

**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2008-54**

**AN ORDINANCE**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE;  
CHANGING THE CLASSIFICATION OF TRACT C-1, REMNANT OF C-1 AND  
TRACT D COMPRISING 1.84 ACRES MORE OR LESS OF LAND FROM R-1  
(RESIDENTIAL 1 DWELLING UNIT PER ACRE) TO C-2 (GENERAL COMMERCIAL);  
AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO THE THREE  
PARCELS OF LAND LOCATED AT THE NORTHWEST AND NORTHEAST CORNER  
OF VEGAS VERDES DRIVE AND CAMINO DE LOS ARROYOS AND LYING WITHIN  
SECTION 5, TOWNSHIP 16N, RANGE 9E, N.M.P.M AND PROVIDING AN  
EFFECTIVE DATE. ("FULLERTON WITHERS PARTNERSHIP REZONING FROM R-1  
TO C-2" (CASE NO. ZA 2008-06)).**

**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, which has been rezoned pursuant to Case  
No. ZA 2008-06 is restricted to and classified as General Commercial (C-2): A certain

1 parcel of land lying within Section 5, Township 16N, Range 9E, N.M.P.M., and more  
2 particularly described in the attached Legal Description (Exhibit A) and incorporated  
3 herein by reference.

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

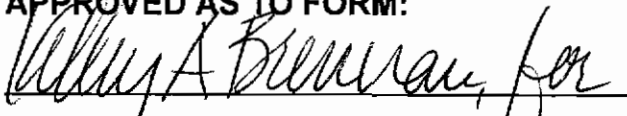
7 **Section 3.** Pursuant to Chapter 14 of the City Code of the City of Santa Fe, New  
8 Mexico Article 14-3.5(D)(1) the rezoning action with respect to the subject property  
9 affected by this Ordinance is subject to the time restrictions set forth (Two-year  
10 Review/Rescission).

11 **Section 4.** The rezoning action with respect to the subject property affected by  
12 this Ordinance is subject to the conditions of approval as more fully described in "Exhibit  
13 B" attached hereto and incorporated by reference.

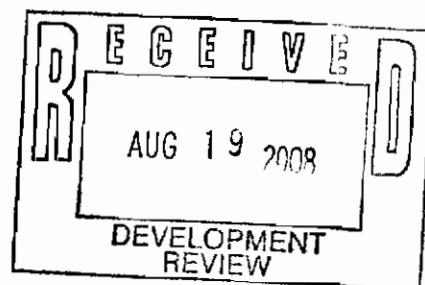
14 **Section 5.** This Ordinance shall be published one time by the title and general  
15 summary and shall become effective five days after such publication.

16 **PASSED, APPROVED AND ADOPTED** this 6<sup>th</sup> day of October, 2008.

17  
18 **APPROVED AS TO FORM:**

19   
20 **FRANK D. KATZ, CITY ATTORNEY**  
21  
22  
23  
24  
25

**PROPERTY DESCRIPTION  
TRACT C-1**



A CERTAIN TRACT OF LAND, DESIGNATED AS TRACT C-1, LYING AND BEING SITUATE WITHIN SECTION 5, T16N, R9E, N.M.P.M., CITY OF SANTA FE, COUNTY OF SANTA FE, NEW MEXICO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT SANTA FE CONTROL MONUMENT No. 1072, MARKED BY A 1999 ALUMINUM CAP; THENCE, N75°26'49"E A DISTANCE OF 698.34 FEET TO THE POINT AND PLACE OF BEGINNING, THE SOUTHWEST CORNER OF THE TRACT DESCRIBED HEREON; THENCE,

