



PLANNING COMMISSION
Thursday, April 5, 2018 - 6:00pm
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS**
MINUTES: March 1, 2018

FINDINGS/CONCLUSIONS:

Case #2017-133. General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.

Case #2017-134. Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.

Case #2017-140. General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract.

Case #2017-139. Rezoning for Housing Authority Hopewell-Mann Lease Tract.

Case #2017-123. Estancias del Norte Preliminary Subdivision Plat and Variance Request.

Case #2018-12. 213 South El Rancho Road Subdivision.

Case #2018-09. Las Soleras Regional Park Final Subdivision Plat.

Case #2018-10. Las Soleras Tract 9A-1A Final Subdivision Plat.

Case #2018-04. Ross's Peak Final Subdivision Plat.

- E. OLD BUSINESS**
- F. NEW BUSINESS**

- 1. Case #2018-18. Paseo Del Rio Final Subdivision Plat.** Jennifer Jenkins of JenkinsGavin, Inc., Agent for Secure Logistics, LLC, Owners, requests approval of a final subdivision plat for thirty six (36) single-family lots located at 5201, 5251, and 5299 Agua Fria. The property is approximately 9.55 acres and is zoned MU (Mixed-Use). (Margaret Ambrosino, Case Manager)
- 2. Case #2018-19. Cerro del Norte Final Subdivision Plat.** JenkinsGavin, Inc., Agent for Summit Business Group, LLC, Owner, requests approval of a final subdivision plat for 32 residential lots on approximately 7.44 acres. The property is located between Fifth Street and the Rail Trail, north of the Casa del Cerro subdivision. The property is zoned R-5 (Residential- five dwelling units per acre). (Donna Wynant, Case Manager)

3. **Case #2018-20. 4149 Fairly Road Development Plan and Special Use Permit.** Fredrick Lucas, agent for ZZYZX Corporation, Owner, requests approval of a Special Use Permit for an Urban Farm Ground Level, greater than one acre, and Development Plan on four separate parcels that total approximately 9.8 acres of land. The properties are located at 4149 Fairly Road and are zoned R-5 (Residential – five dwelling units per acre) and R-1 (Residential – one dwelling unit per acre). (Lee Logston, Case Manager).
4. **Case #2018-31. 551 Alarid Street General Plan Amendment.** Jeffery Seres of Studio Southwest Architects, Agent, representative for The Santa Fe Public Schools, Owner, requests a General Plan Amendment from Public Institutional to Community Commercial. The property is located at 551 Alarid Street and consists of approximately 2.90 acres. (Dan Esquibel, Case Manager).
5. **Case #2018-03. 551 Alarid Street Rezoning.** Jeffery Seres of Studio Southwest Architects, Agent, representative for The Santa Fe Public Schools, Owner, requests rezoning from R-8 (Residential-eight dwelling units per acre) to BCD-RED (Business Capitol District-Redevelopment Subdistrict) and Master Plan approval. The property is located at 551 Alarid Street and is approximately 2.90 acres. (Dan Esquibel, Case Manager)

G. STAFF COMMUNICATIONS

H. MATTERS FROM THE COMMISSION

I. ADJOURNMENT

NOTES:

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

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PLANNING COMMISSION

April 5, 2018

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| 1. | <u>Case #2018-18. Paseo Del Rio Final Subdivision Plat</u> | Approved as amended 5-7 |
| 2. | <u>Case #2018-19. Cerro del Norte Final Subdivision Plat.</u> | Approved as presented 8-12 |
| 3. | <u>Case #2018-20. 4149 Fairly Road Development Plan and Special Use Permit.</u> | Approved as presented 12-18 |

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| 4. <u>Case #2018-31. 551 Alarid Street</u> General Plan Amendment | Approved as presented | 18-27 |
| 5. <u>Case #2018-03. 551 Alarid Street Rezoning</u> | Approved as presented | 18-27 |
| H. Staff Communications | Discussion | 27 |
| I. Matters from the Commission | None | 27 |
| J. Adjournment | Adjourned at 9:22 p.m. | 27-28 |

PLANNING COMMISSION

Thursday, April 5, 2018
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

CALL TO ORDER

A regular meeting of the City of Santa Fé Planning Commission was called to order by Commissioner Jack Hiatt, Chair, on the above date at approximately 6:00 p.m. in the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll Call indicated the presence of a quorum for the meeting.

Members Present

Commissioner John B. Hiatt, Chair
Commissioner Sarah Cottrell Propst, Vice-Chair
Commissioner Lee Garcia
Commissioner Brian Patrick Gutierrez
Commissioner Stephen Hochberg
Commissioner Mark Hogan
Commissioner Piper Kapin [arriving later]

Members Absent/Excused

Commissioner Pilar Faulkner, Secretary
[One vacancy]

Others Present:

Ms. Lisa Martinez, Planning and Land Use Director
Mr. Noah Berke, Current Planning Division Manager & Staff Liaison
Mr. Richard Word, Assistant City Attorney
Mr. Lee Logston, Planner Senior
Ms. Donna Wynant, Planner Senior
Ms. Margaret Ambrosino, Planner Senior
Ms. R. B. Zaxus, Planning and Land Use Engineer
Mr. Carl Boaz, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Planning and Land Use Department and available on the City's web site.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. APPROVAL OF AGENDA

MOTION: Commissioner Hogan moved, seconded by Commissioner Gutierrez, to approve the agenda as presented.

VOTE: The motion passed on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

D. APPROVAL OF MINUTES AND FINDINGS OF FACT MINUTES

1. Minutes:

- **March 1, 2018**

Mr. Berke noted that he was shown as present at the last meeting, but he was not present.

Mr. Word said there were some substantive changes and asked for more time with the minutes to make suggested amendments.

The minutes of March 1, 2018 were postponed to the next meeting.

2. Findings of Fact and Conclusions of Law

- **Case #2017-133. General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.**

MOTION: Commissioner Propst moved, seconded by Commissioner Hogan, to approve the Findings of Fact and Conclusions of Law for Case #2017-133, General Plan Amendment for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- **Case #2017-134. Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract.**

MOTION: Commissioner Hochberg moved, seconded by Commissioner Gutierrez, to approve the Findings of Fact and Conclusions of Law for Case #2017-134, Rezoning for Northerly Portion of Housing Authority Hopewell-Mann Lease Tract as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- **Case #2017-140. General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract.**

MOTION: Commissioner Hochberg moved, seconded by Commissioner Gutierrez, to approve the Findings of Fact and Conclusions of Law for Case #2017-140, General Plan Amendment for Housing Authority Hopewell-Mann Lease Tract as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- **Case #2017-139. Rezoning for Housing Authority Hopewell-Mann Lease Tract.**

MOTION: Commissioner Garcia moved, seconded by Commissioner Hochberg, to approve the Findings of Fact and Conclusions of Law for Case #2017-139, Rezoning for Housing Authority Hopewell-Mann Lease Tract as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- **Case #2017-123. Estancias del Norte Preliminary Subdivision Plat and Variance Request.**

Chair Hiatt announced that a motion for reconsideration has been made. The Commission at any time can reconsider a case. Any member who voted to approve the case can make the motion. Since the request has been made, he thought it was a good time to discuss it.

