



Agenda

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PLANNING COMMISSION

January 7, 2010 – 6:30 P.M.

CITY COUNCIL CHAMBERS

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

MINUTES: December 3, 2009

FINDINGS/CONCLUSIONS

Case #2009-21. Callejon Tisnado Preliminary Subdivision Plat.

Case #2009-23. Esplanade Village Preliminary Subdivision Plat.

Case #2009-22. Esplanade Village Preliminary Development Plan.

- E. OLD BUSINESS
- F. NEW BUSINESS

Case #2009-63. Santa Fe Chevrolet Development Plan Amendment and Sign Plan Variance. Liaison Planning, agent for Crawford Chevrolet, requests an amendment to their development plan for an increase in the number of signs, and two variances to the sign regulations: 1) to allow one wall sign larger than 80 square feet, and 2) to allow the number of approved signs to increase by one, for a total of eight signs on the premises. The property is zoned C-2/PUD and is located at 4550 Cerrillos Road within the Santa Fe Auto Park. (Dan Esquibel, case manager)

- G. BUSINESS FROM THE FLOOR
- H. STAFF COMMUNICATIONS

Economic Development Division – Presentation and Discussion.

- I. MATTERS FROM THE COMMISSION
- J. 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.**

Index Summary of Minutes
Santa Fe Planning Commission
January 7, 2010

INDEX	ACTION TAKEN	PAGE(S)
Call to Order	John Salazar, Chair called meeting to order at 6:30 pm, City Council Chambers, Santa Fe	1
Roll Call	A quorum was declared by roll call, one absence.	1
Pledge of Allegiance	Pledge of Allegiance was led by Commissioner Bordegaray.	1
Approval of Agenda	No changes to the agenda from staff or the commission. The Chair approved the agenda as presented.	1
Review and Approval of Minutes, Findings and Conclusions Corrections: Throughout the minutes: Bordegary correct spelling: <i>Bordegaray</i> <i>Remove all references to Commissioners as Mr. or Ms. – refer to them as Commissioner</i> Page 4 -- Commissioner Vigil said then the individual property owners were not notified, and it was a legal notice in the newspaper? Page 6 – 3 rd paragraph: Chair <i>Chair</i> Salazar Page 7 – 2 nd paragraph: Commissioner Bordegaray said this Commission reviewed a case/proposal in the past year of a development more “towards where the zipper...you	<i>Commissioner Mier made the motion to approve the minutes as corrected, second by Commissioner Montes, motion carried by unanimous voice vote.</i>	1-2

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know where the zipper separates on the west side, located on the northern end of the corridor where St. Michael's and Old Pecos Trail split forming a zipper....		
	<p>Finding and Conclusions: Case #2009-21. Callejon Tisnado Preliminary Subdivision Plat</p> <p>Commissioner Armijo made the motion to approve Case #2009-21, second by Commissioner Montes, motion carried by unanimous voice vote.</p> <p>Case #2009-23. Esplande Village Preliminary Subdivision Plat</p> <p>Commissioner Mier made the motion to approve Case #2009-23, second by Commissioner Montes, motion carried by unanimous voice vote.</p> <p>Case #2009-22. Esplande Village Preliminary Development Plan</p> <p>Commissioner Bordegaray made the motion to approve Case #2009-22, second by Commissioner Armijo, motion carried by unanimous voice vote.</p>	2
Old Business	<i>None</i>	2
New Business Case #2009-63. Santa Fe	Commissioner Dolores Vigil recused herself from	2

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Chevrolet Development Plan Amendment and Sign Plan Variance.	<i>this case action.</i> Commissioner Armijo moved to approve Case #2009-63, second by Commissioner Mier, motion carried by unanimous voice vote.	3-4
Matters from the Floor	<i>None</i>	
Staff Communications: No Action, Informational	<i>Economic Development Presentation – Cathy McCormick, Informational</i> <i>Director O'Reilly provided update on Chapter 14 rewrite. Meetings to be scheduled for continued work.</i> <i>Ms. Brennan made reference to memo dated April 18, 2008 from City Attorney Frank Katz re: Notice Requirements for Ordaining the Highway Corridor District. (Exhibit B)</i> <i>Serial Subdivision Memo from Tamara Baer dated 12/18/09 (Exhibit C)</i>	4-9
Matters from the Commission	<i>Thank you to Chair Salazar for a festive holiday party.</i>	10
Adjournment and Signature	<i>There being no further business to come before the Planning Commission, they adjourned at 8:05 pm</i>	10

**Planning Commission
January 7, 2010
City Council Chambers**

MINUTES

The Planning Commission meeting was called to order on January 7, 2010 in the City Council Chambers at 6:30 pm by Chair, John Salazar. The chair called for roll call:

A. Roll Call

Present:

John Salazar, Chair
Signe Lindell, Vice Chair
Angela Schackel Bordegaray
Boni Armijo
Ken Hughes
Dolores Vigil
Reuben Montes
Mike Mier

Absent:

Estevan Gonzales

Staff Present:

Tamara Baer
Kelly Brennan, City Attorney

Others Present:

Fran Lucero, Stenographer

B. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Bordegaray.

