

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2010- 13

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10 AN ORDINANCE

11 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE;
12 CHANGING THE ZONING CLASSIFICATIONS FOR "THE PAVILION" PARCELS;
13 CHANGING 285.186 ± ACRES FROM COUNTY RESIDENTIAL TO BUSINESS AND
14 INDUSTRIAL PARK (BIP), AND CHANGING 76.179 ± ACRES FROM
15 RESIDENTIAL/1 DWELLING UNIT PER ACRE (R-1) TO GENERAL COMMERCIAL
16 (C-2), AND CHANGING 10.834 ± ACRES FROM COUNTY RESIDENTIAL TO
17 GENERAL COMMERCIAL (C-2); AND PROVIDING AN EFFECTIVE DATE WITH
18 RESPECT TO CERTAIN PARCELS OF LAND COMPRISING 372.20 TOTAL ACRES
19 MORE OR LESS, GENERALLY BOUNDED BY NEW MEXICO ROUTE 599 (NM 599)
20 ON THE EAST, AND THE SANTA FE AIRPORT ON THE NORTH AND WEST,
21 SANTA FE COUNTY LAND ON THE SOUTH AND WEST, AND LYING WITHIN
22 TOWNSHIP 16N, RANGE 8E, SECTIONS 15 AND 22, NEW MEXICO PRIME
23 MERIDIAN, SANTA FE COUNTY, STATE OF NEW MEXICO ("THE PAVILION"
24 REZONING CASE NOS. 2010-10 AND 2010-11).

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

1 **Section 1.** Parcels of land comprising 372.20 acres more or less located within
2 Township 16N, Range 8E, Sections 15 and 22, New Mexico Prime Meridian, Santa Fe
3 County, State Of New Mexico, of which approximately 76.179 acres are located within
4 the municipal boundaries of the city of Santa Fe, and the remaining 296.02 +/-acres
5 have been annexed pursuant to Case No. 2010-09, is restricted to and classified as
6 described in the Zoning Map [EXHIBIT A] attached hereto and incorporated by
7 reference.

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

11 **Section 3.** The rezoning action with respect to the subject property affected by
12 this Ordinance is subject to conditions of approval applicable to this rezoning and any
13 future Development Plan for the property. The conditions are outlined in the attached
14 table summarizing City of Santa Fe Development Review Team technical memoranda
15 and conditions approved by the Planning Commission on March 4, 2010 [EXHIBIT B].

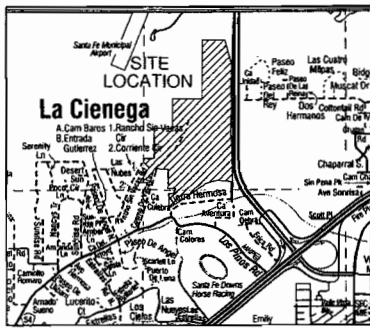
16 **Section 4.** The rezoning action with respect to the Property affected by this
17 Ordinance is subject to the time restrictions set forth in Section 14-3.5(D)(1) SFCC 1987
18 (Two-year Review/Rescission).

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

21
22 **APPROVED AS TO FORM:**

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24 

25 **GENO ZAMORA, CITY ATTORNEY**



VICINITY MAP

DEDICATION AND AFFIDAVIT
 KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE CAUSED TO BE DEDICATED THEREIN SHOWN HEREBY THE DIVISION IS MADE WITH THE CITY OF SANTA FE AND IN ACCORDANCE WITH THE ORDINANCES AND DECS. OF SAID CITY. UTILITY COMPANIES ARE GRANTED EASEMENTS AS SHOWN AND FOR EXISTING UTILITIES OTHER EASEMENTS ARE GRANTED AS SHOWN. THIS DIVISION CONTAINS 372.199 AC.± AND LIES WITHIN THE PLANNING AND PLATING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

RICHARD P. COOK FOR THE PAVILION
 STATE OF NEW MEXICO SS
 COUNTY OF SANTA FE
 THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY RICHARD P. COOK FOR THE PAVILION THIS _____ DAY OF _____ 2010.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC

UTILITY APPROVAL

DWEST COMMUNICATIONS _____ DATE _____
 PUBLIC SERVICE CO. OF N.M. GAS AND ELECTRIC _____ DATE _____
 COMCAST CABLE CO. _____ DATE _____

