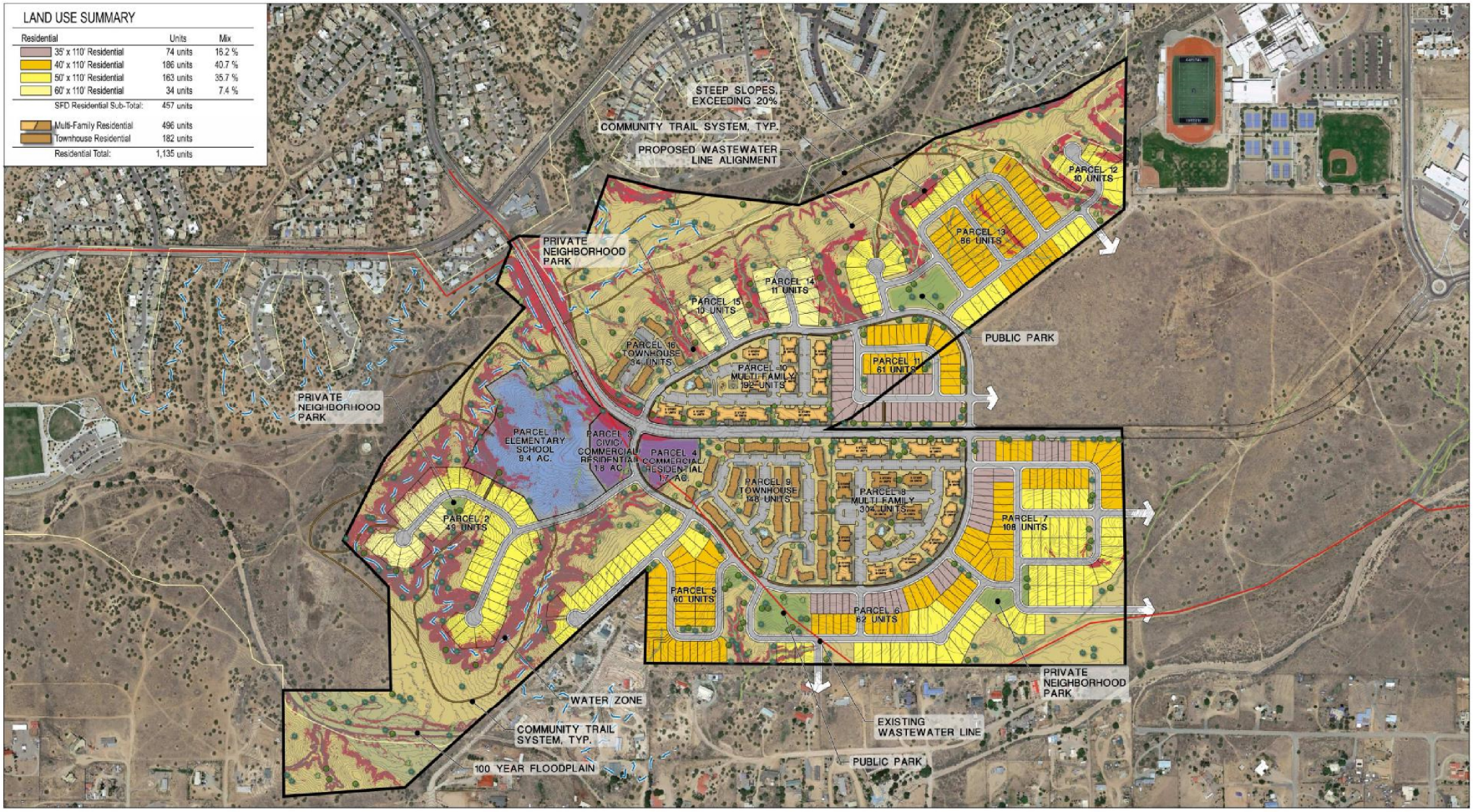
Thank you!

Audra V. Gallegos, PE
Civil Engineer

Wilson & Company, Inc., Engineers & Architects
4401 Masthead Street NE, Suite 150 | Albuquerque, NM 87109
505 348 4110 (direct) | 505 250 4853 (cell)
wilsonco.com

discipline | intensity | collaboration | shared ownership | solutions

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LOTTING PLAN C

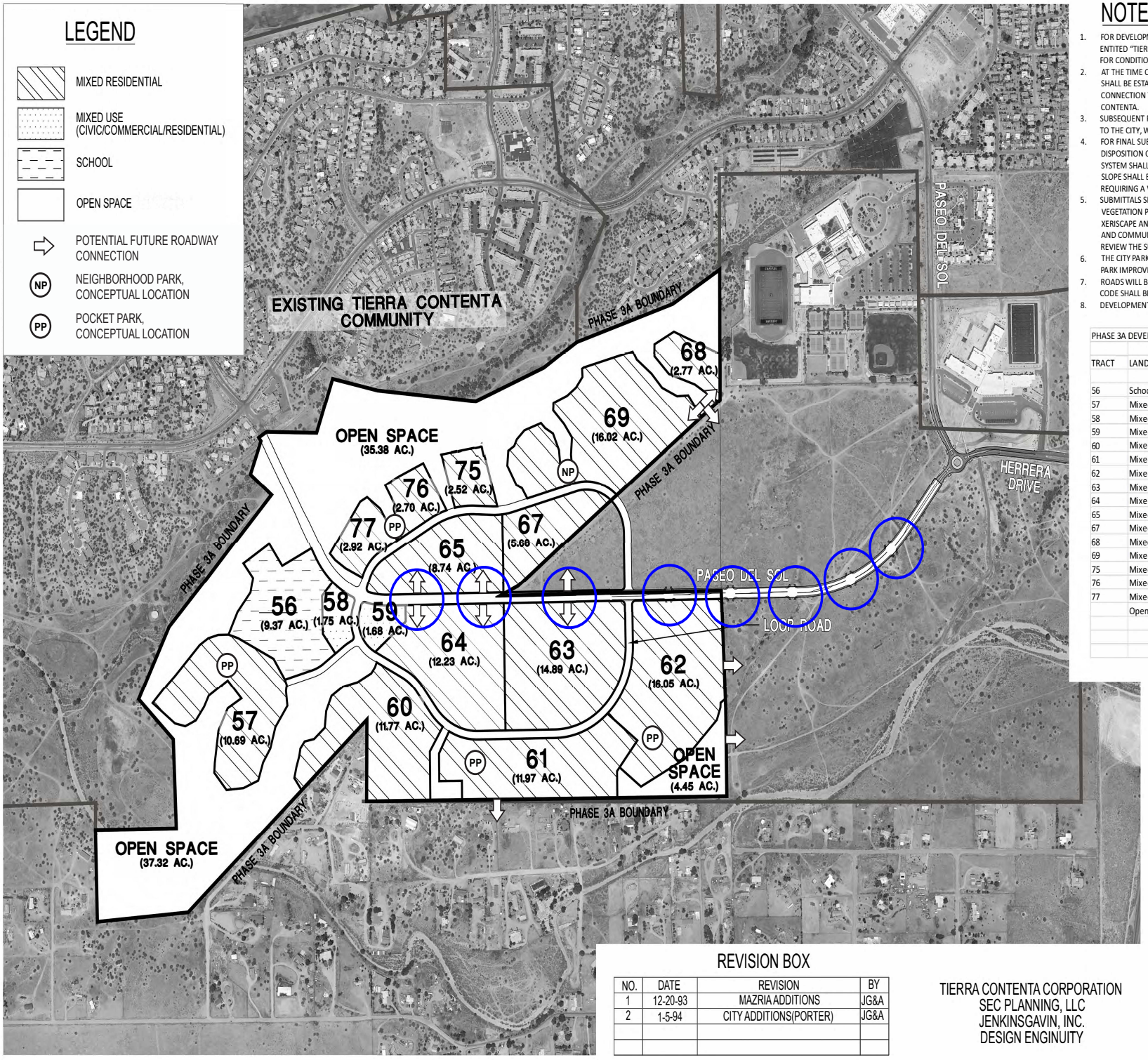
PHASE 3A TIERRA CONTENTA

SANTA FE, NEW MEXICO

SHEET FILE: C:\temp\190052\Lotting C Rev1.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

FIGURE 2 SITE PLAN



NOTES:

1. FOR DEVELOPMENT PROGRAM, SEE BELOW. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITED "TIERRA CONTENTA, WOLMAGOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)" FOR CONDITIONS OF DEVELOPMENT.
2. AT THE TIME OF APPLICATION FOR PLAT, A SYSTEM OF APPROPRIATELY SCALED LOCAL ROADS SHALL BE ESTABLISHED WHICH CONNECT OR ARE STUBBED OUT TO PERMIT LATER CONNECTION TO ADJOINING LOCAL ROADS ON PROPERTIES WITHIN OR NEXT TO TIERRA CONTENTA.
3. SUBSEQUENT PLATS SHALL ILLUSTRATE STORM WATER MANAGEMENT SYSTEMS ACCEPTABLE TO THE CITY, WHICH INCLUDE FACILITY DESIGN AND MAINTENANCE PROGRAMS.
4. FOR FINAL SUBDIVISION PLATS OR DEVELOPMENT PLANS (IN THE CASE OF MULTI-FAMILY), THE DISPOSITION OF LANDS OVER 30% SLOPE THAT ARE NOT LOCATED IN THE PUBLIC OPEN SPACE SYSTEM SHALL BE CLARIFIED. LANDS OUTSIDE THE OPEN SPACE SYSTEM THAT ARE OVER 30% SLOPE SHALL BE IDENTIFIED AS REMAINING UNDISTURBED PER THE CITY CODE OR AS REQUIRING A VARIANCE.
5. SUBMITTALS SHALL BE PREPARED ON A TRACT BY TRACT BASIS FOR IMPROVEMENT PLANS, VEGETATION PLANS (INCLUDING USE OF NATIVE PLANTS) AND IRRIGATION PLANS (INCLUDING XERISCAPE AND USE OF EFFLUENT WATER) IN PARKS, OPEN SPACE, ROADWAYS, DRAINAGES, AND COMMUNITY FACILITIES. THE CITY PARKS AND PUBLIC WORKS DEPARTMENTS SHALL REVIEW THE SUBMITTALS TO DETERMINE ACCEPTABLE PLANS.
6. THE CITY PARKS DEPARTMENT SHALL RECOMMEND SIZE AND DEVELOPMENT CRITERIA FOR PARK IMPROVEMENTS.
7. ROADS WILL BE CONSTRUCTED CONSISTENT WITH CITY CODE OR VARIANCES FROM THE CITY CODE SHALL BE OBTAINED.
8. DEVELOPMENT WITHIN THE PRC SHALL COMPLY WITH THE APPROVED DESIGN GUIDELINES.

PHASE 3A DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	UNITS	DU/ACRE
56	School	9.37	0	0
57	Mixed Residential	10.69	49	4.6
58	Mixed Use (Civic/Commercial/Residenti	1.75	21	12.0
59	Mixed Use (Civic/Commercial/Residenti	1.68	21	12.5
60	Mixed Residential	11.77	60	5.1
61	Mixed Residential	11.97	73	6.1
62	Mixed Residential	16.05	107	6.7
63	Mixed Residential	14.89	275	18.5
64	Mixed Residential	12.23	225	18.4
65	Mixed Residential	8.74	150	17.2
67	Mixed Residential	5.68	40	7.0
68	Mixed Residential	2.77	12	4.3
69	Mixed Residential	16.02	85	5.3
75	Mixed Residential	2.52	11	4.4
76	Mixed Residential	2.70	12	4.4
77	Mixed Residential	2.92	34	11.6
	Open Space	91.09	0	0
	PHASE 3A TOTALS	222.84	1175	5.3
	MAXIMUM PERMISSIBLE UNITS		*1500*	*6.7*

REVISION BOX

NO.	DATE	REVISION	BY
1	12-20-93	MAZRIA ADDITIONS	JG&A
2	1-5-94	CITY ADDITIONS(PORTER)	JG&A

TIERRA CONTENTA CORPORATION
SEC PLANNING, LLC
JENKINSGAVIN, INC.
DESIGN ENGINUITY

MASTER PLAN AMENDMENT #1

NORTH

150 300 0 300 600

TIERRA CONTENTA PHASE 3A

SANTA FE, NEW MEXICO

SHEET 7B

Exhibit B3

Development Review Team

Comment Form

Date: August 4, 2021

Staff person: Robert Jorgensen, Engineer

Dept/Div: Public Utilities/Wastewater

Case: **Case #2021-3818 Tierra Contenta Master Plan Amendment 1 for Phase 3A**

Case Mgr: Dan Esquibel

The subject properties are accessible to the City public water system. Accessible is defined as within 200 feet of a public water 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. Design guidelines for development of the water system for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A shall require a pre-water design meeting with the City's Water Division prior to submittal of an application to the City for Development	Prior to subdivision or development Plan review of Tract Phases

Technical Corrections*:	Must be completed by:
None at this time	Prior to Sign Off for Final Subdivision Plan.

*Must made prior to recording and/or permit issuance

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

1. [None]

Exhibit B4

Development Review Team

Comment Form

Date: August 4, 2021

Staff person: Stan Holland, Engineer

Dept/Div: Public Utilities/Wastewater

Case: **Case #2021-3818 Tierra Contenta Master Plan Amendment 1 for Phase 3A**

Case Mgr: Dan Esquibel

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. Design guidelines for development of the sanitary sewer system for the Master Plan Phases, including the Plats, for the Tierra Contenta Master Plan Phase 3A project shall require a pre-sewer design meeting with the City's Wastewater Division prior to submittal of an application to the City for Development	Prior to subdivision or development Plan review of Tract Phases

Technical Corrections*:	Must be completed by:
None at this time	Prior to Sign Off for Final Subdivision Plan.

*Must made prior to recording and/or permit issuance

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

1. [None]

Exhibit B5

Development Review Team

Comment Form

Date: 07/14/2021

Staff person: Geronimo Griego

Dept/Div: Fire Prevention

Case: 2021-3818 TC Master Plan Amendment for Phase 3A

Case Mgr: Dan Esquibel

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. 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)	Prior to planning commission.

Technical Corrections*:	Must be completed by:
2. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. (Appendix D Table D103.4) 3. Shall comply with table D103.4 Requirements for Dead-End Fire Apparatus Access Roads. 4. Fire Department shall have 150 feet distance to any portion of the building on any new construction. (IFC 2015 section 503.1.1) 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)	At the time of any new construction or remodel.

7. Shall comply with Section D102.1 Access and Loading (75,000 lbs). 8. 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) 9. Shall comply with IFC 2015 Section D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade. 10. Shall comply with IFC 2015 Section D103.5 Fire apparatus access road gates. 11. Shall comply with Section D106 Multiple-Family Residential Developments. 12. 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

Exhibit B6

Development Review Team Comment Form

Date: 7/04/2021

Staff person: Jason M. Kluck

Dept/Div: Land Use – ADA Site Review

Case: **Case #2021-3818 Tierra Contenta Phase 3A**

Master Plan

Case Mgr: Dan Esquibel

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

Conditions of Approval:	Must be completed by:
Approval Comments: Provide Design Professional Seal and signature with date signed on all drawing sheets. 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. Accessibility feature design within the Public Right-of-Way shall comply with NMDOT Pedestrian Access Route Details (Serial 608). Sidewalks within the subdivision shall provide for a continuous accessible path of travel route(s). (Provide signage at closest intersection with accessible connection indicating “Accessible Route Ends Ahead” or “No Accessible Route” and provide detour at any temporary or permanent inaccessible routes.) Walking surfaces along the accessible path of travel route(s) 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. Walking 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	Prior to Recording

marked crossings where the accessible route crosses vehicular traffic lanes.

Accessible street crossing locations provided shall be compliant with NMDOT Pedestrian Access Route Details (Serial 608) and shall be approved by the City's Traffic Engineering Division prior to permit application. Please include documentation of this approval with the building permit submittal.

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.

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.

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.

Edge protection/guard rails/handrails shall be provided at steps, sidewalks and walkways with greater than 30" vertical change in grade adjacent to the path of travel. IBC 1015.2 - Where Required, Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

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)

Off-Street parking a striped or metered on-street parking shall comply with:

2015 NM Accessible Parking Checklist

2010 ADA Standards - 208.2.3 Residential Facilities. Parking spaces provided to serve residential facilities shall comply with 208.2.3. 208.2.3.3 Parking for Guests, Employees, and Other Non-Residents. Where parking spaces are provided for persons other than residents, parking shall be provided in accordance with Table 208.2.

Provision for ADA parking, signage and sidewalk access at striped and/or metered on-street parking spaces is recommended and may be required

for public infrastructure. See State Proposed PROWAG On-Street parking scoping requirements for details.	

Technical Corrections*:	Must be completed by:
N/A	Prior to recording

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply:

General ADA Site Compliance Requirements for all phases of development of this project, as applicable

On-Site ADA Site Compliance Requirements as applicable:

IEBC Section 705, Accessibility: Businesses must comply with the provisions of the ADA Standards to the "maximum extent feasible" with a building alteration. The costs for the added ADA work is considered disproportionate if it is over 20% of the costs of the project. Improvements should be prioritized up to the 20% limit: entrance; route to the primary function area; at least one unisex ADA restroom or one restroom for each sex serving the area; drinking fountains serving the area; other.

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.

Edge protection/guard rails/handrails shall be provided at steps, sidewalks and walkways with greater than 30” vertical change in grade adjacent to the path of travel. IBC 1015.2 - Where Required, Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

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.

Accessible parking spaces and access aisles shall not exceed 2% slope in any direction. 1%-1.5% is the preferred target slope.

ADA parking signage shall comply with the 2015 New Mexico Accessible Parking Checklist. 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.

ADA parking space and aisle striping shall comply with 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.

Ensure ADA Accessible parking spaces are located in close physical proximity to any adjacent accessible entrances or accessible housing units (60% of all entrances shall be accessible on new construction), 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.

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)
Bicycle parking spaces shall comply with the requirements set forth in SFCC Chapter 14, (Subsection 14-8.6(E) along with Appendix Exhibit D, bicycle rack standards and dimensions for size, clearance and location.

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 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).

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.

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.

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.

Edge protection/guard rails/handrails shall be provided at steps, sidewalks and walkways with greater than 30" vertical change in grade adjacent to the path of travel. IBC 1015.2 - Where Required, Guards shall be located along open-sided walking surfaces, including mezzanines, equipment platforms, aisles, stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically to the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Guards shall be adequate in strength and attachment in accordance with Section 1607.8.

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.

Exhibit B7

DRT Comments

LUCERO, ERIC J. <ejlucero@santafenm.gov>

Tue 7/13/2021 8:26 AM

To: ESQUIBEL, DANIEL A. <daesquibel@santafenm.gov>

Dan,

In regards to cases:

Case #2021-3837. Monte Sereno Variance to Subsections 14-8.2(D)(1) and (D)(2)(b). Al Lilly, Agent, for 21 Club Holdings LLC, Owner, requests a variance to Subsections 14-8.2(D)(1) and (D)(2)(b),Terrain and Stormwater Management, for road construction within the project and driveway construction for the resort casitas. The Property is zoned PRRC , located West of Highway 285, North of Tano Road at 4000 Monte Sereno Drive, and is within the Monte Sereno Development

Case #2021-3818. Tierra Contenta Master Plan Amendment #1 for Phase 3A. JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, requests Master Plan Amendment for Phase 3A. The Amendment, which includes modifications to infrastructure, parks, trails, land uses, and density. The property is an undeveloped tract of land located southwest of Capital High School, containing approximately 222.84 acres, and is zoned PRC (Planned Residential Community.

I have no comments at this time.

In regards to case:

Case #2021-3801. Monte Sereno Preliminary Subdivision for Phase 4. Al Lilly, Agent, for 21 Club Holdings LLC, Owner, request preliminary subdivision approval to create a 70-lot/Tract subdivision on Tract M containing approximately 168.27 acres. The subdivision would create 60 hotel unit lots Containing a gross total of approximately 21.98 acres, 1 hotel amenities lot (Tract A-1) containing approximately 3.68 acres, 8 open space Tracts (A-2, A-3, A-5 thru A-7, A-9 thru A-11) containing approximately 11.68 acres and the balance of Tract M containing 133.32 acres. The Property is zoned PRRC, located West of Highway 285, North of Tano Road at 4000 Monte Sereno Drive, and is within the Monte Sereno Development.

I see no plan for refuse and recycling collection. Being that this is "hotel' use with a clubhouse bar and grill, there should be a plan for refuse collection.

Thanks,

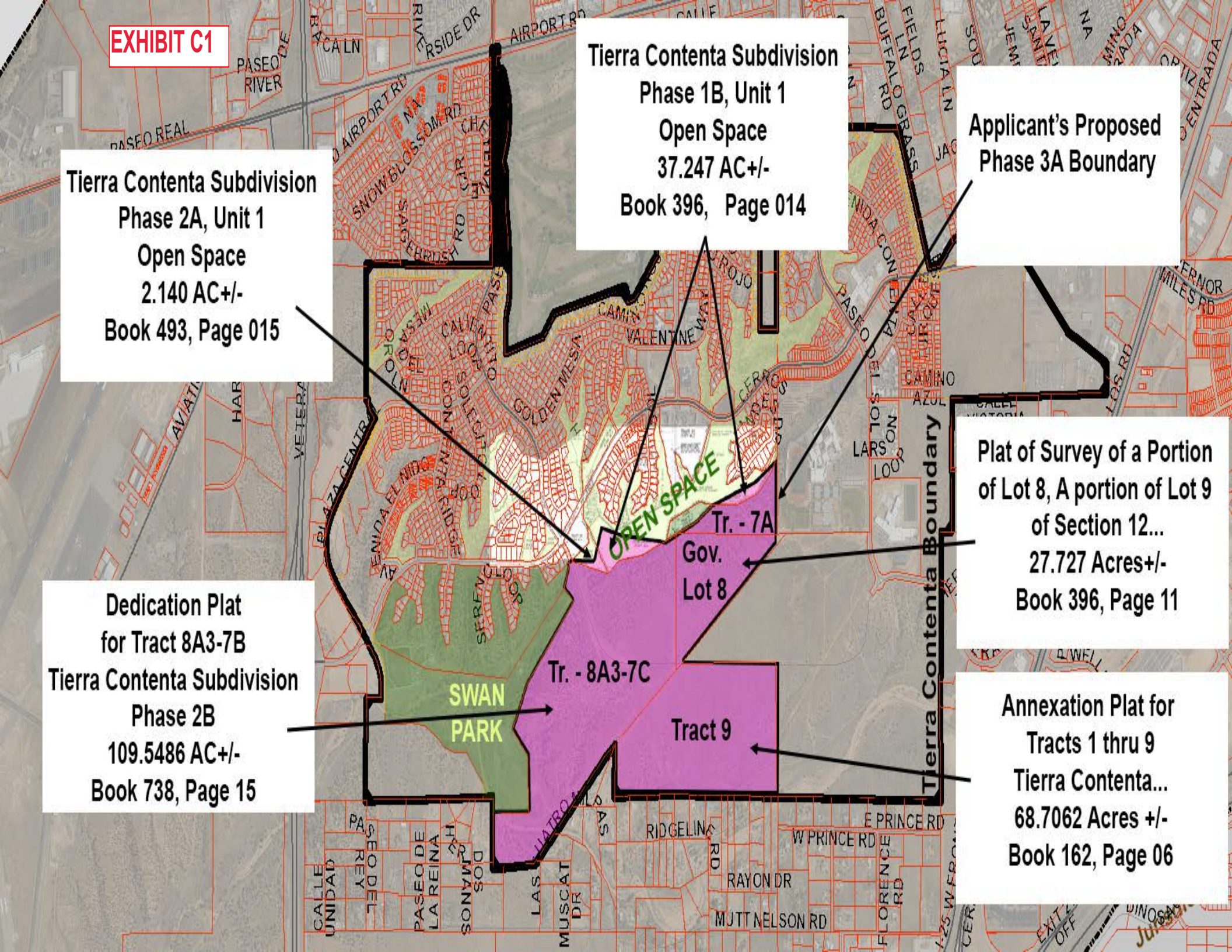
Eric J Lucero
Operations Manager
City of Santa Fe
Environmental Services Division

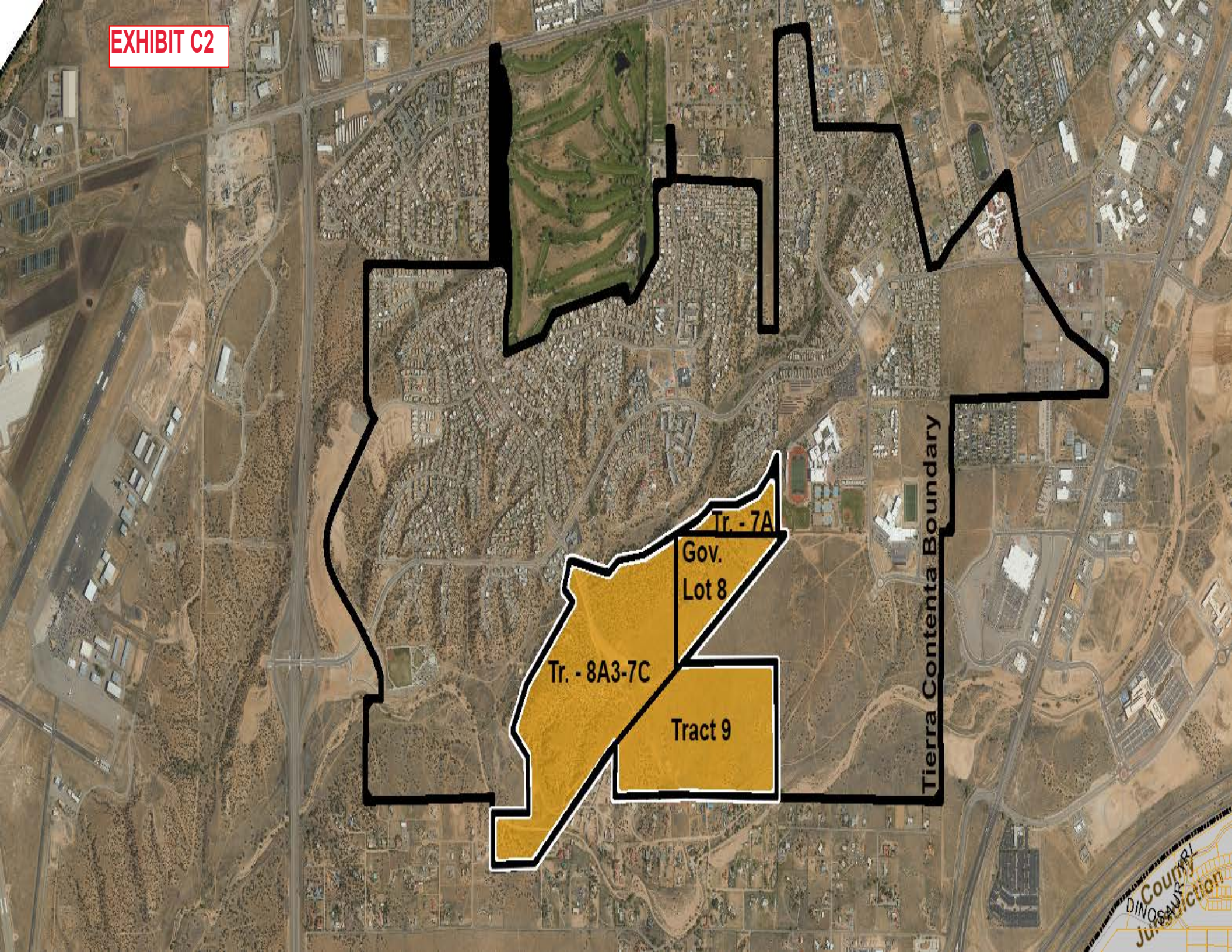
August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan
Amendment #1 for Phase 3A

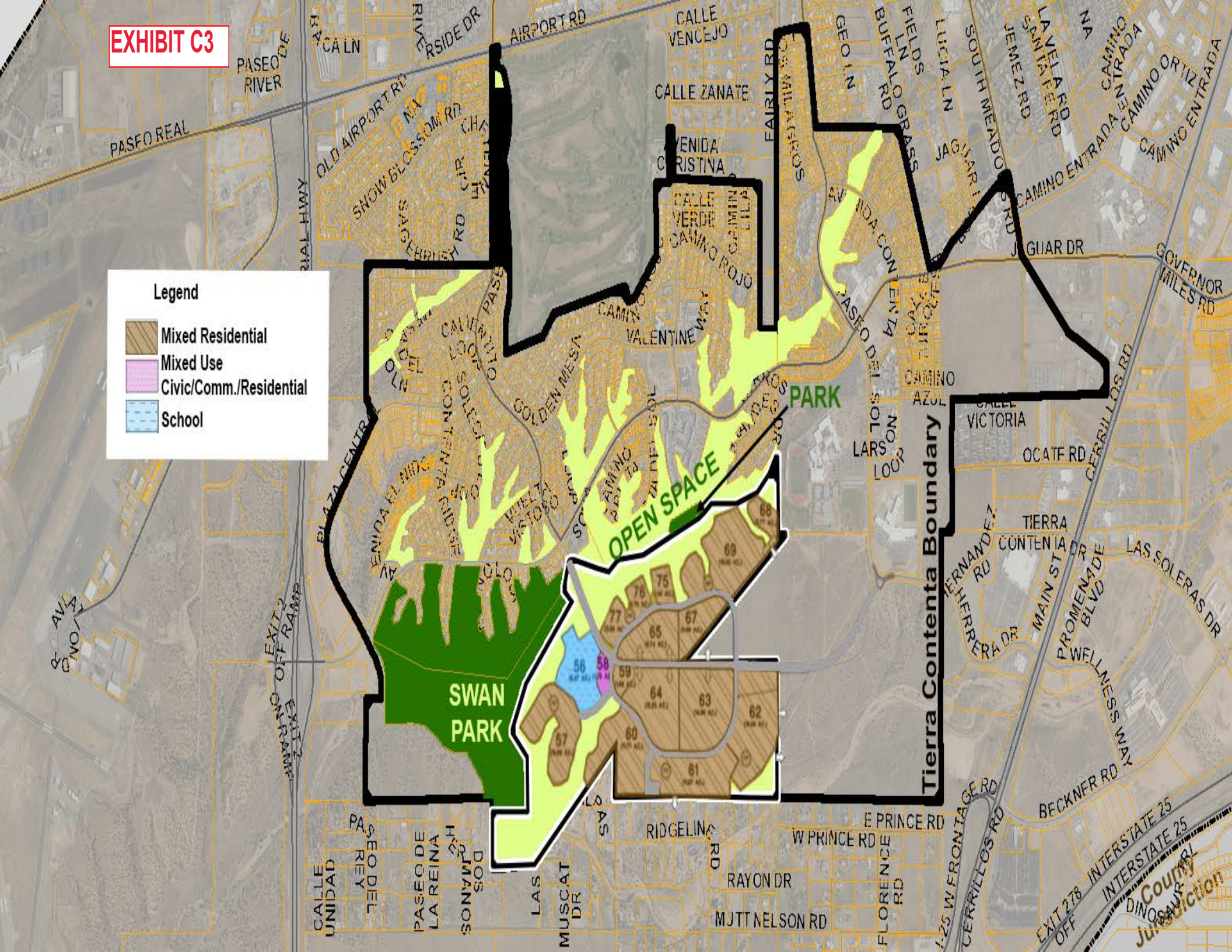
EXHIBIT C

Maps and Photos

1. Figure 1 Included open space Aerial Photo
2. Figure 2 Master Plan Tracts/Lots
3. Figure 3 Master Plan Use
4. Figure 4 Adjacent Zoning
5. Figure 5 Applicant's Conceptual Bike and Trail Design
6. Figure 6 Conceptual Bicycle and Trail Plan
7. Figure 7 Existing Bikes and Trails
8. Figure 8 Applicant's Neighborhood Park Concept
9. Figure 9 Applicant's Concept Pocket Park
10. Figure 10 Conceptual Park Layout
11. Figure 11 Open Space
12. Figure 12 Phase 3A Backbone Roadway Infrastructure
13. Figure 13 Phase 3A Utility Plan
14. Figure14 Drainage
15. Residential Development Pipeline Units Under Construction May 13, 2021


EXHIBIT C1
Tierra Contenta Subdivision
Phase 1B, Unit 1
Open Space
37.247 AC+/-
Book 396, Page 014
Applicant's Proposed
Phase 3A Boundary
Tierra Contenta Subdivision
Phase 2A, Unit 1
Open Space
2.140 AC+/-
Book 493, Page 015
Plat of Survey of a Portion
of Lot 8, A portion of Lot 9
of Section 12...
27.727 Acres+/-
Book 396, Page 11
Dedication Plat
for Tract 8A3-7B
Tierra Contenta Subdivision
Phase 2B
109.5486 AC+/-
Book 738, Page 15
Annexation Plat for
Tracts 1 thru 9
Tierra Contenta...
68.7062 Acres +/-
Book 162, Page 06
OPEN SPACE
Tr. - 7A
Gov.
Lot 8
Tr. - 8A3-7C
Tract 9
SWAN
PARK
Tierra Contenta Boundary
PASEO DE RIVER
AIRPORT RD
PASEO REAL
SNOWBLOSSOM RD
VALENTINE WAY
GOLDEN MESA
CALLE LOS SOLECITOS
CAMINO AZUL
LARSON LOOP
BUFFALO GRASS RD
FIELDS LN
LUCIA LN
RIDGELINE RD
W PRINCE RD
E PRINCE RD
RAYON DR
MUTT NELSON RD
FLORENCE RD
CALLE UNIDAD
PASEO DEL REY
PASEO DE LA REINA
LOS MANOS
LAS MUSCAT DR
MILES RD
LOS RD


EXHIBIT C2
Tr. - 7A
Gov.
Lot 8
Tr. - 8A3-7C
Tract 9
Tierra Contenta Boundary
DINOSAUR
Jurisdiction


EXHIBIT C3
Legend
Mixed Residential
Mixed Use
Civic/Comm./Residential
School
PARK
OPEN SPACE
SWAN PARK
Tierra Contenta Boundary
PASEO DE RIVER
PASEO REAL
AIRPORT RD
CALLE VENCEJO
CALLE ZANATE
FAIRLY RD
BUFFALO GRASS LN
SOUTH MEADOW RD
JEMEZ RD
LAVELAND RD
SANTA FE RD
CAMINO ENTRADA
CAMINO ORTIZ
JAGUAR DR
GOVERNOR MILES RD
OLD AIRPORT RD
SNOW BLOSSOM RD
CAMINO VALENTINE WAY
CAMINO AZUL
CALLE VICTORIA
OCATE RD
LARSON LOOP
CERRILLOS RD
TIERRA CONTENTA DR
MAIN STA DR
PROMENADE BLVD
WELLNESS WAY
LAS SOLERAS DR
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
FLORENCE RD
W FRONTAGE RD
INTERSTATE 25
EXIT 278
DINOSAUR RD
County Jurisdiction
EXIT 279 OFF RAMP
EXIT 279 ON RAMP
PASEO DEL REY
CALLE UNIDAD
PASEO DE LA REINA
LAS MUSCAT DR
CALLE VERDE
CAMINO ROJO
GOLDEN MESA
PASEO DEL SOL
CALLE CONTENTA
VUELTA VISTOSO
PLAZA CENTRAL

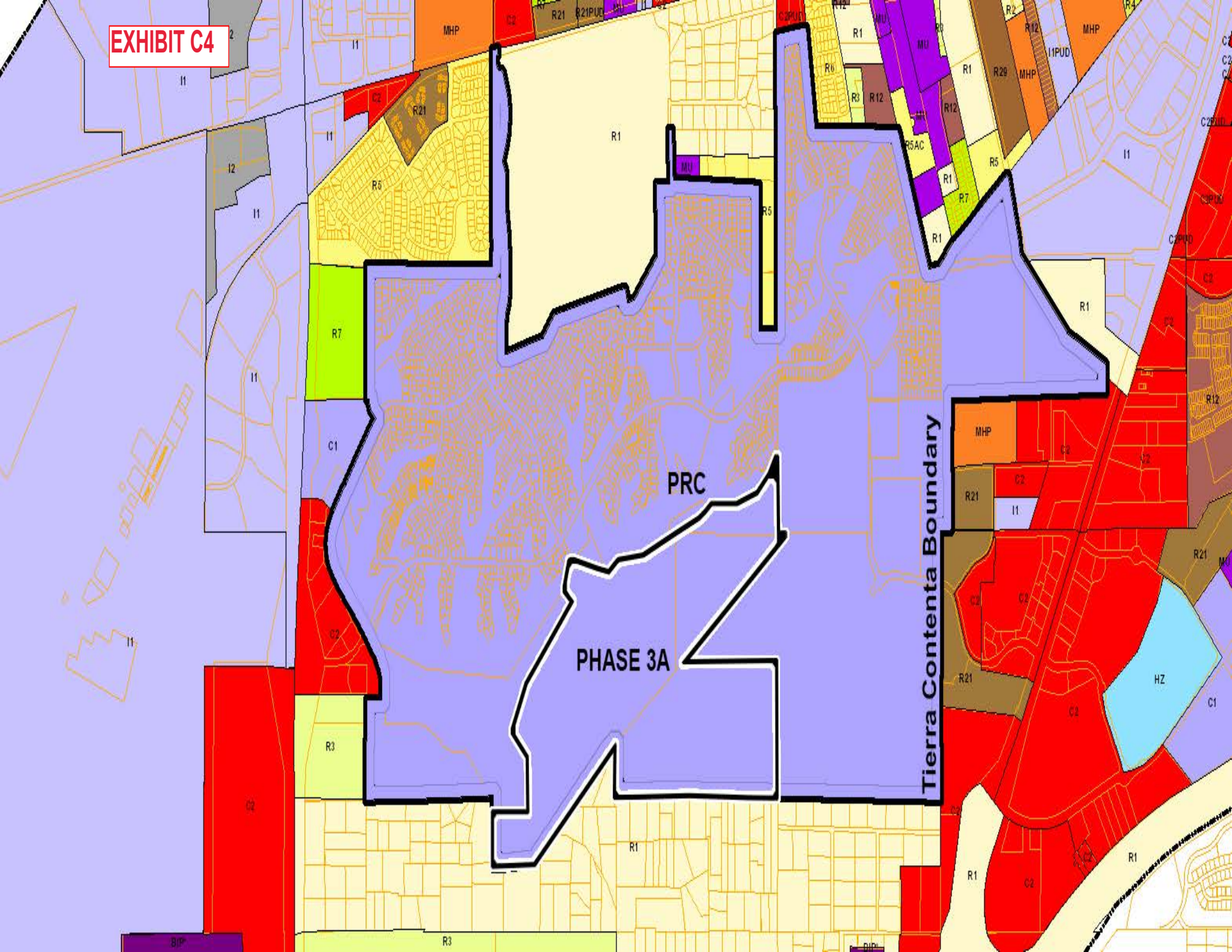
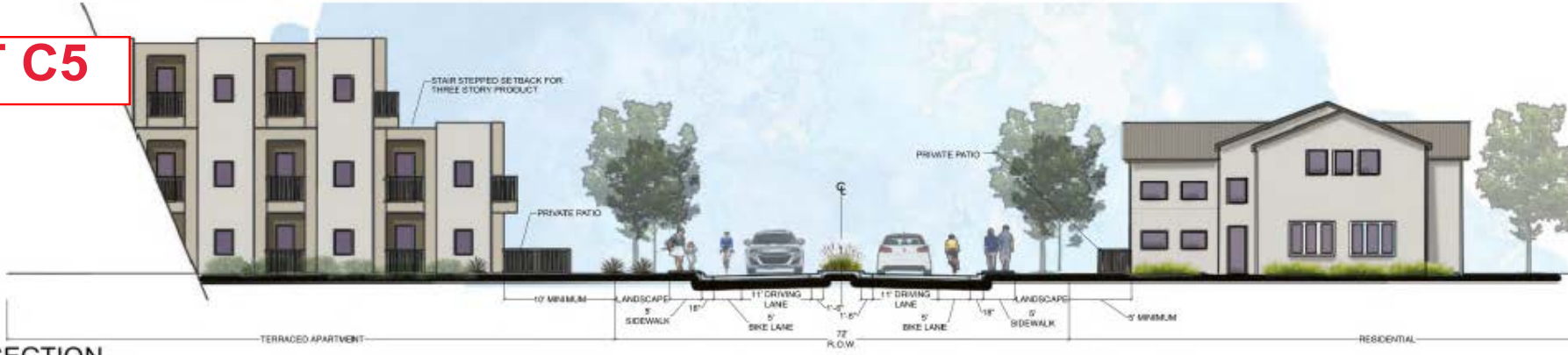
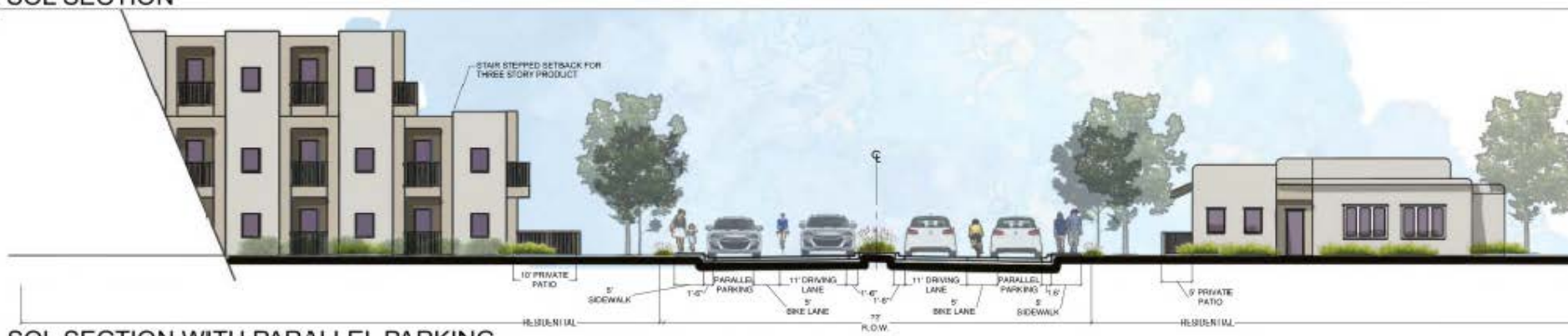

EXHIBIT C4
PRC
PHASE 3A
Tierra Contenta Boundary
MHP
C2
R21
R21PUD
C2PUD
R1
MU
R6
R3
R12
R5AC
R29
I1PUD
R5
R7
I1
I2
C1
HZ
R3
BP

EXHIBIT C5



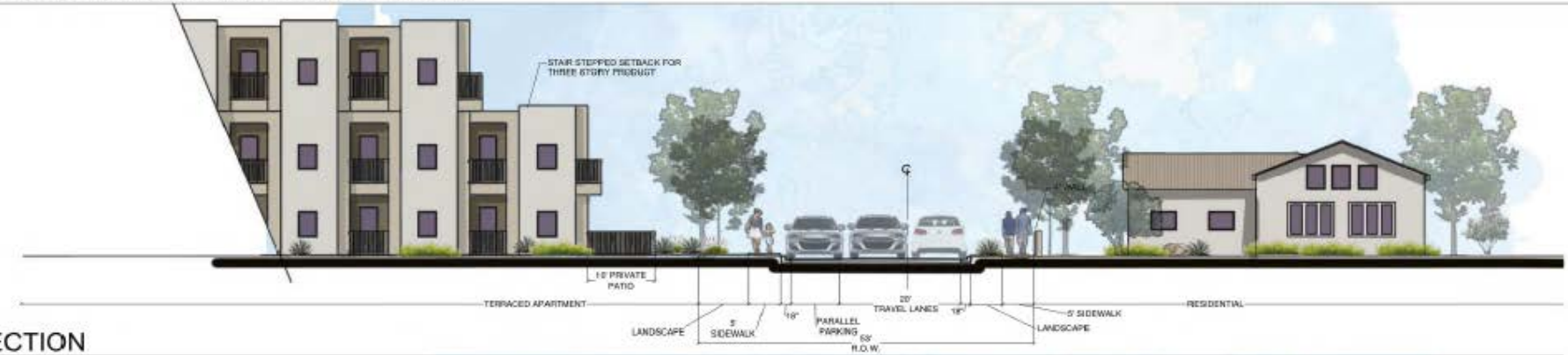
PASEO DEL SOL SECTION

Scale: 1" = 10'-0"



PASEO DEL SOL SECTION WITH PARALLEL PARKING

Scale: 1" = 10'-0"



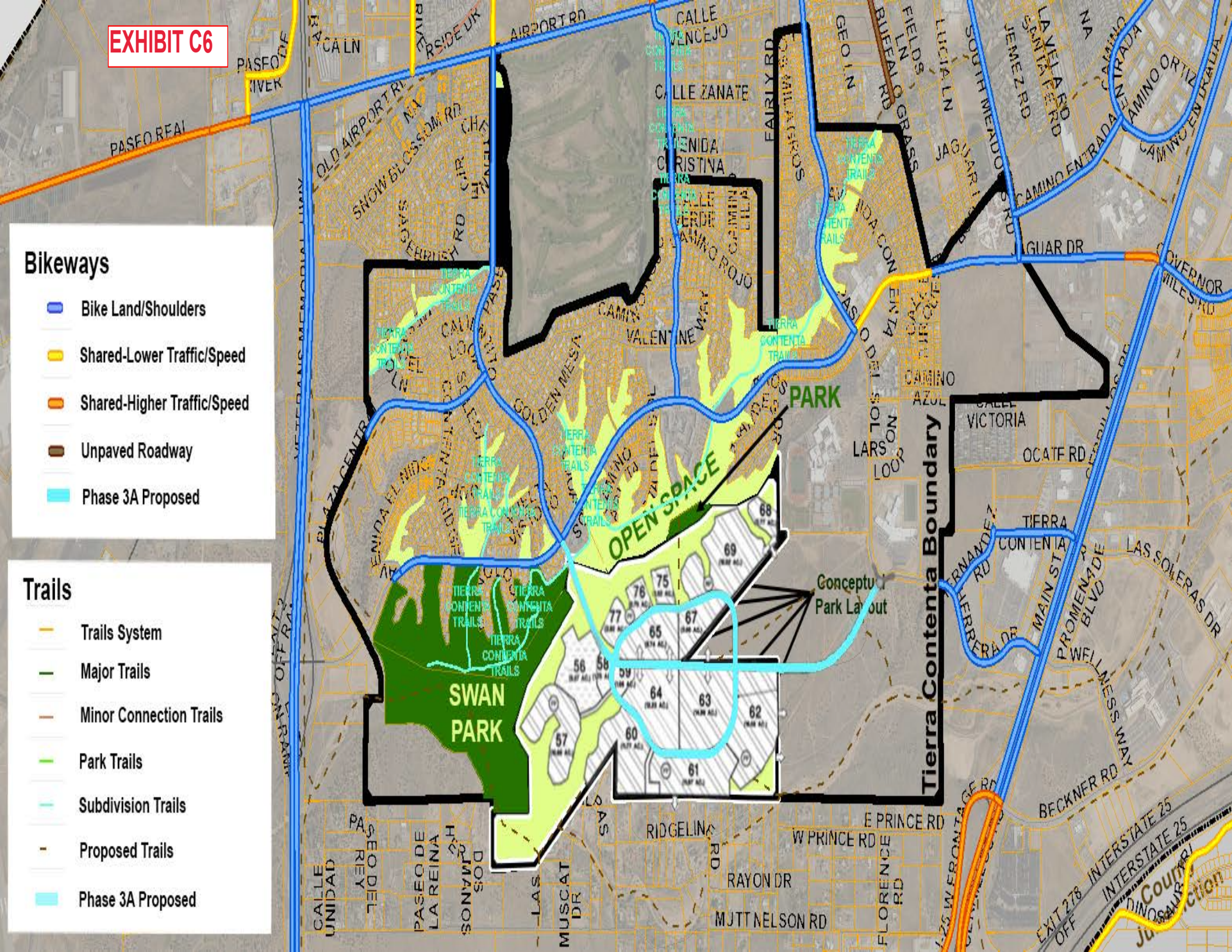
LOOP ROAD SECTION

Scale: 1" = 10'-0"



LOCAL STREET SECTION

Scale: 1" = 10'-0"


EXHIBIT C6
Bikeways
Bike Land/Shoulders
Shared-Lower Traffic/Speed
Shared-Higher Traffic/Speed
Unpaved Roadway
Phase 3A Proposed
Trails
Trails System
Major Trails
Minor Connection Trails
Park Trails
Subdivision Trails
Proposed Trails
Phase 3A Proposed
PARK
OPEN SPACE
SWAN PARK
Tierra Contenta Boundary
Conceptual Park Layout
PASEO REAL
AIRPORT RD
CALLE ZANATE
FAIRY RD
JAGUAR DR
GOVERNOR MILES RD
CAMINO AZUL
VICTORIA
OCATE RD
LARS ON LOOP
TIERRA CONTENTA
LAS SOLERAS DR
PROMENADE BLVD
MAIN ST
WELLNESS WAY
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
FLORENCE RD
INTERSTATE 25
EXIT 278
GOLDEN MESA
VALENTINE WAY
CALLE UNIDAD
PASEO DEL REY
PASEO DE LA REINA
MUSCAT DR
SNOW BLOSSOM RD
OLD AIRPORT RD
PLAZA CENTRAL

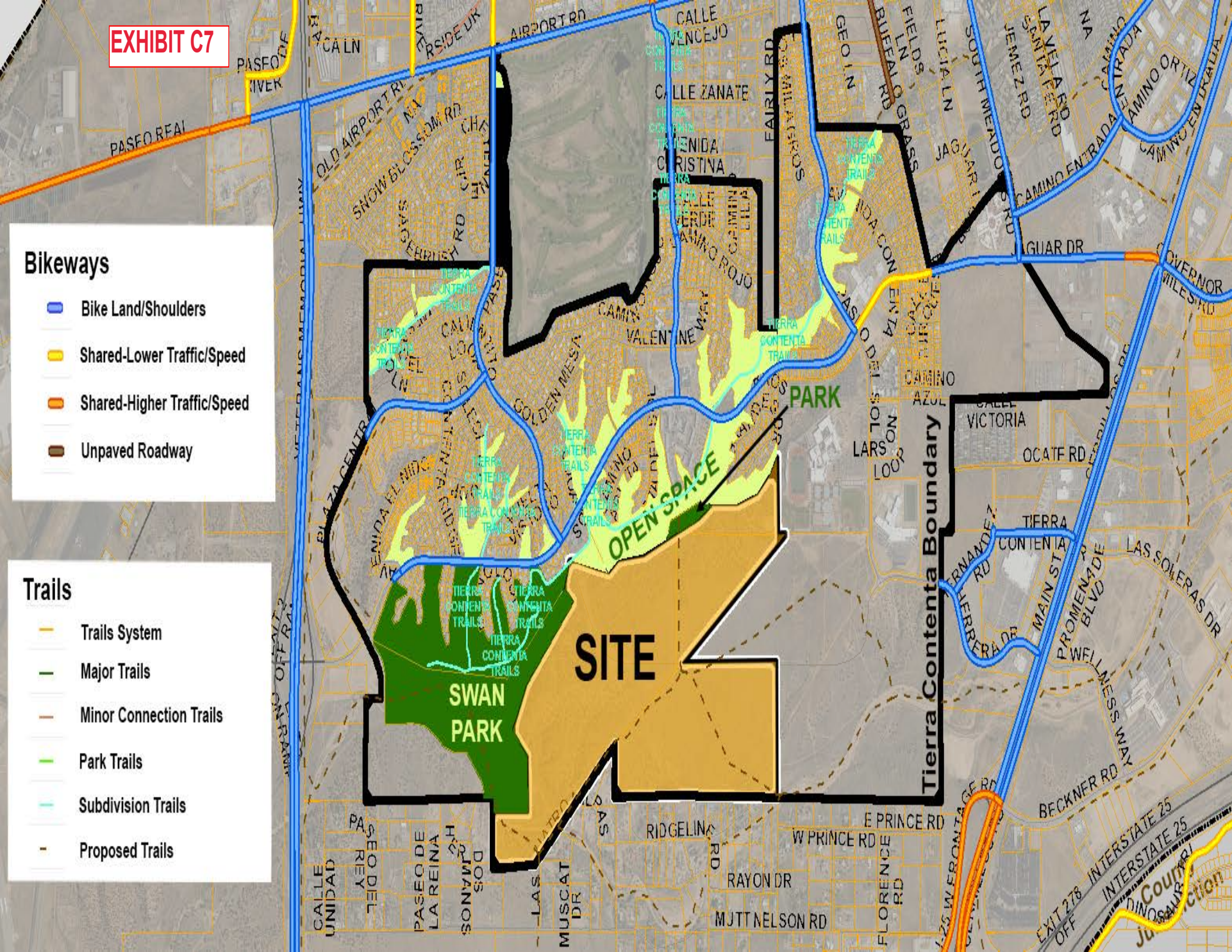

EXHIBIT C7
Bikeways
Bike Land/Shoulders
Shared-Lower Traffic/Speed
Shared-Higher Traffic/Speed
Unpaved Roadway
Trails
Trails System
Major Trails
Minor Connection Trails
Park Trails
Subdivision Trails
Proposed Trails
SITE
SWAN PARK
PARK
OPEN SPACE
Tierra Contenta Boundary
AIRPORT RD
PASEO REAL
OLD AIRPORT RD
SNOW BLOSSOM RD
CALLE ZANATE
CALLE VENCEJO
AVENIDA CRISTINA
FAIRLY RD
BUFFALO GRASS RD
FIELDS LN
LUCIA LN
SOUTH MEADOWS RD
JEMEZ RD
LAVELLE DE SANTA FE RD
CAMINO ENTRADA
CAMINO ORTIZ
JAGUAR DR
GOVERNOR MILES RD
CAMINO ROJO
CAMINO VALENTINE WAY
GOLDEN MESA
CALLE LOMA SOLEDAD
CALLE CONTENTA
PLAZA CENTRAL
CAMINO AZUL
CALLE VICTORIA
OCATE RD
LARSON LOOP
TIERRA CONTENTA
MAIN STREET
PROMENADE BLVD
LAS SOLERAS DR
WELLNESS WAY
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
FLORENCE RD
MUSCAT DR
CALLE UNIDAD
PASEO DEL REY
PASEO DE LA REINA
INTERSTATE 25
EXIT 278
TIERRA CONTENTA TRAILS

EXHIBIT C8





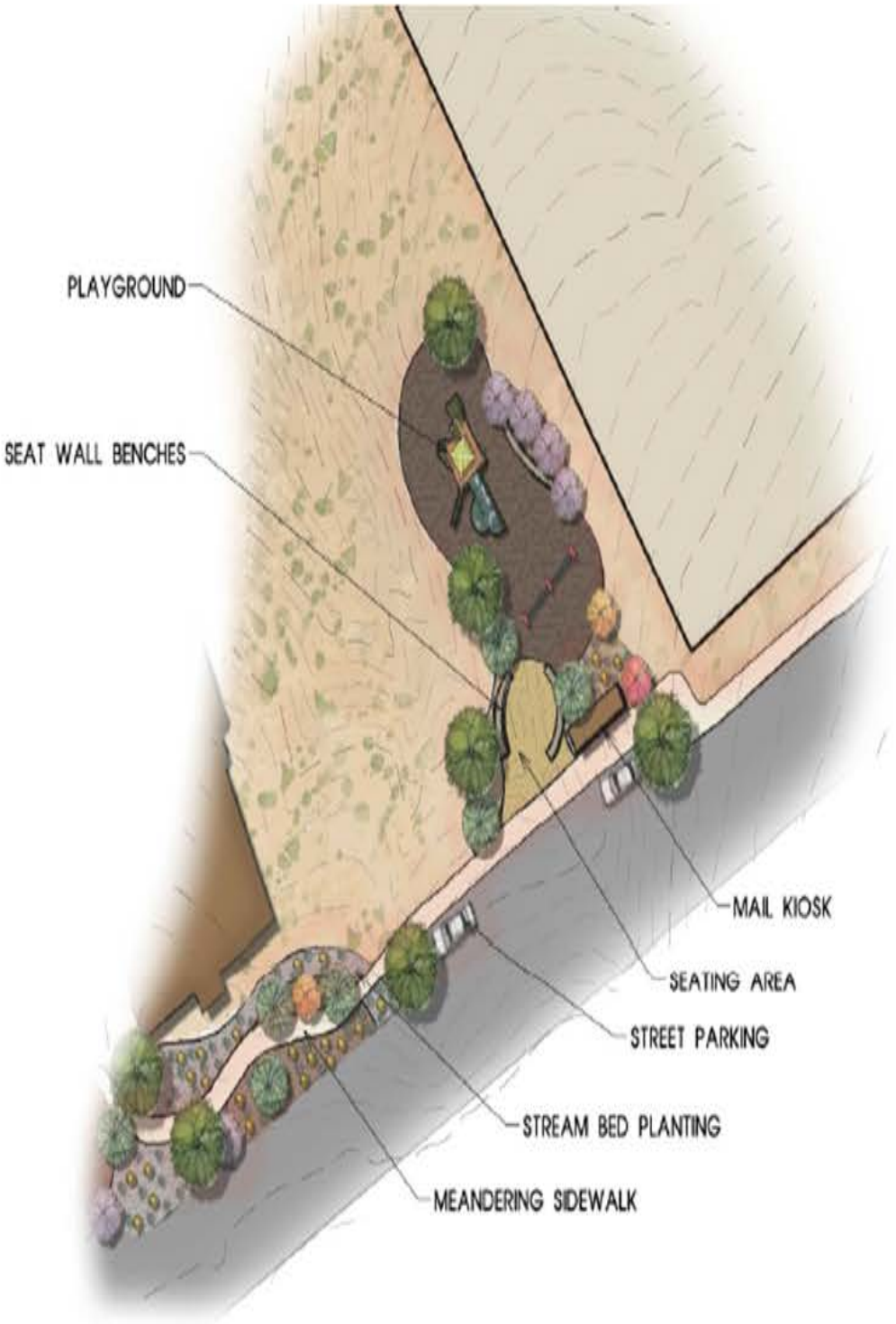

SEAT WALL
BENCHES
PLAYGROUND
SEATING
AREA
OPEN PLAY
PAVILLION
DOG PARK
SPORT COURT
SEATING
AREA
SEAT WALL
BENCHES
STREET
PARKING

EXHIBIT C9





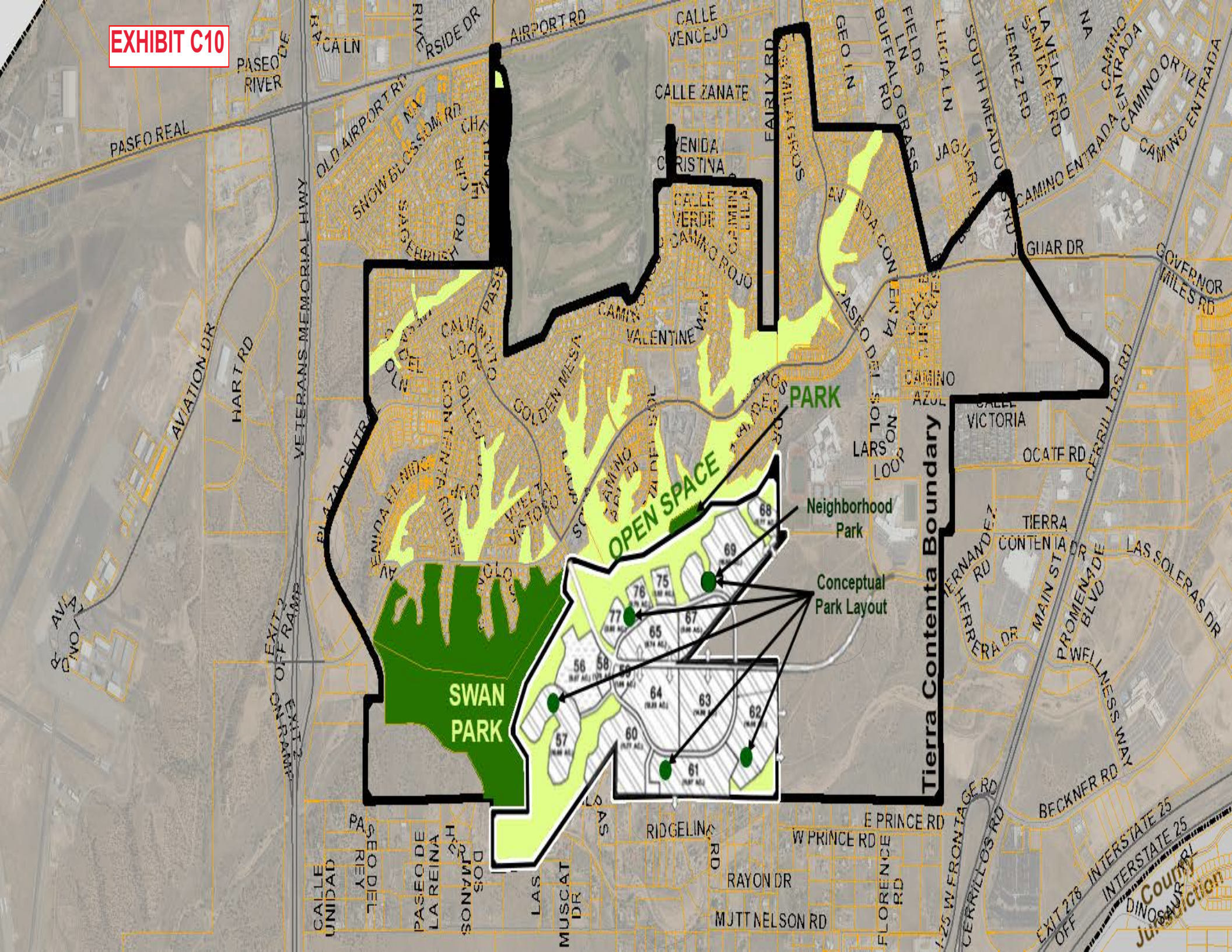


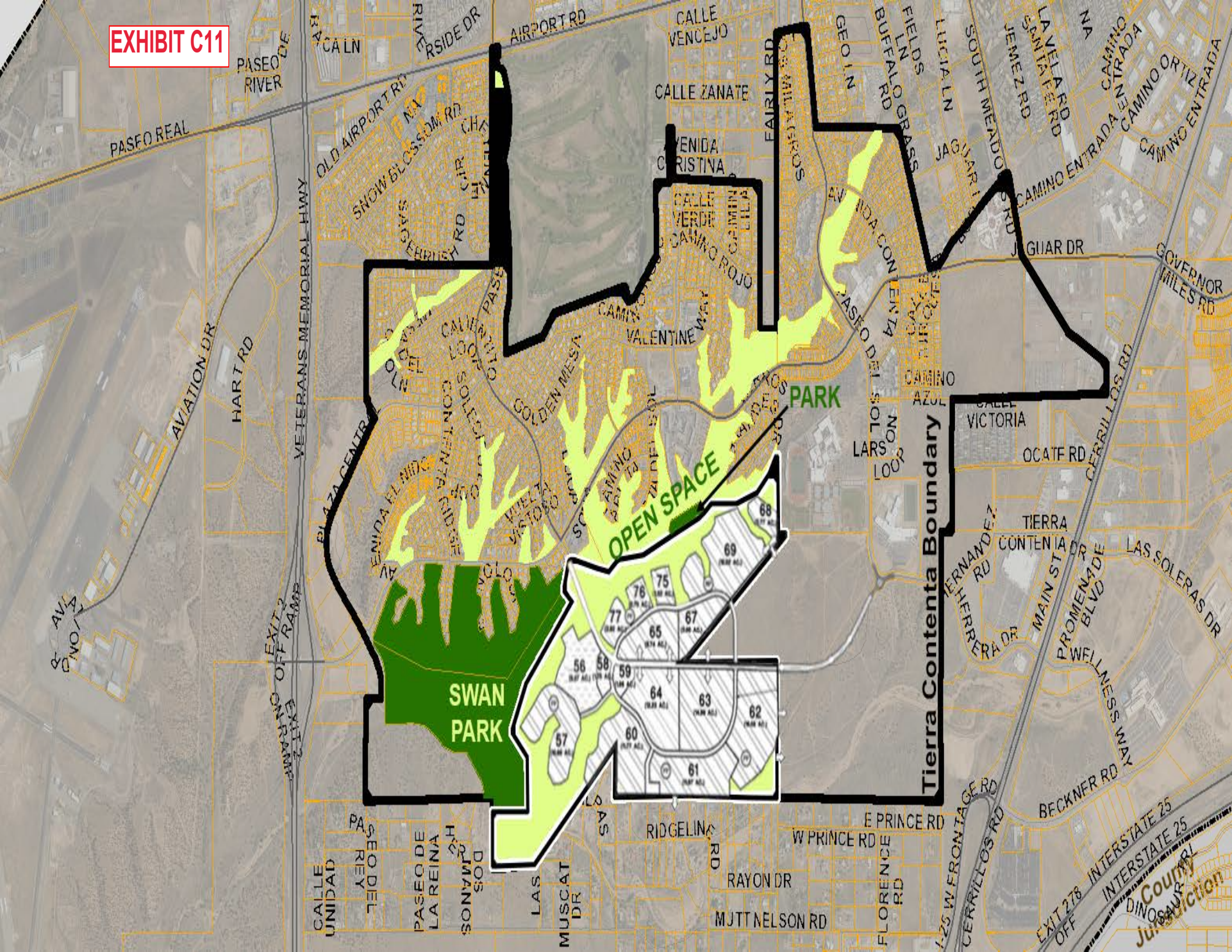

PLAYGROUND
SEAT WALL BENCHES
MAIL KIOSK
SEATING AREA
STREET PARKING
STREAM BED PLANTING
MEANDERING SIDEWALK

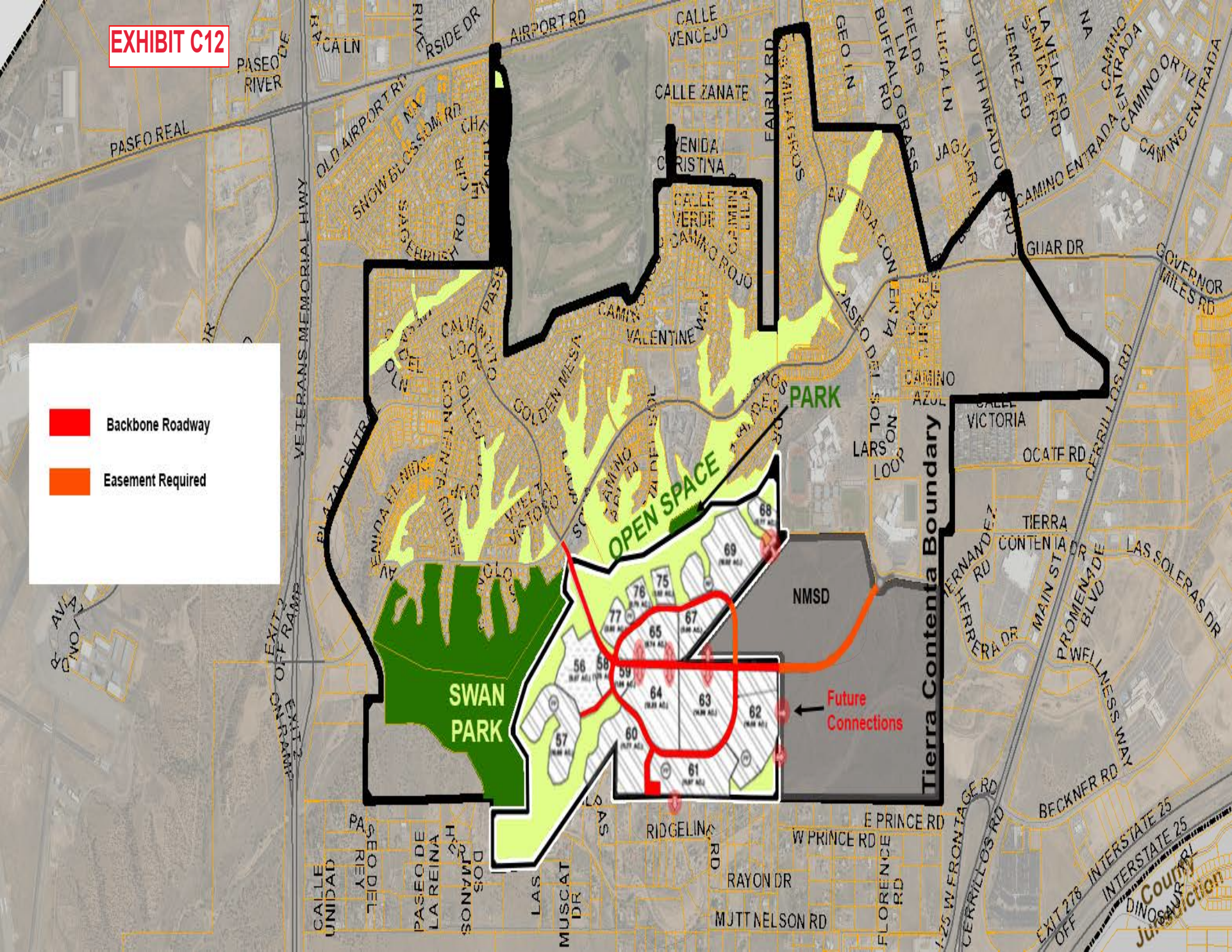


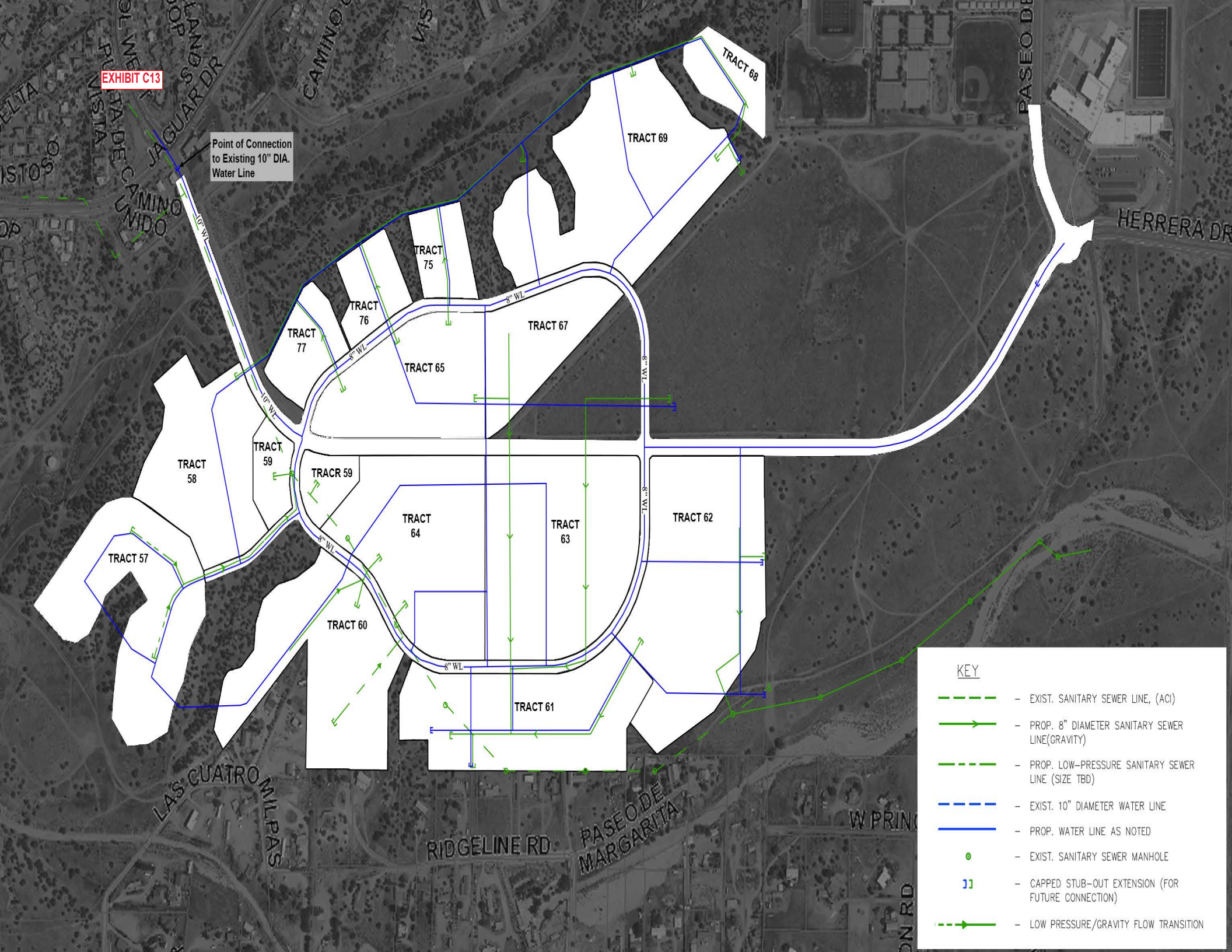





EXHIBIT C10
PARK
OPEN SPACE
Neighborhood Park
Conceptual Park Layout
SWAN PARK
Tierra Contenta Boundary
PASEO DE RIVER
PASEO REAL
AIRPORT RD
CALLE VENCEJO
CALLE ZANATE
FAIRLY RD
BUFFALO GRASS LN
SOUTH MEADOWS RD
JAGUAR DR
GOVERNOR MILES RD
CAMINO ENTRADA
CAMINO ORTIZ
OLD AIRPORT RD
SNOW BLOSSOM RD
AVENIDA CRISTINA
CALLE VERDE
CAMINO ROJO
VALENTINE WAY
GOLDEN MESA
CALLE CONTENTA
PASEO DEL SOL
CAMINO AZUL
LARSON LOOP
CALLE VICTORIA
OCATE RD
CERRILLOS RD
AVIATION DR
HART RD
VETERANS MEMORIAL HWY
PLAZA CENTRAL
EXIT 2 OFF RAMP
EXIT 2 ON RAMP
TIERRA CONTENTA DR
MAIN STA DR
PROMENADE BLVD
LAS SOLERAS DR
WELLNESS WAY
HERRERA DR
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
FLORENCE RD
W FRONTAGE RD
INTERSTATE 25
EXIT 278
CALLE UNIDAD
PASEO DEL REY
PASEO DE LA REINA
MUSCAT DR
DINOSAUR RD
County Jurisdiction


EXHIBIT C11
PARK
OPEN SPACE
SWAN PARK
Tierra Contenta Boundary
PASEO REAL
AIRPORT RD
CALLE VENCEJO
CALLE ZANATE
FAIRLY RD
BUFFALO GRASS LN
SOUTH MEADOWS RD
JAGUAR DR
CAMINO ENTRADA
GOVERNOR MILES RD
OLD AIRPORT RD
SNOW BLOSSOM RD
AVENIDA CRISTINA
CALLE VERDE
CAMINO ROJO
VALENTINE WAY
GOLDEN MESA
CALLE CONTENTA
PASEO DEL SOL
CAMINO AZUL
LARSON LOOP
CALLE VICTORIA
OCATE RD
CERRILLOS RD
TIERRA CONTENTA DR
MAIN STA DR
PROMENADE BLVD
WELLNESS WAY
LAS SOLERAS DR
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
FLORENCE RD
W FRONTAGE RD
INTERSTATE 25
EXIT 278
DINOSAUR TRL
County Jurisdiction
AVIATION DR
HART RD
VETERANS MEMORIAL HWY
EXIT 2 OFF RAMP
EXIT 2 ON RAMP
PASEO DEL REY
CALLE UNIDAD
PASEO DE LA REINA
LAS MUSCAT DR
RIVERSIDE DR
PASEO DE RIVER


EXHIBIT C12
Backbone Roadway
Easement Required
PARK
OPEN SPACE
SWAN PARK
NMSD
Future Connections
Tierra Contenta Boundary
PASEO REAL
AIRPORT RD
CALLE VENCEJO
CALLE ZANATE
FAIRLY RD
VETERANS MEMORIAL HWY
CAMINO ENTRADA
JAGUAR DR
GOVERNOR MILES RD
VICTORIA
OCATE RD
TIERRA CONTENTA DR
LAS SOLERAS DR
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE RD
RAYON DR
MJTT NELSON RD
INTERSTATE 25
EXIT 278
County Jurisdiction


EXHIBIT C13
Point of Connection to Existing 10" DIA. Water Line
JAGUAR DR
PUNTA DE CAMINO VIDO
CAMINO
PASEO DE
HERRERA DR
TRACT 68
TRACT 69
TRACT 75
TRACT 76
TRACT 77
TRACT 67
TRACT 65
TRACT 58
TRACT 59
TRACR 59
TRACT 64
TRACT 63
TRACT 62
TRACT 57
TRACT 60
TRACT 61
10" WL
8" WL
LAS CUATRO MIL PAS
RIDGELINE RD
PASEO DE MARGARITA
W PRIN
KEY
– EXIST. SANITARY SEWER LINE, (ACI)
– PROP. 8" DIAMETER SANITARY SEWER LINE(GRAVITY)
– PROP. LOW-PRESSURE SANITARY SEWER LINE (SIZE TBD)
– EXIST. 10" DIAMETER WATER LINE
– PROP. WATER LINE AS NOTED
– EXIST. SANITARY SEWER MANHOLE
– CAPPED STUB-OUT EXTENSION (FOR FUTURE CONNECTION)
– LOW PRESSURE/GRAVITY FLOW TRANSITION

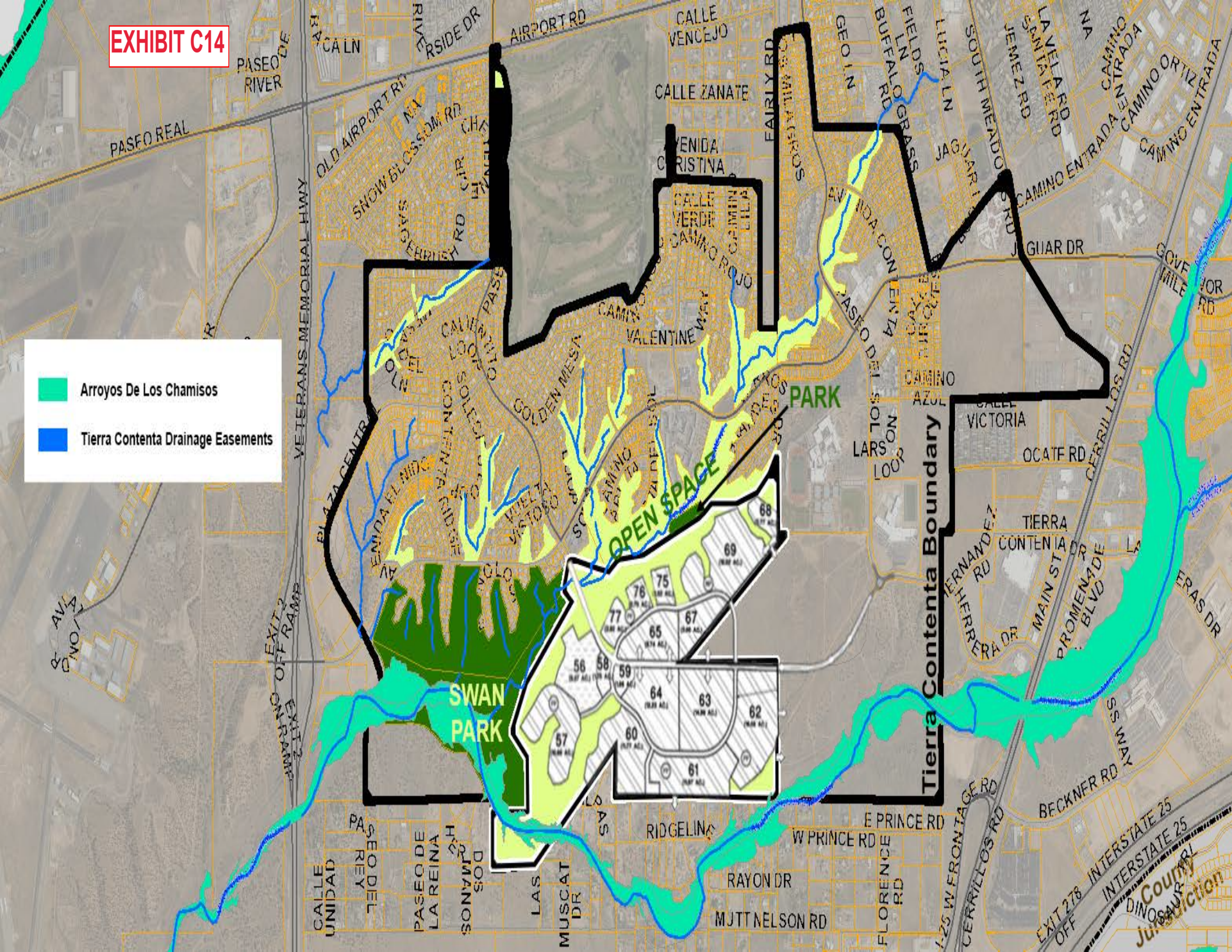
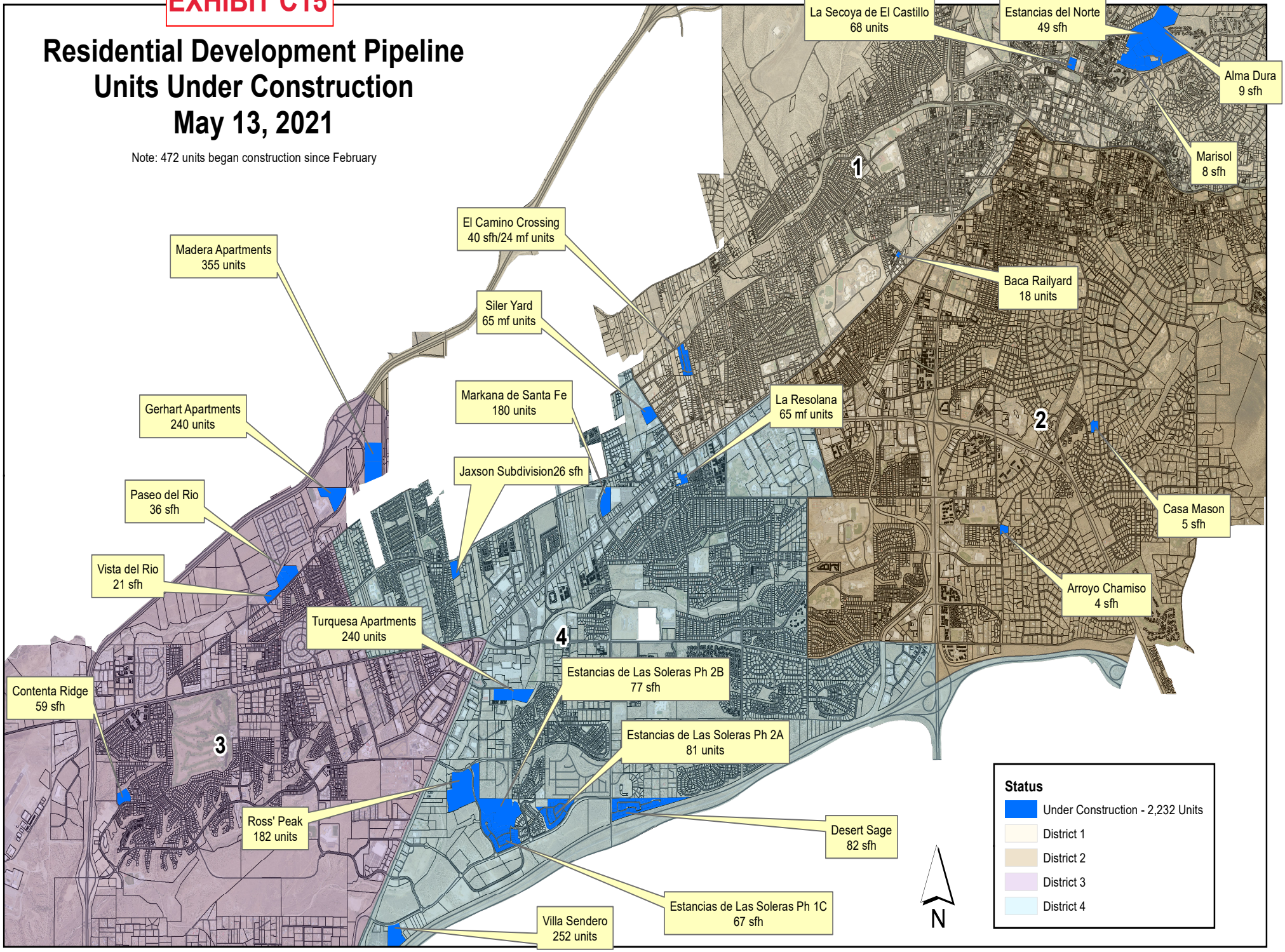

EXHIBIT C14
Arroyos De Los Chamisos
Tierra Contenta Drainage Easements
PARK
OPEN SPACE
SWAN PARK
Tierra Contenta Boundary
PASEO REAL
AIRPORT RD
CALLE VENCEJO
CALLE ZANATE
FAIRLY RD
BUFFALOGRASS LN
FIELDS LN
SOUTH MEADOWS RD
JAGUAR DR
CAMINO ENTRADA
CAMINO ORTIZ
OLD AIRPORT RD
SNOW BLOSSOM RD
VETERANS MEMORIAL HWY
PASEO DEL SOL
CAMINO AZUL
VICTORIA
OCATE RD
LARSON LOOP
TIERRA CONTENTA DR
MAIN STA DR
PROMENADE BLVD
CERRILLOS RD
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE
RAYON DR
MJTT NELSON RD
FLORENCE RD
INTERSTATE 25
EXIT 278
City/County Jurisdiction
VALENTINE WAY
GOLDEN MESA
CAMINO ROJO
CALLE VERDE
CALLE SOLEDAD
CALLE LOS CERRITOS
CALLE UNIDAD
PASEO DE LA REINA
LAS MUSCAT DR
EXIT 2 OFF RAMP
EXIT 2 ON RAMP
PLAZA CENTRAL
AVENIDA EL MIRO
AVENIDA CRISTINA
AVENIDA CONTENTA
PASEO DEL SOL
LUCIA LN
GEO LN
JEMEZ RD
LAVELARD SANTA FE RD
CAMINO ENTRADA
CAMINO ORTIZ
GOVERNOR MILES RD
HERNANDEZ RD
HERRERA DR
SOUTH WAY
W FRONTAGE RD
CERRILLOS RD
DINOSAUR TRL
PASEO DEL REY
CALLE UNIDAD
PASEO DE LA REINA
LAS MUSCAT DR
RIVERSIDE DR
PASEO DE RIVER
CHAMISO LN
CAMINO EL CHAMISO
CAMINO CERRUSA RD
CAMINO SOLEDAD
CAMINO LOS CERRITOS
CAMINO VISTOSO
AVENIDA EL MIRO
AVENIDA CONTENTA
CALLE VERDE
CAMINO ROJO
CALLE SOLEDAD
CALLE LOS CERRITOS
CAMINO VISTOSO
CAMINO AZUL
CALLE VICTORIA
LARSON LOOP
TIERRA CONTENTA DR
MAIN STA DR
PROMENADE BLVD
HERNANDEZ RD
HERRERA DR
SOUTH WAY
BECKNER RD
E PRINCE RD
W PRINCE RD
RIDGELINE
RAYON DR
MJTT NELSON RD
FLORENCE RD
W FRONTAGE RD
CERRILLOS RD
DINOSAUR TRL
INTERSTATE 25
EXIT 278
City/County Jurisdiction
56
57
58
59
60
61
62
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EXHIBIT C15

Residential Development Pipeline
Units Under Construction
May 13, 2021

Note: 472 units began construction since February



August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan
Amendment #1 for Phase 3A

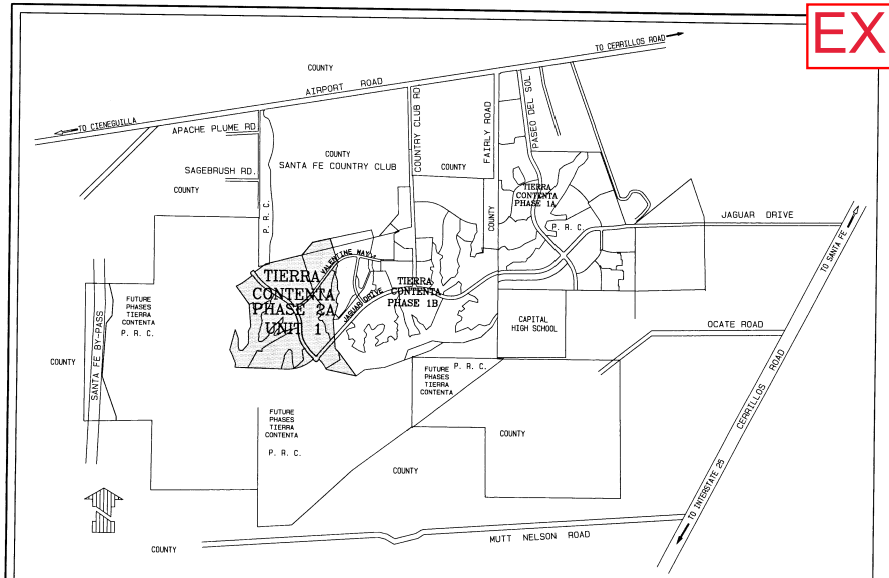
EXHIBIT D

Plats referenced in Figure 1

1. Tierra Contenta Subdivision Phase 2A, Unit 1
2. Tierra Contenta Subdivision Phase 1B, Unit 1
3. Plat of survey of a Portion of Lot 8, A portion of Lot 9 of Section 12…
4. Annexation Plat for Tracts 1 thru 9 Tierra Contenta…
5. Dedication Plat for Tract 8A3-7B Tierra Contenta Subdivision

EXHIBIT D1

493013



V I C I N I T Y M A P

SCALE: 1"= 1000'±

DEED REFERENCES

1) REFER TO WARRANTY DEED BY AND BETWEEN CITY OF SANTA FE (GRANTOR) AND TIERRA CONTENTA CORPORATION (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1122, PAGE 789.

PLAT REFERENCES

1) BEARINGS BASED UPON PLAT ENTITLED "TIERRA CONTENTA SUBDIVISION, PHASE 1B, UNIT 1" PREPARED BY JAMES B. SANCHEZ, P.S. NO. 12655 ON DEC. 02, 1997, HAVING PROJECT No. C-1281 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 356 ON PAGES 012 - 014.

2) REFER TO PLAT OF SURVEY ENTITLED "ANNEXATION PLAT FOR TRACTS 1 THROUGH 9 TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LANDS (EAST)" PREPARED BY FRED SANCHEZ, N.M.L.S. NO. 4078 ON JUNE 24, 1985 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 162 ON PAGE 006.

3) REFER TO PLAT OF SURVEY ENTITLED "LOT LINE ADJUSTMENT BETWEEN LOT 1-A, TRACTS-A & LOT A-1", PREPARED BY FRED SANCHEZ N.M.L.S. NO. 4078 ON JUNE 11, 1992 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 239 ON PAGE 024.

4) REFER TO PLAT OF SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY, TRACTS 1-A-1, 4, 5, 7, 8, 9, LOT 1 & REMAINING PORTION OF TRACT 3", PREPARED BY FRED SANCHEZ, N.M.L.S. No 4078, ON JUNE 25, 1991 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 231 ON PAGE 045.

REVIEWED BY: CITY OF SANTA FE

CITY PLANNER — DATE 2/1/02

SUBDIVISION REVIEW — DATE 2/1/02

WATER QUALITY DIVISION — DATE 1-16-02

APPROVED BY THE CITY PLANNING COMMISSION AT THEIR MEETING OF March 1, 2001

CHAIRMAN

SECRETARY — 1-16-02

SUBDIVISION NOTES:

1. A 7.5' PUBLIC UTILITY EASEMENT IS HEREBY GRANTED ALONG THE FRONTAGE OF ALL TRACTS ADJOINING THE DEDICATED ROADWAYS.
2. EACH LOT SHALL BE SERVED BY SEPARATE SEWER AND WATER SERVICES.
3. PURSUANT TO SECTION 14-95. IMPACT FEES MAY BE ASSESSED ON THESE TRACTS. ANY PERSON INTENDING TO BUILD SHOULD CONTACT STAFF AT CITY HALL.
4. THIS PROPERTY IS SUBJECT TO THE MASTER COVENANTS FOR TIERRA CONTENTA PHASE 2A, RECORDED IN THE RECORDS OF SANTA FE COUNTY IN BOOK 2013 ON PAGES 316-318 PRIOR TO THE SALE OF ANY LOT WITHIN THIS SUBDIVISION, THE DEVELOPER WILL RECORD SUPPLEMENTAL COVENANTS THAT WILL INCLUDE PROVISIONS FOR ACCESS TO AND MAINTENANCE OF COMMON PROPERTY LINE WALLS AND FENCES.
5. FOR SPECIFIC INFORMATION PERTAINING TO SETBACKS, HEIGHTS, TRACT COVERAGE, LANDSCAPING, AND FENCING, REFER TO THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 2A, ADOPTED BY THE CITY PLANNING COMMISSION ON Aug. 3, 2000.
6. FLOOD ZONE NOTE:

   UNLESS OTHERWISE SHOWN HEREON, THE LANDS PLATTED HEREON LIE WITHIN FLOOD ZONE X, "AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN" SOURCE: FLOOD INSURANCE RATE MAP COMMUNITY PANEL 350069 0227 B, 350069 0226 B, 350069 0228B. EFFECTIVE 11-04-1988.

   BOUNDARIES OF OPEN SPACE AND DRAINAGE EASEMENTS SHOWN HEREON ENCOMPASS ARROYOS SUBJECT TO SIGNIFICANT STORM WATER FLOW AND AREAS OF SLOPE GREATER THAN 30%. AS DETERMINED BY DAVID THOMAS P.E. AND BY C. R. WALBRIDGE & ASSOCIATES, SANTA FE, N.M.
7. TERRAIN MANAGEMENT NOTE:
   AT THE TIME OF APPLICATION OF A BUILDING PERMIT, LOTS WITHIN THIS SUBDIVISION MUST CONFORM WITH ALL TERRAIN MANAGEMENT REGULATIONS, OF CITY CODE AND OR TIERRA CONTENTA PHASE 1B DESIGN STANDARDS AS THEY MAY APPLY UNLESS A VARIANCE IS GRANTED BY THE CITY PLANNING COMMISSION. NO "ON-LOT PONDING" IS REQUIRED. INCREASED STORM WATER RUN-OFF IS TO BE HANDLED BY CENTRALIZED PONDS. DEVELOPERS OF TRACTS WILL BE REQUIRED TO SAFELY TRANSMIT STORM WATERS TO THESE CENTRALIZED STORM WATER PONDS. REFER TO THE FINAL ENGINEERING PLANS PREPARED BY C. R. WALBRIDGE & ASSOCIATES, SANTA FE, N.M.
8. PURSUANT TO CHAPTER II, PART O OF THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 2A AND BEFORE RECORDATION OF THIS PLAT TIERRA CONTENTA CORPORATION WILL POST A SURETY BOND OR OTHER SECURITY ACCEPTABLE TO THE CITY OF SANTA FE, IN SUFFICIENT AMOUNT TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS.
9. THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 2A (DESIGN STANDARD) ARE TO BE USED IN CONJUNCTION WITH CITY CODE FOR DEVELOPMENT WITHIN THIS SUBDIVISION. WHERE SPECIFIC DEFINITION IS PROVIDED IN THE DESIGN STANDARDS, THE DESIGN STANDARDS SHALL TAKE PRECEDENCE OVER CITY CODE. WHERE THE DESIGN STANDARDS ARE SILENT, THE CITY DEVELOPMENT CODE SHALL APPLY.
10. PERMANENT TRAFFIC CONTROL SIGNS WILL BE INSTALLED BY THE CITY AT THE DEVELOPERS EXPENSE.
11. BY APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES, PNM DID NOT CONDUCT A TITLE SEARCH ON THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHT WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT WHICH ARE NOT SHOWN ON THIS PLAT.
12. MAINTENANCE OF DRAINAGE STRUCTURES AND APPURTENANCES THERETO WITHIN THE DEDICATED RIGHT-OF-WAYS, OPEN SPACE, PARKS AND DRAINAGE EASEMENTS AS SHOWN HEREON, ARE THE RESPONSIBILITY OF THE CITY OF SANTA FE. MAINTENANCE OF IMPROVEMENTS WITHIN THE PEDESTRIAN EASEMENTS AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE. THE DEVELOPERS OF THESE TRACTS WILL BE REQUIRED TO CONTRIBUTE $100.00 PER LOT TO A DRAINAGE MAINTENANCE FUND AT THE TIME OF PLAT RECORDING. THIS FEE DOES NOT APPLY TO THIS PLATTING BUT ONLY TO SUBSEQUENT SUBDIVISION OF THESE TRACTS.

