



# City of Santa Fe, New Mexico

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August 16, 2022  
Maggie Moore, Planning Manager  
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City of Santa Fe  
200 Lincoln Avenue  
Santa FE, NM 87501

**RE: Midtown Master Plan, General Plan Amendment, Rezone and Midtown LINC Overlay Text Amendment Applications, General Plan Amendment and Rezoning for Parcels Adjacent to the Midtown Site Applications**

Dear Maggie:

This letter is respectfully submitted on behalf of the City of Santa Fe in application for approval of the Midtown Redevelopment Plan for consideration of the Planning Commission at public hearing on October 6, 2022. The subject properties total 64 acres and are located at the former Santa Fe College of Art and Design. This submittal is comprised of the following requests:

1. General Plan Amendment from Institutional to Transitional Mixed-Use (for 64-acre Midtown site)
2. Master Plan Approval (for 64-acre Midtown site)
3. Rezone from R-5 Residential to C-2 PUD (Planned Unit Development) (for 64-acre Midtown Site)
4. Text Amendment to the Midtown Local Innovation Corridor (Midtown LINC) Overlay District
5. General Plan Amendment from Institutional to Transitional Mixed-Use (for 24-acre adjacent parcels)
6. Rezone from R-5 Residential to C-2 (General Commercial) (for 24-acre adjacent parcels)

## Background

Midtown Site comprises the former Santa Fe University of Art and Design campus and some adjacent city-owned properties. The Site is at 1600 St. Michael's Drive, within the block defined Cerrillos Road, St. Michael's Drive, Llano Street, Siringo Road, and Camino Carlos Rey. Before 2018, Midtown served as an institutional anchor for Santa Fe, accommodating Santa Fe University of Art and Design that operated in the Site, and the Christian Brothers College before that.

Following the closure of the Santa Fe University of Art and Design in 2018, the City of Santa Fe passed Resolution 2018-54 to initiate the Midtown redevelopment process. In the initial concept phase, the community engagement process informed programming, planning, and development approaches for the future reuse of the Site. The community engagement process led to the approval of the Planning Guidelines for the City's Midtown Property in the summer of 2018.

Following an unsuccessful effort to secure a master developer for the entire site, the Governing Body directed City staff through Resolution 2022-12 to pursue a General Plan amendment, Rezoning, and Master Plan for the property. The application before you now is the result of this process.

### **Midtown Redevelopment Plans Summary**

The Midtown Redevelopment Plans are the culmination of a four-year planning (from 2018 to 2022) effort led by City staff and an interdisciplinary consultant team, and involving community members and stakeholders to develop a vision for the Midtown Site. That vision provides a roadmap to achieve community goals for Midtown, such as increasing housing options and equity, improving walkability and transportation choices and advancing resiliency to climate change. The Master Plan will allow Midtown to grow and evolve following the community's shared vision, guided by green infrastructure, stormwater management, and improved connectivity at every stage. The Midtown vision is implemented by policies and standards to help prioritize investment and regulate private development to achieve an efficient design.

The City has worked with Community Stakeholders and a Consultant Team to create two complementary plans that will be adopted as the Midtown Redevelopment Plans:

- Land Development Plan: lays out land uses and an infrastructure framework to enable development and future investment. The Development Plan will guide the type of development the community wants, and will include connectivity, open space, stormwater and design guidelines.
- Community Development Plan: identifies community benefit expectations that will be delivered as development occurs. It will be a policy-driven document to address housing choice and affordability concerns, jobs and training options, access to employment, community arts and cultural heritage recognition.

### **General Plan Amendment – Institutional to Transitional Mixed-Use – Midtown Site**

The Governing Body created the Transitional Mixed-Use Future Land Use Designation through adoption of Resolution #2001-82. The intent of the designation was to “allow for a mixing of uses within the same development site which would include ... residential and limited non-residential uses where there is a strong emphasis on site design that is sensitive to compatibility of building scales and massing, land use intensities and pedestrian orientation. (Other uses include) Office, civic and religious uses, live/work units, educational uses and appropriately scaled retail/services that are intended to primarily serve the residential uses. Both restrictive and permissive language may be used in a zoning ordinance to create a viable mix of uses.”

