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PLANNING COMMISSION MINUTES
FEBRUARY 4, 2021**

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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 Chair Gutierrez 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 Brian Patrick Gutierrez, Chair
Commissioner Mark Hogan, Vice Chair
Commissioner Janet Clow, Secretary
Commissioner Amanda Chavez
Commissioner Pilar Faulkner
Commissioner Lee Garcia
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 Piccarello led the pledge of allegiance.

C. APPROVAL OF AGENDA

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

VOTE: The motion passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Hogan, Garcia, Lawrence, Piccarello and Sategna voting in favor and none voting against. No response heard from Commissioner Garcia.

D. APPROVAL OF MINUTES

1. January 7, 2021

MOTION: Commissioner Hogan moved, seconded by Commissioner Faulkner to approve the January 7, 2021 minutes as presented.

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

E. APPROVAL OF FINDINGS/CONCLUSIONS

None

F. NEW BUSINESS

1. Case #2020-2998. 4193 A and B Fairly Rd & 6450 Camino Rojo Final Subdivision. JenkinsGavin, Inc., Agent, for Homewise, Inc., Owner, requests approval of a Final subdivision plat for fifty-six single family lots. The properties are approximately 10.05 acres and are zoned R-5 (Residential- five dwelling units per acre). (Dan Esquibel, Case Manager)

Written public comments related to this case are attached as Exhibit "1".

STAFF REPORT

Dan Esquibel presented the staff report.

STAFF RECOMMENDATION

Staff recommended approval of the final subdivision plat per the recommendations and the technical corrections in Exhibit A. The conditions and corrections are adopted as part of the preliminary subdivision plat effective at the subdivision plat filing, recording and/or building permit for the construction of the project, and are carried forward and adopted as part of the final subdivision plat as recommended.

Two motions are required: approve or deny the final subdivision plat subject to conditions of approval and technical corrections recommended by staff and approve or deny the Findings of Fact and Conclusions of Law as shown in Exhibit A.

Mr. Esquibel noted an error was found by the Water Department. The subdivision water budget was originally approved at 5.69 and a new water budget was found to be 6.38 due to landscape. The applicant has been notified and is working with the Water division to amend their water division budget to reflect 6.38 as the total. The approval criteria 14-3.7(3)(c) has been met. He stood for questions.

APPLICANT'S PRESENTATION

Jennifer Jenkins, 130 Grant Avenue, Suite 101, Santa Fe was sworn. The Commission granted preliminary plat approval for the subdivision on November 19, 2020 and they agree with all staff conditions and technical corrections. She offered to go through her presentation especially for Commissioners not present in November.

The Commissioners said the presentation wasn't needed.

PUBLIC HEARING

Jodie Densmore, 2309 Calle Pacifica, was sworn in. The biggest concern is water. An article yesterday said the State asked farmers not to farm unless necessary because we have no water. How can we ask farmers who provide food not to farm because there is no water, yet we can add new housing. It is not only the water used by those moving to the subdivision, but the amount of water construction takes to build this. She asked how this could not be on everyone's mind and they continue to build big complexes. We do not have any water we are in a deep drought and you are asking farmers not to farm. That doesn't make sense. She asked if anyone could explain that.

Rey Romero, 6312 Calle Zanate, was sworn. He lives north of the proposed subdivision. He has three concerns he wants to address. One is the traffic impact studies. He has noticed an increase in traffic, especially on Airport and Fairly Road. Also, with all the development going on around us, he wants to be on record that he doesn't believe the traffic analysis is correct. He isn't sure how the right-in, right-out can be used as a key access point to the subdivision. There will be a lot of cars cutting through his subdivision from Country Club Road. From Airport Road the stacking bay is about 4-5 cars. That will become dangerous for people trying to turn left on Fairly if traveling west on Airport. Also, the report indicated special signing made for Fairly Road. He asked that someone address that.

Nat Dean, PO Box 1888, Santa Fe, was sworn in. Her concern is Camino Rojo has a narrow way to pass on the street to the right or the left. There are parking cut-outs,

but they are only used appropriately on occasion. The street is winding and dangerous with no clear vision in either direction. She is concerned about children playing in the cul-de-sacs of streets merging into the traffic of Camino Rojo. Also, the sidewalks are concerning because the plantings are not trimmed. There should be better lines of communication and clearer and safer egress and access for traffic and that should be considered. And she adds her voice to the concerns of the safety of traffic and pedestrians on Fairly Lane.

James Mineheine, was unable to connect.

COMMISSION DISCUSSION

Commissioner Garcia said a letter was received from Mr. Keller relating to the safety of the traffic and the congestion. Mr. Keller requested additional stops signs at intersections; believes three access points would help to ease traffic at the intersections; asked if Fairly Road and Camino Rojo could be a four-way stop. Also, he said there is no right turn at the corner of Camino Rojo and Avenida Chamisa and asked for that to be looked at.

Mr. Esquibel said Mr. Keller has been working with the Public Works Director on a traffic calming issue. As soon as that is completed, they can do a study and many of those issues will be addressed.

Chair Gutierrez attempted to recognize Mr. Mineheine but he was still unable to connect. The Chair said they could try again later.

Commissioner Sategna said when he was reviewing the report, one of the issues raised was inadequate right of ways. The report says there will be an off-site improvement and Code requires sidewalks along the frontage where it doesn't exist, and screenshots were shared of the two lots with the Avenida de Chamisa address. The south side of the street was shown without sidewalks and the report stated that Ms. Jenkins offered as part of the plat submittal, to assess the possibility to connect the two streets. He wasn't sure that was addressed. He asked Ms. Jenkins to speak to that.

Ms. Jenkins shared an image at the south end of the project on the eastside where changes were made. She noted that everything in gray are sidewalk improvements. On Camino Rojo a new sidewalk extension will be constructed and connect with the existing sidewalk. They will also add an ADA curb ramp where none exist on the other side. The new sidewalk along Avenida de Chamisa will wrap in front of two homes to connect to the interior sidewalk network. She showed the location where they were unable to make improvements on the north side.

Commissioner Garcia said concern with water was brought up. That applies to just about all of the construction happening in the City. It is probably not the time to discuss the process for water rights and dedication but possibly someone could comment.

Jesse Roach, Water Division Director, addressed the comments about water. The planning done decades before he came to the city has put Santa Fe in a good position for the sustainability of water. Over the last several years 90% of our water comes from surface water resources. We are resting our wells for dry periods and have more than enough surface water in storage. That is the difference between us and farmers. This year and for the next five years we are able to open the dams. Currently the development paradigm is to have developers bring water rights. But we are working toward a return flow pipeline to allow more use of the surface water. We have a current planning process that goes out 40-80 years that looks at impacts of climate change and potential growth. He assured the Commission the City is thinking about those matters and have the water to support this project.

Ms. Paez mentioned that it was brought to her attention that the Zoom room is full. She encouraged everyone in the Zoom Room who was not planning to speak to view the meeting on the YouTube channel if possible. She asked those who had an opportunity to speak to watch the rest of the meeting on YouTube. That will allow more room for those who want to speak. She thanked everyone for their help.

Greg Keller, 6345 Avenida Chamisa, was sworn in. He lives across the street from the subdivision and has submitted comments to Dan Esquibel. He complimented staff for their help. He said he is looking for more signage to cut down on the cut through traffic and slow it down. Additional signage will make the intersection at Fairly Road and Camino Rojo a four-way stop and add signage at the east end of the property. There we would like to have no right turn and a sign saying No Through Traffic on Avenida de Chamisa.

Chair Gutierrez closed the public hearing.

MOTION: In Case #2020-2998, 4193 A and B Fairly Road & 6450 Camino Rojo Final Subdivision, Vice Chair Hogan moved to approve the final subdivision plat subject to conditions of approval. Commissioner Garcia seconded the motion.

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

MOTION: In Case #2020-2998, 4193 A and B Fairly Rd & 6450 Camino Rojo Final Subdivision, Vice Chair Hogan moved to approve *the Findings of Fact and Conclusions of Law*. Commissioner Faulkner seconded the motion.

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

Ms. Paez mentioned the Zoom Room was down to 83 and there was room for 100. She thanked everyone who had left to view the meeting on YouTube to make room.

Chair Gutierrez indicated cases #2020-2898,2914,2899, 2900 and 2901 will be heard together.

2. **Case #2020-2898. North Zia Station General Plan Amendment.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification from Low Density Residential (3 to 7 dwelling units per acre) to High Density Residential (12 to 29 dwelling units per acre) for approximately 12.1 acres at the northwest corner of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager)
3. **Case #2020-2914. South Zia Station General Plan Amendment.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests approval of a General Plan Amendment to amend the existing General Plan Future Land Use classification for approximately 2.2 acres from Low Density Residential (3 to 7 dwelling units per acre) to Transitional Mixed Use at the southwest corner of Zia Road and Galisteo Road. The properties are zoned R-1 (Residential- one dwelling unit per acre) and are within the South Central Highway Corridor Protection District. (Lee Logston, Case Manager)
4. **Case #2020-2899. Zia Station Rezoning.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning from R-1 (Residential- one dwelling unit per acre) to C-2 PUD (General Commercial- Planned Unit Development) for properties located at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager)
5. **Case #2020-2900. Zia Station Rezoning.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests a rezoning to amend the boundaries of the South Central Highway Protection Corridor to exclude two properties at the northwest and southwest corners of St. Francis Drive and Zia Road from the Overlay District. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee

Logston, Case Manager).

6. **Case #2020-2901. Zia Station Preliminary Development Plan.** JenkinsGavin, Inc., Agent, for Zia Station, LLC, Owner, requests preliminary development plan approval for a mixed-use Planned Unit Development to be developed in two phases. The Planned Unit Development will be comprised of approximately 384 dwelling units, 84,000 square feet of office space, and 36,000 square feet of restaurant/retail space at the northwest and southwest corners of St. Francis Drive and Zia Road. The properties are zoned R-1 (Residential- one dwelling unit per acre), are within the South Central Highway Corridor Protection District, and comprise a total of approximately 21.0 acres. (Lee Logston, Case Manager)

Written public comments related to this case are attached as Exhibits “2”, “3”, “4”, “5”, “6” and “7”.

