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 PLANNING COMMISSION MEETING
 Thursday, August 6, 2015

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NEW BUSINESS

CASE #2015-66. 820 CAMINO VISTAS ENCANTADA VARIANCE. JEFF MATHIS AND JULIA FJELDSTED REQUEST APPROVAL OF A VARIANCE TO ALLOW DEVELOPMENT WITHIN THE RIDGETOP SUBDISTRICT OF THE ESCARPMENT OVERLAY DISTRICT. THE 0.94 ACRE PROPERTY IS ZONED R-2 (RESIDENTIAL – 2 UNITS PER ACRE)

Approved w/conditions

5-6

OLD BUSINESS

CASE #2015-47. 455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER MASTER PLAN AMENDMENT. WHR ARCHITECTS, INC., AGENT FOR CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER, REQUEST REVIEW AND APPROVAL FOR MASTER PLAN AMENDMENT

Approved w/conditions [amended]

6-75

CASE #2015-74. 455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER DEVELOPMENT PLAN AND VARIANCES. WHR ARCHITECTS, INC., AGENT FOR CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER, REQUEST REVIEW AND APPROVAL FOR A DEVELOPMENT PLAN TO CONSTRUCT A 65,500 SQUARE FOOT ADDITION ON TRACT A-1-3 CONTAINING 20.65± ACRES AND FOUR VARIANCES TO INCLUDE:

Approved w/amendments

6-75

- VARIANCE TO THE “MAXIMUM HEIGHT OF STRUCTURES” PER TABLE 14-7.3-1: “TABLE OF DIMENSIONAL STRUCTURES FOR NONRESIDENTIAL DISTRICTS” TO ALLOW 49’ WHERE 36’ IS THE MAXIMUM; AND
- VARIANCE TO THE “MAXIMUM HEIGHT OF STRUCTURES” PER SUBSECTION 14-5.5(A)(4) “STANDARDS,” TO ALLOW 49’ WHERE 25’ IS THE MAXIMUM; AND

Approved

6-75

- VARIANCE TO THE MAXIMUM SIZE OF SIGN PER SUBSECTION 14-8.10(G)(2) FOR C-1 DISTRICTS TO ALLOW 80 SQUARE FOOT SIGNS WHERE 32 SQUARE FEET IS THE MAXIMUM; AND
- VARIANCE TO THE MAXIMUM HEIGHT OF SIGN PER SUBSECTION 14-8.10(G)(4) FOR C-1 DISTRICTS TO ALLOW A SIGN HEIGHT OF 37 AND 46 FEET WHERE 15 FEE IS THE MAXIMUM

Approved

6-75

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<u>NEW BUSINESS</u>		
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<u>CASE #2015-58.</u> GERHART APARTMENTS REZONING. SCOTT HOEFT OF SANTA FE PLANNING GROUP, AGENT FOR STORM RIVER LLC REQUESTS REZONING APPROVAL OF 11.83± ACRES OF LAND FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-21 (RESIDENTIAL, 21 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED AT 2800 SOUTH MEADOWS ROAD	Postponed to 09/03/15	75-85
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**MINUTES OF THE MEETING
OF THE
PLANNING COMMISSION
August 6, 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 4, 2015, in the City Council Chambers, City Hall, Santa Fe, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Commissioner Michael Harris, Chair
Commissioner Brian Patrick Gutierrez, Secretary
Commissioner Katharine Anne Chavez
Commissioner Justin Greene
Commissioner Vince Kadlubek
Commissioner Piper Kapin
Commissioner Sarah Cottrell Propst
[Vacancy]
[Vacancy]

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

Commissioner Kadlubek would like to move item #F(1) Case #2015-66, 820 Camino Vistas Encantada Variance to be heard before Old Business, and would like to get that case out of the way before we consider the two larger items.

MOTION: Commissioner Kadlubek moved, seconded by Commissioner Kapin, to approve the Agenda as amended.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

Chair Harris introduced Commissioner Sarah Cottrell Propst and welcomed her to the Commission.

Chair Harris introduced Kelley Brennan, City Attorney, who would like to make a few remarks to the new Commissioners.

Ms. Brennan said she wanted to introduce herself, and to invite the Commissioners to come talk with her at some point if you're in the building. She said if you have questions she tries to be available, noting her office is on the second floor and is clearly labeled, noting staff usually knows where to find her if she's not there. She said she looks forward to speaking with each of the new Commissioners.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

MINUTES: JUNE 18, 2015 AND JULY 2, 2015

The following corrections were made to the minutes of the meeting of June 18, 2015:

Page 59, paragraph 2, line 2, correct as follows: "~~..to the School del School~~ Monte del Sol School."

Page 69, line 2 RESTATED MOTION, correct as follows: "~~..Commissioner Padilla Ortiz to approve~~ recommend approval to the Governing Body of...."

Page 72, paragraph 2, line 7, correct as follows: "~~.... who's here at 12:30 p.m.~~ a.m."

MOTION: Commissioner Kadlubek moved, seconded by Commissioner Greene, to approve the minutes of the meeting of June 18, 2015, as amended.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

The following corrections were made to the minutes of the meeting of July 2, 2015:

Global correction of "Probst" to "Propst."

Page 3, paragraph 7, correct as follows: "... for the ~~Lost~~ Ross' Peak case."

Page 44, paragraph 9, line 4, correct as follows: "...with ~~4'~~ 14' of fill...."

MOTION: Commissioner Greene moved, seconded by Commissioner Kadlubek, to approve the minutes of the meeting of July 2, 2015, as amended.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

FINDINGS/CONCLUSIONS:

A copy of the Findings of Fact and Conclusions of Law in Case #2014-119, Ross' Peak Final Subdivision Plat, is incorporated herewith to these minutes as Exhibit "1."

A copy of the Findings of Fact and Conclusions of Law in Case # 2014-124, Pulte Las Soleras General Plan Amendment; Case #2014-123, Pulte Los Soleras Master Plan Amendment; Case #2014-125, Pulte Las Soleras Rezoning; Case #2014-128, Pulte Las Soleras Electrical Transmission Line Location; Case #2014-126, Pulte Las Soleras Lot Line Adjustment; and Case #2015-08, Pulte Las Soleras Preliminary Subdivision Plat, is incorporated herewith to these minutes as Exhibit "2."

A correction page for Page 6 of 12, of the Findings of Fact and Conclusions of Law in Case # 2014-124, Pulte Las Soleras General Plan Amendment; Case #2014-123, Pulte Los Soleras Master Plan Amendment; Case #2014-125, Pulte Las Soleras Rezoning; Case #2014-128, Pulte Las Soleras Electrical Transmission Line Location; Case #2014-126, Pulte Las Soleras Lot Line Adjustment; and Case #2015-08, Pulte Las Soleras Preliminary Subdivision Plat, is incorporated herewith to these minutes as Exhibit "3."

A copy of the Findings of Fact and Conclusions of Law in Case #2015-54 and Case #2015-55, 4150 Cerrillos Road Sign Variance, is incorporated herewith to these minutes as Exhibit "4."

1. CASE #2014-119. ROSS' PEAK FINAL SUBDIVISION PLAT.

MOTION: Commissioner Kadlubek moved, seconded by Commissioner Kapin, to approve the Findings of Fact and Conclusions of Law in Case #2014-119, Ross' Peak Final Subdivision Plat as submitted.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

2. **CASE #2014-124. PULTE LAS SOLERAS GENERAL PLAN AMENDMENT.**
3. **CASE #2014-123. PULTE LAS SOLERAS MASTER PLAN AMENDMENT**

Chair Harris offered the following correction on the revised finding [Exhibit "3"], on page 6 of 12:

Correct Finding #40 as follows: add at the end of the sentence, "Turning lane improvements at Richards Avenue will also be constructed."

Correct Finding #41 as shown on the revised finding [Exhibit "3"].

4. **CASE #2014-125. PULTE LAS SOLERAS REZONING.**
5. **CASE #2014-128. PULTE LAS SOLERAS ELECTRICAL TRANSMISSION LINE RELOCATION.**
6. **CASE #2014-126. PULTE LAS SOLERAS LOT LINE ADJUSTMENT.**
7. **CASE #2015-08. PULTE LAS SOLERAS PRELIMINARY SUBDIVISION PLAT.**

MOTION: Commissioner Kapin moved, seconded by Commissioner Kadlubek, to approve the Findings of Fact and Conclusions of Law in Case # 2014-124, Pulte Las Soleras General Plan Amendment; Case #2014-123, Pulte Los Soleras Master Plan Amendment with the corrections by Chair Harris; Case #2014-125, Pulte Las Soleras Rezoning; Case #2015-09, Pulte Las Soleras Electrical Transmission Line Relocation; Case #2014-126, Pulte Las Soleras Lot Line Adjustment; and Case #2015-08, Pulte Las Soleras Preliminary Subdivision Plat, as submitted by staff.

DISCUSSION: Chair Harris said he listened to Commissioner Kapin and he thinks the cover page this evening did not list the case number correctly for the Electrical Transmission Line Relocation, because she read 2015-09, noting everything else on the actual findings show that as Case # 2014-128.

Commissioner Kapin asked if she needs to amend the motion.

Chair Harris asked Commissioner Kapin to restate the motion.

Mr. Smith said, "If it pleases the Commission, if the Commission would like to make a motion to the effect that the Case numbers will be corrected to match the record, staff will proceed with that... and another couple of discrepancies I don't think the Commissioners have picked up on yet. I think if the intent is clear with the form of that motion, then staff will make the corrections with the Recording Secretary in the version that will be signed and filed.

RESTATED MOTION: Commissioner Kapin moved, seconded by Commissioner Kadlubek, to approve Findings of Fact and Conclusions of Law in Case # 2014-124, Pulte Las Soleras General Plan Amendment; Case #2014-123, Pulte Los Soleras Master Plan Amendment with the corrections by Chair Harris; Case #2014-125, Pulte Las Soleras Rezoning; Case #2014-128, Pulte Las Soleras Electrical Transmission Line Relocation; Case #2014-126, Pulte Las Soleras Lot Line Adjustment; and Case #2015-08, Pulte Las Soleras Preliminary Subdivision Plat, as submitted by staff, and that the Case Numbers will be corrected to match the record and staff will make the corrections with the Recording Secretary in the version that will be signed and filed.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

8. CASE #2015-54. 4250 CERRILLOS ROAD SIGN VARIANCE.

9. CASE #2015-55. 4250 CERRILLOS ROAD SIGN VARIANCE.

MOTION: Commissioner Greene moved, seconded by Commissioner Propst, to approve the Findings of Fact and the Conclusions of Law in Case #2015-54, 4250 Cerrillos Road Sign Variance and Case #2015-55, 4150 Cerrillos Road Sign Variance, as submitted.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

F. NEW BUSINESS

- 1. CASE #2015-66. 820 CAMINO VISTAS ENCANTADA VARIANCE. JEFF MATHIS AND JULIA FJELDSTED REQUEST APPROVAL OF A VARIANCE TO ALLOW DEVELOPMENT WITHIN THE RIDGETOP SUBDISTRICT OF THE ESCARPMENT OVERLAY DISTRICT. THE 0.94 ACRE PROPERTY IS ZONED R-2 (RESIDENTIAL – 2 UNITS PER ACRE). (NOAH BERKE, CASE MANAGER)**

A Memorandum dated July 28, 2015 for the August 6, 2015 Meeting, to the Planning Commission from Noah Berke, Senior Planner, Current Planning Division, in this matter, is incorporated herewith to these minutes as Exhibit "5."

Noah Berke presented information in this matter. Please see Exhibit "5," for specifics of this presentation.

Public Hearing

Presentation by the Applicant

Jeff Mathis, 820 Vistas Encantada, owner was sworn. Mr. Mathis said he has no comment at this time. He said, "We feel like we provided the requested information. We feel that our request does meet the intent of the Escarpment District, even though it at present violates it. We think it's the least impactful.

Chair Harris asked Mr. Mathis if he has read, understand accept the 7 conditions of approval.

Mr. Mathis said, "I have read, and we accept, the 7 conditions."

Speaking to the Request

There was no one speaking to the request.

The Public Testimony Portion of the Public Hearing was closed

MOTION: Commissioner Kadlubek moved, seconded by Commissioner Kapin, to approve Case #2015-66, 820 Camino Vistas Encantada Variance, with all conditions of approval as recommended by staff.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners, Greene, Gutierrez, Kadlubek, Kapin and Propst, voting in favor of the motion, no one voting against, and Commissioner Chavez absent for the vote [5-0].

E. OLD BUSINESS

- 1. CASE #2015-47. 455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER MASTER PLAN AMENDMENT. WHR ARCHITECTS, INC., AGENT FOR CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER, REQUEST REVIEW AND APPROVAL FOR MASTER PLAN AMENDMENT. (DAN ESQUIBEL, CASE MANAGER) (Postponed from July 2, 2015)**

Items E(1) Case #2015-47, E(2) Case #2015-74, and E(3) Case #2015-75, were combined for the purposes of presentation and discussion, but were voted upon separately.

A Memorandum dated July 29, 2015 for the August 6, 2015 Meeting, to the Planning Commission from Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division, regarding Case #2015-47, 455 St. Michaels Drive Christus St. Vincent Regional Medial Center Master Plan Amendments, Case #2015-74, 455 St. Michaels Drive Christus St. Vincent Regional Medial Center Development Plan and Variances, and Case #2015-75, 455 St. Michaels Drive Christus St. Vincent Regional Medial Center Special Use Permit, is incorporated herewith to these minutes as Exhibit "6."

Copies of the following documents are on file in, and can be obtained from, the Land Use Department:

A letter dated July 19, 2015, with attachments, to the Planning Commission, from David Aube, regarding Christus St. Vincent Regional Medical Center, Inpatient Bed Wing Project; Campus Master Plan, Approved by Resolution No. 1985-36 and amended by Resolution No. 2006-83; *Christus St. Vincent Nursing Unit*, WHR Architects; and Ordinance 1985-15.

A Memorandum dated August 6, 2015, with attachments, to the Planning Commission, regarding additional information, submitted by staff, is incorporated herewith to these minutes as Exhibit "7."

A letter dated August 3, 2015, to Gail Rapoport, with attachments, from Daniel Slavin, SVHsupport, Director of Finance, is incorporated herewith to these minutes as Exhibit "8."

A copy of *Proposed Condition of Approval regarding 17.5% fair share contribution to improvements at Galisteo/San Mateo Intersection*, submitted for the record by Jennifer Jenkins, is incorporated herewith to these minutes as Exhibit "9."

An aerial photo of the subject site, submitted for the record by Annette Granillo, Transit Division, is incorporated herewith to these minutes as Exhibit "10."

A series of color drawings used by Jennifer Jenkins in her presentation, demonstrating Vehicular Traffic Flow, Vertical Circulation & Department Adjacencies, Façade and Roof Materials, and the Campus Master Plan, are incorporated herewith collectively to these minutes as Exhibit "11."

Chair Harris said, "Let me just state that when we have postponed cases in the past, such as the series of Las Soleras cases that we just approved the findings...we're back in the portion of the consideration that is really for the Commissioners to ask questions, get those answers and really a dialogue for the most part between the staff, the Case Manager Mr. Esquibel or any other staff members who may be present, certainly the Applicant. We do not reopen the Public Hearing, but there is specific new information that comes to light, we would ask that a representative from the Homeowner's Association can step forward and speak to that, but the public session was held a month ago, so we're just really going to focus on the Q & A from the Commissioners as well as any response on new information that may come up as a result of that Q & A. So with that, Mr. Esquibel."

Dan Esquibel presented information in this matter. Please see Exhibit "6," for specifics of this presentation. Mr. Esquibel would like to include as part of the conditions on Exhibit A, the requested conditions as part of the MPO, which was listed in Exhibit B in the new DR, noting those mainly address the trails.

Chair Harris said there is a new statement in response to the proposed Master Plan Amendment. He said before he moves into the specifics of the questions and answers that have been asked previously, as well as any new ones that may come up, he would like to hear what the Commissioners have to say about the proposed Master Plan Amendment, on which the Commissioner will make a recommendation to the Governing Body. He said a new analysis was written as the result of discussions between staff and the applicant which is comprehensive and well stated.

Mr. Esquibel said staff looked at the analysis of the Master Plan and compared it to the Master Plan criteria. There is an existing Master Plan, amended in 2006 and the requests for changes which actually change some of the conditions that were proposed and solidified under the Resolution that was adopted in 2006. Those changes are also identified in the Memo on page 3 under Scope. He said with regard to items that were not solidified based on the questions asked by Chair Harris at the initial meeting, those were included in Exhibit B, the last page starting after the DRT comments. Staff outlined which conditions were not perfected by the applicant. A building permit was issued subsequent to the Emergency Room expansion, the Surgical Center. He said at the time that went through, under the previous Director, it was deemed that because the building did not exceed 10,000 sq. ft., it did not trigger a development plan. And as such they were allowed to move forward with a building permit to construct, and the reasons these conditions weren't implemented. He said this is based on a discussion he had with David Aube, and he has no reason not to believe that is what happened since they did get a building permit for that.

Chair Harris said on Table 1, Scope of Request, on page 3 of the Staff Report, removing certain buildings and doing certain things and adding an 1,800 sq. ft. Central Utility Plan, you don't list the 65,500 sq. ft. addition. It is listed under the Development Plan.

Mr. Esquibel said that was an oversight by him, but that would be included as part of the overall master plan, and "I would state that for the record."

Chair Harris said regarding the 30 year request. The Master Plan was approved in 1985, amended in 2006, and in 2015 we're looking at a Special Use Permit in a C-1 District. He said a month ago there was a discussion about the reason it isn't zoned appropriately as HZ, a Hospital Zone. There was disagreement between the applicant and staff about what HZ meant. He said if you look at Chapter 14, it's really not clear HZ is to encompass. He said we have a specific recommendation here, and he isn't saying we should be looking at a rezoning now. He is going to propose a further recommendation for the Master Plan Amendment to the Governing Body to state something like the following, "The Commission further recommends that this be the final amendment to the 1985 Master Plan and that the further development of the Christus St. Vincents Regional Medical Center properties be in response to rezoning of the property to an HZ classification with specific criteria for a CSV Hospital Zone." He hasn't discussed this with staff, and asked what the staff, Commissioners and Applicant think about this language. He said after 30 years, we're still trying to make it work. We have a defined Hospital Zone in Las Soleras, a site of a similar size and he thinks its appropriate to start a process to define the Christus St. Vincents Regional Medical Center and surrounding properties as a Hospital Zone and what that means.

Greg Smith said, "I tried to briefly explain the history of the HZ and won't go back into that. We did discuss the alternative zoning text and map amendments as opposed to continuing variances and master plan amendments. In general, staff takes the position that a decision by today's Planning Commission and the City Council that purports to prohibit any of any future amendments, although it's clear in stating the intent, the effect is problematic in that condition could itself be amended at a future time. And the process the Commission may recommend to the Council and to future Commission, in effect... it's not coming out as a clear explanation. I do believe that the steps that you describe would be legally proper to do. And as noted in the past, staff understands the issues related to the continued amendment of a 30 year old master plan versus the possibility of a Code amendment that would make it more clear. It would also likely streamline the process for future applications. And the Commission, I suppose, might recommend master plan language regarding the Commission's intent that there not be further amendments to this master plan. The Commission might, as a separate action, recommend that the Governing Body initiate appropriate Code amendments to the HZ regulations and the zoning map."

Chair Harris said he doesn't fully understand what Mr. Smith just said, to be clear. But he thinks he heard him say he thinks there are legal issues associated with prohibiting further master plan amendments. He thought he read and understands that there is a life of perhaps 15 years to master plans within the Land Use Code.

Mr. Smith said master plans expire if not used in 5 years. Once the master plan is developed, the provisions of the development remain in effect indefinitely. The Commission or the Governing Body may grant a longer than 5 year period for explorations of phasing to do that, then they approve phasing that stretches out over a longer period than 5 years if they choose to do that.

Chair Harris asked Mr. Shandler his thoughts on how this could be brought to the Governing Body for its consideration, if it's appropriate, and without being a waste of time if it's simply not going to happen by amending a master plan that barely works.

Zachary Shandler, Assistant City Attorney said, "I'm focused on the verb 'recommend.' I think that may alleviate any legal concerns. I'm now doing research on when master plans expire, and I'll try to get back to you once I find the appropriate citation."

Mr. Esquibel said Legal Counsel has indicated, when the Planning Commission makes a recommendation to the City Council, it is a non-binding recommendation. It is up to the Governing Body to consider the recommendation and take it a step further. He said by making a recommendation to take it from a master plan and special use permit to an actual zoning classification for HZ, it's not necessarily a waste of time, it's what the Commission has vetted during the process and made and recommended to the Governing Body. If one of the Councilors finds it's a good cause and wants to sponsor that bill, they have the ability to initiate that process, but that's where it would go.

Chair Harris said this is the reason he began with "further recommends." He understands it's a recommendation, but he thinks it's worthy of discussion. He asked the Commissioner's thoughts.

Commissioner Greene said he kind of agrees, but he doesn't like the idea of kicking the ball down the court, but he likes the opportunity with the applicant, because "we as a body can start that process. And maybe we as a body want to start the HZ rezoning process here today and get staff to start that process."

Mr. Smith said, "Working from memory, amendments to the zoning map, and amendments to the zoning text may be initiated by the Planning Commission in theory and practice. The procedures of the Governing Body require that there be a City Council sponsor before a bill is introduced to the Governing Body for formal consideration."

Chair Harris thinks a Master Plan amendment now would be appropriate to move things forward in some fashion. He is thinking about a year of discussion while the site is being worked on, the neighbors are involved and people are thinking of the Christus St. Vincents Regional Medical Center and what it means. We heard testimony last month they plan to be there 40-50 years as reflected in the minutes, and he expects them to be there. He said the option of amending a master plan every so often that is already outdated and hard to read – it's appropriate to ask the Governing Body if it's worthy of discussion. He thinks they would send it back to us if they agree.

Mr. Smith said again, in terms of the amendment, it is clearly within the purview of the Planning Commission to apply for rezoning in preference to pursuing future Master Plan amendments.

Commissioner Kadlubek said he is interested in knowing what HZ actually is in its current form. He said we heard testimony from the applicant when we last saw this case, that HZ isn't a zoning that would serve a hospital, ironically. He said he would feel more comfortable about making a recommendation if he understood what HZ is more fully. He said our intention should be to have some agility here, especially with an institution that is going to be serving the public and the public good for the next 50 years, and should have that agility to serve as efficiently as possible. He doesn't know if HZ is the right zoning, and if that needs to be modified. He said another question would be an explanation of how the Las Soleras HZ zoning was put in place and how that was modified to serve the hospital in Las Soleras.

Mr. Smith said, "In a brief recap of the history of the various iterations of the HZ, in the timeframe of 1985-1986, I believe several things happened. First, the Hospital site was zoned C-1. As conditions of approval in that C-1 rezoning, the Governing Body approved as part of the Hospital Rezoning Ordinance, a requirement that there be a Master Plan they approved by Resolution, a Master Plan for a hospital campus all in the C-1 District. During that same several year time period, shortly thereafter, the Planning Commission and Governing Body adopted the Highway Corridor Overlay District, and also within that same several year timeframe, they adopted the HZ Hospital Overlay Zone, it was called at the time. And the HZ zone, when it was adopted, was intended to provide to accommodate small scale, primarily medical office related businesses in the area generally north of St. Michael's Drive within several blocks primarily west of the Hospital, and that is where it is applied today."

Mr. Smith continued, "In 2007-2008, the Hospital Zone was amended, its purpose expanded to make specific provisions for the Las Soleras Hospital Zoning site, so there were specific provisions. In the two subdistricts, St. Vincents Hospital Subdistrict and Las Soleras Hospital Subdistrict, were created in 2007. So currently the Hospital Zone has two very distinct characteristics. It is intended to accommodate small scale office development in the vicinity of the St. Vincent Hospital, and it is intended to accommodate the very large scale hospital that is intended to be build in the Soleras District."

Commissioner Propst said the question is, is an HZ Zone going to make this process easier the next time the Hospital wants to do something. And if the answer is yes, then we should think about that.

Chair Harris said in his opinion he thinks it would be easier with a broader set of criteria to which the applicant could respond without getting into some of the specifics that we find ourselves dealing with now. He said it would be no small matter to get to a definition that would be workable for all parties.

Mr. Esquibel said that is correct. "The zoning would allow you to establish development standards specifically for that particular area you are rezoning. Where a height variance may be required, you might establish height standards and only if they were breaching that height standard would they need a variance. Setbacks would also be incorporated, terrain management standards would fall under the same standards. There are specific criteria you can develop specifically for this hospital, taking into account all of the areas such as the South Central Highway Corridor, the area surrounding the residences and including what is need in order to identify the scope of the Hospital needs. So when they apply, it would meet that criteria specific to that Hospital Zone as they ran through the application process, and whether it triggered a review before this body through those standards, or they were able to apply under administrative review, those development standards specific to the Hospital Zone would kick in. Rather than special use and variances.

