



# Agenda

**PLANNING COMMISSION**  
**Thursday, October 3, 2019 - 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: August 15, 2019 (POSTPONED FROM SEPTEMBER 5, 2019)**  
**September 5, 2019**

**FINDINGS/CONCLUSIONS: None**

**E. OLD BUSINESS**

**F. NEW BUSINESS**

- 1. Case #2019-712. Desert Sage Subdivision Plat Amendment.** JenkinsGavin, Inc., Agent, for Homewise, Inc., Applicant, requests approval of an amendment to the previously approved and recorded Desert Sage Subdivision Plat. The Applicant now proposes some modifications to simplify the subdivision design, increase open space, and increase the lots from 80 to 82 lots. The property is zoned R-3 (Residential, Three dwelling units per acre), on a 26.39-acre property located at Richards Avenue and I-25. (Donna Wynant, AICP, Case Manager, [djwynant@santafenm.gov](mailto:djwynant@santafenm.gov), 955-6325)
- 2. Case #2019-761. Tierra Contenta Tract 53A Arroyo Oeste Preliminary Subdivision and Variance.** Oralynn Guerrerortiz of Design Enginuity, LLC, Agent, representing The Housing Trust, Owner, requests approval of a Preliminary Subdivision Plat for 20 single-family lots, and a Variance to Subsection 14-8.2(D)(2)(b) to permit three separate disturbances of slopes in excess of 30%. The property is zoned PRC (Planned Residential Community), is Tract 53A within Tierra Contenta Phase 2C, and is approximately +/- 3.65 acres. (Lee Logston, Case Manager, [llogston@santafenm.gov](mailto:llogston@santafenm.gov), 955-6136).
- 3. Case #2019-721. Santa Fe Place Mall Signage Variance.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property Owner LLC, Owner, request a variance from Subsection 14-8.10(C)(1) to allow off-site advertising. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, [dacsquibel@santafenm.gov](mailto:dacsquibel@santafenm.gov), 955-6587)

4. **Case # 2019-722. Santa Fe Place Mall Development Plan Amendment.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property Owner LLC, request a Development Plan Amendment to reduce required parking, based on a parking study and reflect the offsite signage and new lot line configuration. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, [daesquibel@santafenm.gov](mailto:daesquibel@santafenm.gov), 955-6587)
  
5. **Case #2019-725. Santa Fe Place Mall Preliminary Subdivision Plat.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property Owner LLC, Owner, request Preliminary Subdivision Plat approval to create 7 lots ranging in size from 0.68+/- acres to 17.72+/- acres. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, [daesquibel@santafenm.gov](mailto:daesquibel@santafenm.gov), 955-6587)

#### **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.**

<p><b>RECEIVED AT THE CITY CLERK'S OFFICE</b> <b>DATE: <u>September 13, 2019</u></b> <b>TIME: <u>1:37 PM</u></b></p>
--

**SUMMARY INDEX  
PLANNING COMMISSION MINUTES  
OCTOBER 3, 2019**

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
A. Roll Call	Quorum Present	1
B. Pledge of Allegiance	Recited	1
C. Approval of Agenda	Approved as published	2
D. Approval of Minutes		
1) August 15, 2019	Approved	2
2) September 5, 2019	Approved	2
E. Old Business:	None	2
F. New Business		
<b>Case #2019-712, Desert Sage</b>	Approved	3-6
" Findings/ Conclusions	Approved	6
<b>Case #2019-761, Tract 53A</b>	Approved	6-9
" variance	Approved	8
" Findings/conclusions	Approved	9
<b>Case #2019-722, SF Place Mall Development Plan Amendment</b>	Approved	9-19
<b>Case #2019-725 SF Place Mall Preliminary Subdivision Plat</b>	Approved	9-19
<b>Case #2019-721, SF Place Mall Signage variance</b>	Denied	9-19
G. Staff Communications	Comments	18
H. Matters from the Commission	None	18
I. Adjournment	Adjourned at 7:24 pm	18

**MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION**  
**Thursday, October 3, 2019 - 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 Fe Planning Commission was called to order by Chair Hiatt on the above date at approximately 6:06 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 John B. (Jack) Hiatt, Chair  
Commissioner Janet Clow  
Commissioner Lee Garcia  
Commissioner Brian Patrick Gutierrez  
Commissioner Mark Hogan  
Commissioner Jessica Lawrence  
Commissioner Dominic Sategna