Chair Hiatt asked Mr. Word if this request to reconsider is on the matter of violation of requirements for notice.

Mr. Word said he gave his opinion on March 1 that there was no violation of the Open Meetings Act (OMA) or any City ordinance for the OMA. The allegation is that notice was not properly made for the March 1 meeting of which the Board resumed its deliberations and considerations regarding this matter. He gave his opinion to the Commission on March 1 when the matter was raised at that time. There have been no violations of the OMA or the City's Open Meeting Resolution. Those arguments were restated, and more detail was added in the request.

Chair Hiatt asked if there was any new information since the Commission took its vote factually that would need to be brought to the Commission's attention.

Mr. Word said there was none that he was aware of. The facts would be events that happened prior to the meeting. The allegations are that notice was not properly made and in particular, there was reference to the weekly list of meetings that the City publishes, and the fact that the Planning Commission's March 1 meeting was not included in the published version of the list. But he went through those facts at the March 1 meeting and would be happy to do so again if it is helpful.

Chair Hiatt didn't think that was necessary. He made the decision about notice.

Commissioner Hochberg asked, when a request for reconsideration is made if the request is made in writing or in the form of a motion with an explanation. If it is, why can't we see it?

Chair Hiatt said there is a motion in writing, but the Commission can postpone it and perhaps Mr. Berke can make some copies for everyone.

By consensus, Case #2017-123. Estancias del Norte Preliminary Subdivision Plat and Variance Request was tabled.

- **Case #2018-12. 213 South El Rancho Road Subdivision.**

MOTION: Commissioner Hochberg moved, seconded by Commissioner Gutierrez, to approve the Findings of Fact and Conclusions of Law for Case #2018-12, 213 South El Rancho Road Subdivision as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- **Case #2018-09. Las Soleras Regional Park Final Subdivision Plat.**

MOTION: Commissioner Hogan moved, seconded by Commissioner Garcia, to approve the Findings of Fact and Conclusions of Law for Case #2018-09, Las Soleras Regional Park Final Subdivision Plat as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- Case #2018-10. Las Soleras Tract 9A-1A Final Subdivision Plat.

MOTION: Commissioner Hogan moved, seconded by Commissioner Hochberg, to approve the Findings of Fact and Conclusions of Law for Case #2018-10, Las Soleras Tract 9A-1A Final Subdivision Plat as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

- Case #2018-04. Ross's Peak Final Subdivision Plat.

MOTION: Commissioner Garcia moved, seconded by Commissioner Hochberg, to approve the Findings of Fact and Conclusions of Law for Case #2018-04, Ross's Peak Final Subdivision Plat as presented.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

E. OLD BUSINESS

There was no Old Business to consider.

F. NEW BUSINESS

1. Case #2018-18. **Paseo Del Rio Final Subdivision Plat.** Jennifer Jenkins of JenkinsGavin, Inc., Agent for Secure Logistics, LLC, Owners, requests approval of a final subdivision plat for thirty-six (36) single-family lots located at 5201, 5251, and 5299 Agua Fria. The property is approximately 9.55 acres and is zoned MU (Mixed-Use). (Margaret Ambrosino, Case Manager)

Staff Report

Ms. Ambrosino presented the staff report for this case. Staff recommended approval of the Final Subdivision Plat, subject to conditions and technical corrections in Exhibit A. The subdivision remains substantially consistent with the Preliminary Plat configuration that was approved on January 4, 2018. It is still 36 lots on tracts 1-B-1, 1-B-2, and 1-B-3, ranging in size from 4,042 to 10,450 square feet at a proposed density of 3.77 dui/acre, which corresponds with the allowed density for mixed use districts.

One item that Staff discussed with the agent regards paragraph 2, page 4 of the Staff Report on sidewalks and pedestrian paths. She clarified that the sidewalk adjacent to Cottonwood on the east side and the western edge of the subdivision, will be completed by the City through the federally funded roundabout project at Agua Fria and Cottonwood. The Traffic Division provided detail on the time line for build-out. The Developer will be responsible for the sidewalk along Agua Fria. She handed out an exhibit [attached to these minutes as Exhibit 1] that delineates the portion that will be provided by the development. She explained that the white areas are of the sidewalk and the light red clouded area which will be completed by the developer. All the conditions are either completed or on their way to being completed. There are no other changes to what was reviewed from the preliminary plan. The Santa Fe Homes Program and affordable Housing draft agreement is done and no ENN meeting is required.

Mr. Berke handed out the request for reconsideration [attached to these minutes as Exhibit 2].

Applicant's Presentation

Ms. Jennifer Jenkins, 130 Grant Avenue, was sworn. She said they are in agreement with all conditions recommended by Staff and all technical corrections. They have met with Staff to get clarify the landscaping requirements, many of which were noted in the report as satisfied. The Technical Review Division provided a memo with technical corrections, discussion the flood plain and indicated open space on the plan. She clarified that the sidewalk along Cottonwood and Agua Fria that the Developer is responsible for has a gap and the City will be responsible for that part which is closest to the roundabout.

She stood for questions.

Public Comment

There were no speakers from the public regarding this case and the public hearing portion was closed.

Commission Questions and Discussion

Commissioner Hogan had two questions. The roundabout doesn't appear on the drawings. He assumed it had no changes on Lot 1.

Ms. Jenkins said there was a lot of discussion on Lot 1. They provided a buffer around Lot 1 at Preliminary and James Martínez said what we proposed still works.

Commissioner Hogan noted two drainage outlets from the pond to the river. Once it exits, he asked where it is channeled to the river.

Ms. Jenkins asked their civil engineer, Mr. Morey Walker to speak to that. She said they would dedicate the flood plain portion to City as a drainage easement.

Mr. Morey Walker, 905 Camino Sierra Vista, was sworn. He said the northern outfall is coordinated with the existing outfall from the drainage structure on that street, piggybacking our outfall with that existing pipe. On the south side, we come off a hill with rip rap and directly into the river.

Commissioner Hogan was concerned with erosion as it leaves that property. He suggested a rain garden or something of the same sort.

Mr. Walker agreed. Most of it is fill so we are concerned with the erosion anyway and will address that.

Chair Hiatt referred to page 5 and asked if we can tighten up the motion to address the five criteria there.

Action of the Commission

MOTION: Commissioner Hiatt moved, seconded by Commissioner Hogan in Case #2018-18, Paseo Del Rio Final Subdivision Plat, to approve, subject to the conditions of Section 14-3.7(C), affirming that there has been due regard in the application for natural features, such as vegetation historical sites and structures, secondly, that it is in the best interests of the public health, safety, and welfare, and that the land is suitable for the development, third, that it complies with the standards of Chapter 14, four, that the plat does not approve a nonconformity or increase the degree of nonconformity or an existing nonconformity, and five, it does not create a nonconformity increase to the extent of the current nonconformity such that it would violate Chapter 14.

Mr. Word suggested that a brief difference in number five. It doesn't create any nonconformities with the rest of the case. The fourth criterion regards Chapter 14.