Chair Harris said, in his opinion, for example, the South Central Highway Corridor, as it applies to the 600 feet of frontage that Christus St. Vincent has, doesn't mean a thing. There are a lot of hoops have been created over time that are no longer appropriate. He thinks a process should be considered to bring everybody current.

Commissioner Kapin asked Mr. Smith to further clarify the difference. She understands and can see on the map around Christus that some of the smaller areas are zoned HZ where there are medical offices and support. She asked what got updated to Las Soleras that sets it apart. She can see how these two things are very different. After that, she would offer an example that she learned last time about the zoning, and how she thinks it could be useful.

Mr. Smith said, "The Soleras simply added a completely independent provision that established a height limit for a hospital building in that zoning district that was created for the Las Soleras HZ Hospital District. There were also... at that point the Council added language to that in terms of the need to review various hospital need type issues, in economic demand and supply of hospital services provisions that were added with regard to the Soleras Hospital District specifically. So as Mr. Esquibel points out, and I stopped short of saying in my previous response, the point would be to add a third set of provisions that would be specific to the form of the review process for the St. Vincents Hospital future expansions."

Chair Harris recognized Jennifer Jenkins for remarks.

Jennifer Jenkins, Agent for the Applicant, was sworn. Ms. Jenkins said they could not agree more on this question that it is appropriate to pursue a rezoning classification. She said they will be writing a zoning classification that does not exist currently. They have what was done for Las Soleras which was created in the EZ when that property was still in the County. She said there are elements there that could serve as a template for a Hospital Zone for an acute care facility like St. Vincents. She said, "It's a square peg in a round hole, with respect to the current C-1 zoning. To create something that is appropriate and reflective of this facility, we would agree. And we actually have every intention of connecting with staff once we are through this process and get construction underway, about what are the steps to collaborate with staff and actually widen the zoning classification."

Ms. Jenkins continued, "They have no anticipation of master plan amendments that may come up, and it's not a process they would invite in the future." She said they can't control the outcome of the process. It will be completely discretionary on the part of the Governing Body to engage in it and/or to approve a zoning classification. They have to approve a new Ordinance that creates it, and then they have to approve a rezoning to that, which could take years. She said they would welcome a separate motion to the Governing Body encouraging this, and they are completely on board. However, a prohibition against additional master plan amendments would be problematic if something comes up that is unexpected with respect to the site, or an additional improvement that would necessitate where there is a process we don't have 100% control over, that would definitely be problematic.

Chair Harris thanked Ms. Jenkins for her input.

Commissioner Greene asked the Chair if he would like to treat this as a condition of the Master Plan, as a condition to put a timeline that the Applicant has to start applying and working with staff to develop this.

Chair Harris wants to state it in some fashion, noting Mr. Smith talked about the legality of finality, saying his language isn't appropriate in terms of a final amendment, and perhaps we can take a stab at it while we're having this discussion.

Commissioner Propst asked if she understood staff to say they want a separate motion for this outside the conditions of approval.

Chair Harris said we are providing recommendations to the Governing Body for the Master Plan Amendment, and it is outlined for us in the staff report. He was considering expanding on the recommendation, commenting perhaps it is more appropriate to have a motion. He asked Mr. Smith and Mr. Shandler to comment.

Mr. Smith said, "It's possible to conceive of a motion that limits the time within which an application for a master plan amendment you might imagine conditions of approval. You might be able to create conditions of approval that would effectively the Applicant to either apply to amend the Master Plan in an unusual way, or to file a completely separate application. I hear Commissioners mentioning conditions of

approval of this Master Plan Amendment that requires them at some future date or by a future deadline to pursue a separate action. In general, I think it would be cleaner if the Commission acted on its conditions of approval for this application, and then a separate motion with regard to their advice to the Governing Body and the Applicant with regard to future applications.”

Chair Harris said then you're recommending a separate motion, and Mr. Smith said he believes it is the most simple and clear way to do it.

Commissioner Kadlubek said it seems as if this is a decision that probably should be made ultimately by the Governing Body and not added to this current case. It seems to be a larger discussion and should have a bit more breathing room than tied to something that is so urgent and immediate.

Chair Harris reiterated that we are recommending as worthy of discussion and possible movement – letting them know our thoughts as the result of working through this case.

Commissioner Kadlubek reiterated he thinks it should be a recommendation to the Governing Body rather than a condition of approval. He said we are going to recommend that the Governing Body recommend amending the HZ zoning, that we also take into consideration the need to bring the interests of the neighborhood into it. He said that way the surrounding neighborhoods aren't placed in a whole new zoning category that could have more intense repercussions.

Commissioner Kapin asked the harm in creating a condition with a timeline that it needs to be initiated by the applicant at a certain point, commenting she thinks this would be productive. She said the neighborhood is engaged, the Applicant is engaged, things are happening and there is discussion of this building being improved in the future – that is anticipated even if it's 10-15 years down the road. She wonders the harm in such a condition.

Commissioner Gutierrez said Ms. Jenkins stated that they do agree the zoning needs to be changed. He asked if they were to bring it forward, do they need to find a sponsor on the Governing Body.

Mr. Esquibel said an application by the Applicant would come before this body and then it would go to the City Council. He said an application that came from the City needs to be sponsored by one of the Councilors in order for it to move forward.

Commissioner Gutierrez said St. Vincents is thinking the build-out is about 18 months.

All those speaking on behalf of the Applicant were sworn en masse at this time

Jason Adams, Chief Operating Officer, Christus St. Vincents was sworn. Mr. Adams said with regard to the timeline, the new portion of the building is about 18 months, and then they will go back and do the refurbishment component which will take 2½ to 3 years, depending on what they run into with their NEP systems. The project is defined by two very distinct phases with new construction versus refurbishment. He wanted to make sure this is clear in terms of the overall timeframe.

Commissioner Chavez arrived at the meeting

Commissioner Gutierrez asked if the new construction would require a Certificate of Occupancy and Mr. Adams said yes.

Commissioner Gutierrez asked if we're thinking about an 18 month timeframe, and Mr. Adams said approximately.

Commissioner Gutierrez said since we're talking about timelines and "you guys have said you are willing to come in, what if you ask for a condition of approval to start at 12 months and make sure the ball is rolling before the CO is issued. He said the neighbors have said several things were left undone in the last project.

Mr. Adams said, as discussed at the last meeting, in terms of being able to receive the CO for the building, all those Master Plan requirements we've discussed previously must be fulfilled prior to receiving the CO, so he thinks that is the neighborhood's protection in terms of assuring it is completed. He said, "Since it's a process we don't completely control, I'm hesitant to say I can't get a CO for a \$40 million building until this process is moved along. We can certainly submit a letter of interest stating we would like to work with the City to create a true acute care hospital zone, and I think that's very important to define this as an acute care hospital and not just HZ. It is his understanding the HZ has some specifics for medical office buildings and things of that nature that may or may not apply to our campus. So we can certainly submit within the next 6 months a letter of interest to start that process, but to withhold the CO associated with it making or having any traction or movement, I'm a little concerned about that process."

Commissioner Kadlubek said where he sees the harm in adding this as a condition of approval, is that this is not the Applicant's problem. This is the City's zoning problem. He said by attaching it as condition of approval for the Applicant, we're putting something on the Applicant's shoulders that needs to be done by the Governing Body through Land Use – to come up with proper zoning for a hospital. We would be tying them to a large bureaucratic process that should be happening "for them, not by them."

Commissioner Greene said there can be some give and take, because the Applicant is asking for something. He said we need to keep open that they're willing to work and maybe think about some sort of timeframe.

Commissioner Kapin asked if the rezoning is initiated by the Applicant, if it could just get into process versus having to be initiated by a City Councilor. Are these the two options – the same outcome, but one initiated by the Applicant and could go straight into work with Land Use.

Mr. Smith said, "Two general procedures. One is the procedure for amendment of the Zoning Map, and any property owner may apply to rezone his property to any existing zone district, given consistency with the General Plan and other application requirements. Christus St. Vincent could apply to rezone the property to the HZ Hospital District. However, the complication is that the text of the Ordinance does not envision a specific standard or bridge of allowed uses. So it also has to be a text amendment. The standard process for text amendment is different and typically does require a Council sponsor. I

would imagine that if the Commission provides strong direction/strong recommendation to the property owner and the Governing Body, and the Governing Body accepts that recommendation, then the staff and the Governing Body and the Applicant will be able to work out that application process. Yes, it works at the Applicant's initiative, if the Council accepts the Commission's recommendation, staff and the Applicant will be able to make that process work."

Commissioner Kadlubek said it seems like the larger problem here is that we don't even have the zoning right now that is appropriate to even apply for.

MOTION: Chair Harris moved that the Planning Commission recommend that the Governing Body and the Applicant consider a process to effect a rezoning of the Christus St. Vincents Regional Medical Center to an HZ zoning classification with specific criteria for a CSV Hospital Zone.

DISCUSSION PRIOR TO SECOND: Commissioner Kadlubek would like it to say "initiate" rather than "consider," and to include language that the Applicant wishes to have it to be specifically designated as an acute care facility.

Chair Harris said we are discussing about the acute care facility primarily, but that's not the only property that is within the Master Plan. The acute care facility is one element of a proposed Hospital Zone. The proposed Hospital Zone would have specific criteria for the outliers. It's really a medical campus in that sense, and the reason he wouldn't limit it to acute care.

RESTATEMENT OF THE MOTION: Chair Harris moved, seconded by Commissioner Kadlubek, that the Planning Commission recommends that the Governing Body and the Applicant initiate a rezoning of the Christus St. Vincents Regional Medical Center properties to an HZ classification with specific criteria for a CSV Hospital Zone.

DISCUSSION: Chair Harris said this is the rough outline of a motion and he would ask Mr. Shandler to clean up the motion, and asked Mr. Shandler if that is acceptable if the motion is approved.

Mr. Shandler said yes.

VOTE: The motion was approved unanimously on a voice vote, with Commissioners Gutierrez, Chavez, Greene, Kadlubek, Kapin and Propst, voting in favor of the motion and no one voting against [6-0].

Chair Harris said now we can move to the Old Business which we discussed a month ago. He said there were a lot of issues related to the Development Plan and Special Use Permit. He said he would propose that we discuss traffic first of all, which probably is the one that needs the greatest attention.

Chair Harris said, "We had an initial TIA, we had a supplementary TIA. I would maybe ask, just to get the ball rolling if either Mr. Romero or Mr. Gomez want to speak to the supplemental TIA that talked primarily about the warrants associated with a possible signalization at what we're calling the main entrance on St. Michael's Drive. Mr. Esquibel."

Mr. Esquibel said we have someone from City Transit in attendance since you indicated you may have some questions.

Mike Gomez, Santa Fe Engineering, Professional Traffic Operations Engineer for applicant [previously sworn], said after the last meeting they went ahead and did a warrants analysis based on the existing traffic counts we had in 2015. They modified the intersection to allow all movements to encourage the traffic signal. When they did the warrants analysis they notified the Department of Transportation, the State Traffic Engineer and the District 5 Traffic Engineer. He said, "We went over the warrants and basically the bottom line is that we do not meet any warrant for a traffic signal. The warrants for a traffic signal are a necessity before you can put in a traffic signal. There is no variance process for that. There is a variance process for the distance between signals, provided that you can show that it will not have an adverse effect on the corridor. But as the DOT stated, until we meet a traffic warrant, they would not consider a signal at that location."

Mr. Shandler asked, "Before you leave Mr. Gomez, what about the entryway for the storage shed. Wasn't there some information from the State about that?"

Mr. Gomez said, "Yes we discussed it, and St. Michael's Drive is owned by the DOT, but it's my understanding that the City of Santa Fe has permanent authority on that road. So we presented different options to the DOT staff, and they came back late today and said they would prefer that any driveway use the internal system within the Hospital. But this is a permitting issue, and it's been shown in every Master Plan and previous Master Plan and it's been approved for CS & E. So we think this is something that can be looked at in the future in the permit process where we can go ahead and have an access somewhere in the south at an undetermined location."

Responding to the Chair, Mr. Shandler said, "I was privy to an email this afternoon and I wanted to make sure that got on the record."

Chair Harris said he saw the 3 options, and what was proposed initially by the architect. He said as a permitting issue it has to do with alignment with curb cuts on the other side of St. Michael's Drive, and as you say, that would be worked out at a future date. He asked Mr. Romero if he has anything to add.

John Romero, Director, Traffic Division, said, "It would be a permitting issue, but the key word is issue. It is still a DOT facility. We are the people that supply and approve the permits, but we do it in coordination with the DOT. We wouldn't do anything they wouldn't want us to. That being said, even if this was a City road, the DOT brought up a very good point. And that fact is that they would not, nor would I, recommend a full access at that point due to the fact there would not be enough room for a left turn/ deceleration lane into that. So the example the DOT gave was, if a person is pulling a trailer out of the Hospital with supplies, gets onto St. Michael's Drive, has to make a right, has to make a u-turn, then there wouldn't be room for a left turn bay for them to turn into that to that separate little site."

Mr. Romero continued, "I agree with their recommendation after seeing their reasons for it, basically that no access would be granted and that they would recommend they resolve it with internal circulation. Now the process would be, if they would submit an access permit to my office, I would deny it based on all that. And then there would be an appeal process to the City Council and without further research, I wouldn't know how much authority Council has on that appeal process, being that it is a DOT facility. I believe in Chapter 23 of City Code, separate from land development, there is an appeal process, and Chapter 23 is in regard to driveway permits. It could be intended for City streets. Again, if it is a DOT street we don't own, I would think that the Exchange Agreement that governs our authority to permit the access with concurrence from the DOT would govern whose ultimate authority it would be for that access, if that makes sense."

Chair Harris said that doesn't preclude the approval of a master plan, noting the amended master plan anticipated two buildings and didn't demonstrate how those would be accessed. If a permit wasn't okayed by the DOT, it would have to be accessed internally.

Mr. Romero said what he would suggest if you wanted to leave the development of that site in the Master Plan that we don't provide any specificity as far as access in the Master Plan.

Chair Harris recognized Ms. Jenkins for remarks.

Ms. Jenkins said she agrees with "John's last statement, that we leave any specificity about the access point out of the master plan again. There's a whole process in terms of permitting any new access to St. Michael's Drive. I just want to point a key element to this, is that it is a separate legal lot of record, Tract D. We could sell Tract D tomorrow to Dr. Mann who wants to build his doctor's office there. It is zoned for that use and they cannot be denied access to a public way. They can be provided limited access. The DOT stated that right-in, right-out only would work, which would mandate some u-turns at the adjacent signals. The concern with right-in, right-out only was just proximity to adjacent driveways. And there is a variance process to the DOT and that comes up a lot where a driveway is needed to access a legal lot of record, but there is a proximity issue, so you go through a variance process with the DOT. But I agree that this is a level of minutiae that is not critical to the Master Plan and we're showing the potential building there, but the Master Plan doesn't permit to build anything. We have to go through further processes to permit that, and we are comfortable with that approach."

Mr. Romero said, "Ms. Jenkins, your statement brings up another good point. Say, for instance, since it is a separate lot and we don't establish an easement as part of this Master Plan, which I think we can, an internal easement from this lot through the bigger Hospital lot, if we didn't do that, would the proposed use as identified in the Master Plan be appropriate with the right-in, right-out access. How would you be able to use this lot for its intended use as identified in the Master Plan as a maintenance yard if you only had right-in, right-out. How would maintenance vehicles get from the bulk of the Hospital campus to that site with right-in, right-out. To me, it is appropriate for the Master Plan to determine that. If a right-in, right-out is not appropriate, then a recommendation would be that an easement be granted between the two lots that are governed by the Master Plan."

Chair Harris said this is one of the categories of a special use permit, and we can require that.

Ms. Jenkins said she would remind the Commission that there is an arroyo that is also a designated FEMA flood plain that separates Tract D from the main part of the campus. Any potential development on Tract D would not financially support the construction of a bridge over a FEMA flood plain to get to two buildings. That is a financial infeasibility, to deal with the Army Corps of Engineers in a 404 Permit, and dealing with FEMA to build a private bridge over a riparian corridor doesn't seem like a real feasible solution in that regard.

Chair Harris said it might not be feasible today, but we're talking 40-50 years in the future.

Ms. Jenkins said a right-in, right-out does work. That's why the U-turn approach Mr. Romero supports in other parts of town is an appropriate methodology to create safe access. They're comfortable with a right-in, right-out.

Commissioner Greene said the building is problematic for storage, so if access across the arroyo becomes an issue, it seems like a campus building should be internally connected. If the use changes in the future, the building is built and it is retrofitted to something else, the access becomes another level of issue without going before this Board. He asked if the building on that site is too problematic to be solved with a right in, right-out and no internal.... he asked if there another place for storage – Is there 10,000 sq. feet somewhere that makes better sense.

Ms. Jenkins said the reason that site was located to accommodate necessary storage was to enclose it, and to keep it away from the other neighborhood. The other options are to the north, and it creates more impact for adjacent neighbors, so this area was identified as preferable.

Chair Harris questioned whether we need to place an easement to define it. He thinks it is up to the Applicant to solve the problem if they develop that property.

Chair Harris said he wants to move on to discussion of Hospital Drive, commenting conditions were imposed in 2006, and we saw a TIA that the 2006 condition said right-out only from the southernmost curbcut entrance. He said what we heard from the TIA and what Mr. Romero agreed to in writing in the packet is that right-in, right-out would be appropriate at that location. There has been discussion since then, and a condition about emergency vehicles and the route they need to take to the emergency room, was brought up by Mr. Shandler.

Mr. Romero said the concern that was brought up, was if an ambulance was to respond to something on Galisteo north, how would they want to enter the campus to get to the emergency room. He referred the question to someone from the Fire Department.

Fire Marshal Rey Gonzales said the review he did revealed two hydrants in that location, and when there is a general alarm, 3 fire stations respond, and they will be coming from all 3 directions – Station 3 on Cerrillos Road, Station #1 on Murales, and Station #4 next to the Hospital. He said limiting access to that driveway may cause a delay.

Chair Harris said then that would apply to emergency vehicles as well.

Fire Marshal Gonzales said that is correct. He said one hydrant has been identified at the southernmost curb cut, and asked where is the other hydrant on Hospital Drive.

Fire Marshal Gonzales said it is directly across from Harkle. He said you could put a drive over median there that would give them fire access from both directions.

Chair Harris asked if he is referring to the northern or southern.

Fire Marshal Gonzales said either one, because they have a hydrant at both.

Mr. Romero said his understanding from the Fire Marshal is they need access and that would rule.

Chair Harris asked if that means we're going to have basically full access at the southernmost curb cut.

Mr. Romero said it would if it was a two-way entrance, but if it was an entrance only it would allow only left-ins and items which would alleviate his concern about the left-outs so close to the intersection with all the traffic coming back from the signal.

Chair Harris asked if there is room to define a left-in only that would allow the stacking that occurs southbound if you're trying to get onto St. Michael's Drive and turn left onto St. Michael's.

Mr. Romero said it would be allowed with striping similar to what we have right now. It would be the same situation, other than internal signage that does not allow people to exit out of that location. So, as far as Hospital Drive, it will look exactly the same. It will be striped the same because right now left-in is a permitted movement with the striping we have. So we would leave the striping the same as it is right now.

Chair Harris asked if there is left-out activity at that intersection.

Mr. Romero said right now, the intersection control is full access, so left-ins are permitted with the current signage and striping so nothing would have to be changed to allow the left-in, it will just continue to be accommodated. He said to prevent left-outs internally in the hospital, they would have to place "Do not enter" signs wherever that road begins internally.

Commissioner Greene asked if there is a better location for the hydrant, and asked if it is critical it be so close to the intersection, and if there is somewhere internally that would be more useful – what are the goals of that.

Fire Marshal Gonzales said the hydrants are quite costly. He said in terms of access to the existing hydrant, they can work with the conditions if they do want to move it to a different location. He's just going off what exists now.

Commissioner Greene asked if the other two hydrants are sufficient to cover the general area of the Hospital.

Fire Marshal Gonzales said at this point they are, but with the proposed extensions to the Hospital, they are required to meet more fire flow requirements, which will require more hydrants and more water accessibility.

Commissioner Green said, "And these proposals, currently, would require the third hydrant."

Fire Marshal Gonzales said, "Yes, and what is existing now is required in place."

Commissioner Greene asked if the location in the middle of the construction would be a better place closer to the facility than having to string hoses 400 feet.

Fire Marshal Gonzales said, "My understanding, what they require in terms of hydrant placement, is the City Water company doesn't like putting them on private property due to the maintenance, so that's also one of the conditions required when they put hydrants."

Commissioner Greene asked if that fixes the traffic problem.

Fire Marshal Gonzales said, "As long as we have access to it, and it's within the distance required for the construction, the Fire Department is okay with it."

Mr. Shandler said, "Let me just try to clarify. We're talking about the southern intersection or the southern entrance at Hospital Drive. It seems we've talked about at least 4 different options: the *status quo*, all 4 [*inaudible*], another option would be 3, which means left-out would be prohibited, but everything else would be allowed. Another option we talked about is 2 which would be right-in, right-out only and then another option that was talked about before was to make it a one-way. I just want to try to summarize some of the different options that you've heard so far."

Chair Harris said one-way, in the sense that it's entrance only from Hospital Drive it would be right-in as well as left-in, which is what we've heard the Fire Marshal say, not only for purposes of access to hydrants, but in an emergency situation if an ambulance is coming from the north, they need to turn left into that southmost entry. He asked Mr. Romero if that would be his recommendation of all the things we've talked about for the southernmost entrance.

Mr. Romero said, "My recommendation would have the southernmost entrance an entrance only, and left-in and right-in both allowed."

Commissioner Kadlubek asked for clarification, if the more northern entry and exit would be for a four-way, right-in, left-in, right-out, left-out.

Mr. Romero said, "Yes. There are two more access points north of the Emergency Room access point and both of those have always been recommended to be full access. The TIA has shown that they operate adequately."

Chair Harris said the conditions do say at some point the northernmost will fail. Again, #4 conditions, Condition 4B, "TIA projected during this phase of development. The Hospital's northernmost access onto Hospital Drive will fail. *At the time of development, the developer shall limit access at this location to right-in, right-out, left-in only, in other words, no left-out, unless a revised TIA with more recent shows the access operates.* He is a little confused about where it stands."

Mr. Romero said you are correct and we need to talk about this today. He said it is projected with a 1% traffic growth per year on Hospital Drive, and the left-out at Harkle in the year 2027, 10 years after implementation, that it will start to marginally fail. He said he put a caveat on the condition that when the time comes we will want to reanalyze it, because he thinks 1% traffic growth is fairly conservative and doesn't believe traffic will grow that much over that long a period, so there is a chance it wouldn't be anything.

Chair Harris said the way the main entrance on St. Michael's is now, which does not permit a left-out, that even more people will be leaving the Hospital site onto Hospital Drive, and that the concern expressed in 2006 and again in 2015, is that if the traffic is really only practically able to turn right, we're just talked about the northernmost that is projected to fail at a certain time. Although, Mr. Romero thinks it's based on a conservative assumption, let's assume it failed. We also know the intersection of Galisteo and San Mateo is projected to fail, we know there's been a discussion about a fair share contribution. We know the Applicant wanted to restrict that to 5 years, which he personally would oppose. He also doesn't like the notion of anybody's capital being set aside for years and years and years. He thinks those capital resources should be put to work whenever possible.

Chair Harris continued, "I had a discussion with Mr. Romero today about the possibility of putting a roundabout at the intersection of Harkle and Hospital Drive that I felt would solve many of the problems. We know one of the conditions from 2006 is also pedestrian at that intersection. We also know, in terms of traffic calming, we can't do anything vertically, no speed tables or anything like that, but there is the possibility of horizontal measures being implemented. To my way of thinking, a roundabout, a focus of the fair share contribution and trying to put the money to work at that location would serve everyone's interest pretty well. It certainly provides an easy way to leave the Hospital if you're using that intersection to go any direction you want. If you come out of the Hospital at the southernmost, you would do what I do when I am leaving Sprouts onto Zafarano and I cannot get across to Lowe's or turn left. I simply go down to the roundabout, 100 yards down the road and do a u-turn legally, comfortably, safely and then I'm headed back in the direction I want to go. This is what I talked with Mr. Romero about, so maybe you could expand on that a little bit. And also I know that this came up mid-day and it was presented to the Applicant very briefly sometime this afternoon. And I don't think they've had much chance to really direct it, but I think it's worthy of discussion. Do you want to add to what I've just said then, Mr. Romero."

