

## **MEMORANDUM**

**DATE:** November 10, 2009

**TO:** Board of County Commissioners

**FROM:** Jose E. Larrañaga, Commercial Development Case Manager

**VIA:** Jack Kolkmeier, Land Use Administrator  
Shelley Cobau, Building and Development Services Manager  
Wayne Dalton, Building and Development Services Supervisor

**FILE REF:** CDRC CASE # MP/PDP 09-5230 Galisteo Village Store

---

**ISSUE:**

Timothy Willms Applicant, Linda Tigges, agent, request Master Plan and Preliminary Development Plan approval for the Galisteo Village Store, private social club for the village, studio/office and residence consisting of a footprint of 4,952 square feet on .568 acres.

The property is within the Traditional Community of Galisteo at 2 Via La Puente, within Section 36, Township 14 North, Range 9 East, (Commission District 3).

**SUMMARY:**

On October 15, 2009 the County Development Review Committee (CDRC) met and acted on this case, the decision of the CDRC was to recommend approval of the request with all staff conditions (CDRC Minutes Exhibit "G").

Currently there are three (3) structures, one of which was utilized in the past as a general store, a residence and a building currently used as an office/studio. The Applicant proposes to utilize the existing structures, with some minor expansion and improvements, for the proposed development.

The structure, which historically operated as a store formerly known as La Tiendita and Anaya Country Store, will be used as a coffee shop, grocery store, small art gallery, a village social club and community kitchen. A 270 square foot bathroom addition is proposed for this structure. A 1,069 square foot addition will be added to the existing residence. The building, currently used as an office/studio, will be utilized as an office and a 220 square foot bathroom and walk in freezer area is proposed to be added to this building. The total footprint of the proposed development will consist of 4,952 square feet and meets the 20% lot coverage requirement for this development.

The Applicant holds a lease to an adjoining .270 acre parcel which is owned by the New Mexico Land Office. This parcel of land will be utilized by the proposed development for access, over flow parking and leach fields for the septic system. The use of the leased parcel for leach fields has been approved by the New Mexico Environmental Department.

The Applicant has met with the Galisteo Neighborhood Association to discuss the project and states that the community is in support of the proposed development.

**The Application was reviewed for the following (Exhibit “B”):**

**EXISTING CONDITIONS:**

Currently there are three (3) structures existing on the proposed site. The existing structures are the store, a residence and a shop, which will be renovated.

Per **Article III, Section 4.4.3.b1-4 (Commercial and Industrial Non-Residential Districts, Site Planning Standards)** of the Land Development Code, “Buildings shall be placed or oriented on a site to: enhance the logical development of the site and its relationship to the scale and design of adjacent development; adapt to natural topography; create a buffer or screen for storage or parking areas; and take advantage of solar gain in winter months.”

**ADJACENT PROPERTIES:**

The site is located in the traditional village of Galisteo. The property is fronted by State Road 41 on the west and by Via La Puente on the north and is bordered by a residential property on the east and property owned by the New Mexico Land Office borders the site on the south.

A church is located on State Road 41 within 200 feet from the boundary lines of this site.

**PARKING:**

The proposed uses for the development are retail sales, a social club, office/studio and residence.

Per **Article III, Section 9.1 (Parking Requirements) of the Land Development Code**, the following parking requirements are established for the type of development:

- Retail-1 space per employee plus 1 per each 200 square feet; and
- Office and Community Facilities- 1 per employee plus 1 per 300 square feet

Per **Article III, Section 9.2 (Parking Requirements) of the Land Development Code**, Multiple use projects shall calculate cumulative parking needs for each type of use in the project to be developed.

Based on the uses proposed, an average of 1 per 250 square feet is recommended. A total of twenty (20) spaces are required with one space designated as handicap van accessible. The Land Use Administrator may reduce the total of spaces administratively, therefore the nine (9) spaces on Tract A and the three (3) spaces on Tract B are sufficient for this project.

Per **Article III, Section 9.3 (Parking Requirements) of the Land Development Code**, Minimum size of parking space shall be 300 square feet which includes the parking stalls and aisles.

