



Agenda

AMENDED

PLANNING COMMISSION
July 5, 2012 – 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: June 7, 2012

FINDINGS/CONCLUSIONS:

- Case #2012-30. Bienvenidos General Plan Amendment.**
- Case #2012-31. Bienvenidos Rezoning to R-5.**
- Case #2012-42. Sports Authority Sign Variance.**
- Case #2012-46. 424 Acequia Madre Lot Split.**
- Case #2012-44. 424 Acequia Madre General Plan Amendment.**
- Case #2012-45. 424 Acequia Madre Rezoning to C-1.**
- Case #2012-25. 203 E. Santa Fe Avenue Rezoning to RAC.**
- Case #2012-54. 203 E. Santa Fe Avenue Special Use Request for Professional Office.**
- Case #2012-52. Shellaberger Tennis Center General Plan Amendment.**
- Case #2012-53. Shellaberger Tennis Center Rezoning to C-2.**

E. BUSINESS FROM THE FLOOR

Presentation by Richard Czoski, Executive Director, Santa Fe Railyard Community Corporation on Railyard development review process.

F. OLD BUSINESS

1. **Case #2012-39. La Luz Health Complex General Plan Amendment.** James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres of land from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager) **(POSTPONED FROM JUNE 7, 2012) (TO BE POSTPONED TO AUGUST 2, 2012)**

2. **Case #2012-40. La Luz Health Complex Rezoning to MU.** James W. Siebert, agent for Sandra Pacheco, requests rezoning of 6.36± acres of land from MHP (Mobile Home Park) to MU (Mixed Use). The application includes a Development Plan for a medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager) **(POSTPONED FROM JUNE 7, 2012) (TO BE POSTPONED TO AUGUST 2, 2012)**

G. NEW BUSINESS

1. **Case #2012-58. 1158 Harrison Road Rezoning from R-2 to R-5.** Rick Chatroop, agent for Frederick & Norma Jones, requests rezoning of 0.67± acres from R-2 (Residential, 2 dwelling units per acre) to R-5 (Residential, 5 dwelling units per acre). The property is located between Agua Fria Street and Cerrillos Road on Harrison Road. (Donna Wynant, Case Manager) **(TO BE POSTPONED TO JULY 19, 2012)**
2. **Case #2012-59. 1158 Harrison Road Lot Split.** Rick Chatroop, agent for Frederick & Norma Jones, requests conditional approval for a lot split of 0.67± acres. The property is located between Agua Fria Street and Cerrillos Road on Harrison Road. (Donna Wynant, Case Manager) **(TO BE POSTPONED TO JULY 19, 2012)**
3. **Case #2012-60. Arroyo San Antonio Final Subdivision Plat.** James W. Roth, agent for Dry Creek Development LLC, requests final subdivision plat approval for 4 lots on 0.97± acres. The property is located at 1713 Montano Street, and is zoned R-5 (Residential, 5 dwelling units per acre). (Donna Wynant, Case Manager) **(TO BE POSTPONED TO JULY 19, 2012)**

H. STAFF COMMUNICATIONS

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.**



Agenda

PREPARED BY Geraldine Gueles
RECEIVED BY [Signature]

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**Index Summary of Minutes
Santa Fe Planning Commission
July 5, 2012**

