



**AGENDA  
PLANNING COMMISSION MEETING  
THURSDAY, SEPTEMBER 8, 2022 AT 6:00 PM  
PLANNING CHAMBERS, CITY HALL  
405 N. PASEO DE OÑATE ESPAÑOLA, N.M.**

**I. CALL TO ORDER**

([10:54 - 12:37])  
Time: 6:00pm

**II. ROLL CALL/ DETERMINATION OF QUORUM**

Adrianna Ortiz - *absent*  
Ross Chavez  
J.D. Martinez  
J.R. Trujillo  
Joe Salazar  
Charlene Guinn  
Roland Borrego

**III. PLEDGE OF ALLEGIANCE**

Commissioner Charlene Guinn led the Pledge of Allegiance.

**IV. APPROVAL OF AGENDA**

([13:33 - 15:35])

Chair J.R. Trujillo stated that there would be a few minor changes. He stated that first under Legislative Hearings, they would not be able to discuss Item 4. Cannabis Commercial License/Permits so they would postpone that until their next meeting so they would take it off for that evening. He asked if they had the Final Decisions. He stated that they would postpone the Approval of Minutes and the Approval of Final Decision until the next meeting as well.

Motion: Commissioner Charlene Guinn    Second: Commissioner Roland Borrego  
Passed: 5-0

J.D. Martinez - *in favor*  
J.R. Trujillo - *in favor*  
Joe Salazar - *in favor*  
Charlene Guinn - *in favor*  
Roland Borrego - *in favor*

**V. PUBLIC COMMENTS/BUSINESS FROM VISITORS**

([15:36 - 16:34])

Ms. Marcie Davis asked, for clarification, if they were postponing voting on the Final Decisions. Chair Trujillo replied yes, on the Final Decisions as they were not completed at that time so they would be at the next meeting.

**VI. ITEMS TABLED FROM PRIOR MEETING**

([16:34 - 16:38])

There were no Items Tabled from Prior Meetings.

## VII. ITEMS FOR CONSIDERATION/NEW BUSINESS

([16:39 - 1:08:05])

Chair Trujillo explained the process of the Public Hearing before opening the Public Hearing.

### PUBLIC HEARINGS

1. **2022-15 Large Cannabis Production Plan:** Mateo Frazier of Cosmica LLC, Applicant, requests approval of a plan for production of cannabis on large scale on property currently addressed as 725 N Riverside (UPC 1-120-299-476). The subject property is located in the B-2 General Commercial District.

**Open: 6:06pm**

Chair Trujillo swore in the participating parties. As there were no ex parte communications or conflicts of interest related to this case, Chair Trujillo asked Staff to present the case.