Per **Article III, Section 9.4 (Parking Requirements) of the Land Development Code**, Commercial, Industrial, other non-residential and large scale uses shall provide for handicap parking. One handicap van accessible space is required for this development

#### **ACCESS:**

The proposed development meets the requirements of **Article V (Subdivision Design Standards) and Section 8.1 (General Policy on Roads)**.

The proposed driveway shall remain a minimum of one hundred seventy feet (170') from the Via La Puente intersection. The Applicant must obtain and provide Santa Fe County with an access permit from New Mexico Department of Transportation (NMDOT) for the access to the proposed development. Santa Fe County will require an R1-1 (30X30) stop sign at the exit of the development onto State Road 41 and an R7-1 (12X18) no parking sign on Via La Puente frontage.

#### **OUTDOOR LIGHTING:**

Per **Article III, Section 4.4.4h.1 (Commercial and Industrial Non-Residential Districts, Development and Design Standards, Outdoor Lighting) of the Land Development Code**, Outdoor lighting standards are applicable to all development in the County. Outdoor lighting shall be designed and arranged to enhance the safety of areas designated for pedestrian use during evening hours, to provide security, to conserve energy, to protect the night sky and in particular, to prevent the spillover, nuisance or hazard effects of light and glare on adjacent locations and uses of land.

Per **Article III, Section 4.4.4h.3.a (Commercial and Industrial Non-Residential Districts, Outdoor Lighting Submittals) of the Land Development Code**, for all development involving outdoor lighting fixtures a lighting plan shall be submitted for master plan or preliminary development plan or Development Permit review, as applicable, showing the location, mounting height, types of luminaires, accessory equipment such as shades, deflectors or other housing controlling the direction of light on a surface and the beam direction of any luminaire. Descriptions of all illuminating devices shall include, as applicable, manufacturers'

drawings showing sections and photometric data showing the angle of the cut off of light emissions.

Per **Article III, Section 4.4.4.h.4.a and b (Commercial and Industrial Non-Residential Districts, Development and Design Standards, Off-Street Lighting Design Standards) of the Land Development Code**, the use of cut-off type luminaires is required. All light bulbs and light sources shall be shielded so that they are not directly visible from any adjacent lot or public roadway. All outdoor lighting fixtures shall meet requirements for lamp type and shielding; and spillover of lighting for adjacent properties shall not exceed one half of one (.50) foot-candle measured at any point ten feet (10') beyond a property line.

### **SIGNAGE:**

Per **Article VIII, Section 7.3a - d (Sign Regulations, Design Standards for Permanent Signs, Height and Setback Standards) of the Land Development Code**, Commercial and industrial non-residential zones or districts:

- The maximum allowable sign height for a free standing sign located at the front property line is five (5) feet. Sign height may be increased a maximum of five (5) feet in height for each twenty-five (25) feet the sign is set back from the front property line. Maximum allowable sign height shall not exceed twenty-five (25) feet; and
- No sign may be located closer than ten (10) feet to any abutting property line; and
- No sign may be located in such a way so as to limit the visibility at intersections, or in any public right-of-way; and
- The minimum setback for ground-mounted masonry or pedestal signs is five (5) feet.

Per **Article III, Section 7.8 (Sign Regulations, Design Standards for Permanent Signs, Free Standing Signs: Base) of the Land Use Code**, All free standing signs shall have a base area equal in length to the signs length along its longest side, and not less than two (2) feet in width and sixteen (16) inches in height, to be installed and maintained by the owner using one or combining the use of:

- A banco, planter or a low wall compatible and complimentary to the building or premises;
- Shrubs, flowers or a ground cover.

Per **Article VIII, Section 7.13 (Sign Regulations, Design Standards for Permanent Signs, Sign Area in Residential Areas) of the Land Development Code**, Signs in mixed use or traditional community districts for special uses; or in large scale residential uses are allowed as follows:

- One (1) sign for the permanent identification of the entrance to the site of a special use shall be permitted, provided it is mounted on a permanent masonry or similar structure and the sign area does not exceed twenty (20) square feet
- If the special use has an entrance on another street, a second sign not to exceed twenty (20) square feet will be permitted

Per **Article VIII, Section 7.17 (Sign Regulations, Design Standards for Permanent Signs, Sign Removal and Non-conforming Signs) of the Land Development Code**, Billboards or

other non-conforming signs: owners or custodians of existing signs affected by this Code shall have five years from the effective date of the Code (1996) to conform to the applicable sign provisions.

