1 **CITY OF SANTA FE, NEW MEXICO** 2 **RESOLUTION NO. 2024-13** 3 4 5 6 7 8 9 10 A RESOLUTION 11 AMENDING THE GENERAL PLAN'S FUTURE LAND USE MAP DESIGNATION FROM 12 RESIDENTIAL **MOUNTAIN** AND RURAL PROTECTION TO **COMMUNITY** 13 COMMERCIAL FOR AN APPROXIMATELY 4.36 ACRE PROPERTY OWNED BY SANTA 14 FE'S DON JUAN'S LAND, LLC, IN PARTICULAR A PARCEL LOCATED AT 1941 CAJA 15 DEL ORO GRANT ROAD (CASE NO. 2023-7207). 16 WHEREAS, on November 14, 2007, the Governing Body of the City of Santa Fe ("City") 17 adopted the Southwest Community Area Master Plan ("SWCAMP") as an amendment to the General 18 Santa Fe General Plan (Resolution No. 1999-45), adopting a comprehensive plan for the Cerrillos and 19 Airport Road area located in the southwest sector of the city, the fastest growing part of Santa Fe; and 20 WHEREAS, the General Plan states that its guiding policies for Economic Development are 21 to accomplish the following: 22 1) Promote diversification of the Santa Fe economy; 23 2) Promote increased job opportunities with higher wages for Santa Fe residents; 24 3) Support retail uses that serve the needs of Santa Fe residents and workers; 25 4) Develop and maintain an attractive climate for conducting business in Santa Fe; and

5) Promote small businesses; and

WHEREAS, Sommer Karnes & Associates, agent for Santa Fe's Don Juan's Land, LLC ("Applicant"), submitted an application to amend the General Plan Future Land Use Map for approximately 4.36 acres of land located at 1941 Caja del Oro Grant Road, identified in Attachment A (the "Property"), from Mountain/Rural Protection Area (Residential - one (1) dwelling unit per 10 acres) to Community Commercial (Non-Residential) ("Proposed Amendment"); and

WHEREAS, the Applicant's Proposed Amendment to the Future Land Use Map is necessary to fulfill the economic development policies set forth in the General Plan and allows a greater variety of commercial and housing development in order to better meet the needs of different ages, incomes, and family sizes to support the growth of Santa Fe and the Southwest area; and

WHEREAS, pursuant to SFCC 1987, Section 14-3.2 (B)(2)(b), the Governing Body must amend the General Plan before approving a change to a zoning district designation that is inconsistent with the land use classification shown on the General Plan's future land use map; and

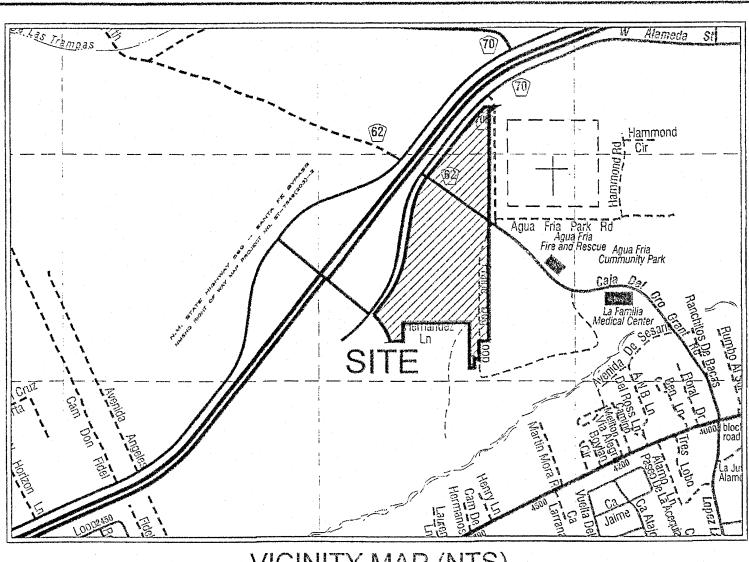
WHEREAS, pursuant to NMSA 1978, Section 3-19-9 (A), and SFCC 1987, Section 14-3.2(E)(1)(f), the City may amend its General Plan with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city, which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development; and

