



Agenda

PLANNING COMMISSION
May 03, 2007 – 6:00 P.M.
CITY COUNCIL CHAMBERS

- A. ROLL CALL**
- B. PLEDGE OF ALLEGIANCE**
- C. APPROVAL OF AGENDA**
- D. APPROVAL OF MINUTES**
April 05, 2007

E. OLD BUSINESS

1. An ordinance amending Table 14-6.1-1 SFCC 1987 and repealing section 14-6.2(D) (2) SFCC 1987 to prohibit individual storage areas in C-2 commercial zoning districts and to allow mini-storage in I-2 districts. (Jeanne Price, case manager) **(POSTPONED FROM MARCH 1, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

F. NEW BUSINESS

1. **Case #M 2006-52. Old Las Vegas Highway Subdivision General Plan Amendment.** Jennifer Jenkins, agent for Homewise, Inc. requests approval of a General Plan future land use map amendment to change the designation of 15.35± acres of land from Mountain/Corridor to Residential, Very Low Density. The area is located east of Old Las Vegas Highway and south of Old Pecos Trail. (Donna Wynant, case manager) **(POSTPONED FROM FEBRUARY 15, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**
2. **Case #M 2006-53. Old Las Vegas Highway Subdivision Annexation.** Jennifer Jenkins, agent for Homewise, Inc. requests annexation of 15.35± acres of land located to the east of Old Las Vegas Highway and south of Old Pecos Trail. (Donna Wynant, case manager) **(POSTPONED FROM FEBRUARY 15, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**
3. **Case #ZA 2006-21. Old Las Vegas Highway Subdivision Rezoning from R-1 to R-3.** Jennifer Jenkins, agent for Homewise, Inc. requests rezoning of 15.35± acres of land from R-1 (Residential, one dwelling unit per acre) to R-3 (Residential, three dwelling units per acre). The property is located east of Old Las Vegas Highway and south of Old Pecos Trail. (Donna Wynant, case manager) **(POSTPONED FROM FEBRUARY 15, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

4. **Case #S 2007-02. Sun Vista Subdivision Final Subdivision Plat.** James W. Siebert, agent for Alliance Group Properties, LLC requests approval of a final subdivision plat to create 9 lots on 9.040± acres located north of NM 599 and west of Camino De Las Montoyas. The property is zoned R-1 (Residential, one dwelling unit per acre). (Lou Baker, case manager)
5. **Case #M 2007-05. Casas Bonitas Development Plan Amendment.** Linda Tigges, agent for Chapman Companies, requests approval of an amended development plan for 49 units on 8.020± acres located south of Rufina Street, east of Calle P'O Ae Pi. The application includes a variance to the 15' setback distance between each series of attached dwellings. The property is zoned R-7 (Residential, 7 dwellings per acre). (Donna Wynant, case manager)
6. **Case #S 2007-05. Casas Bonitas Preliminary Subdivision Plat.** Linda Tigges, agent for Chapman Companies, requests preliminary subdivision plat approval for 49 units on 8.020± acres located south of Rufina Street, east of Calle P'O Ae Pi. The property is zoned R-7 (Residential, 7 dwellings per acre). (Donna Wynant, case manager)
7. **Case #M 2007-06. Vista Serena, Tract 49 Tierra Contenta, Preliminary Development Plan.** David Thomas, agent for Tierra Contenta Corporation, requests preliminary development plan approval for 68 lots on 12.686± acres. The site is Tract 49 in Tierra Contenta Phase 2B, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 10 - 20 dwelling units per acre). (Lou Baker, case manager)
8. **Case #S 2007-07. Vista Serena, Tract 49 Tierra Contenta, Preliminary Subdivision Plat.** David Thomas, agent for Tierra Contenta Corporation, requests preliminary subdivision plat approval for 68 lots on 12.686± acres. The site is Tract 49 in Tierra Contenta Phase 2B, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 10 - 20 dwelling units per acre). (Lou Baker, case manager)
9. **Case #M 2007-09. Sunset View Senior Apartments.** Tishman Group agent and owner requests a development plan amendment including a variance from 14-8.6 Off Street Parking and Loading, to allow one space per apartment i.e.136 spaces. The site consists of 3.31± acres and is located at the northwest corner of St. Francis Drive and St. Michael's Drive. The property is zoned C-2. (Dan Esquibel, case manager).

- 10. Case #M 2006-27. San Isidro Phase II Final Development Plan.** Greg Gonzales, agent for Branch Design & Development requests final development plan approval for San Isidro Village mixed use development on +/- 6.81 acres east of Zafarano Drive between Cerrillos Road and Rufina Street. The application includes waivers to “Big Box” standards to allow part of the screening requirements to be met with berms and screen walls in place of buildings, and to allow one public entrance instead of two. The property is zoned C-2-PUD (General Commercial, Planned Unit Development). (Dan Esquibel, case manager) **(POSTPONED FROM AUGUST 3, 2006, AUGUST 31, 2006, SEPTEMBER 28, 2006, JANUARY 18, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

G. BUSINESS FROM THE FLOOR

H. STAFF COMMUNICATIONS

I. MATTERS FROM THE COMMISSION

J. ADJOURNMENT

NOTES:

- 1) Procedures in front of the Planning Commission are governed by Roberts Rules of Order. Postponed cases are postponed 1) to a specific date, or 2) indefinitely until specific conditions have been resolved, or 3) to a specific date with the provisions that specific conditions be resolved prior to that date. Postponed cases can be removed from the postpone by a motion and vote of the Planning Commission
- 2) Due to time constraints not all issues may be heard and may be rescheduled to the next scheduled Planning Commission meeting. This agenda is subject to change at the discretion of the Planning Commission.
- 3) 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 be subject to cross examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings. ***An interpreter for the hearing impaired is available through City Clerk’s Office upon 5 days notice. Please call 955-6521**

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CITY OF SANTA FE
PLANNING COMMISSION

May 3, 2007

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C. APPROVAL OF AGENDA	Approved	1-2
D. APPROVAL OF MINUTES April 05, 2007	Approved	2
E. OLD BUSINESS		
1. An ordinance amending Table 14-6.1-1 SFCC 1987 and repealing section 14-6.2(D) (2) SFCC 1987 to prohibit individual storage areas in C-2 commercial zoning districts and to allow mini-storage in I-2 districts.	Postponed per approval of agenda	2
F. NEW BUSINESS		
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2. <u>Case #M 2006-53</u> . Old Las Vegas Highway Subdivision Annexation. Jennifer Jenkins, agent for Homewise, Inc. requests annexation of 15.35± acres of land located to the east of Old Las Vegas Highway and south of Old Pecos Trail.	Approved	15-16
3. <u>Case #ZA 2006-21</u> . Old Las Vegas Highway Subdivision Rezoning from R-1 to R-3. Jennifer Jenkins, agent for Homewise, Inc. requests rezoning of 15.35± acres of land from R-1 (Residential, one dwelling unit per acre) to R-3 (Residential, three dwelling units per acre). The property is located east of Old Las Vegas Highway and south of Old Pecos Trail.	Approved	16
4. <u>Case #S 2007-02</u> . Sun Vista Subdivision Final Subdivision Plat. James W. Siebert, agent for Alliance Group Properties, LLC requests approval of a final subdivision plat to create 9 lots on 9.040± acres located north of NM 599 and west of Camino De Las Montoyas. The property is zoned R-1 (Residential, one dwelling unit per acre).	Approved	16-18
5. <u>Case #M 2007-05</u> . Casas Bonitas Development Plan Amendment. Linda Tigges, agent for Chapman Companies, requests approval of an amended development plan for 49 units on 8.020± acres located south of Rufina Street, east of Calle P'O Ae Pi. The application includes a variance to the 15' setback distance between		

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	each series of attached dwellings. The property is zoned R-7 (Residential, 7 dwellings per acre). Postponed	18-21
6.	<u>Case #S 2007-05.</u> Casas Bonitas Preliminary Subdivision Plat. Linda Tigges, agent for Chapman Companies, requests preliminary subdivision plat approval for 49 units on 8.020± acres located south of Rufina Street, east of Calle P'O Ae Pi. The property is zoned R-7 (Residential, 7 dwellings per acre). Approved	21
7.	<u>Case #M 2007-06.</u> Vista Serena, Tract 49 Tierra Contenta, Preliminary Development Plan. David Thomas, agent for Tierra Contenta Corporation, requests preliminary development plan approval for 68 lots on 12.686± acres. The site is Tract 49 in Tierra Contenta Phase 2B, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 10 - 20 dwelling units per acre). Approved	21-23
8.	<u>Case #S 2007-07.</u> Vista Serena, Tract 49 Tierra Contenta, Preliminary Subdivision Plat. David Thomas, agent for Tierra Contenta Corporation, requests preliminary subdivision plat approval for 68 lots on 12.686± acres. The site is Tract 49 in Tierra Contenta Phase 2B, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 10 - 20 dwelling units per acre). Approved	23
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10.	<u>Case #M 2006-27.</u> San Isidro Phase II Final Development Plan. Postponed per approval of agenda	23-24
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MINUTES OF
CITY OF SANTA FE
PLANNING COMMISSION MEETING

May 3, 2007

A regular meeting of the City of Santa Fe Planning Commission was called to order by Vice Chair Estevan Gonzales at approximately 6:00 p.m. on this date in the City Council Chambers, City Hall, Santa Fe, New Mexico.

