



# Agenda

**AMENDED**

**PLANNING COMMISSION**

**August 21, 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: August 7, 2008**

**FINDINGS/CONCLUSIONS**

**E. ELECTION OF OFFICERS**

1. Chair
2. Vice-Chair
3. Secretary
4. Summary Committee (Three members, including committee chair and secretary)

**F. OLD BUSINESS**

**G. NEW BUSINESS**

1. *An ordinance amending Sections 14-6.2(C)(10), 14-8.11(D), 26-1.8 and 26-1.33 SFCC 1987 regarding the applicability of the Santa Fe Homes Program to vacation time share projects and making such other changes as are necessary. (Councilor Calvert, Councilor Bushee and Councilor Romero) (Ted Swisher, case manager) (POSTPONED FROM AUGUST 07, 2008)*
2. **Santa Fe Transit-Oriented Design Siting and Planning Study.** (Richard Macpherson, case manager)
3. **Case #M 2008-23. Hart Business Park Lot 3 Development Plan.** James W. Siebert, agent for CCSF 599 LLC, requests development plan approval of Lot 3 within the Hart Business Park. The Fed Ex Ground Facility is proposed to be constructed in two phases, with 31,271 square feet in phase I, and 16,169 square feet in phase II. The property consists of 7.98 acres and is zoned I-1 (Light Industrial). (Donna Wynant, case manager)
4. **Case #ZA 2008-10. 113 and 113½ Ricardo Road Rezoning from R-5 to R-7.** Derrick Archuleta, agent for Richard Maclaurin, requests rezoning of 0.25± acres from R-5 (Residential, five dwelling units per acre) to R-7 (Residential, seven dwelling units per acre). The property is located south of West Alameda Street and north of the Santa Fe River. (Donna Wynant, case manager)

5. **Case #SP 2008-19. NM School for the Deaf Lot Split.** James B. Sanchez, agent for Santa Fe Surveying Company, requests plat approval to divide 40.1727 acres into Tract A 33.8981± acres and Tract B 6.2746± acres. This application requests approval of a dedication right-of-way for Paseo del Sol extension. The property is located at the south end of Paseo del Sol and is zoned PRC (Planned Residential Community, 10 – 20 dwelling units per acre). (Lou Baker, case manager)
6. **Case #M 2008-24. The Village, Tract 20A Tierra Contenta, Preliminary Development Plan.** Clif Walbridge, agent for Santa Fe Community Housing Trust, requests preliminary development plan approval for a 60 unit apartment complex on 6.2746± acres. The site is Tract 20A in Tierra Contenta Phase 1A and is located on the east side of Paseo del Sol, south of the Paseo del Sol Apartment Complex, and east of Santa Fe Capital High School. The property is zoned PRC (Planned Residential Community, 10 – 20 dwelling units per acre). (Lou Baker, case manager)

## H. BUSINESS FROM THE FLOOR

1. **Informational Study Session – Las Soleras.** Linda Tigges, agent for various property owners, presents an informational study session regarding an application for annexation, general plan amendment, rezoning, and other associated actions related to the Las Soleras project. Proposed land uses include hospital, office, retail, institutional and various density residential, parks and open space, as well as a possible rail stop and transit station. Proposed zoning designations include C-2, C-1, MU, RM-LD, BIP, RM-1, and R-6 on 537 +/- acres. The property is located east of Cerrillos Road, west of Richards Avenue, north of I-25 and south of Governor Miles Road.

## I. STAFF COMMUNICATIONS

## J. MATTERS FROM THE COMMISSION

## K. 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**

**August 21, 2008**

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3. <u>Case #M 2008-23. Hart Business Park Lot 3 Development Plan.</u> James W. Siebert, agent for CCSF 599 LLC, requests development plan approval of Lot 3 within the Hart Business Park. The Fed Ex Ground Facility is proposed to be constructed in two phases, with 31,271 square feet in phase I, and 16,169 square feet in phase II. The property consists of 7.98 acres and is zoned I-1 (Light Industrial). Approved		5-7
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6.	<b>Case #M 2008-24. The Village, Tract 20A Tierra Contenta, Preliminary Development Plan.</b> Clif Walbridge, agent for Santa Fe Community Housing Trust, requests preliminary development plan approval for a 60 unit apartment complex on 6.2746± acres. The site is Tract 20A in Tierra Contenta Phase 1A and is located on the east side of Paseo del Sol, south of the Paseo del Sol Apartment Complex, and east of Santa Fe Capital High School. The property is zoned PRC (Planned Residential Community, 10 – 20 dwelling units per acre).	<b>Approved 7-12</b>
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**MINUTES OF**  
**CITY OF SANTA FE**  
**PLANNING COMMISSION MEETING**

