City of Santa Fe, New Mexico

memo

DATE: May 28, 2016 for the May 05, 2016 Meeting

TO: Summary Committee

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

FROM: Daniel A. Esquibel, Land Use Planner Senior, Current Planning Division

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)

RECOMMENDATION

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

1 BACKGROUND & SUMMARY

On May 11, 2011, the Planning Commission approved a two lot subdivision (lot split) with a variance to setbacks, creating Tract 1 (.78+ acres) and Tract 2 (.11+ Acres). On February 7, 2013, the Commission approved a second lot split to further subdivide Tract 1 (Tract 1-A - .66± acres and Tract 1-B -.12± Acres). The applicant failed to record the final plat for the second split, and that approval expired.

The first lot split was considered by the Planning Commission rather than by the Summary Committee because it included a variance. The second split went to the Commission as a "serial subdivision," since it occurred less than five years after the first split.

The property consists of .897 acres and is located at the intersection of Palace Avenue and Armijo Street. The property is zoned Business Capitol District East Marcy/East Palace (BCD/EAS). Existing use for the proposed Tract One is office use and residential is the current use for the proposed Tract Two.

2 BCD Staff Analysis

Tract 1-B is an irregularly shaped tract. Proposed infrastructure support for access, utilities and parking is proposed on Tract 1-A instead of Tract 1-B. The applicant is proposing the irregular design in order to resolve open space issues required by the BCD Subdistrict for open space size and location. Additionally, the property is located in the *"Downtown and Eastside"* Historic District. Existing historic yard walls prevent relocation of the driveway, or creation of a new driveway. BCD parking standards allow offsite parking within 600 feet of the property with a five year lease agreement. The proposed parking for the subdivision includes notes on the plat to establish easements in perpetuity for Tract 1-B on Tract 1-A to satisfy parking requirements and demand for the existing building and current use (office).

A. Parking

Existing Gross Square feet	Net Leasable Area	Use	BCD Parking Standard	Proposed Parking	Required Parking
Lot 1A					
5,594	5,324	Office	One space per each 500 square feet of net leasable area	12	11
Lot 1B					
2,862	2,360	Office		5	5

B. Bicycle Parking

The required off street bicycle parking per Ordinance 2016-10 *"Off-Street Bicycle Parking Table 14-8.6-3"* SFCC requires Tract 1-A to install 8 off-street bicycle parking spaces and Tract 1-B to install 4 off-street bicycle parking spaces. Bike racks will be provided.

C. Open Space

The BCD East Marcy/East Palace Subdistrict requires 10% of the total lot area as open space, placed adjacent to the front property line to serve as a yard or courtyard. The minimum amount of required open space for Tract 1-B is bounded by the adjacent property to the east and driveway with historic walls to the west, as shown on the plat. Tract 1-A exceeds the 10% open space minimum standards by 60% and is developed as a yard and meets the intent for the Subdistrict.

D. Water

The property is currently serviced by city water. Comments received from the City Water Division require that both tracts be separately metered for water service and that all service lines require a service line easement. A private utility easement will be created, if necessary, for the private water lines.

E. Sewer

The property is currently serviced by city sewer. No additional requirements have been specified from the City Wastewater Management Division.

F. Environmental Services
Comments received from Environmental Services Division allow individual trash and recycling containers to be used, which will be wheeled out to Palace Avenue on pick up days.

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. All new development shall comply with all applicable regulations of the current Land Development Code.
    b. All new construction shall meet the requirements of the Fire Department.

2 Install new bicycle parking stalls to comply with bicycle parking requirements.

ATTACHMENTS:

EXHIBIT A: City Staff Memoranda

1. Waste Water Division Engineer Memorandum, Stan Holland
2. Water Division Memorandum, Dee Beingessner
3. Terrain Management Comments Risana "RB" Zaxus
4. Traffic Engineering Division Comments, 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

May 5, 2016
Summary Committee
Case # 2016-36

East Palace Ave
Lot Split

EXHIBIT A

DRT Comments

City of Santa Fe, New Mexico

memo

DATE: April 8, 2016

TO: Dan Esquibel, Senior Planner

FROM: Stan Holland, Engineer, Wastewater Division

SUBJECT: Case #2016-36 417&419 East Palace Lot Split

The subject property is accessible to the City sanitary sewer system:

Additional Comments:

None

City of Santa Fe

memo

DATE: March 29, 2016

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

FROM: Dee Beingessner, Water Division Engineer

SUBJECT: Case # 2016-36 417 East Palace Avenue Lot Split

The property at 417 E Palace Ave has two 5/8" domestic water meters and the property at 419 E Palace also has two 5/8" domestic water meters. Both properties resulting from this lot split have existing water service. A private utility easement should be created if necessary for the private water lines.

