

Henry P. Roybal  
Commissioner, District 1

Miguel M. Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

**DATE:** May 19, 2016

**TO:** Santa Fe County Planning Commission

**FROM:** Jose E. Larrañaga, Development Review Team Leader *JE*

**VIA:** Penny Ellis-Green, Growth Management Director *PEG*  
Vicki Lucero, Building and Development Services Manager *VL*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CASE # V 16-5010 Madrid Mixed Use Variance

**ISSUE:**

Lori and Richard Woodcock (Applicants), requested Administrative approval, of a Site Development Plan, to allow 1,173 square feet of retail space and 656 square feet of living area, on top of the retail space, on 0.204 acres. The site is within the Madrid Community District Overlay (MCD) and is zoned as MCD Commercial Neighborhood (MCD CN). Under the MCD Use Table 9-6-8, an office or store with a residence on top is a permitted use. In order for the structure to be 28 feet in height, the Applicants request a variance of Chapter 9.6, Table 9-6-4, Dimensional Standards MCD CN, maximum height of 25 feet. The property is located at 2889 Highway 14, T14N, R7E, Section 25 (Commission District 3).

**Vicinity Map:**



*NBA-1*

## SUMMARY:

On March 24, 2016, the Application for a variance of Chapter 9, Section 9.6, Table 9-6-4, Dimensional Standards within the MCD CN was presented to the Hearing Officer for consideration. The Hearing Officer supported the Application as memorialized in the findings of fact and conclusions of law written recommendation. (Exhibit 12)

Mr. Geoffrey Stewart testified at the hearing and stated that he owned a business adjacent to this site and utilizes the now vacant lot for parking for his business. His concerns were that he would not have access to the back of his property nor have parking for his customers once this project is built. Mr. Geoffrey's statements were not addressing the variance but rather concerning the parking and access. (Exhibit 13)

The Applicants are the owners of the property as evidenced by warranty deed recorded in the records of the Santa Fe County Clerk on March 17, 2015, as Instrument # 1759716. The Applicants are representing themselves to pursue the request for a variance to allow the proposed structure to exceed 25 feet in height.

The property is a 0.204 acre site within the Madrid Community District Overlay (MCD), as defined by Ordinance 2015-11, Sustainable Land Development Code (SLDC), Chapter 9, Section 9.6. The established zoning for this site is Commercial Neighborhood (CN). The Applicants submitted an Application for a Site Development Plan, to allow 1,173 square feet of retail space and 656 square feet of living area located on top of the retail space. Under the MCD Use Table 9-6-8, an office or store with a residence on top is a permitted use within the MCD Commercial Neighborhood, and can be approved administratively.

Building and Development Services staff reviewed the Site Development Plan for compliance with pertinent SLDC requirements. The review comments from State Agencies and County staff established findings that the Application for the Site Development Plan is in compliance with State requirements and the design standards set forth in the SLDC, with the exclusion of the height of the structure, which is the reason for the variance.

The height at the rear of the proposed structure is designed at 28 feet. Chapter 9, Table 9-6-4, Dimensional Standards MCD Commercial Neighborhood, allows a maximum height of 25 feet. The Applicant is requesting a variance of the Dimensional Standards set forth in Chapter 9, Table 9-6-4, of the SLDC to allow a portion of the proposed structure to exceed 25 feet in height.

The Applicants states the following:

The street frontage of the building will conform to the 25 foot height limit. Due to the slope of the site, I would like to obtain approval for the rear (west elevation) to be a total of 28 feet in height. This additional height will not be noticeable from the street and will enhance the look of the buildings as well as make for a viable mixed use project.

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2015-11 (SLDC), which govern this Application are the following:

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Chapter 9, Section 9.6.3.2.3. MCD Commercial Neighborhood; Purpose states, “The purpose of this district is to allow for residential and low-intensity non-residential uses that are intended to serve and are in close proximity to individual residential neighborhoods.”

Chapter 9, Table 9-6-4, Dimensional Standards MCD CN states, that the maximum height within a CN Zoning District is 25'. (Exhibit 5)

Chapter 14, Section 14.9.7.1, Variances (Purpose) states:

The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this Code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the Code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district. (Exhibit 6)

Chapter 14, Section 14.9.7.4, Variance Review criteria states:

A variance may be granted by only a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) where authorized by NMSA 1978, Section 3-21-8(C):

1. Where the request is not contrary to public interest;
2. Where, owing to special conditions, a literal enforcement of the SLDC will result in unnecessary hardship to the applicant; and
3. So that the spirit of the SLDC is observed and substantial justice is done.

Chapter 14, Section 14.9.7.5 Variance Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or minimize adverse impacts on the general health, safety and welfare of property owners and area residents.
2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant takes affirmative action consistent with the approval.

The Application for the Site Development Plan was reviewed for the applicable design standards as per Chapter 7, Sustainable Design Standards and Chapter 9, Section 9.6, MCD (other than the height requirements) of the SLDC and meets those standards.

MADRID COMMUNITY DISTRICT OVERLAY (MCD), Chapter 9, Section 9.6.2.4.2, View Shed Preservation states:

NBA-3

In order to preserve the unobstructed horizons surrounding Madrid, no portion of a residential, commercial, or any other structure shall be visible above a ridge top when viewed from the centerline of NM 14 at the nearest spot on the highway with a direct view of the proposed structure.

The Applicant submitted photo simulations of the structure on the site and the horizons in the background. The photo simulations illustrate that no portion of the structure is visible above the ridge top. The photo simulations also illustrates that the adjacent structure (known as the Boarding House) is taller than the proposed structure. (Exhibit 3)

No additional design standards from Chapter 9, Section 9.6 are applicable to this request.

As required by the SLDC, the Applicants presented the Application to the Technical Review Team (TRT) on August 6, 2015, at the regular scheduled monthly meeting, which satisfied the requirements set forth in Chapter 4, Section 4.4.4.3 Pre-application TAC Meeting and Table 4-1.

