



Agenda

CITY CLERK'S OFFICE

DATE 1/16/14 TIME 11:25 am
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SUMMARY COMMITTEE
Thursday, February 6, 2014 - 11:00 am
City Council Chambers
City Hall 1st Floor - 200 Lincoln Avenue

- A. **ROLL CALL**
- B. **APPROVAL OF AGENDA**
- C. **APPROVAL OF MINUTES – December 5, 2013**
- D. **OLD BUSINESS**

- 1. **Case #2013-98. 27 Ridgeline Road Lot Split.** Dolores Vigil, Liaison Planning Services, Inc., agent for Alan Reeves, requests plat approval to divide approximately 2.5 acres into two residential lots. Located in the Phase 2 Annexation area, the property is zoned R-1 (Residential-1 dwelling unit per acre). (William Lamboy, Case Manager) **(POSTPONED FROM NOVEMBER 7, 2013 AND DECEMBER 5, 2013)**

- E. **NEW BUSINESS**

- 1. **Case #2013-126. 3621 Oliver Road Lot Split.** James W. Siebert & Associates, Inc., agent for Henry Oliver III, requests plat approval to divide approximately 3.23 acres into two lots. The property is zoned I-1 (Light Industrial District). (William Lamboy, Case Manager)
- 2. **Case #2013-129. 4600 Rail Runner Road Lot Split.** James W. Siebert, Inc., agent for Las Soleras Oeste Ltd., & Ross' Peak Holding Ltd. Co, requests plat approval to divide approximately 50.05 acres into two lots. The property is zoned R-12 (Residential-12 dwelling units per acre). (William Lamboy, Case Manager)
- 3. **Case #2013-132. 58 Paseo Nopal Lot Split.** Andrea R. Mueller, agent for Amalia Contreras, requests plat approval to divide approximately 2.49 acres into two lots. Located in the Phase 3 Annexation area, the property is zoned R-1 (Residential-1 dwelling unit per acre). (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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CITY OF SANTA FE
SUMMARY COMMITTEE
February 6, 2014

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**CASE #2013-132. 58 PASEO NOPAL LOT SPLIT.
ANDREA R. MUELLER, AGENT FOR AMALIA
CONTRERAS, REQUESTS PLAT APPROVAL TO
DIVIDE APPROXIMATELY 2.49 ACRES INTO TWO
LOTS. LOCATED IN THE PHASE 3 ANNEXATION
AREA, THE PROPERTY IS ZONED R-1
(RESIDENTIAL – 1 DWELLING UNIT PER ACRE)**

Approved

9-10

STAFF COMMUNICATIONS

Information

10

MATTERS FROM THE COMMITTEE

None

10

ADJOURNMENT

10

**MINUTES OF THE MEETING
OF THE CITY OF SANTA FE
SUMMARY COMMITTEE
February 6, 2014**

A regular meeting of the City of Santa Fe Summary Committee, was called to order by Chair Michael Harris, on Thursday, February 6, 2014, 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
John Padilla

OTHERS PRESENT:

Kelley Brennan, Interim City Attorney
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

Ms. Baer said staff would like to postpone Case #2013-98, 27 Ridgeline Road Lot Split, and the reason for postponing to a date certain is so they don't have to readvertise or notice the case.

MOTION: Commissioner Padilla moved, seconded by Commissioner Ortiz , to approve the Agenda as amended.

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

C. APPROVAL OF MINUTES – DECEMBER 5, 2013.

MOTION: Commissioner Ortiz moved, seconded by Commissioner Padilla, to approve the minutes of the meeting of December 5, 2013, as presented.

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

D. OLD BUSINESS

1. **CASE #2013-98. DOLORES VIGIL, LIAISON PLANNING SERVICES, INC., AGENT FOR ALAN REEVES, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 2.5 ACRES INTO TWO RESIDENTIAL LOTS. LOCATED IN THE PHASE 2 ANNEXATION AREA, THE PROPERTY IS ZONED R-1 (RESIDENTIAL – 1 DWELLING UNIT PER ACRE) (WILLIAM LAMBOY, CASE MANAGER). (POSTPONED FROM NOVEMBER 7, 2013 AND DECEMBER 5, 2013)**

This Item is postponed to the meeting of March 13, 2014.

E. NEW BUSINESS

1. **CASE #2013-126. 3621 OLIVER ROAD LOT SPLIT. JAMES W. SIEBERT & ASSOCIATES, INC., AGENT FOR HENRY OLIVER III, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 3.23 ACRES INTO TWO LOTS. THE PROPERTY IS ZONED I-1 (LIGHT INDUSTRIAL DISTRICT). (WILLIAM LAMBOY, CASE MANAGER)**

A Memorandum prepared January 21, 2014, for the Summary Committee Meeting of February 6, 2014, with attachments, to the Summary Committee, from William Lamboy, Senior Planner, Current Planning Division, is incorporated herewith to these minutes as Exhibit "1."

Staff Report

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

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

Public Hearing

Presentation by the Applicant

Jim Siebert, 915 Mercer, agent for the owner, was sworn. Mr. Siebert said, "The situation is that this park is pretty close to 20 years old, and the developer has been responsible for basically maintaining all the facilities within the park. It has gotten to the point where he is beginning to turn over that responsibility to the Lot Owners Association. Part of that is that the pond is currently in an easement. In order to turn it over to the Association, we actually have to do that on a fee simple basis. My understanding is that the only way to do that is to create a lot split, so that's what we've done."

Responding to the Chair, Mr. Siebert said he has nothing further to add.

Speaking to the Request

There was no one speaking for against this request.

The Public Testimony Portion of the Public Hearing was closed

Commissioner Ortiz said there are comments in the Committee packet, from R.B. Zaxus, City Engineer for the Land Use Department. He said in Condition #2 she says, "It is suggested that the applicant seek legal advice as to whether the proposed dedication is sufficient for transfer of ownership..." He asked the status on that.

Mr. Siebert said Ms. Zaxus is correct that when we record the plat, as part of recording the plat, we will have a warranty deed that accompanies the plat, that transfers the ownership to the Association, so we need both a plat & a warranty deed to accomplish that.

Commissioner Padilla said, "Mr. Siebert, as I look at the plat, I see what I would assume is the old property line, and then the new property line indicated by the heavier line, just above the cul-de-sac that Oliver Road ends onto Tract Lot 27A-1. I still see indicated a rock wall, 10 foot building setback, and a 20 foot drainage easement that's there, that's referenced to the old property line. Is that correct?"

Mr. Siebert said, "Actually, these are existing that were just carried over from the previous plat."

Commissioner Padilla said then there is no tying those to the new property line required.

Mr. Siebert said, "No. It's just a carry-over, and I have the previous plat if you want to see it."

Commissioner Padilla said, "Then just clarification for staff then, if I may. Is there a requirement to tie it to the new property line."

Ms. Baer said, "This plat doesn't label old and the new lot lines. I think that's where the confusion is, so the lot line configuration is not affected by those items that you've pointed out. Does that answer your question."

Commissioner Padilla said, "Yes. And I noticed one of the staff recommendations is labeled new lot lines."

Ms. Baer said, "And we would add old to that."

Commissioner Parilla said, "Good. It would be, I think, clearer for that, because since we do have the new property line to the west now, I want to make sure that that easement, the building setback and so forth do stay in line there."

Ms. Baer said, "The only new lot line is actually that one that creates the area that's labeled pond. So it's the one that runs diagonally across the property. That's the new lot line. Everything else is as it was. Is that correct."

Mr. Siebert said, "Correct."

Chair Harris said, "This is an older subdivision as Mr. Siebert noted. Are the flows being maintained to this ponding area. Is there any negotiation between the Association and the developer to ensure that the drainage to the ponding area is being maintained."

Mr. Siebert said, "The way it works is, you can see there is a 7½ ft. drainage easement on the east side of the property line, and then a 7½ ft on the other side. So basically, it is only those two lots that drain into this particular pond."

Chair Harris said, "I was thinking in terms of the 20 ft. drainage easement that is shown coming off the cul de sac."

Mr. Siebert said, "Yes. And the way it works in reality, is you do get a little bit of drainage off Oliver Road, but anything below this 27-A and 26 goes to what is the next road down, which is Avenger, and Avenger goes to another pond in the park. So it's really only the roadway that carries the drainage to the particular pond."

Chair Harris said, "Then there really are no outstanding issues."

Mr. Siebert said, "No."

MOTION: Commissioner Padilla moved, seconded by Commissioner Ortiz, to approve Case #2013-126, 3621 Oliver Road Lot Split, with all conditions of approval as recommended by staff.

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

2. **CASE #2013-129. 4600 RAIL RUNNER ROAD LOT SPLIT. JAMES W. SIEBERT, INC., AGENT FOR LAS SOLERAS OESTE LTD, & ROSS PEAK HOLDING LTD. CO., REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 50.05 ACRES INTO TWO LOTS. THE PROPERTY IS ZONED R-12 (RESIDENTIAL – 12 DWELLING UNITS PER ACRE). (WILLIAM LAMBOY, CASE MANAGER)**

A Memorandum prepared January 21, 2014, for the Summary Committee Meeting of February 6, 2014, 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, Case Manager, Current Planning Division which is contained in Exhibit "2."

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

Public Hearing

Presentation by the Applicant

Jim Siebert, 915 Mercer, agent for the owner, [previously sworn]. Mr. Siebert said, "How this came about is, originally when we did the overall platting for Las Soleras, it was based on several existing lots that existed prior to this coming into the City, and those lots actually were accomplished, and they're either pre-existing lots or lots accomplished under extra-territorial jurisdiction. And what happened, the particular case of Lot 12, is we didn't have enough existing lots to adjust to separate the park lot from the rest of Lot 12."

Mr. Siebert continued, "One of the issues that came up in the review of Ross's Peak which is a residential subdivision which you're not aware of that will be on a portion of lot 12, the one on the north side, was that the deed was not sufficient for City purposes, because it didn't have a defined metes and bounds to it. It was just a generalized statement about a number of acres. So this plat corrects that deficiency. There will be a deed that goes along with it when the plat is recorded."

Mr. Siebert continued, "There is a request by staff to bring the overall master plan. If the Committee would like to see that, I would be happy to provide it to you."

Chair Harris said he had asked staff to please bring it, he would like to see it.

Staff provided the requested document.

Chair Harris said the graphics on the copy in the Committee packet weren't clear enough to see what your master plan is.

Mr. Siebert said, "An issue was raised about the western property boundary, and let me explain that. We are proceeding forward on what is called Ross's Peak which is a residential development on the north tract. And part of that was that they wanted a defined acreage. In order to provide for the defined acreage, we included a portion further up to the north of what would be the park, but the idea is that this would all be both on the south wide of the northern lot and to west, and would all be park or open space area."

Mr. Siebert said, "Part of it is, as 'this' tract develops we're still going to have to maintain utility lines that come down and tie to the sewer line down 'here.' There is an existing sewer line that crosses the property. We have to be able to get from 'this' plat or 'this' lot down to 'that' sewer line. So part of what 'this' plat shows is the utility line along 'that' particular area."

Mr. Siebert said he has no further comment and will stand for questions.

Speaking to the Request

There was no one speaking for against this request.

The Public Testimony Portion of the Public Hearing was closed

Commissioner Padilla said, "Do I understand correctly that Tract 12A and Tract 13 will have a total of 246 units developed on that property, 13B, approximately 6 acres, and 12A and B almost 25 acres."

Ms. Baer said, "An application has been submitted to the Land Use Department. There was an ENN for that application. That application is still under review and, I believe, has not been scheduled for Planning Commission, but it will be going to the Planning Commission as a subdivision application. Yes."

Commissioner Padilla said, "And the total number of units proposed right now is 246... approximately what is being proposed."

Ms. Baer said, "That's correct. Up to 246."

Chair Harris said, "In our packet there is a reference to condition 35. So, are we saying then.. Is it the intention to build the.... when will the park be built. Mr. Siebert can you answer that."

Mr. Siebert said, "Probably not. There is no defined time when the park would be constructed, and it's something we are working through as we proceed forward with the development of Las Soleras."

Chair Harris asked Ms. Baer if staff has as position on when Las Soleras should build this park.

Ms. Baer said, "In our review, we believe that it was appropriate for the park development to occur when there was significant residential buildout surrounding the park lot. The lot immediately to the south of the Park Lot, I believe, is zoned for high density residential. And we felt that when that project was to be built out it would be, perhaps, a more appropriate time, because then there would be residential development on both the north and south of the park. So it was never specified in the conditions of approval, of which there were many you may recall, what the timing would be for the park to be built out. And so there is some flexibility in that, and certainly something the Planning Commission can speak to when Ross's Peak Subdivision comes to you in the relatively, I presume, near future."

Ms. Baer continued, "Also at that time, I believe we have asked the applicant to clarify phasing of Las Soleras in its entirety, because it's 450 acres. It's quite large, and it's never completely possible to anticipate which parts will be built at which time. Much of that is based on market demand and what interest there is in developing what part of it. The original phasing plan for Las Soleras was based entirely on the infrastructure, and it hasn't necessarily followed that phasing. And when I say infrastructure, specifically, the roadways. So certain parts of the roads were shown as Phase 1 and then it went through Phase 4, final phase being the completion of Beckner out to Richards. So at this time, what we found, because of development interest, the infrastructure phasing of the roadways doesn't necessarily correspond to what is actually going to be happening at Las Soleras. So we would bring a revision of the phasing to the Planning Commission at the same time as the subdivision that we spoke about."

Chair Harris said, "So when I see, again, this reference to condition 35, Exhibit E is just sending me to that condition, because that actually lists all the various conditions.... I was not on the Commission when this was approved, so it is hard for me to appreciate what all those conditions mean. And so what I've heard you say is when Ross Peak comes up, there will be discussion about, not only the park, but really in response to where this development is now, what a realistic phasing plan may look like."

Ms. Baer said, "In general, that's correct. Again, we still won't know what the phasing will look like. I think we'll have a better idea of what the first two phases might be, and we hope to at least make some clarification on that count. I would think that this won't be the first and last time that the phasing will be addressed. I think this is probably a 15-20 year build out and the phasing may be adjusted over time. So the Planning Commission would see that matter more than once. As far as the park goes, I don't know that will be part of the discussion. The applicant has some other ideas for what may happen on that lot. So

the purpose of the application before you today was to separate it out. But we did want to call to your attention, and note for the record, that there are a number of conditions that were attached to the overall master plan and annexation that pertain to these lots, and we want to make sure that they're not forgotten."

Chair Harris said, "Mr. Siebert can I ask another question of you please. The master plan you provided shows road alignment to be determined at development plan, per condition 30. That would be the connection from Rail Runner to Las Soleras Drive."

Mr. Siebert said it's probably the connection of Rail Runner all the way over to Beckner Road.

Chair Harris said, "No. That's not what it's showing. If you care to step forward, I can point it out to you."

Mr. Siebert said, "Oh, I understand. The reason for the dotted line is that we are less sure of the alignment for that particular roadway. It may be modified as each of those tracts come in, but the obligation is to provide for a connector road between Las Soleras Drive and Rail Runner Road."

Chair Harris said, "We know, as the result of this lot split, we would have the southern portion which right now is shown as park area. And then the original master plan shows the open space on the west side of, I guess that would be 12A perhaps, I don't know which one is which. 13A. Does that definition remain. Is your original statement..... And you said, it seemed there was a concern that came from Mr. O'Reilly, and the word gerrymander was used and such as that. Will that change substantially, the 12A that's open space designation."

Mr. Siebert said, "I don't see that happening. No. The main thing, it just adds to the open space for 12A. As pointed out, there will be a utility line on it, and there definitely will be a sewer line, and most likely maybe a water line [inaudible]"

Chair Harris said, "I find Las Soleras confusing, frankly, so I wanted to slow it down a little bit, compared to the last one on the clinic, but I think I understand what's going on here, what's being proposed and where this property is headed. And I want, as much as anybody, for it to be a successful development, and I think it's shaping up this way. Does this, as far as you are concerned, Ms. Baer, are your concerns, staff concerns answered for the immediate as well as what may be happening in the future."