INDEX	ACTION TAKEN	PAGE(S)
Cover Sheet		1
Call to Order	Commissioner Spray called the meeting to order at 6:00 pm	2
Roll Call	A quorum was declared by roll call, 2 excused absences.	2
Pledge of Allegiance	Pledge of Allegiance was led by Commissioner Bemis	2
<p>Approval of Agenda</p> <p>Chair Spray stated that Case #2012-44. 424 Acequia Madre General Plan Amendment was not included in the packet and asked if Case #2012-45 424 Acequia Madre Rezoning to C-1 was correct. Staff responded that it was not correct and would get it changed and resubmitted.</p> <p>Staff noted that <u>all cases for tonight's agenda have been postponed as follows</u>: Case #2012-39, La Luz Health Complex General Plan Amendment has been postponed to August 2, 2012, Case #2012-40, La Luz Health Complex Rezoning to MU, postponed to August 2, 2012, <u>New Business</u> Case #2012-58. 1158 Harrison Road Rezoning from R-2 to R-5 postponed to July 19, 2012, Case #2012-59. 1158 Harrison Road Lot Split postponed to July 19, 2012 and Case #2012-60, Arroyo San Antonio Final Subdivision Plat. Postponed to July 19, 2012.</p>	<p><i>Commissioner Bordegaray moved to approve Agenda as Amended, second by Commissioner Harris, motion carried by unanimous voice vote.</i></p>	2-3
<p><u>MINUTES</u>: June 7, 2012 Staff: No changes.</p> <p><u>Corrections</u>: Page 16: 6th paragraph, 1st sentence: There is still some work to go do? Page 16: Punctuation: When I look at the zoning map I see a sea of RC8s, and AC is substantially different.</p> <p>Page 17: 2nd line: punctuation:</p>	<p><i>Commissioner Lindell moved to approve the June 7, 2012 minutes as amended, second by Commissioner Bordegaray, motion carried by unanimous voice vote.</i></p> <p><u>Case #2012-30.</u> Bienvenidos General Plan</p>	3-5

**Index Summary of Minutes
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<p>Commissioner Spray: Question not statement. Page 17: Paragraph 15: punctuation: Commissioner Villarreal: Question not statement. Page 18: 2nd paragraph - Chair Spray: If we approve that, and a new order owner comes in and needs signage and comes in for a variance? Page 26: Name Spelling Correction: James Carnes Karnes Page 27: Peter Koomis Komis Page 29: Steve Maehin Machen Page 30: Meredith (last name) Machen</p>	<p>Amendment. <u>Case #2012-31.</u> Bienvenidos Rezoning to R-5. <i>Commissioner Bordegaray moved to approve findings/conclusions for Case #2012-30 and Case #2012-31, second by Commissioner Lindell, motion carried by unanimous voice vote.</i> <u>Case #2012-42.</u> Sports Authority Sign Variance. <i>Commissioner Lindell moved to approve findings/conclusions for Case #2012-42, second by Commissioner Bemis, motion carried by unanimous voice vote.</i> <u>Case #2012-44.</u> 424 Acequia Madre General Plan Amendment <i>Not included in packet. Ms. Baer checked the minutes and stated that there was not a General Plan Amendment there was a rezoning and lot split. No vote taken, information will be clarified with the City Attorney before next meeting.</i> <u>Case #2012-46.</u> 424 Acequia Madre Lot Split. <u>Case #2012-45.</u> 424 Acequia Madre Rezoning to C-1. <i>Commissioner Lindell moved to postpone action on findings/conclusions for</i></p>	
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**Index Summary of Minutes
Santa Fe Planning Commission
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	<p><i>Case #2012-46 and Case #2012-45 until meeting of July 19, 2012, second by Commissioner Bemis, motion carried by unanimous voice vote by a 4-1 ratio.</i></p> <p><u>Case #2012-25.</u> 203 E. Santa Fe Avenue Rezoning to RAC. <u>Case #2012-54.</u> 203 E. Santa Fe Avenue Special Use Request for Professional Office.</p> <p><i>Commissioner Lindell moved to approve the findings/conclusions for Case #2012-25 and Case #2012-54, second by Commissioner Bordegaray, motion carried by unanimous voice vote.</i></p> <p><u>Case #2012-52.</u> Shellaberger Tennis Center General Plan Amendment. <u>Case #2012-53.</u> Shellaberger Tennis Center Rezoning to C-2.</p> <p><i>Commissioner Lindell moved to approve findings/conclusions for Case #2012-52 and Case #2012-53, second by Commissioner Ortiz, motion carried by unanimous voice vote.</i></p>	
Business from the Floor	<i>Presentation by Mr. Czoski, Executive Director, Santa Fe Railyard Community Corporation on Railyard development review process.</i>	5-10
Old Business Postponed to August 2, 2012		10-11

