



Agenda

DATE 4/28/14 TIME 11:10

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AMENDED

PLANNING COMMISSION
Thursday, May 5, 2016 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**

MINUTES: None

FINDINGS/CONCLUSIONS:

Case #2016-17. 195 Brownell Howland Road Escarpment Variance.

Case #2016-23. 701 Camino De La Familia Railyard Flats Master Plan Amendment.

Case #2016-25. 701 Camino De La Familia Railyard Flats Development Plan.

Case #2016-20. Spectrum Senior Housing at Las Soleras Development Plan.

- E. OLD BUSINESS**
- F. NEW BUSINESS**

1. **Case #2016-37. Santa Fe Place Mall Signage Variance and Plan.** JenkinsGavin Design and Development, agent for Santa Fe Mall Property Owner LLC, requests approval of a master signage plan for the Santa Fe Place Mall and variances to signage standards. The property, located at 4250 Cerrillos Road, is zoned SC-3 (Regional Shopping Center) and is within Zone Four of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager)
2. **Case #2016-38. 3760 Buffalo Grass Final Subdivision Plat.** Santa Fe Planning Group, Inc., agent for Buffalo Grass, LLC, requests final subdivision plat approval to divide approximately 1.19 acres, into five individual lots. Each proposed lot will be approximately 0.24 acres. The property is located at 3760 Buffalo Grass Road. The property is zoned Mixed Use (MU) and is located in the Airport Road Overlay zone. (Katherine Mortimer, Case Manager)

- G. STAFF COMMUNICATIONS**
- H. MATTERS FROM THE COMMISSION**
- I. ADJOURNMENT**

NOTES:

- 1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.
- 2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.
- 3) The agenda is subject to change at the discretion of the Planning Commission.
***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**



Agenda

DATE 4/18/16 TIME 3:30

SERVED BY [Signature]

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PLANNING COMMISSION
Thursday, May 5, 2016 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**

MINUTES: None

FINDINGS/CONCLUSIONS:

Case #2016-17. 195 Brownell Howland Road Escarpment Variance.

- E. OLD BUSINESS**
- F. NEW BUSINESS**

1. **Case #2016-37. Santa Fe Place Mall Signage Variance and Plan.** JenkinsGavin Design and Development, agent for Santa Fe Mall Property Owner LLC, requests approval of a master signage plan for the Santa Fe Place Mall and variances to signage standards. The property, located at 4250 Cerrillos Road, is zoned SC-3 (Regional Shopping Center) and is within Zone Four of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager)
2. **Case #2016-38. 3760 Buffalo Grass Final Subdivision Plat.** Santa Fe Planning Group, Inc., agent for Buffalo Grass, LLC, requests final subdivision plat approval to divide approximately 1.19 acres, into five individual lots. Each proposed lot will be approximately 0.24 acres. The property is located at 3760 Buffalo Grass Road. The property is zoned Mixed Use (MU) and is located in the Airport Road Overlay zone. (Katherine Mortimer, Case Manager)

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- H. MATTERS FROM THE COMMISSION**
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PLANNING COMMISSION
 May 5, 2016

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| B. Pledge of Allegiance | Recited | |
| C. Approval of Agenda | Approved as amended | 2 |
| D. Approval of Minutes & Findings and Conclusions | | |
| Minutes: | None | |
| Findings of Fact & Conclusions of Law | | |
| • <u>Case #2016-17</u> 195 Brownell Howland Road Escarpment Variance | Approved as amended | 2 |
| • <u>Case #2016-23</u> 701 Camino de la Familia Railyard Flats Master Plan Amendment | Approved as presented | 2 |
| • <u>Case #2016-25</u> 701 Camino de la Familia Railyard Flats Development Plan | Approved as presented | 2 |
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| 1. <u>Case #2016-37</u> Santa Fe Place Mall Signage Variance and Plan | Approved with conditions | 3-5 |
| 2. <u>Case #2016-38</u> . 3760 Buffalo Grass Final Subdivision Plat | Approved with conditions | 5-7 |
| G. Staff Communications | Discussion | 7 |
| H. Matters from the Commission | Discussion | 7-10 |
| I. Adjournment | Adjourned at 7:00 p.m. | 10 |

PLANNING COMMISSION
Thursday, May 5, 2016 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

CALL TO ORDER

A regular meeting of the City of Santa Fé Planning Commission was called to order by Commissioner Vince Kadlubek, Chair, on the above date at approximately 6:00 p.m. in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fé, New Mexico.

A. ROLL CALL

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

Members Present

Commissioner Vince Kadlubek, Chair
Commissioner Brian Patrick Gutierrez, Vice-Chair
Commissioner John B. Hiatt, Secretary
Commissioner Roman Abeyta
Commissioner Justin Greene
Commissioner Stephen Hochberg
Commissioner Mark Hogan
Commissioner Sarah Cottrell Propst

Members Absent

Commissioner Piper Kapin

OTHERS PRESENT:

Ms. Lisa Martinez, Land Use Department Director
Mr. Greg Smith, Planning Division Director and Staff Liaison
Mr. Dan Esquibel, Current Planning Division, Senior Planner
Ms. Katherine Mortimer, Current Planning Division, Senior Planner
Mr. Zach Shandler, Assistant City Attorney
Mr. Carl Boaz, 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

The Pledge of Allegiance was recited.

C. APPROVAL OF AGENDA

Commissioner Hiatt moved to approve the agenda as published. Commissioner Hochberg seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS OF FACT

1. MINUTES: None

2. FINDINGS OF FACT & CONCLUSIONS OF LAW

a. Case #2016-17. 195 Brownell Howland Road Escarpment Variance.

A copy of the Findings of Fact and Conclusions of Law for Case #2016-17 is attached to these minutes as Exhibit 1.

Commissioner Hiatt moved to approve the Findings of Fact and Conclusions of Law for Case #2016-17 as amended. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

b. Case #2016-23. 701 Camino de la Familia Railyard Flats Master Plan Amendment.

c. Case #2016-25. 701 Camino de la Familia Railyard Flats Development Plan

A copy of the Findings of Fact and Conclusions of Law for Case #2016-23 and Case #2016-25 is attached to these minutes as Exhibit 2.

Commissioner Hiatt moved to approve the Findings of Fact and Conclusions of Law for Case #2016-23 and Case #2016-25 as presented. Commissioner Propst seconded the motion and it passed by unanimous voice vote.

d. Case #2016-20. Spectrum Senior Housing at Las Soleras Development Plan.

A copy of the Findings of Fact and Conclusions of Law for Case #2016-20 is attached to these minutes as Exhibit 3.

Commissioner Hiatt moved to approve the Findings of Fact and Conclusions of Law for Case #2016-20 as presented. Commissioner Propst seconded the motion and it passed by unanimous voice vote.

D. OLD BUSINESS

There was no old business.

E. NEW BUSINESS

1. **Case #2016-37. Santa Fe Place Mall Signage Variance and Plan.** JenkinsGavin Design and Development, agent for Santa Fe Mall Property Owner LLC, requests approval of a master signage plan for the Santa Fe Place Mall and variances to signage standards. The property, located at 4250 Cerrillos Road, is zoned SC-3 (Regional Shopping Center) and is within Zone Four of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager)

Staff Report

Mr. Esquibel presented the Staff Report for Case #2016-37. A copy of the staff report is incorporated herewith to these minutes as Exhibit 4. Please refer to Exhibit 4 for details concerning this report.

Mr. Esquibel reminded the Commission that they approved the signage for World Market, Bed Bath and Beyond and for the Sports Authority recently. He clarified that Staff could not find how many of the signs got approved. However, not one sign at the mall meets the criteria for the current rules and regulations. The applicant argued that, as a regional facility, it should have signage more appropriate to allow for better economic development.

The Sign Ordinance says one sign is allowed to advertise the mall and one sign to advertise the businesses in between and that hasn't worked for the mall since it was built. So they are asking for a variance. On page 4 of his memo, it identifies some of the sign areas there. They are trying to regulate it so future signage can meet a better understanding of what the mall is looking for as a regional facility but not the extremes for variances in the future.

The off-site sign request has been withdrawn.

Staff recommended some conditions if the Commission approves the variance.

The applicant had a presentation but the equipment is not working properly. They have met all the variance criteria associated with Chapter 14.

Applicant's Presentation

Present and sworn was Ms. Jennifer Jenkins 130 Grant Avenue, Suite 101. She said they are

requesting a comprehensive signage plan to address the signage needs of the Santa Fe Place Mall. They have had a series of variances approved that are consistent with this one, including the Sports Authority in 2012 and last year for Bed, Bath, and World Market.

She said it is critical for the ongoing redevelopment of the Mall. It was built in 1984-85 and has not received the care and reinvestment such a facility requires. It changed ownership over the decades. Spinoso has now made a significant investment. The Mall is supposed to be the largest generator of GRT for the City. You can see the improvements happening and this is very exciting and positive for this community.

After the last variances were approved, City Staff asked her to bring in a signage plan so that it will not be done piecemeal. She thought that was great. To make it a success, they need to attract national tenants with consistency and uniformity. These older malls have had lifestyle center improvements where more stores have their own exterior entries, rather than interior access. Stores want a façade - a presence, an exterior façade and interior entry. So it brings more architecture.

The City ordinance doesn't address a mall of this size. She quoted the ordinance - that every store is allowed an 80 sq. ft. sign. It would look ridiculous, terrible. They need an appropriate signage proportionate to the scale. The pictures were taken hundreds of feet away and two stories below Rodeo Road and the pictures show it doesn't look out of scale.

Present and sworn was Mr. Lance Ferrell, 3161 Vista Sandia, Marketing Manager for Santa Fé Place. He read a statement that indicated the signage plan will enhance the mall and attract other national companies here. They appreciate the Commission's previous approvals of sign variances that have helped and future approvals will do the same.

Ms. Jenkins also noted the letter of support from Santa Fé Chamber, Simon Brackley. [A copy of the letter is attached to these minutes as Exhibit 5].

Public Hearing

There were no speakers from the public regarding this case and Chair Kadlubek closed the public hearing.

Commission Discussion

Commissioner Hogan asked Ms. Jenkins to identify the changes to the three pylon signs.

Ms. Jenkins said there are two on Rodeo Road and one on Cerrillos Road and they will get new skin but no changes structurally.

Commissioner Hogan asked if they were also making landscaping improvements.

Ms. Jenkins agreed. It is a condition of approval.

Commissioner Hochberg asked if they are coming together to reduce what they can.

Ms. Jenkins said no. They want the ability to have signs up to 100 square feet on the exterior but limited to certain stores that have an exterior door.

Commissioner Hochberg asked if they want it in the lease.

Ms. Jenkins said they want it in the plan. And future tenants would have to comply with the signage plan. So it creates the limitations. They won't allow exterior signs for stores without exterior access.

Commissioner Hochberg asked if there are some now that are grandfathered in.

Ms. Jenkins agreed. If a larger anchor goes away, like when Mervyns left, the Sports Authority took a portion of that space and is a junior anchor. A sign can be replaced in kind but not a bigger one. She said nobody is more invested in it than the owners. Anything they do requires a permit.

Commissioner Hochberg asked if it is just size and not uniformity in design.

Ms. Jenkins agreed.

Mr. Shandler asked about the pad sites.

Ms. Jenkins said they are not asking for an increase in sign size for pad sites. A couple of restaurants are coming in. Because of the grade change, the 80 sq. ft. size is okay but they are asking for an additional sign facing the road and one facing the mall.

Mr. Shandler said one of the requirements for the variance is a minimum amount. He could make the argument on recent variances for 169, 136, 158, 147, generally around 150 square feet. The Cost Plus variance is for 136. So he asked why they are not asking for a maximum of 136 for the plan.

Ms. Jenkins said they are just trying to strike a balance with an average number that is reasonable but not to push the envelope. There are currently signs there that are 330 square feet.

Mr. Shandler said 150 is the number in the code. It is not arbitrary.

Mr. Smith said for the record, that the pad sites are shown on sheets 3 and 4 in the submittals.

Commissioner Greene said he appreciates the refresh. In addition to the pads, there is a tree lot and a potential future pad.

Ms. Jenkins agreed - over on the northwest side.

Commissioner Greene asked whether that corridor for traffic would be taken out and if so, if traffic would be addressed to have more than just one lane.

Ms. Jenkins said there are no huge changes that will be made to the circulation. But they will make

modifications to everything to the right of Dillards. They are working with staff on the changes to circulation.

Commissioner Greene said at a previous meeting he had encouraged having outside areas for eating.

Ms. Jenkins said they are considering that on the south side. It always felt sleepy so we have some new tenants facing the south side.

Commissioner Greene asked if they have a sign for the transit center.

Ms. Jenkins said no, since it is supposedly moving to a new location. There will still be a bus stop but not a transit center.

Commissioner Gutierrez asked if they are in agreement with the conditions of approval.

Ms. Jenkins agreed.

Commissioner Gutierrez pointed out that the total is not to exceed 4,500. They now have about 2,600 now. So he asked if that is adequate.

Ms. Jenkins said they do estimate it will be adequate. The signs are for junior anchors up to 30,000 sq. ft. there is only so much space for more of them. And some may not want as much as 150.

Chair Kadlubek felt bad for Santa Fe Place that they have to come here for this. It is unfortunate the regulations have not been updated.

Action of the Commission

Commissioner Hiatt moved in Case #2016-37 at Santa Fe Place Mall, to approve the Signage Variance and Plan, subject to conditions of Staff. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

2. **Case #2016-38. 3760 Buffalo Grass Final Subdivision Plat.** Santa Fe Planning Group, Inc., agent for Buffalo Grass, LLC, requests final subdivision plat approval to divide approximately 1.19 acres, into five individual lots. Each proposed lot will be approximately 0.24 acres. The property is located at 3760 Buffalo Grass Road. The property is zoned Mixed Use (MU) and is located in the Airport Road Overlay zone. (Katherine Mortimer, Case Manager)

Ms. Mortimer presented the staff report for Case #2016-38. A copy of the staff report is incorporated herewith to these minutes as Exhibit 6. Please refer to Exhibit 6 for details concerning this report. She noted that the preliminary subdivision plat was approved by the Planning Commission on March 3, 2016.

Ms. Mortimer said the project is in substantial compliance with the approved preliminary plat with most of the conditions addressed. She recommended approval with the conditions in the report, which will be

addressed before the plat is recorded.

Applicant's Presentation

Present and sworn was Mr. Scott Hoeft, 109 St. Francis, who said they agree with all staff conditions and he stood for questions.

Public Hearing

There were no speakers from the public regarding this case and the public hearing was closed.

Commission Discussion

Commissioner Gutierrez referred to Finding of Fact #13 - The Commission finds under code 14-U-6 that due to lack of curb site parking, and that the lot sizes would limit the amount of off-street parking, the applicant shall provide a plan to address visitor parking at the final plat stage. He did not see that addressed anywhere in the packet.

Ms. Mortimer agreed. That condition did not get into the table. It was in the text so she didn't catch until late. She discussed with the applicant the options for that parking and they agree that parking will be provided and Staff will make sure it meets all fire access, parking standards. It will be provided before the plat is recorded.

Action of the Commission

Commissioner Hochberg moved in Case #2016-38 to approve the 3760 Buffalo Grass Final Subdivision Plat subject to the staff conditions for approval. Commissioner Hiatt seconded the motion and it passed by unanimous voice vote.

G. STAFF COMMUNICATIONS

Mr. Smith said, as discussed previously, there will be no second meeting in May but both June meeting dates will be held.

Ms. Martinez is following up on finding a date for the study session. Members should have received an email today for the tour at Rust Presbyterian Hospital and Pulte Homes, scheduled for next Friday. She asked the Commissioners to respond. The meeting starts at 9:00 a.m. at the hospital and the Pulte home tour will be after lunch.

H. MATTERS FROM THE COMMISSION

Commissioner Greene reported completion of the West River Corridor Plan draft which was presented to Long Range Planning Committee. It was viewed by the neighborhood and he hoped to distribute it to the Commissioners.

He requested of staff an update on the escarpment regulations.

Chair Kadlubek said regarding the West River draft, that the meeting with Long Range Planning was a pretty good meeting. There were a lot of items to pass on to Land Use. They are in email form. That was a significant meeting. It should have minutes. The plan is a hefty document. The group met 20 times once per week. It is one of the most significant things done. So we'd like to have study session without a public hearing to better understand the information and add some things for Long Range Planning from various staff members like Alexandra Ladd on Affordable Housing; traffic from John Romero on Agua Fria and Stan on sewer and water. This seems like a great neighborhood point of view and it needs to be fleshed out with other points of view.

Once we have study session date, we can open it up for what we want to see on the agenda. He will help craft that agenda and would also like a copy of the draft made available to Commission members. He believed the public hearing portion when the Commission recommends approval will be lively.

Commissioner Greene said their next meeting is the first Wednesday in June and plan to have a General Plan update but not comprehensive.

Ms. Martínez said that will be an important meeting to see what it looks like. One thing that came up in budget hearings, the Mayor recommended that we put together a comprehensive update of the General Plan. But there are no specifics or details yet.

Commissioner Hiatt said he read the Mayor's comments on the "Birdy" Fund and planned to use \$300,000 in excess fees from the Land Use Department. He asked if there are \$300,000 of excess fees in that fund.

Ms. Martínez said there is far more than \$300,000 or will be. It will be closer to about \$3 million. What we presented at budgeted hearing was all of current projects approved here and by Council moving forward in next fiscal year. Some will be in next fiscal year and some after that. Those are from building fees and impact fees. Putting those together will become a little more than \$3 million. So what was recommended was to take some of it for technology improvements; some for a thorough update of the General Plan. She is thinking the added workload will need additional staff. We are keeping fingers crossed on economic recovery here. That is the funding source he is looking at.

Commissioner Hiatt supported that and her budgetary priorities.

Ms. Martínez appreciated that. The City, as a whole, has a huge deficit that is being made up. There will be cuts in next fiscal year. Part of what Land Use needs is two positions that are being cut - an engineer for Terrain Management and a Senior Planner - a person who puts together our cases that the Commission hears at every meeting. The thinking behind that was that Long Range Planning combined

with Land Use would bring two planners but their role has been very different in the past. They will have to start doing case management. It could be a potential serious loss.

Commissioner Hiatt said, as General Counsel for Homebuilders, heard talk on the street is that you are short on planners.

Commissioner Hogan asked what limitations there are on use of impact fees.

Ms. Martínez said the impact fees are specifically used for fire, roads, into a special fund and a city committee determines what they are used for. The Ordinance says the Land Use can utilize up to 3% for administrative services so that is a request in her budget. That is close to \$2 million so 3% of that could be used for another position.

Commissioner Greene asked if that balance is there now or anticipated from future intake.

Ms. Martínez expected intake from those future projects that are known.

Commissioner Gutierrez said in the West River Corridor, there is more buildable vacant land than you would expect. We need to know if the owners are aware of that plan.

Commissioner Greene agreed. They should reach out to some of the land-locked pieces. A catalog and an outreach campaign would help. He did not think that was what they were doing but it is a good thing to do.

Chair Kadlubek asked where in the process the Commission would do that.

Commissioner Greene said he and Mr. McPherson identified most of those parcels. Using tax records would be a good process and sending out post cards. He was doing sleuth work on it. He had looked closer at certain intersections and access points and had not figured out how to present it. They are a consensus-driven group so we will see how it happens. He asked if the City accepts new wells or if they put everyone on city water.

Chair Kadlubek said this plan comes to the Planning Commission as a plan that shows some rezoning and an overlay district. He asked if this would this be a case.

Commissioner Hochberg left the meeting at 6:51 p.m.

Mr. Smith said it would not be a case, although it might get into quasi-judicial on the plan itself. Any amendments would be legislative rather than judicial. We haven't figured out the sequence yet.

Chair Kadlubek asked if he had a general sense of the time line.

Mr. Smith said they might do the study session by the second meeting in June. Staff will make that decision next week and the study session follow-up would be two weeks later with a public hearing. It might be best to allow staff time to do the follow up since it might have to go back to the drawing board. It

would be no later than the second meeting in July and the public hearing no later than September.

Chair Kadlubek thought it should be kept fresh. It might make sense to have the study session in June. But the Commission should take both the study session and the public hearing into account. He might not be here for the second meeting in June and would really like to be at the study session.

Mr. Smith informed the Commissioners of the need to send a letter to the Mayor if you want to continue since it is end of the fiscal year coming up.

Ms. Martínez agreed to contact those whose terms are up.

Chair Kadlubek said he is looking for some information from the working group itself. He asked who he should request the information from.

Ms. Martínez said he could request it from her.

Commissioner Greene asked if they could find or identify the property owners of those vacant land-locked lots and those whose land is likely to be rezoned.

Mr. Smith said the state statute has rules about public notice on rezoning. So when we get there with a recommendation from the Planning Commission on rezoning, Staff will look at that and see if we can get a mailing list ahead of time.

Commissioner Greene clarified that it is probably no more than 20 lots.

I. ADJOURNMENT

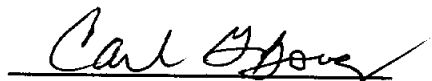
Having completed the agenda and with no further business to come before the Commission, the meeting was adjourned at approximately 7:00 p.m.

Approved by:



Vince Kadlubek, Chair

Submitted by:


Carl Boaz for Carl G. Boaz, LLC.

Planning Commission
May 5, 2016

EXHIBIT 1

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

Case #2016-17

195 Brownell Howland Road Escarpment Variance

Owner's Name- Anne Thompson Davenport

Agent's Name – Thomas Lechner

THIS MATTER came before the Planning Commission (Commission) for hearing on April 7, 2016, upon the application (Application) of Thomas Lechner as agent for Anne Thompson Davenport (Applicant).

The Applicant seek a variance from the requirements of Santa Fe City Code (SFCC) §14-5.6(D) to allow an addition to an attached garage within the Ridgetop Subdistrict (Ridgetop) of the Escarpment Overlay District (Escarpment). The Applicant proposes to build a 300 square foot addition to the east side of the 4,112 square foot footprint of an existing house to create an attached accessory dwelling unit (guest house). The property is on 5.08 acres of land at 195 Brownell Howland Road (Property). The subject property was subdivided in 2009 (lot split). As SFCC §14-5.6(D) prohibits development in the Ridgetop on lots subdivided or resubdivided after February 26, 1992, the 2009 subdivision necessitates the need for a Variance to allow development within the Ridgetop on the subject property.

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant and there were no members of the public that offered public comment.
2. SFCC §14-2.3(C)(5)(a) authorizes the Commission to review and grant or deny requests for variances from the SFCC §14-5.6 in compliance with SFCC §14-3.16.
3. SFCC §14-5.6(K) authorizes the Commission to vary the requirements of the Ordinance so that substantial justice may be done and the public interest secured where the Commission finds that strict compliance with those requirements may result in extraordinary hardship.
4. Pursuant to SFCC §14-3.1(F)(2)(a)(vii) an Early Neighborhood Notification meeting is not required for variances requesting construction of an individual single-family dwelling and appurtenant accessory structures.
5. SFCC §14-3.16(B) authorizes the Commission to approve, approve with conditions or deny the variance based on the Application, input received at the public hearing and the approval criteria set forth in SFCC §14-3.16(C).
6. City Land Use Department 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) and Conditions together with a recommendation that the Commission approve the variance.

7. The information contained in the Staff Report and the testimony and evidence presented at the hearing is sufficient to establish with respect to the Applicant's request for a variance from the requirements of SFCC §14-5.6(D) that pursuant to §14-3.16(C):

(a) special circumstances exist as unique physical characteristics do exist that distinguish the land from others in the vicinity that are subject to the escarpment overlay district.

a. The residence was designed by John Gaw Meem in 1958, which was before the Escarpment Overlay Zone was created.

b. Requiring the structure to be built outside of the Ridgetop boundary would change the character of the house and destroy the surrounding landscape.

(b) the special circumstances make it infeasible to develop the Property in compliance with the Ordinance since:

a. The Applicant wants to place the structure in the Ridgetop boundary because placing the structure outside of the Ridgetop boundary would change the character of the house, destroy existing natural vegetation and would require grading on steeper portions of the site.

(c) the intensity of development will not exceed that which is allowed on other properties in the vicinity that are subject to the Ordinance as:

a. The amount of development on the site, including the house, and would continue to be, one of the smallest in the surrounding neighborhood.

b. The footprints of the development on other lots around the subject lot range from 4,800 to 9,300 square feet.

c. The proposed footprint would be 4,412 square feet.

d. This data was taken by analyzing nine homes located adjacent to, or within 2 lots, of the subject property and most are either partially or completely within the Ridgetop Subdistrict.

e. The proposed 4,412 square foot footprint would be less than the median footprint size of 5,970 square feet.

(d) the variance is the minimum variance:

a. The Applicant has taken steps to reduce impacts by asking for a small addition.

b. The size of the structure is consistent with adjacent structures and is consistent with the General Plan.

(e) the variance is not contrary to the public interest, in that the proposed addition will be sited in a manner to meet the purpose and intent of the Escarpment regulations by minimizing visual impact.

8. The information contained in the Staff Report and the testimony and evidence presented at the hearing is sufficient to establish with respect to the Applicants' request for a variance from the requirements of SFCC §14-5.6(D) that extraordinary hardship will result from compliance with such requirements, in that without the variance the Property could not be developed to an intensity similar to adjacent properties.

CONCLUSIONS OF LAW

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

1. The Commission has the power and authority under the Code to review and approve the Applicant's request for a variance.
2. The Applicant has met the criteria for a variance set forth in SFCC §14-3.16(C) and §14-5.6(K).

WHEREFORE, IT IS ORDERED ON THE _____ OF _____ 2016 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That the variance is approved as applied for.

Vince Kadlubek
Chair

Date:

FILED:

Yolanda Y. Vigil
City Clerk

Date:

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date:

Planning Commission
May 5, 2016

EXHIBIT 2

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

Case #2016-23

701 Camino De La Familia Railyard Flats Master Plan Amendment

Case #2016-25

701 Camino De La Familia Railyard Flats Development Plan

Applicant's Name- Aberg Property Company

Agent's Name-Santa Fe Railyard Company & Dekker Perich Sabatini Architects

THIS MATTER came before the Planning Commission (Commission) for hearing on April 21, 2016 upon the application (Application) of Santa Fe Railyard Company & Dekker Perich Sabatini Architects, agents for Aberg Property Company (Applicant).

The Applicant requests a Master Plan Amendment to the Santa Fe Railyard Master Plan to increase the allowable height on Lease Parcel A2 to 35 feet and to decrease the build-to line. The Applicant requests a development plan approval to allow a 58 unit, 35 foot high apartment building to be located on Lease Parcel A2 in the North Railyard. The property is zoned BCDRED (Business Capital District Redevelopment Subdistrict).

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant; there were eighteen members of the public in attendance to speak.
2. Pursuant to Santa Fe City Code (Code) §14-2.3(C), the Commission has the authority to review and approve or disapprove amendments to master plans and development plans.
3. Code §14-3.8(B)(1) requires Early Neighborhood Notification (ENN); notice and a public hearing on development plans in accordance with the provisions of Code §§14-3.1(F), (H) and (I).
4. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) an ENN meeting [§14-3.1(F)(2)(a)(iv)] and (b) compliance with Code Section 14-3.1(H) notice and public hearing requirements [Code §14-3.1(H)(1)(a)-(d)].
5. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
6. An ENN meeting was held on the Application on February 11, 2016 at Warehouse 21 at 1614 Paseo de Peralta.

7. Notice of the ENN meeting was properly given.
8. The ENN meeting was attended by representatives of the Applicant, City staff and approximately 80 interested others and the discussion followed the guidelines set out in Code Section 14-5.3.1(F)(6).
9. The Applicant is requesting approval from the Governing Body for two amendments to the Railyard Master Plan for Parcel A-2.
10. The Governing Body has previously adopted Master Plan amendments, specifically in 2005 and 2010, regarding Parcel A-2.
11. Pursuant to Code §14-3.8(C)(2)(e), if review and approval of a master plan by the Governing Body is required, and there is a development plan, the applicant may submit a development plan for review and approval "concurrently with the master plan."
12. Pursuant to Code §14-3.8(B)(8), approval of a development plan by the Commission is required for a new development with a gross floor area of ten thousand square feet or more that is located within two hundred feet of a residential district.
13. Code §14-3.8(C)(1) and §14-3.9(C)(1) requires applicants for master plan amendments and development plan approval to submit certain plans and other documentation that show compliance with applicable provisions of Code (the Submittal Requirements).
14. The Applicant has complied with the Submittal Requirements.
15. Code §14-3.9(D)(1) sets out certain findings that must be made by the Commission to approve Master Plan Amendments, including:
 - a. The Master Plan is consistent with the General Plan [§14-3.9(D)(1)(a)].
 - 1) *The proposed Master Plan amendment will be consistent with Chapter 3.3 of the General Plan, which has described the Railyard Area with the following statement: The City of Santa Fe purchased 50 acres of railyard property and is presently pursuing redevelopment of this property.*
 - 2) *The Railyard Area is one with an active railyard, mix of retail, offices, public and private services, affordable housing, live/work opportunities and other residential uses.*
 - 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. [§14-3.9(D)(1)(b)].
 - 1) *The Master Plan amendment will be consistent with the purpose and intent of the BCD Redevelopment zoning district standards and with the overall intent of the adopted Railyard Master Plan.*
 - 2) *The existing Master Plan has Design Elements and Architectural Standards that permit a 100% build-out area and no front or side set back is required.*
 - 3) *The City Council has previously approved an amendment to the Railyard Master Plan to have a built-to line for Parcel A2 up to the parcel line.*

- 4) *The proposed Master Plan amendment would decrease the built-to line for Parcel A2 by six feet (from the north parcel line), by ten feet and nine and half inches (from the east parcel line), by seven and half feet (from the south parcel line) and by four feet (from the west parcel line).*
 - 5) *The "Railyard Master Plan Amendment Handout" provided by Mr. Richard Czoski (on page 4) illustrated the current built out area in blue and illustrated the proposed built out area in yellow.*
 - 6) *The existing Master Plan has Design Elements and Architectural Standards that permit a flat roof up to 26 feet and a pitched roof up to 34 feet.*
 - 7) *These heights do not require an applicant to factor in chimneys, mechanical equipment, or towers.*
 - 8) *The City Council has previously approved an amendment to the Railyard Master Plan, in the Masque Building Master Plan Amendment, governing building height for Parcel A2.*
 - 9) *The proposed Master Plan amendment would increase the building height, with a flat roof, to 35 feet.*
 - 10) *The "Railyard Master Plan Amendment Handout" provided by Mr. Richard Czoski (on page 3) provided a drawing of the proposed roof height amendment.*
 - 11) *The "Railyard Master Plan Amendment Handout" provided by Mr. Richard Czoski (on page 2) stated that the proposed height would be only one foot higher than the existing ArtYard building.*
- c. *Development of the master plan area will contribute to the coordinated and efficient development of the community. [§14-3.9(D)(1)(c)]. The proposed Master Plan amendment and development plan are consistent with efficient development of the Railyard.*
- 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. [§14-3.9(D)(1)(d)]. The proposed development is supported by the existing infrastructure within the Railyard master plan area as infrastructure to accommodate the various tracts have already been developed as part of the part of the Railyard Master Plan.*
16. Code §14-3.8(D)(1) sets out certain findings that must be made by the Commission to approve a development plan, including:
- a. *That it is empowered to approve the development plan for the Project [§14-3.8(D)(1)(a)]. The Commission has the authority under the section of Code Chapter 14 cited in the Application to approve the development plan.*
 - b. *That approving the development plan for the Project does not adversely affect the public interest [§14-3.8(D)(1)(b)].*
 - 1) *The Project will not adversely affect the public interest because the development plan is in compliance with the standards required by the Land Development Code.*

- 2) *The proposed use is identified as a permitted use in Table 14-6.1-1.*
 - 3) *The proposed development complies with applicable provisions of the Land Development Code including Section 14-6 (Permitted Uses and Use Regulations); Section 14-7 (Building Envelope and Open Space Standards) and Section 14-9 (Infrastructure Design Standards).*
 - 4) *The proposed development complies with applicable standards for utility service and traffic impacts, as indicated in the memorandums on file from City staff.*
 - 5) *The "Parking Analysis Handout" provided by Mr. Richard Czoski (on page 2) provided a table of estimated demand for parking in the Railyard and existence of eight hundred and fifty three parking "pay to park" spots in the area.*
 - 6) *The "Parking Analysis Handout" provided by Mr. Richard Czoski (on page 3) provided a table of parking spaces in the North Railyard showing a total of one hundred and forty one spaces, which includes the ArtYard building's current thirteen gated parking spaces (with approximately nine for its residential tenants and four for its business tenants) and showing that, even after subtracting spaces for the Railyard Flat residences, there will still be approximately sixty-three "pay-to park" spaces available for the public.*
 - 7) *The "Parking Analysis Handout" provided by Mr. Richard Czoski (on page 5) provided an "alternate proposal" where approximately twenty-eight "pay to park" spaces will be available directly adjacent to the ArtYard building for its customers for its business tenants.*
- c. That the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project [§14-3.8(D)(1)].
- 1) *The use is compatible and adaptable to buildings, structures and uses of the abutting property and other properties in the Railyard vicinity and is in compliance with the standards required by the Land Development Code.*
 - 2) *The proposed multi-family residential project will not result in conflicts with existing land uses on adjacent or nearby properties.*
 - 3) *The proposed multi-family residential project is within the scope of the uses anticipated for the Railyard Master Planned area.*
 - 4) *The proposed multi-family residential project is regulated through the Design Standards of the Railyard Master Plan.*
17. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the Master Plan amendments and the development plan be approved, subject to certain conditions (the Conditions or Exhibit A) set out in such report.

