

MINUTES OF THE
SANTA FE COUNTY
PLANNING COMMISSION

Santa Fe, New Mexico

December 20, 2018

I. This meeting of the Santa Fe County Planning Commission called to order by Charlie Gonzales, Chair, on the above-cited date at approximately 4:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

II. Roll call preceded the Pledge of Allegiance and indicated the presence of a quorum as follows:

Members Present:

Charlie Gonzales, Chair
Frank Katz, Vice Chair
Filandro "Phil" Anaya
Rena Gray
Leroy Lopez
Susan Martin
Steve Shepherd

Member(s) Excused:

None

Staff Present:

Vicki Lucero, Building & Services Manager
Jose Larrañaga, Development Review Specialist
Nathan Manzanares, Development Review Specialist
Tony Flores, Deputy County Manager
Eric Ames, Assistant County Attorney
Jaome Blay, Fire Marshal

IV. Approval of Agenda

Vicki Lucero noted that there were no changes to agenda. The agenda was accepted by consensus.

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V. Approval of Minutes: October 18, 2018

Member Katz noted that on page 6, it should read, “I’m perfectly happy to have Stephen do it”, with that change he moved to approve the October minutes as amended. Member Martin seconded and the motion passed by unanimous [7-0] voice vote.

VI. Consent Calendar: Final Orders

- A. **Case # CUP 18-5050 PNM BB2 345kV Transmission Line Project Conditional Use Permit.** PNM, applicant, Laurie Moye, Agent, are requesting a Conditional Use Permit to construct approximately 31 miles of new single-circuit 345kV transmission line in southern Santa Fe County. The proposed transmission line will connect PNM’s existing Clines Corners 345kV Switching Station (within Santa Fe County) to a new switching station within Sandoval County. The new single-circuit transmission line will be located immediately adjacent to the existing BB 345kV transmission line on a separate 150’ easement. The steel “H” frame structures (140 pole sites) will be constructed 120’ to 150’ in height.

The proposed 31-mile transmission line will meander through State Land (2.5 miles) and through parcels that are zoned Agricultural/Ranching and Rural (31 miles). Ordinance No. 2016-9, the Sustainable Land development Code, Appendix B, Use Matrix, identifies high-voltage electric power transmission lines as a Conditional Use within these Zoning Districts. The proposed transmission line will run east to west within southern Santa Fe County, north of Stanley and north of Golden, meandering through approximately 25 separate parcels of land, within T 10, R 7, 8, 9, 10, 11 E, T 11, R 7, 8, 9, 10, 11 E and T 12 N, R 7, 8, 9, 10, 11 E, SDA-3 (Commission District 3) Jose Larrañaga, Case Manager (Approved 6-0)

Member Shepherd moved to accept the findings of fact and Member Martin seconded. The motion carried unanimously.

VI. OLD BUSINESS

- A. **Case #18-5030 Bruno’s Self Storage Conditional Use Permit:** Vincent Marchi, Applicant, Land Development Planning, Agent, requests approval of a Conditional Use Permit per Chapter 4, Section 4.9.6 Conditional Use Permits (CUP); Chapter 9.8, Table 9-8-15 (Use Table); and Chapter 10, Section 10.13 (Self-Storage Facilities) to allow a 174-unit self-storage facility with an office/residence totaling 33,130 square feet at full build-out on 3.09 acres. The site is within the La Cienega and La Cieneguilla District Overlay and is zoned Commercial Neighborhood (CN). The site is located at 4 Erica Road

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**via the I-25 Frontage Road within Township 16 North, Range 8 East,
Section 26, SDA-2 (Commission District 3)**

Member Martin moved to reconvene the hearing on CIP 18 5030, Bruno Self-Storage. Member Katz seconded and the motion passed by unanimous voice vote.

NATHAN MANZANARES (Case Manager): Chair Gonzales, on October 18, 2018, the Santa Fe Planning Commission met on this case. The Planning Commission tabled the conditional use permit and requested that their concerns and the concerns of the neighbors in opposition be addressed before the CUP project be reheard by the board. The applicant has provided revised plans and an updated memo to staff addressing the concerns brought up by the Planning Commission members and neighbors in opposition during the October 18, 2018 meeting. Staff has analyzed the updated material provided by the applicant as contained in the report addressing the concerns brought up during the previous hearing of this case and finds that the applicant has sufficiently addressed the concerns brought up by the Commission members and the neighbors in opposition and issued a recommendation for approval of the applicant's conditional use permit.

Mr. Chair, staff recommends approval of the applicant's request for a conditional use permit subject to the conditions contained in the report with the exception to condition number 10, to be rephrased and stated,

10. All storage units within the facility must be utilized for storage purposes only. No generator use or vehicle repair of any kind will be allowed, including within the owner's personal storage unit classified as Building F. This condition shall be noted and recorded on the conditional use permit mylar.

Chair Gonzales, I stand for any questions at this time.

CHAIR GONZALES: Okay. Thank you, Nathan. Does the Commission have any questions of staff? Mr. Katz.

MEMBER KATZ: As part of that condition that you just read us, do you want to add something about having this specified in the leases, so that we don't run into any confusion with tenants thinking that they can do something that they can't do?

MR. MANZANARES: Member Katz, I believe that was noted in the lease agreement that was handed out just now by the applicant's agent. It was not an exhibit in your packet.

MEMBER KATZ: We don't have it.

MR. MANZANARES: You do not have it? Mr. Chair, the applicant also address the generator use in that lease as well.

MEMBER KATZ: Thank you.

CHAIR GONZALES: Any other questions of staff from the Commission? Okay. Thank you, Nathan. Danny, whenever you're ready.

[Duly sworn, Danny Martinez testified as follows:]

DANNY MARTINEZ: Mr. Chair, members of the Commission, again, we are back over here to follow up with our request. We were tabled. Our attempt to reissue an amendment to answer your concerns. The questions that were posed before us, the modifications on the development plan, I think we pretty much cleared everything up on our part over here. The only issue that we had was on the personal use of his self-storage unit. Mr. Marchi has agreed that he will not use that unit for anything other than rental

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outside of his own personal use is all. He will keep his food trucks at a different property that he owns. So again, we will conceded to question number 10. We will go along with that. We're open for questions.

CHAIR GONZALES: Mr. Anaya.

MEMBER ANAYA: Mr. Chair, I thought that we had also talked about the septic tank.

