



Agenda

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SUMMARY COMMITTEE

Thursday, November 3, 2011 - 11:00am

City Council Chambers

City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL
- B. APPROVAL OF AGENDA
- C. APPROVAL OF MINUTES – October 6, 2011
- D. ELECTION OF OFFICERS
 - 1. Chair
 - 2. Secretary
- E. OLD BUSINESS
- F. NEW BUSINESS

- 1. **Case #2011-107. David Mason Lot Split.** Desiree Romero, Southwest Mountain Surveys, agent for David Mason, requests plat approval to divide approximately 2.06 acres into two residential lots. The property is located at 1883 Fort Union Drive and is zoned R-1 (Residential, one dwelling unit per acre). (William Lamboy, Case Manager)

- G. STAFF COMMUNICATIONS
- H. ADJOURNMENT

NOTES:

- 1) Procedures in front of the Summary Committee are governed by Roberts Rules of Order. Postponed cases are postponed 1) to a specific date, or 2) indefinitely until specific conditions have been resolved, or 3) to a specific date with the provisions that specific conditions be resolved prior to that date. Postponed cases can be removed from postponement by a motion and vote of the Summary Committee.
- 2) Due to time constraints not all issues may be heard and may be rescheduled to the next scheduled Summary Committee meeting. This agenda is subject to change at the discretion of the Summary Committee.
- 3) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and be subject to cross examination. Witnesses have the right to have an attorney present at the hearing. The zoning board will, in its discretion, grant or deny requests to postpone hearings.

***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**

SUMMARY INDEX
CITY OF SANTA FE
SUMMARY COMMITTEE
November 3, 2011

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
CALL TO ORDER/ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	1
APPROVAL OF MINUTES – October 6, 2011	Approved [amended]	2
<u>ELECTION OF OFFICERS</u>		
CHAIR	Tom Spray elected	2
SECRETARY	Angela Schackel Bordegary elected	2
OLD BUSINESS	None	3
<u>NEW BUSINESS</u>		
CASE #2011-107. DAVID MASON LOT SPLIT. DESIREE ROMERO, SOUTHWEST MOUNTAIN SURVEYS, AGENT FOR DAVID MASON, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 2.06 ACRES INTO TWO RESIDENTIAL LOTS. THE PROPERTY IS LOCATED AT 1883 FORT UNION DRIVE, AND IS ZONED R-1 (RESIDENTIAL, ONE DWELLING UNIT PER ACRE)	Approved	3-5
STAFF COMMUNICATIONS	None	5
ADJOURNMENT		6

**MINUTES OF THE MEETING
OF THE CITY OF SANTA FE
SUMMARY COMMITTEE**

November 3, 2011

A regular meeting of the City of Santa Fe Summary Committee, was called to order by Tom Spray, Chair, on November 3, 2011, at approximately 11:00 a.m., in the City Council Chambers, City Hall, Santa Fe, New Mexico.

A. ROLL CALL

MEMBERS PRESENT:

Tom Spray, Chair
Commissioner Michael Harris

MEMBERS EXCUSED:

Commissioner Angela Schackel-Bordegary

OTHERS PRESENT:

Tamara Baer, Current Planning Division
William Lamboy, Current Planning Division
Chris Martinez, Current Planning Division
Melessia Helberg, Stenographer

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

B. APPROVAL OF AGENDA

MOTION: Commissioner Harris moved, seconded by Commissioner Spray, to approve the Agenda as published.

VOTE: The motion was approved unanimously on a voice vote.

C. APPROVAL OF MINUTES – October 6, 2011

The following corrections were made to the minutes:

Page 1, Paragraph 1, correct as follows: "... on ~~September 1, 2001~~ October 6, 2011, ..."

Page 16, RESTATED MOTION, line 3, correct as follows: "to the ~~Safety Access Maintenance Manual~~ State Access Management Manual."

MOTION: Commissioner Harris moved, seconded by Commissioner Spray, to approve the minutes of the meeting of October 6, 2011, as amended.

VOTE: The motion was approved unanimously on a voice vote.

D. ELECTION OF OFFICERS

1. CHAIR

Commissioner Harris asked the term of these officers.

Ms. Baer said the terms are for one year, beginning with this meeting.

MOTION: Commissioner Harris moved, seconded by Chair Spray, to nominate Commissioner Spray to serve as Chair for a one year term, beginning with this meeting.

VOTE: The motion was approved unanimously on a voice vote.

2. SECRETARY

MOTION: Commissioner Harris moved, seconded by Chair Spray, to nominate Angela Schackel Bordegary to serve as Secretary for a one year term beginning with this meeting.

VOTE: The motion was approved unanimously on a voice vote.

