



Agenda

PLANNING COMMISSION
June 05, 2008 – 6:00 P.M.
CITY COUNCIL CHAMBERS

- A. ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS
 MINUTES: April 29, 2008, May 01, 2008
 FINDINGS/CONCLUSIONS

E. OLD BUSINESS

1. **Case #M 2008-02. Del Norte Credit Union Development Plan.** Slagle Herr Architects, agent for Del Norte Credit Union, request development plan approval for a 7,044 square foot addition to the 2.97± acre lot. The property is located on the south side of Cerrillos Road, between Richards Avenue and Camino Consuelo and is zoned C-2 (General Commercial). (Tony Raeker, case manager) **(POSTPONED FROM APRIL 03, 2008) (POSTPONED FROM APRIL 17, 2008)**

F. NEW BUSINESS

1. **Case #M 2008-11. 705 Calle Vibora Escarpment Regulations Variance.** Douglas and Barbara Sayre request a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to renovate an existing sunroom/greenhouse. The property is located in the Ridgetop Subdistrict of the Escarpment Overlay District and is zoned R-1 (Residential -1 dwelling unit per acre). (Tony Raeker, case manager)
2. **Case #M 2008-06. 12 Montoya Circle Escarpment Regulations Variances.** Christopher Purvis, agent for Larry Widmer, requests a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to allow for an addition of 499 square feet to the existing residence located within the ridgetop for an overall total of 2151 square feet (2278 square feet roofed area); and a variance to Article 14-5.6(F)(10), to allow more than 40% of graded land disturbance to the lot. The property is located in the Ridgetop Subdistrict of the Escarpment Overlay District, Downtown and Eastside Historic District, and is zoned R-5 (Residential, five dwelling units per acre). (Tony Raeker, case manager) **(POSTPONED FROM MAY 01, 2008)**
3. **Case #M 2008-16. Wagon Road Business Center Development Plan Amendment.** Linda Tigges, agent for Tracy Northington, requests a development plan amendment to allow for construction of 330 storage units in three buildings consisting of 55,655 square feet on 1.8329± acres. The application includes a request for a variance to Article 14-6.2 (D)(3)(a) which requires a fence or wall constructed of opaque materials as a visual buffer for mini-storage facilities. The property is located on the east side of Emblem Road, south of Wagon Road, and on the west side of Office Court Drive and is zoned I-1 (Light Industrial). (Tony Raeker, case manager)

4. **Case #M 2008-15. St. John's College Final Development Plan.** Linda Tigges, agent for St. John's College, requests final development plan approval to expand an existing college by the addition of a 9,200 square foot building (Levan Hall) on 298.177± acres. The application includes a variance from the height regulations to allow a 39' building height. The property is zoned R-1 PUD (Residential 1 dwelling unit per acre, Planned Unit Development) and is located at 1160 Camino Cruz Blanca. (Dan Esquibel, case manager)
5. **Case #M 2008-17. 2047 Galisteo Street General Plan Amendment.** Linda Tigges, agent for Linda Marquette, requests approval of a General Plan Future Land Use Map amendment to change the designation of 0.628± acres of land from Low Density Residential (3-7 dwelling units per acre) to Office. The area is located on the east side of Galisteo Street south of St. Michael's Drive. (Donna Wynant, case manager)
6. **Case #ZA 2008-07. 2047 Galisteo Street Rezoning from R-1 to C-1.** Linda Tigges, agent for Linda Marquette, requests rezoning of 0.628± acres of land from R-1 (Residential, one dwelling units per acre) to C-1 (Office and Related Commercial). The property is located on the east side of Galisteo Street south of St. Michael's Drive. (Donna Wynant, case manager)
7. **Case #S 2008-01. Kaushal Business Park Final Subdivision Plat.** Linda Tigges, agent for A.K. Kaushal, requests final subdivision plat approval for 11 lots on 1.998± acres located north of Rodeo Road between Sawmill Road and SFRR right-of-way. The property is zoned I-1 (Light Industrial). (Donna Wynant, case manager) **(POSTPONED FROM APRIL 03, 2008) (TO BE POSTPONED TO AUGUST 07, 2008)**

