



AMENDED

**PLANNING COMMISSION**

**July 19, 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: July 5, 2012

FINDINGS/CONCLUSIONS:

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

Case #2012-45. 424 Acequia Madre Rezoning to RC8-AC.

- E. OLD BUSINESS
- F. 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) **(POSTPONED FROM JULY 5, 2012)**
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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) **(POSTPONED FROM JULY 5, 2012)**

- 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 the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.
- 2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting “quasi-judicial” hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In “quasi-judicial” hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.
- 3) The agenda is subject to change at the discretion of the Planning Commission.  
**\*Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk’s Office (955-6520) 5 days prior to the hearing date.**



# Agenda

DATE 6/28/12 TIME 3:55

SERVED BY Geraldine [Signature]

RECEIVED BY [Signature]

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**Index Summary of Minutes  
Planning Commission  
July 19, 2012**

<u>INDEX</u>	<u>ACTION TAKEN</u>	<u>PAGE(S)</u>
Cover Page		1
Call to Order	Call to Order by Chair, Tom Spray at 6:00 pm	2
Roll Call	A quorum was declared by verbal roll call.	2
Review and Approval of Agenda	No changes from Staff.  No changes from the Committee  <i>Commissioner Harris moved to approve the Agenda as presented, seconded by Commissioner Lindell, motion carried by unanimous voice vote.</i>	2
Approval of July 5, 2012 Minutes Page 5: Last paragraph, sixth line, fill in blank to read “tank” Page 7: Change SHIPO to SHPO Page 8: Second paragraph, third line change “either” to read “other” Page 10: Fourth line, fill in blank to read “Railfan Road” Page 11: Prior to “Staff Communications” it should be noted that; the owners (on Bienvenidos) have made a commitment to the site plan that the commission saw but that was not a part of the application.  It was noted by Commissioner Harris that the discussion on City’s purchase of the market building was not included. Ms. Baer will get detailed information from Mr. Czoski and bring it back as a matter from staff.  Approval Findings & Conclusions Case #2012-46 – 424 Acequia Madre Lot Split	<i>Commissioner Villarreal moved to approve the July 5, 2012 minutes as amended, seconded by Commissioner Harris, motion carried by unanimous voice vote.</i>  <i>Commissioner Harris moved to approve Findings/Conclusions for Case #2012-46 – 424 Acequia Madre Lot Split, seconded by Commissioner Lindell, motion carried by unanimous voice vote.</i>	2-3

**Index Summary of Minutes  
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<p><i>Case #2012-45 – 424 Acequia Madre Rezoning to RC8-AC</i></p>	<p><i>Commissioner Villarreal moved to approve Findings/Conclusions for Case #2012-45 – 424 Acequia Madre Rezoning to RC8-AC, seconded by Commissioner Lindell, motion carried by unanimous voice vote.</i></p>	
<p><b>Old Business</b> None</p>		4
<p><b>New Business</b> <u>Case #2012-58.</u> 1158 Harrison Road Rezoning from R-2 to R-5  <u>Case #2012-59.</u> 1158 Harrison Road Lot Split  <u>Case #2012-60.</u> Arroyo San Antonio Final Subdivision Plat</p>	<p><i>Motion by Commissioner Villarreal to approve case 2012-58 – 1158 Harrison Road Rezoning from R-2 to R-5 with staff conditions, seconded by Commissioner Pava, motion passes by unanimous voice vote.</i></p> <p><i>Motion by Commissioner Villarreal to approve case 2012-59 – 1158 Harrison Road Lot Split with staff conditions, seconded by Commissioner Lindell, motion passes by unanimous voice vote.</i></p> <p><i>Commissioner Villarreal moves to approve Case 2012-60 – Arroyo San Antonio Final Subdivision Plat with staff conditions and exclusion of language regarding the PRC, seconded by Commissioner Bordegaray, motion passes by unanimous voice vote.</i></p>	4-11
<p><b>Business from the Floor</b></p>	<p><i>None</i></p>	11
<p><b>Staff Communications</b></p>	<p><i>Informational</i></p>	11-12

