



Agenda

DATE 6/20/08 TIME 10:25 am

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PLANNING COMMISSION
July 17, 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: **June 05, 2008, June 12, 2008, June 19, 2008**
FINDINGS/CONCLUSIONS:

E. OLD BUSINESS

- 1. **Case #M 2008-10. 701 Calle Vibora Escarpment Regulations Variance.** Richard Horcasitas and Derrick Archuleta, agents for Hollis Logan and Robert Wienberg, request a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to allow for: three additions totaling 350 square feet to the existing residence; raising the roof on a 1,636 portion of the existing residence, not to exceed 14 feet; and the demolition of 552 square feet of the existing house. Total square footage of the house after all proposed work would be 6,231 square feet. 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) (**POSTPONED FROM APRIL 17, 2008, MAY 15, 2008 AND JUNE 19, 2008**)

F. NEW BUSINESS

- 1. An ordinance repealing Sections 14-8.11(G)(3), 14-8.13, 14-8.16 and 14-8.17 SFCC 1987 regarding annual water budget, water rights transfer requirements and water rights banking; creating a new Section 14-8.13 SFCC 1987 regarding the City's water budget, development water budget requirements, the water rights transfer program, and the retrofit program; making such other related changes as are necessary. (Councilor Wurzburger and Councilor Ortiz) (Dale Lyons, case manager)
- 2. An ordinance creating new Sections 14-2.10 and 14-2.11 SFCC 1987 establishing the Santa Fe Extraterritorial Land Use Authority (ELUA) and the Santa Fe Extraterritorial Land Use Commission (ELUC). (Councilor Romero) (Frank Katz, case manager)

3. **Case #ZA 2008-06. Fullerton Withers Family Partnership Rezoning from R-1 to C-2.** James W. Siebert, agent for Reese Fullerton and Marilyn Withers requests rezoning of 2 lots totaling 1.80± acres of land from R-1 (Residential, 1 dwelling unit per acre) to C-2 (General Commercial). The application includes a development plan consisting of a 16,000 square foot building on Tract C-1 and a variance from a 15 foot landscape buffer between commercial and residential uses. The property is located at the northwest and northeast corner of Vegas Verdes Drive and Camino de los Arroyos. (Tony Raeker, case manager) **(POSTPONED FROM JUNE 19, 2008)**
4. **Case #S 2008-03. Hart Business Park Final Subdivision Plat.** James W. Siebert, agent for CCSF 599 LLC requests final subdivision plat approval for 11 lots on 82.9± acres located south of Airport Road and west of NM 599. The property is zoned I-1 (Light Industrial). (Tony Raeker , case manager)
5. **Case #M 2008-14. Hart Business Park Phase I Development Plan.** Wayne Lloyd, agent for CCSF 599 LLC requests development plan approval of Lot 2 within the Hart Business Park. The Coca-Cola bottling building will be constructed in two phases with 75,000 square feet in phase I and 49,000 square feet in phase II. The application also includes a variance to the parking standards. The property consists of 10.74± acres and is zoned I-1 (Light Industrial). (Tony Raeker, case manager).
6. **Case #S 2008-04. Old Las Vegas Place Preliminary Subdivision Plat.** JenkinsGavin Design and Development Inc., agent for Homewise, Inc. requests preliminary subdivision plat approval for 50 lots on 15.35± acres. The site is located east of Old Las Vegas Highway and south of Old Pecos Trail and is zoned R-3 (Residential, three dwelling units per acre. (Donna Wynant, case manager)
7. **Sustainable Santa Fe Plan.** Recommendation from the Planning Commission to the Governing Body concerning the Sustainable Santa Fe Plan. (Katherine Mortimer, case manager)

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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PLANNING COMMISSION

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5.	Case #M 2008-14. Hart Business Park Phase I Development Plan. Wayne Lloyd, agent for CCSF 599 LLC requests development plan approval of Lot 2 within the Hart Business Park. The Coca-Cola bottling building will be constructed in two phases with 75,000 square feet in phase I and 49,000 square feet in phase II. The application also includes a variance to the parking standards. The property consists of 10.74± acres and is zoned I-1 (Light Industrial).	Approved 15-17
6.	Case #S 2008-04. Old Las Vegas Place Preliminary Subdivision Plat. JenkinsGavin Design and Development Inc., agent for Homewise, Inc. requests preliminary subdivision plat approval for 50 lots on 15.35± acres. The site is located east of Old Las Vegas Highway and south of Old Pecos Trail and is zoned R-3 (Residential, three dwelling units per acre).	Approved 17-19
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MINUTES OF
CITY OF SANTA FE
PLANNING COMMISSION MEETING

July 17, 2008

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Gonzales 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:

Bonifacio Armijo
Angela Schackel Bordegaray
Signe Lindell (late)
Gloria Lopez
Matthew O'Reilly
Shayna Lewis (late)
John Salazar
Ken Hughes, Vice Chair
Estevan Gonzales, Chair

MEMBERS ABSENT:

None

STAFF PRESENT:

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

B. PLEDGE OF ALLEGIANCE

Chair Gonzales asked Commissioner *Armijo* to lead the pledge of allegiance.

C. APPROVAL OF AGENDA

Ms. Baer requested postponement of Case #M-2008-10 – 701 Calle Vibora Escarpment Regulations Variance as the applicant requested a field trip to the site. In addition there has been an internal policy change that staff has discussed to make it easier to consider variances to the escarpment regulation so that anything proposed within the same footprint or that would increase the height but not exceed the allowable height would no longer require a variance and would be considered a remodel. The applicant felt this was a difficult case to present and approve, so they thought if the Planning Commission

could see the site it would help.

Chair Gonzales said it is unusual for the applicant to request a visit before the Commission determines if they need a field trip. He is concerned with the precedent set by this. He believes the Commission should decide when a case warrants a visit.

Ms. Baer stated that staff concurred with the need for a field visit.

Ms. Baker reported that she met with the applicant about two weeks ago and that was prior to the new policy with regards to the parapets not exceeding 14 feet. She applauds the department for this change because it is a hardship on both staff and property owners. This case was brought before the Commission in March or April and the applicant presented a case that did not discuss all the issues of the application. The applicant hired a new agent and in an effort to resolve the issues brought up at the hearing they suggested conducting a field visit. She said there are many issues that result from going out in the field, so they do not encourage field trips.