The General Plan amendment approval criteria in SFCC Section 14-3.2(E)(1) are addressed below:

(1) Criteria for All Amendments to the General Plan

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;

The Midtown Master Plan, as a qualifying LEED Compact and Complete Center (CCC), includes extensive growth in economic development and job creation with proximity between jobs, housing, and multimodal transportation. Midtown is located within an area of the city in need of redevelopment and qualifies for programs (Opportunity Zones) that assist cities in incentivizing and leveraging investment redevelopment areas with outdated infrastructure, underutilized land, and where cities seek to promote affordable housing, job growth, and compact, mixed-use development.

- (b) consistency with other parts of the general plan;

The General Plan serves as the blueprint for the community's future growth and development and includes actions and implementing policies. The General Plan addresses the following themes In the Land Use Chapter: Affordable Housing, Quality of Life, Transportation Alternatives, Economic Diversity, Sustainable Growth, Character, Urban Form, Community-Oriented Downtown, Community-Oriented Development, and Mixed-Use.

The proposed Transitional Mixed-Use future land use designation is consistent with the following Guiding Policies of the General Plan:

- Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
- Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area
- Guiding Policy 4-1-G-2: Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian scale development, reduce auto dependence, and provide central transit nodes
- Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses.

- Guiding Policy 5-1-G-3: Increase the connectivity between neighborhoods and individual developments
- Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers
- Guiding Policy 6-1-G-3: Provide for a closely spaced network of narrower streets as opposed to fewer wider streets
- Guiding Policy 6-1-G-5: Ensure that new development is more "connected" to its surroundings with an increased number of access points and pedestrian and bicycle connections to a neighborhood network

(c) the amendment does not:

- (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

The area around the subject property includes low to high density residential, commercial, institutional, and parks/open space land uses. The property is well buffered from residential uses and is not immediately adjacent to any residential development. Some existing land uses on the property will not only remain but are encouraged to expand. All proposed land uses are consistent with existing and past uses on the property. Residential land use is the only use to be expanded under the proposed future land use designation, and residential land use is consistent with Transitional Mixed-Use.

- (ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

The proposed development is approximately 64.0 acres, well over the two-acre minimum required for a General Plan Amendment.

- (iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

The City is the majority landowner of the campus currently. Over time, much of the land will transfer to private developers, who will develop the property in accordance with public input gained over the last several years and expressed in the Community Development Plan and Land Development Plan. As mentioned before, the project is well buffered from adjacent residential landowners, and is intended to create synergy with surrounding commercial property owners. Commercial land uses proposed with the requested C-2 PUD zoning are complimentary to surrounding land uses.

- (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;

As articulated in (c)(i-iii) above, the proposed General Plan Amendment promotes the general welfare.

- (e) compliance with extraterritorial zoning ordinances and extraterritorial plans;

N/A

- (f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

Efficiency and economy of development is promoted through developing a major infill site in the geographic center of the city. The subject property is served by existing utility infrastructure which can be rehabilitated, and additional utility infrastructure will be added. It is adjacent to major roads, and numerous roadway and bike/pedestrian improvements are proposed to connect the site to surrounding roadway and transit infrastructure. All roads within the project are intended to be multi-modal to encourage bike and pedestrian travel and promote health. New residents and will have basic services within convenient walking distance to their homes and surrounding existing residents will have access to new community amenities that currently do not exist at the site

- (g) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

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

Sustainable Santa Fe 25-Year Plan: This project supports the “triple bottom line” theme that recognizes the interdependence of environmental, economic and social factors that contribute to community sustainability, by placing workforce housing in the geographic center of the City, creating multi-modal connections to existing roadways and public trails, and by providing community services and amenities in the center of the City. The project aligns with the following strategies in the Plan:

- Community Development Strategy 6: Increase availability of affordable and workforce housing
- Built Environment Strategy 7: Pilot and incentivize sustainable development practices ... that result in higher residential densities, support a mix of uses and mixed incomes, ... and are located along major transportation corridors and development nodes
- Transportation Strategy 2: Promote healthy and active transportation modes of transportation, such as walking and bicycling
- Quality of Life and Social Equity Strategy / Affordable Housing Plan Goal: Focus resources, policy, land use and programming on ensuring that all of Santa Fe’s

residents, including its low-wage workers, elderly and disabled live in the high quality, energy-efficient housing located in high opportunity neighborhoods

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

### **Master Plan Adoption – Land Development Plan – Midtown Site**

The Land Development Plan was informed by, and created to, implement the shared vision that was included in the Midtown Planning Guidelines adopted by resolution by the Governing Body and through public planning sessions and community engagement events in 2021 and 2022. The Land Development Plan will serve as a Master Plan for the Midtown site and will provide the land use and development standards for the C-2 PUD rezoning. It includes plans to regulate land uses, zoning, and development plans, including urban design guidelines and requirements, density patterns, infrastructure and circulation, open space, encourage green building and site resiliency, and zoning for housing affordability and other public policy benefits.

