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PLANNING COMMISSION MINUTES
JANUARY 21, 2021**

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JANUARY 24, 2024

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MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, January 21, 2021 - 6:00pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Vice Chair Mark Hogan on the above date at approximately 6:00 p.m. at a virtual meeting.

A. ROLL CALL

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

Members Present

Commissioner Mark Hogan, Vice Chair
Commissioner Amanda Chavez
Commissioner Janet Clow
Commissioner Pilar Faulkner, Secretary
Commissioner Lee Garcia
Commissioner Brian Patrick Gutierrez
Commissioner Jessica Lawrence
Commissioner Carly Piccarello
Commissioner Dominic Sategna

Members Absent

Others Present:

Mr. Elias Isaacson, 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

Commissioner Faulkner led the pledge of allegiance.

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, January 21, 2021 - 6:00pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Vice Chair Mark Hogan on the above date at approximately 6:00 p.m. at a virtual meeting.

A. ROLL CALL

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

- Commissioner Mark Hogan, Vice Chair
- Commissioner Amanda Chavez
- Commissioner Janet Dow
- Commissioner Brian Finkler, Secretary
- Commissioner Joe Garcia
- Commissioner Brian Patton, Treasurer
- Commissioner Jessica Lawrence
- Commissioner Cary Pritchard
- Commissioner Dominic Sargent

Members Absent

- City Manager
- City Attorney
- City Clerk
- City Treasurer
- City Auditor
- City Engineer
- City Planner
- City Director
- City Manager and Staff
- City Attorney
- City Clerk
- City Treasurer
- City Auditor
- City Engineer
- City Planner
- City Director

NOTE: All items in the Committee packet for all agenda items are incorporated herein by reference. The original Committee packet is on file in the Land Use Department.

B. PLEDGE OF ALLEGIANCE

Commissioner Finkler led the pledge of allegiance.

C. APPROVAL OF AGENDA

Mr. Berke asked to move Matters from the Commission Item J to heard before Item D.

MOTION: Commissioner Faulkner moved, seconded by Commissioner Lawrence to approve the agenda, as presented.

VOTE: The motion passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Gutierrez, Lawrence, Piccarello and Sategna voting in favor and none voting against.

J. Matters from the Commission (Revised Agenda Order)

Vice Chair Hogan asked everyone to introduce themselves and tell a little about themselves.

Chair Hogan began the introductions. He said technically he is the Vice Chair and has been on the Planning Commission since 2015. Although he was not aggressively pursuing the position of Chair, he is interested. He is interested in running an orderly meeting and ensuring the public is heard and that the Commission has a good relationship with staff. He welcomed the new Commission members and said this is a great Commission and there is a lot of good dialogue.

Commissioner Amanda Chavez said she was born and raised in Santa Fe. She has been in education for 13 years, four of those in leadership. She has taken on a lot of community service work in intervention, outreach, and implementing initiatives for the southside community and her school. She is excited to bring her expertise in education into the community. She has conducted needs assessments and would like to bring in that perspective.

Commissioner Piccarello said she has been in New Mexico for 10½ years. Her background is in landscape architecture. She works for a small firm and the National Park Service and at Meow Wolf for 3½ years. She has engaged in the community through master planning and similar things. She is an avid cyclist and on the Grace Fitzgerald cycling team.

Commissioner Sategna said he grew up in New Mexico. He is from the Four Corners originally and has been in Santa Fe the past six years. He has a Bachelor of Arts in Architecture and worked in architecture a couple of years until he got another degree. Currently he is a Senior Business Development Analyst at Forward Investment Management. In terms of community involvement, he has served the past two years as the president of the Nave Ade Homeowners Association in District 4; also, he served as

Mr. Banks asked to move matters from the Commission from 1 to 2 and back to 1.

COMMISSIONER PARKER moved, seconded by Commissioner Lawrence to approve the agenda as presented.

VOYCE - The motion passed by unanimous roll call vote with Commissioners Chavez, Gow, Parkner, Garcia, Gutierrez, Lawrence, Picovalle and Ortega voting in favor and none voting against.

Matters from the Commission (Revised Agenda Order)

Ms. Chait began asked everyone to introduce themselves and tell a little about themselves.

Chait began the introduction. He said he originally he is the Vice Chair and has been on the Planning Commission since 2015. Although he was not specifically running the position of Chair, he is interested. He is interested in running a meeting and ensuring the public is heard and that the Commission has a good relationship with staff. He welcomed the new Commission members and said this is a great Commission and there is a lot of good dialogue.

Commissioner Amanda Chavez said she was born and raised in Santa Fe. She has been in education for 13 years, four of those in leadership. She has taken on a lot of community service work in international, national, and international education for the public and private sectors. She is excited to bring her expertise in education into the community. She has conducted needs assessments and would like to bring in that perspective.

Commissioner Picovalle said she has been in New Mexico for 10 years. Her background is in landscape architecture. She works for a local firm and the National Park Service and at New Mexico State. She has been engaged in the community through master planning and similar things. She is an avid cyclist and on the Grand Highway cycling team.

Commissioner Ortega said he grew up in New Mexico. He is from the Fort Concrete originally and has been in Santa Fe the past six years. He has a Bachelor of Arts in Architecture and worked in architecture a couple of years and he got another degree. Currently he is a Senior Business Development Analyst at Forward Investment Management. In terms of community involvement, he has served the past two years as the president of the Santa Fe Homeowners Association in District 4 and he served as

their Treasurer. He just completed his term on the Planning Commission and is starting a new one and is looking forward to working with all of them.

Commissioner Gutierrez welcomed the new Commissioners. He said it is exciting to see a full Commission. He is the longest serving member on the Commission. He got involved because his hope is as the father of four children ages 17, 14, 13 and 4 that his kids will love Santa Fe as much as he does. He wants his kids to have opportunities to live and work in Santa Fe. There has been a lot of growth in Santa Fe in the last couple of years compared to when he started. He also is interested in chairing the Commission and has served as chair of the Summary Committee, which did lot splits, and has chaired by default as vice chair. He would like, if fortunate enough to become chair, to hear what they feel is needed work wise. For him, the major thing is the General Plan, which the Commission refers to it a lot. It is old; like an old flip phone.

Commissioner Clow said she has lived in Santa Fe about 50 years. She moved to Santa Fe to attend law school and practiced for 43 years. She retired two years ago but still consults for one client. She did land-use work for the City of Santa Fe when she was practicing law. She represented Santa Fe in the Santa Fe Railyard lawsuit on a traffic study that held up the development of the Railyard. She has served on the Commission about two years and is also on the Board of the Food Depot. She welcomed the new Commissioners.

Commissioner Lawrence described herself as an attorney, mediator, and planner with two kids, 12 and 8 years old. She became involved with the Planning Commission two years ago to use her knowledge and skills serving Santa Fe. She loves being involved on the Commission. They are a wonderful group to be involved with. She has lived in Santa Fe since 2005 in the District 1 area.

