

tabbles®
EXHIBIT
10

↑
NORTH

NBD-42





NBD-43



NBD-44

SPEED
LIMIT
25

NBD-45





NBD-46



NBD-47



SELF-STORAGE

SouthWest of MCT

NBD-48



American Spirit
HOMES

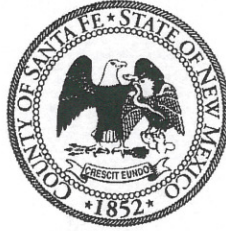
WEST OF MCT

NBD-49

Danny Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert Anaya
Commissioner, District 3



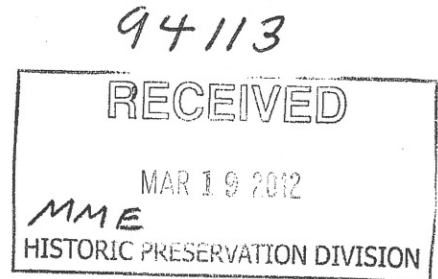
Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

March 16, 2012

Ms. Michelle Ensey, Deputy State Historic Preservation Officer
State of New Mexico Historic Preservation Division
407 Galisteo Street, Suite 236 - 2nd Floor
Bataan Memorial Building
Santa Fe, NM 87501



Re: CDRC Case # MP/PDP 12-5070 MCT Waste

Dear Ms. Ensey:

Please review the enclosed information as submitted to us by the Applicant for technical accuracy and for compliance with the Land Development Code for Master Plan and Preliminary Development Plan. Please respond, with comments, at your earliest convenience. This case will be presented to the County Development Review Committee on May 17, 2012. Please respond by April 16, 2012.

If you have any questions, please do not hesitate to contact this office at 986-6296.

Sincerely,

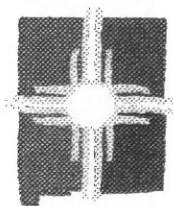
Jose E. Larraga
Commercial Development Case Manager
Fax-(505) 986-6389
joselarra@co.santa-fe.nm.us

No Historic Properties Affected. 4/11/12
MME
for NM State Historic Preservation Officer

No survey is necessary due to prior disturbance and low potential for archaeological sites in the immediate vicinity.



NBD-50



New Mexico DEPARTMENT OF
TRANSPORTATION
MOBILITY FOR EVERYONE

April 11, 2012

Mr. Jose E. Larrañaga
Commercial Development Case Manager
P.O. Box 276
Santa Fe, NM 87504-0276

Re: CRDC Case #MP/PDP 12-5070 MCT Waste

Dear Mr. Larrañaga:

Traffic staff reviewed the Development Report for the above referenced project in Santa Fe County, NM. It is apparent from the Site Threshold Assessment that impacts from the proposed development will be minimal to the state roadway system. No further action is required.

If you have any questions, please feel free to call me at 505-476-4238.

Sincerely,

Javier A. Martinez, P.E.
District 5 Assistant Traffic Engineer

xc: Ruben Garcia, P.E., District Traffic Engineer, District 5

Susana Martinez
Governor

Alvin C. Dominguez, P.E.
Cabinet Secretary

Commissioners

Pete Rahn
Chairman
District 3

Debra Hicks
Vice Chairman
District 2

Dr. Kenneth White
Secretary
District 1

Ronald Schmeits
Commissioner
District 4

Butch Mathews
Commissioner
District 5

Jackson Gibson
Commissioner
District 6



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

April 09, 2012

CONCHA ORTIZ Y PINO BLDG.
POST OFFICE BOX 25102
130 SOUTH CAPITOL
SANTA FE, NEW MEXICO 87504-5102
(505) 827-6091
FAX: (505) 827-3806

Jose E. Larrañaga
Commercial Development Case Manager
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276

CERTIFIED MAIL
RETURN RECEIPT
REQUESTED

Reference: MCT Waste

Dear Mr. Larrañaga:

On March 19, 2012, the Office of the State Engineer (OSE) received a request to provide comments for the MCT Waste Development Plan submittal.

