

**SUMMARY INDEX
CITY OF SANTA FÉ
SUMMARY COMMITTEE
June 4, 2015**

ITEM	ACTION	PAGES
A. ROLL CALL	Quorum	1
B. APPROVAL OF AGENDA	Approved as published	1
C. APPROVAL OF MINUTES - May 7, 2015	Approved as presented	1
D. OLD BUSINESS		
1. <u>Case #2015-26</u> 5488 Agua Fria Lot Split	Postponed to July 2, 2015	1-2
E. NEW BUSINESS		
1. <u>Case #2015-38</u> 1011 Camino Santander Lot Split	Postponed to July 2, 2012	2-5
2. <u>Case #2015-41</u> 2505 Siringo Lane Lot Split	Approved as recommended	5-7
F. STAFF COMMUNICATIONS	Discussion	7
G. MATTERS FROM THE COMMITTEE	Discussion	7-8
H. ADJOURNMENT	Adjourned at 11:45 a.m.	8

**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
SUMMARY COMMITTEE
June 4, 2015**

A regular meeting of the City of Santa Fé Summary Committee was called to order by Lawrence Ortiz, Chair, on June 4, 2015 at approximately 11:06 a.m. in the City Council Chambers, City Hall, Santa Fé, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Lawrence Ortiz, Chair
John A. Padilla, Commissioner

MEMBERS EXCUSED:

Brian Gutierrez, Commissioner

OTHERS PRESENT:

Zach Thomas, Current Land Use Case Manager
Noah Berke, Land Use Case Manager
Carl Boaz, Stenographer

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

B. APPROVAL OF AGENDA

Commissioner Padilla moved to approve the agenda as presented. Chair Ortiz seconded the motion and it passed by unanimous voice vote.

C. APPROVAL OF MINUTES – May 7, 2015

Mr. Berke said there was an error on the previous staff report for the case that was listed as Case #2015-29 presented on May 7, 2015. The actual case number is #2015- 26.

There were no other changes requested for these minutes.

Commissioner Padilla moved to approve the minutes of May 7, 2015 as amended. Chair Ortiz seconded the motion and it passed by unanimous voice vote.

D. OLD BUSINESS

1. **Case # 2015-26. 5488 Agua Fria Road Lot Split.** Gerald A. Sandoval of Zia Surveys, agent for Jesus Diaz and Raul Ledezma, requests a lot split to divide approximately 1.07 acres into two lots

(±0.68 acres and ±0.39 acres). The property is zoned R-3 (Residential – 3 units per acre). (Noah Berke, Case Manager)

Mr. Berke reported that the advice of the City Attorney is to recommend postponement Case #2015-26 to the July Summary Committee per the memo in the packet. The memo from the City Attorney is attached to these minutes as Exhibit #1. Mr. Berke explained that the City Attorney assigned to the Summary Committee is currently on annual leave and unable to be present at this meeting.

Commissioner Padilla moved to postpone Case #2015-26 to the July 2 2015 Summary Committee meeting. Chair Ortíz seconded the motion and it passed by unanimous voice vote.

E. NEW BUSINESS

1. **Case #2015-38, 1011 Camino Santander Lot Split.** Salvador Vigil of Land Surveying Company, agent for Anna Reveles, requests a lot split to divide approximately 1.12 acres into two lots (±0.70 acres and ± 0.42 acres). The property is zoned R-5 (Residential - 5 dwelling units per acre). (Noah Berke, Case Manager)

A Memorandum regarding Case #2015-38, 1011 Camino Santander Lot Split, from Mr. Noah Berke, Case Planner, Current Planning Division, prepared May 27, 2015, for the June 4, 2015 Summary Committee Meeting with attachments is incorporated herewith to these minutes as Exhibit #2.

Staff Report

Mr. Berke presented the staff report for this case which is contained in Exhibit #2. Please refer to Exhibit #2 for specifics of this presentation.

Mr. Berke explained that the Camino Santander lot is in the Historic District. The applicant stated there is room for second lot identified as Lot 3-A.

Mr. Berke noted the added conditions of approval for sewer is to have a 20' sewer easement on the west property line. The sewer line would be a continuation to the 8" sewer line and a further condition that the easement provided through lot 3-A that would connect to a lateral connection that would serve lot 3-B.

He also pointed out one correction. The address of lot 3a will be 1009½ Camino Santander; not 1015 Camino Santander. That will be changed and recorded on the plat.

Applicant's Presentation

Present and sworn was Mr. Karl Sommer, Post Office Box 2476, Santa Fe. He stated he was present with Salvador Vigil and Francisco Rodriguez, who prepared the plat before the Committee and representing the owner, Anna Reveles, who lives in California and could not attend the meeting.