Ms. Baer said, "The purpose of this application, again, is just the lot split. It doesn't affect any of the land uses. If they wish to change any of the land uses, the applicant or the owners would have to request a future land use map amendment, and perhaps rezoning portions of it. That's in the future, so I think for now, we're good."

Commissioner Parilla said, "Mr. Lamboy, you did mention the Land Use Director's concern about the west property line. Is there anything further you want to share with us in reference to that, because it wasn't part of our packet, and I would like to understand what his concerns are."

Mr. Lamboy said, "[Inaudible] A note that he wrote and basically said he wanted to understand what the need was for gerrymandering the property line out on the west."

Commissioner Padilla said, "I think it's been spoken to and Mr. Siebert has addressed it, staff has commented on it, and Chair Harris has added it to his notes, so I'm fine with it."

MOTION: Commissioner Ortiz moved, seconded by Commissioner Padilla, to approve Case #2013-129, 4600 Rail Runner Road Lot Split, with all conditions of approval as recommended by staff.

VOTE: The motion was approved unanimously on a voice vote

3. **CASE #2013-132. 58 PASEO NOPAL LOT SPLIT. ANDREA R. MUELLER, AGENT FOR AMALIA CONTRERAS, REQUESTS PLAT APPROVAL TO DIVIDE APPROXIMATELY 2.49 ACRES INTO TWO LOTS. LOCATED IN THE PHASE 3 ANNEXATION AREA, THE PROPERTY IS ZONED R-1 (RESIDENTIAL – 1 DWELLING UNIT PER ACRE). (WILLIAM LAMBOY, CASE MANAGER)**

A Memorandum prepared January 21, 2014, for the Summary Committee Meeting of February 6, 2014, 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, Case Manager, Current Planning Division which is contained in Exhibit "3."

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

Public Hearing

Presentation by the Applicant

Andrea R. Mueller nee Contreras, owner, was sworn. Ms. Contreras-Mueller said she bought the property and is a resident on the lot, noting there currently are two new units on the lot. Ms. Contreras-Mueller said she has no additional remarks. She said they just want to cut the lot in half.

Chair Harris asked Ms. Contreras-Mueller if she understands the conditions of approval attached to this case.

Ms. Mueller-Contreras said, "I have read the conditions and agree with the conditions."

Speaking to the Request

There was no one speaking for against this request.

The Public Testimony Portion of the Public Hearing was closed

Chair Harris said there are no questions or comments from the Committee members, therefore he will entertain a motion.

MOTION: Commissioner Padilla moved, seconded by Commissioner Ortiz, to approve Case #2013-132, 58 Paseo Nopal Lot Split, with all conditions of approval as recommended by staff.

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

F. STAFF COMMUNICATIONS

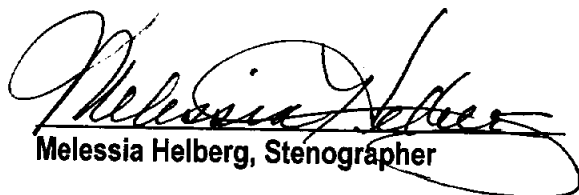
Ms. Baer reminded the Committee that the next meetings of the Summary Commission and the Planning Commission, will be on March 13, 2014, here in the Council Chambers.

G. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

H. ADJOURNMENT

There was no further business to come before the Committee, and the meeting was adjourned at approximately 11:40 a.m.


Melessia Helberg, Stenographer


Michael Harris, Chair

City of Santa Fe, New Mexico

memo

DATE: January 21, 2014, for the February 6, 2014 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.*

3621 OLIVER ROAD LOT SPLIT

Case #2013-126. 3621 Oliver Road Lot Split. James W. Siebert & Associates, Inc., agent for Henry Oliver III, requests plat approval to divide approximately 3.23 acres into two lots. The property is zoned I-1 (Light Industrial 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 I-1 (Light Industrial District). The proposed land division would create two lots: Lot 27A-1, 3809 Oliver Road (formerly 3621 Oliver Road), containing approximately 2.00 acres; and Lot 27A-2, 3807 Oliver Road, 1.23 acres. Both lots are undeveloped. Lot 27A-2 accommodates a regional pond and upon recordation of the lot split plat will be dedicated to the Santa Fe Airport Business Park Lot Owners Association. (See letter from applicant, **Exhibit C**).

Located between Airport Road and the Santa Fe River, the Santa Fe Airport Business Park is a 27 lot subdivision created in 1995.

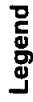
The property is accessed directly from Oliver Road, a private roadway, and is accessible to City utilities.

Exhibit "1"

City of Santa Fe, New Mexico

Exhibit B

Maps



✓ City Limits

+ Address Points

Parcels

■ Airport Clear Zones

Santa Fe River

**FEMA Floodplain December 4,
2012 (100 yr)**

Zoning

☐ **RR Rural Residential**☐ R1. (PUD) Single-Family 1dw/ac.

<input type="checkbox"/>	
<input type="checkbox"/>	B2 (INT) (BIB) / AC Single Family

2du/ac

12. (FOUO) Summary - Family Summary

R4 Single - Family 4du/ac

☐ R5, (DT), (PUD), (AC), R6 Single -
Example 5. Below

R7, (I), (PUD), RA Single - Family 7-

RC5, RC5AC Compound 54u/nc

DATE RECEIVED

[illegible]N16, (F02) **MANUPAN - FARMY LOCATIONS**

R12, (PUD) Multiple - Family 12du/ac

R21, (PUD) Multiple - Family 21du/ac



Scale: 1:1,930

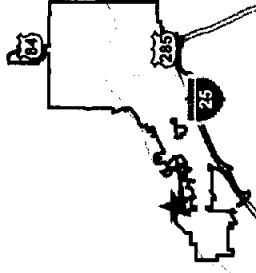
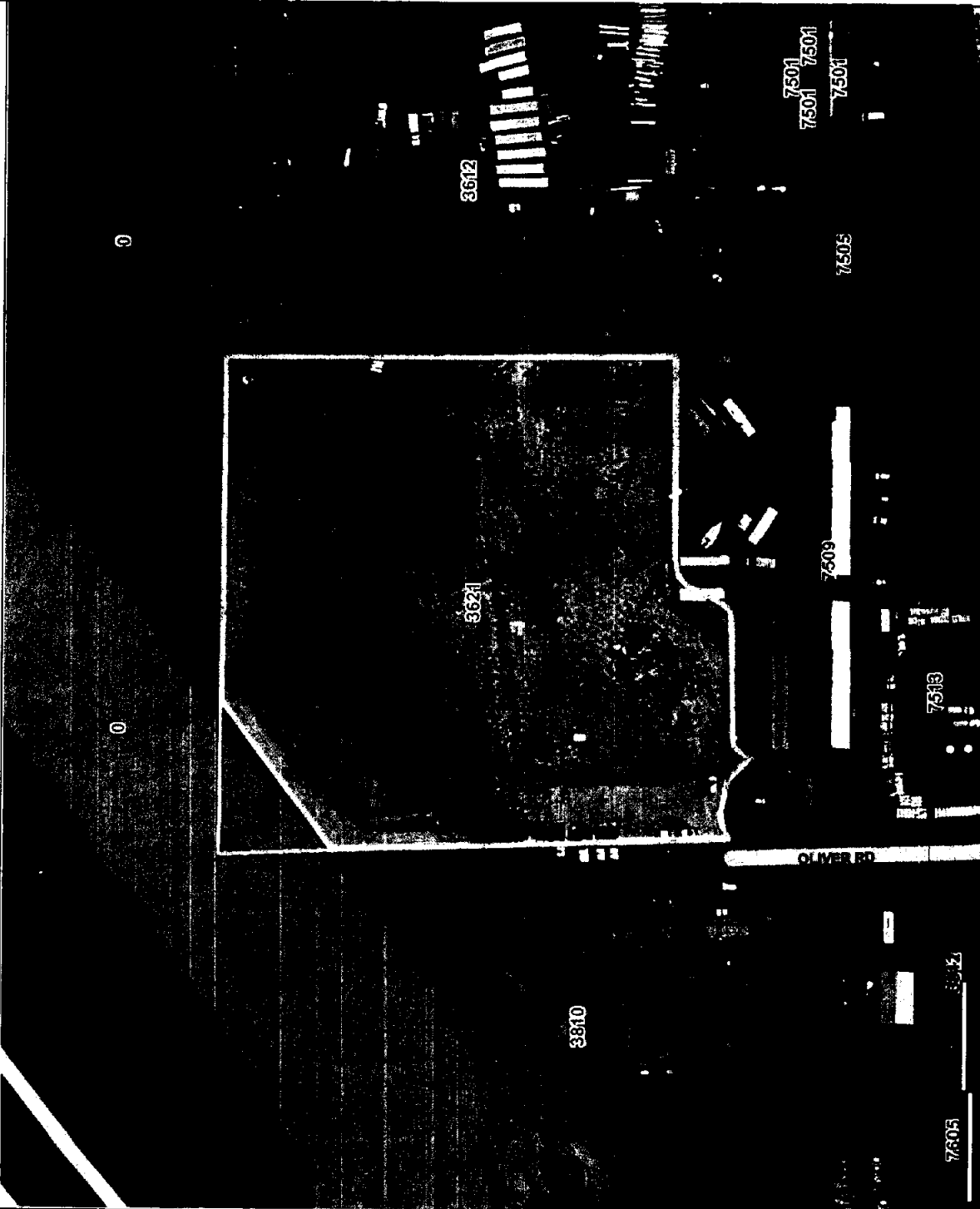
Map center: 1694719, 1687572

AVENGER WAY

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.



3621 Oliver Road - Aerial



Legend

- City Limits
- Parcels
- Airport Clear Zones
- Santa Fe River
- FEMA Floodplain December 4, 2012 (100 yr)
- Major Roads and Highways
- Other Roads and Streets
- 2011 Aerial Photography - 1 foot resolution



Scale: 1:1,499

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.



Aerial View of Property



View toward Property

City of Santa Fe, New Mexico

Exhibit C

Applicant Materials



**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

915 MERCER STREET * SANTA FE, NEW MEXICO 87505
(505) 983-5588 * FAX (505) 989-7313
jim@jwsiebert.com

December 17, 2013

Tamara Baer
Current Planning Division
Division Manager
P.O. Box 909
Santa Fe, NM 87504

Re: Application for lot split for Henry Oliver III

Dear Ms. Baer:

On behalf of Henry Oliver III, owner of Lot 27 within the Santa Fe Airport Business Park, I am requesting the division of Lot 27 into two lots. It is the purpose of this lot split to create a separate lot for an existing pond that has been constructed within the Business Park. This allows Mr. Oliver, who is the president of the Santa Fe Airport Business Park Lot Owners Association, to dedicate the pond to the Association. The pond is also being taxed as commercial land and without a separate lot for the pond the County Assessor cannot sever the pond for tax purposes.

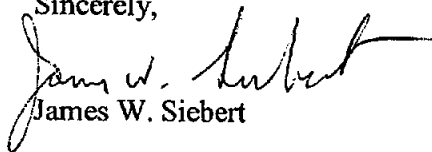
The following material is submitted with this application.

- Check in the amount of \$250 for the application fee
- Completed application form signed by Henry Oliver III
- Recorded plat for Lot 27 creating legal lot of record
- Warranty deed
- 3 copies of requested lot split plat in a 24" x 36" format prepared by Dawson Surveys, Inc
- Approved Development Plan for Park showing pond on Lot 27

Tamara Baer
Pond lot split
December 17, 2013
Page Two of Two

Please schedule this request for the February 6th Summary Committee meeting. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "James W. Siebert", written in black ink. The signature is fluid and extends to the right with a long horizontal stroke.

James W. Siebert

Xc: Harry Oliver

City of Santa Fe, New Mexico

Exhibit D



Photographs

City of Santa Fe, New Mexico

memo

DATE: January 21, 2014, for the February 6, 2014 Meeting

TO: Summary Committee

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

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

4600 RAIL RUNNER ROAD LOT SPLIT

Case #2013-129. 4600 Rail Runner Road Lot Split. James W. Siebert, Inc., agent for Las Soleras Oeste Ltd., & Ross' Peak Holding Ltd. Co, requests plat approval to divide approximately 50.05 acres into two lots. The property is zoned R-12 (Residential-12 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-12 (Residential-12 dwelling units per acre). The proposed land division would create two tracts: Tract 12A, 4600 Rail Runner Road, containing approximately 24.92 acres; and Tract 12B, 4670 Rail Runner Road, 25.13 acres. Both tracts are undeveloped. Tract 12A together with Tract 13 are proposed to accommodate up to 246 dwelling units in a subdivision called Ross' Peak, which has not yet gone to the Planning Commission for public hearing.

Tract 12B encompasses the area designated as "park" in the Las Soleras Master Plan. Certain conditions of approval, based on extensive discussions regarding the entirety of the Las Soleras development, were adopted by Council as part of the

EXHIBIT "2"

annexation and rezoning ordinances and agreements. Any significant changes to these conditions may require a General Plan Future Land Use Map Amendment with related approvals to any affected conditions of approval. Pursuant to the Las Soleras Annexation Agreement, page 13, Item 10, *"The Landowner shall meet the City's park dedication requirements by dedicating park land and land for trails... as generally shown on the Master Plan..."*

Condition of Approval 33 of the Las Soleras Annexation Agreement requires increased trail connectivity while Condition 36 entails a *"secondary arterial along the south boundary connecting Rail Runner and Las Soleras Drive..."* Condition 35 addresses the nature of the 21.5-acre regional/community park: *"After extensive conversation and documentat review with the landscape architect and representatives from Las Soleras, the 21.50 acre Park Open Space parcel appears to be of adequate size for a large regional/community park. Specific required park features were discussed and the Landscape Architect agreed that in fact these amenities could be incorporated within the park parcel. We recommend assurances that these amenities will be designed and constructed."* (Exhibit E).

The property will be accessed directly from Rail Runner Road, a future roadway with a 57-foot wide right-of-way, which is planned to connect Governor Miles Road and Beckner Road. Rail Runner Road is currently in Phase IV of the Las Soleras Infrastructure Phasing Plan. A section of Beckner Road has been completed and other portions are designated as Phase II and Phase III on the Infrastructure Phasing Plan. The property is accessible 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. Label "New Lot Line."

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

City of Santa Fe, New Mexico

Exhibit A


City Staff Memoranda

City of Santa Fe, New Mexico

memo

DATE: January 3, 2014

TO: William Lamboy , Case Manager

FROM: Reynaldo Gonzales, Fire Marshal 

SUBJECT: Case #2013-129 4600 Rail Runner Road Lot Split

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

Prior to any new construction 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 in 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 or install an automatic sprinkler system.

City of Santa Fe, New Mexico

memo

DATE: January 6, 2014
TO: William Lamboy, Case Manager
FROM: Stan Holland, Engineer, Wastewater Division
SUBJECT: Case #2013-129 – 4600 Rail Runner Lot Split

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

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

1. Clearly identify the terminus of the proposed 25 foot wide public water and sewer line easement that runs along the western property line.
2. Clearly identify the portion of the existing 10 foot wide underground utility easement to be vacated that runs along the western property line.