Fire protection requirements are addressed by the Fire Department.

DATE: January 18, 2013

TO: Dan Esquibel, Case Manager

FROM: Risana "RB" Zaxus
City Engineer for Land Use

RE: Case # 2012-149
417 and 419 East Palace Avenue Final Subdivision Plat

Previous review comments have been addressed. No review comments on this Final Subdivision Plat.

ESQUIBEL, DANIEL A.

From: KASSENS, SANDRA M.
Sent: Tuesday, January 08, 2013 9:03 AM
To: ESQUIBEL, DANIEL A.
Cc: ROMERO, JOHN J
Subject: 417-419 East Palace Ave Final SD plat

Dan,
The Traffic Division has no comments on the final SD plat located at 417 and 419 East Palace Avenue, case #2012-149.
Sandy

Sandra Kassens, Engineer Assistant
Traffic Engineering Division, PWD
City of Santa Fe
PO Box 909
Santa Fe, NM 87504

Office 505-955-6697
Fax 505-955-6439

May 5, 2016
Summary Committee
Case # 2016-36

East Palace Ave
Lot Split

EXHIBIT B

Maps

HILLSIDE AVE
MARTINEZ ST
RC8
C1PUD
SITE
BCDEAS
ARMIJO ST
DELGADO ST
E PALACE AVE
R21

E Palace Ave
Santa Fe, New Mexico
Street View - Nov 2013
E Palace Ave
Arroyo Salz
Santa Fe
River Park
Back to Map
Google

May 5, 2016
Summary Committee
Case # 2016-36

East Palace Ave
Lot Split

EXHIBIT C

Applicant Data

jenkinsgavin
DESIGN & DEVELOPMENT INC

March 21, 2016

Dan Esquibel
Current Planning Division
City of Santa Fe
200 Lincoln Avenue
Santa Fe, NM 87501

RE: 417-419 E. PALACE AVENUE LOT SPLIT

Dear Dan:

This letter is respectfully submitted on behalf of Palace Avenue Office Suites, LLC in application for a lot split, for consideration by the Summary Committee at their meeting of May 5, 2016. The ±0.783-acre subject property is zoned BCD, East Marcy/East Palace sub-district. A previous lot split, approved by the Planning Commission on September 2, 2010, created Tract 1 and Tract 2. Tract 2 is not a part of the current application. A lot split is now proposed for Tract 1, currently a condominium.

Project History

The current lot split application is a re-submittal of a previous subdivision plat that was approved by the Planning Commission at their meeting of February 7, 2013. As the plat was never recorded, the subdivision approval expired on March 6, 2016. Per SFCC §14-3.7(A)(4), the 2013 submittal required a subdivision plat, as less than five years had passed since the previous lot split referenced above. Since it has now been over five years since approval of the 2010 lot split, we are re-submitting the approved subdivision plat as a lot split. There have been no changes to the plat, and no new construction is proposed with this application.

Project Description

Tract 1 comprises ±0.783 acres and contains three separate office buildings. The proposed lot split will create Tract 1-A, comprising ±0.664 acre, and Tract 1-B, comprising ±0.119 acre. Tract 1-A will contain the two office buildings at 417 E. Palace Avenue, and Tract 1-B will contain the building at 419 E. Palace Avenue (see attached Lot Split Plat). The condominium will be dissolved upon recordation of the lot split. Each tract is served by separate utilities, including water and sewer, and each property is already metered separately for utilities. Appropriate utility easements are in place or are being created by this plat.

