



# Agenda

DATE 12/10/08 TIME 1:35P  
 SERVED BY Geraldine Cruz  
 RECEIVED BY [Signature]

## AMENDED

### **PLANNING COMMISSION** **December 18, 2008 – 6:00 P.M.** **CITY COUNCIL CHAMBERS**

- A. ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS  
 MINUTES  
 FINDINGS/CONCLUSIONS
- E. OLD BUSINESS
- F. NEW BUSINESS

1. **Case #M 2008-27. Las Soleras General Plan Amendment.** Beckner Road Equities, Inc. requests approval of a General Plan future land use map amendment to change the designations of ~~539±~~ 543.21 acres. The area is located south of Governor Miles Road, east of Cerrillos Road, north of I-25 and west of Richards Avenue. (Lucas Cruse, case manager)
2. **Case #M 2008-28. Las Soleras Annexation.** Beckner Road Equities, Inc. requests annexation of ~~539±~~ 543.21 acres of land located south of Governor Miles Road, east of Cerrillos Road, north of I-25 and west of Richards Avenue. Beckner Road Equities, Inc. additionally requests annexation of 16.41 acres of Cerrillos Road Right-of-Way adjacent to Las Soleras. (Lucas Cruse, case manager)
3. **Case #SD 2008-15. Las Soleras Lot Line Adjustment, Road Dedication and Right-of-Way Vacation Plat.** Beckner Road Equities, Inc. requests approval of a plat providing lot line adjustments and dedication of major streets allowing adjustment of existing lot lines to be consistent with proposed zoning districts. (Lucas Cruse, case manager)
4. **Case #ZA 2008-11. Las Soleras Rezoning.** Beckner Road Equities, Inc. requests rezoning for ~~539±~~ 543.21 acres. The tracts are located south of Governor Miles Road, east of Cerrillos Road, north of I-25 and west of Richards Avenue. (Lucas Cruse, case manager)
5. **Case #M 2008-44. Las Soleras Variance.** Beckner Road Equities, Inc. requests a variance to allow a 70-foot height for a hospital with ambulance and air ambulance facilities for a 40-acre tract located east of Cerrillos Road between Beckner Road and Arroyo de los Chamisos. (Lucas Cruse, case manager)

- G. BUSINESS FROM THE FLOOR
- H. STAFF COMMUNICATIONS
- I. MATTERS FROM THE COMMISSION
- J. ADJOURNMENT

**NOTES:**

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

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

**December 18, 2008**

<b>ITEM</b>	<b>ACTION TAKEN</b>	<b>PAGE(S)</b>
A. ROLL CALL	Quorum	1
B. PLEDGE OF ALLEGIANCE		1
C. APPROVAL OF AGENDA	Approved	1
D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS		
MINUTES	None	1
FINDINGS/CONCLUSIONS	Approved	1-2
E. OLD BUSINESS	None	2
F. NEW BUSINESS		
1. <u>Case #M 2008-27.</u> Las Soleras General Plan Amendment.	Approved	2-16
2. <u>Case #M 2008-28.</u> Las Soleras Annexation.	Approved	2-16
3. <u>Case #SD 2008-15.</u> Las Soleras Lot Line Adjustment, Road Dedication and Right-of-Way Vacation Plat.	Approved	2-16
4. <u>Case #ZA 2008-11.</u> Las Soleras Rezoning.	Approved	2-16
5. <u>Case #M 2008-44.</u> Las Soleras Variance.	Approved	2-16
G. BUSINESS FROM THE FLOOR		16
H. STAFF COMMUNICATIONS		16
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**MINUTES OF**  
**CITY OF SANTA FE**  
**PLANNING COMMISSION MEETING**

**December 18, 2008**

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

**A. ROLL CALL**

Roll call indicated the presence of a quorum as follows:

**MEMBERS PRESENT:**

Angela Schackel Bordegaray  
Ken Hughes  
Signe Lindell (late)  
Gloria Lopez  
Ruben Montes  
John Salazar, Vice Chair  
Matthew O'Reilly, Chair

**MEMBERS ABSENT:**

Bonifacio Armijo (excused)  
Estevan Gonzales (excused)

**STAFF PRESENT:**

Tamara Baer, Planning Manager  
Kelley Brennan, Assistant City Attorney  
Lucas Cruse, Senior Planner, Current Planning  
John Romero, Traffic Engineer  
Denise Cox, Stenographer

**B. PLEDGE OF ALLEGIANCE**

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

**C. APPROVAL OF AGENDA**

Ms. Baer explained that item 3 does not contain a vacation plat.

Commissioner Salazar moved to approve the agenda as amended, Commissioner Hughes seconded the motion which passed by unanimous voice vote.

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

There were no minutes to approve.

**FINDINGS/CONCLUSIONS**

Findings of Fact and Conclusions of Law for Cases #S-2008-07 and #M-2008-41 are incorporated herewith to these minutes as Exhibit "1."

Commissioner Hughes moved to approve the findings and conclusions for Case #S-2008-07 and #M-2008-41, Commissioner Salazar seconded the motion which passed by unanimous voice vote.