N00°30'00"E A DISTANCE OF 406.41 FEET; THENCE,  
N86°05'34"E A DISTANCE OF 129.94 FEET; THENCE,  
ALONG A CURVE TO THE LEFT HAVING A (DELTA = 07°13'33",  
LENGTH = 40.99 FEET, RADIUS = 325.00 FEET) CHORD OF  
S56°08'48"E A DISTANCE OF 40.96 FEET; THENCE,  
ALONG A CURVE TO THE RIGHT HAVING A (DELTA = 26°56'03",  
LENGTH = 129.27 FEET, RADIUS = 275.00 FEET) CHORD OF  
S46°17'33"E A DISTANCE OF 128.09 FEET; THENCE,  
S32°49'30"E A DISTANCE OF 16.66 FEET; THENCE,  
ALONG A CURVE TO THE RIGHT HAVING A (DELTA = 83°21'53",  
LENGTH = 14.55 FEET, RADIUS = 10.00 FEET) CHORD OF  
S08°50'56"W A DISTANCE OF 13.30 FEET; THENCE,  
ALONG A CURVE TO THE LEFT HAVING A (DELTA = 04°21'52",  
LENGTH = 82.21 FEET, RADIUS = 1079.27 FEET) CHORD OF  
S48°19'37"W A DISTANCE OF 82.19 FEET; THENCE,  
S46°08'40"W A DISTANCE OF 130.66 FEET; THENCE,  
ALONG A CURVE TO THE LEFT HAVING A (DELTA = 11°54'52",  
LENGTH = 172.59 FEET, RADIUS = 830.00 FEET) CHORD OF  
S40°11'13"W A DISTANCE OF 172.28 FEET TO THE  
TRUE POINT AND PLACE OF BEGINNING.

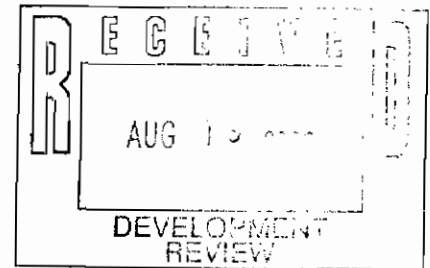
CONTAINING AN AREA OF 1.443 ACRES, MORE OR LESS.

ALL AS SHOWN ON THAT PLAT TITLED "RIGHT OF WAY DEDICATION & LOT LINE ADJUSTMENT PLAT OF SURVEY PREPARED FOR REESE & ANNE FULLERTON TRACT C..." BY PAUL A. RODRIGUEZ, N.M.P.S. 13839, DATED MARCH 01, 2002. RECORDED IN BOOK 507 PAGE 011, AS RECEPTION No. 1214,918, ON JULY 15, 2002, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO.

**EXHIBIT A**  
PAGE 1 OF 5



**PROPERTY DESCRIPTION  
TRACT D & PORTION OF TRACT C**



A CERTAIN TRACT OF LAND, LYING AND BEING SITUATE WITHIN SECTION 5, T16N, R9E, N.M.P.M., CITY OF SANTA FE, COUNTY OF SANTA FE, NEW MEXICO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING AT SANTA FE CONTROL MONUMENT No. 1072, MARKED BY A 1999 ALUMINUM CAP; THENCE, N63°24'25"E A DISTANCE OF 1102.71 FEET TO THE POINT AND PLACE OF BEGINNING; THENCE,

N32°49'30"W A DISTANCE OF 15.32 FEET; THENCE,  
ALONG A CURVE TO THE LEFT HAVING A (DELTA = 22°06'23",  
LENGTH = 125.39 FEET, RADIUS = 325.00 FEET) CHORD OF  
N43°52'41"W A DISTANCE OF 124.62 FEET; THENCE,  
N86°12'46"E A DISTANCE OF 41.21 FEET; THENCE,  
N86°12'46"E A DISTANCE OF 288.10 FEET; THENCE,  
ALONG A CURVE TO THE LEFT HAVING A (DELTA = 05°13'06",  
LENGTH = 98.30 FEET, RADIUS = 1079.27 FEET) CHORD OF  
S65°06'50"W A DISTANCE OF 98.26 FEET; THENCE,  
S56°40'30"W A DISTANCE OF 156.62 FEET; THENCE,  
ALONG A CURVE TO THE RIGHT HAVING A (DELTA = 58°49'42",  
LENGTH = 10.27 FEET, RADIUS = 10.00 FEET) CHORD OF  
S86°05'22"W A DISTANCE OF 9.82 FEET; THENCE,  
ALONG A CURVE TO THE RIGHT HAVING A (DELTA = 31°40'57",  
LENGTH = 5.53 FEET, RADIUS = 10.00 FEET) CHORD OF  
N48°39'59"W A DISTANCE OF 5.46 FEET TO THE  
TRUE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 0.396 ACRES, MORE OR LESS.

