

DATE 3/14/13 TIME 2:05pm  
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# Agenda

**SUMMARY COMMITTEE**

**Thursday, April 4, 2013 - 11:00 am**  
**City Council Chambers**  
**City Hall 1<sup>st</sup> Floor - 200 Lincoln Avenue**

**A. ROLL CALL****B. APPROVAL OF AGENDA****C. APPROVAL OF MINUTES – January 10, 2013****D. OLD BUSINESS****E. NEW BUSINESS**

1. **Case #2013-11. 1384 Grandpa's Ranch Lot Split.** Robert J. Martinez, owner, requests plat approval to divide approximately 2.5 acres into two residential lots. The property is located on Grandpa's Ranch Road, approximately 460 feet south of West Alameda Street and is zoned R-1 (Residential-1 dwelling unit per acre). (William Lamboy, Case Manager)
2. **Case #2013-12. 153 & 157 Duran Street Lot Split.** Richard Horcasitas, of Horcasitas Land Use Consultant, agent for Julie Rodriguez, requests plat approval to divide approximately 0.10 acres into two residential lots. The property is zoned R-29 (Residential-29 dwelling units per acre). (William Lamboy, Case Manager)
3. **Case #2013-13. 1500 & 1520 Canyon Road Lot Split & Lot Line Adjustment.** Richard Horcasitas, of Horcasitas Land Use Consultant, agent for Zoila & Matias Rivera and the Estate of Antonio Padilla, requests plat approval to divide approximately 9.86 acres into two residential lots and to adjust the property line between 1500 and 1520 Canyon Road. The property is zoned R-1 (Residential-1 dwelling unit per acre) is located in the Mountainous & Difficult Terrain District, with portions of the site also in the Escarpment Overlay District. (William Lamboy, Case Manager)

**F. STAFF COMMUNICATIONS****G. MATTERS FROM THE COMMITTEE****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.**

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SUMMARY COMMITTEE  
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**MINUTES OF THE MEETING  
OF THE CITY OF SANTA FE  
SUMMARY COMMITTEE  
April 4, 2013**

A regular meeting of the City of Santa Fe Summary Committee, was called to order by Chair Michael Harris, on Thursday, April 4, 2013, at approximately 11:00 a.m., in the City Council Chambers, City Hall, Santa Fe, New Mexico.

**A. ROLL CALL**

**MEMBERS PRESENT:**

Michael Harris, Chair  
Lawrence Ortiz  
Angela Schackel-Bordegary

**OTHERS PRESENT:**

Tamara Baer, Current Planning Division  
William Lamboy, 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 Schackel-Bordegary moved, seconded by Commissioner Ortiz, to approve the Agenda as presented.

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

**C. APPROVAL OF MINUTES – JANUARY 10, 2013.**

The following correction was made to the minutes:

Page 8, paragraphs 1 and 2, change "Councilor Ortiz" to "Commissioner Ortiz."

**MOTION:** Commissioner Schackel-Bordegary moved, seconded by Commissioner Ortiz, to approve the minutes of the meeting of January 10, 2013, as amended.

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

#### **D. OLD BUSINESS**

There was no Old Business.

#### **E. NEW BUSINESS**

A Memorandum dated April 3, 2013, to the Summary Committee, from the Current Planning Division, with attachments, regarding additional correspondence for Agenda Item #E(1) and Item #E(3), is incorporated herewith to these minutes as Exhibit "1."

1. **CASE #2013-11. GRANDPA'S RANCH LOT SPLIT. ROBERT J. MARTINEZ, OWNER, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 2.5 ACRES INTO TWO RESIDENTIAL LOTS. THE PROPERTY IS LOCATED ON GRANDPA'S RANCH ROAD, APPROXIMATELY 460 FEET SOUTH OF WEST ALAMEDA STREET AND IS ZONED R-1 (RESIDENTIAL – 1 DWELLING UNIT PER ACRE). (WILLIAM LAMBOY, CASE MANAGER).**

A Memorandum prepared March 20, 2013, for the Summary Committee Meeting of April 4, 2013, with attachments, to the Summary Committee, from William Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "2."

#### **Staff Report**

The staff report was presented by William Lamboy, Current Planning Division. Please see Exhibit "2" for specifics of this presentation.

**Recommendation:** The Land Use Department recommends Approval with the conditions of approval as outlined in the staff report [Exhibit "2"].

#### **Public Hearing**

**Robert Martinez, 1324 Grandpa's Ranch, owner of the property was sworn.** Mr. Martinez said he has 3 children, and would like to do this split so if they need a piece of property, the paperwork would be done.

Chair Harris asked Mr. Martinez if he has reviewed and understands the conditions of approval.

Mr. Martinez said he reviewed them with Mr. Lamboy, and he contacted his surveyor and the surveyor got everything on the plat.

### **Speaking to the Request**

There was no one speaking for against this request.

### **The Public Testimony Portion of the Public Hearing was closed**

Commissioner Schackel-Bordegary noted there is a letter in the packet today from one of the neighbors, Patty Prosser, expressing concern about the lot split [Exhibit "1"], noting Ms. Prosser said, in her opinion that other rules applied to other neighbors. She asked staff to comment on how this application meets the Code, where previously it didn't, if that is the issue.

Ms. Baer said this property formerly was in the County when the lots were created. It now is part of Phase 3 annexation. She said, in 2008, because of SPPAZO [Subdivision, Platting, Planning, And Zoning Ordinance], the City applied City zoning to this property, so it became R-1. She said formerly, the County allowed only 2.5 acre zoning, and this could be what the neighbor is referencing. She said, "We did speak to her on the phone and I hope that we explained that sufficiently. The zoning currently is R-1, and so 1 acre is the minimum lot size, where previously it would have been 2.5 acres, when it was not under City jurisdiction. And that's the only thing I can imagine that she's referring to."

Chair Harris said it seems that Lots 1A and 1B were created at some point, and asked Mr. Lamboy if he knows when that was done.

Mr. Lamboy said those were created more than 6 years ago.

Chair Harris said then there is no issue there with serial lot splits, and Mr. Lamboy said this is correct.

Chair Harris said Ms. Zaxus originally asked for a 24 foot easement – to go from 38 to 24 feet. He said Mr. Holland requested a 25 foot easement, and to be contiguous with the sewer easement, which is being created on Lot 3. He asked the reason all of that came about. He said the 25 foot easement does not continue through Lot 3, and is parallel to it, and doesn't think that is necessarily contiguous.

Mr. Lamboy said originally there was a 38 foot easement which ran along the western boundary, and it was reduced to 24 feet, because this is the last property that can be accessed from Grandpa's Ranch Road – Lot 3 is the last one. He said, based on current Code, a 38 foot easement would no longer be required to access that. He said when it was reviewed by Wastewater, Wastewater requires a minimum width of 25 feet for their easements.

Chair Harris said then what is proposed meets the standard of contiguous, noting it is contiguous through Lots 1B, 2A and 2B, which meets the criteria to which Mr. Holland was speaking, and asked Mr. Lamboy if he agrees.

Mr. Lamboy said he agrees.

Chair Harris said the aerial photograph indicates that Nelson Loop comes right up to the property line, and hits the proposed lot line, between Lots 3 and what would be Lot 2B. He asked if anyone has spoken to that or if there has been discussion in this regard.

Mr. Lamboy said there has been no discussion, noting these are private roads.

Mr. Martinez said he purchased the land from Mr. Nelson, and the Nelsons created the roundabout when they owned the property. He said as soon as he bought it, he got rid of it. He said, "From the point that, as you see crossing over, that became my property, so we basically just... and as you can tell, Nelson loop came around to the other side, so they actually owned 'this' much, then I bought 'this much,' but way back when, they had created that Nelson Loop. So when I bought it, we basically dead-ended it, and Nelson Loop now is there at Grandpa's Ranch."

Responding to the Chair, Mr. Martinez said, "That's just been in the system for so long, that it basically, unless somebody goes out there and takes it, it'll be there long, long after."

Chair Harris noted one of the requirements was to provide a significant flow for the Fire Department. It's not documented, but there is a well on Lot 2B, and asked if this is the shared well which will service both Lots 2B and 2A.

Mr. Martinez said, "Yes. And there's already a shared well agreement recorded."

Chair Harris asked if the flow from that well meets Fire Department standard.

Mr. Martinez said, "I have no idea. This is the first time it was brought up. It's just a standard well that was put in about 15 years ago. It serves all the purposes. I have hydrants all over the place. I don't know guidelines."

**MOTION:** Commissioner Ortiz moved, seconded by Commissioner Schackel-Bordegary, to approve Case #2013-11, 1384 Grandpa's Ranch Lot Split, with all conditions of approval as recommended by staff.

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

**2. CASE #2013-12. 153 AND 157 DURAN STREET LOT SPLIT. RICHARD HORCASITAS, OF HORCASITAS LAND USE CONSULTANT (WILLIAM LAMBOY, CASE MANAGER).**

A Memorandum prepared March 20 2013, for the Summary Committee Meeting of April 4, 2013, with attachments, to the Summary Committee, from William Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "3."

**Staff Report**

The staff report was presented by William Lamboy, Current Planning Division. Please Exhibit "3" for specifics of this presentation.

**Recommendation:** The Land Use Department recommends approval with the conditions of approval as outlined in the staff report [Exhibit "3"].

**Public Hearing**

**Richard Horcasitas, 228 South St. Francis, Agent for the Applicant was sworn.** Mr. Horcasitas said they read the staff report and agree with staff findings, except for one point of clarification he wants to address. He said they would appreciate approval of this request.

Mr. Horcasitas said early in the process, he spoke with Stan Holland, Wastewater Division. He said a few years ago, they put a sewer line between the houses, 153 and 157 Duran. He said Mr. Holland is requesting a 20 foot wide public sanitary sewer easement. He said, "I'm looking at it. We had penciled it in to run between the manholes. There's one in the middle of the properties, in the middle of Duran Street, and it runs east to the property at the Lota Burger, which is on the other side of the fence. So when we put a 20 foot easement on there, it goes into part of the house at 153 Duran. So I spoke to him about that condition. He agreed that it would be more appropriate to put a 15 foot easement on there to cover his concerns about being able to maintain that sewer line in the future. So, that's the only point, other than a 20 foot easement which cuts off the house, and the 15 foot which runs right next to the house. I'm not sure Stan was able to communicate that with staff, but I'm sure we could clear that up."

Mr. Lamboy said Mr. Holland did not communicate that to staff, but he has requested to review the red lines on this plat.

Chair Harris said, "What we have shown, seems to indicate a 5 foot easement.

Mr. Horcasitas said, "Yes, we drew that up to clarify what was there."



*Chair Harris's question here is inaudible because his microphone was not turned on, but I think he asked Ms. Baer to comment.*

Ms. Baer said, "I would say that, because Mr. Horcasitas is testifying under oath, that we would be happy to accept his testimony, and follow up with Stan Holland in Wastewater and ascertain that a 15 foot easement is sufficient, and if it's not, then we would have to bring this back."

### **Speaking to the Request**

There was no one speaking for or against this request.

### **The Public Testimony Portion of the Public Hearing was closed**

Commissioner Ortiz said his question was about the 15 foot easement, and he has no further questions.

Chair Harris said, "And actually, since the sewer easement is going to be reviewed by Mr. Holland, if, in fact, he is in agreement with the 15 foot easement that is suggested here on this plat, but the northernmost edge of the easement does not run with the property line. So, if in fact the sewer line from Lot 1 comes into that easement, which I assume that it does, does the sewer line for Lot 1 tie into the sewer line on Lot 2. The yard line is what I'm referring to.

Mr. Horcasitas asked the Chair to clarify the question.

Chair Harris said, "There's an approximately two foot difference between the proposed new lot line and the northernmost boundary of the proposed 15 foot easement. And if the yard line runs from Lot 1 to the sewer main, then there's a gap where an easement needs to be created in order to have the right to tie into the sewer line on Lot 2."

Mr. Horcasitas said, "Right. The lot line doesn't run with the manholes. It doesn't run exactly with the sewer, so the lot line runs just north of the manholes, and the 15 foot, 7 ½ feet on each side of the sewer line runs with the protected sewer line."

Chair Harris said, "It's the 2 feet that I'm speaking to, because there needs to be an easement, if in fact the yard line from Lot 1 ties into that sewer main, the easement either needs to run up to the property line, and if it's 2 feet, that would be a 17 foot easement, or there needs to be a jog that goes to the property line in line with the yard line from Lot 1, in order to be able to install, or to service that yard line."

