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**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2013-1**

**AN ORDINANCE**

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE ZONING CLASSIFICATION FOR 2.453± ACRES IDENTIFIED AS TRACT B AND THE SOUTHERN 3.432± ACRES OF TRACT C (IDENTIFIED AS TRACT C-2), A PORTION OF SMALL HOLDING CLAIM 435 TRACT 3 WITHIN SECTION 6, TOWNSHIP 16 NORTH, RANGE 9 EAST, NEW MEXICO PRIME MERIDIAN, WHICH IS LOCATED WEST OF CALLE ATAJO BETWEEN AGUA FRIA ROAD AND RUFINA STREET, FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT PER ACRE) TO R-5 (RESIDENTIAL, 5 DWELLING UNITS PER ACRE), AND PROVIDING AN EFFECTIVE DATE. (“AGUAFINA REZONING,” CASE #2012-104).**

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

**Section 1.** That a certain parcel of land comprising 5.89± acres (the “Property”) located within Section 6, Township 16N, Range 9E, New Mexico Prime Meridian, Santa Fe County, State of New Mexico, of which totals approximately 5.89 ± acres are located within the


1 municipal boundaries of the City of Santa Fe, and is restricted to and classified as R-5  
2 (Residential, 5 dwelling units per acre) as described in the legal description zoning map attached  
3 hereto [EXHIBIT A] and incorporated herein by reference.

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

7 **Section 3.** This rezoning action and any future development plan for the Property is  
8 approved with and subject to the conditions set forth in the table attached hereto [EXHIBIT B]  
9 and incorporated herein summarizing the City of Santa Fe staff technical memoranda and  
10 conditions recommended by the Planning Commission on December 6, 2012.

11 **Section 4.** This Ordinance shall be published one time by title and general summary  
12 and shall become effective five days after publication.

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15 **APPROVED AS TO FORM:**

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18 GENO ZAMORA, CITY ATTORNEY

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# LEGAL DESCRIPTIONS

## TRACT C-2

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "C-2" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N02°22'20"E, A DISTANCE OF 1646.34 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°28'47"E, A DISTANCE OF 786.35 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1423.08, AND AN ARC LENGTH OF 250.87 FEET TOGETHER WITH A CENTRAL ANGLE OF 10°06'02" TO A POINT; THENCE N16°19'25"W, A DISTANCE OF 563.54 FEET TO A POINT; THENCE N65°27'52"E, A DISTANCE OF 94.09 FEET TO A POINT; THENCE N16°36'58"E, A DISTANCE OF 59.12 FEET TO A POINT; THENCE N64°20'19"E, A DISTANCE OF 135.87 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 3.432 ACRES. MORE OR LESS.

## TRACT B

A TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTIONS 6, T16N, R9E, AND BEING A PORTION OF S.H.C. 435, TRACT 3, N.M.P.M., DESIGNATED AS TRACT "B" IN SANTA FE COUNTY, STATE OF NEW MEXICO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