E. OLD BUSINESS – None

F. NEW BUSINESS

1. **Case #M 2008-27.** Las Soleras General Plan Amendment. Beckner Road Equities, Inc. requests approval of a General Plan future land use map amendment to change the designations of ~~539±~~ **543.21** acres. The area is located south of Governor Miles Road, east of Cerrillos Road, north of I-25 and west of Richards Avenue. (Lucas Cruse, case manager)

*Items 1, 2, 3, 4 and 5 were combined for purposes of staff report, public hearing and Planning Commission comment and action, but were voted upon separately.*

2. **Case #M 2008-28.** Las Soleras Annexation. Beckner Road Equities, Inc. requests annexation of ~~539±~~ **543.21** acres of land located south of Governor Miles Road, east of Cerrillos Road, north of I-25 and west of Richards Avenue. **Beckner Road Equities, Inc. additionally requests annexation of 16.41 acres of Cerrillos Road Right-of-Way adjacent to Las Soleras.** (Lucas Cruse, case manager)

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5. **Case #M 2008-44.** Las Soleras Variance. Beckner Road Equities, Inc. requests a variance to allow a 70-foot height for a hospital with ambulance and air ambulance facilities for a 40-acre tract located east of Cerrillos

**Road between Beckner Road and Arroyo de los Chamisos. (Lucas Cruse, case manager)**

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Memorandum prepared December 10, 2008 for December 18, 2008 Planning Commission meeting by Lucas Cruse, EIT, AICP, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "2."

Overview of issues concerning the Las Soleras applications dated December 3, 2008 is incorporated herewith to these minutes as Exhibit "2(A)."

Revised materials from Joseph Karnes, dated December 18, 2008; including Conditions of Approval, Annexation agreement, letters, Joint City/County Resolution Adopting the Santa Fe Metro Area Highway Corridor Plan and Proposed Landscaping Plan are incorporated herewith to these minutes as Exhibit "2(B)."

Las Soleras General Plan Amendment, Annexation, Lot Line Adjustment, Rezoning and Variance Plan Report and Application are incorporated herewith to these minutes as Exhibit "2(C)."

Nava Ade recommended conditions of approval to the proposed General Plan Amendment is incorporated herewith to these minutes as Exhibit "2(D)."

Lucas Cruse presented the staff report included in Exhibit "2." He clarified that most of the conditions apply to development plans that will happen. He said the cases tonight are not for specific developments and no ground will be broken as a result of these applications. Future development plans will come back to the Commission. The traffic impact analysis was just received so he would like to add an additional condition stating 44. "Add any specific conditions from the City Traffic Engineer upon his review of the TIA."

Staff recommends approval of the first four cases based on the following conditions:

1. Applicant must comply with Chapter XXI of SFCC 1987
2. Recommend the following solid waste measures:
  - Commercial properties: use 30 yard self-contained compactors or create a specific solid waste plan
  - Residential properties: create a specific solid waste plan
3. Identify provisions for recycling.
4. Proposed infrastructure shall be sufficient to accommodate the fire flow requirements set forth in IFC § B105.
5. Fire Hydrants shall be relocated to a location acceptable to the Fire Code Official. Contact Fire Department for clarification and approval of fire hydrant locations.
6. Development Plan General notes shall indicate the following provisions: Fire Department Access shall be maintained throughout all development construction phases § 1410.1. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. IFC §1412.1.
7. Provide a standard city trail signage plan.
8. Comply with ADA standards.
9. Include the Master Trails Plans (Sheets P-7 & P-17) as part of the City's Annexation Agreement.
10. Primary and Secondary Trail Sections shall comply with the AASHTO Design Standards (American Association of State Highway and Transportation Officials-for the Development of Bicycle Facilities).
11. All development must comply with the Terrain/Stormwater Management and Flood Regulation requirements of Articles 14-8.2 and 14-8.3 of the Land Development Code.