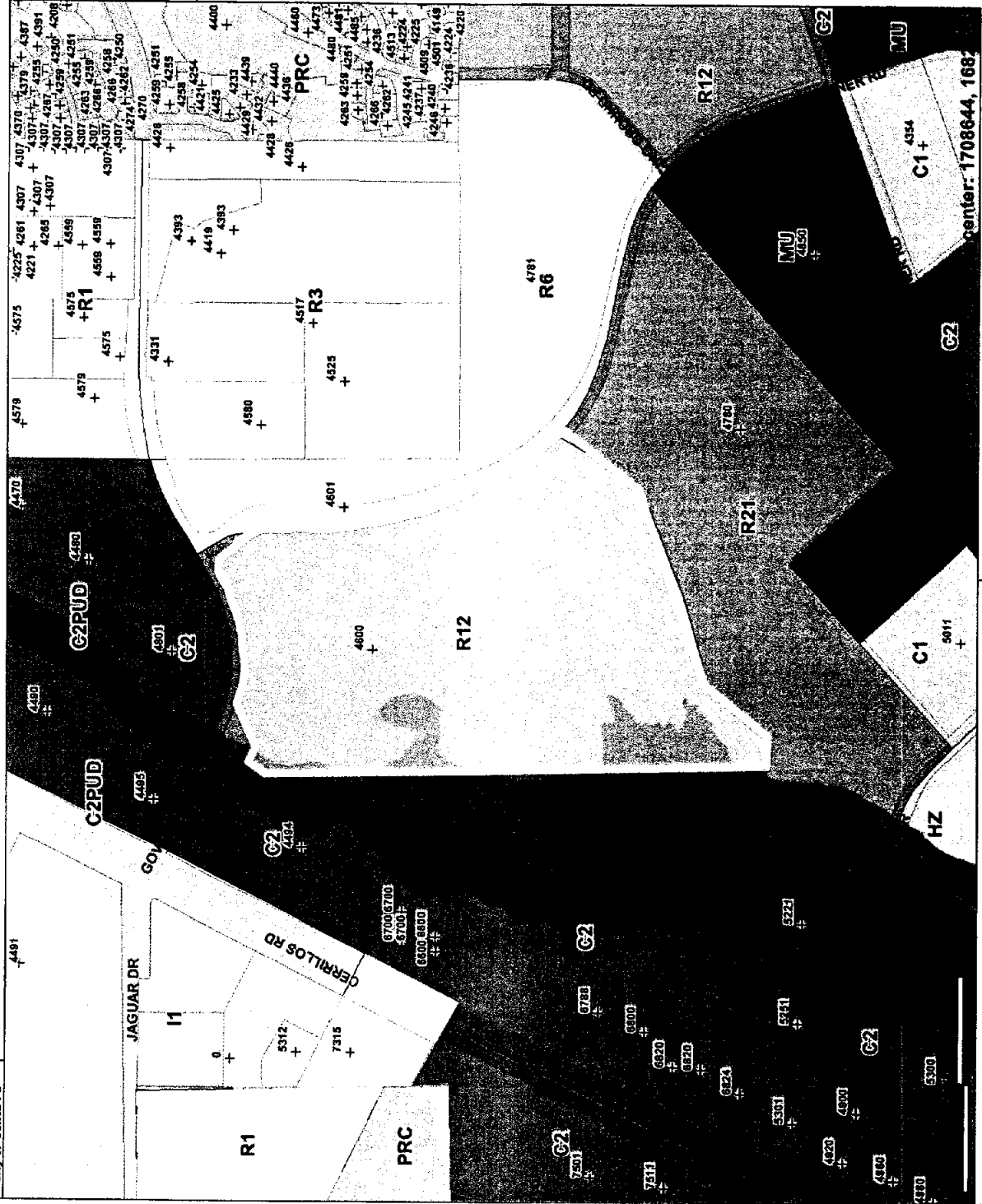
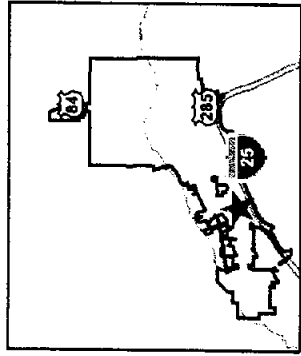
City of Santa Fe, New Mexico

Exhibit B

Maps



4600 Rail Runner Road - Zoning



Legend

City Limits

Address Points

Parcels

Airport Clear Zones

Santa Fe River

FEMA Floodplain December 4, 2012 (100 yr)

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 5du/ac

R7, (P), (PUD), R8 Single-Family 7du/ac

RCS, RCSAC Compound 5du/ac

RCS, RCSAC Compound 8du/ac

R10, (PUD) Multiple-Family 10du/ac

R12, (PUD) Multiple-Family 12du/ac

R21, (PUD) Multiple-Family 21du/ac

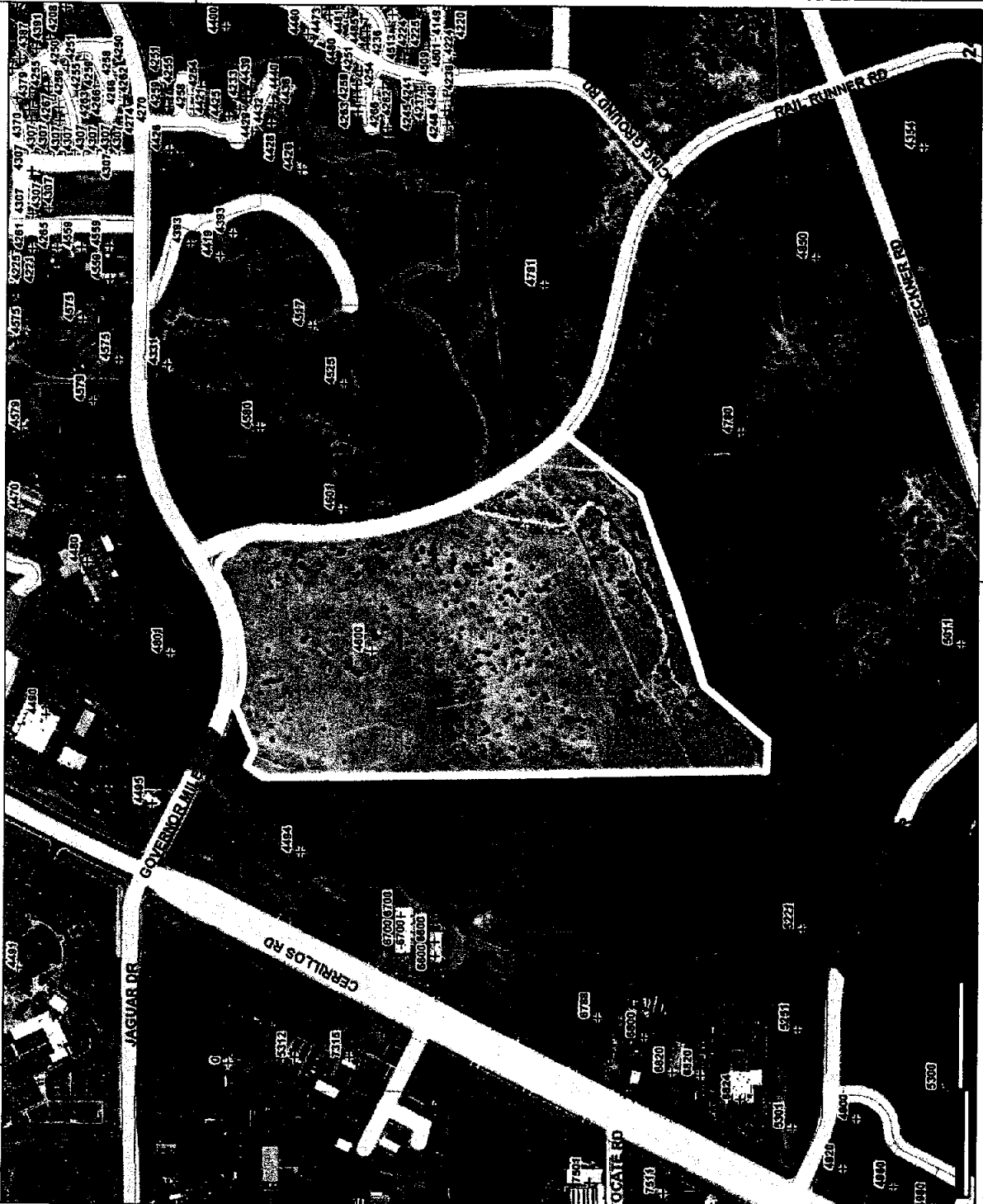


Scale: 1:7,667

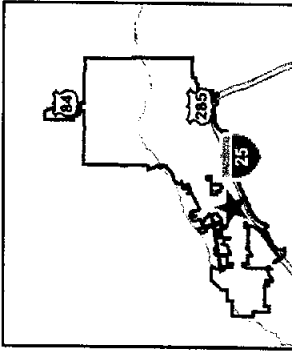
This map is a data generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



4600 Rail Runner Road - Aerial



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.

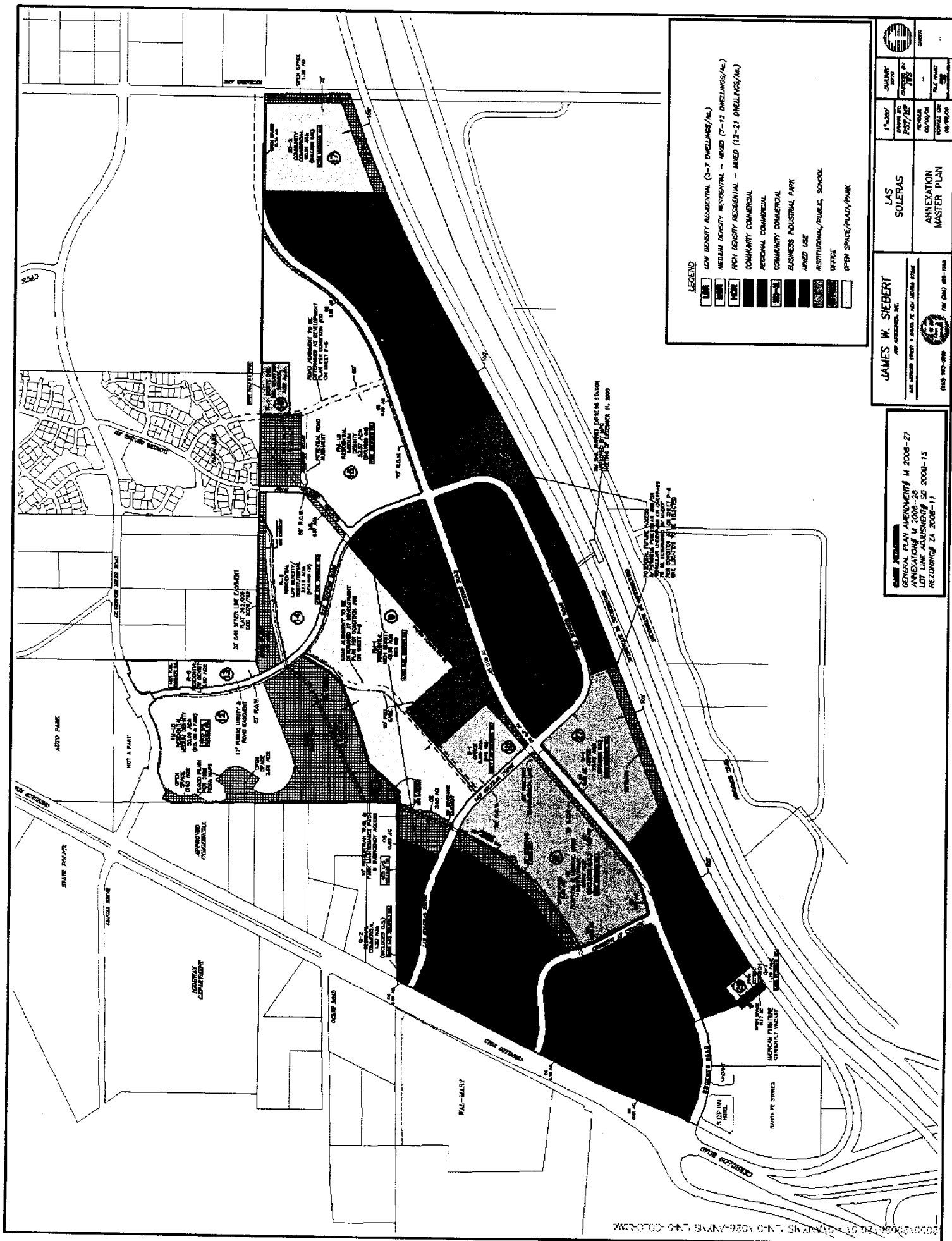


Legend

- City Limits
- Address Points
- Parcels
- Airport Clear Zones
- Santa Fe River
- FEMA Floodplain December 4, 2012 (100 yr)
- Major Roads and Highways
- Other Roads and Streets
- 2011 Aerial Photography - 1 foot resolution



Scale: 1:7,667



City of Santa Fe, New Mexico

Exhibit C

Applicant Materials



**JAMES W. SIEBERT
AND ASSOCIATES, INC.**

915 MERCER STREET * SANTA FE, NEW MEXICO 87505
(505) 983-5588 * FAX (505) 989-7313
jim@jwsiebert.com

December 24, 2013

Tamara Baer
Current Planning Division
Division Manager
P.O. Box 909
Santa Fe, NM 87504

Re: Las Soleras/Ross's Peak Lot 12 Lot Split

Dear Ms. Baer,

On behalf of Las Soleras Oeste LTD., Co., and Ross's Peak Holding LTD., CO., I am submitting a lot split application for review by the Summary Committee. The lot split is to divide the park lot for Las Soleras and the remaining lot is the Ross's Peak subdivision, which has been previously submitted to the City for and Summary Committee review.

The property is located at 4600 Rail Runner Road, within the Las Soleras subdivision and consists of 50.05 acres.

Included with this application are the following items:


- Application fee in the amount of \$280.00
- Completed application
- Three copies of the plat in a 24 x 36 format
- Warranty deed
- Legal lot of record plat

Ross's Peak
Parklotsplit
Parklotsplit

Tamara Baer
LS/Ross's Peak Lot Split
December 24, 2013
Page 2 of 2

Please schedule this request to be heard by the Summary Committee on their meeting of February 6th, 2014.

Sincerely,



James W. Siebert

Xc: Skip Skarsgard
John Mahoney
Laura Lagge

City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87504
505-955-4333

Misc GL
GL Number: 11001.431415... 1x 250.00 250.00

Misc GL
GL Number: 11001.431475... 1x 30.00 30.00

Payer Name: Beckner Road

SubTotal: 280.00
Total: 280.00

Check
Number : 1500 280.00

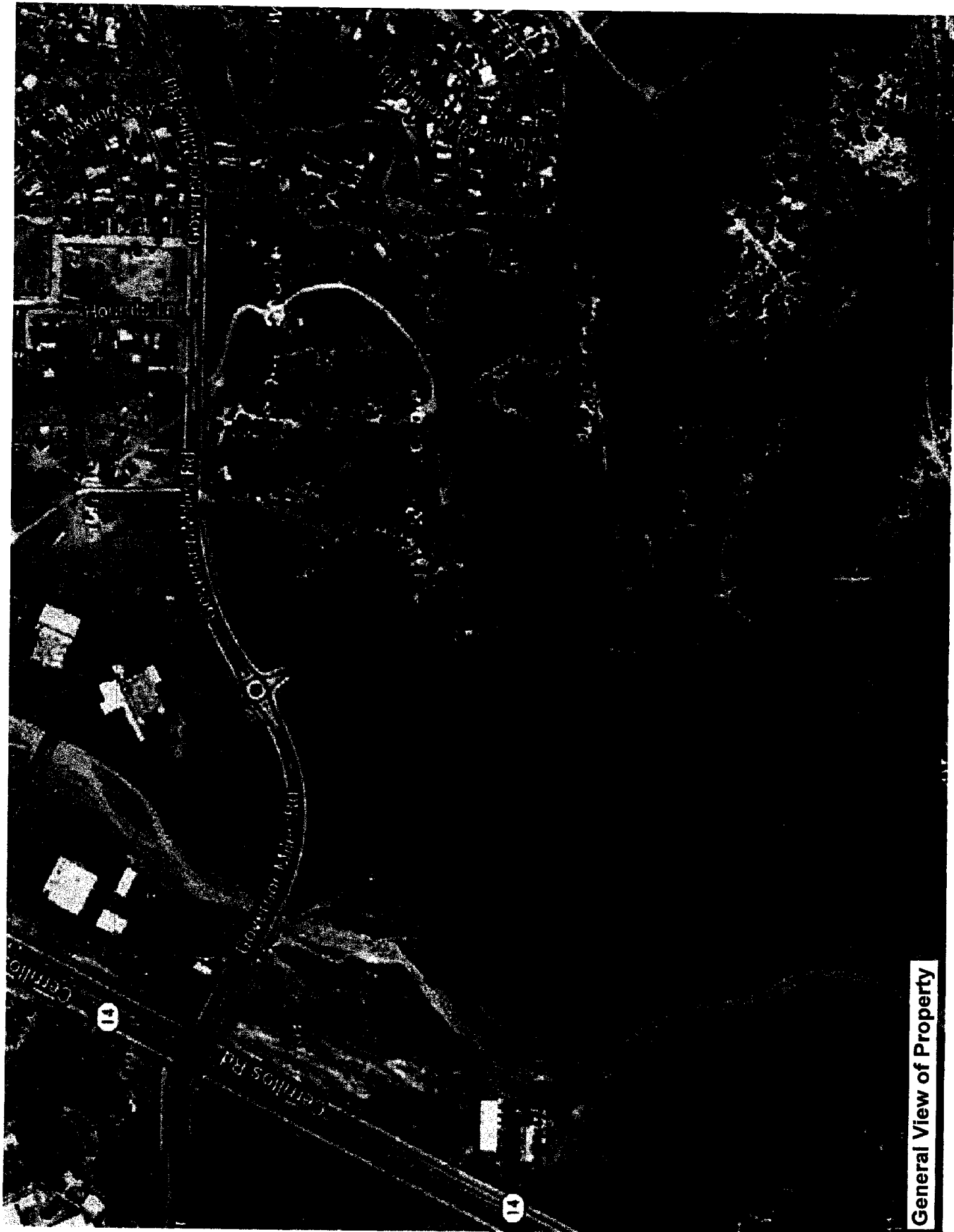
12/24/2013 08:56
#0033727 /3/1 ~ Thank You ~ ClarenceR