A. ROLL CALL

Roll call indicated the presence of a quorum as follows:

MEMBERS PRESENT:

Estevan Gonzales, Vice Chair
Bonifacio Armijo
Michael Trujillo
Harriet Heltman
Ken Hughes
Signe Lindell
Eric Lujan

MEMBERS ABSENT:

Vacancy
Robert Werner, Chair

STAFF PRESENT:

Greg Smith, Development Review Division Director
Donna Wynant, Senior Planner
Jeanne Price, Legislative Liaison
Lou Baker, Senior Planner
Anne Lovely, Assistant City Attorney
John Romero, Traffic Engineer
Ron Pacheco, Office of Affordable Housing

B. PLEDGE OF ALLEGIANCE

Vice Chair Gonzales asked Commissioner Armijo to lead the pledge of allegiance.

C. APPROVAL OF AGENDA

Mr. Smith recommended postponement of the following items with concurrence of the applicants:

Under Old Business: item 1 – amending Table 14-6.1-1 SFCC 1987- regarding storage areas in C-2 - postpone to May 17th.

Under New Business:

Item 9 – Case #M 2007-09 - Sunset View Senior Apartments – postpone to May 17th

Item 10- Case #M-2006-27 - San Isidro Phase II Final Development Plan – postpone to May 17th.

Mr. Smith said they received late comments from the Traffic Engineering Division so staff is ready to proceed on Case #S-2007-02 if the Commission agrees. This was originally recommended for postponement.

Commissioner Trujillo moved to approve the agenda as amended, Commissioner Heltman seconded the motion which passed by unanimous voice vote.

D. APPROVAL OF MINUTES
April 05, 2007

Commissioner Heltman made the following corrections to the minutes:

Page 5, paragraph 4: remove *might*.

Page 10, 5th line: Chair Trujillo should be changed to *Commissioner Trujillo*.

Commissioner Trujillo moved to approve the minutes of April 5, 2007 as amended, Commissioner Armijo seconded the motion which passed by unanimous voice vote.

E. OLD BUSINESS

- 1. An ordinance amending Table 14-6.1-1 SFCC 1987 and repealing section 14-6.2(D) (2) SFCC 1987 to prohibit individual storage areas in C-2 commercial zoning districts and to allow mini-storage in I-2 districts. (Jeanne Price, case manager) (POSTPONED FROM MARCH 1, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

This item was postponed per approval of the agenda to the meeting of May 17th.

F. NEW BUSINESS

- 1. Case #M 2006-52. Old Las Vegas Highway Subdivision General Plan Amendment. Jennifer Jenkins, agent for Homewise, Inc. requests approval of a General Plan future land use map amendment to change the designation of 15.35± acres of land from Mountain/Corridor to Residential, Very Low Density. The area is located east of Old Las Vegas Highway and south of Old Pecos Trail. (Donna Wynant, case manager) (POSTPONED FROM FEBRUARY 15, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

Items 1, 2 and 3 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Commissioner Lindell recused herself from the three cases due to a member of her immediate family having a contract with Homewise.

Commissioner Armijo disclosed that one of his sons went through the Homewise program recently and did purchase a home through them.

Commissioner Trujillo did not believe that Commissioner Armijo has a financial obligation and he does not stand to gain financially from this. He disclosed that he has a security contract with Quail Run which is a member of ACSyL who will be speaking

tonight. He does not have any financial interest in ACSyL and does not do security for them.

There was no objection to Commissioner Armijo and Commissioner Trujillo hearing the case.

Memorandum from Donna Wynant, Senior Planner, prepared April 24, 2007 for the May 3, 2007 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "1."

Letters of concern from Gilbert Nanez and Thomas Seamster are incorporated herewith to these minutes as Exhibit "1(A)."

Comments from Ruben Chavez-Garcia, Traffic Engineer, NMDT dated March 21, 2007 is incorporated herewith to these minutes as Exhibit "1(B)."

Proposed restrictive covenants are incorporated herewith to these minutes as Exhibit 1(C)."

Master Plan prepared by Design Enignuity is incorporated herewith to these minutes as Exhibit "1(D)."

Breakdown of home prices and affordability presented by Homewise is incorporated herewith to these minutes as Exhibit "1(E)."

Water Efficiency handout from Homewise is incorporated herewith to these minutes as Exhibit "1(F)."

Letter from concerned neighbors dated May 3, 2007 is incorporated herewith to these minutes as Exhibit "1(G)."

Donna Wynant presented the staff report included in Exhibit "1."

Staff recommends:

If the Planning Commission determines that the Residential, Very Low Density General Plan designation is more appropriate for the subject property than the existing Mountain/Corridor classification, it should recommend approval to the City Council. Furthermore, in order to recommend approval, the Planning Commission must determine that the need for affordable, very low density housing in Santa Fe outweighs the need for an undeveloped viewshed and preservation of the very low density character of the City's southerly fringe. The application meets general plan approval criteria per Section 14-3.2 SFCC 2001. Recommendations and approvals for general plan amendment do not include conditions of approval.

Public Hearing

Jennifer Jenkins, Jenkins Gavin Design and Development, was sworn. She introduced her partner, Colleen Gavin; Craig Watts, Traffic Engineer; Mike Loftin, Executive Director of Homewise; and Emily Ford, Director of Construction for Homewise. The project is approximately 15 acres located directly east of Old Las Vegas Highway and south of the City's current boundaries. She reviewed an aerial photograph of the site. She pointed out the surrounding zonings; Quail Run is zoned R-4, many of the other surrounding properties are a combination of R-1 and R-2. The general plan designates the property next to the development as 1-3 dwelling units per acre and so

they are requesting this also to be consistent with what is next door. There have been quite a few interactions with the neighborhood and they have met individually with smaller groups to look at the site plan and gain feedback. They made some modifications to the site plan in response to the meetings.

Colleen Gavin was sworn. The property is made up of three tracts of land owned by Homewise. They got feedback and continued to revise the site plan. The concerns were about the visual impact, lighting and traffic. The revised site plan addressed clustered housing in two portions of the site and they looked at the density surrounding the property trying to mimic Quail Run's clustering including putting 2-3 units together with shared driveways to lessen the impact on the site. She pointed out that further south in the project there are single family lots to create a different type of mode. There are two points of entry. At the northern end, they have restricted right in/right out to address traffic concerns. The intent of the open space was to maintain the natural contours of the land and they are restricted due to the 30% slopes. The setback increases coming north. There is an existing right of way from Old Las Vegas Highway that varies from 75-85 feet. They will have the minimum lighting allowable by code. They are trying to keep the consistent look to the subdivision with all the lots facing Old Las Vegas Highway.