**Members Absent**

Commissioner Pilar Faulkner, Secretary (Excused)  
(One Vacancy)

**Others Present:**

Carol Johnson, Land Use Director  
Mr. Noah Berke, Planner Manager and Staff Liaison  
Mr. Gabe Smith, Assistant City Attorney  
Ms. Melissa D. Byers, 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 Land Use Department.**

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**C. APPROVAL OF AGENDA**

**MOTION:** Commissioner Lawrence moved, seconded by Commissioner Clow, to approve the agenda as published. The motion passed by unanimous voice vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

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

**1. MINUTES:**

Chair Hiatt provided stenographer with a marked-up hard copy showing changes to be incorporated.

**a) August 15, 2019**

**MOTION:** Commissioner Garcia moved, seconded by Commissioner Hogan, to approve the minutes of August 15, 2019. The motion passed by unanimous voice vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

**b) September 5, 2019**

Chair Hiatt provided stenographer a marked-up hard copy showing changes to be incorporated.

**MOTION:** Commissioner Lawrence moved, seconded by Commissioner Clow, to approve the minutes of September 5, 2019. The motion passed by unanimous voice vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

**2. Findings of Fact and Conclusions of Law:**

There were no Findings of Fact and Conclusions of Law presented.

**E. OLD BUSINESS:**

None

## **F. NEW BUSINESS**

1. **Case #2019-712. Desert Sage Subdivision Plat Amendment.** JenkinsGavin, Inc., Agent, for Homewise, Inc., Applicant, requests approval of an amendment to the previously approved and recorded Desert Sage Subdivision Plat. The Applicant now proposes some modifications to simplify the subdivision design, increase open space, and increase the lots from 80 to 82 lots. The property is zoned R-3 (Residential, Three dwelling units per acre), on a 26.39-acre property located at Richards Avenue and I-25. (Donna Wynant, AICP, Case Manager, djwynant@santafenm.gov, 955-6325)

### **Staff Report**

Donna Wynant gave the staff presentation.

The property was annexed into the City in 2007 and zoned R3. The final subdivision plat was recorded in 2009 but construction did not commence due to economic conditions. The proposed changes were determined substantial enough to bring before the Commission for review. Modifications are listed in the report with a pullout that compares the 2009 subdivision plat with the current proposed changes. The handout was distributed related to this case and is attached hereto, as Exhibit "1".

Proposed changes are to the road at the south end of the property to straighten it from Richards to the cul-de-sac. An alley behind the properties will create a sound buffer and a number of other things that will make this a better subdivision. Changes were made in response to the Tom Young Subdivision neighborhood to the north. The applicant requested to add open space between their homes and the subdivision.

Secondary emergency access compliant with fire code is provided from the cul-de-sac through open space to the Pueblo del Sol subdivision. Access will also double as a recreational trail and connect to the trail system. The trail will be extended from the cul-de-sac through the 100-foot-wide strip of open space on the south edge of Desert Sage to Richards Avenue.

Traffic Engineer John Romero confirmed the proposed development is consistent with the assumptions in the original traffic study and the improvements to Richards Avenue would be sufficient. Improvements include a left turn and right turn decel lane.

Staff evaluated criteria for subdivisions and found they have been met and has included that in the report. Some of the illustrations in the report are not as current as found in the 11x17 plan set. Zinnia Lane along the south border of the property was straightened to accommodate additional open space for the neighbors to the north and

could be better explained with visuals. Criteria have been met and changes are compliant with the development code.

Exhibit 1 is the late communication from WH Pacific Engineering Firm for the applicant regarding changes the firm made to the conditions of approval and technical corrections from what is contained in the Commission's binder.

City Engineer Joe Barela and Traffic Engineer John Romero were present to answer questions if needed.

### **Applicant's Presentation**

Jennifer Jenkins, 130 Grant Ave., Suite 101, was sworn. She indicated the 26-acre property is located at the corner of I25 and Richards Avenue. She presented a Power Point presentation:

Slide with the arterial map: showed the area with the borders: north was the Mission Viejo neighborhood; I25 was to the south; Las Soleras, an undeveloped master-planned area is to the west; and Pueblos del Sol is accessible from Governor Miles Road.