THE ABOVE DESCRIBED PARCEL CONSISTS OF ALL OF TRACT D AS SHOWN ON THAT PLAT TITLED "DEDICATION & LAND SPLIT PLAT LANDS OF YUCCA & FULLERTON SANTA FE, NEW MEXICO FEBRUARY, 2000." BY THOMAS G. KLINGENHAGEN, N.M.P.S. No. 5978, DATED FEBRUARY 29, 2000. RECORDED IN BOOK 446 PAGE 028, IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO. AND A PORTION OF TRACT C AS SHOWN ON EXHIBIT "A" SURVEYORS SKETCH BY PAUL A. RODRIGUEZ, N.M.P.S. No. 13839, DATED MAY 2003. SAID SKETCH BEARS PROJECT No. 1377-EX AND IS NOT RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, NEW MEXICO.



CURVE	DELTA	LENGTH	RADIUS	CH. BRG. & DISTANCE
C1	31°40'57"	5.53'	10.00'	N48°39'59"W, 5.46'
C2	22°06'23"	125.39'	325.00'	N43°52'41"W, 124.62'

LINE	BEARING	DISTANCE
L1	N32°49'30"W	15.32'



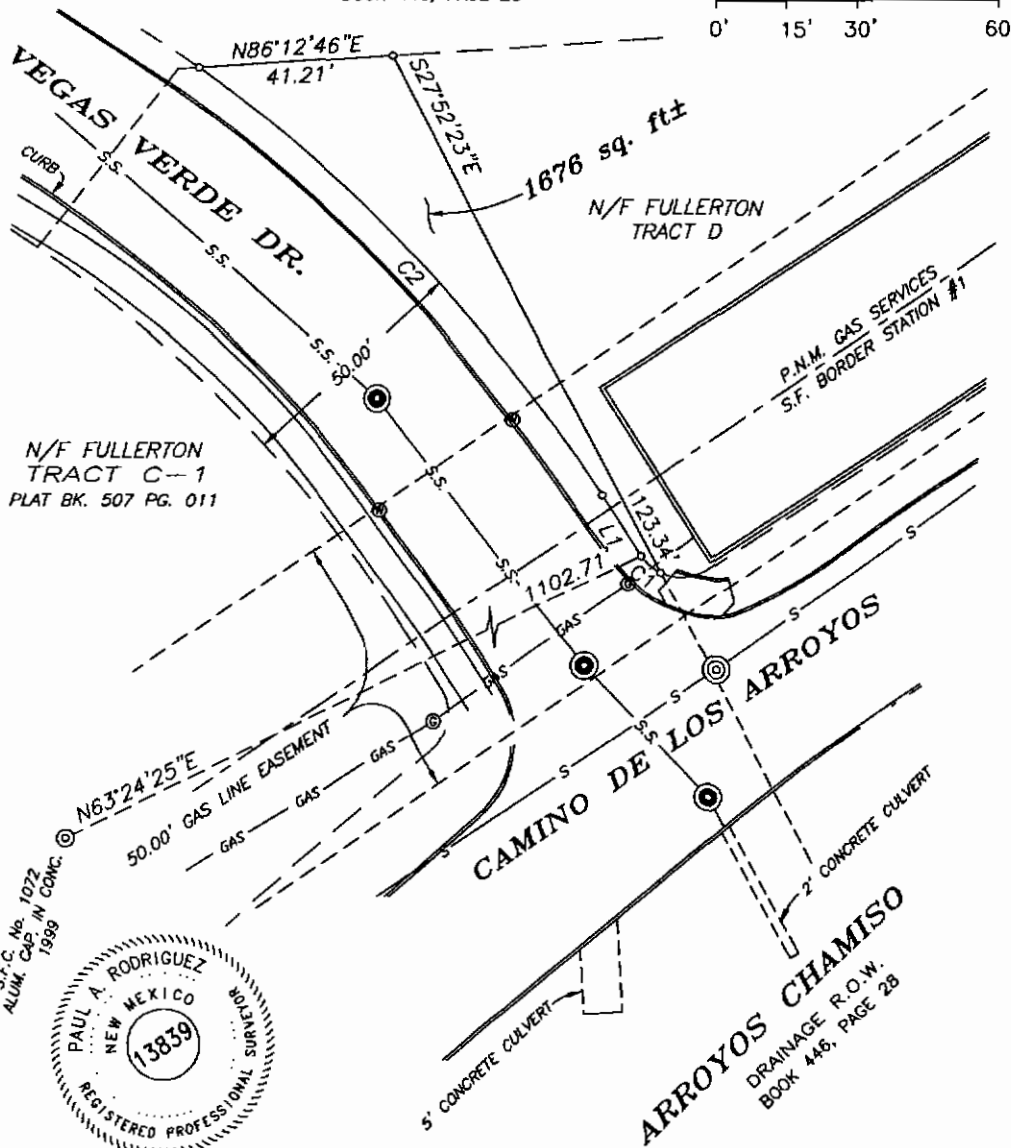
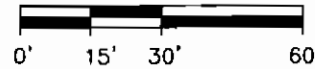
**RECEIVED**

