



# Agenda

## **PLANNING COMMISSION**

*September 18, 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 21, 2008, August 28, 2008

FINDINGS/CONCLUSIONS

**E. OLD 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) **(POSTPONED FROM JULY 17, 2008 AND AUGUST 07, 2008) POSTPONED INDEFINITELY**

**F. NEW BUSINESS**

1. **Santa Fe Transit-Oriented Design Siting and Planning Study.** (Richard Macpherson, case manager) **(POSTPONED FROM AUGUST 21, 2008) TO BE POSTPONED TO OCTOBER 16, 2008**

**G. BUSINESS FROM THE FLOOR**

1. **Informational Study Session – Zia Station Mixed Use Development.** Merritt Brown presents an informational study session regarding a future application for a Mixed Use Transit Oriented Development located at Zia Road, along the west side of St. Francis. **Note:** The City's TOD study is scheduled for presentation to the Planning Commission on October 16, 2008.

**H. STAFF COMMUNICATIONS**

**I. MATTERS FROM THE COMMISSION**

**J. ADJOURNMENT**

**NOTES:**

- 1) Procedures in front of the Planning Commission are governed by Roberts Rules of Order. Postponed cases are postponed 1) to a specific date, or 2) indefinitely until specific conditions have been resolved, or 3) to a specific date with the provisions that specific conditions be resolved prior to that date. Postponed cases can be removed from the postpone by a motion and vote of the Planning Commission
- 2) Due to time constraints not all issues may be heard and may be rescheduled to the next scheduled Planning Commission meeting. This agenda is subject to change at the discretion of the Planning Commission.
- 3) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and be subject to cross examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings. **\*An interpreter for the hearing impaired is available through City Clerk's Office upon 5 days notice. Please call 955-6521**

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**CITY OF SANTA FE**  
**PLANNING COMMISSION**

**September 18, 2008**

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**MINUTES OF**  
**CITY OF SANTA FE**  
**PLANNING COMMISSION MEETING**

**September 18, 2008**

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

*In anticipation of a quorum, staff communications were dealt with first.*

**STAFF COMMUNICATIONS**

Ms. Baer explained that Ms. Blackwell and Ms. Purley would be introducing a Hazard Mitigation Plan

Joyce Purley explained that this plan is going through different committees for approval. The Mitigation Plan lessens the hazards that face the City and protects the City so the hazards do not become disasters later. The County plan which is Inclusive of the City was born from the Cerro Grande Fire. Due to the circumstances surrounding that fire, FEMA funded it 100%. She explained that they are not obligated to complete the projects, but do plan to implement the projects. The plan is currently not adopted so the City is not eligible for funding. Once the plan is adopted by the City, it will be approved by FEMA immediately. She said there are two main grants that will be available. They are almost guaranteed to get a grant from the State as barely anyone applies for it. By this time next year they will have funds to create a city specific plan.

Wendy Blackwell handed out one copy of the plan for review. Apparently the Commission did not get the memorandum prepared or the plan. The plan has gone to Public Safety and Public Utilities. She said the reason they are here is that there is a rush to get this approved in October. Congress passed legislation that said every community shall have this plan in place in order to be eligible for mitigation funding. If they can get in before the new requirements go into effect they can still take advantage of the fact that FEMA is paying to get this completed. The plan will not serve the City well as there is little specific data on hazards, analysis of risks or projects. They want to do the plan correctly, but if this is adopted immediately they are eligible to apply for grant funds to update the plan. There is no time to put this on the agenda for a voting item. Through the update the Land Use staff will be involved and the Commission will be allowed to comment. She said they simply wanted the Commission to know what was going on. She agreed to get copies to the Commission.

Commissioner Armijo asked what has to be in line in October.

Ms. Blackwell explained that they have met with the state hazard mitigation officer, who informally said as long as the City adopts the plan they are eligible to apply for the funding that does not get used because people do not apply for it. She said they will have to come up with some of the money, although they can use staff time. She did not

think they would have to put out money to complete the plan because they should be able to put in enough in kind hours.

#### **A. ROLL CALL**

Roll call indicated the presence of a quorum as follows:

##### **MEMBERS PRESENT:**

Bonifacio Armijo  
Estevan Gonzales (late)  
Signe Lindell  
Gloria Lopez  
John Salazar, Vice Chair  
Matthew O'Reilly, Chair

##### **MEMBERS ABSENT:**

One vacancy  
Ken Hughes (excused)  
Angela Schackel Bordegaray (excused)

##### **STAFF PRESENT:**

Tamara Baer, Planning Manager  
Kelley Brennan, Assistant City Attorney  
Wendy Blackwell, Director Technical Review Division  
Donna Wynant, Senior Planner  
Denise Cox, Stenographer

#### **B. PLEDGE OF ALLEGIANCE**

Chair O'Reilly asked Commissioner Salazar to lead the pledge of allegiance.

