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PLANNING COMMISSION
September 8, 2016

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PLANNING COMMISSION
Thursday, September 8, 2016 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

CALL TO ORDER

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

A. ROLL CALL

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

Members Present

Commissioner Brian Patrick Gutierrez, Vice-Chair
Commissioner Roman Abeyta
Commissioner Justin Greene
Commissioner Stephen Hochberg
Commissioner Piper Kapin
Commissioner Sarah Cottrell Propst

Members Absent

Commissioner Vince Kadlubek, Chair [excused]
Commissioner John B. Hiatt, Secretary [excused]
Commissioner Mark Hogan [excused]

Others Present:

Ms. Lisa Martínez, Land Use Department Director
Mr. Greg Smith, Current Planning Division Director and Staff Liaison
Mr. Zach Shandler, Assistant City Attorney
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Planning and Land Use Department.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. APPROVAL OF AGENDA

Ms. Martínez requested changes to the agenda; first to give Mayor Gonzales an opportunity to speak regarding the St. Mike's Overlay Plan as well as the Urban Agriculture Ordinance being proposed. Because his time is limited, she requested that the Commission give him an opportunity to speak to both of those proposals. She also requested to reorder the action items by hearing first Case #3, the Alma Dura Subdivision, and then a final presentation by Mr. O'Reilly on the St. Mike's Corridor Plan (Case #1) and then consider the Urban Agriculture Ordinance (Case #2).

Commissioner Propst moved to approve the agenda as amended. Commissioner Kapin seconded the motion and it passed by unanimous voice vote.

STATEMENT OF MAYOR JAVIER GONZALES:

Mayor Gonzales made his statement as follows:

Good evening Mr. Chairman, members of the public. Thank you for allowing me to address the Planning Commission on two critical issues. And of course, will make it as brief as possible because as the agenda was amended, we want to make sure that individuals that are here are able to participate in the public dialogue so they will be able to get home before it gets too dark.

Mr. O'Reilly will be presenting on his months' long work on trying to begin to develop policy around delivering housing into our City, particularly around the St. Mike's corridor, which for several years has been designated by the City Council as a place to repurpose; to serve as a place where we can actually bring our community together as opposed to what it serves as right now which is as it was originally built, which is a 5 to 7 Lane Road, largely dividing the southern part of the City from the eastern part of the City. We believe that with the new overlay that you will be considering tonight, that for the first time in our City will be an opportunity to repurpose an area that truly brings our community together and addresses some critical needs our City is facing.

If we just left at the 30,000-foot level, we know we have systemic issues in our City that are creating challenges for our future. More than 50% of our workforce is over the age of 55. Approximately 60% of our workforce live somewhere other than the City of Santa Fe. So that means that when you look to our future, this idea of creating accessible housing is critical to meeting the demands of an economy that needs to be available to everybody. And, if you can't access housing, it's going to be very difficult to participate in the economy.

So when you look at the overlay district tonight, you'll see a proposal that actually incentivizes private property owners to repurpose their property. St. Michael's Drive today, when you look at the entire surface, 70+% of it is parking lots. And the only property that's been repurposed is a property that use to sell automobiles to now pay gasoline station. We know that those properties can serve a better purpose for our community in meeting our housing and economic goals. So tonight, you'll see incentives that will promote density, that will require mixed use development, particularly in the areas of multi-family housing and first chance to create a design that we can truly be proud of by reading some of the land use rules that restrict

what design looks like from color, all the way to architecture. So it gives us an opportunity to explore the innovative side and create an exciting part for Santa Fe.

Why is it needed? We know. We've seen the data over the last five years because there hasn't been any new supply of housing. Rental prices have gone up 19%. Average wages have actually stayed stagnant. So when you take that into account, with the cost of living adjustments, are working families have actually seen a decrease of dollars in their pockets. And we need to reverse that trend and part of it is to make rental housing more available.

It's not to say what you are going to see tonight is perfect and does require more participation with the neighborhoods, particularly, that are going to be affected in that area. Mr. O'Reilly has begun those conversations through an ENN process, and we will continue to have more as this moves forward. But, if we don't do it, I fear that we are going to continue to see some of the divisions that have occurred throughout this city over the past several years. And just in front of this Commission over the last few years, the issue of the Gearhart Apartments - the issue of the apartments on Agua Fria and Siler - those are just two primary examples of where our neighborhoods were under siege, really. And we struggled because we knew we needed to see some housing go forward. So those were ultimately denied. This is in response to that of finding a place that does make some sense for high density urban infills.

Please consider that and allow for it to go forward so that we can continue to work with the neighborhoods and the Council can deliver it.

The second part really goes back to our earliest roots as a community, our urban ag ordinance. We know that Santa Fe, even when you think about the indigenous culture, this was a place where farming was part of the main economic commerce. And over time, as our city grew, our agricultural fields turned to lots for homes and we lost some of those agricultural fields. We also recognize that we are under a great threat of climate change and the need to address our food security. It's critical. Part of addressing our food security is creating a safe and healthy environment for locally growing food in our community. But our city code does not really address the rules around how you develop some agriculture use space. And so we spent the last year and a half and later on tonight, John will go through some of the groups that we've met with to develop an urban ag ordinance that really promotes the growth of locally sourced food. The key point for you and the City Council is to make sure the balance is in place between the neighborhoods and some of the homes where they would like to actually begin to produce local agriculture. So, concerns that have come back regarding the height of greenhouses, the width, the sizes - those are all areas that I'm anxious for you to deliberate on and to consider and make recommendations. This is not meant to provide infill greenhouses. It's meant to make sure that if somebody has a parcel of land on their property and would like to grow food on their land but they can't. If they want to use it as a source of income, they can do that also and do so in a way that adds to the productivity and the livelihood of their families. There are a number of factors that led to having to cease what they were doing in the community gardens but it struck a chord in our community that we have to find a way to allow for locally sourced food to be generated. Also have to find ways in this new economy for ways that local families can produce new sources of income. And this may be an exciting and fun way to make that happen.

I ask that you weigh in and provide some consideration and mold it in a way that is reflective on the needs of our community. What we need to do is, we need drive to a conclusion on it. Because minus it,

there are a number of people who cannot begin to look at ways to be able to produce food locally. So we need a vehicle today to allow for that to happen, whatever it looks like. It will go through community process and really take the input. Those are two critical areas that I believe tonight as you consider them, you will see that when you think about the future of Santa Fé, addressing the threats of climate change as critical and making sure that we have a city where housing is accessible to everyone, especially people that are just entering our work force, is a critical need that we have. And if we don't address it, we will continue to export hundreds of millions of dollars into the Albuquerque and Rio Rancho economies where that is basically served – those economies have served – as the affordable housing component for our city, because that is where our workers have gone to.

Thank you for the time, Mr. Chairman, and thanks to the members of the Planning Commission for the work that you do on this. I think you will find Matt and John capable of answering in great depth the details of the proposal that will be before you. And I am looking forward to see these proposals be able to get through the Planning Commission with recommendations to the Council that make sense for our City.

D. APPROVAL OF CONSENT AGENDA

Commissioner Kapin moved to approve the Consent Agenda. Commissioner Propst seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

1. MINUTES: July 7, 2016

Mr. Smith said there were no changes from Staff for the July 7, 2016 minutes.

Commissioner Propst noted the agenda should have said August 4, 2016 minutes. She pointed out that the Commission has already approved the July 7th minutes.

Mr. Smith agreed and said there were no changes from Staff for the August 4th minutes.

Commissioner Kapin moved to approve the minutes of August 4, 2016 as presented. Commissioner Propst seconded the motion and it passed by unanimous voice vote.

2. FINDINGS/CONCLUSIONS:

Case #2016-72. Kachina Ridge Phase III Preliminary Development Plan.

Case #2016-73. Kachina Ridge Phase III Preliminary Subdivision Plat.

A copy of the Findings of Fact and Conclusions of Law for Case #2016-72 and Case #2016-73 is attached to these minutes as Exhibit 1.

Mr. Shandler said there are no changes from Staff for either of these cases.

Commissioner Abeyta moved to approve the Findings of Fact and Conclusions of Law for Case #2016-72 and Case #2016-73 as presented. Commissioner Hochberg seconded the motion and it passed by unanimous voice vote.

Case #2016-51. Haciendas del Mirasol, 700 Hyde Park Road, Preliminary Subdivision Plat.

A copy of the Findings of Fact and Conclusions of Law for Case #2016-51 is attached to these minutes as Exhibit 2.

Commissioner Greene recused himself from consideration of the Findings and Conclusions for Case #2016-51.

Mr. Shandler reported that the applicant requested two changes. In Finding 14 A-1, striking the last sentence. He confirmed with Historic Preservation Staff that the statement was unnecessary. And 14-B little 3, to add the sentence, "except as permitted by City Code."

He said he put on the Commissioners' desks a document from members of the Llano Library Neighborhood and he asked the Commissioners to read that statement.

Commissioner Abeyta said he read it earlier.

Each Commissioner said they have read it.

Mr. Shandler recommended approval of the Findings of Fact and Conclusions of law for Case #2016-51 with the 2 amendments.

Commissioner Abeyta moved approval of the Findings of Fact and Conclusions of law for Case #2016-51 with the 2 amendments. Commissioner Kapin seconded the motion and it passed by unanimous voice vote.

Case #2016-64. Las Soleras Amendment to Master Plan – R-6 and R-12 Height and Side Yard Standards.

A copy of the Findings of Fact and Conclusions of Law for Case #2016-64 is attached to these minutes as Exhibit 3.

Mr. Shandler said the applicant asked for three minor amendments that were emailed to the Commissioners. The first was in finding #14 to strike the phrase "of a sidewall" and replace it with "distance between buildings on sidewalls." That would clarify there is ten feet between the buildings. Finding #22, insert Exhibit B amended conditions of approval matrix before the phrase, "Table H" to

clarify to a future reader where Table H is in the exhibit record. And thirdly, in Finding 23-A – insert the word, “voluntarily” before “choose.” This clarifies that it is a voluntary, not mandatory condition of approval.

Commissioner Propst recused from this vote because she was not at the meeting when it was discussed.

Commissioner Hochberg asked Mr. Shandler “how you have a finding that voluntary?” “What does that mean? Is this a wish list?”

Mr. Shandler said it is a voluntary – “I guess you could call it a request but not a mandatory condition that Mr. Greene made at the last meeting.”

Commissioner Hochberg asked if Staff accepts that or has no opinion.

Mr. Shandler recalled there was some debate about that issue and he advised Member Greene that it could only be a permissible item but was kind of part of a voting item – a voting action so he decided he should include it.

Commissioner Kapin asked to recuse herself because she was absent from the last meeting.

Mr. Shandler said, “Mr. Chair, it is not a mandatory requirement when you miss a meeting, not to vote on the Findings. If you wish, I won’t twist your arm but it would be best that there be no question about having five affirmative votes.”

Commissioner Kapin said she was personally not comfortable voting on it.

Mr. Shandler said that was okay. He added that “There is a series of law that says when you recuse, it counts toward the majority. It is a disputed point that between the 20 and administrative lawyers in the State, so do what you feel is comfortable and it will be okay.

Chair Gutierrez asked if the Commission would still have a quorum.

Mr. Shandler said, Mr. Chairman, you’ll be fine. With two commissioners, if that’s how they feel, they should vote that way.”

Commissioner Kapin said it was controversial and she was not going to vote on it.

Commissioner Abeyta moved for approval of the Findings of Fact and Conclusions of Law for Case #2016-64 with the amendments. Commissioner Greene seconded the motion.

Commissioner Greene said this is on the Soleras project. I haven’t been recused so I will second it.

The vote resulted in a voice vote of two in favor and one opposed. (Commissioner Hochberg

dissented.)

Chair Gutierrez asked for a roll call vote.

The roll call vote was: Commissioner Greene in favor, Commissioner Kapin recused, Commissioner Propst recused, Commissioner Abeyta in favor, Commissioner Hochberg opposed.

Mr. Boaz stated that the motion failed.

Mr. Shandler said, "Mr. Chairman, I will hold this over until I could get a quorum. It was not what I was expecting so I need a little time to work through this. Let's get to some other agenda items."

Chair Gutierrez asked if they should move to consider it at a date certain.

Mr. Shandler advised them to pass over this item for now.

[STENOGRAPHER'S NOTE: Mr. Shandler had stated earlier that recused members were counted with the majority of voters which meant the motion did pass. This was reconsidered later in the meeting.]