Mr. Horcasitas said, "The reason for the easement is to prevent any building or development to cover up the sewer line so that it would be maintained. And what we have there is a fence right now is a fence that will be taken down and everything between those two houses will not be developed. There is no fencing that is planned to come up or anything else."

Chair Harris said he is just talking about legal access. He said, "If there's a problem with the yard line. Let's say it has to be replaced, the whole yard line. It's an old line, it's gotten clogged with roots and it just doesn't function. And if you needed a new yard line from Lot 1 to get to that easement, you cannot do it with that two foot gap, because you don't have an easement to tie-in."

Mr. Horcasitas said he is unsure he understands what the Chair is saying.

Chair Harris asked Mr. Lamboy and Ms. Baer if they understand what he is speaking to, and Mr. Lamboy and Ms. Baer both said yes.

Chair Harris said, "In that case, Mr. Lamboy will you work that out with Mr. Horcasitas as well as Mr. Holland." Mr. Lamboy said yes.

Mr. Horcasitas said their goal is to make sure that there is access to the sewer line for maintenance, and they want to be able to indicate that properly.

Chair Harris reiterated his concerns. He said, "Let me say too, Mr. Lamboy, I'm going to pass back the package today. I've marked up quite a bit, these various plats. For instance, this one, which is for the most part good work, it references PNM Gas services. The previous case, it referenced Qwest, entities that are no longer around, as well as spell check. And you know how I am on that, so if you would pay attention to my markups, I'd appreciate it."

**MOTION:** Commissioner Schackel-Bordegary moved, seconded by Commissioner Ortiz, to approve Case #2013-12, 153 & 157 Duran Street Lot Split, with all conditions of approval as recommended by staff, and with direction to staff to work out the issues with regard to the easement.

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

*There was a short break at this time so the Committee members could read through the documents which were handed out today with regard to Case #2013-13.*

3. **CASE #2013-13. 1500 AND 1520 CANYON ROAD LOT SPLIT & LOT LINE ADJUSTMENT. RICHARD HORCASITAS, OF HORCASITAS LAND USE CONSULTANT, AGENT FOR ZOILA & MATIAS RIVERA AND THE ESTATE OF ANTONIO PADILLA, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 9.86 ACRES INTO TWO RESIDENTIAL LOTS AND TO ADJUST THE PROPERTY LINE BETWEEN 1500 AND 1520 CANYON ROAD. THE PROPERTY IS ZONED R-1 (RESIDENTIAL – 1 DWELLING UNIT PER ACRE) IS LOCATED IN THE MOUNTAINOUS & DIFFICULT TERRAIN DISTRICT, WITH PORTIONS OF THE SITE ALSO IN THE ESCARPMENT OVERLAY DISTRICT. (WILLIAM LAMBOY, CASE MANAGER).**

A Memorandum prepared March 20, 2013 for the Summary Committee Meeting of April 4, 2013, with attachments, to the Summary Committee, from William Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "4."

A copy of amendments proposed by staff to the conditions of approval recommended by staff, submitted for the record by staff, is incorporated herewith to these minutes as Exhibit "5."

A list of additional amendments proposed by Albert Durant on behalf of the Canyon Association and Acequia del Llano, to the proposed conditions of approval, entered for the record by Albert Durand, is incorporated herewith to these minutes as Exhibit "6."

### **Staff Report**

The staff report was presented by William Lamboy, Current Planning Division. Please Exhibit "4" for specifics of this presentation. Mr. Lamboy noted that John Romero, Director, Traffic Engineering Division.

**Recommendation:** The Land Use Department recommends approval with the conditions of approval as outlined in the staff report [Exhibit "5"] and on the sheet that Mr. Lamboy handed out to the Committee [Exhibit "5"].

### **Public Hearing**

**Richard Horcasitas, Agent for the owner, previously sworn.** Chair Harris reminded Mr. Horcasitas that he is still under oath. Mr. Horcasitas said the Applicant has reviewed the staff report and agree with the staff findings, with one clarification.

Mr. Horcasitas said, "With the proposed changes on the conditions of approval, on Item #2, it says 'Show and label the acequia on the plat.' It should be plural. There's actually two acequias, I believe. One of them is non-functioning, and one I think is functioning. Mr. Watson is here from the neighborhood and he has been kind enough to provide us a very interesting map from 1917 that shows topography and ditches from that time. And we think that's a pretty good historical element that could be on this property and we will indicate that on the plat, so there's actually two."

Chair Harris asked if Mr. Horcasitas and the Applicant understand all the conditions of approval, including as they've been modified.

### **Speaking to the Request**

**Albert Durand, 1461, 1463, 1465 and 1467 Upper Canyon Road, a neighbor across the street, was sworn.** Mr. Durand said he is representing himself and the Canyon Association which has reviewed this application and voted to ask for a short set of conditions to be included on the plat. He said the

Association is in support of the Application for both the lot split and the lot line adjustment. Mr. Durand reviewed the proposed additional conditions as set out in Exhibit "6" as follows:

1. ***Both the active irrigation ditch and the remains of the inactive irrigation ditch that cross the property should be drawn on the survey. The active ditch appears as "Ditch #5" on the 1917 Hydrographic Survey of the Santa Fe Creek. The inactive one shows up as "Ditch #2." They both should be considered significant historic landscape features.*** Mr. Durand said they are in agreement with the Applicant to add the two historic ditches to the plat.
2. ***The boundary of the escarpment district should appear on the survey.*** Mr. Durand said Mr. Lamboy told him that the boundary of the escarpment district would appear on the survey plat, noting he hasn't seen the final rendition of the plat and asked if it is on the plat. Mr. Lamboy said this would be part of the redlines they would ask for.
3. ***The application should include a slope analysis so that the maximum density for the property can be accurately calculated and the calculation included on the plat. The note should be clear that it applies to all three tracts.*** Mr. Durand said they understand from Mr. Lamboy that the plat will include a clear note stating that Tracts A, B and C in total will be restricted to a total of 7 lots, or 7 dwelling units, and this is an agreement with which both the Applicant and City have concurred. In this situation, the neighborhood will withdraw its request to provide a slope analysis since this would supercede the slope analysis restriction, the density calculation.
4. ***An additional note should be added to the survey stating that when the new access driveway from Canyon Road is constructed, the existing driveway to the house at 1500 Canyon Road shall be abandoned.*** Mr. Durand said they haven't seen the final note so they are not clear that it will be permanently restricted to only two accesses to Tract A, B and C, so a third access can't be continued or reopened. The property is sandwiched between two road conditions on the narrow Upper Canyon Road. He said there is a fairly tight curve just east of them, bordered by close-lying houses and walls, so the view of the approach from the east is very restricted. To the west is a fairly steep hill approach so that the views by oncoming cars of the common access to Tracts A and B is restricted until they are almost on top of the access.
5. ***The requirement that the design of the driveway be approved prior to recording the plat should be deleted as this cannot properly be designed till and if there is a plan for development of the tract.*** Mr. Durand said the design of the driveway will be approved prior to recordation, but the Association felt since the number of dwelling units had not been establish, they would prefer there not be a design for the full 6 units at this time, which would require a 38 foot right-of-way, when in fact we might be able to get by with a 20 foot right-of-way.

6. ***A copy of the final plat will be provided to the Canyon Association to review, prior to the recording of the final plat.*** Mr. Durand said he hasn't seen the current rendition of the plat, noting it has been going through a lot of changes.

Mr. Lamboy said staff hasn't seen the proposed conditions.

**Alan Watson was sworn.** Mr. Watson said he lives directly across the street from the subject property, and said he concurs with the recommendations presented by the Canyon Association [Exhibit "6"]. He asked if there is an appeals process, if what this Committee decides is still unclear in his mind and he goes to the minutes to see what has been decided and he wants another opportunity to make another comment.

Unidentified said they would like to speak to any protocol associated with appeals.

Ms. Baer said there is a 15-day appeal period after the final action, which in this case, would be the approval or denial of the lot split by the Committee.

Mr. Watson asked if minutes are issued of this meeting.

Ms. Helberg said it is required to submit minutes within 8 working days.

Mr. Watson asked if that is within the appeal period and Ms. Baer said yes.

**Sam Valencia, 19 B, San Juan, was sworn,** Mr. Valencia said it is his understanding that everything we're doing here is to establish what will be on the plat, and we are here to achieve some finality, hopefully. However, if for whatever reason, there is an appeal, what transpires in that process and how will that affect what we've done today.

Ms. Baer said once an appeal is filed, we would not be recording a plat and it stops any further action on the application.

Mr. Valencia asked if that requires a rehearing.

Ms. Baer said the appeal would be heard by the City Council.

**The Public Testimony Portion of the Public Hearing was closed**

**Questions and Comments from the Committee**

Chair Harris asked John Romero to come forward. Chair Harris said what he seems to understand, as part of the recordation of this plat, is that there will be a single driveway in line with the proposed easement, and that the existing driveway on Tract C would be abandoned. He asked Mr.

Romero if this is correct.

**John Romero, Director, Traffic Division**, said that is correct.

Chair Harris asked if the proposed 25 foot easement is in line with what Mr. Romero's recommendations would be.

Mr. Romero said, "Correct, because, in my opinion, right now all we're approving is the creation of these two lots. So if the Applicant ever wanted to come forward with more lots or more dwelling units, then we would have to review it at that time, and with this 25 foot easement, it could limit what he can develop in the back, but that would have to be addressed at that time."

Ms. Baer said, "Just a point of clarification. We're not asking that the driveway to Lot A be abandoned, so that would remain in place, and there would be one driveway between Lots B and C."

Chair Harris said this is his understanding as well.

Chair Harris asked Mr. Lamboy, with the recordation of this plat, at what point will the new driveway be created, and when will the existing driveway for Tract C be abandoned..

Mr. Romero said, according to the revised conditions, it will have to happen at the time that Tract B is developed, they come in for a building permit, or something.

Chair Harris said then it is triggered by any development on Tract B.

Chair Harris said in the submittal package it was unclear to him with the calculation and text as read by Mr. Lamboy, commenting he thought there would be potential for 7 units on tract B. However, subsequently during today's testimony, it was said there would be a total of 7 units Lots on A, B and C.

Mr. Lamboy said this is correct.

Chair Harris said then that language would appear on the final plat.

Mr. Lamboy said yes, and the language is on the plat. He said, "On the City of Santa Fe notes and conditions at the very bottom it says Density.

Chair Harris said yes, and when he read that he interpreted to be applicable to Tract C, so you might amend the plat to say, "Total 7 units on A, B and C."

Mr. Lamboy said staff will do so.

Chair Harris asked Mr. Lamboy his reaction to the proposed language changes submitted by Mr. Durand, noting it seems to track with some of which is "in our packet for today and certainly some that's been handed to us and the testimony." He asked, "Do you see any conflict with staff's approach and the conditions that you're proposing in the revisions to those conditions, with what Mr. Durand and the Neighborhood Association are advocating. Is there any inherent conflict there."

Mr. Lamboy deferred to Ms. Baer.

Ms. Baer said they see no conflict whatsoever, and for the record she would like to go over them individually, each point. Ms. Baer reviewed the amendments proposed in Exhibit "6," and commented as follows:

1. ***Both the active irrigation ditch and the remains of the inactive irrigation ditch that cross the property should be drawn on the survey. The active ditch appears as "Ditch #5" on the 1917 Hydrographic Survey of the Santa Fe Creek. The inactive one shows up as "Ditch #2." They both should be considered significant historic landscape features.*** Ms. Baer said, "We agree that we're happy to ask the Applicant to show the irrigation ditches that appear on this property on the final plat before recordation."
2. ***The boundary of the escarpment district should appear on the survey.*** Ms. Baer said, "We're happy to ask the Applicant to show the boundary of the Escarpment District on the final plat. That's not a problem."
3. ***The application should include a slope analysis so that the maximum density for the property can be accurately calculated and the calculation included on the plat. The note should be clear that it applies to all three tracts.*** Ms. Baer said, "We believe we have addressed this with Mr. Durand and it's not required. The reason for the slope analysis would have been to demonstrate a limit to the density, and since we are already limiting the density with a specific note on the plat, showing the slope would not limit it further. The purpose of the slope analysis, and we may ask for one when and if Tract C comes in for any further development in the future, we might ask for a slope analysis to see where properties could be developed, but it's not necessary at this time. And I believe that Mr. Durand has agreed with that."
4. ***An additional note should be added to the survey stating that when the new access driveway from Canyon Road is constructed, the existing driveway to the house at 1500 Canyon Road shall be abandoned.*** Ms. Baer said, "I believe that's been taken care of in our revised note, saying that the new access driveway, that there should be only one, and we've clarified that, between B and C, and that the existing driveway to Tract C would be removed or abandoned at the time the new driveway access is created. So we're fine with this, and I think the note will clarify that."