The Applicant presented the Application to the Madrid Land Owners Association (MLA) on June 8, 2015, at the regular scheduled monthly meeting. The Applicant submitted minutes of the MLA meeting which states that the site plan and elevations were approved as presented. (Exhibit 8)

Notice requirements were met as per Chapter 4, Section 4.6.3, General Notice of Application Requiring a Public Hearing, of the SLDC. In advance of a hearing on the Application, the Applicants provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for fifteen days on the property, beginning on March 9, 2016. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on March 9, 2016, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500' of the subject property and a list of persons sent a mailing is contained in the record. (Exhibit 14)

This Application was first submitted on August 11, 2015 and was being processed under Santa Fe County Ordinance 1996-10, the Santa Fe County Land Development Code (Code). Due to the adoption of the SLDC the Application was resubmitted on January 24, 2016.

#### **RECOMMENDATION:**

**Staff recommends denial of the Applicants request for a variance to allow the proposed structure to be constructed 28' in height. Chapter 9, Section 9.6, Table 9-6-4, Dimensional Standards Madrid Community District Commercial Neighborhood states, that the maximum height within a CN Zoning District is 25 feet.**

**If the decision of the Santa Fe County Planning Commission (SFCPC) is to support the Hearing Officer's decision, a Final Order which signifies the Hearing Officer's recommended decision and Order shall be adopted.**

NBA-4

**EXHIBITS:**

1. Applicants Request
2. Proposed Plans
3. Photo Simulations
4. Aerial Photo of Site
5. Chapter 9, Table 9-6-4
6. Chapter 14, Section 14.9.7.1
7. Chapter 4, Section 4.4.3
8. Community Meeting Material
9. Letter of support
10. Chapter 9, Section 9.6.2.4.2
11. Table 4-1
12. Hearing Officer Final Order
13. Hearing Officer Minutes
14. Notice

NBA-5

March, 2016

County of Santa Fe  
Mr. Jose Larranaga  
Building and Development Services Department  
Santa Fe, NM

RE: RESUBMITTAL -Development Permit Application for 2889 NM Hwy 14, Madrid, NM

Dear Mr. Larranaga:

We are hereby submitting this REVISED package for Development Plan Review for the above-referenced mixed use project.

Please note that I am hereby requesting a variance for the height of the building at the rear (west). I have included a cut/fill section thru the property to show the building as it relates to the existing Hwy 14 grade and the existing natural site grades.

Please find attached the following application package items:

Development Summary Report-REVISED OCTOBER 8, 2015-10 copies  
Preliminary Plans REVISED prepared by Geisler Design—5 full size sets and 1 reduced set  
Grading and Drainage Plan prepared by Forsgren Associates, Inc.-5 full size sets and 1 reduced  
Preliminary Landscaping and Roof Drainage Plans prepared by Geisler Design-5 full sets and 1 reduced

Sincerely,

Richard and Lori Woodcock, Owners  
48 Blue Agave, Cerrillos, NM 87010  
505-250-2677



NBA-5a

Madrid Mixed Use Proposed Development  
2889 Hwy 14  
Madrid, New Mexico  
*March 14, 2016*

The following is a summary of the proposed development for 2889 State Hwy 14 in Madrid New Mexico.

**VARIANCE REQUEST**-Due to the height exceeding the Madrid ordinance height of 25', a variance is hereby requested for the west (rear) elevation of the building. The East (street frontage) elevation will be conforming to Madrid ordinances.

**LOCATION**-property is located at north end of Madrid on the West side of Hwy 14. The location is currently a vacant lot, adjacent to the Old Boarding House Mercantile parking lot on the south, and an antique shop on the north.

**PROPOSED USE**-the proposed development will be a 1234 s.f. retail space with a 656 s.f. apartment above at the rear of the building. This commercial/residential development is an approved use per the current planning codes for the Town of Madrid

**PARKING**-parking will conform to all required standards, so will include one ADA compliant parking stall with signage and five regular parking stalls. Calculations are shown on plans.

**SEPTIC**-due to small site, septic system will be an "advanced" system with chlorination (specs attached). Once this project is preliminarily approved a septic system will be fully engineered and submitted to the State for approval.

**WATER RETENTION**-there will be an on site water retention basin as calculated by Forsgren to retain any rain water run off from leaving the site. There will be an *UNDERGROUND fully concealed* cistern to capture rainwater as required for 1.5 gallons for every square foot of roof area. This cistern will be located underground at the southwest corner of the property and will have a pump and *level indicating gauge along with an overflow outlet into the retention pond.* *A roof drainage plan is included in this submittal.*

**TRAFFIC**-Department of Transportation has reviewed and approved (copies of approval attached)

NBA-6

MADRID LANDOWNERS-MLA has reviewed and approved this project. (copy of meeting minutes attached)

SIGNAGE-there will be code-conforming signage on building which will meet County requirements for size and illumination. Signage will be submitted for separate permit once a tenant is identified. It is understood that signage will be as allowed for 1 s.f. for each lineal footage of street frontage.

LANDSCAPING-Landscaping buffer is proposed for front of site per attached plans. Retention basin will be ringed with small trees. There will be a tree at the west (back) of the property. There are two planters located along the south elevation. The north property line has an existing wood fence in place which shall remain. There will be a pump and drip irrigation system serving all landscaped areas, and this system will be installed by a licensed contractor. A final plan will be submitted for final master plan approval, but a preliminary plan with plant material call outs is included with this package.

EXTERIOR LIGHTING-lighting will conform to the area's light pollution standards and will be minimal as required for safety and security. There will be small low wattage shielded uplights in the two planters on the south side of the building, a security light illuminating the back door and front door. It is not anticipated that the business will be open in the evenings.

WATER BUDGET-Site is currently connected to Madrid Water Co Op (copy of latest invoice attached). A water budget for the proposed residence and retail is attached and is well under the amount of water allotted for a site of this size.

