

MINUTES OF THE
SANTA FE COUNTY
PLANNING COMMISSION

Santa Fe, New Mexico

April 16, 2020

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

In accordance with the Public Health Emergency Order issued by the State of New Mexico, this meeting was conducted on a platform for a video/audio meeting. All members were present via the Webex internet platform. The audio quality was poor and these minutes are presented in a summary format.

1. A. & B. 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
J. J. Gonzales
Steve Krenz
Leroy Lopez
Susan Martin
Fred Raznick

Member(s) Excused:

None

Staff Present:

Vicki Lucero, Building & Development Services Manager
Roger Prucino, Assistant County Attorney
Jose Larrañaga, Case Manager
Nathan Manzanares, Case Manager
Miguel "Mike" Romero, Case Manager

2. **Approval of Agenda**

Vicki Lucero, Building & Development Services Manager, noted that New Business item B, Gerald Ohlsen Variance, has been tabled.

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Member Katz moved to approve the agenda as amended and Member Martin seconded. The motion passed by unanimous roll call vote.

3. Approval of Minutes: March 19, 2020

Member Katz moved to approve the March meeting minutes. Member Martin seconded and the motion passed with Members Raznick and J.J. Gonzales abstaining.

4. Consent Agenda Final Orders

- A. Case #19-5200 New Mexico Gas Company Transmission Line Project. New Mexico Gas Company, Applicant, JenkinsGavin, Agent, Requested a Conditional Use Permit to Construct Approximately 13.5 Miles of New Underground 20 inches in diameter, natural Gas Transmission Pipeline. The Proposed Transmission Pipeline will Begin at the Western Boundary of Santa Fe County at the Base of La Bajada and will Terminate at NMGC's Existing Regulator Station Locating on Highway 599 (Corner of Hwy 599 and I-25). The Proposed Transmission Pipeline will Traverse through 11 separate Parcels Within a Proposed 55-foot easement, within T 15, N, R 8 E, Sections 11, 15, 17, 35, T 15 N, R 7 E, Section 21, 22, 23, 34 and T 16 N, E 8 E, Sections 26, 34, 35; SDA 1&3, Commission Districts 3 & 5. Jose E. Larrañaga, Case Manager (Approved 7-0)**

Member Krenz moved to approve the Consent Agenda. Member Katz seconded and the motion carried by unanimous roll call vote.

Statement by the Chair

Chair Gonzales made the following statement:

“Tonight we have public hearings on two separate land use cases. The rules for both public hearings are the same, but I will go over them twice, once at the beginning of the hearing for each case. Please keep in mind that this is a new process. We’re still working out some issues and there may be some bumps along the way but we would greatly appreciate your patience as we go through the process.

“With that said, I will go over the Order of Presentation. The order of presentations for each case is as follows:

1. First will be the staff’s presentation.
2. Second will be the applicant’s presentation.
3. Third, members of the public will be allowed to testify for or against the application.

Commission Members may ask questions at each stage of the case.

“Cross-Examination. The County’s rules of order allow a party to cross-examine

or question a witness. If the applicant wishes to cross-examine or ask questions of County staff or any member of the public, the applicant must notify the Chair before the staff member or member of the public is excused. Failure to do so means the right to cross examination with regard to staff or the particular member of the public is waived.

“Limits on Public Testimony. Members of the public will generally be allowed no more than three minutes to speak. Please be focused and time your presentation accordingly. You will be muted after three minutes.

“I will be enforcing the prohibition on redundant, irrelevant, and harassing testimony and comments, so you may not get to speak for three minutes. This means that if someone else has already testified to something, I am not going to allow someone else to testify to it as well. If testimony is not relevant to the issues raised by the application, I will not allow the testimony. If the testimony consists of personal or other improper attacks or is otherwise out of order, I will stop it.

“Identification of Members of the Public. Before we get started with Case No. #19-5150, Jose Larrañaga will ask members of the public who are interested in testifying for or against the application to identify themselves by name, either via the chat feature of WebEx or orally. At the public input stage, Mr. Larrañaga will call on individuals one at a time. Once you are called and only then, should you unmute yourself and state your name and address for the record. You will be sworn in by the court reporter before being allowed to testify for up to three minutes.”

