

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2009-1

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4  
5 AN ORDINANCE

6 AMENDING ORDINANCE NUMBER 1994-18 AND THE OFFICIAL ZONING MAP OF  
7 THE CITY OF SANTA FE; CHANGING THE CLASSIFICATION OF A CERTAIN  
8 AREA FROM ITS PRESENT DESIGNATION AND CLASS OF RM-1 (MULTI-FAMILY  
9 RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL); ADOPTING CERTAIN  
10 CONDITIONS; AND PROVIDING AN EFFECTIVE DATE WITH RESPECT TO LAND  
11 COMPRISING 6.9031 ACRES MORE OR LESS AND WITHIN SECTION 18, T.16N.,  
12 R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO, PRIME MERIDIAN. THE  
13 PROPERTY IS LOCATED WEST OF CERRILLOS ROAD AT THE INTERSECTION  
14 OF HERNANDEZ ROAD AND HERRERA DRIVE (CASE NO. ZA-2008-13).

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

17 **Section 1.** The following real property (the "Property"), located within the municipal  
18 boundaries of the city of Santa Fe, which is restricted to and classified as RM-1 (Multi-family  
19 Residential) is now restricted to and reclassified as C-2 (General Commercial). The property is  
20 located west of Cerrillos Road at the intersection of Hernandez Road and Herrera Drive and as  
21 more particularly described in the attached Legal Description (Exhibit A).

22 **Section 2.** The official zoning map of the City of Santa Fe adopted by Ordinance  
23 2001-27 is amended to conform to the change of the classification set out in section 1 of this  
24 ordinance.

25 **Section 3.** The Conditions of Rezoning, attached hereto as Exhibit B, are hereby

1 adopted.

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

4           **Section 5.** This rezoning action is subject to the time restrictions set forth in Section  
5 14-3.5(D)(1) SFCC 1987 Two-year review/recession).

6           PASSED, APPROVED AND ADOPTED this 14<sup>th</sup> day of January, 2009.

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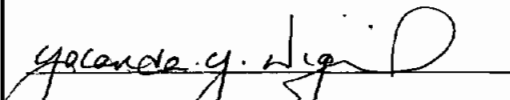
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DAVID COSS, MAYOR

10 ATTEST:

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YOLANDA Y. VIGIL, CITY CLERK

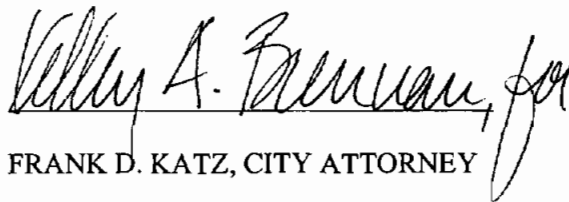
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15 APPROVED AS TO FORM:

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FRANK D. KATZ, CITY ATTORNEY

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## **PROPERTY DESCRIPTION**

### **PROPERTY DESCRIPTION**

**A CERTAIN TRACT OF LAND LYING AND BEING SITUATE WITHIN SECTION 18, T.16N., R.9E., N.M.P.M., SANTA FE COUNTY, NEW MEXICO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

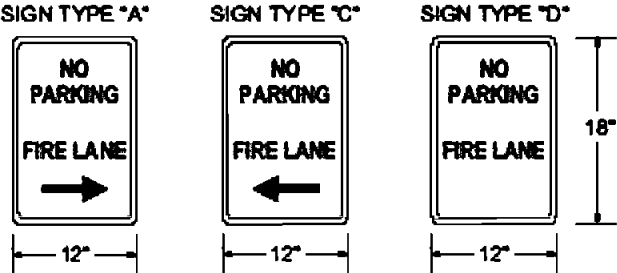
**BEGINNING AT A POINT ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HERNANDEZ ROAD, SAID POINT BEING ON A CIRCULAR CURVE, FROM WHICH POINT "SANTA FE CONTROL No.8" BEARS A CHORD BEARING OF NORTH 06° 22'04" EAST, 79.66 FEET; THENCE NORTH 07°55'36" WEST, 3,347.04 FEET; THENCE FROM SAID POINT AND PLACE OF BEGINNING GOING IN A NORTHEASTERLY DIRECTION ALONG A CIRCULAR CURVE (DELTA = 25°40'35"; RADIUS = 4050 FEET; CHORD = NORTH 35°56'47" EAST, 18.00 FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 18.15 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE SOUTH 00°38'10" EAST, 211.04 FEET; THENCE SOUTH 26°43'37" WEST, 56.56 FEET; THENCE SOUTH 00°38'10" EAST, 189.92 FEET; THENCE SOUTH 89°26'35" WEST, 218.56 FEET; THENCE SOUTH 00°37'14" EAST, 750.41 FEET TO THE SOUTHEAST CORNER OF SAID TRACT, SAID POINT ALSO BEING ON A CIRCULAR CURVE CONCAVE TO THE NORTH AND ALSO BEING ON THE NORTH RIGHT-OF-WAY LINE OF HERRERA DRIVE; (DELTA = 65°32'32"; RADIUS = 265.00 FEET; CHORD = NORTH 51°47'51" WEST, 286.88 FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 303.14 FEET; THENCE NORTH 19°01 '35" WEST, 391.96 FEET TO A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST (DELTA = 15°04'12"; RADIUS = 335.00 FEET; CHORD = NORTH 26°33'41" WEST, 87.86 FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 88.11 FEET TO A CIRCULAR CURVE CONCAVE TO THE EAST, (DELTA = 82°00' 59"; RADIUS = 25.00 FEET; CHORD = NORTH 06°54'42" EAST, 32.81 FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 35.79 FEET, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF HERNANDEZ ROAD; THENCE NORTH 47°55'12" EAST, 326.44 FEET TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE TO THE SOUTHEAST (DELTA = 22°13'33"; RADIUS = 275.00 FEET; CHORD = NORTH 59°01 '58" EAST, 106.0J FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 106.68 FEET; THENCE NORTH 70°08'45" EAST, 73.50 FEET TO THE BEGINNING OF A CIRCULAR CURVE CONCAVE TO THE NORTHWEST (DELTA = 56°46'55"; RADIUS = 327.00 FEET; CHORD = NORTH 41°45'17" EAST, 310.97 FEET); THENCE ALONG SAID CURVE AN ARC LENGTH OF 324.Q7 FEET TO THE POINT AND PLACE OF BEGINNING.**