**August 21, 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  
Gloria Lopez  
Matthew O'Reilly  
John Salazar  
Ken Hughes, Vice Chair  
Estevan Gonzales, Chair

**MEMBERS ABSENT:**

One vacancy

**STAFF PRESENT:**

Tamara Baer, Planning Manager  
Kelley Brennan, Assistant City Attorney  
Wendy Blackwell, Director Technical Review Division  
Donna Wynant, Senior Planner  
Lou Baker, Senior Planner  
John Romero, Traffic Engineer  
Charlie Gonzales, Technical Review Coordinator  
R.B. Zaxus, City Engineer  
Denise Cox, Stenographer

**B. PLEDGE OF ALLEGIANCE**

Chair Gonzales asked Commissioner Lindell to lead the pledge of allegiance.

**B. APPROVAL OF AGENDA**

Ms. Baer reported that item 2 – Santa Fe Transit Oriented Design Planning Study is being postponed to the September 18<sup>th</sup> meeting. Item 4 – Case #ZA-2008-10 was withdrawn by the applicant.

Chair Gonzales requested they move election of the officers to the end of the meeting, so they have time for discussion and so he has the opportunity to chair his last meeting.

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: August 7, 2008**

Commissioner O'Reilly moved to approve the minutes of August 7, 2008 as presented, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

**FINDINGS/CONCLUSIONS - None**

**E. ELECTION OF OFFICERS**

1. **Chair**
2. **Vice-Chair**
3. **Secretary**
4. **Summary Committee (Three members, including committee chair and secretary)**

*This item was moved to the end of the meeting per approval of the agenda.*

**F. OLD BUSINESS – None**

**G. NEW BUSINESS**

1. **An ordinance amending Sections 14-6.2(C)(10), 14-8.11(D), 26-1.8 and 26-1.33 SFCC 1987 regarding the applicability of the Santa Fe Homes Program to vacation time share projects and making such other changes as are necessary. (Councilor Calvert, Councilor Bushee and Councilor Romero) (Ted Swisher, case manager) (POSTPONED FROM AUGUST 07, 2008)**

Memorandum from Ted Swisher prepared August 12, 2008 for August 21, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "1."

Ted Swisher presented the staff report included in Exhibit "1."

Staff recommends:

It is recommended that the Santa Fe Homes Program Ordinance and Administrative procedures be amended to apply to all Vacation Time Share Projects. Due to the unique characteristics of time shares, it is recommended that builders/developers of time shares have the option of paying a fee in lieu or actually building and selling 30% of the units as affordable according to SFHP requirements.

**Public Hearing**

**Rick Martinez, 725 Mesilla Road, was sworn.** He stated support for this because he always likes to see affordable housing downtown, but cautioned the Commission from jeopardizing the business in the downtown area.

**The public testimony portion of the public hearing was closed.**

**Questions and comments from the Commission**

Commissioner O'Reilly asked what drove this change in the ordinance.

Mr. Swisher said the sense of urgency is because of the Lensic project although they anticipate other similar projects coming forward.

Commissioner O'Reilly said many believe that time shares are a commercial venture, so he asked what the difference is as opposed to a hotel project.

Mr. Swisher explained that it is a commercial structure with a residential use.

Ms. Brennan added that they have been looking at this issue since January or earlier. It seems this residential use made it impractical to have units for a family, so the developer would be allowed to opt to provide units in the development or elsewhere.

Commissioner O'Reilly was worried about the intrusion into projects that are not truly residential. He said these could be deeded ownership or fee based where you do not own any property. He questioned that later this may translate to hotels. In his opinion it seems to come about from the El Corazon project that used fractionals although it feels like a residential project. He did not think the goal is that all developments have an affordable housing component.

Commissioner Lindell asked for edification of how the fees are determined.

Mr. Swisher explained that it is not completely resolved, but the fee in lieu recommended will be \$200,000 times the number of SFHP homes that would be required.

Chair Gonzales asked how the proposed changes would benefit local people.

Mr. Swisher stated that the fee in lieu would go into the affordable housing trust fund and those funds must be used for affordable housing in the community.

Chair Gonzales asked how the funds are spent and which organizations benefit.

Mr. Swisher explained that this has just been established and no funds have been dispersed. He anticipates requesting proposals and getting them back dispersing funds based on the RFP's. This will be reflected in the strategic housing fund.

Chair Gonzales said many feel that Homewise and Santa Fe Housing have benefited from the ordinances regarding affordable housing. He asked if this will benefit those organizations further.

Mr. Swisher said it would probably benefit them although they would have to submit proposals.

Chair Gonzales asked if only nonprofits can apply.

Mr. Swisher stated that anybody can apply.

