

**SUMMARY INDEX
CITY OF SANTA FÉ
SUMMARY COMMITTEE
May 5, 2016**

| ITEM | ACTION | PAGES |
|--|--------------------------|--------------|
| A. ROLL CALL | Quorum | 1 |
| B. APPROVAL OF AGENDA | Approved as published | 1 |
| C. APPROVAL OF MINUTES - April 7, 2016 | Approved as presented | 1 |
| D. OLD BUSINESS | None | |
| E. NEW BUSINESS | | |
| 1. <u>Case #2016-036</u> 417 East Palace Avenue Lot Split | Approved with conditions | 1-3 |
| F. STAFF COMMUNICATIONS | None | 3 |
| G. MATTERS FROM THE COMMITTEE | Discussion | 3-4 |
| H. ADJOURNMENT | Adjourned at 11:15 a.m. | 4 |

**MINUTES OF THE MEETING
OF THE CITY OF SANTA FÉ
SUMMARY COMMITTEE
May 5, 2016**

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 11:00 a.m. in the City Council Conference Room, City Hall, Santa Fé, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Brian Gutierrez, Chair
Sarah Propst, Commissioner

MEMBERS EXCUSED:

Vince Kadlubek, Commissioner

OTHERS PRESENT:

Greg Smith, Current Land Use Director
Dan Esquibel, Current Land Use Senior Planner
Carl Boaz, Stenographer

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

B. APPROVAL OF AGENDA

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

C. APPROVAL OF MINUTES – April 7, 2016

Commissioner Propst moved to approve the minutes of April 7, 2016 as presented. 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 #2016-36. 417 East Palace Avenue Lot Split. JenkinsGavin Design and Development, agent for Palace Avenue Office Suites, LLC, requests approval of a lot split to divide approximately

0.78 acres into two lots (± 0.66 acres and ± 0.12 acres). The property is zoned BCD (Business Capitol District) East Marcy/East Palace Subdistrict. (Dan Esquibel, Case Manager)

Staff Report

Mr. Esquibel presented the staff report for this case. A copy of his report is attached herewith to these minutes as Exhibit 1. Please refer to Exhibit 1 for details concerning the staff report.

He explained that the previous approval has expired because the applicant did not file it. It was heard by the Planning Commission as a serial subdivision. This applicant came in and because it was in a five-year time frame, it had to come to a full subdivision plat. The applicant failed to file the approved subdivision plat. Now it is going through the summary process as a division of 0.78 acre into two lots. It is in the BCD and this subdistrict requires a 10% open space at the front.

It is oddly configured as an arrow. They had to configure it that way because of that open space requirement at the front of the property. They will lease from the adjacent lot because they didn't have enough room. The BCD allows for off-street parking to develop it with a minimum 5-year lease. Here they have parking in perpetuity so they don't have to worry about the lease. Beyond that this is a basic subdivision. They have accommodated the parking and the lot size meets the requirements for BCD. Some subdistricts require setbacks and others don't. There are none in this subdistrict. There is no requirement concerning lot coverage.

Questions to Staff

There were no questions to Staff.

Applicant's Presentation

Present and sworn was Ms. Hillary Welles, 130 Grant Avenue, Suite 101, who said the applicant, Mr. Tommy Gardner is also here. Ms. Welles explained that they did go through both the preliminary and final process and her client misunderstood the filing requirement. So we want to get it finished. We agree with all staff conditions.

Public Hearing

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

Questions to the Applicant

Commissioner Propst said these two proposed lots form a compound with parking and drainage. So

she asked why they need this unusual split.

Ms. Welles clarified that because it is a condo and due to the financial downturn, they will dissolve the condominiums and separate the business interests of these two properties.

Commissioner Propst asked who will maintain the use of the parking spaces located on Tract 1-A in perpetuity. She asked if it will create issues in the future with the other owner.

Present and sworn was Mr. Tom Gardner, 417 East Palace Avenue, who said it has a legal document between the two parties filed of record. So, as one owner, he could not sell the property without parking agreement. It is a recorded document, not just a friendly agreement.

Commissioner Propst asked if it is therefore his responsibility to maintain it if new gravel was needed.

Mr. Gardner said no and explained that there is a maintenance agreement for who pays for what and we have to abide for that.

Chair Gutierrez noted that in 2010, This went through the Planning Commission as a variance and asked if that doesn't affect anything today, despite not being recorded.

Mr. Esquibel clarified that the variance didn't pertain to this tract but to A-1. This lot doesn't have any variance and the proposal does meet all requirements.

Regarding the easement, most of them do have maintenance agreements when they are not accessed off a public road. It is not uncommon to have them.

Chair Gutierrez added that in the past, they recorded the parking agreement and it will be on this plat.

Action of the Committee

Commissioner Propst moved in Case #2016-36 at 417 East Palace Avenue Lot Split, to approval the split subject to all staff conditions. Chair Gutierrez seconded the motion and it passed by unanimous voice vote.

F. STAFF COMMUNICATIONS

There were no Staff communications.

G. MATTERS FROM THE COMMITTEE

Commissioner Propst said she had asked Mr. Esquibel to follow up and he did. She thanked him for responding so quickly.

H. ADJOURNMENT

Having completed the agenda and with no further business coming before the Summary Committee, the meeting was adjourned at 11:15 a.m.

Approved by:

Brian Gutierrez, Chair

Submitted by:


Carl Boaz for Carl G. Boaz, Inc.