Ms. Lou Baker introduced Case 2022-15 and stated that they had applied for a Special Use Permit under Chapter 350, Article 4, Section 405 which defined the Special Use Permit process and the City of Española Ordinance for production of 400 cannabis plants on his property. She stated that the property was in the B-2 General Commercial District and was 0.70 acres. She stated that the adjacent property to the north was Point S Tire Company, and that across the street to the west was ALC Global Copies and Habitat for Humanity. She stated that to the east was a vacant R-M parcel, and to the south were three sub storage structures. She stated that cannabis production was permissible in the B-2 District, but that the applicant desired to plant 400 plants thus exceeding the maximum of 200 plants allowed in the City of Española Cannabis Ordinance. She explained that the applicant had received a Cannabis Producer License Number: CCD-2022-0588-001 by the State of New Mexico Regulation and Licensing Department. She stated that the proposed request would comply with Section 408, Review Criteria for the Determination of Uses and Addition, Deletion, or Changes in Category of Uses Allowed. She stated that a.) the proposed change would not result in land use inconsistent with the purpose of the District, the proposed change would not permit the establishment of use incompatible with the use allowed in the District, the proposed change statually conformed to the Comprehensive Plan, and the proposed change was not materially detrimental to the health, safety, and general welfare of the citizens of Española. She stated that the applicant would apply for a City water hook-up connection and an account in lieu of proof of water rights and documentation from a water provider that the applicant had a right to use water from the provider for cannabis production. She stated that the applicant would follow the site development requirements of the proposed project as per Chapter 350. She further explained the five analysis of the relevant regulations that needed to be met and Staff's response. She stressed for the record that it was not a dispensary and would not be accessible to the Public. She stated that Mr. Mateo would have his employees, but after discussion with him and looking at other production facilities, there would not be a lot of traffic in and out. She stressed that the building was existing and that it was entirely consistent with surrounding land use, and that no additional building or development was proposed. She stated that Staff believed that the proposed use was essentially commercial in nature, and therefore, felt the site was best suited for the proposed use. She stated that she had not spoken to Mr. Frazier about landscaping, but that it was one of her recommendations. She moved on to her recommendations should the Body recommend approval or approval with conditions. She stated that her conditions which she would respectfully ask the Body to consider were: 1.) that the Commission should prescribe a point in time for which the Special Use would begin, not to exceed 90 days from the meeting date, and the point in time that the Special Use would expire, not to exceed five years. She stated that Special Use Permits were not transferable, and that a transfer of land ownership would invalidate the Special Use. She stated that 2.) it would not be contrary to the purpose or intent of the City of Española Cannabis Ordinance or be injurious to property within 100-feet or otherwise detrimental to the general health, safety, and general welfare of the community and would not have any effect on the safety or general of the community

since cannabis was legal by State Statute and the property was zoned Commercial, supported by the City of Española Cannabis Ordinance. She continued to number 3.) that prior to receiving a Special Use Permit, the applicant would install a backflow preventer between the water meter and the building if one did not currently exist. She stated that number 4.) prior to receiving a Special Use Permit, the applicant would show proof that a full building and safety inspection had been performed by the Española Fire Department. She stated that 5.) was that prior to receiving a Special Use Permit, the applicant would show two disabled parking spaces and would ensure that those parking spaces would meet all required ADA standards. She stated that 6.) prior to receiving a Special Use Permit, the applicant should ensure all landscaping requirements had been met according to Chapter 350 of the Española Code and that any lighting would be compliant to the New Mexico Night Sky Protection Act. She stated that 7.) The applicant was required to submit a signed permit application for any new signage added to the site or building, and that overall signage at the location including any and all existing signage would not exceed the 300-square feet allowed per lot as stated in Section 922. She stated that pursuant to Appendix C, the sign fee amount was determined at a standard rate of \$75. She stated that the applicant was required to apply for a business license at the rate of \$100 with the Office of the City Clerk after receiving a Special Use Permit, stated to begin or complete any required action authorized at the time of granting the Special Use Permit, shall void the Special Use Permit. She stated that the applicant must return and reapply to the Planning Commission at the expiration of the Special Use Permit which was in the Code for Special Use Permit to not exceed five years. She stated that there were no DRT conditions as of the time of the Staff report. She stated that the applicant should comply with Section 403 Development Plan Review Criteria and should comply with Section 300-40 Public Water Lines. She stated that in regards to item 13.), Mr. Frazier would be required to work very closely with their Utility Department. She explained the contents of the packet then stood for any questions.

Commissioner Charlene Guinn asked for clarification regarding the parking spaces.

Ms. Baker recognized the typo and clarified that it should state two ADA compliant spaces.

Commissioner Joe Salazar asked about item 6.)'s landscaping requirements.

Ms. Baker replied that it was Chapter 350 though she did not have them before her and did not know them by heart. She stated that Chapter 350 had a section for landscaping geared toward xeriscape.

Commissioner J.D. Martinez stated that they had a lot of customers there, and asked if they had a place for the entrances.

There was further discussion regarding the entrances and landscaping.

Mr. Frazier stated that they would only have about four employees so there would not be too much traffic.

Ms. Baker stated that she was willing for them to strike item 6.), or strike the first part of 6.) because she felt it was important for them to comply with the site lighting plan.

