



Agenda

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SUMMARY COMMITTEE
Thursday, September 12, 2013 - 11:00 am
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. ROLL CALL**
- B. APPROVAL OF AGENDA**
- C. ELECTION OF OFFICERS**
- D. APPROVAL OF MINUTES – August 1, 2013**
- E. OLD BUSINESS**
- F. NEW BUSINESS**

- 1. **Case #2013-68. 304 Camino Cerrito Lot Split.** Philip B. Wiegel, Del Rio Surveys, Inc., agent for 1020 CNYN, LLC, requests plat approval to divide approximately 0.26 acres into two lots. The L-shaped lot, with frontage on Camino Cerrito and Canyon Road, is located at 304 Camino Cerrito. The property is zoned RAC (Residential Arts & Crafts District). The maximum density of RAC districts is 21 dwelling units per acre. (William Lamboy, Case Manager)

- G. STAFF COMMUNICATIONS**
- H. MATTERS FROM THE COMMITTEE**
- I. 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 OF
CITY OF SANTA FE
SUMMARY COMMITTEE**

September 12, 2013

ITEM	ACTION	PAGE
A. ROLL CALL	Quorum	1
B. APPROVAL OF AGENDA	Approved	1
C. ELECTION OF OFFICERS	Held the previous month	1
D. APPROVAL OF MINUTES-August 01, 2013	Approved	1-2
E. OLD BUSINESS	None	2
F. NEW BUSINESS		
1. Case #2013-68. 304 Camino Cerrito Lot Split. Philip B. Wiegel, Del Rio Surveys, Inc., agent for 1020 CNYN, LLC, requests plat approval to divide approximately 0.26 acres into two lots. The L-shaped lot, with frontage on Camino Cerrito and Canyon Road, is located at 304 Camino Cerrito. The property is zoned RAC (Residential Arts & Crafts District). The maximum density of RAC districts is 21 dwelling units per acre. (William Lamboy, Case Manager)	Approved	2-6
G. STAFF COMMUNICATIONS	None	6
H. MATTERS FROM THE COMMITTEE	None	6
I. ADJOURNMENT	Adjourned at 11:26 a.m.	6

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

SEPTEMBER 12, 2013

CALL TO ORDER

A regular meeting of the City of Santa Fe Summary Committee was called to order by Michael Harris, Chair on the above date at approximately 11:00 a.m. in the City Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

A. ROLL CALL

Roll call indicated a quorum as follows:

Members Present:

Michael Harris, Chair
John A. Padilla
Lawrence Ortiz

Members Absent:

Staff Present

Tamara Baer, Current Planning Division
William Lamboy, Case Manager

Others Present

Charmaine Clair, Stenographer

B. APPROVAL OF THE AGENDA

Mr. Ortiz moved to approve the Agenda as published. Mr. Padilla seconded the motion and it passed by unanimous voice vote.

C. ELECTION OF OFFICERS

The election took place in the previous meeting and does not apply.

D. APPROVAL OF MINUTES- August 01, 2013

Page 14 - *Commissioner Ortiz moved...* at the bottom of the paragraph "that that" is

listed twice and one should be eliminated.

Page 13- second paragraph, final sentence states "so I'm multi concerned" -should be mostly concerned.

Mr. Padilla moved to approve the Minutes of August 01, 2013 as amended. Mr. Ortiz seconded the motion and the motion passed by unanimous voice vote.

E. OLD BUSINESS

There was no Old Business.

F. NEW BUSINESS

- 1. Case #2013-68. 304 Camino Cerrito Lot Split.** Philip B. Wiegel, Del Rio Surveys, Inc., agent for 1020 CNYN, LLC, requests plat approval to divide approximately 0.26 acres into two lots. The L-shaped lot, with frontage on Camino Cerrito and Canyon Road, is located at 304 Camino Cerrito. The property is zoned RAC (Residential Arts & Crafts District). The maximum density of RAC districts is 21 dwelling units per acre. (William Lamboy, Case Manager)

Staff Report

Mr. Lamboy explained the applicant request is to split approximately a quarter of an acre into two lots. The property is zoned RAC (Residential Arts and Crafts.) One lot is developed with a single-family home and the other has a shed and shop. Any additional development must connect to the City water and wastewater and both lots are required to be accessed from Camino Cerrito. No vehicular access would be allowed from Canyon Road.