The Master Plan approval criteria in SFCC Section 14-3.9(D)(1) are addressed below:

- (a) the master plan is consistent with the general plan;

The General Plan serves as the blueprint for the community's future growth and development and includes actions and implementing policies. The General Plan addresses the following themes in the Land Use Chapter: Affordable Housing, Quality of Life, Transportation Alternatives, Economic Diversity, Sustainable Growth, Character, Urban Form, Community-Oriented Downtown, Community-Oriented Development, and Mixed-Use.

The proposed Midtown Land Development Plan incorporates all the following Guiding Policies of the General Plan:

- Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
- Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing, and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area.
- Guiding Policy 4-1-G-2: Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian-scale development, reduce auto dependence, and provide central transit nodes.
- Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses.

- Guiding Policy 5-1-G-3: Increase the connectivity between neighborhoods and individual developments.
- Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers.
- Guiding Policy 6-1-G-3: Provide for a closely spaced network of narrower streets as opposed to fewer wider streets.
- Guiding Policy 6-1-G-5: Ensure that new development is more "connected" to its surroundings with an increased number of access points and pedestrian and bicycle connections to a neighborhood network.

- (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 requested C-2 PUD zoning will adopt specific land uses for the Project site as specified in the Land Development Plan, as well as form-based development standards based on building and street type. These standards are consistent with the overlying Midtown LINC Overlay District and are not significantly different from or inconsistent with the prevailing use and character of the Cerrillos Road and St. Michaels Drive area.

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

Public outreach performed over the last several years has led to the development goals expressed in the Community Development Plan and proposed land uses in the Land Development Plan. The project will contribute to the coordinated and efficient development of the community by providing land uses and community amenities that the public said they wanted at the site. As mentioned before, the project is well buffered from adjacent residential areas, and is intended to create synergy with surrounding commercial property owners and is not intended to have commercial uses that will draw business away from existing commercial surrounding the site.

In terms of physical development, the Midtown site has access to existing roadways and public water and sewer infrastructure. Some existing infrastructure at the site will need to be repaired or replaced. The City will provide backbone/trunkline infrastructure to encourage development. Individual developers will either be required to either provide infrastructure as required by Chapter 14, or tie into existing or City provided infrastructure.

- (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.

As an infill site adjacent to major roads, the subject property is served by existing utility infrastructure, some of which can be rehabilitated. Additional City utility infrastructure will be added to encourage development. Numerous roadway improvements will be made to connect the site to surrounding roadway and transit infrastructure. The proposal will promote health by

constructing major bike and pedestrian trails. All roads within the project are intended to be multi-modal to encourage bike and pedestrian travel. New residents and will have basic services within convenient walking distance to their homes and surrounding existing residents will have community amenities that currently do not exist. Open space is provided within the site.

**Rezoning – R-5 Residential to C-2 PUD – Midtown Site**

Per Chapter 14-5.7(A)(1), the PUD Planned Unit Development District “is intended to allow the creation of planned districts, each conceived as a unit of cohesive development and integrated uses in either a single development operation or a planned series of development operations that may take place over a period of several years. It is also intended to allow and encourage innovative site planning and design to ensure that each planned unit development compatibly integrates with development on adjoining properties and creates an attractive, healthful, sustainable and stable environment for living and working that is superior to the development attainable under existing zoning regulations”.

The Rezoning approval criteria in SFCC Section 14-3.5(C)(1) are addressed below:

(1) The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(a) one or more of the following conditions exist:

(i) there was a mistake in the original zoning;

The existing zoning is R-5 Residential (5 dwelling units/acre). This is not appropriate for the existing land uses on these parcels. Currently, all land uses on these parcels are non-conforming.

(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

The project site is currently zoned for residential use. The City is experiencing extreme growth pressure in all parts of the City, especially on the south side. Much new development is occurring on corridors that are heavily car dependent. The project site is located in the geographical center of the City and bordered on two sides by existing commercial corridors. The proposed zoning will bring zoning conformity to both existing land uses as well as conformity to the surrounding commercial areas. Community input and Governing Body direction have determined that the area should be developed as a mixed-use district.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;



As stated above, the proposed zoning meets General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use:

- Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
- Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area.
- Implementing Policy 3-I-6: Require the inclusion of employment and neighborhood centers in future development/planning areas.
- Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses.
- Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers.
- Guiding Policy 5-3-G-2: Encourage professional and administrative offices to locate in and near neighborhood centers.

