



Agenda

CITY CLERK'S OFFICE

DATE 12/19/14 TIME 11:10am

RECEIVED BY Geraldine Aguilar

DELIVERED BY Shirley Harting

SUMMARY COMMITTEE
Thursday, January 8, 2015 - 11:00 am
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL**
- B. APPROVAL OF AGENDA**
- C. APPROVAL OF MINUTES – December 4, 2014**
- D. NEW BUSINESS**

1. **Case #2014-112.** **1203 Seville Road Lot Split.** JenkinsGavin Design and Development Inc., agent for Dan Warner and Dena Ross requests plat approval to divide approximately 2.21 acres into two residential lots (+/- 1.00 acre and +/- 1.21 acres). The property is zoned R-1 (Residential – 1 dwelling unit per acre). (Zach Thomas, Case Manager)

- E. STAFF COMMUNICATIONS**
- F. MATTERS FROM THE COMMITTEE**
- G. ADJOURNMENT**

NOTES:

- 1) Procedures in front of the Summary Committee are governed by Roberts Rules of Order. Postponed cases are postponed 1) to a specific date, or 2) indefinitely until specific conditions have been resolved, or 3) to a specific date with the provisions that specific conditions be resolved prior to that date. Postponed cases can be removed from postponement by a motion and vote of the Summary Committee.
- 2) Due to time constraints not all issues may be heard and may be rescheduled to the next scheduled Summary Committee meeting. This agenda is subject to change at the discretion of the Summary Committee.
- 3) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and be subject to cross examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings.

***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**

**SUMMARY INDEX
CITY OF SANTA FÉ
SUMMARY COMMITTEE
January 8, 2015**

ITEM	ACTION	PAGES
ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved as presented	1
APPROVAL OF MINUTES - December 4, 2014	Approved as presented	1
NEW BUSINESS		
1. <u>Case #2014-112</u> 1203 Seville Road Lot Split	Approved with conditions	1-4
STAFF COMMUNICATIONS	None	5
MATTERS FROM THE COMMITTEE	None	5
ADJOURNMENT	Adjourned at 11:24	5

**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
SUMMARY COMMITTEE
January 8, 2015**

A regular meeting of the City of Santa Fé Summary Committee was called to order by Lawrence Ortiz, Chair, on January 8, 2015 at approximately 11:00 a.m. in the City Council Chambers, City Hall, Santa Fé, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Lawrence Ortiz, Chair
Brian Gutierrez, Commissioner
John Padilla, Commissioner

OTHERS PRESENT:

Tamara Baer, Current Planning Division Manager
Zach Thomas, Land Use Senior Planner
Mr. Carl Boaz, Stenographer

There was a quorum of the membership in attendance for the conducting of official business.

B. APPROVAL OF AGENDA

Staff had no changes for the agenda.

Commissioner Gutierrez moved to approve the agenda as published. Commissioner Padilla seconded the motion and it passed by unanimous voice vote.

C. APPROVAL OF MINUTES – December 4, 2014

Commissioner Padilla moved to approve the minutes of December 4, 2014 as submitted. Commissioner Gutierrez seconded the motion and it passed by unanimous voice vote.

D. NEW BUSINESS

1. **Case #2014-112. 1203 Seville Road Lot Split.** JenkinsGavin Design and Development Inc., agent for Dan Warner and Dena Ross requests plat approval to divide approximately 2.21 acres into two residential lots (1.00± acre and 1.21± acres). The property is zoned R-1 (Residential – 1 dwelling unit per acre). (Zach Thomas, Case Manager)

A Memorandum regarding Case #2014-112, 1203 Seville Road Lot Split, from Mr. Zach Thomas, Senior Planner, Current Planning Division, prepared December 15, 2014, for the January 8, 2015 Summary Committee Meeting with attachments is incorporated herewith to these minutes as Exhibit #1.

Staff Report

Mr. Thomas presented the staff report for this case which is contained in Exhibit #1. Please refer to Exhibit #1 for specifics of this presentation.

Mr. Thomas noted a communication received yesterday and dated December 30, 2014 from a neighbor, Ms. Erica Peters. The letter was distributed to the Committee members before the meeting. A copy of her letter is attached herewith to these minutes as Exhibit #2.

In his report, Mr. Thomas pointed out an existing residence on the property with access to Seville Road, an existing gravel driveway. It was originally proposed that the new parcel would be accessed from a new 25' access and utility easement across the southern portion of what was identified as lot 3A-1 on the plat. But after publishing the staff report, the applicant proposed not creating the new easement identified on the plat and instead decided to use the existing 25' access and utility easement from east Barcelona. That change came after the publication of the staff report so it was not reflected in the printed staff report.

