

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2013-12

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10 AN ORDINANCE

11 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE;
12 CHANGING THE ZONING CLASSIFICATION FOR 2.453± ACRES IDENTIFIED AS
13 TRACT B AND THE SOUTHERN 3.432± ACRES OF TRACT C (IDENTIFIED AS
14 TRACT C-2), A PORTION OF SMALL HOLDING CLAIM 435 TRACT 3 WITHIN
15 SECTION 6, TOWNSHIP 16 NORTH, RANGE 9 EAST, NEW MEXICO PRIME
16 MERIDIAN, WHICH IS LOCATED WEST OF CALLE ATAJO BETWEEN AGUA FRIA
17 STREET AND RUFINA STREET, FROM R-1 (RESIDENTIAL, 1 DWELLING UNIT
18 PER ACRE) TO R-3 (RESIDENTIAL, 3 DWELLING UNITS PER ACRE), AND
19 PROVIDING AN EFFECTIVE DATE. (“AGUAFINA REZONING,” CASE #2012-
20 104).

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

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23 **Section 1.** That a certain parcel of land comprising 5.89± acres (the “Property”)
24 located within Section 6, Township 16N, Range 9E, New Mexico Prime Meridian, Santa Fe
25 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, is restricted to and classified as R-3 (Residential, 3
2 dwelling units per acre) as described in the legal description zoning map attached hereto
3 [EXHIBIT A] and incorporated herein by reference.

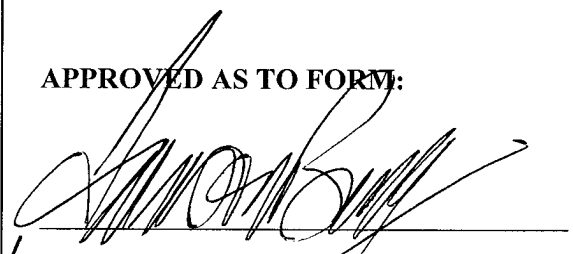
4 **Section 2.** The official zoning map of the City of Santa Fe adopted by Ordinance
5 No. 2001-27 is hereby amended to conform to the changes in zoning classifications for the
6 Property set forth in Section 1 of this Ordinance.

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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APPROVED AS TO FORM:



GENO ZAMORA, CITY ATTORNEY

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 1

Aguafina Rezoning to R-3--Conditions of Approval
City Council

Case #2012-104 – Aguafina Rezoning to R-3

Conditions	Department	Staff
<p>Review comments are based on submittals received on August 15, 2012. The comments below should be considered as Conditions of Approval to be addressed prior to subsequent submittal unless otherwise noted:</p> <ol style="list-style-type: none"> The Developer shall provide an access from Tract “C” to Rufina Street, aligning the intersection with the proposed access to Tract B. Both accesses shall be partial accesses providing Right-in, Right-out, and Left-in turns only; The Developer shall provide a traffic analysis of the access points to Rufina Street to determine if deceleration and/or acceleration lanes are needed and if so how long they should be; The Developer shall plan this development so that it allows future access to the west that corresponds with proposed access to the east from the approved Cielo Azul Subdivision. We required the Cielo Azul developers to provide stub-outs so that their roadway network can connect to the east. The Developer shall indicate on the subdivision plat and development plan, the locations of these future Right-of-Way accesses and stub-outs (ghost lines) to the west; We have reviewed a conceptual design of a subdivision that indicates a proposed access and utility easement. At such time as a submittal is made for a subdivision plat and/or a development plan, the proposed roads shall be built to City of Santa Fe standards and dedicated as public right-of-way. 	<p>Traffic Engineering</p>	<p>John Romero/ Sandra Kassens</p>
<p>The Fire Marshal conducted a review of the above mentioned case for compliance with the International Fire Code (IFC) 2009 Edition. Below are the following requirements that shall be addressed prior to final approval of a subdivision plat.</p> <ol style="list-style-type: none"> Shall Comply with International Fire Code (IFC) 2009 edition. Shall meet fire department access for R-5 zoning as per IFC 2009 edition, and have two points of access. Shall meet fire protection requirements for R-5 zoning as per IFC 2009 edition. 	<p>Fire</p>	<p>Rey Gonzales</p>
<p>The subject property is accessible to the City sanitary sewer system and connection to the City sewer system is mandatory and shall be made prior to any new construction. Additionally, the following notes shall be included on the plat:</p> <p>Wastewater Utility Expansion Charges (UEC) shall be paid at the time of building permit application.</p>	<p>Wastewater</p>	<p>Stan Holland</p>
<p>Based on the latest SFHP requirements, 20% of the proposed subdivision must be designated affordable. Any fractional portion of a lot can be satisfied by providing another lot or paying a fractional fee. The affordable lots must be spread out and not clustered.</p> <p>A completed SFHO proposal is required prior to review of the plans by staff prior to Planning Commission approval of the Final Plat. A Santa Fe Housing Program (SFHP) Agreement shall be signed and recorded with the Final Plat. The affordable lots shall be designated on the plat.</p>	<p>Affordable Housing</p>	<p>Alexandra Ladd</p>

Aguafina Rezoning to R-3—Conditions of Approval

City Council

Case #2012-104 – Aguafina Rezoning to R-3

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>