Slide with the zoning map of the area: The property is zoned R3 and about 100 acres of undeveloped property is zoned R5; Las Soleras is zoned primarily commercial and to the north is lower density residential zoning and Pueblos del Sol zoned R4/R5.

Slide with existing conditions showing gentle terrain that is lower than I25.

Slide with the approved subdivision plat: The applicant hopes to resolve some unnecessary complexities that were introduced 10 years ago.

Slide with approved site plan: Full access at Richards Avenue comes into a circuitous loop system and a cul-de-sac that continues into the east end of the project. The I25 corridor has 100-foot setback. A small pocket park is proposed. Rear entry garages with access easements between lots were created to mitigate noise impact.

Slide with proposed amended site plan: This slide was overlaid on the aerial with the surrounding communities indicated. The access point, looped road and cul-de-sac to the east would not be changed. The road would be straightened, and the pocket park would be moved. The alley access would be more traditional, and the homeowners' association would own and maintain the alley. Straightening the road enabled an increase to the overall lot sizes and all the lots will accommodate detached product.

Slide with Summary of Amendment: The City code has been accommodated that requires suburban roadways to have a 50-foot right-of-way. The open space was increased by 2 acres.

The previous plan had a trail from the end of the cul-de-sac to connect to the trail system in Pueblos del Sol which also doubles as a secondary emergency access. The City requires a 10-foot asphalt trail and to achieve that two 5 ft. base-course shoulders will be put on either side. That will supply a 20-foot drivable surface to accommodate an emergency vehicle. With the new amendment they will also build a new trail connection through the open space buffer area to connect Richards Avenue and eventually connect into the trail system in Las Soleras.

The simplified road and lot layout enabled them to increase the overall lot size and the alley will be added next to I25. The original plat in 2009 had a small drainage area with a note that it may not be needed. The lot count increased from 80 to 82 because the drainage area is not needed.

Slide with Enlarged Site Plan: The west half was shown with access and trail connection.

Slide with Enlarge Site Plan: The east half with increased open space and modifications to straighten the road.

Slide with Emergency Access Plan connection was shown.

Slide with proposed Site Plan Modifications was shown.

Ms. Jenkins noted that Mike Loftin, Executive Director of Homewise and the civil engineer were present and available if there were questions.

### **Public Comment**

No public comment.

### **Commission Discussion**

Commissioner Hogan commented that he liked the reorganization of the lot layout and the addition of two more lots and he appreciated the trail connections.

### **Action of the Commission**

**MOTION:** In Case #2019-712, Desert Sage Subdivision Plat Amendment, Commissioner Clow moved, seconded by Commissioner Hogan, to approve the subdivision plat amendment request to amend to move forward



subject to the conditions of approval, technical corrections in Exhibit A, as presented.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

**MOTION:** In Case #2019-712, Desert Sage Subdivision Plat Amendment, Commissioner Clow moved, seconded by Commissioner Hogan to adopt the Findings of Fact and Conclusions of Law, as presented.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

2. **Case #2019-761. Tierra Contenta Tract 53A Arroyo Oeste Preliminary Subdivision and Variance.** Oralynn Guerrerortiz of Design Enignuity, LLC, Agent, representing The Housing Trust, Owner, requests approval of a Preliminary Subdivision Plat for 20 single family lots, and a Variance to Subsection 14-8.2(D)(2)(b) to permit three separate disturbances of slopes in excess of 30%. The property is zoned PRC (Planned Residential Community), is Tract 53A within Tierra Contenta Phase 2C, and is approximately +/3.65 acres. (Lee Logston, Case Manager, llogston@santafenm.gov, 955-6136).

Chair Hiatt recused himself and designated Commissioner Hogan to chair this item before leaving the room.

### **Staff Report**

Lee Logston provided the report.

The property is near the western border of Tierra Contenta, north of Exit 599 onto Jaguar to Plaza Central. Commercial development will eventually be across the street. The master plan designated the tract as residential and ideally allows density of 6-9 units per acre. The current request is for 5.5 units, partly because of difficulty of the terrain.