There was further discussion regarding parking and landscape.

Chair Trujillo asked about the DRT recommendations and whether they did not have them because they did not have any or because they did not discuss the case.

Ms. Baker replied that she did not receive any at all though they did have a chance to discuss it.

With no further questions for Staff, Chair Trujillo asked the Applicant to state his case.

Mr. Mateo Frazier, CEO and President of the corporation founded with his wife and mother, gave a brief introduction of himself. He explained that they had started a cannabis enterprise program two or three years prior at Northern New Mexico College. He spoke about the interest in cannabis and hemp as well as his license to conduct business and growth. He continued to explain his interest and development of his business within the City. He stated that the front building was about 2800-square

feet and the rear building was about 2200-square feet. He stated that the smaller square was a paint/spray booth and that it was about 800-square feet, but that they had no use for that right then so it was just vacant. He stated that the thing with the plant count was kind of unique to that business in that it was arbitrary to that business. He stated that a lot of States had moved toward canopy space so they would go by square meters rather than plants. He explained processes in cannabis growing. He stated that they would have 12 pods with 34 plants each which would rotate on a 12-week cycle. He stated that one of the important aspects of this was that when they passed the legislation to address the dynamics of some of the economic challenges of certain regions as well as certain areas which were also disproportionately affected by the war on drugs, they had made those licenses available to folks. He explained that he had been teaching classes on it and that they were available as they could navigate through the processes, but that it was still incredibly difficult to compete with the deep pockets because there was so much regulation and compliance they had to go through. He explained that they had chosen, instead of doing 200 plants, to go with the vertical. He stated that anything under 200 was a micro-license, and that anything over that they had to go to the State and request in increments of 500 plants every year which was both limited and also about demand so it depended on consumers. He stated that they decided to start with 400 because they had enough room though they did not have enough capital to build the entire thing. He stated that they would start on the name-building and then about 18 weeks down the road they would build out the second phase, meaning they would put the pods in there and start to plant the other 200 plants. He stated that was pretty much the basis of what he was doing.

Commissioner Guinn verified that he would not be doing the 400 plants all at one time so it would be a cycle and the growth period.

Mr. Frazier replied that it would present a lot of challenges for a lot of reasons as it was so laborious flipping 400 mature plants, which was any plant that was starting the flowering stage of development. He further explained the growth processes.

Commissioner Borrego asked if they would all be indoor growing, all the pods he was talking about. He verified that they would start with a large portion then continue or if it would be based on demand.

Mr. Frazier replied that on a really good month, he would probably pull about 80 pounds out of his growth. He stated that would be pretty good, but that it was not nearly what his competitors were putting out. He stated that the goal would be to build it out as quickly as he could afford to scale. He stated that he thought they were about three to five years from Federal legalization. He continued to discuss legalization and expansion.

Commissioner Borrego asked if he would be supplying some of the shops that sold.

Mr. Frazier stated that they would only be wholesaling, no retail.

There was further discussion about sales and growth.

Commissioner Borrego asked how much water he expected to use.

Mr. Frazier replied that it would be about 150 gallons per pod so around 150,000 gallons per year. He stated that they would use about 1/10 of hydroponic methods, traditional farming methods because they would recapture the water and reuse it. He stated that they would lose some to respiration and evaporation, but that they would retain a lot more that way.

Commissioner Borrego asked about the soil in the pods and if they could recultivate that soil.

Mr. Frazier replied that those plants grew entirely in water, entirely a hydroponic method. He stated that essentially they were 8-gallon buckets with oxygenated and nutrient-dense water to the plants in a constant cycle.

Commissioner Borrego stated that there would be no waste.

Mr. Frazier confirmed that there would be no waste and that they would also not have the toxicity of

all of the soil if they did not have time to rotate the soil. He stated that they loved outdoor growing and they should see more of that.

Commissioner \_\_\_\_\_ asked how many employees they would have.

Mr. Frazier replied they would have four employees as well as contract employees. He talked about the situation they would have with their employees.