Ross's Peak
Parklotsplit
Parklotsplit

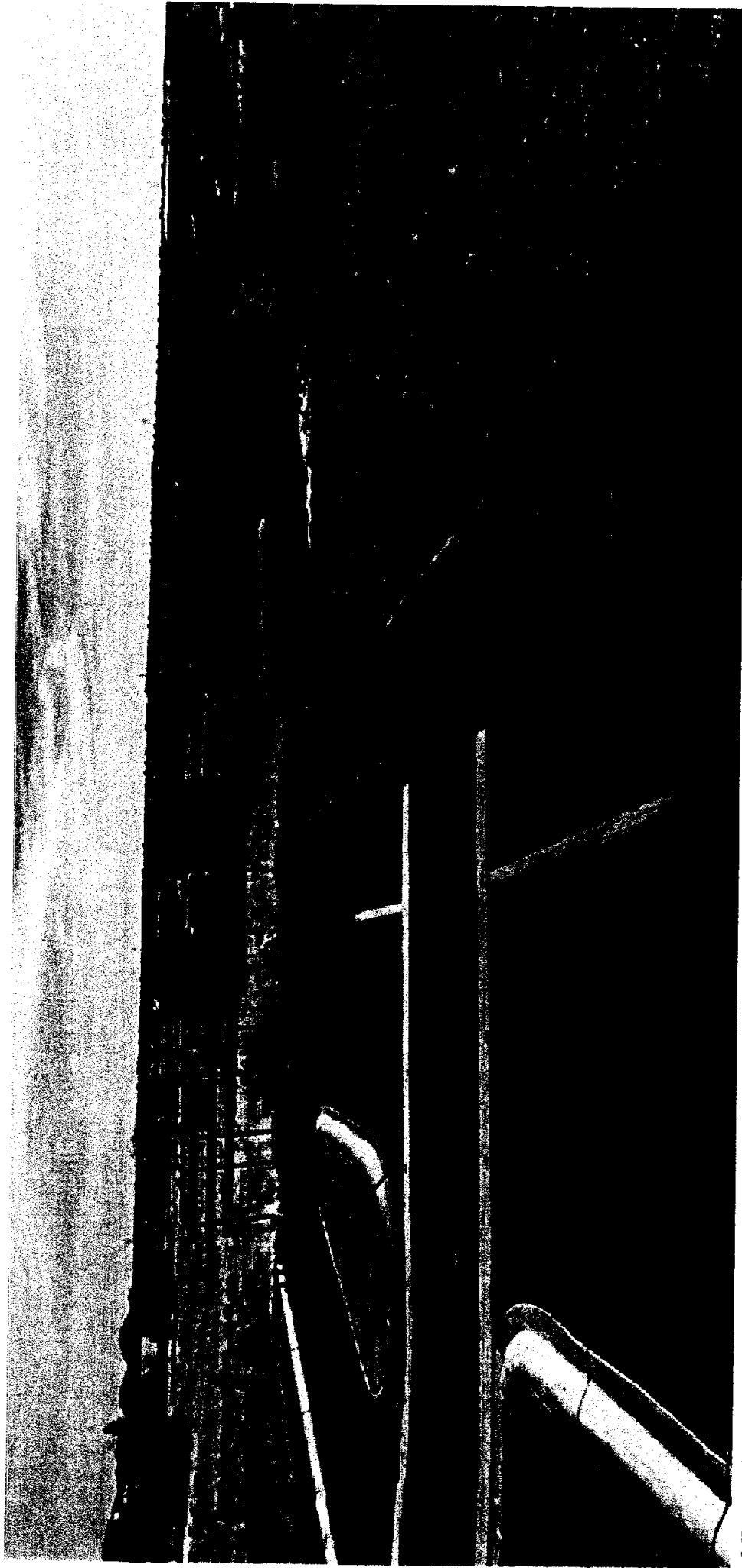
City of Santa Fe, New Mexico

Exhibit D

Photographs



General View of Property



View of Future Rail Runner Rd. from Governor Miles Rd.

City of Santa Fe, New Mexico

Exhibit E

Las Soleras Annexation Agreement

SEC. CLERK RECORDED 83/84/2818

**ANNEXATION AGREEMENT
LAS SOLERAS ANNEXATION**

This Annexation Agreement ("Agreement") is made and entered into this 9 day of September, 2009 by and between the City of Santa Fe, New Mexico, a New Mexico Municipal Corporation (the "City") and the owners of the property commonly known as Las Soleras ("Landowner"), whose legal entities and signatures are included at the end of this Agreement (collectively, the City and Landowner are referred to herein as "Parties").

RECITALS

A. The Landowner owns that certain property situated in Santa Fe County, New Mexico consisting of approximately 545 acres bounded by Cerrillos Road on the west, Interstate 25 on the south, Richards Avenue to the east and Governor Miles Road and lands including the Building Services of Santa Fe property and the Nava Ade subdivision on the north ("Property"), as more fully described in the Annexation Plat ("Annexation Plat") attached hereto as Exhibit I and incorporated herein by reference. Landowner encompasses a group of property owners, each of whom herein assumes responsibility for their property and not for properties owned by other landowners.

B. On, or about, January 2006, Las Soleras submitted to the Extraterritorial Zoning Authority ("EZA") an application for master plan approval to create a Village District to include high to low density residential uses and community facility, civic and commercial uses/activities around a plaza area on 437 acres. The EZA approved Las Soleras' application for master plan approval (EZ Case No. Z-04-4591) and creation of a Village District on May 25, 2006 and the Order was approved on August 31, 2006 and recorded by the Santa Fe County Clerk on

September 6, 2006.

C. On September 27, 2007 the EZA approved an application for master plan approval (EZ Case No. Z – 04-4594) for a commercial development on 156.87 acres within the Property consisting of up to 2,236,117 square feet of commercial uses including a hospital with helicopter pad, a hotel and conference center, office uses, retail uses, a rail stop with corresponding transit station and a variance of height restrictions of the Santa Fe Metro Area Highway Corridor Ordinance for the hospital (“Crossing Master Plan”). The Order approving the Crossing Master Plan was recorded in the records of Santa Fe County, New Mexico as Instrument # 1515869.

D. On April 29, 2008, the Santa Fe County Board of County Commissioners (“BCC”) approved a Settlement Agreement and Mutual Release of Claims between the BCC, the Governing Body of the City of Santa Fe (“City Council”), the EZA and the Extraterritorial Zoning Commission (“EZC”), and the owners of Las Soleras (“Settlement Agreement”).

E. On April 30, 2008, City Council approved the Settlement Agreement.

F. The Settlement Agreement provides that the Property shall be annexed via a landowner-initiated “Petition Method” application submitted to the City consisting of an (1) Annexation Petition, (2) General Plan Amendment and (3) Rezoning, all consistent with the map attached to the Settlement Agreement (See Exhibit A of Settlement Agreement). The map includes the 70-foot height variance and a helicopter pad, as granted by the EZA in its approval of the Crossing Master Plan for Parcel C1 as shown on the Annexation Plat now owned by Presbyterian Healthcare Services, a New Mexico nonprofit corporation (the “Presbyterian Healthcare Services Parcel”). The Settlement Agreement further provided that “It is expressly

understood and agreed that this Agreement does not constitute an approval of any portion of the application or the map attached hereto as Attachment B.”

G. On February 11, 2009, the City Council unanimously approved annexation of the Property to the City of Santa Fe along with General Plan Amendments, Rezoning and a Lot Line Adjustment and Road Dedication Plat subject to 50 conditions of approval, a copy of which is attached hereto as Exhibit II and incorporated herein (the “Conditions”).

H. The Landowner desires to obtain annexation of, and the City agrees to annex, the Property to the City subject to the terms and conditions of this Agreement.

I. The Landowner desires to develop the Property and the City agrees to the development of the Property subject to and upon the terms and conditions of this Agreement.

AGREEMENTS

NOW, THEREFORE, in consideration of the premises and the following agreements and undertakings of the Parties, the Parties agree as follows:

1) **ANNEXATION.**

a) **Annexation Plat.** The Landowner represents that the Annexation Plat was prepared in accordance with and complies with the Santa Fe City Code (the “Code”), the Annexation Agreement and all other applicable laws, regulations, and ordinances.

b) **Annexation of the Property to the City.** As of the Effective Date (defined as the date of this Agreement’s recordation with the Santa Fe County Clerk’s office) the Annexation Plat will be executed on behalf of the City and filed with the City and recorded in the records of Santa Fe County, New Mexico; whereupon, the Property will be deemed annexed to the City and will lie within the municipal boundaries of the City.

c) EZA Conditions Inapplicable. Various subdivision plats have been approved under the prior extraterritorial jurisdiction. Upon recordation of a final non-appealable Annexation Plat and recordation of this Annexation Agreement, the prior approvals granted by the EZA shall become null and void including but not limited to, all conditions of approval, notes and findings and the City of Santa Fe Code shall determine the development standards within the approved Annexation.

2) MASTER PLAN & ZONING

2.1 Master Plan. The Master Plan for the Property ("Master Plan") is attached to this Agreement as Exhibit III and incorporated herein. In executing this Agreement, the City approves the Master Plan as the Master Plan for the Property and confirms that the Master Plan is in accordance with both the City's General Plan ("General Plan") and the Settlement Agreement. Additionally, the City approves the General Plan amendment approved concurrently with this annexation by Resolution No. 2008-27. The Parties acknowledge that the Master Plan is conceptual in nature and that the design may be modified through the subdivision platting, road realignment or development plan approval process without the necessity for a Master Plan amendment.

2.2 Zoning. The Master Plan contemplates a mix of land use and zoning designations within the Property. The tract sizes and densities may be modified without the necessity for a Master Plan amendment so long as such modifications comply with applicable Code. The mix of zoning designations, prior to application of the Conditions, includes:

- 82.5 acres of Regional Commercial (C-2)

- 69 acres of community Commercial (C-2)
- 50.7 acres of Community Commercial (C-2) zoning with Business Park uses
- 20.2 acres of Shopping Center (SC-2)
- 41.2 acres of Office (C-1)
- 12.1 acres of Business Industrial Park (BIP)
- 6.9 acres of Mixed Use (MU)
- 39.0 acres of Institutional (HZ) for Hospital and Medical Uses
- 52.4 acres of Residential High Density (RM-1)
- 109.46 acres of Residential Medium Density (RM-LD)
- 22.2 acres of Residential Low Density (RM-6)
- 3.0 acres of Institutional (I) for Monte del Sol charter school

Up to 2,567 residential dwelling units approved in the High, Medium and Low Density Residential zoning categories.

2.3 Mixed Use Zoning Category. The Master Plan and zoning map identify a portion of the Property as "Mixed Use" (south of Beckner Road). Code section 14-7.2.B.8.c requires that 50% of a mixed-use development's total floor area consist of residential uses if located adjacent to residential zoning districts. The Parties agree that the 50% residential use requirement may be satisfied by clustering the residential uses in one or more locations on the overall Mixed Use tract shown on the Master Plan, Future Land Use Map and Zoning Map as opposed to on a parcel-by-parcel basis.

2.4 Rezoning. The Property shall be rezoned consistent with the Master Plan and in accordance with Rezoning Application No. ZA-2008-11 ("Rezoning Application") approved

concurrently with this annexation by Ordinance No. 2009 - 07.

2.5 Satisfaction of Sunset Provision of Zoning Categories. The construction of any backbone infrastructure within Las Soleras within two years following the City Council's approval of the Rezoning Application shall satisfy the requirements of Code section 14-3.5.D with respect to Las Soleras. The Landowner may also satisfy the requirements of Code section 14-3.5.D with respect to any particular phase or subphase by any other method set out in Code section 14-3.5.D(1).

3) SUBDIVISION, PLATTING AND BUILDING PERMITS

3.1 Lot Line Adjustment and Road Dedication Plat. The Lot Line Adjustment and Road Dedication Plat attached hereto as Exhibit IV ("LLA Plat") is approved concurrently with this annexation. The LLA Plat will not require bonding for subdivision improvements and will not immediately allow for any construction or development.

3.2 Final Subdivision Plat. No development within any phase or subphase of the Property shall be commenced by the Landowner unless and until the City Planning Commission approves a Final Subdivision Plat and/or development plan for that phase or subphase and the Landowner has obtained any and all permits necessary or required to carry out such development.

3.3 Building Permits. Consistent with Section 3(e) of the Settlement Agreement, the City shall issue building permits and other necessary approvals when requested by Las Soleras without unreasonable delay, subject to the compliance of any such request with all applicable ordinances, regulations and rules.

4. CITY SERVICES AND INFRASTRUCTURE

4.1 Fire and Police Protection. Fire and Police protection of the Development on the Property will be provided by current existing City Police and Fire Department facilities and personnel. A fire protection plan submitted with the application for final Subdivision plat approval for each phase or subphase or development plan approval shall show the size of the water mains and fire hydrant locations, together with such other features and elements as may be required by applicable Code requirements.

4.2 Refuse. Refuse disposal services shall be provided in accordance with applicable City ordinances.

4.3 Water Service.

(i) Water Delivery to Property. Water service will be provided for the development of the Property by the City of Santa Fe and in a manner consistent with the City Code. Prior to the development of each Phase or subphase, the Landowner agrees to connect the proposed development to the City's water delivery system using dedicated easements for the benefit of the City or its designee. The Landowner agrees that no water well shall be drilled on the Property.

(ii) Water Rights Transfer to the City. The City agrees that the tender of water rights for the entire Property not later than 30 days after the approval of the rezoning ordinance is not required. The City agrees that tender of water rights not later than 60 days after approval of each final subdivision plat or final development plan for each phase or subphase complies with the intent of the Water Rights Transfer Requirements set forth in City Code §14-8.16.

4.4 Storm Water Improvements. Concurrently with the development of each phase or

subphase, the Landowner shall construct storm water improvements to serve that phase or subphase in accordance with the Code using existing and proposed easements shown on the Final Development Plan and/or subdivision plat for that phase or subphase. The storm water system shall be designed and constructed in accordance with City regulations, guidelines, and ordinances. All plans, reports, and construction documents relating to the design and construction of the storm water collection system shall be reviewed and approved by the City prior to any construction.

