

Agenda

AMENDED

PLANNING COMMISSION
Thursday, December 5, 2019 - 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: November 7, 2019 FINDINGS/CONCLUSIONS:

Case #2019-728. 7295 Cerrillos Road U-Haul Development Plan.

<u>Case #2019-976</u>. 645 East Palace Avenue Lot Split. <u>Case #2019-977</u>. 645 East Palace Avenue Variance.

- E. OLD BUSINESS
- F. NEW BUSINESS
 - 1. <u>Case #2019-1144</u>. Santa Fe Place Mall Final Subdivision Plat. JenkinsGavin, Inc., Agent, for Santa Fe Mall Property, Owner LLC, Owner, requests Final Subdivision Plat approval to create 7 lots ranging in size from 0.68+/- acres to 17.72+/- acres. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)
 - 2. Case #2019-1147. 3420 Rufina Street General Plan Amendment. Leslie Giorgetti, Agent, for 3420 Rufina, LLC, Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Community Commercial, Transitional Mixed Use, and Low Density Residential (3-7 dwelling units per acre), to Community Commercial for approximately 7.12 acres of land. The property is located at 3420 Rufina Street. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)
 - 3. Case #2019-1148. 3420 Rufina Street Rezoning. Leslie Giorgetti, Agent, for 3420 Rufina, LLC, Owner, requests approval of rezoning from C-2 (General Commercial) and R-3 (Residential-three dwelling units per acre) to C-2 (General Commercial) for approximately 7.12 acres of land. The property is located at 3420 Rufina. (Donna Wynant, Case Manager, diwynant@santafenm.gov, 955-6325)

- 4. Case #2019-1204. Vacation of Lot Consolidation Plat. JenkinsGavin, Inc., Agent, for Brenner Development Co., Owner, requests vacation of a consolidation plat pursuant to Santa Fe City Code Section 23-1.2. The plat is identified as "Lot Consolidation of Contenta Ridge Townhomes Subdivision into Tract 51," consists of 4.47+/- acres, and is recorded in the Office of the County Clerk as Book 726, Pages 16 and 17 as instrument Number 1622904. The property is located within Tierra Contenta Subdivision Phase 2B, within Tract 51, within the Pacheco Grant, and within projected Sections 11 and 14, Township 16 North, Range 8 East, of the New Mexico Principal Meridian, City and of Santa Fe, New Mexico. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587) (TO BE POSTPONED INDEFINITELY)
- 5. Case #2019-1141. Tierra Contenta Tract 53A Arroyo Oeste Final Subdivision. Oralynn Guerrerortiz of Design Enginuity, LLC, Agent, representing The Housing Trust, Owner, requests approval of a Final Subdivision Plat for 20 single-family lots. The property is zoned PRC (Planned Residential Community), is Tract 53A within Tierra Contenta Phase 2C, and is approximately +/-3.65 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136)
- G. STAFF COMMUNICATIONS
- H. MATTERS FROM THE COMMISSION
- I. ADJOURNMENT

NOTES:

- 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.
- 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.
- 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.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE:

November 25, 2019

TIME:

10:21 AM



Agenda

PLANNING COMMISSION Thursday, December 5, 2019 - 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: November 7, 2019

FINDINGS/CONCLUSIONS:

Case #2019-728. 7295 Cerrillos Road U-Haul Development Plan.

Case #2019-976. 645 East Palace Avenue Lot Split.

Case #2019-977. 645 East Palace Avenue Variance.