Ms. Jenkins explained that one of the questions that arose was whether or not this neighborhood would have a homeowner's association which it will. She presented a preliminary proposal for the intention of the covenants which is included in Exhibit "1(C)." She noted that the Santa Fe Homes Program requires 30% of the homes be priced affordably and in addition they are providing another 20% to those making less than 100% of the area median income. The market rate homes are going to be sold below market price and will be for those that make 120% of the median income. She addressed the general plan with respect to affordable housing and pointed out that the General Plan states clearly that opportunities are to be provided for housing for all income segments of the population in all areas of the City. She added that they are not to segregate affordable housing. The property is located within the established urban area boundary in the stage 1 area for growth and annexation. She added that they are in the South Central Highway Corridor Protection District and they are in compliance with that with respect to native plant preservation, architecture, density, buffering, setbacks, water conservation and building heights. She reported that they did a photographic study erecting over 20 story poles varying in height from 14 feet to 24 feet. They were surprised by what they found.

Ms. Gavin reviewed the study. She said the purpose was to understand the visibility. She pointed out how densely vegetated the property is. The visibility will be pretty minimal due to the existing terrain. The southern section of property has been cut back and you can see the higher terrain. There is a hill that creates a visual block to the proposed housing development. She noted that the tops of the poles were painted bright pink, but it is very difficult to see them. She said this helps them think about where the appropriate places are for single story and two story units as well.

Craig Watts, Traffic Engineer, was sworn. He reported that the only issue he discovered is an existing condition at the intersection of Old Pecos Trail and Old Las Vegas Highway and Rodeo Road. The intersection overall works fine, but some of the individual movements have problems although they are existing conditions that are not caused by this project. He said whether or not this project is built, the traffic issues will

remain in the future. He recommended some changes that the City Traffic Engineer and State Highway Department Traffic Engineer concurred with. This projects overall traffic contribution is about 1% which is inconsequential. Based on the solution he came up with, he determined this project's contribution would be about 3.5% so he rounded making a cost estimate of 5%. The applicant has agreed to contribute 5% of what the project would cost in addition to the impact fees. He said it is a minor issue that can be solved although it is not caused by this project.

Emily Ford, Real Estate Development Manager, Homewise, was sworn. She said they are proposing a 100% affordable project. This will help maintain the inventory of affordable housing, but they are especially excited about the location as there are very few affordable opportunities on the east side of Santa Fe. The southwest side of town is the only affordable side of town. She reviewed home sales data in the last year and the percentages sold above \$500,000 and below \$300,000. She pointed out that in the north side of town 67% of the homes were priced above \$.5 million and only 6% of the homes were below \$300,000. She said the southeast side is worse; 75% sold for \$.5 million or more and 3% sold for \$300,000 or less. The southwest area of town is almost the complete opposite. This is an important project not just for more units, but it is an opportunity to build in a part of town that most Santa Feans feel is off limits. She believes having affordable opportunities throughout the City is very important and this is one of the only opportunities they have found to achieve this in a meaningful way.

Mike Loftin, Executive Director Homewise, was sworn. He commented that Homewise is not only interested in affordable housing, but conserving energy and reducing greenhouse gases. He said this helps reduce the costs in the home for the future. All their homes are energy star rated. He reviewed the water efficiency included in Exhibit "1(F)." The goal is to have solar hot water in this project. They will have to offset the water by toilet retrofits so that the net use of water does not increase. He explained that they launched a program called Water Smart which is a way to get existing homeowners to conserve water. They have retrofitted 223 homes in the last year and a half. This effort is saving 8.93 acre feet of water per year. They expect to do another 163 homes this year to save an additional 6.5 acre feet of water. He mentioned that they are committed to building a great community. They have spent a great deal of time on how to minimize the impacts. He said they are not just committed to affordable housing. He hopes that when this project is built out they will run into people concerned about the project and they will say they like having a couple of police officers living near them, they like that an ER nurse is living near her work, and they have made some new friends. He understands there is a loss of open space, but they will gain something. He said this is the success Homewise wants and is committed to making happen.

Mr. Sedillo, was sworn. He spoke on behalf of Homewise. He commended the City of Santa for taking a bold step in adopting a social policy of affordable housing and also Santa Fe County has taken the step to do what is in the best interest of the community. He said staff articulated well the importance and how the community is not going to impact that part of Santa Fe. He said many of the people in Santa Fe are working 2-3 jobs just to make a living. He said the minimum wage intended to give those individuals an edge to truly participate in the community. He thinks everyone owes it to those individuals that contribute heavily to the community financially and socially in every activity they undertake. He thinks they need to look at inclusion as opposed to exclusion.

Tamara Ortiz, pediatric ICU Neonatal nurse and forensic nurse for the State of New Mexico, was sworn. She spoke on behalf of Homewise which enabled her to buy a home approximately five years ago. She is 100% in support of affordable housing on the east side of Santa Fe. She understands that some are opposed to this due to historical preservation. She pointed out that the majority of these homes are bought by nurses, teachers, policeman and fireman who do not make a sufficient salary to purchase a home in Santa Fe so they resort to buying in Rio Rancho or Albuquerque with the intention of commuting back to Santa Fe. She said in 6 months to one year the commute is too strenuous and so they transfer employment. She noted that St. Vincent's is losing their nurses to UNMH and Presbyterian. She said crime rates are up because law enforcement are where their homes are. She said they need to preserve the community, nurses preserve the health, teachers preserve the children, firefighters preserve the land and homes and policeman preserve the safety in the community. She said this is historical preservation and the community needs to be preserved.

Jeff Lebow, was sworn. He bought a BT home along with his wife by way of Homewise a year ago. His wife was born and raised here. They were at a point where they thought they would relocate for the specific purpose of buying a home as they could not afford anything in this area. He said Tamara turned them onto Homewise, so he speaks as a member of the community in support of this. He stated that he is a housekeeper/property manager who handles 20 second homes in this community. He feels the community will greatly benefit from this project.

Lynn Vondersen, was sworn. She has owned homes since 1970 and currently lives at Quail Run. She thinks this sounds like a terrific project and is in favor of it.

Richard Friedman, lives south Capital, was sworn. He speaks in favor of the project. He wants to live in a community where there are enough police officers, nurses and teachers. He feels an important economic development issue here is the fact that working people have to live outside the town and are taking wages outside of Santa Fe. He said for those reasons he urges approval of the project.

Sam Baca, native of Santa Fe, was sworn. He wanted to address the issue of historic preservation. His own family has been in New Mexico for 14 generations. He spent the better part of his career working with Cornerstones. This program helps work with communities to restore historic churches. He learned that historic preservation is not about preserving physical things, but the cultures and traditions that those buildings represent. He said his children will not be able to live here as they cannot afford this City. He urges them to take not the physical, but the fabric of the community and preserving the ability of youth to stay in the community into account. He urged the Commission to take the action necessary to move this project forward. They will achieve the goal of preserving the community when this project moves forward.

Marla Thompsen, 2101 Arroyo Chamiso, was sworn. She presented a letter signed by ACSyL included in Exhibit "1(G)." She read the letter into the record.

Theresa Seamster, Old Las Vegas Highway Community Task Force, teacher in El Dorado, was sworn. She noted that her husband submitted a letter asking for a postponement. The Task Force worked with NM DOT for three years to keep the Old Las Vegas Highway as a scenic historic corridor. A \$6 million plan was taken to the community with a lot of community input which resulted in them redoing the plan

completely. They preserved the trees and the right of way vegetation and it has made that highway such a nice entryway into Santa Fe. Along with this, there was a purchase of 87 acres by the Arroyo Hondo community as a buffer between the scenic highway and their homes. She feels there have been many very misleading statements in the memorandum from the Land Use Department. She questioned that these will be rental units.

Ann Lacy, 81 Old Agua Fria Road West, was sworn. She requested that they table these items for a few reasons. She thinks it is misleading because this is a land use issue and tonight it appears to be an affordable housing issue. She does not think anybody in this room is against affordable housing, but there could be more time and more dialogue to look at the complexities of the issue. She commented that the zoning is a big change because the neighborhood is not just Quail Run, but it is a large collection of people living in the County and the City that need to give more input. She said most of the people in this area have been working on three roadways for three years. There is not a great deal of institutional memory in working with Planning Department to preserve the corridor. The State legislators gave money to preserve the gateway. She said due to all these issues she hopes to table so there is much more community input.