Furthermore, the Governing Body has directed that the site should be developed as a mixed-use district through Resolutions 2018-54 and 2022-12.

- (b) all the rezoning requirements of Chapter 14 have been met;

The Applicant has met the Chapter 14 procedural requirements for rezoning, including holding an Early Neighborhood Notification Meeting, posting and mailing of notification requirements, and submitting required application submittals including a Traffic Management Plan. The Applicant is not requesting any variances.

- (c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

See (1)(a)(iii) above. With respect to the Future Land Use Map, while surrounding properties are not designated Transitional Mixed use, there is an obvious mix of land uses surrounding the site. The requested General Plan amendment to Transitional Mixed-Use supports the requested C-2 PUD zoning and current and proposed land uses.

- (d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and

General Plan Figure 4-4, Urban Sub-Areas, designates the subject properties and surrounding area as an “Infill Area.” General Plan Section 4.1 states, “In both ‘infill’ and ‘future growth’ areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows” to help “create efficient use of already existing roads and

utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand...”. At 64 acres, the project site has the potential to provide significant housing and neighborhood scale community services, at a location served by existing infrastructure, transit, and pedestrian trails.

- (e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

Infrastructure and traffic analysis performed by Wilson & Company has indicated that existing utility infrastructure can accommodate the proposed development or be modified to accommodate the proposed development. The Applicant met with various City departments to discuss the impact to public facilities, and it was determined that the proposed development could be accommodated.

- (2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

- (a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

Because the proposal is consistent with applicable General Plan policies as articulated in in (1)(a)(iii) above, the Planning Commission and Governing Body can approve this rezoning. The proposed uses under the PUD zoning are not significantly different from or inconsistent with the prevailing use and character in the area, and are, in fact, complimentary to and supportive of surrounding character and uses.

- (b) affect an area of less than two acres, unless adjusting boundaries between districts; or

The proposed development is approximately 64.0 acres, well over the two-acre minimum required for a rezoning.

- (c) benefit one or a few landowners at the expense of the surrounding landowners or general public.

The City is the majority landowner of the project site. Over time the City will transfer land to private developers, who will develop the property in accordance with public input gained through the public outreach performed over the last several years and expressed in the Community Development Plan. Thus, the project will benefit the general public by specifically providing community-desired land uses. As mentioned before, the project is well buffered from adjacent residential landowners, and is intended to create synergy with surrounding commercial property owners and is not intended to have commercial uses that will draw business away from them.

The Additional Applicant Requirements in SFCC Section 14-3.5(D) are addressed below:

- (a) If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;

The subject site has access to existing public water and sewer infrastructure. Some existing infrastructure at the site will need to be repaired or replaced. The City will provide backbone/trunkline infrastructure to encourage development. Individual developers will either be required to either provide infrastructure as required by Chapter 14, or tie into existing or City provided infrastructure.

A water and sewer infrastructure assessment was performed by Wilson & Company. The study found that existing water infrastructure at the site could accommodate proposed development, but that some water lines would need to be relocated per the new road plan. Sewer infrastructure could be modified to handle the proposed development. The City will need to plan for this infrastructure funding as the site develops.

- (b) If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.

The subject site has access to existing roadways. Some existing roadway infrastructure at the site will need to be repaired or replaced. A traffic master plan was created by Wilson & Company to assess the impact of the additional traffic anticipated to be generated by the proposed development, as well as to analyze numerous new road and bicycle/pedestrian connections to surrounding roads. The study found that proposed development at the site could be accommodated by the existing two road connections at St. Michael's and Siringo, and suggested traffic signal/intersection improvements at St. Michaels Drive and Alumni Drive (main entrance) and that additional proposed road connections included in the Land Development Plan be pursued.

**Text Amendment – Midtown LINC Overlay District – Midtown Site**

The Midtown site is included in the Midtown LINC Overlay District, adopted by the Governing Body by Ordinance #2016-39. The Midtown LINC is intended to “strengthen and animate the built environment and the business and population links within the demographic and geographic center of the city; incentivize multi-family residential development, complementary non-residential uses, and an enlivened, street-oriented pedestrian environment; allow for innovative development and redevelopment of the district; (and to) promote a more healthy, safe, and enjoyable environment within the city's midtown area through the enhancement of pedestrian and bicycle accessibility and safety’.