Jose Larrañaga, encouraged that those wishing to testify on case #19-5150, Walkin’ N Circles Ranch Inc. to either unmute their phone or tap the chat feature on Webex. No individuals identified themselves.

5. New Business

- A. Case #19-5150 Walkin’ N Circles Ranch Inc., Applicant, Siebert and Associates, Agent, is requesting a Conditional Use Permit (CUP) to Allow a Horse Rescue and Rehabilitation Facility up to 70 horses on 29.829 acres. A new 2,400 square foot office building will be constructed on Tract 1, replacing an existing 840 square foot office. The site is zoned Residential Estate (RES-E) and is located at 198 and 188 North Weimer Road, within Township 11N, Range 7E, Section 24, SDA-2, (Commission District 3)**

Case Manager Miguel “Mike” Romero read the case caption as shown above and provided his staff report as follows:

“The applicant is requesting approval of a Conditional Use Permit, CUP, to allow a Horse Rescue and Rehabilitation Facility up to 70 horses on two tracts

totaling 29.829 acres. A new 2,400 square foot office building will be constructed on Tract 1, replacing an existing unpermitted 840 square foot office. The applicant has stated that once the CUP is approved and the new office is built, the 840 square foot office will be removed from the property. The applicant is also proposing to install a new septic system that will only serve the proposed office. The existing septic system will continue to serve the residence. A total of two septic systems will be located on Tract 1. A 6,048 square foot retention pond will be constructed on Tract 2 to capture drainage.

“The Horse Rescue and Rehabilitation Facility will operate from 8:00 a.m. to 5:00 p.m., seven days a week. There will be a full-time caretaker, four full-time employees, three-part time employees, one horse trainer, and numerous volunteers. Clientele wanting to adopt a horse is by appointment only. Tract 2 will only be utilized for its well and for use as a retention pond to capture drainage. Tract 2 is otherwise vacant with no structures. The site is zoned Residential Estate. Appendix B: Use Matrix illustrates stables and other equine related Facilities-Commercial over 12 horses as a Conditional Use.

“Prior to the March 7, 2019 TAC meeting, the applicant contacted staff to inquire about a building permit to construct a new office building at 198 North Weimer Road for the Walkin’ N Circles Ranch Horse Rescue and Rehabilitation Facility. At that time, staff informed the applicant that they did not have a business license to operate a horse rescue and rehabilitation facility. Staff informed the applicant that in order to operate a horse facility of up to 70 horses the applicant would need to apply for a CUP. Staff informed the applicant of the CUP process.

“Walkin’ N Circles Ranch, Inc. has been operating without an approved business license from Santa Fe County, since 2002. Currently, the applicant has a caretaker living onsite in the existing 2,144 square foot residence. There are numerous existing accessory structures onsite, which include a main stable, hay barn, grain barn, tack barn, east barn and several loafing sheds. The total square footage for all structures including the proposed office totals 16,802 square feet. The existing structures will continue to be used by the horse facility. Staff has been able to locate one permit, which is for the single-family residence. The site plan submitted with permit 94-749 illustrates a barn adjacent to the residence, which is identified by the applicant as the main barn. No other structures were illustrated on the site plan.

“The application was reviewed for the following applicable design standards as per Chapter 7, of the SLDC: Access and Road Design Standards, Fire Protection, Landscaping and Buffering, Lighting, Signs, Parks and Loading, Utilities, Water Supply, Wastewater, Water Conservation, Protection of Historic and Archaeological Resources, Terrain Management, Flood Prevention and Flood Control and Solid Waste.

“The applicant has responded to the conditional use permit approval criteria. Staff did respond to the criteria.

“Recommendation: If the decision of the Planning Commission is to recommend approval, staff recommends the imposition of the conditions listed below in accordance with the Hearing Officer’s recommendation. Staff recommends approval of a Conditional Use Permit to allow a Horse Rescue and Rehabilitation Facility up to 70 horses on 29.829 acres subject to the following conditions.”