Commissioner Joe Salazar congratulated him for his certifying and teaching at the College.

They continued to discuss the education of this further.

Chair Trujillo asked him to explain what pods were.

Mr. Frazier replied that they were tents called grow tents which were rigid, Mylar, indoor greenhouses. He explained the benefits and efficiency of them.

Chair Trujillo stated that the water consumption was 150,000 gallons per year with 400 mature plants maximum. He asked if there would be any other growth besides that.

Mr. Frazier replied no as he did not think they had the space there, and that if they were going to grow more they would have to acquire some real estate somewhere else.

Ms. Baker stated that he had done a great presentation and that his application had everything she needed to get through the process. She explained further processes he would have to go through with Mr. Talcott.

Commissioner Salazar asked about the landscaping and the ideas Mr Frazier had to address that issue.

Mr. Frazier replied that he would be bringing in a base course to fill in the end of the low spot so water would flow as it should. He stated that there was mostly gravel and they would be using xeriscape for landscaping.

A neighbor asked if he had thought about his monthly power usage.

Mr. Frazier replied yes, that the State required them to estimate their monthly power usage. He stated that he would not quote it off his head, but that it was in his application somewhere. He stated that they would be using LED lighting.

Mr. Zachary Trujillo, Chair Trujillo's son, had asked about power usage.

**Closed: 6:55pm**

Commissioner Roland Borrego requested approval with the conditions that Staff had recommended.

Commissioner Charlene Guinn seconded. She asked if they were to set the dates for him right then.

Ms. Baker replied yes, that according to the Statute, the Special Use Permit would come into effect within 90 days and could not exceed five years.

Motion to approve with conditions from Staff

Motion: Commissioner Roland Borrego    Second: Commissioner Charlene Guinn

Passed: 5-0

J.D. Martinez - *in favor*

J.R. Trujillo - *in favor*

Joe Salazar - *in favor*

Charlene Guinn - *in favor*

Roland Borrego - *in favor*

The Commission took a recess and Chair Trujillo called the meeting back to order at 7:08pm.

**([1:19:10 - 1:57:53])**

- 2. 2022-16 Variance Request:** Pablo Mendez, Applicant, requests variance approval for setbacks on site built garage on property addressed as 907 West Granada Street (UPC 1-046-120-075-012). The subject property is located in R-6 Urban Residential District.

**Open:**

Chair Trujillo swore in the speaking applicant parties.

Ms. Lou Baker stated that she had been encouraging and coaching Mr. Baldonado to take on Planner responsibilities. She stated that it was her hope that Vince would consider the Planner position. She stated that with that being the case, Vince was the one who had written that Staff report and he would be the one to present it.

Chair Trujillo swore in Mr. Vince Baldonado.

Mr. Baldonado began his presentation of the Staff report. He stated that Mr. Pablo Mendez was requesting a Variance Approval to construct an accessory structure which was basically a garage on the said property. He explained that he had been granted a permit in June 2022 for the accessory structure although he had come back to ask if he could replace the garage instead of the front to the back which he could get to later on the site plans. He stated that the summary of the request was for review and approval of front and side setback variance replacement of a 28'x22' garage on a property zoned R-6. He stated that the required front and side setback requirements were 30-foot and 10-foot respectively. He stated that the applicant was requesting a variance to place the proposed garage on the property maintaining a front setback of 10-foot and a side setback of 4-foot. He stated that the front property line was the street boundary, and the side property line was shared among neighboring residential properties. He explained that Planning Staff did not find those encroachments of the required setbacks to be injurious to any property within 100-foot or otherwise detrimental to the general health and safety of the community. He explained that he had the hardship regulations and answers as supplied by Mr. Mendez. He stated that it was not an irregular shape nor different from any other lots in the neighborhood, and that the applicant was trying to build the structure according to the size of the lot, but did not have the measurements that the City required. He stated that the setback requirements were not a result of himself and that the lot across the street had a garage with setbacks less than the requirements set by the Code. He stated that the request for a variance was shared by other lots in the vicinity. He stated that the home was necessary for his family and the request would allow them to enjoy the capacity of their lot size as evidenced by other lots in the vicinity. He stated that the applicant did not think it was harmful, and they just wanted to make sure they did things right and not go against the laws of the City. He stated that the Planning and Land Use recommended approval for this Case. He stated that conditions of approval would be: The neighborhood surrounding the property was representative of R-6 Urban Residential District and as such a conditional approval for having a garage being built with one-hour fire rated sheetrock.