Carmella Manzare, 689 Callecita Jicarilla, member of ACSyL was sworn. She supports the affordable housing. Their concerns are the Old Las Vegas Highway/Route 66 having been recognized as a historic roadway that needs to be preserved. This is the last remaining scenic entryway into the City and it is referred to in many planning documents as a Corridor worthy of protection. She said in 2000 Santa Fe County and private citizens joined to buy a 4.85 acre piece of land at the juncture of Old Pecos Trail and Old Las Vegas Highway to preserve it as open space. She said the development of 50 homes will alter and degrade the historic and scenic nature of Route 66/Old Pecos Trail Corridor. The NM DOT has officially designated the juncture as a failed intersection. This project will add several hundred car trips a day to an intersection that operates dangerously close to traffic capacity with cars backing up onto I-25 already. This jeopardizes many comprehensive plans. ACSyL supports affordable housing, however they are deeply concerned with a development of this density at the proposed location.

Martha Sorenson, Director of Service Learning at Santa Fe Community College, was sworn. She is a client of Homewise and she teaches a class called Women of Transition which is about opening doors of opportunity for women. Homewise has been a part of this class for years. They talk to women about their opportunity to buy affordable housing and financial fitness. She said in both her roles with Homewise they are very professional and of high integrity.

Elena Sue St. Pierre, Occupational Therapist who lives in Canada at #1 Chavez Trail, was sworn. She drives this road every day and she would not be adding to traffic because she already lives there. She lives in a tiny trailer to make her life affordable. She works with the communities most vulnerable children coming out of the NICU. She will never be able to afford a home in this community as the wages she makes are by the hour. Many of the children are sick often and when she does not get to see them, she does not get paid. She would like to stay in the community and be a good neighbor to those in Quail Run.

Ann Gorges, 109 Camino Santiago, was sworn. She was guided through affordable housing under the old HOP agreement when El Seville was torn down by Homewise. She recalled the hearing when they all spoke in favor of the new resolution requiring builders to provide affordable housing and at that time they did a survey that revealed over 50% of the policeman could not afford to live in Santa Fe. She said they need to provide that kind of affordability to give the young people an anchor in this community as this is the future of those that serve on the committees and the Council.

Kate Campbell, general manager at Pranzo, was sworn. She recently bought a home through Homewise. She said despite a restaurant that employs over 70 people and pays the highest minimum wage in the country there are less than two people in their business that have been able to afford homes. They have brought presentations into the business by Homewise and only 2 people own homes. She thinks they need more affordable housing. She is impressed with the quality of the homes, the layout of the community and the families who want to raise their children well. She wants to spend money in the community where she makes it.

Ed Rosenthal, Director of Enterprise Community Partners, was sworn. The company he works with provides low cost financing and grants for creation of affordable housing. He supports Homewise due to the impact that these 50 units will have on the housing needs in Santa Fe. He works all over the State with his office here, but recently they opened an office in Albuquerque. He has noticed when driving to Albuquerque there are lots of police cars driving up I-25 which at first he thought was a Governor escort. He said so many workers have to commute that it creates a segregated city and they are paid to commute 100 miles. This hurts the sustainability. He argued that affordability is a land use issue. The general plan has ensconced the need and motivation for fair integration of affordable housing.

Arturo Estrada, was sworn. He said he was probably the first affordable housing client that went under Homewise. He served this country for 35 years and is down to three Boards: native Americans, affordable housing and seniors. He went to Washington when the City and County won an award. His interest has settled with affordable housing. He pledged to the Commission that as a member of the board for Homewise he will keep the director and staff on target to making housing affordable and feasible.

Kathleen Marie, was sworn. She was able to purchase a home with the help of Homewise. She owns her own business and started a small newspaper in Tierra Contenta. She feels that affordable housing has opened up a whole new world to her along with the feeling of empowerment. She is thankful that she has been in the presence of Homewise. She said what they do is exemplary. She would love to see more people have the pride of ownership and is excited for her soon to be adopted child to share this home with her. She is happy to see this open up on the east side.

Rose Block, school teacher, single parent of two children and a native of Santa Fe, was sworn. She said Homewise will make her dream of having a home possible where she does not have to live in substandard housing. She chose Rancho Viejo because you cannot tell the difference between an affordable home and a market rate home. She said this makes it possible for all to live in a community together. She knows Homewise is a good neighbor and they do everything possible to address the issues. She said you can see they care about the work they do.

Amy Martinez, was sworn. She asked how anything could be more scenic than waking up in a house you own that is affordable. She works and lives near this new development and would like to live closer to where her family is from which is Canada Los Alamos. She feels there is such a major need for housing as she sees this through her work for Santa Fe Civic Housing Authority. Santa Fe has a major need. The wages are backwards to the cost of living and all should be allowed to live on the east side.

Marilyn Bane, 622 ½ B Canyon Road, President of the Old Santa Fe Association, was sworn. She represents over 300 members that ask the Commission not to approve these three cases. She said these are ancient footpaths and roads. A 1992 Museum of New Mexico study found evidence of historic trails on or near this property dating back to 1743. More recently the Route 66 connects the Old Santa Fe Trail passing through historic districts and arriving to the Plaza. This is the last remaining historic and scenic gateway into this City. She said they have heard how important this gateway was proven with a combination of State, City, County and citizen matching funds. They bought this to keep it open land. These people were all good and honorable stewards of the land for the benefit of everyone. She said the issue has nothing to do with affordable housing as to her it could be expensive housing and it would still be development. From her personal point of view, she said that she would qualify for affordable housing, but she would do just about anything including moving to Rio Rancho before she would build on this land.

Jody Speehar, 2892 Pueblo Bonito, was sworn. She said everybody involved in the project has been in Santa Fe and do not think ruining the beauty is the point of adding homes here. She wonders why the new developments or Quail Run has not messed up the beauty of the street. She asked why Rainbow Vision has not added to the busyness of the intersection. She asked why it is okay that Airport Road and Rodeo Road are so dangerous. She said it reminds her of everyone driving to one side of the boat and weighing it down. The balance is really off and trying to drive to the south side of town where everyone has to live is pretty dangerous. She does not see anyone saying do not build any more houses there. She suggests the people see what Homewise develops.

Ms. Jenkins responded to the reference to rental units. All the units are for sale with the requirement that they must be owner occupied which is a Homewise requirement. She agrees that the scenic quality of the Old Las Vegas Highway is worthy of preservation which is why they have taken such pains to stay true to the effort. She does not hold the belief that well constructed homes detract from the beautiful. This is what Santa Fe is about, scenic homes nestled into the scenic quality of the town. She wants to continue the pattern into the area by doing setbacks and landscaping to support this. This is extremely important to them as well. She addressed the RPA annexation plan and reported that they have been in contact with Councilor Wurzbarger who chairs this. They will allow the process to finish before proceeding to City Council. They cannot wait indefinitely, but they hope to allow this to complete before proceeding to City Council.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Hughes asked if Mr. Romero looked at the setbacks.

Mr. Romero said he did not as this is not typically part of his review.

Mr. Smith assumed he is referring to the Metropolitan Highway Corridor Plan. He said the plan was adopted as an advisory policy and it has not yet been adopted into the General Plan. This document shows a recommended 210 foot required setback although that is typically measured from the I-25 right of way. It is difficult to interpret how it applies in this case because the I-25 right of way abuts in this area to the Old Las Vegas Highway right of way. The desired or negotiated setback, visually scaling off of those maps is the required setback which corresponds directly to the west boundary of this tract of land. The desired or negotiated setback corresponds to the east boundary of this tract of land.

Commissioner Hughes asked if the land bought with public money is on the other side of Old Las Vegas Highway.

Mr. Smith replied yes.

Commissioner Hughes asked if this is to be connected to existing sewer lines.

Mr. Smith understands that a sewer line and lift station will be necessary to connect to existing sewer lines.

Commissioner Hughes referred to the zoning maps and asked if Rainbow Ridge Lane goes towards the back of the subject property.

Mr. Smith explained that the property immediately to the east has been subdivided outside of the City by the jurisdiction of the EZA. He is not sure about Rainbow Lane as this is part of the subdivision to the east.

Commissioner Hughes asked if there was discussion about allowing traffic in from Rainbow Lane rather than Old Las Vegas Highway.