C. Approval of Agenda

Motion made by Commissioner Mier to approve agenda as presented, second by Commissioner Montes, motion carried by unanimous voice vote.

D. Approval of Minutes and Findings/Conclusions

Minutes: December 3, 2009

Corrections:

Throughout the minutes: ~~Bordegary~~ correct spelling: *Bordegaray*

Remove all references to Commissioners as Mr. or Ms. – refer to them as Commissioner

Page 4 – Commissioner Vigil said then the individual property owners were not notified, and it was a legal notice in the newspaper?

Page 6 – 3rd paragraph: ~~Chair~~ Chair Salazar

Page 7 – 2nd paragraph: Commissioner Bordegaray said this Commission reviewed a case/proposal in the past year of a development ~~more “towards where the zipper...you know where the zipper separates on the west side, located on the northern end of the corridor where St. Michael’s and Old Pecos Trail split forming a zipper....~~

Commissioner Mier made the motion to approve the minutes as corrected, second by Commissioner Montes, motion carried by unanimous voice vote.

Finding and Conclusions:

Case #2009-21. Callejon Tisnado Preliminary Subdivision Plat

Commissioner Armijo made the motion to approve Case #2009-21, second by Commissioner Montes, motion carried by unanimous voice vote.

Case #2009-23. Esplande Village Preliminary Subdivision Plat

Commissioner Mier made the motion to approve Case #2009-23, second by Commissioner Montes, motion carried by unanimous voice vote.

Case #2009-22. Esplande Village Preliminary Development Plan

Commissioner Bordegaray made the motion to approve Case #2009-22, second by Commissioner Armijo, motion carried by unanimous voice vote.

E. Old Business

None

F. New Business

Case #2009-63. Santa Fe Chevrolet Development Plan Amendment and Sign Plan Variance. Liaison Planning, agent for Crawford Chevrolet, requests and amendment to their development plan for an increase in the number of signs, and two variances to the sign regulations: 1) to allow one wall sign larger than 80 square feet, and 2) to allow the number of approved signs to increase by one, for a total of eight signs on the premises. The property is zoned C-2/PUD and is located at 4550 Cerrillos Road within the Santa Fe Auto Park. (Dan Esquibel, Case Manager)

Ms. Baer: She stated that the case before them is for a sign amendment to the development plan in the Auto Park. The zoning in the Auto Park is C-2 PUD and the

most important thing about this case is that the variance criteria is different in a PUD than it is in most other districts; it is actually looser, and it is reflected on the 2nd page of the report where it says; “When deciding such variances the Planning commission shall use the criteria for deciding variances as set forth in §14-3.16, except variances in PUD, PRC, and PRRC districts shall be evaluated based upon their appropriateness in relation to the overall development and its purposes and their impact upon surrounding properties. (Ord. No. 2002-12 § 1)”

It is much broader criteria for the Commission to use. In this case there was an original development plan, 7 signs were approved, and there is also a restriction on the number of square feet, and two free standing signs were allowed, this request is to add one additional wall sign for the Cadillac Dealer in conjunction with the Chevrolet Dealer. Staff recommends approval, picture in packet. In terms of criteria staff finds that this is certainly appropriate to the overall department and this will not have a negative impact on the surrounding properties, it does not face Cerrillos Road. Staff recommends approval.

Commissioner Dolores Vigil recused herself from this case action.

Ms. Vigil presented Case #2009-63 as client was not in attendance. She asked for questions from the Commission.

The Cadillac Sign will be on the south side of the Building (ref#8). Commissioner Lindell asked why the other additional plans were not in the packet. Ms. Vigil said they were asking permission for one additional sign.

Chevrolet Sign on the east, west and south side, the pole sign is Chevrolet (#1) for Used Cars, (#7) Santa Fe Chevrolet is existing, it is not additional it is allowed, (#6) Parts, (#5) Entrance, (#3, #4 and #2) are existing. They are all less than 80 square feet which is allowed. The additional sign is for Cadillac and is advertising.

Recap: All signs are lit.

