



Agenda

CITY CLERK'S OFFICE

DATE 6/14/17 TIME 10:20

SERVED BY [Signature]

RECEIVED BY [Signature]

PLANNING COMMISSION

July 6, 2017

Field Trip – 4:00pm
922B & C Shoofly Street

Regular Meeting - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS
MINUTES: June 8, 2017

FINDINGS/CONCLUSIONS:

Case #2017-18. Mustang Village Apartments Development Plan and Annexation Agreement Amendment.

Case #2017-41. 1308 Apache Avenue Waiver.

- E. OLD BUSINESS
- F. NEW BUSINESS

1. Case #2017-35. 3430 Cerrillos Road Development Plan. Jim Medley, Architects Agent for Santa Fe Hampton Inn, request Development Plan approval to construct a 56,000 square foot, four story 91 room hotel on 1.88+/- acres. The property is zoned C-2 (General Commercial). (Dan Esquibel, Case Manager) **(POSTPONED FROM JUNE 8, 2017) (TO BE POSTPONED TO JULY 20, 2017)**
2. Case #2017-25. Estancias de Las Soleras Unit 2-B Preliminary Subdivision Plat. James W. Siebert & Associates, agent for the Pulte Group of New Mexico, requests approval of a Preliminary Subdivision Plat for 77 residential lots on 26.584 acres on Tract 14-A1 in the Los Soleras Master Plan and a variance request to Article 14-8.2(D)(b) allowing disturbance of natural 30% or greater slopes. The property is zoned R-6 (Residential – Six dwelling units per acre). (Noah Berke, Case Manager)

3. **Case #2017-45. Arbolitos at Las Estrellas Final Subdivision Plat and Variances.**
Oralynn Guerrerortiz, agent for B & R Land Investment, LLC requests final subdivision for 23 residential lots on 20± acres. The applicant requests variances: 1) to allow additional disturbance of 30% and greater slopes to allow stabilization of eroding slopes; and 2) to allow four lots to have zero lot lines between them (lots 3 & 5, and lots 10 & 11). The property is located north of SR 599, just west of North Ridgetop Road near the north boundary of the Santa Fe City limits. (Donna Wynant, Case Manager)
4. **Case #2017-51. 922 B & C Shoofly Street Demolition Master Plan Amendment.**
Santa Fe Railyard Community Corporation requests approval of a master plan amendment for demolition of buildings G1 (Old Monte Vista Fuel and Feed) and GG (Old Monte Vista Fuel and Feed), which are identified as historic structures within the Baca Area of the Railyard Master Plan. (Dan Esquibel, Case Manager)

G. STAFF COMMUNICATIONS

H. MATTERS FROM THE COMMISSION

I. ADJOURNMENT

NOTES:

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

SUMMARY INDEX
PLANNING COMMISSION

July 6, 2017
(amended)

ITEM	ACTION TAKEN	PAGE(S)
A. Roll Call	Quorum Present	1
B. Pledge of Allegiance	Recited	1
C. Approval of Agenda	Approved as amended	2
D. Approval of Minutes & Findings and Conclusions Minutes: June 8, 2017	Approved as presented	2
Findings of Fact & Conclusions of Law	Approved as presented	2-3
E. Old Business	None	3
F. New Business		
1. <u>Case #2017-35. 3430 Cerrillos Road</u> Development Plan.	Postponed	2-3
2. <u>Case #2017-25. Estancias de Las Soleras</u> Unit 2-B Preliminary Subdivision Plat	Approved	3-9
3. <u>Case #2017-45. Arbolitos as Las Estrellas</u> Final Subdivision Plat and Variances	Approved	9-22
4. <u>Case #2017-51. 922 B & C Shoofly Street</u> Demolition Master Plan Amendment	Approved	22-32
G. Staff Communications	Discussion	32
H. Matters from the Commission	Discussion	32-33
I. Adjournment	Adjourned at 10:54 p.m.	33

PLANNING COMMISSION
Thursday, July 6, 2017 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue
(amended)

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Vince Kadlubek on the above date at approximately 6:05 p.m. in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum for the meeting.

Members Present

Commissioner Vince Kadlubek, Chair
Commissioner Piper Kapin, Vice-Chair
Commissioner John B. Hiatt, Secretary
Commissioner Roman Abeyta
Commissioner Justin Greene
Commissioner Brian Patrick Gutierrez
Commissioner Stephen Hochberg
Commissioner Mark Hogan

Members Absent

Commissioner Sarah Cottrell Propst [excused]

Others Present:

Ms. Lisa Martinez, Land Use Department Director
Mr. Greg Smith, Current Planning Division Director and Staff Liaison
Mr. Zach Shandler, Assistant City Attorney
Mr. Dan Esquibel, Planner Senior
Mr. Noah Berke, Planner Senior
Ms. Donna Wynant, Planner Senior
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Planning and Land Use Department.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. APPROVAL OF AGENDA

Chair Kadlubek noted that the first case is postponed to the next meeting.

MOTION: Commissioner Hiatt moved to approve the agenda as published. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

1. MINUTES OF JUNE 8, 2017

MOTION: Commissioner Hogan moved to approve the minutes of June 8, 2017 as presented. Commissioner Gutierrez seconded the motion and it passed by unanimous voice vote except Commissioners Hiatt and Greene recused themselves.

2. FINDINGS/CONCLUSIONS:

- **Case #2017-18, Mustang Village Apartments Development Plan and Annexation Agreement Amendment**

MOTION: Commissioner Hiatt moved to approve the Findings of Fact and Conclusions of Law for Case #2017-18 as presented. Commissioner Gutierrez seconded the motion and it passed unanimously on a voice vote.

- **Case #2017-41, 1308 Apache Avenue Waiver.**

MOTION: Commissioner Hogan moved to approve the Findings of Fact and Conclusions of Law for Case #2017-41 as presented. Commissioner Kapin seconded the motion and it passed unanimously on a voice vote.

F. OLD BUSINESS

There was no old business.

G. NEW BUSINESS

1. **Case #2017-35. 3430 Cerrillos Road Development Plan.** Jim Medley, Architects Agent for Santa Fe Hampton Inn, request Development Plan approval to construct a 56,000-square foot, four-story 91 room hotel on 1.88± acres. The property is zoned C-2 (General Commercial). (Dan Esquibel, Case Manager) **(POSTPONED FROM JUNE 8, 2017) (TO BE POSTPONED TO JULY 20, 2017)**

This case was postponed and not considered by the Commission.

2. **Case #2017-25. Estancias de Las Soleras Unit 2-B Preliminary Subdivision Plat.** James W. Siebert & Associates, agent for the Pulte Group of New Mexico, requests approval of a Preliminary Subdivision Plat for 77 residential lots on 26.584 acres on Tract 14-A1 in the Los Soleras Master Plan and a variance request to Article 14-8.2(D)(b) allowing disturbance of natural 30% or greater slopes. The property is zoned R-6 (Residential – Six dwelling units per acre). (Noah Berke, Case Manager)

Staff Report

The Staff Report was presented by Mr. Berke. A copy of the Staff Report for Case #2017-25 is available on the City's web site. He noted a correction on page 4, criterion 4 where it should indicate there is a variance to disturb natural slopes of 30% or greater. The total variance area is 969 square feet. The steep slopes are along the drainage area and up against Lot 43 of the subdivision.

At the ENN meeting, there were some concerns expressed by Nava Adé residents. The Land Use Department took steps to meet with those people and to mitigate the effects of dust in the way construction will be handled.

If this is approved, a final subdivision plat application must be submitted. The Land Use Department recommended approval of this preliminary subdivision plat, subject to conditions and technical corrections as shown in the packet. Two motions are required; first to approve the variance of 30% slopes and second to approve the preliminary subdivision plat.

Applicant's Presentation

Mr. James Siebert, 915 Mercer, was sworn. Mr. Siebert used a display board to show the area site plan and pointed out parts that have been approved and some that are currently under construction, including Presbyterian Hospital, the VA Clinic, and various businesses. The application to NMFA for an Affordable Housing loan has been granted with 87 units platted. Ross's Peak is not yet constructed. Asphalt will be laid down in two weeks to Richards Avenue. His next Board described the trails being developed along the open space area. He noted there was much discussion on the trails and this reflects what was approved. His final board described the variance requested and pointed out that the variance on 1-C along the arroyo was granted. But some slopes fell outside and are in this subdivision which was the reason for the variance request. He concluded by saying they

agree with all staff conditions and technical corrections.

Public Hearing

Mr. Steve Chávez, 4246 Howling Wolf Lane, was sworn. He said Nava Adé is excited to have this project completed. The model homes are great homes. He said he was here before, concerned with the park and was glad it is now done.

Mr. Chávez spoke to the grading and drainage as their main concern and efforts to address the dust issues being created. Many of Nava Adé residents were asked to come to the Public Safety Committee to present a petition to the Mayor and City Council regarding the dust and did present it. They addressed the waivers requested on grading and drainage and the consequences of that waiver. He pointed out and described it as an apocalyptic environment regarding the dust.

He explained that the pictures displayed were taken on June 25 after the Public Safety Committee meeting. They were taken for the initiatives to take more seriously the dust coming over I-25 and DOT safety concerns. There is zero visibility and you can't see houses across the street. All of our homes get enveloped in dust and is truly an apocalyptic environment when it happens. And it was a danger to the woman who took the pictures. He added, "I can't use my patio and my garage is filled with dirt." He showed a neighbor's garage a picture of the car with window a little bit open. He passed around the pictures. [A copy of the pictures is attached to these minutes as Exhibit 1.]

