

TRANSCRIPT OF THE

SANTA FE COUNTY

SLDC HEARING OFFICER MEETING

Santa Fe, New Mexico

July 28, 2016

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer meeting was called to order by Santa Fe County Hearing Officer Nancy Long on the above-cited date at approximately 3:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

Staff Present:

Penny Ellis-Green, Growth Management Director
Vicki Lucero, Building & Services Manager
Tony Flores, Deputy County Manager
Mathew Martinez, Building & Development
Andrea Salazar, Assistant County Attorney
Mark Hogan, Capital Projects Manager
Miguel Romero, Building & Development
John Lovato, Building & Development
Dave Sperling, Fire Chief
Steve Moya, Assistant Fire Chief
Ron Sandoval, Capital Projects

II. **APPROVAL OF AGENDA**

Hearing Officer Long approved the agenda as published which included a tabled item.

III. **PUBLIC HEARING**

A. **CASE #16-5160 Galisteo Fire Station. Santa Fe County, Applicant, requests variances of Chapter 8, Section 8.8.5, Side and Rear Setbacks and Chapter 7 Section 7.13.11.7, Water Harvesting of the Sustainable Land Development Code, Ordinance No. 2015-11 (SLDC). The Applicant proposes to add 1,192 square feet to an existing 3,365 sq. ft. unmanned Fire Station (Fire and Rescue Station) for a total of 4,557 sq. ft. The site is within the Galisteo Community District Overlay (GCD) and is zoned as Public/Institutional (GCD PI). Under the GCD Use Table a Fire and Rescue Station is allowed as a Permitted use. The property is located at 39 Avenida Vieja, off N.M. 41, within Township 14 North, Range 9 East, Section 36 (Commission District 3)**

REC'D CLERK RECORDED 08/12/2016

[Case number corrected as shown]

Hearing Officer Long read the case caption as shown above.

MATHEW MARTINEZ (Case Manager): The Applicant acquired the property as evidenced by the warranty deed recorded in the records of the Santa Fe County Clerk in Book 340 page 158 on October 20, 1976. The Applicant is requesting a 1,192 square foot addition to an existing 3,365 square foot volunteer unmanned fire station for a total of 4,557 square feet. The proposed addition will provide an additional apparatus bay, exercise room, and storage area.

The Applicant requests a variance of Chapter 8, Section 8.8.5, Side and Rear Setbacks, Table 8-17-1, which states that setbacks within a PI, Public Institutional zone shall be a minimum of 40 feet. The Applicant states that in order to provide access to the new addition and a turning radius for trucks the new addition must be aligned with the existing facility. The current side setback for the existing building is 10 feet; therefore the Applicants request the same 10 feet setback for the addition. Also, the proposed rear setback for the addition would be a little over 18 feet, although the SLDC requires a 40 foot rear setback. Making this variance request for both the side and rear setbacks.

The Applicant additionally requests a variance of Chapter 7 Section 7.13.11.7, Water Harvesting. The Applicant states that there is already existing landscaping on the property, which includes four deciduous trees and shrubs that will remain. This existing landscaping is mature and does not require watering.

The Applicant states that the parking lot is less than 40 spaces and there will be screening provided to the north of the addition by means of a coyote fence. The Applicant states that roof water will be oriented with downspouts and will direct water to existing trees with on-site ponding to the east of the building. The station is already screened with a landscape density that keeps with the natural landscaping in the area, characterized by more open land with little vegetation. Additionally, the station being unmanned does not provide staff who can maintain landscaping, therefore the variances are needed.

Recommendation: Since there is already an existing building with a 10 foot side setback, it is unreasonable to require an addition to that structure to meet a 40 foot setback. During the six month review of the SLDC, Staff will be proposing an exception to setbacks for additions to existing structures.

The existing trees are mature and require little water. The roof drainage will be directed into the trees. Cistern sizing can be based on a one month water supply for landscaping. Water use for landscaping is so minimal that requiring a cistern would result in an unnecessary hardship. The request for variances meets the variance review criteria set forth in Chapter 14, Section 14.9.7.4.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on August 18, 2016. I stand for any questions.

HEARING OFFICER LONG: So the variance request for the setback is a request for a 30 foot variance for the side of the building; is that correct?

MR. MARTINEZ: For the side of the building they are requesting a 10 foot setback. The 18 foot setback from the rear is what they're also requesting, therefore, requesting the variance.

HEARING OFFICER LONG: All right. And then your recommendation states that cistern sizing can be based on a one month water supply for landscaping, but then the next sentence says that requiring a cistern would result in an unnecessary hardship. So is there a cistern being proposed or is there one that exists there already?