Chair Gonzales asked how much additional funding this change will bring in.

Mr. Swisher stated that it is not a tremendous amount because time shares are only permitted in the downtown area and there are limited opportunities. The Lensic would bring in approximately \$900,000. Most likely it would be just a handful of projects.

Chair Gonzales asked if they have assessed the economic impact of this change, the cost, and if this will make Santa Fe a less attractive place to visit.

Mr. Swisher replied no. He said it may increase tourism because a group of people would be investing in the community and committing to spending a certain amount of time here each year.

Chair Gonzales asked for an analysis of the ramifications.

Mr. Swisher stated that no economic development *impact study has been done*.

Commissioner Armijo pointed out that properties get away from having to participate by doing these kinds of developments. All other developers have to participate, so he is not sure why the other participants should not have to.

Commissioner Lopez asked how the fee would affect the existing time shares in Santa Fe.

Mr. Swisher said it would not; this would just affect the current timeshare developments.

Commissioner Salazar asked what the current fee in lieu of is.

Mr. Swisher said it is the fee of a three bedroom house for an income range 2 family which is \$109,000 currently. If the home prices change then that changes. Approximately one year ago the Council changed that to be \$109,000 times the number of units in the development. He said they are *stepping off of that a bit and going for middle ground with this proposal*.

Chair Gonzales thought there should be some kind of analysis regarding the ramifications when Councilors propose changes to ordinances. He suggested a standard set of questions that analyze the impact that the change will have, but realized that needs to be discussed at a different time.

Ms. Brennan believed there was some sort of analysis done.

**Commissioner Hughes moved to recommend the Council apply the Santa Fe Homes Program to vacation time share projects, Commissioner Lindell seconded the motion.**

Chair Armijo asked if there should be some analysis done and suggested this be added to the motion.

Chair Gonzales appreciated the suggestion, but thought that should be an issue for the Council to look at in general.

Ms. Baer said an FIR report will be done.



Mr. Swisher said that will be done, but it is not the economic impact to the community. The FIR just states the cost to the city.

Commissioner Hughes did not want to add that requirement on as it might delay this from passing while there are projects in the pipeline.

**The motion passed by majority voice vote of 4 to 3. Those voting for the motion: Commissioners Armijo, Hughes, Lindell and Salazar. Those voting against the motion: Commissioners Lopez, O'Reilly and Bordegaray. A roll call vote was done to verify this.**

**2. Santa Fe Transit-Oriented Design Siting and Planning Study. (Richard Macpherson, case manager)**

*This item was postponed to the September 18<sup>th</sup> meeting per approval of the agenda.*

**3. Case #M 2008-23. Hart Business Park Lot 3 Development Plan. James W. Siebert, agent for CCSF 599 LLC, requests development plan approval of Lot 3 within the Hart Business Park. The Fed Ex Ground Facility is proposed to be constructed in two phases, with 31,271 square feet in phase I, and 16,169 square feet in phase II. The property consists of 7.98 acres and is zoned I-1 (Light Industrial). (Donna Wynant, case manager)**

Memorandum from Donna Wynant, Land Use Senior Planner, prepared August 10, 2008 for August 21, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "2."

Donna Wynant presented the staff report included in Exhibit "2."

Staff recommends approval subject to the conditions in the following memos:

- Technical Division – Engineering Review Memo
- Technical Division – Landscape Review Memo
- Fire Department Review Memo
- Solid Waste Division Review Memo
- Wastewater Management Division Review Memo
- Parks, Open Space and Trails Review Memo

### **Public Hearing**

**Jim Siebert, 915 Mercer, was sworn.** He introduced Todd Berry, Scannell Properties.

**Todd Berry, San Francisco, Scannell Properties, was sworn.** He said Scannell Properties is a 20-year-old firm based in Indianapolis. Their business is a build to suit national company that provides real estate solutions for large firms. They build approximately half of the new FedEx facilities. FedEx is expanding and this will allow their business to grow. The ground division is growing and they want to double the capacity. This will also entail hiring 10 more employees for a total of 53 employees. He said they will receive four trucks in the morning, sort those and then load the trucks for delivery. At the same time they will be picking up and will come back, unload and put them on two trucks that go back to Denver.

Mr. Siebert showed the location on the site plan for Hart Business Park. He pointed out the infrastructure.

**The public testimony portion of the public hearing was closed.**

**Questions and comments from the Commission**

Commissioner Bordegaray asked what the annual growth rate is for FedEx.

Mr. Berry was unsure of exact numbers. FedEx is a multibillion dollar corporation. In a good year his company will do 12-18 facilities and they only do half of them.

Commissioner Bordegaray was interested in the sidewalk and bicycle lane requirement that said the city is considering mandating showers for office space.