E. CONSENT

- 1. Case #2016-82. San Isidro Apartments Development Plan Time Extension.** Report of the Land Use Director's approval of a one-year administrative time extension for Phase II B (up to 126 units) of the San Isidro Apartments Development Plan located at 4501 San Ignacio Road. The August 17, 2016 expiration would be extended to August 17, 2017. Sommer Karnes & Associates LLP, agents for BRT Realty Operating Partnership. (Donna Wynant, Case Manager)

A copy of the report for Case #2016-82 is attached to these minutes as Exhibit 4.

Commissioner Abeyta moved to approve Case #2016-82. Commissioner Kapin seconded the motion and it passed by unanimous voice vote.

F. OLD BUSINESS

There was no Old Business

G. NEW BUSINESS

- 3. Case #2016-70. Alma Dura Preliminary Subdivision.** JenkinsGavin Inc. agent for Vallecita, LLC, requests preliminary subdivision plat approval for 9 lots on +/- 10.73 acres. The property

is located south of the intersection of Valley Drive and Vallecita Drive and is zoned R-1 (Residential, one dwelling unit per acre). (Dan Esquibel, Case Manager)

Mr. Esquibel presented the staff report for this case. A copy of the Staff Report for Case #2016-70 is attached to these minutes as Exhibit 5.

Mr. Esquibel listed the DRT members who would speak to the conditions.

He showed the vicinity map showing the subject property at Valley Drive. This property is zoned R-1. Adjacent is R-2, PRC to the west and R-5. He showed what the densities look like as included on page 2 of the report and calculated the adjacent densities.

The Subdivision density could be seen from the pattern. It fits in that for area development. It is partially within the escarpment overlay. Conditions are imposed for that. The applicant agreed to build only outside the escarpment area. That will be presented in the final subdivision plat.

The buildable areas were shown in purpose in relation to the escarpment. One major drainage is Arroyo de las Piedras at the north edge of the property. Open space is there and just north at the entrance to the property. It is in mountainous terrain and 25% has slopes that are 20% or greater. The map showed the slopes and where the buildable areas are located.

For utilities, the sewer runs through the property and water is available to them. All utilities will be there. One fire hydrant exists and the Fire Marshal provided his review in Exhibit B.

In conclusion, the application was submitted on March 31; the ENN was held on May 12 and was well attended. Some DRT members can give the concerns of the community. One was the condition of the sewer system. The second was how far back it will be from the flood zone and that was answered with the application. Jon Griego can talk to the land use itself.

Mr. Stan Holland spoke to the sewer conditions. He was informed earlier about neighbor concerns and major sewer backups that had occurred at Bishops Lodge Road in the past. That would have been before 1998. There were some very serious backups and that was from roots that caused a lot of damage.

With the CIP 654 project in 1998, the sewer up to Valley Drive was completely replaced. A pipe burst and a brand new line put in. He believed that issue has been taken care of. Since 2009, sewer records show no backups occurred in that area.

He admitted there are a lot of trees on Valley Drive and he would like to see a lot of the Elms disappear. Up Valley Drive is a 10" PVC line that is in pretty good shape. He checked the flow this morning and found that pipe about 1/4 full at this time. So it is able to handle this project. Backups are always a concern and that is why have maintenance teams out there.

The sewer lines up Valencia is where the major developments are going in on big lots but this is a ten-inch line and has plenty of capacity for this development and future ones upstream.

Commissioner Kapin asked if there is a schedule for maintenance on these lines.

Mr. Holland agreed. We divide the City into maintenance areas. They try to cover all downtown lines (and this would be one of them) at least once every five years.

Commissioner Kapin knew that Elms grow fast. In five years, she asked if there have been any breaches from roots in that area.

Mr. Holland said there were none that he was aware of. The City is starting to use more root control methods. We realize that not only in the service lines but also in the manholes - so using root control is good to give Staff a three-year period with chemicals to knock the roots back.

Commissioner Kapin asked if he saw Elms on that property.

Mr. Holland said he didn't walk up into the property.

Commissioner Kapin asked if he would want that as a condition of approval.

Mr. Holland said Elms are his personal favorite because they have nasty roots but Cottonwoods and Pine trees are also problematic.

Commissioner Greene asked how many more than the 9 units proposed would be able to tap into this line upstream.

Mr. Holland thought 1,500 to 2,000 could be handled. But there are probably less than 300 lots tied in now. Not all of them have residences on them.

Commissioner Greene said there was a sewer line a previous project and asked if this would connect with that one.

Mr. Holland clarified that it is a separate sewer line.

Commissioner Greene asked if it would be better for them to tie in to the new one.

Mr. Holland said they couldn't because of the distance involved. That other line is also 10" line. That line was put in for the Matador Apartments. They anticipated more homes up there than had been approved.

There were no other questions regarding the sewer system.

Mr. Reynaldo Gonzales, Fire Marshall, reported next.

Marshal Gonzales said they placed the hydrant as requested. It is not a dead end so no turnarounds are needed for this project. And the sprinklers depend on the size of the structures.

Commissioner Greene asked if there was any discussion to provide access through here to adjacent properties.

Marshal Gonzales said they discussed it but that is for the adjacent development to determine.

Commissioner Greene asked if the City granted access at that location.

Marshal Gonzales agreed - through La Madera.

Commissioner Greene asked if the Fire Department could secure the access on the back side or if that was a done deal. The City could have asked for a dedicated twenty-foot fire easement along the back side.

Marshal Gonzales said they cannot require it of a subdivision that is not in the planning process.

Commissioner Greene asked if he could require access along the arroyo.

Marshal Gonzales didn't know if it is a buildable surface.

Commissioner Greene noted that it is open space.

Marshal Gonzales explained that each one will have their own egress and access point.

Commissioner Greene suggested that when they had all three developments together they could have a had a coordinated master plan but one of them had refused to submit a plan.

Marshal Gonzales replied with an inaudible statement.

Commissioner Greene said in the previous case, there was expressed a desirability to master plan all three. If they are talking about it, we have an obligation to determine that they have fire access. They could close off access for future development.

Mr. Esquibel said he did look at all the connectivity in this area. When we talked with Marshal Gonzales, they said they have adequate service from Station #1 without the need for an additional access point. The potential subdivision, because there was no need to build through that terrain, the individual agreed to run access over to the west with respect to the same access point at Hyde Park Road. So we looked at all access points and the results. Staff is okay with what is proposed. Certainly the Commission can require other access. All the DRT members found the subdivision met the Chapter 14 requirements and City code.

Commissioner Hochberg asked Marshal Gonzales if the application before the Commission meets the fire code.

Marshal Gonzales agreed.

There were no other questions for the Fire Marshal.

Sandra Kassens came forward for the Traffic Division. She explained that this subdivision does not require a traffic study, based on the criteria for that and the applicant did a small traffic study on their own volition and confirmed that no study is needed.

Regarding the bridge on the Vallecitas Road, which is actually a box culvert, the design meets the standards. She had nothing else to add unless the Commission has questions.

Commissioner Hochberg asked if she didn't hear the testimony from the previous hearing.

Ms. Kassens agreed.

Commissioner Hochberg said at that time, the Commission was given the impression that for that development they went day and night for the traffic study.

Ms. Kassens agreed.

Commissioner Hochberg asked why she said it was small, then, if it was done night and day.

Mr. Esquibel explained that study was for a different area. This study was for Valley Drive and with only nine lots, did not warrant a traffic study. The study she is referring to was done by the applicant.

Commissioner Hochberg reasoned that were there two studies.

Mr. Esquibel agreed and this one is different.

Commissioner Propst understood that large study was for an entirely separate road and had a lot more lots. So that study was required because it was Hyde Park Road.

Ms. Kassens said there are only eight houses but includes one that is adjacent. It was something that we recommended they do.

Commissioner Kapin said the entrance location is in proximity to Valley and Vallecitas. She was surprised with that location of the access road being allowed. It is right on a bend at a key intersection. There is not a lot of traffic there but asked if Ms. Kassens could address that.

Ms. Kassens said they looked at the site distance and found there is not a problem and the distance from the other intersection. That is about the only place they could access it.

Commissioner Kapin asked if they could not access it from Valley Drive.

Ms. Kassens said that is correct.

Commissioner Greene asked if Valley Drive is at capacity for traffic.

Ms. Kassens couldn't answer that but the study showed it would not exceed capacity. She didn't think it is over capacity now.

Commissioner Greene asked if this development has trails or bike lanes to get people to recreation sites or downtown.

Ms. Kassens said she couldn't answer that.

Commissioner Greene asked if there are any traffic problems with Valley Drive at Bishops Lodge.

Ms. Kassens said no.

Commissioner Greene said he was more concerned with existing problems.

Ms. Kassens said she would have to research that.

Commissioner Greene asked if there is a speeding problem on Valley Drive.

Ms. Kassens didn't know.

Commissioner Kapin was trying to see how it is oriented. It looks like the corner goes right to the intersection of Valley and Vallecitas. She asked if there was any talk about a roundabout to make it all work together rather than a stop out. She asked if that is relevant.

Ms. Kassens said a roundabout is not warranted for this project. There is not enough traffic to cause us to look at it and the intersection is not failing.

Commissioner Kapin thought it would be a potential for future. She asked if there was any projected estimate about when it might fail. She was just thinking of money set aside for that in the future.

Ms. Kassens didn't know of any study to predict when it might fail based on future developments up the road.

Commissioner Kapin said it would be good to have that information.

Ms. Kassens said she would make a note of that.

Mr. Esquibel said there are no trails out there now but the City would require trail linkages.

Commissioner Greene said the arroyo is there.

Mr. Esquibel pointed out that it is open so anyone could hike there. The arroyo will continue to be

open there.

Commissioner Greene didn't know if there were any gabions or a six-foot wall.

Mr. Esquibel said the applicant could address that issue. Jon Griego is here to speak on terrain management.

Commissioner Greene asked if there is any connection to Valley Drive for sidewalk or anything besides just an entrance.

Mr. Esquibel said Valley Drive has some sidewalks so not much is needed. And if Mr. Griego doesn't know, the applicants do.

Mr. Griego said this was assigned to him at the last minute but based on his review, there were - concerns raised on flood plain and terrain management.

Commissioner Hochberg asked if there are any issues at all left for escarpment.

Mr. Griego said the concerns have all been addressed by reconfiguring buildable areas.

Commissioner Hochberg asked if no variance is needed.

Mr. Griego said there are none to his knowledge.

Commissioner Greene was there any assessment done to analyze the impact. "Were all of these houses clustered outside of the Foothills or Ridgetop subdivisions."

Mr. Griego said there are four lots that have escarpment on them but one is just a sliver. They did configure two lots to be totally outside the ridgetop area and they will have to address that.

Commissioner Greene asked if they could have avoided Foothills altogether but some are in the Foothills.

Mr. Griego said they have two lots in the overlay.

Mr. Esquibel agreed. Two lots entirely within the escarpment area and Somie Ahmed met with them and they agreed to reconfigure the buildable areas. She agreed with that configuration for buildable areas.

In the next submittal, the applicant will show those buildable areas to not be in the foothills so no building will affect the escarpment at all.

Commissioner Greene pointed out that those two lots have access points subject to slope through 30% slopes just for the driveway. Isn't that part of the review to make sure they have legitimate access?

Mr. Griego said they are allowed to have three disturbances per thousand square feet.

Commissioner Greene asked if that is for each lot.

Mr. Griego didn't know if it applies to each individual lot but he believed it is per lot.

Mr. Smith said the applicant's engineer will provide details on that.

Commissioner Kapin asked if those two might need variances.

Mr. Esquibel clarified that no variances are requested for the subdivision at all. All of it will meet Chapter 14 requirements for development and driveways over escarpment areas and 30% slopes.

Mr. Esquibel said Alexandra Ladd is reporting for Affordable Housing.

Ms. Ladd said this project falls under the simplified program and the applicant is able to provide a fee instead of providing lots because it is fewer than ten lots.

Applicant's Presentation

Present and sworn were Ms. Jennifer Jenkins 130 Grant Avenue, Ms. Colleen Gavin, 130 Grant Avenue, Ms. Orallynn Guerrerortiz, Civil Engineer, and Mr. Rustin Blankenship, Property Owner.

Ms. Jenkins had a brief presentation and would answer the questions that were raised. For background, she pointed out the subject property and Amber Hills to the northeast. It was divided in 1982 and the subject property was to be phase 2 of Amber Hills. they have a utility easement for Phase One where water and sewer were constructed through the subject property. Phase 2 was never subdivided; just sewer and road improvements in the early 1980s.

Now they are here with a request for approval. The lot sizes range from 0.8 acre to 1.4 acres and sizes are very consistent with the adjacent subdivision.