MR. MARTINEZ: Yes, sir. The revised septic tank plan has been submitted and should be a part of packet. [inaudible – away from mike]

MEMBER ANAYA: Do you know what the page number would be on that?

MR. MARTINEZ: We have it inserted in the revised [inaudible]

CHAIR GONZALES: Did you find it, Filandro?

MEMBER ANAYA: So you are 50 feet away from the property line on your leach field, so your setback is okay there, and it's 1,000 gallons just for the residential?

MR. MARTINEZ: Right.

MEMBER ANAYA: How many bedrooms in that residential?

MR. MARTINEZ: It's two bedrooms, one baths. Two bedrooms, one bath.

MEMBER ANAYA: And the office is in there too?

MR. MARTINEZ: Right.

MEMBER ANAYA: So you got two, three bath. Okay.

MR. MARTINEZ: And there is a permit that has been issued by the Environmental Improvement Division for the septic tank.

MEMBER ANAYA: What's the distance from the building?

MR. MARTINEZ: Fifteen feet.

MEMBER ANAYA: Thank you, sir.

CHAIR GONZALES: Okay. Any other questions of the applicant?

MEMBER KATZ: Mr. Chair.

CHAIR GONZALES: Mr. Katz.

MEMBER KATZ: Where in the lease?

MR. MARTINEZ: In the lease, does it state –

MEMBER KATZ: Does it state that they can't use generators or repair cars?

MR. MARTINEZ: Well, if you look under the use of storage space, that pretty much spells out what's not allowed, which is your flammables, your combustibles.

MEMBER KATZ: Didn't see the word "generator" there.

MR. MARTINEZ: Right. And I don't see it either. Again, the intent is no generators.

MEMBER KATZ: Then spell it out.

MR. MARTINEZ: If you go back into our response letter. Our response letter is pretty clear that there is no generators either.

MEMBER KATZ: I appreciate that you're willing to do it. I don't appreciate the fact that it's not in the lease, and that we were just told that it was in the lease. Those smart lawyers, you know, if it's not right there in the lease you've got to watch out for them.

MR. MARTINEZ: Then again, the lease can be amended. This is just the version that we've adopted, and again, like I said, we want to comply with your condition. We will add it to this lease agreement and staff will be provided a copy of it.

MEMBER KATZ: Thank you.

CHAIR GONZALES: Any other questions of the applicant? Mr. Shepherd.

MEMBER SHEPHERD: I had the same question.

CHAIR GONZALES: Thank you. Okay. Filandro.

MEMBER ANAYA: Mr. Chair, along those lines where it says that on the lease, it needs to be under the conditions to state that in bold letters no generators allowed. Caps and bold, so that it's – and also I would have them put a place for them to notarize that that was definitely one of the criteria.

CHAIR GONZALES: Okay. Any other questions of the applicant. Okay, this is a public hearing. Does anyone want to speak in favor of or against the proposed project? Please come forward.

[Duly sworn, Denise Carroll testified as follows:]

DENISE CARROLL: Hi. My name's Denise Carroll. Good afternoon. So last time I was here I was just worried about the traffic, which I don't feel that anybody really has looked into that on that corner off the Frontage Road. And secondly, of course the septic tank, meaning where it was adjacent to my building. I just got a copy so I'll look further into it because I think it might be on the opposite side. Then I also notice that his property slopes down towards our property but I just looked at the plans and there is a retention pond there, so I wanted to look further into that as well.

And then another of my concerns was the lighting, of course. We have some bad lighting at the storage unit that's like two doors down from him already, and they're very, very bright and people on my property have complained. And then the only other thing that I can think of is the easement that they're giving that 25 foot that they said all around easement because we have that right and that's one thing I greatly oppose, to make sure that it is on the plans. So I just received a copy today of the first plans.

CHAIR GONZALES: Okay. Thank you. Mr. Sommer.

KARL SOMMER: Mr. Chair, members of the Commission, I'll be brief. I would note that one of the concerns that the Planning Commission as well as some of the owners have expressed is that tenants will not be actively conducting their own business, for instance, sales, out of these units. This lease does not prohibit that. It just says that "Tenant shall not use the space for active storage, i.e., manufacturing, fabrication of maintenance." And as we all know, what happens often is tenants will open up then they'll have a little flea market going next door and I think that if the concern about generators likewise can be addressed very simply by prohibiting marketing and sales out of these units. I don't mind if people are maintaining their inventory or that sort of thing, but we don't want a flea market. We don't want people actively showing merchandise or selling merchandise out of the unit, because that's a use that's probably prohibited by the code, but we think that it would be very good to include that here.

I represent the property owners to the – I guess it would be the west/southwest of this property, the Thompson family, and I just would reiterate the concerns that both Amy Fairchild and Rosemary Thompson is here. She probably will address you, that we stated at the last meeting. One of them was the fencing and I think they partially addressed that

with the buttresses and the cross-members. If on the record Mr. Martinez could put the number of cross-members in that fencing that is going to be. It's going to be – if that was expressed I didn't hear it and I think it's shown as two with a possibility for three but if we could get some commitment on that that would be better for us. It would be a specific addressing of the issue.

But I would just reaffirm the things that Ms. Fairchild and Ms. Thompson said, and she's here as well. So if the Commission would address at least the lease concern that I expressed that would be most appreciated. Thank you.

CHAIR GONZALES: Thank you, Karl. Anybody else?

[Duly sworn, Rosemary Thompson testified as follows:]

ROSEMARY THOMPSON: Good afternoon. I'm Rosemary Thompson. As Karl stated, our property adjoins Mr. Marchi's property. I was here before and addressed our concerns and so I'm reading the 46 pages that Vince and Robert and Danny put together for the land use. I have some concerns, if you'll bear with me, that I can express.

That is correct about the lease, the generator, and the pages aren't numbered but from the transcripts from the last meeting it says that Denise and Amy Fairchild, the things that they addressed with you, and it says, Rosemary Thompson brought up the same issues, which is true, but I additionally had other issues that were not stated here, so I would like to add those, because those weren't brought up in this information. There is already an existing storage unit facility yards away on Erica Road. Just one other property over. It's at 50 percent capacity. They have three existing concrete slabs that they've never expanded on. It is only at 50 percent. The gentleman who owns it came to an early notification meeting at the La Cienega Library and he's the one that told us that it's only at 50 percent capacity. Another Planning Commission also approved another storage facility on the West Frontage Road, so it's not a critical need, putting in another storage facility when there's one just yards away that's at 50 percent capacity and they have not even expanded where they could.