STAFF REPORT

Mr. Logston said JenkinsGavin is the agent for Zia Station, LLC owner. The applicant will provide details on the project and do a presentation. He will focus on the approvals and procedural elements. The five cases are to be considered as one overall proposal but procedurally divided into five cases.

Mr. Logston reviewed the five cases providing details of the requests. He clarified how the cases are interrelated and the Commission should consider the recommendations. All of the cases are recommendations to the Governing Body except for the development plan. If the Commission gives a positive recommendation for the General Plan amendments and the rezonings, they could then approve the Preliminary Development Plan conditioned upon the applicant being approved by the Governing Body on the other requests. Three of the five requests are directly connected in terms of the Commission's vote. The C2 PUD rezoning, the development plan and the request can be removed from the highway corridor. He clarified that the development plan is required in conjunction with the C2 PUD request. And the development plan as proposed is dependent on being removed from the highway corridor, primarily due to the three-story height.

Therefore, if the Commission recommends denial of the corridor request, they will also need to recommend denial of the C2 PUD rezoning and the preliminary development plan. If that is the outcome tonight, the Commission could still recommend approval of the General Plan amendments, such as they did on the Geo Lane Subdivision. That would give the applicant some indication that proposals of this type could be amenable and approved, but just not this proposal tonight.

While all General Plan amendments and rezoning requests are somewhat discretionary, they are all approved or denied against criteria in Chapter 14. The request to be removed from the highway corridor is also a rezoning request, but perhaps the most discretionary decision before them. Staff report details the factors, but it is primarily a question of building height two-story versus three stories.

Staff Recommendation

Staff recommends approval of the requests but understands the importance of height and view sheds to Santa Feans. To assist the Commission, he tried to provide information on the purpose and intent of the highway corridor, development patterns along St. Francis, background on the City's planning and investment in commuter rail, and a summary of Governing Body actions regarding this property. These are all important factors to consider.

The Commission's decision needs to be based on the approval or denial against the criteria in Chapter 14. If all requests are approved, the applicant will need to pursue other courses of action including gaining City approval of the vacation of Galisteo immediately, and the approval and dedication of a proposed new road alignment.

Mr. Logston noted that many comments were received from the public. Staff kept an open dialogue with the neighborhood association as well as individuals contacting them. He did his best to advise residents of the deadlines. Unfortunately, a handful of people missed that, and he has encouraged them to speak tonight.

We can and will revisit any individual cases and issues. City staff from various divisions and departments are available to answer specific questions, traffic grading/drainage, parks, water and sewer, affordable housing. Staff is prepared to draft Findings of Fact and Conclusions of Law and has provided draft motions for the cases.

Staff recommends approval of all requests.

APPLICANT'S PRESENTATION

Jennifer Jenkins, previously sworn said she represents SF Brown and Zia Station, LLC. She and her consultant team are available to answer questions. She presented a PowerPoint presentation.

She provided background on SF Brown Construction and Development who has developed many quality projects in Santa Fe over 32 years. Their team was mostly local consisting of consultants for Traffic and Civil Engineering, a team of architects and a landscape designer.

The requests were reviewed for each case. The surrounding area was shown pointing out neighborhoods and main intersections. A land use map showed land approved in 2004 as mixed use and properties approved at low density residential. It was noted even in 2004 that Galisteo would need to be realigned to pull it away from the St. Francis intersection as an important safety improvement.

The current zoning of R1 along St. Francis Drive was shown and a small piece of property on the west side of Galisteo zoned R5. Commercial and residential property for the surrounding area was shown. The transition from multifamily to R5, R4, to office etc. to R12 across the street and then back to R5 was noted. The area around the Zia Station was displayed and the east side of St. Francis, and commercial service at the intersection of Zia and St. Francis. Again, the multifamily transitioned into townhomes was noted.

A timeline of activity and key decisions over 20 years was shown that identified what was considered important and values evolving. The General Plan was updated in 1999 and established important values such as infill, affordable housing, multimodal transit, walkability, transportation, pedestrian oriented. In 2001 the Zia Station site was identified in the Multimodal Transit Facility Report as an ideal transit location. In 2004 the General Plan amendment was approved, and the Mid Regional Council of Governments (MRCOG) did a TOD (Transit Oriented Development) study to identify principles. MPO identified Zia Road as a future Rail Runner stop in 2017. A Rail Corridor Study addressed design guidelines on how to develop the property in relation to access to transit. In 2017 the City adopted a 25 year sustainable plan. This project touches on many of those elements and aligns with the State goals. In 2020, the MPO (Metropolitan Planning Organization) adopted the 2022-2045 Metropolitan Transportation Plan.

History on the property was provided. Once the Zia station was identified, SF Brown built improvements along Zia and put in sidewalks and a drop off area. In 2019, her team was contacted to revision the Zia Station kicking off meetings with the community and leading to a formal ENN in 2020.

The proposed site plan was shown in context to the neighborhood. The north parcel is 100% residential based on feedback. The southside is mixed use with retail, restaurant, office and residential there will be walk ability and a pedestrian oriented design, with access to multi-modal transit options, mixed uses and housing types.

Accesses from the north and south were shown with primarily neighborhoods with single story and some two-story homes and some three-story buildings. Also, 244 apartments are proposed. On the South side buildings appear as single-story rather than two-story and parking is screened. A loop road serves the buildings internally and transitioning they have a row of townhomes mirroring development patterns on the north side. There will be a lot of landscape and pedestrian improvements to a more inviting access to the Rail Trail in a pedestrian friendly environment. In the middle is an outdoor space for outdoor concerts, market, etc.

Design concepts were shown. The open space and parking space requirements have been exceeded. PUD, Planned Unit Development is based on the preliminary development plan approved as part of the zoning request. The PUD is self-limiting and binds the developer to the development plan and neighborhood uses appropriate. Within walking distance, the PUD defines what they are trying to achieve, such as office buildings residential dining options, coffee shop, yoga studios, etc. The final development plan applications for each phase will come back to the Planning Commission for approval. There were concerns expressed by neighbors that the PUD created too much flexibility but does the opposite. This defines the program and mix of uses that are appropriate.

Renderings of buildings were shown. It was noted the townhomes on Galisteo, and parking read as a single-story structure. The north side and relationship to surroundings was shown. All of the proposed roadway improvements and a dog park will be constructed in the initial first phase of the north side. Renderings were shown of transitioning from 1 to two-story buildings and two-story to three-story on St. Francis and Zia Roads. Renderings of the southside were shown. It was noted there will be a signalized pedestrian crossing at the Galisteo/Zia intersection.

The Rail Corridor study commissioned in 2008 was reviewed and the focused development of TODs. Design principles are a mix of land uses, transit connections, complete streets, bike lanes, sidewalks, trail connections etc. It includes all modes of transportation, public spaces, and enhances the existing neighborhoods. A Mission Statement for Zia Station property shows the proposal complies with exactly that. Land Use recommendations of the TOD sites were outlined, all of which the project is doing.

A review of how the proposal aligns with the City's General Plan and meets the goals and values was presented.

South Central Corridor was created in 1986. Slides were shown and Ms. Jenkins reviewed how there is no longer an alignment with the City's values. Key is that in 2019 the Governing Body amended the Midtown Link District. Goals of the Link were in creating a dynamic connection from Midtown campus to Christus St. Vincent Hospital.

The metrics for Affordable Housing (AH) was reviewed. The applicant is taking advantage of the flexibility to provide 10% (39) of affordable units for 10 years at lower rents established by HUD and contributing \$100,000 cash to the Affordable Housing Trust Fund.

Access and Traffic concerns were addressed. The unsignalized intersections studied currently operate at acceptable levels of service. After the project is built and roadway improvements are constructed the levels of service improve. There are no longer any failing conditions, the queues reduce dramatically, and signalized intersections

continue to operate acceptably. The intersections in the traffic study were reviewed. All traffic counts are pre-COVID shutdowns.

Proposed road improvements were shown. The dual left eastbound Zia is converted to a triple left to increase capacity through the intersection. Galisteo will be moved further west. There will be improvements to sidewalks on Zia and a dedicated right turn lane north and south on Galisteo. Left turns from Galisteo on to Zia will be prohibited. A signalized pedestrian crossing is designed to serve dual purpose and provide a stage crossing.

Currently the queue of cars onto St. Francis is 2600 feet long but after improvements proposed, worst case is 235 feet or a 91% reduction in queue. Worst case scenario in the evening is 550-foot queue reduced to 191 feet (65%). The delay of 4 minutes to get through is reduced to 30 seconds in the morning and in the evening the 3.7 minutes will be reduced to 1 minute.

The project addresses the erosion of the arroyo and they are working with City Watershed Division to address and incorporate bank stabilization.

Ms. Jenkins indicated she had some late communications. A letter of support did not make it into the packet from a neighbor and business owner. The letter mentions the project has space for local entrepreneurs and the types of space to support local businesses and stated the intent of the letter was that not all Candlelight neighborhood residents oppose the Zia Station project. He said as a resident he believes it will increase livability and value. As a business owner he is hopeful it brings entrepreneurship into the neighborhood. He is part of the neighborhood newsletter and has offered to expand on his reasons for support and would welcome the opportunity.

She also received an email from a gentleman who has lived in Santa Fe his whole life and runs a small business. He fully supports the project and feels housing would benefit the neighborhood and those who work in jobs at Los Alamos National Labs. The commercial will also be positive allowing small businesses such as himself to create jobs. He believes they do need to make modifications to the road.

Ms. Jenkins concluded her presentation and offered to answer questions.

Mr. Berke clarified a statement Mr. Logston made in his presentation that was mistyped. On page 2 it says staff recommends approval of the preliminary development plan for Case 2020-2901. The Governing Body recommends approval or denial of a Preliminary Development Plan attached to the rezoning case. He wanted to correct the record that the Commission would be recommending approval of the Preliminary Development Plan by the Governing Body for case 2020-2901. Nine motions are required for the case. On the fourth bullet the Commission should say, "recommend approval or denial of that case subject to conditions of approval and technical corrections

recommended by staff". Also, the Findings of Fact and Conclusions of Law for case #2901, will probably need to be altered and brought back to the Governing Body for adoption. He explained the C2 PUD is a rezoning ordinance and has an exhibit of a preliminary development plan. The Planning Commission doesn't make a decision on that.