MR. MARTINEZ: Hearing Officer Long, there is no cistern on the property and they are wanting to do without the cistern being that there is nobody there to actually water the vegetation and the lack of vegetation on the property.

HEARING OFFICER LONG: So there won't be any cistern sizing based on a one month water supply then.

MR. MARTINEZ: That is correct.

VICKI LUCERO (Building & Services Manager): Hearing Officer Long, if I could just clarify or expand on that. The applicants are stating that the trees are already mature so that they require very little irrigation any way so their one month water supply would be minimal.

HEARING OFFICER LONG: But they're not proposing a one month water supply.

MS. LUCERO: That's correct. They are proposing to have downspouts that direct the water into the tree wells.

HEARING OFFICER LONG: All right. And I know we had some cases several months ago regarding cisterns and I think the issue there was heated square footage versus the rooftop area and they were requesting variances based upon the prior code requirements. But I take it that this is a different situation. Are you just saying it is not necessary due to the mature landscaping and that no one is there to water the landscaping?

MR. MARTINEZ: Hearing Officer Long, that is correct.

HEARING OFFICER LONG: And if it is an unmanned fire station why do they need an exercise room? I guess I need an explanation of unmanned. I know you have a presentation to show me as well so why don't we continue with that.

RON SANDOVAL: Good afternoon. My name is Ron Sandoval; I am a project manager for Project's Division, Santa Fe County Public Works Department. I am here representing Santa Fe County Fire Department.

Ho: And could I have you sworn in please and any staff that may be speaking on behalf, or consults on behalf of the applicant which is the County to be sworn in.

[Duly sworn, Ron Sandoval testified as follows]

MR. SANDOVAL: Madam Hearing Officer, members of staff, members of the audience I am here representing Santa Fe Fire Department. We are requesting two variances. The first variance is setbacks and the second variance is the water harvesting. I'll go ahead and discuss a little bit about the water harvesting at this time.

We actually had a community meeting on May 11th with different – several different neighboring neighbors along with a couple of community organizations. We discussed and we explained our requests for these variances and why. One of the comments that we did receive from in particular the president of the water board, they

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would be very concerned on having to supply water into the cistern because that is part of a cistern system. If that cistern goes low we've got to resupply it in some way. So their concern is there water is a big issue out there so they mentioned to us that they would prefer not to have a cistern on this facility in particular because the lack of water in that area. Again, we don't plan on putting additional landscaping. Also, if you look at the drawing we actually are building on the far end from the roadway where no traffic will be able to see the facility. In fact, what I would like to do ma'am, if you don't mind, look at some of these colored pictures [Exhibit 1] that I have provided you. The very – what we had planned, ma'am, actually, if you look at the very last picture it's the one that I mentioned to you that shows the setback, we're going to actually build in this area right here. There's no or any facilities or anybody that can actually visually see what we're doing so what we're wanting to do is to create a detention pond to collect the rain runoff instead of this cistern that is part of the code. So that's kind of my explanation for the cistern and one of the reasons that we're requesting a variance on it. Will that help?

HEARING OFFICER LONG: Yes, that is helpful.

MR. SANDOVAL: Great. Now as far as the exercise room I would like to go ahead and turn it over to Assistant Chief Steve Moya. He has a better idea of what that facility does and how this training or exercise room will benefit their staff.

[Duly sworn, Steve Moya testified as follows]

STEVE MOYA: Ma'am, it is a volunteer station so there are volunteers that will go in there. They do their trainings every week. They do use the exercise room. Actually, what they're doing is in the bays – you've got diesel exhaust, you've got vehicle exhaust and it's just an unsafe environment. So since it is a volunteer station they're requesting just to have their weight room and treadmills. So it's really not a full blown out exercise room. It's just somewhere to kind of stay in shape. We do have it in our manned stations but we're also trying to keep the volunteers in good physical condition because they are actually responding to a lot of fires.

HEARING OFFICER LONG: Thank you for that explanation.

MR. SANDOVAL: So, Madam Hearing Officer, in this first handout [Exhibit 2] I would like to go ahead and discuss what we have here. Would you mind helping me, I'm going to ask you to flip it as we move along.

On this first page, is really what we would like to see the facility stay as. We're going to go ahead and move on to the second page. The second page actually shows you the setback of 40 feet. It actually kind of shows you a shaded area, that's actually the buildable area with the new code in place. One of the main concerns is that we have trucks that actually back into these bays so we definitely need turning radius in this area.

Okay, I'm going to go ahead and move onto the third page of this handout. Basically, these are the elevations. What is highlighted in yellow is the addition we're proposing.

On the fourth page it actually shows the additional apparatus bay. One thing that was not mentioned, the apparatus bay is actually going to benefit because they have actually received I believe a grant for an additional apparatus – right, so basically we have another piece of equipment, a fire truck, that we need to place in this station and that's the purpose of this additional apparatus bay.