The subdivision design requires disturbance of several slopes in excess of 30%. Mr. Logston clarified case caption wording that code allows up to 3 disturbances of slopes in excess of 30%, however none of the slopes can exceed 1000 ft. In this case, one does, and the variance request is technically for that disturbance.

The Staff Report has one unresolved issue on page 5 having to do with street trees. Plaza Central is a parkway road by Tierra Contenta design standards and hierarchy. Street trees are required, and the applicant is showing street trees. Ambiguity in the code specifically states the street trees should be out of the right-of-way and behind the sidewalk. The illustrations, as shown on page 5 of the Staff Report, show both trees within the planter strip and behind the sidewalk.

The applicant is requesting in this case to put the trees in the planting strip for two reasons: 1) They believe the utilities run behind the sidewalk, although that has not been confirmed from the Housing Trust engineer. The street trees are recommended in the planting strip to avoid utilities. 2) Because of complexities of the terrain behind the sidewalk.

Mr. Logston said the Planning Commission has the authority to approve this at the subdivision stage per Tierra Contenta's guidelines. This is not so much a variance as an alternate compliance of a different placement of the street trees.

The Land Use Staff recommends giving the applicant time between now and the final subdivision approval to gain approval from Tierra Contenta Design Review Committee and produce a letter. When they return for final subdivision approval the issue will be resolved and shown on the plat.

The proposed preliminary subdivision is compliant with Tierra Contenta Master Plan, Phase 2 Design Guidelines.

The preliminary subdivision meets all development standards and approval criteria of chapter 14, therefore, Staff recommends approval.

The recommendations of approval by the Commission for both preliminary subdivision plat and variance for the slope provision, with the conditions of approval, are listed in the report. Three motions are required: to approve or deny the preliminary subdivision plat subject to conditions of approval and technical corrections; to approve or deny the variance request; and to approve or deny the Findings of Fact and Conclusions of Law provided for the Commission.

There were no questions.

### **Applicant's Presentation**

Oralynn Guerrerortiz, 1421 Luisa St, Suite E, was sworn. She introduced Justin Robison, the Executive Director of the Housing Trust.

She pointed out the situation for the request for variance was due to a regular eroding slope the applicant would like to stabilize. To do that would disturb about 1000

ft. in the area and if the area is not stabilized it will have to be done in the long run because it will impact a roadway and become a problem.

The intention is to backfill some of the area and place a three-year erosion mat with seeding on them. That was done as you come into the third entrance to Santa Fe at the Hill Run development where they put in water lines and erosion mats with seeding. The erosion mats help stabilize the ground and they intend to put in an irrigation system to get things growing and look more natural. Trees and shrubs will also be planted on top.

There is an existing main line sewer through the middle of the property and Staff pushed them to get more density out of the property. They tried but it was not possible to get more than 20 lots. The plan is simple; the Housing Trust intends to develop and sell the lots as well as sell the homes. The applicant has agreed to all Staff conditions.

Ms. Guerrerortiz stood for questions.

### **Public Comment**

There was none.

### **Commission Discussion**

There was none.

### **Action of the Commission**

**MOTION:** In Case #2019-761, Tierra Contenta Tract 53A Arroyo Oeste Preliminary Subdivision and Variance, Commissioner Clow moved, seconded by Commissioner Lawrence, to approve the preliminary subdivision tract subject to the conditions of approval and technical corrections recommended by staff.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

**MOTION:** Case #2019-761, Tierra Contenta Tract 53A Arroyo Oeste Preliminary Subdivision and Variance, Commissioner Clow moved, seconded by Commissioner Lawrence, to approve the variance request as presented.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

**MOTION:** Case #2019-761, Tierra Contenta Tract 53A Arroyo Oeste Preliminary Subdivision and Variance, Commissioner Clow moved, seconded by Commissioner Lawrence to adopt the Findings of Fact and Conclusions of Law, as presented.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

Chair Hiatt returned to the meeting and resumed as chair.