Commissioner Clow asked to confirm that the three-story buildings on the south side of the property bordering Zia would not be set lower to look like the two-story on the north side.

Ms. Jenkins said to some degree because there is a slope, but no. There will be setbacks so the second and third story will be smaller footprints but will look more like a three-story building.

Commissioner Clow asked if possible to grade the site, so they appear more as a two-story building.

Ms. Jenkins said unfortunately the site is narrow and there is no way to eat up that amount of grade. That would result in retaining walls and affect the pedestrian amenities on Zia that allow the porosity into the project.

Commissioner Piccarello asked if they considered a multi-use lane to incorporate bikes and pedestrians on the streetscape for Zia, instead of separating the bike lanes and sidewalks.

Ms. Jenkins said no, but they met with and had a review from the MPO, but that option never came up. She said they are open to that and liked the idea of separating the pedestrian. Zia is a busy road and providing a landscape buffer feels more inviting.

Commissioner Sategna asked if the intent for the development of transit for the area described in the report in 2008 was ever adopted.

Ms. Jenkins understood that was a study commissioned by the Long-Range Planning Division but not formally adopted. She would confirm that and get back with them.

Commissioner Sategna referred to Ms. Jenkins reference of the General Plan. The Planning Commission has to look at whether these meet the set criteria. He asked her to indicate where this particular area and its intent is in the General Plan. He thought a section referenced protection overlays for example of 599 and that planning.

Ms. Jenkins explained the General Plan doesn't speak specifically to this particular site, but they are identified in the Plan as an infill area. The General Plan identifies areas that are not only infill but areas of primary growth.

Commissioner Sategna said he wanted to check because it does make specific reference to other overlay projects.

Ms. Jenkins offered to look at that.

PUBLIC HEARING

Chair Gutierrez said he and staff discussed allowing homeowner associations and neighborhood associations more time. He thought the best way to do that is allowing maximum of ten minutes and if there are more speakers, someone will have to yield their time. He asked if any of the 17 people wanting to speak were the president of an association that is speaking for the entire association.

Ms. Paez said she had about 32 hands requesting to speak. She suggested going down the list and then doing individuals.

Mr. Logston said in a conversation with Ed Aku Oppenheimer of the Candlelight Neighborhood Association, their individuals want to speak. They do not want to yield their time to one speaker.

Chair Gutierrez instructed Ms. Paez that when someone from an association is speaking someone will need to yield time if they need more than two minutes. Currently 35 people want to speak indicated they want to speak. He asked speakers to be concise and consider anything previously said and everyone will have two minutes to speak.

Mr. Berke explained the Candlelight Association requested, prior to the meeting, that their members be allowed to speak in an assigned order. He reviewed the order of the list of Candlelight speakers.

Chair Gutierrez said he was fine with that and confirmed the Commission had no objections. Ms. Paez offered to keep the two-minute timeclock.

Ed Aku Oppenheimer, 2129 Candelero Street, was sworn, he is the Vice President of the Candlelight Neighborhood Association (CAN). The CNA Board on December 15 asked the staff of the planning office if everything in the Zia Station preliminary filing were approved, what they could ask for in a future refiling to gain the developer something more. Neither Mr. Berke or Larson could think of a variance or exception that would be useful. It is all being asked for tonight in this request. The Zia Station proposal claims that all of the guidelines for development created cooperatively by the planners, legislators, regulators and citizens input for a safer more balanced development, are flawed. The filing argues the General Plan is wrong, the zoning is wrong, and the South Central Highway corridor protections are unnecessary for this property; and that the Zia Station should be developed in phases without a master plan, and at the developer's

discretion with re-filings. CNA thinks that the planners, regulators, and legislators have done a better job than that. For this reason, 96.8% of CAN voting members are signatories to the CNA Position Statement. It is exactly as it stands and explains why the changes sought tonight should not be approved. This statement asked that developers offer at least one alternative proposal that does not require the City to exclude the property from the South Central Highway Protection Corridor. A request that has never been granted. The LINK situation is different and requires more time. CNA supports the Zia Station proposal under current restrictions. If those protections are altered at the whim of the developer the entire City will have to deal with the consequences of a C2 PUD maximum density project built at this problematic intersection.

Barbara Levin, 2200 Ardor Street, was sworn, and is the former president of the Candlelight Neighborhood Association. The developer submitted City Council Resolution #20-44 to support their application. In the last "Whereas" particularly the phrase, *"harmonious development on the north and south side of Zia Road and Galisteo Road and Santa Fe Railway"* that would not have adverse impacts on the surrounding neighborhood. Exhibit A of this resolution shows the open space to low density residential on both the north and south side of Zia. Most of us don't oppose low density residential development on these lands. But we do oppose the outrageous overbuilding that would result, along with multiple traffic, safety, and health issues that will surely have adverse impacts on our neighborhoods. She was present at the 2009 Planning Commission meeting when the Rail Corridor plan was downgraded to a study after the neighborhoods critique. It was never approved by the Planning Commission. Your staff cited it as a study in the first reference but makes an obscure note that it was never approved, yet it appears in its entirety as an addendum. It is referenced in all of the Findings of Facts of the plan. We respectfully request all references to this document be removed from both the Findings of Fact and the addendums, since it has no relevance to the requested development. In 2013 our neighborhood received a letter from Mayor David Coss. It stated in part, *"In speaking with staff, the future land use map currently designates fixed use adjoining the Rail stock, the South side of Zia Road, and residential 3-7 units per acre on the vacant, privately owned land north and south on Zia Road. Mr. Liming stated to me that the map he showed you does not recommend, nor imply changing either of these designations. [She continued speaking after two minutes with time yielded from her husband who was to speak later.] In addition, it appears that rezoning may be necessary even to achieve these designations."* This would also illustrate the historic intent by City officials for these lots. This is 2013. The developers have proven false reasons for requesting a waiver of the Central Highway Protection District. While the neighborhoods physical environment has changed very little, we have lived through a year of COVID-19 isolation and numerous lifestyle changes. There is a greater need now for single-family homes since people are working and homeschooling, and a need to isolate within the home, if infected. During the majority of the 43 years, we have lived in this neighborhood at its best, this area as reflected by Santa Fe City plans, as single-family, low-density homes. This designation is most appropriate to complement our neighborhood.

Cheryl Gardopee, 1880 Brillante Lane, was sworn, and is board member of the Candlelight Neighborhood Association. Both the developers and City planners have presented a carefully distorted interpretation of the South Central Highway Corridor Protection District plan. They will have you believe throughout the document that the plan has been compromised repeatedly, is antiquated, and no longer considered valid. They suggest that Zia intersection was already included in the height adjustment made for a project at St. Michael's intersection. This is a complete fabrication presented as truth. The entire proposal depends on you believing these distortions. In fact, there is not yet a development within any of the corridor protection areas of the City allowed to remove land from the corridor. As recently as 2019 a sign was disallowed at Rodeo Road intersection because it violated provisions of the corridor protections. They are asking you for an extreme exemption to a major City ordinance and using words to appear it is a small shift. Merrick Brown bought the land knowing it lies within the protective area. The provisions of the corridor were developed over years with hundreds of citizens, city officials, professionals and businesses with careful consideration. The first document is 27 pages and the second is 217 pages from 2004. There are others as recently as 2017. Under Mayor Gonzales, the City Urban Land Use Committee reaffirmed the entire Corridor Protection District as part of the General Plan. There have been multiple public hearings over a 15-year period. We ask that you please not destroy a plan that has only been added to and refined with each review, to protect the entryways into our City, as well as protecting our neighborhoods from density degradation. Please don't be fooled by this collaboration of City officials and developers who find our protections to be an inconvenience. Our multiple requests to developers for a plan that complies with the current protections have gone unanswered.

Richard Wood, 2197 Lustre Court, in Candlelight, was sworn and is a retired mechanical engineer. He said he has over 25 years of first-hand experience on the subject roadways and his detailed traffic analysis is in the Commission packet. He could not in the time allotted, address all of the issues. Although the revised traffic plan presented today does address a few of the easier issues he raised. He encouraged the Commission to study his whole report. First, he wanted to correct something Ms. Jenkins said. She addressed the failure of the roadway for the traffic coming off Zia going onto St. Francis. But they didn't do anything to help the traffic coming off of St. Francis going on to Zia. That continues to be a failure. A responsible engineering approach would include a roadway master plan addressing all known problems of this intersection and road. You must ensure what is built by the builder now will not preclude needed improvements later. In particular there should be enough room left if the City decides to put in a continuous right turn lane off of St. Francis onto Zia. Building too close to Zia would not allow that. He also believes that New Mexico State law requires a review of projects impacting State Highways. That was not done. The proposed prohibition of left turns on Galisteo seem arbitrary. He asked if that is a path of least resistance rather than a choice for what is best for Santa Fe, our neighborhood, and their own tenants and what alternatives were considered. He has offered several alternatives in his report. He asked does the

developer really believe that the herd of 24-hour a day U-turns that would be caused by the left turn prohibition at Candelerero to the west and the Walgreen's parking lot to the east across St. Francis, would be safer for drivers, pedestrians and bicycles, more than the prohibited left turns. Eliminating the left turn allows the relocated Galisteo to be much narrower than the existing roadway given up and would be a net gain for the developer.

Alan Richardson, 2203 Brilliante Street, was sworn. His comments relate primarily to safety issues and the narrow view of the project impact. They know that providing for public safety is a primary responsibility of City government and he has time only to mention a few safety issues along the half mile between Vo Tech Road and Galisteo. The average daily traffic count is 17,100 vehicles with seven intersecting residential roads, there are no crosswalks, stop signs or stop lights. The posted speed limit is 35 miles an hour while the average speed is 45 mph with restricted views of pedestrians, vehicles and bicyclists. Periodically an ice-covered hill on Galisteo causes traffic backup past Escalante Street. Removing the South Central Highway protection corridor and changing the existing zoning to move the proposal forward, adds the following safety issues: increased traffic volume of 7,900 vehicles per day or more than 40%; multiple U-turns and restricted turns; no safety measures for bicyclists or pedestrians beyond the Zia and St. Francis area; ice-covered sidewalks along the south side of Zia Road after completion of phase two. A limited traffic study was completed that included a small portion of Zia Road identifying issues at Galisteo and Candelerero Streets. All other intersections with residential streets were excluded. No speed study was conducted. A comprehensive traffic safety study with a broader scope of work and input for the neighborhood should be completed. The identified issues need to be addressed prior to the proposal moving forward. He asked that the Commission do what is needed to ensure public safety.