4.5 Sewer Service.

(i) Concurrently with the development of each phase or subphase, the Landowner shall construct sewer improvements to serve that phase or subphase in accordance with the Code using existing and proposed easements shown on the Final Development Plan and/or subdivision plat for that phase or subphase. The sewer system shall be designed and constructed in accordance with City regulations, guidelines, and ordinances.

(ii) In accordance with Section §3 (h) of the Settlement Agreement, the City issued a Sewer Can and Will Serve Letter to Las Soleras on May 23, 2008 ensuring sewer service to the Property (including the Presbyterian Healthcare Services Parcel) via the Arroyo Chamisa Interceptor sewer line. The Sewer Can and Will Serve letter is attached as Exhibit V and incorporated herein by reference and complies with Code Section(s) § 22-3, 22-5, and 22-6.

4.6 Reclaimed Water. Landowner agrees to cooperate with the City on the negotiation, construction, finance, design and reimbursement for the extension of reclaimed

water infrastructure between the Property and the City's wastewater treatment plant to serve the Property.

4.7 Infrastructure Phasing. The plan for constructing the infrastructure to serve the development is conceptual in nature and is detailed in the Infrastructure Phasing Plan ("Infrastructure Phasing Plan") attached as Exhibit VI and incorporated herein by reference. The infrastructure will be developed in phases and subphases as shown on the Master Plan and the Infrastructure Phasing Plan and may be modified without the need for a Master Plan amendment. All infrastructure improvements reviewed and approved in Santa Fe County (i.e. Beckner Road and its associated infrastructure from Cerrillos Road to the eastern boundary of the Presbyterian Healthcare Services Parcel) shall be accepted simultaneously with the execution of this Annexation Agreement, provided that such infrastructure improvements have been or will be constructed in accordance with City standards, applicable laws, rules and regulations, and the Code, in effect at the time of construction, including, without limitation, the City's Infrastructure Completion Policy.

4.8 Streets and Other Rights of Way. All streets on the Property will be built to the minimum standards set forth in the Master Plan and in accordance with City standards, applicable laws, rules and regulations and the Code. Upon completion of construction by the Landowner and approval by the City, the streets described on any approved Final Subdivision Plat or development plan as public streets shall be dedicated to and accepted by the City as public rights-of-way. The Landowner shall pay for all construction costs of the streets. Upon acceptance by the City, the City shall be responsible for the costs of maintaining such dedicated rights of way.

4.9 Signalized Intersections. The City agrees that in addition to the existing signalized intersection at Cerrillos Road and Beckner Road, the Property requires additional improvements, including the two signalized intersections off of Cerrillos Road north of Beckner Road as shown on Exhibit III as well as a signalized intersection and the associated street improvements at Richards Ave and Beckner Road. These three signalized intersections have already been approved by the City pursuant to the Herrera Site Plan Approval and the Building Services of Santa Fe annexation agreement.

4.10 Dedication and Letter of Credit.

(i) All required improvements for water, storm and wastewater collection, and public streets, shall be dedicated by the Landowner to the City or the City's designee and accepted by same for its use in perpetuity, as shown on the approved final subdivision plat or development plan for each phase or subphase and, once the City has inspected and approved the final construction of the improvements, the City shall accept the same and thereafter maintain the same in good operating condition at the City's expense.

(ii) In accordance with the City's Infrastructure Completion Policy and other applicable requirements, the Landowner shall provide a letter of credit, set aside letter or surety bond, in a form acceptable to the City, for the required improvements for each phase or subphase prior to recording of the final subdivision plat or development plan for that phase or subphase. The amount of the security shall be based on a certified engineer's estimate acceptable to the City.

5. **UTILITIES.** The City recognizes and accepts that the Property is currently encumbered with some above ground utilities. Future construction of utilities on the Property shall be served

only with underground utilities, except for equipment or infrastructure that either must be located above ground or cannot be undergrounded in an economically feasible manner (such as the transmission line running east-west through the site).

6. **TRAFFIC IMPACT REPORT.** In compliance with city regulations a master traffic impact analysis prepared by Terry Brown is submitted under separate cover as part of the Master Plan and this Agreement (the "TIA"). Prior to the City Council meeting, City Traffic Engineer John Romero reviewed the TIA and recommended conditions of approval, which are included in the Conditions approved by the Council, as well as the following requirements, which the Council directed be included in this Annexation Agreement.

(i) The developer shall be responsible for funding and construction of all onsite roadway improvements as determined by the approved TIA or subsequent revisions to or addendums of the approved TIA as approved by the City of Santa Fe Public Works Department. Beckner Road, in its final condition, shall be constructed as a four-lane major arterial consistent with Chapter 14 of City Code unless otherwise approved by the City of Santa Fe Public Works Department.

(ii) Any proposed improvements on New Mexico Department of Transportation (NMDOT) Highway Systems shall receive ultimate approval from the NMDOT. Any proposed improvements on Federal Highway Systems shall receive ultimate approval from the Federal Highway Administration with review from the NMDOT.

(iii) As development occurs, the developer shall provide fair share contributions for all needed improvements, identified in the approved Traffic Impact Analysis or subsequent revisions to or addendums of the approved TIA as approved by the City of Santa Fe Public

Works Department, on Cerrillos Road, Governor Miles Road and Richards Avenue. Fair share contributions relating to intersection improvements shall be based on percent of side street traffic during the horizon year (the year 2030) with the two exceptions:

- (a) Fair share contributions for the Rodeo Road/Cerrillos Road intersection shall be based on the traffic volume of the specific movement needing mitigation during the horizon year.
- (b) As determined by the approval of the Entrada Contenta Development, the Los Soleras Master Plan development shall be responsible for funding all needed improvements at the Cerrillos Road/Las Soleras Drive intersection while the Entrada Contenta Development will be responsible for funding all needed improvements at the Cerrillos Road/Chamiso Crossing intersection.
- (iv) Fair share contributions for Cerrillos Avenue and Richards Avenue roadway widening improvements shall be based on percent of thru traffic during the horizon year. Improvements to Richards Avenue shall include reconstructing it as a four-lane arterial per chapter 14 of City Code.
- (v) Horizon year traffic volumes are those identified in the most current Santa Fe Metropolitan Transportation Organization (SFMPPO) travel demand forecast model based on the current SFMPPO Future Transportation Network.
- (vi) If for a certain phase of development a certain improvement is needed, the developer shall be responsible for constructing said improvements with the amount of contributions available at that time.
- (vii) Access spacing along Beckner Road shall follow the NMDOT State Access

Management Manual (SAMM) requirements for an Urban Minor Arterial unless otherwise approved by the City of Santa Fe Public Works Department.

(viii) Access spacing along Chamiso Crossing, Las Soleras Drive and Railrunner Road, north of Beckner Road, shall follow the NMDOT SAMM requirements for an Urban Collector unless otherwise approved by the City of Santa Fe Public Works Department.

7. **HIGHWAY CORRIDOR.** The Highway Corridor Open Space as described in Condition 19 (the "Las Soleras Highway Corridor") is adopted as the highway corridor setback for Las Soleras and any future Highway Corridor Ordinance adopted by the City Council shall not affect or modify the Las Soleras Highway Corridor.

8. **AFFORDABLE HOUSING.** Residential development shall comply with the applicable Santa Fe Homes Program provisions in effect at the time of final subdivision approval for each phase or subphase or Landowner agrees to implement an affordable housing plan that is mutually acceptable to both the City of Santa Fe Governing Body and Landowner(s).

9. **IMPACT FEES.** Impact fees and credits for qualifying improvements constructed by the Landowner shall be assessed and applied pursuant to the provision of Code section 14-8.14.

10. **PARKS, OPEN SPACE AND TRAILS.** The Landowner shall meet the City's park dedication requirements by dedicating park land and land for trails within the Property to the City as generally shown on the Master Plan for each phase or subphase prior to recording of the final subdivision plat or development plan for that phase or subphase. Park improvement costs and offsets against park impact fees shall be subjected to the provisions of Code section 14-8.6. The City shall be responsible for all costs of maintaining the dedicated parks, open space and trails, including but not limited to; landscaping, irrigation & water, repair and maintenance of the

grasses, trail surfaces, shrubs and trees.

As required by Condition #9, the amended Master Trails Plans (Sheets P-7 & P-17) is included herein as Exhibit VII.

As required by Condition #45, the applicant shall, in consultation with Santa Fe Public Schools and City staff, locate an additional 20 acres for active park space. The Planning Commission shall approve the park location prior to the approval of a development plan for any Phase of the Project and shall verify compliance with applicable access standards to the parks and open space.

11. **ASSIGNMENT.** Each property owner within Las Soleras assumes several liability related to this Agreement and shall be severally responsible for all obligations resulting from this Agreement. Each property owner in their sole discretion may hereafter assign this Agreement or specific obligation under this Agreement to another property owner, another developer, or to an association of property owners, provided each such assignee agrees to execute and deliver to the City Clerk a duly acknowledged certificate by which such assignee assumes liability and agrees to perform all obligations of that property owner with respect to the portion of the property owned by such assignee. In such case the assigning property owner shall be released of all liability relating to this Agreement. Any assignees shall be bound to the terms and conditions of this Agreement to the same extent that each property owner is bound.

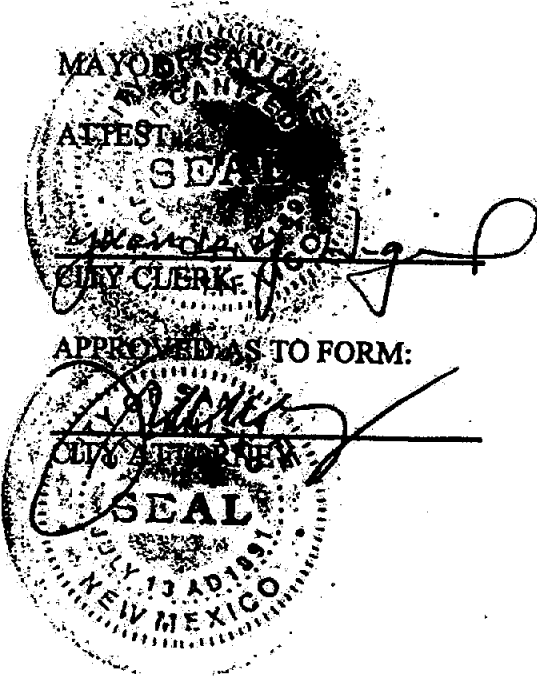
12. **CAPTIONS.** The captions and paragraph headings of this Agreement are not necessarily descriptive, or intended or represented to be descriptive, of all the provisions thereunder, and in no manner shall such captions and paragraph headings be deemed or interpreted to limit the provisions of this Agreement.

13. **EXECUTION OF DOCUMENTS.** The Parties agree to execute all documents contemplated expressly or impliedly by this Agreement.
14. **SEVERABILITY.** If any provision of this Agreement, or the application of such provisions to any person or circumstances, shall be held invalid, the remainder of this Agreement, or the application of such provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.
15. **NO WAIVER.** No waiver of a breach of any of the terms contained in this Agreement shall be construed to be a waiver of any succeeding breach of the same or any other term.
16. **NUMBERS AND GENDERS.** Whenever used herein, unless the context shall otherwise provide, the singular number shall include the plural, the plural the singular, and the use of any gender shall include all genders.
17. **GOVERNING LAW.** This Agreement and the rights of the Parties hereunder shall be governed by and interpreted in accordance with the laws of the State of New Mexico.
18. **BINDING EFFECT.** This Agreement shall be binding upon, and inure to the benefit of, the Parties and their respective heirs, successors and permitted assigns.
19. **AGREEMENT.** This Agreement states the entire agreement of the Parties. The provisions of this agreement shall be severable and may be modified only in writing. This Agreement shall not relieve the Landowners from complying with present or future City ordinances, duly adopted resolutions or regulations applicable to the development.
20. **AMENDMENTS.** Any amendments to this Agreement or any subdivision plat or development plan shall be subject to the review and approval of the Planning Commission and/or other City body having authority over such amendment.

IN WITNESS WHEREOF, this Agreement is entered into the day and year written above.

CITY OF SANTA FE

David Coss
THE HONORABLE DAVID COSS,



LANDOWNER(S):

THE CROSSING, LLC, (PARCEL D1A)
a New Mexico Limited Liability Company

By: 
John J. Mahoney, Managing Member

By: 
Randall W. Eakin, Managing Oversight Member

BECKNER ROAD EQUITIES, INC., (AMENDED PARCELS A, B1, D1B2 & E)
a New Mexico Corporation

By: 
Gordon L. Skarsgard, President

LAS SOLERAS DEL SUR, LLC, (AMENDED TRACTS B1, B2, B4 & C)
a New Mexico Limited Liability Company

By: 
Gordon L. Skarsgard, Managing Member

By: 
J. Harmon Burttram, Managing Oversight Member

GERONIMO EQUITIES, LLC, (AMENDED TRACTS A3 & A4)
a New Mexico Limited Liability Company

By: 
Fred Gardner, Managing Member

LAS SOLERAS COMMUNITY DESIGN, LLC, (AMENDED TRACTS A1 & B3)
a New Mexico Limited Liability Company

By: 
Gordon L. Skarsgard, Managing Member

LAS SOLERAS OESTE, LTD. CO. (AMENDED PARCELS F & G)
a New Mexico Limited Liability Company

By: *Gordon L. Skarsgard*
Gordon L. Skarsgard, Managing Member

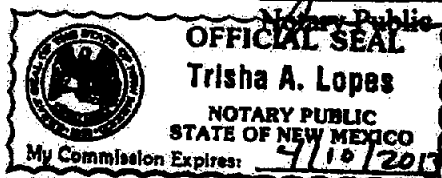
PRESBYTERIAN HEALTHCARE SERVICES (AMENDED TRACT C1)
A New Mexico Nonprofit Corporation

By: _____
Diane Fisher, Secretary

STATE OF NEW MEXICO)
COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 9 day of September, 2009 by John J. Mahoney, Managing Member of The Crossing, LLC, a New Mexico limited liability company.

My Commission Expires:



STATE OF NEW MEXICO)
COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 9 day of September, 2009 by Randall W. Eakin, Managing Oversight Member of The Crossing, LLC, a New Mexico limited liability company.

My Commission Expires:



LAS SOLERAS OESTE, LTD. CO. (AMENDED PARCELS F & G)
a New Mexico Limited Liability Company

By: *Gordon L. Skarsgard*
Gordon L. Skarsgard, Managing Member

PRESBYTERIAN HEALTHCARE SERVICES (AMENDED TRACT C1)
A New Mexico Nonprofit Corporation

By: *Diane Fisher*
Diane Fisher, Secretary

STATE OF NEW MEXICO)
COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 11th day of _____, 2009 by John J. Mahoney, Managing Member of The Crossing, LLC, a New Mexico limited liability company.

Notary Public

My Commission Expires:

STATE OF NEW MEXICO)
COUNTY OF _____) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the _____ day of _____, 2009 by Randall W. Eakin, Managing Oversight Member of The Crossing, LLC, a New Mexico limited liability company.

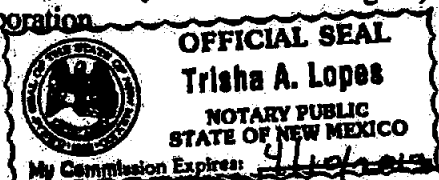
Notary Public

My Commission Expires:

STATE OF NEW MEXICO)

COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 9 day of September, 2009 by Gordon L. Skarsgard, President of Beckner Road Equities, Inc. a New Mexico corporation



Trisha A. Lopes
Notary Public

My Commission Expires:

STATE OF NEW MEXICO)

COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 9 day of September, 2009 by Gordon L. Skarsgard, Managing Member, Las Soleras Oeste, Ltd. Co., a New Mexico limited liability company.



Trisha A. Lopes
Notary Public

My Commission Expires:

STATE OF NEW MEXICO)

COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 9 day of September, 2009 by Gordon L. Skarsgard, Managing Member of Las Soleras Community Design, LLC, a New Mexico limited liability company



Trisha A. Lopes
Notary Public

My Commission Expires:

STATE OF NEW MEXICO)
COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 2 day of September, 2009 by Gordon L. Skarsgard, Managing Member of Las Soleras Del Sur, LLC, a New Mexico Limited Liability Company.