The other thing that I brought up that was not mentioned, I know they revised the grading statement, because I addressed the drainage also. So that the proposal shows – they agreed to put up landscaping on the West Frontage Road and Erica Road. Here's Denise's property; here's my property. [inaudible] landscaping. They're going to have a six-foot metal fence. I'm only 5'2"; I could jump over a six-foot fence, and I think the fence must be taller if you were to approve this and I think there must be landscaping.

Another thing that I addressed too was if you look at the topography map all the drainage comes through Vince's property down to my property. [inaudible] I don't think this is adequate. Building F, since we're looking at the site plan, which you all were talking about the lease, and I addressed last time I was here that's not in this printout that I got about my comments, because Vince has his food truck and he wants to park his food truck in Building F and that's where he wants to have a generator, to park it, locate it. It's a separate business, his food truck business. That's where he wants to park it and locate it, and it will be another ongoing business. There will be two businesses with the food truck and the storage units.

So imagine if you lived here, and we do, three grandchildren, and Denise and her mother live here, if you had a 164-unit storage facility built right next to you that has a six-foot fence, two story, and you take into account the neighborhood of La Cienega, it

would be the entrance to La Cienega. It's something you couldn't take away. And we already have a storage unit facility. It makes no sense to put in another storage facility into the entrance of La Cienega.

So I know that if you were a neighbor you'd feel the same way. You wouldn't want a storage unit that is not necessary. There's not a critical need. If we needed one in La Cienega, I agree, because I'm an economic developer. I'm also a realtor, property owner, graduate of Santa Fe High. I've seen Santa Fe grow. It's not a critical need.

Now, yes, it would be a variance for a conditional use because the Planning Commission and you all did the new requirements countywide from Eldorado to Edgewood. We worked for three years in La Cienega to put together what we thought was the highest and best use. This is not the highest and best use. If you all just blanketly say, okay, you've met these requirements, kind of. Check the box: kind of. Okay, there's a little business, kind of. It's not the highest and best use. It's not a critical need.

I am just asking that you consider not putting in another storage unit in La Cienega. There's one coming in down the road and there's already one existing. And of course drainage is a huge problem. We all remember the floods that washed out the bridge in La Cienega, the 100-year flood that we had. All that water came over to my property. But I'd like to point out that what was presented by the Land Use did not have one comment from me; it just said I reiterated what the other folks said. And I think that we can go with the septic that was not there before. We can go to the well that has been capped. I don't even know if it's in working condition. It was drilled without a permit in the beginning and I don't know if there is one there or not, but I have so many notes from the 46 pages that I got and the lease that they just gave you is not adequate. It does not address the concerns that we all had when we were here in October, because trust me, there will be another business there.

Now that the existing storage facility, Vince has shared with me [inaudible] that they put out a new storage facility. This is not the highest and best use and we're setting a precedent by putting in another storage facility in the area which is rural New Mexico when we already have one right down the road. So I'm asking you to please consider that this is not a good idea. Not a project, because you would be maybe setting a precedent in saying, okay, we're going to grant you a conditional use. Then I guess maybe I'll come back and say I want to put a gas station on the corner. I know what all the rules are. I've known, you know, for years. I know what they all are because I worked on the project for La Cienega, for you all, for the Planning Commission.

I just don't think this is the highest and best use, and I know that we all know each other. We all know each other. Right? Danny and Robert and Vince. We all know each other. But you might not want to have a 164-unit storage facility built next to you when there is no need for one. And there's still to many questions on the site plan and things that need to be done, and I ask you to please take that into consideration on this project because once you say, okay, they've met all the criteria, but in my opinion they haven't. I respectfully say that, that they have not. Thank you for hearing me. Do you have any questions from me?

MEMBER ANAYA: Mr. Chair, I have a question.

CHAIR GONZALES: Go ahead.

MEMBER ANAYA: You keep bringing this one particular in your highlight, highest and best use. What do you – what's your vision of what it should be?

MS. THOMPSON: That's a good question. Thank you for asking me. I used to be an appraiser too and a certified economic developer. Highest and best use, if I would think of something for that corner, you know, Vince and I have talked about this and he said, well, they wanted to put in a restaurant, and that didn't get approved. He wanted to put in – I forget what else. Oh, a food truck park. That wasn't approved. But if you want to put in a storage unit, that's way above and beyond. I remember when Vince was roasting corn and chile and selling it. And I would think something most of us would prefer some kind of agricultural use, like a farm, a greenhouse, some type of farmers market. Something that people in La Cienega Valley could use. A gathering place. The library is way down the road in La Cienega.

MEMBER ANAYA: Is the entire association or the majority of the association from La Cienega, are they all stating that they want to see – they don't want to see the storage there? They want to see something else for the highest and best use? And if they do, what is it that they think should be there?

MS. THOMPSON: That's a good question. When we had the early notification meeting at the La Cienega Library, I believe there were 18, 12 people that showed up and all the neighbors that showed up were in opposition. That question was not brought up. They were just addressing the fact that it was going to be another storage unit, so that question was not asked at that meeting.

MEMBER ANAYA: But if they don't want a storage unit then they should have a plan as to what should be there in order for the association to be pro-active and to help the owners, to help guide them if that's what was the association's intent.

MS. THOMPSON: Correct. So what was approved when the Planning Commission came up with all of your rules and regulations countywide, so the Commission put in here's what we think. So we had that small meeting at the library. Nobody brought up an alternative suggestion. And I don't know why but I think it was known to everybody to – kind of like, oh, my gosh. We're having this commercial building built. And I think it kind of took everybody by surprise that was there.

MEMBER ANAYA: So you all attended a meeting to oppose a storage – but with no alternative.

MS. THOMPSON: Well, it was on very short notice. We didn't know what was going on. They told us about a week before, ten days or something. And this was like two years ago.

MEMBER ANAYA: But with today's technology you can be advised in seconds.

MS. THOMPSON: You're right, but at the time nobody asked, you know, do you have an alternative solution or suggestion and there was no Plan B. It was just we want to put in a storage unit. But the majority of us would keep it agriculture of some kind. It could be a farmers market. The other question is the hours of operation. It says in that lease, I read that lease and it says if you're in there after 6:00 pm or 7:00 pm in the summer, the gates will lock and you can't get your car out. You have to go through the pedestrian gate. So you have to leave your car there over night. But then it also says you'll have an access code. So is that access code good 24 hours a day, to come and go? I don't know. I just think there are too many questions to give it a blanket stamp of approval. I'm sure you all wouldn't want a storage unit next to your family's property either.

