



Agenda

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BOARD OF ADJUSTMENT
Tuesday, October 1, 2013 at 6:00 P.M.
200 Lincoln Ave. Santa Fe NM
City Council Chambers

- A. ROLL CALL
- B. PLEDGE OF ALLEGIANCE
- C. APPROVAL OF AGENDA
- D. ELECTIONS OF OFFICERS
- E. APPROVAL OF MINUTES: August 6, 2013 minutes
- F. FINDINGS/CONCLUSIONS:
- G. NEW BUSINESS

- 1. **Case #2013-34. 2098 Calle Ensenada Special Use Permit.** South Santa Fe Quaker Group requests a Special Use Permit to allow for religious assembly. The property is zoned R-5 (Residential, Five Dwelling Units per Acre). (Dan Esquibel, Case Manager)

- H. STAFF COMMUNICATIONS
- I. MATTERS FROM THE COMMISSION
- J. ADJOURNMENT

NOTES:

New Mexico law requires the following administrative procedures be followed by zoning boards conducting "quasi-judicial" hearings. In "quasi-judicial" hearing before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will 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 accommodations, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

**SUMMARY INDEX
OF THE BOARD OF ADJUSTMENT MEETING
Tuesday, October 1, 2013**

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CASE #2013.34 2009 CALLE ENSENADA SPECIAL USE PERMIT. SOUTH SANTA FE QUAKER GROUP REQUESTS A SPECIAL USE PERMIT TO ALLOW FOR RELIGIOUS ASSEMBLY. THE PROPERTY IS ZONED R-5 (RESIDENTIAL, FIVE DWELLING UNITS PER ACRE)	Approved [amended]	2-17
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**MINUTES OF THE MEETING OF THE
BOARD OF ADJUSTMENT
CITY COUNCIL CHAMBERS
SANTA FE, NEW MEXICO
Tuesday, October 1, 2013**

A. CALL TO ORDER AND ROLL CALL

A regular meeting of the City of Santa Fe Board of Adjustment was called to order by Gary Friedman, Chair, at approximately 6:00 p.m., on Tuesday, October 1, 2013, in the Council Chambers, City Hall, Santa Fe, New Mexico.

MEMBERS PRESENT:

Gary Friedman, Chair
Coleen Dearing
Patricia Hawkins
Douglas Maahs
Daniel H. Werwath

MEMBERS EXCUSED:

Rachel L. Winston, Vice-Chair
Donna Reynolds

OTHERS PRESENT:

Kelley Brennan, Assistant City Attorney
Tamara Baer, Planning Manager, Current Planning Division
Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division
Melessia Helberg, Stenographer

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

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

The Chair said Item D, Election of Officers, should be removed from the agenda, because officers were elected at the last meeting. He noted there are no Findings and Conclusions for approval.

MOTION: Daniel Werwath moved, seconded by Patricia Hawkins, to approve the Agenda, as amended.

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

D. ELECTION OF OFFICERS

This item was removed from the agenda.

E. APPROVAL OF MINUTES – August 6, 2013

MOTION: Daniel Werwath moved, seconded by Patricia Hawkins, to approve the minutes of the meeting of August 6, 2013, as presented.

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

F. FINDINGS/CONCLUSIONS

There were no Findings/Conclusions for approval.

G. NEW BUSINESS

1. **CASE #2013.34 2009 CALLE ENSENADA SPECIAL USE PERMIT. SOUTH SANTA FE QUAKER GROUP REQUESTS A SPECIAL USE PERMIT TO ALLOW FOR RELIGIOUS ASSEMBLY. THE PROPERTY IS ZONED 4-5 (RESIDENTIAL, FIVE DWELLING UNITS PER ACRE). (DAN ESQUIBEL, CASE MANAGER)**

A Memorandum prepared September 13, 2013, for the October 1, 2013 meeting, with attachments, to the Board of Adjustment, from Daniel A. Esquibel, Land Use Planner Senior, is incorporated herewith to these minutes as Exhibit "1."

A copy of a letter dated July 21, 2013, to the Friends from Alison P. Martinez, read into the record by Ruth Halcon, is incorporated herewith to these minutes as Exhibit "2."

Staff was sworn

Staff Report

The staff report was presented by Daniel Esquibel, which is contained in Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

Staff recommendation: The Land Use Department recommends approval of the Special Use Permit subject to the following recommended conditions of approval:

1. Occupancy of the building shall be limited as may be necessary so as to keep all vehicles parked on site.
2. Bicycle parking shall be installed on the property and included in the site plan.
3. A sight distance study shall be conducted by the Traffic Engineering Division to determine if structures or vegetation impede sight distance. If found necessary, the applicant will take measures to include removal of the obstruction and/or trimming of vegetation to mitigate the impedance(s).

Questions from the Board Prior to Public Hearing

Ms. Hawkins asked why is there a condition about on-street parking, and if the residents of this area park on-street.

Mr. Esquibel said concern was expressed at the ENN meeting that parking along that street already has impacted the neighborhood. Many of the neighbors expressed concern that when there is parking along the street that City services are "negated" because the trash trucks can't get to the sidewalk, so a lot of the trash gets missed. Additionally, in some of the conversations he had with neighbors, some of the mail carriers also have problems delivering mail to the property as the result of the cars parked along that street. He said City Code requires that all parking be maintained on site. He said, "Given all of those parameters, the Land Use Department felt it was necessary to require that parking for this applicant be on-site, and to limit the number of people that would go to that particular assembly, as long as they understand those limitations, that was why the condition was put in place."

Ms. Hawkins said she understands that, but said Mr. Esquibel didn't answer her question. She asked if the residents already living there in the area park on the street.

Mr. Esquibel said yes.

Ms. Hawkins said, "But that doesn't obstruct the trash trucks or the mail man."

Mr. Esquibel said, "Well, I think that's part of the problem they're having."

Mr. Maahs asked if there are any local building covenants for this neighborhood, and if there is a neighborhood association in this neighborhood.

Mr. Esquibel said he doesn't know.

Chair Friedman reminded Mr. Maahs that the City doesn't regulate private covenants.

Public Hearing

Presentation by the Applicant

Nichoe Lichen, 2929 Camino del Bosque, President, South Santa Fe Quaker Worship Group Corp, was affirmed. Ms. Lichen gave a brief history of the Quakers in Santa Fe, noting the Quakers have been in Santa Fe since the 1940's, and the meeting place on Canyon Road was willed to the people there by Olive Rush, the late artist.

Ms. Lichen continued, saying the Quakers are biblically oriented, with a faith and practice that is apart from that. Ms. Lichen said there are four principles that are very important to the Quakers that apply to their faith and practice. She said, "First for us is integrity and telling the truth, so we don't take oaths because that would imply that there would be some times when we might not tell the truth. We try to the best of our ability to tell the truth. We're best known for being a [inaudible] church along with the Brethren and the Mennonites, but we tend to be liberal leaning. We don't wear white bonnets any more or gray. And simplicity is a very important part of our spiritual practice. It helps us to know what is true by not having distractions in our life and being caught up with a lot of business. We don't typically have churches, we have what are called meeting houses. They are places that are houses where we meet for worship. And equality. And that's really why we're here today. "

Ms. Lichen continued, "The meeting place on Canyon Road which I was a member of for many years is an historic building, it's about 250 years old. They have done everything they can to make it accessible, but it's not possible, really, to make it accessible or fully accessible, and there is only one off-street parking place there. And we were formed (I actually wasn't part of that formation. I kind of dropped in about 5½ years ago,) about 7 years ago when a woman formed a worship group that would be accessible, particularly to her husband who was in a wheelchair because he was in very poor health and really needed spiritual guidance."

Ms. Lichen continued, "So our group is about 6-7 years old. For the past 5 years, we met in a beautiful place on Camino Carlos Rey North. That's on the other side of Cerrillos. A lot of people don't realize it's headed toward Agua Fria. We were in a big, beautiful space that was granted to us for a 5-year period, and during that time, we averaged 6-8 people in meeting for worship, sometimes 10. And occasionally we would have bigger gatherings." She said the lease ended in July and since then they have been meeting for worship at her house, and there has been no difficulty. However, it is getting a little colder, so they're not on the back porch any more. She said Quakers are one of the smallest Christian groups in the United States.

Ms. Lichen continued, saying they started looking for a new place they could purchase about 1½ years ago, and looked at a lot of commercial property on the south end of town because they wanted a place which was more accessible to people on the south end of town. They made an offer on a place, but the bank didn't honor the contract. In April they found the property on Calle Ensenada. They knew it had some challenges, primarily parking, but they liked the neighborhood. They met the neighbors that live closest and they have been very supportive. She said the former owners sold the property to the Quakers at a bargain because they felt it would honor their parents to having people praying and worshiping in the house. The house was empty for 2 years and needed a lot of work. They are working their way through the building permit process. They are changing the exterior only to add a handicap ramp and a portal to cover it.