My Commission Expires:



STATE OF NEW MEXICO)
COUNTY OF Santa Fe) ss.

November, 2009 by J. Harmon Burtram, Managing Oversight Member of Las Soleras Del Sur, LLC, a New Mexico limited liability company.

My Commission Expires:
5/23/2011

Victoria M. Reyes
Notary Public

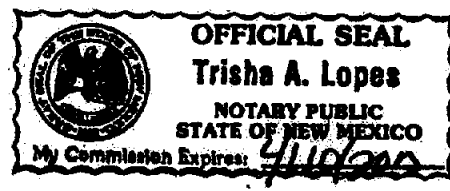


STATE OF NEW MEXICO)
COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 9th day of September, 2009 by Fred Gardner, Managing Member of Geronimo Equities, LLC, a New Mexico limited liability company.

My Commission Expires: 4/10/2013

Trisha A. Lopes
Notary Public



STATE OF NEW MEXICO)

COUNTY OF Bernalillo) ss.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me on the 11th day of November, 2009 by Diane Fisher, Secretary of Presbyterian Healthcare Services, a New Mexico nonprofit corporation.

Linda J. VanAuker
Notary Public

My Commission Expires: 2/12/2011

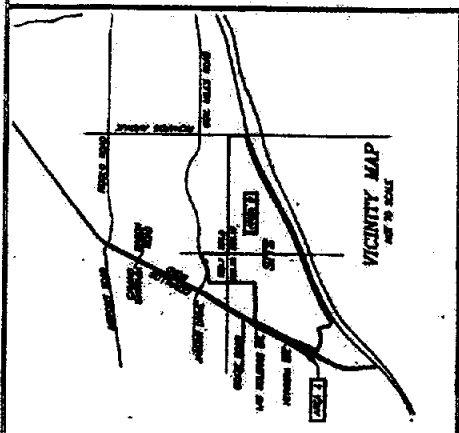


EXHIBITS

EXHIBIT I:	ANNEXATION PLAT
EXHIBIT II:	CONDITIONS OF APPROVAL FOR LAS SOLERAS
EXHIBIT III:	MASTER PLAN FOR LAS SOLERAS
EXHIBIT IV:	LOT LINE ADJUSTMENT AND ROAD DEDICATION PLAT
EXHIBIT V:	CITY SEWER CAN AND WILL SERVE LETTER
EXHIBIT VI:	INFRASTRUCTURE PHASING PLAN
EXHIBIT VII:	AMENDED TRAILS PLAN

EXHIBIT I

**ANNEXATION, ROAD DEDICATION & VACATION
PLAT**



SECTION 1. PURPOSE AND SCOPE

The purpose of this document is to provide a detailed description of the project area, including its location, boundaries, and the proposed development. This section serves as a reference for all subsequent sections and is intended to provide a clear understanding of the project's scope and objectives.

SECTION 2. PROJECT DESCRIPTION

The project consists of the development of a new residential subdivision, including the construction of new homes, streets, and utilities. The project is located within the city limits of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 3. LEGAL DESCRIPTION

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 4. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 5. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 6. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 7. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 8. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 9. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 10. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 11. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 12. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 13. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 14. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 15. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

SECTION 16. PROJECT AREA

The project area is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico. The project is located within the City of Santa Fe, New Mexico, and is subject to the approval of the City Council and the State of New Mexico.

IC CLERK RECORDED 93/84/2819

EXHIBIT II

CONDITIONS OF APPROVAL

Las Solares
Annexation Agreement

Las Soleras – Revised Conditions of Approval

General Plan Amendment (Case #M 2008-27)

Annexation (Case #M 2008-28)

Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)

Rezoning (Case #ZA 2008-11)

COMPLETED

	Condition	Department	Staff	Timing
9	Include the amended Master Trails Plans (Sheets 17-17 ¹⁻¹²) as part of the City's Annexation Agreement	Trail Development	Bob Siqueiros	See Annexation Agreement p. VI ^{VII}
15	An archaeological reconnaissance report must be completed by a City approved archaeologist and then approved by the City of Santa Fe Archaeological Review Committee (ARC) in order for the applicant to receive an archaeological clearance document.	Historic Preservation	Marissa Barrett	Complete – 2/5/09 ARC Approval
16	The 40-acre Presbyterian Hospital tract near the west end of the master plan should be approved as "Institutional" amending the City's current Future Land Use Map, rather than the applicant's request that it be designated "Community Commercial". A note shall be added to the Future Land Use Map Amendment confirming expressly that the Las Soleras HZ zoning district conforms to the Institutional land use designation.	Long Range Planning	Reed Liming	See Revised Annexation Master Plan and Future Land Use map, dated <u>1/15/10</u>
17	The land use designations and zoning districts for the southeasterly portion of Las Soleras, south of Beckner Avenue, shall be modified as follows: Easterly 20 ac. (including open space) - Community Commercial/SC-2 Adjoining 50 ac. to west (including open space) – Business Park/C-2 development standards but allowing only BIP land uses Adjoining 37.56 acres to west (including open space) – Mixed Use/MU.	Long Range Planning -- Current Planning	Reed Liming – Tamara Baer	See Revised Annexation Master Plan and Future Land Use map dated <u>1/15/10</u> and revised Zoning map dated <u>8/26/09</u>
18	The Las Soleras General Plan will show a public school site shown as "institutional" on the Future Land Use Map of a size equal to the set aside agreed on between the applicant and the Santa Fe Public School District.	Long Range Planning	Reed Liming	See Annexation Master Plan and Revised Future Land Use map, dated <u>1/15/10</u>
21	Include all required elements on the Annexation and Dedication Plats as per the Annexation	Current Planning	Lucas Cruise	See Revised

Las Soleras – Revised Conditions of Approval
General Plan Amendment (Case #M 2008-27)

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Rezoning (Case #ZA 2008-11)

	Submittal packet (existing easements, floodplain, tract boundaries with references to legal lots of record and property owner signatures, existing and proposed city limits, roadway dedication details, etc.)			Annexation Plat dated <u>8/26/09</u>
22	<p>It appears that a portion of the 1% chance event floodplain of the Arroyo Chamiso is not dedicated as Open Space or otherwise restricted from development.</p> <ul style="list-style-type: none"> Upon administrative approval by the City Staff of all improvements constructed in the floodplain, this land should be dedicated as public open space, drainage easement, and public right of way as per 14-8.2 (J); Terrain and Stormwater Management or otherwise restricted from development as per 14-5.9 Ecological Resource Protection Overlay District Identify FEMA floodplain determinations and CLOMR that modify the area that is required to be protected Identify options to protect and integrate into site plan open space the Arroyo de Los Chamisos tributaries that fall outside the FEMA floodplain. 	Current Planning	Lucas Cruse	See Revised Annexation Plat dated <u>8/26/09</u> And DP for tributaries
23	Minimum dedication of 98 feet of ROW for Beckner Road as per 14-9.2, except for the "innovative street designs" approved by the Planning Commission at their meeting of 12/18/08, as per Chapter 14-9.2 (E) (2) (a).	Current Planning	Lucas Cruse	See Revised Dedication Plat dated <u>8/26/09</u>
24	<p>Sidewalks are required within the public ROW along both sides of all arterial roadways as per 14-9.2. The only exception to sidewalks being located within dedicated public roadway ROW is where "innovation" provides:</p> <ul style="list-style-type: none"> Open Space dedicated adjacent to the roadway allows greater separation between the roadway and path by maintained landscape area, Curb cuts allowing motorized traffic to cross trails that runs parallel with Beckner Road shall be limited, And, a public access easement is provided for the trail through the private open space. 	Current Planning	Lucas Cruse	See Revised Dedication Plat dated <u>8/26/09</u> DP (Development Plan, including any road construction plan for curb cuts)
26	<p>Clarify what is intended where trails are shown adjacent to roadways, but no open space is dedicated:</p> <ul style="list-style-type: none"> It is recommended that these sections of roadway be designed to 14-9.2 standards where additional open space is not being dedicated. It is also recommended that the Trail Plan be modified to indicate only trail alignments that are independent of where sidewalks are already required along roadways as per 14-9.2 and open space is designated (i.e. power line alignment, Arroyo de Los Chamisos, 1-25 setback, Nava Ade connections). 	Current Planning	Lucas Cruse	See revised Annexation Master Plan dated <u>1/15/10</u> and Trails Master Plan

SEC CLERK RECORDED 03/04/2010 Las Soleras – Revised Conditions of Approval
General Plan Amendment (Case #M 2008-27)
Annexation (Case #M 2008-28)
Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)
Rezoning (Case #ZA 2008-11)

29	To improve arterial road intersection function, increase the spacing between the Las Soleras Drive and Rail Runner Road intersections with Beckner Road by shifting the alignment of Las Soleras Drive west, between the hospital and office tracts	Current Planning	Lucas Cruse	See Revised Annexation Master Plan and Future Land Use Map dated <u>11/15/10</u> and Road Dedication Plat
30	Access management is required to maintain the function of the Arterial roadways network. Since development in Las Soleras will happen piecemeal, it is recommended that a more fully-developed arterial and collector roadway network be developed in coordination with City staff as guidance for future development applications. Some eventual connections of note that should be considered now include: <ul style="list-style-type: none"> Dancing Ground west to Las Soleras Drive (this also increases access and visibility to the park adjacent to the north. See Condition 36 below.) Connection from east end of Dragon Road down and across Beckner Road into the Mixed Use parcel Connection from the Station/Neighborhood Center eastward through the Mixed use parcel to the Dragon Road extension identified above 	Current Planning	Lucas Cruse	See Revised Annexation Master Plan and Future Land Use Map dated <u>11/15/10</u> Also see DP (Development Plan, including any road construction plan)
31	"Figure 5: Preliminary Circulation Map" of the Santa Fe County's Community College District Plan shows an over/underpass connecting Dinosaur Trail across I-25 to Beckner Road in the vicinity of Railrunner Road. Resolve with Santa Fe County whether this roadway connection will be integrated into the Las Soleras roadway network or the applicant shall coordinate with Santa Fe County to revise its plan to remove this connection.	Current Planning	Lucas Cruse	See Memo from Santa Fe County dated ____
33	A continuous trails network appears to connect the open space and parks parcels with the exception of parcel #20 from the proposed Railrunner Stop and Transit Station through parcel #19, connecting Beckner Road and continuing through parcel #12, connecting with the 21.50 acre Park/Open space parcel. We recommend further connectivity within and through these parcels. (Note: this connects "La Rambla" up to the regional park.)	Parks-Open Space-Watershed Division	Fabian Chavez III - Lucas Cruse	See Revised Trails Plan dated <u>11/15/10</u>
36	The 21.50 acre Park/Open space parcel will require a secondary arterial along the south boundary connecting Railrunner and Las Soleras Drive, possibly achieved by extending Dancing Ground Road, or the 10-foot wide trail along the southerly park boundary shall be designed to accommodate maintenance and light emergency vehicles (such as ambulances). This will provide at least 50% arterial connectivity for this parcel.	Parks-Open Space-Watershed Division - Current Planning	Fabian Chavez III	DP and Revised Annexation Master Plan and Future Land Use

C CLERK RECORDED 03/04/2010 Las Soleras - Revised Conditions of Approval
General Plan Amendment (Case #M 2008-27)
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Rezoning (Case #ZA 2008-11)

					Map
37	Prior to hearing by the City Council, submit detailed phasing for each tract of land and utility in addition to how that phasing relates to the submitted roadway construction phasing plan.	Current Planning	Greg Smith		Complete per 2/1/09 Council approval
38	Add note on P-7 "Where the development standards on this sheet conflict with provisions of Chapter 14 SFCC 1987 in effect at the time of approval of any development plan, the Code provision shall apply. Variances to these development standards shall be processed in the same manner as provided for similar variances to provisions of Chapter 14."	Current Planning	Greg Smith		See Revised Sheet P-7 dated 1/15/09 Removed from Plat Set
39	No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exists a comprehensive and equitable mechanism for implementing the dedication of easements and right-of-way necessary for infrastructure serving any and all phases and sub-phases of the Las Soleras Annexation Master Plan which will be affected by the approved development plan or plat, and for financing and coordinating the construction of that infrastructure. This note shall be placed on the Master Plan and included in the annexation agreement.	Current Planning	Greg Smith		Complete - See Annexation Master Plan dated <u>1/15/09</u> and Annexation Agreement section _____
40	No development plan or subdivision plat shall be approved by the Planning Commission unless the commission finds that there exist adequate provisions for coordinating dedication, financing and constructing infrastructure necessary for the orderly development of lands adjoining the Las Soleras Master Plan boundaries, including but not limited to "stubbing out" trails, roads and utility easements, and/or provisions for pro-rata contributions to off-site improvements that may be impacted by the approved development plan or plat. This note shall be placed on the Master Plan and included in the annexation agreement.	Current Planning	Greg Smith		See Revised Annexation Master Plan dated <u>1/15/09</u> and Annexation Agreement section _____
41	Approval of the Annexation Agreement is subject to the review and approval of the City Attorney.	City Attorney	Kelley Brennan		See Final Annexation Agreement dated <u>9/9/09</u>
43	The applicant shall submit a revised future land use map for administrative review and approval to ensure compliance with all approved changes, including approved road networks and any future school site.	Current Planning	Tamara Baer		See Revised Annexation Master Plan and Future Land Use Map dated <u>1/15/09</u>
44	The City Traffic Engineer shall complete his review of the traffic impact analysis and include any	Current Planning	Tamara Baer		See Memo from

Las Soleras – Revised Conditions of Approval

General Plan Amendment (Case #M 2008-27)

Annexation (Case #M 2008-28)

Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)

Rezoning (Case #ZA 2008-11)

additional recommended conditions in the City Council staff report.				John Romero dated _____, attached hereto as Exhibit A
45	The applicant shall, in consultation with Santa Fe Public Schools and City staff, locate an additional 20 acres for active park space. This condition shall be incorporated into the Annexation Agreement. The Planning Commission shall approve the park location prior to the approval of a development plan for any Phase of the Project and shall verify compliance with applicable access standards to the parks and open space.	City Council / Parks Department	Fabian Chavez	Annexation Agreement, P. 1, 9/9/09 Prior to approval of first DP
48	A written commitment from the new state administration to the same extent as that issued by the present administration to locate a state office complex or a similar commitment for a commercial development with similar impacts shall be submitted prior to construction of the rail stop.	City Council / Current Planning	Tamara Baer	Complete, See letter from Governor Richardson dated 11/14/08

Las Soleras – Revised Conditions of Approval
 General Plan Amendment (Case #M 2008-27)
 Annexation (Case #M 2008-28)
 Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)
 Rezoning (Case #ZA 2008-11)

TO BE SUBMITTED IN CONJUNCTION WITH FIRST DEVELOPMENT PLAN(S)

	Condition	Department	Staff	Timing
19	<p>The annexation master plan includes a portion of the land directly adjacent to the I-25 right of way that is labeled highway corridor (the "Highway Corridor"). Prior to or in conjunction with the first development plan application adjacent to the Highway Corridor, a comprehensive Highway Corridor Plan shall be submitted to the Planning Commission for review and approval. The Highway Corridor Plan shall identify locations of bundled open space, view corridors, a visual impact analysis of the Las Soleras I-25 corridor, architectural design features, locations of berms (existing and proposed), and landscape and lighting standards to be implemented by the Plan. The depth of the Highway Corridor may vary to a minimum of 100 feet provided that the overall area encompassed within the Highway Corridor, outside of the BIP (or Transit Oriented Development) zone, shall be maintained. As part of the Highway Corridor Plan, the Trails Plan shall be revised to identify trail connections between the trail running east-west along I-25 and Beckner Road, making use of the bundled open spaces to create a continuous trail system.</p> <p>All applications for development plans adjacent to the Highway Corridor shall include visual impact analyses of views from I-25 both northbound and southbound using story poles and/or computer aided visual simulation to address all proposed improvements located within 265 feet of the I-25 right-of-way.</p> <p>The developer shall designate and provide a pedestrian or bike trail within the Highway Corridor from the planned Rail Runner station up to Richards Avenue and down to Beckner Road where it comes closest to the Highway Corridor.</p>	Long Range Planning	Reed Liming	<p>Highway Corridor Plan – Prior to approval of first DP</p> <p>Visual Impact Analysis - DP (Development Plan, including any trail construction plan)</p>
45	<p>The applicant shall, in consultation with Santa Fe Public Schools and City staff, locate an additional 20 acres for active park space. This condition shall be incorporated into the Annexation Agreement. The Planning Commission shall approve the park location prior to the approval of a development plan for any Phase of the Project and shall verify compliance with applicable access standards to the parks and open space.</p>	City Council / Parks Department	Fabian Chavez	Annexation Agreement, P. 1, Prior to approval of first DP

TO BE SUBMITTED AT DEVELOPMENT PLAN (OR PERMIT) FOR APPLICABLE PARCEL(S)

Note: some conditions are duplicated from above as they had components that have been completed but also have components to be completed at Development Plan.