UTILITY APPROVAL

PUBLIC SERVICE COMPANY OF NEW MEXICO — DATE 12/21/01

U.S. WEST TELEPHONE — DATE 01/21/02

PNM / GAS COMPANY OF NEW MEXICO — DATE 12/21/01

T. C. I. CABLE Co. — DATE 1-8-02

SANGRE DE CRISTO WATER DIVISION — DATE 12/21/01

Qwest Communications, Inc. Disclaimer
This plat has been approved for easement purposes only. The signing of this plat does not in any way guarantee telephone service to the subdivision.

SITE DATA
PHASE 2A, UNIT 1

GROSS AREA OF TRACTS SURVEYED	527.764 AC.±
RESIDUAL NOT DEVELOPED PHASE 2A, UNIT 1	438.712 AC.±
GROSS AREA DEVELOPED	89.052 AC.±
TOTAL AREA OF TRACTS	61.793 AC.±
TOTAL DEDICATED OPEN SPACE	21.812 AC.±
TOTAL DEDICATED R.O.W.	5.467 AC.±

SURVEYOR'S CERTIFICATE

I, MITCHEL K. NOONAN A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYORS PRACTICING IN NEW MEXICO.

MITCHEL K. NOONAN, P.S. No. 6998 — DATE

REVISIONS	
BY	DATE
JSS	02-14-01

PROJECT No.: C-1281-P2AU1

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: FLR | DATE: 01-05-01

DEDICATION AND AFFIDAVIT:

493013

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER OF THESE LANDS LYING WITHIN THE CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, COMPRISED OF: A PORTION OF TRACT 8A2-5, WITHIN THE PACHECO GRANT AND WITHIN PROJECTED SECTIONS 11 AND 14 WITHIN TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CONTAINING 89.031 ACRES, MORE OR LESS, DOES HEREBY CAUSE SAID LANDS TO BE SUBDIVIDED, AS SHOWN HEREON AND THAT THE SUBDIVISION IS NAMED AND WILL BE KNOWN AS "TIERRA CONTENTA SUBDIVISION, PHASE 2A, UNIT 1." ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER.

UTILITY EASEMENTS ARE HEREBY GRANTED TO THE UTILITY COMPANIES LISTED HEREON AND TO THE CITY OF SANTA FE, UPON ALL RIGHT-OF-WAYS AND UTILITY EASEMENTS AS SHOWN HEREON, FOR THE PURPOSE OF INSTALLING OPERATING AND MAINTAINING SUCH PUBLIC OR PRIVATE UTILITIES AS ELECTRIC POWER, CABLE T.V., TELEPHONE, WATER, STORM AND SANITARY SEWER & GAS; THAT THE SAID EASEMENTS CARRY WITH THEM THE RIGHT OF INGRESS AND EGRESS (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY AND THE RIGHT TO TRIM OR REMOVE INTERFERING VEGETATION OR OBSTRUCTIONS BY AGENCIES RESPONSIBLE FOR SAID UTILITIES.

493013

AREAS DESIGNATED AS RIGHT-OF-WAY (R.O.W., R/W), AND OPEN SPACE AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CITY OF SANTA FE, FOR PUBLIC USE. TIERRA CONTENTA CORPORATION RESERVES THE RIGHT TO INSTALL, UTILITIES, NECESSARY TO SERVE THE TRACTS IN PHASE 2A, ACROSS THE OPEN SPACE AND PARK TRACTS. THE CITY AGREES TO GRANT EASEMENTS FOR THESE UTILITIES AT NO COST TO TIERRA CONTENTA CORPORATION OR TO INDIVIDUAL TRACT DEVELOPERS.

THE CITY WILL GRANT EASEMENTS AT NO COST WITHIN THE OPEN SPACE SHOWN HEREON FOR DRAINAGE AND DRAINAGE STRUCTURES; FOR PEDESTRIAN AND NON-MOTORIZED VEHICLE TRAILS, FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC AND PRIVATE UTILITY LINES INCLUDING VEHICLES, PERSONNEL, EQUIPMENT AND APPURTENANCES THERETO; AND FOR ROADWAY SLOPES. REQUESTS FOR SUCH EASEMENTS SHALL BE MADE TO THE CITY PRIOR TO CONSTRUCTION OF THE TRAIL OR UTILITY AND SHALL IDENTIFY THE LIMITS, REQUIRED FOR CONSTRUCTION AND MAINTENANCE OF THE FACILITY. USE OF OPEN SPACE OUTSIDE THE EASEMENT GRANTED FOR THE ABOVE USES WILL NOT BE ALLOWED.

A BLANKET EASEMENT IS HEREBY GRANTED UPON ALL OPEN SPACE SHOWN HEREON FOR ALL EMERGENCY VEHICLES, PERSONNEL AND EQUIPMENT.

MAINTENANCE OF DRAINAGE STRUCTURES AND APPURTENANCES THERETO WITHIN THE DEDICATED RIGHT-OF-WAYS, OPEN SPACE, PARKS AND DRAINAGE EASEMENTS AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE.

THIS PLAT LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

OWNERS: TIERRA CONTENTA CORPORATION
BY:

PRESIDENT
TIERRA CONTENTA CORPORATION

VICE PRESIDENT OR EXECUTIVE DIRECTOR
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
COUNTY OF SANTA FE) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF December 2001 BY THE PRESIDENT AND Executive Director OF TIERRA CONTENTA CORPORATION.

NOTARY PUBLIC

OFFICIAL SEAL
Margaret L. Vasquez
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 1-30-04

1191732

I hereby certify that this instrument was filed for record on the 1 day of February A.D. 2002 at 12:52 o'clock P.M. and was duly recorded in Book 493 Pages 011 of the records of Santa Fe County.

Witness my Hand and Seal of Office
REBECCA BUSTAMANTE
County Clerk, Santa Fe County, NM

Deputy

TIERRA CONTENTA SUBDIVISION PHASE 2A, UNIT 1

COMPRISED OF:
A PORTION OF TRACT 8A2-5
WITHIN THE PACHECO GRANT AND
WITHIN PROJECTED SECTIONS 11 AND 14
TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 1 OF 3 (5A)

02-12

SHEET 3
LINE DATA CHART

No.	BEARING	DISTANCE
L53	S39°29'09"E	44.00'
L54	S21°46'22"E	49.25'
L55	S32°04'59"W	54.59'
L56	S01°56'34"W	84.53'
L57	S14°02'43"W	41.33'
L58	S25°01'54"E	23.70'
L59	S18°12'02"E	105.51'
L60	S00°32'27"W	151.78'
L61	S33°19'42"E	59.98'
L62	S02°51'52"E	28.67'
L63	S55°01'34"W	17.49'
L64	S23°05'03"W	84.05'
L65	S07°15'29"W	79.39'
L66	S55°48'08"E	43.31'
L67	S18°32'47"W	118.17'
L68	S04°46'18"E	91.87'
L69	S41°09'13"W	109.91'
L70	N18°40'04"W	135.94'
L71	N66°12'22"W	49.48'
L72	N07°36'44"W	70.26'
L73	N10°34'01"W	79.88'
L74	N33°02'19"W	95.26'
L75	N88°36'13"W	54.61'
L76	N30°42'50"W	49.54'
L77	N46°24'46"E	115.82'
L78	N28°40'46"W	113.78'
L79	N07°54'42"E	96.75'
L80	N36°28'15"E	203.76'
L81	S17°34'50"E	125.88'
L82	S30°01'57"E	91.29'
L83	S47°18'25"E	62.16'
L84	N56°38'55"E	43.13'
L85	N36°00'08"E	91.18'
L86	N03°26'26"E	204.97'
L87	N15°49'21"E	157.90'
L88	N15°17'45"E	60.03'
L89	N60°31'44"W	72.84'
L90	S04°46'18"E	154.76'
L91	S45°29'46"E	17.78'
L92	S11°48'59"E	154.80'
L93	S57°54'05"W	324.20'
L94	N27°38'41"W	7.59'
L95	S46°28'55"E	2.91'
L96	S43°40'37"W	65.73'
L97	N48°36'43"W	66.34'
L98	N27°38'41"W	20.06'
L99	N89°46'42"W	97.51'
L100	S85°15'43"E	89.26'
L101	N05°21'32"E	57.09'
L102	N55°25'52"E	173.75'
L103	N40°17'56"E	70.39'
L104	N72°25'06"E	108.73'
L105	S00°57'05"W	38.53'
L106	S34°47'55"E	59.98'
L107	S34°47'55"E	34.72'
L108	S46°28'55"E	104.63'
L109	N33°33'57"E	191.75'
L110	N07°04'39"E	77.79'
L111	N33°53'57"E	138.50'
L112	S89°04'35"E	34.96'
L113	N41°00'07"W	45.55'
L114	S01°58'57"E	206.00'
L115	S14°25'43"E	81.46'
L116	S50°43'36"E	16.02'
L117	N55°23'28"E	86.32'
L118	N45°19'27"E	148.27'
L119	N08°16'39"W	191.90'
L120	N55°12'05"E	54.18'
L121	N88°46'42"W	245.44'
L122	N06°56'02"E	75.92'
L123	N22°24'56"W	195.55'
L124	N28°03'42"W	84.39'
L125	S20°50'42"E	65.64'
L126	S19°02'08"E	116.18'
L127	S00°00'00"W	150.22'
L128	S15°10'52"E	77.17'
L129	S84°10'37"E	82.21'
L130	N41°56'59"E	100.14'
L131	N38°31'58"E	79.07'
L132	N00°42'59"W	101.00'
L133	N01°01'58"W	140.14'
L134	N26°15'15"E	99.94'
L135	N05°15'19"W	116.94'
L136	N70°35'42"E	84.01'
L137	S02°43'07"E	98.60'
L138	S34°42'37"E	56.98'
L139	N62°14'08"E	110.01'
L140	N28°57'53"E	54.52'
L141	N61°02'03"E	59.52'
L142	N58°05'16"E	85.08'
L143	N78°41'47"E	48.43'
L144	N31°05'01"E	134.63'
L145	S58°54'59"E	122.76'
L146	N54°11'33"E	180.11'
L147	S05°27'40"W	29.74'
L148	S14°23'21"W	62.78'
L149	S17°17'27"W	24.49'
L150	S37°12'23"W	76.62'
L151	S47°04'35"W	51.13'
L152	S61°00'27"W	60.05'
L153	S16°40'01"W	68.90'
L154	S16°01'52"E	75.01'
L155	S04°56'38"W	77.62'
L156	S20°04'34"W	92.41'
L157	S04°05'14"E	35.60'
L158	S26°09'07"W	62.53'
L159	S05°45'28"E	67.38'
L160	S12°21'34"W	50.41'
L161	S11°33'59"E	35.01'
L162	S42°31'37"E	12.69'
L163	N83°09'40"E	58.92'
L164	N49°44'38"E	73.59'
L165	N55°30'24"E	30.28'
L166	N35°13'59"E	32.45'
L167	N43°44'36"E	49.64'

No.	BEARING	DISTANCE
L168	N15°43'02"W	51.83'
L169	N36°30'39"E	119.30'
L170	N47°36'15"E	195.40'
L171	N40°00'11"E	94.65'
L172	S01°17'34"W	103.71'
L173	S41°07'41"W	56.92'
L174	S23°58'29"W	61.43'
L175	S48°13'05"W	76.87'
L176	S34°27'15"W	66.18'
L177	S19°23'41"W	44.63'
L178	S69°27'17"E	19.99'
L179	N72°54'23"E	74.26'
L180	N54°07'22"E	73.16'
L181	N62°56'28"E	39.41'
L182	N82°24'35"E	47.21'
L183	N67°47'38"E	59.82'
L184	N62°09'18"E	48.56'
L185	S76°14'07"E	36.41'
L186	S30°06'59"E	91.15'
L187	S00°57'05"W	21.03'
L188	N35°48'27"W	66.00'
L189	N49°11'15"E	66.59'
L190	S60°15'06"E	22.47'
L191	N54°11'33"E	268.35'
L192	S36°28'15"W	56.93'
L193	S58°47'25"W	91.81'
L194	N36°28'15"E	7.30'
L195	N46°28'55"W	104.91'
L196	N34°47'55"W	94.70'
L197	N00°57'05"E	59.56'
L198	N30°06'59"W	59.63'
L199	N58°47'25"E	91.41'
L200	S11°21'49"E	23.21'
L201	S58°54'59"E	227.18'
L202	S45°29'46"E	87.91'
L203	S35°48'27"E	9.77'
L204	S35°48'27"E	9.77'

SHEET 3
CURVE DATA CHART

No.	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C7	14°02'35"	522.00'	127.94'	N43°29'33"E	127.62'
C8	4°56'36"	478.00'	41.24'	S48°02'33"W	41.23'
C9	9°06'00"	478.00'	75.92'	S41°01'15"W	75.84'
C10	18°50'14"	633.00'	208.11'	N37°03'48"W	207.18'
C11	87°36'08"	17.00'	26.00'	N02°39'51"W	23.54'
C12	86°23'51"	17.00'	25.63'	N89°49'38"W	23.27'
C13	93°57'16"	17.00'	27.88'	N00°29'44"E	24.86'
C14	92°21'52"	17.00'	27.41'	N87°20'09"E	24.53'
C15	43°44'56"	742.00'	566.56'	S69°20'59"W	552.90'
C16	11°41'00"	467.00'	95.23'	N40°38'25"W	95.06'
C17	11°41'00"	533.00'	108.69'	S40°38'25"E	108.50'
C18	10°17'05"	1033.00'	185.43'	N59°20'06"E	185.18'
C19	89°37'55"	17.00'	26.59'	N80°59'37"W	23.96'
C20	90°00'00"	17.00'	26.70'	N09°11'33"E	24.04'
C21	23°06'32"	967.00'	390.02'	N47°21'43"W	387.38'
C22	23°07'16"	1033.00'	416.85'	S47°21'21"E	414.03'
C23	24°03'30"	533.00'	223.80'	N46°53'14"W	222.16'
C24	28°48'00"	467.00'	234.74'	S44°30'59"E	232.28'
C25	86°21'05"	17.00'	25.62'	N78°02'02"W	23.26'
C26	88°54'25"	17.00'	26.38'	N14°20'13"E	23.81'
C27	22°19'10"	826.00'	321.77'	N47°37'50"E	319.74'
C28	22°19'10"	782.00'	304.63'	S47°37'50"W	302.70'
C29	31°04'05"	467.00'	253.22'	S14°34'57"E	250.13'
C30	31°04'05"	533.00'	289.01'	N14°34'57"W	285.48'
C31	35°45'00"	467.00'	291.39'	N16°55'25"W	286.68'
C32	35°45'00"	533.00'	332.57'	S16°55'25"E	327.20'
C33	26°25'28"	22.00'	10.15'	S47°02'29"E	10.06'
C34	24°26'39"	38.00'	16.21'	S48°01'46"E	16.09'
C35	24°26'39"	38.00'	16.21'	S23°35'08"E	16.09'
C36	24°47'05"	22.00'	9.52'	S23°45'21"E	9.44'

THIS SHEET
LINE AND CURVE DATA CHART

No.	ARC/DIST	RADIUS	DELTA	CHORD BEARING	CHORD
L1	44.00'			S39°29'09"E	
C1	41.24'	478.00'	4°56'36"	S48°02'33"W	41.23'
L2	49.25'			S21°46'22"E	
L3	54.59'			S32°04'59"W	
L4	84.53'			S01°56'34"W	
L5	41.33'			S14°02'43"W	
L6	23.70'			S25°01'54"E	
L7	105.51'			S18°12'02"E	
L8	151.78'			S00°32'27"W	
L9	59.98'			S33°19'42"E	
L10	28.67'			S02°51'52"E	
L11	17.49'			S55°01'34"W	
L12	84.05'			S23°05'03"W	
L13	79.39'			S07°15'29"W	
L14	43.31'			S55°48'08"E	
L15	202.83'			S14°43'57"W	
L16	118.17'			S18°32'47"W	
L17	91.87'			S04°46'18"E	
L18	154.76'			S04°46'18"E	
L19	87.91'			S45°29'46"E	
L20	17.78'			S45°29'46"E	
L21	154.80'			S11°48'59"E	
L22	11.06'			N61°57'52"E	
L23	253.35'			S54°11'33"W	
L24	22.47'			S60°15'06"E	
L25	66.59'			S49°11'15"W	
C2	26.70'	17.00'	90°00'00"	S09°11'33"W	24.04'
L26	66.00'			S35°48'27"E	
L27	180.11'			S54°11'33"W	
C3	185.43'	1033.00'	10°17'06"	S59°20'06"W	185.18'
L28	420.81'			S36°52'00"E	
L29	115.94'			S05°15'19"E	
L30	312.93'			S04°51'45"E	
L31	99.94'			S26°15'15"W	
L32	140.14'			S01°01'58"E	
L33	101.00'			S00°42'59"E	
L34	79.07'			S38°51'58"W	
L35	100.14'			S41°56'59"W	
L36	62.21'			N84°10'37"W	
L37	77.17'			N15°10'52"W	
L38	150.22'			N00°00'00"E	
L39	116.18'			N19°02'08"E	
L40	65.64'			N20°50'42"W	
L41	407.41'			S14°20'38"W	
L42	84.39'			S28°03'42"E	
L43	195.55'			S22°24'56"E	
L44	75.92'			N06°56'02"E	
L45	245.44'			S88°46'42"E	
L46	545.51'			S88°46'42"E	
L47	97.51'			S88°46'42"E	
C4	566.56'	742.00'	43°44'56"	N69°20'59"E	552.90'
L48	66.34'			S48°36'43"E	
C5	25.63'	17.00'	86°23'51"	S89°49'38"E	23.27'
L49	65.73'			N43°40'37"E	
L50	2.91'			S46°28'55"E	
C6	208.11'	633.00'	18°50'14"	S37°03'46"E	207.18'
L51	7.59'			N27°38'41"W	
L52	20.06'			S27°38'41"E	
C7	10.15'	22.00'	26°25'28"	S47°02'29"E	10.06'
C8	16.21'	38.00'	24°26'39"	S48°01'46"E	16.09'
L53	9.77'			S35°48'27"E	

GOVERNMENT LOT 8
TIERRA CONTENTA CORP.
BOOK 1122, PAGE 789

LEGEND

- POINT FOUND AS INDICATED
- CALCULATED POINT NOT FOUND OR SET
- SET 1/2" REBAR WITH CAP
- MANHOLE
- UTILITY POLE AND GUY ANCHOR
- EDGE OF EXISTING ROAD
- EDGE OF EASEMENT
- ADJOINER PROPERTY LINE
- PHASE LINE
- AERIAL UTILITY LINE
- WIRE FENCE LINE
- CHAIN LINK FENCE LINE
- FLOWLINE ARROYO

SURVEYOR'S CERTIFICATE

I, MITCHEL K. NOONAN, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYORS PRACTICING IN NEW MEXICO.

MITCHEL K. NOONAN, P.S. No.6998 — DATE

REVISIONS BY	DATE
JBS	02-14-01

PROJECT No.: C-1281-P2AU1

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: FLR | DATE: 01-05-01

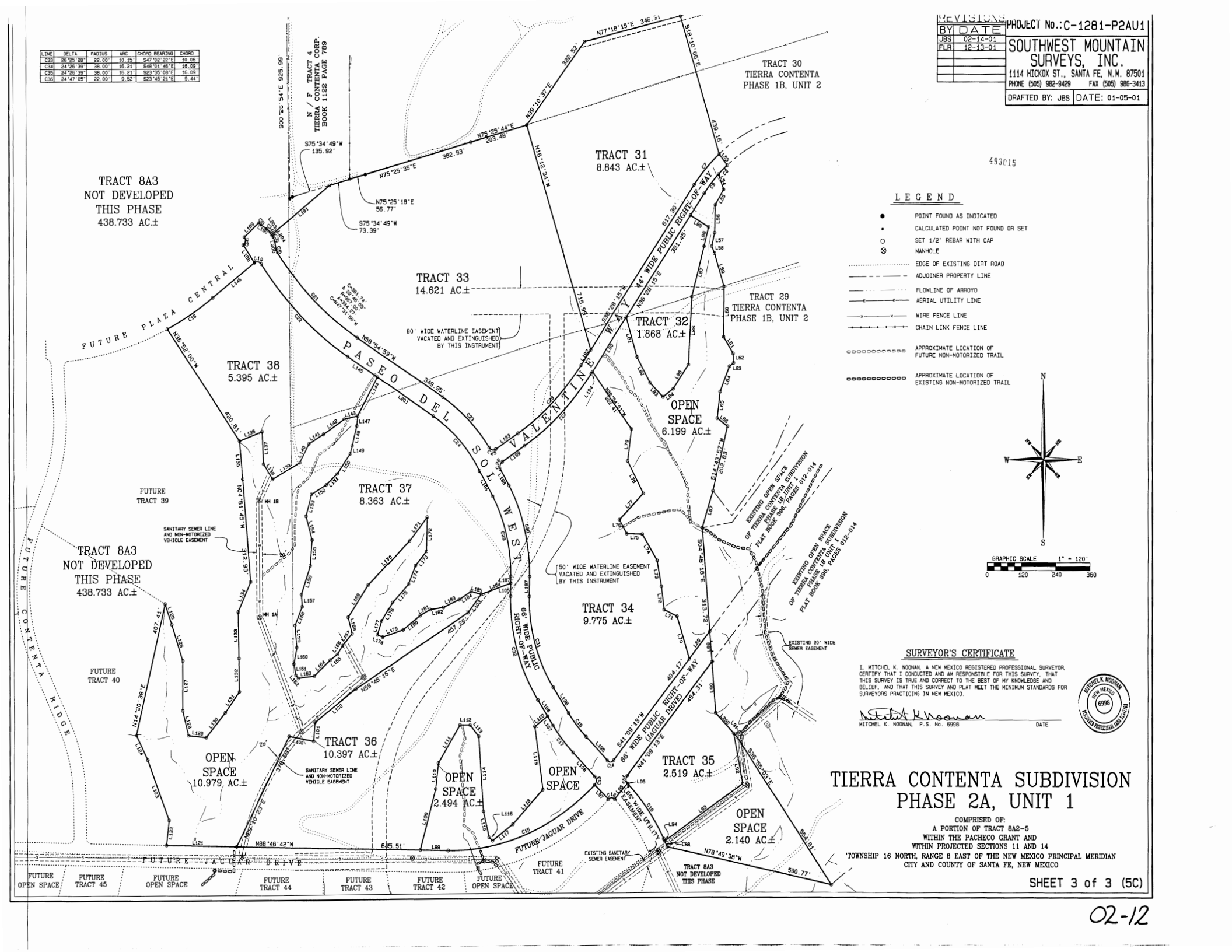
TIERRA CONTENTA SUBDIVISION PHASE 2A, UNIT1

COMPRISED OF:
A PORTION OF TRACT 8A2-5
WITHIN THE PACHECO GRANT AND
WITHIN PROJECTED SECTIONS 11 AND 14
TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 2 of 3 (5B)

493014

02 12



LINE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C33	26°25'28"	22.00'	10.15'	S47°02'22"E	10.06'
C34	24°26'39"	38.00'	16.21'	S48°01'46"E	16.09'
C35	24°26'39"	38.00'	16.21'	S23°35'08"E	16.09'
C36	24°47'05"	22.00'	9.52'	S23°45'21"E	9.44'

REVISIONS	
BY	DATE
JBS	02-14-01
FLR	12-13-01

PROJECT No.: C-1281-P2AU1

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: JBS | DATE: 01-05-01

493015

LEGEND

- POINT FOUND AS INDICATED
- CALCULATED POINT NOT FOUND OR SET
- SET 1/2" REBAR WITH CAP
- MANHOLE
- EDGE OF EXISTING DIRT ROAD
- ADJOINER PROPERTY LINE
- FLOWLINE OF ARROYO
- AERIAL UTILITY LINE
- WIRE FENCE LINE
- CHAIN LINK FENCE LINE
- APPROXIMATE LOCATION OF FUTURE NON-MOTORIZED TRAIL
- APPROXIMATE LOCATION OF EXISTING NON-MOTORIZED TRAIL

SURVEYOR'S CERTIFICATE

I, MITCHEL K. NOONAN, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR, CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY. THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYORS PRACTICING IN NEW MEXICO.

MITCHEL K. NOONAN, P.S. No. 6998 DATE

MITCHEL K. NOONAN NEW MEXICO 6998 REGISTERED PROFESSIONAL LAND SURVEYOR

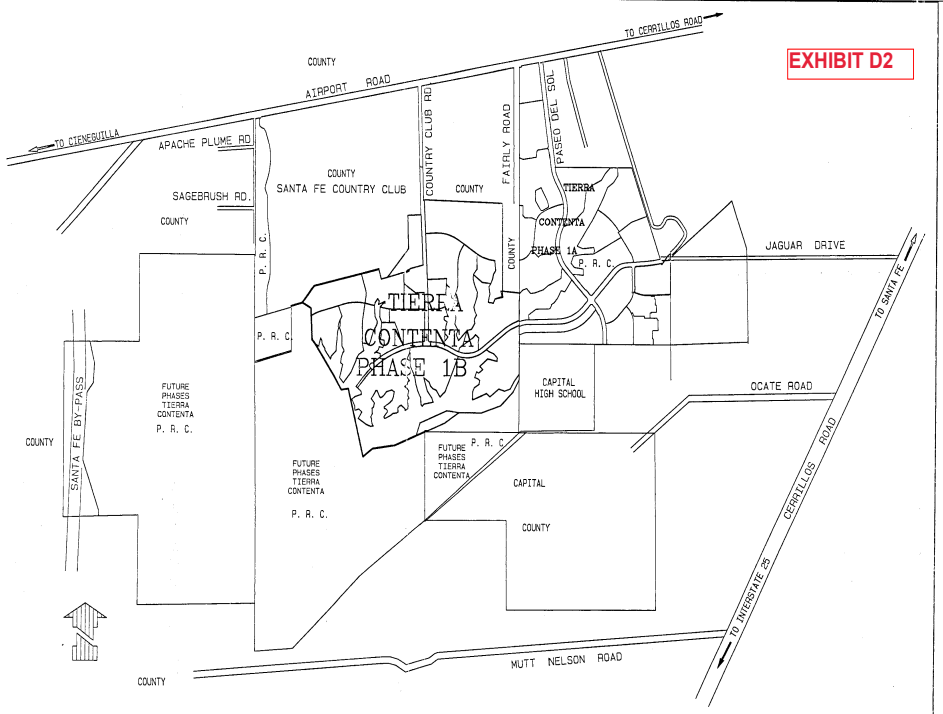
TIERRA CONTENTA SUBDIVISION PHASE 2A, UNIT 1

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A PORTION OF TRACT 8A2-5
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TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 3 of 3 (5C)

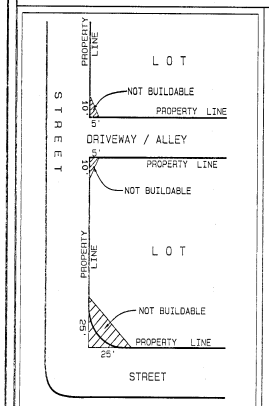
02-12

EXHIBIT D2



V I C I N I T Y M A P

SCALE: 1"= 1000'±



TYPICAL
VISIBILITY AT INTERSECTIONS
REFERENCE SUBSECTION 14-53.2 SFCC 1987
OR AS IT MAY BE AMENDED AT THE TIME OF APPLICATION.
NOT TO SCALE

DEED REFERENCES

1) REFER TO WARRANTY DEED BY AND BETWEEN CITY OF SANTA FE (GRANTOR) AND TIERRA CONTENTA CORPORATION (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1122, PAGE 789.

2) REFER TO WARRANTY DEED BY AND BETWEEN HARRY DAVIS (GRANTOR) AND EMIL PICK (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 46, PAGE 466.

3) REFER TO WARRANTY DEED BY AND BETWEEN ELIZABETH PICK (GRANTOR) AND ELISIA CORPORATION (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 288, PAGE 040.

4) REFER TO WARRANTY DEED BY AND BETWEEN ELISIA And Rosa Ltd., a NM. LIMITED LIABILITY COMPANY Co. A LIMITED LIABILITY COMPANY. (GRANTORS) AND TIERRA CONTENTA CORP. (GRANTEE) RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1533 ON PAGES 924 - 94

5) EASEMENTS LISTED IN COMMITMENT FOR TITLE INSURANCE No. 9801145 ISSUED BY TERRITORIAL ABSTRACT & TITLE CO. ARE SHOWN HEREON.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO TIERRA CONTENTA CORP. AND CAPITOL CITY TITLE SERVICES, THAT THIS PLAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF IS AN ACCURATE REPRESENTATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY DIRECTION ON DEC. 02, 1997 AND THAT IT MEETS THE STANDARDS FOR PROFESSIONAL SURVEYORS PRACTICING IN NEW MEXICO.

JAMES B. SANCHEZ
NEW MEXICO 12655 REGISTERED PROFESSIONAL SURVEYOR

James B. Sanchez
JAMES B. SANCHEZ, N.M.P.L.S. NO. 12655

REVIEWED BY: CITY OF SANTA FE

CITY PLANNER — 8-12-98 DATE

SUBDIVISION REVIEW — 8/25/98 DATE

WATER QUALITY DIVISION — 8-24-98 DATE

APPROVED BY THE CITY PLANNING COMMISSION AT THEIR MEETING OF July 9, 1998

CHAIRMAN — 8/9/98

SECRETARY — 8/9/98

UTILITY APPROVAL

PUBLIC SERVICE COMPANY OF NEW MEXICO — 7-31-98 DATE

U.S. WEST TELEPHONE — 7/31/98 DATE

PNM / GAS COMPANY OF NEW MEXICO — 7/31/98 DATE

T. C. I. CABLE Co. — 7-31-98 DATE

SANGRE DE CRISTO WATER DIVISION — 7/31/98 DATE

SUBDIVISION NOTES:

1. A 7.5' PUBLIC UTILITY EASEMENT IS HEREBY GRANTED ALONG THE FRONTAGE OF ALL TRACTS ADJOINING THE DEDICATED ROADWAYS.
2. EACH LOT SHALL BE SERVED BY SEPARATE SEWER AND WATER SERVICES.
3. PURSUANT TO SECTION 14-95. IMPACT FEES MAY BE ASSESSED ON THESE TRACTS. ANY PERSON INTENDING TO BUILD SHOULD CONTACT STAFF AT CITY HALL.
4. THIS PROPERTY IS SUBJECT TO THE MASTER COVENANTS FOR TIERRA CONTENTA PHASE 1B, RECORDED IN THE RECORDS OF SANTA FE COUNTY IN BOOK 1547 ON PAGES 360-382 PRIOR TO THE SALE OF ANY LOT WITHIN THIS SUBDIVISION. THE DEVELOPER WILL RECORD SUPPLEMENTAL COVENANTS THAT WILL INCLUDE PROVISIONS FOR ACCESS TO AND MAINTENANCE OF COMMON PROPERTY LINE WALLS AND FENCES.
5. FOR SPECIFIC INFORMATION PERTAINING TO SETBACKS, HEIGHTS, TRACT COVERAGE, LANDSCAPING, AND FENCING, REFER TO THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 1B, ADOPTED BY THE CITY PLANNING COMMISSION JULY, 1997.
6. FLOOD ZONE NOTE:

   UNLESS OTHERWISE SHOWN HEREON, THE LANDS PLATTED HEREON LIE WITHIN FLOOD ZONE X, "AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN" SOURCE: FLOOD INSURANCE RATE MAP COMMUNITY PANEL 350069 0227 B, 350069 0226 B, 350069 0228B. ALL EFFECTIVE 11-04-1988.

   BOUNDARIES OF OPEN SPACE AND DRAINAGE EASEMENTS SHOWN HEREON ENCOMPASS ARROYOS SUBJECT TO SIGNIFICANT STORM WATER FLOW AND ALL AREAS OF SLOPE GREATER THAN 30%. AS DETERMINED BY DAVID THOMAS P.E.
7. TERRAIN MANAGEMENT NOTE:
   AT THE TIME OF APPLICATION OF A BUILDING PERMIT, LOTS WITHIN THIS SUBDIVISION MUST CONFORM WITH ALL TERRAIN MANAGEMENT REGULATIONS, OF CITY CODE AND OR TIERRA CONTENTA PHASE 1B DESIGN STANDARDS AS THEY MAY APPLY UNLESS A VARIANCE IS GRANTED BY THE CITY PLANNING COMMISSION. NO "ON-LOT PONDING" IS REQUIRED. INCREASED STORM WATER RUN-OFF IS TO BE HANDLED BY CENTRALIZED PONDS. DEVELOPERS OF TRACTS WILL BE REQUIRED TO SAFELY TRANSMIT STORM WATERS TO THESE CENTRALIZED STORM WATER PONDS. REFER TO THE FINAL ENGINEERING PLANS PREPARED BY C. R. WALLBRIDGE & ASSOCIATES, SANTA FE, N.M.
8. PURSUANT TO CHAPTER 11, PART D OF THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 1B AND BEFORE RECORDATION OF THIS PLAT TIERRA CONTENTA CORPORATION WILL POST A SURETY BOND OR OTHER SECURITY ACCEPTABLE TO THE CITY OF SANTA FE, IN SUFFICIENT AMOUNT TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS.
9. THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 1B (DESIGN STANDARD) ARE TO BE USED IN CONJUNCTION WITH CITY CODE FOR DEVELOPMENT WITHIN THIS PLAT. WHERE SPECIFIC DEFINITION IS PROVIDED IN THE DESIGN STANDARDS, THE DESIGN STANDARDS SHALL TAKE PRECEDENCE OVER CITY CODE. WHERE THE DESIGN STANDARDS ARE SILENT, THE CITY DEVELOPMENT CODE SHALL APPLY.
10. PERMANENT TRAFFIC CONTROL. SIGNS WILL BE INSTALLED BY THE CITY AT THE DEVELOPERS EXPENSE.
11. BY APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES, PNM DID NOT CONDUCT A TITLE SEARCH ON THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHT WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT WHICH ARE NOT SHOWN ON THIS PLAT
12. MAINTENANCE OF DRAINAGE STRUCTURES AND APPURTENANCES THERETO WITHIN THE DEDICATION RIGHT-OF-WAYS, OPEN SPACE, PARKS AND DRAINAGE EASEMENTS AS SHOWN HEREON, ARE THE RESPONSIBILITY OF THE CITY OF SANTA FE. MAINTENANCE OF IMPROVEMENTS WITHIN THE PEDESTRIAN EASEMENTS AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE, ONCE FINAL ACCEPTANCE HAS OCCURED.

   DEVELOPERS THE TRACTS IN THIS SUBDIVISION, WILL BE REQUIRED TO CONTRIBUTE $100.00 PER LOT TO A DRAINAGE MAINTENANCE FUND, AT THE AT THE TIME OF PLAT RECORDING.

VACATION OF RIGHT-OF-WAY

THE UNDERSIGNED, ON BEHALF OF THE CITY OF SANTA FE, A MUNICIPAL CORPORATION, DO HEREBY VACATE AND EXTINGUISH THE PORTIONS OF COUNTRY CLUB ROAD, A PUBLIC RIGHT-OF-WAY, AS SHOWN HEREON. THIS VACATION IS MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR WISHES AND DESIRES.

MAYOR, CITY OF SANTA FE — 8-25-98 DATE

CITY CLERK, CITY OF SANTA FE — 8-25-98 DATE

CITY OF SANTA FE ORGANIZED JULY 13, AD 1835 SEAL NEW MEXICO

SITE DATA	
GROSS AREA OF TRACTS SURVEYED	
RESIDUAL NOT DEVELOPED PHASE1B, UNIT 1	
TOTAL DEDICATED PARKS AND ACTIVITY NODE TRACTS	
TOTAL DEDICATED RIGHT-OF-WAY	
TOTAL VACATED RIGHT-OF-WAY	
TOTAL DEDICATED OPEN SPACE	

DEDICATION AND AFFIDAVIT:

039012

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER OF THESE LANDS LYING WITHIN THE CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, COMPRISED OF: A PORTION OF LOT 8, A PORTION LOT 9 OF SECTION 12, ALL OF LOT 7 OF SECTION 13, TRACT 8A, TRACT A- 1 AND TRACT 1-A, WITHIN THE PACHECO GRANT WITHIN PROJECTED SECTION 11 AND SECTION 14, ALL WITHIN TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CONTAINING 426.2 ACRES, MORE OR LESS, DOES HEREBY CONSOLIDATE SAID LANDS AND DOES HEREBY CAUSE SAID CONSOLIDATED LANDS TO BE, SUBDIVIDED, AS SHOWN HEREON AND THAT THE SUBDIVISION IS NAMED AND WILL BE KNOWN AS "TIERRA CONTENTA SUBDIVISION, PHASE, 1B, UNIT 1" ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER.

UTILITY EASEMENTS ARE HEREBY GRANTED TO THE UTILITY COMPANIES LISTED HEREON AND TO THE CITY OF SANTA FE, UPON ALL RIGHT-OF- WAYS AND UTILITY EASEMENTS AS SHOWN HEREON, FOR THE PURPOSE OF INSTALLING OPERATING AND MAINTAINING SUCH PUBLIC OR PRIVATE UTILITIES AS ELECTRIC POWER, CABLE T.V., TELEPHONE, WATER, STORM AND SANITARY SEWER & GAS; THAT THE SAID EASEMENTS CARRY WITH THEM THE RIGHT OF INGRESS AND EGRESS (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY AND THE RIGHT TO TRIM OR REMOVE INTERFERING VEGETATION OR OBSTRUCTIONS BY AGENCIES RESPONSIBLE FOR SAID UTILITIES.

AREAS DESIGNATED AS RIGHT-OF-WAY (R.O.W., R/W), OPEN SPACE AND PARKS AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CITY OF SANTA FE, FOR PUBLIC USE. TIERRA CONTENTA CORPORATION RESERVES THE RIGHT TO INSTALL, UTILITIES, NECESSARY TO SERVICE THE TRACTS IN PHASE 1B, ACROSS THE OPEN SPACE AND PARK TRACTS. THE CITY AGREES TO GRANT EASEMENTS FOR THESE UTILITIES AT NO COST TO TIERRA CONTENTA CORPORATION OR TO INDIVIDUAL TRACT DEVELOPERS. TIERRA CONTENTA CORPORATION ALSO RESERVES THE RIGHT TO CONSTRUCT A TEMPORARY ACCESS ROAD TO PARK TRACT C ACROSS THE OPEN SPACE.

THE CITY WILL GRANT EASEMENTS AT NO COST WITHIN THE OPEN SPACE SHOWN HEREON FOR DRAINAGE AND DRAINAGE STRUCTURES, FOR PEDESTRIAN AND NON-MOTORIZED VEHICLE TRAILS, FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC AND PRIVATE UTILITY LINES INCLUDING VEHICLES, PERSONNEL, EQUIPMENT AND APPURTENANCES THERETO; AND FOR ROADWAY SLOPES. REQUESTS FOR SUCH EASEMENTS SHALL BE MADE TO THE CITY PRIOR TO CONSTRUCTION OF THE TRAIL OR UTILITY AND SHALL IDENTIFY THE LIMITS. REQUIRED FOR CONSTRUCTION AND MAINTENANCE OF THE FACILITY. USE OF OPEN SPACE OUTSIDE THE EASEMENT GRANTED FOR THE ABOVE USES WILL NOT BE ALLOWED. ALL SUCH REQUESTS SHALL BE DIRECTED TO THE CITY TRAILS AND OPEN SPACE PLANNER.

A BLANKET EASEMENT IS HEREBY GRANTED UPON ALL OPEN SPACE SHOWN HEREON FOR ALL EMERGENCY VEHICLES, PERSONNEL AND EQUIPMENT.

MAINTENANCE OF DRAINAGE STRUCTURES AND APPURTENANCES THERETO WITHIN THE DEDICATED RIGHT-OF-WAYS, OPEN SPACE, PARKS AND DRAINAGE EASEMENTS AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE.

THIS PLAT LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

OWNERS: TIERRA CONTENTA CORPORATION
BY:

PRESIDENT:
TIERRA CONTENTA CORPORATION

VICE PRESIDENT
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
COUNTY OF SANTA FE) SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 31st DAY OF July 1998 BY THE PRESIDENT AND VICE PRESIDENT OF TIERRA CONTENTA CORPORATION.

NOTARY PUBLIC

OFFICIAL SEAL
Renea Gray
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires 10-14-99

I hereby certify that this instrument was filed for record on the 30 day of Sept A.D. 19 98 at 3:37 o'clock P. and was duly recorded in Book 396 Page 0044 of the records of Santa Fe County.

Witness my Hand and Seal of Office
REBECCA BUSTAMANTE
County Clerk, Santa Fe County, NM

Patsy Montoya
Deputy

1043-287

COUNTY CLERK REBECCA BUSTAMANTE SANTA FE COUNTY NEW MEXICO

REVISIONS	
BY	DATE
JBS	02-05-98
JBS	04-11-98
JBS	07-30-98

PROJECT No.: C-1281

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: JBS | DATE: 12-02-97

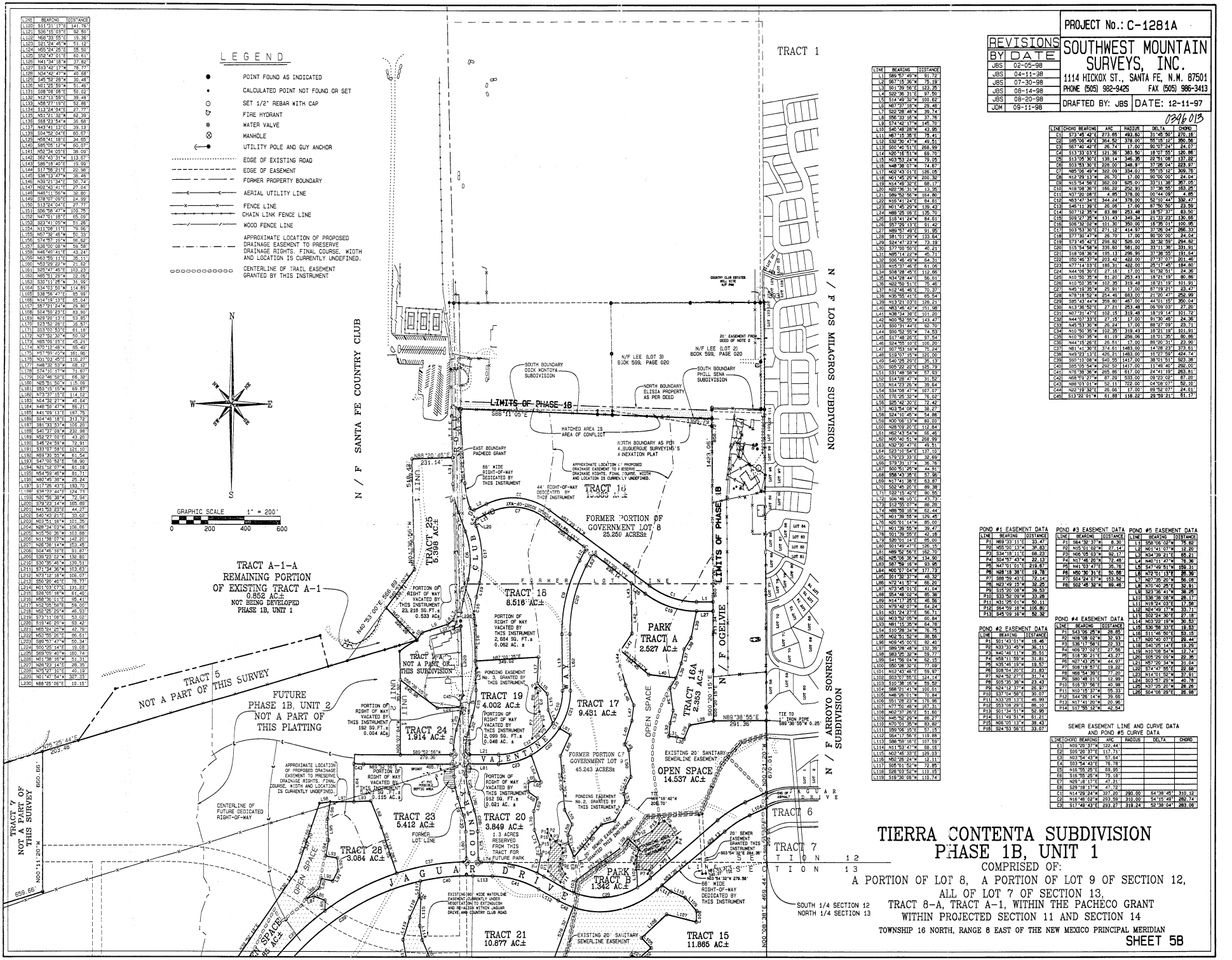
TIERRA CONTENTA SUBDIVISION PHASE 1B, UNIT 1

COMPRISED OF:

A PORTION OF LOT 8, A PORTION OF LOT 9 OF SECTION 12, ALL OF LOT 7 OF SECTION 13, TRACT 8-A, TRACT A-1, WITHIN THE PACHECO GRANT WITHIN PROJECTED SECTION 11 AND SECTION 14

TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN

SHEET 5A



LINE	BEARING	DISTANCE
L120	S11°53'37"E	141.75'
L121	S35°05'03"E	92.50'
L122	N68°33'55"E	19.36'
L123	S21°24'45"W	51.12'
L124	N55°24'25"E	55.50'
L125	S82°47'01"E	60.61'
L126	N41°34'18"W	37.82'
L127	S13°42'17"W	78.77'
L128	N34°49'47"W	40.68'
L129	S45°52'28"W	30.48'
L130	N01°25'59"W	51.46'
L131	S08°08'08"E	50.02'
L132	N12°13'26"E	39.48'
L133	N58°27'19"E	52.86'
L134	S13°24'04"E	27.77'
L135	N51°21'32"W	62.39'
L136	S68°33'54"W	36.58'
L137	N43°41'13"E	39.13'
L138	S04°52'04"E	60.67'
L139	N54°41'18"E	34.65'
L140	S85°05'12"W	60.07'
L141	N52°34'05"E	38.09'
L142	S62°43'31"W	113.67'
L143	S86°18'40"E	19.99'
L144	S17°56'21"E	22.98'
L145	S38°10'47"W	36.48'
L146	N39°21'34"E	50.74'
L147	N02°43'41"E	27.04'
L148	N48°11'56"W	32.80'
L149	S78°07'09"E	24.99'
L150	S13°24'04"E	27.77'
L151	S56°56'47"W	109.75'
L152	N47°01'18"E	65.05'
L153	S23°41'05"W	51.26'
L154	N11°08'11"W	79.96'
L155	N57°32'46"W	50.33'
L156	S74°57'19"W	96.62'
L157	S38°00'38"W	59.58'
L158	N46°49'41"E	43.24'
L159	N53°59'11"E	35.11'
L160	N53°28'22"W	31.62'
L161	S25°47'45"E	103.23'
L162	N85°51'29"W	32.06'
L163	S30°11'25"E	31.99'
L164	S34°03'50"W	114.89'
L165	S36°56'47"E	85.99'
L166	N14°19'13"E	95.04'
L167	S57°21'24"W	29.80'
L168	S04°50'23"E	83.90'
L169	N29°00'13"E	53.85'
L170	S23°52'28"E	35.57'
L171	S03°00'53"E	61.18'
L172	N27°52'30"W	50.92'
L173	N85°06'15"E	45.21'
L174	N76°19'48"X	85.49'
L175	N57°59'20"W	161.96'
L176	N31°03'45"E	116.27'
L177	N48°30'53"W	68.12'
L178	S74°10'17"W	71.87'
L179	S02°46'52"E	66.32'
L180	N25°51'50"W	115.06'
L181	S83°15'15"E	53.04'
L182	N73°37'15"E	114.02'
L183	N24°38'27"W	40.64'
L184	N48°50'47"W	86.21'
L185	N41°09'13"E	187.75'
L186	S24°46'18"E	313.72'
L187	S81°33'53"W	106.20'
L188	S40°37'08"W	232.98'
L189	N52°27'00"E	43.20'
L190	S48°24'59"W	72.91'
L191	S33°07'58"E	121.10'
L192	N89°30'55"W	61.54'
L193	S47°00'52"E	58.90'
L194	N21°12'07"W	61.18'
L195	N54°59'46"E	81.71'
L196	N80°45'38"W	25.24'
L197	S17°26'43"E	193.70'
L198	S58°33'44"E	124.73'
L199	N20°56'38"W	72.34'
L200	S79°23'14"W	165.89'
L201	N41°53'23"E	44.27'
L202	S40°43'21"E	33.02'
L203	N03°51'18"W	101.25'
L204	N28°34'03"W	106.66'
L205	N15°59'36"W	103.88'
L206	N11°38'07"W	142.20'
L207	N28°58'14"W	163.45'
L208	S04°46'18"E	51.87'
L209	S39°23'14"W	132.80'
L210	S30°56'46"W	139.51'
L211	S71°34'36"W	103.63'
L212	N73°12'18"W	106.07'
L213	S50°20'46"E	78.77'
L214	N05°03'07"E	131.23'
L215	S38°05'18"W	61.40'
L216	N58°36'01"E	85.41'
L217	N12°05'58"E	59.00'
L218	N58°25'29"W	46.93'
L219	S73°11'08"E	53.02'
L220	S18°46'25"W	63.42'
L221	N65°54'25"W	42.79'
L222	N53°55'26"E	66.61'
L223	S89°57'47"W	50.34'
L224	S00°05'14"E	19.08'
L225	S69°09'40"W	160.74'
L226	N01°38'16"W	51.31'
L227	N89°53'14"E	26.35'
L228	N75°27'10"E	40.19'
L229	N01°47'54"W	307.33'
L230	N88°25'06"E	10.15'

LINE	BEARING	DISTANCE
L1	S89°57'49"W	91.72'
L2	S67°15'36"W	75.19'
L3	S01°39'56"E	123.35'
L4	S22°36'31"E	97.50'
L5	S14°49'32"W	100.62'
L6	N87°37'18"W	29.48'
L7	S22°28'46"W	39.74'
L8	S56°33'16"W	37.76'
L9	S74°42'17"W	145.70'
L10	S40°48'28"W	43.95'
L11	N67°15'36"E	75.41'
L12	S32°30'47"W	49.51'
L13	S00°40'51"E	268.99'
L14	N20°16'51"W	69.70'
L15	N03°53'24"W	79.05'
L16	N48°38'07"W	74.67'
L17	N02°43'01"E	126.05'
L18	N01°45'29"W	200.32'
L19	N14°49'32"E	68.17'
L20	N32°36'31"W	13.05'
L21	S89°52'56"W	164.90'
L22	N15°41'24"E	84.61'
L23	N01°45'29"W	139.43'
L24	N88°25'06"E	125.70'
L25	S15°41'24"W	84.61'
L26	S57°29'13"E	91.42'
L27	N89°57'49"E	91.95'
L28	S81°01'29"W	133.64'
L29	S24°47'23"W	73.19'
L30	S77°00'50"E	40.21'
L31	N14°49'32"E	68.17'
L32	S06°46'49"W	64.31'
L33	N15°37'45"E	61.26'
L34	S08°28'45"E	112.66'
L35	N34°28'44"E	56.61'
L36	N22°50'51"E	75.46'
L37	N12°46'46"E	70.37'
L38	N35°55'41"E	65.54'
L39	N13°21'03"E	126.21'
L40	N83°46'42"W	151.98'
L41	N38°34'38"E	101.20'
L42	N00°52'55"W	143.47'
L43	S00°31'44"E	52.70'
L44	S00°52'55"E	74.53'
L45	S17°48'26"E	57.54'
L46	S24°55'10"E	106.26'
L47	S07°53'18"W	75.24'
L48	S19°07'15"W	120.00'
L49	S40°25'29"E	35.13'
L50	S05°22'22"E	125.79'
L51	S31°48'58"W	67.53'
L52	S14°28'47"W	31.52'
L53	N14°23'26"W	39.64'
L54	S34°08'47"W	107.07'
L55	S76°25'32"W	76.02'
L56	S25°42'30"E	72.42'
L57	N03°54'08"W	38.27'
L58	S24°10'45"W	54.88'
L59	N30°06'13"W	80.00'
L60	N28°09'20"E	112.84'
L61	N52°43'54"W	66.46'
L62	N00°40'51"W	268.99'
L63	N32°36'47"E	49.51'
L64	S23°10'54"E	137.10'
L65	S79°23'33"E	32.69'
L66	S79°31'17"W	36.76'
L67	S00°51'44"E	54.88'
L68	S58°43'35"E	57.96'
L69	N17°41'36"E	53.87'
L70	S02°45'20"E	89.38'
L71	S22°15'42"E	90.55'
L72	S06°46'05"E	49.73'
L73	S12°55'54"E	88.28'
L74	N89°29'16"W	62.44'
L75	N01°39'55"W	129.45'
L76	N26°13'24"E	85.60'
L77	N01°39'55"W	39.47'
L78	S01°39'55"E	42.16'
L79	S20°01'14"E	65.00'
L80	S01°49'47"E	126.15'
L81	N89°53'56"E	152.70'
L82	N25°06'35"W	134.90'
L83	S87°59'16"W	93.95'
L84	N00°07'04"W	177.73'
L85	S01°32'37"W	48.39'
L86	N72°41'57"W	66.20'
L87	N73°45'01"E	41.04'
L88	S54°48'02"W	85.36'
L89	N14°17'25"E	45.56'
L90	N79°42'07"W	54.24'
L91	N31°24'27"E	56.71'
L92	N03°52'05"W	60.84'
L93	N81°15'35"W	54.78'
L94	S10°29'34"W	76.75'
L95	N02°51'52"E	38.56'
L96	N09°45'00"E	62.40'
L97	S89°29'48"W	132.39'
L98	S83°25'32"W	59.77'
L99	S41°56'04"W	52.15'
L100	S50°28'32"W	77.09'
L101	N12°43'46"E	59.97'
L102	S03°07'55"E	124.14'
L103	S52°29'29"W	67.27'
L104	S68°21'41"W	100.01'
L105	N46°26'01"W	70.84'
L106	N45°52'29"W	68.27'
L107	N77°50'48"W	167.31'
L108	N02°37'26"E	51.60'
L109	N45°52'29"W	68.27'
L110	N70°01'35"W	83.82'
L111	S59°06'15"E	57.15'
L112	S64°17'56"E	119.88'
L113	S88°59'16"E	107.99'
L114	N11°53'47"W	88.15'
L115	N02°46'33"E	126.03'
L116	N52°26'24"W	12.11'
L117	S05°01'52"W	72.65'
L118	S28°03'52"W	110.00'
L119	S19°30'06"W	110.74'

LINE	CHORD BEARING	ARC	RADIUS	DELTA	CHORD
C1	S73°45'42"E	273.65'	493.50'	31°45'50"	270.16'
C2	S85°06'49"E	304.52'	378.00'	55°25'12"	296.56'
C3	S67°40'42"E	26.74'	17.00'	90°07'24"	24.07'
C4	S13°33'03"E	121.36'	383.50'	18°07'55"	120.86'
C5	S13°05'30"E	139.14'	346.35'	22°51'08"	137.82'
C6	S33°53'30"E	228.00'	348.97'	37°26'04"	223.97'
C7	N85°06'49"W	322.09'	334.01'	55°15'12"	309.76'
C8	N12°29'13"W	26.70'	17.00'	90°00'00"	24.04'
C9	N15°54'58"E	362.09'	625.01'	33°11'38"	357.05'
C10	N18°08'36"E	165.22'	292.93'	37°36'55"	163.25'
C11	N37°20'08"E	4.85'	378.00'	00°44'09"	4.85'
C12	N63°47'34"E	344.24'	378.00'	52°10'44"	332.47'
C13	S48°11'39"E	26.06'	17.00'	87°50'50"	23.59'
C14	S07°12'35"W	83.88'	253.48'	18°57'37"	83.50'
C15	S09°27'35"W	131.43'	349.34'	21°33'23"	130.66'
C16	S06°38'02"W	101.30'	350.00'	16°35'01"	100.95'
C17	S03°53'30"E	271.12'	414.97'	37°26'04"	266.33'
C18	S77°30'47"W	26.70'	17.00'	90°00'00"	24.04'
C19	S73°45'42"E	298.82'	526.00'	32°32'58"	294.82'
C20	S15°54'58"E	335.60'	581.00'	33°11'38"	331.91'
C21	S18°08'36"W	195.13'	296.95'	37°38'55"	191.64'
C22	S50°46'37"W	203.42'	422.00'	27°37'07"	201.46'
C23	N77°14'03"E	185.31'	422.00'	25°10'45"	184.60'
C24	N44°08'30"E	27.16'	17.00'	91°32'51"	24.36'
C25	N10°50'35"W	81.20'	253.43'	18°21'19"	80.86'
C26	N10°50'35"W	102.35'	319.48'	18°21'19"	101.91'
C27	N45°19'35"W	25.91'	17.00'	87°19'21"	23.47'
C28	N78°18'52"E	254.46'	683.00'	21°20'47"	252.99'
C29	S85°43'44"W	358.80'	457.00'	44°58'15"	349.61'
C30	N13°36'52"E	27.21'	253.48'	06°09'03"	27.20'
C31	N07°31'47"E	102.15'	319.48'	18°19'14"	101.72'
C32	N44°07'33"E	27.15'	17.00'	91°30'45"	24.36'
C33	N45°53'30"W	26.24'	17.00'	88°27'09"	23.71'
C34	N10°50'35"W	102.35'	319.43'	18°21'19"	101.91'
C35	N10°50'35"W	81.19'	298.06'	15°37'35"	80.96'
C36	N44°15'26"E	26.51'	17.00'	89°20'31"	23.90'
C37	N81°41'30"E	374.61'	1483.00'	14°28'23"	373.61'
C38	N49°23'13"E	426.21'	1483.00'	16°27'59"	424.74'
C39	S50°10'08"W	940.55'	1417.00'	38°01'51"	923.36'
C40	S85°05'54"W	292.52'	1417.00'	11°49'40"	292.00'
C41	N76°38'36"W	205.86'	617.00'	24°41'19"	283.61'
C42	N68°19'27"W	87.29'	533.00'	09°23'02"	87.20'
C43	N88°03'01"W	52.11'	722.00'	04°08'07"	52.10'
C44	N22°19'32"E	26.66'	17.00'	89°52'07"	24.01'
C45	S13°22'01"W	61.88'	118.22'	29°59'21"	61.17'

REVISIONS BY	DATE
JBS	02-05-98
JBS	04-11-98
JBS	07-30-98
JBS	08-14-98
JBS	08-20-98
JDM	09-11-98

PROJECT No.: C-1281A

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-3426 FAX (505) 986-3413

DRAFTED BY: JBS | DATE: 12-11-97

0296013

POND #1 EASEMENT DATA

LINE	BEARING	DISTANCE
P1	N69°53'11"E	33.47'
P2	N55°00'13"W	36.83'
P3	S34°18'11"E	68.23'
P4	S34°57'45"W	22.13'
P5	N47°01'01"E	219.67'
P6	N28°18'38"E	19.78'
P7	S88°59'43"E	72.14'
P8	N23°49'15"W	34.25'
P9	S15°20'08"W	39.53'
P10	S33°52'09"W	33.26'
P11	N31°25'01"W	50.11'
P12	S64°59'18"W	106.80'
P13	S45°09'16"W	52.32'

POND #2 EASEMENT DATA

LINE	BEARING	DISTANCE
P1	S01°43'01"W	16.46'
P2	N33°33'45"W	35.11'
P3	N40°46'11"W	39.51'
P4	N58°11'59"W	31.81'
P5	N35°46'19"W	19.57'
P6	S08°04'20"E	21.83'
P7	N24°52'27"E	31.74'
P8	S05°35'38"W	23.43'
P9	N24°12'37"W	26.97'
P10	S37°04'58"E	30.07'
P11	N33°28'13"E	46.99'
P12	S53°08'29"E	86.10'
P13	S01°34'51"W	52.95'
P14	S11°49'51"W	51.21'
P15	N05°05'13"W	38.43'
P16	S24°53'56"E	33.07'

POND #3 EASEMENT DATA

LINE	BEARING	DISTANCE
P1	S84°32'37"E	8.30'
P2	N15°01'09"E	27.14'
P3	N06°05'03"W	92.17'
P4	N17°46'20"W	72.46'
P5	N41°03'47"E	75.78'
P6	N50°30'31"E	50.58'
P7	S04°24'07"E	153.52'
P8	S02°45'32"W	89.46'

POND #4 EASEMENT DATA

LINE	BEARING	DISTANCE
P1	S43°06'25"W	28.85'
P2	N08°08'06"W	30.93'
P3	S36°17'58"E	22.33'
P4	N05°27'02"E	27.56'
P5	S18°30'21"E	43.27'
P6	N27°43'25"W	44.97'
P7	S08°19'57"E	19.22'
P8	N68°54'39"E	77.20'
P9	S80°48'01"E	12.99'
P10	S15°07'56"E	40.98'
P11	N10°15'37"W	53.24'
P12	S44°26'14"W	39.65'
P13	N17°41'20"W	20.96'
P14	S17°55'15"W	48.54'

POND #5 EASEMENT DATA

LINE	BEARING	DISTANCE
L1	S56°06'02"W	75.82'
L2	N01°41'07"W	12.20'
L3	N34°39'21"E	65.21'
L4	N40°11'47"W	76.36'
L5	S47°09'51"W	159.31'
L6	N72°01'13"E	26.39'
L7	N27°35'20"W	96.08'
L8	N70°40'25"E	32.91'
L9	S23°36'41"W	38.25'
L10	S36°36'08"W	28.17'
L11	N19°24'03"E	37.58'
L12	N24°49'17"W	33.71'
L13	S02°24'30"E	27.18'
L14	N03°22'19"W	30.53'
L15	S30°56'33"E	19.53'
L16	S11°46'50"E	53.15'
L17	N80°40'07"E	26.44'
L18	S40°25'14"E	19.29'
L19	N10°08'54"W	12.74'
L20	S05°29'54"W	29.36'
L21	N57°20'34"W	31.04'
L22	S74°47'55"E	22.68'
L23	N14°01'54"W	27.80'
L24	S03°57'29"W	40.78'
L25	N37°25'20"W	28.26'
L26	S04°08'29"E	26.58'

SEWER EASEMENT LINE AND CURVE DATA AND POND #5 CURVE DATA

LINE	CHORD BEARING	ARC	RADIUS	DELTA	CHORD
E1	N09°09'37"W	29.00'			
E2	S05°20'37"E	117.71'			
E3	N03°54'43"E	57.64'			
E4	S03°54'43"W	76.78'			
E5	N16°55'26"E	69.95'			
E6	S16°55'26"W	75.18'			
E7	N28°41'17"E	47.21'			
E8	S29°18'17"W	47.72'			
C1	N14°29'24"W	327.20'	290.00'	64°38'45"	310.12'
C2	N16°46'02"W	253.59'	310.00'	54°15'49"	246.74'
C3	S17°49'43"E	293.27'	319.24'	52°38'04"	283.06'

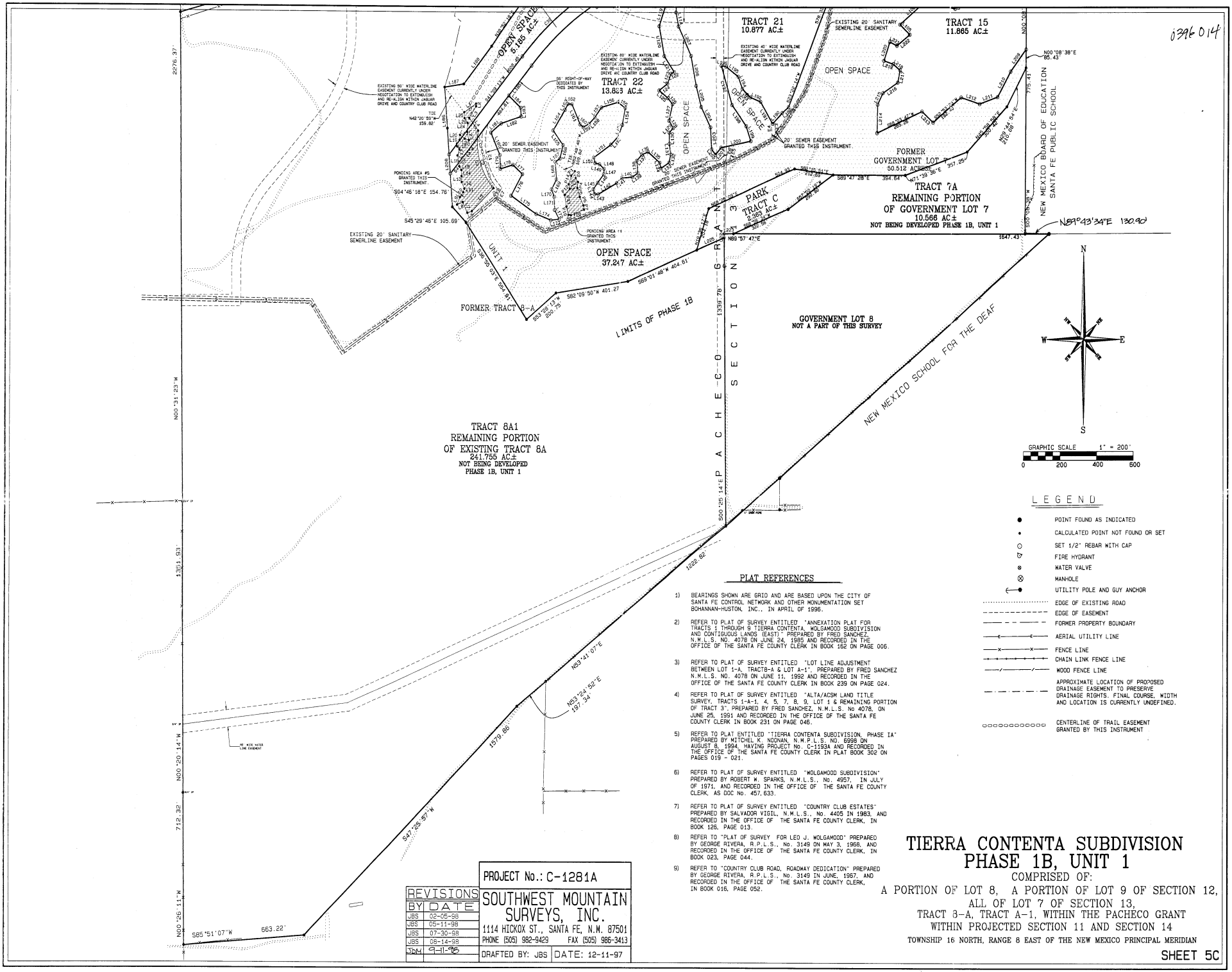
TIERRA CONTENTA SUBDIVISION
PHASE 1B, UNIT 1

COMPRISED OF:

A PORTION OF LOT 8, A PORTION OF LOT 9 OF SECTION 12, ALL OF LOT 7 OF SECTION 13, TRACT 8-A, TRACT A-1, WITHIN THE PACHECO GRANT WITHIN PROJECTED SECTION 11 AND SECTION 14

TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN

SHEET 5B



j396 014

LEGEND

- POINT FOUND AS INDICATED
- CALCULATED POINT NOT FOUND OR SET
- SET 1/2" REBAR WITH CAP
- FIRE HYDRANT
- WATER VALVE
- MANHOLE
- UTILITY POLE AND GUY ANCHOR
- EDGE OF EXISTING ROAD
- EDGE OF EASEMENT
- FORMER PROPERTY BOUNDARY
- AERIAL UTILITY LINE
- FENCE LINE
- CHAIN LINK FENCE LINE
- WOOD FENCE LINE
- APPROXIMATE LOCATION OF PROPOSED DRAINAGE EASEMENT TO PRESERVE DRAINAGE RIGHTS. FINAL COURSE, WIDTH AND LOCATION IS CURRENTLY UNDEFINED.
- CENTERLINE OF TRAIL EASEMENT GRANTED BY THIS INSTRUMENT

PLAT REFERENCES

1) BEARINGS SHOWN ARE GRID AND ARE BASED UPON THE CITY OF SANTA FE CONTROL NETWORK AND OTHER MONUMENTATION SET BOHANNAN-HUSTON, INC., IN APRIL OF 1996.

2) REFER TO PLAT OF SURVEY ENTITLED "ANNEXATION PLAT FOR TRACTS 1 THROUGH 9 TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LANDS (EAST)" PREPARED BY FRED SANCHEZ N.M.L.S. NO. 4078 ON JUNE 24, 1985 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 162 ON PAGE 006.

3) REFER TO PLAT OF SURVEY ENTITLED "LOT LINE ADJUSTMENT BETWEEN LOT 1-A, TRACT8-A & LOT A-1", PREPARED BY FRED SANCHEZ N.M.L.S. NO. 4078 ON JUNE 11, 1992 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 239 ON PAGE 024.

4) REFER TO PLAT OF SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY, TRACTS 1-A-1, 4, 5, 7, 8, 9, LOT 1 & REMAINING PORTION OF TRACT 3", PREPARED BY FRED SANCHEZ, N.M.L.S. No 4078, ON JUNE 25, 1991 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 231 ON PAGE 046.

5) REFER TO PLAT ENTITLED "TIERRA CONTENTA SUBDIVISION, PHASE IA" PREPARED BY MITCHEL K. NOONAN, N.M.P.L.S. NO. 6998 ON AUGUST 8, 1994, HAVING PROJECT No. C-1193A AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 302 ON PAGES 019 - 021.

6) REFER TO PLAT OF SURVEY ENTITLED "WOLGAMOOD SUBDIVISION" PREPARED BY ROBERT W. SPARKS, N.M.L.S., No. 4957, IN JULY OF 1971, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, AS DOC No. 457,633.

7) REFER TO PLAT OF SURVEY ENTITLED "COUNTRY CLUB ESTATES" PREPARED BY SALVADOR VIGIL, N.M.L.S., No. 4405 IN 1983, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 126, PAGE 013.

8) REFER TO "PLAT OF SURVEY FOR LEO J. WOLGAMOOD" PREPARED BY GEORGE RIVERA, R.P.L.S., No. 3149 ON MAY 3, 1966, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 023, PAGE 044.

9) REFER TO "COUNTRY CLUB ROAD, ROADWAY DEDICATION" PREPARED BY GEORGE RIVERA, R.P.L.S., No. 3149 IN JUNE, 1967, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 016, PAGE 052.

TIERRA CONTENTA SUBDIVISION
PHASE 1B, UNIT 1

COMPRISED OF:

A PORTION OF LOT 8, A PORTION OF LOT 9 OF SECTION 12,
ALL OF LOT 7 OF SECTION 13,
TRACT 3-A, TRACT A-1, WITHIN THE PACHECO GRANT
WITHIN PROJECTED SECTION 11 AND SECTION 14

TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN

REVISIONS	
BY	DATE
JBS	02-05-98
JBS	05-11-98
JBS	07-30-98
JBS	08-14-98
JDM	9-11-98

PROJECT No.: C-1281A

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: JBS | DATE: 12-11-97

SHEET 5C

EXHIBIT D3

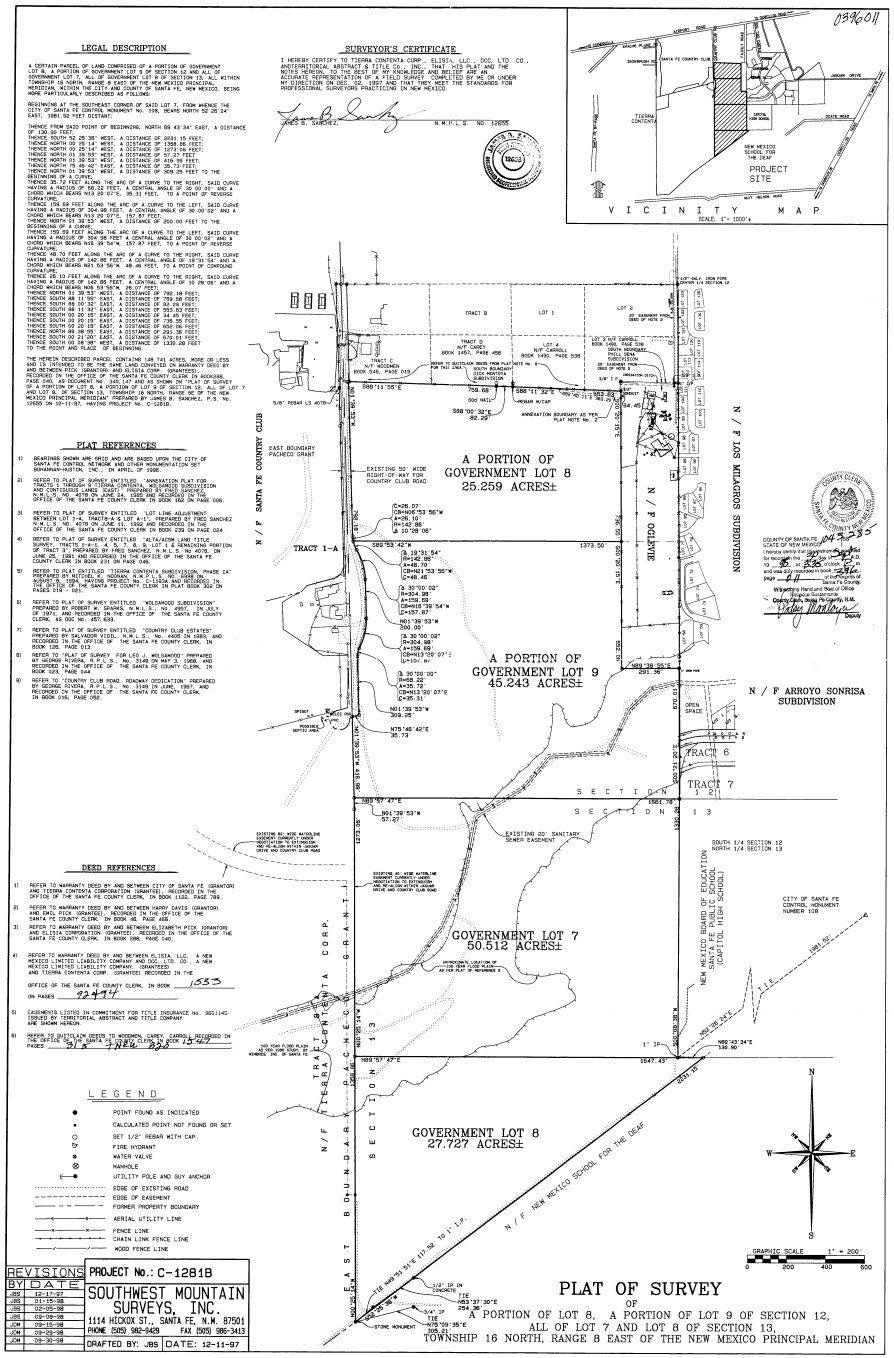

LEGAL DESCRIPTION
A CERTAIN PARCEL OF LAND COMPRISED OF A PORTION OF GOVERNMENT LOT 8, A PORTION OF GOVERNMENT LOT 9, ALL OF GOVERNMENT LOT 7, ALL OF GOVERNMENT LOT 8 OF SECTION 13, ALL WITHIN TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7, FROM WHENCE THE CITY OF SANTA FE CONTROL MONUMENT No. 108, BEARS NORTH 52 26' 24" EAST, 1981.52 FEET DISTANT;
THENCE FROM SAID POINT OF BEGINNING, NORTH 89 43' 34" EAST, A DISTANCE OF 130.60 FEET;
THENCE SOUTH 52 25' 35" WEST, A DISTANCE OF 2031.15 FEET;
THENCE NORTH 00 28' 14" WEST, A DISTANCE OF 1358.56 FEET;
THENCE NORTH 01 09' 53" WEST, A DISTANCE OF 507.31 FEET;
THENCE NORTH 01 09' 53" WEST, A DISTANCE OF 57.73 FEET;
THENCE NORTH 01 39' 53" WEST, A DISTANCE OF 439.99 FEET;
THENCE NORTH 79 46' 42" EAST, A DISTANCE OF 35.73 FEET;
THENCE NORTH 01 39' 53" WEST, A DISTANCE OF 309.25 FEET TO THE BEGINNING OF A CURVE;
THENCE 25.72 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 58.22 FEET, A CENTRAL ANGLE OF 25 00' 57" AND A CHORD WHICH BEARS N13 29' 07"E, 35.31 FEET, TO A POINT OF REVERSE CURVATURE;
THENCE 159.59 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 304.98 FEET, A CENTRAL ANGLE OF 30 00' 02" AND A CHORD WHICH BEARS N15 20' 07"E, 157.87 FEET;
THENCE NORTH 01 39' 53" WEST, A DISTANCE OF 200.00 FEET TO THE BEGINNING OF A CURVE;
THENCE 159.59 FEET ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 304.98 FEET, A CENTRAL ANGLE OF 30 00' 02" AND A CHORD WHICH BEARS N15 20' 54"W, 157.87 FEET, TO A POINT OF REVERSE CURVATURE;
THENCE 48.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 142.85 FEET, A CENTRAL ANGLE OF 19 31' 54" AND A CHORD WHICH BEARS N29 53' 56"W, 47.86 FEET, TO A POINT OF COMPOUND CURVATURE;
THENCE 26.10 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 145.85 FEET, A CENTRAL ANGLE OF 10 09' 08" AND A CHORD WHICH BEARS N39 53' 56"W, 26.07 FEET;
THENCE NORTH 01 39' 53" WEST, A DISTANCE OF 782.18 FEET;
THENCE SOUTH 88 11' 55" EAST, A DISTANCE OF 759.69 FEET;
THENCE SOUTH 88 10' 32" EAST, A DISTANCE OF 80.39 FEET;
THENCE SOUTH 00 32' 32" EAST, A DISTANCE OF 82.29 FEET;
THENCE SOUTH 03 20' 15" EAST, A DISTANCE OF 54.45 FEET;
THENCE SOUTH 03 20' 15" EAST, A DISTANCE OF 736.05 FEET;
THENCE SOUTH 03 20' 15" EAST, A DISTANCE OF 650.56 FEET;
THENCE SOUTH 89 28' 55" EAST, A DISTANCE OF 291.36 FEET;
THENCE NORTH 89 57' 47" EAST, A DISTANCE OF 1661.18 FEET;
THENCE SOUTH 00 58' 39" WEST, A DISTANCE OF 1330.06 FEET TO THE POINT AND PLACE OF BEGINNING.
THE HEREIN DESCRIBED PARCEL CONTAINS 149.741 ACRES, MORE OR LESS AND IS INTENDED TO BE THE SAME LAND CONVEYED IN WARRANTY DEED BY AND BETWEEN PICK (GRANTOR) AND ELISIA (GRANTEE) AS RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK/888, PAGE 015 DOCUMENT No. 1232, AND AS SHOWN ON THE PLAT OF SURVEY OF A PORTION OF GOVERNMENT LOT 8, A PORTION OF GOVERNMENT LOT 9 AND LOT 8, OF SECTION 13, TOWNSHIP 16 NORTH, RANGE 8E OF THE NEW MEXICO PRINCIPAL MERIDIAN PREPARED BY JAMES B. SANCHEZ, P.S. No. 12655 ON 12-11-97, HAVING PROJECT No. C-1281B.
SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY TO TIERRA CONTENTA CORP., ELISIA, LLC., DCC, LTD. CO., AMERITROPICAL ABSTRACT & TITLE Co., INC., THAT THIS PLAT AND THE FIELD SURVEY ON WHICH IT IS BASED WERE MADE BY ME OR UNDER MY DIRECTION AND IS AN ACCURATE REPRESENTATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY DIRECTION ON DEC. 20, 1997 AND THAT THEY MEET THE STANDARDS FOR PROFESSIONAL SURVEYORS PRACTICING IN NEW MEXICO
JAMES B. SANCHEZ N.M.P.L.S. NO. 12655
VICINITY MAP
SCALE: 1"= 1000'
PROJECT SITE
TIERRA CONTENTA
SANTA FE COUNTRY CLUB
NEW MEXICO SCHOOL FOR THE DEAF
PLAT REFERENCES
1) BEARINGS SHOWN ARE GRID AND ARE BASED UPON THE CITY OF SANTA FE CONTROL MONUMENT NUMBERS 108 AND 109 AS DETERMINED BY BOHANNAN-HUSTON, INC., IN APRIL OF 1996.
2) REFER TO PLAT OF SURVEY ENTITLED "ANNEXATION PLAT FOR TRACTS 1 THROUGH 9 (TIERRA CONTENTA - PHASE 1), PRELIMINARY SUBDIVISION AND CONTINUOUS LARGE SCALE DEVELOPMENT PLAT" PREPARED BY FRED SANCHEZ N.M.L.S. NO. 4278 ON JUNE 24, 1988 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 160 ON PAGE 006.
3) REFER TO PLAT OF SURVEY ENTITLED "LOT LINE ADJUSTMENT BETWEEN LOT 1-A, TRACTS-A & LOT A-1", PREPARED BY FRED SANCHEZ N.M.L.S. NO. 4278 ON JUNE 11, 1992 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 239 ON PAGE 024.
4) REFER TO PLAT OF SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY, TRACTS 5-A-1, A, B, 7, 8, 9, LOT 1-A REMAINING PORTION OF TRACT 3", PREPARED BY FRED SANCHEZ, N.M.L.S. No 4278, ON JUNE 25, 1991 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 231 ON PAGE 046.
5) REFER TO PLAT ENTITLED "TIERRA CONTENTA SUBDIVISION, PHASE 1A" PREPARED BY ROBERT M. SPARKS, N.M.L.S. No. 4957, FOR ELISIA, INC. AUGUST 8, 1994, HAVING REVISED No. 1 DATED AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 304 ON PAGES 018 - 021.
6) REFER TO PLAT OF SURVEY ENTITLED "WOLDAMOOD SUBDIVISION" PREPARED BY ROBERT M. SPARKS, N.M.L.S. No. 4957, IN JULY OF 1971, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, AS DOC No. 457,533.
7) REFER TO PLAT OF SURVEY ENTITLED "COUNTRY CLUB ESTATES" PREPARED BY SALVADOR VIGIL, N.M.L.S. No. 4605 IN 1983, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 126, PAGE 013.
8) REFER TO PLAT OF SURVEY FOR LCD.J. WOLDAMOOD" PREPARED BY GEORGE RIVERA, N.M.P.L.S. No. 3149 ON MAY 5, 1988, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 023, PAGE 044.
9) REFER TO "COUNTRY CLUB ROAD, ROADWAY DEDICATION" PREPARED BY GEORGE RIVERA, N.M.P.L.S. No. 3149 IN JUNE, 1987, AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 016, PAGE 052.
DEED REFERENCES
1) REFER TO WARRANTY DEED BY AND BETWEEN CITY OF SANTA FE (GRANTOR) AND TIERRA CONTENTA CORPORATION (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1132, PAGE 760.
2) REFER TO WARRANTY DEED BY AND BETWEEN HARRY DAVIS (GRANTOR) AND EMIL PICK (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 888, PAGE 015.
3) REFER TO WARRANTY DEED BY AND BETWEEN ELIZABETH PICK (GRANTOR) AND ELISIA CORPORATION (GRANTEE) RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 888, PAGE 040.
4) REFER TO WARRANTY DEED BY AND BETWEEN ELISIA, LLC. A NEW MEXICO LIMITED LIABILITY COMPANY AND DCC, LTD. CO. A NEW MEXICO LIMITED LIABILITY COMPANY, (GRANTEE) AND TIERRA CONTENTA CORP. (GRANTOR) RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1553 ON PAGES 92494
5) EASEMENTS LISTED IN COMMITMENT FOR TITLE INSURANCE No. 980114-G ISSUED BY TERRITORIAL ABSTRACT AND TITLE COMPANY ARE SHOWN HEREON.
6) REFER TO DEED/PLAT DEEDS TO WOODMEN, CAREY CARROLL RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 1249 PAGES 518 THRU 520
LEGEND
POINT FOUND AS INDICATED
CALCULATED POINT NOT FOUND OR SET
SET 1/2" REBAR WITH CAP
FIRE HYDRANT
WATER VALVE
MANHOLE
UTILITY POLE AND GUY ANCHOR
EDGE OF EXISTING ROAD
EDGE OF EASEMENT
FORMER PROPERTY BOUNDARY
AERIAL UTILITY LINE
FENCE LINE
CHAIN LINK FENCE LINE
WOOD FENCE LINE
A PORTION OF GOVERNMENT LOT 8 25.259 ACRES±
A PORTION OF GOVERNMENT LOT 9 45.243 ACRES±
GOVERNMENT LOT 7 50.512 ACRES±
GOVERNMENT LOT 8 27.727 ACRES±
TRACT 1-A
TRACT 6
TRACT 7
N / F SANTA FE COUNTRY CLUB
N / F GOLFSKE
N / F LOS MILAGROS SUBDIVISION
N / F ARROYO SONRISA SUBDIVISION
N / F TIERRA CONTENTA CORP.
N / F NEW MEXICO SCHOOL FOR THE DEAF
NEW MEXICO BOARD OF EDUCATION SANTA FE PUBLIC SCHOOL (SANTA FE HIGH SCHOOL)
EAST BOUNDARY PACHECO GRANT
SOUTH BOUNDARY TIERRA CONTENTA GRANT
EXISTING 50' WIDE RIGHT-OF-WAY FOR COUNTRY CLUB ROAD
EXISTING 20' SANITARY SEWER EASEMENT
CITY OF SANTA FE CONTROL MONUMENT NUMBER 108
SECTION 12
SECTION 13
SOUTH 1/4 SECTION 12 NORTH 1/4 SECTION 13
GRAPHIC SCALE 1" = 200'
0 200 400 600
PLAT OF SURVEY
OF
A PORTION OF LOT 8, A PORTION OF LOT 9 OF SECTION 12, ALL OF LOT 7 AND LOT 8 OF SECTION 13, TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
REVISIONS BY DATE
JBS 12-17-97
JBS 01-15-98
JBS 02-09-98
JBS 02-09-98
JCM 09-15-98
JCM 09-23-98
JCM 09-30-98
PROJECT No.: C-1281B
SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413
DRAFTED BY: JBS DATE: 12-11-97

EXHIBIT D4

ANNEXATION PLAT
FOR
TRACTS I THRU 9
TIERRA CONTENTA,
WOLGAMOOD SUBDIVISION
AND
CONTIGUOUS LANDS (EAST)
WITHIN
TOWNSHIP 16 NORTH, RANGES 8 & 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN
SANTA FE COUNTY, NEW MEXICO
JUNE 1985

162005

DEDICATION AND CONSENT STATEMENT:

The undersigned owner(s) of the properties hereon shown; Bellamah Community Development, a New Mexico General Partnership; Meadows Resources, Inc., a New Mexico Corporation; The Elisia Partnership, a New Mexico General Partnership; The City of Santa Fe Board Of Education; The New Mexico School for the Deaf; The New Mexico State Highway Department; The City of Santa Fe; Dr. Joe L. Hernandez; Dr. William Herrera; Kenneth Prater;

BELLAMAH COMMUNITY DEVELOPMENT,
a New Mexico General Partnership

By: _____
D.T. Robertson,
Senior Vice-President and Regional Manager

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 25th day of JUNE, 1985

My Commission Expires: 10-13-87 _____ Notary Public

MEADOWS RESOURCES, INC.,
a New Mexico Corporation

By: _____
Roger C. Rankin
Its Vice President

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 25th day of JUNE, 1985

My Commission Expires: 10-13-87 _____ Notary Public

ELISIA PARTNERSHIP,
a New Mexico General Partnership

By: _____ _____
Henry Pick, William S. Pick,
General Partner General Partner

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the persons noted in the Affidavit appearing hereon on the 27th day of June, 1985

My Commission Expires: 6/14/89 _____ Notary Public

NEW MEXICO SCHOOL FOR THE DEAF

By: _____ _____
Ms. Judy Williams, Kenneth E. Brasel, Ph.D.,
President, Board of Regents Superintendent

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the persons noted in the Affidavit appearing hereon on the 27th day of June, 1985

My Commission Expires: 6/14/89 _____ Notary Public

BOARD OF EDUCATION, CITY OF SANTA FE

_____
Edward A. Ortiz, Superintendent

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 27th day of June, 1985

My Commission Expires: May 1989 _____ Notary Public

NEW MEXICO STATE HIGHWAY DEPARTMENT

_____
L.A. Larranaga, Chief Highway Administrator

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 27th day of June, 1985

My Commission Expires: 6/14/89 _____ Notary Public

_____
Kenneth W. Prater

_____
Susan P. Prater

NOTARY:

STATE OF New Mexico)
) SS
COUNTY OF Santa Fe)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the persons noted in the Affidavit appearing hereon on the 27th day of June, 1985

My Commission Expires: 6/14/89 _____ Notary Public

_____
/Dr. Joe L. Hernandez

NOTARY:

STATE OF New Mexico)
) SS
COUNTY OF Santa Fe)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 27th day of June, 1985

My Commission Expires: 6/14/89 _____ Notary Public

_____
Dr. William R. Herrera

NOTARY:

STATE OF New Mexico)
) SS
COUNTY OF Santa Fe)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 26th day of June, 1985

My Commission Expires: 6/14/89 _____ Notary Public

587414
COUNTY OF SANTA FE) SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed for record on the 4 day of MARCH A.D. 19 86 at 11:15 o'clock A.M. and was duly recorded in book 136 page 170 of the records of Santa Fe County.
Witness my Hand and Seal of Office
ANGIE VIGIL PEREZ
County Clerk, Santa Fe County, N.M.
_____ Deputy

CITY OF SANTA FE

_____
Louis R. Montano, Mayor

NOTARY:

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the ____ day of _____, 19__.

My Commission Expires: _____ _____ Notary Public

APPROVAL

CITY OF SANTA FE, NEW MEXICO

APPROVED ON 2 1 5, 1986, BY: _____
CITY ENGINEER

APPROVED ON March 3, 1986, BY: _____
CITY PLANNER

APPROVED BY:
THE SANTA FE PLANNING COMMISSION AT ITS MEETING OF Sept. 6/16, 1985

_____ _____
CHAIRMAN SECRETARY

ACCEPTED BY:
THE CITY COUNCIL OF THE CITY OF SANTA FE, NEW MEXICO, AT ITS MEETING OF _____, 19__

_____ _____
MAYOR CITY CLERK

SURVEYOR'S CERTIFICATE

I, FRED SANCHEZ, a duly qualified land surveyor, registered under the laws of the State of New Mexico, hereby certify that this plat was prepared by me or under my direct supervision, shows accurate dimensions, land areas, shows all easements shown on recorded plat or made known to me by the owner, utility companies, or other parties expressing an interest, and that this survey meets the minimum requirements for monumentation and surveys of the Santa Fe Subdivision Ordinance, and that the survey is true and correct to the best of my knowledge and belief.

_____
FRED SANCHEZ, N.M.L.S. NO. 4078

NOTARY:

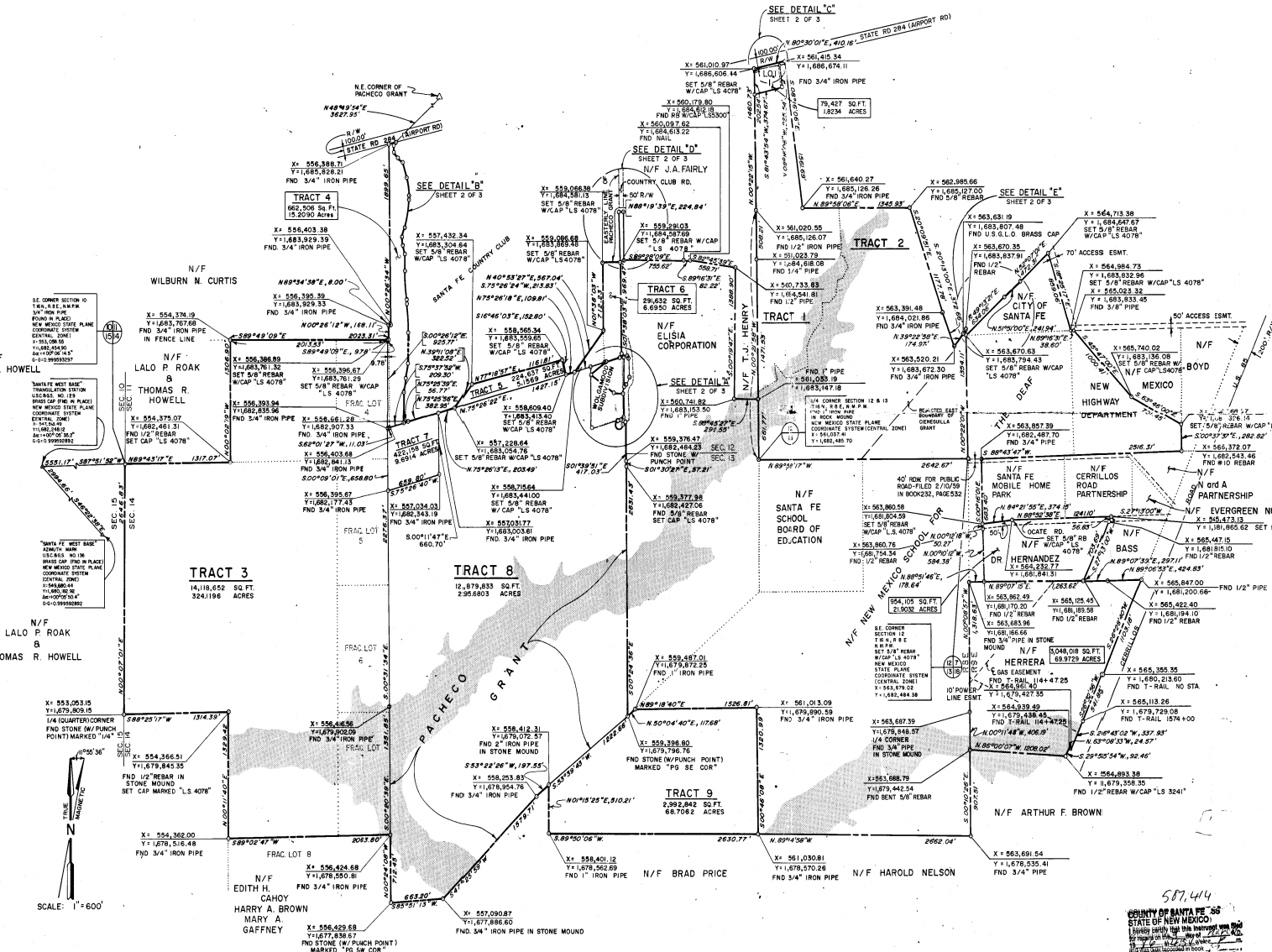
STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me a Notary Public in and for said County and State by the person noted in the Affidavit appearing hereon on the 24th day of June, 1985

My Commission Expires: 8-24-87 _____ Notary Public

ANNEXATION PLAT
FOR
TRACTS 1 THRU 9
TIERRA CONTENTA,
WOLGAMOOD SUBDIVISION
AND
CONTIGUOUS LANDS (EAST)
WITHIN
TOWNSHIP 16 NORTH, RANGES 8 & 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN
SANTA FE COUNTY, NEW MEXICO
JUNE 1985

162006



NOTES:

1. Bearings shown hereon are based on the New Mexico State Plane Coordinate System (Central Zone) as established from "Santa Fe West Tri-Station and Santa Fe West Azimuth Mark" (Brass Cap Monuments). Coordinates shown are New Mexico State Plane Grid.
2. Ground-to-Grid conversion factor = 0.9995934753.
3. Distances shown are ground distances.
4. Plat reflects easements as disclosed by a title search by Lawyers Title of Santa Fe, Inc., and may be subject to appurtenant easements recorded and unrecorded.
5. Total acreage is 64,534,087 square feet (1401.6988 acres).
6. Tracts 3 thru 7 and 9 now or formerly owned by Bellamah Community Development.
7. Tract 8 now or formerly owned by Meadows Resources, Inc.
8. The following is not proposed to be zoned to the Planned Residential Community (PRC) District:
   a. Lot 1 of Bellamah Community Development
   b. Herrera Property
   c. Hernandez Property

INDICATES APPROXIMATE 100 YR. FLOOD PLANE FOR ARROYO DE LOS CHAMISOS & NORTH BRANCH ARROYA DE LOS CHAMISOS

587,414

COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 14th day of May A.D. 19 87 at 10:47 A.M. and was duly recorded in Book 247 Page 018 of the records of Santa Fe County.
Witness my Hand and Seal of Office
ANGIE VIGIL PERE
County Clerk, Santa Fe Conty, N.M.