EXTERIOR FINISHES-exterior finishes will be as determined by Madrid Land Association covenants and have been approved. The roof will be corrugated metal, front elevation will have reclaimed barnwood siding with painted board and batten above. The balance of the exterior will be a neutral light colored stucco. Windows and storefront doors will be powder coated aluminum finish low E glass with paint/stained wood interiors.

FIRE PROTECTION-Building will be fully fire sprinklered with a fire alarm system. Western States Fire Protection has calculated required flow and has determined that system can be serviced via Madrid Water supply. A fully engineered plan with calculations shall be submitted to County Fire for their approval. In addition, there is fire hydrant nearby on Hwy 14 and an active volunteer fire station located in the town of Madrid.

NBA-7



GRADING-a grading plan is included with this submittal. This plan indicates the existing and proposed final grades. Due to the slope on the site a variance is being requested as the rear of the building exceeds approved County ordinances. The architectural plans also show a cut/fill section for the site, indicating areas at the east end which require fill to provide ADA compliant public access from Hwy. 14.

NBA-8

**GENERAL NOTES**

1. ALL WORK SHALL BE PERFORMED IN STRICT COMPLIANCE WITH LOCAL, COUNTY, STATE, AND FEDERAL CODES AND ORDINANCES.
2. GENERAL CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UTILITIES.
3. GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS, INCLUDING CLEARANCES REQUIRED BY OTHER TRADES, AND NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH THE WORK. ALL DIMENSIONS SHALL BE TAKEN FROM THE FINISHED GRADE UNLESS OTHERWISE NOTED. DIMENSIONS TO BE TAKEN FROM DESIGNATED DATUM POINT. DO NOT SCALE DRAWINGS.
4. GENERAL CONTRACTOR SHALL PATCH AND REPAIR ALL EXISTING WALLS, FLOORS, CEILING, OR OTHER SURFACES IDENTIFIED TO REMAIN THAT MAY BECOME DAMAGED DURING THE COURSE OF THE WORK.
5. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING PERMITS FOR FIRE PROTECTION, PLUMBING, MECHANICAL, AND ELECTRICAL STRIKES PRIOR TO INSTALLATION OF SUCH SYSTEMS.
6. GENERAL CONTRACTOR SHALL RETAIN ONE SET OF THE PLANS TO NOTE AND DOCUMENT ALL CHANGES DURING CONSTRUCTION. THIS SET OF CHANGES SHALL BE MAINTAINED THROUGHOUT THE PROJECT. ALL CHANGES SHALL BE DESCRIBED IN THE CONSTRUCTION MANAGEMENT AGREEMENT.
7. GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATING DELIVERY OF MATERIALS FROM OWNERS CONTRACTED THIRD PARTY LOGGING DISTRIBUTION SERVICES AND VENDOR DIRECT SHIPMENTS. REPORT TO CONSTRUCTION MANAGEMENT AGREEMENT FOR METHODS AND LOG FILES.
8. RESPONSIBILITY FOR SUPPLY AND DELIVERY OF MATERIALS AND THE COLUMNS LABELED "RESPONSIBILITY".
9. FOR THE PURPOSE OF THE DOCUMENT TO INSTALL, SHALL MEANTO ELECTRICAL CONNECTIONS, PLUMBING CONNECTIONS AND OTHER ITEMS REQUIRED FOR A COMPLETE AND OPERATION INSTALLATION, UNLESS OTHERWISE NOTED.

**PROJECT CONTACTS**

**MAKING LOH WOODCOCK**  
 ARCHITECT  
 ADDRESS: 343 W MANHATTAN AVE  
 SUITE 100  
 SANTA FE, NM 87501  
 (505) 250-2477

**ARCHITECT OF GENERAL PROJECTS LLC**  
 ADDRESS: 343 W MANHATTAN AVE  
 SUITE 100  
 SANTA FE, NM 87501  
 (505) 250-2477

**CONSTRUCTION**  
 TBD  
 ADDRESS: STATE CITY/TOWN/POSTAL CODE  
 PHONE: XXX-XXX-XXXX  
 FAX: XXX-XXX-XXXX

**CONSULTANT OF**  
 TBD  
 ADDRESS: STATE CITY/TOWN/POSTAL CODE  
 PHONE: XXX-XXX-XXXX  
 FAX: XXX-XXX-XXXX

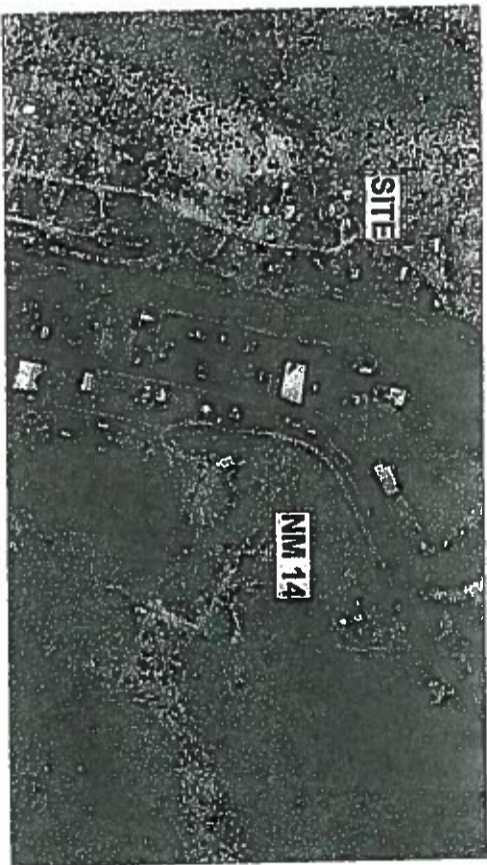
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**FIRE PROTECTION**  
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**INDEX OF SHEETS**