CHAIR GONZALES: Okay. Thank you. Is there anything else?

MS. THOMPSON: Can I just look at my notes real quick?

CHAIR GONZALES: Sure. I have a question for staff. La Cienega is a CO; right? A community organization; correct?

VICKI LUCERO (Building & Development Supervisor): Mr. Chair, La Cienega does have its own community district overlay and there are some registered organizations, community organizations within that area.

CHAIR GONZALES: So that means they had a chance to give us a letter opposing this if they were against it. I didn't see anything in the file from them.

MS. LUCERO: Mr. Chair, that's correct, and we didn't receive anything from the La Cienega Valley Association or any of the others in the area.

CHAIR GONZALES: Okay. Thank you.

MS. THOMPSON: That's a good question. I didn't get one either, but I don't know who's running it, who's in charge of it.

CHAIR GONZALES: It's a community organization and they should have an input. Like Agua Fria Village, when there are issues we have our input and we send a letter out. So I didn't see anything from La Cienega on this project.

MS. THOMPSON: That's correct. And shame on us. And also [inaudible] question about the drainage and the need for a storage facility and then the Land Use says the questions were addressed but we know they weren't, with an existing storage facility. Again, I don't believe their drainage is adequate. I don't believe the landscaping is adequate. So I just hope that you all take that into consideration.

CHAIR GONZALES: Okay. Thank you very much.

MS. THOMPSON: All right. Thank you. Merry Christmas.

CHAIR GONZALES: Same to you. Okay. Any questions from the Commission?

MEMBER KATZ: I have a question for staff.

CHAIR GONZALES: Frank.

MEMBER KATZ: I understand that the conditional use permit signals that this is a business than may not be appropriate because of the nature of the business, and that's mostly what I think the report talks about. Of course I don't want a storage unit next to me; no one does. But I don't really get to tell my neighbors what they can or can't do. It's what they are allowed to do. But it occurs to me what is – it doesn't have to be the highest and best use; it just has to be an allowed use, and is the prospect that the business will fail, will be unsuccessful, that you will have built all of this stuff and it will get rundown because there's not enough business. Is that the kind of consideration that we can take into account?

Now, there are two other storage facilities right near by. They're not filled. They're half empty. What does that mean for this? This is going to be a failed business? That's sort of different than having a successful business next door. Is that a consideration we can take into account?

MR. MARTINEZ: Commissioner, are you directing that to staff?

MEMBER KATZ: I'm directing that to staff, yes.

ERIC AMES (Asst. Attorney): Mr. Chair, Commissioner Katz, I don't believe that Land Use specifically considered that issue. I believe from the County's perspective the issue is as you initially stated it, whether it's an allowed use. Whether the

property owner can obtain authorization to use a property in a particular way. The uses are determined by the community, so is the planning. And I believe that's about as far as it goes. Your question is an interesting one. Can the possibility that the facility might fail be considered in the permitting process? It's not clear to me that the economic viability or the economic feasibility of a project is addressed in any way. As a matter of evidence, I think it's an interesting question whether it is in the record regarding the potential that this business might fail.

There has been testimony that other facilities are operating at less than full capacity, but I'm not aware of any evidence other than these statements of witnesses regarding something they've learned from someone else on that point. So I guess judicially there's an issue of whether there is evidence is not going to be feasible and the second is whether there is really a way that this Commission could take into account the economic feasibility of a project in permitting what is otherwise an allowed use under the code.

MEMBER KATZ: Thank you. I think it would be pretty dicey for us to say that we have a crystal ball and we can say that this business is going to fail; that business is not going to fail. I do think that the first standard of the general welfare of the area would allow us perhaps to consider something like that. As far as the evidence is concerned, we've heard evidence that the other one is at 50 percent capacity and that there's yet another one going in. That is evidence that depends on hearsay. Is that something that we are not allowed to consider? I'm not sure about that.

MR. AMES: Nor am I specifically, Commissioner Katz.

MEMBER KATZ: Okay.

MR. AMES: The rules in my understanding are not very clear as to the evidentiary standard. Witnesses are sworn and apparently offer routinely offer hearsay as evidence. Whether the board – one issue is can the board consider it and it seems like there's no prohibition, but the board can, or conceivably the Commission, it can give that kind of evidence the weight they think it deserves as well.

MEMBER KATZ: Thank you very much. That's helpful.

MEMBER SHEPHERD: Mr. Chair.

CHAIR GONZALES: Mr. Shepherd.

MEMBER SHEPHERD: I have two things, in fact on Commissioner Katz' question. Until we – and I don't think we should, but we would need to request the development or the publication of a business plan from the petitioner that actually shows what his financial model is, and what his anticipated occupancy rate is, and on and on, before we could have any actual facts that determines whether or not it's financially viable. And a good part of that is the beauty is in the beholder. It could very well be that he's gone through the numbers and he's very comfortable with a 30 or 40 percent occupancy rate because his costs are going to be way down. We just don't know that. So the number of 50 percent could be a very profitable number for him, as opposed to borderline.

Moving on to something else. I looked at the lease and the section on page 2 called use of storage space. He came before us and brought us an extra copy, said here's the new copy and use of storage space is identical, word for word, to the one that we were previously given. So I need to ask you whether or not you gave us the new one or whether you made copies and gave us the old one?

ROBERT ROMERO: Mr. Chair, the reason, we were told by County staff that it couldn't say "sample" on it. So we just took off the "sample" off the word document. So that's the only change from what was originally submitted to the County. We put that watermark on it so that it could not be plagiarized and now he came back and said [inaudible]

MEMBER SHEPHERD: I would like to see three changes to it. The first one is there needs to be a revision number and a date stamp on it so that what we're referencing here and what we agree to in the future we can come back to it in the case you do make changes, we can come back to the one you talk about today.

The second, in that use of storage space, I think that a specific sentence – and here's a proposed one: "A tenant shall not use a generator within the storage yard." Is a sentence I would like to see in. Another sentence I would like to see in is: "The tenant shall not conduct any sales or business at the storage space." And again, that continues to – it's a bit redundant but I think it needs to be redundant. You've already stated that it is not to be used on active storage, and so this complements that but it gets very clear and specific. So I would like to see those changes to the agreement.