SHEET 1 OF 4

ANNEXATION PLAT

FOR

TRACTS 1 THRU 9

TIERRA CONTENTA,
WOLGAMOOD SUBDIVISION

AND

CONTIGUOUS LANDS (EAST)

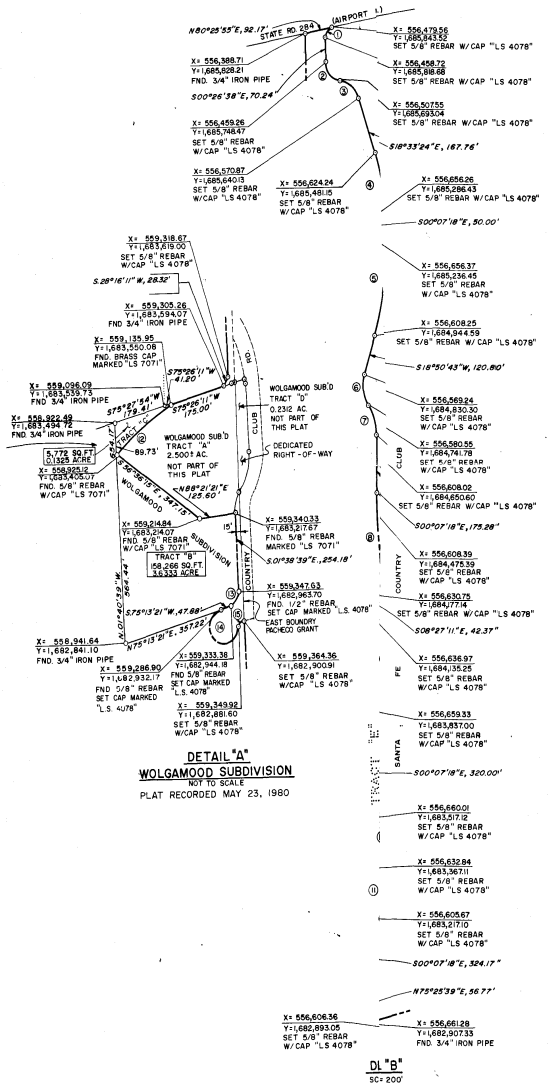
WITHIN

TOWNSHIP 16 NORTH, RANGES 8 & 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN

SANTA FE COUNTY, NEW MEXICO

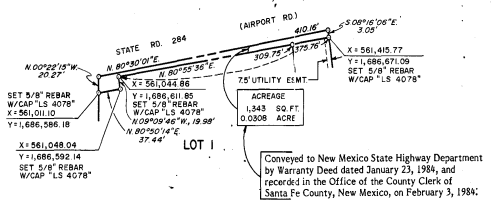
JUNE 1985

162007



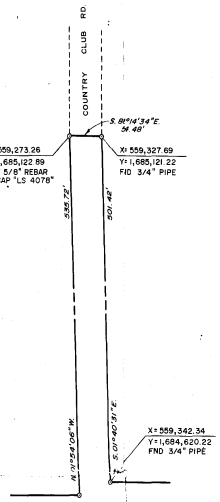
DETAIL "A"
WOLGAMOOD SUBDIVISION
NOT TO SCALE

PLAT RECORDED MAY 23, 1980



Conveyed to New Mexico State Highway Department by Warranty Deed dated January 23, 1984, and recorded in the Office of the County Clerk of Santa Fe County, New Mexico, on February 3, 1984.

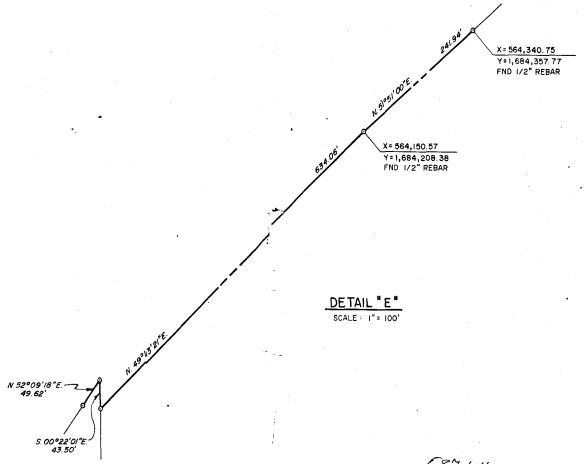
DETAIL "C"
SCALE: 1" = 100'



DETAIL "D"
SCALE: 1" = 10'

DETAIL "B"
CURVE DATA

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD (Bearing & Distance)
1	25.00'	89° 52' 33"	35.29'	21.31'	S. 39° 59' 38" W., 32.43'
2	56.50'	81° 13' 59"	80.10'	48.45'	S. 41° 03' 38" E., 73.54'
3	78.88'	63° 07' 04"	86.90'	48.45'	S. 90° 06' 56" E., 82.53'
4	616.23'	18° 26' 06"	198.27'	100.00'	S. 09° 20' 21" E., 197.41'
5	897.96'	18° 58' 01"	297.26'	150.00'	S. 09° 21' 42" W., 295.90'
6	101.38'	52° 14' 59"	92.45'	49.72'	S. 07° 16' 47" E., 89.27'
7	166.34'	33° 16' 58"	96.63'	49.72'	S. 16° 45' 47" E., 95.27'
8	2059.49'	08° 19' 53"	299.47'	150.00'	S. 04° 17' 15" E., 299.21'
9	2059.49'	08° 19' 53"	299.47'	150.00'	S. 04° 17' 15" E., 299.21'
10	422.84'	20° 46' 40"	153.34'	77.52'	S. 10° 16' 02" W., 152.50'
11	422.84'	20° 46' 40"	153.34'	77.52'	S. 10° 16' 02" W., 152.50'
12	375.00'	39° 54' 55"	261.24'	136.17'	S. 55° 29' 30" W., 255.97'
13	19.41'	76° 52' 00"	26.04'	15.40'	S. 36° 47' 21" W., 24.13'
14	50.00'	252° 06' 05"	220.00'	68.70'	S. 51° 16' 04" E., 80.85'
15	19.41'	76° 52' 00"	26.04'	15.40'	N. 36° 47' 52" E., 24.13'



DETAIL "E"
SCALE: 1" = 100'

DL "B"
SC= 200'

587,414

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) SS

I hereby certify that this instrument was filed for record on the 3rd day of December 1985 at 11:40 A.M. and was duly recorded in book 187 page 1 of the records of Santa Fe County. Witness my Hand and Seal of Office
ANGIE VIGIL PEREZ
County Clerk, Santa Fe County, N.M.
Deputy

ANNEXATION PLAT
FOR
TRACTS 1 THRU 9
TIERRA CONTENTA,
WOLGAMOOD SUBDIVISION
AND
CONTIGUOUS LANDS (EAST)
WITHIN
TOWNSHIP 16 NORTH, RANGES 8 & 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN
SANTA FE COUNTY, NEW MEXICO
JUNE 1985

162008

LEGAL DESCRIPTION
FOR
EXTERIOR BOUNDARIES
OF
LANDS TO BE ANNEXED INTO THE LIMITS
OF
THE CITY OF SANTA FE, NEW MEXICO

Being those certain parcels of land comprising Tracts 3 through 9, TIERRA CONTENTA (FUTURE PHASES) plat of which was filed for record in the Office of the County Clerk of Santa Fe County, New Mexico, January 31, 1985, in Book 148, Pages 042-046, under the control of Bellamah Community Development, a New Mexico General Partnership and Meadows Resources, Inc., a New Mexico Corporation; TOGETHER WITH Tracts "A", "B", and "C" of the "WOLGAMOOD SUBDIVISION", plat of which was filed for record in the Office of the County Clerk of Santa Fe County, New Mexico, May 23, 1980, and Tracts 1 and 2 of the Replat of the "PLAT OF THE 165 ACRE TIERRA CONTENTA", within Section 12, T. 16 N., R. 8 E., N.M.P.M., Santa Fe County, New Mexico, plat of which was filed for record in the Office of the County Clerk of Santa Fe County, New Mexico, July 12, 1984, in Book 142, Page 042, under the control of Bellamah Community Development, a New Mexico General Partnership; TOGETHER WITH Portions of Sections 12 and 13, T. 16 N., R. 8 E., N.M.P.M. under the control of the Elisia Partnership, a New Mexico General Partnership; a Northerly Portion of Section 13, T. 16 N., R. 8 E., N.M.P.M. under the control of The City of Santa Fe Board of Education; an Easterly Portion of Section 13, T. 16 N., R. 8 E., N.M.P.M. under the control of the New Mexico School for the Deaf; a Southwesterly portion of Section 7, T. 16 N., R. 9 E., N.M.P.M. under the control of the New Mexico School for the Deaf; a Westerly Portion of Section 18, T. 16 N., R. 9 E., N.M.P.M. under the control of the New Mexico School for the Deaf; a Portion of the N.W.¼ of the S.W.¼ of Section 7, T. 16 N., R. 9 E., N.M.P.M. under the control of the City of Santa Fe, New Mexico; a Portion of the S.E.¼ of the S.W.¼ of Section 7, T. 16 N., R. 9 E., N.M.P.M. under the control of the New Mexico State Highway Department; a Westerly Portion of Section 18, T. 16 N., R. 9 E., N.M.P.M. under the control of Dr. Joe L. Hernandez; a Westerly Portion of Section 18, T. 16 N., R. 9 E., N.M.P.M. under the control of Dr. William Herrera; Tract A of above-mentioned Wolgamood Subdivision under the control of Kenneth Prater; All of which lands are located West of Cerrillos Road and generally South of Airport Road in Santa Fe County, New Mexico, and the exterior boundaries of said lands now being more particularly described by metes and bounds survey as follows:

BEGINNING at the most Northerly corner of above-mentioned TIERRA CONTENTA (FUTURE PHASES), a 5/8" rebar surmounted with a cap marked "LS 4078", being 1) a point on the Southerly right-of-way line of New Mexico State Road No. 284 also known as Airport Road, and 2) the corner common to the Northwest corner of "Santa Fe Country Club" and the Northeast corner of Tract 4, TIERRA CONTENTA (FUTURE PHASES), whence, the U.S.G.L.O. Brass Cap marking the Northeast corner of the Pacheco Grant bears N. 48° 49' 54" E., 3627.95 feet distance; thence,

Continuing along the Easterly line of said Tract 4, TIERRA CONTENTA (FUTURE PHASES) common with the Westerly line of the "Santa Fe Country Club" through the following courses (all monumented with a 5/8" rebar surmounted with a cap marked "LS 4078"):

Southwesterly, 35.29 feet distance along said "Common Line" along the arc of a curve bearing to the left (said arc having a radius of 25.00 feet, a central angle of 80° 52' 33", and a long chord which bears S. 39° 59' 38" W., 32.43 feet distance) to a Point of Tangency; thence,

S. 00° 26' 38" E., 70.24 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southeasterly, 80.10 feet distance continuing along said "Common Line" along the arc of a curve bearing to the left (said arc having a radius of 56.50 feet, a central angle of 81° 13' 59", and a long chord which bears S. 41° 03' 38" E., 73.54 feet distance) to a Point of Reverse Curvature; thence,

Southeasterly, 86.90 feet distance continuing along said "Common Line" along the arc of a curve bearing to the right (said arc having a radius of 78.88 feet, a central angle of 63° 07' 04", and a long chord which bears S. 30° 06' 56" E., 82.55 feet distance) to a Point of Tangency; thence,

S. 18° 33' 24" E., 167.76 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southeasterly, 198.27 feet distance continuing along said "Common Line" along the arc of a curve bearing to the right (said arc having a radius of 616.23 feet, a central angle of 18° 26' 06", and a long chord which bears S. 09° 20' 21" E., 197.41 feet distance) to a Point of Tangency; thence,

S. 00° 07' 18" E., 50.00 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southwesterly, 297.26 feet distance continuing along said "Common Line" along the arc of a curve bearing to the right (said arc having a radius of 897.96 feet, a central angle of 18° 58' 01", and a long chord which bears S. 09° 21' 42" W., 295.90 feet distance) to a Point of Tangency; thence,

S. 18° 50' 43" W., 120.80 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southeasterly, 92.45 feet distance continuing along said "Common Line" along the arc of a curve bearing to the left (said arc having a radius of 101.38 feet, a central angle of 52° 14' 59", and a long chord which bears S. 07° 16' 47" E., 89.27 feet distance) to a Point of Reverse Curvature; thence,

Southeasterly, 96.63 feet distance continuing along said "Common Line" along the arc of a curve bearing to the right (said arc having a radius of 166.34 feet, a central angle of 33° 16' 58", and a long chord which bears S. 16° 45' 47" E., 95.27 feet distance) to a Point of Tangency; thence,

S. 00° 07' 18" E., 175.28 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southeasterly, 299.47 feet distance continuing along said "Common Line" along the arc of a curve bearing to the left (said arc having a radius of 2059.49 feet, a central angle of 08° 19' 53", and a long chord which bears S. 04° 17' 15" E., 299.21 feet distance) to a Point of Tangency; thence,

S. 08° 27' 11" E., 42.37 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southeasterly, 299.47 feet distance continuing along said "Common Line" along the arc of a curve bearing to the right (said arc having a radius of 2059.49 feet, a central angle of 08° 19' 53", and a long chord which bears S. 04° 17' 15" E., 299.21 feet distance) to a Point of Tangency; thence,

S. 00° 07' 18" E., 320.00 feet distance continuing along said "Common Line" to a Point of Curvature; thence,

Southwesterly, 153.34 feet distance continuing along said "Common Line" along the arc of a curve bearing to the right (said arc having a radius of 422.84 feet, a central angle of 20° 46' 40", and a long chord which bears S. 10° 16' 02" W., 152.50 feet distance) to a Point of Reverse Curvature; thence,

Southwesterly, 153.34 feet distance continuing along said "Common Line" along the arc of a curve bearing to the left (said arc having a radius of 422.84 feet, a central angle of 20° 46' 40", and a long chord which bears S. 10° 16' 02" W., 152.50 feet distance) to a Point of Tangency; thence,

S. 00° 07' 18" E., 324.17 feet distance continuing along said "Common Line" to the Southeast corner of above-mentioned Tract 4, TIERRA CONTENTA (FUTURE PHASES) being common with the Southwest corner of above-mentioned "Santa Fe Country Club" and being also a point on the Northerly line of Tract 7, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 75° 25' 39" E., 56.77 feet distance along the line common to the "Santa Fe Country Club" and the Northerly line of said Tract 7, TIERRA CONTENTA (FUTURE PHASES) to a Point (a 3/4" iron pipe); thence,

N. 75° 25' 56" E., 382.95 feet distance along the line common to the Southerly line of the "Santa Fe Country Club" and the Northerly line of the aforementioned Tract 7, TIERRA CONTENTA (FUTURE PHASES) to a Point (3/4" iron pipe) being the Northeast corner of said Tract 7, TIERRA CONTENTA (FUTURE PHASES) and a Northwesterly corner of Tract 8, TIERRA CONTENTA (FUTURE PHASES); thence,

N. 75° 26' 13" E., 203.49 feet distance along the line common to the Southerly line of the "Santa Fe Country Club" and a Northerly line of Tract 8, TIERRA CONTENTA (FUTURE PHASES) to a point common with the most Westerly corner of Tract 5, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078") (described and designated in the following paragraph); thence,

N. 39° 11' 08" E., 322.52 feet distance along the Southerly line of said "Santa Fe Country Club" common with a Northerly line of Tract 5, TIERRA CONTENTA (FUTURE PHASES) to the Northwest corner of said Tract 5, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 77° 18' 57" E., 1161.81 feet distance continuing along said "Common Line" to the Northeast corner of said Tract 5, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

S. 16° 46' 03" E., 152.80 feet distance continuing along said "Common Line" to the Southeast corner of said Tract 5, TIERRA CONTENTA (FUTURE PHASES) being also a point on the Northerly line of aforementioned Tract 8, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 75° 26' 18" E., 109.81 feet distance continuing along said "Common Line" to the most Westerly corner of Tract 6, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 40° 53' 27" E., 567.04 feet distance continuing along said "Common Line" to a point on the Westerly line of said Tract 6, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 01° 38' 03" W., 712.23 feet distance continuing along said "Common Line" to the Northwest corner of said Tract 6, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 88° 19' 39" E., 224.84 feet distance continuing along said "Common Line" to the Northeast corner of said Tract 6, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078") being a point on the Easterly line of the Pacheco Grant, common with the Westerly right-of-way line of Country Club Road and common to the Southeast corner of "Santa Fe Country Club"; thence,

N. 01° 54' 06" W., 535.72 feet distance along the Easterly line of the Pacheco Grant common with the Westerly right-of-way line of Country Club Road and the Easterly line of the "Santa Fe Country Club" to a Point (a 5/8" rebar surmounted with cap marked "LS 4078"); thence,

S. 88° 14' 34" E., 54.48 feet distance across Country Club Road to a point on its Easterly right-of-way line (found 3/4" pipe); thence,

S. 01° 40' 31" E., 501.42 feet distance along the Easterly right-of-way line of Country Club Road to a Point, being the Northwest corner of Lands of the Elisia Partnership (a 3/4" pipe); thence,

S. 89° 28' 09" E., 755.62 feet distance along the Northerly line of Lands of the Elisia Partnership to a Point (a nail); thence,

S. 89° 16' 31" E., 82.22 feet distance continuing along the Northerly line of Lands of the Elisia Partnership to a Point (a rebar with cap marked "LS 5300"); thence,

S. 82° 45' 39" E., 558.71 feet distance continuing along the Northerly line of Lands of the Elisia Partnership to the Northeast corner of said Lands (a ½" pipe); thence,

S. 00° 19' 47" E., 1388.90 feet distance to a Point (a 1" pipe); thence,

S. 88° 45' 27" E., 291.55 feet distance to a point on the Westerly line of aforementioned Replat of the "Plat of 165 Acre TIERRA CONTENTA" (a 1" pipe); thence,

N. 00° 21' 58" W., 1471.53 feet distance along the Westerly line of said "Replat" to a Point on the Southerly right-of-way line of Fairly Road (a 3/4" pipe); continuing thence,

N. 00° 21' 58" W., 508.21 feet distance continuing along the Westerly line of said "Replat" common with the Easterly right-of-way line of Fairly Road to a Point (a ½" iron pipe); thence,

N. 00° 22' 15" W., 1460.73 feet distance along the Easterly right-of-way line of Fairly Road to its Point of Intersection with the Southerly right-of-way line of Airport Road, as widened, widened portion conveyed to New Mexico State Highway Department by Warranty Deed dated January 23, 1984, recorded in the Office of the County Clerk of Santa Fe County, New Mexico, February 3, 1984 (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 80° 50' 14" E., 37.44 feet distance along the said Southerly right-of-way line of Airport Road (as widened) to a Point (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 09° 09' 46" W., 19.98 feet distance continuing along said Southerly right-of-way line of Airport Road (as widened) to a Point (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 80° 55' 36" E., 375.76 feet distance continuing along said Southerly right-of-way line of Airport Road (as widened) to the most Northerly corner of the parcel of land herein described (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

S. 08° 16' 06" E., 1561.69 feet distance to a point (a 3/4" iron pipe); thence,

N. 89° 38' 06" E., 1345.93 feet distance to a point (a 5/8" rebar); thence,

S. 20° 09' 51" E., 1177.78 feet distance to an Angle Point (a 3/4" iron pipe); thence,

S. 20° 13' 00" E., 372.66 feet distance to an Angle Point (3/4" iron pipe); thence,

N. 39° 22' 58" E., 174.97 feet distance to a U.S.G.L.O. Brass Cap; thence,

N. 52° 09' 18" E., 49.62 feet distance to an Angle Point (a ½" rebar) on the Easterly line of said "Replat"; thence,

S. 00° 22' 01" E., 49.50 feet distance along the Easterly line of said "Replat" to a Point (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 49° 13' 21" E., 634.06 feet distance to a point (a ½" rebar) on the Northerly line of Lands of the City of Santa Fe; thence,

N. 51° 51' 00" E., 241.94 feet distance continuing along the Northerly line of Lands of the City of Santa Fe to a Point (a ½" rebar); thence,

N. 52° 07' 01" E., 472.31 feet distance continuing along the Northerly line of Lands of the City of Santa Fe to a point on the westerly line of a Seventy (70) foot wide Access Easement (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

S. 18° 25' 17" E., 859.06 feet distance along the Westerly line of a Seventy (70) foot wide Access Easement to a point on the Northerly line of the S.W.¼ of the S.W.¼, Section 7, T. 16 N., R. 9 E., N.M.P.M. being also a point on the projected Southerly line of a Fifty (50) foot wide Access Easement (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 89° 16' 31" E., 38.60 feet distance along the Northerly line of the S.W.¼ of the S.W.¼ of Section 7, T. 16 N., R. 9 E., N.M.P.M. to the Northwest corner of the S.E.¼ of the S.W.¼ of Section 7, T. 16 N., R. 9 E., N.M.P.M. (a 3/8" iron pipe) being also the Northwest corner of Lands of the New Mexico State Highway Department and a point on the Southerly line of a Fifty (50) foot wide Access Easement; thence,

S. 45° 47' 00" E., 1000.41 feet distance across a portion of Lands of the New Mexico State Highway Department to a Point (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

S. 63° 46' 00" E., 701.45 feet distance continuing across a portion of Lands of the New Mexico State Highway Department to a point on the Easterly line of the S.E.¼ of the S.W.¼ of Section 7, T. 16 N., R. 9 E., N.M.P.M. (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

S. 00° 37' 37" E., 282.82 feet distance along the Easterly line of the S.E.¼ of the S.W.¼ of Section 7, T. 16 N., R. 9 E., N.M.P.M. to the Quarter Corner common to Sections 7 and 18, T. 16 N., R. 9 E., N.M.P.M. (a #10 rebar); thence,

S. 88° 43' 47" W., 2516.31 feet distance to a point (a 3/4" iron pipe) being also the Northwest corner of a Mobile Home Park; thence,

S. 00° 16' 01" E., 683.40 feet distance along the Westerly line of a Mobile Home Park to its Southwest corner being also a point on the Northerly right-of-way line of Ocate Road (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 84° 21' 55" E., 374.15 feet distance along the Southerly line of a Mobile Home Park common with the Northerly right-of-way line of Ocate Road to a Point (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 88° 52' 38" E., 1241.10 feet distance continuing along said "common line" to its Point of Intersection with the projected Easterly line of Lands (now or formerly) N/F of Dr. Joe L. Hernandez (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

S. 27° 13' 00" W., 56.83 feet distance across Ocate Road to the Northeasterly corner of said Lands N/F of Dr. Joe L. Hernandez (a ½" rebar); continuing thence,

S. 27° 13' 00" W., 703.69 feet distance along the Easterly line of said Lands N/F of Dr. Joe L. Hernandez to a point on the Northerly line of Lands N/F of Dr. William Herrera (a ½" rebar); thence,

N. 89° 07' 39" E., 297.11 feet distance along said Northerly line of Lands N/F of Dr. William Herrera to a Point (a ½" rebar); thence,

N. 89° 06' 53" E., 424.83 feet distance continuing along said Northerly line of Lands N/F of Dr. William Herrera to its Point of Intersection with the Westerly right-of-way line of U.S. Highway 285 (also known as Cerrillos Road) (a ½" pipe); thence,

S. 26° 28' 40" W., 1103.18 feet distance along the Westerly right-of-way line of U.S. Highway 285 (also known as Cerrillos Road) to a Point (a "T" Rail); thence,

S. 26° 32' 56" W., 541.85 feet distance continuing along the Westerly right-of-way line of U.S. Highway 285 (also known as Cerrillos Road) to a Point (a "T" Rail marked Sta. "1574+00"); thence,

S. 26° 43' 02" W., 337.93 feet distance continuing along the Westerly right-of-way line of U.S. Highway 285 (also known as Cerrillos Road) to a Point (a "T" Rail marked Sta. "1144+47.29"); thence,

N. 63° 08' 33" W., 24.57 feet distance continuing along the Westerly right-of-way line of U.S. Highway 285 (also known as Cerrillos Road) to a Point (a "T" Rail marked Sta. "1144+47.29"); thence,

S. 29° 55' 58" W., 92.46 feet distance continuing along the Westerly right-of-way line of U.S. Highway 285 (also known as Cerrillos Road) to a Point (a ½" rebar with cap marked "LS 3241"); thence,

N. 86° 00' 07" W., 1208.02 feet distance to a Point (a 5/8" rebar); thence,

S. 00° 10' 26" E., 907.51 feet distance to a Point (a 3/8" iron pipe); thence,

N. 89° 14' 58" W., 2662.04 feet distance to a Point (a 3/4" iron pipe); thence,

S. 89° 50' 06" W., 2630.77 feet distance along the Southerly line of said Tract 9, TIERRA CONTENTA (FUTURE PHASES) to its Southwest corner (a 1" iron pipe); thence,

N. 01° 15' 25" E., 510.21 feet distance along the Westerly line of said Tract 9, TIERRA CONTENTA (FUTURE PHASES) to its Point of Intersection with the Southeasterly line of the Pacheco Grant (a 2" iron pipe in stone); thence,

S. 53° 22' 26" W., 197.55 feet distance along the Southeasterly line of the Pacheco Grant to a Point (a 3/4" iron pipe); thence,

S. 47° 25' 59" W., 1579.71 feet distance continuing along the Southeasterly line of the Pacheco Grant to a point on the Southerly line of the Pacheco Grant (a 3/4" iron pipe in stone mound); thence,

S. 89° 51' 13" W., 663.20 feet distance along the Southerly line of the Pacheco Grant to a point (a found stone with punch point and marked "PG SW COR"), being 1) the Southwest corner of the Pacheco Grant; and 2) the most Southerly point of the parcel of land herein described; thence,

N. 00° 24' 08" W., 712.45 feet distance along the Westerly line of the Pacheco Grant to a point (a 3/4" iron pipe) being 1) the Southeasterly corner of Fractional Lot 7, Section 14, Township 16 North, Range 8 East, New Mexico Principal Meridian, and 2) the Northeast corner of Fractional Lot 8, Section 14, Township 16 North, Range 8 East, New Mexico Principal Meridian; thence,

S. 89° 02' 47" W., 2063.80 feet distance along the line common to the Southerly line of aforementioned Fractional Lot 7 and its Westerly projection, Section 14, Township 16 North, Range 8 East, New Mexico Principal Meridian to a point (a 3/4" iron pipe), being 1) a Southwesterly corner of the parcel of land herein described, 2) the Northwest corner of said Fractional Lot 8, Section 14, and 3) the Southwest corner of the N.E.¼ of the S.W.¼ of Section 14, Township 16 North, Range 8 East, New Mexico Principal Meridian; thence,

N. 00° 11' 40" E., 1329.42 feet distance along the Westerly line of the aforementioned N.E.¼ of the S.W.¼ of Section 14 to a point (a 1/2" rebar surmounted with a cap marked "LS 4078" in stone mound) on the Southerly line of the N.W.¼ of said Section 14; thence,

S. 88° 25' 17" W., 1314.39 feet distance along the Southerly line of the N.W.¼ of said Section 14 to the Quarter Corner common to Sections 14 and 15 (a found stone with punch point and marked "1/4", in mound of stones), Township 16 North, Range 8 East, New Mexico Principal Meridian; thence,

N. 00° 07' 01" E., 2646.83 feet distance along the line common to said Sections 14 and 15 to the Section Corner common to Sections 10, 11, 14 and 15 (a 3/4" iron pipe) Township 16 North, Range 8 East, New Mexico Principal Meridian; thence,

N. 89° 43' 17" E., 1317.07 feet distance along the line common to said Sections 11 and 14 to the Southwest corner of the S.E.¼ of the S.W.¼ of said Section 11 (a 1/2" rebar surmounted with a cap marked "LS 4078"); thence,

N. 00° 02' 19" W., 1306.90 feet distance along the Westerly line of said S.E.¼ of the S.W.¼ to the Northwest corner of said S.E.¼ of the S.W.¼ of Section 11 (a 3/4" iron pipe in fence line) and Northwest corner of the parcel of land herein described; thence,

S. 89° 49' 09" E., 2013.53 feet distance along the Northerly line of said S.E.¼ of the S.W.¼ Section 11, and along the Northerly line of Fractional Lot 4 Section 11 to its Point of Intersection with the projected Westerly boundary of the "Pacheco Grant" (a 5/8" rebar surmounted with a cap marked "LS 4078"); continuing thence,

S. 89° 49' 09" E., 9.78 feet distance to a point on the Westerly line of Tract 4, TIERRA CONTENTA (FUTURE PHASES), (a 5/8" rebar surmounted with a cap marked "LS 4078"); thence,

N. 00° 26' 12" W., 168.11 feet distance along the Westerly line of said Tract 4, TIERRA CONTENTA (FUTURE PHASES) to a Point (a 3/4" iron pipe); thence,

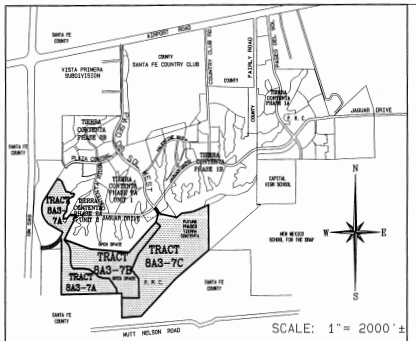
N. 89° 34' 38" E., 8.00 feet distance continuing along the Westerly line of said Tract 4, TIERRA CONTENTA (FUTURE PHASES) to a Point (a 3/4" iron pipe); thence,

N. 00° 26' 38" W., 1899.65 feet distance continuing along the Westerly line of said Tract 4, TIERRA CONTENTA (FUTURE PHASES) to a point on the Southerly right-of-way line of New Mexico State Road No. 284 also known as Airport Road (a 3/4" iron pipe); thence,

N. 80° 25' 59" E., 92.17 feet distance along the Southerly right-of-way line of New Mexico State Road No. 284 (also known as Airport Road) to the PLACE OF BEGINNING of the parcel of land herein described and containing 64,534,087 square feet (1481.4988 acres) more or less.

STATE OF NEW MEXICO } SS
COUNTY OF SANTA FE }
I hereby certify that this instrument was filed for record on the 5th day of July A.D. 1985 at 10:57 o'clock A.M. and was duly recorded in book 587 page 414 of the records of Santa Fe County
Witness my Hand and Seal of Office
ANGIE VIGIL PEREZ
County Clerk, Santa Fe County, N.M.
By Va. Perez Deputy

EXHIBIT D5



SCALE: 1" = 2000'±

V I C I N I T Y M A P

DEVELOPMENT NOTES

1. MAINTENANCE OF IMPROVEMENTS WITHIN THE DEDICATED "TRACT 8A3-7B", AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE.
2. NO WALLS, FENCES, OR OTHER STRUCTURES WHICH WOULD IMPEDE DRAINAGE FLOW, SHALL BE PLACED WITHIN FLOODWAY AREAS ZONE AE.
3. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES.
4. ALL FIRE DEPARTMENT ACCESS SHALL BE NO GREATER THAN A 10% GRADE THROUGHOUT AND MAINTAIN 20-FOOT MINIMUM WIDTH.
5. SHALL COMPLY WITH INTERNATIONAL FIRE CODE (IFC) 2009 EDITION.

1648 840

I hereby certify that this instrument was filed for record on the 21 day of Oct A.D. 2011 at 3:03 o'clock P m. and was duly recorded in Book 138 Page 1415 of the records of Santa Fe County.

Witness my Hand and Seal of Office
VALERIE ESPINOZA
County Clerk, Santa Fe County, NM

Deputy

CITY OF SANTA FE REVIEW

CITY PLANNER — 10/12/11

CITY ENGINEER FOR LAND USE — 10/12/11

WASTE WATER — T.A. Holland P.E. — 9-15-11

ACCEPTANCE OF DEDICATION BY THE CITY OF SANTA FE

APPROVED BY THE CITY OF SANTA FE SUMMARY COMMITTEE AT THEIR MEETING OF Sept. 1, 2011, AS CASE No. 2011-72

SUMMARY COMMITTEE CHAIRPERSON — DATE 10/21/11

SUMMARY COMMITTEE SECRETARY — DATE 10/21/11

THE UNDERSIGNED, ON BEHALF OF THE CITY OF SANTA FE DOES HEREBY ACCEPT THE DEDICATION OF "TRACT 8A3-7B", AS PLATTED HEREON.

MR. DAVID COSS, MAYOR, CITY OF SANTA FE — DATE 10/17/11

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK, CITY OF SANTA FE — DATE 10-17-11 (corrig 10/12/11)

CITY OF SANTA FE ORGANIZED SEAL JULY 13, AD 1891 NEW MEXICO

SANTA FE SURVEYING COMPANY		
P.O. BOX 2919, SANTA FE, N.M. 87504, 1210 LUISA ST. SUITE B		
PHONE (505)-992-3211, MOBILE (505)-660-2659, FAX (505)-992-9905		
PROJECT No.: 16081314-TC P2BD		
DRAFTED BY: JBS	DATE: 12-22-10	
REVISION	DATE	BY
CITY REQUESTED REVISIONS	07-08-11	JBS
CITY REQUESTED REVISIONS	09-14-11	JBS

DEDICATION STATEMENT

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER OF THESE LANDS, LYING WITHIN THE CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, COMPRISED OF "TRACT 8A3-7" OF THE TIERRA CONTENTA SUBDIVISION PHASE 2B, REMAINING UNDEVELOPED LANDS, SITUATE WITHIN SECTION 14 AND SECTION 13 OF TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CONTAINING 222.1570 ACRES MORE OR LESS, DOES HEREBY DEDICATE "TRACT 8A3-7B", AS PLATTED HEREON, TO THE CITY OF SANTA FE FOR PUBLIC USE. THE CITY, AT ITS OWN DESIRE AND EXPENSE MAY CONSTRUCT AND MAINTAIN TRAILS, RECREATIONAL FACILITIES AND OTHER APPURTENANCES THERETO WITHIN SAID "TRACT 8A3-7B".

SAID "TRACT 8A3-7B" IS SUBJECT TO FUTURE DRAINAGE EASEMENTS, UTILITY EASEMENTS, ADDITIONAL RIGHT-OF-WAYS FOR ROADS, AND SLOPE EASEMENTS FOR ROAD CONSTRUCTION, AS MAY BE DESIRED BY THE CITY OF SANTA FE, OR BY THE TIERRA CONTENTA CORPORATION AND APPROVED BY THE CITY OF SANTA FE, FOR THE DEVELOPMENT OF LAND WITHIN THE TIERRA CONTENTA SUBDIVISION.

THE UNDERSIGNED OWNER DOES HEREBY ATTEST THAT THIS DEDICATION AND ALL THAT APPEARS ON THIS PLAT IS IN ACCORDANCE WITH THEIR WISHES AND DESIRES.

THE LANDS PLATTED HEREON LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

BY:

OUIDA MacGREGOR
PRESIDENT, BOARD OF DIRECTORS
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF September, 2011, BY OUIDA MacGREGOR, ~~VICE~~ PRESIDENT, BOARD OF DIRECTORS, TIERRA CONTENTA CORPORATION.

NOTARY PUBLIC

OFFICIAL SEAL Margaret L. Vasquez NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires: 9/30/2012

ATTEST:

JAMES S. HICKS
EXECUTIVE DIRECTOR:
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14th DAY OF September, 2011, BY JAMES S. HICKS, THE EXECUTIVE DIRECTOR OF TIERRA CONTENTA CORPORATION

NOTARY PUBLIC

OFFICIAL SEAL Margaret L. Vasquez NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires: 9/30/2012

NOTES, PLAT AND DEED REFERENCES

1) REFER TO PLAT OF SURVEY ENTITLED "TIERRA CONTENTA SUBDIVISION, PHASE 2B", PREPARED BY MITCHEL K. NOONAN, NMPLS. No.6998, ON DECEMBER 3, 2004, HAVING PROJECT No. C-1281P2B AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK ON JANUARY 25, 2005, IN BOOK 579 ON PAGES 005-008 .

2) REFER TO PLAT OF SURVEY ENTITLED "TIERRA CONTENTA SUBDIVISION, PHASE 2A, UNIT 2", PREPARED BY MITCHEL K. NOONAN, NMPLS. No.6998, ON JULY 18, 2002, AMENDED ON JANUARY 19, 2004 HAVING PROJECT No. C-1281-P2AU2 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK ON SEPTEMBER 26, 2003, IN BOOK 543 ON PAGES 001-003 .

3) REFER TO PLAT OF SURVEY ENTITLED "ANNEXATION PLAT FOR TRACTS 1 THROUGH 9 TIERRA CONTENTA, WOLGAMOD SUBDIVISION AND CONTIGUOUS LANDS (EAST)" PREPARED BY FRED SANCHEZ, NMPLS No. 4078 ON JUNE 24, 1985 AND RECORDED IN THE SANTA FE COUNTY CLERK'S OFFICE IN BOOK 162, PAGES 006-009.

4) REFER TO WARRANTY DEED BY AND BETWEEN TIERRA CONTENTA CORPORATION (GRANTOR) AND COMMERCIAL CENTER AT 599 (GRANTEE), RECORDED IN THE OFFICE OF SANTA FE COUNTY CLERK, BEING INSTRUMENT NUMBER 1587592.

5) BEARINGS SHOWN ARE GRID AND ARE BASED UPON THE CITY OF SANTA FE CONTROL NETWORK AND OTHER MONUMENTATION SET BY BOHANNAN-HUSTON, INC., IN APRIL OF 1996.

6) REFER TO WARRANTY DEED BY AND BETWEEN CITY OF SANTA FE (GRANTOR) AND TIERRA CONTENTA CORPORATION (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1122, PAGE 789.

IMPROVEMENTS SHOWN HEREON ARE CURRENT AS OF DATE OF THIS SURVEY.

GRANT OF EASEMENT FOR EFFLUENT REUSE LINE

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNERS OF THE LANDS PLATTED HEREON, SITUATE WITHIN SECTION 14 AND SECTION 13 OF TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, LYING WITHIN THE CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, DO HEREBY GRANT TO THE CITY OF SANTA FE AND TO THEIR SUCCESSORS IN INTEREST AND ASSIGNS, AN EASEMENT FOR AN EFFLUENT REUSE LINE, AS SHOWN HEREON.

SAID EASEMENT IS GRANTED FOR THE PURPOSE OF INSTALLING, OPERATING AND MAINTAINING AN EFFLUENT REUSE LINE AND APPURTENANT STRUCTURES THERETO.

SAID EASEMENT CARRIES WITH IT THE RIGHT OF INGRESS AND EGRESS (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY AND THE RIGHT TO TRIM OR REMOVE INTERFERING VEGETATION OR OTHER OBSTRUCTIONS BY AGENCIES RESPONSIBLE FOR SAID AN EFFLUENT REUSE LINE.

THE UNDERSIGNED OWNERS DO FURTHER ATTEST THAT THIS , GRANT OF EASEMENT AND ALL THAT APPEARS ON THIS PLAT IS MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR WISHES AND DESIRES.

BY:

OUIDA MacGREGOR
PRESIDENT, BOARD OF DIRECTORS
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF September, 2011, BY OUIDA MacGREGOR, ~~VICE~~ PRESIDENT, BOARD OF DIRECTORS, TIERRA CONTENTA CORPORATION.

NOTARY PUBLIC

OFFICIAL SEAL Margaret L. Vasquez NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires: 9/30/2012

ATTEST:

JAMES S. HICKS
EXECUTIVE DIRECTOR:
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

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NOTARY PUBLIC

OFFICIAL SEAL Margaret L. Vasquez NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires: 9/30/2012

BY:

MR. DAVID COSS, MAYOR, CITY OF SANTA FE — DATE 10-17-11

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK, CITY OF SANTA FE — DATE 10-17-11 (corrig 10/12/11)

FLOOD ZONE NOTE

THE LANDS PLATTED HEREON LIE PARTIALLY WITHIN "OTHER AREAS", " ZONE X", "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN";

AND PARTIALLY WITHIN "OTHER FLOOD AREAS", " ZONE X ", "AREAS OF 0.2% CHANCE ANNUAL FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS OF LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM THE 1% ANNUAL CHANCE FLOOD.";

AND PARTIALLY WITHIN FLOOD "ZONE AE", "BASE FLOOD ELEVATIONS DETERMINED."; "SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INNUNDATION BY THE 1% ANNUAL CHANCE FLOOD. THE 1% CHANCE FLOOD (100 YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. AREAS OF SPECIAL FLOOD HAZARD INCLUDE ZONES A, AE, AH, AO, AR, A99, V AND VE. THE BASE FLOOD ELEVATION IS THE WATER SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD."

AND PARTIALLY WITHIN "FLOODWAY AREAS WITHIN ZONE AE", "THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD DEPTHS.";

TAKEN FROM F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBERS: 35049C0506D, 35049C0502D, ALL EFFECTIVE JUNE 17, 2008, AND IS SHOWN HEREON.

FURTHER, "ACCORDING TO THE FEBRUARY 17th, 2011 PRELIMINARY FIRM PANELS 35049C0506E AND 35049C0502E, THE FLOOD PLAIN STATUS IS UNCHANGED FROM THE CURRENT EFFECTIVE FIRM". AS PER TECHNICAL REVIEW DIVISION, CITY OF SANTA FE.

THE PURPOSE OF THIS PLAT IS TO CREATE TWO (2) PARCELS OF LAND FROM TRACT 8A3-7 AND TO DEDICATE ONE (1) PARCEL TO THE CITY OF SANTA FE.

GRANT OF EASEMENTS FOR INGRESS, EGRESS AND UTILITIES

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER OF THE LANDS PLATTED HEREON, LYING WITHIN THE CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, COMPRISED OF "TRACT 8A3-7" OF THE TIERRA CONTENTA SUBDIVISION PHASE 2B, "REMAINING UNDEVELOPED LANDS", SITUATE WITHIN SECTION 14 AND SECTION 13 OF TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CONTAINING 222.1570 ACRES MORE OR LESS, DOES HEREBY GRANT TO THE CITY OF SANTA FE, THEIR SUCCESSORS IN INTEREST AND ASSIGNS THE PUBLIC, INGRESS & EGRESS AND PUBLIC UTILITY EASEMENTS, AS SHOWN HEREON.

SAID PUBLIC, INGRESS & EGRESS EASEMENTS ARE GRANTED FOR THE PURPOSE OF FREE INGRESS AND EGRESS, TOGETHER WITH THE RIGHT TO CONSTRUCT AND MAINTAIN A ROADWAY AND APPURTENANCES THERETO, AT THEIR OWN DESIRE AND UNDER NO OBLIGATION OR CONSTRAINTS.

SAID PUBLIC UTILITY EASEMENTS ARE GRANTED FOR THE PURPOSE OF INSTALLING OPERATING AND MAINTAINING UTILITIES, SUCH AS ELECTRIC POWER, CABLE T.V. TELEPHONE, WATER AND SANITARY & STORM SEWER LINES. SAID PUBLIC UTILITY EASEMENTS CARRY WITH THEM THE RIGHT OF INGRESS AND EGRESS (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY AND THE RIGHT TO TRIM OR REMOVE INTERFERING VEGETATION OR OTHER OBSTRUCTIONS BY AGENCIES RESPONSIBLE FOR SAID UTILITIES. 738014

FURTHER, IT IS UNDERSTOOD THAT THESE PUBLIC, INGRESS & EGRESS EASEMENTS, WITHIN TRACT 8A3-7A AND 8A3-7C, ARE BEING GRANTED ONLY UNTIL AN ALTERNATIVE RIGHT-OF-WAY IS DEDICATED AND THE ROADWAY WITHIN IS CONSTRUCTED AND PROVIDES ALTERNATE ACCESS, TO THE SATISFACTION OF THE CITY OF SANTA FE. AFTER SUCH DEDICATION, THESE PUBLIC, INGRESS & EGRESS EASEMENTS SHALL FOREVER BECOME EXTINGUISHED AND VACATED.

FURTHER, IT IS UNDERSTOOD THAT THESE PUBLIC UTILITY EASEMENTS, WITHIN TRACT 8A3-7A AND 8A3-7C, ARE BEING GRANTED ONLY UNTIL AN ALTERNATIVE EASEMENT IS GRANTED AND THE UTILITY LINES AND STRUCTURES WITHIN SAID EASEMENT ARE CONSTRUCTED AND PROVIDE ALTERNATE UTILITY SERVICES, TO THE SATISFACTION OF THE CITY OF SANTA FE. AFTER SUCH GRANT OF EASEMENT AND INSTALLATION OF UTILITIY SERVICES, THESE PUBLIC, UTILITY EASEMENTS SHALL FOREVER BECOME EXTINGUISHED AND VACATED.

THE UNDERSIGNED OWNER DOES FURTHER ATTEST THAT THIS GRANT OF EASEMENTS AND ALL THAT APPEARS ON THIS PLAT IS MADE WITH THEIR FREE CONSENT AND IS IN ACCORDANCE WITH THEIR WISHES AND DESIRES.

BY:

OUIDA MacGREGOR
PRESIDENT, BOARD OF DIRECTORS
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF September, 2011, BY OUIDA MacGREGOR, ~~VICE~~ PRESIDENT, BOARD OF DIRECTORS, TIERRA CONTENTA CORPORATION.

NOTARY PUBLIC

OFFICIAL SEAL Margaret L. Vasquez NOTARY PUBLIC STATE OF NEW MEXICO My Commission Expires: 9/30/2012

ATTEST:

JAMES S. HICKS
EXECUTIVE DIRECTOR:
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

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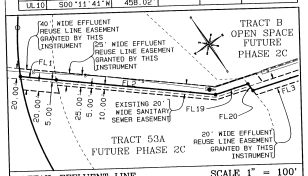
DEDICATION PLAT
FOR
TRACT 8A3-7B
WITHIN THE
TIERRA CONTENTA SUBDIVISION PHASE 2B

COMPRISED OF A PORTION OF "TRACT 8A3-7", THE REMAINING UNDEVELOPED LANDS OF THE TIERRA CONTENTA SUBDIVISION
WITHIN SECTION 14 AND SECTION 13 OF TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
AND WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 1 OF 2

INGRESS, EGRESS AND UTILITY EASEMENT LINE AND CURVE DATA CHART

No.	BEARING/CHORD	ARC/DIST.	CHORD	RADIUS	DELTA
UL1	S37°05'49"E	200.34'	199.43'	605.05'	18°58'17"
UL1	S27°38'41"E	162.84'			
UC2	S07°38'13"W	163.80'	153.64'	133.00'	70°33'48"
UL2	S42°55'07"W	60.78'			
UC3	S48°02'27"W	351.34'	343.77'	487.00'	41°20'07"
UL3	S27°22'24"W	211.63'			
UC4	S27°46'01"W	10.47'	10.47'	762.00'	0°47'15"
UC5	S14°04'22"W	82.12'	81.30'	167.00'	28°10'33"
UL4	S00°00'55"E	47.07'			
UC6	S23°47'27"E	76.35'	74.18'	92.00'	47°33'04"
UL5	N47°33'59"W	147.10'			
UC7	N23°01'07"W	269.83'	262.51'	333.00'	46°25'35"
UL6	S00°11'41"W	230.01'			
UC8	S20°41'23"E	294.65'	288.17'	404.19'	41°46'08"
UC9	S34°44'24"W	20.60'	20.59'	126.00'	9°22'00"
UC10	S34°44'24"W	28.45'	28.41'	174.00'	9°22'01"
UL7	S30°03'24"W	63.40'			
UC11	S08°46'29"E	159.59'	146.72'	117.00'	77°39'45"
UL8	S47°36'21"E	32.71'			
UC12	S52°17'21"E	28.45'	28.41'	174.00'	9°22'00"
UC13	S52°17'21"E	20.60'	20.58'	126.00'	9°22'00"
UL9	S47°36'21"E	17.37'			
UC14	S23°42'20"E	278.65'	270.64'	334.00'	47°48'02"
UL10	S00°11'41"W	458.02'			



DETAIL EFFLUENT LINE SCALE 1" = 100'

EFFLUENT REUSE LINE EASEMENT LINE AND CURVE DATA CHART

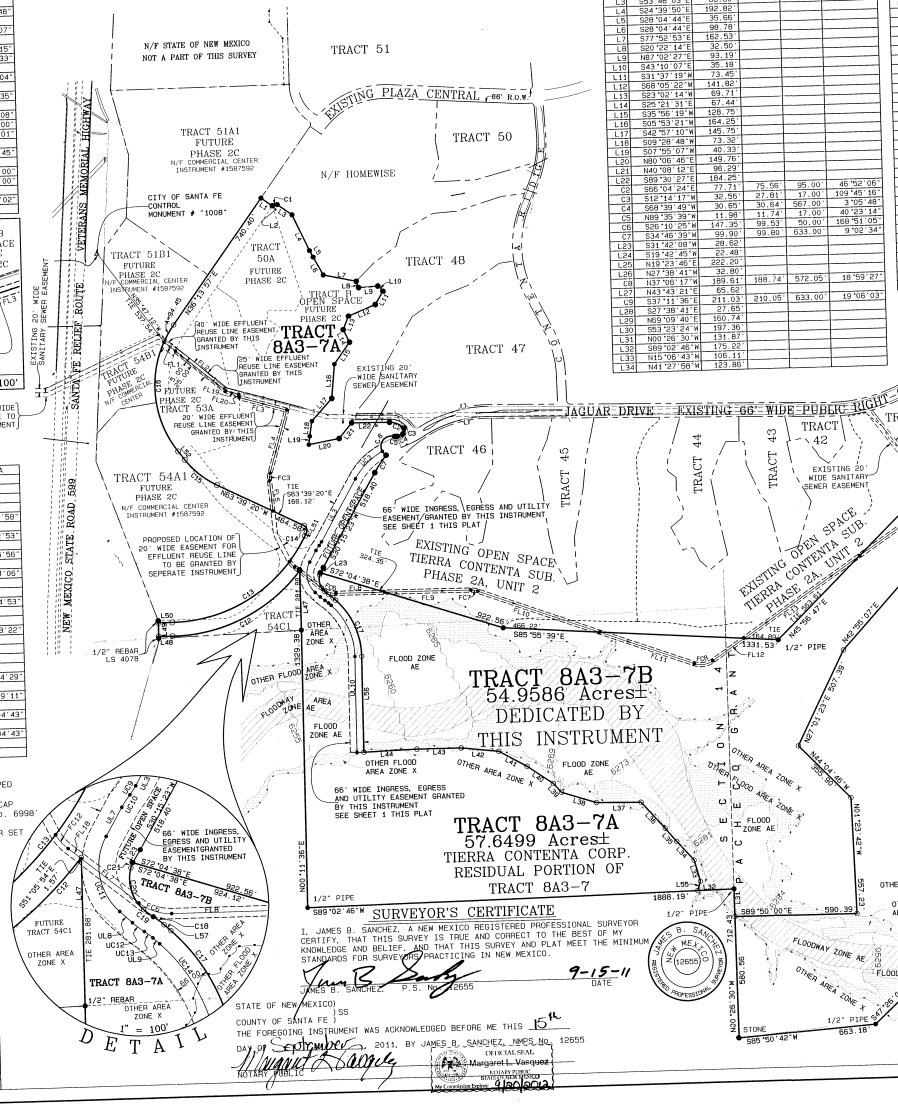
LINE	BEARING/CHORD	ARC/DIST.	CHORD	RADIUS	DELTA
FL1	S50°14'59"E	69.70'			
FL2	S50°14'59"E	309.99'			
FL3	S79°44'20"E	238.03'			
FL4	S16°22'53"W	313.03'			
FC3	S05°42'54"W	37.23'	37.02'	100.00'	21°19'56"
FL5	S04°57'05"E	146.05'			
FC4	S15°33'31"E	37.03'	36.82'	100.00'	21°12'53"
FL6	S26°09'58"E	118.87'			
FC5	S38°37'56"E	43.51'	43.17'	100.00'	24°55'56"
FL7	N51°05'54"W	140.42'			
FC6	S70°32'57"E	67.90'	66.60'	100.00'	38°54'06"
FL8	N90°00'00"E	235.96'			
FL9	N90°00'00"E	417.13'			
FC7	S80°02'34"E	34.76'	34.58'	100.00'	19°54'53"
FL10	S70°05'07"E	620.10'			
FL11	S70°05'07"E	482.50'			
FC8	N83°05'42"E	93.62'	90.24'	100.00'	53°38'22"
FL12	N56°16'31"E	186.80'			
FL13	N56°16'31"E	684.77'			
FL14	N56°16'31"E	1211.93'			
FL15	N56°16'31"E	572.77'			
FC9	N64°33'46"E	28.93'	28.83'	100.00'	16°34'29"
FL16	N72°51'00"E	441.85'			
FC10	N86°35'35"E	47.97'	47.51'	100.00'	27°29'11"
FL17	S79°39'49"E	219.54'			
FC11	S84°12'11"E	15.95'	15.83'	100.00'	9°04'43"
FL18	S79°39'49"E	219.54'			
FC12	S84°12'11"E	15.95'	15.83'	100.00'	9°04'43"
FL19	S73°44'20"E	65.67'			
FL20	S03°44'41"E	15.96'			

L E G E N D

- ○ SET 1/2" REBAR WITH CAP STAMPED "J.B.SANCHEZ - NMPS 12655"
- ● POINT FOUND 1/2" REBAR WITH CAP STAMPED "M. NOONAN - NMPLS No. 6998" UNLESS OTHERWISE NOTED
- • CALCULATED POINT NOT FOUND OR SET
- △ SANTA FE CONTROL MONUMENT
- FH FIRE HYDRANT
- WV WATER VALVE
- MH MANHOLE
- LP STREET LIGHT
- EDGE OF EASEMENT
- ADJOINER PROPERTY LINE
- EDGE OF ASPHALT
- EXISTING TCC TRAIL SYSTEM
- EXISTING FENCELINE
- SANITARY SEWER LINE

SANTA FE SURVEYING COMPANY	
P.O. BOX 2919, SANTA FE, N.M. 87504,	1210 LUISA ST. SUITE B
PHONE (505)-992-3211, MOBILE (505)-660-2659, FAX (505)-992-9905	
PROJECT No.: 16081314-TC P2BD	
DRAFTED BY: JBS	DATE: 12-26-10

REVISION	DATE	BY
CITY REQUESTED PLAT MODIFICATIONS	07-08-2011	JBS
CITY REQUESTED PLAT MODIFICATIONS	09-14-2011	JBS



TRACT PERIMETER LINE AND CURVE DATA CHART

No.	BEARING/CHORD	ARC/DIST.	CHORD	RADIUS	DELTA
L1	S53°46'03"E	66.00'			
L2	N36°13'57"E	2.00'			
C1	N81°13'57"E	25.70'	24.04'	17.00'	90°00'00"
L3	S53°46'03"E	86.50'			
L4	S24°39'50"E	192.82'			
L5	S28°04'44"E	35.56'			
L6	S28°04'44"E	98.78'			
L7	S77°52'53"E	162.53'			
L8	S20°22'14"E	32.50'			
L9	N87°02'27"E	93.19'			
L10	S43°10'07"E	35.18'			
L11	S31°37'19"W	73.45'			
L12	S68°05'22"W	141.62'			
L13	S23°02'14"W	69.71'			
L14	S25°21'31"E	67.44'			
L15	S35°56'19"W	128.75'			
L16	S05°53'21"W	164.25'			
L17	S42°57'10"W	145.75'			
L18	S09°28'48"W	73.32'			
L19	S07°55'07"W	40.33'			
L20	N80°06'46"E	149.76'			
L21	N40°08'12"E	96.29'			
L22	S89°30'27"E	184.25'			
C2	S66°04'24"E	77.71'	75.96'	95.00'	46°52'06"
C3	S12°14'17"W	30.56'	27.61'	17.00'	109°45'16"
C4	S68°39'49"W	30.65'	30.64'	567.00'	3°05'48"
C5	N89°35'39"W	11.98'	11.74'	17.00'	40°23'14"
C6	S26°10'25"W	147.35'	99.53'	50.00'	168°51'05"
C7	S34°46'39"W	99.90'	99.80'	633.00'	9°02'34"
L23	S31°42'08"W	20.62'			
L24	S19°42'45"W	22.48'			
L25	N19°23'46"E	222.20'			
L26	N27°36'41"W	32.80'			
C8	N37°06'17"W	189.61'	188.74'	572.05'	18°59'27"
L27	N43°43'21"E	65.62'			
C9	S37°11'36"E	211.03'	210.05'	633.00'	19°06'03"
L28	S27°38'41"E	27.65'			
L29	N59°09'40"E	160.74'			
L30	S53°23'24"W	197.36'			
L31	N00°26'30"W	131.87'			
L32	S89°02'46"W	175.22'			
L33	N15°06'43"W	106.11'			
L34	N41°27'56"W	123.86'			

No.	BEARING/CHORD	ARC/DIST.	CHORD	RADIUS	DELTA
L35	N39°42'26"W	83.87'			
L36	N41°09'34"W	171.66'			
L37	N88°50'50"W	216.54'			
L38	N72°08'07"W	175.56'			
L39	N41°09'46"W	57.97'			
L40	N55°33'45"W	150.46'			
L41	N60°52'54"W	155.11'			
L42	N63°29'46"W	181.97'			
L43	S89°47'24"W	215.01'			
L44	S88°09'22"W	257.02'			
C10	N20°41'23"W	270.60'	264.64'	371.19'	41°46'08"
L45	N00°11'41"E	230.01'			
C11	N23°02'57"W	296.96'	288.80'	366.00'	46°29'17"
L46	N47°33'59"W	139.63'			
L47	N00°00'55"W	284.37'			
C12	S64°41'04"W	713.45'	689.75'	795.00'	51°25'06"
L48	N89°36'22"W	67.18'			
L49	N00°03'26"W	66.00'			
L50	S89°36'22"E	67.70'			
C13	N58°53'00"E	801.84'	762.02'	729.00'	63°01'13"
L51	N27°22'24"E	17.62'			
C14	N38°08'28"W	39.72'	35.67'	25.00'	91°01'44"
C15	N50°29'30"W	198.97'	197.22'	433.00'	26°19'41"
L52	N37°19'39"W	51.56'			
C16	N00°32'50"W	652.34'	608.45'	508.11'	73°33'34"
L53	S49°23'04"E	201.13'			
L54	N53°08'13"E	200.75'			
L55	N18°03'19"E	45.99'			
L56	N00°11'41"E	458.02'			
C17	N23°42'20"W	305.18'	297.38'	367.00'	47°48'02"
L57	N47°36'21"W	17.37'			
C18	N52°17'21"W	25.99'	25.96'	159.00'	9°22'00"
C19	N52°17'21"W	23.05'	23.03'	141.00'	9°22'00"
C20	N15°37'20"W	88.20'	83.69'	79.00'	63°58'01"
C21	N13°18'32"E	10.76'	10.76'	101.00'	6°06'16"

738015

GRAPHIC SCALE 1" = 250'

0 250 500 750

SURVEYOR'S CERTIFICATE

I, JAMES B. SANCHEZ, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR CERTIFY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING PRACTICING IN NEW MEXICO.

JAMES B. SANCHEZ P.S. No. 12655 — 9-15-11 DATE

STATE OF NEW MEXICO)
SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 15th DAY OF September, 2011. BY JAMES B. SANCHEZ, NMPS NO. 12655

NOTARY PUBLIC — Margaret L. Vasquez — OFFICIAL SEAL — NOTARY PUBLIC STATE OF NEW MEXICO — My Commission Expires 9/30/2013

DEDICATION PLAT

FOR

TRACT 8A3-7B

WITHIN THE

TIERRA CONTENTA SUBDIVISION PHASE 2B

COMPRISED OF A PORTION OF "TRACT 8A3-7", THE REMAINING UNDEVELOPED LANDS OF THE TIERRA CONTENTA SUBDIVISION WITHIN SECTION 14 AND SECTION 13 OF TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN AND WITHIN THE CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 2 OF 2

August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan
Amendment #1 for Phase 3A

EXHIBIT E

Applicant's Design Standards Overview

Tierra Contenta

Phase 3A Design Standards Overview

Submitted with Tierra Contenta Master Plan Amendment #1 Application
June 21, 2021

Introduction

Phase 3A of Tierra Contenta includes only lands owned by the Tierra Contenta Corporation (TCC) within the final phase of Tierra Contenta, totaling 222.84 acres. The remainder of land in Phase 3 is owned by the New Mexico School for the Deaf (NMSD), who has no plans to develop Phase 3B at this time. The amendment to the Master Plan for Phase 3A is intended to respond to market conditions and to provide more housing diversity, improve pedestrian connectivity, and implement design changes to address lessons learned from previous phases. This overview of the proposed Phase 3A Design Standards is presented with the application for Master Plan Amendment #1 and describes the draft conceptual framework and form-based, typological approach to be taken in Phase 3A. The final document will incorporate input from the City and the TCC Board and will be submitted with the Master Plat application for Phase 3A.

The following table summarizes the proposed land use entitlements for Phase 3A, as requested in Master Plan Amendment #1, to which the Phase 3A Design Standards will apply:

Mixed Residential	118.95 acres	1,133 units
Mixed-Use	3.43 acres	42 units
School	9.37 acres	
Open Space	91.09 acres	
Total	*222.84 acres*	*1,175 units (1,500 maximum)*

Conceptual Framework

In response to City and neighborhood feedback on previous phases, TCC is taking a fresh approach to the design standards for Phase 3A. All residential tracts are designated as “Mixed Residential” to emphasize that a mixture of housing types is permissible and encouraged. An overall increase in density / maximum residential units is proposed to encourage and facilitate the creation of a diversity of housing types. A minimum number of units are assigned per development tract, and a “density bank” will be established to provide incentives for inclusion of “missing middle” housing types and innovative sustainability measures as each tract develops. Rules will be established to determine how density bonuses are awarded based on availability of entitled units and the development program proposed. Form-based standards define Roadway Typology, Building Typology, and Open Space/Trail Typology. This approach is intended to create a flexible framework that will define how buildings, open spaces, and streetscapes are configured to shape and activate the public realm, create a desirable and livable neighborhood, meet affordability goals, and realize the values and intent of Tierra Contenta.

Where appropriate given the change in conceptual framework for Phase 3A, relevant components of the design standards from previous Tierra Contenta phases will be incorporated.

Design Review Process

The Phase 3A Design Standards along with the Phase 3A Master Plat will form the basis to implement the Amended Tierra Contenta Master Plan. Development of the tracts created by the Phase 3A Master Plat will be contingent on approval of a Subdivision Plat and/or a Development Plan, if applicable, for each tract that follows the Tierra Contenta Master Plan, the Phase 3A Design Standards, and other relevant City policies and regulations. The Design Standards are structured to give users and reviewers a format, intent, and specific direction for development review and implementation.

City staff and planning officials retain jurisdiction to review, approve, or disapprove Development Plans and Subdivision Plats within Tierra Contenta. However, the Tierra Contenta Annexation Agreement states that:

> "*The City agrees to approve rezoning, preliminary development plans and preliminary subdivision plats for individual tracts within the Property, provided such rezoning, plats and plans conform to the Master Plan and Phasing Plan, the SFCC 1987 as amended, and the provisions of this Agreement. The City agrees to approve final development plans and final subdivision plats that substantially conform to previously approved preliminary plats and plans*."

The Phase 3A Master Plat and Design Standards shall be consistent with the Master Plan. Subsequently, the individual Subdivision Plats and Development Plans for the tracts shall be consistent with the approved Phase 3A Master Plat and Design Standards. Phase 3A Subdivision Plats and Development Plans shall be reviewed and approved by the Planning Commission for individual development tracts. Prior to City review and approval, each Subdivision Plat and Development Plan is subject to review by the TCC Architectural Review Committee for compliance with the Master Plan and with the adopted Phase 3A Master Plat and Design Standards. Except as specifically provided in the Tierra Contenta Master Plan, Annexation Agreement or phase-specific Design Standards, development within Tierra Contenta must comply with all other property development regulations adopted by the City of Santa Fe.

Roadway Typology

Phase 3A will be served via the extension of Paseo del Sol from the current terminus of Paseo del Sol West just south of Jaguar Drive east to the Herrera Drive/Paseo del Sol East roundabout, completing this important roadway connection. In addition, an internal Community Loop Road will complete the Phase 3A backbone roadway infrastructure, providing access to the development tracts. The easternmost leg of Paseo del Sol and a portion of the Loop Road cross NMSD property, requisite right-of-way dedications in accordance with the terms of the Tierra Contenta Annexation Agreement are in negotiation.

The Amended Master Plan identifies potential future roadway connections to adjacent lands, including NMSD property and the Mutt Nelson neighborhood to the south. As the

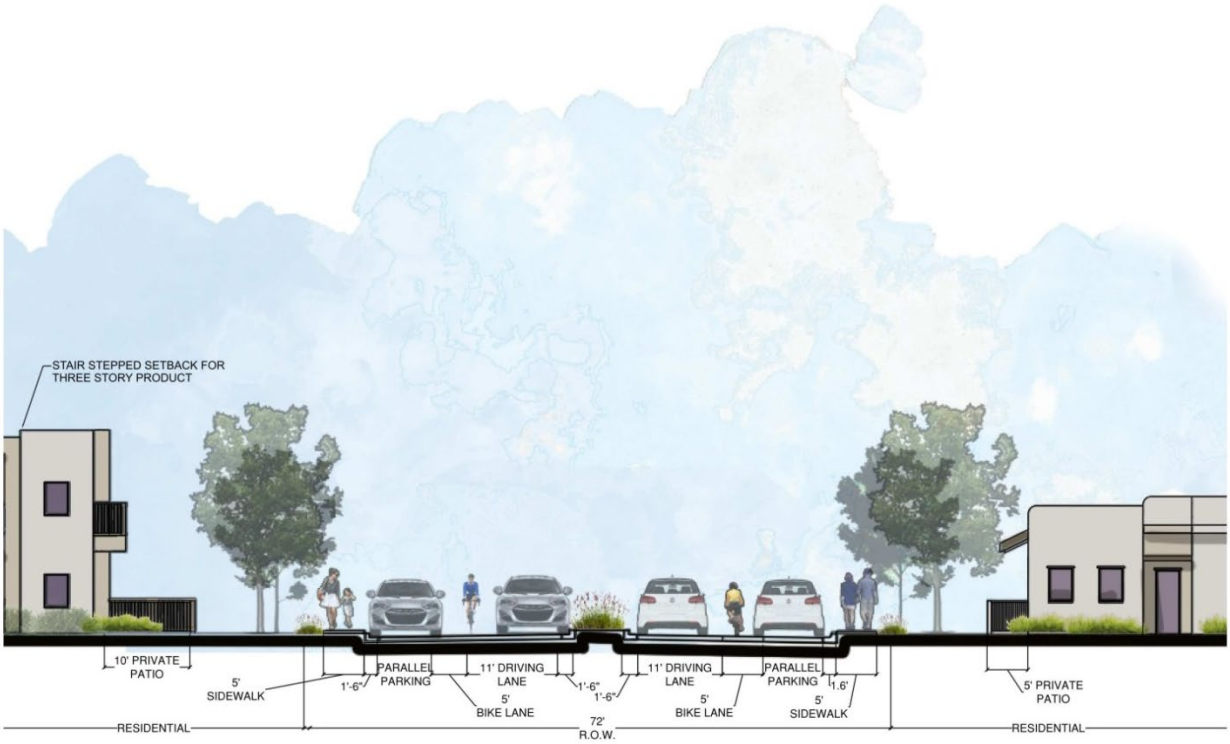
individual tracts are developed, road stub-outs and/or right-of-way dedications will be required where appropriate to ensure adequate roadway connectivity in the larger area. In addition, connectivity among the development tracts is a key component of the design intent.

In an effort to provide improved pedestrian amenities and connectivity, the Roadway Typology requires sidewalks on both sides of each of the three street types. Furthermore, in order to address parking shortages experienced in previous phases, on-street parking is proposed on segments of Paseo del Sol and on one side of the Community Loop Road. Local Streets constructed within the development tracts will also need to include on-street parking. In the event on-street parking is not feasible due to driveway proximity, dedicated guest parking areas will be required.

Roadway standards are illustrated below by road sections, and their relationships to the buildings are defined within the Building Typology as frontage specifications.

Paseo del Sol

Paseo del Sol is the primary through access connecting Phase 3 to previous phases of Tierra Contenta and to the City's larger roadway network. This roadway is not, however, intended to be a high-speed, multi-lane thoroughfare and is instead designed with traffic calming, pedestrian orientation, and activation of the streetscape as top priorities. No rear-facing building relationships are permissible, and no single-access or shared driveways are allowed from Paseo del Sol, except for the purposes of accessing rear parking for multi-unit residential developments or commercial/mixed use buildings. Parallel parking is included on both sides of the street, as are sidewalks and bike lanes, and a landscaped median will aid in traffic calming and enhancement of the driver and pedestrian experience. Street trees and plantings are required, and frontage relationships of buildings are defined in the Building Typology to ensure that Paseo del Sol is an attractive, inviting streetscape. A cross section and plan view of Paseo del Sol are provided below, for illustration, and more detailed roadway standards will be provided in the final Phase 3A Design Standards document.



PASEO DEL SOL STREET CROSS - SECTION: 72' RIGHT OF WAY

Scale: 1/2" = 1'



PASEO DEL SOL PLAN: 72' RIGHT OF WAY

Scale: 1/2" = 1'

Community Loop Road

The Community Loop Road provides access to the Phase 3A development tracts from Paseo del Sol. As such, it is a critical piece of the spine infrastructure for Phase 3A. The Community Loop Road is envisioned as a low-speed collector with on-street parking on one side and sidewalks on both sides, along with requisite street trees and plantings. As with Paseo del Sol, no rear facing building relationships are permissible, but driveways are allowed. A cross section and plan view of the Community Loop Road are provided below, for illustration, and more detailed roadway standards will be provided in the final Phase 3A Design Standards document.



COMMUNITY LOOP CROSS - SECTION: 53' RIGHT OF WAY
Scale: 1/2" = 1'

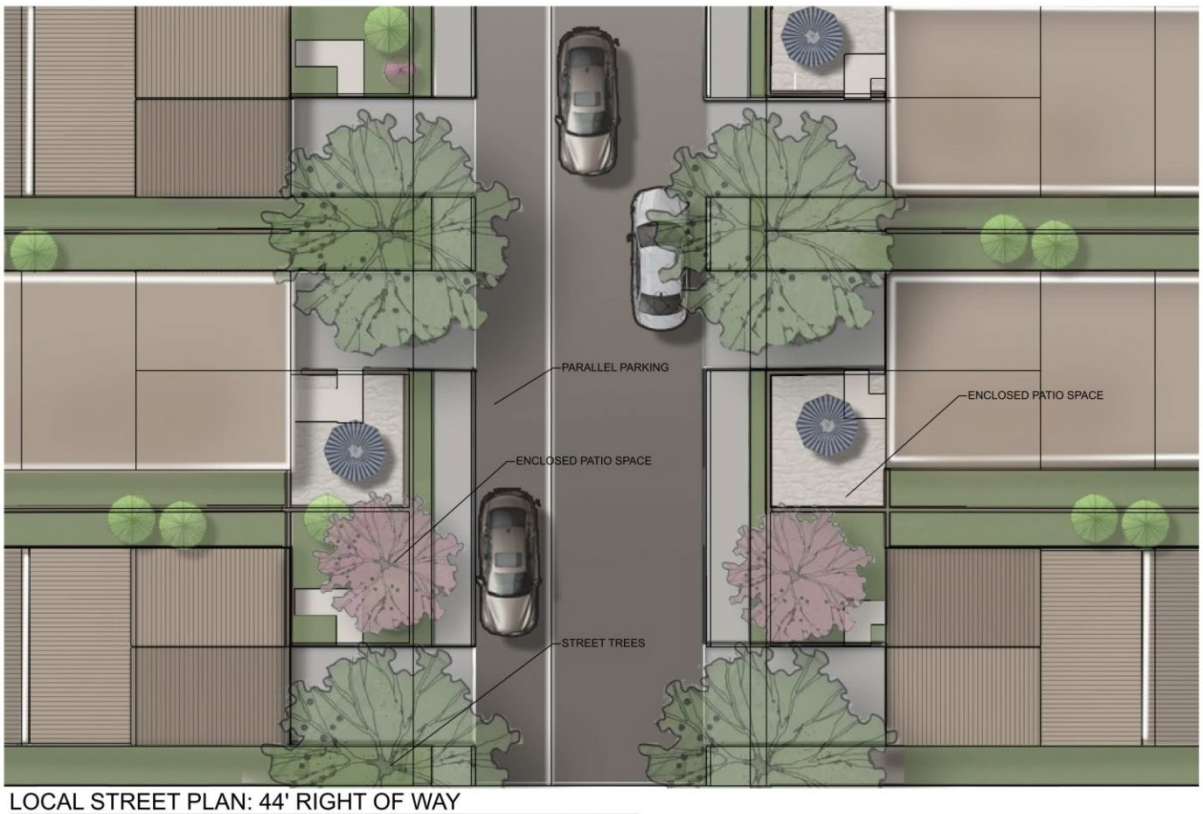


Local Streets

The configuration of local streets will be determined as tracts are developed, depending on the program proposed by the developer of that tract. Sidewalks, street trees, and plantings are required on both sides of the Local Streets, and they will also need to include on-street parking on at least one side. In the event on-street parking is not feasible due to driveway proximity, dedicated guest parking areas will be required. A conceptual cross section and plan view of a Local Street are provided below, for illustration, and more detailed roadway standards will be provided in the final Phase 3A Design Standards document.



LOCAL STREET CROSS - SECTION: 44' RIGHT OF WAY
Scale: 1/2" = 1'



LOCAL STREET PLAN: 44' RIGHT OF WAY
Scale: 1/2" = 1'

Building Typology

The Phase 3A Building Typology identifies typical and appropriate building forms to encourage diversity of housing types, including those referred to as the “missing middle” housing types, as well as activation of the streetscape. Each Building Type includes specifications for access and entry, parking, frontage, placement and massing of building form. Building types will be accompanied by simple visual renderings or photos, schematic plans and sections showing building footprints and frontage relationships. All residential building types are permissible in all Mixed Residential areas. No rear-facing building orientations are permissible for any Building Type on any Roadway Type. Building Types are described below.

Detached House

A detached structure that incorporates one dwelling unit on a single lot with front and rear yards. Must be oriented toward the street, and may be accompanied by one attached or freestanding Accessory Unit.

Access & Entry	The Principal Entry to each dwelling shall face the street frontage and have direct access from a porch/portal, stoop, or private patio. Access for parking, loading, and trash disposal must be from an alley, narrow driveway, ribbon driveway or circular driveway.
Parking	Parking shall be located in garages, carports, or in designated driveways constructed for that purpose. Garages or carports may be attached, detached, or connected by a breezeway. Attached garages or carports shall be set back from street-facing façades by a minimum of 6 feet. Detached and breezeway garages must be located in the side or rear yard. Side yard garage access is permissible when a dual frontage is present.
Frontage	Principal Entry must face the street. Must include a portal/porch, stoop, or private patio. May have dual frontage in which there is both front yard and side yard frontage. Front yard may be enclosed with a low yard wall or fence (max 4 ft. high) at the property line. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Garage / Carport Front Setback: Min 20 ft Zero-lot-lines are permissible for garages / carport at side or rear.
Massing	May be 1 or 2 stories in height. May not exceed 24 ft. in height. For lots 50 ft wide or wider, any portion of a building over 14 feet must step back at least 10 feet on one or both sides.






Accessory Unit

An accessory structure, typically located near the rear of a lot and can be free-standing or attached to a garage or main dwelling unit. Can be a stacked, second-floor unit above a garage or main house. Can serve as an accessory dwelling unit, home office space, studio or other use.

Access & Entry	The Principal Entry to the unit shall be accessed from the side or rear yard or alley. Access for parking, loading, and trash disposal must be from an alley, narrow driveway, or ribbon driveway.
Parking	Parking shall be located below, beside, or behind the unit and accessed from an alley or side driveway.
Frontage	Typically does not have street frontage unless accessed from a side yard.
Placement	Typically located near the rear of a lot and can be free-standing or attached to a garage or main dwelling unit. Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft
Massing	Can be a single-story unit or a stacked, second-floor unit above a garage or main house. Cannot exceed 24 ft. in height when located on a second floor. Floor area cannot exceed that of the Principal Dwelling, up to 1500 sq ft.



Duplex

Small-to-medium sized structure that consists of two side-by-side or stacked dwelling units, both facing the street and within a single building massing. This building type has the appearance of a medium-to-large single-family home and is appropriately scaled to fit within primarily single-family neighborhoods or medium-density neighborhoods.

Access & Entry	The Principal Entry to each dwelling or each common entrance, if designed as stacked flats, shall have direct access from a portal/porch, a common portal/porch, or stoop facing the street.
Parking	Parking shall be located in garages, carports, or in designated driveways constructed for that purpose. Garages or carports may be attached, detached, or connected by a breezeway. Attached garages or carports shall be set back from street-facing façades by a minimum of 6 feet. Detached and breezeway garages must be located in the side or rear yard. Side yard garage access is permissible when a dual frontage is present.
Frontage	Principal Entries or common entrance must face the street. Each dwelling must include a stoop or porch/portal, either individually or in common with an adjoining dwelling. May have dual frontage in which there is both front yard and side yard frontage. Front yard may be enclosed with a low yard wall or fence (max 4 ft. high) at the property line. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.

Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Zero-lot-lines permissible if attached side-by-side units. If stacked, min 5 ft / Max 10 ft Rear Setback: Min 10 ft Garage / Carport Front Setback: Min 20 ft Zero-lot-lines are permissible for garages / carport at side or rear.
Massing	May be articulated as large single family houses consistent with the vernacular building form in the surrounding neighborhood. Duplexes may also be designed as stacked flats, abutting townhouses, courtyards, or other vernacular forms compatible with the surrounding neighborhood. Attic spaces may be used as habitable space.



Townhouses/Rowhouses

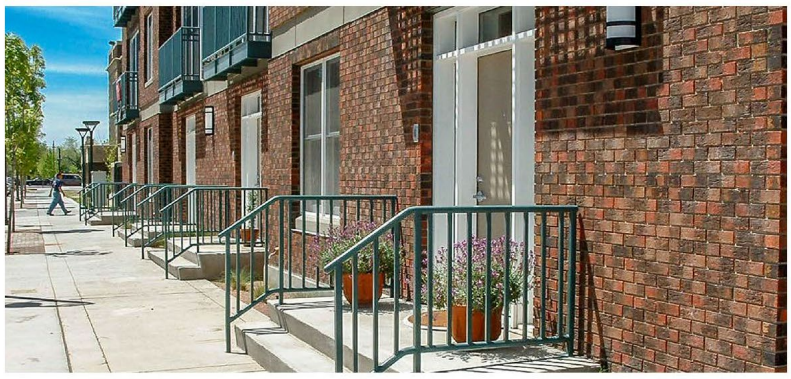
Consists of multiple attached dwelling units, placed side-by-side (zero lot line). Building cannot exceed 180 linear feet. Typically located in medium-density neighborhoods or in a location that serves as a transition from primarily single-family homes to higher density areas.

Access & Entry	The Principal Entry to each dwelling shall have direct access to the street. Parking, loading and trash disposal must be accessed from an alley or from a shared driveway.
Parking	Parking shall be located behind each building or in attached garages facing the street. Attached garages or carports shall be set back from street-facing façades by a minimum of 6 feet.

Frontage	Each dwelling must include a stoop or porch/portal fronting the street and a public sidewalk or a common open space. May have dual frontage in which there is both front yard and side yard frontage. Front yard may be enclosed with a low yard wall or fence (max 4 ft. high) at the property line. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.
Placement	Front Setback: Min 7 ft / Max 20 ft Garage / Carport Front Setback: Min 20 ft Rear Setback: Min 10 ft
Massing	May be 1 or 2 stories in height. May not exceed 24 ft. in height.







Casita Court

Consists of a series of small, detached structures and/or side-by-side attached structures, providing multiple dwelling units arranged around a shared courtyard, which takes the place of a private rear yard. Each unit shall have an individual entry accessed from the shared courtyard.

Access & Entry	The Principal Entry to each dwelling shall have direct access to a shared courtyard at ground level or from a stoop or small portal/porch.
Parking	Parking can be located behind the rear massing of the courtyard or below the rear-most dwelling units, which may be located above a bank of garages. A common parking court may be provided interior to the block.
Frontage	Typically, multiple building masses are arranged around a central landscaped courtyard. Yard walls or fences flush with the courtyard opening are permissible, cannot exceed 4 ft. in height, and must include a pedestrian opening/entry, which can be gated.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Zero-lot-lines are permissible for garages / carport at rear.
Massing	Typically consists of single story structures, but can be up to two stories (24 ft max height). Often the rear-most building(s) are up to two stories, sometimes allowing for garages on the ground floor and dwelling units above, while the structures flanking the courtyard are 1 to1.5 stories.



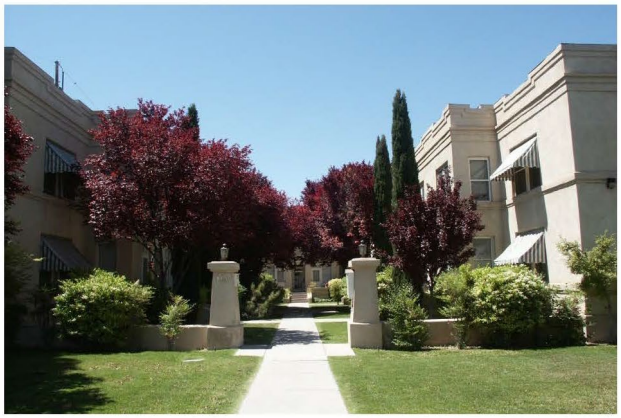



Courtyard Apartments

Consists of multiple side-by-side and/or stacked multiple dwelling units arranged around a shared courtyard and accessed from a central common entry facing the street.

Access & Entry	The Principal Entry to each dwelling shall be accessed from a common entry and interior corridor.
Parking	Parking shall be located behind the rear massing of the courtyard. A common parking court may be provided interior to the block.
Frontage	Central portion of the building is set back between two flanking sections that are closer to the front property line, creating a recessed, landscaped courtyard. Yard walls or fences flush with the courtyard opening are permissible, cannot exceed 4 ft. in height, and must include a pedestrian opening/entry, which can be gated.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Zero-lot-lines are permissible for garages / carport at rear.
Massing	Up to three stories (36 ft max height) if located on Paseo del Sol; up two stories (24 ft max height) elsewhere. Massing step-backs required from frontage if three stories.





Multiplex

Detached structure that consists of multiple dwelling units arranged side-by-side and/or stacked, typically with one shared entry at the front. Has the appearance of a medium-to-large sized single-unit house. Typically does not include a rear yard, as parking is generally located behind the structure.

Access & Entry	Dwelling units are accessed from a common entry or entries and interior corridor(s).
Parking	Parking is located behind the structure and accessed from an alley or from a shared narrow or ribbon driveway. Parking may be accessed from the side yard if there is a dual frontage condition.
Frontage	Building frontage has the appearance of a medium-to-large detached house, set near the street. May have dual frontage. Typically, there are no yard walls or fencing. However, if present, front yard walls or fences may not exceed 4 ft. If a side yard frontage is present, a yard wall or fence up to 6 ft. high is permissible at the frontage if the lot line is set back from the right-of-way a minimum of 10 ft. The resultant open space between the right-of-way and the lot line must be landscaped and maintained as common open space.
Placement	Front Setback: Min 7 ft / Max 20 ft Side Setback: Min 5 ft / Max 10 ft Rear Setback: Min 10 ft Zero-lot-lines are permissible for garages / carport at rear.
Massing	Up to three stories (36 ft max height) if located on Paseo del Sol; up two stories (24 ft max height) elsewhere. Massing step-backs required from frontage if three stories.









Garden Apartments

A building or group of buildings containing multiple dwelling units, stacked vertically and horizontally. Buildings can take the form of rectilinear building blocks, or L-shaped or U-shaped footprints. Typically, each dwelling unit has a small private terrace, and/or there are shared terraces for common use by residents.

Access & Entry	Dwelling units are accessed from a common entry or entries and interior corridor(s) and vertical circulation.
Parking	Underground or surface parking. Surface parking must be interior to the lot.
Frontage	Buildings are generally arranged close to the street. Each dwelling unit typically has a small terrace, landing, or private yard enclosed with a low (4 ft max height) wall or fence, either elevated above the street level (balcony) or at street level, or a combination of both. Perimeter fencing for low-rise garden apartments shall not exceed 6 ft in height, must allow for transparency/visbility, and must be set back at least 5 ft from the edge of right-of-way. The resultant open space between the right-of-way and the perimeter fencing must be landscaped and maintained as common open space. Six-foot-high block walls are not permitted, and six-foot-high fencing is not permitted at the edge of right-of-way.
Placement	Front Setback: 10 ft for a 2-story building / 20 ft for a 3-story building (no stepback required, see below) Side Setback: 10 ft min Rear Setback: 10 ft min
Massing	Up to three stories if located on Paseo del Sol; two stories elsewhere. Massing step-back of 10ft required from frontage for a third story. No stepback required if three story building is set back 20 ft from frontage/ROW.





Live-Work

Attached or detached structure that consists of one dwelling unit above and/or behind a flexible ground-floor space that can be used for residential, service, or retail purposes. Both the ground-floor flex space and the unit above are owned or occupied by one entity. Typically located in a medium-density residential context or in a location that transitions between a mixed residential neighborhood and commercial/mixed-use area. Especially appropriate for incubating small businesses and for allowing commercial uses to expand as the market demands.

Access & Entry	Ground floor flex space and residential unit above typically have separate entrances. Upper floor residential units may have a common entry. Parking, loading and trash disposal accessed from alley or rear of the lot.
Parking	Parking areas must be located adjacent to an alley or at the rear of the lot and may not abut the street frontage. On-street parking is typical along street frontages.
Frontage	Shopfront street frontage is typical at the ground floor. Each shopfront must have a separate entrance, which may be covered with a portal or awning. Live-work buildings may be arranged around an interior landscaped and/or hardscaped courtyard or forecourt.
Placement	Front Setback: zero-lot-line permissible / 5 ft maximum Side Setback: zero-lot-line permissible / 10 ft maximum Rear Setback: 10 ft minimum
Massing	Up to three stories (36 ft max) if located on Paseo del Sol; two stories (24 ft max) elsewhere. Massing step-backs required from frontage if three stories.

Flex Building

Contains at least one story above the ground floor, with Shop Fronts on the ground floor. The building may contain any combination of residential, office, and commercial uses. Retail should occur on the ground floor, but is not mandatory. The building may evolve over time through many combinations of use.

Access & Entry	Principal Entry to each individual unit on the ground floor must have direct access from the street frontage. Parking access is from an alley or narrow driveway.
Parking	Parking is located behind or under the building. Additional on-street parking is typical. A common parking area may be located interior to the block.
Frontage	Frontages take the form of shop fronts. A courtyard / forecourt building arrangement is permissible.

Placement	Front Setback: zero-lot-line permissible / 5 ft maximum Side Setback: zero-lot-line permissible / 10 ft maximum Rear Setback: 10 ft minimum
Massing	Up to three stories if located on Paseo de Sol; two stories elsewhere. Buildings facing a street that are longer than 50 feet must be articulated a maximum of every 40 feet along the street-facing façade. Entryways are required at least every 40 feet.

Open Space and Trail Typology

In Phase 3A, 91.09 acres of open space will be preserved, which includes one Neighborhood Park, to be owned and maintained by the City of Santa Fe, four dispersed Pocket Parks to be maintained by the applicable homeowners' association, and an extensive trail network. Park locations shown on the Master Plan Amendment Plans are conceptual and subject to change during platting. These decentralized passive and active recreational spaces are intended to provide community connection opportunities throughout the neighborhood and will be developed in accordance with the Open Space and Trails Typology described below.

Neighborhood Park

Up to 5 acres in size, a neighborhood park serves as a social and recreational focal point for the neighborhood. Includes formal playground, outdoor sport courts, sport fields, picnic tables, pathways, and/or multi-use open turf areas. Can accommodate the recreational needs of a wide variety of users, and access for pedestrians, bicyclists and other non-motorized travelers is a priority. Connectivity to surrounding neighborhood(s) is vital. Sidewalks, pathways, and connections to the larger neighborhood trail system should be established. Proximity to school facilities is highly desirable.

Provides a variety of recreational, social, and cultural opportunities. Provides greens pace within neighborhoods. Contributes to health and wellness. Provides opportunities to connect with nature.

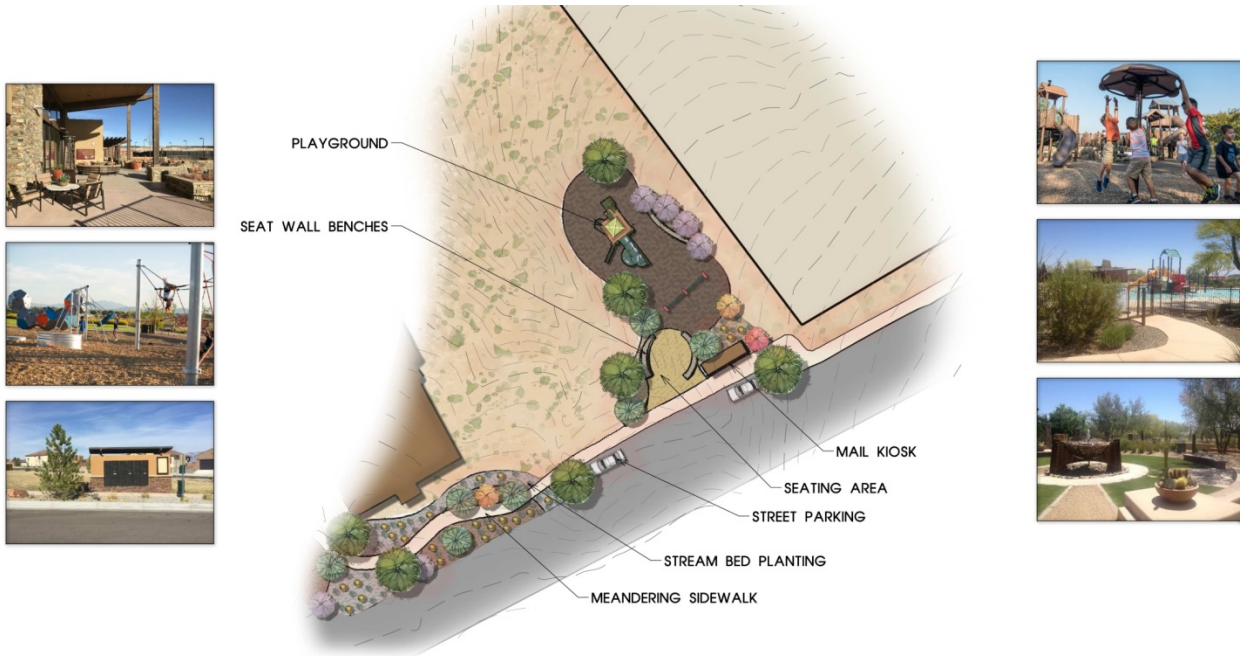
No more than 2/3 of the area should be reserved for active recreation. Remaining area should be enhanced with benches, gardens, natural areas, multi-use green space, pathways, and other more passive pedestrian amenities.

A conceptual plan of a 3-acre neighborhood park is provided below.



Pocket Park

Small outdoor space, usually no more than ¼ to ½ acre in size. Also referred to as mini-parks, pocket parks are small-scale, landscaped open spaces designed for passive recreation, social interaction, and connection with nature. Minimal amenities are provided, aside from those intended to enhance pedestrian comfort, and connectivity to surrounding residences is a priority. A conceptual plan of a pocket park is provided below.



Pedestrian Corridor

Multi-use path with open space buffer on either side that provides enhanced connectivity for pedestrians and cyclists between residential development tracts, linking streets, sidewalks, and other pedestrian pathways through a neighborhood.

Community Trail

A network of 10-foot wide non-motorized trails within the natural open space, which will connect to the existing area trails. Trails shall be accessible via the sidewalk network and connect to the parks, where feasible.

Natural Open Space

Dedicated open space that is defined by natural vegetation and shall remain largely undisturbed and protected during construction activities. Construction within Natural Open Space is limited to trails, drainage improvements/arroyo bank stabilization, and utility extensions. Disturbed areas shall be revegetated to mimic the undisturbed condition.