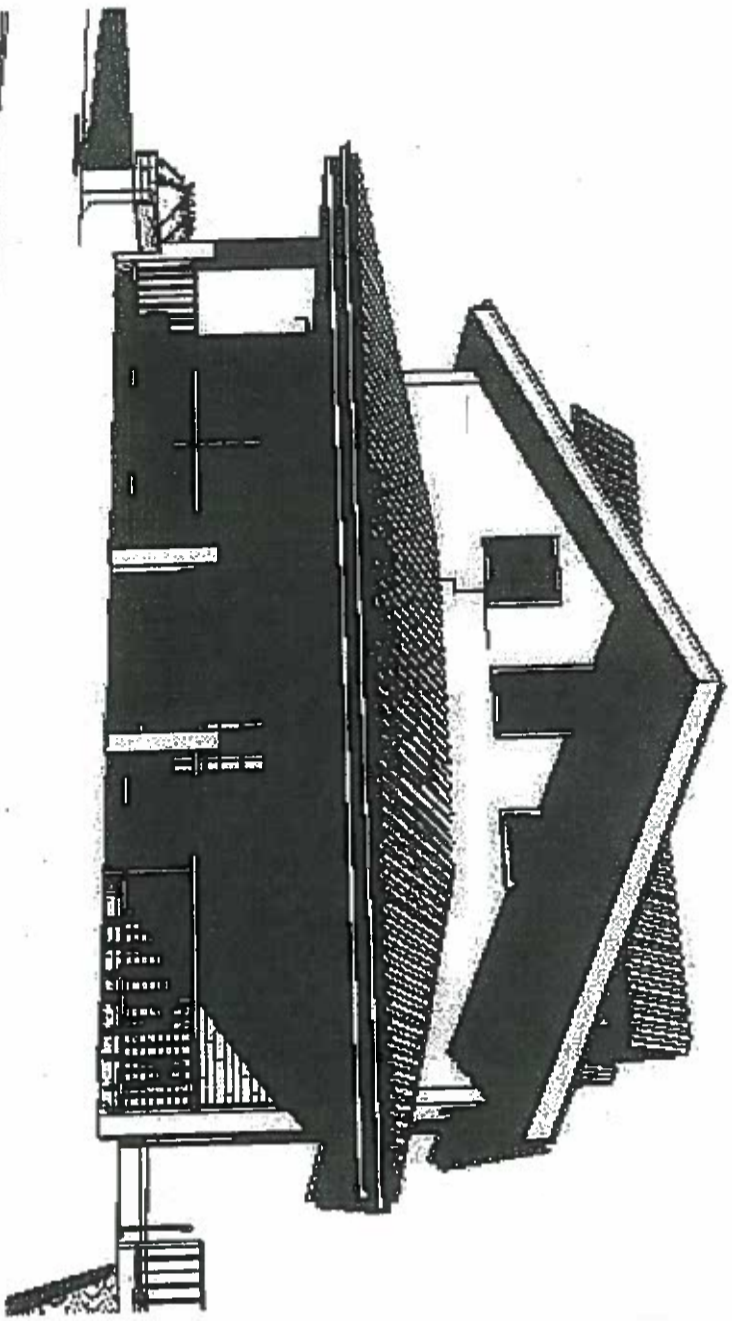
SHEET	SHEET TITLE
GENERAL	GENERAL INFORMATION
ARCHITECTURAL	ARCHITECTURAL
SD-1	EXTERIOR ELEVATIONS
SD-2	EXTERIOR ELEVATIONS
SD-3	SCHEDULED FLOOR PLAN
SD-4	SCHEDULED SITE PLAN
SD-5	SURVEY
SD-6	BUILDING SECTIONS
SD-7	LANDSCAPE
SD-8	ROOF DRAINAGE
LANDSCAPE	BLANDISHED RESTROOM PLAN AND ELEVATIONS
C-101	GRADING PLAN
C-102	DRAINAGE RECREATION

**VICINITY PLAN**



**ROOM SCHEDULE**

NAME	AREA
BATH	1183 SF
Room	71 SF
Unit	681 SF
Unit	72 SF
Ground level	1050 SF



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Rev	Date	By	Description
1	10/07/2015	ED	COMPLET SET

PROJECT NAME:  
**Madrid Mixed Use**  
 PROJECT ADDRESS:  
 2889 New Mexico 14, Madrid, NM 87010