	Condition	Department	Staff	Timing
1	Applicant must comply with Chapter XXI of SFCC 1987	Solid Waste	Randall Marco	DP (Development Plan, including any road construction plan)
2	Recommend the following solid waste measures: <ul style="list-style-type: none"> Commercial properties: use 30 yard self-contained compactors or create a specific solid waste plan Residential properties: create a specific solid waste plan 	Solid Waste	Randall Marco	DP (Development Plan, including any road construction plan)
3	Identify provisions for recycling	Solid Waste	Randall Marco	DP
4	Proposed infrastructure shall be sufficient to accommodate the fire flow requirements set forth in IFC § B105.	Fire	Barbara Salas	DP
5	Fire Hydrants shall be located to a location acceptable to the Fire Code Official. Contact Fire Department for clarification and approval of fire hydrant locations.	Fire	Barbara Salas	DP
6	Development Plan General notes shall indicate the following provisions: <ul style="list-style-type: none"> Fire Department Access shall be maintained throughout all development construction phases § 1410.1. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. IFC §1412.1. 	Fire	Barbara Salas	DP
7	Provide a standard city trail signage plan.	Trail Development	Bob Siqueiros	DP (Development Plan, including any road or trail construction plan)
8	Comply with ADA standards.	Trail Development	Bob Siqueiros	DP

Las Soleras – Revised Conditions of Approval

General Plan Amendment (Case #M 2008-27)

Annexation (Case #M 2008-28)

Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)

Rezoning (Case #ZA 2008-11)

	Trail Development	Bob Siqueiros	DP (Development Plan, including any trail construction plan)
10	Primary and Secondary Trail Sections shall comply with the AASHTO Design Standards (American Association of State Highway and Transportation Officials-for the Development of Bicycle Facilities).		
11	All development must comply with the Terrain/Stormwater Management and Flood Regulation requirements of Articles 14-8.2 and 14-8.3 of the Land Development Code.	Risana Zaxus	DP (Development Plan, including any road construction plan)
12	Public sanitary sewer crossings of the Arroyo Chamiso (AC) shall be kept to an absolute minimum. The existing AC sanitary trunk sewer line is located on the east and south of AC. Properties to the north and west of the AC shall minimize the number of public sewer line crossings of the AC.	Stan Holland	DP (Development Plan, including any road construction plan)
13	There shall be no sewer lift stations in the "Las Soleras" area.	Stan Holland	DP
14	Final sewer design approval of all development plans in "Las Soleras" shall require Wastewater Division approval.	Stan Holland	DP
19	<p>The annexation master plan includes a portion of the land directly adjacent to the I-25 right of way that is labeled highway corridor (the "Highway Corridor"). Prior to or in conjunction with the first development plan application adjacent to the Highway Corridor, a comprehensive Highway Corridor Plan shall be submitted to the Planning Commission for review and approval. The Highway Corridor Plan shall identify locations of bundled open space, view corridors, a visual impact analysis of the Las Soleras I-25 corridor, architectural design features, locations of berms (existing and proposed), and landscape and lighting standards to be implemented by the Plan. The depth of the Highway Corridor may vary to a minimum of 100 feet provided that the overall area encompassed within the Highway Corridor, outside of the BIP (or Transit Oriented Development) zone, shall be maintained. As part of the Highway Corridor Plan, the Trails Plan shall be revised to identify trail connections between the trail running east-west along I-25 and Beckner Road, making use of the bundled open spaces to create a continuous trail system.</p> <p>All applications for development plans adjacent to the Highway Corridor shall include visual impact analyses of views from I-25 both northbound and southbound using story poles and/or computer aided visual simulation to address all proposed improvements located within 265 feet of the I-25 right-of-way.</p> <p>The developer shall designate and provide a pedestrian or bike trail within the Highway Corridor from the planned Rail Runner station up to Richards Avenue and down to Beckner Road where it comes closest to the Highway Corridor.</p>	Reed Liming	<p>Highway Corridor Plan – Prior to approval of first DP</p> <p>Visual Impact Analysis - DP (Development Plan, including any trail construction plan)</p>

Las Soleras – Revise¹ Conditions of Approval
General Plan Amendment (Case #M 2008-27)
Annexation (Case #M 2008-28)
Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)
Rezoning (Case #ZA 2008-11)

20	The application for any development plans adjacent to the planned train stop shall include a parking study addressing proposed amount, location and rationale for public parking.	Long Range Planning	Reed Liming	DP
25	At the time of development for individual tracts, all trails through privately held open space shall be dedicated as public access easements to ensure permanent public access to the Las Soleras non-motorized transportation network	Current Planning	Lucas Cruise	DP (Development Plan, including any trail construction plan)
27	As part of an expanded non-motorized transportation plan and for all applicable development plans and road construction plans, identify proposed accommodations for the priority non-motorized crossings of arterial roadways in Las Soleras. The priority connections needed include: <ul style="list-style-type: none"> Identify needed upgrades to the Cerrillos Road culvert underpass and/or buried trail underpass required to accommodate non-motorized traffic If not precluded by construction that is in progress, reinstate the pedestrian underpass of Beckner Road between the hospital tract and the office tract to the south utilizing the natural topography as indicated in the original submittal Connect the north end of "La Rambla" as a central component of the proposed TOD strategy across Beckner Road to the residential tracts and the park between Tracts 10 and 11 Design the bridges of Crossing at Chamiso and Las Soleras Drive across the Arroyo de Los Chamisos to accommodate the trails underneath Design the Railrunner Road crossing of the natural drainage to the north of Dancing Ground Road to connect park and open space with a pedestrian underpass as indicated in the original submittal Identify other opportunities to develop grade separated or otherwise prioritized non-motorized crossings of Beckner Road between Railrunner Road and Richards Avenue 	Current Planning	Lucas Cruise	DP (Development Plan, including any road and trail construction plan)
28	In support of the stated Transit Oriented Development (TOD) goals of Las Soleras, as part of development plans and road construction plans, as applicable, identify the locations of priority bus stops in coordination with Santa Fe Trails for the route shown on Sheet P-18: Traffic Circulation Plan to facilitate: <ul style="list-style-type: none"> ROW dedications for bus loading bays or lanes Connections to non-motorized circulation facilities Building and tract development orientations to the transit stops 	Current Planning	Lucas Cruise	DP (Development Plan, including any road construction plan)
30	Access management is required to maintain the function of the Arterial roadways network. Since development in Las Soleras will happen piecemeal, it is recommended that a more fully-developed arterial and collector roadway network be developed in coordination with City staff as guidance for future development applications. Some eventual connections of note that should be considered now include: <ul style="list-style-type: none"> Dancing Ground west to Las Soleras Drive (this also increases access and visibility to the 	Current Planning	Lucas Cruise	See Revised Annexation Master Plan and Future Land Use Map dated 1/15/10 DP (Development

	<ul style="list-style-type: none"> • park adjacent to the north. See Condition 36 below.) • Connection from east end of Dragon Road down and across Beckner Road into the Mixed Use parcel • Connection from the Station/Neighborhood Center eastward through the Mixed use parcel to the Dragon Road extension identified above 				Plan, including any road construction plan)
32	In development of access to a potential Rail Runner platform in the median of Interstate 25, design the Las Soleras access to facilitate future integration of a non-motorized access to the station from the south side of Interstate 25 and connections to the County's Community College District non-motorized trail network.	Current Planning	Lucas Cruse		Building permit for train station
34	The trails system appears to provide opportunities for quality trail amenities such as gardening plots, small pocket parks and rest/vista stops throughout the proposed amendment. We recommend refined design development assurances that these amenities, where feasible, will be constructed.	Parks-Open Space-Watershed Division	Fabian Chavez III		DP (Development Plan, including any trail construction plan)
35	After extensive conversation and document review with the Landscape Architect and representatives from Las Soleras, the 21.50 acre Park Open Space parcel appears to be of adequate size for a large regional/community park. Specific required park features were discussed and the Landscape Architect agreed that in fact these amenities could be incorporated within the park parcel. We recommend assurances that these amenities will be designed and constructed.	Parks-Open Space-Watershed Division	Fabian Chavez III		DP
36	The 21.50 acre Park/Open space parcel will require a secondary arterial along the south boundary connecting Railrunner and Las Soleras Drive, possibly achieved by extending Dancing Ground Road, or the 10-foot wide trail along the southerly park boundary shall be designed to accommodate maintenance and light emergency vehicles (such as ambulances). This will provide at least 50% arterial connectivity for this parcel.	Parks-Open Space-Watershed Division - Current Planning	Fabian Chavez III		DP and Revised Annexation Master Plan and Future Land Use Map
42	The applicant shall work with the Wastewater Management Division to design, locate and grant a minimum 10-foot wide public easement adjacent to the existing Arroyo Chamiso Sewer Trunk line easement to accommodate installation of an effluent line. The applicant shall reimburse the City for its fair and reasonable pro-rata share for its portion of the effluent line.	City Council/Wastewater Division	Stan Holland		DP
46	A street designed to City standards, or a rural profile road with a safe drivable surface shall be constructed to provide vehicular access between Monte del Sol School and Beckner Road in conjunction with construction of the adjacent section of Beckner Road.	City Council / Public Works	Robert Romero		DP (Development Plan, including any road construction plan that involves the applicable section of Beckner Road)
47	Prior to the approval of a development plan for a hospital on Parcel 7, the applicant shall describe the measures that will be employed to mitigate disturbances from overflight over adjacent populated residential areas.	City Council / Current Planning	Tamara Baer		DP (that includes hell-pad)

Las Soleras – Revised Conditions of Approval

CLERK RECORDED 03/24/2013

General Plan Amendment (Case #M 2008-27)

Annexation (Case #M 2008-28)

Lot Line Adjustment, Road Dedication, and Right-of-Way Vacation Plat (Case #SD 2008-15)

Rezoning (Case #ZA 2008-11)

49	All road improvements on Beckner Road from Cerrillos Road to Richards Avenue necessary for vehicular access to the train station shall be completed before construction of the rail stop.	City Council / Current Planning	Tamara Baer		DP (TOD)
50	The applicant shall obtain City staff approval of an access plan to the rail stop for county residents on the south side of the interstate.	City Council / Current Planning	Tamara Baer		DP (TOD)

City of Santa Fe, New Mexico

memo

DATE: January 21, 2014, for the February 6, 2014 Meeting

TO: Summary Committee

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

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

58 PASEO NOPAL LOT SPLIT

Case #2013-132. 58 Paseo Nopal Lot Split. Andrea R. Mueller, née Contreras, requests plat approval to divide approximately 2.49 acres into two lots. Located in the Phase 3 Annexation area, the property 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). The proposed land division would create two lots: Lot 84 Tract A, 58-A Paseo Nopal, containing approximately 1.18 acres; and Lot 84 Tract B, 58-B Paseo Nopal, 1.30 acres. Each lot is developed with a single family dwelling.

The property access from Paseo Nopal is via a 16.5 foot roadway and utility easement. An identical easement runs parallel to it along the adjoining property creating a total access and utility easement of 33 feet in width. The property is not accessible to City utilities.

CONDITIONS OF APPROVAL

Exhibit "3"

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.

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: January 3, 2014

TO: William Lamboy , Case Manager

FROM: Reynaldo Gonzales, Fire Marshal 

SUBJECT: Case #2013-132 58 Paseo Nopal Lot Split

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

Prior to any new construction 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 in 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 or install an automatic sprinkler system.

City of Santa Fe, New Mexico

memo

DATE: January 6, 2014
TO: William Lamboy, Case Manager
FROM: Stan Holland, Engineer, Wastewater Division
SUBJECT: Case #2013-129 – 4600 Rail Runner Lot Split

The subject property is not accessible to the City public sewer system. Prior to any new construction on the lot, the owner shall obtain a septic system permit from the State of New Mexico Environment Department (505-827-1840).

The Applicant shall add the following note to the plat:

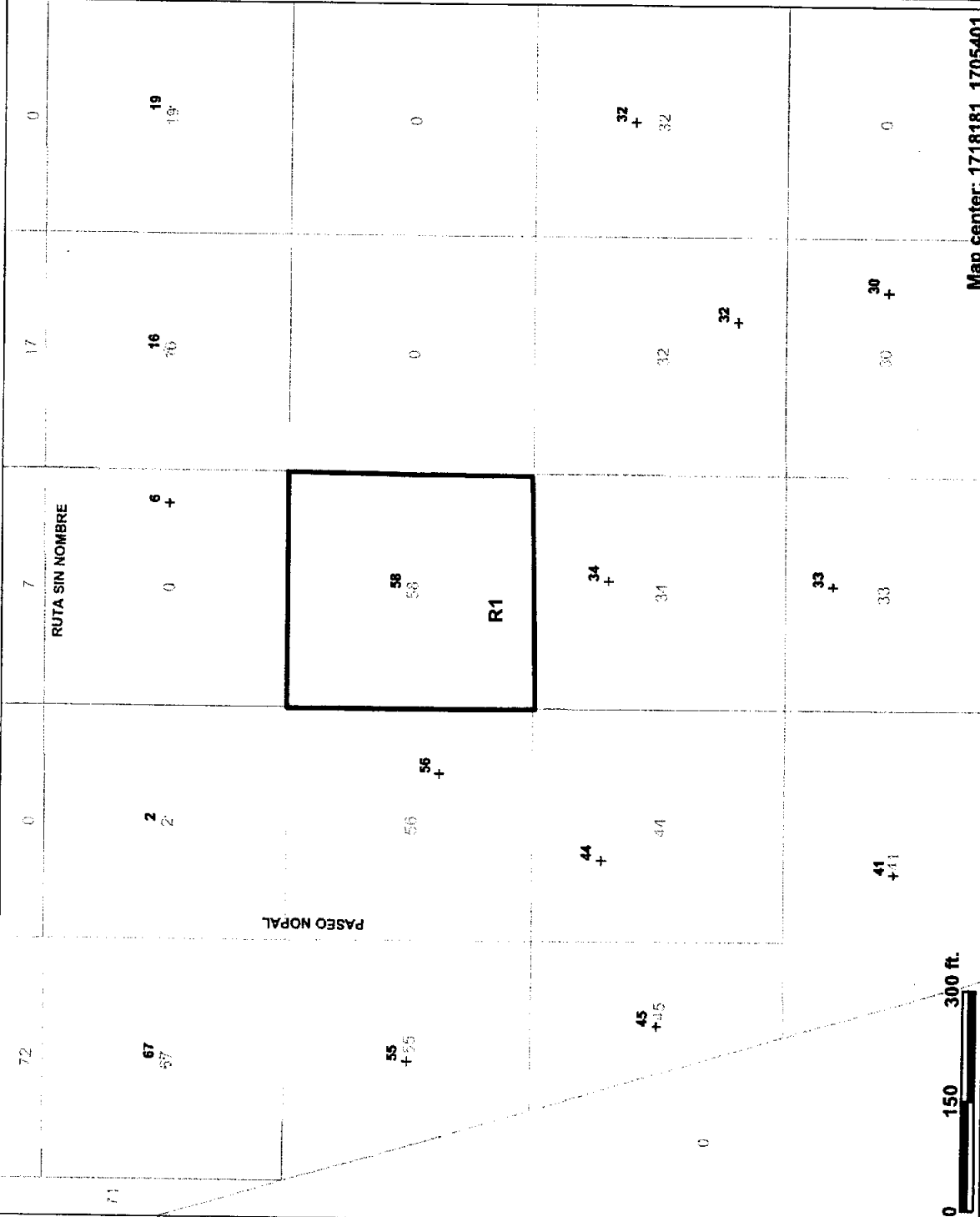
1. Connection to the City public sewer system is mandatory when the property is in the City limits and is being developed or improved is accessible to the City sewer system. Prior to the development or improvement of the property, owners and developers of the property shall obtain a technical sewer evaluation review by the City of Santa Fe Wastewater Division.