Commissioner Garcia welcomed everyone. He is a local business owner and has been on the Commission about three years. He has also chaired the Summary Committee. He is interested in serving on the Commission to help create a better Santa Fe and community. There should be equal opportunity for everyone to live and work and have opportunities to grow their families. He has a Master of Business Administration in Technology Management. He was an athlete at New Mexico Highlands University. He enjoys being on the Commission and collaborating with very smart people and studying the plans that are part of their work. He has been involved in the community in many ways from charitable organizations to the Santa Fe Fiesta Council. He welcomed everyone and is looking forward to another great year.

Commissioner Faulkner said she is excited to have a full set of Commissioners. She thinks this is one of the more fun and intelligent groups she has participated in. They all have an opinion but don't take things personally and work as a team to find the best solutions. The Commission is a very respectful group, and we value each other's insights. She started as a community activist and became a lobbyist. She has lobbied for the

community for the southside library, the Boys And Girls Club, the Navajo Code Talkers, and developers in parts of La Tierra and Tierra Contenta. She is also a mediator, has a bachelor's degree and is seeking a master's degree in organizational restructuring and program management.

Chair Hogan asked staff to introduce themselves.

Director Isaacson said he got to know Amanda and Carly well through the recruitment process. He has a background in planning and architecture. He did undergraduate work in economics and has a master's degree in city planning. He studied real estate development and worked as a planner in the Pacific Northwest/Seattle area. He has been in municipal planning for about six years. He echoes the previous comments about the strength, integrity, creativity and knowledge of the Commission. They are a great group of people and have to make tough decisions at times. Some decisions have a lasting impact and is why the Commission takes the decisions so seriously. He is the Land Use Director and Noah Berke is the Planning Manager for the City and liaison to the Planning Commission.

Mr. Berke said it is great to have a full force Commission. He has been with the City for 13 years and started as a temporary hire. He came from Tucson with a Bachelor of Science in Regional Planning. He started at the City in the Engineering Division and technical review among many assignments. He did Planning and Policy briefly under Javier Gonzales. He returned to his passion at the Land Use Department while pursuing a master's from 2010 to 2013 working at the City and became the neighborhood planner. Subsequently, he became liaison for the Planning Commission and the Board of Adjustment. This is an excellent board and a very important board and fun board. He enjoys the dynamic of the individuals and how they function together. He said he is excited to be working with everyone.

Ms. Paez said she is Assistant City Attorney with the City for over two years. Her primary focus is on land use. Her job is to advise and make recommendations to the City's decision makers in Land Use. She often works with staff and the Land Use Boards and Commissions, of which there are about five. She also regularly provides assistance to the Governing Body when considering legal issues related to land use. She takes lead on appeals from decisions made by the Commission, the Governing Body and the Land Use Director and handles the land use litigation in court. Before law school she had a biology degree and is a nature lover and loves being outdoors. She received her law degree in 2009. She worked for the courts for about 10 years before joining the City, mostly at the New Mexico Supreme Court. She helped write legal opinions and procedural rules. This is a fun change and a fun area of law and a fun group in a fun department. She is happy to be here.

community for the southside library, the Boyz and Girls Club, the Kappa Code Talkers and developed in parts of A. T. Jones and Tommie Coates. She is also a member, has a doctorate's degree and is seeking a master's degree in organizational restructuring and program management.

Chief Hopkins would like to work on themselves.

Chief Hopkins would like to know Andrews and Gandy well through the recruitment process. He has a background in planning and architecture. He did undergraduate work in economics and has a master's degree in city planning. He studied real estate development and worked as a planner in the Northwood/Venture area. He has been in municipal planning for about six years. He offers the following comments about the strategic, integrity, creativity and knowledge of the Commission. They are a great group of people and have to make tough decisions in time. Some decisions have a lasting impact and is why the Commission takes the decisions so seriously. He is the Land Use Director and Chief Hopkins is the Planning Manager for the City and liaison to the Planning Commission.

Mr. Baker said it is great to have a full time Commissioner. It has been with the City for 13 years and listed as a temporary hire. He comes from Tucson with a Bachelor of Science in Regional Planning. He started at the City in the Planning Division and technical review among many assignments. He did Planning and Policy duty under David Gonzalez. He returned to the position at the Land Use Department while pursuing a master's from 2010 to 2012 working at the City and became a neighborhood planner. Subsequently, he became liaison for the Planning Commission and the Board of Adjustment. This is an excellent board and a very important board and his board. He offers the dynamic of the individuals and how they function together. He said he is excited to be working with everyone.

Mr. Frazier said the Assistant City Attorney with the City for over two years. His primary focus is on land use. His job is to advise and make recommendations to the City's decision makers in Land Use. She often works with staff and the Land Use Board and Commission, of which there are about five. She also regularly provides assistance to the governing body when complex legal issues related to land use. She also takes on appeals from decisions made by the Commission, the governing body and the Land Use Director and handles the land use litigation in court. Before law school she had a biology degree and is a native lover and loves being outdoors. She received her law degree in 2009. She worked for the courts for about 10 years before joining the City. She is a fun change and a fun group to work with and a fun department. She is happy to be here.

Vice Chair Hogan said Ms. Paez does great making sure the Commission follows Roberts Rules of Order and necessities needed to run a meeting. And she does that most of the time with a smile.

Vice Chair Hogan asked if anyone had questions. There were none.

D. ELECTION OF OFFICERS

Mr. Berke explained there is no clear written procedure in Code on holding elections. It is up to the Commission how they would like to do them. He suggested it would work best if the chair opened the floor for nominations. Anyone can nominate someone or themselves for any position. They should go through each position starting with Chair, Vice Chair and Secretary. A nomination can be seconded, but is not required. The person nominated should accept or reject the nomination. Additional nominations can be made and if there are multiple nominations, each board member will state on the record their vote. In case of a tie, there is a tie breaker. The process is up to the Commission.

Chair Hogan reviewed the process. He asked if anyone wanted to suggest a different method.

MOTION: Commissioner Faulkner moved to conduct the election per staff suggestion. The motion was seconded by Commissioner Clow.

VOTE: The motion passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Gutierrez, Lawrence, Piccarello and Sategna voting in favor and none voting against.

1. Nomination of Chair

Commissioner Garcia nominated Commissioner Brian Gutierrez for Chairman of the Planning Commission. He added he appreciated the length of time Commissioner Gutierrez has served on the Commission and has observed how he conducts meetings. Commissioner Faulkner seconded the nomination.

Commissioner Faulkner said she has been the Secretary since 2018 and wants to focus on policy. She nominated Commissioner Clow as the new Secretary because she likes the way she reviews the minutes. She said if Commissioner Clow accepted it would be a great service to the Commission.

Director Isaacson clarified it makes sense if each position is nominated followed by a vote on that position before moving to the next position.

Vice Chair Hogan said Mr. Pappas' great framing and the Commission follow
substantive issues of Order and necessary needed to run a meeting. And we need that
most of the time with a similar.

Vice Chair Hogan asked if anyone had questions. There were none.