AUG 19 2000

DEVELOPMENT REVIEW

LAND OF YUCCA  
& FULLERTON  
TRACT A  
BOOK 446, PAGE 28

SCALE 1" = 30'



S.F.C. No. 1072  
ALUM. CAP. IN COM.  
1999



EXHIBIT "A"

**PARAMOUNT SURVEYS, INC.**

444 GALISTEO ST., SUITE E, SANTA FE, NM 87501

Phone: 505-820-2340 Fax: 505-986-2012

SURVEYOR'S SKETCH				
SHOWING REMAINING DRAINAGE R.O.W. ALONG VEGAS VERDES DR. SECTION 5, T16N. R9E. N.M.P.M., CITY OF SANTA FE, SANTA FE COUNTY, NEW MEXICO				
SCALE	DATE	DRAWN BY	CHECKED BY	PROJECT No.
1" = 30'	May, 03	P.A.R.	P.A.R.	1377-EX

**EXHIBIT A**

**PAGE 5 OF**

**EXHIBIT B:**

**BILL NO. 2008-**54

**CONDITIONS OF APPROVAL**

**FULLERTON WITHERS PARTNERSHIP REZONING FROM R-1 TO C-2"**

**(CASE NO. ZA 2008-06)**

Staff recommends approval of the **Rezone and Development Plan** subject to compliance with code requirements and conditions of the following departments:

- Subdivision Engineer
- Traffic Impacts
- Wastewater
- Fire
- Parks, Trails and Open Space
- Current Planning
- Solid Waste