Nathen Thomas, 2194 Lustre Court, was sworn in, and is the President of the Candlelight Neighborhood. He said he vehemently opposed the size and scope of the proposal. Neighborhood surveys show 96% of CNA neighbors are against the size as well, yet 87% of the neighborhood would welcome R5-R7 development. And most would welcome locally owned restaurants around the Zia Station. As testified in 1986, the City codified the South Central Highway Corridor which was reaffirmed in 1999 and again in 2017. Not only has this shaped St. Francis into the success of existing neighborhoods that it is, every developer has adhered to that ordinance until this ask for special treatment to gerrymander the properties out. In doing so, it opens these properties to the proposal of 245,000 ft.² of total roof area. Putting that in reference, the Chavez Center is only 177,000. If you consider the habitable square footage estimated at 479,000 feet, this proposal exceeds that by 320,000 ft.² or the size of the DeVargas Mall. With the focus of transit by automobile the project brings over 40% increase of daily traffic. The developer has to build parking garages equalin the size of the City's downtown parking garage on San Francisco Street. He asked how this could be a C2 proposal; the highest and best, for an existing R7 neighborhood.

Antoinette Shook, 2120 Candelero Street, was sworn in and is the secretary for the Candlelight Neighborhood Association. She said we have met several times with the developer and the Planning Commission on the part of CNA with thought of developing a plan in line with the established Candlelight Neighborhood. One discussion was in regard to affordable housing. The initial plan for affordable housing units was 15% of units for five years. The developers have changed the rental proposal to be 10% of the units for 10 years. She asked if that is legal after the developer's packet was sent to the public. In addition, this isn't truly following the Affordable Housing program because the developer will pay a fee in lieu. With the unexpected COVID 19 pandemic, families have been stuck at home and there is an outcry for more space. That is due to having minimal living space and no yard. We have a narrative of a housing shortage, so the developer decides to build more apartments. Jenkins Gavin talks about continuity of the established Candlelight Neighborhood on the north and south side of Zia, currently single-family homes. The proposal however is several rows of two-story houses that would abolish the mountain views and her privacy and others backed up to the proposed development. With two and three-story apartment buildings, it is not continuity. The current land use designation is low-density of 3-7 houses per acre, which is in keeping with the current neighborhood. She humbly asked the Chair and the commissioners to have dignity and discernment in regard to not bringing a hardship to the intersection and this neighborhood. She asked that they not remove the Highway and Corridor Protection Plan.

Chair Gutierrez clarified Ms. Shook had said she met with the Planning Commission, but she probably meant staff and planners from the City. This is the first time the project has been before the Planning Commission.

Margaret Marshall, 2172 Ojo Court, was sworn in and is a Candlelight Neighborhood Association board member. She is speaking not only for herself but on behalf of a large segment of the neighborhood. She adds her voice to those who previously spoke. She asked for the sake of the entire community of Santa Fe to keep the corridor protection in place. Ms. Jenkins feels this is a great project and exciting, but that is not the sentiment of my neighborhood overall. The packet for this meeting had comments and an 11-page overall endorsement on the Zia Station proposed project. Granted it included some minor suggestions for changes, but she asked the Commissioners to recognize that endorsement by a few individuals, including comments of those Ms. Jenkins added, do not represent the overall sentiment of the Candlelight Neighborhood. Those who weighed in opposed this project as proposed, even with modifications presented this evening. The density is untenable, the requested level of variances and rezoning is unacceptable. Since she has been attending these meetings from July 2019 to now, the neighborhood has expressed very clearly they do not want this density adjacent to our neighborhood. That has been reinforced with emails, formal discussions and surveys. This is not a project that the neighborhood wants, and we are the people who live here. The Planning Commission doesn't live here.

Deanna Einspahr, 725 Mesilla Road, was sworn in. She wanted to point out her concerns. When the St. Francis Corridor Protection District was first implemented there were a lot of planning meetings and input from the public committee hearings. Now this proposes to ditch that on a whim of this application before the Commission. That is not good governance. It is not just the developer and the neighbors that should be concerned about the area. It is how others see Santa Fe when first coming into town. Our citizens and officials and interested parties expressed a lot of concern about that. We care about that and it is unwise and terrible governance to bypass the input of the citizens to change this because it is somewhat inconvenient for the developer to satisfy the requirements. Another point she wanted to make is that the Planning Commission should determine whether on this development the City staff have advised the developer properly on requirements. St. Francis Drive is a State Highway. She thought that staff has not done due diligence, so the Planning Commission needs to do their due diligence.

Mr. Berke explained the process for telephone callers who wished to speak.

RG Wakeland, 2305 Calle de Sol, was sworn. He said none of these five cases can be approved if you accept for the purpose of argument, without admitting that all of developer's facts and conclusions are true. That is because all of them rely on the repositioning of Galisteo Road to solve the increase in traffic problems. However, developers did not request moving the road. They simply stated they hope the road will be moved after the five cases are approved via a separate request under Section 23-1.2 vacation. The City cannot issue hypothetical or contingent changes to the General Plan, or to the City Code. Likewise, the developer's lot land adjustment plan would not cause the vacation or movement of Galisteo Road. Additionally, Section 23-1.2 applies only if *"there are reversionary rates in the grantors."* No such rights exist because the City owns Galisteo Road property via a 1980 plat which reserved no reversionary rights. County Records #461337338, Book 82, page 15 states, *"Owners and proprietors do hereby dedicate to the public for its use, forever, the streets herein shown."* Neither would the approval of all five cases, qualify Galisteo Road for vacating, under State Statute Section 6726 and 6727. This requires the road not be used, or that the road is a hazard to public health. Therefore, approval of the 5 cases is impossible.

Eric Wolf, 2959 Viaje Pavo Rael, Santa Fe 87505 was sworn. He has lived in Santa Fe for over 37 years, currently in the Via Caballero neighborhood two miles from the intersection of Zia and St. Francis. The proposed development is not in his backyard and he and his hundreds of neighbors drive through that intersection on most days, usually more than once, risking their lives with drivers racing to get through the intersection at over 50 miles an hour. The area has a number of safety concerns already in this development would make them worse and increase the City's liability for future deaths and injuries. The opening of Zia Station was delayed repeatedly due to safety issues and usage concerns, and still have not been fully addressed. There have been fatal accidents at the crossing, and more are likely to occur as a result of this development. He supports the comments made by the other speakers.

Michael Margolis, 2154 Caballero Street, was sworn. We live in Santa Fe in a complex urban ecosystem that involves both natural and human components. The word ecosystem comes from the root word *house* or *household*. We can agree that we must strive for a harmony and balance with all of the ecological components of our whole we call Santa Fe. She has owned a house in the Candlelight neighborhood for almost 30 years. Surely, SF Brown and his agents and the Commission know that ownership is just an illusion in the bigger picture. We are at best, custodians of the land deeded in our name. Good custodians honor, protect and respect the views and feelings of their close land neighbors who share this ecosystem. She is one of at least 60 people in the neighborhood who has not been listened to or respected in regard to this. The proposal is monstrously out of proportioned, high density development that is adjacent to our quiet little neighborhood. We ask that you reconsider and deny the approval of this rezoning proposal as well as the removal of the land from the South Highway Protective Corridor. This protective ordinance specifically states it is to be in place, "*as the area around it develops.*" It is not contingent on any development, including the Zia Rail Runner stop. We all need to understand that we do not really ever own the land, it is the land that owns us. Just visit our neighbors at Memorial Gardens if you need a reminder. It might be good for your soul.

Mara Christian Harris, 2185 Candelero Street, was sworn in. She went to *strongtowns.org* in preparation for her remarks tonight. They advocate for planning that makes the city stronger and more financially resilient. One tenet is that no neighborhood should experience radical change and no neighborhood should be exempt from change. She is here to assert, yes, we have a responsibility as residents to be open to change. She thinks as proposed the development is far too dense. It creates radical change for our neighborhood, manifested by density, height, traffic, safety and many other issues identified tonight. Our challenge is to find a way to work together. Most of us understand that some development needs to happen, but the density of this particular development would create a lot of change for this neighborhood. She asked that the Commission look into traffic. Specifically, how traffic from the north side of Galisteo that has to go west will be able to turn around so they can go north, east and south on St. Francis. She also would ask what the actual height is of the three-story buildings on the north side. She heard that it reads as a second story, but she doesn't know the actual height. She said she recognizes there are people opposed outright. She also recognizes that the winds of change are strong, and something will be built there. She wants to find how as a group they can come together to make this work.

Tiago Arrais, 1907 Calle Miguella, was sworn in. He lives in the southside of the Candlelight neighborhood. He thought Ms. Jenkins seemed a good person and was confident in the project. It is beautiful and he could see why people would be excited. But he wanted to give the Planning Commission and audience a sense of what it means to live in Santa Fe. He bought a house with his wife and two small kids because they wanted a view of the Southwest and they moved to Santa Fe to experience the City Different.

They wanted to live away from busyness, traffic and stress for mountain views and peace. Frequently he takes his kids on the Rail Trail to look at the mountains and watch the sunset. He grieves that with this project some of what brought them to Santa Fe in the first place will be lost. We are discussing a high-density project of 400 units. Every drawing shown on screen eclipses the mountains in the background. The true question to him is what the philosophy is in Santa Fe regarding possible approval of something like this. It completely jeopardizes what the City represents for people who move here. He is embarrassed how easy it is to discuss possibly approving a project like this. It goes against the nature of the City and why people move here. He asked if it is a question of philosophy, or if it is money. He asked what is at stake if they move forward with this, because it's obviously not stewardship. It is not a sense of the culture in Santa Fe. He wants to understand the need for businesses and adding jobs, but they have the Midtown project area still undeveloped and abandoned. This project would work great there without jeopardizing the view and the landscape of what we have here.

Delbert and Nicole Conn, were sworn in.