3. **Case #2019-721. Santa Fe Place Mall Signage Variance.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property Owner LLC, Owner, request a variance from Subsection 148.10(C)(1) to allow off-site advertising. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)
4. **Case # 2019-722. Santa Fe Place Mall Development Plan Amendment.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property Owner LLC, request a Development Plan Amendment to reduce required parking, based on a parking study and reflect the offsite signage and new lot line configuration. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 9556587)
5. **Case #2019-725. Santa Fe Place Mall Preliminary Subdivision Plat.** JenkinsGavin, Inc., Agent, for Santa Fe Mall Property Owner LLC, Owner, request Preliminary Subdivision Plat approval to create 7 lots ranging in size from 0.68+/- acres to 17.72+/- acres. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)

### **Staff Report**

Mr. Esquibel gave the staff report. He stated there are three cases as part of the applicant's proposal. A sign variance for off-site advertising. Secondly, the request for parking reduction based on a parking study for the development plan amendment, which also includes placement of future lots if approved. In case #2019-725 the seven-lot subdivision was originally a lot split done last year to include the restaurant. That created a serial subdivision. The applicant decided to come in on the subdivision rather than do a lot line adjustment.

Staff recommends approval of Case #2019-722 and Case #2019-725 for reduction in parking and the subdivision for a preliminary plat. Staff recommends the variance to the sign regulations be denied.

Three motions are required; first the variance, second, the development plan amendment and the third the subdivision. Staff recommends conditions of approval as listed in the memo under section 2, table 1, Conditions of Approval. No amendments, maps or exhibits were included.

The applicant has addressed all criteria for the development plan and the preliminary plat. Staff does not believe the applicant addressed the criteria for the variance. There is nothing within the application showing the applicant cannot develop within the rule. Also, the applicant was recently granted a variance by this Commission for a massive sign overhaul to the Santa Fe Place Mall. The variance allowed them to utilize their pylon signs (30' high x 40' wide) more efficiently. There is no place traveling on Rodeo Road that someone would not see the Santa Fe Place Mall, especially with the signs. Also, no one traveling in the area on Cerrillos Road would not know that is a mall.

Santa Fe Place Mall is regional and identified more as a destination opposed to a mom-and-pop shop that requires advertisement along Cerrillos Road. Independent shops when advertising, use their location within the mall, not the address.

Staff felt, based on the way the applicant addressed each of the criteria, that they had not met the standards for a variance. Staff therefore had to recommend denial.

Mr. Esquibel stood for questions.

Chair Hiatt asked if there would be any reason not to consider the three cases at the same time.

Mr. Esquibel replied that would not be a problem as long as the cases were voted on separately.

### **Applicant's Presentation**

Jennifer Jenkins, previously sworn, indicated the Mall is creating additional pad sites in the parking area. That is the subdivision application, which is common in a shopping center zone like this. Accompanying that request the applicant is asking for a parking reduction as well as a signage variance.

She presented a Power Point:

Slide with requested approvals for a subdivision plat for seven new lots: The development plan amendment reflects the lot configuration and reduction in parking; and the variance in regulation for an offsite monument sign.

Slide with Aerial of the Vicinity.

Slide with Zoning Map: The mall is Zoning category 3 intended for a regional shopping facility and surrounding area zoning is C2; industrial to the west and residential zoning to the South and East.

Slide showing the primary mall parcel Lot 1A1: Lots 1A2, 1A3, 1A4 and 1A5 will be created from the primary lot. The plan is to introduce a mixed-use component.

Ms. Jenkins explained she was invited years ago to the City's Long-Range Planning Department study that looked at the malls. They wanted to determine feasibility for introducing a multifamily component into the properties. That was not something she could focus on at the time but can now.

There will be new tenants moving into the mall and new improvements. The owner/manager of the mall has invested millions of dollars and resources to save the property. As a regional shopping center, the mall serves as the primary gross receipts tax generator in the City. This application is the next step in moving the reinvestment and revitalization of the property forward.

Slide showing Lot 2 which will become two smaller anchors with their own parcels as Lots 2A and 2B.

Slide showing Proposed Site Plan with proposed parcels.

Slide with Subdivision Plat.

Slide zooming in on Plat of the northeast corner of the property.

Slide showing the proposed multifamily site to the south.

Slide showing current development plan for Lot 2 split into 2A and 2B on the west side.

Slide showing the parking data.

Ms. Jenkins stated she has had many conversations with the Planning Division regarding parking and the lot is never full. They discussed whether something different could be done. This application would fill the asphalt space with uses such as stores, restaurants, and housing.