18. The information contained in the Staff Report is sufficient to establish that the Applicable Requirements have been met.
19. The following conditions are added as part of the recommended approval:
 - a. The condition stated in the March 2, 2016 memorandum from Dee Beingssner, Water Division Engineer, is adopted as a condition.
 - b. The conditions in Exhibit A from the Wastewater Management Division shall be deleted and replaced with the condition: "The Applicant shall meet all applicable Wastewater Code requirements."
 - c. The "alternative proposal" in the "Parking Analysis Handout" provided by Mr. Richard Czoski is adopted as a condition.

CONCLUSIONS OF LAW

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

1. The Commission has the authority under the Code to recommend approval of the Master Plan amendments and Development Plan for the Property.
2. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE 5th OF MAY 2016 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Master Plan Amendments and Final Development Plan for the Property are recommended for approval to the City Council, subject to Conditions.

Vince Kadlubek
Chairperson

Date: _____

FILED:

Yolanda Y. Vigil
City Clerk

Date: _____

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date: _____

Planning Commission
May 5, 2016

EXHIBIT 3

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

Case #2016-20

Spectrum Senior Housing at Las Soleras Development Plan
Applicant's Name- Spectrum Retirement Communities LLC
Agent's Name-Tierra West LLC

THIS MATTER came before the Planning Commission (Commission) for hearing on April 21, 2016 upon the application (Application) of Tierra West LLC, agent for Spectrum Retirement Communities LLC (Applicant).

The Applicant requests approval of a development plan to construct a 128 unit senior apartments and group residential care facility with a density greater than ten dwelling units per acre. The proposed project is located at 5011 Las Soleras Drive, Lot 10 of the Las Soleras Subdivision. The property is approximately 8.03 acres and is zoned C-1 (Commercial -21 dwelling units per acre).

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant; there were no members of the public in attendance to speak.
2. Pursuant to Santa Fe City Code (Code) §14-2.3(C), the Commission has the authority to review and approve or disapprove development plans.
3. Code §14-3.8(B)(1) requires Early Neighborhood Notification (ENN), notice and a public hearing on development plans in accordance with the provisions of Code §§14-3.1(F), (H) and (I).
4. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) an ENN meeting [§14-3.1(F)(2)(a)(iv)] and (b) compliance with Code Section 14-3.1(H) notice and public hearing requirements [Code §14-3.1(H)(1)(a)-(d)].
5. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
6. An ENN meeting was held on the Application on January 5, 2016 at the Southside Branch Library.
7. Notice of the ENN meeting was properly given.
8. The ENN meeting was attended by representatives of the Applicant, City staff and there were no other interested persons present and the discussion followed the guidelines set out in Code Section 14-5.3.1(F)(6).

9. Pursuant to Code §14-3.8(B)(8), approval of a development plan by the Commission is required for a new development with a gross floor area of ten thousand square feet or more that is located within two hundred feet of a residential district.
10. Code §14-3.8(C)(1) requires applicants for development plan approval to submit certain plans and other documentation that show compliance with applicable provisions of Code (the Submittal Requirements).
11. The Applicant has complied with the Submittal Requirements.
12. Code §14-3.8(D)(1) sets out certain findings that must be made by the Commission to approve a development plan, including:
 - a. That it is empowered to approve the development plan for the Project [§14-3.8(D)(1)(a)]. *The Commission has the authority under the section of Code Chapter 14 cited in the Application to approve the development plan.*
 - b. That approving the development plan for the Project does not adversely affect the public interest [§14-3.8(D)(1)(b)].
 - 1) *The Project will not adversely affect the public interest because the development plan is in compliance with the standards required by the Land Development Code.*
 - 2) *The proposed use is identified as a permitted use in Table 14-6.1-1.*
 - 3) *The proposed development complies with applicable provisions of the Land Development Code include Section 14-6 (Permitted Uses and Use Regulations); Section 14-7 (Building Envelope and Open Space Standards) and Section 14-9 (Infrastructure Design Standards).*
 - 4) *The proposed development complies with applicable standards for utility service and traffic impacts, as indicated in the memorandums on file from City staff.*
 - c. That the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the Project [§14-3.8(D)(1)].
 - 1) *The use is compatible and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity and is in compliance with the standards required by the Land Development Code.*
 - 2) *Operation of the proposed senior apartments and group residential care facility in accordance with applicable standards will not result in conflicts with existing or likely future land uses on adjacent or nearby properties.*
13. Code §14-7.2(F)(2) and Table 14-7.2-1 sets out certain factors that must be considered for having a density up to twenty-one dwelling units in R-21 districts.
 - a. If the future use designation shown on the general plan is high density residential. *The General Plan shows the property as C-1, however, the density of residential development in C-1 is 21 units per acre and this is considered high density residential.*
 - b. The need for the increased density, however, financial gain or loss shall not be the sole determining factor. *Proposed use for this type of facility requires the requested density in order to provide the services and amenities necessary for use. Amenities such as the central dining, wellness activities and transportation*

- are key to the commercial viability of the project and differentiate the use from traditional residential uses.*
- c. If the increased density is needed to make the proposed development more affordable, what level of affordability will be provided and how that affordability will be guaranteed long term. *The development is not a traditional residential use, but an all-inclusive service for seniors. The request for approval of a senior/assisted living campus does not require a Santa Fe Homes Program (SFHP) proposal under Code Sections 14-8.11(D)(1) and Section 26-1.8.*
 - d. Densities of existing developments in the vicinity. *Surrounding properties are underdeveloped at this time, but are zoned for similar or higher intensity uses: C-1 to the east, MU (mixed use) to the north, RM-1 (residential high density) to the west and HZ (hospital zone) to the south.*
 - e. Impacts of the increase density upon the neighborhood and the community so that the increased density does not significantly interfere with the enjoyment of other land in the vicinity and is consistent with the spirit of Chapter 14 and in the general public's interest. *The single story and three story buildings offer a transition from less density to higher density. The increase on visual impact will be minimal as the transition is from one-story buildings along the roadways to three story buildings against adjacent properties. The tracts within the vicinity have the same residential high density.*
14. Pursuant to Code §14-3.9(B)(3), the proposed development plan complies with the applicable minimum standards of the Las Soleras Master Plan.
 15. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the development plan be approved, subject to certain conditions (the Conditions or Exhibit A) set out in such report.
 16. The information contained in the Staff Report is sufficient to establish that the Applicable Requirements have been met.

CONCLUSIONS OF LAW

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

1. The Commission has the authority under the Code to approve the Development Plan for the Property.
2. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE 5th OF MAY 2016 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Final Development Plan for the Property is approved, subject to Conditions.

Vince Kadlubek
Chairperson

Date: _____

FILED:

Yolanda Y. Vigil
City Clerk

Date: _____

APPROVED AS TO FORM:

Zachary Shandler
Assistant City Attorney

Date: _____

Planning Commission
May 5, 2016

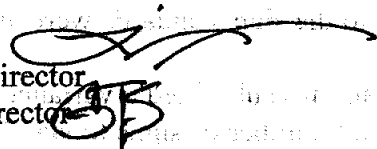
EXHIBIT 4

City of Santa Fe, New Mexico

memo

DATE: April 22, 2016 for the May 05, 2016 Planning Commission Meeting

TO: Planning Commission

VIA: Lisa D. Martinez, Land Use Department Director
Greg Smith, Current Planning Division Director 

FROM: Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division

Case #2016-37. Santa Fe Place Mall Signage Variance and Plan. JenkinsGavin Design and Development, agent for Santa Fe Mall Property Owner LLC, requests approval of a master signage plan for the Santa Fe Place Mall and a variance to signage standards. The property, located at 4250 Cerrillos Road, is zoned SC-3 (Planned Shopping Center) and is within Zone Four of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager)

I. RECOMMENDATION:

The applicant has withdrawn the proposed shopping center identification sign at the corner of Rodeo Road and Cerrillos Road from the application. It may be considered at a later date when various legal issues related to approval of an off-premises sign in the City right-of-way have been resolved.

If the Commission determines that the variance criteria can be met as required by Subsection 14-3.16(C), the Commission should approve the variance request for the on-premises signs. Staff suggests the following conditions of approval to clarify and simplify the sign plan request:

1. Total area of wall signs not to exceed 4,500 square feet.
2. No wall sign to exceed 150 square feet.
3. Maximum 150 square feet of total signage per tenant.
4. Maximum two wall signs per tenant.
5. Three existing pylon shopping center identification signs may remain.

II. APPLICATION SUMMARY

The proposal is a request for variances to 14-8.10 "Signs", to implement a comprehensive sign plan for the Santa Fe Place Mall.

The Santa Fe Place Mall (*Mall*) was originally named the Villa Linda Mall and is zoned SC-3 (SC-3 - Regional Shopping Center District). The original Development Plan was approved by the Planning Commission and filed of record in the office of the Santa Fe County Clerk in May of 1984. As the city's largest shopping center, it also has the largest number and area of signs, and substantially exceeds the standards for the number, size and area of signs. There have been several administrative amendments to the Mall's Development Plan, but none of the approvals included a master sign plan. The total sign area, number of signs, and sizes of wall mounted signs all exceed standards in the regulations. However, with the exception of three wall sign variances that were approved in 2012 and 2015 by the Planning Commission for the Sports Authority, Bed Bath and Beyond and Cost Plus World Market, there is no record of how the exceptions to the sign standards were approved.

The applicant has submitted a variance request for the Mall to address future sign location, type, sign size, and number of signs to standardize future sign development on the premises through a Master sign plan for the Mall Development Plan.

III. SUMMARY OF SIGN REGULATIONS

The City's sign regulations are intended to balance the need for a safe and attractive environment with the need for effective business identification. The regulations are based on the idea that reasonable regulation of the signs allowed for each business and lot of record will permit effective business identification, while still limiting the size and number of signs overall in the city. Sign regulations also recognize that businesses have other advertising media available, including print, broadcast, mailing and online outlets.

City sign regulations specify limits to the types, number, setbacks, height and sizes of signs allowed; the overall area of signs; and some aspects of their appearance. The regulations for large shopping centers are generally thought to be unreasonably restrictive, and the Commission has approved extensive variances to the number and size of signs permitted at every major center in the city. Pending revisions to the regulations, shopping centers will continue to file requests for sign variances.

IV. SIGN ANALYSIS

Table 1 on the following page represents the Mall's sign summary based on a sign inventory provided by the applicant.

Table 1

| Existing Signs | | | | |
|----------------|-----------|----------------------|----------------------|---|
| Type | Number | Total Square Footage | Average Size Sq. Ft. | Chapter 14-8.10(G)(8) "General Requirements for Signs According to District" (For C-2, SC, and I properties located within the Cerrillos Road highway corridor protection district) |
| Pylon Signs | 3 | 2700.2 | 900 | 14-8.10(G)(8)(c) - For three or more business establishments on a legal lot of record, <ul style="list-style-type: none"> one sign is allowed for the purpose of general identification of the entire premises not to exceed one hundred fifty (150) square feet in corridor zone four. |
| Wall Mounted | 12 | 2027.5 | 168.95 | <ul style="list-style-type: none"> one wall mounted sign per business establishment is allowed <ul style="list-style-type: none"> having one (1) square foot of surface area for each one (1) lineal foot of building or lease space frontage, but in no case exceeding eighty (80) square feet per business establishment; |
| Total | 15 | 4,728 | | |

There are two sections of Chapter 14 that regulate the pylon signs for the Mall. 14-5.5(B) "CRHC Cerrillos Road Highway Corridor Protection District" and 14-8.10 "Signs". The more restrictive of the two sections is 14-8.10 "Signs". Table 2 identifies existing conditions commensurate to 14-8.10(G)(8) "General Requirements for Signs According to District".

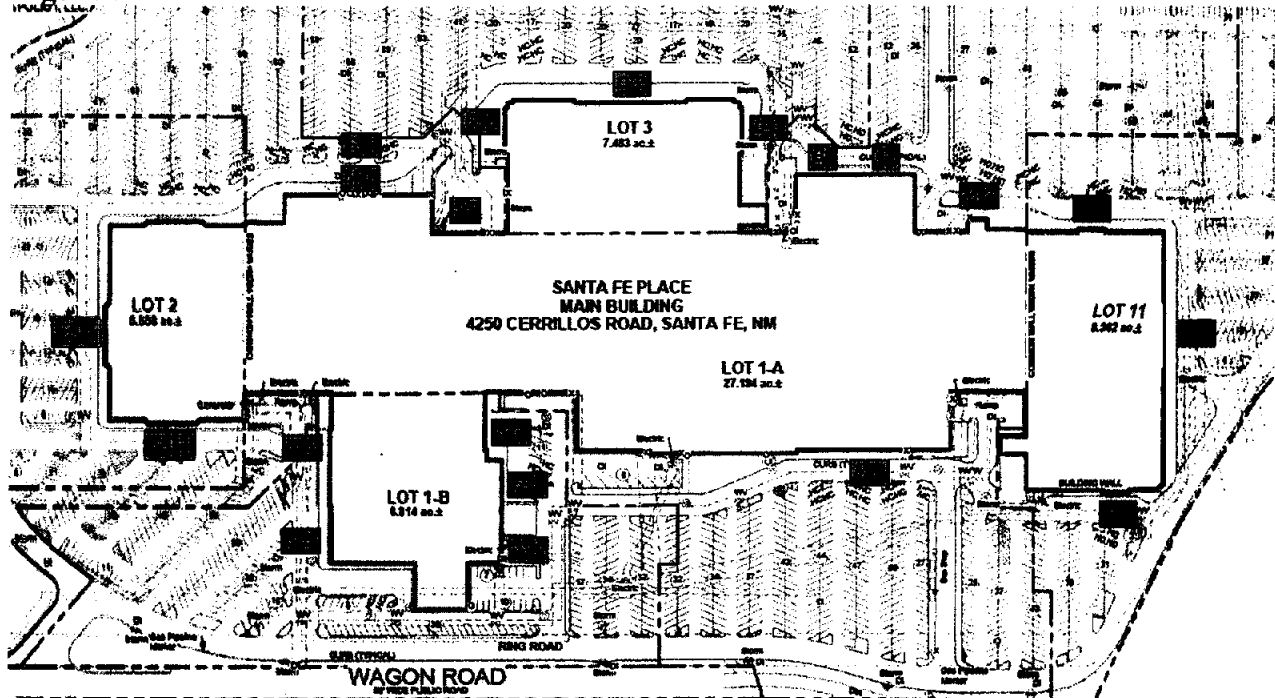
Table 2

| Existing Pylon Signs | | | | | | | |
|---------------------------------------|----------------------|---------------------|-----------------|---------------------|-----------------|------------------|-----------------|
| Existing Identification (Pylon) Signs | Existing Square Feet | Allowed Square feet | Allowed Numbers | Allowed Code Height | Existing Height | Existing Setback | Allowed Setback |
| 1 Cerrillos Road Entrance | 443.3 | 150 | 1 | 25 | 31' | 30 | 31 |
| 2 off Rodeo Road Entrances | 229.4 ea. | | | 45 | | 35 | 15 |

Table 3

| Existing Wall Mounted Signs | | | |
|---|--|-----------------------------|---|
| General Location Of Existing Signs | Sign ID (refer to Figure 1 & Exhibit D) | Existing Square Feet | Allowed Square feet |
| (Mall North Façade) Santa Fe Place Sign | M-1 | 126.5 | 80 Sq. Ft. |
| (Mall North Façade) Santa Fe Place Sign | M-2 | 126.5 | |
| (Mall South Façade) Santa Fe Place Sign | M-3 | 117.7 | |
| (Mall North Façade) Dillard's | D-1 | 356.7 | 80 Sq. Ft. |
| | D-2 | 340.3 ea. | |
| | D-3 | | |
| (Mall North Façade) Bed Bath & Beyond | B | 169 | 80 Sq. Ft. (Variance approved Case #2015-54) |
| (Mall North Façade) Cost Plus World Market | C | 136 | 80 Sq. Ft. (Variance approved Case #2015-55) |
| Mall North Façade JC Penney's | J-1 | 179.6 ea. | 80 Sq. Ft. |
| (Mall East Façade) JC Penney's | J-2 | | |
| (Mall South Façade) JC Penney's | J-2 | | |
| (Mall North Façade) Sears | S-1 | 22 | 80 Sq. Ft. |
| (Mall South Façade) Sears | S-2 | 17 | 4 Sq. Ft (Directional Pick-up and Delivery) |
| (Mall South Façade) Sears | S-3 | 134 | 80 Sq. Ft. |
| (Mall South Façade) Sears | S-4 | 71.4 | 4 Sq. Ft (Directional Auto Center) |
| (Mall South Façade) Sears | S-5 | 71.4 | |
| (Mall South Façade) Sears | S-6 | 134.8 | 80 Sq. Ft. |
| (Mall North Façade) Sports Authority | SA-1 | 158.4 | 80 Sq. Ft. (Variance approved Case #2012-42) |
| (Mall South Façade) Sports Authority | SA-2 | 147.9 | |

Figure 1



The Applicant's proposal is to allow the existing identification wall mounted signs to remain or be replaced with less than or equal to the existing square footage and allow the following design standards for future wall mounted signs:

1. Stores with an exterior entry: One exterior sign up to a maximum of 150 s.f.
2. Stores with a north-facing exterior façade and an interior entry: one exterior sign up to a maximum of 150 s.f.
3. Stores with a south-facing exterior entry and/or façade: two exterior signs up to a maximum of 150 s.f. each.
4. Stores over 10,000 s.f. with an interior entry and no exterior façade: one exterior sign up to a maximum of 150 s.f.

V. VARIANCE APPROVAL CRITERIA

Subsection 14-3.16(C) requires the Commission to make five specific findings to approve a variance:

14-3.16(C)(1) Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same district, and which do not result from the actions of the applicant;

Applicant Response:

The Mall has inferior visibility from Rodeo Road due to the site topography.

The finished floor elevation of the structure is 20 feet (almost two stories) below the elevation of Rodeo Road. This limits visibility for vehicles and makes it essential that signage be large enough to be clearly visible from the street. Furthermore, the setbacks from the adjacent roadways range from 500 to 620 feet, further hindering visibility. Lastly, at 665,000 square feet, the Mall is the largest retail structure in the City and signage should be proportional to the building on which it is mounted.

Staff Analysis:

The applicant is placing emphasis on three special and peculiar conditions as the basis to qualify variance review before the Planning Commission.

- Visibility due to existing topography,
- Visibility limitations based on sign distances from public streets, and
- Disproportional signage relative to a regional facility of 665,000 square feet with a setback of 500 to 600 feet from the adjacent roadways.

Similar conditions have been accepted as qualifying factors to 14-3.16(C)(1) from prior variance requests before the Planning Commission (Case #2012-42 for the Sports Authority and Cases #2015-54 & 55 Bed Bath & Beyond and Cost Plus World Market respectively).

14-3.16(C)(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

Applicant Response:

In order to ensure the success of the Mall redevelopment, tenants must be able to adequately advertise their store via a sign that is both proportional to the building and clearly visible from the adjacent roadways. Furthermore, as explained previously, the mall industry is evolving to incorporate “lifestyle center” elements, which means there are more stores with exterior entries and façades, which necessitate adequate signage.

Staff Analysis:

Staff concurs that the circumstances discussed in criterion 1 and 2 above identify a less than optimal solution for advertising a single business within the center of a 27 acre Tract. However, the mall is not a single business but a collection of businesses developed as a regional mall, a destination stop versus an impulse stop relying solely on signage. It is not clear that the Mall has demonstrated that over time, that it is infeasible to develop the property in compliance with the standards.

Whatever the case may be, the fact that all existing signage for the Mall has exceeded the minimum standards, indicates a mismatch between reasonable advertisement needs by the Mall commensurate to the City regulations. The frequency with which variances have been approved for this mall and other shopping centers may indicate that amendments to the regulations are appropriate. The Land Use Department is aware of this issue and amendments to the sign regulations are on the Land Use Department’s long-term work program, and will be prioritized during the course of this year.

Staff believes that the applicant has addressed the criteria specific to 14-3.16(C)(2) above.

14-3.16(C)(3). The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

Applicant Response:

The increased sign size does not translate to increased development intensity. Furthermore, the requested sign size of 150 square feet is consistent with much of the existing Mall signage and is in fact smaller than many of the current anchor signs.

Staff Analysis:

There is no intensification to the underlying zoning (SC3). The applicant has provided evidence identifying that mall signage exceeds the standards. As such, the Applicant requested variances and sign plan provides an option they believe to be a reasonable solution to signage for a Regional 665,000 square feet Mall facility, providing both uniformity and function.

Staff believes that the applicant has addressed the criteria specific to 14-3.16(C)(3) above.

14-3.16(C)(4). The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

- (a) whether the property has been or could be used without variances for a different category or lesser intensity of use;**
- (b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.**

Applicant Response:

The Mall has been operating on the subject property for over 30 years. Considering a less intense use is counter to the property's SC-3 zoning and inconsistent with the City's Santa Fe Place Mall Signage Plan Application stated goal of local retail spending. It is critical to the economic base of Santa Fe that the area's regional mall be redeveloped in a manner to ensure that it is reinstated as Santa Fe's most significant generator of sales tax revenue. In order for the Mall to continue its redevelopment, new national tenants must be secured. As a catalyst to the Mall's redevelopment and expansion of Santa Fe's economic base, the requested sign variance is in alignment with the General Plan's goals of economic development and adaptive reuse.

Staff analysis

14-3.16(C)(4)(a):

The property is developed as a regional mall with a 665,000 square feet facility. While the use of the facility can be used for a different category or lesser intensity of use, it would be impractical.

The proposed variance requests are to allow signage to exceed the existing standards and implement a sign plan offering uniformity for future signs that may also exceed the current standards. The criteria does not directly relate to the variance.

14-3.16(C)(4)(b):

The sign regulations are established minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest from within the municipality. The number and size of signs are regulated to promote economic development in part by preventing sign clutter and insuring that competing businesses are given equal treatment.

Staff believes that the applicant has addressed the criteria specific to 14-3.16(C)(4) above. Note that the extent of relief requested – up to several times the normal maximums permitted – could be considered to exceed the minimum degree of variance to the standards that would permit reasonable use of the property. Reasonable use of the property might be possible with somewhat less signage.

14-3.16(C)(5) Granting the variance will be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant Response:

The requested sign variance is in the public interest as a key component to furthering the redevelopment of the Mall, creating jobs and expanding Santa Fe's economic base, as well as offering greater local shopping opportunities for residents.

Staff Analysis:

The regulations are intended to protect the public interest; the preferences or even the requirements of a particular tenant for larger signs are not sufficient justification for a variance. However, the proposal is for variances to provide design standards to apply to a development which is out of context with the regulations and allow for uniformity for future signs eliminating the need for future variance requests.

Staff believes that the applicant has addressed the criteria specific to 14-3.16(C)(5) above.

VI. CONCLUSION

Should the commission determine the proposed variance adequately addresses the approval criteria in Subsection 14-3.16(C) in order to support providing a reasonable amount of signage for the property, the application should be approved. Staff will prioritize amendments to the sign regulations during the course of this year.

Exhibits:

Exhibit A- Conditions

Exhibit B - DRT comments

1. City Engineer for Land Use Department

2. Landscaping

Exhibit D – Applicant’s Data

May 5, 2016
Planning Commission
Case # 2016-37
**Santa Fe Place Mall Variance
And
Sign Plan**

EXHIBIT A

Conditions of Approval

SANTA FE PLACE MALL SIGN VARIANCE/SIGN PLAN

| | Condition | Department | Staff |
|---|--|--|--|
| 1 | <p>At time of building permit, application will be routed to Landscape Review to check compliance:</p> <ol style="list-style-type: none"> 1. Sign support structure for freestanding signs shall not exceed fifty percent of the allowable sign surface area for one sign. [Article 14-8.10 (E) (4)(a)] 2. The premises around the freestanding sign shall be maintained by the owner of the sign in a clean, sanitary and inoffensive condition, and shall be free and clear of obnoxious substances, rubbish and weeds. [Article 14-8.10(E)(4)(b)] 3. An area equal to the sign area shall be landscaped at the base of the sign. Landscaping shall be with five-gallon shrubs with a minimum mature height of thirty inches with one shrub planted for every ten square feet of signage. [Article 14-8.10(E)(4)(c)] 4. The owner shall properly maintain all materials and installation required by Section 14-8.4, including proper pruning, soil testing, fertilizing and weeding. [Article 14-8.4(F)(2)] | <p>Land Use Technical Review Division (Landscaping)</p> | <p>Somie Ahmed, Planner Technician Senior April 27, 2016</p> |

May 5, 2016
Planning Commission
Case # 2016-37
**Santa Fe Place Mall Variance
And
Sign Plan**

EXHIBIT B

DRT Comments and Conditions

ESQUIBEL, DANIEL A.

From: ZAXUS, RISANA B.
Sent: Wednesday, April 13, 2016 11:16 AM
To: ESQUIBEL, DANIEL A.
Subject: Caase # 2016-37, Santa Fe Place Mall Signage

Mr. Esquibel –

I have no review comments on the above-referenced case.

Risana B “RB” Zaxus,
City Engineer

City of Santa Fe, New Mexico

memo

DATE: April 27, 2016
TO: Dan Esquibel, Land Use Planner Senior
FROM: Somie Ahmed, Planner Technician Senior
SUBJECT: Comments for Case #2016-37, Santa Fe Place Mall Signage Variance & Plan

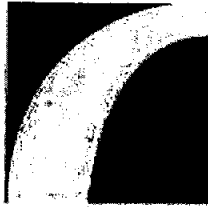
The following conditions of approval apply to the Santa Fe Place Mall Signage Variance & Plan. At time of building permit, application will be routed to Landscape Review to check compliance:

1. Sign support structure for freestanding signs shall not exceed fifty percent of the allowable sign surface area for one sign. [Article 14-8.10 (E) (4)(a)]
2. The premises around the freestanding sign shall be maintained by the owner of the sign in a clean, sanitary and inoffensive condition, and shall be free and clear of obnoxious substances, rubbish and weeds. [Article 14-8.10(E)(4)(b)]
3. An area equal to the sign area shall be landscaped at the base of the sign. Landscaping shall be with five-gallon shrubs with a minimum mature height of thirty inches with one shrub planted for every ten square feet of signage. [Article 14-8.10(E)(4)(c)]
4. The owner shall properly maintain all materials and installation required by Section 14-8.4, including proper pruning, soil testing, fertilizing and weeding. [Article 14-8.4 (F)(2)]

May 5, 2016
Planning Commission
Case # 2016-37
**Santa Fe Place Mall Variance
And
Sign Plan**

EXHIBIT C

| |
|----------------|
| Applicant Data |
|----------------|



Jenkinsgavin
DESIGN & DEVELOPMENT INC

May 21, 2016

Greg Smith, Director
Current Planning Division
City of Santa Fe Land Use Department
200 Lincoln Avenue
Santa Fe, NM 87501

RE: SANTA FE PLACE MALL SIGNAGE PLAN

Dear Greg:

This letter is submitted on behalf of Santa Fe Mall Property Owner LLC in application for approval of a custom Signage Plan and associated variance requests, for consideration by the Planning Commission at their meeting of May 5, 2016. The subject property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is located in Zone Four of the Cerrillos Road Highway Corridor Protection District.

Background

The Santa Fe Place ownership is engaged in a comprehensive and crucial redevelopment and revitalization of the Mall. The first phase of significant interior improvements has already been completed, with more to follow. And the renovation and expansion of the former UA North Theater space is nearing completion to accommodate national tenants Bed, Bath & Beyond and Cost Plus World Market. Last year, sign variances were granted for these new junior anchors, preceded by a similar variance approved for Sports Authority in 2012 (described below). In order to avoid future piece-meal variance requests as the redevelopment and re-tenanting of the Mall progresses, City Staff recommended that we prepare a custom Signage Plan, addressing the unique needs of the Mall, for review and approval by the Planning Commission.

Existing Sign Variances

Summarized below are the current, approved sign variances for the Mall:

1. Sports Authority: Case #2012-42, approved by the Planning Commission on June 7, 2012. Variance for 800 s.f. wall-mounted sign on the west elevation and 700 s.f. wall-mounted sign on the south elevation. The approved square footage includes the red wall background behind the signs. The signs themselves are 158.4 and 147.9 s.f. respectively.

2. Bed, Bath & Beyond: Case #2015-54, approved by the Planning Commission on July 2, 2015. Variance for 169 s.f. wall-mounted sign.
3. Cost Plus World Market: Case #2015-55, approved by the Planning Commission on July 2, 2015. Variance for 136 s.f. wall-mounted sign.

Summary of Request

The Mall was constructed over thirty years ago and, in that time, the retail industry has changed significantly. In order for the Mall to survive and resume its role as the City's primary generator of sales tax revenue, the property must evolve and re-invent itself. A critical component of this evolution is the addition of "lifestyle center" elements, such as more junior anchors with exterior entries (such as Bed Bath and Cost Plus), restaurants, entertainment, and free-standing "pad site" buildings. The result is a much more vibrant and architecturally appealing environment, as depicted in the attached concept renderings.

It is worthwhile to note that the sign regulations in the City Code do not appear to contemplate the needs of a regional mall facility such as Santa Fe Place. For example, §14-8.10(G)(8)(c) states that "...one wall mounted sign per business establishment is allowed ... in no case exceeding eighty (80) square feet per business establishment..." Santa Fe Place comprises 84 business establishments. If the Mall were to adhere to the aforementioned Code section, each of the 84 businesses could have an 80 square foot sign on the Mall façade. In lieu of such excessive signage, the proposed Signage Plan limits which stores are entitled to exterior signs, while also increasing the sign square footage to be proportional for a 665,000 square foot building.

Proposed Signage Plan Provisions and Design Standards

Outlined below are the specific provisions proposed in the attached Signage Plan. Please refer to the Plan for specific sign locations.

I. Existing Mall Identification Signage

1. Pylon Signs: The three existing nonconforming pylon signs identified below are hereby ratified. The façade of the signs may be modified with the approval of a sign permit.

| | |
|----------|--|
| Sign P-1 | 31' high x 14.3' long x 2.1' wide = 443.3 s.f. |
| Sign P-2 | 31' high x 7.4' long x 2.1' wide = 229.4 s.f. |
| Sign P-3 | 31' high x 7.4' long x 2.1' wide = 229.4 s.f. |

2. Wall Mounted Signs: The following existing wall mounted signs are hereby ratified. Each sign may remain or be replaced up to a maximum of 150 s.f.

| | |
|----------|------------|
| Sign M-1 | 126.5 s.f. |
| Sign M-2 | 126.5 s.f. |
| Sign M-3 | 117.7 s.f. |

II. Existing Store Identification Signage

The following existing store identification signs may remain or be replaced with a sign that is less than or equal to the existing square footage.

A. Dillard's

| | |
|-----|------------|
| D-1 | 356.7 s.f. |
| D-2 | 340.3 s.f. |
| D-3 | 340.3 s.f. |

B. JC Penney

| | |
|-----|------------|
| J-1 | 179.6 s.f. |
| J-2 | 179.6 s.f. |
| J-3 | 179.6 s.f. |

C. Sears

| | |
|-----|------------|
| S-1 | 22.0 s.f. |
| S-2 | 17.0 s.f. |
| S-3 | 134.8 s.f. |
| S-4 | 71.4 s.f. |
| S-5 | 71.4 s.f. |
| S-6 | 134.8 s.f. |

III. Design Standards for Future Signage

A. Exterior Wall Mounted Signs

1. Stores with an exterior entry: One exterior sign up to a maximum of 150 s.f.
2. Stores with a north-facing exterior façade and an interior entry: one exterior sign up to a maximum of 150 s.f.
3. Stores with a south-facing exterior entry and/or façade: two exterior signs up to a maximum of 150 s.f. each.
4. Stores over 10,000 s.f. with an interior entry and no exterior façade: one exterior sign up to a maximum of 150 s.f.