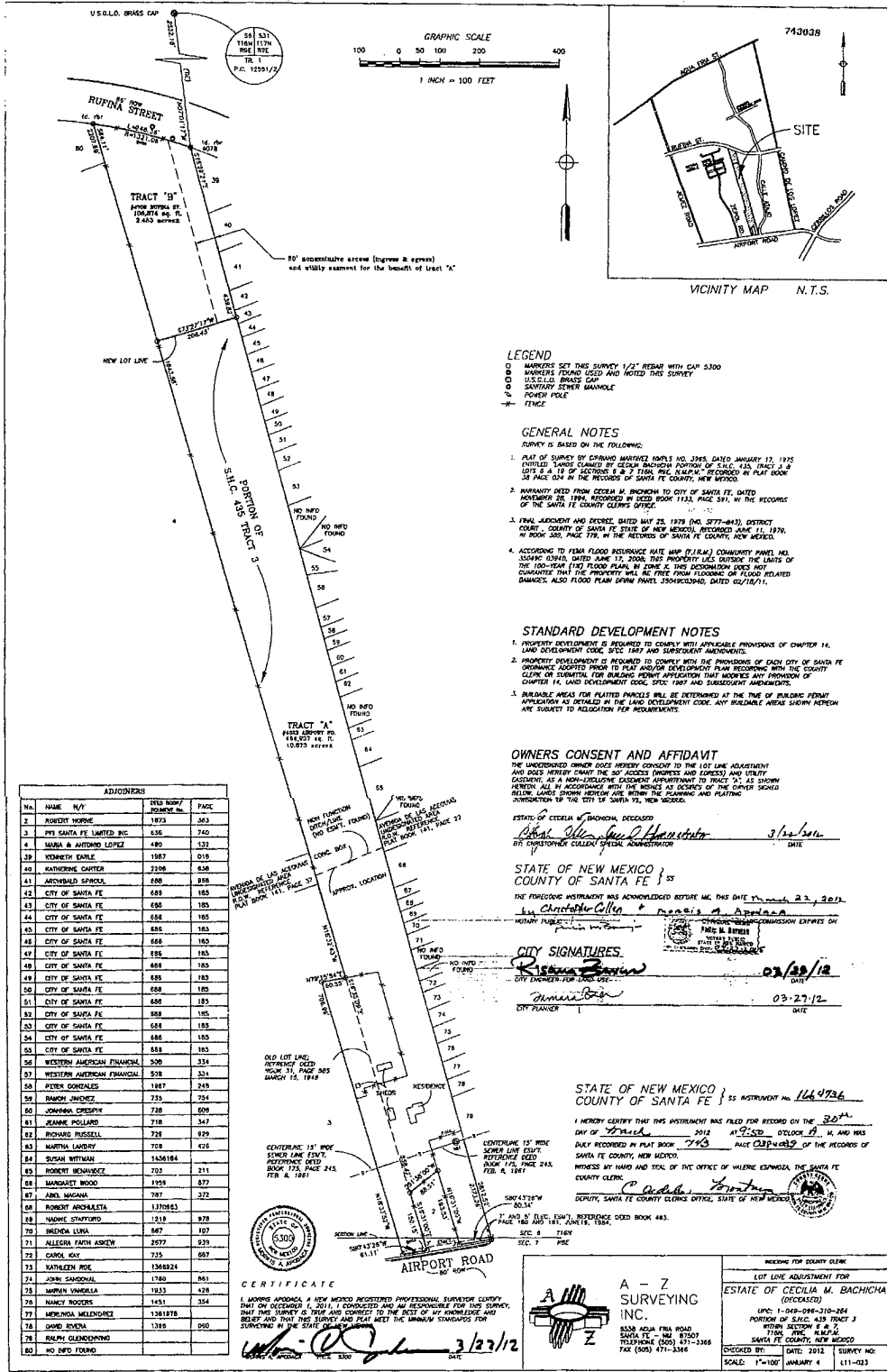
BEGINNING AT THE NORTHEAST CORNER OF THIS TRACT FROM WHENCE A U.S.G.L.O. BRASS CAP MARKING TR1 OF P.C. 1255 1/2 AND CLOSING CORNER OF SECTION 6, T16N, R9E, N.M.P.M. BEARS N07°01'17"W, A DISTANCE OF 2532.16 FEET;

THENCE FROM SAID POINT AND PLACE OF BEGINNING S15°29'21"E, A DISTANCE OF 439.82 FEET TO A POINT; THENCE S73°27'17"W, A DISTANCE OF 206.45 FEET TO A POINT; THENCE N16°32'43"W, A DISTANCE OF 564.11 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1321.08 FEET AND AN ARC LENGTH OF 248.36 FEET, TOGETHER WITH A CENTRAL ANGLE OF 10°46'17" TO THE POINT AND PLACE OF BEGINNING.

CONTAINING AN AREA OF 2.453 ACRES. MORE OR LESS.



