City of Santa Fe

Agenda

CITY CLERK'S OFFICE
DATE 7/16/15 TIME 2:21pm
SERVED BY [illegible]
RECEIVED BY [illegible]

PLANNING COMMISSION
Thursday, August 6, 2015 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

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

MINUTES: June 18, 2015
July 2, 2015

FINDINGS/CONCLUSIONS:
Case #2014-119. Ross' Peak Final Subdivision Plat.
Case #2014-124. Pulte Las Soleras General Plan Amendment.
Case #2014-123. Pulte Las Soleras Master Plan Amendment.
Case #2014-125. Pulte Las Soleras Rezoning.
Case #2015-09. Pulte Las Soleras Electrical Transmission Line Relocation.
Case #2014-126. Pulte Las Soleras Lot Line Adjustment.
Case #2015-08. Pulte Las Soleras Preliminary Subdivision Plat.
Case #2015-54. 4250 Cerrillos Road Sign Variance.
Case #2015-55. 4250 Cerrillos Road Sign Variance.

E. OLD BUSINESS

1. **Case #2015-47. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Master Plan Amendment.** WHR Architects, Inc., agent for Christus St. Vincent Regional Medical Center, request review and approval for Master Plan Amendment. (Dan Esquibel, Case Manager) **(POSTPONED FROM JULY 2, 2015)**

2. **Case #2015-74. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Development Plan and Variances.** WHR Architects, Inc., agent for Christus St. Vincent Regional Medical Center, request review and approval for a Development Plan to construct a 65,500 square foot addition on Tract A-1-3 containing 20.65± acres and Tract A-2 containing 9.29± acres, and four variances to include:
   - Variance to the "Maximum Height of Structures" per Table 14-7.3-1: "Table of Dimensional Standards for Nonresidential Districts" to allow 49' where 36' is the maximum, and
   - Variance to the "Maximum Height of Structures" per Subsection14-5.5(A)(4) "Standards" to allow 49' where 25' is the maximum, and
   - Variance to the maximum size of sign per Subsection 14-8.10(G)(2) for C-1 Districts to allow 80 square foot signs where 32 square feet is the maximum, and

- Variance to the maximum height of sign per Subsection 14-8.10(G)(4) for C-1 Districts to allow a sign height of 37 and 46 feet where 15 feet is the maximum. (Dan Esquibel, Case Manager) **(POSTPONED FROM JULY 2, 2015)**

3. **Case #2015-75. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Special Use Permit.** WHR Architects, Inc., agent for Christus St. Vincent Regional Medical Center, request review and approval for a Special Use Permit to permit a Hospital in a C-1 District to include the construction of a 65,500 square foot addition new inpatient bed wing, main entrance and lobby for the hospital. (Dan Esquibel, Case Manager) **(POSTPONED FROM JULY 2, 2015)**

F. NEW BUSINESS

1. **Case #2015-66. 820 Camino Vistas Encantada Variance.** Jeff Mathis and Julia Fjeldsted request approval of a Variance to allow development within the Ridgetop Subdistrict of the Escarpment Overlay District. The 0.94 acre property is zoned R-2 (Residential – 2 units per acre). (Noah Berke, Case Manager)

2. **Case #2015-57. Gerhart Apartments General Plan Amendment.** Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC requests approval of a General Plan Future Land Use map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre). The property is located at 2800 South Meadows Road. (Donna Wynant, Case Manager)

3. **Case #2015-58. Gerhart Apartments Rezoning.** Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC, requests rezoning approval of 11.83± acres of land from R-1 (Residential, 1 dwelling units per acre) to R-21 (Residential, 21 dwelling units per acre). The property is located at 2800 South Meadows Road. (Donna Wynant, Case Manager)

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

NOTES:

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

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PLANNING COMMISSION MEETING
Thursday, August 6, 2015

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– VARIANCE TO THE "MAXIMUM HEIGHT OF STRUCTURES" PER TABLE 14-7.3-1: "TABLE OF DIMENSIONAL STRUCTURES FOR NONRESIDENTIAL DISTRICTS" TO ALLOW 49' WHERE 36' IS THE MAXIMUM; AND – VARIANCE TO THE "MAXIMUM HEIGHT OF STRUCTURES" PER SUBSECTION 14-5.5(A)(4) "STANDARDS," TO ALLOW 49' WHERE 25' IS THE MAXIMUM; AND	Approved	6-75
– VARIANCE TO THE MAXIMUM SIZE OF SIGN PER SUBSECTION 14-8.10(G)(2) FOR C-1 DISTRICTS TO ALLOW 80 SQUARE FOOT SIGNS WHERE 32 SQUARE FEET IS THE MAXIMUM; AND – VARIANCE TO THE MAXIMUM HEIGHT OF SIGN PER SUBSECTION 14-8.10(G)(4) FOR C-1 DISTRICTS TO ALLOW A SIGN HEIGHT OF 37 AND 46 FEET WHERE 15 FEE IS THE MAXIMUM	Approved	6-75

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CASE #2015-58. GERHART APARTMENTS REZONING. SCOTT HOEFT OF SANTA FE PLANNING GROUP, AGENT FOR STORM RIVER LLC REQUESTS REZONING APPROVAL OF 11.83± ACRES OF LAND FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-21 (RESIDENTIAL, 21 DWELLING UNITS PER ACRE). THE PROPERTY IS LOCATED AT 2800 SOUTH MEADOWS ROAD	Postponed to 09/03/15	75-85
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MINUTES OF THE MEETING
OF THE
PLANNING COMMISSION
August 6, 2015

A regular meeting of the City of Santa Fe Planning Commission, was called to order by Chair Michael Harris, at approximately 6:00 p.m., on Thursday, June 4, 2015, in the City Council Chambers, City Hall, Santa Fe, New Mexico.

A. ROLL CALL

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

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

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

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

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

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

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

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

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

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

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D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

MINUTES: JUNE 18, 2015 AND JULY 2, 2015

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

Page 59, paragraph 2, line 2, correct as follows: "..to the ~~School del School~~ Monte del Sol School."
Page 69, line 2 RESTATED MOTION, correct as follows: "..Commissioner ~~Padilla~~ Ortiz to ~~approve~~ recommend approval to the Governing Body of....."
Page 72, paragraph 2, line 7, correct as follows: ".... who's here at 12:30 ~~p.m.~~ a.m.."

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

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

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

Global correction of "Probst" to "Propst."
Page 3, paragraph 7, correct as follows: "... for the ~~Lost~~ Ross' Peak case."
Page 44, paragraph 9, line 4, correct as follows: "...with ~~4'~~ 14' of fill...."

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

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

FINDINGS/CONCLUSIONS:

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

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

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

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

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

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

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

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

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

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

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

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

4. **CASE #2014-125. PULTE LAS SOLERAS REZONING.**

5. **CASE #2014-128. PULTE LAS SOLERAS ELECTRICAL TRANSMISSION LINE RELOCATION.**

6. **CASE #2014-126. PULTE LAS SOLERAS LOT LINE ADJUSTMENT.**

7. **CASE #2015-08. PULTE LAS SOLERAS PRELIMINARY SUBDIVISION PLAT.**

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

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

Commissioner Kapin asked if she needs to amend the motion.

Chair Harris asked Commissioner Kapin to restate the motion.

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

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

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

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

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

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

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

F. NEW BUSINESS

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

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

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

Public Hearing

Presentation by the Applicant

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

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

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

Speaking to the Request

There was no one speaking to the request.

The Public Testimony Portion of the Public Hearing was closed

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

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

E. OLD BUSINESS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Harris recognized Jennifer Jenkins for remarks.

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

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

Chair Harris thanked Ms. Jenkins for her input.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Chavez arrived at the meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Shandler said yes.

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Harris recognized Ms. Jenkins for remarks.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Greene asked if that fixes the traffic problem.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Romero said, "Correct."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Granillo said that is correct.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Harris said this is a great idea.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Romero said this is correct.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Jenkins said there definitely are issues with maintenance.

Commissioner Kapin asked what has happened since that time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Harris asked about a fence.

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

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

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

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

Chair Harris thinks the time is now.

Commissioner Kadlubek asked how the idea of a fence arose.

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

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

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

Ms. Jenkins said currently it is open space today.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Harris asked the Commissioners their thought on this issue.

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

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

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

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

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

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

Ms. Zaxus said, "I think so."

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

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

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

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

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

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

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

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

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

Chair Harris asked the Applicant what would be the height.

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

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

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

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

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

Chair Harris asked if these are LED lights.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Aube said that is correct.

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

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

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

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

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

Chair Harris said you are going to add 6 beds.

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Harris asked when they propose to enclose the generator.

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

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

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

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

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

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

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

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

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

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

Chair Harris said it's not the Applicant.

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

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

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

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

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

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

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

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

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

Chair Harris said signator is probably a better word.

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

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

Unidentified person said yes.

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

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

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

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

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

Chair Harris said that was from memory.

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

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

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

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

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

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

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

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

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

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

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

Chair Harris said okay.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Adams said, "Absolutely."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Greene asked the expected height.

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

SUMMARY OF CONDITIONS AND CONSIDERATION OF MOTIONS

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Romero said, "Yes."

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

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

Mr. Greene said yes.

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

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

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

Chair Harris said he proposes to strike that language.

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

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

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

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

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

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

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

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

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

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

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

An unidentified Commissioner said that is correct.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Ms. Propst said that reflects her notes as well.

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

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

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

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

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

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

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

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

Chair Harris said, with regard to stormwater and lighting.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Greene asked how they will access St. Michaels.

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

Chair Harris said we could have heard that earlier.

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Huie said, "That is correct."

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner said it seems like a reasonable compromise.

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

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

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

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

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

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

Commissioner Kadlubek said so we got that one.

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

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

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

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

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

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

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

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

Against: None.

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

   a. **VARIANCE TO THE "MAXIMUM HEIGHT OF STRUCTURES" PER TABLE 14-7.3-1: "TABLE OF DIMENSIONAL STRUCTURES FOR NONRESIDENTIAL DISTRICTS" TO ALLOW 49' WHERE 36' IS THE MAXIMUM; AND**
   b. **VARIANCE TO THE "MAXIMUM HEIGHT OF STRUCTURES" PER SUBSECTION 14-5.5(A)(4) "STANDARDS," TO ALLOW 49' WHERE 25' IS THE MAXIMUM; AND**
   c. **VARIANCE TO THE MAXIMUM SIZE OF SIGN PER SUBSECTION 14-8.10(G)(2) FOR C-1 DISTRICTS TO ALLOW 80 SQUARE FOOT SIGNS WHERE 32 SQUARE FEET IS THE MAXIMUM; AND**
   d. **VARIANCE TO THE MAXIMUM HEIGHT OF SIGN PER SUBSECTION 14-8.10(G)(4) FOR C-1 DISTRICTS TO ALLOW A SIGN HEIGHT OF 37 AND 46 FEET WHERE 15 FEE IS THE MAXIMUM .**

(DAN ESQUIBEL, CASE MANAGER) (Postponed from July 2, 2015)

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

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

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

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

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

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

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

Mr. Esquibel said that is correct.

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

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

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

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

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

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

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

Mr. Esquibel said 41 feet.

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

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

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

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

a. Variance to the "Maximum Height of Structures" per Table 14-7.2-1: "Table of Dimensional Structures for non-residential districts: to allow 41 ft. where 36 ft. is the maximum; and

b. Variance to the "Maximum Height of Structure," per Subsection 14-5.5(A)(4) "Standards," to allow 41 ft. where 25 ft. is the maximum; and

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

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

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

Against: None.

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

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

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

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

Against: None.

F. NEW BUSINESS

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

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

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

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

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

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

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

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

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

Public Hearing

Presentation by the Applicant

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Speaking to the Request

All those speaking were sworn en masse

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

<u>The Public Hearing was continued to September 3, 2015</u>

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

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

Chair Harris asked the Commissioners their pleasure in this regard.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

G. STAFF COMMUNICATIONS

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

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

H. MATTERS FROM THE COMMISSION

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

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

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

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

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

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

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

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

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

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

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

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

I. ADJOURNMENT

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

Michael Harris, Chair

Melessia Helberg, Stenographer

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

Case #2014-119
Ross' Peak Final Subdivision Plat
Owner's Name- Ross' Peak LLC
Agent's Name- James W. Siebert and Associates

THIS MATTER came before the Planning Commission (Commission) for hearing on May 21, 2015 upon the application (Application) of James W. Siebert and Associates as agent for Ross' Peak LLC (Applicant).

The Applicant seeks the Commission's approval of the final subdivision plat for 200 lots located on 31.72+/- acres, Tracts 12A and 13 of the Las Soleras Master Plan. Tract 12A is zoned R-12 (Residential, 12 units per acre) and Tract 13 is zoned R-6 (Residential, 6 units per acre). The tracts are located south of the Governor Miles Road and Rail Runner Road intersection, immediately east of the Arroyo de los Chamisos. The Preliminary Subdivision Plat was approved by the Planning Commission on August 7, 2014. Findings for that case were approved by the Planning Commission on September 11, 2014.

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant; there were no members of the public in attendance to speak.
2. Pursuant to Santa Fe City Code (Code) §14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats and development plans.
3. Pursuant to Code §14-3.7(A)(1)(b) subdivisions of land must be approved by the Commission.
4. Code §14-3.7 sets out certain general principles governing the subdivision of land and establishes certain standards and procedures for the Commission's review and approval of a final subdivision plat [Code §14-3.7(B)(4)] and criteria for the Commission's approval [Code §14-3.7(C)] (collectively, the Applicable Requirements).
5. Code §14-9 sets out infrastructure design, improvement, and dedication standards and requirements.
6. Code §14-3.7(B)(2) requires compliance with the early neighborhood notification (ENN) requirements of Code §14-3.1(F) for subdivision plats.
7. Code §14-3.1(F)(2)(a)(v) requires an ENN for subdivision plats, except for final subdivision plats for which ENN procedures were followed at the preliminary plat review stage.

Exhibit "1"

8. An ENN meeting on the Applicant's application for preliminary plat approval was held on July 9, 2013 at the Southside Library at 6599 Jaguar Drive; therefore no ENN is required for final subdivision plat approval in this case.
9. The preliminary subdivision plat was approved by the Commission on August 7, 2014.
10. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation that the final subdivision plat be approved, subject to certain conditions (the Conditions) set out in such report.
11. Staff, at the hearing, modified its condition regarding the maintenance of street trees as found in Condition #13, and instead concurred with the statement in the Covenants, Conditions and Restrictions (CCRs) that street trees shall be taken care of by the Homeowners Association.
12. Code § 14-9.5(A)(2) provides the Land Use Department and the City Attorney's Office may review CCRs to the extent that they are relevant to the perpetual maintenance of the quasi-public infrastructure.
13. Code § 14-8.6(C)(1) provides that the Commission may require additional visitor parking if there is inadequate visitor parking as provided in the plat.
14. Due to the location of the street layout in Tract 13, the Applicant shall add a minimum of twelve parking spaces on the residential street on Tract 13 (identified as Pico Rico) and shall modify the road to provide for continuous parking along the east side of this street on Tract 13, subject to Staff approval.
15. The information contained in the Staff Report is sufficient to establish that the Applicable Requirements have been met.

CONCLUSIONS OF LAW

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

1. The Commission has the authority under the Code to approve the final subdivision plat for the Property.
2. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE ____ OF AUGUST 2015 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That the final subdivision plat for the Property is approved, subject to Staff's Conditions and the Commission's Conditions:

a. requiring a minimum twelve parking spaces on the residential street on Tract 13 (identified as Pico Rico) and modify the road to provide for continuous parking along the east side of this street, subject to Staff approval;
b. Pursuant to Code § 14-9.5(A)(2), the Land Use Department and City Attorney's Office will look at the CCRs only to the extent that they are relevant to the perpetual maintenance of the quasi-public infrastructure.

[Signatures to Follow on the Next Page]

_____ _____
Michael Harris Date:
Chair

FILED:

_____ _____
Yolanda Y. Vigil Date:
City Clerk

APPROVED AS TO FORM:

_____ _____
Zachary Shandler Date:
Assistant City Attorney

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

Case #2014-124
Pulte Las Soleras General Plan Amendment
Case #2014-123
Pulte Las Soleras Master Plan Amendment
Case #2014-125
Pulte Las Soleras Rezoning to R-6
Case #2014-126
Pulte Las Soleras Lot Line Adjustment
Case #2014-127
Pulte Las Soleras Preliminary Subdivision Plat
Case #2014-128
Pulte Las Soleras Electrical Transmission Line Relocation

Owner's Name – The Pulte Group
Applicant's Name – James W. Siebert & Associates

THIS MATTER came before the Planning Commission (Commission) for hearing on May 21, 2015 and June 18, 2015 upon the application (Application) of James W. Siebert & Associates as agent for The Pulte Group (Applicant).

The property is located within the Las Soleras Master Plan. The original master plan, zoning and annexation agreement were approved by the City of Santa Fe on February 11, 2009. The master plan encompasses 539 acres and includes a mix of uses including: low, medium and high-density residential; community and regional commercial; business industrial park; mixed-use; institutional uses; office and open space land uses. The Applicant now: (1) requests recommendation for approval of a General Plan Amendment to amend the existing General Plan Future Land Use Map designations for 12.92 acres from High Density Residential to Low Density Residential; 14.95 acres from Mixed Use to Low Density Residential; and 3.93 acres from Medium Density Residential to Low Density Residential; (2) requests recommendation for approval of amendments to the Las Soleras Master Plan, which include the realignment of roads, reconfiguration of open space and trails, and the reconfiguration of land tracts; (3) requests recommendation for approval for rezoning of 12.92 acres from R-21 (Residential - 21 units per acre) to R-6 (Residential – 6 units per acres); 14.95 acres from MU (Mixed-Use) to R-6 (Residential – 6 units per acres); and 3.93 acres from R-12 (Residential - 12 units per acre) to R-6 (Residential - 6 units per acre); (4) requests approval of lot line adjustments within the Las Soleras Master Plan to reconfigure land tracts consistent with the proposed General Plan Amendment and Rezoning; (5) requests approval of Preliminary Subdivision Plat (77 lots) for Phase I (Units 1 and 2) of development associated with the Pulte Master Plan Amendment, General Plan Amendment, and Rezoning. The Preliminary Subdivision Plat also includes an alternative street section design request; (6) requests recommendation for approval to relocate an existing 115kv electrical transmission line within the Las Soleras Master Plan as the part of the greater Pulte Group Master Plan Amendment, General Plan Amendment, Rezone and Subdivision request. The proposed relocation will follow the future Beckner Road alignment.

Exhibit "2"

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

FINDINGS OF FACT

General

1. The Commission heard testimony and took evidence from staff, the Applicant, and members of the public interested in the matter.
2. Santa Fe City Code (Code) §14-3.2(D) sets out certain procedures for amendments to the General Plan (Plan), including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.2(E).
3. Code § 14-3.9 (C) sets out certain procedures for amendments to master plans including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.9(D).
4. Code §14-3.5(B) sets out certain procedures for rezonings, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-3.5(C).
5. Code § 14-3.7 (B) sets out certain procedures for preliminary plat and lot line adjustment approval including, without limitation, a public hearing by the Commission and approval based upon the criteria set out in Code §14-3.7(C).
6. Code §14-6.2(F) sets out certain procedures for electrical transmission line relocation approval including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the criteria set out in Code §14-6.2(F)(7).
7. Code §14-3.1 sets out certain procedures to be followed on the Application, including, without limitation, (a) a pre-application conference [§14-3.1(E)]; (b) an Early Neighborhood Notification (ENN) meeting [§14-3.1(F) and (c) compliance with Code Section 14-3.1(H) notice and public hearing requirements.
8. Code §14-3.1(F) establishes procedures for the ENN meeting, including (a) scheduling and notice requirements [Code §14-3.1(F)(4) and (5)]; (b) regulating the timing and conduct of the meeting [Code §14-3.1(F)(5)]; and (c) setting out guidelines to be followed at the ENN meeting [§14-3.1(F)(6)].
9. A pre-application conference was held on October 29, 2014 in accordance with the procedures for subdivisions set out in Code § 14-3.1(E).
10. An ENN meeting was held on the Application on December 16, 2014 at the Genoveva Chavez Center. A second ENN meeting was held on May 11, 2015 at the Southside Library at 6599 Jaguar Drive specifically for the proposed change of the required additional 20 acres of park that was a condition of approval of the original Las Soleras Master Plan ("Condition 45").

11. Notice of the ENN meeting was properly given.
12. The ENN meeting was attended by the Applicant and City staff; there were 60-70 members of the public in attendance and concerns were raised.
13. Commission staff provided the Commission with a report (Staff Report) evaluating the factors relevant to the Application.
14. Code §14-3.2(B)(2)(b) requires the City's official zoning map to conform to the General Plan, and requires an amendment to the Plan before a change in land use classification is proposed for a parcel shown on the Plan's land use map.
15. Code § 14-3.7(B)(3)(b) requires the Applicant to submit a preliminary plat prepared by a professional land surveyor, together with improvement plans and other specified supplementary material and in conformance with the standards of Code § 14-9 (collectively, the "Applicable Requirements").
16. The Commission is authorized under Code §14-2.3(C)(7)(a) to review and make recommendations to the Governing Body regarding proposed amendments to the General Plan.
17. Pursuant to Code § 14-2.3(C)(1), the Commission has the authority to review and approve or disapprove subdivision plats.
18. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided the Commission with a written report of its findings Staff Report, subject to certain conditions (the Conditions) set out in such report.

General Plan Amendment

19. Under Code § 14-3.2, an amendment to the General Plan requires submittal of an application for review and recommendation to the Governing Body by the Planning Commission.
20. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts: (a) *Consistency with growth projections for the City, economic development goals as set forth in a comprehensive economic development plan for the City, and with existing land use conditions, such as access and availability of infrastructure [§14-3.2(E)(1)(a)]*. This proposed Pulte project will begin to make up for the deficit in more moderately priced housing that has occurred over the last few years.
21. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts: (b) *Consistency with other parts of the Plan [§14-3.2(E)(1)(b)]*. General Plan Policies largely speak of providing a mix of commercial uses in close proximity to residential uses of varying densities, such as proposed in the Las Soleras Master Plan.
22. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts: (c) *The amendment does not: (i) allow uses or a change that is significantly different from or inconsistent with the prevailing use and character of the area; [§14-3.2(E)(1)(c)]*. The proposed General Plan Amendment is consistent with the

prevailing use and character in the area as the only nearby development that exists is the Nava Ade subdivision to the immediate north. The original Las Soleras Master Plan assumed and planned for a greater variety of density and housing options than those in the Nava Ade subdivision. The proposed amendment would allow for development similar to that of the Nava Ade subdivision.

23. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts: (c) *The amendment does not: (ii) affect an area of less than two acres, except when adjusting boundaries between districts [§14-3.2(E)(1)(c)].* The area encompassed by the Pulte project consists of 104.41 acres which is well in excess of two acres of land.
24. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts: (c) *The amendment does not: (iii) benefit one of a few landowners at the expense of the surrounding landowners or the general public [§14-3.2(E)(1)(c)].* The proposed General Plan Amendment will not benefit a few landowners at the expense of surrounding landowners.
25. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts: (d) *An amendment is not required to conform with Code §14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification [§14-3.2(E)(1)(d)].* Development under the lower density land use designation proposed by the Land Use Amendment would largely conform to applicable ordinances and regulations related to development standards.
26. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts (e) *Compliance with extraterritorial zoning ordinances and extraterritorial plans [§14-3.2(E)(1)(e)].* This criterion is no longer relevant since the adoption of SPaZZo and the relinquishment of the land use regulatory authority outside the city limits and the transfer of authority from extraterritorial jurisdiction to the City.
27. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts (f) *Contribution to a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development [§14-3.2(D)(1)(f)].* The existing Future Land Use Designations were assigned as part of a comprehensive Master Plan. The land uses represent a variety of residential densities that were intended to contribute to the coordinated and harmonious development of Santa Fe and promote a healthy economy by providing a region with both housing and employment opportunities.
28. The Commission has considered the criteria established by Code §14-3.2(E)(1) and finds the following facts (g) *Consideration of conformity with other city policies, including land use policies, ordinances, regulations and plans.* Development under the lower density land use designation proposed by the Applicant would largely conform to applicable ordinances and regulations related to development standards. The development would ensure the development of roads and supporting infrastructure within the immediate vicinity of the project as anticipated by the Las Soleras Master Plan.

29. The Commission has considered the criteria established by Code §14-3.2(E)(2) and finds the following facts: *the growth and economic projections contained within the general plan are erroneous or have changed.* The Applicant provided that the type and density of housing proposed in the Las Soleras Master Plan has proven to be inconsistent with the market place. The Applicant provided that since 2009 when Las Soleras was approved by the City Council developers have not been interested in the higher density residential uses that are permitted by the underlying zoning, especially the R-12 zoning district.
30. The Commission has considered the criteria established by Code §14-3.2(E)(2) and finds the following facts: *no reasonable locations have been provided for certain land uses for which there is a demonstrated need.* The Applicant provided that there are very few parcels of vacant land this size where the adjoining vacant lands have a master plan that includes a mix of uses, a road and utility plan that includes connections to existing roads and utilities that have sufficient capacity to provide for the long term infrastructure for a project of this size.
31. The Commission has considered the criteria established by Code §14-3.2(E)(2) and finds the following facts: *conditions affecting the location or land area requirements of the proposed land use have changed, for example the cost of land space requirements, consumer acceptance, market or building technology.* The market for all types of housing development appears to be improving. The Las Soleras Master Plan specifically anticipated a variety housing types and densities.

Master Plan Amendment

32. Under Code § 14-3.9, an amendment to the Master Plan requires submittal of an application for review and recommendation to the Governing Body by the Planning Commission.
33. The Commission has considered the criteria established by Section 14-3.9(D)(1)(a) and finds the following facts: *The master plan is consistent with the general plan.* The existing Las Soleras Master Plan is consistent with the zoning of the area and applicable General Plan policies related to new development.
34. The Commission has considered the criteria established by Section 14-3.9(D)(1)(b) and finds the following facts: *The master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts.* Consistent with General Plan policies, the plan includes a mix of residential densities in close proximity to commercial zoning and planned employment centers and community services.
35. The Commission has considered the criteria established by Section 14-3.9(D)(1)(c) and finds the following facts: *Development of the master plan area will contribute to the coordinated and efficient development of the community.* Consistent with General Plan policies, the plan includes a mix of residential densities in close proximity to commercial zoning and planned employment centers and community services.
36. The Commission has considered the criteria established by Section 14-3.9(D)(1)(d) and finds the following facts: *The existing and proposed infrastructure, such as the streets*

system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development. Necessary infrastructure and road alignments were previously determined and approved as part of the master plan. The proposed amendment will realign road and trails and reduce and realign park space to accommodate single family residential development.

37. In 2009, the Governing Board approved a road plan as part of the original master plan.
38. The Applicant as part of the Master Plan Amendment request provided a modified road alignment for Rail Runner Road.
39. The Applicant as part of the Master Plan Amendment request provided a modified road alignment for Walking Rain Road.
40. The Applicant, at the public hearing, provided that Beckner Road, from Las Soleras Road to Walking Rain Road, would be a two lane divided road built during Phase I of the project as identified in the Phasing Plan.
41. The Applicant, at the public hearing, provided that Beckner Road, from Walking Rain Road to Richards Avenue, would be a two lane rural road built during Phase I of the project as identified in the Phasing Plan.
42. In 2009, the Governing Body approved an approximate 21.4-acre park by the northwest boundary and an additional 20-acre park as part of the original master plan.
43. The Governing Body had some discussion whether to place the additional 20-acre park near Monte del Sol Charter School, but the final determination allowed the location to be determined at a subsequent Planning Commission hearing.
44. The requirement of the additional 20-acre park was memorialized in Condition 45 of the Master Plan, which reads: "The applicant shall, in consultation with Santa Fe Public Schools and City staff, locate an additional 20 acres for active park space. This condition shall be incorporated into the Annexation Agreement. The Planning Commission shall approve the park location prior to the approval of a development plan for any Phase of the Project and shall verify compliance with applicable access standards to the parks and open space."
45. The Planning Commission subsequently approved an alternative method of compliance involving the distribution of park land into smaller parcels provided the Land Use Department, Parks Department, MPO and School District recommends approval of such redistribution.
46. The Applicant wishes to amend and replace Condition 45 of the Master Plan because their proposal for reduced density of the housing development could trigger a new calculation of the proposed density/park dedication requirements within the Code. The Applicant's request and calculations are based on their latest submittal to the Planning Commission for its May 2015 meeting.
47. The Applicant is requesting that Condition 45 of the Las Soleras Master Plan would eliminate the additional 20-acre park and would be replaced with:
    a. A donation to the City of approximately 7 acres of additional park and these 7 acres would be attached to the planned 21.4-acre park within the Las Soleras Master Plan.
    b. A donation to Santa Fe Public Schools of approximately 10 usable acres for a future school site. The value of the donation will be secured by the collateralized value of

another lot within the area of the Master Plan.

c. A donation to the City of approximately 6 acres for open space trails. The open space will be provided as consistent with the MPO's June 18, 2015 memorandum.
d. A donation to Monte del Sol Charter School of a 130 feet by 350 feet parcel adjacent to the School for a practice field, contingent on acceptance by the School, in exchange for the School granting the Applicant a drainage easement on the parcel.

Rezoning

48. Under Code §14-3.5(C), the Commission may review the proposed rezonings and make recommendations to the Governing Body by the Planning Commission.
49. The Commission has considered the criteria established by Code §§14-3.5(C) and finds the following facts: *One or more of the following conditions exist: (i) there was a mistake in the original zoning; (ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or (iii) a different use category is more advantageous to the community, as articulated in the Plan or other adopted City plans [Code §14-3.5(C)(1)(a)].* This rezoning is more advantageous to the community since it provides for the type of housing that is critical to growth of the community both from the standpoint of economic development resulting from retirees' beneficial impact on Santa Fe's economy and the working families that are need to fill the jobs which are the foundation of Santa Fe's economy.
50. The Commission has considered the criteria established by Code §§14-3.5(C) and finds the following facts: *All the rezoning requirements of Code Chapter 14 have been met [Code §14-3.5(C)(1)(b)].* All the rezoning requirements of Code Chapter 14 have been met.
51. The Commission has considered the criteria established by Code §§14-3.5(C) and finds the following facts: *The proposed rezoning is consistent with the applicable policies of the Plan [Section 14-3.5(C)(1)(c)].* The proposed rezoning is consistent with the Plan.
52. The Commission has considered the criteria established by Code §§14-3.5(C) and finds the following facts: *The amount of land proposed for rezoning and the proposed use for the land is consistent with City policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the City [Code §14-3.5(C)(1)(d)].* The land subject to the proposed rezone is within the Las Soleras Master Plan and is zoned at such densities so as to accommodate the anticipated growth. The proposed rezone would lower densities to accommodate a proposed single family residential development.
53. The Commission has considered the criteria established by Code §§14-3.5(C) and finds the following facts: *(e)The existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development [Section 14-3.5(C)(1)(e)];* The subject property is located within the Las Soleras Master Plan. The Master Plan anticipated infrastructure needs including those related to roads, sewer and

water lines, public facilities and parks. All infrastructures will be adequate for the proposed development.

54. The Commission has considered the criteria established by Code §§14-3.5(D) and finds the following facts: *If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies; If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.* The Las Soleras Master Plan identified infrastructure needs necessary to accommodate development within the subject area. All necessary off-site improvement and fair share contribution have been identified by the traffic impact analysis prepared for the project. All development would be subject to the contribution of necessary infrastructure.

Lot Line Adjustment

55. Under Code § 14-3.7, a lot line adjustment is a type of subdivision and requires submittal of an application for review and approval by the Planning Commission.
56. The Commission has considered the criteria established by Code §14-3.7(C)and finds the following facts: *(1) In all subdivisions, due regard shall be shown for all natural features such as vegetation, water courses, historical sites and structures, and similar community assets that, if preserved, will add attractiveness and value to the area or to Santa Fe.* The site is currently vacant but has been designated for residential development by the Las Soleras Master Plan. The Master Plan identified park and open space areas. The proposed subdivision would not interfere with existing water courses. Additionally, archaeological and historical clearance was obtained from the Santa Fe Archaeological Review Committee for the entire Las Soleras Master Plan area.
57. The Commission has considered the criteria established by Code §14-3.7(C) and finds the following facts: *The planning commission shall give due regard to the opinions of public agencies and shall not approve the plat if it determines that in the best interest of the public health, safety or welfare the land is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuited for building, or for other reasons uninhabitable, shall not be platted for residential occupancy, nor for other uses that may increase danger to health, safety or welfare or aggravate erosion or flood hazard. Such land shall be set aside within the plat for uses that will not be endangered by periodic or occasional inundation or produce unsatisfactory living conditions.* No land subject to flooding is proposed for habitable development. The location of the proposed development would not interfere with any flood plains or other uninhabitable land.

58. The Commission has considered the criteria established by Code §14-3.7(C) and finds the following facts *All plats shall comply with the standards of Chapter 14, Article 9 (Infrastructure Design, Improvements and Dedication Standards).* All infrastructure design and improvements such as roads, landscaping, and trails must conform to the applicable minimum development standards.
59. The Commission has considered the criteria established by Code §14-3.7(C) and finds the following facts *A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the provisions of Chapter 14 unless a variance is approved concurrently with the plat.* The proposed subdivision will not create a non-conformity as it will comply with all applicable development standards.
60. The Commission has considered the criteria established by Code §14-3.7(C) and finds the following facts: *A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with applicable provisions of other chapters of the Santa Fe City Code unless an exception is approved pursuant to the procedures provided in that chapter prior to approval of the plat.* The proposed subdivision will not create a non-conformity with any other chapter of the Santa Fe City Code.

Preliminary Subdivision Plat

61. Under Code § 14-3.7 (B), a preliminary subdivision plat requires submittal of an application for review and approval by the Planning Commission.
62. The Commission has considered the criteria established by Section 14-3.7(C) and finds the following facts: *All plats shall comply with the standards of Chapter 14, Article 9.* The plat complies with the standards of Chapter 14, Article 9.
63. The Commission has considered the criteria established by Section 14-3.7(C) and finds the following facts: *A plat shall not be approved that creates a nonconformity or increases the extent or degree of an existing nonconformity with the provisions of Chapter 14 unless a variance is approved concurrently with the land.* The subdivision will not create new or exacerbate existing nonconformities.
64. The Traffic Engineering Department recommended the standard 36 foot road for the preliminary subdivision plat.
    a. The Applicant requested an alternative street section design with 32 feet from face to curb to face of curb with a 9 foot driving lane.
    b. The Commission did not adopt the alternative street section design due to Applicant's failure to provide sufficient justification for the alternative design.
65. The preliminary subdivision plat contains some of the housing in the subdivision that will sit between other housing on the eastern side of the subdivision and the park.
    a. The Commission added a condition that the Applicant may consider creating some reasonable pedestrian access from the housing on the eastern side of the subdivision to the park.

Electric Transmission Line Relocation

66. Under Code §14-6.2(F)(7), a transmission line relocation requires submittal of an application for review and recommendation by the Planning Commission for approval by the Governing Body.
67. The design of the proposed subdivision requires the relocation of the PNM electrical transmission line that currently traverse the site.
68. All application submittal requirements pursuant to Code §14-6.2(F)(10) have been submitted and reviewed by Land Use Department and PNM.
69. The Land Use Department and PNM find the proposal acceptable from a conceptual level. PNM has stated that variations may be needed to the conceptual design which cannot be determined until further study is done in coordination with the developer. Further study will not be completed until an executed agreement has been entered into with the developer.

CONCLUSIONS OF LAW

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

General

1. The proposals were properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements.
2. The ENN meeting complied with the requirements established under the Code.
3. The Commission adopts the written report of its findings Staff Report, subject to certain conditions (the Conditions) as set out in such report unless as itemized below.

The General Plan Amendment

4. The Commission has the power and authority at law and under the Code to review the proposed amendment to the Plan and to make recommendations to the Governing Body regarding such amendment.
5. The Applicable Requirements have been met.

The Master Plan Amendment

6. The Commission has the power and authority at law and under the Code to review the proposed amendment to the Master Plan and to make recommendations to the Governing Body regarding such amendment.
7. The Applicable Requirements have been met.

The Rezoning

8. The Applicant has the right under the Code to propose the rezoning of the Property.
9. The Commission has the power and authority at law and under the Code to review the proposed rezoning of the Property and to make recommendations regarding the proposed rezoning to the Governing Body.
10. The Applicable Requirements have been met.

The Preliminary Subdivision Plat and Lot Line Adjustment

11. The Commission has the authority to review and approve the preliminary plat and lot line adjustment subject to conditions.
12. The Applicable Requirements have been met.

Transmission Line

13. The Commission has the authority to review and recommend the transmission line adjustment and to make recommendations regarding the proposed rezoning to the Governing Body.
14. The Applicable Requirements have been met.

WHEREFORE, IT IS ORDERED ON THE 6th DAY OF AUGUST, 2015 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE:

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the General Plan Amendment to Low Density Residential to the Governing Body, subject to Staff Conditions.

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the master plan amendments to the Governing Body, subject to Staff Conditions and with the conditions:

a. Beckner Road, from Las Soleras Road to Walking Rain Road, would be a two lane divided road built during Phase I of the project as identified in the Phasing Plan. Beckner Road, from Walking Rain Road to Richards Avenue, would be a two lane rural road built during Phase I of the project as identified in the Phasing Plan.
b. A donation to the City of approximately 7 acres of additional park and these 7 acres would be attached to the planned 21.4-acre park within the Las Soleras Master Plan.
c. A donation to Santa Fe Public Schools of approximately 10 usable acres for a future school site. The value of donation will be secured by the collateralized value of another lot within the area of the Master Plan.
d. A donation to the City of approximately 6 acres for open space trails. The open space will be provided as consistent with the MPO's June 18, 2015 memorandum.

c. A donation to Monte del Sol Charter School of a 130 feet by 350 feet parcel adjacent to the School for a practice field, contingent on acceptance by the School, in exchange for the School granting the Applicant a drainage easement on the parcel.

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the rezoning request to R-6 to the Governing Body, subject to Staff Conditions.

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Applicant's request for the lot line adjustment is approved, subject to Staff Conditions.

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Applicant's request for preliminary subdivision plat is approved, subject to Staff conditions and with the conditions:

a. Applicant may consider creating some reasonable pedestrian access from the housing on the eastern side of the subdivision to the park.
b. The Commission did not adopt the alternative street section design

That for the reasons set forth in the foregoing Findings of Fact and Conclusions of Law, the Commission recommends approval of the transmission line relocation to the Governing Body, subject to Staff Conditions.

_____ _____
Date:

Michael Harris, Chair

FILED:

_____ _____
Yolanda Y. Vigil Date:
City Clerk

APPROVED AS TO FORM:

_____ _____
Zachary Shandler Date:
Assistant City Attorney

system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the planned development. Necessary infrastructure and road alignments were previously determined and approved as part of the master plan. The proposed amendment will realign road and trails and reduce and realign park space to accommodate single family residential development.

37. In 2009, the Governing Board approved a road plan as part of the original master plan.
38. The Applicant as part of the Master Plan Amendment request provided a modified road alignment for Rail Runner Road.
39. The Applicant as part of the Master Plan Amendment request provided a modified road alignment for Walking Rain Road.
40. During phase 1 of the development, Beckner will be constructed as a two-lane divided road from Rail Runner Road to Walking Rain Road and as a two lane rural road from Walking Rain Road to Richards Avenue.
41. During Phase 2 of the development, Beckner will be expanded to a two-lane divided road from Walking Rain Road to "Point 1" as identified on the Roadway Phasing Plan. "Point 1" to Richards Avenue will remain as a two-lane rural road until subsequent development within the commercial area south of Beckner occurs within Las Soleras.
42. In 2009, the Governing Body approved an approximate 21.4-acre park by the northwest boundary and an additional 20-acre park as part of the original master plan.
43. The Governing Body had some discussion whether to place the additional 20-acre park near Monte del Sol Charter School, but the final determination allowed the location to be determined at a subsequent Planning Commission hearing.
44. The requirement of the additional 20-acre park was memorialized in Condition 45 of the Master Plan, which reads: "The applicant shall, in consultation with Santa Fe Public Schools and City staff, locate an additional 20 acres for active park space. This condition shall be incorporated into the Annexation Agreement. The Planning Commission shall approve the park location prior to the approval of a development plan for any Phase of the Project and shall verify compliance with applicable access standards to the parks and open space."
45. The Planning Commission subsequently approved an alternative method of compliance involving the distribution of park land into smaller parcels provided the Land Use Department, Parks Department, MPO and School District recommends approval of such redistribution.
46. The Applicant wishes to amend and replace Condition 45 of the Master Plan because their proposal for reduced density of the housing development could trigger a new calculation of the proposed density/park dedication requirements within the Code. The Applicant's request and calculations are based on their latest submittal to the Planning Commission for its May 2015 meeting.
47. The Applicant is requesting that Condition 45 of the Las Soleras Master Plan would eliminate the additional 20-acre park and would be replaced with:
    a. A donation to the City of approximately 7 acres of additional park and these 7 acres would be attached to the planned 21.4-acre park within the Las Soleras Master Plan.
    b. A donation to Santa Fe Public Schools of approximately 10 usable acres for a future

Exhibit "3"

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

Case #2015-54
Case #2015-55
4250 Cerrillos Road Sign Variance
Owner's Name – Santa Fe Mall Property Owner LLC
Agent's Name – JenkinsGavin Design and Development, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on July 2, 2015 upon the application (Application) of JenkinsGavin Design and Development, Inc. as agent for Santa Fe Mall Property Owner LLC (Applicant).

The Applicant seeks variances to the sign requirements of Santa Fe City Code (SFCC) §14-8.10(E)(6)(b) establishing specific requirements for permanent wall signs and §14-8.10(G)(8)(b) establishing general requirements for SC (Shopping Center) signs located within the Cerrillos Road highway corridor protection district. The variances will permit 169 square foot wall mounted sign for Bed Bath & Beyond and 151.8 square foot wall sign for Cost Plus World Market on the northeast portion of the mall building (Building) at the Santa Fe Place Mall (Mall). The two businesses will be located side by side. The Mall is located on the southwest corner of the Cerrillos Road and Rodeo Road intersection (Property) and is zoned SC-3 (Planned Shopping Center).