Ms. Jenkins showed several photos of the site to give a sense of context and conditions. The intent was always that Vallecita was the access point into this property. The roadway was shown for water and sewer mains and the disturbed area for utility improvements. Most of the mature vegetation will be undisturbed as well as vegetation in the arroyo. The only elms are in the arroyo and they won't touch the arroyo. The rest is shrub and evergreens. She showed the open space corridor to Amber Hills, the fire hydrant, and more of the roadway.

Due to its small size, no traffic analysis was required. In order to address concerns of neighbors, they addressed the intersections at Valley Drive and Bishops Lodge Road with a 48-hour traffic count. They discovered the peak hour for afternoon will generate 9 vehicles and there are no more than 48 vehicles through the day in either direction so Valley Drive is not over capacity. And this is a "drop in

the bucket" affect.

Regarding Commissioner Kapin's concern on the access point, she showed an aerial and the topography. We have no access to Valley as it is separated by a significant arroyo. She showed the only access to a public way. It works quite well with minimum traffic.

Regarding emergency access, Hacienda del Sol proposed and got it approved at the last meeting. There is a stub-out road for future development and shared access to Hyde Park Road. When that is developed, they will share access with Hacienda del Sol. The Fire Chief is satisfied with the access. Williams Street serves as the secondary access. That open space has never been subdivided. Williams dead ends into that property. When they met with Staff and they agree it is an excellent access to the fire station. So there didn't seem to be need for additional access to the subject property.

Also at the Vallecita access point, the arroyo is a hundred-year flood plain and there is not enough room for a roundabout with the bridge and culverts that would have to be built.

Traffic signals require a minimum volume. Roundabouts are very similar in warrants. So here, it would not be warranted on sheer traffic volumes and the right of way available there and the homes already existing.

Ms. Jenkins mentioned a couple of detention ponds next to the arroyo that exist and they will be left alone.

Regarding the escarpment, lots 3, 4, 5, 6 have a small part of escarpment in the Ridgetop. There is no prohibition of development in the Foothills but there are restrictions in height and to be located as far from the view line as possible. We need to demonstrate that each lot has at least 2,000 square feet of buildable area that don't disturb 30% slopes. That restriction is met with this plan. We have a couple that lie completely in the escarpment. As these homes are permitted, there were concerns. Prior to applying for a building permit, we have to demonstrate that we are at the lowest point on the site. A view analysis is presented and we are not yet at the point of presenting that to the City. The feasibility is shown with a bubble on each lot. The driveways shown demonstrate that feasibility from the main road.

Chapter 14 and the escarpment provisions provide that if unavoidable, a small part of 30% can be disturbed for driveways and utility extensions. The City will review and confirm that the design is in accord with provisions of the code.

Lastly, Rustin Blankenship, owner, would like a few words and she reserved rebuttal prior to close of the public hearing.

Mr. Blankenship said he is a small business owner and was excited to have the opportunity to build this small subdivision.

Commissioner Propst asked how he decided on the number of lots.

Mr. Blankenship said he wanted ten but decided to go with nine.

Mr. Esquibel added that the density is based on a number of factors. They subtract the floodway area from the acres and multiply that times the density factor, which is one in this case, and from that point forward, they multiply times the mountainous and difficult terrain factor which results in 75% and the 50% bonus for Affordable Housing bonus which means nine is the maximum number of lots the City would allow for this property.

Commissioner Propst asked Mr. Esquibel if the City would not have allowed 10 lots.

Mr. Esquibel agreed.

Chair Gutierrez gave each speaker three minutes for their comments.

Public Hearing

Present and sworn was Ms. Hannah Folkes, 120 Valley Drive who said, "I am here to speak as a long-term resident. I've lived on Valley Drive for many years. And I think that the traffic impact that has been discussed is not my experience in living here at all. I think that 9 homes are going to have a lot more than 9 vehicles going up and down Valley Drive. The child will probably have three or maybe four vehicles going up and down three times a day. That's almost 300 cars going up and down in front of my house. Valley Drive, as you know, was built in the 50's to be a dead end. It was built with the cul-de-sac for about 30 houses as a small residential neighborhood. In the 1990s it was opened up officially by the City with a bridge over the arroyo and for 30 years we have been subjected to development traffic that goes all the way from Bishops Lodge Road to Gonzales Road. All day long we are subjected to dump trucks, cement trucks, construction vehicles for the construction that has gone on for 30 years and on top of that, there are SUVs speeding down the road all day long. That's what I see outside my window every day. There are toddlers on our street and teenagers who would like to ride bikes and skateboards and young adults learning to drive. But they can't that street because there are blind curves and the City knew that street was not built to be a public thoroughfare with hundreds of houses because they put in speed humps and they put in chokers which have only served to make it with dangerous because it is difficult to pass. And when someone is coming at you, speeding down the street at 60 miles an hour, you have to pull off. People cannot cross that street safely and speed humps have harmed foundations and plaster because trucks weighing over five tons, which is over the weight limit, go over those humps daily. And that construction is not going to stop. So on top of that, another 9 houses with the potential for connection to the other space. It is potentially hundreds of cars added to Valley Drive which is already maxed out – way over what it was intended to be."

Present and sworn was Mr. Bryan Stuppy, 3144 La Paz Lane, who said he has lived on Valley Drive with his family that was adopted, taken in in the late 1950's when there were just a couple of houses and had watched what has happened in the last couple of years and it is sad to see. I would recommend a severe traffic study, not this vague what I've heard. There is a lot. I'm thinking about my

family - there is a toddler that is like two years old who was playing – Andre - on the road.

I remember years ago that your father had to put in that speed bump and narrowed the street because it was crazy about 10 or 20 years ago. I don't know what year was. As far as the sewer, I remember your house like exploded because of the sewer and that's on Valley Drive.

So I hope you think about what is going on because this congestion in this development is too much.

Present and sworn was Mr. Fred Pierce, 164 Valley Drive on the dirt road section above the bridge, said, "I have the first house that sits up on the hill and almost every night at this time of year, my wife and I will eat dinner out on our side porch and I see the bridge and I'm totally amazed that there are only 48 vehicles going down to that way coming off of Bishops Lodge Road. It blows my mind. I see traffic there that gets kind of messy and it's actually a dangerous spot coming across that bridge. There is vegetation on Valley just on the south side of the bridge that rarely gets properly cut and trimmed by the City. And I call every year; sometimes two and three times. And the only department that has come out before, and then a really fine job is the Parks Department. With come out and then the work. Called me and asked me what I thought and I told them it was a fantastic job. The Roads Department comes out and kind of whacks the staff down a little and down in the arroyo. That's about it. There is a blind spot there with the vegetation. As you coming up Valley Drive and coming across the bridge and there has been more than one almost accident of cars coming up that way and turning and not stopping. And, not stopping of course, is a problem there. I just wanted to let you know there is a lot of traffic. And as we mentioned the reconstruction traffic. I don't know what all is being built on top of the hill but there are heavy, heavy vehicles crossing the bridge and up Vallecita every day.

The only other thing I really would like to say is that because of that intersection and because of the other situation with the neighborhood, seconded the motion and it passed by unanimous voice I first mentioned is that it would be very nice if the approach to and from this housing area would be right off of Artist Road. As you go down Artist Road - and I did this one time back just to see. As you go down Artist upward in that section behind where this development is going to go, you don't see into the houses across the road on the southeast side - nothing. You don't see anything. And that, to me, would be the best place to have the approach to and from this area right up to that road and then up and down from there.

Present and sworn was Ms. Sandra Green, 611 Gonzales Road, who said, "Thanks for hearing us and I'll try to be very brief today. I'd like to point out a few aspects of the Alma Dura Development that should be addressed in order to have a holistic and also a good development for the neighborhood in Santa Fé. I'm not against development. But we need some nice developments. First, the Alma Dura Development should be part of the Master plan for the whole neighborhood. That includes the Haciendas, the nearest sub project. It is not part of the 1981-3 Ordinance and it doesn't have to be developed together. But as far as the development process that our community needs, and you Commissioners fight for that, the Alma Dura should be part of the bigger picture. I'm talking about traffic and access. Last time we heard that only eight houses down Tract 30 because there are no impacts. Now we have 9 more houses and it follows the same thinking. So we're done with Tract 30.

However, we are already talking about having 17 houses combined with their guest houses. If this development is done without a master plan, we will have problems in the future. All the related developments should have a Master Plan. It is the same thing about drainage and terrain management. Each house may not be affecting anything. But 17 maybe and, in the future, another 39.

She showed a picture with 39 properties and 9 more - about 5 with guest houses and it would be potentially 112 houses. It will impact our neighborhood. I'm not asking you to reject the project but to ask the developers to go back and develop it in a holistic way, including Cody North, Ernie Romero, this one and our neighborhood. The developers finish their job and then leave and go on to the next. The Commissioners approve the projects and move on but we, as neighbors, cannot move on. We live there. We are the most impacted and if not addressed today, we have no way in the future. It is also not fair to the new homeowners who don't know what they have to deal with. So I ask for more time and a real study carefully for all who are impacted including traffic, drainage, terrain management and probably other issues too.

Present and sworn was Mr. John Gibbs, 133 Valley Drive, who said, "I am the very nearest house to this proposed development and I will try not to repeat things that were already said but I would like to add to a couple of those. And partially, what Sandra said. When you talk about these numbers of houses, but until she said it, I have not heard anyone say this is 16 houses since every single one of them can have a guest house. I really do think that is the only honestly talk about traffic and everything else, sewage and runoff. I haven't heard much talk about flood. That Arroyo looks like the Colorado River when it rains hard. It is really raging. There is another major drainage that comes down through their and hits right at the intersection. That concerns me as well, but I won't go into that because I'm not an expert in that."

"But I want to give you some history. In 1991, or a few years before that, there actually was an illegal ramp across the arroyo without permission. That was when the neighborhood - only a few of us remain from those days - objected to it. We came to meetings like this that went late into the night or a long time. As a matter of fact, one of the City arguments to leave that illegal ramp open was all about fire access. They didn't want one way in and one way out. I'm hearing now tonight on this one; the Fire Department says that is just fine. I would suggest that we look back in a few years if this is proposed and accepted and see if then the City is asking for another way out of this subdivision for the same reason they did back in 1991.

"A little bit more history: The neighborhood had a lawsuit against the City from this. It came down to that. We couldn't get any agreement. And we asked for a locked gate that the fire department could get through but we couldn't sell that. A few days before the court case was to be heard, we walked with the City Attorney, and he said, 'I think there is a good chance that we will win. But if you do, the City could condemn it and did whatever we want. So how far do you want to go? How much money do you want to spend on this?' And we dropped the case at that time. But part of the promise from City - and of course not one Commissioner remains nor the mayor that made these promises - but the promise was that we are going to limit the traffic on Valley Drive. Then we would limit traffic on Valley Drive. We have already platted all of Vallecita and Paseo del Sur, Gonzales, everything else is flooding down on to you, platted legal dead end streets. And we're going to limit the weight limit on that bridge that crosses and speed humps. That promise was made by the City. No one is here now to say

that they remember it. The only ones who remember that are the ones who live on the street there. There are a lot more things that I could say but I know those are the most important ones.

Present and sworn was Ms. Pamela Burnham, 115 Valley Drive, who said, "I've lived in Santa Fe for thirty years and I've lived on Valley Drive for 18 years. And in that amount of time that I've been on Valley Drive, the traffic has increased exponentially from all the development that is further up the road off of Hyde Park Rd. in Gonzales Road. So the commuters and people who work on these properties come in from Bishops Lodge. They go down Valley Drive, up Vallecita to Gonzales and up to other avenues or streets up in the developments that are higher up. I live exactly at the first narrowing - a choke. I live exactly just prior to that. I'm retired and I work in my garden. I'm outside a lot. I'm a bike rider. I don't see cars stop to slow down to grow over the speed bump. They don't. They go faster. I was out this morning with Ann and we were standing there talking and an SUV went by us. I can't say how fast they were going they certainly were not going 20 miles an hour or even 30 mph. It is like reckless abandon to get from one place to another and we have become the short cut.

"On this Commission, I would request that you please ask for a formal traffic study, please. It is much more severe than what was presented."

Present and sworn was Ms. Karen Heldmeyer, 325 East Berger, speaking for the Neighborhood Network. "We're not going to speak on the specifics because we think the neighbors can do that very eloquently themselves. But I wanted to bring up two issues that have been brought up by multiple neighborhoods to the Network. Number one is that the packets, not just for this case, but for the two that follow were not available Tuesday afternoon. They are up now which is Thursday. But, people who wanted to study them over the weekend, they were not available. The Commission gets them on Friday; the public should also get them on Friday.