5. ***The requirement that the design of the driveway be approved prior to recording the plat should be deleted as this cannot properly be designed till and if there is a plan for development of the tract.*** Ms. Baer said, "We have, in fact deleted that in the revised conditions, so in other words that driveway would be approved at a future time when Tract B is developed, or prior to that, if there is some anticipated development, and it would be approved by the City's Traffic Engineer. So I think we're in complete agreement."
6. ***A copy of the final plat will be provided to the Canyon Association to review, prior to the recording of the final plat.*** Ms. Baer said, "It is this body that gives the final approval for the lot split. I would mention that the lot line adjustment is typically an administrative matter, but we're showing it to you with the lot split because it appears on the same plat, and as a point of clarification, Tract A is becoming somewhat larger. We are happy to show the Neighborhood Association, Mr. Durand, Mr. Watson, the final plat before it is recorded, but that's not to say that they could then make changes to it."

Chair Harris said it seems that it would be appropriate as a courtesy to inform Mr. Durand or any other members of the Association who would like to be able to review it with staff, but said no changes could be made.

**MOTION:** Commissioner Ortiz moved, seconded by Commissioner Schackel-Bordegary, to approve Case #2013-13, 1500 & 1520 Canyon Road Lot Split & Lot Line Adjustment, with all revised staff conditions of approval as recommended by staff, and with the conditions of approval as submitted by Albert Durand.

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

#### **F. BUSINESS FROM THE FLOOR**

There was no business from the floor.

#### **G. STAFF COMMUNICATIONS**

There were no staff communications.

#### **H. MATTERS FROM THE COMMITTEE**

There were no matters from the Committee.

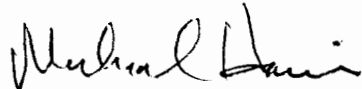


**I. ADJOURNMENT**

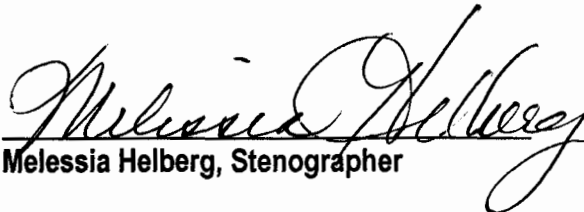
There was no further business to come before the Committee.

**MOTION:** Commissioner Ortiz moved, seconded by Commissioner Harris, to adjourn the meeting.

**VOTE:** The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 12:00 noon.



Michael Harris, Chair



Melessia Helberg, Stenographer

# City of Santa Fe, New Mexico

# memo

**DATE:** April 3, 2013

**TO:** Summary Committee

**FROM:** Current Planning Division

**RE:** Additional Correspondence

---

The attached correspondence are not in your April 4, 2013 Summary Committee Packet. The correspondence is in the following order:

**Case #2013-11. 1384 Grandpas Ranch Lot Split.**

- Letter from Patty Prosser, received April 1, 2013

**Case #2013-13. 1500-1520 Canyon Road Lot Split & Lot Line Adjustment.**

- Email chain from Albert Durand et al, received April 1, 2013

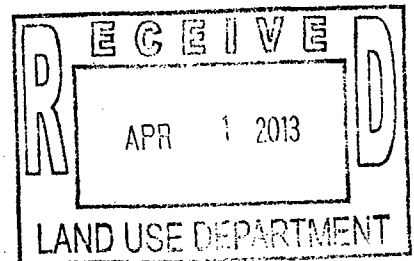
*Exhibit "1"*

William Lamboy.

I am writing you because I am very much against the lot split at Grandfair Ranch. #1 it is too close to my property, #2 my neighbor will have no privacy like she does now. #3 that lot isn't any bigger than my upper lot and if I ever wanted to split it you people wouldn't let me. So why are you going to let my martinez do this? I really don't understand the Palatichs. I think someone from the city should go out there and take a really good look at the place and make sure it's right. Plus for anyone to see notice of public ~~notice~~ hearing sign you have to drive ~~at~~ all the way down the drive way it should be up by the road where people can see and read it. Rob does not want people to see it so no one will fight him on this issue. and you people at the city are letting him get away with it. I really don't want a trailer park in my front yard.

Last thing I know you are going to give him what he wants but I have to say how I and we feel not happy at all. Please consider our concerns.  
Thank you

Patty



**LAMBOY, WILLIAM A.**

---

**From:** LAMBOY, WILLIAM A.  
**Sent:** Tuesday, April 02, 2013 10:36 AM  
**To:** 'Albert Durand'  
**Cc:** BAER, TAMARA; Richard Horcasitas (horcasitasland@gmail.com)  
**Subject:** RE: FW: Meet at 1500 Canyon Road, Watson, Durand, Ellenberg and Horcasitas, 3-29-13

The request is for a lot split. Two lots are being created: Tract "B" and Tract "C". Tract "A" has been in existence since the 1950s. All that is being requested is a lot line adjustment to increase the area of Tract "A." Since the density is averaged, neither tract A nor Tract B will be able to subdivide in the future. The only property that could subdivide in the future would be Tract "C." The applicant agreed to limit the number of lots to 7 (Tracts B & C). The ordinance reads, "*for a parcel, any portion of which lies in the area labeled as mountainous and difficult terrain and where twenty-five percent or more of the parcel has a natural slope greater than twenty percent, multiply the result calculated in Subsection 14-7.2(B)(4) by 0.75.*" This is the formula used for calculating density in the Mountainous and Difficult Terrain District. The possibility exists that a slope analysis could indicate less than 25% of the property with slopes exceeding 20%, in which case they could have developed up to 9 primary units, but in this case, the applicant is limiting the total number to 7. Even if a majority of the property contained slopes exceeding 20% the formula and number of lots would remain the same.

As you are aware, additional deductions can be taken for Floodplain; however, no portion of the property lies in the floodplain.

The Escarpment District will limit the location of structures at the time of development. It does not affect density.

The ditches will be shown on the final plat.

Per the March 27, 2013 memorandum from Traffic Engineering, we will request a new condition requiring shared driveway access to Tracts B and C.

William Lamboy, AICP  
Senior Planner  
Current Planning Division  
505-955-6888  
P.O. Box 909  
Santa Fe, NM 87504-0909

**From:** Albert Durand [mailto:whirlwind61@gmail.com]  
**Sent:** Monday, April 01, 2013 5:19 PM  
**To:** Richard D. Ellenberg; Richard Horcasitas; macwatson@cybermesa.com; LAMBOY, WILLIAM A.  
**Subject:** Fwd: FW: Meet at 1500 Canyon Road, Watson, Durand, Ellenberg and Horcasitas, 3-29-13

----- Forwarded message -----

From: Alan "Mac" Watson <[macwatson@cybermesa.com](mailto:macwatson@cybermesa.com)>

Date: Mon, Apr 1, 2013 at 3:50 PM

Subject: FW: Meet at 1500 Canyon Road, Watson, Durand, Ellenberg and Horcasitas, 3-29-13

To: Albert Durand <[whirlwind61@gmail.com](mailto:whirlwind61@gmail.com)>

Hi Albert,

At the end of this email chain is my summary. I agree with the email you sent out this afternoon asking for a slope analysis and another look at the density condition that appears on the application plat. The only item outstanding is the traffic engineer's revision of his memo which was revised to require a design of the driveway entrance "before recordation of the plat." I think we agreed that this condition was premature, as the design is dependent on the density served by the driveway. We should make this point to Lamboy.

Mac

---

**From:** Albert Durand [<mailto:whirlwind61@gmail.com>]

**Sent:** Saturday, March 30, 2013 11:07 AM

**To:** Richard D. Ellenberg

**Cc:** Alan Mac Watson; Richard Horcasitas; Kristin Watson

**Subject:** Re: Meet at 1500 Canyon Road, Watson, Durand, Ellenberg and Horcasitas, 3-29-13

Right on. Albert

On Sat, Mar 30, 2013 at 10:12 AM, Richard D. Ellenberg <[rdellenberg@gmail.com](mailto:rdellenberg@gmail.com)> wrote:

Great. I think the density note should show the calculation and that it covers all 3 tracts.

Peace and Long Life,

Richard D. Ellenberg

1714 Canyon Road

Santa Fe, NM 87501-6142

505 699 9158

rdellenberg@gmail.com

**From:** Albert Durand [mailto:[whirlwind61@gmail.com](mailto:whirlwind61@gmail.com)]

**Sent:** Saturday, March 30, 2013 9:49 AM

**To:** Alan Mac Watson

**Cc:** Richard D. Ellenberg; Richard Horcasitas; Kristin Watson

**Subject:** Re: Meet at 1500 Canyon Road, Watson, Durand, Ellenberg and Horcasitas, 3-29-13

Good job Mac .My tentative comments:

Re #4,

Driveway note should be even more specific, so someone can't abandon one drive but open another. Memo should be unequivocal that a total of only two drive accesses will be allowed to access all this \_\_\_\_\_ Lft property frontage due to existing Upper Canyon Road visibility conditions- the easterly curve; westerly hill; and high bank, wall, and tree obstructions along the very narrow roadway.

Re #5, agree we should review revised Traffic Engr memo when we get it. Believe we concurred that the memo's requirement that the access design be finalized prior to the Summary Committee hearing, should be amended to "prior to each developmen stage occurring"... as its too early to determine traffic loads/ # of homes to be developed. Also this issue should be a note on the plat, not just a memo, as memos get buried and forgotten in archived files.

The surveyor mayl have to hustle to get a slope analysis/ Steep & Mountainous Terrain Area 20%+ slopes area & density calculation done early in the week. It is possible this hearing will have to be postponed until this is done and an effective note is added to the plat. But since this thing has been dangling for years, I don't see what difference another month makes, it will still get done in time for the spring and summer selling season- which seemingly is the pressure from the Realtors.

Some family contact would certainly be good. Nothing we have come up with is an any way unreasonable for this large development property in the middle of the neighborhood. Or at least an attempt at contact, little time before April 4 hearing.

I'll have email note waiting for Lamboy Mon am, requesting data used to determining density calculation. Maybe they got a slope analysis and calc from somewhere.

Albert

PS:

Perhaps it would be possible to find an interim buyer to buy, impose appropriate development limits, and resell with a modest profit. tho realize Owner family dynamics could make this tough. However that's proven to make selling tough too.

At a minimum, suggest sellers and agents should be informed that CNA will be watching this like a hawk and doing whatever is legally possible to hold development numbers to a reasonable level. Would an "appreciation and request letter" to the Owners from CNA, be something to consider?

On Fri, Mar 29, 2013 at 5:16 PM, Alan "Mac" Watson <[macwatson@cybermesa.com](mailto:macwatson@cybermesa.com)> wrote:

Thank you all for meeting with me this afternoon. Here is my recollection of the points we agreed on.

1. Both the active irrigation ditch and the remains of the inactive irrigation ditch that cross the property should be drawn on the survey. The active ditch appears as "Ditch #5" on the 1917 Hydrographic Survey of the Santa Fe Creek. The inactive one shows up as "Ditch #2." They both should be considered significant historic landscape features.
2. The boundary of the escarpment district should appear on the survey.
3. The note on Density does not seem to be accurately calculated. The application should include a slope analysis so that the maximum density for the property can be accurately calculated.
4. An additional note should be added to the survey stating that when the new access driveway from Canyon Road is constructed the existing driveway to the house at 1500 Canyon Road shall be abandoned.
5. There was an additional note added to the Traffic Engineer's Memo of March 27 but I do not have a copy of it. I recall that we all agreed that it was acceptable and an improvement. Would Mr. Horcasitas please send us a copy of the revised memo? Then we can develop a consensus position on it.

Next steps: if this draft set of points is acceptable to all of us, we will communicate them to Mr. Lamboy as representing the thinking of the Canyon Neighborhood Association. Richard Ellenberg will put together a letter for the President of the Canyon Neighborhood Association to sign once the Association's Board approves.

Albert will communicate with Mr. Lamboy regarding the calculation of density.

I do not recall that we agreed to try and meet with a family member. Do either of the Richards have thoughts on that subject?

Please "Reply all" if you think that these notes should be edited or added to.

