



Agenda DATE 8/29/16 TIME 2:20 PM

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AMENDED

SUMMARY COMMITTEE

Thursday, September 8, 2016 – 11:00am

Friday, September 9, 2016 – 10:00am

City Council Chambers

City Hall 1st Floor - 200 Lincoln Avenue

- A. **ROLL CALL**
- B. **APPROVAL OF AGENDA**
- C. **APPROVAL OF MINUTES**

August 4, 2016

- D. **OLD BUSINESS**
- E. **NEW BUSINESS**

1. **Case #2016-84. 135 Mesa Vista Family Land Transfer.** Armijo Surveys Inc., agent for Dan Jr. and Rita Sosa, requests approval of a family transfer subdivision to divide approximately 0.75 acres to create two lots (+/-0.5 acres and +/-0.25 acres). The property is zoned R-5 (Residential- 5 dwelling units per acre). (Noah Berke, Case Manager)
2. **Case #2016-85. 1612 Camino de Cruz Blanca Lot Split.** Yager Land Surveys LLC., agent for Robert W. Tucker and Judith R. Seltzer, requests approval of a lot split to divide approximately 3.285 acres to create two lots (+/-2.226 acres and +/-1.059 acres). The property is zoned R-1 (Residential- 1 dwelling unit per acre) and is located in the Historic Review District. (Noah Berke, Case Manager)

- F. **STAFF COMMUNICATIONS**
- G. **MATTERS FROM THE COMMITTEE**
- H. **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.**



Agenda

CITY CLERK'S OFFICE

DATE 8/22/16 TIME 11:25

SERVED BY [Signature]

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SUMMARY COMMITTEE

Thursday, September 8, 2016 - 11:00am

City Council Chambers

City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES
August 4, 2016

- D. OLD BUSINESS
- E. NEW BUSINESS

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2. Case #2016-85. 1612 Camino de Cruz Blanca Lot Split. Yager Land Surveys LLC., agent for Robert W. Tucker and Judith R. Seltzer, requests approval of a lot split to divide approximately 3.285 acres to create two lots (+/-2.226 acres and +/-1.059 acres). The property is zoned R-1 (Residential- 1 dwelling unit per acre) and is located in the Historic Review District. (Noah Berke, Case Manager)

- F. STAFF COMMUNICATIONS
- G. MATTERS FROM THE COMMITTEE
- H. ADJOURNMENT

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**MINUTES OF THE CITY OF SANTA FE
SUMMARY COMMITTEE
City Council Chambers
200 Lincoln Avenue
September 9, 2016**

A. CALL TO ORDER

A regular meeting of the City of Santa Fe Summary Committee was called to order by Brian Gutierrez, Chair, at approximately 10:00 a.m., on Friday, September 9, 2016, in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

B. ROLL CALL

Members Present

Brian Gutierrez, Chair

Sarah Propst, Commissioner

Members Excused

Vince Kadlubek, Commissioner

Others Present

Greg Smith, Director, Current Land Use Division

Melessia Helberg, Stenographer

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

B. APPROVAL OF AMENDED AGENDA

MOTION: Commissioner Propst moved, seconded by Commissioner Gutierrez, to approve the Amended Agenda, as presented.

VOTE: The motion was approved unanimously on a voice vote.

C. APPROVAL OF MINUTES – AUGUST 4, 2016

MOTION: Commissioner Propst moved, seconded by Commissioner Gutierrez, to approve the minutes of the meeting of August 4, 2016, as presented.

VOTE: The motion was approved unanimously on a voice vote.

D. OLD BUSINESS

None.

E. NEW BUSINESS

1. **CASE #2016-84. 135 MESA VISTA FAMILY LAND TRANSFER. ARMIJO SURVEYS, INC., AGENT FOR DAN JR. AND RITA SOSA, REQUESTS APPROVAL OF A FAMILY TRANSFER SUBDIVISION TO DIVIDE APPROXIMATELY 0.75 ACRES TO CREATE TWO LOTS (± 0.5 ACRES AND ± 0.25 ACRES). THE PROPERTY IS ZONED R-5 (RESIDENTIAL – 5 DWELLING UNITS PER ACRE). (NOAH BERKE, CASE MANAGER)**

A Memorandum prepared August 29, 2016, for the September 8, 2016 Meeting, with attachments, to the Board of Adjustment, from Noah Berke, Senior Planner, Current Planning Division, in this matter, is incorporated herewith to these minutes as Exhibit "1."

A copy of the *Family Transfer Survey Plat prepared for Dan Sosa, Jr., and Rito O. Sosa and Annie Sosa Wright*, is incorporated herewith to these minutes by reference, and copies are on file in and can be obtained from the City of Santa Fe Land Use Department.

Greg Smith, Director, Current Planning Division, presented information regarding this case. Please see Exhibit "1," for specifics of this presentation.

Public Hearing

Presentation by the Applicant

The Applicant was not in attendance.

The Public Testimony Portion of the Public Hearing was Closed

Commissioner Probst said she has no questions on this Application, commenting she thinks it's pretty straight-forward.

Chair Gutierrez said he has no questions.

MOTION: Commissioner Propst moved, seconded by Commissioner Gutierrez, to approve Case #2016-84, 135 Mesa Vista Family Land Transfer, with all conditions of approval as outlined in the Staff Report [Exhibit "1"].

VOTE: The motion was approved unanimously on a voice vote.

2. **CASE #2016-85. 1612 CAMINO DE CRUZ BLANCA LOT SPLIT. YAGER LAND SURVEYS, LLC, AGENT FOR ROBERT W. TUCKER AND JUDITH R. SELTZER, REQUESTS APPROVAL OF A LOT SPLIT TO DIVIDE APPROXIMATELY 3,285 ACRES TO CREATE TWO LOTS (\pm 2.226 ACRES AND \pm 1.059 ACRES). THE PROPERTY IS ZONED R-1 (RESIDENTIAL – 1 DWELLING UNIT PER ACRE) AND IS LOCATED IN THE HISTORIC REVIEW DISTRICT. (NOAH BERKE, CASE MANAGER)**

A Memorandum prepared August 29, 2016, for the September 8, 2016 Meeting, with attachments, to the Board of Adjustment, from Noah Berke, Senior Planner, Current Planning Division, in this matter, is incorporated herewith to these minutes as Exhibit "2."

A copy of a letter dated September 8, 2016, to Commissioners Kadlubek, Gutierrez and Propst, from Gregory Betts and Glen Long, submitted for the record by Gregory Betts, is incorporated herewith to these minutes as Exhibit "3."

A copy of an undated letter, to the City of Santa Fe Planning Commission, Summary Committee, from Timothy Schmoyer and Kate Carswell, submitted for the record by Gregory Betts, is incorporated herewith to these minutes as Exhibit "4."

A copy of the *Plat of Survey of the Tucker-Seltzer Lot Split of Tract 1-A of the Bybee Subdivision* is incorporated herewith to these minutes by reference, and copies are on file in and can be obtained from the City of Santa Fe Land Use Department.

Greg Smith, Director, Current Planning Division, presented information regarding this case. Please see Exhibit "2," for specifics of this presentation. Mr. Smith said John Romero, Traffic Engineer can't be in attendance today, but in memos and in a telephone conversation this morning, he indicated his approval of the action to not convert Camino de Cruz Blanca to a public street.

Public Hearing

Presentation by the Applicant

Scott Yager, Yager, Land Surveys, LLC, 2387 Botolph Road, was sworn. Mr. Yager, said there is a discrepancy between the Staff conditions of Approval Item 5(1)(c) which requires sprinkling, noting that requirement does reflect a conflict with the design for the new development of the house, "and that condition is not reflected in Fire Marshal Gonzales' comments at the time, so I didn't bring it up."

Greg Smith, Director, Current planning Division, said the Fire Marshal is not in attendance. He said staff has suggested that the Commission place that note on the Plat, if required by the Fire Code, and staff will resolve that technicality with the Fire Marshal after this meeting prior to recording the Plat.

Mr. Yager said, "I agree, but it's negotiable at that point to see if we can eliminate that condition."

Speaking to the Request

Greg Betts, homeowner at 1604 Camino de Cruz Blanca, was sworn. Mr. Betts said he and Mr. Long have submitted a letter of comment, and he doesn't want to repeat the entire letter [Exhibit "3"]. He said they appreciated the invitation by Mr. Tucker and Ms. Seltzer to visit their property and to get a sense of the lot split, noting they still haven't seen the actual map of the plot of what the definition of what this one-acre lot split would actually be. He said there are markings on the property itself. He said they had the opportunity to walk the site with Judith [Seltzer], and commented to her that there are two properties adjoined of that portion which is along an arroyo which has been designated legally as a conservation protection area. And because the opposite side of the arroyo is also unbuildable, they request that portion of the property also be designated as a conservation protection area and not be built on. He said, "Judith indicated that was reasonable."

Mr. Betts continued, saying, "My other point is that we understand that because of the innovative road standards of Camino de Cruz Blanca, meaning that there is a public access trail that leads to Atalaya and the Dorothy Stewart Trail, that this provides an exception for the Roadway Standards. Our hope is that a more even split of the lot be considered, because what was once a single home lot became two, and then became three, and now it's going to become four, and

potentially could be five properties. So there is a piecemeal impact to Camino de Cruz Blanca by continuing to allow these lot splits, and at some point there is going to be the 'straw that breaks the camel's back,' in terms of density and road capacity. So our request is to look a more even split of the property to avoid yet again splitting this remaining 2 plus acres sometime in the future. Thank you very much."

Chair Gutierrez said Mr. Betts indicated he sent a letter, and commented there is no letter from Mr. Betts in the packet.

Mr. Betts said, "There should be a letter from both myself and my husband Glen, as well as our neighbors, Tim and Kate."

Mr. Smith provided copies of the letters for the members of the Committee and for the record [Exhibits "3" and "4"]

Commissioner Propst asked Mr. Betts if he requested a map from the City of what the proposed lot split looks like, commenting that is available to him as a citizen.

Mr. Betts said he made a phone call, but the call wasn't returned.

Chair Gutierrez asked how long ago he made the phone call, and Mr. Betts said it was about a week ago.

Mr. Betts said there is a Plat map showing the original plot. He said it was a 1989 split that created the current lot that Robert and Judith's home is on, but it does not show the proposed lot split.

John Dessauer was sworn. Mr. Dessauer said, "I'm helping Robert and Judith design their house, and working with Scott on the new boundaries. But it occurred to me, Robert is in the meeting here, and Scott's here, the Surveyor. And it occurred to me that we could put some kind of condition in the deed, I'm not quite sure how it's done legally, maybe on the Plat, that these two properties would not be split beyond this initial split that we're going to do. Because Robert just informed me that he doesn't wish to do that. He wants the two properties pristine, discrete, no more splits. We're not developers in that sense. They're just trying to create a retirement home for themselves. Their property is much too big now that their children are grown. So that's my only comment."

The Public Testimony Portion of the Public Hearing was Closed

Commissioner Propst asked about the arroyo issue that just came up in public comment, and if there is a plan to protect that area, or designate it in some way on the new lot, or what your thoughts are on that request from the neighbor. She asked if one of them could point out where that is on the map for her, commenting she is unsure which portion of the property that touches.

Mr. Yager demonstrated the location on the plat which is in the Committee packet. Mr. Yager said, "There is a drainage easement 40 feet wide at the south end of the property which ends in 'this' area, so there is an arroyo. There is also a drainage easement that follows the other portion of the panhandle of the property, and there is a major arroyo that comes through 'here.' It's called the Arroyo Cabra. So there is designation for a drainage easement. As far as protection of that, it's basically protected as such. I'm not exactly sure what the neighbor was asking for, as far as more protection. But we could look at that, if that's the question.

Commissioner Propst said, "I see that is designated on the map, the drainage easement. So, I also wondered about the shape of the lot and why it needed to go all the way back in such a strange configuration. What was the justification for the shape, the new lot line being drawn the way it is, besides avoiding the house on the existing property."

Mr. Yager said, "The problem was, it was trying to use the developable portion of the lot toward Cruz Blanca and still meet the zoning requirements of 1 acre, so we had to configure it there. There are also constraints as far as how septic plans were being initiated for both the old house and the new house. So all of that has to take place and that really went to how the design of the lot was created."

Commissioner Propst said, "I have said this in other cases, but at Camino Cruz Blanca, I think there is no other way to do this. But I don't like the use of this innovative design as a convenient way to avoid getting a variance. This is not an innovative street design, there's nothing creative about it. It's just trying to deal with the reality on the ground, and not get a variance, and it's not my favorite way to do things, but there already are a lot of houses on Camino Cruz Blanca, and I understand that. I'm not going to hold this up over that issue, but for staff I wanted to register that again. I'm also willing to admit that maybe I need more education on innovative street design, but it just seems inappropriate sometimes."

Chair Gutierrez said, "In your testimony, and I think you walked out Mr. Smith, the owners are willing to not have this come before us again for any more lot splits. And that was a concern of somebody that testified. Is there a way to record the fact that once this lot split is done, this property is no longer eligible for any other lot splits."

Mr. Smith said, "The City Attorney's Office has advised in the past, that a condition that purports to preclude any further action by the Summary Committee or the Planning Commission would not be a valid condition. In essence, if the Summary Committee, for example, said no further subdivision of this property will be permitted, it wouldn't be enforceable. If a future subdivider would come in and say I would like to apply to the Commission or Committee and wanted to subdivide the property in accordance with whatever City standards were in effect, the City could allow them to do so. With regard to the no build area, the conservation area, if there is a private agreement in effect and it is noted on the plat and it is recorded, staff would be more likely to recommend they could build on the condition that we would restrict any building location beyond what normally would be permitted by City Codes."

Commissioner Propst said, "Then perhaps we could do what you just suggested and note this private agreement that was made today about no further lot splits, and like you said, we can't bind a future Summary Committee or future Planning Commission to not do another lot split. And right now, the area is zoned R-1, so the lot that would be created today couldn't be split again without a zoning change, I think. But the other lot is still over 2 acres and potentially could be split one more time."

Mr. Smith said that is correct.

Commissioner Probst said she would suggest that we do add a note of that agreement in the records for today's Findings and Conclusions, if this moves forward.

Chair Gutierrez asked Mr. Yager if he has questions.

Mr. Yager said, "Yes. I was questioning what we had just discussed."

Commissioner Propst said, "What we just discussed, was that the gentleman just said that the owner of the lot is willing to have an informal agreement with the neighbor that they are not planning to split the two acre lot further, and that is a private agreement, and there's nothing formal about it. And we cannot bind a future owner or future Summary Committee. Somebody could always come forward in the future and try to split that lot again one more time, but we are just noting it for the record that it is there in case the lot changes hands in the future, that there is at least an understanding of a private agreement right now, and if they went and tried to have a lot split they might have *[inaudible because Mr. Yager was speaking at the same time]*."