Mr. Chávez said, "Three neighbors have recently moved out and many who remain are also suffering from respiratory issues. It is not healthy and we have property damage occurring. No one pays to clean the carpets and upholstery. It is a constant nightmare. This is a regular occurrence and we don't know when it will happen next. The developers said they would increase the water trucks. But one of the graders said they have to wait for the trucks to line up when there is a big wind event. And there is not enough water. By the time the trucks fill up with water, it is too late and the residents have all been enveloped in the dirt.

One of the best practices, according to the workers on-site is to set up temporary irrigation systems. Pulte and Las Soleras were allowed to grade hundreds of acres before development happened. They told us Pulte is now putting down tactifier, which is a good thing but temporary irrigation systems could be put in. They are a little more expensive but in the long haul it saves money.

This is the consequence and, as we pointed out in our petition, the direct result of waivers from the drainage and grading ordinance. This one tonight is not huge, like hundreds of acres. But if the small amount doesn't matter and then the hundreds of acres area doesn't matter, what is the purpose of having a grading and drainage ordinance? The ordinance apparently doesn't apply for mass grading or for a small 900 sq. ft. area.

Mr. Chávez said his goal tonight was to connect the dots between the ordinance and the grading and the consequences we are living with - probably for the next four years of construction.

There were no other speakers from the public and the public hearing portion of this case was closed.in

Commission Questions/Discussion

Commissioner Hiatt asked Mr. Berke what the City has done about the dust.

Mr. Berke said the City has held a series of meetings, first with the ENN and other meetings. Staff attended some neighborhood meetings. He added that his mother-in-law lives in that subdivision there so he knew it is a problem. There are multiple parties and multiple property owners. They all came in within the last three years including the Presbyterian hospital, Spectrum, SWAN Park as well as roadways and infrastructure. The City met with all the stakeholders. There will be more in the next year. Staff asked Pulte to provide a mitigation plan for the dust problem and to identify who the contacts would be when the wind picks up. This is a particular type of soil that is very dusty.

The Company overseeing stormwater has agreed to add a tactifier to the water systems and have people out there 24/7 and the City is committed to have code enforcement there on weekends. Drainage inspectors go out and tell them to stop grading when winds pick up. It is hard to get 100% dust containment. Future developments may have to do phased grading instead of mass grading. It is within our power to impose that. Each of the stakeholders are preparing individual plans that are addressing this issue.

Commissioner Hiatt asked Mr. Siebert for his view.

Mr. Siebert said about three weeks ago, they went to each of the parties and asked for their cooperation to keep the dust down and they started using a polymer to stabilize the dirt. He has been going out on weekends. He took pictures on Sunday with winds at 15 and gusts to 20 mph. He shared the pictures by passing around his cell phone.

Various people who are grading out there recognize how serious it is and the result is a noticeable improvement in the last two weeks. But it cannot be 100% controlled.

At the site on Wednesday they opened up Beckner for utilities to be installed and people began driving on the dirt so they will build a berm on the Richards side to prevent auto traffic on Beckner while they are working on it.

Commissioner Hiatt thought this will continue to be an issue going forward.

Commissioner Hochberg said it was frustrating. He pointed out that these parties are responsible and this citizen shows the Commission photos of a very bad condition and it is not his fault or the next guy's and if these photos are accurate, this is a public health situation that affects people's respiration. If it is a public nuisance, someone should go to court for the power to shut things down when they occur with various degrees of severity. He saw no reason to punish Mr. Siebert for this. He asked what the Commission could do. Somebody should have that power when it gets out of hand.

Ms. Martínez said the City recognizes the problems and are taking them seriously to do what we can to control the dust. We were meeting with Presbyterian on-site meeting a month ago and saw a gust probably 50 mph and we couldn't see out the windows of the job trailer with everything covered with dust right after they had put water down on the whole site. It is beyond our control but we are working to see what can be done. She will attend the next Public Safety Committee meeting and provide a full report.

She said when she met with Jaynes, area photographs were taken and they found one just beyond I-25 - at Rancho Viejo, where many acres were graded and it is also a problem so we need to work with the County on it. We need to have all parties in the room to find a solution.

Commissioner Hogan asked Mr. Berke if there is a direct connection or is the problem because of 30% slopes or mass grading or both. Does disturbing 30% slopes contribute to the problem?

Mr. Berke said the effort is to stabilize lot 43 and it is not so much of a dust issue. He looked through all the Las Soleras Master Plan and there was no variance for mass grading. Could we learn for future developments? Yes. We don't have a lot of water to use out there. While a sprinkler system might be good, what do we connect to for water? The tankers are sucking up water out there near the treatment plant to put water on the ground along with other tankers in the county.

He didn't think the 30% slopes was the problem. That is pretty minor in the grand scheme out there and most of the slopes are stabilized so there would be no erosion.

Commissioner Hogan asked if the 900-sq. ft. is one disturbance or several of them.

Mr. Berke said it is 942 square feet on Lot 43 and 27 square feet on another lot.

Commissioner Greene said mass grading will cause more dust. He asked if they were finished with discussion on dust.

Chair Kadlubek agreed.

Commissioner Greene observed that it looks like there is just one exit from this development and everything dumps onto Las Brisas. He asked if they had considered a second exit on Railrunner Road.

Mr. Berke deferred to the developer regarding what they considered. He said the access will be completed all the way through.

Commissioner Greene estimated it to be greater than 1,000 for each connector.

Mr. Smith said, for the record, that there are two connectors and the layout meets the code.

Mr. Fred Alston, 128 Monroe Street, was sworn. He said the subdivision was master planned.

They had several meetings with John Romero and his Staff and added an additional exit from the subdivision onto Railrunner Road and it connects on the other side to the west. The traffic engineer likes to have four-way intersections. There is another intersection to the north that will access the park and the AH development as a 3-way intersection per John Romero's design spacing criteria. There is no consideration for any other exits now, as approved by the traffic engineer.

Commissioner Greene asked if a subdivision with 70+ units and one exit is acceptable to the City.

Mr. Smith referred to Sheet 6 and also 4 or 5, which shows Lluvia Encantada connects with Walking Rain Road to the northeast and other streets to the south. That loop does meet the standard for streets. Other connections with Railrunner Road were suggested but this does meet the code.

Commissioner Greene commented that to have essentially one exit there is concerning. Having Richards Avenue completed would definitely help and not have to go through Nava Adé. It should at least have a lane connecting both ways.

Mr. Alston said the contractor estimated completion by the end of July.

Commissioner Hiatt was not satisfied with the dust question yet. He would ask Ms. Martinez to share with the Commission as they develop these plans. He would like to hear how this is going. It didn't occur to him when they approved that project that dust would be a problem and this is not a few weeks but a few years. He was satisfied Mr. Berke is doing the best he can but was not satisfied it is enough, especially for those developments coming down the pike.

Ms. Martinez shared his concerns and she was going through everything possible to address the problem with Staff on regular patrols and making rounds with special events and they will issue citations for violations that are seen. She knew water availability was a problem and not sure how to work around that but they will continue monitoring. She also didn't know when this was approved a couple of years ago that the developments would all occur at one time. The City should ensure the safety of all residents and must take care of the issues. We intend to address it.

Commissioner Kapin asked what would happen if someone receives a violation. He wondered what the motivating factor would be for them to change.

Ms. Martinez said the City would issue two notices before a citation and then take them to court to explain it to the judge. The City can also impose fines but they are not significant at \$100 - \$500 per incident.

Commissioner Kapin encouraged Ms. Martinez to use all measures available. This is not a brand new issue.

Mr. Berke said Staff would really like to issue citations right away but the City Attorney said it has to follow the notices of violation to correct within 30 days. We will be working on a way to issue a citation and that might affect construction permits in the future. We have done enough verbal warnings and can stop construction. No neighbor should have to go through this.

Chair Kadlubek said we have a responsibility to look at the case and see if a variance is checking all the boxes. But connecting 30% slopes to the dust problem was tough for him to see. The dust is from developing too much area at the same time. Without that ability, he didn't think the Commission could halt the project but perhaps Staff could under public safety ordinances. It shouldn't be on the Commission to figure out how many projects can go on at the same time.

The City is making plenty of money off these projects that we can afford to pump the brakes if needed. It is a huge investment for the City so let's spend some to protect the neighbors.

Commissioner Hochberg suggested using the British common law we inherited. This is a public nuisance. This could be the equivalent of this group of developers taking a truckload of dirt and dumping it on a person's roof and house. They can't do that. And they can't do it with the help of nature. If the contractors are creating a condition that materially and adversely affects the health of their neighbors, they can be enjoined. I'm ashamed the neighbors must band together to do it for themselves as opposed to the City doing it for them. All those who are involved are trying to mitigate it. But if it is declared a public nuisance, this is the wrong venue for this. This application doesn't affect that problem and further, not approving the variance could make it worse. I think we should approve this variance because, by approving it, the Commission is not sanctioning a public nuisance. The common law provides a way to stop a public nuisance. And the City should continue working on it.

Commissioner Hogan said he had a hard time continuing this by contributing to a bad situation and would ask about a condition for hydro-mulch to be added or to provide something similar that holds the dust down. As soon as water evaporates, it is not helping any longer.