Chair Hiatt and Commissioner Hogan accepted that amendment as friendly.

VOTE: The motion was approved on the following Roll Call vote:

FOR: Commissioner Lee Garcia, Commissioner Brian Patrick Gutierrez, Commissioner Stephen Hochberg, Commissioner Mark Hogan, and Commissioner Sarah Cottrell Propst

AGAINST: None. Commissioner Kapin was not present for the vote.

- **Case #2017-123. Estancias del Norte Preliminary Subdivision Plat and Variance Request.**

The Commission removed this item from the table to consider the letter requesting reconsideration, of this case as distributed.

No Commissioner offered to make a motion to reconsider.

MOTION: Commissioner Propst moved, seconded by Commissioner Hogan to approve the Findings of Fact and Conclusions of Law for Case #2017-123. Estancias del Norte Preliminary Subdivision Plat and Variance Request.

VOTE: The motion passed unanimously on a voice vote with Commissioners Garcia, Gutierrez, Hochberg, Hogan and Propst voting in the affirmative and none voting against. Commissioner Kapin was not present for the vote.

2. **Case #2018-19. Cerro del Norte Final Subdivision Plat.** JenkinsGavin, Inc., Agent for Summit Business Group, LLC, Owner, requests approval of a final subdivision plat for 32 residential lots on approximately 7.44 acres. The property is located between Fifth Street and the Rail Trail, north of the Casa del Cerro subdivision. The property is zoned R-5 (Residential- five dwelling units per acre). (Donna Wynant, Case Manager)

Staff Report

Ms. Wynant presented the staff report for this case. The Preliminary Subdivision Plan for Case #2018-19, Cerro del Norte was approved on January 4, 2018 and the Findings of Fact and Conclusions of Law were approved on February 1, 2018. This plat is in conformance with the preliminary. It was reviewed by DRT and the recommended conditions of approval and technical corrections are presented in Exhibit A. Ms. Wynant amended them by deleting #2 on landscaping in the Technical Corrections. The Applicant has what is required so what she asked for, they do not have to do.

The development is in two phases. The first is for lots 17 -32 and the second phase is for lots 1-16 and bisected at the arroyo. There is nothing out of the ordinary here. They got the Affordable Housing agreement signed but it is not in the packet. It is still 32 lots for single-family lots.

Applicant's Presentation

Ms. Jenkins (previously sworn) said they agree with all conditions recommended by Staff and all technical corrections as amended with the deletion of #2. She stood for questions.

Public Comment

Chair Hiatt gave the public speakers a three-minute limit.

Mr. Paul Sommer (address was inaudible) was sworn and said he didn't feel this final plat should be given approval tonight. They still haven't answered questions on the berm to make sure we don't get residue from the old Brunn hospital. He asked if it would be an incline on that street they plan to open up. That has been closed for 50 years. It was an enclosed division before. They could come in through Fifth Street instead of this street.

Chair Hiatt asked Mr. Sommer if he was present at the ENN and asked those questions.

Mr. Sommer said he was present and did ask these questions.

Mr. Jim Hauer, 2057 Camino Lado, was sworn. His main concern was also the opening of Calle Sombra. We've lived there for a little over 10 years and quite concerned about the change of traffic patterns. There are a lot of children in the neighborhood and lots of families. A lot of parking takes place on this street. He was not able to attend the previous meeting. There might have been some discussion on this and he apologized.

Ms. Elisa Castellano, 2069 Calle Sombra for 40 years, was sworn. She said Calle Sombra is a very small street with only 7 homes. The residents asked that it not be opened and all of us signed that request. It is not wide enough for this traffic. We feel that at the last meeting, we were not heard for how this development could take place and keep it as a closed community without the exposure with Camino Lado and Siringo Road. We have lots of traffic on Camino Lado with the anticipated Junior High being built and we asked to work with Applicant's company for an alternative development that would leave our street alone without this other traffic. We would still meet with the developer.

Mr. Donald Chávez, 1935 Morris Place, was sworn. He said he did not attend the January meeting and he had a few questions.

He asked if a study was done on the impact from the increased traffic. The Social Security offices are right across on 5th Street and always has a lot of traffic there. As the previous speakers said, there is concern for the traffic on those streets also. He heard that some team met, and it was looked at. I'm just concerned with increased traffic and pedestrian crossing and a stop sign or not.

The Rail Trail is adjacent to this property and he wondered if there will be any access to it from the development or if people would have to walk around from Siringo Road for St. Michael's Drive.

Ms. Theresa Bollinger, 1910 Morris Place was sworn. She said she has lived there 17 years and when she moved there, there was no Social Security Office or CYFD office there. They are very busy offices. 'The parking lot at Social Security is not big enough for the people going through there. People must park along Aspen which is narrow, so it is congested traffic in that residential area and the school being built on other side of Aspen.

Mr. Joey Padilla, 2109 Warner Circle and owner of Santa Fe Tails, was sworn. He said they are pro development and hope the Commission would consider some kind of barrier between the commercial side and the residential side of this development.

Ms. Karen Heldmeyer, 325 East Berger, was sworn. She and others had a great concern about the potential brown field around the railroad where things were thrown out of the trains. Is there pollution in this area and has it been studied? She said Representative Ben Ray Luján was approached about the inadequacy of the Social Security Building and he agreed but there is no money. So there is lots of congestion that will continue for a while.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

Commission Questions and Discussion

Mr. James Martínez (Traffic Department) said regarding the traffic concerns, that there was a traffic study done by the Applicant. It was done during school times and it showed all levels of service are adequate. There is a parking issue on Aspen. He said Traffic Staff can look at that and have the Paint and Stripe Manager look at it and possibly put up "no parking" signage.

Commissioner Hochberg heard people say it is a very narrow street. He asked what that meant.

Ms. Jenkins said Calle Sombra has a 50' ROW and a 30' width is paved. So it is not small. It actually exceeds the standards for a sub collector street.

Commissioner Hogan asked how many units would be put on Calle Sombra.

Ms. Jenkins said it will have 16 units on Calle Sombra and 16 from the other street. And that prohibition of connecting those two streets was only to reduce traffic on Calle Sombra. It is not a cul-de-sac but was stubbed out for a future opening. The development has two connections to the Rail Trail and they worked closely with James Martínez, so it will be excellent.

Commissioner Hogan asked how many more trips they would expect.

Ms. Jenkins said they expected a maximum of 10 trips per day (24 hours) per household. Many people think that is high. They are not large homes. She explained going out is equal to two trips. That assumption

is that both people work. They could have some young families and empty nesters not going to work each day.

Commissioner Propst understood they spoke with the City about using a closed loop and asked why they didn't do that.

Ms. Jenkins explained that they were not given the option to not connect through Calle Sombra. She had to fight to not connect the two internal roads, so they could limit it. The Land Use Department wants local neighborhoods connect. So not using Calle Sombra was never an option.

Ms. Jenkins added that if they had all 32 homes using Fifth Street, they would only have right in, right out and not achieved full access at Fifth Street. With this design, they have achieved full access in and out and minimized the number of cars on Calle Sombra.