Ms. Baer explained that this was a project Mr. Raeker was working on. The requirement would be for new construction to provide long term bicycle storage and showers to encourage bicycle use. Currently this has not gone anywhere.

Commissioner Armijo asked how they know the prairie dogs were removed.

Ms. Baer was not sure staff received the report, but they do ask for this during development review. The building permit is not issued until that clearance is received. She is not sure of the status in this case.

Ms. Wynant stated that there was a report given by the applicant and she did a site visit.

Commissioner O'Reilly asked what kind of development plan this is because it does not say.

Ms. Baer stated that there is no distinction when there is no preliminary requirement and only one review is required.

Commissioner O'Reilly thanked Mr. Siebert for the changes to the subdivision drainage. His request was because he wanted to allow the individual parcels to pond their own water on their own site and use that in a useful way. He had hoped to see water harvesting and distribution to landscaped areas. He sees a lost opportunity with perimeter areas that the water could be directed to. He encouraged a modification rather than draining to two ponds.

Mr. Siebert agreed and said it would be easy enough to create a shallower pond and make it part of the overall landscape. He said they will make that modification.

Chair Gonzales asked if there is an opportunity to mask the sliding doors.

Mr. Siebert explained that there are street trees and in addition there are a variety of smaller trees and shrubs. He said it will take time to cover the area. He said if they allowed some flexibility they can take some of the shrubbery and intensify the vegetation.

Chair Gonzales thought that would be a good solution.

Mr. Siebert thanked Chair Gonzales for his leadership as it was a pleasure working with him. He found him to be a very fair individual.

**Commissioner Armijo moved approval of Case #M-2008-23 with staff conditions, Commissioner Bordegaray seconded the motion.**

Chair Gonzales asked if staff could work with the applicant on the landscaping so they could make the landscaping denser in some areas.

Ms. Baer was happy to work with the applicant as this is not an issue. It is not a literal number, but an overall count.

**Commissioner O'Reilly added the condition that the detention ponds along Hart Road be made shallower to allow more water harvesting.**

Mr. Berry asked if they can add to the motion that if there is something that prohibits them from doing that, it not hold them up.

Commissioner Bordegaray asked if the matrix is part of the staff condition.

Ms. Wynant said this was just included, but did not know the status of all those as they are for the park and not this individual project.

Commissioner Bordegaray restated the bicycle requirements.

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

4. **Case #ZA 2008-10. 113 and 113½ Ricardo Road Rezoning from R-5 to R-7. Derrick Archuleta, agent for Richard Maclaurin, requests rezoning of 0.25± acres from R-5 (Residential, five dwelling units per acre to R-7 (Residential, seven dwelling units per acre. The property is located south of West Alameda Street and north of the Santa Fe River. (Donna Wynant, case manager)**

*This case was withdrawn by the applicant per approval of the agenda.*

5. **Case #SP 2008-19. NM School for the Deaf Lot Split. James B. Sanchez, agent for Santa Fe Surveying Company, requests plat approval to divide 40.1727 acres into Tract A 33.8981± acres and Tract B 6.2746± acres. This application requests approval of a dedication right-of-way for Paseo del Sol extension. The property is located at the south end of Paseo del Sol and is zoned PRC (Planned Residential Community, 10 – 20 dwelling units per acre). (Lou Baker, case manager)**

*Items 5 and 6 were combined for purposes of staff report, public hearing and Planning Commission comment and action, but are intended to be voted upon separately.*

6. **Case #M 2008-24. The Village, Tract 20A Tierra Contenta, Preliminary Development Plan. Clif Walbridge, agent for Santa Fe Community Housing Trust, requests preliminary development plan approval for a 60 unit**

**apartment complex on 6.2746± acres. The site is Tract 20A in Tierra Contenta Phase 1A and is located on the east side of Paseo del Sol, south of the Paseo del Sol Apartment Complex, and east of Santa Fe Capital High School. The property is zoned PRC (Planned Residential Community, 10 – 20 dwelling units per acre). (Lou Baker, case manager)**

*Items 5 and 6 were combined for purposes of staff report, public hearing and Planning Commission comment and action, but are intended to be voted upon separately.*

**Memorandum from Lou Baker, AICP, Senior Planner, prepared August 11, 2008 for August 21, 2008 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "3."**

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

Staff recommends approval subject to the following conditions of approval:

1. Applicant shall submit a construction staging plan with the building permit application detailing activities in a manner so as not to disrupt the harmony and safety of the neighborhood and existing vegetation; i.e. location of a port-a-potty, location of dumpster, time of deliveries, time of construction, parking for construction workers, traffic control and warning signs (Construction Ahead), and tree protection, etc.
2. Final development plan shall be recorded concurrently with the final dedication plat.
3. Lot split plat shall be recorded with the Santa Fe County Clerk along with any and all deeds, private reservations, easements, covenants and restrictions. Final plats shall be recorded within five (5) days after the acceptance by the City Council or Planning Commission as the case may be, of the public dedications, if any, shown thereon, but not until such acceptance. The acceptance of a public dedication by the City does not necessarily imply the maintenance of such dedication.
4. Comply with Ordinance 2008-32 Requiring Notification to the Santa Fe Public Schools District of a Development Plan.
5. Comply with comments from the following Divisions:
  - Technical Review Division/Engineering
  - Technical Review Division Landscaping
  - Santa Fe Metropolitan Planning Organization
  - Fire Department
  - Public Works Department/Engineering Division/Traffic Impacts
  - Wastewater Management Division
  - Office of Affordable Housing
  - Solid Waste Division Engineer
  - Trails and Open Space Office
  - Sangre de Cristo Water Division

### **Public Hearing**

**James Sanchez, agent for NM School for the Deaf, was sworn.** He said Ms. Baker explained this well. They accept all conditions including the modified conditions.

**Clif Walbridge, agent for Santa Fe Community Housing Trust, was sworn.** He said this is a 60 unit apartment project that is 100% affordable. This is being built by Santa Fe Community Housing Trust headed by Sharon Welsh and Bill Conway is present from the School for the Deaf.

**Amber Walbridge, 7601 Jefferson, Suite 100, was sworn.** She reviewed the site plan. There is the feel of community as these are designed in basic clusters and each one surrounds a landscaped courtyard encouraging people to get to know their neighbors. She pointed out the community building. There is a lot of use of open space

landscaping in addition to the sheltered areas. She reviewed the elevations and the basic services that will be offered. Each unit has their own patio or balcony and the downstairs units have enclosed yards.

**The public testimony portion of the public hearing was closed.**

**Questions and comments from the Commission**

Commissioner Lindell commented that this looks like a nice project, but she is concerned that there is a well developed playground. She believed there will be numerous children on site.

Ms. Walbridge explained that the funding is coming from the MFA and one of the requirements is that there are appropriate amenities for all ages of children.

Commissioner Lindell encouraged each apartment to have internet access due to the population they are serving and the number of children. She said either wireless or wired would be acceptable, although she understands it is not a requirement. She hoped to see the applicant figure out a way to include that.

Ms. Walbridge said they have been looking into this and are looking at options. At the least there will be an internet connection in the community building. Wireless is a touchy situation currently.

Commissioner Lopez asked if there has been discussion with the schools for accommodating these children.

Ms. Baker stated that they are required to notify the public schools according to a proposal from Councilor Dominguez. She said staff is working closely with Justin Snyder at the public schools. This is preliminary, but at the final they will have documentation as to how the public schools will be impacted.

Chair Gonzales thought that it might be wiser to have documentation prior to making an approval for a certain number of units. He said if they approve this and then the schools come back later stating they cannot accommodate these students it might be a problem.

Ms. Baer said they have never have had the schools respond that they cannot accommodate the students. The idea is for the schools to be able to do future planning.

Chair Gonzales asked Commissioner Lopez what the status is currently.

Commissioner Lopez reported that Caesar Chavez and Ortiz are full. She said it is not just a matter of moving kids, but there are relationships that are shattered. When redistricting is done, they are moving lives.

Ms. Baker agreed and is why this was included. She said the applicant will need to work with the schools.

Chair Gonzales asked what happens if the schools cannot accommodate this proposal.

Ms. Baker explained that the ordinance states the applicant is required to meet with the school. If the school feels there is a significant impact on the resources it would be in the applicant's best interest to address those issues.

Ms. Baer pointed out that Tierra Contenta has projected numbers and so none of this is a surprise.

Commissioner Bordegaray asked Mr. Snyder if he is comfortable commenting on this issue.

**Justin Snyder, planner for the schools, was sworn.** This is the first project he was familiarized with and he has had the opportunity to work on this. At that time, the ordinance was not passed so in the process the form was not submitted. He reported that Chavez and Ortiz are rather full, but they hope that the new school and rezoning will address that. Capital High does have room. He said they are trying to standardize the factors and responses to be fair to all developers. He cannot give a number on how 60 units would affect this area.

Chair Gonzales asked Mr. Snyder if he feels comfortable with the elementary schools accommodating this.

Mr. Snyder stated that they have worked with the developer and will be able to absorb what this brings. He will be working with the communities to accommodate 13,000 dwellings coming in the southwest area in the next 10-15 years.

Commissioner Armijo asked what the intention in the future is for tract A.

Mr. Sanchez said the 33 acre parcel could be split again and he is not sure what the intentions are for that property.