- E. OLD BUSINESS
- F. NEW BUSINESS
 - 1. Case #2019-1144. Santa Fe Place Mall Final Subdivision Plat. Jenkins Gavin, Inc., Agent, for Santa Fe Mall Property, Owner LLC, Owner, requests Final Subdivision Plat approval to create 7 lots ranging in size from 0.68+/- acres to 17.72+/- acres. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)
 - 2. Case #2019-1147. 3420 Rufina Street General Plan Amendment. Leslie Giorgetti, Agent, for 3420 Rufina, LLC, Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Community Commercial, Transitional Mixed Use, and Low Density Residential (3-7 dwelling units per acre), to Community Commercial for approximately 7.12 acres of land. The property is located at 3420 Rufina Street. (Donna Wynant, Case Manager, diwynant@santafenm.gov, 955-6325)
 - 3. <u>Case #2019-1148.</u> 3420 Rufina Street Rezoning. Leslie Giorgetti, Agent, for 3420 Rufina, LLC, Owner, requests approval of rezoning from C-2 (General Commercial) and R-3 (Residential-three dwelling units per acre) to C-2 (General Commercial) for approximately 7.12 acres of land. The property is located at 3420 Rufina. (Donna Wynant, Case Manager, diwynant@santafenm.gov, 955-6325)

- 4. Case #2019-1204. Vacation of Lot Consolidation Plat. JenkinsGavin, Inc., Agent, for Brenner Development Co., Owner, requests vacation of a consolidation plat pursuant to Santa Fe City Code Section 23-1.2. The plat is identified as "Lot Consolidation of Contenta Ridge Townhomes Subdivision into Tract 51," consists of 4.47+/- acres, and is recorded in the Office of the County Clerk as Book 726, Pages 16 and 17 as instrument Number 1622904. The property is located within Tierra Contenta Subdivision Phase 2B, within Tract 51, within the Pacheco Grant, and within projected Sections 11 and 14, Township 16 North, Range 8 East, of the New Mexico Principal Meridian, City and County of Santa Fe. New Mexico. (Dan Esquibel, Case Manager. daesquibel@santafenm.gov, 955-6587)
- 5. Case #2019-1141. Tierra Contenta Tract 53A Arroyo Oeste Final Subdivision. Oralynn Guerrerortiz of Design Enginuity, LLC, Agent, representing The Housing Trust, Owner, requests approval of a Final Subdivision Plat for 20 single-family lots. The property is zoned PRC (Planned Residential Community), is Tract 53A within Tierra Contenta Phase 2C, and is approximately +/-3.65 acres. (Lee Logston, Case Manager, lrlogston@santafenm.gov, 955-6136)

G. STAFF COMMUNICATIONS

- H. MATTERS FROM THE COMMISSION
- I. ADJOURNMENT

NOTES:

- 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.
- 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.
- 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.

RECEIVED AT THE CITY CLERK'S OFFICE

DATE:

November 19, 2019

TIME:

2:31 PM

SUMMARY INDEX PLANNING COMMISSION MINUTES DECEMBER 5, 2019

ITE	M	ACTION TAKEN	PAGE(S)
A.	Roll Call	Quorum Present	1
B.	Pledge of Allegiance	Recited	1
C.	Approval of Agenda	Approved as published	2
D.	Approval of Minutes and Finding 1. MINUTES:	s/Conclusions	
	November 7, 2019	Approved as Amended	2
	2. Findings of Fact and Conclusions of Law:		
	Case #2019-728	Approved	2
	Case #2019-976	Approved as Amended	2-3
	• Case #2019-977	Approved as Amended	2-3
E.	Old Business:	Comments	3
F.	New Business		
	1) Case #2019-1144. Santa Fe Place Mall Final Subdivision		
	Plat	Approved	3-4
	2) Case #2019-1147. 3420 Rufina Street General Plan Amendment	Approved	4-8
	" Findings/Conclusions	Approved	8
	3) Case #2019-1148, 3420 Rufina		
	Street Rezoning	Approved	4-8
	" Findings/Conclusions	Approved	8
	4) Case #2019-1204. Vacation of Lot Consolidation Plat.	Postponed Indefinitely	8
	5) Case #2019-1141. Tierra Contenta Tract 53A Arroyo		0.44
	Oeste Final Subdivision.	Approved with Change	9-11
G.	Staff Communications	Comments	9
H.	Matters from the Commission	Comments	11
I.	Adjournment	Adjourned at 6:55 pm	11