Mr. Berke said he added condition #14 to address the problem for the future. It restricts grading to phased grading and the phasing plan must be submitted to the City Engineer. That was his way to address some of what he heard at the ENN.

Regarding Commissioner Hochberg's comment he pointed out that a moratorium could be done but it goes against what we know the data shows and that would be up to the Governing Body. It is done in other places but then it starts up again.

Commissioner Greene said May-June is the worst time for blowing dust and the City could ask for grading to be done during monsoon season or in the winter. He asked what Pulte does about dust in windy places where they develop housing.

Mr. Kevin Patton, 7601 Jefferson NW, Albuquerque, was sworn and said Pulte recognizes the issue and it is a struggle for them. They are just one small piece in the Master Plan for what can be done and hoped others do also. It is not only from dust but the silt from rain. Pulte is putting a polymer in that is a glue after grading and if it is not disturbed further, it is effective. We will include it in our water trucks and as we move dirt around, we will incorporate that spraying from a water truck to go into the soil, not just the very top. We are also trying to seed and landscape as quickly as possible. Water is a scarce commodity there in Santa Fe. We think it will work and need the

opportunity to see if it will.

He said Pulte is tapping resources from other areas. A vendor in California was called for help. But if no one else does it here, it will affect Pulte's site so we are asking for City Staff, who have the right approach, to give us a chance to see if it will work. We have corresponded with our CEO in Atlanta and welcome other suggestions.

Commissioner Greene mentioned an article in Time Magazine on how Apple is doing it.

Commissioner Kapin thought hydro mulch does seem to help.

Mr. Patton said, as a professional engineer, he has seen hydro mulch. The suggestion of interjecting this polymer in the water makes the dirt heavy chemically. It is very chalky out there. And works on more than just the surface. If it works, we hope others will do that also.

Action of the Commission

MOTION: Commissioner Hogan moved for approval of the variance in Case #2017-25 - Estancias de Las Soleras, Unit 2-B, subject to the recommendations made by Staff and technical corrections and the understanding that the Applicant will work with Land Use Department Staff to mitigate dirt as much as possible. Commissioner Hochberg seconded the motion and it passed by majority roll call vote with Commissioners Hogan, Kapin, Gutierrez, Hiatt, Abeyta and Hochberg voting in favor and Commissioner Greene dissenting.

MOTION: Commissioner Hogan moved approve Case #2017-25 - Estancias de Las Soleras Unit 2-B Preliminary Subdivision Plat, subject to conditions of approval and technical corrections. Commissioner Hiatt seconded the motion and it passed by unanimous roll call vote with Commissioners Hogan, Greene, Hiatt, Kapin, Gutierrez, Abeyta and Hochberg voting in favor and none voting against.

3. **Case #2017-45. Arbolitos at Las Estrellas Final Subdivision Plat and Variances** Oralynn Guerrerortiz, agent for B & R Land Investment, LLC requests final subdivision for 23 residential lots on 20± acres. The applicant requests variances: 1) to allow additional disturbance of 30% and greater slopes to allow stabilization of eroding slopes; and 2) to allow four lots to have zero lot lines between them (lots 3 & 5, and lots 10 & 11). The property is located north of SR 599, just west of North Ridgeway Road near the north boundary of the Santa Fe City limits. (Donna Wynant, Case Manager)

Commissioner Greene recused himself from this case and left the room.

Staff Report

The Staff Report was presented by Ms. Wynant. A copy of the Staff Report for Case #2017-45 is available on the City's web site.

The applicant requests 23 homes on 20± acres and two variances; one for disturbing 30% slopes and the to allow for zero lot lines on four of the lots. Staff recommendations are in the report with conditions for approval of the final subdivision plat if variances are met. Since this was first heard on April 6, 2017, they needed to ask for the zero-lot line variance because the ordinance was changed to prohibit any zero lot lines.

The DRT finds the application in substantial compliance and conditions of approval and technical corrections were listed in the Staff memo. She briefly detailed the purpose and rationale for the variances. She indicated that zero lot lines are an appropriate way to integrate Affordable Housing homes into this subdivision without calling attention to them. The Final Subdivision Plat is in substantial conformance.

The third ENN meeting had people attending and dealt with concerns on trails which are addressed that are outside the open space and how to stabilize the steep slopes. Conditions included street lighting with what trees to preserve and what to remove.

Applicant's Presentation

Ms. Orallynn Guerrerortiz, P. O. Box 2758, Santa Fe, was sworn. She said Robb Gibbs, owner, and Dave Gurulé, representing Santa Fe Estates, were also present. She provided a description of Las Estrellas and the Arbolitos subdivision just south of Tano Road and west of Ridgetop Road. The 23-lot subdivision has 19 market-rate and 4 affordable lots. The plan is changed very little since the last time but does include two new variances. The changes include meandering the sidewalks, bulb outs added on the roads, better defining of parking areas, and at road intersections, widened the sidewalks to as much as six and a half feet. The most significance changes were refining and identifying the off-site trails locations. She showed the project paths and the natural walking path. East of Ridgetop is where people walk now, so they will build a trail for the full length of the project with a crossing at the Tano Road intersection.

Trail experts laid out the best locations, which were mostly north of the arroyo so they got a commitment from Santa Fe Estates to locate them there. This is not where people would build houses, so when that portion gets developed it will be in the open space area.

Ms. Guerrerortiz explained the two variances. The first is to provide inconspicuous AH homes by using abutting walls. The affordable lots are 10,000 square feet or larger but the affordable homes are much smaller than the market rate homes so they abut each other to look more closely as the same size. She showed a similar design.

She explained that they are not saving money with the zero lot lines and fire wall separation, but this is just to make them look like they belong there.

The archeologist showed her property areas where they could not build. There are slopes that

are very steep and a source of dirt downstream. Active erosion will affect this subdivision and our ponds and retaining and gabion structures. We don't want our ponds being filled. The City is not opposed to the variances on these slopes. Granting the variance will allow seeding and use of mat covers to help mitigate the erosion.

She reminded the Commission that the applicant was asked to provide bonding to help with downstream maintenance costs. We recorded that all developers provide a bond for maintenance for them to the HOA. Contribution to the fund for maintenance of those areas downstream.

We are building check dams on our boundaries so we will be a collection point to protect people downstream. Also, we are required to provide a performance bond. Ten percent is held for one year. I'm hoping we will get things stabilized quickly. The 10% is more than \$100,000 for cash in a city-controlled account.

She corrected one error. She had earlier said that one archaeology site had washed away and it did but the archaeologist wants to keep the protective easement in place so we won't delete that archaeology easement.

She agreed with all staff conditions except the street lights. They proposed one street lamp at the road intersection and at the top in the cul de sac. She clarified that it is not a Code requirement but a department policy. She explained that "Arbolitas" means little trees. The trees here are about 8' high or shorter and the street light, at 22', would be way above them at the top of the hill. None of the existing nine cul de sacs in Las Estrellas have a street light. This would be the first one and we and our neighbors don't want one there.

Public Hearing

Mr. Andrew Bradbury, 12 Tano Road, addressed a couple of issues. He had been at several neighborhood watch meetings and there was a concern was that the present trail be maintained before the new trail is built. Ms. Guerrerortiz agreed to do that.

Mr. Bradbury pointed out that in many places in Santa Fe, there are no street lights. As you go down Bishop's Lodge Road, there are no street lights. And that is what makes the north part of Santa Fe beautiful. He asked why the City would put a streetlight on top of a hill. It makes no sense and is out of character with the rest of that area. The one there at the junction is also quite bright and disturbing and he would like that one removed also.

Ms. Elia Bradbury, 12 Tano Road was sworn. She said this is about safety and paying attention to the road. Two weeks ago, at Ridgetop Loop where the light is, there was an accident or rather a close encounter. That light is really distracting and won't make our lives better. At night, it is very distracting and not in accord with our landscape. Go there at night and check it out. It is a very sensitive thing and adding another street light would make it worse. Our night sky is precious and needs protection.

She said another issue is the junction with the new road and continuation with Ridgetop Loop. I

drive that every day and traffic is unbelievable and the speed is dangerous. That junction should be rethought; it is not very safe. I hope for no fatal accident to happen there. Turning left is dangerous and several accidents happened there.

Mr. Don Richardson, 1679 Via Bosque, was sworn. He said that tonight it is called a bond and last time it was called condition #4 regarding drainage and responsibility for maintenance of the open space in the development tract. The original condition called for it to transfer to the HOA. We proposed that the responsibility stay with the developer until the build-out is complete. The proposed solution tonight doesn't address the condition that was addressed in May. It offers a finite dollar amount to get off the hook and does not commit to continuous maintenance until build-out is complete. And delays are on existing homeowners. Our reason for asking for this is that "a fox guards this henhouse." The parties here are the same people and the transfer offers less oversight than we are comfortable with, particularly considering the track record of developers in Las Estrellas.

The Commission heard about a special assessment. It is not too onerous but the property owners have concerns that the developers have that responsibility until it is complete that we (home owners) don't have to shoulder things that happen.

Mr. Richardson understood the trail now is perpetual with no conditions. Ms. Guerrerortiz agreed.