12. Public sanitary sewer crossings of the Arroyo Chamiso (AC) shall be kept to an absolute minimum. The existing AC sanitary trunk sewer line is located on the east and south of AC. Properties to the north and west of the AC shall minimize the number of public sewer line crossings of the AC.
13. There shall be no sewer lift stations in the "Las Soleras" area..
14. Final sewer design approval of all development plans in "Las Soleras" shall require Wastewater Division approval.
15. An archaeological reconnaissance report must be completed by a City approved archaeologist and then approved by the City of Santa Fe Archaeological Review Committee (ARC) in order for the applicant to receive an archaeological clearance document. (Note: applicant is currently scheduled to appear before the ARC on December 17, 2008)
16. The 40-acre Presbyterian Hospital tract near the west end of the master plan should be approved as "Institutional" amending the City's current Future Land Use Map, rather than the applicant's request that it be designated "Community Commercial". A note shall be added to the General Plan Land Use Map Amendment confirming expressly that the Las Soleras HZ zoning district conforms to the Institutional land use designation.
17. The land use designations and zoning districts for the southeasterly portion of Las Soleras, south of Beckner Avenue, shall be modified as follows:  
Easterly 20 ac. (including open space) - Community Commercial/SC-2  
Adjoining 50 ac. to west (including open space) – Business Park/C-2 development standards but allowing only BIP land uses  
Adjoining 37.56 acres to west (including open space) – Mixed Use/MU.  
~~The Business Park at the east end of the current Las Soleras master plan as shown on the existing Future Land Use Map should be expanded to absorb the acreage removed in the Beaty annexation and General Plan Amendment (which removed 16.56 acres of Business Park and re-designated it as Low-Density Residential). Staff strongly recommends that at least 50 acres of land at the eastern portion of the Las Soleras master plan be designated as "Business Park."~~  
~~Staff recommends designation of this area as "Business Park" rather than the applicants' request of the "Community Commercial" designation. The land designated "Business Park" should be zoned "B.I.P. Business Industrial Park" and the applicants be granted a waiver from being required to produce a detailed development plan for the tract at this time as called for in the B.I.P. district regulations.~~
18. The Las Soleras General Plan must will show a public school site shown as "institutional" on the Future Land Use Map of a size equal to the set aside agreed on between the applicant and the Santa Fe Public School District request.
19. In addition to the highway corridor setback proposed in the application, all applications for development plans adjacent to the setback shall include visual impact analyses of views from Highway 25 both northbound and southbound using story poles and/or computer aided visual simulation. The designs should preserve view corridors through the site by clustering of buildings, appropriate setbacks, consideration of topography including existing berms and view corridors along I-25 and varying building heights. ~~The applicant requests that the Corridor Plan (1000) not be applied to the Las Soleras master plan. While the Corridor Plan has not been adopted by City ordinance, staff recommends the following: 1. Land Use – Staff believes that the Land Use scenario shown in the Highway Corridor Plan is too restrictive for the Las Soleras master p an and does not allow for the necessary type of urban build-out as that shown in the current General Plan. 2. Building Height – Staff recommends that building heights for those structures located between Beckner Road and the interstate be limited to 24 feet (i.e. 2 stories). 3. Building Setbacks – Staff recommends that the setbacks shown on the City's current Future Land Use Map be maintained (265' minimum with greater setbacks at the east and west ends of the master plan.) The Highway Corridor Plan calls for a "required" setback of 265 feet from the I-25 right-of-way fence and greater setbacks, where possible, to be negotiated.~~
20. The application for any development plans adjacent to the planned train stop shall include a parking study addressing proposed amount, location and rationale for public parking. The MPO Transportation Policy Board is in the process of deciding whether to recognize the Las Soleras proposed train station location as a future Rail Runner stop in the Santa Fe area. If the Las Soleras station is recognized, staff recommends that a separate parking area as shown on the Las Soleras General Plan Amendment Map not be built in the highway setback area, but instead, that all parking to be used for the Train Station be placed within the Transit Oriented Development (TOD) and used as "shared parking" in and around the buildings constructed within the TOD.
21. Include all required elements on the Annexation and Dedication Plats as per the Annexation Submittal packet (existing easements, floodplain, tract boundaries with references to legal lots of record and property owner signatures, existing and proposed city limits, roadway dedication details, etc.)

22. It appears that a portion of the 1% chance event floodplain of the Arroyo Chamiso is not dedicated as Open Space or otherwise restricted from development. This land should be dedicated as public open space, drainage easement, and public right of way as per 14-8.2 (J): Terrain and Stormwater Management or otherwise restricted from development as per 14-5.9 Ecological Resource Protection Overlay District. Identify FEMA floodplain determinations and CLOMR that modify the area that is required to be protected. Identify options to protect and integrate into site plan open space the Arroyo de Los Chamisos tributaries that fall outside the FEMA floodplain.
23. Minimum dedication of 98 feet of ROW for Beckner Road as per 14-9.2, except for "innovative street designs" approved by the Planning Commission as per Chapter 14-9.2 (E) (2) (a).
24. Sidewalks are required within the public ROW along both sides of all arterial roadways as per 14-9.2. The only exception to sidewalks being located within dedicated public roadway ROW is where "innovation" provides: Open Space dedicated adjacent to the roadway allows greater separation between the roadway and path by maintained landscape area. Curb cuts allowing motorized traffic to cross trails that runs parallel with Beckner Road shall be limited, And, a public access easement is provided for the trail through the private open space.
25. At the time of development for individual tracts, all trails through privately held open space shall be dedicated as public access easements to ensure permanent public access to the Las Soleras non-motorized transportation network
26. Clarify what is intended where trails are shown adjacent to roadways, but no open space is dedicated: It is recommended that these sections of roadway be designed to 14-9.2 standards where additional open space is not being dedicated. It is also recommended that the Trail Plan be modified to indicate only trail alignments that are independent of where sidewalks are already required along roadways as per 14-9.2 and open space is designated (i.e. power line alignment, Arroyo de Los Chamisos, I-25 setback, Nava Ade connections)
27. As part of an expanded non-motorized transportation plan and for all development plans, identify proposed accommodations for the priority non-motorized crossings of arterial roadways in Las Soleras. The priority connections needed include: Identify needed upgrades to the Cernillos Road culvert underpass and/or buried trail underpass required to accommodate non-motorized traffic. If not precluded by construction that is in progress, reinstate the pedestrian underpass of Beckner Road between the hospital tract and the office tract to the south utilizing the natural topography as indicated in the original submittal. Connect the north end of "La Rambla" as a central component of the proposed TOD strategy across Beckner Road to the residential tracts and regional park to the north. Design the bridges of Crossing at Chamiso and Las Soleras Drive across the Arroyo de Los Chamisos to accommodate the trails underneath. Design the Railrunner Road crossing of the natural drainage to the north of Dancing Ground Road to connect park and open space with a pedestrian underpass as indicated in the original submittal. Identify other opportunities to develop grade separated or otherwise prioritized non-motorized crossings of Beckner Road between Railrunner Road and Richards Avenue
28. In support of the stated Transit Oriented Development (TOD) goals of Las Soleras, identify the locations of priority bus stops in coordination with Santa Fe Trails for the route shown on Sheet P-18: Traffic Circulation Plan to facilitate: ROW dedications for bus loading bays or lanes. Connections to non-motorized circulation facilities. Building and tract development orientations to the transit stops.
29. To improve arterial road intersection function, increase the spacing between the Las Soleras Drive and Rail Runner Road intersections with Beckner Road by shifting the alignment of Las Soleras Drive west, between the hospital and office tracts.
30. Access management is required to maintain the function of the Arterial roadways network. Since development in Las Soleras will happen piecemeal, it is recommended that a more fully-developed arterial and collector roadway network be developed in coordination with City staff as guidance for future development applications. Some eventual connections of note that should be considered now include: Dancing Ground west to Las Soleras Drive (this also increases access and visibility to the park adjacent to the north. See Condition 36 below.) Connection from east end of Dragon Road down and across Beckner Road into the Mixed Use parcel. Connection from the Station/Neighborhood Center eastward through the Mixed use parcel to the Dragon Road extension identified above
31. "Figure 5: Preliminary Circulation Map" of the Santa Fe County's Community College District Plan shows an over/underpass connecting Dinosaur Trail across I-25 to Beckner Road in the vicinity of Railrunner Road. Resolve with Santa Fe County whether this roadway connection will be integrated into the Las Soleras roadway network or the applicant shall coordinate with Santa Fe County will to revise its plan to remove this connection.
32. In development of access to a potential Rail Runner platform in the median of Interstate 25, design the Las Soleras access to facilitate future integration of a non-motorized access to the station from



