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PLANNING COMMISSION MINUTES
JANUARY 6, 2022**

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MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, January 6, 2022 - 6:00 pm
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 Janet Clow, Secretary
Commissioner Pilar Faulkner
Commissioner Jessica Lawrence
Commissioner Dan Pava

Members Absent

Commissioner Mark Hogan, Vice Chair
Commissioner Dominic Sategna (excused)
Two vacancies

Others Present:

Mr. Jason Kluck, Interim Land Use Director
Mr. Daniel Esquibel, Senior Planner
Ms. Patricia Feghali, 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 Pava led the pledge of allegiance.

C. APPROVAL OF AGENDA

Mr. Esquibel said the applicant requested that the first project be postponed to February 3, 2022 to further address Code Requirements.

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

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

D. APPROVAL OF MINUTES

1. December 2, 2021

MOTION: Commissioner Faulkner moved to approve the minutes of December 2, 2021 as presented. Commissioner Lawrence seconded the motion.

VOTE: The motion passed by majority roll call vote with Commissioners Faulkner, Lawrence, Pava and Commissioner Gutierrez voting in favor and none voting against. Commissioner Clow abstained.

E. APPROVAL OF FINDINGS/CONCLUSIONS

None

F. OLD BUSINESS

None

G. NEW BUSINESS

1. **Case #2021-4377. Caja del Oro Subdivision General Plan Amendment.** James Siebert, of James W. Siebert and Associates, Inc., Agent, for the Pulte Homes of New Mexico, Applicant, requests approval of a General Plan Future Land Use Map Amendment to change the Future Land Use Classification from Very Low Density Residential (1-3 dwelling units per acre) to Medium Density Residential (7-12 dwelling units per acre). The property is approximately 16.21 acres of land on eight individual lots (to be consolidated). The properties are located at 1905, 1950, 0, 0 and 1941 Caja del Oro Grant Road and 4, 5 & 7 Hernandez Road. (Donna Wynant, Case Manager). **POSTPONED FROM DECEMBER 2, 2021**

2. **Case #2021-4378. Caja del Oro Subdivision Rezoning.** James Siebert, of James W. Siebert and Associates, Inc., Agent, for the Pulte Homes of New Mexico, Applicant, requests rezoning approval from R-1 (Residential-1 dwelling unit per acre) to R-10 (Residential- 10 dwelling units per acre) and C-2 (General Commercial) to R-10 (Residential-10 dwelling units per

acre). The property is approximately 16.21 acres of land on eight individual lots (to be consolidated). The properties are located at 1905, 1950, 0, 0 and 1941 Caja del Oro Grant Road and 4, 5 & 7 Hernandez Road. (Donna Wynant, Case Manager). **POSTPONED FROM DECEMBER 2, 2021**

3. **Case #2021-4379. Caja del Oro Subdivision Preliminary Development Plan.** James Siebert, of James W. Siebert and Associates, Inc., Agent, for the Pulte Homes of New Mexico, Applicant, requests approval of a Development Plan for an 88 single-family home development. The property is approximately 16.21 acres of land on eight individual lots (to be consolidated). The properties are located at 1905, 1950, 0, 0 and 1941 Caja del Oro Grant Road and 4, 5 & 7 Hernandez Road. (Donna Wynant, Case Manager) **POSTPONED FROM DECEMBER 2, 2021**

4. **Case #2021-4381. Caja del Oro Subdivision Preliminary Subdivision Plat.** James Siebert, of James W. Siebert and Associates, Inc., Agent, for the Pulte Group Homes of New Mexico, Applicant, requests approval of a Preliminary Subdivision Plat for 88 single-family lots. The property is approximately 16.21 acres of land on eight individual lots (to be consolidated). The properties are located at 1905, 1950, 0, 0 and 1941 Caja del Oro Grant Road and 4, 5 & 7 Hernandez Road. (Donna Wynant, Case Manager). **POSTPONED FROM DECEMBER 2, 2021**

The Caja del Oro Cases were postponed to February 3, 2022, at the request of the applicant.