Mr. Yager said, "I know you would not be a party to any kind of deed restriction, but that could also be included in the deed restriction, but that is something is beyond your understanding... but anyway. But, yes, so we understand that agreement, let's just say that, yes."

Commissioner Propst said, "It sounds like that is the most that we can do today at this point."

Mr. Smith said, "For the record, I would suggest the language be that the agreement between the property owners shall be shown on the plat prior to the recordation. Is that acceptable language."

Mr. Yager said, "Yes. What kind of conditions would be put on the plat. What are you saying."

Mr. Smith said it provides that the agreement between the parties shall be shown on the plat as recorded.

Commissioner Probst said, "Except for the agreement that this owner intends not to split or further subdivide."

Mr. Yaeger asked, "The agreement with who. The adjoining neighbor, is that correct."

Mr. Smith said I am assuming that you are talking about an agreement between the adjoining property owner or owners.

Lisa Martinez, Director, Land Use Department, said just to give you another example of one instance I've seen where there is a similar application of this type of agreement between members. There is a piece of property I've seen on Upper Canyon Road, where the adjacent neighbor is very concerned about having his views blocked toward the River. And so there was an agreement that was put on the Plat that said basically, we can only build only up to these particular boundaries, and those boundaries are very specifically noted on the Plat, and it was applicable not only to the current property owner, but to any future property owners as well. And it was noted as such on the Plat of Survey so that anyone who might purchase the property in the future would know that those conditions were listed, and it sort of just went with the property from there forward. But it was an agreement that was established between those neighbors."

Commissioner Propst said, "It sounds like that might be more binding than what we're discussing right now on future owners."

Ms. Martinez said, "It might have been, but they have worked the legalities through their attorneys as well, and I can't remember the exact language, and whether or not it was signed and notarized and all those types of things. But I know that a new property owner who purchased the

property didn't know that language existed until he actually... he had already purchased it. And then he went in for an addition, and found that he had those boundaries, and he had to go back and redesign his project."

Chair Gutierrez thanked Director Martinez.

Commissioner Propst said, "I want to make sure the Applicant is in agreement with what we just discussed. We can postpone this to a date certain, if you want to discuss this more with the neighbor. But if it sounds good, we can move forward."

Chair Gutierrez said, "And also, I think if we postpone to a date certain, we can work out the issue on sprinkling with Fire Marshal Gonzales, which was brought up by the Applicant. You brought up an issue about you weren't sure if it needed to be sprinkled or not, and Fire Marshal Gonzales was not here to talk to if there was a note from staff about sprinkling, and you said on his conditions no is sprinkling required."

Mr. Yager said, "Yes, well we can work that out with the Fire Marshal at that time. It's one way or the other, I believe, so we're just trying to decide why he did not comment on that at the time that he was getting his comments to the staff. So I don't think that is an issue we should be discussing right now, because he's not here, but I think we can work that out at a later time."

Ms. Helberg said a member of the audience just asked her where this Case goes next, and she advised that she believes this decision is final unless there is an appeal. She asked that the answer to this question as answered officially by the staff be made a part of the record.

Mr. Smith said that is correct. He said the decision of the Summary Committee is final, unless there is an appeal within the appeal period. He said administratively, if the Summary Committee accepts the staff recommendations and approve its conditions, needed corrections will be added.

Mr. Smith said, for the record, staff was given copies by the writer of the first letter, and copies were made for the Committee, and he apologized that the copies weren't distributed earlier.

Commissioner Propst said, "The letter from Timothy Schmoyer and Kate Carswell [Exhibit "4"], identifies a couple of things, some of them we've already heard in public testimony today. One is asking whether the southwest portion of the Plat could be designated as a Resource Protection Area along that arroyo. I'm not sure we have that authority."

Mr. Smith said assuming the Committee approves the adoption of an *[inaudible]* the staff is familiar with the provisions for that action on this case. As noted in a previous discussion, should the Applicant agree with the adjacent neighbors to a private agreement about restricting the building, you could have that noted on the plat if that agreement is reached.

Commissioner Propst said, "The other concern the letter raises is in regard to whether there is enough room for a septic system for the new home on the new lot, and whether they might have to come back for variances, or something like that, when they get to the Building Permit stage of things."

Mr. Smith said staff usually takes a preliminary look at that, but we do not require the guarantee of a septic system prior to the lot split. Typically, if there are serious conditions, we could ask the Applicant to delay the recordation prior to approval. He said it is in the purview of the Committee to make that requirement.

Commissioner Propst said, "I also asked about the shape of the lot, and we've talked about that, but it's within the letter of law. It's a 1 plus acre carve out that is justified and why they crafted it the way they did, and I don't have any concerns about it at this point."

Chair Gutierrez said he has no questions either.

MOTION: Commissioner Propst moved, seconded by Commissioner Gutierrez, to approve Case #2016-85, 1612 Camino de Cruz Blanca Lot Split with all conditions of approval as recommended by staff in the Staff Report [Exhibit "2"] as amended today, "to include the language in Condition #1(c), to add at the end of that sentence, 'if required by Fire Code,' so it will read, 'New Development shall have a water supply that meets fire flow requirements per IFC and install an automatic sprinkler system if required by Fire Code,' and the conditions should also include the discussion we had earlier about the private agreement between the land owners regarding lot splits."

VOTE: The motion was approved unanimously.

Mr. Smith said, "Chair, for the record, in the first Case, the Applicant had indicated to you that he would accept the conditions of approval, but if the Committee would like to reopen and take the testimony of Mr. Armijo, that is your choice."

Chair Gutierrez said he would like to reopen.

MOTION: Commissioner Propst moved, seconded by Commissioner Gutierrez, to reopen the Public Hearing in Case #2016-84, 135 Mesa Vista Family Land Transfer, to hear the testimony of Paul Armijo, Land Surveys, Agent for the Sosa property.

VOTE: The motion was approved on a voice vote.

The Public Hearing Was Reopened

Paul Armijo, Land Surveys, Agent for the Sosa property was sworn. Mr. Armijo said, "We have received your staff report and agree with the conditions, and I make myself available for any questions or comments."

Chair Gutierrez said, "I didn't do public comment on the first round in this case. I don't see anybody from the public, but I'll ask if there is anybody to comment. Seeing none, we'll go ahead and close the public comment."

Mr. Smith said I would also note for the record that *[inaudible]* just left.

The Public Testimony Portion of the Public Hearing was Closed

MOTION: Commissioner Propst moved, seconded by Commissioner Gutierrez, to reconsider the previous vote on the previous motion, so as to include the testimony of Mr. Armijo in the motion, so the motion reads as follows: *Commissioner Propst moved, seconded by Commissioner Gutierrez, to approve Case #2016-84, 135 Mesa Vista Family Land Transfer, with all conditions of approval as outlined in the Staff Report [Exhibit "1"], and to include the testimony of Paul Armijo, Land Surveys, Agent for the Sosa property.*"

VOTE: The motion was approved unanimously on a voice vote.

F. STAFF COMMUNICATIONS

Mr. Smith said staff will accept the application submitted by Streets, rather than require that they apply for a variance, regarding the issue of right-of-way and a formal improved trail parallel to Cruz Blanca.

G. MATTERS FROM THE COMMITTEE

Chair Gutierrez said he has been able to read packets on line, and this is the second time someone has said they aren't able to do that. He said if they are posted when we get our packet, he thinks that would make everybody happy.

Ms. Martinez said it was Rick Martinez who brought up the concern about not being able to access all the packet information. She said she spoke with him earlier this morning and found out that he is able to see the packet, but the information that was missing pertained to the St. Michael's Overlay Plan. She said, "We received that package information late, and that is the reason it wasn't posted on the website at the same time as all of the other information. So I assured him we would do better about linking with our applicants and making sure we have that information on time so that it all gets uploaded in plenty of time before the meeting. So please note that."

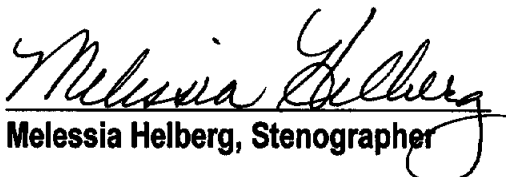
Chair Gutierrez thanked the Committee and staff for their hard work and late night.

H. ADJOURNMENT

There was no further business to come before the Board, and the meeting was adjourned at approximately 10:45 a.m.



Brian Gutierrez, Chair


Melessia Helberg, Stenographer

City of Santa Fe, New Mexico

memo

DATE: August 29, 2016 for September 8, 2016 Meeting

TO: Summary Committee

VIA: Lisa Martinez, Director, Land Use Department
Greg Smith, AICP, Division Director, Current Planning Division

FROM: Noah Berke, CFM, Senior Planner, Current Planning Division

Case #2016-84, 135 Mesa Vista Family Land Transfer. Armijo Surveys Inc., agent for Dan Jr. and Rita Sosa, requests approval of a family transfer subdivision to divide approximately 0.75 acres to create two lots (+/-0.5 acres and +/-0.25 acres). The property is zoned R-5 (Residential- 5 dwelling units per acre). (Noah Berke, Case Manager)

I. RECOMMENDATION

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

II. EXECUTIVE SUMMARY

The property is zoned R-5 (Residential – 5 dwelling units per acre). The proposal would create two lots. Lot A-1 (135 Mesa Vista Street) would consist of approximately 0.5 acres and Lot A-2 (137 Mesa Vista Street) would consist of approximately 0.25 acres.

The proposed family land transfer would not create or increase any non-conformities with applicable Chapter 14 development standards such as density, lot size, lot coverage, etc. Lot A-1 would have the potential to be split again in the future.

The current lot of record was created by the plat titled "Tibbett's Subdivision of the Torreon Addition," which was recorded on November 10, 1947.

The existing road may not meet all applicable standards; no variance is required since Mesa Vista Street is a public road [14-9.2(B)(4)].

Exhibit "1"

III. DISCUSSION AND ANALYSIS

A.) Existing Conditions

North	143 Mesa Vista Street	R-5 (Residential- 5 units per acre)
East	1322 Cibola Circle	R-5 (Residential- 5 units per acre)
South	129 Mesa Vista Street	R-5 (Residential- 5 units per acre)
West	140 Mesa Vista Street	R-5 (Residential- 5 units per acre)

Lot A-1 contains 1 residential dwelling unit, 1 carport, a stucco wall, a concrete deck and a fence that borders Mesa Vista Street. Lot A-2 contains a stucco storage shed and a wooden fence that borders Mesa Vista Street. Both lots would be accessed from Mesa Vista Street, a 22 foot wide public right-of-way.

B.) Traffic Engineering

The Traffic Engineering Division has reviewed the requested lot split and has recommended approval with no conditions.

C.) Terrain Management and Landscaping

The City Engineer has reviewed the proposed lot split and has stated that the lot split meets all requirements of Article 14-8.2 "Terrain and Stormwater Management".

The Landscape has been reviewed and the landscape reviewer has stated that landscaping is not required with lot split applications.

D.) Fire Department

The Fire Marshal has reviewed the proposed lot split and recommends approval with the conditions in Exhibit A4 and requiring a 20-foot access driveway easement from Mesa Vista Street to Lot A-2.

E.) Wastewater and Water Division

City sewer and water are available to both lots. The Wastewater Division has indicated that prior to development of the property; the property shall obtain a technical sewer evaluation review by the Wastewater Division.

The Water Division Engineer has indicated, as a condition of approval, that each lot will be required to have separate water meters.

Prior to development on Lot A-2, the applicant shall meet with the Wastewater and Water Division Engineers and provide verification the above conditions have been met.

IV. CONCLUSION

The Land Use Department recommends APPROVAL of the requested family land transfer as it is in compliance with Chapter 14 standards.

V. 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. The conditions listed below are considered "technical corrections" that must be made to the plat prior to recordation in order to comply with routine code requirements.

Staff recommends the following conditions of approval:

1. Add the following notes to the plat:
 - a. All new development shall comply with all applicable regulations of the current Land Development Code.
 - b. Provide 20 foot wide driveway easement from Mesa Vista Street to Lot A-2.
 - c. New development shall have water supply that meets fire flow requirements as per IFC and install an automatic sprinkler system.
 - d. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
 - e. All new construction shall meet the requirements of the Fire Department.
 - f. Connection to the City public sewer system is mandatory when the property is in the City limits and is being developed or improved.
 - g. Prior to the development or improvement of the property, owners and developers of the property shall obtain a technical sewer evaluation review by the City of Santa Fe Wastewater Division.
 - h. No fences, walls, or other obstructions shall be placed or constructed across or within public sanitary sewer or utility easements
 - i. A construction permit shall not be issued to a person other than the transferee or his authorized representative until the required time period is completed.
 - j. NOTICE: This subdivision has been approved pursuant to the inheritance and family transfer provisions of the Santa Fe City Code. Procedures for inheritance and family transfer subdivision improvements are significantly different than for other types of subdivisions. No sale or lease of any lot designated on this subdivision plat shall occur within three years of the date this transfer is legally made. Any person intending to purchase a lot within this subdivision should

contact the city of Santa Fe land use director. Requests for construction permits on illegally sold lots shall be denied.

VI. ATTACHMENTS:

EXHIBIT A: Development Review Team

1. Traffic Engineering Division Memorandum, Sandra Kassens
2. City Engineer Memorandum, Risana "RB" Zaxus, PE
3. Landscape Memorandum, Somie Ahmed
4. Fire Department Memorandum, Rey Gonzales
5. Waste Water Division Engineer Memorandum, Stan Holland
6. Water Division Memorandum, Dee Beingessner

EXHIBIT B: Maps and Photos

1. Current Zoning
2. Future Zoning
3. Aerial View
4. Street View of Property Entrance

EXHIBIT C: Applicant Materials

1. Letter of Application
2. Lot Split Plat
3. Legal Lot of Record (Deed and Adjoining Properties)

City of Santa Fe, New Mexico

Exhibit A

Development Review Team

- 1. Traffic Engineering Division Memorandum**
- 2. City Subdivision Engineer Memorandum**
- 3. Landscape Memorandum**
- 4. Fire Department Memorandum**
- 5. Wastewater Division Memorandum**
- 6. Water Division Memorandum**

BERKE, NOAH L.

From: KASSENS, SANDRA M.
Sent: Monday, August 01, 2016 11:00 AM
To: BERKE, NOAH L.
Cc: ROMERO, JOHN J
Subject: 135 Mesa Vista Street Family Land Transfer

Noah,

1. We do not need additional submittals for the family Transfer Lot Split at 135 Mesa Vista Street, case # 2016-84.
2. The Traffic Engineering Division has no comments on the proposed Family Transfer lot split, Case # 2016-84.