Currently there are just under 3,000 parking spaces (5 spaces per thousand square feet or 1 for 200) and the City's code requirement is slightly over 2,800. They are over parked by 138 spaces based on code.

A parking study supports a reduction to 4 spaces per thousand and is provided in the Staff Report. Once all parcels are developed, assuming the structures proposed are built, parking would be reduced to 2,500 spaces. The parking requirement would become 2,429 and the proposed parking is still more than code requires.

Slide showing parking demand per ITE (Institution of Transportation Engineers)

ITE establishes metrics for traffic as well as metrics relative to parking demand. This slide shows worst case scenario is less than 3 per thousand and the applicant request is 4 per thousand. The trend is to move in this direction and even St. Michael's overlay looks at the sea of parking.

Slide showing alternative Modes of Transportation: Walking distance from the mall; multiple bus routes; walking and bike trails.

Slide showing Existing Mall Signage: The City signage ordinance has the same standards for a thousand square-foot retail store as a 600,000 square-foot regional mall. A custom signage plan was developed that at the time included a modest monument sign at the intersection of Rodeo and Cerrillos. During discussion of the elements for the sign the off-site signage variance was withdrawn. They are requesting that variance again.

The fundamental reason for the request is the intersection. The mall cannot be seen because it is about 20 feet below grade of adjacent roadways and set back.

Slide showing Existing Conditions of the signs: The mall attracts a fair number of visitors but would attract even more with the new restaurants and entertainment of the movie theater. For a visitor, the mall is not easy to find from the intersection; one of the busiest in the City.

Slide showing proposed monument sign location.

Slide showing proposed monument sign – Plan view: The sign is modest in size and will have beautiful landscaping and the use of stone at the base of the sign.

Ms. Jenkins pointed out no other property in Santa Fe is similar to this property in size, diverse nature and how it is situated on the property relative to adjacent roadways. The sign would help with wayfinding at the intersection heading south on Cerrillos Road.

She asked the Commission's consideration for the variance in support of the ongoing investment in the property, important not only to the mall but the community.

Aaron Sussman, 7500 Jefferson, Albuquerque, was sworn. He said he is a senior planner with Bohannon Huston. He was asked to look at the mall parking demands in a national context, the trends in parking requirements and the redevelopment of similar development on a national level.

He explained the redevelopment of shopping centers like this are a national trend articulated by urban planning/real estate/sustainable development oriented, etc. to add more value. The term coined for the concept is gray field development because shopping malls have a shocking amount of parking to what is currently required. This is a way to add more value to a community, reduce surface area dedicated to parking and the distances between destinations for pedestrians and create a greater sense of place.

This development is in line with the concepts and best practices to introduce a set of dynamics called for in modern urban planning practices for mixed use development, additional housing, etc.

Mr. Sussman emphasized three points from a parking supply perspective. First is the observed parking rates. The ITE called for rates of 2.5 to 3 spaces per thousand square feet of net leasable area. The proposed rate of 4 allows for well above that. If the observed rate is applied to the square footage of Santa Fe Place Mall after redevelopment, there would be less demand for parking than generally required.

Another important point is that the City's requirements are above many peer communities. The only comparable community with equivalent parking requirements was Rio Rancho, which is very automobile oriented. Most cities, including Western cities, call for 4 spaces per 1000 ft.<sup>2</sup> or less. This request is in line with national best practices.

The last point is related to the introduction of a housing component, which takes parking away to allocate for a different use. It is important to consider the time of day parking would be required for the different types of uses. Demand for parking at shopping centers is prevalent mostly during the business day and the demand for parking for multifamily housing is highest overnight. The shared parking dynamic offsets the reduction because the type of demand requires less parking than normally required.

Mr. Sussman summed up that the Santa Fe Place Mall is in line with national trends and the requirement proposed is in line with national best practices.

Chair Hiatt noted that public comment could be on all three applications.

### **Public Comment**

Mary Schrubin was sworn. She questioned how the proposed residential area with the mall and businesses would be secured. She recalled the south side had lighting



installed for the bus terminal. She asked if that could be addressed now or would that be discussed later.

There were no further comments. The public hearing was closed.

### **Commission Discussion**

Chair Hiatt asked Ms. Jenkins if she could add information on that even though it was not part of the three applications.

