

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 09-5240 Zia RV Sales

ISSUE:

Carlos Gallegos, Applicant, James Siebert, agent, request a Master Plan Amendment to include a 1.50 acre parcel as part of a previously approved Master Plan.

The property is located at 6 Taylor Road via the I-25 frontage road, within Section 5, Township 15 North, Range 8 East, (Commission District 5).

SUMMARY:

On September 17, 2009 the County Development Review Committee (CDRC) met and acted on this case, the decision of the CDRC was to recommend approval of the Applicants' request with all staff conditions (CDRC Minutes Exhibit "K").

The Applicant requests a Master Plan Amendment to incorporate a 1.50 acre parcel (Tract C) to an existing approved Master Plan. The existing Master Plan (Exhibit "D") was approved on November 14th of 2006 by the Board of County Commissioners. The approved Master Plan consists of a caretaker's residence utilizing an existing modular home, a sales lot and sales office on 2.44 acres on the northerly side of Taylor Road (Tract A) and a caretaker's residence utilizing an existing modular home and a maintenance and parts center on one acre on the southerly side of Taylor Road (Tract B).

Currently there is a manufactured home, septic and well on Tract C. The Applicant proposes to utilize the existing manufactured home as a caretaker's residence and add a storage area for modular homes, R.V.'s, and boats on the property. The proposed facility will be screened on the south and

east boundaries by a 6' foot high coyote fence and a 25' foot wide landscape buffer. Tract C is contiguous to Tract B on the northerly side and is bordered on the west by the R.V. sales presently in operation.

Article V, Section 5.2.6.b. (Amendments and Future Phase Approvals) states: The Code Administrator may approve minor changes to the master plan. Any substantial change in land use or any increase in density or intensity of development in the approved master plan requires approval by the County Development Review Committee and the Board (Exhibit "G").

The site lies in an existing Major Commercial Center node established by the I-25 and La Cienega interchange. The site is outside the La Cienega Traditional Community.

The Application was reviewed for the following (Exhibit "F"):

EXISTING CONDITIONS:

Currently there is a manufactured home, septic and well on the property and is acknowledged by staff as a legal lot of record for residential use. This property is within the Basin Fringe Hydrologic Zone where the minimum lot size is 12.5 acres with water restrictions.

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 bordered by Tract B with an existing Master Plan on the northerly side and is bordered on the west by an existing manufactured home sales. Adjacent properties to the east and south are residential parcels.

PARKING:

Per **Article III, Section 4.4.3.c.1 and 2 (Commercial and Industrial Non-Residential Districts, Site Planning Standards, Parking Lot location)** of the Land Development Code, "Parking lots shall be placed or oriented on a site: to the rear or side of buildings (or both); and to encourage pedestrian safety and convenience.

Per **Article III, Section 4.4.4.a (Commercial and Industrial Non-Residential Districts, Development and Design Standards, Screening)** of the Land Development Code, "Outdoor storage, parking and loading areas which are visible from public roads or from abutting public lands or residential areas shall be screened. Such screening may be landscaping, walls, fencing, building placement, berms, or any combination thereof."

No customer parking is proposed on Lot C; therefore the only parking required will be for the existing caretaker's residence.

ACCESS:

Per **Article III, Section 4.4.3.a.1 (Commercial and Industrial Non-Residential Districts, Site Planning Standards, Driveway Access)** of the Land Development Code: “All uses proposed for zoning shall share points of ingress and egress to the development site, unless it can be demonstrated that additional or separate access is required”.

The site is accessed via the I-25 E. frontage road and Taylor Road. Taylor Road is a paved County maintained roadway with a 50’-foot wide right-of-way. A platted easement is to be utilized by this site (Exhibit “E”, Plat Bk.603, Pg. 50-54).

An Access easement must be dedicated for Lot C whether it be through Lot B or through the existing Zia Mobile Home Sales lot.

OUTDOOR LIGHTING:

No outdoor lighting is being proposed at this time. If outdoor lighting is proposed at a later time, **Article III, Section 4.4.4.h (Outdoor Lighting)** of the Land Development code shall be complied with.

SIGNAGE:

No signage is being proposed at this time. If signage is proposed at a later time, **Article VIII (Sign Regulations)** of the Land Development Code shall be complied with.

WATER:

The Master Plan Amendment Report prepared by Siebert and Associates has been reviewed for technical accuracy and compliance for water budget, and water supply with the Santa Fe County Land Development Code (LDC).

1. The applicant stated water will be provided by a domestic well. The domestic well permit(s) should be submitted to evaluate the supply and a change in ownership from domestic purposes to commercial purposes will need to be filed by the NM Office of the State Engineer.
2. The following note must be included **on the plat**: “These lots are restricted to .25 acre feet of water per year and **each lot** must contain a water meter. The yearly water meter reading must be submitted to Santa Fe County within 2 weeks of January 1st of each year” (Ordinance 2002-13, *Domestic Well Use Metering Program*).+
3. **Water Budget:** The caretaker residence should have a water use of 0.25 acre foot per year. Since this is an existing home it is assumed that it has older water use fixtures and will use more than the .068 acre foot recommended by the applicant.
4. **Water Conservation:** Since the water budget is under 0.25 acre feet per year based on water conservation measures. Water conservation should be submitted as per Article VII Section 6.6.2. The plan should include the types of water saving devices and fixtures as well as the

employee water use methods. For example address whether the care takers will be washing the recreational vehicles and other descriptions of how water will be used on the property.