Ms. Kathy Tatum, 620 Ridge Point Lane, was sworn. She shared that concern. She didn't think what Mr. Gibbs offers will cover the erosion. There is tremendous erosion possibility there. That is not just a couple of arroyos but the whole hillside so until build out, she hoped the Commission would consider the amount of money and making it substantial so that it doesn't fall back on the homeowners.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

Commission Questions/Discussion

Commissioner Hogan asked Ms. Wynant why the streetlight is proposed.

Ms. Wynant said, in talking with the Traffic Engineer, that street lights are required in a cul de sac. She had hoped for an alternative but would defer to the Traffic Engineer.

Chair Kadlubek asked if there are streetlights in the other cul de sacs.

Ms. Wynant believed there are no others. Ms. Guerrerortiz agreed.

Ms. Sandra Kassens, Traffic Engineer was ready to respond to their questions.

Mr. Smith spoke to the policy.

Chair Kadlubek was less concerned with why the policy required it but how the other developments could be constructed without streetlight in cul de sacs and must do that here.

Mr. Smith said it is in Section 14-9.2 K, 1, g. The Staff did some investigation in Las Estrellas and could not determine how it happened that no streetlights were installed at the cul de sacs in the other developments.

Chair Kadlubek asked if it is a code issue for which a variance can be granted or if they could just take that condition out.

Mr. Smith deferred to the engineer. The Commission could provide direction to the Engineer but the Engineer might not have a choice if it is a national standard.

Ms. Sandy Kassens, traffic engineer, said, "Hopefully you won't stone me. I discussed it with John Romero and it is a policy for Traffic and Public Works where they are required to put streetlights and it is at intersections, cul de sacs and sharp turns. Those are the places that can be improved most with light at night. And all major roads must be lit with a plan to show distribution of the light along them. In subdivisions, less light is required. But the light needs to be there. John [Romero] didn't seem to favor any alternatives. A specialty light might make more maintenance costs for us. The light can be shielded for Night Sky. There will be some light on the hill anyway with porch lights, etc."

Chair Kadlubek asked if it is known how the other cul de sacs were developed without streetlights. He suggested that Mr. Romero must know how that happened.

Ms. Kassens responded that she didn't know since that all happened before she was a City Traffic Engineer. She added that you don't correct a problem just by saying no one else followed it.

Commissioner Kapin asked if this is a new policy since Las Estrellas was started.

Ms. Kassens didn't know when that policy was put into place but since she has been a City employee it was the policy when new subdivisions were built and even some retrofits.

Commissioner Hochberg asked if the engineer has a mandate in law.

Ms. Kassens said, "Yes. It is the professional engineer's responsibility to provide for public safety and lights have been shown to be a factor that have improved safety. And in my opinion, speaking personally, a cul sac at the top of a hill, if a stranger goes in there, wouldn't you like to have a light there or have it be dark and have the driver end up in your living room?"

Commissioner Kapin noted there are four houses on this cul de sac. Is there any alternative for lighting on a mailbox or on the ground? She understood the safety issue. This is to be 22' high. She asked about any chance of alternate lighting design.

Ms. Kassens said Mr. Romero didn't mention any alternative. It is our standard. She understood that this is more of a rural subdivision.

Commissioner Hochberg asked Mr. Shandler about the Commission's legal authority to take this requirement away. He asked if the City Engineer authority was absolute and paramount or if the collective wisdom of the nine commissioners and the community had something to say about this.

Ms. Kassens said, as a traffic engineer, if you do something that is less safe than the standard that is set in the United States and someone is injured, it leaves that engineer personally liable, and the City liable. The Traffic Engineer may not want to sign off on it if the Commission expect streetlight off.

Commissioner Hochberg said he takes that responsibility for public safety seriously. But public safety is a word like national security and it can sometimes overreach. He repeated that what he was asking for was the legal authority for the Commission.

Mr. Shandler noted that Staff have not provided materials for the specific code provisions. So, if the Commission builds a good record for he could support it.

Commissioner Hogan asked Ms. Kassens if she could describe what safety issues might come into play at the cul de sac.

Ms. Kassens said, in addition to the one she previously said, that the major safety issue would be someone going off the road or a collision with a parked vehicle.

Commissioner Hogan asked if reflective paint on the curbing would make any difference to be able to determine the end of the cul-de-sac.

Ms. Kassens agreed that it could help or a sign warning: cul-de-sac ahead. That would certainly increase the safety.

Commissioner Hogan reason those might be alternatives that might take the place of a streetlight.

Ms. Kassens was not sure they would be the replacement that perhaps in addition to a streetlight and final needs to go to John Romero for his approval.

Commissioner Hogan wondered if there are reports on higher than normal accident rates at the other cul de sacs but have no streetlights.

Ms. Kassens had no such reports.

Commissioner Hochberg asked if we have shed enough light on this issue.

Chair Kadlubek wanted to get some language down that replaces the condition.

Commissioner Hochberg wanted to remove it. He asked who is losing sleep over the other five that have no streetlight.

Chair Kadlubek asked if the applicant would be willing to submit an alternate safety plan in lieu of street lighting.

Ms. Guerrerortiz agreed.

Commissioner Hochberg didn't want to remove the existing light but to not add another.

Ms. Guerrerortiz agreed to work with traffic engineer on anything else. It is a wooded area.

Commissioner Hochberg recalled from the last hearing, he was impressed with the applicant's accommodation on the issues, her transparency and forthcoming nature. But he was under the impression and remembered the testimony from the community that was a serious consideration about the unknown factor of construction disturbance and it will be going on for a while because people were going to be selling lots and then people will be building on them. That would take some time.

We heard a whole story about the area. Ms. Guerrerortiz agreed to accommodate. He thought that \$23,000 was not enough ante on this poker table. She said they wanted to have it with no recourse. But he would favor a larger fund with some recourse. She found out since last time that there were issues and you are taking steps. Put up some more money. They have to be reasonable too but \$23,000 doesn't address it.

Ms. Guerrerortiz said the variance will cost more money. We are taking on things that are naturally occurring. Almost all are downstream from us and will affect the ponds we build. The HOA had one year where they spent \$60,000 after some major storms. That was in Las Estrellas, north and south of 599. They budget \$60,000 per year now but have been spending about \$22,000 or less per year since then. So, the \$23,000 is giving the homeowners association basically what they had been spending in the year on drainage facilities throughout their project.

Commissioner Hochberg said, "You might have good arguments but you are losing your audience. Offer a larger amount with a recoup provision. I know you thought it out. The extra money is well spent with recoup to get it all approved. I understand now the logic of how you arrived at that amount. But you need to offer more. The extra money upward by you with recoup his money well spent to get this issue behind you because this could stop this whole project tonight.

Commissioner Kapin said, "I feel torn about it. I remember the preliminary hearing and how well we worked with the neighborhood. We spent a long time having this discussion and it was the approval we gave to this project. It was a major assurance for the neighborhood. Do we have the specifics of what was approved in condition number four? It was very different than a lump sum it was about ongoing maintenance of the open space. I am not convinced about the lump sum of money instead of what was approved. I love the project but this is not sitting well with me."

Commissioner Hogan asked, while people are looking, about the remediation of existing slopes described is in addition to the money for HOA? Apparently, they are doing an extensive amount of

remediation to address the silt problem or the drainage problem in addition to giving money to the HOA. He wanted to make sure that was clear to the other Commissioners.

Ms. Guerrerortiz said, "That's correct. We are putting in several check dams that will help protect people downstream from us. And we are going into areas actively eroding to stabilize and that is just part of our infrastructure costs that we will spend to make the property more stable. Everything we disturb has to be inspected and approved. We are spending over \$100,000 for that. So, we have to be successful in what we are trying to accomplish"

Commissioner Kapin said, "I thank the gap in question in this condition is that there was a guaranteed financial responsibility; then shifting to a homeowner - until a homeowner is in place. It is a completely different offering. What happens if that lump sum gets spent in the first year? Then there are no homeowners."

Chair Kadlubek said the responsibility extends until all the houses are complete.

Ms. Guerrerortiz said, "I will also offer this. The green code for residential building has been altered by the City because of substantial problems on individual house construction. So, there is now best management practices in the City code that requires some additional work done on each individual home with pre-inspection before they break ground of limitations on where they will be developed. The City changed it on March 15 in the code. We are adding more substantially in those home grading plans. It is a step the City has taken that hopefully will address that issue in addition to the things we are discussing here. I think the concern is from when my developer finishes his work and somebody comes in and builds a home - you are concerned about the work of the individual homeowner having a negative impact on the drainage facilities. Is that what you are referring to?"

Commissioner Kapin said, "the wording that was agreed to and signed off on was that the applicant maintains and guarantees financial responsibility and then shifting it to the individual homeowners on a pro rata basis until the buildout of all the houses are complete."

Ms. Guerrerortiz said, "That is the shifting that we have not addressed, in essence."

Chair Kadlubek said "I don't know how we distinguish the difference of 40 in the Conclusions of Law but this would be as if the innovative street design was not approved. This is a significant Conclusion of Law that was not met."

Ms. Guerrerortiz said the HOA documents have also been altered as she just learned, to require that anybody who builds a house has to submit the plans to an architecture review board of some type, including their SWEC plans, which are storm water erosion and control plans. And they have to provide guarantees that the drainage and erosion control is addressed as part of the individual homes. But I'm not sure there is a dollar amount associated with that. Basically, they are trying to put in rules on every lot and the new rules are applying to home developers now.

