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 PLANNING COMMISSION MEETING  
 Thursday, June 18, 2015

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Approved

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Approved [amended]

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Approved

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**MINUTES OF THE MEETING  
OF THE  
PLANNING COMMISSION  
June 18, 2015**

A regular meeting of the City of Santa Fe Planning Commission, was called to order by Chair Michael Harris, at approximately 6:00 p.m., on Thursday, June 18, 2015, in the City Council Chambers, City Hall, Santa Fe, New Mexico.

**A. ROLL CALL**

**MEMBERS PRESENT:**

Commissioner Michael Harris, Chair  
Commissioner Katharine Anne Chavez  
Commissioner Brian Patrick Gutierrez, Secretary  
Commissioner Vince Kadlubek  
Commissioner Lawrence Ortiz  
Commissioner John Padilla  
[Vacancy]

**MEMBERS EXCUSED:**

Commissioner Renee Villarreal, Vice-Chair  
Commissioner Piper Kapin

**OTHERS PRESENT:**

Lisa Martinez, Director, Land Use Department  
Greg Smith, Director, Current Planning Division – Staff liaison  
Zachary Shandler, Assistant City Attorney  
Melessia Helberg, Stenographer

There was a quorum of the membership in attendance for the conducting of official business.

**B. PLEDGE OF ALLEGIANCE**

**C. APPROVAL OF AGENDA**

**MOTION:** Commissioner Padilla moved, seconded by Commissioner Kadlubek, to approve the Agenda as presented.

**VOTE:** The motion was approved on a voice vote, with Commissioners Chavez, Gutierrez, Kadlubek, Ortiz and Padilla voting in favor of the motion and no one voting against [5-0].

**D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**

**MINUTES: NONE**

**FINDINGS/CONCLUSIONS: NONE**

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

1. **CASE #2014-124. PULTE LAS SOLERAS GENERAL PLAN AMENDMENT. JAMES W. SIEBERT & ASSOCIATES, AGENT FOR THE PULTE GROUP, REQUESTS APPROVAL OF A GENERAL PLAN AMENDMENT TO AMEND THE EXISTING GENERAL PLAN FUTURE LAND USE MAP DESIGNATIONS FOR 12.92 ACRES FROM HIGH DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL; 14.95 ACRES FROM MIXED USE TO LOW DENSITY RESIDENTIAL; AND 3.93 ACRES FROM MEDIUM DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THE PROPERTY IS CURRENTLY VACANT AND LOCATED WITHIN THE LAS SOLERAS MASTER PLAN (ZACH THOMAS, CASE MANAGER) (Continued from May 21, 2015)**

*Items F(1), F(2), F(3), F(4), F(5) and F(6), were combined for the purpose of presentation and discussion, but were voted upon separately.*

A Memorandum dated June 10, 2015 for the June 18, 2015 Meeting, to the Planning Commission from Zach Thomas, Senior Planner, Current Planning Division, with attachments, including Exhibit A Response from James W. Siebert and Associates, and Exhibit B Memorandum from Santa Fe Public Schools with attachments, is incorporated herewith to these minutes as Exhibit "1."

A Memorandum dated June 18, 2015, to the Planning Commission from the Current Planning Division, regarding Additional Information, submitted for the record by staff, is incorporated herewith to these minutes as Exhibit "2."

A copy of Las Soleras *Beckner Road Extension Phases*, entered for the record by Jim Siebert, is incorporated herewith to these minutes as Exhibit "3."

A copy of *NEIGHBORHOOD STREET DESIGN GUIDELINES, An Oregon Guide for Reducing Street Widths*, entered for the record by Fred Arfman and Jim Siebert, is incorporated herewith to these minutes as Exhibit "4."

Mr. Smith said, "As a reminder, when we left at the conclusion of May 27, 2015, the first part of the hearing was processed. The Public Comment portion of the public hearing had been closed. We start off tonight with staff presentation tonight as responses to questions from Commissioners to staff after the Public Testimony Portion was closed. A reminder to the Commissioners procedurally, you may or may not choose to reopen the Public Testimony Portion at your discretion tonight. The response to the questions from the Commission, there has been discussion about the role of the Master Plan, briefly. The point of the Master Planning and Zoning which is used to provide detailed planning for land use patterns and infrastructure typically apply to the case where there are wide tracts of land with multiple property owners. And where the development will extend over a period of 5 or more years, that allows the private sector owners in the City to coordinate development of infrastructure, provide some reliance for both the City and the private developers in terms of land use patterns."

Mr. Smith continued, "The Las Soleras Master Plan was extensively amended in 2009, in conjunction with the Rezoning and Annexation Agreements which were reviewed by the Planning Commission and approved by the City Council in 2009. The original history on Las Soleras, there is a generic of variance residential in 9 residential zoned districts shown on the 1999 General Plan Future Land Use Map. The applications filed by the property owners with the City in 2003, those applications were withdrawn by the owners before the City could act on those applicants. The applicants subsequently filed applications with the City/County Extraterritorial Zoning Authority. Those applications were in the approval process when the City and the County sued each other and the property owners were also involved in the lawsuit that ultimately resulted in an agreement between the City, County and various landowners to settle that lawsuit in 2008 with the City initiated annexation that was coordinated between the City and the County, resulted in the adoption of a new ordinance, new regulation and strategy where the City would have land use control in the annexation areas."

Mr. Smith continued, "The current vision of the plan and the conditions of approval in the matrix that has been discussed at the previous hearing, were the result of amendments that were approved by the City in 2009 as part of an Annexation Agreement and rezoning action that was taken. If you have any questions about the fiscal impact to the City of Santa Fe, in general, the studies show that non-residential commercial general more direct fiscal benefit to the City than do residential cases. Although in some respects, that over-simplifies the dynamics, because in large part the people who spend and generate the GRT income are the people who live in the houses. To some extent, you can't have one without the other. If the Commission wants, we can go a couple more layers deep into that fiscal analysis. I'll leave it at that for now."

Mr. Smith continued, "I guess the point is that it is not clear if there is a distinct fiscal advantage to the City, based on the existing land use patterns versus the proposed land use patterns, especially since much of the comparison would lead to multi-family rental housing and single family detached ownership housing it's difficult to come up with specific local numbers for that kind of analysis."

Mr. Smith continued, "I would draw the Commission's attention to 14-3.5(B) in the City's own Development Code with regard to approval of rezoning cases. That states that the Planning Commission's review and recommendations shall be based on the approval criteria and balancing tests set forth in Subsection C. The Planning Commission shall not consider or rule on the economic feasibility of any development proposed, any rezoning master plan or development plan unless the application is for a public project. The central criteria that the Commission is looking at tonight in deciding whether to approve or deny is essentially, is the proposed change more advantageous to the public than the current pattern that has been approved. And the adequacy of the infrastructure and the fiscal impacts to City are within the Commission's purview. The profit/loss financial feasibility to the applicant, etc., is not within the Commission's jurisdiction in making your decision tonight."

Mr. Smith continued, "There was considerable discussion about jobs-housing balance. In the 1999 General Plan, the intent was apparently to come to a balance of land use acreages that a ratio of commercial to residential that more or less duplicated that that existed within the City in 1999. It is not clear that that specific balance has been carried forward in the subsequent amendments to the Master Plan. However, generally speaking, as we said, commercial land use generates more revenue and lower demand for services per acre, but again, that's kind of an over-simplified review of the impacts on that."

Mr. Smith continued, "There has been discussion about the availability of multi-family rental housing. It seems clear in discussion with our Housing staff that there is a relative shortage of large scale, multi-family rental units within the City. It is not clear whether this shortage is a result of inadequate land zoned for that use. However, there may be other market forces that are doing it. There are a number of acres of land that is zoned for multi-family within the City that have not been developed, even though they could be."

Mr. Smith continued, "Other developments that have come to staff's attention that are different than they likely were when the Plan was reviewed in 2009 shows that there is likely to be a higher proportion of senior households that need to that have housing demand than was recognized in 2009. Again, it's not clear that this is a problem that should be addressed by changing the zoning of any particular tract of land. With that, I'll move to Zach Thomas to present other aspects of the responses to questions."

Chair Harris said, "Before you do, I just want to make sure that I understood your reference that you provided, 14-3.5(B), having to do with consideration for criteria for rezoning. You say that the fiscal impact can be considered in light of the overall City and what it may provide to the public coffers, but we should not consider the overhead, profit, the financial considerations for the developer. Is that what I understood you to say."

Mr. Smith said that is correct.





Chair Harris continued, "So as to the public comment. We have a lot of public comment. We have written statements, we have considerable public testimony, other venues where the public's voices have been heard. And if there is something that arises during the staff presentation, that really is appropriate and specific rebuttal point, I would encourage members of the public to step forward and speak to that. Beyond that, I think we have a good sense of how people feel. We know that Nava Adé, in a sense is a house divided. in portion of meeting asking questions, there are competing voices there. So we've heard many of those voice, and what we really want to work on are the technical issues and the specifics. I would like for the public comments to focus on that after we're gone through the Commission questions and answers. I believe that's all I need to say. With that, turning to the questions, I think what I'll do is, as we go through, I'll simply read the question, ask the person to step forward and then we'll expand upon that."

### **QUESTIONS UNDER THE LAND USE COMPONENT**

1. *Provide staff (Reed and Greg) 2009-2010 point of view regarding Las Soleras. What were the underlying assumptions and goals at the time? Are they same today?*

Chair Harris asked Mr. Liming to respond.

Mr. Liming said in 2008-2009 as we were considering a new land use plan for Las Soleras, it was a big enough area that they tried to undertake a jobs-housing balance, and in Santa Fe we've got about 1.2 jobs per housing unit balance. He said they used the national standard, and at the time their general feeling was what they ended up with was a little top-heavy in terms of commercial land from what was originally discussed. So when they see the proposal coming forward, the proposal before the Commission, yet dropping residential densities lower, it is a concern from the point of view of the General Plan, dealing with future growth areas which Las Soleras is. The General Plan says we should be seeing a minimum of 5 units per acre, gross density in the future growth area.

Mr. Liming noted that Ross's Peak, part of the original Las Soleras area, was approved at about 6.5 units per acres, and so the General Plan is recommending that the residential areas hit a minimum of 5 units per acre. He said almost half the land in Las Soleras is designated for commercial, and based on our calculations, we included the Beatty tracts and Nava Adé with about 2,000 units for the rest of Las Soleras, we still found an imbalance with commercial versus residential development.

Mr. Liming said the proposal before the Commission, there is a potential in this land, according to the current master plan for 1,100 units and they are proposing 298 units. The other two issues addressed by the General Plan that references this proposal. One is we need street connectivity, a City street system and not a suburban style street system. The General Plan speaks about not encouraging cul-de-sacs, and no more gated communities in the City. These are two areas which are contrary to policies in the General Plan – gated communities, City street connectivity and limiting cul-de-sacs and a minimum density for future growth areas.

Chair Harris said his notion is that the question that you are prepared for will initiate the discussion, but as we go along, there could be questions specific to Mr. Liming, now or later. He said, "I had not intended to go through A,B,C,D on each of the questions. I hope the Commissioners will ask the questions they think are appropriate."

Chair Harris asked Mr. Liming if he said in 2009, even factoring-in Beatty, Nava Adé and the approximately 2,100 dwelling units anticipated in Las Soleras that the commercial was still over-rated.

Mr. Liming said yes, if you use the 1.2 jobs per housing unit balance. They looked at 2,700, and when you look at Beatty, at about 750 total, with 500 in Nava Adé, there is about 2,250, and if you get in the area of 1,500 to 2,000 units for Las Soleras you get 2,700 units. However, using the factors of 30 employees per acre of development for office, 20 employees per acre of development for retail and around 10 for manufacturing for warehousing you could get well over 4,000 jobs on the 260 acres of land in the master plan designated for non-residential. He said if it's all commercial, what you are requiring is for people to come from other places. They saw the jobs/housing balance and land uses as critical to create a good mix so there are enough housing with the jobs that could be provided so there is a nice balance, and we're not bringing everyone in, or telling those in a residential areas they will be going elsewhere for jobs, groceries and things like that.

Chair Harris asked if the City saw this as a transit oriented development associated with the Rail Runner station.

Mr. Liming said that was part of the understanding of the original master plan that there potentially would be a Rail Runner station in the median of I-25.

Chair Harris asked if that would be part of the rationale in over-weighting commercial space.

Mr. Liming said, perhaps, but people who live in areas also use transit. So it's not just a workforce issue, it's also if you are attracting nearby residents to use the train. It could be used as a rationale for a potential Rail Runner station. But what they were trying to do was to use the jobs/housing balance in the urban area and apply it to this large master plan area and try to come up with what they thought was a good balance. The residential densities are higher, but the application before the Commission is to drop residential density on 100 acres in the master planned area to less than 3 units per acre, based on his calculations.

Chair Harris asked Mr. Liming what is his thinking now regarding the same criteria 5-6 years later.

Mr. Liming said his concern is the policy in the general plan to maintain a minimum density level for a master plan for a future growth area and not slip underneath that and under use the services that will have to be provided. With all the commercial land in the current master plan we would not want to see residential densities drop.

Mr. Padilla asked Mr. Liming to expand on his comments on street connectivity and gated communities.

Mr. Liming said we have sometimes seen a lack of connectivity, noting there has been a reduction in the number of ways you can get in and out of a neighborhood or subdivision. He said 15-16 years ago the master plan was promoting street connectivity trying to build a street system versus another suburban limited access housing development. The general plan was in favor of more rather than fewer connections in any new development.

Mr. Liming continued, saying the gated community is a street connectivity issue as well as a bit of a social issue. He said the sense is do you start increasing isolation withing the community if you start encouraging or creating too many gated communities.

Mr. Smith said on page 8 of the Staff Report from May 21, 2015, we have quoted the general plan policy which includes a statement that gated neighborhoods isolate part of the community from others and will not be allowed. It also says greater attention to the relationship between residents and streets, and says gated communities will not be allow. He said, "I think, as we discussed on some detail in the Memo of May 21<sup>st</sup>, there is not a zoning or subdivision related specifically enforcing said standard. I think there have been 4 possibly 5 gated communities approved by the Planning Commission, and there were others where the developer was dissuaded or prohibited from gating a community."

Commissioner Kadlubek said it seems you possibly are alluding to the idea that the proposal will alter the potential connectivity of the area. And it seems to him that the two major connectivity issues of Las Soleras is Beckner to Richards and asked how the new proposal affect those.

Mr. Liming said those are good connections, and "generally more are better," from a planning standpoint. So when you start to see cul de sacs in new subdivisions, we see that as one less possibility for creating a really interconnected network. He believes there are two connections with Railrunner, and perhaps 2 at Beckner. He said we're trying to suggest a grid or modified grid, noting there can be curved roads, it doesn't have to be a straight grid. They are interested in seeing as much connectivity as possible with new residential developments.

Commission Kadlubek said then the two major arterials are not affected by the new proposal – the Beckner/Richards and the Governor Miles/Beckner connections.

Mr. Liming said he would defer to Land Use Staff.

Mr. Thomas said the Master Plan Amendment would realign Railrunner Road, the primary connection from Governor Miles and Beckner. The Beckner alignment to Richards is unchanged.

Commissioner Kadlubek said Mr. Liming said that 100 acres is being reduced to R-3 and asked where he is getting those numbers.

Mr. Liming said he is looking a gross density, and overall they are proposing 298 units or lots on the total of 100 acres, so that is just below 3 units per acre. He said based on the current master plan and zoning, you could have upwards of 1,100 units, for which they are suggesting 298. He said, "I think the feeling is that's just too great a dip in the density and doesn't meet the 5 units per acre in future growth areas which the General Plan calls for.

Commissioner Gutierrez said the 5 units per acre was from 2009, and asked how long he has been using the 5 units per acre.

Mr. Liming's said it is from the 1999 General Plan.

Commissioner Gutierrez asked if he is happy with that number today.

Mr. Liming said, "We think that's a minimum. There may be some areas in the City that are a bit more rural, but they aren't future growth areas. We talk about not going below 3 units per acre in any area where there are City utilities, water and sewer. The General Plan goes on to day that in future growth areas we need to use the land as efficiently as possible, and therefore should not be below 5 units per acre."

Commissioner Gutierrez said then it should be 500 at a minimum, and Mr. Liming said that is correct.

2. *Was an economic impact analysis provided and assessed at the time of the initial reviews and approvals? What financial objectives have been realized both for the City and the Developer?*

Responding to the Chair, Mr. Thomas said an economic analysis was not done at the time of the adoption of the Master Plan to further outline the financial objectives to be realized. He said to date approximately 5 businesses have opened up along the Cerrillos Road boundary of Las Soleras. He said there has been no further economic study.

3. *What does the current proposal represent in terms of economic impact, both long term and short term? Is there a metric such as jobs/housing ratio?*

Chair Harris said the applicant has responded on this and asked Mr. Tomas to summarize his response.

Mr. Thomas said the economic impact with this proposal is similar to that of the new construction. There's an incremental impact associated with development of the property in building permits and impact fees, as well as construction jobs and such associated with the development of the property in the future. He said development may or may not occur in the future, and doesn't know if that is more economically beneficial, noting this simply is not known at this time. He said from our standpoint, the economic impact is related to the incremental impact of the development.

Chair Harris asked Mr. Siebert if he would like to elaborate on his response.

**Jim Siebert, Agent for the Applicant, 915 Mercer, was sworn.** Mr. Siebert said, "What we did is to do an evaluation of two things. What would the City gain and we're talking about big perspective, not how much profit is made on this, in terms of what comes to the City, what money is derived by the City in property tax and what money is derived from gross receipts tax. And we broke it out into two components, since there are two different kinds of housing here. One is age-targeted which would be a larger percentage of retired people, with lesser incomes than those in the traditional section where they would be working, most likely professionals. So the bottom line.... and we did a calculation of the average income and what monies out of gross receipts tax are allocated to the City. But the bottom line on all this is, for the gross receipts, the annual revenues would be about \$292,000 and property tax would be approximately \$430,000, for a total of around \$723,000 annually that would go to the City. If you take that on a 10 year basis, it would be a little less than \$8 million the City would collect over that period of time."

Mr. Siebert continued, "Now I know Commissioner Kapin had a question about how this compares if it were higher density. We didn't do that because we had no knowledge what that higher density would be. It could be 5 units per acre, it could be 12 units per acre. But I think the consideration there is, if it was a higher density, at what point would it actually development. You have something now that has intent to develop immediately, and those revenues and property taxes would be collected immediately. In terms of the higher density, the question would be at what point in time might it actually develop. It could be 5 years, it could be 15 or 20 years."

**Josh Skarsgard, Las Soleras Development, was sworn.** Mr. Skarsgard said he wanted to tell the Commission about some good news. He said to the west of the Pulte Master Plan, 100 acres, they are under contract to do a 10 acre, high density senior housing project with a group out of Denver. They also have a letter with another 10 acre apartment project, which contemplates 200 units and the senior housing group is contemplating 150 units, which is an additional 350 units on 20 acres. And if you add that to Pulte's 298 units on 100 acres and you average them, you are at 5.2 units per acre.

Mr. Skarsgard continued, saying Mr. Liming gave a great presentation about how the General Plan has a policy that the City wants an average of 5 dwelling units per acre in the growth areas. We have that, but when you stop the analysis just at Pulte that's looking at only one piece, and he wanted to give a larger scope. He said it is 545 acres. He said, "The zoning we're asking the Commission to bless tonight is 29 acres which is 5% of the 545 acres. If I could show this real quick."

Mr. Skarsgard demonstrate the subject site on enlarged drawings. He said, "If you look at the 100 acres 'here,' we have a 10 acre group, it's called Spectrum and it's age-targeted. And we have a Dallas developer that wants to do a development. So you see this Lot 10 in yellow, that's the Spectrum group out of Denver, and then the apartment project is going to be over 'here.' I also want to let the Commission we had this property on the market. The General Plan was adopted in 2008. Everyone is aware that the market collapsed terribly in September 2008. It was a difficult time to be a master plan developer after the market collapsed. I think the City is blessed that Pulte has agreed to develop a considerable 100 acres in Santa Fe, and we're also coming back with the senior high density and the apartment high density. So we believe we have met the City's General Plan policy of 5 dwelling units per acre. And it's going to be a

great mix. Pulte has its age-targeted group, and Spectrum is doing senior housing and also Alzheimer's and assisted living. And it's got workforce housing."

Mr. Skarsgard said, "This is the chance for the City to take young families that live in Rio Rancho and Espanola that have housing inventory and move them back to Santa Fe. So we talk about connectivity, trail connectivity. Let's get our families back to Santa Fe. The General Services Department did a study that 40% of the folks that live in the State, that work in the State Office Complex, are commuting from Rio Rancho, Bernalillo and Albuquerque. Those same folks could actually buy a home. And Mr. Price is here, and it is true that \$250,000 is the range. So that's a great working range for a young working family to buy a home in Santa Fe. I just wanted to give you guys a larger context."

Mr. Skarsgard continued, "Also, the assertion that's too much commercial in this master plan is, I think, unfounded. We've been blessed to have Chick Fil-a, Starbuck's, Taco Bell, Century Bank, we have a lot of banks and a lot of retail that want to come. This property is on the entrance to Santa Fe. Cerrillos is the first exit as you come into Santa Fe as everyone knows, that's why it's a really strong employment node and a strong retail node. I get calls every day from junior box retailers, large box retailers. We had a deal with Costco that didn't work out, we were very excited about. Las Soleras is unique in that's the entrance to Santa Fe, so that's why it's more commercial zoned if you would concur with that. I think it's perfectly zoned. I think you're going to see a lot of employment, office, maybe even light manufacturing. We've had discussions with some out-of-state employers who want to come into Santa Fe. Las Soleras is the perfect home for that."