Mr. Lamboy brought the Committee's attention to the letter he distributed to them from Rudy Gallegos, a neighbor across the road from Camino Cerrito. (Exhibit 1)

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

Public Hearing

Phil Wiegel, Del Rio Surveys, 1452 St. Francis Drive, agent for the applicant, was sworn. Mr. Wiegel said he received a copy of the letter from Mr. Gallegos and read the letter. He said the applicant accepts all of the conditions proposed.

Marcia Wolf, owner of Western Equities 200 W. DeVargas, Suite 2, agent for the owner at 1036 Canyon Road on the corner of Canyon Road and Cerrito was sworn. She said the original owner split the land and the L shaped property surrounds them on two sides.

She asked what the usage for the two lots would be and if the lots would stay residential.

Speaking to the Request

Mr. Cody North, 107 East Lupita Road was sworn. He said he proposes to do two residential single-family homes. He thought a lot split would be cleaner than doing a condo.

Ms. Wolf said Camino Cerrito is very narrow and the driveway is also narrow and there are only two off street parking spaces for 1036 Canyon Road. Her concern is that when the owner returns to live in the property that access would be sufficient for everyone and she wants to ensure there would not be a gallery business. She said that would not be acceptable to the owners.

Mr. North said he had not seen the conditions until now. He commented that one condition is that fire access shall not be less than 20 feet in any new construction; however the last condition is a 16 foot wide access in utility easement to Camino Cerrito. He said there is an existing 16 foot easement there and the condition requires 20 feet, which is a conflict.

He said all of the access would come from Cerrito and he could make it as wide as possible, but he would be restricted by the existing construction.

Chair Harris confirmed with Mr. North that Mr. Wiegel is the agent for 1020 CNYN LLC. He asked Mr. North if that was his entity.

Mr. North said yes, and explained he is 50% owner and the managing member of 1020 CNYN and hired Mr. Wiegel to facilitate the process.

Mr. North said he owns the LLC that purchased the land and he is the builder. He said he just wanted to clarify there would be no conflict and appears there wouldn't be, because there are existing buildings. He said the Board is requesting nothing less from new construction.

Chair Harris said that was a fair clarification and he had a similar question and thought others did as well. He said Mr. North's question was so noted.

The Public Testimony Portion of the Public Hearing was closed

Questions and Comments from the Committee

Mr. Padilla asked staff about the plat requirements for a 16 foot shared access and utility easement, and the fire department comments that request a minimum of a 20 foot width from any new construction. He said the new construction would be on the lot to be developed by the lot split. He thought there was a conflict in what is required and what is actually available. He asked how that would be addressed.

Mr. Padilla said his second question is that the plat note #4C addresses "buildable areas for platted parcels will be determined at the time of building permit." He asked if that is defined by zoning requirements; front yard setback; side yard setbacks, rear yards, etc.; if that defines the building areas.

Ms. Baer said she would respond to the second question and Mr. Lamboy could respond to the first.

She said 2000 ft.² minimum buildable area is required in order to approve a new lot. She said some things covered would include that the entire lot is not in 30% slope (unbuildable) or not in the ridge top, making it unbuildable as a new lot. She explained that is a carryover of a standard condition and is always placed on plats; the actual building area is determined at the time of the building permit.

Ms. Baer said staff is satisfied that there is a sufficiently large, buildable area and the note #4C is applicable to this area.

Mr. Lamboy said the note referred to is a standard note from the fire department. He said there are specific conditions; Camino Cerrito has right of way that is only 14 feet wide and a 16 foot driveway is provided. He said the Traffic Department is comfortable with that.

He said another condition from the fire department requires that any portion of any building be within 150 feet so fire hoses could reach the whole way. He said in this case, that would be applied more than the 20 feet requirement. He said he would be sure when doing the red lines, to take care of the 20 foot condition.

Mr. Padilla said looking at the plat as presented to the Board, the 150 feet would be achievable from either Canyon or Camino Cerrito Roads.

He asked if correct that the zoning RAC is the zoning for this lot and any of the allowable uses within the RAC could be applied to the new construction or the existing residents currently on lot 2A.

Ms. Baer replied that is correct and is the current zoning. She said that would be true even if there was no lot split.

Mr. Ortiz said in looking at the plat and the conditions, addresses were asked to be

given to this. He said he would assume 1034 Canyon Road would be one and the other would stay at 304 Camino Cerrito. He asked if that could be a potential problem for emergency responses; not to have access for 1034 Canyon Road off of Canyon Road. He asked if a better system would be to have a 304 Camino Cerrito address and know where the access should be from.

Ms. Baer said that is a good question and she could follow up with emergency personnel to see if that would help in any way. She said typically a GPS system is used and they know where they are going and there is no confusion, but she would be happy to follow up.