August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan
Amendment #1 for Phase 3A

EXHIBIT F

Applicants ENN Materials

1. Applicants ENN packet
2. Applicant Notes
3. Applicant's Community Outreach

EXHIBIT F1

EARLY NEIGHBORHOOD NOTIFICATION MEETING

Request for Staff Attendance

Project Information

Project Name: Tierra Contenta Phase 3A Master Plan Amendment

Address: N/A Parcel Size: 228 acres

Zoning: PRC Future Land Use: Residential, Neighborhood Center, Parks, Public/Inst

Preapplication Conference Date: December 10, 2020

Detailed Project Description: Proposed Master Plan Amendment for Tierra Contenta Phase 3A to adjust roadway and pedestrian network, unit count and program in advance of development.

Property Owner Information

Name: Tierra Contenta Corporation

Address: 1111 Agua Fria Street, Santa Fe, NM 87501

Phone: 505-989-3960 E-mail Address:

Applicant/Agent Information (if different from owner):

Name: JenkinsGavin, Inc.

Address: 130 Grant Ave., Suite 101

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:	**5/27/2021**	
TIME:	**5:30 p.m.**	
LOCATION:	***Zoom Meeting (virtual)***	

Tierra Contenta

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

RE: Tierra Contenta

To Whom It May Concern:

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

Thank you.

Sincerely,

Justin Robison, Santa Fe Community Housing Trust — Date 1/12/21

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

The foregoing instrument was acknowledged before me this 12 day of January, 2021 by Justin Robison.

Notary Public

Official Seal
HOLLIE HESTER
Notary Public
State of New Mexico
My Comm. Expires 7/21/24

My Commission Expires: 7/21/24

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)*

The proposed amendment to the Tierra Contenta Master Plan for Phase 3A provides for over 1,100 quality, mixed-income homes and apartments in the last remaining undeveloped area of Tierra Contenta (TC), adding to the 2,300 residences already built in this planned residential community. As in the previous phases, land will be reserved for a new school, community facilities, neighborhood parks, and trails. The planning area comprises 228 acres of undeveloped land located southeast of Capital High School, of which over 35 percent will be preserved as open space.

Proposed changes to the Tierra Contenta Master Plan reflect the impact of major changes in the surrounding area, such as new schools, roads, businesses and parks. In addition, the Design Standards are being revised for consistency with the goals of the Master Plan Amendment, including improving the pedestrian experience and connectivity, activating the streets and public spaces, diversifying housing types, and modifying the site program to respond to current market conditions.

The nonprofit Tierra Contenta Corporation (TCC) owns 225 acres and the New Mexico School for the Deaf (NMSC) owns 3 acres of the planning area. The expansion area is part of the larger "Phase 3" as shown in the existing Master Plan. The land area subject to revisions will be designated Phase 3A. The remaining 179 acres of Phase 3 land are owned by NMSD and will remain subject to the original Tierra Contenta Master Plan, approved by the City in 1994.

(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.*

TCC has conducted a thorough study of the terrain and the best routes for the primary roads and infrastructure and determined to leave 35% of the land as open space and parks, in order to protect virtually all of the nearby land on the sides of arroyos and to avoid mass grading.

(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 Project poses no risks to known archaeological sites or other historic / cultural resources. Archaeological Clearance was granted by the City of Santa Fe Archaeological Review Committee in 2001 for all phases of the Tierra Contenta Master Plan area.

(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 proposed amendment to the Tierra Contenta Master Plan for Phase 3A will build over 1,100 quality, mixed-income homes and apartments in the last remaining undeveloped area of Tierra Contenta (TC), adding to the 2,300 residences already built in this planned residential community. Proposed residential densities range from 5.2 units/acre for single-family housing to 23.7 units/acre for multi-family housing The proposed densities are consistent with the original Master Plan for Phase 3, with policies in the General Plan,and with the surrounding area.

(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.*

Improving vehicular and pedestrian connectivity is a high priority for the the proposed Tierra Contenta Master Plan Amendment. The planned expansion of Paseo del Sol, as well as the planned expansions of both roadside and community trails and connections to existing trail and open space/park infrastructure represent improvements that are responsive to public input obtained to date and to guidance received from City staff.

A Traffic Impact Analysis has been conducted and will be submitted with the application. The TIA indicates that "Tierra Contenta Phase 3A will have a minimal impact on the City of Santa Fe road system." Roadway improvements are proposed that will improve traffic flow and levels of service. 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 included in the plan amendment will create job opportunities, as well as opportunities for local businesses to locate in the development. Finally, the project will increase the City's affordable housing supply, a much-needed prerequisite for economic 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 Tierra Contenta Annexation Agreement, which requires that 40% of homes developed be affordable (exceeding the 30% affordability required by 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.*

The Project will connect to existing public utilities. It is located in Fire District 8 and will be served by Fire Station No. 8, located nearby at the intersection of Jaguar Drive and Paseo del Sol. The project will be served by City police and Santa Fe Public Schools, and a future elementary school site is reserved. A Santa Fe Trails Bus Stop is located at the intersection of Jaguar Drive and Paseo del Sol, and service will be extended through the development upon build-out. Lastly, proposed roadway and pedestrian improvements will enhance the public roadway and trail 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.*

The project will comply with City water conservation requirements. Water rights will be provided to offset increased demand in accordance with City requirements.

(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.*

Appropriate measures for creation of pedestrian trails and vehicular connectivity will be implemented. The project provides a mixture of housing types and integrates school and commercial uses as well. Pedestrian and transit connectivity between the project and adjacent existing neighborhoods will be improved, while providing services and employment opportunities for nearby residents. Access to the Arroyo Chamiso Trail and community trail networks will greatly enhance the pedestrian experience in this area of the City.

(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.*

Development of the Tierra Contenta project has been underway since 1994 and is in alignment with the City's General Plan policies around infill development, affordable housing, and compact urban form. The project encourages a mixture of high-quality housing types and includes a mixture of uses, including residential, commercial, elementary school, community facilities, parks and trails.

ADDITIONAL COMMENTS (Optional)

The proposed amendment to the Tierra Contenta Phase 3A Master Plan represents a logical next step in the development of Tierra Contenta, which has been underway for over 25 years. The proposed changes to the Master Plan represent improvements to the overall phase layout and program that enhance vehicular and pedestrian connectivity in the area and increase the City's market-rate and affordable housing supply.

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

EARLY NEIGHBORHOOD NOTIFICATION MEETING

May 12, 2021

RE: Tierra Contenta Phase 3A Master Plan Amendment

Dear Neighbor:

This letter is being sent as notice of a neighborhood meeting to discuss a pending application to the City of Santa Fe for an Amendment to the Tierra Contenta Phase 3A Master Plan. The proposed amendment provides for over 1,100 quality, mixed-income homes and apartments in the last remaining undeveloped area of Tierra Contenta, adding to the 2,300 residences already built in this planned residential community. As in the previous phases, land will be reserved for a new school, community facilities, neighborhood parks, and trails. The planning area comprises 228 acres of undeveloped land located southwest of Capital High School, of which over 35 percent will be preserved as open space. In accordance with the requirements of the City of Santa Fe's Early Neighborhood Notification regulations, this letter is to inform you that a meeting is scheduled to be held on **May 27, 2021, at 5:30pm.**

Join Zoom Meeting
https://us02web.zoom.us/j/85204550999?pwd=LzBjK2hqWGUybklQc3NkYkhpVEZIQT09

Meeting ID: 852 0455 0999
Passcode: 759355
One tap mobile
+13462487799,,85204550999#,,,,*759355# US (Houston)
+16699009128,,85204550999#,,,,*759355# US (San Jose)

Dial by your location
+1 346 248 7799 US (Houston)
+1 669 900 9128 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 312 626 6799 US (Chicago)
+1 646 558 8656 US (New York)
+1 301 715 8592 US (Washington DC)

Meeting ID: 852 0455 0999
Passcode: 759355
Find your local number: https://us02web.zoom.us/u/kejMfLhSCP

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 Land Use Department at 505-955-6820 or gagurule@santafenm.gov 5 days prior to the meeting date.

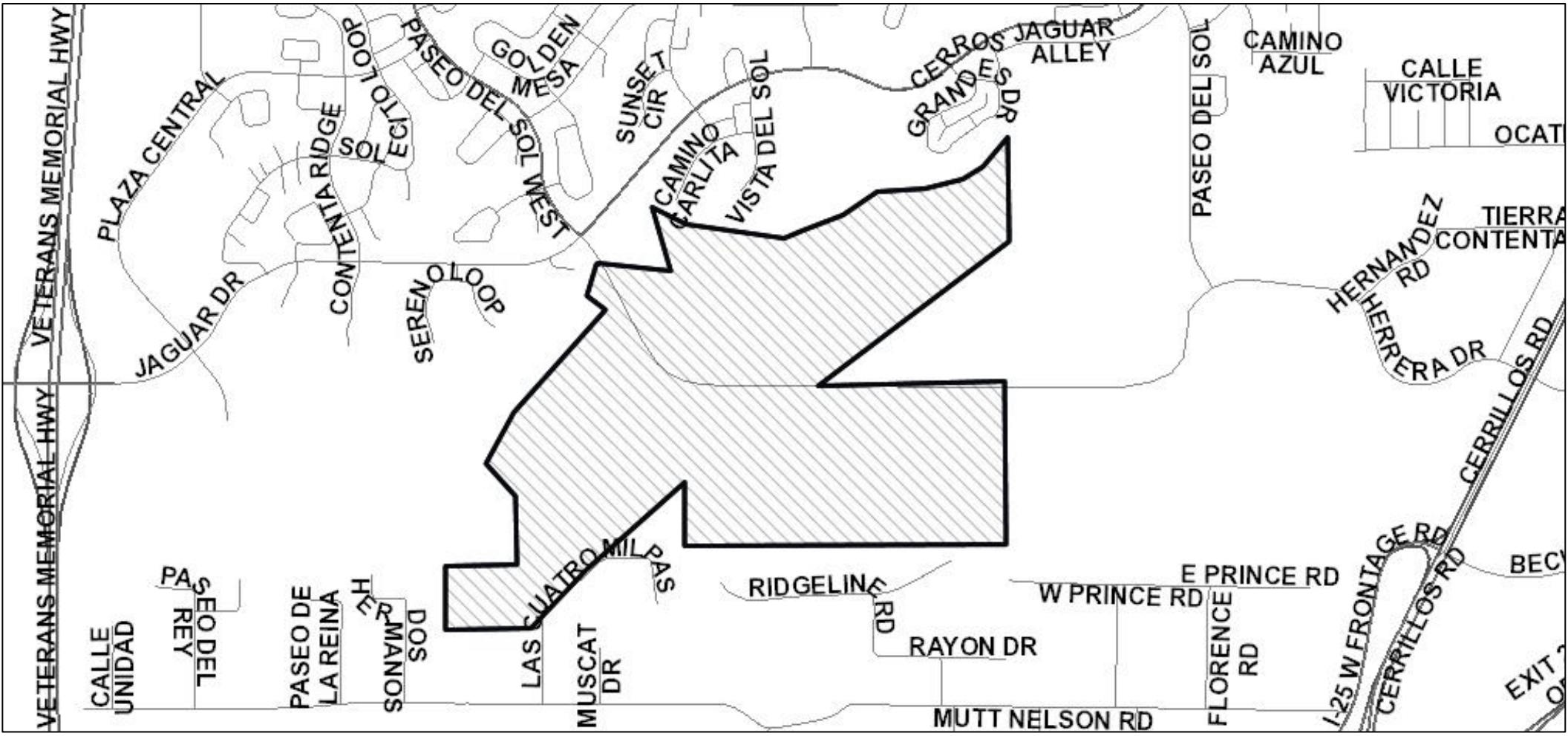
Sincerely,

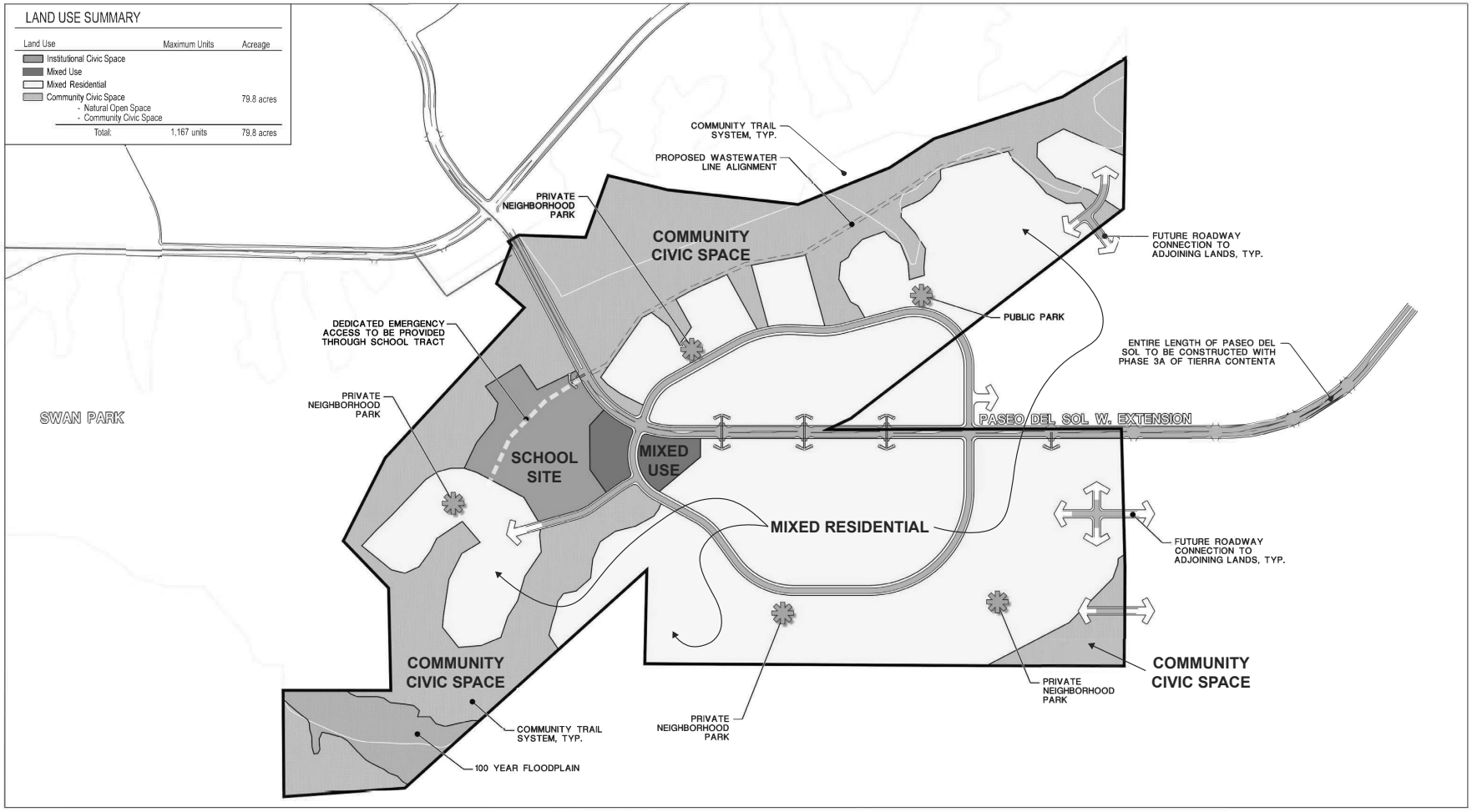


Jennifer Jenkins

Attachments: Vicinity Map + Site Plan

Vicinity Map – Tierra Contenta Phase 3A





0 250 500 1000

Scale: 1" = 500'

North Date: March 23, 2021

SEC Planning, LLC
Land Planning + Landscape Architecture + Community Branding
AUSTIN, TEXAS
t 512.246.7003 • f 512.346.3703
www.secplanning.com • info@secplanning.com

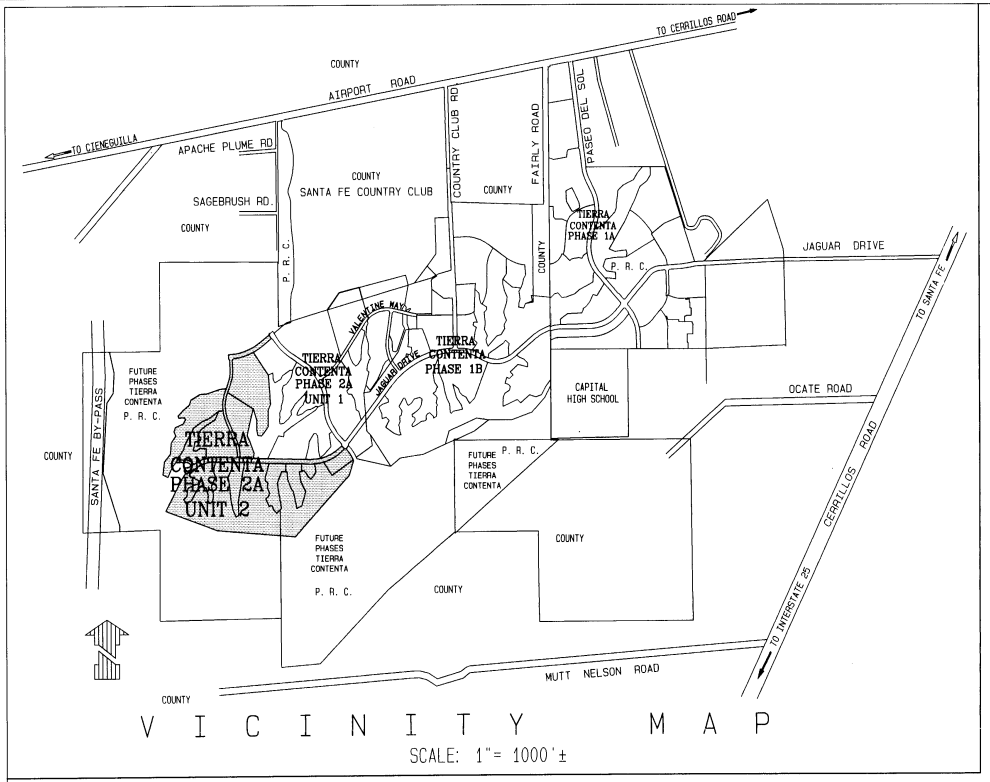
MASTER PLAN REVISION

TIERRA CONTENTA

SANTA FE, NEW MEXICO

SHEET FILE: T:\190052-WEAS\Cadfiles\PLANNING\Submittals\Form-Based Design Guidelines Booklet\Plans and Exhibits\Land Use Plan_2021-03-22.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.



V I C I N I T Y M A P

SCALE: 1"= 1000'±

DEED REFERENCES

1) REFER TO WARRANTY DEED BY AND BETWEEN CITY OF SANTA FE (GRANTOR) AND TIERRA CONTENTA CORPORATION (GRANTEE), RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, IN BOOK 1122, PAGE 789.

PLAT REFERENCES

1) BEARINGS BASED UPON PLAT ENTITLED "TIERRA CONTENTA SUBDIVISION, PHASE 1B, UNIT 1" PREPARED BY JAMES B. SANCHEZ, P.S. NO. 12655 ON DEC. 02, 1997, HAVING PROJECT No. C-1281 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 396 ON PAGES 012 - 014.

2) REFER TO PLAT OF SURVEY ENTITLED "ANNEXATION PLAT FOR TRACTS 1 THROUGH 9 TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LANDS (EAST)" PREPARED BY FRED SANCHEZ, N.M.L.S. NO. 4078 ON JUNE 24, 1985 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 162 ON PAGE 006.

3) REFER TO PLAT OF SURVEY ENTITLED "LOT LINE ADJUSTMENT BETWEEN LOT 1-A, TRACTS-A & LOT A-1", PREPARED BY FRED SANCHEZ N.M.L.S. NO. 4078 ON JUNE 11, 1992 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 239 ON PAGE 024.

4) REFER TO PLAT OF SURVEY ENTITLED "ALTA/ACSM LAND TITLE SURVEY, TRACTS 1-A-1, 4, 5, 7, 8, 9, LOT 1 & REMAINING PORTION OF TRACT 3", PREPARED BY FRED SANCHEZ, N.M.L.S. No 4078, ON JUNE 25, 1991 AND RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN BOOK 231 ON PAGE 046.

REVIEWED BY:
CITY OF SANTA FE

CITY PLANNER — DATE 9/24/03

SUBDIVISION REVIEW — DATE 09.25.03

WATER QUALITY DIVISION — DATE 9-29-03

APPROVED BY THE CITY PLANNING COMMISSION
AT THEIR MEETING OF November 07, 2002

Robert J. Werner 9/24/03
CHAIRMAN

SECRETARY 9/24/03

EASEMENTS ARE HEREBY GRANTED FOR ALL EXISTING UTILITIES AND THIS PLAT IS SUBJECT TO ALL EASEMENTS OF RECORD

Qwest Communications, Inc., Disclaimer:
This plat has been approved for easement purposes only
The signing of this plat does not in any way guarantee telephone service to the subdivision

UTILITY APPROVAL

PUBLIC SERVICE COMPANY OF NEW MEXICO — DATE 7-29-03

QWEST TELEPHONE — DATE 7-31-03

PNM / GAS COMPANY OF NEW MEXICO — DATE 7-29-03

COMCAST CABLE CO. — DATE 7-31-03

SANGRE DE CRISTO WATER DIVISION — DATE 8-1-03

SURVEYOR'S CERTIFICATE

I MITCHEL K. NOONAN, N.M.P.L.S. No. 6998 DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MITCHEL K. NOONAN — N.M.P.L.S. No. 6998

REVISIONS BY	DATE

PROJECT No.: C-1281-P2AU2

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: DKR | DATE: 07/18/02

SUBDIVISION NOTES:

1. A 7.5' PUBLIC UTILITY EASEMENT IS HEREBY GRANTED ALONG THE FRONTAGE OF ALL TRACTS ADJOINING THE DEDICATED ROADWAYS.
2. EACH LOT SHALL BE SERVED BY SEPARATE SEWER AND WATER SERVICES.
3. PURSUANT TO SECTION 14-95, IMPACT FEES MAY BE ASSESSED ON THESE TRACTS. ANY PERSON INTENDING TO BUILD SHOULD CONTACT STAFF AT CITY HALL.
4. THIS PROPERTY IS SUBJECT TO THE MASTER COVENANTS FOR TIERRA CONTENTA PHASE 2A, UNIT 2 RECORDED IN THE RECORDS OF SANTA FE COUNTY IN BOOK 2406 ON PAGES 450-499 PRIOR TO THE SALE OF ANY LOT WITHIN THIS SUBDIVISION, THE DEVELOPER WILL RECORD SUPPLEMENTAL COVENANTS THAT WILL INCLUDE PROVISIONS FOR ACCESS TO AND MAINTENANCE OF COMMON PROPERTY LINE WALLS AND FENCES.
5. FOR SPECIFIC INFORMATION PERTAINING TO SETBACKS, HEIGHTS, TRACT COVERAGE, LANDSCAPING, AND FENCING, REFER TO THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 2A, ADOPTED BY THE CITY PLANNING COMMISSION ON AUGUST 3, 2000.
6. FLOOD ZONE NOTE:

   UNLESS OTHERWISE SHOWN HEREON, THE LANDS PLATTED HEREON LIE WITHIN FLOOD ZONE X, "AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOOD PLAIN" SOURCE: FLOOD INSURANCE RATE MAP COMMUNITY PANEL 350069 0227 B, 350069 0226 B, 350069 0228B. EFFECTIVE 11-04-1988.

   BOUNDARIES OF OPEN SPACE AND DRAINAGE EASEMENTS SHOWN HEREON ENCOMPASS ARROYOS SUBJECT TO SIGNIFICANT STORM WATER FLOW AND AREAS OF SLOPE GREATER THAN 30%. AS DETERMINED BY DAVID THOMAS P.E. AND BY C. R. WALBRIDGE & ASSOCIATES, SANTA FE, N.M.
7. TERRAIN MANAGEMENT NOTE:
   AT THE TIME OF APPLICATION OF A BUILDING PERMIT, LOTS WITHIN THIS SUBDIVISION MUST CONFORM WITH ALL TERRAIN MANAGEMENT REGULATIONS, OF CITY CODE AND OR TIERRA CONTENTA PHASE 2A DESIGN STANDARDS AS THEY MAY APPLY UNLESS A VARIANCE IS GRANTED BY THE CITY PLANNING COMMISSION. NO "ON-LOT PONDING" IS REQUIRED. INCREASED STORM WATER RUN-OFF IS TO BE HANDLED BY CENTRALIZED PONDS. DEVELOPERS OF TRACTS WILL BE REQUIRED TO SAFELY TRANSMIT STORM WATERS TO THESE CENTRALIZED STORM WATER PONDS. REFER TO THE FINAL ENGINEERING PLANS PREPARED BY C. R. WALBRIDGE & ASSOCIATES, SANTA FE, N.M.
8. PURSUANT TO CHAPTER II, PART D OF THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 2A AND BEFORE RECORDATION OF THIS PLAT TIERRA CONTENTA CORPORATION WILL POST A SURETY BOND OR OTHER SECURITY ACCEPTABLE TO THE CITY OF SANTA FE, IN SUFFICIENT AMOUNT TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS.
9. THE TIERRA CONTENTA DESIGN STANDARDS FOR PHASE 2A (DESIGN STANDARD) ARE TO BE USED IN CONJUNCTION WITH CITY CODE FOR DEVELOPMENT WITHIN THIS SUBDIVISION. WHERE SPECIFIC DEFINITION IS PROVIDED IN THE DESIGN STANDARDS, THE DESIGN STANDARDS SHALL TAKE PRECEDENCE OVER CITY CODE. WHERE THE DESIGN STANDARDS ARE SILENT, THE CITY DEVELOPMENT CODE SHALL APPLY.
10. PERMANENT TRAFFIC CONTROL SIGNS WILL BE INSTALLED BY THE DEVELOPER AT THE DEVELOPERS EXPENSE.
11. BY APPROVING THIS PLAT, PNM ELECTRIC SERVICES AND GAS SERVICES, PNM DID NOT CONDUCT A TITLE SEARCH ON THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM DOES NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHT WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT WHICH ARE NOT SHOWN ON THIS PLAT.
12. MAINTENANCE OF DRAINAGE STRUCTURES AND APPURTENANCES THERETO WITHIN THE DEDICATED RIGHT-OF-WAYS, OPEN SPACE, PARKS AND DRAINAGE EASEMENTS AS SHOWN HEREON, ARE THE RESPONSIBILITY OF THE CITY OF SANTA FE. MAINTENANCE OF IMPROVEMENTS WITHIN THE PEDESTRIAN EASEMENTS AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE. THE DEVELOPERS OF THESE TRACTS WILL BE REQUIRED TO CONTRIBUTE $100.00 PER LOT TO A DRAINAGE MAINTENANCE FUND AT THE TIME OF PLAT RECORDING. THIS FEE DOES NOT APPLY TO THIS PLATTING BUT ONLY TO SUBSEQUENT SUBDIVISION OF THESE TRACTS.

CITY OF SANTA FE
WATERLINE EASEMENT VACATION

THE CITY OF SANTA FE hereby vacates any rights or claim to any waterline easements crossing the premises platted hereon, being a projection of the 60' wide waterline easement and the 50' wide waterline easement running East to West through the Tierra Contenta Phase 2A, Unit 1, recorded on February 1, 2002 in book 493, pages 011-015 in the Santa Fe County Clerks Office.

CITY OF SANTA FE — BY CITY MANAGER

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 1st. DAY OF August 2003, BY THE CITY OF SANTA FE.

NOTARY PUBLIC — 3/31/07 Commission Expires

DEDICATION AND AFFIDAVIT:

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED OWNER OF THESE LANDS LYING WITHIN THE CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO, COMPRISED OF: A PORTION OF TRACT 8A2-5, WITHIN THE PACHECO GRANT AND WITHIN PROJECTED SECTIONS 11 AND 14 WITHIN TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, CONTAINING 104.026 ACRES, MORE OR LESS, DOES HEREBY CAUSE SAID LANDS TO BE SUBDIVIDED, AS SHOWN HEREON AND THAT THE SUBDIVISION IS NAMED AND WILL BE KNOWN AS "TIERRA CONTENTA SUBDIVISION, PHASE 2A, UNIT 2". ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF SAID OWNER. 543001

UTILITY EASEMENTS ARE HEREBY GRANTED TO THE UTILITY COMPANIES LISTED HEREON AND TO THE CITY OF SANTA FE, UPON ALL RIGHT-OF-WAYS AND UTILITY EASEMENTS AS SHOWN HEREON, FOR THE PURPOSE OF INSTALLING OPERATING AND MAINTAINING SUCH PUBLIC OR PRIVATE UTILITIES AS ELECTRIC POWER, CABLE T.V., TELEPHONE, WATER, STORM AND SANITARY SEWER & GAS; THAT THE SAID EASEMENTS CARRY WITH THEM THE RIGHT OF INGRESS AND EGRESS (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY AND THE RIGHT TO TRIM OR REMOVE INTERFERING VEGETATION OR OBSTRUCTIONS BY AGENCIES RESPONSIBLE FOR SAID UTILITIES.

AREAS DESIGNATED AS RIGHT-OF-WAY (R.O.W., R/W), AND OPEN SPACE AS SHOWN HEREON, ARE HEREBY DEDICATED TO THE CITY OF SANTA FE, FOR PUBLIC USE, . TIERRA CONTENTA CORPORATION RESERVES THE RIGHT TO INSTALL, UTILITIES, NECESSARY TO SERVE THE TRACTS IN PHASE 2A, ACROSS THE OPEN SPACE AND PARK TRACTS. THE CITY AGREES TO GRANT EASEMENTS FOR THESE UTILITIES AT NO COST TO TIERRA CONTENTA CORPORATION OR TO INDIVIDUAL TRACT DEVELOPERS.

THE CITY WILL GRANT EASEMENTS AT NO COST WITHIN THE OPEN SPACE SHOWN HEREON FOR DRAINAGE AND DRAINAGE STRUCTURES; FOR PEDESTRIAN AND NON-MOTORIZED VEHICLE TRAILS, FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC AND PRIVATE UTILITY LINES INCLUDING VEHICLES, PERSONNEL, EQUIPMENT AND APPURTENANCES THERETO; AND FOR ROADWAY SLOPES. REQUESTS FOR SUCH EASEMENTS SHALL BE MADE TO THE CITY PRIOR TO CONSTRUCTION OF THE TRAIL OR UTILITY AND SHALL IDENTIFY THE LIMITS. REQUIRED FOR CONSTRUCTION AND MAINTENANCE OF THE FACILITY. USE OF OPEN SPACE OUTSIDE THE EASEMENT GRANTED FOR THE ABOVE USES WILL NOT BE ALLOWED.

A BLANKET EASEMENT IS HEREBY GRANTED UPON ALL OPEN SPACE SHOWN HEREON FOR ALL EMERGENCY VEHICLES, PERSONNEL AND EQUIPMENT.

MAINTENANCE OF DRAINAGE STRUCTURES AND APPURTENANCES THERETO WITHIN THE DEDICATED RIGHT-OF-WAYS, OPEN SPACE, PARKS AND DRAINAGE EASEMENTS AS SHOWN HEREON, IS THE RESPONSIBILITY OF THE CITY OF SANTA FE.

THIS PLAT LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

OWNERS: TIERRA CONTENTA CORPORATION
BY:

PRESIDENT
TIERRA CONTENTA CORPORATION

VICE PRESIDENT on Executive Director
TIERRA CONTENTA CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF SANTA FE)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 4th DAY OF August 2003 BY THE PRESIDENT AND VICE PRESIDENT OF TIERRA CONTENTA CORPORATION.

OFFICIAL SEAL
Shannon Ulibarri
NOTARY PUBLIC-STATE OF NEW MEXICO
My Commission Expires: 10/18/05

NOTARY PUBLIC

1292.590

I hereby certify that this instrument was filed for record on the 26 day of Sept. A.D. 2003 at 2:00 o'clock p.m. and was duly recorded in Book 393 Page 15 of the records of Santa Fe County.

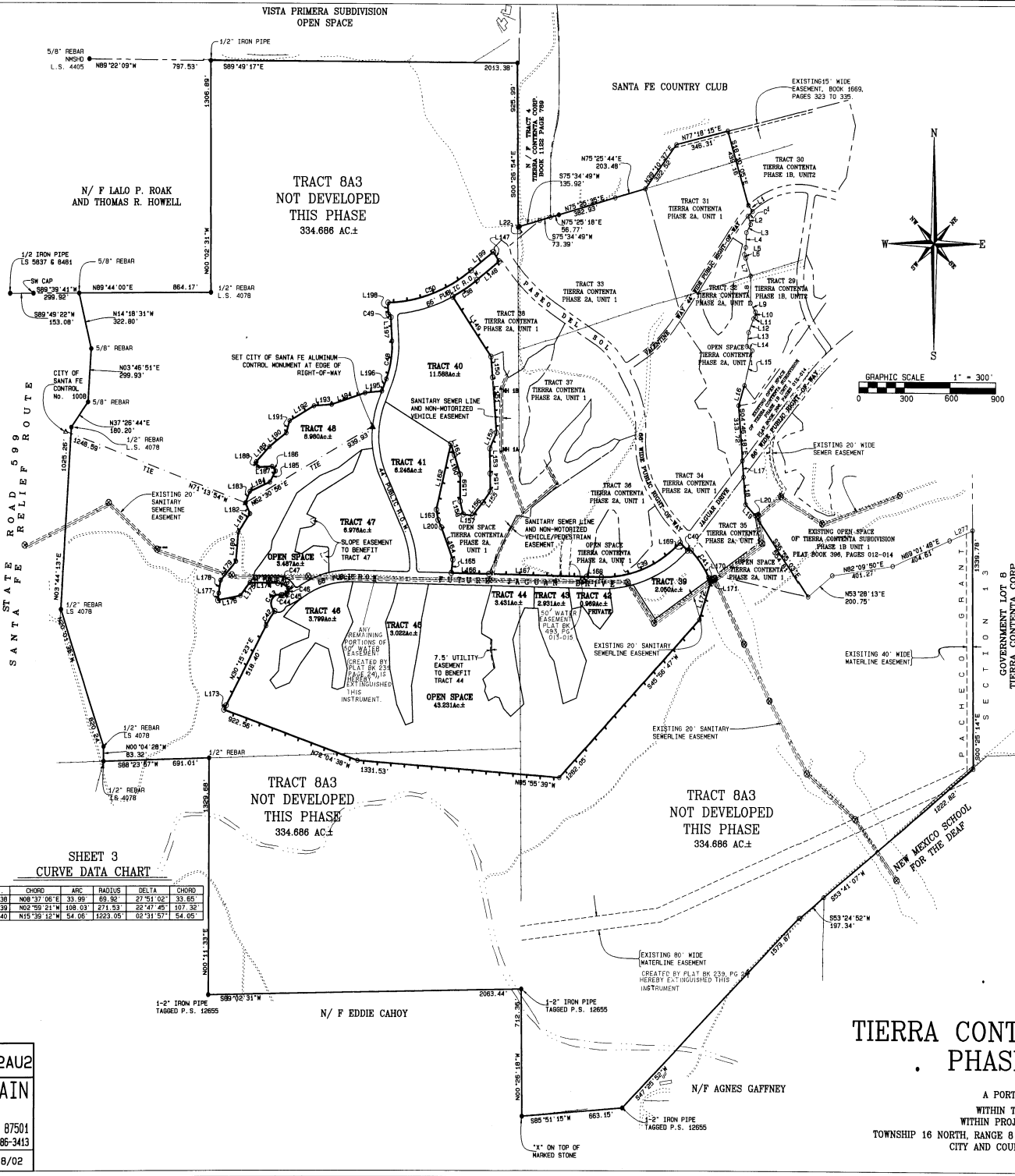
Witness my Hand and Seal of Office
REBECCA BUSTAMANTE
County Clerk, Santa Fe County, NM
Deputy

SITE DATA PHASE 2A, UNIT 2	
GROSS AREA OF TRACTS SURVEYED	527.764 AC.±
RESIDUAL NOT DEVELOPED	334.686 AC.±
GROSS AREA DEVELOPED PHASE 2A, UNIT 2	104.027 AC.±
TOTAL AREA OF TRACTS	50.034 AC.±
TOTAL DEDICATED OPEN SPACE	46.718 AC.±
TOTAL DEDICATED R.O.W.	7.275 AC.±

TIERRA CONTENTA SUBDIVISION PHASE 2A, UNIT 2

COMPRISED OF:
A PORTION OF TRACT 8A2-5
WITHIN THE PACHECO GRANT AND
WITHIN PROJECTED SECTIONS 11 AND 14
TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 1 OF 3 (5A)



SHEET 3
LINE DATA CHART

No.	BEARING	DIST
L1	S05°15'19"E	116.94'
L2	S04°51'45"E	312.93'
L3	S26°15'15"W	99.94'
L4	S01°01'58"E	140.14'
L5	S00°42'59"E	101.00'
L6	S38°31'58"W	79.07'
L7	S41°56'59"W	100.14'
L8	N84°10'37"W	52.21'
L9	N15°10'52"W	77.17'
L10	N00°00'00"E	150.22'
L11	N19°02'08"W	116.18'
L12	N20°50'42"W	65.64'
L13	N22°52'07"E	120.11'
L14	N03°19'15"W	134.51'
L15	N54°11'33"E	180.11'
L16	N35°40'51"W	66.00'
L17	S54°11'33"W	180.25'
L18	S01°31'21"E	66.00'
L19	S03°19'15"E	134.51'
L20	S22°52'07"W	73.61'
L21	S22°52'07"W	59.99'
L22	S82°46'59"W	71.84'
L23	S56°35'08"W	184.02'
L24	S69°57'55"W	126.39'
L25	S57°00'42"W	185.57'
L26	S10°37'32"W	52.21'
L27	S40°33'19"W	160.42'
L28	S18°54'15"W	24.85'
L29	S18°54'15"W	42.01'
L30	N40°08'12"E	96.29'
L31	S80°07'02"W	149.82'
L32	N07°59'05"E	40.30'
L33	N09°28'03"E	73.05'
L34	N42°53'42"E	146.03'
L35	N05°56'27"E	164.27'
L36	N35°53'07"E	128.66'
L37	N25°21'31"W	67.44'
L38	N23°02'14"E	69.71'
L39	S68°05'22"W	141.82'
L40	N31°37'19"E	73.45'
L41	N43°10'07"W	35.18'
L42	S87°02'27"W	93.19'
L43	N20°14'08"W	32.48'
L44	N45°33'06"E	121.38'
L45	N54°38'06"E	135.77'
L46	N18°02'38"E	72.53'
L47	N52°05'24"E	181.58'
L48	N86°01'47"E	115.81'
L49	N73°17'49"E	229.51'
L50	N84°33'46"E	110.69'
L51	S10°10'39"E	120.98'
L52	S22°24'05"E	195.55'
L53	S05°56'02"W	75.92'
L54	N88°46'42"W	212.11'
L55	N26°40'18"W	319.42'
L57	N22°52'07"E	13.50'
L58	S26°40'18"E	319.18'
L59	N88°46'42"W	366.66'
L60	N00°00'00"E	133.37'
L61	N85°49'49"W	92.21'
L62	S59°58'04"W	90.70'
L63	N73°24'07"W	45.79'
L64	N15°00'12"E	133.81'
L65	N82°02'49"E	72.29'
L66	N60°47'23"E	28.95'
L67	N35°43'33"W	12.48'
L68	N67°40'14"W	63.56'
L69	N31°24'17"E	126.62'
L70	N61°27'59"E	107.15'
L71	N61°27'59"E	150.76'
L72	N25°03'31"E	139.04'
L73	N89°30'27"W	159.18'
L74	S89°30'27"E	184.25'
L75	S88°46'42"E	12.74'
L76	S14°58'42"W	139.58'
L77	S21°46'08"E	96.93'
L78	S29°06'27"W	145.91'
L79	S14°33'27"E	140.10'
L80	S11°58'56"W	104.76'
L81	S71°58'31"W	46.83'
L82	N72°33'44"W	38.00'
L83	N06°44'56"E	96.94'
L84	N15°37'56"W	126.84'
L85	N68°27'14"W	90.20'
L86	S40°24'35"W	154.98'
L87	S33°19'32"W	130.08'
L88	S70°23'53"W	95.65'
L89	N38°49'38"W	61.12'
L90	N47°13'08"E	76.20'
L91	N06°53'08"E	120.95'
L92	N67°35'43"E	89.62'
L93	N71°13'17"E	105.11'
L94	N08°19'49"E	42.89'
L95	N66°25'14"W	184.72'
L96	S13°10'06"W	195.83'
L97	S06°52'43"W	147.01'
L98	S02°17'31"E	207.36'
L99	S71°12'36"W	51.42'
L100	N27°00'04"W	125.47'
L101	N12°38'22"W	208.46'
L102	N10°51'22"W	126.48'
L103	N24°15'41"E	126.03'
L104	N14°58'29"E	108.64'
L105	S01°13'18"W	120.00'
L106	N88°46'42"W	61.31'
L107	S27°09'46"W	78.22'
L108	S21°29'30"W	164.50'
L109	S09°58'26"E	156.14'
L110	S51°12'16"W	110.07'
L111	N47°18'25"W	65.97'
L112	N24°47'15"W	66.73'
L113	N76°14'32"W	24.03'
L114	S63°54'03"W	52.58'
L115	N18°51'49"E	28.15'
L116	N26°34'30"W	45.42'
L117	N51°35'47"E	102.44'
L118	N26°06'04"W	60.00'
L119	N24°41'21"W	75.91'
L120	N00°40'28"E	79.22'
L121	N01°02'42"E	63.27'
L122	N63°58'15"W	76.47'
L123	S10°10'39"E	120.98'
L124	S12°12'49"W	32.46'
L125	S16°39'54"E	138.20'
L126	S26°02'05"E	84.16'
L127	S59°50'24"W	92.71'
L128	N41°38'59"W	42.76'
L129	N24°15'14"W	166.47'
L130	N02°36'56"W	71.09'
L131	N77°08'22"W	40.70'
L132	S88°46'42"E	213.18'
L133	S09°08'38"E	131.07'
L134	S41°03'16"W	129.63'
L135	N53°54'29"W	53.30'
L136	N29°53'47"W	29.55'
L137	N36°53'08"W	40.79'
L138	N40°33'53"W	46.53'
L139	S27°38'41"E	12.73'
L140	S27°38'41"E	20.06'
L141	S19°23'46"W	222.20'
L142	N48°23'07"W	66.32'
L143	N88°46'42"W	97.51'
L144	N40°08'12"E	30.80'
L145	N88°46'42"W	26.49'
L146	S78°55'25"W	71.33'

SHEET 3
CURVE DATA CHART

No.	CHORD	ARC	RADIUS	DELTA	CHORD
C1	N09°46'26"E	238.80'	522.00'	26°11'22"	236.53'
C2	N40°36'53"E	26.07'	17.00'	87°52'17"	23.59'
C3	N74°30'50"E	361.90'	1033.00'	20°04'23"	360.06'
C4	N59°20'06"E	185.43'	1033.00'	10°17'06"	185.18'
C5	S71°30'41"W	584.60'	967.00'	34°38'17"	575.73'
C6	S47°15'24"E	26.07'	17.00'	87°52'17"	23.59'
C7	S09°46'26"W	218.49'	478.00'	26°11'22"	216.59'
C8	S07°49'33"W	274.10'	522.00'	30°05'08"	270.96'
C9	N43°47'52"W	26.89'	17.00'	89°57'39"	24.03'
C10	S12°44'40"E	251.82'	518.00'	27°51'15"	249.35'
C11	N01°54'05"W	413.30'	478.00'	49°32'25"	400.54'
C12	S15°56'40"E	177.24'	522.00'	19°27'16"	176.39'
C13	S12°44'52"E	230.38'	474.00'	27°50'51"	228.12'
C14	S46°11'56"W	26.72'	17.00'	90°02'41"	24.05'
C15	S84°26'44"W	149.72'	633.00'	13°33'08"	149.37'
C16	S68°06'29"W	211.27'	633.00'	19°07'22"	210.29'
C17	S56°53'51"W	6.94'	567.00'	0°42'05"	6.94'
C18	N77°48'22"W	25.48'	17.00'	85°53'29"	23.15'
C19	N62°11'02"W	126.76'	135.00'	54°48'50"	123.93'
C20	S66°04'24"E	77.71'	95.00'	46°52'06"	75.56'
C21	S12°14'17"W	32.56'	17.00'	109°45'16"	27.81'
C22	S68°39'49"W	30.65'	567.00'	3°05'48"	30.64'
C23	N89°05'39"W	11.98'	17.00'	40°23'14"	11.74'
C24	S44°44'27"W	114.94'	50.00'	131°43'02"	91.25'
C25	N86°58'35"W	114.94'	50.00'	131°43'02"	91.25'
C26	N74°27'23"E	82.54'	50.00'	94°34'59"	73.48'
C27	N48°35'10"E	12.71'	17.00'	42°50'33"	12.42'
C28	N64°16'38"E	126.62'	633.00'	11°27'39"	126.41'
C29	N74°53'03"E	323.35'	567.00'	32°40'30"	318.99'
C30	N49°34'38"E	177.52'	567.00'	17°56'20"	176.80'
C31	N89°13'14"E	56.44'	808.00'	4°00'08"	56.43'
C32	N81°42'20"E	155.51'	808.00'	11°01'40"	155.27'
C33	N61°34'58"E	412.04'	808.00'	29°13'04"	407.59'
C34	S89°49'38"E	25.63'	17.00'	86°23'51"	23.27'
C35	S37°08'12"E	189.54'	572.05'	18°59'02"	188.67'
C36	N34°46'39"E	99.90'	633.00'	9°02'34"	99.80'
C37	S69°20'50"W	566.56'	742.00'	43°44'56"	552.90'

SHEET 3
CURVE DATA CHART

No.	CHORD	ARC	RADIUS	DELTA	CHORD
C38	N08°37'06"E	33.99'	69.92'	27°51'02"	33.65'
C39	N02°59'21"W	108.03'	271.53'	22°47'45"	107.32'
C40	N15°39'12"W	54.06'	1223.05'	02°31'57"	54.05'

THIS SHEET 543002
LINE AND CURVE DATA CHART

No.	ARC	RADIUS	DELTA	CHORD BEARING	CHORD
L1	44.00'			S39°29'09"E	
C1	41.24'	478.00'	4°56'36"	S48°02'33"W	41.23'
L2	49.25'			S21°46'22"E	
L3	54.59'			S32°04'59"W	
L4	84.53'			S01°56'34"W	
L5	41.33'			S14°02'43"W	
L6	23.70'			S25°01'54"E	
L7	105.51'			S18°12'08"E	
L8	151.78'			S00°32'27"W	
L9	59.98'			S33°19'42"E	
L10	28.67'			S02°51'52"E	
L11	17.49'			S55°01'34"W	
L12	84.05'			S23°05'03"W	
L13	79.39'			S07°15'29"W	
L14	43.31'			S55°48'08"E	
L15	202.83'			S14°43'57"W	
L16	118.17'			S18°32'47"W	
L17	91.87'			S04°46'18"E	
L18	154.76'			S04°46'18"E	
L19	87.91'			S45°29'46"E	
L20	17.78'			S45°29'46"E	
L22	11.06'			N61°57'52"E	
L147	66.00'			S35°40'51"E	
L148	180.11'			S54°11'33"W	
C38	185.43'	1032.99'	10°17'06"	S59°20'06"W	185.18'
L149	420.81'			S36°52'00"E	
L150	116.94'			S05°15'19"E	
L151	312.93'			S04°51'45"E	
L152	99.94'			S26°15'15"W	
L153	140.14'			S01°01'58"E	
L154	101.00'			S00°42'59"E	
L155	79.07'			S38°31'58"W	
L156	100.14'			S41°56'59"W	
L157	62.21'			N84°10'37"W	
L158	77.17'			N15°10'52"W	
L159	150.22'			N00°00'00"E	
L160	116.18'			N19°02'08"W	
L161	65.64'			N20°50'42"W	
L162	381.64'			S14°20'38"W	
L163	58.71'			S10°50'38"E	
L164	195.55'			S22°24'05"E	
L165	75.92'			S06°56'02"W	
L166	245.44'			S88°46'42"E	
L167	645.51'			S88°46'42"E	
L168	97.51'			S88°46'42"E	
C39	566.56'	742.00'	43°44'56"	N69°20'50"E	552.90'
L169	66.34'			S48°36'43"E	
C40	25.63'	17.00'	86°23'51"	S89°49'38"E	23.27'
C41	189.54'	572.05'	18°59'01"	S37°08'12"E	188.67'
L170	12.73'			S27°38'41"E	
L171	20.06'			S27°38'41"E	
L172	222.20'			S19°23'46"W	
L173	28.62'			N31°42'08"E	
C42	99.90'	632.99'	9°02'34"	N34°46'39"E	99.80'
C43	114.94'	50.00'	131°43'02"	N44°44'27"E	91.25'
C44	11.98'	17.00'	40°23'15"	S89°35'39"E	11.74'
C45	30.65'	567.00'	3°05'48"	N68°39'45"E	30.64'
C46	32.56'	17.00'	109°45'18"	N12°14'17"E	27.81'
C47	77.71'	95.00'	46°52'06"	N56°04'24"W	75.56'
L174	184.25'			N89°30'27"W	
L175	96.29'			S40°08'12"W	
L176	149.82'			S80°07'02"W	
L177	40.30'			N07°59'05"E	
L178	73.05'			N09°28'03"E	
L179	146.03'			N42°53'42"E	
L180	164.27'			N05°56'27"E	
L181	128.66'			N35°53'07"E	
L182	67.44'			N25°21'31"W	
L183	69.71'			N23°02'14"E	
L184	141.82'			N68°05'22"E	
L185	73.45'			N31°37'19"E	
L186	35.18'			N43°10'07"W	
L187	93.19'			S87°02'27"W	
L188	32.48'			N20°14'08"W	
L189	121.38'			N45°33'06"E	
L190	135.77'			N54°38'06"E	
L191	72.53'			N18°02'38"E	
L192	181.58'			N52°05'24"E	
L193	115.81'			N86°01'47"E	
L194	229.51'			N73°17'49"E	
L195	110.69'			N84°33'46"E	
L196	73.61'			N22°52'07"E	
C48	218.49'	478.00'	26°11'22"	N09°46'26"E	216.59'
L197	134.51'			N03°19'15"W	
C49	26.07'	17.00'	87°52'17"	N47°15'24"W	23.59'
L198	66.00'			N01°31'21"W	
C50	584.60'	967.00'	34°38'17"	N71°30'41"E	575.73'
L199	180.25'			N54°11'33"E	
L200	47.34'			S28°03'42"E	
L277	150.74'			N69°09'40"E	

LEGEND

- POINT FOUND AS INDICATED
- CALCULATED POINT NOT FOUND OR SET
- SET 1/2" REBAR WITH CAP
- MANHOLE
- UTILITY POLE AND GUY ANCHOR
- EDGE OF EXISTING ROAD
- EDGE OF EASEMENT
- ADJOINER PROPERTY LINE
- PHASE LINE
- AERIAL UTILITY LINE
- WIRE FENCE LINE
- CHAIN LINK FENCE LINE
- FLOWLINE ARROYO

TIERRA CONTENTA SUBDIVISION
PHASE 2A, UNIT 2

COMPRISED OF:
A PORTION OF TRACT 8A2-5
WITHIN THE PACHECO GRANT AND
WITHIN PROJECTED SECTIONS 11 AND 14
TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
CITY AND COUNTY OF SANTA FE, NEW MEXICO

SHEET 2 of 3 (5B)

PROJECT No.: C-1281-P2AU2

REVISIONS
BY | DATE

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: DKR | DATE: 07/18/02

REVISIONS	
BY	DATE

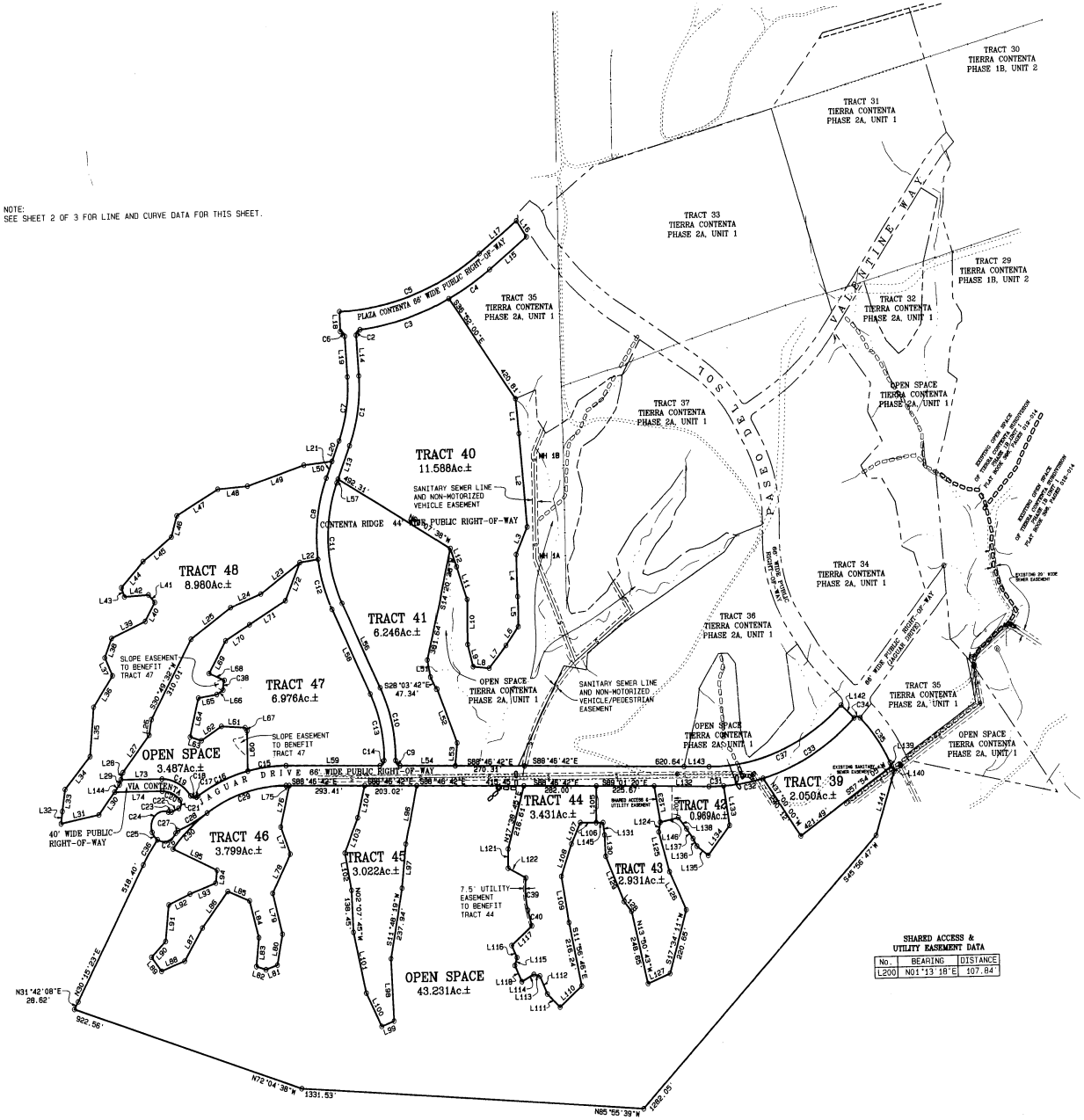
PROJECT No.: C-1281-P2AU2

SOUTHWEST MOUNTAIN SURVEYS, INC.
1114 HICKOX ST., SANTA FE, N.M. 87501
PHONE (505) 982-9429 FAX (505) 986-3413

DRAFTED BY: DKR | DATE: 07/18/02

543003

NOTE:
SEE SHEET 2 OF 3 FOR LINE AND CURVE DATA FOR THIS SHEET.

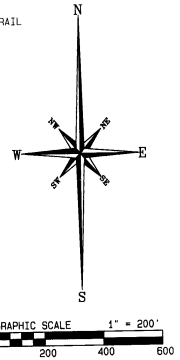


SHARED ACCESS & UTILITY EASEMENT DATA

No.	BEARING	DISTANCE
L200	N01°13'18"E	107.84

L E G E N D

- ● POINT FOUND AS INDICATED
- • CALCULATED POINT NOT FOUND OR SET
- ○ SET 1/2" REBAR WITH CAP
- ⊗ MANHOLE
- EDGE OF EXISTING DIRT ROAD
- ADJOINER PROPERTY LINE
- FLOWLINE OF ARROYO
- AERIAL UTILITY LINE
- WIRE FENCE LINE
- EASEMENT LINE
- APPROXIMATE LOCATION OF FUTURE NON-MOTORIZED TRAIL
- APPROXIMATE LOCATION OF EXISTING NON-MOTORIZED TRAIL



MITCHEL K. NOONAN NEW MEXICO 6998 REGISTERED PUBLIC LAND SURVEYOR

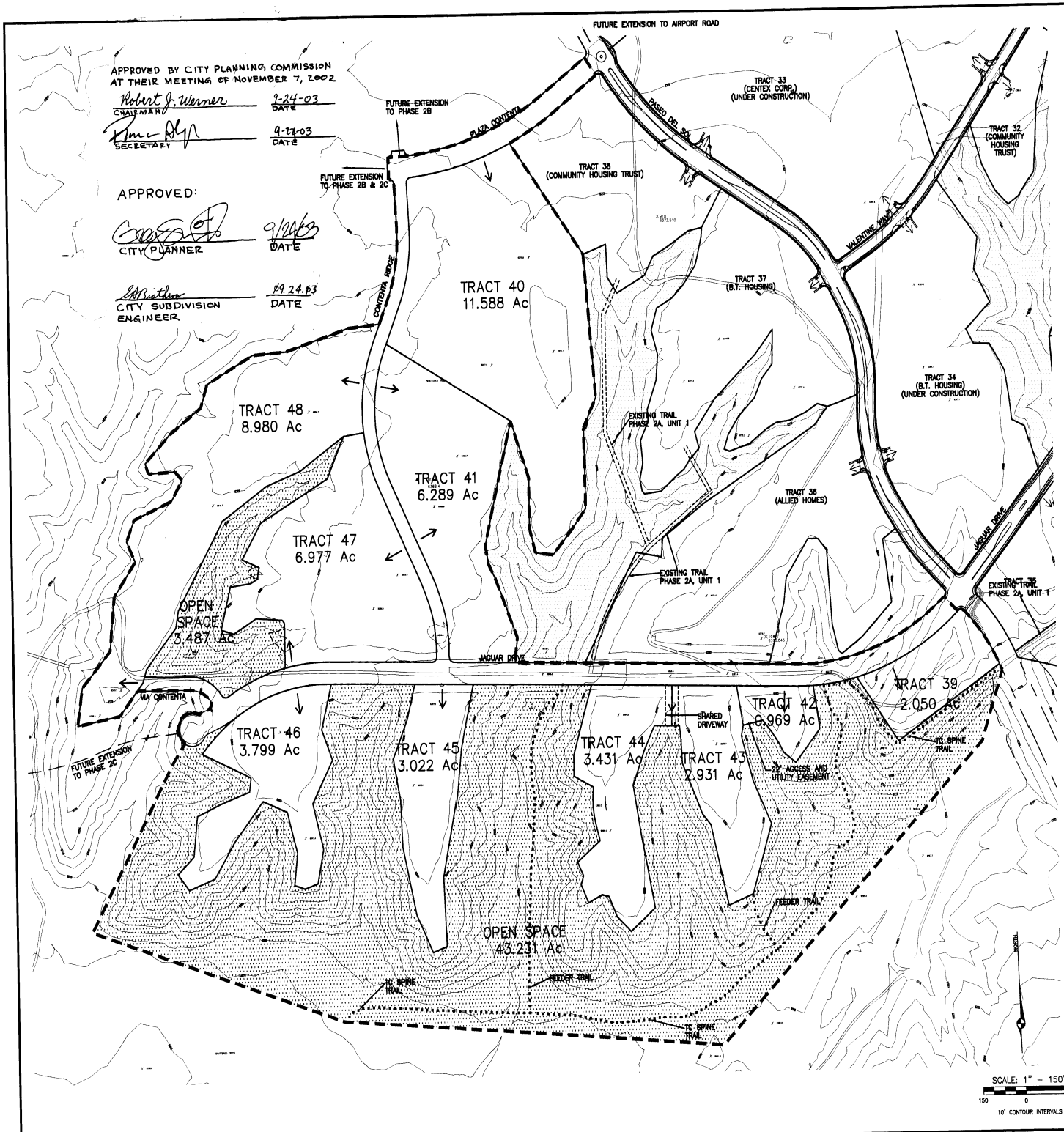
SURVEYOR'S CERTIFICATE

I MITCHEL K. NOONAN, N.M.P.L.S. No. 6998 DO HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION; THAT I AM RESPONSIBLE FOR THIS SURVEY; THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO; AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MITCHEL K. NOONAN N.M.P.L.S. No. 6998

TIERRA CONTENTA SUBDIVISION PHASE 2A, UNIT 2

COMPRISED OF:
A PORTION OF TRACT 8A2-5
WITHIN THE PACHECO GRANT AND
WITHIN PROJECTED SECTIONS 11 AND 14
TOWNSHIP 16 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN
CITY AND COUNTY OF SANTA FE, NEW MEXICO



APPROVED BY CITY PLANNING COMMISSION AT THEIR MEETING OF NOVEMBER 7, 2002

Robert J. Werner — 9-24-03
CHAIRMAN — DATE

9-23-03
SECRETARY — DATE

APPROVED:

9/24/03
CITY PLANNER — DATE

09.24.03
CITY SUBDIVISION ENGINEER — DATE

LEGEND

- PROPOSED TRACT ACCESS LOCATION
- NON-MOTORIZED FEEDER TRAIL OR TC SPINE TRAIL
- PHASE 2A, UNIT 2 BOUNDARY
- OPEN SPACE – UNIT 2
- OPEN SPACE – UNIT 1

543004

PHASE 2A DATA – UNIT 2

TRACT No.	LAND USE	AREA (Ac.)	DENSITY (UNITS PER AC.)	RESIDENTIAL UNITS (NUMBER)
39	RESIDENTIAL	2.050	4.9	10
40	RESIDENTIAL	11.588	7.9	91
41	RESIDENTIAL	6.289	7.9	49
42	RESIDENTIAL	0.969	6.2	6
43	RESIDENTIAL	2.931	6.2	18
44	RESIDENTIAL	3.431	6.4	22
45	RESIDENTIAL	3.022	6.6	20
46	RESIDENTIAL	3.799	5.8	22
47	RESIDENTIAL	6.977	7.2	50
48	RESIDENTIAL	8.980	11.0	99
OPEN SPACE	–	46.718	–	–
ROADS	–	7.272	–	–
TOTALS UNIT 2		104.026	3.7	387 UNITS

NOTES:

1. ACTUAL TRAIL LOCATIONS TO BE FIELD VERIFIED WITH CITY STAFF.
2. SEE SUBDIVISION PLAT FOR TRACT BOUNDARY DESCRIPTION.
3. STREET LIGHTS SHALL BE INSTALLED ON THE PARKWAYS, SEE ROAD PLAN AND PROFILE SHEETS 11A THROUGH 11D FOR LOCATIONS.
4. SEE SHEET 3B FOR NOTES REGARDING RECREATIONAL TRAIL RESPONSIBILITIES AND INFRASTRUCTURE RESPONSIBILITIES.
5. THE DEVELOPERS OF THE TRACTS CREATED BY THIS SUBDIVISION ARE RESPONSIBLE FOR COMPLYING WITH THE WATER USE RESTRICTIONS AND RETROFIT REQUIREMENTS; APPLICABLE AT THE TIME HOUSE BUILDING PERMITS ARE BEING REQUESTED.
6. THE CITY PLANNING COMMISSION GRANTED VARIANCES FOR THE DISTURBANCE OF 30% SLOPE LAND FOR THE INFRASTRUCTURE IMPROVEMENTS AT THEIR MEETING OF 09-12-02.

COUNTY OF SANTA FE)
STATE OF NEW MEXICO)ss
I hereby certify that this instrument was filed for record on the _____ day of _____ 20___ A.D. 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
REBECCA BUSTAMANTE
County Clerk, Santa Fe County, NM

_____
Deputy

P&DR CASES M02-32 AND S02-44

CITY REVIEW		
DEPARTMENT	SIGN-OFF	DATE
WASTE WATER MANAGEMENT DIV.	Signature on file	
WATER DIV.		
STREETS DIV.		
TRAFFIC DIV.		
FIRE DEPT.		
SUBDIVISION ENGINEER	[signature]	09-24-03
Landscape	Signature on file	

C.R. WALBRIDGE JR. NEW MEXICO 6025
7/29/03

REVISIONS	
DATE	BY
02/21/03	CRW
07/29/03	CRW

DEVELOPMENT PLAN

Tierra Contenta PHASE 2A, U2

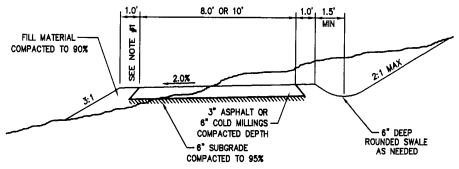
SCALE: 1"=150' | DATE: JULY 22, 2002 | DRAWN BY: YP

C.R. WALBRIDGE & ASSOCIATES, LLC
1421 LUISA STREET SUITE E
SANTA FE NEW MEXICO
(505) 982-9711

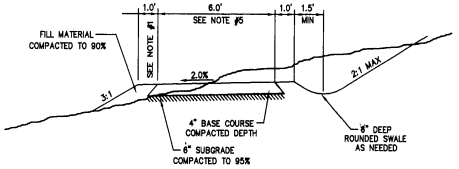
SHEET 3A OF 2

S:\Land Projects\TCTC\dwg\PH 2A U2\ph2 unit2.dwg, 07/29/2003 09:07:57 AM, YvetteE

PEDESTRIAN TRAIL DETAILS



TYPICAL SECTION - SPINE TRAIL



TYPICAL SECTION - FEEDER TRAIL

SCALE 1"=3'

NOTES

1. ADDITIONAL WIDTH MAY BE REQUIRED ONLY IF 2:1 FILL SLOPES ARE UTILIZED AND THE HEIGHT OF FILL EXCEEDS 4 FEET.
2. SUBGRADE IS TO BE TREATED WITH AN APPROVED PRE-EMERGENT CONTROL, SUCH AS TREFLORAN, OR EQUIVALENT, IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS PRIOR TO COMPACTION
3. MAXIMUM SLOPE ON THE SPINE TRAIL IS 8.0%. STEPS ARE NOT ALLOWED. LANDINGS IN ACCORDANCE WITH ADA REQUIREMENTS SHALL BE PROVIDED.
4. MAXIMUM SLOPE ON THE FEEDER TRAIL IS 15.0%. IN STEEPER AREAS STEPS MAY BE PROVIDED
5. FEEDER TRAIL WIDTH MAY BE REDUCED TO 5' IF TRAIL SERVES LESS THAN 120 UNITS, AND MAY BE REDUCED TO 4' IF SERVING LESS THAN 30 UNITS.
6. TRAILS ARE TO BE COMPLETED PRIOR TO FINAL ACCEPTANCE OF OTHER INFRASTRUCTURE.

TIERRA CONTENTA CORPORATION SHALL BE RESPONSIBLE FOR CONSTRUCTION OF THE FOLLOWING INFRASTRUCTURE:

543005

1 JAGUAR DRIVE FROM PASEO DEL SOL IN PHASE 2A UNIT 1 TO THE WEST SIDE OF TRACT 46, INCLUDING ALL UTILITIES, STORM SEWERS AND MEDIAN LANDSCAPING, LANDSCAPING ADJACENT TO OPENSPACE, AND STREET LIGHTS.

2 PLAZA CONTENTA FROM PASEO DEL SOL IN PHASE 2A UNIT 1 WEST TO CONTENTA RIDGE, INCLUDING ALL UTILITIES AND STORM SEWERS, AND STREET LIGHTS.

3 CONTENTA RIDGE FROM PLAZA CONTENTA SOUTH TO JAGUAR DRIVE, INCLUDING ALL UTILITIES, STORM SEWERS, AND STREET LIGHTS.

4. VIA CONTENTA FROM JAGUAR DRIVE WEST TO TRACT 48, INCLUDING ALL UTILITIES, STORM SEWER AND LANDSCAPING.

5 CENTRALIZED STORM WATER DETENTION PONDS IN PHASE 2A, UNIT 2.

INDIVIDUAL TRACT DEVELOPERS SHALL BE RESPONSIBLE FOR CONSTRUCTION OF THE FOLLOWING INFRASTRUCTURE:

1. ALL INFRASTRUCTURE IMPROVEMENTS NECESSARY TO DEVELOP THE TRACT INCLUDING GRADING, DRAINAGE, ROADS, UTILITIES, AND LANDSCAPING.
2. LANDSCAPING ALONG JAGUAR DRIVE, PLAZA CONTENTA, AND CONTENTA RIDGE ADJACENT TO INDIVIDUAL TRACTS.
3. TRAILS AS OUTLINED IN THE TRAIL RESPONSIBILITIES ON THIS SHEET.

SOME OFFSITE INFRASTRUCTURE BY TRACT DEVELOPERS IS NECESSARY AS FOLLOWS:

1. TRACTS 41-48 - NONE REQUIRED, EXCEPT THAT TRACT DEVELOPERS ARE RESPONSIBLE FOR EROSION AND SILTATION PREVENTION MEASURES NEEDED TO SAFELY TRANSMIT STORMWATER FROM THE TRACT TO THE STORMWATER DETENTION PONDS, WHICH OCCUR WITHIN THE OPEN SPACE TRACTS.
2. TRACT 40 WILL NEED TO EXTEND A SANITARY SEWER FROM MH #1A IN PHASE 2A UNIT 1.

RECREATIONAL TRAILS RESPONSIBILITIES

TERRA CONTENTA CORPORATION SHALL BE RESPONSIBLE FOR THE FOLLOWING:

TIERRA CONTENTA SPINE TRAIL:

DESIGN AND CONSTRUCT THE TIERRA CONTENTA SPINE TRAIL (TC SPINE TRAIL) FROM END OF THE EXISTING TRAIL IN PHASE 2A UNIT 1 TO THE SOUTH SIDE OF PHASE 2A UNIT 2.

FEEDER TRAIL:

1. CONSTRUCT THE FEEDER TRAILS WITHIN THE OPEN SPACE FROM THE TC SPINE TRAIL TO THE FEEDER TRAIL WEST OF TRACT 36 BUILT WITH PHASE 2A, UNIT 1 BETWEEN TRACTS 43 AND 44.

THE PHASE 2A UNIT 1 TRACT DEVELOPERS SHALL BE RESPONSIBLE FOR THE FOLLOWING:

TRACT 39

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 39 TO JAGUAR DRIVE.

TRACT 40

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 40 TO PLAZA CENTRAL AND CONTENTA RIDGE, BUILD A TRAIL FROM TRACT 40 TO THE FEEDER TRAIL IN THE OPEN SPACE TO THE EAST OF TRACT 40.

TRACT 41

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 41 TO JAGUAR DRIVE, CONTENTA RIDGE.

TRACT 42

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 42 TO JAGUAR DRIVE, AND BUILD A FEEDER TRAIL TO THE TC SPINE TRAIL LOCATED EAST OF TRACT 42.

TRACT 43

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 43 TO JAGUAR DRIVE AND BUILD A FEEDER TRAIL TO THE TC SPINE TRAIL LOCATED SOUTH OF TRACT 43.

TRACT 44

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 44 TO JAGUAR DRIVE AND BUILD A FEEDER TRAIL EITHER TO THE TC SPINE TRAIL LOCATED SOUTH OF TRACT 44 OR TO THE FEEDER TRAIL LOCATED WEST OF TRACT 44.

TRACT 45

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 45 TO JAGUAR DRIVE AND BUILD A FEEDER TRAIL EITHER TO THE TC SPINE TRAIL LOCATED SOUTH OF TRACT 45 OR TO THE FEEDER TRAIL LOCATED EAST OF TRACT 45.

TRACT 46

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 46 TO JAGUAR DRIVE AND BUILD A FEEDER TRAIL TO THE TC SPINE TRAIL LOCATED SOUTH OF TRACT 46.

TRACT 47

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 47 TO CONTENTA RIDGE AND JAGUAR DRIVE.

TRACT 48

CONNECT THE INTERNAL PEDESTRIAN CIRCULATION SYSTEM OF TRACT 48 TO CONTENTA RIDGE AND VIA CONTENTA.

COUNTY OF SANTA FE)
STATE OF NEW MEXICO)ss
I hereby certify that this instrument was filed for record on the ___ day of _____ 20__ A.D. 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
REBECCA BUSTAMANTE
County Clerk, Santa Fe County, NM

Deputy

P&DR CASES M02-32 AND S02-44

CITY REVIEW		
DEPARTMENT	SIGN-OFF	DATE
WASTE WATER MANAGEMENT DIV.	Signature on file	
WATER DIV.		
STREETS DIV.		
TRAFFIC DIV.		
FIRE DEPT.		
SUBDIVISION ENGINEER		9.24.03
Landscape Architect	Signature on file	

REVISIONS	
DATE	BY
02/21/03	CRW
07/29/03	CRW

C.R. WALBRIDGE NEW MEXICO 6025 REGISTERED LAND SURVEYOR 7/31/03

FINAL DEVELOPMENT PLAN

Tierra Contenta PHASE 2A, UNIT 2

SCALE: - DATE: JULY 22, 2002

C.R. WALBRIDGE & ASSOCIATES, L.L.C.
1421 LUISA STREET SUITE E
SANTA FE NEW MEXICO
(505) 982-9711

SHEET 2 OF 2

SHEET 3B

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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: Tierra Contenta Phase 3A Master Plan Amendment
2. Location of Property: vacant land between Jaguar Dr, Cerrillos Rd, and Mutt Nelson Rd
3. Owner/Agent Name: Tierra Contenta Corporation / JenkinsGavin, Inc.

   Mailing Address: 130 Grant Ave. Suite 101, Santa Fe, NM 87501

   Phone & Fax: (505) 820-7444
4. Unit Matrix

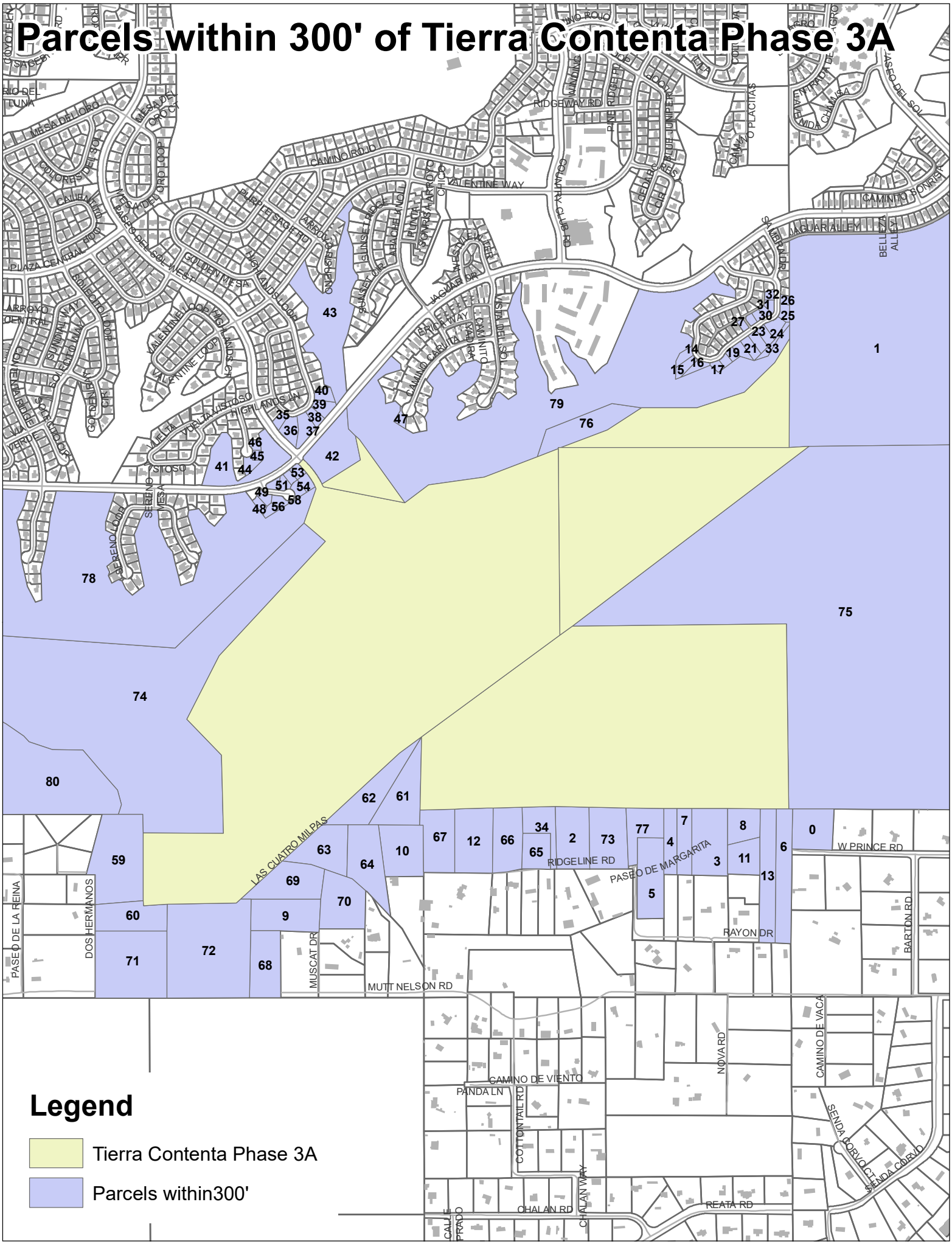
PROJECT EFFECT ON STUDENT POPULATION		
Unit Type	**Unit Quantity**	**Average Price**
Single Family (detached)	455	TBD Single Family Residences will be 40% Affordable
Single Family (attached)		
Townhome/ Apartment	180	
Multi-Family	490	
Commercial	42	

5. Elementary School Zone for Proposed Development: Nina Otero Community School
6. Middle School Zone for Proposed Development: Nina Otero Community School
7. High School Zone for Proposed Development: Capitol High School
8. Build out Rates (Year/s; #/yr): TBD

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

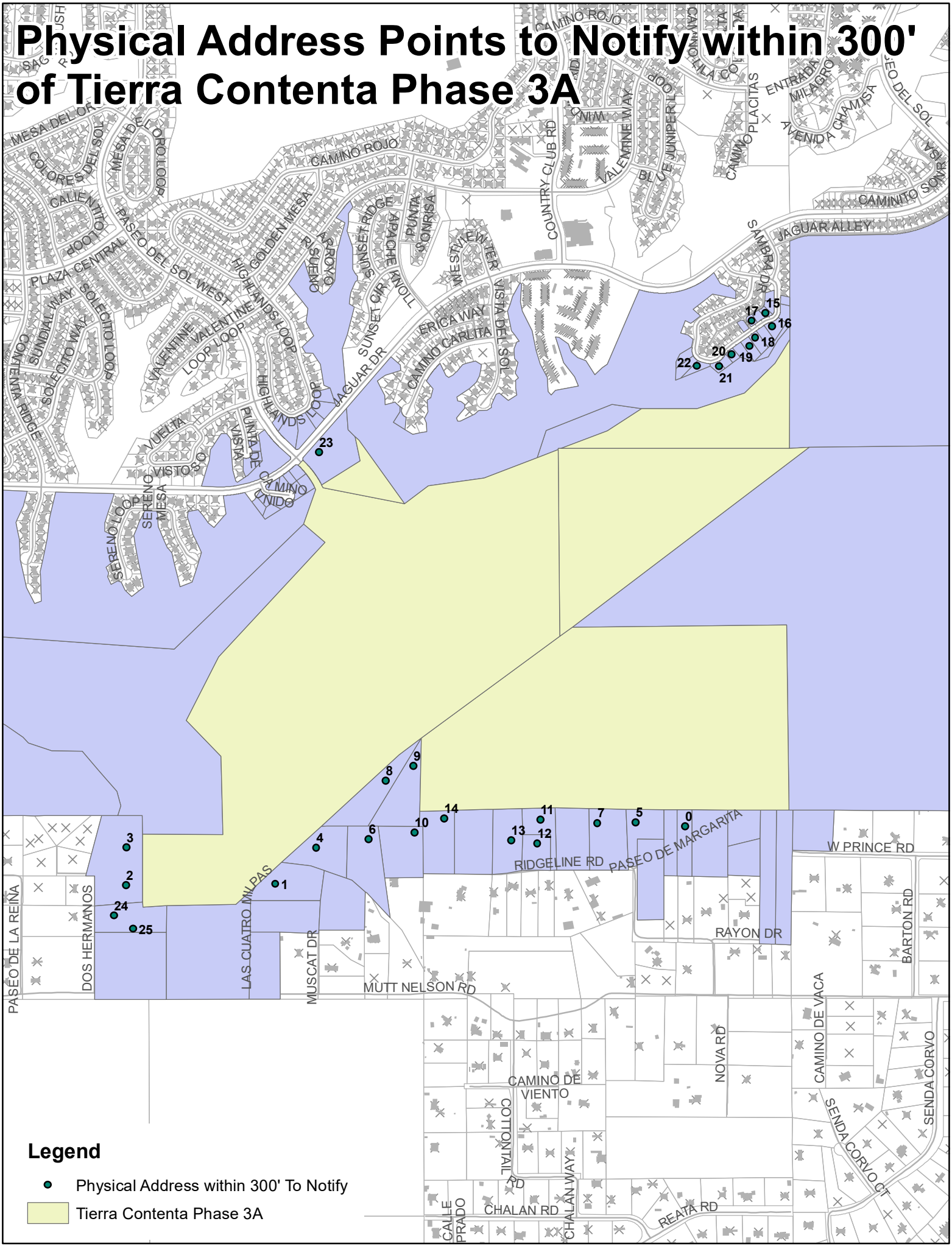
Parcels within 300' of Tierra Contenta Phase 3A



Legend

- Tierra Contenta Phase 3A
- Parcels within300'

Physical Address Points to Notify within 300' of Tierra Contenta Phase 3A



Legend

- Physical Address within 300' To Notify
- Tierra Contenta Phase 3A

CARRILLO, VANESSA
27 W PRINCE RD
SANTA FE, NM 87507-9780

BOARD OF EDUCATION OF
SF PUBLIC SCHOOLS
SANTA FE, NM 87502

TRUJILLO, DAVID & BONNIE
37 RIDGELINE RD
SANTA FE, NM 87507

SALCIDO, AMADO & MANUELA
BAILON DE SALCI
11 PASEO DE MARGARITA
SANTA FE, NM 87505

ALVAREZ, JOE M
3 PASEO DE MARGARITA
SANTA FE, NM 87507-3408

MONTOYA, DEBORAH T
3201 ZAFARANO DR STE C
SANTA FE, NM 87507-2672

LOYA, REYES M & ELMA
45 LAS ESTRELLAS
SANTA FE, NM 87507-4230

ANDUJO, EBERARDO
5 PASEO DE MARGARITA
SANTA FE, NM 87507

ANDUJO, SERGIO & HERMILA
13 PASEO DE MARGARITA
SANTA FE, NM 87507-3408

RIVERA, JOSE
10 LAS CUATRO MILPAS
SANTA FE, NM 87507

CASTILLO, SERGIO & ADELA
37 LAS CUATRO MILPAS
SANTA FE, NM 87507-4404

RAMOS, ISIDORO & BEATRIZ
5 A RAYON DR
SANTA FE, NM 87501

MARTINEZ, TRICIA
53 RIDGELINE RD
SANTA FE, NM 87507

LOYA, ADALBERTO & GILA
07 RAYON DR
SANTA FE, NM 87507

HAYNES, EMILY K
6465 CERROS GRANDE DR
SANTA FE, NM 87507-1822

GOMEZ, CIPRIANO & PAMELA
6463 CERROS GRANDES DR
SANTA FE, NM 87505

HARRIS, PAULA B
PO BOX 35
TESUQUE, NM 87574

GONZALES, JUANITA E
PO BOX 24063
SANTA FE, NM 87502-0063

MCADAMS, AMANDA D
6453 CERROS GRANDES DR
SANTA FE, NM 87507

MAZON, ARTURO G & CARMEN M
6324 CALLE ZANATE
SANTA FE, NM 87507

GARCIA, FRANCISCO & ELVIRA CUNA
6445 CERROS GRANDES DR
SANTA FE, NM 87507

JIMENEZ, FERNANDO & AOLGA TARANGO JIMENEZ
6443 CERROS GRANDES
SANTA FE, NM 87507

ORTIZ, EDGAR & MICHELLE
6441 CERROS GRANDE DR
SANTA FE, NM 87507-1822

OLAND, GREGG J
6437 CERROS GRANDES DR
SANTA FE, NM 87502

DONOGHUE, CAMILLE PISK & DANIEL DONOGHUE
6433 CERROS GRANDES DRIVE
SANTA FE, NM 87507

RIEGER, PAUL
6431 CERROS GRANDES DR
SANTA FE, NM 87507-1822

ACOSTA, NAYELI LOZOYA
6429 CERROS GRANDES DR
SANTA FE, NM 87507

HEJL, RONALD & JULIE ANN
6440 CERROS GRANDE DR
SANTA FE, NM 87507-1813

ORNELAS, ISMAEL & BLANCA
6438 CERROS GRANDES
SANTA FE, NM 87507

GURULE, MONICA K
6434 CERROS GRANDES DR
SANTA FE, NM 87507

BACA, MICHAEL W
6432 CERROS GRANDES
SANTA FE, NM 87507

SANCHEZ, HECTOR & MARIA ARACELY
6430 CERROS GRANDES DR
SANTA FE, NM 87508

GIRARD FUND-MATTEUCCI INV LLC
4720 SAMBRA DR
SANTA FE, NM 87507

TIERRA CONTENTA
PO BOX 308
NEWMARKET, NH 3857

ROYBAL, ALLEN R & MICHELLE
PO BOX 29201
SANTA FE, NM 87592

DEVARY, DENNIS R
4735 HIGHLANDS LP
SANTA FE, NM 87507

PEARSON, RICHARD W & LINDA MARIE(TRUST)
4733 HIGHLANDS LOOP
SANTA FE, NM 87507

RANDLES, TIMOTHY C & LUCY R
4731 HIGHLANDS LOOP
SANTA FE, NM 87507

RYNESS IV, FRED ALISON & ALAINA MARIE
4729 HIGHLANDS LOOP
SANTA FE, NM 87507-4601

REYNOLDS, WALTER D
4727 HIGHLANDS LOOP
SANTA FE, NM 87507

HAMMOCK, ROBERT C & MARY E
4725 HIGHLANDS LOOP
SANTA FE, NM 87507

CITY OF SANTA FE
PO BOX 909
SANTA FE, NM 87501

CITY OF SANTA FE
PO BOX 909
SANTA FE, NM 87504

CITY OF SANTA FE
200 LINCOLN AVE
SANTA FE, NM 87501

ENGELMAN, ANTHONY C
4761 PUNTA DE VISTA
SANTA FE, NM 87507

MARTINEZ, TANYA B
4759 PUNTA DE VISTA
SANTA FE, NM 87507

VIGIL, RICHARD D
4757 PUNTA DE VISTA
SANTA FE, NM 87507

LUCERO, MANUEL
6799 CAMINO CARLITA
SANTA FE, NM 87507

MEDINA, SARAH
4752 CAMINO UNIDO
SANTA FE, NM 87507

SOLIS, HECTOR F & VIRIDIANA LOYA SOLIS
4750 CAMINO UNIDO
SANTA FE, NM 87507

LUCERO, JANICE LYNN
4757 CAMINO UNIDO
SANTA FE, NM 87505

MARTINEZ, SARA L
4759 CAMINO UNIDO
SANTA FE, NM 87507

MONSEY, SHARON R
4761 CAMINO UNIDO
SANTA FE, NM 87507

MOLINAR, EVERARDO & LUZ
4763 CAMINO UNIDO
SANTA FE, NM 87507

MIERA, JO ANN
4765 CAMINO UNIDO
SANTA FE, NM 87507

SANCHEZ, LOU ANN
4767 CAMINO UNIDO
SANTA FE, NM 87507

FIERRO, JOSE & ROSA C/O JOSE LUIS FIERRO & ROSA E
4756 CAMINO UNIDO
SANTA FE, NM 87507

ROSENQUIST, MARTHA
4754 CAMINO UNIDO
SANTA FE, NM 87507

CITY OF SANTA FE
200 LINCOLN AVE
SANTA FE, NM 87501

OROZCO, NORMA M GARCIA & REYES
16 DOS HERMANOS
SANTA FE, NM 87507-4501

HERRERA, MICHAEL G & BEATRICE
5 PASEO DE LA REINA
SANTA FE, NM 87507

CERA, CESAR & LUZ ADRIANA PRIMERO DE CER
33 B LAS CUATRO MILPAS
SANTA FE, NM 87507

CASTILLO, MANUEL E & MARISELA
33 A LAS CUATRO MILPAS
SANTA FE, NM 87507

REYES, RAUL & SARAH
22 A LAS CUATRO MILPAS
SANTA FE, NM 87507-4404

TORRES, ZAIDE MENDOZA
32 B LOS CUATRO MILPAS
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SANTA FE, NM 87501-1681

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PO BOX 909
SANTA FE, NM 87501

N M SCHOOL FOR THE DEAF
UNASSIGNED
SANTA FE, NM 87501

TIERRA CONTENA S/D
0 JAGUAR DR
SANTA FE, NM 87507

REEVES, ALAN E
550 A SALINE PUMP RD
MORIARTY, NM 87035-5471

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P O BOX 909
SANTA FE, NM 87504-0909

CITY OF SANTA FE
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TIERRA CONTENTA CORPORATION
1111 AGUA FRIA ST
SANTA FE, NM 87501-2467

Owner/Current Resident
9 PASEO DE MARGARITA
SANTA FE, NM 87507

Owner/Current Resident
12 LAS CUATRO MILPAS
SANTA FE, NM 87507

Owner/Current Resident
18 DOS HERMANOS
SANTA FE, NM 87507

Owner/Current Resident
20 DOS HERMANOS
SANTA FE, NM 87507

Owner/Current Resident
22 LAS CUATRO MILPAS
SANTA FE, NM 87507

Owner/Current Resident
27 RIDGELINE RD
SANTA FE, NM 87507

Owner/Current Resident
28 LAS CUATRO MILPAS
SANTA FE, NM 87507

Owner/Current Resident
29 A RIDGELINE RD
SANTA FE, NM 87507

Owner/Current Resident
31 LAS CUATRO MILPAS
SANTA FE, NM 87507

Owner/Current Resident
33 LAS CUATRO MILPAS
SANTA FE, NM 87507

Owner/Current Resident
37 LAS CUATRO MILPAS A
SANTA FE, NM 87507

Owner/Current Resident
39 B RIDGELINE RD
SANTA FE, NM 87507

Owner/Current Resident
39 RIDGELINE RD
SANTA FE, NM 87507

Owner/Current Resident
43 RIDGELINE RD
SANTA FE, NM 87507

Owner/Current Resident
55 RIDGELINE RD
SANTA FE, NM 87507

Owner/Current Resident
6432 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6433 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6438 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6441 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6443 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6451 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6455 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6461 CERROS GRANDES DR
SANTA FE, NM 87507

Owner/Current Resident
6796 JAGUAR DR
SANTA FE, NM 87507

Owner/Current Resident
10 DOS HERMANOS
SANTA FE, NM 87507

Owner/Current Resident
10 DOS HERMANOS A
SANTA FE, NM 87507

SANTA FE, NM 87507

EXHIBIT F2

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

TIERRA CONTENTA PHASE 3A MASTER PLAN AMENDMENT
EARLY NEIGHBORHOOD NOTIFICATION MEETING NOTES

Date: May 27, 2021
Time: 5:30 to 7:00 pm
Location: Virtual Meeting held via Zoom
Attendees: City Land Use Department Representative (Dan Esquibel, Senior Planner)
Project Team Representatives
- JenkinsGavin, Inc. (Jennifer Jenkins)
- Santa Fe Community Housing Trust (Daniel Werwath)
- Tierra Contenta Corporation (Jack Hiatt)

± 20 Attendees

A presentation was given by Jennifer Jenkins of JenkinsGavin, Inc., with assistance from Daniel Werwath of the Santa Fe Community Housing Trust, regarding the upcoming application to the City of Santa Fe for a Master Plan Amendment for Phase 3A of Tierra Contenta.

Following the presentation, a Question & Answer session was held. The following notes capture the questions and concerns raised and the responses by the Project Team.

Questions/Comments	**Responses**
Excited about the diversity of homes, but concerned about terrain and open space preservation.	The proposed development tracts are on the high ground between arroyos, and the arroyos and steep slopes will be preserved as open space.
With SFPS enrollment decreasing, it is a possibility to replace the school site with a new rec center with a pool instead?	The project is obligated to set aside a school site, but if SFPS eventually decides they do not want it, it could be reprogrammed. Civic/Mixed-Use parcels could be dedicated for a rec center or pool if the City wishes.
Are solar or other sustainability measures being included in the project?	Not proposing an array, but sustainability measures are encouraged and possibly incentivized. Still working through these details.
Concerned about losing open space and about traffic/congestion, especially on Jaguar in the AM hours.	The extension of Paseo del Sol will create more E-W connectivity and alleviate Jaguar traffic.
Concerned about barking dogs in front yards.	Requirements for low front yard walls will help mitigate issues with barking dogs and make the streetscape more inviting.

Questions/Comments	**Responses**
Will impact fees be collected?	The City deeded the land to TCC, so impact fees will be collected for market rate units.
Concerns re street/drag racing. Is there a plan for installing speed humps?	Not right now, particularly because the spine infrastructure will be emergency routes where speed humps are not permissible. However, the city can evaluate this once the streets are constructed, and if warranted, speed humps can be installed.
Can we make this conversation available in Spanish or hold a Spanish-language meeting?	Daniel is willing to work with Miguel Acosta on this.
Why does TC have to pay for its own park maintenance while northside park maintenance is handled by the City and paid for with taxes? Concerns re park equity.	City has taken the position in recent years that it cannot take on maintenance of new small scale parks. One park will be public, and there will be four pocket parks that may be maintained with HOA fees or a master association or possibly with a PID.
Concerns re HOA creating inequity and divisiveness	We hear these concerns. The program being contemplated is the creation of associations that are open to all residents (owners and renters). Still working out the details of this. A PID would only apply to Phase 3A, but earlier phases could establish this by vote. There would have to be community control of the PID, and we are definitely taking a very close look at neighborhood equity and community building opportunities.
What considerations are being made for noise and safety for existing residents adjacent to Paseo del Sol and Jaguar? What about during construction?	Efforts are being made to improve the streetscapes within TC as a top priority. These include traffic calming and complete street design. The City has strict regulations governing noise and dust during construction.
How will traffic increase be handled once Jaguar is a central access for the airport?	Unsure of the timing of this, but the primary strategy to mitigate traffic is increased connectivity, not wider roads.
Concerns re sub-contracts, specifically, how can we help local, small builders get over the barriers of infrastructure financing to be able to complete with large scale builders?	One of our goals is to help support smaller builders. Perhaps the City could set aside some of the $2M it will be receiving in loan repayments to support economic development in this area. Encouraging collaboration with nonprofits on infrastructure as well.
How will sustainability be encouraged or required?	Incentive-based rather than prescriptive approach. Affordability and sustainability are high priorities. The density bank concept is a way to incentivize increased affordability and sustainability. Net zero, water conservation, and electric only are top sustainability goals.