**Index Summary of Minutes  
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<b>Matters from the Commission</b>	<i>Informational</i>	
<b>Adjournment</b>	<i>There being no further business to come before the Planning Commission, Commissioner Bordegaray moved to adjourn the meeting at 7:15 pm, second by Commissioner Harris, motion carried by unanimous voice vote.</i>	12
<b>Signature Page</b>		12

MINUTES

**PLANNING COMMISSION**  
*July 19, 2012 – 6:00 pm. – 7:15 pm*  
**CITY COUNCIL CHAMBERS**

**A. ROLL CALL**

**Present:**

**Tom Spray, Chair**  
**Commissioner Harris**  
**Commissioner Pava**  
**Commissioner Villarreal**  
**Commissioner Bemis**  
**Commissioner Lindell**  
**Commissioner Ortiz**  
**Commissioner Bordegaray**

**Others Present:**

**Tamara Baer**  
**Jamison Barkley**  
**Matthew O'Reilly**  
**Donna Wynant**

**Theresa Casados for Fran Lucero, Stenographer**

**B. PLEDGE OF ALLEGIANCE**

**Commissioner Ortiz led the Pledge of Allegiance.**

**C. APPROVAL OF AGENDA**

*Commissioner Harris moved to approve the Agenda as presented, seconded by Commissioner Lindell, motion carried by unanimous voice vote.*

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

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**Page 5: Last paragraph, sixth line, fill in blank to read "tank"**

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It was noted by Commissioner Harris that the discussion on City's purchase of the market building was not included. Ms. Baer will get detailed information from Mr. Czoski and bring it back as a matter from staff.

*Commissioner Villarreal moved to approve the July 5, 2012 minutes as amended, seconded by Commissioner Harris, motion carried by unanimous voice vote.*

Ms. Baer introduces Jamison Barkley from the office of the City Attorney. Ms. Barkley is the new Assistant City Attorney. She comes to the City from the office of Brian Egolf and has extensive experience.

Ms. Barkley: "I am happy to be here. I have rather large shoes to fill as I am hired to be Ms. Brennan's backup. I worked for Brian Egolf during the legislative session and clerked for Justice Serna at the Supreme Court."

**E. FINDINGS/CONCLUSIONS:**

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

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Ms. Baer – I have included the minutes from the meeting to which these findings refer. You will see highlighted areas immediately after the findings – page 14 of minutes – it is noted that this condition was part of the discussion. Also on the back of that page the conditions of approval at the meeting includes "Prior to recordation final dissolution of condominium, with Plaza Chamisal approvals, shall be provided". It is there and I believe Ms. Brennan also added it in the current findings.

Chair Spray: I understand this will be taken forward to the council per our recommendation. What if the exception has not been executed by that time?

Ms. Baer: Before the plat is recorded it must happen. We cannot record a plat for a stand alone lot. I believe Commissioner Harris pointed this out that they not do that until they have secured their approvals.

Chair Spray: The dissolving of a condominium has impact on others. I assume the applicant would not want to pay for that. In presenting that as a recommendation, will it be presented by Ms. Lamboy?

Ms. Baer: That is correct. The staff report and minutes will also be presented to the council.

Chair Spray: This is our voice in front of the council and I would like to make sure that everything we have talked about is clear going forward. None of us will be present to testify. Thank you.

