

**CASE NO. DP 09-5470
FINAL DEVELOPMENT PLAN
ACE TOWING SERVICES, APPLICANT**

ORDER

THIS MATTER came before the County Development Review Committee (hereinafter referred to as “the CDRC”) for hearing on May 21, 2009 on the Application of ACE Towing Services (hereinafter referred to as “the Applicant”), for Final Development Plan approval for a towing service and vehicle storage yard on 1.33 acres. The CDRC, having reviewed the Application and supplemental materials, staff reports and conducted a public hearing on the request, finds that the Application is well taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requested Final Development Plan approval for a towing service and vehicle storage yard on 1.33 acres.
2. The property is located at 1708 A&B, NM 502 within the Pojoaque Valley Traditional Mixed Use Sub-District, under the Pojoaque Valley Traditional Community District Ordinance 2008-5, within Section 12, Township 19 North, Range 8 East.
3. In support of the Application, the Applicant stated that the existing residence will be used as an office. The storage of vehicles will be located to the rear of the property and screened by a six foot high wall for security and safety concerns. The facility would operate 24 hours a day, 7 days a week and 365 days a year. The Applicant agreed to record a .25 acre feet water restriction on use of water on

the property for domestic use only by recording with the County Clerk restrictive covenants to so provide with the Development Plan.

4. No member of the public spoke against the application.
5. Two members of the public spoke in favor of the Application.
6. Staff recommended the following conditions of approval, if the recommendation of approval of the Application met with Committee approval:
 - a. All Staff redlines shall be addressed, original redlines will be returned with final plans.
 - b. Compliance with all review comments from the following: State Engineer, NM Environment Department, NM Department of Transportation, County Water Resource Specialist, County Fire Marshal and Building and Development Services.
 - c. The Applicant shall submit a survey of the property, showing correct boundaries and setbacks, for signature of the Land Use Administrator and record the survey with the County Clerk.
 - d. The Applicant shall record with the Santa Fe County Clerk water restrictive covenants with the development plan restricting water use to .25 acre feet per year on the property for domestic use only.
 - e. The Applicant shall comply with conditions of approval of the Pojoaque Valley Development Review Committee consisting of the following: a) storage yard shall be screened with a solid fence or wall at a minimum of six feet (6') in height; b) obtain approval of a landscaping plan by the PVDRC; c) the maximum number of

towed vehicles on the property shall not exceed fifteen (15); and d) dismantling, used car sales, auto repair, paint and body repair and junkyard are prohibited.

- f. The Applicant shall comply with all requirements of the County Land Development Code.
- g. Final Development Plan with appropriate signatures shall be recorded with the County Clerk prior to the issuance of any permits for grading or business license.
- h. The Applicant shall to submit to the Land Use Administrator a financial guarantee issued by an institution authorized to issue such guaranties (i.e., performance bond, surety, etc.) in an amount approved by the Land Use Administrator, for all improvements including but not limited to fire protection, parking, retention pond and landscaping prior to permit issuance. The financial guarantee for landscaping and re-vegetation shall be in force until all plantings have taken, for a minimum of one year after installation.

6. After conducting a public hearing on the request and having heard from the Applicant and the public, the County Development Review Committee hereby approves the request for Final Development Plan and based upon Applicant complying with staff recommendations as stated above.

IT IS THEREFORE ORDERED that the Application is approved, and the Applicant is allowed Final Development Plan subject to the conditions set forth herein.

I certify that the Application was approved by the County Development Review Committee on this _____ day of _____, 2009.

The County Development Review Committee of Santa Fe County

By: _____
CDRC Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Approved as to form:

Stephen C. Ross, County Attorney