Questions/Comments	**Responses**
Can we have another meeting to try and engage more residents?	We can consider this, but it may be that due to the extensive outreach that was done in 2019 and then a long pause due to the pandemic in 2020, many neighbors feel they have already had input.

Feedback from Three Public Meetings on the Draft Land Use Plan

For Tierra Contenta Phase 3A

1. Overview

The Meetings

On November 7 and 9, 2019, the nonprofit Tierra Contenta Corporation (TCC) hosted three public meetings at the Southside Library. The purpose was to get input from the public on preliminary drafts of a Land Use Plan for one of the last large tract (228 acres) portions of undeveloped land in Tierra Contenta.

Residents of Tierra Contenta and the city as a whole had been encouraged to attend these meetings by these outreach efforts:

- Multiple postings in NextDoor.com—both the citywide section and two sections that Tierra Contenta residents created for their neighborhoods.
- Newspaper advertisements in The New Mexican and Santa Fe Reporter.
- Postings to event calendars in The New Mexican and Albuquerque Journal.
- Leaving leaflets about the meetings during a door-to-door survey within Tierra Contenta.
- Inviting city council members whose districts include Tierra Contenta.
- Contacting neighborhood residents individually

A total of over 100 residents signed in at the three meeting, not counting public officials and members of the TCC planning team. Several dozen more attended without signing in.

The Plan Presented Was Informed by Previous Public Input

Prior to an Amended Plan being drafted, an earlier public meeting had been held on April 11, 2019 at the Genoveva Chavez Community Center. Its purpose was to get advice and feedback from residents on their hopes and concerns about the development of would like----on the high-level goals of the plans as well as any concerns about the development. A total of 45 city residents attended, primarily residents of the developed parts of Tierra Contenta. Others attended without signing in.

In July 2019, SEC Planning of Austin, Texas had been hired and began work on the Land Use Plan component of the Amended Master Plan. The initial public feedback guided a number of features of the Plan. The Plan went through a number of iterations and was ready to present to the public by October, 2019. At that time, the TCC team conducted the outreach for the three November meetings as described above.

Detailed Input from the Three Public Meetings in November 2019

Below, in this report, we have listed comments recorded by six discussion leaders at the three public meetings in November, 2019. These were edited only for clarity and brevity. For example, two identical comments were combined like this: ”Include rec center with activities for kids (2).” No critical comments about current conditions in Tierra Contenta or concerns about the development were left out.

Key Changes to the Draft Amended Land Use Plan as a Result of Public Input

Parks – In place of the single, larger park in the first version of the plan, the plan now calls for 4 small parks and one middle-sized park with more recreational features.

Store and Restaurant – Participants voiced a strong preference for having at least one small grocery store and a coffee shop/restaurant. The TCC team had not considered these uses commercially viable, but based on this

strong interest, the team changed the plan to include two parcels comprising over 3 acres for compatible commercial uses and public facilities such as a rec center and a farmers' market.

Pedestrian Network (sidewalks and trails) – Due to the strong public support of trails and sidewalks inside and surrounding the proposed future development area, some trails were added along with crosswalks where they intersect streets.

Connections to New Mexico School for the Deaf Land – The Land Use Plan now has added locations indicated as reserved as easements for future road extensions to connect roads and the pedestrian network with the NMSD land if and when it is developed.

Goal of Establishing a Master Property Owner Association – Due to numerous concerns expressed about problems in the built-up parts of Tierra Contenta with trash and abuse of the off-site trails, lack of maintenance of streetside landscape strips and similar issues, the Amended Master Plan includes a goal for creating a Master Property Owners Association for Phase 3A. Modest fees charged to property owners (in the range of $20 per month) will provide funding for monitoring for and correcting problems. This would primarily involve working closely with the City to fix problems with the City-owned trails, parks and open spaces and encouraging the kinds of neighborhood clean-up activities proposed below.]

2. Recorded Questions and Comments, along with TCC Responses

Questions and comments are in italics. TCC answers precede or follow questions and comments.

What Participants Said They Liked Most About Developed Parts of Tierra Contenta

Pedestrian trails

Wildlife corridors

Parks

Suggestions for the Land Use Plan and Development of Parcels

More open space is needed. [Answer: 38% of the land in Phase 3A is reserved for open space and trails and another 4% for parks—a much higher percentage than in most new developments in Santa Fe, an amount TCC believes to be more than adequate.]

No mass grading; minimize land impact [Answer: the Land Use Plan avoided development on steep slopes, so that needs for grading and filling will be minimized. Grading plans will be subject to City review and permitting after parcels within Phase 3A are sold to developers and other entities.

Fewer homes built with fronts in straight line [Answer: The Design Standards for Phase 3A encourage builders to come up with attractive streetscapes.]

Eliminate school site from land use plan? Is a new school really needed? [Answer: The School District has contractual right to purchase one 9+-acre school site. The District has indicated that population increases on the southwest side of Santa Fe will necessitate an elementary school in this general location.

Allow some parcels to be sold lot-by-lot—like Mesa del Sol, for smaller-scale builders. [Answer: This is a goal that will be stated in the Amended Master Plan]

Consider adding non-residential parking lots. [Answer: the parcels designated for the school and non-residential uses have been sized to include adequate numbers of parking spaces.

New state security regulations for new schools preventing access from surrounding perimeter. [Answer: this is a matter for the School District to address when it draws up plans for the elementary school.]

Switch park and commercial center because school won't allow those functions being adjacent. [Answer: The School District has informed us that the proximity is not an issue.]

Include landscaper advisement for parks etc. [Answer: the Amended Master Plan will include concept drawings and specifications for the 4 small and one larger park. All construction plans and landscaping plans are subject to Tierra Contenta's Design Standards and review by Tierra Contenta Corporation's Design Review Committee.

Allow for co-housing development with common meeting/dining space for seniors, others (2) [Answer: This is possible in any residential parcel. One or more buyers of a parcel would have to see a demand for this type of housing and include it in their plans. Alternatively, a co-housing organization could negotiate with a buyer of one of the parcels to purchase a sub-parcel tract for this purpose.]

Could TCC retain ownership of land due to the housing crisis? [Answer: This would require that TCC lease all of the land, which it is not prepared to do because of real estate market and financing barriers. However, TCC would be pleased to sell a parcel to an affordable housing land trust, or to help negotiate the purchase of a sub-parcel tract.]

General Concerns About Development Phase

Is an environmental impact study needed? [Answer: not until parcels are sold to developers]

Who's in charge? [Answer: the nonprofit Tierra Contenta Corporation. See www.tierracontenta.org

Archeology concerns - What's the situation with this land? What about state clearances? [Answer: will be addressed when parcels are purchased and developed]

Concerned about building on edge of arroyo, too steep/dangerous/people feel trapped (4) [Answer: the Land Use Plan avoided including terrain with the steepest grades]

Want to know more about School for the Deaf plans for its land. [Answer: NMSD has no plans to sell or develop its land in the foreseeable future]

Concerned about density of parcels [Answer: the Land Use Plan allows for house lots of varying sizes. Ultimately, home buyers make the decisions of what size lots they want and can afford. Smaller lots are included because they make some homes much more affordable and similar in size to some lots in the historic parts of the city and many lots in recent subdivisions.]

Concerned about surveying properties/eminent domain/fracking [Answer: Surveys of parcels will occur only when they are sold. The land is owned by TCC so eminent domain is not relevant. A ban on fracking will be considered even though there is no data to indicate the presence of oil or gas reserves.]

Affordable Housing

Allow accessory dwelling units. [Answer: the City's ordinance allowing for these will make it possible.]

Create more affordability [Answer: TCC is legally bound to provide 40% of the homes and apartments in Tierra Contenta with incomes and rents restricted in three tiers of affordability: 65% of area median income (AMI), 80% of AMI, and 100% of AMI.

Set targets for affordability lower than 80% of area median income—that's still high. [See answer above]

Lower income families are usually larger + need more space. [Answer: TCC and City regulations require builders to provide a mix of bedroom-sizes for the affordable homes, each with a minimum square footage.]

Future Businesses and Community Facilities/Services

[TCC response to the preferences below: TCC is a nonprofit planning and land sales entity. We will make best efforts to see affordably-priced land to developers and service agencies who will commit to building the facilities that have been most favored in our public meetings and formal surveys of residents.]

Include a locally owned co-op market/less of a food desert

Include coffee shop

Include community center

Include rec center with activities for kids (2)

Make room for a farmer's market

Include facility for mental health and recovery services

Better public transportation, add bus routes (2). [Answer: TCC will work actively with the City to assure that bus routes are added to Phase 3A. However, TCC does not have the resources or expertise to provide transportation services.]

Parks, Trails, and Recreational Facilities

Unpaved trails for jogging next to paved trails now shown on major arteries (2). [Answer: this suggestion is being considered.]

Where trails intersect roads - need for simple trail crossings. [Answer: these are included in the latest version of the Land Use Plan]

Is Paseo del Sol extension wide enough for bike lane? [Answer: yes.]

Don't substitute bike lanes for bike trails [Answer: This rule will be imposed on the pedestrian trails along the major arteries – Paseo del Sol and the "Loop" road.]

Include small neighborhood parks. [Answer: This preference was incorporated in the current version of the Land Use Plan.]

More benches in arroyo area. [Answer: The trails in the arroyo are built and maintained by the City and not the responsibility of TCC. However, a master homeowner association with modest monthly fees is planned to provide sufficient income to augment City efforts to monitor and fix problems with trails, open space and landscape strips along the streets.]

Have a year-around pool connected to a Rec Center (2). [Answer: TCC has no capability to provide any public facilities. However, TCC would be eager to work with the City or nonprofit to provide this and/or other high-demand facilities.]

Add tennis courts. [Answer: same as above.]

Roads, Access, and Traffic

Paseo del Sol as only access road is a concern. [Answer: TCC has completed a traffic study that indicates the offsite road and traffic signage that will be needed at different stages of the build-out. The City will be expected to require these improvements as the Phase 3A parcels are sold and development plans are submitted for approval.]

Safety concerns over volume of traffic. [See answer above.]

Don't continue to allow shared driveways as in earlier phases of Tierra Contenta (3). [Based on numerous complaints about safety issues and inconvenience, shared driveways will not be allowed in Phase 3A.]

Make roads wider. (2) [Answer: based on public input, the Land Use Plan and Design standards will include specifications for the smallest local streets that facilitate safe parking on both sides.

Don't allow gated areas (4). [Answer: TCC will consider banning these via the Design Standards for Phase 3A.]

Add speed humps [Answer: we will respond at a later date as to whether these should be included in the Design Standards. At present, TCC believes that the decisions on whether or where to install these should be the City's decision since the City will own and be responsible for the streets.]

Better access for RVs and other larger vehicles. [As noted above, TCC's plan for Phase 3A widens the narrowest streets but still, some RV owners will have to find parking/storage spaces offsite.]

Create better connectivity among the sections of Tierra Contenta [Answer: Due to this input, we have amended the Land Use Plan to provide easements for future road connections with the land owned by New Mexico School for the Deaf, which, if and when developed, will become Phase 3B.

Water, Energy Conservation and Environmental Features

Concerned about growth with limited water supply (2). {Answer: The City has ample water supplies for prudent growth. Phase 3A design standards and City codes demand strict water conservation in new buildings]

Stormwater collection not shown on plans. Retention ponds? [Answer: Engineered plans for these included the ultimate development plans presented to the City buy buyers/developers of the land.]

Concerns about arroyo and stormwater management. [See answer above.]

Water usage concerns. (2) [See answers above]

Make sure water/energy efficiency is prioritized. [Answer: the Design Standards address both of these issues.]

"Climate investment" a good thing. [See answers above]

Would like trees along streets. [Answer: the Design Standards require appropriate, attractive low-maintenance landscaping in landscape strips along the streets. TCC will not permit any landscaping on these strips requires irrigation due to our goals of conserving scarce water supplies.]

Help environment by planting trees [See answer above.]

Current Problems with Developed Areas of Tierra Contenta

Current homeowners are involved in lawsuits with builders over bad materials—standards of building must be enforced. [Answer: TCC staff has supported homeowners by making best efforts to help resolve these kinds of

disputes with homebuilders. However the City's Land Use Department and not TCC is responsible for reviewing construction plans and inspecting for compliance with the City's Building Code.]

[Regarding the 3 concerns below, voiced by current TC residents, TCC Phase 3A Master Plan calls for formation of a Master Property Owners Association to address issues such as these. See page 2 above for details.]

Stop abuse of public land around Swan Park.

Concerned about people ignoring rules banning ATVs on trails and open space areas.

Concerned about homeless encampments in arroyo (questioning school location).

Encourage organized neighborhood cleanup projects.

EXHIBIT F3

Santa Fe Residents' Views and Concerns About the Expansion of Tierra Contenta

Analysis of a Door-to-Door Survey in the Tierra Contenta Community

And an Online Citywide Survey

Commissioned By the Tierra Contenta Corporation

February 14, 2020

(Revised 12/10/2020 only to update detailss about the Planning Area)

Contents

1. Summary of Survey Responses, p. 1

2. Door-to-Door Survey of Tierra Contenta Residents, p. 4

3. Online Citywide Survey of Santa Fe Residents, p. 9

Appendices

Available Separately at www.tierracontenta.org

A. Comments from Tierra Contenta Residents

B. Comments from Citywide Survey

1. Summary of Survey Responses

Background and Goals of Surveys

Plans are being prepared to build over 1,100 quality, mixed-income homes and apartments in the last undeveloped part of Tierra Contenta (TC), adding to the 2,500 residences already built in this planned residential community. As in the previous phases, land will be reserved for a new school, community facilities, neighborhood parks, and trails.

The planning area comprises 228 acres of undeveloped land located southeast of Capital High School, of which over 35 percent will be preserved as open space. The nonprofit Tierra Contenta Corporation (TCC) owns 225 acres and the New Mexico School for the Deaf (NMSC) owns 3 acres of the planning area.

TCC is in the process of revising the existing Tierra Contenta Master Plan to reflect the impact of major changes in the surrounding area—such as new schools, roads, stores, and parks. Also, the Design Standards for all new construction are being reviewed. TCC has conducted a thorough study of the terrain and the best routes for the primary roads and infrastructure and determined to leave 35% of the land as open space and parks, in order to protect virtually all of the nearby land on the sides of arroyos and to avoid mass grading.

The expansion area is part of the larger "Phase 3" as shown in the existing Master Plan. The land area subject to revisions will be designated Phase 3A. The remaining 179 acres of Phase 3 land are owned by NMSD and will remain subject to the original Tierra Contenta Master Plan.

TCC hosted four public meetings in 2019 to hear and respond to input from nearly 150 residents, most of them living in the completed parts of Tierra Contenta.

Two surveys have been completed:

(1) a door to door survey of residents within the completed parts of TC during October, 2019, and

(2) an online survey open to residents from all parts of Santa Fe that was active from December 6, 2019 to January 30, 2020.

The goals of the surveys were to solicit and receive public input on the draft plans, in order design a high-quality new neighborhood that takes into account the hopes and concerns of its neighbors as well as residents of other parts of Santa Fe who may want to live there and/or have input into the plans.

To distinguish between the surveys, we call the first one the "Tierra Contenta residents" survey. We call the second survey "citywide" even though 57% of respondents were TC residents. The first survey had a total of 119 respondents, and the second 77 respondents.

The methodologies of the surveys are described in Sections 2 and 3 of this report. The key findings are as follows.

Desirability of Living in a Quality Planned Community on the Outskirts

Of the citywide respondents, 17% would strongly consider it; 25% might consider it. An image of the current concept plan was placed above the photo (see it on p. 10 of this report).

Parks and Trails

Of TC residents, 62% see parks and trails as positive features; 15% think they are OK but need better maintenance. Small parks are favored by 59% of citywide respondents; large parks by 36%. Some commenters want both.

Streets, Parking and Traffic

Half of TC residents find some or all of the streets too narrow and half find the streets "good" or "don't mind". Nearly half of TC residents complained that there are not enough parking spaces. Most of the negative comments came from residents living on the narrowest streets, with shorter lot frontages and thus fewer on-street parking spaces in front of homes.

Affordable Housing

A total of 85% of TC residents say that TC's current affordable housing policies have worked very well or are OK in single-family neighborhoods. However, 14% don't agree, and respondents commented about what they see as associated crime, overcrowded homes, too many cars, and lack of maintenance. With regard to the apartments, half of TC respondents "weren't sure" how well the apartments are operating—indicating a lack of social connections between homeowners and renters. Of those TC residents with opinions, 80% are positive and 20% negative about the rental apartments.

Desirable Businesses

A grocery store was the most-desired business in Phase 3, with 53% support from current TC residents, and 65% from citywide respondents. Of TC residents, 33% want a coffee shop, and 5% a restaurant. Multiple commenters mentioned Trader Joe's and Sprouts as desirable grocers, while others voiced support for locally owned and family businesses.

Desirable Facilities

Among both citywide respondents, the highest priorities for public facilities for Phase 3 were community gardens (44%), a senior center (42%), a farmer's market (40%), a rec center for young children (39%), and a rec center for teens (36%). Other facilities with substantial support were day care for children, adult day care, and a community meeting room. Respondents wrote comments in favor of a gym, swimming pool, soccer field, dog park, a city public safety office, an "all ages" multipurpose center, a post office and a library.

Homeowner Association

A question about the possible need for a homeowner association to monitor and/or fund maintenance of common areas was included in the TC door-to-door survey, due to many comments in public meetings by TC residents about poor maintenance and misuse of the trails and parks in the completed parts of TC. Of TC residents, 36% had no opinion, while those with an opinion favored an HOA 45% to 19%. In contrast, 66% of citywide respondents said they would pay $10 to $20 a month in HOA fees to get better maintenance, with 17% opposing the idea.

Restrictions on Designs of New Homes

As part of its application for a master plan amendment for Phase 3 design standards for roads, sidewalks, homes, other buildings, etc. must be submitted. The nonprofit Tierra Contenta Corporation wanted to find out if respondents felt the existing standards should stay in place or be changed. A background issue is whether new homes in TC should continue to encourage the "stucco-flat roof" and "territorial" (stucco-pitched roof styles—both allowed in current standards). Of citywide respondents, 58% said there should be more flexibility in standards, or exceptions made allowing other "Southwestern" materials such as clay tile roofs, while 33% want to keep existing standards.

Energy and Water Conservation Features in New Homes

We assumed that if we asked respondents preference for homes that use less energy and water, built to standards over and above current codes, most would say yes—good to know, but not enough data to be the basis of TC raising its design requirements. So we asked the questions a different way—in terms of how much larger of a mortgage a respondent would take on to add these features. Overall, 82% of citywide respondents said they would add between $2,000 and $15,000 to their mortgages for above-code energy improvements—with 43% willing to add $10,000 to $15,000. Similarly, nearly 80% said they would add $2,000 to $8,000 for water conservation features, with $2,000 as the limit for half of those who responded positively.

Size and Types of New Residences Desired

In the citywide survey, we asked the question, "if you were to move to a planned community, what kind of home would you be looking for." Of the respondents 56% want small detached homes, 32% large detached homes, 11% town homes, and 1% rental apartments.

What Would Make Phase 3 a Very Desirable Place to Live

This was an open-ended question in both the TC and citywide surveys without multiple choices, so the answers could not be tabulated. The most frequent recommendations had to do with providing more infrastructure and City policing to reduce traffic problems and avoiding higher residential densities. Other desired features included maintaining open space, making it walking and biking friendly, having multiple parks, assuring adequate parking spaces, and assuring maintenance of common spaces. Some commenters cited the need for more affordable housing, and some wanted less or none. See Appendices A and B (separate documents on www.tierracontenta.org) for a complete download of the comments.

What Problems with Tierra Contenta Should Be Avoided in Phase 3

Again, vehicle traffic, narrow streets, and higher densities were cited as things to be avoided or mitigated. Other problems cited were big families in small houses, too many low-income residents, allowing apartments, spoiling viewsheds or existing vegetation with new construction, and too many schools close together leading to traffic congestion. See Appendices A and B (separate documents on www.tierracontenta.org) for a complete download of the comments.

Detailed Comments of Respondents (Separate documents, Appendix A and B).

The door-to-door survey and citywide survey had a combined total of 23 topic questions, 22 of which invited open-ended comments by respondents. Representative comments are included in this summary and the two reports that follow.

All comments made by respondents are available for viewing and downloading from the TCC website as Appendix A and Appendix B to this report. While the comments in this report were edited for brevity and clarity, the full set of comments in the Appendices are unedited except to remove one expletive.

2. Door-To-Door Survey: Tierra Contenta Residents

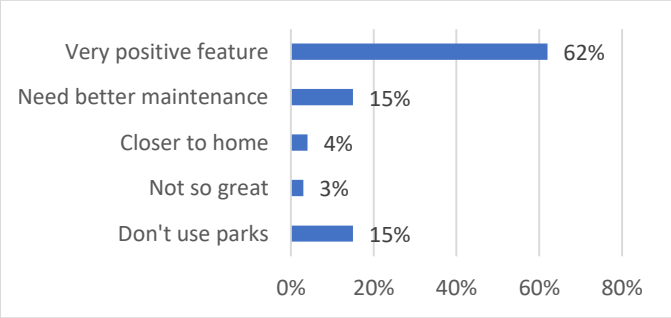
Methodology

Staff of YouthWorks were retained in October 2019 to conduct a door-to-door survey of TC residents regarding their likes and concerns regarding the design and construction of the completed two phases of TC and suggestions for planning Phase 3. Surveyors left flyers with a link to an online survey with the same questions. The survey was completed by 119 residents from December 2019 through January 2020.

Nine out of the 10 questions in the survey included comment boxes. All comments are included, unedited, in Appendix B. Sample comments are listed after the numeric results of those nine questions. Samples were selected based on two factors: (1) being representative of the range of opinions expressed in the multiple choice questions, and (2) expressing opinions on issues not addressed in the question.

Question 1: Opinions on parks and trails in Tierra Contenta

Sixty-two percent of respondents indicated that that parks and trails are a very positive feature of the community.

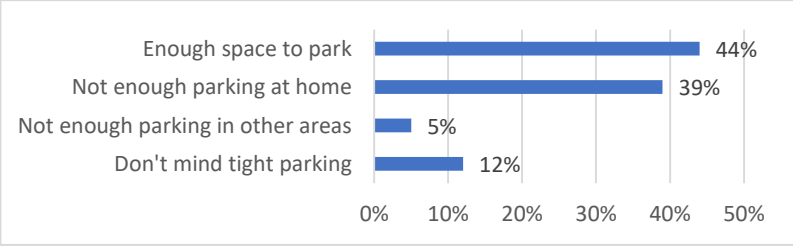


Following are sample comments:

- Parks are used and loved, just [worried about] needles or trash after parties. But love overall.
- Need more maintenance.
- Just wish [the trails] connected to the mall. I run the trails every day.
- Not enough access to ALL trails for the disabled, benches needed along trails.
- Dog park please.
- Wish the trails went to the schools.
- Would be nice to have interconnecting trails to Rail and Arroyo Chamisos trails.
- I am very concerned that the new development not encroach on the Santa Fe Open Space that is located between Capital High and the Swan Park.

Question 2: Views on parking in your neighborhood

An equal number of respondents (44%) indicated there is enough space to park, or that there isn't enough space to park at home or in other parts of TC. Most of the comments about lack of parking came from residents of smaller streets with short lot frontages that limited the number of on-street parking spaces. Most respondents who were surveyed on wider streets with longer lot frontages did not voice those concerns.

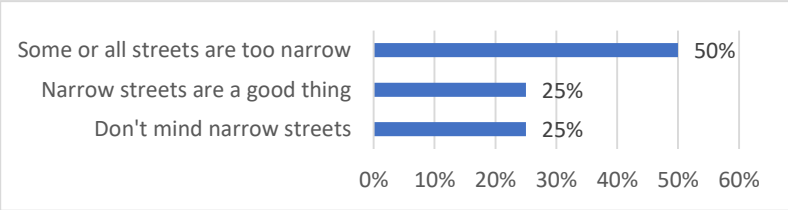


Following are sample comments:

- Too many people park on the street and not in their driveways/garages.
- Too many families with 3 or 4 cars and don't use the garage.
- No parking at all trailheads - need handicapped parking!
- The apartments at Zona del Sol (near me) do NOT have enough parking.
- Eliminate on street parking. (2 more comments like this.)

Question 3: Views on street widths in your neighborhood

Residents of TC were evenly split in their opinions on street widths, with 50% saying the streets are too narrow and 50% saying they don't mind narrow streets or that they are a good thing for slowing traffic.

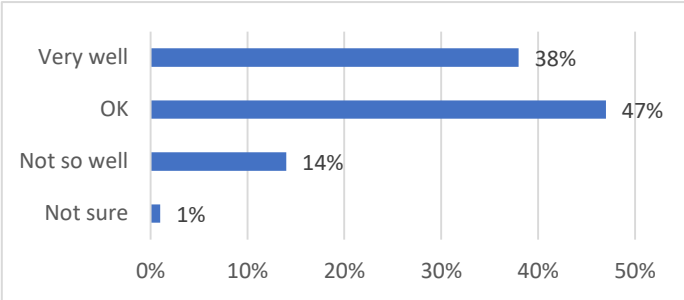


Following are sample comments, which included comments on traffic problems unrelated to street widths.

- We do get less through-traffic due to narrower streets.
- Parked cars on both sides in Cesar Chavez neighborhood is hazardous, slows emergency response time. Control speeding with narrow streets, speed humps. Speed on Jaguar drive must be controlled.
- Some lights could be added.
- Need to have more on street parking. Many homes have several cars, park on street.

Question 4: How well affordable housing has worked in single-family neighborhoods so far

A large majority of residents (85%) indicated that TCC's current affordability requirements for builders worked "very well" or "OK" in single-family neighborhoods.



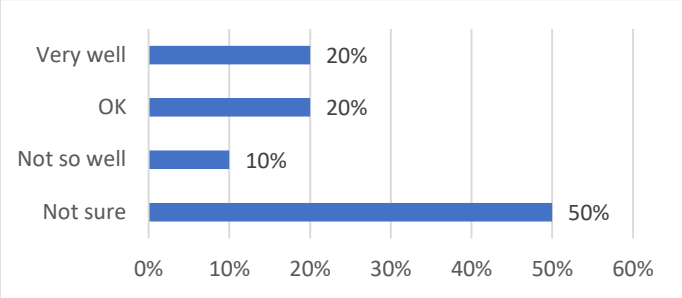
Following are sample comments:

- Wouldn't even have known.
- A nice mix--a quiet neighborhood.
- People need a place to live.
- Feels safe here and strongly agree with affordable housing.
- It has worked well in my Evergreen neighborhood. Mixture of town homes and single-family homes.
- Worried my property value will drop.
- Too many houses too close together.
- Parking--many of the [affordable homes] have only 1 car garage but more than 2 cars so park on street.
- No garages, low quality construction.

- At times, some of these homes have then been rented out, which I understand was not part of the plan. It works when the original purchasers live in the home or sell it when they move, rather than rent it out.

Question 5: How well affordable housing has worked in apartments so far

Half of TC residents (50%) indicated that they were unsure whether or not affordable housing policies in apartments worked well, while approximately 40% indicated they worked "very well" or "OK."

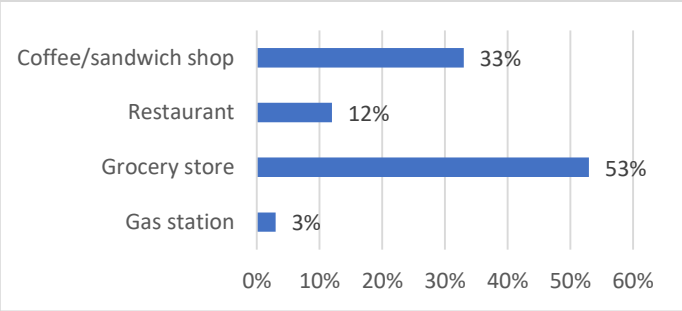


Following are sample comments:

- Good area of people [and they look] out for each other.
- Occasional problems, but quiet.
- If it gives them a place to live and off the streets, it's good.
- Focus on homeownership makes better neighborhood. (1 more similar comment)Too many people from apartments continue to park along narrow streets - not happy.
- Lower property values.

Question 6: Which business would you most want nearby if you were living in Phase 3?

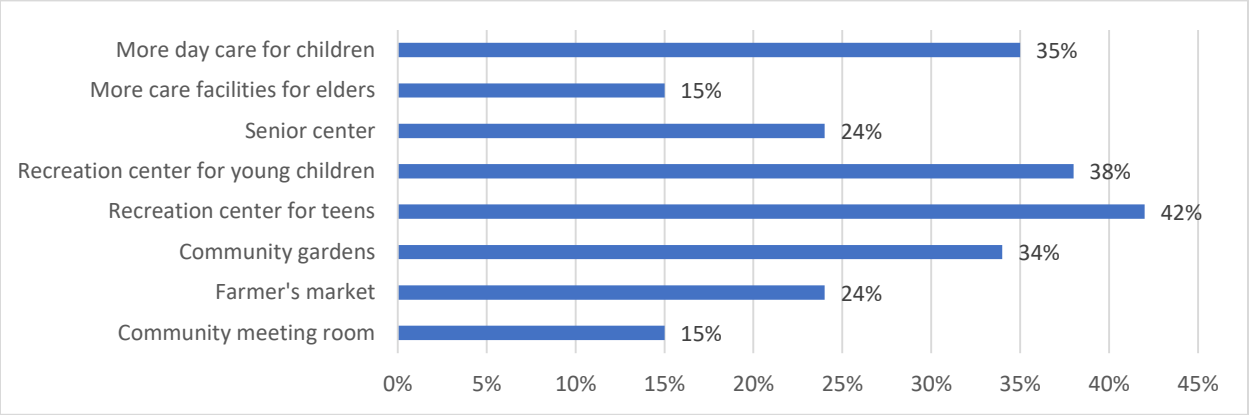
A majority of current TC residents (53%) indicated that they would most prefer a grocery store in TC Phase 3, while 32% indicated they would prefer a coffee/sandwich shop, 12% indicated they would like a restaurant and 3% indicated a gas station/convenience store.



Following are sample comments:

- Morning coffee!
- Small grocer (3 more comments like this)
- Costco!!!
- Trader Joe's....it's all the way across town. More healthy options would be great. (3 more comments like this)
- No Starbucks!
- Preferably locally or family owned (4 more comments like this)
- Would prefer no development at all or a bakery--something social
- None - good enough as is. Already enough here and a new business would make more traffic

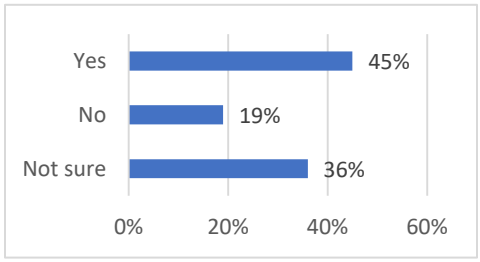
Question 7: If you were living in a community like this, which facilities would be good to have?



Many comments repeated the choices shown in the chart above but also suggested a swimming pool, a gym, soccer fields, and treatment facilities for people with disabilities.

Question 8: Would it be a good idea to set up a resident association for Phase 3?

Forty-five percent of current TC residents indicated that a resident association for Phase 3 would be a good idea, while 19% did not think it was a good idea and 36% were unsure.



Following are sample comments:

- Currently not all residents adhere to established covenants and there is no good way to enforce those covenants (weeds, extra autos on streets, etc).
- Make communities closer.
- We need to work together.
- Too expensive.
- I am NOT interested in having to pay fees or having people dictating extremes.
- If their power is limited . . .

Question 9: What would make Phase 3 of Tierra Contenta a very desirable place to live?

This was an open-ended question with no multiple-choice options to tabulate. Following are representative responses:

- Buildings that go with New Mexico traditions.
- Careful attention to the increase of traffic in the area, and allowances for new/improved arterials to carry people in/out of the area without extra use of existing roadways.
- More space, wider roads, home standards (home, yard, etc), parks, coffee/cafe to walk to.
- Maintain open space. Make it walking and biking friendly.
- Less low-income.
- Community activities board.
- Affordable housing.

- Supermarket and coffee [shop].
- Senior Center please. Something for seniors to do.
- Block parties to get to know each other. Create bond with community.
- Activities and programming for youth.
- Speed bumps help slow down drivers.
- Housing with no shared driveways.
- 40% is too high for affordable housing.
- More child friendly. Kids need parks that are accessible.
- Try to preserve views for the residents.
- Strong homeowners association that enforces community standards that benefit all.
- Restrictions & enforcement on number of people per residence. Parking vehicles on the front yard is an eyesore for neighbors. RV's should be parked offsite. No Airbnb's. Paint the curb red in front of the mailbox turn out.
- As long as streets are narrow, street parking needs to be eliminated.

Question 10: What problems are there with Tierra Contenta that should be avoided in Phase 3?

This was an open-ended question with no multiple-choice options to tabulate. Following are representative responses:

- Roadways that encourage racing of autos/motorcycles.
- Traffic congestion, shoddy construction, destruction of habitat and native vegetation.
- I'm concerned about crime in the area and would like to see that addressed.
- Big families in small houses.
- Fewer low-income residents.
- Too many speed bumps.
- No [new] schools! Too many already.
- Narrow streets without place to park.
- Please apartments in a different place. Not so close to the houses.
- Don't put buildings so close next to each other.
- Anything with liquor--bars or pot stores
- View impacted? Walking trails impacted? Traffic?
- Road traffic is already tight on busy mornings and afternoons. Any projects should be well thought out to avoid further congestion.
- HOA [should be] responsible for important infrastructure and repairs
- If it is not absolutely necessary to destroy something or get rid of something like trees, bushes, etc. [then] keep them.

3. Online Survey of Santa Fe Residents - Citywide

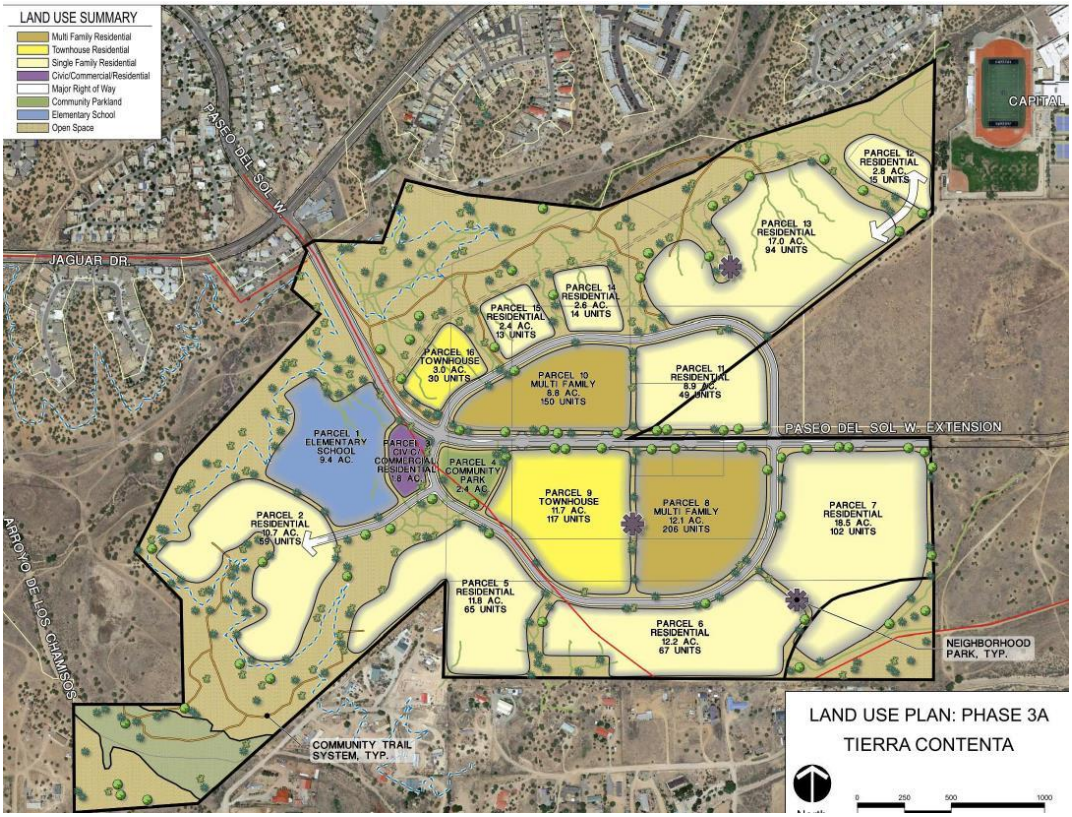
Methodology

In October, 2019, an online survey instrument was created to gather opinions about the expansion plans for TC from residents throughout Santa Fe. Some questions were repeated from the previous door-to-door survey of TC residents. Other questions were refined based on the results of the first survey. Lastly, questions were added to determine the housing preferences of potential buyers of homes in the next phase of TC. The link to the survey was posted posted on the TC website and then publicized by City of Santa Fe staff by a posting on the Santa Fe NextDoor community information website on November 6, 2019 and a reminder posting in January, 2020 before the survey was closed out on January 30. The link was also shared through press releases and with participants in two public input sessions at the Southside Library on November 6 and 9, 2019.

The survey was completed by 77 respondents as of its closing on January 30, 2020. Data were analyzed for the sample as a whole as well as separately for current residents and non-residents. Current residents comprised 57% of the sample while non-residents comprised 43%.

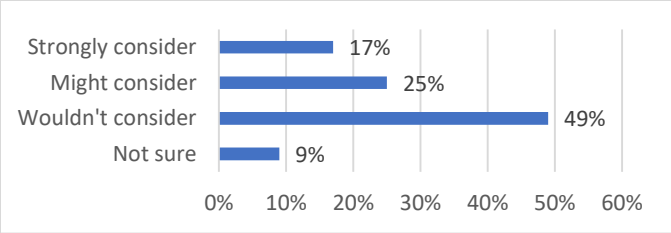
Nine out of the 10 questions in the survey included comment boxes. All comments are included, unedited, in Appendix B. Sample comments are listed after the numeric results of those nine questions. Samples were selected based on two factors: 1) being representative of the range of opinions expressed in the multiple choice questions, and 2) expressing opinions on issues not addressed in the question.

The illustration below relates to the analysis of Question 1 responses on the next page.



Question 1: Would you consider buying or renting a home during the next 10 years in a planned community on the outskirts of Santa Fe as illustrated by the plan above?

Forty-two percent of respondents indicated that they would either strongly consider or might consider buying or renting a home in TC, while 49% indicated they would not consider it and 9% said they were unsure.

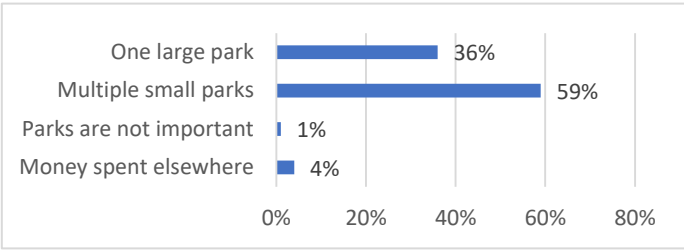


Following are sample comments:

- I already live here and like the current planned layout of the units.
- I'd consider buying a home on the south side but only if there are grocery stores, restaurants, better streets, and more police presence.
- Would prefer to see townhouse and multi-family mixed in with single-family units. Ghettoizing them often creates hotspots and eyesores.
- Needs more infrastructure - specifically police and roadway, to handle traffic to and from schools (Capital, Cesar Chavez, and the middle school; Jaguar is over charged now; homes on Jaguar have too much pressure from the road. (5 other commenters expressed concerns about traffic)
- The density of homes to parcels is too high for me to consider a property on the outskirts. (3 other commenters expressed concern about density)
- My concern is traffic. Make sure there is appropriate highway access. Open up the highway at sfcc.
- I'd like to know where the water is going to come from for this and other developments in Santa Fe. (1 other commenter expressed concern about the water supply)

Question 2: If you lived in a planned community, what are your feelings about park land?

A majority of respondents (59%) indicated that that more of them valued multiple small parks near their home than one large park. A slightly different 57% of current residents and 64% of non-residents preferred multiple smaller parks.

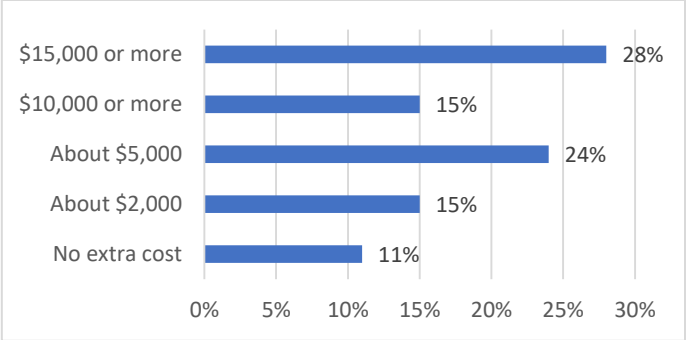


Following are sample comments:

- Parks and opens space are critical to the community's wellbeing.
- A park like Swan is built too far from too many in the area and access is extremely limited. More small parks . . . would serve more that actually need it - those living in smaller places that need more community spaces.
- Actually the option I prefer is not listed--one large park as described and a few small dedicated parks for specialized activities like dog walking and child play.
- Both 1 and 2. Large parks are good for community gatherings but small parks are important to connect proximate neighbors. (A total of 3 commenters expressed this opinion)
- If there are several small parks, who is going to maintain them? The City crews can barely keep up with all the parks and medians throughout Santa Fe. A large park can benefit more people.

- Parks would be nice IF they were maintained. We have a small one near us which was designed very well, but it just fills up with weeds and is not maintained
- [Other commenters also suggested park features such as dog parks, community gardens, basketball courts, a swimming pool, and a little theater.]

Question 3: How much more would you be willing to add to your mortgage to improve energy efficiency?

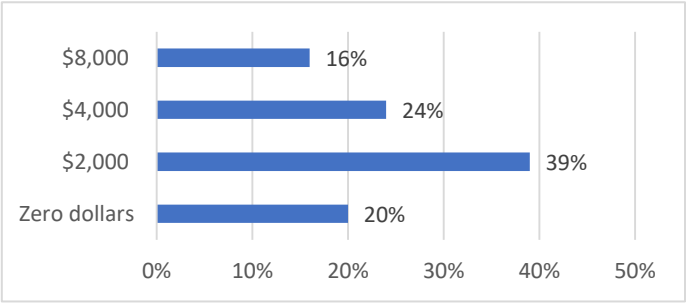


We asked questions 3 and 4 to determine the extent to which respondents wanted and (if necessary) would pay for energy and water conservation improvements over and above current codes. Twenty-four percent of respondents indicated they would be willing to add $5,000 or less for better insulation, 15% indicated they would pay $10,000 or more for a rooftop solar system, and 28% said they would be willing to pay $15,000 or more for all of those upgrades. Overall, 82% of respondents indicated they would be willing to add some extra costs to their mortgage payment to improve the energy efficiency of their homes.

Following are sample comments:

- I would pay for passive solar, solar panels, would love to see water conservation factored in, and buried tubing for low cost cooling.
- Energy efficiency shouldn't be limited to insulation, windows, etc. It should be built in from the ground up. Slab design, lot placement, fenestration design, window overhangs, heat vaults, building materials, LED lighting, etc. should all be integrated. Would pay for well-designed low-energy use home, how much 'more' would depend on many factors.
- The city needs to update its standards if [higher energy efficiency] is an issue.
- New homes should have highly efficient insulation and windows; city and developers should supply solar and wind sustainability for each community and whole city.

Question 4: How much more would you be willing to add to your mortgage to improve water conservation?



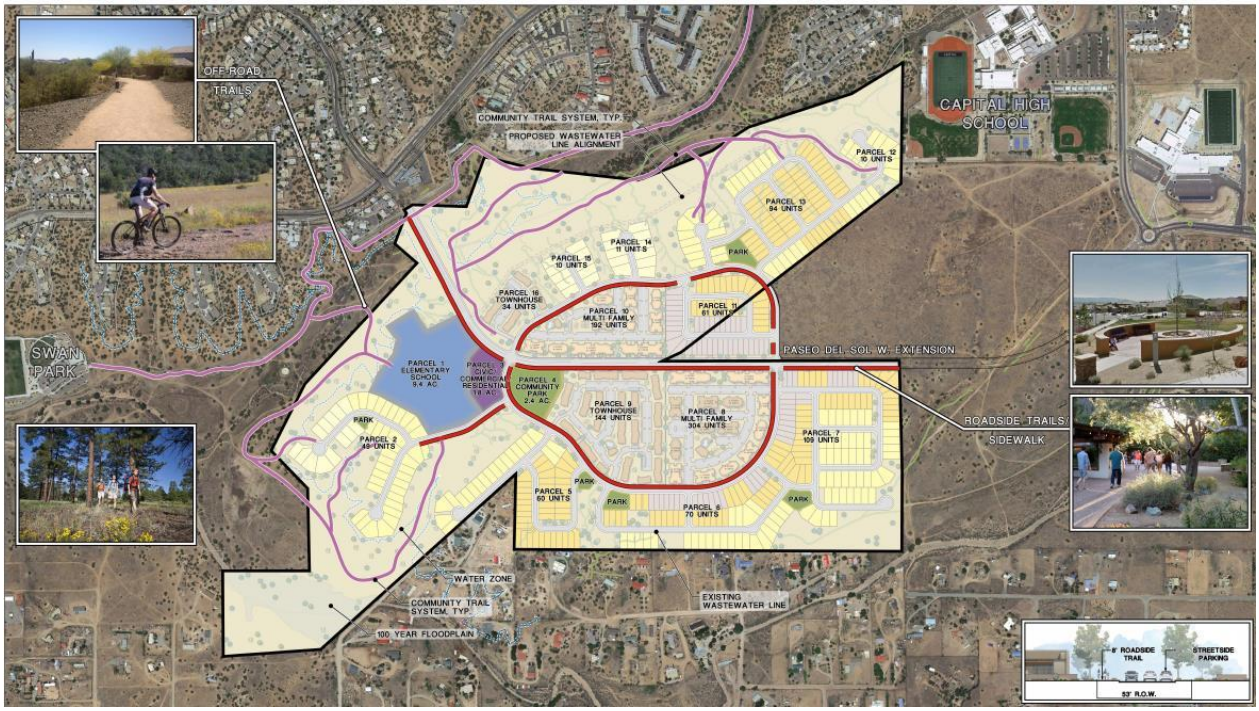
Thirty-nine percent of respondents indicated they would be willing to add $2,000, 24% indicated they would be willing to add $4,000, and 16% indicated they would be willing to add $8,000. Overall, nearly 80% of respondents indicated they would be willing to add some extra costs to their mortgage to improve water conservation.

Following are sample comments:

- All new construction should be built with gray water systems and ample water catchment.

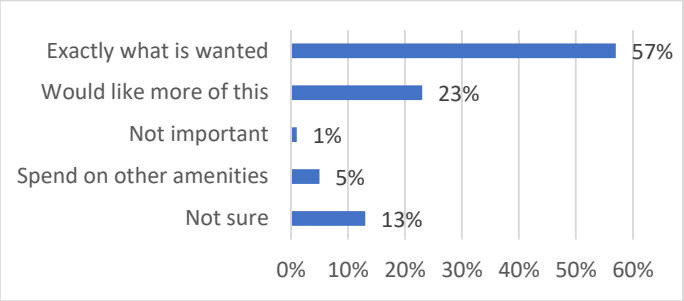
- This should already come with the house is a standard package.
- Do not eliminate well-designed irrigation systems from landscaping plans - make them available to residents who want to do container gardening for food, small well-placed ornamental plots, etc.
- Xeriscaping is NOT hardscaping! Low water use, native plants and smart, well planned landscaping is far preferred to extensive gravel and rock hardscaping that requires no water but absolutely hideous and increases reflective heat problems and has other negative impacts on the soil and land.
- New homes should include above code standards for conserving water and capturing storm water. (2 more commenters expressed this opinion)

This preliminary concept plan for pedestrian trails was shown with the next question



Question 5: Opinions on the proposed Tierra Contenta Pedestrian Network of walking/cycling trails

A majority (57%) indicated the trail system as illustrated is what they would like to have in their neighborhood, 23% indicated they would like to see even more pedestrian pathways, and 20% indicated that pedestrian walkways are not important to them or that they were not sure. Results were similar between current TC residents and non-residents.

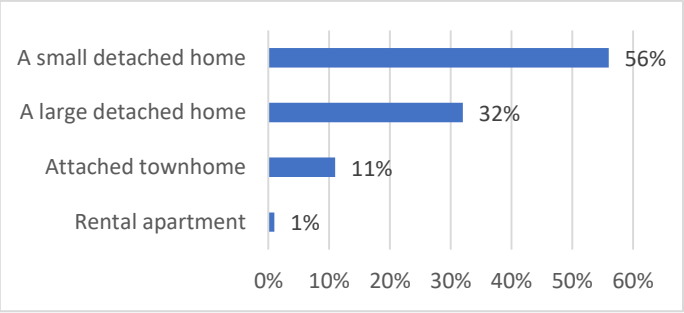


Following are sample comments:

- Walkability, bike paths for recreation and commuting, safe routes to school, etc. all very important to me.
- Pedestrian walking and cycling paths need to be AWAY from the streets. In Tierra [Phase 2] the streets are too narrow for SAFE cycling and they are dangerous for pedestrians.
- Soft trails better for elderly with arthritic joints.
- Pedestrians and bicyclists cannot safely share the same space. Dedicated cycling lanes are overdue in the city, and this phase is no exception.
- Pavement is the last thing my aging legs want. Keep as many dirt trails as you can and having a dirt path next to the paved bike trails would be fantastic.
- I would like for a Pedestrian Network like this to be made NOT roadside. When I'm walking and strolling around with my family and kids on a trike, I do not want to be anywhere close to cars. This kind of network would be amazing to have as shortcut paths between major roads, or down back alleys.
- Sidewalks everywhere so I can use my disability scooter. (A total of 2 commenters suggested this)
- Paseo del Sol is going to be one busy street. I would not enjoy walking it.

Question 6: If you were to move to a planned community, what kind of home would you be looking for?

A majority (56%) indicated that they would prefer a small detached home, 32% indicated they would prefer a large detached home, and 12% indicated they would prefer an attached townhome or rental apartment. •

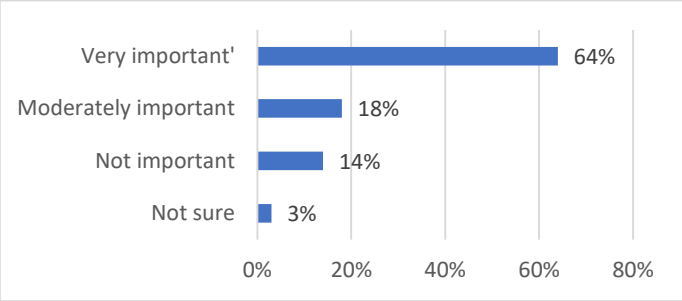


Overall, 88% of respondents preferred a detached home over an attached townhome or apartment. Responses differed between current TC residents and non-residents, with current residents more likely to prefer detached homes than non-residents (95% versus 82%).

This question did not have a comment box since it asked only about a personal preference.

Question 7: How important is it to provide some modest affordable homes to low-income residents?

An large majority of survey respondents (83%) indicated that it was very important or moderately important to provide modest homes for sale at affordable prices for low-income families, while 15% said it was not important and 2% said they were not sure.

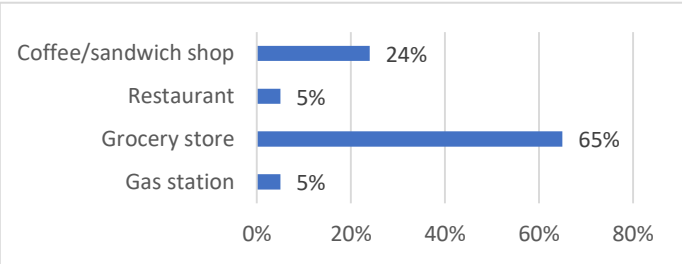


Following are sample comments:

- Important to keep neighborhoods diverse and offer affordable housing options interspersed with more expensive options.
- There are enough wealthy people here. Save this space for some of its sanctuary city folks that will need housing.
- There is reporting that genuinely affordable housing will not be included in Tierra III. This would be a mistake. We need housing for lower income families ($35k or less) . . .even if the city has to subsidize it!
- The city of Santa Fe's affordable housing regulations have created the current housing shortage . . . It is misguided to have builders build for a certain income price range, but have to require a certain number of affordable homes. Not fair or desirable to the people who want to live in neighborhoods with families of similar incomes.
- I live in this neighborhood. And although providing housing for all price ranges is important. I don't want the price to be so low that our safety begins to be a concern.
- Homes that are affordable are never maintained. Why is the majority of affordable homes dumped on the south side.
- Please also look at providing accessible homes for the disabled including single level floor plans with no stairs.

Question 8: If you were to live in a community like this, which one business would you most want nearby?

Most respondents (65%) indicated that if only one business was financially feasible in the new TC development that it should be a grocery store. Twenty-four percent preferred a coffee/sandwich shop, while only 5% of respondents indicated a restaurant and 5% indicated a gas station. Results were similar between TC residents and city residents outside TC.

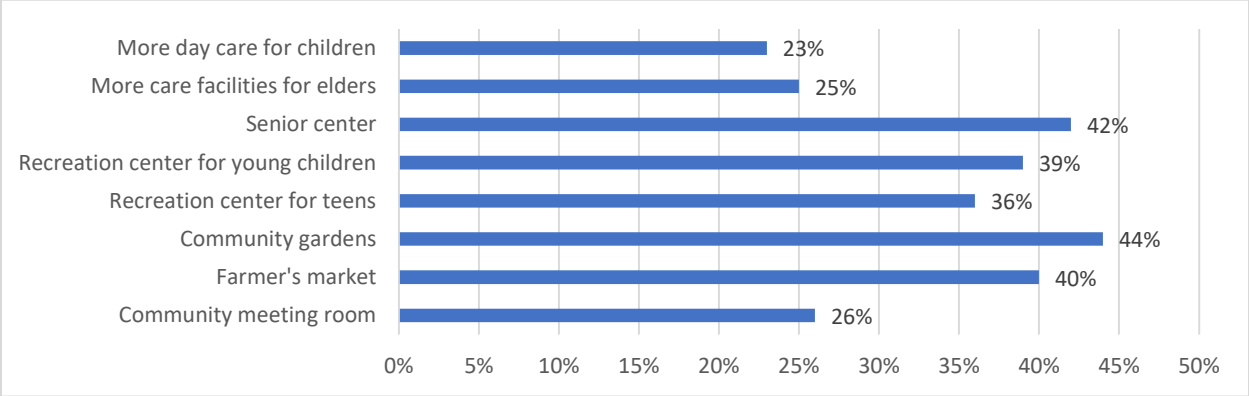


Following are sample comments:

- Get good local retail anchored by an excellent grocery store (Trader Joe's, Kaune's, Smith's, Sprouts, etc.) How many times do we have to tell you we want a good grocery store? (A total of three commenters expressed similar opinions)

- A restaurant out near 599 and Jaguar, a convenience store/gas station would be nice, too. Maybe a small grocery store.
- Living in Walmart's shadow makes many businesses unviable. But having a community where there is no place to walk to is isolating. I can currently walk to a dollar store and McDonalds. That's a serious negative. Need an ice cream place at least for a little stroll on a summer evening.
- A small market with packaged foods and seating area could fill same function while also offering grocery items. Something like La Montanita Co-op or Silver St. Market in ABQ.
- We have plenty of gas stations and convenience stores on Airport Road. I would not want one in my neighborhood.

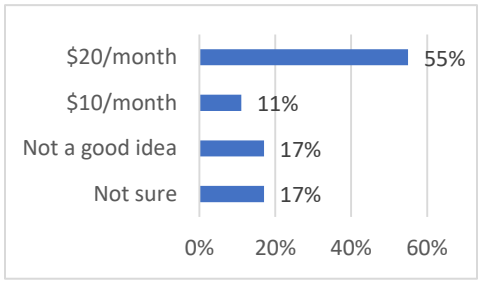
Question 9: If you were living in a community like this, which facilities would be good to have?



In addition to these facilities above, commenters suggested an "all ages" multi-purpose center, a post office, a police/fire/emergency hub, a dog park, a gym, swimming pool, pet daycare, and a library.

Question 10: What would you be willing to pay for a resident association to help assure maintenance?

A majority of respondents (55%) indicated that it would be worth paying $20 a month to a residents association to assure good maintenance of common areas. Eleven percent indicated they would be willing to pay $10 a month for a minimum effort, 17% said it was not a good idea and another 17% said they were not sure.



Current residents were much less likely to support a residents association, with 32% saying it was not a good idea compared to only 4% of non-residents.

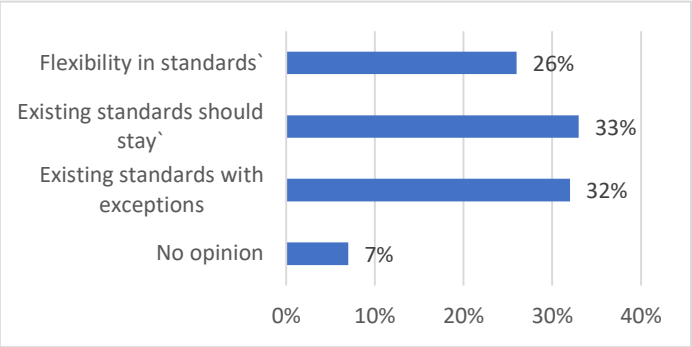
Following are sample comments:

- I'd be willing to pay more to have a better neighborhood. (3 more similar comments)
- I would be willing to pay an extra fee in the cost of the house, that would be added to a permanent endowment to provide some resident services and an ombudsperson to nag [the staff] at City Hall to pay attention to us.
- HOAs have their pros and cons, like anything, but in an area quickly becoming overcrowded, I feel they are necessary to curb negative issues that arise in planned communities such as this.

- I think an emphasis should be on "community work days" or other ways to engage with neighbors rather than paying an anonymous fee to outsource maintenance work.
- I like the idea of maintaining common spaces. However, I do not like the idea of HOA covenants that really discourage individuality.
- It's not the money. HOAs can get out of control.

Question 11: What best reflects your views of design standards for the Phase 3 expansion?

A majority of respondents (65%) indicated that existing standards favoring traditional New Mexico designs and materials should stay in place or that exceptions might be made to allow some additional materials such as clay tile roofs. Twenty-six percent said that design standards should be flexible and 7% did not have an opinion about the issue. Opinions on this issue did not differ significantly between current residents and non-residents.



Following are the only two comments:

- Standards should be flexible to allow additional styles, BUT there should be some defined standards. Do not allow just anything.
- Northern New Mexico roofs are often pitched, allowing for more efficient runoff.

Question 12: What would make Tierra Contenta Phase 3 a very desirable place to live in?

This was an open-ended question with no multiple-choice options to tabulate. Following are representative responses.

- Wider streets and better off-street parking; higher quality fencing standards; better privacy between single family homes; higher quality building material codes.
- Community outdoor pool.
- Ensuring that a trail system, like the one currently in place, that has gravel paths as well as paved paths links all the communities together.
- Options for affordable housing and mid-high end housing.
- Quality retail ANCHORED BY A GOOD GROCERY STORE, lots of small, scattered neighborhood-based retail for coffee shops, sandwich shops, barber/beauty shops, shoe repair, pack-and-mail places, ice cream shops, etc. And plenty of public transportation, walking trails, and bike facilities.
- Provide affordable housing to buy or rent. When I moved here, there were at least two pages of housing rentals. Now there are only a few listings.
- Nice well-designed outdoor spaces . . .
- Active Board, community events, local businesses (not corporations, chains, or even franchises) to maintain integrity, opportunity, and sense of place.
- Activities and spaces to foster community.
- More truly affordable housing with easy access to public transportation and community spaces.

- Connecting transit and trails
- Dark Sites for amateur astronomers to place telescopes at night.

Question 13: What problems with Tierra Contenta should be avoided in Phase 3?

This, too, was an open-ended question with no multiple-choice options to tabulate. Following are representative responses.

- I don't know very much about the existing TC development so it's hard for me to compare. Frankly, looking at these plans, the high density and concrete/asphalt amount worries me. I would not want to live there the way it looks like right now.
- You will be taking away our pre-existing hiking trails which is the best and only feature of living down here. We are so lucky to have this open space.
- Think about parking. Each home has multi-families in it so there are homes with people parking on their front yards. Looks ghetto!
- The city is planning too many projects in this area without considering impact on traffic, lifestyle, water usage, and more. I am happy to see more options available for residents, but this cannot be done blindly, and I fear this is exactly what is happening.
- There needs to be a major artery in and out of the community or Paseo del Sol will be a nightmare to use on a daily basis.
- Parking! Camino Rojo near the Country Club in particular is an awful mess. Jaguar [Drive], when the schools start and end, is a congested hell. This project should not proceed until a traffic plan [is in place] that improves the current mess and anticipates the additional residents, is implemented or at least concurrently implemented.
- DO NOT build streets that are too narrow that two cars can't pass, especially when there are cars parked in the streets. Build wider sidewalks; the ones currently here are too narrow.

Appendix A: Tierra Contenta Residents' Comments

Following are each and every comment received from respondents to the Citywide survey. Grammar, spelling and formatting were not corrected. Expletives were deleted. Not all respondents made comments, and those who did comment did not necessarily comment on every question since they could express their opinions by ticking off the multiple-choice answers of their choosing.

Question 1: Opinions on parks and trails in Tierra Contenta

Concerned that new development doesn't encroach on open space between Capital high and swan park. The arroyo needs to be protected from motor vehicles, illegal dumping and vandalism.

Because a girl was murdered down there

I only have one car

Some garbage but not that bad.

Don't build on them!

I like them.

If they could go places, would be better.

A little overgrown

Please don't build on them.

Just wish they connected to the mall. I run the trails everyday.

Not enough access to ALL trails for the disabled, benches needed along trails

Clean up

Parks are used & loved, just worries with needles or trash after parties. But love overall.

Needles in park & needs to be cleaned & mowed more often. It's dirty with trash.

need more maintenance

The arroyo and trails are wonderful to have for walking and other outdoor activities. I understand the need for expansion but there is more than enough land on the south side of Santa Fe to develop. Leave us a portion of land for these activities. It's just wrong to develop every inch of nature. Considering how us as humans have already effected the Earth in such a negative manner. I strongly oppose this project.

dog park please

We enjoy walking the trails and park behind the house

I love the views and walk my dogs often.

other family members love them

a lot of trash

wish the trails went to the schools

Do not build on parks or trails

Would be nice to have interconnecting trails to rail and arroyo chamisos trails

I am very concerned that the new development not encroach on the Santa Fe Open Space that is located between Capital High and the Swan Park. This arroyo area needs to be protected from motor vehicles, illegal dumping and vandalism.

Because a girl was murdered down there

Question 2: Views on parking in your neighborhood

I live on a corner lot and have extra parking along the side of the house. Other neighbors in my area have very little parking for their homes.

I live on Cerros Grandes Drive and parking is a mess. Unfortunately, this makes the neighborhood look completely congested and unattractive. I wish there was more enforcement on the amount of vehicles a household can have. For example, I have 2 vehicles, both in my garage, whereas my neighbor has 5 vehicles all on the street! Not fair. Also, some houses have trailers parked in front of their homes.

Eliminate on-street parkin

People need to use their garages for cars.

Too many people park on the street and not in their driveways/garages.

Too many families with 3 or 4 cars and don't use the garage.

No parking at all trailheads - need handicapped parking!

The apartments at Zona del Sol (near me) do NOT have enough parking.

All off street

Streets are too narrow, alleys are very narrow as well.

When parties are being built, there is not much room unless it's in the streets.

might need designated parking

not in the alley, but in the front yes.

People fill their garages and don't use for cars. Have grown kids with cars so one house may have 4-5 cars--no parking, just on street.

Well designed for parking.

not enough parking for guests, roads are too narrow

more "no parking" signs

people need to use their garages for their cars

Driveways are too short. Was promised parking in front of houses but was put across the street

I live on a corner lot and have extra parking along the side of the house. Other neighbors in my area have very little parking for their homes.

I live on Cerros Grandes Drive and parking is a mess. Unfortunately, this makes the neighborhood look completely congested and unattractive. I wish there was more enforcement on the amount of vehicles a household can have. For example, I have 2 vehicles, both in my garage, whereas my neighbor has 5 vehicles all on the street! Not fair. Also, some houses have trailers parked in front of their homes.

Eliminate on street parking.

Question 3: Views on street widths in your neighborhood

We do get less through-traffic due to narrower streets.

Cerros Grandes Dr. is far too narrow. There are vehicles parked on both sides of the streets, making the road only passable by one vehicle in either direction. The alleys to our garages also pose space and safety issues.

Parked cars on both sides in Cesar Chavez neighborhood is hazardous, slows emergency response time. Control speeding with narrow streets, speed humps. Speed on Jaguar drive must be controlled.

A lot of families have multiple cars

Streets are fine, no other comment.

Parking on one side of street

None, streets are OK for me.

Can't park on both sides

Streets are fine.

I do not find the streets too narrow.

Some lights could be added. Or strips on sidewalks so it doesn't flash in houses (track lighting).

speed humps, people drive too fast.

need to have more on street parking. Many homes have several cars, park on street.

streets are fine

Highlands Loop

they are wide enough

perfect

people park illegally

Enforce no parking signs on Highlands Loop

If only more residents understood this concept.

We do get less through-traffic due to narrower streets.

Cerros Grandes Dr. is far too narrow. There are vehicles parked on both sides of the streets, making the road only passable by one vehicle in either direction. The alleys to our garages also pose space and safety issues.

Parked cars on both sides of the street in the Cesar Chavez neighborhood makes driving hazardous, and slows emergency response time. Narrow streets do control speeding, so do speed tables/ humps as on Governor Dempsey Dr. through Nava Ade. Speed on Jaguar Drive must be controlled.

Question 4: How well affordable housing has worked in single-family neighborhoods so far

At times, some of these homes have then been rented out, which I understand was not part of the plan. It works when the original purchasers live in the home or sell it when they move, rather than rent it out.

It has worked well in my Evergreen neighborhood. Mixture of town homes and single-family homes.

no se

I like that

Car break-ins

Haven't noticed

Speak English

Worried my property value will drop.

Seems fair

No strong opinion

Not sure

Not sure

People need a place to live.

Don't know

But not sure

My family lives nearby.

That's nice.

Too many houses too close together.

Wouldn't even have known

I guess

again wants more

Housing value has dropped.

A nice mix--a quiet neighborhood.

not sure

Parking--many of the 40% have only 1 car garage but more than 2 cars so park on street

feels safe here and strongly agrees with affordable housing

doesn't notice anything related

unsure

the resale prices seem unreasonable

many of the affordable houses were foreclosed and lowered property values

40% feels high

no garages, low quality construction

overall good, but seems unfair a bit to those who have to pay full price. either/or--no graduated costs

But there should always be ample affordable housing available

At times, some of these homes have then been rented out, which I understand was not part of the plan. It works when the original purchasers live in the home or sell it when they move, rather than rent it out.

It has worked quite well in my Evergreen neighborhood. We have a mixture of townhomes, as well as single family homes.

No se

Question 5: How well affordable housing has worked in apartments so far

Focus on homeownership makes better neighborhood

But I like the idea

Just guessing

If it gives them a place to live and off the streets, it's good.

Family

I guess

Too many people from apartments continue to park along narrow streets - not happy.

Good area of people & looks out for each other.

wants more

lower property values

Occasional problems, but quiet.

car break ins

low income apartments have caused the home values to decrease due to all the crime. houses near apartments have several break ins in home and auto--lots of theft and vandalism

I believe focus on ownership creates a better neighborhood.

Question 6: Which business would you most want nearby if you were living in Phase 3?

Trader Joe's on the southside, please

A Sprouts would be nice

Something quick that keeps the traffic down

Don't care

Locally owned

Small market

Morning coffee!

Small grocer

Small, family place.

Not sure

Not sure

Costco!!!

Dog park! "Also a public pool".

All the above. And soccer field more than one!

Trader Joe's second location.

Popeye's would be great.

Trader Joe's....it's all the way across town. More healthy options would be great.

Nothing needs to be added.

"No Starbucks!"

locally owned

preferably locally owned

a small market

family run

none, would prefer no development at all or a bakery--something social

Trader Joe's

none-good enough as is. already enough here and a new bus would make more traffic

Grocery store & coffee shop

A south side Trader Joe's please.

A sprouts would be nice

Question 7: If you were living in a community like this, which facilities would be good to have?

Gym with swimming pool

I need help with both

Somewhere I can bring my father-in-law.

Community garden for kids? Just an idea.

They need a place to be

Keep teens off streets.

My parents are old and need stuff to do

Day care

Bike path & side walks & one lane for cars. Soccer fields.

No

PLEASE senior center (They had exercises, lunch, people to help with tech. stuff)

Newsletter of the area would be really great about the area and opening businesses.

They feel as though everything is good as it is.

More junior highs, treatment facilities, more care for people with disabilities

There just isn't enough programming for the youth of Santa Fe. And the state wonders why minors are getting into drugs and crime. There needs to be affordable activities for the youth to participate in.

give kids organized things to do

basketball

all covered reasonably well

community pool

Already looks good. Likes the library

Helps working moms, keeps kids out of trouble

the rest are already close enough

Gymnasium with swimming pool

Question 8: Would it be a good idea to set up a resident association for Phase 3?

Currently not all residents adhere to established covenants and there is no good way to enforce those covenants (weeds, extra autos on streets, etc).

I often write the city about the condition of my neighborhood. It is unfortunate how many let their homes/yards go.

Absolutely

Make communities closer

We need to work together

If free

City should do that.

They just talk and don't do anything.

Neighborhood watch

Too expensive

If no fees or very low fees

Should be able to make things work without one.

Not necessary

Need to make community decision.

We need to all know each other

If there is good participation

Initially many people get involved - but most drop out.

Clean up areas that are built first.

But who is on it?

It's better to allow locals to take care of their neighborhoods. It provides small jobs for those self employed.

no one has money to pay into it and people won't follow rules anyway.

But, I am NOT interested in having to pay fees or having people dictating extremes.

will it cost money?

yes, if no fee is involved

with caution about getting too political and expenses

affordable homes yard and home maintenance/regulations

recommends for new communities

modest fees, $400/quarter landscape and playground

They have one and it is good, but limited participation

expensive

for trash and parking

No fee HOA to enforce issues like parking, animals, property maintenance, graffiti,etc.

If their power is limited...

Currently not all residents adhere to established covenants and there is no good way to enforce those covenants (weeds, extra autos on streets, etc).

I often write the city about the condition of my neighborhood. It is unfortunate how many let their homes/yards go.

Absolutely.

Question 9: What would make Phase 3 of Tierra Contenta a very desirable place to live?

Buildings that go with New Mexico traditions

Careful attention to the increase of traffic in the area, and allowances for new/improved arterials to carry people in/out of the area without extra use of existing roadways.

More space, wider roads, home standards (home, yard, etc), parks, coffee/cafe to walk to.

Maintain open space. Make it walking and biking friendly.

Community bulletin board. Take a book, leave a book.

More police patrols.

Not sure

Less low-income

No parking signs

Not sure

Slow driving signs

One-side parking.

No littering.

Community activities board

No littering signs

Good neighbors.

Park/open areas. Affordable housing.

Soccer field. And close by so people can use.

Leaving vegetation please. Putting things too close together.

Supermarket & coffee stores.

Senior Center please. Something for seniors to do.

Block parties to get to know each other. Create bond with community.

Patrol of houses

Activities and programming for youth

People don't take care of their houses

Speed bumps help slow down drivers.

I like the idea of more resources but I really enjoy the green space around here.

housing with no shared driveways

40% is too high for affordable housing

better plant maintenance on Valentine and Paseo del Sol West

more street lights--some car break ins

yards

a bigger community is always better

more child friendly. a majority of Santa Fe helps tourists. kids need parks that are accessible

do not litter signs

trails that go to locations (library, bus stop, school) trails as transportation option

Needs a close, full service grocery store and more police patrols

Build like Rio Rancho

tree planting

better parking

Affordable housing, grocery store

maintenance of space next to roadways poor

Try to preserve views for the residents. Strong homeowners association that enforces community standards that benefit all.

Restrictions & enforcement on number of people per residence. This would positively effect the current status of numerous pick up trucks parking illegally on the No Parking side of the street and all over front yards. Parking vehicles on the front yard is an eyesore for neighbors. Also, coyote & wood fences are in disrepair and are a blight. RV's should be parked offsite. No Airbnb's. Paint the curb red in front of the mailbox turn out. People park there and the mailtruck blocks the street since someone is in their spot.

As long as streets are narrow, street parking needs to be eliminated.

Buildings that are go with NM traditions

Careful attention to the increase of traffic in the area, and allowances for new/improved arterials to carry people in/out of the area without extra use of existing roadways.

More space, wider roads, home standards (home, yard, etc), parks, coffee/cafe to walk to.

Maintain open spaces. Make it walking and biking friendly.

police station, the crime rate has gone up in this area.

Question 10: What problems are there with Tierra Contenta that should be avoided in Phase 3?

If it is not absolutely necessary to destroy something or get rid of something like Trees, bushes, etc. To keep them

Roadways that encourage racing of autos/motorcycles.

My neighborhood on Cerros Grandes was being developed/built by Mock (I believe); all models were one story homes, and there were a handful of options to choose from. Then they went bankrupt and random homes were built in any tiny land they could find. There are two story houses, there are habitat houses, there are privately built houses. This was very upsetting, so in the new development, I would hope there would be some standardization. Q11

Traffic congestion, shoddy construction, destruction of habitat and native vegetation. Be aware of flood zones and drainage patterns.

I'd love to see growth in this area especially a grocery store. I'm concerned about crime in the area and would like to see that addressed.

Big families in small houses.

Not sure

Low-income

Fewer low-income residents

Not sure

Too many speed bumps

Fewer houses.

Be sure the home construction is well built.

No schools! Too many already.

Narrow streets without place to park.

Narrow Streets.

Please apartments in a different place. Not so close to the houses.

Don't put buildings so close next to each other.

Anything with liquor (Bars or pot stores)

Bring commercial things in. Maybe some main line churches in area of all kinds! Bring things to bring people out of house.

Growth comes development. Loves that area is growing. Having best interest of home owners. Being safe, in choosing businesses in area....add bike lanes.

Dust! Wet that soil down while building! Rich are raising property taxes, easements don't help.

No corporate development

Street parking--needs more

small streets

View impacted? Walking trails impacted? Traffic?

fewer low-income

traffic flow is maintained as there are 4-5 schools off Jaguar

not too densely populated, maintains views

not sure

blocking roads and noise from construction

road traffic is already tight on busy mornings and afternoons. any projects should be well thought out to avoid further congestion.

sound ordinances

HOA is responsible for important infrastructure and repairs

Preferably no homeless shelter nearby

Not so much low income. Concerned about water

elimination of trees

not too many houses

very small streets

Not sure.

better access to schools for pick up of studentrs

Some areas homes are very close together

See #9.Enforcement of regulations is key.

Apartment buildings need to have assigned parking. It would eliminate a lot of parking problems. Would really like that to happen with existing apartment dwellers.

If it is not absolutely necessary to destroy something or get rid of something like Trees, bushes, etc. To keep them

Roadways that encourage racing of autos/motorcycles.

My neighborhood on Cerros Grandes was being developed/built by Mock (I believe); all models were one story homes, and there were a handful of options to choose from. Then they went bankrupt and random homes were built in any tiny land they could find. There are two story houses, there are habitat houses, there are privately built houses. This was very upsetting, so in the new development, I would hope there would be some standardization.

Traffic congestion, shoddy construction, destruction of habitat and native vegetation. Be aware of flood zones and drainage patterns.

Appendix B: Comments from Citywide Survey

Following are each and every comment received from respondents to the Citywide survey. Grammar, spelling and formatting were not corrected. Not all respondents made comments, and those who did comment did not necessarily comment on every question since they could express their opinions by ticking off the multiple-choice answers of their choosing.

Question 1: Would you consider buying or renting a home during the next 10 years in a planned community on the outskirts of Santa Fe?

There is NO water and it is already too congested and there are NO basic amenities like healthy food grocery stores. We first need to take care of who is living here right NOW!

We already live in Tierra II

Seems unlikely Because I already own in TC

Would prefer to see townhouse and multi-family mixed in with single-family units. Ghettoizing them often creates "hotspots" and eyesores.

If the rents are not too high. We live in the Tierra Contenta community already.

Do not plan on leaving current home.

We need to fix the roads in this area to accommodate all this expansion

I already live here and like the current planned layout of the units.

needs more infrastructure - specifically police and roadway, to handle traffic to and from schools (Capital, Cesar Chavez, and the middle school; Jaguar is over charged now; homes on Jaguar have too much pressure from the road (not enough police to control speeding, noise abatement from loud boom radios, and such); and too much pressure of home break ins, car break ins.

This represents a lot of new residents in an area already experiencing elevated traffic and decreased services compared to other areas of Santa Fe. This kind of expansion requires a corresponding development of infrastructure.

I own a house on camino rojo. I'd take a look at the new ones.

I think it's a good plan.

The density of homes to parcels is too high for me to consider a property "on the outskirts." If it's semi-rural, I would be looking for 1-3 acres per home.

I'd consider buying a home on the south side but only if there are grocery stores, restaurants, better streets, and more police presence.

I am happy where I am.

housing is too dense - this isn't a master community - this looks like 'the projects'

TRAFFIC - how in the world would you get out of there? Down the little teeny Paseo del Sol onto the incredibly crowded already Airport Rd?

My concern is traffic. Make sure there is appropriate highway access. Open up the highway at sfcc.

Too far from transportation and services

One very important aspect would be to minimize the impact of lighting on dark sky. In particular, there are many amateur astronomers in Santa Fe and that SW corridor is becoming increasingly light-polluted due to improperly installed or poorly maintained outdoor lighting fixtures. These lights cast a great deal of light upward, making observation of the night sky impossible.

I'd like to know where the water is going to come from for this and other developments in Santa Fe? We are restricted in water usage, year around in this area. Water is the one thing we all have to have in order to survive. If we don't start to conserve and protect the supply of water we have now, we will, like other civilizations that ran out of this precious necessity, we all will have to move.

Density way too high, not enough green space, need more green space close to all dwelling units and two more parks spread thruout. Even then it is way to dense for my comfort level. It makes me feel stressed just to look at it.

Already have a home in SolyLomas!

Too close to the airport the development is likely going to be plagued by airport expansion noise.

Too dense for my liking.

Question 2: If you lived in a planned community, what are your feelings about park land?

As long as these small parks have basket ball hoops and such for the teens who have nothing to do. I also think it is imperative that there is community garden in these parks.

See no reason why you can't include a large park AND small parks. Both important for different functions. AND THIS TIME INCLUDE RETAIL ANCHORED BY A DECENT GROCERY STORE.

We need to fix the roads in this area to accommodate all this expansion.

parks and opens space are critical to the community's well being -- also need some non paved walking paths; paved paths are too hard on arthritic joints.

Actually the option I prefer is not listed--one large park as described, and a few small dedicated parks for specialized activities like dog walking and child play.

currently all the small parks in the area are unused (except for the vegetable garden park on camino rojo and even there I've rarely seen anyone actually tending the vegetables). Right now, the entire area is a dog park.

If there are several small parks, who is going to maintain them. The City crews can barely keep up with all the parks and medians throughout Santa Fe. A large park can benefit more people. Build a community center with a swimming pool for residents to enjoy and not have to travel to Geneva Center.

Both 1 and 2. Large parks are good for community gatherings but small parks are important to connect proximate neighbors.

Parks would be nice IF they were maintained. We have a small one near us which was designed very well, but it just fills up with weeds and is not maintained. No one ever puts down more bark or replaces damaged or stolen flagstone, for instance.

A community little theatre.

A park like Swan is built too far from too many in the area and access is extremely limited. More smaller parks, especially along Airport Rd would serve more that actually need it - those living in smaller places that need more community spaces.

Preserve dark sky.

I'd rather this money be spent on solving the problem of homelessness and crime in Santa Fe. We need to reinforce our police department with more officers and a pay scale that is equal to or superior to other cities in New Mexico. This our capital city and we should be the leader of the state in solving problems that concern the whole state. Crime, homelessness, and mental illness.

I am currently visiting a north eastern city that happens to have built been built around multiple small parks. Most of them have a dog park area in them and playgrounds that are fenced in for children. It is a magnificent use of the space and really enhances the community, and a community interaction as well.

I'm against more development period

Public swimming pool, dog park.

Question 3: How much more would you be willing to add to your mortgage to improve energy efficiency?

In addition to the above, we would definitely choose to include solar panels and the latest fiber optic services.

Zero I think it should come already with energy efficiency

Energy efficiency shouldn't be limited to insulation, windows, etc. It should be built in from the ground up. Slab design, lot placement, fenestration design, window overhangs, heat vaults, building materials, LED lighting, etc. should all be integrated. Would pay for well-designed low-energy use home, how much 'more' would depend on many factors.

I would pay for passive solar, solar panels, would love to see water conservation factored in, and buried tubing for low cost cooling.

The city needs to update its standards if that is an issue.

new homes should have highly efficient insulation and windows; city and developers should supply solar and wind sustainability for each community and whole city

Question 4: How much more would you be willing to add to your mortgage to improve water conservation?

All new construction should be built with gray water systems and ample water catchment.

An underground tank to store runoff water; for later use when it is not raining.

Again this should already come with the house is a standard package

Do not eliminate well-designed irrigation systems from landscaping plans - make them available to residents who want to do container gardening for food, small well-placed ornamental plots, etc.

Water is scarce and is going to become even more so... We should all be planning for more ecological use

While this is a lovely option for new homeowners, which I support, it is not enough. Most people feel do not feel they have extra money to spend when investing in a house. Making options like these available with incentives for existing homeowners is needed.

would use drought tolerant native plants

Xeriscaping is NOT hardscaping! Low water use, native plants and smart, well planned landscaping is far preferred to extensive gravel and rock hardscaping that requires no water but absolutely hideous and increases reflective heat problems and has other negative impacts on the soil and land.

I already have xeric landscaping and use rain barrels to collect water, but it would be good to have a better catchment system.

rain water needs to go back into the aquifer

This should be standard.

new homes should include above code standards for conserving water and capturing stormwater

Question 5: Opinions on the proposed Tierra Contenta Pedestrian Network of walking/cycling trails

So you are going to encroach on our open space with houses, where we already have a good trail system, and then create something within that? This is a very poor compromise.

Pedestrian walking and cycling paths need to be AWAY from the streets. In Tierra II the streets are too narrow for SAFE cycling and they are dangerous for pedestrians.

Grocery stores, tennis courts, swimming pool, dog park, finish Swann Park (stages 2 and 3 need to be finished.).

THERE IS NO WHERE TO PARK!!! I HAVE 1 PARKING SPACE ON MY LOT AND THE STREET IS PACKED WITH PEOPLE PARKING NOT SAFE FOR KIDS TO PLAY OR TO PARK. NOT ENOUGH ROOM. BETTER SPACING FOR ON STREET PARKING FOR GOD SAKES!!

Better public transit availability, please. Not just more Santa Fe Trails bus routes, but senior transport buses and in-development local buses to retail and services as well as to pickup points for city-wide transit.

I find in TCC that people tend to park on both sides of the road. Turning our already tight 2 lane roads into a single lane road. Perhaps widen the roads a little?

I love the trails east of jaguar. That open space is awesome for mountain biking and hiking it would be a shame to lose it. Paved trails aren't the same.

ssoft trails better for elderly with arthritic joints

Pedestrians and bicyclists cannot safely share the same space. Dedicated cycling lanes are overdue in the city, and this phase is no exception.

I'm a 68yo runner. I love the hills and the dirt paths back there. Pavement is the last thing my aging legs want. Keep as many dirt trails as you can and having a dirt path next to the paved bike trails would be fantastic.

I would like for a Pedestrian Network like this to be made NOT roadside. When I'm walking and strolling around with my family and kids on a trike, I do not want to be anywhere close to cars. This kind of network would be amazing to have as "shortcut" paths between major roads, or down back alleys. Definitely don't eliminate sidewalks alongside roads, but I would expand the non-roadside pathway plan instead.

Sidewalks everywhere so I can use my disability scooter

More open space is needed. With climate change, more open space is needed to prevent this. Too many buildings are causing our climate to change. I've seen how Santa Fe's climate has changed these past 60 years I've lived here.

Walkability, bike paths for recreation and commuting, safe routes to school, etc. all very important to me.

I think you should NOT have on street overnight parking. Separation between ped/bike paths and road are a good idea.

Must be 100% accessible in a self-propelled and electric wheelchair to be of any use to me

Transit as well as off street paths

Water conservation

I found the diagram hard to follow so I'm not sure if I'm accurate or not. It looks to me like there needs to be more interconnecting trails and not just one large one around the outside. The more walking trails you have the better. I would also suggest that they not be always next to Rose but that they wine through the community. People don't like to walk next to roads as much as they do winding through vegetation.

Paseo del Sol is going to be one busy street. I would not enjoy walking it.

Question 6: If you were to move to a high quality planned community, what kind of home would you be looking for. Pick the one answer that best reflects your needs.

Respondents made no comments on this this subject but 75 out of 77 picked one of the multiple choice answers.

Question 7: How important is it to provide some modest affordable homes to low-income residents?

There is reporting that genuinely Affordable housing will not be included in Tierra III. This would be a mistake. We need housing for lower income families ($35k or less)...even if the city has to subsidize it!

THERE IS ENOUGH HOUSING FOR UPPER MIDDLE TO SIMPLY RICH IN SANTA FE.

The city of Santa Fe's affordable housing regulations have created the current housing shortage. It is misguided to have builders build for a certain income price range, but have to require a certain number of affordable homes. Not fair or desireable to the people who want to live in neighborhoods with families of similar incomes.

I live in this neighborhood. And although providing housing for all price ranges is important. I don't want the price to be so low that the our safety begins to be a concern. didn't pay $300,000 to live among riff raff.

Collaborate with Homewise! Economic and cultural diversity is the key to resilient communities.

Homes that are affordable are never maintained. People can barely afford their mortgage, and don't maintain their homes. Why is the majority of affordable homes dumped on the south side? I would love to live in the north or east sides of Santa Fe. When are residents on the north and east sides going to have to deal with affordable homes and residents?

Important to keep neighborhoods diverse and offer affordable housing options interspersed with more expensive options.

There are enough wealthy people here. Save this space for some of its sanctuary city folks that will need housing.

Please also look at providing accessible homes for the disabled including single level floor plans with no stairs

I think it is a worthy goal that is very hard to achieve to build a complex that is appealing and comfortable for all income levels. Philosophically I fully believe that providing quality housing for working level families is essential to maintaining Santa Fe. I think the Oshara community south of the city with Habitat and Home Wisehomes is a prime example. I think it's Great but could definitely be improved with more green and walkable space.

Question 8: If you were to live in a community like this, which one business would you most want nearby?

A health food store like Natural Grocers, Sprouts, Co-op, Whole Foods, etc....

There needs to be an alternative to WalMart.

We have plenty of gas stations and convenience stores on Airport Road. I would not want one in my neighborhood.

Get good local retail anchored by an excellent grocery store (Trader Joe's, Kaune's, Smith's, Sprouts, etc.) and the other businesses will come to take advantage of the traffic. How many times do we have to tell you we want a good grocery store?

A restaurant out near 599 and Jaguar, a convenience store/gas station would be nice, too. Maybe a small grocery store.

Quality grocery stores such as Trader Joe's or even Costco are so way overdue in the Southside, I don't even have words to express it.

Living in walmart's shadow makes many businesses unviable. But having a community where there is no place to walk to is isolating. I can currently walk to a dollar store and mcdonalds. That's a serious negative. Need an ice cream place at least for a little stroll on a summer evening.

With a liquor license and patio for summer night hangouts, open mics nights for the community, etc.

None

This area is in desperate need for a few good grocery stores. Residents only have Walmart. This area also needs restaurants. This area has been so neglected for years.

"Third place" spaces are good. A small market with packaged foods and seating area could fill same function while also offering grocery items. Something like La Montanita Co-op or Silver St. Market in ABQ.

Same as the downtown area.

Question 9: If you were living in a community like this, which facilities would be good to have?

Multi-purpose center for all ages including recreation, community garden, farmers market, meeting room like a well designed and managed YMCA

Post Office, DMV Office, Police/Fire/Emergency hub

A dog park

None just empty land to enjoy

Police station. Could be a small office. Also, a recreation area. Gym, pool ect.

Elder care and day care for kids

Gym. Pet daycare. Library.

Community center with pool and exercise facilities. Just like Fort marcy and geneva Center.

Question 10: What would you be willing to pay for a resident association to help assure maintenance?

HOA's are fascist.

But ONLY if it were governed by homeowners/renters. NO to outside HOAs.

I'd be willing to pay more to have a better neighborhood.

WE ALREADY HAVE MAJOR PROBLEMS WITH THE HOMEWISE HOMEOWNERS ASSOCIATION HARASSING PEOPLE ON AVENIDA EL NIDO. Major PROBLEMS!!!!

I would be willing to pay an extra fee in the cost of the house, that would be added to a permanent endowment to provide some resident services and an ombudsperson to nag those assholes at City Hall to pay attention to us.

HOAs have their pros and cons, like anything, but in an area quickly becoming overcrowded, I feel they are necessary to curb negative issues that arise in planned communities such as this.

it's not the money. hoa's can get out of control.

I think an emphasis should be on "community work days" or other ways to engage with neighbors rather than paying an anonymous fee to outsource maintenance work.

I would be willing to pay higher HOA fees as long as this area is kept clean and always maintained. Who would do the maintenance? Hopefully not the City of Santa Fe. The City doesn't keep Santa Fe clean or maintained.

Imperative

I like the idea of maintaining common spaces. However, I do not like the idea of HOA covenants that really discourage individuality. A few rules might be OK but it's important not to make them too restrictive. But reasonable maintenance of common spaces, trails, sidewalks etc. is a great idea

Question 11: What best reflects your views of design standards for the Phase 3 expansion?

Standards should be flexible to allow additional styles, BUT there should be some defined standards. Do not allow just anything.

Northern N M roofs are often pitched, allowing for more efficient runoff

Question 12: What would make Tierra Contenta III a very desirable place to live in?

Nothing. I think that this is a terrible idea. Are any of you aware of this thing called Climate Change? We already have no water and you want to encourage more growth?

Parking on the street AND all over one's property is a MAJOR problem with Tierra II. Right now the plan for Tierra III is basically to duplicate Tierra II. PLEASE do not do this. It's unattractive, it lowers property values, and the street should NOT be the extended garage for a house. Right now a property owner has the legal RIGHT to park as many vehicles around their yard or on the street as they want. This is totally unacceptable.

Wider streets and better off-street parking; higher quality fencing standards; better privacy between single family homes; higher quality building material codes

Community outdoor pool

Ensuring that a trail system, like the one currently in place, that has gravel paths as well as paved paths links all the communities together.

Options for affordable housing and mid-high end housing.

Less apartments. Affordable apartments unfortunately bring crime.

DO NOT INCLUDE HOMEWISE!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! SANTA FE HABITAT FOR HUMANITY YES OR SANTA FE HOUSING TRUST.

I am concerned that Paseo del Sol west will not be able to handle the increased traffic

Quality retail ANCHORED BY A GOOD GROCERY STORE, lots of small, scattered neighborhood-based retail for coffee shops, sandwich shops, barber/beauty shops, shoe repair, pack-and-mail places, ice cream shops, etc. And plenty of public transportation, walking trails, and bike facilities.

Provide affordable housing to buy or rent. When I moved here, there were at least two pages of housing rentals. Now there are only a few listings. Normal, ordinary people want to live here, work here, go to school here, raise their children here, not just the trust fund babies, the millionaires, and the notorious elite.

I do not want phase 3 to happen at all. We are already to crowded!!

Nice well-designed outdoor spaces, more amenities close by such as grocery store. Please no gas stations there are plenty of airport road

Some of us currently live in tc...how about s

Police Substation?

Keeping as much open space for pedestrian trails and recreation is very important.

We need to fix the roads in this area to accommodate all this expansion

Please don't build so many low income housing. We live in Tierra Contenta because it is a safe, peaceful, neighborhood.

THERE NEEDS TO BE A DIFFERENT ROADWAY FROM THE AREA LEADING TO CERRILLOS ROAD!!!!!

(1) INFRASTRUCTURE. There is simply not enough of it in the Southside as it is--traffic control, water access, schools, and the like. (2) More emphasis on walkable neighborhoods, with farmers' markets, upmarket groceries like Trader Joe's, coffee shops or other amenities in reasonable walking or short driving distance. (3) Preserved open space is vital to our health and sustainability, as well as preventing further incursions on wildlife. (4) Situate dog parks and kid playgrounds in peripheries, to minimizing noise and parking impact on residents in general.

Larger lots. No HOA. Definitely no covenants or restrictions. If I wanted to improve my property, I don't want to have to present it to some community council for approval first and argue about whether my apple tree plan is going to drop too many apples on my neighbor's lawn.

ADA accessible sidewalks

Better grocery stores and restaurants. Wider streets and not building homes on top of each other. Give residents room. Fix the roads especially Paseo del Sol, Jaguar etc. A community center so residents can go to exercise and swim and play basketball indoors.

Active Board, community events, local businesses (not corporations, chains, or even franchises) to maintain integrity, opportunity, and sense of place.

Would want to conduct as much business as possible within walking distance of home.

who benefits from this massive development?

I hate the narrow streets. I hate that there is no place to park.

Make it a 100% disability accessible community

Activities and spaces to foster community

More truly affordable housing with easy access to public transportation and community spaces.

Connecting transit and trails

Dark Sites for amateur astronomers to place telescopes at night

I am very concerned about 1,100 new homes where we been told for years that there is not enough water to accommodate your total construction

Encourage Innovation and connection: working with SFCC and other organizations (Reunity) design facility that serves as a community anchor with a community greenhouse attached to a community center and community garden with play area for kids.

To me, public green space is extremely important. It provides an efficient way to cool and beautify a community to have public green spaces well maintained in a water efficient way. There's also a lot of research on how green spaces calm the community and provide a gathering place in communities and cool down tempers. I think the walking trails, parks and green spaces will be an important type of clue for the community and could encourage all members of the community to mingle. I also think that it is important to have more than one of the services you suggested above. I believe day care centers are

essential to a community of wealth of working families; I also believe that easy access to quality food is important. I know people who live in Aldea and I believe that the public gathering spaces there don't work very well because they don't provide a lot of these things. While it is a very attractive community, it feels isolated. It would be great if Tierra Contenta could avoid that. I also think relaxing some building standards to allow individuality is important. But Santa Fe building codes have for many years required these traditional building styles and I think it would be a shame to completely do away with them.

Question 13: What problems with Tierra Contenta should be avoided in Phase III?