Mr. Skarsgard continued, "So we have the density of apartments, high density senior, we have age-targeted with Pulte, we have workforce housing in Pulte and the retail has been very strong, so I think it's a good balance. If you're going to try and balance a master plan out of a recession, we're doing the best we can."

Commissioner Padilla asked Mr. Skarsgard to repeat the proposed senior and workforce housing numbers.

Mr. Skarsgard said it is contemplating 150 units, the rental contemplates 200 units, it's 20 dwelling units per acre on 10 acres.

Commissioner Chavez asked Mr. Skarsgard if in his research, he looked at the average housing prices in Rio Rancho, and what are those.

Mr. Skarsgard said yes. He said there are different subdivision, and they saw \$286,000 in westerly Rio Ranch and \$236,000 for some of the entry level housing, and asked if that about what you see in Santa Fe. He said Pulte is offering \$250,000 to \$350,000.

Unidentified said yes.

Mr. Skarsgard asked if anyone on the Commission can tell him of any subdivision in Santa Fe that have available inventory of this quality for young families. He said the employers that call him that want to come to Las Soleras ask where their employees can live. He can't answer that now, but if we're blessed to get Pulte here, we'll have an answer.

Commissioner Gutierrez said until backhoes are there and permits are issued, he doesn't "see it as that."

Mr. Skarsgard said another study was done on construction dollars spent and what it does for the economy. The Obama American Recovery Act contemplated an 7X to 7 times factor on construction jobs, for every \$1,000 of construction dollars, it might have \$7,000 ripple effect on.... you buy pizza and you go shop, that's a common number used by economists for construction dollars. So, if Pulte is approve, then Pulte hires local site contractors, local builders, that money is in Santa Fe, and we think it's between 5X and 7X ripple effect on the local City economy.

Chair Harris said assumptions and decisions made in 2008, 2009 and 2010, in part turned on things like the Rail Runner Station, the State Office Complex, a possible Presbyterian Hospital. He said you just made representations about senior and workforce housing. He asked, "How can you convince us that's going to happen. What level are you at, if I may ask."

Mr. Skarsgard said, "A lot of this is confidential, so I should be a little careful. We have an executed purchase agreement with the senior group, and a letter of intent with the apartment group. Presbyterian bought 40 acres, and would have already built in Santa Fe except for the massive need in the City of Rio Rancho. If anyone's seen Rust Medical Center. World Class. They just added under 80 beds, so they're taking all the resources and going to Rio Rancho. They hired a local architect and they plan a wonderful 40 acre health care master plan for their 40 acres, which is Lot 8 at Las Soleras. That's a regional trauma center hospital, medical offices and urgent care. Santa Fe is next after they get done with Rio Rancho. It's just been so popular. They built that and there was a crush at the door. My guess would be 2-5 years before they start doing a medical office urgent care hospital in Santa Fe. That's my guess, I would have to confirm that."

Chair Harris said we'll follow up on that later, noting Mr. Skarsgard has gone as far as he would expect in terms of the senior and workforce housing.

Commissioner Kadlubek said, then you're saying that when Mr. Liming is talking about it being more like 3 dwelling units per acres for the 100 acres, that's he is calculating acreage which density has yet to be determined, therefore that's a slightly misleading assumption.

Mr. Skarsgard said he respects Mr. Liming and his work. However, the 3 dwelling units per acre is a gross calculation. Pulte has 100 acres, they're doing 298 units, which is around 3 dwelling units per acre. He said, macro, in this master plan, it is above 5 and we're proud of that. He said he has worked for the City of Santa Fe and considers himself an armchair planner. The best master plans need to meet the market, and market has to respond. He said the market has responded and the City doesn't have workforce housing or age targeted housing. Pulte responded to that need in our master plan. He said the

U.S. Constitution is the best master plan in the United States and it's been amended 33 times, 10 in the original bill of rights. This is 5% of Las Soleras we're amending, 5% of the 145 acres. He said we are lucky to have Pulte to respond to the City's deficiencies in housing. He said if they could have done 20 dwelling units per acre they would have done it.

4. *What are the prospects and possible timelines for the proposed State Office Complex (Renewal of Condition of Approval #48) Presbyterian Hospital? Rail Runner Station?*

Chair Harris asked the timeline for State Office Complex, Presbyterian and Rail Runner Station.

Mr. Skarsgard said he can't speak for the General Services Department. He said he will say that the GSD conducted a study in 2008 surveying 16 potential sites for a State office project and Las Soleras finished as number one because of Cerrillos and I-25, and they were contemplating a rail stop which hasn't happened. He said Las Soleras is 100% committed to the State if there is a need for this project.

Chair Harris said there is a lot of uncertainty, but no commitment. He asked if a site master plan has been developed by Presbyterian.

Mr. Skarsgard said yes, it's beautiful, reiterating they hired an Albuquerque architect to do the project which is 3 parts, medical officer, regional hospital with a helicopter pad and urgent care, noting he expects them to start construction on one of those phases in 3-5 years.

Chair Harris asked if this has been added to this master plan.

Mr. Skarsgard said he can ask the President of Presbyterian if he is comfortable sending that, commenting he doesn't know if he is comfortable in sending it and if it is proprietary.

Chair Harris said if it is appropriate to do so, to forward it to Zach Thomas.

Chair Harris said Mr. Wilson wrote a memo on the Rail Runner Station and asked him to summarize what he put in writing to us.

**Keith Wilson, Senior Planner, MPO**, said the Las Soleras station location on the median of I-25 between Cerrillos and Richard was approved by the MPO Policy Board in December 2008, so it is still a valid Rail Runner Station location. In January 2010, Beckner Road Equities entered into an MOA with NM DOT and the MPO, and at the time the Mid-Region Council of Governments was operating the Rail Runner to start the process of developing the station within the median. The steps to do that: an environmental NEPA process and a 810 Study to prove the location in the median of the Interstate was safe and won't interfere with future development of the Interstate. He said those two studies were completed and submitted to the Federal Highway Administration who ultimately has to approve that as an appropriate station location.

Mr. Wilson continued, saying based on newspaper reports in April 2012, the State Board of Finance removed the condition as part of the development of the State Office Complex in Las Soleras, and in March 2013, the MPO received notification from the NM DOT that they were no longer pursuing the Rail Runner Station at Las Soleras asking us to remove it from our Transportation Improvement Program. It is still recognized as a future station location, but there is no current proposal to move forward.

5. *Provided full size (24 x 36) sheets of all proposed plats for review in the office of the Land Use Department.*

Chair Harris said the documents requested were received and he has reviewed them.

6. *Provide topographic information for Tract 12B and that portion of Tract 9 proposed as additional park land for review in the offices of the Land Use Department.*

Chair Harris said he is going to skip this item, noting that discussion relates more to the master plan, and that information was provided in a small scale to him. He will drop back to this when we talk about Parks.

7. *The survey information provided is confusing. The document labeled Rezoning Survey Plat seems to be a lot line adjustment plat as well, e.g. creating 9-A and Tract 9-B out of Tract 9 as shown on the Dawson survey, dated 8/26/09. Should there be an intermediate step which designates the new sub-tracts? On the subsequent Lot Line Adjustment Plat in the packet, some of the new sub-tract designation is dropped, e.g. Tract 9-A and Tract 11-A become Tract 14-A with further lot line adjustment. As proposed, the record of rezoning and lot line adjustment is unclear and may serve to create further confusion in the future.*

Chair Harris said Items #7 and #8 have to do with clarity of the plats, the rezoning. He said #7 is his question, noting there were different designations for some of the sub-tracts in the June 15<sup>th</sup> drawings, behind him, as opposed to what was submitted in he packet. He asked Mr. Siebert to speak to this.

Jim Siebert, using enlarged drawings, said, "Let me walk you through this. Maybe I can see where you are confused. It's complex. What you have here, 'this' is the original Tract 9 and it comes across 'here.' What happens is, Railrunner Road comes through pretty much bisect, leaving a piece 'here' and a piece 'here,' so then it becomes 9A and 9B. The same for the new tract, that this was all Tract 11, the road comes through, bisects its, and 'this' becomes 11A and 11B. There is a piece 'here' in the middle, it's R-12 to R-6. The reason we did that is we can develop this density or R-12 zoning, but it didn't come solid with the property lines, so we had to adjust that out so that in the future plat it would coincide with the lot lines. So 'this' was all part of 15, so then it becomes 15A and 15B, and I think there is a change in your plat, the one we submitted to you. I think the surveyor put 14B on that, so really it should be 15B."

Mr. Siebert continued, "So this is the rezoning. It's called a rezoning plat. The reason for that is that your property lines have to be consistent with your zoning laws, so that's what this plat does. It creates that, and sequentially, what would happen is that you would record this plat first, and then subsequent to that you would record a Lot Line Adjustment Plat. And the reason for the Lot Line Adjustment Plat is that it creates the various phases of the project. So it's really simpler than it seems. You create the tracts for the zoning, once established, we record the plat, and when you're status, you create the tracts for the future phases of the project itself. Does that make sense."

Chair Harris said it does for the most part. He said part of the way the original report was written suggested that all of #9 was being rezoned, but we are only rezoning approximately 30 acres, and asked if that is correct.

Mr. Siebert said, "Well in reality....."

Chair Harris said, "My next question has to do with adoption of new designations from when we adopted the current Land Use Code from RM-1 to R-12, or whatever it may be."

Mr. Siebert said, "Let me answer the first one. These two tracts represent 28 acres. This one represents two point some acres, downzoning is required, because it didn't fit the lot lines, we had to go through zoning. In this case, we went ahead and zoned it to R-6 which is the same as 'this' tract here. The other issue is why is it RM-1 in one place and R-21 in another. And you may recall how long that change took place, but it's probably been 4-5 years. But when they did code modification updates, they changed the designations, so RM-1 was original 21 units per acre and then it went to R-21, and it was the same. There was RMLD which was 12 units per acre and it was changed to R-12. I assumed anybody could look at designing and immediately know what the maximum density was for that particular zoning district."

Chair Harris asked Mr. Siebert to provide a brief response. He said, "We have new designations now for various tracts and this is a June document as opposed to March. Is that just a matter of nomenclature, or is there something else we need to know."

Mr. Siebert said, "Yes. I assume it's a matter... I think the only one I see that might be questioned. 'This was Tract 9 and then it was Tract 11. Why did they decide on Tract 11A-1. To be honest with you, I think it's just a surveyor's prerogative, more than anything else. Because you can't designate a Tract 9A-1 and Tract 11A-1, it's got to be one or the other."

Chair Harris said that was his confusion and as far as he could tell it was just nomenclature, and Mr. Siebert said that is correct.

8. *A related problem with the Rezoning Survey Plat is that it seems to go further than only rezoning of approximately 32 acres. The Annexation Master Plan, dated JAN 2010, indicates that Tract 9 is RM-1, while the rezoning plat shows 9-A changing from R-21 to R-6 and 9-B changing from RM-1 to R-21. Confirm the current zoning for Tract 9 and confirm the proposed zoning for Tract 9-A and Tract 9-B.*

Mr. Harris said Mr. Siebert has explained this, noting it had to do with adoption of a new ordinance.

9. *The stated Purpose of Plat on sheet 1 of 6 is "... to change the current zoning of Tracts 9, 11, 12B, 14 and 15 to the new zoning as shown hereon." Verify the underlying zoning for the current Tract 12B. A remnant of 12B would be given up for the realignment of Rail Runner Road, what is the total acreage of the remaining Tract 12-B-1? What would the underlying zoning be? At what point will it be officially designated a Park?*

Mr. Harris said this is a land use question. He asked who would like to speak to this question.

Mr. Siebert said it is his understanding that it doesn't officially become a City Park until the City accepts the designation. He said in this situation, the 21 acres regional park shown in the Las Soleras Master Plan has not been dedicated to the City and it's indeterminate at which point that will happen – the completion of phase 1 improvements, or after all the improvements. He asked if there is someone here tonight from Parks and Recreation who could describe the exact timeline involved in that.

Chair Harris said we have some big questions associated with Parks and Recreation, and if we have clarity, it seems to him that it would be appropriate to dedicate, but he wants to talk more about that with the City at the appropriate time.

Commissioner Chavez noted Mr. Skarsgard statement about the need for the workforce statement, and asked the reason for such a low density in the development. She said, "If you are going to have fewer units meeting the need. Why."

**Garrett Price, Pulte Homes, was sworn.** Mr. Price said they have been building here for almost 15 years under the Cen-Tex brand supplying, affordable and workforce housing. He said after doing surveys, 50% of their buyers in Colores de Sol were not empty-nesters. That drove their strategy of what the consumers are telling them they want. They said they prefer a single family, detached home, ranging from these square footages, so we are responding to the consumers, both retirees or on the verge of being an empty nester, and the reason one portion of the project is serving that population. It also matches the demographics in Santa Fe. He said the other portion is workforce housing, the couple that either wants to move back to Santa Fe from Rio Rancho where we are serving them in the edge of Enchanted Hills.

Mr. Price reiterated they are listening to the consumer in the absorption through the focus groups they do with them every year. He has this data, and if you would like he can provide it after the meeting – they have exhaustive amounts of data they've used to drive their strategy which is what the consumers say they want and the demographic needs in Santa Fe. He asked if that answered the question. He

commented the apartments talked about by Mr. Skarsgard are a nice complement to what they are proposing. He said they are providing a single family detached for the family that wants a yard and access to trails, and the apartments are considering the aspect of what Presbyterian and/or what the City would want, so it's a balance of housing and they are one aspect of that.

Commissioner Chavez asked the average lot size for the houses.

Mr. Price said in the traditional serving families it is a 55 foot wide lot by 120 feet deep. And on the age targeted it is a 65 foot wide lot, and a 50 foot wide house on the lot that is 120 feet deep. Driven by consumer driven information. There are some homes maximizing the setbacks, others that aren't and the square footages range from 1,900 to almost 3,1000.

Mr. Smith said, "Our Staff Report addresses this in some detail under the Subdivision portion. It has been considered in discussions about connectivity and gated communities. We've noted in the Subdivision portion of the Staff Report that..... we discussed the General Plan Policy. There is a Chapter 14 standard that calls for a through street for every 1,000 in every direction. The request by Pulte to have a gated community means that the future phases on the west side of the project would fail to meet the standard of a through street every 1,000. *[inaudible]* Secondly the fiscal recommended perhaps the issue of timing is to some extent market driven..... much of the fiscal and economic impact in the community were going driven in part by availability in this project as well as by the availability and processing of availability in pricing on competing projects such as Tierra Contenta. He said staff understands the 5 dwelling unit per acre as being a minimum density rather than an average density, so staff interprets that as meaning that project by project it should be 5 acres and not with a higher average than 5, built with a minimum density of 4 or 5. Also, this is a General Plan Policy Guideline that is not a subdivision regulation that sets 4 per se in that sense.

Chair Harris said Ross's Peak averaged out 6 units per acre, but it was R-12, so far less density than what was proposed under this Master Plan, and we know what's being proposed here and we have a pretty good understanding of the numbers. It seems to him to even come close to the 5 dwelling units per acres over all the residential, that any school site would have to come out of the commercial component.

Mr. Siebert said, "The school site has always been an issue. Originally it started out on Lot 15, and that was zoned R-6. One of the issues the schools had with that is that there was a 30 foot elevation difference across the site for the area where they would have to put the play fields, which ended up making it very expensive and it didn't work for them at that site. We offered another site in the commercial area between Beckner Road and I-25. And that was 11.8 acres and the reason was we had to take out the open space along I-25. The School Board felt it was too close to I-25 and there may have been problems in term of mixing with commercial development."

Mr. Siebert said, "So what we've offered to the Schools is that we would use the 11.8 acre tract as collateral to guarantee that we would find a site acceptable to the Board, that would work for them. So we're actually still in the process of doing that. We will achieve that goal, but it's going to take a while to do that."

Chair Harris said then it's not resolved, commenting the 11.8 acre site is one he mentioned and he saw on a document between Beckner and I-25, and Mr. Siebert said yes.

Chair Harris said the School District said that doesn't suit them for different reasons, and Mr. Siebert said that is correct."

Chair Harris said he would hope, if the focus turned to existing residential, in order to maintain the balance that is in jeopardy, we would look at reducing some of the current commercially zoned property – an important part of the future discussion.

Mr. Shandler said, "Mr. Chairman, if Mr. Siebert could explain a little better for the record what collateralized means in this context. If it means, if it doesn't go through, you're selling the land and giving them money. Tell me what you understand collateralized means."

Mr. Siebert asked Mr. Skip Skarsgard to speak this.

**Gordon "Skip" Skarsgard, 808 El Alhambra Circle, Los Ranchos de Albuquerque, was sworn.** He said the question you're wanting to discuss here, is what kind of a collateral position are we providing to the Schools. So if the schools can wait for us to complete our acquisition of other lands that would be acceptable to them for a school site. He said, "We are looking for a 10 acre site and we are in some discussions with other property owners in the neighborhood. And while the Schools wait for us to complete those discussions, we have offered them a mortgage position on a lot that is subdivided that we could put a mortgage on and not violate the Subdivision laws. And we have not chosen the site for the schools yet, with the Schools' consent, but we continue to work on that. Between now and the end of July, we'll have that figured out I'm pretty sure. Right now, it is.... we just represent to them that we will get the value of the residential lots covered by a mortgage that is secured by a commercial lot."

Mr. Shandler said, "Mr. Chair, just so I'm clear on the record, that now you're looking to acquire property outside of Las Soleras for the school. Did I hear that correctly."

Mr. Skip Skarsgard said, "That's one of our approaches, yes."

Chair Harris said, "In your opinion that would preferable than reducing the amount of commercial if there's a site within the residential zoned portion of Las Soleras, you would rather look outside of Las Soleras for a school site, rather than reduce the potential commercially zoned land. Is that correct."

Mr. Skip Skarsgard said most of their commercial land is along the Interstate, and the School Board decided they didn't want to expose the children to the fumes, noise and dust an such from the Interstate. And so they are trying to accommodate the schools.

Chair Harris said there may be various commercial ground behind the existing businesses that have developed along Cerrillos Road, but "the School District I think may have the same concerns there, particularly for an elementary School." He said we will ask Ms. McDougal to speak in a little bit. He said, "I think that answers my questions, Mr. Skarsgard. I want to make sure again, we're talking about a land use

component and what I'm trying to get at is how is the commitment to transmit a school site to the District, how is that being honored, and I think you provided a reasonable explanation."

### QUESTIONS UNDER THE MASTER PLAN COMPONENT

1. *What Road Phasing Plans for Las Soleras are being considered by the Traffic Engineering Division?*

**John Romero, Director, Traffic Division**, said under Exhibit A, Mr. Siebert has provided the Road Phasing Plan we've been going over. He has gone over this iteration and "I am in agreement with what they have proposed." He said what they tried to accomplish in the Phasing Plan, was somewhat of a fluid phasing plan to accommodate development of different properties at different times. The initial Phasing Plan said we are going to develop these groups of properties first, these second and these third. He said since the housing crisis it has been a lot more difficult to predict what properties will develop, when the roads are to be built and where. He said the three colors indicate the extension of Las Soleras Drive, the crossing of the arroyos, so it is major construction.

Mr. Romero continued, referring to the "table on the right," there are 3 groups of properties relative to when that would be constructed. For Lots 9 and 10, if fully built-out we would require that they construct it. If 150 sq. ft. of the hospital 8, were to be constructed, we would construct that portion of Las Soleras Drive. He said there is one small typo – the red one would be 19 to 26. So, in the red area, if 20 acres and 30,000 sq. ft. of building were to be constructed, we would require them to build that portion of Las Soleras Drive. So there would be 3 separate triggers for building it. He said, "It goes on that way through all of these."

Chair Harris said it seems to him that either of the color coded statements would act as a trigger for that road connection. He said Las Soleras is probably of less concern to us this evening than Beckner, Walking Rain and Railrunner, particularly Beckner which eventually will be the main arterial through Las Soleras.

Chair Harris said Beckner from Las Soleras to Railrunner, any development on 14 would trigger a two-lane section initially.

Mr. Romero said it would be a development over 200 dwelling units on Lot 14.

Chair Harris said this is not what it says. He said Beckner ends at Las Soleras and Mr. Romero said yes.

Chair Harris said, so Beckner Road from Las Soleras to Railrunner.

Mr. Romero apologized saying he was in the wrong location, and "any development, correct would get it to Railrunner Drive – a house. Any development that would generate traffic and the need to move traffic."

Chair Harris noted there are 4 sequences associated with Beckner, and Mr. Romero said that is correct.

Chair Harris said from Railrunner from Walking Rain, any development on either 14 or 15 would drive a two-lane rural section initially. He said it seems as it starts development, it would drive the development of Beckner at least to Walking Rain.

Mr. Romero said, "That, in my opinion was a typo. I wouldn't agree to that. I would consider that to be a two-lane section initially, not a two-lane rural section. The rural section would be from point 1 to Richards."

Chair Harris said that's not what it says, but said let's move on. He said, "Beckner from Walking Rain to point 1, basically 14 and 15, development of 20 acres and greater than 100 dwellings. I would assume achieving 100 dwellings would drive a two-lane rural section initially is what it says."

Mr. Romero said, "Okay, and the reason for that. So the way that would work is say with Pulte. Phase 1 straddles.... there are two sub-phases of Phase 1 that straddle Walking Rain. So it would be a portion of 14 and 15. What that would necessitate is a two-lane urbanized section all the way to Walking Rain. At that point in time, they would be constructing a temporary rural section from that point to point 1 and onward toward Richards. If that makes sense."

Chair Harris said that is what he thought he said. He asked if Mr. Romero is saying that the development of 14 and 15, in part, would drive the urban section of Beckner from Las Soleras to Walking Rain, and it would also drive a two-lane rural section to Richards at the same time.

