

CITY OF SANTA FE, NEW MEXICO

ORDINANCE NO. 2015-30

AN ORDINANCE

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SANTA FE; CHANGING THE ZONING CLASSIFICATION FOR PROPERTIES COMPRISING AN AREA OF APPROXIMATELY 12.91± ACRES WITHIN A NORTHEASTERLY PORTION OF TRACT 9, LAS SOLERAS AND A PORTION OF RAIL RUNNER ROAD FROM R-21 (RESIDENTIAL – 21 DWELLING UNITS PER ACRE) TO R-6 (RESIDENTIAL – 6 UNITS PER ACRE); AND AN AREA COMPRISING APPROXIMATELY 15.06± ACRES WITHIN A NORTHEASTERLY PORTION OF TRACT 11, LAS SOLERAS AND A PORTION OF RAIL RUNNER ROAD FROM MU (MIXED-USE) TO R-6 (RESIDENTIAL – 6 UNITS PER ACRE); AND AN AREA COMPRISING APPROXIMATELY 3.73± ACRES WITHIN A WESTERLY PORTION OF TRACT 15, LAS SOLERAS AND ALL OF DANCING GROUND ROAD FROM R-12 (RESIDENTIAL – 12 UNITS PER ACRE) TO R-6 (RESIDENTIAL – 6 UNITS PER ACRE); AND AN AREA COMPRISING APPROXIMATELY 0.0095± ACRES WITHIN A NORTHEASTERLY PORTION OF TRACT 12B, LAS SOLERAS FROM R-12 (RESIDENTIAL – 12 UNITS PER ACRE) TO R-6 (RESIDENTIAL – 6 UNITS PER ACRE), AND PROVIDING AN EFFECTIVE DATE. ALL PROPERTIES AS SHOWN AND DESIGNATED ON PLAT ENTITLED “LOT LINE ADJUSTMENT PLAT PREPARED FOR BECKNER ROAD EQUITIES, INC”, RECORDED IN THE OFFICE OF THE COUNTY CLERK OF SANTA FE COUNTY NEW MEXICO ON MARCH 4, 2010 IN PLAT BOOK 714, PAGES 14-26 (“PULTE LAS SOLERAS REZONING”, CASE #2014-125).

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

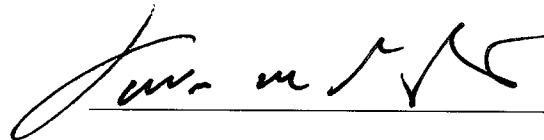
2 **Section 1.** That certain parcels of land comprising a total of 31.71± acres (the
3 “Property”) located within Las Soleras as shown and designated on the Plat entitled “LOT LINE
4 ADJUSTMENT PLAT PREPARED FOR BECKNER ROAD EQUITIES, INC”, recorded in the
5 office of the County Clerk of Santa Fe County New Mexico on March 4, 2010 in Plat Book 714,
6 Pages 14-26, that is located within the municipal boundaries of the City of Santa Fe, is restricted to
7 and classified as R-6 (Residential – 6 units per acre) as described in the legal description attached
8 hereto [EXHIBITS A, B, C & D] and incorporated herein by reference.

9 **Section 2.** The official zoning map of the City of Santa Fe adopted by Ordinance No.
10 2001-27 is hereby amended to conform to the changes in zoning classifications for the Properties set
11 forth in Section 1 of this Ordinance.

12 **Section 3.** This rezoning action is approved with and subject to the conditions as may be
13 approved by the Governing Body attached hereto [EXHBIT E] and incorporated herein by reference.

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

16 PASSES, APPROVED and ADOPTED the 9th day of September, 2015

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19 JAVIER M. GONZALES, MAYOR

20 ATTEST:

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23 _____
24 YOLANDA Y. VIGIL, CITY CLERK
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1 APPROVED AS TO FORM:

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3 Barry Skiller Ass't City Atty for

4 KELLEY A. BRENNAN, CITY ATTORNEY

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M/Legislation/2015 Ordinances/2015-30 Pulte Las Soleras Rezoning

Ordinance No. 2015-30 EXHIBIT A

LEGAL DESCRIPTION - PORTION OF TRACT 9, LAS SOLERAS

That certain parcel of land situate within Section 17, Township 16 North, Range 9 East, New Mexico Principal Meridian, City of Santa Fe, Santa Fe County, New Mexico being and comprising a Northeasterly Portion of Tract 9, Las Soleras and a portion of Rail Runner Road as the same are shown and designated on the Plat entitled "LOT LINE ADJUSTMENT PLAT PREPARED FOR BECKNER ROAD EQUITIES, INC", prepared by Gary E. Dawson, NMLS 7014, Plat recorded in the office of the County Clerk of Santa Fe County New Mexico on March 4, 2010 in Plat Book 714 Pages 14-26 as Instrument Number 1592455, more particularly described as follows:

BEGINNING at the Northeast corner of the parcel herein described, said point being the a point on curve on the Northeasterly right of way line of Rail Runner Road whence the Northwest corner of Section 17, Township 16 North, Range 9 East (a 1" Iron pipe found in place) bears N 55°19'50" W, 1397.12 feet distant; Thence,

S 48°27'10" W, 898.98 feet along a line common to Tracts 9 and 11, las Soleras to a point on curve on the Northeasterly right of way line of New Proposed Rail Runner Road; Thence Northwesterly along said Northeasterly right of way line of New Proposed Rail Runner Road for the following Five (5) courses:

Northwesterly , 140.39 feet on the arc of a curve to the left (said curve having a radius of 728.50 feet, a central angle of 11°02'28" and a chord which bears N 46°01'32" W, 140.17 feet) to a point of tangency; Thence,

N 51°32' 46" W, 107.15 feet to a point of curvature; Thence,

Northwesterly , 511.70 feet on the arc of a curve to the right (said curve having a radius of 571.50 feet, a central angle of 51°18'03" and a chord which bears N 25°53'44" W, 494.78 feet) to a point of tangency; Thence,

N 00°14'43" W, 235.04 feet to a point of curvature; Thence,

Northwesterly , 262.90 feet on the arc of a curve to the left (said curve having a radius of 728.50 feet, a central angle of 20°40'36" and a chord which bears N 10°35'01" W, 261.47 feet) to a non tangent point on curve; Thence,

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Southeasterly , 541.94 feet on the arc of a curve to the left (said curve having a radius of 725.00 feet, a central angle of 42°49'45" and a chord which bears S 55°55'20" E, 529.42 feet) to a point of tangency; Thence,

S 77°20'13" E, 426.56 feet to a point of curvature; Thence,

Southeasterly , 293.19 feet on the arc of a curve to the right (said curve having a radius of 799.00 feet, a central angle of 21°01'28" and a chord which bears S 66°49'29" E, 291.55 feet) to the Northeast corner and point of beginning of the parcel herein described.

Said parcel contains 12.9050 acres, more or less.



Ordinance No. 2015-30 EXHIBIT B

LEGAL DESCRIPTION - PORTION OF TRACT 11, LAS SOLERAS

That certain parcel of land situate within Section 17, Township 16 North, Range 9 East, New Mexico Principal Meridian, City of Santa Fe, Santa Fe County, New Mexico being and comprising a Northeasterly Portion of Tract 11, Las Soleras and a portion of Rail Runner Road as the same are shown and designated on the Plat entitled "LOT LINE ADJUSTMENT PLAT PREPARED FOR BECKNER ROAD EQUITIES, INC", prepared by Gary E. Dawson, NMLS 7014, Plat recorded in the office of the County Clerk of Santa Fe County New Mexico on March 4, 2010 in Plat Book 714 Pages 14-26 as Instrument Number 1592455, more particularly described as follows:

BEGINNING at the Northeast corner of the parcel herein described, said point being the a point on curve on the Northeasterly right of way line of Rail Runner Road whence the Northwest corner of Section 17, Township 16 North, Range 9 East (a 1" Iron pipe found in place) bears N 55°19'50" W, 1397.12 feet distant; Thence Southeasterly along said Northeasterly right of way line of Rail Runner Road for the following Four (4) courses:

Southeasterly , 507.14 feet on the arc of a curve to the right (said curve having a radius of 799.00 feet, a central angle of 36°21'59" and a chord which bears S 38°07'45" E, 498.67 feet) to a point of tangency; Thence,

S 19°55'39" E, 346.33 feet to a point of curvature; Thence,

Southeasterly , 39.27 feet on the arc of a curve to the left (said curve having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears S 64°55'39" E, 35.36 feet) to a point of tangency on the Northerly right of way line of Beckner Road; Thence,

S 70°04'21" W, 945.04 feet along said Northerly right of way line of Beckner Road to a point of curvature on the Easterly right of way line of New Proposed Rail Runner Road; Thence Northwesterly along said Easterly right of way line of New Proposed Rail Runner Road for the following three (3) courses:

Northwesterly , 39.27 feet on the arc of a curve to the right (said curve having a radius of 25.00 feet, a central angle of 90°00'16" and a chord which bears N 64°55'31" W, 35.36 feet) to a point of tangency; Thence,

N 19°55'24" W, 232.71 feet to a point of curvature; Thence,

Northwesterly , 261.69 feet on the arc of a curve to the left (said curve having a radius of 728.50 feet, a central angle of 20°34'54" and a chord which bears N 30°12'51" W, 260.28 feet) to a point on curve on the line common to Tracts 9 and 11, Las Soleras; Thence,

N 48°27'10" E, 898.98 feet along a line common to Tracts 9 and 11, Las Soleras to the Northeast corner and point of beginning of the parcel herein described.