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

FINDINGS OF FACT

1. The Commission heard reports from staff and received testimony and evidence from the Applicant and no members of the public interested in the matter.
2. SFCC §14-2.3(C)(3) authorizes the Commission to hear and decide pursuant to SFCC §14-3.16 a request for a variance which is part of a development plan request requiring Commission review.
3. The Applicant has applied for development plan approval for redevelopment of the Mall and received administrative approval.
4. The Application is properly before the Commission.
5. Pursuant to SFCC §14-3.1(F)(2)(a)(vii) an Early Neighborhood Notification meeting is not required for variances to SFCC §14-8.10.
6. SFCC §14-3.16(B) authorizes the Commission to approve, approve with conditions or deny the variances based on the Application, input received at the public hearing and the approval criteria set forth in SFCC §14-3.16(C).
7. City Land Use Department staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Commission with a written report of its findings (Staff Report) together with a recommendation to the defer to the Commission whether the approval criteria for variances had been met.

Exhibit "4"

8. The information contained in the Staff Report and the testimony and evidence presented at the hearing is sufficient to establish with respect to the Applicant's request for a variance from the requirements of SFCC §§14-8.10(E)(6)(b) and 14-8.10(G)(8) are met in that (a) unusual physical characteristics exist that distinguish the Building from others in the vicinity that are subject to the same sign regulations, in that the location of the Building on the Property, including a 520-foot setback from Rodeo Road and limited visibility from Rodeo Road due to the finished floor of the store being 20 feet lower than the elevation of Rodeo Road, require the variance to provide the same visibility accorded to the other existing anchor tenants at the Mall; (b) special circumstances exist as the location of the Building on the Property, including a 520-foot setback from Rodeo Road and limited visibility from Rodeo Road due to the finished floor of the store being 20 feet lower than the elevation of Rodeo Road, make a sign that complies with the requirements of SFCC §§14-8.10(E)(6)(b) and 14-8.10(G)(8) infeasible to meet the retail purpose for which the Building was developed; (c) the intensity of development will not exceed that which is allowed on other properties in the vicinity that are subject to the same sign regulations, in that the Applicant has provided evidence identifying 11 of the 16 mall wall mounted signs already exceed the standards that are subject to the same relevant provisions of Chapter 14; (d) the variance is the minimum variance that will make possible the reasonable use of the structure, in that it will permit the Building occupant to effectively communicate its presence to potential customers traveling on Rodeo Road, notwithstanding the Building's limited visibility from this road, which is necessary given the retail purposes of the Mall generally and the Building specifically; (e) the variance is not contrary to the public interest, in that the use of Building space that has long been vacant will result in making expanded products and services available to the public and generate additional gross receipts taxes over time.

CONCLUSIONS OF LAW AND ORDER

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

The Application for variances to the requirements of SFCC §§14-8.10(E)(6)(b) and 14-8.10(G)(8) meets the criteria set forth in SFCC §§14-3.16(C) and is hereby approved.

IT IS SO ORDERED ON THE _____ OF AUGUST 2015 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE.

_____ _____
Michael Harris Date
Chair

FILED:

_____ _____
Yolanda Y. Vigil Date:
City Clerk

APPROVED AS TO FORM:

_____ _____
Zachary Shandler Date:
Assistant City Attorney

City of Santa Fe, New Mexico

memo

DATE: July 28, 2015, for the August 6, 2015 Meeting

TO: Planning Commission

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

FROM: Noah Berke, CFM, Senior Planner, Current Planning Division NLB

Case #2015-66. 820 Camino Vistas Encantada Variance. Jeff Mathis and Julia Fjeldsted request approval of a Variance to allow development within the Ridgetop Subdistrict of the Escarpment Overlay District. The 0.94 acre property is zoned R-2 (Residential – 2 units per acre). (Noah Berke, Case Manager)

RECOMMENDATION

If the Commission determines that the 400 square foot expansion of the house meets the variance approval criteria and is within "reasonable use" as defined in subsection 14-3, staff recommends the Conditions of Approval as outlined in this report.

The variance is limited to the building footprint as shown on the plans submitted with this application.

I. BACKGROUND AND SUMMARY

The applicant requests a variance to Section 14- 5.6(D)(1) "Location of Structures; Buildable Site" which states

> "For all *lots* subdivided or resubdivided on or before February 26, 1992, all *structures* shall be located within the foothills subdistrict unless the only *buildable site* is located within the ridgetop subdistrict. For all *lots* subdivided or resubdivided after February 26, 1992, *development* in the ridgetop subdistrict of the escarpment overlay district, other than driveway access and utilities, is prohibited."

The applicant proposes a 402 square-foot addition to the existing 2,194 square-

Exhibit "5"

foot existing home. The existing home and the proposed addition are within the ridgetop subdistrict of the Escarpment Overlay District.

The ridgetop and foothills subdistricts of the Escarpment Overlay are mapped on the official City Escarpment Overlay Map. Ridgetop and foothills subdistricts are areas that are considered to be areas that have large visual impact to the city. The ridgetop is considered the most visible and highest areas and the foothills are considered the less visible areas of the Escarpment Overlay District. Building height within the ridgetop is limited to 14 feet above natural or finished grade, whichever is more restrictive. Height within the foothills is limited to 14 feet above the highest adjacent grade while allowing for up to 20 feet above natural or finished grade on the downhill portion of the site. The Escarpment Overlay requires compliance with a set of architectural and landscaping standards as set forth in Section 14-5.6.

Lot 28 of the Cerro Del Sol Subdivision, is partially within the ridgetop Subdistrict of the Escarpment Overlay District. Cerro Del Sol Subdivision was created in 1994, and the existing house was built in compliance with the Escarpment Overlay regulations that were in effect at the time. In 2006, revisions to the Escarpment Ordinance prohibited development within the ridgetop subdistrict on post-1992 lots. Therefore, a variance is required to construct the attached addition.

The applicant is proposing to construct a 410 square foot attached addition on Lot 28 of Cerro Del Sol Subdivision. The location of the proposed attached addition lies completely within the Ridgetop subdistrict of the Escarpment Overlay. The applicant worked with the Land Use Department for placement of the dwelling on the lot for best tree preservation, least amount of natural disturbance and visual impact.

II. VARIANCE APPROVAL CRITERIA

Santa Fe City Code 1987 14-3.16(C)(1) through (5) are required to grant a variance for construction of an attached addition in the Ridgetop .

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

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

(b) the parcel is a legal nonconforming lot created prior to the adoption of

the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;

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

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

Applicant Response (to (b) above):

Our parcel is a legal nonconforming lot. The Cerro Del Sol subdivision was approved in 1992, and the Ridgetop building restrictions were put in place several years after this approval. Our entire house is located within the ridgetop subdistrict. It is relevant to point out that a new Ridgetop designation map for the city has been created, but the new map has not yet been legally adopted. Our house and lot do not fall into a Ridgetop designation under the proposed new Ridgetop map.

Staff Response:

The applicant submittals demonstrate that the non-conformity exists as the subdivision was created after February 26, 1992, however at the time the subdivision was created building within the ridgetop was not prohibited. Legislation that was based by the City of Santa Fe in 2005 created the non-conformity, as it created the restriction that new construction in the ridgetop subdistrict is prohibited for lots created, subdivided or re-subdivided after February 26, 1992. These unique circumstances identify compliance with 14-3.16(C)(1) above.

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

Applicant Response:

We, with our architect Courtenay Mathey, looked into 2 different possibilities for our addition that were to be built more in the foothills subdistrict. Both of the options would still have about 100 SF of space constructed within the ridgetop subdistrict with about 300 sf of space located in the foothills. Due to the existing drop in the grades away from the house, these options also would make a significant portion of the walls about 19' high out of the ground rather than the +/- 13' high addition we can achieve with a variance. These options also make access around the house very difficult, requiring lots of additional steps and walkways to allow reasonable

circulation. Additionally, these options severely limit the views and sunlight in the existing bedroom and living room spaces.

Staff Response:

Special circumstances do make it infeasible, for reasons other than financial cost, to develop the property in compliance with the standards of Chapter 14. Alternate siting of the proposed addition was examined and analyzed by staff. The location examined still had portions of the addition within the Ridgetop sub-district. In addition, staff concurs with the applicant's response that there are steeper grades, greater visual impacts, and effects to the natural environment would be greater in the alternate location.

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

Applicant Response:

The Cerro del Sol subdivision covenants allow for reasonable additions to be built. We will re-stucco the entire house with the same color of stucco we currently have. The driveway location is the least visible portion of our lot to our neighbors, so building the addition there will have the smallest visual impact.

Staff Response:

Chapter 14 defines intensity as "The extent of *development* per unit of area; or the level of use as determined by the number of *employees* and customers and degree of impact on surrounding *properties* such as noise and traffic." Based on this definition, the intensity of development for an attached addition does not exceed developments that are allowed on other properties in the vicinity. Noise and traffic will be no different from any other properties in the vicinity. The size of the proposed attached addition and the extent of proposed grading, are generally consistent with the development of other nearby lots. The applicant has also agreed to comply with all Escarpment Overlay regulations.

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

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

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

Applicant Response:

We understand and support the purpose of ridgetop designations. As noted above we looked at options where the addition was more in the foothills subdistrict, but these options are the most impactful from both visual and lot development perspectives. Getting the variance to build the addition in the driveway preserves the intent of ridgetop designations.

Staff Response:

Granting this variance is the minimum variance to make reasonable use of the land. Alternate siting was examined and analyzed. The proposed location of the attached addition is located in an area where disturbance to the natural environment is minimal and has the least visibility. No development could occur on this lot without a variance which provides qualifying factors to the criteria specific to 14-3.16(C)(4)(a) and (b) above.

The proposal is consistent with the Very Low Density Residential General Plan Land Use Category. As stated before, the applicant has taken steps to utilize the existing disturbed terrain and minimize visual impact, therefore complying with the General Plan policies regarding Terrain Management and Visual Resource Conservation.

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

Applicant Response:

The proposed addition fits with the existing architecture of the house. The addition is relatively small, 410 square feet, to be attached to a 2194 sq. ft. house. We are not aware of any aspect of this variance that is contrary to the public interest.

Staff Response:

The construction of an attached addition on the lot is not contrary to the public interest. The public interest in relation to Section 14-5.6 "Escarpment Overlay District" has to do with protecting, maintaining and enhancing the health safety and general welfare of the citizens. It also has to do with protecting the visual impact of development and the natural environment of Santa Fe. The proposed addition ensures sound and orderly development while adhering to the Escarpment Overlay Regulations. Staff does not believe that the proposed request for a variance to the Escarpment Overlay District violates the purpose and intent of the regulations as

set forth in Section 14-5.6.

III. CONCLUSION AND RECOMMENDATION

A variance to the Escarpment Overlay District as stipulated in Section 14-5.6(D)(1), would be required for any attached additions on Lot 28 of Cerro Del Sol Subdivision. The buildable site proposed by the applicant minimizes disturbance on the natural environment and has the least visual impact. The applicants proposal further minimizes disturbance to the natural vegetation. The average house size of a home located in the ridgetop subdistrict in Cerros Del Sol Subdivision is 3,857 square feet. This data was taken by analyzing 13 homes located in the ridgetop within the Cerro Del Sol Subdivision. The proposed 402 square foot addition to the existing 2,194 square foot home would not exceed the average house size at 2,596 square feet.

Staff's findings, based on analysis and the applicant's submittals, are in support of the variance and confirm all variance criterions have been satisfied. Staff recommends approval to the Planning Commission, with Conditions of Approval, in favor of the proposed variance to Section 14-8.2 (D)(3)(b).

IV. CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval:

a. Development on the lot be restricted to only the area shown by the applicant.
b. Fire Department access to any new construction shall not be less than 20 feet in width or greater than a 10% grade. However, a variance to this requirement, up too 15% grade, may be granted by the Fire Department if alternative fire suppression systems are provided.
c. New development shall have water supply that meets fire flow requirements as per IFC or install an automatic sprinkler system.
d. Fire Department requires that the applicant meet the 150 foot driveway requirements as per IFC, or an emergency turn-around that meets IFC requirements shall be provided.
e. Fire Department Access shall not be less than 20 feet width.
f. Fire Department shall have 150 foot distance to any portion of the building on any new construction.
g. Fire Suppression shall have water supply that meets fire flow requirements as per IFC.

V. ATTACHMENTS:

EXHIBIT A: City Staff Memoranda

1. Waste Water Division Engineer Memorandum, Stan Holland
2. Water Division Memorandum, Dee Beingessner
3. Fire Department Memorandum, Rey Gonzales
4. City Engineer Memorandum, Risana "RB" Zaxus, PE
5. Traffic Engineering Division Memorandum, Sandra Kassens

EXHIBIT B: Maps and Photos

1. Zoning and Aerial View

EXHIBIT C: Applicant Materials

1. Letter of Application
2. Cerro Del Sol Subdivision Plat
3. Site Plan
4. Street View Renderings

Exhibit A

BERKE, NOAH L.

From: BEINGESSNER, DEE
Sent: Tuesday, July 28, 2015 3:38 PM
To: BERKE, NOAH L.
Subject: RE: RE: CAse 205-66 820 Vistas Encantada Variance

Noah,

There is no impact to water. The house already has water service and this variance will not affect their service.

Dee

From: BERKE, NOAH L.
Sent: Tuesday, July 28, 2015 3:35 PM
To: BEINGESSNER, DEE; HOLLAND, TOWNSEND S.
Subject: RE: CAse 205-66 820 Vistas Encantada Variance

Can you please provide me final comments today??

Noah Berke, CFM
Planner Senior
City of Santa Fe
Land Use Department
200 Lincoln Ave.
Santa Fe, NM 87504
Work: (505) 955-6647
Cell: (505) 490-5930
Fax: (505) 955-6829

City of Santa Fe, New Mexico

memo

DATE: **July 6, 2015**

TO: **Noah Berke, Case Manager**

FROM: **Reynaldo Gonzales, Fire Marshal** RDG

SUBJECT: **Case #2015-66** 820 Camino Vistas Encantada Variance

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

Prior to any new construction or remodel shall comply with the current code adopted by the governing body.

1. All Fire Department access shall be no greater that a 10% grade throughout.

2. Fire Department Access shall not be less than 20 feet width.

3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.

4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.

5. Shall have water supply that meets fire flow requirements as per IFC

BERKE, NOAH L.

From: ZAXUS, RISANA B.
Sent: Thursday, July 16, 2015 9:41 AM
To: BERKE, NOAH L.
Subject: Case # 2015-66, 820 Camino vistas Encantada Variance

Mr. Berke –

Regarding Case # 2015-66, the 820 Camino Vistas Encantada Variance, I have the following review comment:

At the time of building permit, the proposed construction must meet all requirements of Article 14-8.2, Terrain Management Regulations.

Risana B "RB" Zaxus, PE
City Engineer

BERKE, NOAH L.

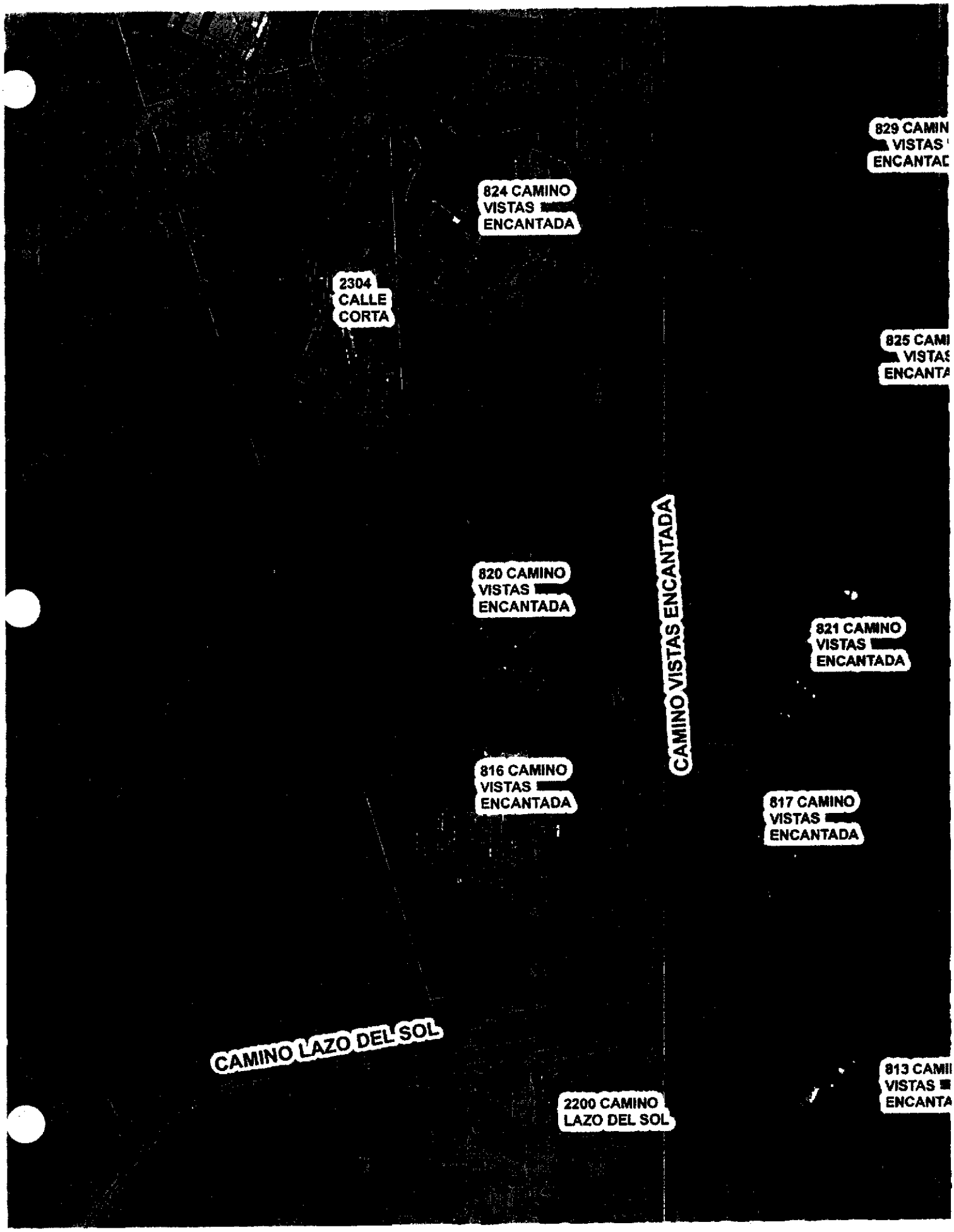
From:	KASSENS, SANDRA M.
Sent:	Tuesday, July 07, 2015 4:24 PM
To:	BERKE, NOAH L.
Cc:	ROMERO, JOHN J
Subject:	820 Camino Vistas Encantada Variance

Noah,
The Traffic Engineering Division has no comments on the request for a variance to the Escarpment District development requirements for 820 Camino Vistas Encantada, case #2015-66.

Sandra Kassens
Traffic Engineering Division
Public Works Department
City of Santa Fe
PO Box 909
Santa Fe, New Mexico 87504

Phone: 505-955-6697

Exhibit B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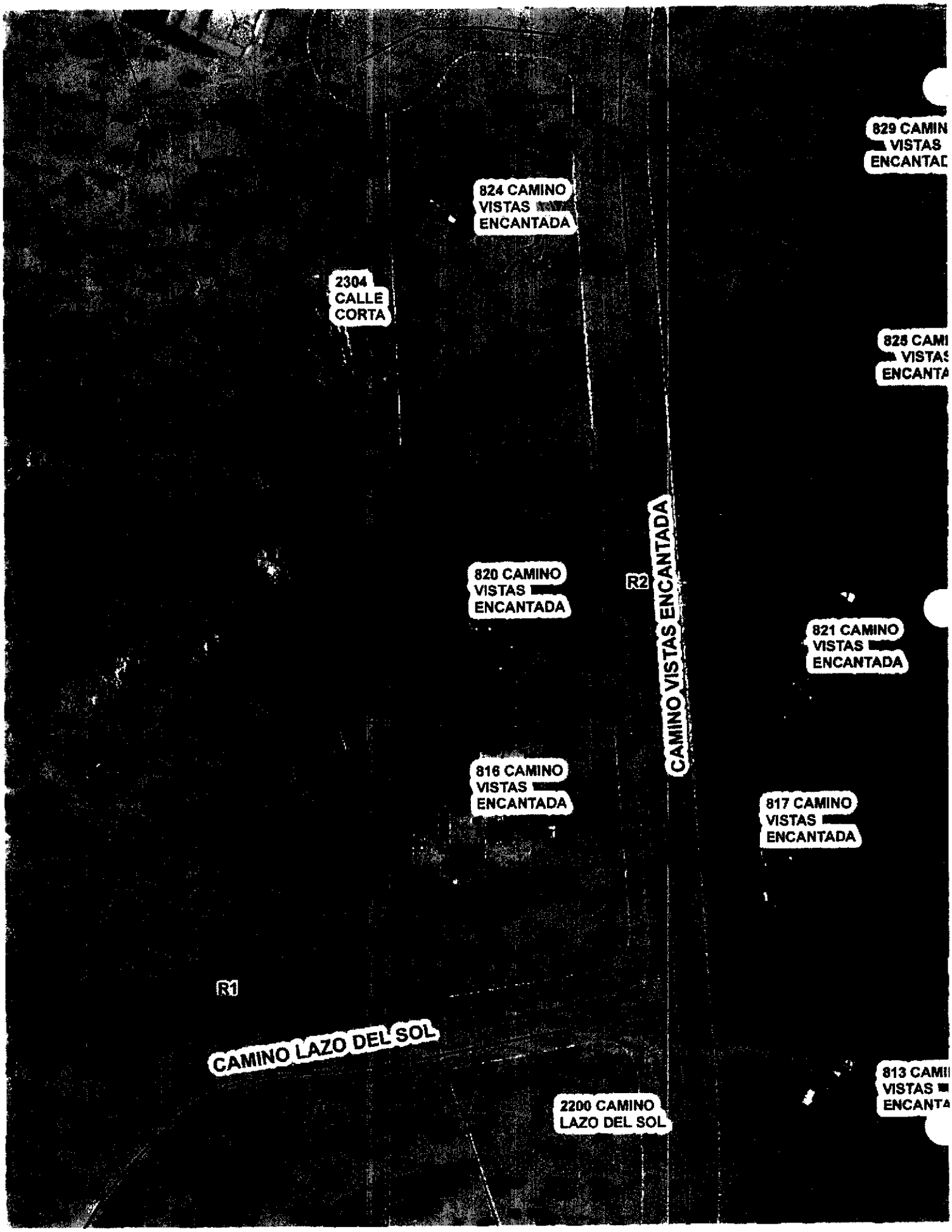
2200 CAMINO
LAZO DEL SOL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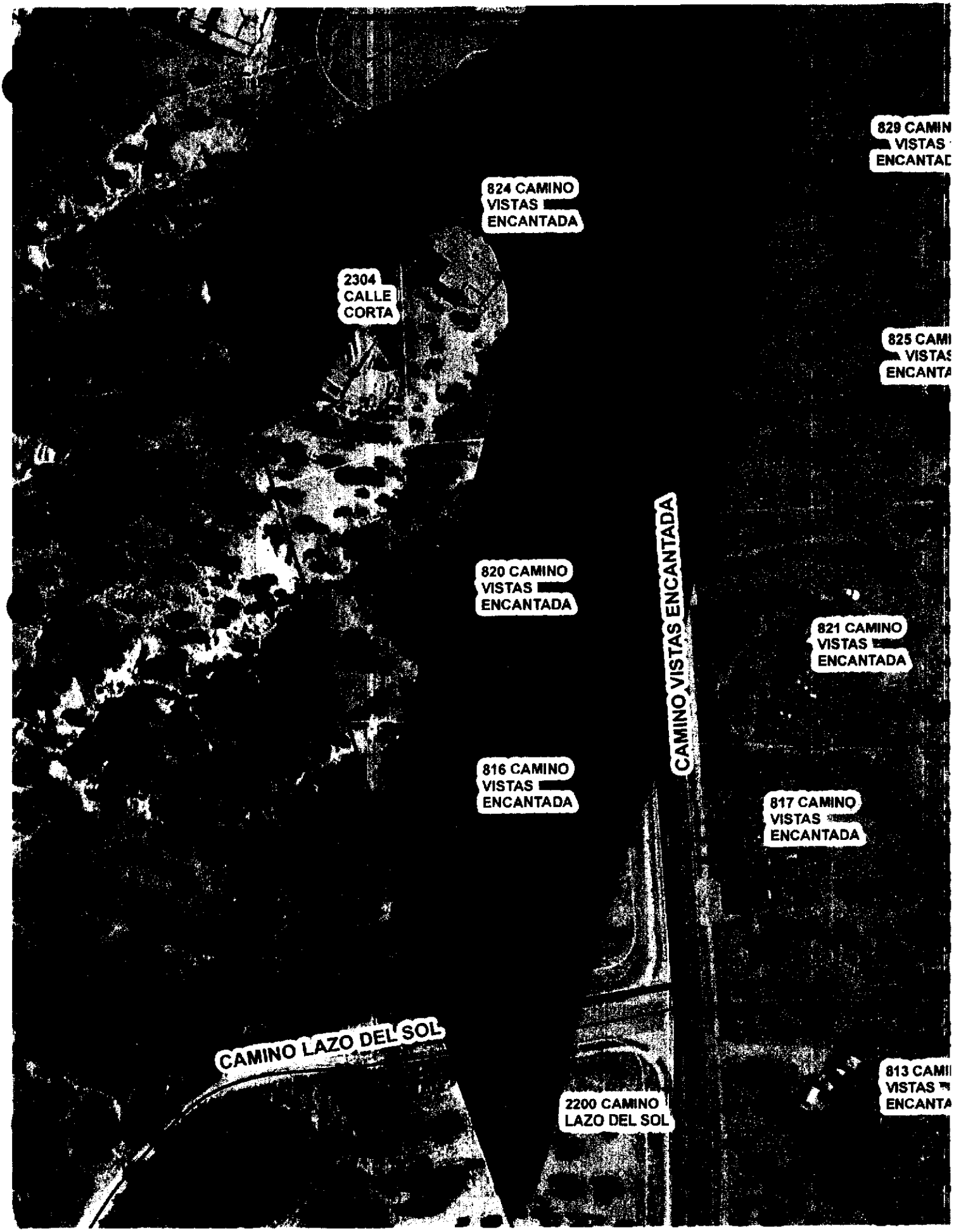
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CAMINO LAZO DEL SOL
813 CAMI
VISTAS
ENCANTA
2200 CAMINO
LAZO DEL SOL

Exhibit C

Jeff Mathis and Julia Fjeldsted
820 Camino Vistas Encantada
Santa Fe, NM 87507
505-992-0553
mathisjr@earthlink.net

June 27, 2015

Board of Adjustment Variance Application
City of Santa Fe

Contents: Letter of application (intent, location, acreage), statements addressing approval criteria.

Intent, Location, Acreage

We would like to build a 410 sq. ft. addition to our house, consisting of a bedroom and 3/4 bathroom. The addition would be attached to our house, and extend into the existing driveway. Our house is located within the Cerro del Sol subdivision at 820 Camino Vistas Encantada. Our property is located near the top of Camino Vistas Encantada oriented to the West, and is adjacent to the city/county line that intersects West Alameda. Our lot size is 0.94 acres, and our 2200 (+/-) sq. ft. house is located approximately in the middle of the lot.

The house and garage are located entirely within the Ridgetop District, with the rest of the property being located within the Foothills District. Any addition to the residence will require construction in the Ridgetop portion of the site.

Approval Criteria Subsections 14-3.16(C) 1 though 6.

(1)

a, c, d. Not applicable

b. Our parcel is a legal nonconforming lot. The Cerro del Sol subdivision was approved in 1992, and the Ridgetop building restrictions were put in place several years after this approval. Our entire house is located within the Ridgetop District. It is relevant to point out that a new Ridgetop designation map for the city has been created, but the new map has not yet been legally adopted. Our house and lot do not fall into a Ridgetop designation under the proposed new Ridgetop map.

(2)

We, with our architect Courtenay Mathey, looked into 2 different possibilities for our addition that were to be built more in the Foothills District. Both of the options would still have about 100 SF of space constructed within the Ridgetop district with about 300 sf of space located in the Foothills. Due to the existing drop in the grades away from the house, these options also would make a significant portion of the walls about 19' high out of the ground rather than the +/- 13' high addition we can achieve with a variance. These options also make access around the house very difficult, requiring lots of additional steps and walkways to allow reasonable circulation. Additionally, these options severely limit the views and sunlight in the existing bedroom and living room spaces.

(3)

The Cerro del Sol subdivision covenants allow for reasonable additions to be built. We will re-stucco the entire house with the same color of stucco we currently have. The driveway location is the least visible portion of our lot to our neighbors, so building the addition there will have the smallest visual impact.

(4)

a, b. We understand and support the purpose of Ridgetop designations. As noted above we looked at options where the addition was more in the Foothills District, but these options are the most impactful from both visual and lot development perspectives. Getting the variance to build the addition in the driveway preserves the intent of Ridgetop designations.

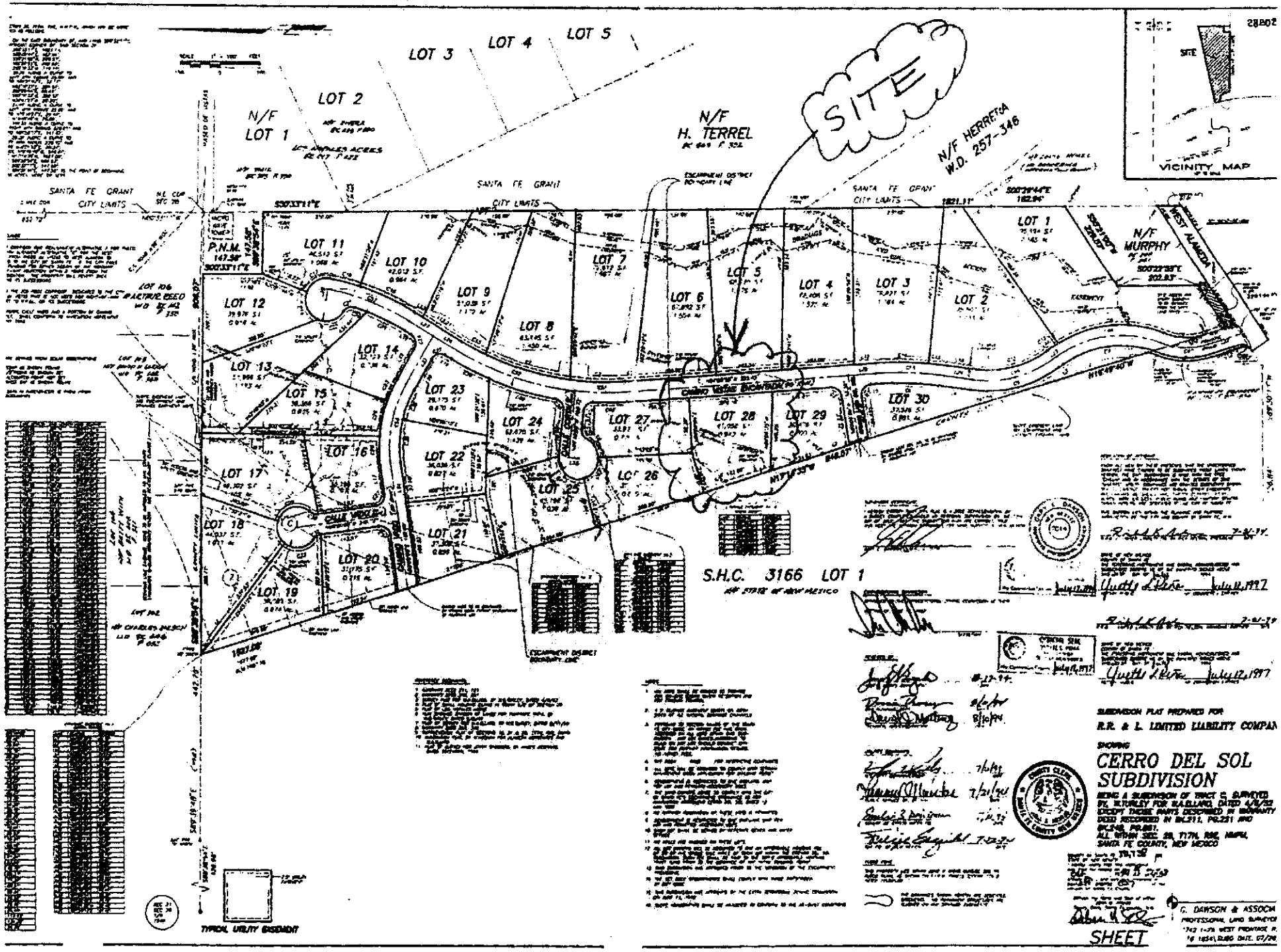
(5)

The proposed addition fits with the existing architecture of the house. The addition is relatively small, 410 sq. ft, to be attached to a 2194 sq. ft. house. We are not aware of any aspect of this variance that is contrary to the public interest.

(6)

We are not aware of any additional requirements or special findings.

Jeff Mathis Julia Fjeldsted 6/28/15 Date


LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
N/F LOT 1
N/F H. TERREL
N/F HERRETA W.D. 257-346
SITE
VICINITY MAP
SANTA FE GRANT
CITY LIMITS
P.N.M.
N/F MURPHY
WEST ALAMEDA
LOT 6
LOT 7
LOT 8
LOT 9
LOT 10
LOT 11
LOT 12
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LOT 25
LOT 26
LOT 27
LOT 28
LOT 29
LOT 30
CALLE VIEJO
S.H.C. 3166 LOT 1
TYPICAL UTILITY EASEMENT
SUBDIVISION PLAT PREPARED FOR
R.R. & L. LIMITED LIABILITY COMPANY
SHOWING
CERRO DEL SOL SUBDIVISION
SHEET

File No. [illegible]

Commercial Abstract & Title Co. Inc.

2138368

WARRANTY DEED

Thomas R. Hofstedt and Sharon B. Hofstedt, Trustees of the Hofstedt Family Trust dated March 12, 1996

, for consideration paid, grant to

Jeffrey R. Mathis and Julia L. Fieldsted, husband and wife,

whose address is 820 Camino [illegible] Encantada, Santa Fe, NM 87507,

the following described real estate in **Santa Fe** County, New Mexico

Lot 28 of Cerro Del Sol Subdivision, as shown on plat filed in the office of the County Clerk, Santa Fe County, New Mexico, on October 18, 1994, recorded in Plat Book 288, page 027, as Document No 881,738

COUNTY CLERK SANTA FE COUNTY NEW MEXICO

1208 437

COUNTY OF SANTA FE
STATE OF NEW MEXICO
I HEREBY CERTIFY THIS INSTRUMENT WAS FILED FOR RECORD ON THE 30 DAY OF MAY, A.D. 20 02 AT 11:22 O'CLOCK 2 M. AND WAS DULY RECORDED IN BOOK [illegible] PAGE 368 OF THE RECORDS OF SANTA FE COUNTY
WITNESS MY HAND AND SEAL OF OFFICE
RUBEN A. DURAN
COUNTY CLERK, SANTA FE COUNTY, N.M.
DEPUTY

Subject to **Reservations, restrictions and easements of record and taxes for the year 2002 and thereafter.**

with warranty covenants

Witness my hand this **28th** day of **May**, **2002**

Thomas R. Hofstedt, Trustee
Thomas R. Hofstedt, Trustee

Sharon B. Hofstedt, Trustee
Sharon B. Hofstedt, Trustee

ACKNOWLEDGMENT FOR NATURAL PERSONS:

State of New Mexico)
) SS
County of Santa Fe)

OFFICIAL SEAL
Gerta Kennedy
NOTARY PUBLIC
My Commission Expires

This instrument was acknowledged before me on the **28th** day of **May**, **2002**, by **Thomas R. Hofstedt and Sharon B. Hofstedt Trustees of the Hofstedt Family Trust**

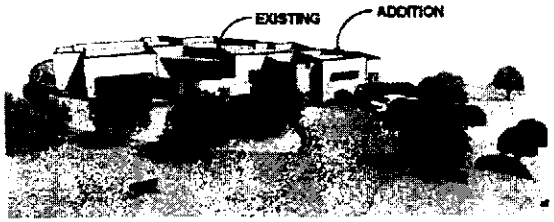
My commission expires 1/6/05

Notary Public

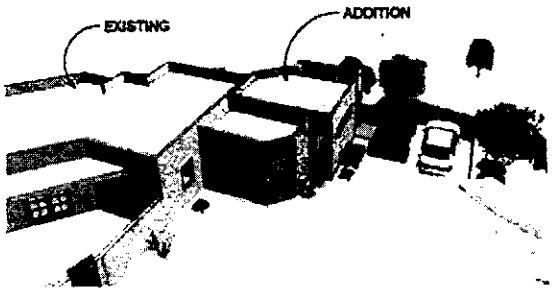
(Seal)

SP. REF. FORM WARRANTY DEED

Form [illegible]



4 VIEW FROM EAST



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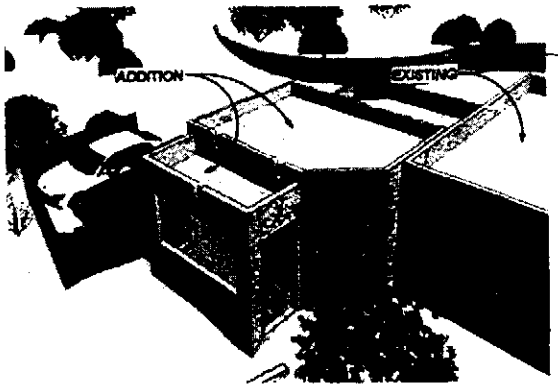
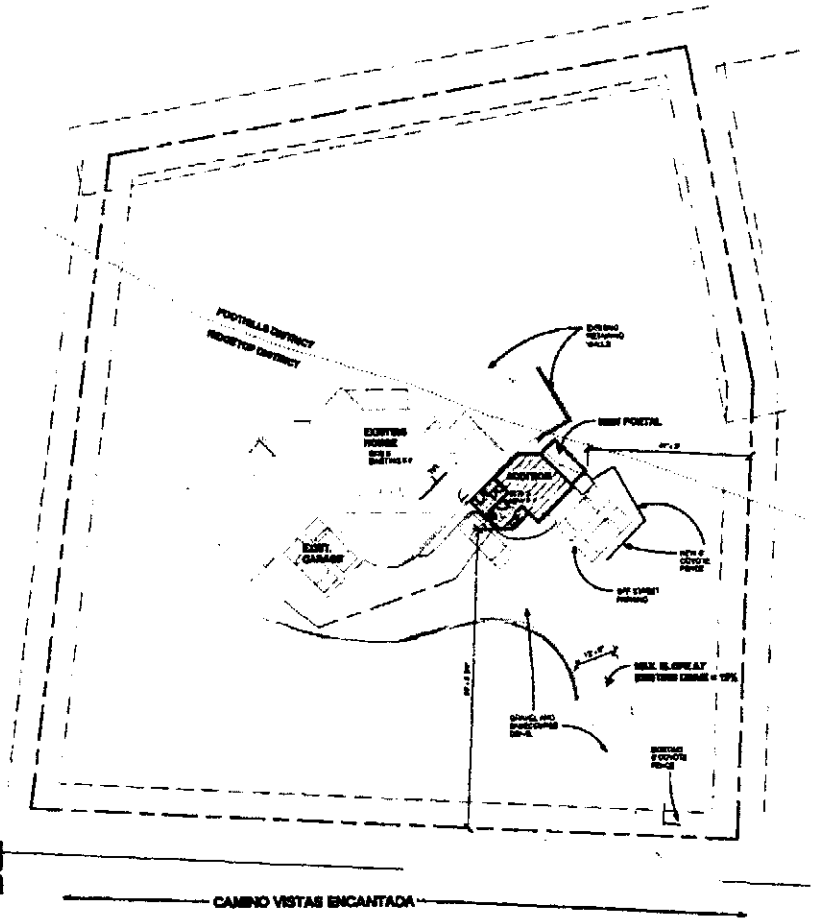


3 VIEW FROM WEST



1 SITE PLAN

1/16" = 1'-0"

N

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Camino Vis tania

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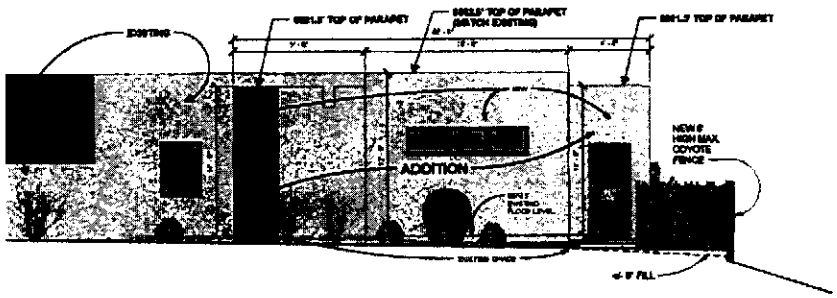
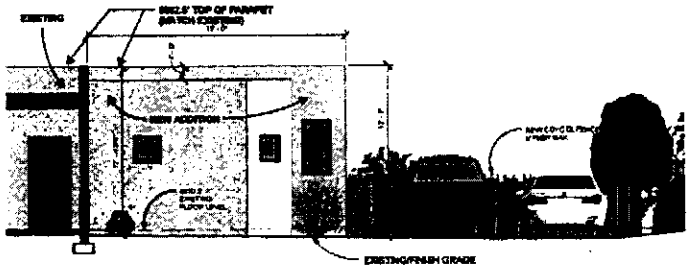
EVA IONS

City of Santa Fe, NM



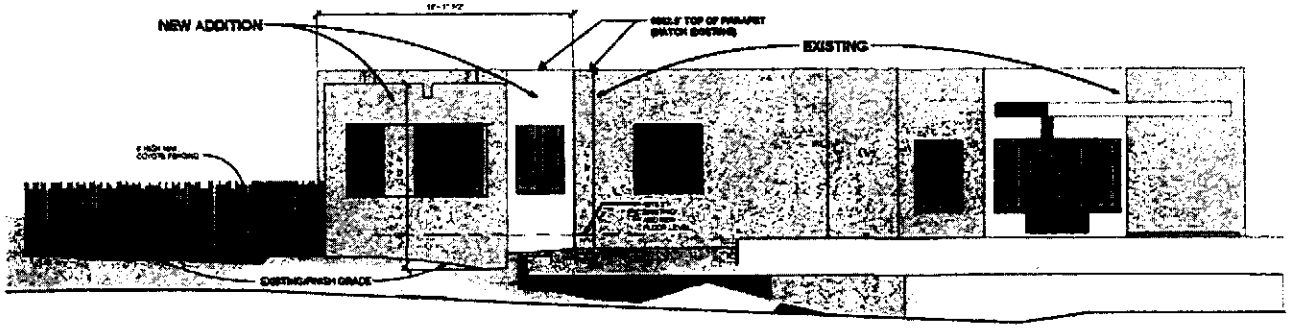
2 NORTHEAST ELEVATION

1/4" = 1'-0"



1 SOUTHEAST ELEVATION

1/4" = 1'-0"



3 NORTHWEST ELEVATION

1/4" = 1'-0"

TYPICAL EXTERIOR WALL FINISHES

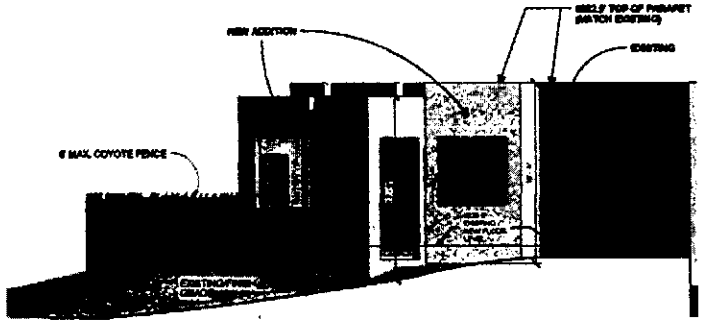
EXISTING EXTERIOR WALLS: NEW PATCH AND FINISH COATS OF CEMENT STUCCO OVER EXISTING.