Conditions:

1. The Conditional Use Permit showing the site layout and any other conditions that may be imposed through the approval process shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.6.8.
2. All unpermitted structures shall be permitted After the Fact (ATF) within 30 days of the Conditional Use Permit approval.
3. The Applicant shall comply with all conditions imposed by Santa Fe County Public Works.
4. The Applicant will be required to provide a drainage easement on Tract 2 for Tract 1.
5. Prior to issuance of a business license, the Applicant will be required to remove all pole mounted lights and complete required improvements (ponding, shielding of lights, relocation of sign, road improvements and parking spaces).
6. The Applicant shall adhere to the approved landscape plan.

At this point, there were no questions and Chair Gonzales invited the applicant/agent to speak.

Wayne Dalton with James Siebert and Associates was present representing the applicant. Mr. Dalton said the CUP criteria have been addressed and the use is compatible with the area and surrounding properties. The facility has been in operation since 2002 with no complaints. The applicant has a permit with the State Livestock Board, and was not aware that a County business license was necessary to conduct a non-profit facility.

Mr. Dalton said that the applicant has worked with staff and they are in agreement with all staff-imposed conditions.

Duly sworn, Shar Hudson, president of the Walkin’ N Circles Ranch Board of Directors, said she has been a volunteer with the organization for seven years and is a proud owner of one of their horses. The rescue has been in existence for over 18 years, and has been true to the mission of finding good homes for abandoned and abused horses. The organization has placed nearly 400 horses. They work in collaboration with the State Livestock Board and other horse rescues across the state. The facility is inspected annually by the Livestock Board, and accredited by the Global Federation of Animal Sanctuaries.

Ms. Hudson said that they are one of two licensed rescues serving Santa Fe County. Forty percent of the horses they obtained in 2019 were direct surrenders. The ranch has received significant positive media attention. While the request is for 70 horses, the current herd size is 40.

Member Raznick asked about the organization's operating budget. Ms. Hudson said they operate a thrift store in Edgewood, receive funding from private donations, estate bequests, and, she added, they receive no government funding.

Ms. Lucero said the applicant has addressed all issues that staff brought forward and upon completion of the conditions, they will be in conformance with the County Code.

Chair Gonzales opened the hearing to anyone from the public wishing to address the Commission. No one came forward, and the public hearing was closed.

Member Raznick moved to approve Case 19-5150 with staff-imposed conditions. Member Katz seconded. The motion passed by unanimous roll call vote. [Member Krenz's vote was not recorded.]

- B. Case #18-5180 Gerald Ohlsen Variance - TABLED
- C. **Case # 18-5250 Conceptual Plan & Variances: Rembe Las Campanas, LLC, Applicant, James W. Siebert & Assoc., Agent, request approval for a Conceptual Plan to allow 22 residential-lots to be developed in two (2) phases and three (3) Variances. The three (3) variances requested for the project are of Chapter 7, Section 7.17.9.2.4 Steep slope disturbance in excess of thirty percent (30%), with more than three separate areas exceeding 1,000 square feet each; Chapter 7, Section 7.17.9.2.1 to allow structures to be located on a ridge top, ridgeline, or shoulder unless there is no other buildable area on the property; of the Sustainable Land Development Code; and a variance of Ordinance 2017-7, Section, 7.11.12.4 to allow driveway separation of less than 100 feet from return radius of an intersection. The proposal is located within the Las Campanas Planned Development District (PD- 16) on tracts B & H of the previously approved Los Santeros Subdivision. Tract B consist of 9.83 acres and Tract H consist of 2.4 acres, total acreage for Tierra Que Canta development is 12.23 acres (±). The proposed development is accessed via Calle Gonzales to the east of Las Campanas within T17N, R8E, Section 15, SDA-2 (Commission District 2).**

The Chair reminded the participants that conducting the meeting via Webex is a new process and patience is greatly appreciated. He reviewed the process as provided under "Statement of the Chair" on pages 2 and 3. Mr. Larrañaga solicited for those from

the public wishing to testify on the case. No one spoke and the Chair offered to ask again following the applicant's testimony.

Nathan Manzanares, case manager, provided the case caption as written above and a condensed version of the case as follows:

"The history of the project is outlined in the staff report as well as a summary of the previous Hearing Officer Meeting. The concerns that were brought up during the Hearing Officer's meeting were from members of the public and neighbors of the development.