Said parcel contains 15.0580 acres, more or less.



Ordinance No. 2015-30 EXHIBIT C

LEGAL DESCRIPTION - PORTION OF TRACT 15

That certain parcel of land situate within Section 17, Township 16 North, Range 9 East, New Mexico Principal Meridian, City of Santa Fe, Santa Fe County, New Mexico being and comprising a Westerly Portion of Tract 15, Las Soleras and all of Dancing Ground Road as the same are shown and designated on the Plat entitled "LOT LINE ADJUSTMENT PLAT PREPARED FOR BECKNER ROAD EQUITIES, INC", prepared by Gary E. Dawson, NMLS 7014, Plat recorded in the office of the County Clerk of Santa Fe County New Mexico on March 4, 2010 in Plat Book 714 Pages 14-26 as Instrument Number 1592455, more particularly described as follows:

BEGINNING at the Northwest corner of the parcel herein described, said point being the Northeast corner of Tract 14, Las Soleras and a point on the Westerly right of way line of Dancing Ground Road whence the Northwest corner of Section 17, Township 16 North, Range 9 East (a 1" Iron pipe found in place) bears N 89°42'16" W, 1568.16 feet distant; Thence,

S 89°42'16" W, 56.00 feet to the Northwest corner of Tract 15, Las Soleras and a point on the Easterly right of way line of Dancing Ground Road; Thence,

S 00°00'15" E, 345.55 feet along said Easterly right of way line of Dancing Ground Road to a point; Thence,

S 35°22'50" E, 165.64 feet to a point; Thence,

S 54°41'26" W, 128.40 feet to a point; Thence,

S 35°18'33" E, 5.00 feet to a point; Thence,

S 54°41'26" W, 126.90 feet to a point; Thence,

S 45°11'33" W, 57.99 feet to a point; Thence,

S 13°18'41" E, 98.22 feet to a point; Thence,

S 10°27'39" W, 265.50 feet to a point; Thence,

S 79°32'21" E, 139.49 feet to a point; Thence,

Southeasterly , 32.99 feet on the arc of a curve to the right (said curve having a radius of 25.00 feet, a central angle of 75°36'00" and a chord which bears S 41°44'21" E, 30.65 feet) to a point of tangency; Thence,

S 03°56'20" E, 142.00 feet to a point of curvature; Thence,

Southeasterly , 25.89 feet on the arc of a curve to the left (said curve having a radius of 100.00 feet, a central angle of 14°50'00" and a chord which bears S 11°21'21" E, 25.82 feet) to a point of reverse curvature; Thence,

Southwesterly , 25.48 feet on the arc of a curve to the right (said curve having a radius of 25.00 feet, a central angle of 58°23'56" and a chord which bears S 10°25'38" W, 24.39 feet) to a point of reverse curvature; Thence,

Southeasterly , 132.95 feet on the arc of a curve to the left (said curve having a radius of 50.00 feet, a central angle of 151°21'04" and a chord which bears S 36°32'56" E, 97.10 feet) to a non tangent point on curve; Thence,

S 12°36'02" E, 101.95 feet to a point; Thence,

S 52°57'21" E, 23.85 feet to a point; Thence,

S 19°55'40" E, 33.00 feet to a point on the Northerly right of way line of Beckner Road; Thence,

S 70°04'21" W, 79.76 feet along said Northerly right of way line of Beckner Road to a point of curvature on the Easterly right of way line of Rail Runner Road; Thence Northwesterly along said Easterly right of way line of Rail Runner Road for the following three (3) courses:

Northwesterly , 39.27 feet on the arc of a curve to the right (said curve having a radius of 25.00 feet, a central angle of 90°00'00" and a chord which bears N 64°55'39" W, 35.36 feet) to a point of tangency; Thence,

N 19°55'39" W, 346.33 feet to a point of curvature; Thence,

Northwesterly , 475.57 feet on the arc of a curve to the left (said curve having a radius of 799.00 feet, a central angle of 34°06'09" and a chord which bears N 36°59'50" W, 468.58 feet) to a point on curve on said Westerly right of way line of Dancing Ground Road; Thence,