NEW ADDITION EXTERIOR WALLS: 3-COAT CEMENT STUCCO OVER WIRE AND PAPER ON WOOD FRAMING. EARTH-TONE STUCCO.

EXPOSED WOOD: STAIN AND SEAL

WINDOWS: DOUBLE PANE GLAZING, LOW 'E'. COLOR TO MATCH EXISTING. METAL CLAD TAN EXTERIOR FINISH, WOOD STAIN INTERIOR FINISH.

EXTERIOR DOORS: METAL CLAD TAN EXTERIOR FINISH, WOOD STAIN INTERIOR FINISH.



4 WEST ELEVATION

1/4" = 1'-0"

Architects

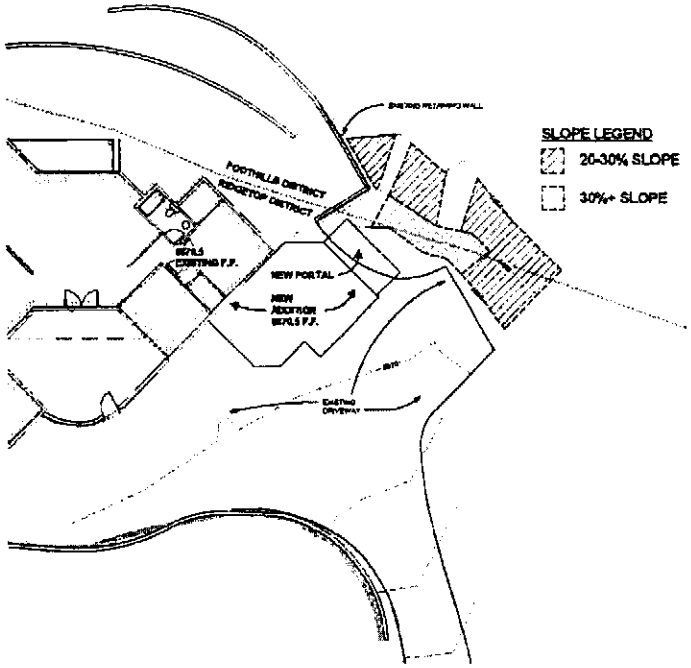
620 Camino Vistas Encantada
City of Santa Fe, NM

SECTIONS

Set No.
3.1

TERRAIN MANAGEMENT PLAN

2 1" = 10'-0"



SLOPE ANALYSIS PLAN

1 1" = 10'-0"

Mathey and Associates Architects

RESIDENTIAL REMODEL AND ADDITION

820 Camino Vistas Encantada

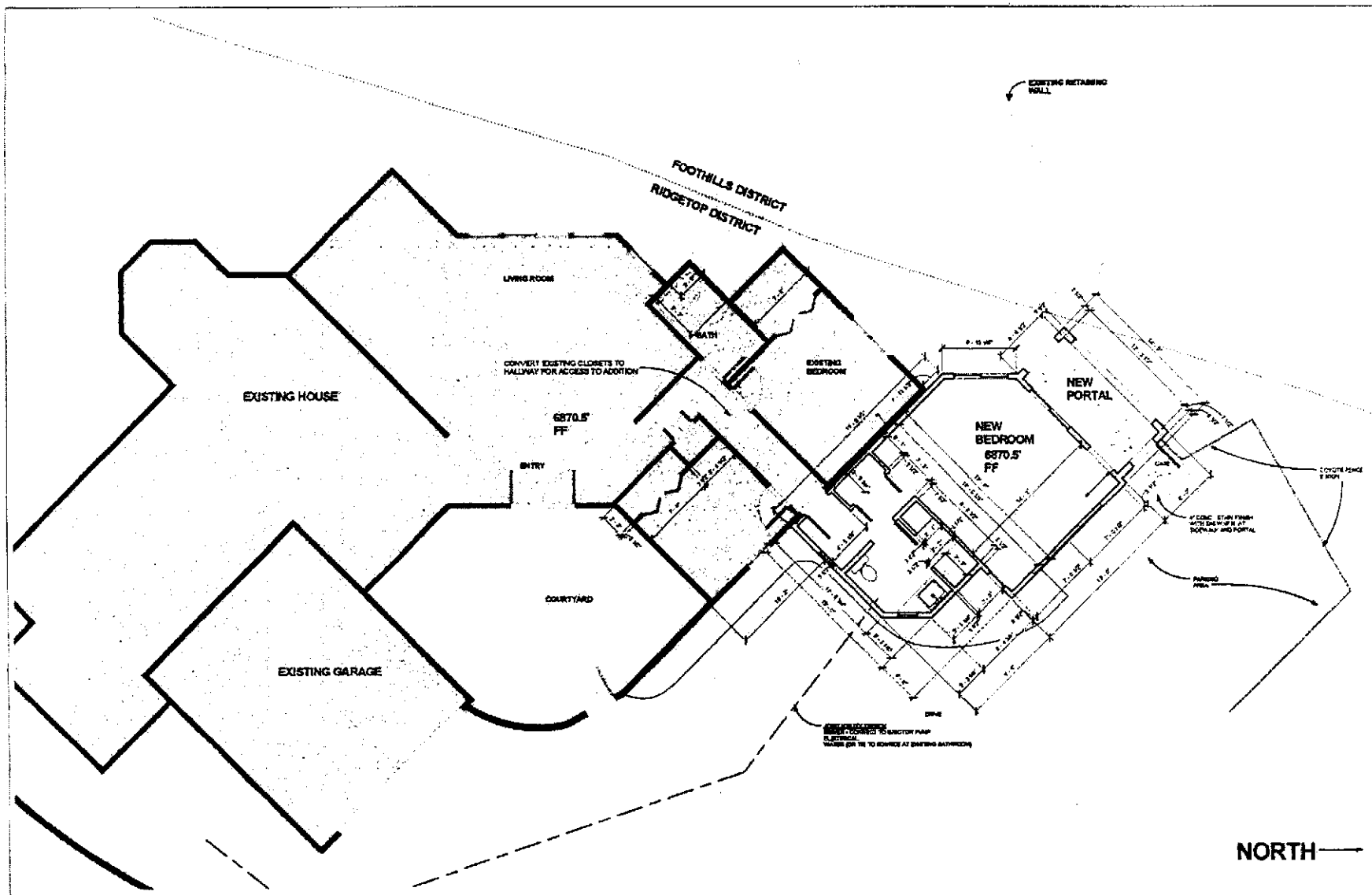
City of Santa Fe, NM

TERRAIN MANAGEMENT

DATE

CITY PERMIT REVIEW JUNE 28, 2010

Sheet No. A-1.2



1 FLOOR PLAN
1/4" = 1'-0"

Mathey and Associates Architects

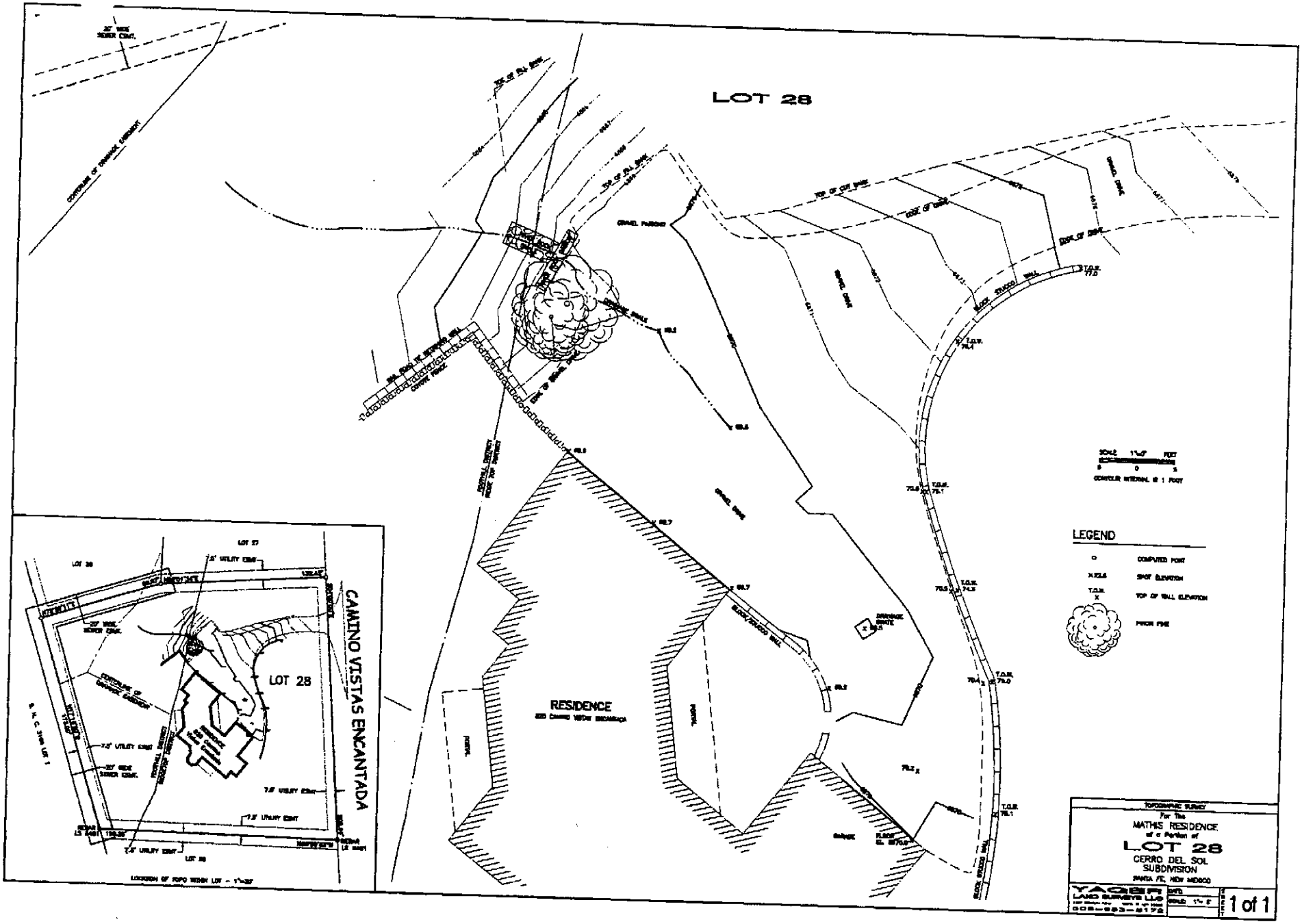
RESIDENTIAL REMODEL AND ADDITION
820 Camino Vistas Encantada
City of Santa Fe, NM

FLOOR PLAN

DATE

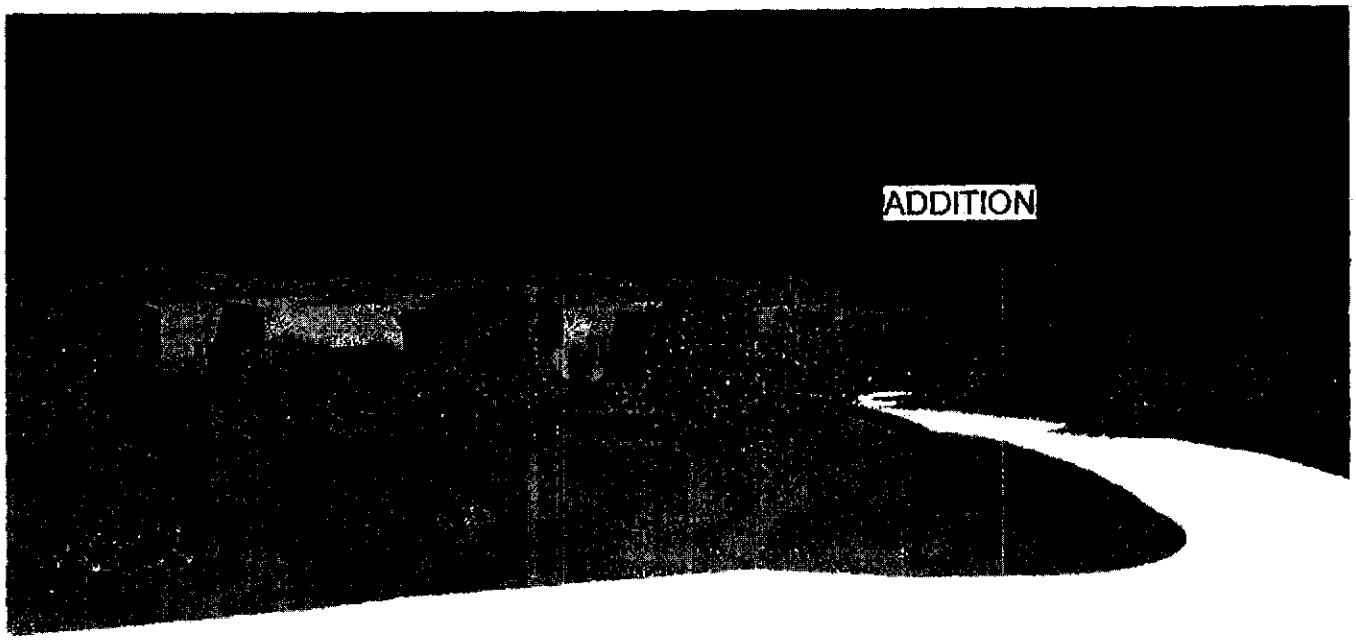
CITY FIELD REVIEW JUNE 26, 2012

Sheet No.
A-2.1


LOT 28
CONTOURS OF DRAINAGE EASEMENT
20' WIDE SEWER EASM.
TOP OF FILL SLOPE
TOP OF CUT SLOPE
EDGE OF SLOPE
GRAVEL DRIVE
GRAVEL PARKING
CONCRETE WALK
CONCRETE WALL
CENTRAL DISTRICT RIDGE TOP SURVEY
RESIDENCE
PORTAL
PATIO
DRAINAGE INLETS
BLOCK STUCCO WALL
T.O.W.
SCALE 1"=5' FEET
CONTOUR INTERVAL IS 1 FOOT
LEGEND
COMPUTED POINT
SPOT ELEVATION
TOP OF WALL ELEVATION
MAJOR PINE
CAMINO VISTAS ENCANTADA
LOT 27
LOT 29
7.5' UTILITY EASM.
LOT 28
LOCATION OF TOPO SEWER LOT - 1"=20'
TOPOGRAPHIC SURVEY
For The
MATHIS RESIDENCE
of a Portion of
LOT 28
CERRO DEL SOL
SUBDIVISION
SANTA FE, NEW MEXICO
YAGER
LAND SURVEYS LLC
505-983-8172
DATE
SCALE 1"= 5'
1 of 1

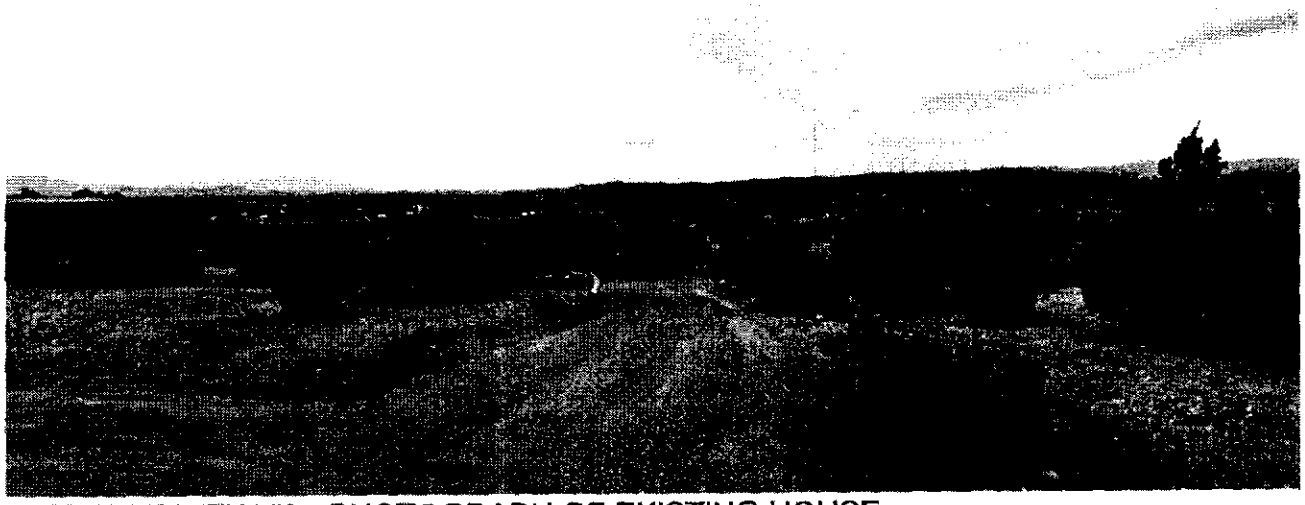
820 CM. VISTAS ENCANTADA
Street View #1

STREET VIEW #1 - PHOTOGRAPH OF EXISTING HOUSE



STREET VIEW #1 - RENDERING OF REMODEL

820 CM. VISTAS ENCANTADA
STREET VIEW #2



STREET VIEW #2 - PHOTOGRAPH OF EXISTING HOUSE

STREET VIEW #2 - RENDERING OF REMODEL

City of Santa Fe, New Mexico

memo

DATE: July 29, 2015 for the August 6, 2015 Planning Commission Meeting

TO: Planning Commission

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

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

455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER.

Case #2015-47. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Master Plan Amendments. WHR Architects, Inc., agent for Christus St. Vincent Regional Medical Center, request review and approval for Master Plan Amendments. (Dan Esquibel, Case Manager) (POSTPONED FROM JULY 2, 2015)

Case #2015-74. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Development Plan and Variances. WHR Architects, Inc., agent for Christus St. Vincent Regional Medical Center, request review and approval for a Development Plan to construct a 65,500 square foot addition on Tract A-I-3 containing 20.65± acres and Tract A-2 containing 9.29± acres, and four variances to include:

- Variance to the "Maximum Height of Structures" per Table 14-7.3-1: *"Table of Dimensional Standards for Nonresidential Districts"* to allow 49' where 36' is the maximum, and
- Variance to the "Maximum Height of Structures" per Subsection14-5.5(A)(4)"Standards" to allow 49' where 25' is the maximum, and
- Variance to the maximum size of sign per Subsection 14-8.10(G)(2) for C-l Districts to allow 80 square foot signs where 32 square feet is the maximum, and
- Variance to the maximum height of sign per Subsection 14-8.10(G)(4) for C-l Districts to allow a sign height of 37 and 46 feet where 15 feet is the maximum. (Dan Esquibel, Case Manager) (POSTPONED FROM JULY 2,2015)

Case #2015-75. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Special Use Permit. WHR Architects, Inc., agent for Christus St. Vincent Regional Medical Center, request review and approval for a Special Use Permit to permit a Hospital in a C-1 District to include the construction of a 65,500 square foot addition new inpatient bed wing, main entrance and lobby for the hospital. (Dan Esquibel, Case Manager) (POSTPONED FROM JULY 2, 2015)

Exhibit "6"

This staff report is revised and expanded in response to questions raised by Commissioners at the initial hearing on July2, or submitted in writing after the hearing. Tables comparing the current proposals to the 1985 and 2006 master plans have been expanded, and the portion of the staff report that addresses the variance requests has been revised in response to the applicant's revised submittals.

The applicant has provided additional information, including copies of the original master plan and a "recompiled" version of the master plan that includes all of the standards and plan sheets that will be in effect if the current applications are approved.

The packet also includes responses to the specific questions asked by Commissioners. These are primarily in the form of separate responses from various city staff members and from the applicant's traffic engineer and other consultants.

Changes to the Memorandum include the following:

- New Master Plan request by the applicant reference :
  - "As a clarification and Amendment to the Master Plan, we request that the signage throughout the campus be governed as recommended in the 1985 Master Plan." Reference *"Table 1 Scope of Requests"* on Page 3, *"Table 4 Development Summary – Current Application" on page 4*, and *"Table 5 Compiled 2015 Master Plan "on page 4.*
  - Addition of a 10,000 sf Storage Building located on Tract D, and
  - 1,800 Square Foot Central Utility Plant
- New Variance responses and Staff review (reference page 10 of the Memorandum):
  - to the "Maximum Height of Structures" per Table 14-7.3-1: *"Table of Dimensional Standards for Nonresidential Districts"* to allow 49' where 36' is the maximum, and
  - Variance to the "Maximum Height of Structures" per Subsection14-5.5(A)(4)"Standards" to allow 49' where 25' is the maximum, and
- Additional square footage information
- Staff recommendation and conclusion

This project contains several components noted above (Master Plan Amendment, four variances, Development Plan and Special Use Permit) and requires separate motions for each component. However, the review contained in this memorandum and discussion at the Planning Commission Meeting will be as a single project.

RECOMMENDATION:

Staff recommends that the Commission take the following actions for **Cases #2015-47, #2015-74** and **#2015-75** 455 St. Michaels Drive Christus St. Vincent Regional Medical Center" subject to conditions identified in **Exhibit A:.**

1. Recommend ***APPROVE*** of **Case #2015-47** "Master Plan Amendments" to the Governing Body subject to conditions of approval identified in Exhibit A and approved variances and Development Plan (reference *"Table 1 Scope of Requests"*, Master Plan Amendment).
2. ***APPROVE*** the following variances and Development Plan requests to Case **#2015-74**

- Variance to "Maximum Height of Structures" per Table 14-7.3-1: *"Table of Dimensional Standards for Nonresidential Districts"* to allow 49' where 36' is the maximum, and
- Variance to "Maximum Height of Structures" per Subsection14 5.5(A)(4) "Standards" to allow 49' where 25' is the maximum.
- Development Plan, subject to conditions of approval identified in Exhibit A and approved variances to building height.

3. ***DENY*** the following variances requests to Case **#2015-74**
   - Variances to the maximum size of sign per Subsection 14-8.10(G)(2) for C-1 Districts to allow 80 square foot signs where 32 square feet is the maximum, and
   - Variance to Maximum height of sign per Subsection 14-8.10(G)(4) for C-1 Districts to allow a sign height of 37 and 46 feet where 15 feet is the maximum.
4. ***APPROVE*** the special use permit subject to approval of the master plan, building height variances and development plan.

I. APPLICATION SUMMARY

A. Scope of Requests

The proposal is comprised four components requiring the following motions, decisions and recommendations:

The proposal is comprised four components requiring the following motions, decisions and recommendations:

Table 1 Scope of Requests

SCOPE OF REQUESTS	TYPE OF DECISION
Master Plan Amendment	**14-2-3(C)(1) Recommendation to the Governing Body**
Removal of the ring road,	
Revision of access restriction on Hospital Drive due to recent median changes and removal of left out from Entrance/Exit at St. Michael's Drive,	
Removal of parking area on the east side of the Existing Behavioral Science Building (45 spaces),	
Removal of Support Addition (10,000 sf),	
Removal of Future Critical Care Facility (8,500 sf),	
Removal of Proposed 2 Story Ancillary Building in Zone D (45,000 sf),	
Removal of Proposed Child Development Center (15,000 sf),	
Addition of a 10,000 sf Storage Building located on Tract D, and	
Adjustment of Area Boundaries that were created in 1985 that identified Floor Area Ratios, Maximum Building Heights and Open Space requirements,	
Amendment to allow the southern driveway on Hospital Drive remain as currently constructed. (Previous Condition Number 6, from the previous Master Plan, called for this intersection to become a right in –right out only.)	
1,800 Square Foot Central Utility Plant	
"As a clarification and Amendment to the Master Plan, we	

request that the signage throughout the campus be governed as recommended in the 1985 Master Plan." "We request that the signage for the campus be reviewed and approved at the discretion of the Land Use Director and be considered a minor modification of the Development Plan."	
Variances	**14-2-3(C)(3)** **Final Decision**
Variance to the "Maximum Height of Structures" per Table 14-7.3-1: *"Table of Dimensional Standards for Nonresidential Districts"* to allow 49' where 36' is the maximum,	
Variance to the "Maximum Height of Structures" per Subsection14 5.5(A)(4) "Standards" to allow 49' where 25' is the maximum,	
Variance to the maximum size of sign per Subsection 14-8.10(G)(2) for C-1 Districts to allow 80 square foot signs where 32 square feet is the maximum,	
Variance to the maximum height of sign per Subsection 14-8.10(G)(4) for C-1 Districts to allow a sign height of 37 and 46 feet where 15 feet is the maximum.	
Development Plan	**14-2-3(C)(1)** **Final Decision**
Development Plan to construct a 65,500 square foot addition	
Construct 1,800 Square Foot Central Utility Plant	
Supporting infrastructure including but not limited to: lighting, landscaping, trails, parking, noise compliance and offsite improvements.	
Special Use Permit	**14-2-3(C)(3)** **Final Decision**
Special Use Permit to permit a Hospital in a C-1 District to include the construction of a 65,500 square foot addition new inpatient bed wing, main entrance and lobby for the hospital.	

A lot line adjustment will be submitted separately pending the outcome of this case. The lot line adjustment is an administrative process.

The property is located at the northeast corner of St. Michaels Drive and Hospital Drive. Tract A-1-3 containing 20.65+ acres is zoned C-1 (General Office) and Tract A-2 containing 9.29+ acres is zoned HZ (Hospital Zone). Both Tracts fall within the South Central Highway Corridor and Suburban Archaeological Overlay Districts. Both tracts are included in the original master plan, but Tract A-2 is not directly affected by the proposed amendments.

The City granted archaeological clearance for the site on May 13, 2015.

Adjoining Properties
The surrounding zoning and land uses (reference Exhibit D – *"Adjoining Zoning Map"*):

Table 2 Adjoining Properties

Direction	Zoning	Use
North, Northeast	R-2 (Residential - 2 dwelling unit per acre) and R-1 (Residential - 1 dwelling unit per	Residential San Mateo Area Society of Homeowners

	acre)	(SMASH)
East	R-1 (Residential - 1 dwelling unit per acre) and HZ (Hospital Zone District) and C-1 (General Office)	Tennis Courts (R-1), W.K. Jones Subdivision (Calle Medico commercial development area) (C-1), Santa Fe Development Co. (HZ) and Branch Family Holdings (HZ)
West	C-1 (General Office) and HZ (Hospital Zone District)	Hospital Drive, FNBS Bank (C-1) and various medical business (HZ)
South	C-1 (General Office)	St. Michael's Drive and Vacant land

According to the September 27, 1984 "St. Vincent Hospital Campus Master Plan", the Hospital moved in 1977 from their downtown location of 228 East Palace Avenue to its present location at 455 St. Michaels Drive. At the time of relocation the hospital development consisted of approximately 234,000 square feet with the number of beds set by the State License at 231 beds. To date the New Mexico Department Of Health (DOH) currently has the Hospital licensed at 248 beds. The Hospital's application states that a request was filed with the DOH on February 20, 2015 to reduce the total number of beds down to 200 beds. Table 3 *"Development Summary – 2006 Master Plan Amendment"* below identifies both existing and proposed square footages for the Hospital campus identified on the 2006 Hospital Master Plan. Table 4 *"Development Summary – Current Application"* on page 6 identifies square footage changes proposed with this Master Plan amendment request and the 1985 Master Plan can be found in the packet attachments.

Table 3 Development Summary – 2006 Master Plan Amendment

Use	2006 Master Plan	
	Existing Buildings	Future Additions
	(Gross square feet)	
Zone A		
• Hospital	234,000	
○ Cancer Treatment Center	8,000	
○ Ambulatory Surgical Center	6,000	
○ Psychiatric Treatment Center	34,000	
○ Emergency Room Expansion	21,500	
○ Surgery Center	7,000	
○ Out Patient Services	4,000	
• El Norte Building	15,761	
○ Support Addition***		10,000
• Warehouse/Utility Plant	4,700	
• Critical Care Addition***		8,500
Zone B		
Medical Dental office building	60,000	
• Addition**		12,000
Zone C		

Physician's Plaza	52,000	
Zone D		
2 Story Ancillary Building***		45,000
Zone E		
Child Development Center***		15,000
Subtotal	**446,961**	**90,500**
2006 Master Plan Totals	**537,461**	

Table 4 Development Summary – Current Application

Proposed Building Changes		
	2015 Master Plan Amendment	
	Building Removal	**Future Additions**
	(square feet)	
Zone A		
Support Addition***	10,000	
Critical Care Facility***	8,500	
Proposed 2 Story Bed Wing*		65,500
Central Utility Plant*		1,800
Zone B		
Medical Dental addition**		12,000
Zone C		
No change		
Zone D		
2 Story Ancillary Building***	45,000	
Child Development Center ***	15,000	
Future Storage Building**		10,000
Subtotal	**78,500**	**77,300**
Proposed 2015 Master Plan Total	**536,216 (difference of -1,200)**	

*Proposed for development plan and construction with this application.
**Proposed for future development.
*** Proposed for Removal from the Master Plan.

Table 5 Compiled 2015 Master Plan

Compiled 2015 Master Plan		
Use	**Existing Buildings**	**Future Additions**
	(Gross square feet)	
Zone A		
• Hospital	234,000	
o Cancer Treatment Center	8,000	
o Ambulatory Surgical Center	6,000	
o Psychiatric Treatment Center	34,000	
o Emergency Room Expansion	21,500	
o Surgery Center	7,000	
o Out Patient Services	4,000	
• El Norte Building	15,761	
• Warehouse/Utility Plant	4,700	

• Proposed 2 Story Bed Wing*		65,500
• Central Utility Plant*		1,800
Zone B		
Medical Dental office building	60,000	
• Addition**		12,000
Zone C		
Physician's Plaza	52,000	
Zone D		
Future Storage Building**		10,000
Subtotal	**446,961**	**89,300**
2015 Master Plan Totals	**536,261**	

*Proposed for development plan and construction with this application.
**Proposed for future development.

B. Original Master Plan Approval and Regulatory Framework

The existing hospital has been developed pursuant to several city approvals granted over a period of nearly 50 years:

- The hospital apparently relocated from its historic downtown site to the current location in 1977, on a tract of land zoned C-1 that is somewhat smaller than the current site.
- In 1985, the C-1 zoning was expanded by Ordinance No. 1985-15, and Resolution 1985-36 approved a master plan for development of the site. The master plan comprised over 40 pages of text and several maps, copies of which are included in the applicant's submittals. That plan included a requirement that each phase of development receive approval of a development plan. It also approved building height limits that exceed normal C-1 regulations for various sub-areas of the site, and allowed more and larger signs than normally permitted.
- In 1985, the South Central Highway Corridor Overlay District (SCHC) was adopted, which includes 600 feet of the hospital property along St. Michael's Drive. Although the overlay regulations include a 25-foot building height limit, the code has been interpreted in the past to apply the master plan height limits in preference to the overlay height limits.
- In 2006, an amendment to the original master plan was approved by Resolution No. 2006-83, which included 15 conditions of approval and a revised site plan (reference Packet attachments).

After reviewing the history of the city approvals, city staff has determined that the following procedures apply to the current application:

- Although it is not clear under what authority the increased building height and signage provisions of the1985 master plan were approved, they remain in effect and take precedence over the C-1 and SCHC height limits.
- Approval of variance findings is required for master plan amendments that would exceed the 1985 height limits and the current height limits, or that would extend the boundaries of the sub-areas that have increased building height standards.

II. MASTER PLAN AMMENDMENT

The requested changes to the Master Plan are identified in Table 1 *"Scope of Requests"* on page 3 and the 2006 Master Plan Amendment is located in packet attachments. The criteria for approval for Master Plans state:

14-3.9(D) Approval Criteria; Conditions

(1) Necessary Findings
(Ord. No. 2014-31 § 5)

Approval or amendment of a master plan requires the following findings:

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

(b) the master plan is consistent with the purpose and intent of the zoning districts that apply to, or will apply to, the master plan area, and with the applicable use regulations and development standards of those districts;

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

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

The proposed square footage and type of use is consistent with the intent of the 1985 Master Plan and the 2006 Amendment. Although construction of the new wing within the original Area 1 Boundary would be consistent with the original plan, it is not clear that the application to relocate the new wing outside of the original "Area 1" is consistent with the master plan or with the overlay district standards. The request to adjust the boundary between Area 1 and Area 2 (reference Exhibit D-Maps "1985 Master Plan Areas Map "and "Area 1 and Area 2" and packet attachments) is predicated on the approval of two height variances to allow the proposed 41 foot high two story bed wing in Area 2. Without the variances the maximum height allowed in Area 2 applies (22 feet). The review for requested variances can be found in *Roman Numeral II* on Page 8 of this Memorandum. The criteria pursuant to *14-3.9(D) "Approval Criteria"* for the proposed Master Plan changes have been integrated throughout this Memorandum including recommendations and conditions.

The City Traffic Division has reviewed a traffic impact analysis for this request and those comments and conditions can be found in Exhibit B *"Traffic Engineering Division"*. Traffic Division recommendations and conditions are in line with the intent of the 2006 Master Plan Amendments.

Staff Response:
The applicants response to 14-3.16(C)(1) describes the unusual physical characteristics that distinguish the structure form others in the vicinity by uses and function (hospital), design and internal configuration. It is not clear that the particular use of the property is relevant to the variance criteria – the variance process is intended to permit use of property that would otherwise be unusable, not to accommodate a particular type or intensity of use. Several of the types of uses permitted in the C-1 might make an argument similar to the hospital's, and that argument would be more properly applied to support an amendment to the district standards than to variance requests. However, the functional problems cited by the hospital regarding interconnection of the existing building to any addition provide a clearer basis for consistency with (C)(1(a).

Applicant's response to 14-3.16(C)(2):
The term "infeasible" does not require the applicant to demonstrate that it would be "impossible" to develop the property in accordance with the standards of Chapter 14. Rather, the commonly understood meaning of "infeasible" includes "not easily or conveniently" accomplished. Additionally, the City of Santa Fe, in granting requests for variances, has historically not applied or interpreted the term "infeasible" to require an applicant to demonstrate that it would be impossible for the applicant to comply with the relevant provisions of Chapter 14 from which a variance is requested but only that it would be difficult to comply with the applicable standard. In this case, for the reasons stated below, it would be infeasible (as that term has been interpreted and applied in this context) for the applicant to comply with the height restrictions imposed by the South Central Highway Corridor District as to that portion of the new additional that falls outside of Area 1 from the 1985 Master Plan.

The connection height of the new addition is necessary to provide for a level floor-to-floor connection to the existing floors of the hospital. The location of the new addition as proposed would also provide connectivity to existing medical surgical units and associated support services, including radiological and the lab as well as the emergency department, surgical unit and the surgical recovery unit on the hospital's second level, as shown on the attached floor plan. The height of the proposed addition is higher than what would typically be required for a two-story commercial structure because of the existing structures' unusual 14 feet floor to floor height. It would not be acceptable to construct the new addition in such a manner that the floor level of the new addition would not match the floor level of the existing second level, with the different floor levels connected using ramps. This is because creating a sloped floor in a hospital is dangerous for transporting patients in wheel chairs and hospital beds.

The unusual characteristics of the structure also include its size and use as a hospital (because it is the only hospital in Santa Fe) and, by virtue of those characteristics, associated potential impacts on neighboring residential properties. These characteristics make it infeasible to locate the new addition on the north side of the existing structure and outside of the South Central Highway Corridor District because the new addition would be placed in close proximity to the adjacent residential neighborhood and result in adverse impacts, such as interference with views, disruption during construction, increased lighting and other impacts that would be unacceptable to and inappropriate to impose on the owners and occupants of those residential properties.

Placing the new addition on the north side of existing structure would also be infeasible because, as shown in the attached floor plan, the hospital's intensive care unit is located on the north side of the second floor and would create an obstacle to the connection with the existing medical surgical units and support services on the second level of the hospital. In contrast, locating the addition as proposed allows for an efficient and readily attainable connection to those existing units and facilities.

The foregoing justifications are all "reasons other than financial cost" because they relate to the medical needs, as well as the reduction in adverse impacts to the nearby residential neighbor, associated with the project as opposed to a desire to reduce the costs of the project.

Staff Response:
Staff concurs with the reasoning provided by the applicant for criterion listed in Chapter 14-3.16(C)(2) above. The Applicant's response starts by first addressing the word "infeasible" which is not defined in Chapter 14. An internet search provides the following definitions for the word "infeasible".

Table 6 Definitions

Google	***Merriam-Webster***	***The Free Dictionary***
	adjective: infeasible	
not possible to do easily or conveniently; impracticable.	*: not feasible : impracticable*	*not capable of being carried out or put into practice; "refloating the sunken ship proved impracticable because of its fragility"; "a suggested reform that was unfeasible in the prevailing circumstances"*

Staff's understanding of the intent of this provision, and the practice of the planning commission and board of adjustment, has been to require that the applicant demonstrate an exceptionally high level of physical, technical or other practical difficulty, other than cost, that would be required to comply with the applicable standard.

Staff believes that the special circumstances related to interconnection with the existing building do establish that it is infeasible to develop the property in compliance with the standards.

Applicant's response to 14-3.16(C)(3):
The term "intensity" is defined in Chapter 14 to mean the "extent of development per unit of area; or the level of use as determined by the number of employees and customers and degree of impact on surrounding properties such as noise and traffic." The new private bed addition will be constructed in conjunction with the conversion of existing medical surgical semi-private rooms to private rooms. As a result, the renovation, including the construction of the new addition, will result in the addition of only six new medical surgical beds. Thus, the intensity of the proposed addition is extremely low and would not exceed what is allowed on other properties in the vicinity that are subject to height restriction imposed by the South Central Highway Corridor. Those properties, located along St. Michaels Drive in the vicinity of hospital, are zoned C1 and HZ, both of which permit hospitals as a special use.

II. VARIANCE

As noted above, approval of variance findings is required for master plan amendments that would exceed the 1985 height limits and the current height limits, or that would extend the boundaries of the sub-areas that have increased building height standards.

The following findings are required for variance approval:

14-3.16(C) Approval Criteria
Subsections 14-3.16(C)(1) through (5) are required to grant a variance.

14-3.16(C)(1) One or more of the following special circumstances applies:

(a) unusual physical characteristics exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14, characteristics that existed at the time of the adoption of the regulation from which the variance is sought, or that were created by natural forces or by government action for which no compensation was paid;
(b) the parcel is a legal nonconforming lot created prior to the adoption of the regulation from which the variance is sought, or that was created by government action for which no compensation was paid;
(c) there is an inherent conflict in applicable regulations that cannot be resolved by compliance with the more-restrictive provision as provided in Section 14-1.7; or
(d) the land or structure is nonconforming and has been designated as a landmark, contributing or significant property pursuant to Section 14-5.2 (Historic Districts).

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

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

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

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

14-3.16(C)(5) The variance is not contrary to the public interest.

There are two height variances and two sign variances with the Master Plan.

A. Height Variances.
The first request is triggered as a result of the proposed adjustment to Area 1 and 2 of the proposed Master Plan amendment, and the construction of a 2 story structure that straddles both Areas and exceeds the maximum heights of structures allowed within a C-1 District and South Central Highway Corridor Overlay District (SCHC). The Hospital is proposing a 41 foot high two story build where 36 feet is the maximum height allowed within a C-1 District and 25 feet is the maximum allowed within the SCHC District. Within the C-1 District, height is measured from finished grade to the top of the parapets and for height measurement within the SCHC District, maximum height is measured from finished grade to the roof deck. Chapter 14 provides exceptions to height allowing *"chimneys, antennas, ventilators, elevator housings or other non-freestanding structures placed on and anchored to the roof of a building and not intended for human occupancy, by up to eight (8) feet for mixed use and nonresidential structures."*

The height variances are specific and affect only the region of the adjusted area between Area 1 and 2 in order to include that portion of the proposed building within Area 1 that otherwise would be in area 2. The variance requests will allow the 2 story building to exceed maximum heights within the C-1 District of 5 feet and 16 feet within the SCHC District, as well as, recognize the proposed Master Plan area boundary adjustment between both Areas 1 and 2. Therefore, if the variances to height are approved, maximum height limits for a portion of the 2 Story Bed Wing building and the adjusted portion of Area 1 will be set to a maximum height of 41 feet, leaving the balance of the new Bed Wing building and the unaltered region of Area 1 subject to the Area 1 Master Plan entitlements identified below.