CHAIR GONZALES: Thank you, Mr. Shepherd. Any other questions? Okay.

MR. MARTINEZ: Can we address Ms. Thompson's concerns?

CHAIR GONZALES: Yes. Go ahead.

[Duly sworn, Robert Romero testified as follows:]

MR. ROMERO: Robert Romero, 208 County Road 15, Santa Fe. Regarding the issue that the drainage wasn't done correctly, we used engineering standards to do the drainage. The County reviewed it, so I believe that they've approved it. Regarding the well not being drilled with a permit, it was in fact drilled with a permit. We did meet with the association. They were neutral on this project. That's probably why you didn't get a letter saying that they were against it. I believe she said there's two-story buildings. There's no two-story buildings. And we do agree to the changes to the lease that have been discussed.

Regarding traffic as well, this traffic study that I completed was submitted to the DOT. I submitted another letter with the response from the DOT. They reviewed it and they said it was fine as well.

CHAIR GONZALES: Thank you, Mr. Romero. Anything else, Danny?

MR. MARTINEZ: Yes. And again, we totally understand Ms. Thompson's concerns and we have talked with them. The real issue here is the Thompsons are wanting to buy this property. They've offered some concessions as far as buying the property and I think that their overall plan is a much larger commercial project that they would like to see done, incorporating their properties. So the issue of purchasing the property is still coming up. Mr. Marchi isn't prepared to sell the property at this point. He really doesn't have any intentions of selling.

This project is a project that he's been working on. Again, our initial startup of the project was November of last year. We presented it to the La Cienega community in April. So everything has taken place within a year or so. You can see the process of elimination has – we've just moved forth the way we were supposed to move forth. Again, if the desire to purchase the property was real and true, then they would have made a consigned offer that was valid to Mr. Marchi but instead they didn't. So in the

overall realm, I really believe that their goal is a much larger commercial project for that quadrant of that intersection. Thank you.

CHAIR GONZALES: Thank you, Mr. Martinez. I have a question for you. If this thing was approved would you agree to the additional conditions that we're discussing today?

MR. MARTINEZ: Mr. Chair, yes. We have discussed it and Mr. Marchi has agreed to any additional conditions. We would modify the lease agreement and provide it to staff, and if it has to be notarized, we'll get it notarized is what we'll do. Dated and notarized.

CHAIR GONZALES: Thank you. Okay, any other discussion here from the Commission? Do I have a motion? Discussion or a motion?

MEMBER SHEPHERD: I'll make a motion.

CHAIR GONZALES: Mr. Shepherd. Excuse me for a minute. Vicki.

MS. LUCERO: Mr. Chair, I wasn't sure if you made a motion to close the public hearing.

CHAIR GONZALES: No, I didn't. Thank you. I don't need a motion; I can just close it. I'm going to close the public hearing now. It's closed. Okay, so let's continue. You were going to make a motion, Mr. Shepherd.

MEMBER SHEPHERD: Yes. I'd like to make a motion to approve the Bruno Self-Storage conditional use permit subject to the 11 conditions that have been identified by staff and in addition, that the revision of the lease agreement that we've discussed and he's agreed to be also included as a condition.

CHAIR GONZALES: Okay. Do I have a second.

MEMBER LOPEZ: Second.

MEMBER KATZ: Could we spell out that additional condition? You read it.

MEMBER SHEPHERD: Yes. Condition number 12 will be that the lease agreement we dated with the revision number, that the lease agreement section, "Use of Storage Space", that there be two sentences added. The first sentence: Tenant shall not conduct any sales or business at the storage space. The second sentence: Tenant shall not use a generator within the storage yard.

CHAIR GONZALES: Okay.

MEMBER ANAYA: Mr. Chair.

CHAIR GONZALES: Mr. Anaya.

MEMBER ANAYA: There was another thing that we talked about too. It was no type of businesses – I'm trying to find where I wrote that down. No type of businesses will be conducted – Mr. Katz, wasn't that you that said that?

MEMBER KATZ: I'm not sure what the "that" is.

MEMBER ANAYA: No sales of any kind.

MEMBER KATZ: Yes, that's what was put in.

MEMBER ANAYA: Okay, then also there was another issue that came up which was the fence.

CHAIR GONZALES: The cross bars. I was going to ask you about that.

MEMBER ANAYA: Yes, that they have three cross members. So along the amendments I would like to see that placed in there also.

CHAIR GONZALES: So you want to add that as a friendly amendment?

MEMBER ANAYA: As a friendly amendment or any type of amendment.
MEMBER KATZ: What's the substance? I mean do you want to say to them there must be three cross bars?
MEMBER ANAYA: Yes. Three cross bars located on the six-foot fencing.
MEMBER KATZ: Thank you.
CHAIR GONZALES: Okay, we have a motion and we have the friendly amendment to it.

The motion passed by unanimous [7-0] voice vote.

VIII. NEW BUSINESS

- A. Case # SCSD 18-5190 Village at Galisteo Basin Preserve (aka "Trenza") Conceptual Plan. Commonweal Conservancy, Applicant, Ted Harrison, Agent, request approval for an amendment of a Conceptual Plan to allow a 36-foot tall communications tower (and its associated switching infrastructure) as an allowed use within the Galisteo Basin Preserve/Trenza Planned Development District (PD-2). The proposed Cell Tower will be on Lot 22 which comprises 468.08 acres. The site would take access from Astral Valley Road, via US 84-285. Lot 22 is located at 99 Astral Valley Road within T15N, R10E, Section 31, SDA-2 (Commission District 3) [*Exhibit 1: Suslo Letter*]**

CHAIR GONZALES: Jose, please proceed with your presentation.
JOSE LARRAÑAGA (Case Manager): Thank you, Mr. Chair. Prior to the meeting we handed out a letter from somebody who had concerns on this project.

On June 12, 2007, the Village at Galisteo Basin Preserve, "Trenza Master Plan", was approved by the Board of County Commissioners. On December 10, 2015, the BCC approved an amendment to the master plan to reduce the density from 965 residential units and 150,000 square feet of commercial, educational and civic land uses to allow 275 residential units and 71,000 square feet of commercial, educational and civic land uses.

The prior approvals did not address communication towers as an allowed use. On December 8, 2015, with the implementation of the Sustainable Land Development Code, the 2,502-acre planning envelope associated with the approved master plan was designated as a Planned Development District.