*Commissioner Harris moved to approve Findings/Conclusions for Case #2012-46 – 424 Acequia Madre Lot Split, seconded by Commissioner Lindell, motion carried by unanimous voice vote.*

*Commissioner Villarreal moved to approve Findings/Conclusions for Case #2012-45 – 424 Acequia Madre Rezoning to RC8-AC, seconded by Commissioner Lindell, motion carried by unanimous voice vote.*

## **F. OLD BUSINESS**

None

## **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) **(POSTPONED FROM JULY 5, 2012)**

Ms. Wynant: This is a two part case to rezone from R-2 to R-5 and a lot split. (*Refers to Exhibits included in packet*). The location is to the east and the surrounding area is a variety of zoning districts. One thing that has not changed is the R6 mixed use at Harrison and Agua Fria. (*Aerial photo showing surrounding development*). The applicant would like to split the remaining area for future development of a new home. We did get a late communication from the City Engineer and I met with David Catanach and we found out there were some drainage issues there. With a good hard rain you can see some ponding. It was called to our attention and according to the memo it was decided that one way to take care of that issue is to put into place an easement to catch water and direct it to the west. It would take care of water issues that are bound to happen. After discussion with the applicant, I believe this is agreeable. Some of the fencing is where the future easement would be for future improvements. (Shows illustration and speaks of drainage issues). There is an arroyo which would carry the water and take care of the problem in the future. Staff is in support of his request. There have been enough changes in that area to justify the higher zoning. They need the R5 in order to split that property into two lots.

Chair Spray: Please have the record show that Commissioner Bordegaray is now present.

### **Mr. Richard Chatroop – 110 Wagon Trail Road, Cerrillos, NM.**

We have met with staff members and I spoke with David Catanach and clarified the easement on the south edge of 10 feet. Ms. Jones is in agreement of that. The sidewalk on the existing lot and proposed lot will be accommodated. Everyone is in agreement with all conditions.

Chair Spray: This is a public hearing. Is there anyone from the public wishing to speak on this issue?

**No interested party, therefore, the public portion is closed.**

Commissioner Harris: In reviewing the packet I didn't think I had any questions. However, for clarification – if this is approved and the 10' drainage easement is created, who would make the improvements and who would maintain them?

Ms. Wynant: This is something that would be in place – there is a legal mechanism to provide for the infrastructure to carry that water. We asked David Catanach what type of improvements would be required. He said the City would put in that infrastructure in the future. It would be done at the time of building permit and it would be at the cost of the City. He wants to make sure the easement is in place. There is so much water coming into the area that it is best to direct it to the existing drainage facility. So it would be at the cost to the City.

Commissioner Harris: Who would be responsible for maintenance?

Ms. Wynant: I am not sure about that. We did look at the area and what David Catanach said is they have to make sure it is clear of debris. I believe it is the property owner.

Ms. Baer: If the City is putting in the facilities I believe the City is responsible for maintenance. But we can check and get back to you.

Mr. O'Reilly: The easement is granted to the City for drainage and the City would be responsible for infrastructure and maintenance.

Commissioner Harris: The timing would be determined by the City?

Mr. O'Reilly: That's correct.

Commissioner Ortiz: I recollect any time that there was a need for drainage, we tried to put that burden back on the developer for infrastructure and improvements – but I always thought the developer would do any improvements that needed to be made and they would take responsibility for that. That was the policy way back. That is the one thing I thought of in this particular case. I had a follow up on the conditions of approval on page 2 of 2. Number 2 says “The Developer shall construct a 5 ft. wide sidewalk, or provide the City of Santa Fe with a financial guarantee to cover the cost... prior to recordation of the Lot Split plat.” If it is a financial guarantee what kind of time frame is it before that sidewalk is put in place and is it done by the City of Santa Fe?

Ms. Wynant: I cannot answer that question. I will defer to Ms. Baer or Mr. O'Reilly. I did talk with the Traffic Engineering Division and we wanted to make sure sidewalks are put into place as development occurs. We wanted to give them some flexibility as to

when they absolutely had to do that. They can either do it now or make a financial guarantee so we would have a continuous sidewalk.

Mr. O'Reilly: When there is no development we do not require that sidewalks be installed until they come in for building permits. If this was a larger development we would require a financial guarantee. The drainage facility – you are correct – if a development is being done and excess runoff is being created by that development the developer is responsible for maintaining. This is city drainage water coming from offsite so it is the responsibility of the city. That is why the city would be responsible for those pipes and any work.

