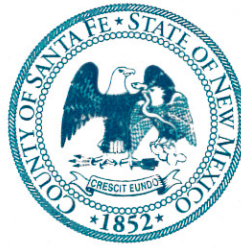


Danny Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: July 10, 2012

TO: Board of County Commissioners

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

VIA: Vicki Lucero, Building and Development Services Manger *VL*
Penny Ellis-Green, Interim Land Use Administrator *PEG*

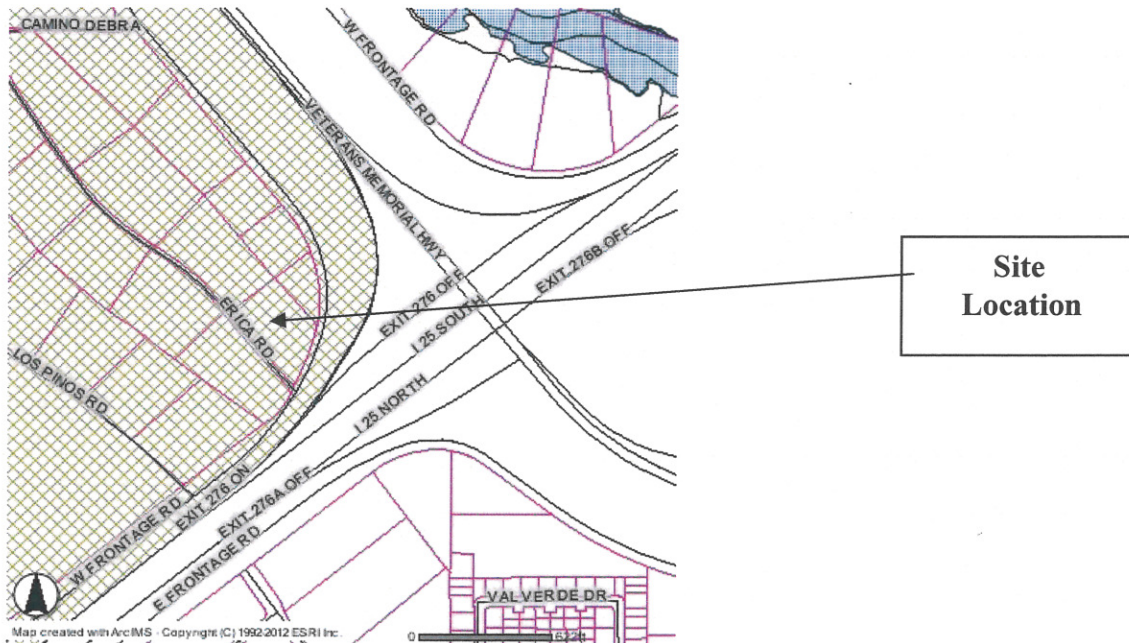
FILE REF.: CDRC Case # 12-5070 MP/PDP MCT Waste Master Plan/Preliminary Development Plan

ISSUE:

Sunset Solutions, LLC, Applicant, James Siebert, Agent, request Master Plan Zoning and Preliminary Development Plan approval for the expansion of a non-conforming commercial property. The request also includes the Final Development Plan to be reviewed and approved administratively.

The property is located at 5 Erica Road in the Traditional Historic Community of La Cienega, within Section 26, Township 16 North, Range 8 East, (Commission District 3).

Vicinity Map:



SUMMARY:

On May 17, 2012, the County Development Review Committee (CDRC) met and acted on this case. The decision of the CDRC was to recommend approval of Master Plan Zoning and Preliminary Development Plan to allow the expansion of a non-conforming commercial property on a 2.14 acre site.

The Applicant requests Master Plan Zoning and Preliminary Development Plan approval to allow the expansion of a non-conforming commercial property on a 2.14 acre site. The expansion will consist of increasing the existing 4,862 square foot building by 3,020 square feet for a total square footage of 7,882. The proposed height of the addition is 24 feet and the height of a portion of the existing structure will be increased from 16 feet to 24 feet. The expansion will increase the use to 60 percent of the site for the business. The Applicant's request also includes that the Final Development Plan be reviewed and approved administratively.