The applicant is requesting approval of an amendment to the conceptual plan to allow a 36-foot tall communications tower as an allowed use within the Galisteo Basin Preserve/Trenza Planned Development District.

SLDC, Section 8.10.10.3, Expansion of existing PDs states, "An expansion of an existing PD is a request for any enlargement, greater density or intensity of non-residential uses, relocation, decrease in a project's size or density, or modification of any condition of a previously approved and currently valid PD."

SLDC, Section 4.9.9.1, Conceptual Plan Purpose states, "A conceptual plan is comprehensive in establishing the scope of a project, yet is less detailed than a site development plan. It provides a means to review projects and obtain conceptual approval for proposed development without the necessity of expending large sums of money for

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the submittals required for a preliminary and final plat approval. A conceptual plan submittal will consist of both plans and written reports.”

The applicant has addressed the conceptual plan criteria and staff has responded as contained in the report.

Building and Development Services staff has reviewed this project for compliance with pertinent SLDC requirements and has found that the facts presented support the request for a Conceptual Plan to allow a communications tower as an allowed use within the Galisteo Basin Preserve/Trenza Planned Development District. The proposed use is a permitted use or a Conditional Use. The permitted use would be a stealth or mono pine and the conditional use would be a mono pole within a planned development district as per Appendix B: Use Matrix; and the application satisfies the submittal requirements set forth in the SLDC inclusive of criteria set forth in Section 4.9.9.

Staff has established findings that this application for an amendment of the Conceptual Plan to allow a communications tower as an allowed use within the Galisteo Basin Preserve/Trenza Planned Development District is in compliance with criteria set forth in the SLDC.

On November 8, 2018, this request was presented to the Sustainable Land Development Hearing Officer. The Hearing Officer memorialized findings of fact and conclusions of law in a written order on this request. The Hearing Officer, based on the evidence presented recommended approval of the request for an amendment of the conceptual plan with the conditions recommended by staff. The written order and the minutes of the November 8th hearing are attached as Exhibits 11 & 12.

The recommendation of the Hearing Officer and staff's recommendation is for approval of the request for an amendment of the conceptual plan to allow the proposed 36-foot tall communications tower as a permitted use or a conditional use within the Galisteo Basin Preserve/Trenza Planned Development District to be located on Lot 22 which comprises 468.08 acres., with the following conditions:

1. The Conceptual Plan showing the site layout and conditions of approval shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.9.9.
2. The proposed communications facility (and its associated switching infrastructure) shall comply with all criteria set forth in the SLDC prior to approvals of the development.

This Report and the exhibits listed below are hereby submitted as part of the hearing record. Staff requests the Planning Commission memorialize findings of fact on this request. The Santa Fe County Board of County Commissioners will be holding a public hearing on this matter in February of 2019.

Mr. Chair, I stand for any questions.

CHAIR GONZALES: Thank you, Jose. Does the Commission have any questions of Jose or staff? No? Okay.

MEMBER ANAYA: Mr. Chair, I just have one question.

CHAIR GONZALES: Mr. Anaya.

MEMBER ANAYA: On the communication tower, what's it going to service? What's it servicing? Verizon? ATT? The state?

MR. LARRAÑAGA: Mr. Chair, Member Anaya, I know I have that somewhere but I think the applicant would be able to answer that question.

CHAIR GONZALES: Mr. Anaya, are you okay?

MEMBER ANAYA: That's fine. I see it here.

MEMBER SHEPHERD: Mr. Chair.

CHAIR GONZALES: Mr. Shepherd.

MEMBER SHEPHERD: The location of the tower as stated in that – Dianne's memo, as well as looking at the printed, is close to the water tank. What's the material of the water tank? Is it a metal water tank?

MR. LARRAÑAGA: Mr. Chair, Commissioner Shepherd, I believe the applicant would be better suited to answer that question.

MEMBER SHEPHERD: I'm assuming the water tank is probably metal ungrounded.

MR. LARRAÑAGA: Yes.

MEMBER SHEPHERD: Okay. And also, the utilities in the area, are they above ground, like electricity, or are they underground?

MR. LARRAÑAGA: Mr. Chair, Commissioner Shepherd, I'm not aware if they're underground or overhead.

MEMBER SHEPHERD: Okay. And do you know if there's any high tension wires in the area?

MR. LARRAÑAGA: Mr. Chair, Commissioner Shepherd, no, I don't. This particular project primarily is to add the use and allow a cell tower. Once the cell tower comes in for a thorough review under – if it comes in as a mono-pine, the administrator reviews the site development plan, that's when we would look at all those details when they're putting in the site. So if the site doesn't meet those requirements they can't put it on there. But this is allowing the use on this property to put in a cell tower, for the conceptual plan.

MEMBER SHEPHERD: My questions are just from a – since radiation is always a concern with cell towers and its impact on everything. My curiosity is about other sources of radiation infringing upon the neighborhood and if there are large sources of radiation then the cell tower might be a small impact. If it's the only show in town then maybe it's a big impact. I don't know.

MR. LARRAÑAGA: Just to clarify, Mr. Chair, Commissioner Shepherd, the section in the SLDC on the cell tower requirements probably do not address something like that. We look at [inaudible] zone and heights and access and so on in that section of the code.

MEMBER SHEPHERD: Thank you.

CHAIR GONZALES: Thank you, Mr. Shepherd. Jose, I have a question. Has staff been out to the site?

MR. LARRAÑAGA: Mr. Chair, no we haven't.

CHAIR GONZALES: Haven't been out there yet. Okay. Okay, the applicant.

[Duly sworn, Ted Harrison testified as follows:]

TED HARRISON: Ted Harrison, and my address is 2112 Paseo del Monte, Santa Fe, 87501. Mr. Chair, members of the Commission, my name is Ted Harrison. I'm the president of Commonweal Conservancy, which is a non-profit

organization that has been bringing forward the Galisteo Basin Preserve and its associated development activity over the past 15 years. It's good to see many of you again here after some time away.

This proposal, as you know from the staff report and presentation is an addition to the master plan that was approved first in 2007 and then subsequently modified and approved again in 2015. We neglected to include a communications use in our very large collection of otherwise land uses that have been approved as part of that master plan. The request that came to us about three years ago now from Verizon was to locate a tower within the general building or planning envelope of the Galisteo Basin Preserve's Trenza Village project. They reported to us that they'd been on the hunt looking for a cell phone cell tower/communications towers for three years prior, so now they're six years into their process of identifying a site that would allow for improved communications within the US 285 Corridor and also County Road 41 Corridor that extends to Galisteo.