As Chief Moya has mentioned the additional exercise space is actually to try and encourage volunteer to be more active in the fire fighting in that area and I believe by

adding an exercise room that actually would help encourage some of these younger folks to partake. Okay.

Madam Hearing Officer, at this point are there any questions regarding the setbacks?

HEARING OFFICER LONG: Tell me what the second sheet is again?

MR. SANDOVAL: The second sheet actually represents what the building would look like if we went with the setback of 40 feet, the required setback.

HEARING OFFICER LONG: So that is setback from Avenida Vieja.

MR. SANDOVAL: That's not – ma'am that is actually from the north end fence line/property line.

HEARING OFFICER LONG: Oh, I see where the road is, yes. Okay, thank you.

MR. SANDOVAL: Ma'am, I want to move on to one more and maybe this will help. I want to talk a little bit about that aerial the very last page on that handout [Exhibit 2].

Again, I want to show you that the majority of the area out there is just open space. So, again, that is one of the reasons that we are asking for a variance for the water harvesting and additional landscaping.

HEARING OFFICER LONG: So what is the variance requested for additional landscaping?

MR. SANDOVAL: There is not a variance for additional landscaping.

HEARING OFFICER LONG: It's only for the water harvesting.

MR. SANDOVAL: Correct, ma'am.

HEARING OFFICER LONG: All right. Thank you.

MR. SANDOVAL: Thank you.

HEARING OFFICER LONG: Is there anyone here today that would like to speak to this application? And there is no one who would like to speak any further other than the Applicant and their agents.

My inclination will be to approve the two variance requests for the setback, rear and side yard setback variance request and the variance to not have to construct a cistern. It looks like a good project and thank you for your helpful handouts and presentation so that I might understand it. Thank you.

All right, is there anything else that we need to take care of today?

MS. LUCERO: Nothing, Hearing Officer Long.

IV. ADJOURNMENT

Having completed the agenda and with no further business Hearing Officer Long declared this meeting adjourned at approximately 3:20 p.m.

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

SLDC HEARING OFFICER M
PAGES: 14

Approved by:

I Hereby Certify That This Instrument Was Filed for
Record On The 12TH Day Of August, 2016 at 09:16:25 AM
And Was Duly Recorded as Instrument # **1801268**
Of The Records Of Santa Fe County

Nancy Long
Nancy Long, SLDC Hearing Officer
Santa Fe County



Deputy *E. Steadman* Witness My Hand And Seal Of Office
Geraldine Salazar
County Clerk, Santa Fe, NM