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION Thursday, DECEMBER 5, 2019 - 6:00pm City Council Chambers City Hall 1st Floor - 200 Lincoln Avenue

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Hiatt on the above date at approximately 6:10 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. (Jack) Hiatt, Chair Commissioner Janet Clow Commissioner Pilar Faulkner, Secretary Commissioner Brian Patrick Gutierrez Commissioner Mark Hogan Commissioner Jessica Lawrence

Members Absent

Commissioner Lee Garcia (excused) Commissioner Dominic Sategna (excused) (One Vacancy)

Others Present:

Ms. Carol Johnson, Land Use Director

Mr. Noah Berke, Planner Manager and Staff Liaison

Ms. Sally Paez, Assistant City Attorney

Ms. Melissa D. Byers, 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 Land Use Department.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

B. APPROVAL OF AGENDA

MOTION: Commissioner Faulkner moved, seconded by Commissioner Lawrence, to

approve the agenda.

VOTE: The motion passed by unanimous voice vote with Commissioners

Clow, Faulkner, Gutierrez, Hogan, and Lawrence voting in favor

and none voting against.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

1. MINUTES:

November 7, 2019

Commissioner Clow requested that the minutes be amended to include the following changes:

• On page 17, the 6th paragraph, second line, "you are not improving it" should read "you are improving it" - "not" is removed.

• Page 20, second motion, 7th line down and on page 21, 5th line down, "outline" should say "lot line".

MOTION: Commissioner Faulkner moved, seconded by Commissioner Lawrence, to approve the minutes of November 7, 2019, as amended.

VOTE: The motion passed by unanimous voice vote with Commissioners Clow, Gutierrez, Lawrence, Hogan, and Faulkner voting in favor and none voting against.

2. Findings of Fact and Conclusions of Law:

• Case #2019-728. 7295 Cerrillos Road U-Haul Development Plan

MOTION: Commissioner Faulkner moved, seconded by Commissioner Lawrence, to approve the Findings of Fact and Conclusions of Law for Case #2019-728.

VOTE: The motion passed by unanimous voice vote with Commissioners Clow, Gutierrez, Hogan, Faulkner, and Lawrence voting in favor and none voting against.

• Case #2019-976. 645 East Palace Avenue Lot Split.

Case #2019-977. 645 East Palace Avenue Variance.

Commissioner Clow requested a change to Case #2019-976, on page 3, paragraph 28, second line to add the word "be" after "cannot" and before "contrary"...cannot <u>be</u> contrary.

MOTION:

Commissioner Faulkner moved, seconded by Commissioner Lawrence, to approve the Findings of Fact and Conclusions of Law for Case #2019-976 as amended and Case #2019-977, as presented.

VOTE:

The motion passed by majority voice vote with Commissioners Clow, Faulkner, Hogan and Lawrence voting in favor and Commissioner Gutierrez abstaining.

E. OLD BUSINESS:

Chair Hiatt recognized Carol Johnson, Land Use Director. He stated that he was saddened that she would be leaving the City, however, he wished her and her family well.

Ms. Johnson introduced Eli Isaacson who will be the Interim Land Use Director until a permanent recruitment is hired by the City.

F. **NEW BUSINESS**

1. Case #2019-1144. Santa Fe Place Mall Final Subdivision Plat.
JenkinsGavin, Inc., Agent, for Santa Fe Mall Property, Owner LLC, Owner, requests Final Subdivision Plat approval to create 7 lots ranging in size from 0.68+/- acres to 17.72+/- acres. The property is located at 4250 Cerrillos Road, zoned SC-3 (Planned Shopping Center), and is within Zone 4 of the Cerrillos Road Highway Corridor. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587)

Staff Report

Mr. Esquibel said this is the final subdivision plat and the same section, 14.3.7(C) applies to both preliminary and final. Staff is recommending approval. The applicant has agreed with all the conditions and the final plat complies substantially to the preliminary plat.

