

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2015-29**

3 **INTRODUCED BY:**

4  
5  
6  
7  
8  
9  
10 **A RESOLUTION**

11 **AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO CHANGE THE**  
12 **DESIGNATION OF 1.50± ACRES OF LAND FROM RURAL/MOUNTAIN/CORRIDOR (1**  
13 **DWELLING PER 1 ACRE) TO OFFICE. THE PROPERTY IS LOCATED AT 401**  
14 **RODEO ROAD. (“HANDS OF AMERICA” GENERAL PLAN AMENDMENT CASE NO.**  
15 **2014-109).**

16  
17 **WHEREAS**, the agent for the owner of the subject property (Leonel Capparelli) has  
18 submitted an application to amend the General Plan Future Land Use Map designation of the  
19 property from Rural/Mountain/Corridor (1 dwelling unit per 1 acre) to Office;

20 **WHEREAS**, pursuant to Section 3-19-9 NMSA 1978, the General Plan may be  
21 amended, extended or supplemented; and

22 **WHEREAS**, the Governing Body has held a public hearing on the proposed amendment,  
23 reviewed the staff report and the recommendation of the Planning Commission and the evidence  
24 obtained at the public hearing, and has determined that the proposed amendment to the General  
25 Plan meets the approval criteria set forth in Section 14-3.2(E) SFCC 1987; and

1           **WHEREAS**, the reclassification of the Property would be substantially consistent with  
2 the provisions of the General Plan that promote a compact urban form, that encourages infill  
3 development and mixed use neighborhoods.

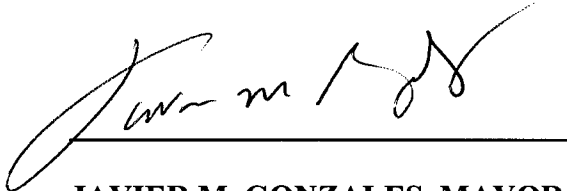
4           **WHEREAS**, the reclassification of the Property will not allow a use or change that is  
5 inconsistent with prevailing uses of the area or with the historic uses of the Property, and will not  
6 have adverse impacts upon the surrounding neighborhood; and

7           **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
8 **CITY OF SANTA FE :**


9           **Section 1.**     That the General Plan Future Land Use Map classification for the Property  
10 be and hereby is amended to change the designation from Rural/Mountain/Corridor (1 dwelling  
11 unit per 1 acre) to Office as shown in the General Plan Amendment legal description attached  
12 hereto [EXHIBIT A] and incorporated herein.

13           **Section 2.**     Said General Plan amendment and any future development plan for the  
14 Property is approved with and subject to the conditions set forth in the table attached hereto  
15 [EXHIBIT B] and incorporated herein summarizing City of Santa Fe staff technical memoranda  
16 and conditions approved by the Planning Commission on January 8, 2015.

17           **PASSED, APPROVED and ADOPTED this 25th day of March, 2015.**

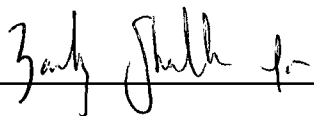
18  
19   
20 \_\_\_\_\_  
21 **JAVIER M. GONZALES, MAYOR**

21           **ATTEST:**

22  
23   
24 \_\_\_\_\_  
25 **YOLANDA Y. VIGIL, CITY CLERK**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**APPROVED AS TO FORM:**

  
\_\_\_\_\_

**KELLEY BRENNAN, CITY ATTORNEY**

**Resolution No. 2015-29**

**EXHIBIT A**  
**401 Rodeo Road**  
**(Hands of America)**  
**Legal Description for C-1 Zoning**

A CERTAIN TRACT OF LAND, DESIGNATED AS LOT 1, LYING AND BEING SITUATE WITHIN SECTION 2, T16N, R9E, N.M.P.M., 401 EAST RODEO ROAD, COUNTY OF SANTA FE, STATE OF NEW MEXICO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT THE SOUTHEAST CORNER OF THE TRACT DESCRIBED HEREON, FROM WHENCE SANTA FE CONTROL MONUMENT No. 107, MARKED BY A DISK IN CONCRETE, BEARS, S42°36'24"W A DISTANCE OF 93.06 FEET; THENCE FROM SAID POINT AND PLACE OF BEGINNING;

N89°11'00"W A DISTANCE OF 214.34 FEET; THENCE,  
N00°49'56"E A DISTANCE OF 304.50 FEET; THENCE,  
S89°11'00"E A DISTANCE OF 214.24 FEET; THENCE,  
S00°48'49"W A DISTANCE OF 304.50 FEET TO THE  
TRUE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 1.498 ACRES, MORE OR LESS.