Santa Fe County
SLDC Hearing Officer: July 28, 2016

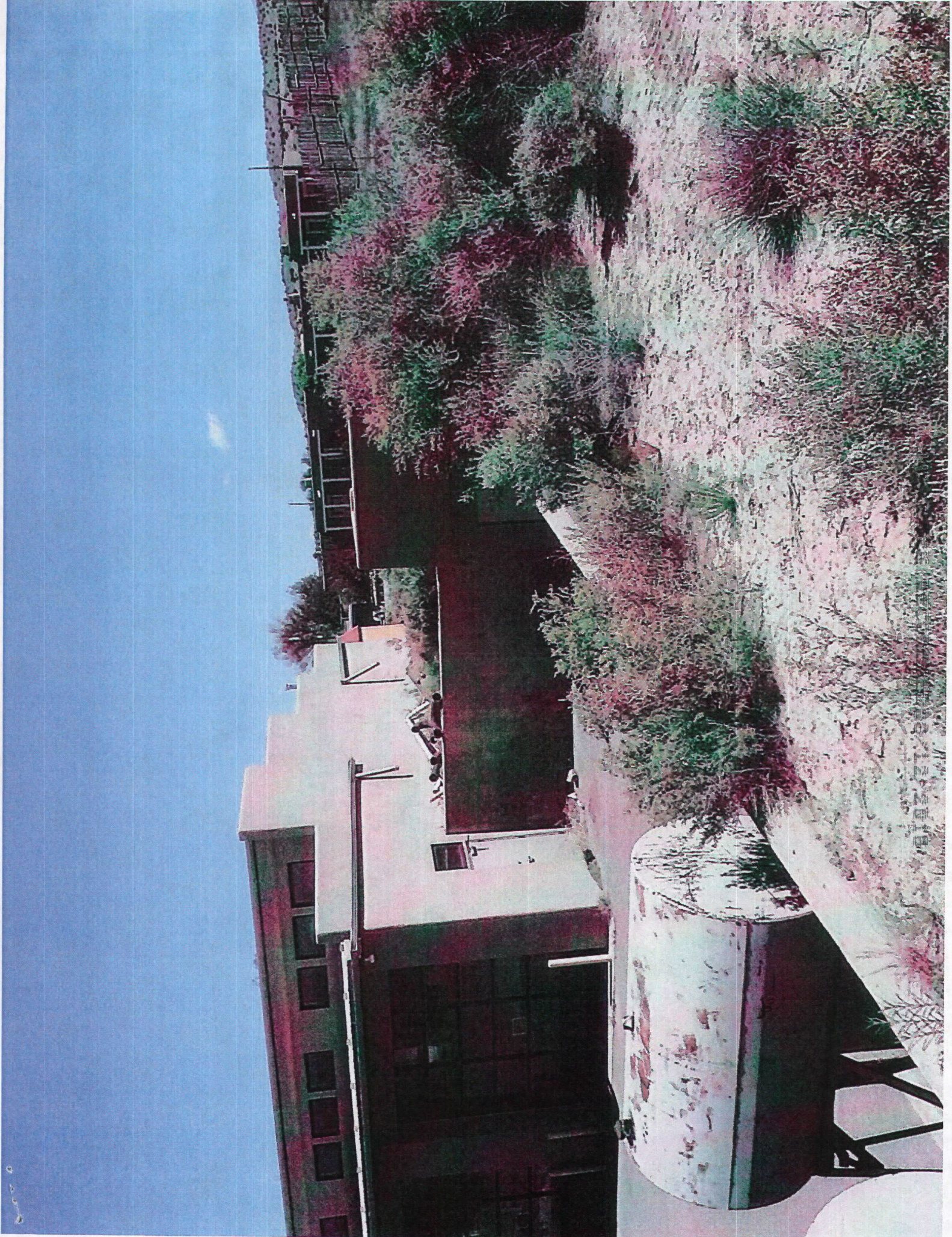
REC CLERK RECORDED 8/12/2016

EXHIBIT
1