2. SCHEDULE OF MEETINGS

Mr. Burke explained there is no clear written procedure in Code on holding
meetings. It is up to the Commission how they would like to do them. He suggested
it would be best if the chair opened the floor for nominations. Anyone can nominate
members or themselves for any position. They should go through each position stating
with Chair, Vice Chair and Secretary. A nomination can be seconded, this is not required.
The person nominated should accept or reject the nomination. Additional nominations
can be made and if there are multiple nominations for each board member will state on the
record their vote. In case of a tie there is a tie breaker. The process is up to the
Commission.

Chair Hogan reviewed the process. He asked if anyone wanted to suggest a
different motion.

Commissioner Pappas moved to conduct the meeting per state
suggestion. The motion was seconded by Commissioner Crow.

The motion passed by unanimous roll call vote with Commissioners
Pappas, Crow, Finkler, Garcia, Gutierrez, Lawrence, Pappas,
and stating voting in favor and none voting against.

3. Reorganization of Chair

Commissioner Garcia nominated Commissioner Brian Gutierrez for Chairman of
the Planning Commission. He asked for a second and the length of time Commissioner
Gutierrez has served on the Commission and has observed how he conducts meetings.
Commissioner Pappas seconded the nomination.

Commissioner Pappas said she has been the Secretary since 2018 and wants to
focus on policy. She nominated Commissioner Crow as the new Secretary because she
likes the way she reviews the minutes. She said if Commissioner Crow accepted it would
be a great service to the Commission.

Director Pappas stated that she serves if each position is nominated followed
by a vote on that position before moving to the next position.

Vice Chair Hogan nominated himself for the position of Chair.

Commissioner Gutierrez accepted his nomination as Chair.

Commissioner Sategna confirmed that a nomination did not need a second.

Mr. Berke explained each Commissioner would now be asked to vote on one of the two nominees for chair.

Commissioner Sategna said he had questions to get a better understanding of Commissioner Hogan's view on the position of chair. He asked if he saw the position more as a proactive role or an administrative role.

Commissioner Hogan said it is administrative in that it is in keeping with Robert's Rules and ensuring procedurally that applicants are treated fairly. That is important to him. In terms of proactive, he understands long-range planning and has been involved in it a long time in Santa Fe. He can support providing direction in terms of planning initiatives. He was encouraged at the last meeting when they were talking about getting to work on specific issues like affordable housing, etc. There's a lot of work that needs to be done and we need to ask for that.

Commissioner Sategna asked his thoughts in regard to the power of the Chair in setting agendas to move concerns of the Commissioners or bringing policy issues to the table.

Commissioner Hogan replied setting the agenda also comes from the Commission. Each Commissioner discusses items at the end of the meeting that is important to them. As the chair, it is important to get those items on the agenda. They need to have follow-up and adequate time for staff to prepare information that will provide a robust and informed discussion. Another part of the agenda is the request for applications. They should determine which applications and the volume of applications and the issues and if publicly volatile. They need to control how the agenda is set in order to avoid being here until two in the morning.

Commissioner Sategna asked Commissioner Gutierrez the same questions.

Commissioner Gutierrez said on the administrative part, he has been on the Commission for some time and watched three different chairs. One thing that the chair doesn't do is vote unless a tie, and most of the time the chair doesn't need to vote. So, it is more administrative. Regarding policy, one of his frustrations is the General Plan and its failure to keep up with the growth of the City. As chair, he would advocate for the Commission and Land Use staff to try to get funding through City Council. Those two things would bring the Commission more up to date.

Vice Chair Hogan nominated himself for the position of Chair.

Commissioner Gutierrez accepted his nomination as Chair.

Commissioner Salinas confirmed that a nomination did not need a second

Mr. Hinkle explained each Commissioner would now be asked to vote on one of the two nominees for Chair.

Commissioner Salinas said he had questions to get a better understanding of Commissioner Hogan's view on the position of chair. He asked if he saw the position more as a prescriptive or an administrative role.

Commissioner Hogan said it is administrative in that it is in keeping with Roberts Rules and ensuring procedurally that applications are handled fairly. That is important to him in terms of procedure, the understandings, range planning and how best involved in it a long time in State Rep. He can support providing direction in terms of planning initiatives. He was encouraged at the last meeting when they were talking about getting to work on specific issues like affordable housing, etc. There's a lot of work that needs to be done and we need to get that.

Commissioner Salinas asked his thoughts in regard to the power of the Chair in setting agendas to move concerns of the Commissioners or bring policy issues to the table.

Commissioner Hogan replied setting the agenda also comes from the Commission. Each Commissioner discusses items at the end of the meeting that is important to them. As the chair, it is important to get those items on the agenda. They need to have follow up and agenda items for staff to prepare information that will provide a robust and informed discussion. Another part of the agenda is the request for applications. They should determine which applications and the volume of applications and the issues and it should be a public volume. They need to control how the agenda is set in order to avoid being late until two in the morning.

Commissioner Salinas set as Commissioner Gutierrez the same question.

Commissioner Gutierrez said on the administrative part, he has been on the Commission for some time and watched these different chairs. One thing that he chair doesn't do is vote in case a tie, and most of the time the chair doesn't need to vote. So it is more administrative. Regarding policy, one of his frustrations is the General Plan and the future to keep up with the growth of the City. As chair, he would advocate for the Commission and Land Use staff to try to get funding through City Council. Those two things would bring the Commission more up to date.

Commissioner Sategna asked his thoughts of the chair using his power on the agenda to promote policy.

Commissioner Gutierrez said the first thing that came to mind is, as Commissioner Hogan said, to ensure the meeting runs efficiently, and they have all of the information needed. He has sat through contentious meetings. He wants to give the public time to express themselves on contentious issues they know will take more time on the agenda.

Commissioner Sategna asked his thoughts on using the power of setting the agenda as the chair to promote policy.

Commissioner Gutierrez said the Commission is scheduled for two meetings a month. He advocates working on policy, even if they set up subcommittees. The Commission has had subcommittees in the past where members worked on policy. Then when they brought that to the full Commission the policy had been vetted somewhat.

VOTE: A roll call vote for the position of Chair resulted with the majority of Commissioners voting for Commissioner Gutierrez to be elected as Chair with Commissioners Chavez, Clow, Faulkner, Garcia, Lawrence, Sategna, Gutierrez and Hogan voting in favor and Commissioner Piccarello voting for Commissioner Hogan.

Commissioner Clow commented that both Commissioners, Brian Gutierrez and Mark Hogan would make very good chairs. Mark has done a great job as vice chair and Brian a good job on the Summary Commission. She said that made the decision hard and her vote was driven by longevity. Brian has been here longer than anyone else.

Commissioner Faulkner agreed. She has known both Mark and Brian outside of the Commission as well as on the Commission and respects them both. Her focus is policy and that determined her vote.

Commissioner Garcia said he has great respect for Commissioner Hogan and all that he has done. He thanked him for doing what he does and for continuing to do that well.

Commissioner Lawrence said this was a difficult vote.

Commissioner Piccarello said she voted for Commissioner Hogan based on observing the Commission meetings over the past year and on his comments today.

Commissioner Gutierrez thanked the other Commissioners for putting their trust in him. He asked staff to let him know if he does something that is not as it should be done.

Commissioner Salinger asked his thoughts on using the power on the system to promote policy.