**Index Summary of Minutes
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New Business	<i>Postponed to July 19, 2012</i>	
Staff Communications	Informational	11
Matters from the Commission	Informational	11-12
ADJOURNMENT AND SIGNATURE PAGE	There being no further business to come before the Planning Commission, the meeting was adjourned at 7:30 pm	12

DRAFT

PLANNING COMMISSION MEETING –
JULY 5, 2012


Fran Lucero, Stenographer

7/5/2012

**MINUTES
PLANNING COMMISSION
July 5, 2012 – 6:00 P.M.
CITY COUNCIL CHAMBERS**

A. ROLL CALL

Present:

Tom Spray, Chair
Commissioner Lindell
Commissioner Bemis
Commissioner Ortiz
Commissioner Harris
Commissioner Bordegaray

Not Present (Excused):

Commissioner Villarreal
Commissioner Pava

Staff Present

Tamara Baer

Others Present:

Fran Lucero, Stenographer
Steve Robinson, President, Board of Director's – Santa Fe Railyard Community Corporation
Richard Czoski, Executive Director, Santa Fe Railyard Community Corporation on Railyard development review process.
Robert Siqueiros, City of Santa Fe, Public Works Department (Liaison between City and Santa Fe Railyard Community Corp.)

B. PLEDGE OF ALLEGIANCE

Commissioner Bemis led the Pledge of Allegiance.

C. APPROVAL OF AGENDA

Chair Spray stated that Case #2012-44. 424 Acequia Madre General Plan Amendment was not included in the packet and asked if Case #2012-45 424 Acequia Madre Rezoning to C-1 was correct. Staff responded that it was not correct and would get it changed and resubmitted.

Staff noted that all cases for tonight's agenda have been postponed as follows: Case #2012-39, La Luz Health Complex General Plan Amendment has been postponed to August 2, 2012, Case #2012-40, La Luz Health Complex Rezoning to MU, postponed to August 2, 2012, New Business Case #2012-58. 1158 Harrison Road Rezoning from R-2 to R-5 postponed to July 19, 2012, Case #2012-59. 1158 Harrison Road Lot Split postponed to July

19, 2012 and Case #2012-60, Arroyo San Antonio Final Subdivision Plat. Postponed to July 19, 2012.

Commissioner Bordegaray moved to approve Agenda as Amended, second by Commissioner Harris, motion carried by unanimous voice vote.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

- **MINUTES: June 7, 2012**
Staff: No changes.

Corrections:

Page 16: 6th paragraph, 1st sentence: There is still some work to go do?

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Page 27: Peter Komis Komis

Page 29: Steve Machin Machen

Page 30: Meredith (last name) Machen

Commissioner Lindell moved to approve the June 7, 2012 minutes as amended, second by Commissioner Bordegaray, motion carried by unanimous voice vote.

- **FINDINGS/CONCLUSIONS:**

Case #2012-30. Bienvenidos General Plan Amendment.

Case #2012-31. Bienvenidos Rezoning to R-5.

Commissioner Bordegaray moved to approve findings/conclusions for Case #2012-30 and Case #2012-31, second by Commissioner Lindell, motion carried by unanimous voice vote.

Case #2012-42. Sports Authority Sign Variance.

Commissioner Lindell moved to approve findings/conclusions for Case #2012-42, second by Commissioner Bemis, motion carried by unanimous voice vote.

Case #2012-44. 424 Acequia Madre General Plan Amendment

Not included in packet. Ms. Baer checked the minutes and stated that there was not a General Plan Amendment there was a rezoning and lot split. No vote

taken, information will be clarified with the City Attorney before next meeting.