Chair Hiatt asked Ms. Jenkins about the berm residue that was mentioned. This area was a former railroad use.

Ms. Jenkins agreed and showed visuals about the development. There was a berm that accommodated the railroad tracks. We are regrading those berms, so they function properly. We will do proper dust control and stormwater pollution prevention. It is not a big grading project. We have to follow all EPA and City requirements on dust control.

Chair Hiatt asked about the incline.

Ms. Jenkins said it drops with 2% grade and up the road about 2% when moving to the north.

Chair Hiatt asked if they had talked with Joey at Santa Fe Tails.

Ms. Jenkins said they have been talking with Joey. We think the landscaping will help mitigate sound levels.

Chair Hiatt asked about the possible brown field.

Ms. Jenkins said there are no studies that show that it is a brown field.

Commissioner Hogan regarding the north end of Railrunner Drive where it intersects Fifth Street, asked what is there. He said it didn't appear to connect with Fifth Street.

Ms. Jenkins agreed that it doesn't. There is a 30' easement that connects this property over to Fifth Street and is existing. So they are utilizing that 30' easement to connect with the street.

Action of the Commission

MOTION: Commissioner Propst moved, seconded by Commissioner Hochberg, for approval of Case #2018-19, Cerro del Norte Final Subdivision Plat, subject to the conditions of approval and technical corrections of Staff , with the exception of technical correction #2 which was removed; finding that the approval criteria for Final Subdivision has been met: criterion #1 deals with all the natural features, historical site and community assets; criterion #2 regarding the opinion of public agencies and public health, safety, and welfare; criterion #3, compliance with the standards of Chapter 14, Article 9, regarding infrastructure design, improvements and dedication standards; criterion #4, does not create a nonconformity or increase the extent or degree of an existing nonconformity; and criterion #5, also regarding nonconformities and other provisions of Santa Fe City Code.

VOTE: The motion was approved on the following Roll Call vote:

FOR: Commissioner Lee Garcia, Commissioner Brian Patrick Gutierrez, Commissioner Stephen Hochberg, Commissioner Mark Hogan, and Commissioner Sarah Cottrell Propst

AGAINST: None. Commissioner Kapin was not present for the vote.

- 3. Case #2018-20. 4149 Fairly Road Development Plan and Special Use Permit.** Fredrick Lucas, agent for ZZYZX Corporation, Owner, requests approval of a Special Use Permit for an Urban Farm Ground Level, greater than one acre, and Development Plan on four separate parcels that total approximately 9.8 acres of land. The properties are located at 4149 Fairly Road and are zoned R-5 (Residential – five dwelling units per acre) and R-1 (Residential – one dwelling unit per acre). (Lee Logston, Case Manager).

Staff Report

Mr. Logston said this is a dual approval - for a special use permit and for the final development plan. The special use permit is for an urban farm area greater than one acre. The final development plan on four parcels, zoned R-1 and R-5.

He said the staff report is extensive, covering a lot of things. It is the first application under the new urban farm ordinance that was passed in 2016. Normally it would go to the Board of Adjustment but larger than 10,000 sq. ft. of development kicks it into a development plan. The ordinance prohibited certain uses and establishes approval procedures, types and sizes of agriculture operations and some guidelines for water usage, operation and compatibility with surrounding areas.

This proposes an approximately 10-acre sustainable organic farm with cannabis growing. It is self-contained with well water and recaptured water in greenhouses. It is a high-tech sustainable operation.

On the grounds will be fruit orchards and vegetable fields outdoors and big greenhouses to provide food for local school and local sales. The cannabis is entirely regulated by the State and will be done in sealed, climate-controlled greenhouses of 1,800 square feet, 12' tall with an airlock vestibule to keep interior environment clean and keep odor of cannabis within and have wrought iron fencing and other security measures.

They are not proposing rigid phasing for the development. The first phase is approximately five greenhouses and a warehouse structure. They are anticipating approval for more.

They will be required to dedicate a roadway along the east boundary with curb and gutter to City standards. Homewise owns a ten-acre parcel to the south for future development. The street will be completed with that development happens. They must connect to City sewer, install fire suppression and air filtration on the greenhouses.

This project has potential for a unique opportunity for provision of jobs, tax revenue, and high-water conservation. It is an interesting study case. The special use permit complies with Code and the development will meet all standards and any development on the lots will have to meet the standards.

Staff recommends approval, subject to conditions of approval and technical corrections and to approve the special use permit.

Applicant's Presentation

Mr. Fredrick Lucas, 107 Calle Don José, was sworn. He said they are amenable to all the conditions of approval and open to answer any questions.

Public Comment

Mr. Ray O'Meara, who lives right next door, was sworn. He had questions about lighting that they comply with the current Night Sky standard. We see all the stars and he wants to continue to see them and also was concerned that the noise will be minimal.

Ms. Juanita LaBlatt, 6400 Avenida Prestina was sworn. They are also in my back yard. I'm hesitant to say anything negative. This is a very progressive project and the wave of the future. She admired their intent. However, the magnitude of the project was of concern and the things that could possibly arise for this type of enterprise. Those are related to medical marijuana and cannabis with water. Having spoken with the owners, they will do their best to comply and use irrigation in a responsible way. She didn't know who would be monitoring water usage. She said she was not suggesting that they have less than best intentions.

She said, "I wasn't at the February meeting, but this is too large to go ahead. How many animals will be attracted to it? Her suggestion was to hold this in abeyance, so the public could have more than one opportunity to get questions answered. A lot of people have lived in this area a long time. I bought my property for the quiet cul de sac. I just want it to be done in a responsible way."

There were no other speakers from the public regarding this case and the public hearing portion was closed.

Commission Questions and Discussion

Chair Hiatt asked about the lighting and noise levels.

Mr. Logston said they did investigate that. There will be a little lighting, but he admitted he didn't have it thought out entirely. The greenhouses are 60' by 30' with a front porch light and a back-porch light. They would be shielded. No spot lights or flood lights or security lights. The greenhouses are light contained and not light intensive on the outside.

Commissioner Hogan asked if they are grow lights or natural lighting.

Mr. Lucas said the environment-controlled greenhouses are on the inside, but they have a light deprivation system for 12 hours of light and 12 hours of dark and the light won't escape the greenhouse.

Commissioner Hogan asked what keeps it contained.

Mr. Lucas said it has a black screen on the inside.

Commissioner Hogan asked if neighbors wouldn't see glowing greenhouses.

Mr. Lucas agreed.

Chair Hiatt asked about the noise issue.

Mr. Lucas said they would use a mini-split A/C unit on the outside with no heavy equipment. It is all hand-farmed.

Chair Hiatt asked if he could address the speaker's comments.

Mr. Lucas said this is actually through a series of circumstances. We actually had three ENN meetings. But decided not to request zoning changes. She voiced concerns about attracting animals with the garden and orchard, noise and water consumption. We have a link with water conservation and recapture 80% of water that plants evaporate. So we are only using 10-20% of the water to grow cannabis. The rest is open farming. We have 5 ac/ft of water rights and in the same aquifer as everyone else.