Sandy

Sandra Kassens
Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

Development Review Team

Comment Form

Date: August 18, 2016
From: Risana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case #2016-84, Mesa Vista Family Land Transfer
Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1 None	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Meet all conditions for building permit if development is to occur.

Explanation of Conditions or Corrections (if needed):

Development Review Team
Request for Additional Information

Date: August 1st, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: 2016-84 135 Mesa Vista St. Family Land Transfer

Case Mgr: Noah Berke



☒ The plans and other materials submitted with this application meet the application requirements for review by this division/department and are sufficient to determine compliance with applicable standards.

1. Article 14-8.4 does not apply to lot splits/land transfers. No landscaping improvements are required.

☐ The following additional or corrected information must be submitted before the application is complete and can be scheduled for public hearing:

Development Review Team
Comment Form

Date: July 11, 2016

Staff person: Reynaldo Gonzales *Reynaldo D. Gonzales*

Dept/Div: Fire

Case: 2016- 84 135 Mesa Vista Street Family Land Transfer

Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :	Must be completed by:
1 Need to show Fire Access to second lot	Prior to approval

Technical Corrections*:	Must be completed by:
1 None	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

Prior to any new construction or remodel the current code adopted by the governing body would need to be met.

1. All Fire Department access shall be no greater than a 10% grade throughout.
2. Fire Department Access shall not be less than 20 feet width to any new/remodel construction.
3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.

4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.

5. Shall have water supply that meets fire flow requirements as per IFC

Development Review Team
Wastewater Management Division
E-Mail Delivery
Comment Form



Date: August 15, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater
Case: 2016-84 135 Mesa Vista Street Family Land Transfer
Case Mgr: Noah Berke

The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by the Wastewater Division has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :	Must be completed by:

Technical Corrections*:	Must be completed by:
1. Add note to the plat that Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.	
2. Add note to the plat stating connection to the City public sewer system is mandatory when the property is in the City limits and is being developed or improved is accessible to the City sewer system. Prior to the development or improvement of the property, owners and developers of the property shall obtain a technical sewer evaluation review by the City of Santa Fe Wastewater Division.	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project: N/A

**Development Review Team
Comment Form**

Date: 8/9/16
Staff person: Dee Beingessner
Dept/Div: Public Utilities/Water Division
Case: 2016-84 135 Mesa Vista Street Family Land Transfer
Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 Each lot will be required to have separate water service. A water main is available on Mesa Vista Street for the new service.	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

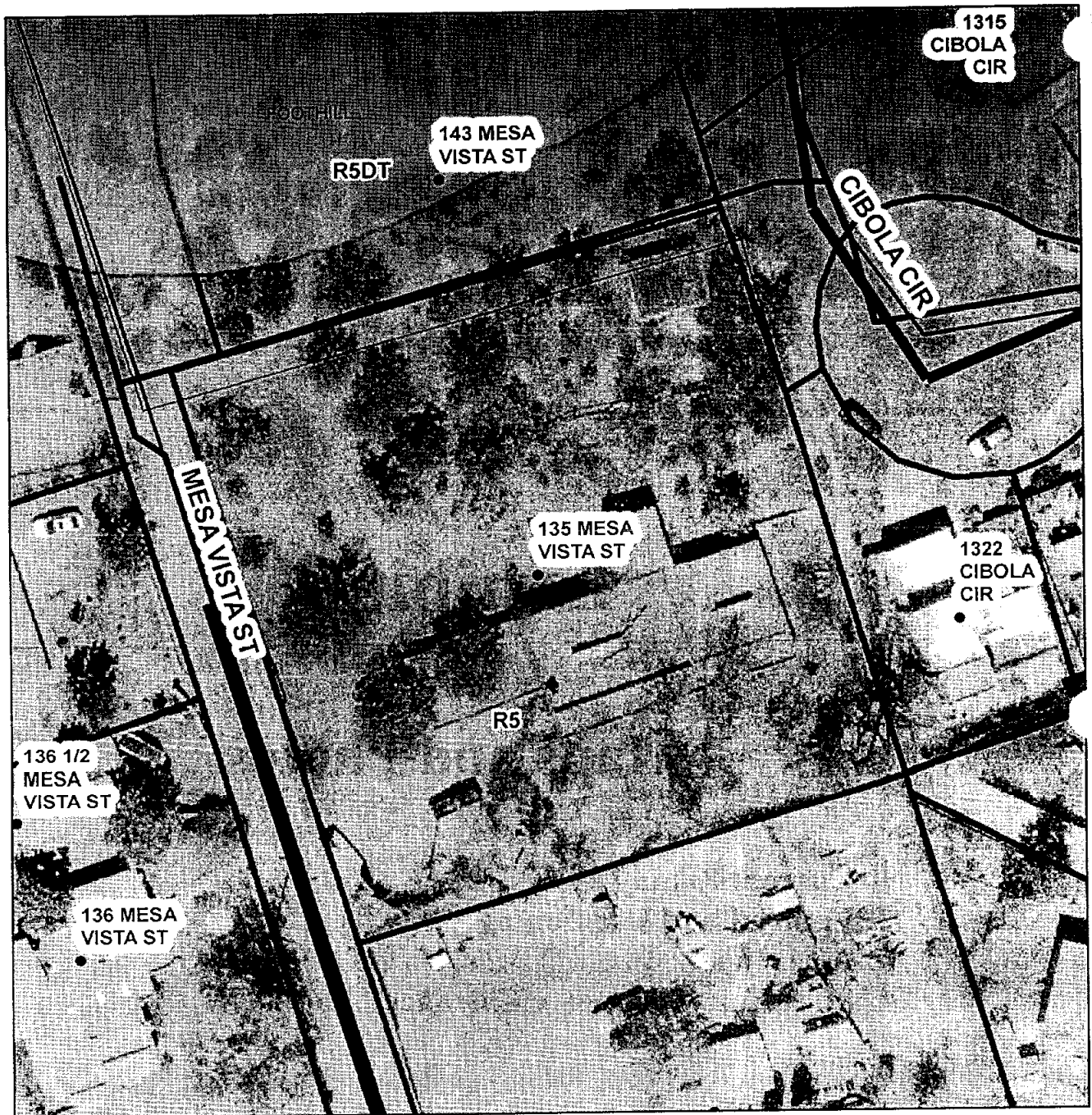
City of Santa Fe, New Mexico

Exhibit B

Maps and Photos

- 1. Current Zoning**
- 2. Future Land Use Zoning**
- 3. Aerial View**
- 4. Street View Property Entrance**

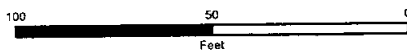
135 Mesa Vista Current Zoning



Legend

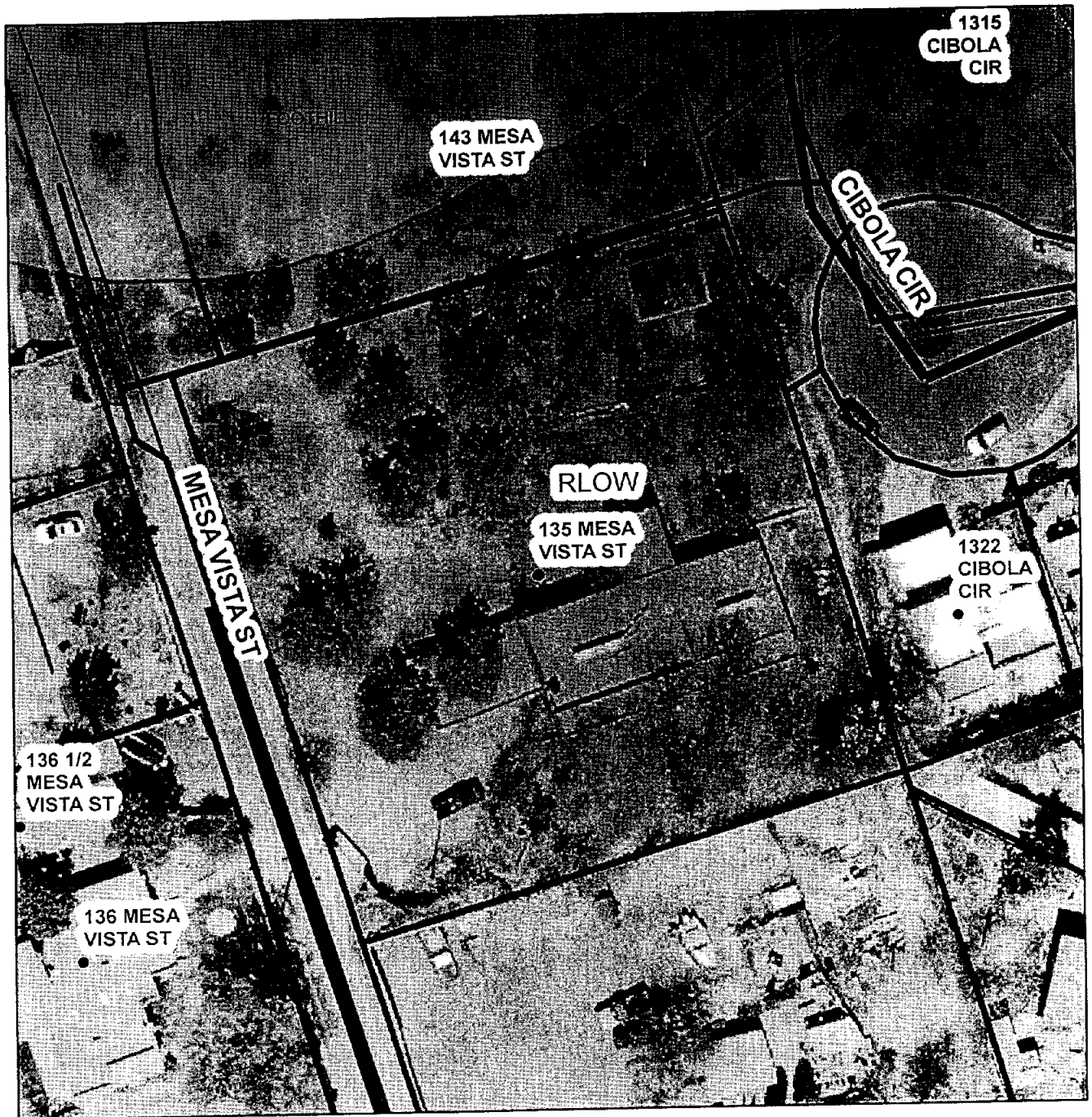
- WaterPipeLocations
- RoadCenterlineCity
- WasteWaterCollectionPipe

This information is for reference only. The City of Santa Fe assumes no liability for errors associate with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



1 inch = 50 feet

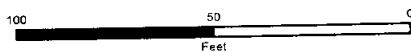
135 Mesa Vista Future Land Use



Legend

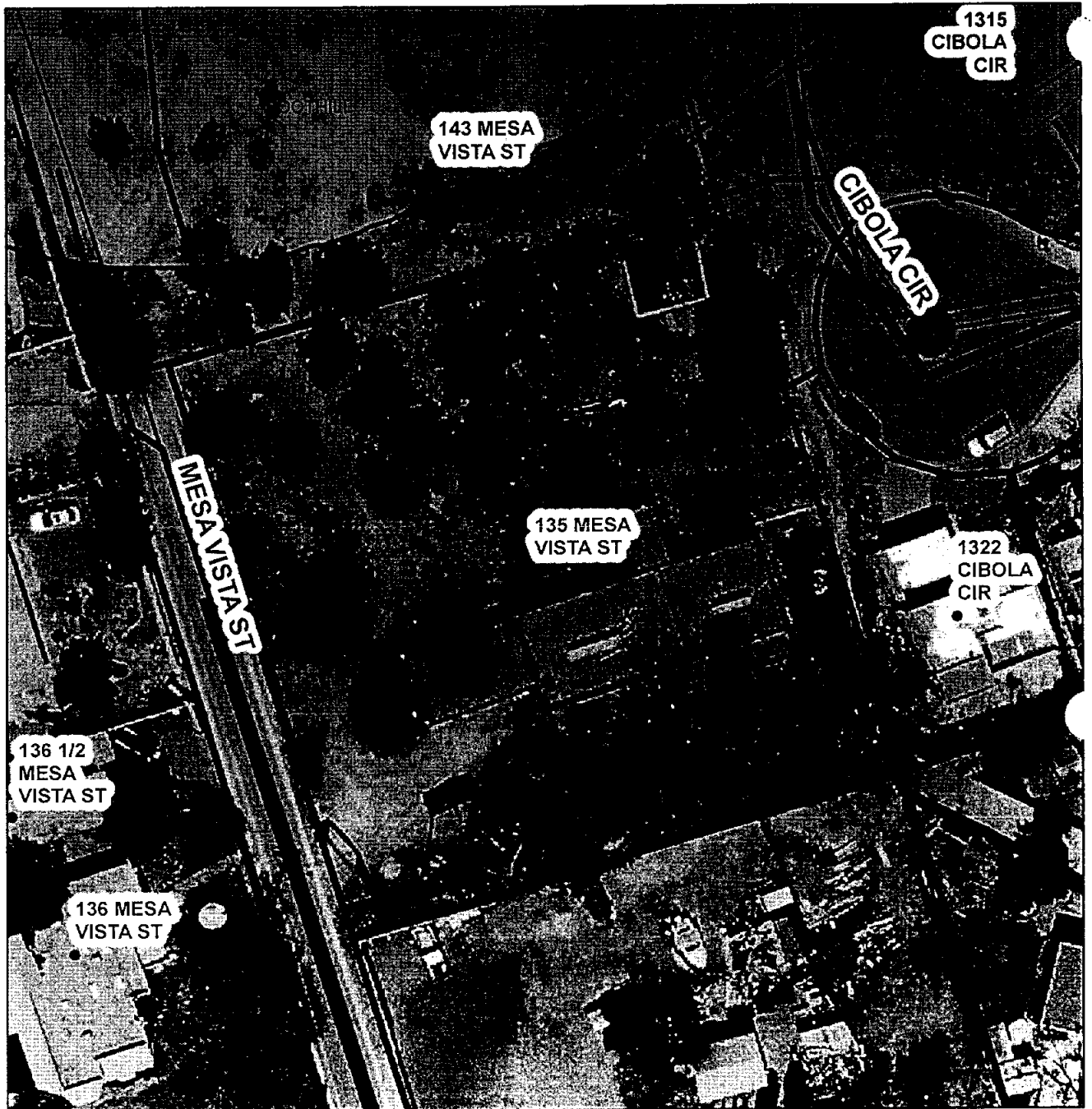
- WaterPipeLocations
- RoadCenterlineCity
- WasteWaterCollectionPipe