Commissioner Lewis arrived at this time.

Chair Gonzales said the Chair will not entertain a recommendation for a site visit at this time. He wanted the applicant and staff to provide substantial evidence for review and then they can consider the case at the meeting and determine if there is a need for a site visit.

Ms. Baker said since there is not a field visit, if the case would move onto the August 7th hearing.

Commissioner Hughes understood the escarpment cases are moving to staff, so he questioned why they will be considering this case.

Ms. Baer explained that this applicant is requesting three variances and two will go away, so they will rewrite the case caption. The utility room goes outside the existing footprint, so that would still come before the Planning Commission.

Chair Gonzales recalled being interested in wanting detail in the staff report, so he encouraged the staff to place this on the agenda when sufficient detail is provided and not before that time.

Commissioner Hughes 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: June 05, 2008, June 12, 2008, June 19, 2008

June 5, 2008

Commissioner O'Reilly made the following corrections:
Page 3, paragraph 6, line 3, word *detail* changed to ***detailed review***.
Page 5, last line, word *this* replaced with the word ***they***.

Commissioner Salazar moved to approve the minutes of June 5, 2008 as amended,

Commissioner Armijo seconded the motion which passed by unanimous voice vote.

June 12, 2008

Commissioner Armijo moved to approve the minutes of June 12, 2008 as presented, Commissioner Hughes seconded the motion which passed by unanimous voice vote.

June 19, 2008

Commissioner Hughes moved to approve the minutes of June 19, 2008 as presented, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

FINDINGS/CONCLUSIONS:

Ms. Brennan explained that there were various changes that needed to be made in the headers. She said that the extension was corrected for Las Terrazas as it was listed as 18 months and it should have been 6 months.

Commissioner Hughes moved to approve the findings and conclusions for the Doug Sayre case, Commissioner Bordegaray seconded the motion which passed by unanimous voice vote.

Commissioner Armijo moved to approve the findings and conclusions for the Tracy Northington case, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

Commissioner Armijo moved to approve the findings and conclusions for the Larry Widner case, Commissioner Hughes seconded the motion which passed by unanimous voice vote.

Commissioner Salazar moved to approve the findings and conclusions for the David Barker case, Commissioner O'Reilly seconded the motion which passed by unanimous voice vote.

Commissioner Armijo moved to approve the findings and conclusions for the Philip Gudwin case, Commissioner O'Reilly seconded the motion which passed by unanimous voice vote.

Commissioner Armijo commented that one applicant got 6 months and the other 18 months, so questioned if that is leaving the City open to anything.

Ms. Brennan stated that the difference was based on information the Commission had. She thought the findings make it clear if someone wanted to challenge the decision.

Commissioner Salazar moved to approve the findings and conclusions for the James Siebert case, Hart Business Park, Commissioner Lopez seconded the motion which passed by unanimous voice vote.

E. OLD BUSINESS

1. **Case #M 2008-10. 701 Calle Vibora Escarpment Regulations Variance.** Richard Horcasitas and Derrick Archuleta, agents for Hollis Logan and Robert Wienberg, request a variance to Article 14-5.6(D)(1) of the Escarpment Overlay District Regulations to allow for: three additions totaling 350 square feet to the existing residence; raising the roof on a 1,636 portion of the existing residence, not to exceed 14 feet; and the demolition of 552 square feet of the existing house. Total square footage of the house after all proposed work would be 6,231 square feet. 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) (POSTPONED FROM APRIL 17, 2008, MAY 15, 2008 AND JUNE 19, 2008)

This case was postponed per approval of the agenda.

F. NEW BUSINESS

1. **An ordinance repealing Sections 14-8.11(G)(3), 14-8.13, 14-8.16 and 14-8.17 SFCC 1987 regarding annual water budget, water rights transfer requirements and water rights banking; creating a new Section 14-8.13 SFCC 1987 regarding the City's water budget, development water budget requirements, the water rights transfer program, and the retrofit program; making such other related changes as are necessary. (Councilor Wurzburger and Councilor Ortiz) (Dale Lyons, case manager)**

Memorandum from Dale Lyons, Water Resource Coordinator, prepared July 7, 2008 for Planning Commission meeting is incorporated herewith to these minutes as Exhibit "1."

Memorandum from Risana B "RB" Zaxus, PE, City Engineer for Land Use Department revised July 17, 2008 is incorporated herewith to these minutes as Exhibit "1(A)."

Public Hearing

Jim Siebert, Planning Consultant, commented that staff has been very cooperative in dealing with concerns. He said there are two issues he wants to speak to. The first issue is dealing with a case they will be hearing in the future, Coca Cola, although he assumes there will be other similar cases. He said Coca Cola is using approximately five acre feet in their current location. When they relocate they will have to purchase water rights for the same use, but the tenant will be using one to two acre feet. This creates a credit to the City of 4 acre feet of water. He would like to have this considered in the water budget. He does not believe they should be assessed twice for water and there should be some credit for that previous use. He understands the water has to remain neutral. The other issue that is not clear is the phasing issue. It is not clear that you can bring in water rights on a phased basis. He said that could be deduced by the current ordinance and it still seems to be an issue. He said staff has been cooperative in working with them and can continue to do so until this goes to Council.

Jim Brockman, Water Rights Attorney, stated that he has experience working on the past ordinance regarding water banking and water transfer ordinance. He represented

some other cities on water planning issues. He agreed staff has been good to share information and drafts with them. He encouraged the Commission to keep the ordinance moving to the Council. There are a couple of issues they are looking at. He noted that Mr. Lyons referred to one of the issues; the original draft had 120% of a water budget that had to be provided and the old ordinance had 110%. He believes 110% is even too high. Some projects have to bring in 100 acre feet of water rights which can be equivalent to \$300,000. The city does sell the effluent so they are making a profit on the back end of some of these water rights.