G. BUSINESS FROM THE FLOOR**H. STAFF COMMUNICATIONS****I. MATTERS FROM THE COMMISSION****J. ADJOURNMENT****NOTES:**

- 1) Procedures in front of the Planning Commission are governed by Roberts Rules of Order. Postponed cases are postponed 1) to a specific date, or 2) indefinitely until specific conditions have been resolved, or 3) to a specific date with the provisions that specific conditions be resolved prior to that date. Postponed cases can be removed from the postpone by a motion and vote of the Planning Commission
- 2) Due to time constraints not all issues may be heard and may be rescheduled to the next scheduled Planning Commission meeting. This agenda is subject to change at the discretion of the Planning Commission.
- 3) 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 be subject to cross examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings. ***An interpreter for the hearing impaired is available through City Clerk's Office upon 5 days notice. Please call 955-6521**

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CITY OF SANTA FE
PLANNING COMMISSION

June 5, 2008

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E. OLD BUSINESS		
1. <u>Case #M 2008-02. Del Norte Credit Union Development Plan.</u> Slagle Herr Architects, agent for Del Norte Credit Union, request development plan approval for a 7,044 square foot addition to the 2.97± acre lot. The property is located on the south side of Cerrillos Road, between Richards Avenue and Camino Consuelo and is zoned C-2 (General Commercial).	Approved	2-3
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1. <u>Case #M 2008-11. 705 Calle Vibora Escarpment Regulations Variance.</u> Douglas and Barbara Sayre request a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to renovate an existing sunroom/greenhouse. The property is located in the Ridgetop Subdistrict of the Escarpment Overlay District and is zoned R-1 (Residential -1 dwelling unit per acre).	Approved	3-5
2. <u>Case #M 2008-06. 12 Montoya Circle Escarpment Regulations Variances.</u> Christopher Purvis, agent for Larry Widmer, requests a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to allow for an addition of 499 square feet to the existing residence located within the ridgetop for an overall total of 2151 square feet (2278 square feet roofed area); and a variance to Article 14-5.6(F)(10), to allow more than 40% of graded land disturbance to the lot. The property is located in the Ridgetop Subdistrict of the Escarpment Overlay District, Downtown and Eastside Historic District, and is zoned R-5 (Residential, five dwelling units per acre).	Approved variance to coverage Denied variance to addition	5-7
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4.	<u>Case #M 2008-15. St. John's College Final Development Plan.</u> Linda Tigges, agent for St. John's College, requests final development plan approval to expand an existing college by the addition of a 9,200 square foot building (Levan Hall) on 298.177± acres. The application includes a variance from the height regulations to allow a 39' building height. The property is zoned R-1 PUD (Residential 1 dwelling unit per acre, Planned Unit Development) and is located at 1160 Camino Cruz Blanca. Approved	9-11
5.	<u>Case #M 2008-17. 2047 Galisteo Street General Plan Amendment.</u> Linda Tigges, agent for Linda Marquette, requests approval of a General Plan Future Land Use Map amendment to change the designation of 0.628± acres of land from Low Density Residential (3-7 dwelling units per acre) to Office. The area is located on the east side of Galisteo Street south of St. Michael's Drive. Approved	11-13
6.	<u>Case #ZA 2008-07. 2047 Galisteo Street Rezoning from R-1 to C-1.</u> Linda Tigges, agent for Linda Marquette, requests rezoning of 0.628± acres of land from R-1 (Residential, one dwelling units per acre) to C-1 (Office and Related Commercial). The property is located on the east side of Galisteo Street south of St. Michael's Drive. Approved	11-13
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MINUTES OF
CITY OF SANTA FE
PLANNING COMMISSION MEETING

June 5, 2008

A regular meeting of the City of Santa Fe Planning Commission was called to order by Vice Chair Ken Hughes at approximately 6:00 p.m. on this date in the City Council Chambers, City Hall, Santa Fe, New Mexico.

A. ROLL CALL

Roll call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Shayna Lewis
Signe Lindell
Matthew O'Reilly
John Salazar
Ken Hughes, Vice Chair

MEMBERS ABSENT:

Angela Schackel Bordegaray
Gloria Lopez (excused)
Bonifacio Armijo (excused)
Estevan Gonzales, Chair (excused)

STAFF PRESENT:

Tamara Baer, Planning Manager
Kelley Brennan, Assistant City Attorney
Wendy Blackwell, Director Technical Review Division
Donna Wynant, Senior Planner
Tony Raeker, Senior Planner
John Romero, Traffic Engineer
Denise Cox, Stenographer

B. PLEDGE OF ALLEGIANCE

Vice Chair Hughes asked Commissioner Lewis to lead the pledge of allegiance.

C. APPROVAL OF AGENDA

Ms. Baer requested postponement of item 7 – Case #S-2008-01 – Kaushal Business Park Final Subdivision Plat to August 7th.