This information is for reference only. The City of Santa Fe assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



1 inch = 50 feet

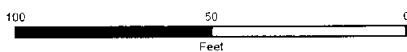
135 Mesa Vista Aerial



Legend

- WaterPipeLocations
- RoadCenterlineCity
- WasteWaterCollectionPipe

This information is for reference only. The City of Santa Fe assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



1 inch = 50 feet

Google Maps Mesa Vista St

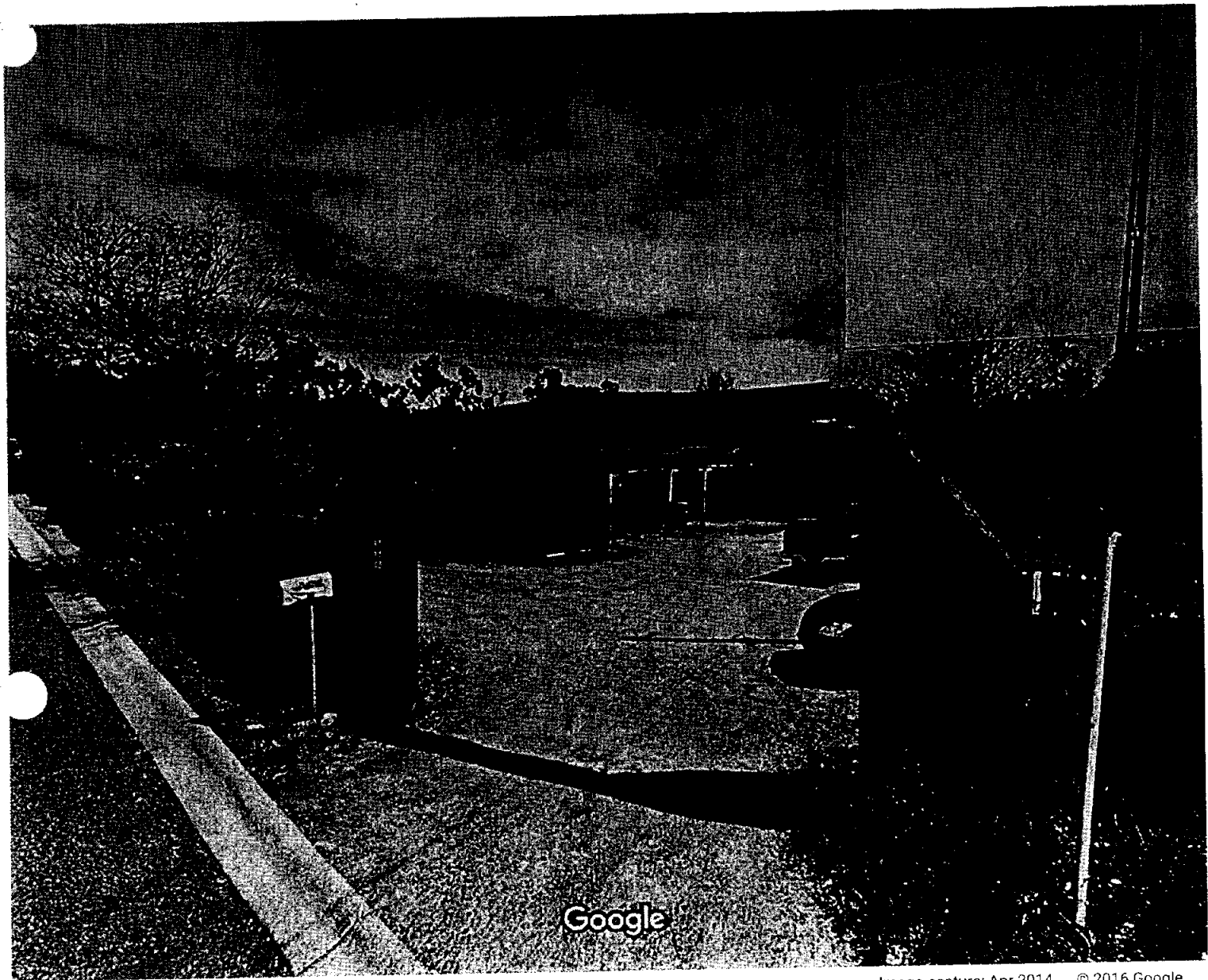
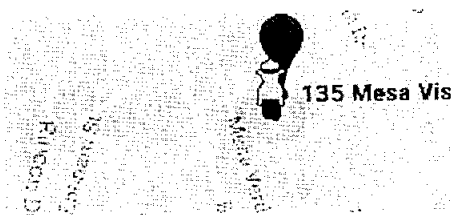


Image capture: Apr 2014 © 2016 Google

Santa Fe, New Mexico

Street View - Apr 2014



City of Santa Fe, New Mexico

Exhibit C

Applicant Materials

- 1. Letter of Application**
- 2. Lot Split Plat**
- 3. Legal Lot of Record (Deed and Adjoining Properties)**

ARMILLO SURVEYS, INC.

Professional Land Surveying

July 22, 2016

City of Santa Fe Development Review Office
City Hall Building, Lincoln Avenue
Santa Fe, NM

Dear Sirs,

Please accept this Letter of Application on behalf of my client Ms. Anna Sosa-Wright.

Ms. Sosa-Wright's parents Dan and Rita Sosa own the 0.75 acre property at 135 Mesa Vista Street in the City of Santa Fe.

The Sosa's wish to grant to their adult daughter Anna Sosa-Wright a 0.25 acre portion of the property. The Sosa's would retain the 0.50 remaining portion that currently has an existing house dwelling on it.

The existing house is currently served by City Sewer and Water and the new 0.25 acre tract would apply for its own sewer and water connections.

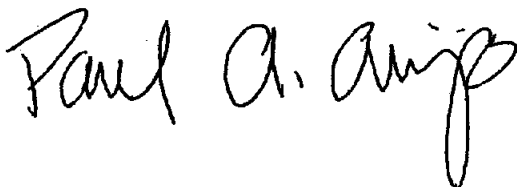
The 0.25 acre tract is on a gentle slope with ample sites for a future single family dwelling unit. The new 0.25 acre tract would apply for a new driveway access point along its Mesa Vista Street frontage.

We believe the existing site complies with the current zoning criteria and the new 0.25 acre tract would comply with the current zoning criteria.

I believe the property is legal lot of record by exclusion. The current 0.75 acre tract was described on a 1967 survey plat by J. Horne and that same property description was used on the Deed into the Sosas'. The property to the north is described by Plat Book 751, page 015, which is a lot consolidation survey signed by the City. The property to the east is described on Plat Book 222, page 049, which is a Subdivision Plat signed by the City. The property to the south is described on a Deed filed on September 21, 1962. I have attached copies of these documents for your review.

Please call me with any questions or comments regarding this matter at 471-1955.

Thank you,
Paul A. Armijo
NMPS No. 13604



WARRANTY DEED (Joint Tenants)

LOUIS E. DRYPOLCHER, a married man dealing with his sole and separate property, for consideration paid, grant

to DAN SOSA, JR.

whose address is

and RITA O. SOSA, his wife,

whose address is

Santa Fe

County, New Mexico.

as joint tenants the following described real estate in:

A portion of Tract A Tabbetts Subdivision, Torreon Addition, Santa Fe, New Mexico and more particularly described as follows: For a tie beginning at the center of a manhole cover, marked A3g2, located in Mesa Vista Street, Santa Fe, New Mexico; thence N. 11° 30' W., 105.09 feet to the southwest corner of the tract herein described, being the true place and point of beginning; thence N. 16° 32' W., 183.2 feet to the northwest corner; thence N. 74° 00' E., 178.4 feet to the northeast corner; thence S. 16° 32' E., 183.2 feet to the southeast corner; thence S. 74° 00' W., 178.4 feet to the point and place of beginning. All as shown on plat of survey prepared for Mrs. Karl Buvinghausen by Jack Horne P.E. & L.S. Number 888 on September 25, 1967 as Job Number 8067, containing 0.75 acres more or less.

Subject to existing first mortgage in favor of First Northern Savings and Loan Association, which Grantees hereby assume and agree to pay according to the terms thereof.

Subject to reservations, restrictions and easements of record.

with warranty covenants, this 30th day of July, 1976.
 WITNESSES BY: hand and seal, this 30th day of July, 1976.
 (Seal) Louis E. Drypolcher (Seal)
 (Seal)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF SANTA FE

The foregoing instrument was acknowledged before me this 30th day of July, 1976, by Louis E. Drypolcher, a married man dealing with his sole and separate property.

(Name or Name of Person or Persons Acknowledging)
 My commission expires: Dec. 3, 1978.
 (Seal)

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF

The foregoing instrument was acknowledged before me this 30th day of July, 1976.

by (Name of Officer)
 (Seal of Officer)
 (Seal of Corporation Acknowledging)
 corporation, on behalf of said corporation.

FOR RECORD SERVICE
 INDEXED
 76 JUL 31 1976
 COUNTY OF SANTA FE
 OFFICE OF THE COUNTY CLERK
 COUNTY CLERK Santa Fe County, N.M.

SUBJECT
 PROPERTY
 DEED

"SAFETY" SUBDIVISION OF THE TOWNSHIPS ADJACENT TO THE
CITY OF GAINES, FL. NEW SECTION

SCALE 1" = 100'

NOTES

Know All Men By These Presents: That we, James W. FIBBES and Jewel FIBBES, husband and wife, of Santa Fe County, New Mexico, do hereby certify and declare that the above or foregoing publication of LIBERTY JACKETT and of THE FOREIGN AMBITION TO THE CITY OF SANTA FE, NEW MEXICO, described as follows:

Beginning at the S.E. Corner of this tract from which the flagstaff on State Capitol Square No. 10 N and E W 61st St runs to State Penitentiary near S 65th Street, thence S 18° 29' N along the S.W. corner, thence S. 37° 30' E, thence S 65° 20' W along the eastern line of Anna St 200x70 ft to S.E. corner, thence across, being twice one piece of beginning.

bounded on the west by lands of Jay E. Young and Samuel A. Moore, on the north by land of City of Santa Fe, on the east by P. M. Towns, and on the south by corner of Santa Fe River, an appeal on this plat is with the Free comment and in accordance with the desire of the undersigned owners and proprietors.

In witness whereof, we have hereunto set our hands and seals
this 30th day of July A. D., 1930.

State of New Mexico }
County of Santa Fe } ss.

On this 2nd day of July, 1928, personally appeared before me James W. Ribble, a Notary Public, his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed for the uses and purposes therein set forth.

In witness whereof, I have hereunto set my hand and affixed my official seal this day and year in this certificate above written.

My Commission Expires

Dec 8 1917

STATEMENT OF WORK

State of New Mexico)
County of Santa Fe) ss.
City of Santa Fe)

It is HEREBY CERTIFIED That at a meeting of the City Council of the City of Santa Fe, New Mexico, held on the 22 day of October 1926, this plan of the Tibbetsville of Wm. Lawrence Harrison was presented to the City Council and was read and approved by the City Council that by a vote of seven yeas, was admitted to the three-fourths of the vote required, and to the council a resolution was passed approving the same.

Witness my hand and the seal of the City of Santa Fe, New Mexico, this 23 day of October 1926.

Witness my hand and the seal of the City of Santa Fe, New Mexico,
 Attested by the clerk of said city this 22 day of October 1936.

Abstract

Walter J. Cunningham
J. W. Clark

DECLASSIFICATION

"I hereby certify that this plat and the field notes thereon are a true and correct copy of a survey made by me in the field of Tibbitts' Sub-Division of the Bureau Addition to the City of Santa Fe, New Mexico, in the north of _____, _____, 1934.

Witness my hand and official seal this 22 day
of July, A. D. 1936.

Sheldon L. Jones
 Licensed Engineer and Surveyor



corner of this tract marked by a one-half inch
pipe; THENCE S. 16° 30' E. a distance of 100.0
feet to a one-half inch black iron pipe and
Southeast corner of this tract; THENCE S. 74° 15' E.
W. a distance of 178.4 feet to the point and
of beginning, as shown on that certain plat of
survey prepared by James C. Harvey, Registered
Professional Engineer, dated August 7, 1937, and
entitled "Tracts of Land Surveys for Denver
Precinct No. 17, Santa Fe, New Mexican, August
1937, Scale 1" = 100'."

TRACT TWO:

BEING Tract No. 1 of the Subdivision of the
Torrion Addition to the City of Santa Fe as
on a plat of said subdivision filed in the
of the County Clerk of Santa Fe on November
November 10, 1937, as amended and
recorded in Plat Book 2, page 10, and
particularly described as follows:

(AS PER PLAT OF NOTE 3)

LINE	BEARINGS	DISTANCE
E1	N 89° 51' 00" W	22.40
E2	N 89° 51' 00" W	22.40
E3	N 89° 51' 00" W	22.40
E4	N 89° 51' 00" W	22.40
E5	N 89° 51' 00" W	22.40
E6	N 89° 51' 00" W	22.40
E7	N 89° 51' 00" W	22.40
E8	N 89° 51' 00" W	22.40
E9	N 89° 51' 00" W	22.40
E10	N 89° 51' 00" W	22.40
E11	N 89° 51' 00" W	22.40
E12	N 89° 51' 00" W	22.40
E13	N 89° 51' 00" W	22.40
E14	N 89° 51' 00" W	22.40

SURVEYOR'S NOTES

- 1) BASIS OF BEARINGS IS GEODETIC AZIMUTH FROM GPS OBSERVATION. ANY ADJUSTED LINE MAY BE UTILIZED AS A LOCAL BASIS OF BEARINGS.
- 2) REFER TO A PLAT OF SURVEY ENTITLED "LOT LINE & ADJUSTMENT OF THE MESA SUBDIVISION" BY RICHARD A. MORRIS N.M.P.S. NO. 10277 AND IS RECORDED AT THE OFFICE OF SANTA FE COUNTY CLERK IN BOOK 843, PAGE 01.
- 3) REFER TO A PLAT OF SURVEY ENTITLED "THE MESA SUBDIVISION" BY ROBERT L. WHEELER N.M.P.L.S. NO. 8020 AND IS RECORDED AT THE OFFICE OF SANTA FE COUNTY CLERK IN BOOK 815, PAGE 50.
- 4) REFER TO BUTTCLAIN DEED FILED AT THE SANTA FE COUNTY CLERK'S OFFICE IN BOOK 1303 PAGE 81C.