The Applicant states that MCT provides waste collection services to construction sites and companies that generate substantial waste volumes. The expansion of the existing structure will accommodate the parking of the trucks within the building during the winter months. Client contact and billing is conducted from the Albuquerque office and the site is generally vacant during the day.

Historically Schwan's Food Company occupied this site. On July 15, 2011, the Land Use Administrator determined that MCT's proposed re-use of this non-conforming commercial site would be allowed provided the re-development or improvements to the site serve to bring the use into conformance with the purposes of the Code. The Land Use Administrator also determined that any further expansion or extension increasing the intensity of the site shall be subject to a Master Plan and Development Plan submittal and meet all requirements set forth in Article III, Section 4 of the Code.

This site is within an area which was recognized as a Major Commercial District prior to the adoption of Ordinance 2002-9, La Cienega Traditional Community Zoning District.

Article III, Section 4.4.1.a (Design Standards and Review Criteria) states: "to zone or re-zone any parcel for a commercial or industrial non-residential district a master plan shall be submitted. Submittals and procedures for master plans are set forth in Article V, Section 5.2".

Article V, Section 5.2.1.b (Master Plan Procedure) states: "a master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval".

Article V, Section 7.1.3.a (Preliminary Development Plans) states: "a preliminary development plan may be only a phase or portion of the area covered by an approved master plan, so long as the preliminary development plan substantially conforms to the approved master plan".

Building and Development Services staff has reviewed this project for compliance with pertinent Code requirements and has found that the facts presented support this request: the Application is comprehensive in establishing the scope of the project; the Preliminary Development Plan substantially conforms to the proposed Master Plan; the Application satisfies the submittal requirements set forth in the Land Development Code.

The review comments from State Agencies and County staff has established findings that this Application is in compliance with state requirements and Ordinance No. 2002-9, Article III, Section 4.4, Development and Design Standards, Article V, Section 5, Master Plan Procedures and Article 5, Section 7 Development Plan Requirements of the Land Development Code.

APPROVAL SOUGHT: Master Plan Zoning, Preliminary Development Plan and Final Development Plan to be processed administratively. The Application was submitted to the Building and Development Services on the March 9th submittal deadline date.

GROWTH MANAGEMENT AREA: SGMP Sustainable Development Area 2, identified on the SGMP Future Land Use Map as part of the Community of La Cienega and the La Cienega and La Cieneguilla Traditional Community Planning Area (Exhibit 11).

HYDROLOGIC ZONE: Basin Hydrologic Zone, minimum lot size in this area is 2.5 acres.

ARCHAEOLOGIC ZONE: High, less than 5 acres within a Traditional Historic Community, reviewed by NMSHPD, no survey required due to prior disturbance.

ACCESS AND TRAFFIC: The property takes access from Erica Road, a County Road, Via I-25 West Frontage Road.

FIRE PROTECTION: La Cienega Fire District.

WATER SUPPLY: Existing on-site well, not to exceed .25 acre feet of water per year. Water restrictive covenants shall be recorded along with the Final Development Plan.

LIQUID WASTE: Private septic, reviewed by NMED.

SOLID WASTE: Utilize their waste collection operation.

**FLOODPLAIN & TERRAIN
MGMT:**

The request is in conformance with Article VII, Section 3.4.6 and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The increase of additional square footage along with parking shall require a retention pond sized to accommodate the expanding use as well as existing conditions. The Applicant's conceptual Grading and Drainage Plan satisfies Master Plan requirements.

SIGNAGE AND LIGHTING:

The Applicant is proposing a 70 square ft. sign, 10 ft. in height with a setback of 25 feet from the property lines along the Frontage Road and Erica Road, which complies with Article VIII, Section 7.3 & 7.8 of the Land Development Code.

