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CITY OF SANTA FÉ
SUMMARY COMMITTEE
March 3, 2016**

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**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
SUMMARY COMMITTEE
March 3, 2015**

A regular meeting of the City of Santa Fé Summary Committee was called to order by Brian Gutierrez, Chair, on the above date at approximately 11:06 a.m. in the City Council Conference Room, City Hall, Santa Fé, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Brian Gutierrez, Chair
Vince Kadlubek, Commissioner

MEMBERS EXCUSED:

Sarah Propst, Commissioner

OTHERS PRESENT:

Greg Smith, Current Land Use Director
Noah Berke, Current Land Use Senior Planner
Zach Shandler, Assistant City Attorney
Lisa Martínez, Land Use Department Director
Carl Boaz, Stenographer

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

B. APPROVAL OF AGENDA

Commissioner Kadlubek moved to approve the agenda as published. Chair Gutierrez seconded the motion and it passed by unanimous voice vote.

C. APPROVAL OF MINUTES – November 5, 2015

Chair Gutierrez noted a typo on page 2 fourth paragraph where it should say “he had no conditions.

Commissioner Kadlubek moved to approve the minutes of November 5, 2015 as amended. Chair Gutierrez seconded the motion and it passed by unanimous voice vote.

D. OLD BUSINESS

There was no Old Business.

E. NEW BUSINESS

1. **Case #2015-125. 110 W. Berger Street Lot Split.** High Desert Surveying, agent for Janie Sherman, requests a lot split to divide approximately 0.201 acres into two residential lots (± 0.101 acres and ± 0.100 acres). The property is zoned R-21 (Residential – 21 units per acre) and is located in the Don Gaspar Historic District. (Noah Berke, Case Manager)

Mr. Berke presented the staff report which is attached to these minutes as Exhibit 1. He read the conditions of approval that include automatic sprinklers because there is only an 11' width to the rear lot and it needs to be at least a 16' width. There is also a private utility easement through lot B-1.

Applicant's Presentation

Present and sworn was Mr. Joseph Karnes, Counsel for the applicant, who clarified that there is no new development proposed on this property since it is already developed. He said the applicant also agrees with all of the conditions of approval.

Public Hearing.

Present and sworn was Mr. Kathy Enns, 900 Gildersleeve, who said she follows these meetings in the newspaper and noticed Committee is very efficient and dedicated to preserving the character of Santa Fe and the historic buildings. But it seemed to her that the Committee is not protecting the neighborhoods. She saw that in these three cases being subdivided. Subdividing a two-acre lot is reasonable. But this particular lot, even in the R-21 zone, there is no way 21 units could be put on this one acre unless it was stacked on top of each other 3-5 stories but that would violate parking restrictions.

She said this subdivision of a small lot into two minuscule lots is absurd. The sad part is the overall emphasis on affordable housing only makes it worse. By allowing people to have "endless rentals" in these houses, we can see the results of the last housing bust. People who could afford a reasonable house, think because there will be a little income, can afford something more. This isn't helping things. In that neighborhood, the cheapest rental she heard about is \$600 per month for a house the size of this room.

She said this is a transient community. It is sad because our own families cannot afford the housing costs. There are no children in this neighborhood and she had not seen any on Don Gaspar. Here there are already two houses. A lot of the old homes do have wells so she wondered who would get the well.

She added that this is going into commercial, starting at Paseo de Peralta with offices or condo units. This is not helping the historic district neighborhoods. She would love to see a POP?? - This is a real estate disaster. It is a good idea not to damage the character of the district. That is what this boils down to. She listed the many houses that were now just rental units and how this lot splitting is not improving housing values. And it will end up being investor-owned. Subdividing is not saving or preserving.

Mr. Karnes responded that there is no development proposed here. There are two units already. The back lot is owner occupied and the front is under a long-term rental. No development is being proposed and the applicant has met all applicable requirements. They are planning for their long-term future.

There were no other speakers from the public regarding this case and the Chair closed the public portion for this case.

Questions to the Applicant

Commissioner Kadlubek asked the applicant why the owner would do a lot split like this.

Mr. Karnes said the property was developed subject to condominium declaration and by removing that, both properties will be more marketable in the future.

Action of the Committee

Commissioner Kadlubek moved in Case #2015-125, 110 W. Berger Street Lot Split, to approve the lot split, subject to all staff conditions.

Chair Gutierrez seconded the motion after confirming that applicant agrees to the conditions imposed by staff, and the motion passed by unanimous voice vote.