Commissioner Salazar moved to approve the agenda as amended, Commissioner O'Reilly seconded the motion which passed by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

MINUTES: April 29, 2008, May 01, 2008
FINDINGS/CONCLUSIONS

Commissioner O'Reilly moved to approve the minutes of April 29, 2008 as presented, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

Commissioner Lindell moved to approve the minutes of May 1, 2008 as presented, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

Commissioner Salazar moved to approve the findings of fact and conclusions of law, Commissioner O'Reilly seconded the motion which passed by unanimous voice vote.

E. OLD BUSINESS

- 1. Case #M 2008-02. Del Norte Credit Union Development Plan. Slagle Herr Architects, agent for Del Norte Credit Union, request development plan approval for a 7,044 square foot addition to the 2.97± acre lot. The property is located on the south side of Cerrillos Road, between Richards Avenue and Camino Consuelo and is zoned C-2 (General Commercial). (Tony Raeker, case manager) (POSTPONED FROM APRIL 03, 2008) (POSTPONED FROM APRIL 17, 2008)**

Memorandum from Tony Raeker, prepared May 26, 2008 for June 5, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "1."

Mr. Raeker presented the staff report included in Exhibit "1."

Staff recommends:

The request for the Development Plan be approved subject to compliance with code requirements and conditions of the following departments:

- Subdivision Engineer**
- Landscape Review**
- Water Division**
- Wastewater Division**
- Fire Department**

Public Hearing

Geoff Graff, architect, 1500 Rio Grande Blvd, Albuquerque, was sworn. He said the applicant wants to plan and expand the existing branch. This was planned for in the larger master plan for the site. The parking capacity will be met even after the alterations. This proposal would alter as little as possible the existing conditions. The intent is to integrate the existing landscape and construct new landscape to meet City code. The overall height would not be increased and the addition would be limited to the expansion pad. The conditions from staff are agreeable and workable.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner O'Reilly understood this was zoned C-2, so he questioned that there was not a previous development plan.

Mr. Raeker explained that the original development was below 10,000 square feet, so a development plan was not required. He said it appears they initially filed a development plan. He said Del Norte intended to build the entire project at one time and then they were uncertain how much additional space they wanted so the development plan was

pulled and they submitted a building plan and built the expansion pad for future development to occur once they knew what the plans would be.

Commissioner O'Reilly asked if this is a final development plan because it seems light on detail.

Mr. Raeker stated that it is simply a development plan and the engineers determined this was acceptable most likely because there was an existing building out there.

Commissioner O'Reilly asked if there is a staff policy to adjust the level of detail required for submittals based on the application.

Ms. Baer said that is not the case. This project was thoroughly reviewed. The project is 80% built and it was the specific aspect that when it reached 10,000 square feet it would be required to come back for review. She would not say it was given any less scrutiny than any other case. The specific details will happen at building permit stage.

Commissioner O'Reilly commented that only one drawing was submitted and most of the staff comments were referencing parts of the code the applicant has to comply with. He said the detail by staff was belied by the fact that the only submittal was one piece of paper.

Commissioner Salazar moved to approve Case #M-2008-02 with staff conditions, Commissioner Lewis seconded the motion.

Vice Chair Hughes asked if this was postponed due to the sign issue.

Mr. Raeker replied yes and said it was taken care of which he witnessed himself.

There being no abstaining or dissenting votes, the motion passed by unanimous voice vote.

F. NEW BUSINESS

- 1. Case #M 2008-11. 705 Calle Vibora Escarpment Regulations Variance. Douglas and Barbara Sayre request a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to renovate an existing sunroom/greenhouse. The property is located in the Ridgetop Subdistrict of the Escarpment Overlay District and is zoned R-1 (Residential -1 dwelling unit per acre). (Tony Raeker, case manager)**

Memorandum from Tony Raeker, prepared May 26, 2008 for June 5, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "2."

Mr. Raeker presented the staff report included in Exhibit "2."

Staff recommends:

The proposed variance meets the approval criteria set forth in Section 14-3.16(B) of Chapter 14. Staff therefore recommends the Planning Commission approve the request for a variance.