- B. Monument Sign: A variance is requested for an off-site mall identification monument sign at the southeast corner of the Cerrillos/Rodeo Road intersection. This sign will also be subject to approval of a Licensing Agreement with the City.
- C. Pad Sites: Free-standing buildings on "pad sites" are permitted two wall-mounted signs up to a maximum of 80 s.f each.
- D. Pylon Signs: The following tenants are permitted store identification on up to two Pylon Signs:
- Department Stores
 - Junior Anchors over 15,000 s.f.
 - Restaurants

Variance Requests & Responses to Approval Criteria

Implementation of the Design Standards will require approval of the following variances:

1. **A variance is requested from SFCC §14-8.10(E)(6)(b), Specific Requirements for Permanent Wall Signs, and SFCC §14-8.10(G)(8)(c), Cerrillos Road Highway Corridor Protection District, Zone Four, to permit up to two wall mounted signs up to a maximum of 150 s.f. each for certain stores in accordance with the Signage Plan Design Standards.**

(1) One or more of the following special circumstances applies:

(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The Mall has inferior visibility from Rodeo Road due to the site topography. The finished floor elevation of the structure is 20 feet (almost two stories) below the elevation of Rodeo Road. This limits visibility for vehicles and makes it essential that signage be large enough to be clearly visible from the street. Furthermore, the setbacks from the adjacent roadways range from 500 to 620 feet, further hindering visibility. Lastly, at 665,000 square feet, the Mall is the largest retail structure in the City and signage should be proportional to the building on which it is mounted.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

N/A

(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; or

N/A

(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).

N/A

- (2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.*

In order to ensure the success of the Mall redevelopment, tenants must be able to adequately advertise their store via a sign that is both proportional to the building and clearly visible from the adjacent roadways. Furthermore, as explained previously, the mall industry is evolving to incorporate "lifestyle center" elements, which means there are more stores with exterior entries and façades, which necessitate adequate signage.

- (3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.*

The increased sign size does not translate to increased development intensity. Furthermore, the requested sign size of 150 square feet is consistent with much of the existing Mall signage and is in fact smaller than many of the current anchor signs.

- (4) The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:*

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use;

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

The Mall has been operating on the subject property for over 30 years. Considering a less intense use is counter to the property's SC-3 zoning and inconsistent with the City's

stated goal of local retail spending. It is critical to the economic base of Santa Fe that the area's regional mall be redeveloped in a manner to ensure that it is reinstated as Santa Fe's most significant generator of sales tax revenue. In order for the Mall to continue its redevelopment, new national tenants must be secured. As a catalyst to the Mall's redevelopment and expansion of Santa Fe's economic base, the requested sign variance is in alignment with the General Plan's goals of economic development and adaptive reuse.

(5) The variance is not contrary to the public interest.

The requested sign variance is in the public interest as a key component to furthering the redevelopment of the Mall, creating jobs and expanding Santa Fe's economic base, as well as offering greater local shopping opportunities for residents.

2. A variance is requested from SFCC §14-8.10(G)(8)(c) Cerrillos Road Highway Corridor Protection district, Zone Four, to permit two 80 s.f. wall mounted signs for each "Pad Site" building in accordance with the Signage Plan Design Standards.

(1) One or more of the following special circumstances applies:

(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The pad site tenants will draw customers from the adjacent roadways and from the Mall itself. Therefore, unlike other retailers, the signage needs of the pad sites are two-fold: to be equally visible from the adjacent roadways, as well as from the Mall. The Mall property has compromised visibility from Rodeo Road due to the site topography, with the elevation of the proposed pad sites ranging from 12 feet to 22 feet below Rodeo Road. Furthermore, store identification facing the Mall is key to encouraging pedestrian access between the Mall and the pad sites.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

N/A

(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; or

N/A

(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).

N/A

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

In order to ensure the success of the Mall redevelopment and attract quality retailers and restaurants, tenants must be able to adequately advertise their location in a manner that supports their long term success in this market. Furthermore, as explained previously, the mall industry is evolving to incorporate "lifestyle center" elements, which means there will be more developed pad sites, which necessitate adequate signage.

(3) The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.

Permitting one additional sign for pad sites does not translate to increased development intensity.

(4) The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:

(a) whether the property has been or could be used without variances for a different category or lesser intensity of use;

(b) consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.

The Mall has been operating on the subject property for over 30 years. Considering a less intense use is counter to the property's SC-3 zoning and inconsistent with the City's stated goal of local retail spending. It is critical to the economic base of Santa Fe that the area's regional mall be redeveloped in a manner to ensure that it is reinstated as Santa Fe's most significant generator of sales tax revenue. In order for the Mall to continue its redevelopment, new national tenants must be secured. As a catalyst to the Mall's redevelopment and expansion of Santa Fe's economic base, the requested sign variance is in alignment with the General Plan's goals of economic development and adaptive reuse.

(5) The variance is not contrary to the public interest.

The requested sign variance is in the public interest as a key component to furthering the redevelopment of the Mall, creating jobs and expanding Santa Fe's economic base, as well as offering greater local shopping opportunities for residents.

3. A variance is requested from SFCC §14-8.10(C)(1), Prohibited Signs, to permit an off-site monument sign at the corner of Cerrillos Road and Rodeo Road in the City right-of-way.

(1) One or more of the following special circumstances applies:

(a) Unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;

The intersection of Cerrillos Road and Rodeo Road is the busiest intersection in the City and it is important to the success of the redevelopment effort to take advantage of this corner with monument signage that can identify key tenants. However, while the Mall property anchors the intersection, it does not enjoy frontage on the right-of-way, as do other shopping centers in the area. Furthermore, the Mall structure is 800 feet from the intersection, so a physical presence at this location would be a significant benefit to enhance tenant visibility.

(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

N/A

(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; or

N/A

(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).

N/A

(2) The special circumstances make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14.

In order to ensure the success of the Mall redevelopment and attract quality retailers and restaurants, tenants must be able to adequately advertise their location in a manner that supports their long term success in this market. Furthermore, as explained previously, the

mall industry is evolving to incorporate "lifestyle center" elements, which means there will be more tenants seeking separate identification, as opposed to just being associated with the Mall.

- (3) *The intensity of development shall not exceed that which is allowed on other properties in the vicinity that are subject to the same relevant provisions of Chapter 14.*

Permitting an off-site monument sign does not translate to increased development intensity.

- (4) *The variance is the minimum variance that will make possible the reasonable use of the land or structure. The following factors shall be considered:*

(a) *whether the property has been or could be used without variances for a different category or lesser intensity of use;*

(b) *consistency with the purpose and intent of Chapter 14, with the purpose and intent of the articles and sections from which the variance is granted and with the applicable goals and policies of the general plan.*

The Mall has been operating on the subject property for over 30 years. Considering a less intense use is counter to the property's SC-3 zoning and inconsistent with the City's stated goal of local retail spending. It is critical to the economic base of Santa Fe that the area's regional mall be redeveloped in a manner to ensure that it is reinstated as Santa Fe's most significant generator of sales tax revenue. In order for the Mall to continue its redevelopment, new national tenants must be secured. As a catalyst to the Mall's redevelopment and expansion of Santa Fe's economic base, the requested sign variance is in alignment with the General Plan's goals of economic development and adaptive reuse.

- (5) *The variance is not contrary to the public interest.*

The requested sign variance is in the public interest as a key component to furthering the redevelopment of the Mall, creating jobs and expanding Santa Fe's economic base, as well as offering greater local shopping opportunities for residents.

The proposed Signage Plan and approval of the associated variances are crucial to the continued success of redevelopment and revitalization of Santa Fe Place Mall. This important effort will improve local shopping opportunities, create jobs, and spark a much needed increase in Santa Fe's Gross Receipts Tax revenue.

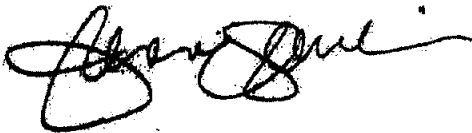
In support of this request, the following documentation is submitted herewith for your review:

1. Variance Applications
2. Letter of Authorization
3. Warranty Deed
4. Concept Renderings
5. Legal Lot of Record
6. Development Plan Amendment #3
7. Plans (6 sets + PDF)
8. Application Fees in the amount of \$1,560.00
 - \$1,500.00 – Variance Application (Planning Commission)
 - \$60.00 – Two Posters

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

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Jenkins", written in a cursive style.

Jennifer Jenkins

Signage Plan



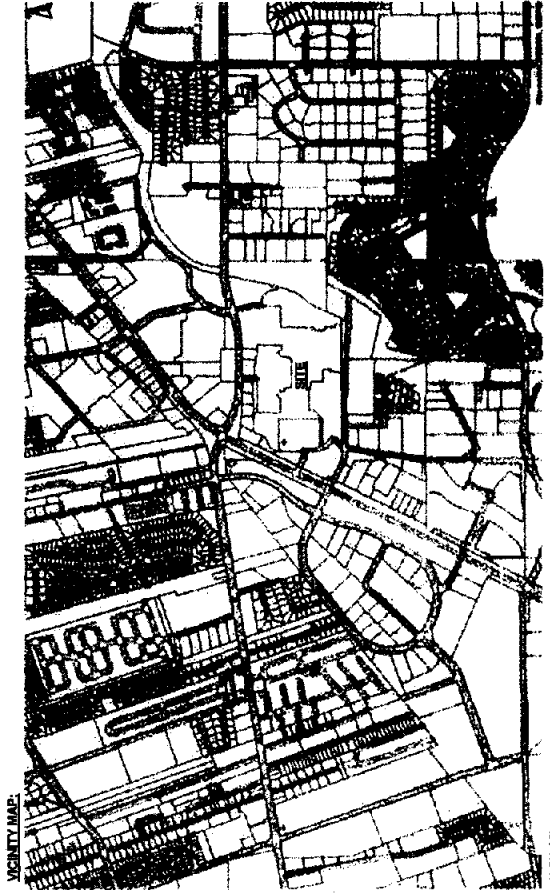
santa fe place

4250 Cerrillos Rd., Santa Fe, N.M.

OWNER:



112 Northern Concourse
N. Syracuse, NY 13212
(T) 315-425.1000



COUNTY OF SANTA FE)
STATE OF NEW MEXICO)
I hereby certify that this instrument
was filed for record on the _____ day of
October, 2016, and was duly recorded in
Book _____ Page _____ of the records of
Santa Fe County.
Witness my hand and Seal of Office
at Santa Fe, New Mexico, this _____ day of
October, 2016.
County Clerk, Santa Fe County, NM

Clerk

SHEET INDEX:

- 1 COVER
- 2 SIGNAGE PLAN

SITE APPROVAL:

CITY ENGINEER _____ DATE _____

CITY PLANNER _____ DATE _____

Approved by the Planning Commission at their meeting
of _____, 2016 as case # _____

Chair _____ Date _____

Secretary _____ Date _____

OWNER'S CONSENT:

DATE _____

| | |
|--|---|
| Santa Fe Place Signage Plan 4250 Cerrillos Road, Santa Fe, N.M. | Jenkins & Gavin Architects, P.A. 1200 West Alameda, Suite 100 Santa Fe, New Mexico 87501 |
| Revision Schedule Date: _____ Drawn By: _____ Checked By: _____ | Title: _____ 1 of 2 |

The following existing identification signs are hereby ratified:

- EXISTING SIGNS**
- Sign P-1: 31" High x 14.2" Long x 2.1" Wide = 463.3 s.f.
 - Sign P-2: 31" High x 7.4" Long x 2.1" Wide = 228.4 s.f.
 - Sign P-3: 31" High x 7.4" Long x 2.1" Wide = 228.4 s.f.

The location of the signs may be modified with the approval of a sign permit.

- Wall Mounted Signs**
- Sign M-1: 128.5 s.f.
 - Sign M-2: 128.5 s.f.
 - Sign M-3: 117.7 s.f.

Each wall mounted identification sign may remain or be replaced up to a maximum of 150 s.f.

- Existing Sign Variances**
- Sign M-1, M-2, M-3**, approved by the Planning Commission on Case #2015-027, July 2, 2015. Variance for 150 s.f. wall sign on the west side of the building. The approved square footage indicates the red background of the sign. West Elevation: 158.4 s.f., South Elevation: 147.9 s.f.
 - Sign M-1, M-2, M-3**, approved by the Planning Commission on Case #2015-027, July 2, 2015. Variance for 150 s.f. wall sign. Sign: 158 s.f.
 - Sign M-1, M-2, M-3**, approved by the Planning Commission on Case #2015-027, July 2, 2015. Variance for 150 s.f. wall sign. Sign: 158 s.f.

Variances Approved as part of this Signage Plan

- Variance from SFCC 114.4.10.1 (C)1) allowing an off-site monument sign on the City of Santa Fe adjacent to the corner of Cerrillos Road and Rodeo Road, subject to approval of the Planning Commission and the City of Santa Fe. A Lettering Sign (L) shall be installed on the building up to a maximum of 150 s.f. in accordance with the approved Design Standards.
- Variance from SFCC 114.4.10.1 (C)2) allowing up to two wall mounted signs for each "Red Star" building up to a maximum of 150 s.f. in accordance with the approved Design Standards.

DESIGN STANDARDS FOR FUTURE SIGNAGE

- Basic Wall Mounted Signs for Mail Stoves**
 - Signs with an exterior entry: One exterior wall mounted sign up to a maximum of 150 s.f.
 - Signs with a north-facing exterior entry: One exterior wall mounted sign up to a maximum of 150 s.f.
 - Signs with a south-facing exterior entry: One exterior wall mounted sign up to a maximum of 150 s.f. each.
 - Signs over 10,000 s.f. with an exterior entry and an exterior facade: one exterior wall mounted sign up to a maximum of 150 s.f.
- Mail Stove**
 - Manufacturing buildings to have only one exterior wall mounted sign up to a maximum of 80 s.f. each.
- Other Signs**
 - The following permits are permitted signs identification on up to two Pylon Signs:
 - Department Signs
 - Other Access over 15,000 s.f.
 - Other Signs

The following permits are permitted signs identification on up to two Pylon Signs:

- Department Signs
- Other Access over 15,000 s.f.
- Other Signs

Scale: 1" = 100'-0"

2 of 2

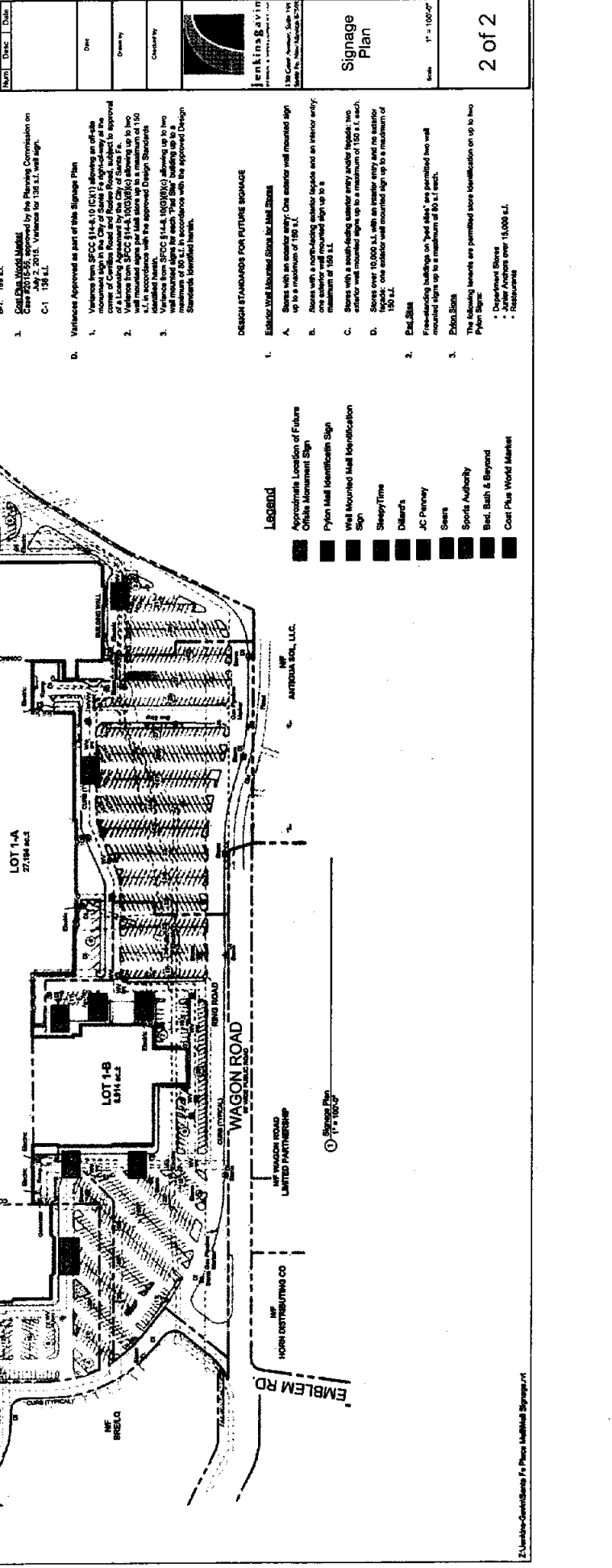
Santa Fe Place Signage Plan

4250 Cerrillos Road, Santa Fe, N.M.

| Rev. | Disc. | Date |
|------|-------|------|
| | | |



Drawn by: _____
 Checked by: _____
 Date: _____



- Legend**
- Approximate Location of Future Office Monument Sign
 - Pylon Mail Identification Sign
 - Wall Mounted Mail Identification Sign
 - Shelby/Turner
 - Dillard's
 - JC Penney
 - Stamps
 - Sports Authority
 - Bed, Bath & Beyond
 - Cost Plus World Market

Scale: 1" = 100'-0"

2 of 2

Z:\Unclass-Growth\Santa Fe Place Mail\Main Signage.rvt

Development Plan Amendment #3



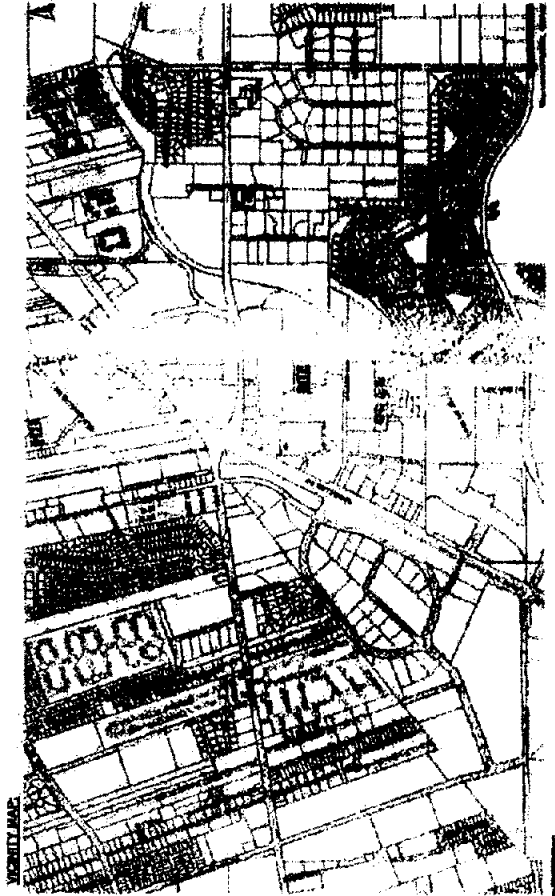
4250 Cerrillos Rd., Santa Fe, N.M.

OWNER:
SPINOSO
 112 Northern Concourse
 N. Syracuse, NY 13212
 (T) 315.426.1000

PURPOSE STATEMENT:

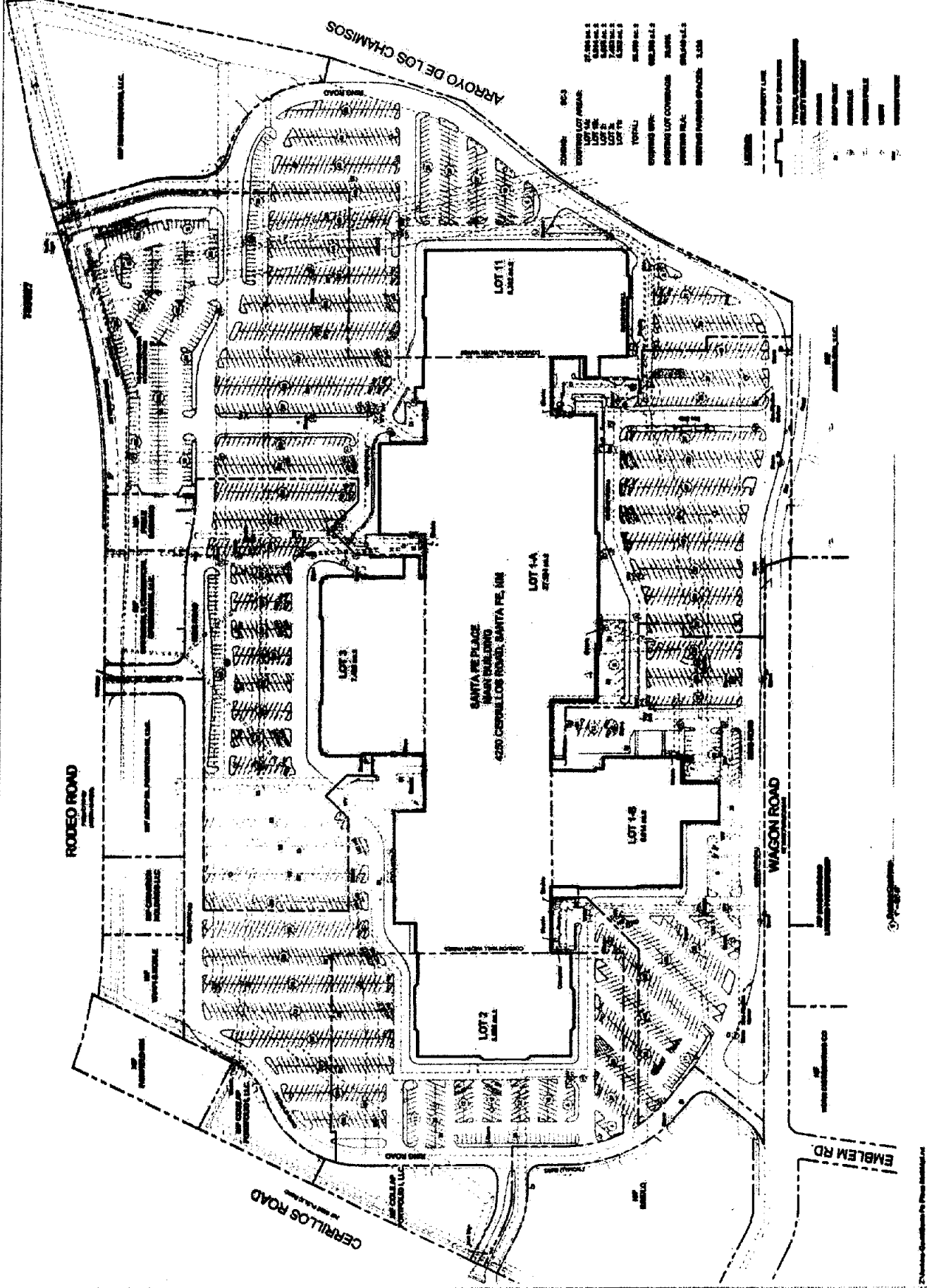
THE PURPOSE OF THIS AMENDMENT IS TO RE-DISTRIBUTE THE APPROVED DEVELOPMENT RIGHTS FOR "RESERVED TRACT" OF ABOVE PROPOSED PAD SITE AND BUILDING ADDITIONS.

- SHEET INDEX:**
- 1 COVER
 - 2 EXISTING CONDITIONS
 - 3 DEVELOPMENT PLAN AMENDMENT #3
 - 4 LANDSCAPE IMPROVEMENT PLAN

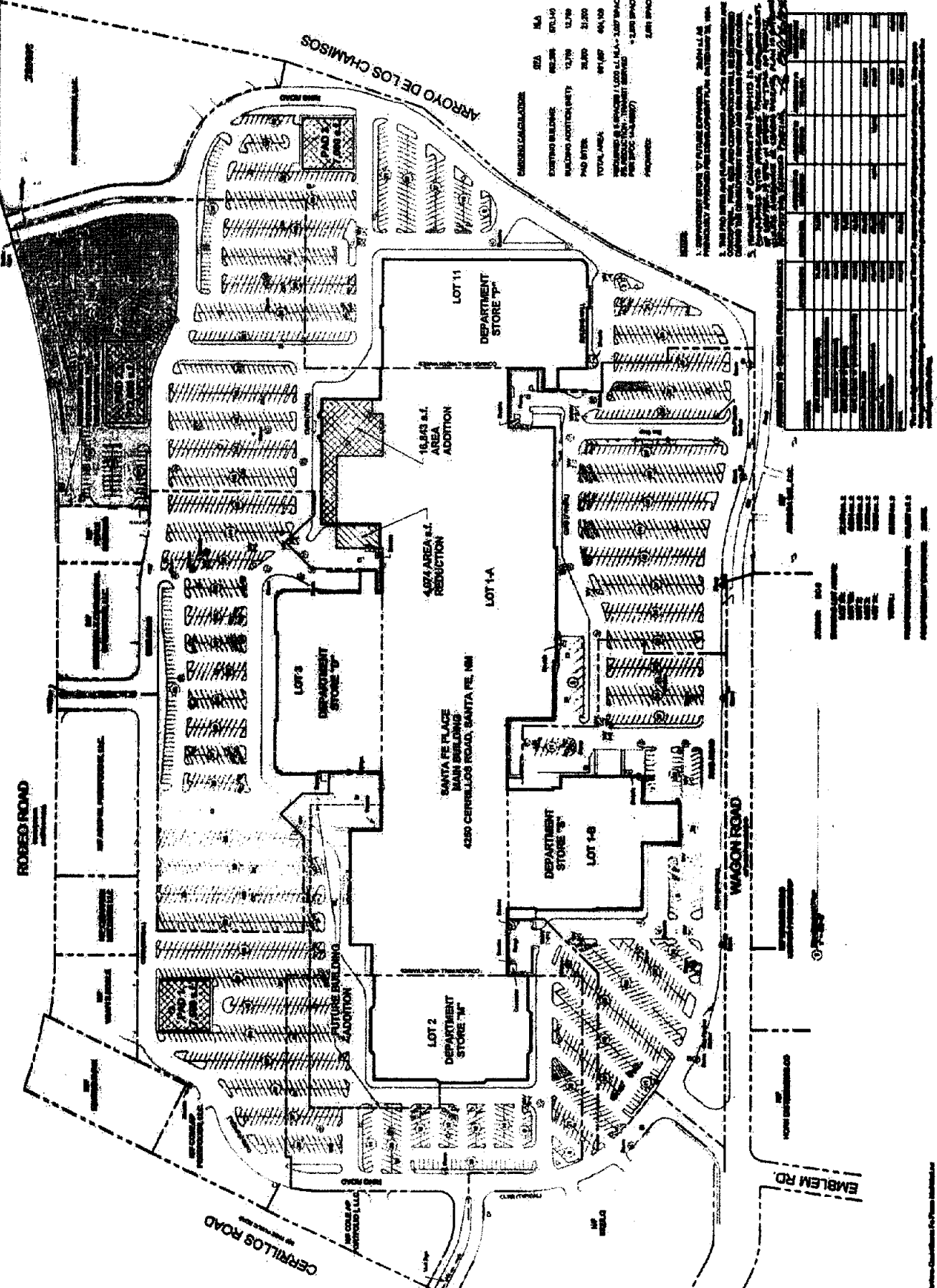


[Handwritten notes and signatures]

DATE: 4/25/05
BY: [Signature]
FOR: [Signature]
SCALE: 1/8" = 1'-0"



| Item | Quantity |
|---------------------|-----------------------|
| Proposed Lot Area | 6.00 ac. |
| Existing Lot Area | 6.00 ac. |
| Lot 1 | 1.00 ac. |
| Lot 2 | 1.00 ac. |
| Lot 3 | 1.00 ac. |
| Lot 4 | 1.00 ac. |
| Lot 5 | 1.00 ac. |
| Lot 6 | 1.00 ac. |
| TOTAL | 6.00 ac. |
| Proposed Imp. | 20,000 sq. ft. |
| Existing Imp. | 20,000 sq. ft. |
| TOTAL | 20,000 sq. ft. |
| Proposed Imp. Ratio | 3.33 |
| Existing Imp. Ratio | 3.33 |
| TOTAL | 3.33 |



DESIGN CALCULATOR

| ITEM | AREA | PERCENT | PERCENT |
|---------------------|--------|---------|---------|
| EXISTING BUILDING | 27,200 | 87.1% | 12.7% |
| ADDITIONAL ADDITION | 16,840 | 52.8% | 21.2% |
| TOTAL AREA | 44,040 | 139.9% | 63.9% |

TOTAL AREA: 44,040 S.F. (1,020 S.F. = 2,307 SQUARE FEET REDUCED FROM EXISTING)

1. THE ABOVE AREA IS FOR THE PROPOSED DEVELOPMENT PLAN AMENDMENT #3. THE AREA IS SUBJECT TO THE CITY OF SANTA FE ZONING ORDINANCES AND THE CITY ENGINEER'S REVIEW. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

| NO. | DESCRIPTION | AREA | PERCENT |
|-----|---------------------|--------|---------|
| 1 | EXISTING BUILDING | 27,200 | 87.1% |
| 2 | ADDITIONAL ADDITION | 16,840 | 52.8% |
| 3 | TOTAL AREA | 44,040 | 139.9% |

THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

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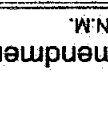
THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE CITY ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

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| | | | |
|-------------------|-------|------|------|
| Revision Schedule | Sheet | Date | Date |
| | | | |