The change in the plan would eliminate the need for a new access and uses an existing access so Staff is in support of that request.

Mr. Thomas recommended amending the proposed condition of approval d in the Staff Report to accurately reflect that the address be an East Barcelona address rather than a Seville Road address prior to recordation of the plat. A street number will be assigned. Each lot will require separate water and sewer connection at the time of the development of the new lot.

Recommendation

The Land Use Department recommended approval of Case #2014-112 subject to the proposed Conditions of Approval as presented in the staff report and the proposed amendment to condition d.

Applicant's Presentation

Present and sworn was Ms. Hillary Welles, 130 Grant Avenue, who had nothing to add to the staff report. She agreed with the staff conditions and stood for questions from the Committee members.

Public Comment

There were no public comments regarding this case and the public portion of the hearing was closed

by Chairman Ortiz.

Questions from the Committee

Commissioner Padilla noted that now that access would be from Barcelona Road. He asked Staff if the easement on the south property line of tract C, Lot 3A-1 would remain as a utility easement only.

Mr. Thomas said it was proposed to be created by this plat but would not exist at this point as proposed by the applicant. So the final plat would reflect only the easement that exists today which accesses off east Barcelona.

Commissioner Padilla reasoned that on Lot 3B, lot C east property line existing 25' access and utility easement will be used for access and utilities on lot 3A-2. He asked if that was correct.

Mr. Thomas said that was his understanding but perhaps Ms. Welles had something different to propose.

Ms. Welles said they would be maintaining the utility easement on Seville Road. There is a man hole there so they proposed to maintain that as a utility easement only.

Commissioner Padilla thanked her for that clarification and concluded that the final plat will not remove that easement for utilities. He asked if they would go with the most economical connection. Ms. Welles agreed.

Commissioner Padilla noted there was no signature line under utility approvals and was reminded by Ms. Baer that one was not needed for City water.

Commissioner Padilla said the letter of opposition from Erica Peters stated that the lot split would lower the value of her property "as they are planning on building right up against the lot line as their stakes indicate." He asked staff to talk about the setback requirements on this lot since it is actually an interior type lot.

Commissioner Padilla stated for the record that there is a 25' building set back line along the east property line and the south property line of Lot 3A-2, tract C.

Ms. Baer said this is an unusual lot because it isn't actually fronting a street and in such circumstances, staff determines what the front of the lot is. Typically, it was a Staff determination to say what would be the front and sides. When that is unclear, it is considered an irregular lot and usually would call the entry as the front. In this case, coming in off east Barcelona, that would be the front. In any case, under the zoning requirements, the set back in the rear would only be 15' and there is already a pre-established 25' set back. That would override any City set back on condition. Normally, the setbacks are 7' in the front, 5' on the sides, and 15' in the rear. In this case, Staff could even say there are two fronts and two sides.

She said Staff tries to give the lot the benefit of the doubt. Here, 7' would be the minimum and would

never be on the south or the east. So, depending on how the house was oriented when the building permit came in, the front would either face north or west and probably north with east Barcelona access. The west side setback is at least 5' as a side wetback. And 25' on the other two sides.

Commissioner Padilla thought perhaps it was misinformation that Ms. Peters had.

Commissioner Gutierrez asked if this property had a potential for R-3 zoning.

Mr. Thomas explained that in order to be rezoned anything different, it would require a request from the property owner and was not being made at this time. If it was, it would have to go through the Planning Commission and City Council for that to be considered. Theoretically it could occur but there was no indication of that. At R-1 zoning there could be no further subdivision of this land since it had to be at least 2 acres.

Commissioner Gutierrez noted that it was not fenced off now and no one was using this new lot right now.

Ms. Welles agreed. There is no curb cut there now.

Chairman Ortiz asked if when it comes in for a construction permit, traffic would go to look at it with the change in access. They might have issues with the curb cuts. It is far from stop sign.

Ms. Baer agreed. The Traffic Division has to approve all curb cuts but she didn't see any problem with this one.

Commissioner Padilla noted under Background and Summary, it said the property was designated low density by the general plan. He asked if that meant it could be developed up to three units per acre or just one unit per acre.