EXISTING DEVELOPMENT:

MCT was issued a County Business License on September of 2011 and is currently operating on the site.

ADJACENT PROPERTY:

The site is bordered to the east by Babcock Construction, to the south by the West Frontage Road, to the west is Erica Road and a residential property adjoins the site to the north.

PARKING:

The plans illustrate 20 parking spaces one designated as handicap, which complies with Article III, Section 9.1 (Parking Requirements), of the Land Development Code.

LANDSCAPING:

Landscape shall be implemented to screen parking area in compliance with the code criteria, Article III, Section 4.4.4.f. The conceptual plans depict a 25 foot landscape buffer along the West Frontage Road and a landscape buffer along Erica Road.

RAINWATER HARVESTING:

A 5,000 gallon cistern is proposed for this development, which exceeds the required 4,500 gallon cistern. Water conservation measures shall be implemented with the development.

AGENCY REVIEW:

<u>Agency</u>	<u>Recommendation</u>
NMOSE	Approval
NMDOT	Approval
NMED	Approval
NMDHP	Approval
County Fire	Approval with Conditions
County PW	Approval with Conditions

County Utility	Approval
Planning	Approval

STAFF RECOMMENDATION: **Conditional approval of Master Plan Zoning to allow the expansion of a non-conforming structure and site, conditional approval of Preliminary Development Plan and approval of Final Development Plan to be reviewed and approved administratively.**

If the decision of the BCC is to approve the Applicant's request staff recommends imposition of the following conditions:

1. The Applicant shall comply with all review agency comments and conditions, **Article V, Section 7.1.3.c.**
2. Master Plan and Preliminary Development Plan, with appropriate signatures, shall be recorded with the County Clerk, as per **Article V, Section 5.2.5.**

EXHIBITS:

1. Master Plan & Preliminary Development Plan Report
2. Drawings
3. Section 6.10 of Ordinance No. 2002-9
4. Article II, Section 4.5
5. Article III, Section 4.4, Development and Design Standards
6. Article V, Section 5, Master Plan Procedures
7. Article V, Section 7
8. July 2011 LUA Letter
9. Aerial Photo of Property
10. Photos of Site
11. Agency Reviews and Comments
12. Plat
13. Letter from La Cienega Valley Association
14. Summary of Community Meeting
15. Summary of Revisions Submitted by Applicant
16. CDRC Minutes



**MASTER PLAN/PRELIMINARY
DEVELOPMENT PLAN REPORT**

**PREPARED FOR SUNSET
SOLUTIONS LLC**

PREPARED BY

JAMES W. SIEBERT & ASSOC. INC

MARCH 9, 2011



NBD-6

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APPENDICES

Appendix A	Reduction of plat and Warranty Deed
Appendix B	Office of the State Engineer Water Rights Summary
Appendix C	NMED Existing Wastewater System
Appendix D	Site Threshold Assessment

FIGURES

Figure 1	Vicinity Map
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Introduction

A request is submitted for master plan and preliminary development plan approval along with a request for administrative review of the final development plan to expand a legal non-conforming use.

Sunset Solutions LLC has owned the subject property since July of 2011 and is doing business as MCT Waste which is a waste collection company.

The Capling subdivision was platted in 1977 and designated the four lots adjacent to the I-25 frontage road as commercial lots.

The property has maintained its commercial status since 1988. In 1985 Schwan's Sales Enterprises, Inc. purchased the property. The building was constructed in 1988 and Schwan's began their dairy and frozen food delivery business. In 2011 Sunset Solutions LLC purchased the property and began operating as MCT, a waste collection business.

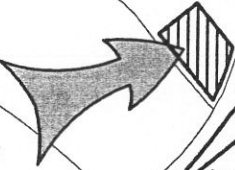
Project Location

The subject tract consists of 2.143 acres of land and is located within Township 16 North, Range 8 East, Section 26. The property is located at the northwest corner of the I-25 west frontage road and Erica Road intersection. This tract of land is located within the planning jurisdiction of the village of La Cienega. Figure 1 is a vicinity map showing the location of the property overlaid on a USGS map.