Author
 Designer
 Checker

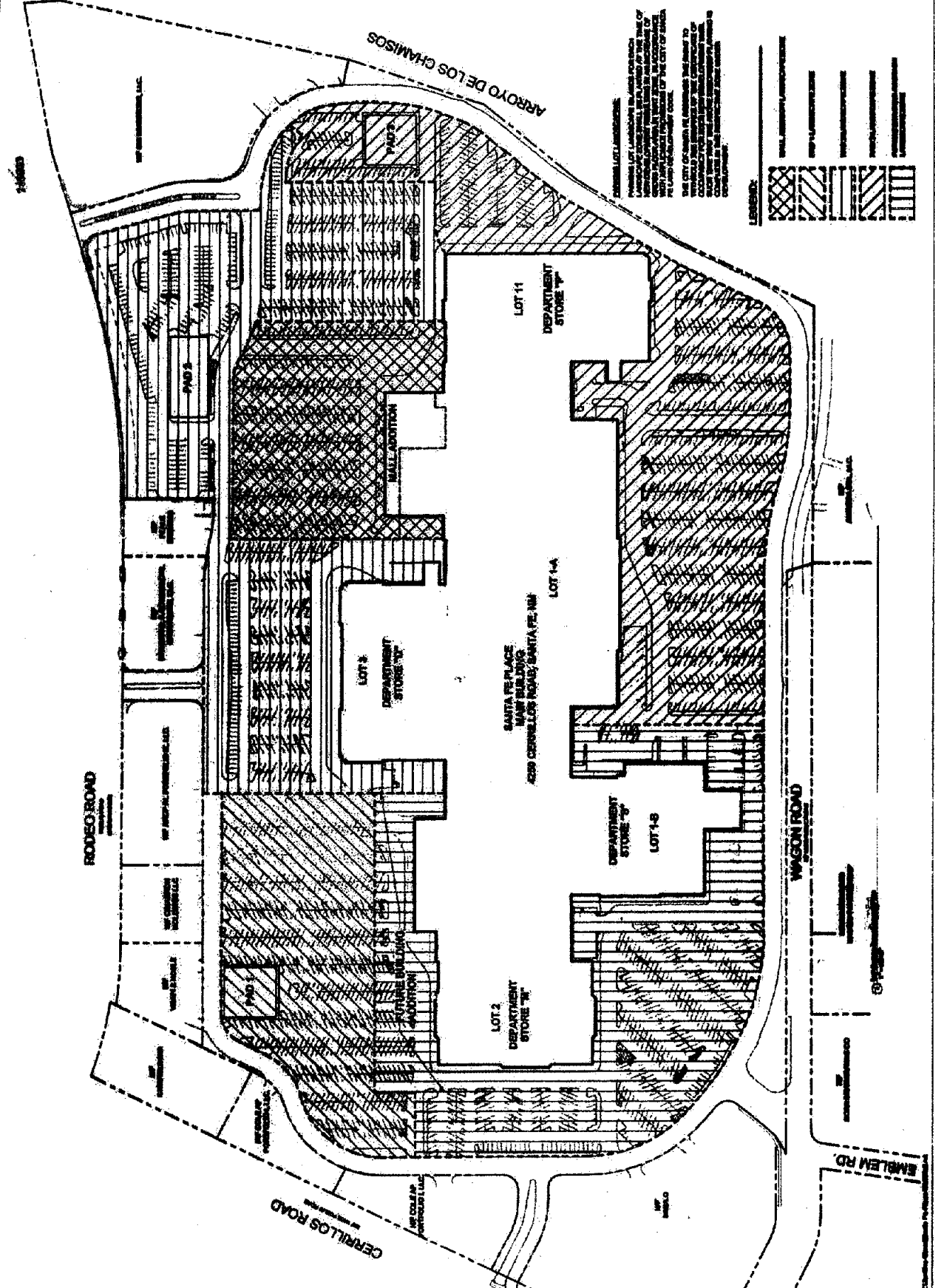


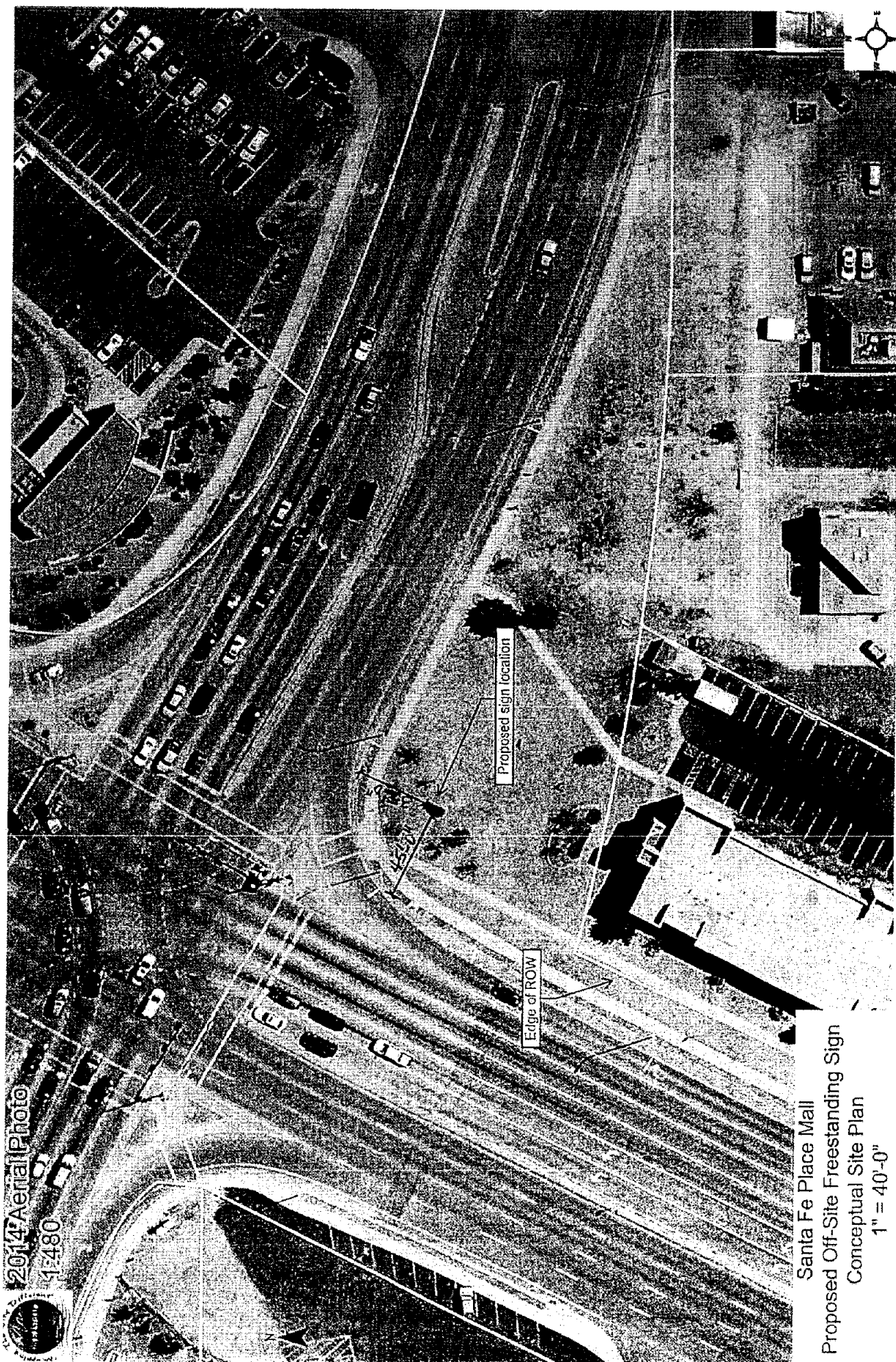
Jenks & Gwin, Inc.
 1200 West Alameda, Santa Fe, NM 87505
 Phone: (505) 424-1111

Landscape
 Management
 Plan

Scale: 1" = 100'-0"
 Date: 11/11/2010

4 of 4



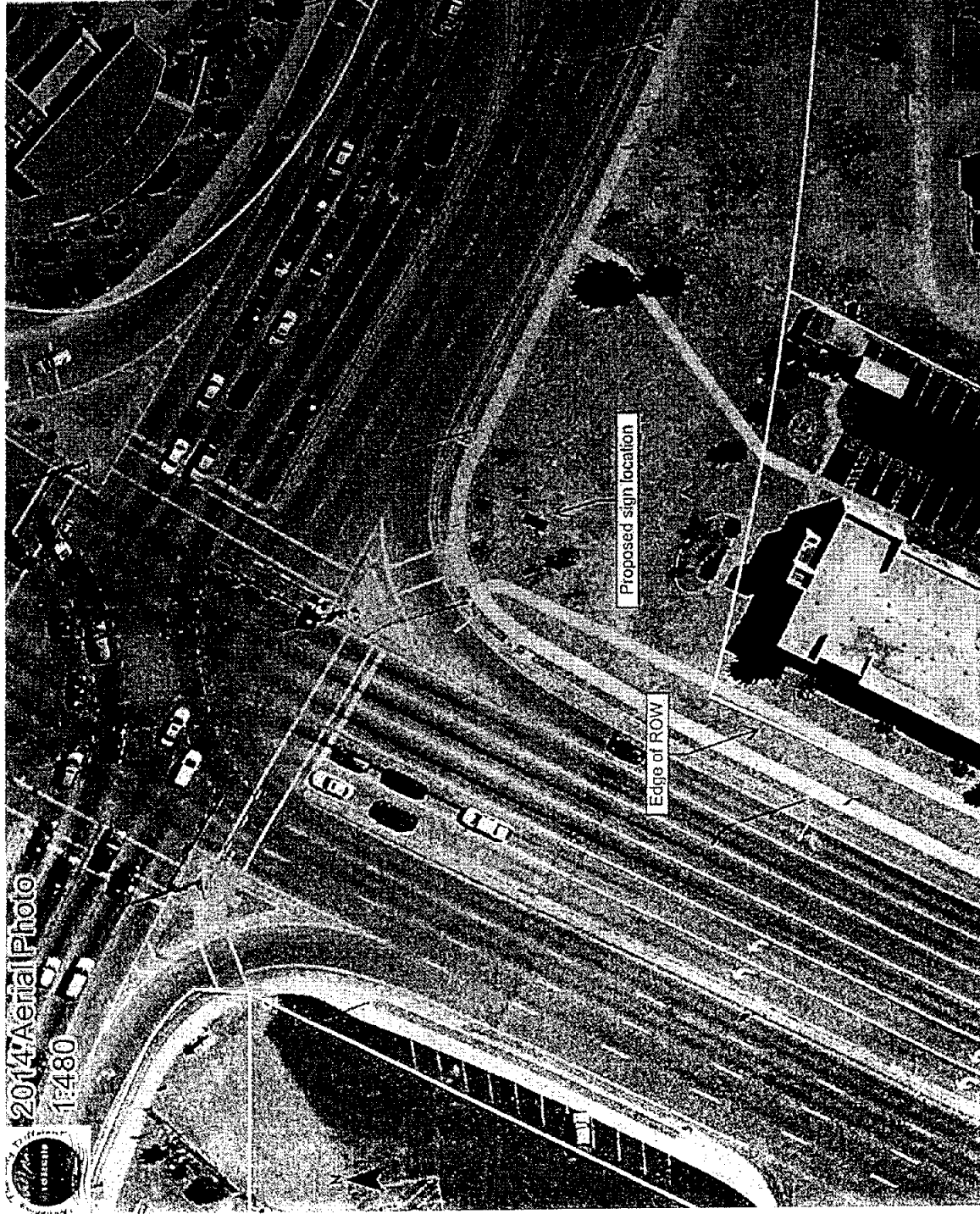


2014 Aerial Photo
1:480

Santa Fe Place Mall
Proposed Off-Site Freestanding Sign
Conceptual Site Plan
1" = 40'-0"

2014 Aerial Photo

1:480

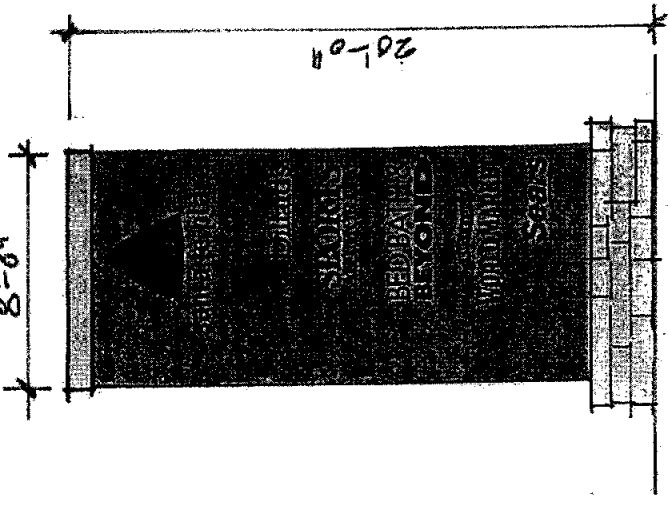


Proposed sign location

Edge of ROW

8'-0"

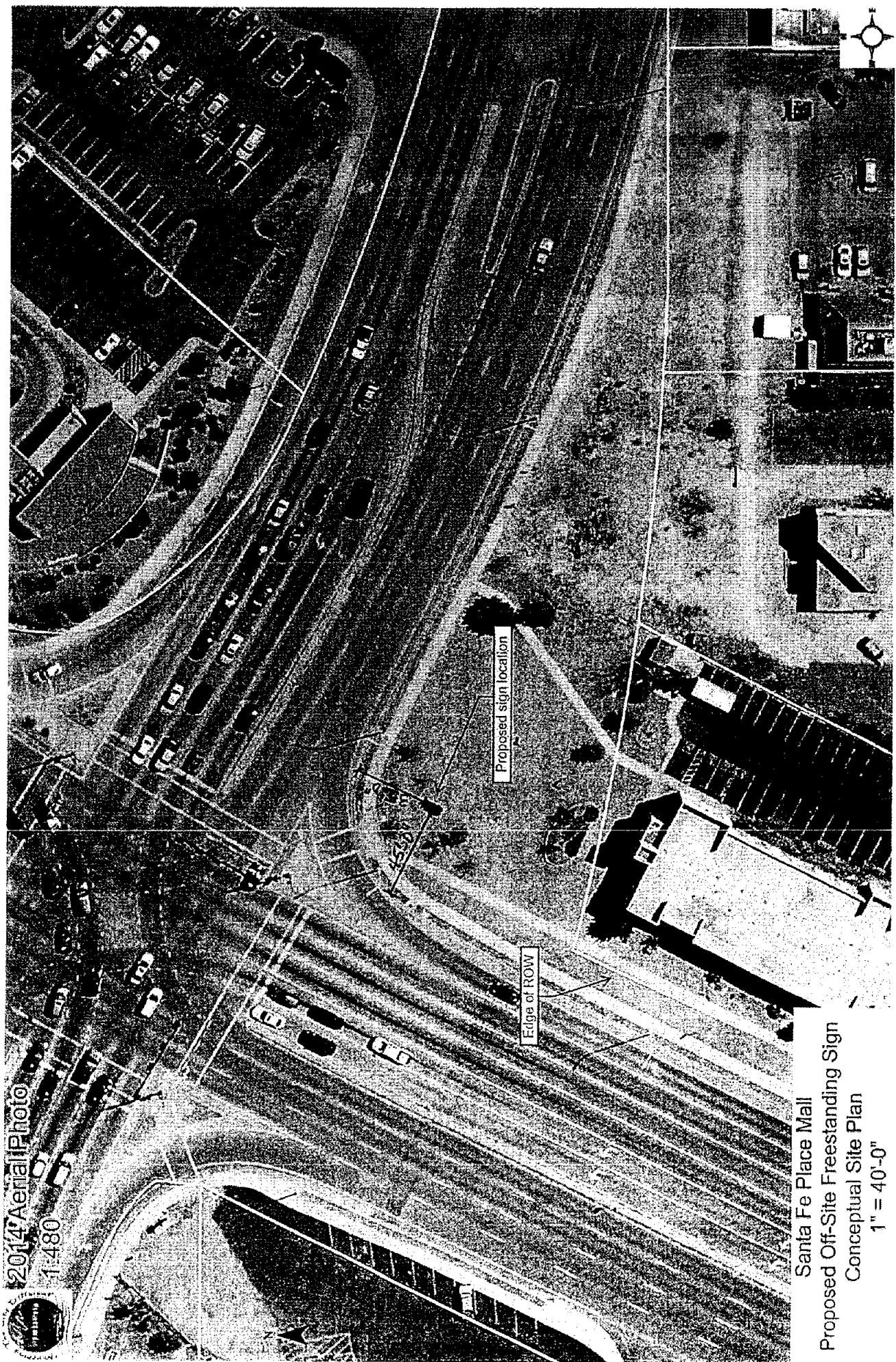
20'-0"



Conceptual Sign Elevation
1/4" = 1'-0"

Santa Fe Place Mall
Proposed Off-Site Freestanding Sign
Conceptual Site Plan
1" = 40'-0"





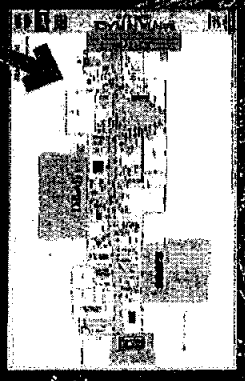
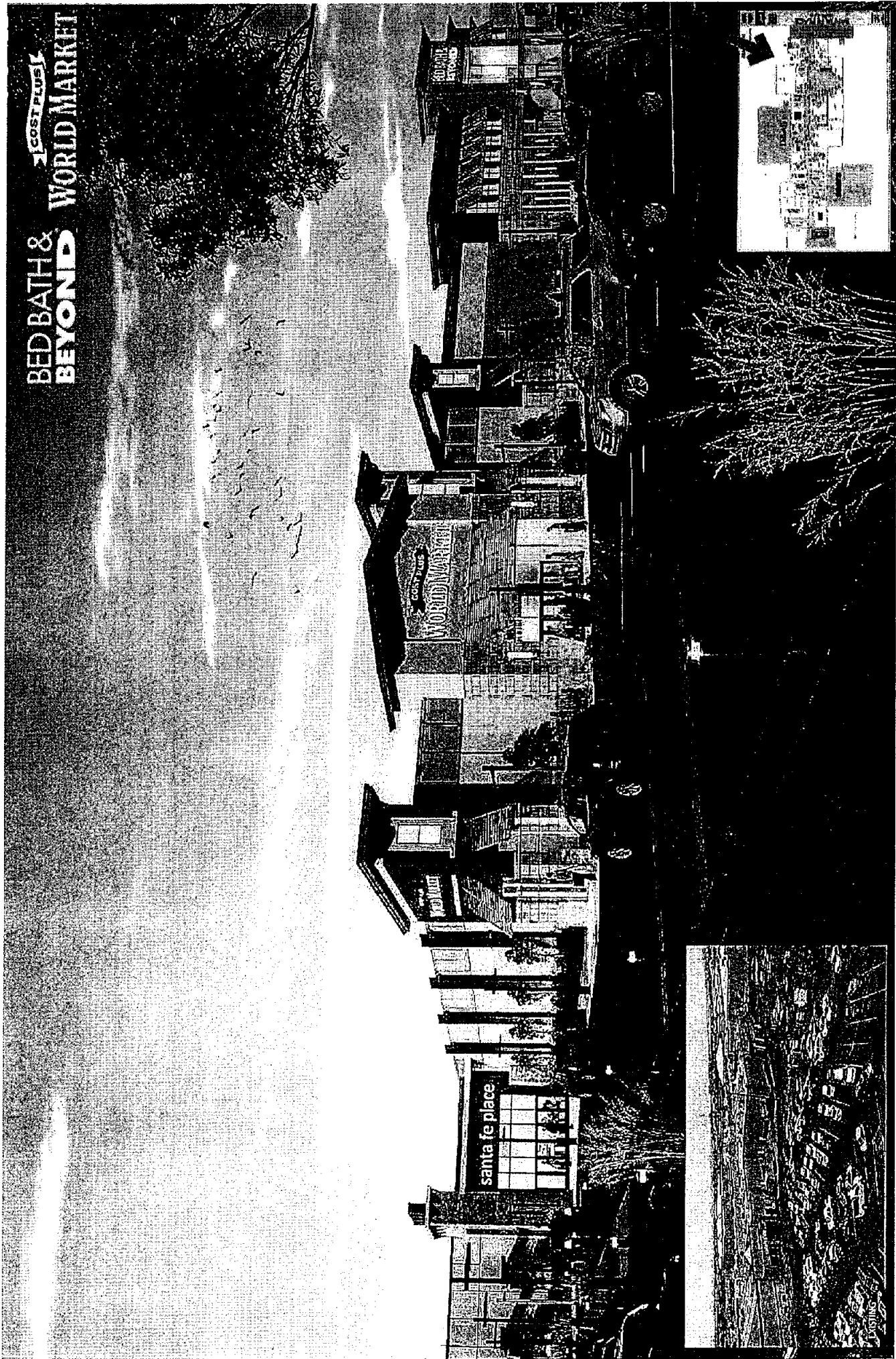
2014 Aerial Photo

1:480

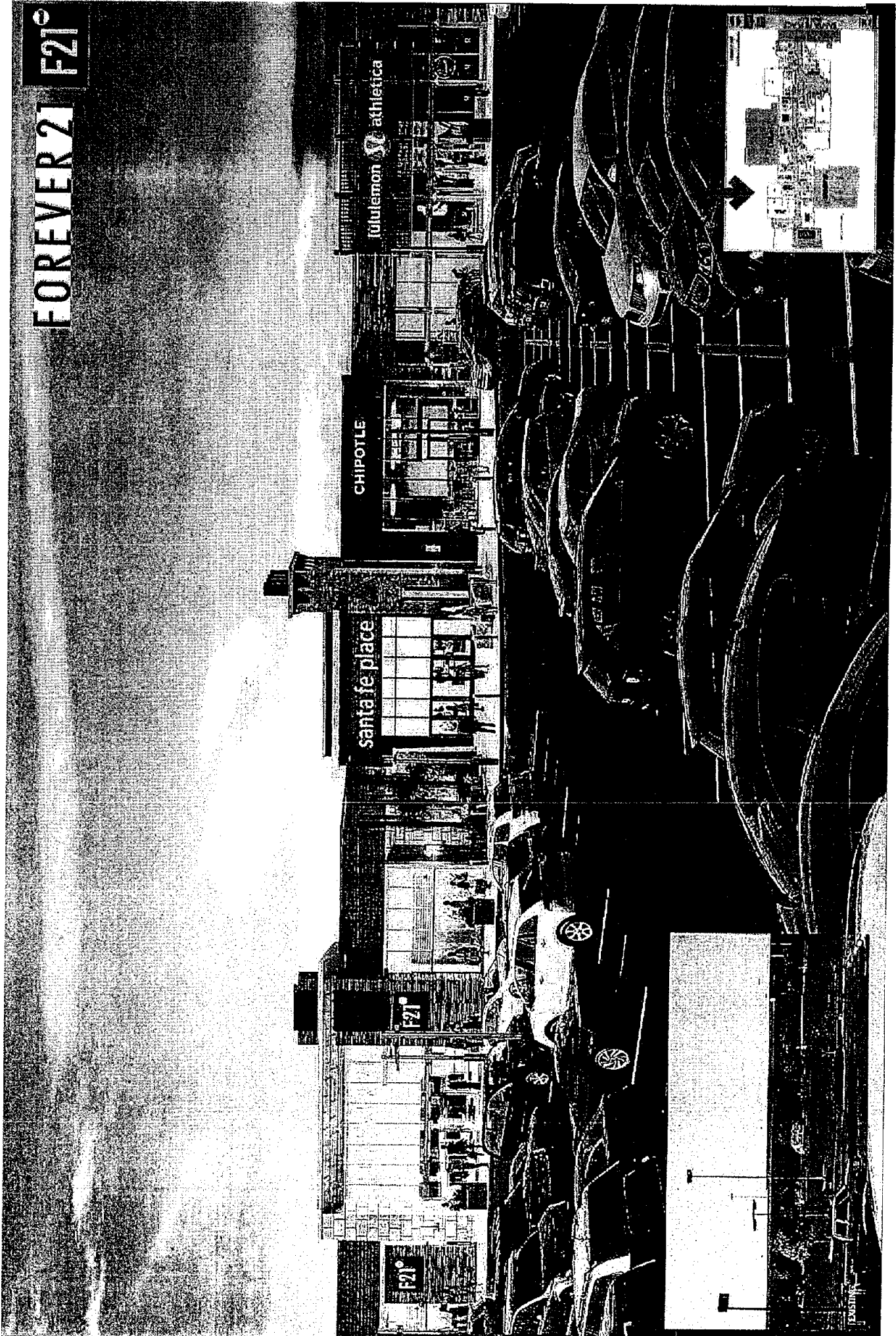


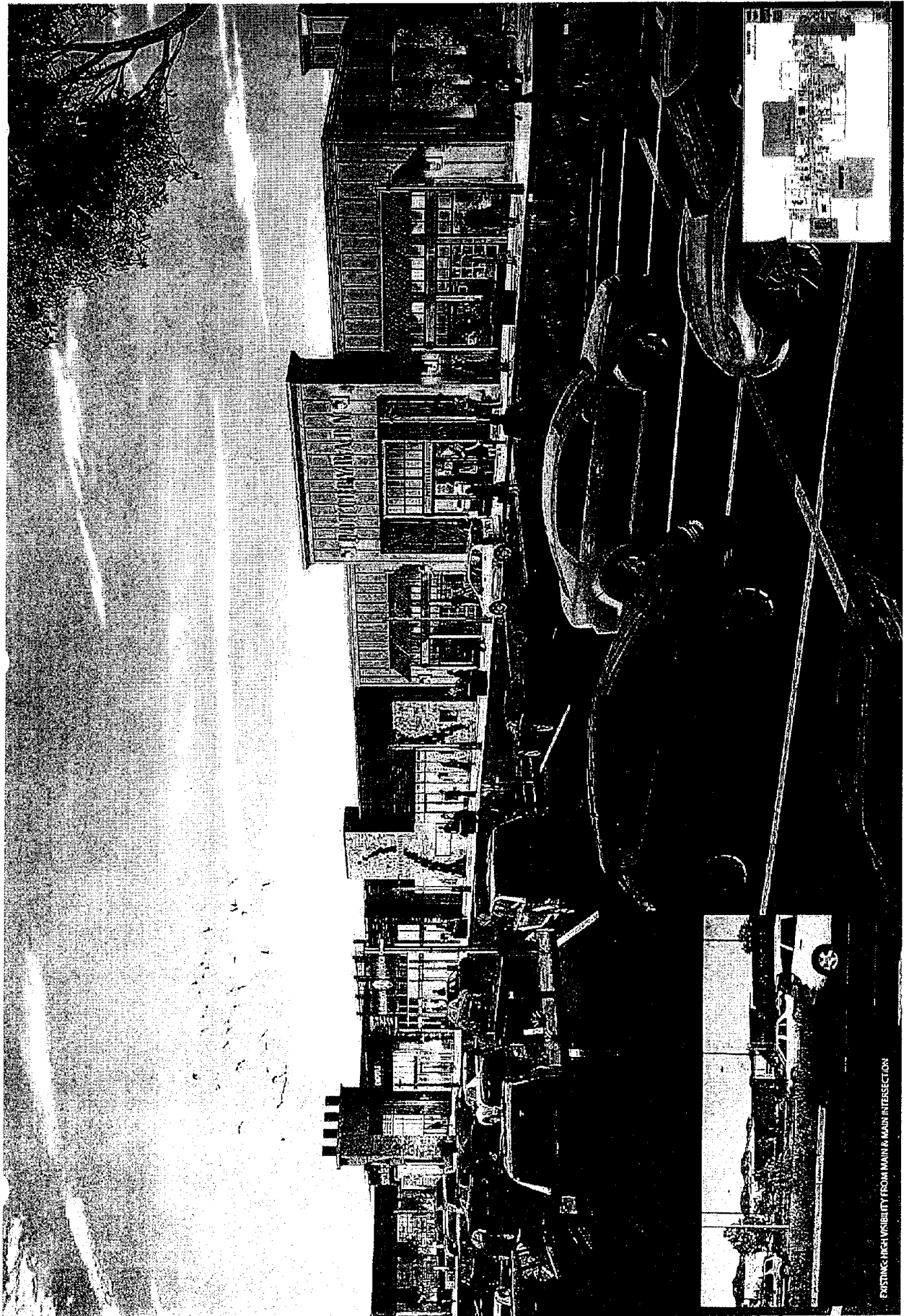
Santa Fe Place Mall
Proposed Off-Site Freestanding Sign
Conceptual Site Plan
1" = 40'-0"

BED BATH & BEYOND COST PLUS **WORLD MARKET**

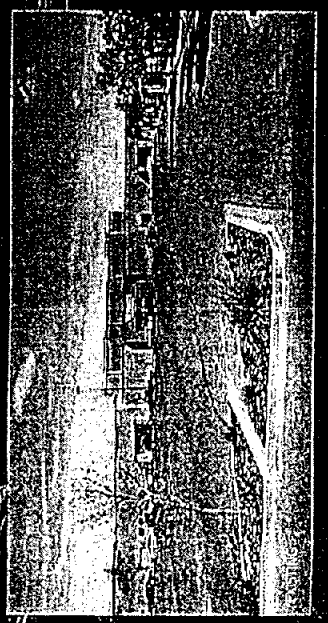
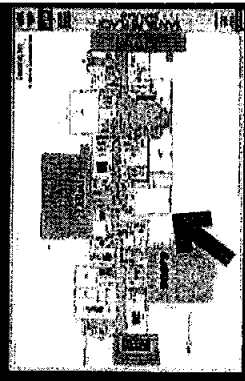


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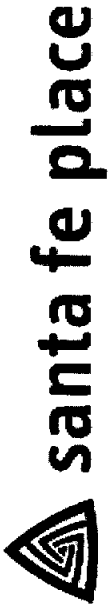




EXISTING - HIGH VISIBILITY FROM MAIN & MAIN INTERSECTION

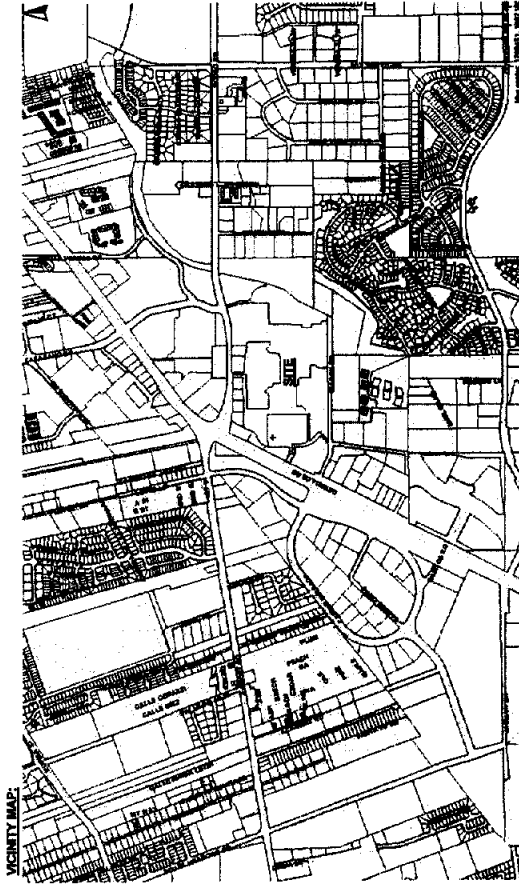


Signage Plan



4250 Cerrillos Rd., Santa Fe, N.M.

OWNER:
SPINOSO
 REAL ESTATE GROUP
 112 Northern Concourse
 N. Syracuse, NY 13212
 (T) 315.425.1000



COUNTY OF SANTA FE,
 STATE OF NEW MEXICO, ss
 I hereby certify that this instrument
 was filed for record in the
 Public Records of Santa Fe County,
 New Mexico, on this _____ day of _____, 2018, at the Records of
 Santa Fe County, New Mexico, and was duly recorded in
 Volume _____, Page _____ of the Records of
 Santa Fe County, New Mexico.
 Notary Public and State of New Mexico
 County Clerk, Santa Fe County, NM
 Empty

SHEET INDEX:
 1 COVER
 2 SIGNAGE PLAN

CITY APPROVAL:

CITY ENGINEER _____ **DATE** _____

CITY PLANNER _____ **DATE** _____

Approved by the Planning Commission at their meeting
 of _____, 2018 as case # _____

Chair _____ **Date** _____

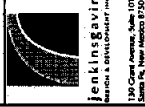
Secretary _____ **Date** _____

OWNER'S COMMENT:

_____ **DATE** _____

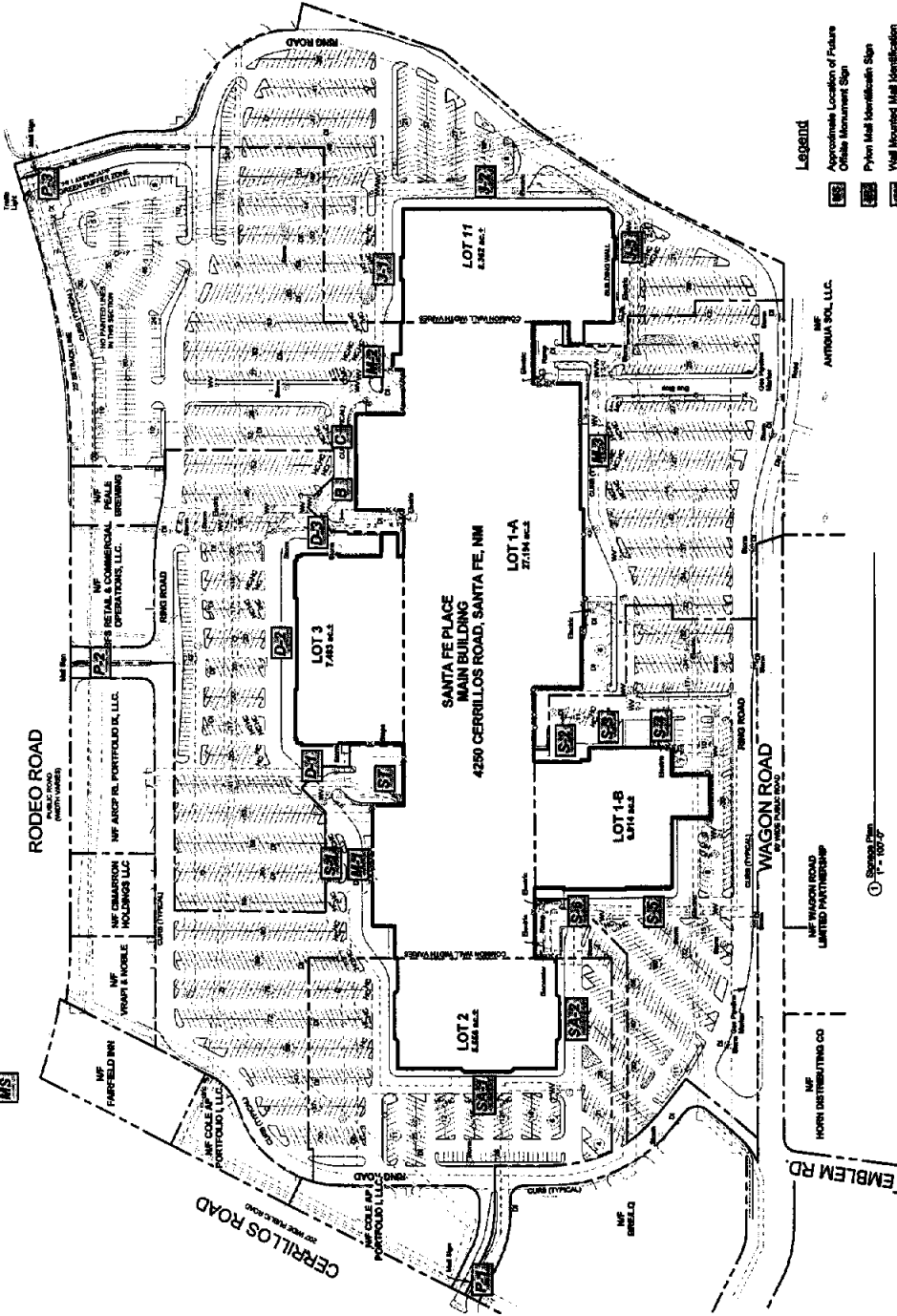
Reviser Schedule
 DATE DATE DATE

Date
 Drawn by
 Checked by



Cover

Santa Fe Place
 Signage Plan
 4250 Cerrillos Road, Santa Fe, N.M.