Commissioner Ortiz: I remember that now. You will have less water on this now as the improvements on Cerrillos Road have helped this dramatically. The reason I asked on the financial guarantee is I remembered them doing that in the past but sometimes it never got built and I wonder where the money went. Is there a special fund for that?

Mr. O'Reilly: You are correct, that did sometimes happen. We have seen a vacant lot with no sidewalk. Up until recently the Vista Primera subdivision had situations like that. In relatively modern times at the City those sidewalks had financial guarantees. When the development is complete and the city is required to accept the final development we are sometime asked to keep the guarantee. We may go along with something like that. If it may be 20 years before the homes are to be completed we don't want the residents to go without sidewalks that amount of time. It can be made a condition that sidewalks are built now. It would be up to this Commission. I do not think our staff is uncomfortable with the conditions recommended.

Commissioner Lindell: On Lot 1 could that, if this rezoning happens, be split again?

Ms. Wynant: Yes, it is up for review for a lot split into two lots. If there is a request for another split that would be regarded as a serial subdivision and we would put a note on the actual plat that this cannot exceed two lot units within a certain time frame. The R5 could potentially yield a higher density. What they are asking for is two lots and that is what is up for review. The restriction will be on the plat. This is in line with the surrounding zoning.

Ms. Baer: The density that would be allowed on the entire property would allow for 3 separate lots. The new amendment as of March 1, 2012, we have defined and put a time limit on when another lot could be split without creating a serial subdivision - that is 5 years. They could request before 5 years but they would then have to go through the entire subdivision rather than lot split process. It would require preliminary and final subdivision design.

Commissioner Lindell: Would that bring forward affordable housing requirements?

Ms. Baer: That starts with the construction of 2 new units. Santa Fe Homes Program applies after 2 new constructions.

Commissioner Bemis: The view of the property on the south side – what are the piles of dirt?

Ms. Wynant: Those are piles of dirt – I will have to defer to the applicant to give background on that. I think there has been some filling.

Commissioner Pava: If we approve the zone change is there any change with the zoning regulations regarding the kind of single homes that can be on the lot? Can a manufactured home be placed on the lot?

Ms. Wynant: Yes, that is possible to do a manufactured home. There are certain setbacks and restrictions. A mobile home is a different story but a manufactured home is allowed.

Commissioner Pava: So we have affordable housing?

Ms. Wynant: It could qualify.

Commissioner Bordegaray: In some areas of the city is manufactured housing not allowed? Is that a particular zoning category?

Mr. O'Reilly: Manufactured homes are allowed anywhere except historical districts.

Chair Spray: About Chapter 14 zoning criteria, can we be specific about the reason for your proposal for the rezoning change? We would say we recommend the change based on a certain portion of the law. The primary reason is under Section C1A2 – there has been a change in the surrounding area – would you say that would be the primary reason for making a recommendation to approve the zoning change?

Ms. Wynant: That would be the primary reason that there have been enough changes in the area. It is a drastic shift in that area to Harrison Road. That would, yes, be the primary reason.

Chair Spray: When I see your map (Ex. C2) where we had R2 changing to R6 – what about the R7 – was that a recent change?

Ms. Wynant: I do not know how long that dates back. I believe it is a recent development.

Chair Spray: Is there a particular reason why the R2 was stripped in there between all these R5s and industrial use?

Ms. Baer: A lot of the zoning assigned was based on what was there. There was no great analysis that went into that.

Chair Spray: I take it very seriously and assume someone has thought it through. It seems to me that every time we make a change we open a door to another change. Is that really how we want to develop? We continue to change the character of the neighborhood and it should not be done on an *ad hoc* basis.

Mr. O'Reilly: There has been some thought about what this area should be. It is part of the General Plan in the city's land use map. The plan calls for R3-R7. Further, if you look at Ex. C2 you see the preponderance of R5. It may seem to the committee that because we receive requests one at a time it seems piece meal, but it has been planned in the General Plan to be zoned R3 – R7. There has been very few times that the city has initiated a large rezoning of areas in town. It was done at Juanita Street when it was changed from R1 to R8.