"On March 12, 2020, this Application was presented to the Hearing Officer for consideration. The Applicant's Agent, Jim Siebert, gave a presentation of the proposal and answered questions from Hearing Officer Virtue and the concerned neighbors that were present. During the Applicants presentation, they stated they were willing to abide by the following conditions as agreed upon with the neighbors:

- Gonzales Road would be continuous with the Rembe Tracts B & H and will be paved with asphalt to a 20-foot width or a Collector Road Standard Requested by Staff.
- The current sharp bend on Gonzales Road will be realigned to a safer curve and the intersection will be improved to a four-way-stop intersection.
- Forty percent of the lots on the cul-de-sac road, that goes to the north, Tierra Que Canta facing dwellings on the east side of the fairway will be restricted to one story in height.
- The development will not be mass graded. A phased grading plan will be provided to the County as part of the subdivision infrastructure application.

"In conclusion, Staff and the Santa Fe County Hearing Officer have established that the Application with its proposed variances of the SLDC are needed to create a functional road network with the Tierra Que Canta Subdivision. Staff also has established that the ridgetop lots for the Tierra Que Canta are in compliance with variance review criteria set forth in the SLDC.

"Staff's recommendation, and the recommendation of the Hearing Officer, is to conditionally approve the variances request subject to the conditions as stated in the staff report."

The variance conditions are as follows:

1. The Applicant must present a reclamation plan with Preliminary and Final Plat submission to ensure that as much disturbance as possible is reclaimed and revegetated.
2. The boundaries of the development area shall be clearly marked on site with limits of disturbance (LOD) and fencing or construction barriers to be approved by Staff prior to any grading or clearing and before starting construction in accordance with submitted engineered Grading & Drainage Plan.

3. Applicant must provide an approved Storm Water Pollution Prevention Plan (SWPPP) prior to any grading taking place on the property.
4. Mass grading of the site will be prohibited and noted as "Special Building Condition" on recorded Conceptual Plan and transferred to any other plats associated with Tierra Que Canta.
5. Limits of grading shall be addressed with Preliminary Plat submittal.
6. All residences built on lots classified as ridgetop lots be limited to fourteen (14) feet in height and be built in accordance with terrain managements standards set forth in Chapter 7 of the SLDC.
7. All residences built on Lots 16, 17 & 18 meet a minimum setback of 25-feet from slopes in excess of 30% this restriction is also for any accessory structures built on Lots 17, 18 & 19.
8. All driveway entrances be a minimum 25' feet from the return radius of the proposed 4-way intersection.
9. Applicant must submit a reconfigured road design showing all driveways with the development 25' feet from the return radius of the proposed 4-way intersection, prior to this request being heard by the Planning Commission (Applicant has complied with condition per Exhibit 12).
10. Construction gate located at the end of Calle Gonzales must be removed upon completion of infrastructure and road construction. If the construction gate is located on property owned by Las Campanas, the County will work with Applicant and Las Campanas to accomplish this condition.
11. Limits of grading shall be addressed with Preliminary & Final Plat submittal.

"Staff has established that this Application for Conceptual Plan to allow a 22-lot residential subdivision known as Tierra Que Canta, to be developed in two (2) phases, is in compliance with criteria set forth in the SLDC and recommends approval. The Santa Fe County Hearing Officer has also recommended approval of the proposed Conceptual Plan in accordance with Staff's approval conditions as referenced in the Hearing Officer Meeting Recommended Decision and Order. If any of the three variances requested are denied by the Planning Commission, Staff and the Hearing Officer recommend denial of the Conceptual Plan."

The conditions are as follows for the conceptual plan:

12. 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.
13. Applicant must comply with all Review Agencies Comments and Approval Conditions.
14. Applicant must submit missing documentation pertaining to Landscaping, Parking, Signage, Water Service Agreements, Waste Water Service Agreements and a reconfigured road design showing all driveways within the development 25' feet or more from the return radius of the proposed 4-way intersection, prior to Preliminary & Final Plat being heard by the BCC.

