

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2010- 32

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4
5 A RESOLUTION

6 AMENDING THE GENERAL PLAN FUTURE LAND USE DESIGNATION FOR "THE
7 PAVILION" PARCELS; CHANGING 285.186 ± ACRES IN SANTA FE COUNTY TO
8 BUSINESS PARK; AND CHANGING 10.834 ± ACRES IN SANTA FE COUNTY TO
9 COMMUNITY COMMERCIAL; AND CHANGING 76.179 ± ACRES FROM BUSINESS
10 PARK TO COMMUNITY COMMERCIAL; COMPRISING 372.20 TOTAL ACRES MORE
11 OR LESS, GENERALLY BOUNDED BY NEW MEXICO ROUTE 599 (NM 599) ON
12 THE EAST, AND THE SANTA FE AIRPORT ON THE NORTH AND WEST, COUNTY
13 LAND ON THE SOUTH AND WEST, AND LYING WITHIN TOWNSHIP 16N, RANGE
14 8E, SECTIONS 15 AND 22, NEW MEXICO PRIME MERIDIAN, SANTA FE COUNTY,
15 STATE OF NEW MEXICO ("THE PAVILION" GENERAL PLAN AMENDMENT CASE
16 NOS. 2010-07 AND 2010-08).

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18 **WHEREAS**, the agent for the owner of the subject property has submitted an
19 application to amend the General Plan Future Land Use Map designations of the
20 property as described in the General Plan Amendment Map [EXHIBIT A] attached
21 hereto and incorporated by reference; and

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

24 **WHEREAS**, the general plan amendment criteria set forth in Section 14-3.2(D)
25 SFCC 1987, have been met; and

1 **WHEREAS**, reclassification of the subject property would be substantially
2 consistent with the General Plan themes and policies for Land Use (General Plan,
3 Chapter 3) and Growth Management (General Plan, Chapter 4): and

4 **WHEREAS**, it is important for development of the subject property to be
5 consistent with the City's Economic Development Plan; and

6 **WHEREAS**, the General Plan amendment action with respect to the subject
7 property affected by this Resolution is subject to conditions of approval applicable to this
8 General Plan Amendment and any future Development Plan for the property. The
9 conditions are outlined in the attached table summarizing City of Santa Fe Development
10 Review Team technical memoranda and conditions approved by the Planning
11 Commission on March 4, 2010 [EXHIBIT B].

12 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
13 **CITY OF SANTA FE** that the General Plan Future Land Use Map designations for the
14 Pavilion parcels generally bounded by New Mexico Route 599 (NM 599) on the East,
15 and the Santa Fe Airport on the North and West, Santa Fe County land on the South
16 and West are amended as shown in the General Plan Amendment Map [EXHIBIT A]
17 attached hereto. **FURTHERMORE**, the Governing Body requests that the City's
18 Economic Development Plan be fully considered when developing the Pavilion parcels.

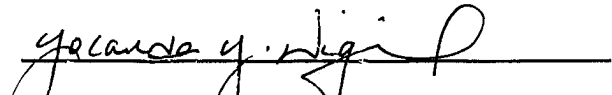
19 **PASSED, APPROVED and ADOPTED this 28th day of April, 2010.**

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23 **DAVID COSS, MAYOR**
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ATTEST:


YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:


GENO ZAMORA, CITY ATTORNEY

The Pavilion –Conditions of Approval
 General Plan Amendment (Case #2010-08 & 08)
 Annexation (Case # 2010-09)
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	Conditions	Department	Staff
1	<p>Solid Waste Management Division:</p> <ul style="list-style-type: none"> 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	<p>Fire Marshall Requirements to apply at time of Development Plan/proposed construction:</p> <ul style="list-style-type: none"> Comply with IFC 2006 edition. Provide a water system that complies with Appendix C of IFC 2006 edition. Provide roadways that comply with Appendix D of IFC 2006 edition. All roadways to be no greater than 10% grade. All buildings shall be reviewed for access and water availability as per IFC 2006 edition. 	Fire Department	Angelo Ortega February 16, 2010
3	<p>Technical Review Division Requirements:</p> <ul style="list-style-type: none"> All plan sheets shall show the Special Flood Hazard Area and reference the appropriate FIRM. Arroyo crossings must meet all federal, state, and local laws. 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. 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. 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
4	<p>Wastewater Management Requirements:</p> <ul style="list-style-type: none"> 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. 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). 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