SURVEYOR'S CERTIFICATE

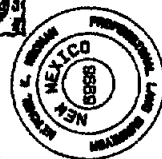
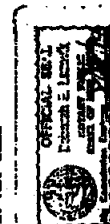
I, MITCHELL K. MOONAN, N.M.P.L.S. NO. 8898 DO HEREBY CERTIFY THAT THIS SURVEY PLAT AND THE ACTUAL SURVEY ON THE GROUND UPON WHICH IT IS BASED WERE PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, THAT I AM RESPONSIBLE FOR THE ACCURACY OF THE SURVEY, THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYS IN NEW MEXICO, AND THAT I AM NOT AWARE OF ANY FACTS OR CIRCUMSTANCES THAT WOULD CAUSE ME TO BELIEVE THAT THIS SURVEY IS NOT A LAND DIVISION OR SUBDIVISION AS DEFINED IN THE NEW MEXICO SUBDIVISION ACT.

Robert K. Moonan
 MICHAEL K. MOONAN
 09/19/12
 N.M.P.L.S. NO. 8898

COUNTY OF SANTA FE } SS
 STATE OF NEW MEXICO }
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 10 DAY OF SEPTEMBER, A.D. 2012 AT 12:00 O'CLOCK P.M. AND WAS RECORDED IN PLAT BOOK 843, PAGE 015 OF THE RECORDS OF SANTA FE COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE
 COUNTY CLERK, SANTA FE COUNTY, N.M.

Theresa...
 DEPUTY

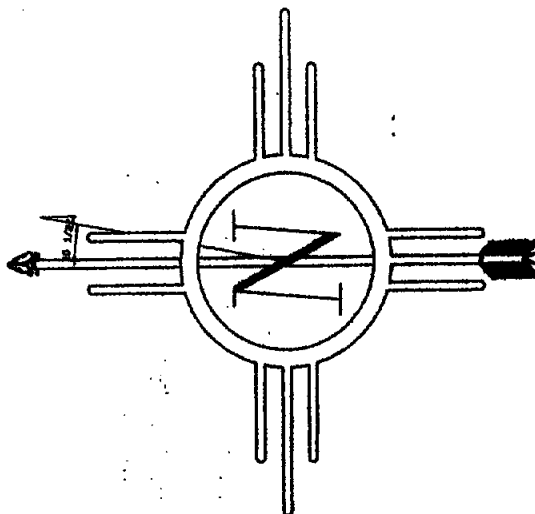


THE UNDERSIGNED OWNER OR DO HEREBY ATTEST THAT THE LOT LINE ADJUSTMENT, LOT AND PLAT, AND PLATTING AS SHOWN HEREON IS MADE WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THE LAWS AND ORDINANCES OF THE COUNTY OF SANTA FE, NEW MEXICO, AND THE PLATTING AND PLANNING JURISDICTION OF THE CITY AND COUNTY OF NEW MEXICO.

10/11/12
 Donald O. Strell
 DATE ANNE HILLERMAN
 STATE OF NEW MEXICO } SS
 COUNTY OF SANTA FE }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9th DAY OF October, 2012 BY DONALD O. STRELL AND DEE ANNE HILLERMAN

Donna Hiller
 3-31-15
 MY COMMISSION EXPIRES



GRAPHIC SCALE 1" = 20'

REVISIONS	BY	DATE

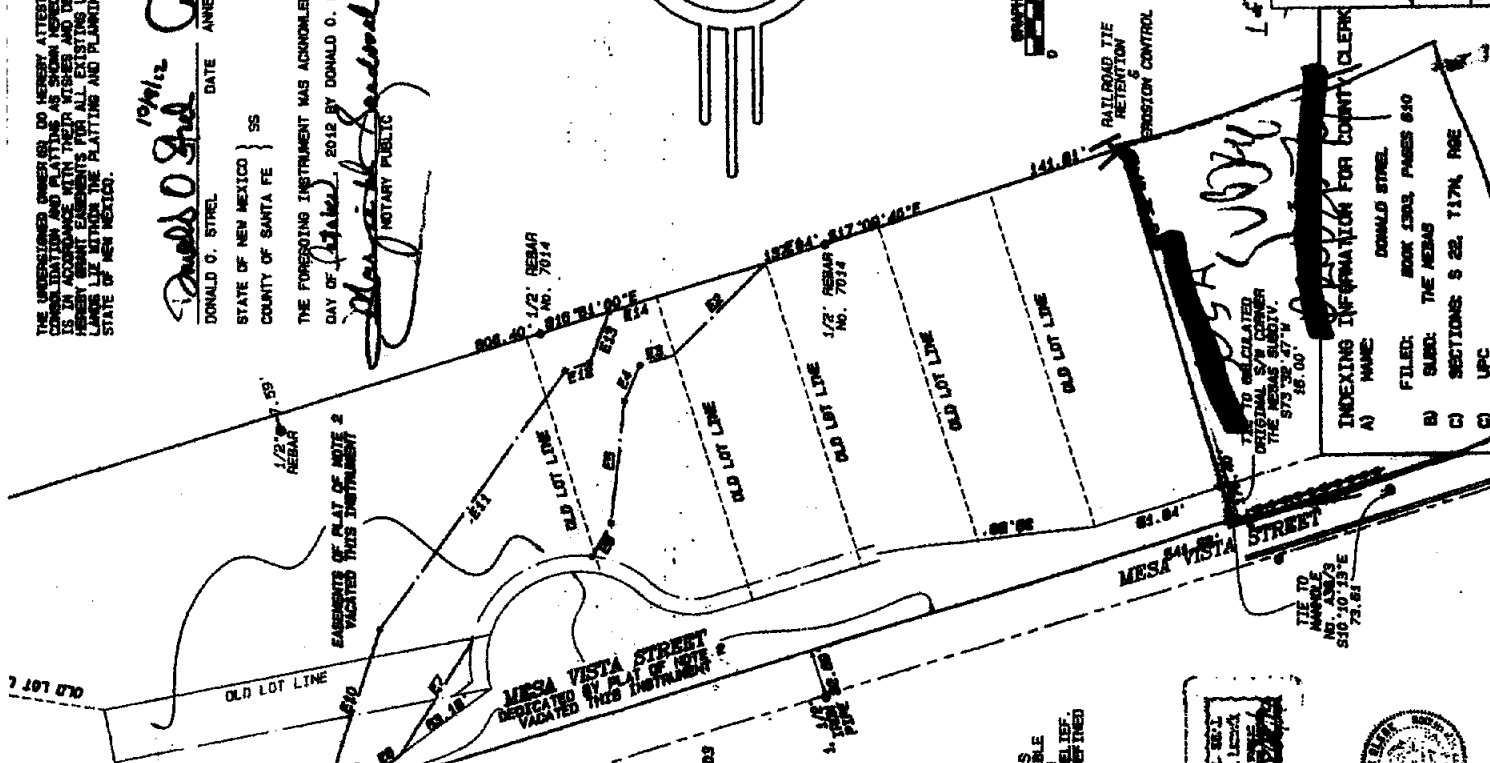
142 ORIGINALS

SOUTHWEST

MOUNTAIN SURVEYS

1114 HICKOK ST., SANTA FE, N.M. 87501
 (505) 883-8488 FAX (505) 883-3413

DATE (M): 09/28/2012 PROJECT NO. C-2405



INDEXING INFORMATION FOR COUNTY CLERK
 A) NAME DONALD STRELL
 B) FILED BOOK 1303, PAGES 840
 C) SUBD: THE MESA
 D) SECTIONS 8 22, 117N, PGE
 E) UPC

RECORDING 216/002

(C)

RE-RECORDED
222/049

SCALE 1"=30'

PLAT BOOK 222
PAGE 049

216002

212049

TRACT 4
6.48 ACRES
RETAINED



COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that the foregoing is a true and correct copy of the original as filed in my office on the 15th day of June, 1960.
County Clerk Santa Fe County, N.M.
[Signature]

The Homeowners Association agrees to maintain the Road and Utility Easement as shown on the Cibola Subdivision Phase III Plat and Lots in Tract 4 will be subject to the Cibola Subdivision Declaration and Covenants recorded in Book 207, Pages 230 thru 247 on December 5, 1964, Santa Fe County Clerk's Office.

REFER TO DEVELOPMENT PLAN FOR BUILDING LOCATIONS

LEGEND

BOUNDRIES ARE DERIVED FROM PLAT BY PHASE I, SANTA FE EDWINS PLANNED RESIDENTIAL COMMUNITY PERFORMED BY GARY E. DANSON N.M.S.L. NO. 7014 DATED APRIL 1, 1963

- DENOTES POINT PLAIN AS SHOWN
- DENOTES REBAR SET
- DENOTES CALCULATED POINT NOT SET
- DENOTES UNKNOWN

BOUNDARY DATA IN PARENTHESES IS FROM PRIOR PLATS
THIS PLAT IS SUBJECT TO EXISTING EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD

CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION ON THE 29th DAY OF MARCH, 1960, TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SURVEY AND PLAT ARE TRUE, CORRECT AND MEET THE NECESSARY STANDARDS FOR LAND SURVEYS IN NEW MEXICO.

[Signature]
GARY E. DANSON, N.M.S.L. 7014

STATE OF NEW MEXICO
COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SIGNED, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY GARY E. DANSON THIS DAY OF _____, 1960

[Signature] 7-12-63
NOTARY PUBLIC IN COMMISSION EX-105

1. COUNTY CLERK TO THE FOREGOING INSTRUMENT OF THE 21st
2. TO RECORD AND RETURN TO THE COUNTY CLERK OF SANTA FE, N.M. 21st DAY OF MARCH, 1960, TO THE BEST OF MY KNOWLEDGE AND BELIEF THE SURVEY AND PLAT ARE TRUE, CORRECT AND MEET THE NECESSARY STANDARDS FOR LAND SURVEYS IN NEW MEXICO.

[Signature]
GARY E. DANSON, N.M.S.L. 7014

REVIEWED BY:

[Signature] 5-22-71
PUBLIC WORKS DIRECTOR

[Signature] 5-22-91
REGULATORY REVIEW DIVISION DIRECTOR

AMENDED

LAND DIVISION OF TRACT 4
OF, CIBOLA SUBDIVISION
CREATING TRACT 6
BEING PHASE 3 OF CIBOLA SUBDIVISION
AND THE
SUBDIVISION OF TRACT 6
ALL WITHIN THE
CITY OF SANTA FE, NEW MEXICO



COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that the foregoing is a true and correct copy of the original as filed in my office on the 15th day of June, 1960.
County Clerk Santa Fe County, N.M.
[Signature]

G. DANSON & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
OFFICE OF
SANTA FE, NEW MEXICO

WARRANTY DEED

(Joint Tenants)

THAT I, Dewey Spehr, a single man, for consideration paid, grant to John Lind, Jr. and Sally Rose Lind, his wife, joint tenants the following described real estate in Santa Fe County, New Mexico:

TRACT ONE:

BEING a portion of Tract A of Tibbett's Subdivision of the Torreon Addition to the City of Santa Fe as shown on a plat of said subdivision filed in the office of the County Clerk of Santa Fe County, New Mexico, on November 10, 1947, as Reception No. 87231 and recorded in Plat Book 2, page 250, and being more particularly described as follows:

BEGINNING at a point on the Easterly side of Mesa Vista Street marked by a one-half inch black iron pipe being the Southwest corner of this tract from whence the Southwest corner of Tract A of Tibbett's Subdivision bears S. 16° 30' E. a distance of 528.27 feet and from whence the southeast manhole at the intersection of Mesa Vista and W. Alameda Streets bears S. 15° 54' E. a distance of 896.69 feet; THENCE from said beginning point North 16° 30' W. a distance of 1201.98 feet to the Northwest corner of this tract; THENCE S. 33° E. a distance of 190.85 feet to the Northeast corner of this tract marked by a one-half inch black iron pipe; THENCE S. 16° 30' E. a distance of 185.4 feet to a one-half inch black iron pipe and Southeast corner of this tract; THENCE S. 74° W. a distance of 178.4 feet to the point and place of beginning, as shown on that certain plat of survey prepared by James C. Harvey, Registered Professional Engineer, dated August 7, 1937, and entitled "Tracts of Land Surveyed for Dewey Spehr, Precinct No. 17, Santa Fe, New Mexico, August 1937, Scale 1" = 100'."

TRACT TWO:

BEING Tract B of Tibbett's Subdivision of the Torreon Addition to the City of Santa Fe as shown on a plat of said subdivision filed in the office of the County Clerk of Santa Fe County, New Mexico, on November 10, 1947, as Reception No. 87231 and recorded in Plat Book 2, page 250, and being more particularly described as follows:

OLD
DEED
FOR
ADJACENT
PROPERTY
TO
SOUTH OF
VAN SO SA
PROPERTY

FILED
SEPT. 25
1962

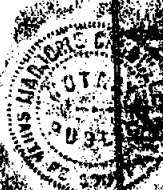
BEGINNING at a point on the corner of Mesa Vista Street being the Northwest corner of this tract, from thence the Northwest corner of Tract A of Tibbitt's Subdivision bears N 53° 33' E. a distance of 23.2 feet to whence the Northwest corner of said tract bears N 53° 33' E. a distance of 23.2 feet THENCE from said point of beginning S 12° E, a distance of 370 feet, more or less, to a one-half inch iron pipe being the Southwest corner of this tract; THENCE S. 70° E. a distance of 200.6 feet to a point marked by a one-half inch iron pipe; THENCE S. 70° E. a distance of 426.0 feet to a one-half inch iron pipe being the Southwest corner of this tract; THENCE N. 16° 13' W. a distance of 607.0 feet to a one-half inch iron pipe being the Northwest corner of this tract; THENCE N. 53° 33' E. a distance of 23.2 feet to the point and place of beginning, so that certain plat of survey prepared by James C. Harvey entitled "Tract of Land surveyed for Dewey Spahr, Precinct 17, Santa Fe, New Mexico, February 1947, Scale 1" = 200'" and on that plat of survey by James C. Harvey entitled "Tracts of Land Surveyed for Dewey Spahr, Precinct 17, Santa Fe, New Mexico, August 7, 1957, Scale 1" = 500'."

with warranty covenants.

WITNESS my hand, this 21st day of August, 1962.

STATE OF NEW MEXICO }
COUNTY OF SANTA FE } ss.

The foregoing instrument was acknowledged before me this 21st day of August, 1962, by James C. Harvey and Dewey Spahr.