15. The Applicant shall submit a Geo-Technical Report for approval by the Administrator which verifies the stability of the rock and soil within the development prior to Preliminary and Final Plat approval for the development.
16. An Engineered Traffic Impact Analysis showing updated calculations for trips generated from Las Campanas Drive to Calle Gonzales be submitted to County Staff for review prior to the Applicant submitting for Preliminary & Final Plat approval.
17. The Applicant must present a reclamation plan with Preliminary and Final Plat submission to ensure that as much disturbance as possible is reclaimed and revegetated.
18. The boundaries of the development area shall be clearly marked on site with limits of disturbance (LOD) and fencing or construction barriers to be approved by Staff prior to any grading or clearing and before starting construction in accordance with submitted engineered Grading & Drainage Plan.
19. Applicant must provide an approved Storm Water Pollution Prevention Plan (SWPPP) prior to any grading taking place on the property.
20. Mass grading of the site will be prohibited and noted as "Special Building Condition" on recorded Conceptual Plan and transferred to any other plats associated with Tierra Que Canta.
21. Applicant must build all roads within Tierra Que Canta to a SDA-2 "Collector Road" standard.
22. Calle Gonzales would be continuous with the Rembe Tracts B & H and will be paved with asphalt to a 20-foot width (Collector Road Standard).
23. The current sharp bend on Calle Gonzales will be realigned to a safer curve and the intersection will be improved to a four-way stop intersection.
24. Forty percent of the lots on the cul-de-sac road, being the road that extends north from Calle Gonzales at the location of the proposed 4-way stop intersection, will be restricted to one (1) story.
25. The development will not be mass graded. A phased grading plan will be provided to the County as part of the subdivision infrastructure application.
26. Conceptual Plan is subject to all the variance conditions of approval listed above.

That concluded staff's report.

Member Katz asked whether the neighbors were satisfied with the conditions addressing their concerns. Mr. Manzanares said Mr. Siebert met with the public and developed conditions that have been included within the staff-imposed conditions. The neighbors have remaining questions that the applicant can address; however, staff has determined that the project should be approved based on the conditions within the report.

Chair Gonzales asked whether the applicant submitted a geo-technical report and the soil's map as requested by Jose Varela Lopez. Mr. Manzanares stated that staff condition #15 calls for a geo-technical report and soils report.

Regarding the drainage on Calle Gonzales, the chair noted that water comes down the ditch and goes straight onto Calle Gonzales. He said it was important that an

engineer designs that road. Mr. Manzanares said staff shares those concerns and directed the Commission to conditions 18, 29 and 20.

Mr. Manzanares read the “ridgetop” definition as cited in the SLDC, “...the upper most elevation between the shoulder and crest of any hill or ridge.” A diagram was placed on the video platform for viewing by the participants.

Member Krenz and the chair asked which lots were related to the two variances. Mr. Manzanares identified the page within the packet and said lots 16, 17 and 18 are requesting the ridgetop variance. He shared the diagram on the video platform.

[At this point, the quality of the audio deteriorates substantially.]

Duly sworn, Jim Siebert, agent for the applicant, provided some background on the project, stating that Jay Rembe bought the property in 2008 before the SLDC was adopted in 2016. There are some significant differences between the code he would have operated under if he had developed prior to 2016 and today’s current SLDC. Mr. Rembe has done some work in the Los Santeros development of which this is part and the neighbors have seen the quality housing he has created. The product for this request is very similar to that which he has already produced.

Mr. Siebert displayed photos on the platform for orientation purposes. The project is surrounded on two sides by the golf course. He noted the vegetation, and said that it would be preserved on the perimeter of the property. The photos depicted views from different locations on surrounding areas and the 30 percent slopes. The most significant slope is on the south boundary, where a ridgetop variance is requested for three lots. The standard 25-foot setback can be met. Regarding a sharp curve on Calle Gonzales, Mr. Siebert said that the applicant will flatten it for safety concerns. He noted where a four-way stop would be situated.

In terms of the setback variance, Mr. Siebert said the SLDC allows the Land Use Administrator to provide a waiver for cases of this type and with modifications to the plan, that waiver was granted.

Using a diagram, Mr. Siebert discussed the phasing of the project.