Ownership and Legal Lot of Record

The property is owned by Sunset Solutions, LLC. The original legal lot of record was created by the Capling Subdivision filed in the office of the County Clerk on May 31, 1977 in Book 69, Page 022. A reduction of the plat and the warranty deed are found in Appendix A to the report

SITE



NM 599

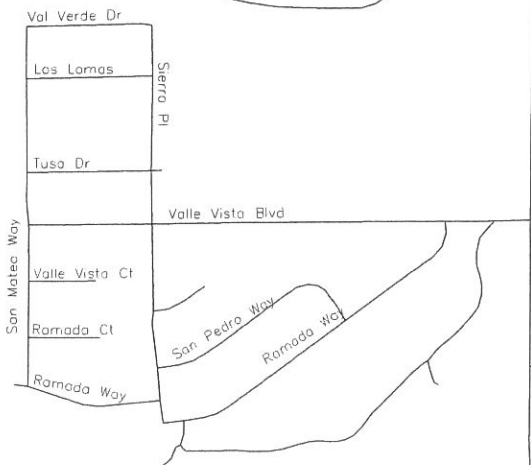
I-25 FRONTAGE ROAD

ERICA ROAD

LOS PINOS ROAD

INTERSTATE 25

County Rd 50B



JAMES W. SIEBERT AND ASSOCIATES, INC. 915 MERCER STREET • SANTA FE NEW MEXICO 87501 (505) 983-5588	MCT	SCALE 1" = 1,000'
	VICINITY MAP	NORTH

NBD-10

Development Request

A request for master plan, preliminary development plan along with the administrative approval of final development plan is being submitted to expand and remodel the existing building. The expansion will consist of 3,020 square feet of garage area and an increase of the height of the roof from 16 feet to 24 feet for a portion of the existing building and all of the height of the addition. The increase in building height allows for taller doors which provides for access for parking of the MCT trucks owned inside the building.

Existing Conditions

There is currently a warehouse building on the site which has been on the property for approximately twenty-four years. MCT is currently operating out of the existing warehouse building.

Adjoining Land Uses

The property to the north is Babcock Construction which is a commercial use approved when the property was located within the extraterritorial area. American Spirit Homes was located immediately south of this property. The tract of land where American Spirit Homes was located is currently vacant. The prior tack and feed store, now a real estate office is located at the northwest corner of the I-25 frontage road and Los Pinos Road intersection. To the west along Erica Road are self-storage units, truck storage and equestrian facilities. The property between the I-25 frontage road and Los Pinos road is largely commercial in nature.

Utilities

Natural Gas

There is no natural gas service available to this property. The above ground propane tank has been removed and heating of the building is supplied by electricity. The existing cooler inside the building and mechanical systems outside the building will be removed during the remodel process.

According to New Mexico Gas Company there are no plans in the near future to extend natural gas to this area of Santa Fe County.

Electric

There is an overhead single phase electric line along the southern property boundary adjacent to Erica Road that serves this property. The energy demand to serve the existing

building and building expansion is limited and existing electric capacity is sufficient to serve the new business.

Telephone

Telephone is located on the same poles as the electric line. No increase in telephone capacity is needed to serve the expansion of this business. The majority of the telephonic business is handles through the Albuquerque office.

Water

Water will be supplied by an existing on-site well not to exceed .25 acre feet of water per year. The filing with the Office of the State Engineer, dated 1988, is found in Appendix B. The RG number for the well is RG 50123. The well is approximately 310 feet deep and according to prior owners produces from 15 to 20 gallons per minute. It is assumed that there is not a meter on the well since meter readings have not been submitted to the Office of the State Engineer. A change of ownership for the well will be submitted to the Office of the State Engineer. It is assumed that the change of ownership will be completed prior to the Board of County Commissioners' hearing.