As you may know this is an area of the county that is not well served by cell coverage. It is better than it was three years ago, but is still quite unpredictable. One of our concerns as the owner of this larger, nearly 10,000 acres that sits below the location of the tower is that we've developed a 28-mile trail network that is very actively used and folks rely on their cellular communications devices to be able to access both maps and also to be able to call for any emergency services requests.

Over the course of the past 15 years, since we've been working on the project and since the trails systems has been available to the public there have been a number of instances where cell communications to emergency services has been critical to the rescue of those injured – mountain bikers or hikers or lost mountain bikers or hikers. So we are hopeful that this cell tower will help improve the reliability and quality of coverage that exists within the trail network and what we're hoping to be a much expanded trail network over the course of the next few years.

There are also three neighborhoods that exist within the Galisteo Basin separate from the Trenza project. Those are the New Moon Overlook, which is located to the north of this site, the Southern Crescent which is located between a mile and a mile and a half to the south, and then another small collection of lots we call the East Preserve that's basically an equestrian cluster of 140-, 160-acre lots that's located southeast of the site. Those folks that own properties including Dianna Suslo who provided you with a letter that was share with you this evening are quite strongly in favor of this facility. Folks in the New Moon Overlook and Southern Crescent that have homes that have complained or expressed concerns about their poor cell service and this tower would meaningfully improve their quality of communication.

They're also excited about the opportunity to link the fiber optic cable that CenturyLink has along 285, which I believe terminates at Ranch Road above the top of the escarpment, just at the southern edge of Eldorado that would then link to this communications tower. Commonweal has developed underground communications, fiber in all of the roads that extend to the Southern Crescent, East Preserve and New Moon Overlook neighborhoods, and the Verizon tower would allow to make our dark fiber in this road network live, or lit, so that those folks would now have a very strong, perhaps even gigabyte quality internet.

I know the County has ambitions for its economic development and just larger broadband service plans for this area and for the county overall, and we're hopeful that the tower will help advance that larger policy and infrastructure goal.

In terms of questions that came up, Commissioner Anaya, I think maybe you saw that this is principally a Verizon facility although it would have the capacity to have one other provider located on a tower. I'm not sure what the County requires in terms of emergency services, access to a tower, but the tower, even at a relatively small height of 36 feet I believe could accommodate or may be required to accommodate the emergency services needs of the state and the County. They would be better able to answer that. But I believe that's a standard of any tower, that they allow for that larger public use.

In terms of underground utilities, all of the utilities that serve the neighborhoods in the Galisteo Basin Preserve are underground. There are no overhead high tension wires. The water tanks are actually polypropylene. They're not steel and not grounded. Dianna's concerns are well understood. She and I spent quite a bit of time talking about her concerns. It's a little bit in conflict. On one side she really wants her connection to the fiber optic cable but she doesn't want the risk of cell tower – is it the ETFs or EFTs? I forget what the acronym is for the electromagnetic – whatever the concern is that folks have about cell towers in terms of their electric frequencies. Her property is located 1.35 miles south of the proposed tower.

One of the reasons why Verizon and Hemphill, the partner with Verizon in this tower had such difficulty locating an appropriate site is because most of the other neighborhoods along the Lamy escarpment that defines Eldorado and the upper areas of Lamy, their neighbors were not enthusiastic about having a tower close by their properties, or the lots were much smaller. So the location of the tower relative to a number of homes was going to be very different than is the case for New Moon Overlook.

The most immediate or the most proximate property is Lot 1 of the New Moon Overlook and the folks that purchased that lot, they're the second owners of that property, purchased that lot with the understanding and with full disclosure as to the proposed development of the cell tower. They are engineers by profession and practice and are not concerned about any of the EFTs or whatever that acronym is – frequencies that are of concern to Dianna.

With that, I just want to acknowledge that the staff and Commonwealth have worked very productively together. I appreciate the quality of their work, research and reporting, and if there are questions of the Commission I stand for those questions now.

CHAIR GONZALES: Thank you, sir. Yes, I'll start off with a couple few questions. I know that this is a conceptual proposal at this point in time. One thing I did notice is it that it looks like there's about a 25- to 30-foot difference from the existing road to the top of the hill where you guys are proposing the cell tower. Do you have any idea what the grade in that road is going to be?

MR. HARRISON: Well, any application would have to meet the County road standards. So I believe the configuration of the road is proposed to be on contour, so it would come from the water tank terminus, so they're on a fire road.

CHAIR GONZALES: Okay. That's kind of what I was getting to, because if you look at the plan, the road goes up a little bit, then it goes straight up, so it's not really going with the contours. It's going straight up. So that might be one thing you want

to look at when you guys actually come in for your application as well. It's kind of going straight up instead of going with the contours and that will help you with your grade as well.

The only other issue I'd be concerned about is that I hope there's no 30 percent slopes heading up there that are going to be disturbed because then you'll be back before us on a variance on that as well.

Let's see. Your proposed driving surface, I think you're proposing gravel. Are you talking about gravel basecourse or just gravel?

MR. HARRISON: I believe that would come forward with the development application but the intention – I suspect it will be a basecourse material.

CHAIR GONZALES: Okay. And another thing I'm concerned about is that your transition from your new proposal to existing road, again, when you guys get more detailed plans, I have concerns about how the transition from the drainage coming down the hill to the existing road, how that's going to work out as well.

MR. HARRISON: Yes. Actually the location of the – this is an old ranch road that was used to develop the water tanks that are located about $\frac{3}{4}$ of a mile from the New Moon Overlook Road. That old ranch road is dirt, two-track. It drains to the north into an arroyo that has very large culverts that then are capped with dirt and basecourse and rockwork that serves something like a dirt bridge to then connect to another section of New Moon Overlook Road that brings you up to the escarpment. So certainly drainage issues will be of primary concern for the development application.

CHAIR GONZALES: Thank you. Does the Commission have any questions of the applicant? Mr. Anaya.

MEMBER ANAYA: Exactly how many miles from the 285 are you?

MR. HARRISON: From US 285? Commissioner Anaya, I believe its .6 mile, or perhaps .7 mile to the west.

