



# Agenda

DATE 10/25/17 TIME 3:15pm  
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RECEIVED BY [Signature]

**AMENDED**

**PLANNING COMMISSION**  
**Thursday, November 2, 2017 - 6:00pm**  
**City Council Chambers**  
**City Hall 1<sup>st</sup> Floor - 200 Lincoln Avenue**

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**

MINUTES: **October 5, 2017**  
~~**October 19, 2017**~~

**FINDINGS/CONCLUSIONS:**

**Case #2017-44. Estancias de Las Soleras Unit 2-B Final Subdivision Plat.**

**Case #2017-73. 4480 Cerrillos Road Storage Special Use Permit and Development Plan.**

**Case #2017-86. The Montecito Santa Fe Memory Care Community Development Plan.**

- E. OLD BUSINESS**
- F. NEW BUSINESS**

1. An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Subsection 14-5.5(C)(1) to Clarify That Incentivizing Certain Uses Are Part of the Purpose of the Overlay District; Amending Subsection 14-5.5(C)(5) to Provide That the Land Use Director May Allow Vehicular Access From Other Than the Side or Rear of a Lot if Such Access is Infeasible and to Provide Setbacks From the Airport Road Right-Of-Way for New Development of Certain Types of Uses; Amending Subsection 14-5.5(C)(11) to Modify the Types of Uses Eligible for Incentives; and Making Such Other Changes That are Necessary to Carry Out the Purpose of This Ordinance. (Councilor Dominguez) **(POSTPONED FROM OCTOBER 19, 2017)**
2. **Case #2017-84. Santa Fe Airport Industrial Park Preliminary Subdivision Plat.** Scott Hoeft of Santa Fe Planning Group, Inc., agent for Don Eker of SFCR Airport Road, LLC, requests preliminary subdivision plat approval for 52 lots on 70 acres. The application also includes a request for innovative street design standards. The property is zoned I-1 (Light Industrial) and is located at 41B Paseo Real. (Donna Wynant, Case Manager) **(POSTPONED FROM OCTOBER 5, 2017) (TO BE POSTPONED TO DECEMBER 7, 2017)**

3. **Case #2017-93. Casa Mason Final Subdivision Plat.** Paul Duran of East Pecos Ventures II, LLC requests final subdivision for five residential lots on 5.28± acres. The property is located at 1882 Conejo Drive, and is bordered on the west by Fort Union Drive. The property is zoned R-1 (Residential, one dwelling unit per acre) (Donna Wynant, Case Manager)
  
4. **Case #2017-96. Ross's Peak Preliminary Subdivision Plat and Terrain Management Variance.** James W. Siebert & Associates, agent for Ross's Peak LLC and Las Soleras del Oeste, requests approval of two-phased preliminary subdivision plat to create 182 residential lots in two phases. The application includes a variance to allow creation of one residential lot with a buildable area that does not meet the requirements of Subsection 14-8.2(D)(3)(b) Natural Slope of Buildable Area. The property is approximately 25 acres and is zoned R-12 (Residential – twelve dwelling units per acre), and is located on Tract 12A-1 and 12A-2 of the Las Soleras Master Plan area. (Dan Esquibel, Case Manager)
  
5. **Case #2017-97. Ross's Peak Lot Line Adjustment Plat.** James W. Siebert & Associates, agent for the Ross's Peak LLC and Las Soleras del Oeste, requests approval of a lot line adjustment to adjust approximately 3.5 acres of Tract 12B-1 into Tract 12A-1 containing 24.92 +/- acres, and to adjust the boundary between Tract 12A-1 and Tract 12A-2. The property is 25 acres and is zoned R-12 (Residential – twelve dwelling units per acre), and is located within the Las Soleras Master Plan area. (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.**



Agenda

DATE 10/17/17 TIME 10:40  
SERVED BY Geraldine Quintero  
RECEIVED BY [Signature]

**PLANNING COMMISSION**  
**Thursday, November 2, 2017 - 6:00pm**  
**City Council Chambers**  
**City Hall 1<sup>st</sup> Floor - 200 Lincoln Avenue**

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**Case #2017-86. The Montecito Santa Fe Memory Care Community Development Plan.**