Mac

Alan "Mac" Watson

Watson Conserves, LLC

1517 Canyon Road

Santa Fe, NM 87501

(505) 995-0747 (voice)

(505) 983-4918 (fax)

(505) 690-8685 (cell)

[macwatson@cybermesa.com](mailto:macwatson@cybermesa.com)

[www.watsonconserves.com](http://www.watsonconserves.com)



# City of Santa Fe, New Mexico

# memo

**DATE:** March 20, 2013, for the April 4, 2013 Meeting

**TO:** Summary Committee

**VIA:** Matthew S. O'Reilly, P.E., Director, Land Use Department *MSO*  
Tamara Baer, ASLA, Planning Manager, Current Planning Division *TB*

**FROM:** William Lamboy, AICP, Senior Planner, Current Planning Division *W.L.*

## 1384 GRANDPA'S RANCH ROAD LOT SPLIT

**Case #2013-11.** 1384 Grandpa's Ranch Lot Split. Robert J. Martinez, owner, requests plat approval to divide approximately 2.5 acres into two residential lots. The property is located on Grandpa's Ranch Road, approximately 460 feet south of West Alameda Street and is zoned R-1 (Residential-1 dwelling unit per acre). (William Lamboy, 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-1, (Residential-1 dwelling unit per acre) and is located in Phase III, Area 1, of the Annexation Agreement. The applicant intends to divide the property for the benefit of his daughters and grandchildren.

The proposed land division would create two residential lots: Lot 2-A, 1384 Grandpa's Ranch Road, containing approximately 1.25 acres; and Lot 2-B, 1386 Grandpa's Ranch Road, 1.25 acres. Lot 2-A is undeveloped except for agricultural accessory structures. Lot 2-B contains a double-wide manufactured home.

The lots are accessed from West Alameda Street, via a private, unimproved driveway within a 25-foot access easement. Three lots will be accessed through

*Exhibit "2"*

this easement. All of the lots are under common ownership.

There are no City services in the immediate vicinity. A well is located on Lot 2-B with a 15-foot utility easement extending across Lot 2-A. The property owner proposes a shared well between both lots. A shared well agreement will be required prior to any new construction on either lot. Prior to new construction on either lot, a septic system from the State Environment Department will be required.

#### **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.*

Staff recommends the following conditions of approval:

1. Staff redline comments will be provided to the surveyor who shall address all issues and submit the corrected plat in Mylar.
2. Prior to recordation of the plat, a shared well agreement shall be executed to serve both resulting lots.
3. The following notes shall be added to the plat:
  - a. Prior to any new construction or placement of a manufactured-home, the owner shall obtain a well permit from the New Mexico State Engineer.

#### **ATTACHMENTS:**

##### **EXHIBIT A: City Staff Memoranda**

1. Fire Marshal Memorandum, Rey Gonzales
2. City Engineer for Land Use Memorandum, R. B. Zaxus
3. Waste Water Division Engineer Memorandum, Stan Holland

##### **EXHIBIT B: Maps**

1. Zoning
2. Aerial View

##### **EXHIBIT C: Applicant Materials**

1. Letter of Application

**City of Santa Fe, New Mexico**

# **Exhibit A**


**City Staff Memoranda**

# City of Santa Fe, New Mexico

## memo

**DATE:** March 4, 2013

**TO:** William Lamboy , Case Manager

**FROM:** Reynaldo Gonzales, Fire Marshal 

**SUBJECT:** Case #2013-11 Grandpas Ranch Lot Split

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. Below are the following requirements that shall be addressed prior to approval by Planning Commission. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

**Prior to any new construction these requirements must be met:**

1. All Fire Department access shall be no greater than a 10% grade throughout and maintain 20' min. width.
2. Fire Department Access shall not be less than 20 feet width to any new construction.
3. Shall meet driveway requirements as per IFC.
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.

# City of Santa Fe, New Mexico

# memo

DATE: March 12, 2013

TO: William Lamboy  
Case Manager

FROM: Risana B "RB" Zaxus, PE  
City Engineer for Land Use Department

RE: Case # 2013-11  
1324 Grandpa's Ranch Lot Split

---

I reviewed a one-sheet Lot Split Plat prepared by East Mountain Surveying Co., and have the following review comments, to be considered conditions of approval:

- Add adjoiner information for Lot 1-A and Lot 1-B.
- Add street address to each lot.
- Add date of field work to Surveyor's Certificate.
- Owner of Lot 1-B must consent to reduction of access and utility easement width from 38' to 24'. Add appropriate language and consent statements to plat.

# City of Santa Fe, New Mexico

# memo

**DATE:** February 26, 2013  
**TO:** William Lamboy, Case Manager  
**FROM:** Stan Holland, Engineer, Wastewater Division  
**SUBJECT:** Case #2013-11 1324 Grandpa's Ranch Lot Split-Lots 2-A & 2-B

---

The subject properties are not accessible to the City sanitary sewer system.

The following notes shall be added to the plat as a condition of approval:

- No fences, walls, or other obstructions shall be placed or constructed across or within public sanitary sewer or utility easements

**Additional Requirements:**

- The proposed 24 foot wide access and utility easement shall be increased to a minimum 25 foot wide access and utility easement.
- A minimum 20 foot wide public sanitary sewer line easement shall be required through Lot 3. This easement shall be contiguous with the 25 foot easement and shall run from the north to the south property line of Lot 3.
- The revised plat with the required changes shall be submitted to the Wastewater Division for review and approval prior to submittal for City approval.

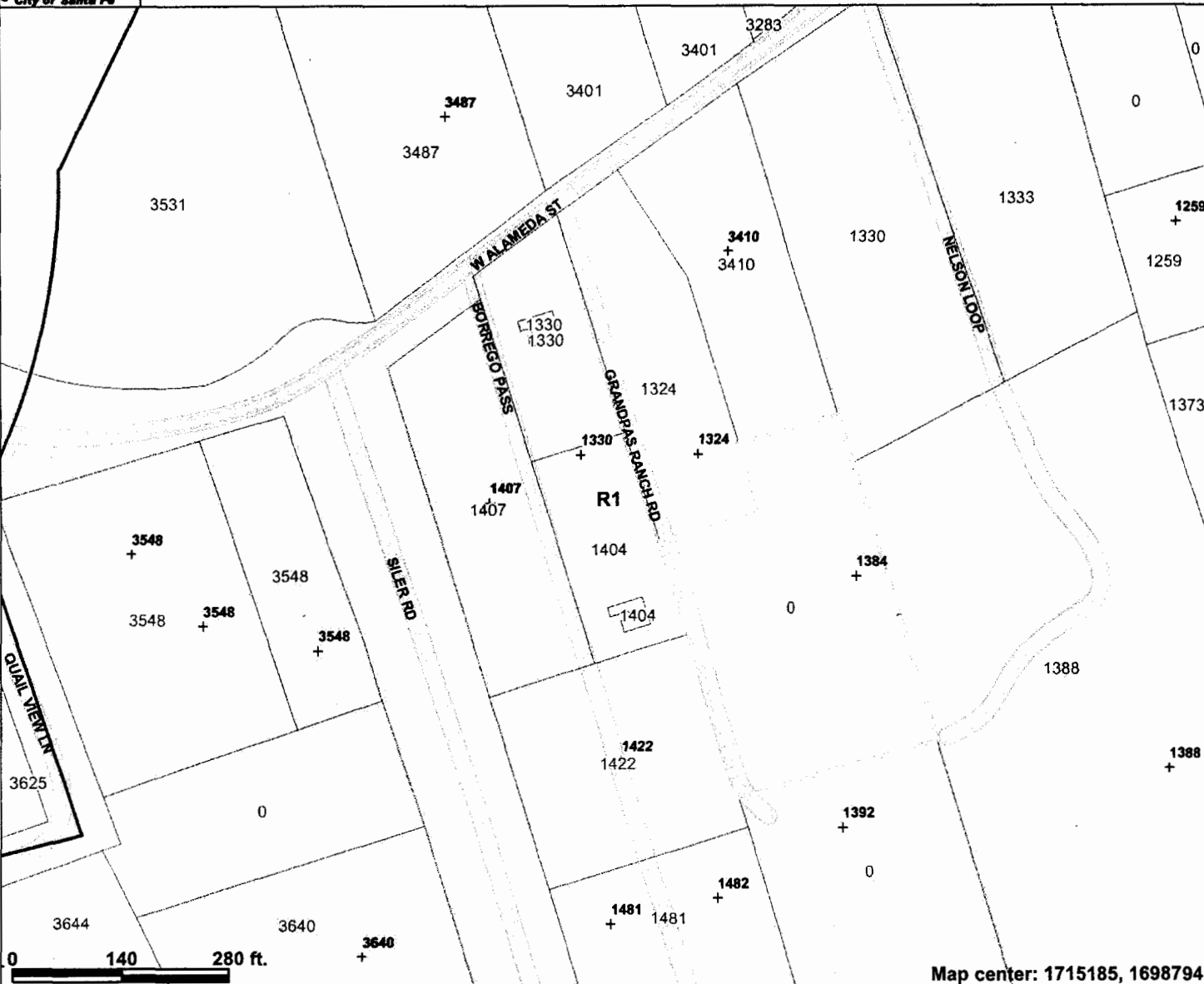
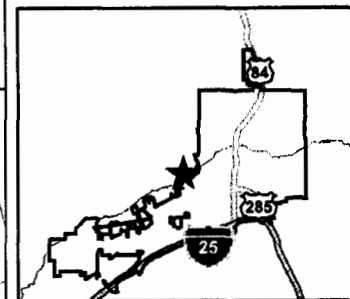
**City of Santa Fe, New Mexico**

# **Exhibit B**

**Maps**



## 1384 Grandpa's Ranch Road - Zoning



### Legend

- City Limits
- Address Points
- Wastewater Collection Pipelines
- Water Pipe Distribution
- Parcels
- Airport Clear Zones
- Santa Fe River
- Zoning
  - RR Rural Residential
  - R1, (PUD) Single - Family 1du/ac.
  - R2, (DT), (PUD), (AC) Single - Family 2du/ac
  - R3, (PUD) Single - Family 3du/ac
  - R4 Single - Family 4du/ac
  - R5, (DT), (PUD), (AC), R6 Single - Family 5-8du/ac
  - R7, (I), (PUD), R8 Single - Family 7-8du/ac
  - RC5, RC8AC Compound 5du/ac
  - RC8, RC8AC Compound 8du/ac
  - R10, (PUD) Multiple - Family 10du/ac
  - R12, (PUD) Multiple - Family 12du/ac
  - R21, (PUD) Multiple - Family 21du/ac



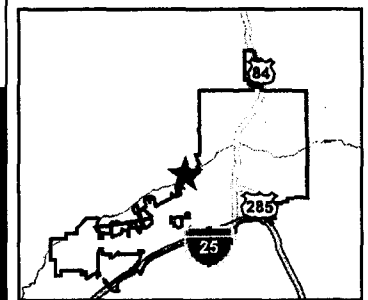
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## 1384 Grandpa's Ranch Road - Aerial View



### Legend

- City Limits
- Wastewater Collection Pipelines
- Water Pipe Distribution
- Parcels
- Airport Clear Zones
- Santa Fe River
- Major Roads and Highways
- Other Roads and Streets
- 2008 Aerial Photography - 6 inch resolution



Scale: 1:1,454

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**City of Santa Fe, New Mexico**

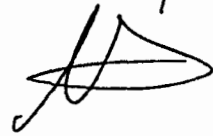
# **Exhibit C**

**Applicant Materials**

City of Santa Fe.

I Am the owner of a 2.5ac Lot to 2 1.25 ac  
Lots, I have 3 daughter and 6 grand kio that  
I will be able to help the out.

