

# City of Santa Fe, New Mexico

# memo

**DATE:** May 26, 2016 for the June 2, 2016 Meeting

**TO:** Summary Committee

**VIA:** Lisa D. Martinez, Director, Land Use Department  
Greg Smith, Current Planning Division Director *BS*

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

**Case #2016-47. 950 & 952 Santander Lane Family Transfer Subdivision.** Sommer Karnes and Associates, LLP, agent for Fred Nugent requests approval of a Family Transfer Subdivision. The lot is 0.30 acre and is zoned R-5 (Residential – 5 units per acre). The Family Transfer Subdivision will create 2 lots, one of which will be transferred to the property owner's son. (Dan Esquibel, Case Manager)

## I. RECOMMENDATION

The Land Use Department recommends **APPROVAL** subject to the conditions listed on Exhibit A:

## II. SUMMARY

The applicant is requesting plat approval for family transfer subdivision to divide 0.30 acres into 2 residential lots: Tract A +/- 0.20 acre (9035 Sq. Ft.) and Tract B +/- 0.09 acres (4269.8 Sq. Ft.). The property is zoned R-5 (Residential-5 dwelling units per acre) and is also located within the Suburban Archaeological Review District and Downtown And Eastside Historic Review District. Development on the property will require Historic Design Review Board's review and approval. However, this property will not trigger an archaeological clearance permit.

## III. ACCESS

Both proposed Tracts have direct access from Santander Lane which is a public Right-of-Way. Santander Lane dead ends at the southeast corner Tract A. A 250 square-foot triangular private Driveway/access easement is created that crosses the northeast corner of Tract B to provide direct access to the garage on Tract A from Santander Lane. An access and utility easement

provides connection to the adjacent north property running along the east property line of Tract A (between the house and east property line).

#### **IV. UTILITIES**

The property is currently connected to both wet and dry utilities. Should this lot split be approved, Chapter 22 and 25 would apply to both Tracts A and B, requiring separate utility services.

#### **V. DIMENSIONAL CALCULATIONS**

Subsection 14-7.2 allows maximum lot coverage of 40%, or up to 50% if open space equal to 50% of the gross square footage of the building is provided. Subsection 14-7.1(B)1 "*Net Lot Area*" excludes public and private streets and driveway easements from lot coverage calculations.

Tract A contains 9,035.6 square feet, with approximately 631 square feet attributable to driveway easements. The existing development on Tract A makes up 46.53% lot coverage, so open space equal to 50% of the building area must be designated on the plat before it is recorded. The lot is large enough to meet the open space requirement.

Tract B contains 4269.8 square feet, with approximately 250.8 square feet attributable to driveway easements. Existing development on Tract B makes up 23.12% lot coverage, so Tract B does not require designation of private open space.

Both lots contain enough area to accommodate 2 parking spaces each.

#### **VI. DRT COMMENTS**

The plat was reviewed by the City Fire Marshal, City Water Division, City Wastewater Division, City Environmental Services, City Traffic Division and City Technical Review Division. The plat is in substantial compliance with all applicable standards. All comments and recommended conditions of approval can be found in Exhibit B.

#### **VII. CONCLUSION**

The proposed subdivision plat was reviewed for compliance with the approval criteria specified in Section 14-3.7(C) and family transfer standards in 14-3.7(F). Staff review finds no adverse impacts are created by the subdivision of the 0.30 acre Tract into two Tracts (A and B). Conditions received by the Development Review Team will be managed as red line corrections prior to recordation.

The Land Use Department recommends **APPROVAL** subject to Conditions as outlined in this report.

## **VIII. ATTACHMENTS**

### **EXHIBIT A:**

1. Conditions of Approval

### **EXHIBIT B: Development Review Team Review comments and conditions**

1. Fire Marshal Memorandum, Reynaldo Gonzales
2. Water Division, Dee Beingessner, Water Division Engineer
3. Wastewater Management Division Memorandum, Stan Holland
4. Environmental Services, Eric Lucero
5. Traffic Division, Sandra M. Kassens, Engineer Assistant
6. Technical Review, Risina "RB" Zaxus

### **EXHIBIT C: Maps**

1. Vicinity

### **EXHIBIT D: Applicant Materials**

1. Survey Plat

May 5, 2016  
Summary Committee  
Case # 2016-47  
**950 & 952 Santander Lane**  
**Family Transfer Subdivision**

# **EXHIBIT A**

Conditions

EXHIBIT A  
 Conditions of Approval  
 Case 2016-47  
 950 & 952 Santander Lane Family Transfer Subdivision.