Mr. Romero said he appreciates that if at all possible, saying they don't want to be taking money and holding onto it for some undetermined amount of time. He said regarding placing a roundabout at that intersection, it would have benefits, and left-outs from the campus at that location would be a lot easier. He said if you leave the Emergency Room you can still make a left-out, and a lot of people wait for 15 minutes or more to make a left-out. He said at the Harkle intersection, since the TIA doesn't demonstrate a failing implementation, but it does demonstrate a potential one 10 years out. He would be comfortable amending his condition where it says to prohibit left-outs, subject to a revised traffic study and revise it to say implement a roundabout, subject to a revised traffic study saying that it's not needed.

Commissioner Greene asked why not have a smart traffic light to use technology to solve in and out as opposed to the brute force of traffic circles and things he finds more complicated.

Mr. Romero said, "As odd as it seems, we do have traffic signals and they do detect cars, it's not a new technology what we have. And it's for the same reason he wouldn't recommend placing a signal here is it would not meet warrants. In addition, it wouldn't meet federal guidelines. If we were in the habit of placing signals at every possible driveway that would make it easier to make a left out, we would be placing a lot of signals throughout the entire City. Another thing that happens with signals when unwarranted, it increases crashes because people start ignoring them because there is very little side street traffic, especially when it turns red on the main street to let out 1-2 cars and the red stays on for the required minimum time, people start running the red light causing crashes, things like that. That's the reason I would recommend placing a signal at that intersection."

Commissioner Kapin said she was opposed to taking away the left turn from the southernmost drive because she didn't want send more traffic to the neighborhood. She asked, "But with a roundabout at the northernmost driveway could the... I'm getting confused about this, could the southernmost one just be entrance only... would you still suggest that, would you recommend the southernmost one be entrance only... and a right, I'm getting a little bit tongue-tied."

Mr. Romero said, "Yes, I would. And for the analogy used with Sprouts, some of us do make a right and make a u-turn, but there are a lot of people that wait there to try to force that left turn out. They figure the shortest distance is the most efficient one, and oftentimes, it's not."

Commissioner Propst said, to try to move toward a resolution, it seems that for the southernmost access point we have a pretty strong recommendation based on the emergency access, but also the concerns about crashes near there, so that seems pretty reasonable. She's lived in the neighborhood a long time herself, and the entrances are not that far apart from one another, and they're visible. There's not a lot of trees blocking them, so she thinks people would pick up on the fact that they could go down to the roundabout pretty quickly if they needed to, or see that's a better place to come out if they want to go left than even having to turn right and then go around the roundabout, so it seems like something we should amend. She likes his suggestion.

Commissioner Greene said if we're doing a roundabout there, we're probably moving the fire hydrant, so we would be moving the fire hydrant either way.

Commissioner Propst said it sounds like the recommendation is to take a look at this down the road in 10-12 years, so not to do a roundabout tomorrow.

Commissioner Kadlubek said he thinks it would be part of the condition of approval for it to read, *"At the time of development, the developer shall implement a roundabout unless a revised TIA with more recent traffic data shows that the access operates adequately as a service,"* so it doesn't seem like 10-12 years."

Mr. Romero said, "So the analysis looked at a hypothetical horizon there, so for the next phase of development after this, we would then reevaluate it, so what Commissioner Kadlubek said is correct. It's not a finite 10 years. So if they come in 5 years down the road and we analyze it, and it fails, then okay. If it doesn't then we keep on moving."

Commissioner Kadlubek asked what happens if San Mateo and Galisteo fail with the southernmost entry being right in, left-in.

Mr. Romero said right now, it's on the cusp of failing. Any increase whether it's the Hospital *[inaudible]* is going to cause it to fail.

Mr. Kadlubek asked if making the southernmost entrance only and making Harkle a roundabout, will we still see failure at San Mateo and Galisteo.

Mr. Romero said yes. At any point in time, if any traffic growth occurs there will be failure.

Commissioner Kadlubek said having a roundabout at Harkle does not change the fact that we still need to deal with San Mateo and Galisteo and possibly have a roundabout at Galisteo and San Mateo.

Mr. Romero said, "Correct."

Commissioner Kadlubek said then we're asking the applicant to cover the cost of a roundabout at San Mateo and Galisteo, and the new recommendation of potentially covering the cost of a roundabout at Harkle and Hospital.

Chair Harris said not necessarily. He said, "When I expressed this to Mr. Romero, I did not think it would be appropriate to try and do both."

Commissioner Kadlubek said it seems this would serve some issues at Harkle and Hospital, but we still would have to deal with the issues at San Mateo and Galisteo. He asked the Applicant how they feel about the Harkle/Hospital roundabout idea.

Ms. Jenkins said, "Generally, in concept, I think it could serve at some point in the future. I think it's very important to remember that intersection works fine today. With this application, we're not creating issues. We have left-out movements there at that intersection. What is an imminent issue is Galisteo and San Mateo, and we have a mandate per our Master Plan to contribute to that solution. And contributing and solving Galisteo at San Mateo is a more imminent issue which is also important to the neighborhood to see that solved. And so yes, and actually, I'm going to go ahead and *[inaudible because Ms. Jenkins moved away from the microphone to hand out Exhibit "9" to the Commissioners]*."

Ms. Jenkins continued, "And to that point and yours, Chair Harris, with respect to our request that there be some time limit with respect to how long the City can retain those funds without spending them. We discussed this with Mr. Romero and we agreed that the funds definitely could be used within any 5 year period for actually designing whether a signalized intersection or roundabout at Galisteo and San Mateo... use it for design and hopefully use it for construction. But it's after 5 years, whatever is left over if they haven't spent it all.... and I can tell you it's easily going to cost \$84,000 to design something there. That's easy. So the moneys we are contributing as our fair share contribution could very likely be spent in the next couple of years. So this is a revised condition that we have crafted for your consideration that addresses the monies to be used for design, because you have to design it before you can build it. And we would appreciate your consideration, because again, any funds left over could be returned after 5 years. So I just wanted to call that to your attention."

Chair Harris said then Ms. Jenkins is saying that the fair share contribution, 17.5%, is equivalent to approximately \$84,000.

Ms. Jenkins said that is their guesstimate right now, but they will be doing a full engineer's estimate.

Chair Harris said he is certain that to design that will not cost anywhere \$84,000. He still has the same problems with returning the money. He said he has problems with the money is sitting there doing nothing, and with returning the money if it isn't used.

Ms. Jenkins said this is their effort for a compromise to allow the funds to be used in a more interim fashion before they're ready for construction, so the funds aren't wasted and can be put to good use.

Chair Harris said what led him to this is an anticipation of a failed intersection. He agrees that it is working now, the northernmost, but it is a real tool to turn the traffic away from the neighborhood.

Unidentified said if we have an entrance only and we already have a four-way out, a right-in right-out, left-in left-out, then why does traffic need to do a u-turn at any point any way. They're not coming out of southernmost, and if they're coming out of the northernmost, they can turn left.

Ms. Jenkins said at the last meeting you asked us to study the access on Hospital Drive closest to St. Michaels Drive with the southernmost access to study what would the benefits or negative impacts be of eliminating the right-out, so northbound. So eliminating a right-out at this location to go northbound, and they studied it. There was no measurable benefit to eliminating the right-out, zero. She said it doesn't

benefit anything. The traffic engineers are telling you there is no measurable benefit to doing this. She said these are important decisions in how public rights-of-way are being used, and she thinks it's very important that we allow the expertise and data to inform those decisions. She said there is perception, but we can't allow perception of some possible maybe benefit to rule our decisions in this regard. You asked them to study it, they did and they get answers, so let's get the benefit of those answers.

Chair Harris said he thinks the roundabout provides a safer access for pedestrians and he also considered traffic calming measures, so it's not just turning the traffic away.

Ms. Jenkins said, using maps of the subject site on the overhead, "And one thing I want to point if I may, Chair Harris, I apologize. This, the access before access at Harkle here, that's how ambulances come in. They come in the back door when they are arriving with patients. The public access is the emergency room this way. The ambulances come in here."

Chair Harris said we heard otherwise from the Fire Marshal saying they come in the southernmost.

Ms. Jenkins said there's a difference between a fire truck responding and an ambulance bringing a patient back to the hospital for care.

Chair Harris said he thinks the Fire Marshal made the distinction between the two, and asked him to come forward and speak to this.

Fire Marshal Gonzales said, "What I was referring to was the hydrant access for our pumpers and our fire engines coming in. As far as ambulance access, we do have the main back entrance there we were discussing on Harkle Road with the roundabout."

Chair Harris said then that is where your ambulances come in.

Fire Marshal Gonzales said, "That is correct, because they access the rear of the Hospital where their emergency drop-off is."

Chair Harris said, "Thank you for the clarification and you're correct Ms. Jenkins."

Chair Harris said as a reminder, we have the middle access point which is full access, noting it "doesn't get discussed at all hardly." He said he has also heard that Santa Fe Trails uses that, or will be using that. He wants to talk a little bit about the internal circulation and how that's proposed. He said we saw a traffic circulation plan attached as an exhibit. He asked the individual from Santa Fe Trails to talk about the bus routes and how it works now and how it will be affected by what is being proposed.

Annette Granillo, Operations Manager, Santa Fe Trails, using the enlarged maps on the overhead, said right now they have two routes, currently serving St. Vincents on the first four. The bus stop that currently is the one that is proposed to stay there. Route #5 is the St. Michaels route and it uses the entrance to St. Michaels and exit to St. Michaels Drive. Route # 6 is the one that comes from Santa Fe

Place Mall going to downtown and it uses both St. Michaels Drive to enter when it's going downtown and the Galisteo entrance, the southernmost entrance to come in and out when it's using Route #6 going toward the Mall.

Chair Harris said, "To make sure I understand. So Route #5 enters and exits at the St. Michael's entrance."

Ms. Granillo said that is correct.

Chair Harris asked Ms. Granillo if she has reviewed the Traffic Circulation Plan presented by the Applicant.

Ms. Granillo said no, she has reviewed the Master Plan.

Chair Harris provided a copy of the Traffic Circulation Plan for Ms. Granillo. He said he thinks Route #5 would be fairly consistent with what they have here. So he would like to see it coming in, going to the bus stop shown at the main entrance, and then making a left and then kind of wraps around that parking lot and goes back out.

Mr. Romero said, "I think what we have on the screen is the Circulation Plan."

Commissioner Kadlubek said maybe Jennifer can draw in the route on that picture.

Ms. Jenkins, referring to the aerial photo on the overhead, said, "So we have Route 5 is the green and that uses the entrance on St. Michaels Drive. So 'here's' the entrance on St. Michaels Drive, so it come in and then exits 'here,' as well, so it turns around."

Ms. Granillo said, "It comes down to the parking lot and exits on the left and then it goes out."

Ms. Jenkins said, "So Route 5 comes in the main entrance, and 'there's' going to be the new drop-off area, and then it comes back out, like 'that.' Pretty straightforward. And then Route #6 is using full access of exiting 'here as well'."

Ms. Granillo said, "Only on the outbound going toward the Mall. Coming into... going toward downtown, it will enter through and exit right."

Ms. Jenkins said, "So it comes up 'this' way and then it enters. So Route #6 goes 'this' way and then it exits and heads north. Correct. Okay. So it's coming 'this' way, going through the campus and then heading north with a right-out 'there'."

Ms. Granillo said, "Coming back in, it comes in through the Galisteo side near the bottom."

Ms. Jenkins said, "Oh, it comes all the way into the left end 'here,' and then it comes down 'here,' and it comes up and then goes back out. Oh, it goes back out this way. So we have left-out movements for transit 'here,' and we have right-out movements for transit at this location."

Chair Harris asked if there have been difficulties on a left-out movement at the southernmost.

Ms. Granillo said, "No, but we understand it does get congested and from time to time there are problems. We understand at times it does become busy. The vehicle is big enough for us to be able to make that left and be able to commit to that, and we have not experienced a high volume of accidents there at the time."

Chair Harris said it will work if a left-out was no longer allowed.

Ms. Granillo said, "That will cause us to go all the way down to St. Michael's Drive, wait for the intersection of the light, go ahead and use the St. Michaels entrance, exit and come back out to Galisteo and then continue on its route. We don't oppose that as much. The roundabout is definitely a more difficult place for us to go through. If you were to do that on the most northern entrance, as well as I have the concern with inside near the medical-dental, that small, narrow road, being only 20 feet, if two of my buses were to meet there could be some brushing of each other because it is a narrow street."

Chair Harris said that is the other issue, noting they are proposing that it be one way.

Ms. Granillo said that will be difficult to achieve that as well. The only other problem we can see with all of this, is the maintenance it is going to take on our vehicles. She said, "I don't know if it is proposed right now, but the entrance grade on St. Michaels Drive and the entrance to the Hospital is at a very high grade with the low floor vehicles that we currently have. So if that could be repaired, we don't mind use that St. Michaels Drive for an exit for everything."

Chair Harris said he has been concerned about the internal traffic and how it is limited. He asked Mr. Aube to come forward and talk about the situation, noting it is a half-ring road. He asked the reason we are doing it that way, rather than making it a two-way.

David Aube, Civil Engineer, the Design group, Albuquerque, said, "The reason we wanted to put in that one way link between the internal ring road and the land dropping down to the lower part, in 'this' area, was we have a lot of people that come in off Hospital Drive. They come in 'here,' and they miss this first turn 'right here.' And immediately, they are on the path up to the Emergency department which was the intent when that roadway was initially constructed. The criteria was the fastest path to be able to drop off your friend at the Emergency Room. With this other configuration, now it became a little bit confusing for people as they entered from Hospital Drive, how to get over down into this lower level. The idea was, if you came in from 'this' entrance, you could go up to this decision point 'here.'"

Mr. Aube continued saying, " We could install some directional signage to guide people that says emergency department and main Hospital to the right. You would come over to 'this' next location, and find another series of directional signage that says, 'Emergency Room straight ahead, Main Hospital

Entrance, down to the right. So you would come over 'here,' and you would be at the lower level avoiding that big retaining wall, and then you would park in 'this' area and work your way toward the front door. It encouraged more traffic to exist at St. Michael's instead of pushing it onto Hospital Drive and back north through the neighborhood. But the main purpose of that was to allow new visitors to the campus, that missed the immediate right turn coming in from Hospital drive, another decision point and an easy path."

Chair Harris said looking at the circulation plan, particularly if we have entrance only at the southernmost, that means a lot of people would wrap around the parking lot, have to make the right, and go up one of two full access. He thought it might be worth considering to make that lane two-way.

Mr. Aube said they looked at that after you recommended it at the July 2nd hearing, and to do that we would need to come to this point 'here,' we would have to dip a lane down so we could come more at a 90 degree intersection where it ties back into the lane that only goes to the emergency department. He said when we have intersections that are more than 15 degrees from perpendicular, people think they have the right-of-way and both feel that way and there are a lot more accident. We always put in the 90 degree intersections with sufficient queuing so people can pull to the stop, wait their turn and then make a left. They looked at that and decided it was getting a little bit more circuitous for the drivers, and their preferred solution was to keep the southern drive with a right-out option back onto Hospital Drive, so drivers wouldn't start going toward Hospital Drive and have to go to the right toward Medical-Dental and the internal ring road going to north to one of the two full access intersections to get back down.

Commissioner Greene said if anybody went back to the 1985, one of the comments was internal circulation is terrible, access is terrible and we're not making it better. It takes a little bit of commitment on ourselves to deal with traffic lights, an internal plan that is more than fixing around the edge, and a signage plan that would end up being deferred to the Director. With all due respect, we've seen less than good solutions go through this out of our hands, and this is our chance to say let's get a light where we need it, or a roundabout. Let's get what we need to do this internally that is the best solution.

Commissioner Greene continued saying, the 2006 plan, although never built, if you take the ring road out on the east side, the ring road on the 3/4 around, allows for clear traffic throughout. It might need tweaking to allow for circulation at the ends, but there are solutions here, noting the current *status quo* isn't very good, and he doesn't think we're committing to something that would be a good solution.

Chair Harris noted the same comments on internal circulation in the 1985 plan and the signage.

Commissioner Kadlubek said, "I appreciate the willingness of this body to try to take these cases and use them as opportunities to tackle things that aren't part of the cases. But I think, the way that I would like to sit on this body and make decisions, I would like to deal with the case that is in front of us, to yield to the expertise of the staff that we are trusted with, not try to be the experts up here, but listen to the experts on staff and our attorneys, and testimony on the cases in front of us and deal with that. If we have additional recommendations similar to the 1½ hours we spent on an addition motion that wasn't already part of the case, but we dealt with."

Commissioner Kadlubek continued, "If we have additional things we want to recommend, we recommend them to the Governing Body and have them set staff forward. If we want to talk about slowing traffic and looking at Hospital Drive, and reworking Hospital Drive so circulation is better, maybe it's not used as a through street as much, and we have a personal about that, based on not even our own expertise, but just on how we think it should be, then we can entertain a motion to have the Governing Body look into that and to direct staff to look into dealing with the intensity of traffic on Hospital Drive. But I don't think we should try to attach those to the case that is in front of us."

Chair Harris said, "Thank for your comments Commissioner Kadlubek, I think it's our job, to tell you the truth. And what I've heard in recent Council meetings is that they would just as soon we deal with these issues and not push it off to them. So let's continue to work on it."

Mr. Esquibel said, "In regard to the condition put before you by the Applicant [Exhibit "9"], the staff is in agreement with that, provided that we make minor change to that. And I have talked with the Applicants and they're okay with that. And that is in the sentence where it says, "*The developer's contribution shall be solely for costs that are necessarily incurred for the design,*" right there we would add, "design, construction of right-of-way acquisition of either a traffic signal or a roundabout at the Galisteo/San Mateo Intersection (the "Improvements") and for no other purpose." He said with this change they are okay with the language presented by the Applicant.

Commissioner Greene ask if there is a potential to add all of the deficiencies leading from that intersection to the Hospital, including striping and trails that are part of the MPO at Galisteo and Hospital Drive.

Mr. Romero said, "The way I understand the condition submitted by the Applicant, it pertains to one specific condition regarding San Mateo/Galisteo. If you would like to add additional ones for every one, I would add a separation condition. We're not tied to one big condition."

Chair Harris asked Ms. Granillo if the problem with the buses with clearance at the main entrance, is that in the highway right-of-way, or is that on Christus St. Vincent property. Does it occur at the curb-line.

Ms. Granillo said it occurs leaving St. Vincent Hospital, and what ends up happening is the street is like 'this,' coming out 'this' way. It is a 40 foot bus so once it goes onto St. Michael's, the rear of the bus hits and scrapes on that driving out, causing damage to the driveway, but most importantly it causes damage to, and repairs on, the bus constantly."

Chair Harris asked Mr. Esquibel, if it is fair to say the discussion around traffic, these conditions kind of overlap, but it really is part of the Development Plan. He is thinking of things like noise mitigation under a special use permit. He said to him, physical improvements, are related to a Development Plan, and asked if it fair to say that.

Mr. Esquibel said, "Yes they are. However, the bulk of special use and the Development Plan are married, if you will, so they both would basically apply to both. All of the infrastructure requirements as stated originally by the Applicants are included as part of the permit, so they are looked at it as part of the construction review, site visits and site inspections to make sure they would all be done. That, included with the Engineer's cost estimate and a letter of credit, to provide the assurance that these improvements are being done. So a lot of the improvements already are included as part of the building permit, as they are going to submit, as originally stated by the Applicant at the first meeting. These would also include many of the conditions that would be subject to their traffic analysis, or the conditions that would be imposed by the Traffic Division, so they would also be included, they would just be worked with John in order to make sure that they would get done."

Chair Harris said the conditions aren't motioned separately. He said to his way of thinking what we've done is go through the conditions and agree on an understanding of those conditions, how they may be accepted as is, or revised. He said, "So to summarize on traffic, what I think I've heard is the City Traffic Engineer would recommend of the options that were laid out by Mr. Shandler as a summary, he would really prefer the option that describes entrance-only on the southernmost access point."

Mr. Romero said, "In light of what the City's representative from the Transit Division said, they utilize that as a full access right now, but if I understand her correctly, if the access point at St. Michael's drive was fixed all the routes can go in and out of that. So my recommendation would say further, '*An entrance-only with a re-engineered and reconstructed driveway onto St. Michael's Drive.*'"

Chair Harris asked if that could be worked under a separate motion that would deal with any balance of a fair share contribution, or is that something that can be required as a condition now without any consideration on the fair share contribution.

Mr. Romero said, "I would ask the City Attorney to make sure I don't mess this up, but what I would do, I'm sure there is a great list of conditions of approval, and if you guys were to make your motion, it would be to accept all staff conditions of approval with the exception of X, Y, Z, adding this condition, amending that condition, in that manner would probably be the easiest way."

Mr. Esquibel said, "We would also have to include that internal circulation within the visitor parking area would also have to include some appropriate access point so the buses can maneuver within the parking area safely to go out of that St. Michael's area, so we would need some leeway to work with the Applicant to ensure we can maneuver those buses in and out of that area."

Commissioner Greene said another point is potentially creating a clear traffic lane as opposed to a parking lane on the southernmost aisle of parking, that is some sort of grander or larger scale loop for the bus for ease of navigation without the potential of a car backing out into the through traffic lane, similar to what is there on the southernmost lane. But, then in this case in the new parking area they're putting back there

Mr. Esquibel said, "I think that, if this condition were to be put in place where the buses are to access St. Michael's Drive, I think that, working the applicant and Transit, to make sure that all parties can maneuver appropriately would be a lot easier on the staff, and giving us the flexibility to come up with a good design for all parties, would help more than trying to figure it out right here."

Mr. Shandler said, "I guess in the broader context, the Master Plan from 2006 has a series of conditions written on, and one of them I guess is 6D, Traffic Improvements and mitigation on Hospital Drive. And the applicant wants that deleted. And so, that's kind of the context of whether it should be deleted or not, whether it's been met or not. And Mr. Romero had said there are concerns about the left-out on Hospital Drive. The neighbors have said they don't want traffic driven, pushed down toward Lupita. The buses now are saying it's too steep on St. Michael's. So, I actually don't know where all of the players stand. So before you make a motion, I would humbly request a 5-minute break, because I don't even think there's agreement right now. There might be, but I don't think there is agreement on what conditions are going in and what's going out. So staff can give you uniform language, I would humbly request that before you make the motions, give us 5 minutes to try to figure out what's going in and what's going out."

Chair Harris said this is a great idea.

Break 8:30 to 9:00 p.m.

Ms. Jenkins said we have been talking about a lot of scenarios, commenting that it is important to maintain the left-in to support emergency access. She said Christus is here to help you. She said they studied internal circulation prior to and subsequent to last month's meeting, and what they are showing works best. She said ripping this up now is a huge expense. She said what they show has the benefit of the exit being used to the greatest extent possible, commenting that Harkle Road is no problem – it has full access and it works. She said the roundabout presents problems for emergency vehicles. She said they are in agreement that when the time comes the intersection is failing, a TIA at that time would address that. She said a lot of work has gone into this, and they are confident it works. She said the huge infrastructure collaborative can't burden this one non-revenue generating project.

Chair Harris asked if she is trying to shame us into this, and Ms. Jenkins said no.

Chair Harris said he thinks the roundabout possibility should be left in, commenting it is important and necessary for fire for non-ambulance emergencies. He is trying to wrap up all of the traffic concerns into a motion, with a condition to resolve all off site traffic problems.

Chair Harris read Condition #6 from PC Questions and Responses 2015-07-30, *For all phases subsequent to the emergency room expansion, the developer will be required to assess certain off-site traffic operations and provide mitigation measures where needed. These improvements are listed in an Engineering Division traffic memo which was handed out as additional correspondence at the May 4, 2006 Planning Commission meeting, and may include:*

- * *improvements to the intersection of Hospital Drive and Galisteo Road*
- * *traffic mitigation at the intersection of San Mateo and Galisteo*
- * *all existing and proposed access points to the development*
- * *traffic improvements/mitigation on Hospital Drive*
- * *examine possibilities for shifting the main entrance on St. Michael's Drive further east.*

He said only the last bullet is no longer up for discussion.

Chair Harris said the improvements to the intersection of Hospital Drive and Galisteo Road really haven't been addressed. We all regard it as kind of an odd intersection, but I don't know of anything to be done right now. He said regarding traffic mitigation at the intersection of San Mateo and Galisteo, we have a specific recommendation from the Applicant with a proposed adjusted language. He thinks it's reasonable to accept the following: *"Funds equal to the developer's contribution will be placed and held in an escrow account to be maintained by the City. The developer's contribution shall be used solely for the costs that are necessarily incurred for the design, construction or right-of-way acquisition of either a traffic signal or a roundabout at the Galisteo/San Mateo intersection (the "Improvements") and for no other purpose. Any remaining escrow funds not used for the design and/or construction of the Improvements within five years of the recordation of the Development Plan shall be returned to the developer."*

Chair Harris said he thinks the statement should end after "for no other purpose." He doesn't see any good reason, under the circumstances that we have to return it to the developer.

Commissioner Kadlubek asked Mr. Esquibel if he said that he is in agreement with the final sentence, or was it Mr. Romero.