the south side of Interstate 25 and connections to the County's Community College District non-motorized trail network.

33. A continuous trails network appears to connect the open space and parks parcels with the exception of parcel #20 from the proposed Railrunner Stop and Transit Station through parcel #19, connecting Beckner Road and continuing through parcel #12, connecting with the 21.50 acre Park/Open space parcel. We recommend further connectivity within and through these parcels. (Note: this connects "La Rambla" up to the regional park.)
34. The trails system appears to provide opportunities for quality trail amenities such as gardening plots, small pocket parks and rest/vista stops throughout the proposed amendment. We recommend refined design development assurances that these amenities, where feasible, will be constructed.
35. After extensive conversation and document review with the Landscape Architect and representatives from Las Soleras, the 21.50 acre Park Open Space parcel appears to be of adequate size for a large regional/community park. Specific required park features were discussed and the Landscape Architect agreed that in fact these amenities could be incorporated within the park parcel. We recommend assurances that these amenities will be designed and constructed.
36. The 21.50 acre Park/Open space parcel will require a secondary arterial ~~on~~ along the south boundary connecting Railrunner and Las Soleras Drive, possibly achieved by extending Dancing Ground Road, or the 10-foot wide trail along the southerly park boundary shall be designed to accommodate maintenance and light emergency vehicles (such as ambulances). This will provide at least 50% arterial connectivity for this parcel.
37. Prior to hearing by the City Council, submit detailed phasing for each tract of land and utility in addition to how that phasing relates to the submitted roadway construction phasing plan.
38. Add note on P-7 "Where the development standards on this sheet conflict with provisions of Chapter 14 SFCC 1987 in effect at the time of approval of any development plan, the ~~more~~ more restrictive Code provision shall apply. Variances to these development standards shall be processed in the same manner as provided for similar variances to provisions of Chapter 14."
39. No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exists a comprehensive and equitable mechanism for implementing the dedication of easements and right-of-way necessary for infrastructure serving any and all phases and sub-phases of the Las Soleras Annexation Master Plan which will be affected by the approved development plan or plat, and for financing and coordinating the construction of that infrastructure. This note shall be placed on the Master Plan and included in the annexation agreement.
40. No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exist adequate provisions for coordinating dedication, financing and constructing infrastructure necessary for the orderly development of lands adjoining the Las Soleras Master Plan boundaries, including but not limited to "stubbing out" trails, roads and utility easements, and/or provisions for pro-rata contributions to off-site improvements that may be impacted by the approved development plan or plat. This note shall be placed on the Master Plan and included in the annexation agreement.
41. Approval of the Annexation Agreement is subject to the review and approval of the City Attorney.
42. The applicant shall work with the Wastewater Management Division to design, locate and grant a minimum 10-foot wide public easement adjacent to the existing Arroyo Chamiso Sewer Trunk line easement to accommodate installation of an effluent line.
43. The applicant shall submit a revised future land use map for administrative review and approval to ensure compliance with all approved changes, including approved road networks and any future school site.
44. Add any specific conditions from the City Traffic Engineer upon his review of the TIA

### Public Hearing

**Karl Sommer, PO Box 2476, was sworn.** He is representing John Mahoney and Skip Skarsgard, principals of the entities that aggregated these many properties and property owners. He noted that there is a representative of Presbyterian Health Services. He introduced Jim Siebert, planning effort; Joseph Karnes, Mr. Sommer's partner; Tim Rute, transportation oriented development expert; Terri Brown, traffic engineer and Baker Morrow, landscape architect as well as Amy Dukert, with Baker Morrow. He explained the settlement agreement on the annexation proposal which required that everyone drop all lawsuits and that they file the application and present a plan. The process has moved

along quickly. He commented that they envisioned the train and the MPO has given their approval for a train stop on the Rail Runner. He said they have narrowed down what the schools have requested which is a K-8 community school. He said the public schools want 800 students with the school on 18 acres if it is next to a community park. He said they have narrowed down the park site although they do not know if that is the appropriate site until they get approval at this hearing.

**Jim Siebert, 915 Mercer, was sworn.** He explained that this was approved in the EZ, then in the county and now they have the current plan. All the plans have evolved. The site is 540 acres extending from Richards to Cerrillos with numerous landowners assembled. He reviewed the request for development, general plan amendment, annexation, road dedication and lot line adjustment. He reviewed all these on maps for the Commission and included in the application (Exhibit 2(C)).