Area 1 (Hospital & Environs)
Maximum Building Height: 65 feet

Area 2 St. Michaels Drive)
Maximum Building Height: 22 feet measured at the building setback line from St. Francis Drive

Applicant's response to 14-3.16(C)(1):
The existing hospital facility has several unusual physical characteristics that distinguish it from other structures in the vicinity that are subject to the same relevant provisions of Chapter 14. The hospital is the only hospital in Santa Fe and, as a result, it has unique and unusual characteristics that are integral to the structure's use and operation as a hospital, including existing medical surgical bed units, various units, such as the intensive care and surgical units, devoted to particular types of medical services, an emergency department and all of the various support services, such as labs, radiology and other services that support the provision of health care to patients of the hospital.

By virtue of being a hospital, the existing structure has unusual existing characteristics in its design and configuration, including the existing triangular medical surgical bed units and their relationship and proximity to existing support services within the existing structure. The existing structure is also unusual relative to other structures in the vicinity as a result of the hospital's size and use, and that size and use, as well as the structures' existing layout, create an unusual condition relative to the surrounding residential neighborhood. Simply put, the hospital, including its use, design and internal configuration, is unique to Santa Fe.

Staff Response:
Two basic questions are relevant under (C)(3): is there an increase in the intensity of use of the property; and does the intensity exceed that which is allowed on other properties. As pointed out by the Applicant's response, the increase in intensity of the medical surgical functions is relatively low. The first floor expansion under the surgical floor, and the expansion of the storage building also constitute a modest increase in intensity.

Comparison to the intensity allowed on other properties that are located in the C-1 zone and/or the SCHC Overlay Zone is not a clear-cut evaluation, because there are no other hospitals or other non-residential uses with such a large campus. For many factors, the hospital's intensity is similar to other C-1 uses. Floor area ratio, lot coverage, traffic generation per acre, employees per acre and noise levels appear to be similar to other office and medical office uses located nearby. The height and scale of the hospital buildings are somewhat greater than most of the others that are nearby, although those factors are not specifically addressed in the "intensity" regulation. The information submitted provides qualifying factors to the criteria specific to 14-3.16(C)(3) above.

Applicant's response to 14-3.16(C)(4):
As explained by Jason Adams, the hospital's Chief Operations Officer, at the Planning Commission meeting on July 2, 2015, the construction of the new addition is part of and will make possible the conversion of the hospital's semi-private medical-surgical rooms to private rooms and will result in all of benefits associated with private hospital rooms, including reduced infection rates, reduced patient stress, increased patient safety, and possibility of overnight stays by a patient's family members. Thus, the new addition will most certainly make possible a "reasonable use" of the property.

The variance is also the minimum variance that will make it possible to construct the new addition. No heights are requested beyond that which would provide for the structurally appropriate connection to the existing structure in a manner that will accommodate its unusual characteristics and as necessary for the safe and efficacious delivery of health care services to the hospital's patients while at the same time avoiding adverse impacts to the adjacent neighborhood that would otherwise occur by locating the new addition on the north side of the property.

This part of the variance criteria states that the "factors" in subparts (a) and (b) shall be "considered." This terminology means only that the factors in subparts (a) and (b) will be weighed or taken in consideration but they are not decisive in determining whether the variance is "the minimum variance that will make possible the reasonable use of the land or structure." Historically, the first factor, which asks "whether the property has been or could be used without variances for a different category or lesser intensity of use," has not been strictly enforced by the City in deciding whether to grant variances. It would be an extremely rare situation in which the applicant for a variance would be able to demonstrate that the property in question could not be used without a variance or for lesser intensity of use. This would essentially require the applicant to demonstrate that no use could be made of the property unless a variance is granted, and that has not been the standard applied by the City in granting variances and is not required under New Mexico law for the purpose of granting dimensional variances.

In this case, the property is zoned C1 and could obviously be used for less intensive uses than a hospital, but that does not mean that the height variance requested is anything more than "the minimum variance that will make possible the reasonable use of the land or structure."

In response to subpart 4(b) of the criteria, Section 14-3 of the Code states that one of the goals of Chapter 14 is to accomplish "a coordinated, adjusted and harmonious development of Santa Fe that will best promote health, safety, order, convenience, prosperity and the general welfare...." This project will certainly do that for all of the various reasons explained by Mr. Adams to the Planning Commission.

Pages 25 to 26 of the application report submitted for the project identify particular provisions from the City's General Plan in further support of this part of the criteria. Section 1.7.2 of the General Plan states that one goal of the General Plan is to "[e]nhance the quality of life of the community and ensure the availability of community services for residents." The same section states that the "General Plan seeks to promote the interests of the community-at-large over private ones." Earl Potter, on behalf of the applicant and in support of the proposed addition, explained to the Planning Commission that the new addition is intended to meet the community-wide need for "21st century [hospital] rooms to receive the best health care."

Staff Response:
There are several components to evaluate whether the requested variance is "the minimum variance that will make possible the reasonable use of land or structure".

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

Determining "reasonable use" involves evaluation of (a) and (b); there is no separate definition of that term.

The first component – whether the property has been or could be used without variances for a lesser intensity of use – is linked to a term that is undefined within Chapter 14, "reasonable use". Staff concurs with the Applicant's response to 14-3.16(C)(4) in that, the Applicant has presented a fair evaluation and argument to establish qualifying factors to the criteria specific to 14-3.16(C)(4) above. However, it is up to the Planning Commission to evaluate the information presented to establish whether this is a "minimum variance that will make reasonable use of land or structure".

Additional analysis is relevant with regard to the purpose and intent of the applicable regulations. The Commission must find that the variance is consistent with the purpose and intent section of the SCHC Overlay District:

SCHC South Central Highway Corridor Protection District
Purpose and Intent
(1) Because openness, quiet and continuity adjoining the highway corridors in the south central section of the city is considered a special asset that should be retained as the area develops, it is the intent of the SCHC district to:

(a) establish a clear sense of visual openness and continuity of development, as seen from major highway entrances to Santa Fe;
(b) protect the openness and continuity of the existing landscape by retaining and planting native and other drought-tolerant, low maintenance trees, shrubs and groundcovers;
(c) ensure that landscaping provides an appropriate and attractive visual buffer, compatible with neighborhood landscaping character; conserves water by use of storm water collection and drip irrigation systems; and screens transformers and loading areas or outdoor storage;
(d) encourage the use of architectural style and scale that is representative of Santa Fe; and
(e) preserve clean air and a sense of quiet and reduce the potential negative impacts of noise, air pollution, lights, movement of cars, activities on site or other nuisances on adjoining properties.

The General Plan does not include policies that specifically address the South Central Highway Corridor or the hospital district.

Although the hospital master plan was adopted prior to the SCHC ordinance, the SCHC regulations do not specifically address the hospital master plan or that type of use. It isn't clear whether that was by intent, or was an oversight. The properties and streetscape within the South Central Highway Corridor vary in zoning, use and intensity. This adds to the complexity of the overlay when taking into account the overlay's purpose and intent when evaluating what is a "minimum variance that will make possible the reasonable use of the land or structure" against the strict application of the standards (reference Exhibit E). It is up to the Planning Commission to evaluate the information presented to determine compliance with 14-3.16(C)(4).

Applicant's response to 14-3.16(C)(5):
The granting of the height variance is not contrary to the public interest because it will allow the hospital to provide private hospital rooms with all of the associated benefits with minimal impacts to surrounding properties.

Staff Response:
As a regional trauma center the Hospital is an invaluable resource to the City of Santa Fe in both emergency and health care, but also, employment, economic development and gross receipts. Yet its land use and development is not without physical impacts both positive and negative to the area, adjacent neighborhoods and city resources. The proposed variances when viewed holistically and in conjunction with the goals and policies of the Hospital Master Plan "to better serve the public" to "provide the highest quality healthcare", states that "the height variance is not contrary to the public interest because it will allow the hospital to provide private hospital rooms with all of the associated benefits with minimal impacts to surrounding properties." Given the applicants responses to 14-3.16(C)(1) through (4), the applicant has presented information specific to the subject site to support that granting the proposed height variances would not be contrary to the public interest, establishing overall qualifying factors to the criteria specific to 14-3.16(C)(5).

B. Sign Variances
The Hospital's two sign variance requests are to take down the existing signs in their current locations and put up two new signs in new locations.

The existing signs were permitted in 2008 (permit 08-1870) as two 40 square foot Hospital identification signs. The new sings will be one 80 square foot Hospital identification sign with a Hospital logo comprising 16 square feet and the second sign will be a 16 square feet Hospital logo The Hospital's existing signs are located near the Cancer Center and at the visitor entrance of the Emergency Department at the main entrance. The new 2 story bed wing building will block visibility of these signs once constructed. The Hospital is requesting to eliminate the old signs and location with the new signs at more visible locations once the 2 story bed wing building is constructed. The new signs and sign location require variances to height and size with in a C-1 district.

The proposed new logo location will be placed at a height of 37 feet above finished grade near the main entrance door and the identification sign will be located on the stone accent wall placed at a height of 45 feet above finished grade (unaltered region of Area 1). The maximum height of signs within a C-1 District is 15 feet and maximum size of signs within a C-1 District is 32 square feet. The applicant's submittals identify that City approval was granted for existing signs in 2007. The building permit allowing the change from St. Vincent's hospital to Christus St. Vincent's was actually issued in 2008 (permit 08-1870). The permit allowed 33 signs including directional, logo and identification signs.

The applicant has identified responses to the variance criteria listed above and can be found in Exhibit F - *"Applicant's Data"*.

The applicants response to 14-3.16(C)(1) addresses compliance to this criterion by identifying that the new patient bed wing will compromise visibility of two existing 80 square foot signs located on the firsts and second levels of the main entrance. The application states that the signs will *"no longer be visible to patients and visitors from the parking areas,"* and that *"the sign at the Emergency Department misleads visitors into thinking that is a main entrance."* The application adds that signs *"serve as wayfinding for patients and visitors and identify the main entrance of the hospital."*

While these issues describe a need to relocate the existing signs they do not address issues relevant to size and allowed height of signs in a C-1 district. Nor does the information explain how this relates to unusual physical characteristics that exist that distinguish the land or structure from others in the vicinity that are subject to the same relevant provisions of Chapter 14. This is further complicated by the fact that the variance requests to height for the new patient bed wing are uncertain. Additionally, the building permits issued (permit #08-1870) for new signs for the Hospital in 2008 permitted two 40 square foot signs that replaced existing 40' square foot signs in a like for like manor to address nonconformity. No information regarding height of signs or how these signs became 80 square feet in size is available.

The application also states that *"the first of these signs needs to be visible from St. Michael's Drive that is approximately 450' to the driveway at St. Michael's. The distance is increased if we include the driver's response time to slow and turn into the facility. Stopping sight distance from 45 mph is 310'. For the south-east facing sign this distance becomes about 640'."* However, the information fails to indicate that there is an approximate 117 square foot sign located at the intersection of Hospital Drive and St. Michaels Drive, 80 square foot signs at all entrances along Hospital Drive and St. Michaels Drive each approximately 16 feet in height that establish identification and direction as well as, a multitude of directional signs approximately 20 square feet in size, 10 feet high within the campus.

Staff is unable to support the sign variances for height and size at this time. The qualifying factors for a variance have not been satisfied.

III. DEVELOPMENT PLAN

A. Existing Conditions

The Hospital property comprises four tracts totaling 44.15± acres. The hospital's 2 story 65,500 square foot new inpatient bed wing is proposed on Tracts A-1-3 (comprising +/- 22.55 acres) and on Tract D (comprising +/- 7.39 acres).

Existing construction for the Hospital is listed in Table 3 *"Development Summary – 2006 Master Plan Amendment"* page 5 of this memorandum. According to the Hospital Master Plan the proposed inpatient bed wing is being located within Area 1 and Area 2 of the Master Plan. The Applicant has proposed to adjust the boundaries between the two areas in order to incorporate the inpatient bed wing within Area 1.

Wet utilities consist of city services and Dry utilities consist of electric, phone, and gas. A flood zone runs along the boundaries of Tracts A-2 and Tract D.

B. Access and Traffic

Access onto the Hospital Campus can be achieved from either St. Michaels Drive or Hospital Drive. Two driveways obtain access directly off Hospital Drive and one driveway directly access off St. Michaels Drive. A traffic impact analysis for the proposed development has been provided.

The City Traffic Engineer will be available at the Planning commission meeting for question. Comments received from the Traffic Division state:

> *"Based on the submitted TIA, the intersection of Galisteo/San Mateo is projected to fail during the implantation year (2017) of the proposed 65,500 square foot development. The proposed 65,500 square foot development is expected to contribute 17.52% of the total traffic at this intersection.*
>
> *This intersection can be improved with implementing either a roundabout or a traffic signal."*

Traffic Engineering Division comments can be viewed on Exhibit B - *"Traffic Engineering Division"* and Traffic Engineering conditions have been incorporated in Exhibit A.

C. Parking and Loading

Parking was analyzed for hospital, medical center, and other treatment facilities. Santa Fe City Code, Section 14-8.6-1, *"Exhibit A Table 14-8.6-1 Parking and Loading Requirements"*, establishes parking standards for "Hospitals" as follows:

Table 7 Parking and Loading

EXHIBIT A TABLE 14-8.6-1: Parking and Loading Requirements		
Category	**Specific Use**	**Parking and Loading**
Hospital	Hospital, medical center, other treatment facilities	One space per four beds, plus the number required, based on square feet measurement, for office, clinic, testing, research, administrative, teaching and similar activities associated with the principal use, at one space per each 350 square feet of net leasable area except for teaching facilities, which shall be one per each four seats
Office	Medical Offices	One space per each 200 square feet of net leasable area

Building	**Net Leasable** Area Square Feet	**USE**	**Required Parking Spaces**	**Total Provided**
Zone A				
Hospital Complex	205,000	Licensed Beds: 248 (200 reduction request) plus Admin./Office/Clinic	638 (650)	
New 2 Story Bed wing	32750	Beds included with Hospital Admin./Office/Clinic	89	
El Norte Building	15,353	One space per each 200 square feet of net leasable area	77	
Warehouse/Utility Plant	4,465	One space per each 200 square feet of net leasable area	22	
Central Utility Plant	1800	N/A		
Zone B				
Medical Dental office building (including Addition)	68,400	One space per each 200 square feet of net leasable area	342	
Zone C				
Physician's Plaza	41,500	One space per each 200 square feet of net leasable area	208	
Zone D				
Future Storage Building	9500	One space per each 200 square feet of net leasable area	48	
		TOTAL	**1421 (1433)**	**1492**

Zone E has been eliminated.

ADA parking will be evaluated at the time of building permit review.

D. Loading
The loading provides adequate loading and unloading operation without compromise to parking, public streets, walkways or alleyways. Loading is located on the north side of the hospital.

E. Bicycle Parking
Santa Fe City Code, Table 14-8.6.3, establishes a ratio of required bicycle parking spaces relative to the number of vehicle parking spaces of a development. Hospital exceeds 151 vehicle parking spaces requiring 25 the applicant did not include bicycle parking in the development plan for review. The applicant is required to provide 25 bicycle parking spaces.

F. Landscaping
The plans appear to meet applicable minimum standards for landscaping, including the percentage of the lot that is open space, provision of a 15-foot landscaped buffer adjacent to residential uses, and interior planting and perimeter screening for the parking lot. A detailed review of plant material, tree locations, etc., will be done at the time of construction permits.

The Landscaping plan complies with the Development Plan process *(reference Exhibit B – "Landscaping")*. DRT conditions have been incorporated in Exhibit A. Detailed review of landscape and irrigation design is typically finalized at the time building permit review.

G. Trails
The applicant will utilize the proposed emergency fire access road as part of the bicycle and trails rout. The trail will continue north along the north property line and connect to Camino Teresa. The proposed trails rout will be dedicated to the city and will integrate with the City's Trails Master Plan. Comments and conditions from the Metropolitan Planning Organization (MPO) are located in Exhibit B. MPO conditions have been incorporated into Exhibit A.

H. Terrain Management
Stormwater ponding for as part of building review for the proposed New Inpatient Bed Wing, no negative comments or conditions have been received from Land Use Technical Review Division (reference Exhibit B - *"City Engineer for Land Use Department Terrain Management and Lighting"*). The Terrain Management conditions have been incorporated with in Exhibit A - *"Conditions"*.

I. Solid Waste
The facility utilizes a large compactor at the loading dock for their refuse service. No negative comments have been received by City Environmental Services (reference Exhibit B - *"Environmental Services"*).

J. Waste Water
The hospital is serviced by city Waste Water. No negative comments have been received from City Waste Water Management Division (reference Exhibit B - *"Waste Water"*). Conditions received require incorporating notes on the Development Plan. The Waste Water Management Division conditions have been incorporated with in Exhibit A - *"Conditions"*.

K. Water – Fire Protection

The Hospital has a water meter for a 6" domestic service at the corner of Hospital Drive and St. Michael's Drive. The Hospital did not provide water use estimates for the proposed 2 Story Bed Wing. The Hospital identified that the new building was only changing the location of existing beds, and that this change did not affect existing water use. However, while staff concurs with the water use on existing beds, there is an increase in water use as a result of new landscaping added to the campus, along with the first floor of the new 2 Story Bed Wing. While the second floor is slated for bed use the first floor (32,750 square feet) is designated for office and clinical use.

The applicant is proposing to sprinkle the new building. Additionally, there are two 8" fire services, one the corner of Hospital Drive and St. Michael's Drive and the second off St. Michaels Drive. Both fire services connect to a loop around the main Hospital.

No negative comments have been received by the City Water Division or the City Fire Marshal (reference Exhibit B- "Water & Fire"). Fire Marshal conditions have been incorporated with in Exhibit A - "Conditions". Staff will continue to work with the applicant regarding Chapter 14-8.13 and Chapter 25 for Development Plans and Phased Projects. A water budget addressing both areas of the city code will need to be addressed prior to moving forward to the Governing Body for review.

L. Lighting

The applicants have provided a photometric analysis. The lighting plan shows 24 foot high pole mounted fixtures with LED Lamps placed throughout the campus. The analysis identifies the average foot candle (Fc) units at 0.99 Fc with the max at 1.6 Fc. The goal of the Hospital is to meet 0 Fc at the perimeter to bring lighting into compliance.

Comments received from Technical Review identify Outdoor lighting for the proposed new building will meet the requirements of Article 14-8.9 (Reference Exhibit B – *"City Engineer for Land Use Department Terrain Management and Lighting"*).

M. Architecture

The two story addition will be located and attached to the south portion of the Hospital, north of the hospitals St. Michael's entrance. The Hospital architecture appears to be a simplified Spanish Pueblo Revival form of architecture with block massing. The new addition does not contain block massing similar to the hospital and appears lean more on the contemporary side.

The applicants report states that *"The proposed building has been designed in conformance to the Architectural Points Standards in Subsection 14-8.7 (C) of the Code. We have addressed each of the criteria and feel this project exceeds the requirements of the Architectural Points Standards."* Staff was unable to locate a preliminary architectural point's analysis addressing of Chapter 14-8.7. Staff will confirm compliance at the building permit stage.

N. 14-3.8(D) Approval Criteria

To approve a development plan, a land use board must make the following findings:

(a) that it is empowered to approve the plan under the section of Chapter 14 described in the application;

(b) *that approving the development plan will not adversely affect the public interest; and*

(c) *that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.*

IV. SPECIAL USE PERMIT

The Santa Fe City Code requires A Special Use Permit review and approval for a Hospital use within a C-1 District. The Development Plan review in the previous section of this report provides site development information necessary to document the type and extent of development proposed. The site is also located within the "South Central Highway Corridor" (SCHC) adopted in 1986.

A special use permit is granted for a specific use and intensity. Pursuant to Section 14-3.6(D) (*Approval Criteria and Conditions*), to grant a special use permit the Planning Commission shall make the following findings:

Necessary Findings
14-2.3(D)(1)(a)- (Authority): *"that the land use board has the authority under the section of Chapter 14 described in the application to grant a special use permit;"*

Staff Analysis
The Hospital submitted a Development Plan as a part of the application. Pursuant to Santa Fe City Code Section 14-2.3(C) (*Powers and Duties*), the Planning Commission is granted the authority to take action on a special use permit if it is part of a development plan or subdivision request.

14-2.3(D)(1)(b)- (Public Interest): *"that granting the special use permit does not adversely affect the public interest, and"*

Staff Analysis
The Governing Body has implemented the General Plan as stated in Section 14-1.3 (*General Purposes).* The resulting ordinances establish minimum standards for health, safety and welfare affecting land uses and developments as a means to protect the public interest from within the municipality. The city has reviewed the proposed Special Use Permit application in accordance with these ordinances. As outlined in this memorandum together with recommended conditions, the proposed Special Use Permit application complies with minimum standards of Chapter 14 SFCC.

14-2.3(D)(1)(c)- (Compatible With And Adaptable To): *"that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration."*

Staff Analysis
There are two components within the third required finding. First, that the use is compatible with, and adaptable to, any associated buildings, structures, and uses of the abutting property and other properties in the vicinity of the premises under consideration; and second, that any associated buildings are compatible with, and adaptable to, buildings, structures, and uses of the abutting property and other properties in the vicinity of the premises under consideration. The application complies with this finding for the following reasons.

The first component is established by Chapter 14 Table 14-6.1-1- "*Table of Permitted Uses*" (reference Exhibit E for copy of table excerpt). Under the *"Specific Use Category", "Hospitals and Extended Care Facilities"*, "*Hospitals*" is identified as an allowable use subject to approval under the provisions of Section 14-3.6 (*Special Use Permits*). City code establishes *Hospitals* as a *Institutional* use permissible within an C-1 District provided a special use permit is granted. Future Land Use Map also identifies the Hospital property as Institutional. The Hospital was established at the 455 St. Michaels Drive Location in 1977 followed by a Masterplan backed by Resolution in 1986. The proposed use is adaptable to buildings in the vicinity provided licensing requirements, as defined by the State of New Mexico relating to operations, and Chapter 14 SFCC related to zoning, have been satisfied. The proposed Hospital Special Use Permit request fits the definition of the Hospital. Chapter 14 defines a "Hospital" as follows:

> *HOSPITAL*
>
> *An institution providing primary health services and medical or surgical care to persons, primarily in-patients, suffering from illness, disease, injury, deformity or other abnormal physical or mental conditions, and includes, as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.*

The existing use and proposed additions will contain elements that will generate noise, traffic or other impacts. However, recommended conditions for approval provide additional measures to help mitigate these issues.

The issue of noise from generators from adjoining neighbors has been raised. All mechanical equipment is required to meet the noise standards for residential districts in Section 10.2-5 (50 dBA nighttime, 55dBA daytime). The applicant conducted a noise analyses on June 7, 2015 (5:PM). No information has been provided to the Land Use Department pertaining to the results of the study or mitigation measures. The Traffic comments are addressed in City Traffic review (reference Exhibit B – "Traffic Engineering Division").

The second component requires that any associated buildings are compatible with, and adaptable to, buildings, structures, and uses of the abutting property and other properties in the vicinity of the premises under consideration. This component was partially addressed within the Variance review section under "*Staff Analysis for Building Height Variance (page 8)*" and Development review sections under "*Architecture (page 20)*" and of this memorandum.

There are no code definitions for *"compatible with"* and *"adaptable to"*. In order to gauge compliance to this finding the Planning Commission will need to evaluate the information submitted by the applicant to establish whether the new construction is *compatible with* abutting buildings, structures, and uses of the abutting property.

VII. EARLY NEIGHBORHOOD NOTIFICATION (ENN)

The applicant conducted two ENNs for this project. The first ENN was held on March 17, 2015 at the Santa Fe University of Art & Design - Forum Lecture Theater at 1600 St. Michaels Dr. Road and was well attended.

The applicant presented the project followed by a series of questions by the audience that were answered by the applicant. The concerns raised were:

- Landscaping along the north property line.
- The wheel chair trail path along the north property line.
- Increased traffic.
- Increased noise of the development.
- Trust between the Hospital and the Neighbors

The applicant has advised staff they intend to meet with concerned neighbors and a mediator on June 25. City staff does not participate in that type of meeting, and results are not binding on action by the Commission.

Correspondence from the neighborhood has been submitted and can be viewed in Exhibit G.

VII. CONCLUSION

The applicant has complied with all application process requirements. The applicant conducted a pre-application meeting on October 30, 2014, ENN on March 17, 2015 and complied with notice requirements pursuant to Section 14-3.1(H).

The proposed Master Plan Amendments identified a reduction in total building square footage by 1,200 square feet and is not out of line with the 1985 Master Plan. The proposed changes in overall design are supported by the proposed Development Plan which incorporates improvements to infrastructure in order to support proposed phased development (subject to conditions). However, Staff is unable to support the proposed sign variance requests at this time the applicants have not satisfied the variance criteria.

Variances are intended to be provide relief for properties with unique physical characteristic, and not as a substitute for code amendments or rezoning. The applicant has presented a reasonable argument for variances to hospital buildings. However, a code amendment or rezoning application may be a better resolve over the need for variances.

If after consideration of the facts the Planning Commission recommends approval of the building height variances to the Governing Body, the balance of the Master Plan, Development Plan and Special Use Permit are compliant subject to staff conditions. It should be noted that height limits within the region of Area 1 and Area 2 if the boundary is adjusted without the variances, will be subject to 22 feet high. This would require the applicant to redesign the Bed Wing addition to match Master Plan height limits commensurate within Area 2.

The Development Plan is specific to the construction of a 65,500 square foot two story Hospital Bed wing and 1,800 square foot Central Utility Plant. Traffic, parking, terrain management, landscaping, wet utilities, fire, refuge and lighting have been evaluated subject to city code standards. However, this proposal is predicated upon variances to building heights within the C-1 and SCHC Districts.

The hospital use was not required a Special Use Permit when it moved to 455 St. Michaels Drive in 1977. However, in 1985 the City approved the Hospital Master which was supported by City Resolution. The 1985 Master Plan identified goals and policies in hospital care, as well as, design standards in effect today.

The Special Use Permit will not adversely affect the public interest, and the use and any associated buildings are adaptable to buildings, structures and uses of a C-1 District. It is unclear whether the architecture compatibly of the proposed Bed wing commensurate with existing Hospital Architecture is compatible. The Planning Commission will need to evaluate the information provided to assess appropriate architectural compatibility.

The Land Use Department has determined that the proposed applications can comply with the necessary approval criteria for Master Plan amendment, Development Plan and Special Use Permit provided the variance request to heights are approved. Should the Planning Commission approve the Variances to building height, Development Plan, Special Use Permit and make favorable recommendations to the Governing Body for the Master Plan amendment, Staff recommends the conditions listed in Exhibit A.

EXHIBITS (new material in identified by bold font)

Exhibit A- Conditions of Approval

Exhibit B - DRT comments

1. Archaeological clearance (no change reference original packet material)
2. **Traffic Engineering Division (new material)**
3. City Engineer for Land Use Department Terrain Management and Lighting (no change reference original packet material)
4. Landscaping (no change reference original packet material)
5. Environmental Services (no change reference original packet material)
6. Waste Water (no change reference original packet material)
7. Water (no change reference original packet material)
8. Fire (no change reference original packet material)
9. **Metropolitan Planning Organization (MPO) (new material)**
10. **Technical Review Water Budget (new material)**
11. **Commission question responce**

Exhibit C- ENN (no change reference original packet material)

1. ENN Notes
2. Guideline Questions

Exhibit D- Maps

1. 1985 Master Plan Areas Map (no change reference original packet material)
2. Area 1 and Area 2 Map (no change reference original packet material)

The Development Plan is specific to the construction of a 65,500 square foot two story Hospital Bed wing and 1,800 square foot Central Utility Plant. Traffic, parking, terrain management, landscaping, wet utilities, fire, refuge and lighting have been evaluated subject to city code standards. However, this proposal is predicated upon variances to building heights within the C-1 and SCHC Districts.

The hospital use was not required a Special Use Permit when it moved to 455 St. Michaels Drive in 1977. However, in 1985 the City approved the Hospital Master which was supported by City Resolution. The 1985 Master Plan identified goals and policies in hospital care, as well as, design standards in effect today.

The Special Use Permit will not adversely affect the public interest, and the use and any associated buildings are adaptable to buildings, structures and uses of a C-1 District. It is unclear whether the architecture compatibly of the proposed Bed wing commensurate with existing Hospital Architecture is compatible. The Planning Commission will need to evaluate the information provided to assess appropriate architectural compatibility.

The Land Use Department has determined that the proposed applications can comply with the necessary approval criteria for Master Plan amendment, Development Plan and Special Use Permit provided the variance request to heights are approved. Should the Planning Commission approve the Variances to building height, Development Plan, Special Use Permit and make favorable recommendations to the Governing Body for the Master Plan amendment, Staff recommends the conditions listed in Exhibit A.

EXHIBITS (new material in identified by bold font)

Exhibit A- Conditions of Approval

Exhibit B - DRT comments

1. Archaeological clearance (no change reference original packet material)
2. **Traffic Engineering Division (new material)**
3. City Engineer for Land Use Department Terrain Management and Lighting (no change reference original packet material)
4. Landscaping (no change reference original packet material)
5. Environmental Services (no change reference original packet material)
6. Waste Water (no change reference original packet material)
7. Water (no change reference original packet material)
8. Fire (no change reference original packet material)
9. **Metropolitan Planning Organization (MPO) (new material)**
10. **Technical Review Water Budget (new material)**

Exhibit C- ENN (no change reference original packet material)

1. ENN Notes
2. Guideline Questions

Exhibit D- Maps

1. 1985 Master Plan Areas Map (no change reference original packet material)
2. Area 1 and Area 2 Map (no change reference original packet material)
3. Adjoining Zoning (no change reference original packet material)

3. Adjoining Zoning (no change reference original packet material)
4. **South Central Highway Corridor Map (no change reference original packet material)**

Exhibit E- Code sections

1. **South Central Highway Corridor (SCHC)**

Exhibit F- Applicant's Data

1. **Variance Response**

Exhibit G- Correspondence

1. **New Neighborhood Response**

Packet Attachment -Plans and Maps

City of Santa Fe, New Mexico

memo

DATE: June 18, 2015

TO: Daniel Esquibel, Planning and Land Use Department

FROM: John Romero, Public Works Department/ Traffic Engineering Division

SUBJECT: **Case #2015-47, 455 St. Michaels Drive, Eligibility St. Vincent Regional Medical Center**

ISSUE

Request for Master Plan Amendment, Four Variances, Development Plan to construct 65,500 square foot addition on Tract A-1-3 and Tract A-2, & Special Use Permit. This Memo supplements my memo dated June 18, 2015.

RECOMMENDED ACTION:

The comments below are based on comments and questions resulting from the July 2, 2015 Planning Commission meeting and from a supplemental Traffic Study dated July 2015:

1. The supplemental Traffic Study performed a signal warrant analysis at the Hospital's access to St Michaels Drive. In the analysis, they assumed a full access (left-outs allowed) adding the respective traffic. The intersection did not meet warrants. Based on this study and due to the very poor accessing/passing along St Michaels drive, I do not recommend placing a signal at this intersection.

   It is worth noting that the signal warrant criteria is mandated by federal guidelines established by the Federal Highway Administration (FHWA). After the developer met with the New Mexico Department of Transportation (NMDOT), who owns and maintains St Michaels Drive. The NMDOT was doubtful that they would allow a signal at this location.

2. The supplemental Traffic Study evaluated the possibility of further limiting access of the southern access point onto Hospital Drive (Emergency Room Access) to right-in only. The evaluation showed no negative effects on the surrounding roadway network. Based on this evaluation, I do not oppose restricting access to right-in only.

If you have any questions or need any more information, feel free to contact me at 955-6638. Thank you.

N:\Traffic Engineering\Traffic Engineering Section\01-TIAs\2015\St Vincents Hospital Master Plan (2015)\CSV MP 07-21-15.doc

Santa Fe Metropolitan Planning Organization

"Promoting Interconnected Transportation Options"

MEMORANDUM

Date:	July 22, 2015
From:	Keith Wilson, MPO Senior Planner
To:	Dan Esquibel, Planning and Land Use Department
Cc:	Leroy Pacheco, Roadways and Trails Engineering
	John Romero, Traffic Engineering
	Sandra Kassens, Traffic Engineering
	Erick Aune, MPO Transportation Planner
	Mark Tibbetts, MPO Officer
Re:	**Case #2015-47, 455 St Michael's Drive Christus St Vincent Regional Medical Center**

The following supersedes the May 15th and July 22nd memos from MPO staff for Case #2015-47

Trails

The Master Plan Application has the following references to Trails:

"Condition #13. Also, a 20' wide non-motorized trail easement should be granted to the city along the south and east property line to accommodate a 10 ft. wide paved trail. Exact location should be verified in the field with the City Trails and Open Space Coordinator.

Following discussions with the applicant and hearing concerns from the neighborhood the MPO Staff supports requiring only one point of access at Camino Teresa from the neighborhoods to the north and east of the hospital. This point of access will allow suitable access to cyclists utilizing the Don Gaspar on-road bikeway connection from Downtown to this area. Based on projected use of the paved trail connection through the hospital grounds and constraints highlighted by the applicant, MPO Staff would support an 8ft wide paved trail from Camino Teresa to the north and south through the Hospital to Hospital Drive utilizing the proposed fire lane for part of the trail alignment. See the attached map for recommended conceptual alignment for the trail.

Proposed Conditions

- An 8ft wide paved trail should be constructed from the end of Camino Teresa to the north and south through the Hospital to Hospital Drive utilizing the proposed fire lane for part of the trail alignment.
- If it not already it should be made clear that the "non-motorized trail easement" being granted should be specified for Public Access.
- The 8ft wide paved trail should be designed and constructed to meet all applicable AASHTO, MUTCD and ADA Guidelines. Trail design should be approved by City Staff.

- There does not appear to be any timeframe of when the paved trail is to be constructed by the Hospital. If there is not already an identified timeframe, it is recommended that one be set as part of this approval process.

Pedestrian Access

The Master Plan Application has the following references to Pedestrian Access:

"Condition #14. Address Pedestrian and Wheel Chair Access with staff, from Camino Teresa and Encina Road on the north side of the campus and from other possible locations along the east side of the campus. A minimum of two gates must be for pedestrians, wheel chair, and bicycle access. The applicant must also address creating access from these locations across the campus to the bus stop, to St. Michael's and to Hospital Drive.

Following discussions with the applicant and hearing concerns from the neighborhood the MPO Staff supports requiring only one point of access at Camino Teresa from the neighborhoods to the north and east of the hospital. Pedestrian access would share the 8ft wide paved trail.

Proposed Conditions

- There is no pedestrian access (sidewalks) to Hospital Building from any of the driveways into the property. A sidewalk pathway should be shown and constructed from each of the driveway locations (3 on Hospital and 1 on St Michael's Drive) either to the existing sidewalk network or to building entrances where an existing logical pedestrian route is not in existence.

Bicycle Parking

Sheet 3 provides Parking Calculations for motor vehicles, but no calculation for the required number of spaces for bicycle parking. It is recommended that this calculation be added to this sheet in the Parking Calculations section.

No reference to a design of bicycle parking was found on the plans. Chapter 6 of the AASHTO Guide for the Design of Bicycle Facilities provides guidance on the location and bicycle rack design. This guidance is included in the MPO's Bicycle Master Plan (http://santafempo.org/bicycle-master-plan/ page 38). The key design elements are:

- that the rack can support a bicycle at two points above the center of gravity,
- can accommodate high security U-shaped bike locks,
- can accommodate locks securing the frame and one or both wheels, and
- provides adequate distance (minimum 36 inches) between spaces so that bicycles do not interfere with each other.

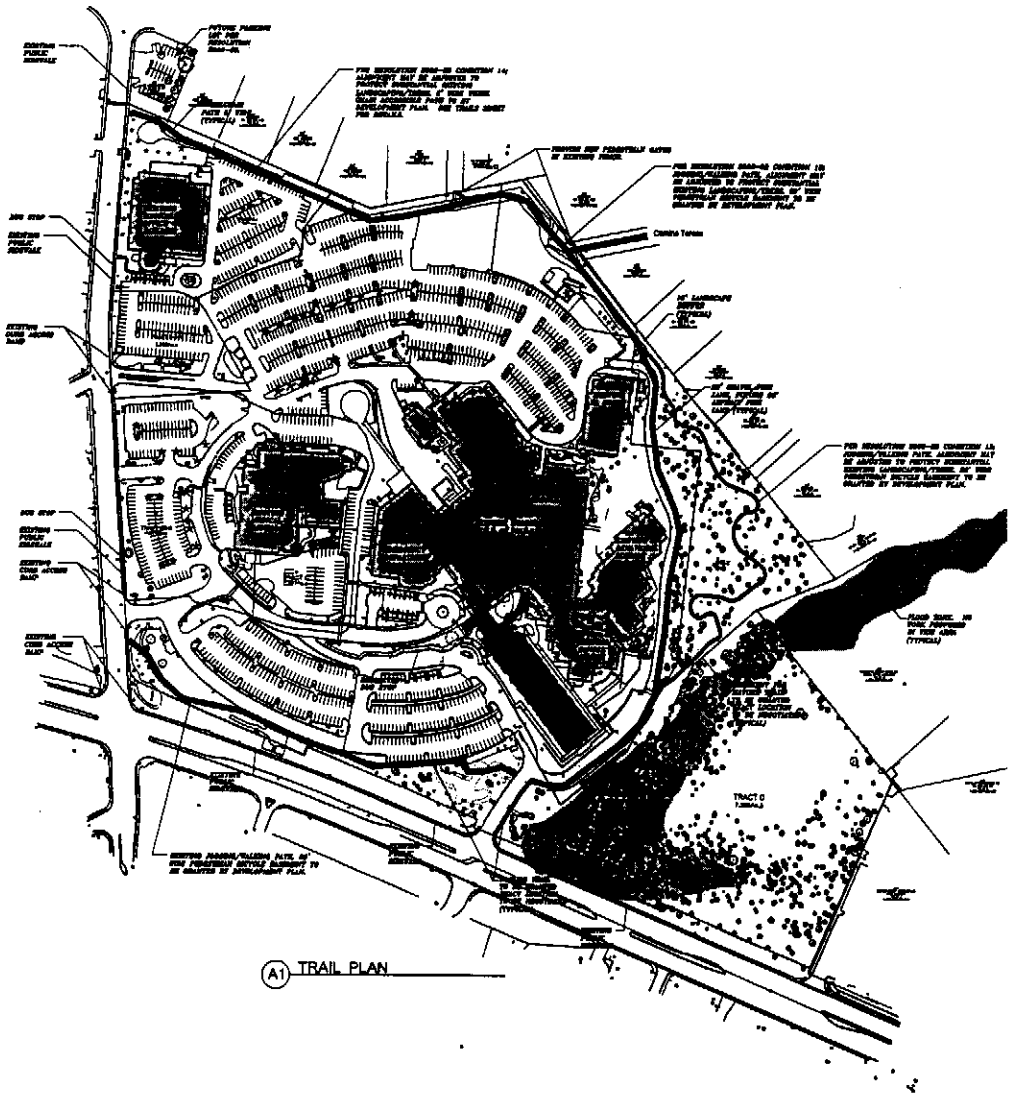
Proposed Conditions

- The required number of bicycle parking spaces should be calculated and shown on Sheet 3.
- Bicycle rack design shall meet the guidelines referenced above from the MPO Bicycle Master Plan.
- The location of the bicycle racks should meet the standards for location set in Chapter 14.

CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

TRAIL PLAN

APPROVED BY RESOLUTION NO. 1985-36 AND AMENDED BY RESOLUTION NO. 2006-83



A1 TRAIL PLAN

A1 JOGGING/WALKING PATH

NOTE: JOGGING/WALKING PATH TO BE 10' WIDE EXCEPT WHERE RUNNING PARALLEL TO FIRE LANE ACCESS ROAD, ACCESS ROAD, OR Parking LOT WHERE A 8' PATH IS SHOWN. THIS IS TO MINIMIZE THE REQUIREMENT FOR RETAINING WALLS ALONG EDGE OF PATH.

THE PATH ALONG THE FIRE LANE ROAD ON THE SOUTHEAST OF THE NEW BUILDING WILL REQUIRE A GUARDRAIL FOR PROTECTION OF PEDDLE LOADS SEE DETAIL.

8' WIDE PAVED TRAIL(CONCEPTUAL ALIGNMENT)

SHEET 12 of 22

WHR ARCHITECTS
Architecture with People in Mind

3131 Hackberry Avenue, Suite 340
Dallas, Texas 75204
214.528.8605 phone - whrarchitects.com

DESIGN GROUP

Revisions		
No.	Date	Description

KEY PLAN

CHRISTUS ST. VINCENT NURSING UNIT

CHRISTUS ST. VINCENT Regional Medical Center

CBRE

CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER
455 ST. MICHAEL'S DRIVE, SANTA FE, NEW MEXICO 87505

TRAIL PLAN

PHASE: DESIGN DEVELOPMENT
DATE: 03-31-2010

TRAILS

Project no. 8100

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City of Santa Fe, New Mexico

memo

DATE: July 30, 2015

TO: Dan Esquibel, Land Use Senior Planner
Case Manager, Land Use Dept.

FROM: Amanda Enciñas, Planner Tech Sr.
Water Budget Office, Land Use Dept.

RE: Case #2015-47 Christus St. Vincent Regional Medical Center

---

After reviewing the water budget submitted on July 22, 2015, it is determined that the proposed addition of Christus St. Vincent will require an additional 4.162 AFY. The project will rely on two sources of water supply. The following is how water service will be provided:

- Medical Office - 1st Floor Shell Space of New Patient Wing 20,000 0.72 afy/10,000 sf **1.44 afy (on-site well)**
- Storage Building - Tract D 10,000 0.13 afy/10,000 sf **0.13 afy (on site-well)**
- Medical/Dental Building Addition 36,000 0.72 afy/10,000 sf **2.59 afy (city water system)**

The applicant will only be required to offset 2.59 afy for the Medical/Dental Building portion. The offset requirement may be met by providing toilet retrofits or by purchasing this amount from the City's Water Bank. A water rights transfer is not required.

*Refer to SFCC 14-8.13 for more detailed information

Questions Submitted by the Commission

Commissioner Kapin

moved to postpone this Case #2015-47 at 455 St. Michael's Drive, pending more information to better justify the variance request, seconded by Greene.

- asked under approval criteria for variance (14-3.16 c 2) on "not feasible for reasons other than financial," she would like to see the internal flow plan to be able to have that answered clearly.

Chair Harris

- more information on the water budget and what consumption is now from the well and from the city system.
  The agenda and Memorandum have been separated to reflect caption issues.

