

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2016-78**

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10 **A RESOLUTION**

11 **AMENDING THE LAS SOLERAS MASTER PLAN TO ESTABLISH ALTERNATIVE**
12 **HEIGHT AND SETBACK STANDARDS FOR THE R-6 (RESIDENTIAL- 6 UNITS PER**
13 **ACRE) AND R-12 (RESIDENTIAL- 12 UNITS PER ACRE) RESIDENTIALLY ZONED**
14 **DISTRICTS OF LAS SOLERAS MASTER PLAN FOR TRACTS 11A, 14A, 15A, 15B AND**
15 **15C. (CASE NO. 2016-64, LAS SOLERAS AMENDMENT TO MASTER PLAN – R-6 AND**
16 **R-12 HEIGHT AND SIDE YARD STANDARDS).**

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18 **WHEREAS**, on February 11, 2009, the Governing Body approved annexation of the
19 Property known as Las Soleras Subdivision, to the City of Santa Fe along with General Plan
20 Amendments, Rezoning and a Lot Line Adjustment and Road Dedication Plat subject to 50
21 conditions of approval; and

22 **WHEREAS**, on September 9, 2015, the Governing body approved Case No. 2014-123 which
23 approved amendments to the Las Soleras Master Plan, which included the realignment of roads,
24 reconfiguration of open space and trails, reconfiguration and reduction of park land and the
25 reconfiguration of land tracts; and

1 **WHEREAS**, the agent for the owner of the subject property has submitted an application to
2 amend the Las Soleras Master Plan (“Master Plan”); and

3 **WHEREAS**, future development on the property encompassed within the amended master
4 plan requires early neighborhood notification meetings and an early neighborhood notification
5 meeting was held on May 12, 2016; and

6 **WHEREAS**, review by the Planning Commission is required by Subsection 14-3.19(D) of
7 the City Code; and the Planning Commission recommended approval of the amendments to the
8 Master Plan with conditions of approval on August 18, 2016; and

9 **WHEREAS**, the conditions of approval recommended by the Planning Commission, together
10 with the conditions imposed by the Governing Body at its meeting of September 28, 2016, are
11 attached as Exhibit B.

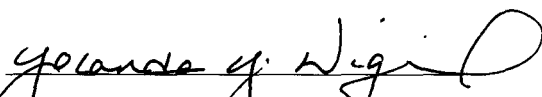
12 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
13 **CITY OF SANTA FE** that the Master Plan for the Las Soleras Subdivision, is amended to establish
14 alternative height and setback standards for the R-6 (Residential- 6 units per acre) and the R-12
15 (Residential- 12 units per acre) residentially zoned districts of the Las Soleras Master Plan for Tracts
16 11A, 14A, 15A, 15B and 15C as shown on Exhibit A, subject to the conditions of approval as shown
17 on Exhibit B.

18 PASSED, APPROVED, and ADOPTED this 28th day of September, 2016.

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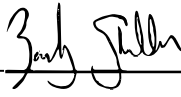
21 JAVIER M. GONZALES, MAYOR

22 ATTEST:

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25 VOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:

 Ass't City Attorney for

KELLEY A. BRENNAN, CITY ATTORNEY

LOT LINE ADJUSTMENT PLAT 794039

PREPARED FOR
LAS SOLERAS DEL SUR, LLC
LAS SOLERAS OESTE LTD. CO.
LAS SOLERAS COMMUNITY DESIGN, LLC
GERONIMO EQUITIES, LLC

COMPRISING EXISTING TRACTS 9, 11, 12B, 14 AND 15, LAS SOLERAS AND PORTIONS OF RAIL RUNNER ROAD AND DANCING GROUND ROAD
 SITUATE WITHIN
 SECTIONS 7, 17 AND 18, TOWNSHIP 16 NORTH, RANGE 9 EAST
 NEW MEXICO PRINCIPAL MERIDIAN
 CITY OF SANTA FE
 SANTA FE COUNTY, NEW MEXICO
 OCTOBER, 2015

REFERENCE DOCUMENTS

LOT LINE ADJUSTMENT PLAT PREPARED FOR BECKER ROAD EQUITIES, INC. BY GARY E. DAWSON, MENS 1014, PLAT RECORDED AS INSTRUMENT NUMBER 1392433 ON THE 4TH DAY OF MARCH, 2010 AND PLAT BOOK 714 PAGES 14-26, BY THE SANTA FE COUNTY CLERK'S OFFICE.
 ALL OTHER REFERENCE DOCUMENTS AS NOTED HEREON.