Access and Parking

Access to both lots will be via the shared access driveway, with the requisite easements as shown on the plat. As drainage from the northern portion of Tract 1-A flows into the drainage pond in Tract 1-B,

a drainage easement has also been created along the driveway and pond. Per the City Engineer for Land Use, an extension to the current drainage easement has been added to accommodate stormwater flow from Tract 1-A to Tract 1-B.

Vehicle and bicycle parking for both tracts is provided as follows:

> Tract 1-A: Gross s.f. 5,594; Net Leasable Area 5,324 s.f. Required parking spaces: 12. Spaces provided: 25. Required bicycle parking spaces: 10. Existing bicycle parking spaces: 10.
>
> Tract 1-B: Gross s.f. 2,862; Net Leasable Area 2,360 s.f. Required parking spaces: 5. Spaces provided: 5. The spaces for this lot are located on Tract 1-A per a perpetual easement. The spaces are within 600 feet of the property line, in accordance with Santa Fe Land Development Code §14-8.6(C)(b). Required bicycle parking spaces: 5. Proposed bicycle parking spaces: 5.

An additional parking easement has been modified for access by the owner of Tract 2.

Open Space

In accordance with BCD standards for the East Marcy/East Palace Sub-district per SFCC § 14-7.4(A)-1, 10% open space for each tract has been provided adjacent to the front property line as follows:

> Tract 1-A: Total lot area 28,958 s.f.; 4,778 s.f. open space provided adjacent to front property line.
>
> Tract 1-B: Total lot area 5,200 s.f.; 540 s.f. open space provided adjacent to front property line.

In support of this request, the following documentation is submitted herewith for your review:

1. Lot Split Application
2. Letter of Owner Authorization
3. Warranty Deed & Legal Lot of Record
4. Lot Split Plat (3 full size sets and a PDF)
5. Application fees of $310.00 (Subdivision: $280.00; Public Notice Posters $60.00)

Please do not hesitate to call should you have any questions or need additional information.

Thank you for your consideration.

Sincerely,

Hillary Welles

UTILITY COMPANIES

UTILITY COMPANIES ARE HEREBY GRANTED EASEMENTS AS SHOWN HEREON FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF UTILITIES INCLUDING BUT NOT LIMITED TO THE RIGHT TO INGRESS & EGRESS, (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY, AND THE RIGHT TO REMOVE OBSTRUCTIONS INTERFERING WITH THE USE OR PURPOSE OF SAID EASEMENT.

NEW MEXICO GAS COMPANY IS HEREBY GRANTED EASEMENTS AS SHOWN FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR THE PURPOSE DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, AND OVER SAID RIGHT OF WAY AND EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSE SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, AND TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR BELOW), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON.

COMCAST DATE

IN APPROVING THIS PLAT, PNM PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) AND NEW MEXICO GAS COMPANY (NMGC) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PNM AND NMGC DO NOT WAIVE NOR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT, OR OTHER DOCUMENT WHICH ARE NOT SHOWN ON THIS PLAT.

PUBLIC SERVICE CO. OF NEW MEXICO DATE

NEW MEXICO GAS COMPANY DATE

CENTURY LINK, DISCLAIMER.

THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE TELEPHONE SERVICE TO THE SUBDIVISION.

CENTURY LINK DATE

LEGEND

BEARINGS ARE NEW MEXICO STATE PLAIN, CENTRAL ZONE DERIVED FROM GPS OBSERVATIONS.
DISTANCES ARE GROUND. GROUND TO GRID SCALE FACTOR = 0.999584.

- •F DENOTES REBAR (OR AS SHOWN) FOUND
- DENOTES UTILITY POLE
- DENOTES UTILITY SERVICE/PEDISTAL/X'FMR/ETC
- DENOTES FIRE HYDRANT
- DENOTES MANHOLE
- DENOTES HORIZONTAL BOUNDARY LIMIT
- DENOTES PARKING FOR TRACT 1-B PER EASEMENT IN NOTE #1.
- DENOTES PRIVATE EASEMENT PER PLAT Bk.732, Pg.06
- DENOTES INGRESS-EGRESS, PARKING, DRAINAGE & UTILITY EASEMENT, SEE NOTE #3.