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3. **Case #2017-93. Casa Mason Final Subdivision Plat.** Paul Duran of East Pecos Ventures II, LLC requests final subdivision for five residential lots on 5.28± acres. The property is located at 1882 Conejo Drive, and is bordered on the west by Fort Union Drive. The property is zoned R-1 (Residential, one dwelling unit per acre) (Donna Wynant, Case Manager)
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## G. STAFF COMMUNICATIONS

## H. MATTERS FROM THE COMMISSION

## I. ADJOURNMENT

### NOTES:

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**SUMMARY INDEX**  
**PLANNING COMMISSION**

November 2, 2017

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
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C. Approval of Agenda	Approved as amended	2
D. Approval of Minutes & Findings and Conclusions Minutes: October 5, 2017	Approved as amended	2
<b>Findings of Fact &amp; Conclusions of Law</b>		
<u>Case #2017-44.</u> Estancias de Las Soleras Unit 2-B Final Subdivision Plat.	Approved	2
<u>Case #2017-73.</u> 4480 Cerrillos Road Storage Special Use Permit and Development Plan.	Approved	2
<u>Case #2017-86.</u> The Montecito Santa Fe Memory Care Community Development Plan.	Approved	2
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1. An Ordinance Relating to Incentivizing	Recommended Approval	3-6
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3. <u>Case #2017-93</u> Casa Mason Final Subdivision Plat	Approved with conditions	6-10
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5. <u>Case #2017-97</u> Ross's Peak Lot Line Adjustment Plat	Postponed to December 7	10
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**PLANNING COMMISSION**  
**Thursday, November 2, 2017 - 6:00pm**  
**City Council Chambers**  
**City Hall 1<sup>st</sup> Floor - 200 Lincoln Avenue**

**CALL TO ORDER**

A regular meeting of the City of Santa Fé Planning Commission was called to order by Commissioner Vince Kadlubek, Chair, on the above date at approximately 6:00 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 John B. Hiatt, Secretary  
Commissioner Justin Greene  
Commissioner Stephen Hochberg  
Commissioner Mark Hogan  
Commissioner Sarah Cottrell Propst

**Members Absent/Excused**

Commissioner Piper Kapin, Vice-Chair  
Commissioner Brian Patrick Gutierrez  
One vacancy

**Others Present:**

Ms. Lisa Martinez, Planning and Land Use Director  
Mr. Noah Berke, Current Planning Division Manager & Staff Liaison  
Mr. Richard Word, Assistant City Attorney  
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 and available on the City's web site.**

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. APPROVAL OF AGENDA**

**MOTION:** Commissioner Hiatt moved to approve the agenda as published (with items 2, 4, and 5 postponed). Commissioner Greene seconded the motion and it passed by unanimous voice vote.

**D. APPROVAL OF MINUTES AND FINDINGS OF FACT**

**1. MINUTES: October 5, 2017**

**MOTION:** Commissioner Hiatt moved to approve the minutes of October 5, 2017 with minor corrections. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

**2. FINDINGS/CONCLUSIONS**

**Case #2017-44. Estancias de Las Soleras Unit 2-B Final Subdivision Plat.**

**MOTION:** Commissioner Hiatt moved to approve the Findings of Fact and Conclusions of Law for Case #2017-44, Estancias de Las Soleras, Unit 20B Final Subdivision Plat. Commissioner Hochberg seconded the motion and it passed by unanimous voice vote.

**Case #2017-73. 4480 Cerrillos Road Storage Special Use Permit and Development Plan.**

**MOTION:** Commissioner Hogan moved to approve the Findings of Fact and Conclusions of Law for Case #2017-73, 4480 Cerrillos Road Storage Special Use Permit and Development Plan. Commissioner Greene seconded the motion and it passed by unanimous voice vote.

**Case #2017-86. The Montecito Santa Fe Memory Care Community Development Plan.**

**MOTION:** Commissioner Hiatt moved to approve the Findings of Fact and Conclusions of Law for Case #2017-86, The Montecito Santa Fe Memory Care Community Development Plan. Commissioner Hogan seconded the motion and it passed by unanimous voice vote.

**E. OLD BUSINESS**

There was no Old Business.