- LEGEND**
- Approximate Location of Future Obsolete Monument Sign
 - Pylon Mall Identification Sign
 - Wall Mounted Mall Identification Sign
 - Shanty/Tine
 - Chair's
 - JC Penney
 - Sears
 - Sports Authority
 - Best, Bath & Beyond
 - Coat Plus World Market

A. The following existing Mall Identification signs are hereby ratified:

Table Signs

Sign P-1: 31' High x 14.5' Long x 2.1' Wide = 453.3 S.F.
 Sign P-2: 31' High x 7.7' Long x 2.1' Wide = 228.4 S.F.
 Sign P-3: 31' High x 7.7' Long x 2.1' Wide = 228.4 S.F.

The location of the signs may be modified with the approval of a sign permit.

Wall Mounted Signs

Sign M-1: 128.5 S.F.
 Sign M-2: 128.5 S.F.
 Sign M-3: 117.7 S.F.

Each wall mounted Mall Identification sign may remain or be replaced up to a maximum of 150 S.F.

B. The following existing, nonconforming store identification signs may remain or be replaced with a sign that is less than or equal to the existing sign's footprint:

DESIGN

D-1: 178 S.F.
 D-2: 178 S.F.
 D-3: 340 S.F.
 D-4: 340 S.F.

JC Penney

J-1: 178 S.F.
 J-2: 178 S.F.
 J-3: 178 S.F.

Sears

S-1: 22.0 S.F.
 S-2: 17.0 S.F.
 S-3: 17.0 S.F.
 S-4: 71.4 S.F.
 S-5: 71.4 S.F.
 S-6: 134.1 S.F.

C. Existing Sign Variations

- Signs Approved**
 Case #2015-22, approved by the Planning Commission on June 7, 2015. Variance for 800 S.F. wall sign on the west side of the building. Approved square footage includes the red background of the sign.
 Sign: West Elevations 158.4 S.F.
 Sign: South Elevations 147.8 S.F.
- Red, Blue & Green**
 Case #2015-24, approved by the Planning Commission on July 2, 2015. Variance for 198 S.F. wall sign.
 Sign: 198 S.F.
- Coat Plus World Market**
 Case #2015-25, approved by the Planning Commission on July 2, 2015. Variance for 138 S.F. wall sign.
 Sign: 138 S.F.

D. Variance Approved as part of this Signage Plan

- Variance from SCCC §14-5-10 (C)(1) allowing an off-site monument sign in the City of Santa Fe sign-size at the location of the sign to be approved by the City of Santa Fe. Variance from SCCC §14-5-10(C)(1)(b) allowing up to two identified signs. Variance from SCCC §14-5-10(C)(1)(c) allowing up to a maximum of 80 S.F. in accordance with the approved Design Standards for Future Signage.

DESIGN STANDARDS FOR FUTURE SIGNAGE

- Exterior Wall Mounted Signs for Mall Signs**
 - Signs shall be placed on one exterior wall mounted sign up to a maximum of 150 S.F.
 - Signs shall be placed on one exterior wall mounted sign up to a maximum of 150 S.F.
- Signs with a surrounding exterior entry and/or facade two exterior wall mounted signs up to a maximum of 150 S.F. each facade. One exterior wall mounted sign up to a maximum of 150 S.F.
- Signs over 10,000 S.F. with an exterior entry and/or facade two exterior wall mounted signs up to a maximum of 150 S.F. each facade.

The following items are permitted store foundations up to two Plaza Signs:

- Department Store
- Junior Anchors over 15,000 S.F.
- Restaurants

Santa Fe Place Signage Plan

4250 Cerrillos Road, Santa Fe, N.M.

Revision Schedule

| Num | Date | Description |
|-----|------|-------------|
| | | |

Drawn by

Checked by

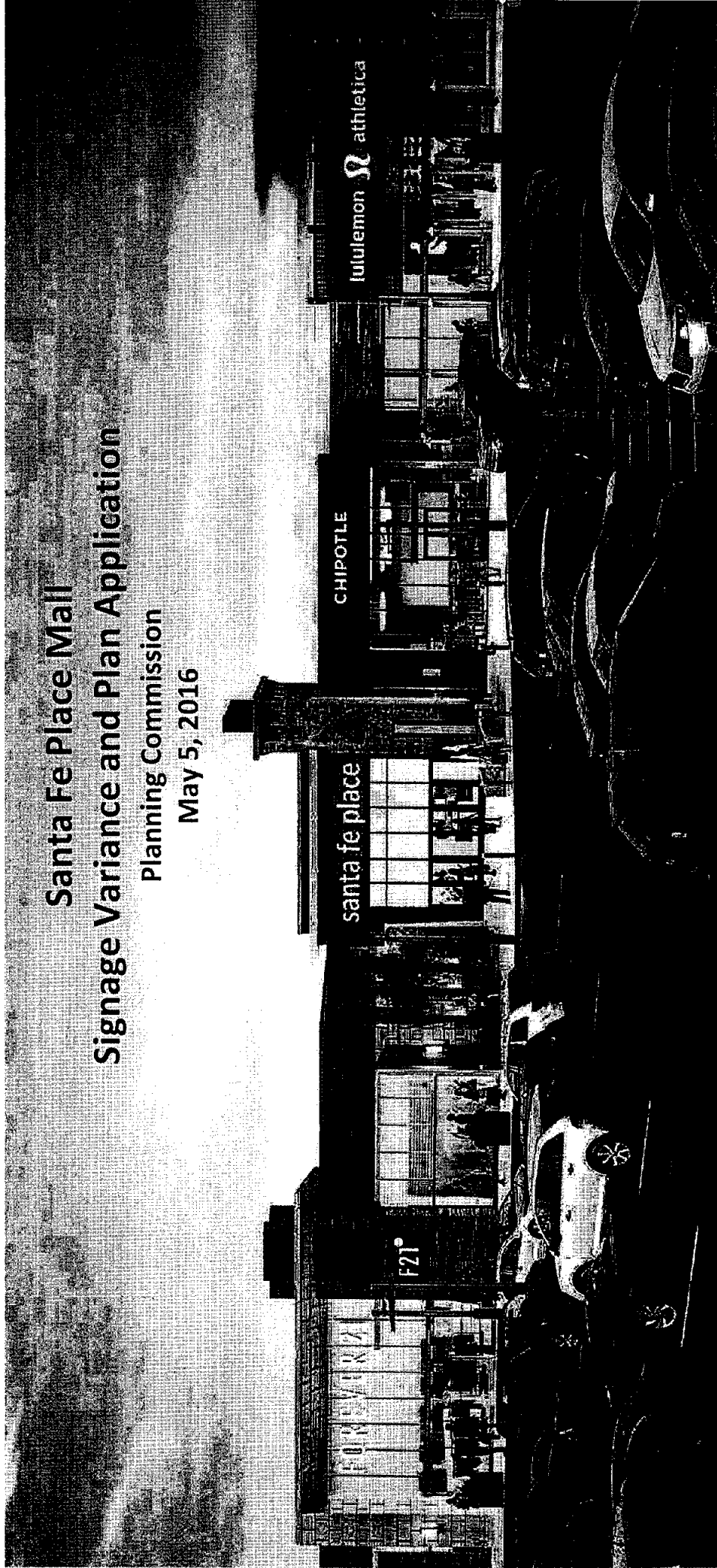
Jenkins & Associates, Inc.
 1300 Court Avenue, Suite 100
 Santa Fe, New Mexico 87505

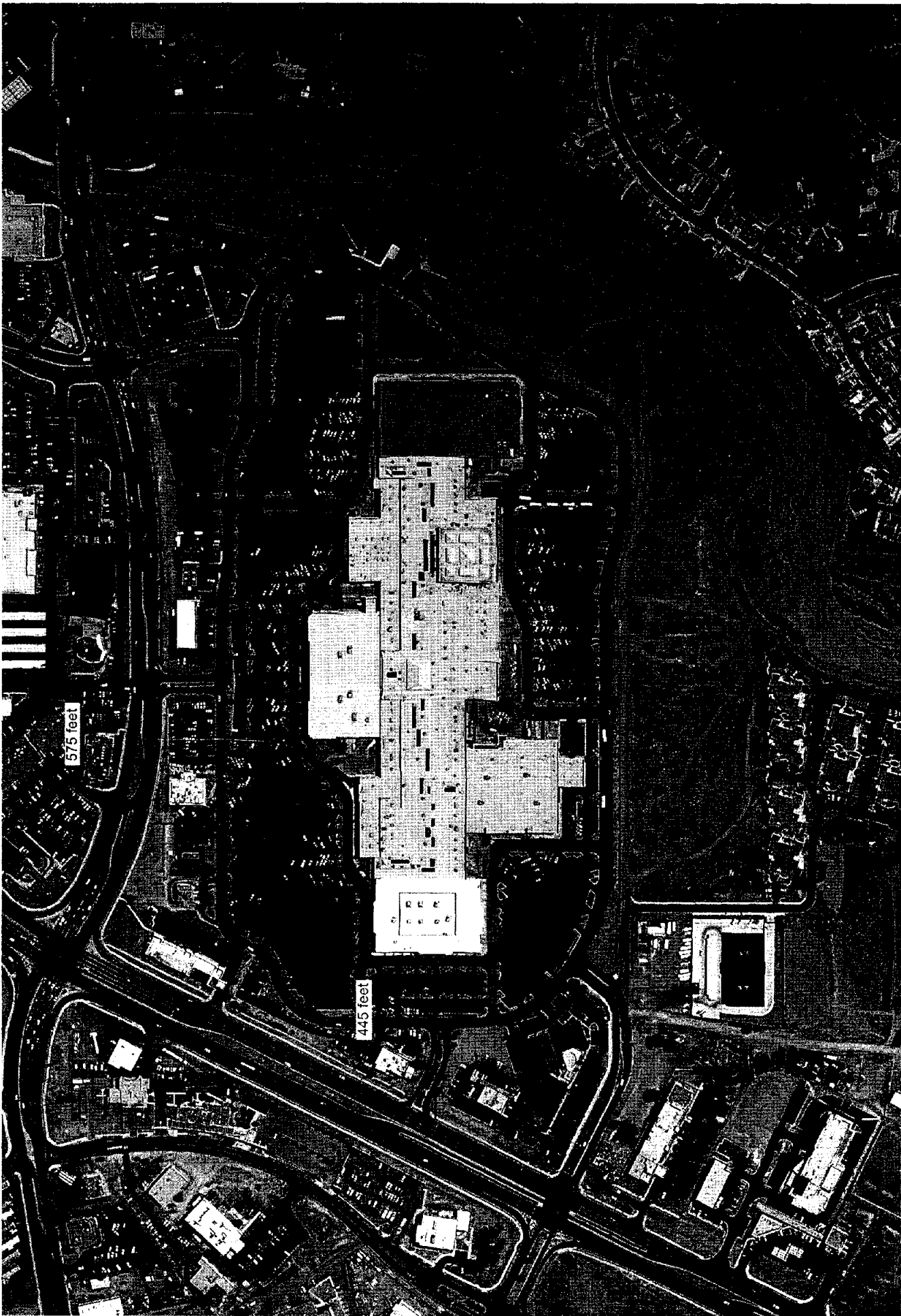
Signage Plan

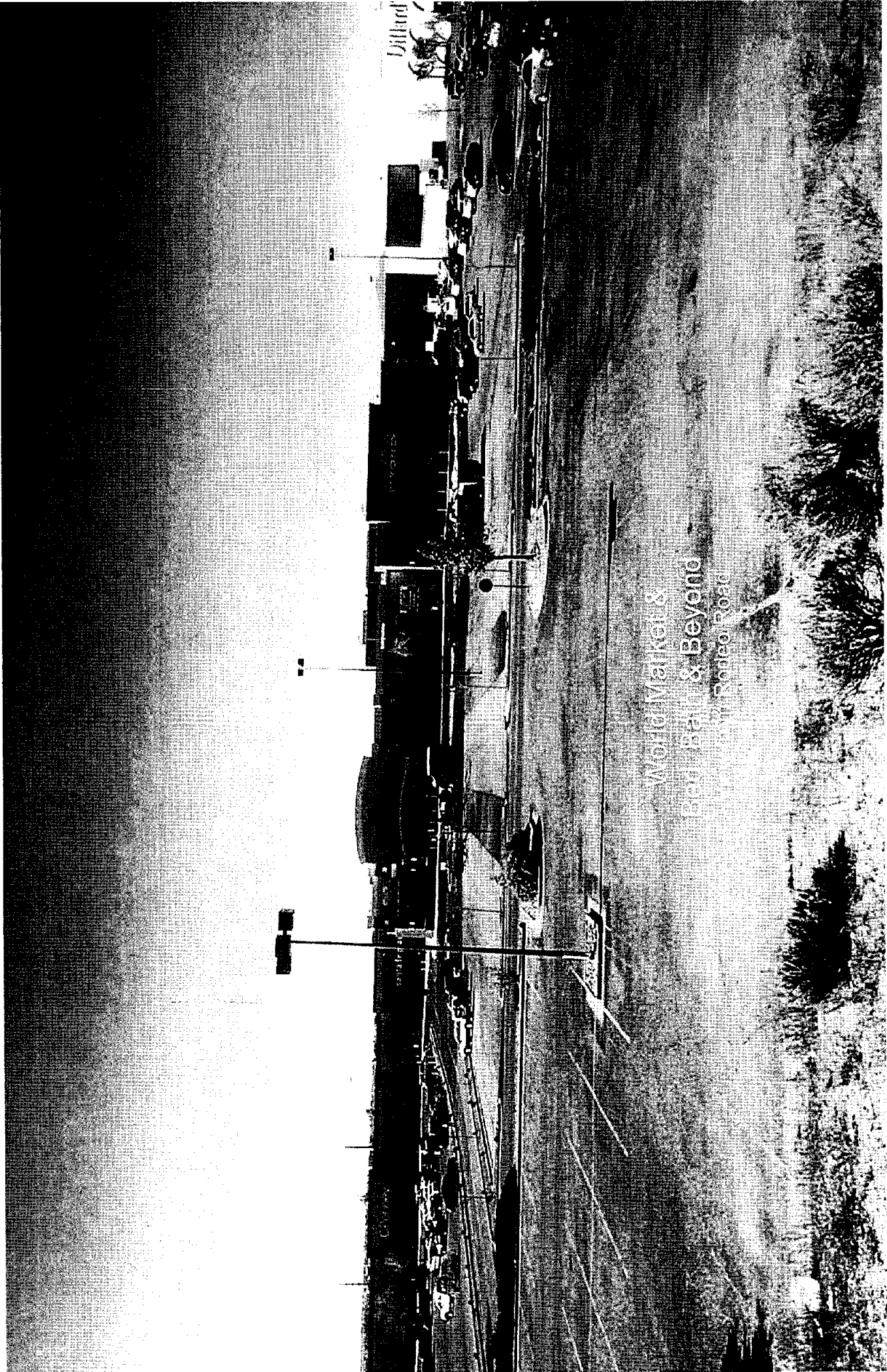
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2 of 2

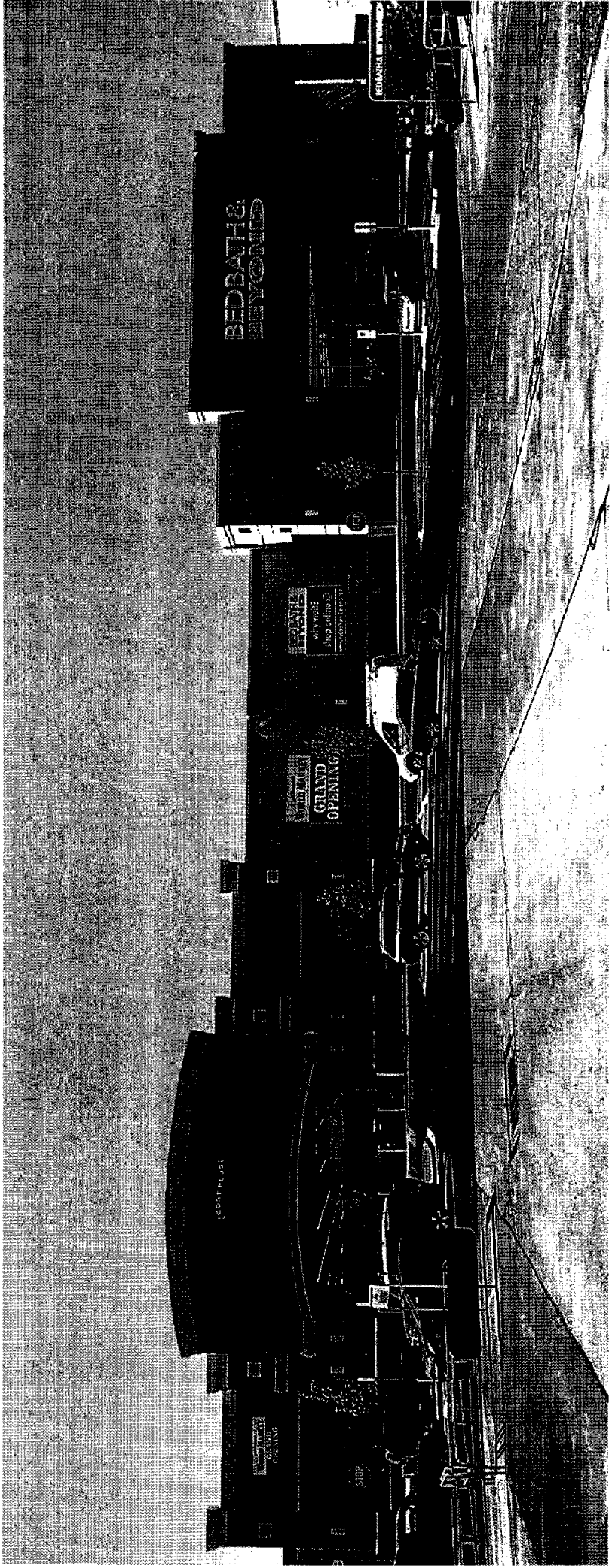
Santa Fe Place Mall
Signage Variance and Plan Application
Planning Commission
May 5, 2016



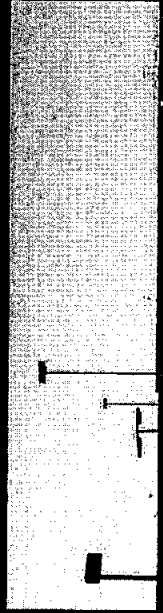
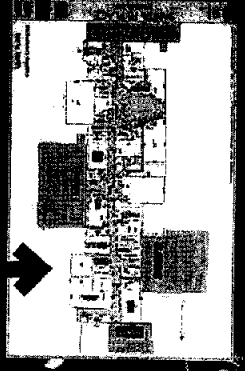
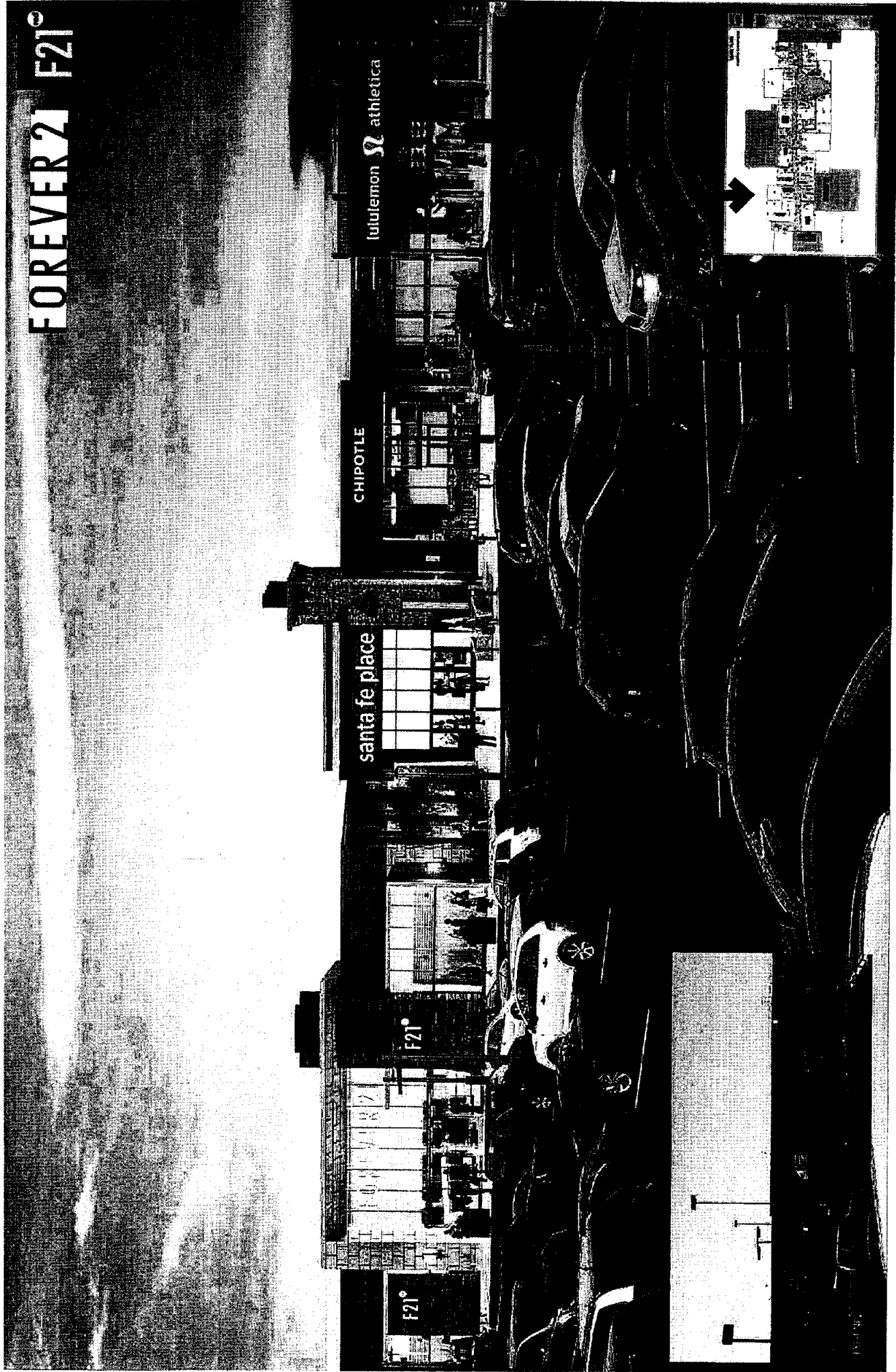


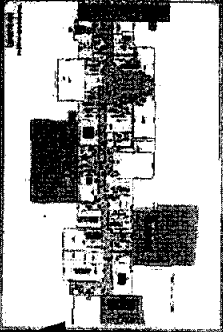
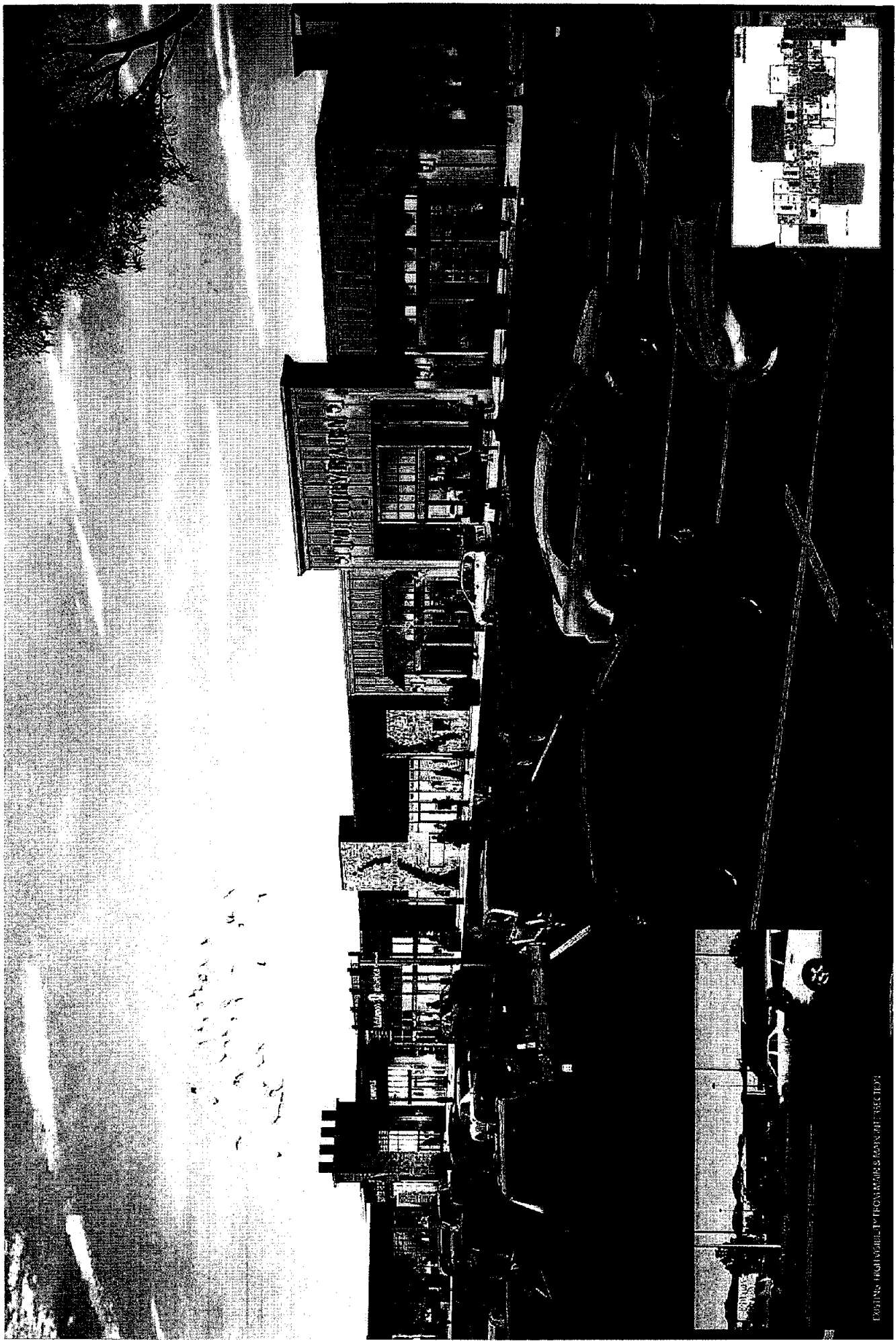


World Market &
Beck Ball & Beyond
10000th Road, Road

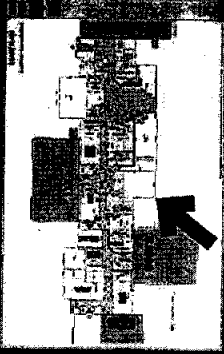
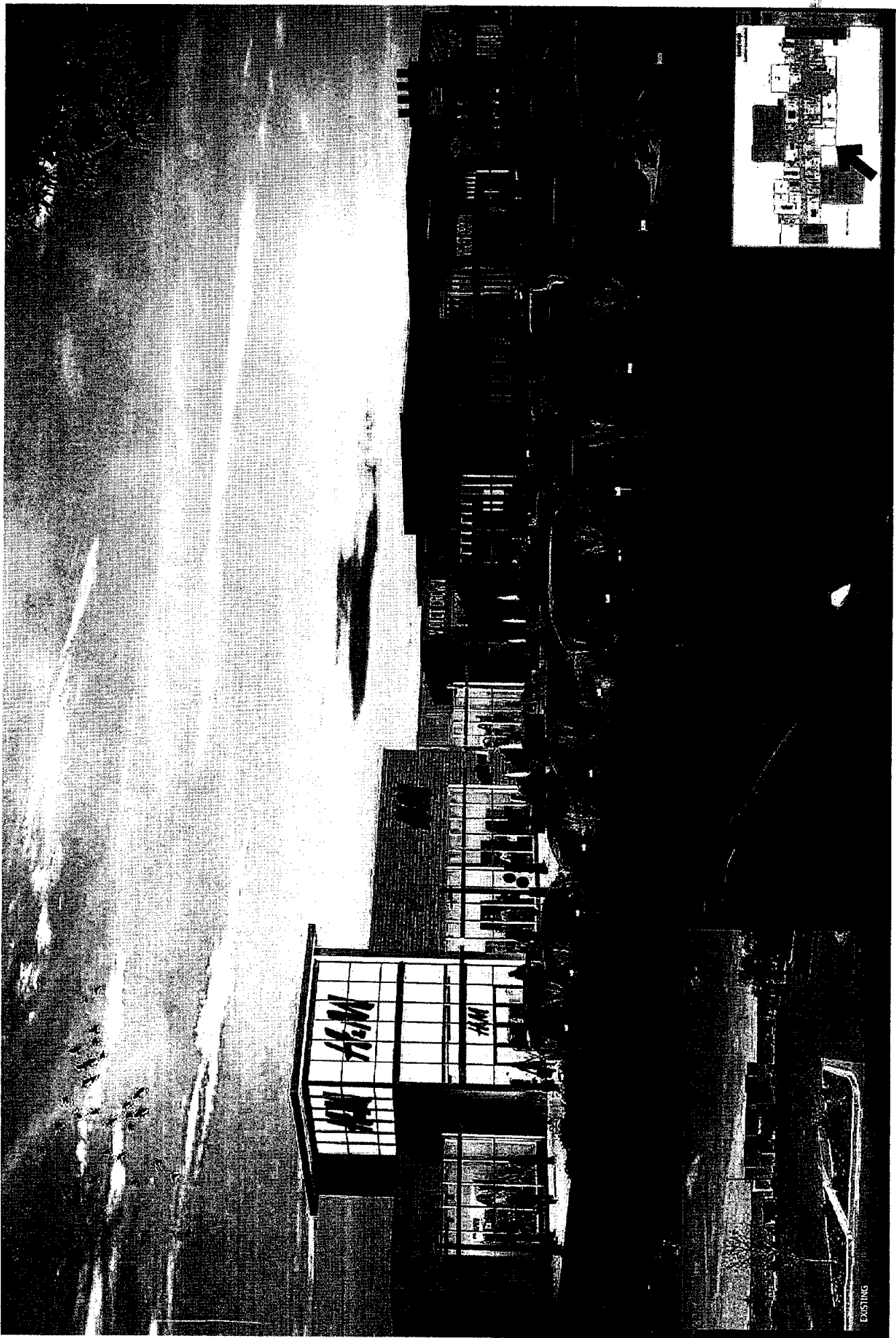


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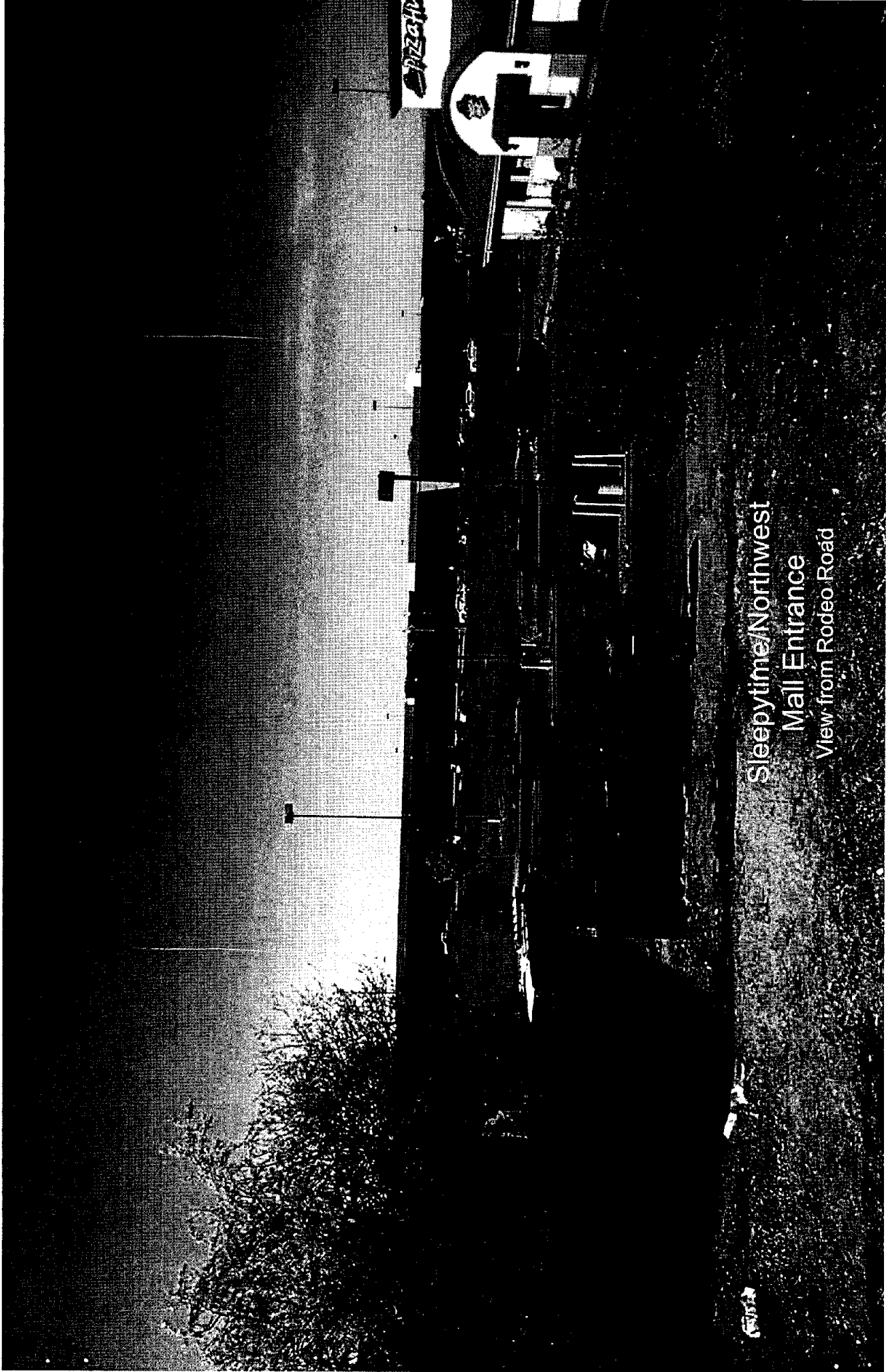