PROJECT #: 15-003  
 ISSUE DATE: 8 OCT 2015  
 PRODUCTION: ED  
 CHECKED BY: ES

SHEET TITLE: GENERAL INFORMATION  
 SCALE: As Indicated  
 SHEET NUMBER: G-0001

NBD-9

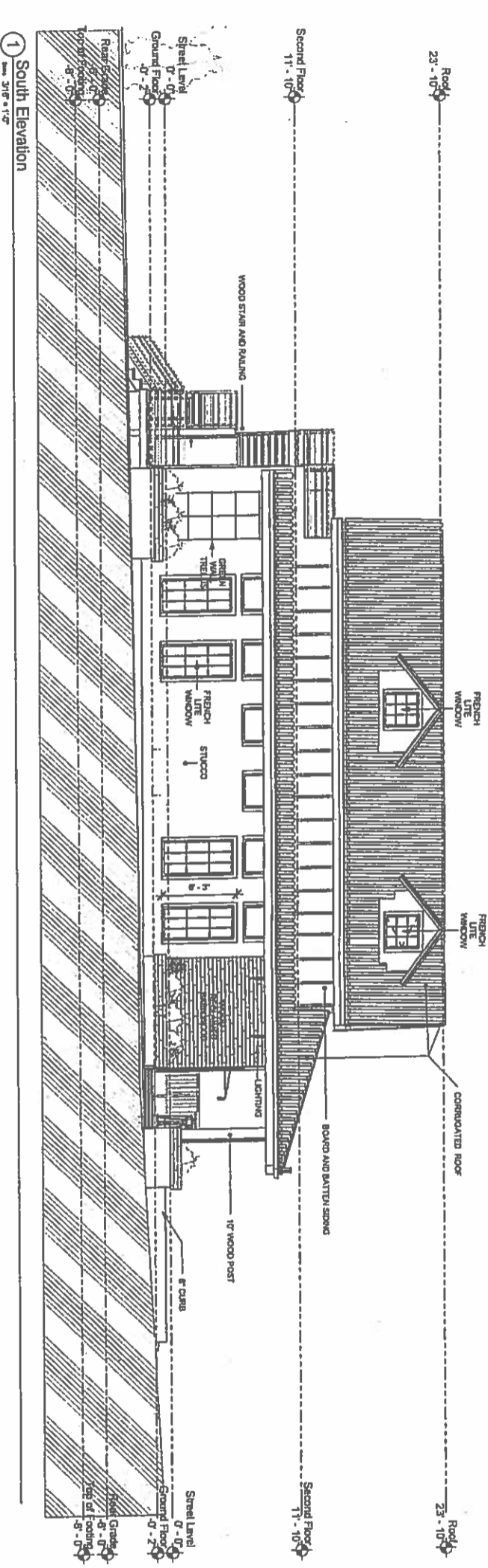
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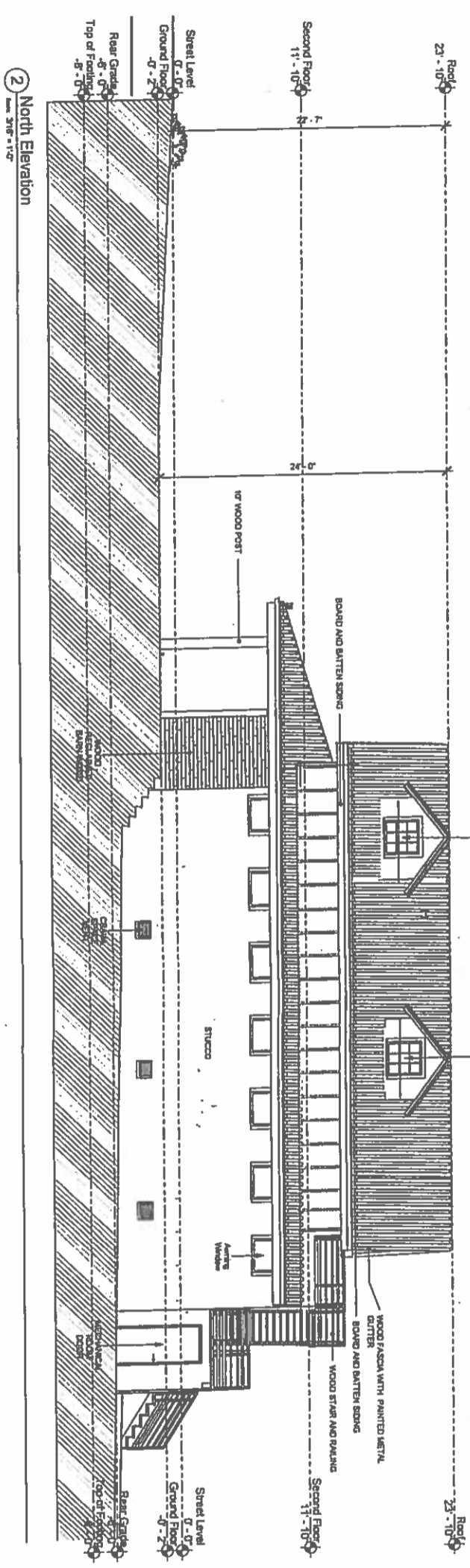
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SHEET NOTES

SCHEMATIC ELEVATION NOTES



1 South Elevation  
Scale: 3/16" = 1'-0"



2 North Elevation  
Scale: 3/16" = 1'-0"

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Rev	Date	By	Description
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PROJECT NAME:  
**Madrid Mixed Use**  
PROJECT ADDRESS:  
2889 New Mexico 14, Madrid, NM 87010

PROJECT #: 15-003  
ISSUE DATE: 8 OCT 2015  
PRODUCTION: EG  
CHECKED BY: EG  
SHEET TITLE: EXTERIOR ELEVATIONS  
SCALE: As Indicated  
SHEET NUMBER: SD-1

NBA-10

SHEET NOTES

1.

SCHEMATIC  
CEILING PLAN NOTES

A.

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**Madrid Mixed Use**  
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2889 New Mexico 14, Madrid, NM 87010