The proposed signage plan request does not comply with **Article VIII (Sign Regulations) of the Land Development Code**; therefore a variance(s) will be required at the time of Final Development Plan or a design may be submitted prior to recordation of the master plan.

### **WATER:**

#### Project Description:

The Galisteo Store proposes to remodel existing buildings (former store, private social club, studio/office and residence) on .568 acres in the traditional village of Galisteo. The applicant proposes a water budget of 0.25 acre foot per year for the store and social club. However, water for the residence will be provided by the Galisteo Mutual Domestic Water Association.

#### Project Review and Requirements:

The Galisteo Village Store, Studio and Residence Master Plan and Preliminary Plan Report prepared by Tigges Planning Consultants dated July 10, 2009 and the Geohydrologic and Water Availability Investigation prepared by Mustafa D. Chudnoff Consulting, LLC has been reviewed for technical accuracy and compliance with the Santa Fe County Land Development Code (LDC).

The following comments and recommendations:

- 1. Water Budget:** The water budget is based on water conservation measures. The water budget for the store, social club and studio office appear to be reasonable for this type of development. A letter from the Galisteo Water Association indicates that they are they are ready willing and able to serve the water requirements at the residence.
- 2. Water Conservation:** A water conservation plan was submitted since the water budget is under 0.25 af/y per Article VII, Section 6.6 of the LDC. The water conservation plan identified how the facility will conserve water including standard procedures employees must follow as well as how the facility will handle special events with large parties. Landscaping irrigation will be used from the cistern rainwater catchment system. Instant hot water devices should be installed on all new and remodeling construction. (Ordinances 2006-3, 2006-8).
- 3. Well Information:** Since the water budget for the entire project was less than 0.25 acre feet per year the information supplied to review was more than adequate. The report demonstrated all the production stresses that will be applied to the well could be met. The consultant performed a pump test for this well indicating there is enough water to serve this project.
- 4.** The following note must be included on the plat: "The lot contains a water restriction of 0.25 acre feet per year. A water meter must be installed on the well and the yearly water meter

reading must be submitted to Santa Fe County each year” (Ordinance 2002-13, *Domestic Well Use Metering Program*).

**FIRE PROTECTION:**

The Santa Fe County Fire Department Fire Prevention Division has reviewed the submittal for master plan and preliminary development plan and has recommended approval subject to conditions listed in exhibit “B”.

**LIQUID and SOLID WASTE:**

The project will be served by a liquid waste system meeting state standards for commercial use. The leach field is located on a property to the south which is leased from the State Land Office. The New Mexico Environment Department (NMED) has reviewed this system for compliance with state regulations.

A dumpster will be located on the northeast corner of the property and will be required to be screened with an opaque fence or wall. The owner will be required to contract with a company that is properly licensed to collect and dispose of solid waste.

**TERRAIN MANAGEMENT:**

**GRADING AND DRAINAGE:**

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code Terrain Management **Article VII Section 3**. The project is located on the Southwest corner of Via la Puente and NM SR 41 within the Traditional Community of Galisteo. The Proposed project is a request for Master Plan/Preliminary Development Plan for the Galisteo Village Store, a private social club for the village, studio office and residence. Proposed development shall conform to Terrain Management requirements of **Article VII Section 3**.

**SLOPES:**

The applicant’s proposed development is on an existing lot with relatively flat terrain there are existing buildings on the site which will be remodeled there are no slope issues.

**ADDITIONAL COMMENTS:**

Proposed propane tank at the entrance of the development which is buried under the driveway must be relocated. A buried propane tank is not allowed to be placed under a driving surface. The size of tank needs to be documented on the plans for proper setback from structures and driving area. The setback for a 1000 gal tank from any structure is 25 feet; setback from a 500 gal tank is 10 feet. Tank which will be located underground near the driving surface must be marked with crash poles painted yellow and have reflective tape around to warn drivers of their placement.

The contractor shall not grade or disturb ground beyond grading limits shown. Except for developable areas for building envelopes, roads, driveways, disturbance of natural vegetation shall be prohibited; cleared or graded areas, or cut and fill areas, shall be re-vegetated to the approximate original density and type of vegetation existing prior to disturbance.

