



Agenda

CITY CLERK'S OFFICE
DATE 5/17/18 TIME 10:25
Guadalupe Juarez
J. del S.

SUMMARY COMMITTEE
Thursday, June 7, 2018 - 11:00am
City Council Chambers
City Hall 1st Floor – 200 Lincoln Avenue

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

April 5, 2018

- D. OLD BUSINESS
- E. NEW BUSINESS

1. **Case #2018-36. 4 Mutt Nelson Road Lot Split.** Christopher Vigil, of CJ Vigil & Associates, Inc., Agent, for West Congregation of Jehovah’s Witnesses Owner, requests approval of a lot split to divide approximately 3.01 acres to create two lots (+/- 1.00 and +/- 2.00 acres). The property is zoned C-2 (General Commercial). (Donna Wynant, AICP, Case Manager)
2. **Case #2018-43. 603-609 Don Gaspar Lot Split.** JenkinsGavin, Agent, representing Aixa Properties LLC, Owner, requests approval of a lot split to divide approximately 0.35 acres to create two lots (+/-0.25 acres and +/-0.11 acres). The property is zoned R-21 (Residential – Twenty one dwelling units per acre) and is within the Don Gaspar Historic District. (Carlos Gemora, 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.**

**SUMMARY INDEX
CITY OF SANTA FÉ
SUMMARY COMMITTEE
June 7, 2018**

| ITEM | ACTION | PAGES |
|--|--------------------------|--------------|
| A. ROLL CALL | Quorum | 1 |
| B. APPROVAL OF AGENDA | Approved as published | 1 |
| C. APPROVAL OF MINUTES - April 5, 2018 | Approved as presented | 1 |
| D. OLD BUSINESS | None | 1 |
| E. NEW BUSINESS | | |
| 1. Case #2018-36. 4 Mutt Nelson Road Lot Split. | Approved with conditions | 1-4 |
| 2. Case #2018-43. 603-609 Don Gaspar Lot Split. | Approved with conditions | 4-6 |
| F. STAFF COMMUNICATIONS | None | 6 |
| G. MATTERS FROM THE COMMITTEE | None | 6 |
| H. ADJOURNMENT | Adjourned at 11:33 a.m. | 6 |

**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
SUMMARY COMMITTEE
June 7, 2018**

A regular meeting of the City of Santa Fé Summary Committee was called to order by Brian Gutierrez, Chair, on June 7, 2018 at approximately 11:00 a.m. in the City Council Chambers, City Hall, Santa Fé, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Brian Gutierrez, Chair
Lee Garcia, Commissioner

MEMBERS EXCUSED:

Sarah Cottrell Propst, Vice Chair

OTHERS PRESENT:

Noah Berke, Land Use Planner Manager
Carlos Gemora, Land Use Case Manager
Donna Wynant, Land Use Case Manager
Carl Boaz, Stenographer

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

B. APPROVAL OF AGENDA

MOTION: Commissioner Garcia moved, seconded by Chair Gutierrez, to approve the agenda as presented.

VOTE: The motion passed on a unanimous voice vote with Commissioner Garcia and Chair Gutierrez voting in the affirmative and none voting against.

C. APPROVAL OF MINUTES – April 5, 2018

MOTION: Commissioner Garcia moved, seconded by Chair Gutierrez to approve the minutes of April 5, 2018 as presented.

VOTE: The motion passed on a unanimous voice vote with Commissioner Garcia and Chair Gutierrez voting in the affirmative and none voting against.

D. OLD BUSINESS

There was no Old Business.

E. NEW BUSINESS

- 1. Case #2018-36. 4 Mutt Nelson Road Lot Split.** Christopher Vigil, of CJ Vigil & Associates, Inc., Agent, for West Congregation of Jehovah's Witnesses Owner, requests approval of a lot split to divide approximately 3.01 acres to create two lots (± 1.00 and ± 2.00 acres). The property is zoned C-2 (General Commercial). (Donna Wynant, AICP, Case Manager)

The Staff report was presented by Ms. Winant The subject property is off of the I-25 frontage road at Mutt Nelson. It meets the development standards. The A-1 lot must comply with all land use codes. The parking spaces are sufficient. The reason for the lot split is that they did not need the extra space. And its sale would benefit the Kingdom Hall. It backs up to the Southwest Business Park - There are houses on a large zoned street. It was annexed into the City as C-2 at that time. Utilities are available and a ten-foot wide utility easement that runs along the north property line and a twenty-five-foot easement along the south property line for sanitary sewer and telephone utilities. There must be separate meters for each lot.