5. **Water Quality:** The Zia RV sales will serve water to its employees and the general public. A water quality analysis is required per Article VII Section 6.5 of the LDC.
6. **Rainwater Harvesting:** There is a 1,000 gallon cistern onsite that will be used for landscape irrigation purposes that *complies* with Ordinance No. 2003-6 and 2008-4.

FIRE PROTECTION:

A existing underground storage tank and draft hydrant are located within the existing modular home sales facility. In addition the Applicant is proposing to install an additional 20,000 gallon water storage tank.

LIQUID and SOLID WASTE:

Tract C is served by an existing conventional septic system. A permit from the New Mexico Environment Department (NMED) will be required for each private septic system prior to issuance of building permit(s). The owner will be required to contract with a company that is properly licensed to collect and dispose of solid waste.

TERRAIN MANAGEMENT:

The site is primarily gentle slopes, with no slopes in excess of 4%. Drainage patterns are toward the northeast, and no defined channels are evident on either parcel. The site is located outside the 100-year floodplain.

LANDSCAPING:

The proposed landscape plan must conform to Article III, Section 4.4.4.f.4 (Landscape Plan). The Applicant may use existing trees or shrubs that are located within a designated landscape area to reduce the requirements for new planting. The minimum landscape area of the proposed project shall be **10%** of the development site within the buildable area pursuant to Article III, Section 4.4.4.f.5. Landscape Planting Standards in Article III, Section 4.4.4.f.10 require the landscape plan to have a 25' landscaped buffer zone between the developed area of the parcel and the highway. Also required is a landscaped buffer between the developed area and any adjoining residential property.

Per **Article III, Section 4.4.4.b.1 (Commercial and Industrial Non-Residential Districts, Development and Design Standards, Buffer Zones and Setbacks)** of the Land Development Code, "Proposed non-residential districts or uses that adjoin parcels on which dwellings are located within 100 feet of the property line adjacent to the parcel on which the use is to be located shall be set back 100 feet from the property line in Major or Community Center districts and 25 feet in Local or Small Scale districts. The 100 foot setback area may be used to meet the off-street parking requirement, except that no parking may be provided within 25 feet of the property line in Major and Community Center Districts and 5 feet from property lines in Local and Small Scale Districts. In the setback area, existing vegetation shall be preserved and natural topographic features, planting, building placement, walls, fencing, earth berms or landscaping or any combination thereof, shall be used to keep buildings, parking or outdoor storage unobtrusive."

A 50 foot setback with the proposed Coyote fence will be sufficient for this development.

ARCHAEOLOGY:

The applicant was not required to investigate archaeology due to the size (less than 10-acres) and location of the subject parcel (medium potential zone) per Article VI, Section 3.4.3 Archeological Districts. The site is in a medium potential zone, and is less than ten acres.

REQUIRED ACTION:

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

RECOMMENDATION:

Staff has reviewed the Applicants proposal conjunctively with the existing Master Plan. Staff encourages the Applicant to consolidate Tract B (1.0 acres) and Tract C (1.50 acres) to create a 2.5 acre parcel and remove the existing manufactured home on Tract C to allow the integration of Tract C to the existing Master Plan. Consolidating the two tracts would allow the property to be conducive to the proposed use of the Master Plan and would aid the Master Plan in meeting the requirements set forth in the Land Development Code for Final Development Plan.

Staff has reviewed this application and has found the following facts to support this submittal: The site lies in an existing Major Commercial Center node established by the I-25 and La Cienega interchange. The proposed use is permitted within a Major Commercial District. The site is outside the La Cienega Traditional Community. The proposed Master Plan for Lot C meets 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 III, Section 4 (Commercial and Non-Residential Districts), and Article V, Sections 5.1 and 5.2 (Master Plan Procedures) of the Land Development Code. Staff recommends **approval** for the proposed Master Plan Amendment to incorporate Tract C to the existing Zia R.V. Sales Master Plan based on the following conditions:

1. The Master Plan shall be recorded with the County Clerk's Office.
2. Approval of Master Plan is considered valid for a period of five years from the date of approval by the Board.
3. Preliminary/Final Development Plan must be submitted per Article V, Section 7 of the Code prior to issuance of a Building Permit.
4. 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. County Public Works
 - g. **Building and Development Services Comments and Conditions**
5. All Staff redlines must be addressed, original redlines shall be returned with revised plans.
 6. A conceptual terrain management plan shall be submitted as required by County Technical Review prior to recordation of the Master Plan.
 7. The applicant shall work with the Department of Water Resources to refine the water budget.
 8. The applicant shall work with the Department of Public Works regarding roadway improvements.
 9. Access shall be taken via Taylor Road utilizing the existing platted easement.

ATTACHMENTS:

- Exhibit "A" – Applicant's Report
- Exhibit "B" - Applicant's Plans
- Exhibit "C"-- Vicinity Map
- Exhibit "D" – Existing Master Plan
- Exhibit "E" – Plat of Record
- Exhibit "F" – Agency Review Comments
- Exhibit "G"- Article V, Section 5.2.6
- Exhibit "H" – Article III, Section 4
- Exhibit "I" – Article V, Section 5.1 and 5.2
- Exhibit "J" – Ariel of Property
- Exhibit "K" – September 17th CDRC Minutes