Ms. Jenkins explained the building was not yet designed and they will return to the Commission with a standalone development plan. She added they would be looking at an interior corridor access project similar to the Railyard Flats or Capital Flats. The details were not yet resolved but they are aware of the concerns with exterior lighting. There is residential to the east and south and they will be sensitive and try to minimize lighting.

Mr. Esquibel added that the applicant has agreed to all Staff conditions listed on the memo. He reiterated that the variance criteria are intended to provide relief to an applicant who otherwise could not meet the rules in order to develop the property. In this case, Staff failed to find evidence that the applicant could not build or develop the property within the limits of the law. Staff recommended denial.

Chair Hiatt asked if Mr. Esquibel and his Staff would have responded if the stand-alone sign at the corner had been part of the original application.

Mr. Esquibel replied staff had discussed that and their decision would have been the same. There is nothing that allows for the sign and the sign is further hampered because of the many distractions such as eating while driving, texting and radio, etc. Adding more signage on a public right-of-way adds further distraction and danger. It is a long-standing debate and a problem everywhere.

He added, there is no need for the sign, and it sits in front of the Fairfield Inn and the mall cannot be accessed from there. Fairfield Inn's access points are along Rodeo and Cerrillos Road. The mall can be accessed traveling south on Cerrillos Road and there are two points of access along Rodeo Road for the mall that cannot be missed.

Chair Hiatt suggested that Commissioners discuss the parking and the development plan amendment first, because they could postpone the more controversial topic. He asked if there were questions about parking.

Commissioner Hogan asked if the request for reduction of parking was from the approved development plan or from City parking standards.

Ms. Jenkins stated it was from the City parking standards.

Commissioner Satenga asked about bus stops. He noted that the bus is widely used by the community where the applicant proposed residential. He asked if there was an alternative plan to shift the stop to another location on the property.

Ms. Jenkins said he is correct. The City is relocating the Transit Center along Camino Entrada and Cerrillos and new structures will be constructed, possibly in the spring. The applicant wants to continue the transit presence at the mall.

She added she has been communicating for a couple of years with Keith Wilson and Santa Fe Trails, but they have not identified a place. The multifamily development would not proceed until the transit center was relocated.

Mr. Berke clarified that the City's plan now is to move the transit center one street behind where Ms. Jenkins had noted on the map. The car dealerships objected to that area because of visibility issues.

Mr. Esquibel added that he has been in continuous contact with Keith Wilson. Mr. Wilson still wants a bus stop at the mall, but they may not have all the routes they have now. The mall location will be negotiated between the applicant and Mr. Wilson. If they cannot agree on a mall location, Ms. Jenkins is aware part of the conditions of approval would be a 5% increase in the mall parking.

There were no further questions on parking.

Chair Hiatt asked if there were questions about the development plan amendment.

There were none.

Chair Hiatt asked if there were questions on the variance. There were none.

He asked Ms. Jenkins if she wanted the Commission to consider anything else. He asked her if she did not get the sign originally, how she thought they would get it now.

Ms. Jenkins said originally the sign plan packet had a lot in it. It was a productive exercise and they worked hard to create something cogent that met the needs of the mall without overstatement. They have discussed that Chapter 14 has elements that need review, and many agree the signage needs work. She thought the applicant's plan if approved by the Commission could possibly serve as a guide for facilities such as this.

She stated there were questions at the 11<sup>th</sup> hour at the Planning Commission and she tried to avoid a postponement and withdrew the sign portion request. She never saw a Staff recommendation and whether the sign would have been approved back then, she did not know.

Ms. Jenkins said this type of request in applications is not easy. Her client has a lot to do in terms of his ongoing investment and is an expert in retail and shopping centers. He has said for years that the corner is critical and makes a difference. The reason they have attracted their national tenants is not only because of Santa Feans, but also because of the number of visitors. The sign accommodates that as well.

Commissioner Hogan added that having been part of the original discussion, it appeared the corner sign was questionable. There was opposition even then. That is why when the request was withdrawn it allowed the rest of the signage to be approved. He agreed with the Chair if the sign was not approved before, why would they approve it now?

He pointed out that the picture Ms. Jenkins showed is probably the only place in the vicinity of the intersection that the mall is not visible.