Mr. Romero said, "The reason I'm comfortable with it now, is if we can utilize it for design right-of-way, I'm fairly confident we could expend that money within 5 years."

Chair Harris moved to all existing and proposed access points to the development. He said there are four. He said there is the main entrance on St. Michael's Drive and he thinks there should be some engineering improvements to deal with the problems described by Santa Fe Trails that if it is long term it is going to damage the City's assets and he sees no reason to leave that condition in place and it falls with all existing and proposed access points to the development. If we flatten that out, it makes the approach going up toward the main entrance it makes it a little steeper, but he is trusting they can modify it in such a way that it won't be that great an expense, nor will it create that steep a driveway and solve the long standing problem.

Chair Harris continued, saying, in regard to the southernmost entrance, he concurs with Mr. Romero's recommendation of entrance only, right-in left-in. He believes given the way the intersection has been used, and if it remains that way, he thinks we will have an accident, because of the nature of how close the southernmost entrance is to a busy intersection, Hospital Drive/St. Michaels Drive. He noted the recommendation was modified by the Fire Marshal in explaining their concerns.

Chair Harris said the middle entrance is proposed to be left as is, which is full access, right-in right-out, left-in left-out, and asked Mr. Romero if this is correct.

Mr. Romero said this is correct.

Chair Harris said then there is language for the northernmost that says it will fail sometime in the future, and Mr. Romero thinks the numbers used were fairly aggressive in terms of more traffic that he thinks will occur. He said this will be in an updated TIA to look at all of the options, including the possibility of a roundabout and of a signalized intersection although not likely. We will look at an updated TIA to help inform the decision. He said this leaves the northernmost access point full access – left-in, left-out, right-in right-out.

Chair Harris continued, saying in the meantime we also are going to drop back to the condition that says to improve the pedestrian access. He said this is Condition #3 as proposed under the Current Exhibit A of conditions where it says, *"The developers shall perform intersection improvement at the Hospital's northernmost access on Hospital Drive so as to improved pedestrian crossing across Hospital Drive. The design shall be reviewed and approved by the City's Public Works Department."*

Commissioner Kadlubek said he understood something different about the southernmost, commented the Chair said the recommendation is an entrance only. He said the most recent recommendation we just heard was to also have a right-out, and asked Mr. Romero if this is correct.

Mr. Romero said with the Applicant's recommendation, we also allow right-out. The reason he doesn't feel comfortable with that and recommends entrance only is because he doesn't think it will be possible to provide the adequate channelization to physically prohibit left-outs while simultaneously allowing left-ins at that location.

Commissioner Greene asked if an applicant was coming forward with these 3 entrances and exits along Hospital Drive at that rapid rhythm, would those be approved, or would they be asked to consolidate to 2 access points on that surface.

Mr. Romero said, "Under the context of a brand new development with a brand new site plan, we would definitely look at access BC, but my opinion is based off the existing site plan and the limitations of modifying where the emergency room is, the medical-dental all that is. I wouldn't want this access all together, but being this is the way it is, I don't feel recommending closing down. Similar with this and all this parking area, I really think the access control is, in my opinion a balance of keeping flow of traffic and providing adequate access to a site, and I really think what I suggested is as good of compromise and as good of a balance of all those features."

Commissioner Greene asked Mr. Romero which two he would choose, between the 3 on that side on Hospital Drive.

Mr. Romero said he would choose to recommend to leave all 3 open.

Commissioner Propst said, "With the list you outlined with the clarification from Mr. Romero about the entrance only at the southernmost, I'm ready to move forward with that."

Chair Harris said, "I have one thing to add that goes back to the 2006 document on Condition #3. The 2006 condition, under #6 said, *"The developer, the Applicant will provide pro rata participation, traffic calming measures and off site mitigation measures."* He said what we do is that vertical traffic calming is not appropriate for this stretch of Hospital Drive, emergency vehicles, but horizontal. And so, as part of the consideration for the pedestrian crossing at Hospital and Harkle, I don't know what can be done, but if there are bulb outs that make it safer and easier, or however it may work, to see if there is a possibility for some traffic calming in the vicinity of that intersection. That's all, and I won't go any further than that."

Chair Harris said that combines the 2006 conditions as well as what's being discussed right now.

Commissioner Kadlubek asked for clarification about the 17.5% fair share contribution to improvements at Galisteo/San Mateo intersection, saying he wants clarification on the last sentence. He said, "I want to know whether the last sentence, *Any remaining escrow funds not used for the design and/or construction of the improvements within 5 years of recordation of the development plan shall be returned to the developer.*" He asked if the last sentence is accepted by Mr. Romero.

Mr. Romero said, "Being that we can use it for both design and right-of-way acquisition activities as well as the actual purchase of the property, I believe we should be able to spend most if not all of that funding within a 5-year period."

Commissioner Kadlubek asked if the recommendation as opposed to the beginning sentence being proposed as a condition of approval is only for the Galisteo/San Mateo intersection, but for all conditions that we're putting forward, all the traffic calming, all of the intersections that we're saying that are in the scope of this project, that it has to be broader than just that one intersection, that the whole area can be master-planned by Traffic and find a better solution than at 17.5% regardless how big or how small it goes.

Chair Harris said the 17.5% fair share is specific to San Mateo and Galisteo.

Commissioner Kadlubek said, "But is it for the same reason?"

Mr. Romero said the clarifications of the Commission approval that Chair Harris made about what the Applicant has to do to remedy everything, they are 100% responsible for those, so this only applies to San Mateo because that is the one they're only 17.5% responsible for.

Chair Harris said we are done with traffic, and asked Commissioner Propst if she has a topic she would like to move forward on.

Commissioner Kapin said she would propose the next in line on conditions have to do with the plant material, the buffer zone, is that okay, and she would love an update on what's happened starting with the Applicant, and if the remedies have been started in the buffer zone.

Ms. Jenkins said the requirement per the Master Plan as per Code, there is a situation where the Code and the Master Plan are aligned in this regard. When you have a commercial use adjacent to residentially zoned property a 15 foot landscape buffer is required, which is what you see here.

Commissioner Kapin said that was already in place and has not been kept up.

Ms. Jenkins said there definitely are issues with maintenance.

Commissioner Kapin asked what has happened since that time.

Ms. Jenkins noted on a construction project, the landscaping is the last thing that goes in, because it typically ends up getting damaged in all of this. She said, "We have agreed to put that at the front end of the project, and it is part of the Landscape Plan. The Landscape Plan for what we're reflecting here will be part of the building permit application, but we will put that at the front end instead of at the back end of the project. That is what we have agreed to do to accelerate the plantings."

Chair Harris said this is what he had in mind and phrased it, and I wanted a landscape architect to weigh in on the optimum time to plant. He asked when is the optimum time for this plant schedule to go in place.

Greg Miller, Landscape Architect, MRW Landscape Architects, Albuquerque [previously sworn], said a lot of the shrubs can be planted any time it isn't freezing, anytime other than November-February. He said trees are recommended not to be planted in the summer, so that's excluding June-August. He said typically they like an early Spring or a late Summer planting season.

Chair Harris said this is what he was considering, '*Construct landscape improvements with necessary drip irrigation for the work described on Sheets LP-104, LP-105, LP-106 as well as a 20 foot landscape buffer on the R-2 Lot known as Zone F. The two year maintenance and warranty agreement from the landscape contractor shall be awarded the project for the purpose of successful establishment of a landscaper buffet.*' He said this is a very common practice to incorporate landscape requirements and scope of work in the contract, and part of their contract is a two-year maintenance and warranty.

Mr. Miller said, "Those things can be negotiated on a contract by contract basis. In the past, some projects done on the campus, Christus has retained the company that installed it to do maintenance. That's really a contract specification that is on a case by case."

Chair Harris said this is how he proposes doing it, commenting he knows it is a contract, and thinks it works well.

Chair Harris said the first condition in the 2006 Amendment says, '*New development shall comply with the standards of Section 14-5.5(A)(3), South Central Highway Corridor Overlay District, including a 25 foot landscape buffer within the 50 foot building setback from residential property lines.*' He said the neighborhood generally has interpreted that to mean a consistent 25 buffer and if you look at the Overlay, even the LP-104 seems to be outside of the overlay.

Chair Harris said if you did a calculation for 25 feet in the sections he described, whatever square footage that may be, even though there is 15 described in LP-104. We have in excess of 20 feet in other cases. It varies, noting LP106 is constrained by the existing curb line. He thinks the Landscape Plan is appropriate and can work. The only reference to irrigation is in the Water Budget, but he assumes they will provide a drip system for all of this plant material.

Ms. Jenkins said yes, that is a fair assumption, everything will be subject to drip irrigation.

Commissioner Kapin asked where "in this does the agreement to do this work up front show up."

Ms. Jenkins said they are on the record, and it is in the minutes.

Commissioner Kapin said it's a great solution and she's glad to hear it, and wants to get it down as part of this agreement.

Mr. Esquibel said, "A lot of the time when an Applicant comes in and starts the process of construction, they sit with all of the inspectors and the Construction Division so they can start itemizing when these things will put in place so inspections can coincide and everything meshes. When they submit their building permit, and my understanding is they came in to see if they can get their building reviewed, so when the approvals are in place they can pull it. I think that will allow staff to review the application so they can coordinate all inspections necessary to fulfill the Development Plan requirements and that will be part of the CO we would be looking for, prior to allowing them to move in, so that will be part of our process for construction."

Chair Harris said, "Given the process described by Mr. Esquibel and the timing you described, I would propose to put in as a condition that there would be a Spring installation for those sheets. It doesn't make any sense to put landscaping around the building and in the parking lots which will be affected by construction traffic and everything that needs to be done. But certainly, these outliers, the landscape buffer can and should be accomplished as soon as possible."

Greg said, "In discussions with the neighborhood about the landscape buffer, we committed to them that once the project gets to the approval process and we can pull the proper permits that we would put the plantings in, in the spring where they have the highest probability of surviving at the beginning of the property. The other trees and elements of that will be phased appropriate relative to when they're done in the construction process, but we are committed to the neighborhood to put in the buffer in the Spring, as soon as the planting allows."

Mr. Shandler said, "The Master Plan has 15 conditions, and Sheet MP-1 from the Applicant, deletes a number of them, but leaves a couple on. I guess I was curious what your plan was for all these different conditions, were you planning to add them to MP-1, or did you want it as a separate document, or were you expecting it to be in findings. Tell me what your thought process was."

Mr. Esquibel said as soon a decision is made by this body, then a compilation of all conditions will be put together and compiled and made a part of the Development Plan for those phases that are necessary that each condition will impact. That is the only way our Construction Division is able to identify what the conditions were at the time of building permit. So when the Development Plan is being put together, that final Mylar, there will be a condition sheet attached to it so that everybody is aware of what those standards will be."

Mr. Shandler said, "A follow up. At the previous meeting, the Applicant used a lot of this phrase, before the Certificate of Occupancy is issued. In you mind, do you think that she is going to have a lot of those sentences in there, or no."

Mr. Esquibel said, "What we will do is to make it as humanly readable as possible for those individuals who are actually going to review the building permit, so they understand exactly what the conditions were that were adopted by this body."

Mr. Shandler said, "The reason is it sounds like there is actually some agreement on this particular topic, but there are trust issues I think that have been brought up at a previous hearing. So I want to make sure the wording is memorialized so all people can walk away with a document that says, aha, this is exactly when A, B and C will happen. So that's why I'm just trying to nail you down on when and what kind of language and what the document will look like. You don't have to answer the question. I just wanted to give a context of why I'm asking these questions."

Chair Harris said he agrees with Mr. Shandler. He said, "I'm sure you heard me add to that list the 20 foot landscape buffer on the R-2 Lot known as Zone F, which was one of the conditions in 2006. Do you agree to that."

Ms. Jenkins said, "I would like to actually speak to that. Your timing is perfect. So going up on the screen right now, so I believe what you're speaking of is there is a residential lot on the corner of Hospital Drive and Lupita, as shown right 'there.' So there's a residence next door and where you see that kind of just north of that little turnaround. As you can see it's heavily vegetated. There is a lot of naturally occurring vegetation there. Our understanding of the requirement for a landscape buffer is triggered only such time if a parking area is developed in that location. As you can see, there is a significant amount of vegetation that screens this vacant property from its neighbor to the east. And so it feels unnecessary at this point, when there is no development or use of that property to install additional landscaping in that location. But we do understand that if, at some point in the future, the Hospital elects per the Master Plan, to develop a parking area there, then the requisite landscape buffer adjacent to the residential properties would be required."

Chair Harris asked about a fence.

Ms. Jenkins said, "I am unsure a fence is part of the mandate. I can't speak to that off the top of my hear."

Chair Harris asked, in view of our discussion this evening, do you think the Applicant would agree to install a fence along the line.

Ms. Jenkins said she needs to confer with her clients to answer that question.

Mr. Jenkins said, "We have not had any discussions with the direct neighbor in that location, so I wouldn't want to mandate a fence unless there was some... working with the neighbor, because [inaudible] they just preferred the traditional of landscaping that may be a preference in that regard. We would be happy to explore that with the neighbor when the time comes."

Chair Harris thinks the time is now.

Commissioner Kadlubek asked how the idea of a fence arose.

Chair Harris said it was part of the neighborhood's discussion, and they would like to see a fence extended where it isn't in place, and repair where it's not in place.

Ms. Jenkins said that refers to 'this' section that we pulled up, over on the east side of the Campus and we have the fire lane, a dirt lane you see there, and those are our residential neighbors to the east. There is a place where the fence stops, yes, so you can see 'there,' that's where the fence currently stops. So 'this' is the area they were talking about in terms of a request to extend fencing. There was a particular neighbor who suggested, because they call the area where the nature trail is the forest, and right to that point. That's what had been discussed. There was one neighbor who didn't want any fencing because they have a nice view of the trees and the arroyo.

Chair Harris said the way it reads from 2006, "*R-2 Zoned portion of the Hospital property shall be limited to single family, residential use, parking lot use with minimum 20 foot landscape setback from all property lines, open space or detention ponding.*"

Ms. Jenkins said currently it is open space today.

Commissioner Greene asked the Chair if he wants to impose a condition of "them actually building/permitting the parking lot that there would then be triggered the requirement to discuss a fence or wall with the neighbors."

Chair Harris said he thinks it's appropriate to go ahead insert the condition under the second grouping for landscaping, "so I'll drop the 20 foot fence on the R-2 site."

Chair Harris asked if the Applicant has an issue with inserting contract language for a two-year maintenance and warranty for the landscaping.

[The response and the person speaking here is inaudible because the person was speaking from the audience without a microphone]

Chair Harris said, "Okay. So you don't have a problem with it."

Mr. Shandler said, "Because it's late, I just want to make an extra effort that we're clear. So initially, it said 25 feet in Condition #1. Staff has recommended 15 feet. And then you were talking about 20 feet, so I just to make clear. Your 20 feet was talking about a different condition. Correct.":

Chair Harris said, "Here's where I started drafting it as, again the second grouping, I'm just putting it in at #4, as follows: *'Landscape improvements associated with LP-104, LP-105, and LP-106 will be installed in Spring 2016, subject to a building permit.'*"

Mr. Esquibel said there is a condition that was incorporated by Noah Berke that just identified that landscaping be maintained consistently which will more than address the needs of the landscaping, both for the staff and the neighbors.

Chair Harris said, "So the phrase 'all quantities and size of plant materials must be maintained as shown on the Master Plan. I think that's the language you're referring to."

Mr. Esquibel said yes, it's one of the conditions included in the comments made by Noah on his DRT comments.

Chair Harris said then let's keep it simple then, *Landscape improvements associated with LP-104, LP-105 and LP-106 will be installed in Spring 2016.*

Bob Walsh, 1552 Camino Amado, President, San Mateo Neighborhood Association, was sworn. Mr. Walsh said, "Frequent references by the developer to the neighborhood, what the neighborhood thinks and has agreed to. We're here and can confirm whether or not those things are accurate. We just heard the developer say that this landscaping which was required 30 years ago will not be replaced unless he gets a building permit. Thank you."

Mr. Esquibel said the Applicant would like to make a small clarification on the issue of the contract for the landscaping.

Jason Adams, Christus, said, "I just want to clarify on the 2-year contract required for landscape maintenance, we have full intent to do that, but I will not be issuing a 2-year contract to one landscaper. We would reserve the right to use a landscaper of our choice, and to terminate the individual based to failure to perform and hire another."

Chair Harris he stopped that language to keep it simple in response to Mr. Berke's note that there is already a condition that states *'All quantities and sizes of plant materials must be maintained as shown in the Master Plan.'* He said the landscape buffer was a requirement in the 1985 document, it was installed and was torn out or died. So I agree with Mr. Walsh, why would we make it conditioned on issuance on a building permit.

Mr. Adams said because all the funding for the landscape to be installed is tied up with the project moving forward, otherwise he would have to go back and budget that separately. The path of least resistance to get it implemented in the Spring is to associate it with the project and then it moves forward. However, if it doesn't go forward the funding would no be available to plan it, and he would have to request that through the Board and be approved those funds.

Chair Harris said, "I don't think it's going to be a real problem for you, I think you can make it work, Mr. Adams. And I do think there was a prior condition, there was an attempt to make it work and it fell by the wayside. Think of it in terms of good will. Is there no reason not to try and reinforce the good will that has been lost."

Mr. Jason said, "We have absolutely tried to do that at every step. We have met and had positive meetings with the majority of the neighbors we've met with, I won't say all. And it is our intent to put the landscape buffer in, but again if the project doesn't move forward, I don't have access to those funds, I can't come up with \$500,000 overnight, so I will have to request that funding at a board, have it approved to install the landscaping. That is corporate process for getting funding for that amount of money, and it requires checks and balances."

Chair Harris asked the Commissioners their thought on this issue.

Mr. Smith said, "On behalf of staff, staff would intend to proceed in a timely fashion on the past due landscaping, if the permit process falls apart or if the permit is never issued. Staff has not assigned a high priority clearly to the enforcement of the past due landscaping, the deteriorated landscaping in the past, but we understand that the Commission, the neighbors, and we suspect the Council will provide direction to staff to follow-up on enforcement, if the coordination with the permitting process falls apart."

Chair Harris said, in other words, you see no reason to have the qualifier on issuance of a building permit.

Mr. Smith said, "I don't think that adds anything meaningful to our ability to enforce either the permit process as going ahead and we have conditions attached to it which we can enforce as part of the process, if the permit process is not going ahead, and we need to find independent authority to do the enforcement."

Chair Harris said, "I'll listen if you think I'm moving too slow, I'll listen if you think I'm moving too fast. So again, I think it's a simple statement as condition #4, '*Landscape improvements associated with LP-104, LP-105 and LP-106, shall be constructed in Spring 2016.*' This is what I propose and I'll hear what the Commissioners have to say when we vote."

Chair Harris said next in the condition is stormwater ponding which is relatively straightforward, I assume. Ms. Zaxus if you'll come up. Probably there are more questions associated with the outdoor lighting."

Chair Harris asked Ms. Zaxus if she has remarks on the stormwater ponding, reiterating it is relatively straightforward.

Ms. Zaxus said, "I think so."

Chair Harris said he knows Ms. Zaxus likes to see them design and construct in such a way that there isn't a steep hole with rocks in bottom."

Ms. Zaxus said, "That is correct. In fact, we're proposing some rather shallow berms to make up the inefficiencies in the stormwater storage behind this."

Chair Harris asked about the light, and asked her to elaborate on this, noting he didn't have time to look at 14-8.9. And also, if you have had a chance to look at the statement from SMASH, San Mateo Association of Homeowners.

Ms. Zaxus said, "14-8.9, details the photometric requirements for outdoor lighting. All of those standards meet the dark sky requirements and are a little more restrictive than the State standards since they were revised about 10 years ago. We've had some very good success. I think if you look around town at WalMart and some of the Las Soleras developments and so forth, they look nice. I've been checking on that at night to see how the actual windows match, the visuals. I would anticipate that meeting those standards for this project would result in somewhat similar and that's quite acceptable in terms of the amount of light not generated – the minimum amount of light that's generated."

Chair Harris asked about timers on a certain numbers. He said the neighborhood was proposing some of the outer ring in the evening when there is less traffic, less parking, maybe on a timer.

Ms. Zaxus said that would be a condition you might want to consider, it's not part of our Code. I don't know if that's been done at any time.

Commissioner Kapin said that brings up considerations of safety with the parking not being lit, and wants to look at that, dark pockets in a parking lot.

Chair Harris asked, in 14-8.9, the minimum/maximum height of a light standard in a parking lot.

Ms. Zaxus said she thinks there is a maximum, but in looking at the Code she didn't find it, commenting she thought there was a 20 foot maximum, but there is not.

Chair Harris asked the Applicant what would be the height.

Morty Huie, WHR Architects [previously sworn], said they were able to find it in the Code, but right now he can't tell you where to find it, but the project is designed at 24 feet.

Chair Harris said so your photometrics are based on a 24 foot light standard. He asked if he looked at a lower height.

Mr. Huie said they looked at a higher height, and they came back after review, and you were able to help us find it at that time, the 24 ft. height, and that's what we reduced it and designed it to. He said lowering it more would require more lights, and they were trying to reduce the number of light standards, because it causes inefficiency in parking.

Chair Harris asked if they specified a shielded fixture, noting the shielding is for adjoining properties.

Mr. Huie said yes, there is zero at the property line and no more that 0.5 of the photometrics from the center and it is directed downward.

Chair Harris asked if these are LED lights.

Mr. Huie said he doesn't remember and doesn't know. He said they believe it is, but he doesn't want to say unless he is absolutely sure.

Chair Harris said then there is not a lot of resistance to a condition that specifies an LED fixture.

Commissioner Greene asked Ms. Zaxus if there is a requirement for a cistern for irrigation, but as we progress through this, irrigation is using a lot of water, and the Hospital uses a lot of well water. He asked if we could harvest water and start to use it in cisterns for irrigation, with an additional 10,000 gallons or something that doubles the current capacity, and if that would make a difference.

Ms. Zaxus said, "I suppose that would make a difference, but there already is a cistern of 10,000 gallons which isn't included and is an extra basically, not included in the calculation for the required volume. They already are directing some of the stormwater to the plantings. So they are doing some of that, but it's actually not required."

Commissioner Greene said he can hold off until we discuss water usage, but now that we're talking about landscape, he would think that's a good place to start the conversation to cut down the water use.

Unidentified Commissioner said she likes the Chair's LED recommendations.

Mr. Huie said, "To answer your question, currently it is planned as an LED light fixture, but to have it as a condition, I would request that not occur, because I want the opportunity to go back and do a cost/benefit analysis, depends on where this discussion ends in the evening, with all the additions being requested, that's going to have a substantial cost impact. So I want to be able to back and vet to be sure we are being most judicious with the dollars we have allocated, spending them in the right place. If I could save \$20,000 on halogen versus LED and it doesn't outweigh itself over a three-year payback period and us that for another purpose we've discussed this evening. I would like the flexibility to go back and reevaluate that. So that is the current plan, but I would request not to have it as a requirement."

Chair Harris said we'll hear what the Commissioners have to say when we get to that point, and your points will be considered.

Lisa Martinez, Director, Land Use Department, said, "In terms of the water harvesting requirements, while we all know that's a good idea and we certainly encourage that developers and homeowners do what they can in that regard, I just wanted to make note that we do not currently have... the Council has not adopted a formal green building code for commercial projects. So whether or not it can be mandated she thinks might be a legal question."

Chair Harris asked if lighting is proposed for the path, the trails, ground based lighting.

Ms. Jenkins said, "No. There currently is no lighting proposed. But again, this is a 24-hour facility and so it is critical for security purposes and wayfinding that the lights are on all the time. And so the pathways proposed will have ambient light even if they're not right under a fixture they will have the benefit of the ambient light."

Chair Harris said the next category is straightforward with standard language on wastewater, noting there is nothing to add.

Chair Harris said regarding Water Division, "*Backflow preventers must be evaluated and upgraded if necessary.*"

Chair Harris said regarding Fire, the Hospital has a private fire line, private hydrants, and he has seen School Districts with private hydrants that are never tested or inspected, which in an emergency, which he has seen, they dribble, they don't pump. He asked the protocol for inspecting and testing your private hydrants.

Mr. Adams said he may have to refer to the Hospital on that. He said there are two 8-inch connections into the 18 inch line on St. Michaels, so those two feeds come in and there is a lasso, a loop, around the entire building. So there's a lot of flow rate, a lot of pressure that's available. He said Dee with the Water Authority analyzed that and she did indicate we had about 3,500 gallons a minute available, still with 50 psi available. He said that should be more than enough unless valves are closed.

Chair said the issues are the valves if they're not tested periodically, that's where it breaks down. His question is, again, is there any protocol in place for testing those and do you have to report that to anybody.