Mr. Romero said, "Yes. And the purpose of that I think is going to be presented later on in this meeting, but it was Las Soleras's effort to address the neighborhood's concern with the lack of connectivity to Beckner. Before that, what we were planning to do is a two-lane urban section as part of Phase 1 to Walking Rain. Once the Phase 2 portion of Lot 15 occurred, they would continue that two-lane portion through the frontage of that property and that's where it was going to end. Right now, what they're trying to do is make a temporary connection to Richards. So what will happen again, Phase 1 of Pulte, they'll have a two-lane urban section up to Walking Rain, a temporary rural connection to Richards. Then once Phase 2 of Lot 15 occurs, that portion to point 1 would then convert to an urbanized two-lane section. Is that correct. Correct."

Chair Harris asked if a rural section is basically an all-weather road.

Mr. Romero said, "It is a paved road, two lanes with shoulders, meaning no curb, gutter and sidewalks. It will just be a paved road with a center stripe and shoulders, with the exception as it approaches Richards, it will expand out to provide for a left and right turn bay."

Chair Harris asked if the applicants want to speak to this.

**Fred Arfman, Isaacsons & Arfman, 128 Monroe Street, Albuquerque**, was sworn. Mr. Arfman said, "We have met with the Traffic Engineer, John Romero, and we have offered to expand our Phase 1 improvements in response to the neighborhood, the traffic patterns and the Monte del Sol School. We have, in our Phase 1 development, adjacent to the homes to be built by Pulte, that will be a two-lane divided roadway, sidewalks, curb and gutter and median. From the east end of their Phase 1 development, as discussed, a two lane road all the way to Richards, plus left turn lane, improvements to Richards for turning movements. This has all been added in an effort to accommodate their concerns."

Chair Harris thanked Mr. Arfman saying he validated what he understood Mr. Romero as saying, noting it was difficult to "pick that up from the Road Phasing Plan." He said it represents good news in many ways.

Chair Harris asked, "At what point in the development sequence would you anticipate this being built."

Mr. Arfman said, "All of Beckner would be built concurrently with the Pulte development. Actually there are several sub-sequences. We have to move transmission lines. A water line has to be relocated. Those things are critical, then some grading comes in, and then the road bed construction."

Chair Harris asked Mr. Siebert what he just handed out, and Mr. Siebert said is the exact same thing as you saw on the Board. [Exhibit "3."]

Chair Harris said some of this seems to go onto the Beatty property, and this is just the two-lane section [Exhibit "3]. He asked if he is seeing that correctly – are we going onto some of the Beatty property.

Mr. Romero said yes.

Chair Harris said at the time of full development, we would have sufficient room on the Las Soleras side as well as the Beatty side.

Mr. Romero said, "This isn't necessarily a sign that it is responsibility of Las Soleras *per se*, other than that needs to be in place before. So that would be Beckner from point 1 to Richards for the urban section. That would need to be in place where Beatty had already developed there, or they negotiated with Beatty to allow them to go on their property before they can develop the 20 acres and 150,000 sq. ft. on the red part, and 20 acres and 150,000 sq. ft. on the purple part. We're basically saying that connection needs to happen in its formal manner before we can do substantial development on the red or purple tracts."

Mr. Shandler asked, "Mr. Romero, do you think that needs to be a formal condition, if the Commission approves it, or do you think it's going to be rolled into the, either Mr. Thomas or Mr. Romero, do we need to start scripting out a condition, or no."

Mr. Romero said, "As far as the Road Phasing Plan is concerned."

Mr. Shandler said right.

Mr. Romero said, "What I would suggest is that the Road Phasing Plan submitted be included as part of the Master Plan, with a revision to the language under Beckner Road, from Railrunner Road to Walking Rain, so that it reads, 'Two-lane divided road' as opposed to what it currently reads, 'two-lane rural section initially'."

2. *Given the current discussion, which would have the greatest benefit to all parties; connection of Rail Runner from Governor Miles to Beckner or connection of Beckner to Richards?*

Chair Harris said he believes the second question has been answered, and asked Mr. Romero if this is an optimum solution.

Mr. Romero said, "I agree with the way Jim Siebert presented it, but I think the point is moot now, because as part of Phase 1 both connections will exist. Excuse me, Railrunner will not happen until Phase 2. So, it will be delayed. Which one is more important, a lot of it is in the eye of the beholder I guess. You can argue a reason for putting importance on either one. The reason I had initially put importance on Railrunner is that it connected one residential community with Las Soleras to another. The argument for Beckner Road is... I know Nava Adé has expressed that they thought it was crucial on cutting down on cut-through traffic through their neighborhood, as well as providing a better alternative way out of Monte del Sol School."

Chair Harris said his is opinion is having a continuous Beckner Road really makes the subdivision a reality, instead of a place just to walk your dog.

Chair Harris said this isn't on the list of questions, but something we talked about, and believes it gets addressed elsewhere. He asked if he read a statement by Mr. Romero that, with this connection of Beckner we've talked about, does that mean that either Option A or Option B for the roundabout at Dancing Ground and Governor Miles does not have the same urgency.

Mr. Romero said correct, this would be constructed in lieu of making improvements at this point in time to Governor Miles and Dancing Ground.

3. *Is there a metric such as Vehicle Miles Traveled (VMT)? If so, is it a consideration in evaluating options for a Road Phasing Plan?*

Chair Harris asked Mr. Romero to provide a little background, and asked if the Vehicle Miles Traveled was a consideration when he looked at a road phasing plan, or how often that comes up.

Mr. Romero said it was not part of the weighted factors of the Roadway Plan. He said they tried, for the most part, to come up with a somewhat macro but logical means of building roadway infrastructure

based on quantity of property developed. He said this is somewhat of a minimum phasing of roads. He said if the hospital was to come into place first and they were to do full build-out, and maybe all that would require is a crossings connection, a Las Soleras connection and of course if Beckner were built to that point. If at that point in time those connections cannot sustain the amount of traffic needed and Beckner needed to be connected to Richards, a hypothetical situation, the traffic study is part of that development and can necessitate more roadway being constructed than what is contemplated on this plan. So, to sum it up we did not use any form of traffic study to determine this plan. It was a way of trying to determine, on a macro level when we need to build roads. One of fears initially that as this development continued, we only build roadway to their driveways, and things such as the arroyo crossings which are substantially costing roadway connections would be ignored until it was fully built out, and we would be stuck without those connections. So I wanted something that would assure me that, in a responsible manner, we were going to proceed with building all these roads."

4. *Provide a clear definition and requirements for an active park vs. a less competitive park as noted by Mr. Thompson.*
5. *What agreements have been implemented in the past for shared use of City and SFPS recreational facilities?*
6. *What is the anticipated timeline for development of the Regional Park?*

**Richard Thompson, Director, Parks Division**, said he may have misled the Commission at the previous meeting. He said, "I am not involved in the final plans for the park. I was mentioning that in this one arena, with this topography and adjacent arroyos and trails, it may be to the advantage of the park system to have less land devoted to parking and concrete structures that are involved in large, competitive park areas. I didn't mean to insinuate we would have less land devoted to active play, but maybe less formal backstops. But we are nowhere near the process of planning the park. We are engaged in the approach to a master plan for parks in Santa Fe, and this park land would certainly be a part of that process to include demographics, some coordination with Traffic Engineering, traffic studies, water use and our ability to maintain new park land. So that all went into the statement that we might seek less competitive arena, as it were, and more open play space, including irrigated turf land for sports activities."

Chair Harris said then he is saying that consideration of a regional park at Las Soleras is going to be folded into the development of an overall master plan for all parks in the City.

Mr. Thompson said yes, this is new park land and so we would have a master plan for the park itself, separate from the master plan that Las Soleras is bringing to you today. It would be part of a park system-wide master plan that we're engaged in now.

Chair Harris asked the timeline.

Mr. Thompson said it has been through the Ordinance process, funds have been allocated in this budget, so it will be in 5/16 for the City-wide park plan, but not necessarily the Las Soleras Park. Mr. Thompson said it probably will start. They were asked by a developer what our intention for the land was. We explained it would be a process where they take it to the stakeholders, the sports enthusiasts. The Parks and Open Space Advisory Commission is undergoing changes to a Park and Recreation Advisory Commission, and we are encouraging the sports community to put forth 1-2 applicants that could bring us valuable input on the development of such lands.

Chair Harris asked if they have looked at what currently has been identified, the 21 acres, and asked if there has been any kind of slope analysis, even cursorily, to determine how much is usable.

Mr. Thompson said we do see sensitive areas adjacent to the original 21 acres and the additional 7 acres which is at a high elevation and flatter region. He said there would be some land development – cut and fill – to make level places for sports fields. He said what they do like about the presently proposed areas is that it is bordered on 2 sides with proposed thoroughfares which will ingress and egress, rather than a single entry and exit point. He said there is one entry and exit point onto a collector street from Ragle Park. All of this will be taken into consideration. He said they have a copy of the topographic survey and he sees room for development.

Mr. Shandler said, "I read the minutes from the last time the Council debated this, and the motion they made was an additional 20 acres. And so one of the proposals is an alternative to that which we've talked about, and that would be adding to this regional park, and then having the 10 acres for the school. Let's say the Planning Commission or the City Council wants their 20 acres and they don't agree with you all. What is Plan B. Where is the additional acreage going to be sited."

Mr. Thompson said the Governing Body would determine the end result, the total acreage required, and "I have not had any conversations with the developer about other lands available adjacent to the present proposed, or no site within the development."

Mr. Shandler asked, "Is there room to add to this super park, or is everything all scooped and there's no room for further expansion."

Mr. Thompson said he's not clear on the question.

Mr. Shandler said, "So let's say the Planning Commission or the City Council are going to stick with Condition 45. And let's say that Parks says what would be easiest for us is just make this bigger, instead of having it spread throughout, especially since the applicant has presented tonight that there are additional letters of comment, and there seems to be less and less large swaths of land available. So, my question to you, for the record, where is there area to grow to that existing park if they just wanted to make it a 40 acre park."

Mr. Thompson said the short answer would be yes. There are parcels of land next to the park that could be dedicated by the developer to the development of a regional park. Part of our confusion is in the original wording of Condition 45. It mentions an additional 20 acres to the Santa Fe Public Schools and

the City Parks and Recreation Department. He said they read it as begin a split, 10 acres to the School District and 10 acres to the Parks. At present, "we think we're approaching the 32 acres we dedicated to the Park Department."

Mr. Shandler said, "Right, but we heard tonight that they may not even have the school in Las Soleras, so the City Council may feel like that condition...."

Mr. Thompson said there are parcels of land adjacent to the proposed park land that could be developed in the same manner would the proposed parcel.

Chair Harris asked Mr. Siebert to talk about the proposed alternate solution.

Mr. Siebert said, "If you take a look at the history and I think what was provided by the Schools, the discussions that have taken place, there are negotiations that have always been with the Public School Administration regarding 10 acres. And if you look at the condition, it always talks about Santa Fe Public Schools. And it was our understanding there would be 10 acres for the public schools and 10 acres for active park. We have provided an additional 7 acres of active park and it was at the suggestion of Parks that they don't want it spread out, they want to consolidate it because it's easier to maintain and keep it more secure. In addition, we offered another 6 ½ acres of additional open space land which includes the City's trail system, and that land could be distributed. We addressed the concern of the Parks and Recreation Department by making those particular areas the responsibility of the lot owner or a master lot owners association in order to maintain."

Mr. Siebert continued, "If you look at the 7 acres that are added, and the 6½ acres included in the open space area with trails you have 13 acres. So you have 13 acres plus the 10 acres of the schools, we think we have 23 acres. I understand the City's taking the position that active park can only mean that which is accepted by and maintained by the City. We say that under the Planning Commission recommendation in 2010, that you could distribute them along was worth 13.5 to 15 acres."

Chair Harris said he received the topography map for the 6.74 acres, and for the 21.12 acres. He said the problem with the aggregate of the park lands that is being proposed is the alternate solution. It doesn't seem that any of those parcels are suitable for activity with the exception of Trails. He said the topography map for the 6.74 acres, he thinks is close to unbuildable, and seems it's not land that can be developed for either *[inaudible]* or active play fields without a lot of money to flatten it, which he doesn't think we are interested in doing. He said much of the 21.12 acres, 75% seems like it is relatively easy to develop, it's straightforward.

Chair Harris continued saying, "I'll just point. The parcel that is being proposed here, the 2.21, 'this' portion right 'here,' overlays the sanitary sewer main, so that wasn't a buildable parcel. And then 'this' area up 'here,' behind Ross's Peak, to me is what... sacrifice zone is what keeps coming to mind. It already has trails, slope easement, detention pond that drives over, a detention pond that is specific to Ross's Peak. But, half of that detention pond is in this property. It's undevelopable. And again, the problem I would have and perhaps the only exception is this corridor that is being proposed is really open space. It's really not park land is how I see it. Am I being too judgmental on this. What is your response."

Mr. Siebert, using an enlarged drawing, demonstrated the subject site. Mr. Siebert said, " 'This' area has topography no doubt about it. But as Mr. Thompson says, you can shape that into anything you want. And in the development of this tract and with Mr. Thompson on this, we can reshape that land into what it needs to make it a usable park. And will it have terrain, it probably will. And there's parks where you take advantage of the terrain in order to develop a better park. You talked about the area 'here' is on the sewer line, that's correct. It is on a sewer line. What happens is the Wastewater Division likes to put its [inaudible] on top of the sewer line and they can kill two birds with one stone. That is one of the reasons that we added it 'here.' The other reason was, it created a bigger buffer for Nava Adé."

Mr. Siebert continued, "Yet when you're talking about this area here that says, 'unusable,' in fact, what happened is the major Arroyo de los Chamisos Trail comes off Governor Miles down to here, then into a neighborhood park that is part of Ross's Peak continues on down 'here.' So is there a lighter parcel. Absolutely, it is a remainder parcel. There is a steep bank 'here,' that isn't usable, but you do have about 1.86 acres of land that is high, it has great views. It's along the road to Las Chamisos. I guess I would say that it actually is a very usable tract for park space. So my answer is that all of these token open spaces they're offering have specific functions and do work together."

Commissioner Kadlubek asked Mr. Siebert if "there is a way we can get what I have in front of me on the screen so people can follow along."

Mr. Siebert said he doesn't have that particular one, but he can turn this one around – and he did so.

Mr. Siebert said, "The question was, is there is topography associated with this particular land here and, once again, it provided two points of connections, one from Railrunner Road into the Park and two from Las Soleras Drive. And it is consolidating 'this' tract into 'tract' which is the preferred solution for the Parks and Recreation Department. The question was how to deal with this particular terrain, and what we're saying is, in conjunction with the development of 'this' tract, you can shape that land into anything in terrain that the Parks and Recreation Department wants, including... and there will be some undulations, and I think in parks that's a preferable thing to do. This particular parcel 'here' which joins Nava Adé is where there are two reasons for adding to it. One was to create a greater buffer between the Pulte Project and Nava Adé. The other was as the Chair pointed out, there is a sewer line and therefore shouldn't be included in there. But the one thing that has happened between the time that we originally designated this as open space and today is that, working with the Wastewater Department, we find out that they would prefer to have their trail on top of the wastewater, because where it is out of bounds and away from roads, it gives them the opportunity to actually maintain the manholes. And they prefer that solution. So we were trying to address two particular needs there."

Mr. Siebert continued, "And 'this' area 'here,' this is Ross's Peak that sits 'here.' 'This' is Governor Miles. The main Arroyo Chamiso Trail comes along Governor Miles down to this tract here that we're proposing, including in the open space. Into the park area 'here' is part of Ross's Peak and continues on down to the trails system 'here,' that then goes Monte del Sol, and then comes down and actually goes

into Tierra Contenta. So this is a pretty important trail right through here, and there is a steep cut and it's kind of where the hash mark [*inaudible*]. But there is some land that sits high and is really a good incorporation into the park for Ross's Peak."

Commissioner Kadlubek asked Mr. Siebert his opinion regarding the 6.74 acre active park and if it is suitable for the definition of active park, which is for play fields, soccer, baseball, football and playground equipment.

Mr. Siebert said it would not be wide enough for regular competitive playfields. It would be suitable for other active activities, including frisbee grass and various other active activities. Playground equipment for children in my opinion is perfect for those kinds of activities. And it's adjoining the Trail, the Arroyo de los Chamisos Trail.

Chair Harris said he doesn't disagree that money can solve almost anything, but the terrain on that 6.74 acres would be relatively expensive to develop, and it then becomes a question of "whose nickel it gets developed on."

Chair Harris referenced 14-8.15(C)(7), which provides, "*The developer shall be responsible for the development of all neighborhood and regional park land dedicated to the City. The park land shall be developed in accordance with the City's minimum landscape and equipment standards, including playground, ball courts, sports fields, paved trails, benches and picnic tables for each type of park created.*"

Chair Harris asked if the Las Soleras developers will fully develop this regional park.

Mr. Siebert said, "The initial commitment is to provide for a soccer field as part of Phase one of the Park. And the answer is yes, they are committed to developing the park. The question is, when I talked about a soccer field in the context of talking to Parks and Recreation, it became evident to me that they were developing an overall master plan and were going to do a much more comprehensive study of what is really needed in this particular park. So I that over-committed Las Soleras in that sense, but we are dependent on comes from the master plan. But the idea is that yes, the developer will be developing the park with the understanding that the cost of developing that park becomes a credit to offset against the Recreational Impact Fees."

Commissioner Kadlubek asked Mr. Thompson the timeline of the City master plan, and if he has any sort of "color on this situation as to what you think this active park might need, or you might know what it might need."

Mr. Thompson said, "It was a conversation with my Director, Rob Carter, that indicated that the soccer field may not be adequate to fill the needs for the surrounding neighborhood. And it is a regional park, so it would require input throughout the City and a public hearing. If I may, at the last Commission meeting, you asked for some parks that were of like acreage. For example, Franklin Miles has two developed play field with a pump track, a skate park and then broad picnic areas with walkways. And these are considered by some to be an activity which was derived from the word active. So the definition of an active park as being all play fields is not really common to my line of work. By the same token, we do

have the connecting trail, and a request from Monte del Sol to utilize parks, and I don't see any hindrance to a Memo of Understanding with the adjacent State Charter School, but I really can't define right now, what land will look like or what the community will elect to put on the land. It is a community process.

Commissioner Kadlubek asked Mr. Thompson if he feels confident that this 6.4 acres can be an active park.

Mr. Thompson said, "Yes, I do believe it's developable."

Mr. Padilla asked, "For clarity, you are calling the 21.12 and 6.74 as the full acreage for the active park."

Mr. Thompson said there are connecting trails which we consider to be a park activity, "but yes, the playfields, whatever shape they may take, would be devoted in that area. So would the ingress and egress for vehicular traffic, all the things that go with the park."

Mr. Padilla asked the acreage of Franklin Miles Park.

Mr. Thompson said it is approximately 28.3 acres.

Commissioner Kadlubek said on Condition #45 which was provided by Mr. Siebert, it says, "A City trail through open space, be it left in the natural state or landscaped, is not considered as compliant with the definition of active park."

Mr. Thompson said, "That's all it is. I would consider it an activity associated with Park usage, but not by the definition."

Chair Harris asked Keith Wilson if he has anything to add to the whole notion of Parks and Trails. He said the Arroyo Chamiso Trail is to run from Siringo to #599, and asked if we ended up with a trail section under Cerrillos Road for Arroyo Chamiso Trail.

Mr. Wilson said, "As part of another phase of Las Soleras at the crossing at Chamiso, there were some parcels over there that kicked in at the design and development of the trail there that would connect to the underpass, I think it is a 12 foot pipe under Cerrillos Road that was put in when Cerrillos Road was reconstructed several years ago, with the intention that the Arroyo Chamiso Trail would go through there. So as part of the development of those lots, the trail is supposed to be constructed from the crossing at Chamiso down at least to this side of the tunnel. And there were some issues about who and what would be developed from the other side, commenting he thinks that is still somewhat unresolved.

Chair Harris said we are developing our trails systems in pieces as opportunity arises, but this was a link that he thought was critical, and thinks you said that has been anticipated, and so when the trail comes through whenever that may be, it's ready to move on to the other side of Cerrillos.

Mr. Wilson said some of the pieces are in place now. The Commission approved Ross's Peak which was a critical piece that gets you from the Governor Miles Roundabout across, which wasn't part of the original master plan for Las Soleras, so that was kind of the major piece of Governing Miles that was missing and is now in place as that development moves forward. He said as part of the development related to the Pavilion on the west side of 599 that this Commission saw a number of years ago, and then all the development is occurring around the new Jaguar Interchange on 599. There is a section of the Arroyo Chamiso Trail that will basically go from the SWAN Park under 599, utilizing the box culvert there, and through the Pavilion development to the outskirts of La Cienegita and on to the BLM.

Mr. Wilson noted the suggested conditions of approval for the Trails Master Plan Amendment. He said the I-25/Cerrillos interchange will be reconstructed over the 18 months, and as part of that project they are developing a multi-use trail that will run from Beckner Road to Rancho Viejo Blvd., so adding the trail connections he suggested as part of the to the Trails Master Plan will give connectivity from Las Soleras to that trail."

Chair Harris said it is an addition to the Trails Master Plan, but it doesn't run with what we're talking about here, in terms of development. He asked if that linkage will be provided as part of the Cerrillos and I-25 reconstruction.

Mr. Wilson said the trail is from Beckner south, where the northbound slip lane comes now, they're removing those bridges and that's primarily the trail alignment under the Interstate and the Rail Runner, noting that will be in place in 18 months.

Mr. Shandler asked, "For the record, there was a lot of discussion about Monte del Sol the last meeting, and I just want to get this in the minutes, so if it comes up at the Council we can point to your comments here on it. If I'm a teenager, I'm leaving Monte del Sol, I had soccer practice at this new park, can I safely walk from Monte del Sol to this new park."