**Bill Conway, 206 MacKenzie, was sworn.** He said the School for the Deaf recently has embarked on a process of preparing a master plan for the surrounding land including this parcel A. They have retained Design Workshop and engineers, so they will be working with staff on what they are doing. The PRC zoning provides for well over 800 dwelling units and significant commercial as well as institutional land that was configured in 1993.

Commissioner Armijo asked if there are 800 units on tract A.

Mr. Conway said that is for the total property.

Mr. Conway stated that zoning would accommodate 150 units, but he is not sure they would do that.

Chair Gonzales commented that the earlier they start talking to the community the better.

Mr. Conway said they have met with the adjacent landowners including the State and as they develop the plans they will work with the neighbors directly adjacent. They will have a process to exceed the requirements of ENN.

Commissioner O'Reilly asked if there is a reason that the northern boundary does not extend to maintain the access easement.

Mr. Sanchez explained that the existing right of way was there since 1929. He said it has been a complicated process to develop that.

Commissioner O'Reilly noticed that part of the application requires a dedication. There are strip right of ways that end up being no mans land with trash and debris. He said a 25 foot right of way including the 40 foot easement to the east could accommodate even the smallest city street.

Mr. Sanchez said it is hard to put anything else in that would interfere with those rights. He added that they could not create a park or drainage pond. There is no grantee on this right of way, so vacating or extinguishing it would be difficult.

Commissioner O'Reilly said given the population and proximity to Capital High he could see that becoming a pedestrian pathway. He asked about the ingress/egress private easement and whom the private easements are granted to.

Mr. Sanchez replied for the tenants and beneficiaries of the apartments.

O'Reilly asked if the Santa Fe Community Housing Trust will own the property.

Mr. Conway said it will probably be sold.

Commissioner O'Reilly pointed out that they are granting an easement to their self which is confusing and not typically seen. He thought this was cumbersome and when they record the easement it will set the exact location of the parking and roads. He is not sure when anyone ever builds exactly the location. He did not see that an easement is required. He suggested doing that after the improvements are installed if they really want to go this way.

Mr. Sanchez appreciated the comments and said they can maintain the easements.

Commissioner O'Reilly said it limits them from adjustments or change orders, so it is unnecessary. He asked why the fire access lanes are this way.

Mr. Walbridge said the Fire Department wanted 150 feet to get around to the buildings in the back.

Commissioner O'Reilly commented that it seems one of the buildings could be moved closer to the parking lot to eliminate that. Building 6 moving to the west slightly might allow removing the fire lane. He understood the buildings are 15 feet apart. He pointed that out, but did not want to make it a condition. The pond looks like it has steep slopes and he suggested making it more gentle.

Mr. Walbridge thought that could be done. He showed the park area and open space on a map. He said there is room for harvesting of water.

Commissioner O'Reilly recalled that they used to allow projects with a large amount of affordable housing to proceed to final and it allowed them to proceed quicker due to the

timeline for tax credit projects. He asked why they removed this from the code because it can impose several additional months.

Ms. Baer did not know why it was taken out, but she agreed to pass that along to the Chapter 14 rewrite team.

Commissioner Hughes commented that the landscape plan shows high water use trees. He asked them to plumb the apartments for grey water to water the trees. He asked if they will modify the plan somewhat and vary the species to lower water use plants.

Ms. Walbridge stated that the project is through MFA and there are certain guidelines, but they are going above the minimum and providing the enterprise level of green development so they are looking at water use and conservation. She said the cost for grey water systems or rooftop systems are a budget issue on this project.

Commissioner Bordegaray asked about the future locations of roads that are noted in the packet.

Ms. Baker said that was presented by the applicant and distributed at the ENN.

Commissioner Bordegaray asked how likely these are.

**Dave Thomas, Tierra Contenta, 6005 Jaguar Drive, was sworn.** He believed what they are seeing is the location of the major roads within the master plan area. The alignment of the roads near Wal-Mart has been approved. He hopes those roads are done in about three years so they connect to Cerrillos Road. He said this project is subject to the requirements in the Tierra Contenta Master Plan. He said in the future they would like to hold a study session for the Planning Commission regarding the new development that will occur in this area.

Chair Gonzales invited Mr. Thomas to attend a Long Range Planning Meeting.

*There was a break requested by staff at this time.*

Chair Gonzales asked staff for a report.

Ms. Baer explained that there will be two votes exactly as advertised with conditions.