Mr. Brockman said another issue they will continue discussing is the cost of the application. The old ordinance was ambiguous, but once an application was filed with the Office of the State Engineer the City and the person who owns the water rights became co-applicant and split the costs. There has been discussion if they should continue or if the developer would pay 100% of the cost, yet the City has 100% discretion. He said to spend that much money with no discretion over how the application proceeds is concerning. He said one of the issues Mr. Lyons addressed was the requirement to convey title after the water right was approved by the State Engineer. If a person has title to water rights just giving the City title to the water bank is something the developer will have to feel secure about. He wants to make sure that the rights retain value somehow. Originally the ordinance was passed where the title was conveyed immediately and the City amended that so when it is designated for a specific site the title transfers to the City.

Mr. Brockman agreed with Mr. Siebert regarding the phasing because this is already implied within the present ordinance and staff wants the change, so they need to make sure the wording is correct. He said most people go with option B presenting their own budget, but there is a provision that says if you propose a lesser amount than what the City has and you go over that you will be penalized. He questioned what an appropriate penalty for that is.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Chair Gonzales asked which municipalities Mr. Brockman has consulted with.

Mr. Brockman replied Albuquerque, Alamogordo, Las Cruces, Gallup, Espanola and El Prado by Taos.

Commissioner Armijo referred to page 8, paragraph 3, where it states that the development must be within two years of allocation. He commented that sometimes development can take up to three years. He said it seems that you need to get the water allocation before doing anything, but if the process takes longer than two years you lose your water allocation.

Mr. Lyons said that was according to an old version. There has been a change that took place since then where they added the provision that they must obtain approval within two years or by some other date approved by the Governing Body. He said this solves the problem mentioned.

Chair Gonzales asked if what is in their packet is the complete ordinance.

Mr. Lyons stated that there is a new version dated 7/17/08. He said there will continue to be updated versions as this goes through the process.

Commissioner Armijo referred to page 5 regarding the priority to affordable housing. He asked if this states that if there is no water available then no development can occur.

Mr. Lyons said it means the City will not be able to provide the water for construction.

Commissioner Armijo said it seems like the water is first for affordable housing and then city projects, and then other projects with the developers the last on the list.

Mr. Lyons explained that this allocation is for the City's available water, not developer's water. He described the process by which a development would offset its demand. There is no allocation of city water for the non affordable portion of developments. If the water is available the city would donate the water to affordable housing.

Commissioner Armijo thought this seemed excessive.

Chair Gonzales expressed concern that there is a new revision dated 7/17/08. He wanted to be clear on what is old and new. He thought they should have the opportunity to review the new version.

Ms. Brennan agreed they should be voting on what they have in front of them.

Mr. Lyons said the changes were very minor.

Commissioner Bordegaray pointed out that they did receive the memo from Frank Katz that explains this further. She said it would help if they had a work session so they could completely understand the complexity of this issue.

Mr. Lyons commented that there will be changes beyond today.

Commissioner Hughes asked what staff is asking for as it is not clear.

Ms. Baer said staff wants a recommendation to go forward.

Commissioner Hughes gave an example of a homeowner with several appliances that are old. He asked how the developer changes those out for credit.

Mr. Lyons explained that the homeowner would initiate the process and make known the available retrofits they have in their home. He said the resident would respond to a City advertisement. The city auditor would determine what is in your home and the inventory would yield an acre foot value if everything on the list were retrofitted. The developer would come to the city with their approved water budget and the city would assign your home and others if necessary so the conservation would equal the expected use.

Chair Gonzales suggested they rehear this and postpone this until staff has a draft that is not so dynamic in the language being proposed.

Frank Katz, City Attorney, stated that there are various alternatives that have been proposed and discussed. His understanding is that the Councilors do not want to

replicate the situation where each committee keeps changing the proposal. He did not agree that it would be proper to come back with other versions of the program.

Chair Gonzales stated that he did not have the opportunity to review the memo from Mr. Katz. He understands the Council wants expedient information and feedback, but he cannot provide that at this time. He thought if they heard this again the changes could be made prior to that presentation. He also suggested setting up a subcommittee to study this. He understands that may not be sufficient for the time table. He wanted to support this and provide meaningful feedback. He asked for advice on how to handle this.

Mr. Katz thought a subcommittee might be helpful to review the various proposals and then this could be brought back to the main Commission.

Commissioner O'Reilly said under the code the ordinance changes require a recommendation from the Planning Commission to move forward. In the past the Commission has reviewed other ordinances and allowed minor changes. He agreed this is a complicated ordinance and he spent a few hours going through the July 7th ordinance preparing for this meeting. He said he could express his concerns and questions at this meeting, but would be just as happy to do so in the near future.

Chair Gonzales appreciated when a member of the general public reviewed an ordinance they were considering and submitted a letter with their recommendations. He thought a subcommittee would allow the public along with Mr. Siebert and Mr. Brockman to provide their recommendations in writing for consideration by the subcommittee.

Commissioner O'Reilly suggested a one item special meeting with all the Commissioners present to review the most recent ordinance. He said it seems there may be more Commissioners that want to have something to say about this.

Commissioner Bordegaray disagreed with this suggestion as it warrants a more informal discussion. In her opinion when there is an informal discussion they can get through issues like this easier. She felt the Commission could help in the public education aspect if there was more understanding of the ordinance and the issues.

Commissioner Armijo asked if they are still working on the final draft and wanted to know when they would be close to completion.

Mr. Lyons reported that the changes they can anticipate would be minor from this point forward. The retrofit program is the most influx. He offered to provide a copy of today's version. He anticipated being done by the end of the following week.

Chair Gonzales agreed with handling this through a subcommittee. He asked when this should be postponed to.

Ms. Brennan explained that if the Commission establishes a date then it does not have to be re-noticed. She said they can postpone scheduling a meeting, but then it would have to be noticed for that special meeting.

Commissioner Lindell arrived at this time.

Commissioner Salazar moved to postpone this ordinance until the August 7th meeting and to create a subcommittee to study this further, Commissioner Hughes seconded the motion which passed by majority voice vote of 6 to 1 with Commissioner O'Reilly voting against the motion.

Chair Gonzales asked for volunteers to the subcommittee and appointed Commissioners Salazar, Armijo, Bordegaray and himself. He asked the interested public to provide meaningful written feedback to staff.