NOTES:

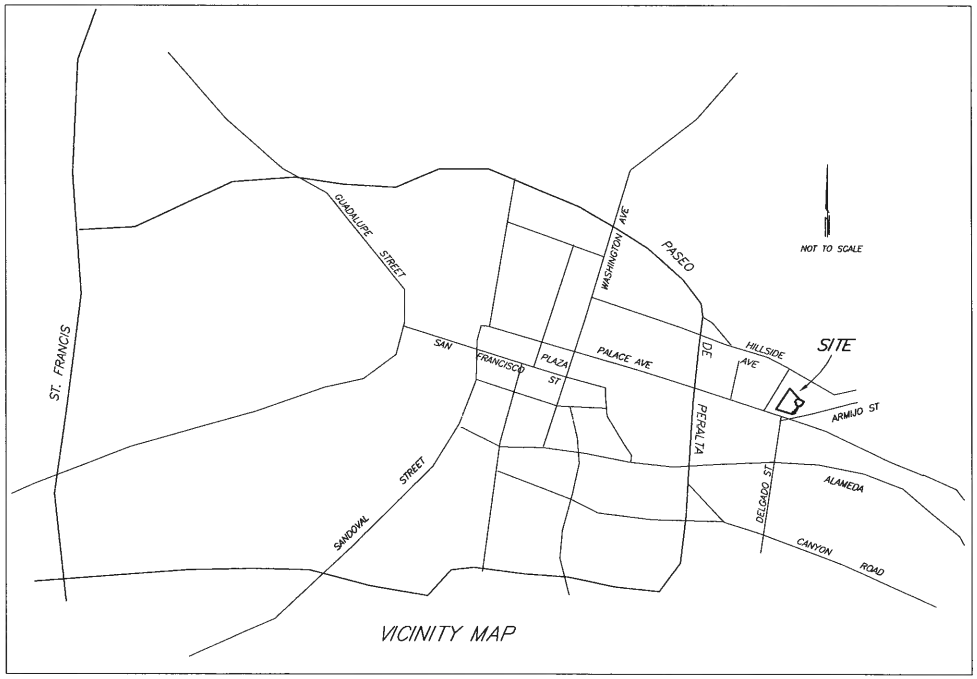
1. PARKING SPACES 6-11 DESIGNATED AS PERPETUAL PARKING EASEMENT FOR TRACT 1-B.

2. OPEN SPACE SHOWN WITHIN TRACT 1-B IS ALSO DRAINAGE EASEMENT FOR TRACT 1-A.

3. "INGRESS-EGRESS, PARKING, DRAINAGE AND UTILITY EASEMENT, BY THIS INSTRUMENT" TO ACCOMMODATE STORMWATER FLOW FROM TRACT 1-A THAT WILL ENTER THE STORMWATER HOLDING AREA AT THE EXTREME SOUTH END OF TRACT 1-B.

4. EACH LOT SHALL BE SERVED BY A SEPARATE SEWER SERVICE LINE.

5. DATA IN (PARENTHESIS) FROM PRIOR RECORDED DOCUMENTS.



VICINITY MAP

AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED OWNERS AND PROPRIETORS HAS CAUSED TO BE REPLATTED THE LANDS SHOWN HEREON, LYING AND BEING SITUATE WITHIN THE CITY OF SANTA FE, NEW MEXICO. ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER. THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

OWNER: TRACT 1

PALACE AVENUE OFFICE SUITES, LLC. DATE
MANAGING MEMBER TOMMY L. GARDNER

STATE OF NEW MEXICO)
COUNTY OF SANTA FE)

ON THIS ____ DAY OF_____ , 2016, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____

NOTARY PUBLIC COMMISSION EXPIRES

CITY OF SANTA FE REVIEW

CITY ENGINEER DATE

CITY PLANNER DATE

SUMMARY COMMITTEE

CHAIRMAN DATE

SECRETARY DATE

THIS PLAT WAS APPROVED BY THE SUMMARY COMMITTEE AT THEIR MEETING OF_____ CASE # _____

COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed for record on the_____day of _____, 20__ A.D. at _____ o'clock_____, and was duly recorded in book_____, page(s)_____of the records of Santa Fe County.