**F. NEW BUSINESS**

1. An Ordinance Relating to the Land Development Code, Chapter 14 SFCC 1987; Amending Subsection 14-5.5(C)(1) to Clarify That Incentivizing Certain Uses Are Part of the Purpose of the Overlay District; Amending Subsection 14-5.5(C)(5) to Provide That the Land Use Director May Allow Vehicular Access From Other Than the Side or Rear of a Lot if Such Access is Infeasible and to Provide Setbacks From the Airport Road Right-Of-Way for New Development of Certain Types of Uses; Amending Subsection 14-5.5(C)(11) to Modify the Types of Uses Eligible for Incentives; and Making Such Other Changes That are Necessary to Carry Out the Purpose of This Ordinance. (Councilor Dominguez) **(POSTPONED FROM OCTOBER 19, 2017)**

Ms. Martínez presented an overview on the Airport overlay. In January 2013, the Governing Body established the Airport Overlay District for everything that abutted Airport Road with design standards and restrictions on alcohol sales activities. The ordinance was result of several years of work by Councilor Dominguez and the work of others for quality of life there. Also, in April 2013, the Governing Body adopted amendments to the ordinance to address trash enclosures for compactors at the rear of buildings and commercial size of recycling.

Now, there are a few more changes to address problems, including access.

Councilor Dominguez thanked the Planning Commission for service to the City. There are lots of things the Commissioners could be doing instead.

Councilor Dominguez pointed to a significant part of the ordinance that most people don't usually look at: the purpose and intent, which he read aloud. Key words are uses that are absent and deficient. It was to find ways to bring uses that are needed. It is under Healthy Communities and to promote safe environment and healthy lives. Section 2 clarifies the Land Use Director authority. And Matt O'Reilly is here to speak to that. For Section 3, a series of community meetings were held, and Ms. Mortimer could speak to that. The incentives are to elevate the uses the community wants. That was the first incentive for an overlay in the City.

In 2016, Council approved the Link and incentives were more aggressive. He decided to increase the incentives and that is what is in the packet.

#### Questions of the Commission

Commissioner Propst thanked Commissioner Dominguez for bringing it forward. She asked about the fees.

Councilor Dominguez said it basically has the same fees that are in the Link - construction permit fees are part of the exemptions in the overlay.

Commissioner Propst asked what is in the Impact Statement and if it will be a wash.

Mr. O'Reilly said the existing overlay ordinance started modestly with incentives for construction permit fees and plan review fees being exempted. For certain uses in the original bill, those fees were



waived 100% and others were at 50%. This proposes to eliminate the 50% and have all at 100% and other fees waived - development review fees and projects that met these categories would not pay impact fees. The FIR statement has a similar analysis that Staff as done in the past regarding sunset provisions and for the Mid-Town Link. It analyzes what would be received vs. the waived fees for those projects.

The difference between GRT and fees waived, is that they are unrestricted under GRT, but impact fees are restricted. The FIR shows the assumptions made in typical projects. The GRT is greater than the waived fees.

Commissioner Propst noticed that restaurants were left on but others were taken off and asked why.

Mr. O'Reilly didn't think anything was taken off.

Commissioner Propst referred to pages 4 and 5 in Section 11. Some are on the left - restaurants moved to 100% but some that got 50% are crossed out and she didn't see them added.

Mr. O'Reilly agreed. It was thought by Councilor Dominguez less desirable to incentivize those.

Chair Kadlubek asked if Councilor Dominguez had a sense of what uses are in mind that he would like to see incentivized that the overlay has not contributed to.

Councilor Dominguez said on page 4 there is a list of things, like grocery stores, farmer's market, etc. that introduce healthy communities because the populations are at risk for lack of access to those. The one gaining the most steam is a grocery store. It is something they want. Medical practitioners are also wanted for the area. The closest is by the Walmart.

Ms. Mortimer said a number were identified as absent but not affected like education, parks and recreation of fuller array of amenities needed. This is intended to attract things from the private sector to improve quality of life in the community.

Commissioner Greene thanked Councilor Dominguez for putting it together. It needs updating regularly. He said, "You would be a great person to be on the Planning Commission."

Councilor Dominguez had no comment.

Commissioner Hogan was intrigued by orchards and community gardens, and asked how that would work.