Mr. Smith said they discussed the feasibility of providing through circulation as a separate access point. The applicant concluded that since the land to the east is outside the City limits and since it has been subdivided and sold this is not a feasible method to make that connection. He said by providing loop access to the Old Las Vegas Highway it would meet appropriate safety and city standards.

Commissioner Hughes informed the applicant that as of July 1 they will not be allowed to put restrictive covenants on solar. He asked what would happen if the vegetation in front of the property burned down.

Ms. Jenkins said they would replace the vegetation. She noted that they are proposing fencing along the rear lot lines. She believes there would be the effort through the Homeowners Association to replant and reclaim. She added that they are proposing all gravity sewer to an existing manhole. With respect to the setbacks, they are part of the South Central Highway Corridor Protection District which has been codified and they are in compliance with those criteria.

Commissioner Armijo asked when the mountain corridor was established.

Mr. Smith replied 1999 after Quail Run was built. The General Plan reflected existing density as the proposed future land use. He said this area was also shown outside the City limits along with the rest of the land in the mountain/corridor district. He said this implies that in 1999 the judgment of the Council was to weigh preservation and the scenic corridor at a higher value than infill development. He said there has been no systematic revised study to those policies. He said the judgment of the commission is to evaluate the benefit of infill vs. corridor preservation.

Commissioner Armijo asked what the zoning is for Quail Run.

Mr. Smith believes that it is zoned R-4. The County property to the east of this is a 2.5 acre lot size. He noted that the General plan does not designate residential densities on the south side of I-25.

Commissioner Armijo asked about the lots that fall into the 30% slopes.

Ms. Jenkins explained that these are isolated occurrences adjacent to the existing drainage and a smaller tributary drainage. She said they are not disturbing the slope for lots, but only for the roadway.

Commissioner Armijo asked if the lots behind the berm are higher or lower than the berming.

Ms. Jenkins explained that they are lower.

Commissioner Armijo asked how much of the height of the buildings would the berming cut into.

Ms. Jenkins said based on the story poles the majority of the homes would be invisible.

Commissioner Armijo asked on the traffic analysis how 1% equates hourly.

Mr. Watts said the total impact on the intersection is approximately 3200 cars and this translates to 30-40 cars from their development.

Commissioner Lujan thought it would have been easier to take this to the County.

Mr. Loftin explained that in the County they would have to go on wells and septic tanks which would have meant 2.5 acre lots and 6 more wells.

Commissioner Lujan asked if they have spoken with the Santa Fe Public Schools regarding the impact.

Ms. Jenkins reported that she met with Bobbie Gutierrez who was thrilled as this brings students to the east side schools that are under utilized. The schools are fully capable of serving any children from the project.

Commissioner Lujan asked what percentage of affordable housing is on the south side of town.

Mr. Loftin was unsure of the exact percentages.

Commissioner Lujan was unsure if they could consider Airport Road, 599 or any of the roads that extend to the sweet farmland of La Cienega as historic preservation. He considers this a gateway as well and considers it historic preservation. La Cienega has fed this community for a long time. He commented that every time affordable housing is done on the south side of Santa Fe nobody opposes it from the east side, but if you propose a Wal-Mart those from the east side come to complain. He said it is about time the local people have an opportunity to live on the east side of Santa Fe.

Commissioner Heltman asked about the size of the homes.

Ms. Jenkins said they range from 1000 to 2000 square feet.

Commissioner Heltman asked what size the lots are as she does not see a lot of land available for the number of homes proposed.

Ms. Jenkins said the lot sizes range from 5000 square feet to 1/3 of an acre. They will be able to accommodate a large range of housing types. In order to preserve as much open space as possible they are doing a clustering concept.

Commissioner Heltman asked how many single story and two story homes there will be.

Ms. Jenkins said it will be a mix and they are continuing the visual study. She estimates that half will be single story.

Commissioner Heltman asked how long they have to remain in the hands of the original buyer.

Ms. Jenkins said the buyer can sell at anytime, but the goal is to maintain long term affordability. The second mortgages can be used to buy down the home for the second buyer which prevents speculation.

Commissioner Heltman expressed concerned with the number of houses and the size of the road.

Ms. Jenkins said the road is 46-feet wide with sidewalks on both sides accommodating on-street parking on one side.

Mr. Smith pointed out that the Commission is not voting on a site plan, but a zoning district category that sets a maximum density. There will be separate applications with the development plan. The plan shown is purely a conceptual plan.

Commissioner Trujillo said he supports affordable housing on every side of town. He said if you can fill up your police unit for free and you can buy a 2500-3000 square foot home for the same price you can buy a 1200 square foot home you will live in Rio Rancho. He feels this is an extremely sensitive issue. He said the police live in Rio Rancho as the cost of living is cheaper and the City has afforded them to live outside Santa Fe. He asked Ron Pacheco how many affordable housing units they have in the pipeline and if there are people qualified for the homes.

Mr. Ron Pacheco replied 200-400 homes. He said people are qualifying. His concern is that the community is full of people that need to buy homes, so the issue is how many of them will qualify. He said due to the work people like Homewise are doing to get people from wanting to buy a home into the position of affording a home, the number is growing. He feels encouraged. It looks like there is a huge demand for homes. The City has commissioned a housing needs assessment and the preliminary results say there is still a huge demand for homes. He believes they are providing assistance to get them qualified.

Commissioner Trujillo expressed concern that affordable housing does not trump everything. He is also concerned with the mountain corridor and asked Mr. Smith to explain it.

Mr. Smith explained that the General Plan designates a mountain/corridor district that ranges from very low density to very high. There was discussion of preservation of scenic corridors and to date this has not been formulated by the Commission or adopted by the Council. He noted that until recently there was no zoning category that called for preservation of sensitive lands. He said as noted in the staff report there are policies in the General Plan that discuss the importance of scenic corridors and affordable infill housing opportunities.

Vice Chair Gonzales clarified that the Commission has voted to change the mountain corridor for another project in the City.

Mr. Smith reviewed that the Commission recommended the approval of a subdivision of land in a corridor area, but there was not a rezoning or plan amendment tied to that case. He noted that the density approved for that was somewhat higher than what is recommended for the Mountain Corridor.

Commissioner Trujillo said he thinks Homewise does a great job, but he feels torn.

Ms. Jenkins pointed out that there is a significant inconsistency in the General Plan with regards to the designation assigned to this property. This classification is reserved for properties above the 7400 foot contour elevation, but this property is only at 7100 feet. This property does not meet the criteria for that designation, so she is not sure if it was an oversight.

Commissioner Trujillo asked about the water issues.

Ms. Jenkins said they are tapping into an existing line in the Old Santa Fe Trail. They will comply with retrofit ordinance. In addition, Homewise provides the Water Smart program which already offsets any impact from this project. The homes will be built to conserve water.

Commissioner Trujillo asked if all the utilities will be underground.

Ms. Jenkins explained that everything will be underground and they need to relocate one line which they hope to bury. She said if they have to relocate the line it would be along the lot line.

Commissioner Trujillo commented that the area has been undisturbed land for a long time and asked how they will access the project during construction.

Ms. Jenkins said all access will be via Old Las Vegas Highway.

Mr. Trujillo asked about the flood plains.

Ms. Jenkins said there are no flood plains on the property although there are some drainage ways that will be undisturbed.

Commissioner Trujillo wanted to sit on the Planning Commission to help the policeman and fireman get into homes, so he is concerned with how they are going to do this.

Mr. Loftin feels they will make progress on this for a few reasons. They have met with police officers to see if they could help them buy homes. The concerns that have come up are that they want choice all over Santa Fe. They have helped some buy in Nava Ade, but agreed that you can buy a bigger house in Rio Rancho. He said one officer stood up and questioned what two hours of the day is worth, what the appreciation in Rio Rancho vs. Santa Fe is and if they are really ahead. He said estimated costs are about \$6000 per year to commute. He said reducing commuting time leaves more time for family. The needs assessment shows that 30% of the workforce commutes from outside of Santa Fe and 49% commute outside of Santa Fe County. He discussed this with Chief Johnson who reported that if it is a two income family the income is too much for an affordable home, but it is not enough to buy a market rate home. He feels the higher income limit will accommodate this gap.

Commissioner Trujillo questioned taking on these additional homes with the state of the public safety in this community.