Commissioner Gutierrez said the first thing that came to mind is, the Commission hopes to engage the meeting and staff, and they have all the information needed. He has set through committee meetings, he wants to give the public time to express themselves on comments issues they know will take more time on the agenda.

Commissioner Salinger asked his thoughts on using the power of setting the agenda as the chair to promote policy.

Commissioner Gutierrez said the Commission is scheduled for two meetings a month. He oversees working on policy, even if they set up subcommittees. The Commission has had subcommittees in the past where members worked on policy. Then when they brought that to the full Commission on the policy had been vetted somewhat.

A roll call vote for the position of Chair resulted with the majority of Commissioners voting for Commissioner Gutierrez to be elected as Chair with Commissioners Chavez, Chow, Farkner, Gutierrez, Lawrence, Salinger, Gutierrez and Hogan voting in favor and Commissioner Rodriguez voting for Commissioner Chavez.

Commissioner Chow commented that both Commissioners Brian Gutierrez and Mark Hogan would make very good chairs. Mark has done a great job as vice chair and Brian a good job on the Summary Commission. She said that made the decision hard and her vote was driven by longevity. Brian has been here longer than anyone else.

Commissioner Farkner agreed. She has known both Mark and Brian outside of the Commission as well as on the Commission and respects them both. Her focus is policy and that determined her vote.

Commissioner Gutierrez said he has great respect for Commissioner Hogan and all that he has done. He thanked him for doing what he does and for continuing to do great work.

Commissioner Lawrence said that was a difficult vote.

Commissioner Farkner said she voted for Commissioner Hogan based on observing the Commission meetings over the past year and on the comments today.

Commissioner Gutierrez thanked the other Commissioners for putting their trust in him. He asked staff to let him know if he does something that is not as it should be done.

Commissioner Faulkner thanked Commissioner Hogan for stepping up to the plate and doing an awesome job as vice chair and in the capacity of acting chair.

Commissioner Hogan said he wanted to make the vote almost unanimous by voting for Commissioner Gutierrez.

Ms. Paez noted that according to the requirements, Commissioner Brian Gutierrez is the new chair elected and the election is sufficiently recorded by the stenographer. She suggested if ready, it was appropriate for Commissioner Gutierrez to assume the position of chair.

Commissioner Gutierrez suggested finishing the elections, and he would resume with the next item on the agenda.

2. Nomination of Vice Chair

NOMINATION: Commissioner Clow nominated Vice Chair Hogan for vice chair. The nomination was seconded by Commissioner Faulkner

Commissioner Hogan accepted the nomination.

There were no other nominations.

VOTE: The motion to nominate Commissioner Mark Hogan as Vice Chair was passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Gutierrez, Lawrence, Piccarello, Sategna and Hogan voting in favor and none against.

3. Nomination of Secretary

NOMINATION: Commissioner Faulkner nominated Commissioner Clow for the reasons she stated earlier. Commissioner Garcia seconded the nomination.

Commissioner Clow accepted the nomination.

There were no other nominations.

VOTE: The motion to nominate Commissioner Clow as secretary was passed by unanimous roll call vote with Commissioners Chavez, Clow, Garcia, Faulkner, Gutierrez, Lawrence, Piccarello, Sategna, and Hogan voting in favor and none against.

Vice Chair Hogan turned the meeting over to Chairman Gutierrez.

F. APPROVAL OF MINUTES / APPROVAL OF FINDINGS/CONCLUSIONS

None.

G. OLD BUSINESS

None.

H. NEW BUSINESS

1. **Case #2020-2924. Vista de La Sierra Final Subdivision Plat.** JenkinsGavin, Inc., Agent, for Branch Family Holdings, LLC, Owner, requests a final subdivision plat for a 393 single family residential lot subdivision. The property located at 3800 Governor Miles Road, is approximately 94.07 acres and is zoned R-5 (Residential-five dwelling units per acre). (Donna Wynant, AICP, Case Manager)

Commissioner Sategna recused himself from the case because he is the President of the neighboring Homeowners Association for this development. He would not return this evening.

STAFF REPORT

Mr. Berke presented the staff report for Ms. Wynant who was having technical difficulties. The request is for approval of the Vista de La Sierra Final Subdivision which is a 393 single lot residential subdivision. The Planning Commission conducted a public hearing on November 19, 2020 and approved the preliminary subdivision plat with conditions of approval and Findings of Fact and Conclusions of Law. The application included a variance request that was not approved for second-story homes to be located 5 feet from the side property line.

In response to the concerns expressed by the Estancias De Las Soleras Neighborhood Association to the south, the final plat reflects a 20-foot landscape buffer on the south boundary west of the roundabout. In addition, the applicant has reduced the number of lots in the right-of-way by two, and restricted homes along the right-of-way to a single-story. Consideration of the plat involves evaluation of conformity with the preliminary plat included in the report. The sections of the report provide analysis and Section 2 has a number of conditions of approval recommended by staff. Condition #3 is one of the main conditions that differs from the preliminary plat. The condition was set by the City Traffic Engineer (now a vacant position) that a revised TIA (Traffic Impact

Analysis) is required by Phase 2. However, the applicant has requested the TIA be moved to Phase 3 or the summer of 2022, whichever is sooner. The applicant originally proposed to do that for Phase 1, but now would like to go into Phases 1 and 2 immediately.

Staff has reviewed their request and had the traffic engineer reevaluate the TIA for the change. The traffic engineer approved the request. A TIA will have to be conducted prior to Phase 3 of the final subdivision plat or the summer of 2022, whichever occurs earlier. The applicant anticipates starting home construction by the summer of 2022. All other conditions are standard, some with grading. The engineer has worked with the neighborhood, the applicant and staff.

Staff recommends approval of the final subdivision plat request with the conditions of approval as stipulated in Section 2 of the report, and conditions of approval and technical corrections as shown in the exhibits. Two motions are required: to either approve or deny the request and approve or deny the Findings of Fact and Conclusions of Law as presented in staff report.

Chair Gutierrez welcomed Ms. Jenkins.

APPLICANT'S PRESENTATION

Jennifer Jenkins, 130 Grant Avenue, Santa Fe was sworn. Ms. Jenkins welcome the new commissioners. She offered to do a brief overview of the project.

Both Commissioners Chavez and Piccarello said a summary wasn't needed.

Ms. Jenkins shared a brief PowerPoint presentation. She noted this is really about whether the final plat comports with what has been approved in the preliminary plat. Staff has determined it does. A condition of approval because of COVID and abnormal traffic patterns, is to update the traffic study. The homebuilder is on an accelerated schedule by the time they start Phase 2, normal traffic conditions will still be unlikely. The applicant request modifying the condition to conduct the update of real traffic counts prior to Phase 3. The request was reviewed by Wilson and Company, the traffic engineering consultant who approved. They have worked closely with the Nave Ade HOA who is also comfortable with the request.

Phase locations were shown on the site plan. The applicant has established additional dust control measures addressing a concern of Nave Ade. They are working with the City Engineer, staff, and the HOA. Any areas that are graded but will not have construction in the area immediately, will be treated and maintained to stabilize the dirt and protect it from activity. There will be two water trucks minimum on site and no construction vehicles will be allowed through Nava Ade neighborhood.