- 2. An ordinance creating new Sections 14-2.10 and 14-2.11 SFCC 1987 establishing the Santa Fe Extraterritorial Land Use Authority (ELUA) and the Santa Fe Extraterritorial Land Use Commission (ELUC). (Councilor Romero) (Frank Katz, case manager)**

Memorandum from Frank Katz, City Attorney, prepared June 26, 2008 for Planning Commission meeting is incorporated herewith to these minutes as Exhibit "2."

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

Public Hearing

There was no public testimony regarding this case.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Hughes understood they want to avoid going to the Municipal Boundary Commission. He said they could ask for the petition to be filed with the City and the City would act on it. He has heard they want to do everything inside the 599 and I-25 area. He said many of the people along Airport Road do not seem to want to be annexed so he thought it might be better to go to the Boundary Commission for some of the acreage. He asked if that is a possibility.

Mr. Katz said it is a possibility. He anticipates a petition would be filed with the City and it would include a great deal of that area. He said inevitably there will be people that do not want to come into the City. He said those people could be heard at the Extraterritorial Land Use Commission and Extraterritorial Land Use Authority and then it would come to the City Council. The alternative would be to go to the Boundary Commission. He said in light of the settlement agreement, Airport Road is inevitable to come into the City as it is the urban area and is not rural anymore. He would expect the decision would be that this should be annexed as it is long overdue.

Commissioner Hughes asked if this would get rid of the EZA/EZC system.

Mr. Katz said that would be abolished.

Commissioner Hughes asked what the anticipated timing of the annexations is.

Mr. Katz stated that the next task to develop a timeline. Las Soleras has already submitted their annexation and general plan amendment. He said they need to get with

the County to develop a schedule to bring to Council. He thinks they want to do this sooner rather than later. The agreement ties into the area bounded on the southwest by 599 and east by I-25.

Commissioner Hughes understood that this area is inside 599, yet the northwest quadrant goes way beyond that area. He asked if the northwest quadrant will be brought into the City limits.

Mr. Katz said that area identified is already in the City.

Commissioner Bordegaray asked how the County feels about not having the EZC/EZA.

Mr. Katz explained that the settlement agreement anticipates abolishing this and that appears to be popular.

Chair Gonzales said City staff will have to be staffing the meetings.

Mr. Katz explained that the County will not be hearing much except the initial annexation petitions. He said it gives the County complete control over the County area

Commissioner O'Reilly assumed the Extraterritorial Land Use Authority and Commission are required by statute.

Mr. Katz said the city statute gives the city jurisdiction over certain extraterritorial lands and that is dealt with by a joint powers agreement and various bodies. This is one of the ways that can be exercised.

Commissioner O'Reilly said if this can be done by the joint powers agreement and doing away with EZA and EZC then he is not sure why it is necessary to create the Land Use Authority and Land Use Commission. This seems to be exactly what existed before. He suggested the joint powers agreement say within the presumptive City limits the Planning Commission will deal with the cases and outside the City limits the CDRC and County will deal with the cases.

Mr. Katz stated that it is legally cleaner to do it this way and establish what the rules are in each area.

Commissioner O'Reilly questioned why that is cleaner as it seems messier. He said in the memo it outlines that there are only three tasks, but the ordinance talks about the Land Use Authority having duties related to land use approval. In his opinion this is confusing.

Mr. Katz said it does have the authority to do this and it would be delegating that authority to the City and the County. He said if that was the only thing it is possible that it could be done by the joint powers agreement, but the annexation requires the Land Use Authority and Land Use Commission. The ordinance establishes the purpose quite cleanly.

Commissioner O'Reilly asked if the state statute requires these bodies be formed.

Mr. Katz replied that there are three ways to do it.

Commissioner O'Reilly stated that an annexation has to go through four bodies so that does not seem clean in his opinion. He understands that the approval process would be delegated at the first meeting. He clarified the process.

Commissioner Salazar asked if the ELUA and ELUC go away after the final annexation.

Mr. Katz supposed it could. He said the agreement permits further annexations, but only with County approval.

Commissioner Salazar thought there were no annexations allowed for 20 years according to the agreement.

Mr. Katz said without County approval there cannot be any more annexations.

Commissioner Hughes moved to recommend approval of Sections 14-2.10 and 14-2.11 SFCC 1987 by the City Council, Commissioner Bordegaray seconded the motion which passed by unanimous voice vote.

3. **Case #ZA 2008-06. Fullerton Withers Family Partnership Rezoning from R-1 to C-2. James W. Siebert, agent for Reese Fullerton and Marilyn Withers requests rezoning of 2 lots totaling 1.80± acres of land from R-1 (Residential, 1 dwelling unit per acre) to C-2 (General Commercial). The application includes a development plan consisting of a 16,000 square foot building on Tract C-1 and a variance from a 15 foot landscape buffer between commercial and residential uses. The property is located at the northwest and northeast corner of Vegas Verdes Drive and Camino de los Arroyos. (Tony Raeker, case manager) (POSTPONED FROM JUNE 19, 2008)**

Commissioner Hughes recused himself from this case as the applicant is his boss.

Ms. Baker stated that she would be presenting Mr. Raeker's cases as he is no longer working with the City.

Memorandum from Tony Raeker, Land Use Senior Planner, prepared July 7, 2008 for July 17, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "3."

Future Land Use Map for the area involved in this case is incorporated herewith to these minutes as Exhibit "3(A)."

Lou Baker presented the staff report included in Exhibit "3."

Staff recommends:

Approval of the Rezone and Development Plan subject to compliance with code requirements and conditions of the following departments:

- Subdivision Engineer
- Traffic Impacts
- Wastewater
- Fire
- Parks, Trails and Open Space

- Current Planning
- Solid Waste

Staff recommends denial of the request for a Variance to landscape standards.

Public Hearing

Jim Siebert, 915 Mercer, was sworn. He reviewed a site plan for the business park. The site planning came from three tracts of land. The tract is divided by Vegas Verdes and then a small sliver that is adjacent to the drainage. The reason this came about was that the parcel was a piece left over from Sam's Club. This was landlocked and the Santa Fe Plaza had to have two points of access for their second phase of the development, so the applicant worked with the Santa Fe Plaza to provide that second point. The applicant wanted to have the road go down just one side of the property, but in order to meet the engineering standards they ended up with this configuration. He said this was imposed by engineering standards.