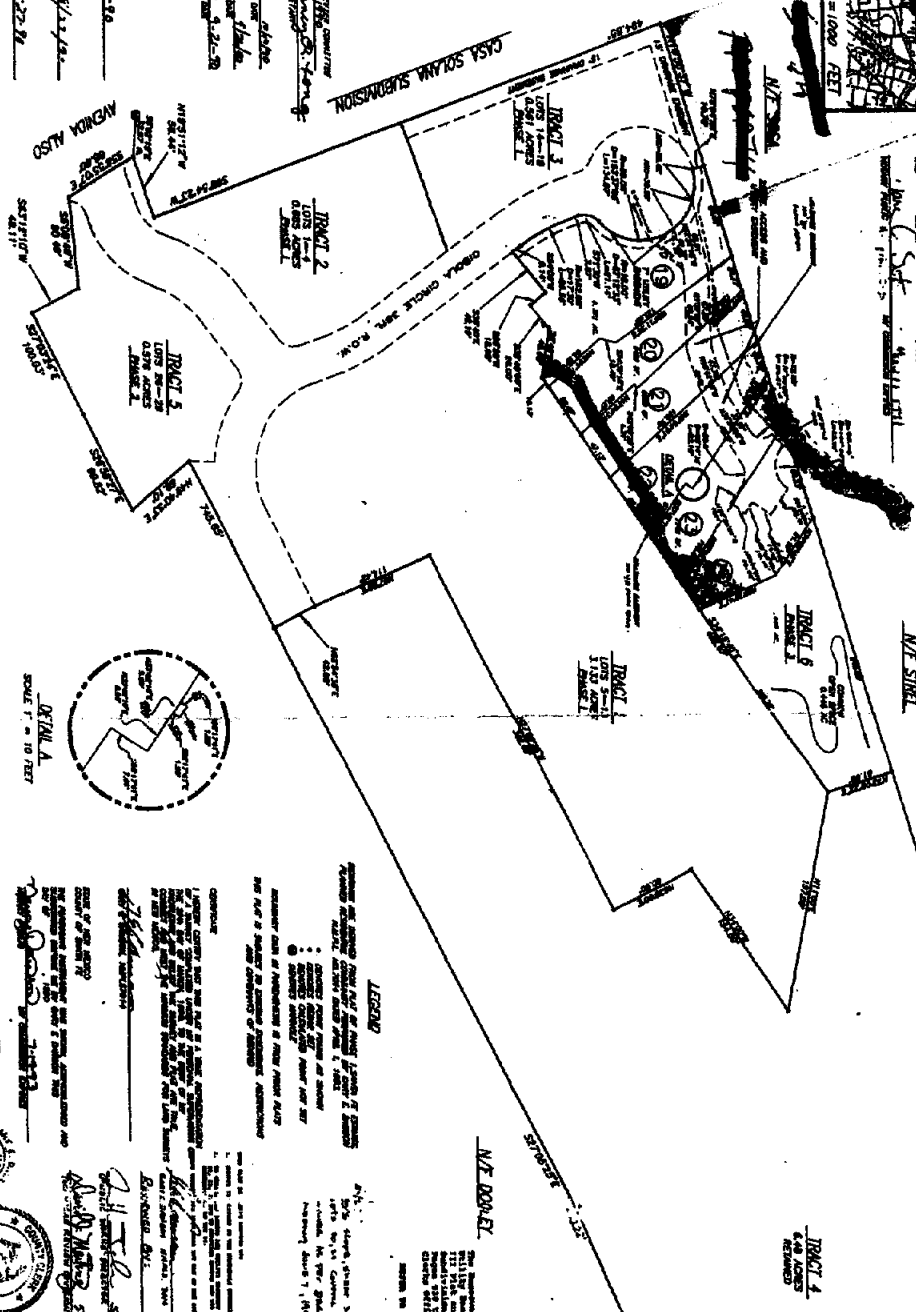
RECORDED
216/002

RE-RECORDED
227/049

PLAT BOOK 222
PAGE 295
0495



NOTES AND COMMENTS
THIS PLAT IS FOR THE SUBDIVISION OF THE LAND SHOWN ON THE ATTACHED MAP. THE LAND IS OWNED BY THE CITY OF SANTA FE, NEW MEXICO. THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SHOWN ON THE ATTACHED MAP. THE PLAT IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SHOWN ON THE ATTACHED MAP.



APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF SANTA FE, NEW MEXICO
DATE: 11/1/00
BY: [Signature]
[Signature]
[Signature]



SCALE 1" = 10 FEET

LEGEND

THE BOUNDARY OF THE LAND SHOWN ON THE ATTACHED MAP IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SHOWN ON THE ATTACHED MAP. THE BOUNDARY OF THE LAND SHOWN ON THE ATTACHED MAP IS SUBJECT TO THE EASEMENTS AND RESTRICTIONS SHOWN ON THE ATTACHED MAP.

AMENDED

LAND DIVISION OF TRACT 4

OF CASA SOLANA SUBDIVISION

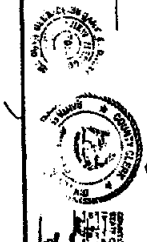
CREATING TRACT 6

AND THE

SUBDIVISION OF TRACT 6

ALL WITHIN THE

CITY OF SANTA FE, NEW MEXICO



APPROVED BY THE BOARD OF SUPERVISORS OF THE CITY OF SANTA FE, NEW MEXICO
DATE: 11/1/00
BY: [Signature]
[Signature]
[Signature]

City of Santa Fe, New Mexico

memo

DATE: August 29, 2016, for the September 8, 2016 Meeting

TO: Summary Committee

VIA: Lisa Martinez, Director, Land Use Department
Greg Smith, AICP, Division Director, Current Planning Division

FROM: Noah Berke, CFM, Senior Planner, Current Planning Division

Case #2016-85. 1612 Camino de Cruz Blanca Lot Split. Yager Land Surveys LLC., agent for Robert W. Tucker and Judith R. Seltzer, requests approval of a lot split to divide approximately 3.285 acres to create two lots (+/-2.226 acres and +/-1.059 acres). The property is zoned R-1 (Residential- 1 dwelling unit per acre) and is located in the Historic Review District. (Noah Berke, Case Manager)

I. RECOMMENDATION

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

II. EXECUTIVE SUMMARY

The property is zoned R-1 (Residential – 1 dwelling unit per acre). The proposal would create two lots. Lot 1-A-2 (1612 Camino de Cruz Blanca) would consist of 2.226 acres and Lot 1-A-1 (1610 Camino de Cruz Blanca) would consist of 1.059 acres.

Both lots are directly accessed from Camino de Cruz Blanca, which is a 40 foot wide private road and pedestrian easement.

The proposed lot split would not create or increase any non-conformities with applicable Chapter 14 development standards such for density, lot size, lot coverage, or setbacks. The lot split would create an additional lot on Camino Cruz Blanca, which does not meet access standards for the number of lots that it serves. Section III(B) of this report addresses applicability of “innovative road standards.”

EXHIBIT "2"

The current Tract 1-A was created by the plat "Bybee Subdivision" approved at the March 15, 1989 Summary Procedure Committee.

III. DISCUSSION AND ANALYSIS

A.) Existing Conditions

North	1607 Camino de Cruz Blanca	R-1 (Residential- 1 unit per acre)
East	1614 Camino de Cruz Blanca	R-1 (Residential- 1 unit per acre)
South	1490 Wilderness Gate Road	R-1 (Residential- 1 unit per acre)
West	1608 Camino de Cruz Blanca	R-1 (Residential - 1 unit per acre)

Lot 1-A-2 contains 1 residential dwelling unit and a gravel parking area. Lot 1-A-1 is currently undeveloped.

B.) Traffic Engineering

The Traffic Engineering Division has reviewed the requested lot split and has recommended approval with no conditions.

Staff has reviewed the application for compliance with Article 14-9.2 "Street Improvement and Design Standards" since Camino de Cruz Blanca is a private right-of-way. Staff has determined that this is a sub-standard street as it services more than 100 homes in the area. The applicant has requested consideration of Camino de Cruz Blanca as an "innovative street". (Exhibit C4)

Camino de Cruz Blanca provides access to over 100 lots, either directly or via lot access driveways and other private streets. According to Table 14-9.2-1, a road that provides access to that many dwelling units should be developed to standards for a Subcollector (42-foot ROW) or Collector (50-foot ROW) street classification.

Approval of a lot split or other subdivision that relies on a substandard private road normally requires the road to be improved to meet the standards, unless a variance is approved by the Planning Commission.

Subsection 14-9.2(B)(3) provides an alternative to the variance procedure in circumstances where the applicant can demonstrate that an "innovative street design" can "provide adequate pedestrian and bicycle facilities, as well as necessary transit facilities."

Current Planning and Traffic Engineering Divisions have reviewed the applicants'

submittals for Camino de Cruz Blanca to be considered an "innovative street design." Staff concurs with the applicants' analysis that the existing street – which provides for a pedestrian trail and a single lane in each direction within the 40' wide right-of-way could be considered to provide adequate pedestrian, bicycle and transit facilities in this very low density section of the city.

Staff recommends approval of the "innovative street" designation for Camino de Cruz Blanca.

C.) Terrain Management and Landscaping

The request was reviewed by the City Engineer for Terrain Management regulations. The proposed lot split meets terrain management regulations as specified in Article 14-8.2 "Terrain and Stormwater Management".

The Landscape reviewer has reviewed the proposed lot split and stated that landscaping is not required for lot splits.

D.) Fire Department

The Fire Department has reviewed this application and recommends approval with the conditions stated in Exhibit A4 and included under Conditions of Approval.

E.) Historic Preservation and Archaeological

The subject property is located in the Historic Review District and the Suburban Archaeological Review District, and is therefore subject to review by the Historic Preservation Division. The Historic Preservation Division has reviewed the lot split request and has determined that there is no effect on any historic structures and recommends approval.

F.) Wastewater and Water Division

City sewer is not accessible by these properties. The Wastewater Division has reviewed the requested lot split and conditioned that prior to the development or new construction; the owner shall obtain a septic system permit from the State of New Mexico Environment Department.

City water is available from Camino de Cruz Blanca. The Water Division Engineer has indicated, as a condition of approval, that upon creation of Lots 1-A-1 and 1-A-2, each lot will be required to have separate water service.

IV. CONCLUSION

The Land Use Department recommends APPROVAL of the requested lot split, including the request for approval of an "innovative street design," as it is in compliance with

applicable standards in Chapter 14 and other chapters of the Municipal Code.

V. 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. The conditions listed below are considered "technical corrections" that must be made to the plat prior to recordation in order to comply with routine code requirements.

Staff recommends the following conditions of approval:

1. Add the following notes to the plat:
 - a. All new development shall comply with all applicable regulations of the current Land Development Code.
 - b. Prior to the development or new construction on Lot 1-A-1; the owner shall obtain a septic system permit from the State of New Mexico Environment Department.
 - c. New development shall have water supply that meets fire flow requirements as per IFC and install an automatic sprinkler system.
 - d. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
 - e. All new construction shall meet the requirements of the Fire Department.
2. Each lot will be required to have separate water service.

VI. ATTACHMENTS:

EXHIBIT A: Development Review Team

1. Traffic Engineering Division Memorandum, Sandra Kassens
2. City Engineer Memorandum, Risana "RB" Zaxus, PE
3. Landscape Memorandum, Somie Ahmed
4. Fire Department Memorandum, Rey Gonzales
5. Historic Preservation Division Memorandum, David Rasch
6. Waste Water Division Engineer Memorandum, Stan Holland
7. Water Division Memorandum, Dee Beingessner

EXHIBIT B: Maps and Photos

1. Current Zoning
2. Future Land Use
3. Aerial Photo
4. Street View of Property Entrance

EXHIBIT C: Applicant Materials

1. Letter of Application
2. Lot Split Plat
3. Legal Lot of Record
4. Letter of Consideration of Innovative Street

City of Santa Fe, New Mexico

Exhibit A

Development Review Team

- 1. Traffic Engineering Division Memorandum**
- 2. City Subdivision Engineer Memorandum**
- 3. Landscape Memorandum**
- 4. Fire Department Memorandum**
- 5. Historic Preservation Memorandum**
- 6. Wastewater Division Memorandum**
- 7. Water Division Memorandum**

BERKE, NOAH L.

From: KASSENS, SANDRA M.
Sent: Monday, August 01, 2016 11:03 AM
To: BERKE, NOAH L.
Cc: ROMERO, JOHN J
Subject: 1612 Camino Cruz Blanca LS

Noah,

1. We do not need additional submittals for the proposed Lot Split at 1612 Camino Cruz Blanca, case # 2016-85.
2. The Traffic Engineering Division has no comments on the proposed Lot Split located at 1612 Camino Cruz Blanca, Case # 2016-85.

Sandy

Sandra Kassens
Engineer Assistant
Engineering Division
Public Works Department
City of Santa Fe
505-955-6697

**Development Review Team
Comment Form**

Date: August 18, 2016
From: Risana "RB" Zaxus, City Engineer
Dept/Div: Land Use, Technical Review Division
Case: Case #2016-85, 1612 Camino de Cruz Blanca Lot Split
Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None		
2		
3		
4		

Technical Corrections*:

Must be completed by:

1 None		
2		
3		
4		

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. Meet all conditions for building permit if development is to occur.

Explanation of Conditions or Corrections (if needed):

Development Review Team
Request for Additional Information

Date: August 1st, 2016

Staff person: Somie Ahmed

Dept/Div: LUD/Technical Review Division

Case: 2016-85 1612 Camino De Cruz Blanca Lot Split

Case Mgr: Noah Berke



The plans and other materials submitted with this application meet the application requirements for review by this division/department and are sufficient to determine compliance with applicable standards.

1. Article 14-8.4 does not apply to lot splits. No landscaping improvements are required.



The following additional or corrected information must be submitted before the application is complete and can be scheduled for public hearing:

Development Review Team
Comment Form

Date: July 11, 2016

Staff person: Reynaldo Gonzales *Reynaldo D. Gonzales*

Dept/Div: Fire

Case: 2016- 85 1612 Camino De Cruz Blanca Lot Split

Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 None

Technical Corrections*:

Must be completed by:

1 None

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

Prior to any new construction or remodel the current code adopted by the governing body would need to be met.

1. All Fire Department access shall be no greater than a 10% grade throughout.
2. Fire Department Access shall not be less than 20 feet width to any new/remodel construction.
3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided.

4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.

5. Shall have water supply that meets fire flow requirements as per IFC

BERKE, NOAH L.

From: RASCH, DAVID A.
Sent: Thursday, August 18, 2016 3:43 PM
To: BERKE, NOAH L.
Subject: 1612 Camino de Cruz Blanca

The Historic Preservation finds that the lot split does not affect any historic structures.
The property is within the Historic Review Historic District and the Suburban Archaeological Review District.

David Rasch
Historic Preservation Division
City of Santa Fe

Development Review Team
Wastewater Management Division
E-Mail Delivery
Comment Form



Date: August 15, 2016
Staff person: Stan Holland, Engineer
Dept/Div: Public Utilities/Wastewater
Case: 2016-85 1612 Camino De Cruz Blanca Lot Split
Case Mgr: Noah Berke

The subject property is NOT accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

Review by the Wastewater Division has determined that this application will meet applicable standards if the following are met:

Conditions of Approval:

Must be completed by:

1. The subject property is not accessible (within 200 feet) to the City public sewer system. Prior to any new construction on the lot, the owner shall obtain a septic system permit from the State of New Mexico Environment Department.