**Commissioner Hughes moved to approve Case SP-2008-19 with staff conditions, Commissioner Armijo seconded the motion which passed by unanimous voice vote.**

**Commissioner Hughes moved to approve Case M-2008-24 with all staff recommendations, Commissioner Salazar seconded the motion which passed by unanimous voice vote.**

## **H. BUSINESS FROM THE FLOOR**

- 1. Informational Study Session – Las Soleras. Linda Tigges, agent for various property owners, presents an informational study session regarding an application for annexation, general plan amendment, rezoning,**



**and other associated actions related to the Las Soleras project. Proposed land uses include hospital, office, retail, institutional and various density residential, parks and open space, as well as a possible rail stop and transit station. Proposed zoning designations include C-2, C-1, MU, RM-LD, BIP, RM-1, and R-6 on 537 +/- acres. The property is located east of Cerrillos Road, west of Richards Avenue, north of I-25 and south of Governor Miles Road.**

PowerPoint presentation prepared by the applicant dated July 2008 is incorporated herewith to these minutes as Exhibit "4."

**Karl Sommer** introduced Skip Skarsgard and John Mahoney, Jim Siebert, Linda Tigges, Joseph Karnes, Baker Morrow, Josh Skarsgard, Aaron Mahoney and Amy Dicker. To begin with the opportunity in the City did not exist so they went to the County with this project. Now they can take advantage of things that were not available previously such as the Railrunner which runs right by this. This is the first opportunity to do what has truly been studied; the City can produce housing opportunities and employment on a large scale. There will be larger employers for the long term benefit. This project has the ability to integrate into the City's existing infrastructure and meet the broader needs such as trails and connectivity without destroying the quality of life for existing neighborhoods. This is a grand opportunity that did not exist when they first came into the city. Now there is a policy that is well defined regarding where they are going. Before there was conflict every step of the way. Las Soleras is part of the settlement agreement. This is a General Plan amendment, annexation, lot line adjustment, rezoning and height variance. He said the presentation reviews the similarities and differences between the previous plan and this proposal.

**Jim Siebert** explained that this is not the details, but a broad overview. Essentially there are 539 acres of land that is owned by Las Soleras. This consists of two parcels including the PNM substation and Monte del Sol School which was contributed by the development some time ago.

Mr. Sommer commented that the annexation is part of the settlement agreement existing between the City and County and Las Soleras.

Mr. Siebert reviewed the boundaries; the bottom is I-25, to the right is Cerrillos Road, Richards and Governor Miles are to the top. The variance is for the Presbyterian Hospital.

Mr. Sommer added that Presbyterian Health Services purchased a lot, but have a zoning and variance reflected in the application so they are annexed in the way they were already zoned. Presbyterian does long term planning and financial commitments, so it will take 15 years to follow their plan. This institutional user has invested already.

Mr. Siebert reviewed the presentation included in Exhibit "4."

**Baker Morrow** reviewed the open space, trails and landscape plan. He was stunned by the chances to do something this extraordinary. This will put Santa Fe in the front of urban development. There is the opportunity to make this a transit oriented community by connecting with the Rail Runner. He said the Rail Runner stops in Albuquerque are serviceable and practical, but this could be a different magnitude. There is the

opportunity to create a complete street with bicycling, walkways, and cars. They will be catching the water on both sides of the street with check dams to bring the water into full use which is a general theme all through Las Soleras.

Commissioner O'Reilly liked the proposal and asked Mr. Morrow to consider permeable paving.

Mr. Morrow agreed. He said most New Mexican cities have the same issues where the rapid expansion causes crumbling around the edges. He thought the arroyos would be a tremendous opportunity. He suggested visiting Las Golondrinas for a good example of how an arroyo can be landscaped and developed with fields, orchards and check dams with grid gardens. His intention is to rehab this area in the patterns and style of La Cienega. He said they intend to recondition the edge of the freeway and open space. If this is successful it may support the wildlife and encourage its return.

Mr. Sommer asked Mr. Morrow to address the reduction of open space and how open space will be treated.

Mr. Morrow stated that the city asserts its ability to develop the open space properly. The idea intent is to bundle the open space. Journal Center in Albuquerque was designed in 1980 and it has limited open space, but there are 9000 active users during the week who use the area.

Commissioner Hughes asked if roundabouts could be used on this project.

Mr. Morrow said they are talking to Bohannon Houston regarding roundabouts and they could be an interesting element.

Mr. Sommer reviewed what they are asking for. This will not negatively impact an existing neighborhood. This provides the City with a long term opportunity to diversify an economic development strategy. This development represents a way to integrate this land into the city in a way that meets the broader community's needs.

Commissioner Lopez commented that there is not a school in the vicinity to serve this area. Monte del Sol is high school and a lottery situation that is full. In her opinion they need to donate property for a school in this area.

Commissioner O'Reilly commented that St. Vincent is the largest energy user and asked if there will be design guidelines such as permeable paving, water use, and energy use for all development.

Mr. Siebert replied yes.