	<b>Condition</b>	<b>Department</b>	<b>Staff</b>
1	<ol style="list-style-type: none"> <li>1. All Fire Department access shall be no greater than a 10% grade throughout.</li> <li>2. Fire Department Access shall not be less than 20 feet width to any new/remodel construction or automatic sprinkler systems may be required.</li> <li>3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turnaround that meets the IFC requirements shall be provided. If this cannot be met an automatic sprinkler system may be required.</li> <li>4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.</li> <li>5. Shall have water supply that meets fire flow requirements as per IFC</li> </ol>	Fire Marshal	Reynaldo Gonzales April 29, 2016
2	<ol style="list-style-type: none"> <li>1. Each lot will require separate water service.</li> <li>2. If needed for the new water service connection, a utility easement should be established in this lot split to provide access to an the existing water main.</li> </ol>	Water Division	Dee Beingessner, Division Engineer May 24, 2016
3	<ol style="list-style-type: none"> <li>1. Add note to the plat that each lot shall be served by its own separate sewer service line.</li> <li>2. Applicant provide documentation to the City that each lot is currently served by its own separate sewer service line as a condition of approval.</li> </ol>	Wastewater Management	Stan Holland, P.E. May 24, 2016
4	<ol style="list-style-type: none"> <li>1. Tract A requires private open space to be designated on the plat equal to 50% of the gross square footage of the dwelling.</li> </ol>	Current Planning	Dan Esquibel 6/02/16 (PC Staff Memo)

May 5, 2016  
Summary Committee  
Case # 2016-47  
**950 & 952 Santander Lane**  
**Family Transfer Subdivision**

# **EXHIBIT B**

DRT Comments and Conditions

# City of Santa Fe, New Mexico

## memo

**DATE:** April 29, 2016

**TO:** Dan Esquibel, Case Manager

**FROM:** Reynaldo Gonzales, Fire Marshal 

**SUBJECT:** Case #2016-47. 950 & 952 Santander Lane Family Transfer

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

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

1. All Fire Department access shall be no greater than a 10% grade throughout.
2. Fire Department Access shall not be less than 20 feet width to any new/remodel construction or automatic sprinkler systems may be required.
3. Shall meet the 150 feet driveway requirements must be met as per IFC, or an emergency turn-around that meets the IFC requirements shall be provided. If this cannot be met an automatic sprinkler system may be required.
4. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
5. Shall have water supply that meets fire flow requirements as per IFC

*City of Santa Fe*  
**memo**

**DATE:** May 24, 2016

**TO:** Dan Esquibel, Land Use Planner, Land Use Department

**FROM:** Dee Beingsner, Water Division Engineer 

**SUBJECT:** Case # 2016-47 850 & 952 Santander Lane Family Transfer Subdivision

---

Each lot will require separate water service. If needed for the new water service connection, a utility easement should be established in this lot split to provide access to an the existing water main.

Fire protection requirements are addressed by the Fire Department.



# MEMO

## Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

### E-MAIL DELIVERY

Date: May 24, 2016

To: Dan Esquibel, Case Manager

From: Stan Holland, P.E.  
Wastewater Management Division

Subject: Case 2016-47 – 950 & 952 Santander Lane Family Transfer Subdivision

---

**The subject property is accessible to the City public sewer system.**

**The following items shall be a condition of approval;**

1. Add note to the plat that each lot shall be served by its own separate sewer service line.

The Wastewater Division recommends that the Applicant provide documentation to the City that each lot is currently served by its own separate sewer service line as a condition of approval.

**ESQUIBEL, DANIEL A.**

---

**From:** LUCERO, ERIC J.  
**Sent:** Tuesday, May 24, 2016 4:08 PM  
**To:** ESQUIBEL, DANIEL A.  
**Subject:** FW: DRT Comments

Dan,

As per our conversation earlier today, I have no comments to add and I am ok with the transfer.