5. **Case #2021-4550. 6421 and 6423 Airport Road Esplanade Village Development Plan Amendment.** Mifsud Associates Architects, LLC, Agent, for Esplanade Development, LLC, Owner, requests approval of a development plan amendment for a 9,000 square foot commercial addition at 6421 and 6423 Airport Road. The properties are zoned SC-1 (Neighborhood Shopping Center District) and are within the Airport Road Overlay District. (Donna Wynant, Case Manager)

EXECUTIVE SUMMARY

This application is a request for a development plan amendment for the property located at 6421 and 6423 Airport Road. The project is an expansion of the existing AutoZone store located at 6421 Airport Road. The new addition will function as a "Hub Store", which is a mini-warehouse, and will have approximately five vans that will be delivering parts to local mechanic shops as well as their other AutoZone stores in the area. They plan to acquire the adjacent Lot 1 of the subdivision, which is currently vacant, to expand their existing store. The property is zoned SC-1 (Neighborhood Shopping Center). The Development Plan for the existing facility was approved by the Planning Commission on February 4, 2010 and the Development Plan was recorded May of 2010. The proposed use is permitted in the SC-1 district as an addition onto an existing retail space. The

AutoZone store was built prior to the adoption of the Airport Road Overlay District in 2013. SFCC 1987 Section 14-5(C)(3) states that "additions to or remodeling of existing buildings shall comply with the provisions of this subsection" (i.e., the Airport Road Overlay District) "to the extent practical or feasible as determined by the land use director."

The proposed development plan requires Planning Commission approval as it will be cumulative construction exceeding 10,000 square feet per SFCC 1987 Section 14-3.8(B)(5) in the C-2 district within 200 feet of a residential district. SFCC 1987 Section 14-3.19(D)(1) states that development plan amendments "*shall be the same as those that apply to a new application for the type of approval proposed for amendment, unless a specific alternative procedure is provided in this section or elsewhere in Chapter 14.*" The Commission's review of this development plan amendment will therefore focus on compatibility with surrounding uses and consistency with applicable site design standards.

If the Planning Commission approves the Development Plan Amendment, the applicant will then make an application to consolidate the 6421 Airport Road with the adjacent vacant lot, 6423 Airport Road, for the proposed expansion, which is an administrative process that is reviewed and approved by the Land Use Director. The development plan will then be recorded, and the project will proceed to construction permit review. No other public review procedures apply to this project.

STAFF RECOMMENDATION

Staff's analysis found that the applicant has addressed the necessary findings per SFCC 1987 Section 14-3.8(D) "Approval Criteria and Conditions" and recommended **APPROVAL** subject to conditions of approval identified in Section II of the staff report and technical corrections in Exhibit B of the staff report.

APPLICANT'S PRESENTATION

Paul Mifsud, 557 Onate Place, Santa Fe was sworn in. He said his firm was involved before the original development plan was obtained. They are trying to purchase the lot next door to expand the hub store. Basically, this will be a warehouse to supply and deliver auto parts to other stores and mechanics. The addition will be entirely warehouse and will not add retail space, traffic, etc., but they will add parking.

PUBLIC HEARING

There were no public comments, therefore, the public hearing was closed.

COMMISSION DISCUSSION

Chair Gutierrez asked if the Airport Overlay would apply to the new building.

Ms. Wynant said it would. A section of the Code for Airport Road Overlays regarding applicability, says, "*as much as you can make it adhere to that*". One of the big things they failed to comply with is not having double loaded parking in the front. The overlay has several things that make it look more unique than a strip mall. Loading areas are on the side of buildings and requirements for landscaping, and direct pedestrian access. They would like to see another sidewalk to the development and a right-out turn to provide better direct pedestrian access straight into the building. They reviewed the overlay conditions, and the applicant has adhered to the standards as much as possible with their architecture and layout.

Chair Gutierrez asked if there were illustrations available.

Ms. Wynant showed the development drawing. She explained this had been one shopping center and this proposal will subdivide it with joint parking. The existing building and parking were shown. The attempt with the overlay is for buildings to be closer to the street. This is before the Commission because the addition is 9000 square feet. As a hub store it is still retail but gives more space. They will have a number of vehicles to deliver product.

Chair Gutierrez asked if there is an illustration showing the western most entrance. He noted when people miss the entrance it causes trouble. He asked if that had been addressed.

Ms. Wynant showed the zoning map. She noted that the intersection with the traffic light was adjusted.

Chair Gutierrez pointed out the problem at the exit. It is a right-out only and when people miss the light, they try to go into the facility. That causes accidents and should be addressed.

Ms. Wynant showed a Google Earth aerial.