Applicant's Presentation

Jennifer Jenkins, 130 Grant Ave., #101, was sworn. Ms. Jenkins stated that the applicants agree with all the conditions of approval. She had nothing further to add but was happy to stand for questions.

Public Comment

None.

Commission Discussion

None.

Action of the Commission

MOTION:

In Case #2019-1144, Santa Fe Place Mall Final Subdivision Plat, Commissioner Faulkner moved, seconded by Commissioner Lawrence, to approve the Final Subdivision Plat subject to the conditions of approval and technical corrections recommended by staff.

VOTE:

The motion passed by roll call vote with Commissioners Clow, Hogan, Lawrence, Faulkner, and Gutierrez voting in favor and none voting against.

- 2. <u>Case #2019-1147. 3420 Rufina Street General Plan Amendment.</u> Leslie Giorgetti, Agent, for 3420 Rufina, LLC, Owner, requests approval of a General Plan Future Land Use Amendment to change the designation from Community Commercial, Transitional Mixed Use, and Low Density Residential (3-7 dwelling units per acre), to Community Commercial for approximately 7.12 acres of land. The property is located at 3420 Rufina Street. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)
- 3. <u>Case #2019-1148. 3420 Rufina Street Rezoning.</u> Leslie Giorgetti, Agent, for 3420 Rufina, LLC, Owner, requests approval of rezoning from C-2 (General Commercial) and R-3 (Residential-three dwelling units per acre) to C-2 (General Commercial) for approximately 7.12 acres of land. The property is located at 3420 Rufina. (Donna Wynant, Case Manager, djwynant@santafenm.gov, 955-6325)

Staff Report

Ms. Wynant said this case is to get the property into one consistent zoning pattern. There are three different general plan designations and the applicant wants to take it to community commercial designation for future land use, and to change zoning from R-3, and C-2 in the southeast corner, to one consistent zoning pattern. The applicant wants to get the property ready to develop in the future. They have met with neighbors in the

area and discussed possibilities and there was no opposition. They received support to put the general plan amendment and rezoning in place.

Staff recommends approval of the general plan amendment as requested and a rezoning. Applicant has met the criteria, but a couple are stated as conditional because it will depend on future development. There is infrastructure to support commercial development and is an extension of existing commercial development to the east and south.

Applicant's Presentation

Leslie Giorgetti and Mark Giorgetti, 1300 Rufina Circle were sworn. Ms. Giorgetti said the project is just over seven acres and adjoins Home Depot to the west with about ½ acre zoned C-2 and the rest zoned R-3. There are 3 designations on the future land use of Community, Commercial and Transitional Mixed Use, and R-3. They would like one cohesive zoning in a transitional development to more residential. They are considering light office, warehouse for local businesses/artists, etc.

Public Comment

Rick Martinez, 725 Mesilla Road, was sworn. He saw the plans at the neighborhood meeting and thought the applicants did a good job. They have a lot of setbacks. His fear is that the whole stretch of Rufina is all empty lots and with C-2 zoning all the way to Zafarano the road and the neighborhood would be in a lot of trouble. He asked the Commission to put an overlay to protect the height and density of the Rufina Street corridor. It is only a two-lane road with County on one side and the other side would be rural C-2. He asked that they proceed cautiously and have City Council look at the plans. He thought C-1 zoning more appropriate.

William Mee, President of the Agua Fria Village Association, 2073 Camino Samuel Montoya, was sworn. The applicants came to a couple of the Village Association monthly meetings. The conceptual plans were good and artists' studios, live/work is needed in the area. But he agreed with Mr. Martinez C-2 is too dense and preferred a C-1 designation. He came tonight to request the Commission push the City Council to study the Rufina Street corridor and do a master plan. The continued piecemeal approval of development with no long-range plan will leave the last few land landowners holding the bag. They went through this process when Victor Montano owned the land. At that time City Engineer John Romero suggested a gap plan and visionary planning is needed.