Thanks,

**Eric J Lucero**  
**City of Santa Fe**  
**Environmental Services**  
**Operations Manager**  
**505-955-2205 office**  
**505-670-6562 cell**  
**[ejlucero@santafenm.gov](mailto:ejlucero@santafenm.gov)**

---

**From:** LUCERO, ERIC J.  
**Sent:** Friday, May 06, 2016 1:22 PM  
**To:** ESQUIBEL, DANIEL A.  
**Subject:** DRT Comments

Dan,

I was unable to open and view Case #2016-47. 950 & 952 Santander Lane Family Transfer Subdivision.

As far as Case #2016-44. 4601 Mission Bend Lot Split and Case #2016-48. 30 Colony Drive Lot Split, I have no comments to add.

Thanks,

**Eric J Lucero**  
**City of Santa Fe**  
**Environmental Services**  
**Operations Manager**  
**505-955-2205 office**  
**505-670-6562 cell**  
**[ejlucero@santafenm.gov](mailto:ejlucero@santafenm.gov)**

**ESQUIBEL, DANIEL A.**

---

**From:** KASSENS, SANDRA M.  
**Sent:** Wednesday, May 04, 2016 3:26 PM  
**To:** ESQUIBEL, DANIEL A.  
**Cc:** ROMERO, JOHN J  
**Subject:** 950 Santander Lane

Dan,  
We have no comments on the Family Transfer Lot Split at 950 & 952 Santander Lane, case #2016-47.  
Sandy – Traffic Engineering.

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

**ESQUIBEL, DANIEL A.**

---

**From:** ZAXUS, RISANA B.  
**Sent:** Wednesday, April 27, 2016 1:32 PM  
**To:** ESQUIBEL, DANIEL A.  
**Subject:** Case # 2016-47, Santander Family Transfer Subdivision

Mr. Esquibel –

I have no review comments on the above-referenced case.