Exhibit A, Page 1 of 3



NO.	NAME	N/T	1985 SURVEY PLAT NO.	PAGE
1	ROBERT MORSE		1873	363
2	PTV SANTA FE LIMITED INC.		636	740
3	WANDA M. JENNIFER LOMER		480	232
4	YONKETH EASLE		1587	018
40	KATHERINE CARTER		2106	838
41	ARCHIBALD SPRICK		680	858
42	CITY OF SANTA FE		685	185
43	CITY OF SANTA FE		686	185
44	CITY OF SANTA FE		686	185
45	CITY OF SANTA FE		686	185
46	CITY OF SANTA FE		686	185
47	CITY OF SANTA FE		686	185
48	CITY OF SANTA FE		686	185
49	CITY OF SANTA FE		686	185
50	CITY OF SANTA FE		686	185
51	CITY OF SANTA FE		686	185
52	CITY OF SANTA FE		686	185
53	CITY OF SANTA FE		686	185
54	CITY OF SANTA FE		686	185
55	CITY OF SANTA FE		686	185
56	CITY OF SANTA FE		686	185
57	WESTERN AMERICAN FINANCIAL		500	234
58	WESTERN AMERICAN FINANCIAL		528	234
59	PETER GONZALES		1887	248
59	BANON JUDEZ		735	254
60	JONHARRA CRESPIH		728	609
61	JEANNE POLLARD		718	347
62	ROCHANE RUSSELL		721	679
63	MARINA LARSON		728	628
64	SUSAN WITMAN		1426184	
65	ROBERT BERNARDZ		703	211
66	MARGARET WOOD		1958	877
67	AMEL MAGANA		787	272
68	ROBERT ANCHALETA		137083	
69	WAGNE STAFFORD		1219	878
70	IRENEA LUNA		867	107
71	ALLEGRA FAITH ARNEW		2077	235
72	CAROL KAY		735	687
73	KATHLEEN ROE		136824	
74	JONI SANDOVAL		1780	661
75	MARION SORRELLA		1333	628
76	NANCY ROGERS		1451	354
77	MERLENE WELSHORE		1381878	
78	DAVID BOWEN		1385	890
79	RALPH GLENDENNING			
80	NO INFO FOUND			

**CERTIFICATE**  
 I, MORSE APPROVA, A NEW MEXICO REGISTERED PROFESSIONAL SURVEYOR CERTIFY THAT ON NOVEMBER 11, 2011, I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY. THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN THE STATE OF NEW MEXICO.  
 MORSE APPROVA 3/23/12 DATE

- LEGEND**  
 O MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 5300  
 O MARKERS FOUND USED AND NOTED THIS SURVEY  
 O U.S.G.L.O. BRASS CAP  
 O SANITARY SEWER MANHOLE  
 O POWER POLE  
 - - - FENCE
- GENERAL NOTES**  
 SURVEY IS BASED ON THE FOLLOWING:  
 1. PART OF SURVEY BY EDWARD BACHMANN MAPS NO. 3385, DATED JANUARY 17, 1975 (ENTIRE TRACT OWNED BY EDWARD BACHMANN) DIVISION OF 21.62 ACRES TRACT 1A LOTS 8 & 11 OF SECTION 16 T.14N. R.10E. ALPAMPA, RECORDED IN PLAT BOOK 38 PAGE 624 IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.  
 2. SANITARY DEED FROM EDWARD BACHMANN TO CITY OF SANTA FE, DATED NOVEMBER 28, 1994, RECORDED IN DEED BOOK 1132, PAGE 291, IN THE RECORDS OF THE SANTA FE COUNTY CLERK'S OFFICE.  
 3. FINAL JUDGMENT AND DECREE, DATED MAY 23, 1979 (NO. 8777-443), DISTRICT COURT, COUNTY OF SANTA FE, STATE OF NEW MEXICO, RECORDED JUNE 11, 1979, IN BOOK 300, PAGE 279, IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.  
 4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 53080C 0304D, DATED JUNE 17, 2008, THIS PROPERTY LIES OUTSIDE THE LIMITS OF THE 100-YEAR (1%) FLOOD PLAIN. IN ZONE X, THIS ACCORDION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES. ALSO FLOOD PLAIN DATA PANEL, 53080C0304D, DATED 02/28/11.
- STANDARD DEVELOPMENT NOTES**  
 1. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, SEC 1407 AND SUBSEQUENT AMENDMENTS.  
 2. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED FROM THIS PLAT AND/OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMIT FOR BUILDING PERMIT APPLICATION THAT ADDRESSES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, 2007 AND SUBSEQUENT AMENDMENTS.  
 3. BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS SET FORTH IN THE LAND DEVELOPMENT CODE. ANY BUILDABLE AREAS SHOWN HEREON ARE SUBJECT TO REVISION FOR REQUIREMENTS.