Mr. Thomas explained that he had referred to the overall land use but the zoning is the actual density allowed. The overall density has to be one acre and they cannot subdivide it any further. Zoning doesn't permit it. Across Seville Road the zoning is R-3.

Ms. Baer added that the Future Land Use Map is adopted by resolution but the zoning is by ordinance so when a conflict between those two arises, zoning prevails. Zoning has to fit the general land use map. But here, there is no rezoning request.

Action of the Committee

Commissioner Padilla moved for approval of Case #2014-112 with all conditions of approval outlined in the staff report and the amendment condition as item D. Commissioner Gutierrez seconded the motion and it passed by unanimous voice vote.

E. STAFF COMMUNICATIONS

There were no staff communications.

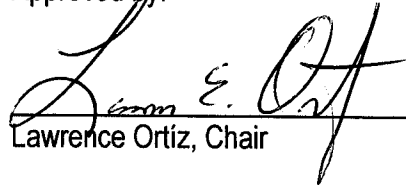
F. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

G. ADJOURNMENT

Having completed the agenda and with no further business to come before the Committee, the meeting of the Summary Committee was adjourned at 11:24 a.m.

Approved by:


Lawrence Ortiz, Chair

Submitted by:

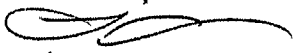

Car. Boaz for Carl G. Boaz, Inc.


City of Santa Fe, New Mexico

memo

DATE: December 15, 2014, for the January 8, 2015 Meeting

TO: Summary Committee

VIA: Lisa Martinez, Director, Land Use Department
Tamara Baer, ASLA, Planning Manager, Current Planning Division 

FROM: Zach Thomas, Senior Planner, Current Planning Division 

Case #2014-112. 1203 Seville Road Lot Split. JenkinsGavin Design and Development Inc., agent for Dan Warner and Dena Ross requests plat approval to divide approximately 2.21 acres into two residential lots (+/- 1.00 acre and +/-1.21 acres). The property is zoned R-1 (Residential – 1 Dwelling Unit per Acre). (Zach Thomas, Case Manager)

RECOMMENDATION

The Land Use Department recommends **Approval** with the Conditions of Approval as outlined in this report.

BACKGROUND & SUMMARY

The property is designated Very Low Density Residential (1-3 dwelling units per acre) by the General Plan Future Land Use Map and zoned R-1 (Residential – 1 dwelling unit per Acre). The proposal would create two tracts: Tract 3A-1, 1203 Seville Road, consisting of +/-1.00 acre and Tract 3A-2, 1205 Seville Road, consisting of +/-1.21 acres. Tract 3A-1 is developed with a single family residence.

Lot 3A-1 is accessed from Seville Road by an existing gravel driveway. The new parcel will be accessed from a new 25 foot access and utility easement through the south portion of lot 3A-1.

Both lots are accessed from Seville Road, an unimproved public roadway of varying width.

The existing residence is connected to City water and sewer. A condition is proposed to require new residential development to connect to City water and sewer.

The traffic engineering division reviewed the proposed plat and did not have any comments or concerns with the proposed lot split or the proposed 25 foot access and utility easement.

CONDITIONS OF APPROVAL

Any staff conditions noted in the attached memoranda and not listed in the recommended conditions of approval have already been addressed on the plat.

Following standard practice, redline comments will be provided to the surveyor who shall make any necessary changes and submit the corrected plat in Mylar.

Staff recommends the following conditions of approval:

1. Add the following notes to the plat:
 - a. Each lot shall be served through a separate sewer service connection to the City's public sewer system.
 - b. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.
 - c. Each lot must be served by a separate water service when the second lot is developed.
 - d. The address for Lot 3A-2 shall be 1205 Seville Road.
 - e. Fire Department access to any new construction shall not be less than 20 feet in width or greater than a 10% grade. However, a variance to this requirement may be granted by the Fire Department if alternative fire suppression systems are provided.
 - f. New development shall have water supply that meets fire flow requirements as per IFC or install an automatic sprinkler system.
 - g. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
 - h. All new construction shall meet the requirements of the Fire Department.

ATTACHMENTS:

EXHIBIT A: City Staff Memoranda

1. Waste Water Division Engineer Memorandum, Stan Holland
2. Water Division Memorandum, Dee Beingessner

EXHIBIT B: Maps and Photos

1. Zoning and Aerial View
2. Street View of Property Entrance

EXHIBIT C: Applicant Materials

1. Letter of Application
2. Lot Split Plat

City of Santa Fe, New Mexico

Summary Committee

Exhibit A

City Staff Memoranda

City of Santa Fe, New Mexico

memo


DATE: November 26, 2014
TO: Zach Thomas, Case Manager
FROM: Stan Holland, Engineer, Wastewater Division
SUBJECT: Case #2014-112 1203 Seville Road Lot Split

The subject properties are accessible to the City sanitary sewer system.