Mr. Wilson said he hasn't seen anything apart from what they showed at the last meeting. He said, "However, it is my understanding they were going to build the trail along the northern portion of their development, shown on the Trails Master Plan over to Railrunner Road. And then I don't believe I saw any kind of developed trail or proposal to develop a trail to the soccer fields. So if they're just building it to Railrunner Road and then not connecting a trail to the actual soccer field, providing some other means to get there, then I'm not sure how they proposing that people get from either the neighborhood or the Monte del School to that facility. I think what I wrote in the report was that was kind of conceptual, the location. So if it was on the east side right next to Railrunner, as part of the trail development, we would be looking at what kind of facility would be just marked or made signalization or whatever else."

Commissioner Padilla asked Mr. Wilson or Mr. Siebert the timeframe for the development of the park.

Mr. Siebert said they previously committed to bring construction on the soccer field in 2017, but if they have to be a part of the process of the overall master plan, then they can't guarantee that timeframe. They have to fit within the timeframe of the overall master plan and the public hearings that have to be held on what kinds of facilities need to go along there.

Commissioner Padilla asked if the play field was planned on the 6.74 acres.

Mr. Siebert said no, it was planned on the very west side of the 21 acres.

Commissioner Kadlubek asked Mr. Siebert to talk a little bit more about the connection from Monte del Sol to the park area, and asked the distance.

Mr. Siebert said it is approximately ½ mile from Monte del Sol to the east side of the park.

Commissioner Kadlubek said there is open space and park space in the proposal that he presumes will have a trail connecting from Monte del Sol to Railrunner. He said once you get to Railrunner it is just a matter of crossing the street to get to the rest of the park. He asked if there is a thought on how to cross the street there.

Mr. Siebert said there was a concern by John Romero about sight distance, and he understands that Mr. Arfman, who is a civil engineer, is working with Ross's Peak to determine the optimum grade as it crosses there and to have adequate sight distance.

Commissioner Kadlubek said as a follow-up to Mr. Shandler's question regarding the safety issue of a student walking from Monte del Sol to the soccer field. He said the only thing in question regarding safety would be how we cross Railrunner Road, commenting he believes if approved that they would figure out a safe way to cross that road.

Mr. Siebert said they would love the opportunity to design the crossing.

Chair Harris said Santa Feans are becoming pretty respectful of the pedestrian trail crossings, commenting he believes there are safe ways to handle it.

Commissioner Padilla noted the Las Soleras Trail Plan in the packet at the last meeting, shows a trail planned on the north property line on the north boundary. He asked when will that trail be constructed – from Monte del Sol to Railrunner.

Mr. Siebert said that is Phase 1 of the Pulte Project.

Commissioner Kadlubek asked Mr. Thompson about the relationship between City Parks and the Public Schools, and asked if there is any other precedent in our City where the City has built a park for a public school, or any school, or where there is a City park near a public school.

Mr. Thompson said he addressed this in the previous meeting and he did some research on pre-existing memorandums of understanding, and found no evidence that a park was built for the purpose of a public school's use. He noted there are 3 elementary schools adjacent to public lands – Sweeney, Cesar Chavez and Wood Gormley. In January 2014, they rescinded the previous memorandums of understanding and replaced them with a unified Memorandum of Understanding, which addressed gym, meeting, play areas and parkland adjacent to those schools. There was also a component for the use of other developed play areas and other park lands not adjacent to school property. There are other play spaces within driving distance, which he understands is a challenge for school children, but organized sports almost always entail a bus and parents driving. Currently, Monte del Sol plays competition baseball at Ft. Marcy and they do use the soccer fields at the MRC. Mr. Thompson said the 3 parks he mentioned do not have sports fields dedicated for public schools use, but they are open to reservation and free to the Public Schools.

Commissioner Kadlubek said the larger interest and his personal opinion is how this park can best serve the entire community and asked if there is any data, commenting it probably has less general public use because it's associated with the school and would have use by the School. He asked, "Do you see a decline in the use, or do you have the data to show a decline or consistency with regard to the use of a park next to a school as compared to those that are not.

Mr. Thompson said he has no data, but he does have observations and anecdotes that this is sometimes the case.

Commissioner Padilla noted Nava is near Franklin Miles, and Chaparral Schools near Ragle, and asked if there is an understanding with the Santa Fe Public School to use those facilities.

Mr. Thompson said neither of those Schools are mentioned specifically in the unified MOU published in January 2014. His observation is that neither of the parks are used heavily by either of the elementary schools.

Chair Harris said we were given a copy of the Cooperative Agreement between the City and Santa Fe Public Schools dated January 1, 2014 through June 30, 2016, and asked if this is the document he is referring to.

Mr. Thompson said yes, and in the first section it talks about the previous MOUs and asked if it replaces all previous ones, and Chair Harris said yes.

Chair Harris said there are clear guidelines about how those facilities will be shared or used at appropriate times, noting he hasn't had a chance to read it.

Chair Harris said, "For everybody's information it deals with a value statement, indoor facility use, summer youth program, outdoor field use is the fourth section, Police Officers in the Schools program is 5<sup>th</sup>, new program and facilities opportunities is 6<sup>th</sup>, existing relationships 7, 8 is Santa Fe Public Transit System, and so it seems it is probably a pretty comprehensive document.

*[STENOGRAPHER'S NOTE: The document discussed was not provided to the Stenographer to enter into the record.]*

7. *As a State chartered public school, has Monte del Sol engaged with the Public Schools Facility Authority in evaluating their athletic facilities?*

Chair Harris said this leads us into Monte del Sol and the document he just referred to is part of what was handed to us at the podium, which is problematic but thinks we can "talk it through." He said we answered the questions on parks having to do with shared facilities, and thinks we have a good statement on that. We also have an anticipated timeline and we know there is a master plan being developed that affects the commitment referred to by Mr. Siebert.

8. *What athletic facilities are being considered by the school? How much usable acreage might be needed to develop the athletic facilities under consideration?*

Chair Harris said it is important for Dr. Jesson to explain the status of Monte del Sol as a charter school. He asked if it is a District Charter School or a State Charter School.

**Dr. Robert Jesson, Head Learner, Monte del Sol Charter School, was sworn.** Dr. Jesson said Monte del Sol was founded as a District Charter School, and authorized by the Santa Fe School District. He noted an authorizer is needed to found a Charter School – the State, the School District and in some places even the Mayor of a City. He said it currently is a District Charter School, and the authorizer has a responsibility to oversee our performance as a Charter School. He said 2% of their title funds go to the District, and \$140,000 was authorized for us, noting there is a close relationship with the School District.

Dr. Jesson continued, this year 4 Charter Schools in Santa Fe came up for charter renewal, and 3 of the 4 decided to go with the State instead of the District, and as of July 1, 2015, Monte del Sol will be a State Charter School. When Condition 45 was written the school was the responsibility of Santa Fe Public Schools. He said they still serve students from Santa Fe. He said as a Charter School they are tasked with being innovative and if we stay with the District we have to follow many of the District polities and rules, so they decided to go to the State because it gives more degrees of freedom to innovate.

Chair Harris said a Charter school is a public school, and has done work for the schools, but not in some time. He asked Dr. Jesson to provide a summary of "what you put together in this Memo 'here' regarding PSCOC and the availability of funds.

Dr. Jesson said the Chair's knowledge might be dated but it's deeper than his since he just finished his first year as Head Learner, noting he was a teacher there before. His information comes from doing research with previous Head Learners of Monte del Sol.

Dr. Jesson said they are very grateful to Las Soleras, because if it wasn't for Las Soleras they wouldn't have the spot they have which is a great place for Monte del Sol, although it has issues regarding traffic in and out. He said, "The 3 acres that in some documents suggests were given to us to develop playfields, actually the dynamic there is a little backwards. Because Tony Gurlicz who founded the school and whose energy and requests for the land is what gave us the campus there. The school grew. It started as a 7<sup>th</sup> and 8<sup>th</sup> grade, and then we add a grade every year. So we had the campus there, but it started to push the boundaries, so he found a great deal on some portables from the District. The portables came first and the land came second. So he went to Las Soleras and said we need some land on which to put the portables. So land wasn't given to Monte del Sol for playing fields, it was to put the portables on the land.

Dr. Jesson continued, saying they submitted the Master Plan to the Commission so you can see where the portables are, noting they are planning to phase those out because they are ancient and very inefficient and not the best teaching facilities. They have a spectacular master plan done prior to 2008, but it shows a bird's eye view of what we can do with the land they have. They would like to extend the land to replace the portables and then be able to build a gym. In terms of plans for athletic facilities, the only thing they can do with current resources is a gym. This is the reason the students play in the parking lot.

Dr. Jesson continued, saying when we shift to a State Charter School, we have to go through the whole Charter School and the vote is happening tomorrow at the PEC, and described that process, noting the number one item on stakeholders list is athletic facilities.

Chair Harris asked what other athletic facilities were prioritized.

Dr. Jesson said the gym and then a soccer field which can be used also for P.E. He said students will drive to facilities ½ mile away, not walk. He said no one will walk to the park and it won't work for P.E. classes because it's a 1 mile round trip and "that's your P.E. class right there..."

Chair Harris asked what funds would be available once they become a State Charter School.

Dr. Jesson said SB9 funds have become available to the school and for the next year, HB 33 funds will be available. Combining these resources will allow them to build another wing of classrooms with modular structures and then use remaining funds to plan a gym. The Board voted to amend the master plan at the last meeting saying, let's try to do something more feasible within a reasonable timeframe.

**Shirley McDougal, Property Manager, Santa Fe Public Schools, was sworn.**

Chair Harris asked Ms. McDougal to describe briefly what we've already read in the Memorandum they provided to the Commission.

Ms. McDougal presented information from her Memorandum of June 10, 2015, which is in the Commission packet. Please see this Memo for specifics of this presentation.

Chair Harris said, "Then there's no real attachment on the part of the Santa Fe Public Schools to this Condition 45, the active park next to the school. Is it true that the Schools' focus is what we talked about earlier and that's a dedicated school site of approximately 10-11 acres."

Ms. McDougal said they are very much attached to the 20 acres, because they would allow them to have 10 acres donated for the School, and would like that it not all be active park, and 10 acres be donated to the Santa Fe Public Schools.

Chair Harris said what Ms. McDougal is saying is the School District's focus is really on the 10 acre school site, and Ms. McDougal said that is correct.

Commissioner Kadlubek said it seems it is significant for the Santa Fe Public Schools to have "that 20 acres, potentially to be re-distributed – that is a key component to the Agreement in your eyes."

*[Ms. McDougal's remarks here are for the most part inaudible]* Ms. McDougal said, "Our thoughts in talking with the Las Soleras group was about taking title to that property and then trading it immediately, [??] adjacent if that property were to come up. For example, property with a little less pollution, but it didn't occur to me that it would be a problem until tonight."

Commissioner Kadlubek asked how big a problem would that be, "if this school that was supposed to be slated in the master plan in the Las Soleras area was to move out of the Las Soleras area and what would be the process. Would it just come back to the Planning Commission and we would consider that move. He said it seems like a significant aspect to the master plan.

Mr. Shandler said, "I don't think it's a problem, a legal problem . I'm trying to clarify for the Planning Commission, and maybe eventually for the Council, what is really on the table, in terms of the condition and what is being asked to be amended, and whether you want to amend it even further. I just want to take a minute and turn it over to Mr. Thomas. Remind everyone for the record, what is this condition."

Mr. Thomas said, "Condition #45 was adopted in 2009 with the adoption of the Las Soleras Master Plan Annexation Agreement. It stipulated that an additional 20 acre of active park be provided somewhere in the Las Soleras Master Plan. Subsequently, in 2010, the Planning Commission approved the location, and it is noted in the initial staff report from May 21, 2015, as Exhibit B. That stipulated that 20 acres of active park land be provided. Now in the 2010 approval by the Planning Commission of that park location, there is a caveat that, however, in the future as this begins to develop, we acknowledge it may be necessary to move it, either in whole, or maybe in smaller pieces. Now what it said is as long as it adds up to 20 acres. It had an additional caveat to that, with the consent, I'm paraphrasing, but basically with the consent of Land Use staff *[inaudible]* Parks staff and the Public School District, the Commission may approve a relocation of that park. That's where the Santa Fe Public School District was.... that language was added in there in 2010 by the Planning Commission."

Mr. Thomas continued, "Now what is being proposed by the Applicant is not necessarily a redistribution per that approval in 2010 per Condition #45, but rather an amendment to that. In a sense, you could think of it as back to the drawing board, everything is on the table, because the whole condition is being proposed for amendment. As stated by the Applicant, they're proposing to give some 4 acres to the overall City park and they're working out deals with the School District. So because it is an overall amendment to the condition, I don't think, as Mr. Shandler said, it's not a problem from the legal standpoint where that land may or may not go. That actually wasn't a condition, a component of the original condition."

Mr. Thomas continued, "What Ms. McDougal is asking for is to maybe consider that as part of the conditions, considering the requested amendment to the original claim of active park. Maybe you say, well we would like to designate the 20 acres of active park land, 10 of which doesn't need to go parks. So that kind of walks you through the process, but ultimately what is before the Commission is a request for an amendment to Condition #45. So, in essence, that 2010 verbal by the Planning Commission that actually located that 20 acre park so that is up for discussion now, and it doesn't necessarily have to add up to 20 as being reviewed by the Applicant."

Commissioner Gutierrez said he asked at the start, how did Santa Fe Public Schools play any part in working with Las Soleras.

Ms. McDougal said she is unsure she is following the question, but in 2008, they started working with the Las Soleras group which was before she was with the District. She said the [inaudible] we recently built probably would have been built in Las Soleras, but it was stalled here for the last several years.

Commissioner Gutierrez said the School District has no interaction with Mr. Siebert or the Las Soleras people, noting she said they have been working on this for 16 years, and Ms. McDougal came into this as recently as 2008.

Ms. McDougal said Santa Fe Public Schools staff has been working with this group since 2008, but she's only been working with the Schools since 2011.

Commissioner Gutierrez asked if another development this big comes in, would Santa Fe Public Schools come to the table immediately to talk about these issues.

Mr. Smith said, "Certainly in a master plan of this magnitude, the City staff would ensure that the School District would continue to advise the Planning Commission or the City Council as to whether land that was planned was adequate to the needs of the School District for the population that is being accommodated and the residential portion. There is not a specific requirement in City Code that X number of acres must be dedicated for the school. That has been the practice in Tierra Contenta, Santa Fe Estates and other large master plans, to consult with the School District to ensure that a plan for School sites is accommodated in the major master plan."

Commissioner Gutierrez said in the Memo it sounds like it was a trade for something in the NW Quadrant, and asked if that came to fruition.

Ms. McDougal that is what that Memo is about and that was several years ago, so it was just an aside at the end of that Memo.

Commissioner Gutierrez said so the land sale was complete.

Ms. McDougal reiterated that was concluded several years ago.

Commissioner Gutierrez asked, besides having a say in where the Park goes, is the Santa Fe Public Schools entitled to anything else.

Mr. Shandler said, "The way I read the minutes from 2009 at the Council, then Councilor Ortiz was really pushing for a separate 20 acre park, and he had specific tracts he wanted to put it on. And Mr. Siebert said it's too soon to make those commitments about where it specifically is. But anyway, Commissioner Ortiz went ahead and made the motion for the 20 acres, I'm sorry, Councilor Matt Ortiz. And then Councilor Chavez said he would like to make a friendly amendment, if it's left to the Applicant and the School Board to determine the location. And that's why Councilor Ortiz accepted that, and the Condition says, "The 20 acres, at the request of the developer, in consultation with the School Board. So I think the minutes suggest that back in February 2009, some Councilors wanted to have this park next to the school. But, Councilor Chavez softened that by saying, why don't we just say that it was developed in consultation with the School Board. I think that's what the minutes reflect."

Commissioner Gutierrez asked when the 10 acres for the school came into play.

Mr. Shandler said, "The way I understand it, this is has now come up that the Applicant has needed proposed amendments and this is the first time the 10 number occurred. I have not found it in any of the minutes as a part of any motion. I think it's now part of this proposal."

Chair Harris said there is a statement in the Memo from Ms. McDougal to the Land Use Department, with copies the Superintendent of Schools, General Counsel, Director of Operations, and he believes the other individual is a Finance Director, and it seems Senior Management of the School District would agree with the statement that reads: *"We request that the Planning Commission honor the donation of land to Santa Fe Public schools within the Condition 45, and amend the language to include public land. We request that this Memo and attachments be included in the Planning Commission packet at the next meeting on this issue."*

Chair Harris continued, "This summarizes the position of the Santa Fe Schools very well. It seems it was amended as a part of the friendly amendment is....again in response to the proposal from the Applicant to really donate 10 acres under Condition 45 to the Santa Fe Public Schools. And we've heard discussion that donation, those 10 acres, may occur outside of Las Soleras, but certainly within the proximity, because as Ms. McDougal notes in her Memo, that's where the children are, in the south and southwest part of our town, that's where the families are living. And Mr. Shandler also said, as far as he

stated I believe, that's not a legal issue. That can be accommodated under this fairly broad language that was amended and called now Condition 45. Is that correct."

Ms. McDougal said yes.

Chair Harris said, "Again, the statement that I read, that's what it boils down to for the Santa Fe Public Schools, to receive the 10 acres for a future school and really, to amend the language taking it out of that active park designation and call it public land."

Ms. McDougal said, "Right."

Commissioner Gutierrez asked the acreage of the last 3 new schools that have gone up in Santa Fe.

Ms. McDougal said, our two new schools are K-8 and those both are on 15 and 16 acre sites. So under State standards for elementary schools it is a minimum of 10 acres.

Commissioner Gutierrez said the Public Schools know this area is growing and they need to put a school here at some point is the position I'm hearing. He asked if there is any objection from the Public Schools to put some kind of condition on there that they actually build a school there and not trade this land or sell it.

Ms. McDougal said it's a long term planning process to get the land and to schedule the General Obligation Bonds and so forth, commenting she is unsure she is answering his question – do you want to put a deed restriction on it or something. She said, "I just don't know when we can build it and we'll have to do.... how fast the Santa Fe economy will recover, are there new students moving in. We know there are going to be new students in this area, but then most of our schools are, but then our north side schools are blending, and where we overall in Santa Fe have more students or not. The demographers are scratching their head *[inaudible]* so we say that we can wait and see."

Commissioner Gutierrez said, "My thought is that you're taking away park space for school space, it's a tradeoff. And if it's in or near Las Soleras and some commercial developer comes to the Santa Fe Public Schools and says this is perfect for us, and the Board decides to sell it, a school is never build there, then you've just voided all the work, the memos and everything that has come forward."

Ms. McDougal said, "I see your point. So, yes, so the answer to the question is that we'll certainly want to work with you so that we did guarantee the disclaimer."

Commissioner Gutierrez asked Mr. Shandler if wording can be included, if they were to get this acreage, that would restrict the sale or ensure the school is built, or administrative offices where *[inaudible]* the Santa Fe Public Schools versus a private entity down the road.

Mr. Shandler said, "That's an excellent question. We've been debating is how specific does the master plan have to be. But I think as the debate continues, we probably could come up with some type of language. Let me just see how the debate percolates before I start working on something."

Commissioner Gutierrez said, "My only thought is that I do think we need active park space in here and one soccer field isn't enough for this area, and there should be baseball diamonds out there, and nobody has talked about any baseball/softball diamond, or things of that nature. So, if you're taking away from it and it needs to be for better good. My other thought I need to say is when the Governing Body was sitting here and they were talking about including you, I think a lot of them thought Monte del Sol was part of the Santa Fe Public Schools and they wanted to be cohesive and work together with Monte del Sol to have a park they can use. That's just my interpretation. I'll leave it at that. Thank you."

Commissioner Padilla said if he understands Mr. Thomas and Mr. Shandler correctly, what he's reading is the fact that Condition #45 has the additional 20 acres for an active park space, does not say a specific site adjacent to, nearby, it's just 20 acres of active park space in the Las Soleras development, and asked if that is correct.

Mr. Thomas said, "That is correct. However, the subsequent approval by the Planning Commission in 2010 did establish the location of that active park space adjacent to the Monte del Sol School. So, and Mr. Shandler read the minutes, when that was approved on February 11, 2009, by the City Council, it was approved as an additional condition to require 20 acres of active park space. The location was not chosen or contemplated at that time. In fact, the minutes reflect that Mr. Siebert acknowledged not wanting to necessarily commit to an exact location. That was done subsequently in 2010 by the Planning Commission. At which time, they established one, the location of that 20 acres, and that is included as Exhibit D to the May 21<sup>st</sup> Staff Report, the location, and that is adjacent to the Monte del Sol School. They added the caveat that this could be moved into smaller pieces or in a different configuration as long as it added up to 20 acres and had the consent of the School District, the Land Use staff and Parks staff, the Planning Commission could move that in a different configuration as long as it added to 20 acres. Again, what the application, for lack of a better term is to strike that condition and say this is a new day and we want to look at this differently. So that, in essence is what happened. Today versus what was approved in 2009 and what was approved in 2010."

Commissioner Padilla said, in reviewing the notes, minutes from the meeting, information provided by public testimony and emails, he thinks the neighborhood, Nava Adé really would like it not to be adjacent to the school, but Monte del Sol actually wants it near the school.

Dr. Jesson said Monte del Sol would definitely like the park situated close to the school. And as the Chair suggested at the beginning of the meeting, Nava Adé could be considered to be a house divided in terms of whether the community wants it next to the School or in the regional park.

