

City of Santa Fe, New Mexico

memo

DATE: July 27, 2015, for the August 6, 2015 Meeting

TO: Summary Committee

VIA: Lisa Martinez, Director, Land Use Department

Greg Smith, Division Director, Current Planning Division

FROM: Noah Berke, CFM, Senior Planner, Current Planning Division

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 unit per acre). (Noah Berke, Case Manager)

RECOMMENDATION

The Land Use Department recommends **Approval** with the Conditions of Approval as outlined in this report.

BACKGROUND & SUMMARY

The property is zoned R-5 (Residential – 5 dwelling units per acre) and is located in the Historic Design Review District. The proposal would create two lots: Lot 3-A, which consists of +/-0.42 acres and Lot 3-B, which consists of +/-0.70 acres. Lot 3-A does not have any dwelling units on the property and has two rip rap structures and coyote fencing along the western and southern borders. Lot 3-B contains 1 residential dwelling unit and two rip rap structures and coyote fencing along the southern and eastern borders.

The original property is indicated as Lot 3 of the "Tract of Land Subdivided For Santa Fe Inn Company" dated October 28, 1946. This subdivision was by James C. Harvey.

Lot 3-A is accessed from Camino Santander, a 40 foot wide public right-of-way. This lot is addressed as 1009 1/2 Camino Santander. Lot 3-B is also accessed from

Camino Santander and is addressed 1011 Camino Santander.

Lot 3-B is serviced by City water and sewer. Lot 3-A is serviced by City water but does not have City sewer. Currently City sewer runs to the northwest corner of Lot 3-A. The City Wastewater Management Division has stated as a Condition of Approval that the applicant "Install a public eight (8) inch sanitary sewer main line extension with a 20 foot sewer easement from the existing public sewer manhole at the northwest corner of the property to a point terminating in a new sewer manhole located in Camino Santander at the southwest corner of the site per a design as approved by the City of Santa Fe Wastewater Division." An easement will also be needed for service of the existing sewer lateral that serves the house on Lot 3-B.

The applicant's attorney has included a letter dated July 16, 2015 requesting that the Summary Committee use its authority to defer the construction of the public sewer line and waive the requirement of the financial guarantee.(Exhibit C (4)). The Wastewater Management Division does not oppose the applicant's request. (Exhibit A (1)).

For most subdivisions, a financial guarantee based on city-approved engineering drawings is filed with the city when the lots are actually created by recording the approved subdivision plat. Occasionally, the infrastructure improvements are actually constructed before the plat is recorded. This practice protects future buyers from facing unexpected infrastructure expenses, and from having to coordinate among various owners to get the infrastructure built. For lot splits approved by the Summary Committee, however, the infrastructure improvements may be deferred until after the plat is recorded if the committee finds that "the improvements or guarantee is not needed to protect the interests of prospective purchasers of the *lots* created; to provide for the orderly *development* of other *properties* in the vicinity; or to protect the public health, safety and welfare."

Lot 3-A has some slope issues as identified by the topography and slope analysis provided by the Surveyor, Salvador Vigil. The slope analysis provided was performed at two foot contour intervals and identified areas of natural slopes of 0-20%, 20-30%, and 30% or greater. The applicant has identified a buildable area that satisfies the Terrain Management Regulations. (Exhibit C (3)).

CONDITIONS OF APPROVAL

Any staff conditions noted in the attached memoranda and not listed in the recommended conditions of approval have already been addressed on the plat.

Following standard practice, redline comments will be provided to the surveyor who shall make any necessary changes and submit the corrected plat in Mylar.

Staff recommends the following conditions of approval:

1. Add the following notes to the plat:
 - a. Lot 3-A shall be served through a separate sewer service connection to the City's public sewer system.
 - b. Each individual building on each lot must have separate water meters.
 - c. Wastewater Utility Expansion Charges (UEC) shall be paid at the time of construction permit application.
 - d. Fire Department access to any new construction shall not be less than 20 feet in width or greater than a 10% grade. However, a variance to this requirement may be granted by the Fire Department if alternative fire suppression systems are provided.
 - e. New development shall have water supply that meets fire flow requirements as per IFC or install an automatic sprinkler system.
 - f. Fire Department shall have 150 feet distance to any portion of the building on any new construction.
 - g. All new construction shall meet the requirements of the Fire Department.
2. Install a public eight (8) inch sanitary sewer main line extension with a 20 foot sewer easement from the existing public sewer manhole at the northwest corner of the property to a point terminating in a new sewer manhole located in Camino Santander at the southwest corner of the site per a design as approved by the City of Santa Fe Wastewater Division
3. Provide easement through Lot 3-A to service lateral sewer connection that serves Lot 3-B.