Delbert Conn, II, 2635 Via Caballero del Norte, said we do need housing, but we don't need all the rental housing. Instead of all the one-bedroom apartments, they should build two-bedroom apartments and fewer of them. There are a lot of apartments and residents on Governor Miles, Siler Road and other places. It isn't necessary to pack this property with apartments. We need to pack it with people living in their own homes, not rentals. He also has a lot of questions about the parking there.

Nicole Conn, same address, said she listened very carefully to Mr. Roach in the previous discussion about water resources. If we are truly trying to attract and develop more affordable housing, that is where the water resources should go, not to 10% of the housing units, but 50-75 percent. She understands the developer/property owner has been sitting on the land for 20 years and wants to make the best use and make as much money as possible. But our goal is more affordable housing. Also, she would note that the intersection at Zia and St. Francis is one block south of where the most accidents occur in the City. That is anecdotal from firemen at the scene of the accidents. She asked why they would have a three-lane road that spins into St. Francis. It seems to just move a terrible problem closer. Those are the points she wanted to make.

Lynn Kelly, 1932 Calle Miguella was sworn in. She owns her house in the Candlelight district. Generally, she is a pedestrian and wants to speak to those concerns. One is the important pedestrian and bicycle path called the Rail Trail. It is heavily used from downtown and unbroken all the way to Lamy on both sides of Zia. Should this project happen there should be no impediment to bike or foot traffic, even during construction. Walls or fences should be built between the apartments and buildings in the path; no construction materials left along the path, as was the case in the recently built Broadgate Rodeo complex. There are all kinds of materials along the Rail Trail. Tenants should also not consider the path their personal dog latrine, as has happened in the Rodeo

complex. If stores are built on the south side of Zia, there should be no congregating or gathering along the paths as accidents are bound to happen with people zipping through on their bikes. She would hate to see that. If granted, the company must provide trash cans and recycling for the increased amount of litter there will be, especially on the south side. Also, increased traffic due to density will make the red arrow for the right-hand turn onto Zia more dangerous. Pedestrians, bicyclists, dog walkers, and she is among them, have almost been harmed or killed.

Rick Martinez, 725 Mesilla Road, was sworn in. He wanted to respond to staff claims of a big mistake in the original zoning. There have been changes in the surrounding area altering the character to such an extent to justify a zoning change. Staff said that since the mid-80s the development intensity has moved further south along the St. Francis Drive corridor and there has been an increase in commercial and housing density there. They also stated several times that the character of St. Francis Drive has changed and that multi-family homes are plentiful in the southern St. Francis corridor, especially on the east side. Yet along St. Francis Drive no one has asked to be removed or been granted removal from the southwest corridor because of a traffic corridor change. He also wanted to point out the misconception that the Midtown Link is somehow connected to this development. In a 2019 amendment the City allowed the Midtown Link overlay provisions to supersede the South Central overlay. There were 3 buildings along the south side of Pacheco Street in the Midtown Link that were never removed from the south St. Francis Drive corridor in final approval. That was made public when the Midtown Link was created and was the reason it was done. It has nothing to do with this development. He added we are being deceived of the fact that there was no certified topographical map, reading plan, scope analysis in the packet. The developer states that the north parcel on St. Francis will be graded and only one and a half stories will be visible. But they never talk about the south which is higher in elevation than the north parcel. The south parcel is only a conceptual plan and the developer can return to the Planning Commission to ask for four stories since the parcels will be removed from the South-Central Corridor.

Nat Dean, PO Box 1888, Santa Fe, was sworn. There have been many references to another plaza. Many of the plazas in the development plans have failed and examples are Aldea, Southside, etc. The \$150,000 for housing affordability is penny candy. The traffic is consistently deadly at this intersection and lights do not, as the developer said, "force" vehicles to stop. Unfortunately, bodies don't either. There is no mention of Pacifica, a memory care and assisted living facility. They don't monitor their residents as they walk outside the building. In addition, Los Alamos is not served by the Rail Runner now and was the focal point of the developer's, as residents.

Anthony Guida, 1711 Second Street, and President of Nonprofit Friends of Architecture Santa Fe was sworn in. He said he wanted to approach this differently. We are in the middle of a global climate crisis. Building construction and energy use alone are responsible for 40% of global greenhouse gas emissions that cause climate change.

Transportation is another 25%. How we design our built environment is literally a matter of life and death. Locally it is also a matter of addressing a profound inequity and shortage in housing for a growing population. As an architect advocating for the environment, and greater equity it is inseparable from his professional duties, related to public health, safety and welfare. Change is hard but density is good and what is proposed is not over scaled and certainly not in this context. Transit oriented and multi-modal development, denser urban infill of existing sites and urban infrastructure, mixed uses and complete streets are planning strategies that dramatically reduce carbon emissions. The planet and Santa Fe can no longer afford to maintain or continue low density auto-centric 20th Century patterns of development. Especially single-family zoning. These things only make housing less affordable, less equitable and horrifically unsustainable. Reducing density in response to fear of increased car traffic. And by the way, why are we protecting an automobile highway, only puts us further away from the types of density that make walkability and lower carbon development attainable. He supports the development and others like it for the community. He wished the project were greater in density with more affordable uses, had less parking and more green space and was built to a standard of NetZero energy and water. That would further benefit the positive environmental impact. He urged the Commission to vote in favor of density.

William Kessler, 356 West Zia Road, was sworn in. He lives in the area with his wife and two kids that will be impacted, east of St. Francis Drive. He is in favor of the development and the associated changes. He believes higher density infill makes sense at this location. There are utilities nearby. The development is close to the train and Rail Trail, roadways, and some schools. Density makes sense versus sprawl. There were a lot of people who talked about stewardship of the land. He would point out that these types of developments typically use less water per capita and have less footprint than the equivalent of single-family homes. Also, this type of development will allow young people and families to move to this neighborhood. That will be good for the community and the local schools that have declining enrollment and, as a parent, appeals to him. He believes the zoning changes are appropriate and supports them.

Sterling Grogan, 2138 Candelero St. was sworn in. His property is approximately 300 feet west of the north parcel of the Zia Station property. He is an ecologist with over 40 years of experience with arroyo erosion in Northern New Mexico. He thanked Mr. Logston, Mr. Berke and Ms. Jenkins for their professional handling of the public's involvement in this controversial project. He wanted to comment on condition #12 in the staff report. He submitted a memorandum earlier to the Commission that identifies severe bank corrosion in the Arroyo de la Chamisos on the Zia Station property. The erosion is a hazard consistent with the City's new Arroyo and Drainage Management Plan. The analysis of the Santa Fe Watershed Association shows the cause of the erosion lies upstream of the Zia Station property. A natural gas pipeline crossing has two undersized culverts that is constricting high flows and accelerating velocity. That has caused severe bank corrosion downstream and the bank stabilization required by condition #12 will not address the cause of the erosion. The bank may be washed out by future flood events.

He was told by Ms. Jenkins that Zia Station is willing to work with staff, the Watershed Association and neighbors to correct the cause. He is asking therefore, that the Planning Commission implore the Governing Body direct staff to develop a plan and funding to address the pipeline crossing.

Ben Williams, 2367 Camino Capitan, was sworn in. He lives in a neighborhood adjacent to Candlelight. He said first, he is not against the development of the land parcel per se but would have fewer problems if a low to medium density proposal. He said instead we are facing a reckless stampede into high density development that will have multiple adverse impacts. It is almost as if the community was ignored entirely and the developer raised the Candlelight district up front. He said we can talk about the negative aesthetic effect of the proposal on one of the main approaches to the USA's most historic small towns. Visitors will get to see ugly three-story condos instead of sweeping plains and mountains. And they can talk about how the developer is asking for special treatment in a cavalier manner and cannot be responsible for the Commission granting what amounts to carte blanche licensing. We can talk about the negative quality of life that impacts this development plan, among which is the traffic. The developer's representative kept saying "pedestrian", but did you notice the number of new parking spaces in the underground parking lot. This development will bring thousands of new cars onto our streets. The agent said this project fixes traffic issues. That is contrary to common sense. He asked, how do you fix traffic issues by adding 1000 cars. Pollution will rise, pedestrians will suffer, pets will be run over, and children will be at risk. The supposed improvements to the intersections have no real consideration when weighed against the health and quality-of-life liabilities the community has suffered. He noted that Mr. Logston said this is not an easy decision and he disagrees. It is a very easy decision. The developers should come back with a much changed more sensible low impact plan. Ms. Jenkins called the development beautiful but that is in the eye of the beholder. He said all I saw tonight was ugly developer profits at the expense of a settled, well-planned, community. The decision tonight is, "No, we will not set a torch to the Candlelight District."

Tai Bixby, 05 Calle Pinonero in Sol y Lomas, was sworn in. He lives about a half mile from the site and was in favor of the project and density. He is a realtor not speaking on behalf of the association. However, his association produced a study in December 2020 that demonstrates a demand for an additional 7000 housing units in this market. People who do not live in the 7000 missing houses are driving to Albuquerque or Rio Rancho. So, there is a tremendous amount of traffic. People who work here need a place to live here. He said he also has kids, and they need a place to live. Today's children need a nice neighborhood and tomorrow will need a house to live in and jobs. It is good to build 330 units on a small piece of land instead of a mile and a half. The project is good, and he is in favor of using land in the City. The density is good for business and reduces traffic and a reduction in the carbon footprint. He thanked the Commission and Land Use Planning staff for their work. They are doing a service and we shouldn't abuse them because they might leave and then they will end up with people who don't know what they are doing. This staff is competent, and he has seen their

decisions are based on Land Use Planning instead of impassioned speeches. He is hoping they make the right decision, follow the Code, follow the General Plan, and use their authority to do something good for the community.

Randall Bell, 2991 Viaje Pavo Real, was sworn and spoke as the President of the Old Santa Fe Association (OSFA) on their behalf. He strongly wanted to indicate OSFA's support for the position of the Candlelight Neighborhood Association. They seem to have virtually unanimous agreement and many of them have spoken tonight. These drastic changes to an existing General Plan and long-standing significant corridor protection ordinance should not be thrown out on a whim to satisfy the needs or desires of the developer. The larger community must be considered as well as the corridor protection. A corridor protection has never been removed in Santa Fe and doing so would be terrible. He urged the Commission not to undo the corridor protection. Santa Fe is a rare and special community and is known as the City Different because of that. They have always prized its openness, and viewsheds. He urged the Commission to read the preliminary intention statement of the Corridor Protection Plan that illuminates its purpose.