*Commissioner Lindell arrived at this time.*

Mr. Siebert reviewed the jobs per housing unit ratio which he noted neglects to include Nava Ade, Beatty, Villa Sonata and Desert Sage. They also studied the commercial land city wide. He reviewed the traffic study and said the lateness of the report was due to the numerous iterations. He said the zoning will create specific uses and design standards required of developments in these tracts. They are trying to tailor the area to the transit oriented development at the Rail Runner stop.

**Tim Rood, Community Design and Architecture, Oakland, California, was sworn.** He has been involved in the Mesa del Sol development in Albuquerque. He has been working for the Mid Region Councils of Governments to plan for the Rail Runner station areas. He became involved in Las Soleras to articulate the transit oriented development. He said transit oriented development is defined as a higher density mixed use development within walking distance which is considered a half mile. A half mile is the average length people walked to a rail station. He said increased location efficiency makes it easier to use transit and boosts transit rider-ship. This will also impact traffic. He said if there are different options for getting around people tend to use them more. Clustering homes and services around the stations creates opportunities to improve quality of life. The mix of uses depends on market support, location and context. This development provides a high level of employment in an area that is currently residential. The balance of uses creates opportunities to walk from place to place within the development. The goal is density, diversity and design that is pedestrian orientated. Street designs have been prepared to be compatible. One of the key factors is how parking is treated because they do not want to visually overwhelm the pedestrians. There are a variety of design techniques that can mitigate the visual impact of the parking. One of the success factors is access to jobs. National research shows the best ones are those that provide good access to the large employers. This is an opportunity to create an employment center. This will be a quality neighborhood with a range of housing types to suit the needs. He noted that households that live in TOD own half as many cars and are twice as likely to not own a car. On the average, residents generate 44% fewer trips. He showed examples of commuter rail TOD's.

**Baker Morrow, landscape architect, 210 La Vida, Albuquerque, was sworn.** He said he has looked at the landscape elements after approval by the MPO. He noted that they are remodeling the plaza and people are clamoring to get back into that area. He said they need to create an open space that spreads out as one gets off the Rail Runner.

This is the edge of the city and he does not want to continue the fragmentation that has occurred. This is the opportunity to create tremendous open space coordinated with the development and to create a community gathering area. He showed a video of entering the station from the train.

**Joseph Karnes, 200 West Marcy, was sworn.** He reviewed the amended conditions in the packet. He noted that 7 conditions were modified and three additional conditions were added (Exhibit "2(C)"). Many are not intended to be implemented now, but will guide the project at the time specific development plans come through. He reviewed condition 17, referring to the shift in the land use designations and this implements the recommendation that additional business park be carried through. He reviewed condition 19, regarding the 25 foot height limit and setback; there was a proposed setback approved in the EZA and they want to design an appropriate project that protects the natural features and come back with each development plan showing how existing views are being respected. He reviewed condition 20; they are asking to plan the parking as part of each development plan so they can have shared opportunities. He said they will do a parking study for each plan.

Mr. Sommer stated that the last application is the variance. He explained that Presbyterian Health Services has purchased the property in reliance on the master plan approved by the EZA which included a helipad and the height. They purchased the property with that in mind. If the Council does not adopt the zoning then they will be in the same position with the applications as what occurred with this project and the previous approvals. He thanked staff for the amount of time they put into this project over the last six months.

**Richard Lange, Nava Ade Ad Hoc Committee on Las Soleras, was sworn.** He explained that this Committee was formed by the developer to participate in helping plan Las Soleras. The Committee studied the general plan and arterial plans and met with Councilors and staff. This was outside of the ENN meetings. They literally negotiated land uses. He wanted it clear that the TOD is only conditionally approved, so it is premature to assume that it will work. The amendments unduly favor community commercial land uses at the expense of the approved Scenic Corridor. He said they are recommending far less than what was negotiated and approved jointly.

Mr. Lange explained the rationale for the current plan. It is a centrally located pedestrian scale gathering spot favoring a park or library. The land was chosen geographically because it is densely populated with pinons. The scenic highway corridor provides a scenic setback. This area also provides recreational use on the south side of the community and preserves the rural character of the City Different. He said there was discussion because the general plan designates regional and community commercial tracts as restricted to Cerrillos Road. There are already extensive acres of commercial all the way up and down Cerrillos in this area and there will also be a new Wal-Mart. He showed how Wagon Wheel Road will connect to Big Sun in Nava Ade. The proposed plan overturns the general plan. The proposed amendments weaken the quality of the community. He said one of the first questions was what they City is looking for and what the purpose is about the idea of a self sustainable living community providing employment and recreation. This is a 150% increase in commercial tracts that will dominate the community and that number does not include mixed use. The requested hospital area should be zoned hospital so it cannot be turned into any other use such as retail. In his opinion, this kind and size of proposed transit site is premature yet it is

planned as the hub of the community. Combined with 215 acres this will serve more as a major commercial transit destination than a neighborhood center. He expressed concern that this is premature although they are not opposed to a TOD. He said this just seems more urban than what is appropriate as the vision for this area. The approved road on the General Plan between the school and Beckner Road is essential to Nava Ade. Currently the traffic to Monte del Sol comes on Rain Road which does not have a stoplight or crossing designated through the middle of the neighborhood. He expressed concern with an agreed upon residential center concept that has gone to a far more commercial plan. He suggested conditions of approval included in Exhibit "2(D)." He questioned what happens when the concept they worked on goes to a far more commercial flavor.