Mr. Siebert said that the conditions agreed to with the neighbors were the result of three neighborhood meetings. The applicant agrees to the conditions imposed by staff for the variances and conceptual plan.

Member J.J. Gonzales expressed his concern regarding the density of the project and the small lots.

Chair Gonzales said the ridgetop units caused him concern, especially with buildable area below.

A question regarding the depth of the sewer line came up, and Mr. Siebert said that it would be standard depth.

Chair Gonzales asked about the applicant's disagreement with staff's recommendation regarding driveway alignment and setback from the four-way intersection. Mr. Siebert replied that it has been resolved with the present plan and meets those requirements.

A question regarding the minimum and maximum size of the houses was posed, and Mr. Siebert responded that the minimum size would be 2,000 square feet, which includes a small accessory-type structure.

Member Katz asked the applicant how many and which units would be two-story. Mr. Siebert stated that 40 percent and those on the cul-de-sac will not be two-story.

Member Krenz asked whether the gate issue was resolved. Mr. Siebert said that the applicant has no control over the gate issue. It was his understanding that the gates were temporary for the duration of construction.

Member Krenz noted that the development would have only one access from the east. Mr. Siebert said that once the gate is removed, that will be the case.

Mr. Manzanares noted that condition #10 states that staff is willing to work with Las Campanas and the applicant to resolve the gate issue. The Las Campanas HOA will need to work with staff on a separate application. Mr. Siebert repeated that the gate issue is outside the applicant's control.

Chair Gonzales said the issue with the gate would need to be resolved for the drainage issues.

[Daniel Fresquez, Santa Fe County IT, identified attendees contributing to the feedback and asked that they close either their computer or cell phone.]

Member Krenz asked the applicant how the density of this project compares to density throughout Las Campanas. Mr. Siebert responded that Las Santeros Subdivision, within Las Campanas, has very similar size lots. The 22 units were approved as part of a master plan and Mr. Rembe bought the property based on his ability to get 22 units on the land. Houses which Mr. Rembe has built elsewhere in Las Santeros are basically the same size, and a different product than found elsewhere in Las Campanas.

Duly sworn, Jay Rembe, Albuquerque, said that the development was originally designed in three phases by ASW and was meant to be attached-product to accommodate an "empty nester." He and his partner built out phase two, and he is using the approved AWS design for phase three. The project already exists in Las Campanas and is well designed. Phase three was developed for "lock and leave" cluster compound styled homes. The zoning allows for seven attached units and this application also contains some non-attached. A very small portion of the homes contain the second-story and these are situated furthest away from the golf course, as well as protecting the views the neighbors were concerned about.

Mr. Rembe said he has respected the concerns of the neighbors. The buildable areas in the approved preliminary design were close to the golf course where the views are.

Mr. Rembe confirmed that Morey Walker was the engineer on the project and at this point, he was not at liberty to announce the builder.

From a permitting standpoint, Mr. Manzanares said staff is requesting further definition (condition #24) on the two-story units. Staff requests the lots be identified and provided to staff prior to preliminary and final plat. With that information, staff can track the units. Mr. Manzanares said 40 percent would be nine two-story lots

Mr. Rembe said he was pleased to do that as long as flexibility is provided. He is comfortable with 40 percent of the eastern lots being two-story.

Mr. Siebert suggested finalizing this information at the subdivision level, that the applicant will designate the lots at the time of platting process, and based on the market demand, allow the applicant the opportunity to adjust. Mr. Manzanares said staff was willing to work with the applicant.

Ms. Lucero confirmed that staff can work with the applicant before the final plat approval.

Mr. Siebert confirmed that the lots with a zero lot line have a common wall at the garage.

Duly sworn, Mona Shoup, 7 Tecolote Circle of Las Campanas stated she has a background in wetland management and erosion. Her main concerns are about the soil and water runoff and road that leads out to Las Campanas Drive which should be paved. She has walked the subject property, and even though it is heavily vegetated, it is full of gullies and arroyos from the erosion. The high density planned by this development will require the elimination of the trees. Photos were shown. She said the two-story homes would overlook the Las Campanas sewage treatment plant, and questioned why anyone would pay \$1 million for that view.