Thank You



Robert Martin

2-21-13

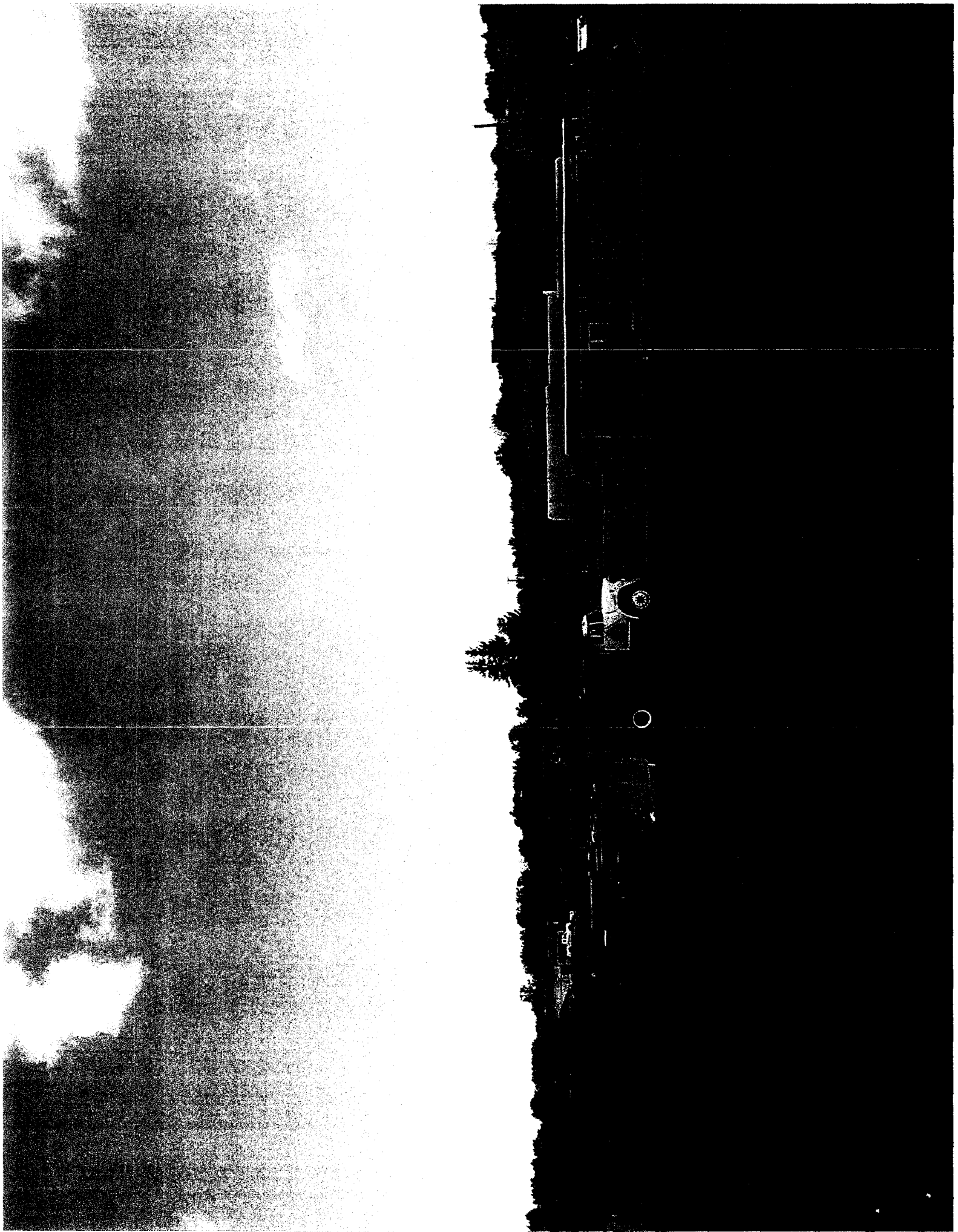
**City of Santa Fe, New Mexico**

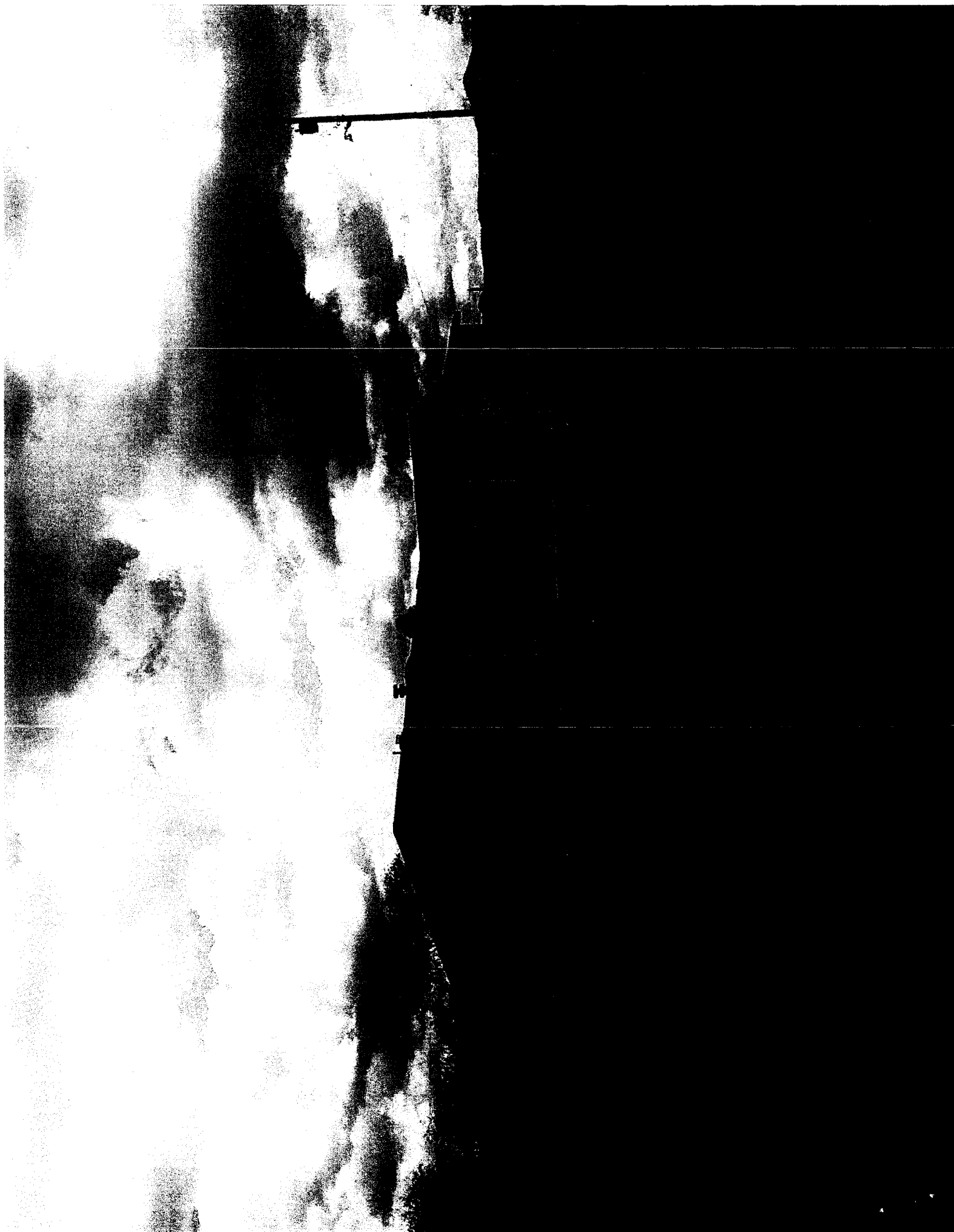
# **Exhibit D**

**Photographs**

Boulevard







# City of Santa Fe, New Mexico

# memo

**DATE:** March 20, 2013, for the April 4, 2013 Meeting

**TO:** Summary Committee

**VIA:** Matthew S. O'Reilly, P.E., Director, Land Use Department *MSO*  
Tamara Baer, ASLA, Planning Manager, Current Planning Division *TB*

**FROM:** William Lamboy, AICP, Senior Planner, Current Planning Division *W.L.*

## 153 & 157 DURAN STREET LOT SPLIT

**Case #2013-12.** 153 & 157 Duran Street Lot Split. Richard Horcasitas, of Horcasitas Land Use Consultant, agent for Julie Rodriguez, requests plat approval to divide approximately 0.10 acres into two residential lots. The property is zoned R-29 (Residential-29 dwelling units per acre). (William Lamboy, 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-29, (Residential-29 dwelling units per acre). The lot split is intended to separate two existing houses on the property.

The proposed land division would create two residential lots: Lot 1, 157 Duran Street, containing approximately 0.43 acres; and Lot 2, 153 Duran Street, 0.55 acres. Lot 1 is developed with a one-story, single family residence. Lot 2 contains a single family home as well.

Both lots face and have direct access to Duran Street, a public roadway.

The property is accessible to the City's Water and Wastewater systems. Each lot shall be served by separate water and sewer service.



## **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.*

Staff recommends the following conditions of approval:

1. Staff redline comments will be provided to the surveyor who shall address all issues and submit the corrected plat in Mylar.
2. An existing public sewer line runs from east to west along the proposed property line between Lot 1 and Lot 2. The Applicant shall show the existing sewer line easement on the plat with book and page numbers. If no sewer line easement is found in the records, a 20 foot wide public sanitary sewer line easement shall be created and granted to the City of Santa Fe. The easement alignment shall be centered between the existing upstream and downstream sewer manhole alignments.
3. The following notes shall be added to the plat:
  - a. No fences, walls, or other obstructions shall be placed or constructed across or within public sanitary sewer or utility easements.

## **ATTACHMENTS:**

### **EXHIBIT A: City Staff Memoranda**

1. Fire Marshal Memorandum, Rey Gonzales
2. Waste Water Division Engineer Memorandum, Stan Holland

### **EXHIBIT B: Maps**

1. Zoning
2. Aerial View

### **EXHIBIT C: Applicant Materials**

1. Letter of Application

### **EXHIBIT D: Photographs**

**City of Santa Fe, New Mexico**

# **Exhibit A**


**City Staff Memoranda**

# City of Santa Fe, New Mexico

## memo

**DATE:** March 4, 2013

**TO:** William Lamboy , Case Manager

**FROM:** Reynaldo Gonzales, Fire Marshal 

**SUBJECT:** Case #2013-12 153 & 157 Duran Street Lot Split

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. Below are the following requirements that shall be addressed prior to approval by Planning Commission. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

**Prior to any new construction these requirements must be met:**

1. All Fire Department access shall be no greater than a 10% grade throughout and maintain 20' min. width.
2. Fire Department Access shall not be less than 20 feet width to any new construction.
3. Shall have a drivable surface that will bear the weight of a fire engine and kept maintained in all weather like conditions.
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.

# City of Santa Fe, New Mexico

# memo

**DATE:** February 26, 2013  
**TO:** William Lamboy, Case Manager  
**FROM:** Stan Holland, Engineer, Wastewater Division  
**SUBJECT:** Case #2013-12 153 & 157 Duran Lot Split

---

The subject properties are accessible to the City sanitary sewer system.

The following notes shall be added to the plat as a condition of approval:

- Each lot shall be served by its own separate sewer service line.
- No fences, walls, or other obstructions shall be placed or constructed across or within public sanitary sewer or utility easements.

#### Additional Requirements:

- There is an existing public sewer line that runs from east to west between Lot 1 and Lot 2 along their proposed property line. The Applicant shall show the existing sewer line easement on the plat with book and page numbers. If no sewer line easement is found in the records, a 20 foot wide public sanitary sewer line easement shall be created and granted to the City of Santa Fe. The easement alignment shall be centered between the existing upstream and downstream sewer manhole alignments.
- The revised plat with the required changes shall be submitted to the Wastewater Division for review and approval prior to submittal for City approval.

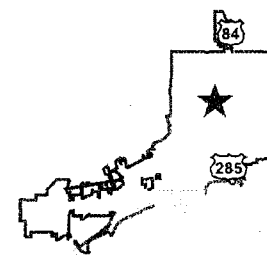
**City of Santa Fe, New Mexico**

# **Exhibit B**

**Maps**

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# 153-157 Duran Street - Aerial View



## Legend

- City Limits
- Full Address Labels
- Parcels
- Airport Clear Zones
- Santa Fe River
- Major Roads and Highways
- Other Roads and Streets
- 2008 Aerial Photography - 6 inch resolution



Scale: 1:344

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**City of Santa Fe, New Mexico**

# **Exhibit C**

**Applicant Materials**





February 21, 2013

City of Santa Fe  
Summary Committee  
P.O. Box 909  
Santa Fe, NM 87501

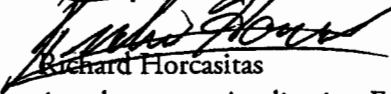
Re: Lot Split 153 Duran- creating Lot 1 and Lot 2 within Section 30, T17N, R10E, N.M.P.M.  
City and County of Santa Fe, New Mexico, 153 & 157 Duran Street, Santa Fe NM 87501.