Witness my Hand and Seal of office
GERALDINE SALAZAR
County Clerk, Santa Fe County, N.M.

Deputy

County Clerk

Seal

SURVEYORS CERTIFICATE

I AM A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR AND HEREBY CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY COMPLETED ON THE 11th DAY OF OCTOBER, 2012. THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYS IN NEW MEXICO.

EDWARD M. TRUJILLO, N.M.P.L.S.#12352 DATE

LOT SPLIT PLAT OF

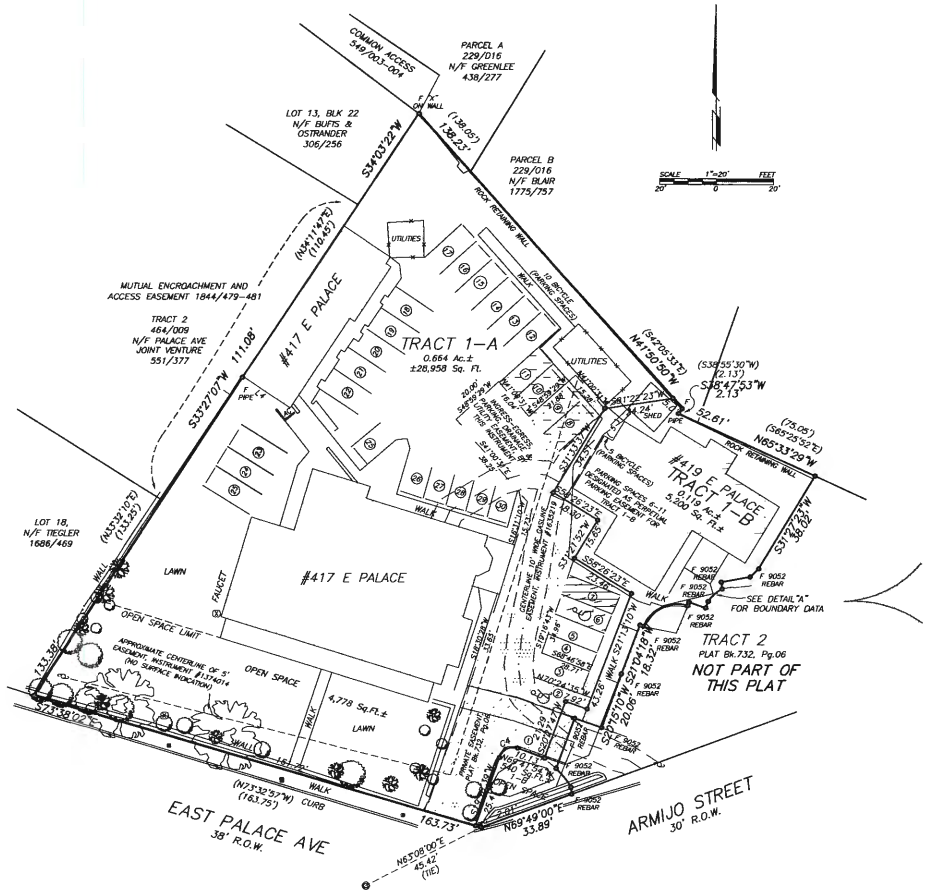
TRACT 1, PALACE AVENUE OFFICE

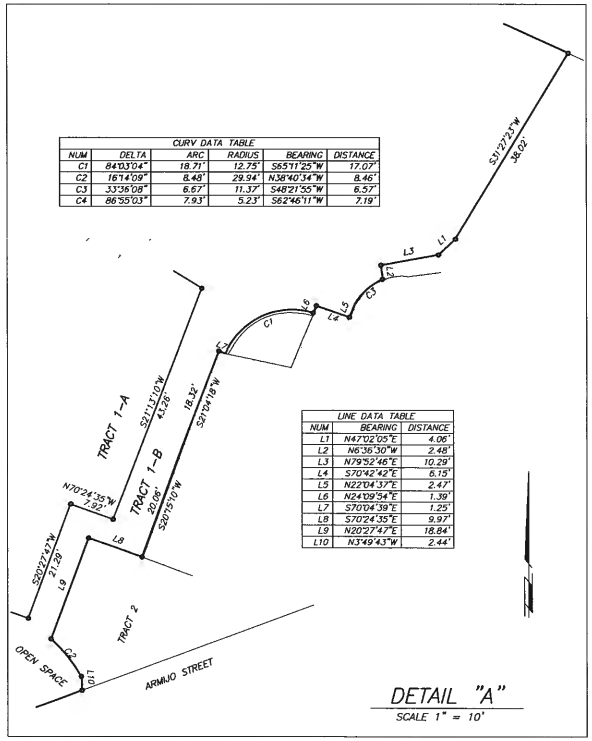
TRACT 1, BOOK 732, PAGE 06
#417 & 419 EAST PALACE
PROJECTED SECTION 24 T17N, R9E, NMPM
CITY OF SANTA FE, NEW MEXICO