The following notes shall be added to the plat as a condition of approval;

1. Each lot shall be served through a separate sewer service connection to the City's public sewer system
2. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.

City of Santa Fe **memo**

DATE: November 26, 2014
TO: Zach Thomas, Land Use Senior Planner, Land Use Department
FROM: Dee Beingessner, Water Division Engineer 
SUBJECT: Case # 2014-112 1203 Seville Road Lot Split

The property currently has a 1" water meter. Each lot must be served by a separate water service when the second lot is developed. The easement they have shown on the lot split plan would allow the private water service line to the new lot.

Fire protection requirements are addressed by the Fire Department.

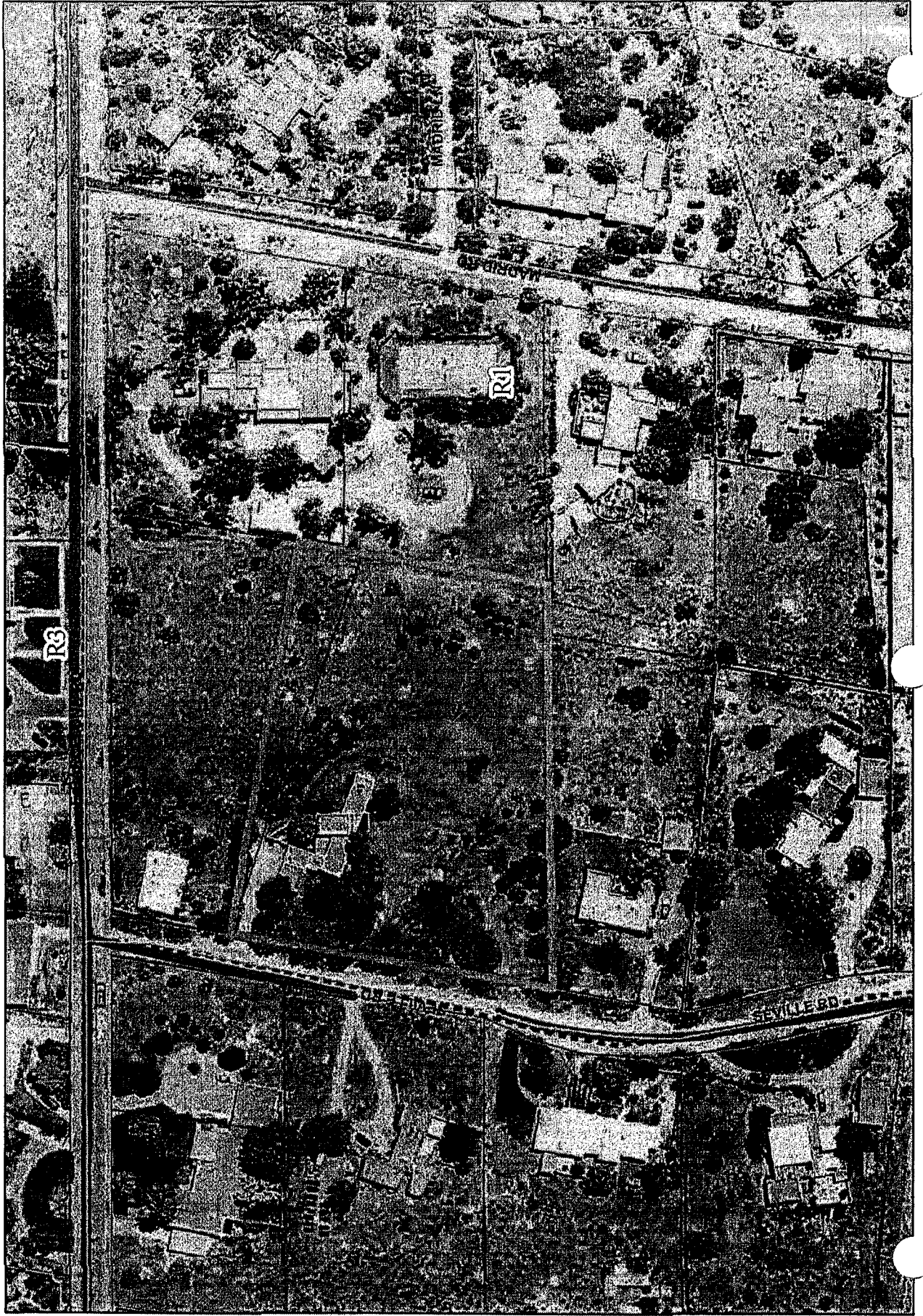
City of Santa Fe, New Mexico

Summary Committee

Exhibit B

Maps and Photos

1203 Seville Road



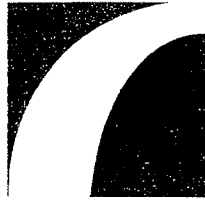


City of Santa Fe, New Mexico

Summary Committee

Exhibit C

Applicant Materials



jenkinsgavin
DESIGN & DEVELOPMENT INC

November 24, 2014

Tamara Baer
Current Planning Division
City of Santa Fe
200 Lincoln Avenue
Santa Fe, NM 87501

RE: 1203 Seville Road Lot Split

Dear Tamara:

This letter is submitted on behalf of Dan Warner and Dena Ross in application for a lot split of a ± 2.211 -acre property located at 1203 Seville Road, for consideration by the Summary Committee at their meeting of January 8, 2014. The proposed lot split will create two lots: Lot 3A-1, comprising ± 1.0015 acres, and Lot 3A-2, comprising ± 1.2098 acres. The lot split is in compliance with the property's R-1 zoning.

Lot 3A-1 has an existing 3346-s.f. residence, and Lot 3A-2 is undeveloped. Lot 3A-1 is accessed from Seville Road via a gravel driveway to the north of the residence, and Lot 3A-2 will be accessed from Seville Road via a new 25' wide access and utility easement through the south portion of Lot 3A-1. Please refer to the attached plat.

In support of this request, the following documentation is submitted herewith for your review:

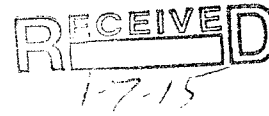
- | | |
|-----------------------------------|-------------------------------------|