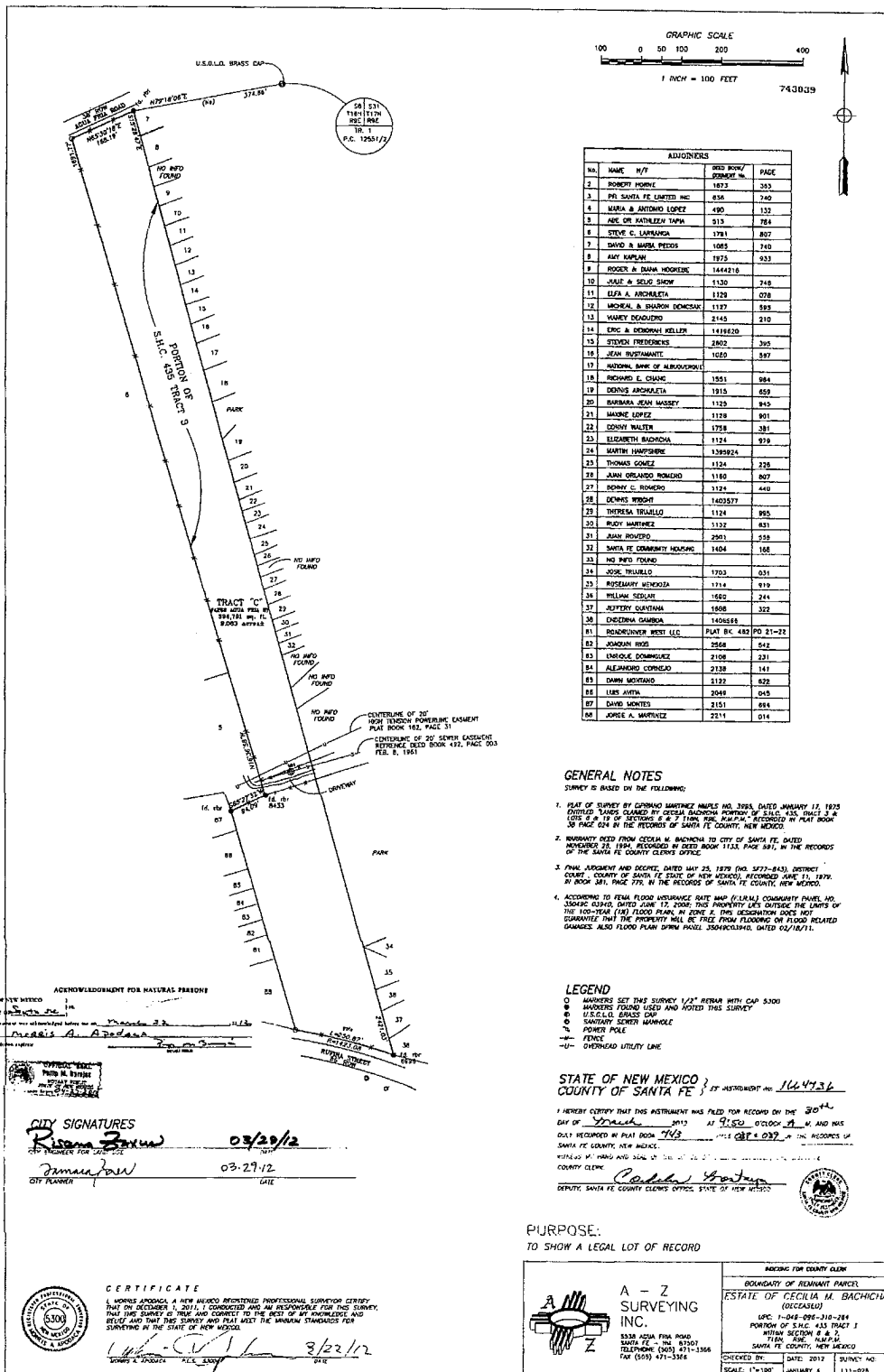
**OWNERS CONSENT AND AFFIDAVIT**  
 THE UNDERSIGNED OWNERS HEREBY CONSENT TO THE LOT LINE ADJUSTMENT AND DEED HEREBY GRANTING THE 80' ACCESS (IMPRES AND EGRESS) AND UTILITY EASEMENTS AS A NON-EXCLUSIVE EASEMENT APPURTENANT TO TRACT 'A', AS SHOWN HEREBY, IN ACCORDANCE WITH THE NOTICE AS DECIDED BY THE COUNTY SHERIFF. SAID EASEMENTS SHALL BE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.  
 ESTATE OF CECILIA M. BACHMANN, DECEDENT  
 Cecelia M. Bachmann / Administratrix 3/22/12 DATE  
 DR CHRISTOPHER COLLEEN SPECIAL ADMINISTRATOR