Chair Trujillo asked if that would be for all four walls.

Mr. Baldonado replied that it would be for the wall closest to the house as well as the west and south walls.

Commissioner \_\_\_\_\_ asked if the garage would be attached to the front of the house.

Mr. Baldonado replied that it would be a detached garage.

There was discussion regarding a previous application and site plan for this case.

Chair Trujillo suggested they include the last wall to be the same sheetrock as the others.

Commissioner Joe Salazar explained that he had visited the area where this would be built and pointed out that the other structures did not have the fire retardant walls, but that it may have preceded what they were doing. He stated that it would be a safe distance from the house and from the neighbors so

he saw it as a positive thing.

Chair Trujillo stated that the only distance that was a little concerning was that it was only four feet from the porch. He asked if it was ten feet away from the house or the overhang.

Ms. Lou Baker apologized that they did not know.

There was some general discussion regarding the structure.

Ms. Baker suggested that they move the garage further toward the property line in order to properly fulfill Fire Code.

Chair Trujillo stated that he would rather cut the setback down to eight feet rather than ten feet to keep the distance for the Fire Code. He asked if that was something they could do that evening.

Ms. Baker replied that Mr. Baldonado could amend his recommendation. She stated that the way it would be read was, "The neighborhood surrounding the property was representative of the R-6 Urban Residential District and as such, a condition of approval having the garage being built with one-hour fire rated sheetrock on all four walls to include twelve feet from the residential home and eight feet from the property lot line." She stated that would be the condition of approval, Mr. Baldonado's recommendation.

Chair Trujillo asked the applicants to present their Case.

Ms. Atocha Torrez (and Mr. Pablo Mendez) stated that they were planning to build the garage as soon as they could and that they just wanted to follow the rules and do the right thing. She explained that since they did not have enough space, they just wanted to make sure they could build it. She stated that if they moved it to eight feet, they had the electricity pole there at the corner.

Chair Trujillo asked if they could move the garage a little to the west then.

They discussed possibilities where they could put the garage on the property.

Ms. Torrez explained that they owned the property next door as well. She stated that they wanted to build the garage for their vehicles because his mother might live there.

Chair Trujillo stated that it would be easier if they had more definite measurements because it was hard to approve things they were unsure of.

Commissioner \_\_\_\_\_ suggested that they have someone who could interpret for them in order to help them understand.

Chair Trujillo stated that the Commission could not help them because it would be ex parte communication. He asked if the Commission felt comfortable moving forward with things so vague.

Commissioner Guinn suggested that since the Commission could speak Spanish, they could speak Spanish, and that someone could interpret for Chair Trujillo since he expressed that he could not speak Spanish.

(In Spanish) Mr. Mendez stated that they currently had to park their cars next door. He stated that they wanted to comply with the laws of the City and to have the property look nice.

Commissioner Guinn asked if he had any idea how far it was from the road to the trip on the lot where he wanted to build the garage.

Ms. Baker stated that they could get their GIS measuring tool.

There was further discussion regarding the measurements and the pole.

Chair Trujillo asked if they would have electricity and plumbing in the garage.

Mr. Mendez replied yes, they would have electricity.

Ms. Torrez replied that they might have a little restroom in there.

Chair Trujillo stated that they needed to understand the parameters and that they would also need CID permits as well as electrical and plumbing permits.

Ms. Baker explained to the applicants what they would need to do.