While the proposed Land Development Plan for Midtown is consistent with standards of the Midtown LINC, it provides more stringent design and development standards, creates “subzones” restricting certain uses to specific areas of the Midtown site, and provides new street and pedestrian standards.

The intent of the text amendment to the LINC Overlay is to recognize the unique standards contained in the Land Development Plan, which provides the PUD element of the C-2 PUD zoning.

Per Chapter 14-3.3(2), “The land use director shall review the proposed text amendment and make a recommendation as to its conformance to the review criteria (in 14-3.3(B)). The land use director may suggest changes to the amendment to better conform to the review criteria or current policy and procedure. The Planning Commission will make a recommendation to the Governing Body, who will decide whether to adopt the text amendment.

The Text Amendment approval criteria in SFCC Section 14-3.3(B) are addressed below:

(1) Compliance with the law;

Chapter 14 governs land uses and development standards for the City of Santa Fe. Chapter 14-3.3 provides a provision for text amendments. Per SFCC Table 14-2.1-1, the Planning Commission has the authority to recommend text amendments to Chapter 14, and the Governing Body has the authority to approve them. The proposed text amendment would not create any inconsistencies within Chapter 14.

(2) Consistency with the general plan;

Text amendments to chapter 14 satisfy the following general plan policies:

- Guiding Policy 3-G-1: There shall be consistency between the General Plan and the city’s land use development laws.
- Guiding Policy 10-1-G-1: Ensure consistency between the General Plan and the city’s land development laws.
- Implementation Policy 10-1-I-5: Review and update the internal consistency of all new and existing rules and regulations, and ordinances.

(3) Consistency with other policies adopted by the governing body;

The primary land use policy that the amendment requires consistency with is the Midtown LINC Overlay. As noted above, the proposed standards for the Midtown site expressed in the Land Development Plan are consistent with standards of the Midtown LINC, and provide more stringent design and development standards, create “subzones” restricting certain uses to specific areas of the Midtown site, and provide new street and pedestrian standards.

(4) Consistency with the purpose and intent of Chapter 14 and of the section being amended;

The proposed standards for the Midtown site expressed in the Land Development Plan are consistent with standards of the Midtown LINC, and provide more stringent design and development standards, create “subzones” restricting certain uses to specific areas of the Midtown site, and provide new street and pedestrian standards. The proposed text amendment would codify this consistency with the LINC and acknowledge the standards for the Midtown site.

- (5) Consideration of how the amendment relates to other provisions of the Santa Fe City Code and the avoidance of unintended consequences; and

The text amendment is specific to the Midtown site and is intended to codify that the unique redevelopment opportunity of Midtown is deserving of additional standards. As this only applies to the Midtown site, it won't affect standards of development anywhere else in City.

- (6) Consistency with any approved neighborhood conservation overlay districts.

N/A

### **General Plan Amendment – Institutional to Transitional Mixed-Use – Adjacent Parcels**

The Applicant is seeking a General Plan amendment for several City-owned parcels, as well as several State-owned parcels adjacent to the Midtown site to provide for future expansion of the Midtown district and to create consistency in Future Land Use Designation for these parcels and the Midtown site. The Governing Body created the Transitional Mixed-Use Future Land Use Designation through adoption of Resolution #2001-82. The intent of the designation was to “allow for a mixing of uses within the same development site which would include ... residential and limited non-residential uses where there is a strong emphasis on site design that is sensitive to compatibility of building scales and massing, land use intensities and pedestrian orientation.”

The General Plan amendment approval criteria in SFCC Section 14-3.2(E)(1) are addressed below:

- (1) Criteria for All Amendments to the General Plan

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;

Redevelopment of the Midtown site is intended to expand on the existing film industry and provide for community services, office space to meet film and other needs, and provide commercial development that will serve new residents at Midtown and beyond. Expanding the General Plan Future Land Use designation and rezoning the properties adjacent to the Midtown site will help enable economic development goals over time.

- (b) consistency with other parts of the general plan;

The General Plan serves as the blueprint for the community's future growth and development and includes actions and implementing policies.