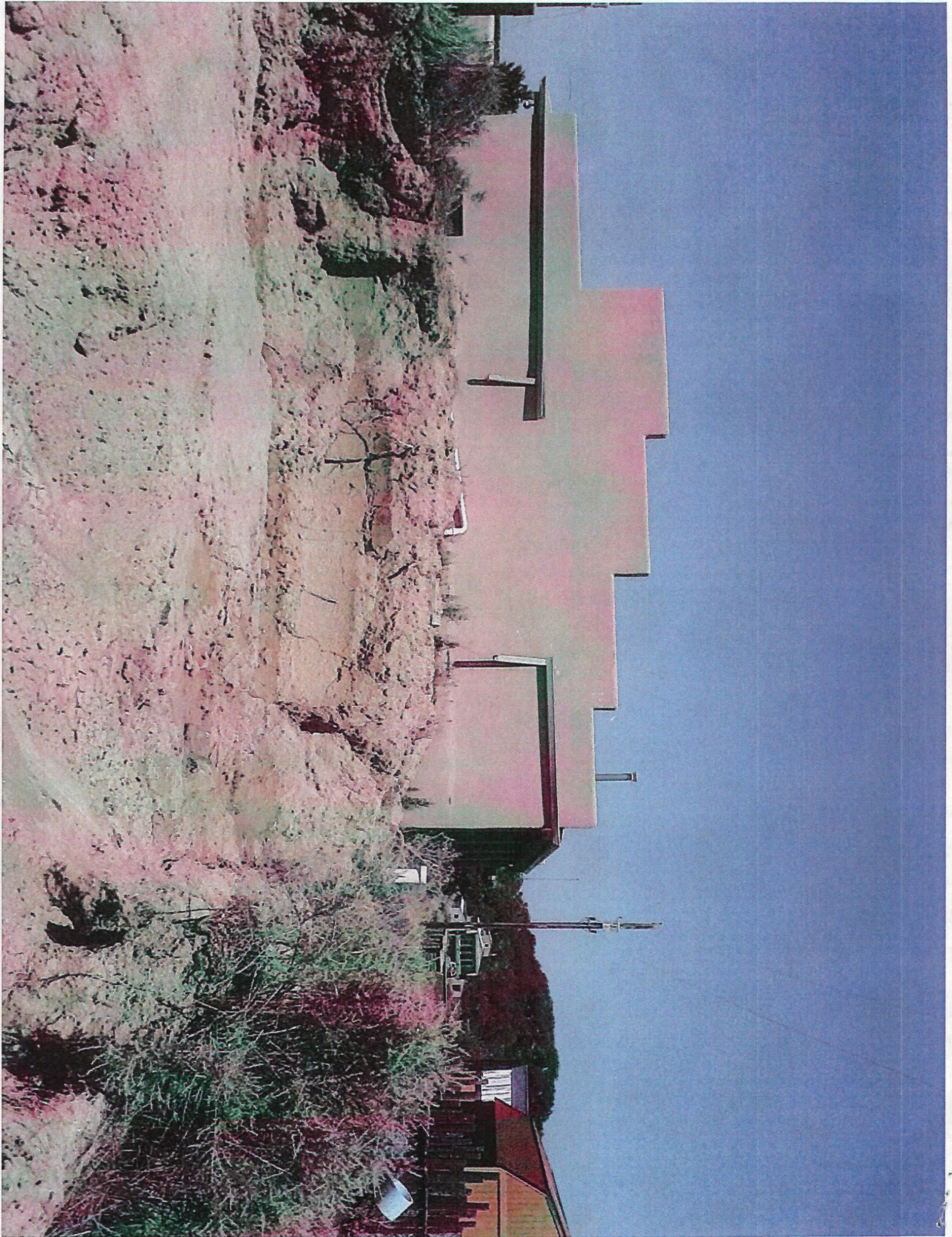
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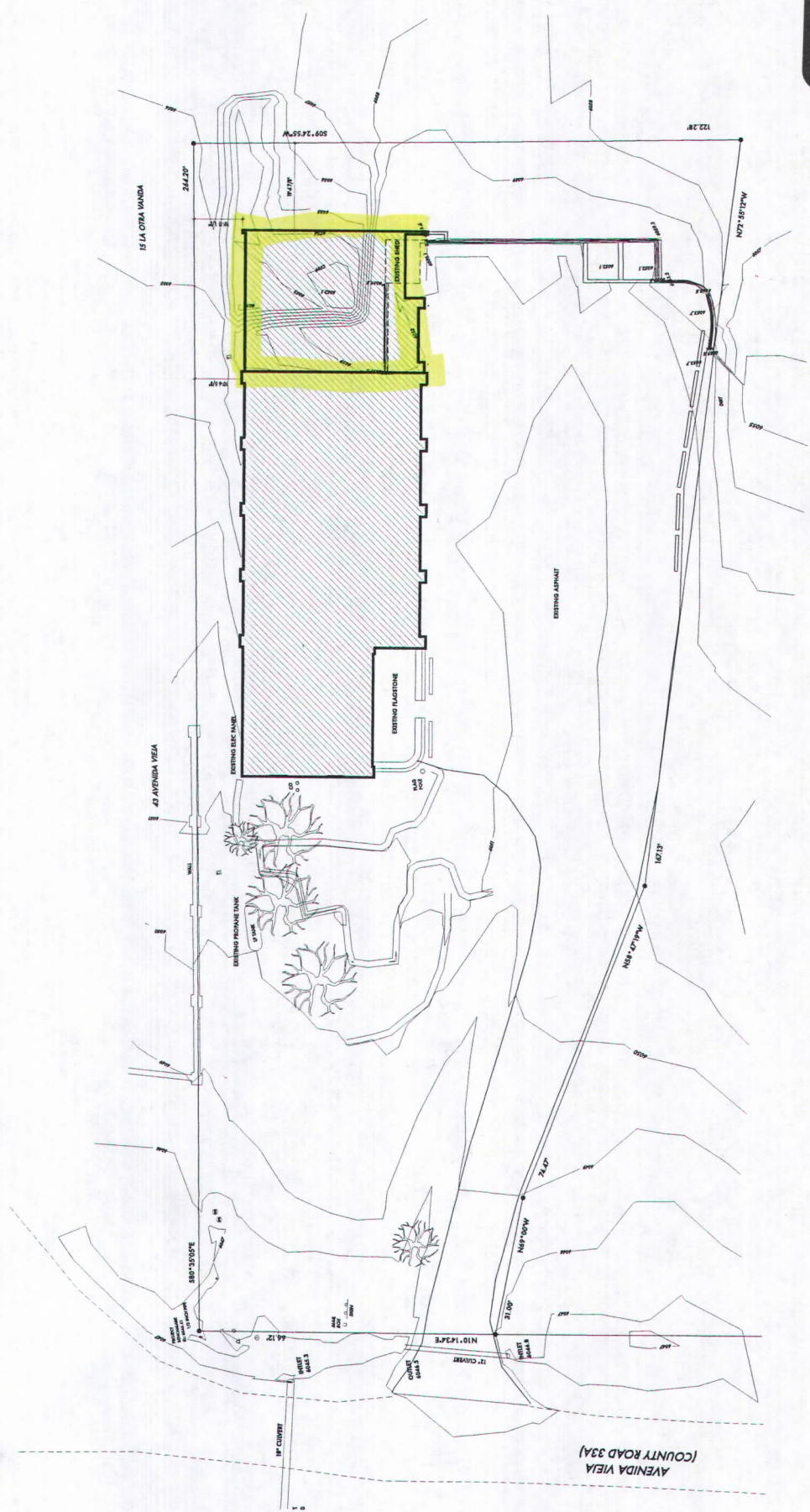