"Secondly, what we've heard from a lot of people is that this whole area with a very difficult terrain should be master planned to address some of the issues that you yourself have brought up tonight about drainage, about sewage, about traffic. Downhill neighbors have already suffered from the effects of those things from the development that is already there. But what you've done is a bunch of piecemeal developments. Each one says theirs is not so bad. And what you get is death by a thousand cuts. They all need to be looked at in a more comprehensive way.

"Lastly, from a personal point of view, not the Neighborhood Network, but as a member of the escarpment task force is the issue of buildable lots. What we found on the Task Force is that people who buy this type of property usually want to build - they are expensive pieces of property - they want to build high end homes. Many of them want to build something much bigger than 2,000 sq. ft. We get variances at this point, if any other developments are any indication they are. We will get variance requests because people want 3000 or 4000 square foot sized homes. And that's going to go outside the buildable lot area. You have the power tonight to limit on the subdivision plat to the buildings that are within the buildable lot area listed on that plat. I would urge you to do so.

Present and sworn was Ms. Jennifer Johnson, 605 Sunset Street, who said she had three points to bring up. "We are - where I live is next to Williams Street. And I think as Ms. Jenkins talked about, they can count on secondary access from Williams Street. This goes back to ask planning. It goes back to,

actually, what I just like to read quickly from your memo from August 4, Staff analysis has identified several significant issues. This is regarding the Haciendas del Mirasol, and one of them says the PRC district regulations require a phasing program for roads, emergency access, and other infrastructure for both tract one and tract two. Coordination with the infrastructure for a third vacant parcel located east of tract two on Vallecita Drive – and that is Alma Dura. That's what we're talking about right now. It is outside the PRC but it said it is desirable and a preliminary subdivision [was put together but that they would like to see ... It would be desirable to see it laid out for the roads and the infrastructure in the beginning. And I think that is what people have talked to this already but I think it is a little suspicious that as Ms. Jenkins said, Ernie Romero was her client but had not heard anything about the development. He came to us as a neighborhood Association and spring. And he and Cody North came together to talk about the development's phase 1 and phase 2. And then the next thing we know it was split up. And it's like we don't have anything to do with each other. We're not really developing that. It is a divide and conquer strategy and a way to get through you get your planning through without having to take into accountability these access roads. It will default on us if the Hacienda del Marisol and the Alma Dura are finished and under construction and approved, once Ernie Romero comes with his other 40 acres. There would be no way for him to get in there. An access is going to fall on us and our small streets instead of a master plan just for the infrastructure. If you could just give us 60 days and create a date certain - 60 days out in November to not just look at all of it together and just get the roads in - just figure out the access before there are no other options.

“And then that brings me to one other thing. We talked about the cluster away from the ridges on the two lots. I think they are lots 4 and 5 in Alma Dura. It cost about - I think Ms. Jenkins spoke to two lots in the escarpment - that there were no other options except to build on the escarpment. And my question is really? There is no other option? Is it the option not to build there at all? And I think we take a lot of things for granted like this and there really are other options. And I don't like it being framed in that manner. I hope that is considered as we go forward. I'd really like to talk about the master plan again. Let's figure out especially the fire access - how we are getting in and out and cannot that same road serve for construction of all of these projects off of Hyde Park which is a highway' which is a state road.”

Present and sworn was Mr. Roger Riveraque, who said, “I've seen a lot of developments. This is not a bad development. It could end up a lot worse. So be careful.”

Present and sworn was Mr. Rick Martínez, 725 Mesilla Road, who said, “I do want to mention one thing that I feel is very ironic. A project like this gets a credit for doing affordable housing, yet they don't have to build an affordable house. They give the money to the City to avoid building house. The whole idea is to bring affordable housing to more parts of the city and once again, we are losing that. They get a bonus density and not an affordable house in an area that is really needed to.”

Present and sworn was Mr. Richard Folkes, 119 Valley Drive and President of the Greater Callecita Neighborhood Association. He provided a couple of handouts for Commissioners on behalf of the Greater Callecita Neighborhood Association. He said, “I love to stand up and scream about traffic because I grew up on Valley Drive. I raised my two daughters on Valley Drive and now watching out for my grandson who lives there. So I can talk about the history forever. I can also talk about the sewage from my personal experience. It was my house that was flooded with sewage in 1995. It was a

five-inch pipe that was expanded and replaced by 8" pipe, not a 10-inch pipe. The person who would know is Matt O'Reilly, who was the engineer on the Los Vecinos project. I remember him calling me and talking to me about the pipe that was replacing - the larger pipe that was replacing the old sewer pipe. Anyway, it was my house that was flooded. It cost the City about \$300,000 to repair my house and my neighbor's house. So is good to pay attention to the sewage issue.

Also, I thought that a traffic study was due before preliminary approval. And when I got the hard copy of the Staff Report, there was no traffic study. It might be my misunderstanding.

I want to talk touch on something that Jennifer Johnson talked about and so did Ms. Greene - and that is about the lack of a Master Plan. The Staff Report that preceded the Haciendas del Mirasol last month, August 4th, the Cody North development. Staff was already looking at what is commonly called tract one and tract two. Cody North's property was tract one. Ernie Romero's property was tract two. That was presented like that at every meeting with the neighbors; at the ENN meeting it was tract one and tract two. It was phase 1 and phase 2 and it was Cody North's development and Romero's development. First they worked together and then they were not. These are part of the PRC. We were part of the original Estancia Primera Ordinance 1981-3. 81-3 governs what goes on on the north side of Hyde Park Road. It also governs, and we can argue to what degree, what these two tracts are touching. You could call it tract 3 or you can call it the Alma Dura development. And if I could direct you to page 5, and I just want to read for the record. But on page 5 of the Staff Memo of July 28 for the August 4 meeting when the Haciendas del Mirasol was approved. It says, *no plans have yet been submitted to indicate how tract two will be developed.* And if I could pause there; There have been plenty of preliminary drawings that have been presented at neighborhood meetings and at the ENN meeting showing plans with several houses and cluster houses on Ernie Romero's Tract 2. So I don't understand why the agent has not seen those. *The various unofficial versions of the expired master plan all show access to tract one via a dead-end private road or driveway. Access to tract two shown in various combinations of road and driveway extensions from the intersections with Hyde Park Road from Williams Street and from a stubbed out connection to the Alma Dura parcel.*

So the Staff has clearly been looking at this as three3 pieces – the three same connected pieces – as they should be. That would be the Master Plan. The problem is, these things are being approved or considered separately piecemeal. That is a classic serial development. It is prohibited by the code, 14-3.7A -5 – Common Promotional Plans. *A plan or scheme of operation undertaken by a single applicant or a group of applicants acting in concert to offer for sale or lease, lots for the land that is either contiguous or part of the same area of land or is known, designated, or advertised as a common unit or by a common name, shall constitute a single subdivision plat.* We believe they have to look at this - they being the Commission and the Council. They have to look at this as one.

"These are governed by 81-3. And it is already a mixed message; it is confusing. The Staff looks at it as tract 1 and tract 2 and they are talking about access on Williams Street or connections on Alma Dura. That is crossing Tract 2. That's Ernie Romero's property. Tract 2 can't be anything. It is landlocked without accessing Williams Street for Alma Dura. This has to be looked at as one big development. And if it is, all of the conditions of the code, 1981-3 are that this is one. That is the Master Plan and that is what it is supposed to be. This piecemeal thing where you approve the Hacienda del Mirasol once and then you approve or disapprove Alma Dura and then wait around for

Ernie Romero to come in and say he needs access for fire truck or something. Alma Dura or Williams Street - that is piecemeal - a classic serial development. And it's not legal in this City. So I urge you to tread on this carefully and I do agree with Jennifer Johnson. If you table this, I think we can get all the parties together. We can hash something out quickly and save everybody a lot of time and money.

Present and sworn was Mr. Raymond Herrera, 379 Hillside avenue, who said, "I don't know any of you and most of you don't know me. Most of you were not even born when I was at City Hall for the last 30 years addressing developments. I am part of the Historic Hillside Neighborhood Association that was formed because of Estancia Primera 35 years ago. That created Ordinance 1981-3 because of what was happening and because there was nothing to protect neighborhoods back then. And it was left up to us to form our own organization and to force the City to comply with the ordinance that we created. This development falls under that ordinance and I wish you would study it and make sure that it complies with the ordinance.

"Also, I would like to thank the people who have spoken tonight. I think that they gave great presentations on the half of their neighborhoods. It is amazing how small neighborhoods like this have been destroyed in the last 30 years because of piecemeal developments like this without a master plan. It is frustrating to be here once more addressing those things that shouldn't be an issue.

Present and sworn was Ms. Suby Bowden 333 Montezuma, who said, "Commissioners, I spoke to you before on behalf of the Greater Callecita Neighborhood Association regarding the Haciendas del Mirasol application. I simply wanted to say that we were given dominance of the report. I wanted to Clarify two points that you have not heard tonight. One of them is that the Staff was very helpful in getting us information in the process of Mirasol. But there were certain documents that were not released to the Greater Callecita Neighborhood Association until 3 hours before the meeting and in that process, it was only discovered after the meeting that Alma Dura was spoken about as tract 3 and also spoke about that all three should be studied.

"I came in late for the presentation and the image on the screen showed tract 2 roadways connecting to Alma Dura. So that was on the screen and talked about by Agent Jennifer Jenkins' presentation. I heard her speak about that connection so it was both visually on the screen tonight and it was also talked about tonight.

Present and sworn was Ms. Marg Veneklaussen, 205 Williams Street, who said, "you know what? I'm not against development and I'm not a person who doesn't know that Santa Fe needs change. I know that. I'm a realtor, for God's sake. I'm not against this. But what I want you to do is just take a little time - 660 days and put together a Master Plan. I know Cody North personally and I think he is a wonderful guy. I don't know Mr. Blankenship too well but I know Mr. Romero. And I don't think any of them wants to hurt Santa Fe. So I think you need to sit down and come up with something great and slap each other on the back and say Look at what we did.

There were no further speakers from the public regarding this case and Vice-Chair Gutierrez closed the public hearing.

Mr. Esquibel asked to clarify some things for the record. One of the things that was directed to us from the Land Use Director was to make sure that we always, no matter who comes in, provide information on whatever project that we get. Anyone can come in and look at the file. If they want a digital copy, we are directed to do that without hesitation from the day submitted to the day it is heard in the public hearing. Our office is open for all of it.

Ms. Jenkins wanted to make a few brief comments.

Mr. Shandler asked for a clarification for the record. One of the speakers had a last name of Greene. He asked if she was any relation to any of the Commissioners.

Commissioner Greene agreed that she is his wife.

Mr. Shandler said that may be a problem and he would think about that.

Ms. Jenkins had a few items to address. Interestingly, there has been some discussion this evening regarding Master Plan. She said, "I could go into and quote title and verse when a Master Plan is required in the City Code. This is not one of those times. When you have three separate pieces of properties owned by three separate people doing separate projects doesn't meet the standard or a master plan. The Common Promotional Plan I am very familiar with that code provision as well. This is not. This property, based upon the... This property was already master planned in 1982 as phase 2 of the Amber Hills Subdivision. It is zoned R-1 and it happens to back up to Hacienda. It has separate access via Valley Drive and Vallecita. Ergo, we platted access. The PRC zoning district we happened to be next door to is a separate item. It has been planned in the past. The plan has changed; different applications are coming before you. That access is from Artist Road. This has already been done.

But Ms. Bowden was referring to is this utility easement. Because the City requires that utility easements for water and sewer extensions extend to the furthest property lines. This is not a planned roadway connection. It's a utility easement. City Staff did contact us and said it did not make sense and urged us to look at the possibility of some roadway connectivity between this project ...

We are not adjacent to the Mirasol project - not by a longshot. She pointed out the location on the area map. It was referenced that Mr. Romero's property would be landlocked. That is inaccurate statement. As I stated, a stub out through Hacienda is being provided to tract two. Williams Street is a potential emergency access. It is a public way. Staff did their due diligence. They were very conscientious. They called Mr. North with Hacienda and Mr. Romero. We all went to a meeting. Mr. Zach Shandler was there and Mr. Greg Smith was there. Dan Esquibel was there and we looked at this holistically - what makes sense. There were not emergency access issues. Mr. John Romero, the City's Traffic engineer attended the meeting as well and Rey Gonzales attended too. It was a packed room. This was senior staff addressing these issues and we were all in the room together. Due diligence was done. It was determined there was no benefit to creating any kind of connections from Alma Dura into Tract 2. There was no benefit. We are a private land of 9 homes. I don't know what is planned in Tract 2 nor the timing of it. And that will have to be addressed then.