Public Hearing

Barbara Sayre, applicant, 705 Calle Vibora, was sworn. She and her husband

purchased their current residence in 1974 which is now designated in the ridgetop. Their home is approximately 1659 square feet excluding the garage. In 1980 they added a greenhouse at the southwest end of the residence. This added 300 square feet and did not add any height. They followed the requirements and put up the greenhouse that amounted to some metal framing, large panels of glass, electric transom, a ceiling of wood framing, paper and tar and the floor was bricked. The addition had a lean to effect and has deteriorated. They have installed numerous heating and cooling devices although they are unable to control the temperature. Mortar is crumbling extensively around the base of the windows. Heat escapes from this area and several windows are cracked so they cannot efficiently control the heat. There are a number of rodents able to get in. There have been a number of break ins in their neighborhood over the last year and they fear that this area would be an easy way to burglarize their home further. When they were first burglarized they got in through this area. This request is to remodel this area. They intend to dry wall and plaster adding tile work along the baseboard. There will be no excavation or addition of height or square footage. This area is hidden by the large trees and landscaping so it is not visible from the street.

Douglas Sayre, 705 Calle Vibora, was sworn. He stated that they simply want to make this area more livable. He added that they will keep the foundation and it will be more of a sunroom. He said this will cut down on energy costs.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner O'Reilly did not understand why a variance is required.

Mr. Raeker said it is because this goes over the total square footage allowed. He said there are limits on construction in these escarpment areas and certain types of repairs trigger a variance. This variance is on the border. Once they saw the structural damage, staff saw that there was renovation. He said they are allowed to do a certain amount of repair work, but typically not to this extent.

Commissioner O'Reilly disagreed as there is no new buildable site here.

Ms. Blackwell pointed out that the variance is to build in the ridgetop. Staff cannot approve the construction within the ridgetop. This particular project is changing structural elements. If there was leakage in one panel then it would not be required.

Commissioner O'Reilly understood that it includes manmade works, but he understands the escarpment ordinance only applies to lots created after 1982 and this lot was created before that. There is no new sighting of any structures here.

Ms. Blackwell reviewed Charlie Gonzales memo included in Exhibit "2."

Commissioner O'Reilly said it seems the variance is not required.

Mr. Raeker explained that staff discussed this and this was an existing non-conformity and the expansion of the non-conformity requires a variance.

Commissioner Lindell moved to approve Case #M-2008-02, Commissioner O'Reilly

seconded the motion which passed by unanimous voice vote.

- 2. Case #M 2008-06. 12 Montoya Circle Escarpment Regulations Variances. Christopher Purvis, agent for Larry Widmer, requests a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to allow for an addition of 499 square feet to the existing residence located within the ridgetop for an overall total of 2151 square feet (2278 square feet roofed area); and a variance to Article 14-5.6(F)(10), to allow more than 40% of graded land disturbance to the lot. The property is located in the Ridgetop Subdistrict of the Escarpment Overlay District, Downtown and Eastside Historic District, and is zoned R-5 (Residential, five dwelling units per acre). (Tony Raeker, case manager) (POSTPONED FROM MAY 01, 2008)**

Memorandum from Tony Raeker, prepared May 26, 2008 for June 5, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "3."

Mr. Raeker presented the staff report included in Exhibit "3."

Staff recommends:

The Planning Commission deny the request for a variance to Ridgetop Escarpment Regulations. The first proposed variance does not meet the approval criteria set forth in Section 14-3.16(B) of Chapter 14. Staff recommends the Planning Commission approve the variance to escarpment regulations that limit the graded area in the Ridgetop Subdistrict to 40% of the lot. The lot was graded and in its entirety prior to the establishment of escarpment regulations. Approval of a variance simply acknowledges existing nonconforming conditions.

Public Hearing

Christopher Purvis, 227 East Palace, was sworn. He said there are some extenuating circumstances as this is an old and extensively developed area that has had dwellings on it for possibly 100 years. This dwelling was established by the Historic Board as being created sometime in the 1940's. Around this property there are other properties that were developed about the same time and the homes down the hill screen this from almost all areas. The top of the proposed addition is at the top of the coyote fence at the back of the property. Currently there is 1652 square feet of heated area. The applicant wants to add on a bathroom and bedroom taking it to approximately 2000 square feet. The H Board wanted the addition pulled away from the contributing structure with a breezeway.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner O'Reilly asked where the small sliver of land in the foothills subdistrict mentioned in the staff report is located. He asked if that is not a site they can build in.

Mr. Purvis pointed this out. He said it is on the sloping piece of land referred to that may have issues.

Commissioner O'Reilly commented on page 4 where it states that replacement houses could be built up to 2000 square feet if this were destroyed. He thinks part of the

problem is that the way the ordinance is written it prohibits new development in the ridgetop period. He expressed confusion with the 2000 square foot limit as he does not see that in the escarpment ordinance.

