

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2008-78

INTRODUCED BY:

A RESOLUTION

AMENDING THE GENERAL PLAN FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF .0628± ACRES OF LAND FROM LOW DENSITY RESIDENTIAL (3-7 DWELLING UNITS PER ACRE) TO OFFICE LOCATED WITHIN SECTION 35, T 17 N, R 9 E, N.M.P.M. PROJECTED INTO THE SANTA FE GRANT, LOCATED ON THE EAST SIDE OF GALISTEO SOUTH OF ST. MICHAELS DRIVE ("2047 GALISTEO STREET" GENERAL PLAN AMENDMENT CASE NO. M 2008-17).

WHEREAS, the agent for the owner of the subject property has submitted an application to amend the General Plan Future Land Use Map designation of the property from Low Density Residential (3-7 dwelling units per acre) to Office;

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

WHEREAS, the general plan amendment criteria set forth in Section 14-3.2(D)(1) SFCC 2001 have been met; and

City of Santa Fe
Planning Commission
Findings of Fact and Conclusions of Law

Case # M 2008-17

2047 Galisteo Street General Plan Amendment

Owner's Name – Linda Marquette

Applicant's Name – Linda Tigges, Tigges Planning Consultants, Inc.

THIS MATTER came before the Planning Commission (Commission) for hearing on June 5, 2008 upon the application (Application) of Linda Tigges, for Tigges Planning Consultants, Inc, as agent for Linda Marquette (Applicant).

The Applicant seeks to amend the General Plan Future Land Use Map to change the designation of a 0.628+/- acre parcel of land (Property) from Low Density Residential (3-7 dwelling units/acre), to Office.

A special exception was approved in 1984 for the operation on the Property of a pre-school for 25 children. A second special exception was granted in 2007 permitting the operation on the Property of a pre-school, elementary, and middle school; two variances were granted at the same time, permitting a smaller landscape buffer than required on the east side of the Property and a smaller lot size than the required minimum. The 2007 Project was not completed. The Applicant now proposes to use the existing building on the Property for her title company offices.

The Property is located on the east side of Galisteo Street south of St. Michaels Drive. Surrounding uses include several office buildings to the west, zoned C-1, which include the Municipal Court and the Santa Fe County Health Department, pediatric offices zoned C-1 to the north, a residential property to the east zoned R-1 containing a mobile home and stucco residence, and a vacant lot zoned R-1 to the south. Further to the northeast is the State Treasurer's Office and the Galisteo Business Park, zoned C-1.

After conducting a public hearing and having heard from staff and all interested persons, the Commission hereby FINDS, as follows:

FINDINGS OF FACT

1. The Commission heard testimony from staff, the Applicant, and members of the public interested in the matter; and
2. The City of Santa Fe (City) Code Section 14-3.2(B)(2)(b) requires the City's zoning map to conform to the General Plan (Plan), and provides for amendment of the Plan when a change in land use classification is proposed for a parcel shown on the Plan's land use map; and