PROJECT #: 15-003

ISSUE DATE: 8 OCT 2015

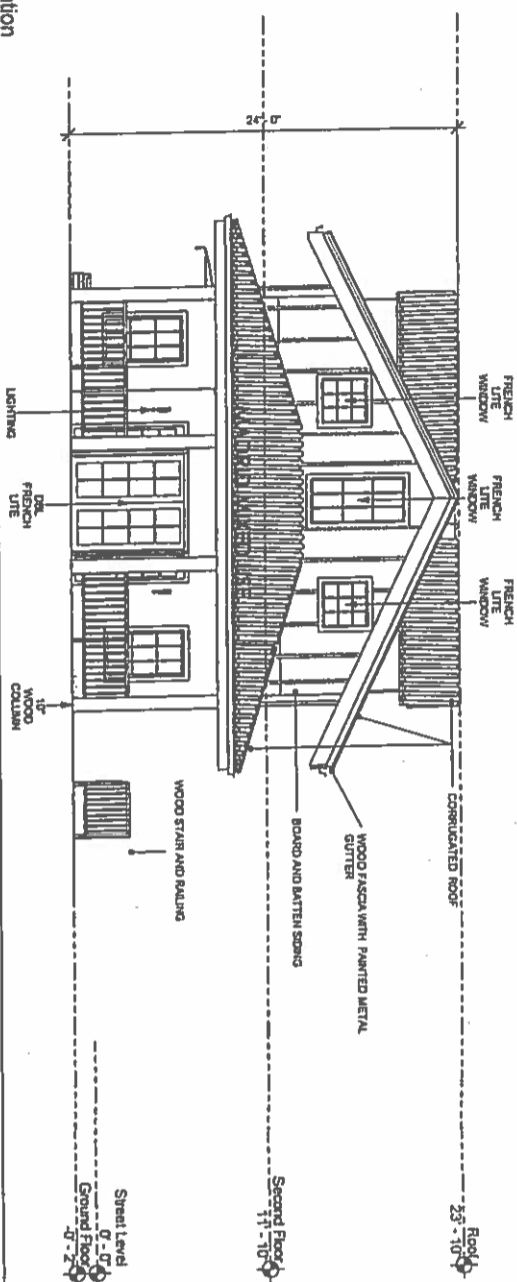
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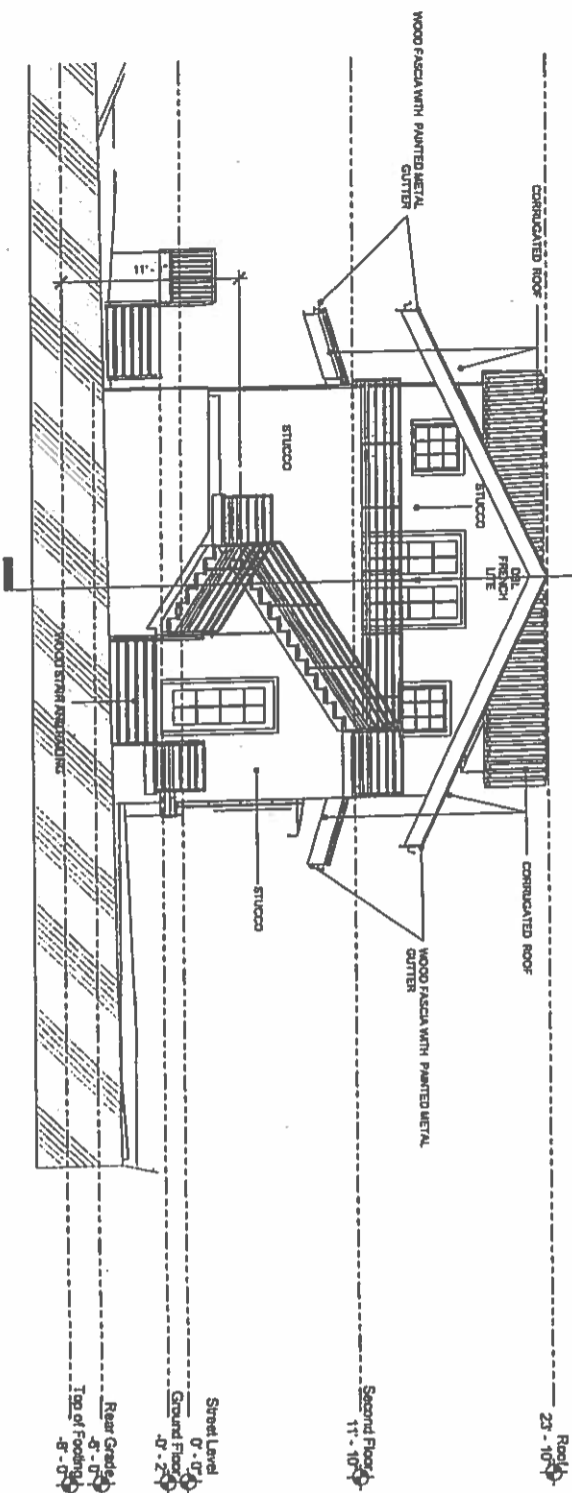
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**EXTERIOR  
ELEVATIONS**  
As Indicated

SCALE:  
SHEET NUMBER:  
SD-2

1 Front Elevation  
Scale: 3/8" = 1'-0"



2 Rear Elevation  
Scale: 3/8" = 1'-0"



NBA-11

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NECESSARY CONTRACT DOCUMENTS  
ON CONSTRUCTION.