UPC 1-054-099-494-147

SHEET 1 OF 2

DAWSON SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
2502B1 CAMINO ENTRADA
SANTA FE, N.M. 505-471-6660
FILE# 7899\SPLIT DATE:03\17\16





CURV DATA TABLE					
NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	84°03'04"	18.71'	12.75'	S65°11'25"W	17.07'
C2	16°14'09"	8.48'	29.94'	N38°40'34"W	8.46'
C3	33°35'08"	6.67'	11.37'	S48°21'55"W	6.57'
C4	86°55'03"	7.93'	5.23'	S62°46'11"W	7.19'

LINE DATA TABLE		
NUM	BEARING	DISTANCE
L1	N47°02'05"E	4.06'
L2	N6°36'30"W	2.48'
L3	N79°52'46"E	10.29'
L4	S70°42'42"E	6.15'
L5	N22°04'37"E	2.47'
L6	N24°09'54"E	1.39'
L7	S70°04'39"E	1.25'
L8	S70°24'35"E	9.97'
L9	N20°27'47"E	18.84'
L10	N3°49'43"W	2.44'

DECLARATION OF EASEMENT

THE EASEMENTS DESCRIBED HEREON AS BEING CREATED BY THIS INSTRUMENT ARE GRANTED AS FOLLOWS:

1. TO THE OWNER OF TRACT 1-B IS GRANTED THE EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER AREA 1.

2. TO THE OWNER OF TRACT 1-B IS GRANTED AN EASEMENT FOR PARKING ON SPACES DESIGNATED 6-11.

3. AN EASEMENT FOR WATER DRAINAGE AND EVAPORATION IS RESERVED ON THE SOUTHERLY END OF TRACT 1-B AREA DESIGNATED "1-B OPEN SPACE" FOR THE BENEFIT OF TRACT 1-A.

TOMMY GARDNER, PRES. OF PALACE AVENUE OFFICE SUITES ASSOCIATION, A NEW MEXICO NONPROFIT CORP. AND AS MANAGER OF STREIT AND GARDNER INVESTMENTS, LLC, A NM LLC.

STATE OF NEW MEXICO)
COUNTY OF SANTA FE)

ON THIS ____ DAY OF_____ , 2016, THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY TOMMY GARDNER

NOTARY PUBLIC COMMISSION EXPIRES

LEGEND

BEARINGS ARE NEW MEXICO STATE PLAIN, CENTRAL ZONE DERIVED FROM GPS OBSERVATIONS.
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- DENOTES PARKING FOR TRACT 1-B.
- DENOTES PRIVATE EASEMENT PER PLAT Bk.732, Pg.06
- DENOTES INGRESS-EGRESS, PARKING, DRAINAGE & UTILITY EASEMENT, AREA 1

LOT SPLIT PLAT OF

TRACT 1, PALACE AVENUE OFFICE

TRACT 1, BOOK 732, PAGE 06
#417 & 419 EAST PALACE
PROJECTED SECTION 24 T17N, R9E, NMPM
CITY OF SANTA FE, NEW MEXICO

UPC 1-054-099-494-147

SHEET 2 OF 2

DAWSON SURVEYS INC.
PROFESSIONAL LAND SURVEYORS
25028 CAMINO ENTRADA
SANTA FE, N.M. 505-471-6660
FILE# 7899\SPLIT DATE:03\16\16