Chair Hiatt asked if they will use the old railway station.

Mr. Lucas said it might be offices someday but do not anticipate using it now.

Commissioner Hochberg asked if they are using pesticides and if so, how it would not go into the aquifer.

Mr. Lucas said they would only use those that are listed. They are also- moving to 100% sustainable for compost. They have very little waste from the project. Pesticides and fungicides are all bio-compatible as solvent - not even as an oil. They are biopesticides so all of it is extremely safe.

Commissioner Hochberg noted that most of those were addressed in generic terms at the ordinance for urban farming was considered.

Commissioner Garcia asked in this organic gardening what the percentage for medical marijuana is. It is big piece of property and could produce a lot.

Mr. Lucas said the area designated for food is greater than the area for cannabis. Cannabis is all within the greenhouses. The peripheral area is edible vegetation and 2.5 acres of food crops like normal farming. We intend to produce as much edible vegetation on it as possible. It is probably 60/40 in favor of food.

Mr. Berke said the State regulates how many plants they can have. The maximum is 450 plants and that could not grow larger and all lighting complies with Night Sky Ordinance and the actual structures were described that they rest on a concrete pad.

Mr. Lucas said there is a no-till method and no salt-based fertilizers. They will experiment with sustainability techniques.

Commissioner Gutierrez asked why they decided on this location.

Mr. Lucas said it was large enough land and has 5 ac/ft of water rights.

Commissioner Gutierrez asked if they looked at the five schools nearby and in a residential area.

Mr. Lucas said they were led to belief the rezoning would be really easy. That was not true. The schools are not easily accessible to us, even though they are close. The State program says any cannabis dispensing or production must be 300 feet from a school, church, or day care. We considered that is was residential. This property has never been residential except for a caretaker before annexation.

Commissioner Gutierrez said, in his opinion, the schools and Boys and Girls Club were close by. He didn't like the location. He asked about security.

Mr. Lucas said the State regulates security. We cannot have weapons but a wrought iron fence and monitoring system.

Commissioner Gutierrez asked if they would not have hired out security officers.

Mr. Lucas said they won't hire a security company.

Commissioner Gutierrez asked, if the State was to allow more than 450 plants if they would do that and change their ratio.

Mr. Lucas said they would be required to get a new special use permit and a new development plan. He felt this is going to make it worth doing at this size. So they don't intend to make it bigger.

Commissioner Gutierrez asked about retail sales.

Mr. Lucas said this property is not zoned for that. The product will be taken to a warehouse to be packaged and then to a store to be sold.

Commissioner Gutierrez asked if he could demonstrate that there would be no smells from the product.

Mr. Lucas said they were told that would be done at the building permit time and they would have carbon filters and possibly air scrubbing if needed.

Mr. Berke said condition #9 covers the odor issue. It will be recorded on the plans and staff will monitor it.

Commissioner Gutierrez said in Bernalillo they have some (cannabis) and not a good smell.

He asked Mr. Logston if they reached out to other cities who allow this.

Mr. Logston said he did not reach out for how other cities do this. But he did talk to the woman at the Department of Health and did his best to understand the state regulations. The issues from the ENN were what he put the most time on.

Commissioner Gutierrez asked if the notice for a special use permit and for urban farming also mentioned cannabis.

Mr. Logston shared the notice that went out. The letter is in your packet. We characterized it - certainly made no effort to hide the fact of cannabis. It included what the State requires and gave more attention to the cannabis element than he needed to.

Commissioner Gutierrez suggested maybe this is a new normal. He was surprised at how few came out for this.

Commissioner Garcia said he lives in that area too and expected more residents would come. There are many more people in the area.

Mr. Logston said the first ENN was before he worked here. The notes say 16 people attended it. The second was on December 5 it had 16 people and there were six people at the February 8 meeting.

Commissioner Garcia asked about the height of the greenhouses.

Mr. Lucas said they are 12' for the environment control and the others are roughly 15' tall.

Commissioner Propst said she was not as skeptical and saw this as an economic development project. And Mr. Lucas has gone to great lengths to meet the requirements.

She had questions about the smell and when is it a nuisance.

Mr. Lucas said it was difficult to say when. If someone is bothered by it, he hoped they would let him or maybe the Land Use Department know about it. They will do as much as possible to prevent it bothering anyone.

Ms. Martínez pointed out that this is a new industry. We expect to deal with the odor; that construction is safe, etc. She is working on a new ordinance that addresses some of what has come forward tonight and to deal with the state ordinance. She hoped to bring the ordinance before the Governing Body soon. She wants to make sure the circulation and filtration will not bother neighbors.

Mr. Lucas said they have a production facility warehouse and it was approved and it had no issue with smell and our mitigation efforts.

Chair Hiatt asked Ms. Martínez and Mr. Berke if they also favor approval with conditions.

Ms. Martínez said yes. A lot of detail and thought went into this. We've been working on it a couple of years and covered all the details.

Action of the Commission

Special Use Permit Action

MOTION: Commissioner Hochberg moved, seconded by Commissioner Propst, to approve Case #2018-20, 4149 Fairly Road Special Use Permit, with the terms and conditions in the application.

Commissioner Hogan asked if criteria 1-3 are included in the motion.

Chair Hiatt said criteria 1-3 are listed on page 7 of the Staff Report which are subject to Chapter 14.

Commissioner Hochberg agreed and accepted the amendment as friendly.

VOTE: The motion was approved on the following (4-1) Roll Call vote:

FOR: Commissioner Lee Garcia, Commissioner Stephen Hochberg, Commissioner Mark Hogan and Commissioner Cottrell Propst.

AGAINST: Commissioner Brian Patrick Gutierrez. Commissioner Kapin was not present for the vote.

Development Plan

MOTION: Commissioner Hochberg moved, seconded by Commissioner Propst, to approve Case #2018-20. 4149 Fairly Road Development Plan. with conditions recommended by Staff and technical corrections in Exhibit A.

VOTE: The motion was approved on the following (4-1) Roll Call vote:

FOR: Commissioner Lee Garcia, Commissioner Stephen Hochberg, Commissioner Mark Hogan and Commissioner Cottrell Propst.

AGAINST: Commissioner Brian Patrick Gutierrez. Commissioner Kapin was not present for the vote.

Chair Hiatt recused himself from consideration of the next case and left the room.

Commissioner Propst presided over the meeting from this point on. She announced that the next two cases would be heard together.

- 4. Case #2018-31. 551 Alarid Street General Plan Amendment.** Jeffery Seres of Studio Southwest Architects, Agent, representative for The Santa Fe Public Schools, Owner, requests a General Plan Amendment from Public Institutional to Community Commercial. The property is located at 551 Alarid Street and consists of approximately 2.90 acres. (Dan Esquibel, Case Manager).

And

5. **Case #2018-03. 551 Alarid Street Rezoning.** Jeffery Seres of Studio Southwest Architects, Agent, representative for The Santa Fe Public Schools, Owner, requests rezoning from R-8 (Residential-eight dwelling units per acre) to BCD-RED (Business Capitol District-Redevelopment Subdistrict) and Master Plan approval. The property is located at 551 Alarid Street and is approximately 2.90 acres. (Dan Esquibel, Case Manager)

Staff Report

Mr. Esquibel presented the staff report for both cases.