Mr. Mifsud recalled that the city traffic engineer required the right-out so that Fire and Waste Removal would not have to turn around.

Chair Gutierrez for the record, noted the location of the danger.

Ms. Wynant offered to note that as it goes through the development review team. She said there may be options they could take to avoid accidents.

Chair Gutierrez reopened the public hearing for a call-in attendee. The attendee was unable to connect, and the public hearing was closed.

Commissioner Pava commented on the right-turn only comment and that he has recently driven by it. He failed to notice if a sign is displayed at the entrance of the

business. If there is no sign, that may be a partial solution. If there is, possibly the sign could be enlarged.

MOTION: Commissioner Faulkner moved to approve the development plan amendment for Case #2021-4550. Commissioner Clow seconded the motion.

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

MOTION: Commissioner Faulkner moved to Approve the Findings of Fact and Conclusions of Law for Case #2021-4550. Commissioner Clow seconded the motion.

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

6. **Case #2021-4545. Aleksander Estates Subdivision Final Development Plan.** Montoya Land Use Consulting, Agent, Next Generation Contracting, Inc., Owner, requests final development plan approval for a subdivision of 59 single-family residential lots on approximately 8.38 acres. The property is zoned R-7 (Residential- seven dwelling units per acre) and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager)
7. **Case #2021-4546. Aleksander Estates Final Subdivision Plat.** Montoya Land Use Consulting, Agent, for Next Generation Contracting, Inc., Owner, requests final subdivision plat approval for 59 single-family residential lots on approximately 8.38 acres of vacant land. The property is zoned R-7 (Residential- seven dwelling units per acre) and is located on the east side of Kates Way, north of South Meadows Road. (Donna Wynant, AICP, Case Manager)

EXECUTIVE SUMMARY

At their August 5, 2021 meeting, the Planning Commission approved the preliminary development plan and preliminary subdivision and recommended the Governing Body approve the General Plan Amendment, Rezoning and Preliminary Development Plan at their October 27, 2021 meeting.

The proposal consisted of the following applications:

- **General Plan Amendment:** from Low Density (1 dwelling unit per acre & 1-3 dwelling units per acre) to Moderate Density Residential (3-7 dwelling units per acre)
- **Rezoning:** R-1 (one dwelling unit per acre) to R-7 (seven dwelling units per acre)

- **Preliminary Development Plan:** Proposed 59 lot residential subdivision.
- **Preliminary Subdivision:** Proposed 59 single family residential lots.

The Governing Body held a public hearing on October 27, 2021 and unanimously approved the general plan amendment, the rezoning request, and the preliminary development plan subject to the conditions of approval and technical corrections and adopted the findings of the Planning Commission.

With the approval of the Governing Body of the General Plan Amendment, Rezoning, and Preliminary Development Plan, the application is now submitted back to the Planning Commission for their review of the final development plan and final subdivision.

This proposal therefore consists of the following two applications:

- **Final Development Plan:** Proposed 59 lot residential subdivision.
- **Final Subdivision:** Proposed 59 single family residential lots.

Consideration of the final plat involves evaluation of conformity with the preliminary plat.

STAFF RECOMMENDATION

The Commission should **APPROVE** the final development plan (Case #2021-4545) and **APPROVE** the final subdivision plat (Case #2021-4546) with the conditions of approval and technical corrections listed in this report.

APPLICANT'S PRESENTATION

Monica Montoya, 726 Gregory Lane, was sworn. She noted Oralynn Guerrerortiz and the Project Traffic Engineer, Bert Thomas were also present.

She shared a brief presentation and provided an overview of the project and the location and a display of the final subdivision design. She described the architectural design. She said they worked with staff throughout the design process. There were conditions of approval. She displayed the design of the revised plans which were specifically for the benefit of the City. She described the design along 599 to provide a wider pedestrian trail and sidewalk connection from the southwest corner to the project. The utilities will be extended to the neighbor's property on the west side, and they will address the redlined corrections noted by staff. Previous homes by the developer in the area were displayed to show the quality and amenities the Commission could expect.

Ms. Montoya stood for questions.

PUBLIC HEARING

There were no comments, therefore, Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Commissioner Lawrence asked if the pedestrian trail along 599 ends, or will it connect to an existing trail closer to the roundabout area.

Ms. Montoya said the intent is to continue the design without disruption to connect to the existing road and sidewalk.