2-steps) is required by Phase 2. However, the applicant has requested the TIA be moved to Phase 3 of the summer of 2022, (however, sooner). The applicant originally proposed to do that for Phases 1 and 2 in parallel.

Staff has reviewed the TIA and had the traffic engineer evaluate the TIA for the change. The traffic engineer approved the project. A TIA will have to be conducted prior to Phase 3 of the final subdivision plat or the summer of 2022, without a change in location. The applicant will operate starting from the location of the TIA. All other conditions are satisfied, some with grading. The engineer has worked with the neighborhood, the applicant and staff.

Staff recommends approval of the final subdivision plat subject to the conditions as approved in Section 3 of the report and conditions of approval and subject to the conditions as shown in the exhibits. Two conditions are listed in either approval or deny the findings of fact and conclusions of law as presented in this report.

Chief of Area Services for Jenks

APPLICANT'S REPRESENTATION

Jenks Planning Commission, 100 East Avenue, Jenks, Oklahoma 74351. The applicant, Jenks Planning Commission, is pleased to do a final review of the project.

Both Jenks Planning Commission and Jenks Planning Commission staff are pleased to

staff Jenks Planning Commission and Jenks Planning Commission staff are pleased to which is a final plat of record with which has been approved in the preliminary plat. Staff has determined it does. A condition of approval because of COVID and special traffic patterns is to update the traffic study. The final plat is an accelerated schedule by the time that Phase 2, summer traffic conditions will still be satisfied. The applicant request modification to update the traffic study or additional staff support. The request was approved by Jenks Planning Commission and Jenks Planning Commission staff. The request was approved by Jenks Planning Commission and Jenks Planning Commission staff. The request was approved by Jenks Planning Commission and Jenks Planning Commission staff.

Phase 2 and 3 are shown on the site plan. The applicant has established additional traffic control measures and a concept of Phase 2. They are working with the City Engineer, staff and the HOA. Any work that is needed but will not have construction in the area immediately, will be treated and maintained to stabilize the site and protect it from activity. There will be no water truck minimum on site and no construction vehicles will be allowed through the site neighborhood.

The HOA was concerned about the stages of grading. The applicant will remove or add dirt in areas with the goal to balance the site. Phase 1 has a lot of dirt removal that will be deposited where needed in Phase 2 and stabilized until construction is ready to proceed. [A plat was displayed of cut areas and fill areas]. The plan was reviewed with an HOA representative and once a contractor is selected, the applicant will develop a staging plan of construction activities. The plan will be provided to the HOA.

Another element is that drainage facilities, ponds, storm drains, etc. are required to be maintained by the HOA. Nava Ade is concerned about the drainage structure having experienced issues during a big storm a few years ago. Standard City drainage facility maintenance requirements are included on the plat. In addition, they will be incorporated into the HOA documents. Maintenance requirements and the schedule of maintenance will be very clear, and all drainage improvements and their functions and maintenance protocols will be identified. They will ensure there is adequate budget for the Homeowners Association in the monthly fees for proper maintenance of the drainage facilities. Ms. Jenkins stood for questions.

Commissioner Clow asked to clarify if the City was okay with waiting until the third phase for the traffic study. She asked the purpose for the traffic study post COVID and what changes that might occur, and if those changes would be done after Phase 1 or Phase two.

Ms. Jenkins explained the purpose of the traffic study update is to get counts in a normal, post COVID environment. The applicant's significant improvements are a roundabout and turn lanes to accommodate access to the site. The study's main point is to determine if off-site improvements as proposed are adequate. If something has to be modified that will be implemented in Phase 3.

Commissioner Clow asked if there is any harm if they wait until Phase 3.

Ms. Jenkins said it is actually more preferable. People will not be living in the subdivision to create traffic impact until late summer of 2022. Phase 3 will provide ample opportunity to conduct the TIA before the neighborhood puts significant cars on the road. The key factor for the traffic study update is that school is in session. Moderately priced homes are needed in the community. It is a positive to have a builder who is eager to bring them to the market.

Commissioner Clow asked if construction for Phase 1 or 2 makes remediation impossible and if doing the study later rather than earlier has a downside.

Ms. Jenkins didn't believe so. They will build the roundabout in Phase 1 and the turn lanes. They may need to tweak something at the intersection of Governor Miles and Richards, or the timing of the signal. These are off-site elements and have no impact on the interior design of the subdivision.

The HOA was concerned about the speed of grading. The applicant will ensure that the site is graded within 180 days of the start of construction. The HOA will be notified of the start of grading and the applicant will provide a daily report of the grading progress. The HOA will also be notified of the start of construction and the applicant will provide a daily report of the construction progress. The HOA will also be notified of the start of occupancy and the applicant will provide a daily report of the occupancy progress.

Another element of the design is the drainage system. The HOA is concerned about the drainage system and the applicant will provide a detailed drainage plan. The HOA will also be notified of the start of drainage construction and the applicant will provide a daily report of the drainage construction progress. The HOA will also be notified of the start of drainage occupancy and the applicant will provide a daily report of the drainage occupancy progress.

Commissioner Chow asked to clarify if the City was okay with waiting until the end of the traffic study. She asked the purpose for the traffic study and if there were any changes that might occur and if those changes would be done after Phase 1 or Phase 2.

Ms. Jenkins explained the purpose of the traffic study is to get a better understanding of the traffic volume and the applicant will provide a detailed traffic study. The HOA will also be notified of the start of traffic study and the applicant will provide a daily report of the traffic study progress. The HOA will also be notified of the start of traffic study occupancy and the applicant will provide a daily report of the traffic study occupancy progress.

Commissioner Chow asked if there is any form if they will still Phase 2.

Ms. Jenkins said it is currently a one-way street. People will not be going in the direction to create traffic volume until the start of Phase 2. Phase 2 will provide an opportunity to conduct the traffic study and the applicant will provide a detailed traffic study. The HOA will also be notified of the start of traffic study and the applicant will provide a daily report of the traffic study progress. The HOA will also be notified of the start of traffic study occupancy and the applicant will provide a daily report of the traffic study occupancy progress.

Commissioner Chow asked if construction for Phase 1 or 2 makes construction impractical and if doing the study earlier than center has a how-to.

Ms. Jenkins said that Phase 1 will build the road and the applicant will provide a detailed traffic study. The HOA will also be notified of the start of traffic study and the applicant will provide a daily report of the traffic study progress. The HOA will also be notified of the start of traffic study occupancy and the applicant will provide a daily report of the traffic study occupancy progress.

Commissioner Chavez confirmed there would be families living there when Phase 3 is started. When school is in session it will bring a significant amount of traffic. There is the charter school, a community college and then families in Phase 1 and 2. She shared the concerns about waiting because of the significant change in traffic.