You will be taking away our pre-existing hiking trails which is the best and only feature of living down here. We are so lucky to have this open space. Also, the traffic will be terrible, plus this is a food desert down here.

Parking on the street needs to be limited to daytime only. No parking in the "yard" areas. Parking ONLY in the garage or on the driveway. Other cities have helpful restrictions like this. SF does not have to be a fickle western town where one's bullying is the law. We went to the incompetent ENN presentation. Even there it was obvious the streets were TOO NARROW.

Traffic congestion and flow of traffic; access to public transportation; use of alternative forms of transportaion

*Streets that are too narrow*Not enough measures to slow traffic down such as speed bumps, roundabouts, and stop signs*Not enough space dedicated to open trails and things like a community garden*

Apartments, narrow streets, houses sitting on top of each other

Streets are too narrow, homes are too close to each other, too many cars parked on the narrow streets which make it impossible to drive through, better street lighting, not enough traffic calming measures, medians look terrible with ugly landscaping, too many affordable homes and apartments which has effected my home value, poorly designed streets. Etc.

THINK ABOUT PARKING MY GOD. EACH HOME HAS MULTI FAMILIES IN IT SO THERE IS HOMES WITH PEOPLE PARKING ON THE THEIR FRONT YARDS...LOOKS GHETTO

DON'T FORGET, IGNORE, OR PROCRASTINATE ON THE RETAIL. Provide incentives if necessary. Get the City involved. Tax rebates, property allocation, whatever it takes. And don't shove all the retail into one place. Integrate it. And don't ghettoize townhomes and multi-family housing, mix it in.

Too crowded!!

Tall shrubbery close to turnstiles and stop signs. People tend to run stop signs at these turnstiles. This would give me a better chance of not getting T-boned by a runner.

narrow streets that do not allow for parking, not having sidewalks for pedestrians, not having away-from-cars walking trails

We need to fix the roads in this area to accommodate all this expansion

Loss of the dirt trails

Make sure traffic problems and noise are avoided. Water collection areas should be developed. Wildlife corridors should be planned.

INADEQUATE POLICE AND ROADS; SPEED CONTROL;

It's the infrastructure, silly. The city is planning too many projects in this area without considering impact on traffic, lifestyle, water usage, and more. I am happy to see more options available for residents, but this cannot be done blindly, and I fear this is exactly what is happening. Please provide more detailed explanation of how this is being addressed and to whom we can go with concerns.

parking! camino rojo near country club in particular is an awful mess. traffic! jaguar, when the schools start and end is a congested hell. this project should not proceed until a traffic plan, that improves the current mess and anticipates the additional residents, is implemented or at least concurrently implemented.

That not so much water is used.

DO NOT build streets that are too narrow that two cars can't pass especially when there are cars parked in the streets. DO NOT build homes on top of each other. DO NOT build homes with the garages in the back of the house that you have to access through an alley. Build better quality homes then the ones that were built in Phase 1. DO NOT build any more affordable apartments. The ones that are here are falling apart and need tending to. Create more presentable medians then the ones that are currently in place. Do NOT put bushes and trees behind residents homes where residents are responsible for maintaining them but don't. Build wider sidewalks because the ones currently here are too narrow and unpassable because of all the weeds and overgrown bushes and trees.

Through roads that encourage speeding - like what they did to Dancing Ground! Just now, cars going 50 miles an hour in 25 mph district - where we walk our dogs, get our mail, coming out of our driveways - it has become dangerous.

too many homes per acre

Dust, Traffic, Noise

I hate the narrow streets. I hate that there is no place to park.

Uncensored dog areas

Separation of children and elderly

Diverting resources from Airport Rd. Building Swan park so far from the Airport Rd community. Lack of community spaces

Don't give Tierra Contenta the necessary permits

I don't know very much about the existing Teaira content development so it's hard for me to compare. Frankly, looking at these plans, the high density and concrete/asphalt amount worries me. I would not want to live there the way it looks right now.

Focus on preventing airport noise. Development should focus on Water conservation and should not be yet another exclusive neighborhood that only wealthy people can afford.

There needs to be other major artery in and out of the community or Paseo del Sol will be a nightmare to use on a daily basis.

August 19, 2021
Planning Commission
Case #2020-2318
Tierra Contenta Master Plan
Amendment #1 for Phase 3A

EXHIBIT G

Applicants Materials

1. Application Master Plan Report
2. Applicant's Traffic Study
3. Archaeological Clearance
4. Tierra Contenta *Restated Annexation Agreement*
5. *Master Plan Plans*

EXHIBIT G1

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

June 21, 2021
(Revised July 28, 2021)

Dan Esquibel, Senior Planner
Current Planning Division
City of Santa Fe Land Use Department
200 Lincoln Avenue
Santa Fe, NM 87501

RE: Tierra Contenta, Phase 3A - Master Plan Amendment #1

Dear Dan:

This letter is respectfully submitted on behalf of Tierra Contenta Corporation (TCC) in application for an amendment to Phase 3A of the Tierra Contenta Master Plan, which was adopted by the City Council in 1994. Phase 3A comprises only the TCC-owned lands within Phase 3 of the recorded Master Plan. The Phase 3A subject parcels total ±222.84 acres and are located of south Jaguar Road and east of SWAN Park.

Background

The land comprising Tierra Contenta was originally annexed by the City of Santa Fe in 1985. The City Council approved the following documents that initiated the development of Tierra Contenta at its meeting on February 23, 1994:

- The Tierra Contenta Master Plan, which included 1,331 acres of property rezoned to Planned Residential Community (PRC), plus 90 acres of property outside the PRC zoning, for a total 1,421 acres. Of this total land area, the City owned 860 acres, which it deeded to TCC.
- Purchase agreement and promissory note to the City conveying 860 acres to TCC for $6.287 million.
- The Restated Annexation Agreement, "Tierra Contenta, Wolgamood Subdivision and Contiguous Lands (East)" which outlines the obligations of each land owner and the City for the development of the property, including the affordable housing obligations on the TCC-owned property.

The Tierra Contenta Corporation (TCC) was created by the City of Santa Fe in January 1993 for the purpose of implementing the Tierra Contenta Master Plan on its behalf. The Corporation's Board of Directors is made up of volunteers from the Santa Fe area representing a wide range of expertise and includes two City staff members.

The primary roles of the Tierra Contenta Corporation are as follows:

- Secure development entitlements for the TCC property on a phase-by-phase-basis that are generally consistent with the Master Plan. This includes preparation of design standards, creation of tracts for sale to developers in a phase subdivision plat, and creation of a phase development plan.
- Recruit developers and/or builders for the development tracts created.
- Build the spine infrastructure necessary to provide access and utilities to each tract.
- Meet the currently established affordable housing requirements (40% affordability to 80% Area Median Income).
- Repay to the City the principal amount of the $6.287 million land loan.
- Dedicate land for parks, open space, and other public uses according to the Annexation Agreement.

The Tierra Contenta Master Plan was approved by the Governing Body on February 23, 1994, which addresses land uses and densities for all properties subject to the Annexation Agreement. The Elisia Partnership owned 150 acres within the annexation area, which TCC later acquired. The total entitled dwelling units for TCC-owned lands per the Master Plan are identified below. Please note that Tract 55 was originally shown as part of Phase 3, but was actually created in Phase 2C. Therefore, the 103 units allotted to Tract 55 have been moved from Phase 3 to Phase 2.

Phase	TCC Units	Elisia Units	Total
1	926	335	1,261
2	1,874	126	2,000
Subtotal	*2,800*	*461*	*3,261*
3A	888	287	1,175
TOTAL	***3,688***	***748***	***4,436***

For each phase of the Master Plan, a Master Plat establishing the development tracts and associated Design Standards must be approved by the Planning Commission. Subsequently, Subdivision Plats and Development Plans are approved by the Planning Commission for individual development tracts within each phase. Prior to City review and approval, each Subdivision Plat and Development Plan is subject to review by the TCC Architectural Review Committee for compliance with the Master Plan and with the adopted Master Plat and Design Standards for the phase in which the development tract is situated. Except as specifically provided in the Tierra Contenta Master Plan, Annexation Agreement or phase-specific Design Standards, development within Tierra Contenta must comply with all other property development regulations adopted by the City of Santa Fe.

Previous Phases

To date, TCC has completed the master platting process for five phases – Phase 1A, Phase 1B, Phase 2A, Phase 2B, and Phase 2C. This represents 3,193 residential units on TCC land. Of these, 1,310 units (41%) are considered affordable. Per above, the total entitlement for Phases 1 and 2 is 3,261 units.

Phase	Acreage*	Total Built/Platted Units	Affordable Units	% Affordable
1A	175	891	460	51.6%
1B	165	800	365	45.6%
2A	165	670	225	33.6%
2B	61	388	165	42.5%
2C	45	444	95	21.4%
TOTAL	*611*	*3,193*	*1,310*	*41.0%*

**Acreages presented are exclusive of natural open space.*

Phase 3A Land Use Summary and Design Standards

Phase 3A of Tierra Contenta includes only TCC-owned lands within the final phase of Tierra Contenta, totaling 222.84 acres. The remainder of land in Phase 3 is owned by the New Mexico School for the Deaf (NMSD) and there are no plans to develop Phase 3B at this time. This proposed Amendment is intended to respond to shifting market conditions, provide more housing diversity, improve pedestrian connectivity, and implement design changes to address lessons learned from previous phases. An overview of the proposed Phase 3A Design Standards is provided with this application for the City's review and comment. The final document will incorporate input from the City and the TCC Board and will be submitted with the Master Plat application for Phase 3A.

The following table summarizes the proposed land use entitlements for Phase 3A, as requested in Master Plan Amendment #1:

Mixed Residential	118.95 acres	1,133 units
Mixed-Use	3.43 acres	42 units
School	9.37 acres	
Open Space	91.09 acres	
Total	*222.84 acres*	*1,175 units (1,500 maximum)*

In response to City and neighborhood feedback on previous phases, TCC is taking a fresh approach to the design standards for Phase 3A. All residential tracts are designated as "Mixed Residential" to emphasize that a mixture of housing types is permissible and encouraged. An overall increase in density to 1,500 units is proposed to encourage and facilitate the creation of a diversity of housing types. A minimum number of units are assigned per development tract, and a "density bank" will be established to provide incentives for inclusion of "missing middle" housing types and innovative sustainability measures as each tract develops. Rules will be established to determine how density bonuses are awarded based on availability of entitled units and the development program proposed. Form-based standards will define Roadway Typology, Building Typology, and Open Space/Trail Typology. This approach is intended to create a flexible framework that will define how buildings, open spaces, and streetscapes are configured

to shape and activate the public realm, create a desirable and livable neighborhood, meet affordability goals, and realize the values and intent of Tierra Contenta.

Master Plan Amendment #1 Approval Criteria

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

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

This Master Plan Amendment aligns with General Plan Themes and Policies, such as Affordable Housing, 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, and Mix of Housing Types in All Neighborhoods.

(b) The master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts;

The stated purpose of the PRC District in §14-4.3(I)(1) is "*…to provide for the comprehensive and coordinated planning of large-scale residential developments that allows for a phasing of development that will take place over a long period of time. This district allows and encourages single- family residences in conventionally platted subdivisions and clustered residential developments based on a design concept that applies innovative site-planning techniques; a mixture of residential densities intended to achieve a balanced community for all types of families ; and neighborhood commercial uses of a type and intensity serving the residents of the PRC and the surrounding areas."* This amended Master Plan is consistent with the purpose and intent of the PRC District through the provision of a diversity of housing types, innovative design standards, a mix of residential densities, and mixed-use development.

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

The Master Plan includes provisions for pedestrian and vehicular connectivity to the surrounding area. In addition, the subject land area (Phase 3A) makes efficient use of existing infrastructure and represents the final phase of development within the Tierra Contenta master-planned community, as contemplated in the original vision of the master plan.

(d) The existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development.

The backbone infrastructure to be constructed by TCC will include the following: (1) construction of Paseo del Sol from the current terminus of Paseo del Sol West to the

Herrera Drive/Paseo del Sol East roundabout, completing this important connection; (2) construction of the Phase 3A Loop Road, providing access to the development tracts; and (3) water and sewer mainline extensions in accordance with the attached Master Utility Plan. In addition, over 91 acres of natural open space is being preserved with a significant trail network and two mixed-use parcels are provided to accommodate potential future civic/public uses. Lastly, a 9.37-acre school site is being established to address future student demand in the area.

PRC Zoning

The zoning of Tierra Contenta is Planned Residential Community (PRC), which was established by the Santa Fe City Council in 1988. The purpose and intent of PRC zoning is described in SFCC §14-4.3(I)(1) and generally provides comprehensive zoning for large-scale, phased development, which "applies innovative site-planning techniques." The Phase 3A Design Standards along with the Master Plat will form the basis to implement the Master Plan, as amended for Phase 3A by this application. Development of the tracts created by the Phase 3A Master Plat are contingent on approval of a Subdivision Plat and/or a Development Plan, if applicable, for each tract that follows the Tierra Contenta Master Plan, the Phase 3A Design Standards, and other relevant City policies and regulations. The Design Standards are structured to give users and reviewers a format, intent, and specific direction for development review and implementation.

City staff and planning officials retain jurisdiction to review, approve, or disapprove Development Plans and Subdivision Plats within Tierra Contenta. However, the Tierra Contenta Annexation Agreement states that:

> "*The City agrees to approve rezoning, preliminary development plans and preliminary subdivision plats for individual tracts within the Property, provided such rezoning, plats and plans conform to the Master Plan and Phasing Plan, the SFCC 1987 as amended, and the provisions of this Agreement. The City agrees to approve final development plans and final subdivision plats that substantially conform to previously approved preliminary plats and plans*."

The Phase 3A Master Plat and Design Standards shall be consistent with the Master Plan. Subsequently, the individual Subdivision Plats and Development Plans for the tracts shall be consistent with the approved Phase 3A Master Plat and Design Standards.

Residential Density

In accordance with the 1994 Tierra Contenta Master Plan, Phase 3A is entitled to 1,175 dwelling units. However, there is a 708-unit surplus of undeveloped units from the previous phases. Therefore, we are proposing a maximum density of 1,500 units, "borrowing" from this surplus. A minimum unit count is established for each tract to ensure that appropriate densities are achieved. Phase 3A will include a Density Bonus Program utilizing the surplus units as a "density bank" to incentivize diversity of housing types, higher levels of affordability, and innovative sustainability measures. For example, a single-family developer can achieve higher

density if they incorporate townhomes, multiplexes, courtyard housing, or other types of multi-family dwellings into their project. The Density Bonus Program parameters will be established in the Phase 3A Design Standards submitted with the Master Plat.

Affordable Housing

Tierra Contenta was established with an affordability program that requires that 40% of the units be affordable to those earning 80% of the Area Median Income and below. In the first two phases, 1,277 affordable units have been produced amounting to 41% of the total units constructed to-date, 33 units in excess of the requirement. Phase 3A will include a requirement that an overall 40% affordability is achieved.

Mixed-Use

Tracts 58 and 59 are designated as Mixed-Use to accommodate civic, neighborhood commercial, and residential uses. In the event that there is no market demand for civic or commercial space, one or both of these tracts may be converted to Mixed Residential in order to ensure the orderly completion of the project.

Access and Traffic

Phase 3A will be served via the extension of Paseo del Sol from the current terminus of Paseo del Sol West just south of Jaguar Drive east to the Herrera Drive/Paseo del Sol East roundabout, completing this important roadway connection. In addition, an internal Loop Road will complete the Phase 3A backbone roadway infrastructure, providing access to the development tracts. The easternmost leg of Paseo del Sol and a portion of the Loop Road cross NMSD property and we are working with the administration to procure the requisite right-of-way dedications in accordance with the terms of the Tierra Contenta Annexation Agreement.

The Amended Master Plan identifies potential future roadway connections to adjacent lands, including NMSD property and the Mutt Nelson neighborhood to the south. As the individual tracts are developed, road stub-outs and/or right-of-way dedications will be required where appropriate to ensure adequate roadway connectivity in the larger area. In addition, connectivity among the development tracts is a key component of the design intent.

In an effort to provide improved pedestrian amenities and connectivity, each of the proposed roadway sections includes sidewalks on both sides. Furthermore, in order to address parking shortages experienced in previous phases, on-street parking is proposed on segments of Paseo del Sol and on one side of the Loop Road. Local Roads constructed within the development tracts will also need to include on-street parking. In the event on-street parking is not feasible due to driveway proximity, dedicated guest parking areas will be required. Please refer to the Road Sections in the attached Master Plans for more information.

A Traffic Impact Analysis was conducted by Walker Engineering and is submitted herewith for review. The trip generation was calculated in accordance with a set of land use assumptions based on a dwelling unit yield analysis of the subject area. All studied intersections will continue

to operate at acceptable Levels of Service in the build condition and horizon year. Furthermore, as referenced in the addendum letter from Morey Walker, a potential increase in density up to 1,500 dwelling units will not negatively impact the study's results.

Water and Sewer

As part of the backbone infrastructure to be constructed by TCC, new water and sewer mainline extensions will connect to existing facilities. A 10" water main will be installed in Paseo del Sol connecting to existing lines at the eastern and western termini of the new roadway. In addition, an 8" water main will be installed in the Loop Road. Future tract development will connect to these lines and loops will be established among various tracts where warranted. Sewer service will be provided via gravity and low-pressure connections to the existing Arroyo Chamiso Trunk Line that extends through the project area from the western terminus of Paseo del Sol down to and along the southern site boundary. In addition, the northernmost tracts will connect to a new gravity sewer line to be constructed adjacent to an existing drainageway, which will also connect to the Arroyo Chamiso Trunk Line in Paseo del Sol. Please refer to the attached Water and Sanitary Sewer Master Plan for more details.

Open Space, Parks, and Trails

In Phase 3A, 91.09 acres of open space will be preserved, which includes one Neighborhood Park, to be owned and maintained by the City of Santa Fe, four dispersed Pocket Parks to be maintained by the applicable homeowners' association, and an extensive trail network. Park locations shown on the Master Plan Amendment Plans are conceptual and subject to change during platting. These decentralized passive and active recreational spaces are intended to provide community connection opportunities throughout the neighborhood and will be developed in accordance with the Design Standards, as summarized below.

- Neighborhood Park: Up to 5 acres in size, a Neighborhood Park serves as a social and recreational focal point for the neighborhood. Includes formal playground, outdoor sport courts, sport fields, picnic tables, pathways, and/or multi-use open turf areas. Intended to accommodate the recreational needs of a wide variety of users and access for pedestrians, bicyclists and other non-motorized travelers is a priority. Connectivity to surrounding neighborhoods is vital. Sidewalks, pathways, and connections to the larger neighborhood trail system should be established. No more than 2/3 of the area should be reserved for active recreation. Remaining area should be enhanced with benches, gardens, natural areas, multi-use green space, pathways, and other more passive amenities. The Neighborhood Park will be developed in the eastern portion of Phase 3A to achieve appropriate separation from SWAN Park.

- Pocket Park: Small outdoor space, usually no more than ¼ to ½ acre in size. These are small-scale, landscaped open spaces designed for passive recreation, social interaction, and connection with nature. Minimal amenities are provided, aside from those intended to enhance pedestrian comfort. Connectivity to surrounding residences and the trail network is a priority.

- Pedestrian Corridors: Multi-use path with open space buffer on either side that provides enhanced connectivity for pedestrians and cyclists between development tracts, linking streets, sidewalks, and trails within a neighborhood.

- Community Trails: A network of 10-foot wide non-motorized trails within the natural open space, which will connect to the existing area trails. Trails shall be accessible via the sidewalk network and connect to the parks, where feasible.

- Natural Open Space: Dedicated open space that is defined by natural vegetation and shall remain largely undisturbed and protected during construction activities. Construction within Natural Open Space is limited to trails, drainage improvements/arroyo bank stabilization, and utility extensions. Disturbed areas shall be revegetated to mimic the undisturbed condition.

Pedestrian/Bicycle Connectivity

One of the primary intentions of this Master Plan Amendment is the enhancement of pedestrian connectivity and improved bicycle facilities. Each of the proposed roadway sections includes sidewalks on both sides and Paseo del Sol will provide dedicated bike lanes. In addition, the trail network is a multi-modal improvement accommodating pedestrians, cyclists, and the differently abled. On Paseo del Sol and the Loop Road, sidewalks are separated from the travel lanes by either a landscape buffer or on-street parking, providing for pedestrian safety and an overall improved experience. Furthermore, the Design Standards address how the built environment relates to the street, ensuring a vital, animated streetscape that is safe and inviting. The streetscape will be dominated by street trees, front building façades, entryways, and low yard walls. Rear yards fronting a roadway, except alleys, are prohibited.

Archaeology

Archeological surveys were conducted of the entire Tierra Contenta land area and Clearance Permits have been issued for all phases, which are attached.

Community Outreach and Early Neighborhood Notification

Extensive community outreach was conducted on 2019 and early 2020 as TCC embarked on revising the Phase 3A design. The intent was to hear the perspective of existing TC residents in an effort to identify the design elements that work well and those that do not. A series of four community meetings were conducted in 2019:

- April 11, 2019 – 45 participants, primarily from Tierra Contenta, shared their likes and dislikes of the current developed neighborhoods. No plans were presented.
- Three meetings held the week of November 4, 2019 with over 100 attendees. The first draft of the Land Use Plan was reviewed.

Meetings were noticed via ads, flyers, nextdoor.com, and events calendars. In addition, two surveys were conducted:

- Door-to-door in Tierra Contenta, October 2019 – 199 respondents
- Online survey completed January 2020 – 79 respondents (57% from TC)

The neighborhood feedback included the following primary concerns:

- Vehicle traffic, narrow streets
- Higher densities
- Too many low-income residents
- Allowing apartments
- Spoiling viewsheds or existing vegetation
- Too many schools close together leading to traffic congestion

Input was also received from multiple City staff from November 2019 – February 2020, resulting in the following plan revisions:

- Mixed-use land was included, with the goal of creating a lively gathering place for Phase 3A, which may include a grocery store, farmers market, recreation centers, etc.
- The pedestrian network was refined to ensure better walkability among all tracts
- Locations identified for external roadway connections
- Parks plan significantly revised based on input from Parks and Recreation Department

An Early Neighborhood Notification Meeting was conducted on May 27, 2021. The discussion centered around traffic concerns, housing types/density, parking, and common area maintenance. Notes from the meeting are submitted herewith for your review.

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

1. Master Plan Application
2. Agent Authorization Letter
3. Warranty Deed
4. Annexation Plat and ALTA Survey
5. Tierra Contenta Annexation Agreement
6. Phase 3A Design Standards Overview
7. Community Outreach and ENN Meeting Notes
8. Traffic Impact Analysis and Addendum Letter
9. ARC Clearance for Tierra Contenta (all phases)
10. Tierra Contenta, Phase 3A Amended Master Plans

The Development Review Fees are calculated as follows:

Master Plan Amendment	$500
Eight Posters (4 for Planning Commission / 4 for City Council)	$240
TOTAL =	$740

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

Thank you.

Sincerely,



Jennifer Jenkins, Principal

EXHIBIT G2

W·E Walker Engineering

Morey Walker & Associates Engineering, Inc.

905 Camino Sierra Vista
Santa Fe, NM 87505
(505) 820-7990

June 17, 2021

Dan Esquibel
City of Santa Fe Land Use
200 Lincoln Ave
Santa Fe, NM **87501**

Re: Tierra Contenta Phase 3A
Traffic Impact Analysis

Dear Dan,

For the referenced subdivision, a traffic impact analysis was prepared by this office on November 20, 2020. That report used a total of 1134 residential units as the design density with a build out year of 2030.

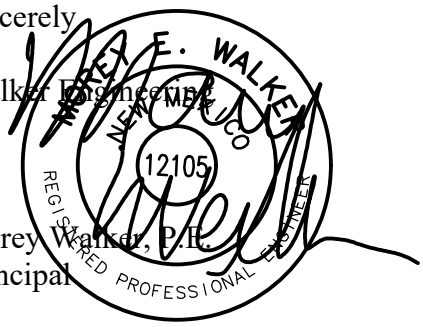
Since that report was completed, a land use analysis was made that determined there are 700 unused residential units in Phases 1 and 2 of Tierra Contenta. Consequently, the existing infrastructure was designed to include the impact of these unused units. To utilize the excess infrastructure capacity for the 700 unused unit, the Phase 3A residential units were increase by 366 to a total of 1500.

Therefore, the traffic impact analysis for the Tierra Contenta Phase 3A is still valid since the increase of the residential units has already been addressed in the previous phases.

If you have any questions or need further information, please do not hesitate to contact me at 820-7990. Thank you for your time and attention in this project.

Sincerely,

Walker Engineering



Morey Walker, P.E.
Principal

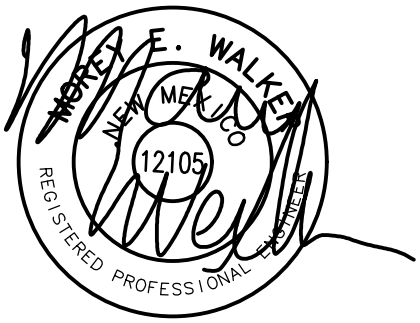
Tierra Contenta Phase 3A

Traffic Impact Analysis

November 1, 2020

for

TIERRA CONTENTA CORPORATION



Prepared by:

W • E Walker Engineering
Morey Walker & Associates Engineering, Inc.
905 Camino Sierra Vista
Santa Fe, NM 87505
505-820-7990 Fax 505-820-3539

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Appendix B – VISUM Traffic Generation & Distribution
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EXECUTIVE SUMMARY

The subject of this traffic study is a the area within the boundaries of a proposed amended master plan for Phase 3A of Tierra Contenta, a PUD within the City of Santa Fe located on the south side of the first two phases of the Tierra Contenta PUD. This report addresses the impact of the proposed revised land use plan for Tierra Contenta Phase 3A on the surrounding City of Santa Fe roadway system.

A buildout year of 2030 and a horizon year of 2040 were used in the analysis. Based upon the results of this traffic study, the required improvements within the studied area are the following:

- Stop Controlled Intersection of West Paseo del Sol and Jaguar Drive
  1) In the build out year 2030 (Phase 2), no improvements are needed
  2) In the horizon year 2040, a right turn lane for Jaguar Drive eastbound

- Signalized Intersection of East Paseo del Sol and Jaguar Drive
  No improvements are required for Year 2030 and Year 2040

- Roundabout Intersection of Paseo del Sol and Herrera Drive
  3) In the build out year 2030, no improvements are required.
  4) In the horizon year 2040, a dedicated EB though lane could be required.

- Internal Phase 3A Intersection
  Both major internal road intersections will require four way stop controlled for both design year 2030 and horizon year 2040.

I. INTRODUCTION

A. Project Location and Description

As described in the draft amendment to the master plan for Phase 3A of Tierra Contenta, the study area consists of 16 large tracts which the owner, the nonprofit Tierra Contenta Corporation, intends to sell to developers and the Santa Fe Public School District for residential, commercial, parkland, and school uses. The assumed time frame for development by these other parties will be 2021 to 2030. The study area comprises approximately 223 acres of which approximately 132 acres will be developed.

Figure 1 is a vicinity map describing the location of this property. Figure 2 describes the site development plans and parcel development.

B. Purpose

The purpose of this Traffic Impact Analysis (TIA) is to evaluate the impact of this residential development on the City of Santa Fe roadway system. This report is to determine the location and required improvements for three existing intersections and two new intersections within the Phase 3A Tierra Contenta development. The location of the existing intersections are both the east and west intersections of Paseo del Sol and Jaguar Drive and the intersection of Paseo del Sol and Herrera Drive.

C. Methodology

This TIA describes existing roadway conditions, present traffic volumes with peaks, future traffic volumes and the impacts of this additional traffic. Impacts to the selected intersection are evaluated on the basis of the time frame for the build-out of the development and the traffic volume for the project design year. Traffic Counts were collected by Walker Engineering. A level of service analysis (LOS) is conducted for the design year using Synchro 10 software. The degree of impacts is evaluated based on the LOS for the intersection. Recommendations for the mitigation of impacts, if they occur, are included in the final section of the report.

II PROPOSED DEVELOPMENT

A. Land Use per Parcel

As noted before, this development will be a planned unit development. There will be a total of 16 tracts to be sold to private developers and the Santa Fe Public School District. There will be a total 1,134 residential units, 3.4 acres of commercial development and a proposed elementary school. Table 1 below summarizes the anticipated land use.

Table 1: Phase 3A Tierra Contenta Land Use

Parcel Number	Land Use	Type	Number of Units	Area (Acres)
1	School	Elementary		9.4
2	Single Family	Detached	49	
3	Commercial	Mix Use		1.8
4	Commercial	Mix Use		1.6
5	Single Family	Detached	60	
6	Single Family	Detached	62	
7	Single Family	Detached	108	
8	Multifamily	Apartments	304	
9	Single Family	Townhouse	147	
10	Multifamily	Apartments	192	
11	Single Family	Detached	61	
12	Single Family	Detached	10	
13	Single Family	Detached	86	
14	Single Family	Detached	11	
15	Single Family	Detached	10	
16	Single Family	Townhouse	34	

B. Location and Type of Access Points

For this mixed use development, Paseo del Sol will be extended from the western intersection of Jaguar Drive to the eastern intersection of Herrera Drive. For the internal Phase 3A traffic, a loop road will be built that has two intersections with Paseo del Sol. This loop road is labeled as having an eastern and western intersection. Refer to Figure 2 for the roadway layout. Within Phase 3A, Paseo del Sol will be a two lane roadway with bike lanes.

III. EXISTING AND FUTURE ROAD CONDITIONS

A. Existing Conditions

The western intersection of Paseo del Sol and Jaguar Drive is four way stop controlled with left turn lanes. The eastern intersection of Paseo del Sol and Jaguar Drive is traffic light controlled with protected left turn lanes. The intersection of Paseo del Sol and Herrera Drive is a roundabout.

B. Planned Road Improvements

Since this is a new roadway within an undeveloped section of Tierra Contenta, no other planned improvements are anticipated. Though, several developers in this area have plans to build right turn deceleration/acceleration lanes for certain sections of the project.

IV EXISTING TRAFFIC VOLUMES

Traffic counts were taken using a JAMAR DB-100 unit. The counts for the western intersection of Paseo del Sol & Jaguar Drive were taken on February 12, 2020. The counts for the eastern intersection of Paseo del Sol & Jaguar Drive were taken on February 13, 2020. The counts for the intersection of Paseo del Sol & Herrera Drive were taken on February 19, 2020. The counts were taken for the peak AM period of 7am to 9am and the peak PM period of 4pm to 6pm. Refer to Figure 3 for all three counts. The traffic counts are found in Appendix A.

V. SFMPO VISUM Model

A. Modeling Methodology

The traffic volume forecasts for Tierra Contenta were evaluated using the Santa Fe Metropolitan Planning Organization (SFMPO) VISUM travel demand model. This model is primarily a peak hour model, which also includes mode choice and transit assignments. The model was calibrated to a base year of 2015 and was last updated in 2017 and has had minor refinements since that time with additional data from several projects. It has been used for forecasting AM and PM peaks and will compute daily volumes based upon the peak hour forecasts. Previous iterations of the model have been used for evaluation of the NM 599 improvement priority, Avenida del Sur, Las Soleras, Arroyo de los Chamisos Crossing, NE-SE Connectors, the interchange improvements at I-25 and Cerrillos Road, and other important studies in the Santa Fe MPO area.

This travel demand model (TDM) is a representation of the Santa Fe metropolitan area transportation facilities and the travel patterns using these facilities. This computerized transportation model is used to analyze street and intersection congestion and forecast the need for future roadway improvements. The model contains inventories of the existing roadway facilities and of housing, shopping, schools, and employment in the area.

The transportation modeling procedures were developed to produce representative travel flows for the base year of 2020 in the Tierra Contenta area. Model calibration involved examining multiple factors to adjust model parameters producing a strong comparison between observed data and model produced information. Once calibrated, the model can be used to test forecasted changes in growth patterns or changes to the transportation system. This can include changes in number of housing units, employment centers, travel behavior patterns, or roadway improvements. The SFMPO travel demand model includes the entire MPO area. The model development process, including input data and validation parameters, are described in the report *"Santa Fe Travel Demand Model Documentation, 2017 Update, December 20, 2017"* available from the Santa Fe MPO.

B. Forecasts

For this project, the model was refined in the Tierra Contenta area based upon the turning movement counts collected for this study. Because of the network detail required to forecast the intersection volumes, the centroid connectors in Tierra Contenta and surrounding traffic analysis zones were refined and tested to better replicate the turning count patterns and to define the connectors for the forecasts. The forecasts for 2030 and 2040 included planned background growth and transportation improvement projects provided by SFMPO staff. The forecasts for 2030 were tested with and without the projected Tierra Contenta growth.

C. Procedure

1. Enter updated AM and PM peak hour traffic counts for the existing conditions.
2. Update the SFMPO VISUM model in this area as needed and validate the model operation with the count data.
3. Enter forecast land use and demographics into the model from the Tierra Contenta plan, including housing, employment, and students.
4. Run the VISUM model and provide forecast turning volumes for the five intersections noted in the analysis. The post-process the intersection volumes were adjusted for model calibration as closely as possible. Turning movements for the SFMPO VISUM are attached in Appendix B.

VI. TRAFFIC EVALUATION

A. Level of Service

Synchro 10 software was used to determine the operational level of service (LOS) for the intersections. The LOS is conducted for the design years 2030 and 2040. First, LOS were determined for fully developed conditions for both years. If a LOS with failing conditions were identified, then LOS for undeveloped condition was run to determine what improvements will be required to improve the LOS.

LOS is ranked from A-F, with A being the highest level of service with the least delays and F indicating a break-down in the operation of the intersection. Table 2 summarizes the delays associated with LOS rankings for both an unsignalized intersection and a signalized intersection.

Table 2 LOS Rankings

LOS	Unsignaled Intersection	Signaled Intersection
A	< = 10	<=10
B	> 10 and <= 15	> 10 and <= 20
C	> 15 and < = 25	> 20 and >= 35
D	> 25 and < = 35	> 35 and <= 55
E	> 35 and < = 50	> 55 and <= 80
F	> 50	> 80

B. Existing Western Intersection of Jaguar Drive and Paseo del Sol

The western intersection of Jaguar Drive and Paseo del Sol is an unsignalized with stop conditions on all four approaches. The traffic volumes and distributions were taken from Figure 5 for Year 2030 and from Figure 8 for Year 2040. The Synchro 10 results are summarized below on Table 3. The analysis reports are attached in Appendix C.

TABLE 3: Jaguar Drive and Paseo del Sol West LEVEL OF SERVICE ANALYSIS/DELAY (Seconds)				
	Figure 5 Year 2030		Figure 8 Year 2040	
Movement	AM	PM	AM	PM
Paseo Del Sol SB	B/13.1	B/13.4	C/15.5	C/17.5
Paseo Del Sol NB	B/13.6	B/13.1	C/17.7	C/17.0
Jaguar Drive EB	B/13.4	C/17.5	C/17.1	E/45.2
Jaguar Drive WB	B/12.2	B/13.3	C/15.1	C/19.3

The LOS E for the year 2040 for eastbound Jaguar Drive is close to failure, an additional analysis was completed to determine what roadway improvements would be necessary to bring the LOS up. The only improvement needed for the four way stop sign would be a dedicated right turn lane for eastbound Jaguar Drive. Table 3A summarizes the results.

TABLE 3A: Jaguar Drive and Paseo del Sol West Right Turn Lane Jaguar Dr Eastbound LOS ANALYSIS/DELAY (Seconds)		
	Year 2040	
Movement	AM	PM
Paseo Del Sol SB	C/17.8	C/19.9
Paseo Del Sol NB	C/20.4	C/19.0
Jaguar Drive EB	B/14.1	C20.1
Jaguar Drive WB	C/17.44	C/23.5

C. Existing Eastern Intersection of Jaguar Drive and Paseo del Sol

The eastern intersection of Jaguar Drive and Paseo del Sol is signalized with protected left turns on all four approaches. The traffic volumes and distributions were taken from Figure 5 for Year 2030 and from Figure 8 for Year 2040. The Synchro 10 results are summarized below on Table 4. The analysis reports are attached in Appendix D.

TABLE 4: Jaguar Drive and Paseo del Sol East
LEVEL OF SERVICE ANALYSIS/DELAY (Seconds)

	Figure 5 Year 2030		Figure 8 Year 2040	
Movement	**AM**	**PM**	**AM**	**PM**
Paseo Del Sol NB	**C/25.3**	**B/17.7**	**C/33.6**	**C/20.6**
Paseo Del Sol SB	**C/22.5**	**B/13.2**	**C/26.4**	**B/15.9**
Jaguar Drive WB	**C/29.0**	**C/27.1**	**C/32.3**	**C/32.6**
Jaguar Drive WB	**C/20.3**	**B/18.4**	**C/21.0**	**B/18.3**

The LOS is acceptable for all approaches for both buildout year 2030 and horizon year 2040. .

D. Existing Intersection of Herrera Drive and Paseo del Sol East

The intersection of Herrera Drive and Paseo del Sol is an unsignalized roundabout with three approaches. The traffic volumes and distributions were taken from Figure 5 for Year 2030 and from Figure 8 for Year 2040. The Synchro 10 results are summarized below in Table 5. The analysis reports are attached in Appendix E.

TABLE 5: Herrera Drive and Paseo del Sol East
LEVEL OF SERVICE ANALYSIS/DELAY (Seconds)

	Figure 5 Year 2030		Figure 8 Year 2040	
Movement	**AM**	**PM**	**AM**	**PM**
Herrera Drive EB	**C/24.4**	**A/8.8**	**E/44.7**	**B/11.4**
Herrera Drive WB	**A/6.9**	**A/9.6**	**A/6.8**	**B/10.8**
Paseo Del Sol SB	**A/9.7**	**A/9.8**	**C/11.3**	**B/12.8**

E. Western Loop Road and Paseo del Sol

The intersection of Western Loop Road and Paseo del Sol is a new intersection within the proposed Phase 3A development. The intersection was assumed to be a four way stop condition. The traffic volumes and distributions were taken from Figure 6 for Year 2030 and from Figure 9 for Year 2040. The Synchro 10 results are summarized below on Table 6. The analysis reports are attached in Appendix F.

TABLE 6 Western Loop Road and Paseo del Sol
FOUR WAY STOP CONDITIONS
LEVEL OF SERVICE ANALYSIS/DELAY (Seconds)

	Figure 6 Year 2030		Figure 9 Year 2040	
Movement	**AM**	**PM**	**AM**	**PM**
Paseo Del Sol EB	**A/9.5**	**B/10.2**	**B/14.0**	**B/13.5**
Paseo Del Sol WB	**A/9.5**	**B/10.2**	**B/12.3**	**B/11.1**
South Loop NB	**A/8.4**	**A/9.6**	**B/13.0**	**B/10.9**
North Loop SB	**A/8.7**	**A/8.7**	**B/10.7**	**A/9.4**

The LOS is acceptable for all approaches for both buildout year 2030 and horizon year 2040.

F. Eastern Loop Road and Paseo del Sol

The intersection of Eastern Loop Road and Paseo del Sol is a new intersection within the proposed Phase 3A development. This intersection was assumed to be a four way stop condition. The traffic volumes and distributions were taken from Figure 6 for Year 2030 and from Figure 9 for Year 2040. The Synchro 10 results are summarized below on Table 7. The analysis report is attached in Appendix G.

TABLE 7 Eastern Loop Road and Paseo del Sol
FOUR WAY STOP CONDITIONS
LEVEL OF SERVICE ANALYSIS/DELAY (Seconds)

	Figure 6 Year 2030		Figure 9 Year 2040	
Movement	**AM**	**PM**	**AM**	**PM**
Paseo Del Sol EB	**A/18.4**	**B/10.3**	**B/14.3**	**B/11.9**
Paseo Del Sol WB	**B/12.7**	**B/14.5**	**C/15.1**	**C/17.0**
South Loop NB	**B/13.3**	**B/10.2**	**C/16.8**	**B/11.3**
North Loop SB	**B/10.8**	**A/9.8**	**B/11.9**	**B/10.0**

The LOS is acceptable for all approaches for both buildout year 2030 and horizon year 2040.

VII. SUMMARY AND RECOMMENDATIONS

A. Summary

Tierra Contenta Phase 3A will have minimal impact on the City of Santa Fe road system. The required improvements have been identified and will be implemented as the subdivision is developed.

B. Recommendations

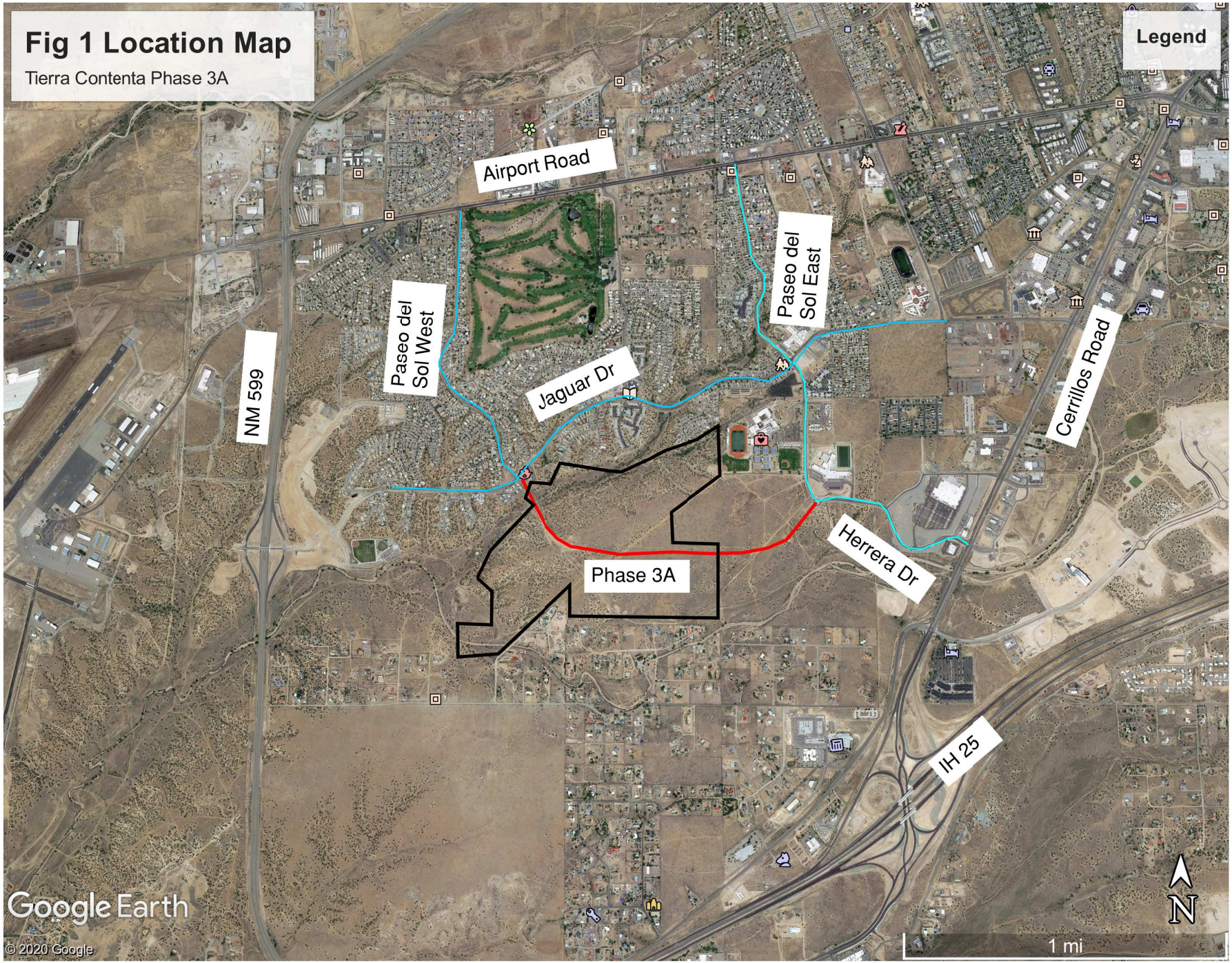
Based on this traffic impact analysis, the following recommended improvements should be made with Tierra Contenta Phase 3A:

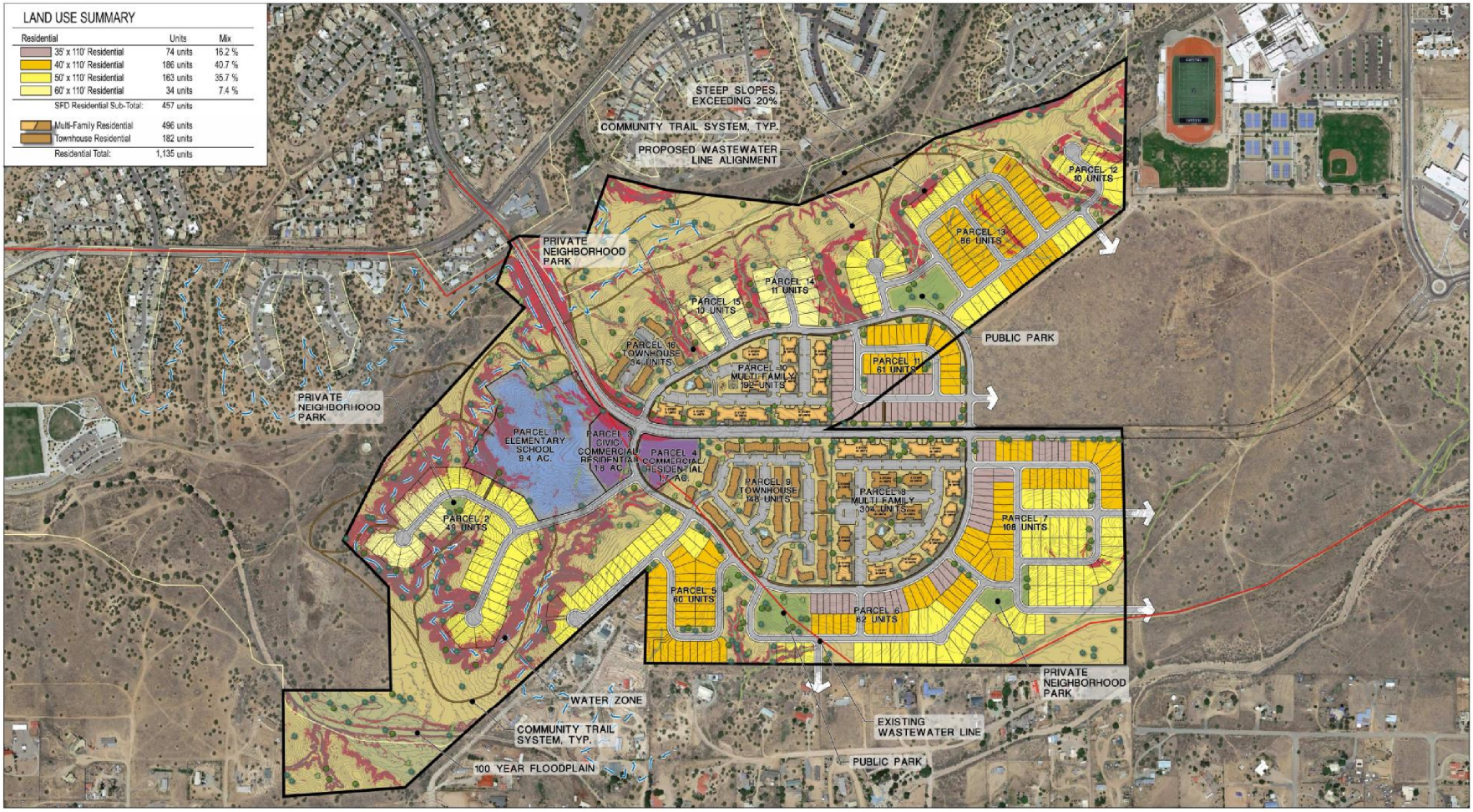
- Stop Controlled Intersection of West Paseo del Sol and Jaguar Drive
  1) In the build out year 2030, no improvements are needed
  2) In the horizon year 2040, a right turn lane for Jaguar Drive eastbound

- Signalized Intersection of East Paseo del Sol and Jaguar Drive
  No improvements are required for Year 2030 and Year 2040

- Roundabout Intersection of Paseo del Sol and Herrera Drive
  1) In the build out year 2030, no improvements are required.
  2) In the horizon year 2040, a dedicated EB though lane could be required.

- Internal Phase 3A Intersections
  Both major internal road intersections will require four way stop controlled for both design year 2030 and horizon year 2040


Fig 1 Location Map
Tierra Contenta Phase 3A
Legend
Airport Road
Paseo del Sol West
Paseo del Sol East
NM 599
Jaguar Dr
Cerrillos Road
Herrera Dr
Phase 3A
IH 25
N
1 mi
Google Earth
© 2020 Google



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www.secplanning.com + info@secplanning.com

LOTTING PLAN C

PHASE 3A TIERRA CONTENTA

SANTA FE, NEW MEXICO

SHEET FILE: C:\temp\190052\Lotting C Rev1.dwg

Base mapping compiled from best available information. All map data should be considered as preliminary, in need of verification, and subject to change. This land plan is conceptual in nature and does not represent any regulatory approval. Plan is subject to change.

FIGURE 2 SITE PLAN

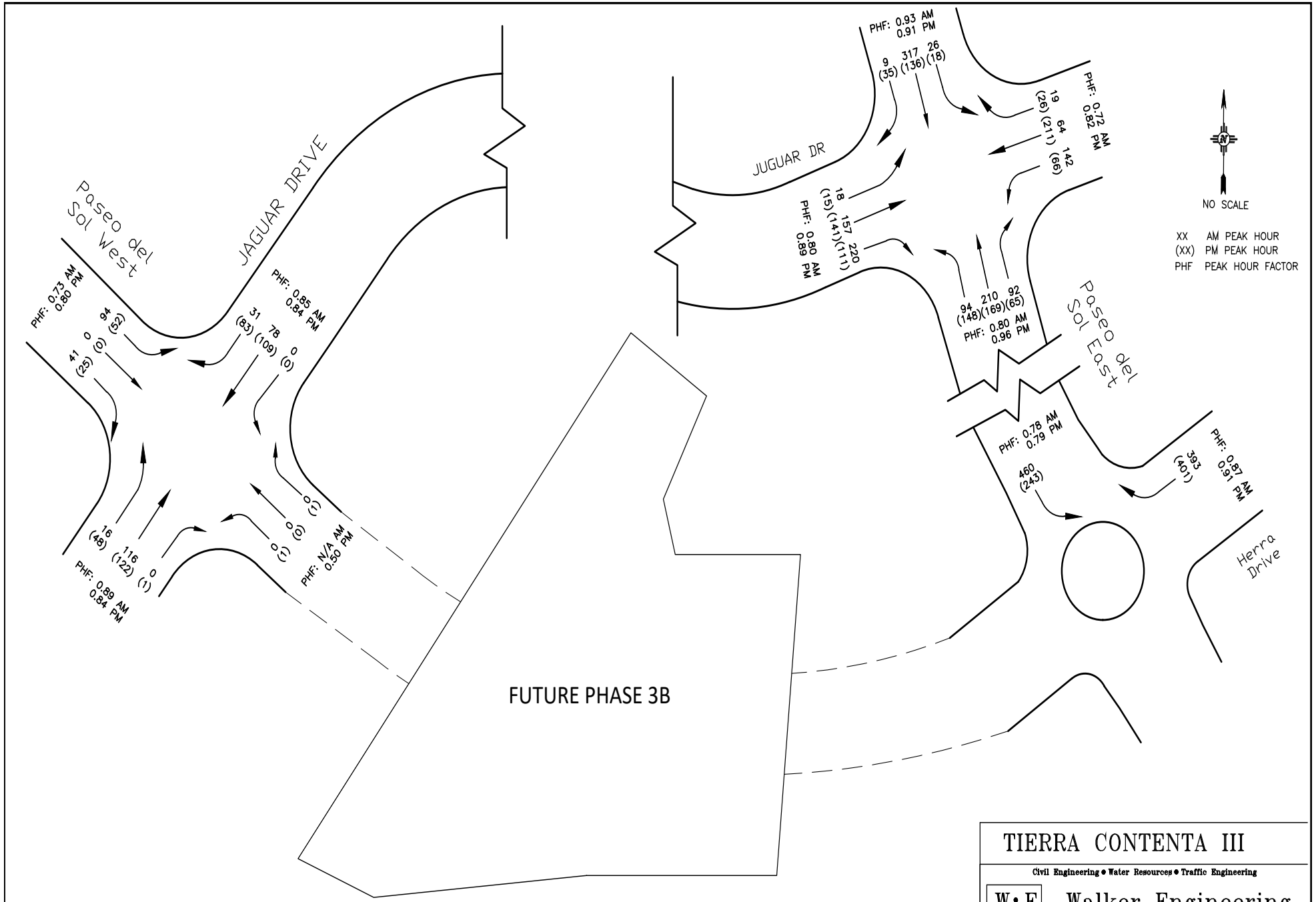


Figure 3: February 12, 13 & 19, 2020 Existing Traffic

TIERRA CONTENTA III

Civil Engineering • Water Resources • Traffic Engineering

W•E Walker Engineering

505-820-7990
FAX 505-820-3539

905 Camino Sierra Vista • Santa Fe, NM 87501

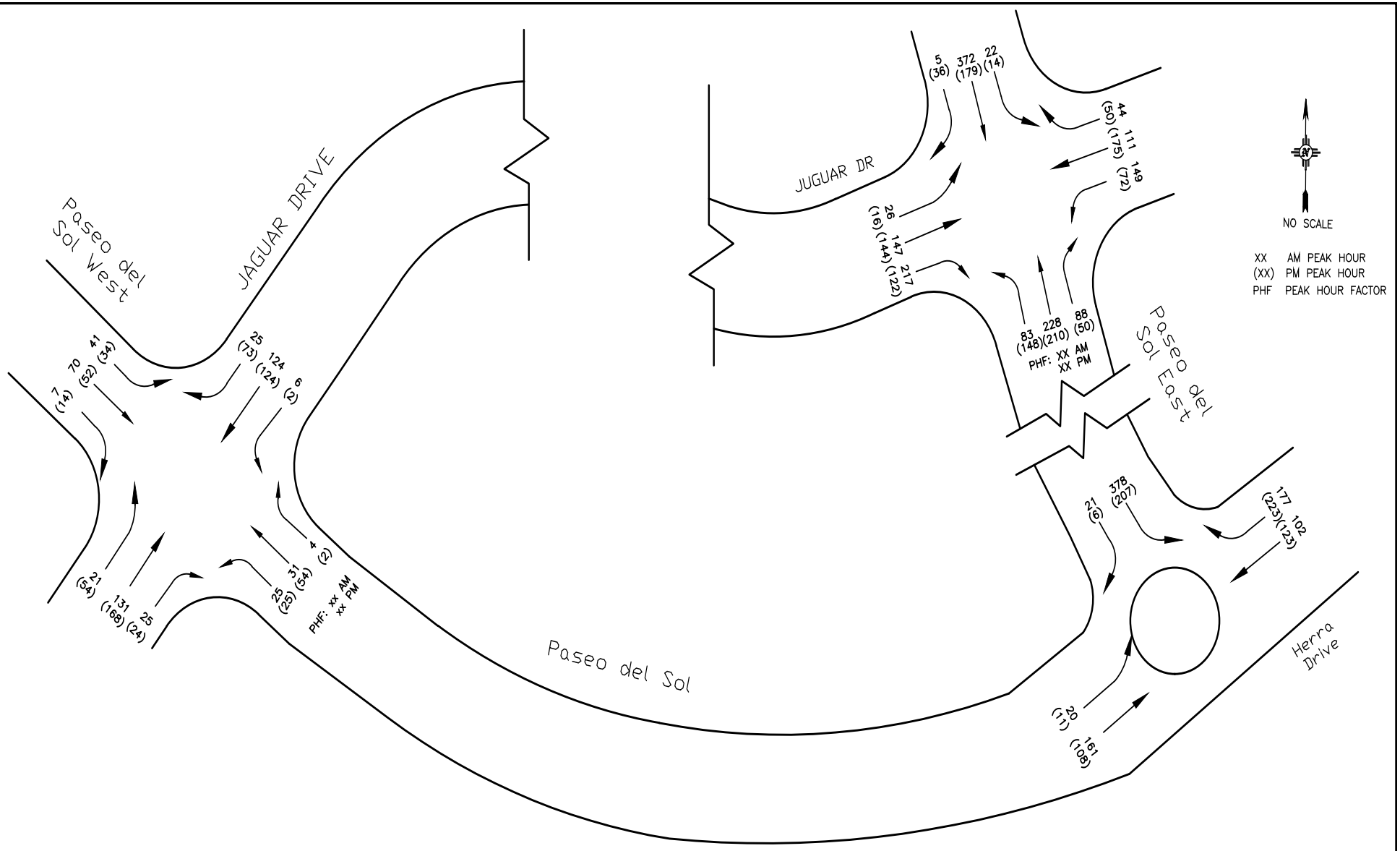


Figure 4: 2030 WITHOUT PHASE 3A TIERRA CONTENTA AM & PM

TIERRA CONTENTA IIIA

Civil Engineering • Water Resources • Traffic Engineering

W•E Walker Engineering

505-820-7990
FAX 505-820-3539

905 Camino Sierra Vista • Santa Fe, NM 87501

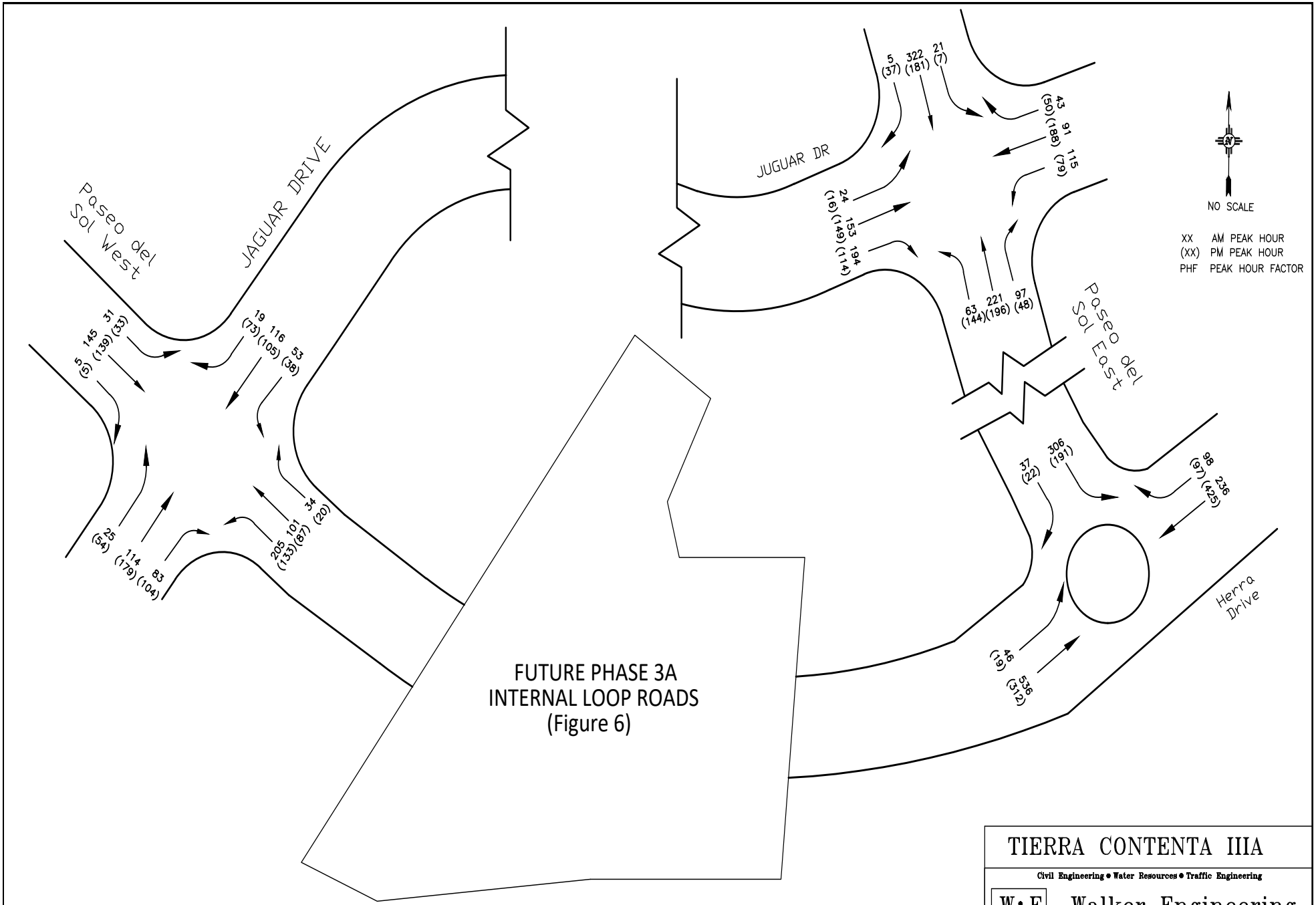


Figure 5: 2030 WITH PHASE 3A TIERRA CONTENTA AM & PM

TIERRA CONTENTA IIIA

Civil Engineering • Water Resources • Traffic Engineering

W • E Walker Engineering

505-820-7990
FAX 505-820-3539

905 Camino Sierra Vista • Santa Fe, NM 87501

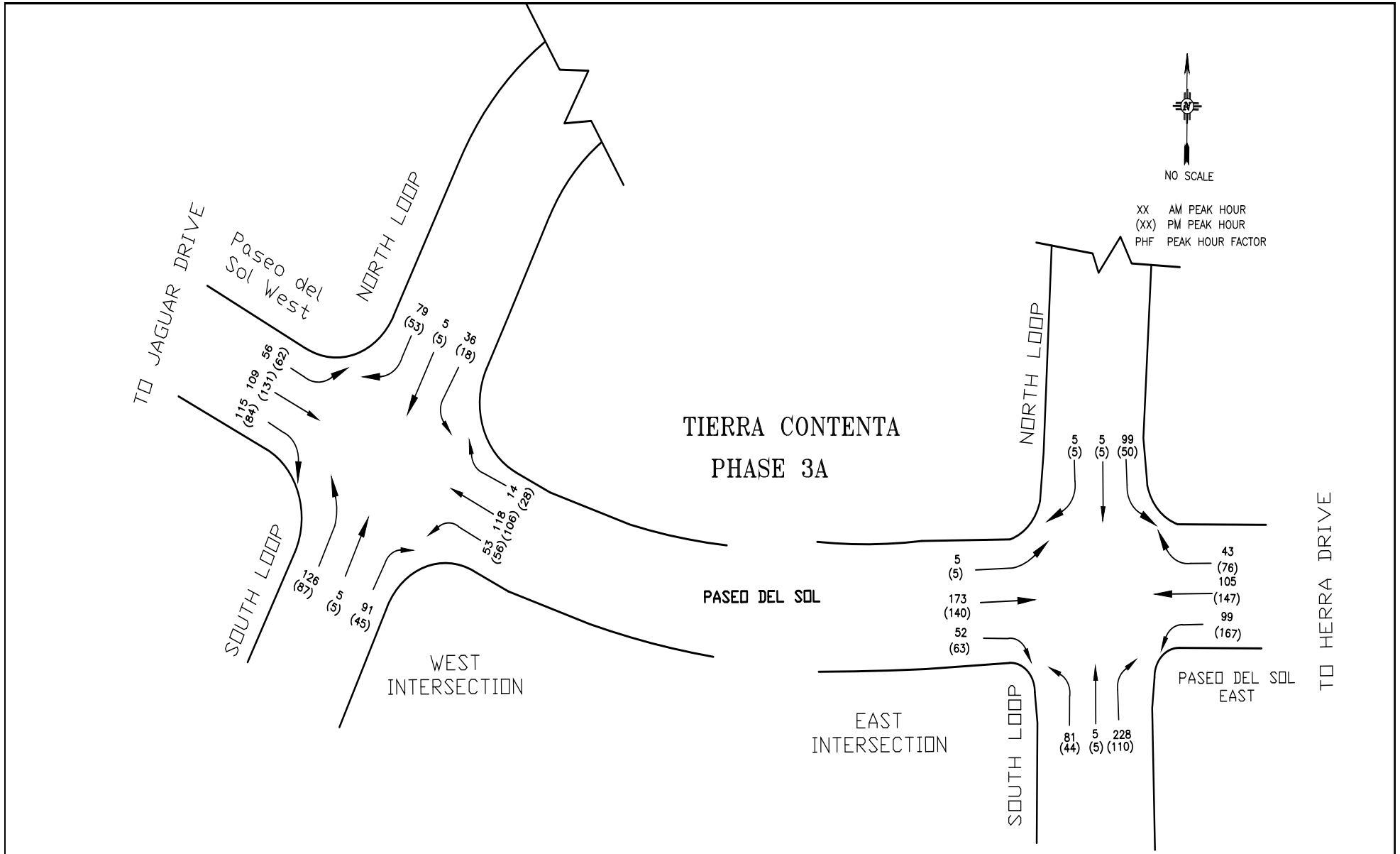


Figure 6: 2030 INTERNAL LOOP ROADS AM & PM

TIERRA CONTENTA IIIA

Civil Engineering • Water Resources • Traffic Engineering
W•E Walker Engineering
505-820-7990
FAX 505-820-3539
905 Camino Sierra Vista•Santa Fe, NM 87501

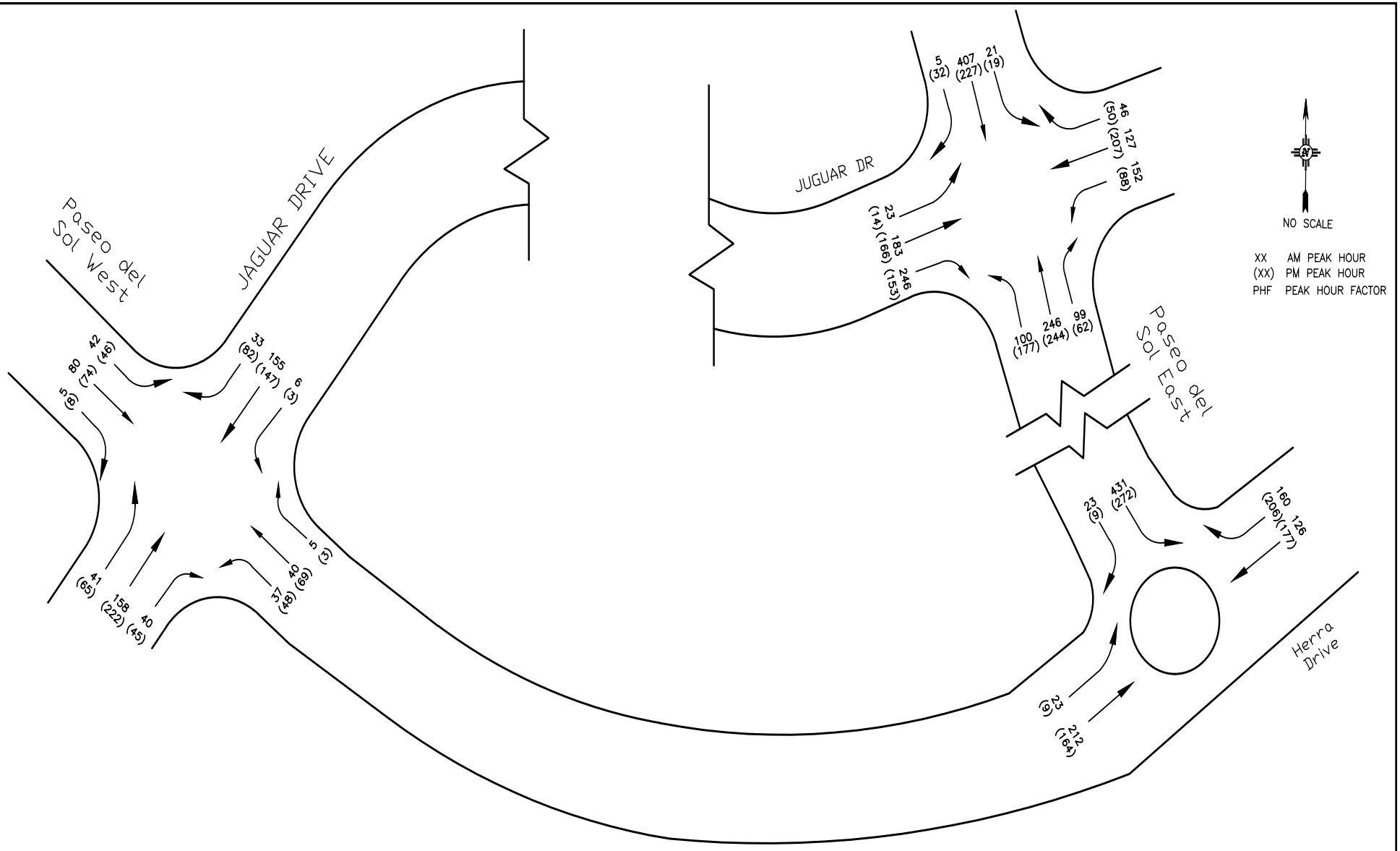


Figure 7: 2040 WITHOUT PHASE 3A TIERRA CONTENTA AM & PM

TIERRA CONTENTA III A

Civil Engineering • Water Resources • Traffic Engineering

W • E Walker Engineering

505-820-7990
FAX 505-820-3539

905 Camino Sierra Vista • Santa Fe, NM 87501

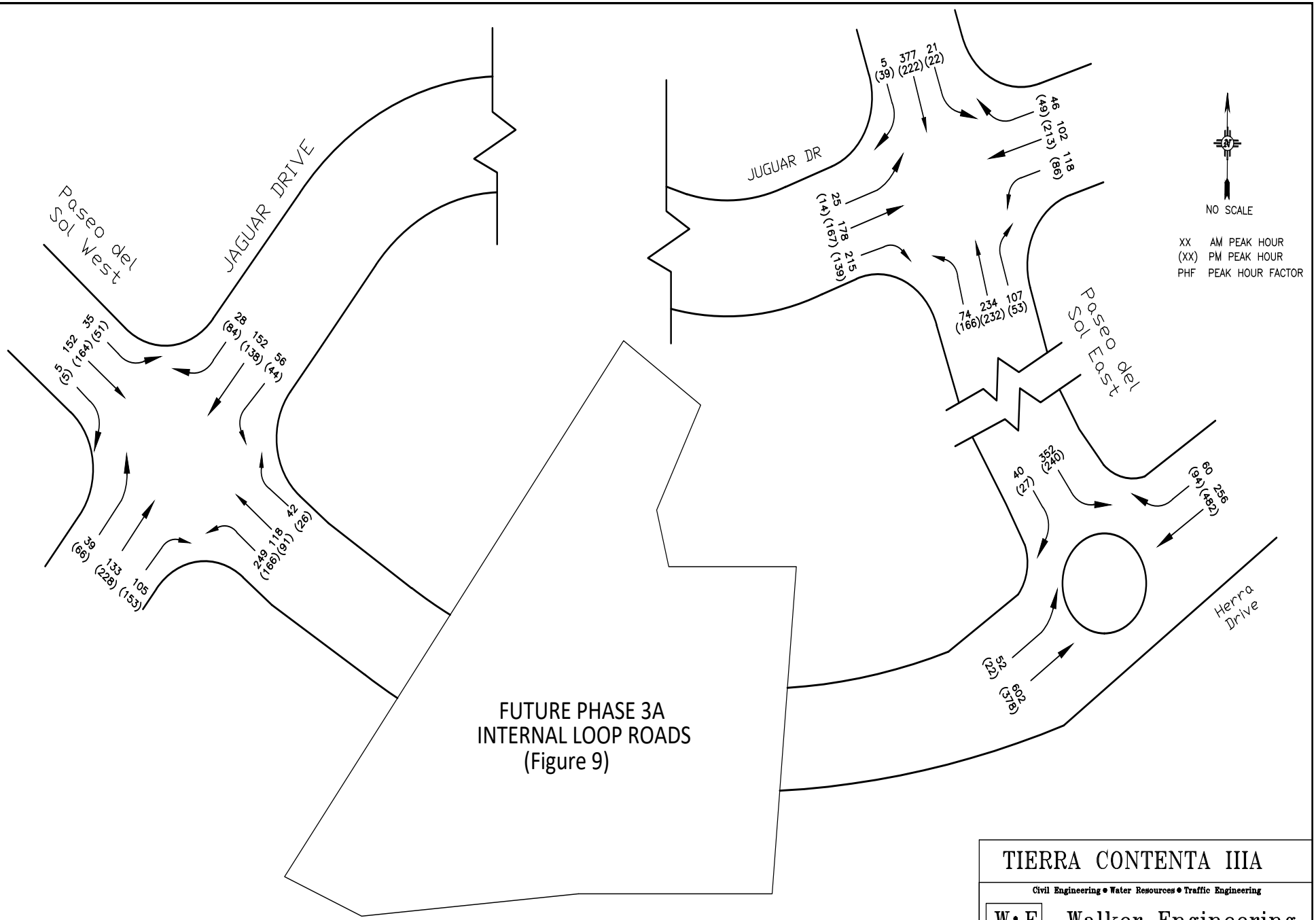


Figure 8: 2040 WITH PHASE 3A TIERRA CONTENTA AM & PM

TIERRA CONTENTA IIIA

Civil Engineering • Water Resources • Traffic Engineering

W • E Walker Engineering
505-820-7990
FAX 505-820-3539
905 Camino Sierra Vista • Santa Fe, NM 87501

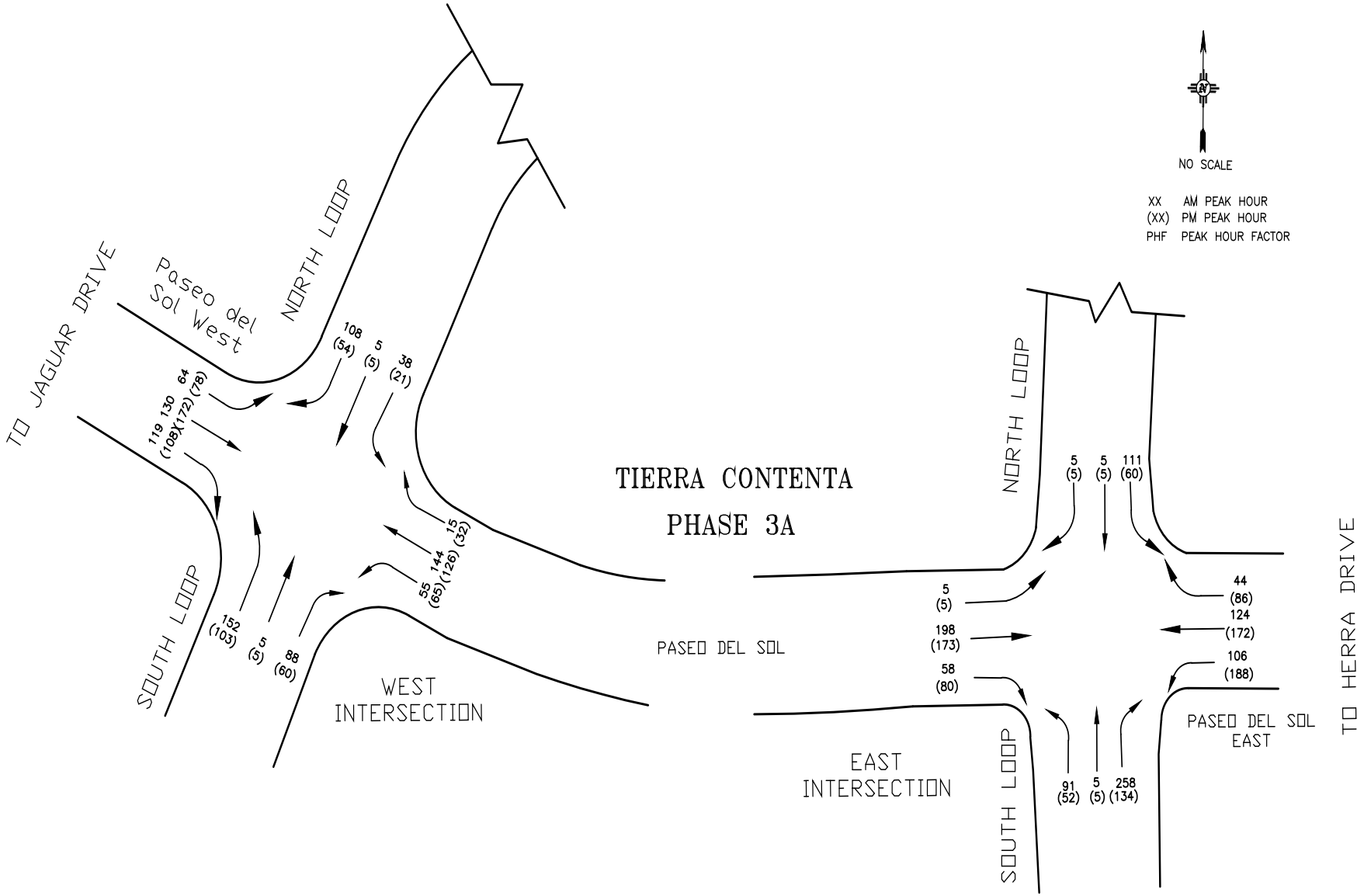


Figure 9: 2040 INTERNAL LOOP ROADS AM & PM

TIERRA CONTENTA IIIA

Civil Engineering • Water Resources • Traffic Engineering
W•E Walker Engineering
505-820-7990
FAX 505-820-3539
905 Camino Sierra Vista•Santa Fe, NM 87501

APPENDIX A

Traffic Counts

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
West Intersection
Feb 12, 2020

File Name : West Paseo Real and Jaguar Dr AM 2020
Site Code : 00000000
Start Date : 02/12/2020
Page No : 1

Groups Printed- Unshifted

	Paseo del Sol From North				Jaguar Drive From East				Paseo del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	8	0	5	13	7	17	0	24	0	0	0	0	0	13	3	16	53
07:15 AM	11	0	27	38	1	8	0	9	0	0	0	0	0	20	1	21	68
07:30 AM	13	0	33	46	6	20	0	26	0	0	0	0	0	33	1	34	106
07:45 AM	7	0	17	24	9	21	0	30	0	0	0	0	0	30	7	37	91
Total	39	0	82	121	23	66	0	89	0	0	0	0	0	96	12	108	318
08:00 AM	9	0	20	29	9	23	0	32	0	0	0	0	0	28	4	32	93
08:15 AM	12	0	24	36	7	14	0	21	0	0	0	0	0	25	4	29	86
08:30 AM	9	0	8	17	3	16	0	19	0	0	0	0	0	17	2	19	55
08:45 AM	10	0	5	15	9	15	0	24	0	0	0	0	0	24	7	31	70
Total	40	0	57	97	28	68	0	96	0	0	0	0	0	94	17	111	304
Grand Total	79	0	139	218	51	134	0	185	0	0	0	0	0	190	29	219	622
Apprch %	36.2	0.0	63.8		27.6	72.4	0.0		0.0	0.0	0.0		0.0	86.8	13.2		
Total %	12.7	0.0	22.3	35.0	8.2	21.5	0.0	29.7	0.0	0.0	0.0	0.0	0.0	30.5	4.7	35.2	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
West Intersection
Feb 12, 2020

File Name : West Paseo Real and Jaguar Dr AM 2020
Site Code : 00000000
Start Date : 02/12/2020
Page No : 2

	Paseo del Sol From North				Jaguar Drive From East				Paseo del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Intersection	07:30 AM																
Volume	41	0	94	135	31	78	0	109	0	0	0	0	0	116	16	132	376
Percent	30.4	0.0	69.6		28.4	71.6	0.0		0.0	0.0	0.0		0.0	87.9	12.1		
07:30 Volume	13	0	33	46	6	20	0	26	0	0	0	0	0	33	1	34	106
Peak Factor																	0.887
High Int.	07:30 AM				08:00 AM				6:45:00 AM				07:45 AM				
Volume	13	0	33	46	9	23	0	32	0	0	0	0	0	30	7	37	
Peak Factor				0.734				0.852								0.892	
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																	
By Approach	07:15 AM				07:30 AM				07:00 AM				07:30 AM				
Volume	40	0	97	137	31	78	0	109	0	0	0	0	0	116	16	132	
Percent	29.2	0.0	70.8		28.4	71.6	0.0		-	-	-		0.0	87.9	12.1		
High Int.	07:30 AM				08:00 AM				-				07:45 AM				
Volume	13	0	33	46	9	23	0	32	-	-	-	-	0	30	7	37	
Peak Factor				0.745				0.852				-				0.892	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
West Intersection
Feb 12, 2020

File Name : West Paseo Real and Jaguar Dr PM 2020
Site Code : 00000000
Start Date : 02/12/2020
Page No : 1

Groups Printed- Unshifted

	Paseo del Sol From North				Jaguar Drive From East				Paseo del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
04:00 PM	5	0	7	12	13	25	1	39	1	0	0	1	0	23	6	29	81
04:15 PM	3	0	12	15	13	22	0	35	0	0	0	0	0	10	9	19	69
04:30 PM	6	0	12	18	25	15	0	40	0	0	0	0	0	18	6	24	82
04:45 PM	3	0	11	14	19	25	0	44	0	0	0	0	0	16	7	23	81
Total	17	0	42	59	70	87	1	158	1	0	0	1	0	67	28	95	313
05:00 PM	10	0	14	24	20	34	0	54	0	0	0	0	0	22	11	33	111
05:15 PM	4	0	14	18	26	31	0	57	0	0	1	1	1	39	11	51	127
05:30 PM	9	0	8	17	24	25	0	49	0	0	0	0	0	34	12	46	112
05:45 PM	2	0	16	18	13	19	0	32	1	0	0	1	0	27	14	41	92
Total	25	0	52	77	83	109	0	192	1	0	1	2	1	122	48	171	442
Grand Total	42	0	94	136	153	196	1	350	2	0	1	3	1	189	76	266	755
Apprch %	30.9	0.0	69.1		43.7	56.0	0.3		66.7	0.0	33.3		0.4	71.1	28.6		
Total %	5.6	0.0	12.5	18.0	20.3	26.0	0.1	46.4	0.3	0.0	0.1	0.4	0.1	25.0	10.1	35.2	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
West Intersection
Feb 12, 2020

File Name : West Paseo Real and Jaguar Dr PM 2020
Site Code : 00000000
Start Date : 02/12/2020
Page No : 2

	Paseo del Sol From North				Jaguar Drive From East				Paseo del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Intersection	05:00 PM																
Volume	25	0	52	77	83	109	0	192	1	0	1	2	1	122	48	171	442
Percent	32.5	0.0	67.5		43.2	56.8	0.0		50.0	0.0	50.0		0.6	71.3	28.1		
05:15 Volume	4	0	14	18	26	31	0	57	0	0	1	1	1	39	11	51	127
Peak Factor																	
High Int.	05:00 PM				05:15 PM				05:15 PM				05:15 PM				0.870
Volume	10	0	14	24	26	31	0	57	0	0	1	1	1	39	11	51	
Peak Factor				0.802				0.842				0.500				0.838	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																	
By Approach	05:00 PM				04:45 PM				05:00 PM				05:00 PM				
Volume	25	0	52	77	89	115	0	204	1	0	1	2	1	122	48	171	
Percent	32.5	0.0	67.5		43.6	56.4	0.0		50.0	0.0	50.0		0.6	71.3	28.1		
High Int.	05:00 PM				05:15 PM				05:15 PM				05:15 PM				
Volume	10	0	14	24	26	31	0	57	0	0	1	1	1	39	11	51	
Peak Factor				0.802				0.895				0.500				0.838	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
East Intersection
Feb 13, 2020

File Name : Paseo Real and Jaguar Dr AM 2020
Site Code : 00000000
Start Date : 02/13/2020
Page No : 1

Groups Printed- Unshifted

	Paseo Del Sol From North				Jaguar Drive From East				Paseo Del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
07:00 AM	1	24	4	29	1	6	2	9	7	21	7	35	20	33	1	54	127
07:15 AM	1	32	2	35	2	6	8	16	4	13	3	20	38	53	1	92	163
07:30 AM	0	62	3	65	1	9	21	31	15	22	18	55	71	59	7	137	288
07:45 AM	2	84	9	95	8	13	24	45	14	34	22	70	67	49	7	123	333
Total	4	202	18	224	12	34	55	101	40	90	50	180	196	194	16	406	911
08:00 AM	3	78	9	90	3	22	27	52	17	62	34	113	35	40	4	79	334
08:15 AM	2	86	5	93	4	17	57	78	31	39	19	89	66	31	4	101	361
08:30 AM	2	69	3	74	4	12	34	50	30	75	19	124	52	37	3	92	340
08:45 AM	3	26	1	30	2	12	10	24	15	27	11	53	17	36	2	55	162
Total	10	259	18	287	13	63	128	204	93	203	83	379	170	144	13	327	1197
Grand Total	14	461	36	511	25	97	183	305	133	293	133	559	366	338	29	733	2108
Apprch %	2.7	90.2	7.0		8.2	31.8	60.0		23.8	52.4	23.8		49.9	46.1	4.0		
Total %	0.7	21.9	1.7	24.2	1.2	4.6	8.7	14.5	6.3	13.9	6.3	26.5	17.4	16.0	1.4	34.8	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
East Intersection
Feb 13, 2020

File Name : Paseo Real and Jaguar Dr AM 2020
Site Code : 00000000
Start Date : 02/13/2020
Page No : 2

	Paseo Del Sol From North				Jaguar Drive From East				Paseo Del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																	
Intersection	07:45 AM																
Volume	9	317	26	352	19	64	142	225	92	210	94	396	220	157	18	395	1368
Percent	2.6	90.1	7.4		8.4	28.4	63.1		23.2	53.0	23.7		55.7	39.7	4.6		
08:15 Volume	2	86	5	93	4	17	57	78	31	39	19	89	66	31	4	101	361
Peak Factor																	0.947
High Int.	07:45 AM				08:15 AM				08:30 AM				07:45 AM				
Volume	2	84	9	95	4	17	57	78	30	75	19	124	67	49	7	123	
Peak Factor				0.926				0.721				0.798				0.803	
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																	
By Approach	07:45 AM				07:45 AM				07:45 AM				07:30 AM				
Volume	9	317	26	352	19	64	142	225	92	210	94	396	239	179	22	440	
Percent	2.6	90.1	7.4		8.4	28.4	63.1		23.2	53.0	23.7		54.3	40.7	5.0		
High Int.	07:45 AM				08:15 AM				08:30 AM				07:30 AM				
Volume	2	84	9	95	4	17	57	78	30	75	19	124	71	59	7	137	
Peak Factor				0.926				0.721				0.798				0.803	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
East Intersection
Feb 13, 2020

File Name : Paseo Real and Jaguar Dr PM 2020
Site Code : 00000000
Start Date : 02/13/2020
Page No : 1

Groups Printed- Unshifted

	Paseo del Sol From North				Jaguar Drive From East				Paseo del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		1.0	1.0	1.0		
04:00 PM	8	38	5	51	5	44	18	67	20	83	46	149	19	37	14	70	337
04:15 PM	5	23	5	33	9	47	6	62	20	52	40	112	18	38	5	61	268
04:30 PM	6	29	3	38	5	52	12	69	15	36	36	87	20	20	3	43	237
04:45 PM	10	35	7	52	10	44	15	69	14	43	34	91	27	34	3	64	276
Total	29	125	20	174	29	187	51	267	69	214	156	439	84	129	25	238	1118
05:00 PM	9	32	3	44	4	50	17	71	20	36	42	98	27	41	7	75	288
05:15 PM	6	29	6	41	5	67	20	92	12	47	34	93	24	42	3	69	295
05:30 PM	10	40	2	52	7	50	14	71	19	43	38	100	33	24	2	59	282
05:45 PM	7	41	6	54	2	45	17	64	12	43	27	82	27	38	4	69	269
Total	32	142	17	191	18	212	68	298	63	169	141	373	111	145	16	272	1134
Grand Total	61	267	37	365	47	399	119	565	132	383	297	812	195	274	41	510	2252
Apprch %	16.7	73.2	10.1		8.3	70.6	21.1		16.3	47.2	36.6		38.2	53.7	8.0		
Total %	2.7	11.9	1.6	16.2	2.1	17.7	5.3	25.1	5.9	17.0	13.2	36.1	8.7	12.2	1.8	22.6	

Tierra Contenta Phase 3A
Paseo del Sol & Jaguar Drive
East Intersection
Feb 13, 2020

File Name : Paseo Real and Jaguar Dr PM 2020
Site Code : 00000000
Start Date : 02/13/2020
Page No : 2

	Paseo del Sol From North				Jaguar Drive From East				Paseo del Sol From South				Jaguar Drive From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Intersection	04:45 PM																
Volume	35	136	18	189	26	211	66	303	65	169	148	382	111	141	15	267	1141
Percent	18.5	72.0	9.5		8.6	69.6	21.8		17.0	44.2	38.7		41.6	52.8	5.6		
05:15 Volume	6	29	6	41	5	67	20	92	12	47	34	93	24	42	3	69	295
Peak Factor																	0.967
High Int.	04:45 PM				05:15 PM				05:30 PM				05:00 PM				
Volume	10	35	7	52	5	67	20	92	19	43	38	100	27	41	7	75	
Peak Factor				0.909				0.823				0.955				0.890	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																	
By Approach	05:00 PM				04:45 PM				04:00 PM				05:00 PM				
Volume	32	142	17	191	26	211	66	303	69	214	156	439	111	145	16	272	
Percent	16.8	74.3	8.9		8.6	69.6	21.8		15.7	48.7	35.5		40.8	53.3	5.9		
High Int.	05:45 PM				05:15 PM				04:00 PM				05:00 PM				
Volume	7	41	6	54	5	67	20	92	20	83	46	149	27	41	7	75	
Peak Factor				0.884				0.823				0.737				0.907	

Tierra Contenta Phase 3A
Paseo del Sol & Herrera Drive
[redacted] Intersection
Feb 12, 2020

File Name : Paseo Real and Circle AM 2020
Site Code : 00000000
Start Date : 02/19/2020
Page No : 1

Groups Printed- Unshifted

	PASEO EAST From North				Herrera Drive From East					CIRCLE From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	App. Total	Right	Thru	Left	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0			1.0	1.0	1.0		
07:00 AM	0	1	41	42	29	0	0	29	0	0	0	0	0	71
07:15 AM	0	0	99	99	51	0	0	51	0	0	0	0	0	150
07:30 AM	0	0	148	148	99	0	0	99	0	0	0	0	0	247
07:45 AM	0	0	137	137	87	0	0	87	0	0	0	0	0	224
Total	0	1	425	426	266	0	0	266	0	0	0	0	0	692
08:00 AM	0	0	95	95	94	0	0	94	0	0	0	0	0	189
08:15 AM	0	0	80	80	113	0	0	113	0	0	0	0	0	193
08:30 AM	0	0	78	78	59	0	0	59	0	0	0	0	0	137
08:45 AM	0	0	43	43	34	0	0	34	0	0	0	0	0	77
Total	0	0	296	296	300	0	0	300	0	0	0	0	0	596
Grand Total	0	1	721	722	566	0	0	566	0	0	0	0	0	1288
Apprch %	0.0	0.1	99.9		100.0	0.0	0.0			0.0	0.0	0.0		
Total %	0.0	0.1	56.0	56.1	43.9	0.0	0.0	43.9	0.0	0.0	0.0	0.0	0.0	

Tierra Contenta Phase 3A
Paseo del Sol & Herrera Drive
[redacted] Intersection
Feb 12, 2020

File Name : Paseo Real and Circle AM 2020
Site Code : 00000000
Start Date : 02/19/2020
Page No : 2

	PASEO EAST From North				Herrera Drive From East					CIRCLE From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1														
Intersection	07:30 AM													
Volume	0	0	460	460	393	0	0	393	0	0	0	0	0	853
Percent	0.0	0.0	100.0		100.0	0.0	0.0			0.0	0.0	0.0		
07:30 Volume	0	0	148	148	99	0	0	99	0	0	0	0	0	247
Peak Factor														
High Int.	07:30 AM				08:15 AM				6:45:00 AM	6:45:00 AM				0.863
Volume	0	0	148	148	113	0	0	113						
Peak Factor				0.777				0.869						
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1														
By Approach	07:15 AM				07:30 AM				07:00 AM	07:00 AM				
Volume	0	0	479	479	393	0	0	393	0	0	0	0	0	
Percent	0.0	0.0	100.0		100.0	0.0	0.0			-	-	-		
High Int.	07:30 AM				08:15 AM				-	-				
Volume	0	0	148	148	113	0	0	113	-	-	-	-	-	
Peak Factor				0.809				0.869	-				-	

Tierra Contenta Phase 3A
Paseo del Sol & Herrera Drive
~~Western~~ Intersection
Feb 12, 2020

File Name : Paseo Real and Circle PM 2020
Site Code : 00000000
Start Date : 02/19/2020
Page No : 1

Groups Printed- Unshifted

	Paseo del Sol From North				Herra Drive From East					CIRCLE From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	App. Total	Right	Thru	Left	App. Total	Int. Total
Factor	1.0	1.0	1.0		1.0	1.0	1.0			1.0	1.0	1.0		
04:00 PM	0	0	81	81	79	0	0	79	0	6	0	0	6	166
04:15 PM	0	0	47	47	93	0	0	93	0	0	0	0	0	140
04:30 PM	0	0	52	52	96	1	0	97	0	0	0	0	0	149
04:45 PM	0	0	55	55	93	0	0	93	0	0	0	0	0	148
Total	0	0	235	235	361	1	0	362	0	6	0	0	6	603
05:00 PM	0	0	77	77	111	0	0	111	0	0	1	1	2	190
05:15 PM	0	0	59	59	101	0	0	101	0	0	0	0	0	160
05:30 PM	0	0	57	57	92	0	0	92	0	0	0	0	0	149
05:45 PM	0	0	37	37	80	0	0	80	0	0	0	0	0	117
Total	0	0	230	230	384	0	0	384	0	0	1	1	2	616
Grand Total	0	0	465	465	745	1	0	746	0	6	1	1	8	1219
Apprch %	0.0	0.0	100.0		99.9	0.1	0.0			75.0	12.5	12.5		
Total %	0.0	0.0	38.1	38.1	61.1	0.1	0.0	61.2	0.0	0.5	0.1	0.1	0.7	

Tierra Contenta Phase 3A
Paseo del Sol & Herrera Drive
[redacted] Intersection
Feb 12, 2020

File Name : Paseo Real and Circle PM 2020
Site Code : 00000000
Start Date : 02/19/2020
Page No : 2

	Paseo del Sol From North				Herra Drive From East					CIRCLE From West				
Start Time	Right	Thru	Left	App. Total	Right	Thru	Left	App. Total	App. Total	Right	Thru	Left	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1														
Intersection	04:30 PM													
Volume	0	0	243	243	401	1	0	402	0	0	1	1	2	647
Percent	0.0	0.0	100.0		99.8	0.2	0.0			0.0	50.0	50.0		
05:00 Volume	0	0	77	77	111	0	0	111	0	0	1	1	2	190
Peak Factor														0.851
High Int.	05:00 PM				05:00 PM				3:45:00 PM	05:00 PM				
Volume	0	0	77	77	111	0	0	111	0	0	1	1	2	
Peak Factor				0.789				0.905					0.250	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1														
By Approach	04:45 PM				04:30 PM				04:00 PM	04:00 PM				
Volume	0	0	248	248	401	1	0	402	0	6	0	0	6	
Percent	0.0	0.0	100.0		99.8	0.2	0.0			100.0	0.0	0.0		
High Int.	05:00 PM				05:00 PM				-	04:00 PM				
Volume	0	0	77	77	111	0	0	111	-	6	0	0	6	
Peak Factor				0.805				0.905	-				0.250	