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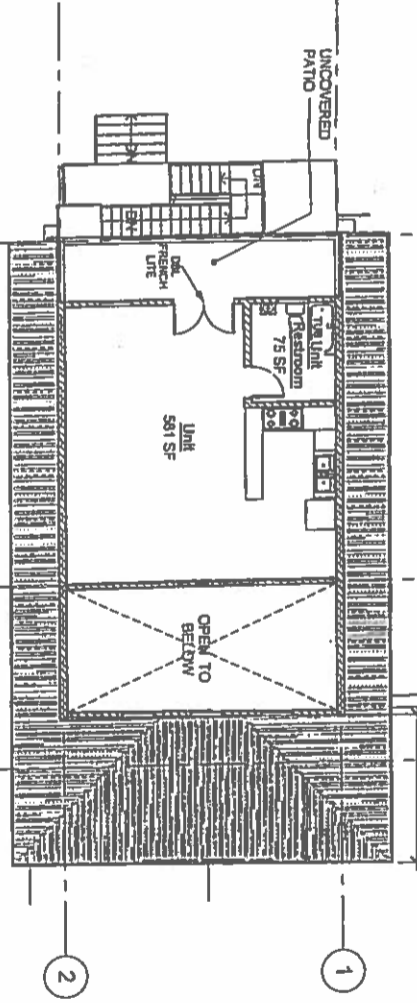
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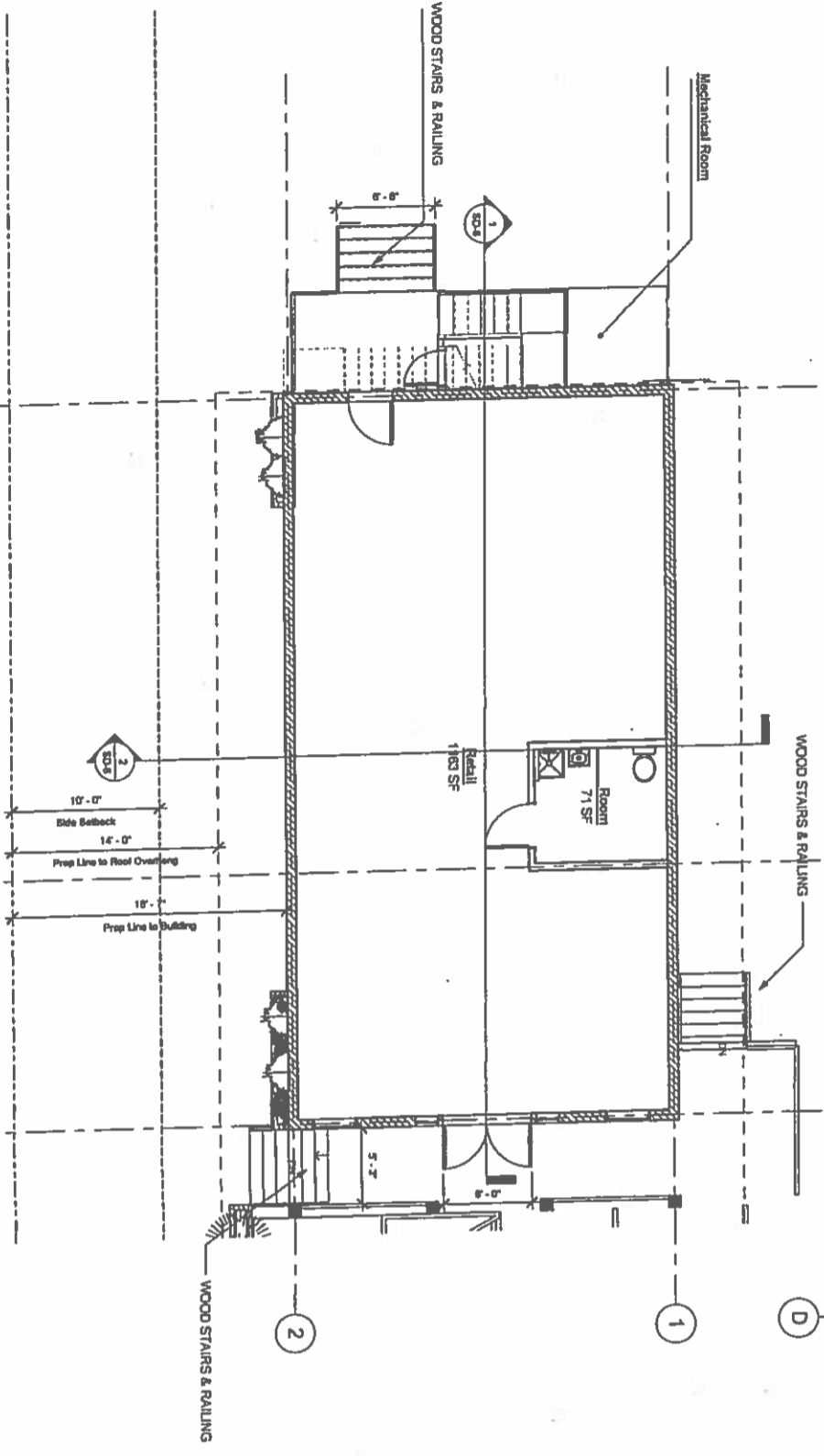
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## SHEET NOTES

**SCHEMATIC FLOOR PLAN NOTES**  
A. PATIO: 1029 SF - 50 SF per person (substantiating restaurant)  
1029 SF - 22 occupant max  
1029 SF - 20 X 20 grid = 5 spaces  
Residential Living Above - 125 SF  
Ponding - 2 spaces



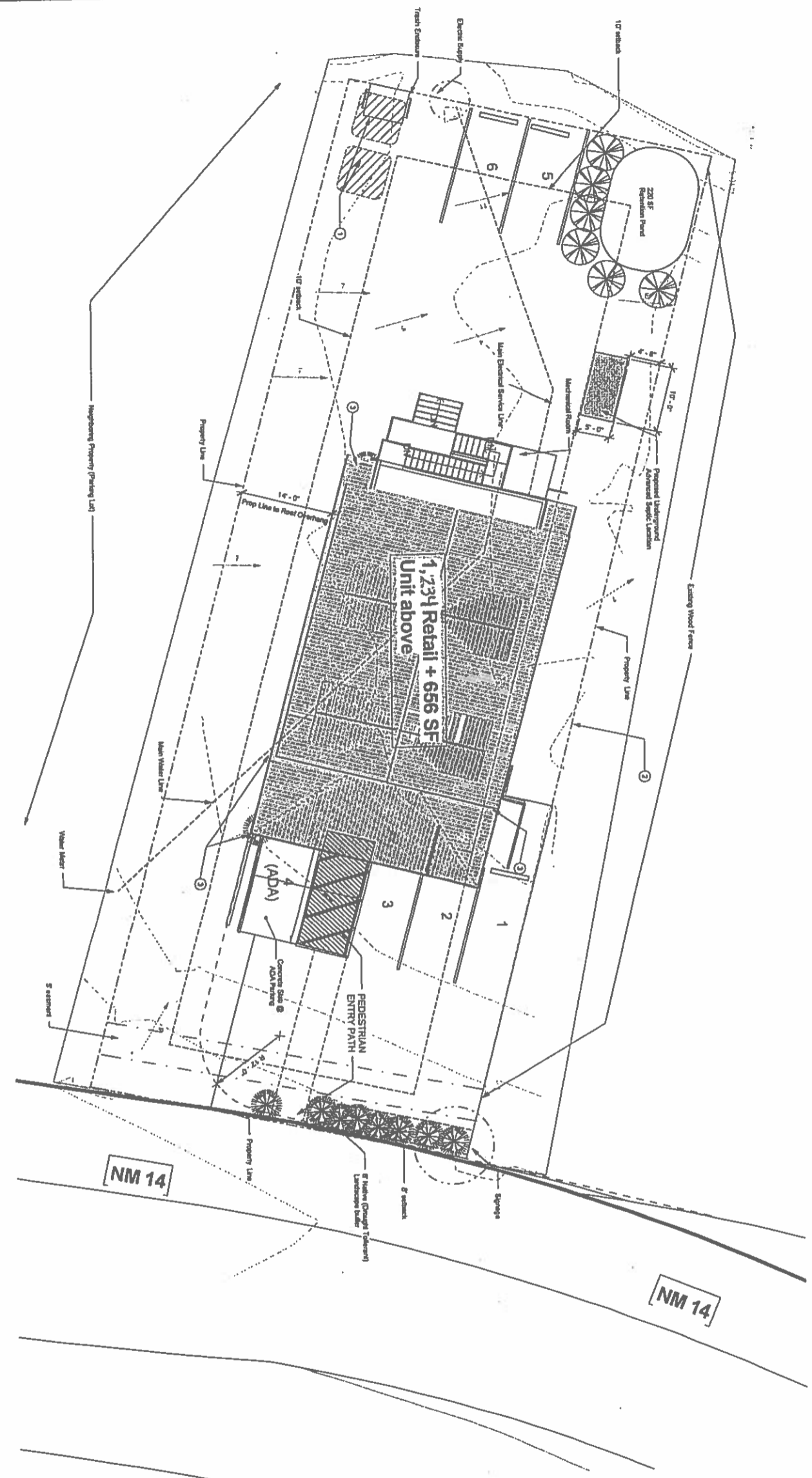
2nd Floor - Working Plan - New  
Scale: 1/8" = 1'-0"