The Applicant is required to construct a sidewalk. However, Mr. Vigil is requesting that the sidewalk not be built until the time of sale of the property and development of that lot. The Committee must make the required Finding in order to approve the lot split with the request to defer building the sidewalk with a financial guarantee for that. The comments of the DRT are standard. There were no comments from traffic engineering. City water is available. Separate water service is required for each lot of record and metered services are required. The landscaping is standard, and they will comply with Chapter 14 code for it. There were no concerns from the Fire Department. Staff recommended deferral of the sidewalk as requested by the Applicant.

Applicant's Presentation

Mr. Christopher J. Vigil, 117 Calle Nopal, was sworn. He said they want to split the lot in order to sell the new lot. He explained that it was originally two lots and had been consolidated in 2002. A survey was done in 2013 that showed the consolidation of all of that property. The consolidation was done because they had to have three acres in order to build a "double Kingdom Hall." Since then, they decided not to build it but rather, to maintain what they currently have to the extent of a hundred years. He was not sure how old the current one is. But they would like to sell the split property and use the proceeds from the sale to help with building new Kingdom Halls throughout the world. Maintaining this one means we don't have to build a new one.

Public Comment

There were no speakers from the public regarding this case and the public hearing portion was closed.

Committee Discussion and Questions

Commissioner Garcia said, after reviewing the case file, the recommendations to defer the sidewalk installation along Mutt Nelson and financial guarantee, he feared it might end up not having any sidewalk or the new owner might have to build it "all over." That was the only thing holding him back on the approval.

Chair Gutierrez also had an issue on the sidewalk. He asked if Mr. Vigil agreed with the other conditions of approval.

Mr. Vigil said yes. "We can do water service and meet the standards of the development and the intended use. We don't know who we will sell to but there is a lot of interest on that lot." He said this was all county land until recently. And the annexation imposed more regulations from the City of Santa Fe Code on the owners there including landscaping, etc. It would need to be part of the discussion with the buyer.

He noted that Mutt Nelson Road was very rural at one time and now is being developed. And people are moving in at a rapid rate, so the road will need to be further developed. Do we also have to put in curb and gutter? The red line is fine. We agree with all the rest of the conditions except #3. We are asking that it be deferred.

Chair Gutierrez asked Ms. Wynant why they would defer the sidewalk and also about curb and gutter.

Ms. Wynant said Staff considered the request and we get a number of them. It is something that will be accomplished when developed. She had no objection to it. She said they looked at other things on the street, whether it is wide enough for the ROW, and decided that curb and gutter will be not a problem.

Mr. Berke looked at the requirements and said it is required to have curb and gutter and sidewalk.

Chair Gutierrez noted it says there is a time set for these and asked if there is a time limit to install the sidewalk, if approved.

Mr. Berke said there would be a financial guarantee put in place and then the curb/gutter and sidewalk must be done at time of building permit and extend water and sewer. Or it could be constructed prior to recordation. We typically ask for an escrow check that is left alone until they are ready to draw from it. Banks usually do them for 1-3 years. The City becomes the beneficiary of them and usually works on them about

three months before their expiration.

Commissioner Garcia said we are dealing with that lot and there are other lots. Were they supposed to do it when they purchased the property? Then others ask for deferment. That was his biggest concern.

Commissioner Garcia asked how everything lines up in this subdivision. He wondered at what point the construction of street improvements will stop getting deferred. If nothing is done, people who develop properties would keep pushing the responsibility on to the next property.

Chair Gutierrez saw in the packet, right now, Kingdom Hall is going to a private sewer system and later to a public system. He asked if there are penalties for not doing that. Is that prior to recordation? What is the time limit?

Mr. Berke believed it is prior to recordation but saw that it is at the time of development in the condition.

Chair Gutierrez agreed, but for the occupied lot, they would have to do that now.

Mr. Berke agreed. He asked if it is city water there or county water.

Ms. Wynant said there are some city lines in that area, but she didn't look at this closely.