Councilor Dominguez recalled the City once had community gardens but there are obstacles. We need the human capital but also need water and a level of security. If there is a developer who wants to provide such space and water and some security, the community would love to have that.

Commissioner Hogan asked if there is a water impact fee also incentivized.

Mr. O'Reilly said no. Those are not waived fees.

Commissioner Hochberg also commended him for the hard work. It must be hard to pick and choose. He understood the lack of a book shop or a flower shop. Those are healthy things. Some others appear to be more incentivized in a tourist area. It makes a statement.

Mr. O'Reilly noted that Councilor Dominguez also serves as Chair of the Finance Committee about raising the level of waivers and adding more waivers and trying to look for things not quite as important as the others. He agreed that it would be nice to have those things in the area, but they are less impactful than a restaurant or grocery store. They wanted to make clear that a broad range of recreation could get incentives.

Chair Kadlubek asked why it has been so hard to consider a grocery store there.

Councilor Dominguez related how an application for a grocery store got denied when the area didn't have Tierra Contenta built out. There are a lot of factors. Some is that Walmart is there. There are not many options for a grocery store there. In 2008, They approved a Sprouts store at Airport Road and close to Country Club. But it died. So there have been attempts and opportunities. Probably a mixture of private sector and the economy. There are some who don't even recognize that part of the community.

Chair Kadlubek thanked him. He pointed out that there will be another 75 people working on Camino Entrada and to the east more development. His company is looking at that area as their headquarters. Housing has come up a lot for the Commission and where these people are going to live. He totally understood why housing would not be on here for incentives. He hoped this leads to more restaurants and other facilities and even more housing. He didn't know if there are others in the airport zone to contribute to housing.

Commissioner Greene asked if there was any discussion of second story residential above retail facilities as mixed use for young urbanites.

Councilor Dominguez said he understands the housing crisis and they are the more painful debates at Council. When you look at that community, it is already higher density. So lots of people but few amenities. We are just trying to catch up - not to solve the housing crisis or bring that into the debate. We have in the past done things like an incentive for mobile homes park to not go through rezoning. In that area, we have done things to address the housing issues, but this bill doesn't address that.

Mr. O'Reilly reminded them that Camino Entrada is next to the most successful development - Tierra Contenta. And they can still have hundreds of units for single family, apartments and town homes. We have another 25 years to go in finishing that build out. Councilor Dominguez is correct that he proposed an ordinance in 2012 for incentives for mobile home parks to become a subdivision in an attempt to create better housing. And the residential above retail is allowed now. It can be done in commercial districts now. That is a possibility and a person could propose that now.

Commissioner Greene said the parking doesn't pertain here for the Link.

Mr. O'Reilly said the Link was aggressive and redevelopment, and infill is difficult, whereas the Airport area has lots of land to develop. So that is why there are no parking incentives.

**MOTION: Commissioner Hiatt moved to approve the ordinance amendment as drafted and recommend approval to the Governing Body with thanks to Councilor Dominguez for many years of service to the City. Commissioner Greene seconded the motion.**

Chair Kadlubek thanked Councilor Dominguez also all the work he has done and for sticking with this and modifying it in midstream. It is impressive and gives a good standard to follow.

Councilor Dominguez thanked the Commission for their time and effort for the City and to the Land Use Staff for all of their work on it.

**VOTE: The motion passed by unanimous roll call vote, with Commissioners Hogan, Greene, Hiatt, Propst, and Hochberg voting in favor and none voting against.**

- 2. Case #2017-84. Santa Fe Airport Industrial Park Preliminary Subdivision Plat.** Scott Hoeft of Santa Fe Planning Group, Inc., agent for Don Eker of SFCR Airport Road, LLC, requests preliminary subdivision plat approval for 52 lots on 70 acres. The application also includes a request for innovative street design standards. The property is zoned I-1 (Light Industrial) and is located at 41B Paseo Real. (Donna Wynant, Case Manager) **(POSTPONED FROM OCTOBER 5, 2017) (TO BE POSTPONED TO DECEMBER 7, 2017)**