Mr. Adams said his recollection on the frequency is that they are tested annually to ensure proper flow. They have a triennial survey with the Joint Commission for Accreditation of Health Care Organizations that has a component of physical plant evaluation, and that is one of the major inspection points we have as a facility to go through and evaluate our fire suppression system that goes beyond the sprinkler system as well as ensuring we have proper 1 and 2 hour smoke and fire walls in the appropriate places to create compartments within the facility. They go all the way to deck, so that's a very focused component of the survey we go through every 3 years with that governing body.

Chair Harris said the hydrants are inspected annually, asking if this is correct.

Mr. Adams said that is correct, that is his recollection of the frequency and he can provide the information that clarifies that.

Chair Harris said he believes the Santa Fe Fire Department has a particular thread they use, so "you're nodding your head Mr. Aube, you're aware of it, and any new hydrants will be specified with the correct thread."

Mr. Aube said that is correct.

Chair Harris said the last category has 3 items, the first of which is a water budget which was submitted which is a requirement for consideration of a development plan. He saw the Memo from Ms. Encinias, and asked if that incorporate the approximately 2 afy associated with the irrigation system.

Ms. Jenkins said, "Yes and no. That is unfortunately, not a completely easy question to answer. A couple of things. When we talk about future improvements, if you look at the bottom of the water budget, we have proposed additions. Those calculations are based on the City's standard water budget formulas. The Water Division, every few years, analyzes how much water, actually uses, use. How much water does a hotel use on an annual basis, how much water does a gas station use, how much water does an office building use. All these things are analyzed, and so they came up with a budget. So for new projects they say, okay for ever 10,000 sq. ft. office you're going to use this much water and that's how we establish the water budget. And those numbers include irrigation, so it's not broken out between domestic which is used inside the building. They're looking at total water use for that facility, regardless of what kind of facility it is. So when we talk about the proposed addition, that does incorporate irrigation."

Ms. Jenkins continued, "And then also, we're looking at the existing water consumption we have on site that also is including irrigation. Those are total numbers. However, with some of the new plantings, there is going to be an increase. The new trees we're doing in the north parking lot, the parking lot improvements associated with the new patient wing, as well as a landscape buffer, so our irrigation budget is going to increase and why we attached it as a separate budgetary item."

Chair Harris said we note as part of the calculation in her summary, this is 20,000 sq. ft., which is the first floor. We supposedly have a 65,000 sq. ft. addition and asked the reason for that.

Ms. Jenkins said, "In working with staff with respect to the patient wing that will be on the second floor, there is no measurable increase, because water use is a function of additional patients. So that was seen to be a wash. But when the force for shower is improved to have clinic space or office space, there will be an increase in water use associated with that. But there's really not a significant increase in water associated with the second floor patient wing."

Chair Harris said you are going to add 6 beds.

Ms. Jenkins said, "Yes, so that was our discussion with staff and they concurred."

Chair Harris said it's just calculated at 20,000 sq. ft.

Ms. Jenkins said it is based on a net leasable kind of component, and there's lobby space, circulation space, and things like that.

Commissioner Greene said you are pumping over 5.5 million gallons of water from the site. He asked if the City has the potential to shift this to its own resources so we're not depleting the aquifer.

Chair Harris asked if he is talking about limiting the use of the well, and Commissioner Greene said yes.

Chair Harris said he has no idea but he doubts it.

Mr. Esquibel said, "I did talk with Marcos upstairs in the Legal Department, and at this point in time, there is no mechanism that would require us to shift them over to the City Water system. Their well is, in a sense, grandfathered in."

Commissioner Greene said, "But their plan isn't, but fine, if it's not an issue. I think it is. Do you want to continue the topic. So just to continue the topic for a second, in my mind I was thinking of some sort of, not that they would be cut off tomorrow, but there would be like a 10-year, this is a master plan. We're going to talk 10 years out there, that in 10 years they could cut it by 50% that might be good for us, but I don't know if that's viable with legal, or if we can make that a condition of the Master Plan, or.."

Mr. Shandler said, "That might be outside the bounds of the application and it may not be viable."

Commissioner Propst said, "That also has, my limited understanding of this, is it also has State Engineer implications who has oversight in other places of wells and water use. A worthy goal, but no within the scope of what we're here to talk about."

Chair Harris said we haven't been able to do it in the past for smaller projects, although he agrees it is a substantial amount of water, but he hasn't seen it done in the past, and "you've heard the comments here, so unless the Applicant has plans to diminish use of the well water. No plans. Okay."

Chair Harris said conditions, noise and generators, mechanical equipment, shall not exceed 50 dBA and 55, that's Code essentially. He said, again, it's a piece of machinery. We know you've got problems with the generators already. You're going to provide the mufflers, the equipment to get it down to a level of 50 dBA. He asked why we wouldn't just do 50 dBA, 24 hours a day.

Ms. Jenkins said, "The plan, with respect to the generator on the northeast side is to enclose it. We looked at various options, and we are going to be enclosing it. And so, yes, we will be at 50 dBA because if you're getting it down to what is permissible at night, that's going to be the same level you will maintain during the day. So we're including it."

Chair Harris asked when they propose to enclose the generator.

Ms. Jenkins said it will be part of the projects at the front end of the project, similar to the landscaping improvements.

Chair Harris said 3 generators were identified a month ago, and you referred to the one on the northeast.

Ms. Jenkins demonstrated the location on the map overhead. She said there is one centrally located generator, but it is already interior to the building. In the northwest corner there is a generator on the north side of the Physicians Plaza Building. She said as previously stated, Christus St. Vincent does not own that building, but we did do a couple of things. The noise levels were tested at that generator and confirmed the noise levels. It's not so much an issue of the noise coming out of the generator, but it's a ricochet effect, bouncing off the wall and it is increasing the noise level."

Ms. Jenkins said, "We reached out to the owners of that building, and we have a letter from the owners of the Physicians Plaza Building to the most adjacent neighbor, Gail Rappaport, who had expressed concern about the generator noise. And the good news is that they are going decommission the generator. They realize they no longer need it. There used to be surgical services that building that mandated the generator, but they no longer provide surgical services. So they do have to make some changes with respect to emergency lighting and different things of that nature, and the letter outlines that. So we did pursue that and we got a good result."

Unidentified Commissioner said, "This letter is about the decommissioning. I don't see decommissioning."

Ms. Jenkins said, "It's in the beginning of the letter they talk about that we will be removing the generator. They have some electrical upgrades that will have to be made to maintain, that's required as far as emergency lighting and existing lighting and things of that nature in the building that are currently tied to the generator, so they'll have to make some adjustments in that regard."

Chair Harris the northeast generator is about 60 feet from the property line, and asked if they are going to build an addition around that.

Ms. Jenkins said, "We are building a building around it. Correct. And it will have to be approved with sound attenuation in the interior of the building as far as the wall structure goes."

Mr. Huie, WHR Architects, said, "It's not a building, it's a manufactured enclosure, designed by the generator company. They can sell this generator for people who are out in the middle of the field, or in our situation, that is close to a property line where we're trying to not have such a high decibel rate. It's been brought to our attention and this manufacturer has already come out and given us an estimate, and we're signing-up with them to have it enclosed."

Commissioner Kadlubek said, "I have a comment. So far, being on the Planning Commission for the short amount of time I have been, I haven't seen really any applicant go to the lengths of dealing with individual neighbor issues like I see in this letter right here, and I just want to commend the Applicant for doing that."

Chair Harris said it's not the Applicant.

Chair Harris said this goes through the conditions, and he thinks we have touched on most of the questions and answers. But there is one, where we finished up and it has to do with this letter. He said, "I can't remember the language or your response, I'm trying to flip through this. It really has to do with the Master Plan and how it applies to Christus St. Vincent Regional Medical Center and its affiliates, and asked who are its affiliates."

Ms. Jenkins asked Mr. Adams to speak to this issue.

Mr. Adams said, "We are Christus St. Vincent Regional Medical Center. We have a physician group that we employ 85 physicians through. We have multiple office spaces throughout town. We own Physicians Medical Center which you're familiar with. Those are all under the umbrella of Christus St. Vincent."

Chair Harris asked Mr. Adams to describe the relationship between Christus St. Vincents and SVH Support."

Mr. Adams said SVH Support is the former Hospital authority that owned the Hospital before Christus bought 50%. And SVH support is a 50% owner in Christus St. Vincent.

Chair Harris said Ms. Jenkins just made the statement, regarding this letter from SVH Support, that certainly they're participating, and asked if it is SVH Support's position that the conditions, the requirements of a Master Plan do not apply to them.

Mr. Adams said SVH Support is a separate entity. They own the building and the land that the building sits on separate and apart from Christus St. Vincent. He said they last conversation they got into, we said we would work with them to see if we could get resolution. He said, "But I do not, as management within Christus St. Vincent have the autonomy nor authority to go to that group as a third party and tell them what to do with their assets. That's why we indicated that would work with them to get resolution which they have committed to."

Chair Harris said, "Well, I don't want to get too deep in your business, but if SVH Support is half of Christus St. Vincent Regional Medical Center there is a contractual connection there at some level, and I would think that in a fairly complex arrangement, again I'm not going to get into it, but it seems like SVH Support, give their half ownership of the Hospital properties and its affiliates, I guess, I don't understand why they wouldn't participate in this."

Mr. Adams said they have been a willing participant in resolving the issue once it was brought to light.

Chair Harris said signator is probably a better word.

Mr. Adams said, "The conversation we had at the last meeting was asking whether I could guarantee that, and I cannot guarantee that because I function in this box right here and they're in the box right above me, so I can coordinate with them, but I cannot require them to do anything, but they're absolutely a willing participant in resolving the issues that have been brought forward."

Chair Harris said we're amending a Master Plan that has multiple lots, most of which I guess, are owned by, and maybe I should ask. Are the lots identified in the Master Plan owned by Christus St. Vincent with the exception of B-2.

Unidentified person said yes.

Chair Harris said we have one lot owned by a different entity, what is their position vis a vis an approved Master Plan.

Mr. Shandler said, "I thought there was somewhere in the material this had all been worked out, but I guess it's still not. Let me try to find that citation that I'm looking for."

Unidentified Commissioner asked, "Can you explain a little bit further what your question is circling around this."

Chair Harris said, "If we're considering an Amendment to a Master Plan that deals with all the properties, it seems appropriate to me that you would have the owners of the various properties, and we've been told it's all Christus Regional Medical except for one. It seems like the City of Santa Fe would want them as a signator to a Master Plan. It seems to me. I know Mr. Delgado was here earlier and I don't see him now."

Unidentified Commissioner asked the Chair if it was Lot B-2 that he was saying was not owned by you guys.

Chair Harris said that was from memory.

Mr. Adams said it is the Physicians Plaza Lot and not the Medical-Dental Building B-2. We own medical dental, we just bought that in the last 45 days.

Unidentified Commissioner said, then everything we're contemplating here affects the properties owned by Christus St. Vincent, so do we need to...

Chair Harris said we are amending a Master Plan that was amended previously, that describes this property, B-1. It's in the Master Plan. Now we're proposing to amend the Master Plan, and it seems problematic if you don't have all the property owners as signators.

Mr. Esquibel said, "With regard to B-2, again, there are no changes to that lot. The Applicant has agreed to mitigate the noise levels at that lot, and it is still part of the Master Plan. It appears to me that everybody is still in line with the overall Master Plan as it is progressing and as it has been proposed. I think with regard to signatures on the Master Plan and the Development Plan, I think we can probably work that out among the attorneys at a later date."

Mr. Shandler said, "The reference I was looking to was the submittal from the Applicant. It's in Old Business, 1,2,3 is the label, it's Exhibit B. Chairman Harris's questions and applicant responses. Number 4. Are all tracts affected by the proposed Master Plan Amendment owned by the same entity. If not, will all ownership interests be required to agree to any and all conditions imposed by the Commission. Answer: All land identified in the Development and Master Plan is owned by Christus St. Vincent Regional Medical Center or its affiliates."

Chair Harris said that's not what we just heard.

Mr. Adams said, "We can pull legal documents to clarify the ownership. It is my understanding that we do not own the land that building is on."

Chair Harris said right, but it's part of the Master Plan. So when you say all land identified on the Development and Master Plans is owned by Christus St. Vincent, that seems not to be the case.

Mr. Adams said he'll have to look into the history of that, to see if there is an oversight with that. He said, "I think the important piece is that the individual who does own the property has committed to rectifying the situation that was question, without getting into the legality of who owns which lot. And we will clarify that and resubmit that documentation."

Chair Harris said, "Mr. Smith, you're pretty good at hypotheticals, I don't want to belabor it, but if they want to expand that particular building can they do so."

Mr. Smith said, "They would have to apply to the Planning Commission for approval of the Development Plan for expansion. They would have to show that they are consistent with whatever conditions of the Master Plan that remain in place that affect their property."

Chair Harris said okay.

Mr. Smith said, "I would note that the original construction of that building was itself subject to approval as a Master Plan by the remaining conditions of approval that are specific to that particular building as well, although we have not researched them."

Chair Harris said the last "hot topic," for him is the proposed 65,000 sq. ft. addition. He said, "Although I asked for the elevation from the right-of-way, as near as I can tell, the property line is about 190 feet from the closest point of the addition. The answer was given that it is approximately 268 feet from the back of the curb to the closest point of the addition. And the building itself... well the elevation of St. Michael's Drive is 6,987 and the finished floor of the new wing is 7,013, so there's 26 feet there. And you're asking for a variance to go up to, actually I've seen two numbers, 49 or 41. 49 is in the cover, and 41 is in the text. Let's use the smaller number. And that's the finished floor of the wing where we have parapets. And we've got a building that is going to project up perhaps 70-80 feet above St. Michael's Drive. It's a significant presence within the Highway Corridor."

Chair Harris continued, saying he wanted to be sure people understand the numbers and get a sense of the scale of the building as it's perceived from St. Michael's Drive. He said, "Quite frankly, I'm okay with it, the way it stands right now. What I'm not okay with is the potential of two more stories on top of what we have. That be another approximately 40 feet. My own hope and belief is that the City will accept and appreciate what's being proposed in it's current form. I'm less convinced that the City will appreciate another two stories on top of it. Ms. Jenkins."

Ms. Jenkins said she would like to add, as discussed that the last hearing, that they have no imminent plans to do that, if that if they were to proceed with that, that would have to come back before this body. She said, "And with this application there is no entitlement for any additional stories on the new wing."

Chair Harris said, "Right, I know, but if you're anticipating, we can also go back to the Master Plan and make you include that as an amendment to the Master Plan. You're talking about the potential for a 10,000 sq. ft. storage addition. It seems to me you really should be talking about the potential of another 65,000 sq. ft. building addition. I mean, really, that's what you're saying. If you anticipate it, not only in your plans, but in the money you're spending for a foundation system that will support it, you know. Master Plan Amendment aside, again, I think there would be resistance now if that's what you were proposing. You're not suggesting it's going to happen, but you're not making a formal request. And since you're not making a formal request, I see no way to construct it in such a way that would allow it to be built through a future Master Plan Amendment. Again, this is what we talked about at the beginning."

Ms. Jenkins said, "Sure. Absolutely. I just think it would be fiscally irresponsible not to construct this building in a manner that would support an addition in the future, should that be needed. It's not needed right now, but to invest in this structure without accommodating the possibility for an addition, in terms of the Hospital's own fiscal responsibility, that is why it's being designed the way it is."

Chair Harris said, "Yes. Well I think you can reverse that. I think, given what we've heard about the money constraints, it seems to me it would be fiscally irresponsible to spend money for a foundation for something that won't be approved."

Mr. Adams said, "As we discussed in our last meeting, when you look at the health care front, everything that is changing in health care, it's continually evolving. Everything is moving from in-patient to out-patient. When you look at the surrounding communities and the hospitals that exist in those communities, as health care continues to change, or will become increasingly more difficult for them to survive, we are preparing for the fact that in the future, we may be receiving in-patients from more of those communities and it may require expansion for beds. If you're going to build the building, the only place to put the med-surg beds adjacent to where they should be, based on proper hospital design, is on top of the two floors that we are proposing right now."

Mr. Adams continued, "When you look at the concrete, you get to do this only once. It would be irresponsible not to put the footings in the ground to support a future 4-story building, whether or not it is approved. Again, as we discussed last time, we don't anticipate that being a need for the next 10 years, but we're building a 40-50 year physical plant here and I can't tell you what's going to happen in the next 20-30, so we're going to prepare for that today."

Commissioner Propst said that response raises a question for her about the levels. She said a big deal has been made about everything needing to be on the second floor, but if you're "looking at putting up," why can't you go down now instead, and avoid this height variance and everything else.

Mr. Adams said, "By Code, hospitals are required for patient rooms to have windows with a certain distance from other buildings, so there is a clear view to allow sun in. This is all going to be patient care area with the exception of the first floor which is undetermined at this point. So it's required to go up, based on the national requirements."

Ms. Propst asked if it could go on the first floor.

Mr. Adams said, "That could be an option in the future. Like I said, we haven't determined what the first floor is going to be for, but it is highly unusual for hospitals to put patient care on the first floor, adjacent to a lobby at your main point of entry. It is where you have the most noise, the most volume of people coming in and out of the Hospital and it's not conducive to a quiet environment for patient healing."

Chair Harris said while you described a hypothetical where potentially some hospitals would close down, they would need to aggregate those services at Christus St. Vincent. He said, "I also think of another hypothetical which involves a dual hospital, which as we know, is a real hospital in this town. And I think the dynamic between the two hospitals, I have to believe, would probably satisfy the needs of Northern New Mexico for the next 40-50 years."

Mr. Adams said no one has expressed interest in building another hospital to date. He said, "We know a competitor has bought land in town, but they've owned that land for a significant number of years without development. So, whether or not there will be two acute care hospitals in Santa Fe in the near future is undetermined at this point in time."

Chair Harris said, "Like I say, you described a hypothetical and so did I."

Mr. Adams said, "Absolutely."

Commissioner Kapin said, "If you're applying for a foundation for a building that potentially could be 4-stories, that's sort of what we need to assess this process as. And it does pose... well I mean... the argument about it being infeasible to put it elsewhere because it needs to be lined up on the second floor, kind of goes out the window when the 3rd and 4th floors potentially aren't going to line up with anything and it makes that criteria a little hard to.... I mean maybe you can address that. Again, that was the question that I had."

Ms. Jenkins said, "This was discussed at the last hearing, but I think it would be better for Mr. Adams to discuss the proximity to services with going up to the 3rd and 4th floor."

Mr. Adams said Mr. Huie has a diagram on this, noting they are cohorting all the med-surg units together, and they can see by the diagram he's going to bring up, this is the closest adjacency where we're building today to align those med-surg units. It is also note that in working with the neighborhoods, the neighbors do not want us to build a two-story building behind the hospital which is the only other viable place the building can go. Therefore, it dictates that it go in the front of the building."

Chair Harris said, "Well, I wouldn't accept that. I think parking structures an option to open different portions of the site."

Mr. Adams said, "As discussed in the last meeting, when you look at the physical layout of the Hospital and where certain departments are located, future growth zones are dedicated for those areas, and you don't build in those areas to interrupt the future growth zones for, say your E.R., or your O.R., or you imaging services, which prevents us from putting the building on other parts of this Hospital. This is standard hospital design throughout the country."

Marty Huie, Hartman & Majewski Design Group [previously sworn], using a drawing from Exhibit "11," said, "If I may. WHR Architects strictly design hospitals, that's all we do. And the layout of this with the location of the med-surg, right 'here,' this is the second floor. 'Here' is the present ground floor and this is our third floor. As we see here, our second floor, here is where the O.R. and ICUs are. The location could possibly be back 'here,' closer to the neighbors as has been suggested, but if we do that, we are taking med-surg patients through a restricted area. And staff, to come down here to, this is where lab function occurs. And that lab function happens a lot during the day, during that time. 'This' staff functions with the other blue staff here throughout the day. And here is the emergency room. We take people from the emergency room, transport them back to the back corridor, not through the main lobby, to the appropriate room if they get admitted. Surgery happens back 'here,' and people go out of surgery into recovery and ICU and then in the med-surg. That's why all the med-surg beds are located where they are. To make the comment that they go on the ground floor, the beds could go on the ground floor down 'here,' but the problem of the beds on the ground floor and that is an option for future, the problem of doing that, is we have sidewalks along the way."

Mr. Huie continued, "Views are required out of patient rooms. So by having views out, you are having to move a lot of landscaping and everything, a lot of buffer zone in front of the hospital, reducing parking and everything else. As Mr. Adams said, a lot of noise there... I'm going to zoom-in on the second floor... for us to move a patient to the first floor we would be taking them through the main lobby. There's no back door to get there. We would walking patients through the ICU where it has to be quiet, and infection control and flow is very very important. There was a huge grading score we performed, locating it back 'here,' locating it over 'here,' actually looking at 'demoing' the cancer center at one time, placing it at this angle, placing it down 'here,' truly this location 'here' for all the grading scores for infection control, travel distance for public, dramatically placed it 'here.' If we placed it back 'here' the travel distance from here for a family member to come visit is truly 3 football fields back, as opposed to keeping the main function of why all the med-surg beds are located 'here.' And the med-surg is the primary point where you have visitors come visit family members. ICU limited hours, limited time to see."

Mr. Walsh said, "This site intended for a community hospital and it's now trying to be a regional medical center. I think what you heard, is this site has reached it's capacity. And for growth it needs to involve another site. Thank you."

Chair said we're getting pretty close. He wants to hear the Commissioner's thoughts on the point he just raised at the appropriate time.

Chair Harris said on the look of the building, asked if the stone proposed to be used is a real stone, or a faux stone like a stucco stone.

Mr. Huie said it is a 4-inch stone veneer, nothing it is still under budget talks with McCarthy, the contractor because they are trying to get a non-modular look and a non-uniform look to it that is more natural to the area.

Chair Harris said, "So, you would accept a condition on not using any faux stone, sometimes referred to as stucco stone. There you get that irregular modular, but it's fake stone."

Mr. Huie said, "I would almost say what we're suggesting, it could be argued, depending on how strict an architectural reviewer would want to be, a purist would be saying, what we're suggesting to be used is a true stone, but it is a modular element, but it's not a stucco stone... with core ten steel at the entrance, just to give a little variety of texture to the front entrance."

Chair Harris said but there are other materials that are available for that same effect, as opposed to steel at the main entrance to a hospital. Essentially, steel columns is how it will be read. He asked if they looked at other alternatives.

Mr. Huie said it was studied by the team in looking at it, we came back to the core ten for the history of the railroad in the area. That was part of the philosophy. "We went out to the Four Seasons, looked at what they had developed out there with their core ten and how well it fit into the natural environment."

Chair Harris said he was thinking about the core ten steel on Siler Road. He has a hard time accepting it as being reflective of any railroad connection, and seemed very inappropriate for the entrance to the hospital.

Kipp Schecht, WHR Architects, designer on the project [previously sworn], said, "I do have ties to this region. Part of the tie-in with the core ten steel was to the railroad, its history in Santa Fe. The steel look, the way that it patinas over time, it's almost like a living thing. It changes through the course of time in color, texture. It's part of the building... it's an accent piece that I do believe is appropriate in the area."

Commissioner Greene said, "While talking about the façade of the building, in looking at Exhibit "6," some of the photos from St. Michaels and from the intersection, a lot of the buffer trees currently in the area where this building would be located, seem to be taking out, and the amount of landscaping that is replaced in front of it is a pretty meager 10 feet of trees in front of the façade there and probably not sufficient to mask a two-story wing that is already on 14-16 feet of well, as well as something that might end up being 4-stories on top of 14-16 feet of fill. Is there any potential to shift the road further from the wings so there could be more landscaping and something to hide this building a little bit."

Mr. Schecht said, "I guess I need to clarify or understand, shift away from the wings."

Commissioner Greene said the current entry road that comes up from St. Michaels cut right to the face of the building, smack toward the façade. If it was pulled slightly to the west, and moved further to the west, there could be more space for pedestrian loading and unloading, but also for some trees to shield the façade along the face.

Mr. Schecht said, let me understand what you're asking, 'this' right 'here,' and Commissioner Greene said that's correct."

Mr. Huie said, "The reason we set the drive lane where we did, is we have the cistern and other irrigation related, the water catchment and the cistern right there at that location. And that was built in the last 4 years, so we were trying to maintain that landscaping area as it existed. And we also run into utility easements and thing like that, that we can't push the building any further. I know the roadway could shift, but it was the cistern and other circulation, maintaining as much parking as possible that we were shooting for."

Commissioner Greene said, "I've seen comments throughout since 1984 and 2006, both that you're over-parked and that the distance from parking to the entrance has been an issue. So unless you're proposing to push the parking under your building, there's not that argument as much. And for the driveway and the circulation, and the buffer of some landscaping, I think there would be potential to mask this building when you drive along St. Francis and you have our beautiful skyline of mountains behind it, to have a 2-4 story straight façade across there. With the largest trees on the site currently being taken out, I think there's a chance to put those back, even if it's just a little buffer in front of it."