Chair O'Reilly thanked Mr. Lange and the neighborhood for all their hard work and input.

**Tony Lenhart, Presbyterian Health Services, Director of Business Development, was sworn.** Presbyterian's purpose is to improve the health of individuals, families and communities in New Mexico. They celebrated their 100<sup>th</sup> anniversary this year. He gave statistics on their organization. He explained that they are pleased with this 40 acre site. The access to the interstate is important for emergency services. When they enter a new community they do so by phasing into the development. Typically they take 3 phases to reach the inpatient facility. Once they have a viable primary care, then they add specialty services and radiology. In Phase 2, they offer more radiology, emergency services, outpatient surgical services and urgent care. Phase 3 is a hospital. There is no specific time frame. It is important to have the zoning to accommodate a hospital in the future. They do not want to invest in this site and then be forced to look elsewhere for a site. They are concerned with the height variance. It is more efficient to develop vertically rather than horizontally. He added that as you stand on the land you are 30 feet below Beckner Road.

Mr. Sommer corrected the statement by Mr. Lange that the MPO approval was conditioned on Federal Highway Administration approval, DOT approval and the like. He clarified that the conditions of approval is for the State or some other office user of that intensity or similar scale. He said they will develop the infrastructure as each user comes on. He said they proposed to approve a transportation plan to allow access south of I-25 to get to the transit center. Those were the conditions at the MPO. The same comments were made at the MPO that this is premature. In their opinion if they do not plan this it will not get built. This could be a huge missed opportunity for this community. He addressed the open space and said there is clearly less park area, but they have traded the quantity for quality. The open space will be bundled.

Mr. Lange said he would take Mr. Sommer's word. His understanding was based on what he was told by the MPO staff.

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

### **Questions and comments from the Commission**

Commissioner Hughes asked what the Highway Corridor standards are.

Reed Liming, Long Range Planning, explained that the wording is somewhat ambiguous and no standards have been adopted by the City. There were some noise studies done

as part of the planning process for the highway corridor. There were additional negotiated setbacks of approximately 265 feet in this area. The rolling topography and slopes away from the highway make it difficult to come up with a fixed line. The proposed setbacks are a minimum with visual analysis done on any development plans. There are some bermed areas and a building could be closer if you take the premise that they are trying to protect I-25 and 599 where possible.

Commissioner Hughes asked Mr. Rood if he has seen a TOD advance when transit is not secured.

Mr. Rood replied yes. In Minnesota, service began with a commuter bus in anticipation of more transit in the future.

Commissioner Hughes asked how the TOD zoning differs from his study of mixed use zoning.

Mr. Rood said he has not studied the mixed use zoning in detail. He will make available the zoning map to Ms. Baer. It allows great flexibility in land use, full range of residential, commercial and light industrial uses while imposing additional standards.

Commissioner Hughes appreciated the design sensitivity to parking. He asked if Mr. Rood has seen shared cars.

Mr. Rood said yes. In the Bay Area, this has become popular and the companies offering this are actively looking to increase their presence at transit hubs.

Commissioner Bordegaray referred to the open space and park plan and asked about the notes.

Mr. Siebert explained that in terms of regional park land there is sufficient land to accommodate 1900 units, but if they exceed the units then the way to satisfy the park requirement is to construct the trails.

Commissioner Bordegaray asked if there is an internal trail that connects to an existing trail system.

Mr. Siebert said by definition it does.

Commissioner Bordegaray asked what happens at the Villa Linda Mall.

Mr. Siebert explained that the City will extend the path around the SF Place around to Cerrillos Road and Las Soleras will build the piece through Las Soleras. There is a bike and pedestrian path system along I-25 and they intend to tie into that as well.

Commissioner Bordegaray asked how to get from Villa Linda to Las Soleras.

Mr. Cruse said currently you cross the arroyo or walk on the sidewalks on Cerrillos Road. The long range plan is develop a trail along the arroyo.

Commissioner Bordegaray asked if any of the Nava Ade residents walk to Santa Fe Place.

Mr. Lange said there are internal trails and then you walk across the arroyo. He does not think you could cross the sand in the arroyo with a bike.

Commissioner Bordegaray asked who walks to the services on Zafarano.

Mr. Lange asked and two people raised their hands. The bridge would make it faster. Currently they have to go down into the arroyo and then back up. The bridge would go from Big Sky to Wagon Wheel. He last heard that there was \$100,000-200,000 earmarked for that design.

Mr. Cruse under design is from Nava Ade going up to Rodeo Road.

Commissioner Bordegaray asked if there was previously a connection to Monte del Sol.

Mr. Cruse said there is a condition of approval that asks them to reintroduce that connection as part of the master plans.

Commissioner Bordegaray commented that there are many parks that are vast and unusable. She asked Mr. Chavez's opinion on whether they are trading quantity for quality of space.

Fabian Chavez stated that he visited the site. He said the criteria are that this development needs a community park of 20 acres and this is a better site topography wise. It is also protected from the northwest winds. The challenge is that to the north there is the steep slope and south is Arroyo Chamiso, so the land may be cut to about 16 acres. This lends a unique experience as some of the features normally put into a park could be leveraged and put into a trail system. Standard park features could be put into the site. The developer will have to add active features. If kids can bike or walk to a park within a half mile of residence it is a good park and residents should not have to drive more than 1.5 miles. The large open space can absorb some activities. There will be connectivity to the train depot and the hospital.