Wastewater

A septic system approved by the New Mexico Environment Department is currently being used. The NMED permit for the existing wastewater system is found in Appendix C to this report. The permit was issued for 750 gallons per day. There is no observed problems with the existing septic system.

Fire Protection

The closest County fire substation to the site is located at 14 Fire Place Drive. The substation on Fireplace Drive is manned by paid fire fighters. There are also two paid fire fighters at the La Cienega Fire Substation, with support from volunteer fire personnel. The Fireplace Drive Substation is approximately 2.6 miles from this property, measured along Fireplace Drive, State Road 14, Cerrillos Road and the I-25 west frontage road.

Access

The access to the property is directly off of Erica Road which intersects with the I-25 west frontage road. Erica Road is a private road maintained by the land owners along the roadway.

Erica Road is a loop road that intersects with the I-25 frontage road to the north and changes name to Calle Debra. The distance from the NM 599 and I-25 frontage road signalized intersection to Calle Erica measured along the I-25 frontage road is 2,640 feet. Erica Road consists of a 50 foot right-of-way and a gravel basecourse surface with one twelve foot lane in each direction.

A site threshold assessment has been prepared for review by the NMDOT, District Five. The Site Threshold Assessment form is included in the report as Appendix D.

Environmental Evaluation

Topography and Drainage

The terrain is exceptionally flat with an average slope of 1-2 percent across the property. The land slopes from the south to the north with no natural swales located within the property. There is no evidence of erosion caused by drainage on the property.

Vegetation

The property has been heavily graded over the years and there is very little vegetation on the site. What vegetation does exist consists mainly of dry land grasses.

Soils

The Natural Resources Conservation Service has prepared a soil survey for this area of Santa Fe County. The soils classifications based on this survey are provided below.

115 Panky Urban Land Complex

1 to 4 Percent Slopes

115—Panky-Urban land complex, 1 to 4 percent slopes

Map Unit Setting

Elevation: 6,100 to 6,900 feet

Mean annual precipitation: 10 to 13 inches

Mean annual air temperature: 50 to 52 degrees F

Frost-free period: 150 to 170 days

Map Unit Composition

MCT Master Plan Preliminary Development Plan

Panky and similar soils: 55 percent
Urban land: 35 percent

Description of Panky

Setting

Landform: Eroded fan remnants
Landform position (two-dimensional): Summit
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from granite, gneiss, schist, loess, and volcanic ash

Properties and qualities

Slope: 1 to 4 percent
Depth to restrictive feature: 2 to 4 inches to abrupt textural change
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 45 percent
Gypsum, maximum content: 1 percent
Maximum salinity: Very slightly saline to slightly saline (4.0 to 8.0 mmhos/cm)
Sodium adsorption ratio, maximum: 13.0
Available water capacity: Very low (about 0.3 inches)

Interpretive groups

Land capability (nonirrigated): 6c
Ecological site: Loamy (R035XA112NM)

Typical profile

0 to 2 inches: Loam
2 to 9 inches: Clay loam
9 to 13 inches: Clay loam
13 to 17 inches: Clay loam
17 to 34 inches: Loam
34 to 45 inches: Loam
45 to 64 inches: Loam
64 to 92 inches: Loam

92 to 104 inches: Loam
104 to 120 inches: Loam

Description of Urban Land

Setting

Landform: Eroded fan remnants
Down-slope shape: Linear
Across-slope shape: Linear

Interpretive groups

Land capability (nonirrigated): 8s

Archaeology

The property is located within a high potential for archaeological as shown on the County maps requiring an archaeology report for tracts that are 2 acres or larger in size. The 2.145 acre site would marginally require an archaeological survey. Under section 3.4.3.a.v. of the County Land Development Code a request is made for an exception to the archaeological standard due to the amount of grading that has taken place on the site.