ATTACHMENTS:

EXHIBIT A: City Staff Memoranda

1. Waste Water Division Engineer Memorandums (2), Stan Holland
2. Water Division Memorandum, Dee Beingessner
3. Fire Department Memorandum, Rey Gonzales
4. City Engineer Memorandum, Risana "RB" Zaxus, PE
5. Traffic Engineering Division Memorandum, Sandra Kassens

EXHIBIT B: Maps and Photos

1. Zoning and Aerial View
2. Street View of Property Entrance

EXHIBIT C: Applicant Materials

1. Letter of Application
2. Lot Split Plat
3. Slope Analysis with Buildable Site
4. Email Correspondence

Exhibit A



MEMO

Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

E-MAIL DELIVERY

Date: July 17, 2015

To: Noah Berke, Case Manager

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

Subject: Case DRT 2015-38 1011 Camino Santander Lot Split

The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

The Wastewater Division has reviewed the letter submitted by Karl Sommer of Sommer, Karnes & Associates, LLP dated July 16, 2015 regarding the 1011 Camino Santander Lot Split. The Wastewater Division, per City code, has required a public sewer main extension be constructed prior to the plat recordation or that financial guarantee be posted as a condition of the lot split approval.

As noted in the letter, the Summary Committee has the authority and discretion to defer the installation of the sewer line and waive the requirement of a financial guaranty under SFCC, Section 14-3.7(D)(2).

The Wastewater Division has no objection to the request by the Applicant that the Summary Committee defer the construction of the public sewer line extension until such time as the lot is developed and waive the requirement for posting of a financial guarantee with the following conditions of approval;

1. A "Reviewed By" signature line for the Wastewater Division shall be added to the proposed lot split plat.
2. A notice on the plat and requirement that at the time of building permit for the newly created lot the public sewer line extension shall be installed per City code and a design approved by the Wastewater Division and/or secured by a financial guarantee as approved by the City.

City of Santa Fe



New Mexico

MEMO

Wastewater Management Division DEVELOPMENT REVIEW COMMENTS

E-MAIL DELIVERY

Date: May 4, 2015

To: Noah Berke, Case Manager

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

Subject: Case DRT 2015-38 1011 Camino Santander Lot Split

The subject property is accessible to the City public sewer system. Accessible is defined as within 200 feet of a public sewer line.

The following are conditions of approval:

1. Prior to recordation of the plat the property owner shall be required to;
 - Install a public eight (8) inch sanitary sewer main line extension with a 20 foot sewer easement from the existing public sewer manhole at the northwest corner of the property to a point terminating in a new sewer manhole located in Camino Santander at the southwest corner of the site per a design as approved by the City of Santa Fe Wastewater Division.
 - In lieu of installing the sewer line prior to recordation of the plat, the owner shall provide a financial guarantee with the City for the design and installation of a public sanitary sewer line extension as approved by the City of Santa Fe Wastewater Division.
2. Add note to the plat that Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.

City of Santa Fe
memo

DATE: May 1, 2015
TO: Noah Berke, Case Manager, Land Use Department
FROM: Dee Beingessner, Water Division Engineer 
SUBJECT: Case # 2015-38 1101 Camino Santander Lot Split.

Each lot requires separate water service. There is a 6" main in Camino Santander that is available for water service.

Fire protection requirements are addressed by the Fire Department.

City of Santa Fe, New Mexico

memo

DATE: April 18, 2015
TO: Noah Berke, Case Manager
FROM: Reynaldo Gonzales, Fire Marshal 
SUBJECT: Case #2015-38 1011 Camino Santander

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 shall comply with the current code adopted by the governing body.

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.
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.
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

BERKE, NOAH L.