The proposal provides an outline for the remodel and expansion of the existing MCT Waste 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 development consists of a 2.143 acre parcel located at the northwest corner of I-25 west frontage road and Erica Road intersection within Township 20 North, Range 9 East, Section 26, NMPM.

This proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act.

When a development/subdivision proposal is received by the OSE, the developer's water demand analysis is reviewed (pursuant to the Code) to determine if it is technically correct and reasonable. The OSE also verifies that the appropriate conservation measures are reflected in the analysis. Further, data in the water demand analysis is compared with the data and statements included in the disclosure statement and in the restrictive covenants to make sure that they are consistent with each other.

The proposal contains a water demand analysis for the remodel and expansion of the existing building. The total project water demand is estimated at 0.25 acre-feet per annum. The water demand analysis provided could not be verified because the water use values used in the calculations were not cited as to where they were obtained.

NBD-52

The rain water harvest calculation erroneously did not include the listed runoff coefficient. The 17,680 gallons is an over estimation of rainwater capture.

Section 47-6-11.F (1) of the New Mexico Subdivision Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. Therefore, the OSE reviews the water rights and the physical water availability.

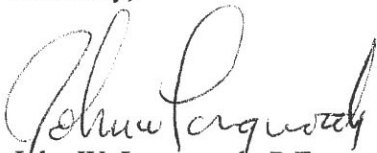
The developer anticipates that existing well RG-50123 (currently owned by Sunset Solutions, LLC.) will supply water to the proposed development. The OSE records indicate that permit No RG-50123 was approved in accordance with Section 72-12-1 NMSA 1978 for sanitary purposes in conjunction with a commercial operation. Furthermore, the permit requires the filing of quarterly meter readings. However, the OSE records indicate that none have been submitted. Therefore, the permittee is not in compliance with Section 1-18.4 of the OSE Rules and Regulations Governing Drilling and Appropriation and use of Ground Water in NM.

Based on OSE records, the above mentioned permit is allowed to divert 3.0 acre feet of water per year. The submitted plan describes the well as producing from 15 to 20 gallons per minute but cannot be verified through OSE records.

Article VII, Section 6.1 of the Code allows the Santa Fe County Land Use staff to refer development plans to state agencies for review "*if, in the opinion of the County Hydrologist and the Code Administrator, such referrals will provide information necessary to the determination of whether or not a proposed development is in conformance with provisions of this Code*". The OSE recognizes the proactive actions on behalf of the County to solicit the technical opinion of the OSE on this development plan. However, because the proposed development is not formally covered under the New Mexico Subdivision Act, the OSE declines to provide an opinion at this time. We appreciate the opportunity to review the MCT Waste Development Plan.

If you have any questions, please call Kenneth Richard at 505-827-3838.

Sincerely,



John W. Longworth, P.E.

Water Use & Conservation/Subdivision Review Bureau Chief

cc: OSE Water Rights Division, Santa Fe Office

NBD-53



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

Field Operations Bureau

2540 Camino Edward Ortiz
Santa Fe, NM 87507
Phone (505) 827-1840 Fax (505) 827-1839
www.nmenv.state.nm.us



DAVE MARTIN
Cabinet Secretary
BUTCH TONGATE
Acting Deputy Secretary

May 9, 2012

Jose E. Larranaga
Commercial Development Case Manager
102 Grant Avenue
P.O. Box 276
Santa Fe, NM 87504-0276

Re: CDRC Case #MP/PDP 12-5070 MCT Waste

Dear Mr. Larranaga:

Robert Italiano, the District II Manager has requested that I respond to your letter of March 16, 2012. I have reviewed the package submitted for MCT Waste Plan. My review covered liquid waste regulatory requirements within the purview of the New Mexico Environment Department.