The proposed Transitional Mixed-Use future land use designation is consistent with the following Guiding Policies of the General Plan:

- Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
- Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area
- Guiding Policy 4-1-G-2: Concentrate population at greater densities in developing areas with centrally located neighborhood centers to encourage pedestrian scale development, reduce auto dependence, and provide central transit nodes
- Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses.
- Guiding Policy 5-1-G-3: Increase the connectivity between neighborhoods and individual developments
- Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers
- Guiding Policy 6-1-G-3: Provide for a closely spaced network of narrower streets as opposed to fewer wider streets
- Guiding Policy 6-1-G-5: Ensure that new development is more "connected" to its surroundings with an increased number of access points and pedestrian and bicycle connections to a neighborhood network

(c) the amendment does not:

- (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or

The area around the subject property includes low to high density residential, commercial, institutional, and parks/open space land uses. The properties are well buffered from residential uses and is not immediately adjacent to any residential development. There are no immediate redevelopment plans for these adjacent parcels.

- (ii) affect an area of less than two acres, except when adjusting boundaries between districts; or

The adjacent parcels total approximately 24 acres, well over the two-acre minimum required for a General Plan Amendment.

- (iii) benefit one or a few landowners at the expense of the surrounding landowners or the general public;

The State and the City are owners of the adjacent parcels proposed for rezoning. The City is negotiating land swaps to become owner of all adjacent properties, with the intent to expand the Midtown district for the public benefit in the future. The rezoning will benefit the general public by adopting zoning that will allow for future redevelopment. The adjacent parcels are well buffered from adjacent residential landowners and are consistent in land uses with surrounding commercial property owners.

- (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;

As articulated in (1)(c)(iii) above, the proposed General Plan Amendment promotes the general welfare and is justified to create consistency between zoning and current land uses.

- (e) compliance with extraterritorial zoning ordinances and extraterritorial plans;

N/A

- (f) contribution to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs best promotes health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

Redevelopment of the Midtown site will provide for the health, safety, morals, order, convenience, prosperity, and the general welfare of the people of Santa Fe. Rezoning these adjacent parcels will bring current land uses in conformance with zoning and allow for the expansion of the Midtown district in the future.

- (g) consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.

Current land uses on these adjacent parcels are non-conforming with the existing R-5 Residential zoning. Rezoning these adjacent parcels to C-2 General Commercial will satisfy 14-4.1(B) by making the zoning “in conformance with the regulations specified in Chapter 14 for the district in which it is located”.

### **Rezone – R-5 Residential to C-2 General Commercial – Adjacent Parcels**

The Applicant is seeking a C-2 General Commercial rezoning for several City-owned parcels, as well as several State-owned parcels adjacent to the Midtown site to bring consistency between zoning and existing non-conforming land uses, as well as to provide for future expansion of the Midtown district. Per Chapter 14-4.3(B), the C-2 General Commercial District “includes areas along streets carrying large volumes of traffic where commercial uses are appropriate” and provides a wide variety of permitted

commercial uses. In this case, these adjacent parcels will also be subject to the use restrictions and design criteria of the existing Midtown LINC Overlay District.

The Rezoning approval criteria in SFCC Section 14-3.5(C)(1) are addressed below:

(1) The planning commission and the governing body shall review all rezoning proposals on the basis of the criteria provided in this section, and the reviewing entities must make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any rezoning:

(f) one or more of the following conditions exist:

(i) there was a mistake in the original zoning;

The existing zoning is R-5 Residential (5 dwelling units/acre). This is not appropriate for the existing land uses on these parcels. Currently, all land uses on these parcels are non-conforming. The closest defined land use in Chapter 14 to describe existing land uses is “Business and professional offices excluding medical and dental and financial services”, which is not permitted under R-5 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

The proposed redevelopment of the Midtown site can enable the creation of a thriving mixed-use district extending from Cerrillos to Siringo Roads. The rezoning of these properties will enable future expansion of redevelopment in this district.

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

As stated above, the proposed zoning will enable achieving General Plan Themes and Policies, such as Affordable Housing, Transportation Alternatives, Economic Diversity, Urban Form/Higher Densities, Community Oriented Development, and Mixed Use:

- Guiding Policy 3-G-2: There shall be a mix of uses and housing types in all parts of the city.
- Guiding Policy 3-G-3: There shall be infill development at densities that support the construction of affordable housing, and a designated mix of land uses that provide an adequate balance of service retail and employment opportunities to address residential growth throughout the Urban Area.
- Implementing Policy 3-I-6: Require the inclusion of employment and neighborhood centers in future development/planning areas.
- Guiding Policy 5-1-G-2: Encourage new residential growth in the form of human-scale and vital neighborhoods that provide a mix of services and uses.
- Guiding Policy 5-2-G-4: Provide for uses to meet every day needs within neighborhoods in the form of pedestrian-oriented neighborhood centers.