### LETTER OF APPLICATION

On behalf of Ms. Julie Rodriguez, this letter is provided as part of the Summary Committee submittal requirements for the above referenced property. The property is located at 153 & 157 Duran Street North of West San Francisco and West of Guadalupe South of Paseo de Peralta. The reason for the lot split is to divide an existing residential lot. The total acreage of the property before the lot split is 0.098 acre± (approximately 4,297 square feet). The property is zoned R-29. The application is for a lot split to create two lots. One will be designated Lot 1, 0.043 acre± (1,896 square feet). The other lot will be designated Lot 2, 1.56 acre± (2,401 square feet). The property will be accessed from the existing City of Santa Fe Right of Way, Duran Street. The address for Lot 1 will be 157 Duran Street. The address for Lot 2 will be 153 Duran Street.

In conclusion, I have reviewed the code and met with required staff members to ensure that the proposed project meets all of the requirements for creating a lot split within the R-29 zoning. Your consideration is greatly appreciated. If you have any questions regarding this application, please do not hesitate contacting my office at (505) 920-3841.

Sincerely,



Richard Horcasitas

Attachments: Application Form  
3 copies of Preliminary Plat  
Letter of Application  
Lot of Record Documentation  
Zoning Verification

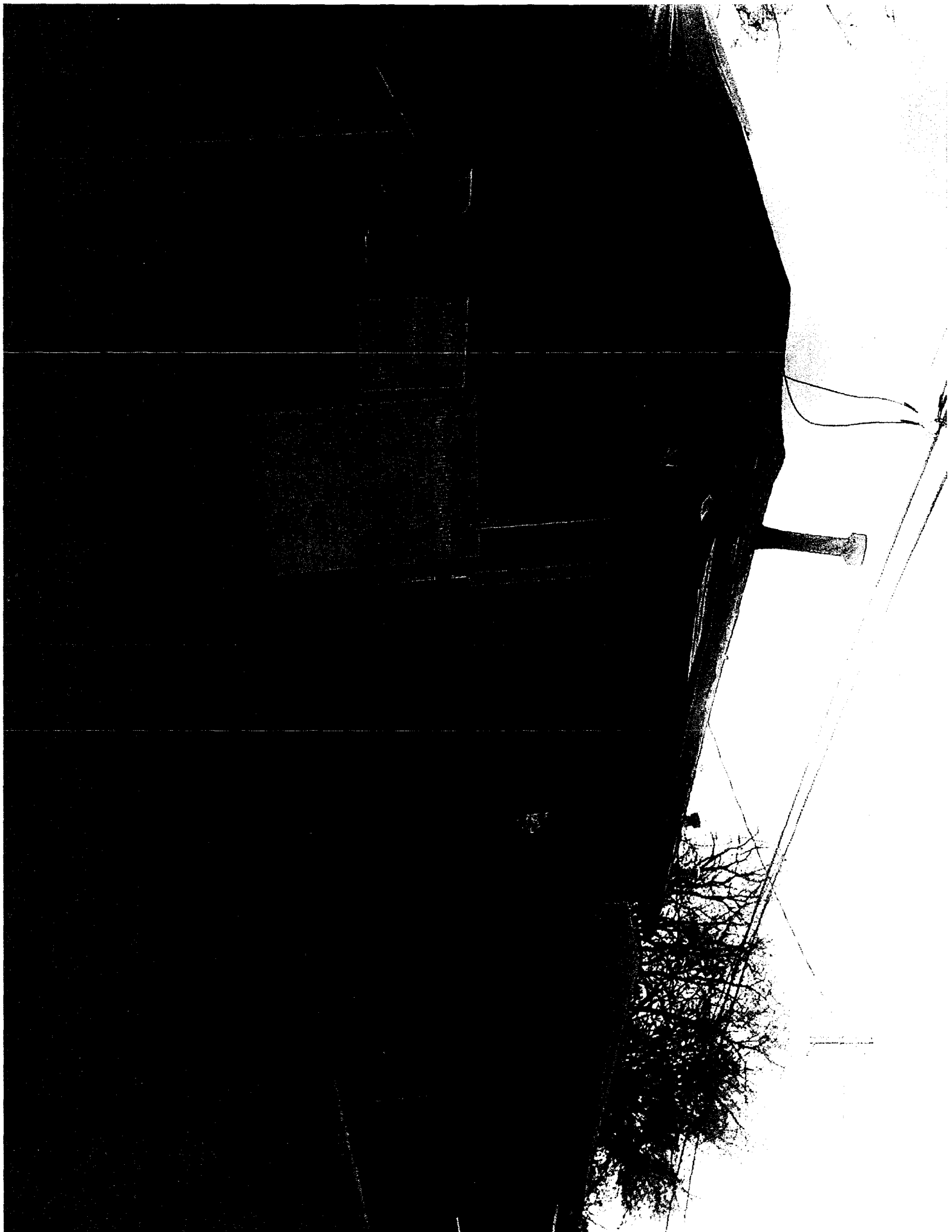
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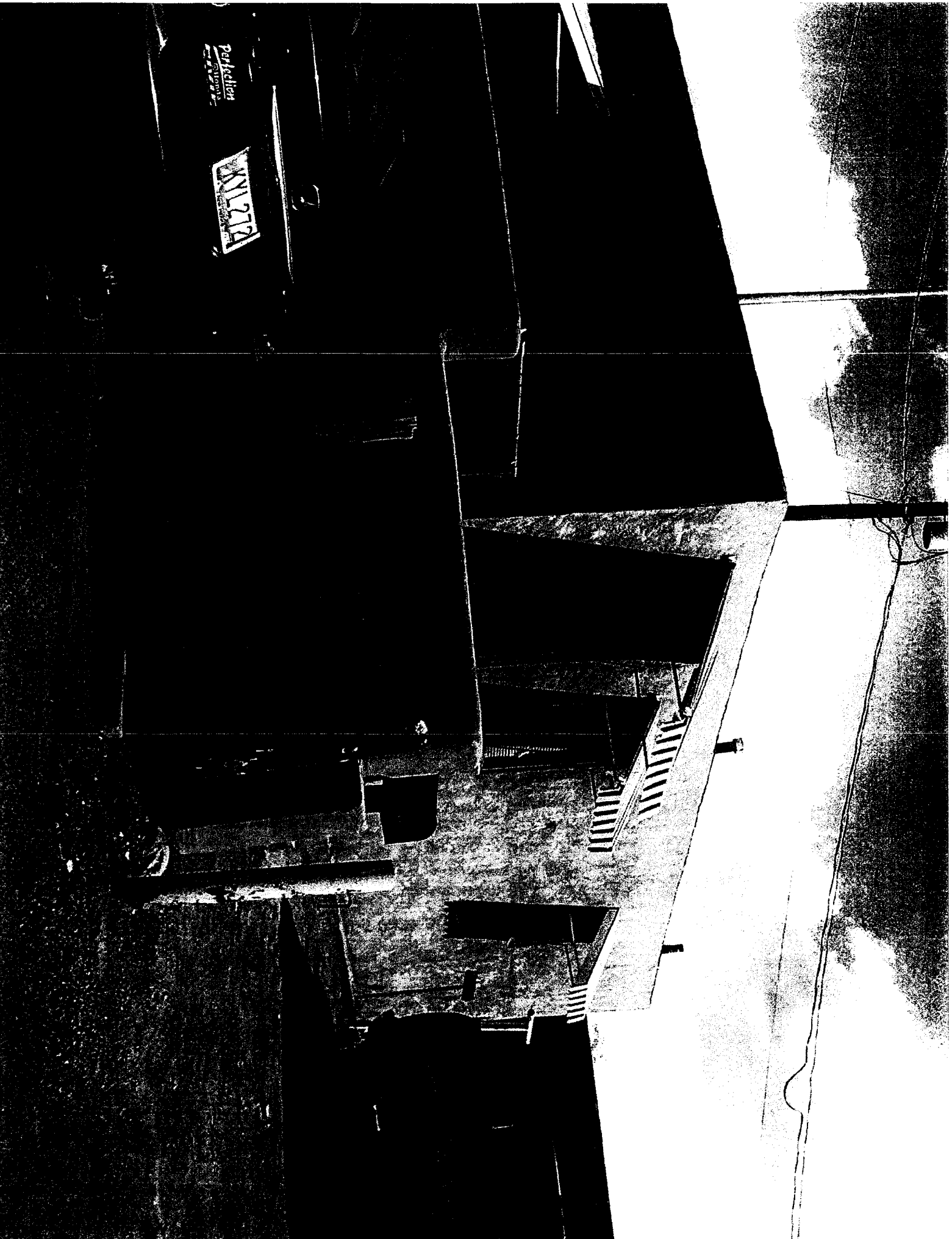
Richard Horcasitas  
228 South Saint Francis Drive Santa Fe, NM 87501  
P/505-920-3841 E/horcasitasland@gmail.com

**City of Santa Fe, New Mexico**

# **Exhibit D**

**Photographs**





# City of Santa Fe, New Mexico

# memo

**DATE:** March 20, 2013, for the April 4, 2013 Meeting

**TO:** Summary Committee

**VIA:** Matthew S. O'Reilly, P.E., Director, Land Use Department *MSO*  
Tamara Baer, ASLA, Planning Manager, Current Planning Division *TB*

**FROM:** William Lamboy, AICP, Senior Planner, Current Planning Division *WJ*

## 1500 & 1520 CANYON ROAD LOT SPLIT & LOT LINE ADJUSTMENT

**Case #2013-13. 1500 & 1520 Canyon Road Lot Split & Lot Line Adjustment.** Richard Horcasitas of Horcasitas Land Use Consultant, agent for Zoila & Matias Rivera and the Estate of Antonio Padilla, requests plat approval to divide approximately 9.86 acres into two residential lots and to adjust the property line between 1500 and 1520 Canyon Road. The property, is zoned R-1 (Residential-1 dwelling unit per acre). Located in the Mountainous & Difficult Terrain District, portions of the site are also in the Escarpment Overlay District. (William Lamboy, 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-1, (Residential-1 dwelling unit per acre) and is located in the City's Mountainous and Difficult Terrain District which limits total development at build-out to 75% of the zoning district's maximum allowable density. In this particular case, the total number of lots at build-out shall not exceed 7 lots including those in existence. Portions of the site are also in the Escarpment Overlay District which will further limit the placement of structures on the property.

The proposed land division would create two residential tracts: Tract B, 1510 Canyon Road, containing approximately 0.40 acres; and Tract C, 1500 Canyon

*Exhibit "4"*

Road, 9.27 acres. In addition, the property line of Tract A is being adjusted southwards to match Tract B's property line. Tract A is developed with a single family residence. Tract C contains a single family home and several accessory buildings. Tract B is undeveloped.

Tract A has direct access to Canyon Road. Tracts B and C shall be accessed via a shared access from Canyon Road. Design of the access must be reviewed and approved by the Traffic Division.

The property is accessible to the City's Water and Wastewater systems. Any future development will be required to connect to City utilities.

### **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.*

Staff recommends the following conditions of approval:

1. Staff redline comments will be provided to the surveyor who shall address all issues and submit the corrected plat in Mylar.
2. The following notes shall be added to the plat:
  - a. The Developer(s) shall provide a shared access to Tracts "B" and "C" from Canyon Road.
  - b. The Developer(s) shall indicate the applicable ingress and egress easement on the proposed plat.
  - c. The Design of the above specified driveway/access shall be reviewed and approved by the Traffic Division of the Public Works Department prior to recordation of the plat.

### **ATTACHMENTS:**

#### **EXHIBIT A: City Staff Memoranda**

1. Fire Marshal Memorandum, Rey Gonzales
2. City Engineer for Land Use Memorandum, R. B. Zaxus
3. Waste Water Division Engineer Memorandum, Stan Holland
4. Traffic Engineering Division Memorandum, Sandra Kassens

#### **EXHIBIT B: Maps**

1. Zoning
2. Aerial View
3. Escarpment & Mountainous & Difficult Terrain Districts

#### **EXHIBIT C: Applicant Materials**

1. Letter of Application

#### **EXHIBIT D: Photographs**

**City of Santa Fe, New Mexico**

# **Exhibit A**


**City Staff Memoranda**

# City of Santa Fe, New Mexico

## memo

**DATE:** March 4, 2013

**TO:** William Lamboy , Case Manager

**FROM:** Reynaldo Gonzales, Fire Marshal 

**SUBJECT:** Case #2013-13 1500 & 1520 Canyon Road Lot Split

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. Below are the following requirements that shall be addressed prior to approval by Planning Commission. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

**Prior to any new construction these requirements must be met:**

1. All Fire Department access shall be no greater than a 10% grade throughout and maintain 20' min. width.
2. Fire Department Access shall not be less than 20 feet width to any new construction.
3. Shall have a drivable surface that will bear the weight of a fire engine and kept maintained in all weather like conditions.
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.