Commissioner Lawrence confirmed they will connect with the existing sidewalk.

Commissioner Pava asked the price range for the single-family residences.

Ms. Montoya said it would be difficult to commit to a price, but the contractor tends to be a little lower than the average. The price range has not yet been decided but will be a market subdivision.

Commissioner Pava said a median price in the City of Santa Fe is \$535,000. He is encouraged with the density of this development and this developer; prices will be below that. The average household income in Santa Fe is in the low \$60's, and a median price home would require \$100,000 dollars down. He hoped some of the product built will be below that.

Ms. Montoya said she knows it will be below the market but could not commit to a price.

Commissioner Pava said from the aerials you can see a mega apartment complex under construction in the area will be heavily developed. He is encouraged there will be provisions for alternate access and pedestrian needs. The Commission needs to ensure there is a provision for safe bicycle, pedestrian, and school routes.

Chair Gutierrez asked what number of homes will be affordable.

Ms. Montoya replied 12 units will be affordable.

Chair Gutierrez said he knows improvements are slated for Agua Fria and South Meadows and has asked staff for an update.

Director Kluck said he was the project manager for Fire Station 2 closest to the roundabout. That design is complete. He asked that Ms. Montoya and Ms. Guerrerortiz coordinate the new roadway and pedestrian path with Sam Burnett in Facilities.

Audra Gallegos tried to connect but was unable to.

Leroy Pacheco, 313 Lomita was sworn. He indicated he received a text from Audra Gallegos who said she is having microphone issues.

Chair Gutierrez repeated his question to Mr. Pacheco for an update.

Mr. Pacheco said there are two development projects happening and the final design will improve the intersections at Agua Fria and South Meadows, and Agua Fria and Cottonwood. He received an email from the Public Works Director on the Agua Fria/South Meadows project. He said for the record, they are in final design and moving forward to funding for construction. He offered to provide a written document if needed.

MOTION: Commissioner Lawrence moved to approve the final development plan for Case #2021-4545 and moved to approve the final subdivision plat for Case #2021-4546, subject to the conditions of approval and technical corrections recommended by staff. Commissioner Faulkner seconded the motions.

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

MOTION: Commissioner Lawrence moved to approve the Findings of Fact and Conclusions of Law for Cases #2021-4545 and #2021-4546. Commissioner Faulkner seconded the motion.

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

8. **Case #2021-4548. Plaza del Monte Final Development Plan.** JenkinsGavin, Inc., Agent, for Plaza del Monte, LLC, Owner, requests approval of a final development plan to establish development standards for 30 residential lots located at Camino Santiago and Bishop's Lodge Road. The property is zoned R-29 (Residential – twenty-nine dwelling units per acre), is within the Downtown and Eastside Historic District, and is approximately 6.62 acres. (Daniel Alvarado, Case Manager)

9. **Case #2021-4549. Plaza del Monte Final Subdivision.** JenkinsGavin, Inc., Agent, for Plaza del Monte, LLC, Owner, requests approval of a final subdivision plat for 30 residential lots located at Camino Santiago and Bishop's Lodge Road. The property is zoned R-29 (Residential – twenty-nine dwelling units per acre), is within the Downtown and Eastside Historic District, and is approximately 6.62 acres. (Daniel Alvarado, Case Manager)

EXECUTIVE SUMMARY

The proposed project is a conversion of a condominium complex into individual properties in a subdivision. Existing structures include 21 detached, single-family homes, two duplexes, three fourplexes, and one freestanding garage/carport structure. The Applicant proposes to subdivide the property into 30 lots, to include 21 existing detached homes,

conversion of duplexes and four-plexes into 8 homes with attached guest units, and the creation of one new vacant lot. Planned site improvements include the creation of a pocket park, reconstruction of the two existing private roadways (Camino Santiago and Camino Matias), construction of sidewalks and guest parking areas, replacement of fencing, and sewer system upgrades.

In order to achieve this, in addition to the subdivision, the Applicant is proposing a development plan and final subdivision plan to establish custom dimensional standards in order to work around existing conditions and historic standards. The **preliminary subdivision, preliminary development plan, and the innovative street design proposal** were all approved at the Planning Commission meeting on November 4th, 2021.

STAFF RECOMMENDATION

Staff recommended **APPROVAL** of the final development plan for Case #2021-4248, subject to conditions of approval and technical corrections outlined in this report.