- Guiding Policy 5-3-G-2: Encourage professional and administrative offices to locate in and near neighborhood centers.

(g) all the rezoning requirements of Chapter 14 have been met;

The Applicant has met the Chapter 14 procedural requirements for rezoning, including holding an Early Neighborhood Notification Meeting, posting and mailing of notification requirements, and submitting required application submittals including a Traffic Impact Analysis. The Applicant is not requesting any variances.

(h) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

See (1)(a)(iii) above. With respect to the Future Land Use Map, while surrounding properties are not Designated Transitional Mixed use, there is an obvious mix of uses surrounding the site. The requested General Plan amendment to Transitional Mixed-Use supports the requested C-2 General Commercial zoning.

(i) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city; and

General Plan Figure 4-4, Urban Sub-Areas, designates the subject properties and surrounding area as an “Infill Area.” General Plan Section 4.1 states, “In both ‘infill’ and ‘future growth’ areas, the city must encourage higher densities of residential and commercial development than existing zoning often allows” to help “create efficient use of already existing roads and utilities, help ensure cost-efficient public transit, and provide the type of housing that will be in demand...”. At over 24 acres, the adjacent parcels have the potential to provide redevelopment opportunities, at a location served by existing infrastructure, transit, and pedestrian trails.

(j) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

The subject site has access to existing roadways and public water and sewer infrastructure. The City is not currently proposing any changes in land use on the adjacent parcels that would require upgrading infrastructure.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

- (d) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

The proposed C-2 General Commercial zoning will create consistency between the zoning and the current land uses. Current land uses primarily consist of government office uses.

- (e) affect an area of less than two acres, unless adjusting boundaries between districts; or

The proposed rezoning is approximately 24 acres, well over the two-acre minimum required for a rezoning.

- (f) benefit one or a few landowners at the expense of the surrounding landowners or general public.

The State and the City are owners of the adjacent parcels proposed for rezoning. The City is negotiating land swaps to become owner of all adjacent properties, with the intent to expand the Midtown district for the public benefit in the future. The rezoning will benefit the general public by adopting zoning that will allow for future redevelopment. The adjacent parcels are well buffered from adjacent residential landowners and are consistent in land uses with surrounding commercial property owners.

The Additional Applicant Requirements in SFCC Section 14-3.5(D) are addressed below:

- (c) If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;

The subject site has access to existing roadways and public water and sewer infrastructure. The City is not currently proposing any changes in land use on the adjacent parcels that would require upgrading infrastructure.

- (d) If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.

The subject site has access to existing roadways and public water and sewer infrastructure. The City is not currently proposing any changes in land use on the adjacent parcels that would require upgrading infrastructure.

### **Affordable Housing**

The City is prioritizing four housing parcels for the development of 100% affordable homes. Homes developed on the 100% affordable housing parcels will focus on housing affordability for households

earning below 65% of AMI for rental homes and 80% to 100% for homeownership. This translates to rents that range from \$900 - \$1400/month and sales prices that range from \$188,000 - \$330,000 (approx.) As such, the following calculations are estimates only for purposes of land planning studies:

- Estimated TOTAL Midtown Homes: 1,100 units
- 4 Dedicated Parcels for 100% Affordable Housing Development:
  - Townhouse - Rental: 45 units
  - Townhouse – Ownership: 45 units
  - Townhouse – Land Trust/ Ownership: 45 units
  - Multi-Family – Rental: 60 units
  - TOTAL 100% Development Projects (estimated): 195 units
- Market Rate Home Production: 905 units, of which:
  - 135 are priced affordably according to the City’s inclusionary housing regulation (approximately 15%-18% of total)
  - 770 are priced at market rates

### **Utilities**

The subject site has access to existing public water and sewer infrastructure. Some existing infrastructure at the site will need to be repaired or replaced. The City will provide backbone/trunkline infrastructure to encourage development. Individual developers will either be required to either provide infrastructure as required by Chapter 14, or tie into existing or City provided infrastructure.

A water and sewer infrastructure assessment was performed by Wilson & Company. The study found that existing water infrastructure at the site could accommodate proposed development, but that some water lines would need to be relocated per the new road plan. Sewer infrastructure could be modified to handle the proposed development. The City will need to plan for this infrastructure funding as the site develops.