Mr. Ortiz said he would like her to follow up; he was concerned because it appears there could be a conflict.

Chair Harris said his concern about the 20 feet was addressed. He confirmed Mr. Lamboy would strike number four in the red lines "shall not be less than 20 feet."

He said another question he had is about the fire flow requirements along Canyon Road. He asked if that topic had ever been discussed among staff and Mr. Gonzales. Ms. Baer replied it had not.

Chair Harris confirmed that as far as staff knew, it met fire flow requirements and is not a constraint for any further development. He said he was curious about the flow and assumed the flow is compliant.

Ms. Baer said staff would rely on the fire department to tell them if that was the case and they have not had that comment from the fire department. She said staff would follow up.

Chair Harris asked Mr. Wiegel on the parking space easement, if that is for the benefit of the corner lot. He was told it was and is for one space. Chair Harris asked where the other space is and was told there are two off site.

Ms. Wolf explained that the other space is to the right of the house. She said a car could be pulled in front of the entry door, but it is not really a parking space. She said it does block the parking space that runs parallel to Camino Cerrito.

Mr. Wiegel explained further that even though an easement was made for that, there is more parking area than what is defined by the line and a person could park closer to the house. He said it does impede access out of the other parking space, if a car is already parked there.

Chair Harris confirmed that there is access, but with certain size vehicles at least a portion of the vehicle would project into that space. He said someone could pull forward and get closer to the portal and a vehicle might be partly within the easement and partly on lot one.

Mr. Wiegel said that is correct and has been used that way since early 2000s. He said the other parking to the east is fairly large, but is only for one car.

Chair Harris said that clarified the parking for him. There were no further comments.

Mr. Padilla moved to approve Case #2013-68 304 Camino Cerrito lot split as noted with the conditions recommended in the Staff Report ["Exhibit 1"]. Mr. Ortiz seconded the motion and the motion passed by unanimous voice vote.

F. STAFF COMMUNICATIONS

There were no Staff Communications.

G. MATTERS FROM THE COMMITTEE-

There were no Matters from the Committee.

H. ADJOURNMENT

Having no further business to discuss the meeting adjourned at 11:26 a.m.

Approved by:


Michael Harris, Chair

Submitted by:


Charmaine Clair, Stenographer

City of Santa Fe, New Mexico

memo

DATE: September 11, 2013

TO: Summary Committee

FROM: Current Planning Division

RE: Additional Correspondence

The attached correspondence is not in your September 12, 2013 Summary Committee Packet. The correspondence is in the following order:

Case #2013-68. 304 Camino Cerrito Lot Split.

- Letter from Mr. & Mrs. Rudy Gallegos, received September 10, 2013

9/10/13

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MR WILLIAM CAMBOY
CASE MANAGER
PLANNING DIVISION
LAND USE DEPARTMENT

CASE # 2013-68

DEAR MR CAMBOY,

WE ARE THE OWNERS OF THE DWELLING
AT 309 CAMINO CERRITO AND ARE
NOT IN FAVOR OF THE PROPOSED
LOT SPLIT AT 304 CAMINO CERRITO

THE PROPOSED NEW DWELLING WILL UNDOUBTEDLY
BRING MORE TRAFFIC UNTO OUR STREET
IN PARTICULAR SHOULD PROPERTY TURN
INTO GALLERY WHICH WOULD BE ALLOWED
AS PROPERTY FRONTS THE ARTS AND
CRAFTS DISTRICT ON CANYON ROAD

THE NEIGHBOR NEXT TO 304 CAMINO
CERRITO IS NOW BEING USED BOTH
AS A DWELLING AND GALLERY AND
TRAFFIC AS WELL AS PARKING IS NOW
A PROBLEM FOR NEIGHBORS TRYING TO

- 11) get onto Canyon Road from our Street.

This proposed change would only add to the problem as traffic laws are not enforced in this area.

The owner of this property should have built or if somehow the request for a lot split is approved should be required to exit off Canyon Road through the redevelopment currently occurring at the formerly Martinez estate to the North.

Please Note that the builder North of 304 Camino Carrizo has just built a wall and Coyote fence separating both properties so his intent appears to be driving out through Camino Carrizo

Other Neighbors in this area, are also opposed to the City approving the request for a lot split however some are elderly and may not know what to do in opposing proposed lot split.

(iii)

We are heavily and totally opposed to this request being approved by the City of Santa Fe.

MR & MRS Rudy Sallegas

NOTE:

Rudy Sallegas former director of the Building Division - Retired

Phone # 505-577-5505 - 577-4882