Technical Corrections*:

Must be completed by:

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project: N/A

**Development Review Team
Comment Form**

Date: 8/9/16
Staff person: Dee Beingessner
Dept/Div: Public Utilities/Water Division
Case: 2016-85 1612 Camino de Cruz Blanca Lot Split
Case Mgr: Noah Berke



Review by this division/department has determined that this application will meet applicable standards if the following are met:

Conditions of Approval :

Must be completed by:

1 Each lot will be required to have separate water service. A water main is available on Camino Cruz Blanca for the new service.	
2	
3	
4	

Technical Corrections*:

Must be completed by:

1	
2	
3	
4	

*Must made prior to recording and/or permit issuance

The applicant should be aware that the following code provisions or other requirements will apply to future phases of development of this project:

1. [list any additional items]

Explanation of Conditions or Corrections (if needed):

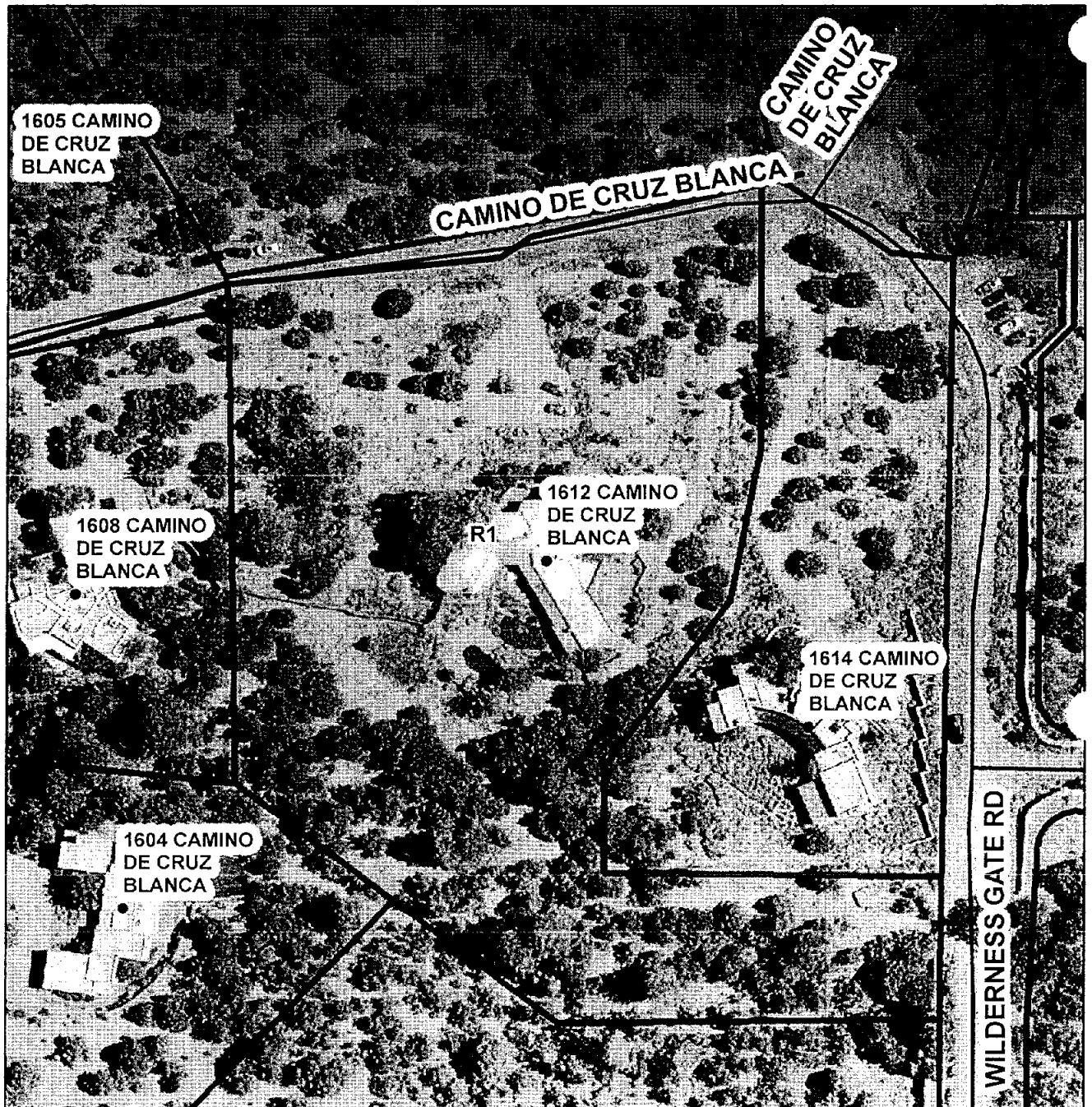
City of Santa Fe, New Mexico

Exhibit B

Maps and Photos

- 1. Current Zoning**
- 2. Future Land Use Zoning**
- 3. Aerial View**
- 4. Street View Property Entrance**

1612 Camino de Cruz Blanca Current Zoning



Legend

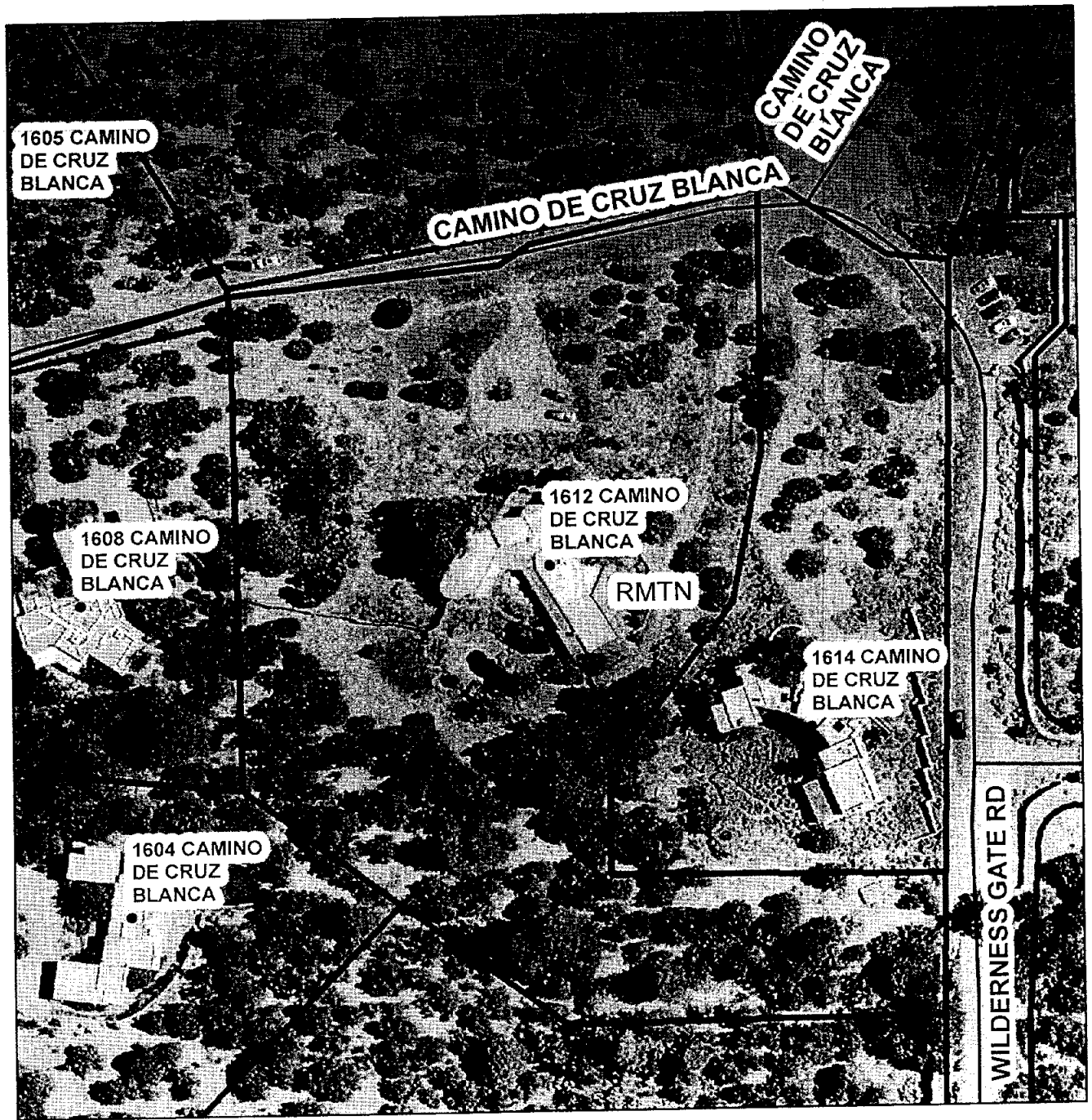
- WaterPipeLocations
- RoadCenterlineCity
- WasteWaterCollectionPipe

This information is for reference only. The City of Santa Fe assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



1 inch = 100 feet

1612 Camino de Cruz Blanca Future Land Use Zoning



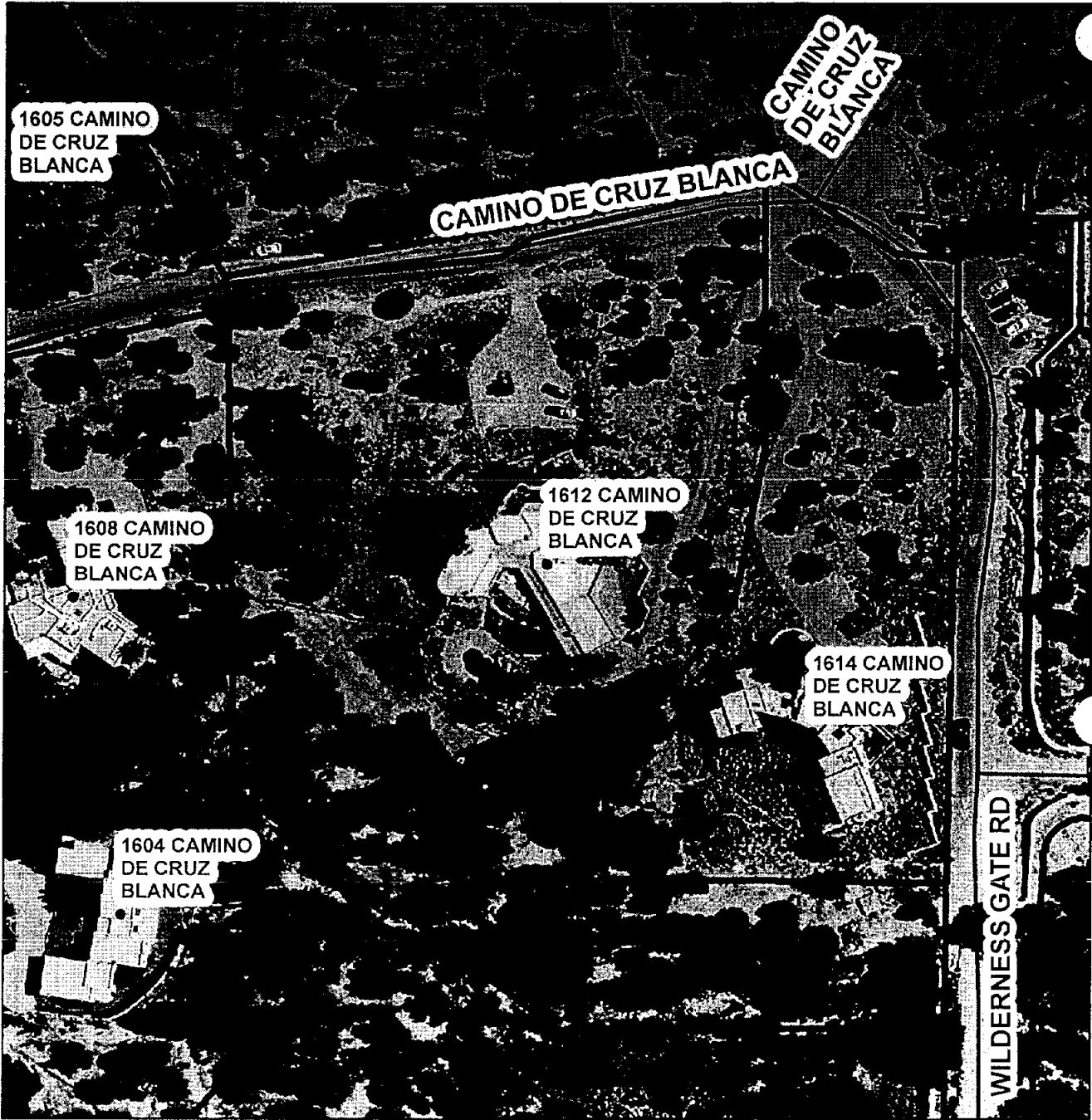
Legend

- WaterPipeLocations
- RoadCenterlineCity
- WasteWaterCollectionPipe

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100 50 0 100 200
Feet
1 inch = 100 feet

1612 Camino de Cruz Blanca Aerial



Legend

- WaterPipeLocations
- RoadCenterlineCity
- WasteWaterCollectionPipe

This information is for reference only. The City of Santa Fe assumes no liability for errors associate, with the use of these data. Users are solely responsible for confirming data accuracy when necessary.