FLOOD ZONE

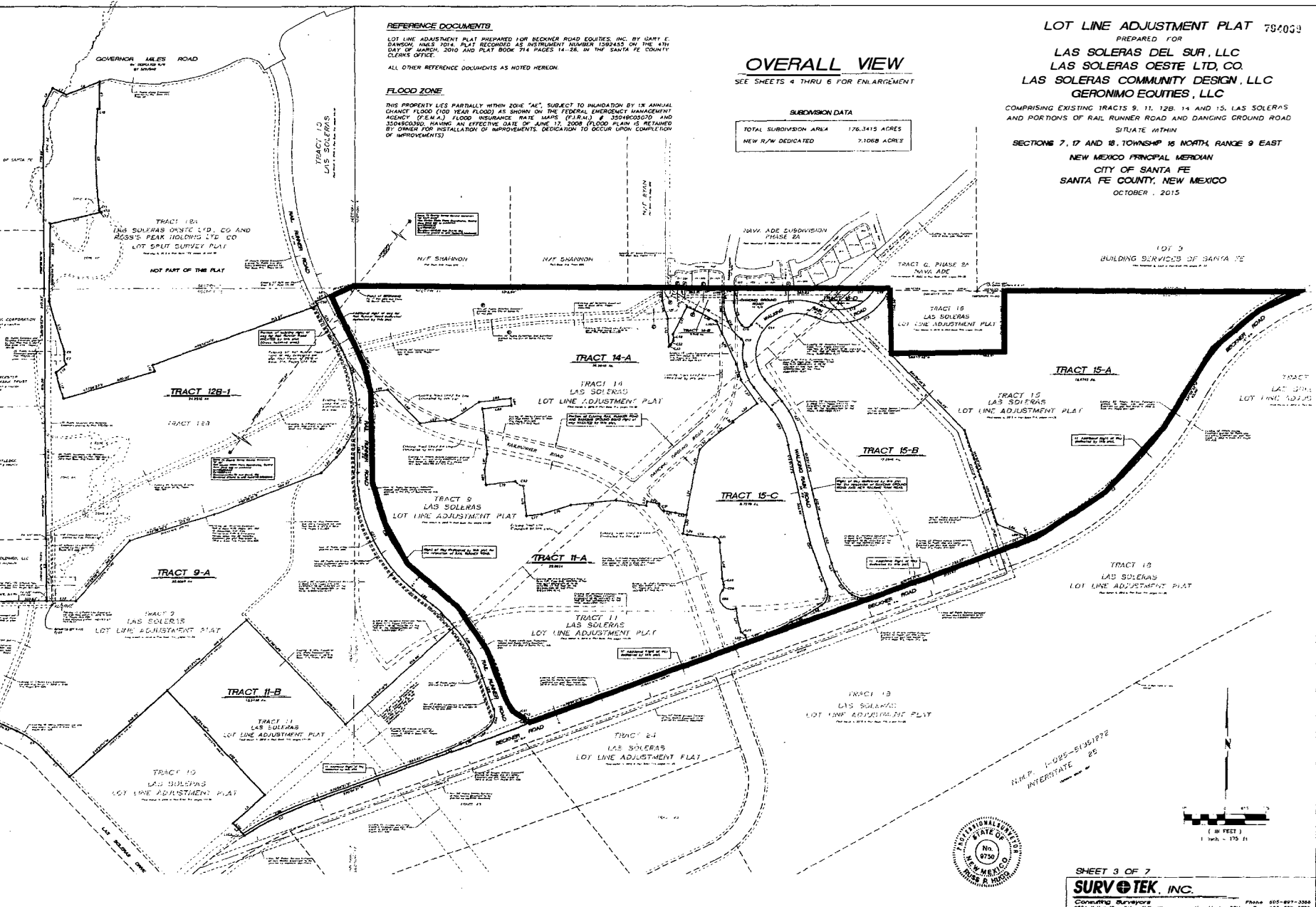
THIS PROPERTY LIES PARTIALLY WITHIN ZONE "AE", SUBJECT TO INUNDATION BY 1% ANNUAL CHANCE FLOOD (100 YEAR FLOOD) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) # 330403030D AND 330403030D, HAVING AN EFFECTIVE DATE OF JUNE 17, 2008 (FLOOD PLAN IS RETAINED BY OWNER FOR INSTALLATION OF IMPROVEMENTS, DECISION TO OCCUR UPON COMPLETION OF IMPROVEMENTS)