We had a lot of dialog with the City on these issues. The reason a connection is not shown from

Alma Dura to Tract 2 is because the City Traffic engineer opposed it and Fire Marshal said it was not necessary. So this was addressed. There are staff people here in the room who were there and can address it too. This is a separate property, separate owner, and there is no collusion here.

Questions to the Applicant

Commissioner Propst had a couple of questions in reference to guest houses. She asked if guest houses anticipated, restricted, or left up to the developers.

Ms. Jenkins anticipated there could be but probably not every house because of the terrain. So you might see one or two but there is no plan to build guest houses. The homeowners make the choice.

Commissioner Propst asked if she could walk the Commission through the project and address what the maximum size home could be built without coming in for a variance. She agreed that this is a high end part of town and she didn't think anyone would propose a 2,000 square foot home.

Ms. Jenkins said on lot 3, a vast majority of the lot is buildable. Lot 3 is the smallest lot and is 8/10 of an acre. A half-acre is over 20,000 square feet of building able area. So Lot 3 is 20,000 square feet. Lot 4 is a little more. So the buildable areas well exceed the 2,000 minimum buildable area.

In Casa Solana, most lots are about 6,000 square feet. You could easily put a 2,000 square foot house on them. These lots are much bigger and most have 50% buildable area. We are not anticipating any need for a variance to comply with the escarpment regulations.

Commissioner Kapin asked Mr. Esquibel what potential number of houses that would trigger a traffic study.

Mr. Esquibel deferred to Ms. Kassens -

Ms. Kassens said there are guidelines but nothing is set as standard. Some developments may appear not to need a traffic study and there are others that do. But there is no set amount of traffic volume to trigger it. If there are over 25 cars in peak hour it would likely need a traffic study.

Commissioner Hochberg said regarding traffic, that he heard in public comment. That it seems to be not the nine houses that would potentially denigrate it but a question of incremental increase. The testimony from those who live there under oath that there is through traffic that they can't stop. So it isn't that the 9 new homes suddenly create a terrible situation but is the straw that breaks the camel's back. Some place, someone has to say it is a lot of traffic – too much, and we anticipate even more from other developments. This looks like a nice project and there are people who say a solution could be worked out. He just wanted to understand if the Commission is predisposed to grant a 60-day wait, id anyone could generate a traffic study either by the applicant or the neighborhood that finds this so difficult about what kind of vehicles or the speeds are. Somebody should be doing the study.

Ms. Kassens said they did a 48-hour study. That is factored in with how many this development is producing. She got a lot of comment about cut-through traffic from Vallecita and she didn't know what can be done with that. Speeding is not normally addressed in a traffic study.

Mr. Smith said the Traffic engineering division has dealt with this. And the neighbors could initiate a study.

Commissioner Kapin asked if there has been a record of accidents at Valley and Vallecita - any record of that.

Ms. Kassens said the study by the applicant didn't cover that. But it could be done. The Staff could investigate the accidents, if the Commission wants.

Commissioner Kapin said the applicant did a 48-hour study. She asked what a normal traffic study the City would do in comparison with the one that was done.

Ms. Kassens said they did two counts. The City could have a person out counting traffic, including pedestrians and bikes. Typically for developments, the applicant hires someone to do traffic counts. We would count for at least two hours during peak hours three times each day and determine the level of service and the capacity.

Commissioner Kapin asked if the Traffic Division would use their study.

Ms. Kassens agreed.

Commissioner Abeyta asked Mr. Esquibel if there are other vacant tracts along Valley Drive.

Mr. Esquibel said he didn't look at that and would have to go look at it.

Commissioner Abeyta understood the concern for traffic and that made him a little hesitant about this development. He would like to see what other connections were on Vallecita. He was not confident that all the traffic has been addressed.

Mr. Esquibel said he could find out if others were done in about 5 minutes.

Vice-Chair Gutierrez said the Commission should keep going and Mr. Esquibel could look for the answer.

Mr. Esquibel said he would print a larger area and try to bring that out so the Commission can see the road network and the vacant areas.

Commissioner Kapin said in the public comment a lot came up about how it looks for a Master Plan. She asked how that gets started and if it is something the Commission should look at for this area. The idea of connectivity is important. How does it start?

Mr. Smith said that tract 1 and tract 2 are parts of a PRC zone adopted for sav hundred acres back in 1981. Those are the only large vacant parcels from that original PRC Master Plan district. As explained a little, with Mirasol. Alma Dura is outside the boundaries so the ordinance does not require all three to be done simultaneously. Hacienda planned for emergency and functional access with the stub out to Hyde Park Road. Ms. Jenkins pointed out the meeting we have had on access. His understanding was that in that meeting, Traffic determined no functional benefit for connections between Alma Dura and Tract 2. There was no benefit to do that.

Mr. Shandler said in the Master Plan section of the code on applicability, he first thought it would say something like 20 acres or a certain population would require a master plan. But in Section 14-3.9B- applicability, it says that a master plan is required in conjunction with rezoning applications and may be required in conjunction with specific annexation applications. But for a development plan may be submitted in lieu of a master plan.

Ms. Martínez added that it is interesting that in the last 18 months, development in particular areas of town and seem to be coincidental. There has been one after another show up on the West River corridor or, coincidental that a project last month showed up in this particular area of Hyde Park Road, and then this project comes forward next. We didn't plan it that way. We don't try to time those things. It just happened that way.

Certainly important issues have been brought forward this evening but I think we should probably start having some preliminary discussions of those issues with the Long Range Planning Sub Committee and the Long Range Planning Staff to see what can be done to better address what comes forward. She will address that with them.

Commissioner Kapin thought that should happen before these applications stack up on top of each other. There might be a way to start thinking about the City's part in it.

Mr. Smith said regarding specific meetings on this tract of land, that Mr. Romero was given every opportunity to make specific proposals about how he would attempt or not to coordinate access to his tract of land for future development. He has chosen not to make any formal application on a submittal. In terms of minimum criteria for access and fire code for emergency access, a stub out will provide minimal development whether an emergency is done.

Commissioner Hochberg asked if they were not now actually looking at four issues and have a living, breathing applicant in front of the Commission by himself who wants to go forward with this project and it complies with everything the City requires. We have an obligation to the community but also to the applicant. So aren't we supposed to address the application?

Mr. Smith agreed. Staff has recommended and the Fire Marshal and the Traffic Division that it does meet the minimum standards. The Planning Commission could require stub outs of streets to adjoining properties but it is not required by code on this property.

Commissioner Propst thought the Commission would not require it to connect to adjacent developments. She said she is familiar with it because she lives up that way. She appreciated the

traffic concerns and short cuts of people going down that way. She wished there was a greater traffic study in front of the Commission. She didn't know at what point, but it probably should occur before the preliminary is approved. She didn't think it should connect up with other developments and secondly, she asked if the Commission could get a more detailed traffic study.

Commissioner Greene asked regarding the escarpment if Ms. Jenkins had said there was no other choice for citing these buildings in the Foothills subdistrict.

Ms. Jenkins explained as they laid out the subdivision that in accordance with the permissible density there are lots that sit wholly within the Foothills subdistrict and they don't have any buildable area outside the escarpment.

Commissioner Greene understood but said they could have kept it as open space.

Ms. Jenkins agreed they could have been and was happy to have him clarify that. They chose to keep the lots at that size to be consistent with the neighboring lots.

Mr. Esquibel distributed a map of the larger area. A copy of the map is attached to these minutes as Exhibit 5.

Commissioner Greene said he tended to remember from historic documents that there were some areas of 30% slopes and that there are two tiers to that property. There is the upper tier and a lower tier that Alma Dura is a portion of. He asked Ms. Jenkins if she was sure that they could gain access from Artist Road down to the lower tier without disturbing 30% slopes.

Ms. Jenkins said she was not because she had not seen those documents. The adjacent property was not her project. But she would expect that Mr. Romero would ensure that his property has adequate legal access. That is what she would anticipate that she has not studied that.

Commissioner Greene said that adequate legal access could be from Alma Dura or from Williams Street.

Ms. Jenkins agreed.

Commissioner Greene said he wanted to be clear about that. In 1981-3 it says all infrastructure on-site and off-site should be addressed in this and those connections would sort of say should have been planned with connections previously all, including potentially, bringing all the traffic off of Alma Dura onto Hyde Park Road.

Ms. Jenkins said, "I think that is the desire that through a master planning process we would not have access to Vallecita. We have not easement or right of access to tract 2. Our only point of legal access is to Vallecita.

Commissioner Greene said, "But it could be master-planned.

Ms. Jenkins said, "Anything can be master planned but that would require consent of property owners."

Commissioner Greene asked if she would consent.

Ms. Jenkins asked what he was asking her to consent to.

Commissioner Greene asked if she would you agree to master planning and up to 60 days to talk with the neighbors and bring the neighbors in. If three developers of the City were having a meeting to coordinate or not coordinate or choose not to coordinate, at that same meeting should have been representatives of the public, a representative of the public of the neighbors who said, 'Wait a minute. We think that this should go through. We think that this could help our neighborhood. This road connecting to Hyde Park Road could actually alleviate a lot of traffic on Valley Drive. It would cut through your neighborhood but it could actually draw a lot of traffic that was going down Valley Drive that had to go around.'

Ms. Jenkins said, "Maybe. I don't know."

Commissioner Greene said, "A comprehensive network traffic study might identify that and was probably required at the last case. How are you getting ... Is Alejandro ... Is Alexandra ... Is Ms. Ladd here at this point? How are they... How is this case eligible for both an affordability bonus or a density bonus by shifting the sites off? Can you take in lieu and still get the bonus?"

Ms. Jenkins said the Affordable Housing Ordinance was amended a few years ago to make different allowances for small projects (ten dwelling units or less). The density bonus is an entitlement by right for any project that complies with the Santa Fe Homes Program Ordinance. There is no prohibition. We are simply complying with the ordinance as it is written. The density bonus is 15%. Elsewhere in the ordinance, it talks about when you have to provide homes on site and when you are eligible to pay a fee based upon the size of the project. It does not say that only projects that provide a home on-site are entitled to a density bonus. We are in compliance with the ordinance and we did vet it with the City Attorney's office and the City Attorney can confirm that.

Commissioner Greene surmised that when the ordinance was changed a few years ago, it did not affect the density bonus section.

Ms. Jenkins said that section remains untouched.

Commissioner Greene asked, "Do you buys own the street frontage along Valley Drive? And do you have any frontage along Valley Drive?"

Ms. Jenkins said no. The arroyo runs along Valley and homes back up to Valley Drive so there is no direct frontage on Valley Drive.

Commissioner Greene asked if there were conditions of approval for Amber Hills that would carry forward to this phase.

Ms. Jenkins said there were none that she was aware of. On the vicinity map, Valley Drive is still shown as a dead end road and in Amber Hills, Vallecita would be dead end. But the City elected to connect the two.

Commissioner Greene asked which came first: the connection across the arroyo or if this was the establishing road for Vallecita.

Ms. Jenkins said "this" came first. They got access from the top, from Gonzales Road. She was sure people in the neighborhood were around at that time but she wasn't.

Commissioner Greene asked if there are any sidewalks for pedestrians or trails along that stretch of road that "you guys developed."

Ms. Jenkins said the sidewalks at Valley Drive stop short of the intersection and there are none on Vallecita Drive.

Commissioner Greene asked if she would be willing to connect those missing gaps.

Ms. Jenkins asked where.

Commissioner Greene said "all along this entire stretch of Vallecita that runs through Phase 1.

Ms. Jenkins asked him to clarify.

Commissioner Greene suggested- that could be brought up to code now for all who walk that area up there - to build some infrastructure and make it more livable.

Ms. Jenkins asked where the sidewalk was contemplated by Commissioner Greene.

Commissioner Greene said it is up Vallecita along Valley Drive.

Ms. Jenkins said they would not agree and she would need to confer with client. they would have to look at the cost of those.

Commissioner Propst asked if the applicant would agree to do a professional traffic study.

Ms. Jenkins said yes.

Commissioner Propst asked, regarding affordable housing, why they decided on 9 and not 8 or 7 lots.

