

Planning Commission Meeting
June 9, 2011
6:00 PM
City Council Chambers
405 North Paseo de Oñate, Española, NM 87532

The Planning Commission Meeting was called to order at 6:05 PM, by Chairman Erle Wright. The following were present:

Commissioners: Erle Wright, Chairman
Laurie Koontz, Vice-Chairwoman
Richard Beaudoin
Amrit Khalsa
Sunee Sandoval

Commissioner
Absent: Anissa Martinez

Staff: Russell Naranjo, Planning Director
Larry Valdez, Planning Technician
Isabelle Martinez, Code Enforcement Officer

Item II Pledge of Allegiance:

Chairman Wright led the Pledge of Allegiance.

Item III Approval of Agenda:

As presented:

- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Agenda
- IV. Public Concerns
- V. Items for Consideration
 1. Variance Request. Mr. Raymond Romero, owner, is requesting a variance on rear setbacks for an attached portal located at 1229 Chacoma Vista Lane. This property is zoned R-6, Urban Residential District.
- VI. Old Business
 1. Commercial Site Plan Review. Dekker/Perich/Sabatini, architects for Presbyterian Hospital are requesting a commercial site plan review for the proposed construction of a 53,845 square foot addition and helicopter pad relocation to the existing Española Presbyterian Hospital, located at 1010 Spruce Street. This property is zoned R-6, Urban Residential District.
 2. Discussion and consideration of the modifications to the sign code.
- VII. Approval of Minutes
May 12, 2011
- VIII. Matters from the Planning Commission
- IX. Matters from the Planning Staff
- X. Adjournment

Chairman Wright asked if there were any changes to the agenda. Mr. Russell Naranjo, Planning Director, responded no. Commissioner Khalsa moved to approve the agenda as presented. Commissioner Sandoval seconded the motion. Motion carried by a 5-0 vote.

Item IV Public Concerns:

None

Item V Item for Consideration:

1. Variance Request. Mr. Raymond Romero, owner, is requesting a variance on rear setbacks for an attached portal, located at 1229 Chacoma Vista Lane. This property is zoned R-6, Urban Residential District.

Mr. Larry Valdez, Planning Technician, read staff's report, as follows:

Recommendations:

As is the case in any request for deviation from the Development Code, this office cannot recommend approval, though each request is approved or denied based on its own merits.

Executive Summary:

The City of Española, Development Code, Resolution 2004-20, **Site Development Requirements, Single Family Residential Districts**, Table 1 states:

<i>R-6 Districts:</i>	<i>Proposed/Existing</i>
<i>Lot Area: 6500 square feet</i>	<i>11,761 square feet</i>
<i>Setbacks: 20' Front, 25' Rear, 5' Sides</i>	<i>Front, attached, 10' rear, 11' sides</i>
<i>Lot Coverage: 35%</i>	<i>34%</i>

In reviewing this variance request, the Planning Commission shall determine whether all of the following criteria has been met in making a determination of approval, conditional approval or denial.

Sec.156. Variance review criteria

- (a) The practical difficulty or unnecessary hardship is inherent to the lot and is peculiar because of size, shape, topography or some other characteristic of the lot which differentiates it from other lots in the vicinity or in the district. The hardship created should not be self-imposed.
- (b) The practical difficulty or hardship created is caused by a strict interpretation of the provisions of this Ordinance, is not self-imposed and is not generally shared by other lots in the vicinity or the district.
- (c) The granting of the requested variance is necessary for the preservation and enjoyment of a substantial property right of the applicant which is possessed by others in the vicinity.
- (d) The granting of the variance sought will not be contrary to the purpose or intent of this Ordinance, or injurious to property within 100 feet or otherwise detrimental to the general health, safety or general welfare of the community.

Should any request for variance not meet all four of the above listed criteria, the Planning Commission shall deny the request.

Summary:

Chacoma Vista Subdivision began as an eight lot subdivision in 1983. At the time, approval was granted for individual lots, one acre in size, with the eight being 12.24 acres. In 1994, approval was granted for a 31 lot subdivision currently identified as Chacoma Vista Subdivision, Block 2. This is the subdivision that Mr. Raymond Romero is requesting a variance on setbacks for his proposed portal, specifically, 1229 Chacoma Vista Lane. Mr. Romero is requesting permission to build a 1,108 square foot portal on his residence with a rear setback of 10 feet.

At the time of approval for this subdivision, building envelopes and setbacks followed the current development codes which are now being followed for this request. Covenants for this subdivision are not mentioned in this memo due to fact that this department nor the Planning Commission enforces them.

Research has not revealed any other variances granted for this subdivision.

Comments:

This office has not received any response from adjoining neighbors or neighborhood groups opposing this request.