Appendix B

VISUM Traffic Generation & Distribution

VIANODE\Intersection Name	FROM LINK	TO LINK	ORIENTATION	2020		2030 Without TC		2030 With TC		2040 Without TC		2040 With TC	
				AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Jaguar & Paseo del Sol East	**Paseo del Sol**	Jaguar Dr	EBL	26	18	22	14	21	7	21	19	21	22
		Jaguar Dr	EBR	9	35	5	36	5	37	5	32	5	39
		Paseo del Sol	EBT	317	136	372	179	322	181	407	227	377	222
	Jaguar Dr	Paseo del Sol	NBL	28	15	26	16	24	16	23	14	25	14
		Paseo del Sol	NBR	220	111	217	122	194	114	246	153	215	139
		Jaguar Dr	NBT	157	141	147	144	153	149	183	166	178	167
		Paseo del Sol	SBL	142	66	149	72	115	79	152	88	118	86
		Paseo del Sol	SBR	45	55	44	50	43	50	46	50	46	49
		Jaguar Dr	SBT	114	163	111	175	91	188	127	207	102	213
	Paseo del Sol	Jaguar Dr	WBL	94	148	83	148	63	144	100	177	74	166
		Jaguar Dr	WBR	92	65	88	50	97	48	99	62	107	53
		Paseo del Sol	WBT	210	169	228	210	221	196	246	244	234	232
Jaguar & Paseo del Sol West	**Paseo del Sol**	Jaguar Dr	EBL	66	39	41	34	31	33	42	46	35	51
		Jaguar Dr	EBR	41	25	7	14	5	5	5	8	5	5
		Paseo del Sol	EBT	2	0	70	52	145	139	80	74	152	164
	Jaguar Dr	Paseo del Sol	NBL	16	48	21	54	25	54	41	65	39	66
		Paseo del Sol	NBR	1	1	25	24	83	104	40	45	105	153
		Jaguar Dr	NBT	116	122	131	168	114	179	158	222	133	228
		Paseo del Sol	SBL	2	1	6	2	53	38	6	3	56	44
		Paseo del Sol	SBR	31	83	25	73	19	73	33	82	28	84
		Jaguar Dr	SBT	81	80	124	124	116	105	155	147	152	138
	Paseo del Sol	Jaguar Dr	WBL	2	1	25	25	205	133	37	48	249	166
		Jaguar Dr	WBR	3	1	4	2	34	20	5	3	42	26
		Paseo del Sol	WBT	1	0	31	54	101	87	40	69	118	91
Herrera & Paseo del Sol East	**Paseo del Sol**	Paseo del Sol	NBL	0	0	20	11	46	19	23	9	52	22
		Herrera Drive	NBR	0	0	161	108	536	312	212	164	602	378
		Paseo del Sol	NBT	0	0	0	0	0	0	0	0	0	0
		Herrera Drive	SBL	480	243	378	207	306	191	431	272	352	240
	Herrera Drive	Paseo del Sol	SBR	0	0	21	6	37	22	23	9	40	27
		Paseo del Sol	WBR	273	329	177	223	98	97	160	206	60	94
		Paseo del Sol	WBT	0	0	102	123	236	425	126	177	256	482

VIANODE\Intersection Name	FROM LINK	TO LINK	ORIENTATION	2020		2030 Without TC		2030 With TC		2040 Without TC		2040 With TC	
				AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Paseo del Sol & W. Intersection	**Paseo del Sol**	North Loop	EBL	0	0	0	0	56	62	0	0	64	78
		South Loop	EBR	0	0	0	0	115	84	0	0	119	108
		Paseo del Sol	EBT	0	0	99	76	109	131	124	120	130	172
	South Loop	Paseo del Sol	NBL	0	0	0	0	126	87	0	0	152	103
		Paseo del Sol	NBR	0	0	0	0	79	53	0	0	88	60
		North Loop	NBT	0	0	0	0	5	5	0	0	5	5
	North Loop	Paseo del Sol	SBL	0	0	0	0	36	18	0	0	38	21
		Paseo del Sol	SBR	0	0	0	0	91	45	0	0	108	54
		South Loop	SBT	0	0	0	0	5	5	0	0	5	5
	Paseo del Sol	South Loop	WBL	0	0	0	0	53	56	0	0	55	65
		North Loop	WBR	0	0	0	0	14	28	0	0	15	32
		Paseo del Sol	WBT	0	0	58	81	118	106	78	119	144	126
		Paseo del Sol	WBU	0	0	0	0	0	0	0	0	0	0
Paseo del Sol & E. Intersection	**Paseo del Sol**	North Loop	EBL	0	0	0	0	5	5	0	0	5	5
		South Loop	EBR	0	0	0	0	52	63	0	0	58	80
		Paseo del Sol	EBT	0	0	99	76	173	140	124	120	198	173
	South Loop	Paseo del Sol	NBL	0	0	0	0	81	44	0	0	91	52
		Paseo del Sol	NBR	0	0	0	0	228	110	0	0	258	134
		North Loop	NBT	0	0	0	0	5	5	0	0	5	5
	North Loop	Paseo del Sol	SBL	0	0	0	0	99	50	0	0	111	60
		Paseo del Sol	SBR	0	0	0	0	5	5	0	0	5	5
		South Loop	SBT	0	0	0	0	5	5	0	0	5	5
	Paseo del Sol	South Loop	WBL	0	0	0	0	99	167	0	0	106	188
		North Loop	WBR	0	0	0	0	43	76	0	0	44	86
		Paseo del Sol	WBT	0	0	58	81	105	147	78	119	124	172

Appendix C

Synchro 10 Western Intersection Jaguar Drive & Paseo del Sol

Intersection	
Intersection Delay, s/veh	13.2
Intersection LOS	B

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Vol, veh/h	31	145	5	205	101	34	25	114	83	53	116	19
Future Vol, veh/h	31	145	5	205	101	34	25	114	83	53	116	19
Peak Hour Factor	0.73	0.73	0.73	0.92	0.92	0.92	0.89	0.89	0.89	0.85	0.85	0.85
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	42	199	7	223	110	37	28	128	93	62	136	22
Number of Lanes	1	1	0	1	1	0	1	1	0	1	1	0

Approach	SE	NW	NE	SW
Opposing Approach	NW	SE	SW	NE
Opposing Lanes	2	2	2	2
Conflicting Approach Left	SW	NE	SE	NW
Conflicting Lanes Left	2	2	2	2
Conflicting Approach Right	NE	SW	NW	SE
Conflicting Lanes Right	2	2	2	2
HCM Control Delay	13.1	13.6	13.4	12.2
HCM LOS	B	B	B	B

Lane	NELn1	NELn2	NWLn1	NWLn2	SELn1	SELn2	SWLn1	SWLn2
Vol Left, %	100%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	58%	0%	75%	0%	97%	0%	86%
Vol Right, %	0%	42%	0%	25%	0%	3%	0%	14%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	25	197	205	135	31	150	53	135
LT Vol	25	0	205	0	31	0	53	0
Through Vol	0	114	0	101	0	145	0	116
RT Vol	0	83	0	34	0	5	0	19
Lane Flow Rate	28	221	223	147	42	205	62	159
Geometry Grp	7	7	7	7	7	7	7	7
Degree of Util (X)	0.057	0.401	0.433	0.257	0.085	0.381	0.128	0.299
Departure Headway (Hd)	7.339	6.529	6.995	6.307	7.2	6.667	7.388	6.777
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	485	547	512	565	494	536	482	526
Service Time	5.133	4.322	4.779	4.091	4.992	4.458	5.185	4.574
HCM Lane V/C Ratio	0.058	0.404	0.436	0.26	0.085	0.382	0.129	0.302
HCM Control Delay	10.6	13.7	15.1	11.3	10.7	13.6	11.3	12.5
HCM Lane LOS	B	B	C	B	B	B	B	B
HCM 95th-tile Q	0.2	1.9	2.2	1	0.3	1.8	0.4	1.2

Intersection	
Intersection Delay, s/veh	14.7
Intersection LOS	B

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Vol, veh/h	33	139	5	135	87	20	54	179	104	38	105	73
Future Vol, veh/h	33	139	5	135	87	20	54	179	104	38	105	73
Peak Hour Factor	0.80	0.80	0.80	0.87	0.87	0.87	0.84	0.84	0.84	0.84	0.84	0.84
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	41	174	6	155	100	23	64	213	124	45	125	87
Number of Lanes	1	1	0	1	1	0	1	1	0	1	1	0

Approach	SE	NW	NE	SW
Opposing Approach	NW	SE	SW	NE
Opposing Lanes	2	2	2	2
Conflicting Approach Left	SW	NE	SE	NW
Conflicting Lanes Left	2	2	2	2
Conflicting Approach Right	NE	SW	NW	SE
Conflicting Lanes Right	2	2	2	2
HCM Control Delay	13.4	13.1	17.5	13.3
HCM LOS	B	B	C	B

Lane	NELn1	NELn2	NWLn1	NWLn2	SELn1	SELn2	SWLn1	SWLn2
Vol Left, %	100%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	63%	0%	81%	0%	97%	0%	59%
Vol Right, %	0%	37%	0%	19%	0%	3%	0%	41%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	54	283	135	107	33	144	38	178
LT Vol	54	0	135	0	33	0	38	0
Through Vol	0	179	0	87	0	139	0	105
RT Vol	0	104	0	20	0	5	0	73
Lane Flow Rate	64	337	155	123	41	180	45	212
Geometry Grp	7	7	7	7	7	7	7	7
Degree of Util (X)	0.129	0.606	0.328	0.238	0.088	0.359	0.094	0.395
Departure Headway (Hd)	7.247	6.475	7.599	6.954	7.717	7.18	7.513	6.708
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	495	559	473	517	464	500	477	536
Service Time	4.983	4.211	5.34	4.695	5.46	4.922	5.253	4.448
HCM Lane V/C Ratio	0.129	0.603	0.328	0.238	0.088	0.36	0.094	0.396
HCM Control Delay	11.1	18.7	14	11.9	11.2	13.9	11	13.8
HCM Lane LOS	B	C	B	B	B	B	B	B
HCM 95th-tile Q	0.4	4	1.4	0.9	0.3	1.6	0.3	1.9

Intersection	
Intersection Delay, s/veh	16.6
Intersection LOS	C

Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Vol, veh/h	35	152	5	249	118	42	39	133	105	56	152	28
Future Vol, veh/h	35	152	5	249	118	42	39	133	105	56	152	28
Peak Hour Factor	0.73	0.73	0.73	0.92	0.92	0.92	0.89	0.89	0.89	0.85	0.85	0.85
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	48	208	7	271	128	46	44	149	118	66	179	33
Number of Lanes	1	1	0	1	1	0	1	1	0	1	1	0

Approach	SE	NW	NE	SW
Opposing Approach	NW	SE	SW	NE
Opposing Lanes	2	2	2	2
Conflicting Approach Left	SW	NE	SE	NW
Conflicting Lanes Left	2	2	2	2
Conflicting Approach Right	NE	SW	NW	SE
Conflicting Lanes Right	2	2	2	2
HCM Control Delay	15.5	17.7	17.1	15.1
HCM LOS	C	C	C	C

Lane	NELn1	NELn2	NWLn1	NWLn2	SELn1	SELn2	SWLn1	SWLn2
Vol Left, %	100%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	56%	0%	74%	0%	97%	0%	84%
Vol Right, %	0%	44%	0%	26%	0%	3%	0%	16%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	39	238	249	160	35	157	56	180
LT Vol	39	0	249	0	35	0	56	0
Through Vol	0	133	0	118	0	152	0	152
RT Vol	0	105	0	42	0	5	0	28
Lane Flow Rate	44	267	271	174	48	215	66	212
Geometry Grp	7	7	7	7	7	7	7	7
Degree of Util (X)	0.098	0.535	0.579	0.338	0.107	0.449	0.148	0.44
Departure Headway (Hd)	8.027	7.196	7.699	6.999	8.051	7.514	8.102	7.476
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	446	500	468	513	444	477	442	481
Service Time	5.785	4.954	5.459	4.758	5.815	5.278	5.863	5.237
HCM Lane V/C Ratio	0.099	0.534	0.579	0.339	0.108	0.451	0.149	0.441
HCM Control Delay	11.7	18	20.6	13.3	11.8	16.3	12.3	16
HCM Lane LOS	B	C	C	B	B	C	B	C
HCM 95th-tile Q	0.3	3.1	3.6	1.5	0.4	2.3	0.5	2.2

Intersection	
Intersection Delay, s/veh	28
Intersection LOS	D

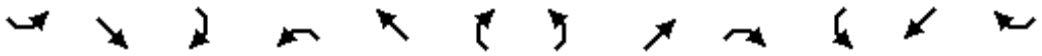
Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Vol, veh/h	51	164	5	166	91	26	66	228	153	44	138	84
Future Vol, veh/h	51	164	5	166	91	26	66	228	153	44	138	84
Peak Hour Factor	0.80	0.80	0.80	0.87	0.87	0.87	0.84	0.84	0.84	0.84	0.84	0.84
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	64	205	6	191	105	30	79	271	182	52	164	100
Number of Lanes	1	1	0	1	1	0	1	1	0	1	1	0

Approach	SE	NW	NE	SW
Opposing Approach	NW	SE	SW	NE
Opposing Lanes	2	2	2	2
Conflicting Approach Left	SW	NE	SE	NW
Conflicting Lanes Left	2	2	2	2
Conflicting Approach Right	NE	SW	NW	SE
Conflicting Lanes Right	2	2	2	2
HCM Control Delay	17.5	17	45.2	19.3
HCM LOS	C	C	E	C

Lane	NELn1	NELn2	NWLn1	NWLn2	SELn1	SELn2	SWLn1	SWLn2
Vol Left, %	100%	0%	100%	0%	100%	0%	100%	0%
Vol Thru, %	0%	60%	0%	78%	0%	97%	0%	62%
Vol Right, %	0%	40%	0%	22%	0%	3%	0%	38%
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Stop	Stop
Traffic Vol by Lane	66	381	166	117	51	169	44	222
LT Vol	66	0	166	0	51	0	44	0
Through Vol	0	228	0	91	0	164	0	138
RT Vol	0	153	0	26	0	5	0	84
Lane Flow Rate	79	454	191	134	64	211	52	264
Geometry Grp	7	7	7	7	7	7	7	7
Degree of Util (X)	0.178	0.924	0.464	0.302	0.157	0.489	0.125	0.574
Departure Headway (Hd)	8.14	7.337	8.755	8.076	8.869	8.329	8.617	7.825
Convergence, Y/N	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Cap	442	499	412	445	405	433	417	463
Service Time	5.853	5.049	6.504	5.825	6.618	6.078	6.335	5.543
HCM Lane V/C Ratio	0.179	0.91	0.464	0.301	0.158	0.487	0.125	0.57
HCM Control Delay	12.6	50.8	18.9	14.3	13.3	18.8	12.6	20.6
HCM Lane LOS	B	F	C	B	B	C	B	C
HCM 95th-tile Q	0.6	10.9	2.4	1.3	0.6	2.6	0.4	3.5

Appendix D

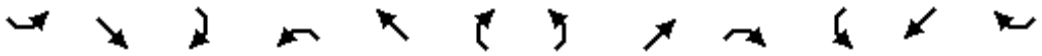
Synchro 10 Eastern Intersection Jaguar Drive & Paseo del Sol



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (veh/h)	21	322	5	63	221	97	24	153	194	115	91	43
Future Volume (veh/h)	21	322	5	63	221	97	24	153	194	115	91	43
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	26	402	6	79	276	121	30	191	242	160	126	60
Peak Hour Factor	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.72	0.72	0.72
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	326	624	9	343	451	198	458	225	285	273	406	193
Arrive On Green	0.03	0.34	0.34	0.05	0.37	0.37	0.03	0.30	0.30	0.07	0.34	0.34
Sat Flow, veh/h	1781	1838	27	1781	1233	540	1781	750	950	1781	1197	570
Grp Volume(v), veh/h	26	0	408	79	0	397	30	0	433	160	0	186
Grp Sat Flow(s),veh/h/ln	1781	0	1865	1781	0	1773	1781	0	1699	1781	0	1768
Q Serve(g_s), s	0.7	0.0	13.9	2.1	0.0	13.7	0.9	0.0	18.0	4.7	0.0	5.8
Cycle Q Clear(g_c), s	0.7	0.0	13.9	2.1	0.0	13.7	0.9	0.0	18.0	4.7	0.0	5.8
Prop In Lane	1.00		0.01	1.00		0.30	1.00		0.56	1.00		0.32
Lane Grp Cap(c), veh/h	326	0	634	343	0	648	458	0	510	273	0	599
V/C Ratio(X)	0.08	0.00	0.64	0.23	0.00	0.61	0.07	0.00	0.85	0.59	0.00	0.31
Avail Cap(c_a), veh/h	395	0	634	366	0	648	527	0	804	273	0	836
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	16.2	0.0	20.9	15.8	0.0	19.5	17.3	0.0	24.7	19.0	0.0	18.3
Incr Delay (d2), s/veh	0.1	0.0	5.0	0.3	0.0	4.3	0.1	0.0	5.1	3.2	0.0	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.3	0.0	6.6	0.8	0.0	6.1	0.3	0.0	7.5	2.0	0.0	2.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	16.3	0.0	25.9	16.2	0.0	23.7	17.4	0.0	29.8	22.2	0.0	18.6
LnGrp LOS	B	A	C	B	A	C	B	A	C	C	A	B
Approach Vol, veh/h		434			476			463			346	
Approach Delay, s/veh		25.3			22.5			29.0			20.3	
Approach LOS		C			C			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	6.6	31.9	9.5	27.0	8.5	30.0	6.6	29.9
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	5.0	25.5	5.0	35.5	5.0	25.5	5.0	35.5
Max Q Clear Time (g_c+I1), s	2.7	15.7	6.7	20.0	4.1	15.9	2.9	7.8
Green Ext Time (p_c), s	0.0	1.7	0.0	2.6	0.0	1.7	0.0	1.1

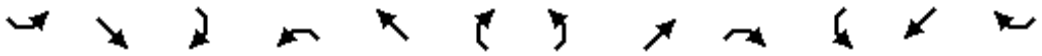
Intersection Summary	
HCM 6th Ctrl Delay	24.5
HCM 6th LOS	C



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (veh/h)	7	181	37	144	196	48	16	149	114	79	188	50
Future Volume (veh/h)	7	181	37	144	196	48	16	149	114	79	188	50
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	8	199	41	150	204	50	20	182	139	89	211	56
Peak Hour Factor	0.91	0.91	0.91	0.96	0.96	0.96	0.82	0.82	0.82	0.89	0.89	0.89
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	462	472	97	506	556	136	326	223	171	297	383	102
Arrive On Green	0.01	0.31	0.31	0.08	0.38	0.38	0.02	0.23	0.23	0.07	0.27	0.27
Sat Flow, veh/h	1781	1505	310	1781	1451	356	1781	984	751	1781	1424	378
Grp Volume(v), veh/h	8	0	240	150	0	254	20	0	321	89	0	267
Grp Sat Flow(s),veh/h/ln	1781	0	1815	1781	0	1806	1781	0	1735	1781	0	1802
Q Serve(g_s), s	0.2	0.0	6.0	3.1	0.0	5.8	0.5	0.0	10.1	2.1	0.0	7.3
Cycle Q Clear(g_c), s	0.2	0.0	6.0	3.1	0.0	5.8	0.5	0.0	10.1	2.1	0.0	7.3
Prop In Lane	1.00		0.17	1.00		0.20	1.00		0.43	1.00		0.21
Lane Grp Cap(c), veh/h	462	0	569	506	0	692	326	0	394	297	0	485
V/C Ratio(X)	0.02	0.00	0.42	0.30	0.00	0.37	0.06	0.00	0.82	0.30	0.00	0.55
Avail Cap(c_a), veh/h	598	0	569	519	0	692	439	0	544	335	0	565
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	13.2	0.0	15.6	11.1	0.0	12.7	16.5	0.0	21.1	16.1	0.0	18.0
Incr Delay (d2), s/veh	0.0	0.0	2.3	0.3	0.0	1.5	0.1	0.0	6.7	0.6	0.0	1.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.1	0.0	2.6	1.1	0.0	2.3	0.2	0.0	4.4	0.8	0.0	2.9
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	13.2	0.0	17.9	11.4	0.0	14.2	16.6	0.0	27.7	16.6	0.0	19.0
LnGrp LOS	B	A	B	B	A	B	B	A	C	B	A	B
Approach Vol, veh/h		248			404			341			356	
Approach Delay, s/veh		17.7			13.2			27.1			18.4	
Approach LOS		B			B			C			B	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	5.1	26.5	8.3	17.5	9.1	22.5	5.9	20.0
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	5.0	18.0	5.0	18.0	5.0	18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s	2.2	7.8	4.1	12.1	5.1	8.0	2.5	9.3
Green Ext Time (p_c), s	0.0	1.0	0.0	1.0	0.0	0.9	0.0	1.0

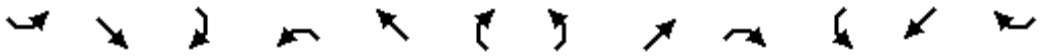
Intersection Summary	
HCM 6th Ctrl Delay	18.9
HCM 6th LOS	B



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (veh/h)	21	377	5	74	234	107	25	178	215	118	102	46
Future Volume (veh/h)	21	377	5	74	234	107	25	178	215	118	102	46
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	26	471	6	92	292	134	31	222	269	164	142	64
Peak Hour Factor	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.72	0.72	0.72
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	280	596	8	273	425	195	473	254	308	257	446	201
Arrive On Green	0.03	0.32	0.32	0.05	0.35	0.35	0.03	0.33	0.33	0.06	0.37	0.37
Sat Flow, veh/h	1781	1843	23	1781	1213	557	1781	770	933	1781	1221	550
Grp Volume(v), veh/h	26	0	477	92	0	426	31	0	491	164	0	206
Grp Sat Flow(s),veh/h/ln	1781	0	1866	1781	0	1770	1781	0	1702	1781	0	1771
Q Serve(g_s), s	0.8	0.0	18.3	2.7	0.0	16.2	0.9	0.0	21.4	4.8	0.0	6.6
Cycle Q Clear(g_c), s	0.8	0.0	18.3	2.7	0.0	16.2	0.9	0.0	21.4	4.8	0.0	6.6
Prop In Lane	1.00		0.01	1.00		0.31	1.00		0.55	1.00		0.31
Lane Grp Cap(c), veh/h	280	0	603	273	0	621	473	0	562	257	0	647
V/C Ratio(X)	0.09	0.00	0.79	0.34	0.00	0.69	0.07	0.00	0.87	0.64	0.00	0.32
Avail Cap(c_a), veh/h	343	0	603	288	0	621	536	0	766	257	0	797
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	18.2	0.0	24.3	18.4	0.0	21.9	16.6	0.0	24.9	19.4	0.0	18.0
Incr Delay (d2), s/veh	0.1	0.0	10.2	0.7	0.0	6.1	0.1	0.0	8.4	5.1	0.0	0.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.3	0.0	9.4	1.1	0.0	7.4	0.4	0.0	9.5	2.2	0.0	2.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	18.3	0.0	34.4	19.2	0.0	28.0	16.7	0.0	33.3	24.6	0.0	18.2
LnGrp LOS	B	A	C	B	A	C	B	A	C	C	A	B
Approach Vol, veh/h		503			518			522			370	
Approach Delay, s/veh		33.6			26.4			32.3			21.0	
Approach LOS		C			C			C			C	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	6.7	32.2	9.5	30.6	8.8	30.0	6.7	33.3
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	5.0	25.5	5.0	35.5	5.0	25.5	5.0	35.5
Max Q Clear Time (g_c+I1), s	2.8	18.2	6.8	23.4	4.7	20.3	2.9	8.6
Green Ext Time (p_c), s	0.0	1.6	0.0	2.6	0.0	1.4	0.0	1.2

Intersection Summary	
HCM 6th Ctrl Delay	28.9
HCM 6th LOS	C



Movement	SEL	SET	SER	NWL	NWT	NWR	NEL	NET	NER	SWL	SWT	SWR
Lane Configurations												
Traffic Volume (veh/h)	22	222	39	166	232	53	14	167	139	86	213	49
Future Volume (veh/h)	22	222	39	166	232	53	14	167	139	86	213	49
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870	1870
Adj Flow Rate, veh/h	24	244	43	173	242	55	17	204	170	97	239	55
Peak Hour Factor	0.91	0.91	0.91	0.96	0.96	0.96	0.82	0.82	0.82	0.89	0.89	0.89
Percent Heavy Veh, %	2	2	2	2	2	2	2	2	2	2	2	2
Cap, veh/h	415	463	82	451	523	119	333	238	198	285	439	101
Arrive On Green	0.03	0.30	0.30	0.08	0.35	0.35	0.02	0.25	0.25	0.07	0.30	0.30
Sat Flow, veh/h	1781	1548	273	1781	1475	335	1781	943	786	1781	1471	338
Grp Volume(v), veh/h	24	0	287	173	0	297	17	0	374	97	0	294
Grp Sat Flow(s),veh/h/ln	1781	0	1821	1781	0	1810	1781	0	1729	1781	0	1809
Q Serve(g_s), s	0.6	0.0	7.9	3.9	0.0	7.6	0.4	0.0	12.4	2.3	0.0	8.2
Cycle Q Clear(g_c), s	0.6	0.0	7.9	3.9	0.0	7.6	0.4	0.0	12.4	2.3	0.0	8.2
Prop In Lane	1.00		0.15	1.00		0.19	1.00		0.45	1.00		0.19
Lane Grp Cap(c), veh/h	415	0	544	451	0	642	333	0	437	285	0	540
V/C Ratio(X)	0.06	0.00	0.53	0.38	0.00	0.46	0.05	0.00	0.86	0.34	0.00	0.54
Avail Cap(c_a), veh/h	514	0	544	451	0	642	444	0	517	314	0	541
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00	1.00	0.00	1.00
Uniform Delay (d), s/veh	14.0	0.0	17.6	12.9	0.0	15.0	16.3	0.0	21.5	16.0	0.0	17.7
Incr Delay (d2), s/veh	0.1	0.0	3.6	0.5	0.0	2.4	0.1	0.0	11.8	0.7	0.0	1.1
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	0.2	0.0	3.6	1.4	0.0	3.2	0.2	0.0	6.0	0.9	0.0	3.3
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	14.1	0.0	21.2	13.5	0.0	17.4	16.4	0.0	33.3	16.7	0.0	18.8
LnGrp LOS	B	A	C	B	A	B	B	A	C	B	A	B
Approach Vol, veh/h		311			470			391			391	
Approach Delay, s/veh		20.6			15.9			32.6			18.3	
Approach LOS		C			B			C			B	

Timer - Assigned Phs	1	2	3	4	5	6	7	8
Phs Duration (G+Y+Rc), s	6.2	25.8	8.5	19.7	9.5	22.5	5.7	22.5
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5
Max Green Setting (Gmax), s	5.0	18.0	5.0	18.0	5.0	18.0	5.0	18.0
Max Q Clear Time (g_c+I1), s	2.6	9.6	4.3	14.4	5.9	9.9	2.4	10.2
Green Ext Time (p_c), s	0.0	1.1	0.0	0.8	0.0	1.0	0.0	1.0

Intersection Summary	
HCM 6th Ctrl Delay	21.6
HCM 6th LOS	C

Appendix E

Synchro 10 Herrera Drive and Paseo del Sol

Intersection	
Intersection Delay, s/veh	15.8
Intersection LOS	C

Approach	EB	WB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	633	364	373
Demand Flow Rate, veh/h	646	371	381
Vehicles Circulating, veh/h	340	51	262
Vehicles Exiting, veh/h	303	935	160
Follow-Up Headway, s	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	24.4	6.9	9.7
Approach LOS	C	A	A

Lane	Left	Left	Left
Designated Moves	LT	TR	LR
Assumed Moves	LT	TR	LR
RT Channelized			
Lane Util	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193
Entry Flow, veh/h	646	371	381
Cap Entry Lane, veh/h	804	1074	870
Entry HV Adj Factor	0.980	0.981	0.979
Flow Entry, veh/h	633	364	373
Cap Entry, veh/h	788	1053	851
V/C Ratio	0.803	0.346	0.438
Control Delay, s/veh	24.4	6.9	9.7
LOS	C	A	A
95th %tile Queue, veh	9	2	2

Intersection	
Intersection Delay, s/veh	9.4
Intersection LOS	A

Approach	EB	WB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	360	574	242
Demand Flow Rate, veh/h	367	585	247
Vehicles Circulating, veh/h	221	21	476
Vehicles Exiting, veh/h	501	567	130
Follow-Up Headway, s	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	8.8	9.6	9.8
Approach LOS	A	A	A

Lane	Left	Left	Left
Designated Moves	LT	TR	LR
Assumed Moves	LT	TR	LR
RT Channelized			
Lane Util	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193
Entry Flow, veh/h	367	585	247
Cap Entry Lane, veh/h	906	1106	702
Entry HV Adj Factor	0.982	0.981	0.980
Flow Entry, veh/h	360	574	242
Cap Entry, veh/h	889	1085	688
V/C Ratio	0.405	0.529	0.352
Control Delay, s/veh	8.8	9.6	9.8
LOS	A	A	A
95th %tile Queue, veh	2	3	2

Intersection	
Intersection Delay, s/veh	26.3
Intersection LOS	D

Approach	EB	WB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	711	343	426
Demand Flow Rate, veh/h	725	350	435
Vehicles Circulating, veh/h	391	58	284
Vehicles Exiting, veh/h	328	1058	124
Follow-Up Headway, s	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	44.7	6.8	11.3
Approach LOS	E	A	B

Lane	Left	Left	Left
Designated Moves	LT	TR	LR
Assumed Moves	LT	TR	LR
RT Channelized			
Lane Util	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193
Entry Flow, veh/h	725	350	435
Cap Entry Lane, veh/h	764	1066	851
Entry HV Adj Factor	0.981	0.981	0.979
Flow Entry, veh/h	711	343	426
Cap Entry, veh/h	749	1046	833
V/C Ratio	0.949	0.328	0.511
Control Delay, s/veh	44.7	6.8	11.3
LOS	E	A	B
95th %tile Queue, veh	14	1	3

Intersection	
Intersection Delay, s/veh	11.5
Intersection LOS	B

Approach	EB	WB	SB
Entry Lanes	1	1	1
Conflicting Circle Lanes	1	1	1
Adj Approach Flow, veh/h	435	633	304
Demand Flow Rate, veh/h	443	646	310
Vehicles Circulating, veh/h	278	24	541
Vehicles Exiting, veh/h	573	697	129
Follow-Up Headway, s	3.186	3.186	3.186
Ped Vol Crossing Leg, #/h	0	0	0
Ped Cap Adj	1.000	1.000	1.000
Approach Delay, s/veh	11.4	10.8	12.8
Approach LOS	B	B	B

Lane	Left	Left	Left
Designated Moves	LT	TR	LR
Assumed Moves	LT	TR	LR
RT Channelized			
Lane Util	1.000	1.000	1.000
Critical Headway, s	5.193	5.193	5.193
Entry Flow, veh/h	443	646	310
Cap Entry Lane, veh/h	856	1103	658
Entry HV Adj Factor	0.981	0.980	0.981
Flow Entry, veh/h	435	633	304
Cap Entry, veh/h	840	1082	645
V/C Ratio	0.518	0.586	0.471
Control Delay, s/veh	11.4	10.8	12.8
LOS	B	B	B
95th %tile Queue, veh	3	4	3

Appendix F

Synchro 10 Loop Road and Paseo del Sol Western Intersection

Intersection	
Intersection Delay, s/veh	9.1
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	56	109	14	53	118	14	12	5	91	36	5	79
Future Vol, veh/h	56	109	14	53	118	14	12	5	91	36	5	79
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	61	118	15	58	128	15	13	5	99	39	5	86
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	9.5	9.5	8.4	8.7
HCM LOS	A	A	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	11%	31%	29%	30%
Vol Thru, %	5%	61%	64%	4%
Vol Right, %	84%	8%	8%	66%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	108	179	185	120
LT Vol	12	56	53	36
Through Vol	5	109	118	5
RT Vol	91	14	14	79
Lane Flow Rate	117	195	201	130
Geometry Grp	1	1	1	1
Degree of Util (X)	0.149	0.257	0.265	0.17
Departure Headway (Hd)	4.555	4.764	4.752	4.682
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	782	749	752	762
Service Time	2.613	2.822	2.81	2.74
HCM Lane V/C Ratio	0.15	0.26	0.267	0.171
HCM Control Delay	8.4	9.5	9.5	8.7
HCM Lane LOS	A	A	A	A
HCM 95th-tile Q	0.5	1	1.1	0.6

Intersection	
Intersection Delay, s/veh	9.9
Intersection LOS	A

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	62	131	28	56	106	84	87	5	45	18	5	53
Future Vol, veh/h	62	131	28	56	106	84	87	5	45	18	5	53
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	67	142	30	61	115	91	95	5	49	20	5	58
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	10.2	10.2	9.6	8.7
HCM LOS	B	B	A	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	64%	28%	23%	24%
Vol Thru, %	4%	59%	43%	7%
Vol Right, %	33%	13%	34%	70%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	137	221	246	76
LT Vol	87	62	56	18
Through Vol	5	131	106	5
RT Vol	45	28	84	53
Lane Flow Rate	149	240	267	83
Geometry Grp	1	1	1	1
Degree of Util (X)	0.213	0.321	0.345	0.114
Departure Headway (Hd)	5.148	4.811	4.649	4.955
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	689	740	767	715
Service Time	3.233	2.883	2.718	3.049
HCM Lane V/C Ratio	0.216	0.324	0.348	0.116
HCM Control Delay	9.6	10.2	10.2	8.7
HCM Lane LOS	A	B	B	A
HCM 95th-tile Q	0.8	1.4	1.5	0.4

Intersection	
Intersection Delay, s/veh	12.8
Intersection LOS	B

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	64	130	119	55	144	15	152	5	88	38	5	108
Future Vol, veh/h	64	130	119	55	144	15	152	5	88	38	5	108
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	70	141	129	60	157	16	165	5	96	41	5	117
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	14	12.3	13	10.7
HCM LOS	B	B	B	B

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	62%	20%	26%	25%
Vol Thru, %	2%	42%	67%	3%
Vol Right, %	36%	38%	7%	72%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	245	313	214	151
LT Vol	152	64	55	38
Through Vol	5	130	144	5
RT Vol	88	119	15	108
Lane Flow Rate	266	340	233	164
Geometry Grp	1	1	1	1
Degree of Util (X)	0.424	0.51	0.372	0.258
Departure Headway (Hd)	5.727	5.397	5.758	5.656
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	626	663	621	630
Service Time	3.8	3.465	3.835	3.739
HCM Lane V/C Ratio	0.425	0.513	0.375	0.26
HCM Control Delay	13	14	12.3	10.7
HCM Lane LOS	B	B	B	B
HCM 95th-tile Q	2.1	2.9	1.7	1

Intersection	
Intersection Delay, s/veh	11.9
Intersection LOS	B

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	78	172	108	65	126	32	103	5	60	21	5	54
Future Vol, veh/h	78	172	108	65	126	32	103	5	60	21	5	54
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	85	187	117	71	137	35	112	5	65	23	5	59
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	13.5	11.1	10.9	9.4
HCM LOS	B	B	B	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	61%	22%	29%	26%
Vol Thru, %	3%	48%	57%	6%
Vol Right, %	36%	30%	14%	68%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	168	358	223	80
LT Vol	103	78	65	21
Through Vol	5	172	126	5
RT Vol	60	108	32	54
Lane Flow Rate	183	389	242	87
Geometry Grp	1	1	1	1
Degree of Util (X)	0.284	0.533	0.352	0.134
Departure Headway (Hd)	5.593	4.928	5.223	5.53
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	641	732	688	647
Service Time	3.634	2.959	3.26	3.578
HCM Lane V/C Ratio	0.285	0.531	0.352	0.134
HCM Control Delay	10.9	13.5	11.1	9.4
HCM Lane LOS	B	B	B	A
HCM 95th-tile Q	1.2	3.2	1.6	0.5

Appendix G
Synchro 10 Loop Road and Paseo del Sol Eastern Intersection

Intersection	
Intersection Delay, s/veh	12.5
Intersection LOS	B

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	5	173	52	99	105	43	81	5	228	99	5	5
Future Vol, veh/h	5	173	52	99	105	43	81	5	228	99	5	5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	5	188	57	108	114	47	88	5	248	108	5	5
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	12.1	12.7	13.3	10.8
HCM LOS	B	B	B	B

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	26%	2%	40%	91%
Vol Thru, %	2%	75%	43%	5%
Vol Right, %	73%	23%	17%	5%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	314	230	247	109
LT Vol	81	5	99	99
Through Vol	5	173	105	5
RT Vol	228	52	43	5
Lane Flow Rate	341	250	268	118
Geometry Grp	1	1	1	1
Degree of Util (X)	0.495	0.385	0.419	0.202
Departure Headway (Hd)	5.22	5.55	5.619	6.141
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	686	645	636	581
Service Time	3.279	3.615	3.682	4.219
HCM Lane V/C Ratio	0.497	0.388	0.421	0.203
HCM Control Delay	13.3	12.1	12.7	10.8
HCM Lane LOS	B	B	B	B
HCM 95th-tile Q	2.8	1.8	2.1	0.7

Intersection	
Intersection Delay, s/veh	12.2
Intersection LOS	B

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	5	140	63	167	147	76	44	5	110	50	5	5
Future Vol, veh/h	5	140	63	167	147	76	44	5	110	50	5	5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	5	152	68	182	160	83	48	5	120	54	5	5
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	10.3	14.5	10.2	9.8
HCM LOS	B	B	B	A

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	28%	2%	43%	83%
Vol Thru, %	3%	67%	38%	8%
Vol Right, %	69%	30%	19%	8%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	159	208	390	60
LT Vol	44	5	167	50
Through Vol	5	140	147	5
RT Vol	110	63	76	5
Lane Flow Rate	173	226	424	65
Geometry Grp	1	1	1	1
Degree of Util (X)	0.255	0.314	0.579	0.109
Departure Headway (Hd)	5.308	5.006	4.917	5.99
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	676	717	738	597
Service Time	3.346	3.039	2.917	4.034
HCM Lane V/C Ratio	0.256	0.315	0.575	0.109
HCM Control Delay	10.2	10.3	14.5	9.8
HCM Lane LOS	B	B	B	A
HCM 95th-tile Q	1	1.3	3.8	0.4

Intersection	
Intersection Delay, s/veh	15.1
Intersection LOS	C

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	5	198	58	106	124	44	91	5	258	111	5	5
Future Vol, veh/h	5	198	58	106	124	44	91	5	258	111	5	5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	5	215	63	115	135	48	99	5	280	121	5	5
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	14.3	15.1	16.8	11.9
HCM LOS	B	C	C	B

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	26%	2%	39%	92%
Vol Thru, %	1%	76%	45%	4%
Vol Right, %	73%	22%	16%	4%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	354	261	274	121
LT Vol	91	5	106	111
Through Vol	5	198	124	5
RT Vol	258	58	44	5
Lane Flow Rate	385	284	298	132
Geometry Grp	1	1	1	1
Degree of Util (X)	0.602	0.471	0.503	0.244
Departure Headway (Hd)	5.631	5.983	6.077	6.678
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	643	601	593	537
Service Time	3.649	4.035	4.105	4.737
HCM Lane V/C Ratio	0.599	0.473	0.503	0.246
HCM Control Delay	16.8	14.3	15.1	11.9
HCM Lane LOS	C	B	C	B
HCM 95th-tile Q	4	2.5	2.8	1

Intersection	
Intersection Delay, s/veh	13.9
Intersection LOS	B

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	5	173	80	188	172	44	52	5	134	60	5	5
Future Vol, veh/h	5	173	80	188	172	44	52	5	134	60	5	5
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Heavy Vehicles, %	2	2	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	5	188	87	204	187	48	57	5	146	65	5	5
Number of Lanes	0	1	0	0	1	0	0	1	0	0	1	0

Approach	EB	WB	NB	SB
Opposing Approach	WB	EB	SB	NB
Opposing Lanes	1	1	1	1
Conflicting Approach Left	SB	NB	EB	WB
Conflicting Lanes Left	1	1	1	1
Conflicting Approach Right	NB	SB	WB	EB
Conflicting Lanes Right	1	1	1	1
HCM Control Delay	11.9	17	11.3	10.4
HCM LOS	B	C	B	B

Lane	NBLn1	EBLn1	WBLn1	SBLn1
Vol Left, %	27%	2%	47%	86%
Vol Thru, %	3%	67%	43%	7%
Vol Right, %	70%	31%	11%	7%
Sign Control	Stop	Stop	Stop	Stop
Traffic Vol by Lane	191	258	404	70
LT Vol	52	5	188	60
Through Vol	5	173	172	5
RT Vol	134	80	44	5
Lane Flow Rate	208	280	439	76
Geometry Grp	1	1	1	1
Degree of Util (X)	0.322	0.409	0.637	0.134
Departure Headway (Hd)	5.581	5.248	5.223	6.361
Convergence, Y/N	Yes	Yes	Yes	Yes
Cap	642	684	689	561
Service Time	3.638	3.297	3.265	4.432
HCM Lane V/C Ratio	0.324	0.409	0.637	0.135
HCM Control Delay	11.3	11.9	17	10.4
HCM Lane LOS	B	B	C	B
HCM 95th-tile Q	1.4	2	4.6	0.5

EXHIBIT G3

CITY OF SANTA FE

ARCHAEOLOGICAL CLEARANCE PERMIT AND APPROVAL*

Case File Number AR-03-1994 Date Application Submitted 1/26/94

District: DT ____; R&T - Regular ____; Santa Fe Trail ____; SUB X

Building Sq. Ft./ Development Acreage PHASE ONE — 162 ACRES

Property Owner: TIERRA CONTENTA CORPORATION

Site Address SW of AIRPORT & CERRILLOS ROADS

Applicant Information: Name: STEVE BRUGGER

Function: PROJECT MANAGER Phone No.: 984-6889

SUBMITTAL CHECK LIST

Reports by Matthew F. Schrader 7/20/07
Mark E. Hall 5/2/88

RECONNAISSANCE REPORT

1. ___ Archaeologist's Resume
2. ___ Site & Development Description
3. ___ Vicinity Map
4. ___ Description of research design & techniques
5. ___ Descriptive summary of cultural remains
6. ___ List of sources
7. ___ Site map
8. ___ Photographs
9. ___ NM site inventory form
10. ___ Overview of previous findings
11. ___ Assessment of development's impact
12. ___ Recommended significance status
13. ___ Archival research
    - ___ Historic maps and aerial photos
    - ___ ARMS files
    - ___ General Land Office (BLM) surveys or land grant plats
    - ___ Santa Fe Acequia Systems Report
    - ___ National Register nominations & historic photos
    - ___ Deed research

TREATMENT REPORT

1. ___ Description of collection
2. ___ Description of field procedures
3. ___ Description of archival research
4. ___ Summary of findings
5. ___ Disposition of site
6. ___ Disposition of artifacts

PERMIT APPROVED: James Oakland 3/3/94
Committee Chairperson — Date

***APPROVAL GIVEN:** ____ ____
Committee Chairperson — Date

* for unexpected discoveries

PN001 REV 1/93

CITY OF SANTA FE

ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL

Case File Number AR-7-1998 Date Application Submitted 6/26/98

District: Historic Downtown District ____; River & Trails-Regular ____; Santa Fe Trail ____; Suburban X

Building Sq. Ft. ____ Development Acreage 175

Project Description: Final Treatment Report

Site Address/Location: Tierra Contenta - Phase 1B Property Owner: Tierra Contenta Corp.

Permit: Grading ____; Development ____; Building ____

Applicant Information: Name: Tierra Contenta Corporation

Mailing Address: 369 Montezuma #220, SF, NM 87501 Phone No.: (505) 471-4551

Archaeological Consultant: Rio Grande Consultants, 2639 Pajarito Rd. SW, Albuquerque, NM 87105

PLEASE PROVIDE A COPY OF THIS PERMIT WITH YOUR BUILDING PERMIT APPLICATION

RECONNAISSANCE REPORT

1. ____ Project Archaeologist's Resume
2. ____ Vicinity Map
3. ____ Project Site Description
4. ____ Development Project Description
5. ____ Outline of Research & Methodology
6. ____ Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts
7. ____ Archival Research
   a. ____ Historic Maps & Aerial Photos
   b. ____ ARMS Files & Archaeological Reports
   c. ____ General Land Office (BLM) Surveys or Land Grant Plats
   d. ____ 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby)
   e. ____ National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure)
   f. ____ Historic Photos (needed if in Historic Downtown District)
   g. ____ Information from Title Abstract (if available)
8. ____ 2% Testing (Historic Downtown District Only)
9. ____ Description of Prehistoric & Historic Occupation & Land Use
10. ____ Description of Cultural Remains Discovered and Significance
11. ____ NM Site Inventory Forms and Other Documentation
12. ____ Recommended Site Significance
13. ____ Assessment of Development's Impact on Cultural Remains
14. ____ Recommended Treatment for Site
15. ____ Listing of Sources, i.e. historic maps, aerials, reports, etc.

____ ARC APPROVAL: MEETING DATE: ____
Special Conditions: ____ Yes (see attachment)
____ No

TREATMENT PLAN REQUIRED:

Yes: ____ No: ____

____ TREATMENT PLAN ARC APPROVAL: MEETING DATE: ____
Special Conditions: ____ Yes (see attachment) ____ No

PRELIMINARY TREATMENT REPORT

____ a. Research Design Outline
____ b. Site Map of Excavations
____ c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable
____ d. Description of Cultural Remains Discovered
____ e. Description of Prehistoric and Historic Occupation and Land Use
____ f. Listing of Sources

TREATMENT REPORT ARC APPROVAL: MEETING DATE: ____
Special Conditions: ____ Yes (see attachment) ____ No PRELIMINARY WAS APPROVED W/CLEARANCE FOR THE PROJECT 3/30/99

FINAL TREATMENT REPORT

____ Date Final Report Due 6/26/98 Date Final Report Received 7/6/99

Permit Approved: ____ Date: ____
Archaeological Review Committee Chairperson

6/20/99

CITY OF SANTA FE
ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL

Case File Number: ARC. 7/1999 ARC 9/1998 Date Application Submitted: _____

District: Historic Downtown District ____; River & Trails-Regular ____; Santa Fe Trail ____; Suburban X

PLEASE PROVIDE A COPY OF THIS PERMIT WITH YOUR BUILDING PERMIT APPLICATION

Building Sq. Ft. _____ Development Acreage _____

Project Description: TIERRA CONTENTA SUBDIVISION

Site Address/Location: PHASES I & II Property Owner: _____

Permit: Grading ____; Development ____; Building ____

Applicant Information: Name: _____

Mailing Address: _____ Phone No.: _____

Archaeological Consultant: MATTHEW F. SCHRADER

RECONNAISSANCE REPORT

1. ___ Project Archaeologist's Resume
2. ___ Vicinity Map
3. ___ Project Site Description
4. ___ Development Project Description
5. ___ Outline of Research & Methodology
6. ___ Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts
7. ___ Archival Research
   a. ___ Historic Maps & Aerial Photos
   b. ___ ARMS Files & Archaeological Reports
   c. ___ General Land Office (BLM) Surveys or Land Grant Plats
   d. ___ 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby)
   e. ___ National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure)
   f. ___ Historic Photos (needed if in Historic Downtown District)
   g. ___ Information from Title Abstract (if available)
8. ___ 2% Testing (Historic Downtown District Only)
9. ___ Description of Prehistoric & Historic Occupation & Land Use
10. ___ Description of Cultural Remains Discovered and Significance
11. ___ NM Site Inventory Forms and Other Documentation
12. ___ Recommended Site Significance
13. ___ Assessment of Development's Impact on Cultural Remains
14. ___ Recommended Treatment for Site
15. ___ Listing of Sources, i.e. historic maps, aerials, reports, etc.

____ **ARC APPROVAL: MEETING DATE:** _____
Special Conditions: ____ Yes (see attachment)
____ No

TREATMENT PLAN REQUIRED:

Yes: ____ No: ____

____ **TREATMENT PLAN ARC APPROVAL: MEETING DATE:** _____
Special Conditions: ____ Yes (see attachment) ____ No

PRELIMINARY TREATMENT REPORT

___ a. Research Design Outline
___ b. Site Map of Excavations
___ c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable
___ d. Description of Cultural Remains Discovered
___ e. Description of Prehistoric and Historic Occupation and Land Use
___ f. Listing of Sources

TREATMENT REPORT ARC APPROVAL: MEETING DATE: 3 SEPTEMBER 1998
Special Conditions: ____ Yes (see attachment) ____ No

FINAL TREATMENT REPORT

_____ Date Final Report Due 3 SEPTEMBER 1998 Date Final Report Received

FINAL PERMIT WAS APPROVED BY
Permit Approved: Archaeological Review Committee Chairperson **Date:** 9/3/98

ARC FOR ALL PHASES 11/7/01

EXHIBIT G4

RESTATED ANNEXATION AGREEMENT
TIERRA CONTENTA, WOLGAMOOD SUBDIVISION
A D CONTIGUOUS LANDS (EAST)

1122756

This Restated Annexation Agreement ("Agreement") is made and entered into by and between the City of Santa Fe, New Mexico, a New Mexico municipal corporation ("City"), Tierra Contenta Corporation, a New Mexico non-profit corporation, ("Tierra"), Elisia Partnership, a New Mexico general partnership ("Elisia"), Kenneth Prater ("Prater"), New Mexico School for the Deaf ("School for the Deaf"), Santa Fe Board of Education ("Board of Education"), Herrera Associates, a New Mexico general partnership ("Herrera"), and Dr. Joe L. Hernandez, ("Hernandez"). Tierra, Elisia, Prater, School for the Deaf, Board of Education, Herrera and Hernandez, are hereinafter sometimes collectively referred to as "Landowners." This Agreement shall be effective as of the date set forth in paragraph 27 ("Effective Date").

RECITALS

A. Landowners are the collective owner of certain real property in Santa Fe County, New Mexico consisting of approximately 1,421 acres of land situate in Township 16 North, Ranges 8E and 9E, as more fully described on Exhibit 1 attached (the "Property").

B. On November 1985, the Governing Body adopted Resolution No. 1985-107 amending the Santa Fe Urban Area General Plan pursuant to Case # 1985-32 and Ordinance No. 1985-58, thereby annexing the Property to the City under the terms and conditions of an annexation agreement ("Original Annexation Agreement"). The Original Annexation Agreement, dated November 5, 1985, was approved by the Landowners and the City and filed for record in Book 544 at page 530, records of Santa Fe County, New Mexico.

C. Pursuant to Ordinance No. 1985-59, approximately 1,391 acres of the Property owned by Tierra, School for the Deaf, Santa Fe Board of Education, Elisia and Prater were rezoned from a "R-1 Residential District" ("R-1") to "PRC Planned Residential Community" ("PRC"), now governed by §14-31 SFCC (1987), pursuant to a master plan ("Original Master Plan") approved by the City and the Landowners.

D. Those portions of the Property owned by Herrera and Hernandez ("Adjoining Owners") remained zoned as R-1 and are now governed by §14-17 SFCC (1987). An application for rezoning is concurrently under consideration by the City, and, prior to the Effective Date of this Agreement these properties may have been rezoned by the City.

E. It is the intention of the parties to this Agreement that the Original Annexation Agreement and Original Master Plan shall be superseded in their entirety and that this Agreement and attached exhibits shall substituted therefor, and further, that the Original Annexation Agreement and Original Master Plan shall be deemed to be of no further force and effect and shall not be binding upon any owner of any portion of the Property.

F. Certain provisions of this Agreement shall apply only to the properties owned by Tierra, Elisia, Prater, Board of Education, and the successors and assigns of the School for the Deaf, excluding any successor or assign that is a state or local governmental entity or agency governed by restrictions set forth in the New Mexico Constitution ("NMSD Assigns"). Collectively Tierra, Elisia, Prater, the Board of Education and NMSD Assigns are identified as the "PRC Owners".

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G. The City approved this Agreement in a duly called meeting on February 23, 1994.

AGREEMENTS

NOW, THEREFORE, in consideration of the premises, the following agreements and undertakings, the parties incorporate the foregoing recitals and further agree as follows:

1. **ANNEXATION PLAT.** The Property, previously annexed to the City, is fully described on the annexation plat titled *Annexation Plat for Tracts 1 Thru 9, Tierra Contenta, Wolgamood Subdivision and Contiguous Lands (East) within Township 16 North, Ranges 8 & 9 East, New Mexico Principal Meridian, Santa Fe County, New Mexico, June 1985,* ("Annexation Plat") a true and correct copy of said Annexation Plat is attached hereto as Exhibit 1. The Annexation Plat complies with §14-9.6(D) SFCC (1987).

2. **THE MASTER PLAN.** Landowners have approved a revised master plan for uses of the Property and as described on the plat of survey titled *Master Plan PRC and Annexation* (the "Master Plan"). Landowners have further approved a revised phasing plan as described on the plat of survey titled *Phasing Master Plan* (the "Phasing Plan"). Both the Master Plan and Phasing Plan comply with §§14-9.6(D) SFCC (1987). True and correct copies of the Master Plan and Phasing Plan are attached as Exhibit 2.

3. **CITY APPROVAL OF MASTER PLAN AND PHASING PLAN; SUBSEQUENT APPROVALS.** The Master Plan and Phasing Plan contemplate a variety of housing types and additional commercial, institutional, industrial, and recreational land uses for the Property. The City hereby approves the Master Plan and Phasing Plan and agree that each comply with the SFCC (1987). The City agrees to approve rezonings, preliminary development plans and preliminary subdivision plats for individual tracts within the Property, provided such rezonings plats and plans conform to the Master Plan and Phasing Plan, the SFCC 1987, as amended, and the provisions of this Agreement. The City agrees to approve final development plans and final subdivision plats that substantially conform to previously approved preliminary plats and plans.

4. **MODIFICATION OF URBAN AREA GENERAL PLAN; MODIFICATION OF MASTER PLAN.**

A. The Master Plan, including its designations of the PRC district, shall become part of the Santa Fe Urban Area General Plan. Modifications of the Master Plan, including, without limitation, relocations or modifications of improvements as shown on the Master Plan, must be approved by the City, as provided below.

B. Minor relocations and modifications, such as relocation of utility lines, roadways and minor variations of the Phasing Plan, otherwise consistent with the general intent of the Master Plan, shall be approved administratively by the director of the technical review division of the City or such other division later charged with the authority to review development proposals ("Technical Review Division").1122758

C. Major modifications and relocations shall be approved by the development review committee or such other committee delegated the authority by the governing body of the City to grant final approval of final subdivision plats and final development plans ("Development Review Committee"). The determination as to whether any proposed modification is "major" or "minor" shall be made by the members of the "Development Review Team", comprised of members of City staff and the interdepartmental team charged with the responsibility to review development projects. Only major modifications to the Master Plan shall require an amendment to the Master Plan and approval by the Development Review Committee.

D. Notwithstanding the foregoing, any increase in the number of dwelling units or area of commercial use must be reviewed first by the Development Review Committee and thereafter, the Committee shall forward its recommendations to the Governing Body.

5. **DEVELOPMENT OF THE PROPERTY.**

A. The Property shall be developed in accordance with the Master Plan.

B. The Master Plan includes the following categories of land uses:

(1) Those portions of the Property owned by the PRC Owners, currently zoned as PRC, shall be developed in accordance with the PRC zoning ordinance outlined in §14-31 SFCC (1987). To the extent then required by the Santa Fe City Code, specific developments within these properties shall meet the standards for all individual tract development as required under §14-31.7 SFCC (1987), and if applicable, any ordinance governing approval of final subdivisions plats. In lieu of standards set forth in the PRC Zoning Ordinance, specific development standards that vary from the PRC Zoning Ordinance may be proposed by any PRC Owner for individual tract development within the PRC district as part of any application for preliminary and final subdivision plat approval or preliminary and final development plan approval to the Development Review Committee. Should any development standards be proposed that materially vary from the PRC development standards, the PRC Owner shall comply with the procedures for notification prior to adoption of specific design standards for each phase as set forth in Section 14-5.4(C)(2), SFCC 1987.

(2) Property currently zoned PRC and owned by the PRC Owners that is proposed on the Master Plan for a village center and office/business incubator uses shall be rezoned to a zoning district or districts that will permit use of the lands for such other uses.

(3) The use of the Adjoining Owners' properties for uses other than R-1 permitted uses shall require rezoning from R-1 to appropriate zoning districts that will permit use of these properties for the multi-family, commercial and industrial uses as such sites are shown on the Master Plan. 1122759

C. Prior to any development of any portion of the Property owned by the PRC Owners, all preliminary and final subdivision plats and preliminary and final development plans shall conform to the Master Plan, this Agreement, and the Santa Fe City Code. If such plats and plans conform to the Master Plan, this Agreement, and the Santa Fe City Code the plats and plans of the PRC Owners shall be approved by the Development Review Committee.

D. The Adjoining Owners shall develop their property in accordance with this Agreement, the Master Plan, the Santa Fe City Code, and any conditions of rezoning.

6. **PHASING.**

A. The phases currently scheduled for development of the Property by PRC Owners are set forth in the Phasing Plan. Only those portions of the Property owned by PRC Owners and subject to the PRC zoning designation are governed by the Phasing Plan. Changes in the phasing timetable may be reviewed and revised from time to time as conditions change.

B. The Schedule of Improvements for PRC Owners and Adjoining Owners is attached hereto as Exhibit 3.

C. The designated improvements for water, sanitary sewers, storm drainage, streets, dedication of parks and other items as set forth in the Master Plan shall be substantially completed by a PRC Owner, to the satisfaction of the City, for each phase within the Phasing Plan before the construction of such improvements in succeeding phases may be commenced. However, two phases may be undertaken concurrently provided that the PRC Owner can demonstrate to the City a satisfactory timetable for completion of required improvements.

D. At such time as a PRC Owner proposes a particular phase for construction, the City shall determine which improvements for water, sanitary sewers, storm water drainage, streets and dedication of parks and open space are required for that particular phase. Any PRC Owner proposing a phase to be developed shall be required to present a plan to the City which shall include plans for completion of the required improvements in that phase.

E. Any approvals required under this paragraph 6 shall be obtained as provided in paragraph 4.

7. AFFORDABLE HOUSING.

A. Tierra shall develop approximately forty percent (40%) of the 3,700 lots or units planned for Tierra's property for families earning at or below eighty percent (80%) of the median family income of the City and for single person households earning under one hundred percent (100%) of the City median household income. The minimum sizes and types of these affordable units in the PRC will be determined by the City and Tierra by separate agreement.

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B. Affordable units in the below eighty percent (80%) of median family income category are exempt from impact fees as set forth in this Agreement.

C. The provision of affordable units shall be reviewed on a phase-by-phase basis by the City.

8. LAND DEDICATED TO THE CITY BY TIERRA.

A. Tierra agrees to dedicate parcels totalling approximately two hundred fourteen (214) acres of land to the City for City use as parks. The land shall be dedicated according to the Phasing Plan.

B. In addition, an estimated one hundred fourteen (114) acres will be dedicated by Tierra to the City for roadways and drainage, and 2.8 acres for community use. These dedications will occur consecutively with development and upon acceptance by the City.

C. These dedications completely fulfill and satisfy the required land dedication for parks and open space of the Santa Fe City Code and this Agreement for all development of the Tierra property.

9. PARKS, OPEN SPACE AND OTHER DEDICATIONS.

A. Concurrently with approval of any final development plan and prior to any development of the Property, each Landowner agrees to dedicate park land and open space to the City as shown on the Master Plan.

B. Such dedications shall be made under the following Schedule:

(1) Tierra will dedicate to the City an estimated 214 acres for parks and open space according to the Phasing Plan.

(2) Elisia agrees to dedicate to the City no less than forty-five (45) acres for park and open space the same being all of the land in the open space system and the neighborhood park (Tract 27) on the Elisia property, at the time Elisia obtains its approval of a Phase 1 final subdivision plat.

(3) The School for the Deaf, or if applicable, NMSD Assigns, agrees to dedicate to the City no less than sixty (60) acres, for park and open space, such land being described as part of the open space system during Phase 2. Such dedication will occur after the City has acquired right-of-ways for the construction of the Arroyo Chamiso bike and pedestrian trail system through the PRC Owners' properties.

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(4) The Adjoining Owners agree to dedicate to the City no less than ten (10) acres in Arroyo Chamiso for park and open space, such land being described as part of the open space system. Such dedication will occur after the City has acquired right-of-ways for the construction of the Arroyo Chamiso bike and pedestrian trail system through the PRC Owners' properties or application for a final development permit, whichever occurs first.

(5) The dedications described in this paragraph 9 will completely fulfill and satisfy the required land dedication for parks and open space of the Santa Fe City Code and this Agreement for all development of the School for the Deaf property, if applicable, the NMSD Assigns' property, the Elisia' property, and the Adjoining Owners' property.

C. Concurrently with submission of any preliminary development plan by a PRC Owner or in the case of an Adjoining Owner, a final development plan, and prior to development, the PRC Owner or Adjoining Owner shall contribute to the cost of the multipurpose trail system in the urban park as shown on the Master Plan. The contribution shall be based on the number of residential units approved for that owner's respective property. The cost per residential unit shall be computed by dividing the total cost of the trail system by the total number of residential units approved in the Master Plan. Each contribution for the trail system may be proportionately reduced in the event the City receives City, State or Federal funds for the development of the trail system. The reduction of each contribution shall be in proportion to the ratio of government funds received to total cost of the trail system.

D. At the time of development, the Board of Education shall develop ball fields and/or soccer fields on the two (2) elementary school sites shown on the Master Plan. These fields shall be open for public use subject to the scheduling of school related events by the Board of Education. The City shall maintain these fields according to a separate agreement between the City and the Board of Education.

E. At the time of development, each of the PRC Owners and Adjoining Owners shall be solely responsible for tree plantings, enhanced medians and other landscaping areas along the major roads shown on the Master Plan within each owner's property. The landscape areas and enhanced medians shall be dedicated to the City, after which the City shall maintain these areas.

F. At the time of development, each PRC Owner and Adjoining Owner of any portion of the Property shall develop the park plazas on their respective property as shown on the Master Plan, if any.

G. All parks, trail systems, and open space dedicated to the City shall thereafter be maintained by the City.

10. **CITY SERVICES.**

A. **Fire and Police Protection.** Fire and police protection for development of the Property will be provided by City Police and Fire Department facilities and personnel.

B. **Refuse.** Refuse collection and disposal services within the Property shall be provided by the City or its agents in accordance with the Santa Fe City Code.

C. **Water Service.**

(1) As a condition of development of the Property, each PRC Owner and Adjoining Owner shall connect the proposed development to the Sangre de Cristo Water Company water delivery system using dedicated easements and right-of-way which shall allow extension of water mains through the Property as required by the Sangre de Cristo Water Company and the City. Individual PRC Owners and Adjoining Owners shall dedicate easements or rights-of-way through their portions of the Property as shown on the final subdivision plat to insure the water lines can be built accordingly through the Property.

(2) Each PRC Owner and Adjoining Owner shall construct water lines, as shown on the Master Plan, that run through or adjacent to their property. Each PRC Owner and Adjoining Owner is responsible for constructing the entire water line across that owner's property. In the event that a water line, as shown in the Master Plan, runs adjacent to two or more property boundary lines, then each adjacent PRC Owner or Adjoining Owner will share proportionately in the cost, according to the ratio of each owner's lineal foot frontage adjacent to the water line.

(3) In the event a Landowner constructs a water line on property other than that owner's property, the City will require reimbursement be paid to the owner constructing the line from the property owner across whose property the water line was built prior to any development on that property. Upon completion of improvements for which reimbursement is required, the party constructing the improvements shall file a certified schedule of actual costs reasonably incurred in installing the improvements dedicated to the City ("Reimbursement Schedule") with the Technical Review Division.

(4) Reimbursement shall include payment of interest at a rate corresponding to the increase, if any, in the U.S. Bureau of Labor Statistics, All-Urban Consumer Price Index (CPI-U) for all items (the composite of all CPI components) published for the U.S. City Average, West Region, using the index base of the 1982-1984 = 100 or its succeeding index ("CPI") computed by using the CPI as of the month of the date of delivery of the Reimbursement Schedule to the City, as the base figure ("Base Month") compared with the CPI for the same Base Month in the year reimbursement is due ("CPI Interest Rate"). For example: If a Reimbursement Schedule is delivered to

the City in December, 1994 and the CPI for December, 1994 was 150.0 and the reimbursement is due in December 1995, and the CPI for December, 1995 is 157.5, the increase in the CPI would be five percent (5%) resulting in an annual interest rate of five (5%). Notwithstanding the foregoing, the annual CPI Interest Rate shall not be greater than eight percent (8%).

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(5) In exchange for receiving water service, no well shall be drilled on any property owned by the PRC Owners or Adjoining Owners after the Effective Date of this Agreement. No water rights shall be transferred to permit a diversion of water from the properties of PRC Owners and Adjoining Owners.

D. **Wastewater Collection and Sewer Service.**

(1) Wastewater improvements are specified in the Schedule of Improvements attached as Exhibit 3.

(2) It is understood by the parties that the City intends to construct wastewater improvements within the Property that will provide service to areas located outside of the boundary of the Property.

(3) The City and each PRC Owner and Adjoining Owner will contribute a proportionate share of the cost of the south branch Arroyo Chamiso sewer line constructed to serve development within the Property. Such proportionate share shall be based on the cost of an eight inch (8") line and shall be a fraction based on the total developable acreage in the specific tract served by the sewer line, divided by the total developable acreage of all properties served by the sewer line, or such other equitable means of cost distribution as agreed to by each PRC Owner and Adjoining Owner. Payment to the City shall be made at the earlier of recordation of a final subdivisions plat or final development plan ("Sewer Construction Assessment").

(4) Only one Sewer Construction Assessment for construction of the sewer line within the Property shall be levied against any PRC Owner and Adjoining Owner.

(5) In lieu of the procedure set forth in subparagraph 10.D.(3) above, the City and PRC Owners and Adjoining Owners may agree to establish an assessment district for construction of storm water, wastewater collection and sewer service improvements to serve the Property.

(6) Each PRC Owner and Adjoining Owner shall dedicate sewer easements on that owner's tract of the property as shown on a final subdivision plat or final development plan if not already dedicated under paragraph 14. The School for the Deaf will make such dedication of sewer easements as provided in paragraph 14.

(7) The City agrees to complete the engineering and construction of the south branch of the Arroyo Chamiso sewer line, as shown in the Master Plan, within three (3) years from the Effective Date of this Agreement.

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(8) The PRC Owners and Adjoining Owners shall construct and pay for all sewer lines on their property other than the Arroyo Chamiso Line.

(9) In the event a Landowner constructs a sanitary sewer line on property other than that Landowner's property, the City will require reimbursement be paid to the owner constructing the line from the property owner across whose property the sewer line was built prior to any development on that property. Upon completion of improvements for which reimbursement is required, the party constructing the improvements shall file a Reimbursement Schedule of actual costs reasonably incurred with the Technical Review Division of the City. Reimbursement shall include payment of interest at the CPI Interest Rate as described in paragraph 10.C.(4).

E. **Streets and Other Rights of Way.**

(1) All streets and roads built by PRC Owners and Adjoining Owners will be designed and constructed in accordance with the Santa Fe City Code (1987).

(2) The PRC Owners and Adjoining Owners shall construct off-site roadway improvements as specified below (a) through (e) related to development of the Property as established by the Master Plan and the detailed Traffic Impact Analysis prepared for the Property pursuant to paragraph 10.F of this Agreement (the "TIA"). The offsite roadway improvements shall exclusively consist of:

(a) three intersections with Airport Road, exclusive of South Meadows Road;

(b) Three intersections with Cerrillos Road;

(c) one at-grade intersection with the Santa Fe By-Pass;

(d) Ocate Road from the Hernandez property to Cerrillos Road; and

(e) Country Club Road From Elisia property to Airport Road.

The roadway improvements listed under subparagraphs (a) through (e) above are shown on Exhibit 2 attached hereto and incorporated herein as if fully set out.

(3) The PRC Owners and Adjoining Owners shall contribute a proportionate share of the cost of building the offsite roadway improvements specified above 2 (a) through (e) based upon the traffic contribution established by the TIA as provided in this paragraph 10.E.

(4) Tierra will be entirely responsible for the cost of the at-grade intersection and signalization at Academy and the Santa Fe Bypass and the cost of two intersection improvements at Airport Road and Paseo del Sol and Golf Club Road, not including the intersection of Airport and Country Club Road.

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(5) Elisia and Tierra will be jointly responsible for the construction of Country Club Road and its intersection with Airport Road. NMSD Assigns and Tierra will be jointly responsible for the intersection of Academy Road with Cerrillos Road.

(6) The relative responsibilities for financing these improvements will be determined by the TIA prepared as part of the Phase I preliminary plat submittal and as approved by the Landowners or their then assigns.

(7) The road known as "Ocate Road" commencing at the School for the Deaf's property and running through the Hernandez property to Cerrillos Road and this road's intersection with Cerrillos Road will be the responsibility of NMSD Assigns and the Adjoining Owners although other owners along Ocate Road may also be asked to contribute. Cost sharing among these owners will be determined through separate agreement among these owners and based upon the TIA and an allocation of "service units" to each property based upon the developable acreage within each owner's property and the permitted use of the property. The term "service unit" shall mean a standardized measure of consumption, use, or generation attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a road improvements and based upon use of the properties benefitted by the road, that is, single family residential, multifamily, commercial or industrial uses.

(8) Herrera will be responsible for the cost of intersection improvements and signalization which will serve the Property at the intersection of the south bound lane of Cerrillos Road and the road which runs across the Herrera property south of Ocate Road to be known as "Herrera Road".

(9) All roadway rights-of-way within the Property which are shown on the Master Plan shall be dedicated to and maintained by the City.

(10) Other road network improvements for a north/south street extending north of Airport Road to connect with either Alameda or Rufina and for one east/west street extending across Cerrillos Road to Richards Avenue and Academy Road from South Meadows to Cerrillos Road are the responsibility of the City.

F. **Traffic Impact Analysis.** Concurrent with the submittal of the Phase 1 preliminary subdivision plat, the City shall prepare the TIA for the Property and shall allocate service units for each proposed development as provided in subparagraphs 10.E.(7) above. The TIA shall address the traffic impacts which will be generated by each proposed phase of development under consideration. The TIA shall be conducted according to the City of Santa Fe Public Works Department traffic analysis standards and shall be approved by the Landowners, or their assigns.

G. **Schedule of Improvements.** The Schedule of Road Improvements is attached hereto as Exhibit 3.

H. **Financial Guarantees.**

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(1) Prior to recordation of a final subdivision plat or any phase thereof, or a final development plan with the County Clerk of Santa Fe County, the PRC Owners or Adjoining Owners shall provide a letter of credit or other financial guarantee acceptable to the City for the required improvements. The amount of the financial guarantee shall be based on a certified engineer estimate acceptable to the director of the Technical Review Division.

(2) All improvements required in any final subdivision plat or final development plan must be constructed by PRC Owners or Adjoining Owners in accordance with the Santa Fe City Code, and when completed to the satisfaction of the City, said improvements may be dedicated to and thereafter maintained by the City.

I. The provisions of this paragraph 10 do not apply to developments or improvements by the School for the Deaf as a state agency or any other federal and state governments and their political subdivisions. If the School for the Deaf elects to develop any portion of its property and to connect to any portion of the City services described in this paragraph 10, or to have the right under this Agreement to use any portion of the roads described in this paragraph 10 (collectively "Improvements"), the School for the Deaf shall be entitled to do so upon payment of the proportional sums otherwise required to be paid by NMSD Assigns for such Improvements. Any duty of the New Mexico School for the Deaf to pay any funds or consideration required by or resulting from the terms of this Agreement shall be contingent upon and subject to prior sufficient appropriations and authorization by the New Mexico Legislature for such development, including proportional payments due for such Improvements, and funding of such legislative appropriation. In the event sufficient funds are not so appropriated, authorized or available, then the corresponding duty of the School for the Deaf to make payments will automatically abate upon written notice from the School for the Deaf to the City and the affected Landowners. Likewise any right provided under this Agreement to use the Improvements shall abate until sufficient appropriation or funding can be obtained by the School for the Deaf.

11. **ARCHAEOLOGICAL REVIEW ORDINANCE.** Prior to approval of any final development plan or subdivision plat proposed by PRC Owners and Adjoining Owners, an Archaeological Clearance Permit ("Clearance Permit") shall be obtained from the City's Archaeological Review Committee, as required in §14-75 of the SFCC, 1987. These Clearance Permits may be obtained for each phase of development.

12. **UTILITIES.** The Property shall be served only with underground utilities.

13. **IMPACT FEES.** Subject to the enforceability of any City ordinance under the provisions of the Development Fee Act, §§5-8-1 *et seq.* NMSA, 1978, and after offsetting any fee with the contributions and offsite improvements made or to be by any PRC Owners or Adjoining Owners, the PRC Owners and Adjoining Owners shall pay impact fees as required by Santa Fe City Code (1987), as amended.

14. **EASEMENTS AND RIGHTS-OF-WAY.** Each Landowner, its then assigns, including NMSD Assigns shall dedicate all required access and utility easements and rights-of-way to the City within corridors shown on the Master Plan to allow orderly development of all tracts within the Property. Tierra in cooperation with the Landowners will prepare a dedication plat of survey in conjunction with Tierra's final subdivision plat or final development plan for Phase I as shown on the Phasing Plan. The Landowners and their then assigns, including NMSD Assigns, and the City agree to approve the Dedication Plat if it substantially conforms to the Master Plan. In the case of PRC Owners and Adjoining Owners, such dedication shall be in compliance with the Santa Fe City Code.

15. **CONFORMANCE WITH TERRAIN MANAGEMENT AND DRAINAGE STANDARDS.** Prior to development of Property, the PRC Owners and Adjoining Owners shall demonstrate compliance with the Terrain Management provisions of Santa Fe City Code. Dip sections shall not be allowed on designated arroyos without prior administrative approval of the director of the Technical Review Division of the City.

16. **ASSIGNMENTS.** Each Landowner shall be entitled to sell, transfer or assign all or any portion of that Landowner's rights and obligations under this Agreement provided the Landowner or the Landowner's assignee delivers to the City an agreement executed by Landowner and Landowner's assignee, acknowledging such assignment, describing the portion of the real property to which the assignment applies, and evidencing the assignee's acceptance of the rights and obligation under this Agreement. Such agreement shall be deemed effective as of recordation with the Clerk of Santa Fe County, New Mexico. Any assignee shall have the same rights and obligations under this Agreement as that of the Landowner as to that portion of the Property described in any assignment.

17. **CAPTIONS.** The captions and paragraph headings of this Agreement are not necessarily descriptive, or intended or represented to be descriptive, of all the provisions thereunder, and in no manner shall such captions and paragraph headings be deemed or interpreted to limit the provisions of this Agreement.

18. **EXECUTION OF DOCUMENTS.** The parties agree to execute all documents contemplated expressly or impliedly by this Agreement or necessary to effectuate the terms of this Agreement.

19. **SEVERABILITY.** If any provision of this Agreement, or the application of such provisions to any person or circumstances, shall be held invalid, the remainder of this

Agreement, or the application of such provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

1122767

20. **WAIVER.** No waiver of a breach of any of the covenants contained in this Agreement shall be construed to be a waiver of any succeeding breach of the same or any other covenant.

21. **CONSENT AND OBLIGATIONS.** Wherever the approval or consent of the City is required by this Agreement, it is understood that such approval or consent shall not be unreasonably withheld. Whenever it is stated in this Agreement that the Landowners or any individual Landowner shall undertake any particular act or be responsible for a particular reimbursement, cost, contribution or assessment, it shall be understood to mean that each Landowner shall be responsible only for that owner's undertaking as set forth in the Landowner's development plan or subdivision plat presented to the City. It shall be understood that the obligations of any Landowner under this Agreement arise only to the extent that a Landowner applies to the City for approval of a final subdivision plat or final development plan for that portion of the Property owned by a particular Landowner. No obligations arise in the absence of such application or development.

22. **GOVERNING LAW.** This Agreement and the rights of the parties hereunder shall be governed by and interpreted in accordance with the laws of the State of New Mexico. Notwithstanding the inclusion of the School for the Deaf and the Board of Education as "Landowners" in the recitals of this Agreement, no covenant or agreement contained in this Agreement, whether referring specifically to the Landowners or not, shall be applicable to, binding on or enforceable against the School for the Deaf or the Board of Education, their respective property within the Property, their respective Board members, the State of New Mexico or any of their successors or assigns, unless a City Ordinance containing said covenant or agreement would be enforceable against the State of New Mexico, the School for the Deaf or the Board of Education under New Mexico law. Nothing in this Agreement shall enlarge the authority of the City to regulate the use or development of land now owned by the School for the Deaf or the Board of Education within the Property beyond the authority granted to or residing in the City under the existing laws and constitution of the State of New Mexico.

23. **NUMBERS AND GENDERS.** Whenever used herein, unless the context shall otherwise provide, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders.

24. **BINDING EFFECT.** This Agreement shall be binding upon, and inure to the benefit of, the parties and their respective heirs, successors and assigns.

25. **AGREEMENT.** This Agreement states the entire agreement of the parties. The provisions of this Agreement shall be severable and may be modified only in a subsequent amendment duly approved as provided in paragraph 26. This Agreement shall not relieve the owners from complying with present or future City ordinances, resolutions or regulations.

26. **AMENDMENTS.** This Agreement may be amended with the consent of the City and the Landowners, or their then successors and assigns. Any amendments to this Agreement shall be reviewed by the Development Review Committee, thereafter, the Committee shall forward its recommendations to the Governing Body. Each amendment, to be effective, must be in writing, executed in the manner of this Agreement and filed for record with the Clerk of Santa Fe County, New Mexico.

27. **EFFECTIVE DATE.** This Agreement is effective as of the date of recordation of this Agreement in the land records of Santa Fe County, New Mexico.

CITY OF SANTA FE, a New Mexico municipal corporation

By _____
SAM PICK, MAYOR

ATTEST:

_____
FRANCES C. ROMERO, CITY CLERK

APPROVED AS TO FORM:

_____
DIANNE DeLAYO, DEPUTY CITY ATTORNEY

888,260

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed for record on the 13 day of Dec A.D. 19 94, at 11:50 o'clock A m and was duly recorded in book 1122 page 756 - 786 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.
_____ Deputy

LANDOWNERS:

1122769

Tierra Contenta Corporation,
a New Mexico non-profit
corporation

By _____
Jerry C. Cangelosi, its President
(name printed) (title)

New Mexico School for the Deaf

By _____
Mitzi Baker-Garland, its President
(name printed) (title)

Elisia Partnership, a New Mexico
general partnership

By _____
_____, its general partner
(name printed)

Herrera Associates, a New Mexico
general partnership

By _____
William R. Herrera, its general partner
(name printed)

Santa Fe Board of Education

By _____
_____, its _____
(name printed) (title)

_____
Dr. Joe L. Hernandez

_____
Kenneth Prater

1122770

ACKNOWLEDGMENTS

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

This instrument was acknowledged before me on March 7, 1994, by Sam Pick, Mayor of the City of Santa Fe, a New Mexico municipal corporation, for and on behalf of said corporation.

ARMIDA VILLA NOTARY PUBLIC STATE OF NEW MEXICO

Armida Villa
Notary Public
My commission expires: 9-16-96

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

This instrument was acknowledged before me on April 18, 1994, by Patricio C. Jaramillo, _____ of Tierra Contenta Corporation, a New Mexico non-profit corporation, for and on behalf of said corporation.

OFFICIAL SEAL
Elizabeth M. Fresquez
ELIZABETH M. FRESQUEZ
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4/6/95

Elizabeth M. Fresquez
Notary Public
My commission expires: 4/6/95

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

This instrument was acknowledged before me on May 11, 1994, by Mitzi Baker-Garland, Gilbert R. Delgado of New Mexico School for the Deaf.

MARIE BERNADETTE TENORIO NOTARY PUBLIC STATE OF NEW MEXICO

Marie Bernadette Tenorio
Notary Public
My commission expires: 11/14/95

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

This instrument was acknowledged before me on August 4, 1994, by Henry Pick, _____ of Elisia Partnership, a New Mexico general partnership, for and on behalf of said partnership.

OFFICIAL SEAL
ELIZABETH M. FRESQUEZ
NOTARY PUBLIC - NEW MEXICO
BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4/6/95

Notary Public
My commission expires: April 6, 1995

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

This instrument was acknowledged before me on APRIL 21, 1994, by WILLIAM R. HERRERA, GENERAL PARTNER of Herrera Associates, a New Mexico general partnership, for and on behalf of said partnership.

MICHAEL D. BAIRD
NOTARY PUBLIC
STATE OF NEW MEXICO

Notary Public
My commission expires: 9-15-95

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

This instrument was acknowledged before me on October 24, 1994, by Mike Mier, _____ of Santa Fe Board of Education.

OFFICIAL SEAL
Shirley J. Padilla
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 3-3-98

Notary Public
My commission expires: 3-3-98

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

This instrument was acknowledged before me on July 19, 1994, by Dr. Joe L. Hernandez.

OFFICIAL SEAL
ELIZABETH M. FRESQUEZ
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4/6/95

Notary Public
My commission expires: April 6, 1995

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

This instrument was acknowledged before me on May 13, 1994, by Kenneth Prater.

OFFICIAL SEAL
ELIZABETH M. FRESQUEZ
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires 4/6/95

Notary Public
My commission expires: April 6, 1995

Exhibit 1
Annexation Plat

1122773

Exhibit 2
Master Plan (single Sheet) and Phasing Plan (single sheet)

Exhibit 3
Master Plan for the annexed area and the PRC district
Schedule of Road Improvements

1122775

EXHIBIT 1

ANNEXATION PLAT

FOR

TRACTS 1 THRU 9

TIERRA CONTENTA,
WOLGAMOOD SUBDIVISION

AND

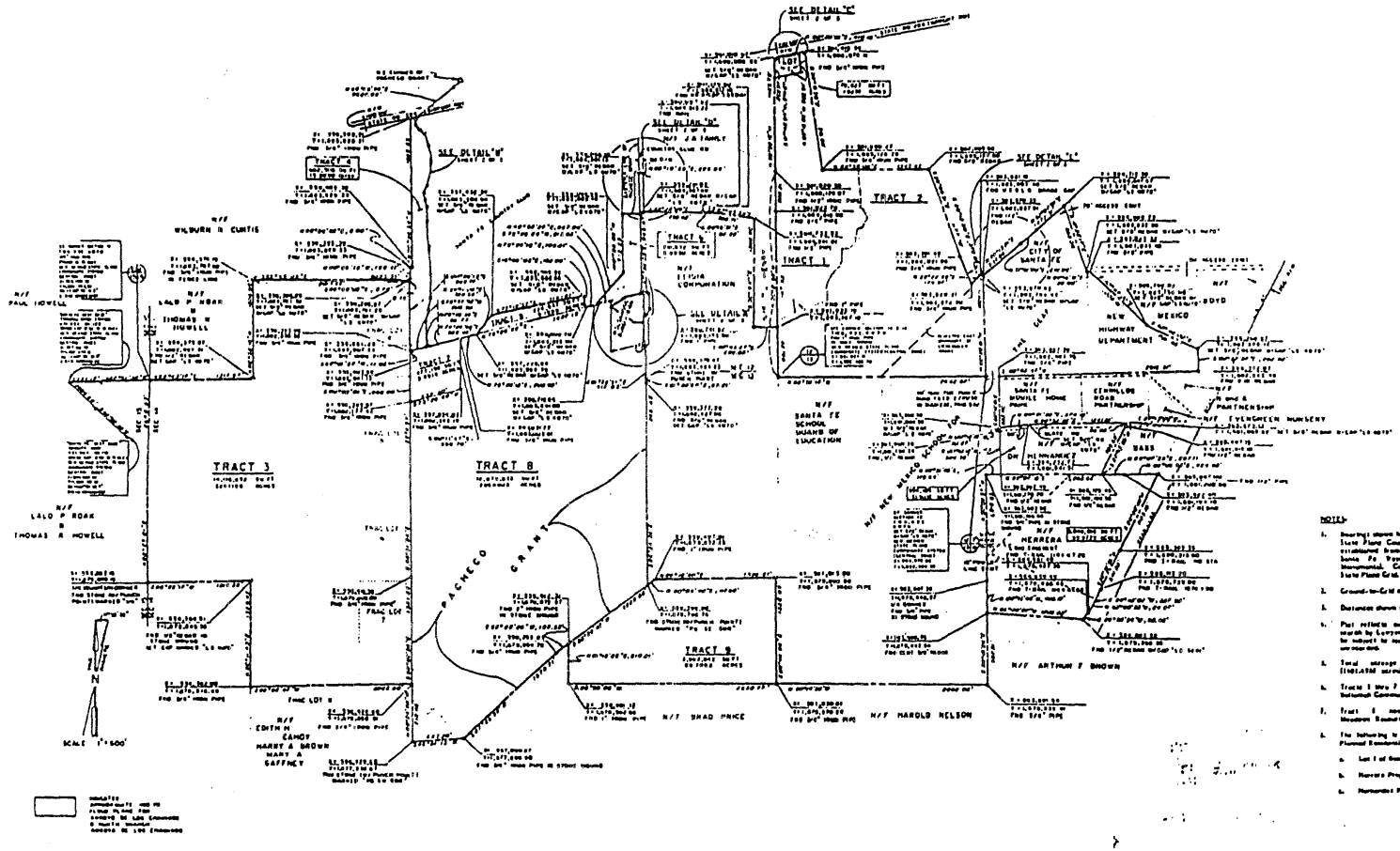
CONTIGUOUS LANDS (EAST)

WITHIN

TOWNSHIP 16 NORTH, RANGES 8 & 9 EAST, NEW MEXICO PRINCIPAL MERIDIAN

SANTA FE COUNTY, NEW MEXICO

JUNE 1988



NOTES:

1. Bearings shown hereon are based on the New Mexico State Plane Coordinate System (Central Zone) as established from "Santa Fe West Tri-Station and Santa Fe West Azimuth Mark" Horizontal Control Monuments. Coordinates shown are New Mexico State Plane Grid.
2. Ground-to-Grid conversion factor = 0.999539733.
3. Distances shown are ground distances.
4. Plat reflects improvements as developed by a land survey by Lawrence Tate of Santa Fe, Inc., and may be subject to subsequent boundaries resurvey and as-built data.
5. Total acreage is 94,314.867 square feet (2163.4338 acres).
6. Tracts 1 thru 7 and 9 are or formerly owned by National Community Development.
7. Tract 8 was or formerly owned by Woodmen Associates, Inc.
8. The following is not proposed to be zoned to the Planned Residential Community (PRC) District:
   a. Lot 1 of Seabrook Community Development
   b. Herrera Property
   c. Hernandez Property

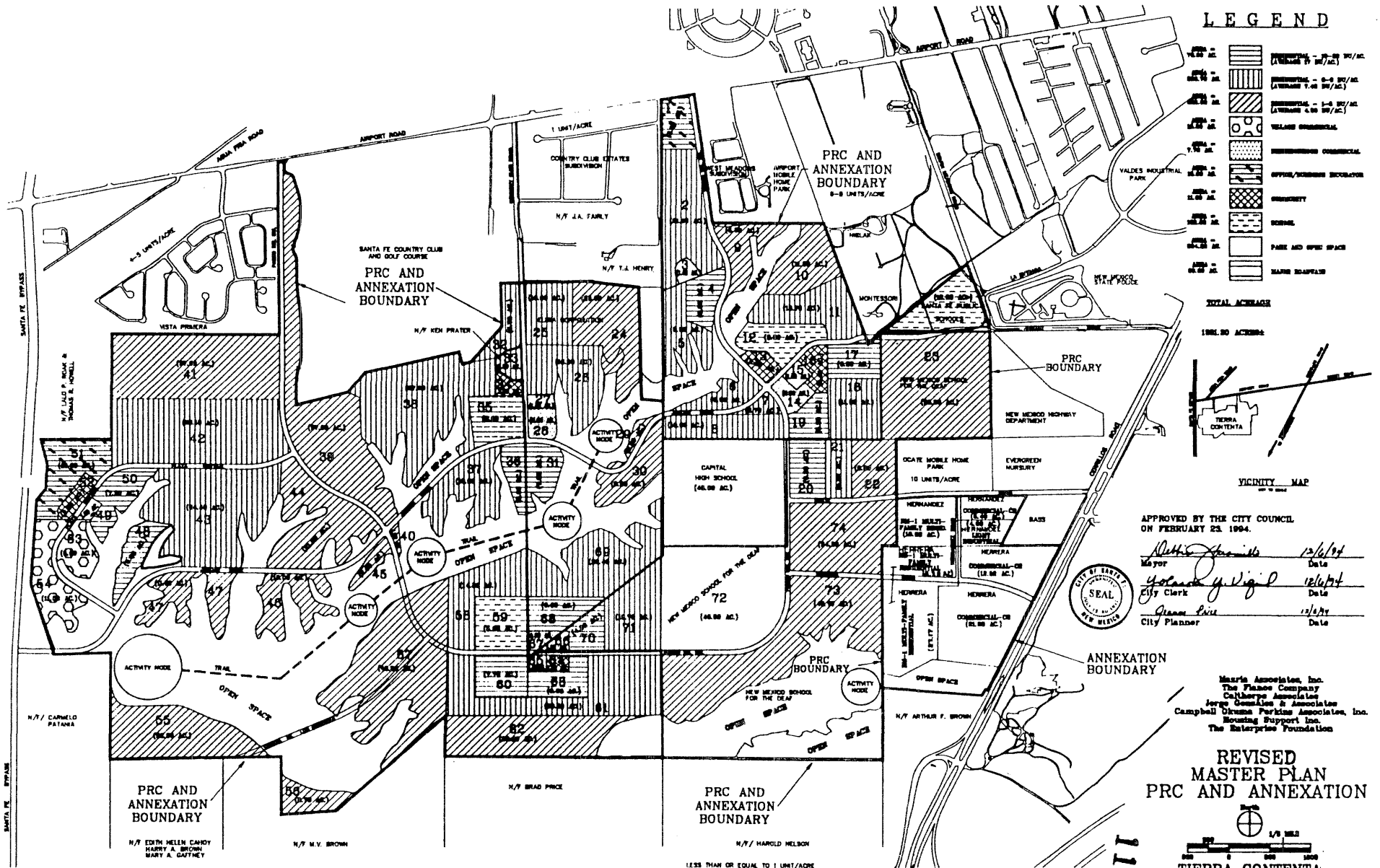
1122776

86-15

SHEET 2 OF 20

1122777

EXHIBIT 2


LEGEND
PRC AND ANNEXATION BOUNDARY
8-8 UNITS/ACRE
PRC BOUNDARY
ANNEXATION BOUNDARY
PRC AND ANNEXATION BOUNDARY
N/F EDITH HELEN CANOY HARRY A. BROWN MARY A. GAFFNEY
N/F M.V. BROWN
N/F BRAD PRICE
N/F/ HAROLD NELSON
N/F ARTHUR F. BROWN
N/F/ CARMELO PATANIA
SANTA FE COUNTRY CLUB AND GOLF COURSE
N/F KEN PRATER
N/F J.A. FAIRLY
N/F T.J. HENRY
VISTA PRIMERA
COUNTRY CLUB ESTATES SUBDIVISION
AIRPORT MOBILE HOME PARK
VALDES INDUSTRIAL PARK
NEW MEXICO STATE HOUSE
MONTESSORI
CAPITAL HIGH SCHOOL (46.00 AC.)
NEW MEXICO SCHOOL FOR THE DEAF
NEW MEXICO HIGHWAY DEPARTMENT
OCATE MOBILE HOME PARK
10 UNITS/ACRE
EVERGREEN NURSERY
HERNANDEZ
HERRERA
BASS
ACTIVITY NODE
TRAIL
OPEN SPACE
AIRPORT ROAD
SANTA FE BYPASS
CERRILLOS ROAD
1 UNIT/ACRE
4-5 UNITS/ACRE
LESS THAN OR EQUAL TO 1 UNIT/ACRE
TOTAL ACREAGE
1981.80 ACRES±
VICINITY MAP
TIERRA CONTENTA
APPROVED BY THE CITY COUNCIL ON FEBRUARY 23, 1994.
Mayor Date
City Clerk Date
City Planner Date
CITY OF SANTA FE SEAL NEW MEXICO
Mauria Associates, Inc.
The Planco Company
Calthorpe Associates
Jorge Gonzalez & Associates
Campbell Ukrama Perkins Associates, Inc.
Housing Support Inc.
The Enterprise Foundation
REVISED MASTER PLAN PRC AND ANNEXATION
1/8 MILE
TIERRA CONTENTA
SANTA FE, NEW MEXICO
SHEET 4 OF 28
REVISION BOX
NO. DATE REVISION BY
1 12-20-93 MAURIA ASSOCIATES JMA
2 1-6-94 CITY ADMINISTRATION JMA
1122778

PHASE 1 DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	NO.OF UNITS	OWNER
1	Office / Business Incubator	3.0		City / TCC
2	Residential (6-9 du/acre)	21.6	162	City / TCC
3	Park	1.5		City / TCC
4	Residential (10-20 du/acre)	6.5	111	City / TCC
5	Residential (6-9 du/acre)	9.3	70	City / TCC
6	Residential (6-9 du/acre)	6.0	45	City / TCC
7	Residential (6-9 du/acre)	2.7	24	City / TCC
8	High School Expansion	10.0		City / TCC
9	Residential (1-5 du/acre)	8.0	36	City / TCC
10	Residential (1-5 du/acre)	11.5	52	City / TCC
11	Residential (6-9 du/acre)	13.7	103	City / TCC
12	Elementary School	8.0		City / TCC
13	Community	2.6		City / TCC
14	Neighborhood Commercial	1.0		City / TCC
15	Park	1.6		City / TCC
16	Community	3.4		City / TCC
17	Residential (10-20 du/acre)	6.2	105	City / TCC
18	Residential (6-9 du/acre)	11.3	85	City / TCC
19	Residential (10-20 du/acre)	5.3	90	City / TCC
20	Residential (10-20 du/acre)	6.0	96	SFD
21	Residential (6-9 du/acre)	5.2	36	SFD
22	Residential (1-5 du/acre)	8.8	35	SFD
23	Residential (1-5 du/acre)	39.5	138	SFD
24	Residential (1-5 du/acre)	20.0	90	Elisia
25	Residential (6-9 du/acre)	10.0	75	Elisia
26	Residential (6-9 du/acre)	16.0	120	Elisia
29	Residential (1-5 du/acre)	2.0	9	Elisia
30	Residential (1-5 du/acre)	9.2	41	Elisia
32	Residential (6-9 du/acre)	5.7	43	City / TCC
33	Residential (6-9 du/acre)	2.5	15	Prater
34	Community	1.5		City / TCC
PHASE 1 TOTALS		261.8	1601	

PHASE 2 DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	NO.OF UNITS	OWNER
27	Park	1.3		Elisia
28	Neighborhood Commercial	2.0		Elisia
31	Residential (10-20 du/acre)	7.0	126	Elisia
35	Elementary School	8.0		City / TCC
36	Residential (10-20 du/acre)	5.0	85	City / TCC
37	Residential (6-9 du/acre)	13.0	98	City / TCC
38	Residential (6-9 du/acre)	37.0	278	City / TCC
39	Residential (1-5 du/acre)	37.0	167	City / TCC
40	Residential (1-5 du/acre)	1.0	5	City / TCC
41	Residential (1-5 du/acre)	37.6	169	City / TCC
42	Residential (6-9 du/acre)	38.1	286	City / TCC
43	Residential (6-9 du/acre)	34.4	258	City / TCC
44	Residential (1-5 du/acre)	21.0	95	City / TCC
45	Residential (1-5 du/acre)	2.6	12	City / TCC
46	Residential (1-5 du/acre)	10.0	45	City / TCC
47	Residential (1-5 du/acre)	11.0	50	City / TCC
48	Residential (10-20 du/acre)	5.8	99	City / TCC
49	Park	1.5		City / TCC
50	Residential (10-20 du/acre)	7.3	124	City / TCC
51	Office / Business Incubator	12.6		City / TCC
52	Community	2.8		City / TCC
53	Village Commercial	5.5		City / TCC
54	Village Commercial	11.0		City / TCC
74	Residential (1-5 du/acre)	24.2	97	SFD
PHASE 2 TOTALS		336.7	1994	

PHASE 3 DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	NO.OF UNITS	OWNER
55	Residential (1-5 du/acre)	22.8	103	City / TCC
56	Residential (1-5 du/acre)	5.7	26	City / TCC
57	Residential (1-5 du/acre)	43.2	194	City / TCC
58	Residential (6-9 du/acre)	14.8	111	City / TCC
59	Private School	8.0		City / TCC
60	Residential (10-20 du/acre)	7.7	131	City / TCC
61	Residential (6-9 du/acre)	29.3	220	City / TCC
62	Residential (1-5 du/acre)	23.2	104	City / TCC
63	Residential (10-20 du/acre)	6.0	102	City / TCC
64	Community	1.3		City / TCC
65	Park	1.0		City / TCC
66	Neighborhood Commercial	1.1		SFD
67	Neighborhood Commercial	1.6		Elisia
68	Residential (10-20 du/acre)	6.6	119	Elisia
69	Residential (6-9 du/acre)	22.4	168	Elisia
70	Residential (10-20 du/acre)	4.5	72	SFD
71	Residential (6-9 du/acre)	13.7	96	SFD
72	School for the Deaf Campus	40.5		SFD
73	Residential (1-5 du/acre)	43.7	175	SFD
PHASE 3 TOTALS		297.1	1621	

CITY OF SANTA FE/TCC	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	1058	28.7	234.6
Residential (6-19 du/acre)?	1783	48.3	236.9
Residential (10-20 du/acre)	847	23.0	49.8
Neighborhood Commercial			3.0
Community			11.6
Office / Business Incubator			15.6
Village Commercial			16.5
Schools			34.2
Park / Open Space			213.4
Major Roads			44.4
CITY OF SANTA FE / TCC TOTAL	3688	100.0	860.0

ELISIA PARTNERSHIP	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	140	18.7	31.2
Residential (6-19 du/acre)	363	48.5	48.4
Residential (10-20 du/acre)	245	32.8	13.6
Neighborhood Commercial			3.6
Park / Open Space			48.9
Major Roads			4.3
ELISIA PARTNERSHIP TOTAL	748	100.0	150.0

SCHOOL FOR THE DEAF	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	465	60.8	116.2
Residential (6-19 du/acre)	132	17.2	18.9
Residential (10-20 du/acre)	168	22.0	10.5
Neighborhood Commercial			1.1
School			40.5
Park / Open Space			61.9
Major Roads			11.9
SCHOOL FOR THE DEAF TOTAL	765	100.0	261.0

PRATER	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (6-19 du/acre)	15	100.0	2.5
PRATER TOTAL	15	100.0	2.5

SANTA FE PUBLIC SCHOOLS	NO. OF UNITS	% TOTAL ACREAGE
Schools		57.8
SANTA FE PUBLIC SCHOOLS TOTAL		57.8

PRC AREA	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	1663	31.9	382.0
Residential (6-19 du/acre)	2293	44.0	306.7
Residential (10-20 du/acre)	1260	24.0	73.9
Neighborhood Commercial			7.7
Community			11.6
Office / Business Incubator			15.6
Village Commercial			16.5
Schools			132.5
Park / Open Space			324.2
Major Roads			60.6
PRC TOTAL	5216	100.0	1331.3
Park / Open Space acreage per dwelling unit			.062

HERRERA ASSOCIATES * (not included in PRC request)	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Multifamily Residential (RM-1)	390	100.0	35.5
General Commercial (C-2)			34.5
Park / Open Space			*
Major Roads			*
SEE NOTE # 2			
HERRERA ASSOCIATES TOTAL	390	100.0	70.0

DR. HERNANDEZ * (not included in PRC request)	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Multifamily Residential (RM-1)	200	100.0	10.0
General Commercial (C-2)			5.4
Light Industrial (I-1)			4.6
Park / Open Space			*
Major Roads			*
SEE NOTE # 3			
DR. HERNANDEZ TOTAL	200	100.0	20.0

* Gross acreage estimates, no deductions made for Park / Open Space or Major Roads.