Marline Marquez Scally, 2142 Candelero Street, was sworn in. She stated she has lived here for the past 10 years. She asked that they imagine the intersection of Zia and St. Francis and turning right going downhill on Zia. You come to the first entrance of the Candelero horseshoe and once through, there is an exit point. The limited traffic study that was done has a severe problem. She requested the study be redone to reflect current times. She added there are two entrances/exits. The fact that we will be prohibited from turning left off the first Candelero exit means we have to turn right. Doing so requires a bizarre U-turn to join the four lanes of traffic, three which turn left on St. Francis and one turns right. The danger of that area is severe. It ices in the winter before you get to the railroad tracks so imagine two, three or four lanes icing up and cars spinning their wheels and veering to the right or left. That gives her great concern. She asked that the Commission consider that Governor Miles Roadway is being built up and there will be hundreds of single residences built there.

Cindy Gregory, 2132 Candelero, was sworn in. Her concerns were pedestrian and cyclist safety in the northern parcel. She has walked every inch of that area and there is no way to get anywhere useful and it doesn't feel safe. We are landlocked between the railroad tracks, the neighborhood and Zia and there is no direct pedestrian access to the Rail Trail, the St. Francis tunnel, Milagro Middle School, St. Michael's, the hospital, shopping, etc. and even to the developers own dog park. The only choice for pedestrians is to detour a quarter mile out of your way to get 30 feet. Or you can scale the steep, sharp rocks of the railbed, which she has done, or you can cross deadly arterials. Suggesting this is a walkable neighborhood is laughable. New Mexico has the awful distinction of being the State with the highest per capita death rate for walkers and cyclists in the country for 3 years in a row. In Santa Fe County, our intersections are near the top of the naughty list. Packing in a density of people, next to the railroad tracks and busy

streets with all of the pedestrian attractions on the other side, seems a recipe for tragedy. Please reduce the density of the north parcel.

Nancy Scheer, 1894 Esplendor, was sworn in. She said she's lived there for 30 years at the west end of the Candlelight neighborhood. She opposes the density of the development and the increased traffic that will result. She hopes there can be negotiation to lower the density by the type of building. There are traffic safety issues in the west end of the neighborhood as well as St. Francis and Zia intersections. The curve in Zia makes it difficult to see oncoming traffic headed west. Adding traffic will make it more difficult to turn onto Zia without pulling in front of a vehicle headed west. It is not the developer's fault that most drivers go 45 or 50 miles an hour in a 35 mile an hour zone. But it is something the City should address and makes it difficult for someone to pull onto the street safely. Those on the south side of Zia will have to turn right and go east if they want to go west. They will have to make U-turns at other intersections or go to Galisteo over to Rodeo to go west. That adds even more traffic to Galisteo and is an extreme inconvenience. Also, traffic noise has increased tremendously over the years and will be even more with added traffic and housing units. A lower density will cut out some of the traffic and as a result, some of the noise. The noise affects their quality of life.

Justin Robison, 1111 Agua Fria Street, was sworn in and is the Executive Director of the Housing Trust in Santa Fe. The City has continually faced challenges of making the City a better, more equitable and accessible place for all. One big challenge is to increase housing availability. The lack of housing drives up prices and rents in the City. We also need to make the community a greener place to live and denser housing is an answer. But the main thing he wants to address is the issue of affordability of what is proposed. He finds it an effective and innovative way to address the affordable challenges developers face today. Without going down the rabbit hole of technicalities, their commitment to making their rents match fair market rents, will greatly facilitate the availability and accessibility of these units on Housing Choice vouchers. Those are also known as Section 8 vouchers. Along with that, by paying into the Affordable Housing Trust Fund for one third of the units is a clever and innovative way for a developer to address the AH issues. Most developers choose to pay the fee in lieu, in its entirety. This developer has committed to keeping many units available to those on vouchers. He applauds that effort and wants to express his support for that innovation.

William Greg, 1879 Brillante Lane, was sworn in. He said first he would ask what the point is of having statutes on the books if you don't follow them. He asked if it is a question of having money trumping principles. Secondly, he previously sent a letter, but wanted to be on record again, requesting a reasonable timeline be established for construction for the project. The original timeline presented was 7 to 10 years. That is an excessive amount of time to be subjected to the ongoing noise, dust and construction traffic. He proposed limiting the construction on the project to no more than three years, which does not seem that restrictive.

Ed Romero, 3456 Via Magdalene, was sworn in and is the Executive Director of Santa Fe Civic Housing Authority (SFCHA). They maintain the Housing Choice voucher and are big fans of infill projects for the many reasons already stated. Predominantly he wanted to point out that the Housing Choice voucher is no longer a housing choice voucher, particularly in Santa Fe. The ability to choose the neighborhood a client might want to live in is impossible. There are few units built east of Airport and Cerrillos Road. This project gives our residents a choice to live in neighborhoods that may be closer to their families, infrastructure, schools or jobs.

Joseph Montoya, 1012 [inaudible] was sworn in. He wanted to speak about the development in the context of the General Plan. He was the Community Services Director when the General Plan was created. Also, he headed A Thousand Friends of New Mexico, whose idea was to support and preserve pristine open spaces, and increase the vitality of our neighborhoods, cities and towns. The enemy of that is low density sprawl. He said this development he would call moderate density and it provides walkability and housing opportunities for the City that is desperately needed. This kind of development will preserve that for our children in the future. He encouraged the principles of providing spaces, housing, economic development, and a healthy walkable environment. That was incorporated into the General Plan and is what you see in this development. This project is what they were looking for when the plan was created through hundreds of meetings. He supports the development. As the Director of the Santa Fe County Housing Authority, he agrees with Ed they have where to put their housing vouchers. More places are needed and more choices for that to happen.

Joan Conrow, 2521 Calle De Rincon Bonito, was sworn in. She shared the concerns in regard to the emphasis on one-bedroom apartments, and especially increased traffic density. She said like 96% of her neighbors, she believes the land should remain in the highway protected corridor. If the developer and city planners believe the corridor is outdated it should be reviewed and considered publicly, not gutted piecemeal. Her primary concern is the developer wants so much but gives little in return. He bought the land knowing about the protected corridor and low-density zoning. There has been no sufficient rationale to justify his request for massive entitlement. It seems unfair that our low-key neighborhood will be so greatly impacted so the developer can achieve maximum profit. Simply being local does not justify this kind of handout. We have never said no to development but want something compatible with the existing neighborhood. She urged the Commission to ask the developer to work with the community for something more appropriate to the existing neighborhoods.

Christine Malcolm, 1874 [inaudible] was sworn in. She has been at her address since 1989. She said the presentation did not mention anything about Zia and Candelero in two sections; the north side of the neighborhood has only two entrance/exits. That is a safety issue, and a light is needed at the intersection. Due to the proposed Galisteo Street nearby and the U-turn to accommodate the apartment/townhouse they will be locked in. With all three being in close proximity it will be even more difficult leaving from

the northern part of Candelero on Zia to make a left on St. Francis. We were already having a problem with that. They moved the hawk light pedestrian crossing from Candelero and Zia to Galisteo/Zia intersection and that is not what is stated in the plan. Ms. Jenkins avoided addressing the impact of the development beyond Galisteo. It extends down Zia well beyond that. The developer says changes are a good thing for the City and provides advantages to adjoining neighborhoods. The disadvantages considerably outweigh the advantages to our neighboring communities. There have been many changes to this area in the last 20 years. Even with the noise and traffic increased, we accepted this. However, this change is extreme and not compliant with Codes. There will be exponential increase in traffic. She couldn't imagine more traffic and the associated noise. If the project is approved it poses a danger to our safety and damage to our property and compromises our rights to the enjoyment of our property. She said she didn't buy a house to live in a bustling neighborhood.

Nate Crail, 829 Dunlap Street, was sworn in. He is in his early 20s and cares about an equitable environment and inclusive housing future. More affordable housing is imperative. Low density, single family housing is unsustainable and not climate resilient. The traffic issues can be ameliorated and shouldn't be an impediment for this development. According to the 2020 Santa Fe Housing Report, in 2019 vacancy rates were 2.3% for the County compared to the State rate of 3.5%. A vacancy rate under 5% is considered a supply constrained market. We need more rental housing and density. Also, a recent podcast on the Good of 99% Invisible, highlighted the City's affordable housing crisis and ever higher cost of living in Santa Fe. He asked who do we want Santa Fe to be for; do we want the City to be known as a high cost place; do you want to be inclusive for development or maintain drastic inequality of the status quo; and do you want a space for young people and renters. He hoped those questions would be considered and the Commission approved the development.

Jodie Densmore, 2309 Calle de Pacifica, was sworn in. She opposed the project for the sheer size and density. She said Ms. Jenkins talked about the traffic being fixed. That is impossible with 384 units, that is if one unit only has one car. We know that is not the counting business traffic. This is a very dangerous intersection and will uptick the traffic on Zia all the way across. She is in the La Paz neighborhood and they will be affected all the way back there. On the point about our serene and beautiful city, she would be very sad to see yet another large development obstructing the beautiful mountains and sky we moved here for. She supports the protection of the corridor and the other comments of those opposed to the project. She asked what would make this developer so special the City fails to honor the low density zone. And there is still a huge issue about water and regardless of what is said on the security of water, there is no such thing when it is not being replenished due to climate change. The amount of water for these huge developments is of great concern. There are constant articles and studies specifically about the Southwest and New Mexico. We must consider the water. As a 20-year resident and homeowner in Santa Fe she opposed this monstrosity and danger-inducing project.

Pamela Shaeffer, 1892 Esplendor Street, was sworn. She has lived on this street for 28 years on the west end of the Candlelight Neighborhood. She stands by the CNA position statement and feels the density of the project is not in conjunction with our neighborhood. She said she is not opposed to development but wanted it to be kept at a much more reduced density. Developers knew the zoning when they purchased the property. She said she wanted to concentrate on the pedestrian impact on the west end of the neighborhood and impact on bicycle riders. She walks across Zia from Portobello to Candelero and walks the loop at this end of the development. The current traffic at the Zia intersection makes it very difficult to cross, and there is no cross block nearby. The additional high volume of traffic on Zia will make it even more treacherous and nearly impossible to cross. Second, she also rides her bike in the eastbound bike lane eastbound to get to the Rail Trail. She is concerned about the wide turning radius vehicles, including large trucks making U-turns. The vehicles cannot turn within the two lanes and will encroach on the bicycle lane. That will be disastrous for bicyclists who run a real risk of being struck by the vehicle. Those are two more safety concerns.