# City of Santa Fe, New Mexico

# memo

DATE: March 12, 2013

TO: William Lamboy  
Case Manager

FROM: Risana B "RB" Zaxus, PE  
City Engineer for Land Use Department

RE: Case # 2013-13  
1500 and 1520 Canyon Road Lot Split & Lot Line Adjustment

---

I reviewed a one-sheet Lot Split Plat prepared by Sierra Land Surveying, Inc., and have the following review comments, to be considered conditions of approval:

- Add street address to Tract B.
- Add to the Plat standard language requiring property development to comply with Chapter 14 and subsequent amendments and to comply with the provisions of each applicable City of Santa Fe ordinance adopted prior to recording...that buildable areas will be determined at time of building permit...etc.
- Add a floodplain status statement.

# City of Santa Fe, New Mexico

# memo

**DATE:** February 26, 2013  
**TO:** William Lamboy, Case Manager  
**FROM:** Stan Holland, Engineer, Wastewater Division  
**SUBJECT:** Case #2013-13 1500 & 1520 Canyon Road Lot Split & Lot Line Adjustment

---

The subject properties are accessible to the City sanitary sewer system.

The following notes shall be added to the plat as a condition of approval:

- Each lot shall be served by its own separate sewer service line.

# City of Santa Fe, New Mexico

# memo

**DATE:** Wednesday, March 27, 2013

**TO:** William Lamboy, Planning and Land Use Department

**VIA:** John Romero, Traffic Engineering Division Director *JR*

**FROM:** Sandra Kassens, Traffic Engineering Division *SKH*

**SUBJECT:** 1500 & 1520 Canyon Road Lot Split & Lot Line Adjustment.

---

## ISSUE

Richard Horcasitas of Horcasitas Land Use Consultant, agent for Zoila & Matias Rivera and the Estate of Antonio Padilla, requests plat approval to divide approximately 9.86 acres into two residential lots and to adjust the property line between 1500 and 1520 Canyon Road. The property, is zoned R-1 (Residential-1 dwelling unit per acre). Located in the Mountainous & Difficult Terrain District, portions of the site are also in the Escarpment Overlay District.

## RECOMMENDED ACTION:

Review comments are based on submittals received on March 25, 2013. The comments below should be considered as Conditions of Approval to be addressed prior to final approval unless otherwise noted:

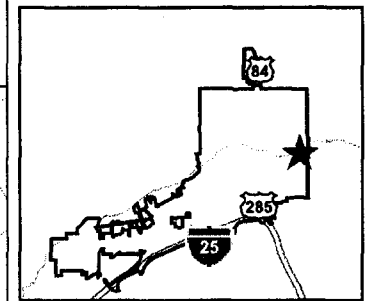
1. The Developer(s) shall provide a shared access to Tracts "B" and "C" from Canyon Road.
2. The Developer shall make a note on the plat that states the above access restriction.
3. The Developer shall indicate the applicable ingress and egress easement on the proposed plat.
4. The Design of the above specified driveway/access shall be reviewed and approved by the Traffic Division of the Public Works Department prior to recordation of the plat.

If you have any questions or need any more information, feel free to contact me at 955-6697. Thank you.

**City of Santa Fe, New Mexico**

# **Exhibit B**

**Maps**

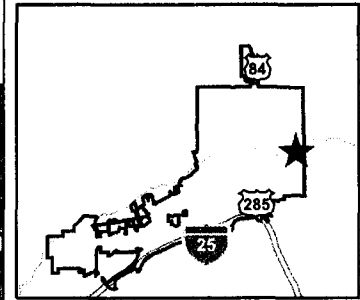


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This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



## 1500, 1510 & 1520 Canyon Road - Aerial View



### Legend

- City Limits
- Address Points
- Parcels
- Airport Clear Zones
- Santa Fe River
- Major Roads and Highways
- Other Roads and Streets
- 2008 Aerial Photography - 6 inch resolution

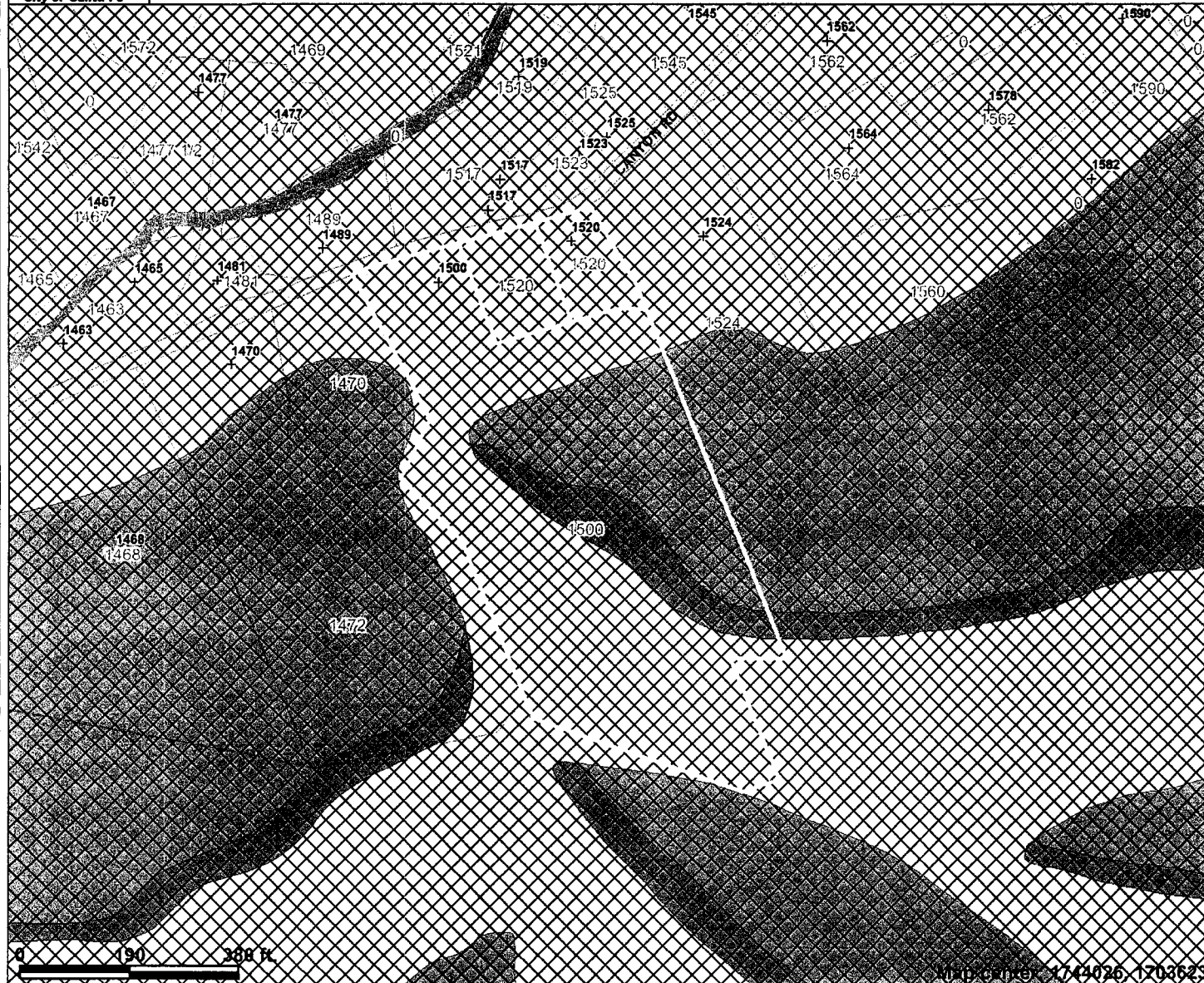
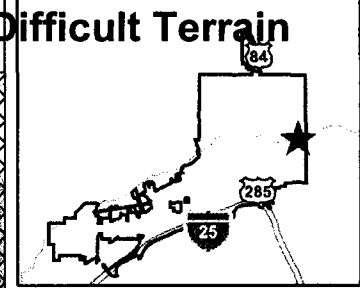


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This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



# 1500; 1510 & 1520 Canyon Road - Escarpment & Mountainous-Difficult Terrain



### Legend

- City Limits
- Address Points
- Parcels
- Airport Clear Zones
- Santa Fe River
- Escarpment Districts
- FOOTHILL
- RIDGE
- City Mountainous or Difficult Terrain Boundary
- Major Roads and Highways
- Other Roads and Streets

Scale: 1:3,234

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

**City of Santa Fe, New Mexico**

# **Exhibit C**

**Applicant Materials**





February 22, 2013

City of Santa Fe  
Summary Committee  
200 Lincoln  
P.O. Box 909  
Santa Fe, NM 87501

Re: Lot Split 1500 & 1520 Canyon Road-creating Tract B and Tract C within Section 20, T17N, R10E, N.M.P.M. City and County of Santa Fe, New Mexico, 1500 & 1520 Canyon Road, Santa Fe NM 87501.  
Lot Line Adjustment 1520 Canyon Road-Tract A

### LETTER OF APPLICATION

On behalf of, Matias & Zoila Rivera for Tract C and Rudy A. & Eloyda R. Garcia for Tract B. This letter is provided as part of the Summary Committee submittal checklist (requirements found in section 14-3.7 SFCC 1987), for the above referenced property. The property is located at 1500 & 1520 Canyon Road on the South side of Upper Canyon Road. The reason for the lot split is to create two residential lots. One lot is designated as Tract C, 9.276 acre $\pm$ . The other lot is designated as Tract B, 0.404 acre $\pm$ . The property is zoned R-1 within the Downtown/Eastside Historic District and the Mountainous and Difficult Terrain boundary. A portion of 1500 Canyon lies within the Foothills and Ridgetop Escarpment Districts. Both properties are accessed from existing City of Santa Fe Right of Way, Upper Canyon Road. The address for Tract C is 1500 Canyon Road. The address for Tract B is 1520 Canyon Road.

In addition to the proposal above, is a request to address the current condition of Tract A. In reference to Plat of Survey Requested by: Heirs of Cesaria Martiez Rivera, Plat Book 293 Page 05, recorded by the County Clerk in the records of Santa Fe County, on December 21, 1994.

On Plat Book 293 Page 005, Tract A is indicated as being 0.298ac $\pm$ . There is a property adjoining to the North, the Antonia Padilla property addressed as 1520 Canyon, 0.207ac $\pm$ . Staff is recommending a lot line adjustment, whereas Tract A will be 0.505ac $\pm$ . Tract A is accessed by the existing City of Santa Fe Right of Way, Upper Canyon Road.

---

Richard Horcasitas

228 South Saint Francis Drive Santa Fe, NM 87501

P/505-920-3841, horcasitasland@gmail.com

Page 1



In conclusion, I have reviewed the code and met with required staff members to ensure that the proposed project meets lot split approval criteria (Section 14-3.7 (C) SFCC 1987) within R-1 zoning. Your consideration is greatly appreciated. If you have any questions regarding this application, please contact me at (505) 920-3841.