Ms. Lichen continued, saying the property is located on the corner of Siringo Road which is a very busy street, but there is good visibility and people can find them easily. She said traffic doesn't flow into the neighborhood because they are immediately on the corner. They meet for worship from 10:30 a.m. to 12:00 or 12:30 p.m. on Sundays. They worship in silence and usually don't sing, and there are no children. They have no plans for a soup kitchen or public projects at the site. They do support the Breast Cancer Survivors Group which meets there on the second and fourth Tuesdays from 4:00 to 5:30 p.m. She said they may have a few evening meetings occasionally for education or business or silent worship.

Ms. Lichen continued, saying they are sensitive to the parking issues, noting they have 5 official parking spaces. She said, "I feel we should be able to have people park directly in front of our house because our neighbors park in front of our house, particularly for the breast cancer survivors because they have difficulty walking for any distance. So, speaking to simplicity, and we believe this very sincerely, and it's a good practice for us, we car pool to meetings to minimize the use of gas and to keep things simple. We're right on the Rail Trail, just a block from the bicycle and the pedestrian trail. I could walk or ride a bike easily to meetings. We're on the #4 bus route, and we have public parking just a few blocks away where people could walk or we could shuttle them."

Ms. Lichen continued, saying we are a small group with slow growth over the last 7 years, commenting it is a large leap of faith to make the financial commitment for a meeting house. She said if they grow to the 20 allotted under the special use permit, it will be time for them to find another place. At which time, the property will revert to residential and they hope that someone who has accessibility issues would want to buy it.

Speaking in Favor of the Request

All those speaking were affirmed en masse

Ruth Halcon, 2921 Viaje Pavo Real [previously affirmed], said Allison Martinez was instrumental in starting this group. She said she met Ms. Martinez through a caregivers group, and Ms. Martinez's husband was badly disabled, in a wheelchair, and was never able to attend meetings because of accessibility issues on Canyon Road. Unfortunately, he passed away before she was able to "found this meeting." Ms. Halcon said Ms. Martinez wrote a letter after visiting the Ensenada property, and read the letter into the record. Please see Exhibit "2" for the text of the letter.

Ford Robbins, 7 Monte Alto Court, Eldorado [previously affirmed], said he attends the South Santa Fe Quaker Worship group. He said he has had to deal with rheumatoid arthritis for the last 40 years which affects his lungs, and it is necessary for him to have a space with a small group of people where he doesn't run the risk of contagion of disease and has good air circulation, which is best provided in a small family residential home. He said Ms. Lichen has spoken to their search for a space, and it would be a substantial burden on them if this application is denied. They searched for over a year and have nothing else within their budget which will provide for their specific needs. He said there are numerous other non-religious enterprises in the area, and wanted to call that to the Board's attention, especially on Aspen Drive and Pacheco Street and there appears to be a commercial enterprise catty-corner to the east of this property. He said there are a lot of dump trucks and heavy duty equipment parked there, but doesn't know if it is an active business. He said the high school is just down the street. It is a beautiful neighborhood, a nice intact neighborhood, which is surrounded by a lot of commercial enterprise, and he hopes the Board considers that as it considers this matter.

Margie Rutledge, 58 Calle Francesca East [previously affirmed], said she recently moved to Santa Fe from Toronto, Canada where she was involved with a Quaker group, and was able to find this group after moving here. She said she has not been privy to the entire process of finding this home. She said during the past months, as part of this group, she has been immensely impressed by the sensitivity of this group to the needs of the neighborhood, and their desire to fit in and to contribute to the neighborhood. She wants to add her support and enthusiasm for the way they've gone about this process.

Betsy Lombardi, 2463 Camino Capitan, was affirmed. Ms. Lombardi said she is a Quaker, a member of the Religious Society of Friends for decades, has lived in the same house for decades, and has attended the monthly meeting of Friends on 640 Canyon Road. She said over the years, a number of small worship groups haven't met there because "of our beliefs that our meeting space should be barrier free, and have accessibility to all." She said there was a monthly meeting that used space in a local Church that didn't need its space on Sunday afternoon. They have met in schools and other places, but there has been strong support by a group that feel the meeting house on Canyon Road is not wheelchair accessible, and under various problems with the historical building, it is difficult to make it completely accessible, although they have tried. Her main reason for wanting this meeting space is to have a place of worship without barriers.

Speaking in Opposition to the Request

All those speaking were sworn en masse

George Baros, 2091 Calle Navidad [previously sworn], said he lives around the corner from the subject property. He said the property on Calle Ensenada is zoned R-5, which means it is a residential area. He asked, "If the Quakers come in does it mean the zoning will be changed to where other businesses are going to be able to come in."

Chair Friedman asked staff to answer that question.

Mr. Esquibel said the special use permit is an allowed use in this zoning, but it is not allowed to be reviewed administratively, and must be reviewed by the Board of Adjustment to mitigate any impacts the Board may feel are necessary so the applicant and the non-residential use can fit within the neighborhood, but it doesn't change the zoning by any means.

Mr. Baros said, "You guys were told that the traffic flow is not going to affect Calle Ensenada. Well you have to come off Siringo to get onto Calle Ensenada to park either in the driveway or in front of the house, it's allowed. Or you have to go down Calle Navidad, come around, which hooks-up to Calle Ensenada to park in front of the house, because I don't think parking can be allowed on Siringo Road because it's a very busy street, and it could be hazardous to park there." He said there are businesses surrounding their neighborhood, but they are in a different zone for businesses and they are pretty far away. He said we are a residential area which is zoned R-5, and want to keep it that way. He has lived on Calle Navidad since 1980.

Chair Friedman asked if the street is one-way, and Mr. Baros said it is two-way.

Daniel Arellano, 2085 Calle Navidad [previously sworn], said he has lived on Calle Navidad since he was in the 5th grade, and his mother still lives there, and he is there on a daily basis. He said the neighborhood is family oriented. He said he has a few questions. He said, in terms of the neighborhood being supportive, are those members of the neighborhood that are supportive of the Quakers, here this evening. That's one of the questions. Are they."

[Chair Friedman noted this is a hearing where the Applicant gets a chance to present their situation and then you get a chance to note your comments. He asked people with questions to direct those to this Board, and he will ask the Applicant to come forward and answer those questions.]

Mr. Arellano said, "I believe that they should have done a survey through the whole neighborhood and not just for the first 2 or 3 houses, because there aren't many people down Calle Ensenada from three houses past where the Quakers want to be that even know what is going on until they were informed by the neighborhood. So I think, with that being said, I don't really care that they come in."

Chair Friedman asked the Applicant to come forward and answer the first question.

Ms. Lichen said like most neighbors, "we tend to know the people that are across the street and next door, and behind us, best, and those are the people that we know and have been talking with and who have expressed support."

Chair Friedman asked, "Was there any petition or anything you have signed by any of your neighbors, on your behalf, that was included as part of the record. I didn't see one, I just wanted to make sure."

Ms. Lichen said, "We didn't have a petition. I encouraged them to write. One spoke in support of us at our Early Neighborhood Notification meeting, and the other two are primarily Spanish-speaking, so maybe they didn't feel as comfortable writing or coming to a meeting like this."

Elizabeth Gonzales, 2089 Calle Ensenada [previously sworn], said they are original members of the south bridge area of this community since 1971, commenting it was started in 1971 for young couples with children to have a place to live. She said many of the people who live there worked at the New Mexico State Penitentiary, noting her husband is a retired Captain from the State Penitentiary. She said she is a Registered Nurse. She and her husband brought up their 4 children there. She said there have been many changes during the time they have lived there, including the building of St. Francis Drive. She said many people who moved here in 1971 still live in the area, noting some are elderly and couldn't come tonight. She said their children have grown up, and she now takes care of her grandchildren and she drive them back and forth to St. Michael's High School. Her husband goes to Eldorado to pick up a grandson. Her daughter is a Registered Nurse and works different hours.

Ms. Gonzales continued, saying her main, big concern is about traffic and parking and being able to get in and out of the neighborhood. She asked if there is going to be a big sign in front of the house saying they are a Quaker affiliation. She said you can't bike ride there at night. She said there isn't enough parking, and although there may be 5 spaces, those spaces would be very close together. She invited the Board to go over and see the property, which was owned previously by the Lujans, before making a decision. She said they are inundated with traffic on Siringo Road at 5:00 p.m., which backs up almost all the way to St. Francis Drive. She said the Railrunner comes and goes during heavy pick-up times, and when that happens, the road is blocked and people can't pass across the area.

Ms. Gonzales continued, saying another thing which is worrisome is that the curbs haven't been painted there for a long time. There is a bus stop, and if they are considering coming by bus, there should be a crosswalk, or maybe speed humps on the street. She said sometimes people speed down the street, even though it is a small neighborhood environment.