Commissioner Padilla said in response to Commissioner Gutierrez's request that it be site specific and that it be in the subdivision, "I would like to respond to the fact that I think if the commitment is there to be able to dedicate the land, I think the site right now is 11.61 acres, it's talked about in the commercial area. To allow the Public Schools the ability to have that property to be able to leverage if there is a site

that is better situated or accommodates their needs, I think that flexibility needs to be there. The commitment that the Public Schools will make, obviously, as residences are developed and the kids are there, they know they've got to build another school. And if that is in the neighboring Beatty subdivision, etc., I think we would need to make sure we provide the School District with the flexibility to be able to leverage that land for a better site will accommodate their needs. I would like for my fellow Commissioner to consider that as we move forward."

Commissioner Kadlubek said to follow up on Commissioner Padilla's comment, "I agree, I would hate to see active space get traded for what is supposed to be a school, but gets traded over the long run for something that is commercial, and I think that would be a pretty bad tradeoff. But we also don't want to handcuff the Schools into an area of land.... I think it should be flexible so they can build something that's right for the kids in that neighborhood and be the right site, I think is important. If that means having to trade the land, I think that's significant, so I do want to put that out there."

Commissioner Kadlubek asked when the Santa Fe Public Schools got into this conversation to begin with – why was it added in Amendment 45 that Santa Fe Public Schools have a seat at the table.

Mr. Thompson said, "I'm not sure I have a perfect answer. I think in the minutes it's reflected that there is discussion occurring between the different departments and then the Public Schools. I'm not sure I have a perfect answer as to why or what the intent was to work with all City departments that might be stakeholders."

Commissioner Kadlubek asked if it could be that Monte del Sol was part of the Santa Fe Public Schools.

Chair Harris said his company provided services to the Schools for 8½ years beginning approximately January 1, 2000, and he doesn't remember exactly when, but in 2003 he walked on the property of Las Soleras with Bill Belzner who was the Chief Operations Officer. He said there has always been an understanding and there has always been a dialogue between the Santa Fe Public Schools and Las Soleras that there will be a land donation for a school. At that point, it didn't get much beyond the dialogue, but the commitment has been made, is longstanding and he is sure it will be honored.

Mr. Smith said, "I'm not clear to exactly what was the City Council who first added language about the School District on that particular night, nor the intent of the other Councils who voted to adopt this. Going back to the 1999 General Plan, the Future Land Use Map shows two extensive school sites and the location of the Beatty property and the Las Soleras property. So the siting for individual school facilities have been under discussion at various stages since 1999 and previous iterations of the Las Soleras Master Plan."

Chair Harris said we didn't have a full plat before us, but one site we looked at was adjacent to I-25, and we thought it probably wasn't the best place for an elementary school, so it's been going on for a long while.

Commissioner Kadlubek said he wanted to be clear that it wasn't just a misunderstanding that Monte del Sol was part of the Santa Fe Public Schools, so it has been a longer conversation.

Commissioner Kadlubek said, "With regard to the comment that Nava Adé is a house divided, I want to give my perspective of that from our May 21<sup>st</sup> meeting. I saw a lot of people from Nava Ada speak in support of the new proposal and I heard one person speak against, so I personally don't see it as a house divided. That's been brought up twice and I just wanted to give my perspective on that. With regards to the park, I think it's important that we follow staff on this as to how to use that park, and as a Commission not try to determine how that parks gets used. It seems you have a process of what is needed with a whole master plan of parks across the City, and I would respectfully yield to the staff on how to determine how this park is best used."

Commissioner Kadlubek continued, "I have a question in regard to the Park Master Plan, Mr. Thompson if you could answer. With regard to the financial side of this, assuming the City is not in the greatest fiscal shape at this point, what is the fiscal impact of 6.74 active park as compared to a 20 acre active park. And assuming the 20 acre active park was to be develop, in your opinion, does the City have the current fiscal capability to handle a park of that size."

Mr. Thompson said, "The 6+ acre park would be approximately 1/3 the size of the 20 acres mentioned in Condition 45. It goes back to the ability of the developer, the capacity of the property, drainage, adjacent waters, soil texture and fertility and the use of the park, the number of feet that visit the park, all enters into the equation. The cost would be approximately 1/3 of the cost of the 20 acre park. As far as the City's ability, we've submitted expansion budgets in successive years. This is my first budget cycle. We did submit an expansion budget and were asked to make do with the resources at our command in previous years, so we were not funded any heavier than we were last year. And I can't predict when that would change, but the impact would be considerable."

Chair Harris said according to the language he read referenced in Chapter 14, he believes the need is the developer's responsibility.

Chair Harris said, "I want to talk about a possible solution that would help to support Monte del Sol in their ultimate goals. In the priorities that we heard, Mr. Siebert, you're probably the best person to answer this, and maybe I can talk to it without using the graphic. It became apparent to me when I looked at the full size drawings, because immediately east of the 3.12 acres that Monte del Sol already owns, is basically, I don't remember the Phase, but it's part of the family development in Phase 2, it's a detention pond. It's actually relatively flat. Half of the 3.12 acres is really not very usable, and yes, we heard an offer from Mr. Siebert on behalf of Pulte to move some dirt there to build it up. But without really proper subsurface soils investigation and compaction, and not knowing what is going on, there would still need to be a retaining wall."

Chair Harris continued, "So the usable ground really is to the east, which is currently, Mr. Arfman knows this, is currently designated to be a detention pond which is a very poor use of that, I don't know the size. I didn't get a scale out and try to calculate it. But we have very usable land immediately to the east. And as I look at the master plan that was developed on behalf of Monte del Sol, we saw that 3.12 acres

would handle additional internal traffic patterns which is an issue for all schools. And I think Ms. McDougal would testify to that. That's been my own experience. So that 3.12 acres will help to accommodate internal traffic pattern. It would allow for a classroom addition and ultimately a gymnasium. But that pretty much takes it to the eastern property line of the 3.12 acres."

Chair Harris continued, "I would like a consideration given to expand, to look at that land, and a further dedication, quite frankly, to Monte del Sol of sufficient size to develop their second priority which is a soccer field. And this doesn't even get into the Beatty property and what might happen there. The other thing too is a further argument for what I'm trying to lay out is the western portion of that 3.12 acres which is sloped pretty considerably. The grading and drainage plans call for an easement for construction access. A temporary easement for construction access. And a sidewalk is shown on the Monte del Sol property, the 3.12 acres."

Chair Harris continued, "The Pulte development has a need to access that property. I think it's appropriate to consider just shifting the property line. And we're talking about an acre, probably a little more. The soccer field may need to look at an acre or an acre and a half on the east side where the detention pond is. And then if some of that land, the 3.12 acres, it's really not usable and not easy to develop, which the Pulte group in their engineering has said we need to access that. And then they would recover that space as part of their landscape plan. It expands the open space on both side of Walking Rain and Dancing Ground, that whole confluence of streets. Any reaction to that proposal, Mr. Siebert or anybody else, Mr. Skarsgard."

Mr. Siebert said, "I recall, we're been through this before. And I guess I would request the same thing we did last time. Maybe it's appropriate to take a break for the Planning Commission anyway, to give us an opportunity to discuss that. And when you come back from your break, we can have answer for you."

Chair Harris said that's a good idea. He said, "But I do want to say, too, just to add to it. You heard me talk earlier and perhaps a bit judgmental about the usability of the 3 parcels, the 6.74 and the 2.21 acres and the 1.6 acres. And you made the case of how they could be usable. But in fact, they require money. We do have very usable ground to the east there, and I think it would help to solve some of the short and long term problems occurring around the whole notion of how to support Monte del Sol. And yes, the Santa Fe Public Schools, I think we understand the distinction between Santa Fe Public Schools and what they were as a District Charter School, but I think there's an appreciation between the Governing Body at the time that a school, is a school is a school. I'm trying to come up with a way to help Monte del Sol. They've been in place for 8-10 years. I think they have a future, 15 years, they have a future, and I think this body should try and support that future."

*Break at 9:40 p.m. to 9:55 p.m.*

Mr. Siebert, using an enlarged drawing, said, "Let me explain a couple of things here. There was a comment that it's just useless and why put a pond there. There is a reason, 'this' is the low point on the property 'here,' so it picks up all this drainage. The other thing that happens is this is the same drainage that comes in floods Monte del Sol from time to time. The way Fred had designed *[inaudible]* this came in as 3 cfs as and it means cubic feet per second. What I would like to suggest is, and if *[inaudible]* jumps

down my throat and says absolutely not, then I guess I have to back up. It was suggested that there could be dual use of this. If you notice, there is an offset from 'here' to 'here.' Las Soleras donated 'this' land 'here,' and it seems to me, this being flatter land, you could bring 'this' back in a little more 'here.' The other consideration is, and I think it's in the packet, the Beatty property sits 'here,' had a commitment to provide 3.41 acres of land to the schools, and I don't know if that commitment was made to the Public Schools or the Charter Schools, and we're back in that same situation."

Mr. Siebert continued, "But it seems to me, if you combined 'this' area 'here,' just slightly into Monte del Sol, and you picked up a portion of 'this,' you would have, and it's not going to be an official play field, I'm not saying that. It would be a good practice field. A good play field is 210 feet in width 400 feet in length. This would be probably almost 400 feet in length and 130 feet in depth, so it would be a play field. What we would propose would be to provide this as kind of a dual situation, where it would serve both as a ponding area, and it would be grassed to serve at a play field. Monte del Sol would have to add something 'here' and negotiate with the Beatty's for something 'here,' and they would gain the practice field that they actually need. Their advantage that actually collecting water is part of that [inaudible]."

Mr. Siebert continued, "We were talking with Fred Arfman, Civil Engineer, earlier, and he has designed other places in Albuquerque that actually serve these dual functions. It's not something new. If you want to talk to Fred about that, you're welcome to do that. With this, we could have kind of a global settlement, that the 7 acres that are added to the 21 acre park is sufficient to satisfy the requirement for additional active park land, and we would continue to work with the Schools to get an additional 10 acres for the Santa Fe Public Schools. Maybe you need to take a break now. Anyway, that's our offer."

Chair Harris said he thinks it's worth further discussion. He said part of taking the corner off you are proposing to accommodate that detention pond cuts considerable into a proposed site plan for the addition and the gymnasium, so there are a lot of things to sort out. He said, "I think it's problematic, to tell you the truth."

9. *Provided a plat showing how much property was committed to Monte del Sol as part of the Beatty Subdivision approval. How did the Condition of Approval read?*

Chair Harris asked Mr. Thomas to speak to this question.

Mr. Thomas said, "I've researched the Beatty South development, the original minutes from 2007. What was approved at the time was a General Plan Amendment, Rezone and Annexation, and it basically stopped there. There were conditions of approval which are listed on page 5 of 6 in the Staff Memo, that spell out that the 3.14 acres would be contiguous with open space. There was no subsequent subdivision that closed that loop. At the time there was anticipation that would come. I can't really explain why that loop was never closed. But that's basically what was approved as the Beatty South proposal."

Chair Harris asked if there was a specific condition for the Beatty South annexation that 3.1 acres be donated contiguous with open space. And we've seen a graphic with the triangle that is contiguous to Monte del Sol. Chair Harris said, "So if that was the specific condition, but it wasn't acted on for whatever reason, Mr. Shandler, can that be made to happen now."

Mr. Shandler said, "This is a general discussion of how the staff does enforcement after the fact. I don't know off the top of my head what the proper enforcement tool would be. I would have to research that further."

Chair Harris asked who represented the Subdivision at the time.

Mr. Siebert said it was Jenkins-Gavin.

Mr. Smith said, "It's correct. We do not have complete documentation from the minutes that there would be an Ordinance with an attachment that has this language that says that it is, that No. 3007-30 does include that language. Typically, the timeline is developed at the subdivision *[inaudible]*. It's possible that if we research the actual Annexation Agreement there may be a different timeframe in that, but I don't think we have gotten this far in the subdivision, as far as the Annexation Agreement."

Chair Harris said he asked them to research the specific language of the Ordinance that came as the result of the Annexation.

Mr. Smith said it is the Ordinance language, but it could have been in the agreement as well just to dot that "i."

Chair Harris asked him to contact Jenkins-Gavin and discuss the situation, hear what they have to say, see what their current thoughts are.

Mr. Smith said he thinks the applicants have had discussions with the owners of the property, but doesn't know that for certain.

Mr. Siebert said he has looked at the various documents on the Beatty property, and the triangle shows on the Master Plan, and doesn't know if that is part of "your documents," but it is part of the Master Plan. He said as he recalls the condition was, "At such time as they come in with a plat, then that land has to be dedicated, and that was the condition that was agreed to."

Chair Harris said he would still ask them to dig deeper on the actual agreement and talk with Jenkins-Gavin, and they may or may not still represent them, but perhaps they can provide more information.

Mr. Smith said he will do so.

Chair Harris said that question is answered.

## QUESTIONS UNDER THE SUBDIVISION COMPONENT

1. *The Traffic Engineering Division supports what they describe as Plan A as a solution to the frequent congestion at the intersection of Governor Miles and Dancing Ground. Have discussions occurred with the Nava Adé Homeowners Association regarding the possible dedication of certain portions of Open Space to Public Right of Way?*

Chair Harris said the Subdivision dealt with Plan A on the on the intersection of Governor Miles and Dancing Ground, and Mr. Romero answered that in writing, as well as in previous testimony.

2. *In the opinion of the Traffic Engineering Division, when might the warrants be in place for signalization as described in Plan B?*

Chair Harris said Mr. Romero answered this question, noting his response was probably quite a ways away.

3. *What is the estimated cost to relocate the electrical transmission line?*

Chair Harris said the response is the cost is between \$800,000 and \$1 million.

Chair Harris said that completes the questions that were asked, and asked if there is additional discussion on any of the above, all the way back to the Land Use Component. He said Mr. Smith asked to provide some clarification.

Mr. Smith said early in the discussion he talked about the General Plan Land Use State Policies and he indicated the discussion about the 5 acres being a minimum rather than a maximum. He said, "I've done additional research, so let me, for the record, implementing Policy 4-4-1(3), states that, 'To ensure that all residential development within the future growth areas is built at a minimum gross density of 3 units per acre and an average of 5 units per acre where topography allows.' That is the most official statement of density requirements in the General Plan. There are other places in the General Plan that encourage a density of 5 to 7 units per acre to encourage affordability. And the language Mr. Liming was talking about in a policy discussion, and talked in general terms of 5 acres. But in terms of the specific policy adopted in 1999, the specific one is minimum gross density 3, average gross density 5 units per acre where topography allows."

Commissioner Chavez asked, in terms of the topography of this area, do we have a calculation on what that density is theoretically as the plan is right now. She said, "When you said, as topography allows, that's kind of a new condition that makes me wonder if it's more dense than we first thought, or not."

Mr. Smith said, "I think the staff's analysis of the topography within the area to be developed by Pulte, most of it is suitable for development at a density of 5 units or more."

Commissioner Gutierrez said Condition 2 of the Beatty annexation says "The Beatty representatives will work with partners in the adjacent lots surrounding the development, to assist the District in obtaining an appropriate site of 15 acres." He said we haven't talked about that before.

Mr. Smith said the staff hasn't been involved in those discussions with the School Districts in terms of proceeding with the development.

Commissioner Gutierrez asked Mr. Siebert if he has spoken with them about working together to get the 15 acres from the Beatty annexation.

Mr. Skip Skarsgard said he has spoken with them on several occasions. He said Otis Beatty was the sole manager and he passed away recently, so the property ownership evolved down to Linda Zemky who has a 1/3 interest, and Fred Gardner the Gardner family has a 1/3 interest and 1/3 to the 4 Beatty children. They are having internal problems figuring out who is in charge. It has been difficult to get commitments and reasonable discussions. He said they continue to work with them, noting Fred Gardner is a significant owner in Las Soleras, so he is the connection between the Beatty property and the Las Soleras property. All of the people he just mentioned, are aware of the Annexation Agreement and the conditions, noting he has sent each of them a copy of that on two separate occasions, so they can be brought up to speed. He said until they can resolve their internal politics, it's hard to get them to commit to anything and expect it to flow through for realization.

Commissioner Gutierrez asked if it is fair to say that with you guys working on the 10 acres – the 11.61, they have to come forward with 15, and the Schools would realize more than 25 acres.

Mr. Skip Skarsgard said that's in conjunction with their efforts with us. He said the way he reads it is that there is 5 acres maximum that would be some part from us and some from the Beatty property.

Commissioner Gutierrez said Ms. McDougal said they need 15 acres.

Mr. Skip Skarsgard said that's what she said.

Commissioner Gutierrez asked, then do you have any idea when they might decide to work with you. He asked how much of the Las Soleras joins Beatty and is there is a nice 15 acre spot, in a perfect world that is 7 ½ and 7 ½ coming from the two properties.

Mr. Skip Skarsgard said no. He said Beckner Road bisects the two properties, so if you had 7½ on one side and 7½ on the other, there is a four-lane road in the middle.

Commissioner Gutierrez said then the chance of getting the full 15 acres together is slim to none.

Mr. Skip Skarsgard said no, because they have been talking with them and making proposals on how we can work together to get the 15 acres, work together to get 10 acres and allow the Schools to buy 4 or 5 acres. We've been working on various proposals. The problem is right now we don't have a way of getting a commitment from the Beatty property.

Commissioner Gutierrez asked if it is fair to say to pacify the School District right now if you work with the 11 acres or what I think I heard is that you will have the school on the Beatty property at some point instead of Las Soleras.

Mr. Skip Skarsgard said yes.

Commissioner Gutierrez said, if he is reading everything right, this gentleman and the City wants Las Soleras to be a place for people to live/work/play, walk your dogs, go have a cup of coffee and things of that nature. He said he's trying not to handcuff the Schools, but he would like to see them follow through and have a School to service the kids of this community.

Chair Harris asked if any member has anything to add, otherwise we will continue to move forward.

No one from the audience came forward to speak to the Commission.

Chair Harris said, "There are a total of 6 cases – a Land Use Component, a Master Plan Component and a Subdivision Component. I think of it as "macro to micro." There has been a lot of discussion on all elements. We can consider cases at our own pace, is that correct. If, for example, if we were to consider motions on the 3 cases associated with the Land Use Component, but we still have questions that need to be answered regarding Parks as part of the Master Plan Component, perhaps resolution on the School issue. I'm thinking particularly, Commissioner Gutierrez, in how to ensure that donation eventually will serve the children of Santa Fe, serve the School District, rather than become a commercial asset."

Chair Harris continued, "Then the Subdivision has to do with a number of things, not to mention Monte del Sol. What's you take on that. Am I seeing that clearly. Is it possible to act on the Land Use Component, get some questions answered on the other."

Mr. Thomas said, "Yes, that does work. You can act, you can consider each request, separately on it's own. However, and again, what our goal has been all along is to remember that this is an overall development proposal. It is the total plan that has been designed, and it happens to require these six different requests to execute it. In the Commission's consideration of each case, just keep in mind that there is perhaps an implication to the overall design of the overall project and potentially impacts the subdivision so forth and so on. So while each one can be considered separately, they still impact overall the project design as proposed by the Applicant.

Chair Harris said he understands, but whether it is macro to micro or specific, he can't imagine a situation where this Commission would want to consider a vote on the Preliminary Subdivision Plat without having an understanding of where we're going to go on the Land Component and the Master Plan Component. There is a certain logic to it. He said, "I think the answer I heard is, if the Commission chooses, we can vote on 1, 2, 3 or all 6, if that is the Commission's choice, right."

Mr. Smith said, "Chairman, I think that's right. Typically we start in the order in which we have listed them on the agenda, and depending on what you do with the vote, that may or not pre-decide whether you do or do not take action on the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup>. I understood *[inaudible]* to say you are all right with moving the Parks site from the 30 acres showing up concurrently, and you did not have a specific new location, that would pave the way for the approval of the Subdivision, and would call into question dealing with the Master Plan...."

Chair Harris said, "So for instance, the first on the Agenda, Case #2014-124, is the General Plan Amendment, but then you go from there to the Master Plan Amendment and from there to the Rezoning, and on to the Electrical Transmission Line, Lot Line Adjustment and Preliminary Subdivision Plat. So those really aren't organized even in the way the report was presented to us and certainly not organized in the way the questions were phrased. So we have this Master Plan. So in fact if we have to consider them one at a time, I would suppose we could.... suppose there's a particular action on the first case, the General Plan Amendment, but we could postpone consideration of the Master Plan Amendment. Correct."

Mr. Shandler said, "Right Mr. Chair. The way I'm trying to review it in my mind is, so the rezoning, if you're satisfied with the density argument, I can see you going ahead with that, and postponing to a date certain the Master Plan for the discussion about the park. The one thing I'm trying to figure out, is if there is some kind of creative solution near Monte del Sol, and the group, the Applicant decides afterwards, you know, maybe the Chairman has a pretty good point, I'm pausing to know if that part would need to be a different rezone that what is proposed right now. But the short answer is I think you can proceed like you are suggesting."

Commissioner Kadlubek said he has comments and observations about the cases. He said, "I see a situation where we've had a large master plan in place for quite some time, some adjustments that were made in different economic times, that were made without any sort of knowledge as to what recovery would look like. I see an effort by the developers to supply a type of housing that I think is needed in our community that is affordable and well built. I do see some compromises with regard to the park. I see some moves made to have access to the park from Monte del Sol. I hear the staff saying that the park could suffice as an active park. I see 28 acres of park which is pretty large. And the neighborhood that surrounds this development seems to be overall in favor. I personally feel pretty good about making a motion on all 6 cases here."

Chair Harris said, "Regarding connectivity....The issue of connectivity was discussed early on, by Mr. Liming in particular, talking about cul-de-sacs. We do have contradictory language in Chapter 14, in our Land Use Code that would allow cul-de-sacs. And to me, I don't know, I didn't really study the proposed Subdivision Plat in relation to the topography, but my sense of things is that the current layout, yes it has cul-de-sacs, but it perhaps took a little more advantage of the topography than a grid would

have. I liked what I saw. Ross's Peak is definitely a grid, and on paper in actuality, won't have the same feel of what is being proposed here. I think that will become apparent as they develop. The connectivity, yes is an issue. Gated developments, I'm not in favor of at all, but that's my opinion. There will be connectivity on through eventually to Railrunner. And so to me, that kind of meets that standard."