LEGEND AND NOTES

- DENOTES FLOOD HAZARD ZONE K OUTSIDE 0.2% ANNUAL FLOOD
- DENOTES FLOOD HAZARD ZONE X SUBJECT TO INUNDATION 0.2% ANNUAL FLOOD
- DENOTES FLOOD HAZARD ZONE AE SUBJECT TO INUNDATION 1% ANNUAL FLOOD
- DENOTES FLOOD HAZARD ZONE AE CHANNEL SUBJECT TO INUNDATION 1% ANNUAL FLOOD
- DENOTES POINT FOUND 11011 CAP OR AS NOTED
- DENOTES POINT SET THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES BRASS MONUMENT
- ▲ DENOTES HWY. DEPT. ALLOW. R/W MONUMENT
- DENOTES EDGE OF EASEMENT
- DENOTES FENCE LINE

1. BASIS OF BEARING TAKEN FROM "NEW MEXICO DEPARTMENT OF TRANSPORTATION CONTROL MAP NEW MEXICO PROJECT NO. M-NH-025-5(102)277 WPP-599 (1102) NH-084-(12)161" BY WILLIAM A. BOWERS MAPS/11765 AND DATED 5-25-06.
2. THIS PLAT IS SUBJECT TO ALL EASEMENTS, COVENANTS, AND CONDITIONS OF RECORDS.

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HEREON ARE AN ACCURATE DELINEATION OF A FIELD SURVEY COMPLETED BY ME OR UNDER MY DIRECTION ON JAN. 4TH, 2010, AND ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEET THE STANDARDS FOR PROFESSIONAL LAND SURVEYORS PRACTICING IN NEW MEXICO.

RICHARD A. CHATROOP N.M.P.L.S. #11011

KEY	OWNER	RECORD DOC.
L	VILA	REC 821186
M	CRESPIEN	PB317-PO046
N	ORTIZ	PB356-PO039
O	SANDOVAL	PB391-PO011
P	SENA	PB304-PO003
Q	SCALES	PB359-PO030
R	CHAVEZ	PB359-PO030
S	TAPIA	PB359-PO030
T	LOPEZ	REC 1243822

PLAT REFERENCES

- THE FOLLOWING PLATS WERE USED IN THE DETERMINATION OF LOT LINES, EASEMENTS AND RIGHT-OF-WAYS AND ARE RECORD DOCUMENTS FOR THIS PLAT.
1. "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ MAPS/8453, AND FILED IN PLAT BOOK 348, PG. 006 ON OCT. 1ST, 1998, IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
 2. "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ MAPS/8453, AND FILED IN PLAT BOOK 348, PG. 007 ON OCT. 1ST, 1998, IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
 3. "PLAT OF SURVEY FOR LA CIENEGA LIMITED LIABILITY" BY RAYMOND A. ORTIZ MAPS/8453, AND FILED IN PLAT BOOK 348, PG. 008 ON OCT. 1ST, 1998, IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
 4. "LAND DIVISION AND LOT LINE ADJUSTMENT FOR COOK OF TRACT 1A & TRACT 1B" BY RICHARD A. CHATROOP MAPS/11011, AND FILED IN PLAT BOOK 348, PG. 006 ON APR. 20TH, 1996, OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
 5. "CITY OF SANTA FE COUNTY OF SANTA FE RIGHT OF WAY MAPS DE-0107(802)" BY SALVADOR E. VIDAL MAPS/4405 FINAL MAP DATE APR. 7TH, 1988. NOT RECORDED.
 6. "SANTA FE MUNICIPAL AIRPORT PROPERTY BOUNDARY SURVEY AND MONUMENTATION OF NO.618 SANTA FE PUBLIC WORKS DEPARTMENT BY CRESCIDO TORRES MAPS/8401, DATED AUG. 18TH, 1993.
 7. "LOT LINE ADJUSTMENT PLAT PREPARED FOR COOK-DIRECTORS OF LA CIENEGA ESTATES CORP." BY GARY DAVISON MAPS/8714 AND FILED IN PLAT BOOK 851, PGS. 045-048 IN THE OFFICE OF THE SANTA FE COUNTY CLERK.
 8. "LOT CONSOLIDATION FOR LLC LIMITED LIABILITY" BY RICHARD A. ORTIZ MAPS/8453 AND FILED IN PLAT BOOK 349, PG. 005 IN THE OFFICE OF THE SANTA FE COUNTY CLERK.