Ms. Gonzales said, "It all kind of started off on the wrong foot." She said their neighborhood is strictly residential, and all of a sudden they saw people coming in with a big dumpster after the Lujans passed away. They started "taking it apart little by little, and we thought well maybe a young couple is going to come in and maybe have a nice place to live. We knew the property really needed a lot of work and hoped that maybe could find a nice place for their children." She said it turned out, after the windows had been taken down and windows put in facing Siringo Road, that there were plans to make this an area for the Quakers to have a place to meet.

Ms. Gonzales said they didn't know what to do, noting Tamara Baer attended the ENN meeting. She said there were people there with lots of concerns and wondering what will happen as their community starts to build and get bigger and "how far is too far. How many people will be parked in the street before it's too far." She said they know they do allow the breast cancer survivors to meet there, and wondering what other entities will be allowed to meet there. She said, "Opening the door for this, is it going to be more and more."

Ms. Gonzales said they're just concerned about the integrity of the neighborhood, reiterating she is worried about the signage. She said they want to live their lives in this neighborhood and grow old and die here.

Ms. Gonzales continued, saying, "There was an article in the paper, a week or two ago or ten days ago, saying the only concern that they had regarding this passage, Ms. Lichen reported to The New Mexican reporter Tom, that their only concern had to do with loud singing. That was not the case. I wasn't concerned or worried about loud singing." She said she is worried about somebody getting hurt there. She said in 1975, when her son was 5 years old, he was run over by a car and almost died. She doesn't want that to happen to other children in the neighborhood who ride their bicycles. She said, "I just don't know how big and how much more this is going to be, and if there are going to be other people who are wanting to apply for special use permits for more and more and more types of meeting places of this kind. She asked the Board to take her remarks into consideration as the Board makes its decision.

Ray Gonzales, 2089 Calle Ensenada [previously sworn], said he is the husband of Elizabeth Gonzales and was born and raised in Santa Fe as were his parents, grandparents and great grandparents. He said the family land granted the Louis Gonzales Land Grant near the Opera where the reservoirs are now. He said he used to have property on Canyon Road, and he still has two houses on Canyon Road. He said they are very aware of the parking situation on Canyon Road because he was born and raised and went to school on Canyon Road. He said there is a big problem on Calle Ensenada with the traffic, and there is no parking in the area. He said he has the exact same house as the Quakers and he can only park 3 cars. He got a curb cut permit years ago, so he could make double parking on it. He said he can only park 2 cars there and another one in the street. He said the street is very dangerous and reiterated his son was hit by a car 30 years ago, and his daughter had an accident "right there on the corner." He said that piece of property is very hard to get into and out of. He has nothing against religious beliefs, he is a devoted Catholic and an Eucharistic Minister. He said he goes to Church where he can say his prayers and worship. He knows very little about the Quakers, but he feels everyone should practice "their faith the way they should, but this is a rough place to do it." He said the Board needs to look at the site, and they will know what the people are talking about. He said there is an issue with snow and ice in the winter, commenting they rarely sand/salt the roads and people just slip and slide, and it's hard to get up that hill." He lives 7 houses from the actual site, and said it is very very dangerous in the winter.

Arlene Sisneros, 2083 Calle Navidad [previously sworn], said she has lived in Santa Fe for 72 years and in that neighborhood about 45 years. She said some people do park on street, but the United States Postal Service won't leave our mail if anyone is blocking the mail box. She said as far as that particular house, parking on the street, it is a corner house, and it is terrible when a car is parked right in front of the house on the street because the stop sign is right there, and it is really a hazard, and the same for any corner house. She invited the Board to come and see the area. She doesn't understand when they say on-site parking, where they are going to park 5-7 cars. She doesn't object to the religion, or who lives there, she just thinks it is going to be a hazard.

Alfred Lujan, 2095 Calle Ensenada [previously sworn], said he lives 3 houses down from the house the Quakers are renovating. He said he also is concerned about the traffic and parking situation. He said his daughter also had an automobile accident while she was turning down Siringo Road. He said he can see people parking on the corner at Calle Ensenada, and on the other side of Siringo cars are parked. He said sometimes there isn't enough room when you are turning into Calle Ensenada. He said their concern is with the mail delivery, the garbage pickup. He said when his kids come to visit, they park on the side of his home, and they have family dinners or lunches. He said they usually meet at his house on Sunday. He can't see how many parking spaces there will be on the Quaker worship home site. He is concerned about traffic and parking.

Mr. Baros asked to speak again and the Chair agreed. *Chair Friedman reminded Mr. Baros he is still under oath.* Mr. Baros said they aren't familiar with the public parking Ms. Lichen talked about. He said there is no public parking there, although they have a public park 2 blocks away from the house. He thinks the parking the gentleman was talking about, in terms of dump trucks and such, is zoned C-2, and that is the location of Lopez Roofing.

Chair Friedman asked staff where there is public parking in that area.

Mr. Esquibel said, "I'm not quite sure that there is any public parking within that general vicinity. I know that the High School is just down the way, but as far as public parking, I don't know."

Chair Friedman asked Ms. Lichen to address the public parking. *Chair Friedman reminded Ms. Lichen she is still affirmed.*

Ms. Lichen said the identified parking is at the Calle Lorca Park, which is two blocks away, where there are 15 spaces which are on the street. The spaces are for the Park, but nobody parks there, because everybody walks because it is a neighborhood park. Additional parking might be available at the U.S. Post Office on Pacheco during off hours, and Ms. Lichen said she believes the public is allowed to park there.

Mr. Baros asked to speak again, and Chair Friedman said he could. *Chair Friedman reminded Mr. Baros he is still under oath.*

Mr. Baros said if you decide to go and see the property, they would like to be informed, so the neighbors can meet with the Board and the Quakers about parking and traffic.

Ann Albrink, 157 Calle Ojo Feliz [previously affirmed], said mail is not delivered on Sundays, nor is garbage collected on Sundays. She hopes the corner situation is considered. She said there could be dangerous things that happen once or twice in 30 years, but she thinks "our silent worship will not be any more danger than that of a family."

Ms. Gonzales asked to speak again, and Chair Friedman said she could do so, commenting the public hearing will be closed after her remarks. *Chair Friedman reminded Ms. Gonzales she is still under oath.*

Ms. Gonzales said the Quakers also will be having meetings after 4:00 p.m. in the afternoon during the week and it won't just be on Sundays. She said the mail man has been different every day, and the mail sometimes comes at 5:00 p.m.

The public testimony portion of the public hearing was closed

The Board commented and asked questions as follows:

- Ms. Dearing asked if will anyone occupy the home full time.

Ms. Lichen said no, there are different requirements they would have to meet if they had a resident, so it isn't going to be occupied.

- Ms. Dearing said then the only time someone would be there would be during worship and other activities relating to the Quakers.

Ms. Lichen said she has been there doing weeding and cleaning and such activities.

- Mr. Maahs said he understands the City provides regulations for signage in residential areas.

Mr. Esquibel said this is correct, and the sign has been provided, and the sign plan is on the second page on the attachment maps in the packet [Exhibit "1"], and it complies with requirements in a residential district. He said the sign is slightly less than 6 sq. ft. at 20 inches by 3 feet.

- Ms. Hawkins said there is a memo in the packet from the Traffic Engineer but it doesn't reflect an actual traffic survey. It talks about sight lines. She asked if a traffic survey was done.

Mr. Esquibel said, "The question was asked of the Traffic Division and they didn't require one, and said they had enough information to understand what was being presented."

- Chair Friedman asked explain staff to explain Condition of Approval #1, "Occupancy of the building shall be limited as may be necessary so as to keep all vehicles parked on site." He asked how that will be employed, and what does that mean on a practical level – how will that work.

Mr. Esquibel said, "The condition was constructed to allow members, if they commuted or walked, maybe they gathered more members from the community.... it would not prevent them from utilizing the building at its highest and best use. However, understanding that if everybody were to drive, they do have a limitation in parking, and they were limited to on-site parking which the Code requires, versus off-site parking. So this condition provided the maximum flexibility with the restrictions needed in order to accommodate that need."

- Chair Friedman asked if this means if there is a free parking spot in front of that house, that they can't park in that parking spot.

Mr. Esquibel said, "If the condition was imposed, they would not be allowed to park off-site. As you know, once a condition is in place, it is as if it were Code, and they have to follow it."

- Chair Friedman asked if that means they can't park at the nearby public parking and walk.

Mr. Esquibel said, "They can park at a nearby designed place that is assigned for public parking, just not on the street in front of their house or on Siringo Road."