Mr. Berke explained to Ms. Enns that the Summary Committee only considers lot splits and briefly explained the process to her, including the 30-day response period for objections to be filed.

Chair Gutierrez added that if they are going to do anything to change this, they would have to comply with the building code, all zoning requirements, and with the HDRB.

- 2. Case #2016-01. 6472 Dominguez Lane Family Land Transfer.** Armijo Surveys, agent for Anthony and Brenda Lucero, requests a family land transfer to divide approximately 2.04 acres into two residential lots (± 1.02 acres and ± 1.02 acres). The property is zoned R-3 (Residential – 3 units per acre). (Noah Berke, Case Manager)

Mr. Berke presented the Staff Report for Case #2016-01. A copy of the staff report is incorporated herewith to these minutes as Exhibit 2. Please refer to Exhibit 2 for details concerning this report.

Applicant's Presentation

Present and sworn was Mr. Paul Armijo, Armijo Surveys, who stated that the applicant agrees with all of the staff conditions and would answer questions.

Public Hearing

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

Action of the Committee

Commissioner Kadlubek moved in Case #2016-01 to approve the family land transfer subject to all of the conditions of approval by staff. Chairman Gutierrez seconded the motion and it passed by unanimous voice vote.

- 3. Case #2016-05. 155 Brownell Howland Lot Split.** JenkinsGavin Design and Development, agent for B & L Land, LLC., request a lot split to divide approximately 5.46 acres into two residential lots (± 2.00 acres and ± 3.46 acres). The property is zoned R-1 (Residential – 1 unit per acre). Part of the property contains the Ridgetop Subdistrict of the Escarpment Overlay. (Noah Berke, Case Manager)

Mr. Berke presented the staff report for Case #2016-05. A copy of the staff report is incorporated herewith to these minutes as Exhibit 3. Please refer to Exhibit 3 for details concerning the staff report.

Mr. Berke clarified that this property is already developed with each proposed lot having a home. One of them has a horse stable as well as a house. They are served by two separate septic and both on separate city water meters. No new development is proposed. Staff has not done a topographic survey. The conditions are to be added to the plat.

Applicant's Presentation

Present and sworn was Mr. Jennifer Jenkins, Jenkins/Gavin, 130 Grant Avenue, Suite101. She stated that they agree with all conditions and she was happy to stand for questions.

Questions from the Committee

Commissioner Kadlubek asked about the escarpment overlay conditions.

Mr. Berke explained that it is similar to the historic overlay with design requirements. The escarpment overlay has two subdistricts: Ridgetop and Foothills. The primary difference is that after 1992, building in the Ridgetop Subdistrict is strictly prohibited. And before 1992 splits -

A lot line adjustment was done in 2004. That is a re-subdivision so when it was done, the portion in the Ridgetop was no longer eligible for new development. It would only allow development outside of the Ridgetop area. The height limit is 14'. The Foothills subdistrict, downhill allows up to 20' and uphill is limited to 14'.

Public Hearing

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

Commissioner Kadlubek asked Ms. Jenkins why this is requested and what the benefit for doing this would be.

Ms. Jenkins explained that this is an old family estate and a large parcel with two primary dwellings and in closing the estate, those houses must be sold. It makes more sense in the context of the neighborhood fabric to have each one of them deeded separately.

Commissioner Kadlubek moved in Case #2016-05, 155 Brownell Howland Lot Split, to approve the lot split, subject to all staff conditions. Chair Gutierrez seconded the motion and it passed by unanimous voice vote.

Ms. Jenkins asked for confirmation of the 30-day appeal period from today.

Mr. Shandler confirmed it.

F. STAFF COMMUNICATIONS

Mr. Smith said his only communication was that the Planning Commission tonight will not be in Council Chambers but next door in the Pojoaque Room at 6:00 p.m.

G. MATTERS FROM THE COMMITTEE

Commissioner Kadlubek wondered if the minutes for study session could be made available earlier.

Mr. Boaz reported that the City Clerk has those minutes now.

Chair Gutierrez saw something in the newspaper about Las Soleras and what the Community Housing Trust is doing. He said it looks nice. He asked Mr. Smith if there were any other permits in that area since the last update.

Mr. Smith said a subdivision is on tonight's agenda. There will be a variance application for a senior citizen's family either in May or June. Also, Staff is in the process of scheduling a pre-application meeting for the new hospital in that area.

H. ADJOURNMENT

The meeting was adjourned at 11:40 a.m.

Approved by:

Brian Gutierrez, Chair

Submitted by:



Carl Boaz for Carl G. Boaz, Inc