**This case was postponed under Approval of the Agenda.**

- 3. Case #2017-93. Casa Mason Final Subdivision Plat.** Paul Duran of East Pecos Ventures II, LLC requests final subdivision for five residential lots on 5.28± acres. The property is located at 1882 Conejo Drive, and is bordered on the west by Fort Union Drive. The property is zoned R-1 (Residential, one dwelling unit per acre) (Donna Wynant, Case Manager)

#### Staff Report

Ms. Wynant provided the staff report. She showed the final subdivision plat that was approved on August 3. Now, Mr. Paul Duran requests final subdivision plat for these five residential lots at 1882 Conejo Drive. The lots are zoned R-1 and one acre in size. The applicant requests an innovative street design on Conejo without sidewalks or street lights but with a gravel path along the west side to preserve trees and better fit the grade. The access is called Moonlight Drive. The applicant doesn't anticipate any tree removal and in the event any are removed, agreed to replace those trees on a one for one basis. The note is on plat for no access from Conejo Drive.

The applicant submitted covenants for only one-story homes, which came out of ENN meeting, and she has noted them on the plat.

The HOA documents will be submitted and drainage easements. This application is in conformance  
Planning Commission

and is recommended for approval.

She pointed out that Commissioner Green had moved an amendment for a yard wall restriction for more landscaping. There was not a lot of discussion in the minutes, but setting them in would allow for more landscaping. The applicant agreed to that restriction.

There were no questions regarding the Staff presentation.

#### Applicant's Presentation

Mr. Paul Duran, 1882 Conejo Drive, was sworn. He said Ms. Wynant has explained the subdivision pretty well. There are five lots and two of them have homes on them. He wasn't sure on the access and explained that the access for lot 5 is from Conejo Drive.

He said he discussed the setbacks with neighbors and they had originally talked about larger setbacks than he was proposing and still in line with the surrounding neighborhood. The existing two houses will have 20' setbacks around them. The neighbors to the south and he agreed to 30' and 20' setbacks and the neighbors on the north wanted a 40' setback. But with a surveyor, we decided 40' was too much and proposed a 30' setback. A 40' setback would take up too much of the property, so he put it at 30'. That is it.

#### Public Comments

Mr. David Mason, 1442 Seville Road, was sworn. He said his family has owned this property since 1951 and still own the lot at the bottom. The biggest issue is erosion control. He is still concerned as they cut and fill that area and that drainage is appropriately addressed to not affect others.

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

#### Discussion

Commissioner Hochberg asked for clarification on the sidewalk innovative street design.

Ms. Wynant explained that there are places in the City where it is not possible to put all the sidewalk and curbing in the right-of-way. So the question is what becomes innovative and it is a variance of innovative street design. It is a provision of Chapter 14-9.2 B-4 that allows it. When there is no provision for it, it is a variance. And when possible, to provide a way to meet the intent of the code that which must be requested to provide safe accommodations for people and bicycle safety in the ROW. Arbolitos is one of them.

Commissioner Hochberg asked how it will look on the ground.

Ms. Wynant said it will be a gravel base course with gravel as a path with a liner like what you see in parks and trails. It will meander, so they don't have to take out trees.

Commissioner Hochberg understood the intent is to make it attractive, so it would be a selling point too.

Mr. Duran thought it will look pretty.

Commissioner Hochberg asked if it would be easy to maintain.

Mr. Duran agreed, and in the restrictive covenants.

Mr. Berke said it is an alternative to standard sidewalk design where it is not practical. The Governing Body put it in there for relief from the variance process. It still serves transportation and is an alternative to walking on the street. We would rather have a pathway where people can walk on it and be separated from traffic. There is one on Camino Cruz Blanca and serves the same purpose as a sidewalk.

Commissioner Hogan asked what the width is.

Mr. Duran said it is to be 4' wide.

Commissioner Hogan said Camino Cruz Blanca is compacted pressure fines.

Mr. Duran said he had not designed it to that extent. We want it safe and low maintenance. People walk into the subdivision and down the path instead of on Conejo Drive. He thought they could make it like Wilderness Gate.

Commissioner Hogan said the path width on Cruz Blanca is only 3 feet and that is too narrow. Five is typical for sidewalk for two-way traffic. They are not low maintenance but if the HOA is committed to that, some will wash off after a significant rain event. So we just need to make sure it will be maintained.

Mr. Duran asked if requiring a contribution of the HOA to such a fund would be okay.