Staff recommended **APPROVAL** of the final subdivision plat for Case #2020-4249, with the conditions of approval and technical corrections listed in this report.

APPLICANT'S PRESENTATION

Jennifer Jenkins, 130 Grant Avenue was sworn. She said she represented Plaza del Monte and prepared a presentation. She left it up to the Commission if they wanted to hear it.

PUBLIC HEARING

Nicole Danti asked to see the presentation.

Ms. Jenkins shared her screen and reviewed the site location. She described the existing residential project of 27 dwellings of detached casitas, duplexes and four-plexes. The property has existing water lines and sewer. All the structures have been through a historic status review with the Historic Review Board. She pointed out the noncontributing and contributing structures. The site will not change dramatically, and the applicant went through great lengths to preserve the vegetation. The main access points were indicated off Bishop's Lodge Road. Sidewalk improvements and new sidewalks will be added. An appropriate pedestrian path through the compound has been established as well as roadway improvements and upgrades to fencing. The City of Santa Fe will replace the existing water line. The existing pocket park will be improved, and on street guest parking will be provided. There will be six of the 30 dwellings affordably priced as established by HUD. They are working with the existing residents to enable those interested to become homeowners.

Penelope Perryman, 109 Camino Matias, said she is within the existing residential neighborhood. She wanted to add the local color for those who do not know. The

neighborhood was constructed in 1950 by the Presbyterian Church to house missionaries and were built to be affordable. It has never been privately owned since 1950. There are no walls between the houses and the front yard and the street. It was built to be a neighborhood community and she looked forward to that being retained.

Chair Gutierrez closed the public hearing.

COMMISSION DISCUSSION

Commissioner Pava asked if the guesthouses would be subject to the Short-Term Rental (STR) Ordinance. He was trying to understand whether these would be guesthouses or potentially short-term rental units.

Ms. Jenkins explained some of the buildings are fourplexes. Those will be converted into two primary dwellings with an attached accessory dwelling to rent or for someone with an aging parent. There will be a couple of those on the affordable side as well. The terms for guesthouses are interchangeable with accessory dwelling units. With respect to STRs, any pursuit of that is subject to licensing. There will be a homeowner's association, and some do not permit short-term rentals. The community will self-govern how they want to regulate that.

Mr. Alvarado added that the regulation for Short Term Rentals is subject to the Ordinance and a permit is required and there must be more than 50 feet from other STRs.

MOTION: Commissioner Clow moved to approve Case #2021-4548, Final Development Plan and Case #2021-4549, Final Subdivision, subject to the conditions of approval and technical corrections recommended by staff. Commissioner Lawrence seconded the motion.

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

It was noted that the case numbers as stated are the correct case numbers.

MOTION: Commissioner Clow moved to approve the Findings of Fact and Conclusions of Law in Case #2021-4548, Exhibit A(1) Final Development Plan, and Case #2021-4549, Exhibit A(2) Final Subdivision. Commissioner Lawrence seconded the motion.

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

H. STAFF COMMUNICATIONS

Mr. Esquibel indicated there is a case scheduled for January 20, 2022, and there is a heavy schedule for the meeting on February 3, 2022.

I. MATTERS FROM THE COMMISSION

Commissioner Faulkner provided an update on the Policy Committee. She said they are on hold because of the new administration and new hires. Activity will probably pick up in mid-February. More information on one of the initiatives would be provided at the next meeting.

She said the legislature is starting and her attendance at Commission meetings will depend on the legislature.

Director Kluck said letters of interest for new Commissioners are due January 14, 2022. They will have new commissioners and appointments in place by February.

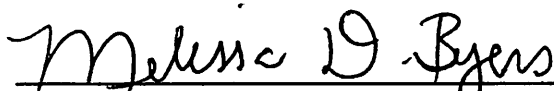
Chair Gutierrez welcomed Mr. Alvarado.

Mr. Alvarado introduced himself and shared his previous work experience.

J. ADJOURNMENT

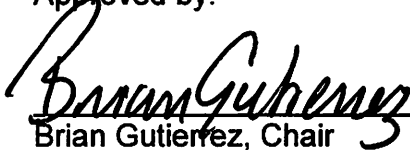
Chair Gutierrez adjourned the meeting at 7:28 pm.

Submitted by:



Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:



Brian Gutierrez, Chair