1 inch = 100 feet

Camino De Cruz Blanca

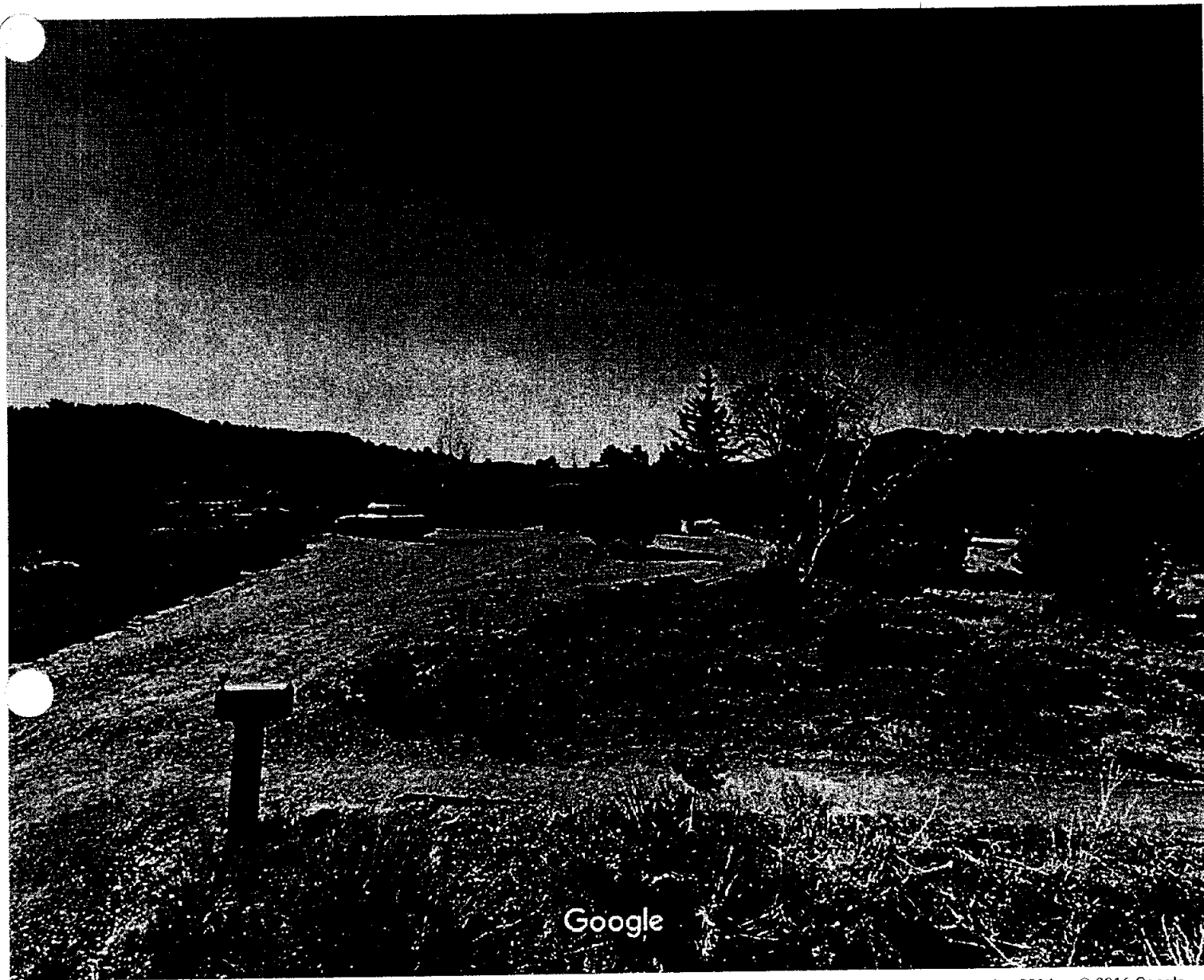
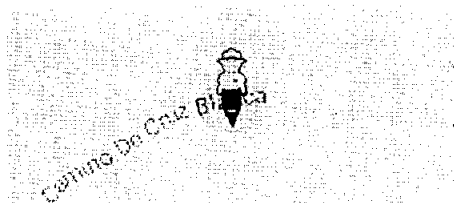


Image capture: Apr 2014 © 2016 Google

Santa Fe, New Mexico

Street View - Apr 2014



City of Santa Fe, New Mexico

Exhibit C

Applicant Materials

- 1. Letter of Application**
- 2. Lot Split Plat**
- 3. Legal Lot of Record**
- 4. Letter of Consideration of Innovative Street Design**

Registered:
New Mexico, Colorado

YAGER LAND SURVEYS LLC

2387 BOTULPH ROAD
SANTA FE, NM 87505

(505) 983-8172

FAX: (505) 983-1550

email: scott2387@gmail.com

Topographic Surveys
Site Layout/Construction Surveys
ILR, ALTA

Condominiums
Boundary
Subdivisions

JULY 24, 2016

TO: NOAH BERKE
Senior Planner
Land Use Department, Planning Division
City of Santa Fe
Santa Fe, NM

RE: Letter of Submittal
TUCKER-SELTZER LOT SPLIT

PROJECT: TUCKER-SELTZER LOT SPLIT
of TRACT 1-A of the BYBEE SUBDIVISION
Plat Bk. 197, pg. 017
1612 Camino de Cruz Blanca
Santa Fe, NM

Noah,

This Letter of Submittal for the Tucker-Seltzer Lot Split accompanies the Application and required items for review and approval by your staff and the subsequent approval of the Summary Committee of the City of Santa Fe Planning Commission at its meeting of September 8, 2016.

The intent of this project is to divide the current Tract 1-A of the Bybee Subdivision (Plat Bk. 197, pg. 017) into two separate residential tracts.

I have reviewed mapping data from the City GIS Department and found that Tract 1-A, has a Zoning classification of R-1.

The client and I met with you and Greg Smith on March 8, 2016, for a pre-application meeting. On March 24, 2016, the client also met with Dominic Gonzales of the Zoning Dept, pertaining to issues of this lot split. The client also met with Rey Gonzales, the City Fire Marshal, concerning aspects of this lot split, on March 14, 2016.

The original Tract 1-A is comprised of 3.285 Acres.

If you have questions concerning this project, please feel free to contact me.

Thanks for your assistance.
Sincerely,


Scott Yager, NMLS 8123

Yager Land Surveys LLC
Agent for: Robert W. Tucker and Judith R. Seltzer

August 17, 2016

**Applicability of "Innovative Street" design for the proposed lot split
at 1612 Camino de Cruz Blanca**

The proposed lot split has no impact on any of the sections of the Street Network (19-9.2 (A)) since we are not proposing the construction of any new streets. According to Ed Vigil's email:

"Good morning all, this portion of Camino de Cruz Blanca is private, but does provide for an easement for public access and utilities over the northerly portions of the lots as shown on plat recorded in Plat Book 197, page 17."

To: SMITH, GREGORY T.

Cc: BERKE, NOAH L. ; GURULE, GERALDINE A. ; scott2387@gmail.com

Sent: Tuesday, July 26, 2016 8:12 AM

Subject: RE: Re:1612 Camino de Cruz Blanca Case #2016-85

The entrance to the new lot will be the existing driveway of 1612 Camino Cruz Blanca and has no added impact on access to the trail or trail head parking facilities.

Per section 14-9.2 (B)(3), the "innovative street" design is an appropriate design designation because of its simplicity and zero impact on Camino de Cruz Blanca. The proposed lot split does not change or interfere with the existing trail. The northern boundary for the proposed new lot, which is adjacent to the trail, is set back at least 5 feet. Thus there is adequate access for hikers and cyclists. In addition, since the driveway to the proposed new lot is the same as the driveway to 1612 Camino de Cruz Blanca, there is no additional impact on the movement of traffic on the street.

14-9.2 STREET IMPROVEMENT AND DESIGN STANDARDS

(A) Street Network

- (1) The arrangement, character, extent, grade and location of all *streets* shall conform to the *general plan* and shall be considered in their relationship to existing and planned *streets*, to topographic conditions and to public convenience and safety.
- (2) Major *streets* shall be constructed, extended and widened in accordance with the *general plan* and the metropolitan transportation plan.
- (3) Local *streets* shall be constructed, extended and widened in accordance with the *general plan* and to accommodate the orderly *development* of the types and *intensities* of *development* shown on the future land use map.
- (4) The arrangement of *streets* in a *development* shall:

- (a) provide for the continuation or appropriate projection of existing *streets* in surrounding areas; or
 - (b) conform to a plan for the neighborhood approved by the planning commission to meet a particular situation where topographic or other conditions make continuance of or conformance to existing *streets* impracticable.
- (5) All new streets shall be public, except as otherwise provided in Subsection 14-9.2(C)(8), or when the Planning Commission determines that there would be no public purpose served or significant benefit provided to abutting properties by provision of a public rather than a private *street*. (Ord. No. 2014-31 § 44)

(B) Street Types-Design Criteria

- (1) New public and private *streets* shall be constructed according to projected *average daily traffic* as shown in the *street* types-design criteria chart and Illustration 14-9.2-1, Street Types Design Criteria. The design criteria are intended to recognize that *streets*:
- (a) function as a critical urban design component of the neighborhoods they serve;
 - (b) together with sidewalks and trails, must safely meet the transportation needs of all users, including pedestrians of all ability levels, bicyclists, motorists and transit users;
 - (c) provide needed parking in many neighborhoods;
 - (d) serve as corridors for utilities and storm drainage.
- (2) The collector mixed use *street* type is to be constructed in conjunction with the *development* of neighborhood centers and is designed to function like many of the *streets* near the plaza.
- (3) To better achieve the intent of this Section 14-9.2, a *land use board*, or, in the case of *city street* projects, the *governing body*, may consider and approve innovative *street* designs that are not included among the *street* types and *street* sections shown or described in this Section 14-9.2 that provide adequate pedestrian and bicycle facilities, as well as necessary transit facilities.
- (4) New *development* on an existing public *street* that does not meet the width or other applicable standards in Table 14-9.2-1 and that cannot be improved to meet those standards may exceed the *average daily traffic* or *dwelling unit* access standards in Table 14-9.2-1 without a variance.

1604 Camino De Cruz Blanca, Santa Fe, NM 87505

September 8, 2016

City of Santa Fe Planning Commission, Summary Committee
200 Lincoln Avenue
Santa Fe, NM

HAND DELIVERED

RE: Case #2016-85 1612 Camino De Cruz Blanca Lot Split

Dear Commissioners Kadlubek, Gutierrez, and Propst:

We reside at 1604 Camino De Cruz Blanca. Our property adjoins the applicant's property for 123 feet along an arroyo on the southwest edge of 1612 Camino De Cruz Blanca, which is to the rear of the proposed new Lot 1-A-1.

At the invitation of the applicants, Judith Seltzer and Robert Tucker, we met on August 30, 2016 at the applicant's home. We appreciated the opportunity to walk the site, review draft proposed building plans for a new home on the proposed split lot (Lot 1-A-1), and to ask questions about the proposed project.

We shared with Ms. Seltzer our primary concerns of (1) preservation of our privacy and view corridors, (2) potential increased noise and traffic on Camino De Cruz Blanca and (3) protection of existing wildlife corridors and resource protection areas.

While we understand that the proposed Lot 1-A-1 (1610 Camino De Cruz Blanca) would consist of 1.059 acres, we are concerned that the designation of the lot split is not provided in the August 29, 2016 Memo from Noah Berke. Attachment C-2 in the Memo only shows the previous lot split of 1612 and 1614 Camino De Cruz Blanca. Our comments and recommendations are based solely upon the brief inspection of the survey plot shown to us at the applicant's home on August 30, 2016.

We appreciate that the proposed building design (1) shows the proposed new residence close to Camino De Cruz Blanca, (2) large windows would not be facing our property, and (3) the area to the rear of the proposed new lot 1-A-1 would not be developed. In speaking with Ms. Seltzer onsite, we mentioned that on our lot, we have a "Resource Protection area" designated for the steep arroyo which divides our property. We request that the area on Lot 1-A-1 also formally be designated as a "Resource Protection Area" and as such be a building restricted area.

Exhibit "3"

1604 Camino De Cruz Blanca, Santa Fe, NM 87505

While we recognize that the proposed lot split of 1612 Camino De Cruz Blanca may technically satisfy the R-1 zoning requirement of a minimum lot size (1 acre) , we request that the split of this 3.285 acre property be split more evenly. In the past, 1608, 1612, and 1614 Camino De Cruz Blanca were originally one lot. By allowing 1612 to split into the proposed lot split, Lot 1-A-2 could be split yet again in the future. Thus, resulting in 6 lots and homes where there once was only one.

Thank you very much for your consideration of our request for a designated resource protection area and for a more balanced split of the current lot 1612 Camino De Cruz Blanca.

Sincerely,



Gregory Betts



Glen Long

1604 Camino De Cruz Blanca

Santa Fe, NM 87505

CC: Noah Berke, CFM Senior Planner, Current Planning Division

Timothy Schmoyer
Kate Carswell
1608 Camino De Cruz Blanca
Santa Fe, NM 87505

City of Santa Fe Planning Commission, Summary Committee

RE: Case #2016-85 1612 Camino De Cruz Blanca Lot Split

Dear Commissioners Kadlubek, Gutierrez, and Propst,

We reside at 1608 Camino De Cruz Blanca. Our property adjoins the applicants property along the west edge of 1612 Camino De Cruz Blanca. We believe this will still be the case the proposed new Lot 1-A-1.

Although we are neighbors with Judith Seltzer and Robert Tucker, we have met them once, as we have lived in the neighborhood for only a few months. In late July, I met both of them, and we briefly discussed their plans for a lot split, but did not get into details about exact property lines. We did talk about where they are planning to build a new home assuming the proposed split is approved. We certainly don't want to impede their plans, but do have a few concerns.

As of now, we have not seen any plot plan that shows the exact property lines for the new Lot 1-A-1. We have seen some proposed building site layout in the form of stakes and ropes. We would like to see the exact layout of the new plot. As stated above, we believe that it will run along the west side of their property. But we are making some assumptions.

From the staked areas for their proposed home, we don't have much concern about privacy as their views would face more north / northeast, and their dwelling would be more towards Camino De Cruz Blanca. Our expectation is larger windows would face to the north / northeast. Our views are west / northwest, and we are set back further from the road, therefore, we would have limited view of their house, and it would not obstruct our views. However, there is nothing that we are aware of that would prevent a building being built towards the back of the property. If this were to happen, we would have privacy concerns. We would like to see the southwest portion of this plot be designated as a "Resource Protection Area". This would offer us protection in case of future development. There is an arroyo that divides our property and 1604 Camino De Cruz Blanca. This arroyo also divides the property between 1612 Camino De Cruz Blanca and 1604 Camino De Cruz Blanca. This seems like a natural place to make this designation.

Another concern is around the septic system that would need to be installed to support the home. And although this meeting is strictly about the approval of a lot split, we also want to make sure that when the time comes, we are not dealing with other variances around that installation that could impact our property.

We also understand that based on current zoning practices, that the new lot – Lot 1-A-2 (1612 Camino De Cruz Blanca), would have enough acreage to be split again. We would like you to consider a more even lot split between Lot 1-A-1 and Lot 1-A-2 in order to ensure another lot split is not possible in the future.

Unfortunately we are unable to attend the meeting on Sept. 9th due to previous commitments, but we thank you for your time and attention to this matter.

Sincerely,

Timothy Schmoyer and Kate Carswell

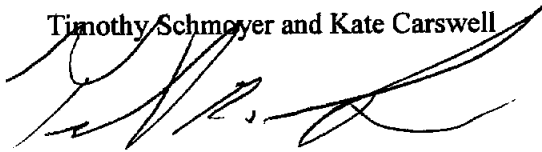


Exhibit "4"