Exhibit B

5	<p>Archaeology/Historic Preservation Division: The decision of the Archaeological Review Committee (ARC) at their February 4, 2010 meeting was to postpone the report pending revision of the report by the Applicant and its resubmission with the following direction to the Applicant:</p> <ol style="list-style-type: none"> 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
6	<p>Traffic Engineering Division. Following are conditions to be placed on the annexation agreement:</p> <ol style="list-style-type: none"> 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 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. e. The developer shall be responsible for all costs associated with the construction of a roadway from the NM 599/Jaguar interchange to the Santa Fe Municipal Airport. The design of the roadway shall be reviewed and approved by the City of Santa Fe Public Works Department. f. The developer shall provide a stub-out for a future connection to the I-25 frontage road. The design and location of the stub-out shall be reviewed and approved by the City of Santa Fe Public Works Dept. 	Traffic Engineering	John Romero February 8, 2010
7	<p>Stormwater Management Division:</p> <ul style="list-style-type: none"> • 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. • Provide a Stormwater Quality Post Development Runoff Control Pre-treatment plan indicating structural 	Public Works Stormwater	Jim L. Salazar February 10, 2010

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<p>BMPs that will be used for pollutant removal and runoff pre-treatment prior to discharge to drainageways and the MS4.</p> <ul style="list-style-type: none"> • 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. • 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. • 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. • 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. • 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. • 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. • Show and label any public stormwater system components. • Under Utility Companies: List Stormwater Utility, City of Santa Fe Stormwater Management Office as Contact and 955-2132 as Telephone. 		
<p>8</p> <p>Current Planning Division:</p> <ul style="list-style-type: none"> • 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.) 	<p>Current Planning</p>	<p>Daniel Esquibel</p>

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	<ul style="list-style-type: none"> • The Master Plan shall address City Transit needs and impacts 30 days prior to requesting placement on Governing Body agenda for staff analysis. • Approval of the Annexation Agreement is subject to the review and approval of the City Attorney. • Development shall comply with Chapter XXI of SFCC 1987 		Greg Smith
9	<p>Current Planning Division:</p> <ul style="list-style-type: none"> • 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 coordinating the construction of that infrastructure. This note shall be placed on the Master Plan and included in the annexation agreement. • 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	
10	<ul style="list-style-type: none"> • The Applicant will provide private security services throughout construction. 	City Council 4/28/10	Councilor Bushee
11	<ul style="list-style-type: none"> • The Applicant will complete the exchange of water rights between the City and Santa Fe County prior to recording the Annexation. 	City Council 4/28/10	Councilor Calvert
12	<ul style="list-style-type: none"> • Provide pedestrian and bicycle connectivity to the Tierra Contenta Trail. 	City Council 4/28/10	Councilor Calvert
13	<ul style="list-style-type: none"> • The Applicant shall work to achieve the most downwardly focused lighting technology possible at the time of implementation. 	City Council 4/28/10	Councilor Calvert
14	<ul style="list-style-type: none"> • The Applicant shall comply with the setback as mapped in the Highway Corridor Plan, and approximately 285 feet along NM 599, for the BIP portion of the site that is below the Arroyo Chamiso. 	City Council 4/28/10	Councilor Bushee
15	<ul style="list-style-type: none"> • Any construction debris from the site shall be taken to the Caja del Rio Landfill. 	City Council 4/28/10	Councilor Romero

