

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2015-20

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4
5 AN ORDINANCE

6 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE;
7 CHANGING THE ZONING CLASSIFICATION FROM R-5 (RESIDENTIAL, 5
8 DWELLING UNITS PER ACRE) TO C-2 (GENERAL COMMERCIAL); AND
9 PROVIDING AN EFFECTIVE DATE WITH RESPECT TO A CERTAIN PARCEL OF
10 LAND COMPRISING 0.13± ACRE LOCATED AT 536 CORTEZ STREET (“TUNE UP
11 CAFE” REZONING CASE NO. 2015-31).

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

14 Section 1. The following real property (the “Property”) located within the
15 municipal boundaries of the city of Santa Fe, is restricted to and classified C-2 (General
16 Commercial):

17 A parcel of land comprising 0.13± acres located at 536 Cortez Street and more fully
18 described in EXHIBIT A attached hereto and incorporated by reference, located in
19 Section 26, T17N, R9E, N.M.P.M., Santa Fe County, New Mexico,

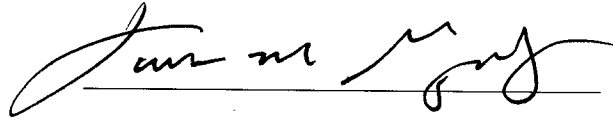
20 Section 2. The official zoning map of the City of Santa Fe adopted by Ordinance
21 No. 2001-27 is amended to conform to the changes in zoning classifications for the Property set
22 forth in Section 1 of this Ordinance.

23 Section 3. This rezoning action and any future development plan for the Property is
24 approved with and subject to the conditions set forth in the table attached hereto as EXHIBIT B
25 and incorporated herein summarizing the City of Santa Fe staff technical memoranda and

1 conditions recommended by the Planning Commission on May 7, 2015.

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

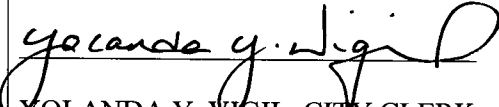
4 PASSED, APPROVED and ADOPTED this 29th day of July, 2015.

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7 JAVIER M. GONZALES, MAYOR

8 ATTEST:

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11 YOLANDA Y. VIGIL, CITY CLERK

12 APPROVED AS TO FORM:

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15 KELLEY A. BRENNAN, CITY ATTORNEY

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25 M/Legislations/2015 Ordinances/2015-20 Tune-Up Café_Rezoning

Ordinance No. 2015-20

EXHIBIT A

536 Cortez

Legal Description for C-2 Zoning

Lot 12, Block 2, of Agua Fria Addition No. 1, Section 26, T17N, R9E, N.M.P.M., as shown on plat filed in the office of the County Clerk, Santa Fe County, New Mexico on May 14, 1930, in Plat book 3 at page 377.

536 Cortez

General Plan Amendment (Case #2015-30)
 Rezoning (Case #2015-31)
 Ordinance #2015-20

DRT Conditions of Approval	Department	Staff
<ol style="list-style-type: none"> 1. The Developer shall eliminate the four (4) perpendicular parking spaces on Cortez Street; abandon the existing curb cut; and restore the sidewalk to a typical sidewalk section and install vertical curb and gutter. <ol style="list-style-type: none"> a. On street parallel parking of one to two vehicles will be permitted along this new curb provided that sight distance requirements are met. <ol style="list-style-type: none"> i. This sight distance triangle shall be based on the American Association of State Highway and Transportation Officials (AASHTO) standards per City code regarding commercial use of property that accesses a public street. 2. The Developer shall work with the City of Santa Fe Parking Division to establish a loading zone on Hickox Street in front of the Tune Up Café; this loading zone shall be marked with appropriate signage. 3. The Developer shall install a “do not enter” sign on Cortez Street at the exit of the one way portion of the parking lot. 	<p>Traffic Engineering/Public Works</p>	<p>John Romero (per Sandra Kassens)</p>
<ol style="list-style-type: none"> 1. A lot consolidation must be recorded after rezoning. 2. At the time of building permit, all terrain management requirements of the Land Development Code must be met. 3. At the time of Building permit, all sidewalks and curb cuts must meet City requirements for construction and ADA accessibility. 	<p>Land Use Engineer</p>	<p>RB Zaxus</p>

536 Cortez
General Plan Amendment (Case #2015-30)
Rezoning (Case #2015-31)
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<ol style="list-style-type: none"> 1. Remove the back-out spaces along the east side of the Tune-Up Café building since they obstruct the sidewalk (which is at least partly outside the ROW) and are into the public ROW, which is a public safety and ADA access issue. 2. The Tune-Up Café shall not operate with entertainment after 10 pm. Any move to do so would require approval of a use permit to convert from a restaurant to a nightclub per Chapter 14. 3. Obtain building permit for the walk-in freezer and storage area along the north property line that was built in several years ago without a permit. sometime between the 2008 aerial photo and the 2011 aerial photo. <ol style="list-style-type: none"> a. The permit in 2011 identifies that portion of the building as "existing; 4. Screen the dumpster where shown on the site plan, per 14-_____ 5. Resolve issues with front patio as it encroaches into Hickox ROW 6. Resolve issue with Tune-Up Café sign at the corner of Hickox and Cortez 7. Provide lighting plan to ensure all lighting be directed away from surrounding residential properties. 8. Landscape plan details – work with adjacent property owner to resolve issue with opening in wall at his 	<p style="text-align: center;">Land Use Senior Planner/Case Manager</p>	<p style="text-align: center;">Donna Wynant</p>