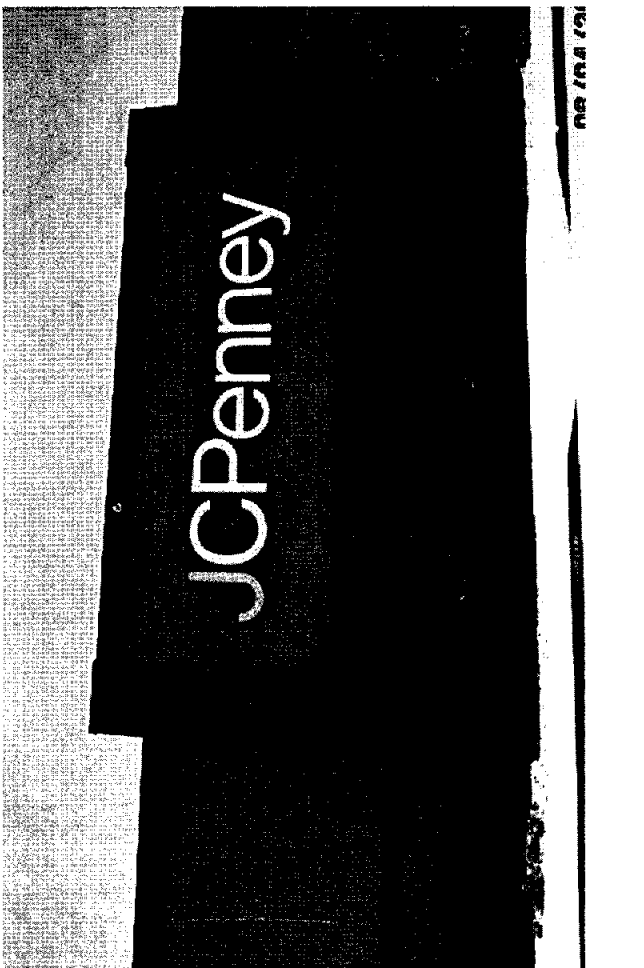
ENGINE HOUSE, TV TOWNSHIP, MONTANA



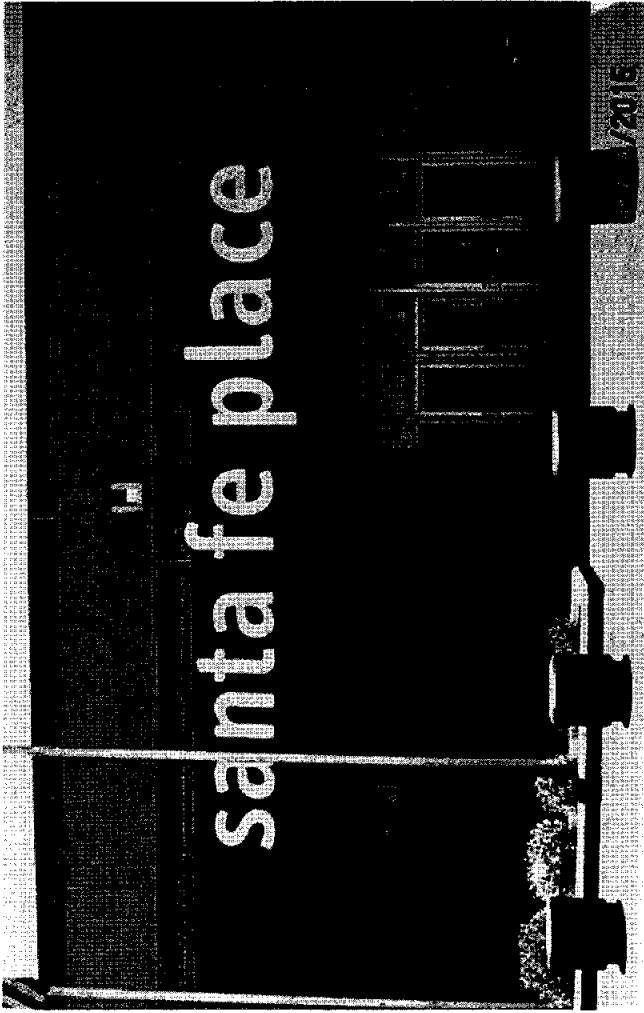
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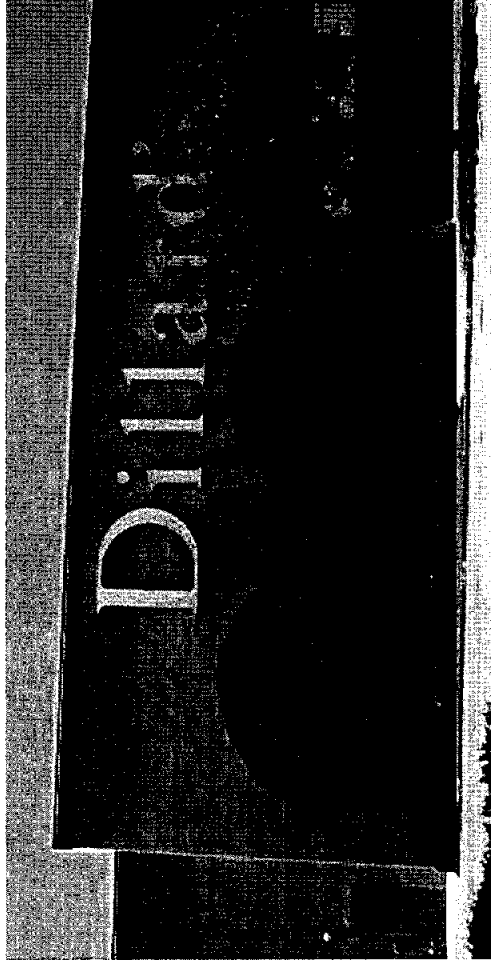
Sleepytine/Northwest
Mall Entrance
View from Rodeo Road



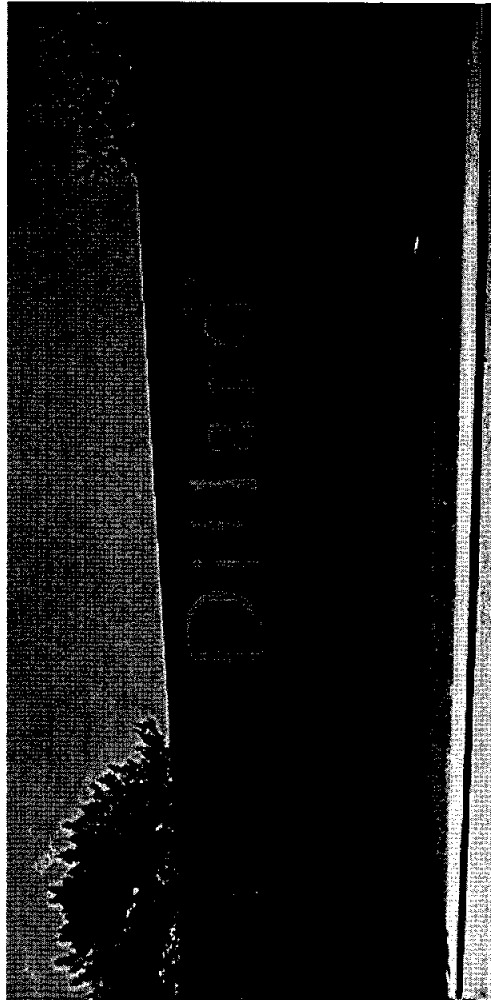
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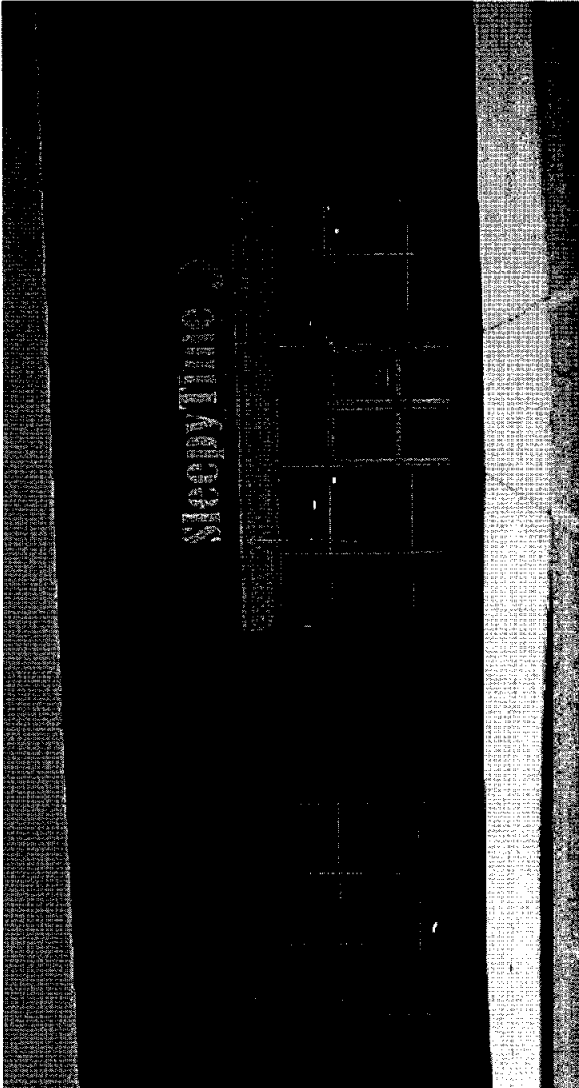
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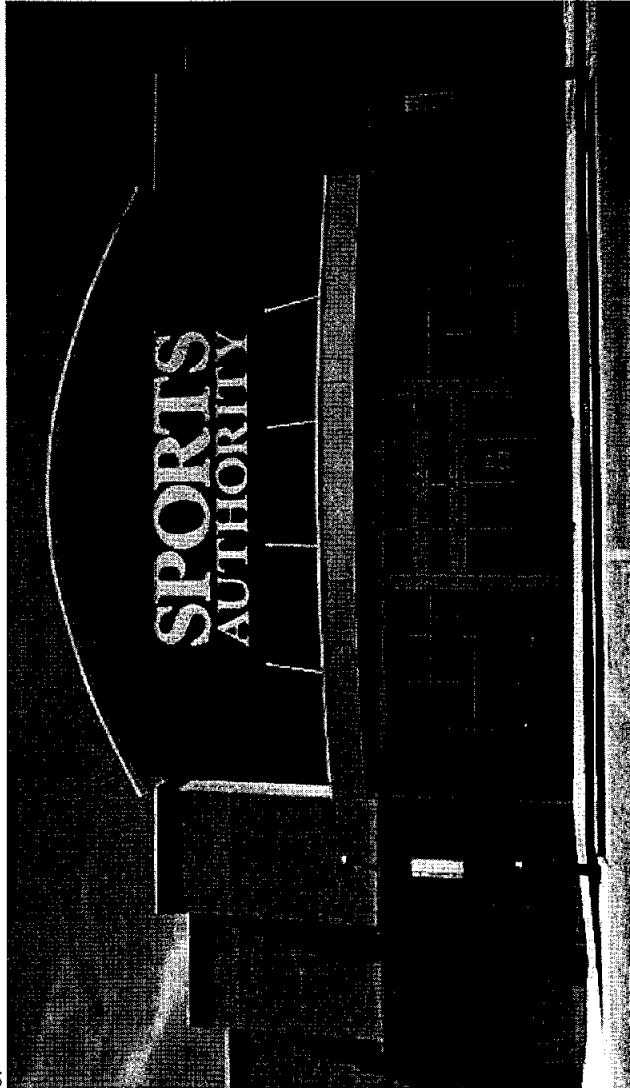
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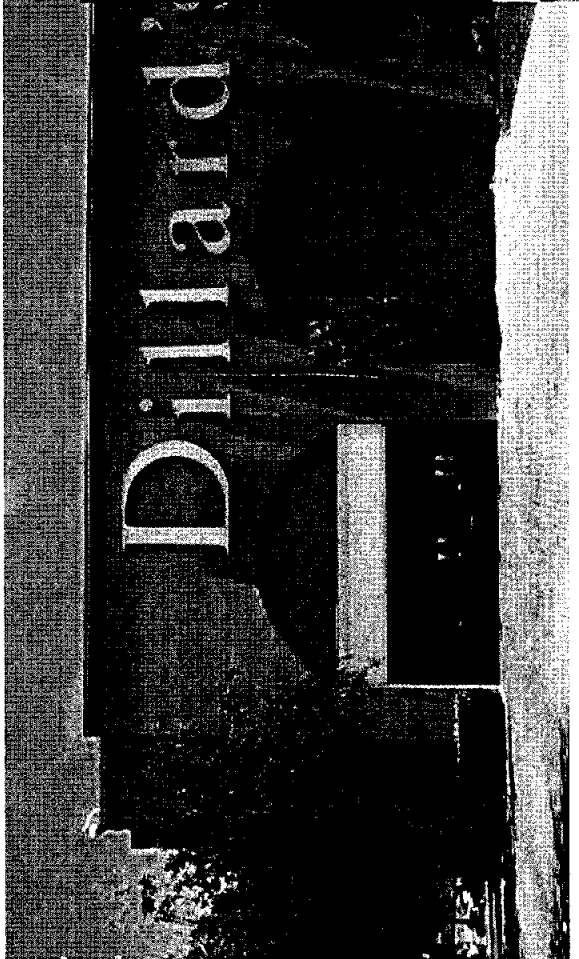
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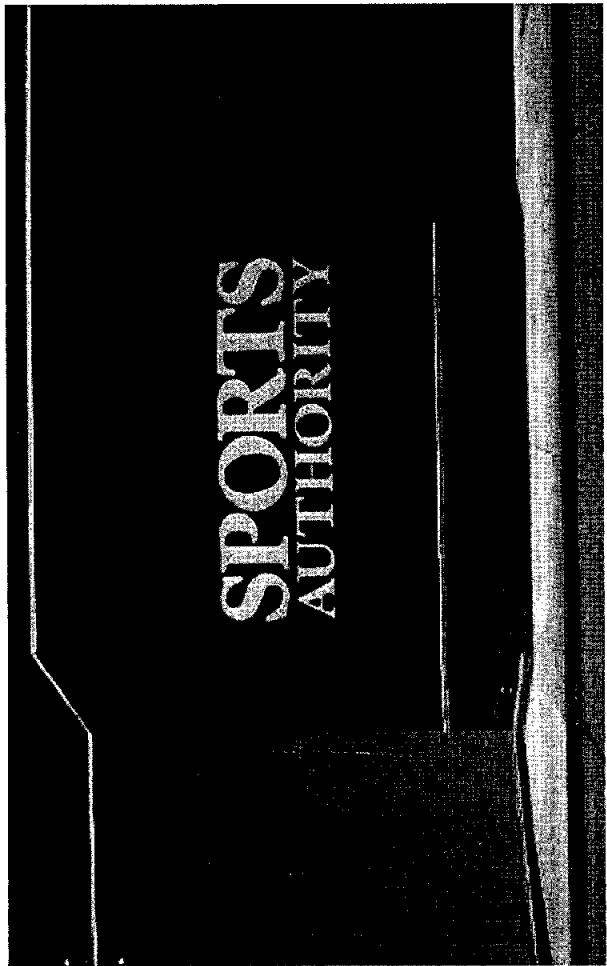
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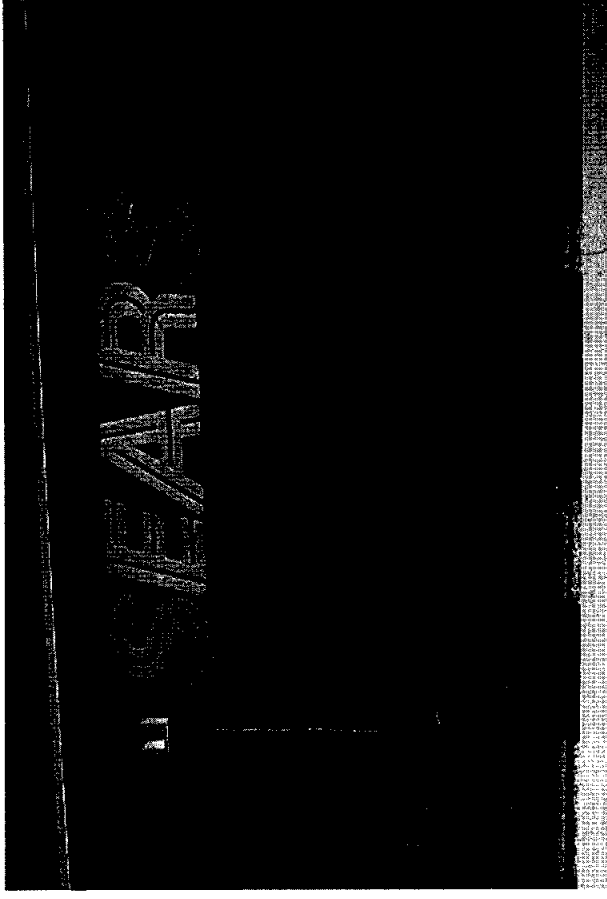
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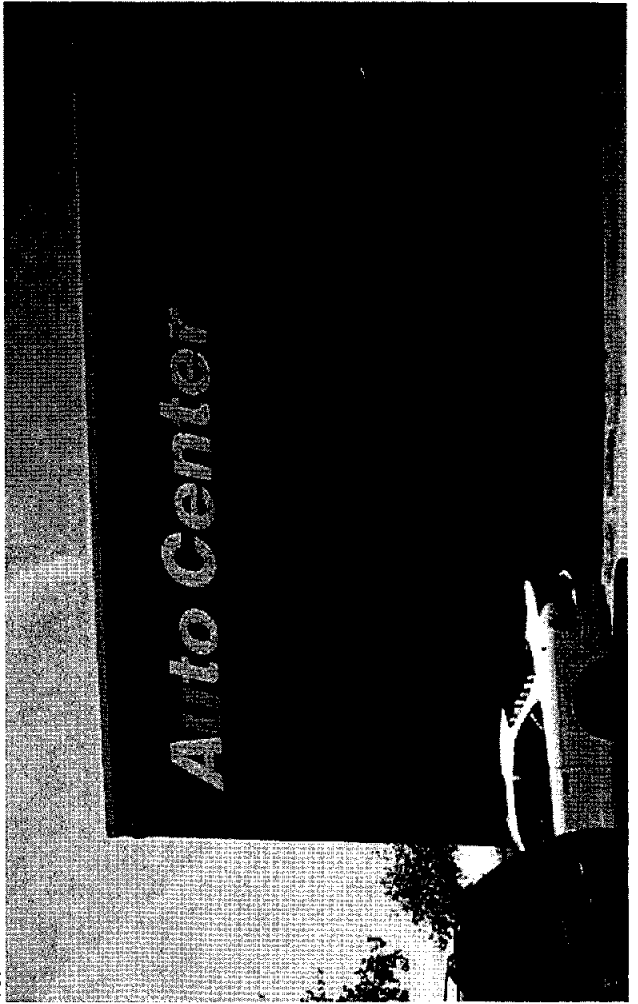
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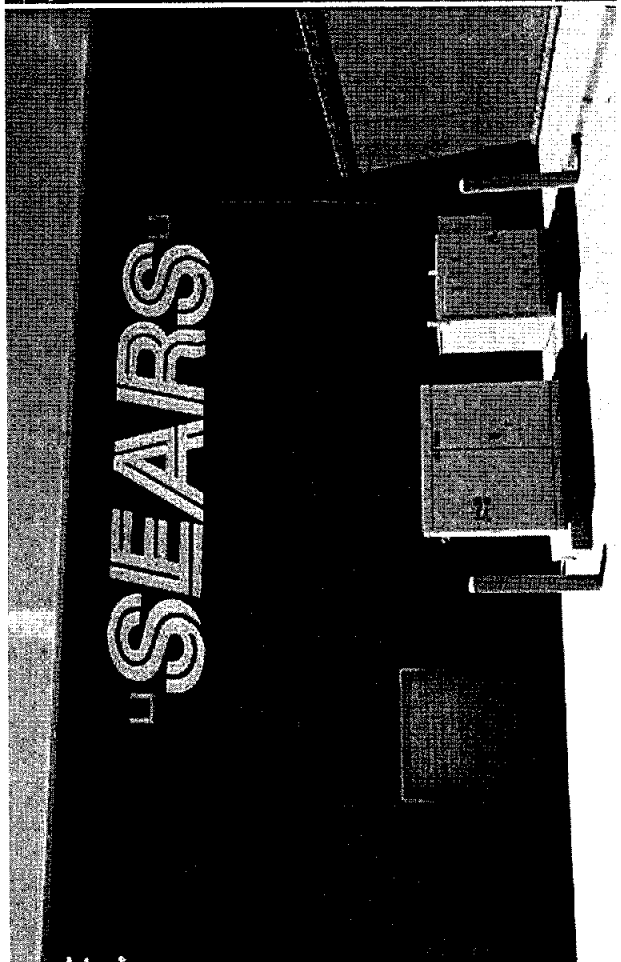
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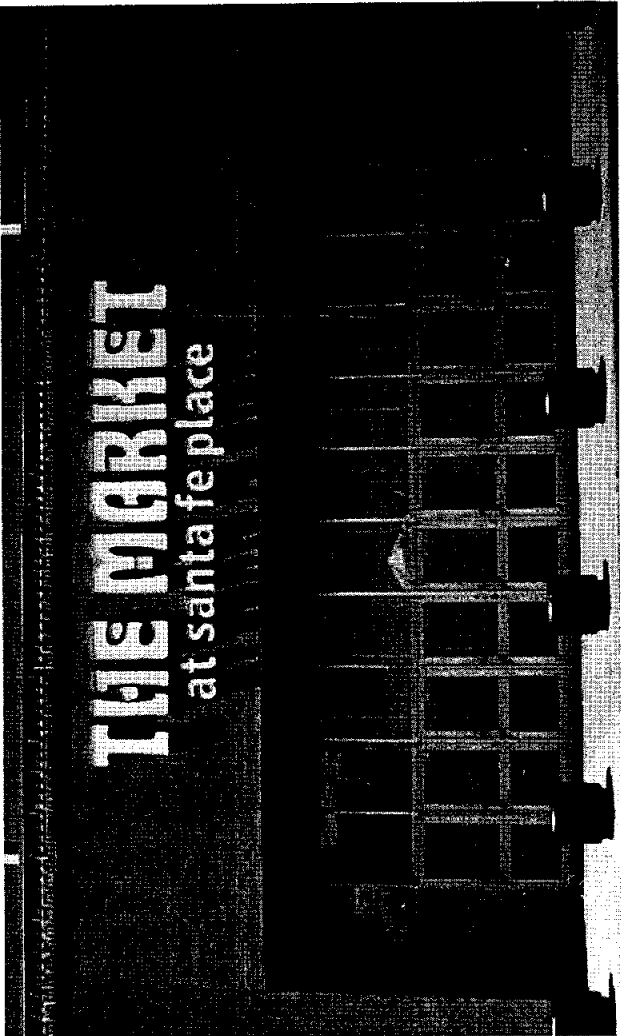
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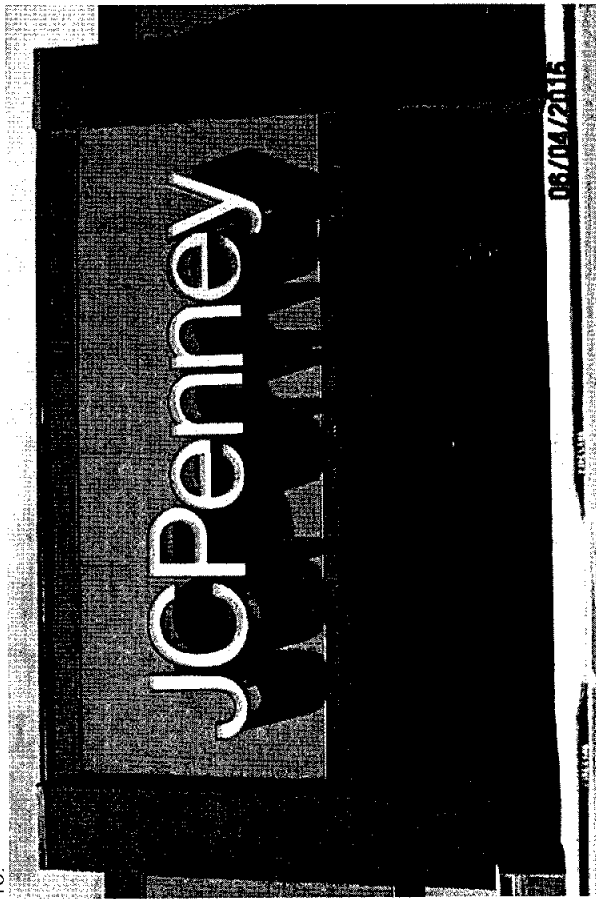
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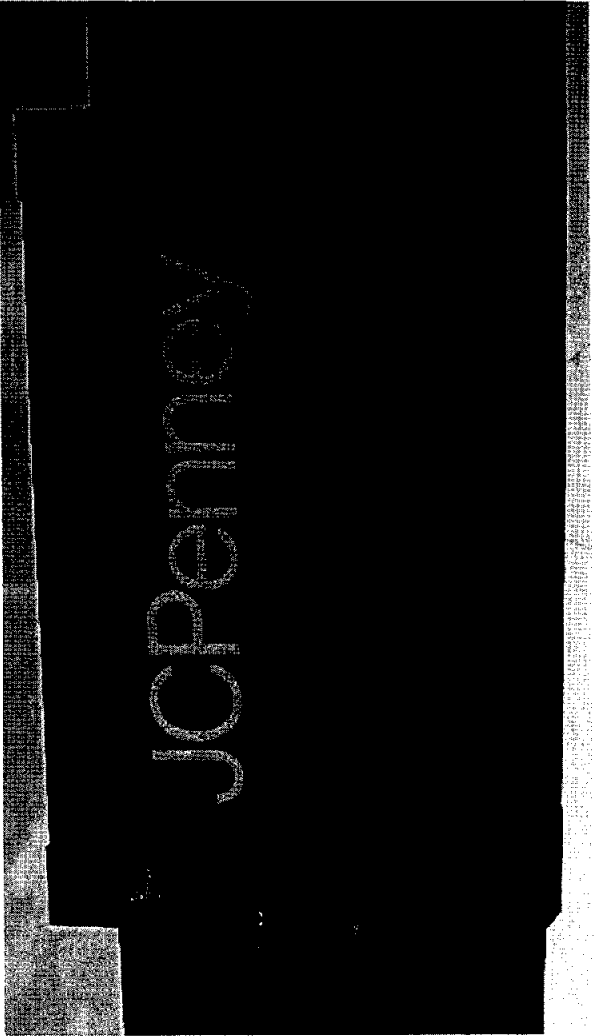
13.



14.



15.



16.

Planning Commission
May 5, 2016

EXHIBIT 5



SANTA FE CHAMBER
OF COMMERCE

April 28, 2016

City of Santa Fe Planning Commission
200 Lincoln Avenue
Santa Fe, NM 87501

RE: SANTA FE PLACE MALL SIGNAGE PLAN & VARIANCES

Dear Commissioners:

This letter is respectfully submitted in support of the Signage Plan and associated variances requested by the Santa Fe Place Mall for consideration at the May 5th Planning Commission meeting. As President and Chief Executive Officer of the Santa Fe Chamber of Commerce, I urge you to approve the Signage Plan and grant the requested variances, allowing the Mall to continue the important and long overdue redevelopment of this key property.

It is critical to the economic base of Santa Fe that the Mall be reinstated as the City's most significant generator of gross receipts tax revenue. In order for the ownership to successfully revitalize the Mall, new high quality, credit worthy tenants must be secured. The proposed Signage Plan is essential to creating a framework for signage that is appropriate for a regional mall and proportional to a 665,000 square foot structure.

Thank you for your consideration.

Sincerely,

Simon Brackley
President and CEO
Santa Fe Chamber of Commerce

Planning Commission
May 5, 2016

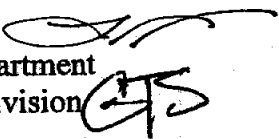
EXHIBIT 6


City of Santa Fe, New Mexico

memo

DATE: April 28, 2016 for the May 5, 2016 Planning Commission Meeting

TO: Planning Commission

VIA: Lisa D. Martinez, Director, Land Use Department
Greg Smith, Director, Current Planning Division 

FROM: Katherine Mortimer, Land Use Planner Supervisor, Land Use Department 

Case #2016-38. 3760 Buffalo Grass Final Subdivision Plat. Santa Fe Planning Group, Inc., agent for Buffalo Grass, LLC, requests final subdivision plat approval to divide approximately 1.19 acres, into five individual lots. Each proposed lot will be approximately 0.24 acres. The property is located at 3760 Buffalo Grass Road. The property is zoned Mixed Use (MU) and is located in the Airport Road Overlay zone. (Katherine Mortimer, Case Manager)

RECOMMENDATION

The Land Use Department recommends **APPROVAL WITH CONDITIONS** of this final subdivision plat request. The recommended conditions are provided in Exhibit A of this report and include compliance with the following condition which was included in the staff report for the preliminary subdivision plat: Subdivider to provide a plan to address visitor parking at the final plat stage.

I. EXECUTIVE SUMMARY

The Planning Commission approved a preliminary subdivision plat at its March 3, 2016 meeting (Case #2016-02). The Findings of Fact and Conclusions of Law were adopted at the subsequent meeting on April 7, 2016.

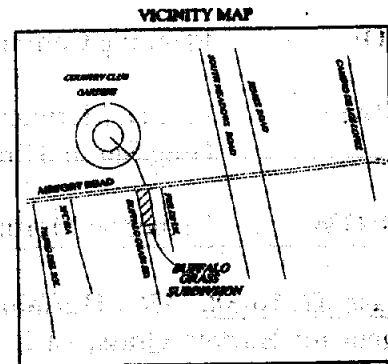
Pursuant to SFCC §14-3.7, subdivisions are subject to both preliminary and final approval. Staff analysis indicated that the proposed final subdivision plat substantially conforms to that preliminary subdivision plat approval.

Approval of a preliminary plat does not constitute approval of the final plat; rather, it is an expression of approval of the layout submitted on the preliminary plat as a guide to the preparation of the final plat. The final plat shall be submitted to the planning commission for approval and recorded when the provisions of this article and the conditions of preliminary plat approval are met.

Should the Commission determine that the final plat is consistent with the preliminary plat, including conditions of approval, and meets all applicable code requirements, the subdivider will submit the plat and improvement plans for staff review. The plat will be recorded and infrastructure improvements will be constructed prior to the construction of any residences on the newly created lots. All conditions of the final plat approval shall be completed within three years of recording the plat. The Planning Commission approval shall expire three years after final action approving it unless the plat is filed for record with the County Clerk.

II. APPLICATION SUMMARY

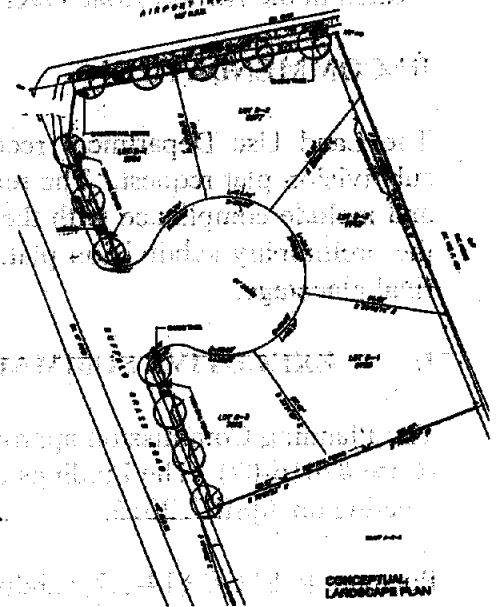
The final subdivision plat proposes the creation of five lots on a 1.193 acre vacant site located on the corner of Airport Road and Buffalo Grass Road of approximately 0.24 acres each. Access to the lots would be from Buffalo Grass Road via a new gravel base course cul-de-sac. The application states that the lots will be developed with one single-family home per lot. The property was zoned Mixed Use (MU) when the owner applied for annexation in 2007, and it is included in the Airport Highway Corridor Overlay District that was adopted in 2013.