WHEREAS, the Planning Commission reviewed evidence related to the Proposed Amendment, held a public hearing on the Proposed Amendment on December 7, 2023, and recommended the Governing Body approve the Proposed Amendment; and

WHEREAS, on March 27, 2024, the Governing Body held a public hearing on the Proposed Amendment; having reviewed the staff report, the recommendation of the Planning Commission, and the evidence obtained at the public hearing; and determined that the proposed amendment to the General Plan, as recommended by the Planning Commission, meets the approval criteria set forth in Section 14-

1	3.2(E) of SFCC 1987.
2	NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE
3	CITY OF SANTA FE that the General Plan is Amended to change the designation of the Property
4	from Mountain/Rural Protection Area to Community Commercial.
5	PASSED, APPROVED, and ADOPTED this 27th day of March, 2024.
6	ana
7	Alan Webber (Mar 29, 2024 17:05 MDT)
8	ALAN M. WEBBER, MAYOR
9	ATTEST:
10 11	Geralyn Cardenas (Apr 1, 2024 09:12 MDT)
12	GERALYN CARDENAS, INTERIM CITY CLERK
13	APPROVED AS TO FORM:
14 15	Erin McSherry (Mar 29, 2024 13:55 MDT)
16	ERIN K. MCSHERRY, CITY ATTORNEY
17	
18	
19	
20	
21	
22	
23	
24	
25	Legislation/2024/Resolution/2024-13(R)/GP Resolution Case #2023-7207 MTN-Com

ATTACHMENT A



VICINITY MAP (NTS)

STATE OF NEW MEXICO NOTARIAL OFFICER KARLH, SOMMER NEW MEXICO STATE BAR # 4846

LEGEND AND NOTES

- DENOTES POINT FOUND 11011 CAP OR AS NOTED
- DENOTES POINT SET THIS SURVEY
- DENOTES POINT CALCULATED
- DENOTES MONUMENT

DENOTES FENCE LINE

Δ DENOTES HWY. DEPT. ALUM. R/W MONUMENT

DENOTES EDGE OF EASEMENT DENOTES OVERHEAD LINES

- 1. BASIS OF BEARING TAKEN FROM "BOUNDARY SURVEY OF EXTERIOR DATA FOR LOTS AS SHOWN" BY RICHARD A. CHATROOP NMPLS#11011 AND FILED IN PLAT BOOK 361, PG. 042 ON MAY. 2ND, 1997. IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO. LAST AMENDED ON 3/18/02, AMENDMENT NOT RECORDED.
- 2. THIS PLAT IS SUBJECT TO ALL EASEMENTS, COVENANTS, AND CONDITIONS OF RECORD.

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.