Mr. Huie said for clarification, noting they had discussions this week concerning landscaping, and right now the landscaping we are providing in front of this hospital exceed Code standards dramatically, is 3 times landscaping required.

Mr. Esquibel said, "A note on top or architecture. We did take a look at the architectural with the Applicant. It should be noted the Applicant is in line with meeting the architectural point standards. We actually sat with Director Martinez in a long meeting to discuss the architectural requirements. And at this point in time, the proposal is in line with all point requirements with Chapter 14 for architectural styles. And the applicant is correct, we did utilize the additional landscaping they provided as part of our reason for supporting the variance for this building."

Commissioner Greene said, "The 3 largest cottonwoods on the site will be demoed by this and what is being put back in its place, is just more parking, but not necessarily more equivalent landscaping in front of it."

Mr. Miller said, "And I may add that we're exceeding the number of trees that are coming out significantly. One of the tables on Sheet L-1, LP-101 lists all of the trees in those islands and the quantities of trees going back around the building, exceeds what's there now. And they are mixing species that are going to get tall." He noted as you come north off St. Michaels there is a significant D-shaped area with heavy trees as you come in, the part that is closest to St. Michaels. As the slope comes up, the trees will get taller in front of buildings, so there will be more living trees in front of the building.

Commissioner Greene said from looking at the drawings, it appears there is a 15 foot buffer for trees, so a good size tree will be brushing the building if it has an 8 foot crown, or 15 foot size tree. But a good size tree that might want to be 30 ft. round probably needs more space than that and you're not giving it.

Mr. Miller said, "I feel the species we've selected will be more fastigate, meaning they go up instead of out. There are some nice elm species we're proposing in there. We don't want to do cottonwoods in that location, so we're not proposing to put back the tree species that are there, nor are they are proposing ponderosa pine which are both inappropriate. What we feel now that is the plan are appropriate trees."

Commissioner Greene said those are more urban trees, like street trees, so not as large, not as able to shield the building, but more of a little accent pieces.

Mr. Miller said they're not as spreading, but they do give some height.

Commissioner Greene asked the expected height.

Mr. Miller said he doesn't have the plan in front of him to know the species we're talking about.

SUMMARY OF CONDITIONS AND CONSIDERATION OF MOTIONS

Chair Harris proposed to summarize and consider motions at this time, with which the Commission agreed.

Mr. Esquibel said, "Since a lot of conditions are being adopted, can we make sure everything is clearly stated in the microphone so we can pick it up, that way I can extract them from the minutes."

Chair Harris said, "The first case is 2015-47, 455 St. Michaels Drive, Christus St. Vincent Regional Medical Center Master Plan. And to remind everybody, the way the recommendation is written simply states, 'Recommend approval of Case 2015-47 to the Governing Body, subject to conditions of approval identified in Exhibit A and approved variances and Development Plan. So we can act on this, but knowing this will be tempered actions on the subsequent cases, regarding the Development Plan and the Special Use Permit and any conditions that were placed. Or do we need to describe the conditions right now.'"

Mr. Esquibel said, "What I would recommend is that all conditions apply equally to everything. Since everything is married, we will just make sure that all of the conditions that are applied will be represented on the Resolution for the Master Plan as well as placed as part of the Development Plan when they put in place. So all you have to do is make one recommendation, one set of conditions and everything will apply across the board."

Chair Harris said, "We do ask you to break up the cases, which I appreciate, but I think what I heard you say is we should go ahead and get it out of the way and make an attempt to describe to the conditions right now associated with the first case. Would you agree with that Mr. Shandler?"

Mr. Shandler said, "You'll have another chance to see this all in writing in the Findings of Fact, and so if I put the conditions on the wrong case, we'll have time to correct that. So I think, given the late hour and the depth of the topic, maybe if you could get all your conditions out and we'll present it in writing. If you agree or disagree, we'll sort it all out at the next meeting."

Chair Harris said, "Looking at Exhibit A, the first category deals with traffic, I think the modification to point number two, or the condition, the way I would propose to amend it, *"The developer shall limit access at their southernmost access point onto Hospital Drive to entrance only, right-in-left-in."*

Commissioner Kadlubek said there is also a change on Condition 1, but we can go back to that if we need to.

Chair Harris said that is correct, but he was going to deal with it on 4A.

Chair Harris said what he heard previously, is it's going to be accomplished by striping, not by constructing a raised median.

Mr. Romero said, "It would be through on-site signage. No striping alterations to Hospital Drive are proposed."

Chair Harris said, "So the limitation to entrance-only would be accomplished through on-site signage."

Mr. Romero said, "Yes."

Chair Harris said then we strike the second sentence, and he thinks the third and fourth sentences still apply.

Chair Harris said, "Third under traffic, *The developer shall perform intersection improvement at the Hospital's northernmost access onto Hospital Drive so as to improve pedestrian crossing across Hospital Drive.* I think the discussion about traffic calming on Hospital Drive, I had originally thought we would attach 'that' to 'this' one, but I think you expanded it Commissioner Greene, to where we must have a separate condition that talks about consideration of traffic calming the length of Hospital Drive. Is that correct Commissioner Greene."

Mr. Greene said yes.

Chair Harris said, "So again, I think what we have there is appropriate."

Chair Harris said, "The fourth one. *The proposed Master Plan also includes a 36,000 sq. ft. addition..... a. The developer shall calculate fair share contributions.* So we're going to propose to substitute language. Do you want to read that Commissioner Kadlubek.

Commissioner Kadlubek said, "The developer shall calculate fair share contributions for the needed improvements to Galisteo/San Mateo intersection at the time a development is submitted. Funds equal to the developer's contribution will be placed and held in an escrow account to be maintained by the City. The developer's contribution shall be used solely for the costs that are necessarily incurred for the design and construction and right-of-way acquisition, with either a traffic signal or a roundabout at the Galisteo/San Mateo intersection improvements and for no other purpose. Any remaining escrow funds not used for the design and/or construction of the improvements within 5 years of the recordation of the development plan shall be returned to the developer."

Chair Harris said he proposes to strike that language.

Commissioner Kadlubek said, "I think that both the City staff and the Applicant are in agreement that this last *[inaudible]* can stay."

Chair Harris said, "Mr. Romero again, what I heard was that with right-of-way acquisition, the approximately \$84,000 will be, in your opinion consumed. So what is your position in striking the proposed language "to return after 5 years any remaining balance."

Mr. Romero said, "I prefer to leave that to the Planning Commission. All I can state is that I feel fairly comfortable that we can spend most, if not all of the funding within 5 years."

Chair Harris said, "Okay. Asked and answered. Commissioner Chavez."

Commissioner Chavez said, "I'm also comfortable with that provision, because I think it behooves the City to have motivation, since it says 2017 is the year this is supposed to be implemented, that there is additional motivation to start developing and designing of these improvements as soon as possible. So, I'm okay with the language staying for that reason as well."

Commissioner Greene asked if it would be possible to extend this to the intersection of Galisteo and Hospital Drive as well, because the solution might be there and more of a critical juncture for a more timely solution.

Chair Harris said, "if we're tracking and responding to the TIA, which shows the imminent failure of only one intersection, at Galisteo/San Mateo, so I think that's where our attention has to be."

Chair Harris said, "These things take time. If we leave the language in, would you consider 7 years instead of 5 years. The impetus is still there that Commissioner Chavez described."

Mr. Smith said, "Might I also suggest that we have the phrase, 'on request from the developer,' which will put the onus to ask, in a timely fashion, for the refund of the money on the developer, rather than staff to remember 7 years from now."

Commissioner Propst said that sounds like a reasonable recommendation, but we've heard from staff they can use the money in 5 years, and doesn't think we need to do 7 years, it's sort of pulled out of the air, and thinks we're asking a lot from the Applicants and we could leave it the way it's written and agreed to earlier.

Chair Harris said, with the additional language referencing right-of-way acquisition, we are essentially going to track with what the Applicant has proposed, and asked if that is correct.

An unidentified Commissioner said that is correct.

Chair Harris said that language will be inserted under 4(a)

Commissioner Kadlubek said he thinks the last sentence already in 4(a) should also be included, which is '*The developer will be required to contribute these fair share contributions at the time of development.*'

Chair Harris asked what the Commission would like to do about 4(b).

Commissioner Kadlubek said 4(b) is, *'The TIA projects that during this phase of development, the Hospital's northernmost access onto Hospital drive, across from Harkle Road, will fail. At the time of development, the developer shall implement a roundabout.'*

Commissioner Propst said they still could evaluate all options, including a roundabout.

Commissioner Kadlubek continued, *"The TIA projects that during this phase of development, the Hospital's northernmost access onto Hospital drive, across from Harkle Road, will fail. At the time of development, the developer shall evaluate all options, including but not limited to implementation of a roundabout, unless a revised TIA with more recent traffic data recent traffic data shows that the access operates at adequate levels of service under its current configuration."*

Chair Harris asked Commissioner Greene to take a stab at drafting a fifth condition that deals with implementing traffic calming measures along Hospital Drive, based on the design to be reviewed and approved by the City Public Works Department.

Commissioner Greene said it sounds as if he has already drafted it. He said his concern is about pedestrian off/on the site, noting some of it is bicycle, some of it is traffic and it's a whole laundry list of deficiencies in the neighborhood, to which the Hospital has a fair share of contribution. He asked how we make that part of this Master Plan.

Mr. Romero said, "We can address that. So, regarding Hospital Drive, right now there is a parking lot on it, so the bicycle facility on that would be a shared traffic ring. On Galisteo and San Mateo, the Santa Fe MPO's Bicycle and Trail Master Plan currently includes a plan to improve that area. With that being said, some of the City's 2012 GO bond has funded a portion of it. We are looking to get the remaining funding to accomplish those bicycle improvements as identified in the Bicycle and Trail Master Plan from the City's 2014 CIP bond. It was set to go to the Bicycle and Trail Advisory Meeting at its last meeting, but it was postponed. So the next one, has the endorsement of the Subcommittee for On-Road Bicycle Improvements, so there are imminent plans and it looks like imminent funding to accomplish bicycle improvements in this area."

Commissioner Greene asked if it is to complete sidewalks where there are no sidewalks at the intersection of Hospital and Galisteo. There are a bunch of sections there that do not have sidewalks that lead into the neighborhood or to other Hospital facilities or Hospital Zoning facilities.

Mr. Romero said, "As far as being able to attribute it directly to the Hospital, if the Hospital is drawing a significant pedestrian demand, I guess you may consider. But again, the Santa Fe Metropolitan Planning Organization is working on adopting a Pedestrian Master Plan, and part of that is prioritization for infill projects. Once that is adopted, we are going to present it to Council. Right now, we have about \$500,000 of CIP bond money from 2012 and 2014 identified for what is called Small Sidewalks. So we're waiting to spend that money after that Pedestrian Master Plan is approved, and after we present it at Council. This is one area where we're going to be suggesting that we spend that money as part of the Bicycle Improvement Project."

Commissioner Greene said, "And lastly, if we're not going to have any vertical traffic calming, street trees are considered... like a steady rhythm of street trees are good to slow down traffic as well as, I think they've just announced that we live longer if we have street trees in our neighborhoods."

Mr. Romero said, "I agree with the fact that it does help to calm traffic, but as far as committing to place them, I wouldn't be able to do so without consulting with the Parks Department who would have to maintain them. I would understand it would be difficult to install irrigation for one specific tree at a time, so they would more than likely have to water it with a truck. And I would have to consult them to see if it is feasible with current staffing."

Commissioner Greene said, "I wasn't thinking of island trees which would be great too. However, I was thinking more of street trees in front of the Hospital. Something along the sidewalk along that side, but whatever traffic calming method works the best would be better than nothing."

Chair Harris asked how the condition be written dealing with traffic calming along Hospital Drive. He said his rough language is, '*Traffic Calming Measures along the length of Hospital Drive, based on review and approval of the Public Works Department,*' and asked the Commissioners if this wording is okay.

Commissioner Greene asked if there would be equal contribution between the Hospital and the City, to try to make it a fair share.

Chair Harris said, "To me, this goes back to the 2006 Amendment, which requires the Applicant to deal with traffic mitigation and calming, is how it is phrased. So I think it's on them. Just like the pedestrian crossing would be on them. Okay."

Chair Harris said one additional condition that we talked about were improvements at the St. Michael's Drive entrance to be made after review of design by the Transit Division, and approval of the City Public Works Department. He said he is sure this condition will get fleshed-out in the Findings.

Chair Harris said this is all he has for traffic-related conditions external to the property.

Chair Harris with regard to landscape, he said what he felt we settled was the addition of a fourth condition of approval as follows, '*Landscape improvements associated with LP-104, LP-105 and LP-106, will be installed in Spring 2016.*'

Ms. Propst said that reflects her notes as well.

Commissioner Greene said he would like to request the landscaping buffer in front of the wing to closer to 25 or 30 feet as opposed to 12-15 feet, noting right now it's about 10 feet of landscaping and 5 feet of sidewalk, which isn't much landscaping buffer space. He said it's within Code, but it is a variance on the height and size of the building, but it's for the debate of the Commissioners. He said if there is support it would be great, but if not, he will defer.

Mr. Aube said, "I don't believe that I can do that and maintain that cistern that is there. By the time I shift that drive lane over and all of that to create the buffer larger at the building, then I will need to remove and relocate the entire 10,000 gallon cistern and all the pumps and everything else related to that."

Commissioner Greene asked Mr. Aube to point out the location of the cistern on the map on the overhead.

Mr. Aube said, pointing on the overhead, "It is right at the intersection...."

Commissioner Greene asked, "Is it in the knuckle..."

Mr. Aube said, "It is to the inside of that curve, just to the south of the parking area, right against the driving lane. And it was set there, because back in 2006, we had proposed a different ring road, and we were trying to balance both of those things to allow the ring road, if that was desired in the future, to come back in and still get the cistern in there that the landscaping needed."

Unidentified said, "And I would add to that, that that's at the very lowest spot of the parking lot, so that's why all the water goes right there."

Commissioner Greene said, "I will just close with that we're going to look at this for 30 years, and we're going to drive by this façade, and we're going to say we wish there were more trees in front of that, but that's fine, so thank you."

Chair Harris said, with regard to stormwater and lighting.

Unidentified Commissioner said, "I was somewhat persuaded by the Applicant's response on that, that maybe that is a little micromanaging on our part, but I would leave it to discussion."

Chair Harris asked, "What's your own experience. This is the business you're in. Have you seen studies of a similar nature?"

Unidentified Commissioner said, "I can't cite any studies right now, but I think if they do the cost/benefit, they're probably going to do it anyway, so that's why I'm not as worried about dictating it."

Chair Harris asked if that is with the assurance that the Applicant does a cost/benefit analysis.

Chair Harris said there are no changes further changes in lighting and stormwater, or in sewer, water backflow prevention. With regard to fire hydrants, his concerns were answered regarding the protocol with the Hospital employees for testing those private hydrants, and the engineer acknowledged using the Santa Fe [*inaudible*], so he thinks that should be good to go.

Chair Harris said the last miscellaneous group deals with the water budget. He said, "The changes to that, I don't think so. Okay."

Chair Harris said, "I heard the Applicant say, characterize, '*The northeast generator will be enclosed in a specialized unit at the front end of the project.*' Okay. I still would like to see the language read, 50 dBA 24 hours a day. That's just logic to me."

Chair Harris said, "We didn't talk about the '*Engineer's cost estimate for all required on and off site improvements with financial guarantee. The financial guarantee shall be in favor of the City.*' I think that's standard operation procedure."

Mr. Shandler said, "Back on the noise, do you want your standard construction time."

Chair Harris said, "I was going to add that. I've got a little list here, but thank you."

Chair Harris said, "So that was number 3."

Chair Harris, responding to an inaudible comment by a Commissioner said, "That's a good point. Maybe we just wrap up the conditions."

Chair Harris said, "I propose a condition to limit construction activity to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 8:00 a.m. to 2:00 p.m. on Saturday with no construction activity on Sunday."

Chair Harris said, "I propose as a further condition, that the Internal Site Traffic Circulation Plan be expanded to study the Internal Pedestrian Circulation Plan. It's hard to say, my own experience is basically you walk from one parking lot to another, and step over a curb in order to make a short cut. So I think there needs to be an analysis of appropriate Pedestrian Circulation Plan as part of the Internal Site Circulation Plan."

Commissioner Greene said, "To add some specifics to that, one of the things I noticed there were no sidewalks to get from any of the buildings on the campus to the street. So there's a sidewalk that wraps two sides of the site, but none of those turn into the property. So if you wanted to in, you would have to take an active roadway or go across a grass lawn. So if we could be specific about adding 5 foot wide sidewalks at all vehicle access points with curb and gutter that lead to all buildings, and specifically to add at 5 foot wide clear passage between all buildings on campus. For instance, Medical-Dental Building to Physicians Plaza, or Physicians Plaza to the back of Surgical Center, or something like that. These specific points that might have people walking across. They put some of them on already, but I think the ones that get specifically to the street, to Hospital Drive and to St. Michaels are desperately needed. So in a form, added to the motion, to add 5 foot wide sidewalks to main buildings to St. Michaels and Hospital Drive, including all vehicular access along each side of vehicular accesses."

Mr. Shandler said, "I would just ask that the verb be 'may' instead of 'shall,' because I'm not sure that type of depth was discussed on that particular matter. And given the late hour..."

Commissioner Kadlubek said, "I totally agree. I think some of these last conditions, I don't feel comfortable supporting, because we didn't have a chance to talk about it, talk to the Applicant, talk to staff."

Chair Harris asked, "Do you have any problem with the generic development of a pedestrian plan."

Commissioner Kadlubek said, "Using the word 'may,' I'm fine with a generic development, and the use of the word may, rather than shall in Commissioner Greene's condition."

Chair Harris said, "There was no discussion about the response on sustainable practices, zero discussion amazingly. And so is that because we agree with, so the exhibit they provide really represents the condition for sustainable practices. Again, this is part of the can be, and should be part of a consideration for a special use permit. Everybody read that memo of what they're proposing, again it seemed pretty generic to me."

Commissioner Greene said, "Maybe not for this case, but I would ask staff and maybe the Council at some point to start to put metrics together for specific areas where we could measure sustainability, whether that's water use, energy use, location to other services and mixed use things. At this point, I guess we've missed our chance on this to be specific."

Commissioner Kadlubek, "I would add, I agree with Commissioner Greene, it's hard to me to imagine what a sustainability plan looks like, means, what the weight of it is. I would look toward staff and other Commissioners with more expertise to lead the way on that. But mostly I look toward staff to lay that out a little more clearly what it looks like, so I agree."

Unidentified Commissioner said, "I agree. I think we need more from staff on that going forward and should work together on how we can improve that. You're right, a sustainability plan can be really excellent or really weak and something people hide behind and not do much."

Commissioner Greene said the sustainability plan is very weak in that regard.

Chair Harris asked, "The document provided by the Applicant in response to our question, is that an acceptable condition. We talked about low flow toilets, talked about LED lighting internally to the building."

Commissioner Propst said, "It isn't what I was hoping to see from the Applicant, but again we don't have a lot of specifics to work from, around what we can expect. So I don't think it's fair to try to implement things right now on this project mid-way without some sort of clear direction from staff and from the Council potentially."

Chair Harris said, "Yes, but if the Applicant has made these representations, it seems to me like we can accept them."

Commissioner Kadlubek said we can definitely accept what they gave us, absolutely yes.

Chair Harris asked Mr. Shandler if he can capture that, and Mr. Shandler nodded he can.

Chair Harris said, "I'm going to propose a condition that true stone would be an acceptable veneer material, true stone.... I just want to get away from any consideration of a faux stone, a stucco stone. Say yea or nay. These are conditions you are going to vote on. I only vote in case of a tie."

Commissioner Kadlubek said, "Personally, I don't really care either way. If it's something you want, I'll yield to your leadership here, Chair Harris. And if that's something that matters, I'm not in a position to say either way how I feel. That's the truth."

Mr. Esquibel said, "Not associated with this, but I just want to make sure that the conditions that were put in place by MPO are also included as part of staff conditions. It didn't get put in the matrix. They are on the DRT list and those deal with the trails that we've all agreed on. And I believe the Applicant would like to discuss the time schedule for noise if you would allow it."

Chair Harris said we will, once we have a complete list. I know the Applicant does want to talk about it.

Chair Harris said, "Not a condition, but I really want the Applicant, the design team and the people who live [near] and use Christus St. Vincent's Regional Medical to consider something other than steel at the entrance. It's the wrong message to your patients and their families, in my opinion."

Chair Harris said, "One thing we've not talked about, but I want to propose with the final condition is that, *'The Applicant return to the Planning Commission within one year for review of progress and compliance with all the Master Plan conditions. I would like a report.'* Okay. Commissioner Chavez."

Commissioner Chavez asked if we want to have a conditioner in there about the northwest generator. That wasn't mentioned when we were talking about the generators. We only talked about the building on the east side. Do we want to have a condition in there, even though it's not their building, can we. I'm not sure what the protocol is on that, to ensure that's taken care of as well."

Chair Harris said he wants to know whether or not SVH Support is a signator. He said we do have a letter from SVH Support and the representations they're making. "So that's where I was going to leave it. Mr. Shandler."

Mr. Shandler said, "The dilemma that I understand, is that this is a Master Plan and there may another entity that's on this Master Plan. And this one citizen has brought up an example of how she raised a complaint. And the Hospital said, sorry we can't do anything, that's someone else, even that's on our Master Plan. I think that's the context of the discussion. I think that if you're on the Master Plan you're subject to the conditions of the Master Plan, regardless of what your entity is. But, I don't know if I can resolve that right at this moment clearly."

Chair Harris said that's the reason he was deferring. He said, "Perhaps we could, at the very least, just attach the letter from SVH Support as an exhibit, not necessarily as a condition, but at least it's on the record of what they're intending to do to solve this. Short of you telling us, hey, they've got to sign off on this and agree, which you're not prepared to do, I don't know what else to do."

Mr. Esquibel said, "Since you've already made a recommendation to look at the progress of this, you can also check on that to find the progress of where they are with removal of that within a year's time. So you would be able to address that at that time if it's not satisfactory."

Chair Harris said, "Let's finesse it. I'm willing to assume that SVH Support will honor the commitment they've made in writing, attach it as an exhibit to the case, and that should be reported back, as well within the year. At the very least, in terms of Code enforcement, the City of Santa Fe needs to talk to them. We already know they're above the accepted levels. So, cite them, give them 30 days, 45 days to correct it."

Mr. Smith said, "I think the staff will take to heart your recommendation that we investigate enforcement activity, independently against a possible noise violation at that location."

Commissioner Propst asked if this moves us to the MPO conditions, asking if we need to move through those as well.

Chair Harris said he thinks Mr. Esquibel mentioned it, but he doesn't know if we need to reinforce that, but if you go ahead and state it for the record, Mr. Shandler will capture that as an additional condition.

Commissioner Propst said, "Mr. Shandler, please capture the Santa Fe MPO proposed conditions of approval as additional conditions."

Ms. Jenkins said, "One very critical issue I wanted to speak to relates to the construction hours. As you can see on the screen right now, the proposed addition, measuring to our nearest residential neighbor is 775 feet away. And then, over 'here' in 'this' area is the lay down yard where construction materials can be kept and transported for the purpose of constructing 'here.' That is 818 feet away from our nearest residential neighbor. And there's a building in the way. Buildings are good at reducing the spread of noise and sound. I think it's a barrier just from a contact standpoint. We're not building up 'here,' we're not building over 'here,' we're not building right here, literally on top of our neighbors."

Ms. Jenkins continued, "When this issue came up with respect to a reduction in the construction hours, we reached out to our general contractor and said, what is the financial implication of that reduction, in terms of schedule, and schedule being the biggest issue. It adds over a year of time to the project and about \$1.5 million. And it has a significant impact. Our goal is to get it enclosed as quickly as possible, so all the activity is happening on the interior of the building, so I think it's going to unintended consequence of drawing out the construction timeframe. Which that point of that request is to reduce the impact on the neighbors, but having us out there working longer I don't think accomplishes that."

Unidentified Commissioner asked, "Can I ask how long they're planning to work, including the hours they're planning to work."

Ms. Jenkins said, "In accordance with the City Code, there is a noise level requirement that can occur from 7:00 a.m., there's different noise level maximums that are permitted from 7:00 a.m. to 9:00 p.m. We intend to start at 7:00 a.m., and usually the crews are off site by 3:00 or 4:00 p.m. in the afternoon. That's 5 days a week, and most of the crews are gone by 3:00 or 4:00 p.m. in the afternoon. There will be some crews there until 5:00 or 6:00 p.m."

Unidentified Commissioner said, "The five o'clock is okay on the tail end of it, but you are requesting 7:00 a.m., instead of 8:00 a.m."

Ms. Jenkins said, "Technically we would like to follow the Code. That is our request, to comply with the City Code."