Commissioner O'Reilly asked the applicant to explore shared parking. He suggested talking to Tierra Contenta about the issues they have run into as this will be similar in size.

Mr. Sommer explained that at the September 18<sup>th</sup> meeting they will provide the details. He asked the Commission if there is anything they are especially interested in to let them know so they can focus on that.

Commissioner Bordegaray was interested in the network of trails and how the project will connect with the existing edges especially Arroyo Chamiso behind the mall.

#### **I. STAFF COMMUNICATIONS**

Ms. Baer handed out the packets for the next meeting.

#### **J. MATTERS FROM THE COMMISSION**

Commissioner Hughes reported that the long range subcommittee talked about the Rail Runner crossings that will be coming to the Commission at some point.

Commissioner O'Reilly commented that there are some compelling long range plans.

Commissioner Lopez understood that the NM Supreme Court came down with a decision regarding the impact new development may have on existing owners. She would like more information on this.

Commissioner Armijo recalled the Carrow's building came for a partial demolish and the whole thing is gone. He asked staff to look into this.

Commissioner Bordegaray said there was an abbreviated architectural design score in their packet on the FedEx case that she had never seen before.

Ms. Baer said there is a checklist for building permits, but she believes this may have been something other than a checklist from the City.

#### **ELECTION OF OFFICERS**

Chair Gonzales stated that he would like someone else to be elected as the Chair. He said they have seen a decrease in appeals and complaints, an increase in staff camaraderie, and an increase in education. He thanked everyone.

Commissioner Armijo felt Commissioner Hughes or Commissioner O'Reilly should take over the chairmanship.

Commissioner Bordegaray agreed, but commented that she would hate to see the questions diminished if either of these people are the chair.

Chair Gonzales agreed that you should not use the role of the chair to try to sway what is going to happen. He shared the concern.

Ms. Brennan said that is correct and a neutral view is preferable. She said investigation questioning can be done, although moving the discussion is not good.

Commissioner Lopez thought the role of the chair is to make sure the meeting is ran correctly and that everyone has the opportunity to speak. She said for the chair it is tough not to be able to vote.

Commissioner Armijo felt that Commissioner Hughes could do that.

Commissioner Hughes said he is the Chair of the Long Range Planning Commission, so he would prefer someone else be the chair.

Commissioner O'Reilly said this is the most thoughtful commission he has seen. He said they have been great and respectful of everyone. He thought seniority should be taken into account and he is fairly new. He likes that when they do not agree they can move on and make considerate decisions and agree to disagree with no hard feelings. He said he has a lot to say and would be more vocal than what the chair has been. He worries how his career as a development consultant might be perceived by those that submit plans. He would not want to disrupt the fairness.

Chair Gonzales believed that Commissioner O'Reilly would be very professional and knows the code better than anyone else on the Commission.

### **1. Chair**

**Commissioner Lindell moved to nominate Commissioner O'Reilly as Chair, Commissioner Armijo seconded the motion which passed by a majority voice vote of 5 to 1 with Commissioner Bordegaray voting against the motion. Commissioner O'Reilly abstained from voting.**

### **2. Vice Chair**

**Commissioner Armijo moved to nominate Commissioner Salazar as Vice Chair, Commissioner Lopez seconded the motion which passed by unanimous voice vote.**

### **3. Secretary**

**Commissioner Armijo moved to nominate Commissioner Bordegaray as Secretary, Commissioner Hughes seconded the motion which passed by unanimous voice vote.**

### **4. Summary Committee(Three members, including committee chair and secretary)**

**Commissioner Lindell moved to nominate Commissioner Armijo as Chair of the Summary Committee, Commissioner Salazar seconded the motion which passed by unanimous voice vote.**

**Commissioner Salazar moved to nominate Commissioner Lindell as Secretary of the Summary Committee, Commissioner O'Reilly seconded the motion which passed by unanimous voice vote.**

**Chair Gonzales moved to nominate Commissioner Lopez as a member of the Summary Committee, Commissioner Hughes seconded the motion which passed by unanimous voice vote.**

## **K. ADJOURNMENT**

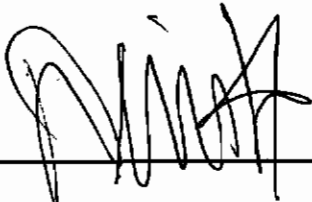
**There being no further matters to come before the Commission, and the Commission having completed its agenda, Commissioner Salazar moved, seconded by Commissioner O'Reilly to adjourn the meeting. The motion passed unanimously on a voice vote and the meeting was adjourned at 9:45 p.m.**

**Approved by:**

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**Chair Estevan Gonzales**

**Submitted by:**



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**Denise Cox, Stenographer**