Commissioner Hochberg said, "The money issue is what I addressed but what Commissioner Kapin and others are saying is that it has to be a seamless continuum of responsibility until it is all

built out by developers. Cash in lieu of a bond might be considered but it is a continuum of responsibility until the last buildout that is an essential part of the understanding.

Mr. Robb Gibbs, 100 Cordova Place, was sworn. He said, "To clarify this further, this is definitely a concern for us and we want to do it correctly. We worked a couple of avenues. I've worked with Santa Fe Estates to have them address this and change the requirements when a homeowner will submit for architecture approval. There are fees they have to pay for the architectural review and now they are going to require that they have to prepare a stormwater maintenance plan to prevent erosion or reseed to eliminate erosion from their lot. That is something new that was not in place before. There has not been a dollar amount was set by the architectural review committee, because they are studying the new policies for that. But, based on my conversations with Dave Gurulé Santa Fe Estates, that will be a requirement going forward.

"To address the perpetuity, if these lots are sold to somebody that if they don't build for ten years and we have to maintain that into the future, there would not be any additional erosion that we have not already addressed in our design. And in the program, we came up with the idea of a cash amount to give to the HOA. The way we figured that is, our drainage infrastructure is about \$128,000, plus all those areas to re-landscape in addition. So, I came up with 18% or \$1,000 per lot. That is the logic of that number."

Commissioner Hochberg said, "I'm suggesting that with all the steps you are taking, you have the ultimate responsibility for years to come. That onus is on you because you are taking all the steps to assure that there will never be a claim against that pledge. However, it is very reassuring to the people who live down below that a person of substance is making a pledge that if all else fails, you are still responsible."

Chair Kadlubek said the Commission made the FF/CL on this case at the last hearing and those were approved. In them, there is clear language in my mind with the word *shall* to maintain a guarantee of financial responsibility. And, in my opinion, and I guess I would like to have Mr. Shandler's opinion here. The written proposal of \$23,000 doesn't meet what we were asking for and what was agreed to and we are down to that - unless Staff feels this Conclusion was met."

Mr. Shandler said, "The way it was written is that they will present a plan. So, you could make the argument that they have checked that box and presented a plan. However, if you are unsatisfied with the plan, you may want to impose another condition. "

Chair Kadlubek said, "I am unsatisfied with the plan because part of the submission that we were hoping for was to guarantee financial responsibility - to maintain guarantee of financial responsibility and shifted to homeowners on a pro rata basis until build out of all houses is complete. Part of the plan could explain what happens if someone doesn't build out for ten years. That could be part of that proposal and that might suffice. But I don't think the cash amount suffices. That's my opinion."

Commissioner Hochberg asked if the Commission should also address zero lot lines. Or should we just send this back for further review?

Commissioner Hogan said he would like them to get the benefit of all the input that we have.

Commissioner Hochberg understood this was a suggestion they were putting forward but if this is single family that they could live with that.

Ms. Guerrerortiz said, "We always said from day one and in the ENN meetings that we wanted to do zero lot lines.

Commissioner Hochberg asked if they had ever requested a variance for that.

Ms. Guerrerortiz said no, because after many meetings with Staff, she was never told a variance was needed and she didn't know when that rule was changed. She added that she has had other developments with zero lot lines where variance was not required.

Commissioner Hochberg recalled she said it would cost a little more. He thought they considered it would look like a more substantial dwelling.

Ms. Guerrerortiz agreed. "At the very first ENN, we said we wanted zero lot lines for that purpose.

Commissioner Hochberg accepted that. People of my age are looking to downsize so it is not just for poor people.

Commissioner Abeyta remembered that was in the first proposal and Staff didn't require a variance then but now they are.

Commissioner Hiatt asked Ms. Guerrerortiz if she could take a few minutes with her clients or if she wanted to come back at a later time.

Ms. Guerrerortiz said, "I hear you are not pleased with the things we came up with to address the concerns raised."

Chair Kadlubek said the Commission can try a motion to approve or deny or postpone.

Commissioner Hiatt asked if they wanted action tonight or in a month.

Ms. Guerrerortiz said they didn't want to take another month.

Commissioner Kapin asked Alexandra Ladd to speak to the Affordable Housing in the application. She commented that she had not seen a request for zero lot lines for AH before.

Ms. Ladd said, that to her knowledge she didn't know that we have done that before but we have approved clustering of Affordable Homes. There is also fellowship among families who go through the training together. Montgomery county Maryland is the first one to do integration of AH into a neighborhood and to facilitate it in a larger scale.

Commissioner Kapin pointed out that if it is the first time, we would be setting a precedent.

Commissioner Hiatt said he was willing to experiment because he preferred building AH instead of offering a fee in lieu of.

Ms. Ladd said, "From my conversations, because of the topography, combining the footprint actually opens up a lot of open space and is a plus for homeowner with children."

Commissioner Hogan was curious how it works. "The applicant said it costs more with the firewall requirements. It seems they would want more space but if space and topography drives it, I don't have a complaint. If it is more cost, why did you go that route?"

Mr. Gibb said, "It is not any less money to build that way. But the construction is two individual walls. With the individual plan here, combining them makes the home look the same size as the others and fit within the neighborhood. I've built many attached homes and many detached and the guidelines are the same as market rate homes. They are good sized lots and it gives them more usable space on the side and rear."

Commissioner Hochberg thought it would be good to see how it works.

Mr. Smith said the regulations changed in September 2014 for that variance on zero lot lines. He was not aware of a specific case since September 2014 for this zero-lot line design.

Chair Kadlubek asked why it changed.

Mr. Smith said there was confusion on whether it was good or bad to have that flexibility. The standard requirement is a 5' side yard setback.

Commissioner Gutierrez said, after listening to Mr. Smith and Mr. Gibb, that he would like to see a possibility of separating them. They are big lots. But he commended them, because he had never seen anyone doing AH building.

Mr. Shandler said in response to the question by Commissioner Hiatt, that a public meeting requires a 15-day notice but a public hearing may be recessed without renoticing it and have a meeting in 14 days.

Ms. Guerrerortiz said that RB Zaxus suggested a longer warranty period. Her concerns were usually with the infrastructure going in. There is no mass grading on this property. People will have to limit their disturbance of the property. They are custom homes. There are many in my neighborhood that are still empty after 3 years. Initially, you will see several homes going up and then one at a time over several years.

Also, we have knowledge of what is going on in expenses - how much and where it has been spent. There were issues after Homewise finished a project. The HOA had to go into open space was draining into people's back yards and the HOA spent \$6,000 for drainage from the developer not

doing what needed to be done. It is otherwise, just ongoing maintenance when natural soils are eroding. It is not where they are developing. Most of them are under 20% slopes but erosion is in the arroyos, it is naturally occurring that create the soil problems. When the developer messed up, it cost the HOA \$6,000, not \$60,000. And that is not the case here. That is how we came up with those numbers. It may seem low but it will cover anticipated problem.

She added that if the Commission must delay it, we want to come back ASAP.

Chair Kadlubek said the Commission doesn't know what it will cost. "We can take your word for it but I'd like some proposal that meets the guidelines we set out."

Ms. Guerrerortiz explain that "at that time, we didn't know the ARC was going to require the erosion plans."

Chair Kadlubek said if the developer is confident, he suggested adding language that if it cost more, they would cover that cost. If confident, that shouldn't be an issue.

Ms. Guerrerortiz said, "When we leave, the infrastructure will be stable. There is code in place to protect and the ARC has rules for protecting, but we cannot predict the future."

Commissioner Kapin explained that, "What you agreed to at the other meeting helped me make my decision to approve and the neighborhood felt good about it and this is not the same thing."

Commissioner Hochberg didn't think it was appropriate to continue because this is an issue to be negotiated between the applicant and the HOA. He asked, if the Commission makes the motion to grant and it gets voted down, would they have to reapply?

Chair Kadlubek said no. If we made a motion to approve and it didn't pass, it wouldn't be a motion of denial. And then they could do another motion, either to deny or to postpone.

Mr. Smith said the three motions needed are at the bottom of page 1 and top of page 2 of the staff report.

Commissioner Hochberg said the zero-lot line is not contingent on the other issues. The 30% slopes issue relates to this issue and final approval does. But the variance of 4 lots does not.

Mr. Shandler agreed with the Chair that they can be separated.

Action of the Commission

MOTION: Commissioner Hochberg moved to approve the zero lot lines for four lots. Commissioner Hogan seconded the motion and it passed by majority roll call vote with Commissioners Hogan, Hiatt, Kapin, Abeyta and Hochberg voting in favor and Commissioner Gutierrez dissenting. Commissioner Greene was not present for the vote, having recused

himself

Ms. Guerrerortiz thought the Commission would not be opposed to approving the 30% grade variance and see helped the Commission would make a decision on the alternative for the streetlight. If the Commission could not prove it, she would like a postponement for two weeks.

Chair Kadlubek added that the conditions of approval are attached for the final subdivision plat.

Mr. Shandler agreed.

MOTION: Commissioner Hogan made a motion to approve the variance for disturbance of 30% slopes. Commissioner Hochberg seconded the motion.

Commissioner Hogan reasoned that the approval gives them permission to repair 30% slopes for the neighborhood and that is not related to ongoing maintenance

Commissioner Hochberg requested an amendment to not take a position on maintenance requirements in this motion.

Commissioner Hogan and Commissioner Hochberg accepted the amendment as friendly. Commissioner Hogan agreed that needs to be negotiated separately.