From: ZAXUS, RISANA B.
Sent: Thursday, May 14, 2015 11:17 AM
To: BERKE, NOAH L.
Subject: Case # 2015-38

Mr. Berke –

With regard to Case # 2015-38, the 1011 Camino Santander Lot Split, the following review comments are to be considered conditions of approval:

*The revised proposed building site is acceptable.

*Terrain and stormwater management requirements of Article 14-8.2 are to be met at the building permit stage.

Risana B “RB” Zaxus, PE
City Engineer

BERKE, NOAH L.

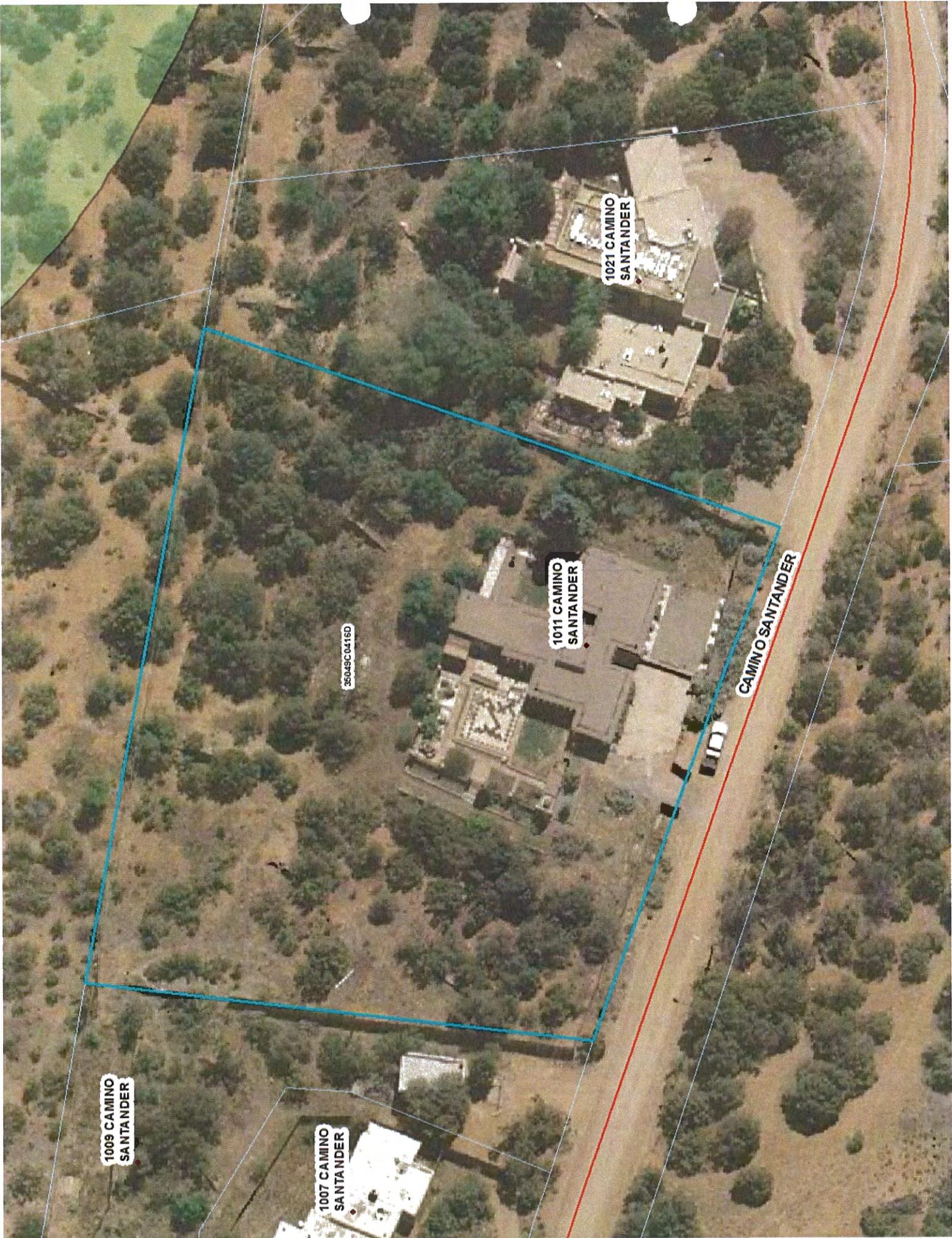
From: KASSENS, SANDRA M.
Sent: Thursday, May 14, 2015 10:19 AM
To: BERKE, NOAH L.
Cc: ROMERO, JOHN J
Subject: 1011 Camino Santander LS

Noah,
The Traffic Engineering Division has no comments on the request for a lot split at 1011 Camino Santander, case #2015-38.