Mr. Raymond Romero, applicant, stated that he and his wife have lived at this location for the past 20 years and are very happy there. He added that they would like to construct a portal to increase the value and to enjoy their property. Mr. Romero stated that the portal will increase the value of the property as well as protect their investment. He said that he has canvassed approximately 20 of his

neighbors and he only received positive feedback, there were no objections. Mr. Romero requested approval of his request.

Commissioner Khalsa asked if the rear setback would be ten feet (10') or five feet (5'). Mr. Romero stated that the current setback is twenty five feet (25') and he is proposing to construct a twenty foot (20') portal, therefore, the setback would be five feet (5').

Chairman Wright asked how high the portal will be. Mr. Romero responded eight (8') or nine (9') feet and it will have a parapet. It will be even with the house roof.

Chairman Wright asked if there is a block wall separating the properties. Mr. Romero responded that there is a wooden privacy fence.

Commissioner Beaudoin asked if the roof will be flat or pitched. Mr. Romero responded flat with a slope. Commissioner Beaudoin asked where the water will drain. Mr. Romero responded the water will be retained in the property. He will either place rain barrels or flower pots.

Mr. Naranjo stated that he would like to clarify the setback, if it will be ten feet (10') or five feet (5'). Mr. Valdez stated that according to the scale on the paperwork Mr. Romero submitted it measures ten feet (10'). Mr. Romero stated they currently have a 25 foot setback and they are proposing a 20 foot portal; therefore, it will be five feet (5') from the property line. Mr. Naranjo stated that the required rear setback is 25 feet and proposed is five feet (5').

Chairman Wright opened the public hearing at 6:23 P. There were no public comments; therefore, the public hearing was closed at 6:23 PM.

Chairman Wright stated he was concerned with the proposed setback; however, there were no concerns from the neighbors. He added that he noticed similar portals on other properties within the subdivision. He added that the property does have sight configuration.

Commissioner Koontz asked if the five foot (5') rear setback would create a fire danger to the adjacent property. Mr. Valdez stated that he had not conducted a site visit; however, on the enclosed photo, it appears that there is quite a distance to the adjacent structure. It should not impact them.

Commissioner Khalsa moved to approve the variance request from Mr. Raymond Romero, for the construction of an addition and a portal with a five foot (5') setback at 1229 Chacoma Vista Lane. Commissioner Koontz seconded the motion. Motion carried by a 5-0 vote.

Item VI Old Business:

- 1. Commercial Site Plan Review. Dekker/Perich/Sabatini, Architects for Presbyterian Hospital are requesting a commercial site plan review for the proposed construction of a 53,845 square foot addition and helicopter pad relocation to the existing Española Presbyterian Hospital, located at 1010 Spruce Street. This property is zoned R-6, Urban Residential District.**

Chairman Wright stated that this request was tabled at the May 12, 2011 meeting. He added that the commissioners did not attend the meeting the hospital staff held with the neighbors to discuss different options for the helipad. Chairman Wright asked for an update from the meeting.

Ms. Brenda Romero, Hospital Administrator, stated that the meeting was held on May 24th and there were eight (8) neighbors present. She stated that six (6) of the eight (8) neighbors present agreed to the location of the helipad. It will be moved approximately 100 feet east and approximately 24 feet north. She added it will be approximately 160 feet away from Ms. Eutimia Sandoval's residence; the prior request was for 100 feet.

Ms. Romero stated that the hospital also agreed to construct a wall on the north and south boundary lines which will cost approximately \$208,000. They have also agreed to loop the water system as requested by the City to provide better fire protection, which will cost approximately \$148,000. Ms. Romero added that the wall will be six feet (6') above ground with a two foot (2') foundation. The

hospital will also be landscaping around the helipad, which should eliminate some of the dust and debris when the helicopter lands or takes off. Ms. Romero also stated that they will be improving on communication with property owners during construction. She said that during the last construction there was a lot of tamping on the ground and they will be using a more traditional method during this construction.

Chairman Wright asked if the additional fire hydrant will be placed. Ms. Romero responded yes.

Commissioner Beaudoin asked if placing the helipad on the roof had been discussed. Ms. Romero stated that a representative from the FAA was present at the meeting and discouraged them from placing it there. She added that he had written a letter and it was presented to Mr. Valdez. The representative stated that placing the helipad on the roof would actually create more noise and a lot more liability. Chairman Wright asked that the letter be included as part of the record.

Commissioner Beaudoin asked if they had considered a Master Plan. Ms. Romero stated that they had submitted their 20 year plan to Mr. Valdez. She added that they will be required to add another CT scan machine and have their own MRI equipment.