### **Action of the Commission**

**MOTION:** In Case # 2019-722, Santa Fe Place Mall Development Plan Amendment, Commissioner Hogan moved, seconded by Commissioner Clow, to approve with the request for a reduction in parking subject to the conditions of approval and technical corrections as presented by Staff.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

*Mr. Berke noted that the Findings of Fact and Conclusions were not included and will be brought to the next meeting.*

**MOTION:** In Case #2019-725, Santa Fe Place Mall Preliminary Subdivision Plat, Commissioner Hogan moved, seconded by Commissioner Clow, to approve subject to the conditions of approval and technical corrections recommended by staff.

Commissioner Sategna asked if there was an opportunity for discussion because he thought they had only discussed parking.

Chair Hiatt said they could continue discussion now.

Commissioner Sategna had questions about the residential area and the intent of bringing mixed use to the area. He had questions on height requirements and the visual impact to the communities on the other side of the arroyo.

Ms. Jenkins stated they have not yet designed the building but have an envelope of the number of units that could be accommodated and what was financially feasible. The target would be about 150 units and likely 3-4 stories. They determined the best place to introduce a residential component is on the other side of Loop Road that drops down toward the arroyo. She hopes to get a grading permit next week and is moving forward with the Terquessa apartment community with 240 units. That will be a great residential neighbor and will include a trail connection from that project to the mall for pedestrian connectivity.

There is also a residential neighborhood to the southeast and the east that is the "residential side" of the mall. The building would not be taller than the mall, necessarily, and would be similar in height but a smaller footprint. They are considering amenities like rooftop decks because of the fantastic views and would be sensitive on lighting to ensure they do not impose that on the residential neighbors. The arroyo creates a natural buffer and is key in integrating pedestrian connectivity from the building to the mall. A new restaurant is coming, and the movie theater makes it a great place to live, shop etc., within an easy walk.

Those are things being considered. This application creates the potential parcel to accommodate that development. They will return with a full development plan request once they move forward with the design.

Commissioner Sategna reiterated concern with the height restriction and her mention of potentially four stories. He noted one of her earlier projects now in development where buildings were approved are three stories.

Ms. Jenkins replied there are two- and three-story buildings in the Terquessa project.

Commissioner Sategna confirmed the elevation and that the units actually sit lower than the mall. He thought the potential four-story building could tower over some of the other residential areas, including the current project. That was a concern for him, given the density and placement on the corner of the mall.

He indicated he would consider that, and it would not necessarily prevent him from approving the project.

Ms. Jenkins said the feedback was helpful and she appreciated it.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

**MOTION:** In Case #2019-721. Santa Fe Place Mall Signage Variance, Commissioner Hogan moved, seconded by Commissioner Sategna to deny the request specifically for failing to meet the six criteria as outlined in the Staff Response Report required to justify a variance.

**VOTE:** The motion passed by roll call vote with Commissioners Clow, Garcia, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

Chair Hiatt asked Ms. Jenkins to convey to her client how much the Planning Commission liked the good work being done there.

**G. STAFF COMMUNICATIONS**

Carol Johnson thanked Gabe Smith from the City Attorney's office for attending at the last minute. She said she was not sure the Commission had a chance to meet him.

She added that two new assistant director positions had been filled. Both are internal promotions: Eli Isaacson will be the assistant director of the Planning branch and Jason Kluck from facilities will serve in that position over the Development branch. Both will start later this month.

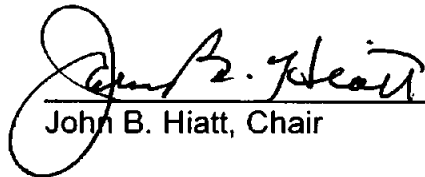
**H. MATTERS FROM THE COMMISSION**

None.

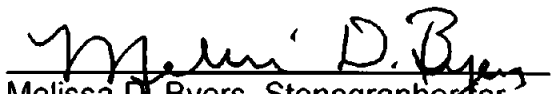
**I. ADJOURNMENT**

Having completed the agenda and with no further business to come before the Planning Commission, the meeting was adjourned at 7:24 p.m.

Approved by:

  
John B. Hiatt, Chair

Submitted by:

  
Melissa D. Byers, Stenographer for  
Byers Organizational Support Services