The motion was approved by unanimous roll call vote with Commissioners Hogan, Hiatt, Kapin, Gutierrez, Abeyta and Hochberg voting in favor and none voting against. Commissioner Greene was not present for the vote, having recused himself

Chair Kadlubek asked if the Commission also wanted to alter the condition to #1 – to submit an alternate safety plan for the cul de sac in lieu of lighting.

Mr. Shandler clarified it as, "The developer shall amend their speed lighting plan to include a streetlight at the cul-de-sac on Arbolitos Lane in addition to the one at the intersection of Calle Arbolitos and Arbolitos Lane."

Ms. Guerrerortiz clarified they are committed to the light at the intersection. The only one they objected to is at the cul-de-sac.

MOTION: Commissioner Hogan moved to approve Case #2017-45 - Arbolitos at Las Estrellas Final Subdivision Plat and Variance with the conditions recommended by Staff, with the exception of #2 to modify to say "The Developer shall amend the street lighting plan to include an alternate safety plan to the streetlight at the cul de sac on Arbolitos Lane, in addition to the one at the intersection of Calle Arbolitos and Arbolitos Lane. And include a condition that a provision to ensure continued maintenance for grading and drainage control issues to be coordinated to the satisfaction of City Staff until all lots are sold.

Commissioner Hiatt seconded the motion.

DISCUSSION ON THE MOTION

Commissioner Hochberg pointed out that we had the language in the previous motion and asked if we couldn't just use what they already promised us.

Commissioner Hogan said the reason he didn't is that it doesn't differentiate from the initial disturbance and the disturbance later with homebuilding and we have blurred them together on how this development will progress. The roads will have paving and dust from ditches will be contained and the City code already provides for that. There should be a plan in place. He thought his modification handled that.

Commissioner Hochberg thought that is not what we approved before. The overarching responsibility of this applicant to minimize his exposure is commendable but he wants a temporal limit of 10 or 15 years. But it has to have ongoing responsibility.

Chair Kadlubek asked if Commissioner Hogan was opposed to say until total build out.

Commissioner Hogan said that is an unfair burden to tie up their \$100,000 for 20 years, especially to put in place how disturbance is managed. A couple of years is good for repair of 30% slopes so that needs to be completed. But that is not the same as \$100,000 for 20 years.

Ms. Martínez suggested tying it to lots sold rather than homes built. That doesn't seem fair to keep it until full build out.

Commissioner Hogan was okay with that.

Commissioner Hochberg thought the compromise should start with temporal limit like not to exceed 5 years so he has a finite length.

The motion, as amended, passed by majority (4-2) roll call vote with Commissioners Hogan, Hiatt, Gutierrez and Abeyta voting in favor and Commissioners Kapin and Hochberg dissenting. Commissioner Greene was not present for the vote, having recused himself.

Commissioner Greene returned to the bench following the vote.

- 4. Case #2017-51. 922 B & C Shoofly Street Demolition Master Plan Amendment.** Santa Fe Railyard Community Corporation requests approval of a master plan amendment for demolition of buildings G1 (Old Monte Vista Fuel and Feed) and GG (Old Monte Vista Fuel and Feed), which are identified as historic structures within the Baca Area of the Railyard Master Plan. (Dan Esquibel, Case Manager)

Staff Report

The Staff Report was presented by Mr. Esquibel. A copy of the Staff Report for Case #2017-51 is available on the City's web site. An ENN was held on May 11. The demolition in the Railyard requires a master plan approval. The Staff recommendation is for recommendation of approval to the Governing Body. No conditions were attached to this application. Most of these go to the HDRB when there is a demolition request but that is not the case in the Railyard. Staff believes, as a direct result of Master Plan in it and documentation identifying the features that they are being carried out through that part of the Railyard. This application was submitted to the Historic Preservation Division. Mr. David Rasch reviewed it and that is in the packet along with his analysis of the demolition process.

The ENN process had discussion and some of the neighbors wanted the building preserved and included in the plans rather than be demolished. An individual wanted to move the building at Railyard cost. Outside of that, he could answer questions. There are no standards to go by except the Master Plan which is interpreted by others.

Applicant's Presentation

Mr. Richard Czoski was sworn and said he is requesting a Master Plan amendment to demolish two buildings on Shoofly Street in the Railyard. Some of the Commission toured the site this afternoon. The first is adobe with an addition - about 294 square feet. The second building is a small metal warehouse that was built in 1948 with an addition later. If the Commission approves this demolition, it still has to be approved by City Council as a final approval.

The request for relocation of the warehouse add to have a financial arrangement and as of today, the party had not responded to the proposal so Mr. Czoski suspected it was off the table. The public might state tonight that they believed finances were the most significant concern of the Railyard Board. He said it wasn't and if it had been, this would have come years ago with a proposal for a 150-unit apartment project with underground parking. This would make room for a 26-unit project that would have to come to the Planning Commission for approval. So, the Commission will have another opportunity to consider approving what goes there. One of these existing buildings is within the footprint of a proposed new building.

The Railyard Corporation Board takes many items into account in its review of a project. He reminded the Commission that the Railyard Corporation Board had been trying to get these parcels developed since 2002. The original lease was relinquished in 2011 and the Board couldn't figure out a viable use. The buildings don't have plumbing and were always intended as temporary structures and are in very bad condition.

Mr. David Rasch, City Historic Preservation Officer for 14 years said he has had a lot of experience with Santa Fe style in historic districts. Outside of we historic districts, the City has landmark structures under HDRB authority, but the Railyard was never included a historic district and the Capitol is not included either. So, his jurisdiction over this case is very limited. This property is outside of the historic district and not one of our properties. We looked at the Railyard Master plan and he has been aware of these structures for many years and wondered why the State never included the on the State Register. The MOU with the State has expired so the state has no

jurisdiction over what happens to these buildings. They are old - over 50 years old and have nonhistoric additions that impact their historic integrity. In review, he first looks at the date of construction and these are old. They are not in good condition but both have nonhistoric additions. So, in this case, for the tin shed, the addition overwhelms the original and the adobe addition is not distinguishable so they are not worthy of land mark status and outside of HDRB jurisdiction.

He said the Railyard is important to City development. The adobe was the office for the feedlot and the tin building was for storage. But the most important structure on that lot is the warehouse. It is being preserved; is the best condition and has character-defining features.

In the Master Plan, the office building is nonconforming to Railyard standards because it doesn't fit Railyard standards.

Mr. Rasch said his official recommendation was that they be preserved but he would not be opposed to demolition.

Public Hearing

Mr. Andres Puglayan was sworn. He said, "I'm one of the developers of the larger building. It was also in bad condition with rotting beams. The warehouse is integrated in a new building. Our development demonstrates we can integrate the old with the new. I haven't heard any neighbor saying to demolish this building. We were looking for land to develop and my wife said we should do something with the biggest building. We worked with an architect and are able to integrate it. I do believe it is not really a requirement for them to be gone for any development to happen. We did present an option to preserve the historic structures. Some creativity could take place to keep the story going in the Railyard - something that tells what building was there in the past. It would be connected with the underpass as a destination and another place for people to visit - not a place to avoid.

It is 4% of the new development. Being creative with historic structures is only a little compromise for us. Keeping those structures would encourage the project that could bring something different and the demolition would mean it would be gone. If it could be preserved, it would be valuable. I'm an example of how it could be done for something new and different.

Ms. Barbara Fix, 610 Alicia Street, was sworn. She said, "I have lived in this neighborhood since 1980's and we saw the PNM property across the street. We have a strong neighborhood and risen to the occasion when challenges arose. It first started in the late 80s when PNM owned the Baca Street water well. It was contaminated with gasoline and other PCB contamination. We fought that and one of the results is. Good. The City bought the water company from PNM which is part of controlling our destiny.

"I've wandered around the Railyard for years. I bought dog food from George Baca and my dog ripped off some of his turkey fat. It is part of what my neighborhood is all about. It means the continuation of spirit in my neighborhood. They wanted to build a 70,000 square foot Smiths there

with 500 parking spaces and we mobilized with help from Craig Barnes, to file a suit and TPL bought it in a deal with the City. Then ensued hundreds of meetings that led to the Master Plan and this should be preserved. Part of the litigation was a beautiful comparison researching phone books with the highest number of families, generation by generation, a high number of Hispanics and of low-income people. The reason was that people built their own homes and lived there for generations. I ask you to consider it. The ENN seemed like a done deal. What is the development Railyard wants to have? They said a 26-unit apartment project but there is nothing on traffic or impact on the neighborhood or the spirit and reality of the situation. Instead, they are asking those buildings to be demolished and that opportunity to continue this small place in the not so distant past is gone. I ask you to not approve the done deal of this unknown development. If these buildings are destroyed, an opportunity will be lost.

Mr. Devin Ross 1061 Camino Mañana, was sworn. As a member of Railyard Corporation on the Cultural Committee, he said these could not realistically be contributing to the Railyard and stand in the way of a much needed residential development. He said that is as an architect. They are so substandard, that using them is extremely unlikely.