Ms. Jenkins said there were a few elements involved. It is zoned R-1 which would be ten lots at one home per acre. But this is in a mountainous terrain overlay with slopes exceeding 20%. So they were only allowed 75% of the density. Then they had the density bonus per Santa Fé Homes

Ordinance and also had a flood plain and had to deduct a third of an acre that was in the flood plain. So with those elements, it was just math - not creativity. And that resulted in 9 lots. They would be entitled to 10 and with the density up to 11 and 75% is 8.625 and they are entitled to round it up to 9 lots.

Commissioner Propst asked Mr. Esquibel if Staff agreed with that.

Mr. Esquibel said Staff agrees.

Commissioner Hochberg asked, if the tract would have accommodated 15 lots and the developer chose to do 9, whether they would be entitled to the Affordable Housing bonus.

Mr. Smith said they would. It is based on the number they choose to build. The Planning Commission could say it is completely unsuitable and 5% would >>>> that is not what staff is recommending here.

Commissioner Hochberg reasoned that- they are actually maxing out this property.

Mr. Smith agreed.

Action of the Commission

Commissioner Abeyta moved to approve Case #2016-70 subject to the staff conditions and the added condition to do another traffic study. Commissioner Propst seconded the motion.

Commissioner Hochberg asked for a description of the traffic study to be performed.

Ms. Jenkins said the next level would address the level of service analysis at Valley Drive and Vallecita and the Valley Drive/Bishops Road intersections and the capacity of Valley Drive itself and would address source generation with actual on-the-ground counts.

Commissioner Abeyta agreed to that description.

Mr. Smith said that is a broad scope and asked if the Commission would like to see that added information.

Commissioner Hochberg said the Commission still wants to see it.

Commissioner Greene wanted a sidewalk for ADA compliance or bike lane.

Vice-Chair Gutierrez asked Mr. Shandler for comment.

Mr. Shandler said, based on the ethics code, Section 17-4 of the Judicial Code of Conduct 21-211, he advised that Commissioner Greene should recuse himself from the motion. He believed

Commissioner Green was trying to make an amendment.

Commissioner Greene said okay.

Commissioner Greene recused himself.

The roll call vote resulted in a unanimous vote with Commissioner Kapin, Commissioner Propst, Commissioner Hochberg and Commissioner Abeyta voting in favor and none voting against.

The Commission recessed from 9:00 to 9:08 p.m.

- 2. An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987, Creating a New Subsection 14-5.5(D) Entitled the "Midtown Local Innovation Corridor Overlay District" (Midtown LINC Overlay District) and Establishing Permitted Uses, Definitions, Standards, and Incentives for Qualifying Projects within the District; Amending the following Articles to add Provisions for Qualifying Projects within the District: 14-3.8(B) Development Plan Approvals, Table 14-6.1-1 Special Use Permits, 14-6.2(A)(7) Dwelling Units within C-2 and SC Districts, 14-8.6(B)(4) Reduction of Required Parking Spaces, Table 14-8.7-2 Architectural Design Standards and Point Allocations, 14-8.13(E) Development Water Budget Criteria, 14-8.14(D) Impact Fees; Relating to the Building and Housing Code, Chapter 7 SFCC 1987, Amending Subsection 7-1.10 Application of the International Existing Building Code; Relating to the Sewer Code, Chapter 22 SFCC 1987, Amending Subsection, 22-6.6 Exhibit A Section 7 Wastewater Utility Expansion Charge; Relating to the Water Code, Chapter 25 SFCC 1987, 25-4.2 Exhibit B Rate Schedule 8 Utility Expansion Charge; and Making Such Other Changes that are Necessary to Carry Out the Purpose of this Ordinance. (Mayor Gonzales) (Matthew O'Reilly)**

Staff Report

Mr. O'Reilly started with history of why we are here at this time. Back in 1999, the General Plan was adopted and part of it was the City classified St. Mikes 1.2 miles as a redevelopment corridor to be designed to provide an opportunity for redevelopment and reintensification and targeted for mixed use development.

In 2011, the Governing Body unanimously adopted the first of three resolutions on St. Mikes. Resolution 2011-18 recognized St. Michael's Drive as a major commercial corridor that extends through the geographic center of the City and also recognized the need for a form-based set of overlay standards and other implementation stuff for the corridor. That resolution also recognized "the potential for greater economic benefit and community living that can be achieved through a mix of uses, enhanced multi-modal options, pedestrian/bicycle-friendly corridors, establishing neighborhood gathering places and beautification of roadways themselves."

At that time, Staff was directed to produce form-based overlay standards that would develop a creative and cultural corridor on St. Michael's Drive that would include public enhancements of the St. Michael's Drive corridor that would include improvements for pedestrians, bicycles, and automobiles and encourage walkability; streetscape improvements including enhanced landscaping and lighting to create an attractive and inviting neighborhood to propose development standards based on form-based approaches, targeted at attracting new businesses, local artists, and entrepreneurs and creating a more vibrant community and to include a mix of housing, including a range of densities.

In 2011, the Long Range Planning Division produced a draft set of form-based standards intended to inform and be included in a future overlay district for St. Michael's Drive. That draft set of standards was approved by the City's Long Range Planning Subcommittee at that time.

In February, 2012, the Governing Body unanimously adopted another resolution about St. Michael's Drive and they wanted staff to initiate discussions with NMDOT about taking control of St. Michael's Drive itself, which is not a city street. St. Michael's Drive is a state highway.

Also in September, 2012, there was a grass-roots community effort that supported the redevelopment of St. Michael's Drive that culminated in a three-day event known as the "Re-Mike Demonstration Event." And produced a report with recommendations for the area.

Also in 2012 the UNM graduate school of architecture produced a study document as part of their community and regional planning advanced studio about St. Michael's Drive and that was presented to landowners, business owners, and SFAUD in November and December.

Related but separate from this, in January, 2013, the Governing Body unanimously approved, as did the Planning Commission, an Airport Road overlay district. That district covers about 560 acres that he pointed out in a graph.

Later in 2014, the Governing Body adopted unanimously the most recent resolution that directed Staff to mobilize one or more catalytic projects to jumpstart revitalization in the area that may include development of housing, residential, retail, commercial, green space and a slate of incentives which might include City investments, key waivers, and/or allocation of other City resources.

That resolution also directed Staff to procure another traffic study which was done and designed to analyze whether the St. Michael's Drive corridor – the roadway itself which is 7 lanes wide, six travel and one turn lane and 150 feet of right-of-way width, if it was reduced down to 5 lanes. The analysis showed changes could be implemented at the busiest traffic signals to help moderate the effects of a lane reduction and most locations would operate suitably. Added measures might be needed at Llano Street to improve traffic operations and there, St. Michael's Drive would likely need to remain at six lanes wide.

This proposed ordinance is an overlay ordinance and one of a number of overlay ordinances in this City, the biggest of which is the mountainous and difficult terrain zone and the most famous is the historic overlay that encompasses over 4,000 acres. This particular overlay area would connect and become the only commercial corridor which has not had an overlay. It would connect the Cerrillos road highway corridor overlay which is 913 acres and connect with the south central overlay which is 1,452 acres.

The overlay area accounts for about 372 acres or about 1.1% of the whole city, which is 33,600 acres. The overlay area would have 161 individual lots or less than one half of one percent of all the lots in the City. The overlay area as proposed, includes only commercial, industrial and institutional properties with 2 minor exceptions – an individual residential home at 2010 Piñon Street whose homeowner has lived there since 1954. And the other residential development is the Tres Santos Apartments behind McDonalds. Those are the only residential areas in the district. The overlay avoids existing residential neighborhoods. Intentionally. And creates a buffer for the neighborhoods to the north and the south of the district so it does not include some commercial properties near those neighborhoods.

Mr. O'Reilly discussed more buffering. A table showed the zones in table 1 and table 2 showed the amounts of land by use. A survey was done to count every commercial use in the district and presented in table 3. Most of it is retail and service and only one area for art.

The Midtown bill is made up of 11 sections with the first section creating the district. 14-5.5 is where it would be inserted. The public meeting was held on August 24 after the City sent out 1,000 letters; 5 signs on the borders, and informed the public of this meeting tonight. That announcement was sent out about a month ago and 75 people came to the meeting with good input and feedback. Some of concerns were that the proposed building heights were too high. The group had proposed 60' and that was adjusted down to 50' with more buffer on the edges by residential being reduced to 38' maximum heights.

Other comments were that boundaries were too close to residential neighborhoods. We wanted to leave some commercial outside the district and not push right up to residential. The geography made that difficult in some places such as on the north side of St. Michael's Drive where it is very close to residences on Quapaw. There was also a concern that new development on commercial lots would affect those residences. The concern with no design standards was not related well at the meeting. but they followed the Airport Road standards. There were also concerns with noise such as alarms that might go off.

There were concerns that it would lead to gentrification north and south and concerns that it is too big and that they should not consider land along Siringo Road. As proposed, it goes down to Siringo Road. There were concerns about tree spacing with a preference to cluster trees. There were also concerns about increased traffic on Siringo Road. We tried to modify the ordinance to address those concerns without disrupting the intent.

Other comments were submitted by email and from others that some street furniture standards were too much and by requiring fourth-story setbacks to meet percentages required for 221-B workforce funding. There was a concern to use tall walls at commercial developments that back up to adjoining residential areas and concerns about clustering trees to make signs more visible. We tried to incorporate those into the bill itself. He listed the sections in a slide.

The Purpose and Intent acknowledges current uses would be allowed to continue and not become nonconforming. Also buffering for residential is important and that pedestrian/bike amenities are important.

The ordinance requires all new development to comply. It recognizes that it might not be feasible to fully comply and gives the Land Use Director authority to make administrative deviations to accomplish the

purpose with things such as an addition for code-required restroom on the back.

The ordinance also discusses qualifying uses such as multi-family housing. While most uses continue to be allowed, the group wanted to make sure all sections of the district could have residential as an additional use. It would prohibit uses such as sexual oriented, scrap yards, etc. And, for the first time, it creates the concept of incentives for a qualifying project - those are new projects that can receive an incentive. It recognizes that large multi-family units will be created more slowly. Also qualifying non-residential projects for targeted uses. Office uses are not incentivized. The targeted uses are for low income.

In order to encourage housing density including affordable housing, workforce and multifamily, the ordinance is not applying a maximum density to qualifying projects. Right now, the maximum is 29 units per acre. In Albuquerque, there are projects that well over 40-50 per acre. Like Railyard Flats, it has a desire for smaller apartment units and you are penalized as a builder for that. For the streetscape, it has a maximum of five feet setback toward the street with architectural flexibility. Sidewalks are 15' wide. We want that vibrant public space for tables, chairs, bike parking, and pedestrian permeability between parking and sidewalk with vehicle access and loading at the rear of lots and transformers and trash at side or rear.

The Water Division allows backflow preventers to be inside buildings and here they must be.

Façades are to be parallel to the street. No vehicle doors would be allowed on the street but garage doors to open for customers would be. Rooftop equipment must be screened. There is no requirement for renewable energy but integrated into design. Signage is similar to the Airport Road corridor and there is flexibility in the sign ordinance. Color restrictions don't apply so more than three colors and illumination is intended. Outdoor lighting fixtures can be 10' above ground and pole mounted in parking lot areas is limited to 20'. Developments must use the Option B water budget but they can create their own water budget. They must use water saving facilities and Energy Star appliances and water harvesting for landscaping.

Mr. O'Reilly listed the fees and referred the Commission to the FIR in the packet. It made assumptions about what projects might happen. We don't know exactly or when. It shows the reduced fees match the increased revenue from GRT from these projects.

Mr. O'Reilly briefly highlighted the other sections.

Public Hearing

Present and sworn was Mr. Calvin Davis, 6211 San Mateo Albuquerque, speaking on behalf of a project development company, who said they have had their eye on this for a while, first as UNM was looking at it. they read through the ordinance and commended the City for moving forward and supported the ordinance as written although they provided some comments on landscaping. They are looking at projects in the corridor and thought it would be worth coming to share them.

What they use to finance workforce is the HUD 221 G program. It is subject to very strict underwriting

and some of it might be a challenge with things like height. There are arguments for the City to reconsider height as it relates to workforce housing.

When you use HUD, the limit on amount of income you can gain from the commercial is capped at 15% so in a high rent district, when capped at 4 stories it becomes difficult to balance retail or a restaurant with income from residential units. The retail performs according to the market but the income is capped at 15% and square footage is also capped, (currently capped at 25%). Theoretically, you could build a 4-story mixed use building with this funding but it actually doesn't 'work out well. In 2015, it was 15% on gross commercial square feet and in January was raised to 25%. He urged the Commission to consider a 5-story height.