He had some corrections for the record in his memo on page 3. The first was condition #6 under Terrain Management and landscaping on page 7 under Alarid Street. The minimum height for a fence/wall should be 5', not 6'. On page 4, second bullet, changed the number of ENN meetings from 2 to 3. On page 8, criterion 1-c #2 should be 2.9± acres; not 3.9. Exhibit D in Permitted Uses within the strike-through section, #33-Fire Stations should also be stricken. And the Applicant and the neighborhood agreed to eliminate another use from the permitted use table - #46 and also in Exhibit G in the Master Plan as #45 to eliminate restaurants with drive through or drive up. That will no longer be a permitted use.

Staff concluded the applicant has addressed the General Plan Approval criteria identified in Chapter 14-3.2E; has addressed rezoning approval criteria pursuant to Chapter 14-3-1.5 and has addressed the Master Plan Approval criteria identified in 14-3.9D 1.

The applicant agreed to meet with the Historic Guadalupe Neighborhood Association for mediation of their concerns. That request was made by their President, Jerry Richardson, at the first ENN meeting on December 18, 2017. It resulted in an extra ENN for a total of three ENN meetings and six other meetings with the parties, and four others with Staff and each of the parties.

Staff recommended that the Commission recommend approval to the Governing Body; recommend approval of the zoning request from Institutional to Commercial (with no conditions); recommend the approval of the rezoning request from R-8 (Residential-eight dwelling units per acre) to BCD-RED (Business Capitol District-Redevelopment Subdistrict) with no conditions, and Master Plan approval with a ten-year term of the approval subject to conditions listed in Exhibit A at the time of construction on the property.

The one unresolved condition with both Historic Guadalupe Neighborhood Association and the Applicant and one property owner along Paseo de Peralta outside of the Association boundaries regarding the driveway that is closest to the intersection for ingress/egress to the southwest parking area which the Applicant wishes to close and relocate to Paseo de Peralta at the southeast corner of the southwest parking area. Many meetings raised the concern that with the Railyard, there is more pedestrian traffic on the streets where no sidewalks exist, forcing pedestrians to walk in the streets for recreation and to and from the Railyard. The Neighbor would like the driveway not to be moved from in front of her house.

Staff recommended keeping the driveways in the current locations and no other driveways be

permitted.

Mr. James Martinez, Traffic Division Engineer, reviewed the three driveway locations and described their locations. The Applicant proposed to close the access closest to the intersection on Alarid and recommended a new access on Paseo. Traffic feels the proposed drive is not desirable because it would be close to the intersection with Paseo and Paseo has higher speeds and it would require an auxiliary lane for turning. The two on Alarid provide some relief for traffic on Paseo. Traffic would like to maintain the same access and preserve high quality of service and minimize crash potential.

Mr. Esquibel stood for questions.

Applicant's Presentation

Mr. Jeff Seres, PO Box 938 was sworn. He said there were three parts. First with David Barker, under contract with SFPS to purchase the property (old Alvord School) and the work done with neighbors for this zone change and GPA. Secondly, he would go through the drawings of the plans, and thirdly, Traffic Engineer, Morey Walker will speak to the access to the property.

Mr. David Barker, 1011 Old Santa Fe Trail, was sworn. He said they started 9 months ago and probably many have driven by that school. Alvord School was the biggest competitor to St Francis. Ms. Shirley McDougal commented to him that all the interest was from developers who wanted a high-density project. They have been through a lot there. It was St. Elizabeth Shelter and more recently of La Choza and Railyard Flats. So development in that area is a sensitive issue.

"I had the idea to keep the building. It is not very attractive with its institutional quality but why not make an adaptive reuse? Schools have taken good care of it. And make a mixed-use project, focused on small business and local people with some retail, residential studio, office space, arts related galleries, restorative business. There is interest in environmental controlled storage. Oriental medicine. With mixed use, it would bring less pressure on the neighbors. I met with some of them to consider that. My wife, brother, and I are in service business to sell, buy and rent houses.

We don't want a big battle with neighborhood. So I have worked with Mr. Esquibel who has been helpful for the liaison in this dialogue. He told me about attempts to rezone in the BCD that were all unsuccessful. That gave me a pause but also a direction. On Future Use map it talks about that in the BCD.

We have reached out a great amount with our neighbors; many were one-on-one; went to an Association meeting and had three ENNs, etc. We explored our ideas on the use of the property and listened to their concerns and objections and challenges over traffic, parking, height, lighting, noise, and the uses. With each, we took input and went back to make changes. At one point we had an entrance on Camino La Familia which I thought was great, but the Railyard Corp said it would create other problems for them and that people would use it as a short cut to Alarid Street. They requested deletion of that access.

We care about what Alvord would be to the neighborhood. We bought the first property in the Railyard - the Gross-Kelly warehouse. I was surprised that I didn't need HDRB approval and then felt it was historic, so I hired Sara Melton as a consultant who always attended HDRB meetings. She was a concerned citizen who wanted to preserve the historic part of our community. It was important to me to have a person like her to help him

Mr. Seres said he would go through the plans quickly. The new proposed access is in line with main entrance to the school on Alarid and show the southern point. It also shows in the Master Plan the potential future dev of >>> the long rectangle of playground. The parking exceeds requirements for proposed uses.

MP-1 is the Master Plan drawing that shows permitted uses on the right-hand side and was done through discussions with neighbors and allows 58 uses with elimination of drive-up restaurants, pared down from 85 BCD uses.

The left hand shows the design standards. It is part of the Railyard Master Plan design standards. Very similar to those.

This is a transition from neighborhood into the Railyard and shows on the next few pages with a color chart and starts with red for a 25' no-build zone from the Railyard standard along Camino La Familia and a 25' one-story zone. We will respect that. We extended the one-story zone along Alarid Street and that was done with story poles and potentially the effects of a 2-story zone. With 28' maximum height on 50% of the site. One-story (yellow) is 15' maximum height and has a new building on the northeast area with 3 stories at 36' maximum height.

The last drawing is the proposed phasing. Phase 1 is existing building altered and renovated for some potential uses. Phase two is to the northeast, a future building. We ask for an extension of time to a time frame from 5 years to 10 years to expire. It helps protect the neighbors with the plan and would allow Barkers to see how things go on the first phase.

Mr. Walker said the proposal is to move existing access to the middle of Alarid in front of our building. I'm the hired gun for the entrance/exit. We want to be able to have people go in and out safely and make it a viable project. It would not require any waiver, or exception. The neighbors want it moved. We don't want commercial or retail traffic to have to drive on a residential street. It will allow people to see the building. We really need the entrance to it. It is a safe design. We think is very desirable to have it at the front.

Mr. Walker did a TIA and it resulted in no decrease in level of service (level A). The code has no requirement on how to locate entrances so there is just opinion on what is the best place.