*Sandra Kassens
Traffic Engineering Division
Public Works Department
City of Santa Fe
PO Box 909
Santa Fe, New Mexico 87504*

Phone: 505-955-6697

Exhibit B



1021 CAMINO SANTANDER

1011 CAMINO SANTANDER

35049C0416D

CAMINO SANTANDER

1009 CAMINO SANTANDER

1007 CAMINO SANTANDER



1009 CAMINO
SANTANDER

1007 CAMINO
SANTA NDER

35049C 0416D

R5

1011 CAMINO
SANTA NDER

R1

1021 CAMINO
SANTANDER

CAMINO SANTANDER



Exhibit C



LAND SURVEYING COMPANY, LLC

PO Box 4384
Santa Fe, NM 87502
Phone: 505.473.0003
Fax: 505.471.9050
Email: ussvigil@msn.com

April 16, 2015

City of Santa Fe Technical Review
P.O. Box 909
Santa Fe, New Mexico 87504-0909

RE: Lot Split / Land Division for the Estate of Isabel Standard, Anna Marie Reveles Administrator to the Estate.

Attention: Noah Berke, CFM

Mr. Berke:

Submitted are three 24" x 36" copies of a Plat depicting a Lot Split / Land Division Plat prepared for the Estate of Isabel Standard, (Anna Marie Reveles Administrator to the Estate.)

We would like to request a technical review of the plat depicting the Lot Split / Land Division for the Estate of Isabel Standard (Anna Marie Reveles Administrator to the Estate).

*You may reach me at 505-603-1511
Or 505-473-0003*

Respectfully

Salvador I. Vigil, N.M.P.S.
Salvador I. Vigil, NMPS 10988

SOMMER, KARNES & ASSOCIATES, LLP

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Of Counsel

Licensed in New Mexico and California

July 16, 2015

VIA E-MAIL TO nlberke@ci.santa-fe.nm.us

Mr. Noah L. Berke
Planning and Land Use Department
200 Lincoln Ave.
Santa Fe, New Mexico 87501

Re: Anna Reveles/1011 Camino Santander Lot Split

Dear Noah:

This letter will confirm that Ms. Reveles is hereby requesting pursuant to SFCC 1987 § 14-3.7(D)(2) that the Summary Committee defer the installation of, and waive the financial guaranty for, the sewer improvements that are shown on the attached plan and profile prepared by Madrid Engineering, the cost of which are estimated in the attached engineer's estimate in the amount of \$32,443.27.

As you are aware, the background of this matter involves some unusual circumstances. Ms. Reveles owns the property at 1011 Camino Santander, on which is currently located a single family residence she inherited. Ms. Reveles is a person of modest means. She does not live in the house and does not live in Santa Fe. The property is currently connected to a private sewer line that runs northeast through adjoining properties and eventually empties into a public sewer line. There is a City of Santa Fe sewer manhole and sewer line that comes to the corner of the existing lot. The lot split will result in a new lot that would adjoin the existing manhole. The code requires that the new lot be connected to the manhole. Staff has interpreted the code in such a manner that would also require the extension of the main along the western boundary of the new lot to Camino Santander. As you are aware, we disagreed with that interpretation. Aside from the disagreement on the meaning of the Code and its requirements, the proposed extension of the sewer main would make the lot split financially infeasible for Ms. Reveles; she does not have the money to complete the improvements, nor the capacity to post a financial guaranty for the improvements. The Summary Committee tabled the matter at the meeting it last held.

SOMMER, KARNES & ASSOCIATES, LLP

Berke, Noah
July 16, 2015
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In the interim, I discussed the provision of the Code with Mr. Zach Shandler. He pointed out that the Summary Committee has the authority and the discretion to defer the installation and waive the requirement of a financial guaranty under Section 14-3.7(D)(2), which provides the following:

(D) Summary Procedure

The summary committee of the planning commission has the authority to review and approve subdivisions that result in the creation of one additional lot.