The application materials state the intention to accommodate construction of single-family detached houses, however, multi-family or mixed use development would also be allowed under the MU zoning.

III. DISCUSSION AND ANALYSIS

Analysis regarding the specific components of the subdivision and overall subdivision design was completed at the time of preliminary subdivision plat approval. The final subdivision plat is in substantial conformance with the preliminary subdivision plat approved by the Planning Commission. The final plat has been reviewed by the Development Review Team (DRT) whose comments are included as Exhibit B. Any necessary corrections or deficiencies that must be corrected prior to recordation of the final plat have been addressed by the proposed Conditions of Approval (See Exhibit A).



IV. EXHIBITS:

EXHIBIT A: Final Subdivision Plat Conditions of Approval

EXHIBIT B: Development Review Team Memoranda

1. Santa Fe Homes Program, Alexandra Ladd
2. Traffic Engineering Memorandum, John Romero and Sandra Kassens
3. Technical Review Division Memorandum, Risana "RB" Zaxus
4. Landscaping Memorandum, Somie Ahmed

5. Fire Department Memorandum, Rey Gonzales
6. Wastewater Management Division Memorandum, Stan Holland
7. Water Division Memorandum, Dee Beingessner
8. SF Metropolitan Planning Organization, Keith Wilson

EXHIBIT C: Planning Commission Approvals

1. Findings of Fact and Conclusions of Law, approved April 7, 2016
2. Planning Commission Minutes, March 3, 2016

EXHIBIT D: Applicant Submittals

Exhibit A
 Conditions of Approval
3760 Buffalo Grass Final Subdivision Plat
 Case #2016-38

| | DRT Conditions of Approval | Department | Staff |
|---|---|-----------------------------|--------------------|
| 1 | As per Article 14-8.4(F)(2)(j) "Plant Material Standards," the owner shall properly maintain all materials and installation required by this Section 14-8.4, including proper pruning, soil testing, fertilizing and weeding. Please add this note to the landscape plan. | Technical Review | Somie Ahmed |
| 2 | Sheet L-1: Please add the call out note to sheet L-1 also, that states, "No object shall block sight distances between 3' and 6' high within the sight visibility area." | Traffic Engineering | Sandra Kassens |
| 3 | 1. Complete the note on the Plat stating who is to maintain Buffalo Grass Circle 2. Revise the FIRM reference to reflect the most current FIRM | Terrain Management Division | RB Zaxus |
| 4 | 1. Remove the two notes and lines saying "150' RADIUS BUILDING LIMIT" from the plat. 2. Subdivider to provide a plan to address visitor parking at the final plat stage. | Case Manager | Katherine Mortimer |

MORTIMER, KATHERINE E.

From: LADD, ALEXANDRA G.
Sent: Thursday, March 24, 2016 11:44 AM
To: MORTIMER, KATHERINE E.
Subject: DRT today
Attachments: BuffaloGrass_Proposal_Final.pdf

Katherine,

I'm not able to attend today's DRT. Attached is the affordable housing proposal for Buffalo Grass. They will pay a fee-in-lieu as allowed under SFHP for projects of ten or fewer units.

The final Agreement and fee are due when the Developer records final documents.

Let me know if you have any questions.

Thanks!

Alexandra Ladd, AICP
Housing Special Projects Manager
City of Santa Fe
PO Box 909
Santa Fe, NM 87504-0909
505/955-6346

**NOTE NEW OFFICE LOCATION:
500 Market Street, Suite 200
(above REI in the Railyard)**

City of Santa Fe, New Mexico

memo

DATE: April 12, 2016
TO: Katherine Mortimer, Land Use Division
VIA: John J. Romero, Traffic Engineering Division Director *J*
FROM: Sandra Kassens, Engineer Assistant *SK*
SUBJECT: 3760 Buffalo Grass Road Final Subdivision Plat, case #2016-02

ISSUE:

Santa Fe Planning Group, Inc., agent for Buffalo Grass, LLC, requests approval of a final subdivision plat to divide 1.193 acres into five ± 0.24 acre lots. The property is located at the southeast corner of Airport Road and Buffalo Grass Road. The property is zoned MU (Mixed Use,) and is located in the Airport Road Overlay zone.

RECOMMENDED ACTION:

Review comments are based on submittals received on March 24, 2016. The comments below should be considered as Conditions of Approval to be addressed prior to final sign-off unless otherwise noted:

The Developer shall make the following changes:

- 1) Sheet L-1: Please add the call out note to sheet L-1 also, that states, "No object shall block sight distances between 3' and 6' high within the sight visibility area."

If you have any questions or need any more information, feel free to contact me at 955-6697.
Thank you.

EXHIBIT B2

City of Santa Fe, New Mexico

memo

DATE: April 11, 2016

TO: Katherine Mortimer, Case Manager

FROM: Risana "RB" Zaxus, PE
City Engineer

RE: Case # 2016-38
Buffalo Grass Road Final Subdivision Plat

The following review comments are to be considered conditions of approval:

*Complete the note on the Plat stating who is to maintain Buffalo Grass Circle.

*Revise the FIRM reference to reflect the most current FIRM.

EXHIBIT B3

City of Santa Fe, New Mexico

memo

DATE: April 14, 2016
TO: Katherine Mortimer, Land Use Planner Supervisor
FROM: Somie Ahmed, Planner Technician Senior
SUBJECT: Comments for Case #2016-38, 3760 Buffalo Grass Final Subdivision Plat

The following conditions of approval apply to 3760 Buffalo Grass Final Subdivision Plat:

1. As per Article 14-8.4(F)(2)(j) "Plant Material Standards," the owner shall properly maintain all materials and installation required by this Section 14-8.4, including proper pruning, soil testing, fertilizing and weeding. Please add this note to the landscape plan.

EXHIBIT B4

MORTIMER, KATHERINE E.

From: HOLLAND, TOWNSEND S.
Sent: Friday, April 08, 2016 10:59 AM
To: MORTIMER, KATHERINE E.
Subject: RE: Comments on 3760 Buffalo Grass Final Subdivision Plat DUE MONDAY 4/11/16

I checked the plan set on the land use share drive and they have made the corrections

Stan Holland, P.E.
Wastewater Division
73 Paseo Real
Santa Fe, New Mexico 87507
505-955-4637
tsholland@santafenm.gov

From: MORTIMER, KATHERINE E.
Sent: Friday, April 08, 2016 10:26 AM
To: KASSENS, SANDRA M.; ROMERO, JOHN J; ZAXUS, RISANA B.; AHMED, SOAMIYA A.; GONZALES, REYNALDO D.; HOLLAND, TOWNSEND S.; BEINGESSNER, DEE; LADD, ALEXANDRA G.; WILSON, KEITH P.
Subject: Comments on 3760 Buffalo Grass Final Subdivision Plat DUE MONDAY 4/11/16

Hey DRTeam:

) Just a friendly reminder that comments are due on the captioned project on Monday.

I have reviewed the plans against your comments on the preliminary and have some specific questions to some of you below regarding how (and if) your comments were incorporated:

Sandy: They added the site triangles on the 2 sheets as you requested at the new road entry but shouldn't they also include the triangle on the exiting corner of Buffalo Grass Road and Airport Road? If so, please include as a comment on this review.

Stan: The sewer sheets are over my head and I wasn't able to determine if they had address your comment about 2% slope on the sewer line and the type of manhole. Please ensure they have addressed those correctly.

Alex: Is the affordable housing agreement fully executed or at least at the correct stage for this approval?

Dee: You commented that the development may require a main extension but didn't say if that should be a note on the plat or if you were just informing them. Please make sure any water notes needed are included.

Thank you all for your hard work on this. I look forward to your comments.

Cheers!

Katherine Mortimer
Land Use Department
City of Santa Fe, NM
(505) 955-6635

City of Santa Fe
memo

DATE: April 4, 2016
TO: Katherine Mortimer, Land Use Planner, Land Use Department
FROM: Dee Beingessner, Water Division Engineer *DB*
SUBJECT: Case # 2016-38 3760 Buffalo Grass Road Final Subdivision Plat

There is existing water infrastructure that can serve the proposed development. The development may require a main extension which would have to comply with the line extension requirements of the City's Water Division.

Fire protection requirements are addressed by the Fire Department.

EXHIBIT B7

MORTIMER, KATHERINE E.

From: WILSON, KEITH P.
Sent: Thursday, April 14, 2016 10:45 AM
To: MORTIMER, KATHERINE E.; GONZALES, REYNALDO D.
Subject: RE: Comments on 3760 Buffalo Grass Final Subdivision Plat DUE MONDAY 4/11/16

Hi Katherine:

Thanks for checking in. I have no comments on the Buffalo Grass Subdivision.

Keith P. Wilson
MPO Senior Planner
Santa Fe Metropolitan Planning Organization

Mailing: P.O. Box 909

Santa Fe, NM 87504-0909

Office: 500 Market St, Suite 200 (Above REI Store)

Santa Fe, NM

Map: <http://tinyurl.com/l6kejeq>

Directions & Parking: <http://www.railyardsantafe.com/north-railyard/>

Phone: 505-955-6706

Email: kpwilson@santafenm.gov

santafemppo@santafenm.gov

Please Visit Our Website at: www.santafemppo.org



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Follow us on Twitter

From: MORTIMER, KATHERINE E.
Sent: Thursday, April 14, 2016 10:40 AM
To: GONZALES, REYNALDO D.; WILSON, KEITH P.
Subject: RE: Comments on 3760 Buffalo Grass Final Subdivision Plat DUE MONDAY 4/11/16

Keith and Rey:

I don't see that I have received comments from either of you on this project. Please let me know if you have any comments, and if so what they are, as soon as possible.

Thanks.

Katherine Mortimer
Land Use Department
City of Santa Fe, NM
(505) 955-6635

ITEM # 16-0207

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

Case #2016-02

3760 Buffalo Grass Preliminary Subdivision Plat

Owner's Name- Buffalo Grass LLC

Agent's Name- Santa Fe Planning Group, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on March 3, 2016 upon the application (Application) of Santa Fe Planning Group as agent for Buffalo Grass LLC (Applicant).

The Applicant seeks the Commission's approval of the preliminary subdivision plat to divide 1.193 acres into five for +/- .24 acre lots. The property is located at the southeast corner of Airport Road and Buffalo Grass Road. The property is zoned Mixed Use (MU) and is located in the Airport Road Overlay zone.

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant and there were no members of the public in attendance to speak.
2. Pursuant to Code § 14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats.
3. Pursuant to Code § 14-3.7(A)(1)(b) subdivision of land must be approved by the Commission.
4. Code § 14-3.7 (B)(1) requires applicants for preliminary plat approval to comply with the pre-application conference procedures of Code § 14-3.1(E).
5. Pursuant to Code § 14-3.1(E)(1)(a)(ii), pre-application conferences are required prior to submission of applications for subdivisions unless waived.
6. A pre-application conference was held on August 13, 2015 in accordance with the procedures for subdivisions set out in Code §§ 14-3.1(E)(2)(a) and (c).
7. Code § 14-3.7(B)(2) requires compliance with the early neighborhood notification (ENN) requirements of Code § 14-3.1(F) for preliminary subdivision plats and provides for notice and conduct of public hearings pursuant to the provisions of Code §§ 14-3.1 (H), and (I) respectively.
8. Code §§ 14-3.1(F)(4) and (5) establish procedures for the ENN.
9. The Applicant conducted an ENN meeting on November 12, 2015 at the Southside Side Library at 6599 Jaguar Drive in accordance with the notice requirement of Code § 14-3.1(H).
10. The ENN meeting was attended by the Applicant and City staff; there were two members of the public in attendance and concerns were raised.

EXHIBIT C1

11. Code § 14-3.7(C) sets out certain findings that must be made by the Commission to approve a preliminary subdivision plat.
12. The Commission finds the following facts:
 - a. *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.* The proposed subdivision does not contain any natural features, historical sites or other community assets.
 - b. *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.* The land to be subdivided meets applicable standards and is eligible for the development purposes proposed.
 - c. *All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).* The proposed plat complies with applicable standards of Chapter 14, Article 9 if it includes the condition of approval to provide screening from Airport Road.
 - d. *A plat shall be not approved that creates a 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.* The proposed plat does not create or increase any nonconformity with the applicable standards of Chapter 14, as residential use is a permitted use in a mixed-use district.
 - e. *A plat shall be not approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the 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.* The proposed plat will not create a nonconformity with any other chapter of the Santa Fe City Code.
13. The Commission finds under Code § 14-8.6(C)(1) that due to a lack of curbside parking and that the lot sizes will limit the amount of off-street parking, the Applicant shall provide a plan to address visitor parking at the Final Plat stage.
14. The Land Use staff directed that a condition of approval be added to Exhibit A to require the Applicant to provide a plan to address the parking at the final plat phase.
15. The Traffic Division staff directed that a condition of approval be added to Exhibit A require the Applicant to provide sight triangles shown on the documents.
16. The Commission finds under Code § 14-9.2(C)(8)(c) that the proposed lot access driveway is permissible because no public street is needed to provide access to the property because the existing road (Buffalo Grass Road) sufficiently serves and connects with the lot access driveway for the properties.
17. The Commission finds under Code § 14-9.2(D)(8) that a cul-de-sac is permitted to be constructed as a lot access driveway based on the physical layout and lot configuration of the site.
18. Code § 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 and in conformance with the standards of Code § 14-9 (collectively, the Applicable Requirements).

19. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the preliminary subdivision plat be approved, subject to certain conditions (the Conditions) set out in such report.
20. The information contained in the Staff Report, along with conditions in Exhibit A and in Findings #14, 15 is sufficient to establish that the Applicable Requirements have been met.

CONCLUSIONS OF LAW

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

General

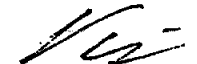
1. The proposed preliminary subdivision plat was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The Applicant has complied with the applicable pre-application conference and ENN procedure requirements of the Code.

The Preliminary Subdivision Plat

3. The Commission has the authority to review and approve the preliminary plat subject to conditions.
4. The Applicable Requirements have been met.

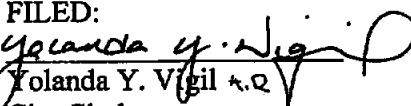
WHEREFORE, IT IS SO ORDERED ON THE 7th OF APRIL 2016 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE

That the Applicant's requests for preliminary subdivision plat is approved, subject to Staff conditions.




Vince Kadlubek
Chair

4-7-16
Date:

FILED:

Yolanda Y. Vigil R.O.
City Clerk

4-8-16
Date:

APPROVED AS TO FORM:


Zachary Shandler
Assistant City Attorney

4/7/16
Date:

Commissioner Kapin didn't want to get into too many details but pointed out one glaring one – on roadways and streets with \$14 million. She asked what was happening there.

Mr. Rodriguez said the bonding capacity is limited so there is not much happening until 2017. That's when it starts building back again. Next year, the entire capital program will go to about 40% of what it is this year. It will be a big drop.

Commissioner Hochberg thanked Mr. Rodriguez for coming to the meeting. His silence was approval.

2. **Case #2016-02. 3760 Buffalo Grass Preliminary Subdivision Plat Santa Fe Planning Group, Inc., agent for Buffalo Grass, LLC, requests approval of a preliminary subdivision plat to divide 1.193 acres into five ±.24 acre lots. The property is located at the southeast corner of Airport Road and Buffalo Grass Road. The property is zoned Mixed Use (MU), and is located in the Airport Road Overlay zone. (Katherine Mortimer, Case Manager)**

Staff Report

Ms. Mortimer presented the staff report for this case. The report is incorporated herewith to these minutes as Exhibit 2. Please refer to Exhibit 2 for details concerning this report. She noted a handout at the meeting regarding final comments from the Traffic Engineering Department which were left off of the staff conditions of approval. Staff recommended approval of the Preliminary Subdivision Plat with the conditions included in Appendix A as well as those from the handout.

Applicant's Presentation

Mr. Scott Hess, Santa Fe Planning Group, 109 St. Francis, was sworn. He thanked the Planning Commission for allowing him to say a few words about the project. First, he said they agree with the conditions in the staff report. It is a very detailed report for this simple, straightforward project. This project had received previous approval and the time expired for the development plan. They plan for five on-acre parcels so the land is simply divided into five residential lots. Zoning is mixed use. However, when going forward with residential, it does not have to have a commercial component. But when going forward with commercial development, it is required to have a residential component. With residential, up to 12 dwelling units per acre is allowed. But he is only asking for 5 per acre.

In the Staff Report, there was a concern regarding the concern that someone could come in with commercial. He explained that the intention is to go forward with residential. There are commercial lots around and the owner has no desire⁴⁴ to do anything other than residential. However, he believed Staff could not stop non-residential uses from going forward on the project. He had mentioned a condition of approval that no uses other than residential would be allowed on the site. He found that condition was not permitted. But he did have a condition of approval to place on the plat so everyone is aware, that a non-residential use could theoretically be permitted on the site.

He pointed out that the area is very diverse with S-1 across the street, R-29 across the street and R-12 not far away. Their intention was to keep this site very light. They did not want to develop any high-density project. So it is a simple and straightforward subdivision. He stood for questions.

Public Comment

Chair Kadlubek asked if anyone in the public wished to speak on this case.

There were no speakers from the public regarding this case. Chair Kadlubek closed the public portion of this case.

Questions to the Applicant

Commissioner Propst referred to page six of the Staff Report and asked if a parking condition was listed. At the bottom of page 7, it said, "Because no curbside parking will be provided, lot sizes would limit the amount of off-street parking that can be provided. Land Use Staff recommends a condition of approval to direct the subdivider to provide a plan to address the parking at the final plat phase." She didn't see it in the list of approvals in the memo.

Ms. Mortimer agreed. That is a good catch. So that should also be added as a condition of approval. That would be the recommendation of Staff.

Commissioner Propst said the condition of approval would be to direct the subdivider to provide a plan for visitor parking at the final plat phase.

Commissioner Kapin followed up with another condition and referred to page 5 of 7 in the report to Staff analysis #2 where it says, "with conditions of approval recommended above." She wondered which conditions that statement references.

Ms. Mortimer said that was a remnant from a previous draft she used and it should say "the conditions of approval in Appendix A." She clarified that there are no conditions regarding flood zones and public health. It is a flat site. The project already complies with that criterion so no conditions of approval are needed specific to that criterion.

Commissioner Hochberg asked if those new conditions are acceptable to the applicant.

The Applicant said he heard there was a condition related to having a parking plan in the next submittal (final plat) and that is acceptable. And regarding the letter from the Traffic Engineer to have sight triangles shown on the plan was acceptable as well.

Action of the Commission

Commissioner Hiatt moved to approve the preliminary subdivision plan in Case 2016-02 with conditions of approval found in Appendix A and visitor parking. Commissioner Gutierrez seconded the motion.

Ms. Mortimer asked that the motion include the sight triangles also.

Commissioner Hiatt added the requirement for sight triangles to be shown on the plan. Commissioner Gutierrez accepted that also.

Chair Kadlubek said he had a couple of questions to better understand mixed use zoning since this is the first case he had come across with mixed use zoning. It does seem that mixed use zoning does have a certain intent behind it. That intent is listed as A through F. It is unfortunate that mixed use zoning does allow for residential and single-family dwellings to exist. It just seems like a situation here where we are taking something in the mixed use zone, ignoring all the intent of the mixed use as listed here. This development does not go along with any of those intentions.

He asked if the Commission has any place to be able to uphold this intention of mixed use.

Mr. Smith said he would concur. The airport overlay did contemplate a different use as well as the commercial and mixed-use standards. But the Staff have recommended approval of this application because it does comply with the letter of the law. He would defer to the applicants to justify their rationale for choosing only residential in light of what could be considered a higher and better use. With regard to the scope of the Commission's authority, he would defer to the City Attorney and whether the Commission would have the authority to deny the application on that basis.

Chair Kadlubek said an alternative would be the Commission's ability to amend mixed use zoning to eliminate the ability for somebody to just create some more single-family dwellings in a mixed use zone and how that process would be accomplished.

Mr. Smith said Staff, in working with the River trails corridor working group, has identified the need for modifications to the mixed-use district to address various policy issues that were raised in their planning effort. It is likely, when that work is completed, that the City Staff will be back in front of the Council with amendments to the mixed-use zone and they will keep this comment in mind in their analysis.

Chair Kadlubek clarified that he was not referring to this particular development because it does meet the letter of the law. It is more what the mixed-use allows for. But he did think the Commission should have a discussion on Chapter 14-7.5, regarding the 500 sq. ft. per acre of development for open space. It says that policy is only for developments that are not solely residential. If it says 500 square feet is required, then the Commission should stick with that. It was not intended for single-family lot divisions. It was intended for mixed-use zoning. So he wondered where we got that conclusion.

Mr. Smith said it was likely that the developer would exceed that minimum requirement several times. It was a conflict between the mixed-use standards and the single-family subdivision proposal.

Commissioner Hochberg thought he heard that a supermarket is proposed directly across the street from the proposed site. So in reality, there is mixed-use in this area.

Mr. Smith agreed, there is a whole variety of nonresidential uses up and down Airport Road on both sides, including some strip malls, grocery stores, etc.

Commissioner Hochberg asked if the applicant is correct when the state "that they are using a" light footprint and they would have been entitled to even more houses on this tract."

Mr. Smith agreed. As noted in the Staff's report, their intent was to create just one house on each lot and it would be possible for them to go to a duplex on each of these lots under the current zoning.

Commissioner Gutierrez asked the applicant why, given the intense commercial development on Airport Road, they decided to go with single-family detached houses on this property.

The Applicant said he started off his presentation, indicating that the area had a variety of zoning. Across the street is SC-1, which is shopping Center. There is not a grocery store across the street. There is also C-1 zoning, R-12, R-29. So the whole area is mixed-use. In the original development plan for the area this parcel was to be a foundry by Mr. Del Weston. So at one time, the whole site was planned as more of a mixed-use project. That development plan had expired. So his intent was to come in with a single-family residential because there is a market for single-family residential use of that location. He thought it would be a good use at that location with a light footprint on it. It is not a big piece of land here that we are dealing with.

Commissioner Gutierrez thanked him. He asked what is the biggest allowable footprint on this subdivision.

Someone answered, up to 1000 sq. ft.

Mr. Smith pointed out that there is a relatively high lot coverage ratio permitted in the mixed-use district. It could be as much as 6,000 sq. ft. on this 8,000 sq. ft. lot.

Commissioner Gutierrez suggested that in the future, if they decided not to build single-family units, that it could become a 6,000 sq. ft. three-story building.

Mr. Smith opined that it was unlikely they could reach a three-story height, but it could be two stories in height. Some of the lots could reach the 35-foot-high limit and others would be just two-story.

Commissioner Abeyta noted that they are not requesting that the zoning be changed. So the two lots might be adjacent to Airport Road and they could decide that perhaps a commercial use would be more appropriate for a better market for that. They could always come in and do that. So it would not change the mixed-use zoning to approve this.

Ms. Mortimer agreed. One of the two lots along Airport Road is also along Buffalo Grass. And that one had the portion contiguous with residential use. So it would have a 40% residential requirement of lot coverage. The other one would have a 20%, so they would have to have some residential in them.

Commissioner Abeyta said there is an existing land use patterns along that area of Airport Road. He was surprised to find that there are a lot of residential homes on larger lots in this area. So it fits a pattern that is already there and he could see why there is a market for. But unless you enter behind Airport Road, like from the Tierra Contenta Subdivision, you don't realize that all of those homes are back there on the larger lots. That is why he seconded the motion to approve.

Chair Kadlubek saw an inconsistency here between the conditions of approval with regard to the notes to be added to the subdivision plat on page 8, where one of the conditions is for 250 sq. ft. of open space per dwelling unit. On the Staff memo, exhibit E-1 where it shows a minimum of 500 square feet.

Ms. Mortimer replied that the landscape reviewer reviewed for landscape requirements. In further review they found that the 500 minimum did not apply to the development of 100% residential single-family use. So the Case Manager (Ms. Mortimer) wrote them as a direct quote. That is a requirement of the code. She was trying to make it clear that it applied also to a guest house or multiple units so that when someone else comes in and looking at the flat and figuring out what they could develop would have some guidance.

Chair Kadlubek reasoned that the 500 square feet requirement doesn't apply.

Ms. Mortimer agreed.

Chair Kadlubek said the code doesn't say that the 500 sq. ft. minimum does not apply when it's totally residential.

Ms. Mortimer agreed. Her understanding was that the creation of the mixed-use zone anticipated a greater desire to build commercial and it needed a minimum requirement of residential and no one conceived at that time of the kind of development that was going to be a 100% residential. That was written long ago when developments were very different than they are now. So that is one of the issues that staff is being asked to consider in the amendment.

Commissioner Kapin asked if the front two lots were brought back for commercial development, if it would trigger the 500 sq. ft. open space requirement. She asked if any designation made now would affect this approval.

Ms. Mortimer agreed it would trigger that requirement. It would also trigger parking and several other items, as well.

Commissioner Hogan commented on the awkwardness of the zoning actuation because he was hearing it would be entirely possible to have a single-story, standalone residential house on one lot and on the next lot, it could be a much more intensive use development. So there could be a whole variety of different things all on this small cul-de-sac.

Ms. Mortimer affirmed that his assumption was correct. If they decided to develop commercially, they would have additional requirements. For these lots, the intensity of possible development is not that great. It is greater than a home occupation but not much more.

Commissioner Kapin wanted to make sure the conclusion on page 7 makes it onto the list of conditions - - the notice to potential buyers.

Ms. Mortimer said it was on the list at 8 2 B at the very end. She appreciated the catches by the Commission.

Commissioner Abeyta asked for a roll call vote.

The motion was approved on a unanimous roll call vote with Commissioner Hogan, Commissioner Hochberg, Commissioner Gutierrez, Commissioner Kapin, Commissioner Abeyta, Commissioner Propst, Commissioner Hlatt and Chair Kadlubek voting in favor and none voting against.

- 3. Case #2016-03. Vista Serena, Tract 49 Tierra Contenta, Final Subdivision Plat.** Orallynn Guerreroriz of Design Enginuity, LLC, agent for Homewise, Inc., requests final subdivision plat and development plan approval for 50 lots on 12.7± acres. The site is located on Tract 49 in Tierra Contenta Phase 2C, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 6-9 dwelling units per acre). (Donna Wynant, Case Manager)

Commissioner Hlatt notified the Commission and the public that he had a potential conflict of interest because he sits on the board of Tierra Contenta. But he did not remember this case coming before that board. So he thought he could participate without bias.

Mr. Shandler said he had complied with the disclosure required by the city and could participate without objection.

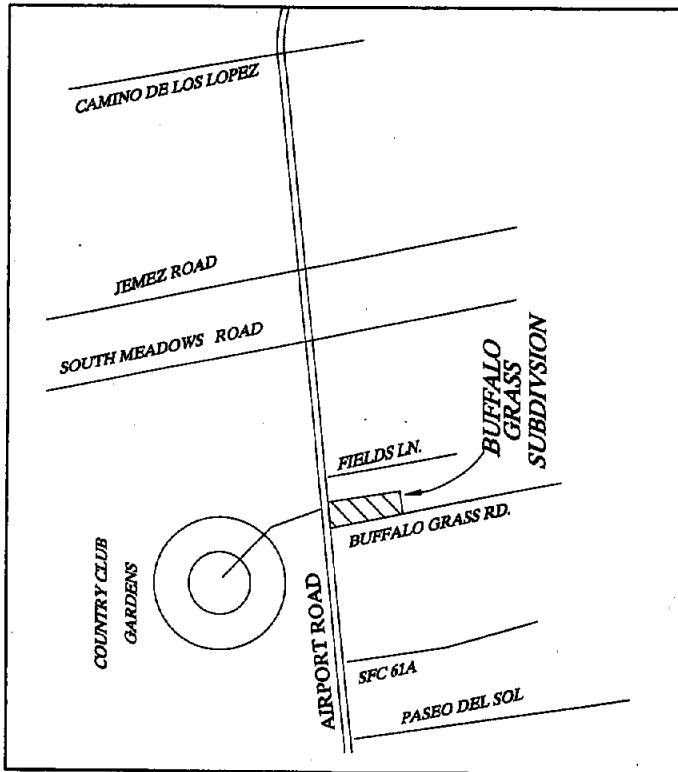
Staff Report

3760 BUFFALO GRASS

RESIDENTIAL SUBDIVISION

FINAL SUBDIVISION

VICINITY MAP



SHEET INDEX

| SHEET TITLE | No. |
|--|----------------|
| COVER SHEET | C |
| SUBDIVISION PLAT | S1 |
| EXISTING CONDITION and SLOPE ANALYSIS | S2 |
| GRADING PLAN | C1 |
| ROADWAY AND SAS PLAN AND PROFILE | C2 |
| UTILITY PLAN | C3 |
| PUBLIC WATER PLAN | C4 |
| CIVIL DETAILS AND CONSTRUCTION NOTES | C5 |
| LANDSCAPE PLAN | L1 |
| HANDICAP RAMP DETAILS | HC-1 TO HC-3 |
| NMDOT SIDEWALK AND CURB DETAILS | -609 |
| SANITARY SEWER STANDARD CONSTRUCTION DETAILS | SAS-1 TO SAS-4 |

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10000 North 10th Street, Suite 100
Phoenix, AZ 85020
Tel: 602-998-8888
Fax: 602-998-8889

3/21/16

SHEET NO.
C

3760 BUFFALO GRASS SUBDIVISION

Case # 2016-38 Buffalo Grass

SIXTH BUFFALO GRASS

PROPOSED SUBDIVISION
 CREATING TRACTS B-1, B-2, B-3, B-4, B-5 FROM TRACT A-1-A-2
 OF SUBDIVISION MAP NO. 100, CITY OF SANTIAGO, CALIFORNIA
 APPROVED BY THE CITY ENGINEER, CITY OF SANTIAGO, CALIFORNIA

GENERAL NOTES

1. ALL DISTANCES ARE IN FEET AND INCHES.
2. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR STEEL PIPES.
3. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTER LINE OF THE ROAD.
4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTER LINE OF THE ROAD.

PROVISIONS
 THE CITY ENGINEER HAS REVIEWED THE SUBDIVISION MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE SUBDIVISION MAP ACT, CHAPTER 439, CIVIL CODE, CALIFORNIA.

| | |
|-------------|------|
| PREPARED BY | DATE |
| CHECKED BY | DATE |
| APPROVED BY | DATE |

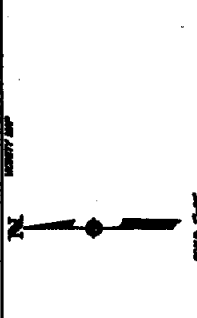
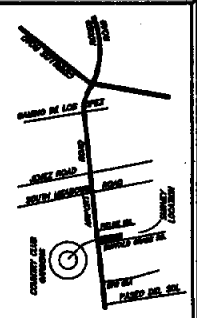
APPROVED
 CITY ENGINEER, CITY OF SANTIAGO, CALIFORNIA

FOR REVIEW

DATE OF REVIEW: _____

BY: _____

REASON FOR REVIEW: _____



1. THIS SUBDIVISION MAP IS PREPARED IN ACCORDANCE WITH THE SUBDIVISION MAP ACT, CHAPTER 439, CIVIL CODE, CALIFORNIA.
2. THE CITY ENGINEER HAS REVIEWED THIS MAP AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE SUBDIVISION MAP ACT, CHAPTER 439, CIVIL CODE, CALIFORNIA.
3. THE DISTANCES ARE TO BE MEASURED ALONG THE CENTER LINE OF THE ROAD.
4. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES OR STEEL PIPES.
5. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTER LINE OF THE ROAD.