Dan Schultz, 1919 Calle Miguela, was sworn in. He opposed the project and agreed with everything in regard to the ethical, legal, and aesthetic irresponsibility of approving either the zoning change or the proposed plan. He pointed out it is impossible to approve the plan, possibly even the zoning change, without a serious study of how it will be possible for hundreds of people to get to Chaparral Elementary School. They cannot turn left on Zia, leaving only one way to get there which will turn neighborhood streets into commuter streets.

Heather Volz, 2170 Candelero Street, was sworn. She commented on stormwater runoff. This project is a huge change from porous to nonporous surfaces and she noted the earlier comparison of the roof area of DeVargas Mall. A huge rainstorm a few years ago flooded the area to the west affecting the neighborhood. The arroyo was barely able to drain the area during a flood event and planning must be considered to mitigate future property damage due to flooding. That should include possible downstream impacts to City property, the Arroyo Chamiso, Santa Fe High School and the Vo Tech Bridge that is already eroding. She strongly encouraged a smaller footprint and a plan for stormwater runoff and possible consideration of rainwater harvesting, etc.

Anne Watkins had technical difficulties and wasn't able to speak, however, she provided written comments after the meeting which are attached hereto as Exhibit "7".

Cristina Gonzalez, 1873 Candela Street, was sworn in. She said as a resident of Candlelight neighborhood, the association doesn't speak for her. She knows a lot of the residents have said they oppose the project. She speaks in favor of the project and on behalf of those who are seeking housing. Those voices have thus far been silenced. She works in education in Santa Fe and more housing is needed for educators like herself, and young families. She supports the project and understands her neighbors concerns

on the traffic and safety. It is terrifying for her children along Zia walking to the Rail Trail or Albertsons. She thought Ms. Jenkins did a good job of talking about the setbacks and how those were exceeded, and a lot of her concerns were addressed. Particularly when Ms. Jenkins talked about the landscape buffer and extra wide sidewalks. She said the Commission is in a difficult position and she appreciates their service.

Stefanie Beninato, PO Box 1601, Santa Fe, was sworn in. She lives in South Capitol but uses the intersection frequently to get to the Chavez Center and as a bicyclist, she agreed it is a challenge to get across Zia. Also, she wanted to mention this is being improperly presented by lay people. A case in a 2009 New Mexico Court of Appeals, Lee vs Catron, clearly states that lay people cannot represent other laypeople in front of an administrative body or at a judicial hearing. So, the entire meeting should be rescheduled. The developer needs to hire a lawyer and have JenkinsGavin be the witnesses. Also, per the Rules Office the project should have less density. Having 5 changes to zoning and variances show that this is not appropriate. Studios and one-bedrooms are not going to bring families. She said it wasn't mentioned that the rates remain in place for a long time. She explained the timing of the gates being lowered when the train comes and the backup resulting in the turning lane on St. Francis. The gates work differently at South Capitol and there is a shorter time that gates obstruct the traffic.

Victoria Maiolo-Putnam, 1898 Esplendor Street, was sworn. She has lived in the Candlelight neighborhood at this address for 30 years and appreciates the neighborhood just as it is. She preferred R5 - R7 zoning stay the same and continue with low density housing, which to her means no apartments. She could appreciate a lot of the proposal for the south side but was opposed to the dense building on the north. The traffic at this intersection is already a significant clog at peak hours now. When the COVID restrictions are lifted and businesses and schools are in full operation the number of accidents will increase and pedestrians will be in danger. She asked the Commission to consider that.

James Shook, 2120 Candelero Street, was sworn in. He is a lifelong resident of this beautiful City and State. He fought for his country and has shed a lot of tears and blood. He thanked everyone for listening and said people living in the neighborhood are good, honest working people. That is not to say that those who would occupy the proposed buildings would not be. He wanted everyone to know that the neighborhood has on numerous occasions, lent a helping hand and it is a wonderful experience. But the traffic is disgusting. He waited and waited for his turn and he didn't understand why the City has yet to understand what is happening there. It will get a lot worse if you add another 400 homes. The people in this community paid a lot of money to live here and he pays a lot of taxes. People understand that those making the decisions don't live here and the developers don't live here. They don't know what it is like to deal with this traffic. He wanted everyone to know, if they build the building behind him, there will be some ramifications.

Marium Corneli, 2639 Via Berrenda, was sworn in. She said several important things we heard, we need more housing, we need infill not sprawl, and we need a modified development integrated into our neighborhood and pedestrian neighborhoods. She thought the pedestrian idea was great, but it has to be integrated into the rest of the community. It cannot be only one pod when we cannot walk to the Albertsons across the street without getting run over. She commended JenkinsGavin for the idea of sustainability but thought the project doesn't address that problem. Last week's newspapers said forest fires are increasing and the forest is in danger. We are in a huge global warming crisis; the Rio Grande is drying up. Looking around you can see that the climate is changing. The project doesn't seem to have emphasis on rain catchment, water harvesting, integrated land-use, plant growth, native species, solar collection, passive solar. She implored the Commission not only to consider maintaining the beautiful views and reducing the three and four-story buildings but to look ahead 20-50 years. Things will be hotter in New Mexico and we have to set a precedent to educate and inform people about our cultural values that go back millennia. They cannot just fall into beautiful architecture as a selling point. We need to look deeper and broader and more thoroughly at what Santa Fe has to offer our community and our world.

Jeri Lyn Morning Salazar, 2101 Vo Tech Road, was sworn. She opposed the plan and the zoning changes. She quoted Aldo Leopold, *"When we see land as a community to which we belong, we may begin to use it with love and respect."* He also said, *"We abuse land because we regard it as a commodity belonging to us."* There have been so many community members tonight that have asked for love and respect. The open space that will be eliminated through the culmination of this project is important to the beauty and the soul of the City. Also, they will illuminate the wildlife living in the open space they call home. We have so few beautiful open spaces left in Santa Fe and this amazing undeveloped land is truly fantastic. She hoped that the City considers purchasing the property from the developer to continue it as open space. As an educator she understands to gain some kind of connection to the land you should be within it. She encouraged people to walk through it, it is beautiful.

Ann Beauchamp, 1863 Camino Lumbre, was sworn in. She lives in the Candlelight neighborhood. The proposal needs more work to address traffic and U-turn concerns and pedestrian safety. She also wanted to give attention to water catchment, water runoff issues, the health of the arroyo and water pressure issues. She suggested they consider incorporating now in the project water catchment, solar opportunities and other issues that will assist in the future. Finally, she likes the aesthetics of being able to see the mountains from her window or when walking down the street. The three-story building on the south side will obstruct her view and she is uneasy about something that tall and the aesthetics of that. She supports higher density in general because of the need and wanted to see more space for families.

COMMISSION DISCUSSION

Commissioner Faulkner suggested they discuss because of the hour and size of the case, how long they should continue this hearing session.

Commissioner Chavez agreed. There is a lot of public input and a lot to consider and review.

Vice Chair Hogan said there is a lot and many questions. They need adequate time to consider those. But he wanted to get a few things on the table to provide direction for further discussion.

Commissioner Sategna agreed with Commissioner Hogan. He has questions he would like to ask while fresh on his mind so the applicant could follow up.

Commissioner Garcia agreed staff should be given direction of what it is the Commission is looking for. This is a big development.

Commissioner Lawrence asked staff about the next agenda because she thought the agenda has been published. She was concerned if the discussion could be continued in the next meeting.

Chair Gutierrez said he would like this case to be on the next agenda if possible.

Mr. Berke replied this has been publicly noticed as a hearing and the Commission could postpone to the next meeting. The same publication deadlines do not have to be followed and staff can amend the next meeting's agenda.

Ms. Paez agreed. She recommended the motion maker postpone and be clear as to whether public comment would be reopened.

Mr. Berke noted that there are no new cases in March and that time is open. Also, they could do this on February 18, and he would change the meetings on the agenda at that time to be heard in March. Having everything on the next agenda would be too much because the cases on the agenda are large.

Commissioner Clow would prefer this be heard at the next meeting and the cases on the February 18 agenda be moved to March. Commissioner Faulkner agreed.

Director Isaacson wondered if the Commission was up to taking on the questions around the General Plan amendment in the next hour. Unless they felt all the cases were intertwined and had to be tackled simultaneously.

Chair Gutierrez suggested starting with questions from the Commissioners that might provide an indication of how many questions relate to the General Plan amendment.

Commissioner Faulkner suggested discussing a stop time.

Commissioner Sategna suggested given Ms. Paez's suggestion of five minutes for each Commissioner they would be under 30 minutes. He wanted to get a sense of the type of questions and context for the next meeting.

Chair Gutierrez seeing no further comment, closed the public hearing.

Commissioner Faulkner asked the process to set an end time.

Ms. Paez explained there was no rule unless they wanted to follow the Governing Body rule that anything not considered before 11:30 pm would require a motion to extend the time. A Commissioner can move to postpone at any time.

The Commissioners discussed the time needed to ask a few questions and after a five-minute break from 10:08 -10:13 p.m. continued their business.

Mr. Berke suggested postponing the meeting so the Commissioners could formulate their questions from the public comment and Commission packet. He was concerned there may be more questions than five minutes allows, and those questions could lead to more.

Chair Gutierrez said they are not looking for answers this evening, the Commissioners will ask questions they have about the plan.

Commissioner Sategna said his questions are around height restrictions and the height restrictions of the current corridor protection. He asked what makes the project infeasible under the current corridor protection within the criteria their neighbors across the street used to develop under the same SCHC. Another argument is that the General Plan supports infill and future growth. But the General Plan states in Chapter 4, Growth Management, by the definition of increased densities, "*In both infill and future growth areas, the City must encourage higher densities of residential commercial development than existing zoning often allows.*" However, in the next sentence, "*This approach does not necessarily require greater building height, but rather greater massing on specifically identified infill sites within the urban area.*" He was interested in their response given that was used to promote this project and the recommendations to the Governing Body approving the amendments supported by the infill. Somehow this excludes the greater building heights, but the General Plan clearly states this approach does not necessarily require greater building height. He is trying to understand the argument being made from that front.