#### **C. APPROVAL OF AGENDA**

Commissioner Lindell moved approval of the agenda, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

#### **D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**

**MINUTES: August 21, 2008, August 28, 2008**

Commissioner Armijo moved approval of the minutes of August 21, 2008, Commissioner Lopez seconded the motion.

Chair O'Reilly made the following corrections:

Page 11, last paragraph, after projects the words added: **in a PRC zone**

Page 11, paragraph 9: *their self* should be **themselves**

Page 3, paragraph 6, last sentence, before the word developments: **commercial**

Commissioner Armijo amended his motion to include the amendments.

There being on abstaining or dissenting votes, the motion passed by unanimous voice vote.

Commissioner Lindell moved to approve the minutes of August 28, 2008, Commissioner Lopez seconded the motion which passed by unanimous voice vote.

## **FINDINGS/CONCLUSIONS**

**The findings of fact for Case #M-2008-26 were incorporated herewith to these minutes as Exhibit "1."**

Chair O'Reilly referred to page 3, he believed there was a memo from the Fire Department and Land Use Engineer supporting the radius of the turn and design of the road.

Ms. Brennan did not recall an outright approval.

Ms. Baer explained that it had to do with the roadway design standards and it was stated that they could be approved administratively through three people; Fire Marshal, Subdivision Engineer and Traffic Engineer. This was in connection with the design standard variations. There was one memo with three signatures. She recalled that was generated by the applicant in response to changes to standards to the roadway.

Ms. Brennan agreed to look for the memo.

Chair O'Reilly thought that should be reflected, even if they have to change it and bring it to another meeting. He suggested they table this action until the end of the meeting while Ms. Brennan researched the memo.

**Commissioner Lindell moved to table the approval of Case #M-2008-26 for further information, Commissioner Armijo seconded the motion which passed by unanimous voice vote.**

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- 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) (POSTPONED FROM JULY 17, 2008 AND AUGUST 07, 2008) POSTPONED INDEFINITELY**

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Ms. Baer explained that the staff made a request of SF Brown that they come forward with a study session specifically about TOD (Transit Oriented Development) and how it may or may not relate to their project. At this time, there is no formal application. There has been a pre-application meeting with staff. The applicants are still in discussion with the neighborhoods surrounding their property. The City's transit oriented design study has been delayed more than anticipated. The City's plan is scheduled for the October 16<sup>th</sup> meeting.

Chair O'Reilly explained that this simply a study session with no action being taken, so there will be no public testimony.

*Commissioner Gonzales arrived at this time.*

**Mark Bertram, PO Box 5735 , Santa Fe, New Mexico.** He introduced Merritt Brown. He stated that they were asked to make a presentation similar to the one made at the first ENN. The Planning staff thought it was informative. At that meeting and a subsequent meeting last night, they made mention that they will not be talking about Zia station specifically. He said this is to give information about TOD's and nothing more. Currently there is a development transit disconnect that has occurred and now they have gone to a lot of urban sprawl. Mixed use villages with a transit anchor give opportunities to be vibrant, safe and beautiful places. Society has come full circle and is now going back to transit development. The Rail Runner will be impacting the community. It is important to make connections for pedestrians, bikes and automobiles. Transit is the organizing principle and an excuse to do what should be done anyway. Married couples with children are no longer the dominant household type. The average household in Santa Fe is 2.1 people. Rising transportation costs result in money and time. Transportation is becoming a greater percentage of household disposable income. Transportation is the highest cost after housing. Only 60% of Americans drive cars, so many need alternative means of transportation. The trend is towards sustainable green building and reduction of emissions.

Mr. Bertram explained what works for a TOD. A minimum size for a village of 5 + acres is required. These are typically mixed use. The goal is to reduce the vehicle miles traveled. Residents who live in the villages are more likely to use the transit. The TOD reduces local infrastructure costs. This is an alternative to drive until you qualify. The density allows more affordable housing. One of the goals identified in recent studies is to spread out the affordable housing. This will get people out of their cars and into alternative transportation. TOD's are the most valuable properties historically with home prices rising 15-20% higher within a mile radius. A TOD is harder to design, entitle, finance and build. Parking drives the economics and design of the project. TOD projects lose money in the short run and hopefully gain in the long run. Public investment is legitimate. He reviewed the best TOD sites which include transit connections, 5 acres or more, minimum park and ride, public financing mechanisms, and experienced developers.

Commissioner Armijo asked what kind of acreage they are working with.

Mr. Bertram said they have a little over 20 acres at the corner of Zia and St. Francis.

Commissioner Armijo asked what the proposed combination of mixed use will be.

Mr. Bertram said the preliminary plans are for 35% housing, 50% office and 10% retail.

Commissioner Armijo asked what if the 15-20% premium is in property or investment.

Mr. Bertram said in the areas close to transit and multi connection points it is desirable to live due to the access, so the tendency is to have higher premium in terms of real estate values.