Mr. Sommer said the imposition of the condition by the Wastewater Division is inappropriate for a couple of reasons. First, it is not required by law, and secondly, the cost estimate for the extension is about \$32,000 and too expensive for her to either build or even post a bond. The provision says that "when an extension of a sanitary sewer system is required in order to provide service to a property," there is no extension required. The sewer line is adjacent to this property. And the property that is being divided is already being served by sanitary sewer. And the conditions of approval talk about the lateral that serves the house on the property. The survey before the Committee shows the improvements on the property already and shows that there are sewer clean-outs already serving that property already. There is no extension of the sewer system required to serve this property. This provision of the Code doesn't not apply to a situation where the property is already served by sewer.

The Wastewater Division would love to have infrastructure installed across the City. But the Code doesn't allow them to impose this condition on a lot split where there is already service. And the sewer line is already on this property and adjacent to this property. No extension is required. So the objection is that this condition is inappropriate under the law. And it also makes it unfeasible for his client, Ms. Reveles, to do this. She would love to move back to Santa Fé and this imposition makes that impossible. So he asked the Committee to remove that condition and approve the plat without it. All the other conditions are acceptable. He stood for questions.

Public Comment

There were no public comments and the Chair closed the public hearing for this case.

Questions from the Committee

Commissioner Padilla didn't see the connection defined on the plat.

Mr. Sommer approached the bench to clarify the clean out location.

Commissioner Padilla, after seeing the location, said there are two clean-outs just northeast of the 1011 Camino Santander yard wall on the plat and the connection continues to the northeast corner of lot 3-A.

Mr. Sommer corrected Commissioner Padilla that it is to the northwest corner.

Commissioner Padilla agreed and said the sewer line continues to the northwest corner of lot 3-A to a sanitary manhole.

Mr. Sommer said that connects to a private sewer line there now but he could not certify it connects to the existing manhole there.

Commissioner Padilla asked if the proposal for the new lot 3-A is to connect to the existing line.

Mr. Sommer said that hasn't been decided whether to connect to the existing private line there or to the

other sewer line. But if they connect to the existing city manhole there, then no extension is needed. The sewer line is private until connected to the City system and she has a right to connect to either.

Commissioner Padilla asked staff in condition #2, the install of the 8" main line extension with the 20' easement, what the rationale is for that proposal from Wastewater behind that extension requirement.

Mr. Berke said Stan Holmes, engineer at Wastewater Division indicated at present there is no sewer on this property and as a requirement for subdividing lots less than 2.5 acres, the City cannot subdivide unless there is public water or sewer that is provided. To this lot (3-A) currently, there is not a tie-in. Stan Holmes has indicated after he did a field inspection that he would require a tie-in and provide service.

When he and Stan Holmes were looking the lot split in its initial phases, they looked at two scenarios. One was down the street at the intersection with San Acacio, directly west of there. San Acacio is where the closest sewer main is located. The public sewer main ends there but then it comes back up behind the property. So Mr. Holmes said that as a condition of approval, that they could have an 8" main connected from this sewer manhole which is just off of Lot 3-A and provide an access easement for that service.

He didn't think it could tie in to the lateral at 1011 because it cannot be gravity fed when it is on the same grade. It has to go downhill to be gravity fed. So that is what he required.

Commissioner Padilla said that answers the question.

Commissioner Padilla commented that on the first sheet (1 of 2), the purpose statement said it was to create one residential lot but thought it should say creating two residential lots or is the survey just to create Lot 3-A.

Mr. Berke agreed it was to create Lot 3-A. Technically, it does create two residential lots and he agreed to change that purpose statement.

Commissioner Padilla pointed out on the same sheet that the street is misspelled. The correct street name is Santander not Santandar.

On page 2 of 2, the same clarification in the purpose statement needs to be made and in the description, it says line being situated at 1011 and 1015 and that is now being changed to 1009½. He asked if that needed to also reflect Lot 3-A and Lot 3-B. Mr. Berke agreed.

Commissioner Padilla also noted there is a third sheet that should be 3 of 3. And clarify the addresses for those lots.

Chair Ortíz asked Mr. Sommer how, exactly, do they have a private sewer line and if there is an easement with the neighbor.

Mr. Sommer said the sewer line is private and goes down San Acacio through a long-established easement from the property. The easements are there for that purpose and nothing needs to be modified in that regard.

Commissioner Padilla asked in reference to the survey on sheet 2 of 2, if it should clarify whether an easement does exist. As they create 3-A they would want to identify that easement line and get that noted there.

Mr. Sommer agreed. The easement is across Lot 3-A.

Commissioner Padilla asked if it continues to San Acacio.

Mr. Sommer agreed. They could do a note to the book and page of the existing easement.

Commissioner Padilla said that would be okay.

Chair Ortiz said he was enlightened by Mr. Sommer with those explanations.

Commissioner Padilla asked staff, since there are a couple of items that need clarification and in light of the new information, if the Committee would need to postpone this case to the July meeting and get the survey updated and corrected with the easement on there and be able to take action on clarification of the need for any extension of sanitary sewer line.

Mr. Berke said he had a meeting with the applicant to go over the conditions of approval. Just prior to this meeting, the applicant was no longer agreeable with that condition for installation of the 8" sewer main so he agreed now that it should be postponed to the next Summary Committee to work out the details and get a beneficial outcome for all parties. He understood the applicant's point of view.