OVERALL VIEW

SEE SHEETS 4 THRU 6 FOR ENLARGEMENT

SUBDIVISION DATA

TOTAL SUBDIVISION AREA	176,341.9 ACRES
NEW R/W DEDICATED	7,106.8 ACRES



SHEET 3 OF 7
SURVOTEK, INC.
 Consulting Surveyors
 2364 Valley View Drive, N.W. Albuquerque, New Mexico 87114 Phone 505-897-2368 Fax 505-897-2371

EXHIBIT A

EXHIBIT B
REVISED AMENDED Conditions of Approval
Las Soleras Amendment to Master Plan Height and Setback Standards
Case #2016-64

Project Conditions			
	Condition	Department/ Team	Staff Responsible
1.	Side yard setbacks are to be no less than 5 feet for all lots in Las Soleras Tracts 11A, 14A, 15A, 15B and 15C	Current Planning	Noah Berke
2.	Height of structures not to exceed 20'8" within 10 feet of the property line, consistent with approved model designs, for all lots on Las Soleras Tracts 11A, 14A, and 15C	Current Planning	Noah Berke
3.	Height of structures not to exceed 28'10" within 10 feet of the property line, consistent with approved model designs for all lots on Las Soleras Tracts 15A and 15B	Current Planning	Noah Berke
4.	<p>Pulte shall plan, design and construct the Phase One at the Las Soleras Regional Park by no later than December 31, 2017.</p> <ul style="list-style-type: none"> a. Phase One shall cost no less than \$500,000 and shall be no less than 7.5 acres. b. Las Soleras master developer may enter into agreements with its sub-users to fund Phase One. c. Las Soleras master developer shall obtain an engineer's estimate from a landscape architect or engineer for the cost of Phase One. d. Pulte has agreed to provide a Letter of Credit for \$680,045.00 by November 30, 2016 and Las Soleras master developer, or its designee, shall sign an approved City's Agreement to Construct Required Development Improvements by November 30, 2016. Money can be drawn down from this letter of credit once work is completed. e. If Pulte, Las Soleras master developer, or its designee, fails to provide a letter of credit and does not sign an approved City's Agreement to Construct Required Development Improvements by November 30, 2016, Pulte agrees the Land Use Department may stop issuing building permits to Pulte on December 1, 2016. f. If the actual costs of Phase One exceed the Letter of Credit, Las Soleras master developer shall be responsible for funding the remainder of costs for 	Current Planning	Noah Berke

EXHIBIT B
REVISED AMENDED Conditions of Approval
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	<p>the completion of Phase One.</p> <p>g. If Phase One is not completed by December 31, 2017, the Las Soleras master developer agrees to allow the City to draw on the Letter of Credit for the amount owed.</p> <p>h. If Phase One is not completed by December 31, 2017, the Las Soleras master developer agrees the Land Use Department may stop issuing building permits to any residential development, excluding Pulte and Spectrum, on January 1, 2018.</p> <p>i. The Land Use Department, upon extraordinary circumstance, may provide the Las Soleras master developer a thirty (30) day extension to fulfill its commitments. The request shall be made in writing and shall include copies to the City Attorney and the Parks Division.</p> <p>j. Phase One shall include the following items:</p> <ol style="list-style-type: none"> 1. The driveway from Railrunner Road and the parking lot. <ol style="list-style-type: none"> i. It shall be graded for proper ingress, egress and drainage ii. It shall be constructed with base course and gravel 2. Clearing, grubbing and grading for above improvements 3. Two 300' by 180' grass fields with 20' grass buffer, accompanying grass field, and regulation sized soccer goals. 4. 12' wide paved bike/walking trail from the parking lot to the south end of the grass field with a short turnaround loop terminus--all built to city trail standards. 5. Low water crossing 6. ADA parking 7. 2" water meter 8. Water (needed for irrigation to establish grass) 9. Reseeding 10. 2 room gender neutral bathrooms <u>without water</u> 11. Drinking Fountain <p>l. The location of these items shall be determined based on submittal from a landscape architect, and a written letter of approval by the Land Use Department.</p> <p>m. The Land Use Director shall provide a letter to the Las Soleras master developer</p>		
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EXHIBIT B
REVISED AMENDED Conditions of Approval
Las Soleras Amendment to Master Plan Height and Setback Standards
Case #2016-64