STATE OF NEW MEXICO }  
 COUNTY OF SANTA FE } ss  
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS DATE 23, 2012, BY Christophe Colleen & Margie A. Apollonia  
 NOTARY PUBLIC STATE OF NEW MEXICO  
 STATE OF NEW MEXICO }  
 COUNTY OF SANTA FE } ss  
 I, Rishona Berman, CITY ENGINEER FOR SANTA FE, DO hereby certify that this instrument was filed for record on the 23rd day of March, 2012, at SANTA FE, COLORADO, 17 N. AND WAS duly recorded in PLAT BOOK 743 PAGE 628 OF THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.  
 WITNESS MY HAND AND SEAL OF THE OFFICE OF VALERIE ESPINOZA, THE SANTA FE COUNTY CLERK.  
 Valerie Espinoza 03/23/12 DATE  
 DEPUTY, SANTA FE COUNTY CLERK'S OFFICE, STATE OF NEW MEXICO

**A - Z SURVEYING INC.**  
 6538 ACMA FRSA ROAD  
 SANTA FE, NM 87507  
 TELEPHONE (505) 831-3368  
 FAX (505) 471-2566

WORKING FOR COUNTY CLERK  
 LOT LINE ADJUSTMENT FOR  
 ESTATE OF CECILIA M. BACHMANN (DECEDENT)  
 UMC: 1-049-098-210-284  
 PORTION OF SAFC: 418 TRACT 3  
 WITHIN SECTION 8 & 7  
 T14N. R10E. PLAT 3  
 SANTA FE COUNTY, NEW MEXICO  
 CHECKED BY: DATE 3/21/12 SURVEY NO.  
 SCALE: 1"=100' JANUARY 4 111-023

Exhibit A, Page 2 of 3



ADJACENTERS

No.	NAME	N/T	GRID BOOK	PAGE
1	ROBERT MORSE		1873	253
2	PTO SANTA FE LIMITED INC		456	740
3	MARIA & ANTONIO LOPEZ		490	152
4	AKI OR KATHLEEN WAIN		313	784
5	STEVE C. LAMANGA		1781	807
6	DAVID & MURIA PERDIS		1085	710
7	AMY KARLAN		1975	933
8	ROSEN & BLANK HOOKING		1444216	
9	JULIE & BRUCE SHOW		1120	749
10	ELFA A. ARCHULETA		1128	078
11	MOHAMED & SHARON DOMICAN		1127	583
12	VALERY DEADUJRO		2145	210
13	ERIC & DEBORAH KELLER		1416220	
14	STEVEN PEDERSEN		2802	305
15	JOHN HODGMAN		1020	597
16	MICHAEL BANK OF NEWMEXICO			
17	RICHARD E. CHANG		1951	864
18	DENNIS ARCHULETA		1915	659
19	BARBARA JEAN HUSSEY		1120	845
20	MARNE LOPEZ		1128	901
21	CONNY WALTON		1729	381
22	ELIZABETH BACHICHA		1124	918
23	MARTIN HANSEN		135824	918
24	THOMAS GOMEZ		1124	238
25	JUAN ORLANDO ROMERO		1160	807
26	BOBBY E. ROMERO		1124	440
27	DOAN WRIGHT		1402577	
28	TERESA TRUJILLO		1124	902
29	MUDY MARTINEZ		1122	821
30	JUAN ROVERO		2901	539
31	SANTA FE COMMUNITY HOUSING		1404	166
32	NO INFO FOUND			
33	JOSE TRUJILLO		1703	031
34	ROSEMARY WIKOJKA		1174	919
35	WILLIAM SERRANO		1620	241
36	JEFFERY CANTANA		1608	322
37	CHERINA GAMBRA		140466	
38	BOUNDARY WEST LLC		PLAT BK. 482 PD 21-22	
39	JOSHUA HINES		2568	542
40	LYNDSE COMBETTE		2108	231
41	ALEXANDRO CORNEJO		2128	141
42	DANN MONTANO		1122	822
43	LUIS ANITA		2048	045
44	DAVID MONTES		2151	884
45	JOSUE A. MARRINIZ		2214	014