Action of the Committee

Commissioner Padilla moved to postpone Case #2015-38 to the July 2, 2015 Summary Committee meeting to work out conditions of approval. Chair Ortiz seconded the motion and it passed by unanimous voice vote.

Mr. Sommer said he will get together with staff and the City Attorney to work out the solution that works for everyone.

Chair Ortiz announced that Case #2015-38 is postponed to July 2, 2015.

- 2. Case #2015-41. 2505 Siringo Lane Lot Split.** Linda Duran, agent for Robert and Sarah S. Duran, requests approval to divide approximately 1 acre into two residential lots (\pm 0.68 acre and \pm 0.33 acre). The property is zoned R-3 (Residential - 3 dwelling units per acre). The property is located at 2505 Siringo Lane. (Zach Thomas, Case Manager).

A Memorandum regarding Case #2015-41, 2505 Siringo Lane Lot Split, from Mr. Zach Thomas, Case Planner, Current Planning Division, prepared May 18, 2015, for the June 4, 2015 Summary Committee

Meeting with attachments is incorporated herewith to these minutes as Exhibit #3.

Staff Report

Mr. Thomas presented the staff report for this case which is contained in Exhibit #3. Please refer to Exhibit #3 for specifics of this presentation.

Mr. Thomas explained upon recommendation of the Summary Committee, that the Council changed the zoning of this property from R-1 to R-3 on March 25, 2015 to allow for this proposed lot split. As part of the rezoning, the City Council adopted a finding regarding innovative street design per Code section 14-9.2 (c) (3). That means that city improvements are not required at the time of future development or subdivision of this property. The existing house is connected to city water and sewer and any new development must also connect and subject to the other routine conditions.

Applicant's Presentation

Present and sworn was Ms. Linda Duran, 2505 Siringo Lane, who said she is just requesting the Summary Committee's support. She explained they are doing this for their family and as soon as we get that done, will construct the home.

Public Comment

Present and sworn was Ms. Mary Schruben, 2119 Rancho Siringo Road, who said she was speaking for the Rancho Siringo Neighborhood Association as a member of the Board. The Association and the neighborhood supports this family's lot split and believe this is the way we should grow.

Present and sworn was Mr. Robert H. Duran, 2505 Siringo Lane, owner of the property with his wife, Sarah. He said they are trying to get the home built there for their daughter. Zoning to R-3 is approved, all utilities are in place. And he would just like to get Summary Committee approval. She is going to put in an affordable home right next door and would appreciate approval.

There were no other speakers from the public regarding this case and Chair Ortiz declared the public portion of this case is closed.

Questions from the Committee

Commissioner Padilla commended the Duran family on their perseverance. They are well versed and don't do this for a living. Ms. Schruben, representing the neighborhood, is always big so that is commendable. They are doing the right thing to have this happen. We want people to stay here. They got approval through the Planning Commission and City Council and now the final approval with the Summary Committee.

Commissioner Padilla thanked the staff for sticking with the applicant through the process and in their efforts to help locals stay here.

Regarding the survey, on the signature line, it says Santa Fe Planning Commission Review. He asked if that was correct or if Summary Committee Review needs to be on it.

Mr. Thomas agreed it needed to be Summary Committee and in the red-line it will be corrected.

Commissioner Padilla noted also that Qwest needs to be changed to CenturyLink.

Mr. Thomas agreed.

Commissioner Padilla and address correction of 2507 Siringo Lane needs to be added. Mr. Thomas agreed.

Chair Ortiz asked if the applicant agrees with all conditions of approval from staff.

Ms. Duran agreed.

Action of the Committee

Commissioner Padilla moved for approval of Case #2015-41 at 2505 Siringo Lane Lot split with conditions as noted by staff. Chair Ortiz seconded the motion and it passed by unanimous voice vote.

The Duran family thanked the Committee for the approval.

F. STAFF COMMUNICATIONS

Mr. Berke thanked Commissioner Padilla and Commissioner Ortiz for their service to the City since this is their last meeting with the Summary Committee.

Chair Ortiz said he was honored and proud to be on this Commission. It has been great.

Mr. Thomas echoed his appreciation to both Commissioners.

G. MATTERS FROM THE COMMITTEE

Commissioner Padilla said it is heartwarming to see a family walk out applauding on the case. The Summary Committee has seen struggles and disappointments. So it is very heartwarming to see a family get to continue living here. He commended the staff here. He explained that he is not seeking to be

reappointed. If no new appointment is made, he would continue to serve within reason until he is replaced. He is looking forward to good things down the road.

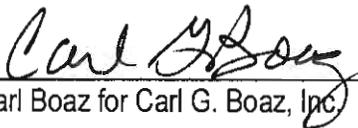
H. ADJOURNMENT

The meeting was adjourned at 11:45 a.m.

Approved by:

Lawrence Ortiz, Chair

Submitted by:


Carl Boaz for Carl G. Boaz, Inc