### **LANDSCAPING:**

The Master Plan and Final Development Plan has met and exceeded the requirements for **Article III, Section IV (Commercial Landscaping)** of the Santa Fe County Land Development Code

### **Rainwater Harvesting**

Per **Ordinances 2003-6 and 2008-4 (Water Harvesting)** and per **The Santa Fe County Water Harvesting Guidelines**, the following criteria shall be applied to the proposed project:

1. The Applicant shall demonstrate erosion prevention at overflow vent.
2. All piping shall be at least 24" underground.
3. The Applicant shall provide a roof drainage plan.
4. The Applicant shall provide a maintenance plan for the Rainwater Harvesting System and identify the cleaning schedule.
5. The system shall be designed to drain away from footings/foundations of the office buildings.
6. The Applicant shall schedule an inspection after trenching and before backfill.
7. The Applicant shall provide manufacturing specifications for all pipes and cisterns.
8. All systems shall include a level indicator.
9. All cistern covers or lids shall be locking.
10. Any spigots/outlets connected to these systems shall be marked 'non-potable water'.
11. All systems shall install a screen/sediment trap/filter to prevent particles entering the system.

### **ARCHAEOLOGY:**

The State of New Mexico Department of Cultural Affairs Historic Preservation Division has reviewed this project and has determined that the Galisteo Historic District was listed on the

State Register of Cultural Properties (SR#129) in 1969 and Anayas Country Store is a contributing building to the District.

The Cultural Properties Review Committee (CPRC) approved the historic status of the store and proposed remodeling, and determined that the existing residence, shed and cement rock wall are not considered historic (Exhibit "F").

**REQUIRED ACTION:**

The BCC should review the attached material and consider the recommendation of staff; take action to approve, deny, approve with conditions, or table for further analysis of this request.

**RECOMMENDATION:**

Staff has reviewed this application and has found the following facts to support this submittal: The proposed site is a significant piece of history of the Galisteo Community. The Applicant has taken measures to preserve the historic integrity of the structures and the community. The Applicant has met with the community to discuss the proposed development. The proposal for master plan and preliminary development plan meet the criteria set forth in the Land Development Code.

The review comments from State Agencies and Development Review Services has established findings that this Application is in compliance with Article V, Section 5 (Master Plan Procedures), Article III, 4.2.2 (Traditional Community Districts) and Article III Section 4.4 (Development Plan Procedures) of the Land Development Code. Staff recommends Master Plan Zoning and Preliminary Development Plan **approval**, of the Galisteo Village Store, private social club for the village, office and residence consisting of a footprint of 4,952 square feet on .568 acres, subject to the following conditions:

1. All Staff redlines shall be addressed, original redlines will be returned with final plans for Master Plan.
2. Compliance with applicable review comments from the following:
  - a) State Engineer
  - b) State Environment Department
  - c) State Department of Transportation
  - d) County Hydrologist
  - e) County Fire Marshal
  - f) State Historic Preservation Division
  - g) **Development Review Services Comments and Conditions**
3. The Applicant shall comply with all requirements of the County Land Development Code.
4. Master Plan with appropriate signatures, including the signature of the New Mexico State Land Commissioner (or representative of), shall be recorded with the County Clerk.



5. The Applicant shall submit a Final Development Plan to be approved by the County Development Review Committee prior to the issuance of any permits for grading or building permit.
6. Due to the historical nature of the property and the close proximity to an existing church, any zoning statement, for, or variance of, the Alcohol and Gaming requirements for the issuance and or approval of a liquor license, shall be presented to the Board of County Commissioners for consideration.

**ATTACHMENTS:**

- Exhibit "A" – Applicant's MP & PDP Report
  - Appendix 1-Vicinity Map
  - Appendix 7, 8, 9 & 10-Development Drawings
  - Appendix 3-Aerial Photo of Property
  - Appendix 2-Plat of Record
- Exhibit "B" – Reviewing Agencies Comments
- Exhibit "C" – Article III, 4.2.2
- Exhibit "D" - Article V, Section 5
- Exhibit "E" – Article III, Section 4.4
- Exhibit "F" - Letter from Cultural Affairs
- Exhibit "G" – CDRC Minutes
- Exhibit "H" – Amended Site Plan