This project consists of 2.143 acres of land and is located at the northwest corner of the 1-25 west frontage road and Erica Road intersection. The plan is requesting the approval of the final development plan that will expand and remodel the existing building. The expansion will consist of 3020 square feet of garage area and an increase of the height of some portion of the existing building and all of the height of the addition.

Regarding the liquid waste disposal, our record showed that a liquid waste permit was issued for this project in 1988(SF880521) for a 750 gallons per day of waste water. The plan did not specify how many employees will be working in the building but it appears that it will be adequate for any new employees working in this new addition since it was oversized in that year.

The plan mentioned that the company will handle their own solid waste disposal since they are waste collection Operation Company.

Should you have any questions on my comments, please contact me at 505-476-9105.

Sincerely,

A handwritten signature in black ink, appearing to read "Chika N. Ezeanyim", with a long horizontal flourish extending to the right.

Chika N. Ezeanyim
Environmental Specialist

Cc: Robert Italiano, District II, Manager
Reading File

Daniel "Danny" Mayfield
 Commissioner, District 1

Virginia Vigil
 Commissioner, District 2

Robert A. Anaya
 Commissioner, District 3



Kathy Hollan
 Commissioner, District 4

Liz Stefanics
 Commissioner, District 5

Katherine Miller
 County Manager

Santa Fe County Fire Department Fire Prevention Division

Official Submittal Review

Date	04/13/2012				
Project Name	MCT Waste, Sunset Solution LLC.				
Project Location	5 Erica Road, Santa Fe, New Mexico 87507				
Commercial <input checked="" type="checkbox"/>	Residential <input type="checkbox"/>	Sprinklers <input type="checkbox"/>	Wildland <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>	
Description	Dev. plan to expand legal non-conforming use.			Case Manager	Jose Larranaga
Applicant Name	Sunset Solution LLC.			County Case #	12-5070
Applicant Address	7451 Pan American Frwy Albuquerque, New Mexico 87109			Fire District	La Cienega
Applicant Phone	Siebert Assoc. 505-983-5588				
Review Type	Master Plan <input checked="" type="checkbox"/>	Preliminary <input checked="" type="checkbox"/>	Final <input type="checkbox"/>	Inspection <input checked="" type="checkbox"/>	Lot Split <input type="checkbox"/>

Project Status **Approved** **Approved with Conditions** **Denial**

The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated:

Fire Department Access

Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

▪ **Fire Access Lanes**

Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

▪ **Roadways/Driveways**

Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

NBD-54

The driveway meets the minimum County standards for fire apparatus access roads of a minimum 14' wide all-weather driving surface and an unobstructed vertical clearance of 13' 6" within this type of proposed development.

▪ **Street Signs/Rural Address**

Section 901.4.4 Premises Identification (1997 UFC) *Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

Section 901.4.5 Street or Road Signs. (1997 UFC) *When required by the Chief, streets and roads shall be identified with approved signs.*

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

▪ **Slope/Road Grade**

Section 902.2.2.6 Grade (1997 UFC) *The gradient for a fire apparatus access road shall not exceed the maximum approved.*

There are no slopes that exceed 11%.

▪ **Restricted Access/Gates/Security Systems**

To prevent the possibility of emergency responders being locked out, all access gates should be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

Fire Protection Systems

Fire Alarm/Notification Systems

Automatic Fire Protection Alarm systems shall be required as per 1997 Uniform Fire Code, Article 10 Section 1007.2.1.1 and the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe. Required Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code, for given type of structure and/or occupancy use. Said requirements will be applied as necessary as more project information becomes available to this office during the following approval process.

Unless the building is occupied on a continual 24-hour basis, the alarm system shall be electrically monitored by an approved central station, remote station or proprietary monitoring station.

All Fire Alarm systems shall be developed by a firm certified to perform and design such systems. Copies of the fire alarm system design shall be submitted to the Fire Prevention Division for review and acceptance prior to installation. Systems will not be approved unless tested by the Santa Fe County Fire Department. Fire Alarm systems shall be in accordance with NFPA 72, National Fire Alarm Code for given type of structure and/or occupancy use.