\_\_\_\_\_ asked about the setback on the backside of the garage to the property line being five feet and if the electrical pole was on the corner of the property.

There was an overlapping discussion.

\_\_\_\_\_ asked if the rear part of the garage would be in line with the rear part of the double wide or if it would be further toward the end of the property.

Ms. Baker stated that using the measuring tool, it was 33.8 feet from the edge of the double wide to the front lot line. As it may not have been accurate, she asked that the 33.8 feet be stricken from the record.

\_\_\_\_\_ stated that it was 42 feet.

With no further questions, Ms. Baker stated that she and Mr. Baldonado would go the next day to take accurate measurements. She stated that if there were significant differences, she would recommend that the applicants return.

**Closed: 7:45pm**

Chair Trujillo stated that before he would entertain a motion, for clarification, Mr. Baldonado had amended his recommendation to move the setback from ten feet to eight feet to provide the distance from the mobile home structure.

Commissioner Joe Salazar motioned to approve

Commissioner Charlene Guinn seconded.

Motion to approve Case 2022-16 Variance Request

Motion: Commissioner Joe Salazar  
Passed: 5-0

Second: Commissioner Charlene Guinn

J.D. Martinez - *in favor*  
J.R. Trujillo - *in favor*  
Joe Salazar - *in favor*  
Charlene Guinn - *in favor*  
Roland Borrego - *in favor*

**LEGISLATIVE HEARINGS**

**((1:58:38 - 2:57:27))**

**3. Minor Subdivision Ordinance: Approval of Minor Subdivision Ordinance**

Chair Trujillo explained that they had a workshop the previous week then had taken the comments and come up with solutions to their concerns. He discussed some previous discussion he had and explained what the process would be regarding this Ordinance. He asked Ms. Baker if she would review some of the changes that they had discussed.

Ms. Baker reiterated what Chair Trujillo had stated about the process. She explained what had taken place already, and stated that they had implemented comments into the document she had emailed to them. She stated that she and Chair Trujillo had met the previous day, though they had been working off different documents. She stated that they had discussed Purpose under letter G., and “create generational wealth.” She stated that they would expand on that to include, “to create generational



wealth by providing families with an opportunity to buy their first home.” She stated that according to her notes, that was what had been recommended by the Commission at the workshop. She stated that on letter D. there had been some discussion as it had been initially written as “increase our property tax base.” She stated that after some discussion, she had been tasked to amend that so D. was written to currently state, “increase the property tax base of vacant or underdeveloped lots when fully built out.” She stated that if they would like for her to change any of that to please let her know.

Chair Trujillo stated that they had also talked about D. “increase the property tax revenues of the City of Española.” He stated that it did not necessarily mean that they would increase taxes, but homes that would be taxed.

Ms. Baker asked if it would read, “increase the property tax revenue of the City of Española that would be taxed when fully built out.”

Chair Trujillo stated that by creating more homes that would increase the revenues in regards to property tax.

Ms. Baker stated that for letter D., she would strike “of vacant or underdeveloped lots when fully built out.” She stated that there had been some discussion about letter F. in the next paragraph to read, “relax/reduce development requirement costs in regards to mandatory paving, street lighting, curb and gutter, and street width.”

With the Commission a little lost, she explained that the one she had sent was the one that had been given to her.

Ms. Baker explained that there had been discussion from Commissioner Chavez to strike “relax/reduce development requirement costs in regards to mandatory paving, street lighting, curb and gutter, and street width.” She stated that it was initially letter F. and that they would remove that. She stated that when they had met the previous day –

Chair Trujillo stated that it was basically to leave it as an incentive and would read, “relax/reduce the development requirements of the current major subdivision ordinance.” He stated that would be what it would have because that was basically what they were doing. He explained that the ordinance of the minor subdivision would be to work for smaller subdivisions only up to five additional lots per R-6 zone. He stated that it would relax some of the other regulations of major subdivisions, like curb and gutter, et cetera.