- Chair Friedman said, "I don't think that's, with all due respect, I don't think that's what that says. I think that says shall be limited as necessary to keep all vehicles parked on site. What happens if there is a vehicle that wants to park two blocks away, or at another side street, and one of the neighbors sees them parking on a side street, and they say they 're parking on the side street and they shouldn't be doing that. Are they going to red tag the use."

Mr. Esquibel said, "They can file a complaint. The Inspection Division will be put forward. They can be brought back to the Board to reanalyze the information based on..."

- Chair Friedman said, "So if the Board wants to amend that to say something like, 'occupancy of the building, or they shall use best efforts to park on site prior to parking off-site.' That's something that is under our Board's purview I assume."

Mr. Esquibel made no verbal response.

- Ms. Hawkins asked, "Could we make a provision that no one else could park on the street near that house."

Mr. Esquibel said no.

- Ms. Hawkins said, "Then I don't think we can make a provision that people who own property on that street cannot use available parking."

- Mr. Werwath said, "In the realm of conditions, it is possible to limit on-street parking to the space that is in front of the subject property. Would that be a reasonable condition."

Mr. Esquibel said, "Right now, I understand that residential use within that neighborhood allows for off-street parking. However, this is a non-residential use, and must follow the rules relevant to the particular use that's being applied. We analyzed the application relevant to some of these issues, and found that parking on the street on Siringo or on Calle Ensenada was not a good idea. And therefore, we tried to limit that particular need or use, because you're looking at two different types

of uses. Residential versus non-residential. This is an area that will allow for congregation and has the potential of, versus the limitation of. A single family, typically while having multiple cars, may park on the street. However, a religious assembly may have a multitude of cars. And it would be very hard to police. I will give you that."

- Mr. Werwath said, "From my point of view, obviously as a Board member and a layman in terms of this, a car parked on the street, is a car parked on the street. I'm just trying to figure out how we, as a Board, could create a structure that gives certain limitations to address the neighborhood's concerns, without unfairly.... to me, it seems it would be unfair to tell these folks that they couldn't park in front of.... in the one spot that they have in front of their building if it doesn't impact traffic safety. And I think if the finding of the Traffic Engineer is an issue, then let's paint the whole thing yellow."
- Chair Friedman said, "If you look at page 3 of the Staff Report, there's a whole variety of conditions we can place with respect to the application. Those include, on-site or off-site street, sidewalk or utility improvements and maintenance agreements. It doesn't say... I assume we were saying on-site or off-site street improvements, are we talking about what they can... does that include parking, is that part of what our leeway... I assume we have leeway to say, rather than saying that they can't park off-site, that they are limited to parking off-site to directly in front of their house. Would that be under our purview."
- Mr. Esquibel said, "That is within your purview. I might remind you that there was a previous coffee shop application that came before the Board where we did restrict and the Board accepted, no parking along the street."
- Ms. Hawkins asked, "Could I propose a hypothetical and tell me if that could be done. A family with two working adults and 3 teenage children moves onto that property and they have 5 cars. Can they be prevented from parking on the street."

Mr. Esquibel said no.

- Ms. Hawkins said, "And should they have guests of an evening, could their guests be prevented from parking on the street."

Mr. Esquibel said no.

- Mr. Maahs said, "To me, this looks very similar, and what you're requesting here, would apply to the City Code for home based businesses, where home based businesses in residential areas must provide off street parking. They're not allowed to be parking on the street while they're conducting business in their home, and it looks to me that this is worded in much the same way. Is that not correct."

Mr. Esquibel said, "That is correct. Mr. Chair, if I might add, the applicant can accept the conditions as well, and this would resolve that particular issue as well."

- Chair Friedman asked if he said the applicant had accepted.

Mr. Esquibel said, "The applicant can, if they wish to, accept the conditions."

- Chair Friedman said, "Sure, but I heard the applicant object to the one regarding to have to keep all vehicles on site, if I'm not mistaken, when Ms. Lichen was speaking. Is that not correct?"

Ms. Lichen said, "That seems right to me, since our neighbors are parking in our two spaces in front of our meeting house. We have a cooperative way of working things out, so it hasn't been a problem, but the fact is, there will be cars that are parked in those parking space in front of our place. And we are concerned about traffic too, and we want to do what we can to mitigate it with people that park. We're neighbors."

- Ms. Hawkins asked, "Is the Board allowed to make a provision, that if the Quakers are not given permission to use the two spots in front of their meeting house, no one else in the neighborhood can use those spots."

Chair Friedman said no.

- Ms. Hawkins said, "I rest my case."

- Chair Friedman said, "Well let's ask the staff. The answer is no. Correct, Mr. Esquibel."

Mr. Esquibel said it is an issue of policing that particular action and we would have no control. And ultimately, it is a public right-of-way and therefore we would not be able to allocate public right-of-way for a private purpose.

- Mr. Werwath asked, "Under this conditional use permit, is there a limitation to the size of congregation that can be allowed before greater intensity triggers a new special use hearing."

Mr. Esquibel said, "The Board has within its authority as a special use permit, to limit the congregation or the amount of people for any use."

- Mr. Werwath said, "But there's not one inherent to the current application as it's set up."

Mr. Esquibel said that is correct.

- Mr. Maahs said he has a problem with Condition #1, and he wants to know, "Can we stipulate with Condition #1... I don't know that it's about occupancy, it's about whether or not these on-street parking sites are being used, and that we can word this in such a way that that's the stipulation, that there is no on-street parking except as available in public parking spaces or on the site itself. And could this be reworded in such a way that we could say that."

- Chair Friedman said anyone from the Board can make a recommendation on language they want to propose and then the Board will vote on this part of a motion. He asked if anyone has a recommendation, or it can be done as part of a motion.

MOTION: Patricia Hawkins moved, seconded by Colleen Dearing, to grant the Special Use Permit in Case #2013-76, with Conditions of Approval #2 and #3, as recommended by staff, and without Condition #1 under the Staff Recommendation.

FRIENDLY AMENDMENT: Mr. Werwath would like to amend the motion, "Occupancy of the building shall be limited to 20 people, so as to keep all vehicles parked on site and in the right of way parking adjacent to the subject property." **THE AMENDMENT WAS NOT FRIENDLY TO THE MAKER.**

VOTE: The motion failed to pass as follows: Colleen Dearing and Patricia Hawkins voting in favor of the motion and Daniel Werwath and Douglas Maahs voting against the motion [Daniel Werwath initially abstained, but changed to a no vote]. The resulting vote was a tie vote. Chair Friedman said he would abstain from voting. Chair Friedman then declared that the motion failed for lack of attaining a majority vote in favor of the motion.

Chair Friedman said he can't make a motion, but he would propose language which someone might want to use for a motion as follows: Change Condition #1, to say, "Occupancy Use of the building shall be limited as may be necessary so as to keep all vehicles parked on site or in the parking spaces directly in front of the subject property."

Ms. Hawkins asked, "What happens if someone in the neighborhood, or a visitor to someone in the neighborhood, or a child of someone in the neighborhood, parks in the two spots that are in front of that building."

Chair Friedman said, "I would say, they would have to find parking off-site. I'm fine with parking off-site."

Ms. Hawkins asked, "Would you consider off-site the two spaces that were vacant on the same street."

Chair Friedman said he doesn't know, commenting that is a good point.

Mr. Werwath said, "To rebut that, I would say I think there's consistent land use practices in the City of Santa Fe that do limit non-residential uses in their use of public right-of-way. And that what we're trying to strike here, is a balance that mitigates impact. The big issue for me has to do with the intensity of use. I'm comfortable with approving the special use permit as it's presented right now, because that intensity of use, to me, seems consistent with a single family residential dwelling. If you have a gathering on Sunday, and your 4 kids and grand-kids show up, that's a bigger group of people than is currently being proposed. Or a bunch of friends for a barbecue, to me it's consistent. But what would make me more comfortable is if we had some definition of where there was a threshold for an intensity for an acceptable level of residential use. And that was my attempt to limit the occupancy aspect of this."

Chair Friedman said, "I think that's a very good point, and the balance we're trying to strike is not talking about a church that is going to be loud and boisterous. If there are 22 people versus 20 people there and it's a quiet meeting, I don't think that's going to have an adverse impact on the community. However, if all those people are trying to park along that road and parking already is a problem, I think that's going to have an adverse impact. What I would suggest, the language I had, is that the off-site parking would be limited to the spaces directly in front of that building, or you can say public parking."

Ms. Dearing said she likes Daniel's amendment. She said, "I would like to just basically say that if there are parking spots on the property, because I believe the proposal as written has 5 on site, that those must be used first. That if there is any space available on the property, that has to be filled first, because I agree that we're not going to be able to control who parks where, either the people attending the assembly or the neighborhood. When you have people coming to your house they park where there's a space. I've been in the neighborhood many, many times. The streets are narrow, and if people are parking on both sides, traffic is a problem. But that isn't going to change whether a family with three teenagers moves into that house or this religious assembly, and it is a use permitted within the zoning code. So I would agree with Daniel's amendment."