ANNEXATION AREA	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	1663	28.7	382.0
Residential (6-19 du/acre)	2293	39.5	306.7
Residential (10-20 du/acre)	1850	31.8	73.9
Neighborhood Commercial			7.7
Community			11.6
Office / Business Incubator			15.6
Village Commercial			16.5
Multifamily Residential (RM-1)			45.5
General Commercial (C-2)			34.5
Light Industrial (I-1)			4.6
Schools			132.5
Park / Open Space			324.2
Major Roads			60.6
ANNEXATION AREA TOTAL	5806	100.0	1421.3
Gross Density of Annexation Area			4.1 du/acre

NOTES:

1. LOTS FRONTING ON CERRILLOS ROAD SHALL COMPLY WITH THE CERRILLOS ROAD HIGHWAY CORRIDOR.

2. FOR PHASING PLAN AND DEVELOPMENT PROGRAM SEE ABOVE. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITLED "TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)" FOR CONDITIONS OF DEVELOPMENT.

3. AT THE TIME OF APPLICATION FOR PLAT OR REZONING, A SYSTEM OF APPROPRIATELY SCALED LOCAL ROADS SHALL BE ESTABLISHED WHICH CONNECT OR ARE STUBBED OUT TO PERMIT LATER CONNECTION TO ADJOINING LOCAL ROADS ON PROPERTIES WITHIN OR NEXT TO TIERRA CONTENTA.

4. ON A PHASE BY PHASE BASIS, SUBSEQUENT PLATS SHALL ILLUSTRATE STORM WATER MANAGEMENT SYSTEMS ACCEPTABLE TO THE CITY WHICH INCLUDE FACILITY DESIGN AND MAINTENANCE PROGRAMS.

5. FOR EACH PHASE OF DEVELOPMENT, BUFFERS ACCEPTABLE TO THE PLANNING COMMISSION SHALL BE PROVIDED TO ADJACENT COUNTY RESIDENTIAL USES.

6. FOR FINAL SUBDIVISION PLATS OR DEVELOPMENT PLANS (IN THE CASE OF MULTI-FAMILY), THE DISPOSITION OF LANDS OVER 30% THAT ARE NOT LOCATED IN THE PUBLIC OPEN SPACE SYSTEM SHALL BE CLARIFIED. LANDS OUTSIDE THE OPEN SPACE SYSTEM THAT ARE OVER 30% SHALL BE IDENTIFIED AS REMAINING UNDISTURBED PER THE CITY CODE OR AS REQUIRING A VARIANCE.

7. SUBMITTALS SHALL BE PREPARED ON A PHASE BY PHASE BASIS FOR IMPROVEMENT PLANS, REVEGETATION PLANS (INCLUDING USE OF NATIVE PLANTS) AND IRRIGATION PLANS (INCLUDING XERISCAPE AND USE OF EFFLUENT WATER) IN PARKS, OPEN SPACE, ROADWAYS, DRAINAGES, AND COMMUNITY FACILITIES. THE CITY PARKS AND PUBLIC WORKS DEPARTMENTS SHALL REVIEW THE SUBMITTALS TO DETERMINE ACCEPTABLE PLANS.

8. THERE SHALL BE ENTRANCE WAYS OR TRAIL HEADS TO PROVIDE CONVENIENT ACCESS TO THE NEIGHBORHOOD AND COMMUNITY PARKS LOCATED WITHIN THE URBAN PARK.

9. ON A PHASE BY PHASE BASIS, THE CITY PARKS DEPARTMENT SHALL RECOMMEND SIZE AND DEVELOPMENT CRITERIA FOR PARK IMPROVEMENTS.

10. ROADS WILL BE CONSTRUCTED CONSISTENT WITH CITY CODE OR VARIANCES FROM THE CITY CODE SHALL BE OBTAINED FROM CITY HALL.

11. FOR AMENDED MASTER PLAN SEE SHEET 4 OF 20. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITLED "TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)" FOR CONDITIONS OF DEVELOPMENT.

12. HERRERA PROPERTIES: FOR CONDITIONS OF APPROVAL SEE CASE ZA1993-32 AND ZA1993-33, APPROVED BY THE CITY COUNCIL ON FEB. 23, 1994, AND RESTATED AGREEMENT.

13. HERNANDEZ PROPERTIES FOR CONDITIONS OF APPROVAL SEE CASE ZA1993-29 AND ZA1993-31, APPROVED BY THE CITY COUNCIL ON FEB. 23, 1994, AND RESTATED AGREEMENT.

14. FOR THE PHASING PLAN TIME PERIOD, SEE THE ANNEXATION AGREEMENT FOR THE FOLLOWING: TIME PERIOD FOR PHASING PLAN, SCHEDULE OF IMPROVEMENTS AND THE SCHEDULE OF LAND TO BE DEDICATED TO THE CITY OF SANTA FE.

15. DEVELOPMENT WITHIN THE PRC SHALL COMPLY WITH THE APPROVED DESIGN GUIDELINES. (PHASE 1A APPROVED BY THE CITY COUNCIL ON NOVEMBER 9, 1994.)

APPROVED BY THE CITY COUNCIL
ON FEBRUARY 23 1994.

Mayor — Date 12/6/94

City Clerk — Date 12/6/94

City Planner — Date 12/6/94

SEAL

1122279

Mazria Associates, Inc.
The Planco Company
Calthorpe Associates
Jorge Gonzales & Associates
Campbell Okuma Perkins Associates, Inc.
Housing Support Inc.
The Enterprise Foundation

REVISED

DEVELOPMENT PROGRAM

North

200 0 800 1000

1/8 MILE

TIERRA CONTENTA

SANTA FE, NEW MEXICO

SHEET 5 OF 20

1122780

EXHIBIT 3

EXHIBIT 3
SCHEDULE OF IMPROVEMENTS FOR PHASE ONE

PROJECT DESCRIPTION	TYPE*	FUNDING SOURCE
Phase One - Roads		
Academy Road; improve from Tierra Contenta property line to Cerrillos Rd with intersection improvements at South Meadows and Cerrillos; approx. 3,500'	SR	City; Tierra; NMSD Assigns;
Academy Road; improve from Paseo del Sol to Tierra Contenta east property line; approx. 1,700'	OP	Tierra;
Academy Road; improve from Paseo del Sol to TCC west property line; approx. 1,350'	OP	Tierra;
Academy Road from TCC property line to Country Club Road; approx. 2,150'	OP	Elisia;
Country Club Road from Airport Road to Academy Road; 3,900'	SR & OP	Tierra; Elisia;
Phase One - Water		
12" water line along Academy Road from Paseo del Sol to TCC west property line; app. 1,350'	OP	Tierra;
12" water line along Academy Road from TCC property line to Country Club Road; approx 2,150'	OP	Elisia;
Phase One - Sewer		
8" line extending down Country Club Road, from Elisia prop to 36" trunk sewer; 1,700'	SR & OP	Tierra; Elisia;
Phase One - Parks		
Multipurpose play field and park development on elementary school site	OP	Board of Education;

Plaza park development in Village Center	OP	Tierra; 1122782
Neigborhood park development	OP	City;

* SR indicates major infrastructure improvements which are site related but are not physically located on the property.

OP indicates required spine infrastructure improvements which are located on the property.

EXHIBIT 3 (Cont)
SCHEDULE OF IMPROVEMENTS FOR PHASE TWO

PROJECT DESCRIPTION	TYPE*	FUNDING SOURCE
Phase Two - Roads		
Academy Road; from Country Club Rd to Bypass, with an at-grade intersection; 7,200'	OP	Tierra;
Golf Club Road from Airport Rd to Academy Road; 5,200'	OP	Tierra;
Plaza Central road, from Golf Club to Academy; 4,900'	OP	Tierra;
**Ocate Road from Paseo del Sol to Cerrillos Rd; 3,700'	SR & OP	Hernandez; Herrera; NMSD Assigns;
Extension of Academy Rd east of Cerrillos to an intersection with Richards Ave.	OS	City;
South Meadows Rd extension from Airport Road north to Rufina;	OS	City;
Rufina Street Extension	OS	City;
Phase Two - Water		
12" water line along Academy from Country Club to Golf Club	OP	Tierra;
12" water line along Golf Club Road from Airport to Academy	OP	Tierra;
12' water line loop along Plaza Central road, 8,400'	OP	Tierra;
Phase Two - Sewer		
8" line along Academy Road from Country Club to Golf Club	OP	Tierra;
8" line along Golf Club Rd from Airport Rd to Academy; approx 4,800'	OP	Tierra;
8" line along Plaza Central road; approx 3,400'	OP	Tierra;

Phase Two - Parks

Neighborhood park development	OP	City;
Community park development	OP	City;
Plaza park development in Village Center;	OP	Elisia;
Plaza park development in Town Center	OP	Tierra;
Bike Trail and Pedestrian Path System (North and South Branches - to Cerrillos Rd)	SR & OP	Tierra; State of New Mexico; City; Elisia; Herrera; Hernandez; NMSD Assigns;

* SR indicates major infrastructure improvements which are site related but are not physically located on the property.

OP indicates required spine infrastructure improvements which are located on the property.

OS indicates road improvements which are off-site, but are system-side improvements which will carry some of the traffic generated by Tierra Contenta.

** Timing of Ocate Road construction is dependent upon development of the adjoining properties, both of which are not subject to the phasing plan. Consequently, road construction could occur in any of the three phases.

EXHIBIT 3 (Cont)
SCHEDULE OF IMPROVEMENTS FOR PHASE THREE

PROJECT DESCRIPTION	TYPE*	FUNDING SOURCE
Phase Three - Roads		
Paseo del Sol Loop from Ocate Rd to Academy Rd; 7,100'	OP	Tierra; Elisia; NMSD Assigns;
**Herrera Rd from Cerrillos Rd to Paseo del Sol Loop; 3,100'	OP	Herrera; NMSD Assigns;
Phase Three - Water		
**12" water line along Herrera Rd to Paseo del Sol	OP	Herrera; NMSD Assigns;
12" water line along Paseo del Sol Loop, from Ocate to Academy Rd	OP	Tierra; Elisia; NMSD Assigns;
***Water tank construction and line extension from locations east Cerrillos Road to TC property	OS	City; Other owners east of property;
Phase Three - Sewer		
***16" trunk sewer line along south branch of Arroyo Chamiso from Cerrillos to Bypass	SR & OP	City; Herrera; Hernandez; Tierra; Elisia; NMSD Assigns; Other owners south of the property;
***24" trunk sewer line from location east of Cerrillos Rd to TC property line	OS	City; Other owners east of the property;
8" sewer line along Paseo del Sol Loop, from Ocate to Academy	OP	Tierra; Elisia; NMSD Assigns;
Phase Three - Parks		
Multipurpose play field and park development on elementary school site	OP	Board of Education;
Plaza park development		

in Village Center;	OP	Tierra;
Neighborhood park development	OP	City;

* SR indicates major infrastructure improvements which are site related but are not physically located on the property.

OP indicates required spine infrastructure improvements which are located on the property.

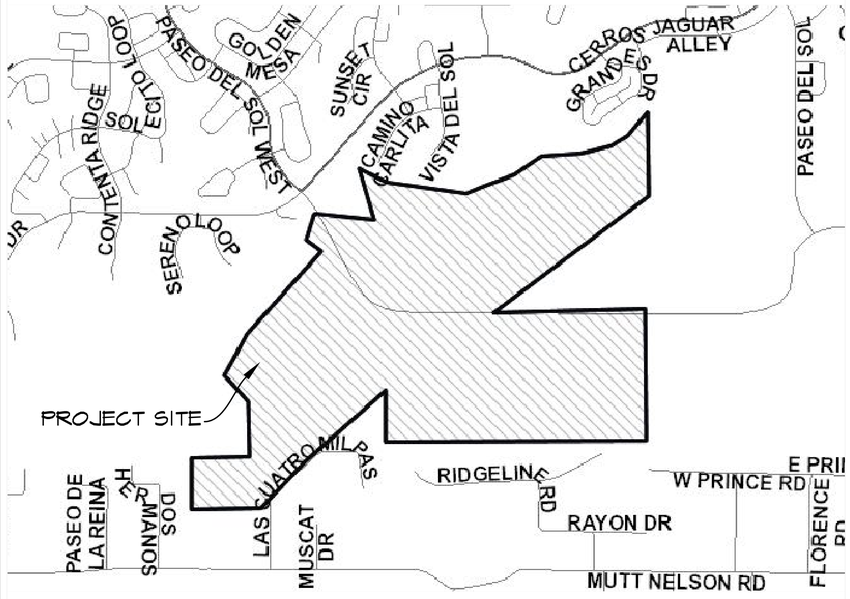
OS indicates road improvements which are off-site, but are system-wide improvements which will carry some of the traffic generated by Tierra Contenta.

** Timing of Herrera Road construction and related water system improvements are dependent upon the development of the adjoining property. This property is not subject to the phasing plan. Consequently, these improvements could occur in any of the three phases.

*** Timing of the major water and sewer system improvements may be accelerated due to City sponsored policy initiatives. Consequently, actual improvments could occur in any of the three phases.

TIERRA CONTENTA PHASE 3A MASTER PLAN AMENDMENT #1

SANTA FE, NM 87507
SECTION 13 & 14, T 16 N, R 8 E, N.M.P.M.



VICINITY MAP

EXHIBIT G5

SHEET LIST

1	COVER SHEET
2 - 5	EXISITING CONDITIONS/TOPOGRAPHY
6A - 6B	APPROVED MASTER PLAN
7A - 7B	MASTER PLAN AMENDMENT #1, PHASE 3A
8	ROADWAY SECTIONS
9	WATER AND SANITARY SEWER MASTER PLAN

OWNERS:

Tierra Contenta
TIERRA CONTENTA CORPORATION
PMB #220 369 MONTEZUMA
SANTA FE, NEW MEXICO 87501

CIVIL ENGINEERING:

DESIGN ENGINUITY
1421 LUISA STREET, SUITE E
Santa Fe, New Mexico 87505
(505) 984-3551

LAND PLANNING:

SEC Planning, LLC
Land Planning + Landscape Architecture + Community Branding
CLIENT-CENTERED THINKING™

PLANNING:

JENKINSGAVIN
LAND USE | PROJECT MANAGEMENT

SURVEYING:

SANTA FE SURVEYING COMPANY
P.O. BOX 2919, SANTA FE, N.M. 87504, | 1210 LUISA ST. SUITE 8
PHONE (505)-992-3211, MOBILE (505)-660-2659, FAX (505)-992-9905

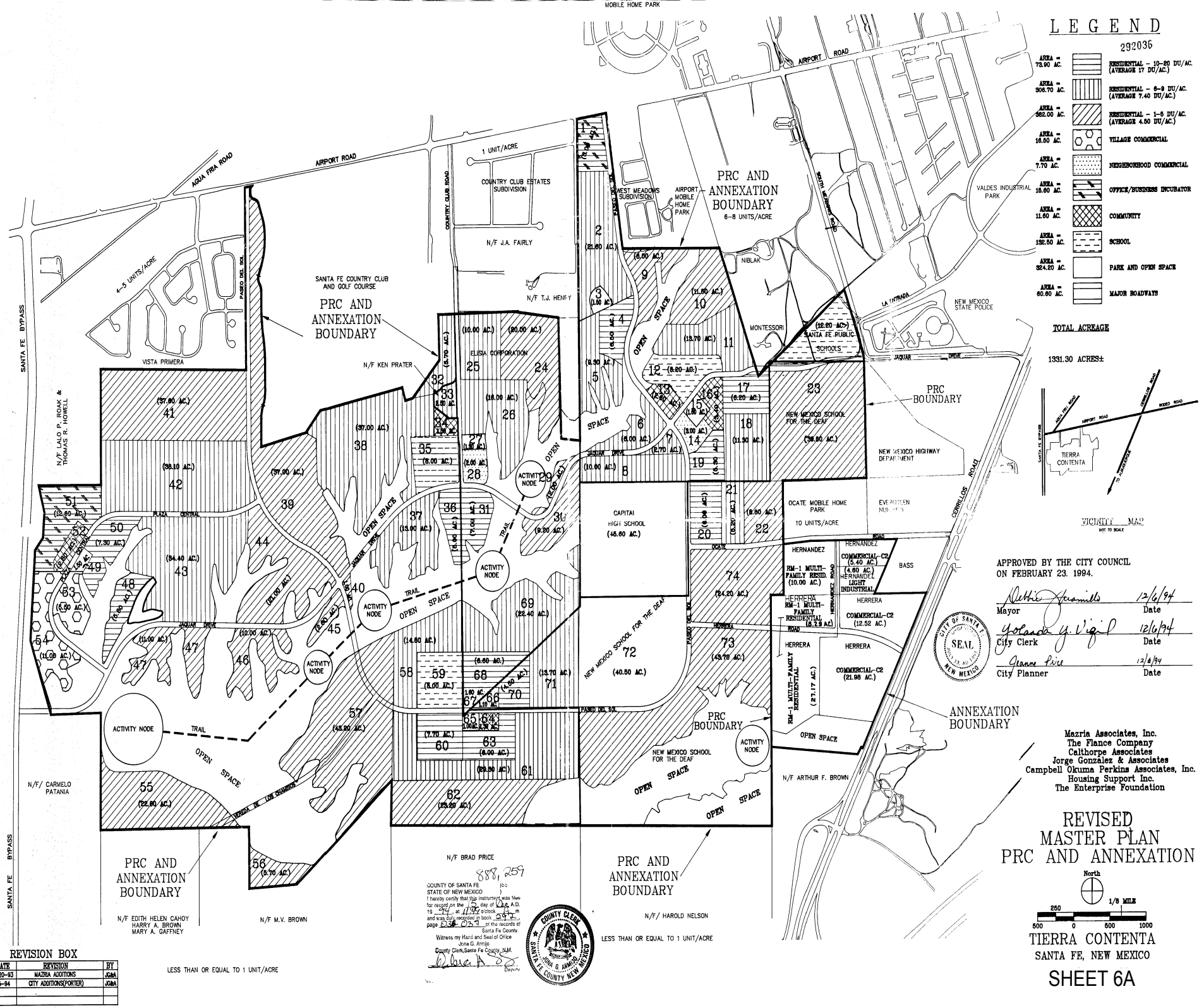
JUNE 21, 2021

REVISIONS

DATE	BY	DATE	BY

DEVELOPMENT/INFRASTRUCTURE BUILDING PERMIT ADDRESS:

TIERRA CONTENTA PHASE 3A - MASTER PLAN AMENDMENT #1



LEGEND

292036

AREA = 73.90 AC.	RESIDENTIAL - 10-20 DU/AC. (AVERAGE 17 DU/AC.)
AREA = 306.70 AC.	RESIDENTIAL - 6-9 DU/AC. (AVERAGE 7.40 DU/AC.)
AREA = 382.00 AC.	RESIDENTIAL - 1-5 DU/AC. (AVERAGE 4.50 DU/AC.)
AREA = 16.50 AC.	VILLAGE COMMERCIAL
AREA = 7.70 AC.	NEIGHBORHOOD COMMERCIAL
AREA = 15.60 AC.	OFFICE/BUSINESS INCUBATOR
AREA = 11.60 AC.	COMMUNITY
AREA = 132.50 AC.	SCHOOL
AREA = 324.20 AC.	PARK AND OPEN SPACE
AREA = 60.60 AC.	MAJOR ROADWAYS

TOTAL ACREAGE

1331.30 ACRES±

APPROVED BY THE CITY COUNCIL ON FEBRUARY 23. 1994.

Mayor — Date 12/6/94

City Clerk — Date 12/6/94

City Planner — Date 12/6/94

Mazria Associates, Inc.
The Fiance Company
Calthorpe Associates
Jorge Gonzalez & Associates
Campbell Okuma Perkins Associates, Inc.
Housing Support Inc.
The Enterprise Foundation

REVISED MASTER PLAN PRC AND ANNEXATION

TIERRA CONTENTA

SANTA FE, NEW MEXICO

SHEET 6A

REVISION BOX

NO.	DATE	REVISION	BY
1	12-20-93	MAZRIA ADDITIONS	JGA
2	1-5-94	CITY ADDITIONS(PORTER)	JGA

COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that this instrument was filed for record on the 2 day of Dec A.D. 19 94 at 11:39 o'clock AM and was duly recorded in book 338 page 030-034 of the records of Santa Fe County.
Witness my Hand and Seal of Office
Jona G. Arrejo
County Clerk, Santa Fe County, N.M.
By Deputy

888,259

COUNTY CLERK SANTA FE COUNTY NEW MEXICO JONA G. ARREJO

315MPLUS - 4/13/94

292037

PHASE 1 DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	NO. OF UNITS	OWNER
1	Office / Business Incubator	3.0		City / TCC
2	Residential (6-9 du/acre)	21.6	162	City / TCC
3	Park	1.5		City / TCC
4	Residential (10-20 du/acre)	6.5	111	City / TCC
5	Residential (6-9 du/acre)	9.3	70	City / TCC
6	Residential (6-9 du/acre)	6.0	45	City / TCC
7	Residential (6-9 du/acre)	2.7	24	City / TCC
8	High School Expansion	10.0		City / TCC
9	Residential (1-5 du/acre)	8.0	36	City / TCC
10	Residential (1-5 du/acre)	11.5	52	City / TCC
11	Residential (6-9 du/acre)	13.7	103	City / TCC
12	Elementary School	8.2		City / TCC
13	Community	2.6		City / TCC
14	Neighborhood Commercial	3.0		City / TCC
15	Park	1.6		City / TCC
16	Community	3.4		City / TCC
17	Residential (10-20 du/acre)	6.2	105	City / TCC
18	Residential (6-9 du/acre)	11.3	85	City / TCC
19	Residential (10-20 du/acre)	5.3	90	City / TCC
20	Residential (10-20 du/acre)	6.0	96	SFD
21	Residential (6-9 du/acre)	5.2	36	SFD
22	Residential (1-5 du/acre)	8.8	35	SFD
23	Residential (1-5 du/acre)	39.5	158	SFD
24	Residential (1-5 du/acre)	20.0	90	Elisia
25	Residential (6-9 du/acre)	10.0	75	Elisia
26	Residential (6-9 du/acre)	16.0	120	Elisia
29	Residential (1-5 du/acre)	2.0	9	Elisia
30	Residential (1-5 du/acre)	9.2	41	Elisia
32	Residential (6-9 du/acre)	5.7	43	City / TCC
33	Residential (6-9 du/acre)	2.5	15	Prater
34	Community	1.5		City / TCC
PHASE 1 TOTALS		261.8	1601	

PHASE 2 DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	NO. OF UNITS	OWNER
27	Park	1.3		Elisia
28	Neighborhood Commercial	2.0		Elisia
31	Residential (10-20 du/acre)	7.0	126	Elisia
35	Elementary School	8.0		City / TCC
36	Residential (10-20 du/acre)	5.0	85	City / TCC
37	Residential (6-9 du/acre)	13.0	98	City / TCC
38	Residential (6-9 du/acre)	37.0	278	City / TCC
39	Residential (1-5 du/acre)	37.0	167	City / TCC
40	Residential (1-5 du/acre)	1.0	5	City / TCC
41	Residential (1-5 du/acre)	37.6	169	City / TCC
42	Residential (6-9 du/acre)	38.1	286	City / TCC
43	Residential (6-9 du/acre)	34.4	258	City / TCC
44	Residential (1-5 du/acre)	21.0	95	City / TCC
45	Residential (1-5 du/acre)	2.6	12	City / TCC
46	Residential (1-5 du/acre)	10.0	45	City / TCC
47	Residential (1-5 du/acre)	11.0	50	City / TCC
48	Residential (10-20 du/acre)	5.8	99	City / TCC
49	Park	1.5		City / TCC
50	Residential (10-20 du/acre)	7.3	124	City / TCC
51	Office / Business Incubator	12.6		City / TCC
52	Community	2.8		City / TCC
53	Village Commercial	5.5		City / TCC
54	Village Commercial	11.0		City / TCC
74	Residential (1-5 du/acre)	24.2	97	SFD
PHASE 2 TOTALS		336.7	1994	

PHASE 3 DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	NO. OF UNITS	OWNER
55	Residential (1-5 du/acre)	22.8	103	City / TCC
56	Residential (1-5 du/acre)	5.7	26	City / TCC
57	Residential (1-5 du/acre)	43.2	194	City / TCC
58	Residential (6-9 du/acre)	14.8	111	City / TCC
59	Private School	8.0		City / TCC
60	Residential (10-20 du/acre)	7.7	131	City / TCC
61	Residential (6-9 du/acre)	29.3	220	City / TCC
62	Residential (1-5 du/acre)	23.2	104	City / TCC
63	Residential (10-20 du/acre)	6.0	102	City / TCC
64	Community	1.3		City / TCC
65	Park	1.0		City / TCC
66	Neighborhood Commercial	1.1		SFD
67	Neighborhood Commercial	1.6		Elisia
68	Residential (10-20 du/acre)	6.6	119	Elisia
69	Residential (6-9 du/acre)	22.4	168	Elisia
70	Residential (10-20 du/acre)	4.5	72	SFD
71	Residential (6-9 du/acre)	13.7	96	SFD
72	School for the Deaf Campus	40.5		SFD
73	Residential (1-5 du/acre)	43.7	175	SFD
PHASE 3 TOTALS		297.1	1621	

CITY OF SANTA FE/TCC	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	1058	28.7	234.6
Residential (6-19 du/acre)?	1783	48.3	236.9
Residential (10-20 du/acre)	847	23.0	49.8
Neighborhood Commercial			3.0
Community			11.6
Office / Business Incubator			15.6
Village Commercial			16.5
Schools			34.2
Park / Open Space			213.4
Major Roads			44.4
CITY OF SANTA FE / TCC TOTAL	3688	100.0	860.0

ELISIA PARTNERSHIP	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	140	18.7	31.2
Residential (6-19 du/acre)	363	48.5	48.4
Residential (10-20 du/acre)	245	32.8	13.6
Neighborhood Commercial			3.6
Park / Open Space			48.9
Major Roads			4.3
ELISIA PARTNERSHIP TOTAL	748	100.0	150.0

SCHOOL FOR THE DEAF	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	465	60.8	116.2
Residential (6-19 du/acre)	132	17.2	18.9
Residential (10-20 du/acre)	168	22.0	10.5
Neighborhood Commercial			1.1
School			40.5
Park / Open Space			61.9
Major Roads			11.9
SCHOOL FOR THE DEAF TOTAL	765	100.0	261.0

PRATER	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (6-19 du/acre)	15	100.0	2.5
PRATER TOTAL	15	100.0	2.5

SANTA FE PUBLIC SCHOOLS	UNITS	NO. OF UNITS	% TOTAL ACREAGE
Schools			57.8
SANTA FE PUBLIC SCHOOLS TOTAL			57.8

PRC AREA	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	1663	31.9	382.0
Residential (6-19 du/acre)	2293	44.0	306.7
Residential (10-20 du/acre)	1260	24.0	73.9
Neighborhood Commercial			7.7
Community			11.6
Office / Business Incubator			15.6
Village Commercial			16.5
Schools			132.5
Park / Open Space			324.2
Major Roads			60.6
PRC TOTAL	5216	100.0	1331.3
Park / Open Space acreage per dwelling unit			.062

HERRERA ASSOCIATES * (not included in PRC request)	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Multifamily Residential (RM-1)	390	100.0	35.5
General Commercial (C-2)			34.5
Park / Open Space			*
Major Roads			*
SEE NOTE # 2			
HERRERA ASSOCIATES TOTAL	390	100.0	70.0

DR. HERNANDEZ * (not included in PRC request)	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Multifamily Residential (RM-1)	200	100.0	10.0
General Commercial (C-2)			5.4
Light Industrial (I-1)			4.6
Park / Open Space			*
Major Roads			*
SEE NOTE # 3			
DR. HERNANDEZ TOTAL	200	100.0	20.0

* Gross acreage estimates, no deductions made for Park / Open Space or Major Roads.

ANNEXATION AREA	NO. OF UNITS	% TOTAL UNITS	ACREAGE
Residential (1-5 du/acre)	1663	28.7	382.0
Residential (6-19 du/acre)	2293	39.5	306.7
Residential (10-20 du/acre)	1850	31.8	73.9
Neighborhood Commercial			7.7
Community			11.6
Office / Business Incubator			15.6
Village Commercial			16.5
Multifamily Residential (RM-1)			45.5
General Commercial (C-2)			34.5
Light Industrial (I-1)			4.6
Schools			132.5
Park / Open Space			324.2
Major Roads			60.6
ANNEXATION AREA TOTAL	5806	100.0	1421.3
Gross Density of Annexation Area			4.1 du/acre

NOTES:

1. LOTS FRONTING ON CERRILLOS ROAD SHALL COMPLY WITH THE CERRILLOS ROAD HIGHWAY CORRIDOR.

2. FOR PHASING PLAN AND DEVELOPMENT PROGRAM SEE ABOVE. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITLED "TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)" FOR CONDITIONS OF DEVELOPMENT.

3. AT THE TIME OF APPLICATION FOR PLAT OR REZONING, A SYSTEM OF APPROPRIATELY SCALED LOCAL ROADS SHALL BE ESTABLISHED WHICH CONNECT OR ARE STUBBED OUT TO PERMIT LATER CONNECTION TO ADJOINING LOCAL ROADS ON PROPERTIES WITHIN OR NEXT TO TIERRA CONTENTA.

4. ON A PHASE BY PHASE BASIS, SUBSEQUENT PLATS SHALL ILLUSTRATE STORM WATER MANAGEMENT SYSTEMS ACCEPTABLE TO THE CITY WHICH INCLUDE FACILITY DESIGN AND MAINTENANCE PROGRAMS.

5. FOR EACH PHASE OF DEVELOPMENT, BUFFERS ACCEPTABLE TO THE PLANNING COMMISSION SHALL BE PROVIDED TO ADJACENT COUNTY RESIDENTIAL USES.

6. FOR FINAL SUBDIVISION PLATS OR DEVELOPMENT PLANS (IN THE CASE OF MULTI-FAMILY), THE DISPOSITION OF LANDS OVER 30% THAT ARE NOT LOCATED IN THE PUBLIC OPEN SPACE SYSTEM SHALL BE CLARIFIED. LANDS OUTSIDE THE OPEN SPACE SYSTEM THAT ARE OVER 30% SHALL BE IDENTIFIED AS REMAINING UNDISTURBED PER THE CITY CODE OR AS REQUIRING A VARIANCE.

7. SUBMITTALS SHALL BE PREPARED ON A PHASE BY PHASE BASIS FOR IMPROVEMENT PLANS, VEGETATION PLANS (INCLUDING USE OF NATIVE PLANTS) AND IRRIGATION PLANS (INCLUDING XERISCAPE AND USE OF EFFLUENT WATER) IN PARKS, OPEN SPACE, ROADWAYS, DRAINAGES, AND COMMUNITY FACILITIES. THE CITY PARKS AND PUBLIC WORKS DEPARTMENTS SHALL REVIEW THE SUBMITTALS TO DETERMINE ACCEPTABLE PLANS.

8. THERE SHALL BE ENTRANCE WAYS OR TRAIL HEADS TO PROVIDE CONVENIENT ACCESS TO THE NEIGHBORHOOD AND COMMUNITY PARKS LOCATED WITHIN THE URBAN PARK.

9. ON A PHASE BY PHASE BASIS, THE CITY PARKS DEPARTMENT SHALL RECOMMEND SIZE AND DEVELOPMENT CRITERIA FOR PARK IMPROVEMENTS.

10. ROADS WILL BE CONSTRUCTED CONSISTENT WITH CITY CODE OR VARIANCES FROM THE CITY CODE SHALL BE OBTAINED FROM CITY HALL.

11. FOR AMENDED MASTER PLAN SEE SHEET 4 OF 20. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITLED "TIERRA CONTENTA, WOLGAMOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)"FOR CONDITIONS OF DEVELOPMENT.

12. HERRERA PROPERTIES: FOR CONDITIONS OF APPROVAL SEE CASE ZA1993-32 AND ZA1993-33, APPROVED BY THE CITY COUNCIL ON FEB. 23, 1994, AND RESTATED AGREEMENT.

13. HERNANDEZ PROPERTIES FOR CONDITIONS OF APPROVAL SEE CASE ZA1993-29 AND ZA1993-31, APPROVED BY THE CITY COUNCIL ON FEB. 23, 1994, AND RESTATED AGREEMENT.

14. FOR THE PHASING PLAN TIME PERIOD, SEE THE ANNEXATION AGREEMENT FOR THE FOLLOWING: TIME PERIOD FOR PHASING PLAN, SCHEDULE OF IMPROVEMENTS AND THE SCHEDULE OF LAND TO BE DEDICATED TO THE CITY OF SANTA FE.

15. DEVELOPMENT WITHIN THE PRC SHALL COMPLY WITH THE APPROVED DESIGN GUIDELINES. (PHASE IA APPROVED BY THE CITY COUNCIL ON NOVEMBER 9, 1994.)

APPROVED BY THE CITY COUNCIL
ON FEBRUARY 23. 1994.

CITY OF SANTA FE INCORPORATED SEAL 1613 A.D. NEW MEXICO

Mayor — Date 12/6/94

City Clerk — Date 12/6/94

City Planner — Date 12/6/94

Mazria Associates, Inc.
The Flance Company
Calthorpe Associates
Jorge Gonzalez & Associates
Campbell Okuma Perkins Associates, Inc.
Housing Support Inc.
The Enterprise Foundation

REVISED

DEVELOPMENT PROGRAM

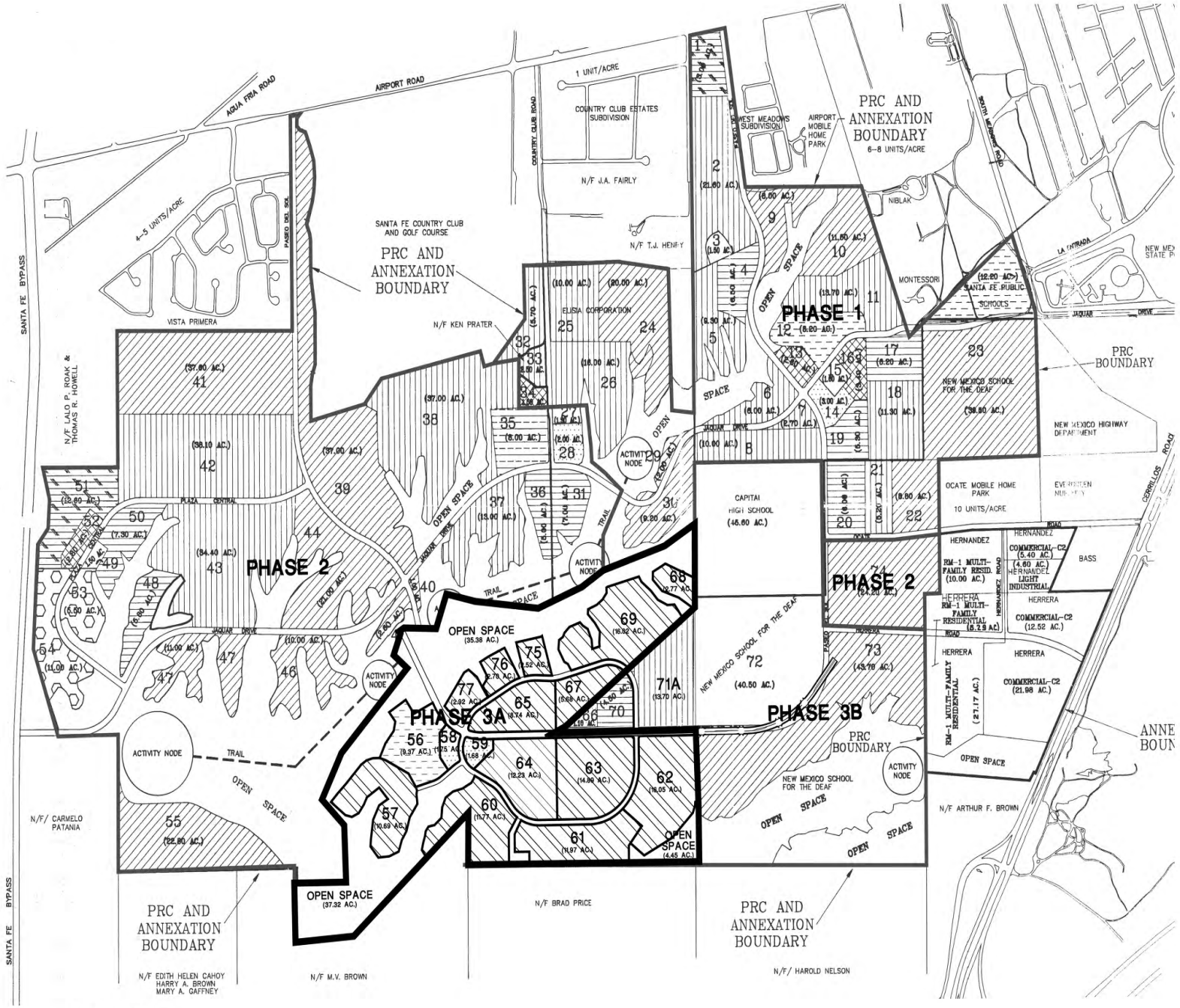
North

250 0 500 1000 — 1/8 MILE

TIERRA CONTENTA

SANTA FE, NEW MEXICO

SHEET 6B



LEGEND

- MIXED RESIDENTIAL
- RESIDENTIAL – 10–20 DU/AC. (AVERAGE 17 DU/AC.)
- RESIDENTIAL – 6–9 DU/AC. (AVERAGE 7.40 DU/AC.)
- RESIDENTIAL – 1–5 DU/AC. (AVERAGE 4.50 DU/AC.)
- VILLAGE COMMERCIAL
- NEIGHBORHOOD COMMERCIAL
- OFFICE/BUSINESS INCUBATOR
- COMMUNITY
- SCHOOL
- PARK AND OPEN SPACE
- MAJOR ROADWAYS

MASTER PLAN AMENDMENT #1 OVERVIEW

NORTH

250 500 0 500 1000

TIERRA CONTENTA PHASE 3A

SANTA FE, NEW MEXICO

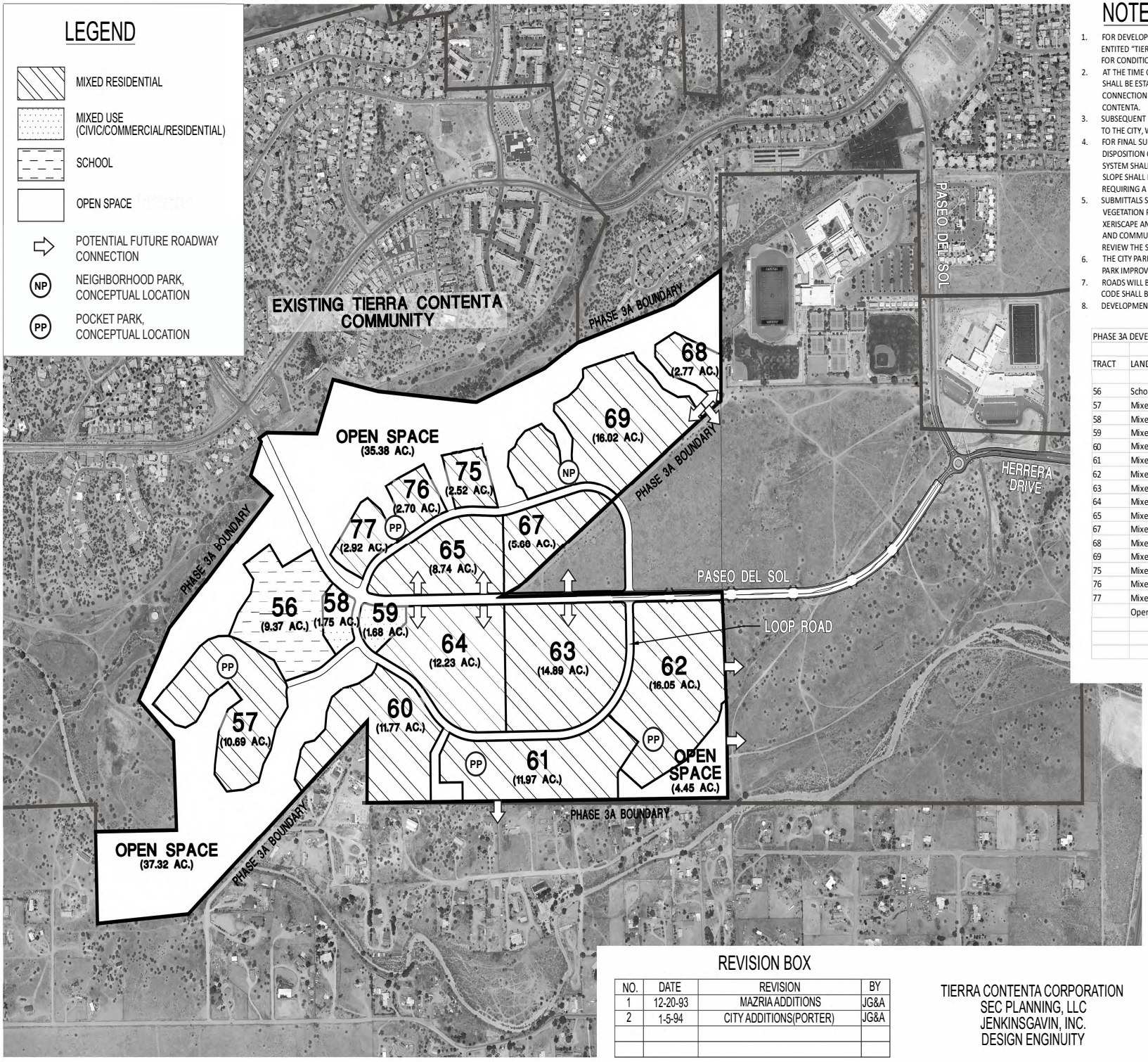
SHEET 7A

REVISION BOX

NO.	DATE	REVISION	BY
1	12-20-93	MAZRIA ADDITIONS	JG&A
2	1-5-94	CITY ADDITIONS(PORTER)	JG&A

PURPOSE STATEMENT: THE PURPOSE OF TIERRA CONTENTA MASTER PLAN AMENDMENT #1 IS TO ALTER LAND USES AND RESIDENTIAL DENSITIES IN PHASE 3A ONLY.

TIERRA CONTENTA CORPORATION
SEC PLANNING, LLC
JENKINSGAVIN, INC.
DESIGN ENGINUITY



NOTES:

1. FOR DEVELOPMENT PROGRAM, SEE BELOW. SEE ALSO RESTATED ANNEXATION AGREEMENT ENTITED "TIERRA CONTENTA, WOLMAGOOD SUBDIVISION AND CONTIGUOUS LAND (EAST)" FOR CONDITIONS OF DEVELOPMENT.
2. AT THE TIME OF APPLICATION FOR PLAT, A SYSTEM OF APPROPRIATELY SCALED LOCAL ROADS SHALL BE ESTABLISHED WHICH CONNECT OR ARE STUBBED OUT TO PERMIT LATER CONNECTION TO ADJOINING LOCAL ROADS ON PROPERTIES WITHIN OR NEXT TO TIERRA CONTENTA.
3. SUBSEQUENT PLATS SHALL ILLUSTRATE STORM WATER MANAGEMENT SYSTEMS ACCEPTABLE TO THE CITY, WHICH INCLUDE FACILITY DESIGN AND MAINTENANCE PROGRAMS.
4. FOR FINAL SUBDIVISION PLATS OR DEVELOPMENT PLANS (IN THE CASE OF MULTI-FAMILY), THE DISPOSITION OF LANDS OVER 30% SLOPE THAT ARE NOT LOCATED IN THE PUBLIC OPEN SPACE SYSTEM SHALL BE CLARIFIED. LANDS OUTSIDE THE OPEN SPACE SYSTEM THAT ARE OVER 30% SLOPE SHALL BE IDENTIFIED AS REMAINING UNDISTURBED PER THE CITY CODE OR AS REQUIRING A VARIANCE.
5. SUBMITTALS SHALL BE PREPARED ON A TRACT BY TRACT BASIS FOR IMPROVEMENT PLANS, VEGETATION PLANS (INCLUDING USE OF NATIVE PLANTS) AND IRRIGATION PLANS (INCLUDING XERISCAPE AND USE OF EFFLUENT WATER) IN PARKS, OPEN SPACE, ROADWAYS, DRAINAGES, AND COMMUNITY FACILITIES. THE CITY PARKS AND PUBLIC WORKS DEPARTMENTS SHALL REVIEW THE SUBMITTALS TO DETERMINE ACCEPTABLE PLANS.
6. THE CITY PARKS DEPARTMENT SHALL RECOMMEND SIZE AND DEVELOPMENT CRITERIA FOR PARK IMPROVEMENTS.
7. ROADS WILL BE CONSTRUCTED CONSISTENT WITH CITY CODE OR VARIANCES FROM THE CITY CODE SHALL BE OBTAINED.
8. DEVELOPMENT WITHIN THE PRC SHALL COMPLY WITH THE APPROVED DESIGN GUIDELINES.

PHASE 3A DEVELOPMENT PROGRAM AND TRACT DATA

TRACT	LAND USE	NET ACREAGE	UNITS	DU/ACRE
56	School	9.37	0	0
57	Mixed Residential	10.69	49	4.6
58	Mixed Use (Civic/Commercial/Residenti	1.75	21	12.0
59	Mixed Use (Civic/Commercial/Residenti	1.68	21	12.5
60	Mixed Residential	11.77	60	5.1
61	Mixed Residential	11.97	73	6.1
62	Mixed Residential	16.05	107	6.7
63	Mixed Residential	14.89	275	18.5
64	Mixed Residential	12.23	225	18.4
65	Mixed Residential	8.74	150	17.2
67	Mixed Residential	5.68	40	7.0
68	Mixed Residential	2.77	12	4.3
69	Mixed Residential	16.02	85	5.3
75	Mixed Residential	2.52	11	4.4
76	Mixed Residential	2.70	12	4.4
77	Mixed Residential	2.92	34	11.6
	Open Space	91.09	0	0
	PHASE 3A TOTALS	222.84	1175	5.3
	MAXIMUM PERMISSIBLE UNITS		*1500*	*6.7*

REVISION BOX

NO.	DATE	REVISION	BY
1	12-20-93	MAZRIA ADDITIONS	JG&A
2	1-5-94	CITY ADDITIONS(PORTER)	JG&A

TIERRA CONTENTA CORPORATION
SEC PLANNING, LLC
JENKINSGAVIN, INC.
DESIGN ENGINUITY

MASTER PLAN AMENDMENT #1

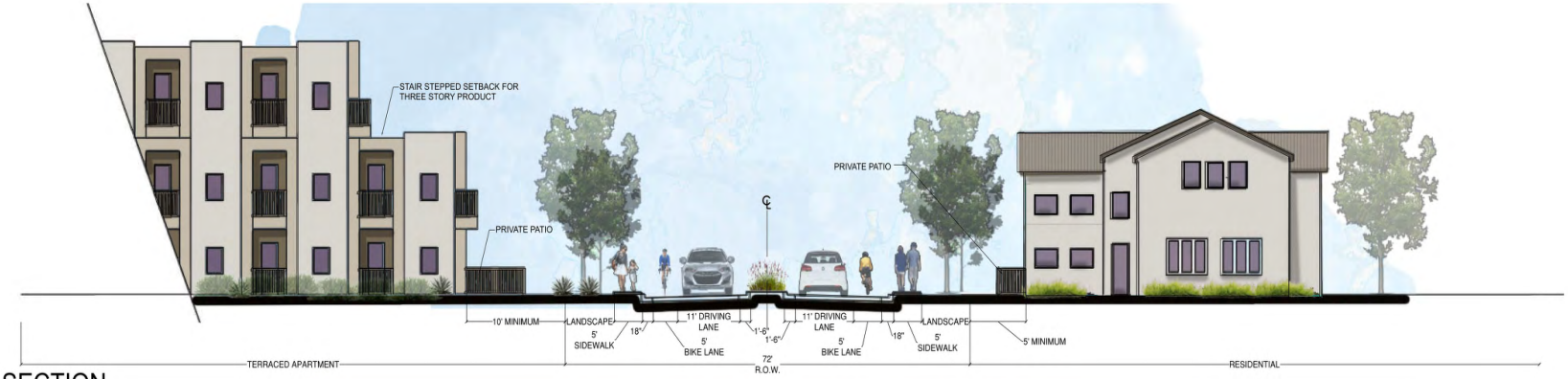
NORTH

150
300 0 300 600

TIERRA CONTENTA PHASE 3A

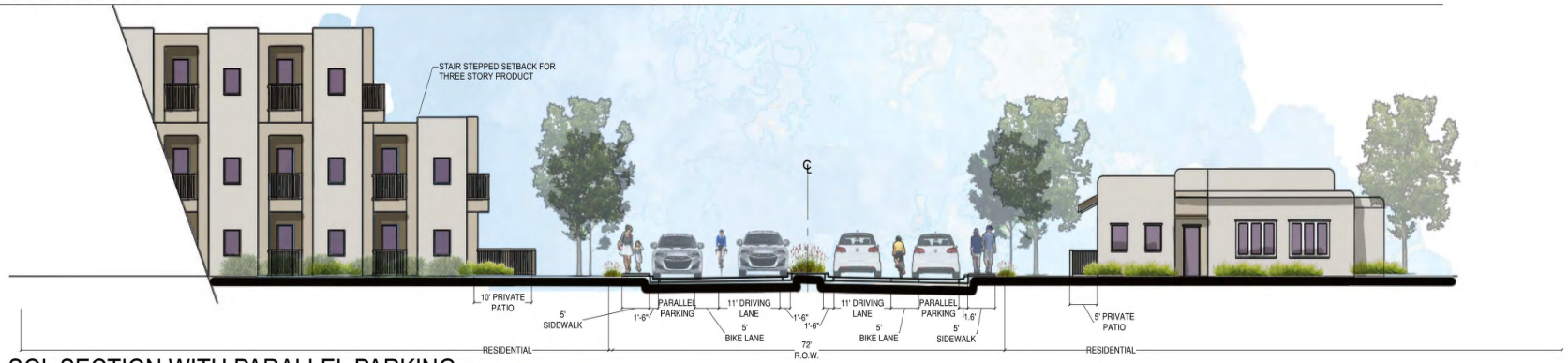
SANTA FE, NEW MEXICO

SHEET 7B



PASEO DEL SOL SECTION

Scale: 1" = 10'-0"



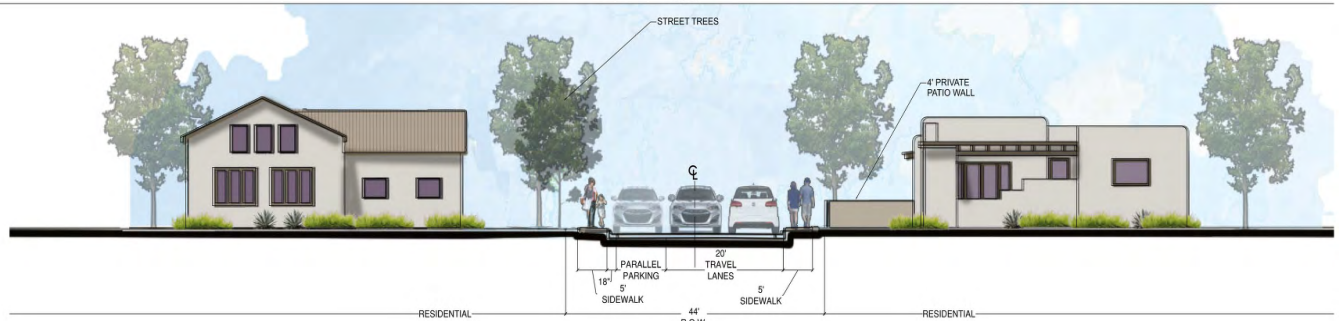
PASEO DEL SOL SECTION WITH PARALLEL PARKING

Scale: 1" = 10'-0"



LOOP ROAD SECTION

Scale: 1" = 10'-0"



LOCAL STREET SECTION

Scale: 1" = 10'-0"

TIERRA CONTENTA CORPORATION
SEC PLANNING, LLC
JENKINSGAVIN, INC.
DESIGN ENGINUITY

MASTER PLAN AMENDMENT #1 ROAD SECTIONS

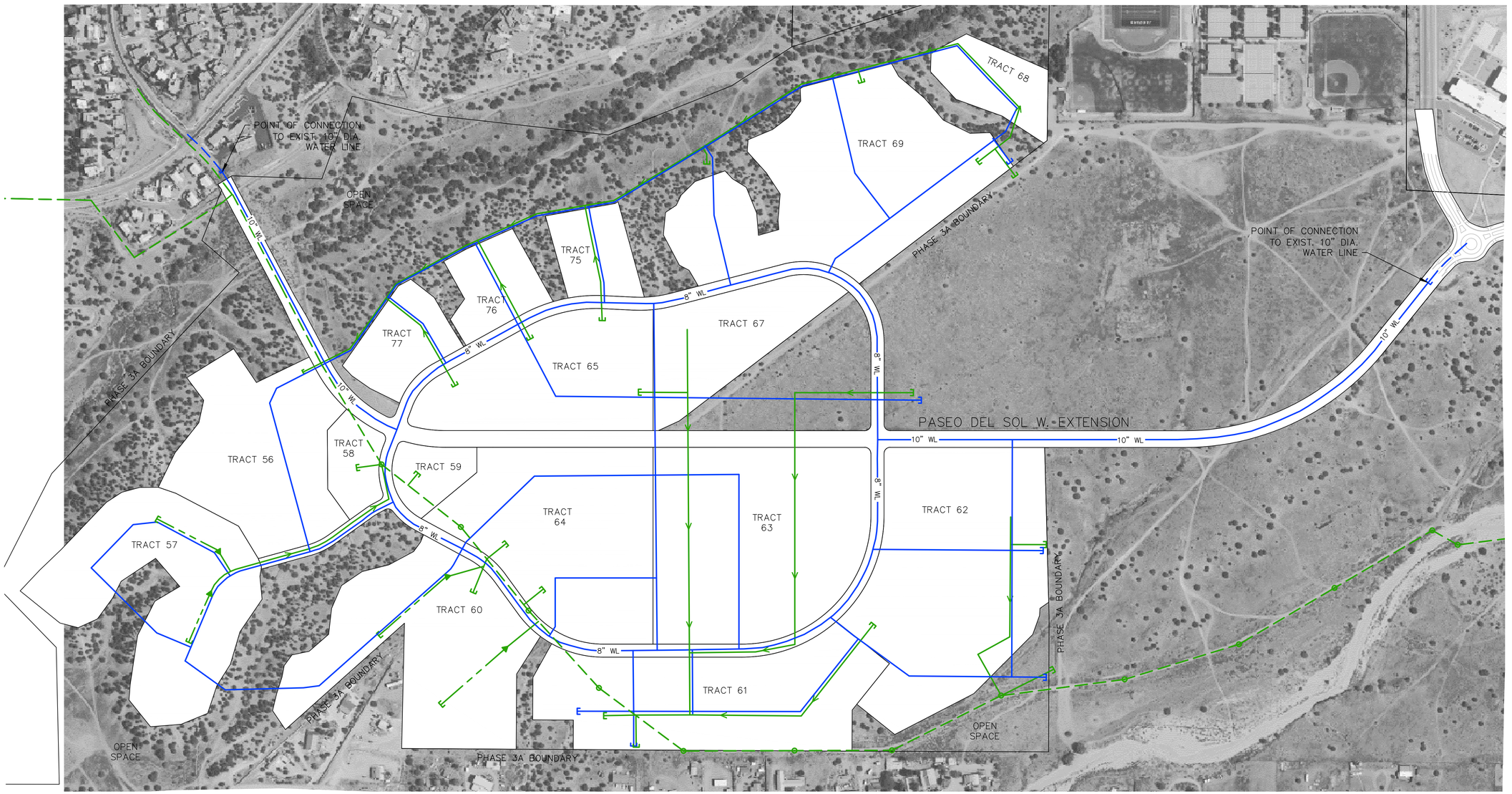
NORTH

150 300 0 300 600

TIERRA CONTENTA PHASE 3A

SANTA FE, NEW MEXICO

SHEET 8



NOTES

1. FINAL WATER LOOP AND SANITARY SEWER COLLECTOR LINE SIZES AND LOCATIONS OUTSIDE OF SHOWN ROAD ALIGNMENTS WILL BE DETERMINED ALONG WITH THE FINAL DEVELOPMENT CONFIGURATION ON EACH PARCEL.
2. FIRE HYDRANT LOCATIONS SHALL BE DETERMINED IN COMPLIANCE WITH APPLICABLE CODES AND FIRE MARSHAL RECOMMENDATIONS DURING THE DESIGN OF PARCEL DEVELOPMENT.
3. PORTIONS OF TRACT 57 AND TRACT 60 WILL REQUIRE LOW PRESSURE SANITARY SEWERS.

KEY

- EXIST. SANITARY SEWER LINE, (ACI)
- PROP. 8" DIAMETER SANITARY SEWER LINE(GRAVITY)
- PROP. LOW-PRESSURE SANITARY SEWER LINE (SIZE TBD)
- EXIST. 10" DIAMETER WATER LINE
- PROP. WATER LINE AS NOTED
- EXIST. SANITARY SEWER MANHOLE
- CAPPED STUB-OUT EXTENSION (FOR FUTURE CONNECTION)
- LOW PRESSURE/GRAVITY FLOW TRANSITION

NORTH

O.E.

SCALE 1"=200

200' 0 200'

REVISIONS

DATE	BY

DESIGN ENGINUITY
1421 LUISA STREET, SUITE E
SANTA FE, NEW MEXICO 87505
(505) 984-9551

TIERRA CONTENTA-PHASE 3A MASTER PLAN AMENDMENT

WATER & SANITARY SEWER MASTER PLAN

SCALE	DWG NO.	DATE
1"=200'		06/21/2021

SHEET NO. 9

OCTOBER 27, 2021
GOVRNING BODY

Case #2020-2318
Tierra Contenta
Master Plan Amendment #1 for Phase 3A

EXHIBIT D

Required Conditions

1. Water Budget
2. Fiscal Impact Assessment

Tierra Contenta Phase 3A
Conceptual Water Budget
September 2021

	GPY	AFY
Residential Usage - Single-Family Detached (lots < 6,000 sq ft)		
TOTAL PROJECTED USAGE FOR EST. 237 HOMES*	11,584,003	35.55
*Based on 0.15 afy/lot standard for single family lots < 6,000 sq ft, per City of Santa Fe Resolution 2009-116.		
Residential Usage - Single-Family Detached (lots 6,000-10,890 sq ft)		
TOTAL PROJECTED USAGE FOR EST. 237 HOMES*	13,128,537	40.29
*Based on 0.17 afy/lot standard for single family lots 6,000-10,890 sq ft, per City of Santa Fe Resolution 2009-116.		
Residential Usage - Single-Family Attached (Townhomes, Duplex, Casita Court, Multiplex)		
TOTAL PROJECTED USAGE FOR EST. 178 HOMES*	8,700,222	26.70
*Based on 0.15 afy/lot standard for single family lots < 6,000 sq ft, per City of Santa Fe Resolution 2009-116.		
Residential Usage - Multi-Family (Courtyard Apartments, Garden Apartments)		
TOTAL PROJECTED USAGE FOR EST. 481 APARTMENT HOMES*	18,808,120	57.72
*Based on 0.12 afy/du standard for "Apartment/Condominium," per City of Santa Fe Resolution 2009-116.		
Commerical Usage (Retail)		
TOTAL PROJECTED USAGE FOR EST. 26,660 sq ft*	373,549	1.15
*Based on 0.43 afy/10,000sf standard for "Neighborhood Center/Medium Retail," per City of Santa Fe Resolution 2009-116.		
Commerical Usage (Office)		
TOTAL PROJECTED USAGE FOR EST. 26,660 sq ft*	373,549	1.15
*Based on 0.7 afy/10,000sf standard for "Office - Non-medical", per City of Santa Fe Resolution 2009-116.		
School (Elementary)		
TOTAL PROJECTED USAGE FOR EST. 500 STUDENTS*	863,505	2.65
*Based on 0.53 afy/100 students standard for "Schools, Elementary," per City of Santa Fe Resolution 2009-116.		
SUBTOTAL	**53,831,485**	**165.20**
9.8% Contingency per SFCC §14-8.13(E)(1)	**5,275,485**	**16.19**
TOTAL PHASE 3A CONCEPTUAL WATER BUDGET	**59,106,970**	**181.39**

October
2021

Fiscal Impact Assessment of Tierra Contenta Phase 3A

Presented to:

Tierra Contenta Corporation

1111 Agua Fria St.

Santa Fe, NM 87501

Presented by:

Southwest Planning & Marketing
RESEARCH | MARKETING | ECONOMIC DEVELOPMENT | PLANNING

P.O. Box 1506
Santa Fe, NM 87504
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Southwestplanning.com

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INTRODUCTION

For development within the city, the City of Santa Fe's Code of Ordinances allows the land use director to require an analysis of the fiscal impact to the city of providing utility and other municipal services to the area [Article 14-3.9 (C)(1)(j)]. This document constitutes such an analysis.

The Tierra Contenta Master Planned Community is located inside the Santa Fe City limits southwest of Capitol High School. The Tierra Contenta Corporation (TCC) is now implementing Phase 3A of its master plan, a 216.5 acre large scale project that, upon build-out, is projected to consist of 1,500 mixed affordable and market rate detached single-family homes, townhomes, and multi-family units with a net developed area of 136 acres.

Southwest Planning & Marketing (SWPM) was contracted by Tierra Contenta Corporation to prepare a fiscal impact assessment pertaining to the costs and revenues for the project. The TCC is a 501(c)3 that was founded in 1994 for the sole purpose of owning, planning, and managing a major portion of the Tierra Contenta planned development. The findings contained in this report are estimates based on data provided by the TCC, JenkinsGavin (project management) and Werwath Associates (financial analysis).

METHODOLOGY

Overview

The impacts contained within this report were determined using generally accepted fiscal and economic principles. Project size and scope and accompanying cost estimates were provided by the Tierra Contenta Corporation (TCC), JenkinsGavin (project management), and Werwath Associates (financial analysis).

Property tax schedules, gross receipts tax rates and estimated property taxes were obtained from the County and City of Santa Fe and the State of New Mexico.

It is estimated that 25% of the infrastructure and construction supplies and equipment will be sourced from outside the area and thus will impact areas outside of Santa Fe, not Santa Fe itself. For relevant costs, a 10% contingency was applied to account for unexpected costs during construction.

Please note that many of the figures contained herein are estimates only and are based on the limited information available for the calculation of construction costs and sales projections. The final project outputs may differ from the estimates.

All costs, revenues and impacts in this report are presented in constant 2021 dollars and public revenue impact estimates are purposefully conservative.

Data Collection

Southwest Planning & Marketing (SWPM) performed a review of literature and planning documents pertaining to the project as provided by the TCC. Data on taxes and other costs were collected from applicable City, County and State schedules.

After a thorough review of available data, a data request was prepared by SWPM and sent to the TCC. An iterative process of verification and review of the responses was conducted. This resulted in estimates of direct expenses and revenues for the infrastructure development portion of the project. It also resulted in the proper allocation of fees and estimation of taxes.

Economic Impact Multipliers

There are two economic impact models that are accepted as industry standards: IMPLAN and RIMS 2. SWPM uses IMPLAN impact multipliers, as this model is generally used in many State of New Mexico, Santa Fe County, and City of Santa Fe projects and allows for direct comparison with similar projects. SWPM utilized the impacts (revenue and expenses) identified by the TCC and their subcontractors as inputs for determining induced and indirect impacts in the Santa Fe area.[1]

[1] Organizations create direct economic value within a discrete group of sector(s) (e.g. housing, construction). This supports a relative proportion of spending, jobs, wages, taxes, and GDP within each sector. Each directly affected sector creates jobs and purchases goods and services as inputs (e.g. construction supplies and materials, utilities) into production. These impacts are called indirect impacts. Induced impacts are created when employees whose incomes are generated either directly or indirectly by the sector(s) spend those incomes, further multiplying the impact of the original spending and creating additional jobs.

FISCAL IMPACT ANALYSIS

Area Development Economic Impact

Area development is projected to begin in 2021 with groundwork activities (loop road engineering/master plan amendments), followed by infrastructure development in 2022. Development costs include engineering, design, and approvals; land development; communal parts of the property (such as nature trails); infrastructure; and other costs not directly related to the construction of improvements that will be sold to the end consumer.

Table 1 provides a breakdown of the estimated area development direct impact. Costs were based on a cash flow analysis provided by Werwath Associates and data provided by the TCC. Estimated total area development costs are $11,050,000, including contingency and economic leakage for infrastructure costs.

Table 1: Direct Impact of Area Development					
	2021	2022	2023	2024	Total
Master Plan Amendment Costs	$75,000	$25,000	$0	$0	$100,000
Loop Road Engineering	$25,000	$150,000	$25,000	$0	$200,000
Project Managmenet	$0	$87,500	$175,000	$175,000	$437,500
Infrastructure Costs	$0	$2,500,000	$5,000,000	$5,000,000	$12,500,000
Infrastructure Contingency	$0	$250,000	$500,000	$500,000	$1,250,000
Infrastructure Economic Leakage	$0	-$687,500	-$1,375,000	-$1,375,000	-$3,437,500
Infrastructure Total	$0	$2,062,500	$4,125,000	$4,125,000	$10,312,500
Total Area Development Costs	**$100,000**	**$2,325,000**	**$4,325,000**	**$4,300,000**	**$11,050,000**

Table 2 shows the indirect and induced impacts of area development. Total indirect and induced impacts are projected to be $6,630,000, for a **total Direct, Indirect, and Induced impact of $17,680,000.**

Table 2: Indirect & Induced Impact of Engineering, Management, and Land Development					
	2021	2022	2023	2024	Total
Total Area Development Costs	$100,000	$2,325,000	$4,325,000	$4,300,000	$11,050,000
Indirect & Induced Impact of Engineering, Management, and Land Development	$60,000	$1,395,000	$2,595,000	$2,580,000	$6,630,000
Total Direct, Indirect, & Induced Impact of Area Development	**$160,000**	**$3,720,000**	**$6,920,000**	**$6,880,000**	**$17,680,000**

Construction Costs Economic Impact

Table 3 presents the expected build-out schedule for Phase 3A, including unit type. Single-family detached residential units (SFD) are categorized using unit front footage, townhouses (TH) by unit, multifamily (MF) by unit, and school in acres. Unit completion schedules were calculated by taking the expected unit sales dates for each parcel and assuming construction completed as of the date of first sale for that parcel.

Table 3: Unit Completion Schedule

	2024	2025	2026	2027	2028	2029	2030	2031	Total
School	9 acres								
35' SFD	23		43	20					86
40' SFD	50		28	24	68		47		217
50' SFD	50			28	33	12	23	42	188
60' SFD						24		15	40
TH	212				47				259
MF		354		287		70			711
Total Units	**336**	**354**	**71**	**359**	**147**	**106**	**70**	**57**	**1,500**

Table 4 presents direct construction costs. School construction costs were estimated conservatively based on national estimates provided by RSMeans Data from Gordian (rsmeans.com). The Werwath Associates analysis provided sales prices for each of the units. Unit construction costs were calculated by multiplying unit sales price by the number of units to calculate total sales by unit by year (accounting for a 3% annual sales escalation), and then multiplying those outputs by 80% (assuming a 20% profit margin). Cost data was provided for multi-family units rather than sales data, so cost was used directly. No contingency was applied due to the calculation methodology. The total construction costs over the 8-year build-out are estimated to be $343,533,035.

Table 4: Direct Construction Costs

	2024	2025	2026	2027	2028	2029	2030	2031	Total
School	$5,053,000	$0	$0	$0	$0	$0	$0	$0	$0
35' SFD	$6,153,846	$0	$12,077,938	$5,715,803	$0	$0	$0	$0	$23,947,587
40' SFD	$14,433,566	$0	$8,546,551	$7,702,579	$21,912,004	$0	$16,032,031	$0	$68,626,731
50' SFD	$15,034,965	$0	$0	$9,169,737	$11,018,967	$4,053,406	$8,350,016	$15,480,930	$63,108,021
60' SFD	$0	$0	$0	$0	$0	$9,647,106	$0	$6,335,714	$15,982,820
TH	$42,424,242	$0	$0	$0	$10,494,255	$0	$0	$0	$52,918,497
MF Construction	$0	$54,741,259	$0	$46,994,902	$0	$12,160,218	$0	$0	$113,896,379
Total Construction Costs	**$ 83,099,620**	**$ 54,741,259**	**$ 20,624,490**	**$ 69,583,021**	**$ 43,425,226**	**$ 25,860,729**	**$ 24,382,047**	**$ 21,816,644**	**$343,533,035**

Note: Construction costs estimated as 80% of estimated unit market sales price for all units except for multi family units, for which actual cost estimates were used. Costs estimated in expected year of unit completion. Contingency only calculated for MF units due to the calculation methodology used.

Applying the IMPLAN multiplier of 1.6 to total costs applicable to indirect/ induced impacts from Table 4 results in total direct, indirect, and induced positive economic impacts from unit construction costs of $412,239,642. (See Table 5.)

Table 5: Indirect & Induced Impact of Construction Costs

	2024	2025	2026	2027	2028	2029	2030	2031	Total
Total Construction Cos	$ 83,099,620	$ 54,741,259	$ 20,624,490	$ 69,583,021	$ 43,425,226	$ 25,860,729	$ 24,382,047	$ 21,816,644	$343,533,035
Less Economic	-$20,774,905	-$13,685,315	-$5,156,122	-$17,395,755	-$10,856,306	-$6,465,182	-$6,095,512	-$5,454,161	-$85,883,259
Total Construction Costs Applicable to Direct, Indirect, & Induced Impacts	$62,324,715	$41,055,944	$15,468,367	$52,187,266	$32,568,919	$19,395,547	$18,286,535	$16,362,483	$257,649,776
Indirect & Induced Impact of	$37,394,829	$24,633,566	$9,281,020	$31,312,360	$19,541,352	$11,637,328	$10,971,921	$9,817,490	$154,589,866
Total Direct, Indirect, & Induced Construction Impact	**$ 99,719,544**	**$ 65,689,510**	**$ 24,749,387**	**$ 83,499,626**	**$ 52,110,271**	**$ 31,032,875**	**$ 29,258,456**	**$ 26,179,972**	**$412,239,642**

Unit Sales Economic Impact

Over the course of the build-out, a total of 1,500 units will be constructed, plus a school (9 acres). The analysis provided by Werwath Associates projected sales prices of $330,000 for the 35' SFD units, $360,000 for the 40' SFD units, $375,000 for the 50' SFD units, $425,000 for the 60' SFD units, $250,000 for each townhouse unit, and $150,000 for each multi-family unit. Please see Table 6 for the expected unit sales schedule.

Table 6: Total Units Sold by Type by Year

	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
School	9 acres									0
35' SFD	6	18	11	33	15					84
40' SFD	13	39	7	24	33	55	12	36		221
50' SFD	13	39		7	27	24	14	26	33	182
60' SFD						6	19	4	12	41
TH	55	166			12	36				270
MF		92	277	65	194	18	55			701
Total	**88**	**355**	**296**	**129**	**282**	**140**	**100**	**66**	**45**	**1,500**

Sales were calculated using the same methodology as used for construction costs, but without the 80% pre-profit multiplier. Sales for multi-family units, for which cost was provided instead of sales price, are estimated at 120% of costs. Total sales are projected to be $433,050,533. The sales amount for the school was calculated at 120% of construction cost estimates.

Table 7: Yearly Total Sales by Unit In Dollars

	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
School	$6,063,600	$0	$0	$0	$0	$0	$0	$0	$0	$6,063,600
35' SFD	$2,005,538	$6,197,111	$3,936,198	$11,869,427	$5,755,988	$0	$0	$0	$0	$29,764,261
40' SFD	$4,703,897	$14,535,042	$2,785,320	$9,591,140	$13,522,754	$22,891,364	$5,224,836	$16,144,744	$0	$89,399,097
50' SFD	$4,899,893	$15,140,669	$0	$2,988,416	$11,188,264	$10,450,288	$6,079,541	$11,963,273	$15,589,769	$78,300,112
60' SFD	$0	$0	$0	$0	$0	$3,143,990	$9,714,930	$2,064,808	$6,380,257	$21,303,986
TH	$13,826,054	$42,722,507	$0	$0	$3,420,076	$10,568,035	$0	$0	$0	$70,536,671
MF	$0	$17,126,561	$52,921,073	$12,732,224	$39,342,572	$3,804,492	$11,755,882	$0	$0	$137,682,805
Total	**$ 31,498,981**	**$ 95,721,889**	**$ 59,642,591**	**$ 37,181,207**	**$ 73,229,654**	**$ 50,858,170**	**$ 32,775,189**	**$ 30,172,826**	**$ 21,970,026**	**$ 433,050,533**

Applying the IMPLAN multiplier of 1.6 to the gross revenues from Table 7 of $433,050,533 results in total direct, indirect and induced impacts from unit sales of $692,880,852. (See Table 8.)

Table 8: Indirect & Induced Impact of Unit Sales

	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
Total Sales Revenue	$ 31,498,981	$ 95,721,889	$ 59,642,591	$ 37,181,207	$ 73,229,654	$ 50,858,170	$ 32,775,189	$ 30,172,826	$ 21,970,026	$ 433,050,533
Indirect & Induced Impact of Unit Sales	$18,899,389	$57,433,133	$35,785,555	$22,308,724	$43,937,792	$30,514,902	$19,665,114	$18,103,695	$13,182,016	$259,830,320
Total Direct, Indirect, & Induced Impact of Unit Sales	**$ 50,398,370**	**$ 153,155,023**	**$ 95,428,146**	**$ 59,489,931**	**$ 117,167,446**	**$ 81,373,071**	**$ 52,440,303**	**$ 48,276,521**	**$ 35,152,041**	**$ 692,880,852**

Gross Receipts Tax Revenues

Due to the affordable unit agreement between the City of Santa Fe and the Tierra Contenta Corporation, GRT revenues were not applied to 100% of applicable costs. GRT was calculated for 90% of infrastructure costs, 65% of 35' SFD, 40' SFD, 50' SFD, and 60' SFD units, 70% of townhouses, and 80% of multi-family units. GRT was calculated for the City of Santa Fe (1.9375%), County of Santa Fe (1.3750%), and State of New Mexico (5.1250%).

GRT resulting from 90% of Area Development costs from Table 1 were $192,684 for the City of Santa Fe, $136,744 for the County of Santa Fe, and $509,681 for the State of New Mexico, for a total projected GRT from area development of $839,109 (See Table 9).

Table 9: GRT from Area Development

	2021	2022	2023	2024	Total
Total Area Development Costs	$90,000	$2,092,500	$3,892,500	$3,870,000	$9,945,000
City GRT (1.9375%)	$1,744	$40,542	$75,417	$74,981	$192,684
County GRT (1.3750%)	$1,238	$28,772	$53,522	$53,213	$136,744
State GRT (5.1250%)	$4,613	$107,241	$199,491	$198,338	$509,681
Total GRT from Area Development	**$7,594**	**$176,555**	**$328,430**	**$326,531**	**$839,109**

GRT for unit sales applicable to GRT were $5,951,574 for the City of Santa Fe, $4,223,698 for the County of Santa Fe, and $15,742,873 for the State of New Mexico. Total GRT from Unit sales is project to be $25,918,144. (See Table 10.)

Table 10: GRT Revenues from Unit Sales

	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
Total Sales Applicable to GRT	$ 22,681,541	$ 66,924,337	$ 46,705,845	$ 26,077,618	$ 53,671,665	$ 34,156,886	$ 23,067,255	$ 19,612,337	$ 14,280,517	$ 307,178,001
City GRT (1.9375%)	$439,455	$1,296,659	$904,926	$505,254	$1,039,889	$661,790	$446,928	$379,989	$276,685	$5,951,574
County GRT (1.3750%)	$311,871	$920,210	$642,205	$358,567	$737,985	$469,657	$317,175	$269,670	$196,357	$4,223,698
State GRT (5.1250%)	$1,162,429	$3,429,872	$2,393,675	$1,336,478	$2,750,673	$1,750,540	$1,182,197	$1,005,132	$731,876	$15,742,873
Total GRT from Unit Sales	**$ 1,913,755**	**$ 5,646,741**	**$ 3,940,806**	**$ 2,200,299**	**$ 4,528,547**	**$ 2,881,987**	**$ 1,946,300**	**$ 1,654,791**	**$ 1,204,919**	**$ 25,918,144**

Adding together the total GRT from area development and unit sales is projected to result in total GRT to the City of Santa Fe of $6,144,258, County of Santa Fe of $4,360,441, and State of New Mexico of $16,252,554. (See Tables 11, 12 and 13.)

Table 11: Total City GRT Revenues (1.9375%)													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
Area Development	$1,744	$40,542	$75,417	$74,981	$0	$0	$0	$0	$0	$0	$0	$0	$192,684
Unit Sales	$0	$0	$0	$439,455	$1,296,659	$904,926	$505,254	$1,039,889	$661,790	$446,928	$379,989	$276,685	$5,951,574
Total City	**$ 1,744**	**$ 40,542**	**$ 75,417**	**$ 514,436**	**$1,296,659**	**$ 904,926**	**$ 505,254**	**$1,039,889**	**$ 661,790**	**$ 446,928**	**$ 379,989**	**$ 276,685**	**$ 6,144,258**

Table 12: Total County GRT Revenues (1.3750%)													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
Area Development	$1,238	$28,772	$53,522	$53,213	$0	$0	$0	$0	$0	$0	$0	$0	$136,744
Unit Sales	$0	$0	$0	$311,871	$920,210	$642,205	$358,567	$737,985	$469,657	$317,175	$269,670	$196,357	$4,223,698
Total County	**$ 1,238**	**$ 28,772**	**$ 53,522**	**$ 365,084**	**$ 920,210**	**$ 642,205**	**$ 358,567**	**$ 737,985**	**$ 469,657**	**$ 317,175**	**$ 269,670**	**$ 196,357**	**$ 4,360,441**

Table 13: Total State GRT Revenues (5.1250%)													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
Area Development	$4,613	$107,241	$199,491	$198,338	$0	$0	$0	$0	$0	$0	$0	$0	$509,681
Unit Sales	$0	$0	$0	$1,162,429	$3,429,872	$2,393,675	$1,336,478	$2,750,673	$1,750,540	$1,182,197	$1,005,132	$731,876	$15,742,873
Total State	**$ 4,613**	**$ 107,241**	**$ 199,491**	**$1,360,766**	**$3,429,872**	**$2,393,675**	**$1,336,478**	**$2,750,673**	**$1,750,540**	**$1,182,197**	**$1,005,132**	**$ 731,876**	**$16,252,554**

Adding together the city, county, and state GRT revenues resulted in total projected GRT revenues of $26,757,253. (See Table 14.)

Table 14: Total GRT Revenues													
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	Total
City GRT (1.9375%)	$1,744	$40,542	$75,417	$514,436	$1,296,659	$904,926	$505,254	$1,039,889	$661,790	$446,928	$379,989	$276,685	$6,144,258
County GRT (1.3750%)	$1,238	$28,772	$53,522	$365,084	$920,210	$642,205	$358,567	$737,985	$469,657	$317,175	$269,670	$196,357	$4,360,441
State GRT (5.1250%)	$4,613	$107,241	$199,491	$1,360,766	$3,429,872	$2,393,675	$1,336,478	$2,750,673	$1,750,540	$1,182,197	$1,005,132	$731,876	$16,252,554
Total GRT Revenues	**$ 7,594**	**$ 176,555**	**$ 328,430**	**$2,240,286**	**$5,646,741**	**$3,940,806**	**$2,200,299**	**$4,528,547**	**$2,881,987**	**$1,946,300**	**$1,654,791**	**$1,204,919**	**$26,757,253**

Property Tax Revenues – Infrastructure Development and Residential Construction

Property taxes were calculated using Werwath Associate's initial estimate of $400 tax per acre. SWPM multiplied the number of acres by the tax, and then used the Santa Fe County Assessor's online property tax calculator to identify the land value that would result in a $400/acre tax cost. Total initial value of the land was estimated at $11,355,874. Next, the total expected area development costs were annualized and added to each year of the eight-year area development build-out. Residential sales estimates were added to the property value each year based on the expected dates of unit completion. Adding those three categories together provided the total taxable value of the land. The Santa Fe County Assessor's online property tax estimator was used to determine the property taxes by year based on the total taxable value.

The resulting total Santa Fe County property tax generated by the development between 2022 and 2032 is projected to be $16,506,071. (See Table 15.)

Table 15: 10 Year Estimated Property Tax Revenues

	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
Prior Year Taxable Value	$11,355,874	$11,455,874	$13,780,874	$18,105,874	$53,904,856	$149,626,745	$209,269,336	$246,450,543	$319,680,197	$370,538,366	$403,313,556
Prior Year Value Added from Area Development	$100,000	$2,325,000	$4,325,000	$4,300,000	$0	$0	$0	$0	$0	$0	$0
Prior Year Value Added from Units	$0	$0	$0	$31,498,981	$95,721,889	$59,642,591	$37,181,207	$73,229,654	$50,858,170	$32,775,189	$30,172,826
Estimated Taxable Value	$11,455,874	$13,780,874	$18,105,874	$53,904,856	$149,626,745	$209,269,336	$246,450,543	$319,680,197	$370,538,366	$403,313,556	$433,486,381
Estimated Property Tax by Year	**$ 91,842**	**$ 110,481**	**$ 145,155**	**$ 379,106**	**$ 1,120,815**	**$ 1,529,378**	**$ 1,811,333**	**$ 2,344,135**	**$ 2,745,852**	**$ 2,993,095**	**$ 3,234,879**
Total Projected Property Tax											**$ 16,506,071**

Impact Fees

The City of Santa Fe assesses impact fees based on square footage categories per unit to offset the cost of providing road, park, fire, and police services to new housing developments. Impact fees for all units were calculated by multiplying the unit impact fee cost per unit by the number of units. As exact square footage was not available for this analysis, square footage estimates were used by examining the current sale price of existing units in Tierra Contenta to develop an average sale price per square foot and dividing the expected unit sales price to estimate square footage. Based on this analysis, it is assumed that the 35' SFD, 40' SFD, and TH units were 1,500 or less square feet and 50' and 60' SFD were between 1,501 and 2,000 square feet. Multi-family unit impact fees were calculated using the City's multi-family unit impact fees basis and the school fees were calculated using public/institutional impact fees basis.

Total projected total impact fees (all categories combined) are $4,408,433 over the 8-year build out. (See Table 16.)

Table 16: Impact Fees by Unit Type

	2024	2025	2026	2027	2028	2029	2030	2031	Total
School	$635,497	$0	$0	$0	$0	$0	$0	$0	$635,497
35' SFD	$71,772	$0	$132,777	$61,006	$0	$0	$0	$0	$265,555
40' SFD	$154,309	$0	$86,126	$75,360	$208,138	$0	$143,543	$0	$667,476
50' SFD	$165,535	$0	$0	$0	$0	$0	$0	$0	$165,535
60' SFD	$0	$0	$0	$0	$0	$80,843	$0	$50,045	$130,888
TH	$653,121	$0	$0	$0	$143,543	$0	$0	$0	$796,664
MF	$0	$870,545	$0	$704,455	$0	$171,818	$0	$0	$1,746,818
Total Impact Fees	**$1,680,233**	**$ 870,545**	**$ 218,903**	**$ 840,821**	**$ 351,681**	**$ 252,661**	**$ 143,543**	**$ 50,045**	**$4,408,433**

Projected Costs to the City to Provide Utility and Other Municipal Services

To determine the projected costs for the city to provide utility and other municipal services to Tierra Contenta Phase 3A, the adopted city budget for FY 2021/22 was analyzed and the current average annual cost per capita to provide Fire, Police, Utilities, and Public Works to city residents was calculated. (See Table 17.)

Table 17: Costs Per Capita to Provide Utility and Other Municipal Services to City of Santa Fe Residents*

Department	FY 2021/22 Total City Adopted Budget	Annual Cost Per Capita to Serve City**
Fire	$ 25,863,403	$ 305
Police	$ 27,871,103	$ 329
Utilities	$ 64,697,137	$ 764
Public Works***	$ 37,277,974	$ 440
Total	**$ 155,709,617**	**$ 1,839** ****

*Based on 2019 City of Santa Fe estimated population of 84,683 (U.S. Census Bureau).

**E.g., the city will spend $305 per per resident on Fire services and $329 on Police services in FY 2021/22, etc.

***Includes costs for Public Works Administration, Engineering Division, Facilities Maintenance, Parks Division, Streets Maintenance, and Transit; excludes Airport Division, Midtown Campus, Municipal Recreation Complex, and Parking Division.

****Numbers may not total due to rounding.

The per capita costs were then multiplied by the anticipated annual population of Tierra Contenta Phase 3A as it comes online and finally reaches a projected population of 4,500 residents (based on the current average household size for Tierra Contenta of three (3) people per household and 1,500 units upon build out). The total cost to provide utility and other services during the eight-year buildout period is projected to be $49,226,620 and the average annual costs to the city thereafter are projected to be $8,274,309. (See Table 18.)

Table 18: Projected Annual Costs to Provide Utility and Other Municipal Services to Tierra Contenta Phase 3A*

	2024	2025	2026	2027	2028	2029	2030	2031	2032	Annual Costs Thereafter
Units Occupied	88	443	739	868	1,150	1,290	1,390	1,456	1,500	1,500
Phase 3A Population*	264	1,329	2,217	2,604	3,450	3,870	4,170	4,368	4,500	4,500
Fire Service Cost	$ 80,629	$ 405,896	$ 677,104	$ 795,299	$ 1,053,679	$ 1,181,954	$ 1,273,578	$ 1,334,050	$ 1,374,365	1,374,365
Police Service Cost	$ 86,888	$ 437,404	$ 729,665	$ 857,036	$ 1,135,474	$ 1,273,705	$ 1,372,442	$ 1,437,608	$ 1,481,052	1,481,052
Utilities Service Cost	$ 201,694	$ 1,015,345	$ 1,693,770	$ 1,989,435	$ 2,635,773	$ 2,956,649	$ 3,185,847	$ 3,337,117	$ 3,437,964	3,437,964
Public Works Service Cost	$ 116,214	$ 585,034	$ 975,937	$ 1,146,297	$ 1,518,711	$ 1,703,598	$ 1,835,659	$ 1,922,820	$ 1,980,927	1,980,927
Total Cost	**$ 485,426**	**$ 2,443,679**	**$ 4,076,476**	**$ 4,788,067**	**$ 6,343,637**	**$ 7,115,905**	**$ 7,667,526**	**$ 8,031,596**	**$ 8,274,309**	**$ 8,274,309** **

*Based on estimated Tierra Contenta Phase 3A average household size of three (3) people per household (the current average for Tierra Contenta).

** Numbers may not total due to rounding.

The costs presented above will be offset through the generation of gross receipts and property taxes, impact fees, development fees, and utility and other payments made by residents of Tierra Contenta Phase 3A as it comes online. Further, the following required development infrastructure costs will be borne by the Tierra Contenta Corporation: public works (including utility extension costs), environmentally sensitive areas, storm water management systems, trails, parks, open spaces, scenic vista sites, and historic or cultural and archaeological artifacts and sites.

Finally, there has been discussion around both a note and a bond from the City of Santa Fe that could be used as funding sources for Phase 3A. The bond and note were excluded from this analysis due to insufficient data and the fact that neither are guaranteed to occur.

20. PUBLIC HEARINGS

e. CONSIDERATION OF RESOLUTION 2021-____.

A Resolution Amending the Master Plan for Tierra Contenta to Include Modifications to Infras Parks, Trails, Land Uses, and Density for Phase 3A, Which Consists of Parcels Known as Tract 7A as Shown in Book 396, Page 014; Lot 8 as Shown in Book 396, Page 11; Tract 9 as Shown in Book 231, Page 46; and Tract 8A3-7C as Shown in Book 738, Page 15, Within Section 13 and Pacheco Grant, Projected Section 11, T16N, R8E, N.M.P.M., Comprising an Area of Approximately 216.52 Acres, Located Southwest of Capital High School (Case No. 21-3818, Tierra Contenta Master Plan Amendment #1 for Phase 3A).

Case #2021-3818. **Tierra Contenta Master Plan Amendment #1 for Phase 3A**. JenkinsGavin, Inc., Agent, for Tierra Contenta Corporation, Owner, Requests Master Plan Amendment for Phase 3A. The Amendment, which Includes Modifications to Infrastructure, Parks, Trails, Land Uses, and Density. The Property is an Undeveloped Tract of Land Located Southwest of Capital High School, Containing Approximately 216.52 Acres, and is Zoned PRC (Planned Residential Community). (Dan Esquibel, Case Manager: daesquibel@santafenm.gov, 955-6587)

Name: Stefanie Beninato

Comment - 10/27/2021 11:17 AM: (Against)

I do not trust anything that Jenkins/Gavin say after their presentation on the Zia Station Development and the Railyard Flats… In the latter, there was no roof top deck which would have broken up the mass and the elevation on the Westside was raised over 3 ft

Ms Jenkins belief about developer's budgets is a big red flag per Zia Station instead of hard financial facts and her talk of connectivity given that the Zia Station serves commuters between ABQ and Santa Fe and has no local bus stop is a complete joke…. So much else of her presentation, traffic problems etc at that development were not trustworthy.

So why should this development be any more transparent and anything other than based on the bottom line? Does the city get to approve the developers picked by the master developer or only the actual building plan the secondary developer submits (if the use is allowed)?