Commissioner Chavez said, "Before we vote, I want to state an additional concern, which is when we are going from a master plan that has such a wide variety of zoning and zoning uses to create uniform Rio Rancho model of housing development in the high desert in Santa Fe, what effect that has on resources, what effect that has on especially water. This kind of spreading uses of houses rather than more compact... I feel like it's happening on a pretty large scale in this plan, and I just wanted to state that. Although it is meeting a need in the community for workforce housing, although.... and I think the developer clearly makes a high quality product. I feel like that decision we're making is a pretty big one in terms of the use of that land and how it's going to be used for generations to come. And I just would be remiss to not at least say that that's a concern of mine right now. Thank you."

Commissioner Padilla said, "In the grand scheme of planning, one, the commitment that the developer has made to the large Las Soleras project and his ability to stick with it and ride through the economic downturn. None of us had a crystal ball. When this was going forward, we were going gangbusters. We were doing things. If we had had a crystal ball, we would have done things a little differently. I think we've come out of the recession, granted New Mexico is still in a depressed market, but there's an opportunity here. I think the developer has teamed with a builder that sees an opportunity, has made a commitment, not only to the communities they're currently in, but made a strong commitment to the Santa Fe market, which isn't an easy market to develop in. We're not called the City Different for nothing. It is tough to make a buck here and to be a developer here and to come in. I commend the developer, I commend Pulte coming in and making a commitment to workforce housing and what they see as a specific market or a more senior market, because it's the reality."

Commissioner Padilla said, "Long Range Planning gave us a presentation on how we are graying as a community and will continue to gray, but I think with the commercial track Las Soleras is looking at, you bring somebody in, a commercial project, a developer or company that wants to come in there, the first thing they are going to ask is how is the available housing market for my young people I'm bringing in, where can they live, and can they afford to live here. And to be able to have a product like Pulte is planning is commendable. I think it deserves to be supported. We still have some things to work through, but as I said, if we all had a crystal ball, we would all be millionaires, hand over fist."

Commissioner Padilla said, "One thing I would like to do is to thank the developer, thank Pulte and thank staff for the time and commitment and effort you made in responding to the questions that were asked from a long meeting previously to this meeting where we have been able to evaluate, deliberate and discuss. Chair Harris, thank you for your leadership for pushing this through, guiding us through and allowing us to drill deep into the questions we had. I'm ready to move forward and look at possible motions for the cases that are before us this evening."

Commissioner Gutierrez said he isn't ready to vote on everything. He said, "A sticking point for me, and something I want to see worked out is parks, and I'm very interested in more park space and giving Zach a little bit of time to figure out the public schools issue that I brought up could work out or play out. Earlier someone said about the 3.41 acres, enforcement is hard after, if you didn't dot your "i's" and cross your "t's." I do think these guys did a fantastic job. It sounds like they're working at playing ball with the neighbors, getting Beckner Road, as they start this project, is probably a big relief for a lot of them. A little disappointing is that we have Commissioners here that won't be with us in the future. I really wish this project had come forward a little sooner, or they had stayed a little longer, because it's a big project and an interesting project."

Chair Harris said, "I think the sentiment of the Commission is we should put some motions on the floor and see what people think."

**STENOGRAPHER'S NOTE: The following cases were considered  
in the order as presented as follows, the first being  
Agenda Item F(1) Case #2014-124, Pulte Las Soleras General Plan Amendment**

**MOTION:** Commissioner Padilla moved, seconded by Commissioner Kadlubek, to recommend to the Governing Body the approval of Case #2014-124, Pulte Las Soleras General Plan Amendment, as presented.

**VOTE:** The motion was approved on the following Roll Call vote [5-0]:

**For:** Commissioner Chavez, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Ortiz and Commissioner Padilla.

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Chair Harris asked if we have to consider the cases in specific order.

Mr. Smith said, "It's appropriate for the Pulte Zoning Case to come next. It's a judgment call."

Chair Harris said he agrees.

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3. **CASE #2014-125. PULTE LAS SOLERAS REZONING. JAMES W. SIEBERT & ASSOCIATES, AGENT FOR THE PULTE GROUP, REQUESTS REZONING OF: 12.92 ACRES FROM R-21 (RESIDENTIAL - 21 UNITS PER ACRE) TO R-6 (RESIDENTIAL - 6 UNITS PER ACRE); 14.95 ACRES FROM MU (MIXED-USE) TO R-6 (RESIDENTIAL - 6 UNITS PER ACRE); AND 3.93 ACRES FROM R-12 (RESIDENTIAL - 12 UNITS PER ACRE) TO R-6 (RESIDENTIAL - 6 UNITS PER ACRE). THE PROPERTY IS CURRENTLY VACANT AND LOCATED WITHIN THE LAS SOLERAS MASTER PLAN (ZACH THOMAS, CASE MANAGER) (Continued from May 21, 2015)**

**MOTION:** Commissioner Kadlubek moved, seconded by Commissioner Padilla, to recommend to the Governing Body the approval of Case #2014-125, Pulte Las Soleras Rezoning, as presented, with all conditions of approval as recommended by staff.

**VOTE:** The motion was approved on the following Roll Call vote [5-0]:

**For:** Commissioner Chavez, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Ortiz and Commissioner Padilla.

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Mr. Smith suggested the Commission next consider Case #2014-123, Pulte Las Soleras Master Plan Amendment.

Chair Harris said, "I don't see how. All the documentation talked about rezoning, and immediately after, the Lot Line Adjustment."

Mr. Smith said Chair Harris is correct.

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5. **CASE #2014-126. PULTE LAS SOLERAS LOT LINE ADJUSTMENT. JAMES W. SIEBERT & ASSOCIATES, AGENT FOR THE PULTE GROUP, REQUESTS APPROVAL OF LOT LINE ADJUSTMENTS WITHIN THE LAS SOLERAS MASTER PLAN TO RECONFIGURE LAND TRACTS CONSISTENT WITH THE PROPOSED GENERAL PLAN AMENDMENT AND REZONING. THE PROPOSED LOT LINES COINCIDE WITH ANTICIPATED PHASING OF FUTURE SINGLE-FAMILY RESIDENTIAL SUBDIVISIONS. (ZACH THOMAS, CASE MANAGER) (Continued from May 21, 2015)**

**MOTION:** Commissioner Padilla moved, seconded by Commissioner Ortiz, to recommend to the Governing Body the approval of Case #2014-126, Pulte Las Soleras Lot Line Adjustment, as presented, with all conditions of approval as recommended by staff, and subject to revised conditions recommended by staff, including the amended conditions distributed as additional submittals.

**VOTE:** The motion was approved on the following Roll Call vote [5-0]:

**For:** Commissioner Chavez, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Ortiz and Commissioner Padilla.

2. **CASE #2014-123. PULTE LAS SOLERAS MASTER PLAN AMENDMENT. JAMES W. SIEBERT & ASSOCIATES, AGENT FOR THE PULTE GROUP, REQUESTS APPROVAL OF AMENDMENTS TO THE LAS SOLERAS MASTER PLAN. AMENDMENTS INCLUDE: THE REALIGNMENT OF ROADS, RECONFIGURATION OF TRAILS AND REDUCTION OF ACTIVE PARK LAND AND THE RECONFIGURATION OF LAND TRACTS. (ZACH THOMAS, CASE MANAGER) (Continued from May 21, 2015)**

Chair Harris said he would like a motion and a second, and then open it for discussion, commenting that the Commission can review the conditions of approval at that time, if that is appropriate.

Mr. Smith said yes it is appropriate.

**MOTION:** Commissioner Kadlubek moved, seconded by Commissioner Padilla, to recommend to the Governing Body the approval of Case #2014-125, Pulte Las Soleras Master Plan Amendment, as presented, with all conditions of approval as recommended by staff, and revised staff conditions.

**DISCUSSION:** Chair Harris asked Mr. Thomas to review all conditions, as revised, if they are revised, on this particular case.

Mr. Thomas said the initial staff conditions were presented to the Commission in the May 21, 2015 Staff Report. Mr. Thomas said, "Additionally, there are clarifications of conditions that were submitted that related specifically to the Master Plan and to the Trails Realignment. Again, the Master Plan focuses on 3 events, one was relocation of the park, the realignment of the road and the realignment of the trails. There was discussion tonight regarding potential changes to the Road Phasing Plan. I would recommend that the Commission clarify any conditions related to the amended Road Phasing Plan. In addition, there are clarification of conditions that are proposed by the Trails Division. Keith Wilson is available to answer questions specifically related to clarification of those conditions"

Mr. Smith said, "There has been discussion, but there is nothing specific in the original staff report or the Staff Memos. There [inaudible] related to the Park Dedication. The Applicant has proposed specific stuff through conditions on that topic in the Staff Report."

Chair Harris said, "Let's search our memory banks here and see if we can come up with what's been said in terms of conditions. One certainly was the Road Phasing Plan that was presented to us. That Phasing Plan did have a correction that Mr. Romero cited for the record."

Mr. Shandler said, "The corrected language is, 'The two-lane divided road will be built concurrent with phase one.'"

Chair Harris said, "A two-lane divided road as opposed to rural."

Chair Harris said, "It is a correction of Beckner Road from Railrunner to Walking Rain, corrected to be a two lane divided road. It did say two-lane rural section."

Chair Harris said, "But we should say that the Road Phasing Plan for Beckner, all four phases, as they're described in the Road Phasing Plan will be initiated with the development of Phase 1 of the Subdivision. Correct. All four phases of the Road Phasing Plan with the correction as stated, will be implemented at the time of the development of Phase 1 of the Pulte Development."

Unidentified said, "It's stated in the Phasing Plan. Let's go over this so we are absolutely clear."

Chair Harris said, "Please do. And let me just say that the Phasing Plan does not say that all four phases will be implemented as part of Phase 1 for the Pulte Development."

Mr. Siebert said, "It doesn't say the opportunity to state it exactly the way that I think Fred has prepared it on a plan, so we're all absolutely clear about this."

Chair Harris said, "Please do."

Mr. Siebert said, "So, from the current terminus of Beckner, which is back down on Soleras, to Walking Rain, that would be a two lane divided road, right. Okay. From Walking Rain to where, would it be... what's the next segment of that. Walking Rain to point 1 is what, Fred."

Mr. Arfman said it the east property line of Point 1.

*Several people talking here at the same time made it impossible to transcribe.*

Mr. Siebert said, "And for Phase 1, it's a rural road."

Unidentified said, "Correct."

Mr. Siebert said, "Then it's a rural road all the way over to Richards Avenue."

Unidentified said, "Correct."

Chair Harris said, "This Phasing Plan says point 1 to Richards is a two-lane divided road. And Mr. Arfman's document seems to say Phase 1 would be a rural road with Richards Road Intersections Improvement, which is actually what I think I heard Mr. Romero say as well."

Mr. Siebert said, "Correct."

Chair Harris asked Mr. Arfman if his document states that it all will be developed consistent with Phase 1.

Mr. Arfman said, "I don't believe I have a document. But that does say we will have a rural road from Walking Rain to Richards under Phase 1."

Chair Harris said it really doesn't say that.

Mr. Arfman said, "The actual copy is an option to build that full section. Then we have a rural road along Phase 2 which will be built under Phase 1. It says that we build out to Phase 2, a full section under Phase 2.

Chair Harris said he understands that.

Mr. Arfman said, "And a third section here is that Phase 1 rural road with Richards Intersection improvements in 'here.' 'This' one."

Chair Harris said he understands that, but he sees nothing here that says that... how we are going to characterize those road improvements. They're going to get built as part of Phase 1.

Mr. Arfman said, "Well I think the intent was for Phase 1."

Mr. Smith said, "There seems to some confusion about what Mr. Romero has asked to, again make a motion with reference to as recommended by Traffic Engineering previously, or we can...."

Chair Harris said that works.

Chair Harris said, "Quite frankly, we have to deal with how to phrase the parks."

Mr. Smith said, "The Applicant has recommended removing the park designation and changing the language to refer to additional acreage on the existing park on the other side, and a tract of land to be identified later for the Schools. And there have been various iterations of that in the material submitted by the [inaudible] in the discussion by the Applicant at the meeting tonight."

Chair Harris said, "Again we have the 20 acres. Land has been identified for parklands, the different locations, we talked that through. We've heard from the School District what they are most concerned about is the donation of a suitable site, 10 usable acres at a minimum for a school. We know it's been collateralized in some fashion. We've heard talk about a mortgage instrument that would be attached to a particular parcel within Las Soleras. Again, do we need to address that now under a Master Plan Amendment. And they requested, as a condition, that it be designated public land. Given that negotiations are ongoing, I don't see any reason to address any parcel within Las Soleras as public land as long as we have acknowledged that there is not only a commitment, that there's a parcel that's collateralized to really ensure that that commitment is met. That doesn't even address Commissioner Gutierrez's concern about the School District's commitment."

Commissioner Gutierrez said, "On this, a yes vote means that Condition #45 that we're talking about is tossed out."

Mr. Thomas said, "In essence that is correct. Again, one of the components of the Master Plan Amendment is, I guess there's 3, there's trails, roadways and the park. And specifically that focus around that Condition #45. And so as previously stated, what's been discussed on this in the record, is replacing that the existing location with roughly 6.73 acres added to the existing regional park in the middle of the

plan site, and donating or somehow transmitting acreage to the Public School District in an amount and location yet to be determined. So that is what is being proposed by the Applicant."

Commissioner Gutierrez said at the same time, a yes vote also takes away the thought of Las Soleras having that small park next to the drainage pond, not Las Soleras, Monte del Sol, and the ability of having any size park next to them.

Chair Harris said he believes this is a separate issue, saying, "Perhaps. I don't know. It could be bundled as part of this."

Mr. Thomas said, "Again, what is being proposed in the packet in front of you is what I just mentioned. Any subsequent, I note after the break, there was subsequent discussion, the Applicants, Mr. Siebert, and that was presented by Mr. Siebert. So, it would be best to clarify if that additional discussion after the break is what you are referring to, or simply what is in the packet that you was submitted to you. Potentially, they are slightly different, but I think it would be minimal."

Commissioner Gutierrez said, "For clarification, it's not what was talked about before and after the break, it's the fact that a yes vote on this, Monte del Sol has no way of obtaining any kind of park space close to their facility without working with Mr. Siebert and the Las Soleras team."

Mr. Thomas said, "If the yes vote was for what is presented in the packet without any proposed change per the discussion tonight. Again, and that's what clarification would be needed on it. It suggests most clearly what is proposed in the packet without the proposed discussion that is happening tonight. So there's kind of two answers to your question."

Commissioner Ortiz said, "A question for Mr. Shandler. Is it completely out of the question if there is a motion to postpone this particular case to a date specific. Because, what I'm seeing is there is still a lot of confusion as to what the conditions are. I don't agree really.... I for one am not really convinced or happy with the park situation and I don't want to vote no. Can we do that. Can we postpone to a date specific."

Mr. Shandler said, "Mr. Chairman, you can do that. I've talked to staff and said that on July 2<sup>nd</sup> it could be back on the agenda as an action item, and that's what they represented to me. I'm not saying you have to do that. The elephant in the room is how many Commissioners are still going to be there. I think you would still have 4 holdovers, and Commissioner Kapin who attended the first hearing could familiarize herself with the record, so you still have a quorum of people that were familiar with the record and could vote. As a lawyer, I'm always going to be the most nervous one in the room. So really again, on this condition that some people said was done at the last minute when everyone was tired and confused."

Chair Harris said, "So here we are again."

Mr. Shandler said, "Maybe. And again, being the most nervous person in the room, maybe if you postpone it and allow the Applicant to put pen to paper finally what they want as a modified or substitute condition so everyone could read it. Maybe that would allow them a little time to address the Monte del Sol issue, but again, these are all maybes."

Chair Harris pointed out that we do have a motion and second, and we're in discussion now, so we really have to act on the motion we have, we can't postpone that, can we.

Mr. Shandler said, "The maker of the motion can always withdraw the motion."

Commissioner Kadlubek said, "I would like to clarify a condition if that is okay."

Chair Harris said, "Please."

Commissioner Kadlubek said, "Mr. Siebert, if you don't mind, I have a question, if you would step to the microphone."

Chair Harris said, "The third time's a charm, Mr. Siebert."

Mr. Siebert said, "It's getting late for me too, let me tell you. My bedtime's normally nine o'clock."

Chair Harris said, "With three strikes you're out."

Commissioner Kadlubek said, "I just want to try to attempt to clarify a condition that maybe was presented earlier. I just want to get assent from you if we can get it down, if we can put pen to paper on it. Would you be open to developing what is currently slated for a future detention pond, developing it in a way that could be simultaneously used as a practice field for Monte del Sol."

Mr. Siebert said, "The question there is clarification on development of the field. The way I understand it is right now it's a pond. And talking to Fred Arfman, he thinks the pond is about a foot deep, so it could easily accommodate a play field. So, the question is, what do you mean by if there were improvements on that particular play field."

Commissioner Kadlubek asked, "Would you be willing to work with Monte del Sol to maximum the future detention pond as a multi-use practice field for Monte del Sol."

Mr. Siebert asked Kevin Patton to speak to this, noting he will have to be sworn-in.

**Kevin Patton, 7601 Jefferson Street, Albuquerque, NM 87109, was sworn.** Mr. Patton said, "We would definitely shape and we're willing to shape it and get it all ready. We were thinking maybe Monte del Sol would then grass the field and irrigate it to their specifications, but we would definitely have it all shaped and graded such that it could be used as a soccer practice field. I guess we would look for them to maybe landscape that, or put the sod in for the field and then the goals. I don't know if your suggestion was for Pulte to do that or Las Soleras, and that was really the clarification."

Commissioner Gutierrez said, "Just a quick question. If you guys agree and this park came to fruition, who owns the park. Who maintains the park. And that might be a question for Mr. Thompson or City staff and, my thought is, you're going all the way with everything else, why drop the ball on Monte del Sol, because I don't think this is going to be Monte del Sol's park at the end of the day, but let's hear what the staff has to say.

Mr. Smith said, "I'm not aware, if that was the staff's question as to how it would be implemented in terms of the other open space on the boundary, some [inaudible] with the easement dedicated to the schools, something like that."

Chair Harris said, "We have an example at Ross's Peak. We have a detention pond that was to be maintained by the Association, and it had a playing surface. In that case, it was basically a beach volleyball court within that detention pond."

Mr. Smith said, "My understanding is it was for the use of the residents of the Subdivision though."

Chair Harris said, "Right, but it could be phrased in such a way for the maintenance and use of Monte del Sol, or other members of the public, something like that."

Commissioner Gutierrez asked for Mr. Thompson's take on that.

Mr. Thompson said, "We would certainly make recommendations to the Land Use Planning Department and accept any language you put into the recommendation to the City Council, and their decision will determine who maintains it. At present, I would assume it was dedicated as drainage."

Commissioner Gutierrez said, "They are talking about moving it from drainage to a multi-use field."

Mr. Thompson said, "The key word is park. It was dedicated as park land and the Council would expect us to maintain it."

Chair Harris asked Mr. Patton if he has remarks.

Kevin Patton, Pulte Group, said, "Our recommendation is that we would gift the land. I know Monte del Sol had mentioned an exclusive soccer field for this portion. So we would be willing to gift this land as long as it was provided in a perpetual drainage easement so we could drain water onto it, so it would be that dual use. But the land itself, we would be willing to gift to Monte del Sol so this park and the soccer park would be [visitors only?] for their use, so it would be something that would have to be maintained by the City or the City Parks. We would assume it would be maintained by Monte del Sol and used for a facility."

Commissioner Gutierrez said, "On that thought, I would just hate to see it die. It would be awesome on that acreage or whatever if they could get a big cistern and pump some of that drainage water to feed that park. That would be the ultimate reuse of free water. And I person would like to see a City maintain a park that's

open to people as opposed to a school field. From experience with the School Board, you vote to use the park and the paperwork is 'that' thick. It's about as thick as our packet. I think Mr. Thompson and his staff is a little easier to get along with."

Mr. Smith said, "In terms of the discussion, idea that the land was donated to the school as drainage easement, I think we could make that work. I defer to Mr. Thompson as related to... I'm not sure that the location of that tract would lend itself to accessibility to the public as a public park."

Mr. Smith said, "I would also note that the Monte del School does not have a representative present to indicate their willingness to accept or not accept the donation."

Commissioner Chavez said, "I'm a little bit uncomfortable with gifting the land to the School and then making it a City park and having the City take care of it. That seems like a.... if it's going to the School, then the School should have the financial responsibility to take care of it. I don't know, from what I've heard tonight, it might set a strange precedent for City parks being set aside for schools, especially Charter schools. I just feel a little bit uncomfortable with that precedent."

Commissioner Gutierrez said, "I don't know if you misunderstood. My intention is not to gift it to the School and have Parks take care of it, I would like to see it as a public park, a park that could be used for everybody, but it would be a benefit for Monte del Sol as it is adjoining it."

Commissioner Chavez said, "I just think practically, it's abutting the Charter School property and there isn't any other public access to the park, except through the school, I think practically it would end up being a City park for a school, that's my concern. Maybe I wasn't articulate enough before, but that is exactly my concern."

Chair Harris said in his experience, the public wouldn't necessarily distinguish... if there's available space, people will use it, commenting we see that at other schools around town. He said, as a practical matter, he thinks it could be gifted – an easement is dedicated for Monte del Sol. I think it has to be connected primarily to the School. Hew said, "I also think and I don't know the size of that detention pond, if it really would accommodate a soccer field. A practice field."