**CONTAINING 6.9034 ACRES MORE OR LESS.**

# **EXHIBIT A**

|               | Condition  | Department   | Staff         |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
|---------------|--|--|---------------|----------------------|-------|----|---------------|---------|----|--|---------|----|--|----------|--|---------------------------|--------------|---------------|
| 1             | The developer will be required to provide monetary contributions in the amount of \$300,000 (cost to construct a new signal). Since the Herrera/Hernandez development will be developed in phases, each phase will be required to provide their percentage fair share based acreage.   | Public Works Department/Engineering Division/Traffic Engineering Section                         | John Romero   |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 2             | Fire Hydrants shall be relocated to a location acceptable to the Fire Code Official. Contact Fire Department for clarification and approval of fire hydrant locations.   | Fire Marshal   | Barbara Salas |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 3             | All Fire Department Access Roads shall be a minimum of 20ft. and the minimum width shall be maintained throughout development as per IFC § 503 and Section D105. (Building #6 south exit)  | Fire Marshal   | Barbara Salas |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 4             | <p>Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus. (Building #2)</p> <p style="text-align: center;"><b>TABLE D103.1<br/>REQUIREMENTS FOR DEAD-END FIRE<br/>APPARATUS ACCESS ROADS</b></p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>LENGTH (feet)</th> <th>WIDTH (feet)</th> <th>TURNAROUNDS REQUIRED</th> </tr> </thead> <tbody> <tr> <td>0-150</td> <td>20</td> <td>None required</td> </tr> <tr> <td>151-500</td> <td>20</td> <td>120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1</td> </tr> <tr> <td>501-750</td> <td>26</td> <td>120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1</td> </tr> <tr> <td>Over 750</td> <td></td> <td>Special approval required</td> </tr> </tbody> </table> <p>For SI: 1 foot = 304.8 mm</p> | LENGTH (feet)  | WIDTH (feet)  | TURNAROUNDS REQUIRED | 0-150 | 20 | None required | 151-500 | 20 | 120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1 | 501-750 | 26 | 120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1 | Over 750 |  | Special approval required | Fire Marshal | Barbara Salas |
| LENGTH (feet) | WIDTH (feet)   | TURNAROUNDS REQUIRED   |               |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 0-150         | 20   | None required  |               |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 151-500       | 20   | 120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1 |               |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 501-750       | 26   | 120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1 |               |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| Over 750      |  | Special approval required  |               |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |
| 5             | Fire apparatus access roads shall be a minimum unobstructed width of 26ft. in the immediate vicinity of any building or portion of building more than 30 feet in height.   | Fire Marshal   | Barbara Salas |                      |       |    |               |         |    |  |         |    |  |          |  |                           |              |               |

# EXHIBIT B

|   |  |              |               |
|---|--|--------------|---------------|
| 6 | <p>All Fire Department Access Roads shall be marked with signs in accordance with IFC § D103.6. Development plans shall include a signage plan with fire access roads marked with appropriate signs spaced not more than 40 ft. apart.</p> <p><b>D103.6 Signs.</b></p> <p><i>Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.</i></p> <p style="text-align: center;"><b>FIGURE D103.6<br/>FIRE LANE SIGNS.</b></p>  <p><b>D103.6.1 Roads 20 to 26 feet in width.</b><br/><i>Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.</i></p> <p><b>D103.6.2 Roads more than 26 feet in width.</b><br/><i>Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.</i></p> | Fire Marshal | Barbara Salas |
|   | <p>Development Plan General Notes shall indicate the following provisions:</p> <ul style="list-style-type: none"> <li>• Fire Department Access shall be maintained throughout all development construction phases § 1410.1.</li> </ul>   | Fire Marshal | Barbara Salas |

# EXHIBIT B

|   |   |          |              |
|---|---|----------|--------------|
|   | <ul style="list-style-type: none"> <li>An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. IFC § 1412.1.</li> </ul>   |          |              |
| 7 | <p>A comprehensive development plan shall be submitted in accordance with §14-3.8 SFCC at the time of development plan submittal for Tract 4-A2 before the Planning Commission showing:</p> <ol style="list-style-type: none"> <li>Pedestrian, bicycle and vehicular traffic connectivity between Phase 1 (referenced as the proposed Wal-Mart) and Phase 2 (Tract 4-A2).</li> <li>The development plan shall also promote avoidance between pedestrian, bike and vehicular circulation.</li> </ol> | Land Use | Dan Esquibel |

# EXHIBIT B