**GENERAL NOTES**

- SURVEY IS BASED ON THE FOLLOWING:
- PLAT OF SURVEY BY CIPRIANO MARTINEZ MAPS NO. 3368, DATED JANUARY 17, 1975 (ENTIRE) SHOWS LOTS 1-38 OF CEDAIA W. BACHICHA PORTION OF S.H.C. SUB TRACT 3 & LOTS 1-18 OF SECTIONS 6 & 7 FROM SEC. 16, T14N, R10E, S14E, RECORDED IN PLAT BOOK 28 PAGE 284 IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
  - RECORDING DEED FROM CEDAIA W. BACHICHA TO CITY OF SANTA FE, DATED NOVEMBER 22, 1994, RECORDED IN DEED BOOK 1133, PAGE 891, IN THE RECORDS OF THE SANTA FE COUNTY CLERK'S OFFICE.
  - FINAL JUDGMENT AND DECREE, DATED MAY 25, 1878 (NO. 377-843), DISTRICT COURT, COUNTY OF SANTA FE, STATE OF NEW MEXICO, RECORDED JAN. 17, 1879, IN BOOK 481, PAGE 1776, IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.
  - ACCORDING TO FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 33040C 0340, DATED JUNE 17, 2009, THIS PROPERTY LIES OUTSIDE THE LIMITS OF THE 100-YEAR (1%) FLOOD PLAIN, IN ZONE 2. THIS DECLARATION DOES NOT GUARANTEE THAT THE PROPERTY WILL BE FREE FROM FLOODING OR FLOOD RELATED DAMAGES. ALSO FLOOD PLAIN FROM MAPS 33040C0340, DATED 06/17/09.

**LEGEND**

- MARKERS SET THIS SURVEY 1/2" REBAR WITH CAP 5300
- MARKERS FOUND USED AND NOTED THIS SURVEY
- U.S.G.L.S. BRASS CAP
- SANITARY SCREEN MANHOLE
- POWER POLE
- FENCE
- OVERHEAD UTILITY LINE

STATE OF NEW MEXICO }  
 COUNTY OF SANTA FE } 1144736

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD ON THE 30th DAY OF March 2012 AT 9:50 O'CLOCK A.M. AND HAS BEEN RECORDED IN PLAT BOOK 482 PAGE 212 IN THE RECORDS OF SANTA FE COUNTY, NEW MEXICO.

WITNESSE MY HAND AND SEAL OF THE COUNTY OF SANTA FE COUNTY CLERK

*Rodolfo Gutierrez*  
 CLERK, SANTA FE COUNTY CLERK'S OFFICE, STATE OF NEW MEXICO

**PURPOSE:**  
 TO SHOW A LEGAL LOT OF RECORD

**A - Z SURVEYING INC.**  
 1338 WASH. PARK ROAD  
 SANTA FE, NM 87507  
 TELEPHONE: (505) 471-3366  
 FAX: (505) 471-3364

BOUNDARY FOR COUNTY CLERK

BOUNDARY OF REMNANT PARCEL

ESTATE OF FERDINA M. BACHICHA  
 (DECEASED)

UPC: 1-048-098-310-284

PORTION OF S.H.C. SUB TRACT 3  
 WITHIN SECTION 6 & 7  
 T14N, R10E, S14E, PM  
 SANTA FE COUNTY, NEW MEXICO

CHECKED BY: DATE: 2012 SURVEY NO:  
 SCALE: 1"=100' JANUARY 4 111-028

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO }  
 COUNTY OF SANTA FE }  
 I, *Rodolfo Gutierrez*, County Clerk, do hereby certify that this instrument was filed for record on the 30th day of March 2012 at 9:50 o'clock A.M. and has been recorded in Plat Book 482 Page 212 in the records of Santa Fe County, New Mexico.

WITNESSE MY HAND AND SEAL OF THE COUNTY OF SANTA FE COUNTY CLERK

*Rodolfo Gutierrez*  
 CLERK, SANTA FE COUNTY CLERK'S OFFICE, STATE OF NEW MEXICO

**CITY SIGNATURES**

*Risana Zamora* 03/20/12  
 CITY ENGINEER FOR DISTRICT 2

*Jimenez* 03-27-12  
 CITY PLANNER

**CERTIFICATE**

I, *Walter C. ...*, a duly licensed Professional Surveyor, certify that on December 1, 2011, I conducted and am responsible for this survey, that this survey is true and correct to the best of my knowledge and belief and that this survey and plat meet the minimum standards for surveys in the State of New Mexico.

*Walter C. ...* 3/22/12  
 SURVEYOR



## Aguafina Rezoning to R-5-Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-5

Conditions	Department	Staff
<p>There is no location shown for stormwater ponding as required by the Land Development Code. All applicable requirements of Article 14-8.2 must be met if the project goes forward after the rezoning.</p>	<p>Technical Review</p>	<p>Risana "R.B." Zaxus</p>
<p>Section 14-8.15(C)(2) SFCC 1987 requires land to be dedicated for neighborhood parks. The conceptual site plan that has been provided does not address any park dedication. The applicant shall provide park area for the development as part of the subdivision plat process, or commit to payment of park impact fees, in order to comply with this Land Development Code requirement.</p>	<p>Current Planning</p>	<p>Heather Lambooy</p>