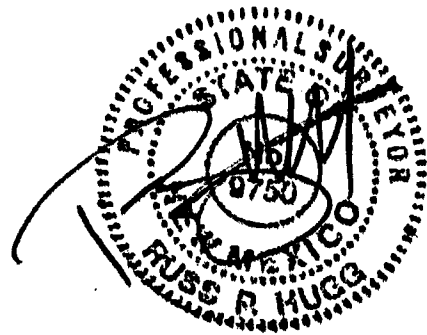
Northeasterly , 33.70 feet on the arc of a curve to the left (said curve having a radius of 25.00 feet, a central angle of 77°13'30" and a chord which bears N 86°44'42" W, 31.20 feet) to a point of tangency; Thence,

N 48°27'11" E, 361.35 feet to a point of curvature; Thence,

Northeasterly , 230.04 feet on the arc of a curve to the left (said curve having a radius of 272.00 feet, a central angle of 48'27'27" and a chord which bears N 24'13'28" E, 223.25 feet) to a point of tangency; Thence,

N 00'00'15" W, 359.65 feet to the Northwest corner and point of beginning of the parcel herein described.

Said parcel contains 3.7337 acres, more or less.



Ordinance No. 2015-30 EXHIBIT D

LEGAL DESCRIPTION - PORTION OF TRACT 12B, LAS SOLERAS

That certain parcel of land situate within Section 17, Township 16 North, Range 9 East, New Mexico Principal Meridian, City of Santa Fe, Santa Fe County, New Mexico being and comprising a Northeasterly Portion of Tract 12B, Las Soleras Oeste, LTD. Co. and Ross's Peak Holding, LTD Co. as the same is shown and designated on the Plat entitled "LOT SPLIT SURVEY PLAT PREPARED FOR LAS SOLERAS OESTE, LTD. CO. AND ROSS'S PEAK HOLDING, LTD CO.", Plat recorded in the office of the County Clerk of Santa Fe County New Mexico on May 6, 2014 in Plat Book 772 Pages 38-39 as Instrument Number 1736186, more particularly described as follows:

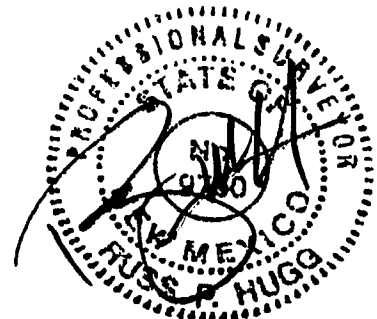
BEGINNING at the Northeast corner of the parcel herein described, said point being the Southeast corner of said Tract 12B and a point on curve on the Southwesterly right of way line of Rail Runner Road whence the Northwest corner of Section 17, Township 16 North, Range 9 East (a 1" Iron pipe found in place) bears N 10°45'39" W, 453.58 feet distant; Thence,

S 29°32'24" W, 29.56 feet along the Southerly line of said Tract 12B to a point on curve on the Westerly right of way line of New Proposed Rail Runner Road; Thence,

Northwesterly , 47.12 feet along said Westerly right of way line of New Proposed Rail Runner Road on the arc of a curve to the left (said curve having a radius of 728.50 feet, a central angle of 03°42'21" and a chord which bears N 08°03'08" W, 47.11 feet) to a non tangent point on curve on said Southwesterly right of way line of Rail Runner Road; Thence,

Southeasterly , 29.77 feet along said Southwesterly right of way line of Rail Runner Road on the arc of a curve to the left (said curve having a radius of 782.00 feet, a central angle of 02°10'53" and a chord which bears S 45°19'42" E, 29.42 feet) to the Northeast corner and point of beginning of the parcel herein described.

Said parcel contains 0.0095 acres, more or less.