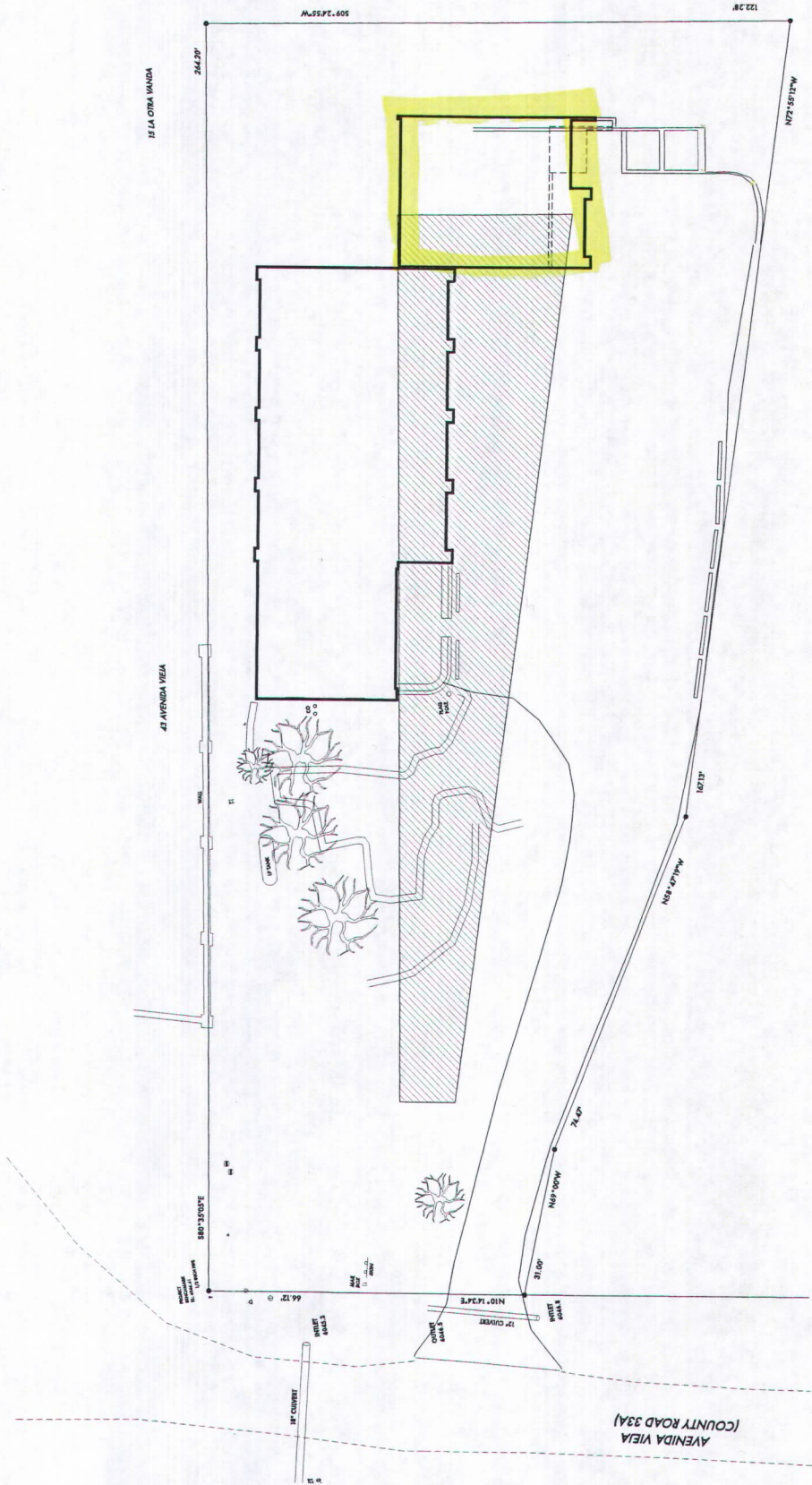
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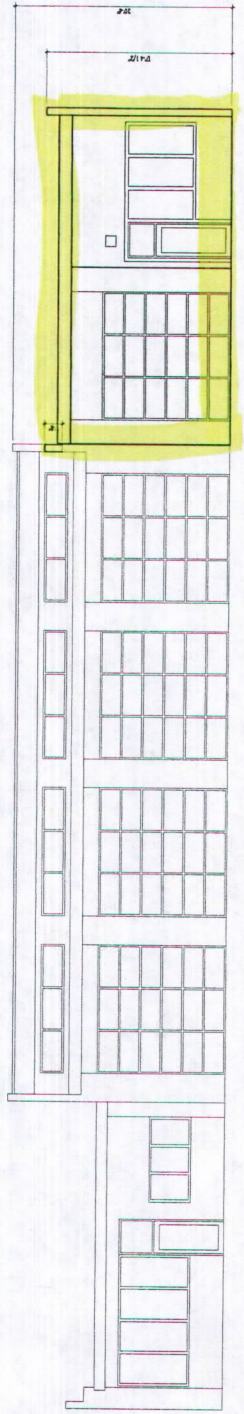