- what consumption is now from the well and from the city system.
  Reference attached applicant responses to question.

- add to Commissioner Kadlubek's statement on storage

  The applicant increased the prosed 5000 storage to 10,000 in Zone D. the additional 5000 square feet has been included in the Staff report tables and assessed for parking (reference Pages 3, 5, 6 and 17.)

- further study between the Applicant and Mr. Romero to see if access is even possible there.

  New comments from the Traffic Division have been included in Exhibit B – DRT Comments of the Staff report.

- The corridor along Area 2 seems to be a buffer to the street in how it was conceived. He was following up on Commissioner Greene's question about open space requirements and what that meant vis a vis the parking situation.

  Reference attached applicant responses to question.

- Chair Harris would like closer attention to the noise generation. In the past, the Commission has limited construction activities to a certain time. That is what neighbors requested also. In a recent case, the Commission limited construct to 8 -5 on Monday through Friday; 8-2 p.m. on Saturday and no activity on Sunday.

  Reference attached applicant responses to question.

- There were questions from Commissioner Chavez that were not fully addressed. One of the conditions on the Special Use Permit which he listed as a through r. Condition p was sustainable use of energy, recycling and solid waste disposal which needs a lot more information.

  Reference attached applicant responses to question.

- The Commission heard one neighbor express real concerns about the accessible routes and he would like to know more about the proposed connections. The access points as he understand are pedestrian.

  Reference section G on Page 18 of the Staff report and Exhibit B MPO comments for trails information.

- chair Harris also would like a clear condition from staff that all previous conditions from 1985 and 2006 have been met or not.

  Reference Exhibit E of the Staff Report for 1985 Master Plan Resolution and 2006 Master Plan and Resolution.

  Conditions not met (7,000 square foot surgical building):

  > *4) For all phases subsequent to the emergency room expansion, make south entrance from Hospital Drive an entrance only. Staff design recommendations may require a triangular bulb-out to prevent right-tum exit and a street island on Hospital Drive to prevent left tum exit.*
  >
  > *5) For all phases subsequent to the emergency room expansion, make south entrance from*
  > *Hospital Drive an entrance only. Staff design recommendations may require a triangular*
  > *bulb-out to prevent right-tum exit and a street island on Hospital Drive to prevent left tune*
  > *exit.*
  >
  > *6) For all phases subsequent to the emergency room expansion, the developer will be required to assess certain off-site traffic operations and provide mitigation measures where needed. These improvements are listed in an Engineering Division traffic memo which was handed out as additional correspondence at the May 4, 2006 Planning Commission meeting and may include:*
  >
  > - *improvements to the intersection of Hospital Drive and Galisteo Road*
  > - *traffic mitigation at the intersection of San Mateo and Galisteo*
  > - *all existing and proposed access points to the development*
  > - *traffic improvements/mitigation on Hospital Drive*
  > - *examine possibilities for shifting the main entrance on St. Michael 's Drive further east*

7) For all phases subsequent to the Emergency Room Expansion, close and/or modify
driveway entrances at Hospital Drive and St. Michaels Drive as shown on the amended master plan, including modifications to turn lanes on St. Michaels Drive.

13) Also, a 20ft wide non-motorized trail easement should be granted to the City along the south and east property lines to accommodate a 10 ft. wide paved trail. Exact location should be verified in the field with the City trails and open space coordinator.

14). Address pedestrian and wheel chair access with staff from Camino Teresa and Encino Road on the north side of the campus and from other possible locations along the east side of the campus. A minimum of two gates must be for pedestrian, wheel chair and bicycle access. The applicant must also address creating access from these locations across the campus to the bus stop, to St. Michael's Drive and to Hospital Drive.

- Why was it deemed appropriate/necessary to bundle all actions into one case? Can they be reformatted into individual cases after having been documented and identified publicly as one case?

  Captions have been changed.

- In the Table of Contents to the Applicants' submittal, an Ordinance, two Resolutions and Plans are referenced in the Appendices. These documents were not included in the packet for the Commission and need to be made available for review along with any other resolutions, plans, or conditions that have affected the original C-1 zone. These documents should be made available for viewing in the offices of the Land Use Department as soon as possible.

  These documents have been available in the Land Use Office and can be viewed upon request.

- Provide full size drawings (24"x36") of the applicants' Development Plan submittal. Additionally, a request was made as part of the Commission's hearing that floor plans showing how the proposed addition will connect to the existing facility be provided. All drawings should be full size and made available for viewing in the offices of the Land Use Department.

  Once an application is submitted for review in the Land Use Department all material concerning that application (including full size drawings) is available for review by the public upon request.

- Are all tracts affected by the proposed master plan amendment owned by the same entity? If not, will all ownership interests be required to agree to any and all conditions imposed by the Commission?

  All land originally part of the Master Plan in 1985 and all land incorporated into the Master Plan in 2006 are affected by the Master Plan. Reference attached applicant responses to questions for ownership.

- As stated in the Applicants' submittal, it seems that the proposed amendment to the master plan should include, 1) addition of proposed inpatient bed wing and, 2) revisions to required and provided parking. They are currently not identified in the staff report as part of the amendment but only through the Development Plan and Special Use Permit. Please clarify.

  There are three cases in the revised caption; the variances are grouped for action with the development plan. The proposed inpatient bed wing and the revisions to the parking both involve each of the cases to some extent..

- Have studies been undertaken in the past by the applicant to identify other options for the inpatient bed wing?

  Reference attached applicant responses to questions.

- Does the applicant intend to incorporate structural systems that would allow additional stories to be constructed on the proposed two story wing?

  Reference attached applicant responses to questions.

- Provide background information for the statement on Page 5 of the staff report which reads, ". . .the code has been interpreted in the past to apply master plan height limits in preference to the overlay height limits."

  14-3.9(C)(2) Special Development Standards and Design Guidelines

  > *(a) Approval of the master plan may include approval of special development standards or design guidelines to be applied within the master plan area when such regulations are necessary to implement specific goals of the master plan. Issuance of construction permits since 1986, approvals of the various independent buildings on the campus, and the 2006 master plan amendment have established this precedent.*

- What is the distance from the edge of the St. Michael's Drive ROW to the closest point of the proposed addition?

  Reference attached applicant responses to questions.

- What is difference in elevation from the paved surface of St. Michael's Drive to the first floor of the proposed addition?

  Reference attached applicant responses to questions.

- Two fire hydrants are identified in the staff report, are they private hydrants or public within a dedicated easement? A fire line loop around the main Hospital is noted in the report, is it contained within properly recorded easement?

  Reference attached applicant responses to questions.

- The applicant must submit a water budget to the Planning Commission consistent with the requirements of 14-8.13.

  Reference attached applicant responses to questions.

- The applicant must provide a noise attenuation plan for all emergency generators within the master plan, solid waste facilities, and air ambulance traffic. Compliance with noise standards will be handled by staff at the construction permit stage.

  Reference attached applicant responses to questions.

- The applicant should provide plans for sustainable use of energy, recycling, and water harvesting.

  Reference attached applicant responses to questions. Note that the city has not adopted specific standards for these issues.

Commissioner Greene

- Applicant to look at the traffic circulation to make it clear and have it make sense. That isn't so now.

  Reference attached applicant responses to questions. And Traffic Division comments in Exhibit B of the Staff report

- And accesses in Hospital Drive and St. Michael's Drive to come up with a Master Plan to make it better.

  Reference attached applicant responses to questions, and Traffic Division comments in Exhibit B of the Staff report

- Look at parking under the new wing with 4' of fill under it. It might have two levels of parking and provide easier loading/uploading.

Reference attached applicant responses to questions.

- Commissioner Chavez had mentioned solar with some plan for the future and better use of water for landscaping.

  Reference attached applicant responses to questions.

- The trails on the north and the east of Tract D looked like they would cross the arroyo and that is not really feasible to make a more compelling trail system.

  The applicant has proposed revisions to the trail alignments, which address some neighbor concerns and are acceptable to staff. Reference attached applicant responses to questions, Staff Memo Section G and MPO comments in Exhibit B DRT Comments.

- The corner of Lupita and Hospital parking doesn't seem necessary and should be eliminated.

  Reference attached applicant responses to questions.

- Mr. Romero to reach out to the State to make sure it is not feasible to do a traffic light at St. Michael's. He hoped that could be updated for the Commission's decision.

  Reference attached applicant responses to questions, and Traffic Division comments in Exhibit B of the Staff report

Emailed questions

- Photos for reference
- Traffic issues
- Internal circulation issues

  Reference attached applicant responses to questions.

- Parking

  Reference Staff Memo Table 5 Parking and Loading located on Page 17.

Commissioner Kadlubek

- said it includes the additional conditions Ms. Jenkins brought up to incorporate regarding the financial guarantee;

  Reference attached applicant responses to questions, and Conditions.

- Contribution five year issue to revert back.

Reference attached applicant responses to questions.

- We need clarity in the increase in size of storage space;

  The applicant increased the proposed 5000sf storage to 10,000sf in Zone D. the additional 5000 square feet has been included in the Staff report tables and assessed for parking (reference Pages 3, 5, 6 and 17.)

- and the biggest question holding it up for him was the right turn only and how traffic flows through there.

  Reference attached applicant responses to questions, and Traffic Division comments in Exhibit B of the Staff report

August 6, 2015
Planning Commission
Case #2015-47, #2015-74 and #2015-75

455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

EXHIBIT D

MAPS

14-5.5 HIGHWAY CORRIDOR PROTECTION DISTRICTS

(Ord. No. 2011-37 § 6)

(A) SCHC South Central Highway Corridor Protection District

(1) Purpose and Intent

Because openness, quiet and continuity adjoining the highway corridors in the south central section of the city is considered a special asset that should be retained as the area develops, it is the intent of the SCHC district to:

(a) establish a clear sense of visual openness and continuity of *development*, as seen from major highway entrances to Santa Fe;

(b) protect the openness and continuity of the existing *landscape* by retaining and planting native and other drought-tolerant, low maintenance trees, shrubs and groundcovers;

(c) ensure that *landscaping* provides an appropriate and attractive visual buffer, compatible with neighborhood *landscaping* character; conserves water by use of storm water collection and drip irrigation systems; and screens transformers and loading areas or outdoor storage;

(d) encourage the use of architectural style and scale that is representative of Santa Fe; and

(e) preserve clean air and a sense of quiet and reduce the potential negative impacts of noise, air pollution, lights, movement of cars, activities on site or other nuisances on adjoining *properties*.

(2) Boundaries

(a) The SCHC district encompasses the land within six hundred feet of the edge of the *right of way* on both sides of the following *streets* designated as special review districts in the *general plan* and shown on the official zoning map in the south central section of Santa Fe: St. Michael's Drive; Old Pecos Trail; St. Francis Drive; Rodeo Road; and Interstate 25 and its frontage roads.

(b) *persons* with *property* divided by the SCHC district boundary are required to comply with the SCHC district standards only for that segment of the *property* within the boundary. In cases where the rear *lot* line depth exceeds the six hundred (600) foot boundary, *property owners* have the right to petition the *governing body* in the form of a rezoning *application* at any time for inclusion of the remainder of their *property* in the SCHC district.

(3) Uses

The uses allowed in this district are the same as those allowed in the underlying district.

(4) Standards

The standards applicable to *development* within the SCHC district are the same as the underlying zoning district and, in addition, any new *development* in the SCHC district shall comply with this paragraph.

(a) Development and Design Standards

(i) Density –

The *density* for *residential development* shall be the same as in the underlying district, but in no case shall it exceed a maximum *density* of twenty-one units per acre;

(ii) Height

The maximum height of *structures* shall be twenty-five (25) feet, not including a parapet;

(iii) Setback or yard

The minimum *building setback* or *yard* from the edge of the *right-of-way* shall be fifty (50) feet except that the minimum building setback from Old Pecos Trail between I-25 and St. Michael's Drive shall be seventy-five (75) feet; and

(Ord. No. 2012-11 § 10)

(iv) Floor area ratio

The maximum floor area ratio for office uses allowed in the district is:

(Ord. No. 2012-11 § 11)

TABLE 14-5.5-1: Maximum Floor Area Ratio		
Building Use	**Building Size**	**Maximum Ratio**
Professional and Other Office	One story	0.25
	Two story	0.35
Medical Office	One story	0.20
	Two story	0.30

(b) Landscaping Standards

(i) existing *landscaping* -- to the greatest extent possible, existing natural *landscaping* shall not be disturbed within twenty-five feet of the *property* line that adjoins the *street right of way*.

This area shall be labeled as *open space setback*. No *structures* or parking are allowed in this *setback*;

(ii) plant material -- plant material shall be provided in the *open space setback* where that area has been disturbed and shall be provided for surrounding *buildings* and parking areas at a minimum width of five (5) feet.

(iii) parking and loading area *screening* -- If parking is provided in the required *front yard,* it shall be effectively *screened* by earth berms or *landscaping* that shall be at least four (4) feet above parking *lot grade*. Loading areas shall be *screened* and located on *side or rear yards*;

(iv) arroyos/*floodplains* -- In order to preserve natural *landscaping* on the banks of the arroyos, an undisturbed *setback* of ten feet shall be retained next to the major arroyos where *one percent chance flood events* have been recorded;

(v) *open space* -- for any *nonresidential* permitted use, a minimum of thirty-five percent of the *lot* and for any *residential* permitted use, a minimum of fifty percent of the *lot* shall be *open space*; and

(vi) outdoor storage -- *outdoor storage* shall not be allowed.

(c) Additional standards

When *nonresidential* uses abut R-1 through R-7 *residential densities*:

(i) all of the *structures* for the *nonresidential* uses shall be set back fifty (50) feet from the *residential property* line and a twenty-five (25) foot *landscape* buffer meeting the standards set forth in Subsection 14-5.5(A)(4)(b) shall be located between the *residential* and *nonresidential* uses; or

(ii) all of the *structures* for the *nonresidential* uses shall have a twenty-five (25) foot *landscape* buffer meeting the standards set forth in Subsection 14-5.5(A)(4)(b) and a masonry *wall* or a fence as approved by the *land use director* located between the *residential* and *nonresidential* uses.

August 6, 2015
Planning Commission
Case #2015-47, #2015-74 and #2015-75

455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

EXHIBIT F

APPLICANT'S DATA

SUPPLEMENTAL RESPONSE TO VARIANCE CRITERIA
IN SUPPORT OF REQUEST FOR HEIGHT VARIANCE

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

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

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

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

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

Applicant's Response:

The existing hospital facility has several unusual physical characteristics that distinguish it from other structures in the vicinity that are subject to the same relevant provisions of Chapter 14. The hospital is the only hospital in Santa Fe and, as a result, it has unique and unusual characteristics that are integral to the structure's use and operation as a hospital, including existing medical surgical bed units, various units, such as the intensive care and surgical units, devoted to particular types of medical services, an emergency department and all of the various support services, such as labs, radiology and other services that support the provision of health care to patients of the hospital.

By virtue of being a hospital, the existing structure has unusual existing characteristics in its design and configuration, including the existing triangular medical surgical bed units and their relationship and proximity to existing support services within the existing structure. The existing structure is also unusual relative to other structures in the vicinity as a result of the hospital's size and use, and that size and use, as well as the structures' existing layout, create an unusual condition relative to the surrounding residential neighborhood. Simply put, the hospital, including its use, design and internal configuration, is unique to Santa Fe.

An additional unusual physical characteristic is the floor to floor height of the existing structure. Floor to floor height for most commercial office structures is 12 feet floor to floor.

In order to accommodate the mechanical systems and plumbing necessary for patient rooms, the floor to floor height for the hospital is 14 feet. Also, unlike other commercial buildings, the hospital is subject to state and federal regulations that require a ducted return air system that adds to the structural height of the facility.

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

Applicant's Response:

The term "infeasible" does not require the applicant to demonstrate that it would be "impossible" to develop the property in accordance with the standards of Chapter 14. Rather, the commonly understood meaning of "infeasible" includes "not easily or conveniently" accomplished. Additionally, the City of Santa Fe, in granting requests for variances, has historically not applied or interpreted the term "infeasible" to require an applicant to demonstrate that it would be impossible for the applicant to comply with the relevant provisions of Chapter 14 from which a variance is requested but only that it would be difficult to comply with the applicable standard. In this case, for the reasons stated below, it would be infeasible (as that term has been interpreted and applied in this context) for the applicant to comply with the height restrictions imposed by the South Central Highway Corridor District as to that portion of the new additional that falls outside of Area 1 from the 1985 Master Plan.

The connection height of the new addition is necessary to provide for a level floor-to-floor connection to the existing floors of the hospital. The location of the new addition as proposed would also provide connectivity to existing medical surgical units and associated support services, including radiological and the lab as well as the emergency department, surgical unit and the surgical recovery unit on the hospital's second level, as shown on the attached floor plan. The height of the proposed addition is higher than what would typically be required for a two-story commercial structure because of the existing structures' unusual 14 feet floor to floor height. It would not be acceptable to construct the new addition in such a manner that the floor level of the new addition would not match the floor level of the existing second level, with the different floor levels connected using ramps. This is because creating a sloped floor in a hospital is dangerous for transporting patients in wheel chairs and hospital beds.

The unusual characteristics of the structure also include its size and use as a hospital (because it is the only hospital in Santa Fe) and, by virtue of those characteristics, associated potential impacts on neighboring residential properties. These characteristics make it infeasible to locate the new addition on the north side of the existing structure and outside of the South Central Highway Corridor District because the new addition would be placed in close proximity to the adjacent residential neighborhood and result in adverse impacts, such as interference with views, disruption during construction, increased lighting and other impacts that would be unacceptable to and inappropriate to impose on the owners and occupants of those residential properties.

Placing the new addition on the north side of existing structure would also be infeasible because, as shown in the attached floor plan, the hospital's intensive care unit is located on the north side of the second floor and would create an obstacle to the connection with the existing medical surgical units and support services on the second level of the hospital. In contrast, locating the addition as proposed allows for an efficient and readily attainable connection to those existing units and facilities.

The foregoing justifications are all "reasons other than financial cost" because they relate to the medical needs, as well as the reduction in adverse impacts to the nearby residential neighbor, associated with the project as opposed to a desire to reduce the costs of the project.

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

Applicant's Response:

The term "intensity" is defined in Chapter 14 to mean the "extent of development per unit of area; or the level of use as determined by the number of employees and customers and degree of impact on surrounding properties such as noise and traffic." The new private bed addition will be constructed in conjunction with the conversion of existing medical surgical semi-private rooms to private rooms. As a result, the renovation, including the construction of the new addition, will result in the addition of only six new medical surgical beds. Thus, the intensity of the proposed addition is extremely low and would not exceed what is allowed on other properties in the vicinity that are subject to height restriction imposed by the South Central Highway Corridor. Those properties, located along St. Michaels Drive in the vicinity of hospital, are zoned C1 and HZ, both of which permit hospitals as a special use.

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

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

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

Applicant's Response:

As explained by Jason Adams, the hospital's Chief Operations Officer, at the Planning Commission meeting on July 2, 2015, the construction of the new addition is part of and will make possible the conversion of the hospital's semi-private medical-surgical rooms to private rooms and will result in all of benefits associated with private hospital

rooms, including reduced infection rates, reduced patient stress, increased patient safety, and possibility of overnight stays by a patient's family members. Thus, the new addition will most certainly make possible a "reasonable use" of the property.

The variance is also the minimum variance that will make it possible to construct the new addition. No heights are requested beyond that which would provide for the structurally appropriate connection to the existing structure in a manner that will accommodate its unusual characteristics and as necessary for the safe and efficacious delivery of health care services to the hospital's patients while at the same time avoiding adverse impacts to the adjacent neighborhood that would otherwise occur by locating the new addition on the north side of the property.

This part of the variance criteria states that the "factors" in subparts (a) and (b) shall be "considered." This terminology means only that the factors in subparts (a) and (b) will be weighed or taken in consideration but they are not decisive in determining whether the variance is "the minimum variance that will make possible the reasonable use of the land or structure."

Historically, the first factor, which asks "whether the property has been or could be used without variances for a different category or lesser intensity of use," has not been strictly enforced by the City in deciding whether to grant variances. It would be an extremely rare situation in which the applicant for a variance would be able to demonstrate that the property in question could not be used without a variance or for lesser intensity of use. This would essentially require the applicant to demonstrate that no use could be made of the property unless a variance is granted, and that has not been the standard applied by the City in granting variances and is not required under New Mexico law for the purpose of granting dimensional variances. In this case, the property is zoned C1 and could obviously be used for less intensive uses than a hospital, but that does not mean that the height variance requested is anything more than "the minimum variance that will make possible the reasonable use of the land or structure."

In response to subpart 4(b) of the criteria, Section 14-3 of the Code states that one of the goals of Chapter 14 is to accomplish "a coordinated, adjusted and harmonious development of Santa Fe that will best promote health, safety, order, convenience, prosperity and the general welfare...." This project will certainly do that for all of the various reasons explained by Mr. Adams to the Planning Commission.

Pages 25 to 26 of the application report submitted for the project identify particular provisions from the City's General Plan in further support of this part of the criteria. Section 1.7.2 of the General Plan states that one goal of the General Plan is to "[e]nhance the quality of life of the community and ensure the availability of community services for residents." The same section states that the "General Plan seeks to promote the interests of the community-at-large over private ones." Earl Potter, on behalf of the applicant and in support of the proposed addition, explained to the Planning Commission that the new addition is intended to meet the community-wide need for "21st century [hospital] rooms to receive the best health care."

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

Applicant's Response:

The granting of the height variance is not contrary to the public interest because it will allow the hospital to provide private hospital rooms with all of the associated benefits with minimal impacts to surrounding properties.

August 6, 2015
Planning Commission
Case #2015-47, #2015-74 and #2015-75

455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

EXHIBIT F

CORRESPONDENCE

San Mateo Area Society of Homeowners

Response to Supplemental Submissions for Planning Commission Cases #2015-47, #2015-74, and #2015-75

EXECUTIVE SUMMARY AND INDEX

1. Introduction -- P. 1

The representatives of the neighborhood association are grateful for the time and attention that the Commissioners are devoting to these issues. The representatives have used the month since the previous Planning Commission meeting to improve their understanding of the issues and the factors that the Commission will be taking into consideration. They have attempted unsuccessfully to negotiate issues with the Developer. They have reviewed the Developer's supplemental submittals.

2. Postponement -- P. 2

The neighborhood association requests a further postponement in order to determine whether the Developer will persist in violation of the unfulfilled requirements and conditions previously imposed. During such postponement, the Commission might expect the following:

- Creation of a financial guarantee that would assure timely restoration of the required 25-foot landscaped buffer and establishment of the associated accessible pathway, regardless of whether further development is approved.
- Signage that changes the south entrance from Hospital Dr. to entrance-only, with no exit.

3. Master Plan Amendment, Case #2015-47 Pp. 7-9

We continue to question two items in the proposed amended master plan. We question the new inpatient bed wing because the Developer has failed to provide patient projections supporting a need for any particular number of beds and because the proposed wing would increase intensity of use due to increased helicopter overflights. The other item is the entrance from Hospital Dr.

4. Development Plan and Variances, Case #2015-74 Pp. 10-13

(a) The architectural style of the proposed wing is not compatible with the existing building.

(b) The Developer fails to satisfy three of the five necessary criteria for the height variance.

(i) 14-3.16(C)(2) requires that the special circumstances make it infeasible to develop the property in compliance with the standards. It is not a reasonable requirement for a hospital to have all of its patient rooms on the same floor as radiology, laboratory, and recovery rooms. **This point is proven by the fact that two medical-surgical units are already located at levels that are higher than the specialty areas.**

(ii) 14-3.16(C)(3) provides that the intensity shall not exceed that which is allowed on other properties in the vicinity. The major source of noise intensity is the helicopter overflights (for which the Developer disclaims all responsibility). Even a small increase in beds will increase this intensity, which no other property in this vicinity causes.

(iii) 14-3.16(C)(4) provides that the requested variance be the minimum variance that will make possible the reasonable use of the land or structure. Clearly, the existing hospital building is already a reasonable use and is at least a minimum.

(c) Sign Variance **(P. 13)** - the proposed signage would primarily serve to advertise the Hospital, rather than guide patients and visitors.

5. Special Use Permit, Case # 2015-75 P. 14
This section presents the following objections to the Special Use Permit (SUP), any one of which is sufficient reason to deny the SUP:
(a) The current use is already inappropriate for the site.
(b) The application for the SUP is incomplete.
(c) Granting the intensification requested by the SUP would adversely affect the public interest. The proposed use and associated buildings are not compatible with the quiet use of the neighboring residential properties.

6. **Should a Special Use Permit be granted**, we request that several Conditions be attached before a Certificate of Occupancy be issued:
A. Limit the number of beds to 200 **(P. 15)**
B. Require restoration of the required 25 foot landscape buffer. **(P. 15)**
C. Require a landscaped 20 ft. setback on the R-2 lot at the corner of Hospital Drive and West Lupita Road. **(P. 15)**
D. Make the south parking lot Hospital Drive entrance an "entrance" only. **(P. 15)**
E. Require the Developer to make improvements to the three affected neighborhood intersections, in consultation with the City Engineering Division. **(P. 15)**
F. Provide smooth pedestrian accesses from Camino Teresa to the trail. **(P. 16)**
G. Take steps (as detailed in our document) to clarify that St. Michaels is the primary entrance. **(P. 16)**
H. Take all necessary steps to mitigate the noise and odor of the diesel generators. **(P. 16)**
I. the Developer shall establish and communicate a campus-wide policy of turning off unnecessary lights and modifying those that must be on to eliminate lighting that is visible in residences in spite of screening. **(P. 16)**
J. establish a policy of requiring informed consent for air transport. **(P. 16)**
K. The Hospital shall provide a diagram of recommended flight paths to all services that have used the heliport within the past year, with copies to the City and to the two neighborhood associations. **(P. 16)**
L. No building constructed under this Special Use Permit shall be specified to have a foundation or structure intended to support more than two stories. **(P. 17)**
M. All dumpsters on the campus shall be moved to positions at least 300 feet from residential property lines. **(P. 17)**
N. Construction activities, including delivery of construction materials and removal of construction waste, shall be limited to the time between 8 a.m. and 5 p.m. Monday through Friday and between 8 a.m. and 2 p.m. on Saturdays. **(P. 17)**
O. Extend and make repairs to the existing border fence as approved by the Land Use Director. **(P. 17)**
P. Developer compliance with the master plan, the Special Use Permit, and these conditions shall be reviewed by the Planning Commission annually in a public meeting. **(P. 17)**
Q. The Hospital shall modify outdoor lighting to conform with 14-8.9(E)(2), Maximum Illumination Standards. Further, the Developer shall modify all parking lighting within 120 ft. of its north property line to conform to the requirements in the original Master Plan **(P. 17)**

San Mateo Area Society of Homeowners

Response to Supplemental Submissions for Planning Commission Cases #2015-47, #2015-74, and #2015-75

1. Introduction

The representatives of the neighborhood association are grateful for the time and attention that the Commissioners are devoting to these issues.

Representatives of San Mateo Area Society of Homeowners (the neighborhood association) have used the month since the previous Planning Commission meeting to improve their understanding of the issues and the factors that the Planning Commission will be taking into consideration. They have attempted unsuccessfully to negotiate some issues with [redacted] (the Developer). They have reviewed the supplemental submittals from the Developer.

The remainder of this document presents the current position of the neighborhood association. It is arranged in the order of the items on the 6 August agenda.

- Section 2 requests further postponement to determine whether the Developer intends to persist in its violations of previously imposed requirements and conditions.
- Section 3 presents our remaining objections to the proposed master plan amendment.
- Section 4 discusses problems with the development plan and objections to the variances.
- Section 5 opposes the Special Use Permit (SUP) and list conditions that the neighborhood would like to see whenever an SUP is approved.

2. Postponement

The neighborhood association requests that the Planning Commission once again postpone its decision regarding the proposed development. The purpose of the postponement would be to determine whether the Developer intends to persist in its violation of the requirements and conditions imposed by the governing body when previous master plans were approved. During such postponement, the Planning Commission might expect the following actions by the Developer:

- Creation of a financial guarantee, perhaps in the form of a letter of credit, that would assure timely restoration of the required 25-foot landscaped buffer and establishment of the associated accessible pathway, regardless of whether further development is approved.
- Signage that changes the south entrance from Hospital Dr. to entrance-only, with no exit. This item is discussed further below.

Compliance Failures

Our neighborhood relies on the governing body to protect the quiet enjoyment of our homes by rejecting adjacent development that is too intensive or by requiring mitigating conditions to relieve the intensity of the use.

We continue to oppose consideration of the proposed master plan at this time. In approving previous master plans proposed by this Developer, the governing body approved features and imposed conditions that were designed to mitigate the impact of the development on the neighborhood. The Developer has failed to provide these mitigating features and failed to adhere to these mitigating conditions.

The governing body is asked to consider new amendments to the master plan when the Developer has failed to comply with mitigating features and conditions included in previous master plans. The Developer's supplemental submission contains a tabulated "Compliance List" as Exhibit #8, which is a response to a Commission question. All of the listed conditions were required before the addition to the surgical center, but that addition was completed several years ago.

The said Compliance List contains sixteen items, one from the original master plan of 1985 and all fifteen conditions from the 2006 amendment. Of these 16 items, only one is shown as "Completed." Our position is that not even that one item has been completed.

The item shown as "Completed" is the 1985 requirement for a landscaped buffer along the adjacent residences. The note says "installed but has not been properly maintained." Apparently "Completed" and "not been properly maintained" are euphemisms for "been completely bulldozed everywhere inside of the fence."

Condition 1 from 2006 specified a 25-foot landscape buffer, which is now 30 years late. The Compliance List notes that the current plan includes a 15-foot buffer, maybe next year, but the Developer has warned neighborhood representatives that even that may not happen if its proposals are not approved by the governing body. The Developer has not explained why the existing drought-tolerant, low-maintenance landscaping was destroyed nor why restoration was not begun this year.

Condition 4 from 2006 required that the south entrance from Hospital Drive be an entrance only. According to the Compliance List, having failed to comply with this condition, the Developer now agrees to a Right-In/Right-Out driveway. The neighbors strongly oppose a right-out exit and insist that that it be changed immediately to entrance only, as required nine years ago. This item is discussed further below.

Condition 5 from 2006 required the Developer to provide pro-rata participation in traffic calming and off-site traffic mitigation. The Compliance List asks that this participation be removed from the master plan. [redacted]

Condition 7 required modifications to driveway entrances as shown on the 2006 master plan. According to the Compliance List, the Developer, having failed for nine years to make these modifications, "is working with neighborhood to determine modifications." In fact, representatives of the neighborhood negotiated a draft agreement with a representative of the Developer. However, the Developer rejected the agreement, offering a counterproposal that contained none of the items requested by the neighborhood. We expect the required changes to be implemented promptly, separate from any proposed development.

Condition 10 from 2006 required that the helipad only be used for flights which are emergent, critical or at the direction of a physician. The Compliance List shows this item as "Satisfied." However, the Developer does not check that flights meet this criterion, has never rejected a flight when the helipad was available, and does not keep records to show whether this condition is satisfied.

Condition 12 required internal circulation as shown on the amended master plan to include a ring road. The Compliance List states that the ring road routed traffic too close to neighbors. In fact, the ring road became impractical when the El Norte facility was built astride the best route for the ring road, in violation of the 1985 master plan and without review by the Planning Commission.

Condition 13 concerns the trail easement. The Compliance List states "Agree to Provide as part of this project." This suggests, once again, that the Developer does not agree to comply with this previous condition if the project is not approved. In response to a request from the Commission that the Developer verify the neighborhood position on trail access, the Developer replied, "We are scheduling a meeting with the relevant parties ...." No such meeting has been scheduled with the neighborhood.

Condition 14 addresses pedestrian and wheel chair access from the north side of the campus. The Compliance List states, "Agree to Provide as part of this project." As with the landscaped buffer, the Developer has not given a reason for failing to provide this when required and has warned that it may not happen if its proposals are not approved. The neighborhood, however, has a strong preference that the sole access to the trail easement from the neighborhood be from the west of Camino Teresa, as it is now. Further, the Developer should provide for some type of surface improvement from the edge of the street to the property line of the campus.

Chairman Harris asked the Developer whether all ownership interests will be required to agree to any and all conditions imposed by the Commission. The Developer responded, "All land identified on the Development and Master Plan is owned by Christus St. Vincent Regional Medical Center or its affiliates." This is not a direct answer to the question. Previously, the Developer has said that it cannot control actions taken by Physicians Plaza.

South Entrance from Hospital Drive

The Compliance List states, "Current Traffic Study recommends this driveway become a Right In/Right Out." On the one hand, that is an incorrect statement of the conclusion in the traffic study. On the other hand, the traffic study did not even consider issues of importance to the neighborhood.

The traffic study looked at levels of service at the various driveways and at three intersections, with emphasis on delays during peak hours. Drivers during peak hours are mostly employees and therefore very familiar with the neighboring streets. The study compared the right in only with the right in /right out alternative and concluded:

> The level of service and delays are virtually the same, except at the Galisteo Street / West San Mateo intersection, where the delay was reduced on the northbound leg by 14 seconds.

Therefore, the traffic study found that the entrance-only option is slightly better.

However, the study did not consider the intersection of Hospital Dr. and Lupita. It also did not consider traffic loads on Lupita and in two directions on San Mateo.

The conclusions of the traffic study regarding this entrance were based on traffic counts and numerical models. There was no consideration of the characteristics of the usage of this specific entrance and no consideration of the complexity of the surrounding streets.

The south entrance from Hospital Dr. is the access to the Emergency Room for patients arriving in private vehicles. Such a car would have to arrive from St. Michaels, driven by someone who may be completely unfamiliar with the neighborhood. The driver's natural instinct would be to return the same way. If not rerouted to St. Michaels while still on the grounds and before reaching Hospital Dr., the driver would find that he or she was forced to turn right. Then the driver would be looking for a cross street that enables a return to St. Michaels. The first available cross street is Harkle, but the driver choosing that option would once again be forced to turn right on reaching Galisteo. The next cross street is Lupita. Even if the driver realizes upon entering Lupita that it may be wrong, it would be too late to turn back because Lupita is a one-way street. Upon reaching Don Gaspar, a familiar major street name, the driver might try to turn right, but

would encounter a neighborhood with no other outlet. The neighbors living behind the hospital are experienced in providing assistance to lost drivers.

The Traffic Engineer testified that having an entrance-only would not be a problem. The neighbors strongly oppose a right-out exit and insist that that it be converted promptly to entrance only, as was required nine years ago.

3. Master Plan Amendment, Case #2015-47

Once the Planning Commission is satisfied that the Developer will comply with requirements and conditions imposed by the governing body, it will be ready to make a decision regarding the proposed master plan amendment. This section updates the position of the neighborhood association regarding that proposed master plan.

Proposed Master Plan

In our previous submittal, we asked that the master plan specify the locations for emergency diesel generators. Although we still believe that they should be included in the master plan, we are now confident that City staff will assure that the Developer comply with the relevant noise ordinance. However, not all of the emergency generators may be needed. In response to Commissioner Green's inquiry about emergency capacity demand and requirements, the Developer replied, "This information is not readily available."

In our previous submittal, we asked that the master plan include facility for a critical-care ground ambulance, in order to reduce the noise impact from helicopter flights. However, we now understand that transfers out of the facility are a relatively small percentage of the helicopter flights, so we withdraw that request.

As noted in our original discussion of the ring road, it is of greater interest to the neighborhood at large to eliminate the exit at the south end of Hospital Dr. If internal circulation can be made adequate without that exit and without the ring road, the elimination of the ring road is acceptable.

We continue to question two items in the amended master plan. First, we question the inclusion of a new inpatient bed wing in the master plan for the following reasons, each of which is discussed below:

1. The Developer has failed to provide projections supporting a need for any particular number of beds.
2. The proposed wing is expected to increase intensity of use by increasing the noise from helicopter flights.

3. Rather than develop a new wing at this location, the Developer's long-term plans should include development of a new facility with helipad at a more appropriate location.

Secondly, as explained above, we object to the proposal for the south entrance from Hospital Dr., which is a change from no-exit to right-out.

Projected Demand for Beds

The Developer has provided no data or projections to justify increasing the number of beds from 194 to 200. Hospital stays are expected to become shorter, on average. Without data or projections, it is not clear whether the existing facility could be converted to all private rooms and still meet demand. Nor has the Developer provided specific references to industry standards that are being applied.

Noise Intensity

Chairman Harris requested that the Developer provide a noise attenuation plan for air ambulance traffic. The Developer's response is, "CSV is making every effort to ensure that the operator is informed of the approved flight path." This response, although inadequate, contradicts the Developer's statements, in two public meetings, that the Developer takes no responsibility for overflights and that complaints should be addressed instead to the FAA.

The usage of the helipad has been steadily increasing. On Thursday, July 23rd, for example, there were four arrivals between 1:30 p.m. and 8:30 p.m. Each arrival has a sound level at the property line in excess of 80 dB with a duration of two or three minutes. The pilot may choose to skirt the residences on the northeast edge of the hospital or fly directly over homes in the neighborhood. In such cases, which include the four flights mentioned before, the sound level exceeds 90 dB for thirty to sixty seconds, and some residents report sympathetic vibrations in the structures of their buildings. Each incoming flight is followed later by a departure, again with a sound level in excess of 80 dB for two or three minutes. The preceding noise levels are conservative estimates, based on measurements taken further away.

This helicopter noise severely impacts the quiet enjoyment of our homes. The proposed inpatient wing would increase the number of beds from 194 to 200 and can only increase the number of flights.

Long-Term Plan

The Developer stated in the first Planning Commission hearing that the demand for beds is expected to increase in the long term. This was stated as the reason for developing a building foundation that would support four stories instead of just the planned two stories. Because of the provision for expansion to four floors, it is clear that the Developer has at least a rough long-term plan for the facility.

A master plan "provides for comprehensive and coordinated planning for the development of land, often involving multiple phases occurring over a period of several years or more" [14-3.9(A)(2)(a)]. The proposed master plan amendment should be evaluated in the context of a long-term plan.

By 2035, will the facility have double the number of beds and triple the number of helicopter flights, with piecemeal adjustments to steadily deteriorating internal and external traffic conditions? Rather than a new wing, the Developer's long-term plans should include a new facility and a helipad at a more appropriate location.

4. Development Plan and Variances, Case #2015-74

Development Plan

In their previous submissions the neighborhood associations identified the following deficiencies in the development plan:

- The architectural style of the Project is not compatible with the existing hospital.
- The development plan has no provision for water harvesting.

The questions from the Commissioners have made it clear that the Commission will address sustainability issues with more skill and experience than the neighborhoods can provide. We remain concerned about the architectural style.

As was noted in our previous submittal, one of the standards on page 33 of the 1985 Master Plan is, "The architectural style for additions or buildings in Area 1 shall be compatible with the architectural style of St. Vincent Hospital." The development plan fails to meet that standard in two respects:

1. The stone accent walls are inconsistent with the plain walls of the existing hospital.
2. The rectangular box design is different from the stepped massing that characterizes the existing hospital.

Regarding the rectangular box design, Commissioner Green asked whether there is any consideration of a stepped SE end of the new wing. The Developer's reply is, "The new addition cannot step down the slope due to the requirement that the patient rooms all be on one level with no ramps or stairways. The retaining walls have been stepped as much as possible given the proximity of the arroyo."

The Developer already has patients on two levels. The new patient rooms could all be on the lower floor of the new wing, which would allow for a shorter second floor and therefore stepped massing.

Variances

Height Variance

In a supplemental response, the Developer has provided further support for its request for height variances. The additional material addresses the variance criteria in 14-3.16(C) of the Land Use Code, all of which are required to grant a variance. The responses below were not available to the Land Use Department in time it to consider for its recommendation.

14-3.16(C)(1) requires that a special circumstance apply. The Developer argues that the special circumstance is that there are unusual physical characteristics of the structure.

14-3.16(C)(2)

This criterion requires that the special circumstances make it infeasible to develop the property in compliance with the standards. The definition of infeasible is "not feasible." The definition of feasible is "capable of being carried out."

The Developer argues that it is necessary to provide a level floor-to-floor connection to the existing floors of the hospital. This could be accomplished with an elevator at the NW end of the addition, so that the patient rooms could be on the ground floor. It is not a reasonable requirement for a hospital to have all of its patient rooms on the same floor as radiology, laboratory, and recovery rooms. **This point is proven by the fact that two medical-surgical units are already located at levels that are higher than the specialty areas.**

There is nothing infeasible about this that is caused by the special circumstance. Therefore, this criterion is not met.

14-3.16(C)(3)

This criterion is that the intensity shall not exceed that which is allowed on other properties in the vicinity. Noise is the aspect of intensity that is of the greatest impact to the residential neighborhood. The major source of noise is helicopter traffic.

Helicopter traffic is not allowed on other properties in the vicinity. Therefore even a small increase in helicopter traffic would violate this criterion. A small increase in the number of available beds can be expected to cause an increase in helicopter traffic.

Therefore, this criterion is not met.

14-3.16(C)(4)

This criterion is that the variance be the minimum variance that will make possible the reasonable use of the land or structure. Clearly, the existing hospital is already a reasonable use of the land and structure and is at least a minimum. Therefore, this criterion is not met.

However, the code also provides two factors to be considered. The first factor is whether the property has been or could be used without variances for a different category or lesser intensity of use. Clearly, the property already is being used for a lesser intensity of use. Therefore, by this factor the criterion is not met.

The Developer states that "this factor has not been strictly enforced by the City in deciding whether to grant variances." Such mistakes should not be perpetuated.

> The purpose of variances is not ... to alleviate ... inconveniences for property owners. Gould v. Santa Fe County, 131 N.M. 405, 408, 37 P.3d 122, 125 (Ct.. App. 2001).

The remaining factor is consistency with the purpose and intent of the articles and sections from which the variance is granted. There are two sections that are relevant here; the Developer's argument addresses neither of them.

One is 14-5.5(A), the South Central Highway Corridor Protection District. The stated intent includes to establish a clear sense of openness. The requested variance is not consistent with that intent.

The other relevant section is 14-4.3(A), C-1 District. A stated purpose of this district is to serve as a transitional buffer between more intense commercial use districts and residential districts. With respect to noise, the present use is the most intense in the city. The proposed development is expected to increase noise and is therefore not consistent with that intent.