Mr. Mee read comments he was given by Commissioner Anna Hansen (reading): "There is a tremendous need to have joint City and County planning on Rufina corridor. The County has the jurisdiction of the area from Henry Lynch Road and Richards to Lopez Lane. The model for such a plan should be the West Santa Fe River Corridor Plan. A joint plan would address long-standing issues of the landowners which were not resolved

by the June 14, 2005 Southwest Sector Community Area Master Plan. I look forward to future dialogue on the Rufina Street Corridor."

Mr. Mee thought the County would be receptive to planning in the area; the landowners are, having participated in 1974 with the South West Sector Plan. The City wanted to run Rufina Street across the top of the city sewer trunk line and people agreed. The City had promised the south part would be a commercial area and landowners could recoup or make income and it would help families. Planning was supposed to allow the City to get revenue from the commercial and families would have residential on the north side. So, planning has gone for decades and the City never followed through. They did not obtain the right-of-way to the Rufina corridor until 1985 and it took them until 2000 to build something. He did not believe it had ever had a traffic control study and thought there was a lot of work to do. He will be sending the Planning Commission and the City Council a letter about the concept of City/County planning.

Steven Etry, 64 Calle Ecentre, was sworn. He and his family are also landowners on Rufina. He supported a change to help consolidate what the landowners' experienced; an overlay of different types of use and zoning. He encouraged the Commission to look at that given the growth and development of heavier commercial in the area. This plan helps to provide transition to more of the residential area.

Charlie Gonzales, Vice President of Agua Fria Village Association, was sworn. He said he supports the project, but also shares the concerns. He reminded everyone when Rufina Street was built it was designed to be a four lane but only two lanes were built. That caused driveway entry/exit issues. Medians were installed which caused more problems, in addition to the drainage problems. He was there to support the project.

Commission Discussion

Chair Hiatt asked if the project was submitted originally as C-1 or C-2.

Ms. Wynant said it came as a C-2. She indicated she was briefed on the comments because she was at another ENN.

Chair Hiatt asked if she had concerns about the comments on drainage.

Ms. Wynant replied nothing was raised by the traffic engineer or land use engineer regarding issues. Much of it will hinge on the proposed development plan for the site.

Commissioner Hogan asked if C-2 zoning allows residential uses.

Ms. Wynant explained C-2 does allow for some residential units, and she thought what was proposed would be allowed.

Commissioner Hogan said he understood traffic is already an issue. He asked if the Rufina right of way has additional width to allow expansion.

Ms. Wynant replied she did not look at the right of way width and did not have comments from the engineer, but thought it was pretty wide.

Commissioner Hogan recalled Agua Fria Village is on the North side of the property, which has different zoning. He understood the inference and dichotomy between rural on the north side and the request. He asked the applicants to be sensitive to that transition from Home Depot and the density to the Village.

Ms. Wynant agreed to keep that in mind.

Chair Hiatt addressed Eli Isaacson saying the public comment is correct that Rufina has characteristics of Agua Fria at an early stage. With MeowWolf in expansion, they could expect more of this and he asked Mr. Isaacson to explore how the City and County could work together.

Chair Hiatt asked Ms. Giorgetti if they had looked at C-1 zoning.

Ms. Giorgetti replied it does not meet C-1 criteria because it does not adjoin C-1. Part is C-2 zoning and that adjoins C-2 zoning and they may not have a high-intensity use, the natural zoning would be C-2. She understood everyone's concerns. They have offered to show the project with the lower heights, good setbacks and open space. They think it would be a good example if the City and County worked on a future overlay. It would not make sense to obtain C-1 zoning even though they plan lower density commercial development than what could be done in C-2 zoning.

Regarding the concern of drainage, she recognized the site does drain toward Rufina. The drainage would have to be addressed along with issues of traffic, density, etc., which would all be done at the time of the development plan. She agreed with the concerns of piecemeal but thought they could work together. The project could demonstrate a future overlay but will take time and organization.