Chair Friedman asked if she is speaking of Daniel's amendment about having parking in front of the Quaker's house.

Ms. Dearing said no, because you can't control that. She said, "I would just say that I would like to see us say that the parking on the premises must be used by congregants first. As long as there is a space available on the property, they have to park there first, and then the overflow goes where the overflow goes. That's just the nature of living in Santa Fe where there's not adequate parking in those neighborhoods."

Ms. Hawkins asked, "If there are 5 spots on the site, and 2 spots in front of the house, vehicle traffic to that house will be limited to 7 vehicles. And if the 5 spots on-site are filled, they can look for 2 spots elsewhere, but they can only have 7 vehicles, and if they want to cram 5 people into each vehicle, that's carpooling."

Ms. Hawkins said, "My proposal would be that traffic to that site would be limited to 7 vehicles at the time."

Chair Friedman said she is talking about parking for the site which would be limited to 7 vehicles, and then you first have to fill up the spaces on sight.

MOTION: Douglas Maahs moved, seconded by Daniel Werwath, to grant the Special Use Permit in Case #2013-76, 2098 Calle Ensenada Special Use Permit, with Conditions of Approval #2 and #3, as recommended by staff, with Condition #1 amended as follows, "Occupancy Use of the building shall be limited as may be necessary so as to keep all vehicles parked on site plus the parking spaces directly in front of the adjacent property, or no more than 2 vehicles on-street in the neighborhood."

DISCUSSION: Responding to a question from a member of the Board [which was inaudible], Chair Friedman said handicapped parking is included in the calculation, without having to be included in the motion.

FRIENDLY AMENDMENT: Mr. Werwath would like to amend the motion to say "parking in front of the subject property" instead of "the adjacent property," and inclusive of any handicapped parking. **THE AMENDMENT WAS FRIENDLY TO THE MAKER, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE BOARD.**

RESTATED MOTION, AS AMENDED: Douglas Maahs moved, seconded by Daniel Werwath, to grant the Special Use Permit in Case #2013-76, 2098 Calle Ensenada Special Use Permit, with Conditions of Approval #2 and #3, as recommended by staff, and with Condition #1 amended as follows, "Occupancy Use of the building shall be limited as may be necessary so as to keep all vehicles parked on site plus the parking spaces directly in front of the subject property, or no more than 2 vehicles on-street in the neighborhood, inclusive of handicapped parking."

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

Chair Friedman thanked all of those testifying for their decorum and sense of civility, and urged everyone to be respectful of one another going forward.

H. STAFF COMMUNICATIONS

There were no staff communications.

I. MATTERS FROM THE COMMISSION

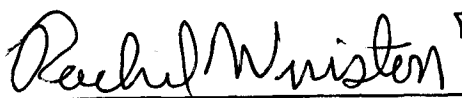
There were no matters from the Commission.

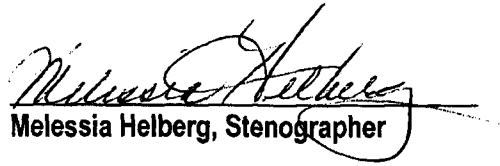
J. ADJOURNMENT

There was no further business to come before the Board.

MOTION: Daniel Werwath moved, seconded by Colleen Dearing, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 7:25 p.m.

 FOR GARY FRIEDMAN
Gary Friedman, Chair


Melessia Helberg, Stenographer

City of Santa Fe, New Mexico

memo

DATE: September 13, 2013 for the October 1, 2013 Meeting

TO: Board Of Adjustment

VIA: Matthew S. O'Reilly, P.E., Director, Land Use Department *MSO*
Tamara Baer, Planner Manager, Current Planning Division *TB*

FROM: Daniel Esquibel, Land Use Planner Senior, Current Planning Division *DE*

2098 CALLE ENSENADA SPECIAL USE PERMIT

Case #2013-76. 2098 Calle Ensenada Special Use Permit. South Santa Fe Quaker Group requests a Special Use Permit to allow for religious assembly. The property is zoned R-5 (Residential, Five Dwelling Units per Acre). (Dan Esquibel, Case Manager)

RECOMMENDATION

The Land Use Department recommends **APPROVAL** of the Special Use Permit subject to the following recommended conditions of approval:

1. Occupancy of the building shall be limited as may be necessary so as to keep all vehicles parked on site.
2. Bicycle parking shall be installed on the property and included in the site plan.
3. A sight distance study shall be conducted by the Traffic Engineering Division to determine if structures or vegetation impede sight distance. If found necessary, the applicant will take measures to include removal of the obstruction and/or trimming of vegetation to mitigate the impedance(s).

I. SUMMARY and ANALYSIS

The application is for a Special Use Permit to allow for Religious Assembly use for South Santa Fe Quaker Group, at 2098 Calle Ensenada Road. The property is zoned R-5 (Residential - 5 dwelling units per acre). Table 14-6.1-1 establishes that Religious Assembly use is permitted in R-1 through R-6 districts subject to a Special Use Permit.

14-2.3(C) (3) Powers and Duties of the Board Of Adjustment (BOA).

Exhibit "1"

The BOA has the review and decision-making responsibilities set forth in Table 14-2.1-1 to be carried out in accordance with the provisions of Chapter 14 and has the following additional responsibilities:

- (2) *to hear and decide applications for special use permits as provided in Section 14-3.6 and Article 14-6 (Permitted Uses and Use Regulations), unless jurisdiction for such special use permits is specifically reserved to another land use board;*

The South Santa Fe Quaker Group is a religious institution incorporated within the last 6 years and separate from the Quaker Friendship Group on Canyon Road. Their religious assembly occurs on Sundays from 10:30 A.M. to 12:00 P.M. The congregation ranges between 5 and 10 people. The structure will also accommodate meetings of other small organizations for which the Quaker Group function as an umbrella organization.

Prior to the March 1, 2012 land development code amendments, Religious Assemblies were allowed as a permitted use in a Residential District. Post March 1, 2012, Religious Assemblies require Special Use Permit approval in Residential Districts. The project does not require a development plan as the existing structure is 1367 square feet in size, and no new square footage is to be added.

Per 14-3.6(C)(3) *"A special use permit is granted for a specific use and intensity. Any change of use or more intense use shall comply with Chapter 14 and, if appropriate, shall require a new or amended special use permit."*

Generally, churches and other religious institutions are regarded as compatible with surrounding residential uses. A special use is one that is allowed subject to Board or Commission review.

II. APPROVAL CRITERIA

Per 14-3.6(D): *Approval Criteria and Conditions:*

(1) Necessary Findings

To grant a special use permit, a land use board shall make the following findings:

- (a) *that the land use board has the authority under the section of Chapter 14 described in the application to grant a special use permit,*
- (b) *that granting the special use permit does not adversely affect the public interest, and*
- (c) *that the use and any associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity of the premises under consideration.*

(2) Conditions

The land use board may specify conditions of approval that are necessary to accomplish the proper development of the area and to implement the policies of the general plan, including:

- (a) special yards or open spaces;*
- (b) fences, walls or landscape screening;*
- (c) provision for and arrangement of parking and vehicular and pedestrian circulation;*
- (d) on-site or off-site street, sidewalk or utility improvements and maintenance agreements;*
- (e) noise generation or attenuation;*
- (f) dedication of rights of way or easements or access rights;*
- (g) arrangement of buildings and use areas on the site;*
- (h) special hazard reduction measures, such as slope planting;*
- (i) minimum site area;*
- (j) other conditions necessary to address unusual site conditions;*
- (k) limitations on the type, extent and intensity of uses and development allowed;*
- (l) maximum numbers of employees or occupants permitted;*
- (m) hours of operation;*
- (n) establishment of an expiration date, after which the use must cease at that site;*
- (o) establishment of a date for annual or other periodic review at a public hearing;*
- (p) plans for sustainable use of energy and recycling and solid waste disposal;*
- (q) any other appropriate conditions and safeguards, in conformity with Chapter 14 or provisions of other chapters of the Santa Fe City Code that regulate development and use of land; and*
- (r) conditions may not be imposed that restrict the use to a specific person or group.*

III. ENN

An Early Neighborhood Notification meeting (ENN) was conducted on July 17, 2013 at Oliver La Farge Library located at 1730 Llano Street. Approximately 30 people (including the applicant) attended the meeting. Concerns raised are outlined in the meeting notes, Exhibit C1.

IV. SITE PLAN REVIEW

The property is 0.14± acres, zoned R-5 (Residential 5 dwelling units to the acre).

Existing development consists of a single-family dwelling which will be converted for use as a religious assembly.