Ms. Jenkins explained that pushing the study down the road is positive because there will be more normal traffic conditions. Although Phase 3 is the deadline for the study, they don't actually have to wait until Phase 3 to do the study. Once school is in session and they are no longer in lock down, they will do the study. There would be no reason to wait. The applicant wants to know as soon as possible if changes are required off-site. Changes affect the budget and pricing and other things, so they don't want to wait until the last second. And it would be preferable if the City has a traffic engineer.

Commissioner Clow confirmed that the applicant is willing to do the TIA when feasible in terms of school being in session or at the beginning of Phase 3, whichever is earlier.

Commissioner Faulkner suggested that be made a condition of approval. Commissioner Clow noted that the applicant has agreed.

Ms. Paez added that the motion to approve the Findings could direct that be added as an amendment as well.

PUBLIC HEARING

Mr. Berke explained the process to speak in the Public Hearing. He noted that the Nave Ade Neighborhood Association had requested they each speak for two minutes in the order listed.

Mary Rankovich, 4150 Rain Dance Lane, was sworn. She noted that four members of Nave Ade HOA would address their concerns on the plat approval. She will speak about the applicant's request to combine and record Phase 1 and Phase 2. Although not prohibited, the process of grading 50+ acres combined tract and grading across previous phases before stabilizing the soil disturbed in the first phase, will create dust issues that directly impact the Nava Ade residents. They accept there will be some dust, but cross phase grading increases a possibility of significant amounts of uncontrollable dust. Regardless of the amount of equipment to control it, a large amount of disturbed earth makes it more difficult to control the dust. This is based on the number and severity of harmful dust Nava Ade endured during grading operations previously. Those were referenced and discussed at the Public Safety Committee and the Commission hearings of Los Solaris and Ross's Peak. Excerpts were sent to the Commission. Secondly, because the committee only has two inspectors Citywide, a developer's self-regulation is imperative. Their failure to adequately monitor the dust leads to harmful dust infiltrating their homes before a corrective action can be taken.

Commissioner Chavez confirmed there would be families living there when Phase 3 is started. When school is in session it will bring a significant amount of traffic. There is the other school a community college and then families in Phase 1 and 2. She asked the concerns about waiting because of the significant change in traffic.

Mr. Jenkins explained that during the study down the road is positive because there will be more normal traffic conditions. Although Phase 3 is the deadline for the study, they don't actually have to wait until Phase 3 to do the study. Once school is in session and they are no longer in lock-down, they will do the study. There would be no reason to wait. The applicant wants to know as soon as possible if they are approved or not. Changes affect the budget and other things, so they don't want to wait until the last second. And it would be preferable if the City has a traffic engineer.

Commissioner Chow confirmed that the applicant is willing to do the traffic studies in terms of school being in session or at the beginning of Phase 3, whichever is earlier.

Commissioner Finkler suggested that he make a motion of approval. Commissioner Chow noted that the applicant has agreed.

Mr. Pace added that the motion to approve the findings could direct that be added as an amendment as well.

PUBLIC HEARING

Mr. Burke explained the process in speaking at the Public Hearing. He noted that the Home Ave Neighborhood Association had requested they speak for two minutes in the order listed.

Mayor Frankovsky, 4100 Rain Dance Lane, was sworn. She noted that four members of Home Ave HOA would address their concerns on the first approval. She will speak about the applicant's request to combine and merge Phase 1 and Phase 2. Although not prohibited, the process of grading 80+ acres combined tract and starting across various phases before stabilizing the soil disturbed in the first phase will create dust issues that directly impact the Home Ave residents. They and neighbors will be some dust, but cross phase grading increases a possibility of significant amounts of uncontrollable dust. Regardless of the amount of equipment or control, a large amount of disturbed earth moves a more difficult to control the dust. This is based on the number and severity of permits that Home Ave submitted during grading operations previously. Those were reviewed and discussed at the Public Safety Committee and the Commission hearing of Los Solitos and Rose Park. Excavate were sent to the Commission. Secondly, because the committee only has two representatives, it is a developer self-regulation is imperative. Their failure to adequately monitor the dust leads to harmful dust infiltrating their homes before a corrective action can be taken.

Becky Stamm, 4136 Soaring Eagle, was sworn. She is a native Santa Fean who grew up in a family of developers and speaks on the behalf of Nava Ade HOA on cross phase grading. As separate phases, the City requires Phase 1 to fulfill the measures and Codes before recording Phase 2. Infrastructure grading cannot begin on Phase 2 until Phase 1 is complete. That ensures measures to control dust and stabilize graded land are met before beginning the next phase. The issue to contain the dust is not just a matter of large-scale or cross phase grading or high winds. It also relates to the proximity of grading, exposed cuts, and stockpiles of dirt to the existing homes. The closer to the property grading construction happens, the lower the wind speed needs to be to infiltrate their homes and harm their health. She has been a victim of Las Soleras dust and grading and speaks from experience. The HOA request reasonable conditions if the applicant is allowed to combine Phases 1 and 2 to ensure the dust is contained. The next speaker will address those conditions.

Richard Lange, 4401 Autumn Leaf Lane, was sworn in. He spoke on behalf of the HOA and thanked the applicant for agreeing to the many significant drainage control and dust measures. He stated if allowed to combine the phases, the HOA requests two reasonable conditions be added before the final plat approval. Number one: The applicant agrees in writing his grading plan will provide sequential steps to controlling grading dust and he will honor that plan and have that plan approved by Land Use staff. Number two: As he requested and in response to Chairman Hiatt's comments related to Ross's Peak, Ms. Jenkins had agreed to get the requirements and address those as part of the final plat application. As a condition of approval, the HOA asks the language for Ross's Peak #14 be adopted. The language currently requires stopping the movement of dirt at 30 mile per hour wind speed, and in addition to include that movement of dust would be stopped, *"and/or as a result of excess dust blowing into the neighborhoods as determined by City Land Use Department."* Joe Jones will address matters on the TIA.

Joe Jones, 4149 Soaring Eagle Lane, was sworn in. He spoke on behalf of Nava Ade on condition #3, the revised TIA. The HOA wants to emphasize the part of that condition that cites the need to "include school traffic." Once Monte del Sol and others nearby reopen, traffic counts during peak hours may show significantly higher counts than currently or with a revised TIA from 8 AM and 4 PM. This is based on their experience on Dancing Ground and the string of vehicles on Governor Miles that blocks vehicle traffic to and from Capital High, Cesar Chavez and Ortiz Schools and Santa Fe Community College. That convergence of traffic on Dancing Ground, the primary road/intersection bisecting Nava Ade from multiple schools, is why City Engineer John Romero included school traffic in writing, in the revised TIA condition. The HOA therefore requests that the TIA for the project start at peak school hour traffic beginning at least 15 minutes before peak hour work traffic. In addition, they request Nava Ade HOA be notified and receive a copy of the report, and that the Traffic Engineering Department consider any other evidence gathered by the HOA before a final determination.