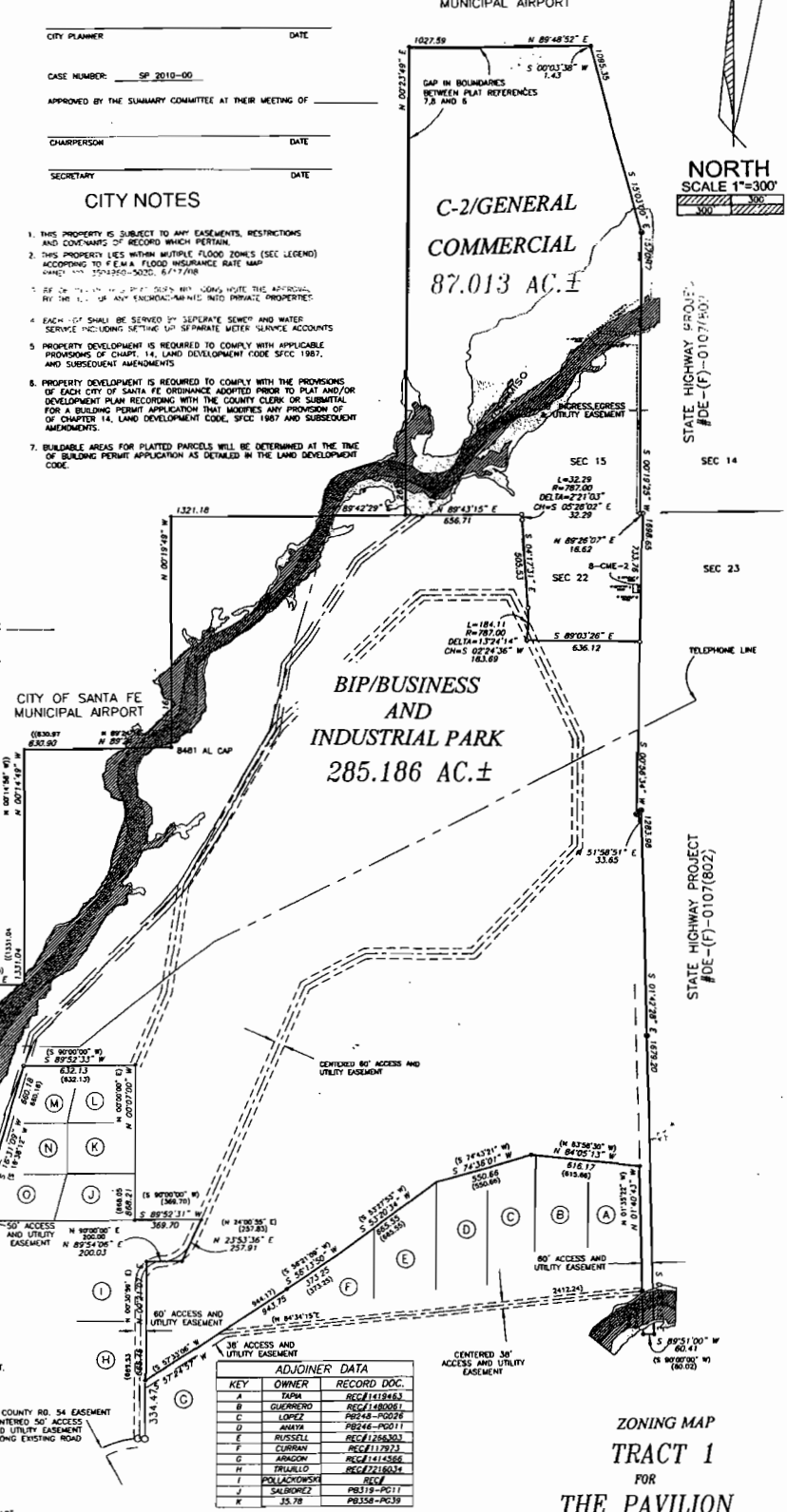
CITY OF SANTA FE REVIEW

SUBDIVISION ENGINEER _____ DATE _____
 CITY PLANNER _____ DATE _____
 CASE NUMBER: SP 2010-00
 APPROVED BY THE SUMMARY COMMITTEE AT THEIR MEETING OF _____
 CHAIRPERSON _____ DATE _____
 SECRETARY _____ DATE _____