Commissioner Hogan said the City cannot enforce that.

Mr. Duran said the HOA can put it in the budget. It is in restrictive covenants and on the plat.

Commissioner Hogan said his point was just to make sure it is thought out.

Mr. Berke said they can definitely include that in the CC&R's and the drainage restrictions. It is the homeowner's responsibility to maintain sidewalks and since this is the alternative to that, it can still be their responsibility.

Commissioner Hogan said he was all for pressure fines paths, just to understand the ramifications.

Mr. Duran felt the restrictive covenants do address that concern. In Paragraph 11, we could add that the innovative street design components are to be maintained by the Homeowners' Association. He would agree to that.

Commissioner Greene felt that is clearer for all five to have that. And he would ask for 5' width. He asked if they are burying the electrical utilities.

Mr. Duran agreed and explained the details for it. He said not all of it currently is buried but he would assure the Commission that it will all be buried. There will be no new poles and two existing poles will be eliminated.

Ms. Wynant confirmed that it is on the plat as well as having the yard walls set in a certain distance. It was not a set number of feet.

Commissioner Greene asked if they would not put walls in the setback area.

Mr. Duran agreed.

Chair Kadlubek asked him to address Mr. Mason's concern about drainage.

Mr. Duran referenced the engineer's plan. There are areas that have drainage concerns, but they will all get addressed at the building permit phase.

Mr. Berke agreed and each construction permit will be required to comply with that code.

Commissioner Hochberg asked for the list of amendments.

Commissioner Hogan said he wanted the pathway design to work because they offer excellent precedent. So the construction provides a steel edge and the crusher fines would be compacted.

Commissioner Hochberg asked if the applicant could agree to five feet instead of four.

Mr. Duran agreed to five feet width.

Commissioner Greene said the amendment is for a 5' path, edged by steel and compacted and maintained by the owners; no yard walls within the setback and all utilities all buried on site.

Mr. Duran agreed to those conditions.

Commissioner Propst said the Master Plan had walls along property lines.

Mr. Duran said they can put it in the restrictive covenants.

Mr. Berke said it is to establish setbacks that are more restrictive than the minimum and here, the applicant is very agreeable.

Commissioner Propst asked regarding the walls and setbacks if someone could argue that is a taking.

Ms. Martínez said there was a case at HDRB where the Board specifically required the applicant to locate a wall to protect two significant trees. The wall was moved 25' feet in and Legal agreed that was within their authority.

Ms. Martínez was not sure they have the authority to mandate keeping the utilities underground.

Commissioner Hochberg said he has control of this property and the applicant agreed to it.

Commissioner Greene appreciated your willingness.

Mr. Duran said he spoke to PNM. He pointed out the transformer locations. He can provide underground electrical service to all five lots.

#### Action of the Commission

**MOTION: Commissioner Greene moved in Case #2017-93, Casa Mason Final Subdivision Plat, to approve with additional conditions of approval for the developer to provide a 5' wide, steel edged, compacted walking path and the right-of-way to be maintained by the homeowners' association, and an additional condition of no walls to be allowed within the setback along Conejo Drive and that all utilities are buried. Commissioner Hochberg seconded the motion and it passed by unanimous roll call vote with Commissioners Hogan, Greene, Hiatt, Propst, and Hochberg voting in favor and none voting against.**

Commissioner Hochberg commended the Applicant for his cooperation.

4. **Case #2017-96. Ross's Peak Preliminary Subdivision Plat and Terrain Management Variance.** James W. Siebert & Associates, agent for Ross's Peak LLC and Las Soleras del Oeste, requests approval of two-phased preliminary subdivision plat to create 182 residential lots in two phases. The application includes a variance to allow creation of one residential lot with a buildable area that does not meet the requirements of Subsection 14-8.2(D)(3)(b) Natural Slope of Buildable Area. The property is approximately 25 acres and is zoned R-12 (Residential – twelve dwelling units per acre), and is located on Tract 12A-1 and 12A-2 of the Las Soleras Master Plan area. (Dan Esquibel, Case Manager) **(TO BE POSTPONED TO DECEMBER 7, 2017)**