The Chair commented on Findings and Fact, knowing that this is a recommendation made to the Governing Body, and we as Commissioners are prohibited from testifying at that time. We sit here in quasi judicial capacity, that our statement to the Governing Body be incorporated in these Findings of Fact and Conclusions of Law, and also minutes; would that be correct? Ms. Baer: That is correct. Chair Spray: I would think that there might be some other elements of fact that might be helpful from the minutes to the Council as well on this rezoning discussion at the time. One was that the dissolution on the condominium had not yet been approved as discussed several times in the minutes. I feel it appropriate to include as it provides substantive value as it has not yet been approved at this time. Is that appropriate to add as a statement of fact?

Ms. Baer: Mr. Chair you can make recommendations to amend the Findings of Fact and we would bring them back; Ms. Brennan is not here to change them this evening, we could postpone the vote as the commission wishes until the next meeting of July 19th. We will ask Ms. Brennan to add that fact. I would add also that it is not unusual to make a rezoning or a lot split conditional upon a dissolution of a condominium so it is not a requirement.

The Chair asked if it was included. Ms. Baer said it should have been in the staff report which also goes to the City Council.

Chair Spray said that he did not recall that being a condition. Ms. Baer said that she was sure it would have been conditioned; it is too big to pass.

Case #2012-46. 424 Acequia Madre Lot Split.

Case #2012-45. 424 Acequia Madre Rezoning to C-1.

Commissioner Lindell moved to postpone action on findings/conclusions for Case #2012-46 and Case #2012-45 until meeting of July 19, 2012, second by Commissioner Bemis, motion carried by unanimous voice vote by a 4-1 ratio.

Commissioner Harris wanted to understand that the motion for postponement is in order to determine whether or not staff had a condition for dissolution of the condominium. Is that the reason for postponement? Chair Spray said he has questions if that happened, he did not recall this happening. Commissioner Harris said that he agrees with Ms. Baer, it is typical as discussed at the Summary Committee meeting today that the conditions and dissolution be part of the final action. Chair Spray said he agrees but does not recall that this was done. Commissioner Harris said that it has been a long time and it was a long night and he doesn't know if it is germane to be quite frankly. It seems the findings of fact are appropriate and he opposes the motion.

Case #2012-25. 203 E. Santa Fe Avenue Rezoning to RAC.

Case #2012-54. 203 E. Santa Fe Avenue Special Use Request for Professional Office.

Commissioner Lindell moved to approve the findings/conclusions for Case #2012-25 and Case #2012-54, second by Commissioner Bordegaray, motion carried by unanimous voice vote.

Case #2012-52. Shellaberger Tennis Center General Plan Amendment.
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Commissioner Lindell moved to approve findings/conclusions for Case #2012-52 and Case #2012-53, second by Commissioner Ortiz, motion carried by unanimous voice vote.

E. BUSINESS FROM THE FLOOR

Ms. Baer introduced Mr. Richard Czoski, Executive Director, Santa Fe Railyard Community Corporation on Railyard development review process.

Mr. Czoski introduced Mr. Steve Robinson, President of the Board of Directors. Commissioners followed a presentation by Mr. Czoski, (projected on the overhead). He proceeded with a presentation that was viewed on the overhead projector. It was noted that since the Business Capital Design Committee no longer exists Railyard project requests will be coming directly to the Planning Commission for approval.

Included in the packet was historical information on the Railyard property. The city purchased the 50 acre Railyard property in 1995. Mr. Czoski pointed out 40 acres at Guadalupe and Peralta that is normally recognized as the Railyard and there are 10 acres at Baca and Cerrillos Streets. He pointed out the access easement that connects the two projects. Between 1995 and 2002 over 6,000 Santa Feans comments and provided their input on what they would like the Railyard to be. That resulted in a Community Plan that was completed in 1997. The City worked with Design Workshop to produce the Railyard Master Plan which was approved and adopted by resolution by City Council in 2002.