Ms. Jenkins said she talked about where the project is located with Ted Bolleter and he said the Arroyo Chamiso fire house is just up the road. Mr. Bolleter added that the City is in a better position to serve the project than the County would be.

Commissioner Trujillo disagreed being a past Chief of Arroyo Hondo. He feels it would be served well by both stations. He wants make sure that Quail Run is being listened to. He wants tough covenants and he wants to make sure that everyone is treated the same. If they are going to build affordable housing on the east side then the affordable buyers should become the fabric of the neighborhood.

Chair Gonzales asked the Commission to keep in mind the criteria established back in the 1990's for the Mountain Corridor vs. the intent vs. today.

Mr. Smith reviewed Section 2-5 of the General Plan which includes a number of land use classifications. The list begins with the general category of residential and then a sub-category identified as mountain density residential with the reference to the elevation of 7400 feet. The density should be no greater than 1 dwelling unit per 10 acres. He said the next page of the General Plan has a further category identified as a corridor protection area which states that a visual separation between urban and surrounding rural and highway uses. The residential use is limited to 1 residence per 10 acres or one unit per existing legal parcel if smaller than 10 acres. He said it is not always clear from the land use map whether it intends mountain or whether it intends corridor. He said

staff is clear that in this case the General Plan intends the corridor protection policy to apply and not the mountain policy. He said the Commission needs to decide if it is appropriate to change from the corridor protection area shown on the General Plan currently to the very low density residential designation that the applicant has requested.

Vice Chair Gonzales asked John Romero if he agrees that the traffic count is negligible from this project.

Mr. Romero stated agreement.

Vice Chair Gonzales asked if the discussions have been that people would rather live in a 1600 square foot in Santa Fe near their family rather than drive to Albuquerque for a 2000 square foot house.

Mr. Loftin said people do look at time and gas prices. When the gas prices went up for the first time they had lots of calls from those that own a home already in Rio Rancho and wanted to buy a home in Santa Fe. He does not see the gas prices going down which will make living closer to work a more important thing. He said many do miss their extended family and being able to coach teams. He expects many people are getting better at starting to weigh the quality of life vs. the size of their home.

Vice Chair Gonzales asked if this project is in compliance with the affordable housing requirements.

Mr. Pacheco said it goes beyond what the ordinance requires. He pointed out that many times a nurse and police do not qualify as affordable and this pricing allows them to qualify as the income limits are higher. He supports this project.

Commissioner Armijo said that on the Downtown Vision Committee they spent a year and a half trying to find ways of preserving the downtown area. He is a member of the Cornerstone partnership and they also are interested in preserving the fabric of the community. He said without the community it does not matter what kind of corridor they have.

Commissioner Hughes moved to approve Case M-2006-52, Commissioner Lujan seconded the motion.

Commissioner Trujillo asked what will happen to Route 66 if this is approved.

Ms. Jenkins said they have done research on the pre and post 1937 Route 66 and it all shows the route along I-25 and then heading up Old Pecos Trail. The information has not indicated this will jeopardize the historic nature of the route.

There being no abstaining or dissenting votes, the motion passed by unanimous voice vote.

- 2. Case #M 2006-53. Old Las Vegas Highway Subdivision Annexation. Jennifer Jenkins, agent for Homewise, Inc. requests annexation of 15.35± acres of land located to the east of Old Las Vegas Highway and south of Old Pecos Trail. (Donna Wynant, case manager) (POSTPONED FROM FEBRUARY 15, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

Items 1, 2 and 3 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Commissioner Hughes moved to approve Case M-2006-53, Commissioner Lujan seconded the motion which passed by unanimous voice vote.

- 3. Case #ZA 2006-21. Old Las Vegas Highway Subdivision Rezoning from R-1 to R-3. Jennifer Jenkins, agent for Homewise, Inc. requests rezoning of 15.35± acres of land from R-1 (Residential, one dwelling unit per acre) to R-3 (Residential, three dwelling units per acre). The property is located east of Old Las Vegas Highway and south of Old Pecos Trail. (Donna Wynant, case manager) (POSTPONED FROM FEBRUARY 15, 2007, MARCH 15, 2007 AND APRIL 05, 2007)**

Items 1, 2 and 3 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Commissioner Hughes moved to approve Case ZA-2006-21. Commissioner Lujan seconded the motion which passed by majority voice vote of 4 to 1. Commissioner Heltman voted against the motion as she feels the project is too crowded and it destroys the atmosphere in that area of town.

- 4. Case #S 2007-02. Sun Vista Subdivision Final Subdivision Plat. James W. Siebert, agent for Alliance Group Properties, LLC requests approval of a final subdivision plat to create 9 lots on 9.040± acres located north of NM 599 and west of Camino De Las Montoyas. The property is zoned R-1 (Residential, one dwelling unit per acre). (Lou Baker, case manager)**

Memorandum from Lou Baker, Senior Planner, prepared April 22, 2007 for the May 3, 2007 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "2."

Comments from John Romero, Public Works Department, Engineering Division, Traffic Impacts Section dated May 1, 2007 is incorporated herewith to these minutes as Exhibit "2(A)."

Staff report presented by Lou Baker included in Exhibit "2."

Staff recommends approval based on the following conditions:

- 1. The final subdivision plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that part of the approved or conditionally approved preliminary plat which the subdivider proposes to record and develop at the time, provided, however, that the final plat and the portion of the land to be subdivided conform to all requirements of the code and all applicable City of Santa Fe ordinances and regulations; and provided further that the Planning Commission may require the subdivider to include in or exclude from the final plat whatever part of the lands included in the preliminary plat which it deems necessary for orderly development; and**
- 2. A certified slope analysis is not required for minor development. Generally, the project is considered "minor development" if the lot has 1) less than 3500 square feet of impervious surface, 2) no more than 5000 square feet of total disturbance and 3) no more than 10% slope disturbance. If a slope analysis is required it must be certified and signed by a New Mexico licensed surveyor.**

- Applicant shall work with the Engineering Development Review Division to determine if a certified slope analysis is required; and
3. A note shall be placed on the final plat and on the final development plan that the property will be subject to the Water Allocation and/or Water Offset Retrofit provisions of Ordinance No. 2002-29 and Resolution 2002-55 at the time of permit application or water hookup request. Compliance may be achieved by use of retrofit credits for "Type A" low priced residential units if applicable; and
 4. Storm Water Certification statement shall be placed on the cover sheet of the mylar drawings for all development plans and subdivisions. The certifications shall appear next to the As-Built Certification statement; and
 5. If the final plat is approved by the Commission, such approval shall be recorded on the face of the original drawing of the final plat and on two (2) copies thereof and such approval shall be dated and verified thereon by the signature of the Chairperson of the Commission in the spaces provided, and such date and signatures shall be with black ink; or if the final plat is disapproved by the Commission, the reasons for disapproval shall be referenced and attached to two (2) copies of the final plat and such action shall be dated and verified by the signature of the Chairperson or the Commission affixed to said copies. In either event, one (1) of the said signed copies shall be returned to the said copies. In either event, one (1) of the said signed copies shall be returned to the subdivider and the other shall become part of the files of the Planning and Land Use Department. If a final plat is approved, the original drawing of the same shall be used in part for recordation purposes and thereafter retained in the files of the Planning and Land Use Department. If the final plat is disapproved, the original drawing shall be returned to the subdivider; and
 6. The final plat shall be drawn in compliance with general formatting and plan content requirements as per Exhibit ON. These requirements apply to each page; and "redline" comments from affected divisions and departments; and
 7. Plat, development plan and improvement drawings shall be modified to comply with "redline" comments from affected divisions and departments; and
 8. Final plats shall be recorded with the Santa Fe County Clerk along with any and all deeds, private reservations, easements, covenants and restrictions. Final plats shall be recorded within five (5) days after the acceptance by the City Council or Planning Commissioner as the case may be, of the public dedications, if any, shown thereon, but not until such acceptance. The acceptance of a public dedication by the City does not necessarily imply the maintenance of such dedication; and
 9. Comply with comments from the Engineering Development Review Division (Exhibit F); and
 10. Comply with comments from the Public Works Department/Engineering Division/Traffic Impacts; and
 11. Comply with comments from the Wastewater Management Division; and
 12. Comply with comments from the Engineering Development Review Division/Landscaping; and
 13. Comply with comments from the Office of Affordable Housing; and
 14. Comply with comments from the Fire Department; and
 15. Comply with comments from the Trails and Open Space Office; and
 16. Comply with comments from the Solid Waste Division Engineer

Public Hearing

Jim Siebert, 915 Mercer, was sworn. He said the proposal is the same as what they submitted. There was a deceleration lane that was required on 599 and those plans have been submitted to the City Traffic Division and District 5 Highway Department.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Lujan recalled that Commissioner Gonzales requested a sound study.