### **Access and Traffic**

The subject site has access to existing roadways. Some existing roadway infrastructure at the site will need to be repaired or replaced. A traffic master plan was created by Wilson & Company to assess the impact of the additional traffic anticipated to be generated by the proposed development, as well as to analyze numerous new road and bicycle/pedestrian connections to surrounding roads. The study found that proposed development at the site could be accommodated by the existing two road connections at St. Michael’s and Siringo, and suggested traffic signal/intersection improvements at St. Michaels Drive and Alumni Drive (main entrance) and that additional proposed road connections included in the Land Development Plan be pursued.

### **Open Space and Terrain Management**

The Land Development Plan includes 6.14 acres of public open spaces (Arroyo Park and Midtown Plaza) on a 64 acre parcel. In addition to these public spaces, and pursuant to the existing standards in the Midtown LINC, 25% of developed land must be set aside for open space. The Plan shows dedicated open spaces adjacent to pedestrian-scaled paseos and streets for several existing buildings that will be

rehabilitated and reused (Visual Arts Center, Library Complex, Performance Theater, St. Michael's Hall). The Plan includes a Center Plaza of 1.2 acres, which is similar in size to the historic Plaza in downtown Santa Fe. Additionally, the Arroyo Park along the eastern edge of the site will provide spaces for public art, native plants, wildlife habitat and outdoor recreation alongside a bike and pedestrian path that will extend from the site entrance on St. Michael's to the southern edge of the site near the entrance to Santa Fe High School.

The Development Standards in the Midtown Land Development Plan also provide for private open space. These private spaces are courtyards, balconies and patios that may be included with residential units, and do not take the place of community open spaces such as the central Midtown Plaza and Arroyo Park, or other open space required of all development within the Midtown LINC and as part of the Midtown Land Development Plan.

The Midtown Land Development Plan specifically does not add stormwater flow to the arroyo along the eastern edge of the Midtown Site. The engineering and planning team approached site planning using best practices in green infrastructure to manage stormwater and used "Low Impact Design" stormwater features to treat and infiltrate stormwater on site and minimize the amount of stormwater that leaves the site.

### **Historic and Archaeological Resources**

The Midtown site is not within a historic district. Throughout the public engagement process, however, an interest in the preservation of certain buildings has been expressed, as well as a desire to catalogue buildings and to honor the historic use of the site as a college campus. Though not required by Chapter 14, the City is initiating a Request for Proposal (RFP) process to have buildings at the site catalogued for architectural and historic value. As this is not a requirement of Chapter 14, the approval of the various Midtown applications is not dependent on the outcome of this historic inventory. However, results from the historic inventory will inform future RFPs for individual buildings that the public has expressed a desire to be restored and repurposed on the site.

The Midtown site is within the Suburban Archaeological Review District. Per requirements of Chapter 14-3.3, the City is initiating a Request for Proposal (RFP) process for archaeological assessment of the site for the purposes of archaeological clearance by the Archaeological Review Committee. As 14-3.3 provides guidance for the treatment of any archaeological resources found at the site, the Planning Commission can recommend approval of the Midtown applications, and the Governing Body can approve the Midtown applications, conditioned on archaeological clearance being granted by the Archaeological Review Committee.

### **Early Neighborhood Notification and Outreach**

An Early Neighborhood Notification meeting was held via Zoom on July 14, 2022. It was attended by approximately 100 people. A presentation was given that explained the history behind this City effort, the various components of the application, and the process moving forward. Questions were answered at the ENN and those that were not answered were collected, answered, and posted to the [www.midtowndistrictsantafe.com](http://www.midtowndistrictsantafe.com) and [www.midtowndistrictsantafe.org](http://www.midtowndistrictsantafe.org) websites. As of the time of this application report, we are still working with community partners to do additional public education on the

Midtown Application Report

contents of the Community Development Plan and the Land Development Plan. All materials related to the applications have been posted to these websites as it has become available, and all application materials will be posted there after the application is submitted to the City.

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

1. Development Review Applications
2. Agent Authorization
3. Legal Lot of Record – Midtown Parcels
4. Legal Lot of Record – Adjacent Parcels
5. Midtown Resolutions
6. Utility Service Applications
7. Engineering Report – Wilson & Company
8. ENN Meeting Notes
9. Traffic Management Plan
10. Land Development Plan
11. Proposed Text Amendment to Midtown LINC

Please contact me with any questions or if you require any additional information.

Sincerely,

*Lee Logston*

Lee Logston, Midtown Asset Development Manager