Present and sworn was Ms. Carla Romero, 2068 Calle Sombra, who said that twice in ten years she has had the opportunity to speak at the Commission in order to protect her neighborhood. My neighborhood may be affected by construction and it asks a lot from the neighborhood. Protecting neighborhoods is in the purpose section, which she quoted from.

Present and sworn was Mr. Robert Hake, 2068 Calle Sombra, said his home is close to St. Mikes on the other side of K-Mart. He said he sees every light there and hears every siren. He felt the time has come for this overlay district. But also it is time for support of neighborhoods. He supported the proposal with some suggestions including a 38' maximum height on all new developments within 150' of residential zoning. He supported 12' maximum height for lighting on walls abutting residential zoning. He asked for no distinction made between commercial and residential developments for impact on neighborhoods and residential zoning. He asked that no pole lighting be allowed in the rear yards of commercial developments in the buffer areas. He asked that access points, utility placements and equipment, including HVAC, be placed on the sides, not the rear, of any new development facing or abutting residential zoning. He asked that exceptions be made for solar installations that don't reflect into or shadow residential zoning. He asked that rear yard enclosures of 25' setback not include the 15 feet buffer so 40' total, not 25'. He asked that rear yards not contain access for vehicles and not allow gates on them.

He asked that fencing innovations in materials be allowed. "Don't build walls. Open it at the bottom. You have the power to make these changes - if no special use permits - you can do it for the 99% residential. Innovate by participation of developers, owners and staff."

Present and sworn was Ms. Mary Schruben, 2119 Rancho Siringo Road, said she attended the public information meeting held by city staff at a private business. It was noticed with three signs on St. Mikes that she could see. But most people were not able to read the signs. She lives in a neighborhood with an active neighborhood association and none of the members she polled had received notice. None of the letters sent by the City came to her neighborhood. She also asked residents on Lorca or Yucca or Pacheco Streets. So there has been little public notification and no official minutes were taken from the public information meeting at the private business. So any of that information should be excluded from staff presentations.

She requested that the Planning Commission and other committees of the Governing Body provide information meetings with official minutes in the style of an ENN meeting for all the neighborhoods to the north, south, west and east of this project so that everyone who considers this neighborhood their shopping

neighborhood, their business neighborhood, their commercial neighborhood - it is not a gap in the City but what we rely on. Everyone then has a chance to speak about the limitation and restrictions on traffic that will push it further south onto other streets. We also request traffic and transit departments get coordinated time schedules so people can change buses without waiting a half hour. We need more buses both ways.

"The buffer zones are not really buffers but exception zones. I would like to see the overlay zone exclude libraries and schools. I would like to see State properties excluded and that those properties around be labeled buffer zones so any development in those for the next 20 or 200 years be required to have public meetings for property values, etc. and no on-street parking anywhere on Llano or Lorca because it's much too difficult to navigate. And there is a lot of foot traffic by students who are not watching for cars up and down that street. It is very dangerous right now. If you allow parking on those side streets, it would be a disaster."

"I also want to be sure that we are not giving away the baby with the bathwater here and the exception to give away all the fees and give away all of the standards and incentivize people. If a property doesn't have a sufficient incentive to build and get a piece of property rezoned from a parking lot to a multi-family residential building now, I don't think we need to give away those fees by throwing away all the fees that could be collected on large developments, if they ever happen. It seems there is a better way for people at the City to make money by revitalizing the corridor for the people who live there to go to school or to stores and maintaining the quality of their life. If it changes so drastically that it is no longer useful to the neighborhood, that means the people are going to move out of the neighborhood and move to another town because there is no more space in this town for people to build affordable homes single family homes on small lots to raise their families. So I would really encourage you to consider a great deal more of requirement for a great deal more public input on this project."

"The committees don't all have public comment and not sufficient dialog on them. The party that happened a few years ago for input didn't apply to people who lived in the neighborhood. I didn't feel invited and the party atmosphere isn't what people who own property in the neighborhood deserve. I hope you consider some of these things so more people in Santa Fé can speak to the changes."

Present and sworn was Mr. Wayne Nichols, #1 Cole Lane, representing the Urban Land Institute of New Mexico, whose goal is to use the best practices in architecture and has 35,000 members in the nation. Our New Mexico District Council has studied it and strongly supports the concept. It is a strongly needed program and the effects won't be seen right away, but will over 20-30 years. It sets the groundwork for revitalization for a great deal of open space and parking and a tremendous opportunity for this community for us. With a medical cluster at the east and education at other end and for the very long term to see those generate a powerhouse to transform this area into an urban area that I hope my children can enjoy.

Present and sworn was Ms. Michelle Henry, 225 East DeVargas, attorney for land use and resources and member of Lambda Alpha International, an association for land economics. She said, "I am for land economics. We get excited when the Mayor says what he said. We've been watching this and give kudos to the Mayor and Councilor Ives for bringing this forward. It is exciting to make this change. Our members looked at the ordinance to see if it is implementable and our professional members feel it is comprehensive and well thought out. An amazing effort went into it. Mr. O'Reilly has amazing expertise. Our organization supports it and encourages you to support it, as well."

Present and sworn was Mr. Tomás Rivera, representing Chainbreaker Collective, and economic justice organization with over 500 dues-paying members and 2,000 active supporters, many of whom live in the Hopewell Mann neighborhood. We have some concerns, the bulk of which is not in the ordinance. A lot of what is here we support. We provide bicycles for people who cannot afford to buy them. We work on transportation policy and transit and expanding bus service and creating policy that helps affordable housing for people.

We are not opposed density or height restrictions or eye sores or traffic. But we are concerned about exposing the people in our neighborhood. When property values go up, incentives are there. We identified this as the poorest and most at risk neighborhood. You can get the full copy on our website. We want to see development without displacement. That comes about by policy. We need protections for our neighbors that this don't displace these families. We encourage as you move forward with it, to really include the idea of protecting current residents from displacement. We were instrumental to create a residential bill of rights resolution and many of those ideas are on our website also.

Present and sworn was Mr. Rick Martínez, 725 Mesilla Road, as a follow up as representative of the Neighborhood Network, said neighborhoods do need to be watched carefully and he thought Tomás Rivera was right. He agreed with Mr. O'Reilly to reduce the height to four stories. It is all four stories around the area. Keep it affordable and don't allow the "in lieu of payments" here. In the Railyard it is not allowed. Rentals lead to recycling as people move out. The most important part is protecting existing neighborhoods - don't destroy them.

Present and sworn was Ms. Karen Heldmeyer, of the Neighborhood Network, said they got almost no comments from the Neighborhood Network members on this. One comment was that people didn't know this information meeting was going on. Members of the press and Councilors didn't know what was going on so that needs better job because it is a big deal.

Whatever is done there is okay as long as it doesn't impinge on existing neighborhoods. Some of the original owners still live there and they have been threatened by this kind of development. As long as they can keep their homes and live there it is okay. What this means is more attention paid to buffering. A buffer of 15' could be 15' feet of petunias.

Section 3. talking about removing the requirement for special use permit, that applies to both residential properties within and the area abutting this district. Most of the residential property in this zone is owned by the City. So she asked at what cost they are given a pass.

They don't have to have a development plan but goes through the Land Use Director. She asked how big a development plan it would be and how it would impinge on existing development.

Regarding setbacks, she had heard about an entertainment district and people don't want to be next door to an entertainment district. That needs a little more thought and care. We want to protect those who are already there.

Present and sworn was Mr. Simon Brackley, Santa Fe Chamber of Commerce, who said the Chamber

supports this overlay district and were part of the original group to get input on it. We believe it will create jobs and small business opportunity and housing for working people and this project would help. We support that it gives opportunity for creative solutions - it needs planning desperately we are located on St. Mikes and it needs direction for the Governing Body and Planning Commission.

Present and sworn was Mr. Bryan Steele -339 Plaza Balentine, who said the St Mikes corridor has been near and dear to my heart -I was guest editor for Green Fire Times and I wanted to expand the idea to create a sustainable urban village - how to live affordably with one planet life style. This is the direction I believe the planet needs to go if it is as awesome as the architects' drawings - that it is going to gentrify - Santa Fé is such an amazing placing - how can we do it besides gentrification. There is no more Hispanics on east side because they got gentrified out. That is my experience and it won't be affordable because it is so awesome. the other challenge is the road - to make those streetscapes that would make people want to live there. It was like a 30-million-dollar road challenge. It seems like the road needs to be done sooner to attract residential. It has to be conducive to hanging out on. That is a big challenge and I'm in support of it for Santa Fé to lead nation on how to transform the urban life style.

There were no other speakers from the public regarding this case and Vice-Chair Gutierrez closed the public hearing portion.

Commission Discussion and Questions to Staff

Mr. O'Reilly was asked if he had anything else to add and he said, given the hour, he would just answer questions.

Commissioner Hochberg had a serious qualm at about packing so many units residential. When you get too small, you get slum-like conditions. So he asked if there are other safeguards that won't be removed so as to avoid overcrowding potential.

Mr. O'Reilly understood his point but wouldn't characterize zoning density as a safeguard. It is something we choose to do in one place and not another. There are units in Albuquerque four stories high at 50 units per acre and it is possible to build even more dense, depending on what the market will do or what the government will finance. People might create 200 per acre units but that is so expensive that it wouldn't happen.

Nothing in this ordinance changes anything in the inclusionary zoning. Affordable housing is still required and not all fees are waived - only qualified fees. They still have to provide parking. It is often parking that drives the density. Our code right now has a maximum 29 units per acre. You could get to 33 per acre if you have enough land. Only one has been built out in the history of the City since 1962.

He said he understand the concern and if there was not a height limit, you could get quite a few units packed in and that would be a concern. Right now we have 4-story residences and have not seen the kind of slums being mentioned. So existing code provisions also apply here. Only certain portions are changed. So he disagreed with the premise.

Commissioner Hochberg asked if he thought families or just singles or young couples would live in the small units. Families can't live in a 600 square foot studio.

Mr. O'Reilly saw a mix of different kinds of residential units. He just mentioned the trend right now for smaller units. He would expect a range of sizes but it won't penalize a builder for smaller units.

Commissioner Hochberg asked if he knew the smaller units tended to be gentrification.

Mr. O'Reilly didn't agree.

Commissioner Greene asked if there are any incentives for green space other than just sidewalks or any compensation for at least 50 sq. ft. of green space provided.

Mr. O'Reilly said the open space standards are still required in this area.

Commissioner Greene asked if that was 250 sq. ft.

Mr. O'Reilly was not sure.

Mr. Smith clarified that in the current districts for residential zones, there are not specific open space requirements now. It is not specific in the overlay district C-2 portions of overlay.

Commissioner Greene believed that should be provided.

Mr. O'Reilly added that most of them are not underlying residential zoning.

Commissioner Kapin asked if there are any provisions for parks in this district.

Mr. O'Reilly said one of the difficulties with this area is that there is not a lot of land owned by the city. Most is private land. The city does own the university property but leases it. Only two small parcels are outside the college property. If there was more owned by the city, it might be easier to accomplish some of these goals. It is very similar to what is happening on Siler Road. At this time there are no city plans to buy private property and put in a park. It could happen but this redevelopment will take years to happen.

He mentioned that he was one of original designers of Tierra Contenta. After 25 years it is still just 50% built out. Still, he wouldn't rule it out at some point

Commissioner Kapin said she was talking about higher density, etc. but green outdoor space is needed for those living in smaller spaces for things like walking the dog, etc. So she would love to see it contemplated more on the front end.

Mr. O'Reilly pointed out that there is a very large park on the border with Franklin at Siringo and Carlos Rey/

Commissioner Kapin asked how far that is from Llano and St. Mikes. She considered it is pretty far for

walking.

Mr. O'Reilly thought it would be a 10 or 15-minute walk.

Commissioner Propst thanked him for coming here. It is obvious he has spent a lot of work on it. It is really exciting to see. The parking was a concern. The Commission heard about it at the Railyard with garage structure that isn't available on St. Michael's. And neighborhoods are already worried about the impacts. Then there are the buffers. The Commission saw in the hospital project that if not worked out and maintained, it can be a huge bone of contention forever.

Some of the design things she had noticed recently included the big orange building. She asked how far we want to go with that flexibility. She just wanted to make sure there are no eyesores.

Mr. O'Reilly understood a lot of different feelings about that orange building. The intent was not that sort of thing but a little different. He would like to hear some thoughts about whether there are some colors that are too much.

Commissioner Propst felt accents are okay but not entire walls and no fluorescent colors. She hoped he understood what she meant.

Commissioner Abeyta asked about the public process forward and how many more public hearings there would be.