▪ **Emergency lighting and exit signs**

Article 12, Section 1211 Means of egress Illumination (1997 UFC)

Paragraph 1211.1 General Means of egress illumination shall be provided and maintained in accordance with the Building Code. Means of egress shall be illuminated when the building or structure is occupied.

Paragraph 1211.2 Equipment providing emergency power for means of egress illumination and exit signs shall me maintained in an operable condition.

▪ **Fire Extinguishers**

Article 10, Section 1002.1 General (1997 UFC) *Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.*

Portable fire extinguishers shall be installed at all doors and locations as set forth in the 1997 Uniform Fire Code. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

Life Safety

Article 10 -- Fire protection systems and equipment
Section 1001 General, Paragraph 1001.9 Special Hazards.

Fire Protection requirements listed for this development have taken into consideration the hazard factors of potential occupancies as presented in the developer's proposed use list. Each and every individual structure of commercial designation will be reviewed and must meet compliance with the Santa Fe County Fire Code (1997 Uniform Fire Code and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code, which have been adopted by the State of New Mexico and/or the County of Santa Fe.

General Requirements/Comments

▪ **Inspections/Acceptance Tests**

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

The developer shall call for and submit to a final inspection by this office prior to the approval of the Certificate of Occupancy to ensure compliance to the requirements of the Santa Fe County Fire Code (1997 UFC and applicable NFPA standards) and the 1997 NFPA 101, Life Safety Code.

▪ **Permits**

As required

Official Submittal Review
3 of 4

NBD-56

Final Status

Recommendation for Master/ Preliminary Development Plan approval with the above conditions applied.

Renee Nix, Inspector

Renee Nix
Code Enforcement Official

4-13-12
Date

Through: Chief David Sperling, Fire Marshal

File: DEV/WCT Waste/SunsetSolutions/033012/LC

Cy: Captain Buster Patty *[initials]*
Land Use Office
Applicant
District Chief La Cienega
File

Official Submittal Review
4 of 4

NBD-57

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Liz Stefanics
Commissioner, District 4

Kathy Holian
Commissioner, District 5

Katherine Miller
County Manager

**GROWTH MANAGEMENT DEPARTMENT
PUBLIC WORKS DIVISION
MEMORANDUM**

Date: April 16, 2012

To: Jose Larranaga, Land Use Department

From: Paul Kavanaugh, Engineer Associate Public Works *PK*
Johnny P. Baca, Traffic Manager Public Works *JPB*

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

The referenced project has been reviewed for compliance of the Land Development Code, and shall conform to roads and driveway requirements of **Article V (Subdivision Regulations) and Section 8.1 (General Policy on Roads)**. The referenced project is located northeast corner of the Interstate 25 West Frontage Road and Erica Road Intersection within Sections 26, Township 16 North, Range 8 East. The applicant is requesting a Master Plan and Preliminary Development Plan Approval to expand a legal non-conforming use of a 2.143 acre tract.

Access:

The development is proposing access through an existing thirty (30') foot access off Erica Road. Erica Road is a County Road approximately twenty (20') feet in width, with a dirt driving surface.

Conclusion:

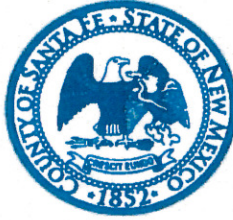
Public Works has reviewed the Submittal, dated March 16, 2012, and feels that staff can support the above mentioned project for a Master Plan and Preliminary Development Plan Approval with the following condition;

- 1) Applicant must upgrade Erica Road with six inches of compacted base course from Interstate 25 West Frontage Road to the most northern boundary of MCT's Driveway.
- 2) Applicant must obtain a Road Construction / Road Cut permit from Santa Fe County Public Works as per Article III, Section 2.4.2b.3a.5 and Article V, Section 8.1 of the Land Development Code for improvements to Erica Road.