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

1. **CASE #2011-107. DAVID MASON LOT SPLIT. DESIREE ROMERO, SOUTHWEST MOUNTAIN SURVEYS, AGENT FOR DAVID MASON, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 2.06 ACRES INTO TWO RESIDENTIAL LOTS. THE PROPERTY IS LOCATED AT 1883 FORT UNION DRIVE, AND IS ZONED R-1 (RESIDENTIAL, ONE DWELLING UNIT PER ACRE). (WILLIAM LAMBOY, CASE MANAGER)**

A Memorandum prepared October 18, 2011 for the Summary Committee Meeting of November 3, 2011, with attachments, to the Summary Committee, from William Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "1."

A color photograph of the area, submitted for the record by William Lamboy, is incorporated herewith to these minutes as Exhibit "2."

Staff Report

The staff report was presented by William Lamboy, Current Planning Division, via overhead, which is contained in Exhibit "1."

Recommendation: The Land Use Department recommends approval with the conditions of approval as outlined in this report [Exhibit "1"].

Public Hearing

David Mason, owner of the property, was sworn. Mr. Mason said he has nothing to add. He said this is property the family has owned since 1951 and they are just trying to "chop off" the two acres into one acre lots, with the anticipation of selling one lot to maintain the other property as a legacy their parents left them.

Speaking to the Request

There was no one speaking for or against this request.

The Public Testimony Portion of the Public Hearing was closed

Questions and Comments from the Committee

Commissioner Harris said he has no questions.

Chair Spray referred to Mr. Mason's letter of September 22, 2011, to the Summary Committee, noting at the bottom on the first page it says, "Three and a half years ago a "lot split" on the northeast corner of the property was approved [Lot 1, Tract A-1]. At the time the intent of the trust was to sell that lot only to a member of the family."

Mr. Mason indicated the lot using the aerial photograph in the packet via the overhead. He said the intent was that he and his wife were going to sell their house and build their retirement home on that property, but they were financially unable to do that.

Responding to Chair Spray, Mr. Mason said originally this was a 3 acre lot, and 3 years ago they split off one acre, and now they want to split the two acre lot into two one acre lots.

Chair Spray asked if there is a minimum time involved in terms of making another lot split. He said he wants to know, so we don't have a situation of a serial lot split.

Ms. Baer said there is no time limit on what would be considered a serial lot split. Typically, it is at the discretion of the Committee. She said she provided a Memorandum to the Committee on this subject some time back, and she will provide it to the new members. She said normally it is at the discretion of the Committee.

Ms. Baer said some of the considerations the Committee can consider in deciding whether or not this is a serial lot split could be time. She said in a family transfer you are required to hold onto something for 3 years before you are allowed to sell it, noting this is a parenthetical remark. She said the requirements for a family transfer or lot split are that you don't have to comply with terrain management and engineering issues at the time of the lot split or subdivision. However, all of the City requirements apply at the time of construction. She said another consideration you might take into account is whether there is any intent to abbreviate the process on the part of the applicants for various purposes, which may include to avoid engineering, to avoid any affordable

housing issues which do not apply in this case, or to avoid notice. She said this was noticed, and the only difference would be if it had to go to the full Planning Commission an Early Neighborhood Notification would have been required. She said as it was, letters were sent to everyone within 200 feet and neighborhood associations, the property was posted, and a legal notice was published in the newspaper and on the agenda.

Ms. Baer reiterated that this is a discretionary matter for the Committee to decide. She said the staff does not feel that this is an issue in this case and staff recommends approval.

Chair Spray thanked Ms. Baer for the clarification, and thanked Mr. Mason for his comments. He asked Ms. Baer to reissue her Memorandum to all members of the Committee.

MOTION: Commissioner Harris moved, seconded by Chair Spray, to approve Case # 2010-107, David Mason Lot Split, with all conditions of approval as outlined in the staff report [Exhibit "1"].

VOTE: The motion was approved unanimously on a voice vote.

Commissioner Harris noted the published agenda indicates this is Case #2011-107, but the caption on the Memorandum from Mr. Lamboy, indicates it is Case #2010-107.

Chair Spray said then the correct case number in this matter is Case #2011-107, and Mr. Lamboy said yes.

MOTION: Commissioner Harris moved, seconded by Commissioner Spray, to reconsider the previous action to approve Case #2010-107, and to approve Case #2011-107, David Mason Lot Split, with all conditions of approval as outlined in the staff report [Exhibit "1"].

VOTE: The motion was approved unanimously on a voice vote.

G. STAFF COMMUNICATIONS

There were no staff communications.

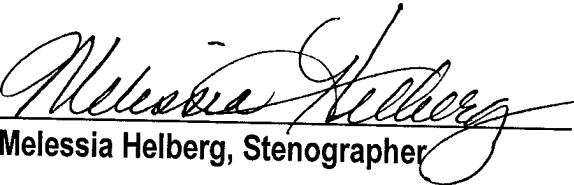
H. ADJOURNMENT

There was no further business to come before the Committee.

MOTION: Commissioner Harris moved, seconded by Chair Spray, to adjourn the meeting.

VOTE: The motion was approved unanimously on a voice vote, and the meeting was adjourned at 11:20 a.m.

Tom Spray, Chair



Melessia Helberg, Stenographer