CITY NOTES

1. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND COVENANTS OF RECORD WHICH PERTAIN.
2. THIS PROPERTY LIES WITHIN MULTIPLE FLOOD ZONES (SEE LEGEND) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 574250-500C, 8/17/98.
3. ALL UTILITIES SHOWN ON THIS PLAT ARE TO BE LOCATED WITHIN THE APPLICABLE RIGHT-OF-WAY OR ANY ENCROACHMENTS INTO PRIVATE PROPERTIES.
4. EACH LOT SHALL BE SERVED BY SEWER, WATER AND WATER SERVICE INCLUDING SETTING UP SEPARATE WATER SHUT-OFF ACCOUNTS.
5. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPT. 14, LAND DEVELOPMENT CODE SFCC 1987, AND SUBSEQUENT AMENDMENTS.
6. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR A BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPT. 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.
7. BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE.

CITY OF SANTA FE MUNICIPAL AIRPORT



NORTH SCALE 1"=300'

STATE HIGHWAY PROJECT #DE-(F)-0107(802)

STATE HIGHWAY PROJECT #DE-(F)-0107(802)

KEY	OWNER	RECORD DOC.
A	TURK	REC 141861
B	GUERRERO	REC 148061
C	LOPEZ	PB348-PO046
D	ANAYA	PB244-PO011
E	RUSSELL	REC 126303
F	CURRAN	REC 117023
G	ARMSTRONG	REC 141266
H	TRIALLO	REC 141804
I	POLLACKOWSKI	REC 141266
J	SALGOMEZ	PB319-PO011
K	SALGOMEZ	PB359-PO030

ZONING MAP TRACT 1 FOR THE PAVILION

LYING WITHIN SECTIONS 15 & 22, T16N, R8E, NMPM, SANTA FE COUNTY, NEW MEXICO.

RICK CHATROOP
 PROFESSIONAL LAND SURVEYOR
 NEW MEXICO REGISTRATION NO. 11011
 (505) 470-0037 110 WAGON TRAIL RD. CERRILLOS, NM 87010

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
 Rezoning (Case #2010-10 & 2010-11)
 Subdivision (Lot Split) (Case 2010-12)

	Condition	Department	Staff
1	The concept plan is fine. But, there is not enough information for review as a development. All inquires of solid waste must be met by my office.	Solid Waste	Randall Marco February 8, 2010
2	Shall comply with IFC 2006 edition.	Fire	Angelo Ortega February 16, 2010
3	Shall provide a water system that complies with Appendix C of IFC 2006 edition.	Fire	Angelo Ortega February 16, 2010
4	Shall provide roadways that comply with Appendix D of IFC 2006 edition.	Fire	Angelo Ortega February 16, 2010
5	All roadways to be no greater than 10% grade.	Fire	Angelo Ortega February 16, 2010
6	All buildings shall be reviewed for access and water availability as per IFC 2006 edition.	Fire	Angelo Ortega February 16, 2010
7	All plan sheets shall show the Special Flood Hazard Area and reference the appropriate FIRM.	Land Use Technical Review	Risana Zaxus February 15, 2010
8	Arroyo crossings must meet all federal, state, and local laws.	Land Use Technical Review	Risana Zaxus February 15, 2010
9	All provisions of Articles 14-3.9 (Development in Special Flood Hazard Areas) and 14-8.3 (Flood Regulations) of the Santa Fe Land Development Code must be followed in developing this land.	Land Use Technical Review	Risana Zaxus February 15, 2010
10	If approved as a General Plan Amendment, Annexation, Rezoning, and Lot Split, FUTURE SUBMITTALS MUST MEET ALL PROVISIONS OF THE LAND DEVELOPMENT CODE. Approval of the Conceptual Master Plan does not waive the requirement to satisfy Floodplain and Terrain Management regulations. Variances may be required and are NOT considered to be entitlements based on approval of the Master Plan.	Land Use Technical Review	Risana Zaxus February 15, 2010