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

May 9th, 2012

TO: Jose Larrañaga, Commercial Development Review Manager

FROM: Karen Torres, County Hydrologist *KT*

THRU: Rich Silva, Utilities Department *RS*
Patricio Guerrerortiz, Utilities Director

RE: Revised Review Report-CDRC Case MCT Waste Master and Preliminary Development Plan -T16N R8E Sec 26 & 27

A review of the subject development plan including additional information and revised water budget, received April 23, 2012, was performed for technical accuracy and compliance with the Land Development Code.

Staff has determined the proposed development is not required to submit a water development plan or connect to the county water system. Sufficient data has been submitted for approval of master and preliminary development plan but additional documentation is requested:

1. Submission of a liquid waste disposal permit issued by NMED listing all the uses described in the master and preliminary development plan.
2. Incorporation of design of drainage system in the final development plan to accommodate wastewater from truck washing into the septic system
3. A liquid waste disposal documentation package, as outlined in Article VII Section 2.6 of the SFC Land Development Code, is required for review prior to final development plan approval.
4. Water Conservation Covenants shall be submitted for review prior to final development approval.

Nature of Project

The applicant proposes to expand an existing commercial property for warehouse, distribution, office, light industrial, maintenance shop, contractor's yard and manufacturing for purposes

associated with a waste collection service. Water service will be provided by an on-site 72-12-1 well and a septic tank will dispose of liquid waste.

The existing parcel is subject to the requirements of the La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District. (Ordinance No. 2002-9)

SFC Land Development Code Requirements as Amended by Ordinance No. 2002-9

Ordinance No. 2002-9 amends Article XIV by adding a new Section 6 entitled La Cienega and La Cieneguilla Traditional Community Planning Area and Zoning La Cienega Traditional Community District. Section 6.10.3, within this ordinance, requires all new commercial development to connect to the Santa Fe County Water System, if the system is within 200 feet of the property line.

Utility staff reviewed record drawings and performed a field check of the subject property and determined a County distribution line exists within 700 feet of the subject property corner. The utilities department has determined that connection to the Santa Fe County Water System is feasible at this time, contingent upon extending the existing line approximately 1,200 feet to the limits of the property. However, by virtue of Ordinance No. 2002-9 the applicant is not required to make the extension for service, but the SFCFD may require additional water supply for fire protection.

SFC Land Development Code Requirements

Water Supply

From Table 7.4 of Article VII Section 6 –Water Supply, all non-residential development in which the project uses more than 0.25 acre-feet of water annually is required to submit a water supply plan addressing water availability, conservation, fire protection and water quality.

To determine if the subject development is predicted to use more than 0.25 acre-feet a revised water budget was submitted for review. The in-door demand figures used in this analysis are based on partial occupancy of the business. Since future occupancy cannot be predicted due the potential changes in use or change of ownership, 100% occupancy should be used for a conservative analysis.

Using water billing data from the county operated La Cienega Transfer Station approximately 200 gallons of water per month is used by one full time employee. Winter usage is used to be representative in-door water use. Full time occupation of 4 employees at the proposed development is used to be conservative and to recognize uncertainty in projecting future occupation trends. The estimated water usage per year is 9,600 gallons as calculated below:

Annual Indoor Use = 200 gal/mo x 4 employees x 12 mo = 9,600 gals

The outdoor water demand is based on irrigation of landscape and truck washing. Outdoor irrigation is based on a drip system, the number of plants in the landscape plans and the water demand for each plant. The applicant has estimated 15,780 gallons per year as the water demand for landscape. The methodology and amount of water is acceptable and in compliance with the land development code.