ALL AS SHOWN ON A PRELIMINARY UNRECORDED LOT SPLIT PLAT TITLED "LOT SPLIT SURVEY PREPARED FOR LEONEL CAPPARELLI LOTS 1 & 2" BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13839. SAID PLAT BEARS PROJECT No. 2205-2.

**Hands of America, 401 Rodeo Road**  
 Lot Split, General Plan Amendment & Rezoning (Case #2014-109, 110 & 111)  
 Resolution No. 2015-29

DRT Conditions of Approval	Department	Staff
<p>1. The Developer shall make the following changes to the plat:                      The applicant shall modify the easement where it terminates at the southern boundary of Lot 1 so that it is coincident with the existing driveway/access to Rodeo Road, use a reverse-curve or a gentle taper to accomplish this rather than an abrupt change of direction. Access easement to be reviewed and approved by the Public Works Dept.</p>	<p>Traffic Engineering/Public Works</p>	<p>Sandra Kassens for John Romero</p>
<p>1. There is no existing water service for the subject property. If they will request water service, there is a main available on Rodeo Road.</p>	<p>Water Division</p>	<p>Dee Beingessner</p>
<p>2. Fire service requirements will have to be determined by the Fire Department prior to development.</p>		
<p>1. Fire Department will accept previous conditions and approvals set forth by other agencies.                      2. Lot 2 does not meet fire code requirements for the driveway meeting 150 feet distance and would require a turn-around or automatic sprinklers system. Should any new construction or remodel take place it must conform to the current fire code.                      3. Lot 2 does not meet the fire code requirements for water supply distance. Should any new construction or remodeling take place it must conform to the current fire code.</p> <p><b>Prior to any new construction or remodel these conditions would apply:</b></p> <p>1. Shall Comply with International Fire Code (IFC) 2009 Edition.                      2. Fire Department Access shall not be less than 20 feet width.                      3. Fire Department shall have 150 feet distance to any portion of the building on any new construction.                      4. Shall have water supply that meets fire flow requirements as per IFC.                      5. All Fire Department access shall be no greater than a 10% grade throughout and maintain 20' min. width.</p>	<p>Fire Marshal</p>	<p>Reynaldo Gonzales</p>

**Hands of America, 401 Rodeo Road**  
 Lot Split, General Plan Amendment & Rezoning (Case #2014-109, 110 & 111)  
 Resolution No. 2015-29

<p>The subject properties are accessible to the City sanitary sewer system.</p> <p>Additional Comments:</p> <ol style="list-style-type: none"> <li>There is an existing public sewer line north of the property. A continuous sewer service easement through Lot 1 and Lot 2 for the benefit of both lots shall be added to the proposed lot split plat.</li> </ol> <p>The following note shall be added to the plat:</p> <ol style="list-style-type: none"> <li>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.</li> </ol>	<p>Wastewater Division</p> <p style="text-align: right;">Stan Holland</p>
<p>The following review comments are to be considered conditions of approval for the Case #2014-111, Lot Split:</p> <ol style="list-style-type: none"> <li><del>Sidewalk must be constructed along the Rodeo Road frontage in accordance with Article 14-9.2(E) of the Land Development Code. Construction must either be completed, inspected, and approved prior to recordation of the Lot Split, or a financial guarantee must be provided for the full cost of sidewalk construction, along with an Agreement to Construct the sidewalk within one year of recordation of the Lot Split.</del>  <u><i>This requirement was changed to the following, per the Planning Commission minutes 1/8/15: Easement for the sidewalk and the planter is required to be put in place at the time of recordation of the lot split. Construction of sidewalk to be required at time of building permit application for further construction on either lot.</i></u></li> <li>Add lot addresses (contact Marisa Struck 955-6661).</li> </ol>	<p>Technical Review Division</p> <p style="text-align: right;">RB Zaxus</p>