Ms. Blackwell stated that for the pre-1992 lots the intent was that reasonable use would be 2000 square feet although it does not state that in the ordinance. This is a policy that staff has been using. She said applicants cannot build any size structure they want. She said reasonable use of up to 2000 square feet is the interpretation.

Commissioner O'Reilly stated that the way it is written is that no development at all is allowed in the ridgetop. He struggled with trying to make sense of the arbitrary 2000 square foot threshold set that is not actually in the ordinance. He expressed concern that this application is only asking for a very slight amount over that. He said this sounds more like a staff policy.

Ms. Blackwell said when they rewrote the escarpment ordinance there was a limitation to what could be built and that was taken out by the time the approval came about. For the pre-1992 lots they did not have to prove the 2000 square feet outside the ridgetop. She said if it is more than 2000 square feet staff does not make the determination and they bring it to the Commission.

Commissioner Lindell asked how long the client has owned the lot.

Mr. Purvis believed five years.

Commissioner Lindell asked if they were aware this was in the ridgetop when this lot was purchased.

Mr. Purvis stated that they were aware this was in the historic district, but not the escarpment. In the beginning he was not told this was in the escarpment, but the new GIS showed it. He said it is a high spot, but not particularly visible. There are three houses in this piece of the ridgetop. He did not suspect this was in the ridgetop as you cannot see this area from the view sheds or corridors.

Ms. Brennan reviewed the variance criteria where extraordinary hardship may result from strict application of escarpment regulations. The Planning Commission can vary the regulations so that substantial justice may be done and the public interest secured provided that such variances do not have the effect of nullifying the intent and purpose of the regulations. She said this creates a need to balance the intent and purpose of the regulation and the hardship that would be imposed on the owner.

Commissioner Lindell asked what the restrictions on lot coverage are.

Mr. Raeker stated that there is a limitation for 40% graded area.

Vice Chair Hughes asked if they meet this.

Mr. Raeker pointed out that the entire site was graded years ago and it could not possibly be returned to the original condition. The site is completely covered in flagstone. The variance for the coverage is essentially clean up to acknowledge the existing conditions.

Vice Chair Hughes asked if this went to the historic design review board.

Mr. Raeker replied yes and it was approved.

Commissioner O'Reilly moved to approve the variance to the 40% lot coverage, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

Commissioner Salazar moved to approve the variance for the addition within the ridgetop since there are three homes in this area and the applicant is not enjoying what the other neighbors could enjoy by having the addition, Commissioner Lewis seconded the motion.

Commissioner O'Reilly was concerned with approving something the ordinance clearly prohibits and the 2000 square foot number. He did not think that number has much to do with the escarpment ordinance.

Commissioner Lindell commented that the term extraordinary hardship indicates a great deal to her.

The motion was denied on a 2 to 3 roll call vote. Those voting for the motion: Commissioners Salazar and Lewis. Those voting against the motion: Commissioners O'Reilly, Lindell and Hughes.

- 3. Case #M 2008-16. Wagon Road Business Center Development Plan Amendment. Linda Tigges, agent for Tracy Northington, requests a development plan amendment to allow for construction of 330 storage units in three buildings consisting of 55,655 square feet on 1.8329± acres. The application includes a request for a variance to Article 14-6.2 (D)(3)(a) which requires a fence or wall constructed of opaque materials as a visual buffer for mini-storage facilities. The property is located on the east side of Emblem Road, south of Wagon Road, and on the west side of Office Court Drive and is zoned I-1 (Light Industrial). (Tony Raeker, case manager)**

Memorandum from Tony Raeker, prepared May 23, 2008 for June 5, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "4."

Letters of concern from neighbors are incorporated herewith to these minutes as Exhibit "4(A)."

City of Santa Fe Rezoning Ordinance 2006-41 is incorporated herewith to these minutes as Exhibit "4(B)."

Letter from Adela Mendez dated June 5, 2008 is incorporated herewith to these minutes as Exhibit "4(C)."

Photograph of sample of proposed fencing is incorporated herewith to these minutes as Exhibit "4(D)."

Mr. Raeker presented the staff report included in Exhibit "4." He noted that they are still trying to figure out the owner of Emblem Road.

Staff recommends:

The request for the Development Plan Amendment be approved subject to compliance with code requirements and conditions of the following departments:

- Subdivision Engineer
- Current Planning Division
- Solid Waste Division
- Fire Department

Staff recommends denial of the request for a variance to the requirement for solid, opaque wall.