For truck washing the applicant's agent, via e-mail communication, stated 4 trucks will be on-site. A hot water, high pressure portable washer will be used to wash these trucks. It is presumed each truck will be washed once per week for a duration of 30 minutes. The specification sheet for the high pressure washer sites a discharge of 3.9 gpm for the washer and up to 8.0 gpm for the trigger. Since the trigger will distribute water from the washer; it is assumed the maximum amount of water that can be discharged is 3.9 gpm. The estimated water usage per year is 24,336 gallons as calculated below:

Annual Truck Washing Use = 4 truck x 52 weeks x 3.9 gpm x 30 min = 24,336 gallons

Based on the data and recommended assumptions of use and occupancy, the annual water budget is estimated at 0.15 acre-feet per year. A summary of the water budget proposed by the applicant and the staff recommended water budget is in the following table.

Water Use Type	Applicant Proposed Annual Water Budget (gallons)	Applicant Proposed Annual Water Budget (af)	County Staff Recommended Annual Budget (gallons)	County Staff Recommended Annual Budget (af)
Domestic	2,100 gal/yr	0.006 af/yr	9,600 gal/yr	0.029 af/yr
Landscape	15,780 gal/yr	0.048 af/yr	15,780 gal/yr	0.048 af/yr
Truck Washing	9,000 gal/yr	0.028 af/yr	24,336 gal/yr	0.075 af/yr
Total	26,880 gal/yr	0.082 af/yr	49,716 gal/yr	0.15 af/yr

It is also noted no water restrictive covenants for this development were submitted for review.

As this development is estimated to use less than 0.25 acre-feet, no water supply plan pursuant to Article VII Section 6 of the Land Development Code is required. To ensure proposed water conservation measures are adhered to submission of water restrictive covenants for review is required prior to final development approval

Liquid Waste

From Table 7.1 of Article VII Section 2, as amended by Ordinance 1999-1, commercial development with non-typical domestic waste is required to submit a documentation package that meets the requirements of Article VII Section 2.6. No such documentation was submitted by the applicant.

Individual Liquid Waste Permit No. SF-880521, approved October 14, 1988, was submitted by the applicant to meet code requirements for liquid waste. It is noted that the building use

NBD-59c

designated on this permit is for warehouse only and does not describe the distribution, office, light industrial, maintenance shop, contractors yard and manufacturing uses requested by this development request. Additionally, wastewater from truck washing should be disposed of by draining into the septic system, not allowed to run on the surface, due to the degraded water quality from this activity.

It is recommended the applicant submit an application to NMED to modify the existing liquid waste permit specifying all the proposed uses of this development. The up-dated permit shall be submitted for review by the utilities department prior to final development approval. Design of appropriate drains from the truck washing bay to the septic system should be incorporated in the final development plan.

Conclusions

The proposed development is not required to submit a water development plan or connect to the county water system. Sufficient data has been submitted for approval of master and preliminary development plan but additional submittals are requested:

1. Submission of a liquid waste disposal permit issued by NMED listing all the uses described in the master and preliminary development plan.
2. Incorporation of design of drainage system in the final development plan to accommodate wastewater from truck washing into the septic system
3. A liquid waste disposal documentation package, as outlined in Article VII Section 2.6 of the SFC Land Development Code, is required for review prior to final development plan approval.
4. Water Conservation Covenants shall be submitted for review prior to final development approval

If you have any questions, please feel free to contact me at 992-9871 or ktorres@co.santa-fe.nm.us.

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: April 12, 2012

TO: Jose Larranaga, Commercial Development Case Manager

FROM: John Lovato, Terrain Management

VIA: Penny Ellis-Green, Interim Land Use Administrator
Wayne Dalton, Building and Development Services Supervisor

FILE REF: CDRC CASE # MP/PDP/ 12-5070 / MCT Waste

REVIEW SUMMARY

Terrain Management

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The request is for Master Plan and Preliminary Development Plan approval to allow MCT Waste on 2.14 acres. The Request allows for an expansion to a Non-Conforming use. The proposed facility will consist of an addition of 3,020 square feet to an existing 4,862 Square feet. The proposed facility will also increase additional Parking spaces and storage waste containers. The site has slopes less than 15% and slopes southeast to northwest.