- "PLAT OF SURVEY FOR RICHARD MONTOYA" BY ROBERT L. BENAVIDES NMLS#5824, AND FILED IN PLAT BOOK 92, PG. 022 ON DEC. 29TH, 1980 OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "PLAT OF SURVEY FOR RICHARD MONTOYA" BY ROBERT L. BENAVIDES NMLS#5824, AND FILED IN PLAT BOOK 95, PG. 020 ON DEC. 31ST, 1980. OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "PLAT OF SURVEY FOR RICHARD MONTOYA" BY ROBERT L. BENAVIDES NMLS#5824, AND FILED IN PLAT BOOK 95, PG. 021 ON DEC. 31ST, 1980. OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "LAND DIVISION FOR RICHARD MONTOYA" BY RICHARD A. CHATROOP NMPLS#11011, AND FILED IN PLAT BOOK 264, PG. 030 ON JAN. 25TH, 1994. OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "TOWNSHIP 17 NORTH, RANGE 9 EAST, OF THE NEW MEXICO PRINCIPAL MERIDIAN NEW MEXICO DEPENDENT RESURVEY AND SUBDIVISION OF SECTION AND SURVEY OF LOTS" BY THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT SANTA FE, NEW MEXICO ACCEPTED 12/02/1993
- "TOWNSHIP 17 NORTH, RANGE 9 EAST, OF THE NEW MEXICO PRINCIPAL MERIDIAN NEW MEXICO DEPENDENT RESURVEY AND SURVEY" BY THE UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT SANTA FE, NEW MEXICO ACCEPTED 03/20/2007.
- "SOUTH MEADOWS ROAD EXTENSION PROJECT" SANTA FE COUNTY PUBLIC WORKS DEPARTMENT, BY STEPHEN J. TOLER NMPLS#11599 DATED APRIL, 2007.
- "NEW MEXICO STATE HIGHWAY DEPARTMENT RIGHT OF WAY MAP NEW MEXICO PROJECT NO. ST-7649(203)-2 SANTA FE COUNTY" SHEETS 3 & 4 OF 13, BY THOMAS G. KLINGENHAGEN NMPLS#5978, FINAL MAP DATE APRIL 15, 1994, NOT RECORDED.
- "CONSOLIDATION PLAT OF LOT 12 TRACT 3 BEING A PORTION OF LOT 12 TRACT 4 AND BEING A PORTION OF LOT 12 TRACT 3" BY RICHARD A. CHATROOP NMPLS #11011 AND FILED IN PLAT BOOK 756, PG. 028, OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO
- "BOUNDARY SURVEY PLAT PREPARED FOR ISAIAS VAZQUEZ & GRISELDA ORTIZ-VAZQUEZ BY SALVADOR I. VIGIL NMPLS#10988, AND FILED IN PLAT BOOK 841, PG. 024 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "PLAT OF SURVEY FOR FACUNDO RODRIGUEZ" BY JOSEPH L. PACHECO NMPLS#3905, AND FILED IN PLAT BOOK 400, PG. 047 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "EASEMENT PLAT FOR DON JUANS LAND, LLC" BY RICHARD A. CHATROOP NMPLS#11011, AND FILED IN PLAT BOOK 874, PG. 040-042, OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.
- "BOUNDARY SURVEY FOR DON JUANS LAND, LLC A NEW MEXICO LIMITED LIABILITY OF TRACTS 1,2 & 3, LOT 12 TRACTS 2 & 4, TRACT 4 LOTS C & D, TRACT 5 LOTS A & B BY RICHARD A. CHATROOP NMPLS#11011, AND FILED IN PLAT BOOK 758, PG. 016 IN THE OFFICE OF THE COUNTY CLERK SANTA FE COUNTY, NEW MEXICO.

LOT LINE ADJUSTMENT OWNERS CONSENT

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE CAUSED TO BE ADJUSTED THOSE LANDS SHOWN HEREON. THIS ADJUSTMENT AND THE GRANTING OR VACATING OF EASEMENTS AS INDICATED ARE MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S).

THIS ADJUSTMENT CONTAINS 38.42 AC. ±, AND LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY OF SANTA FE, NEW MEXICO.

CARLOS GARCIA, MANAGING MEMBER DON JUANS LAND, LLC

STATE OF NEW MEXICO

COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND

SUBSCRIBED BEFORE ME BY CARLOS GARCIA, MANAGING MEMBER DON JUANS LAND, LLC

DAY OF March 2023 NOTARY PUBLIC MY COMMISSION EXPIRES.

STATE OF NEW MEXICO

COUNTY OF SANTA FE

THE FOREGOING INSTRUMENT WAS SWORN, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY ELOYSA LUZ HERNANDEZ

Will a Kend IV. Alevan NOTARY PUBLIC MY COMMISSION EXPIRES_

> STATE OF NEW MEXICO NOTARIAL OFFICER KARLH SOMMER NEW MEXICO STATE BAR # 4846

PURPOSE STATEMENT: THE PURPOSE OF THIS PLAT IS TO ADJUST AND CONSOLIDATE EXISTING LOTS OF RECORD INTO ONE TRACT OF LAND.

IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY OF NEW MEXICO (PNM) AND NEW MEXICO GAS COMPANY (NMGC) DID NOT CONDUCT A TITLE SEARCH OF THE PROPERTY SHOWN HEREON. CONSEQUENTLY, PNM AND NM GC DO NOT WAIVE OR RELEASE ANY EASEMENT OR EASEMENT RIGHTS WHICH HAVE BEEN GRANTED BY PRIOR PLAT, REPLAT OR OTHER DOCUMENT AND WHICH ARE NOT SPECIFICALLY DESCRIBED AND SHOWN

THE UTILITY COMPANIES LISTED BELOW HEREBY RELEASE, WAIVE, QUITCLAIM AND DISCHARGE THEIR RIGHT, TITLE AND INTEREST TO THE PRESENT OWNER(S), AND THEIR ASSIGNS, IN THE PUBLIC UTILITY EASEMENT AS SHOWN TO BE VACATED ON THIS PLAT. AS TO ALL PROPERTY COVERED BY SUCH EASEMENT, WHICH IS NOT SPECIFICALLY

DESCRIBED HEREIN, THE RIGHT, TITLE, AND INTEREST OF THE FOLLOWING

Lunte Duran-Gorzale 4-13-23

COMPANIES SHALL NOT BE AFFECTED BY THIS RELEASE.