Ms. Baker stated that without those costs, it would hopefully be an incentive to encourage development. She stated that under Minor Subdivision Criteria and Conditions –

Commissioner Salazar asked for clarification, on the previous –encouraging participation thing – they had put that they would reduce the fees from \$500 to \$65 plus a \$25 recording fee. He asked if that was included.

Ms. Baker replied that she thought it was farther in the body.

Chair Trujillo explained how they had come up with that reasoning.

Commissioner Salazar stated that he just wanted clarification because they had been part of the discussion with the City Manager, but he wanted clarification from their last meeting to what was being presented that evening.

Ms. Baker explained that instead of charging \$500 for a subdivision for five or less lots, it would be \$65. She continued to explain that there would be an interior road. She stated that she did not have the information in front of her.

Chair Trujillo stated that a lot of it had to do with who would maintain the roads.

Ms. Baker asked for a recess so she could retrieve the documents she had worked on.

**((2:11:30 - 2:32:54))**

### **The Commission moved to Matters from the Commission while waiting.**

Chair Trujillo stated that they would continue and see if the Commission was ready to send it to Jordan.

Ms. Baker asked them to turn to page 1, letter D. “increase the property tax revenues received by the City” which was what they had discussed. She also pointed out letter F. under Incentives and Concessions, it was “relax/reduce subdivision requirements and costs” which was a kind of blanket statement so they had a little wiggle room to work with the developer. She stated that moving on to the next page under Criteria and Conditions, Commissioner Trujillo and she had chopped everything up so it was a little bit more clear. She pointed out item 1. “Subdivision shall be located near or abut an existing developed City, State, or County road. Subdivision shall have a minimum interior 25-foot road width that would be grated, paved, or graveled and subject to stormwater regulations. Subdivision shall have a road maintenance sharing agreement that would define how road and road areas would be maintained. Subdivision must have a minimum lot size of 6,000-square feet, excluding roads. Subdivision shall not increase the total number of parcels of land by more than five.” She stated that they had stayed with the two-stories, but that under item 10., there had been discussion about it. She stated that she believed what they were going to do was – That initially all five houses would be built in five years, but that after some discussion, she thought it was best to have the roads, utilities, and stormwater requirements. She stated that the goal was to have houses built, but that once they did the infrastructure, that was true commitment. She stated that at that point, they could sell the lots for someone to invest in.

Chair Trujillo interjected that in discussions with Jordan, he was going to find some language to put a hook there where they would actually have to build the houses. He stated that a lot of things would change at his (Jordan’s) discretion, and that they would have a final read before the Council.

Ms. Baker informed them that once it went to Council, it would go to Council again for the second reading. She continued to the next page.

Commissioner Salazar asked if they could go back to number 11. He stated that in the Approval of Subdivision Plan, he thought they had changed “shall” to “will.”

Chair Trujillo stated that they would have Legal go through it to put in appropriate terms.

They discussed what the Ordinance would be for developers.

Ms. Baker stated that on the next page, she had corrected a typo. She stated that under Preliminary Plat Requirements, that had been pretty cut and dry with some discussion about number 9. She apologized to Commissioner Guinn as she thought she had changed it.

Chair Trujillo stated that he thought it was going to change to “identify if there are any acequias on the property.”

Ms. Baker stated that she could change that, but that there was also discussion about conservation so she would adopt that into the wording.

Chair Trujillo stated that he had done some land development in the town and nobody would screw with the acequias. He stated that they could not do anything with the Ordinance that would take that away from them.

Ms. Baker stated that the next page was pretty standard for a surveyor, architect, and engineer. She stated that what they had changed was letter G. which stated, “number of miles,” but that they would not have miles on a one-acre lot so it would be square feet on new road. She stated that other than that, they had not made many changes. She stated, however, that this was significant. She explained what the next processes would be. She stated that it would keep coming back because Chapter 350 had not been amended in many years so it would need a lot of work to make it current and relevant.

Chair Trujillo asked what the Commission thought of it and if they should pass it on to the City

Manager and City Council.