Mr. O'Reilly said there are six more committees which he listed. Based on what he heard here tonight, he thought it would be wise to schedule public hearings with all of them but at least at Public Works and Public Utilities meetings.

Commissioner Hochberg said he definitely was not going to be here when this is all finished. He asked if Mr. O'Reilly envisioned this being a long walking thoroughfare with open cafes and people able to congregate around benches outdoors a lot. Of course that would take a long time. But businesses like that would start to cluster. So he asked how he envisioned this wide street not being a separation. There are places where people do walk across wide streets. Would you continue to have the traffic like now? Then you would need a lot of bridgework. What is your dream? It is very innovative and a wonderful idea. If you came back 50 years from now, what are you going to see?

Mr. O'Reilly said that is a wonderful question. "I don't have a vision. The people who worked on it have a vision and the mayor has a vision and it is my job to work it out. What is intended by all the studies is a streetscape of buildings, wide sidewalks, landscaping and maybe one-day, parking at the street curb. In terms of the street being a barrier, it is absolutely now. I-25 is only 4 lanes - this is 7.

"There has been talk of bulb outs and intersections so pedestrians have less distance to travel. If the city got control of the street to make improvements, there would be refuges at the center, particularly for children to get across. It is by definition, a long linear corridor. With many people living there, it might be necessary to have a bridge to cross. But it is not likely to have that many people. Those buildings can be opened up and there are other kinds of things. And it will develop over a long period of time. There will be a

lot of openness to get to a very urban street scape.”

Vice-Chair Gutierrez noted it is pushing 11:00 p.m. and the Commission has one more case.

Commissioner Kapin asked if the Commission could make affordable housing construction and no fee in lieu of as a part of this so that every single project has to build affordable housing.

Mr. O'Reilly said it has been discussed and thought about recently. That is one option. Another is potentially increasing the Affordable Housing Fee to only apply in this area. It might be possible to target additional fees in this area - targeted just to those neighborhoods.

Ms. Ladd said it wouldn't occur off the top of your head. The Affordable Housing subsidy is a good way to do multi-family, just to get some development going. That opens up to the subsidy because they can be much more affordable.

Commissioner Kapin felt a lot of developers just opt for the fee. One of the main purposes was to integrate Affordable Housing next door. It is just a suggestion. Secondly, she asked if underground garages were permitted in this area and if that would be possible.

Mr. O'Reilly agreed.

Commissioner Kapin, regarding signage, said she liked the proposal but didn't understand if no one can see the signs, what good they would serve. Is this a place where we would allow great pole signs? For the business that are set back, this doesn't solve that problem with a 4-story building up front.

Her last question was whether it is possible to have higher heights in certain areas where taller buildings could be done to allow some variation instead of all at the same height.

Mr. O'Reilly said when they first looked at it, they were trying for an ordinance that could be implemented. One issue with having it at 60' was that it might actually force a subterranean parking garage and that starts to get into affordability. In reducing the height to 50' and talking with architects, they felt 50 feet could work. He heard the neighborhoods loud and clear that they don't want buildings towering over them. He said he was happy to discuss that. The Mayor supported lowering it at 50 feet.

Commissioner Greene wondered, since there are exceptions for two residential units, if they should open it to others. He was not sure why the exception was included for the apartments. There are areas along San Mateo crossing Zia that could benefit. Along Siringo there is no buffer so you have taken that property. All the way up to Siringo and across is all residential and you have a buffer around those. Before going to Finance, he would like to hear how this affects the ownership of the University property and bring out who owns it and the lease agreement to hold academic courses and for how long. He asked if it is a long term lease exclusively for education or if they could walk away and it be turned into housing.

He heard Ms. Ladd say that affordable housing money could be used for a catalyst project in lieu of money to work with a land owner to get an Affordable Housing project right off the bat there.

Mr. O'Reilly explained the reason that Ms. Romero's house was granted is that it is right up against the corridor and she intends to stay there. The apartments are exempted because commercial could have happened on the bottom floor. In terms of who is excluded, he and Commissioner Greene had talked about that once before. The intent was to not go too far but stay close to St. Mike's Drive. There are uses north of San Mateo like self-storage that could be included and possibilities to shrink it at Siringo. The general intent was to not make it too big.

In terms of Siringo, there is a buffer there. Any properties within 150 feet would have the height at or below 38' so only three stories tall. Government buildings and schools are because we don't know what the state might want to do.

Commissioner Greene said there are places where two overlays overlap. He wondered which would take precedence and what would happen.

Mr. O'Reilly said the ordinance states that Midtown would supersede those other provisions.

Commissioner Greene reasoned that along St. Francis, they could go to 50 feet high.

Mr. O'Reilly said it would only include two properties and the McDonalds there and also on Cerrillos.

Action of the Commission

Commissioner Propst moved to recommend to the Governing Body that the ordinance creating the Midtown Local Innovation Corridor Overlay District move forward, taking into account the issues the Planning Commission and the public have raised in this meeting. Commissioner Hochberg seconded the motion and it passed by unanimous voice vote.

Director Martinez noted the lateness of time (11:12 p.m.) and pointed out the importance of the next agenda item. She was unsure how late people were willing to stay or if she should recommend postponement until the next Planning Commission meeting. The September 22nd meeting has been canceled but that could possibly be rescheduled. She also didn't know how many from the public want to speak on it as well.

Chair Gutierrez asked Mr. Alejandro how much time he needed for his presentation.

Mr. Alejandro asked for about three minutes.

The Commissioners decided to proceed.

- 1. An ordinance amending the Land Development Code to update land-use categories, table of permitted uses to add agricultural uses; amending Subsection 14-6.2(h) of the Land Development Code to prohibit animal production and slaughterhouses, and providing for agricultural uses; creating a new Subsection 14-6.3(d)(4) of the Land Development Code to allow for agricultural home occupation exceptions; amending Section 14-8.7 of the Land**

Development Code to waive architectural design review of agricultural related structures by the Land Development Director; and amending Subsection 14-12 of the Land Development Code to include definitions for terms relating to urban agriculture. (Mayor Gonzales and Councilor Ives) (John Alejandro)

- a) A resolution creating the City of Santa Fe Procedures and Guidelines for Urban Agriculture Activities and Uses. (Mayor Gonzales and Councilor Ives) (John Alejandro)
(POSTPONED FROM JULY 7, 2016 AND AUGUST 4, 2016)

Mr. Alejandro presented the staff report for this matter. A copy of the Staff Report is attached to these minutes as Exhibit 6. Please refer to Exhibit 6 for details regarding this staff report. He included the fact that for commercial purpose, there was nothing in the code now about urban agriculture. The ordinance would clarify the desire for agriculture to serve the needs for all people in appropriate ways and help reduce the 90% dependency on food not grown locally.

Public Comment

Mr. Smith clarified that this matter does not require sworn testimony.

Mr. Rick Martínez referred to Section 7 and said greenhouses on a roof was a concern and needs a better process including a need for setbacks and notification to neighbors. The glass can reflect the sun. It should have a setback with that and adding another story should be worked out with neighbors.

Ms. Mary Schruben pointed out that the water sources are not prioritized with wells and city water being last. It is contrary to conservation ordinances and sustainable growth and detrimental for wells that are grandfathered in. In her neighborhood that was primarily well-driven from the 1800's and some have lost any use of that water.

She said the compost setbacks and size should have the calculation based on the agriculture space, not total space. It doesn't include farm buildings, or the farm stand or the residence. She felt that compost production needs industrial zoning. Setbacks need to be much more than 4'. Our neighbors have suffered greatly from spraying, etc. home occupation worker congregates should have about 20' as a minimum setback.

She would like to have to have ENN notification for this kind of operation and home occupancy notification.

She would also like to know if there is any way to monitor the business licenses to prevent consumer fraud of produce really grown out of state and not on the property. It should not undermine legitimate farmers in our area and prohibit undercutting for non-local produce. Farm stands should not be on city streets but on the owner's property and monitored by the City.

Ms. Schruben said her main thing worry is priority on water sources. Water must be used wisely and to attempt to recharge without waste should apply to urban agriculture also and not be squandered.

Ms. Debora Byrne supported at least 20' for setback and Section 10 only talks about screening. You could have a 20' screen without buffering so that section needs some more work. Compost needs to say 10% of farming area. Also, the owners need to be in good standing with the City and have a structure that meets the fire code.

She said she lives in an area that has seen a lot of change. "My folks don't have water in their home and their well has gone dry."

Ms. Karen Heldmeyer, on behalf of the Neighborhood Network, would like to see the home occupation ordinance as a model with an inclusive process. Also, she said some people felt shut out of the meetings. They were not publicly noticed.

She had some concern about the unlimited size of urban farms. The bigger they are, the bigger the nuisance. She questioned having greenhouses on tops of buildings and whether it would fit in with the code. It is a source of light pollution. Some people might grow medical marijuana -. Some were concerned that using water m-from city water is not a good use.

Compost nuisances came up a lot by members. Composts have to be screened but how would you screen the smell.

It says in the ordinance that agriculture operations should not be a nuisance so in a nuisance law, who decides what is a nuisance and enforcement is hard. For instance - issues about noise of machinery - people were concerned because it is an outdoor commercial operation. It may not have the right kind of enforcement.

The Section that gives the Land Use Director a whole lot of discretion. People are concerned about giving waivers. If farms would get a waiver the neighbors might find that distressing. Those need to be thought about more.

There were no other speakers and the public hearing was closed.

Commissioner Propst thought this is a cool concept but needs a lot more work. There are definitions not in there like farm structure and agricultural home occupation and perhaps others. She agreed with the concern about greenhouses on roofs. The hours and noise and smell issues as well as lot size that could be covered with compost. those do need more work. Things related to public health are big issues. Water being applied to the landscape is a concern. So there are things that popped out at her and opened up things we don't really want in neighborhoods. So there are a few things left out.

Mr. Alejandro had heard from Council the issue of compost and water and they are working on prioritizing water uses and compost issues that they have heard about, including setback, smell., etc. Those are being addressed for an amendment. The same is true of greenhouse rooftops. The sponsor wants that section reconsidered.

He agreed to look at the definitions.

Commissioner Hochberg agreed regarding compost size. The percentage has to be of farm land. Are you going to say what can be sold at them? Could people make pie from their produce to sell?

Mr. Alejandro said sales are currently limited to horticultural products grown on the property. Products enhanced on the property are covered by other ordinances.

Commissioner Kapin was confused on Section H for prohibition of animal production.

Mr. Alejandro pointed out that agriculture could including things like fish production. The question came up with the City Attorney and her read on it was that livestock production is separate in nature. He agreed to revisit that.

Commissioner Kapin said she has been at farms with fish production and it pales with compost for smell. Using fish in a loop system is very different to what this speaks to so people won't be breeding fish with this. She thanked the public for their comments tonight. It is good to have them in the record. Use of pesticides and chemicals is important. Children and animals and people who are ill – that section needs good defining.

Commissioner Greene advocated that groundwater should not be allowed in large scale production. Groundwater is a critical thing. With a good well and they just want to pump, pump, pump and that is not a good use of groundwater.

He agreed regarding composting. Definitely, the spraying could affect neighbors and should have restrictions on windy days or prohibited - even better. He also commented regarding disturbing new land that they should preserve the untouched areas. The applications must also be subject to the provisions for overlay, escarpment, or historic districts.

Action of the Commission.

Commissioner Kapin moved to recommend to the Governing Body this ordinance as stated in the caption with reflection on the comments made at this meeting. Commissioner Hochberg seconded the motion and it passed by unanimous voice vote.

H. STAFF COMMUNICATIONS

Mr. Shandler went back to the Findings of Fact for Las Soleras and asked for a recount on the motion from each Commissioner.

Commissioner Greene said he passed and then voted no.

Commissioner Hochberg said the voluntary part was not his understanding.

Mr. Shandler requested a reconsideration of the motion.

Commissioner Hochberg moved to reconsider the Findings of Fact and Conclusions of Law for Case #2016-64. Las Soleras Amendment to Master Plan – R-6 and R-12 Height and Side Yard Standards. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

Commissioner Abeyta moved to approve the Findings of Fact and Conclusions of Law for Case #2016-64. Las Soleras Amendment to Master Plan – R-6 and R-12 Height and Side Yard Standards as amended, deleting “voluntary.” Commissioner Greene seconded the motion and it passed by unanimous voice vote.

I. MATTERS FROM THE COMMISSION

There were no matters from the Commission.

J. ADJOURNMENT

Having completed the agenda and no further business to come before the Commission, the meeting was adjourned at 11:45 p.m.

Approved by:

Vince Kadlubek, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.