There is not enough right-of-way to put in an auxiliary lane. There is no way to get a left turn lane striped at that intersection. I drive that site while on Alarid and people have to stop for me to make that turn. It is not any different whether turning left from Alarid or left directly into the site.

He said there were questions about line of sight and pedestrians, and neighbors across the street. It is

all line of sight. We will make it a safe entrance in compliance with AASHTO and City standards for a driveway.

One reason they didn't have an entrance on Paseo is that it was a school and it had a very high peak of traffic. We won't have that with mixed use. They don't all come at once or leave at the same time. People will have an easier time to get in or out with this better design. It makes sense to move it further from St. Francis to reduce back up at St. Francis. We have to work with the existing building and existing parking lot. To make that site work, the entrance on Paseo is very important. I hope you understand the issues. Neighbors want it; we want it; and it requires no variance. We hope you understand our issues and take off #1 to allow that entrance.

Public Comment

Christopher Grazer, 316 Marcy, was sworn and he is the attorney representing the Menard family. He said they are here in full support of the project. Mr. Seres and Mr. Barker have been respectful of the community and we worked out the issues. And Mr. Esquibel did too. The one remaining issue is with Traffic's suggestion that south entrance on Alarid remain and the Paseo entrance not be permitted. The Menards are right there and in a better position to see what happens. That south entrance was gated across, but the permitted usage would allow more traffic with right turns from Paseo and with people coming out 69 feet away - and the potential leaving on Alarid with two cars would block the access. Thirdly, people trying to turn left are going through the residential street. Paseo is a sub arterial and the others are not. All this area is a heavy pedestrian area. Paseo has adequate sidewalks. People don't walk on Paseo, but they do on Alarid. His three minutes were up, and he asked for extra time.

Vice-Chair Propst said we don't give extra time.

Mr. Grazer said the traffic engineer letter gives four reasons why it is not a desirable location. There are no standards - it is just a preference issue. It is close to the intersection and their proposed location is 2.5 times further away. It has the same speed limits and is more than adequate. They have 90 signatures and 12 letters to approve as requested but to allow the Paseo entrance and cut off the Alarid entrance.

Jerry Richardson President of Historic Guadalupe Neighborhood Association, was sworn, who said their unqualified support is for the application with the negotiated changes. It was a good process with 3 ENNs. The Barkers listened to the neighborhood and entertained all of us. I don't know how many of you have driven those streets, but they are hardly more than one lane roads and no sidewalks, so the design needs to keep traffic off those roads. If you access from the entrance we want closed, we are concerned that the cars patronizing these businesses will come into the neighborhood. Mr. Esquibel worked very hard with neighbors and developers. Thanks to his efforts.

The one thing we wanted to address was the driveway issue. You've heard the problems with the existing driveway and the overwhelming support for closing that Alarid entrance. The people on the south side of Paseo are also concerned about it. They must come out onto Paseo. That is difficult and closing

that drive would minimize their concerns or dismiss them because they are legitimate, but the recommendation overlooks the traffic on Paseo. Cars will be coming in there.

Vice-Chair Propst said his time was up.

Mr. Richardson objected because he was speaking for an entire neighborhood. He said the problem is not with the new entrance increasing traffic, but that there is just traffic and it would not be cured by keeping the existing driveway. The City Engineer disregarded the conflict by having that entrance.

Vice-Chair Propst noted that the Commission has an enormous amount of communication from neighbors.

Ms. Rosemary Menaul was sworn and said she and her neighbors are looking forward to something nice at Alvord School that has been closed for 4-5 years. It is not deteriorating but it is an open invitation to problems. She was in favor of closing the south gate and opening a new entrance on Paseo and emphasized that she has learned it is not good to mix commercial traffic and residential traffic. If you keep the gate open, you would have the same amount of traffic on Paseo with a left turn.

She also emphasized the safety issue. We have a lot of cut-through traffic at rush hours, particularly at evening rush hour. We also have a lot of pedestrian traffic with the success of the Railyard, particularly with Violet Crown open and events at the Railyard. They walk in the street. at Manhattan which has no sidewalk at all. And cars coming and going. Alarid onto Paseo and West Manhattan or Juanita to Agua Fria are the only exits from that neighborhood. The interiors of the blocks have casitas and houses behind houses and three condo developments - two on Manhattan and one on Romero. That is- a one-way street and the only way out is Manhattan and Alarid. Please consider this is a safety issue.

Ms. Diana Gonzales Pacheco was sworn and said she was speaking on behalf of her parents who have lived on Alarid for 50 years. Her concern was also traffic and parking. If you need the parking lot on Alarid- and have to turn left, you will be blocked since it is easier to turn right through the neighborhood. My brothers and I are very strategic when going into the neighborhood to visit our parents and to leave through the neighborhood. The entrance on Alarid is an accident waiting to happen.

Mr. Eric Gent, 621 Alarid, was sworn. He said it is obvious there is no great solution. I personally don't have a problem with an entrance on Paseo. And the entrance onto La Familia made sense. Having it on Paseo won't be crazier than at La Familia. They come in with an offset at 50 feet which on Saturday is lots of crazy traffic for Farmers Market.

Since the school closed, the speed from St. Francis has increased a lot and it is a challenge to get across Paseo. Guadalupe was once engineered as a highway but as pedestrians with the park and 150 new units in the Flats, we are trying to get it more pedestrian oriented to get rid of the short cut at Paseo.

Ms. Amy try Gitnick was sworn. She said she lives directly across from Alvord. The Barkers have done a wonderful job. They have done a lot of neighborhood outreach and she is grateful he is keeping the

building and not tearing it down for high condos. She was in support to moving the driveway.

Mr. Will Boncher was sworn and supported the move of driveway. He preferred the Barkers' plan and is looking forward to it.

Rick Martínez, 625 Mesilla, said, "I worked with the neighborhood on down-zoning from R-21 to R-8 and the Barkers have shown their support for the protection of the neighborhood. This project is moving forward and Eric (Mr. Enfield) said it right. For the egress at La Familia, you should compare the safety. There is a lot of traffic out of Railyard, especially with Farmer's Market. Thanks to Mr. Esquibel and helping the neighbors come together and the Barkers as well to get their ideas and input."

Deanne Lumen, 1612 Paseo de Peralta said, "I'm the minority voice here. I have two neighbors Fran Hardy and Robert Demosky who are away. My other neighbors are renters and don't know they have involved themselves. Obviously, this is not a good idea for me, living directly across from the school. There is no parking on Paseo and depend on our driveways and it is difficult at times. I'm completely in favor of the project which was handled very well by Mr. Esquibel, who is my friend. I've learned a great deal and learned a lot."

Karen Heldmeyer said, "I thank everyone who participated in the process, It takes a little longer, but it had to be this way. It was very important for this discussion. It is a very intense neighborhood with many houses on tiny streets with no sidewalks. Putting commercial traffic on those streets is bad. It has been dense for 80 years and don't need additional commercial traffic. 2- I was glad to see uses and non-uses for the Master Plan and is up to LUD for making sure that is followed.