**This case was postponed under Approval of the Agenda.**

5. **Case #2017-97. Ross's Peak Lot Line Adjustment Plat.** James W. Siebert & Associates, agent for the Ross's Peak LLC and Las Soleras del Oeste, requests approval of a lot line

adjustment to adjust approximately 3.5 acres of Tract 12B-1 into Tract 12A-1 containing 24.92 +/- acres, and to adjust the boundary between Tract 12A-1 and Tract 12A-2. The property is 25 acres and is zoned R-12 (Residential – twelve dwelling units per acre), and is located within the Las Soleras Master Plan area. (Dan Esquibel, Case Manager) (**TO BE POSTPONED TO DECEMBER 7, 2017**)

**This case was postponed under Approval of the Agenda.**

## **G. STAFF COMMUNICATIONS**

Ms. Martínez said they are working on filling vacancies in the Land Use Department with four new employees so far and Monday another four and almost completed with two more interviews next week to fill all 11 vacancies this month.

Ms. Yolanda Cortez is retiring after 25 years of service. We wish her well and will fill her position as well.

## **H. MATTERS FROM THE COMMISSION**

Commissioner Greene said he is coming to the end of his term here and will remain until the position is filled. It has been fun.

Chair Kadlubek asked if he would continue on the LRP Committee.

Commissioner Greene said he would love to but didn't know if those two at-large positions had an opening.

Commissioner Hochberg said he was invited.

Commissioner Greene hoped for a budget for infill areas like Tierra Contenta coming down the pike to solve some of our issues. He was looking forward to serving if he could.

Ms. Martínez said they have not found two people so Commissioner Greene continues to serve until a new appointment is made.

Chair Kadlubek said we have another meeting in two weeks.

Mr. Berke said there will be some cases on the next agenda. Mr. Liming will present the West River Overlay. It is not a study session but the actual changes to the corridor.

Ms. Martínez said some of the requirements, the Commission heard originally have been pared down to minimize concerns. We spent months putting it together. Public Works was in full support of  
Planning Commission



it, so she was hoping for positive comments and didn't anticipate any concerns.

*Commissioner Greene asked if anybody showed up at Public Works.*

Ms. Martínez said there were a couple of members present but gave no concerns.

Commissioner Hogan asked if they should keep the same packet material.

Ms. Martínez agreed.

Mr. Berke said there is a proposed development that will be affected. Commissioner Greene was invited but advised him against that because he might still be on the Commission.

Chair Kadlubek asked if there was anything on Siler/Rufina discussions. Any direction on those streets and that area?

Ms. Martínez said there is no project coming forward. We do need to have a discussion in-house on that area and better address circulation and parking.

Chair Kadlubek mentioned one next to Tortilla Flats and he is going to develop some more. The same owners of greenhouses have bought three more acres. There is so much traffic, no pedestrian paths. So there is much that needs to happen on Rufina Circle and clearly on Siler Road once ACC happens. We are dealing with current infrastructure failure and lack of parking. It is a trigger point for a larger discussion.

Mr. Berke noted a lot of interest from Meow Wolf being there and we amended permitted uses. So that table must change. With all the artists and galleries who want to be near Meow Wolf and it doesn't allow for those. He recommended Chair Kadlubek find a Councilor to introduce rezoning there.

Commissioner Hochberg thought it is a wonderful problem. We just went through legislating down to create incentives and now have a growing enterprise and people wanting to locate around it. So we have to catch up immediately.

Mr. Berke said Debra Griego y Garcia is working on an arts district right now in that area.

Mr. Word said Councilor Maestas has an ordinance to ask Debra to study the possibility of such an arts overlay district or multiple districts. It could also be done through the Department of Cultural Affairs.

Mr. Berke said the Commission will see a lot of multiple family housing coming in. There are some areas more willing than others to accept that.

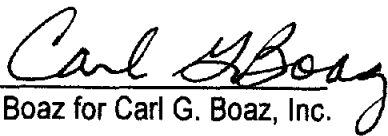
## **I. ADJOURNMENT**

The meeting was adjourned at 7:30 p.m.

Approved by:

  
\_\_\_\_\_  
Vince Kadlubek, Chair

Submitted by:

  
\_\_\_\_\_  
Carl Boaz for Carl G. Boaz, Inc.