Commissioner Sategna said he is also interested in the elementary school mentioned and the forced turning for three lanes. He isn't sure how that will work and wants that addressed.

Commissioner Clow asked about the viability of the project if the third story was eliminated on the south side buildings fronting St. Francis. And, assuming the townhouses will be sold, why are some of those not affordable housing.

Commissioner Garcia said he had questions on the South Central Corridor, including the height restrictions. He asked how the height of the current buildings work within the current topography in relation to other buildings such as Albertson's. There was a lot of discussion on the height of buildings in the Midtown Link and he is interested in that discussion. Ms. Jenkins addressed the traffic on Zia and the traffic impact analysis, but there seems to be a lot of traffic on St. Francis he would like addressed. Lastly, he wants to know more about moving Galisteo, and if that is permissible for the developer to do legally.

Commissioner Chavez said one of her questions is the right in and right out from Galisteo. Public comments mentioned U-turns and she has concerns about U-turns in regard to school traffic and the increase in traffic and whether that had been considered. She also wants to know how that looks on the east side of Zia because both directions of the road will see an increase of U-turns because of the right-in right out only. She wanted to know if the safety of pedestrians was examined for those crossing St. Francis and about the traffic involved in pulling more people from the east side of Zia going to the development.

Commissioner Piccarello wanted more information about the construction timelines impact to the Rail Trail and surrounding circulation network. She asked for more clarification on the arroyo issue upstream with the pipeline about the applicant's role; more information on the open spaces on site and the percentage calculated as retention basins and if other uses will be built into the stormwater runoff and drainage swales. She also shares the concerns on the easement and thought it helpful if she could see a graphic.

Commissioner Faulkner said there was discussion from the public of the concept that Santa Fe is a small town, and they want it to stay small. She asked that staff provides information on the point that a town become a city. That concept initiates a certain way of thinking about planning and the amount of housing and infrastructure needed. Also, she wanted to know if possible to identify the difference in the housing needs in 1985 when the SCHC (South Central Highway Corridor) was created versus now and how towns of similar sizes have addressed something similar. One public comment said that the City Council affirmed the SCHC in 2017 and she would like that confirmed. That would help determine which documents hold authority.

Commissioner Lawrence had questions for staff for background information on the SCHC overlay and the re-affirmations in 1999 and 2017; information if possible on similar examples of rezoning like this, outside of an overlay zone. She sees the Link overlap examples as different and as conflicting overlay zones rather than deciding a subsection of property should not be part of the overlay zone. She is curious if there are other examples in the City.

Vice Chair Hogan said this is a fun project because it embraces a lot of issues facing Santa Fe now. He thought this was a great location for density because of the multi-modal aspects and location. He doesn't understand the no left turn and how you can get from phase 1 and phase 2 without going around the block. It would be helpful to have scenarios showing how the traffic will work. He participated in the Highway Corridor overlay development and is fairly certain the document has language saying it should be revisited regularly because of changes over time. Pedestrian safety is a concern. These are big roads, and he sees a lot of pedestrian maneuvering on the west side of St. Francis. He asked to see scenarios of how people would go from one place to another. Also, the architectural style he is most concerned about is the three-story apartment buildings. He thought in looking at the illustrations compared to the site plan, a lot of site development needs to happen and the perspective going down the hill toward Zia, may be harsher than intended. In general, he liked the thoughts that went into the concept.

Chair Gutierrez said he is interested in the pedestrian safety and how they would get across St. Francis to the Albertsons. There was no tradeoff for density. He would like them to consider making this a more LEED friendly project. He wanted to learn more about the arroyo and if condition #12 is a safety issue; what prohibits the applicant from being transit focused, and to see what the project could have looked like if it were through the SCHC.

Chair Gutierrez indicated Commissioners could send any other questions that came up later and he was sure that staff and the applicant would try to answer them.

Commissioner Sategna asked if the project should be approved. One of the documents points to the 2008 study that made recommendations for the area. That included more targeted underground pathways to get to the other side of the street. One such underground tunnel currently exists further down from the development. He asked what is being proposed by the developers that would meet the recommendations from the 2008 study.

Vice Chair Hogan said he had failed to mention something to the applicant. He said as he was looking at the development and how the edges of the project intersected particularly with the neighbors, the logic was sound, but the understanding of the offset of heights in elevation is not clear. He suggested the applicant provide the Commission with sections to give them a sense of how the topography and existing houses, etc. match

up. He added that he was not concerned with the three-stories because it supports the density they want there.

Ms. Jenkins encouraged additional questions be conveyed to Mr. Berke who would pass them on to her. She said they are dedicated to providing all the answers at the next hearing the Commission deserves.

Ms. Paez suggested language for the motion.

MOTION: In Cases 2020-2898, North Zia Station General Plan Amendment; 2020-2914, South Zia Station General Plan Amendment; 2020-2899, Zia Station Rezoning; 2020-2900, Zia Station Rezoning; and 2020-2901, Preliminary Development Plan, Commissioner Hogan moved to postpone to a date certain of February 18, 2021 to continue deliberations and questions with staff and applicant and without a public hearing. The motion was seconded by Commissioner Sategna.

Commissioner Faulkner said she was okay with the motion but not the exclusion of the community and a public hearing. The point of this is to give everyone the opportunity, including the Commission, to reflect on this. She suggested because this is it would seem unfair not to give the community as much time as they give the applicants.

Ms. Paez suggested an option to allow written public comment to be submitted by the normal deadline instead of reopening oral public comments.

Commissioner Clow added otherwise, the Commission will be in the same boat and three hours into public comment and too tired to discuss the substance. She noted that nothing is being done that would be different other than hearing the case over two meetings opposed to one, because the public comment was long and extensive.

Ms. Paez asked the maker of the motion and second if amenable to allow written comments by the deadline on Monday at 5:00 p.m., but not have a hearing.

Commissioner Hogan said he supports the written comment and was very much against reopening the public hearing. Commissioner Sategna did not accept the friendly amendment.

Commissioner Garcia said his thought was there could be someone who had no opportunity participate in this meeting and could participate in the next meeting.

Mr. Berke reminded Commissioners this request would be going before City Council and there will be other public hearings. He thought opening this to another public hearing at the next meeting could put the Commission in the same place they are tonight,

and it could possibly go longer. He suggested taking written comments as long as they were not duplicating what has been submitted. He noted the packet contained 80 pages of comments and he suspected those same comments would come back through. He asked that clear direction be given to staff so they could prepare for the next meeting.

Commissioner Faulkner said as the person who offered the amendment, she would amend that to written comments that are not duplicates of those previously submitted.

Erik Aune, MPO Director, said he would be remiss without making a quick statement. He has observed closely what has been a fair and thoughtful process. To the caller who made a blatant statement of threat and violence; that is not what the City represents. He thought perhaps it should be called out that will not be condoned.

Director Isaacson said what is important is there will be no new information between this meeting and the next and additional public comment may not be required. The Commissioners have identified the trends that emerged in the issues. He understands the spirit of having public comment but wasn't sure how productive that would be. He would hate for the Commission to be in the same situation and too tired to make recommendations.

Commissioner Sategna said he does not support the friendly amendment that he did appreciate Commissioner Faulkner's intent. He sees this as a continuation of a meeting and the public comment as closed. The commission will go back to looking at the evidence provided in the public comment that exists from this meeting and continue with their normal process, which is not taking further public comment. He also has concerns how staff could manage receiving multiple letters and cross referencing who actually spoke. The process should not be overcomplicated.

Commissioner Clow called the motion.

Ms. Paez explained calling the motion closes the debate on the floor and a vote should be taken on the motion on the floor that has been discussed.

VOTE: The motion to postpone to a date certain of February 18, 2021 to continue deliberations of the applicant and staff and with no public hearing, passed by unanimous roll call vote with Commissioners Chavez, Clow, Faulkner, Garcia, Hogan, Lawrence, Piccarello and Sategna voting in favor and none voting against.

H. STAFF COMMUNICATIONS

Mr. Berke clarified that the next meeting agenda will be amended to include these cases that are postponed. Staff will notify the current applicants on the next meeting

agenda that their cases will be postponed until the meeting in March. In response to inquiry by Commissioner Hogan, he indicated the two cases currently on the next agenda have no pressing deadlines.

I. MATTERS FROM THE COMMISSION

Commissioner Faulkner thanked staff, fellow Commissioners and Chair Gutierrez the responsible way they went through the cases.

Commissioner Sategna said he raised the concern with some of staff that having almost a 900-page document and only six days to review such an important decision, is not workable. He thought for future cases how they approach recommendations to the Governing Body with multiple facets to a development, in addition to questions within Chapter 14 ordinances being questioned, is a lot to take on.

He wanted for public record, to look at other ways to approach this. This has made it very difficult for him to wrap his head around. This is a very important decision that will be a huge statement to our community, and how we decide this will set precedent. He asked that they look at avoiding these situations in the future.

Commissioner Clow said the report was well done and very organized and easy to follow. The Findings of Fact and Conclusions of Law were very helpful and made everything clearer. This was complicated the way it was put together made it much easier.

Director Isaacson added tremendous kudos to Lee Logston on his work. This is a complex case with many moving parts that they have not had in a long time. The staff report is a testament to Lee's understanding of the case and the issues. He simplified it in a way that brought people up to speed quickly. It was a very nice job, and the introduction was well done.

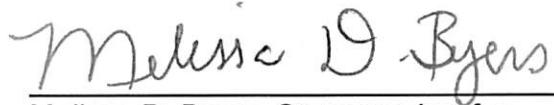
Ms. Paez said she was thinking about how lucky the Commission is to have such a good stenographer in Melissa. The job she does keeping them on track and the notes and minutes she provides are excellent.

Chair Gutierrez thanked everyone for making the first full meeting with him as chair easy.

J. ADJOURNMENT

Adjourned at 11:00 pm.

Submitted by:



Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:



Brian Gutierrez, Chair