Vice Chair Gonzales said the DOT indicated they did not need one.

Mr. Siebert said a noise study is not required.

Commissioner Armijo asked if the fire protection storage tank will be above grade.

Mr. Siebert explained that it will be below grade with a booster pump. It will look like a hydrant anywhere else in the City.

Commissioner Armijo asked if there is a requirement to have an adaptable connection.

Mr. Smith is not aware of what the standards might be, but there is a memo from the Fire Department in the attachments.

Commissioner Trujillo said they use a universal thread so anyone can open it and they do not need a suction unit to get the water out.

Mr. Smith referred to pages 38-40 where the memo from the Fire Department appears. It is relevant to note that it is clear that the fire marshal has reviewed the case and is in support of the proposal.

Commissioner Armijo asked if they are using a multi-flow for the septic system.

Mr. Siebert said in this case it would be sufficient to use a conventional wastewater system.

Commissioner Lindell asked what the distance of the final setback is.

Mr. Siebert said the setback from the right of way is 100 feet and from the driving lane it is 185 feet.

Commissioner Lindell asked what year the Metro Area Highway Corridor Plan was adopted.

Mr. Smith said the City Council resolution was 1999 or 2000.

Commissioner Trujillo moved for approval of Case S-2007-02 with staff recommendations; Commissioner Heltman seconded the motion which passed on the following majority roll call vote of 4 to 2:

Those voting for the motion: Commissioner Trujillo, Commissioner Heltman, Commission Armijo and commissioner Lujan.

Those voting against the motion: Commissioner Lindell and Commissioner Hughes.

- 5. Case #M 2007-05. Casas Bonitas Development Plan Amendment. Linda Tigges, agent for Chapman Companies, requests approval of an amended development plan for 49 units on 8.020± acres located south of Rufina Street, east of Calle P'O Ae Pi. The application includes a variance to the 15' setback distance between each series of attached dwellings. The property is zoned R-7 (Residential, 7 dwellings per acre). (Donna Wynant, case manager)**

Items 4 and 5 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Memorandum from Donna Wynant, Senior Planner, prepared April 26, 2007 for the May 3, 2007 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "3."

Comments from Charlie Gonzales, Engineering Development Review Division dated May 2, 2007 is incorporated herewith to these minutes as Exhibit "3(A)."

Staff report presented by Donna Wynant included in Exhibit "3."

Staff recommends approval based on the following conditions:

1. Variance to allow a 15 setback distance between each series of attached dwellings. This variance is approved based on the findings required by Section 14-3.16(c) SFCC 2001..
2. Plans shall comply with minor "red line" comments by the following staff and shall meet all minimum code requirements except as provided in Condition 1 above.
 - Subdivision Engineer
 - Engineering Division traffic review
 - Water Division
 - Wastewater Division
 - Fire Department

Public Hearing

Bill Chapman, Chapman Companies, was sworn. This development plan changed slightly so there would be no single sided lots. They are proposing an alternative road system on Calle P'O Ae Pi with a median until the road gets south of the property. When the school built this road they did not finish both sides. The variance requested is because the R-7 zoning is for town homes; it was never intended for duplexes. He said if R-6 were the zoning they could do the duplex without the variance. The variance to 10 feet is so the distance is the same as if they were in R-1-6. The intention is to build homes that can expand as the family grows. They are pitched roofs. He added that they are moving the homes as close to the road as possible they are creating larger backyards where they can expand with additions as needed. Most of the lots in this part of town are very small and it is difficult to expand. They are attaching the garages on many of the homes. The two story houses have the small pitch for building a bonus room as the family expands and can afford to add on. The three bedroom single story with two baths can be sold as a two bedroom home so they can expand. They are trying to take a unique approach. The variance allows him to turn the homes and bring them as far forward as possible. The secondary arterial road was built with curb and gutter but no medians. He intends to discuss with staff paying for at least a portion of the medians, but feels it is unfair to require him to take the entire burden on.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Commissioner Armijo asked for an explanation on the setback.

Mr. Chapman said per the code in R-7 if you have an attachment you need 15 feet, but he does not think that was the original intent. They are asking for 5 and 5 which would be a 10 foot separation.

Commissioner Armijo asked if they meet the fire code with the setback.

Mr. Chapman said in R-1 through R-6 second story has to be setback, but in R-7 the setback is set by the development plan. The fire code only requires a 5 foot separation.

Commissioner Armijo expressed concern with the fire issue.

Mr. Smith said Mr. Chapman correctly stated the zoning regulations, but in the R-7 district setbacks are whatever the development plan approves them to be. The provisions when the development plan was approved were made and those are where this stands. He said if they approve this tonight it has the force of law. The Chapter 14 regulations allow a 5 or 0 foot setback for a one-story building, but in other districts the code requires a 10 foot setback for the second story. He said the fire code requires a minimum five foot setback and does allow 0 setback if there are fire rated walls provided.

Commissioner Heltman asked where the closest school is and where the children will attend school.

Mr. Chapman replied at Thomas Ramirez Elementary School across the street.

Commissioner Lindell moved for approval of Case #M-2007-05. The motion died for lack of a second.

Mr. Romero pointed out that with approval the Commission needs to include the condition of approval as his memo was not included as he was waiting for roadway improvements from the applicant. He suggested stating that the alternative streetscape be approved by the Public Works Department. The applicant will be responsible for constructing Calle P'O Ae Pi and can be eligible for traffic impact credits and any difference between cost of the road and the impact fees will be eligible for request of reimbursement if the applicant pays more.

Vice Chair Gonzales asked if they can move forward as long this is complied with.

Mr. Romero said he would rather present a memo.

Commissioner Hughes suggested they postpone with the addition of the memo.

Mr. Chapman asked if that would delay the final plat for another month.

Mr. Smith said this could be added to the May 17th meeting.

Mr. Chapman asked if he could still submit for July.

Mr. Smith was confident they could collapse the review time to not cause further delay. He asked if Mr. Romero can complete his review in time for the May 17th meeting.

Mr. Romero explained that he needs a complete roadway design from the applicant. He has a conceptual plan. He needs a plan and profile typical which was a condition of approval on the annexation.

Vice Chair Gonzales asked when he needs the information by.

Mr. Smith said the packet is likely to be photocopied no later than the 10th. He apologizes for the coordination glitches, but looking at the preliminary plat this could be held off until the final plat although he understands the annexation conditions should be met with the preliminary plat.

Mr. Romero asked if they will only come back for final plat approval.

Mr. Smith said that is correct as after the development plan is approved then it would come back. He said the Commission could approve the preliminary plat, but postpone action on the development plan until the final plat.

Mr. Romero explained that the roadway improvements are part of the development plan.

Commissioner Trujillo moved to postpone Case M-2007-05 to act on it concurrently with the final subdivision plat, Commissioner Armijo seconded the motion which passed by unanimous voice vote.

- 6. Case #S 2007-05. Casas Bonitas Preliminary Subdivision Plat. Linda Tigges, agent for Chapman Companies, requests preliminary subdivision plat approval for 49 units on 8.020± acres located south of Rufina Street, east of Calle P'O Ae Pi. The property is zoned R-7 (Residential, 7 dwellings per acre). (Donna Wynant, case manager)**

Items 4 and 5 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Commissioner Trujillo moved to approve Case #S-2007-05 with staff conditions, Commissioner Hughes seconded the motion which passed by unanimous voice vote.