Existing	Existing	Proposed	Use
Existing Dwelling Unit	1,367 sq. ft	No change	Religious Assembly and community use
Parking	2	5	Parking Spaces

A driveway on Calle Ensenada is the only ingress/egress to the property.

Development Review Team (DRT) REVIEW

DRT memoranda can be found on Exhibit A. No negative comments were received from City Traffic, Water, Fire Marshal, Solid Waste, Technical Review – Landscaping or Terrain Management.

V. CONCLUSION

The proposed request has complied with ENN requirements per 14-3.1(F) and notice requirements per 14-3.1(H). The use proposed is an allowed use within an R-5 District established per 14-6-1-1 subject to Special Use Permit approval by the Board of Adjustment. The existing structure and proposed minimal improvements maintain a residential character, compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity. The Land Use Department has reviewed the application and determined that it complies with the necessary findings to recommend approval.

These findings include: 1) that the Board of Adjustment (BOA) has the authority under Chapter 14 to grant a Special Use Permit; 2) that granting the permit does not adversely affect the public interest; and 3) that the use and associated buildings are compatible with and adaptable to buildings, structures and uses of the abutting property and other properties in the vicinity.

The BOA may specify conditions of approval, including but not limited to those listed from 14-3.6 (D) (2) above.

VI. EXHIBITS

Exhibit A DRT Comments

1. City Traffic Engineering Division
2. Land Use Technical Review Division – Landscaping
3. Land Use Technical Review Division – Terrain Management
4. Fire Marshal

Exhibit B: Maps

1. Vicinity Map

Exhibit C: Early Neighborhood Notification (ENN) materials

1. Meeting notes
2. ENN Guidelines

Exhibit D: Applicant Submittals

1. Letter of Application

Attachment

2. Site Plan

October 1, 2013
Board Of Adjustment
Case # 2013-76
**2098 CALLE ENSENADA ROAD SPECIAL
USE PERMIT**

EXHIBIT A

Development Review Comments (DRT)

City of Santa Fe, New Mexico

memo

DATE: September 10, 2013

TO: Dan Esquibel, Planning and Land Use Department

VIA: John Romero, Traffic Engineering Division Director *JE*

FROM: Sandra Kassens, Traffic Engineering Division *SK*

SUBJECT: 2098 Calle Ensenada Special Use Permit Case # 2013-76

ISSUE:

South Santa Fe Quaker Group requests a Special Use Permit to allow for religious assembly. The property is zoned R-5 (Residential, 5 dwelling units per acre.)

RECOMMENDED ACTION:

Review comments are based on submittals received on August 28, 2013. The comments below should be considered as Conditions of Approval to be addressed prior to final approval unless otherwise noted:

1. Approval of this Special Use Permit does not relieve the applicant from requirements related to sight distance. A sight distance study shall be conducted at the time of development by the Traffic Engineering Division to determine if structures or vegetation impede sight distance; and if found necessary the applicant will take measures to include removal of the obstruction and/or trimming of vegetation to mitigate the impedance(s).

If you have any questions or need further information, feel free to contact me at 955-6697. Thank you.

City of Santa Fe, New Mexico

memo

DATE: September 18, 2013
TO: Daniel Esquibel, Land Use Planner Senior
FROM: Noah Berke, CFM, Planner Technician Senior *NLB*
SUBJECT: Final Comments for Case #2013-76, 2098 Calle Ensenada Special Use Permit

Below are comments for the 2098 Calle Ensenada Special Use Permit request. These comments are based on documentation and plans dated August 5, 2013:

The proposed project has existing landscape on site. Since the use is changing and not the zoning, there are no required landscape improvements. The existing landscape will satisfy any landscape requirements.

ESQUIBEL, DANIEL A.

From: ZAXUS, RISANA B.
Sent: Wednesday, September 11, 2013 12:51 PM
To: ESQUIBEL, DANIEL A.
Subject: Calle ensenada Special Use Permit

Dan,

I have no review comments on Case # 2013-76, the 2098 Calle Ensenada Special Use Permit.


RB

City of Santa Fe, New Mexico

memo

DATE: September 23, 2013

TO: Dan Esquibel, Case Manager

FROM: Reynaldo Gonzales, Fire Marshal 

SUBJECT: Case #2013-74 2098 Calle Ensenada

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) 2006 Edition. Below are the following requirements that shall be addressed prior to approval by Planning Commission. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

1. Shall comply with International Fire Code (IFC) 2009 Edition.
2. Fire Department shall have 150 feet distance to any portion of the building.
3. Shall meet water supply requirements.
4. Shall install commercial fire suppression hoods system above cooking appliances that meets the IFC 2009 edition.
5. Shall meet Fire Lane requirements for emergency access of fire apparatuses.

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**2098 CALLE ENSENADA ROAD SPECIAL
USE PERMIT**

EXHIBIT B

Vicinity Map





City of Santa Fe Land Use Department Early Neighborhood Notification Meeting Notes

<i>Project Name</i>	Quaker Meeting House
<i>Project Location</i>	2098 Calle Ensenada
<i>Project Description</i>	Special Use Permit for Religious Assembly in an existing residence in an R-5 district.
<i>Applicant / Owner</i>	South Santa Fe Quaker Worship Group Corp.
<i>Agent</i>	Nicoe Lichen, President
<i>Pre-App Meeting Date</i>	May 9, 2013
<i>ENN Meeting Date</i>	July 17, 2013
<i>ENN Meeting Location</i>	Llano Street Library
<i>Application Type</i>	Special Use Permit
<i>Land Use Staff</i>	Tamara Baer
<i>Other Staff</i>	No
<i>Attendance</i>	Approximately 30 persons, including 8 members of the Quaker worship group

Notes/Comments: Tamara Baer introduced herself and described the Special Use Permit application and review process, noting that the City anticipates this application will be submitted on July 29, 2013 and heard by the Board of Adjustment at their meeting on Tuesday, September 17, 2013 at 6 o'clock in City Council Chambers.

It was noted that construction, repair and remodeling work had begun at the house, located at 2098 Calle Ensenada, without building permits. This work was reported to the City, red-tagged and has been halted until proper permits are secured.

Nichoe Lichen, President of the Quaker Worship Group introduced herself and asked other members of the group – approximately 8 members total- to identify themselves at the meeting. Ms. Lichen apologized to the neighbors present for not having secured permits and thereby having gotten off "on the wrong foot" with the neighborhood. She assured those present that her group desired to be and would be good neighbors going forward.

October 1, 2013
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**2098 CALLE ENSENADA ROAD SPECIAL
USE PERMIT**

EXHIBIT C

ENN Notes

Ms. Lichen spoke about the Religious Society of Friends, also known as Quakers, and the nature of their gatherings. She said there are 5 to 8 people who regularly gather within their group. Their worship, which starts at approximately 10:30 on Sunday mornings and lasts for about 2 hours, is conducted primarily in silence. Following the period of worship they typically share a light meal. She added that the members are mostly older, have no attending children and do not make noise. This group has been together between 5 and 7 years and are not connected to the larger group of Quakers who meet on Canyon Road.

Ms. Lichen stated that there are also smaller meetings, usually on weekday evenings, for study and discussion. They are also hosts to a group of breast cancer survivors, some 5 to 10 women, who meet the second and fourth Tuesday of every month from 4 p.m. to 5:30 p.m. This represents the main anticipated use of the property, although one or more of the members could be there intermittently at any time.

The house at 2098 Calle Ensenada has been vacant for about two years and has fallen into disrepair. The Quakers will make minor changes to the exterior, including adding an ADA accessible ramp, replacement of the front door and certain windows and restoration of a small rear patio. Interior work includes upgrading electrical systems for group occupancy, removal of non-load bearing walls, and general remodeling for ADA accessibility. Ms. Lichen stated that the house will continue to appear residential in character and could easily be returned to residential use should they be "lucky enough" to expand to the point where they needed to move to a larger facility.

The neighbors in attendance were generally opposed to the Quakers' use of the property. Their primary objections were: 1) that they were not notified or asked if it was acceptable to the neighborhood before the Quakers moved in; and 2) that the Quakers had started construction without securing building permits. Other objections included concern about sufficient parking; the addition of traffic to the area; and traffic safety, especially related to turning movements into Calle Ensenada from Siringo.

It was stated that the Quakers had already not been good neighbors and this had engendered a sense of distrust. It was brought up that at one time in the 1970s there had been a halfway house in the neighborhood and there were negative experiences and memories associated with that use.

The Quakers again apologized. They pointed out that their use of the property was likely to generate considerably less traffic than if a family with teenagers and multiple cars had purchased the house.

The meeting officially ended at 6:30 but some people stayed and had conversations in smaller groups until 7 p.m.



ENN GUIDELINES

Applicant Information

Project Name: South Santa Fe Quaker Meeting House (Quaker House)

Name: Lichen Nichoe S.
First M.I.