Unidentified Commissioner asked, "Can I ask a question about the drawing. I understand what you're saying about the building buffering. My question is the difference between the bottom of that triangle there, is how far, and how do you propose that gigantic materials are going to get from that spot to the building. There is no noise buffer between that spot until you get to the building zone. And I think that's the concern of the neighborhood. And our concern."

Ms. Jenkins said, "I understand. So from a staging standpoint, there is a retaining wall that will be constructed 'here,' to accommodate the fire lane. Until that time, they will be transported across 'this' area to the construction site. There has, in the past, been some storage of different materials in 'this' area of the site. The neighbors expressed concern to us about not utilizing 'this' area, and we have no intention of utilizing 'this' area. So identifying area 'here,' for the purpose of staging the construction, we wanted to identify that because that was in direct response to concerns expressed about this area."

Unidentified Commissioner said, "You didn't really answer the question."

Ms. Jenkins said, "I'm sorry, I apologize."

Unidentified Commissioner said, "No, the question is about noise at 7:00 in the morning, and also there are the residents in the Hospital right behind this wing I'm wondering about. Going from where you're talking about staging over to the building is quite a bit of area that has zero buffer. This doesn't really address that."

Ms. Jenkins said it's a distance issue. The distance really serves at that buffer, with the added benefit of the building here. But just the strict linear footage sound will dissipate significantly over that distance.

Commissioner Greene asked how they will get from the staging area to the construction site. There isn't a curb cut across the arroyo. He asked if that is the plan, and Ms. Jenkins said, "That's the plan."

Commissioner Greene said, "So this is the FEMA flood plain that is so difficult to get across, but now is really easy to move construction material across."

Ms. Jenkins said, "I'm going to let somebody else respond to that."

Mr. Aube said, "Under one of the previous projects for the Emergency Department in 2005, an area over in 'this' area was used as a borrow pit to bring in the fill for building up this area. There currently is a lane that comes in right in 'this' area and cuts across the arroyo and they did put in a culvert to allow the drainage to go underneath that. If a 100 year flood comes, it's going to over-top that. So there is currently a lane that links that together to this open area in Tract D. So in the interim, until the retaining walls are constructed, that lane would be available to us to store the materials to deliver that to the construction area. But once the retaining walls are in there, those things will block all access down into the flood plain and our retaining walls are very close to the edge of that defined flood plain."

Commissioner Greene said, "So once you have materials beyond retaining walls, concrete work, and once you start doing a floor there is steel and all that. Where is that going to be staged?"

Mr. Aube said he would think that is still in Tract D, and they would hold off on building a portion of the retaining wall to allow that access, but once we back out of that area and formalize the walls, then it wouldn't be accessible any more.

Commissioner Greene asked how they will access St. Michaels.

Mr. Aube said a project is being proposed by the City of Santa Fe to rebuild its water tanks over in 'this' area. He said, "They have come to the Hospital and requested to be able to utilize this area as well for a staging area. As part of that agreement, they were creating a temporary roadway to St. Michaels to allow their construction materials to be delivered, and we would just retain that lane that will be built by that project for delivery of our materials."

Chair Harris said we could have heard that earlier.

Chair Harris said there is one thing he talked about, but doesn't know how Commissioners feel about it. He thinks by rights, the current Master Plan Amendment should reflect the possibility of two additional stories. The reason is that they're proposing to construct a portion of it. He said they are going to spend money to build a portion of those two stories, and questioned why that wouldn't be an amendment to the Master Plan.

Mr. Esquibel said, "They have already indicated they are not looking to propose a second or third story on top of that. I'm not sure if you understand that, but the original hospital was designed to incorporate additional stories on top of that, and they chose not to go in that direction. So while they are proposing to construct the Hospital to meet a standard to attach the hallways together at the appropriate locations, it is their intent to also construct that in order that future development, they may or not need as a hedge against possible...."

Chair Harris said it's a Master Plan, and they may or may not need the 10,000 sq. ft. storage. They may sell the property. We've heard that tonight too, so again, they are proposing to construct a portion of the future addition, and Mr. Esquibel said this is true.

Chair Harris said the amendment to the Master Plan doesn't reflect that at all.

Mr. Smith said, "Staff's view is that it is clear that they have no authority under the Master Plan, as approved to build the third and forty story on that new wing, and they would have to come back to the Planning Commission and Governing Body for subsequent amendments through this same hearing process, when and if they expressed intentions to proceed with that. But it's unusual, and I can't think of any precedent where the Commission or the Council has regulated the underground construction on a Development Plan or a Master Plan."

Chair Harris said, "I don't know how the other Commissioners feel about it, but let's wrap it up."

Commissioner Kadlubek said, "I feel personally in regard to this, if it has to come back before the Planning Commission, and maybe 10-20 years from now, that the City that I live in and grew up in, I want to be able to leave some agility for the hospital that's servicing the City to be able to grow if it needs to. And if that growth is because we need more beds, or citizens that need more services, that they have the agility to come back and say, we need to grow in here. And the Planning Commission can make up their mind as to how they feel about that proposal."

Commissioner Greene said, "We don't have specific language that we do not endorse a third and fourth floor at this point, and the third and fourth floor aren't part of this case, and if there's going to be a third and fourth floor, that would be up to the Planning Commission at that time. I don't think we have to say that we're endorsing a third and fourth floor, because a third and fourth floor is not before us."

Commissioner Propst said, "I agree, while I share your frustration, your irritation that they seem to be contemplating something that they're not actually proposing to us to take a look at it all together, it's kind of at their risk, if they're going to spend the money and do this, having a foundation that could support other growth in the future, and it's got to come back to the Planning Commission. It's on them if they're going to take that risk that it might not be approved in the future if they plan to expand it, so I'm comfortable with the way it is."

Chair Harris said, "Commissioner Kapin, I see the same. Commissioner Gutierrez did you want to add."

Commissioner Gutierrez said, "Just a few quick comments, I haven't said much tonight. After learning about this entrance the City is going to use for the water tank, that they're going to piggy-back on, and after listening to the architect, for lack of a better word, I think there's a little bit of trickery going on as far as some of the things we weren't informed with. Being that entrance, this variance for the height. I'm kind of with you. I think that they keep going back and saying the neighbors, the neighbors, the neighbors. And the architect said part of the reason you put it here is because of X, Y and Z, if you guys listened to him. There's more to it than just the neighbors. There's economic impacts of why they decided to put in

the front. I have no problem with them going two stories today, but in the future, and I do think it is our job to look into the future, not just the hearing now, four stories is too much for that area, for that scenic corridor, the overlay. Thank you. It is my personal feeling, if we are going to get into this and we are going to discuss the future, I'm going to respond to Commissioner's Gutierrez's remarks is that if four stories is good enough for hotel rooms, tourists and downtown Santa Fe, that four stories is good enough for hospital beds for the citizens of our City."

Lisa Martinez, Director, Land Use Department, said, "Just a couple of comments I would like to make with regard to the architectural materials and the discussion we had about the stone and the steel. If I'm not mistaken, and somebody please correct me if I'm wrong, but in other parts of the Hospital that have been renovated, like the surgical area, I believe it's the same stonework that is being proposed on the addition. It is the same material that was used in that particular area."

Mr. Huie said, "That is correct."

Ms. Martinez said, "And I believe the same steel, the core 10 steel that is proposed for the entry way is the same material that was used in that area as well, except it may be painted."

Mr. Huie said, "It is painted, we are planning to leave it natural so it will patina and age over time, as Kipp, the designer explained."

Ms. Martinez said, "As sort of a general comment, and I'm of course new to this process as well, but I don't want to take things too far in terms of micromanaging some of the materials if they're already been used in other parts of the Hospital, and they're there right now. We talk about this a lot on the Historic Design Review Board and how far we can take those selections. In our particular case, they have more specifics that allow them to do some of that, but of course, it specifically pertains to historic styles and what's in the surrounding neighborhood. And so I just want to be cautious and careful about that. I just wanted to make that comment."

Chair Harris said, "I think the way it was stated, we really only have one condition, that focuses on true stone versus faux stone, and that is what they have there now, and I was assuming they would do the same. The steel we ended up just basically making a suggestion to look at it more closely. It was not a condition."

Chair Harris said we did resolve the issue of the foundation that would support future additions. Work hours, hours of operation, it's in our purview.

Commissioner Kapin asked if the restrictions on work hours something that other large projects that have come before the Commission and you've worked with.

Mr. Smith said, "I believe there are one, or a few, projects where the Planning Commission has imposed special conditions. The staff has noted in the past, and would note again, concerns with the *[inaudible]* of staff having to enforce special conditions of approval in different neighborhoods. I think we would agree with statement that it is arguably with the purview of the Commission to do that. I think again,

we would urge the Commission to be cautious in how much control they try to exercise in that field.”

Ms Jenkins said, “If I may, Chair Harris, I have a suggestion as a potential compromise, if it would be helpful. We would be in agreement with 7-7 Monday through Friday, and 8-5 on Saturday. So no late evenings, and that’s idea I wanted to bring up.”

Chair Harris asked how that is different from what you describe as the City Code.

Ms. Jenkins said the City Code is 7-9 Monday through Friday, and believes it is 8:00 a.m. on Saturdays, but it still goes to 9:00 p.m. on Saturday.

Mr. Smith said he can quote if they’ll give him 10 minutes to research.

Chair Harris said no, lets just settle it, and asked the Commission its thoughts.

Commissioner said it seems like a reasonable compromise.

Chair Harris said, “So the proposal is Monday-Friday, 7-7, Saturday 8-5, no work on Sunday. Okay. It looks like there’s an agreement on that.”

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

VOTE: The motion was approved unanimously on a voice vote, with Commissioners Gutierrez, Chavez, Greene, Kadlubek, Kapin and Propst, voting in favor of the motion and no one voting against [6-0]

Chair Harris said, “This represents, I think a complete list of conditions. And, as you say, we’ll have the opportunity to review the language when we look at the findings. I hope we’ve captured everything. Commissioner Kadlubek did want to drop back and look at Table 1 provided by staff.”

Commissioner Kadlubek said, “Part of the recommended approval of Case #2015-47, Master Plan Amendment, does say, Reference Table 1, Scope of Requests. So looking at Scope of Request, I think there’s only one change that needs to happen to this Table, Scope of Request which is the 9th box down, Amendment to allow the southern driveway on Hospital Drive to remain as currently construction. Previous Condition #6 from the previous Master Plan, called for this intersection to become right-in right-out only. I believe that now needs to be changed to be amended to allow the southern drive on Hospital Drive to be entrance-only.”

Chair Harris said, "Yes, that's the other thing I was going to mention."

Commissioner Kadlubek said so we got that one.

Unidentified Commissioner asked if we need to do something on the 65,000 sq. ft. omission from that Table.

Chair Harris said, "Yes, I think Mr. Esquibel just acknowledged an earlier comment that they will put it as part of the Motion."

Chair Harris said we have had full discussion on Case #2015-47, but we do not have a motion, but now we have a full listing of Commission, and asked if someone wants to "take a stab at a motion," saying they might look at page 2 of the Staff Report and use that as a guide.

MOTION: Commissioner Kapin moved, seconded by Commissioner Kadlubek, to recommend approval of Case #2015-47 "Master Plan Amendments," to the Governing Body, subject to conditions of approval identified this evening and approved variances and Development Plan (reference amended "Table 1 Scope of Requests," Master Plan Amendment).

DISCUSSION: Commissioner Greene said, "Just to be clear, this doesn't address the variances at this point, this is just the Master Plan."

Chair Harris said, "No. We're going to bundle everything and then drop back. We'll talk about variances and Development Plan next. Okay. Further discussion. Could we have a roll call vote first."

VOTE: The motion was approved on the following Roll Call vote [6-0]:

For: Commissioner Chavez, Commissioner Greene, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Kapin and Commissioner Propst.

Against: None.

2. **CASE #2015-74. 455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER DEVELOPMENT PLAN AND VARIANCES. WHR ARCHITECTS, INC., AGENT FOR CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER, REQUEST REVIEW AND APPROVAL FOR A DEVELOPMENT PLAN TO CONSTRUCT A 65,500 SQUARE FOOT ADDITION ON TRACT A-1-3 CONTAINING 20.65± ACRES AND FOUR VARIANCES TO INCLUDE:**
- a. **VARIANCE TO THE “MAXIMUM HEIGHT OF STRUCTURES” PER TABLE 14-7.3-1: “TABLE OF DIMENSIONAL STRUCTURES FOR NONRESIDENTIAL DISTRICTS” TO ALLOW 49’ WHERE 36’ IS THE MAXIMUM; AND**
 - b. **VARIANCE TO THE “MAXIMUM HEIGHT OF STRUCTURES” PER SUBSECTION 14-5.5(A)(4) “STANDARDS,” TO ALLOW 49’ WHERE 25’ IS THE MAXIMUM; AND**
 - c. **VARIANCE TO THE MAXIMUM SIZE OF SIGN PER SUBSECTION 14-8.10(G)(2) FOR C-1 DISTRICTS TO ALLOW 80 SQUARE FOOT SIGNS WHERE 32 SQUARE FEET IS THE MAXIMUM; AND**
 - d. **VARIANCE TO THE MAXIMUM HEIGHT OF SIGN PER SUBSECTION 14-8.10(G)(4) FOR C-1 DISTRICTS TO ALLOW A SIGN HEIGHT OF 37 AND 46 FEET WHERE 15 FEET IS THE MAXIMUM .**
- (DAN ESQUIBEL, CASE MANAGER) (Postponed from July 2, 2015)**

Chair Harris said Mr. Esquibel started out talking about modified language for signage and asked him to repeat his remarks, commenting he thinks he heard him say that after further negotiation, the Land Use Department can agree to modified variance language for signage.

Mr. Esquibel said, “What I stated, was that the Applicant, instead of going to the variance criteria, we discussed the variance criteria at large, with regard to the signage and both the Applicant’s attorney and I both agreed it would be impossible to meet the standards. In order to be able to address the issue, they included the existing language within the 1985 Master Plan that identified the sign portion of that to be approved as a Sign Plan, both internal and external. That was requested as staff’s review to work with the Applicant to meet that goal which will fall under the Land Use Director’s authority within Chapter14.”

Chair Harris said, “So that Sign Plan would address all existing, campus wide, all existing and proposed signs, is that correct.”

Mr. Esquibel said, “We would evaluate the entire campus under a Sign Plan, that is correct, both on and off site, to meet the goals of the Master Plan as specified within the 1985 Master Plan.”

Chair Harris said, “The way you stated it, then there's no variance to consider, it's just simply a condition to the Development Plan.”

Mr. Esquibel said, “To the Master Plan which you just voted on, which was listed in there on one of those items. We did recommend denial of the variance to the sign plan, because they could not meet that standard.”

Chair Harris said, "Oh yes that's right. Thank you. So then, to be clear, the variances just deal with height."

Mr. Esquibel said that is correct.

Chair Harris said, "I read 49 feet in the cover, but then back in the text, it does say 41 feet, can you, on page 10. So it says in a couple of places, '*The Hospital is proposing a 41 ft. high two-story building.....*'"

Mr. Esquibel said, "Because this is running through a couple of areas, you have the South Central Highway Corridor which measures to the roof deck. Then you have a C-1 District which will measure to the parapets. Then they also have additional sites that are going to buffer that, such as the elevator shaft and other stuff which are not technically included as part of Chapter 14, they're exempt to a certain standard. So we looked at all of those measured to the height requirement that they're allowed to, which came to a 41 foot height, excluding the extraneous rooftop appurtenances that are attached that are exempt under Chapter 14. So the actual height is 41 feet they need a variance too, the balance will just fall off as the result of exemptions in Chapter 14. So they need a 16 foot height variance within the South Central Highway Corridor, and I believe they need a 5 foot variance within the C-1 District, and that brings it to a 41 foot height limit."

Chair Harris said, "So we don't say... again the cover says '*Variance to the maximum height per subsection to allow 49 feet where 25 is the maximum.*' So that's one of them. In both cases, it says '*to allow 49 where 36 is the maximum.*' You say that the Applicant is going up to 41 and for the other appurtenances, there are exceptions or language that deals within Chapter 14."

Mr. Esquibel said, "That is correct, so when that language was written and posted, it was actually before when we had to get the publication out, and we actually found out through the review process where the actual limits were that they needed in order to achieve those variances. So the publication identified the overall height, which included the heights of the elevator shaft which they included. It wasn't until later when the advised them that those are exempt, and the height that you need, that we will allow is 41 feet, which would meet that requirement."

Chair Harris said, "But, is that how the variance should be stated. That's really my question. To we state it at 41 or do we state it at 49."

Mr. Esquibel said, "Again the litter shafts are exempt, they don't need to be included in the 41 feet which will work for the applicant, based on what they've submitted. Remember, this is only giving the area that we're adjusting within Area 2, because Area 1 allows them already that heigh limit. So it's only in that Area 1 for the adjustment to move that boundary to accommodate the height of that new proposed structure."

Chair Harris said, "I think we understand, but again at 41 feet."

Mr. Esquibel said 41 feet.

Chair Harris said the Development Plan was discussed in detail and documented in the conditions we just addressed, and we now have 2 variances to consider as well.

Mr. Esquibel said there are 2 variances. One for the South Central Highway Corridor of 16 feet and one for the C-1 District which is a 5 foot height variance.

Commissioner Propst asked if she should replace 49 feet with 41 feet in the motion and Chair Harris said yes.

MOTION: Commissioner Propst moved, seconded by Commissioner Kapin, to approve the following variances requests to Case #2015-74 as follows:

- a. Variance to the "Maximum Height of Structures" per Table 14-7.2-1: "Table of Dimensional Structures for non-residential districts: to allow 41 ft. where 36 ft. is the maximum; and
- b. Variance to the "Maximum Height of Structure," per Subsection 14-5.5(A)(4) "Standards," to allow 41 ft. where 25 ft. is the maximum; and

approval of the Development Plan, subjects to conditions of approval identified this evening, and approved variances to building height.

VOTE: The motion was approved on the following Roll Call vote [6-0]:

For: Commissioner Chavez, Commissioner Greene, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Kapin and Commissioner Propst.

Against: None.

- 3. **CASE #2015-66 455 ST. MICHAELS DRIVE, CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER SPECIAL USE PERMIT. WHR ARCHITECTS, INC., AGENT FOR CHRISTUS ST. VINCENT REGIONAL MEDICAL ENTER, REQUEST REVIEW AND APPROVAL FOR A SPECIAL USE PERMIT TO PERMIT A HOSPITAL IN A C-1 DISTRICT TO INCLUDE THE CONSTRUCTION OF A 65,500 SQUARE FOOT ADDITION NEW INPATIENT BED WING, MAIN ENTRANCE AND LOBBY FOR THE HOSPITAL. (DAN ESQUIBEL, CASE MANAGER) (Postponed from July 2, 2015.)**

MOTION: Commissioner Kapin moved, seconded by Commissioner Chavez, subject to approve Case #2015-75, Special Use Permit, 455 St. Michaels Drive Christus St. Vincent Regional Medical Center, subject to approval of the Master Plan, building height variances and Development Plan, with conditions as stated tonight.

VOTE: The motion was approved on the following Roll Call vote [7-0]:

For: Commissioner Chavez, Commissioner Greene, Commissioner Gutierrez, Commissioner Kadlubek, Commissioner Kapin and Commissioner Propst.

Against: None.

F. NEW BUSINESS

1. **CASE #2015-66. 820 CAMINO VISTAS ENCANTADA VARIANCE. [HEARD PREVIOUSLY AFTER BEING MOVED UP ON THE AGENDA]**

2. **CASE #2015-57. CASE #2015-57. GERHART APARTMENTS GENERAL PLAN AMENDMENT. SCOTT HOEFT OF SANTA FE PLANNING GROUP, AGENT FOR STORM RIVER LLC REQUESTS APPROVAL OF A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT TO CHANGE THE DESIGNATION OF 11.83± ACRES OF LAND FROM LOW DENSITY RESIDENTIAL (1-3 DWELLING UNITS PER ACRE) TO HIGH DENSITY RESIDENTIAL (12-29 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED AT 2800 SOUTH MEADOWS ROAD. (DONNA WYNANT, CASE MANAGER)**

Items F(2) and F(3) were combined for purposes of presentation, discussion and public hearing but were voted upon separately

A Memorandum dated July 29, 2015 for the August 6, 2015 Meeting, to the Planning Commission from Donna Wynant, Senior Planner, in this matter, is incorporated herewith to these minutes as Exhibit "12"

Copies of the following documents are on file in, and can be obtained from, the Land Use Department:

The Site Plan, Slope Analysis Terrain Management, Floor Plan and Elevations; Development Report, *General Plan Amendment and Rezoning Application*; Preliminary Site Plan; and *Gerhart Apartments: General Plan Amendment and Rezoning Submittal*.

Ms. Martinez thanked everyone who have patiently waited this evening for these additional cases to come up. She would like to give the public and the staff an idea of how much longer the meeting might go, because it would helpful to extend that courtesy and give them a little bit of information.

Chair Harris said they took a quick poll and he thinks it's a function of the public testimony. He thanked everyone for persevering, saying he felt it was important to give the previous cases priority since they started it one month ago. He said he hopes everyone understands, but this what it takes on occasion.

Greg Smith, Director, Current Planning Division, presented the staff report in this case. Please see Exhibit "12" for specifics of this presentation.

Public Hearing

Presentation by the Applicant

Scott Hoeft, Santa Fe Planning Group, 109 St. Francis, Agent for Storm River LLC, was sworn. Mr. Hoeft, using a series of enlarged drawings of the proposed project, presented information regarding the project. Mr. Hoeft noted Mike Gomez, Traffic Engineer, and Chris Cordova, Market Analyst, Southwest Planning and Marketing, who did a market study for them, will be available to answer question.

Mr. Hoeft said, "I agree with staff conditions, and I need to clarify some things on the project because there is a lot at stake. The Gerhart Apartments is right in the center of this board. It's right 'there,' an 11 acre site, 240 dwelling units. And why I presented this Board is to give you sense of the context of this area and demonstrate that there a few things happening in the area, the biggest thing is the new school. We're immediately next to the brand new school, El Camino Real, a K-Middle School, up to 800 students."

Mr. Hoeft continued saying right above the project is land recently leased by the City of Santa Fe, for a fire station. He pointed out the interchange at CR-62 and 599 where a commercial area and residential area are planned. He said, 'In this area 'here,' there are several existing uses. The County Fire Station, a new park, a medical center, the community center is right in this area here.' Across 599 at Caja del Rio a senior housing group approved by the County for 200 dwell units which is at the Master Plan level done by Jennifer Jenkins which was approved earlier this year.

Mr. Hoeft said the point of the presentation is to put this in context because a lot of rezoning and the General Amendment questions are related to how this relates to the General Plan, the intent of the City ordinances and how the area is planned to be built out. He said this area is transitioning to more of an urban area, and a lot of the standards that they having to comply with at this stage are urban. He said many of you have driven South Meadows Road before and know that is a design from the County standpoint, but we need to beef-up that road with turning lanes, a center median, widenings and decel lanes to make the project work. So this area is in a transition.

Mr. Hoeft continued saying, this is a General Plan Amendment and Rezoning Application, and unlike the previous application, this is a general concept plan of what they are intending to do at the site, roughly. This is not a Final Development Plan. He said they are required when submitting for a General Plan Amendment Rezoning, to put a plan together we think will work in terms of density. He said this is a concept plan that shows the nice *[inaudible]*, but they have another version of the plan that works in terms of the mass, and where the fire lanes work, for example between the buildings, where the access points

work on South Meadows Road. The plan demonstrates in general the project which is on 11 acres, there are 10 buildings, 24 units per building, 3 story buildings. In the center there is a common sales area in entryway 1 and in entryway 2 which is a right-in right-out.

Mr. Hoefft said to the west is the existing new school in its second school year. To the north is the City of Santa Fe parcel. Across South Meadows Road is an open space of land. These are abutters to this project, noting the surrounding parcels other than the school are vacant.

Mr. Hoefft said 'this' plan gives you an idea of the architectural appearance, noting they are a long way from finalizing these, but you can get a sense of what we're planning in terms of the buildings. They are large buildings, but the intent here is to break up overall mass to a variety of small masses, colors, and such to take away the appearance of the larger buildings. He said the San Isidro project are 3 stories and about 30 feet away from the road, assuming most people here know that project. He said the intent here was to get the building centralized into a single court area away from the road so when you're driving down South Meadows Road, you're not looking at a building 30 feet from the road, noting this setback is 100 feet from South Meadows Road. It is a core plan. As opposed to having the buildings around the perimeter and the parking on the inside.