Commissioner Charlene Guinn motioned to pass it on to the next step.

Commissioner Roland Borrego seconded.

Motion to pass the Ordinance on to the next step

Motion: Commissioner Charlene Guinn    Second: Commissioner Roland Borrego

Passed: 5-0

J.D. Martinez - *in favor*

J.R. Trujillo - *in favor*

Joe Salazar - *in favor*

Charlene Guinn - *in favor*

Roland Borrego - *in favor*

Ms. Baker stated that there had been a meeting with the City Manager and the Mayor that day with Retail Coach, and that they City had gone into contract with them. She stated that they would crunch numbers, the number of people that visited any location (such as the Fiestas) by using cell phone data. She stated that for the previous year, there had been 2,000,000 beings that went to Walmart. She stated that it showed that they were really the center of the regional hub. She explained that they would be collecting and researching data on. She stated that she was really excited to work with Retail Coach. She stated that Robert had created an interactive map so they could see the clustering of activity. She stated that also that day, there had been a meeting with the VP of Facilities from Lotaburger. She stated that she was happy to share with them that Lotaburger would not be closing or be thrown down. She stated that they had been able to let them know that they needed and wanted them and were grateful they were in the community so they would do whatever they needed to do to help them. She stated that they were looking at reconfiguring their parking and the space they had so they could have a drive-up window. She stated that she would be working with them in reagrds to their parking requirements and “stacking.” She stated that Mayor Vigil really stressed that they comply with the design standards for the historic district. She stated that they were going to remodel the interior and change the color of the outside to give it a facelift and do as much as they could asthetically. She stated that they were planning to reopen within about two months. She stated that she was really happy about them reopening because she was concerned about losing a restaurant on the westside as well as losing the Gross Reciepts Tax. She stated that there had also been a meeting that day that was convened by Chief Garcia and that they had met with representatives from the USDA and HUD. She stated that there was a site visit to Santa Clara apartments and the Rio Vista apartments so moving forward, the City was going to start the condemnation process to shut down Santa Clara apartments. She stated that the real problem was that she had been tasked with relocating 35 families. She stated that there were 48 units in Santa Clara apartments with 13 vacancies so 35 families were going to be displaced. She stated that this would be in 30 - 90 days because it was a process, but that they were getting there.

They discussed issues that surrounded those apartments and things that were getting done.

Commissioner Salazar discussed meetings that he and his wife had involving funding for improvements for the community.

Commissioner Guinn discussed the homeless population problem.

**4. Cannabis Commercial License/Permits Fee Structure: Approval of Cannabis Permits' Fee Structure**

## **VIII. Approval of Minutes**

1. June 23, 2022
2. July 14, 2022

## **IX. OLD BUSINESS**

1. June 23, 2022 Meeting Approval of Final Decisions
  - i. Case 2022-9 Summary Plat Approval Preliminary and Final Decision
  - ii. Case 2022-10 Creative Kids Special Use Permit

## **X. MATTERS FROM STAFF**

## **XI. MATTERS FROM THE COMMISSION**

**([2:19:20 - 2:32:54])**

Commissioner Salazar stated that he had a conversation with someone about an editorial that came out in the paper. He stated that Santa Fe had cleaned out part of their City and had changed their community. He related conversations he had with his nephew about Las Vegas as well. He commented on improvements they were trying to make which were also great. He spoke about different conversations he had with the new owner of Dandy's Burger.

There were other discussions regarding the community.

Commissioner J. D. Martinez discussed an occurrence that happened at Lotaburger. He stated that after 8:30 that side of town was dead.

The Commission continued the discussion about the community.

Commissioner Guinn added some ideas of what she thought could continue to improve Española.

Chair Trujillo commented on the new location of the Police Department, which would help the community with public safety. He stated that in building homes, such as the minor subdivision, it could stimulate the community. He explained that anything they could do to improve the community would be great, as long as it was within the Code.

They continued discussing some developments regarding Retail Coach.

## **XII. ADJOURNMENT**

Time: 8:45pm