Commissioner Armijo asked if the County owns property abutting this area.

Mr. Bertram stated that it is down the street and he understands they do have plans. He has heard densities as high as RM-1 zoning, but he does not have information from any reliable sources. The property is on the other side of Galisteo and down a couple of blocks.

Commissioner Armijo commented that it would be good to find out what the County might be doing in the same general area.

Commissioner Gonzales commented that this is interesting and exciting, but he would have liked the opportunity to have more information regarding this so they can study it.

Mr. Bertram said they have a video tape acquired from AIA in Denver that they can watch and it gives more information in general terms about TOD. He had a copy for each Commissioner.

Chair O'Reilly explained that the information being circulated is not related to this presentation.

Commissioner Gonzales said it would have been nice to have the information prior to the meeting.

Chair O'Reilly said he has everything that he needs to hear this presentation.

Commissioner Gonzales said as they go forward he has a different opinion and would like more information.

Commissioner Lopez asked for a copy of the PowerPoint presentation with notation of where the research is coming from. She saw that this is scheduled for presentation October 16<sup>th</sup> and asked if they could get the information more than a week ahead of time as it would be helpful.

Ms. Baer clarified that the City is doing a TOD study which is the one Commissioner Hughes got the grant money for. That study will be presented to the Planning Commission on October 16<sup>th</sup>. Mr. Bertram has not submitted anything at this point, so there is no timeline for Zia Station Development.

**H. MATTERS FROM STAFF - None**

**I. MATTERS FROM THE COMMISSION**

Commissioner Gonzales apologized for being late. He understood that he may have



come in when more information was provided that did not pertain to the presentation. He said for future informational study sessions it would be helpful to have more information as he was not sure what to make of the study.

Ms. Baer explained that this was meant to be a very general preliminary study that will be significant to the City. In the past they have had study sessions as informational items, although this may have been premature. This was an early discussion of what TOD is both as an introduction to the future Zia Station project and the Rail Corridor Strategic Plan.

Commissioner Gonzales agreed that if there are websites or research done it would be helpful in studying this type of development.

Commissioner Armijo agreed and said it was the same issue with the Hazard Mitigation.

Chair O'Reilly pointed out that this was a general matter from staff and it was not intended to be an item that they needed to study.

Commissioner Salazar reported that Santa Fe County is having a community meeting regarding the City annexation proposal and discussing how to get into the traditional historic community if residents do not want to be annexed. This will be held September 22<sup>nd</sup> at 6 p.m. at the Nancy Rodriguez Community Center.

Commissioner Armijo asked Commissioner Salazar to comment on the water ordinance.

Commissioner Salazar said they met yesterday discussing the two versions of the water ordinance; retrofit and conservation. Staff answered questions and they are trying to get a meeting for next Tuesday to finalize it for the October Planning Commission meeting.

Commissioner Armijo asked other Commissioners to give feedback on the ordinances.

Commissioner Gonzales reminded them to make sure that there are not more than five Commissioners at the meeting. He asked if anyone in the audience wanted to address the Commission.

Ms. Brennan returned after she reviewed the minutes and flagged three points noted by the Commissioners. She read the changes included on page 3 of Exhibit "1." The memorandum gives authority for an administrative approval just as Ms. Baer had stated.

Chair O'Reilly reminded the Commission that they approved an ordinance that establishes a new extraterritorial land use commission comprised of five members of the Planning Commission. He asked who would like to serve. He was told that it will be light duty with 4-5 meetings over a long time span. Commissioner Hughes had expressed interest prior to the meeting.

Those agreeing to serve were Commissioners Lopez, Salazar, Lindell and Chair O'Reilly along with Commissioner Hughes.

## **FINDINGS/CONCLUSIONS**

**Commissioner Lindell moved to remove the findings and fact from being tabled in**

**Case #M-2008-26, Commissioner Gonzales seconded the motion which passed by unanimous voice vote.**

**Commissioner Lindell moved to approve the findings of fact in Case #M-2008-26 as amended with clerical corrections as noted in the corrected page 3, Commissioner Armijo seconded the motion which passed by unanimous voice vote.**

**Chair O'Reilly asked for approval of the main motion which passed by unanimous voice vote.**

**J. ADJOURNMENT**

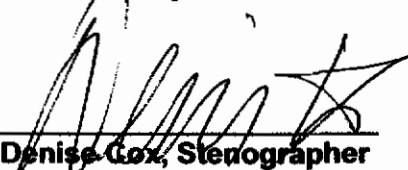
**There being no further matters to come before the Commission, and the Commission having completed its agenda, Commissioner Lindell moved, seconded by Commissioner Gonzales to adjourn the meeting. The motion passed unanimously on a voice vote and the meeting was adjourned at 7:05 p.m.**

**Approved by:**

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**Chair Matthew O'Reilly**

**Submitted by:**



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**Denise Cox, Stenographer**