Mr. Hoefft continued, "I'm a little off my presentation, but I want to iterate again the consistency with the Growth Management Plan and the City of Santa Fe General Plan." He highlighted items that were contained in the staff report and all the questions they were to answer. They are next to a brand new school. An apartment complex next to a school is a great complementary use for the School. The project is in Stage 2 of the Urban Staging Area which is 2010-2025, the intent to concentrate population in greater densities in future growth areas, encourage compact urban form, so again, we've for a higher density project, 240 units on 11 acres, noting the rezoning is to R-21. Infill should develop at higher densities to make the most efficient use of utilities, roads and parks.:

Mr. Hoefft continued, "Combined with that are areas that can be served with City utilities. What's really unique about this project is you have a site, and this is rare, where you're right near a brand new interchange at CR-62. You're right on a brand new road, South Meadows Road, meaning in the last two years. You have City water and sewer on South Meadows Road. It is rare to have all that infrastructure teed-up for a project right next to it is a great benefit for the project."

Mr. Hoefft continued, "The General Plan also encourages pedestrian linkages, and as I stated earlier, the benefit of being next to a school is you have a place where children can actually walk to school. We did meet with the Santa Fe Public Schools, and one of the questions that came up at the ENN meeting was can we break the fence between the two schools and can children actually walk to the school between the two projects. The answer is yes they can, which doesn't seem like much, but I guess it's quite an amazing thing to have such a close connectivity between the two uses. You have a trail system on the opposite side of the road. As I mentioned earlier, I'll come back to that really quickly. Again the close proximity to the interchange and 599, so that transportation network is right close by."

Mr. Hoefft continued, "And the other thing before I go back to the open space question is the market analysis. We ran a market analysis to better understand what was happening with the apartment situation in Santa Fe. You have occupancy rates at 97% right now of apartments which is extremely high, you've got vacancies at around 3%. So what that means is that your apartment projects right now are full. There is a demand for apartments in Santa Fe. The market study also showed that in the last 10 years, you had 18 market rate units come on, total, in terms of apartment projects, so there's no supply being brought onto the market. Of those projects, small projects, 2-3 units at a pop."

Mr. Hoefft said, "So a couple of things to point out is why that is important, we hear that the price of living in Santa Fe high, but ultimately one of the reasons of the high cost to live in Santa Fe is because there's not a lot of supply coming on. So if you bring on new apartment projects that actually enhances the supply, it reduces the cost because the consumers have choices, they have more places to go to. And so more apartment projects are actually a good thing for Santa Fe. The market analysis demonstrated that over the next 6 years that there is a demand for up to 1,000 units of apartments in Santa Fe, but our project only brings 240 units of that unmet demand. The other thing, I'll just talk quickly about jobs. One of the things that also surfaces in a lot of our meetings is employment and jobs, and Santa Fe needs jobs. Well construction jobs, according to the National Homebuilders Association generates almost a one to one ratio. What I mean by that is about 1,000 units generates about 1,100 jobs, so it's almost one to one, meaning if you have 240 units, 240 jobs are created, and those are construction jobs. When people say those are just temporary jobs, all construction jobs are temporary. You go from project to the next project, and those are good quality high paying jobs that are very important to Santa Fe."

Mr. Hoefft continued, "One thing I wanted to talk about, and I promised I would be short, but you know, now that I'm getting my legs, is also across the street right now is a 10 acre tract of land and we have that labeled as open space. It's not technically part of the project because this parcel existed, it existed in one and when South Meadows Road came in, it split the parcel in half. So we have a parcel on the opposite of the road that is the Santa Fe River Corridor Parcel. When we looked at this, we saw a synergy between the school, the apartment project and the open space across the street. What happened later was the fire station to the north. We're not quite sure yet what happens to that open space. We were working with Santa Fe County to see if they're interested in acquiring it for the trails network. They seemed interested, but it didn't get anywhere. We also have a park dedication requirement as part of this project, so in terms of open space, we're required to put up so much on site, and we also have a regional park requirement combined with a community park requirement. And so it is within the City's purview essentially."

Mr. Hoefft continued, "And we met with Richard Thompson, Parks Director, to see if the City is interested and able to take on this parcel for a new park to meet the requirements of the Code. And just so you know, it's an either/or option. If they do not want the land then we have to pay an impact fee, if they want it we don't have to pay the impact fees associated with the project. That is pending. The reason I bring that up, I notice two letters I saw earlier from concerned citizens regarding the land across the way. I don't know if we have the right site in reading this letter, because the land on south side of South Meadows

Road will not feature apartments, that's the open space tract of 10 acres that's pending in terms of its use. Will it be owned by the County or the City of Santa Fe we don't know yet. That's one of those items we need to work out yet, but it's definitely available and it does have the Santa Fe River Corridor going right through it, so it's available."

Mr. Hoeft continued, "One of the questions I saw in the letter was, we need a comprehensive plan for the River Corridor, again we're not in the River Corridor, the parcel across the street is. It mentioned that we're the 100 year flood plain. We're not in the 100 year flood plan. The 100 year flood plain is the land across the street."

Mr. Hoeft said, "I'll just make it brief and stop at that point. I'm sure the folks in the room will have a few things to say on that. And just to conclude my comments, we had an ENN meeting a couple months ago and the issues that surfaced, there were probably 10-15 issues that surfaced. I feel we adequately addressed most of them but some stood out. And was school overcrowding, another was traffic and one was whether we would be gating the project. And there were a host of others that surface and you can read in the staff report, and I feel we addressed most of those fairly adequately."

Mr. Hoeft continued, "School overcrowding is one that did surface at the meeting and was a bit of a surprise to me. When you're building an apartment project next to a brand new school and the paint is still wet, how can the school be overcrowded. And I did talk with the School administrators and met with representatives of Santa Fe Public Schools and they said the schools earmarked for 750-800 students and is it at capacity already. And I asked what are you actually going to do about that, because I can only do so much as a developer's representative, and they say we do what we can. A lot of the over-crowding is due to inter-zone transfers. They see, with time, that population shift. They have a new school on the opposite side of town at Atalaya and that's not close to being full. They plan the best they can is the answer I got, in anticipation of that demographic switch, people shift around town and they hope they can handle the capacity."

Mr. Hoeft said, "The other issue was traffic. As I mentioned, we're right on South Meadows Road. We worked extensively with Mr. Romero over the last two months to determine how that was going to work with our improvements and given the last case, I'm certain that you're totally familiar with traffic improvements, what we needed to do with south to make it save, and so we need a decel lane, we need a raised median down the center of the road and that goes in front of our project. But Mr. Romero suggested that it goes all the way down in front of the school project, and that should be a part of the design as well. And so we're working on improvements to South Meadows Road to have a raised median, to have even a crossover."

Mr. Hoeft continued, "One of the comments that came from the neighborhood meeting is how we're going to get folks to the other side of South Meadows Road if that becomes a park. And with a center median that's raised provides a safety area for people to be able to cross the street. So now crossing is definitely a possibility according to Mr. Romero. We also talked about the concern around the intersection of Agua Fria and South Meadows Road, and the traffic at that intersection during school hours. And I talked with the Public Schools about that and the Public Schools seem to be consistent with their response, which is you know between the hours of 8:00 and 8:30 a.m., around schools it's going to be

crowded, and between the hours of 3:00 and 4:00 p.m., and it happens at every school. We worked with Mr. Romero however, to determine a solution for that intersection at Agua Fria and South Meadows to which we would contribute a fair share to an improvement there, either a turn lane or a roundabout and further work needs to determine exactly what improvement is going to be necessary and we have conditions of approval to that effect.”

Mr. Hoefft said, “In conclusion, because I can see I’m losing most of you, we agree with the conditions of approval that Mr. Smith mentioned in his staff report, and we have Mr. Gomez and Mr. Cordova available for questions. Thank you very much.”

Speaking to the Request

All those speaking were sworn en masse

William Mee, President, Agua Fria Association, [previously sworn], said, “When I first headed out to the ENN meeting for the Gerhart Apartments, I thought the site was going to be one of the best locations for this density of use. I thought people will just jump onto 599 to get to work, or go to the two malls, and we would all live in utopia. Then at the ENN, the immediate neighbors started raising some really good points. There’s no neighborhood grocery store, retail services within many miles of the site. At one time, directly east of the site, is the Village Plaza Shopping Center owned by Carlos Garcia, and that’s been approved since 1999, but no ground has been broken.”

Mr. Mee continued, “At one time... they’ve had all kinds of anchor stores and restaurants that were going to go in there, and no one has. At one time, both Smith’s and Albertson’s were supposed to locate supermarkets there, and they opted out. And Albertson’s relocated to Zafarano, and Smith’s bought a lot on Airport Road. And then Sprouts came in on Zafarano and I think that kind of put a damper on Smith’s plans. So basically, if we build something there, there’s nothing enough. True enough, Scott pointed out that there’s a school there, and Scott also said the school is over capacity. The school was built for 650 students at a cost of \$30 million. You know, Warren, another school built for 650 at \$30 million, is also over-capacity. Salazar is over capacity. Pinon, Chavez, Sweeney all are over capacity. What’s going to happen it’s going to take a District-wide redistricting of the school system. They just completed that in 2012 because of the 2010 census. The School systems worked with the City and County to do that redistricting and there just wasn’t anything in this area.”

Mr. Mee continued, “Scott mentioned some divisions in that area. There’s also Cielo Vistas on Agua Fria that is 224 homes, and they might have about 6-8 homes there. The school issue is huge and nothing should be put in there until the school issue is resolved. The traffic on South Meadows, the first two weeks of school was impossible. And to John Romero’s credit, he worked on changing the timing of the light so that the yellow light would have a few more seconds and people could make their left-hand turn. But really, there needs to be turn arrows on that light, and that should be the financial responsibility of the Applicant.”

Mr. Mee continued, "Drainage at the site was not presented at the ENN. When you look at the plans, I would say 75-90% of the lot is really impervious, and the water has to go somewhere, so they really have to do so planning on that. And this shooting it off to the school is not a preferable solution. There's no bus service in the area. We don't have the Fire Department yet. In 2012, the City bond issue was voted down for that Fire Department, so they might have the 5 acres. In the UNM, BBER Report, they were saying that they needed about \$14 million to serve the newly annexed area. So there's a lot of money costs associated. Maybe what we need to is what the County Commission did with the apartments and developments on Richards Avenue. They said there can be no building until 2017 when the road is expanded. I think that's some of the problems we have."

Mr. Mee continued, "I think that really this ties into Councilor Patti Bushee's Resolution introduced at the July 11th City Council meeting to develop a Master Plan and Overlay District for the entire settlement annexation agreement area along the Santa Fe River. This is definitely in that River Corridor in the newly annexed area. There are no plans in that area. It's a no-man's land out there, and anything goes. And the City really needs to wrap its head around getting some solutions for our area, instead of just throwing everything down our way and just making life impossible for people."

Chair Harris said, "Thank you, Mr. Mee."

Mr. Mee said, "I have a little bit more. I'm going to take my wife's time, she had to leave. The density of this development and the intensity of use on this lot are very high and this directly affects the quality of life of the residents. Therefore, I think the owner or the management of these apartments, really must develop some recreational opportunities and amendments for the rest of the residents. We need some kind of protected access to the River Trail through this open space area. So I think maybe we need a pedestrian underpass or overpass to get to those lands. And I think in the development itself, we need a community center. There is a small community center at Cottonwood Village and it's always at capacity. We have the Nancy Rodriguez Community Center in the village with a capacity of about 75 people and it's booked every weekend since 2008. We really need to have meeting places for people for bridal showers, baptismal showers, graduations and such. I think it really needs a community center."

Mr. Mee continued, "And you just can't say they'll be using the playground of the School, because the schools, because of security and insurance, actually lock the schools after school hours. So this apartment complex will not be using that school. Thank you very much."

Cheryl Odom [previously sworn], said she lives in the Las Acquias neighborhood which is about a mile as the crow flies from the development. She said, "I won't take up a lot of your time, but there were some points I did want to emphasize. One is that with the new annexation there is no real Master Plan idea for how this area gets developed. So it's important to that neighborhood, people in Agua Fria, Las Acequias and all the other people living in the neighborhood, that there is a plan so we don't get these huge developments coming in, plopping down and so forth. The application asks for a zoning change, but the requirements for zoning changes don't seem to be met here. There has not been a significant change in the character of that Neighborhood and we had one ENN meeting with a lot of questions and a lot of problems with this development. There was never another ENN meeting, they went straight to you. So we

would have an opportunity to sit with the developers and really have a community conversation and work out how this development could proceed. I'm not saying don't put it, I'm just saying we never had an opportunity to fine tune it. I don't think our concerns were addressed. I would love this to go back and start with another ENN meeting, that would be my preference."

Ms. Odom continued, "Also, you are aware that last week the City Council passed the Residents Bill of Rights, the Resolution put together by Chainbreakers, which particularly addresses our community. In the Bill of Rights, it says that housing is to be controlled through democratic structures and processes with particular emphasis and special protections allowed for the neighborhoods that are composed of a majority of people of color and low income residents. It matters to that neighborhood. I love that neighborhood, but I'm wondering about putting up a big apartment complex. These people probably didn't know there was an ENN. I don't know how many people were notified. A lot of these people of color are transportation challenged in that neighborhood. There's no bus service. I don't know who's going to live in these apartments. When I asked that at the ENN, the guy said, why families of course. I doubt if it's affordable, I don't know what the rents are, that hasn't been mentioned at all. So to me there's just a lot of unanswered questions. And I'm hoping you ask us some of those questions, but I'm also hoping the neighbors get a change to revisit this and sit with these developers so they feel like this is actually a part of their *[inaudible]* something that is being imposed on them. Thank you."

Hilario Romero, lifelong resident of Santa Fe, and his ancestors go back to the founding of this town, former State Historian, professor of History in Spanish and Education for the last 40 years,[previously sworn], said, "They talked about the market analysis forecast for building in this town, building apartments especially. Forecasts. Their forecasts. We can all do that. Anyone of you in the room can do a forecast. We can even get on TV and do weather forecasts if you want, because the weather is so unpredictable here. The reality is we did a study in March, showing there were 395 available affordable apartments, and I say affordable to people who are basically working on the Santa Fe's Living Wage. I'm not talking about those who make \$50,000 and more a year. I'm talking about people who need affordable housing, and that's something we're not talking about in this town."

Mr. Romero continued, "We don't have those discussions, but we need to have them very soon before we continue to build these apartment structures that are not affordable. I don't know what the cost is, but I can tell you it's going to be a lot higher than the \$870 average two bedroom apartment and higher than \$700 for one bedroom, or \$600 for a utility apartment. That's what we found is that there is more than 325 apartments available for people. So these apartment buildings get built and they want more money for these apartments. This is supposedly a gated community. A gated community, you know it's going to be higher. When they construct the building, who are they going to get to build it if it is steel frame. Are we going to find somebody here in town to do it. No they're not, they're going to a lower bid of an Albuquerque contractor like all the rest have done. And once again we have temporary construction jobs, and the jobs will go to the Albuquerque contracts."

Mr. Romero said, "Last but not least, is that we continue to do R-1 rural mountain land, right to R-21 or R-29, back and forth. It needs to be handled in a way we can do it properly and we need a Master Plan for that. At the last meeting of the City Council, a resolution was passed unanimously for a Resident's

Bill of Rights, and the Mayor ordered one of the staff to seek solutions to Santa Fe's housing affordability crisis, especially as it pertains to gentrification, inequity and the widening gap between rich and poor. This is Thomas Reagan's article in *The Santa Fe Reporter*, that I'm quoting from. This gated development is a perfect example of this. It is located next to a low income neighborhood and is within the historic corridor of the Agua Fria Village. So this is very much an economic and environmental justice issue as well. And I would urge all of you to really think seriously about this, because it's probably going to be headed to the City Council and there, it will be dealt with, probably in a different manner, or we hope that. Thank you for your time."

Montserrat Baez said I am part of the West Santa Fe Regal Alliance and we need to ask for a moratorium for these kinds of developers want to have. There is no plan for exit from the County. They don't say the needs we need in Santa Fe. We need affordable housing, but I don't see anybody that is facing that right now, because it would be the rent. Just consider a moratorium until a master plan is negotiated.

Former Councilor, Karen Heldmeyer, 325 E. Berger, [previously sworn], said she doesn't want to speak to the merits of this case, she wants to speak to process. She said, "It's ten to one, and there were other people here who were going to speak tonight. And I know that this for you is a recommending vote, it's not a final decision because it will go to Council. I think it would be a more informed vote if you had heard from the other people you would here. In making recommendations to the Council is that they hear this case hear at a reasonable hour so the people who came tonight will have a chance to speak. And maybe Lisa could pass that on as well. I think... it's getting late and my mind is going, sorry. There's one last sentence that there are some cases and I know Ms. Gomez has said this in her editorial, there are some cases that will take a whole meeting, and maybe agendas should be set up so that case is the only thing on the agenda. I think you have one of those cases tonight, and I think in future, as you're setting agendas you need to think about that. People need to have an opportunity to be able to hear what you had say, and if they're not around to hear that, you need to think about this as you set up your agendas for future meetings.

The Public Hearing was continued to September 3, 2015

Chair Harris they took a quick poll not to vote, but as to how we might honor the persistence of the the Applicant and the members of public for these cases who chose to "hang in there." He thinks we need to postpone the rest of this case, the Commission portion of this case and perhaps other comments until a date certain. He doesn't feel we're of a mind to make a decision this evening. He would suggest we postpone further consideration of these two cases to a date certain, which would be sometime in September, but he doesn't know the date.

Mr. Smith said the regularly scheduled meeting will be September 3, 2015. Responding to the Chair he said the agenda is fairly light at this point.

Chair Harris asked the Commissioners their pleasure in this regard.

Commissioner Kadlubek said he would be happy to go along with that, and asked if we have the ability to request some things in the interim.

Chair Harris said yes, similar to what we've done. He said, "Ms. Heldmeyer, you probably know that even though we spent essentially 6 hours on that case, that is in addition to the 5-6 hours we spent a month ago. We do have practice now on Las Soleras and the Hospital. We've got some information, we've heard the gist of the public testimony. I think we can ask for more specific information or other questions and take it from there."

Commissioner Kadlubek asked if this would be done via email like we've been doing.

Chair Harris said, "Yes. Submit questions to staff in a reasonable turnaround time so they can work on it. Unless there's a better suggestion, I think that works reasonably well."

Commissioner Kadlubek said he would like to speak to what Former Councilor Heldmeyer said. He totally agrees that we need to allow for the public to be heard. He said, "I don't think that request is quite in earnest though and I don't think we really act in earnest simply because of only listening to the public that shows up for a Planning Commission meeting, saying that's the public we should be listening to, I think there's a huge red flag that comes up for me. So if we're going to really talk about listening to the public, we need to set up a much better apparatus to listen to the public. We need to have meetings elsewhere, we need to have meetings at different times, we need to have better outreach as to what these meetings are. We need to do a much better job at education portions of the public that don't even understand the public process, and I understand the 4-5 people were here and then left, we should have listened to them."

Commissioner Kadlubek continued, "But, you know the 17,000 people that voted in the last election need to know better about what's going on in their community and we need to have a better system to be able to reach a larger portion of people. If we're going to go down that road, let's actually go down that road and talk about how we get real public input into this. I know from my point of view as somebody who is 33 years old, it's very difficult to get young people under the age of 40 involved in this process due to embedded discriminations that happen through the process. I think similarly we can speak to people who don't speak English as their first language as being people who are left out of this process. There's a lot of demographics that don't get a chance to happen again, and so I want to put that out there. It's way bigger than the 4 people that may have been here and left."

Commissioner Gutierrez said a date certain sounds good to him. He said he does know there were other people here that left, and he would ask that we would give them a chance to speak at the next meeting.

Chair Harris agreed saying he thinks that's probably what we should do as well.

Mr. Smith said, "Point of order technically, I know the practice has been different. I believe that we are continuing the public hearing to the date certain, rather than postponing the hearing to that date."

MOTION: Commissioner Kadlubek moved, seconded by Commissioner Chavez, to postpone Case 2015-57, Gerhart Apartments General Plan Amendment and 2015-58, Gerhart Apartments Rezoning, and continue public comment to September 3, 2015.

VOTE: The motion was approved on a voice vote with Commissioners Chavez, Gutierrez, Greene, Kadlubek, Kapin and Propst voting in the affirmative and none voting in the negative (6-0).

Chair Harris noted if everyone follows up, we will have questions for the Applicant and staff at that time.

3. **CASE #2015-58. GERHART APARTMENTS REZONING. SCOTT HOEFT OF SANTA FE PLANNING GROUP, AGENT FOR STORM RIVER LLC REQUESTS REZONING APPROVAL OF 11.83± ACRES OF LAND FROM R-1(RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-21 (RESIDENTIAL, 21 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED AT 2800 SOUTH MEADOWS ROAD. (DONNA WYNANT, CASE MANAGER)**

Postponed to September 3, 2015. See action under item F(2) above.

G. STAFF COMMUNICATIONS

Mr. Smith said, "We had discussed the potential of having study sessions. I don't know that staff is ready to propose any specifics. I'm not sure if the Commissions are or not."

Chair Harris said he doesn't think so, but maybe it's a tuneup for the discussion next time.

H. MATTERS FROM THE COMMISSION

Commissioner Greene said he has a laundry list of things he knows are coming down the pike that are long term, land use issues that some of us might not be aware, that we might want to discuss taking up sometime soon. One is the MPO is putting its Pedestrian Plan draft together and comments are due within the next few weeks, but he doesn't know when. He recommends Commissioners take a look at it and put our comments together, noting it is a 20 year plan. He said they discussed the next general plan at the Long Range Planning meeting, and would like to have a study session on this. He said these cases on the Gerhart apartments is a priority among newly annexed territory that needs to be master planned and included in the General Plan and properly zoned, or not.

Commissioner Greene noted there is a new escarpment map being circulated and potentially has issues we should be aware of. He said the Public Banking issue and how it affects real estate development, and there is the potential to use the Public Banking discussion “to facilitate some stuff that might be aligned with the City goals, but not so financially in conventional methods.” He hopes in the September 3, 2015 meeting, we plan on meeting to learn about these things. He said it could be as informal as a study session, noting they can host it at the Long Range Planning Subcommittee, whatever the Commissioners would prefer.

Chair Harris said many of the topics are suitable to study sessions. He suggested they discuss more detail with Mr. Smith and staff to see how this can be defined in manageable bites.

Commissioner Greene asked when the MPO Pedestrian Plan comments are due, and is there anything we can do to talk to Keith Wilson at the MPO, noting time is of the essence and asked if we are running out of time to do that.

Mr. Smith said he doesn't have the date available, but he can get that information to him tomorrow or Monday.

Commissioner Gutierrez reported on today's Summary Committee meeting, where two older cases were approved.

Commissioner Kadlubek asked about Councilor Bushee's Resolution on the River Trail Corridor, and if there is language of a moratorium on development in the Resolution.

Ms. Martinez said she doesn't believe there is moratorium language in the Resolution, commenting that staff is trying to look at that proposal in the context of the overall General Plan Amendments that we're looking at. She said instead of looking at them individually they are trying to combine everything into one. She said, “But there aren't any moratoriums that I know of.”

Commissioner Kadlubek said at the last Planning Commission we talked about the possibility of doing a study session in regard to neighborhood associations, how they are identified, commenting he would like to have a lot more information on neighborhood associations and how we can recognize them as being legitimate from our perspective, and who they represent, etc., and a better understanding of the process to become a neighborhood association. He said it doesn't have to be a study session, it could be a sharing of information with him on the process. He said people come up and speak on behalf of a neighborhood association, like the head of the neighborhood association was given more time above other members of the public. He asked how he knows who that person is, who they're representing and what their association is. He asked if just anyone could have said they are head of an association and gotten more time in front of us. He said if we're going to give special treatment to associations, we have to have a better understanding of who they are and who they represent, and what has qualified them for that special treatment.

Ms. Martinez said now that Noah Berke has been hired to fill the Neighborhood Planner position, we've had a real focus on looking into the neighborhood associations, listening to their concerns and making sure we have a current list of those organizations that are formally established. So she can ask Mr. Berke to get in touch with him, and said, "Certainly we would be happy to do a study session on it just to inform everybody about the work that we're doing we're doing in that area."

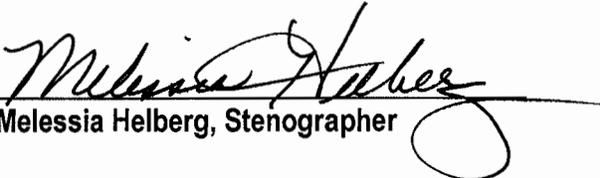
Commissioner Kapin said she has heard from a lot of people about the neighborhood association contact persons. She would like details on making sure that all the people in the respective neighborhoods have an opportunity to be part of the Association and know what's going on with it. She would like Mr. Burke to talk to us about that.

Chair Harris said he heard a new name 10 minutes ago, The River Alliance, commenting that isn't the full name and he doesn't know what it's about and what its status may be.

I. ADJOURNMENT

There was no further business to come before the Commission, and the meeting was adjourned at approximately 1:25 a.m., on Thursday, August 7, 2015.

Michael Harris, Chair


Melessia Helberg, Stenographer