Berry Blinn, AT&T Senior Engineer, was sworn in as a native Santa Fean who grew up in a family of developers and speaks on the behalf of NAVA A-100 on cross phase grading. As a separate phase the City requires Phase 1 to fulfill the measures and codes before proceeding Phase 2. The structure grading cannot begin on Phase 2 until Phase 1 is complete. That ensures measures to control dust and maintain good air quality before beginning the next phase. The issue to control the dust is not just a matter of large scale or cross phase grading or high winds. It also relates to the proximity of grading exposed cuts and stockpiles of dirt to the existing homes. The closer to the property grading construction happens the lower the wind speed needs to be to initiate dust issues and harm the health. She has been a victim of Las Colinas dust and grading and speaks from experience. The HOA must establish conditions if the applicant is allowed to continue Phases 1 and 2 to ensure the dust is contained. The next speaker will address these conditions.

Richard Lange, A-100 Attorney, was sworn in. He spoke on behalf of the HOA and thanked the applicant for agreeing to the many significant damage control and dust measures. He stated it allowed to continue the phase the HOA requires two reasonable conditions be added before the final approval. Number one: The applicant agrees in writing his grading plan will provide additional steps to controlling dust and it will honor that plan and have that plan approved by Land Use staff. Number two: As he requested and in response to the HOA's concerns related to Phase 1, Mr. Lange has agreed to get the requirements and address those as part of the final application. As a condition of approval, the HOA asks the language for Phase 1 be adopted. The language currently requires slowing the movement of dirt at 30 miles per hour wind speed and in addition includes that movement of dirt would be stopped "whenever as a result of excess dust blowing into the neighborhoods as determined by City Land Use Department". Joe Jones will address matters on the TIA.

Joe Jones, AT&T Senior Engineer, was sworn in. He spoke on behalf of NAVA A-100 on a question of the revised TIA. The HOA wants to emphasize the part of that condition that the need to "include dust control" and other dust control measures. He noted that the need to "include dust control" and other dust control measures may show significantly higher dust counts than currently or with a revised TIA from 5 A.M. and 5 P.M. This is based on their experience on Canyon Grove and the timing of activities on Governor Miles that took vehicles into the main Capital High, Cesar Chavez and O'Neil Schools and Santa Fe Community College. That convergence of traffic on Canyon Grove, the primary road intersection leading from multiple schools, is why City Engineer John Townner included dust control in writing in the revised TIA condition. The HOA therefore requests that the TIA for the project start at peak school hour traffic beginning at least 15 minutes before peak hour work traffic. In addition they request NAVA A-100 be notified and receive a copy of the report and that the Traffic Engineering Department consider any other evidence gathered by the HOA before a final determination.

Joan Dickerson, 4721 Las Plazuelas, 87507 was sworn. She echoes the comments of the homeowners who also represent the Board of the Estancias de la Soleras Neighborhood Association. Their concerns are the same, especially of blowing dust and on the timing of the TIA. Also, they note a previous TIA recommended a signal at the intersection of Beckner and Richards and they believe that is still necessary. Even during COVID traffic, the intersection is unsafe when making a left turn. A different developer was to put in a traffic signal, but it is not sufficient to satisfy what is being done to the intersection.

Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Vice Chair Hogan asked Ms. Jenkins to describe the arroyo and whether there will be landscaping, etc.

Ms. Jenkins shared her screen of the site plan. She reviewed plans for the structural stabilization along some banks and the erosion control. Bank stabilization will primarily use gabion (stones enclosed in a cage). There will be a stored water collection adjacent to the arroyo and trail network. A park area takes advantage of the trail and beauty of the arroyo. There will be significant natural landscaping improvements adjacent to the arroyo and a stormwater collection area is proposed.

Commissioner Garcia asked if Ms. Jenkins would address the issues mentioned by a number of the public speakers regarding cross-phase grading, the dust control in Phases 1 and 2 and the request to stop grading at winds of 30 mph or by the Land Use Department.

Ms. Jenkins shared an exhibit and explained with respect to infrastructure during Phase 1 the only activity in Phase 2 will be depositing the dirt. The dirt will be treated and stabilized and protected from disturbance. It will only be touched when they begin Phase 2 after Phase 1 has base course on the roadbeds and is graded. Areas that will not have activity will be stabilized and sprayed. Currently the City requires that grading cease when winds are 30 mph or greater and the City has authority to shut activity down if there are any complaints to the Land Use Department.

Commissioner Garcia asked when the Traffic Impact Analysis is conducted if it could include the actual peak hours at the school. Ms. Jenkins replied they definitely intend to do that.

Commissioner Piccarello noted on the gabions, that an active play area is nearby, and kids might be hopping on them. She asked if all of the material would be gabion type or something safer was considered.

Joan Dickerson, 4781 Las Pizuelas, 87507 was sworn. She advised the members of the Homeowners who also represent the Board of the Fairways de la Pizuelas Neighborhood Association. Their concerns are the same, especially of being out and on the lining of the TIA. Also, they note a previous TIA, recommending a sign at the intersection of Baker and Pizuelas and they believe that is still necessary. Even during COVID traffic the intersection is unsafe when making a left turn. A different developer was to put in a traffic signal, but it is not sufficient to safety what is being done to the intersection.

Chair Guterman closed the public hearing.

COMMISSIONER DISCUSSION

Chair Guterman asked Mr. Jenkins to describe the project and whether there will be landscaping etc.

Mr. Jenkins stated that section of the site plan. She reviewed plans for the structural stabilization along some banks and the erosion control. Bank stabilization will primarily use geotextiles (shown in a page). There will be a storm water collection adjacent to the embankment and ball network. A park area takes advantage of the hill and beauty of the embankment. There will be significant natural landscaping improvements adjacent to the embankment and a stormwater collection area is proposed.

Commissioner Garcia asked if the landscaping would address the issues mentioned by a number of the public speakers regarding cross-pollination, the dust control in Phases 1 and 2 and the request to stop grading at winds of 30 mph or by the Land Use Department.

Mr. Jenkins stated an exhibit and explained with respect to the stormwater during Phases 1 the only runoff in Phase 2 will be deposited into the ditch. The dirt will be treated and stabilized and protected from disturbance. It will only be touched when they begin Phase 2 after Phase 1 has been done on the embankment and is graded. Areas that will not have activity will be stabilized and sprayed. Currently the City requires that grading cease when winds are 30 mph or greater and the City has authority to shut activity down if there are any complaints to the Land Use Department.

Commissioner Garcia asked when the Traffic Impact Analysis is conducted if it could include the school park area at the school. Mr. Jenkins stated they definitely intend to do that.

Commissioner Picotelli noted on the geotextiles that an active play area is nearby and kids might be playing on them. She asked if all of the material would be geotextiles or something else was considered.

Mr. Jenkins said it wasn't considered, she could revisit that with her landscape architect and engineer and report back.

Commissioner Piccarello asked how long a traffic study normally takes.

Ms. Jenkins said once it is agreed that conditions are fairly normal, the Traffic Engineer would be scheduled to do the counts. Typically counts can be done in 30 days. The traffic engineer will then reevaluate the intersections to determine if modifications are needed. The study could be done within 6 to 8 weeks.

Commissioner Chavez noted concerns on the issue of the traffic light at Beckner and Richards Avenue. She asked for a timeline on that.

Ms. Jenkins replied this project is on a parallel path with the multifamily project under construction that will install the traffic signal and it should be within the next 18 to 24 months. That will be before any traffic is produced from this project.