1 SITE PLAN
 A1.0 3/32" = 1'-0"
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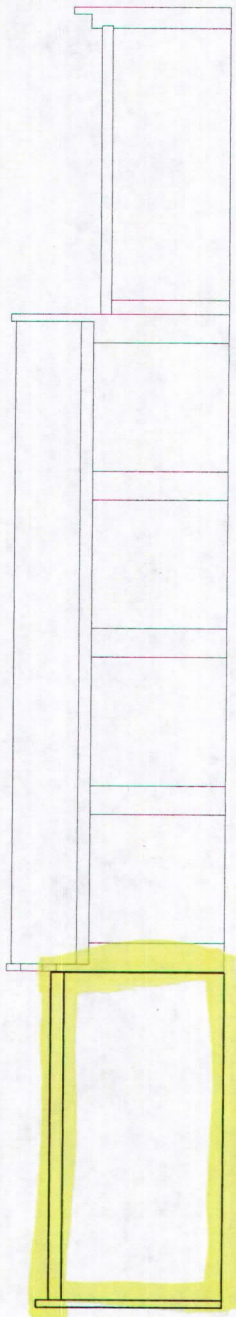
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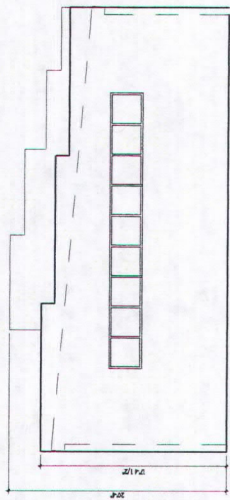
1 SITE PLAN
A1.0
3/32" = 1'-0"
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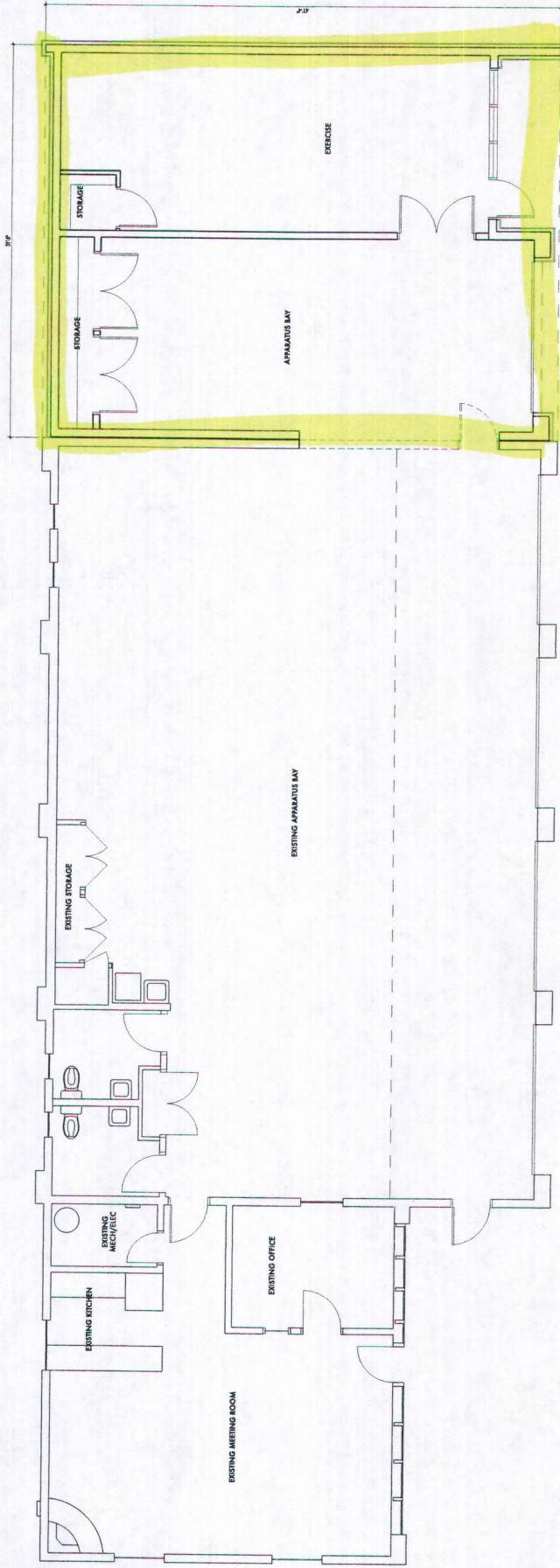
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A2.0 3/16" = 1'-0"