The projects is in the BCD drawing district but is not in the historic district, it is the redevelopment district so it makes it somewhat different given its location. There is also a conservation easement on 13 ½ acres of the project and the 13 acres is comprised of 10 acres which is the Railyard Park bordering Cerrillos, Guadalupe and Paseo de Peralta. There is also an additional 3 ½ acres that goes through the middle of the project that includes the approximate 1 acre of Railyard Plaza where water _____ is and it continues on to Montezuma Street. That guarantees that those 13 ½ acres will be open space in perpetuity. The conservation easement has a very detailed list of restrictive covenants that govern how that land can be used and governs its future development. Mr. Czoski proceeded to point out on the Master Plan the 10 acres on the Baca Street/Cerrillos Rd that are developable. On the Baca Street portion of the project each tenant has to provide leased parking. In the north Railyard, all parking is common and there are 900 spaces in the north Railyard. When we are dealing with future projects to the north Railyard, parking is not one of the items that will need to be considered as it has been accommodated. One of the interesting things about the Master Plan is Pueblo Revival Architecture is not allowed in the Railyard. The Railyard was intended to look different

than the rest of downtown, the architecture is largely industrial, and you won't see rounded standard edges, vigas or portals on purpose. All the new development was required to look different from the historic buildings so the historic buildings would stand out.

The Master Plan itself includes Land Use, Circulation, Grading and Drainage, Architecture and Urban Open Space requirements. It was anticipated that over time the Master Plan would be amended and in fact, on page 27 of the Master Plan it listed the items required to be amended in the Master Plan. (List included in the packet). The Master Plan has been amended nine times to date, eight of those went to City Council; one was approved administratively because it was largely a clarification of what was already in the Master Plan. Any amendments to the Master Plan will come to this body for approval, basically for recommendation to City Council and the Council is the final authority on Master Plan changes.

The Master Plan also grants the Santa Fe Railyard Community Corporation certain discretion in approval of development projects and approval of tenants in the Railyard. All the leases in the Railyard are set up so that we would approve any commercial use and any commercial tenant for the entire 90 year duration of any of the leases. The majority of the leases in the Railyard are ground leases. There are three or four building leases but that is because the city owned the buildings and it was existing when the development started.

Who are we? We are a 501C3 that was formed in 1998; we have 15 volunteer board members and 3 ½ staff members. Staff was larger when we were doing the infrastructure construction but that has now been completed. We have an agreement with the city which is in the form of a Master Lease with very specific responsibilities. We lease 40 acres of the 50 acres; 10 acres that are not leased are comprised of the park itself.

There is a restriction in the agreement with the city that Board Members and/or staff cannot in anyway personally profit from their participation in the Railyard. This was a safeguard the city put in to the original agreement. Mr. Czoski said that even though they do not lease the 10 acres they are responsible to organize all of the events. Any event that occurs in the common areas in the conservation easement of the Railyard is all coordinate by their office. They have been able to consistently increase the number of events over the years; having more this year than ever before. They are pleased that use of the public spaces by the community is very important.

The construction for the Baca Street infrastructure was completed in 2007. The North Railyard portion was completed in 2008. There is one small portion that isn't done which is adjacent to the parcel that is slated for development. That was going to include some underground space so the street improvements in that area were not completed.

The original agreement was to expire last month. In 2011 it was extended for an additional term of 15 years and goes 'till the year 2027. Coincidentally this is the date that all the debt incurred by the city to build out the infrastructure will be paid for. All

the ground rents we collect go first to operate our non-profit and the rest of the funding goes to pay back the City for the \$13 million dollars they borrowed to build out the infrastructure. The City borrowed the money and we were responsible to expend that money to build out the infrastructure. Currently we are in the six figures that we pay the city and shortly it will be in the seven figures a year in order to pay that back.

One of the goals of the Master Plan was to provide for expedited approval of smaller projects. One of the main tenants in the Master Plan is to have as much of the project occupied by local businesses if possible. Right now we have about 6% of the developable square footage occupied by National Tenants and the balance is either un-leased or occupied by local business. Mr. Czoski stated that they will continue with that as a goal.