Commissioner Bordegaray asked if Beckner is a 6 lane road.

Mr. Siebert said it is planned as 4 lanes.

Commissioner Bordegaray asked if it is a separated grade.

Mr. Siebert stated that it is at grade. The discussion is regarding what is most appropriate. The bridges would cross Arroyos de los Chamisos and Las Soleras Boulevard.

Commissioner Bordegaray understood the neighborhood wanted all the commercial along Cerrillos Road.

Mr. Sommer explained that they want to remove the community commercial.

Mr. Lange said the idea was rather than having community commercial along the interstate those tracts be designated as institutional or business park, so they are not adding more retail commercial.

Commissioner Bordegaray pointed out the desirability of Agora and also how much more desirable Rancho Viejo is due to the services. She liked the seven points of connection. She would like assurance that Las Soleras will be signalized.

John Romero, Traffic Engineer, stated the signal is a done deal and as it stands Wal-Mart will construct the signal and Las Soleras will pay them.

Commissioner Bordegaray asked if Richards Avenue at Beckner Road connects.

Mr. Romero said that is part of the Beatty South property and they analyzed a signalized intersection.

Commissioner Bordegaray asked if that is a condition of approval.

Mr. Cruse said that is part of the Beatty South. He said it will connect and the MPO condition was that that the roadway network be completed.

Commissioner Lindell asked if the variance is needed for the hospital.

Ms. Baer stated that this is the applicant's backup plan in case the City Council does not approve the HZ zoning. This will be heard at the meeting in January.

Commissioner Lindell expressed concern with less than a 275 foot setback along I-25. She asked what the minimum proposed setback is.

Mr. Cruse said it varies from 154 to 260 feet.

Commissioner Lindell asked the applicant to commit to a 265 foot setback.

Mr. Siebert said the highway corridor evolved from the Extraterritorial planning bodies and a detailed noise study. The setback varies due to the noise levels in the contours. This is more of an aesthetic issue and there is more than one way to address that. There are some parts of the roadway that have an actual berm. They are willing to work with the issue, but are concerned about establishing one setback.

Mr. Sommer explained that they proposed the request that they be allowed to make site specific design recommendations addressing the aesthetics and noise. He thinks it is their burden to produce a design that works. This is an opportunity for good design.

Commissioner Lindell hoped these are good designs. She did not want to drive into town and see the backs of buildings. She asked if there is room for a dog park.

Mr. Chavez said there should be enough active athletic fields to accommodate sports, permanent bathrooms, gathering areas with seats and barbecues, play structures for multiple age use, a skate park, and a dog park.

Commissioner Lopez asked if Las Soleras is four lanes.

Mr. Siebert said it would be a mix; through the commercial area it is four lanes and on the south side it would transition to two lanes.



Commissioner Lopez reviewed the road connections in the area.

Mr. Siebert added that there will be collector roads that are smaller and those would take place as each area develops.

Commissioner Lopez expressed concern with the traffic on Governor Miles being two lanes and very crowded.

Commissioner Salazar asked if this will be modeled like Tierra Contenta in phases.

Mr. Sommer explained that they will be phasing in with infrastructure first, then the phasing depends on the market factors and the other factor is related to the TOD. The master plan shows large tracts. It is undecided how it will get built physically.

Commissioner Salazar asked if the plan is contingent upon the state offices.

Mr. Sommer said if they find another similar user that would be fine.

Commissioner Salazar asked how far out they need to plan the station.

Mr. Sommer was not sure, but 599 was held up at the Federal Department. They got approval and now it will be five months. He thinks they are at least 1 ½ to 2 years out.

Commissioner Salazar asked what would happen if the station does not happen.

Mr. Sommer stated that the train station is one component of a multi-modal project. He believes that the plan works with or without the train station. The previous plans all had similar uses.

Commissioner Montes referred to page 31, he asked about the guidelines and how difficult those are to meet.

Mr. Siebert said there are a few crossings of the Arroyo de los Chamisos. This is an engineering issue, not anything insurmountable. There will be no lift stations as everything drains down so there is no problem in extending the lines.

Commissioner Montes asked if the settlement agreement required a school site. He referred to a letter from Mr. Skarsgard.

Mr. Sommer stated that it did not designate that it have a school site in it.

**Josh Skarsgard, 8222 San Pedro, Albuquerque, was sworn.** The exhibit describes what the requirement was from the EZA. The reservation and the obligation are on the schools to construct.

Commissioner Montes understood that with or without a school is not a deal breaker.

Mr. Skarsgard said that is correct.

Commissioner Montes asked if the school is part of the mixed use concept.



Mr. Skarsgard stated that they support the school, but it is up to the public schools. The property will be available to the public schools. They believe this is a tremendous amenity, but he cannot commit for them.

Commissioner Montes asked if there is anything newer from the schools.

Mr. Sommer stated that the last communication was that the schools have made it clear that they could live with an 18 acre site along side a community park. He explained that they will give them a specific proposal after this hearing.

Commissioner Montes asked when the school would be phased in.

Mr. Sommer said that depends on their need and funding.

**Justin Snyder, Santa Fe Public Schools, 610 Alta Vista, was sworn.** He has been directed to gather the developer's offer. There are some concerns about the site and in location to the TOD. They are governed by the Public Schools Authority and for a K-8 school the guidelines are 20 base acres. They are looking to maximize the use of lands and parks. If the school is next to a park they can gain efficiencies and not double up on fields. He said with regard to the timing for a school, it is a minimum of 4 years out.