Mr. Berke believed they are connected to City water.

Mr. Vigil affirmed they are connected to City water and there are no wells on the property.

Chair Gutierrez said he was in favor this lot split but not in favor of deferring the sidewalk. This connects to other properties back there and there are children in the area.

Commissioner Garcia asked if the buyers would be aware they would have to put in curb and gutter for that whole side of the road.

Mr. Ralph Flores was sworn. He said there are 2-3 entities interested in this property and they are well aware of the conditions, one of which is the sidewalk.

Commissioner Garcia had no further questions.

Action of the Committee

MOTION: Commissioner Garcia moved, seconded by Chair Gutierrez to approve **Case #2018-36, 4 Mutt Nelson Road Lot Split**, as presented and subject to the conditions and technical corrections recommended by Staff and regarding condition #3, to remove condition #3 requiring construction of the sidewalk or provide a financial guarantee.

VOTE: The motion passed on a unanimous voice vote with Commissioner Garcia and Chair Gutierrez voting in the affirmative and none voting against.

- 2. Case #2018-43. 603-609 Don Gaspar Lot Split.** JenkinsGavin, Agent, representing Aixa Properties LLC, Owner, requests approval of a lot split to divide approximately 0.35 acres to create two lots (± 0.25 acres and ± 0.11 acres). The property is zoned R-21 (Residential – Twenty-one dwelling units per acre) and is within the Don Gaspar Historic District. (Carlos Gemora, Case Manager).

The Staff Report was presented by Mr. Gemora. The subject property is on Don Gaspar at East Santa Fe Avenue for six units. Two lots are proposed. Conditions are either already met or required at recordation. Staff recommended approval of the lot split, subject to the conditions of approval outlined in the report.

Applicant's Presentation

Ms. Jennifer Jenkins, 130 Grant Avenue, was sworn and said they are in agreement with the conditions of approval.

Public Comment

There were no speakers from the public regarding this case and the public hearing portion was closed.

Committee Discussion and Questions

Commissioner Garcia said the biggest thing is parking and access to the property. The Applicant met the requirements for parking. It seems like people here were small families and small cars. There was a statement about parking along the sidewalk.

Ms. Jenkins said a benefit is that it has inadequate off-street parking and with this lot split, there will be 12 off-street parking spaces provided.

Commissioner Garcia asked about emergency access.

Ms. Jenkins said it would be from adjacent streets to this property.

Chair Gutierrez asked if, upon approval, there will be new construction.

Ms. Jenkins agreed. They will complete the design and will come in for permits.

Chair Gutierrez commented that these parking spaces appear to be a little smaller than normal.

Ms. Jenkins said the parking spaces are standard size spaces. They all meet the city standards for dimensions.

Mr. Gemora said the dimension required is 7' 6" for small cars and 8' 6" for standard cars. The dimensions were worked out with Ms. Jenkins and they meet the minimum requirements. This proposal takes a bit of yard space and transformed it to parking space.

Commissioner Garcia commented on those stacked together, that the three in front would not be removable.

Mr. Gemora agreed. They are double stacked and that is allowed by code.

Action of the Committee

MOTION: Commissioner Garcia moved, seconded by Commissioner to approve Case #2018-43, 604-609 Don Gaspar Lot Split, as presented, subject to the conditions 1-4 and technical corrections recommended by Staff.

VOTE: The motion passed on a unanimous voice vote with Commissioner Garcia and Chair Gutierrez voting in the affirmative and none voting against.

F. STAFF COMMUNICATIONS

There were no Staff Communications.

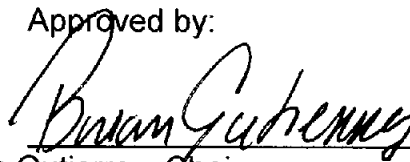
G. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

H. ADJOURNMENT

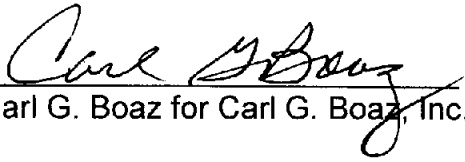
The Summary Committee meeting was adjourned at 11:33 a.m.

Approved by:



Brian Gutierrez, Chair

Submitted by:



Carl G. Boaz for Carl G. Boaz, Inc.