Address: 2098 Calle Ensenada

Street Address

Suite/Unit #

Santa Fe

NM

87505

City

State

ZIP Code

(505) 471-2288

Phone: (660 6523 CELL)

E-mail Address:

quakerhouseSF@gmail.com,

nichoe@earthlink.net (personal contact)

Please address each of the criteria below. Each criterion is based on the Early Neighborhood Notification (ENN) guidelines for meetings, and can be found in Section 14-3.1(F)(5) SFCC 2001, as amended, of the Santa Fe City Code. A short narrative should address each criterion (if applicable) in order to facilitate discussion of the project at the ENN meeting. These guidelines should be submitted with the application for an ENN meeting to enable staff enough time to distribute to the interested parties. For additional detail about the criteria, consult the Land Development Code.

(a) EFFECT ON CHARACTER AND APPEARANCE OF THE SURROUNDING NEIGHBORHOODS *For example: number of stories, average setbacks, mass and scale, landscaping, lighting, access to public places, open spaces and trails.*

This project involves the use of an existing single story home for religious assembly. It is located on a corner lot on Siringo Road and Calle Ensenada.

The footprint of the existing structure will not change and is in compliance with the neighborhood.

(b) EFFECT ON PROTECTION OF THE PHYSICAL ENVIRONMENT *For example: trees, open space, rivers, arroyos, floodplains, rock outcroppings, escarpments, trash generation, fire risk, hazardous materials, easements, etc.*

Existing landscape plantings and crusher fine, pea gravel will be utilized (no new plantings). Trash generation is less than that associated with a single family dwelling.

(c) IMPACTS ON ANY PREHISTORIC, HISTORIC, ARCHAEOLOGICAL OR CULTURAL SITES OR STRUCTURES, INCLUDING ACEQUIAS AND THE HISTORIC DOWNTOWN *For example: the project's compatibility with historic or cultural sites located on the property where the project is proposed.*

None known

(d) RELATIONSHIP TO EXISTING DENSITY AND LAND USE WITHIN THE SURROUNDING AREA AND WITH LAND USES AND DENSITIES PROPOSED BY THE CITY GENERAL PLAN *For example: how are existing City Code requirements for annexation and rezoning, the Historic Districts, and the General Plan and other policies being met.*

No change.

(e) EFFECTS ON PARKING, TRAFFIC PATTERNS, CONGESTION, PEDESTRIAN SAFETY, IMPACTS OF THE PROJECT ON THE FLOW OF PEDESTRIAN OR VEHICULAR TRAFFIC AND PROVISION OF ACCESS FOR THE DISABLED, CHILDREN, LOW-INCOME AND ELDERLY TO SERVICES *For example: increased access to public transportation, alternate transportation modes, traffic mitigation, cumulative traffic impacts, pedestrian access to destinations and new or improved pedestrian trails.*

There are five or six parking spaces on site (three or four on existing hard surface, two on a pea gravel or crusher fine surface. There will be one handicap parking space that will be identified with striping, a sign and sensor directional lighting.

City Bus and bicycle, pedestrian paths are conveniently located to the property and will be encouraged.

There is a sidewalk on Siringo Road and on Calle Ensenada for pedestrians.

There is a center turn lane on Siringo Road onto Calle Ensenada.

Traffic generated to the site generally will occur at non peak hours (Sunday morning and evening).

(f) IMPACT ON THE ECONOMIC BASE OF SANTA FE *For example: availability of jobs to Santa Fe residents; market impacts on local businesses; and how the project supports economic development efforts to improve living standards of neighborhoods and their businesses.*

Only minor economic impact

(g) EFFECT ON THE AVAILABILITY OF AFFORDABLE HOUSING AND AVAILABILITY OF HOUSING CHOICES FOR ALL SANTA FE RESIDENTS *For example: creation, retention, or improvement of affordable housing; how the project contributes to serving different ages, incomes, and family sizes; the creation or retention of affordable business space.*

Minimal change to the existing neighborhood.

(h) EFFECT UPON PUBLIC SERVICES SUCH AS FIRE, POLICE PROTECTION, SCHOOL SERVICES AND OTHER PUBLIC SERVICES OR INFRASTRUCTURE ELEMENTS SUCH AS WATER, POWER, SEWER, COMMUNICATIONS, BUS SYSTEMS, COMMUTER OR OTHER SERVICES OR FACILITIES *For example: whether or how the project maximizes the efficient use or improvement of existing infrastructure; and whether the project will contribute to the improvement of existing public infrastructure and services.*

Minimal impact.

House electrical wiring will be upgraded from aluminum to copper.

Attendees will be encouraged to avoid parking on the street, to use public transportation, bicycle paths, and to carpool to minimize the impact on the existing neighborhood.

Water, power, sewer, communication impact should be significantly less than surrounding a single family dwellings due to the intermittent use of the site and nature of activity (worship, meeting)

Permitted activity at the meeting house will be alcohol free and consistent with Friends' testimonies of simplicity, peace, integrity, equality (no anticipated strain on the police department).

(i) IMPACTS UPON WATER SUPPLY, AVAILABILITY AND CONSERVATION METHODS *For example: conservation and mitigation measures; efficient use of distribution lines and resources; effect of construction or use of the project on water quality and supplies.*

An existing dwelling is being utilized. Impact on water from construction will be negligible.

Only the existing plantings that require minimal water will be retained (i.e. lilacs, pinon, pyracantha, a couple of old fruit trees). The rest of the property is landscaped with fine gravel.

(j) EFFECT ON THE OPPORTUNITIES FOR COMMUNITY INTEGRATION AND SOCIAL BALANCE THROUGH MIXED LAND USE, PEDESTRIAN ORIENTED DESIGN, AND LINKAGES AMONG NEIGHBORHOODS AND RECREATIONAL ACTIVITY AND EMPLOYMENT CENTERS *For example: how the project improves opportunities for community integration and balance through mixed land uses, neighborhood centers and/or pedestrian-oriented design.*

See (e)

(k) EFFECT ON SANTA FE'S URBAN FORM *For example: how are policies of the existing City General Plan being met? Does the project promote a compact urban form through appropriate infill development? Discuss the project's effect on intra-city travel and between employment and residential centers.*

This Friends Meetinghouse seeks to be a resource for those on the south side of Santa Fe, reducing the impact of travel.

(l) ADDITIONAL COMMENTS (optional)

We are a small group of five to ten folks who typically meet for worship on Sunday between 10:30 and 11:00 am (followed by refreshments, conversation or education). Sometimes we meet on a midweek evening for a shared meal or an educational topic. For more information about us see www.QuakerHouseSantaFe.org.

October 1, 2013
Board Of Adjustment
Case # 2013-76

**2098 CALLE ENSENADA ROAD SPECIAL
USE PERMIT**

EXHIBIT D

Applicant Request

South Santa Fe Quaker Worship Group
1730 Camino Carlos Rey North # 209
Santa Fe, New Mexico 87507
QuakerHouseSF@gmail.com
505 471 2288

August 5, 2013

City of Santa Fe Land Use Department
200 Lincoln
Santa Fe, New Mexico 87501

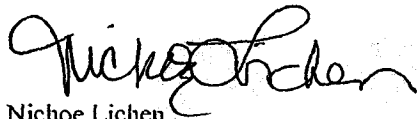
To Whom It May Concern:

The South Santa Fe Quaker Worship Group, Corporation, does submit to you an application for Special Permit for religious use of the .2 acre property at 2098 Calle Ensenada, Santa Fe, NM 87505 zoned residential 5 (*Lot 26, Block 4, of South Ridge Subdivision Area "C", Ward No. 2, as shown on plat thereof filed March 29, 1971 as Document No. 331,346, recorded in Plat Book 22 page 18, records of Santa Fe, County, New Mexico*).

We do state that we are a very small religious group whose weekly attendance typically is between five and ten participants.

Granting the Special Exception will not adversely affect the public interest and the use and any associated buildings are compatible with and adaptable to buildings, structures, and uses of the abutting property and other properties in the vicinity of the premises under construction (in this case renovation).

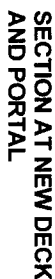
Respectfully Submitted,



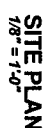
Nichoe Lichen

President of the Board

South Santa Fe Quaker Worship Group, Corporation

[illegible]

3/4" = 1'-0"



PROJECT DESCRIPTION
The project will involve an existing single-story residential to commercial conversion. The project will require a new commercial grade assembly standards for use as worship assembly space (Group A-3). The entire structure is dedicated to this use.

The scope of the work is to include:

- Structure:** Add two parking spaces, one is to be handicap accessible.
- Drainage:** Provide new ramp and accessible path to the building.
- Demolition:** Remove interior and load-bearing wall, existing electrical.
- Foundation:** New entry porch, new exterior windows, re-succo.
- Interior Removal:** New commercial grade electrical service, wiring and fixtures.
- Finish:** New finishes.

