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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2014-28

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE CLASSIFICATION FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT TO THE ACRE) TO C-2 (GENERAL COMMERCIAL); AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO A CERTAIN PARCEL OF LAND COMPRISING 3.86± ACRES LOCATED ALONG THE NORTH SIDE OF AGUA FRIA STREET (2750 BOYLAN CIRCLE AND 1400 BOYLAN LANE) (2750 BOYLAN CIRCLE AND 1400 BOYLAN LANE (BFFM) REZONING, CASE NO. 2014-64).

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. The following real property (the "Property") located within the municipal boundaries of the city of Santa Fe, is restricted to and classified C-2 (General Commercial):

The parcel of land comprising 3.86± acres generally located at 2750 Boylan Circle and 1400 Boylan Lane more fully described in EXHIBIT A attached hereto and incorporated by reference, located in T17N, R9E, Sections 28 and 33 N.M.P.M., Santa Fe County, New Mexico,


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Section 2. The official zoning map of the City of Santa Fe adopted by Ordinance No. 2001-27 is amended to conform to the changes in zoning classifications for the Property set forth in Section 1 of this Ordinance.

Section 3. This rezoning action and any future development plan for the Property is approved with and subject to the conditions set forth in EXHIBIT B, and incorporated herein, summarizing the City of Santa Fe staff technical memoranda and conditions recommended by the Planning Commission on August 7, 2014.

Section 4. This Ordinance shall be published one time by title and general summary and shall become effective five days after publication.

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

EXHIBIT A

LEGAL DESCRIPTIONS

TWO (2) CERTAIN TRACTS OR PARCELS OF LAND LYING AND BEING SITUATE WITHIN PORTIONS OF S.H.C. 437, LOT 1; S.H.C. 415, LOT 2; S.H.C. 422, LOT 1 AND S.H.C. 437, LOT 2. IN SECTIONS 28 & 33, T. 17 N., R., 9 E., N.M.P.M.. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1B-1

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT, FROM WHICH POINT A U.S.G.L.O. MONUMENT MARKING THE NORTHWEST CORNER OF S.H.C. 437, LOT 2 BEARS SOUTH 77°37'44" WEST, 61.26 FEET; THENCE FROM SAID POINT AND PLACE OF BEGINNING NORTH 70°34'29" EAST, 230.54 FEET TO THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE SOUTH 14°35'03" EAST, 193.95 FEET TO A POINT; THENCE SOUTH 17°14'02" EAST, 451.12 FEET THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND, WHICH IS ALSO A POINT ON THE NORTH RIGHT-OF-WAY FOR AGUA FRIA ROAD, SAID POINT IS ALSO AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST (DELTA=00°36'37", R=1393.00', CHORD BEARING=SOUTH 52°58'20" WEST, CHORD DISTANCE=14.84 FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 14.84 FEET TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE LEAVING SAID NORTH RIGHT-OF-WAY NORTH 17°33'50" WEST, 343.56 FEET TO A POINT; THENCE SOUTH 56°53'35" WEST, 252.24 FEET TO A POINT ON THE WEST BOUNDARY LINE OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE NORTH 14°43'27" WEST, 151.37 FEET TO A POINT; THENCE NORTH 58°25'14" EAST, 36.65 FEET TO A POINT; THENCE NORTH 20°56'09" WEST, 123.36 FEET TO A POINT; THENCE NORTH 15°10'33" WEST, 83.15 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 1.924 ACRES MORE OR LESS

LOT 2

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT, FROM WHICH POINT A U.S.G.L.O. MONUMENT MARKING THE NORTHWEST CORNER OF S.H.C. 437, LOT 2 BEARS NORTH 20°54'36" WEST, 372.46 FEET; THENCE FROM SAID POINT AND PLACE OF BEGINNING NORTH 56°53'35" EAST, 252.24 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 17°33'50" EAST, 343.56 FEET TO THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND, WHICH IS ALSO A POINT ON THE NORTH RIGHT-OF-WAY FOR AGUA FRIA ROAD, SAID POINT IS ALSO AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST (DELTA =06°09'15", R=1393.00', CHORD BEARING=SOUTH 56°21'16" WEST, CHORD DISTANCE=149.55'); THENCE ALONG SAID NORTH RIGHT-OF-WAY FOR AGUA FRIA ROAD AN ARC LENGTH OF 149.62 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY; THENCE SOUTH 32°29'25" EAST, 2.98 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY; THENCE SOUTH 58°57'29" WEST, 120.62 FEET TO THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT OF LAND; THENCE LEAVING SAID NORTH RIGHT-OF-WAY NORTH 14°43'27" WEST, 348.86 FEET TO THE POINT AND PLACE OF BEGINNING CONTAINING 2.000 ACRES MORE OR LESS.

ALL AS SHOWN ON PLAT OF SURVEY ENTITLED "LOT LINE ADJUSTMENT SURVEY PREPARED FOR BFFM, LLC...", ALONG WITH ANY AND ALL EASEMENTS AS SHOWN. PREPARED BY PAUL A. RODRIGUEZ, LS. NO. 13839. FILED FOR RECORD IN THE SANTA FE, NEW MEXICO COUNTY CLERK'S OFFICE IN PLAT BOOK 727, PAGE 14 AS INSTRU. NO. 1625525 DATED ON FEBURARY 1, 2011.

EXHIBIT B

2750 Boylan Circle and 1400 Boylan Lane (BFFM) Rezoning

1. The Developer shall Make an irrevocable offer to dedicate a 42' wide Public Right-of-Way (ROW) to the City of Santa Fe extending from Agua Fria Road to the northern boundary of Lot 2A. This ROW offer shall include a 15' wide by 343.5' long portion of Lot 1B-1 (1400 Boylan Lane) that is adjacent to the eastern boundary of Lot 2A (2750 Boylan Circle) and an additional 27' wide by 343.5' portion along the eastern boundary of Lot 2A.

2. At the time of development of Lot 2:
 - a. The Developer shall construct a roadway from Agua Fria to the northern boundary of Lot 2A that meets the City of Santa standards for a sub-collector road;
 - b. The Developer shall dedicate a 42' ROW that shall connect Boylan Lane and Boylan Circle, (more or less in an east-west alignment); the location shall be determined after review and approval by the Public Works Department of the development plan prior to dedication; and
 - c. The Developer shall build a road in this east-west ROW that meets the City of Santa Fe standards for a lane.

3. The Distance of driveway shown requires a designated Fire Department turnaround as per IFC.

4. Fire suppression system may be required to meet fire flow and to meet any C-2 requirements.

5. Access to building with designated fire lane to meet the 150 feet distance to any portion of the building.