Because the City of Santa Fe owns the land, all building permits are issued by the State of New Mexico Construction Industries Division. That is a very different procedure from the City. All proposed exterior construction, including signage, is first reviewed by SFRCC's Design and Construction Committee. On that Committee they have SFRCC board members as well as representatives from the City of Santa Fe Land Use Department and Public Works Department; Bob Siqueiros being the representative from the City of Santa Fe.

What is the actual approval process? If we have a building under 10,000 sq. ft. it first goes to the SFRCC Design and Construction Committee (flow chart in packet). Bob Siqueiros runs it through the City Design Review Team Committee and he works with the other city department(s) to make sure that they are in agreement with the project. Assuming that those requirements are met, the tenant at that point would get approval for the project, Bob would write them a letter that would go to CID that would allow CID to issue them a building permit. CID will not issue a building permit until they have received a letter from Bob Siqueiros saying that all of the requirements have been met. Every project, large or small, goes to the State Historic Preservation office for approval. That requirement results from an MOU that was signed in 2004 by the City of Santa Fe, SFRCC and the Trust for Public Lands. Trust for Public Lands is indicated as they are the holder of the conservation easement. SHIPO has uniformly approved every project we have approved because they are also looking for compliance with the Master Plan. CID looks at the mechanical drawings for the projects, SFRCC looks at the design. For larger projects, we start with the SFRCC Design Committee and once the input is agreed on it goes to the City Land Use Department. EIN meetings are held and then it comes to the Planning Commission for approval. When Planning Commission is received it will go to SHIPO and to CID for final approval for a construction permit.

Questions:

Chair Spray: Can you provide more information on the involvement by Trust for Public Lands and SHIPO?

Mr. Czoski: We cannot do any development on the conservation easements. That has all been built out, it was built by the Trust for Public Lands and completed around 2008.

(Space was shown on the overhead) – It does not include anything in the Baca area it is only in the North Railyard. There are two buildings that were constructed on the easement; there is a public restaurant and there is a community meeting room that has a shop for parks. According to the easement, utilities and can go underneath the easement, according to the easement there are road crossings which are all in place at this point which cross the tracks. The City granted the easement and Trust for Public Lands was the grantor. Trust for Public Lands basically arranged for a very sizeable tax credit as a result of creating the conservation easement which was \$13 million dollars which lowered the price from \$35 million dollars to \$21 million to allow the city to buy it. In exchange for that they were granted the conservation easement and Trust for Public Lands with the help from the city and that state raised a great deal of money privately to do the improvements. SFRCC did not build the public conservation easement improvements.

Commissioner Harris: There is one portion of that conservation easement, those improvements that have not been constructed and basically called the west side of the plaza on the either side of the railyard track. That portion was delayed because of the issues related to the underground theater. When we get to that point, Mr. Czoski, do you know who will build that remaining portion of the plaza?

Mr. Czoski: The City has agreed to develop that portion which in fact is in an approved CIP budget at this point. As soon as we can complete our lease with the Cinema developer, the city will be in a position to complete those improvements. At the moment, the area around that parcel is so constricted that those improvements would be after whatever building goes into that location.

Commissioner Harris: I am glad for the acknowledgement that the city will pick that up whenever the determination is made.

Mr. Czoski: The other portion of the easement that doesn't have any development is the area south of Alarid Street, between Cerrillos Road and St. Francis. The area where the red caboose sits, there is a small piece of land that belongs to the State and the balance of that belongs to the City and it is covered by the conservation easement as well. There have been no plans for development of that area at this point.

Chair Spray asked about if their financials are on line as they are a 501C3.

Mr. Czoski: Yes, they are on line. It relates to the city's financial reporting in so far as the city floated bonds to pay for the infrastructure. The rest we paid for debt service for those bonds. Due to many factors, including the economy and the gestation period, at this point we are not making the full payments. The payment this year was in the neighborhood of \$850,000 and we paid \$550,000. The city would disclose the fact that our rent that SFRCC is paying the City is not off setting on a dollar for dollar basis at this point. We are confident in the future it will but we still have 12 buildings and sites that are un-leased. We were up to 92% leased on the land parcels and due to the failure of some of our tenants we are at 78% now. The rent we pay is not GRT. If we would cease

to exist or the city would terminate our agreement, the City would become the landlord.