Commissioner Koontz asked what the two (2) neighbors had disagreed with. Ms. Romero stated that the neighbors were present.

Ms. Mary Rodriguez, Spruce Street, asked if the water loop system had to do with the drainage. Ms. Romero stated no, the water loop system was to provide better fire protection.

Commissioner Beaudoin asked if the landscaping plan had a pond or a berm, he could not tell. Mr. Michael Gibson, Architect, stated it was a berm a couple of feet high.

Commissioner Sandoval asked if the six foot (6') wall would be placed on both sides of the property. Ms. Romero responded that it will be built on the north and south side of the property. Mr. Gibson stated that on the north side of the property the wall will be built from Mr. Gilbert Naranjo's property and go east.

Commissioner Koontz asked if there would be a bond in place if any damage occurred to the surrounding structures. She asked if minutes from the hospital meeting were submitted to the City. Ms. Romero stated she would submit a copy.

Commissioner Koontz asked if the 20 year Master Plan included housing for families with sick family members. Ms. Romero responded no.

Commissioner Khalsa asked if inspections of surrounding properties, prior to construction, would be required for the bond insurance policy. Mr. Laur responded that it is not common practice to do so. Mr. Laur stated that during the last construction they had to pack gravel which required a lot of compaction and it caused vibration. He added that will not be required during this construction.

Ms. Romero stated that she would look into requirements for filing claims and would have the information available.

Ms. Eutimia Sandoval, adjacent property owner, expressed concern that there will be damage to her foundation and house during the construction of the north boundary wall. She asked if there will be sufficient room for a fire truck. Chairman Wright stated that the wall will be built on the boundary line.

Ms. Sandoval asked if the helipad would decrease the value of her property. She stated that her understanding was that the helipad had to be 200 feet away from her house not 156 feet. Mr. Gibson stated that from center of the helipad to the back of Ms. Sandoval house there is a little over 200 feet.

Ms. Lori Martinez, Spruce Street, expressed concern that the hospital does not have a lot of land and if they decide to add more to the hospital, the helipad will have to be moved again. She asked if a Master Plan is submitted and the helipad has to be relocated; will adjacent property owners be informed? Ms. Martinez stated that the representative from FAA had stated that placing the helipad on the roof would actually create more noise. Chairman Wright stated that placing it on the roof will also cost more.

Ms. Romero stated that there are no plans to move it again within the projected 20 year plan.

Mr. Russell Naranjo stated that the 20 year plan was not very legible. He added that the hospital would have to follow the process with submitting the Master Plan. It will have to be reviewed and approved by the Planning Commission. He added that if the request is approved tonight and they decide to move the helipad again they will have to be reviewed by the Planning Commission.

Ms. Lori Martinez asked if they will have to come before the commission again if they decide to move it. Mr. Naranjo responded that they will be required to come before the commission either way, if they decide to move it or submit a Master Plan.

Commissioner Wright stated it would be in the hospital's best interest to submit a Master Plan. He stated that the property is not zoned properly for a hospital and it also affects lot coverage. He suggested that hospital staff meet with City staff to discuss options.

Ms. Martinez asked for specific landscaping around the helipad.

Mr. Orlando Griego, lives adjacent to hospital, he stated that he was present at the meeting on the 24th and it was discussed that the boundary wall would be ten feet (10') high and it was now stated that it will be six feet (6'). Mr. Griego stated that the hospital has to plan for the future like 20 to 30 years from now. He added that parking is a big issue and is very limited now. He stated that a pilot present at the meeting had suggested placing a parking structure with the helipad on top. Mr. Griego stated that he has lived there for thirty six (36) years and the helipad has moved several times. He added that the hospital needs to plan for longer than six (6) or seven (7) years.

Commissioner Wright asked if there was a height limit on the wall. Mr. Valdez stated there is no height limit, but if it is over four feet (4') it needs to be engineered stamped. Chairman Wright asked about the landscaping plan; he asked if the existing vegetation would be preserved. Mr. Gibson stated that the drainage pond is existing and they will be planting additional trees. He added that one inch (1") gravel will be placed around the helipad to eliminate some of the dust. He added that a lot of the dust is created from the vacant adjacent lots.

Commissioner Khalsa asked if the wall would be 6 feet (6') or eight feet (8') high? Mr. Gibson responded that it will be six feet (6') above ground. He added that the houses are too close to property lines and a ten foot (10') wall would be too high. He added the six foot (6') wall would help with the dirt, debris and prevent the lights from shining on the houses during the night hours. Chairman Wright stated at a ten foot (10') wall would limit solar access to the adjacent houses. He added that when planting trees the height had to be considered so they would not prevent solar access. Chairman Wright stated that a parking garage is a good idea. He requested a drainage and grading plan be submitted.