FOR REVIEW

DATE OF REVIEW: _____

BY: _____

REASON FOR REVIEW: _____

APPROVED
 CITY ENGINEER, CITY OF SANTIAGO, CALIFORNIA

| | |
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| PREPARED BY | DATE |
| CHECKED BY | DATE |
| APPROVED BY | DATE |

BUFFALO GRASS SUBDIVISION
EXISTING CONDITIONS AND SLOPE ANALYSIS

| | | |
|------------|------|------|
| DEPARTMENT | DATE | |
| PROJECT | DATE | |
| DESIGNER | DATE | |
| CHECKER | DATE | |
| APPROVER | DATE | |
| REVISION | DATE | |
| NO. | BY | DATE |

| | | |
|----------|------|------|
| PROJECT | DATE | |
| DESIGNER | DATE | |
| CHECKER | DATE | |
| APPROVER | DATE | |
| REVISION | DATE | |
| NO. | BY | DATE |

W. E. Walker Engineering
 800 Dundas Street West, Suite 701, Mississauga, Ontario L4X 1L3
 TEL: (905) 874-8888 FAX: (905) 874-8889
 E-MAIL: info@walkereng.com

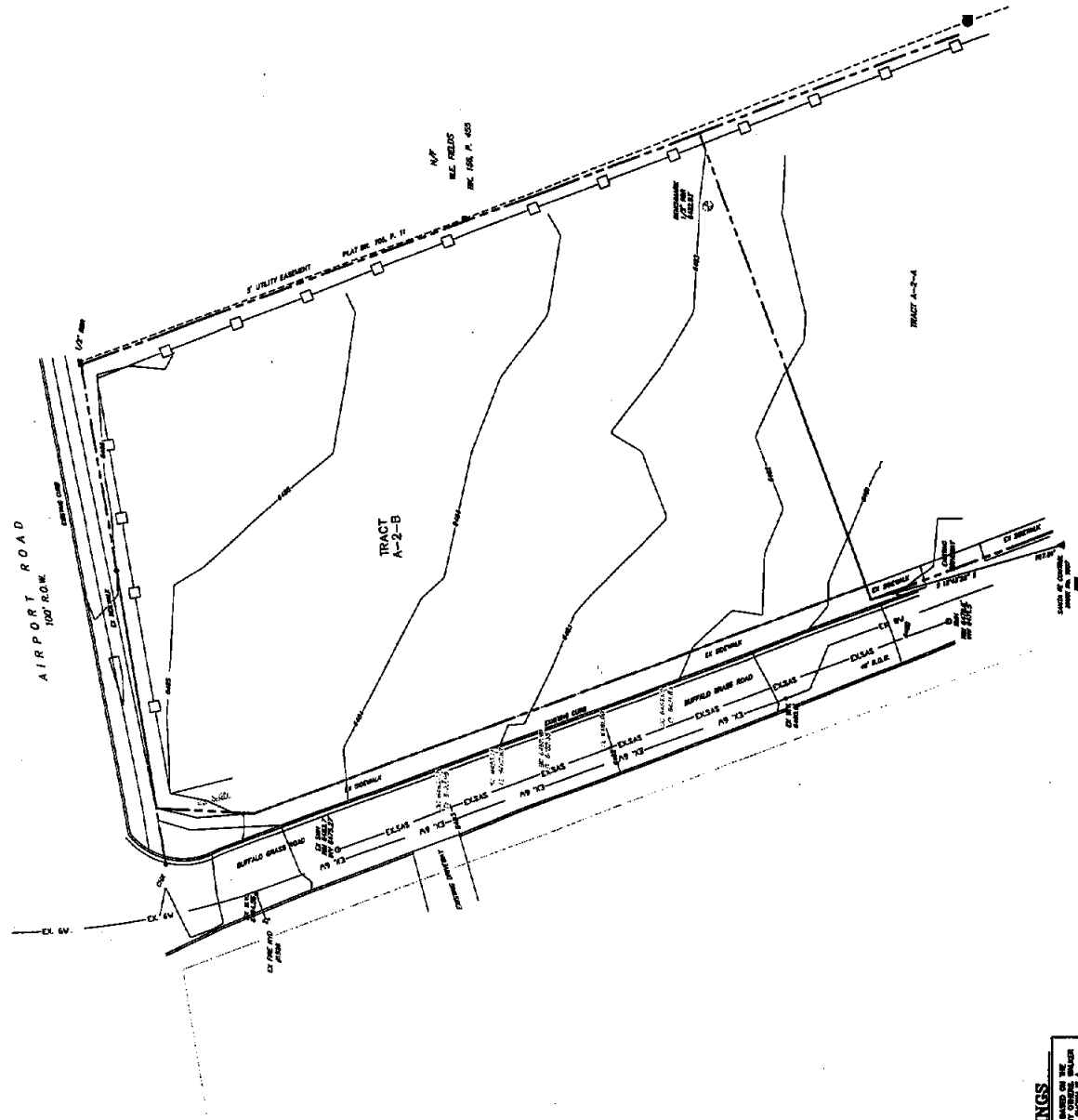
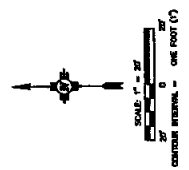
SLOPE ANALYSIS NOTE
 NONE ARE TO BE MAINTAINED SLOPES GREATER THAN 5% ON THE SITE.

TOPOGRAPHY NOTE
 ALL ELEVATIONS ARE IN FEET UNLESS OTHERWISE NOTED. THE TOPOGRAPHY WAS OBTAINED FROM AERIAL PHOTOGRAPHS AND FIELD SURVEY. THE TOPOGRAPHY IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF WALKER ENGINEERING.

LEGEND

| | |
|-------------------------|-----|
| EXISTING OUTLINE | --- |
| EXISTING FENCE | --- |
| SITE BOUNDARY | --- |
| EXISTING SPOT ELEVATION | ○ |
| PLUMBING | ○ |
| BACK OF CURB | ○ |
| EXISTING SURVEY MARKERS | ○ |
| EXISTING WATERLINE | --- |
| EXISTING POWER POLE | ○ |

Please Refer and Note on Work.
 1/8" Copied from job site drawings.



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PROJECT: _____ DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____

BUFFALO GRASS SUBDIVISION
GRADING AND DRAINAGE PLAN

PROJECT: BUFFALO GRASS SUBDIVISION
 SHEET TITLE: GRADING AND DRAINAGE PLAN
 DATE: 01/18/18
 DRAWN BY: M.E.R.
 CHECKED BY: M.E.R.
 PROJECT: 16-108
 DESIGNED BY: P.L.B.
 500 Carolina Street, Suite 200, Raleigh, NC 27603
 919-833-7200
 FAX 919-833-7200
 WALKER ENGINEERING

RECORD DRAWINGS
 THIS RECORD DRAWING HAS BEEN APPROVED AS SHOWN ON THE SHEET. ANY CHANGES TO THIS DRAWING MUST BE MADE BY THE ENGINEER. THE ENGINEER'S SIGNATURE AND SEAL ARE REQUIRED FOR THIS DRAWING TO BE USED FOR CONSTRUCTION.

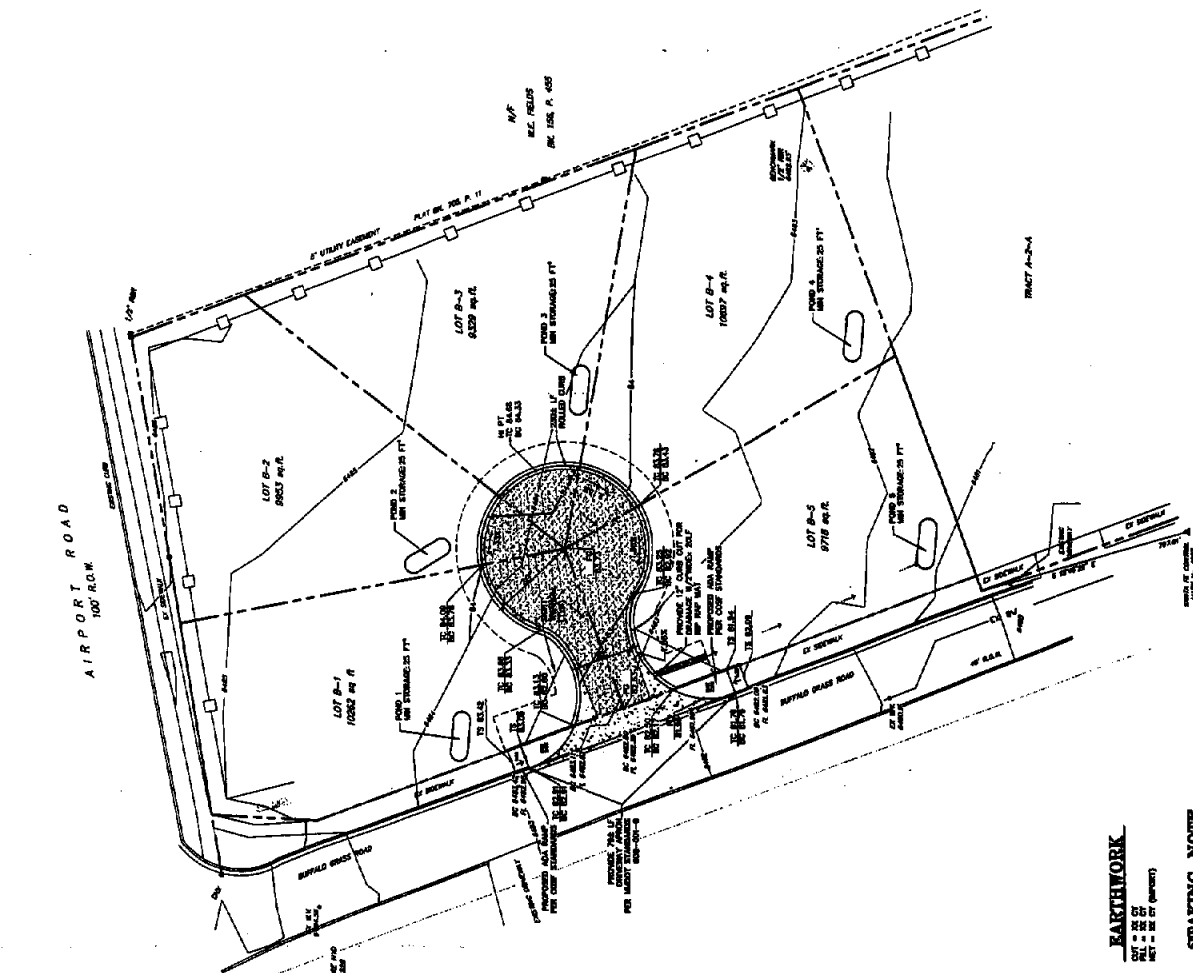
LEGEND

- EXISTING CONTOURS
- DESIGN CONTOURS
- ONE FOOT CANTONMENT
- PROPOSED DRAIN DIRECTION
- FIELD RELEASE
- TOP OF WALL
- TOP OF WALL
- TOP OF WALL
- FINISHED PAV
- FINISHED PAV
- FINISHED PAV
- CONCRETE
- REINFORCED CONCRETE

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| 1 | AS NOTED | | | | |

| NO. | DESCRIPTION | DATE | BY | APP. | DATE |
|-----|-------------|------|----|------|------|
| 1 | AS NOTED | | | | |

| NO. | DESCRIPTION | DATE | BY | APP. | DATE |
|-----|-------------|------|----|------|------|
| 1 | AS NOTED | | | | |



EARTHWORK
 CUT = 20.00 (square)
 FILL = 20.00 (square)

STAKING NOTE
 THIS PLAN IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. SEE THE PLAN FOR ACTUAL LOCATIONS OF STAKES.

TOPOGRAPHY NOTE
 ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THESE PLANS HAS BEEN OBTAINED AND CHECKED BY ENGINEER. ENGINEER'S SIGNATURE AND SEAL ARE REQUIRED FOR THIS DRAWING TO BE USED FOR CONSTRUCTION. THE ENGINEER'S SIGNATURE AND SEAL ARE REQUIRED FOR THIS DRAWING TO BE USED FOR CONSTRUCTION.

UTILITY NOTE
 THE ENGINEER HAS CONDUCTED A FIELD SURVEY OF THE LOCATION, DEPTH, AND CHARACTER OF ALL UTILITIES SHOWN ON THESE PLANS. THE ENGINEER'S SIGNATURE AND SEAL ARE REQUIRED FOR THIS DRAWING TO BE USED FOR CONSTRUCTION.



W. E. Walker Engineering
 400 Exchange Street, Suite 101, Newark, NJ 07102
 (973) 880-7900
 FAX: (973) 880-4838
 E-MAIL: ewalker@walkengineering.com

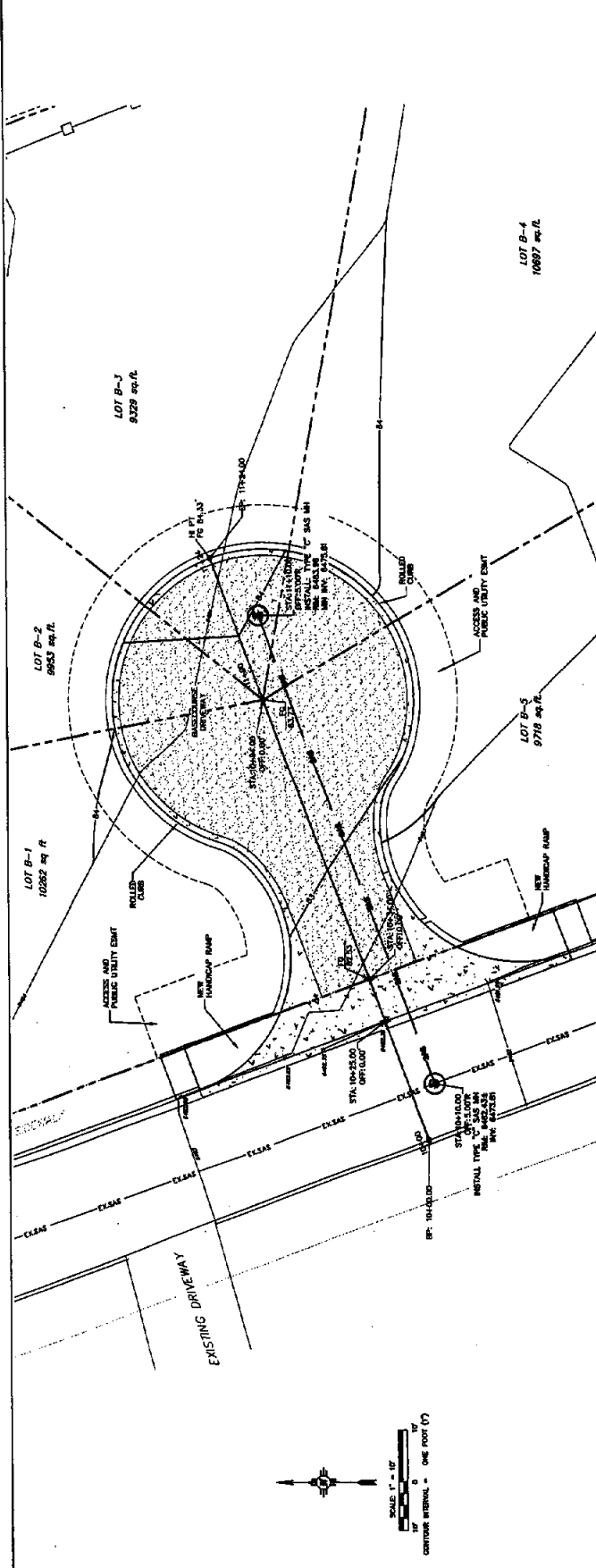
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| AS NOTED |
|----------------------|
| DATE: 05/18/16 |
| DESIGNED BY: M.E.P. |
| DRAWN BY: P.L.B. |
| PROJECT: 16-106 |
| REVISIONS BY: P.L.B. |
| CHECKED BY: M.E.P. |
| IN CHARGE: M.E.P. |

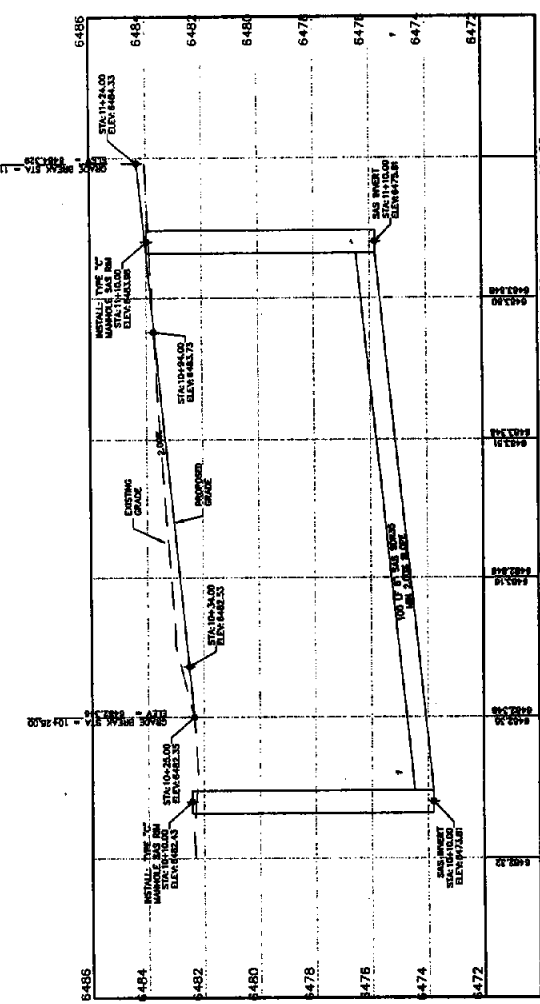
BUFFALO GRASS SUBDIVISION
ROADWAY AND SAS
PLAN AND PROFILE

| SHEET NO. | DATE | SCALE |
|-----------|------|-------|
| | | |
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82



BUFFALO GRASS CIRCLE



TOPOGRAPHY NOTE
 ALL EXISTING TOPOGRAPHIC SURVEY DATA SHOWN ON THESE PLANS WAS OBTAINED FROM THE PROJECT RECORDS. THESE RECORDS WERE PROVIDED BY THE CLIENT. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE TOPOGRAPHY AND HAS FOUND IT TO BE ACCURATE AND COMPLETE. THE ENGINEER HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THE TOPOGRAPHY DATA PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE TOPOGRAPHY DATA. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE COMPAREMENTS ANALYSIS THAT UTILIZES THE TOPOGRAPHY DATA.

UTILITY NOTE
 THE ENGINEER HAS INVESTIGATED AND OBTAINED INFORMATION OF THE LOCATION, DEPTH, AND CHARACTERISTICS OF THE UTILITIES SHOWN ON THESE PLANS. THIS INFORMATION WAS OBTAINED FROM THE PROJECT RECORDS AND VISUAL INSPECTIONS. THE ENGINEER HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THE UTILITY DATA PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE UTILITY DATA. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE COMPAREMENTS ANALYSIS THAT UTILIZES THE UTILITY DATA.

RECORD DRAWINGS

THIS RECORD DRAWING HAS BEEN PREPARED BASED ON THE BEST AVAILABLE INFORMATION AND THE ENGINEER'S UNDERSTANDING OF THE PROJECT. THE ENGINEER HAS NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THE RECORD DRAWING. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY AND COMPLETENESS OF THE RECORD DRAWING.

| DATE | BY | FOR |
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LEGEND

| | |
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| | EXISTING CENTERLINE |
| | PROPOSED CENTERLINE |
| | PROPOSED SPOT ELEVATION |
| | PROPOSED GRADE |
| | PROPOSED SIDEWALK |
| | PROPOSED DRIVEWAY |
| | PROPOSED TURNAROUND RAMP |
| | PROPOSED DRIVEWAY RAMP |
| | PROPOSED TURNAROUND RAMP |
| | PROPOSED TURNAROUND RAMP |
| | PROPOSED TURNAROUND RAMP |

SCALE: 1" = 40'
 0 5 10 FEET
 CURVE RADIUS = ONE FOOT (O)

W. E. Walker Engineering
 Civil Engineering & Water Resources & Traffic Engineering
 505 Columbia Street, Buffalo, N.Y. 14203
 716-833-6666
 716-833-6667
 716-833-6668

| AS NOTED | | | |
|----------|--------|----------|--------|
| DATE | BY | REVISION | BY |
| 12/18/16 | M.K.R. | DESIGNED | M.K.R. |
| 12/18/16 | M.K.R. | CHECKED | M.K.R. |
| 12/18/16 | M.K.R. | DATE | M.K.R. |

| NO. | REVISION | BY | DATE |
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| | | | |

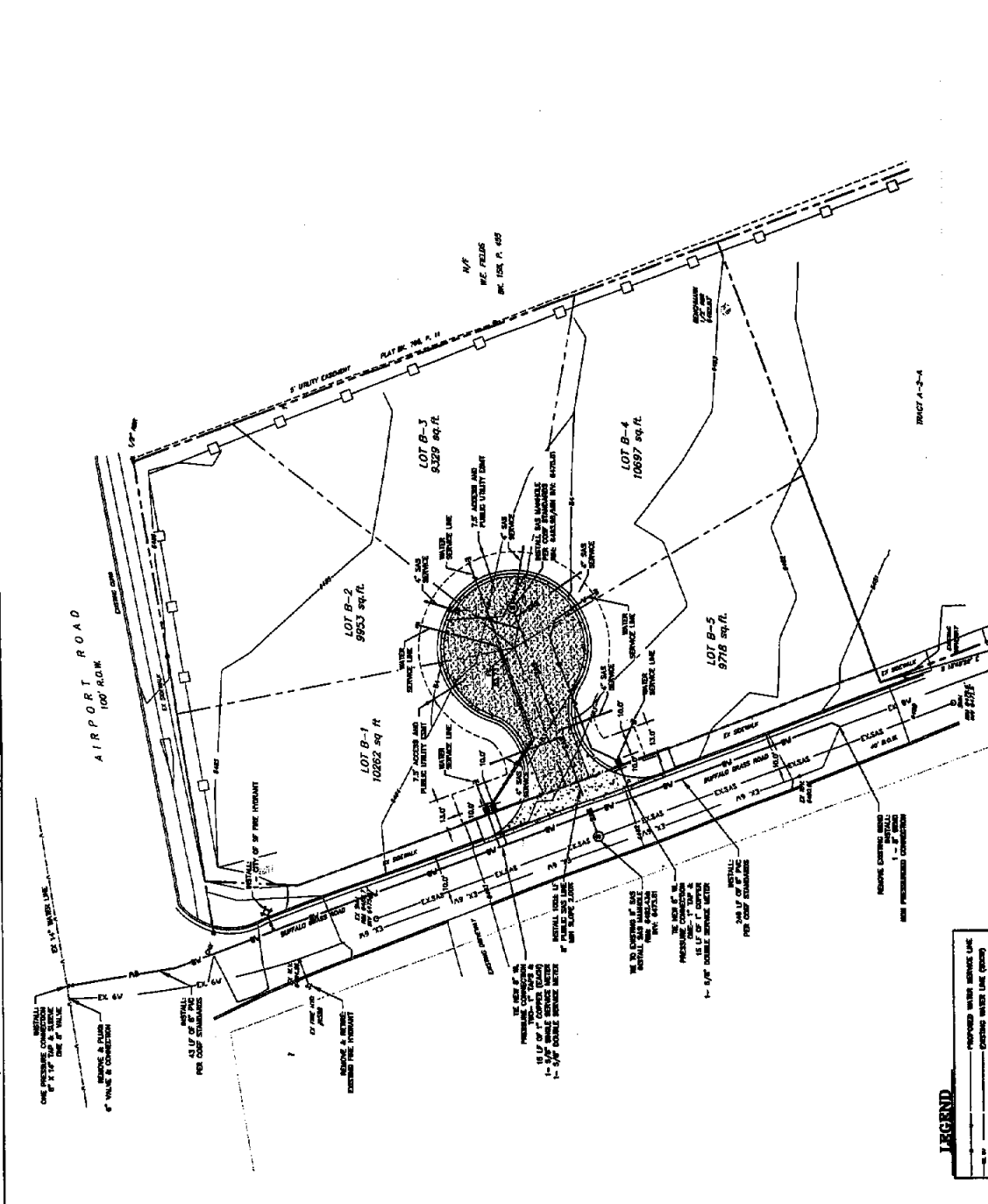
PROJECT: **BUFFALO GRASS SUBDIVISION**
 SHEET TITLE: **UTILITY PLAN**
 DATE:

| NO. | REVISION | DATE |
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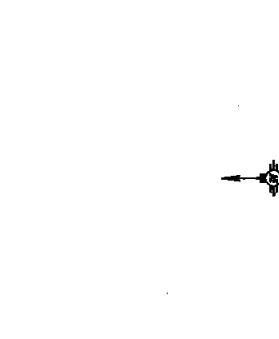
C3

RECORD DRAWINGS
 THIS DRAWING HAS BEEN APPROVED FOR RECORD BY THE
 ENGINEER AND THE CITY ENGINEER. THE ENGINEER'S
 SIGNATURE AND SEAL ARE NECESSARY TO RECORD THIS
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SHEET NO. _____
 DATE: _____



STAKING NOTE
 ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN FEET AND INCHES. DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.



TOPOGRAPHY NOTE
 ALL EXISTING TOPOGRAPHY DATA SHOWN ON THESE PLANS HAS BEEN OBTAINED FROM THE CITY ENGINEER'S OFFICE. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHY DATA SHOWN ON THESE PLANS. THE CITY ENGINEER'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE TOPOGRAPHY DATA SHOWN ON THESE PLANS.

UTILITY NOTE
 THE ENGINEER HAS INVESTIGATED THE LOCATION OF THE UTILITIES SHOWN ON THIS PLAN. THE ENGINEER HAS INVESTIGATED THE LOCATION OF THE UTILITIES SHOWN ON THIS PLAN. THE ENGINEER HAS INVESTIGATED THE LOCATION OF THE UTILITIES SHOWN ON THIS PLAN.

LEGEND

| | |
|---|-----------------------------|
| — | PROPOSED WATER SERVICE LINE |
| — | EXISTING WATER SERVICE LINE |
| — | PROPOSED FIRE TREATMENT |
| — | EXISTING FIRE TREATMENT |
| — | PROPOSED WATER METER |
| — | EXISTING WATER METER |
| — | PROPOSED SEWER |
| — | EXISTING SEWER |
| — | PROPOSED GAS |
| — | EXISTING GAS |
| — | PROPOSED TELEPHONE |
| — | EXISTING TELEPHONE |

| REVISIONS | DATE | BY |
|-----------|--------|-----|
| 1 | 7-4-16 | CSJ |

SANTA FE PLANNING GROUP, INC.
 1000 Santa Fe Avenue, Suite 100
 Santa Fe, NM 87505
 Phone: (505) 966-1111
 Fax: (505) 966-1112
 Website: www.santafepg.com

CONCEPTUAL LANDSCAPE PLAN

DEL WESTON
BUFFALO GRASS ROAD
SANTA FE, NEW MEXICO

| | |
|--------------|------------|
| PROJECT NAME | DEL WESTON |
| DATE | 7/17/16 |
| SCALE | 1" = 20' ± |
| APP. NO. | |
| DESIGNER | G. YANOVIA |
| CHECKER | |
| DATE | 7/17/16 |
| SCALE | 1" = 20' ± |
| APP. NO. | |

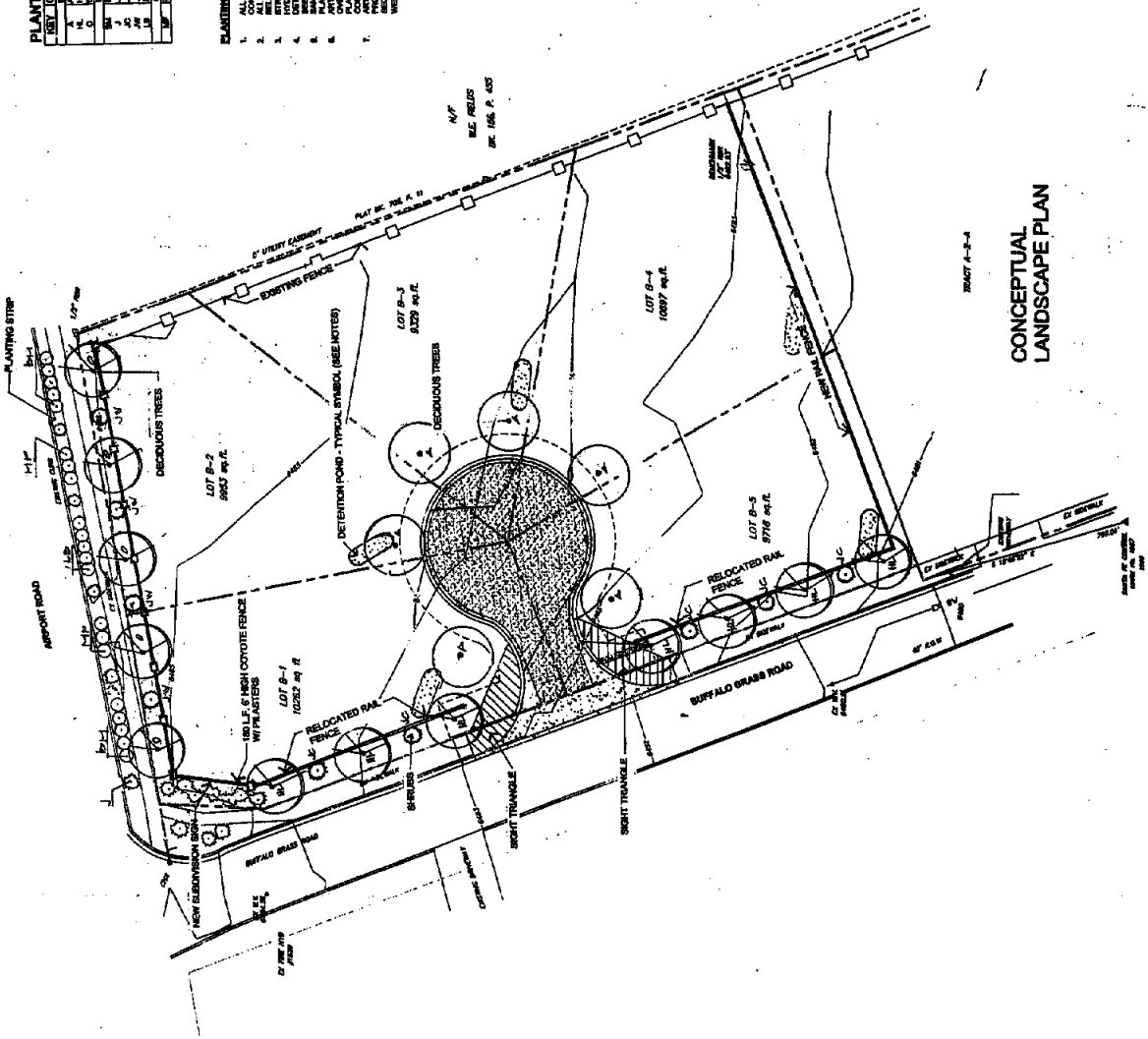
PLANT SCHEDULE

| PLANT | COMMON NAME | BOTANICAL NAME | SIZE | QUANTITY | NOTES |
|-------|---------------------|---------------------------|--------------------|----------|-----------|
| A | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 12" x 12" x 12" | 1 | See Notes |
| B | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 18" x 18" x 18" | 1 | See Notes |
| C | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 24" x 24" x 24" | 1 | See Notes |
| D | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 30" x 30" x 30" | 1 | See Notes |
| E | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 36" x 36" x 36" | 1 | See Notes |
| F | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 42" x 42" x 42" | 1 | See Notes |
| G | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 48" x 48" x 48" | 1 | See Notes |
| H | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 54" x 54" x 54" | 1 | See Notes |
| I | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 60" x 60" x 60" | 1 | See Notes |
| J | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 66" x 66" x 66" | 1 | See Notes |
| K | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 72" x 72" x 72" | 1 | See Notes |
| L | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 78" x 78" x 78" | 1 | See Notes |
| M | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 84" x 84" x 84" | 1 | See Notes |
| N | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 90" x 90" x 90" | 1 | See Notes |
| O | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 96" x 96" x 96" | 1 | See Notes |
| P | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 102" x 102" x 102" | 1 | See Notes |
| Q | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 108" x 108" x 108" | 1 | See Notes |
| R | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 114" x 114" x 114" | 1 | See Notes |
| S | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 120" x 120" x 120" | 1 | See Notes |
| T | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 126" x 126" x 126" | 1 | See Notes |
| U | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 132" x 132" x 132" | 1 | See Notes |
| V | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 138" x 138" x 138" | 1 | See Notes |
| W | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 144" x 144" x 144" | 1 | See Notes |
| X | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 150" x 150" x 150" | 1 | See Notes |
| Y | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 156" x 156" x 156" | 1 | See Notes |
| Z | SPRING BURNING BUSH | <i>Echinacea purpurea</i> | 162" x 162" x 162" | 1 | See Notes |

- PLANTING NOTES:**
- ALL PLANT MATERIAL IS TO BE PROVIDED BY AN AUTOMATICALLY DELIVERED TRUCK.
 - ALL PLANTING MATERIAL IS TO BE DELIVERED TO THE PROJECT SITE WITHIN 14 DAYS OF THE START DATE.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM CURB AND FIRE HYDRANTS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM LIGHT POLES AND FIRE HYDRANTS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM SIGNAGE AND LIGHT FIXTURES.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM SIDEWALKS AND DRIVEWAYS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM BUILDINGS AND STRUCTURES.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM POWER LINES AND TELEPHONE LINES.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM FENCES AND BARRIERS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM TRAILS AND PATHS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM WATER FEATURES.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM OTHER PLANTS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM OTHER PLANTS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM OTHER PLANTS.
 - PLANTS SHALL BE LOCATED AT LEAST 18" FROM OTHER PLANTS.



SCALE: 1" = 20'



CONCEPTUAL LANDSCAPE PLAN