The road between the two parcels is unpaved and very steep, stated Ms Shoup, and needs to be paved.

Ms. Shoup stated that in much of Las Campanas two-story homes are prohibited, and Las Campanas covenants should be further investigated. Further, the older Los Santeros is an eyesore with erosion and a lack of vegetation. She said it was not fair to existing residents of Las Campanas or potential residents to have this type of development in their area. Concluding her comments, Ms. Shoup said erosion is her greatest concern.

Duly sworn, Scott Vanderberg of Los Santeros, said that he lives across from the golf course, and his greatest concern is the loss of trees. How can the developer ensure the residents that they will not disturb any trees other than those they must?

Mr. Vanderberg requested the application provide the ratio of two-story homes on the north side versus the south side of the project. Will all of the two-story homes be on the north side, he asked.

There were no other speakers and Chair Gonzales closed the public hearing.

Member Raznick asked the applicant to respond to the concerns raised by those that spoke. Mr. Rembe said, as far as soil erosion and runoff, he has hired engineer Morey Walker. Originally, the road in question would be gravel for a more natural appeal, but he has agreed to pave it. Regarding trees, Mr. Rembe said he does not want to remove any that don't need to be, and will maintain as many trees as possible.

Mr. Rembe said most of the houses face east and have wonderful views. Depending on their location, the units will sell for \$500,000+ not \$1 million.

Chair Gonzales said that staff will be obtaining more detailed engineering information at the permitting stage.

Member Katz said that his concern, as well as staff's, is that the two-story and one-story units are not clearly identified. Ideally, a graphic showing what the development will look like from the golf course, etc., would be useful. Member Katz said he was reluctant to approve without that conceptual information.

Ms. Lucero clarified that once the applicant receives approval for conceptual plan, the preliminary and final plat will go straight to the Board of County Commissioners.

Member Raznick concurred with Member Katz's concerns. He suggested tabling the case until the applicant provides the information.

Mr. Rembe said he was willing to work with staff to better identify the two-story units. He offered to include Mr. Vanderberg in the discussions. Member Katz said the Commission is tasked to approve or disapprove based on what has been presented, rather than delegate that to staff or a neighbor.

Member Krenz said that he reviewed the packet material on this case, and the same issues remain unresolved: the number and location of two-story units, paving the road, the gate, and the density. He said he wants resolution before this commission takes action.

Member Krenz moved to table the case for the applicant to address the number of two-story units, identify which units are one- and two-story, and resolution of the gate issue. Member J.J. Gonzales seconded. The motion passed by unanimous roll call vote with the following members voting: Charlie Gonzales, Frank Katz, J. J. Gonzales, Steve Krenz, Leroy Lopez, Susan Martin and Fred Raznick.

Chair Gonzales thanked the applicant and advised him to get in touch with Land Use staff.

6. Petitions from the Floor

None were offered.

7. **Communications from the Commission**

Member Katz thanked staff for their efforts in making this meeting work, and the remainder of the Commissioners joined in on that praise. Chair Gonzales thanked Ms. Lucero for her special assistance.

8. **Communications from the Attorney**

None were offered.

9. **Matters from Land Use Staff**

Ms. Lucero thanked the Commissioners for their patience.

10. **Next Planning Commission Meeting: May 21, 2020**

11. **Adjournment**

Member Martin moved to adjourn and Member Lopez seconded. The motion passed without opposition and Chair Gonzales declared this meeting adjourned at approximately 6:10 p.m.

Approved by:

Charlie Gonzales, Chair
Planning Commission



ATTEST TO:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

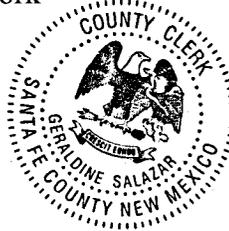
SFC CLERK RECORDED 07/14/2020

Respectfully submitted by:

Karen Farrell, Wordswork

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss PLANNING COMMISSION MI
PAGES: 14

I Hereby Certify That This Instrument Was Filed for
Record On The 14TH Day Of July, 2020 at 09:15:41 AM
and Was Duly Recorded as Instrument # 1921773
of The Records Of Santa Fe County



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