**Ordinance No. 2015-30 EXHIBIT E
Pulte Development-Conditions of Approval**

Conditions	Department	Staff
<p>The Traffic Engineer conducted a review of the preliminary subdivision plat. The attached memorandum dated May 5, 2015, notes Conditions of Approval to be completed prior to approval of the Final Subdivision Plat.</p> <p>All streets shall conform to City street standards identified in SFCC §14-9.2.</p>	<p>Traffic Engineering</p>	<p>John Romero/ Sandra Kassens</p>
<p>During Phase 1 of the development, Beckner Road will be constructed as a two-lane divided road from Rail Runner Road to Walking Rain Road and as a two lane rural road from Walking Rain Road to Richards Avenue. Turning lane improvements at Richards Avenue will also be constructed.</p>	<p>Traffic Engineering</p>	<p>John Romero/ Sandy Kassens</p>
<p>During Phase 2 of the development, Beckner Road will be expanded to a two-lane divided road from Walking Rain Road to "Point 1" as identified on the Roadway Phasing Plan. "Point 1" to Richards Avenue will remain as a two-lane rural road until subsequent development within the commercial area south of Beckner Road occurs within Las Soleras.</p>	<p>Traffic Engineering</p>	<p>John Romero/ Sandy Kassens</p>
<p>If applicable entitlement request are approved by the City Council, the Wastewater Division Engineer shall conduct a review of all proposed wastewater infrastructure prior to approval of the final subdivision plat. The applicant shall comply with all conditions necessary to ensure adequate wastewater infrastructure.</p>	<p>Wastewater Division</p>	<p>Stan Holland</p>
<p>If applicable entitlement requests are approved by the City Council, the Water Division Engineer shall conduct a review of all proposed water service infrastructure prior to the approval of the final subdivision plat. The applicant shall comply with all conditions necessary to ensure adequate water infrastructure.</p>	<p>Water Division</p>	<p>Dee Beingsner</p>
<p>If applicable entitlement requests are approved by the City Council, the Fire Marshal shall conduct a review of all proposed development prior to approval of the final subdivision plat. The applicant shall comply with all conditions necessary for compliance with the International Fire Code (IFC) 2009 Edition.</p>	<p>Fire</p>	<p>Rey Gonzales</p>
<p>If applicable entitlement requests are approved by the City Council, the MPO and Roadway and Trails Division shall review the final design of the trails to ensure all applicable standards are met. The applicant shall comply with all conditions necessary for adequate trail development.</p>	<p>MPO / Roadway and Trails Division</p>	<p>Keith Wilson</p>
<p>The subdivision developer shall comply with all requirements of the Santa Fe Home Program.</p>	<p>Affordable Housing</p>	<p>Alexandra Ladd</p>
<p>If applicable entitlement request are approved by the City Council, the City Engineer for the Land Use Department conducted a review of the final subdivision plat. The applicant shall comply with all conditions necessary to ensure compliance with a development standards and Development Code requirements including those related to all</p>	<p>Technical Review</p>	<p>Risana "R.B." Zaxus</p>

**Ordinance No. 2015-30 EXHIBIT E
Pulte Development—Conditions of Approval**

Conditions	Department	Staff
landscaping requirements.		
Water rights shall be transferred to the City no later than 60 days after the approval of the final subdivision plat for each phase or subphase of development. Building permits shall not be issued until adequate water rights are transferred to the City.	Land Use	Amanda Martinez
<p>Las Soleras Master Plane condition of approval #45 will be replaced with the following requirements:</p> <ul style="list-style-type: none"> a) A donation to the City of approximately 7 acres of additional park attached to the planned 21.4-acre park within the Las Soleras Master Plan. b) A donation to Santa Fe Public Schools of approximately 10 useable acres for a future school site. The value of the donation will be secured by the collateralized value of another lot within the area of the Master Plan. c) A donation to the City of approximately 6 acres for open space trails. The open space will be provided as consistent with the MPO's June 18, 2015 memorandum. d) A donation to Monte de Sol Charter School of a 130 feet by 350 feet parcel adjacent to the School for a practice field, contingent on acceptance by the School, in exchange for the School granting the Applicant a drainage easement on the parcel. 	Land Use	Zach Thomas
There shall be no gated community.	Land Use	Zach Thomas
The Applicant shall bring to staff a park plan within the next thirty (30) days that demonstrates that 80% of the park is usable per park standards.	Land Use	Zach Thomas
The Applicant shall provide a copy to staff within the next thirty (30) days a signed Letter of Intent or Memorandum of Understanding between the Applicant, landowner and Santa Fe Public School District to comply with the Planning Commission's revised Condition #45. Specifically, the letter or memorandum will identify the 10 acre sites that have been provided to the District and additional sites for consideration.	Land Use	Zach Thomas
The Applicant, if the tax credit allocation is not awarded, shall come back to the City Council with an updated plan to meet the Santa Fe Affordable Housing Ordinance. The City will not issue building permits for Phase 2 until the tax credit allocation is awarded or the City Council reviews and adopts an updated plan.	Housing & Community Development	Alexandra Ladd
The necessary infrastructure for each phase of development shall be determined and constructed to the satisfaction of the appropriate City Department or utility.	All Departments	N/A