MEMBER ANAYA: So under a mile?

MR. HARRISON: Yes.

MEMBER ANAYA: Okay. And then naturally to 14?

MR. HARRISON: To State Highway 14?

MEMBER ANAYA: Yes.

MR. HARRISON: It would be as many as nine miles to the east.

MEMBER ANAYA: Okay. So on your drawings in here it shows that where you're going to plant the metal tree, I guess is what it looks like.

MR. HARRISON: They call it a mono-pine. Yes. Some people have actually advocated for just being honest, that it's a communications tower and make it a communications tower. But if there's an aesthetic preference for a mono-pine everyone is willing to do that.

MEMBER ANAYA: That's what I was wondering, is if – was that a requirement from the community? Or was that just you guys proposed it to look like that?

MR. HARRISON: Well, you see probably bad examples of mono-pines in and around the community in your travels around the country.

MEMBER ANAYA: In Albuquerque.

MR. HARRISON: And in Albuquerque. We have control over how that design comes forward as they submit their plans and Commonweal will review what's actually constructed and does it meet our aesthetics. So we will do the best we can to

make this look like a real tree, if that's the way we want to go. We're going to do a survey of the neighborhoods to see if it's more honest and less offensive to have it just be a straight pole.

MEMBER ANAYA: So that's not in concrete then?

MR. HARRISON: It's not. No. It was my idea that a mono-pine would be less visible or distracting than a straight pole.

MEMBER ANAYA: That was what I was trying to find out. Are we going to look at an odd-ball tree or are we going to look at a tower?

MR. HARRISON: I guess we'll see. And both are allowed, I understand. The County may have a preference for the mono-pine design but that is not established right now.

CHAIR GONZALES: I haven't seen anybody try to disguise them with a windmill yet.

MEMBER ANAYA: Are you going to have Christmas lights?

MR. HARRISON: No, there will be no lighting, actually. That did come up as a concern for the neighborhood.

CHAIR GONZALES: Okay. Any other questions? Okay. Now we can proceed with the public hearing portion of the meeting. Does anybody out there want to speak in favor of or against the proposal? Nope. Okay. Does the Commission have any discussions or motions?

MEMBER KATZ: I would make a motion if there is no other discussion. Do we approve or do we recommend approval?

MS. LUCERO: Mr. Chair, Commission Member Katz, this would be a recommendation to the Board of County Commissioners.

MEMBER KATZ: That's what I thought. Okay. So I would move to recommend approval to the Board of County Commissioners for the amended conceptual plan to allow the proposed 36-foot tall communications tower as a permitted use if it's a mono-pine or as a conditional use if it's a mono-pole, within the Galisteo Basin Preserve District.

MEMBER ANAYA: Second.

MS. LUCERO: Mr. Chair, point of clarification. Does that include staff's recommended conditions?

MEMBER KATZ: I'm sorry. Yes. Including conditions.

CHAIR GONZALES: Okay. We have a motion.

The motion passed by unanimous [7-0] voice vote.

B. Petitions from the Floor

None were offered.

C. Communications from the Commission Members

Holiday greetings were exchanged.

D. Communications from the Attorney

None were presented.

E. Matters from Land Use Staff

An update on a Planning Commission case appealed to the BCC was distributed. [Exhibit 2] Ms. Lucero stated the County Commission will be making new appointments to the Planning Commission at the first meeting in January. If there are new appointees this will be the last meeting of the current configuration of the Planning Commission. Members Gray, Katz, Anaya and Lopez are up for reappointment. Member Shepherd thanked those members for their services.

Chair Gonzales asked about anticipated changes to the sand and gravel regulations. Ms. Lucero said there will be possible modifications to the DCI section of the code. Chair Gonzales asked that packets with that information be provided early. Growth Management Director Penny Ellis-Green stated a public review draft will be handed out at the first BCC meeting of the year. This will be seven months before it is heard by the Planning Commission.

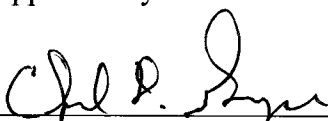
Commission Anaya indicated that in the event he is not reappointed he wanted to thank County management and staff for their professionalism. He also expressed his appreciation to his fellow Commissioners.

F. Next Planning Commission Meeting: January 17, 2019

G. Adjournment

Having completed the agenda and with no further business to come before this Committee, Chair Gonzales declared this meeting adjourned at approximately 5:20 p.m.

Approved by:

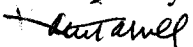

Charlie Gonzales, Chair
Planning Commission



TESTED TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Submitted by:


Karen Farrell, Wordswork



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

PLANNING COMMISSION MI
PAGES: 22

I Hereby Certify That This Instrument Was Filed for
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Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy County Clerk, Santa Fe, NM


Estrella Martinez

Jose Larranaga

From: Dianna Suslo <diannas18@gmail.com>
Sent: Wednesday, December 12, 2018 8:29 AM
To: Jose Larranaga

Hello Jose Larra

The other reason I am opposed to the cell tower in the Galisteo Basin Preserve, is that my understanding is that it is going to be right next to the water source. As far as I know there are no studies showing that it is safe to have a radiation source next to a neighborhood's water source.

There is evidence that cell towers are bad for wildlife, for instance confusing bees so they dont know which direction to fly.

I love the Preserve and plan to build my home and live a healthy life there.

Dianna Suslo
(505) 983-8513 (h)
(602) 770-4843

Your body is boundless. It is channeling the energy, creativity, and intelligence of the entire universe. The design is divine.

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Update on Planning Commission cases that proceeded to the BCC for Action under the SLDC:

CASE # V18-5070 Angelo Ortega Variance. Angelo Ortega, Applicant, James W. Siebert & Assoc., Agent, Request A Variance To The Requirements Set Forth In The Sustainable Land Development Code (SLDC) Of Chapter 10, Section 10.4.2.1 To Allow An Accessory Dwelling Within A Major Subdivision And A Variance Of Section 10.4.2.4 (Utilities) To Allow A Separate Liquid Waste System For The Accessory Dwelling Unit. The Property Is Located At 120 North Paseo De Angel, Within The La Cienega And La Cieneguilla Community District Overlay (LCLCCD) (RES-E), Within Section 22, Township 16 North, Range 8 East (Commission District 3). **Miguel Romero, Case Manager**

PC- Denied 6-0

BCC-Appeal granted and variance approved 5-0

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