Mr. Siebert explained that they anticipate the upper floor will be more office in nature and the lower floor may be retail or warehouse in nature with space for rollup doors. They originally proposed parking and there was concern on the part of the traffic engineer that people would shortcut. This was a reasonable concern so they dropped the parking proposal on tract D. The intent is to have the list of uses attached. The adjacent area is the area they are proposing to request a variance from 15 feet to 7 feet. He showed the stormwater detention pond. There will be a row of garages that are used and sold with the condominium unit.

Bruce Geiss, 2011 Botolph Road, was sworn. Mr. Geiss said he was hired to manage the process and would like to ask for a positive recommendation and approval of the variance. He believes the suggestion that the Commission deny the request for a variance is based on erroneous information.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Lindell asked what the erroneous information is.

Mr. Geiss explained that the staff report states that the adjoining property is a C-2 property developed under RM standards. There is a requirement for a 15-foot buffer between residential and C-2 use. The southern boundary of the development should be residential instead of what it is now which is a series of garages that border the edge. Those garages are being sold in fee simple to the buyers of the Alameda condominiums so that southern boundary will never change to residential from garage. He said it is unlikely that this will change. There is a significant stormwater drainage pond between the garages and this property so there is a landscape buffer. There is also a 12-14 foot grade change between the two.

Commissioner O'Reilly thought the dimensional table standards in the code only require the landscape buffer between residential zones, not residential uses.

Ms. Baer stated that it is either.

Commissioner O'Reilly asked what you do with commercial use as part of a residential project.

Ms. Baer said she does not characterize a garage as a commercial use.

Commissioner O'Reilly asked what the future land use map designation is for this.

Ms. Baker replied transitional mixed use.

Commissioner O'Reilly asked if the C-2 zone falls under that.

Ms. Baer assumed this was covered under the staff report. The general plan does not correlate directly to zoning categories. The transitional mixed use could be applied to more than categories including mixed use. The C-2 does cover less intensive uses so it could be argued that transitional mixed use is covered.

Commissioner Bordegaray asked for a hypothetical scenario if the 15 foot landscape buffer were implemented.

Mr. Siebert showed this on a map.

Commissioner Bordegaray was appalled at the way this whole area has come together and the fact that the road does not connect. She does not believe it could get much worse. She has no qualms whatsoever about denying a variance for the landscape buffer. The development is huge in scale. She does not think it could be too mixed use.

Commissioner Bordegaray moved to recommend approval of Case #ZA-2008-06 with staff recommendations including denying the variance, Commissioner Lindell seconded the motion which passed by unanimous voice vote. [Commissioner Hughes recused himself from this case.]

4. **Case #S 2008-03, Hart Business Park Final Subdivision Plat. James W. Siebert, agent for CCSF 599 LLC requests final subdivision plat approval for 11 lots on 82.9± acres located south of Airport Road and west of NM 599. The property is zoned I-1 (Light Industrial). (Tony Raeker , case manager)**

Items 4 and 5 were combined for purposes of staff report, public hearing and comment, but were voted on separately.

Memorandum from Tony Raeker, Land Use Senior Planner, prepared July 7, 2008 for July 17, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "4."

Lou Baker presented the staff report included in Exhibit "4."

Staff recommends:

The Final Subdivision Plat and Phase I Development Plan be approved subject to compliance with code requirements and conditions of the following departments (See Exhibit F, attached):

- Subdivision Engineer
- Traffic Impacts
- Wastewater
- Fire

- Parks, Trails and Open Space
- Current Planning
- Solid Waste

Staff believes that the applicant has not met the findings for a variance, however.

Public Hearing

Jim Siebert, was previously sworn. He wanted to clarify that these are really two separate cases, although staff is mixing the cases together when they are really stand alone cases.

Chair Gonzales verified that these have been adequately noticed.

Ms. Brennan felt they were.

Mr. Siebert reviewed that the preliminary plat was heard with a concern with the number and placement of ponds. The Commission allowed deferment until the engineer was present to discuss the plans. The engineer is present at this hearing to address those issues.

Ray Macy, 2340 Menaul, Albuquerque, was sworn. He said there are a number of ponds on the site. He looked at the existing conditions and there are three places where drainage leaves this site. He attempted to control the runoff so the natural flow rates are not exceeded at the development. This will keep the flow to historic rates. They already anticipate development of two of the sites and have fairly good footprints, although there have been some changes to adjust the ponds. The rest of the site is still a clean slate with storm drain systems and inlets. They needed to handle what they would do to control the runoff which is the function of the ponds. There is sanitary sewer system planned for the development that is all gravity so it is rough to get the flow on the rugged terrain. They had to plan the berms to get the sewer line in.

Mr. Siebert agreed with the conditions stated by staff and has addressed the comments in the report already.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner O'Reilly thanked Mr. Siebert for the engineer being present. He understands they are creating ponds that anticipate what the development would be. It has been his experience that there are other commercial industrial subdivisions where that has been done and you can drive through them and see where the ponds have not been used and are obliterated. He thinks a better way of doing this is creating more centralized and fewer ponding areas. He said creating a berm to get the sewer through is the perfect opportunity to create a centralized pond. He added that they can put the lot lines wherever they want. He noted that the second case makes his point because it encroaches into one of the drainage areas that were just planned. He thinks there should be small ponds downstream from the roadways to handle the runoff and drainage from the roadway and then the tracts handle their own drainage as they chose when they develop. He said this allows underground storage as they do not have to respect

the drainage easement and ponding provided. He said he would save his comments on the other case until later.

Chair Gonzales said typically they comment on both cases together, but he questioned if this might be different since the cases are somewhat different.

Ms. Brennan said in this case it might be clearer if they are separated.