Commissioner Montes appreciated the comments from Nava Ade.

Chair O'Reilly referred to tracts 11 and 12 and asked why they chose to put two tracts there instead of one.

Mr. Siebert stated that the idea is that no one area would be bigger than 350 units. They have assumed there will be a road between these two.

Chair O'Reilly understood there could be a road between these two. The shared lot line seems to dead-end into the office uses. It is tight to get all the uses in for the park. The lot line means there are setbacks between the tracts, so it is not a logical road alignment. He would like the park dedication be larger by eliminating the lot line so they do not lose the land due to the setbacks required. They could increase the usable flat park space to a larger site.

Mr. Siebert asked if the concept is to realign the park to the south.

Chair O'Reilly wanted to expand the acreage to the south side outside the flood zone. In his opinion, the lot line seems random and not following topography.

Mr. Siebert stated that he would like the opportunity to evaluate that.

Chair O'Reilly understood these are all much larger parcels than the general plan anticipated. He asked him to look at it while he asked another question. He then referred to condition 19. He asked Mr. Sommer if the applicant understands this condition as there is no way to know what standards a future Commission might use to judge the tracts along the highway setback.

Mr. Sommer understood and the applicant knows it is a lot of work and believes the work will pay off in a much better development. He said if they bring a development plan in they tend to be discretionary approvals.

Chair O'Reilly asked if staff received a TIA, but did not have time to review it.

Mr. Romero said it was received at 1 p.m.

Chair O'Reilly asked if this was prepared in consultation with him.

Mr. Romero said there were discussions with regard to traffic projections. He said they have a good handle on how many cars they expect and the TIA applied those to see what needs to be done. This will result in conditions and recommendations from his department.

Chair O'Reilly asked Mr. Siebert if he considered his comments.

Mr. Siebert said the limitation is the topography. He is not sure adding additional land to the south will get more park land. He showed a piece that needs to be part of the connectivity.

Chair O'Reilly asked if they see a problem with connections through tract 11.

Mr. Siebert said there was a promise for some kind of maintenance trail serving for security and maintenance as well as a connection to the higher density development.

Chair O'Reilly asked how the southeast connection is maintained.

Mr. Siebert explained that additional open space needs to be developed and provided.

Mr. Sommer added that there is a recorded easement for the trail. It is a public easement without the requirement to build it.

Mr. Siebert stated that they will ensure the connectivity.

Commissioner Bordegaray asked if there is a condition that includes a pedestrian bridge to go to the south side of I-25.

Mr. Sommer said that was expressly excluded. Councilor Ortiz wanted a plan as to how people would get to the south side of I-25. He said they could never meet the condition because they do not own the property on the other side. Councilor Ortiz responded that they did not have to do that.

Mr. Cruse clarified that the applicant had to provide an access plan, but one of the conditions encourages the applicant to design the bridge and the platform to not preclude the connection being made by someone else.

Commissioner Bordegaray asked if the platform will be in the middle of the median.

Mr. Cruse said that could be as they do not own the land on the south side, but the access plan will evaluate this. This would entail county approvals.

Commissioner Bordegaray asked if there was support for this.

Mr. Cruse had no indication either way.

Commissioner Hughes asked which case the conditions are tied to.

Mr. Cruse said the conditions specifically apply to general plan, annexation and rezoning.

**Commissioner Hughes moved to approve Case #M-2008-27 Las Soleras General Plan Amendment with all amended staff conditions, Commissioner Lopez seconded the motion which passed by unanimous voice vote.**

**Commissioner Hughes moved to approve #M-2008-28 Las Soleras Annexation with all staff conditions, Commissioner Bordegaray seconded the motion which passed by unanimous voice vote.**

**Commissioner Hughes moved to approve Case #SD-2008-15 Las Soleras Lot Line Adjustment and Road Dedication with all staff conditions, Commissioner Salazar seconded the motion which passed by unanimous voice vote.**

**Commissioner Hughes moved to approve Case #ZA-2008-11 Las Soleras Rezoning with all staff conditions, Commissioner Bordegaray seconded the motion which passed by unanimous voice vote.**

**Commissioner Hughes moved to approve Case #M-2008-44 Las Soleras Variance, Commissioner Montes seconded the motion which passed by majority voice vote with Commissioner Lindell abstaining from voting.**

Chair O'Reilly asked if this goes to Council.

Ms. Baer explained that just the first four cases go to the Council.

#### **G. BUSINESS FROM THE FLOOR - None**

#### **H. STAFF COMMUNICATIONS**

Ms. Baer distributed the Chapter 14 rewrite updated incorporated herewith to these minutes as Exhibit "3."

#### **I. MATTERS FROM THE COMMISSION**

Chair O'Reilly welcomed Commissioner Montes as the newest member.

#### **J. ADJOURNMENT**

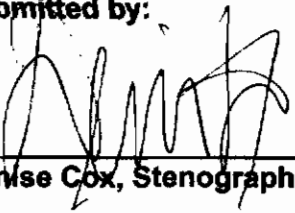
**There being no further matters to come before the Commission, and the Commission having completed its agenda, Commissioner Salazar moved, seconded by Commissioner Hughes to adjourn the meeting. The motion passed unanimously on a voice vote and the meeting was adjourned at 10:00 p.m.**

**Approved by:**

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**Chair Matthew Chair O'Reilly**

**Submitted by:**



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**Denise Cox, Stenographer**