- #1 – Pole Sign – Used Cars (additional)
- #2 – Chevrolet – has the bow tie (existing)
- #3 – Chevrolet – with the bow tie
- #4 – Chevrolet – with the bow tie
- #5 – Entrance
- #6 – Parts

Ms. Vigil stated that they do need the sign for Cadillac as they are advertising.

Commissioner Lindell asked staff why they approved.

Ms. Baer said they are trying to encourage economic development and they don't want to discourage businesses; there is no negative impact from this sign and it meets the standards that are already established in the Auto Park.

Commissioner Mier asked what constitutes a sign, what is the minimum or maximum size to constitute a sign.

Ms. Baer responded that the code does have some exceptions for directional signs, and they are typically not included. If we were looking at this as a new plan, we might not consider something like directions, signs or parts. In 2006 the guidelines were stricter.

Commissioner Mier stated that in essence one could interpret this request as rather seven signs as four signs.

Commissioner Armijo moved to approve Case #2009-63, second by Commissioner Mier, motion carried by unanimous voice vote.

G. Business from the Floor
None

H. Staff Communications

Economic Development Division – Presentation and Discussion – Cathy McCormick

Hand out (Exhibit A): Economic Development Strategic Plan and Annual Report.

Provided an overview of what the Economic Development Division is working on and discussion on the Economic Development strategy and the most recent quarterly report. Economic Development Plan was actually adopted by something called the Angelou Economics Plan. About 2 years ago it was reviewed and the plan looked a little raw so the Division asked how they would like to grow and look at Santa Fe's Economic Development role.

She referred to pg. 7 – Venture Capital Portfolio –She stated that one of the things that are very unusual for the city is that they allocate about \$400,000 to \$1m a year on projects. She stated that the goal of the Economic Development Division is to ensure that we they have continue high standards of quality of life and standard of living in Santa Fe, encouraging growth and high standards of business especially in technology.

She stated that project will be outcome driven and aligned with SMART Goals whenever possible. That is, goals that are – Specific, Measurable (data) Aggressive but Achievable, Relevant to mission and Time bound (not just open ended).

Targets Sectors for Growth and Development:

- Media (Film, publishing, journalism, video game production, etc)
- Green – Consistent with Sustainable Santa Fe Plan and including: Clean renewable energy (with a focus on the solar industry), water conservation,

waste reduction technologies and outdoor and recreational activities and equipment.

- Technology (Biotech, Nanotech, Software design, etc.) – Very fortunate to have the support of Sandia and Los Alamos National Labs.
- Knowledge Based Enterprise (Research and Development, Think Tanks, Financial Services, Consulting, Public Policy, etc.)
- Arts & Culture (Artisans, Fine Artists, and Cultural Heritage as described in the City's Cultural, Arts and Tourism Plan). Their department does not actively engage in tourism, the Convention and Visitors Bureau does this. Their motto is that they don't do anything to hurt tourism they just don't put their time or funding into tourism actively. They do post through the internet for some of their Artists.

Within the five targeted areas they also make sure they are funding, supporting, cheerleading, encouraging; whatever needs to be done to create and retain business in the five sectors. Reference was made to Pg. 12 – City's Values Filters Chart: Business Development, Workforce Development and Sites and Infrastructure.

City of Santa Fe is also recognized for how it works with water management. City of Santa Fe does not have many large spaces.

Quarterly report is done to identify a couple of things that are being worked on in the department. They are trying to complete a fiber ring for Santa Fe. Santa Fe is 24th from the bottom on having fiber ring or Wi-Fi. This is a \$6m development project coordinated through SF Community College in partnership with the Indian School.

Warehouse 21: She encouraged everyone to tour the Warehouse, there are excellent projects and use of design on the computers, and dollars help with internships and workforce development.

Her department tracks unemployment; Santa Fe is still lower than other communities but higher than what it was a year ago we were below 4%.

Commissioner Hughes asked how St. Michael's Drive is viewed by Economic Development Division.

Cathy: Looking at the demographics you could see St. Michael's Drive as a busy part of town. This was designed as a bi-way. There is a lot of building vacancy, business and property owners have been interviewed and asked what they would like to see. With the city acquiring the College of Santa Fe, we believe we will see 4000 students. Kinds of business, what will students like to see, is there a better transit system, bike paths? Laureate is talking about the area, neighborhoods and interest in inter-city transportation. We want to make it easier to get across St. Michael's drive. The feedback is that people have to get in their car to cross the streets.

Cathy proposed creating sub-committees to discuss ideas when presented. They would like to work on signage, street numbering, working with Planning Staff, connections between the college and businesses at college plaza.

Community process involvement; the citizens want to make sure that there is trust that the city will follow through.