Chair Spray: When we are making our decision is future land use proposal part of the criteria that we should use in making these decisions?

Mr. O'Reilly: Criteria in the staff report under Section C, Item 3, calls for a different use. Future land use map is part of our General Plan. In addition to Item C1A2 there is also C1A3. How things change in the community over time is something that the planning commission becomes aware of. Your recommendation one way or the other is your acknowledgement when it goes before council. If you feel that making this additional change further validates those changes – you are the Planning Commission and you get to make those decisions.

Chair Spray: Part of my feeling is that people of the neighborhood have been able to have input and it is incumbent of all of us to say the plan is good and we think it fits and for the rest of you it can still work and not be difficult for the rest of you.

Mr. O'Reilly: Zoning is to protect property values. People have an expectation of stability on what is going to happen around them. The future land use map is an idea of how an area can develop. That is why a General Plan amendment is not a part of this application. This complies without a General Plan. If they wanted to rezone to R21 it would be a different thing.

Commissioner Bordegaray: This is the system working. This is our General Plan where thought was given and this change is consistent with that. I appreciate your thoughts on this and the idea that piecemeal change can contribute to an erosion of the neighborhood character. Such a change actually makes sense. This is an industrial area and it is hard to blend areas after the fact. If this brings more residential development to the area it improves the neighborhood character. This is the voice of planning coming through.

***Motion by Commissioner Villarreal to approve case 2012-58 – 1158 Harrison Road Rezoning from R-2 to R-5 with staff conditions, seconded by Commissioner Pava, motion passes by unanimous voice vote.***

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) **(POSTPONED FROM JULY 5, 2012)**

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Ms. Wynant: The Arroyo San Antonio is requesting a final plat approval for 4 lots. It was previously approved for a condominium unit. Financing was difficult so the applicant requested to split the lots. The conditions are listed on Exhibit A. This development is a very interesting area between an Acequia and arroyo. (Goes over visual exhibits and discusses access points). Staff is in support of this with the recommendations.

**James W. Roth – 5 Senda Torcida, Santa Fe**

I am in agreement with all the amendments that you have offered. I have no problem with anything the City has recommended.

Chair Spray: This is a public hearing. Is there anyone from the public wishing to speak on this issue?

**No interested party, therefore, the public portion is closed.**

Commissioner Pava: On the aerial in our packet - on the north end of the lot there appears to be some vehicles in the drainage area. What might that be?

Ms. Wynant: The applicant may want to address that. There is some fencing possibly with storage of materials for construction activity in trying to complete the project. This is an old photograph.

Mr. Roth: It is a cedar fence with building materials. Five units were to be built and there were materials for additional units. That is one of the lots so that will be gone.

Commissioner Ortiz: Subject to certificate of dissolution of condominium?

**Frank Herdman (representing Mr. Roth):**

I will assist in the dissolution of the condominium. One of the conditions of approval is that the plat will not be recorded until the condominium is dissolved. There will be a series of documents signed and that document will provide for the simultaneous dissolution of the condo and the transfer of real property lots to the four lots in question. We want to make sure we have approval on the plat before we proceed.

Commissioner Harris: As this bundle of documents are prepared and recorded you will create a home owners association?

Mr. Herdman: That is correct. Those documents have been submitted with the application. It will be fundamentally the same and will include maintenance language.

Commissioner Pava: This is R5 and this is - provide me with context when a zero lot line is allowed in the R5. No variances are required?

Ms. Wynant: The lots – southern most – they – I believe they touch each other. I am not sure if there is space. LC3 and D the space there is meeting the setback requirement which is 5'. If you look at exhibit D1 – I will defer to Mr. Roth.