Mr. Naranjo stated that he would like clarification on the type of wall that will be placed. Mr. Laur stated that it will be a concrete block wall that will be painted. Mr. Naranjo stated his parents live adjacent to the hospital, and when the helicopter is approaching and taking off is when the noise level is highest.

Commissioner Beaudoin stated that the boundary wall on the southwest corner has Virginia creeper vine. He suggested that this be considered for the remainder of the wall. He added that it will absorb a lot of the noise and dust. Commissioner Beaudoin thanked the hospital staff for meeting with the neighbors.

Commissioner Sandoval asked if the wall will be painted on both sides and who will be responsible for the maintenance of the wall. Ms. Romero stated that the hospital staff will maintain the wall. Commissioner Khalsa suggested placing slump block (rough surface). Mr. Laur stated that if the wall was tagged it could not be cleaned.

Chairman Wright stated that the spelling on Mr. Laur's name had to be corrected on the minutes.

Commissioner Khalsa moved to approve the commercial site plan review for the addition and relocation of the helipad at 1010 Spruce Street with the following conditions:

- Construction and maintenance of a six foot (6') (above ground) solid wall
- The water system be looped
- The landscaping plan be submitted and approved by City staff
- Drainage and grading plan be submitted
- Placement of additional fire hydrant
- Sign permits be obtained
- Work with neighbors on bonding for construction and the claim filing process

Mr. Griego stated that there is a lot of money being spent on this project. He suggested that the commissioners go on a "field trip" and have the helicopter land in order to experience how it feels to live in the area.

Chairman Wright stated that he understands and respects the neighbor's concerns; however, the helipad needs to be there. He thanked the neighbors and hospital staff for meeting and discussing different options. Chairman Wright added that the landscaping will take time to mature. He stated that compromises have to be made because the helicopter is a needed service.

Commissioner Sandoval stated that she knows what it is like to live next to the helipad. She added that most recently while trying to enjoy Easter brunch they had to stop praying while the helicopter landed. She stated that she would not be voting for approval tonight because a site plan has not been submitted. She added that if a site plan had been submitted the helipad would not have to be moved. She urged the hospital staff to submit a site plan. Commissioner Sandoval informed the hospital that they had to be neighborhood friendly and they haven't been.

Commissioner Beaudoin seconded the motion. Motion carried by a 4-1 vote. Commissioner Sandoval opposed.

Chairman Wright strongly suggested that a long term plan be submitted.

2. Discussion and consideration of the modifications to the sign code.

Commissioner Khalsa moved to table this request. Commissioner Sandoval seconded the motion. Motion carried by a 5-0 vote.

Item VII Approval of Minutes:

Commissioner Sandoval moved to approve the minutes from the May 12, 2011 meeting with correcting the spelling from "Larr" to "Laur". Commissioner Khalsa seconded the motion. Motion carried by a 5-0 vote.

Item VIII Matters from the Planning Commission:

Commissioner Koontz asked if Olga Garcia had accepted her appointment as commissioner. Mr. Naranjo stated he did not know; he has not received any information.

Commissioner Beaudoin asked if the City can force the hospital to rezone and to submit a Master Plan. Mr. Naranjo stated that it would be in the hospital's best interest; however, it has to be up to property owners to submit their requests. He added that the property owner has the right to submit their applications to be heard by the Planning Commission.

Commissioner Beaudoin asked if it could have been a condition on the motion of approval. Commissioner Sandoval stated it should have been done as a condition to force them to apply. Commissioner Sandoval stated that the hospital should have put a notice in the newspaper informing the public of the meeting. She added that the City dropped the ball by not forcing the hospital to notify the neighbors of the meeting.

Commissioner Khalsa stated that if a Master Plan is submitted and approved the applicant is locked in with that request and cannot make changes.

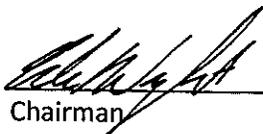
Commissioner Koontz stated that there was no signature on the letter from FAA. Mr. Valdez stated that he had not forwarded the e-mail because it was not a formal letter, it was only for consideration. Commissioner Khalsa stated there were some valid points on the letter.

Item IX Matters from the Planning Staff:

Mr. Naranjo stated there were no cases for the July meeting; he suggested having a study session. It was agreed to have a study session on July 14, 2011 at 6:00 PM. Discussion will be mobile home park regulations and abandoned buildings.

Item X Adjournment:

Commissioner Khalsa moved to adjourn the meeting. Commissioner Koontz seconded the motion. Motion carried by a 5-0 vote. Meeting adjourned at 7:42 PM.

 9 September 2011  9/9/11
Chairman Date Secretary Date