Commissioner Hughes said that there is a question about the confidence level. The drawings that came forth last year were really positive.

Matthew O'Reilly: This is a totally unused corridor in the center of town. All utilities are at this location, perfect location to tie in to the businesses in this part of Santa Fe.

Commissioner Bordegaray: In terms of the data, Santa Fe Complex, is this the term for the businesses at the railyard?

Cathy: No, Santa Fe Complex is actually a facility at the corner of Romero and Agua Fria Street.

Commissioner Bordegaray asked that a report be presented on the Railyard in the next several months in regards to economic development status. This was a huge endeavor and successful in many fronts. As a commissioner she would like to know about some of the areas that are sitting vacant.

Commissioner Lindell: Is there a date of when the college might have the 4,000 students?

Cathy – They are talking about 5 to 7 years from now. They are planning about opening in the fall with about 800-850 students, right now they are at about 250 students. They are going to hit that 4,000 mark quickly; we forget that across the world many individuals want to be in Santa Fe. Laureate is a company that has forty universities with over ½ million students all over the world.

Commissioner Lindell asked about the project called the Loan Fund.

Cathy stated that about 10 yrs ago the City of Santa Fe took some block grant money and set up a loan program made to small businesses throughout the city. This year we have discontinued the loan fund, the state puts in \$7 to \$10 million dollars into a loan program that is loaned out locally, so the city pulled that money back in.

Commissioner Montes: Explained how this presentation came about tonight was part due to some concerns that he had. There were a lot of proposals for new business parks starting from scratch, and yet riding around town you could see a high percentage of vacant buildings. Does the department or the Chamber have a listing of all the vacant/existing retail space that is available?

Cathy: Some of it is on the website, she doesn't know if the Chamber maintains it. MLS doesn't track their spaces as well. There are some brokers that they keep in contact with to monitor trends. The city is evaluating the Siler Road Project and the business on that side, there is quite a bit of empty commercial space, and you can get it about \$7 to \$10 a square foot. Downtown also has vacant space and they are charging about \$20-\$25+ per square foot for lease.

Commissioner Armijo asked if the State has shown any interest in leasing any of the vacant commercial space.

Cathy responded that she is focusing on assuring that the state buys the land not on leasing the space.

Ms. Brennan: getting Laureate to agree with the local institutions that will foster those that are in 2-year programs to go in to their programs.

Commissioner Montes asked if the three tracks that Cathy made reference to; Business Development, Workforce Development and Sites and Infrastructure were in order of priority.

Cathy responded no. She stated that any project that they provide funding to has something of each of those categories.

Commissioner Montes asked about the 800 students in the fall, what is going to be the profile of those students; are they all going to be from out of state? How will the locals benefit from this population at the school?

Cathy stated that the majority will be from out of state. There will be discounts offered to the local students.

Commissioner Bordegaray asked if there are models around the country for this approach and deal that has been made and to have the higher education learning center function well. She was wondering about the success rate or those kinds of partnerships or track records; it is a great idea and quite ambitious.

Cathy responded that personally she has not seen a model; there are models in the private sector, the University of Phoenix is one, there are campuses in California. That model has been done before; I don't know the success or how well it works. The market will support a higher learning center to keep our graduates in the state. We need an educational facility that will offer those courses such as engineering programs. Right now you have to go to UNM to get a Masters in business administration.

Commissioner Bordegaray asked how much communication is being done with Northern New Mexico Community College; don't they grant a 4-year degree.

Cathy responded that she did not know.

Commissioner Bordegaray said that by not knowing the answer she felt that her question is a good one. Northern New Mexico Community College has come a long way. We need to be very, very careful about where we are putting our resources. She stated that she hopes that they are coordinating with the nortenos.

Chair Salazar asked if they ever sit with Land Use to see what commercial projects are coming in, tracking vacancies and/or spaces that are available.

Cathy stated that this was a great suggestion to talk about commercial growth, etc. and that it is being done. There is an exchange of information between staff on items of mutual concern.

Chair Salazar asked if they have discussed economic development with Santa Fe County.

Cathy stated that she has met with Roman Abeyta to get our staff working together.

On behalf of the Commission, Chair Salazar expressed his thanks to Cathy for the presentation.

Staff Communications (cont'd)

Matthew O'Reilly: As a follow up and response to the Commissioners on the status of Chapter 14. A Memo was distributed to the members. The intent is to restart this process on preliminary schedule, moving forward, we have run out of money to pay the current consultant. Sub committee is comprised of Commissioners Hughes, Lindell and Montes. The commission asked if I would continue to chair that subcommittee and I would be happy to do that.