Storm Drainage and Erosion Control:

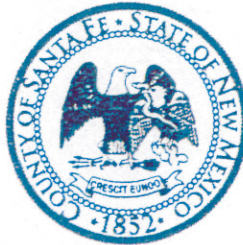
The request is in conformance with Article VII, Section 3.4.6 and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance. The increase of additional square footage along with parking shall require a retention pond sized to accommodate the expanding use as well as existing conditions.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

NBD-60

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: May 3, 2012

TO: Jose Larranaga, Commercial Development Case Manager

FROM: Amanda Romero, Senior Development Review Specialist

VIA: Penny Ellis-Green, Interim Land Use Administrator
Wayne Dalton, Building and Development Services Supervisor

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

REVIEW SUMMARY
ARCHITECTURAL, PARKING, LIGHTING, AND SIGNAGE:

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code and the La Cienega Traditional Community Ordinance 2002-9. This Application does conform to Article III, Section 9 (Parking Requirements) Article VIII, Section 7.3 and 7.8 (Sign Regulations) and Article III, Section 4.4.4 h (Outdoor Lighting).

PARKING:

The Applicant's proposal shows a total of 20 parking spaces. This total includes 1 handicap space. The Land Development Code requires 1 parking space per employee plus 1 parking space per 500 sq. ft. Staff has determined that the parking element of the Application is in compliance with Article III, Section 9.1.

ARCHITECTURAL:

The existing building is 4,862 sq. ft. The Applicant proposes an addition of 3,020 sq. ft. for a total of 7,882 sq. ft. The Applicant's use list for the parcel consists of Warehouse Storage, Warehouse Distribution, Office use, Light Industrial, Maintenance Shop, Contractor's Yard, and Manufacturing. The Applicant has provided scaled elevations of the existing and proposed structure. Staff has determined the Architectural element of this Application is in compliance with Article V, Section 7 of the Land Development Code and the La Cienega Traditional Community Ordinance 2002-9.

SIGNAGE:

The Applicant proposes one free standing sign. The Applicant has provided a 25 foot setback from the South and East property lines. Staff has determined that the signage element of the Application is in compliance with Article VIII, Section 7.3 & Section 7.8 (Sign Regulations).

LIGHTING:

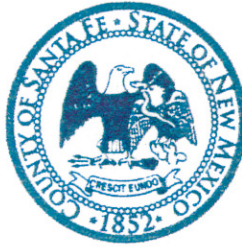
The Applicant proposes to utilize existing building mounted lighting. The Applicant proposes to relocate one building mounted light to the Eastern side of the building. The Applicant will also utilize one existing pole mounted light. Staff has determined that the lighting element of the Application is in compliance with Article III, Section 4.4.4 h and Table 3.1. (Outdoor Lighting)

Due to the nature of the comments contained herein, additional comments may be forthcoming upon receipt of the required information.

Daniel "Danny" Mayfield
Commissioner, District 1

Virgina Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: April 16th, 2012

TO: Jose Larrañaga, Case Planner

FROM: Andrew Jandáček, Senior Transportation Planner

CC: Robert Griego, Planning Manager

FILE REF.: Case #MP/PDP 12-5070 MCT Waste

REVIEW SUMMARY

The Master Plan/Preliminary Development Plan Report for MCT Waste has been reviewed by planning staff for consistency with the Santa Fe Sustainable Growth Management Plan (SGMP). The proposed development plan located at the northwest corner of I-25 west frontage road and Erica Road intersection is a request for an expansion and remodel of the existing warehouse 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.

Access to the property is directly off of Erica Road which intersects with I-25 west frontage road. Erica Road is a private road maintained by the land owners whose properties access the roadway. Erica Road is a loop road that intersects with the I-25 frontage road to the north at which point the road name changes to Calle Debra. The distance from NM599 and I-25 frontage road signalized intersection to Calle Erica along the I-25 frontage road is 2,640 feet. Erica Road lies within a 50 foot Right-of-Way and consists of a gravel basecourse with one twelve foot lane in each direction.