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11	If the project moves forward with submittal of Subdivision Plats and/or Development Plans, a variance may be required for disturbance of over 30% slopes. All provisions of Article 14-8.2 must be followed.	Land Use Technical Review	Risana Zaxus February 15, 2010
12	The plans indicate that the Development is to be served by a central sewer lift station(s). All costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s) are to be paid by the Development.	Wastewater Management	Stan Holland February 8, 2010
13	The City of Santa Fe shall own the sewer lift station(s) and the City shall be reimbursed for all costs associated with the maintenance, repair, replacement and operational cost of the sewer lift station(s).	Wastewater Management	Stan Holland February 8, 2010
14	The Development shall be required to establish a permanent “business park association” for this and other purposes. Permanent escrow accounts shall be placed with the City of Santa Fe for the maintenance, repair, replacement and operational cost of the sewer lift station(s).	Wastewater Management	Stan Holland February 8, 2010
15	The decision of the Archaeological Review Committee (ARC) at their February 4, 2010 meeting was to postpone the report to April 1, 2010 pending revision of the report by the Applicant and its resubmission with the following direction to the Applicant: 1.) Revisit the sites which have been identified in the previous reports and update them as to current conditions, description, and recommendations; 2.) The report shall contain all standard sections required by the ordinance, in particular, that an environmental section be included within the report; 3.) The report shall include a title history of the property; 4.) In preparation of the final report, use NMAC 4.10.15.9, ff [following appropriate pages] as a general guideline for including appropriate material including an abstract, administrative data and so forth, as set out in NMAC guidelines, which are mentioned here as a general guideline only, and not as a point-by-point requirement; 5.) Provide explicit, written justification for the acceptance of the work that was done previously under standards which are different from current City ordinance - why we should accept work which was done previously under a different standard than what is required under the City ordinance; 6.) Provide an additional description of the Camino de los Carros; 7.) Provide a written justification of the reasons that no new reconnaissance of the subject property is needed; and 8.) Correct any typographical errors mentioned or otherwise discovered in the process of redoing the report.	Archeology/Historic Preservation	Marissa Barrett
16	Following are conditions to be placed on the annexation agreement: a. Any proposed access to or improvements on New Mexico Department of Transportation (NMDOT) Highway Systems shall receive ultimate approval from the NMDOT. b. All proposed use of City owned property for purposes of roadway infrastructure shall receive Public Works Committee, Finance Committee, and City Council approval prior to submittal for Final Subdivision Plat and/or Final Development Plan. c. The developer shall be responsible for all costs associated with constructing the NM 599/Jaguar interchange. d. The developer shall be responsible for all costs associated with the construction of Jaguar Drive from its	Traffic Engineering	John Romero February 8, 2010

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	<p>current terminus to the NM 599/Jaguar interchange. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department.</p> <p>e. The developer shall be responsible for all costs associated with the construction of a roadway from the M 599/Jaguar interchange to the Santa Fe Municipal Airport. The design of the roadway shall be reviewed and approved by the City of anta Fe Public Works Department.</p> <p>f. The developer shall provide a stub-out for a future connection to the 1-25 frontage road. The design and location of the stub-out hall be reviewed and approved by the City of anta Fe Public Work Department.</p>		
17	Provide a report that addresses the City of Santa Fe Stormwater Utility MS4 and how Post Development Runoff Control and Pollutant Removal pre-treatment will be achieved.	Public Works Stormwater	Jim L. Salazar February 10, 2010
18	Provide a Stormwater Quality Post Development Runoff Control Pre-treatment plan indicating structural BMPs that will be used for pollutant removal and runoff pre-treatment prior to discharge to drainageways and the MS4.	Public Works Stormwater	Jim L. Salazar February 10, 2010
19	Provide a note stating that the development is subject to the requirements of the SFCC Chapter XIII Stormwater Utility including the Stormwater Utility Service Charge and Stormwater Illicit Discharge Control requirements.	Public Works Stormwater	Jim L. Salazar February 10, 2010
20	Provide a note stating that the development is subject to the requirements of NPDES General MS4 Discharge Permit No. NMR040000 and NPDES Construction General Permit No. NMR100000.	Public Works Stormwater	Jim L. Salazar February 10, 2010
21	Provide a note as follows: Construction is subject to the requirements of NPDES Construction General Discharge Permit No. NMR100000 and that a Stormwater Pollution Prevention Plan must be prepared by a qualified professional and a Notice of Intent (NOI) for coverage must be filed with the EPA. Construction stormwater discharges are not permitted until a minimum of seven (7) calendar days after EPA acknowledgement of a complete NOI.	Public Works Stormwater	Jim L. Salazar February 10, 2010
22	Provide a note as follows: City of Santa Fe Stormwater Illicit Discharge Control. SFCC 13-2 prohibits the discharge of pollutants including sediment, slurries, mud, plasters, concrete rinsates and any construction materials, wastes and garbage, etc. to the storm drain system. The storm drain system includes roads, streets, curbs, gutters, drop inlets, piped storm drains, culverts, retention and detention basins, natural and man-made drainage channels, arroyos, rivers and any facility and appurtenance by which stormwater is collected and/or conveyed.	Public Works Stormwater	Jim L. Salazar February 10, 2010
23	Provide a note as follows: City of Santa Fe Terrain and Stormwater Regulations. SFCC 14-8.2 requires that construction disturbed area shall be protected against erosion. Sediment must be contained on the disturbed area by the use of temporary erosion and sediment control devices such as silt fencing, swales, berms, geotextiles, sediment basins and traps. Protection for storm drain inlets shall be provided to prevent the entry of sediment from the site while still allowing the entry of stormwater. Control devices shall be kept in place and used until the disturbed area is permanently stabilized.	Public Works Stormwater	Jim L. Salazar February 10, 2010