| 1. Development Review Application | 5. Application Fee in the amount of |
| 2. Letter of Owner Authorization | \$280.00 |
| 3. Deed | 6. Submittal Plans - 3 copies & PDF |
| 4. Legal Lot of Record | |

Your assistance with this request is greatly appreciated. Thank you for your consideration, and please do not hesitate to call should you have any questions or need additional information.

Sincerely,

Hillary Welles
Project Manager

City Of Santa Fe
Land Use Department
Current Planning Division
200 Lincoln Avenue, Box 909
Santa Fe, NM 87504-0909



December 30th, 2014

Dear Planning Division Representative,

In regards to case #2014-112 1203 Seville Road Lot Split, I am **not** in support of this lot spit. This special part of the South Capitol neighborhood is only special because of the lot sizes. The neighborhood was originally planned this way with the intention of the lot sizes staying this large. They are not meant to be split because it will ruin the nature of the neighborhood. It will also lower the value of my property as they are planning on building right up against the lot line as their stakes indicate. I truly hope you will consider the intent of the original neighborhood design and don't allow this lot split. I am very grateful for your time and consideration.

All my best and Happy New Year,

Erica Peters

1225 Seville Rd
Santa Fe NM, 87505

Case No.: _____

Approved by the Summary Committee at
their _____ meeting.

Instrument No. _____

CLERK OF SANTA FE
COUNTY OF NEW MEXICO

) ss
)

I certify that this instrument was filed for
the _____ day of _____ A.D.
_____ o'clock _____ m., and was duly
recorded in Book _____, Page _____ of the
County of Santa Fe County.

Witness my Hand and Seal of Office
County Clerk, Santa Fe County, New Mexico
Geraldine Salazar

Deputy

SIERRA LAND SURVEYING, INC.		
1452 St. Francis Drive	Santa Fe, New Mexico	505-983-5932
Project No. D-622-0614	Dwg. DEC	Ck. DTC
	File: GPS	Bk. 100
INDEXING INFORMATION FOR COUNTY CLERK		
NAME	LOCATION	SUBDIVISION
Dan Warner and Dena Ross	Sec. 25 T. 17 N. R. 9 E.	Sub. No. 1, Lovato Grant
UPC No. Lot 3A: 1-054-098-216-150		Sheet 1 of 1

Original, in its entirety is available in the clerk's office

Case # 2014-112

1203 Seville Road Lot Split