Kevin Patton said, "One of the reasons we're suggesting we gift it as well, is it would allow Monte del Sol to incorporate some of the land they have, they're currently not using that we talked about where that one property line came down. If it was gifted to them, they would have additional, instead a portion of it being the City, that way they could use some of the current land they have and make it a larger field. The current location now would not be sufficient for a recreational, competitive soccer field, but it would be sufficient for a practice field."

Commissioner Chavez said, "A follow up question. In looking at this other park to the west, this bigger park, and the earlier discussion of putting a soccer field in there as a condition, would this replace the soccer field, or would it be.... because if it was an addition then we would have a soccer field for the public in a publicly acceptable place that Monte del Field could use as a soccer field if they needed, while they would also have a recreational P.E. area next to the school."

Commissioner Padilla said, "In the testimony that was presented by the principal of Monte del Sol, he mentioned that the student playgrounds are out in the parking lot. We know that's not conducive one, to safe play, or real playground areas. I think what this will do, by gifting the property to the School, it allows them to use some of the area they currently have now adjoining this to expand the play areas that are in pretty much a secure area. I would speak in favor of that option. It may not be a true regulation size soccer area, but at least it is an area where they can indeed practice that's right next door, adjacent to their property, as opposed to ½ mile away. That, at some point, I think the condition is still there that at some point that 6 acres will be developed with a regulation soccer field."

Chair Harris said, "The regional park, some portion of the regional park. Commissioner Gutierrez, a further thought is, when they construct the classroom addition and the gymnasium, those are essentially collectors for rainwater that can be siphoned in addition to the drainage that's coming off the Pulte Development, they can direct their own water to that property as well. So I think it makes sense to gift and for them to put that as part of their master plan, how they're going to use it, how they're going to develop it, how are they going to take care of it. Okay. Commissioner Gutierrez."

Commissioner Gutierrez said, "Just two quick questions, because it's late and we're getting confused. You say practice fields, can I get a specific size."

Mr. Patton, said, "My understanding is that's 130 wide by 350 feet long."

Commissioner Gutierrez said, "So you guys are committing to 130 by 350."

Mr. Patton said that is correct.

Commissioner Gutierrez said, "My second question is, you're committed to having that park ready, not say here's the dirt and you do it."

Mr. Patton said, "No. I think we were looking for some commitment. We were going to gift the land. We were going to grade it such that it could be used. And we would expect Monte del Sol to come in and sod the area to their means. If they're using rainwater or a cistern to irrigate it, that would be up to them. They would have to own and maintain that. So we're looking for them to sod it and irrigate it."

Commissioner Gutierrez said, "When it's gifted, turned over, it's level, it's ready to be sodded, it has a crown on it so water drains off. Whatever the preplanning for the multi-use field is that they lay down their sod and irrigation."

Mr. Patton said, "That's correct, but please note that it also is a drainage pond, so it does have to deal with a 100 year event. We want to make sure that it does hold the necessary water in a large storm event. There could be time when there is a large storm event that there is water on that field."

Commissioner Gutierrez said, "Understood. Thank you."

Mr. Smith said, "If I could for the record. So the discussion has been is that you want to add a condition of approval, approving subject to donation of a specific number of acres to the School del School, but with a drainage easement for the Pulte Subdivision to use as needed. And I point out to the Commissioners that we can be very vague on the wording, because the specifics will come back to the Commission with the Final Subdivision Plat."

Commissioner Padilla said, "Mr. Smith, a question. The developer is gifting. Are the conditions that it be gifted to Monte del Sol, does there have to be a condition to be accepted."

Mr. Smith said, "That's the question, Chairman and Commissioners. The City does not have the authority to oblige the School District to accept the donation of that property."

Commissioner Padilla said, "As of July 1, it will be a State Charter School. In the condition, with acceptance by the Monte del Sol Charter School."

Ms. Smith said that would be appropriate.

Mr. Smith said, "So the condition was it was always going to be the number of acres that have been discussed."

Chair Harris said, "A parcel approximately the size of 130 feet x 350 feet, approximately, adjacent, would be donated to the School with a drainage easement subject to acceptance by the Monte del Sol Charter School."

Mr. Smith said, "The next question is if we can proceed with conditions of approval I will give the language modifications with regard to, *[inaudible]* that the Commission has accepted the Applicant's proposal that there be no other park land dedicated other than the 7 acres that was previously discussed for increasing the *[inaudible]* park. I'm sorry in the Las Soleras School District."

Chair Harris said, "There are 4 separate, not parcels, but 4 separate pieces that were proposed by the Applicant: The 6.74 adjacent to the 21 acre regional park, the 2.21 acres that overlay the sanitary sewer, the approximate 1.86 acres adjacent to and west of the Ross Peak Subdivision, and then the corridor."

Commissioner Padilla said, "The 2.07 also adjacent to the 21.12 acres and then a 0.23 acre site adjacent to the regional park."

Chair Harris asked if the 0.23, is that the corridor that.....

Commissioner Padilla said, "Here's the 2.1 and then the 0.2."

Mr. Thomas said, "Mr. Chair, if I may clarify, it also is noted as Exhibit C in the Commission packet, so as noted in the Applicant's submittal, and again that includes the proposal of an 11.61 acre school site. However, subsequent testimony has indicated that that has not been established or accepted by the School District as a for sure site."

Commissioner Padilla said, "My understanding from Ms. McDougal from Santa Fe Public Schools is that they were accepting the 11.61 acres as collateral."

Mr. Thomas said, "We need to clarify. The Exhibit doesn't note it as collateral, it notices it as a site, to clarify whatever that collateral might...."

Commissioner Padilla said, "Could we, as far a condition of approval for additional open space be referred to as Exhibit C, and that the School site of 11.61 acres be a collateralized site for the Santa Fe Public Schools."

Mr. Smith said, "In terms of doing of doing the arithmetic, the *[inaudible]* is that are approving the open space on the plan as it was approved by this Commission previously. The other factor is the double counting that 20 acres. In other words, the *[inaudible]* has been shown as open space in the.... the staff is saying that the 20 acres that was discussed in the condition of approval, would not be in addition to the bulk of these other areas here except for the addition to the park. So this open space seen throughout the *[inaudible]* of the property is larger than the open space mentioned in the 2010 version. I'm not sure that this *[inaudible]* space relative to the 2010 approval, the 2009 approval. *[inaudible]* we are doing a little bit of double counting."

Chair Harris said he thinks we have the makings of a condition there, and "we'll let you gentlemen clean it up for us."

Mr. Skip Skarsgard said, "I want to make sure that the red mark, the 11.8 acres or whatever it is, is not a separately subdivided parcel at this time, and therefore it's not the part that's going to be secured. That is what was offered to the Schools and they were going to accept it, and then they rejected it because of it's location to the freeway. But the collateral piece is going to be either Lot 3 which is close to Cerrillos Road, or Lot 7, which is north of Lot 3, also close to Cerrillos Road. So if you want to show that on your minutes here. We can just choose Lot 3 and make that the, or Lot 7, maybe Lot 7 is a better choice."

*[Commissioner Chavez's question here is inaudible because her microphone was turned off]*

Mr. Skip Skarsgard said Lot 7 is like 4 acres, but it is in the commercial zoned area close to Cerrillos Road, and so the parcel next to it just sold for \$25 per square foot. Lot 3 is probably 2 acres and it's right next to a property that sold for \$24 per square foot. So it's a difference in value. What we were expecting to gift to the Schools would be residential valued land which would be near to the price to which they sold Pulte. He said, "So we've had this discussion with the public schools, so Shirley is aware of this, and we have to choose a spot that is already subdivided to gift the mortgage on."

Chair Harris said he's rounding numbers and using the \$21 per sq. ft. on Lot 7, so the approximate value of that might be \$4 million dollars. *[STENOGRAPHER'S NOTE: Whomever the Chair was speaking with in the audience that was providing information, was not before the microphone, nor been sworn, and was completely inaudible.]* He said, "That will cover it, I had a higher number because I rounded up to 45,000 sq. ft. for an acre, but yes, so that makes more sense. I was thinking around \$4 million."

Ms. Helberg reminded the Chair if the individual is going to testify they need to come to the microphone.

Chair Harris said, "You're right about that, but I think what I've said is that I think we should focus on Lot 3, identify it appropriately as collateral in favor of Santa Fe Public Schools. I don't think we need to put estimated value on it. I don't think we need to put that on there. I just wanted to clarify in my own mind."

Mr. Smith said, "For the record, one of the Commissioners just indicated that the Applicant has not intended to dedicate that land in terms of the *[inaudible]*."

Mr. Shandler said, "I think there's still dedicated 11.6 acres at some sites, and they are securing the confidence of the City by saying one of these lots will be used as their security. I don't think they're saying that's the school sites."

*[Unidentified continued to speak from the audience and not at the microphone and is still inaudible, and Ms. Helberg asked him once again to come to the podium.]*

Mr. Skip Skarsgard said, "The offer is to pledge that as collateral security for a loan of about \$700,000, which would be the value of residential land times 10 acres."

Chair Harris said, "Again, I like the way Mr. Shandler expressed it, to tell the truth. Will you repeat that, Mr. Shandler."

Mr. Shandler said, "I believe the Applicant is offering 11.6 acres for a school site, by agreeing to collateralize that through one of these other properties."

Chair Harris said, "No, the offer is 10 usable acres of land. And it was 11.8 acres because there is open space connected with it along the freeway."

Mr. Shandler said, "So the site that is by the freeway is the 11.76 figure, that's where I got it from, but really the offer from the Applicant is just the 10 acres of usable land."

*[Unidentified spoke and was inaudible]*

Chair Harris said, "The one we placed here is Lot 7, which is the 4 acre site."

Mr. Skip Skarsgard said, "Are we good."

Chair Harris said, "Yes, I think so."

Mr. Shandler said, "I understand the condition."

Chair Harris said, "I've looked, and Mr. Wilson has hung in here. Was there an amended condition regarding the trails from Mr. Wilson that I'm just not finding."

Mr. Thomas said, "The Memo of June 18<sup>th</sup>, submitted in the additional information, is a clarification of conditions for the proposed amendment to the Trails Plan, which is one of the 3 components of the Master Plan Amendment. It outlined a specific condition proposed by Mr. Wilson."

Chair Harris said, "Then this is comprehensive and doesn't amend other conditions that we need to be aware of. We just need to specify the conditions that are documented here."

Mr. Wilson said, "If I may, my first submittal was basically a mark-up map of the Trails Map. And I just wanted to make it clear, because it was a little difficult to pull everything off the map. So staff and yourself I just want to make it clear what basically what I had shown on that map so it could be easily transposed into the conditions."

Chair Harris said for your purposes is comprehensive.

Mr. Wilson said, "Correct. Related to the Trail Plan as part of the Master Plan Amendment."

**CLARIFICATION OF CONDITIONS THUS FAR BY THE CHAIR:** Chair Harris said, "So the conditions I've got, I'm not going to recite all of them, but just the categories are the Road Phase Plan, the Alternate Parks Proposal in response to condition 45 for the parks land plus the 10 acre school site, and that language will also be documented with our recent discussion regarding collateralization. The third condition I have is potentially the gifting of the parcel adjacent to the eastern property line of Monte del Sol, and I think you know the language there, subject to their acceptance. The fourth condition is what we just spoke to, the Amended Trails Plan is document in the Memo submitted by Mr. Wilson. What am I missing."

Mr. Thomas said, "There was a statement in the additional information submitted by the Applicant regarding committing to the development of a soccer field that was mentioned."

Chair Harris said, "While you're searching, what my understanding of that is, and I cited the section of Chapter 14 that states that the developer is responsible for implementing, basically developing that park. And there had been a proposal for a soccer field, but that's been deferred until the City completes its Master Plan analysis."

Mr. Smith said, "Mr. Chair that was not specifically in our recommended conditions of approval, but it may be construed as being within the Applicant's amended application per the *[inaudible]* proposal. Staff is comfortable with the Chair's interpretation that the soccer field possibly be made part of the initial improvement plan for the park."

Mr. Thomas said, "For the record, I can read the statement that I was referring to, "Las Soleras has committed to a soccer field with construction beginning in 2017, assuming the residential development is occurring in Las Soleras. There is a caveat that offer for those recreational facilities will have to be consistent with the Parks and Recreation Master Plan [so in essence it's stated in there] and construction standards. What is depicted as the location of the soccer fields and type of field is conceptual only. For the record, the Applicant's statement that I was referring to."

Commissioner Kadlubek said, "It sounds like it is already stated. Nothing needs to be changed here. The caveat is that it falls along with Parks Master Plan, so there's nothing that has to be changed."

Chair Harris said, "I want to get it right. I don't want to leave our successors in the lurch, quite frankly. So the Master Plan, the amendments include realignment of roads, reconfiguration of Open Space and Trail and the reconfiguration of land tracts. We covered all that."

Mr. Thomas said, "As specified reconfiguration as proposed by the Applicant's exhibits, I think that's a very specific thing, in the Applicant's exhibit submitted for the May 21<sup>st</sup> Staff Report packet. The parks would include the Exhibit C, obviously the school site is eliminated. The Trails Plan again is labeled as a very specific exhibit submitted by the Applicant. Neither of these have been amended by the Commission, so I would reference the Applicant's submittals as amended with the elimination of the School site and in the packet."

Chair Harris said we will complete this and then I think we're going to have to suspend the rules for a little bit just to wrap up the work for the evening, started at 6:00 p.m. So this is the original packet. You're talking about an exhibit in their packet."

Mr. Thomas said, "That is correct, the Applicant's submittal, what is being proposed by the Applicant."

Mr. Shandler said, "I think there's been so many reiterations of this, I think staff is just trying to take a snapshot, the May 21<sup>st</sup> submittals, so we don't look at the March ones or the January ones, I think that's what Mr. Thomas just wants on the record."

Chair Harris said, "But that's also a condition. The reconfiguration of land tracts consistent with the Applicant's Submittal of December 29, 2014."

Mr. Shandler said, "The May 21<sup>st</sup>, but yes."

Mr. Thomas said, "I would recommend as presented in the May 21<sup>st</sup> Staff Report as presented for that packet."

**CLARIFICATION OF MOTION:** Chair Harris said, "So we have a motion by Commissioner Kadlubek, we have a second by Commissioner Padilla, we have considerable discussion that's identified 5 conditions of approval."

Commissioner Gutierrez said, "The School issue, about making sure they do something with that property."

Mr. Shandler said, "I think Mr. Chair that it seems like the majority of you on the Commission is not to adopt that type of language. I am sure there will be a very fruitful discussion at the Council about that topic area."

Chair Harris said, "Commissioner Gutierrez, your points were absolutely spot-on, but I don't think any of us believe we have necessarily the ability or the charge with putting that language in our conditions or even in any subsequent motion. I think one thing I may look at, or that we may look at. We just talked about a

cooperative agreement that was signed. Perhaps there's language in that cooperative agreement that would ensure that the School District performed, but I think Mr. Shandler's comments about how to implement that assurance would probably have to come from the Governing Body. But somehow we'll sort out how to raise it with the Governing Body."

Chair Harris said, "It's not necessary to recite the conditions, I think I've done that, you're got them. Okay. Roll Call vote."

**VOTE:** The motion was approved on the following Roll Call vote [5-0]:

**For:** Commissioner Chavez, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Ortiz and Commissioner Padilla

**Against:** None.

**Explaining his vote:** Commissioner Ortiz said, "If it was my preference, I would have postponed this thing, but I'm certainly not going to stay here and vote no on this one. It's just not going to happen because I think it's a really good project. I think the Applicant has done a really good job on all of this. I still debate about the parks stuff, and I hope it's all put together pretty well, all the conditions are together, and everybody can figure it all out. But, I vote yes."

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**MOTION:** Commissioner Padilla moved, seconded by Commissioner Kadlubek, to suspend the rules and continue the meeting past midnight.

**VOTE:** The motion was approved on a voice vote, with Commissioners Chavez, Gutierrez, Kadlubek, Ortiz and Padilla voting in favor of the motion and no one voting against [5-0].

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6. **CASE #2015-08. PULTE LAS SOLERAS PRELIMINARY SUBDIVISION PLAT. JAMES W. SIEBERT & ASSOCIATES, AGENT FOR THE PULTE GROUP, REQUESTS APPROVAL OF PRELIMINARY SUBDIVISION PLAT (77 LOTS) FOR PHASE 1 (UNITS 1 AND 2) OF DEVELOPMENT ASSOCIATED WITH THE PULTE MASTER PLAN AMENDMENT, GENERAL PLAN AMENDMENT AND REZONING. UNIT 1 OF THE SUBDIVISION IS IDENTIFIED AS "TRADITIONAL" DEVELOPMENT WHILE UNIT 2 IS IDENTIFIED AS "AGE TARGETED" GATED DEVELOPMENT. THE PROPOSED SUBDIVISION IS 30.9 ACRES WITH AN AVERAGE DENSITY OF 2.49 UNITS PER ACRE. THE PRELIMINARY SUBDIVISION PLAT ALSO INCLUDES A VARIANCE REQUEST FOR DISTURBANCE OF 30 PERCENT AND GREATER SLOPES AND AN INNOVATIVE STREET DESIGN. (ZACH THOMAS, CASE MANAGER) (Continued from May 21, 2015)**

Chair Harris said we haven't talked about some of the issues related to this case. We talked about gated developments, but we haven't talked about the affordable proposal.

Mr. Shandler said, "I think the affordable proposal goes directly to the Council. That's the way the Code is written."

Chair Harris said then we don't speak to it at all.

Mr. Shandler said, "That's my understanding."

Mr. Smith said, "Another significant issue raised by staff in the Staff Report regarding this subdivision, is the issue of the alternative road alignment. The Traffic Engineer has recommended that the Commission not approve the alternative road alignment proposed by the applicant."

Commissioner Chavez asked if the gated portion will come up later or is that something we discuss now.

Chair Harris said we are considering the Preliminary Subdivision Plat, and there is another case in the future, the Final Subdivision Plat, where the issue of gates would arise and also the roadway. He said there is also a variance request that we will have to act on tonight for disturbance of 30% or greater slope, or can that be deferred for more specific discussion under Final Subdivision Plat.

Mr. Thomas said, "The Variance Request is not necessary for Phase 1, in fact it is not listed as one of the entitlements of the 6 Case numbers you're voting on. It is the Phase 1, the 77 lots proposed for review would not require that variance."

Chair Harris said it states it in the summary, "The Preliminary Subdivision Plat also includes a variance request for disturbance of 30 percent and greater slopes..."

Mr. Thomas said, "That was the original case caption, that was required and was written up and advertised, but it isn't required for this case. The Application has been submitted to the Land Use Department. It ultimately wasn't required for this particular design of this Phase."

Commissioner Padilla said, "This Preliminary Subdivision Plat is for the 77 lots proposed for Phase 1, correct."

Chair Harris said that is correct.

Chair Harris asked Mr. Siebert if he would like to speak to any particular issue.

Mr. Siebert said, "On the alternative road section, I guess we would like some direction, and let me explain why. Right now, the roads are designed for a 32 foot roadway. If the Commission doesn't approve that, or doesn't make a decision on that, then the Engineer will continue to design it that way. We would like some direction at this point because it will require major re-engineering at the Final Plat. To address the Final Plat would require major revisions to the engineering. We would like to have that particular resolved. The one thing that did happen.... as I recall, when John Romero made his presentation, he said the problem is that you end up with 18 foot lanes which is insufficient from a fire standpoint, and we did

meet with Fire Marshal, Rey Gonzales, I don't know if Rey is still here or not. I guess not. It was our understanding that he was going to send a Memo to Land Use stating that he was okay with the road section that was being proposed. So I don't know what the status of that is."

Chair Harris said, "Remind us once again. We've been focused on everything else. I haven't spent a lot of time studying this alternative street design, but basically, what are you proposing. Are you proposing 32 feet from face of curb to face of curb and that would define a 9 foot driving line."

Mr. Siebert said, "Yes. I'm going to let Fred Arfman speak to the road section and the reason for it."

Mr. Arfman said, "Yes that would allow us to have parking on both sides of the street and a 9 foot travel lane in each direction. I'll let it soak in. So we have parking on both sides with 9 foot areas. In a residential street, they're not striped so people go in and out. And that is consistent with the International Fire Code which we brought up to Fire Marshal Gonzales, and he was in concurrence with that, and the reason he was going to send that Memo out. And we feel it's very important to have that 32 feet, because of the calming effects it has on traffic speeds, hence safety. So that was our whole reason for doing that."

Mr. Thomas said it is noted in Exhibit C(9) in the application submittals in the alternate street section, under the Subdivision Plan Set."

Chair Harris asked Mr. Arfman what is the modification, and asked if the modification is a reduction of two feet.

Mr. Arfman said, "It is 4 feet, it is from 36 to a 32 foot road."

Commissioner Padilla said, "The recommendation from the Traffic Engineering Department is to go with the 36 foot wide."

Mr. Thomas said, "The City standards for a subcollector with parking on both sides, with a 6 foot parking lane and 10 foot travel lanes, and that's from the Development Code."

Mr. Smith said it is curb to curb in the City Standards. He said it is 10 plus 10 and then 6 plus 6 for the parking is 32 feet from face of curb to face of curb.

Commissioner Kadlubek said, "If 32 feet is City standard, then what is the debate here. What's the problem here."

Mr. Arfman said you are forgetting there is 1½ feet of gutter pan, plus the thickness of the curb, the 6 inches which equals 2 feet on both sides, that's 32 plus 4 equals 36 feet.

Chair Harris said he assumes all the units have two-car garages, and there is 2 parking spaces in front of the garage.

Mr. Arfman said that is correct.

Chair Harris said, "Essentially 4 off-street parking spaces."