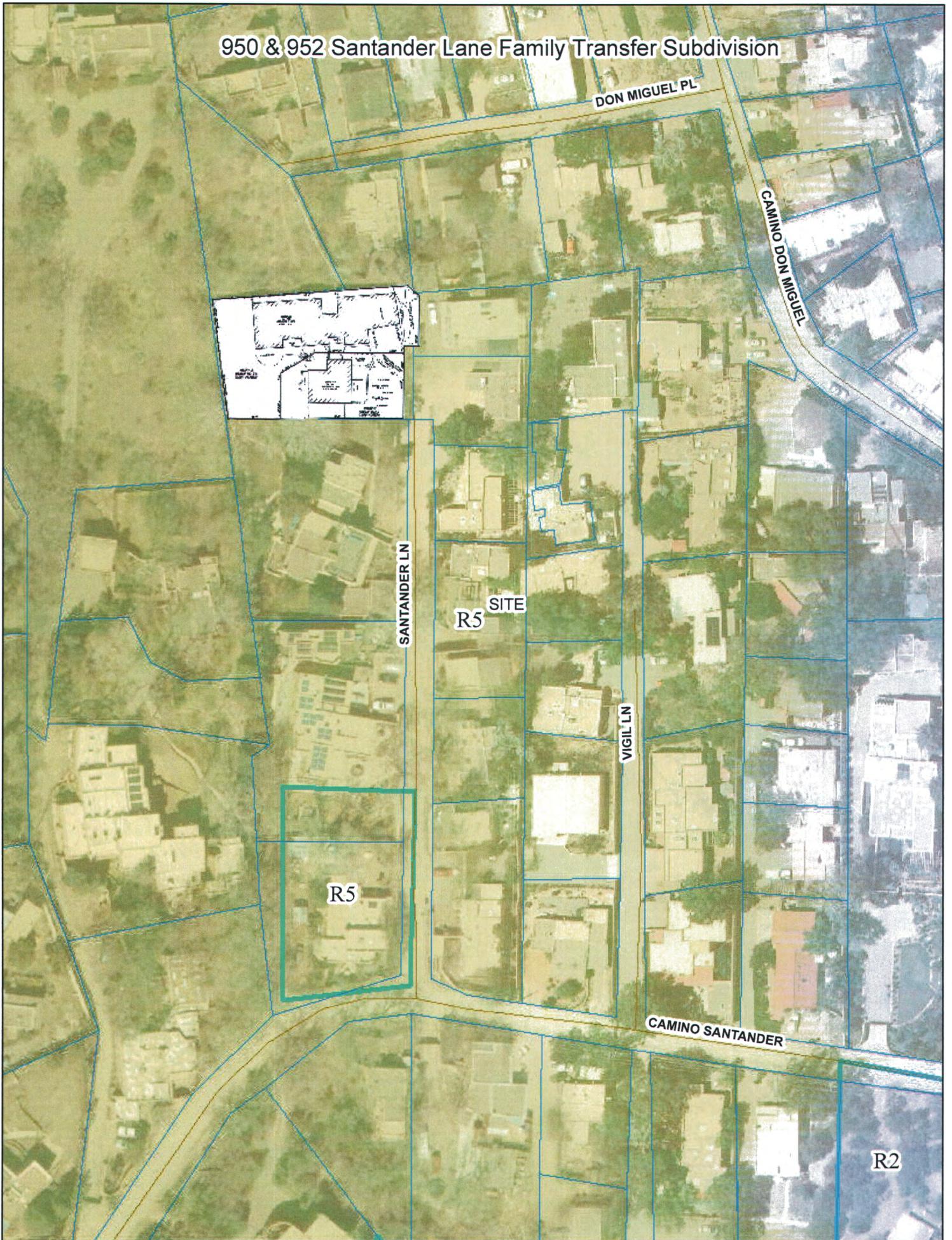
Risana B "RB" Zaxus, PE  
City Engineer

May 5, 2016  
Summary Committee  
Case # 2016-47  
**950 & 952 Santander Lane**  
**Family Transfer Subdivision**

# **EXHIBIT C**

Maps

950 & 952 Santander Lane Family Transfer Subdivision



DON MIGUEL PL

CAMINO DON MIGUEL

SANTANDER LN

R5 SITE

VIGIL LN

R5

CAMINO SANTANDER

R2

May 5, 2016  
Summary Committee  
Case # 2016-47  
**950 & 952 Santander Lane**  
**Family Transfer Subdivision**

# **EXHIBIT D**

Applicant Materials

# SOMMER, KARNES & ASSOCIATES, LLP

---

**Mailing Address**

Post Office Box 2476  
Santa Fe, New Mexico 87504-2476

**Street Address**

200 West Marcy Street, Suite 139  
Santa Fe, New Mexico 87501

Telephone:(505) 989.3800

Facsimile:(505)982.1745

Karl H. Sommer, Attorney at Law  
khs@sommer-assoc.com

Joseph M. Karnes, Attorney at Law  
jmk@sommer-assoc.com

Mychal L. Delgado, Certified Paralegal  
mld@sommer-assoc.com

---

James R. Hawley, Attorney at Law  
jrh@sommer-assoc.com

Of Counsel  
Licensed in New Mexico and California

April 15, 2016

Noah Berke, Senior Planner, City of Santa Fe  
200 Lincoln Avenue  
Santa Fe, NM 87501

Re: Family Transfer Subdivision Application  
950 and 952 Santander Lane (the "Property")

Dear Noah:

On behalf of Property owner Fred Nugent, this application requests a family transfer subdivision of the Property to create two lots, where one lot exists presently.

The Property is located at the end of Santander Lane, north of Camino Santander, within a developed portion of the City. The Property consists of 0.204 acres and includes an existing main house and separate accessory dwelling unit. The main house was constructed in 1993, pursuant to building permit #193-0713. It is believed that the accessory dwelling unit was constructed prior to 1960. No construction is proposed by the application. The Property is zoned R-5.

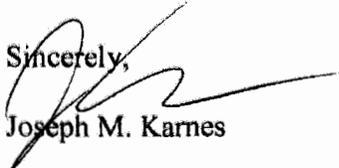
Mr. Nugent desires to provide his son, Malachy Nugent, the opportunity to live in Santa Fe and to convey the newly created lot to him as provided in the Family Transfer section of the City Code.

As shown on the attached plan, the application meets the applicable zoning criteria. Per Code section 14-7.2.B.8, the R-5 zoning allows for two dwelling units on a 0.305 acre property (13,305 SF property size / 8,712 SF per lot = 1.53), which rounded up equals 2 dwelling units. The proposed lots are each larger than the 4,000 SF minimum lot size.

The deed for the Property is attached to the application. Ed Vigil has reviewed the deed and associated information and we understand he has concluded the Property is a legal lot of record.

Please let me know if you have questions or need any additional information.

Sincerely,



Joseph M. Karnes