Chair Gutierrez said Richard asked that condition #4 be adopted regarding wind speed. He asked staff if Ross's Peak construction had ever had to be stopped.

Ms. Dee Beeingessner responded that she did not ever recall a time when that work had to be stopped.

Chair Gutierrez asked how they know when wind speed is 30 mph.

Ms. Beeingessner thought the City has wind speed detection equipment, but typically the City responds by complaints. Or, they rely on inspectors driving by who frequently look for dust in the air. They might also check the weather forecast for wind.

MOTION: In Case #2020-2924. Vista de La Sierra Final Subdivision Plat, Commissioner Lawrence moved to approve the final subdivision plat subject to conditions of approval and technical corrections recommended by staff, and a change to condition #3 to time the traffic analysis to count post-COVID traffic at Phase 3, or when traffic is back to pre-COVID normal levels and with school in session, whichever comes first. Commissioner Faulkner seconded the motion.

VOTE: The motion passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Hogan, Lawrence, and Piccarello voting in favor and none voting against.

MOTION: In case #2020-2924. Vista de La Sierra Final Subdivision Commissioner Lawrence moved to approve the Findings of Fact and Conclusions of Law

as proposed in exhibit A2, corrected as necessary to include the change to Condition #3 and a correction to the date to January 21, 2021. Commissioner Faulkner seconded the motion.

VOTE: The motion passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Hogan, Lawrence, and Piccarello voting in favor and none voting against.

I. STAFF COMMUNICATIONS

Mr. Berke congratulated the new members. He also reviewed the term dates of the reappointed Commissioners. Commissioner Piccarello and Commissioner Chavez is a two-year term representing District 2, until January 2023. On those reappointed: Chair Gutierrez is for a one-year term ending January 13, 2023 in District 1; Commissioner Lawrence is a 2-year term until January 13, 2023; Vice Chair Hogan is a one-year term until January 13, 2022; Commissioner Faulkner is a two-year term until January 13, 2023; Commissioner Garcia is a one-year term until January 13, 2022; Commissioner Sategna is a one-year term until January 13, 2022; and Secretary Clow is a one-year term until June 13, 2022. The terms are stipulated in ordinance to avoid having no gaps and overlap of terms. He congratulated the Commissioners who were reappointed.

Ms. Paez said the Mayor's appointments are based on the last round of appointments documented by the City Clerk's office. She believed the appointments are officially through June and if there are no replacements they serve until a replacement is appointed, the Commissioner is reappointed, or they resign.

Mr. Berke said there will be two cases on February 4, and he anticipated a long and complex meeting. Department of Transportation (DOT) members will be available for questions as well as Wilson Company, who reviewed the traffic study. He encouraged Commissioners to read through the staff report, which will be very large. They should prepare questions because he anticipates a very lengthy public comment. There may also be requests from neighborhood associations requesting their members be allowed to speak more than 2 minutes in the Zia case. Prior to that case is the Mira Flores final subdivision plat. Some Commissioners have heard the preliminary subdivision plat.

There will be a second meeting in February with two or three cases as well.

Mr. Berke reported that staff is looking at training conducted by the City Attorney's Office on Ethics and Roberts Rules of Order on the agenda soon. Also, he has discussed with Director Isaacson to have subject matter experts such as MPO, Traffic Engineering etc. provide a study session where Commissioners could ask questions. He is anticipating trying to do monthly training.

Commissioner (a) will be asked to include the date to condition #2 and a connection to the date to January 31, 2021.

Commissioner (a) will be asked to include the date to condition #2 and a connection to the date to January 31, 2021.

STAFF COMMUNICATIONS

The Board considered the new members. The Board also reviewed the term dates of the Commission's members. Commissioner Peter Ho and Commissioner Gonzalez are a two-year term expiring January 31, 2022. Commissioner (a) is a one-year term ending January 31, 2022 in District 1. Commissioner (b) is a two-year term ending January 31, 2022. Commissioner (c) is a one-year term ending January 31, 2022. Commissioner (d) is a one-year term ending January 31, 2022. Commissioner (e) is a one-year term ending January 31, 2022. Commissioner (f) is a one-year term ending January 31, 2022. Commissioner (g) is a one-year term ending January 31, 2022. Commissioner (h) is a one-year term ending January 31, 2022. Commissioner (i) is a one-year term ending January 31, 2022. Commissioner (j) is a one-year term ending January 31, 2022. Commissioner (k) is a one-year term ending January 31, 2022. Commissioner (l) is a one-year term ending January 31, 2022. Commissioner (m) is a one-year term ending January 31, 2022. Commissioner (n) is a one-year term ending January 31, 2022. Commissioner (o) is a one-year term ending January 31, 2022. Commissioner (p) is a one-year term ending January 31, 2022. Commissioner (q) is a one-year term ending January 31, 2022. Commissioner (r) is a one-year term ending January 31, 2022. Commissioner (s) is a one-year term ending January 31, 2022. Commissioner (t) is a one-year term ending January 31, 2022. Commissioner (u) is a one-year term ending January 31, 2022. Commissioner (v) is a one-year term ending January 31, 2022. Commissioner (w) is a one-year term ending January 31, 2022. Commissioner (x) is a one-year term ending January 31, 2022. Commissioner (y) is a one-year term ending January 31, 2022. Commissioner (z) is a one-year term ending January 31, 2022.

Mr. Park said the Mayor's appointments are based on the list of appointments documented by the City Clerk's office. She believed the appointments are made through the Mayor and there are no replacements that have until a replacement is appointed. The Commission is responsible for the appointments.

Mr. Park said there will be two cases on February 4, and he anticipated a long and complex meeting. Department of Transportation (DOT) members will be available for questions as well as Wilson Company, who reviewed the tariff study. It is encouraged Commissioners to read through the staff report which will be very large. They should prepare questions because he anticipates a very lengthy public comment. There may also be requests from neighborhood associations regarding their members be allowed to speak more than 5 minutes in the case. Prior to that case is the Mine Forum final subdivision plan. Some Commissioners have heard the preliminary subdivision plan.

There will be a second meeting in February with two or three cases as well.

Mr. Park reported that staff is looking at training conducted by the City Attorney's Office on Ethics and Public Policy on the agenda soon. Also, he has discussed with Director Larson to have subject matter experts such as MPO Traffic Engineering etc. provide a study session where Commissioners could ask questions. He is anticipating trying to do a training session.

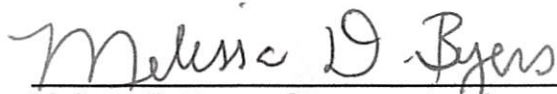
Mr. Isaacson thanked the reappointed Commissioners for their hard work and gave a warm welcome to the new Commissioners.

Ms. Paez provided an update on Daniel O’Friel. He is appealing the Commission’s decision on the lot line adjustment to the District Court. She will keep them apprised.

K. ADJOURNMENT

With no further business before the Commission, Chair Gutierrez adjourned the meeting at 7:58 pm.

Submitted by:



Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:



Brian Gutierrez, Chair