Ms. Baer: On the site plan in your packet it does say zero lot line but the way the buildings are show it does not have zero lot line. You are not approving zero lot line. This is approved by affidavit through the adjacent property. They would have to request permission and that person could grant up to zero and less than the 5' setback. Your approval tonight does not require zero lot line.

Commissioner Bemis: Where will driveways access these houses? I cannot tell from the photograph.

Ms. Wynant: Explains on aerial photo.

Chair Spray: On the conditions of approval per the office of the public regulation commission how are they in there?

Mr. Herdman: That is an oversight on my part. There will be a nonprofit organization to create the homeowners association or alternatively we could take the existing condo association and change the name and use that entity. That would be the only involvement of the PRC. We would need the signature of current owners. I ask that that condition be removed to limit confusion down the line.

Chair Spray: this is the second case in which we have discussed this. I assume that you are confident that the dissolution will be approved by current owners.

Mr. Herdman: Yes, there are documents created and the real property interests are conveyed out, to the extent there are mortgages on the condos there will be new mortgages on the lot. The trend these days is to go from condos to single lots.



Chair Spray: Thank you for that clarification.

*Commissioner Villarreal moves to approve Case 2012-60 – Arroyo San Antonio Final Subdivision Plat with staff conditions and exclusion of language regarding the PRC, seconded by Commissioner Bordegaray, motion passes by unanimous voice vote.*

## **H. BUSINESS FROM THE FLOOR**

**None**

## **I. STAFF COMMUNICATIONS**

Ms. Baer: We have quite a few cases going to the council on July 25 and August 2<sup>nd</sup>, it is a full agenda for this Commission.

Mr. O'Reilly: Recently you heard an ordinance change regarding water budgets and that was approved by the Governing Body.

## **J. MATTERS FROM THE COMMISSION**

Commissioner Harris: There was no meeting today for the Summary Committee. I will have one August 2<sup>nd</sup>.

Commissioner Bemis: Commissioner Pava is a new member on the Long Range Committee. He is our Chair.

Commissioner Pava: We met for an hour – and I will bring donuts next meeting. We discussed the 14 draft goals for each element of the comprehensive plan. We are tasked with reviewing those and making suggestions for wording those goals. There were interesting discussions.

Commissioner Spray: Would the results of that come back to the full Planning Commission?

Mr. O'Reilly: The committee was created simply to give guidance to the long range planning staff. If there comes a point that the long range planning staff develops a plan or recommendations for a new General Plan all of that will come through the Planning Commission.

Commissioner Bemis: 1983 was the last planning document. Nobody looks at it. We are trying to make it much more accurate and easy to look at. There are 14 goals listed.

Commissioner Pava: When something gets appealed to the City Council like our decision on the oil and gas special use permit - are we allowed to attend?

Mr. O'Reilly: The way this works is you act as judges on the quasi judicial matters. The City Attorney has ruled that you don't get two bites at the apple. Your decision is your voice. You

said it, it's the record. Now another governing body gets to act on that. You can attend and listen but you would not be testifying on the case. The governing body hears the matter *de novo* and anything can, and sometimes does, happen when heard by the governing body.

Ms. Baer: This body made a recommendation on rezoning and council will make a determination. There is an appeal regarding the special use permit and this request was made concurrently.

Chair Spray: All the comments we talk about are important. I would like the City Council to see as much as possible of what we have done. We don't get a chance to speak on that. We cannot testify. The motions we make are very important that we cross our "T"s and dot our "I"s. Our voice is important when we make our motions.

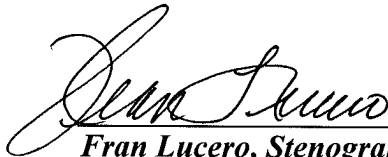
## **K. ADJOURNMENT**

*There being no further business to come before the Planning Commission, Commissioner Bordegaray moved to adjourn the meeting at 7:15 pm, second by Commissioner Harris, motion carried by unanimous voice vote.*

*Signature Page:*

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*Tom Spray, Chair*



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*Fran Lucero, Stenographer*