Action of the Commission

MOTION:

In Case #2019-1147. 3420 Rufina Street General Plan Amendment. Commissioner Hogan moved, seconded by Commissioner Lawrence, to recommend approval by the Governing Body to request to amend the General Plan future land use map designation from Community Commercial Transitional Mixed-Use and low-density City Residential to Community Commercial. No conditions of approval are required with this amendment.

VOTE: The motion passed by roll call vote with Commissioners Clow, Faulkner,

Gutierrez, Hogan, and Lawrence voting in favor and none voting against.

MOTION: In Case #2019-1148, 3420 Rufina Street Rezoning, Commissioner Hogan

moved, seconded by Commissioner Lawrence, to recommend for approval by the Governing Body the rezoning from C-2 Commercial and R-3, to C-2

General Commercial for approximately 7.12 acres of land.

VOTE: The motion passed by roll call vote with Commissioners Clow, Faulkner,

Gutierrez, Hogan, and Lawrence voting in favor and none voting against.

MOTION: In Case #2019-1147 and #2019-1148, 3420 Rufina Street Rezoning, Commissioner Hogan moved, seconded by Commissioner Lawrence to approve the Findings of Fact and Conclusions of Law as contained in

Exhibit A-2 of the packet.

VOTE: The motion passed by roll call vote with Commissioners Clow, Faulkner,

Gutierrez, Hogan, and Lawrence voting in favor and none voting against.

Mr. Berke stated that the Findings were not approved in the previous case,

2019-1144 and that was voted on at this time.

MOTION: In Case #2019-1144, Santa Fe Place Mall Final Subdivision Plat,

Commissioner Hogan moved, seconded by Commissioner Lawrence to approve the Findings of Fact and Conclusions of Law as contained in

Exhibit A-2 of the packet.

VOTE: The motion passed by roll call vote with Commissioners Clow, Faulkner,

Gutierrez, Hogan, and Lawrence voting in favor and none voting against.

Chair Hiatt excused himself from the next case at 6:45 p.m.

Before Mr. Hiatt left the meeting, Mr. Berke noted that the next Planning Commission is on January 2, 2020 and could be moved to January 9, 2020 if preferred. The consensus of the Commission was they would have the meeting on January 2, 2020.

Commissioner Hogan took the Chair.

4. <u>Case #2019-1204. Vacation of Lot Consolidation Plat.</u> JenkinsGavin, Inc., Agent, for Brenner Development Co., Owner, requests vacation of a consolidation plat pursuant to Santa Fe City Code Section 23-1.2. The plat is identified as "Lot Consolidation of Contenta Ridge Townhomes Subdivision into Tract 51," consists of 4.47+/- acres, and is recorded in the Office of the County Clerk as Book 726, Pages 16 and 17 as instrument

Number 1622904. The property is located within Tierra Contenta Subdivision Phase 2B, within Tract 51, within the Pacheco Grant, and within projected Sections 11 and 14, Township 16 North, Range 8 East, of the New Mexico Principal Meridian, City and County of Santa Fe, New Mexico. (Dan Esquibel, Case Manager, daesquibel@santafenm.gov, 955-6587) (POSTPONED INDEFINATELY)

5. Case #2019-1141. Tierra Contenta Tract 53A Arroyo Oeste Final Subdivision. Oralynn Guerrerortiz of Design Enginuity, LLC, Agent, representing The Housing Trust, Owner, requests approval of a Final Subdivision Plat for 20 single-family lots. The property is zoned PRC (Planned Residential Community), is Tract 53A within Tierra Contenta Phase 2C, and is approximately +/-3.65 acres. (Lee Logston, Case Manager, Irlogston@santafenm.gov, 955-6136)