Mr. Arfman said, "Absolutely. And may I just please mention that the City Engineer at the same hearing last month endorsed the 32 foot wide road for a couple of reasons I believe. Maintenance and also calming effects."

Chair Harris said he thinks he heard her say it also means less asphalt and less hard surface.

Commissioner Padilla said, "Clarification. The engineer just stated that Mr. Romero has endorsed the modification."

Chair Harris said, "No. Ms. Zaxus the Engineer for Land Use endorsed that configuration."

Chair Harris said, "I think we have a pretty good understanding of that, and you might as well say a few things about a gated community. It's been mentioned earlier by myself and Commissioner Kadlubek. But for myself, I just don't think it's necessary gentlemen. I truly don't. I think it's... not that we're that special, but I don't think, as a society, I don't think we need to build so many gates, so many obstructions. Connectivity and cul-de-sacs, you've heard what I have to say there, but there really does need to be a more welcoming entrance to any neighborhood, and to me, that does not include a gate. That's the way I feel. And if you care to speak Mr. Price, you're certainly welcome to do so."

**Garrett Price, Pulte Homes [previously sworn].** Mr. Price said, I just wanted to add, so I spoke earlier that our designs are driven by the consumer, so starting two years ago, we did an analysis. We ended up getting roughly 3,000 responses, a pretty good sample size, for those people that both lived in New Mexico and also were outside New Mexico that were considering retiring or moving to New Mexico, Arizona, California and Texas. The things we got back of why they really liked New Mexico, are the things we all know as New Mexico. Climate and culture. They are the most important things that I love about New Mexico, but the thing they were most concerned about was safety. So it's not prestige or making the entry feel better or us trying to charge a premium. It's us listening to those people who told us their largest concern is safety."

Mr. Price continued, "We recently just went through the same challenges, and same feedback and it's all very valid, with the Environmental Planning Commission in Albuquerque where we did a Del Webb community, gated that as well. Again not to charge a premium or prestige, but to address the feedback we got from a sample size of 3,000 people retiring in New Mexico. It wasn't specific to Santa Fe or Albuquerque, it was just in general. We know we have a high rate of violent crimes, and bottom line why we're proposing that is because the consumer from the survey told us that's what they would like."

Mr. Price continued, "I want to also point out, that's roughly 60 homes that would be gated, 20%. So on an annual absorption of what we think our sales pace would be, that's roughly 15-20% of the annual closings. So it's a small portion of what Santa Fe's annual and closings are for single family residential. What it's doing is allowing the consumer a choice. In 90% of the other closings, most aren't gated, unless

you live in Las Campanas. Again, it's providing the consumer a choice and us listening to the consumer, and that's the reason why we chose to do it. Philosophically, I respect your opinion on society's view on that, but for this, it's not prestige or see it to be elitist, it is to address any concerns about safety."

Chair Harris said you have stated and are proud of the fact that you have developed more than 800 homes in Santa Fe, primarily under the Cen-Tex brand. And I realize it's a different product and you're looking at different people there. Are any of those communities gated.

Mr. Price said we had a condominium project, but Rancho Santos was not gated, I don't believe. He said many they bought from developers, Jeff Branch, Andrew Gerber, so this is the first one since they did Tierra Contenta Phase 1 when they have had the opportunity to design something with consumer feedback. He said the Chair of the Environmental Planning Commission in Albuquerque said the same thing, very similar comments, but said our role and our goal is not to tell society what to choose, we have to provide choices. He understands the General Plan discourages it, commenting some people choose to pay for that and live in those communities. He said they anticipate some of being second homes, so the ability to a walk and leave and feel secure is important, commenting their focus groups with local Realtors gave them this feedback.

Commissioner Gutierrez said gates only keep out honest people, and if someone is going to jump the gate, they're going to jump the gate. He asked if any of the other housing provides security and creates a job, and asked if they've talked about that.

Mr. Price said they do in some of the larger communities, noting the cost is passed to the homeowner through a Homeowners Association. He said it's not cheap to do this, and often the cost equates to the cost of the gates. He said we leave it to the homeowners to decide if they want to use their association dues for security. He said in some places they have manned gatehouses, with somebody there to check people in. They've built more than 600,000 homes, and he would love to show you the data and feedback and what people are thinking about New Mexico. He understands the concerns which are valid, but they're trying to do what the consumer wants them to do. He commenting they are building in two other places which won't be gated.

Mr. Price said gating also reduces the cost and expense to the City, and there are some pros to that because the streets are owned and maintained by the Association.

Responding to Mr. Smith, Chair Harris said he heard those will be private streets.

Mr. Smith said, "Gated private streets is what is proposed."

Commissioner Chavez said while she understands the question of the consumer, she feels our responsibility to consider the community as a whole, the wider community. She said Mr. Price makes some interesting arguments, but she's not sure at the gate to Santa Fe from Cerrillos, if this developing as one of the first entrances to Santa Fe, having a gated development is really in the best interest of the community. She said she doesn't know, she's just weighing that for herself right now.

Commissioner Kadlubek asked for a reminder of the location of the gated portion of the community as compared to Cerrillos and all of Las Soleras.

Mr. Price asked Kevin Patton if he has remarks. Mr. Price asked Kevin Patton to point out the section that is aged-targeted relative to Las Soleras and the access on Cerrillos.

**Kevin Patton, previously sworn.** *Mr. Patton's remarks are inaudible because he was away from the microphone.*

Councilor Chavez said this development is between the family development and the park, so anybody who is interested in talking their kids to the park has to walk. If you're in the southwest corner, you have to talk all the way up and around this gated community. You can't walk through to get to the park. If there's access gates, maybe. That would be interesting to know, but it feels like you're separating the public space from the family through the gates.

Commissioner Padilla asked that the developer describe what their age-targeted is.

Mr. Patton said, "Age-targeted is typically 55 plus, so oftentimes our Del Webb Brand under Pulte is best known for our Sun City communities or serving baby-boomers. Oftentimes we'll use the Housing for Older Persons Act to age-restrict, so 80% of the residents have to be 55 or older under that. In this case, we're just age-targeting, we're not putting restrictions, but our homes are designed, they're single story homes with lower bedroom count, we're not putting a tot lot in there. We're using our marketing to target that demographic which makes up a significant portion of Santa for targeted. Can a family buy in there, certainly, but the way we're designing the homes and the community design doesn't attack or appeal a family buyer. Does that answer your question sir. Thank you."

Commissioner Kadlubek said Commissioner Chavez's comments are well made and taken to heart. He would recommend, especially access to the park, as a significant argument here, that the Applicant consider that in coming back for final approval, whether it be access gates. To me that does come to mind. The gated community has immediate access to the nice, beautiful park space, while the non-gated community has to walk an extra half or quarter mile.

**MOTION:** Commissioner Kadlubek Moved, seconded by Commissioner Ortiz to approve Case #2015-08 Pulte Las Soleras Preliminary Subdivision Plat, with all conditions of approval as recommended by staff.

**CLARIFICATION:** Chair Harris said we aren't recommending to the Governing Body on a Preliminary Subdivision Plat, we review and decide, but there can be an appeal of that decision.

**RESTATED MOTION:** Commissioner Kadlubek moved, seconded by Commissioner Padilla, to approve Case #2015-08, Pulte Las Soleras Preliminary Subdivision Plat, as presented, with all conditions of approval as recommended by staff.

**DISCUSSION:** Chair Harris said the staff conditions run against the alternate street design. He said, "I didn't read them, but I believe they say stick with the standard profile, the 36 feet for a subcollector versus the 32 that is proposed."

Commissioner Kadlubek said he is unsure where we left off regarding that discussion. He said he will have the motion stand with staff conditions, and he is open to discussing it further.

Commissioner Padilla said, "Question for Mr. Thomas, the conditions of approval, could you point to them for us, let us know where they are. Are they in the original Staff Report."

Mr. Thomas said, "That is correct they are Exhibit A the proposed conditions in the May 21<sup>st</sup> Staff report, supplemented with the additional conditions referenced relating to the streets condition, which says, "All streets shall conform to City Street standards as defined in the City Code *[inaudible because of noise overlay]*."

Chair Harris said, "Here's my view on the alternate street design. I think it can work just fine, personally. I think there is also.... when it comes to streets, we always think there has been a major, not even concession necessarily is the way to describe it, but the fact that the developer and Pulte are going to take Beckner all the way through to Richards counts for something. Counts for a lot in really addressing things. For that reason... and I just also think the 32 feet in an age-targeted subdivision, I just don't think there's going to be a lot of through traffic. Also, because you have four off-street parking spaces, you've got a series of cul-de-sacs that I happen to like. My personal feeling is that 32 feet could work pretty well."

Chair Harris said, "Commissioner Ortiz, I'm really curious what you think about this road."

Commissioner Ortiz said, "I think we ought to stay with what staff has recommended. I just kind of feel that way. Roadways I know, there are so many issues in the past where we've done an incredible amount of things to slow down traffic, and in this particular aspect, it's going to be gated and I think we should have, for purposes of emergency vehicles, I think we should keep to what staff recommended."

Commissioner Padilla said we keep referring to, or least it's been referred to that it is in the age-targeted. Phase 1 is the 77 lots which is not just age targeted, but how many of the market rate units are there.

Mr. Patton said there are 60 conventional and 77 in the age-targeted group.

Commissioner Padilla said, "The roadway profile as requested by the Traffic Engineering Division is the entire Phase 1 which is the targeted as well as the regular."

Chair Harris said that is a valid point.

Commissioner Padilla said, "That would set the standard west of the subdivision. Mr. Thomas could you tell us, or Mr. Smith, a little bit about the width of the roads in Tierra Contenta."

Mr. Smith said, "While I cannot tell you specific curb-to-curb widths on this, in general the history on Tierra Contenta ended up with roads that were 20 feet or less, curb-to-curb with no parking areas. The next phase of Tierra Contenta was approved with one parking and two travel lanes. I believe the widths were 9 and 9 for the travel lane and 6 for parking, but I'm not certain about that. That also proved to be an enforcement problem and we ended up with future phases of Tierra Contenta, and were able to recommend that they have two travel lanes and two parking lanes. In terms of 9 feet versus 10 feet for travel lanes in terms of uses found for parking lanes, and have a gutter pan [inaudible]. We can get that information for you."

Commissioner Padilla said, "Thank you, because I've drive through and traveled Tierra Contenta. It's a disaster in some spots. The emergency vehicles, and just the jockeying for position as you're coming through. I would think we need to make sure we have appropriate widths, appropriate parking spaces for the development."

Mr. Smith said, "In terms of the... the Land Use Department has not taken a strong position one way or the other in discussion of the Tierra Contenta roadway standards which are sometimes used in other subdivisions as modified to the Road standards. At the time, the Fire Marshal was very definite in 1995 to 1999, that the Fire Code required 20 feet of travel lanes. And at that point that was the basis for the Road Standard. I can't speak for the Traffic Engineer though with regard to his opinion on the lane width."

Commissioner Padilla said, "I would like to follow up with the comment about.... sitting on the Summary Committee and sitting on the Planning Commission, the minimum road widths that are standard are no less than 20 feet wide for emergency vehicles. He said, "When 99 [?] is 18, you have cars parked there, and we're going to run into an issue with emergency vehicles. So I would support Mr. Ortiz's position on the road width and profile."

Mr. Patton said he has a copy of the Appendix D of the Fire Apparatus Access Roads. He said, "We had met not only with the Fire Marshal here in City who has endorsed the 32 foot face to face to meet this, because this the adopted International Fire Code. You've heard of the IFC, that both the City of Albuquerque and the City of Santa Fe recognize, and I think we also provided a packet to you that we passed out from the State of Oregon [Exhibit "4"], who in 2000 worked with the State of Oregon's Fire Marshal as well as Fire Marshals who also endorse, and you'll see in the back of that, there's a section that shows the 20 foot clear zone, it shows, I think it shows a 6 foot parking space. And the difference here that I see, and I would like to refer to, I've had 22 years as a professional engineer designing roadways in my career and most of them have 28 feet face to face and 32 feet is very wide. I've currently been petitioned by my kids' school they go to, to ask the City of Albuquerque to put in speed humps because the roadways are so wide, it just encourages greater speeds. There is data that shows when you put traffic calming devices in it does slow the traffic. We have shared that we do have the 4 spaces for off site parking you're not going to see a lot. Do, just to know that we do have an endorsement from both the City of Albuquerque and the City of Santa Fe Fire Marshal's Office."

Commissioner Padilla said, "Thank you, I appreciate that. I would like to just go on record to support recommendations of Staff and the Traffic Engineering Division on this issue. I appreciate that, understanding this is a Preliminary Subdivision Plat, and we will see it again at final, so at that point, we can take that up, but I'd like to stand firm on this one."

Commissioner Kadlubek said, "I think it is important to note for the Applicant that we don't have much to go off here, we have a condition from the Traffic Engineer. Unfortunately, the Traffic Engineer is not here right now to speak on such a strong condition. I've heard that possibly, based on our minutes of May 21<sup>st</sup>, another Traffic Engineer said it was okay, that she was in support of it. I've also heard that Fire Marshal Gonzales is fine with it as well. I would say if this can be brought forth to us before the Final Subdivision Plat then we could go from there, but for now we have to go with the existing conditions. I would like to say on the record that it would be appreciated by me, somebody who's here at 12:30 p.m. and not getting paid, that the staff member who put the condition here like this would be able to stay as long, given that they are collecting a paycheck to be able to speak to this issue. But you can't do anything about that now, so I think we have to just kind of stick with what we have in front of us. That's my opinion."

Commissioner Ortiz said, "I just have one quick comment. I was the Streets Director for many many years here in Santa Fe. And when we had had a bunch of upper managers, whoever it was, went up to the Oregon/Washington area. They came back with all kinds of fancy dancy ideas about traffic calming. And believe me, it really impacted my life, because we had all kinds of strange things, curb cuts, curb-outs, all kinds of weird stuff that I wasn't very happy about, because I'm a maintenance guy and we have to adjust to all of this stuff. And we had snow plows and things and it beat up our equipment, it was just a real problem. I see this, this is Oregon. We are in New Mexico. The way I see is I like a little bit of a wider street. I've seen people park they can't fit if a bigger truck comes by, it's just an issue. So that's kind of my last comment on that. Yes, we are New Mexico, and I know we brought a whole bunch of ideas from Oregon already. I'm not necessarily happy about them, but that's another part of my life."

**FRIENDLY AMENDMENT:** Commissioner Chavez asked to amend the motion – a friendly amendment in the form of a friendly request – that the Applicant consider creating some reasonable access to the park, from, I don't want to tell you how to do it, I don't know if it's possible, but to consider creating some kind of access to the park from the workforce housing area. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMISSION.**

**CLARIFICATION OF MOTION BY CHAIR PRIOR TO VOTE:** Chair Harris said, "So, we have a motion by Commissioner Kadlubek, seconded by Commissioner Ortiz, and a friendly amendment from Commissioner Chavez that has been accepted by the maker. Chair Harris asked Mr. Kadlubek to repeat his motion quickly as a reminder to the Commission. Commissioner Kadlubek said it was a motion to approve Case #2015-08 Pulte Las Soleras Preliminary Subdivision Plat, with staff conditions of approval and the friendly amendment accepted from Commissioner Chavez."

Ms. Smith said, "For the record, the motion will be *[inaudible]* in the community in the subdivision to consider reasonable access."

**VOTE:** The motion, as amended, was approved on the following Roll Call vote [5-0]:

**For:** Commissioner Chavez, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Ortiz and Commissioner Padilla

**Against:** None.

4. **CASE #2015-09. PULTE LAS SOLERAS ELECTRICAL TRANSMISSION LINE RELOCATION. JAMES W. SIEBERT & ASSOCIATES, AGENT FOR THE PULTE GROUP, REQUESTS APPROVAL TO RELOCATE AN EXISTING 115 KV ELECTRICAL TRANSMISSION LINE WITHIN THE LAS SOLERAS MASTER PLAN AS THE PART OF THE GREATER PULTE GROUP MASTER PLAN AMENDMENT, GENERAL PLAN AMENDMENT, REZONE AND SUBDIVISION REQUEST. THE PROPOSED RELOCATION WILL FOLLOW THE FUTURE BECKNER ROAD REALIGNMENT. (ZACH THOMAS, CASE MANAGER) (Continued from May 21, 2015)**

**MOTION:** Commissioner Gutierrez Chavez moved, seconded by Commissioner Padilla, to recommend to the Governing Body the approval of Case #2015-09 Pulte Las Soleras Electrical Transmission Line Relocation.

**VOTE:** The motion was approved on the following Roll Call vote [5-0]:

**For:** Commissioner Chavez, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Ortiz and Commissioner Padilla

**Against:** None.

## **G. STAFF COMMUNICATIONS**

Mr. Smith said at the July 2, 2015, Planning Commission meeting, there will be two new Commissioners, and you will be dealing with the election of officers, and appointment of Summary Committee members due to outgoing Commissioners.

Mr. Smith said at the Council meeting on June 24, 2015, the Governing will be considering the Blue Buffalo Rezoning and on July 8, 2015, the Governing Body will be considering the Morning Star senior residence.

Mr. Smith said staff wants to express their sincere thanks and appreciation to the outgoing Commissioners who aren't here tonight, and also to let them know that the outgoing Commissioners will be given Muchas Gracias at the City Council meeting on June 24, 2015 from the Mayor and City Council

Chair Harris said he is sure staff will in some fashion communicate this to the outgoing Commissioners.

## H. MATTERS FROM THE COMMISSION

Commissioner Ortiz said two people are needed on the Summary Committee for the meeting of July 2, 2015, so something needs happen.

Mr. Smith said Commissioner Ortiz may be eligible to participate as a Commissioner until the next Commissioner is appointed. They did have discussions with the Mayor to give attention to this specific issue.

Mr. Smith said it is possible the July Summary Committee will be postponed or meet on another day.

Chair Harris said there will not be a quorum of the Summary Committee and he thinks it should be postponed to August.

Commissioner Kadlubek thanked Commissioners Padilla and Ortiz for the support they have given during the transition time that got us through, and said he is sad to see them leave the Commission.

Commissioner Kadlubek said, "For the record, I attended the first Long Range Planning Committee meeting, and I have to say it was a total disaster. I could not believe the terrible state the meeting was in. It was run by the public essentially. I couldn't tell, a) what we were supposed to do, b) what the agenda was, c) who was in charge, d) what the procedure was. It was a disaster and if Commissioner Kapin was here she would back me up on this. I need some direction as to what to do with it, and I think there needs to be.... I don't where it starts, where that process starts, but there needs to be a real long look at what that Committee is, where it is located in City government, who is in charge of it, what its purpose is. I need some help with that, I don't know where to go, but to just please consider that."

Chair Harris said that has been his sense of things for a while, and the reason he has been pressing for a while. He agrees something needs to be done, but doesn't know who is tasked with that, but doesn't think it is going to come from within the Housing and Economic Development group.

Mr. Smith said the Current Planning staff will be meeting with them next week to discuss the process for the *[inaudible]* and he would be happy to relay concerns about the structure of the meetings to the Long Range Planning Staff at that time.

Chair Harris said for Commissioner Padilla whom he has known a long time, he has met his expectations and wishes him well, and know he will be involved in supporting efforts in the City on the Community Development Group and thanked him for his service. He said he didn't know Commissioner Ortiz at all and has been honored to work him on the Summary Committee which is a great group, and on the Planning Commission and said he respects him, wishes him well and thanks him for his service.

Commissioner Ortiz said he was honored to serve, noting he gave 28 years to the City, and 5 years to the Planning Commission, 33 years total in being involved in the City. He said it's time to step away. He said he listened and learned.

Chair Harris said a follow-up discussion he will try to have with Director Martinez and Mayor Gonzales. We have two remaining positions to be filled. He said with the loss of a professional architect in Commissioner Padilla and a professional engineer in Commissioner Ortiz, we really need some technical expertise in the remaining slots, not to take away from Commissioners Chavez, Kadlubek, Gutierrez, Kapin or the two new members, but we don't have the needed level of technical expertise to strike a balance, sort through and ask some of the questions that aren't immediately apparent unless you spent a lifetime on this stuff. He said Director Martinez told him she will make an effort to schedule a meeting between the 3 of us.

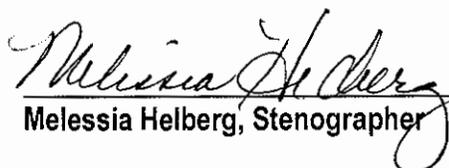
Mr. Smith said Councilor Bushee's Ordinance will come before the Council in July, if Commissioners are interested in tracking it.

Chair Harris said one of those positions embodies the expertise represented by Commissioners Padilla, Ortiz and Harris and my background in construction, so "that's not enough in my opinion."

Commissioner Padilla thanked staff for their time, noting he has seen street designs that gave them two more feet in the depth of the lots. He said you are in Preliminary plans right now, this is the time you want to do it. He thanked Mr. Shandler for his advice and patience with the Commissioners. He thanked Commissioner Gutierrez, Commissioner Ortiz and Chair Harris, saying it's been a pleasure and honor serving with them, as well as a privilege. He wished the new Commissioners the best of luck, commenting he's been impressed with the work they have done, and they obviously are reading the packets and asking good questions. He said, "The big thing is, don't be afraid to ask questions, and I know you 're not, so keep doing what you're doing, you're headed on the right path." He said Commissioner Chavez made a point earlier that we need to look at the big picture. He said he feels the Planning Commission is one of the important committees or commissions in the City, because you are looking at setting the tone for the future of our development past my lifetime, and maybe your childrens lifetime. He wished Chair Harris the best of luck.

## I. ADJOURNMENT

There was no further business to come before the Commission, and the meeting was adjourned at approximately 12:40 p.m.

  
Melessia Helberg, Stenographer

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Michael Harris, Chair