All new plumbing fixtures will comply with City of Santa Fe standards and regulations (1.6 gal. toilets, low-flow shower head, etc.).

SITE = +/- 0.14 AC (+/- 6134 SF)
TERRAIN MANAGEMENT. NO ADDITIONAL BUILDING FOOTPRINT WILL BE ADDED WITH THIS PROJECT.

1367 SF EXISTING HEATED RESIDENSE

203 SF EXISTING PORTALS
32 SF NEW PORTAL

EXISTING ROOFED AREA = 1680 SF
NEW ROOFED AREA = 24 SF

40 % LOT COVERAGE MAX. ALLOWED = 2454 SF MAX.
1704 SF POOLED / 8134 SF LOT SIZE = 20% LOT COVERAGE

PARKING: THE EXISTING SITE HAS THREE PARKING SPACES. AN ADDITIONAL TWO SPACES, INCLUDING ONE HANDICAP VAN ACCESSIBLE SPACE WILL BE ADDED.

HANDICAP ACCESSIBLE BATHROOMS



A1	SITE PLAN	LANDSCAPING PLAN
	WALL SECTIONS	

ELEVATIONS AND
SIGNAGE DETAIL

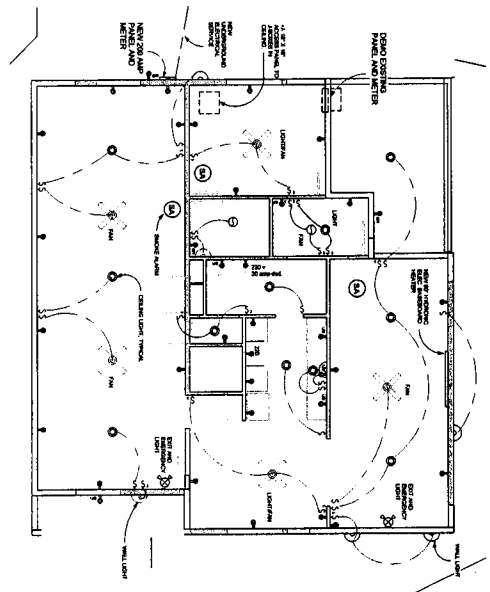
Copyrights and any other notices are hereby acknowledged and may not be used by others without written consent.

**REMODEL TO A RESIDENCE AT
2098 CALLE ENSENADA**
City of Santa Fe, NM

**Mathey and Associates
Architects**
43 Camino Pequeno, Santa Fe, New Mexico
(505) 995-8564 matheyarchitects@gmail.com



ELECTRICAL NOTES
 DEMO EXISTING WIRING AND PROVIDE NEW COMMERCIAL GRADE SERVICE THROUGHOUT.
 1. ALL ELECTRICAL TO COMPLY WITH ALL STATE AND LOCAL CODES.
 2. PROVIDE PROTECTIVE OUTLETS AND SWITCHES AT WET AREAS AS REQUIRED BY CODE.
 3. PROVIDE HARDWIRED SMOKE DETECTORS AS SHOWN.
 4. ALL EXTERIOR LIGHTS TO BE COMPLIANT WITH CITY OF SANTA FE REGULATIONS.
 5. TYPICAL ELECTRICAL POWER WIRE TO BE 12 GA. COPPER.
 6. DEDICATED SERVICE TO 220V OUTLETS TO BE 10 GA.



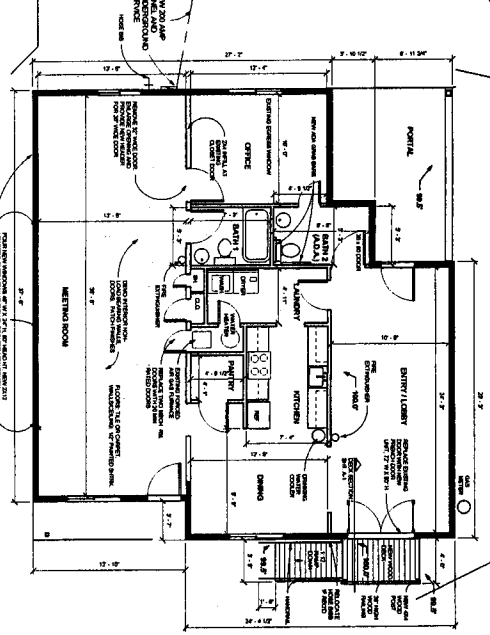
ELECTRICAL PLAN 1/4" = 1'-0"

GENERAL NOTES
 1. DIMENSIONS ON FLOOR PLAN ARE TO FACE UNLESS NOTED OTHERWISE.
 2. WALLS ARE WOOD FRAME 2X CONSTRUCTION WITH STUDS AT 16" O.C.
 3. ALL CONSTRUCTION TO CONFORM TO LOCAL CODES, REGULATIONS AND INDUSTRY STANDARDS.

PLUMBING NOTES
 1. REPLACE EXISTING PLUMBING FITTINGS AS NEEDED NEW PLUMBING TO CITY OF SANTA FE WATER REQUIREMENTS.

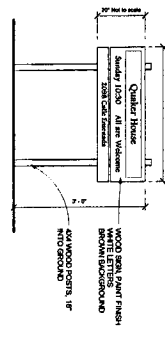
HEATING NOTES
 1. EXISTING STRUCTURE IS HEATED WITH GAS-FIRED FORCED AIR HEATING SYSTEM (TO REMAIN).
 2. ADD NEW ELECTRICAL BASEBOARD HEATER AT DEN.

FLOOR PLAN 1/4" = 1'-0"

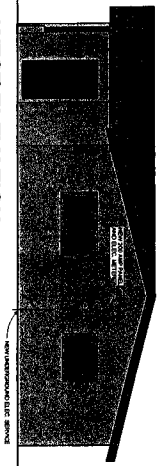


EXISTING RESIDENCE IS CONSTRUCTED OF WOOD FRAMING

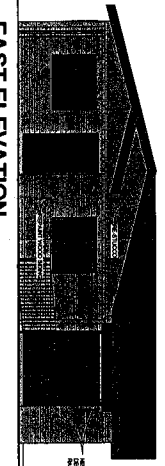
NEW SIGNAGE 1" = 1'-0"



WEST ELEVATION 1/4" = 1'-0"

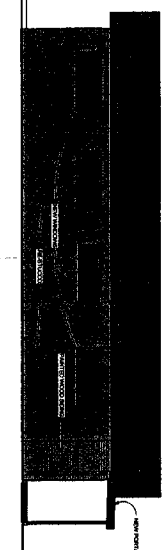


EAST ELEVATION 1/4" = 1'-0"



TYPICAL EXTERIOR WALL FINISHES
 RE-STUCCO PATCH AROUND NEW WINDOWS WITH 3-COAT CEMENT STUCCO SYSTEM. PROVIDE NEW EXTERIOR ONE COAT CEMENT STUCCO FINISH COAT ON WHOLE RESIDENCE.
 EXPOSED WOOD, PAINT FINISH
 ROOF, EXISTING BROWN ASPHALT SHINGLES TO REMAIN
 WINDOWS, NEW WINDOWS TO HAVE DOUBLE PANE GLAZING, LOW E, EXTERIOR COLOR TO BE WHITE.
 EXTERIOR DOORS, NEW EXTERIOR FRENCH DOOR TO HAVE DOUBLE PANE GLASS, WHITE EXTERIOR FINISH.

SOUTH ELEVATION 1/4" = 1'-0"



NORTH ELEVATION 1/4" = 1'-0"



These drawings are to be used for the construction of the project. They are not to be used for any other purpose. The architect and engineer are not responsible for the construction of the project.

**PLANS AND ELEVATIONS
 A.D.A. BATHROOM**

**REMODEL TO A RESIDENCE AT
 2098 CALLE ENSENADA
 City of Santa Fe, NM**

**Mathey and Associates
 Architects**
 82 Camino Pajarito, Santa Fe, New Mexico
 (505) 988-8888 matheyandassociates@gmail.com



7-21-2013

Dear Friends,

It was very good to worship with you yesterday.

Nichoe took Ruth, Kris and me to see your new worship home. I was humbled to perceive how much work you have put in - hauling away junk, painting, and scrubbing. Already I can see how beautiful your space will be.

As you know, Tony and I lived in the south part of town, but as his health declined, it became impossible for him to access the Canyon Road Meetinghouse. I am so happy to find you settling into a traditional Santa Fe neighborhood near where most of you live.

May the Lord bless you and keep you. May the Lord make his face to shine upon you, and give you peace.

Affectionately,
Alison P. Martinez

Exhibit "2"