Mr. Macy explained that each parcel will have to come up with a drainage plan. He used some statistical information for industrial developments about how much impervious area they might expect on a particular lot. The applicant will still have to present a site development plan with a drainage scheme and all the amenities for that particular development. He said this provides the backbone of the drainage system that they can work with. He said if there is a pond that is smaller it will not hurt anything because they have the storm drainage systems in the street with a stub out to the property that can be used. The intent was to not have to come back and tear up the street. The other issue is the terrain. The drainage path is what is setting the ponds. He said they have to work upstream in the arroyo and control things before they are released. He said they could come up with more and smaller ponds, but he is unsure they would gain anything by doing so. Some of the ponds are at the back end of future developments and there are only a couple of lots that have ponds at the front of the lot. He feels this system is flexible as they are not locked into the shape of the pond or exact location of the pond.

Mr. Siebert added that the ponds are low points in the road and will be there anyways. if they have to have a culvert come under the road, why not establish a ponding area for that which is the low point anyways. A small pond will unlikely accommodate all the development if they plan to centralize the pond. A large pond and other passive water harvesting could allow the pond to become smaller. There is a culvert under the road already so they want to make sure they do not have to tear up the roads.

Commissioner O'Reilly feels they are creating a problem because there are easements and ponds in the easements. The plans show significant grading to build the ponds at the time they build the road. He suggested simply putting a culvert under the road and letting the drainage pass through so that the development could tie in or come up with ways to create storm drainage. He thinks this is an incentive not to create passive water harvesting because they are stuck with the pond planned. He would prefer letting the water flow naturally to the low points and letting the water end up on the other side of the road in large enough ponds. At the minimum it could be sized to control the runoff from the road which is all they need to do. He said everything else would be taken up onsite by the individual tract developers which obviate the need to have the ponds on the side of the road.

Mr. Macy agreed the system could be adjusted that way. The culvert can flow under the road which is an easy change. A small pond could be placed for the street runoff and could be adjusted later by future developers if that is acceptable.

Commissioner O'Reilly felt this would ensure the applicant ends up with an overall better looking development. He did not want deep holes that are not used and become eyesores. He said the person that develops could come up with a number of ways to control the runoff on their site.

Mr. Macy stated that in the interim there is ground and when the property develops the person can come up with a plan. He believed they need the culverts in place under the road and through the berms for the sewer line. They may need a few small ponds as a result of the road.

Commissioner O'Reilly agreed.

Commissioner O'Reilly moved to approve Case #S-2008-03 with all staff comments and the condition that the applicant revise the grading and drainage plan to remove the ponds and ponding easements on the west side of Hart Road. The drainage plan for the subdivision would have ponding to handle the increased runoff from the road only and not from the individual tracts in terms of the amount of detention. Commissioner Hughes seconded the motion.

Commissioner Hughes asked for Ms. Blackwell's reaction.

Ms. Blackwell stated that it is a challenge to know where review vs. design engineering comes in. The suggestions for modification are positive looking at the site holistically, but the staff is looking at this as if it meets code as is. She said what was submitted met the code requirements.

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

- 5. Case #M 2008-14. Hart Business Park Phase I Development Plan. Wayne Lloyd, agent for CCSF 599 LLC requests development plan approval of Lot 2 within the Hart Business Park. The Coca-Cola bottling building will be constructed in two phases with 75,000 square feet in phase I and 49,000 square feet in phase II. The application also includes a variance to the parking standards. The property consists of 10.74± acres and is zoned I-1 (Light Industrial). (Tony Raeker, case manager).**

Items 4 and 5 were combined for purposes of staff report, public hearing and comment, but were voted on separately.

Public Hearing

Wayne Lloyd, 501 Halona Street, was sworn. Mr. Lloyd accepted everything except the variance. One of the first things discussed was the parking and staff recommended they apply for the variance. He realizes trying to meet the five criteria for a variance is virtually impossible. He said using a rational approach to design and being up against something that technically cannot be complied with although it was recommended they apply for the variance puts them in an odd spot. He said the reason they think a variance is important is because presently Coca Cola has 88 employees and 63 spaces at the present site with about 20 vacant spaces daily. They will have 101 employees at the new facility. He noted that they are happy to do porous concrete if it makes a difference, but were told it was not allowed and would not mean cutting back on the drainage. In the warehouse 60% of the floor area is stacked with coke and then there is space to allow the semis to park inside to load the trucks during the winter. He said they are supplying 143 spaces, so they will have 42 guest parking spaces. He has done research on requirements for industrial building parking and the average is between one

space per 1500-2000 square feet, so this would mean they would need 69 or 52 spaces. The reality is that the hardship here is the City's ordinance as there are not that many industrial parks. He hopes the ordinance will be rewritten. He did not want to put out so much asphalt sitting unused. The Hart family knows what they will need, so to require so much parking seems unreasonable. He commented that he is not sure where they will be encroaching on the ponds.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Lindell asked if this project comes under the big box ordinance.

Ms. Baer said that only applies to retail.

Commissioner O'Reilly referred to sheet E001 of the submittal and said the contours of the pond go up to 55. He asked if there is anything in the code that allows an alternative parking scheme.

Ms. Baer said she has a conflict of interest on this case so she has not been involved. She said under the parking and loading requirements, the specific requirements for warehouse and freight movement is one space per 500 which is what was used, but under industrial service and storage the requirement is as determined by the City. She suggested this is the opportunity to specify a parking requirement and not do it in the form of a variance.

Commissioner O'Reilly commented that there is accurate data to precisely indicate the parking demand. He asked if that is just anecdotal.

Mr. Lloyd replied yes.

Commissioner O'Reilly suggested adding a condition that said more parking might be required if the use of the building ever changed.

Chair Gonzales agreed.

Commissioner Lopez said Mr. Siebert made a comment earlier that the Hart family had purchased water rights and asked where those are being transferred from.

Mr. Siebert explained that there are two sets of water rights associated with this development. For the overall Hart Business Park they have acquired 160 acre feet from the Cochiti Pueblo and in addition they have purchased 14.7 acre feet that has been transferred to the City already. The idea is that between the Coca Cola and FedEx there is 8 acre feet so they have purchased more water than needed in the immediate future. The water rights have been vetted and the next step is to submit the application to the State Engineer's Office.

Mr. Lloyd stated that he would be happy to withdraw the variance if they can work on the industrial parking requirements. He said often they take the net usable space and if they take that approach removing the product and truck space in the building they would meet the requirements.