City of Santa Fe, New Mexico

Exhibit B

Maps

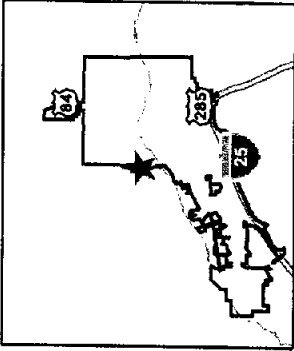
58 Paseo Nopal - Zoning



0 150 300 ft.

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.

Map center: 1718181, 1705401



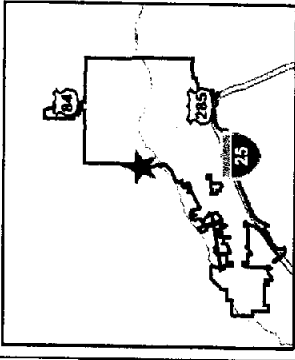
Legend

- City Limits
- Address Points
- 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 5-6du/ac
- R7, (PUD), R8 Single - Family 7-8du/ac
- RCS, RCSAC Compound 5du/ac
- RCS, RCSAC Compound 6du/ac
- R10, (PUD) Multiple - Family 10du/ac
- R12, (PUD) Multiple - Family 12du/ac
- R21, (PUD) Multiple - Family 21du/ac
- R29, (PUD), (AC) Multiple - Family 29du/ac
- RAC Residential Arts & Crafts

Scale: 1:2,545



58 Paseo Nopal - Aerial



Legend

- City Limits
- Address Points
- Parcels
- Airport Clear Zones
- Santa Fe River
- FEMA Floodplain December 4, 2012 (100 yr)
- Major Roads and Highways
- Other Roads and Streets
- 2011 Aerial Photography - 1 foot resolution



Scale: 1:1,686

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

ARMIJO SURVEYS, INC.

Professional Land Surveying

Letter of Application

December 23, 2013

William Lamboy
City of Santa Fe Land Use Dept.
200 Lincoln Avenue
Santa Fe, NM 87504

Dear Mr. Lamboy;

This is our Letter of Application for this new submittal of Lot Split Land Division Survey Plat prepared for Andrea Contreras. Ms. Contreras has hired us to prepare the Lot Split Land Division Survey Plat of the current Lot 84. Lot 84 is located at 56 Paseo Nopal, N.W. of the intersection of Calle Nopal and Paseo de Vistas. Lot 84 is in property being annexed by the City of Santa Fe.

Lot 84 is legal lot of record via Survey Plat filed on August 29, 1961, in Santa Fe County Clerk Plat Book 8, page 228, as Document No. 251,231, which predates the adoption of the City of Santa Fe Land Development Code (September 30, 1962).

Lot 84 is currently zoned R-1 which allows one dwelling per acre. Lot 84 is currently 2.486 acres and Ms. Contreras wishes to divide Lot 84 into Lot 84-Tract A of 1.186 acres with an existing dwelling and Lot 84-Tract B of 1.300 acres with an existing dwelling.

Lot 84 is accessed via the existing driveway from Paseo Nopal across roadway easement on adjacent Lot 85. Lot 84-Tract B would be accessed via the existing driveway within a new ingress-egress easement that would be granted across Lot 84-Tract A.

Lot 84 is served by an existing well and existing septic tank. The 2 tracts will share the well and septic tank. A new well and waterline easement is on the new survey map connecting the existing well to the new utility easement. The septic tank easement data will be forthcoming.

Lot 84-Tract A and Lot 84-Tract B are on relatively level terrain with no slopes of more than 15% slope.

We believe the existing dwellings and residential use of the property complies with the current zoning criteria.

Please contact me with any questions or comments regarding this survey at 471-1955.

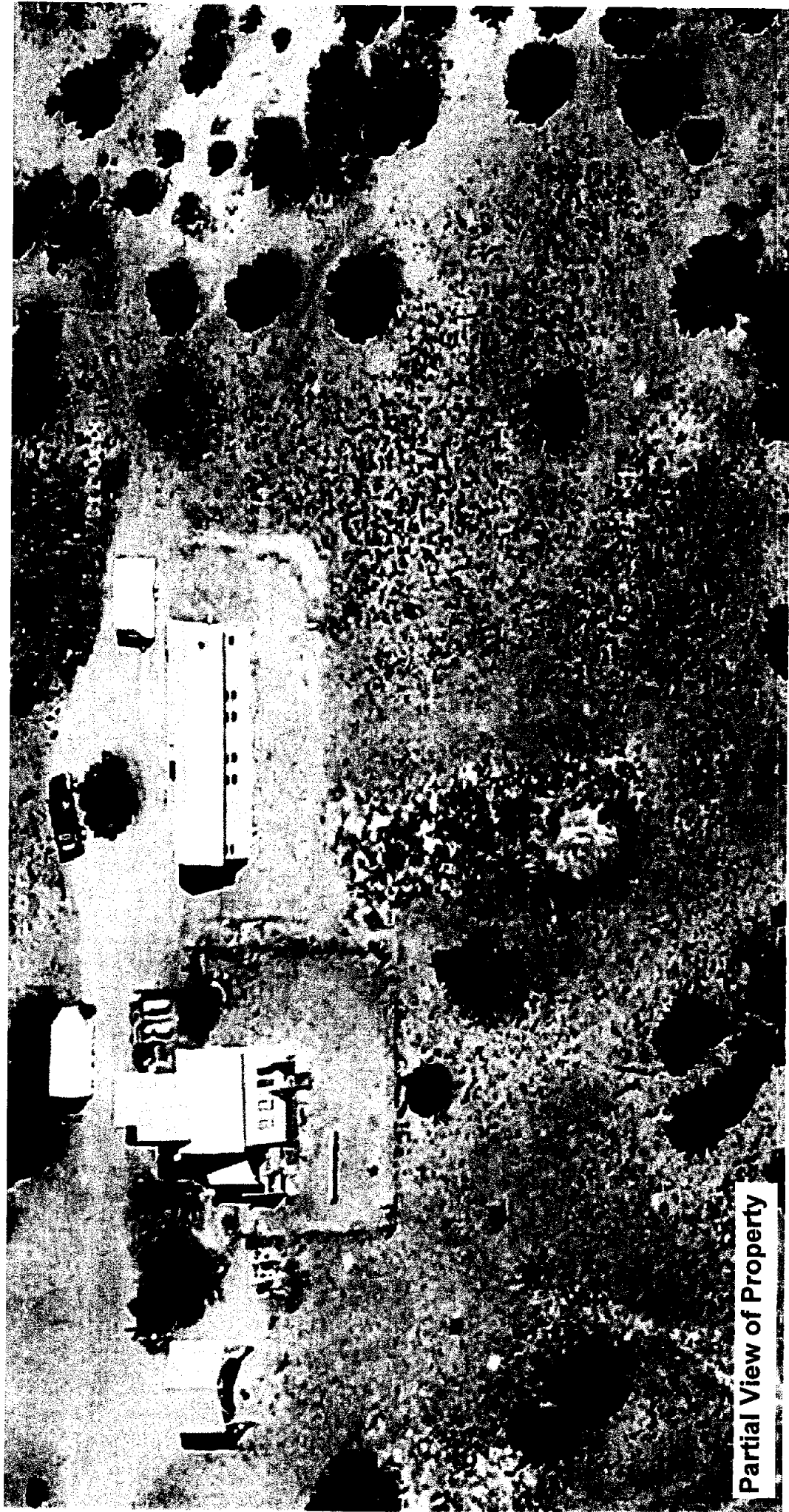
Thank you,
Paul Armijo
NMPS No. 13604



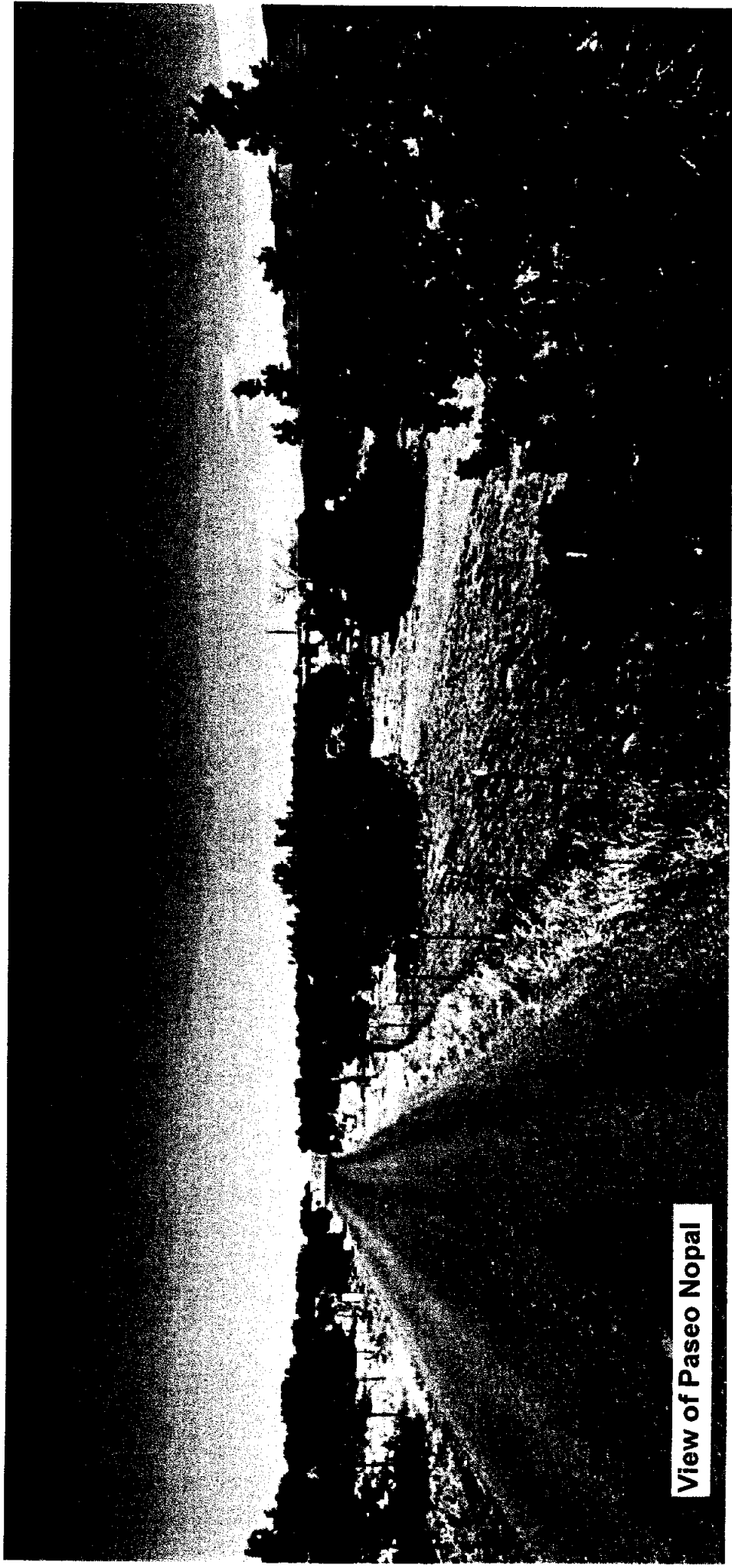
City of Santa Fe, New Mexico

Exhibit D

Photographs



Partial View of Property



View of Paseo Nopal

February 17, 2014

Marlene Montoya
Alcohol and Gaming Division
2550 Cerrillos Road, 2nd Floor
P.O. Box 25101
Santa Fe, New Mexico 87504-5101

RE: Waiver & Special Dispenser Permit
License Holder – Susan's Fine Wine + Spirits (License #156)
Sponsor – Joe Wade Fine Art
Date of Event – February 21, 2014 – 5:00 P.M. to 8:00 P.M.

Dear Ms. Montoya,

On February 12, 2014 the Governing Body of the City of Santa Fe held a public hearing for the above referenced request. Approval was granted to the applicant on their request for a waiver of the 300 foot location restriction to allow the dispensing/consumption of wine at Joe Wade Fine Art, 102 E. Water Street. This location is within 300 feet of The Church of Antioch at Santa Fe, 207 Old Santa Fe Trail.

The request is for the ARTFeast Edible Art Tour to be held on Friday, February 21, 2014 from 5:00 p.m. to 8:00 p.m.

Should you have any questions, or require anything further from our office, do not hesitate to call me at 955-6521.

Sincerely,

Yolanda Y. Vigil
City Clerk

gfc

City of Santa Fe, New Mexico

memo

DATE: January 6, 2014
TO: William Lamboy, Case Manager
FROM: Stan Holland, Engineer, Wastewater Division
SUBJECT: Case #2013-126 3621 Oliver Road Lot 27 Santa Fe Airport Lot Split

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

- Connection to the City public sewer system is mandatory when the property is in the City limits and is being developed or improved is accessible to the City sewer system. Prior to the development or improvement of the property, owners and developers of the property shall obtain a technical sewer evaluation review by the City of Santa Fe Wastewater Division.

The foregoing instrument was acknowledged before me this ____ day of

_____, 200____. (or equal)

Notary Public

My Commission Expires

2. Add the address of the surveyor, in accordance with the Minimum Standards for Surveying in New Mexico.

It is suggested that the applicant seek legal advice as to whether the proposed dedication is sufficient for transfer of ownership of Lot 27A-2 to the owner's association, or if a real estate deed is required.

DATE: January 14, 2014
TO: William Lamboy, Case Manager
FROM: Risana "RB" Zaxus, PE
City Engineer for Land Use Department
RE: Case # 2013-126
3621 Oliver Road Lot Split

I reviewed a one-sheet Division Plat and have the following two comments to be regarded as conditions of approval:

1. Add to the Plat the following notarized Stormwater Agreement:

STORMWATER AGREEMENT: Property Owner(s) hereby agree that all stormwater easements and any other drainage and stormwater management improvements are on private property and will be maintained and kept fully functional as originally designed and constructed within private property boundaries by the property owner and subsequent heirs, assigns, and future owners. The City is hereby granted the following: (1) access for inspection of said improvements; (2) in the event of drainage and stormwater management improvement maintenance deficiency and after ten (10) days written notice to the respective property owner, to enter and restore full functional capacity of the drainage and stormwater management improvements; and (3) to lien the property for both direct and indirect costs associated with such work. By signature affixed to this instrument, the property owner(s) approve and agree that this AGREEMENT is binding perpetually, running with the land, on present and future owners, heirs, and assigns.

Owner's Printed Name


Owner's Signature / Date

City of Santa Fe, New Mexico

memo

DATE: January 3, 2014

TO: William Lamboy , Case Manager

FROM: Reynaldo Gonzales, Fire Marshal 

SUBJECT: Case #2013-126 3621 Oliver Road Lot Split

I have conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) Edition. If you have questions or concerns, or need further clarification please call me at 505-955-3316.

1. Shall comply with IFC fire code.

City of Santa Fe, New Mexico

Exhibit A

City Staff Memoranda

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. Label "New Lot Line."

ATTACHMENTS:

EXHIBIT A: City Staff Memoranda

1. Fire Marshal Memorandum, Rey Gonzales
2. City Land Use Engineer Memorandum, Risana 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

EXHIBIT D: Photographs