Sincerely,

  
Richard Horcasitas

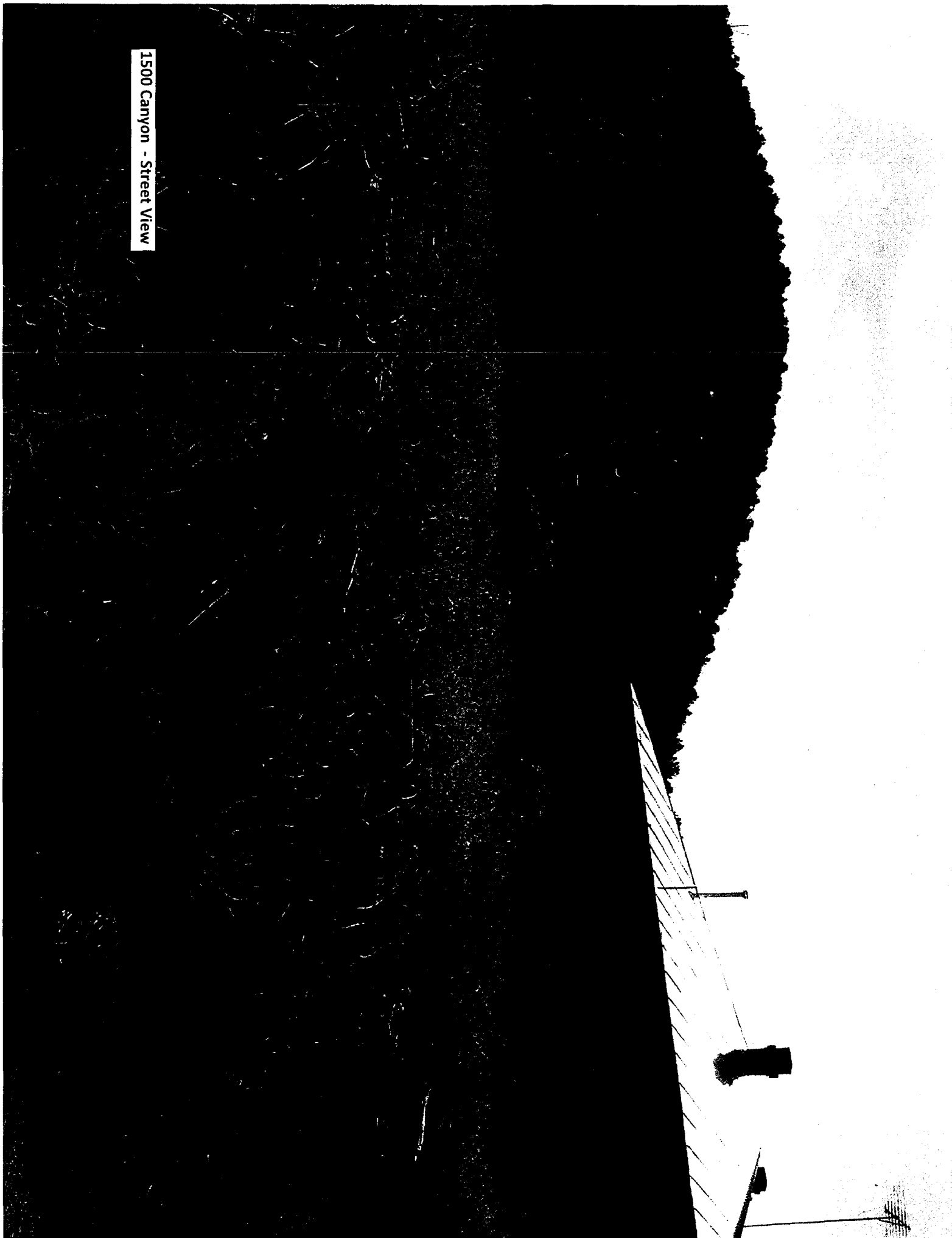
Attachments:      Application Form  
                         3 copies of Preliminary Plat  
                         Letter of Application  
                         Lot of Record Documentation  
                         Zoning Verification

**City of Santa Fe, New Mexico**

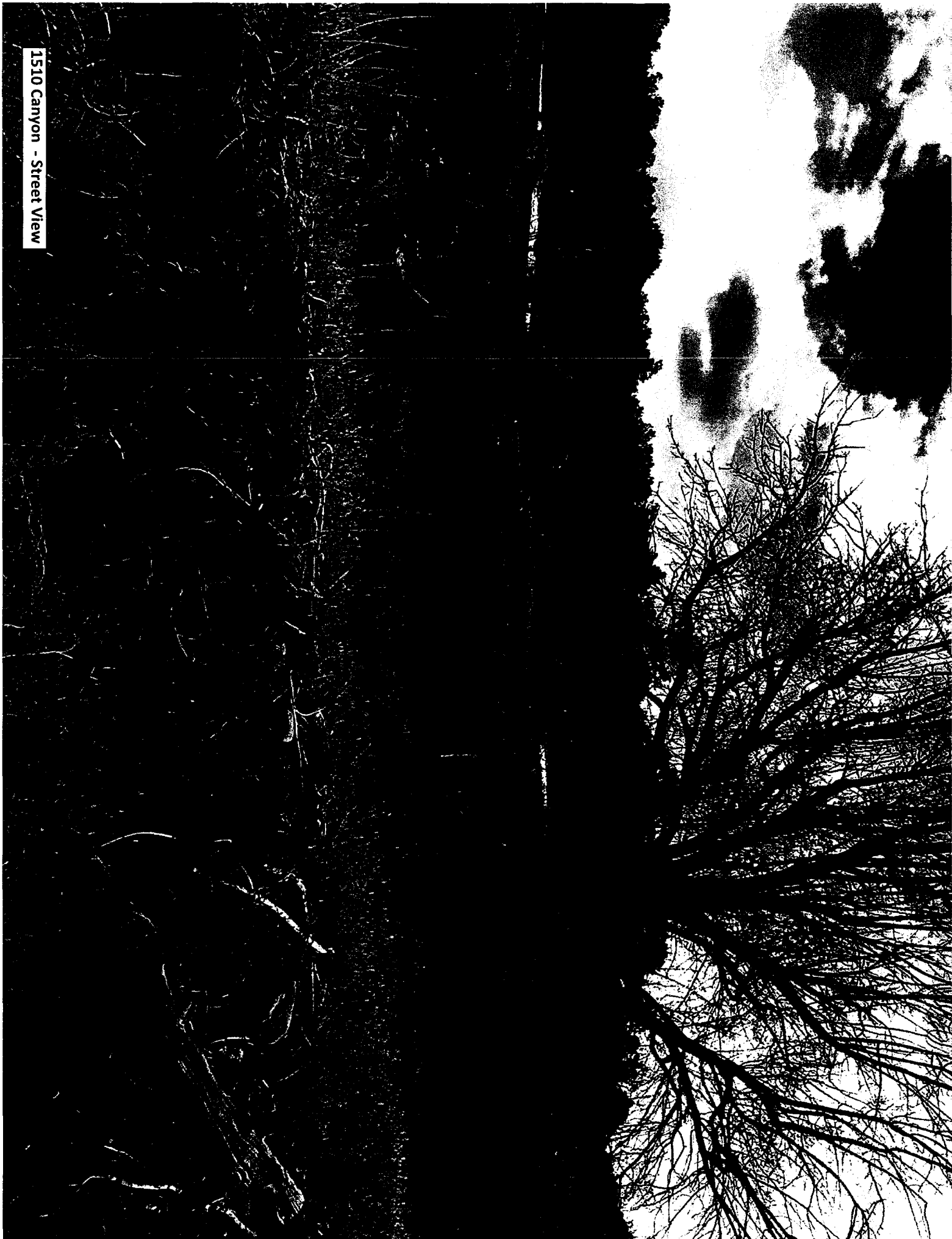
# **Exhibit D**

**Photographs**

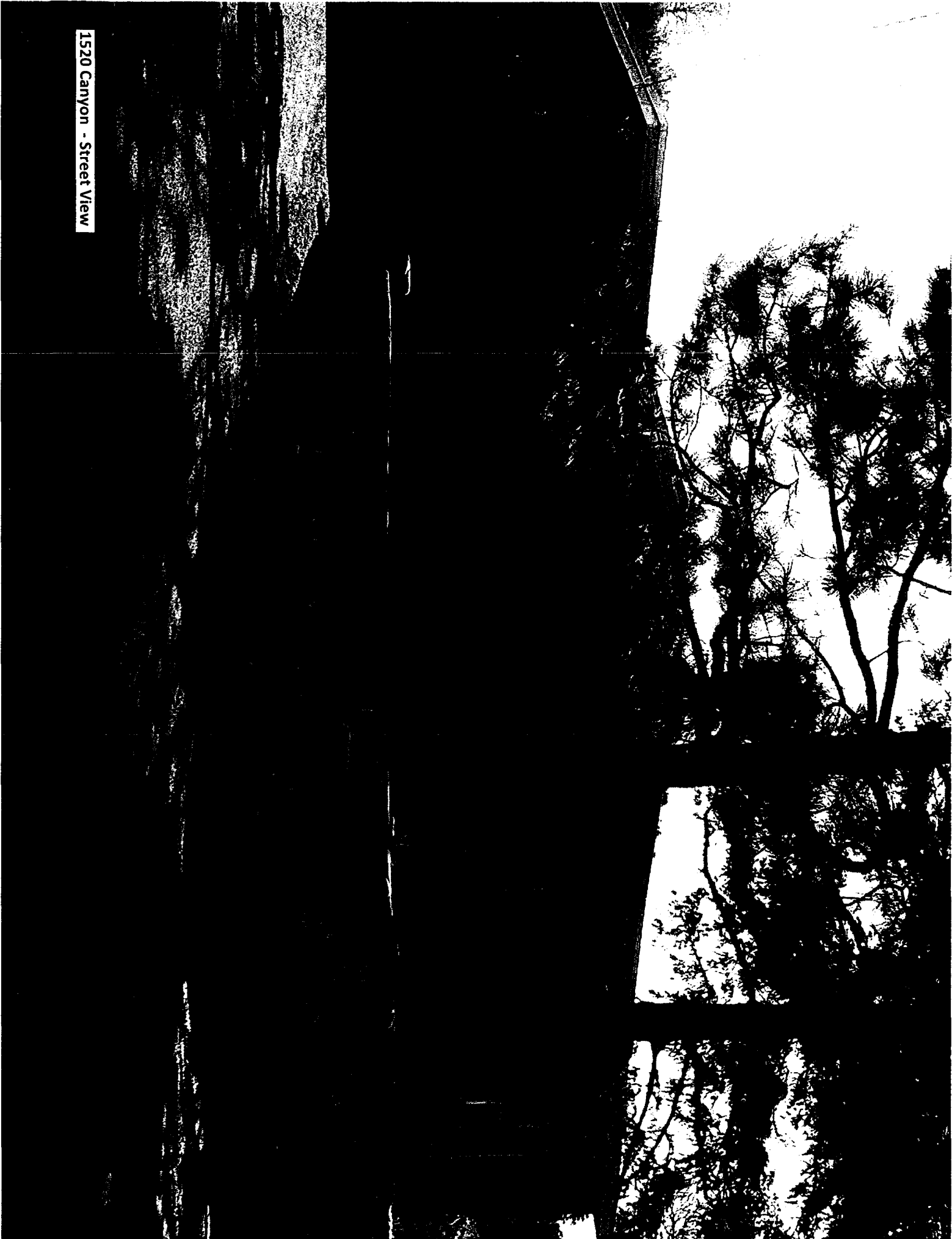
1500 Canyon - Street View



1510 Canyon - Street View



1520 Canyon - Street View



## **April 4, 2013 Summary Committee**

### **1500 & 1520 CANYON ROAD LOT SPLIT & LOT LINE ADJUSTMENT**

#### **Case #2013-13. 1500 & 1520 Canyon Road Lot Split & Lot Line Adjustment.**

Richard Horcasitas of Horcasitas Land Use Consultant, agent for Zoila & Matias Rivera and the Estate of Antonio Padilla, requests plat approval to divide approximately 9.86 acres into two residential lots and to adjust the property line between 1500 and 1520 Canyon Road. The property, is zoned R-1 (Residential-1 dwelling unit per acre). Located in the Mountainous & Difficult Terrain District, portions of the site are also in the Escarpment Overlay District. (William Lamboy, Case Manager)

#### **PROPOSED CHANGES TO CONDITIONS OF APPROVAL**

Staff recommends the following conditions of approval:

1. Staff redline comments will be provided to the surveyor who shall address all issues and submit the corrected plat in Mylar.
2. Show and label the acequia on the plat.
3. The following notes shall be added to the plat:
  - a. ~~The Developer(s) shall provide a shared access to Tracts "B" and "C" from Canyon Road. Prior to or at the time of development of Tract B, a single shared driveway access to Tracts B and C shall be provided.~~
  - b. ~~The Developer(s) shall indicate the applicable ingress and egress easement on the proposed plat.~~
  - c. The Design of the above specified driveway/access shall be reviewed and approved by the Traffic Division of the Public Works Department.

*Exhibit "5"*

1. Both the active irrigation ditch and the remains of the inactive irrigation ditch that cross the property should be drawn on the survey. The active ditch appears as "Ditch #5" on the 1917 Hydrographic Survey of the Santa Fe Creek. The inactive one shows up as "Ditch #2." They both should be considered significant historic landscape features.
2. The boundary of the escarpment district should appear on the survey.
3. The application should include a slope analysis so that the maximum density for the property can be accurately calculated and the calculation included on the Plat. The note should be clear that it applies to all three tracts
4. An additional note should be added to the survey stating that when the new access driveway from Canyon Road is constructed the existing driveway to the house at 1500 Canyon Road shall be abandoned.
5. The requirement that the design of the Driveway be approved prior to recording the Plat should be deleted as this cannot properly be designed till and if there is a plan for development of the tract.

6. CNIA <sup>to</sup> Review Final plat prior to recording -