- 7. Case #M 2007-06. Vista Serena, Tract 49 Tierra Contenta, Preliminary Development Plan. David Thomas, agent for Tierra Contenta Corporation, requests preliminary development plan approval for 68 lots on 12.686± acres. The site is Tract 49 in Tierra Contenta Phase 2B, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 10 - 20 dwelling units per acre). (Lou Baker, case manager)**

Items 7 and 8 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Memorandum from Lou Baker, Senior Planner, prepared April 22, 2007 for the May 3, 2007 Planning Commission meeting is incorporated herewith to these minutes as Exhibit "4."

Lou Baker presented the staff report included in Exhibit "4."

Staff recommends approve with the following conditions:

1. Construction will occur in an existing neighborhood therefore applicant shall submit a construction staging plan (Exhibit D) detailing activities in a manner as to not to disrupt the harmony and safety of the neighborhood; and

2. The final subdivision plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that part of the approved or conditionally approved preliminary plat which the subdivider proposes to record and develop at the time, provided, however, that the final plat and the portion of the land to be subdivided conform to all requirements of the Code and all applicable City of Santa Fe ordinances and regulations; and provided further that the Planning Commission may require the subdivider to include in or exclude from the final plat whatever part of the lands included in the preliminary plat which it deems necessary for orderly development; and
3. A certified slope analysis is not required for minor development. Generally, the project is considered "minor development" if the lot has 1) less than 3500 square feet of impervious surface, 2) no more than 5000 square feet of total disturbance and 3) no more than 10% slope disturbance. If a slope analysis is a requirement it must be certified and signed by a New Mexico licensed surveyor. Applicant shall work with the Engineering Development Review Division to determine if a certified slope analysis is required; and
4. Public sidewalks shall be in compliance with ADA requirements. Applicant shall work with the City's ADA reviewer; and
5. A note shall be placed on the final plat and on the final development plan that the property will be subject to the Water Allocation and/or Water Offset Retrofit provisions of Ordinance No. 2002-29 and Resolution 2002-55 at the time of permit application or water hookup request. Compliance may be achieved by use of retrofit credits for "Type A" low-priced residential units if applicable; and
6. Storm water Certification statement shall be placed on the cover sheet of the mylar drawings for all development plans and subdivisions. The certification shall appear next to the As-Built Certification statement; and
7. If the final plat is approved by the Commission, such approval shall be recorded on the face of the original drawing of the final plat and on two (2) copies thereof and such approval shall be dated and verified thereon by the signature of the Chairperson of the Commission in the spaces provided, and such date and signatures shall be with black ink, or if the final plat is disapproved by the Commission, the reasons for disapproval shall be referenced and attached to two (2) copies of the final plat and such action shall be dated and verified by the signature of the Chairperson of the Commission affixed to said copies. In either event, one (1) of the said signed copies shall be returned to the subdivider and the other shall become part of the files of the Planning and Land Use Department. If a final plat is approved, the original drawing of the same shall be used in part for recordation purposes and thereafter retained in the files of the Planning and Land Use Department. If the final plat is disapproved, the original drawing shall be returned to the subdivider; and
8. The final plat shall be drawn in compliance with general formatting and plan content requirements as per Exhibit N. These requirements apply to each page; and
9. Plat, development plan and improvement drawings shall be modified to comply with "redline" comments from affected divisions and departments; and
10. Final plats shall be recorded with the Santa Fe County Clerk along with any and all deeds, private reservations, easements, covenants and restrictions. Final plats shall be recorded within five (5) days after the acceptance by the City Council or the Planning Commission as the case may be, of the public dedications, if any thereon, but not until such acceptance. The acceptance of a public dedication by the City does not necessarily imply the maintenance of such dedication; and
11. Comply with comments from the Engineering Development Review Division; and
12. Comply with comments from the Public Works Department/Engineering Division/Traffic Impacts; and
13. Comply with comments from the Wastewater Management Division; and
14. Comply with comments from the Engineering Development Review Division/Landscaping; and
15. Comply with comments from the Office of Affordable Housing; and
16. Comply with comments from the Fire Department; and
17. Comply with comments from the Trails and Open Space Office; and
18. Comply with comments from the Solid Waste Division Engineer.

Public Hearing

Dave Thomas, project engineer for Tierra Contenta, was sworn. He stated agreement with all the conditions and commended staff for the thoroughness. He stated that item 5 needs to be clarified as City Council passed terms of agreement with Tierra Agreement over the water rights transfer right program. He said the note should refer to

that agreement that is being worked on by City Attorney staff. He said they are requesting no variances with the project.

The public testimony portion of the public hearing was closed.

Questions and comments from the Commission

Vice Chair Gonzales asked if Ms. Lovely is familiar with the agreement made.

Ms. Lovely knows there was a settlement, but is not familiar with the terms of the settlement.

Vice Chair Gonzales expressed concern with referencing the settlement when they do not know what that is.

Mr. Thomas said he anticipates the agreement will be drafted and signed before this is brought forward for final approval.

Mr. Smith suggested adding to condition 5 "or such other terms as may be approved by the governing body."

Commissioner Trujillo moved to approve Case #M-2006-05 with staff conditions as amended. Commissioner Heltman seconded the motion which passed by unanimous voice vote.

- 8. Case #S 2007-07. Vista Serena, Tract 49 Tierra Contenta, Preliminary Subdivision Plat. David Thomas, agent for Tierra Contenta Corporation, requests preliminary subdivision plat approval for 68 lots on 12.686± acres. The site is Tract 49 in Tierra Contenta Phase 2B, located on the south side of Plaza Central Road, east of Contenta Ridge Road. The property is zoned PRC (Planned Residential Community, 10 - 20 dwelling units per acre). (Lou Baker, case manager)**

Items 7 and 8 were combined for purposes of staff report, public hearing and Commission comment and action, but were voted on separately.

Commissioner Trujillo moved to approve Case #S-2006-07 with staff conditions, Commissioner Heltman seconded the motion which passed by unanimous voice vote.

- 9. Case #M 2007-09. Sunset View Senior Apartments. Tishman Group agent and owner requests a development plan amendment including a variance from 14-8.6 Off Street Parking and Loading, to allow one space per apartment i.e.136 spaces. The site consists of 3.31± acres and is located at the northwest corner of St. Francis Drive and St. Michael's Drive. The property is zoned C-2. (Dan Esquibel, case manager).**

This item was postponed per approval of the agenda to the meeting of May 17th.

- 10. Case #M 2006-27. San Isidro Phase II Final Development Plan. Greg Gonzales, agent for Branch Design & Development requests final**

development plan approval for San Isidro Village mixed use development on +/- 6.81 acres east of Zafarano Drive between Cerrillos Road and Rufina Street. The application includes waivers to "Big Box" standards to allow part of the screening requirements to be met with berms and screen walls in place of buildings, and to allow one public entrance instead of two. The property is zoned C-2-PUD (General Commercial, Planned Unit Development). (Dan Esquibel, case manager) (POSTPONED FROM AUGUST 3, 2006, AUGUST 31, 2006, SEPTEMBER 28, 2006, JANUARY 18, 2007, MARCH 15, 2007 AND APRIL 05, 2007)

This item was postponed per approval of the agenda to the meeting of May 17th.

G. BUSINESS FROM THE FLOOR - None

H. STAFF COMMUNICATIONS

Mr. Smith said as a result of the postponements the next meeting will have a lengthy agenda. He reported that the Old Taos Highway project at RMLD will be scheduled for City Council next Wednesday night. The project has been modified subsequent to the Commission's recommendation of approval for 12 units per acre.

Ms. Lovely said that City Council asked the City Attorney's Office to do training for quasi-judicial and findings and fact for all the boards of the City. She is planning on doing training on July 5th. The proposal is to begin including findings and fact in the staff report.

I. MATTERS FROM THE COMMISSION

Commissioner Hughes liked the zoning map provided to him tonight and would like it if they got more of this as he got more out of this than any of the handouts.

Commissioner Lujan thanked Vice Chair Gonzales for a job well done as Chair.

J. ADJOURNMENT

There being no further matters to come before the Commission, and the Commission having completed its agenda, Commissioner Lujan moved, seconded by Commissioner Trujillo to adjourn the meeting. The motion passed unanimously on a voice vote and the meeting was adjourned at 9:30 p.m.

Approved by:


Vice Chair Estevan Gonzales

Submitted by:


Denise Cox, Stenographer