Summary subdivisions are subject to the procedural requirements, approval criteria and development standards that apply to other subdivisions, except that:

- (1) no preliminary plat or hearing is required;
- (2) *the summary committee may defer the construction of public and semi-public improvements required by Chapter 14 until such time as the lots are developed and may waive the requirements of this chapter for the posting of financial guarantees for the improvements prior to recording an approved plat.* Deferral or waiver shall be made only upon finding that the improvements or guarantee is not needed to protect the interests of prospective purchasers of the lots created; to provide for the orderly development of other properties in the vicinity; or to protect the public health, safety and welfare. (emphasis added)

Rather than wrangle over the meaning of the Code and whether the sewer main extension is required, we are asking that Summary Committee consider this request that the extension be deferred and the financial guaranty be waived. The extension will not immediately serve any other property, is not a key link in the City's overall system (i.e., it does not otherwise prevent the City providing service to this part of the City), and the public interest can be protected with an notice on the plat and requirement that at the time of building permit for the newly created lot, the extension shall be installed and/or secured by a financial guaranty.

I understand the case will be set for August 6, 2014, before the Summary Committee. Please let me know if you need anything further.

Sincerely,



Karl H. Sommer
Enclosures

Anna Reveles, Owner		Blueline Construction, Inc.			
1015 Camino Santander				#20 Reata Road	
Santa Fe, NM				Santa Fe, New Mexico	
				(505) 216.7909/office	
BID PROPOSAL - Sanitary Sewer		6/3/1015		(505) 983.2059/Fax	
ITEM			TOTAL	UNIT	SCHEDULE
No.	DESCRIPTION	UNIT	QUANTITY	COST	COST
GENERAL & INCIDENTALS					
1	MOBILIZATION/DEMObILIZATION	LS	1	\$1,500.00	\$1,500.00
2	CONSTRUCTION WATER (compaction, dust control, etc.)	ALLOW	1	\$1,500.00	\$1,500.00
3	COMPACTION TESTING (by owner)	NB	1	\$0.00	\$0.00
4	TRAFFIC CONTROL (for new MH Camino Santander)	LS	1	\$3,000.00	\$3,000.00
5	REMOVE & REPLACE ASPHALT PAVING	SY	12	\$100.00	\$1,200.00
6	REMOVE & REPLACE COYOTE FENCE	LF	160	\$20.00	\$3,200.00
7	REMOVE & REPLACE GRAVEL DRIVE (neighbor's drive w/in easement)	SY	56	\$50.00	\$2,800.00
8	CONSTRUCTION STAKING	LS	1	\$1,500.00	\$1,500.00
SANITARY SEWER					
9	CONNECT NEW 8" SANITARY SEWER MAIN TO EXISTING SANITARY SEWER MANHOLE	EA	1	\$2,000.00	\$2,000.00
10	BUILD NEW 4' DIA SANITARY SEWER MANHOLE (6.5' deep)	EA	1	\$5,000.00	\$5,000.00
11	INSTALL 8" SANITARY SEWER MAIN	LF	192	\$26.50	\$5,088.00
12	INSTALL DOUBLE CLEAN OUT ON 4" SAS SERVICE LINE	EA	1	\$650.00	\$650.00
13	INSTALL 4" SANITARY SEWER SERVICE LATERAL	LF	45	\$20.00	\$900.00
14	INSTALL 4" SEWER BACKFLOW CHECK VALVE	EA	1	\$400.00	\$400.00
15	FLUSHING, PRESSURE TEST & TV CAMERA	LS	1	\$1,250.00	\$1,250.00
Project Sub-Total:					\$29,988.00
NM GRT (8.1875%):					\$2,455.27
Project Total Cost:					\$32,443.27
Exclusions: Relocation of existing utilities, landscaping replacement, reseeding, transplanting trees,					
Rock excavation or export, multiple mobilizations, permits, soils testing for compaction, locating or					
removing & repairing privately owned utilities (including overhead lines), basecourse maintenance road					
along new sewer main, if required by City of Santa Fe.					
**Any other work tasks outside of the herein described items will be considered an additional change order.					