Commissioner Lindell: Asked when will we get materials since the meeting is the 19th?

Matthew O'Reilly stated that the meeting is a kick off meeting to discuss how they should proceed as many of the sections that are coming up are difficult. Sections are long and are going to be difficult, the Land Use Department is committed to seeing these revisions made and getting them approved by the council. Once we get final approval from the sub committee the hopes would be that they refer to the planning commission and move on to the council. Mr. O'Reilly is proposing that the meetings be held at 6:00 pm as done in the past. The date targeted is January 21st. It is also possible that when we get to March 23rd we might not be done. He asked that the sub-committee stay strict to the schedule to avoid mission creep. It might be that it moves in to April.

Mr. O'Reilly expressed his thanks and looks forward to January 21st at 6 pm for first meeting.

Ms. Brennan had the definition for "sign". Every sign, billboard, ground sign, wall sign, group sign, illuminated sign, temporary sign, projecting sign, marquis, banner on canopy or street clock, including any announcement, declaration, demonstration, display, illustration, or insignia used to advertise for both in interest of any person when placed out of doors or in view of the general public including to outdoor electric lights, placed in trees or vegetation.

A directional sign is any sign utilized only for the purpose of indicating a location for direction of any object or location, place or period without advertising.

In a way the direction sign is pulled out of the sign definition.

The definition was pulled out of the general sign definition.

The Chair said that the parts sign, would be a directional sign.

Ms. Brennan made reference to Memo dated April 18, 2008 (Exhibit B) from City Attorney Frank Katz regarding Notice Requirements for Ordaining the Highway Corridor District. As a follow up, this explains the difference between legislative and quasi judicial and the notice requirements. Ms. Brennan had been asked by the Commission if they had authority to require additional notice on the case of the overlay district on Old Pecos. The answer is No. It is a legislative action and the notice requirement attached to that are in the text of the code. That would be a change outside of the purview of the commission. However, she stated that the commission has the authority to recommend to the council that they would or would not approve the ordinance but they would recommend that before they hear it they notify those involved. Councilor Wurzbarger and Councilor Romero are scheduling for a neighborhood meeting and have asked for addresses for those who are affected.

Ms. Brennan reported that today at the summary committee meetings, two successive lot splits were not heard and were referred to the Planning Commission. The meeting of the 21st is now the 28th. There is a concern that the Trust for Public Land has the responsibility under their agreement with the various parties to transfer the land that is going to the Lipscomb's before the end of the month. It is important to have that meeting. The time and matter is sensitive, perhaps you could also hear the Old Pecos Ordinance. Ms. Baer will need to check if that can be done.

January 28th – 2 lot splits with transaction, 1) divides property on a lot land, 2) Sun Mountain – 6 pm –

The packet should include possible summary memo, conservation easement contract – donation and conservation agreement, maybe some photographs if available.

Commissioner Armijo stated that he did not feel comfortable making a ruling or having the commissioner rule on this case; he felt it was a serial type scenario. He did ask legal for advice. He has always understood that they can only approve a single lot split, and this seemed to be a different scenario with a lot of language that is being changed, it was more important for the full commission to hear this case. His understanding was that when ever you get a lot split and you come back for a lot split within 3-years, his understanding is that there is no language or definition for this. At some time the commission needs to establish some guidelines.

Ms. Brennan stated that they should establish some guidelines and possibly incorporate some provisions of code. You don't want to see applicants evading responsibilities by doing successive lot splits.

Ms. Baer stated that in the memo dated December 18, 2009 (Exhibit C) it notes on the second page that the sub committee and planning commission take a lot at ordinance changes and make those recommendations. In the interim, staff is not inclined to propose Departmental policy to cover potential applications. Rather, it should remain under the consideration and authority of the Summary Committee to decide questions as to when an application constitutes a serial subdivision or not. Staff will try to be helpful in this matter by making recommendations based on the criteria names above, or other factors if so directed.

Commissioner Lindell asked Director O'Reilly if this item could be reviewed under the Chapter 14 rewrite. Affirmative response.

I. Matters from the Commission

Thank the chair for the holiday party.

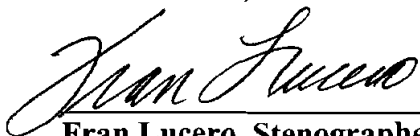
The Chair apologized to Commissioner Montes.

J. Adjournment

There being no further business to come before the Planning Commission, Commission Hughes moved to adjourn at 8:05 pm, second by Commissioner Armijo, motion carried by unanimous voice vote.

Signature:

John Salazar, Chair



Fran Lucero, Stenographer