Public Hearing

Linda Tigges, agent, Aspen Drive, was sworn. She stated agreement with the conditions of approval. She reviewed the location of the property on an overhead map. This property was previously approved for offices, but the applicant decided to come back for storage, so this is an amended development plan. There are 330 units. The applicant has met the standards for landscaping. The utilities exist in this area. There are cisterns that will provide water for the landscaping. She reviewed the fencing being proposed. Two sides of the property will have a wooden fence with several pilasters and then one side will have a wall of stucco and one side will have open railing as shown in Exhibit "4(D)." The variance is to accommodate the Mendez family request.

Tracy Northington, applicant, was sworn. He said they were proposing a solid wall all the way around the property in order to be in compliance with the ordinance, but the Mendez family came to the ENN and were adamant they did not want a solid wall. He received a copy of the letter from Santa Fe Place Mall and they have tried to call. The letter from the neighbor on the east just sent a letter today. They are still proposing an opaque wall on that side and the open wall is only where the Mendez family is. He said the Mendez family has lived there longer than anyone so their request should be taken into consideration.

Denise Dasse, Santa Fe Place Mall, was sworn. She apologized for being unable to return the applicant's call. She said they are opposed to the project and would like more of an office use. They thought the opaque wall was a good idea, although there is a lot of tagging and graffiti in this area.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Vice Chair Hughes asked the applicant if he would be interested in hiring a graffiti tagger to do a mural on an opaque wall.

Mr. Northington was okay with that. He wanted to talk to the Mendez family about it.

Vice Chair Hughes asked if he would be adverse to a sidewalk along this property.

Mr. Northington explained that they are putting one on Office Court, but they do not think legally they can build a sidewalk on Emblem Road. The City cannot do this because they do not have the street. The elevation is higher than the street and there is a gas line easement down that side of the property. He said to make it ADA compliant they would have to take it down and PNM did not want to do this. He said they would have to be in the right of way.

Vice Chair Hughes asked how they handle private roads.

John Romero explained that the City would have to acquire legal title to do improvements. He noted that he has never been in charge of a project on private land. PNM was there first and if the City purchases where PNM is already they do not have as much leverage over them.

Commissioner Salazar suggested pilasters with a coyote fencing in between.

Mr. Northington was fine with that and said they had made that suggestion previously.

Mr. Raeker stated that this would not meet the variance criteria.

Commissioner O'Reilly moved to approve Case #M-2008-16, the development plan amendment with all staff conditions, Commissioner Lindell seconded the motion which passed by unanimous voice vote.

Commissioner O'Reilly did not see the variance request meets the criteria required, so he sympathized with the next door neighbors, but he moved to deny the variance, Commissioner Lindell seconded the motion which passed by unanimous voice vote.

- 4. Case #M 2008-15. St. John's College Final Development Plan. Linda Tigges, agent for St. John's College, requests final development plan approval to expand an existing college by the addition of a 9,200 square foot building (Levan Hall) on 298.177± acres. The application includes a variance from the height regulations to allow a 39' building height. The property is zoned R-1 PUD (Residential 1 dwelling unit per acre, Planned Unit Development) and is located at 1160 Camino Cruz Blanca. (Dan Esquibel, case manager)**

Memorandum from Dan Esquibel, prepared May 28, 2008 for June 5, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "5."

Mr. Esquibel presented the staff report included in Exhibit "5." He pointed out that there is no intensification of the original development plan.

Staff recommends approval subject to the following conditions:

1. PUD plan shall be recorded in the Office of the County Clerk and filed in the City Map room.
2. Plans shall comply with any and all "red line" comments by DRT and or staff and shall meet all minimum code requirements.
3. Compliance with all DRT comments and conditions.
4. All walkways shall be ADA compliant.

Public Hearing

Ms. Tigges, previously sworn, said every time there is a new building they need to bring a development plan. She reviewed the location of St. John's on 298 acres with a great deal of rough terrain. As a result part of the campus is located on a flatter area and there is a slope going up from that. She said they are running out of flat room in the core area. The master plan was updated in 1987. She said they met with the neighbors. She reviewed elevations of the proposal.

Peter Brill, owner of Sarcon Construction, was sworn. He is the owner's representative for St. John's College. He will be serving on the Long Range Planning Committee so he feels it is best that he does not present.