Commissioner O'Reilly moved to approve Case #M-2008-14 with all staff conditions and a condition that the variance is not required per table 14-8.6-1. Commissioner Armijo seconded the motion.

Commissioner Lindell made a friendly amendment to add a condition that if the building was sold and the uses changed that parking would change for that usage. This was accepted by Commissioner O'Reilly and Commissioner Armijo.

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

6. **Case #S 2008-04. Old Las Vegas Place Preliminary Subdivision Plat. JenkinsGavin Design and Development Inc., agent for Homewise, Inc. requests preliminary subdivision plat approval for 50 lots on 15.35± acres. The site is located east of Old Las Vegas Highway and south of Old Pecos Trail and is zoned R-3 (Residential, three dwelling units per acre. (Donna Wynant, case manager)**

Commissioner Lindell recused herself from this case as she is an employee of Homewise.

Commissioner Armijo recused himself from this case as he has a personal friend involved in Homewise.

Chair Gonzales excused himself from the meeting at this time and asked Vice Chair Hughes to Chair the rest of the meeting.

Memorandum from Donna Wynant, Senior Planner, prepared July 8, 2008 for July 17, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "5."

Donna Wynant presented the staff report included in Exhibit "5."

Staff recommends:

The request for Preliminary Subdivision Plat be approved. Approval should be conditional to meeting the requirements of the following departments:

- Technical Review Division – Engineering Review Memo
- Technical Review Division – Landscape Review Memo
- Public Works Department – Traffic Review Memo
- Wastewater Management Division Review Memo
- Solid Waste Division Review Memo
- Fire Department memo
- Water Division memo
- Parks, Open Space & Trails Review Memo

Public Hearing

Jennifer Jenkins, 130 Grant Avenue, Suite 101, was sworn. She introduced the team that was present with her. This project is over 15 acres, although the parcel does not have significant depth, but lots of frontage. The property was annexed and rezoned to R-3. This allows for 50 single family lots. There is gently rolling terrain with the

exception of the two drainage areas adjoining the open space. She showed how they have tried to keep the rural feel as much as possible.

Ms. Jenkins stated that there has been some concern with the proposed roadway section of the primary entrance that does not meet the City standards. The intent was to dress up the entrance. There are no driveways on this road and this is just the access point to get to the main roadway. There is a question if this would accommodate snowplows. She said they are asking for approval of an alternative section so they can keep the landscaped median. She agreed to modify this to make sure they can accommodate the snowplows and will present that with the final submittal. There was a request for 4 inches of asphalt on the road. Previously common practice was for 3 inches of asphalt. The price of asphalt has gone up 25% in the last 60 days. There is 60% affordable housing and the market rate homes have a maximum price of \$300,000. She asked the Commission and Mr. Romero to consider permitting 3 inch asphalt in the paving section. She stated agreement with all other staff comments.

Ann Lacey, 81 Old Agua Fria Road West, was sworn. Ms. Lacey feels this is a complicated development with so many aspects that she can't help but bring up some of the context for this development. She has been involved with issues concerning the intersection for about 10 years along with the rebuilding of Old Las Vegas Highway. This once was in the EZ. The EZ was designed to be a buffer area between the urbanization of the City and the rural character of Santa Fe County. This property was annexed and again soon it will be impossible to do spot annexing. This was a small parcel contiguous to the City. The community at large in this area was against this annexation. Once this property was annexed it was immediately rezoned to R-3 and the area is largely still zoned R-10, so this is outside the traditional land use in this area with the exception of Quail Run. The community was opposed to the development at Quail Run and it was not to be a model. She thinks the group has done a great job in improving the development due to the openness to the community participation. There was a neighborhood meeting with nine people present, but also they met with the community over several months with many people appearing. There was a tremendous amount of community interest in this. In her opinion, this project could be improved a bit more by looking at the context and the land use as well as the design issues related to lighting, traffic and sustainability. She wondered if the applicant could go a bit further so it is a model since this is at the gateway into Santa Fe. She said it will be highly visible from as far away as 10 miles. She requested more landscaping on Old Las Vegas Highway with trees to create a visual barrier. She wanted to see the homes more sustainable. She thought these homes should be state of the art so the City is moving towards other goals they have as a community. She said there are 300+ units of housing in Santa Fe in affordable price ranges, so she questions why they continue to build more units.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Lopez asked if the money towards the improvement of the intersection is a one time or yearly payment.

Ms. Jenkins replied that it is a one time financial contribution based on the traffic impact of this project. At the time the final plat is recorded that money goes into a fund for that project when it is completed.

Commissioner Lopez did not see where there is so much asphalt.

Ms. Jenkins pointed out the roadways that would be asphalted.

John Romero, Traffic Engineer, said the Public Works Department since 2002 directed staff to require a minimum of 4 inches of asphalt over 6 inches of base coarse. He said only Tierra Contenta does not do this as they have their own design standards. If the applicant can prove that the soil is stable enough they can use less asphalt.

Ms. Jenkins noted that the soil testing is in process and if the geotechnical report shows the soil is stable enough they can work on that.

Commissioner O'Reilly assumed the crossing on the big arroyo on road A will have railings on top of the walls.

Ms. Guerrero Ortiz, previously sworn, confirmed that there will be railings will be on top of the walls.

Commissioner Bordegaray sees the tension between the Historic Corridor and affordable housing in this part of town. She grew up in Sol y Lomas and cannot afford it, so she struggles with this. She does not like seeing affordable housing only in one area of town. In her opinion this is exactly the opportunity that people of this income range should have to live in this area. The goal of providing housing for this income range is being met with this project. She asked about the connections to the trails.

Ms. Jenkins reported that she met with Mr. Siqueiros and he said the open space provided will allow the connection to any future trails, although currently there are not any to connect to.

Commissioner Bordegaray requested the applicant provide a connection on the sidewalk to DeVargas Heights if possible since there are many trails in that area.

Commissioner O'Reilly moved to approve Case #S-2008-04 with all staff conditions, Commissioner Lewis seconded the motion which passed by unanimous voice vote. [Commissioners Lindell and Armijo as well as Chair Gonzales recused themselves from this case].