People got something different than was on the Master Plan. The people who live in this neighborhood will bear the brunt of it. The whole idea of traffic engineering are statistics and those are average and may not be appropriate for a little very dense neighborhood with tourists - driving traffic, walking traffic, etc.

Peter Correa, in his capacity as President of the Santa Fe School Board, was sworn. He said the School Board is staunchly behind this project. We were very pleased with the Barker plan. We received the plans and voted unanimously for it in a public meeting. You just have to look at what they proposed that this will be an enhancement and our property will be in very good hands.

There were no other speakers from the public regarding this case and the public hearing portion was closed.

Commission Questions and Discussion

Commissioner Hochberg pointed out that almost everyone wants this entrance on Paseo.

Mr. Esquibel agreed that was true.

Commissioner Hochberg understood there is no impediment but just a choice.

Mr. Martínez said they follow the guidelines for AASHTO and the State Manual where access should be provided. And we make our engineering judgment on those.

Commissioner Hochberg understood that Traffic follows certain guidelines and made a well-researched decision but not presented from a Paseo entrance.

Mr. Martínez agreed. We had that discussion but preferred a minor arterial for entering the site.

Commissioner Hochberg thought it might be a safety issue or need for a fire truck and asked if they had given any thought to that.

Mr. Martínez said there is a loading zone now on Paseo that would allow a fire truck to park there.

Commissioner Hochberg observed that the majority preference is to provide the entrance where the neighbors want it instead of where Traffic wants it.

Mr. Martínez said that was correct.

Commissioner Hogan asked if there were any safety issues identified in the report before us.

Mr. Martínez said the only issue he saw was the potential for stacking of those trying to exit the site and having the intersection in close proximity off La Familia. There might be a rear-end collision with those trying to get into the site.

Commissioner Hogan said the stacking would slow traffic on Paseo unless someone tried to pull out.

Mr. Martínez said it also creates delays on the minor arterial.

Vice-Chair Propst asked, if the recommendation of Staff held, whether the existing access point would be closed.

Mr. Martínez agreed.

Commissioner Hochberg said what is before the Commission is the developer's proposal or the traffic Department recommendation.

Mr. Esquibel clarified those two are the only choices.

Commissioner Hogan was not clear if the proposed height works with the overlays.

Mr. Seres said the height map shows heights for the entire site and potential for any alterations for

existing buildings or new construction and it addresses the neighbors' concerns.

Commissioner Hogan saw that it had a step down to one-story on the perimeter.

Mr. Seres agreed. And any other building would have to meet those guidelines and for parking on site. So it cannot be built out totally. Most importantly, it provides safety for emergency vehicles to get there.

Commissioner Garcia asked if it would remove both entrances on Alarid completely.

Mr. Seres said no - only the south entrance.

Commissioner Gutierrez said the applicant asked for an extension on the Master Plan and asked Mr. Esquibel if that can be considered now.

Mr. Esquibel reminded him that it is only a recommendation to the Governing Body for an extended time frame. We did it before with the Lencic Theater. They didn't want to have to come back again if the developer had to extend the development of that phase. It is for comfort of community and developer.

Commissioner Hochberg wondered how they decided on an extra five years or ten. That is a long time.

Mr. Esquibel didn't know but it was their request and agreed to by neighborhood. It is always a concern when extending long expiration periods. It is not uncommon for developers to want them for speculation, but he didn't think that was the case here. The fears in mediation were that neighbors didn't want them in case developers sold to someone else - that they could keep that with this developer only.

Commissioner Hochberg said we know the developer and understand the intent. I don't want it to be an exception.

Vice-Chair Propst said we have three motions on these two cases and the last one is on Exhibit A.

MOTION: Commissioner Hogan moved, seconded by Commissioner Hochberg, in Case #2018-31, 551 Alarid Street General Plan Amendment from Public Institutional to Community Commercial to recommend approval to Governing Body without conditions, finding that the amendment has consistency with growth projections for Santa Fe, economic development goals as set forth in a comprehensive economic development plan for Santa Fe and existing land use conditions such as access and availability of infrastructure; that it has consistency with other parts of the general plan; is consistent with multiple sections of the 1999 General Plan themes, that the change is not significantly different from or inconsistent with the prevailing use and character in the area; that it does not benefit only a few landowners at the expense of the surrounding landowners or the general public; that it contributes to a coordinated, adjusted and harmonious development of Santa Fe that in accordance with existing and future needs, best promotes health, safety, morals, order, convenience, prosperity or the general

welfare, as well as efficiency and economy in the process of development; that it considers conformity with other city policies, including land use policies, ordinances, regulations and plans; that it complies with the general criteria set forth in Subsection 14-3.2(E)(1), amendments to the land use policies section of the general plan with evidence that shows that the effect of the proposed change in land use shown on the future land use map of the general plan will not have a negative impact on the surrounding properties and is related to the character of the surrounding area.

VOTE: The motion passed on a 4-0 roll call vote with:

FOR: Commissioner Lee Garcia, Commissioner Stephen Hochberg, Commissioner Mark Hogan, and Commissioner Brian Patrick Gutierrez.

AGAINST: None. Commissioner Kapin was not present for the vote.

Rezoning Request.

MOTION: Commissioner Hogan moved, seconded by Commissioner Hochberg, in Case #2018-03, 551 Alarid Street Rezoning, to recommend to the Governing Body approval of rezoning from R-8 (Residential-eight dwelling units per acre) to BCD-RED (Business Capitol District-Redevelopment Subdistrict), finding that the conditions for rezoning have been met and finding that criteria 1-4 have been met.

VOTE: The motion passed on a 4-0 roll call vote with:

FOR: Commissioner Lee Garcia, Commissioner Stephen Hochberg, Commissioner Mark Hogan, and Commissioner Brian Patrick Gutierrez.

AGAINST: None. Commissioner Kapin was not present for the vote.

Master Plan time expiration extension.

MOTION: Commissioner Hogan moved, seconded by Commissioner Hochberg, to recommend to the Governing Body, approval of the Master Plan with time extension to the Governing Body with all conditions except #1 requiring closure of existing driveway on Alarid and permitting the Applicant to have a driveway on Paseo, and removing drive-in restaurant as an allowable use.

VOTE: The motion passed on a 4-0 roll call vote with:

FOR: Commissioner Lee Garcia, Commissioner Stephen Hochberg, Commissioner Mark Hogan, and Commissioner Brian Patrick Gutierrez.

AGAINST: None. Commissioner Kapin was not present for the vote.

G. STAFF COMMUNICATIONS

Mr. Berke announced that at the next meeting in May, Mayor Webber would be present.

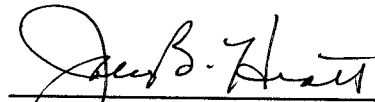
H. MATTERS FROM THE COMMISSION

Commissioner Gutierrez reported that the Summary Committee met earlier in the day with two lot split cases and that both were approved.

I. ADJOURNMENT


Having completed the agenda and with no further business to come before the Commission, the meeting was adjourned at 9:22 p.m.

Approved by:



John B. Hiatt, Chairperson

Submitted by:



Carl Boaz for Carl G. Boaz, Inc.