Every project needs to comply with all city ordinances. We have approved up to 30 projects at this point, some were built and some were not. In terms of the size it is 500,000 square feet of developable building square footage. The largest building is already up which is Market Station which is about 100,000 square feet. The buildings you will be seeing will probably be in the 30,000 sq. ft. and smaller range.

Mr. Czoski stated that they have two websites, one is the corporate website which is more real estate related for those people who are interested in available parcels or looking at the history or related to our non-profit, the second website, Railyard Santa Fe is set up with the public and users of the space of what is happening in the Railyard.

Another factor is that the Railyard was never meant to just be a development project. From the very beginning we set aside 100,000 square feet of building and development potential for non-profits. Between El Paseo, Site Santa Fe, Farmers Market, Warehouse 21, they comprise 100,000 square feet of building. They pay around 20% of a rent that the for profit businesses pay for. We wanted it to be affordable for them since the beginning.

It is not an Art District; we value art but it was always meant to be a mixed use project with a big community component, arts component, commercial component, transportation component, all of which is described in the Master Plan.

The background presented tonight is presented as a point of reference when projects come forth in the future.

Commission Harris: Park Stewards, is that relationship with SFRCC or with the City?

Mr. Czoski: SFRCC does not have any direct relationship with the stewards. The maintenance responsibility for the park primarily rests with the city of Santa Fe. Stewards provide maintenance of the parks at a higher level than the other parks. They are a 501C3 non-profit stand alone, they receive some funding from the city and they raise funds on their own. They also provide significant educational programs for the community. SFRCC cooperates with the stewards, they attend our Public Use Management Board Committee meetings and we have worked with them over the years to draft policy and procedures for use of all of the public space. Trust for Public Lands still holds the conservation easement. The Stewards don't have any legal authority regarding enforcement of the conservation easement but they do have their mission that they undertake in the Railyard in the park itself.

Commissioner Bordegaray: Can you address the request for the 2-way?

Intersection questions: One of the requirements from the Master Plan was that traffic from the project was not to flow out on to Baca Street. SFRCC proposed and showed the one-way in to the project which was the way it was built originally. After two years of

experience people pretty consistently ignored the one lane and it could only accommodate one car. We recommended a change to 2-way and did it primarily for safety issues. BCDRC did a field trip, they considered it and they looked at a different intersection, _____ and Cerrillos Road and the Master Plan had indicated there would be a traffic signal. However there was not enough traffic warrant to justify a stop light. It is very dangerous to go north on Cerrillos Rd. I believe the position of the city has not changed as they say we need more development and more traffic. My understanding was that the BCDRC did not want to change the master plan and they wanted to wait.

#8 – Chair Spray asked if Santa Fe Clay was demolished. Santa Fe Clay is still standing. This space may be required for the Cinema and Mr. Czoski explained the terms of the lease for future development in detail.

Developer and lease update.

REI is stable and reiterates that they are staying; their sales are very satisfactory in that location.

The Chair expressed his thanks for the presentation.

Mr. Robinson expressed his thanks to Mr. Czoski on his presentation with such clarity. Mr. Robinson offered his presence to answer any questions that the Commissioners might have. Professionally he is an Architect and provides Pro Bono services to the Railyard. The impetus to purchase this space at the time was that people of all ages in Santa Fe needed a new realm to come together as in the plaza for so long. We recognize that this is work in progress but we are proud of what we are working towards.

Our non-profit board (Exhibit A – list of board members) meets once a month at the Santa Fe Public Library) and we follow open meetings act and invite the public to attend. We are comprised of several committees and they meet every second week. The board is very active and productive.

