



# City of Santa Fe, New Mexico

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December 20, 2024

NM Land Solutions  
Victoria Dalton  
915 Mercer Street  
Santa Fe NM 87501

Re: Case# 2024-9460 and 2024-9461: 214 Boylan General Plan Amendment and Rezoning at 1372 Boylan Lane, and 2743 and 2745 Boylan Circle

Dear Ms. Dalton,

Your application was received on November 13, 2024. It has been reviewed by the Planning Division (Staff) and the City's Development Review Team (DRT). The request is for a General Plan Amendment from Transitional Mixed Use (TMXU) to Community Commercial (CCOM) and Rezoning of four parcels from R-1 (1/dwelling/acre) to C-2 (General Commercial).

Attached are the initial Land Use staff and DRT review comments, including any necessary technical corrections. I would like to highlight and summarize the following items of note:

## **A. Initial Review Summary**

Your Rezoning application has been reviewed by Land Use staff and the following necessary revisions have been identified:

1. Contact the City Wastewater Division to confirm in writing the status of system capacity and the ability of the existing infrastructure to accommodate the additional impacts of the proposed C-2 zoning at the subject property. Have you verified with Parks, Police/Fire/EMT, Santa Fe Public Schools, and Public Works (i.e., streets) that each of the systems and services currently have ample capacity to absorb the impacts of the uses allowed within a C-2 zone district? The existence or availability of infrastructure and services in the vicinity is not sufficient assurance of adequate system capacity for new impacts that would result from the proposal. Explain how each system or service can or cannot accommodate the anticipated increment of added impacts. If the impacts of the proposed rezoning cannot be accommodated by the existing infrastructure and public facilities, the City may require the developer to participate wholly or in part in the cost of construction of off-site facilities in conformance with any applicable city ordinances, regulations or policies (see § 14-3.5(D)).

2. Describe the water rights associated with the well that would be transferred to the City upon redevelopment.
3. Based on the required criteria: wherever applicable, cite the specific themes and policies of the General Plan (by name and/or number) that will be advanced or complied with by the amendment and rezoning proposal.
4. Concept plans are not actionable items on the agenda. Future conceptual development (such as the undergrounding of utilities, removal of mobile homes and soil stockpiles, or the potential provision of affordable housing) cannot be considered by the Land Use staff or the decision makers in analyzing the rezoning request unless they are included in the current application as a development plan or master plan. The analysis for the rezoning is strictly limited to the proposal to change from one zone district to another. Discussion of future development plans that are not part of the current request cannot be used to respond to the Code criteria. Please only include the elements that are part of the current request. Please revise or submit the report and/or include a master plan to accompany the rezoning application.
5. In Appendix D (“Warranty Deeds”), Tract D and Tract A-1 have cover sheets that state the following documents are warranty deeds; however, the deeds that follow are both quitclaim deeds. Do warranty deeds exist for these parcels? Please revise the Appendix D cover sheet as well as the Tract D and Tract A-1 cover sheets to reflect the correct type of conveyance documents attached thereto. Quit Claim deeds can only be accepted in conjunction with a chain of title to prove equitable interest that existed within the transfer.
6. Please note that rezoning requests require public notice by Certified Mail to property owners within 100 feet of the subject property. Refer to § 14-3.1(H) for details on rezoning request public notice requirements.

## **B. Initial DRT Review Summary**

Your Rezoning application has been reviewed by the City’s Development Review Team (DRT) and the following necessary revisions have been identified:

1. Dee Beingessner [Land Use/Terrain Management/City Engineer] – One issue identified: Soil Stockpile without a permit and appropriate sediment control is a violation of City Code and must be remedied before new plat or development can be approved; see attached DRT response letter.
2. Leah Yngve [MPO] – No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter.
3. Leroy Pacheco [Traffic] - No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter. When the subject property is redeveloped, a traffic study will be required.
4. Zoe Isaacson [Parks] - No issues were identified with the General Plan amendment and Rezoning request; see attached DRT response letter.
5. Clinton Peterson [Water Engineering] – No issues were identified with the Rezoning request; see attached DRT response letter. Additional plan information, such as an approved Water Plan and an Agreement to Construct and Dedicate (ACD), will be required at the time of Development Plan application for any new water and fire infrastructure. This DRT reviewer also notes that each lot shall be served by separate City water service at the time of development. Regarding the existing domestic well onsite, this reviewer required that the Applicant work with CoSFW Engineering before Water Plan approval to ensure that no cross-connection occurs between the domestic well system and the public water system.

Once all DRT comments have been addressed, a Planning Commission hearing date can be scheduled. Please let me know if you have any questions or concerns.

Thank you,

*Janice Biletnikoff*

Janice Biletnikoff, AICP

Long-Range Strategic Planner, Planning and Land Use Department