In summary, three of the five necessary criteria for granting the height variance have not been met.

Sign Variance

The Developer has not provided further support for its request for sign variances. The requested sign variance is also unnecessary. As before, we call attention to four items:

1. The Application notes that, "The purpose of the sign is to guide patients and visitors to the hospital." However, it is not wall signs that patients and visitors need, but signs at the intersection and at the entrances.
2. The Application also argues that, "Taking a loved one to the hospital in an emergency situation, makes people drive faster than they should at the same time they are less able to process all the visual clues." However, the proposed signs are not at the emergency entrance and may serve only to misdirect in an emergency.
3. The wall signs serve only to promote the presence of the Hospital, not to direct traffic. Therefore they are not a necessary variance.
4. Although the existing signs were grandfathered at one time, the Project is an opportunity to bring the Hospital into compliance with this regulation for a C-1 district.

5. Special Use Permit, Case #2015-75

We continue to have the following objections to the Special Use Permit (SUP), any one of which is sufficient reason to deny the SUP:

- The current use is already inappropriate for the site.
- The application for the SUP is incomplete.
- Granting the intensification requested by the SUP would adversely affect the public interest.
- The proposed use and associated buildings are not compatible with the quiet use of the neighboring residential properties.

Section 3 of our previous submission discusses these objections in further detail.

6. Conditions on SUP

This section becomes relevant when the City decides that a proposed SUP can be granted. This section lists the conditions of approval expected by the neighborhood associations, with appropriate modifications as the process unfolds. Designated by letters here to avoid confusion with the numbered conditions on the 2005 master plan amendment, these mitigating conditions are, with authorizing provision of the City Code in brackets:

- Condition A [intensity, 14-3.6(D)(2)(k)]: The number of beds in the hospital shall not exceed 200 without modification of this Special Use Permit.
- Condition B [screening, 14-3.6(D)(2)(b)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall restore a 25-foot drought-tolerant landscape buffer along all residential property lines.
- Condition C [screening, 14-3.6(D)(2)(b)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall provide, on the R-2 zoned portion of the campus, a 20-foot landscaped setback from all property lines.
- Condition D [vehicular circulation, 14-3.6(D)(2)(c)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall make the south entrance from Hospital Drive an entrance only.
- Condition E [street improvements, 14-3.6(D)(2)(d)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall make the following improvements, as may be required by the City Engineering Division in consultation with the San Mateo Area Society of Homeowners:
    - improvements to the intersection of Hospital Drive and Galisteo Road
    - traffic mitigation at the intersection of San Mateo and Galisteo
    - traffic improvements/mitigation on Hospital Drive

- Condition F [pedestrian circulation, 14-3.6(D)(2)(c)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall provide smooth pedestrian accesses from Camino Teresa with minimal grades consistent with the topography.
- Condition G [vehicular circulation, 14-3.6(D)(2)(c)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall close and/or modify driveway entrances at Hospital Drive and St. Michaels Drive as shown on the 2005 amended master plan, including modifications to turn lanes on St. Michaels Drive and modification of signs facing outward to clarify that the primary entrance is on St. Michaels Drive.
- Condition H [noise attenuation, 14-3.6(D)(2)(e)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall replace the diesel generators with better technology, move them, or otherwise mitigate their effects to the satisfaction of the San Mateo Area Society of Homeowners.
- Condition I [screening, 14-3.6(D)(2)(b)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall establish and communicate a campus-wide policy of turning off unnecessary lights and modifying those that must be on to eliminate lighting that is visible in residences in spite of screening.
- Condition J [noise attenuation, 14-3.6(D)(2)(e)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall establish a policy of requiring informed consent for air transport, including a form that has a place for estimated charges and includes a statement of risks with a list of accidents and fatalities involving services based in this region.
- Condition K [noise attenuation, 14-3.6(D)(2)(e)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project and once per year thereafter, the Developer shall provide a diagram of recommended flight paths to

all services that have used the heliport within the past year, with copies to the City and to the two neighborhood associations.

- Condition L [unusual site conditions (SCHC), 14-3.6(D)(2)(j)]: No building constructed under this Special Use Permit shall be specified to have a foundation or structure intended to support more than two stories.
- Condition M [noise attenuation, 14-3.6(D)(2)(e)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, all dumpsters on the campus shall be moved to positions at least 300 feet from residential property lines.
- Condition N [noise attenuation, 14-3.6(D)(2)(e)]: Construction activities, including delivery of construction materials and removal of construction waste, shall be limited to the time between 8 a.m. and 5 p.m. on weekdays or between 8 a.m. and 2 p.m. on Saturdays.
- Condition O [screening, 14-3.6(D)(2)(b)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall extend and make repairs to the existing border fence as approved by the Land Use Director.
- Condition P [periodic review, 14-3.6(D)(2)(o)]: Developer compliance with the master plan, the Special Use Permit, and these conditions shall be reviewed by the Planning Commission annually in a public meeting.
- Condition Q [other appropriate conditions, 14-3.6(D)(2)(q)]: Before receiving a Certificate of Occupancy for the Inpatient Bed Expansion Project, the Developer shall modify outdoor lighting to conform with 14-8.9(E)(2), Maximum Illumination Standards. Further, the Developer shall modify all parking lighting within 120 ft. of its north property line to conform to the requirements in the original Master Plan.

August 6, 2015
Planning Commission
Case #2015-47, #2015-74 and #2015-75

455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

EXHIBIT A

CONDITIONS

EXHIBIT A
Conditions of Approval
Case #2015-47
455 St. Michaels Drive St. Vincent Regional Medical Center

	Condition	Department	Staff
	1. Based on the submitted TIA, the intersection of Galisteo/San Mateo is projected to fail during the implantation year (2017) of the proposed 65,500 square foot development. The proposed 65,500 square foot development is expected to contribute 17.52% of the total traffic at this intersection. This intersection can be improved with implementing either a roundabout or a traffic signal. The developer shall contribute fair share contribution for improvements to this intersection based on the above mentioned percentage and based on a total cost to be determined by the City's Public Works Department. This cost will be based on the more expensive of the two identified improvements. 2. The developer shall limit access at their southernmost access point onto Hospital Drive to right-in/right-out only. This shall be accomplished by constructing a raised median. The need for this comes from the subject driveway's proximity to the signalized intersection of St Michaels/Hospital Drive. Southbound traffic from this signal is shown to queue past this driveway causing operational and safety problems. 3. The developer shall perform intersection improvement at the Hospital's northern most access onto Hospital drive (across from Harkle Road) so as to improve pedestrian crossing across Hospital Drive. The design shall be reviewed and approved by the City's Public Works Department. 4. The proposed Master Plan also includes a 36,000 square foot addition (in addition to the proposed 65,500 square foot addition submitted with this Development Plan). a. The developer shall calculate fair share contributions for the needed improvements to the Galisteo/San Mateo intersection at the time a development plan is submitted. The developer will be required to contribute these fair share contributions at the time of development plan. b. The TIA projects that during this phase of development, the Hospital's northern most access onto Hospital drive (across from Harkle Road) will fail. At the time of development, the developer shall limit access at this location to right-in/right-out/left-in only, unless a revised TIA with more recent traffic data shows that the access operates at adequate levels of service under its current configuration.	Traffic Engineering Division	John Romero June 18, 2015

EXH' 'T A
Conditions Approval
Case #2015-47
455 St. Michaels Drive St. Vincent Regional Medical Center

	Staff recommends the following Conditions of Approval added to the plat prior to recordation: 1. The owner, will at all times, properly maintain all plant materials shown in the Master Plan, including but not limited to; proper pruning, soil testing, fertilizing and weeding. 2. All plant material shown in the Master Plan shall be maintained and replaced as needed. All quantities and sizes of plant materials must be maintained as shown in the Master Plan. 3. Any deviations from the Master Plan landscaping shall be discussed and approved by the Land Use Department Director or designee.	Land Use Department Landscaping	Noah Berke June 24, 2015
	1. Stormwater ponding for the following will be constructed under the building permit for the proposed New Inpatient Bed Wing: *Detention in the amount of 3831 CF for the new building. *Ponding for Basin D on the east side of the hospital, which was previously constructed but no longer exists. *Detention in the amount of 8520 CF for Basin #8. 2. Outdoor lighting for the proposed new building will meet the requirements of Article 14-8.9. 3. Outdoor lighting for the entire campus will be adjusted, as part of the permit for the new building, to meet the requirements of Article 14-8.9.	Land Use Department Terrain Management And Lighting	Risana "RB" Zaxus, PE June 23, 2015
	1. Add note to the Development Plan that Wastewater Utility Expansion Charge (UEC) shall be paid at the time of building permit application. 2. Add note to the Development Plan and the Utility Plans that the on-site sewer system serving the Development is private. 3. Identify the proposed on-site sewer lines as private on the Utility Plans.	Wastewater Management Division	Stan Holland, P.E. May 15, 2015

	4. 4. Show the existing off-site public sewer line and easement on the Grading Plans. There may be required improvement to the public sewer line dirt access road outside of the new retaining walls on the southeast corner of the development. 5. City of Santa Fe sewer manhole covers shall not be used for the on-site sewer manholes. Indicate on the Utility Plans that the manhole covers are to be labeled "Private Sewer". 6. 6. Industrial Pre-Treatment Sampling Ports (IPSP) are required and shall be shown on the Utility Plans. See attached detail. 7. 7. Indicate on the drainage plans where the discharge points are located from the Development to help determine if the site discharge will impact the existing public sewer line and access. 8. See Exhibit A1	Wastewater Management Division	Stan Holland, P.E. May 15, 2015
	All backflow preventers must be evaluated and upgraded if necessary to meet current requirements.	Water Division	Dee Beingessner P.E. May 4, 2015
	1. All Fire Department access shall be no greater that a 10% grade throughout. 2. Fire Department Access shall not be less than 20 feet width and a minimum width of 26 feet for any building or portion of building more than 30 feet in height. 3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. 4. Fire Department shall have 150 feet distance to any portion of the building on any new construction. 5. Shall have water supply that meets fire flow requirements as per IFC, and may be required to install an automatic sprinkler system. 6. May be required to provide two separate and approved fire apparatus access roads.	Fire Marshal	Reynaldo Gonzales Fire Marshal June 3, 2015

EXH" "T A
Conditions Approval
Case #2015-47
455 St. Michaels Drive St. Vincent Regional Medical Center

	Condition	Department	Staff
	1. A water budget addressing both areas of the city code will need to be addressed prior to moving forward to the Governing Body for review. 2. Noise from generators and or mechanical equipment within the Hospital Master Plan campus at the Residential property line shall not exceed 50 dBA from the hours between 9:00 p.m. to 7:00 a.m. and 55 dBA from the hours between 7:00 a.m. to 9:00 p.m. 3. Applicant to submit engineers cost estimate for all required on and off site required improvements with finical guarantee. The finical guarantee shall be I favor of the city.	Land Use Department Current Planning	Dan Esquibel This Memo

August 6, 2015
Planning Commission
Case #2015-47, #2015-74 and #2015-75

455 ST. MICHAELS DRIVE CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

EXHIBIT B

DRT

City of Santa Fe, New Mexico

memo

DATE: **August 6, 2015**

TO: **Planning Commission**

FROM: **Current Planning Division**

RE: **Additional Information**

The attached information is not in your August 6, 2015 Planning Commission packet. The information is in the following order:

Case #2015-47. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Master Plan Amendment.
Case #2015-74. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Development Plan and Variances.
Case #2015-75. 455 St. Michaels Drive Christus St. Vincent Regional Medical Center Special Use Permit.

- Neighborhood Addendum.
- State License for St. Vincent Hospital.
- Hospital floor plan.

Case #2015-66. 820 Camino Vistas Encantada Variance.

- Review comments from Stan Holland P.E., Wastewater Management Division.

Case #2015-57. Gerhart Apartments General Plan Amendment.
Case #2015-58. Gerhart Apartments Rezoning.

- Two letters of concern from neighbors.

Exhibit "7"

San Mateo Area Society of Homeowners

SUMMARY

The representatives of SMASH respectfully request that Members of the Planning Commission consider granting the following requests prior to making decisions on Case #2015-47 and Case # 2015-74 regarding proposed expansions at Christus St. Vincent Regional Medical Center:

1. Make a site visit in order to fully comprehend the issues identified and faced by the neighborhood.

2. Postpone further consideration of the development proposal pending completion of a Hospital/SMASH mediated negotiation.

3. Postpone further consideration of the Hospital's development proposal until the Hospital has fulfilled all the conditions set forth in the existing Master Plan.

RATIONALE

1. **SITE VISIT**: The primary issues faced by the SMASH neighborhood are caused by the ever-increasing intensity of use occasioned by the Hospital. The proposed addition will exacerbate this intensity. Proposals made by SMASH to mitigate intensity can be best understood and appreciated if the Commission members will visit the site and physically view the issues from the neighborhood perspective, through the eyes of residents as it were.

2. **MEDIATED NEGOTIATION**: During the hiatus since the last Planning Commission meeting, SMASH representatives sent a comprehensive proposal to the Hospital in an effort to resolve all outstanding issues. We proposed inclusion of several items that the Hospital had previously indicated were acceptable, two new items that the neighborhood desired, and offered two concessions that would support the Hospital's indicated needs. The Hospital responded in an email in which it essentially accepted the concessions the neighborhood had offered, rejected the two new items, and ignored the remainder of the neighborhood proposal.

Despite the failure of negotiations thus far, the neighborhood has not given up hope that an agreement can be reached. With the assistance of a professional mediator, the neighborhood might better understand the Hospital's reluctance to compromise and the Hospital could better gauge the benefits of an agreement. Therefore, a postponement that would allow the parties to engage in such an endeavor could benefit the neighborhood, the Hospital and also ease the Commission's deliberations.

3. **FULFILLMENT OF PREVIOUS CONDITIONS**: This proposal is explained in detail in the **SMASH Response to Supplemental Submissions for Planning Commission Cases#2015-47, #2015-74, and #2015-75** filed previously with the Commission.

OPERATOR'S LICENSE

6296	2/20/2015	200	pediatric 10	med surg 129	obgyn 14
License Number	Issue Date	Total Capacity	intensive care 10	critical care 8	rehab 18
	10/31/2015		psych 11	bassinets 14	
	Expiration Date				

Ownership Name: ST. VINCENT HOSPITAL

is hereby licensed to maintain and operate a/an: ACCREDITED GENERAL HOSPITAL

under the name and in the location of: ST VINCENT HOSPITAL

455 ST MICHAEL'S DRIVE

SANTA FE NM 87505

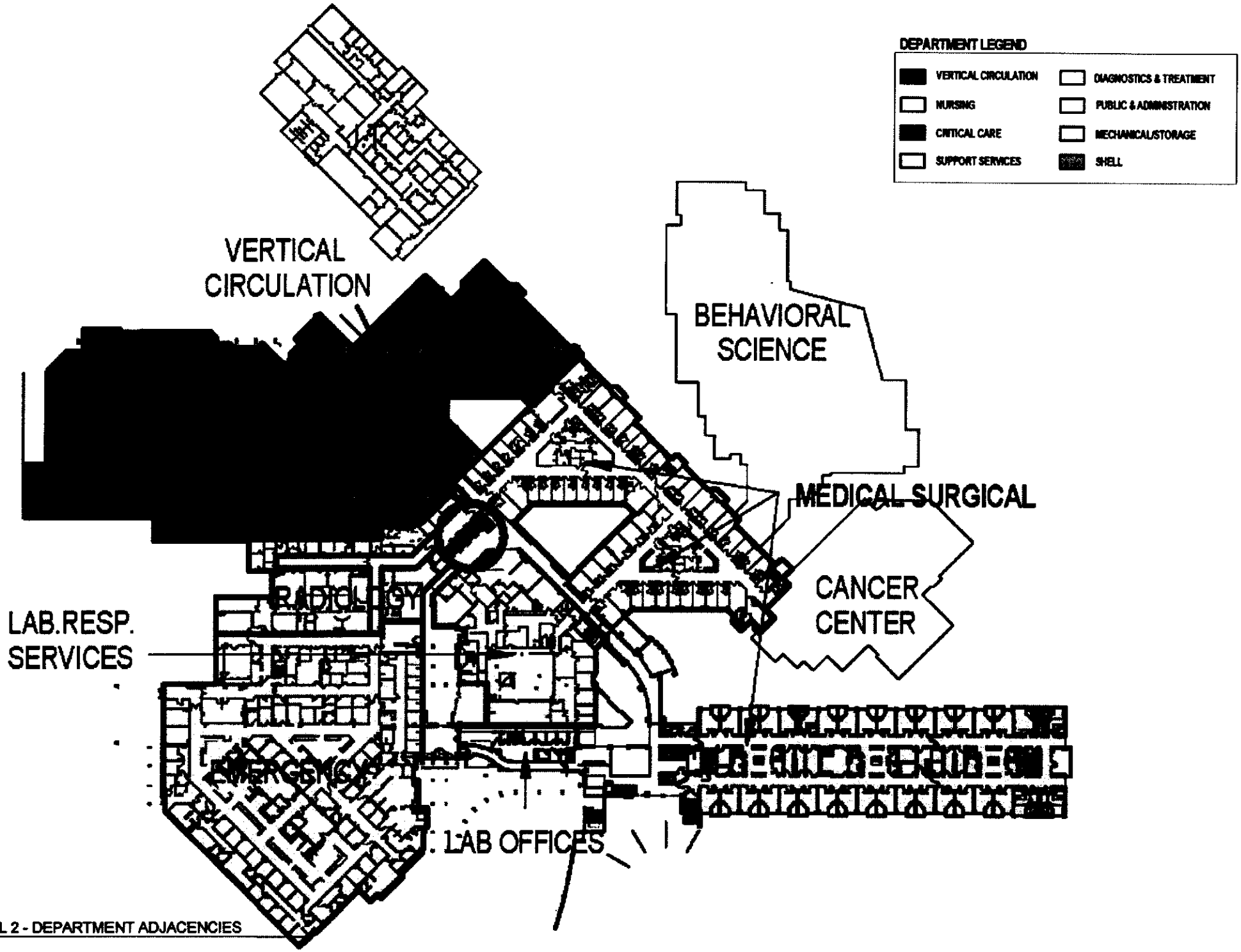
NON-TRANSFERRABLE
The authority to operate a health facility granted hereunder shall not be transferred to any other person or location.

BRUCE TASSIN
Administrator/Director/Operator

DOH Secretary

DIVISION OF HEALTH IMPROVEMENT
PROGRAM OPERATIONS BUREAU

EXHIBIT #7



LEVEL 2 - DEPARTMENT ADJACENCIES

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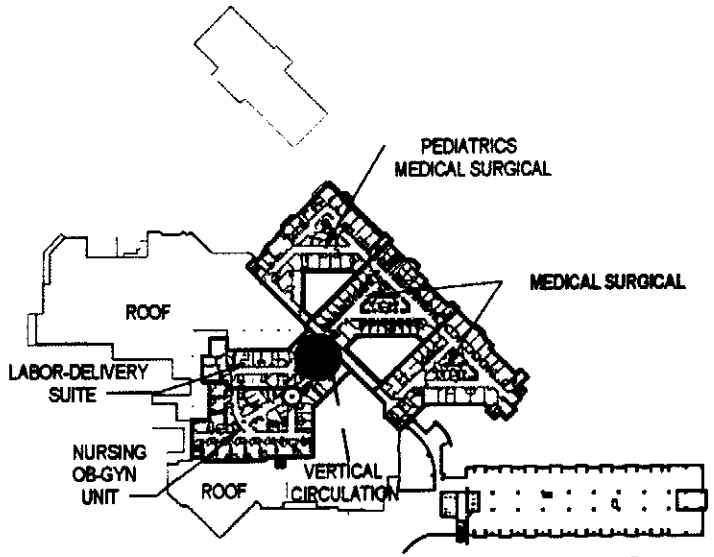

LEVEL 3 - DEPARTMENT ADJACENCIES

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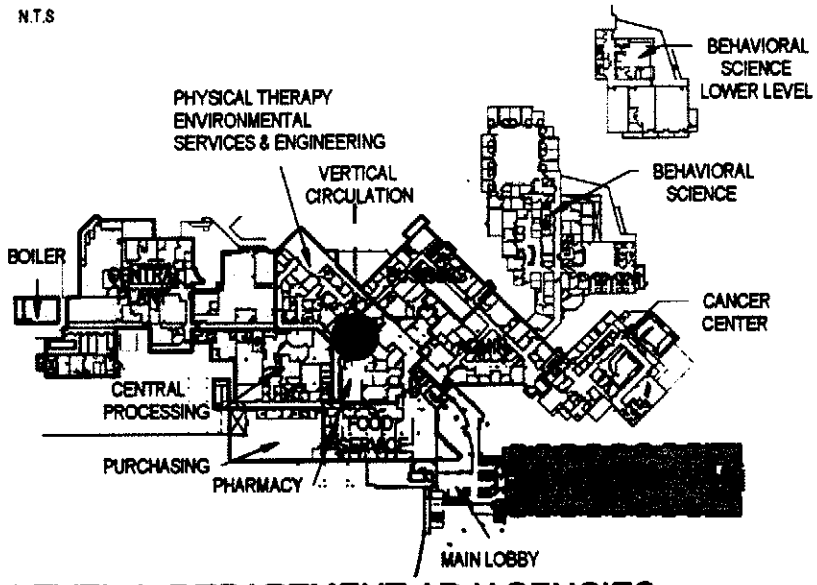

LEVEL 1- DEPARTMENT ADJACENCIES

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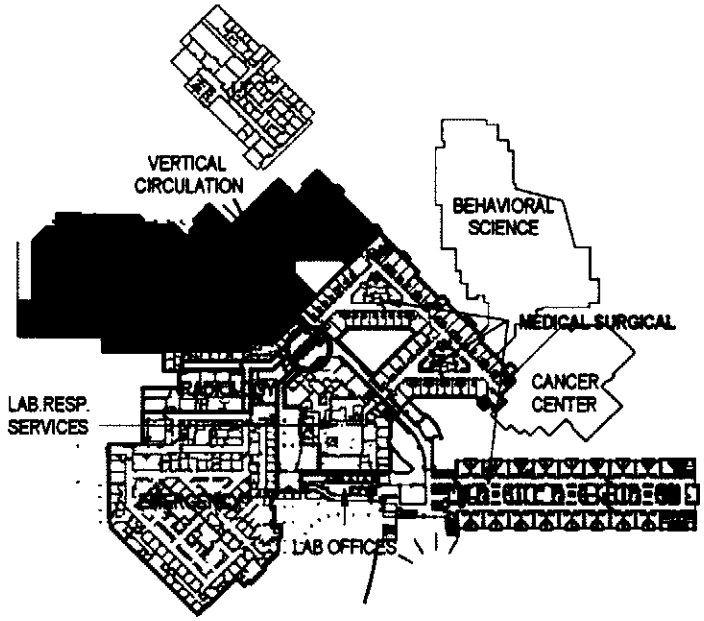


LEVEL 2 - DEPARTMENT ADJACENCIES

N.T.S

DEPARTMENT LEGEND

- VERTICAL CIRCULATION
- NURSING
- CRITICAL CARE
- SUPPORT SERVICES
- DIAGNOSTICS & TREATMENT
- PUBLIC & ADMINISTRATION
- MECHANICAL/STORAGE
- SHELL

City of Santa Fe
New Mexico

MEMO

Wastewater Management Division
DEVELOPMENT REVIEW COMMENTS

E-MAIL DELIVERY

Date: July 28, 2015

To: Noah Berke, Case Manager

From: Stan Holland, P.E.
Wastewater Management Division

Subject: Case 205-66 820 Vistas Encantada Variance

The subject property is accessible (within 200 feet) to the City public sewer system.

The following shall be required as a condition of approval:

1. Any new structures or dwelling units constructed on the property shall be required to connect to the City's public sewer system. There is an existing public sewer line within Camino Vistas Encantadas.

August 2, 2015

Dear Commissioners:

I am writing to ask that you send the plan for the Gerhard Apartments back to the ENN process. I attended the one meeting for this plan at El Camino Real Academy a few months ago, and in spite of numerous concerns from those neighbors in attendance, I believe (Gerald Peters) is going ahead with the original plan. There has been no second meeting scheduled to address the original concerns of the neighborhood. I list them below:

1. The development is directly next to the new El Camino Real Academy. In fact, it laps around it on the east side of the school, and in spite of the fact that all of the grades for that school have not yet been added, the school is already over capacity, as are all the other schools on the Southside. When I asked what demographic the developers wished to attract with their apartment complex, the spokesperson for the development proposal, answered, "Why, we want families of course!" and when asked where the school-age children of the apartments would go to school, he happily pointed next door to El Camino Real Academy.

2. This (very big) development is right next to the boundary of Agua Fria Traditional Village. This, even though the County Master Plan and Sustainable Master Plan both state that Santa Fe County traditional villages are at risk due to encroaching development and that a buffer zone should be adopted at the boundaries of the villages. (Agua Fria, La Cienguita, La Cinegua and Tesuque Villages). Currently, there is nothing on this scale located near any of these traditional villages.

3. The development is directly across from the Santa Fe River. Pedestrians will have to cross South Meadows Road to get to the proposed Educational Park (River Greenway Study 2013), which it is assumed would be frequented by children from the school as well as the proposed 250-unit apartment complex. Also, an apartment complex of this size should not be sited directly across from what is proposed to be a Greenway Park and a Living River. A traffic study considering the proposed park and increased pedestrian traffic in that area needs to be done at the very least.

4. I sigh every day I drive by the back of Home Depot on Rufina Street and see the sizeable lot there that has been for sale for months, (represented by Barker Realty), that has been reduced in price and is still for sale. This is a much more reasonable location for the two recent very large apartment complex proposals. Of course, affordability will be a big part of this presentation. Please be sure that what they are calling "affordable" actually is affordable to people who live in this neighborhood. Most of the residents of the Southside could not afford the rents at El Rio and it's likely that they won't be able to afford these either.

5. Lest I get labeled as one more old person who doesn't want change, and/or as a "NIMBY", let me be clear. Affordable places to live are crucial for Santa Fe. There are plenty of better areas to locate them than along the Santa Fe River, unless that Greenway Study in 2013 was just a feel good exercise. If we want to preserve the history of Santa Fe and not just the small area that the tourists usually see, then

we need to protect our traditional historic villages and provide them with the buffer zone that they've been promised.

Gerald Peters has a lot more power in this town than most of the residents of Santa Fe's Southside. I hope you don't take that into consideration when you make your decision.

I'm giving up an entirely entertaining freak show of a Republican debate on Thursday, in order to attend the Planning Commission Meeting. This demonstrates how important your decision regarding this development is to me. See you there.

Cheryl Odom
1152 Vuelta de las Acequias
Santa Fe, 87507

August 4, 2015

Dear Planning Commissioners:

The West Santa Fe River Alliance is made up of neighborhoods along Agua Fria and Alameda that will be significantly impacted by the proposed rezoning in Cases #2015-57 and 2015-58. We urge you to deny these cases for three compelling reasons:

1. ***Before we deviate so substantially from current zoning, we need a comprehensive plan for the river corridor, particularly the newly annexed areas.*** As staff states on page 3 of the application, "No detailed land plan has been approved for the vicinity." In view of that, current code does not allow uses or change that is significantly different from or inconsistent with the prevailing use and character of the area. Staff reports that this growing area is in transition. It is exactly because it is in transition that we need a comprehensive plan for how this area will develop before we change zoning so significantly.

2. ***No construction should be allowed this close to the river without a complete environmental impact study.*** The proposed development is literally on the banks of the river (400 feet), certainly within the 100-year flood plain, and yet there is no mention about the environmental impact or remediation. The footprint of 240 apartments and paved parking lot will impact drainage, the water table and river pollution. A major focus on a comprehensive plan needs to be the impact that any new development has on the Santa Fe River. In the interim, no construction should be allowed this close to the river without a complete environmental impact study

3. ***This application does not meet any of the criteria for a zoning change. Section 14-3.5(A) and (C) SFCC 2001C is clear that zoning may change ONLY IF:***

   - "There was a mistake in the original zoning." As staff state, ***there was no mistake in this zoning.***

   - "There has been a change in the surrounding area, altering the character of the neighborhood to justify changing the zoning." ***There has not been a change in the character of the neighborhood.*** There are "plans" and "talk about" changes, but Commissioners must apply City code based on actual conditions, not promises of what might happen in the future.

   - "A different use category is more advantageous to the community." **The 'community' has not had adequate opportunity to comment on or negotiate about this project.**

     The Governing Body recently passed a resolution creating a *Homeowners Bill of Rights* that calls for "housing to be controlled through democratic structures and processes with particular emphasis and special protections allowed for

neighborhoods that are composed of a majority of people of color and/or low-income residents".

There has only been one ENN on this controversial application that dramatically affects people of color and low-income residents in nearby neighborhoods. We urge Commissioners to support the Homeowners Bill of Rights and send this application back to further ENNs and dialogues with the nearby neighborhoods that will be most impacted.

Sincerely,

West Santa Fe River Alliance

Representatives:

Jim Grey, President,
Maggi Grey
Kathryn C. Sherlock, Ph.D.
Anna Hansen,
William Mee
Bette Booth
Rick Martinez
Jennifer Kilbourn
Terry Rostro
Hilario Romero

svhsupport

406 Botulph Lane
Suite 2
Santa Fe, NM 87505

505-989-3336 office
505-989-1242 fax
svhsupport.org

August 3, 2015

Gail Rapoport
216 W. Lupita Road
Santa Fe, NM 87505

Dear Gail,

Thank you for taking the time to meet with the management of SVHsupport on July 17th, 2015. Your input as a neighbor of Physicians Plaza is sincerely appreciated.

Attached is the list of our commitments in addressing your concerns. By the way, it appears that the generator will no longer be needed so we will begin the process of removing it from the building. I currently do not have a time when that will be completed.

If you have any questions please do not hesitate to call Robert Collins (505) 395-5919 or me (505) 395-5916.

Very truly yours,

Daniel Slavin
SVHsupport, Director of Finance

Enclosure

cc: Dave Delgado
SVHsupport President

Exhibit "8"

svhsupport

List Attachment

1. No waste pickup during the week before 8am and none on Saturday mornings. This will be monitored by contacting Waste Management services (the cardboard recycling vendor) and the city of Santa Fe Waste management services to facilitate this request.

2. The monthly running of the generator will be held during the third Monday evening of every month at 5p.m. (Until the generator is removed).

3. The yearly running of the generator for the required four hour testing will be conducted on a Saturday in October; exact date will be determined yearly and a notification will be sent out to you 2 weeks in advance. (until the generator is removed).

4. Regarding any proposed non-routine maintenance activities that will impact the neighbors with noise, we will notify you 2 weeks in advance.

5. The second floor building lighting being left on at night has been a past concern. There have been meetings with all of the building managers of CSVRMC. Additionally, all of the staff know to turn lighting off in the evenings and the shades on the north side of the building are to be kept down at night.

6. Parking lot lighting has been a past concern; the Kiva building lighting and front door bollards have been put onto a timer to turn off after 10pm at night.

Christus St. Vincent Regional Medical Center

Proposed Condition of Approval regarding 17.5% fair share contribution to improvements at Galisteo/San Mateo intersection:

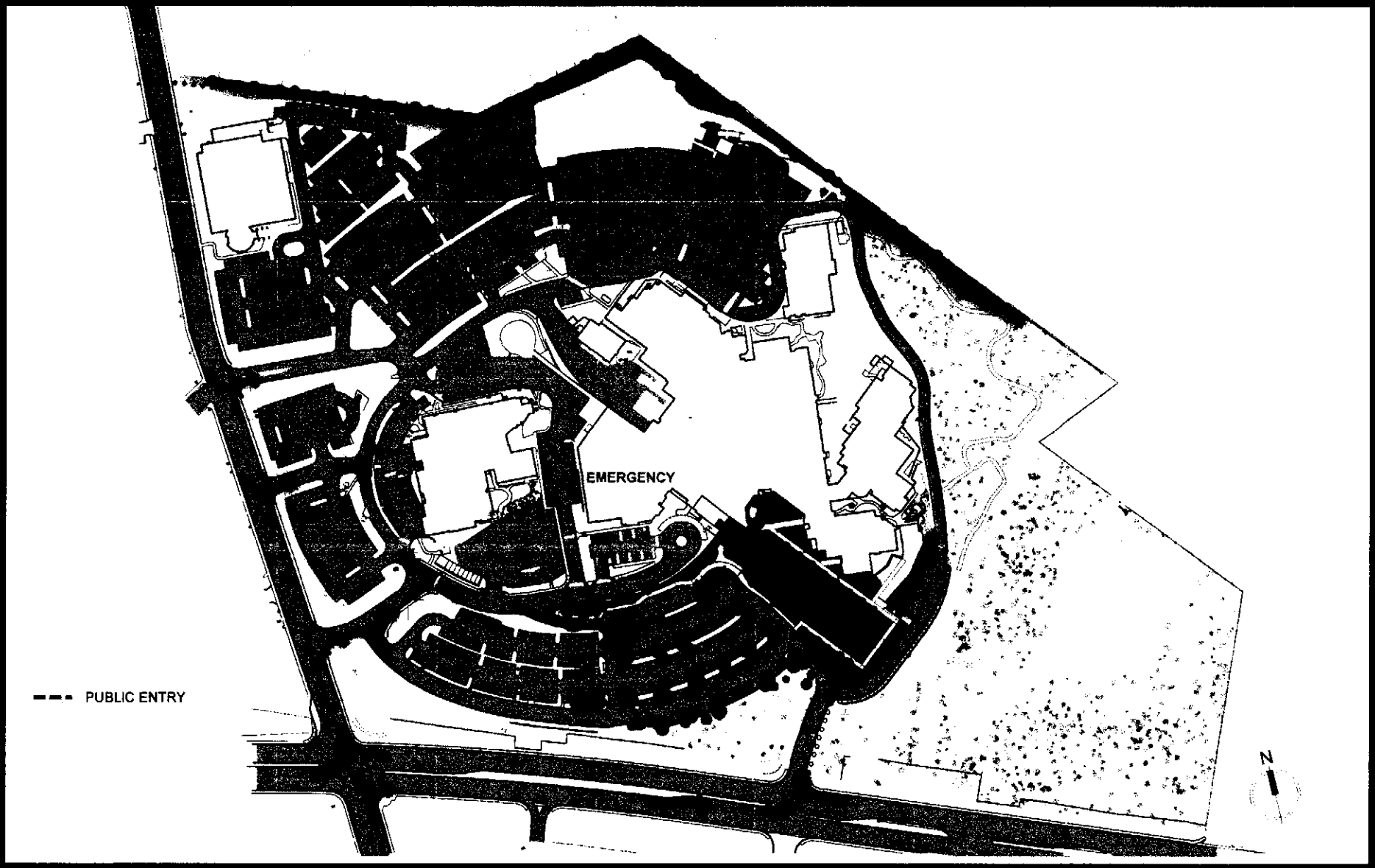
"Funds equal to the developer's contribution will be placed and held in an escrow account to be maintained by the City. The developer's contribution shall be used solely for the costs that are necessarily incurred for the design and construction of either a traffic signal or a roundabout at the Galisteo/San Mateo intersection (the "Improvements") and for no other purpose. Any remaining escrow funds not used for the design and/or construction of the Improvements within five years of the recordation of the Development Plan shall be returned to the developer."

Exhibit "9"

Exhibit "10"

Map
Satellite
Routes
Select: all | none
Rte 1
Rte 2
Rte 21
Rte 22
Rte 24
Rte 26
Rte 4
Rte 5
Rte 6
Rte M
SANTA FE TRAILS

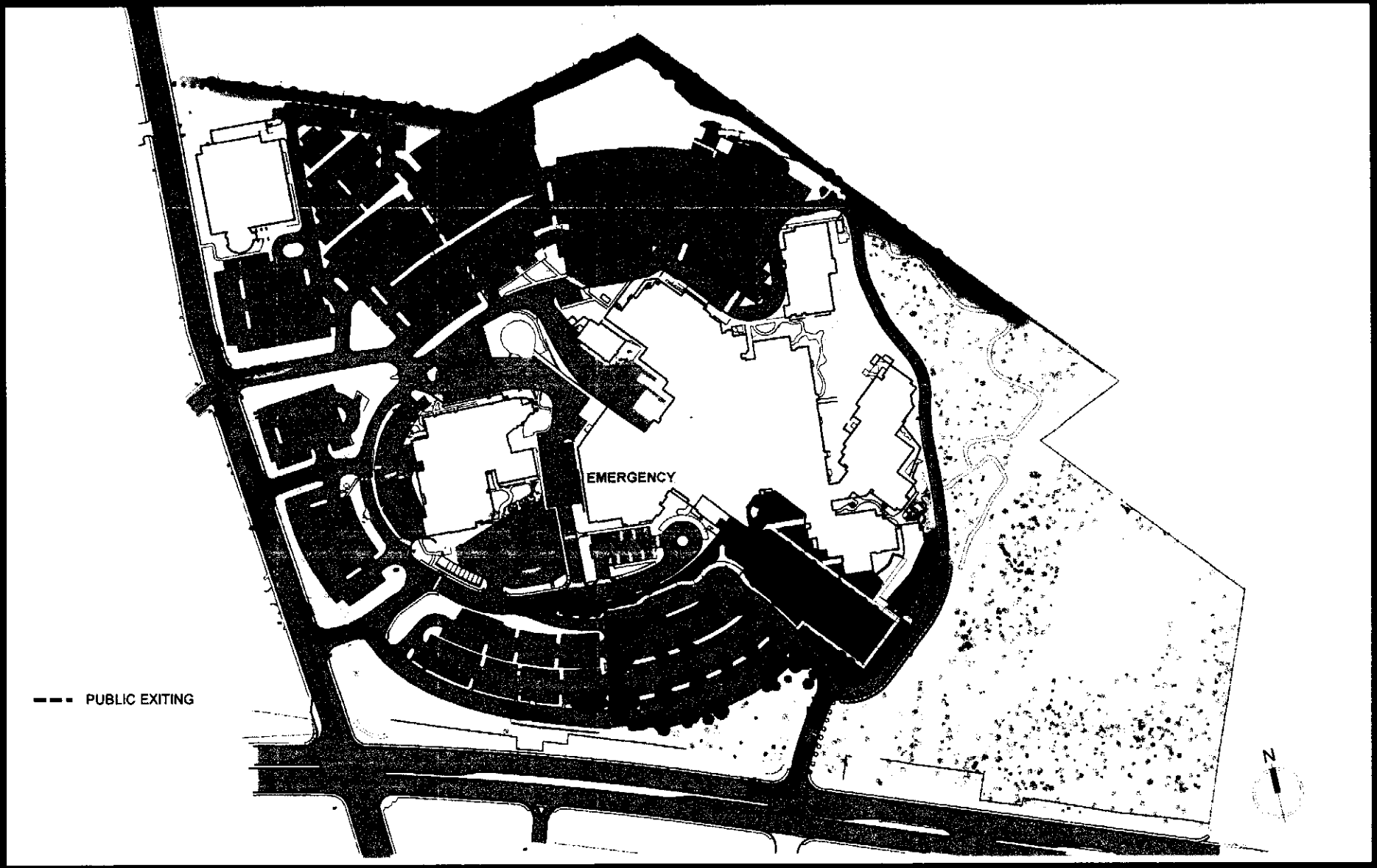
CHRISTUS ST. VINCENT
Regional Medical Center



WHR ARCHITECTS | The Hartman + Majewski Design Group | McCarthy | CBRE

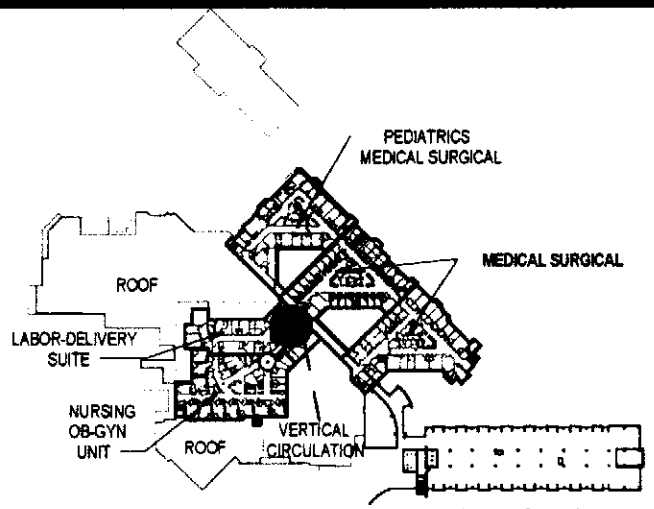
Exhibit "1"

CHRISTUS.ST. VINCENT
Regional Medical Center



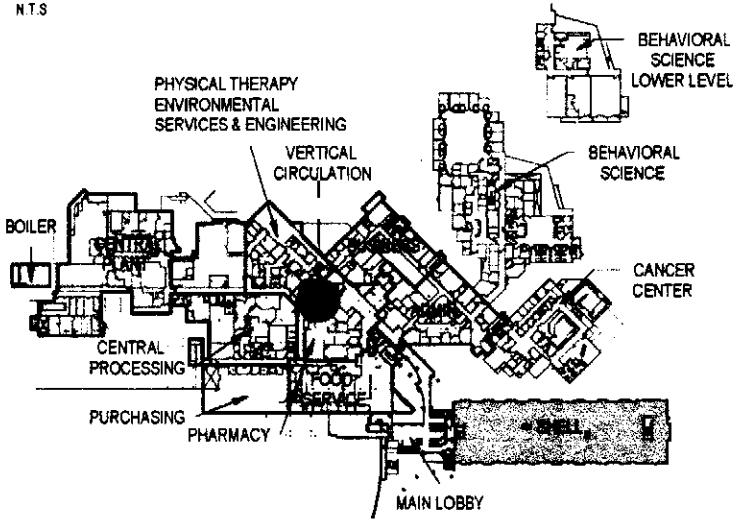
WHR ARCHITECTS | The Hartman + Majewski Design Group | McCarthy | CBRE