David Perigo, PO Box 8610, Santa Fe, was sworn. He said they formed an R-1 PUD in 1981 and it has been amended three times, the last one in 1999. The college comprises 8 tracts of land with 162 acres set aside as semi-public open space. The main campus is on tract D and is approximately 48 acres. Levan Hall will be about 9200 square feet with a footprint of 4000 square feet. This is to house the graduate institute and consolidate those activities. The building will be three stories with administrative offices, classrooms and gathering areas. He said there will be solar collectors and some preheated hot water panels that will be on the roof so they are trying to shield them. Generally the building is about 27 feet high and they are within the context of the campus. They will be connecting the final part of the campus extending the handicap accessibility. This will be a LEED silver building capturing 4000 gallons for re-use in irrigation with a catchment. They will be providing a fire access lane to improve the accessibility and the building will be sprinkled. This will not increase the population. This project was the desire of the donor who was a participant of the program.

Mr. Esquibel pointed out that although the Board of Adjustment approved the height variance it also requires an approval by this body.

Ms. Tigges stated that part of the rationale for the variances is the PUD designation that provides for innovative design. If they would have come in with a PUD and were starting out they could have come in with this request and no variance. This property has been planned and when they come in with an amendment there is a question. There is more room to move because of the zoning.

Jim Osterholt, 28 Encantado Road, Vice President, was sworn. He said this is a very important project to St. John's as it will consolidate services that have been spread out across the campus. He said this will not increase the number of students, but serve them better. They take serious this public process. They wish to be good neighbors to Santa Fe.

Krishnan Venkatesh, Graduate Director, was sworn. He has been teaching almost 20 years with the college, so he is intimate with the college life. The graduate institute brings 90 students to Santa Fe every year. Many stay here to teach in the public schools. They have two programs; eastern classics and western classics. Students do not have a home or center currently, so this would bring the students to a high profile with the respect they deserve. The building will ease the need for more classroom space, enhance the quality of life and increase the faculty offices. He feels the approval would be great for the college and Santa Fe.

Kathleen Longwater, 29 Hopi Road, was sworn. She is currently a student in the liberal arts program and prior to that she worked in Santa Fe for 20 years. The graduate program is not a residential program. Many of the students are older and live outside the campus, so it will be nice to have a common space. Local teachers have access to get a masters degree without having to leave town. The most important thing is the style of education which teaches you to nurture participation.

Jamie Polk, long time homeowner, 736 Calle Resplandor, was sworn. He has been

personally involved as a board member and has taken seminars at the college. He is very aware of the graduate institute and the great services it provides. He has been involved in the planning of Leven Hall and felt it is going to be a positive contribution. He assured the Commission that the planning has been tremendous by the faculty and professionals involved. This will add space that can be utilized by the entire community.

Richard Morris, 739 Calle Resplandor, was sworn. He is also a long time resident of Santa Fe and lived near the college for a number of years participating in their programs and was on the board of trustees. He endorsed what the others had to say and urged approval of this project.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner O'Reilly asked what conditions were placed on this by the Board of Adjustment.

Mr. Esquibel said they are the 1-3 conditions on the first page and then he added one more condition for the Planning Commission. He clarified that on a PUD there is flexibility, but it is not designed to circumvent the standards as they should exceed those standards.

Commissioner O'Reilly asked if this building is in the historic overlay district.

Mr. Perigod said they will have to go their next. He said in discussions with staff since they are institutional the height calculations do not count, so automatically it goes to 16 feet. This building is in the mid range of the existing buildings. Staff does not feel this will be a problem.

Commissioner O'Reilly asked if this is set by default of the historic zone.

Mr. Esquibel explained that the underlying zoning will establish the minimum requirements, but the Historic Design Review Board can be more restrictive.

Ms. Brennan commented on the variance standards.

Commissioner O'Reilly moved to approve Case #M-2008-15 with staff conditions including the variance, Commissioner Lindell seconded the motion which passed by unanimous voice vote.

- 5. Case #M 2008-17. 2047 Galisteo Street General Plan Amendment. Linda Tigges, agent for Linda Marquette, requests approval of a General Plan Future Land Use Map amendment to change the designation of 0.628± acres of land from Low Density Residential (3-7 dwelling units per acre) to Office. The area is located on the east side of Galisteo Street south of St. Michael's Drive. (Donna Wynant, case manager)**

Items 5 and 6 were combined for purposes of staff report, public hearing and comment, but were voted on separately.

- 6. Case #ZA 2008-07. 2047 Galisteo Street Rezoning from R-1 to C-1. Linda Tigges, agent for Linda Marquette, requests rezoning of 0.628± acres of land from R-1 (Residential, one dwelling units per acre) to C-1 (Office and Related Commercial). The property is located on the east side of Galisteo Street south of St. Michael's Drive. (Donna Wynant, case manager)**

Items 5 and 6 were combined for purposes of staff report, public hearing and comment, but were voted on separately.