	<p>establishing the time schedule of the park dedication, acceptance, and overall completion.</p> <p>n. Upon issuance of the Letter of Credit, the Land Use Department will send a letter to Las Soleras master developer, Pulte, and Spectrum; that Pulte and Spectrum do not have to pay, under City Code and Annexation Agreement, park impact fees for Phases 1-A, 1-B and 1-C of Estancias de Las Soleras and Tracts 14A and 14B of the Las Soleras Lot Line Adjustment Plan (a/k/a second phase of the Pulte project) and the Spectrum Assisted Living project on Tract 10.</p> <p>o. Upon issuance of the Letter of Credit, the Las Soleras master developer shall provide a letter to Pulte, and Spectrum, as its sub-users, that the letter of credit satisfies the regional park obligations for Phases 1-A, 1-B, and 1-C, of Estancias de Las Soleras and Tracts 14A and 14B of the Las Soleras Lot Line Adjustment Plan (a/k/a the second phase of the Pulte project) and the Spectrum Assisted Living project on Tract 10. Building permits for each of these specific projects will not be withheld for the cause of any regional park obligation, unless expressly stated above.</p> <p>p. The Las Soleras master developer shall submit a lot line adjustment plat application(s) to the City of Santa Fe and cooperate with Staff to establish a "phased dedication" of the land for the regional park.</p> <p>q. The Las Soleras master developer shall be maintain the Regional park until Phase 1 is accepted by the City. The City will then maintain only Phase 1 of the Regional Park upon acceptance of improvements.</p>		
5.	Las Soleras master developer (which includes all its relevant corporate entities) or its sub-users shall plan, design, construct, and finance the remaining phases of the Las Soleras Regional Park. Las Soleras master developer agrees to total completion of the Regional Park by no later than December 31, 2023, unless approved by Land Use Director in writing.	Current Planning	Noah Berke
6.	Park Improvement and Financial Guarantee Requirements, except for Tract 9-A-1 ("Pulte/Santa Fe Community Housing Trust Tract"), Tract 10 ("Spectrum Tract") and Tracts 11-A, 14-A, 15-A, 15-B, 15-C ("Pulte Tracts"). No subdivision plat or development plan shall be recorded for residential construction and no construction	Current Planning	Noah Berke

EXHIBIT B
REVISED AMENDED Conditions of Approval
Las Soleras Amendment to Master Plan Height and Setback Standards
Case #2016-64

	permits shall be issued for residential development prior to Staff's approval of a park improvement plan consistent with Landscape Plan (LS-01) and provision of a financial guarantee for the construction of Phase 2 of the Las Soleras Park.		
7.	<p>Las Soleras master developer shall plan, design and construct Phase Two of the Las Soleras Regional Park by no later than December 31, 2020.</p> <ol style="list-style-type: none"> a. Phase Two shall cost no less than \$450,000. b. Las Soleras master developer may enter into agreements with its sub-users to fund Phase Two. c. Las Soleras master developer shall obtain an engineer's estimate from a landscape architect or engineer for the cost of Phase Two. d. Las Soleras master developer agrees provide a Letter of Credit for \$462,129.00 by no later than December 31, 2020 and Las Soleras master developer, or its designee, shall sign an approved City's Agreement to Construct Required Development Improvements by December 31, 2020. Money can be drawn down from this letter of credit once work is completed. e. If Las Soleras master developer fails to put up a Letter of Credit or Las Soleras master developer, or its designee, does not sign an approved City's Agreement to Construct Required Development Improvements by December 31, 2020, Las Soleras master developer agrees the Land Use Department may stop issuing building permits to all residential developments, except for Estancias 1A, 1B, 1C and Spectrum, on January 1, 2021. f. If the actual costs of Phase Two exceed the Letter of Credit, Las Soleras master developer shall be responsible for funding the remainder amount of costs for the completion of Phase Two. g. If Phase Two is not completed by December 31, 2021, the Las Soleras master developer agrees to allow the city to draw on its Letter of Credit for Phase Two. h. If Phase Two is not completed by December 31, 2021, the Las Soleras master developer agrees the Land Use Department may stop issuing building permits to any residential development, besides Pulte and Spectrum, on January 1, 2021. i. The Land Use Department, upon extraordinary circumstance, may provide Las Soleras master developer a thirty (30) day extension to fulfill its commitments. 	Current Planning	Noah Berke