CHRISTUS.ST.VINCENT
Regional Medical Center



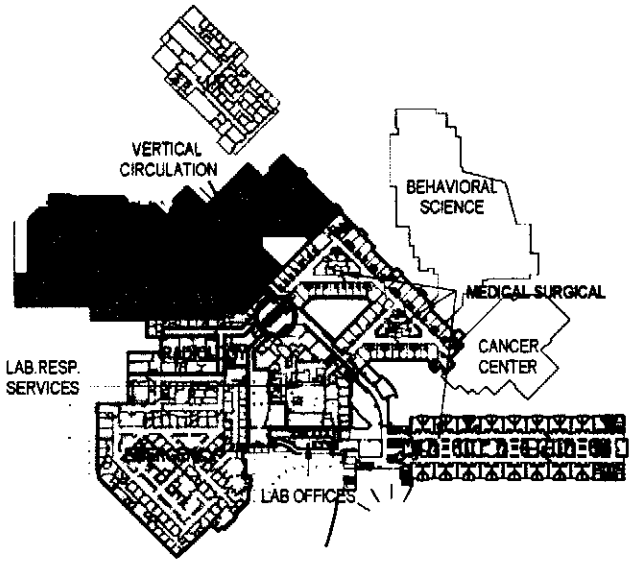
LEVEL 3 - DEPARTMENT ADJACENCIES

N.T.S



LEVEL 1- DEPARTMENT ADJACENCIES

N.T.S



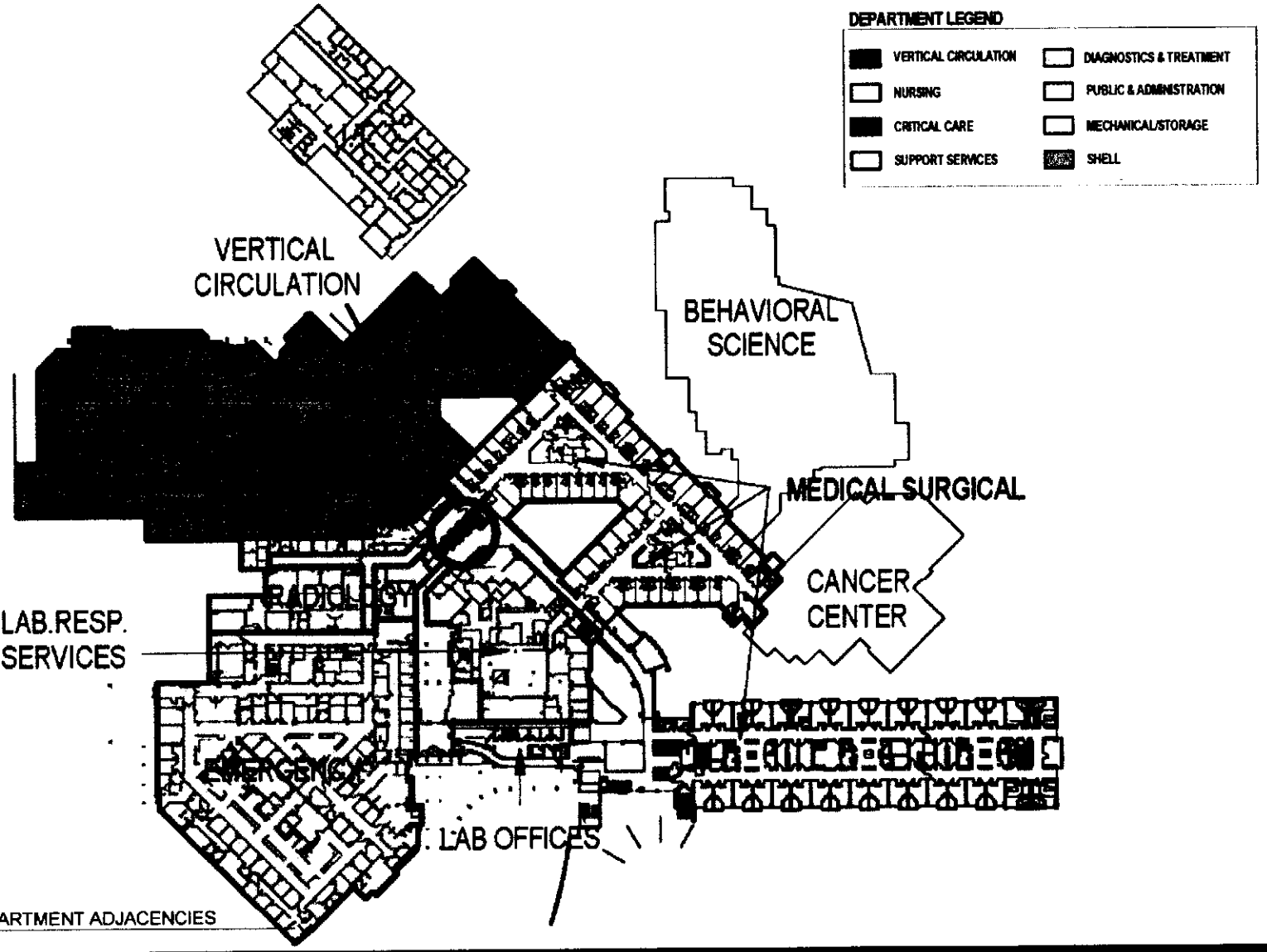
LEVEL 2 - DEPARTMENT ADJACENCIES

N.T.S

DEPARTMENT LEGEND

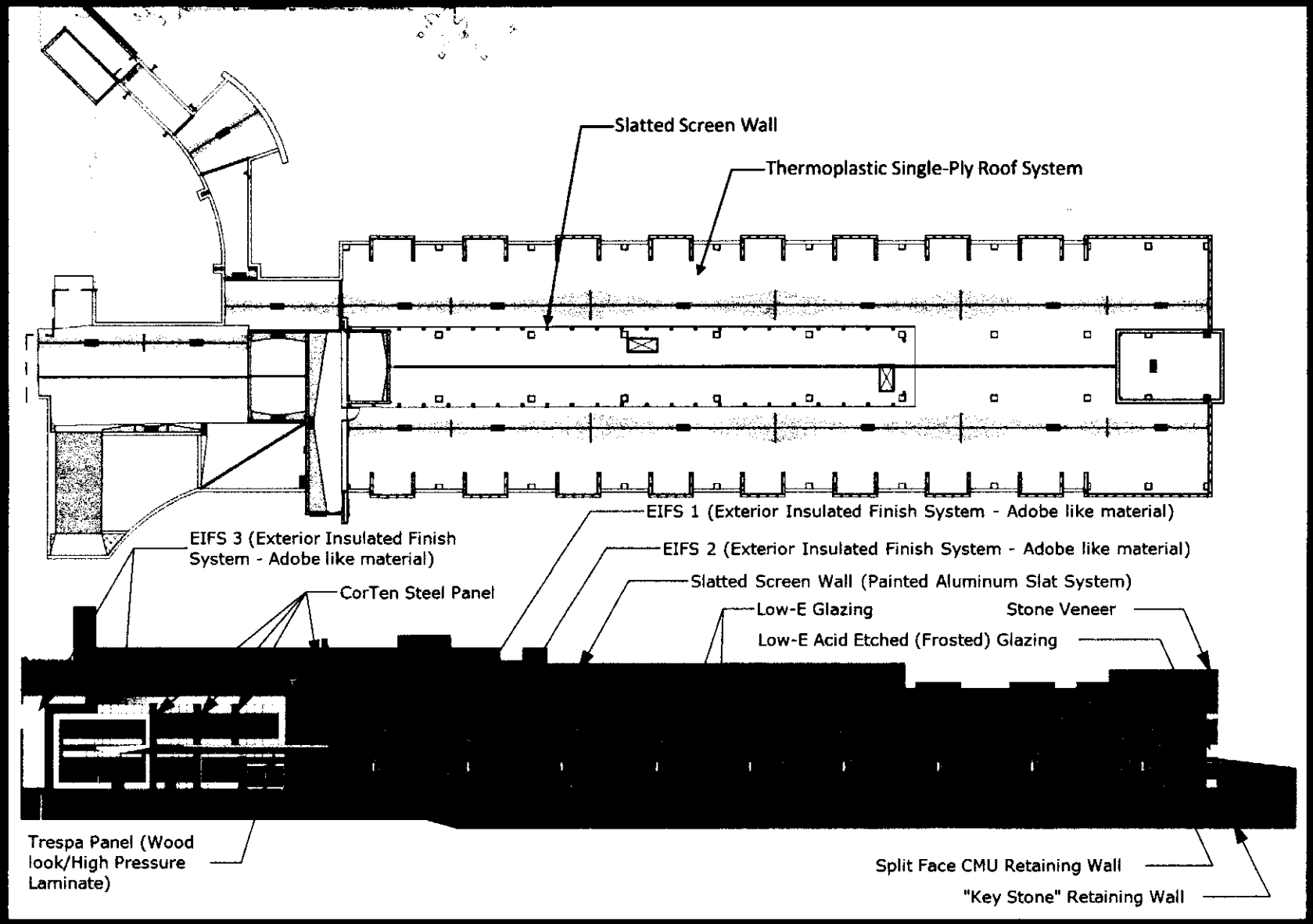
- VERTICAL CIRCULATION
- NURSING
- CRITICAL CARE
- SUPPORT SERVICES
- DIAGNOSTICS & TREATMENT
- PUBLIC & ADMINISTRATION
- MECHANICAL/STORAGE
- SHELL

CHRISTUS.ST.VINCENT
Regional Medical Center

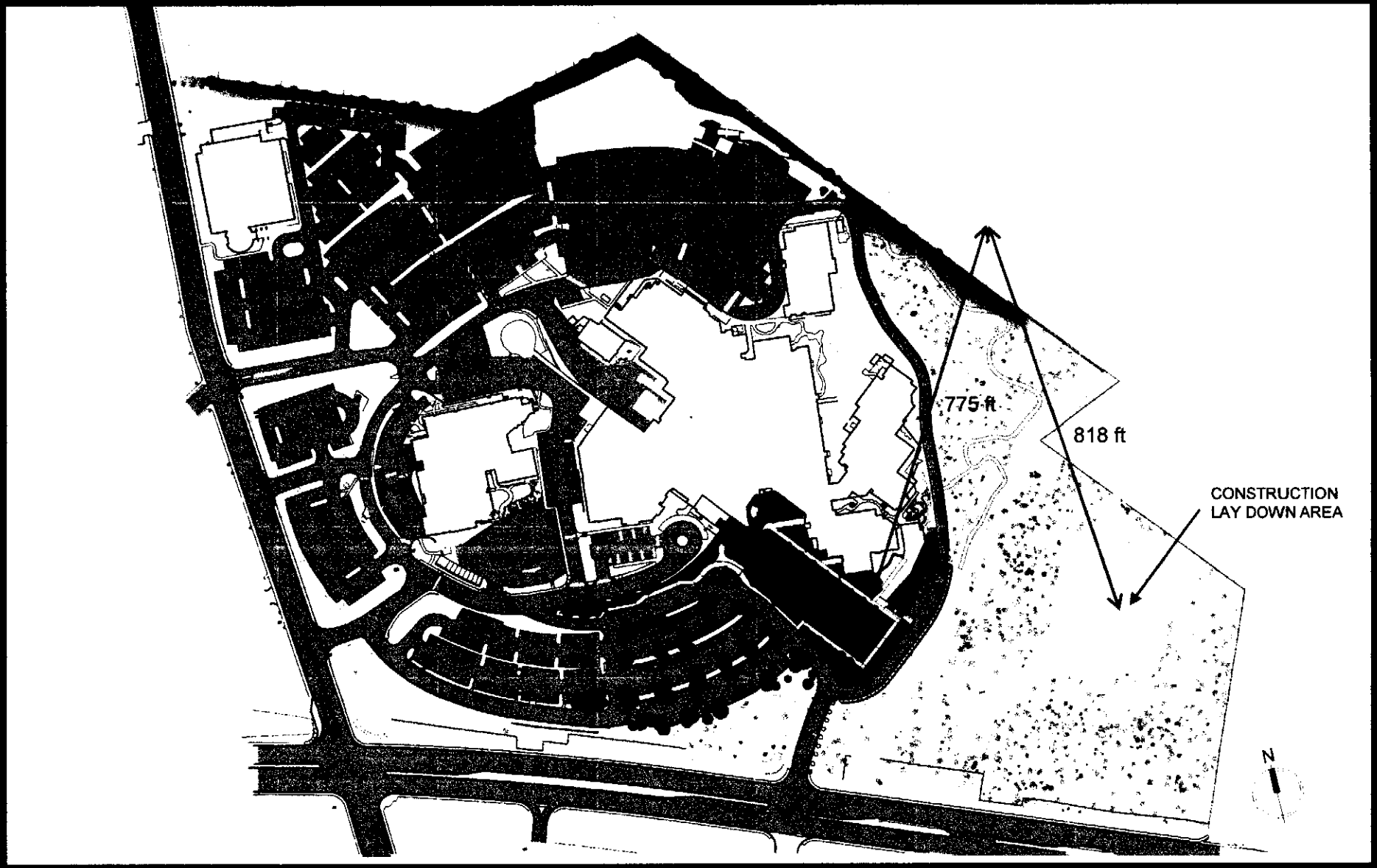


LEVEL 2 - DEPARTMENT ADJACENCIES
NTS

CHRISTUS.ST.VINCENT
Regional Medical Center



CHRISTUS.ST.VINCENT
Regional Medical Center



WHR ARCHITECTS | The Hartman + Majewski Design Group | McCarthy | CBRE

CHRISTUS ST. VINCENT Regional Medical Center

CHRISTUS ST. VINCENT REGIONAL MEDICAL CENTER

CAMPUS MASTER PLAN

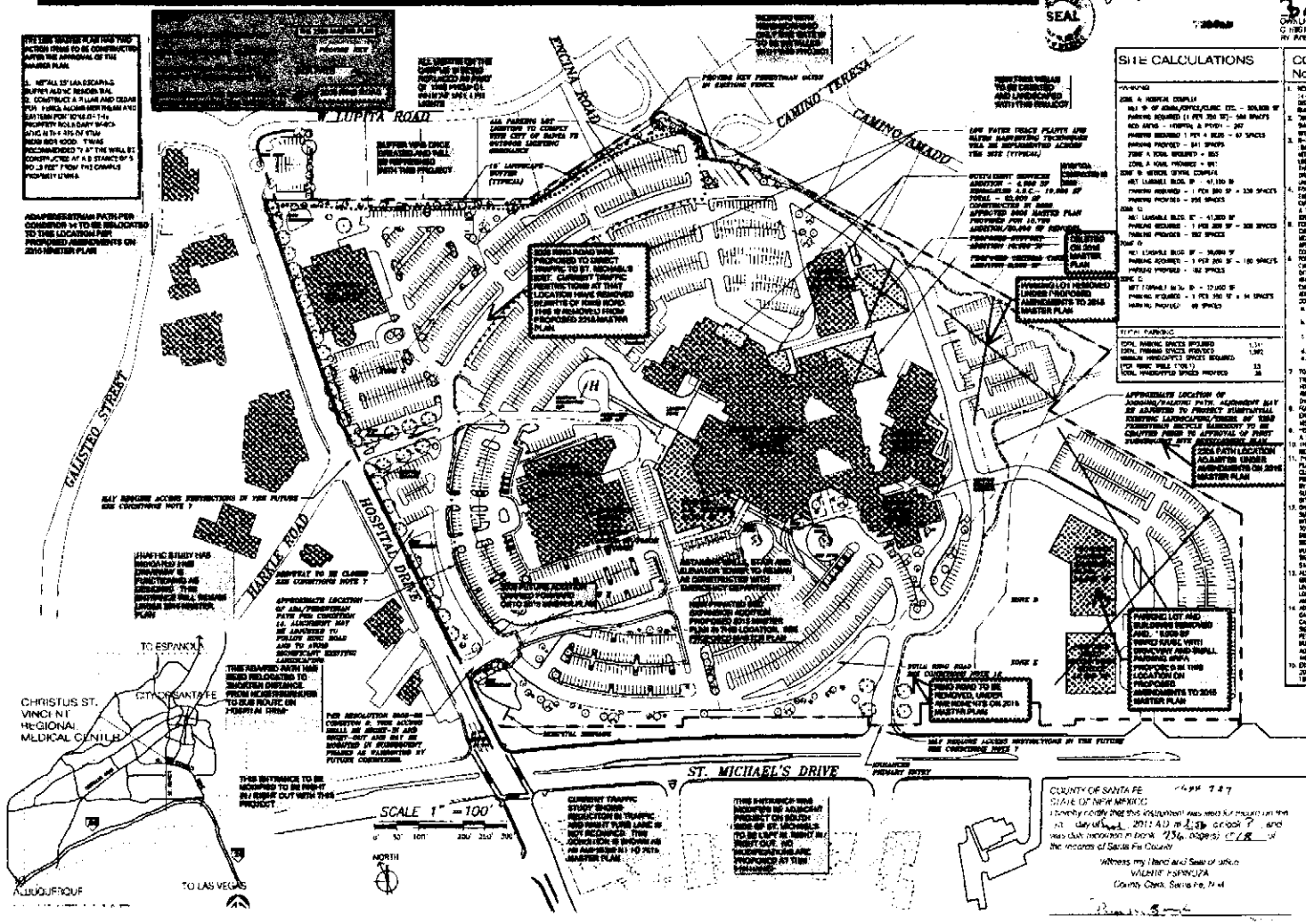
APPROVED BY RESOLUTION NO. 1985-36 AND AMENDED BY RESOLUTION NO. 2006-83

APPROVED BY THE CITY COUNCIL AT ITS MEETING ON JULY 13, 2006 AS RESOLUTION # 2006-83

CITY OF SANTA FE REVIEW

SITE CALCULATIONS

CONDITIONS RESOLUTION No. 2006-83



THE DESIGN GROUP

St. Vincents Hospital
St. Michael's and Hospital Dr.
Santa Fe, New Mexico

MASTER PLAN

SHEET 3 of 20

WHR ARCHITECTS | The Hartman + Majewski Design Group | McCarthy | CBRE

City of Santa Fe, New Mexico

memo

DATE: July 29, 2015 for the August 6, 2015 meeting

TO: Planning Commission

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

FROM: Donna Wynant, AICP, Senior Planner, Current Planning Division

---

Case #2015-57. Gerhart Apartments General Plan Amendment. Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC requests approval of a General Plan Future Land Use map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre). The property is located at 2800 South Meadows Road (Donna Wynant, Case Manager).

Case #2015-58. Gerhart Apartments Rezoning. Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC, requests rezoning approval of 11.83± acres of land from R-1 (Residential, 1 du/acre) to R-21 (Residential, 21 du/acre). The property is located at 2800 South Meadows Road (Donna Wynant, Case Manager).

Cases #2015-57, #2015-58 are combined for purposes of staff report, public hearing and Planning Commission comment and action, but each is a separate application and shall be reviewed and voted upon separately.

RECOMMENDATION

If the Commission determines that the road network in the vicinity is adequate to serve future development on this property and on surrounding properties – or that the road network can be upgraded as development occurs – the Commission should recommend **approval** of both cases, with staff Conditions of Approval for the rezoning case. No specific development will occur as a result of these applications. The General Plan Amendment and Rezoning cases will proceed to the City Council for final decision, and if approved, a Development Plan for Planning Commission review and approval will be required for the proposed development. The agenda packet includes a copy of the development plan the applicant intends to submit for future approval

Exhibits "12"

I. EXECUTIVE SUMMARY

The General Plan Amendment and Rezoning applications pertain to the subject 11.83± acres currently designated Low Density Residential (1-3 dwelling units per acre) and zoned R-1 (Residential, 1 dwelling unit per are). The property was annexed into the City in 2014 as part of the City-initiated annexation process and zoned R-1 (Residential, one dwelling unit per acre).

The property is bounded by South Meadows along the southeast property line and Camino Real Academy public school to the west and south., A 30-acre parcel of state-owned land that is leased by the city is located to the north, about 5 acres of which may be developed in the future for a City fire station. Eight small parcels are located northeast of the applicant's property on the north side of South Meadows Road, between the road and the city parcel. Some of the small parcels are owned by the state or the Bureau of Land Management, and several are apparently in private ownership. Across South Meadows is a 10 acre vacant parcel, owned by the applicant and to the north of that is BLM land. The site is accessed by South Meadows and is approximately ¼ mile south from the new CR62/NM599 interchange, and ¼ mile north of the South Meadows/Agua Fria intersection.

The property is fairly flat and features very few trees and is not in the flood plain. An archaeological survey and report were provided with the application. The Archeological Review Committee (ARC) approved the archaeological reconnaissance report and issued an Archaeological Clearance Permit for the project at their 7/2/15. (See Exhibit __).

The applicant has submitted a Traffic Impact Analysis, and the city's Traffic Engineering Division has determined that adequate access can be provided to the site via two driveways to South Meadows Road, of appropriate turn lanes and medians are constructed. However, Land Use staff has identified potential concerns with whether the existing road network will provide adequate access for the likely types and intensity of development on this and other nearby parcels (see Section III of this report).

Utilities available to serve the site include a water and sewer line located along South Meadows Road. The applicant will be required to transfer water rights to the City of Santa Fe. The non-domestic well on-site will not be use for the apartment project.

The applicant has provided a conceptual site plan (see Exhibit E) that shows a 240 unit apartment development. The site plan is for illustrative purposes only since a more detailed development plan will be submitted for the Planning Commission's review and approval. The applicant proposes ten 3-story buildings, each consisting of 24 units. The applicant proposes to build the apartment building to the same final elevation as the adjacent school for the majority of the site. Requirements for common or private open space, and land to be dedicated for neighborhood parks, open space, trails and recreation facilities will be more closely reviewed at the time of final development plan.

Additional information is provided in the applicant's "Gerhart Apartment Project report regarding the proposed layout of the buildings, amenities, architectural features, etc. The applicant is working with the Office on Affordable Housing on their plan to either provide the required number of affordable units or an alternate means of compliance. The applicant also submitted a housing market study that shows a lack of market rate housing in Santa Fe.

II. GENERAL PLAN AMENDMENT

14-3.2 (E) Approval Criteria

(1) Criteria for All Amendments to the General Plan

The planning commission and the governing body shall review all general plan amendment proposals on the basis of the following criteria, and shall make complete findings of fact sufficient to show that these criteria have been met before recommending or approving any amendment to the general plan:

> ***(a) consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure;***

Applicant Response:

As part of the presumptive City limit, this area is identified for future growth of the City. A high-density residential project can help serve the residential needs of this portion of the City of Santa Fe. Multi-family projects can encourage young people and families to stay in Santa Fe. The apartment project has readily available access to new infrastructure, namely new roads, water/sewer lines, fire protection, schools, and parks.

The area of the subject site (southwest Santa Fe) shows a 95.67% occupancy rate for existing apartment projects.

Staff Response:

The South Meadows Road extension and the 599 interchange provide sufficient access to support development that is much more intense than the current R-1 and R-3 that apply to the project site and to much of the nearby land. No detailed land use plan has been approved for the vicinity, although commercial zoning and a master plan were approved for parcels nearer to the 599 interchange (Village Plaza). That approval was granted under the Extraterritorial Zoning Ordinance prior to annexation by the city, and the zoning approval remains in effect. Although the city does not maintain specific projections for types and rates of growth, it appears that:

- There is currently unmet demand for large-scale apartment projects
- There are several parcels of land in the city that have already been planned and/or zoned for apartment development.
-

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

Applicant Response:

The apartment project is in Stage 2 of Urban Area Stage Plan (2010-2025) the goal of which is to concentrate population at greater densities in future growth areas, encourage "compact urban form" and develop at a higher density to make the most efficient use of utilities , roads and parks. The General Plan also encourages pedestrian linkages (children can walk to school; school

connections; bus stop possibility on Agua Fria, close proximity to existing infrastructure (NM599 interchange).

Staff Response:

Staff general concurs with the applicant's responses to the approval criteria for the General Plan amendment. The proposed apartment complex could become part of a potential future nodal area near the NM 599 / South Meadows interchange, along with the El Camino Real Academy, Cottonwood Mobile Home Park, a new city fire station and the previously-approved commercial center (Village Plaza). The project adjoins and is walking distance to the new El Camino Real Academy and is approximately 400 feet from NM 599 and 400 feet from the Santa Fe River. There are no directly adjacent homes or farms.

(c) the amendment does not:

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

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

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

Applicant Response:

See response below.

Staff Response:

The proposed high density residential development is an appropriate use located between a school and future fire station and near a future commercial area. This growing area is in transition, near an interchange and features a variety of uses in the surrounding area, and is therefore not "significantly different from or inconsistent with the prevailing use and character in the area."

The site is 11.83± acres; well beyond the minimum requirement of two acres when amending the General Plan or rezoning a parcel.

The request to amend the future land use designation from low density residential to high density residential does not benefit one or a few landowners at the expense of the surrounding landowners or the general public.

(d) an amendment is not required to conform with Subsection 14-3.2(E)(1)(c) if it promotes the general welfare or has other adequate public advantage or justification;

Applicant Response:

The area in and around the subject site will witness numerous changes in the coming years, starting with the new infrastructure in the area (NM599) interchange at CR62 and S. Meadows Rd), the new school, new parks and trails, and new commercial areas close by. The character of the area is in the process of transforming into compact urban form. The request for the apartment project is consistent with the General Plan, which encourages compact urban form, thus it is put forth in this narrative that the requested change promotes the general welfare of the City and has public advantage to efficiently utilize the new infrastructure in the area.

Staff Response:

Approval criterion (d) is not required for this proposal, since it is more than two acres in size. The proposed plan amendment would comply in any case.

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

Applicant Response:

No longer applicable.

Staff Response:

Staff concurs.

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

Applicant Response:

The apartment project is one component of several components in the area that will make up a harmonious development in the municipality. High density residential units combined with medium/low density residential product, a new school, parks/trails, commercial development and a new municipal fire station will all be occurring within a ½ mile radius.

Staff Response:

A high density market rate residential apartment development in the proposed location is well situated near a school, fire station, commercial area, the Santa Fe river trail and proximity to the 599 interchange.

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

Applicant Response:
(No response was given)

Staff Response:

Staff has not identified inconsistencies with any other adopted policies. Development that complies with applicable regulations should be feasible.

(2) Additional Criteria for Amendments to Land Use Policies

In addition to complying with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan shall be made only if evidence shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties. The proposed change in land use must be related to the character of the surrounding area or a provision must be made to separate the proposed change in use from adjacent properties by a setback, landscaping or other means, and a finding must be made that:

(a) the growth and economic projections contained within the general plan are erroneous or have changed;

(b) no reasonable locations have been provided for certain land uses for which there is a demonstrated need; or

(c) conditions affecting the location or land area requirements of the proposed land use have changed, for example, the cost of land space requirements, consumer acceptance, market or building technology.

Applicant Response:

The General Plan Amendment is justified in this case as growth is expected and planned for this area. The site is located in the Phase 2 annexation area. The proposed change will not have a negative impact on surrounding property, as many surrounding properties are all in the state of change. New school uses, new fire stations, new parks/trail and commercial areas all make up the ongoing changes that are occurring in this area.

Staff Response:

A high density residential development that is adjacent to a school makes for a safer, more convenient trip to school, without crossing busy streets. The future fire station on the north side

of the property certainly increases safety to the development in many ways. The sound of sirens from fire engines in such close proximity, however, is something to be mitigated with additional landscaping, buffer, sound wall, and/or practice of silencing the sirens within a certain distance of the apartment project.

III. REZONING

Section 14-3.5(A) and (C) SFCC 2001 sets forth approval criteria for rezoning as follows:

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

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

(i) there was a mistake in the original zoning;

(ii) there has been a change in the surrounding area, altering the character of the neighborhood to such an extent as to justify changing the zoning; or

(iii) a different use category is more advantageous to the community, as articulated in the general plan or other adopted city plans;

Applicant Response:

Regarding these three conditions, and addressing the first, while a mistake was not made with the original zoning of R-1, it was a default zoning classification for sites and land areas that did not have a previously approved Master Plan. Given the transition that is occurring in the area (new interchange at NM599, new school, greater density, new fire station, new parks and trails) the R-1 zoning classification was certainly not the highest and best use for the subject site in consideration of the objectives of the General Plan. It is evident that the second criteria is met as well given that the area is in transition due to the new infrastructure in the area (NM599 Interchange and new S. Meadows Rd). Regarding criteria three, it is more advantageous to the community and the City to encourage a more compact urban form to utilize the existing land areas more efficiently as well as the new utility infrastructure in the area (to include water, sewer, and roadways).

Staff Response:

No mistake was made in the original zoning. Recent changes in the surrounding area do alter the character of the neighborhood to such an extent as to justify changing the zoning. A different use category is more advantageous to the community, as articulated in the general plan and other adopted city plans.

(b) all the rezoning requirements of Chapter 14 have been met

Applicant Response:

The apartment project, as it is further designed in the development plan process, will adhere to Chapter 14 of the City of Santa Fe land use code. Procedural and other requirements will be met, which will include: parking, landscaping, engineering (terrain management), water/sewer hookup, water rights transfer, open space, building height and architectural standards.

Staff Response:

The notice requirements were met with the pre-application conference, the ENN, posting and mailing, etc. Details of the proposed development will be more closely reviewed for compliance to all the Chapter 14 requirements as the applicant states above.

(c) the rezoning is consistent with the applicable policies of the general plan, including the future land use map;

Applicant Response:

The General Plan encourages compact urban form in developing areas. The subject area is within Stage 2 Urban Staging Area (2010-2025). The development of the site is in accordance with the timeline of the Plan.

Staff Response:

The rezoning proposal is consistent with applicable general plan policies, as described in more detail in Section II of this report.

(d) the amount of land proposed for rezoning and the proposed use for the land is consistent with city policies regarding the provision of urban land sufficient to meet the amount, rate and geographic location of the growth of the city;

Applicant Response:

It is estimated that there will be a demand for over 1,900 new market rate apartment units by year 2020. If one considers the anticipated supply pipeline of new apartment projects, there is till a demand for over 900 new market rate units.

Staff Response:

Other areas area available throughout the city that are designated high density residential, that are already zoned R-21 or R-29, near existing services. However, the nearby future commercial development and proximity to the interchange, etc. for the subject property makes the site well-suited to higher density development rather than a low density single family subdivision.

(e) the existing and proposed infrastructure, such as the streets system, sewer and water lines, and public facilities, such as fire stations and parks, will be able to accommodate the impacts of the proposed development.

Applicant Response:

The subject area features new streets (S Meadows Rd.), a new interchange at NM599, new water and sewer lines, and new public facilities such as a new fire station and proposed new parks. A new school is immediately adjacent to the subject site.

Staff Response:

Staff concurs with the applicant's statement.

(2) Unless the proposed change is consistent with applicable general plan policies, the planning commission and the governing body shall not recommend or approve any rezoning, the practical effect of which is to:

(a) allow uses or a change in character significantly different from or inconsistent with the prevailing use and character in the area;

(b) affect an area of less than two acres, unless adjusting boundaries between districts; or

(c) benefit one or a few landowners at the expense of the surrounding landowners or general public.

Applicant Response:

As stated earlier in this narrative the subject area is in transition with a new school, commercial area and new infrastructure.

Staff Response:

The amendment does not: allow uses or a change that is significantly different from or inconsistent with the prevailing use and character in the area; or does not affect an area of less than two acres, and does not benefit one or a few landowners at the expense of the surrounding landowners or the general public;

(D) Additional Applicant Requirements

(1) If the impacts of the proposed development or rezoning cannot be accommodated by the existing infrastructure and public facilities, the city may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies;

(2) If the proposed rezoning creates a need for additional streets, sidewalks or curbs necessitated by and attributable to the new development, the city may require the developer to contribute a proportional fair share of the cost of the expansion in addition to impact fees that may be required pursuant to Section 14-8.14.

Applicant Response:

The apartment project can be accommodated by existing infrastructure and public facilities. The area features new infrastructure (water, sewer, interchange, fire station to name a few). That being said, the project will participate in its fair share of improvements as indicated by the City of Santa Fe staff members.

Staff Response:

The applicant proposes two access points into the property from South Meadows, both with gated entries. The gates were set in further to the property in response to concerns raise at the ENN regarding possible back up of traffic into the street during the morning and afternoon school peak hours. The applicant also acknowledges any necessary fair share proportional road improvements in the area based upon additional traffic from the apartment project.

The applicant has submitted a traffic impact analysis that addresses site access and functioning of nearby intersections based on projections of traffic that will result from development of the applicant's property. The TIA has been reviewed and approved by the city traffic engineering division. A deceleration lane and turn lane are proposed and a raised median is required by the Traffic Engineer along the length of the subject property and along the adjacent school to its entrance.

The TIA does not address whether local roads will be needed to provide access to the other undeveloped parcels nearby, including the parcel leased by the city. Future access issues are complicated by the existence of a 'hodge-podge' pattern of ownership, and by uncertainty regarding the intensity of development that may occur if other land is "upzoned" in a manner similar to the applicant's property. Other relevant issues include:

- South Meadows is a limited-access road, so engineering standards call for street and driveway intersections with left turns to be widely spaced. Parcels that do not have direct left-turn access will be restricted to "right-in, right-out access, which may limit the type and intensity of development that will be possible.
- Previous plans to extend a frontage road along the south side of NM 599 seem unlikely to be implemented.
- A second access to the city-leased parcel – to South Meadows – would improve emergency access to the fire station, and would increase the range and intensity of development that would be possible on the remainder of the parcel.
- Provision of a road network that complies with General Plan policies and Chapter 14 standards for connectivity – one through street every 1,000 feet – will require coordination of access to the various parcels.

It may be possible to resolve the access issues as part of the future development plan review.

Regarding bus transportation, Santa Fe Trails Route 1 is about ¼ mile away from the subject site on Agua Fria. The applicant has discussed this with the Santa Fe Trails for extension of bus

service to the area as the area develops in the future. A convenient route for bike and pedestrian traffic will be possible to several destinations once the river trail is extended to this area.

IV. EARLY NEIGHBORHOOD NOTIFICATION MEETING

An ENN meeting was held on March 16, 2015 at the El Camino Real Academy, where approximately 10 neighbors, plus 2 people representing the applicant and one city staff person were in attendance. Mr. Hoeft presented a conceptual plan of the development and explained that a more detailed plan would be presented to the Planning Commission after the Council's decision on the General Plan Amendment and a Rezoning. He also pointed out that since the previous ENN held in 2013 part of the overall site was sold to the school District (for the El Camino Real Academy) and the new South Meadows Road split off 10 acres of land (mostly floodplain) to the south. That portion was for the County to eventually extend the trail along the Santa Fe River.

Questions raised primarily concerned traffic congestion and overcrowding of schools. People asked about possible traffic congestion at morning and afternoon peak hours at the school and the backup of traffic at the 2 gated entries. School overcrowding in the area and the El Camino Real Academy already at full enrollment (see Exhibit D-2: ENN Notes) was a major concern.

ATTACHMENTS:

EXHIBIT A: Conditions of Approval

EXHIBIT B: Development Review Team Memoranda

1. Long Range Planning, Housing. & Community Dev. Dept, Richard Macpherson
2. Traffic Engineering Division memorandum, Sandra Kassens
3. Metropolitan Planning Organization email, Keith Wilson
4. Technical Review Division memorandum– City Engineer, Risana Zaxus
5. Wastewater Management Division memorandum, Stan Holland
6. Water Division memorandum, Dee Beingessner
7. Affordable Housing memorandum, Alexandra Ladd [Not available at staff report deadline]
8. Fire Marshal memorandum, Reynaldo Gonzales [Not available at staff report deadline]
9. Archaeological Liaison – Letter & ARC Clearance- Lisa Roach
10. Santa Fe Public Schools

EXHIBIT C: Maps

1. Aerial Photo
2. Future Land Use
3. Current Zoning

EXHIBIT D: ENN Materials

1. ENN Responses to Guidelines
2. ENN Meeting Notes

EXHIBIT E: Applicant Materials

1. Conceptual Site Plan [Included in Commissioner packets]

EXHIBIT F: Other Material

1. List of permitted uses in the R-29 district (Residential, 29 du/acre)

Gerhart Apartments
Planning Commission
General Plan Amendment (Case #2015-57)
Rezoning (Case #2015-58)

DRT Conditions of Approval	Department	Staff
1. The Developer shall provide right–turn deceleration lane analyses on South Meadows Road at both driveways into the apartments per the criteria in the State Access Management Manual (SAMM); and shall build right-turn deceleration lane(s) if determined to be necessary by the Public Works Department (PWD); 2. The Developer shall build a 14' wide raised center median (instead of painted median); and along the frontage of the Gerhart property the Developer shall add a 5' bicycle lane to the typical section that already includes sidewalk and buffer; 3. The Developer shall maintain the existing northbound typical section; and 4. The Developer shall extend the 14' wide median southward along the frontage of the school property so that it ties in and terminates at the left-in to the school. 5. The Developer shall work with the PWD to refine cost estimates, including Right-of-Way (ROW) acquisition, for the following two (2) mitigation alternatives for the Agua Fria/South Meadows Intersection: 1) added left turn lanes on Agua Fria and 2) replacement of signalized intersection with a roundabout. 6. The Developer shall provide fair-share contributions for future improvements to the off-site intersection at Agua Fria Street and South Meadows Road; once it has been determined by the Public Works Department which mitigation will be implemented and how much it will cost.	Traffic Engineering/Public Works	John Romero (per Sandra Kassens)

EXHIBIT A

The proposed stormwater ponds cannot be considered to be amenities integrated into the landscape. If this case proceeds to the Development Plan stage, the following provisions of the Land Development Code must be met: 14-8.2(A)(6) treat stormwater runoff as a valuable natural resource in Santa Fe...by encouraging water collection and infiltration on site 14-8.2(A)(11) integrate stormwater management measures into the landscape and site planning process... 14-8.2(A)(12) provide aesthetically pleasing solutions to stormwater management and erosion control measures by integrating measures into the overall landscape and site design 14-8.4(A)(1)This section requires water harvesting and encourages the development of alternate sources of landscape irrigation water...Water conservation, water harvesting and irrigation efficiency shall guide landscape design... 14-8.4(A)(2)...this Section 14-8.4 is part of the purpose and intent of Chapter 14, which is to enhance the appearance of Santa Fe's streets and public places in order to promote their role as community amenities... 14-8.4(E)...Alternative sources of irrigation water shall be developed, including harvested water from roof and site runoff. 14-8.4(E)(1)The landscaping plan shall include passive water harvesting for landscape irrigation purposes... 14-8.4(E)(1)(b)(i)...Detention and retention ponds should be integrated landscape features, rather than single-purpose flood control ponds. 14-8.4(I)(4) - {referring to parking lots}: ...stormwater runoff shall be used to provide irrigation for the perimeter and interior plantings to the greatest extent possible...stormwater runoff water shall be harvested and infiltrated as close to	Technical Review Division/LUD	Risana Zaxus

where it falls as possible...		
The following notes shall be added to the plats: 1. Each lot shall be served by separate water and sewer services 2. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application. **The following is a design review comment:** 1. A public sewer system design is shown to be serving the site. Typically, sewer system serving single property developments are designed utilizing private on-site sewer systems.	Wastewater Management/Pubic Works	Stan Holland

City of Santa Fe, New Mexico

memo

DATE: July 17, 2015

TO: Kate Noble, Acting Manager, Housing and Community Development Dept. KN

VIA: Reed Liming, Director, Long Range Planning Division RL

FROM: Richard Macpherson, Senior Planner, Long Range Planning Division RM.

RE: The Gerhart Apartment Project

Long Range Planning generally concurs with the applicant's responses to the approval criteria for a General Plan amendment. This proposed apartment complex could become part of a potential future nodal area near the NM 599 / South Meadows interchange, along with the El Camino Real Academy, Cottonwood Mobile Home Park, a new city fire station and a planned commercial center (Village Plaza). The project adjoins and is walking distance to the new El Camino Real Academy and is approximately 400 feet from NM 599 and 400 feet from the Santa Fe River. The site plan shows a fully landscaped project that could become part of a nicely designed development. It seems a higher-density residential apartment project could be appropriate in this location. There are no directly adjacent homes or farms. In summary, a General Plan amendment to higher density residential use would seem to be acceptable for this site.

EXHIBIT B-1

City of Santa Fe, New Mexico

memo

*AMENDED MEMO

DATE: July 28, 2015

TO: Donna Wynant, Senior Planner, Land Use Division

VIA: John J. Romero, Traffic Engineering Division Director

FROM: Sandra Kassens, Engineer Assistant SMK

SUBJECT: **Gerhart Apartments General Plan Amendment and Rezone (Case# 2015-57 & 2015-58)**

ISSUE:
Scott Hoeft of Santa Fe Planning Group, agent for Storm River LLC, requests approval of a General Plan Future Land Use Map amendment to change the designation of 11.83± acres of land from Low Density Residential (1-3 dwelling units per acre) to High Density Residential (12-29 dwelling units per acre.) The agent also requests rezoning of 11.83± acres of land from R-1 (Residential, 1 dwelling unit per acre) to R-21 (Residential, 21 dwelling units per acre). The property is located at 2800 South Meadows Road.

RECOMMENDED ACTION:
Review comments are based on submittals received on May 27, 2015 and the revised Traffic Impact Analysis (TIA) dated 6/8/15 received in Public Works on June 9, 2015. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted:

- **The Developer shall provide right–turn deceleration lane analyses on South Meadows Road at both driveways into the apartments per the criteria in the State Access Management Manual (SAMM); and shall build right-turn deceleration lane(s) if determined to be necessary by the Public Works Department (PWD);**

Per Article 14-9.2 of the City of Santa Fe Code, the Developer shall widen South Meadows Road (secondary arterial) along the extent of the Gerhart property by constructing the following:

- **The Developer shall build a 14' wide raised center median (instead of painted median); and along the frontage of the Gerhart property the Developer shall add a 5' bicycle lane to the typical section that already includes sidewalk and buffer;**
- **The Developer shall maintain the existing northbound typical section; and**
- **The Developer shall extend the 14' wide median southward along the frontage of the school property so that it ties in and terminates at the left-in to the school.**

See amended notes on following page

EXHIBIT B-2

Amendment: The Developer will be eligible to apply for Impact Fe Credits in an amount to be determined by the Public Works Department for Roadway Improvements; the amount will be based on the difference between the estimated cost of the above mentioned improvements less the amount that the Developer had previously proposed.