2 ELEVATION - NORTH
A2.0 3/16" = 1'-0"



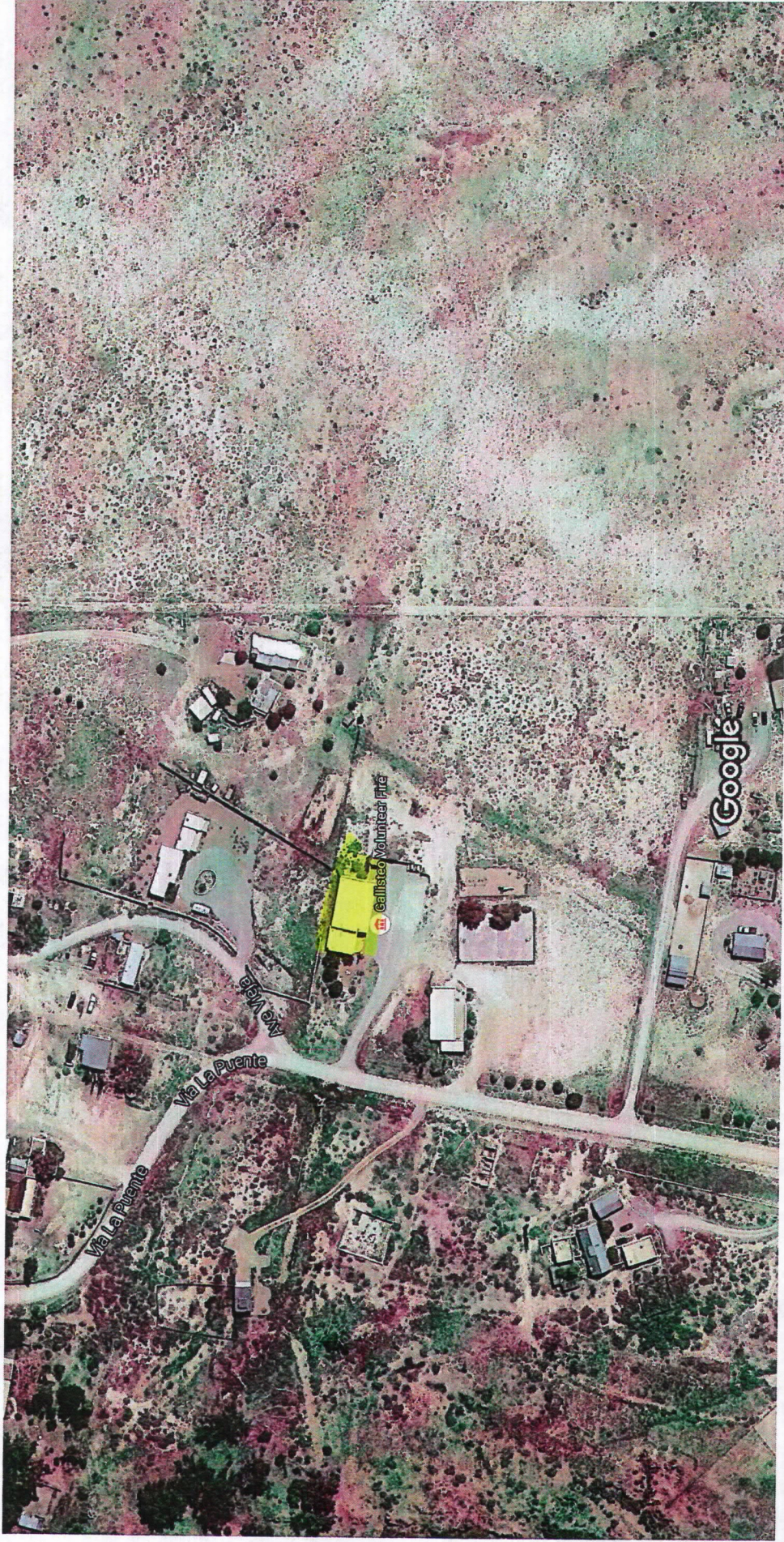
3 ELEVATION - EAST
A2.0 3/16" = 1'-0"



2 FLOOR PLAN
A1.1 1/4" = 1'-0"



Google Maps Ave Vieja



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