Mr. Bruce Adams, 704 Felipe Place, was sworn. He gave a perspective historically on this property we are talking about. I and my wife Anna have lived there for 43 years and everything in my memory goes back before many here were born. I used to walk the railroad long before it was turned into the railyard. One day, I had a vision while walking the railroad - that it could make a very interesting park. I wasn't sure of the full extent - as a pilot, I flew over it and photographed it and saw it connected with downtown railroad yard. We developed it and shared it with Councilor Frank Montaño - he was intrigued with the idea for city trail system. I said it was not just a trail but a series of city parks on the west side. So, he went with us and I showed Frank the dream I had and he was intrigued by it and ran with it. He asked me what my vision for it was. And I said for a series of parks because that neighborhood is very underserved by parks and a trail system - it is very important to preserve the feeling of open space, parks and trails. And Frank presented it to the city - the rest is history.

Today I see that vision threatened by the residential development given to you. In my opinion, the issue isn't really the structures. They are a symbol to the community. Nobody can argue with the fact they are old and in bad repair and of low value but they are a part of our history - much of our land was farm land and then the railroad came in. In many ways, our community was bypassed over the years, but we got along and still do. It has been important for us to preserve the openness we still have left. With the two buildings on it, it has potential as a park. I haven't heard that talked about. We desperately need open space for our children to play and it used to be open space. As the area gets developed that open space gets overlooked for economic development. If they are torn down, there is nothing to prevent high density residential development. This neighborhood doesn't want that so we fought it and the pollution from the public utility. I canvassed the neighborhood and they all opposed it. Putting 26 units in that park is an affront to us and a negation of the original understanding we had for the Railyard.

The neighborhood is very concerned about the traffic that would result. These are tight roads. Shoofly is a small street. It was a development for small businesses in the tradition of the railroad that

was definitely on the table but not a residential development. We are afraid of dumping more traffic onto Cerrillos Road and the increase on Baca Street which already has speed bumps. And it would interfere with our walk way - part of the trail there.

What looks like a road to you are trails that are used by the neighborhood. 26 units would increase night light pollution and not allow business development which would turn off lights at night. It is a symbol of a much greater discussion that has been avoided. My neighborhood wants a discussion and a full discussion of future there.

Ms. Anna Adams, 704 Felipe Place, was sworn. She said she didn't have a whole lot to add. I have a vision for that property. There is an emotional attachment to it and I see it with the two buildings there. It is wonderful. I'd like to see them restored in some way and be a part with maybe a café in there. We see the mountains from that property. It is an inspiration to have that place preserved and not have housing there. Maybe gardens or artists - that is my feeling.

Mr. Scott Harrison, 4195 Agua Fria was sworn and read a letter from Elizabeth West, who could not be present. Ms. West supported demolition, due to their lack of integrity and lack of historic importance in favor of appropriate infill.

Ms. Karen Heldmeyer, 325 East Berger, gave a little history. I've worked on the Railyard Plan for 25 years. While on the Council, I was chair of the BCD-DRC - the group that had design control over the Railyard - and made recommendations to Council. I first remembered a huge public meeting under a sign that had memories of the railyard. People talked about things when they were children - during the depression trains came through and threw coal and toys from the train. They said the plaza used to be local.

About 3,500 people participated in the design group and a scientific poll took place and the poll confirmed what people said and one of the 4 pillars was to keep the old buildings on the Railyard, metal and stucco. There are stuccoed buildings like the Gross Kelly Building. The idea was to keep what was old and these were two of them looked at. People had extremely fond memories of Monte Vista Fuel and Wood.

The State was designated to look at the historicity of the buildings and at some point along the way, it got dropped - probably when the BCD went away. The State group looking at the historic character felt they could be an independent arbiter and it is too bad that part was not kept because we wouldn't be here today if not. These two buildings have a small footprint and adaptive re-use could be considered - as an entrance, a lobby, a game room. But we don't know what is planned and it was not shared at the ENN with us.

The master plan has been amended over the years. Some have worked and others have been colossal disasters, resulting in bankruptcies and empty buildings.

The Commission would be destroying something that is loved with some unknown replacement. You know what is there now and how people feel about them.

Ms. Rosemary Romero, 1350 San Juan Drive, was sworn. She said, "Thanks for your service and for sitting through a long night. I've lived in my neighborhood at Baca Street for 64 years. I'm on the board of the Railyard Corporation. This is not redevelopment. We've talked about the Violet Crown as part of it. All of those are part of the Master Plan with a ten-acre park managed by stewards - it is used tremendously. We have two other parks there including Casa Linda Park. This is about appropriate redevelopment. We don't know what the two units will look like there. We have Berry's Market. Our neighborhood wants to be able to cross the street and have coffee at a restaurant with our neighbors. We used to see hobos getting off the train. My mom fed them scrambled eggs. We want an affordable place for people live. I want to be able to walk across the street to meet new neighbors. These buildings have no significance and the vision is bigger than you and me - a vision for neighbors to live there and walk across the street and walk the trails. I think counter culture is my second office. I used that area a lot. It has its own fabric to it and a place I call home and hope you will approve the demolition.

Mr. Steve Chávez [previously sworn] said he had no dog in this fight and had no intent to be here but the only reason I came to speak is that it is a little in my warehouse. I'm an architect and worked for the National Park Service. What is relevant is that I've been in Historic Preservation for over 30 years as an historic architect in Rainier National Park. We work with all historic preservation offices across the county and I work with cultural resource specialists on a daily basis.

It seems there are many historic buildings that are requested to be demolished and when cultural resources locally are gone, they are gone forever, like extinct species.

When our heritage as represented in the fabric is gone it doesn't get recreated. That is a heavy burden that should always be part of the decision to demolish. The national register is recognized across the country by localities and a federal listing for those places that meet standard of significance and integrity that speaks to the significance and differing measures for both of those.

What seems to be missing here is evaluation of eligibility of national register eligibility. An evaluation is done to determine that. In many places, eligibility is treated as being on the register. That evaluation doesn't seem to be present here.

If there is an interest in historic preservation and is relevant to this proposal or to the city, it seems the first step might be to identify if it meets the eligibility for the national register. I don't have all the information and is only what I've heard here.

Ms. Solanji Solis, 17 Camino Esperanza, was sworn. She said thank you to the Commission. I learned a lot today. I see all of you to be very meaningful and you encouraged me to get out of my comfort zone to speak. We are proving that a story can be told. We are proving it in memories and visions and enjoy our heritage. Barbara Fix and Steve Chavez said something very simple: when it is gone, it is gone. What is the urgency in demolishing it? The only thing we hear is that the government doesn't want to invest in a plan and creativity for the future. We are a creative city. And we have a development group. What happens if we make the wrong decision or something is not inclusive to us.

Think about our elders and our kids and nature. We need green and nature. Thank you very

much for all that was done in the past. Sometimes things change. We all need the ability to get to the park. That park is not happening (PNM) - 50% is to tell a story and the rest is to be a park that is public. As a landscape architect for 5 years we need for everyone to enjoy the green and the nature. Green is expensive and every project runs out of money. We need to build a heart for those buildings. We are not a corporation and we are just people who love Santa Fe and want to tell a story. We are here to speak with our heart. I am inviting Commissioner Hochberg to stay. This is a meaningful conversation and invite you to be part of it.

Ms. Suby Bowden, 333 Montezuma, was sworn. She said she has been working on the Railyard for 25 years and part of the community plan and hired as a leader for the Master Plan. I'm thrilled for all these people speaking their passion. I think it is a both-and grand opening in October 2008 just before our nation crashed economically. And we have a vibrant presence in the Railyard. These neighbors were here in the process and in the year and a half of public processes. The community asked to preserve those historic guidelines. We hired pollsters and they said they had never seen a neighborhood so knowledgeable and committed.

It was equally important to preserve its history including a long large building and a new train on old tracks. We did lots of historic studies and State HPD wrote an article which I didn't bring tonight. I could provide it. It is a thorough document and the State said they should be preserved. The MOU with SHPO ran out. And just because SHPO doesn't have a right to speak here and David Rasch doesn't have a right to speak here, doesn't mean the document doesn't exist. It also doesn't mean it isn't an important building and the document says these two buildings are important.

In reading the document you got tonight, I saw the corporation has been working for a year with this developer and there could have been ways to preserve this property and Mr. Czoski's response says that in addition, residential project complies with the Railyard Master Plan architectural requirement and will not require a Master Plan amendment. And yet we heard tonight that it does require a Master Plan amendment. That needs to be clarified. The next item is the size of this - what I understand with an adjacent neighbor - that he was given the option to buy the entire property but he was not given the option to just buy those two buildings - that part abuts his property which is about the size of this room. Lot lines are constantly changed in the railyard to accommodate the owners. And I urge you to get the document. Mr. Rasch said he would love to save them but doesn't have the right to tell you that you have to save them.

SHPO suggested in their studies, cutting off that 5,000 square feet that Mr. Paglian was interested in, negotiate with this developer. We do need housing in this neighborhood and it is legal to put in large scale buildings. Just because it is small doesn't mean it doesn't deserve to be saved.

I would urge you to split the lot and follow the SHPO recommendation and to also have high density development. PNM was to have a 25-acre open space filled with baseball fields and soccer fields for the neighborhood - so please go for both-and, not an either-or choice.

There were no other speakers from the public and the public hearing portion for this case was closed.

Commission Questions/Discussion

Commissioner Kapin, to Mr. Czoski noted the applicant said the proposed residential development would utilize the buildings as architectural references for future development that were already constructed on site including these building under construction and a second one being built adjacent. "Can you explain that a little bit more? And is this developer intending to build a rental? What is the intent of this?"