Staff Report

Mr. Logston said that on October 3, 2019 the Commission approved the preliminary subdivision on the project including the variance to allow disturbance of a 30% slope in excess of the 1000 ft.² maximum. The unresolved issue of the design criteria explicitly stated street trees must be behind the sidewalk, but illustration showed them also in the park strip. In this case, the trees location behind the sidewalk would help with dirt retention and overall design. The applicant was asked to obtain approval from the Tierra Contenta Design Review Committee, which they have done. The Design Review Committee asked in turn that the Commission reduce the amount of landscape required in the area where the variance was granted. That is contained in an exhibit in the Staff report and will be incorporated into the final and is not seen in the preliminary. The proposed final subdivision is in compliance with Tierra Contenta Master Plan Phase II design guidelines, meets all development standards and approval criteria of Chapter 14, and does not create nonconformities.

Therefore, Staff recommends approval of the final subdivision plat subject to conditions of approval listed in this report. Two motions would be required; to approve/deny the final subdivision plat subject to conditions of approval and technical corrections. The second motion would be to approve/deny the Findings of Fact and Conclusions of Law included in the Commission packet.

Commissioner Hogan confirmed that the final proposed landscaping would not require a variance from the landscape standards.

Mr. Logston said that was correct. The landscaping standards generally applied are more shrubs per square feet, etc. Instead of gathering things as proposed it was spread out more. He thought they would not have any problem.

Applicant's Presentation

Oralynn Guerrerortiz with Design, 1421 Luisa Street, was sworn. She noted the project is simple and did not want to give a presentation.

Ms. Guerrerortiz said she did want to make one change to the plans. Her plans say the maximum lot coverage is 40%, which is standard for the City of Santa Fe. However, Tierra Contenta allows up to 50% for unit development plans and she would like approval to change to 50% for the lot coverage. That would give the Housing Trust more flexibility. She otherwise agreed with all conditions as presented.

Chair Hogan asked if that should be part of the record and included in the motion.

Ms. Johnson said it would be amending the conditions of approval to make that change and they will have to correct the plat of record.

Public Comment

There was none.

Commission Discussion

There was none.

Action of the Commission

MOTION:

In Case #2019-1141, Tierra Contenta Tract 53A Arroyo Oeste Final Subdivision, Commissioner Lawrence moved, seconded by Commissioner Faulkner, to approve the Final Subdivision, subject to the conditions of approval and technical corrections recommended by staff with the amendment to allow 50% lot coverage.

VOTE:

The motion passed by roll call vote with Commissioners Clow, Faulkner, Gutierrez, Lawrence and Chair Hogan, voting in favor and none voting against.

MOTION:

In Case #2019-1141, Tierra Contenta Tract 53A Arroyo Oeste Final Subdivision, Commissioner Lawrence moved, seconded by Commissioner Faulkner to approve the Findings of Fact and Conclusions of Law as contained in Exhibit A-2 of the packet with the inclusion of the 50% lot coverage.

VOTE:

The motion passed by roll call vote with Commissioners Clow, Faulkner, Gutierrez, Lawrence and Chair Hogan, voting in favor and none voting against.

G. STAFF COMMUNICATIONS

Director Carol Johnson thanked the Commissioners and commented it was one of the best groups she has worked with in her extensive career. She said Santa Fe will always have a warm place in her heart, and she wanted them to know how much she appreciated their service.

Commissioner Hogan said they appreciated her leadership during her time at the City.

Mr. Burke introduced the new senior planner, John Neunuebel, who moved to Santa Fe from Topeka, Kansas. He hoped to have him presenting cases soon.

H. MATTERS FROM THE COMMISSION

Commissioner Faulkner asked to change the next meeting to January 9, 2020 and everyone agreed.

I. ADJOURNMENT

Having completed the agenda and with no further business to come before the Planning Commission, the meeting was adjourned at 6:55 p.m.

Submitted by:

Melissa D. Byers, Stenographer for

Byers Organizational Support Services

Approved by:

John/B. Hiatt, Chair