Memorandum from Donna Wynant, prepared May 28, 2008 for June 5, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "6."

Photographs of the site are incorporated herewith to these minutes as Exhibit "6(A)."

Donna Wynant presented the staff report included in Exhibit "6."

Staff recommends:

If the Commission is to recommend approval of the request for General Plan Amendment and Rezoning, it must determine that the application meets Approval Criteria in Sections 14-3.2 and 3.5 SFCC 2001 respectively. Staff also recommends that the applicant comply with requirements as provided in the following City Department review memos at the time of application of permits.

- Public Works Dept – Traffic Review Memo
- Fire Dept. Review Memo
- Technical Review Division – Engineer Review Memo
- Technical Review Division – Landscape Review Memo
- Wastewater Division Review Memo
- Solid Waste Division Review Memo
- Trails and Open Space Review Memo

Public Hearing

Linda Tigges, previously sworn, agreed with the staff conditions. They held a neighborhood meeting with two attendees. She showed the surrounding properties included the Magistrate Court and a Sobering center with 24 hour cameras and security. The applicant does not plan to do any external remodeling, so the site plan is essentially what is there now. For C-1 they will have to add some parking spaces. The nature of the area has changed to C-1 and somebody could live there, but it is not appropriate for general residential use.

Linda Marquette, owner of the property and Southwestern Title, was sworn. She said that she has approximately 20 employees and will move the title department to the school. There would be no customer service done at this location.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner O'Reilly moved to approve Case #M-2008-17, Commissioner Lindell seconded the motion which passed by unanimous voice vote.

Commissioner O'Reilly moved to approve Case #ZA-2008-07 with staff conditions, Commissioner Lindell seconded the motion which passed by unanimous voice vote.

7. **Case #S 2008-01. Kaushal Business Park Final Subdivision Plat. Linda Tigges, agent for A.K. Kaushal, requests final subdivision plat approval for 11 lots on 1.998± acres located north of Rodeo Road between Sawmill Road and SFRR right-of-way. The property is zoned I-1 (Light Industrial). (Donna Wynant, case manager) (POSTPONED FROM APRIL 03, 2008) (TO BE POSTPONED TO AUGUST 07, 2008)**

This item was postponed to August 7th per approval of the agenda.

G. BUSINESS FROM THE FLOOR - None

H. STAFF COMMUNICATIONS

Ms. Baer reported that the fee schedule will go to the City Council on Wednesday. She said if they wish to voice support they should do so to Councilors directly prior to the meeting. The schedule has changed somewhat. There are three basic parts to the fee increases; development fee, administrative fees and permit fees. Councilors were not comfortable with the administrative fee increases and it was determined that it is a small percent of the total. They are discussing going forward without them. There is no final draft at this point.

Ms. Blackwell said a timeline was requested showing each month how much funds they would bring in with the increase in fees. They have a series of phasing that looks different. They wanted to include construction inspectors at the urgent level for hiring. They are up to 30 positions. They will be bringing in enough money to rationalize adding additional staff. This will also enable them to respond to the large amount of annexations.

Commissioner O'Reilly asked if there was discussion that this be earmarked for the purpose of hiring staff.

Ms. Baer said that was not included in the Finance motion and it was not discussed. She said they were more concerned with expansion in the department and what additional services would be provided. She said the recommendation is on the record. She added that the hiring is tied to the fee increases.

Ms. Blackwell said Council often lets people speak if they want to be heard even though this will not be a public hearing.

I. MATTERS FROM THE COMMISSION

Commissioner O'Reilly asked if the Commission could have a color copy of the future land use map included in their packets when it applies as it is hard to see on the screen. He appreciated the excellent findings of fact and conclusions of law, but said he would prefer they just be included in the packet even if it means they do not get them as quickly.

Ms. Brennan said when matters are moving up to the Council or may be appealed sometimes they need to have it sooner. She said her goal is to do this the next day and then tweak them later.

Vice Chair Hughes announced that Thursday there is a meeting at noon on the Northwest quadrant, Friday the 13th is the kick off for the Long Range Planning Committee and June 14th at 9 a.m. there will be a meeting regarding the Railrunner stops.

J. ADJOURNMENT

There being no further matters to come before the Commission, and the Commission having completed its agenda, Commissioner Salazar moved, seconded by Commissioner O'Reilly to adjourn the meeting. The motion passed unanimously on a voice vote and the meeting was adjourned at 8:25 p.m.

Approved by:

Vice Chair Ken Hughes

Submitted by:



Denise Cox, Stenographer