The applicant has submitted a site threshold assessment for review by the NMDOT, District Five.

SGMP REVIEW AND SITE THRESHOLD ASSESSMENT ANALYSIS

There are no proposed future road improvements as indicated in the Sustainable Growth Management Plan (SGMP) located in the area of the proposed site. The Site Threshold Analysis indicates three entering AM Peak Hour trips and two exiting AM Peak Hour trips. In the PM Peak Hour, the assessment indicates one entry vehicle and four exiting vehicles. These traffic volumes do not exceed the threshold whereby a Traffic Impact Analysis (TIA) or a Supplemental Impact Analysis (STA) would be required.

NBD-63

FINDINGS

Findings from the SGMP review and Site Threshold Analysis (STH) indicate that no further analysis or modifications to the access from the site on to Erica Road are warranted.

NBD-64

DATE: April 25, 2011
TO: Jose E. Larrañaga, Development Review Specialist
FROM: Robert Griego, Growth Management: Planning Manager
VIA: Sarah Ijadi, Growth Management: Senior Planner

FILE REF.: CDRC Case # MP/PDP 12-5070 MCT Waste Master Plan and Preliminary Development Plan along with a request for administrative review of the final development plan to expand a legal non-conforming use.

REVIEW SUMMARY: MCT Waste Master Plan and Preliminary Development Plan dated March 9, 2011 as prepared by James W. Siebert & associates Inc. has been reviewed for compliance with:

1. Santa Fe County Sustainable Growth Management Plan, Land Use Element Chapter 2 & Sustainable Green Design Chapter 8.
2. La Cienega & La Cieneguilla Community Plan Update 2012 – on going community planning effort to update the 2001 La Cienega & La Cieneguilla Community Plan

SGMP Land Use Element, Chapter 2:

The site for the proposed development is located in SGMP Sustainable Development Area 2 and 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.

The site is part of an infill/ redevelopment area which is consistent with **SGMP SDA-2:**

areas which are *“intended to accommodate future development that is likely and reasonable to occur in the next 10 to 20 years and in some cases, as infill within existing communities within the next 10 years”*.

The application shows a development pattern and uses that are compatible with adjacent low intensity rural commercial development patterns which is consistent with **SGMP Goal 2:**

“Sustainable land development should provide for rational development patterns, land use compatibility and adequate facilities and services at adopted levels of service”.

SGMP Sustainable Green Design, Chapter 8:

The proposed land uses; waste collection services and recycling, are promoted in under **Goal 27:**

“Reduce solid waste production and support recycling to limit landfill use and move toward zero waste”.

Staff Comment:

Proposed development is compatible with current adjacent low density/intensity development patterns and rural commercial uses and consistent with SGMP intentions for SDA_2. The proposed development will also support policy 27.2 *“residential, commercial and construction/ demolition debris recycling should be required to divert materials from the landfill”* and is consistent with strategy 27.2.4; to *“promote waste minimization and the segregation of recyclable materials at transfer station”*.

Due to the scale of the proposed operations & uses, the proposed development (recycling, transfer of waste material) should not be considered a Development of Countywide Impact under SGMP section 2.2.6.5 Other Potential DCI's.

La Cienega & La Cieneguilla Community Plan Update 2012

The La Cienega & La Cieneguilla communities are in the process of updating their community plan. Currently, they are considering the area that includes the proposed site as a potential mixed-use commercial district with an emphasis on adequate public utilities and a mix of regional commercial uses and urban residential densities. Due to the transportation facilities (I-25, 599 and the frontage road) and proximity to the Downs, the area is expected to transition from low intensity scattered-site commercial uses to regional commercial-mixed uses.

Staff Comment

The proposed uses have been considered as a part the plan update process and are consistent with current direction of the land use plan and expected or potential development for the area for the next 5-15 years.

STAFF RECOMMENDATION:

Approve as an expansion of a non-conforming use.