CENTURYLINK DISCLAIMER:

IN THIS PLAT.

THIS PLAT HAS BEEN APPROVED FOR EASEMENT PURPOSES ONLY. THE SIGNING OF THIS PLAT DOES NOT IN ANY WAY GUARANTEE TELEPHONE SERVICE TO THE SUBDIVISION.

A/b/a CENTURYLINK QC

DATE

COUNTY OF SANTA FE APPROVAL 991 18

COUNTY TREASURER

CITY OF SANTA FE APPROVAL CASE#2021-4280

4/13/23 DEE BEINGERMAN EMGINEER FOR LAND USE

CITY OF SANTA FE NOTES AND CONDITIONS:

1. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS. 2. WASTEWATER UTILITY EXPANSION CHARGES (UEC) SHALL BE PAID AT THE TIME OF CONSTRUCTION PERMIT APPLICATION.

3. NEW DEVELOPMENT SHALL HAVE WATER SUPPLY THAT MEETS FIRE FLOW REQUIREMENTS AS PER IFC OR INSTALL AN AUTOMATIC SPRINKLER SYSTEM. 4. FIRE DEPARTMENT SHALL HAVE 150 FEET DISTANCE TO ANY PORTION OF THE BUILDING ON ANY NEW CONSTRUCTION. 5. PRIOR TO ANY NEW CONSTRUCTION OR REMOLDELING ALL FIRE DEPATRMENT

REQUIREMENTS MUST BE MET OR AUTOMATIC SPRINKLER SYSTEMS MAY BE 6. LOTS/TRACTS/PARCELS SHOWN LIE WITHIN ZONE "X" AREAS DETERMINED TO BE

OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS PER F.I.R.M. PANEL# 35049C0391D THRU 35049C0394D DATED 6/17/08. 7. CITY APPROVAL OF THIS PLAT DOES NOT ALTER OR REMOVE ANY EASEMENTS,

RESTRICTIONS, OR RESERVATIONS OF RECORD PERTAINING TO THE LAND HEREIN DESCRIBED UNLESS OTHERWISE NOTED HEREON. 8. CITY APPROVAL OF THIS PLAT REQUIRES THAT LOTS INDIVIDUALLY CONNECT TO THE CITY'S PUBLIC SEWER SYSTEM WHEN PROPERTY IS DEVELOPED OR

CONDITIONS

A. ANY NEW CONSTRUCTION, ADDITIONS, OR REMODELS ON LOTS/TRACTS/PARCELS SHOWN WILL BE REQUIRED TO SATISFY ALL CURRENT REGULATIONS OF THE LAND USE DEVELOPMENT CODE.

PUBLIC UTILITY EASEMENTS

PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT ARE GRANTED FOR THE COMMON AND JOINT USE OF:

- 1. PUBLIC SERVICE COMPANY OF NEW MEXICO ("PNM"), A NEW MEXICO CORPORATION, (PNM ELECTRIC) FOR INSTALLATION, MAINTENANCE AND SERVICE OF OVERHEAD AND UNDERGROUND ELECTRICAL LINES, TRANSFORMERS, AND OTHER EQUIPMENT AND RELATED FACILITIES REASONABLY NECESSARY TO PROVIDE ELECTRICAL SERVICES.
- 2.NEW MEXICO GAS COMPANY FOR INSTALLATION, MAINTENANCE AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS SERVICES.
- 3.[TELEPHONE COMPANY] FOR THE INSTALLATION, MAINTENANCE AND SERVICES OF SUCH LINES, CABLES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE COMMUNICATION SERVICES.
- 4. [CABLE COMPANY] FOR THE INSTALLATION, MAINTENANCE AND SERVICES OF SUCH LINES, CABLES AND OTHER RELATED EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE CABLE