7. Sustainable Santa Fe Plan. Recommendation from the Planning Commission to the Governing Body concerning the Sustainable Santa Fe Plan. (Katherine Mortimer, case manager)

Memorandum from Katherine Mortimer, Supervising Planner, prepared July 8, 2008 for July 17, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "6."

Comments from Arthur Firstenberg, dated July 17, 2008 are incorporated herewith to these minutes as Exhibit "6(A)."

Ms. Mortimer presented the staff report and plan included in Exhibit "6." She recommended the Sustainable Santa Fe Commission have a chance to review the suggestions from Mr. Firstenberg and then recommend any changes they feel are appropriate. She noted that Councilor Dominguez was present earlier and was unable to stay although he wanted to support the plan especially the educational component which he believes could be expanded.

Public Hearing

There was no public testimony regarding this item.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Armijo asked if emission testing is part of this.

Ms. Mortimer explained that the requirement for emission's testing is related to the Clean Air Act. The only county in New Mexico that is non-attainment is Bernalillo County. All other counties do not reach the levels, so they do not trigger this requirement for emission testing. The plan focuses on moving towards electrical vehicles and that sort of thing. She agreed to look into this.

Commissioner Hughes referred to Al Gore's challenge to become renewable energy driven in ten years. He noted that electric vehicles could be powered by renewable electricity. He asked Ms. Mortimer if she thinks it is possible to do this in ten years.

Ms. Mortimer said it is a matter of investment and financially that would be a big burden to the community if the cost was forced on individuals. She feels they should start with a level that people feel is affordable and reasonable so they get people used to that and then ratchet that down as technology becomes available. She believes meeting the 2030 challenge is very possible. The biggest emission in the City is from pumping water and sewer. At this point it is the initial investment and they would need assistance from State and Federal funding to get there faster.

Commissioner Hughes assumed the new Chapter 14 rewrite will incorporate some of these ideas.

Ms. Baer reported that the revision is of the problems found and for clarifications. It is not a complete rewrite and does not attempt to go into many substantive issues.

Ms. Mortimer agreed and said some of this will be a harder process. They will need to engender confidence from the community that this can be done well. She added that the transit oriented development will be coming soon.

Commissioner O'Reilly clarified that the single biggest emission is pumping water. He commented that there is a huge piece of land behind the sewage treatment plant.

Ms. Mortimer said there has been analysis and testing done of the methane and how to treat and use it. She believes this is currently stalled, but they want to recover the methane.

Commissioner O'Reilly reported on a program funded by PNM to buy micro turbines for the City and one was installed at the Hilton and the other at the Hospital. He was a part of this and they tried to get one to run off methane at the wastewater treatment plant, but there was opposition from staff. He suggested the dog park might have opportunities for methane capture. He commented that on page 15 where they are encouraging development of energy efficient affordable housing. In his opinion it is not just housing choices, but job opportunities. There are many industries that could provide jobs people need close to where they live.

Commissioner Bordegaray moved to recommend adoption by the City Council of the Sustainable Santa Fe Plan, Commissioner Armijo seconded the motion.

Commissioner O'Reilly asked what the suggestion was regarding Mr. Firstenberg's concerns.

Ms. Mortimer suggested that the Sustainable Santa Fe Commission have a chance to respond to this because they have not seen those comments.

There being no abstaining or dissenting votes, the motion passed by unanimous voice vote. [Chair Gonzales was not present for this vote].

G. BUSINESS FROM THE FLOOR

Ms. Baer reported that Las Soleras submitted materials for annexation, future land use map amendment and rezoning. The applicant requested an informational session due to the complexity of the case.

Ms. Brennan said this information is good for feedback to use in developing the plan. These have worked well with the Historic Board.

Ms. Baer added that they are also requesting a field trip. She said they could have the information session on the 21st of August and then the field trip on August 28th and hearing on September 17th or any configuration the Commission chooses. She noted that there are three meetings in August due to Fiestas in September.

There was discussion as to when and if they wanted a field trip. There was consensus to have the information session on August 21st and then they would decide if they felt they needed a field trip.

H. STAFF COMMUNICATIONS

Ms. Blackwell reviewed the infrastructure completion policy incorporated herewith to these minutes as Exhibit "7."

Commissioner O'Reilly asked what there is to make sure that staff takes care of what they need to do in a timely manner.

Ms. Blackwell said this is not the first time she has heard this concern and they have a new contract inspector to help and this states what the City turnaround will be.

Commissioner O'Reilly asked where it states there will be a three day turnaround.

Ms. Blackwell did not find where the document stated that. She explained that the budget includes funding to hire some of the staff or they will hire contracts if that does not occur.

I. MATTERS FROM THE COMMISSION

Commissioner Lewis informed the Commissioners that this will be her last meeting as she will be moving to Albuquerque to attend college to study political science. She thanked everyone and said this was a privilege that she thinks is a great opportunity for youth.

The Commissioners congratulated her and wished her well.

Commissioner Armijo commented that it puts them in a bad position when they spend time reviewing something and then say that it is not the final draft. He spent two hours up late the previous evening reviewing the water ordinance. He added that he does not open the emails he receives as he was told they should only be reviewing materials that are in the packet so they know everyone got the same thing.

Ms. Brennan said if they all get an email then it is okay. She apologized on the findings, but said she is caught up on them as she has had to cram them in when she gets time because of the staff shortages. She agreed with the issue on the water ordinance and said that was already addressed with staff and is probably due to their inexperience in bringing items to the Commission.

Commissioner Bordegaray said she was asked for comments on Chapter 14 and she was not sure how to handle that.

Ms. Brennan was not aware of this request and agreed to look into it. She asked the Commission to always inform her of requests like that.

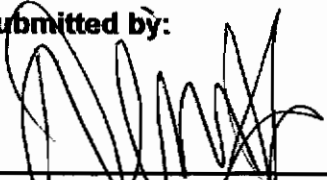
J. ADJOURNMENT

There being no further matters to come before the Commission, and the Commission having completed its agenda, Commissioner Lindell moved, seconded by Commissioner O'Reilly to adjourn the meeting. The motion passed unanimously on a voice vote and the meeting was adjourned at 10:15 p.m.

Approved by:

Chair Estevan Gonzales

Submitted by:



Denise Cox, Stenographer