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24	Provide a note as follows: The contractor shall not remove silt fences and mulch socks or other temporary erosion and sediment control devices until disturbed areas are stabilized. Soil stabilization and erosion control measures shall be completed within 21 calendar days after completion of construction or other soil disturbance activities on the site. If the time of year is not conducive to planting, then planting may be delayed until the next appropriate planting season provided that all temporary erosion control measures are maintained until permanent erosion control measures are implemented. Temporary erosion control measures shall be selected, designed and installed with an appropriate seed base to provide erosion control for at least three years without active maintenance. Temporary erosion control measures shall be selected, designed and installed to achieve 70 percent vegetative cover within three years.	Public Works Stormwater	Jim L. Salazar February 10, 2010
25	Show and label any public stormwater system components.	Public Works Stormwater	Jim L. Salazar February 10, 2010
26	Under Utility Companies: List Stormwater Utility, City of Santa Fe Stormwater Management Office as Contact and 955-2132 as Telephone.	Public Works Stormwater	Jim L. Salazar February 10, 2010
27	Include all required elements on the Annexation and Dedication Plats as per the Annexation 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.)	Current Planning	Daniel Esquibel
28	Applicant shall address in writing all Land Development Code criteria for General Plan Amendment, Annexation and Rezoning. 30 day prior to requesting placement on Governing Body agenda for staff analysis.	Current Planning	Tamara Baer
29	The property will provide additional information required by the General Plan Policies for the Master Plan for both an internal open space and trail system including but not limited to a Bicycle Circulation system and connections to existing and proposed trails outside the property. The applicant shall submit a Trails and Open Space Plan to include such connections. 30 day prior to requesting placement on Governing Body agenda for staff analysis.	Current Planning	Daniel Esquibel
30	An Annexation Agreement including phasing of infrastructure will be reviewed by the City Attorney prior to Council hearing.	Current Planning	Tamara Baer
31	Applicant shall submit an economic impact or fiscal impact analysis which shall include data on absorption rates. 30 day prior to requesting placement on Governing Body agenda for staff analysis.	Current Planning	Daniel Esquibel
32	The Master Plan shall address City Transit needs and impacts 30 days prior to requesting placement on Governing Body agenda for staff analysis.	Current Planning	Daniel Esquibel
33	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 Pavilion Annexation Master Plan which will be affected by the approved development plan or plat, and for financing and	Current Planning	Greg Smith

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	coordinating the construction of that infrastructure. This note shall be placed on the Master Plan and included in the annexation agreement.		
34	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 Pavilion 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
35	Approval of the Annexation Agreement is subject to the review and approval of the City Attorney.	Current Planning	Dan Esquibel
36	The applicant shall provide a construction schedule for NM599 interchange including current approval progress before the Metropolitan Planning Organization Department of Transportation and Federal agency. 30 day prior to requesting placement on Governing Body agenda for staff analysis.	Current Planning	Dan Esquibel
37	Development shall comply with Chapter XXI of SFCC 1987	Current Planning	Dan Esquibel