Mr. Czoski said the project will be for-sale units and not rentals. The project will come before this Board for approval. You see the building in the foreground here - behind it is a building that mimics it with pitched roof and the same orientation. The building next door saved by Mr. And Ms. Paglian is about 30-40 feet away from it. There are other buildings that have the same orientation toward the railroad tracks and one other one with a pitched roof. In the Master Plan, the discussion of using this building as a reference has been complied with. The other one is in the north railyard.

Commissioner Kapin said the Commission really hoped for an AH housing in the Railyard but if these are going to be for sale, this could go in a very different direction.

Mr. Czoski said she was right. "We are not revealing the new project tonight but it will comply with the AH ordinance and be moderately priced. When the Board reviewed it, they did not want a high-end development. It is not what the City needs and not empty second homes. You will be the judge of that this fall when the application comes to you. Our board is just like you - volunteers - not compensated. Income is a consideration but certainly not the only consideration.

Commissioner Hogan to Mr. Chávez, who made reference to studies, said there is a study in our packet that says both buildings are not eligible for the state or national register.

Chair Kadlubek said Ms. Bowden brought up there would need to be a Master Plan amendment for this development. He asked if that was true

Mr. Czoski said what he was referring to is that the new project's architectural requirements would not require any amendments to the Master Plan for things that normally come to the City for. We have vetted the new project and the height, the location, the density all comply with the master plan. That was the intent of that statement.

Commissioner Greene said the Railyard has made a lot of progress. But to say that a 50,000 square foot building is the same as a 5,000-square foot building and to say the building mimics it - yes in a loose way but there is an expectation in the Master Plan that includes that inclusion would retain these buildings but by demolishing these buildings with no plan known, means anything could come before us. It could be completely different. And coming that the forest is not guaranteed. So, the plan here does not keep the character of linear buildings. So, some sort of mixed use - ground floor with yard walls - small business space upper floor residential and lower floor shops - which I understand as characteristic of the Railyard vision.

These buildings are of not much value and I'd like to see what would replace them that takes the picture of those buildings and the scale and incorporates them in whatever is going to replace it. Like Suby Bowden said - restoration of a little jewel that could be a coffee shop. The Bon Marche building could have been torn down but isn't. Without having what could come in the future, keeps me from wanting to tear it down.

The other issue in the Baca Railyard is that traffic and wayfinding is terrible and it has only one exit from there which is awful. Trying to make a left turn is impossible with that added intensity. The argument is not met.

Mr. Czoski said the Master Plan actually required a traffic signal at Railfan and Cerrillos and we worked with the traffic division who said we don't have enough traffic to warrant a signal and if you have enough traffic and they would advocate at the State for a signal. This project could be enough to justify that signal.

It also prohibited any connection to the neighbors who spoke tonight and also out of Baca Street. A few years ago, I went to BCD and asked for two-way traffic to Baca which is another unsafe situation. The additional traffic for 26 units is insignificant on Cerrillos. The site will be developed unless the City amends our agreement. It won't be a park. If PNM land became a park, that would be wonderful. It could be a commercial development where businesses don't turn off their lights at night. This would be a very low impact on the neighborhood and if you require a traffic study, the applicant will have to do that, The Railyard is not the applicant but trying to enable it to happen. What you approve tonight is not a requirement to demolish the buildings but to allow demolition. The option Suby Bowden spoke about is the right of first refusal of Mr. And Ms. Paglian to take exactly the same offer made by the third-party developer which was for the remaining land. When they didn't want the entire site, they couldn't accept all the terms of the offer.

Chair Kadlubek asked the Commission to move on.

Commissioner Abeyta asked Staff to explain why they felt the Master Plan amendment was necessary. He was thinking those buildings had to be there.

Mr. Esquibel said they were deemed historic so it requires an amendment for permission to demolish. That should be approved by City Council because they are considered historic buildings in the Master Plan.

Commissioner Abeyta surmised that it was envisioned they would stay there.

Mr. Esquibel agreed that is a possibility. They were not designated land mark buildings and is to be interpreted that way by this body. This is a recommendation to City Council. It is a redevelopment subdistrict so there are options in the Master Plan that allow to adjust the massing, and design guidelines. But that can only be adjusted by Council.

Commissioner Abeyta said it would have been helpful to know the replacement.

Commissioner Gutierrez thanked the Railyard for the field trip today but it confused him. On page six, at the bottom, the proposed MP amendment corresponds and he quoted it. In looking at the building, I see scrap metal but there is another story. There is construction going on there right now. The buildings are being used for storage in the construction. For me, it comes down to progress. I'd like to see both - to be a complement to this work. I might be in the minority but don't favor demolishing.

Ms. Martinez agreed this is a tough issue and we spent a lot of time looking at the Master Plan trying to figure it all out and the possibility of them being demolished. Both buildings are contributing and that speaks to buildings that are landmarked. I don't know why they were not landmarked but there should have been some justification for not landmarking them. Keep that distinction in mind as well.

Ms. Kassens said when the application came through for preapplication review, Mr. Romero asked her to compare the Master Plan indication of what could be built in this lot with the traffic. The 2006 TIA called this a business park for 41 vehicles in AM peak and 26 in PM peak. With residential - it would be 11 in AM and 14 in PM peak hour. So, it is much less traffic than originally proposed for the area.

Chair Kadlubek agreed it is confusing with the one-way access and how to get back onto Baca. It is a mess.

Commissioner Hochberg clarified that what we are voting on is for permission to demolish only.

Chair Kadlubek agreed and is a recommendation to the Governing Body.

Commissioner Hochberg asked if it is demolition first and negotiation second.

Mr. Esquibel suggested that there is another way of preserving the story in the architecture of that building. The Historic American Survey could be used to preserve the character of the building.

Mr. Rasch pointed out that they have significant cultural resources underground but it doesn't stop development. Instead, they document it so well that it is not destroyed but replaced in another place. The American Historic Survey would document it so well that it would go along with the story. He added that Commissioner Hogan is correct that the State did not recommend preserving these buildings.

Commissioner Abeyta said if the Master Plan amendment is approved by Council, they could demolish and leave the land vacant forever.

Mr. Esquibel agreed.

Mr. Rasch said he didn't have legal jurisdiction but in 14-5.2 D - minimum demolition standards - that before demolishing a building, you must share what is going in its place so it is in the code but doesn't apply here.

Mr. Esquibel said Ms. Martinez brought up a good point. The Commission could make a condition of approval that prior to its demolition, a plan must be provided. In lieu of an application that must be present. So, prior to a demolition permit, a plan would come to this body.

Mr. Shandler agreed the Commission could recommend that.

Commissioner Hochberg couldn't understand the people at the Railyard who are working hard to make a more livable Santa Fe being against this. All is in the realm of possibility but we have to rely on the work they have done. They keep their promises and do what they say they will do. So, when they say they are not in a position to not share it now, I understand it.

So, it would be up to them to finish the application. I understand they might build around it. Yes, it is possible. To be candid, I was delighted to get to see it today. The pictures don't do justice to what we saw. They were neglected. It was total neglect - they are being destroyed from nobody taking care of them. The other structure is going to be viable. What I saw were very ordinary buildings. There were holes all over in the tin building and the adobe building is rather nondescript. It doesn't make sense to me to preserve them.

Chair Kadlubek agreed with that take on the buildings. Some buildings are worth salvaging and he didn't think these are two of them. Buildings get demolished for a development and another development could happen that could have used those buildings.

Commissioner Hochberg said even though, on balance, we think they could be demolished. We don't have the misgivings that neighbors have. So, we could recommend demolishing if a plan comes before us.

Chair Kadlubek said the Commission should be skeptical of the Railyard, given its history. This is a continuing trend of more east side for parks and not residents. The number of parks in this area says they are more prevalent. I would suggest advocating for those on the south part of town. I'd like for it to happen. There are six parks within walking distance of the Railyard. I support recommending approval with caveat of a development plan beforehand. The same problem happens for those who move away from town and can't move back to urban setting.

Action of the Commission

MOTION: Commissioner Hochberg moved to recommend the City Council give permission to demolish if and when a valid proposal for use is put forward Commissioner Greene seconded the motion and it passed by majority (6-1) roll call vote with Commissioners Hogan, Greene, Hiatt, Kapin, Abeyta and Hochberg voting in favor and Commissioner Gutierrez dissenting.

G. STAFF COMMUNICATIONS

There were no Staff Communications.

H. MATTERS FROM THE COMMISSION

Commissioner Hiatt apologized for missing the last meeting. He read the news article and was proud of all of you.

Commissioner Gutierrez announced the Summary Committee meeting was held earlier in the day. One applicant had not seen the conditions and Mr. Berke got amendments into the minutes.

Ms. Martinez reported a new staffing change. Mr. Berke is moving into the Planning Manager this week and wanted to recognize his promotion.

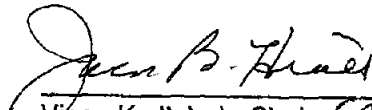
Commissioner Abeyta agreed and hoped we fill the position from within.

Ms. Martinez said Margaret Ambrosino is now a Planner Senior with Current Planning.

I. ADJOURNMENT

The Planning Commission meeting was adjourned at 10:54 p.m.

Approved by:


Vince Kadlubek, Chair (Acting)

Submitted by:


Carl Boaz for Carl G. Boaz, Inc.

Planning Commission
July 6, 2017

EXHIBIT 1