Off-site Improvements at Agua Fria St. and South Meadows Road intersection:

The capacity analyses demonstrate that the east-bound left turn movement on Agua Fria at the intersection of South Meadows and Agua Fria is currently failing during the AM peak hour. The Developer analyzed two options for mitigation; namely adding left turn lanes on Agua Fria Street at the existing signalized intersection, or replacing the signal with a single-lane roundabout. Either option would operate at an acceptable level of service (LOS) based on conceptual designs and LOS analysis provided by the Developer.

- **The Developer shall work with the PWD to refine cost estimates, including Right-of-Way (ROW) acquisition, for the following two (2) mitigation alternatives for the Agua Fria/South Meadows Intersection: 1) added left turn lanes on Agua Fria and 2) replacement of signalized intersection with a roundabout.**

Amendment: The Developer shall provide fair-share contributions for the greater of the two cost estimates listed above for future off-site intersection improvements at Agua Fria Street and South Meadows Road.

Development Plan Review:

The Development plan is preliminary at this point in time; therefore we will review the construction plans when the development plan is submitted for approval.

If you have any questions or need any more information, feel free to contact me at 955-6697. Thank you.

K. NM 599 S. Frontage Road from CR 62 to Caja del Rio

This alternative is to construct a frontage road on the south side of NM 599 from the CR 62 intersection to Caja del Rio as shown in Figure 14. This alternative could be used as an alternative to construction the Caja del Rio Interchange to provide access to the south side of NM 599. There is a parcel on the south side of NM 599 that only has access to the Santa Fe River and not to any road.

1. Traffic Analysis

The S. Frontage Road from CR 62 to Caja del Rio would serve new development. The frontage road would funnel traffic to the CR 62 intersection. This future development is included in the traffic forecasting model and will be included in the intersection analysis.

2. Safety

A frontage road from CR 62 to Caja del Rio would serve new development so safety would not be improved.

3. Horizontal and Vertical Alignment

The horizontal alignment of the S. Frontage Road from Caja del Rio to CR 62 alternative is shown in Figure14 along with the horizontal curve data. The vertical profile data can be found in Appendix N. The design speed of the frontage road is 40 miles per hour.

4. Typical Section

The south frontage road typical section is assumed to be 2-12' lanes with 5' shoulders as shown in Figure 4. A concrete wall barrier would be needed between NM 599 and the frontage road. A half concrete wall barrier and a noise wall would be needed between the frontage road and the Cottonwood Mobile Home Park.

A minimum of 4' of clear space is recommended for bicyclists. An additional foot is needed because the open graded friction course laps onto the shoulder 1'. In areas with guardrails or walls the shoulders are recommended to be 6'. The pavement section is assumed to be 5/8 inches of open graded friction course and 5 1/2 inches of hot mix asphalt type SP-III over 7 inches of base course to match the existing frontage roads.

5. Multi-modal Transportation

The shoulder on the south frontage road would accommodate road bicyclists; however, the right-of-way becomes restricted halfway between Caja del Rio and County Road 62. It is possible that the Santa Fe River Trail could serve as an alternate route for pedestrians, equestrians and mountain bicyclists. There is an existing trail underpass just west of Caja del Rio that provides a reasonable crossing of NM 599.

6. **Drainage**

The existing structures under NM 599 are not impacted by the frontage road alternative. A storm drain with drop inlets would be needed for the frontage road where it is adjacent to NM 599. It was assumed that the drop inlets were 1000 feet apart for the estimate. In addition a pipe would be needed under Caja del Rio. The proposed structures are shown in Table 21.

Pipe Size	Length Required (ft)	Remarks
24"	120	Under Caja del Rio
30"	1696	Storm drain
36"	1696	Storm drain
42"	1696	Storm drain
24"	40	Connect 8 drop inlets to storm drain.

7. **Noise Wall**

The existing noise wall between NM 599 and the Cottonwood Mobile Home Park will have to be replaced with this alternative. The existing wall is approximately 7 feet tall and 2200 feet long. The wall is placed on a berm which adds approximately 6' to the height. The existing berm would need to be removed to construct the frontage road. A post and panel retaining/noise wall system is recommended to replace this wall. The system consists of drilled concrete shafts (approximately 36" diameter by 20 to 25 feet deep) with steel shape reinforcement embedded to the full depth of the concrete shaft. These posts would be spaced at approximately 20 feet on center. Precast concrete panels are then placed between the posts.

8. **Utilities**

There is a Gas Company of New Mexico 20 inch gas line which crosses under NM 599 and the I-25 frontage roads approximately 1300 feet north of Interstate 25. A 20 inch gas line goes north within the right-of-way from a point between NM 599 and the frontage road to the west side of the Cottonwood mobile home park near Caja del Rio. The line then crosses under NM 599 and goes north.

There is a 16 inch water line within the NM 599 right-of-way which starts on the outside of the I-25 W. Frontage Road and then goes north to the northwest corner of the Caja del Rio / NM 599 W. Frontage Road intersection. There is a 24 inch water line crossing of NM 599 approximately 200 feet north of the Cottonwood Mobile Home Park. There are three parallel 12 inch water lines which cross NM 599 approximately 1600 feet northeast of the Caja del Rio / NM 599 W. Frontage Road intersection.

9. **Constructability**

The frontage road can be constructed without impacting existing traffic.

10. **Right-of-way**

Approximately 15.5 acres will be needed to construct the S. Frontage Road from Caja del Rio to CR 62. The property is owned by the State Land Office or privately owned.

Access control will need to be established between the frontage road and NM 599.

11. **Environmental Factors**

The right-of-way for this future frontage road was not cleared under the 1987 EA; however, the engineering, social, economic, and environmental investigations conducted thus far have not disclosed any potentially significant impacts on the quality of the human or natural environment. The recommended level of effort for the construction of this alternative is an Environmental Assessment.

Field surveys would be required to determine the level of impact for the following resource areas: cultural resources, biological resources, threatened and endangered species, and hazardous materials. Consideration of local and regional travel patterns and access modifications would need to be completed. Evaluations will need to include both traffic and access impacts as well as potential noise and visual impacts.

12. **Estimated Construction Cost**

The approximate cost of a frontage road would be $8,000,000 including 8% Engineering and Contingencies and 7.9375% New Mexico Gross Receipts Tax (NMGRT). The construction cost estimate can be found in Appendix N.

13. **Recommendations**

The preferred alternative for the Caja del Rio Location is to construct an interchange. An interchange meets the purpose and need of eventually making NM 599 and access controlled facility. This alternative would take traffic off of the existing CR 62 intersection which would improve the safety at that location. In addition it improves the traffic flow from the Caja del Rio intersection with the NM 599 frontage road that currently has to go out of direction by approximately three miles in order to go southbound. The estimated construction cost for the interchange is approximately the same as the cost for the south frontage road but it provides improved access both north and south. The frontage road only provides access to the south side of NM 599. It is recommended that the alternative be prioritized with the other alternatives.

Parsons Brinckerhoff

I-10 AND INTERCHANGE STUDY

FIGURE 14
I-10 AND EL PASO/GRACE RD
FROM CR 10 TO CALLE DEL RIO

From: WILSON, KEITH P.
Sent: Monday, July 27, 2015 11:38 AM
To: WYNANT, DONNA J.
Cc: AUNE, ERICK J.; TIBBETTS, MARK S.
Subject: RE: Gerhart Apartments

Donna:

A Frontage Road along the south side of NM599 from County Road 62 to Caja del Rio Road was evaluated as part of the "Final Project Prioritization Plan for the NM599 Corridor" (http://santafempo.org/wp-content/uploads/2009/07/NM599-Final-Project-Prioritization-Plan-Apr2010.pdf), but was not recommended as it was concluded that constructing an Interchange at Caja del Rio Road would provide better access, so the Frontage Road was not carried forward. I have attached the relevant pages from the Prioritization Plan for your review.

I assume as future developments come in they may need to or be required to utilize and extend the frontage road for access.

Let me know if you need additional information or have questions.

Keith P. Wilson
MPO Senior Planner
Santa Fe Metropolitan Planning Organization

Mailing: P.O. Box 909
Santa Fe, NM 87504-0909

Office: 500 Market St, Suite 200 (Above REI Store)
Santa Fe, NM
Map: http://tinyurl.com/l6kejeq
Directions & Parking: http://www.railyardsantafe.com/north-railyard/

Phone: 505-955-6706
Email: kpwilson@santafenm.gov
santafempo@santafenm.gov

Please Visit Our Website at: www.santafempo.org

Find Us on Facebook

Follow us on Twitter

EXHIBIT B-3

DATE: June 10, 2015

TO: Donna Wynant, Case Manager

FROM: Risana "RB" Zaxus, PE
City Engineer

RE: Cases # 2015-57 and # 2015-58
Gerhart Apartments General Plan Amendment and Rezoning

The following review comment is to be regarded as a condition of approval:

The proposed stormwater ponds cannot be considered to be amenities integrated into the landscape. If this case proceeds to the Development Plan stage, the following provisions of the Land Development Code must be met:

14-8.2(A)(6) treat stormwater runoff as a valuable natural resource in Santa Fe...by encouraging water collection and infiltration on site

14-8.2(A)(11) integrate stormwater management measures into the landscape and site planning process...

14-8.2(A)(12) provide aesthetically pleasing solutions to stormwater management and erosion control measures by integrating measures into the overall landscape and site design

14-8.4(A)(1)This section requires water harvesting and encourages the development of alternate sources of landscape irrigation water...Water conservation, water harvesting and irrigation efficiency shall guide landscape design...

14-8.4(A)(2)...this Section 14-8.4 is part of the purpose and intent of Chapter 14, which is to enhance the appearance of Santa Fe's streets and public places in order to promote their role as community amenities...

EXHIBIT B-4

14-8.4(E)...Alternative sources of irrigation water shall be developed, including harvested water from roof and site runoff.

14-8.4(E)(1)The landscaping plan shall include passive water harvesting for landscape irrigation purposes...

14-8.4(E)(1)(b)(i)...Detention and retention ponds should be integrated landscape features, rather than single-purpose flood control ponds.

14-8.4(I)(4) - {referring to parking lots}: ...stormwater runoff shall be used to provide irrigation for the perimeter and interior plantings to the greatest extent possible...stormwater runoff water shall be harvested and infiltrated as close to where it falls as possible...

City of Santa Fe
New Mexico

MEMO

Wastewater Management Division
DEVELOPMENT REVIEW COMMENTS

E-MAIL DELIVERY

Date: May 29, 2015

To: Donna Wynant, Case Manager

From: Stan Holland, P.E.
Wastewater Management Division

Subject: Case 2015-57 & 58 Gerhart Apartments General Plan Amendments & Rezoning

---

The subject property is accessible (within 200 feet) to the City public sewer system.

The Wastewater Division has no objection to the General Plan Amendment or Rezoning request.

The following notes shall be added to the plats:

1. Each lot shall be served by separate water and sewer services
2. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.

The following is a design review comment:

1. A public sewer system design is shown to be serving the site. Typically, sewer system serving single property developments are designed utilizing private on-site sewer systems.

EXHIBIT B-5

City of Santa Fe

memo

DATE: July 23, 2015

TO: Donna Wynant, Land Use Senior Planner, Land Use Department

FROM: Dee Beingessner, Water Division Engineer

SUBJECT: Case # 2015-57 & 58 Gerhart Apartments

The proposed development will require a water main extension for the proposed mains throughout the complex. Each dwelling unit must either be separately metered or sub-metered with a master meter for each building.

An agreement to construct and dedicate will be required to connect the existing mains through the subject lot. An approved water plan will be required for the agreement to construct and dedicate the new main.

Fire service requirements will have to be determined by the Fire Department prior to development.

EXHIBIT B-6

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Javier M. Gonzales, Mayor

Councilors:
Peter N. Ives, Mayor Pro Tem, Dist. 2
Patti J. Bushee, Dist. 1
Signe I. Lindell, Dist. 1
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Bill Dimas, Dist. 4

July 15, 2015

Soren Peters
Storm River LLC
P.O. Box 908
Santa Fe, NM 87504

NOTICE OF ARC ACTION

Project Location: **South Meadows Road (proposed Gerhart Apartments)**
ARC Case Number: AR-21-15

Dear Mr. Peters,

At their hearing on July 2, 2015, the City of Santa Fe Archaeological Review Committee (ARC) voted unanimously to approve an archaeological reconnaissance report prepared by Stephen Post, covering 11.8 acres for the proposed Gerhart Apartments. The ARC found the report to be in compliance with the requirements of the Santa Fe Archaeological Review Districts Ordinance and issued an Archaeological Clearance Permit for the project. No further investigation is required. If you have questions or concerns, please do not hesitate to contact me at 505-955-6660 or lgroach@santafenm.gov.

Sincerely,

Lisa Roach

Lisa G. Roach
Senior Planner / Archaeological Liaison
Historic Preservation Division
City of Santa Fe

CC: Stephen Post
3924 Old Santa Fe Trail
Santa Fe, NM 87505

EXHIBIT B-9

CITY OF SANTA FE
ARCHAEOLOGICAL SUBMITTAL CHECKLIST/CLEARANCE PERMIT AND APPROVAL

Case File Number AR-21-15 Date Application Submitted 6/15/2015

District: Historic Downtown District ____; River & Trails-Regular ✓; Santa Fe Trail ____; Suburban ____

Building Sq. Ft. ____ Development Acreage 11.8 acres

Project Description: Rezoning and plan amendment, development

Site Address/Location: South Meadows Rd. Property Owner: Storm River LLC

Permit: Grading ____; Development ✓; Building ____

Applicant Information: Name: Soren Peters, Storm River LLC, PO Box 908, SF, NM 87504

Mailing Address: (see above) Phone No.: ____

Archaeological Consultant: Steve Post 820-7785

RECONNAISSANCE REPORT

1. ✓ Project Archaeologist's Resume
2. ✓ Vicinity Map
3. ✓ Project Site Description
4. ✓ Development Project Description
5. ✓ Outline of Research & Methodology
6. ✓ Site Map or Aerial Photograph at a Minimum of 1"=200' for Downtown Dist. & 1"=400' for other Districts
7. ✓ Archival Research
   a. ✓ Historic Maps & Aerial Photos
   b. ✓ ARMS Files & Archaeological Reports
   c. ✓ General Land Office (BLM) Surveys or Land Grant Plats
   d. ✓ 1917 Hydrological Survey and Santa Fe Acequia System Report (needed if acequia present or nearby)
   e. ✓ National and State Register Nominations (needed if in Historic Downtown District or near Historic Structure)
   f. ____ Historic Photos (needed if in Historic Downtown District)
   g. ____ Information from Title Abstract (if available)
8. N/A 2% Testing (Historic Downtown District Only)
9. ✓ Description of Prehistoric & Historic Occupation & Land Use
10. ✓ Description of Cultural Remains Discovered and Significance
11. ✓ NM Site Inventory Forms and Other Documentation
12. ✓ Recommended Site Significance
13. ✓ Assessment of Development's Impact on Cultural Remains
14. ✓ Recommended Treatment for Site
15. ✓ Listing of Sources, i.e. historic maps, aerials, reports, etc.

✓ ARC APPROVAL: MEETING DATE: July 2, 2015
Special Conditions: ____ Yes (see attachment) ✓ No w/ corrections

TREATMENT PLAN REQUIRED:

Yes: ____ No: ✓

____ TREATMENT PLAN ARC APPROVAL: MEETING DATE: ____
Special Conditions: ____ Yes (see attachment) ____ No

PRELIMINARY TREATMENT REPORT

____ a. Research Design Outline
____ b. Site Map of Excavations
____ c. Other Documentation: Photographs and New Mexico Site Inventory Forms; if applicable
____ d. Description of Cultural Remains Discovered
____ e. Description of Prehistoric and Historic Occupation and Land Use
____ f. Listing of Sources

TREATMENT REPORT ARC APPROVAL: MEETING DATE: ____
Special Conditions: ____ Yes (see attachment) ____ No

FINAL TREATMENT REPORT

____ Date Final Report Due ____ Date Final Report Received

Permit Approved: [signature] Date: July 2, 2015
Archaeological Review Committee Chairperson

PLD010.2M.5 - 9/94

Santa Fe Public Schools

Santa Fe Public Schools

Property & Asset Management
Residential Development Impact Information Form
School Notification as required by City Ordinance 14-8.18 AFCC 1987

Required for all projects that create six or more new residential lots or dwelling units.

1. Project Name: Genhart Apartment project
2. Location of Property: 2800 S. Airport Rd.
3. Owner/Agent Name: Scott Hoeft / St planning & Comp
   Mailing Address: P.O Box 2482 / SF, NM 87504
   Phone & Fax: 505 412 0309
4. Unit Matrix

PROJECT EFFECT ON STUDENT POPULATION		
Unit Type	Unit Quantity	Average Price
Single Family (detached)		
Single Family (attached)		
Townhome/ Apartment	240	800-1200/monthly
Multi-Family		
Commercial		

5. Elementary School Zone for Proposed Development: Abe Frias
6. Middle School Zone for Proposed Development: Abe Frias
7. High School Zone for Proposed Development: Capital High
8. Build-out Timeline (i.e. year(s); #/yr):
   phase 1 = 120 du 2016
   phase 2 = 120 du 2017

Educational Services Center
610 Alta Vista
Santa Fe, NM 87505
Telephone (505) 467-2000
www.sfps.info

Submit completed form directly to:
Justin Snyder, Property & Asset Management,
Santa Fe Public Schools, 610 Alta Vista, Santa Fe, NM 87505

EXHIBIT B-10

Gerhart Apartm s- Aerial Photo
(Project Site Highlighted in Red,
City Limits Noted by Red Dashed Line)

EXHIBIT C-1

Gerhart Apartments- ıture Land Use Map
(Project Site Highlighted in Red,
City Limits Noted by Red Dashed Line)

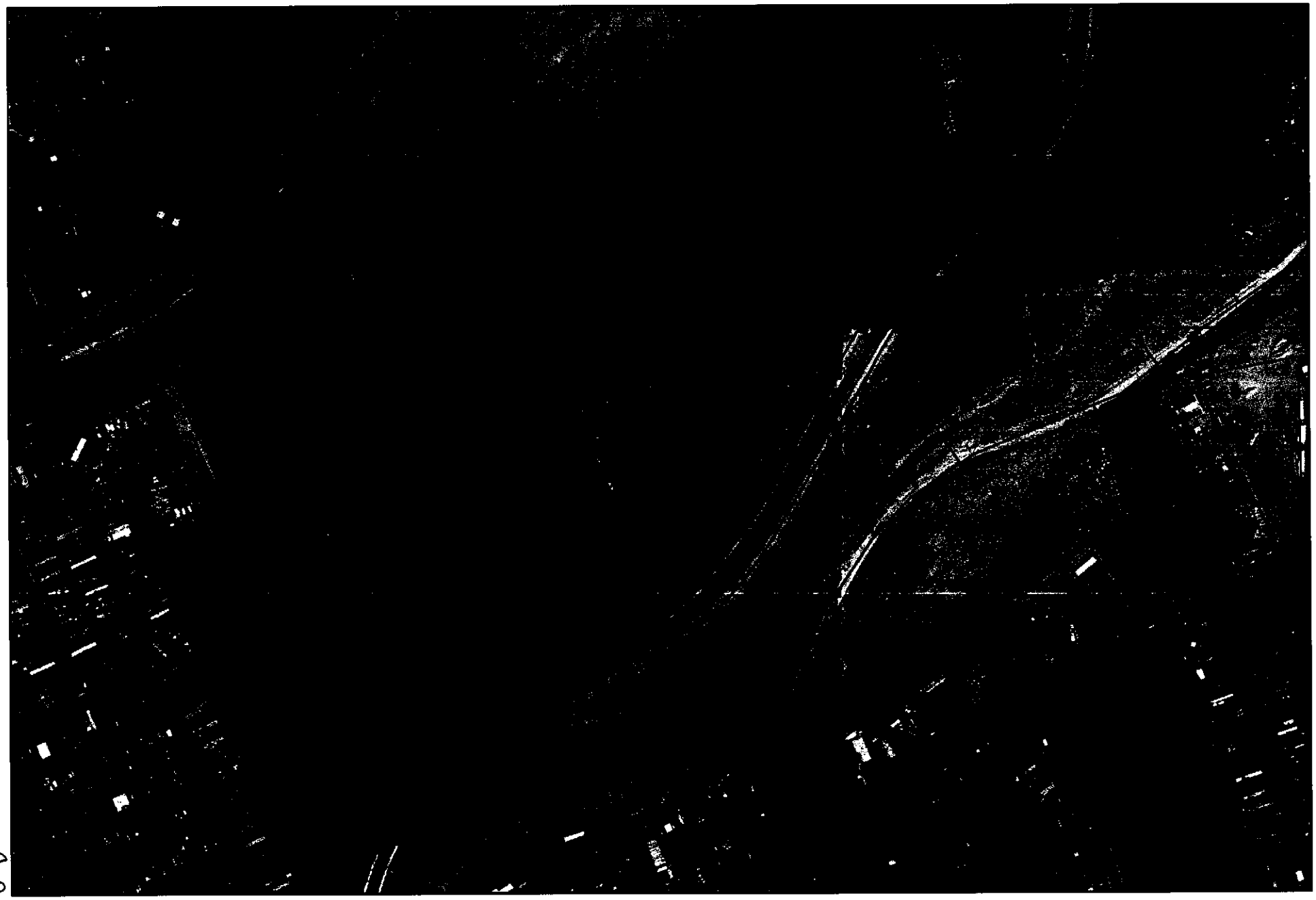


EXHIBIT C-2

Gerhart Apartmei - Current Zoning
(Project Site Highlighted in Red, City Limits Noted by Red Dashed Line)

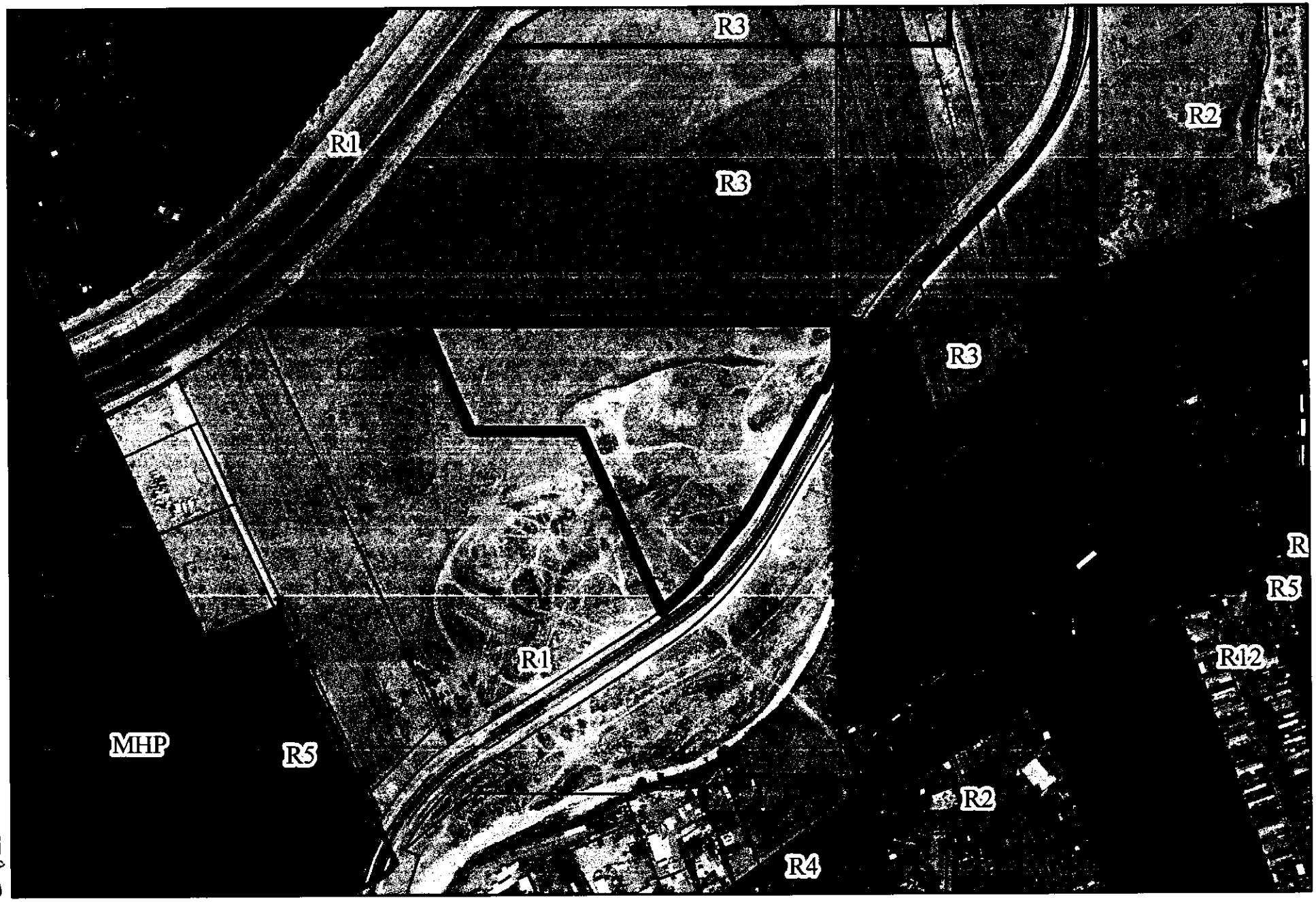


EXHIBIT C-3

Gerhart Apartment Project:
General Plan Amendment/Rezoning Request
Early Neighborhood Notification

The City Code provides for the exchange of information between an applicant for subdivision approval and the area neighborhoods. Eleven points are to be discussed with the neighborhood residents and landowners. This document is intended to address these eleven points.

LOCATION:
The subject site is approximately 11.83-aces in size and is located on South Meadows Road, immediately adjacent to the new Agua Fria Public School (to our west). To the north is land owned by the State Land Office, to the south is land owned by the same owner, and to the east is land owned by the BLM. The subject site is located in the Presumptive City Limits.

REQUEST:
The subject site is currently shown on the land use map as low-density residential. The intent of this application is to re-zone the property to high-density zoning (R-21) for an apartment project that has 240 dwelling units. 36-ft. of height for the building (or 3 stories) is the anticipated height of the structures.

The following is an outline of the eleven discussion points to be considered in the ENN process:

1. **The effect on character and appearance of the surrounding neighborhoods:**

The subject site is adjacent to the new Agua Fria School (which is located to the west). Vacant land is located to the north, south and east. Beyond the Santa Fe River (to the south) single-family homes front Agua Fria. ¼ mile to the west (beyond the school) is the high-density Cottonwood Mobile Home Pal. NM599 is located approximately 600-ft. to the northwest if the subject site.

The project encourages compact urban form as an infill project. It is envisioned that the apartment project combined with the new school will provide a higher density development area where children can walk to school (literally next door), adults can easily access the transportation infrastructure (NM599) to the north to drive to work, and all participants can access the trails network which will be located in the Santa Fe River Corridor.

The buildings will be thee-story in height but will be setback a considerable distance from the S. Meadows Road (approximately 100-ft.). Pedestrian access will be provided to the school and to the SF River Trail network across S. Meadows Rd.

EXHIBIT D-1

2. **Effect on protection of the physical environment:**

A large portion of the site was disturbed and used as a borrow pit for gravel operations during the construction of NM599. As the site experienced significant disturbance, a new project will significantly improve the appearance and circumstances of the area. The site features few if any trees and is not in the flood plain or escarpment district.

3. **Impacts on prehistoric, historic, archaeological or cultural sites, including acequias and the historic downtown:**

The site does not feature historic or archaeological/cultural sites or structures. The project will conform to the City of Santa Fe guidelines for archaeological review.

4. **Relationship to existing density and zoning within the surrounding area:**

The area that surrounds the subject site is largely vacant. The school use is the most important associate use and a high-density apartment project is the perfect complement to the school in order to have a high number of school children walking to school. The Cottonwood Mobile Home Park is located about ¼ mile distance to the site and is another high-density use in relative close proximity to the subject site.

5. **Effects upon parking, traffic patterns, congestion, pedestrian safety, impacts of the project on flow of pedestrians or vehicular traffic and provision of access for the disabled, children, low-income and elderly services:**

The site is located near the new interchange at CR62 and NM599 and fronts the new South Meadows Road, which provides for almost immediate and contemporary access to NM599. South Meadows Road, which will serve as the primary access to the subject site, is newly constructed. In other words, the transportation infrastructure in the area has been designed to accommodate the transportation generated from the proposed use.

Implementation of this project will have no adverse effect on the ability of disabled persons, children, low-income and the elderly to access services.

6. **Effect on the economic base of Santa Fe:**

The project and the construction will have a positive economic benefit to the economic base of Santa Fe. Secondary impacts include jobs created and the sale of building materials for the construction of roads, utilities, home and other buildings. Gross receipts tax will be generated on the sale of retail goods, construction materials locally and on local construction contracts.

The project will also bring a much needed product type to the market in Santa Fe: market rate apartments. The demand for apartments is high and studies show occupancy rates in the mid-90% range (vacancy rates in the 5% range). The proposed project will be meeting an existing market demand.

7. **Effect on availability of affordable housing and availability of housing choice for all Santa Fe residents:**

The project will meet the requirements of the affordable housing ordinance for rental projects.

8. **Effect on services such as fire, police protection, school services, and other public infrastructure elements such as water, power, communications, bus service, commuter or other services or facilities:**

The project will increase the need for police, fire, school and other public services. It will also increase the need for infrastructure such as water, power, sewer, communications and commuter services. The developer is responsible for the cost of installing all infrastructures.

It should be noted that the infrastructure in the area is relatively new. New water and sewer lines are located in South Meadows Road. South Meadow Road is only a few years old and connects to a new interchange at NM599 and CR62.

9. **Impacts on water supply and conservation methods:**

The project will be served by the Sangre de Cristo Water Division and the City of Santa Fe Liquid Waste Division. The apartments will utilize 0.16-afy of water per unit (this compares to 0.25-afy of water for a single family residential unit). Water conservation measures such as water reducing fixtures are used in the buildings, landscaping plants that use low to moderate amounts of water and water harvesting measures.

10. **Effects on opportunities for community integration and social balance through mixed land use, pedestrian oriented design, and linkages among neighborhood and recreational activities and employment centers:**

The project, combined with the location of Agua Fria School and the Santa Fe River trail, will provide an excellent opportunity to connect these thee uses with pedestrian linkages. Given the close proximity to the Agua Fria School site, pedestrian access will be provided to the school for children to walk to school. Pedestrian access and connectivity will be provided to the Santa Fe River Trail network as well which will provide for recreational opportunities.

11. **Effects on Santa Fe's urban form:**

The project encourages compact urban form as an infill project. The best use for the subject site, given the proximity of the new school is high-density residential. This will encourage a great number of students to walk to the new school.

City of Santa Fe
Land Use Department
Early Neighborhood Notification
Meeting Notes

Project Name	The Gerhart Apartments
Project Location	2800 South Meadows
Project Description	GPA and Rezoning to build 240 apartments on 11.83 acres
Applicant / Owner	Storm River Properties, Inc.
Agent	Scott Hoeft of Santa Fe Planning Group
Pre-App Meeting Date	1/22/15
ENN Meeting Date	Monday, March 16, 2015
ENN Meeting Location	El Camino Real Academy, 2500 South Meadows Road
Application Type	General Plan Amendment (from Low to High Density Residential) and Rezoning (from R-1 to R-21)
Land Use Staff	Donna Wynant
Other Staff	
Attendance	Approximately 10 neighbors plus 2 representing the developer & one city staff person

Notes/Comments:

Meeting began at 5:45 pm. Donna Wynant introduced the meeting, addressing City procedures for review of the requested applications, including Early Neighborhood Notification meetings. The applicant, Scott Hoeft, introduced himself and his engineer Mike Gomez.

Mr. Hoeft pointed out that a previous ENN was held in 2013 for this proposal. This request involves a General Plan Amendment and a Rezoning which will ultimately be decided by Council. They will then return to the Planning Commission to request approval of a more detailed Development Plan. Since the previous ENN, part of the overall site was sold to the school District (for the El Camino Real Academy) and the new South Meadows Road split off 10 acres of land (mostly floodplain) to the south. That portion was sold to the County to eventually extend the trail along the Santa Fe River. Mr. Hoeft also pointed out the 25 acre property to the north, owned by the State

EXHIBIT D-2

of New Mexico/State Land Office, which may become the site of a new city fire station (per Matt O'Reilly, Public Assets Manager).

Mr. Hoeft then opened the meeting up for questions/comments:

Question: Any archeological study done of the site
Mr. Hoeft: Yes, and nothing of significance was found.

A comment was made about the schools in the area that were already maxed out, such as Agua Fria, Thomas Ramirez and Sweeny. Someone else expressed concern about possibly being kicked out of El Camino Real with any redistricting of the school.

A comment was made about the 3 story height of the buildings and asked if something could be done to make it appear friendlier to the area. Mr. Hoeft stated that the buildings will actually be less in height than the adjacent school. There will be 10 buildings for a total of 240 units.

Question: Will there be a community center to handle events, such as receptions, showers, etc?
Mr. Hoeft: (pointed out the location of the center) We haven't yet gotten into the design of the community center, but will take these things into consideration.

Mr. Hoeft pointed out the City's requirements for open space (250 sq. ft. per unit) which would be just over an acre on site. The ten acres across South Meadow, along the river, will be available for open space that the County will soon buy.

Someone stated that South Meadows is not a safe street to cross to get to the open space/river trail property. Mr. Hoeft said that will need to be looked at for ways to cross safely for pedestrians, bicyclists, etc. He talked about the proposed traffic improvements to include a center turning lane and a decel and acceleration lane.

Discussion about traffic:
Concern was expressed about traffic congestion during peak hours, and that not everyone will use the bypass. Someone said that this project will back up into the school traffic. Agua Fria and South Meadows is a problem.

Mike Gomez, engineer for the project, said that they were there to gather information from people in attendance who knew the streets better than they did and could identify issues.

Question: Will the community be gated?
Mr. Hoeft: Yes.
Discussion followed regarding the stacking and possible congestion at the PM peak hour as people return home from work. Mike Gomez that they expect approximately 96 vehicles throughout that one hour PM peak hour period. Someone expressed their

concern with a gated entry and pointed out problems with Fairway Village which has a gated entry that often backs up with cars waiting to pull in.

Question: What will the average rents be for the proposed development?
Mr. Hoeft: Rents will range from around $900- $1,300 for one, two and three bedroom apartments. There won't be any studio apartments.

Question: Is there any possibility for a pedestrian gate from the development to the school to allow more direct access to the children going to the Academy?
Mr. Hoeft said he just talked to the security person for the school who responded favorably to the idea. Mr. Hoeft therefore thought that the school may have possibly had a change in perspective on the matter.

Question: Since the school attendance at El Camino Real Academy is at capacity, will this development result in a shifting of children from other areas.

Question: Will the development include any affordable housing units?
Mr. Hoeft: Yes, the city requires 15% of the units to be affordable (around 36 units). This is odd since the Housing Trust that does affordable housing in Santa Fe typically wants the units to be in one building, making it easier to manage rather than having them dispersed throughout the development, as the City requires. This will be looked at by the City's Office of Affordable Housing. They actually like to get a fee in lieu of payment since it adds to the cash needed for down payments by new homeowners and security deposits for tenants.

Question: Will the development have access to city water and sewer?
Mr. Hoeft: Yes, the utilities are available in this area from the City. The development will have a water budget of 45 afy with the apartments at approximately .16 afy of water. Water conserving measures will be used in the buildings, and with the landscaping.

Mr. Hoeft said there will be around 459 parking spaces, which is actually around 40-50 spaces over parked.

Question: Will there be an elevator in each of the buildings?
Mr. Hoeft: Yes, there will be.

A member of the public, Linda Trujillo, who is the president of the School Board, said the El Camino Real Academy, which is K-8 school has an enrollment of around 700 students which is why someone questioned whether the school population was increasing or just shifting around. She said more and more children are returning to public schools from private schools. Another member of the public said that there were no plans to expand El Camino Real Academy enrollment, which is currently at capacity.

Question: Does the applicant have any financing to move forward with the project?

Mr. Hoeft: Yes, we do have financial backing. Our first step, is to request the General Plan Amendment and Rezoning from Council, and then come back to request Development Plan approval from the Planning Commission.

Question: Does Gerald Peters own the properties and will he retain ownership?
Mr. Hoeft: Yes, he owns the property, and will retain ownership. He has actually done a similar project in Albuquerque near Coors and Montano.

Question: Will this be a LEED certified project? Will there be any use of solar?
Mr. Hoeft: No, it will not be LEED certified. However, we may reduce the number of parking spaces and use solar panels (similar to how the Academy has placed solar panels in the their parking lot on top of carports.)

Question: Can you incorporate more open space into the development for play space?
Mr. Hoeft pointed out the open space on the property as shown in the open courtyards and the offsite 10 acre park area across South Meadows that the County wants for the river trail.

Meeting adjourned at 7:30.

R-10, R-12, R-21 and R-29 Residential Districts

The purpose of the R-10, R-12, R-21 and R-29 districts is to make available a variety of *dwelling unit* types to serve a wide range of household needs at medium- and high-*density* levels.

Permitted Uses

1. Boarding, dormitory, monastery
2. Daycare; preschool; for infants & children (6 or fewer)
3. Dwelling, multiple-family
4. Dwelling, single-family
5. Electrical distribution facilities
6. Electrical substation
7. Electrical transmission lines
8. Foster homes licensed by the State
9. Group residential care facility (limited)
10. Manufactured homes
11. Police substations (6 or fewer staff)
12. Public parks, playgrounds & playfields

☼ Requires a **Special Use Permit** if located within 200 feet, excluding rights-of-way, of residentially zoned property.

Special Use Permits

The following uses may be conditionally permitted in R-10, R-12, R-21 and R-29 *residential* districts subject to a Special Use Permit:

1. Adult day care
2. Clubs & lodges (private)
3. Colleges & universities (residential)
4. Continuing care community
5. Correctional group residential care facility
6. Daycare; preschool; for infants & children (more than 6)
7. Fire stations
8. Grocery stores (neighborhood)
9. Group residential care facility
10. Laundromats (neighborhood)
11. Mobile home; permanent installation
12. Museums
13. Neighborhood & community centers (including youth & senior centers)
14. Nursing, extended care, convalescent, recovery care facilities
15. Personal care facilities for the elderly
16. Police stations
17. Religious assembly (all)
18. Religious educational & charitable institutions (no schools or assembly uses) ☼
19. Schools; elementary & secondary (public & private)
20. Sheltered care facilities

21. Utilities (all, including natural gas regulation station, telephone exchange, water or sewage pumping station, water storage facility)

Accessory Uses

The following accessory uses are permitted in R-10, R-12, R-21 and R-29 districts:

1. Accessory dwelling units
2. Accessory structures, permanent, temporary or portable, not constructed of solid building materials; covers; accessory structures exceeding 30 inches from the ground
3. Barbecue pits, swimming pools (private)
4. Children play areas & equipment
5. Daycare for infants & children (private)
6. Garages (private)
7. Greenhouses (non-commercial)
8. Home occupations
9. Incidental & subordinate uses & structures
10. Residential use ancillary to an approved use
11. Utility sheds, located within the rear yard only

Dimensional Standards

Max density	R-10=10; R-12, R-21 & R-29 = 10 dwelling units per acre – or per development plan or special use permit approval (14-7.2(F))
Minimum lot:	Area: Single family: 3,000 square feet (may be reduced to 2,000 square feet if common open space is provided.) Multiple-family: as required to comply with gross density factor.

It is intended that the *common open space* required in single-*family* subdivisions where the *lot* size has been reduced from that of a conventional subdivision be a compensation to occupants for reduced *lot* size. It is further intended that *common open space* be usable and be provided for occupants outside of the *lot* but within the subdivision.

Where the *lot* size is between two thousand (2,000) and four thousand (4,000) square feet, *common open space* is required in an amount such that the sum of the square footage of the *lots* in the *development* plus the sum of the square footage for *common open space*, all divided by the number of single-*family lots*, equals no less than four thousand (4,000) square feet.

Max height:	R-21 & R-29: 24 (36 with development plan or special use permit approval (14-7.2(E)). R-10 & R-2-LD: 24

Within 10 feet of a property line, no point on a structure shall be higher than 14 feet above finished grade at the closest point on the perimeter of the structure. Within 15 feet of a property line, no point on a structure shall be higher than 24 feet above finished grade at the closest point of the perimeter.

Setbacks: Generally established by a development plan approved by the Planning Commission, otherwise: Street 7 (20 for garage or carport); side 5 or 10*; rear 15 or 20% of the average depth dimension of lot, whichever is less

A garage or carport with a vehicle entrance facing the street must be set back 20 feet from the street property line (refer to illustration 14-7.1-3)

(*Within 10 feet of a property line, no point on a structure shall be higher than 14 feet above finished grade at the closest point on the perimeter of the structure. Within 15 feet of a property line, no point on a structure shall be higher than 24 feet above finished grade at the closes point of the perimeter.)

Max lot cover: Multiple-family of 6 or more units: 40

Single-family, two-family or multiple-family of less than 6 units: 40 (70 if private open space is provided (14-7.5(c)(1) increase in maximum lot coverage if private open space is provided.

The intent of private open space is to ensure easily available access to the outdoors in medium- to high-density developments, and to provide for a sufficient sense of privacy. Requirements are as follows:

The maximum lot coverage may be increased in accordance with Table 14-7.2-1 if qualifying private open space for each dwelling unit is provided as follows:

(a) for *lots* in R-10, R-12, R-21 and R-29, an amount not less than thirty percent of the total *gross floor area* of that *dwelling unit*.; and

(2) balconies, roof decks or roofed areas such as porches or portals may be included as twenty-five percent of the required private open space;

(3) private open space does not include parking areas, driveways or related access for automobiles or stormwater ponding areas;

(4) the minimum dimension for required private open space shall not be less than twelve (12) feet;

(5) finished grade for required private open space shall have a slope no greater than one (1) vertical foot in ten (10) horizontal feet; and

(6) accessory dwelling units shall also be required to meet the private open space criteria in this Subsection 14-7.5(C); provided, however, that private open space for the accessory dwelling unit does not have to be physically separated from the private open space for the primary dwelling unit, and up to fifty percent of the private open space required for the accessory dwelling unit may be the same private open space provided for the primary dwelling unit; and

(7) there are no planting requirements for private open space.

Minimum Qualifying Open Space

Detached single family dwellings or multiple family dwellings: 250 square feet of common and / or private open space per unit.