**Fullerton-Withers Rezone and Development Plan, Case #ZA 2008-06**

Conditions of Approval  
Planning Commission July 17, 2008

**Project Conditions**

	Condition	Department/ Team	Staff Responsible	Completed? Initials and date
1.	The applicant needs to provide the Industrial Pretreatment Sampling Port (IPSP) and detail to the proposed sewer service line.	Wastewater	Stan Holland	
2.	The existing storm water detention pond will not be allowed to remain within the existing sanitary sewer easement.	Wastewater	Stan Holland	
3.	Connection to the existing sanitary sewer line as shown shall be made at a manhole.	Wastewater	Stan Holland	
4.	All requirements of Article 14-8.2 (Terrain and Stormwater Management) must be met.	City Engineer	R.B. Zaxus	
5.	The proposed development plan shows future 5' sidewalk or 8' asphalt trail. Please provide a detail of the asphalt paving.	Parks, Trails, and Open Space	Bob Siqueiros	
6.	The proposed location for the dumpsters may result in turn-around problems.	Solid Waste	Randall Marco	
7.	Landscaping improvements are not required as per Article 14-8.4(B), until Subdivision Plat approval, Development Plan approval or at time of Building Permit submittal. In addition, properties located in the Business Capitol District (BCD), shall comply with Article 14-4.3(E). However, staff has reviewed the conceptual landscape plans on Sheet 13 and has determined that these plans are acceptable for final submittal.	Technical Review	Charlie Gonzales	
8.	The street is labeled Chamisa Drive. This is incorrect. Revise the plans to identify this street as Camino de los Arroyos.	Current Planning	Tony Raeker	
9.	Revise the plans to include landscaping for every 10 parking spaces, per the Zoning Code.	Current Planning	Tony Raeker	
10.	Proposed infrastructure shall be sufficient to accommodate the fire flow requirements set forth in IFC § B105.	Fire	Barbara Salas	

**EXHIBIT B**  
**PAGE 2/4**

**Fullerton-Withers Rezone and Development Plan, Case #ZA 2008-06**

Conditions of Approval  
Planning Commission July 17, 2008

11.	<p>Fire Hydrants shall be relocated to a location acceptable to the Fire Code Official. Contact Fire Department for clarification and approval of fire hydrant locations.</p> <p><b><i>C102.1 Fire hydrant locations. Fire hydrants shall be provided along required fire apparatus access roads and adjacent public streets.</i></b></p> <p><b><i>C105.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in Table C105.1.</i></b></p>	Fire	Barbara Salas	
12.	<p>All Fire Department Access Roads shall be marked with signs in accordance with IFC § D103.6. Development plans shall include a signage plan with fire access roads marked with appropriate signs spaced not more than 40 ft. apart.</p> <p><b><i>D103.6 Signs.</i></b>  <b><i>Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.</i></b>  <b><i>FIGURE D103.6</i></b>  <b><i>FIRE LANE SIGNS.</i></b></p> <div data-bbox="378 933 997 1209"> <p>The diagram illustrates three rectangular signs, each 12 inches wide and 18 inches high. All signs have a white background with black text and arrows. The text 'NO PARKING' is at the top, and 'FIRE LANE' is below it. Sign Type 'A' has a right-pointing arrow. Sign Type 'C' has a left-pointing arrow. Sign Type 'D' has no arrow. Dimension lines indicate the width (12") and height (18") of the signs.</p> </div> <p><b><i>D103.6.1 Roads 20 to 26 feet in width.</i></b>  <b><i>Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be</i></b></p>	Fire	Barbara Salas	

**EXHIBIT B**  
**PAGE 3/4**

**Fullerton-Withers Rezone and Development Plan, Case #ZA 2008-06**

Conditions of Approval  
Planning Commission July 17, 2008

	<p><i>posted on both sides as a fire lane.</i>  <b>D103.6.2 Roads more than 26 feet in width.</b>  <b>Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.</b></p>			
13.	<p>Development Plan General notes shall indicate the following provisions:</p> <ul style="list-style-type: none"> <li>▪ Fire Department Access shall be maintained throughout all development construction phases § 1410.1.</li> <li>▪ 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.</li> </ul>	Fire	Barbara Salas	
14.	<p>The developer shall make the following revisions as they apply to the Traffic Impact Analysis dated April 9, 2008.</p> <ul style="list-style-type: none"> <li>▪ For the analysis of the Cerrillos Road/Vegas Verde Drive intersection, revise the signal phasing to reflect current conditions which consists of protected-only movements for all left-turners.</li> <li>▪ In an effort to improve the capacity at the Cerrillos Road/Vegas Verdes Drive intersection, look at implementing protected-permitted lefts for eastbound and westbound movements. Also look at implementing protected-permitted or permitted-only lefts for the northbound and southbound movements.</li> </ul>	Traffic Engineering	John Romero	