Richard and Sandy have developed a very positive working relationship with City Staff on a regular basis. There is a lot of trust and interactive coordination.

F. OLD BUSINESS

1. **Case #2012-39. La Luz Health Complex General Plan Amendment.** James W. Siebert, agent for Sandra Pacheco, requests approval of a General Plan Future Land Use Map Amendment to change the designation of 6.36± acres of land from Low Density Residential (3-7 dwelling units per acre) to Transitional Mixed Use. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager) **(POSTPONED FROM JUNE 7, 2012) (TO BE POSTPONED TO AUGUST 2, 2012)**
2. **Case #2012-40. La Luz Health Complex Rezoning to MU.** James W. Siebert, agent for Sandra Pacheco, requests rezoning of 6.36± acres of land from MHP (Mobile Home

Park) to MU (Mixed Use). The application includes a Development Plan for a medical complex consisting of a medical clinic, assisted housing for the elderly and medical offices. The property is located south of Rufina Street extending to Aggie Road. (Dan Esquibel, Case Manager) **(POSTPONED FROM JUNE 7, 2012) (TO BE POSTPONED TO AUGUST 2, 2012)**

G. NEW BUSINESS

1. **Case #2012-58. 1158 Harrison Road Rezoning from R-2 to R-5.** Rick Chatroop, agent for Frederick & Norma Jones, requests rezoning of 0.67± acres from R-2 (Residential, 2 dwelling units per acre) to R-5 (Residential, 5 dwelling units per acre). The property is located between Agua Fria Street and Cerrillos Road on Harrison Road. (Donna Wynant, Case Manager) **(TO BE POSTPONED TO JULY 19, 2012)**
2. **Case #2012-59. 1158 Harrison Road Lot Split.** Rick Chatroop, agent for Frederick & Norma Jones, requests conditional approval for a lot split of 0.67± acres. The property is located between Agua Fria Street and Cerrillos Road on Harrison Road. (Donna Wynant, Case Manager) **(TO BE POSTPONED TO JULY 19, 2012)**
3. **Case #2012-60. Arroyo San Antonio Final Subdivision Plat.** James W. Roth, agent for Dry Creek Development LLC, requests final subdivision plat approval for 4 lots on 0.97± acres. The property is located at 1713 Montano Street, and is zoned R-5 (Residential, 5 dwelling units per acre). (Donna Wynant, Case Manager) **(TO BE POSTPONED TO JULY 19, 2012)**

H. STAFF COMMUNICATIONS

Summary Committee: Chair – Commissioner Harris and Commissioner Bordegaray will serve as Secretary with Commissioner Ortiz serving as well on the Summary Committee.

Ms. Baer Update: Bienvenidos which was a General Plan Amendment and rezoning request, it got a negative recommendation from this body and also NMOGA which was a rezoning request with special use permit also got a negative recommendation. Both projects are going on to city council with those negative recommendations. A couple of things have changed, 1) there was an appeal filed related to the NMOGA special use permit which this body has the final on that. The only way that can be changed is through an appeal to the Council. That will be heard at the same time as the zoning request.

On Bienvenidos, staff, occupants and owners has made a commitment as they go forward to cancel two of the site plans that the commission saw that were not part of the application.

I. MATTERS FROM THE COMMISSION

Commissioner Harris provided an update from the Summary Committee meeting.

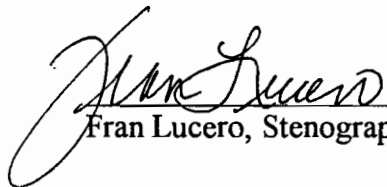
Commissioner Bemis stated that Long Range Planning committee will be meeting prior to the July 19, 2012 meeting.

J. ADJOURNMENT

There being no further business to come before the Planning Commission the meeting was adjourned at 7:30 pm.

Signature Page:

Tom Spray, Chair



Fran Lucero, Stenographer

**THE SANTA FE
RAILYARD
COMMUNITY CORPORATION**

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