Project Description

MCT primarily provides waste collection services to construction sites and companies that generate substantial waste volumes and require a larger container to store the material until it is picked up. The trucks leave in the morning and are scheduled to pick up and drop off containers within their route. Waste is taken to the regional land fill and the trucks are then cycled to other jobs. The trucks generally leave once in the morning and do not return until the end of the work day. Client contact and billing is conducted from the office in Albuquerque. The site is generally vacant during the day when the trucks are making the deliveries and pick-ups.

The building height is being raised to accommodate the parking of the trucks within the building. During the winter months if trucks are returned to the yard with a full load the trucks will be parked inside the building to avoid freezing of the material and the need to break up the waste before disposing of it at the regional land fill. During the warmer months any trucks that are parked overnight with waste material have a tarp which covers the length and width of the container to prevent material blowing out of the container. The trucks would also be serviced inside the building. Major repairs to the trucks are made at the main facility in Albuquerque.

MCT Master Plan Preliminary Development Plan

MCT plans to begin recycling of material after the business is better established in the Santa Fe area. They also plan to provide small cubes to residential users that are remodeling their houses or have a need for storage of waste materials over a limited period of time.

During the morning and the evening there would be a maximum of four workers on site. For customary operations no personnel are working within the yard during the hours of 9:00 to 4:00.

Site Data

Tract size:	2.143 Acres
Current size of building:	4,862 sq.ft.
Building addition:	3,020 sq.ft.
Total building area:	7,882 sq.ft.
Parking provided:	7 spaces
Lot coverage:	8%
Area of landscape:	9,300 sq. ft. 10% of lot area

Use List

- Warehouse storage
- Warehouse distribution
- Office use
- Light industrial
- Maintenance shop
- Contractor's Yard
- Manufacturing

Solid Waste

MCT will handle disposal of their own solid waste since they are a waste collection operation and make daily trips to the regional transfer station or to Albuquerque.

Lighting

The existing building mounted lights, which have cut-off shields, will be relocated on the southwest side of the building façade. Additional building mounted lights, consisting of the same model as already exists on the building will be included in the building expansion. The model type for the building mounted lights is shown on the plan set for the master plan and preliminary development plan.

There will be four lights on the sign, mounted at the top of the sign. The lights will be shielded and wattage for the bulbs will be limited to 50 watts for each light.

Water Budget

Domestic

	<u>Toilet</u>	<u>Annual Consumption</u>
Four persons	1.6 gal x 4 persons x 250 days	1,600 gals
Hand washes	4 hand wash x .5 gals x 250 days	500 gals
		Total 2,100 gals/year

Truck Wash

100 times/year at 50 gallons/wash.
100 x 50 gals = **5,000 gals/year**

Landscape

Type Trees	Number	Each Tree & Shrub Gals/Year	Total Gals/Year
Rocky Mountain Juniper	6	750	4,500
Western Hackberry	8	850	6,800
		Subtotal	11,300
Shrubs			
Spanish Broom	18	80	1,440
Russian Sage	18	80	1,440
Lavender	21	80	1,600
		Subtotal	4,480
		Grand Total	15,780

NBD-17

Rainwater Harvest System

The roofed area where rainwater will be captured and directed to an underground tank consists of the new building area representing 3,020 square feet. The calculation of water collected from this roof area on an annual basis is described below.

Annual rainfall under drought conditions:	9.42 inches
Total roof area:	3,020 sq. ft.
Runoff coefficient:	.85

.785 ft. x 3,020 sq.ft. = 2,370 cubic feet

2,370 cubic feet x 7.46 gals/cu.ft. = 17,680 gallons harvested annually from rainwater. The supply requirement for the landscape is 15,780 gallons which exceeds the estimated annual rainwater capture.

A pump will be installed within the water harvest tank and this pump will supply the drip irrigation system that will service the proposed landscape.

<u>Summary of Water Use</u>	<u>Gals/year</u>
Domestic	2,100
Truck Wash	5,000
Landscape	<u>15,780</u>
Total	22,880 = 0.0702 ac.ft./yr