INCLUDED IS THE RIGHT TO BUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE WITHIN THE EASEMENT, CHANGE, REMOVE, REPLACE, MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR PURPOSES DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO, FROM AND OVER SAID EASEMENTS, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSES SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, INCLUDING SUFFICIENT WORKING AREA SPACE FOR ELECTRIC TRANSFORMERS, WITH THE RIGHT AND PRIVILEGE TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR SUBSURFACE), HOT TUB, CONCRETE OR WOOD POOL DECKING OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON. PROPERTY OWNERS SHALL BE SOLELY RESPONSIBLE FOR CORRECTING ANY VIOLATIONS OF NATIONAL ELECTRICAL SAFETY CODE BY CONSTRUCTION OF POOLS, DECKING OR ANY STRUCTURES ADJACENT TO OR NEAR EASEMENTS SHOWN ON THIS PLAT.

NEW MEXICO GAS COMPANY IS HEREBY GRANTED EASEMENTS AS SHOWN FOR THE INSTALLATION, MAINTENANCE AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT RECONSTRUCT, LOCATE, RELOCATE, CHANGE. REMOVE MODIFY, RENEW, OPERATE AND MAINTAIN FACILITIES FOR THE PURPOSE DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO AND OVER SAID RIGHT OF WAY AND EASEMENT, WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF GRANTOR FOR THE PURPOSE SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, AND TO TRIM AND REMOVE TREES, SHRUBS AND BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN, NO BUILDING, SIGN, POOL (ABOVE GROUND OR BELOW). HOT TUB, CONCRETE OR WOOD POOL DECKING OR OTHER STRUCTURE SHALL BE ERECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREON.

EASEMENTS FOR ELECTRIC TRANSFORMER/ SWITCH GEARS, AS INSTALLED, SHALL EXTEND TEN (10) FEET IN FRONT OF TRANSFORMER/ SWITCH GEAR DOORS AND FIVE (5) FEET ON EACH SIDE.

> LOTLINE ADJUSTMENT AND LOT CONSOLIDATION FOR

DON JUANS LAND, LLC A NEW MEXICO LIMITED LIABILITY COMPANY & ELOYSA LUZ HERNANDEZ

TRACT 3, LOT 12 TRACTS 2 & 4, TRACT 4 LOTS C & D, TRACT 5 LOTS A & B, REMAINDER OF GOVERNMENT LOT 11, TRACT 4 SHC 544 WEST HALF & LOTS WITHIN TRACT 4 SHC 544 EAST HALF

> LYING WITHIN SECTION 31, T17N, R9E, NMPM, SANTA FE COUNTY, NEW MEXICO.

> > RICK CHATROOP PROFESSIONAL LAND SURVEYOR

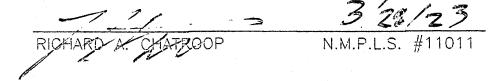
NEW MEXICO REGISTRATION NO. 11011 110 WAGON TRAIL RD. CERRILLOS, NM. 87010 (505) 470-0037

DON JUANS LAND, LLC ELOYSA LUZ HERNANDEZ

OWNER: A NEW MEXICO LIMITED LIABILITY COMPANY, TRACT 1-049-097-148-114 TRACT 3 1-049-097-085-197, GOV. LOT 11 1-049-097-125-363
LOT A 1-049-097-093-306, LOT B 1-049-097-127-311
LOT C 1-049-097-089-243, LOT D 1-049-097-124-244
TRACT 2-L12 1-049-097-058-230, TRACT 4-L12 1-049-097-064-163
TRACT 4-SHC544 1-049-097-144-213, TRACT 4-PORTION E 1/2 1-049-097-150-316 TRACT 4-BLK 1 1-049-097-148-200, LOCATION: LYING WITHIN SECTION 31, T17N, R9E, NMPM

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 JUNE. 14TH, 2021, 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.







of the records of Santa Fe County. Witness my Hand and Seal of Office Katharine Clark County Clerk, Santa Fe County, N.M.

2010006

COUNTY OF SANTA FE

STATE OF NEW MEXICO

LOCATION: LYING WITHIN SECTION 31, T17N, R9E, NMPM

SHEET 2