3. The Commission is authorized under Code Section 14-2.(C)(8)(a) to review and make recommendations tot the Governing Body regarding proposed amendments to the Plan; and
4. Code Section 14-3.2(C) sets out certain procedures (the Required Procedures) for proposed amendments to the Plan, including, without limitation, a public hearing by the Commission and recommendation to the Governing Body based upon the approval criteria set out in Code Section 14-3.2(D) [Section 14-3.2(C)(2)], with notice and conduct of the public hearing pursuant to Code Sections 14-3.1(H) and (I) [Section 14-3.2(C)(4)]; and
5. The notice requirements of Code Section 14-3.1(H) have been met; and
6. The Commission has considered the criteria established by Code Section 14-3.2(D)(1) and finds the following facts:
 - (a) Consistency with growth projections for the City using a data base maintained and updated on an annual basis by the City, with economic development goals as set forth in a comprehensive economic development plan for the City, and with existing land use conditions, such as access and availability of infrastructure [Section 14-3.2(D)(1)(a)];
The Commission finds that the proposed office use is consistent with the growth projections of the City based on projected development for the St. Michaels and Galisteo area and with the City's Economic Development Plan for small infill projects, and that sewer and water lines and other infrastructure are available from Galisteo;
 - (b) Consistency with other parts of the Plan [Section 14-3.2(D)(1)(b)];
The Commission finds that the proposed use is consistent with the infill policies of the Plan and with the Plan's recommendation favoring residential/office mixed use areas, allowing office employment centers near dwelling units;
 - (c) Provision for a determination of land utilization within a area larger than a single property and of general applicability [Section 14-3.2(D)(1)(c)];
The Commission finds that the proposed Plan amendment addresses land utilization within an area larger than a single property in that the total area shown as "Office" on the Future Land Use Map, including the Property, is a single block near the St. Michaels and St. Francis interchange and the proposed amendment would integrate the Property, already approved for a school, in the existing C-1 block.
 - (d) Compliance with the extraterritorial zoning ordinances and extraterritorial plan [Section 14-3.2(D)(1)(d)];
The Commission finds that this criterion is not applicable to this matter.
 - (e) Contribution to a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development [Section 14-3.2(D)(1)(e)];
The Commission finds that the proposed Plan amendment will contribute to a coordinated, adjusted, and harmonious development of the municipality by providing for a transition between the existing more dense office uses to the north

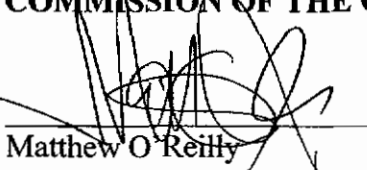
and west of the Property and the residential uses to its east and farther to the south.

CONCLUSIONS OF LAW

Under the circumstances and given the evidence and testimony submitted during the hearing, the Commission CONCLUDES as follows:

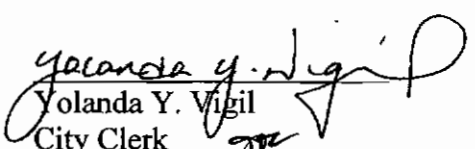
1. The Commission has the power and authority at law and under the Code to review the proposed amendment to the Plan and to make recommendations to the Governing Body regarding such amendment; and
2. The proposed Plan amendment was properly and sufficiently noticed via mail, publication, and posting of signs in accordance with Code requirements; and
3. The proposed Plan amendment meets the criteria established by Code Section 14-3.2(D)(1) and should be approved by the Council, subject to the conditions of staff contained in the Staff Report.

IT IS SO ORDERED ON THE 28th OF AUGUST 2008 BY THE PLANNING COMMISSION OF THE CITY OF SANTA FE


Matthew O'Reilly
Chair

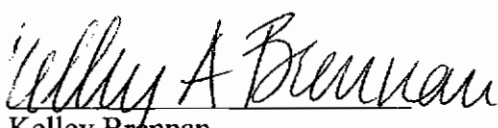
8/28/08
Date:

FILED:


Yolanda Y. Vigil
City Clerk

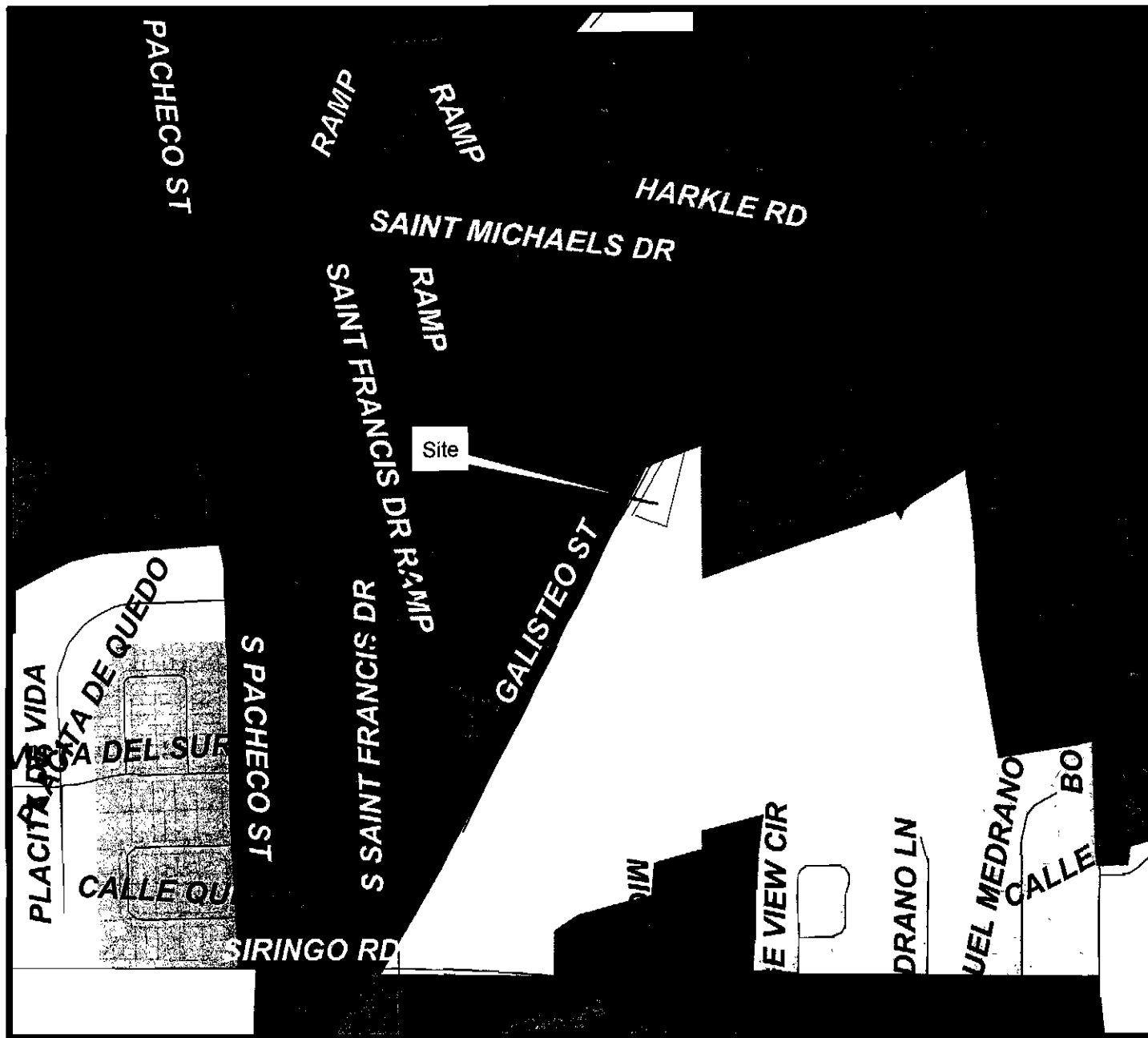
9-2-08
Date:

APPROVED AS TO FORM:


Kelley Brennan
Assistant City Attorney

8/28/08
Date:

Case #M 2008-17: Future Land Use Map



Legend

Future Land Use

- Mountain/Corridor (1 dwelling per 10+ acres)
- Very Low Density (1-3 dwellings per acre)
- Low Density (3-7 dwellings per acre)
- Moderate Density (7-9 dwellings per acre)
- Medium Density (7-12 dwellings per acre)
- High Density (12-29 dwellings per acre)

Commercial, Institutional & Industrial

- Regional Commercial
- Community Commercial
- Neighborhood Center
- Transitional Mixed Use
- Business Park
- Office
- Industrial
- Public/Institutional

Parks & Open Space

- Open Space
- Parks
- Greater Agua Fria Area
- Agua Fria Traditional Historic Community