1st Floor - Working Plan - New  
Scale: 3/16" = 1'-0"

NBA-12

1 1ST FLOOR - SITE PLAN  
Scale: 1" = 10'



- SHEET NOTES**
1. LOCATION OF NEW 2000+ G.P. BORED COLUMN
  2. EXISTING WOOD FENCE ALONG NORTHERN
  3. PROPOSED EXTERIOR LIGHTING

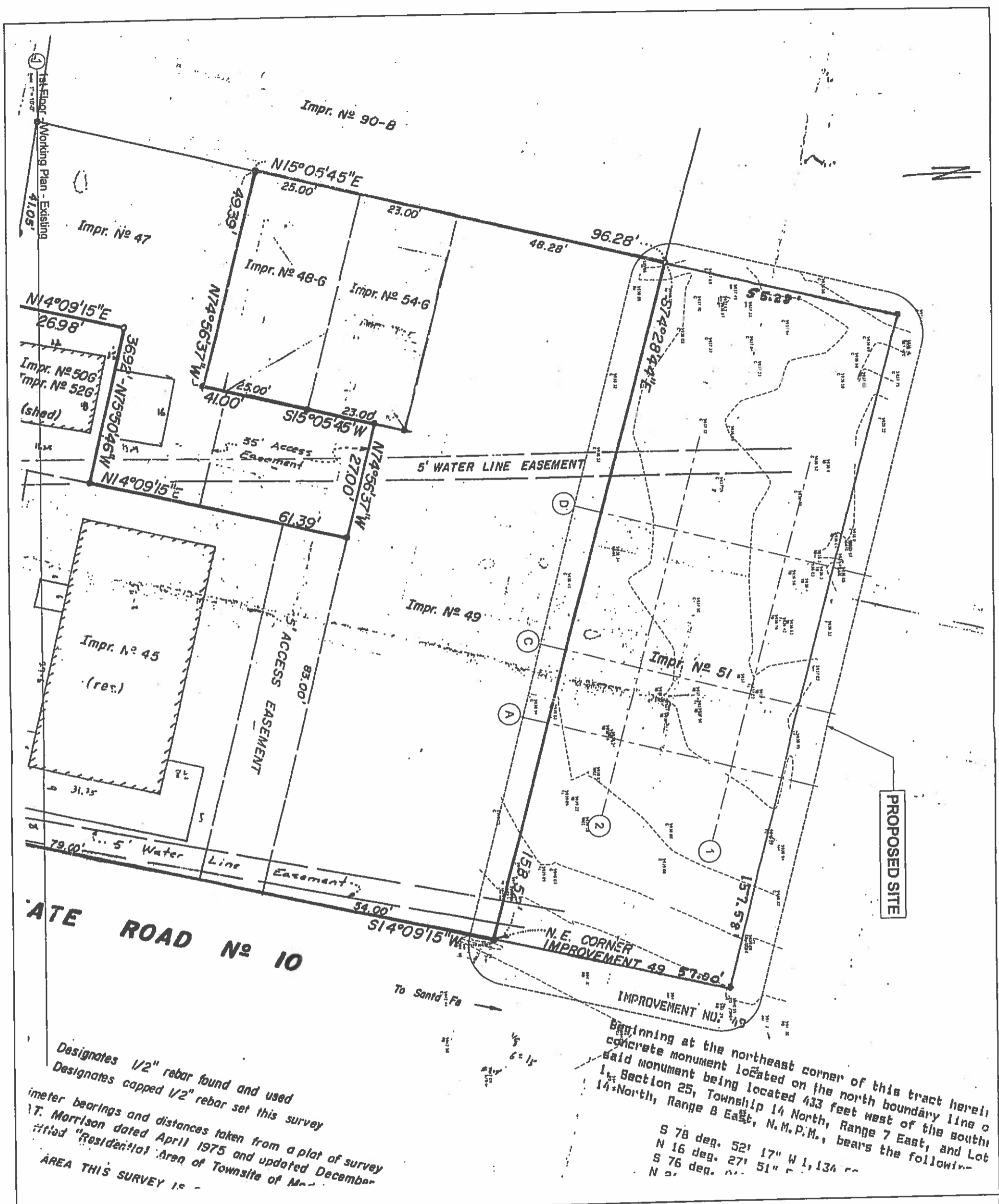
- SCHEMATIC SITE PLAN NOTES**
- PARKING**
    - 1. 1000 SF - 20 SF per person (including restaurant)
    - 2. 1000 SF - 20 SF per person (including restaurant)
    - 3. 1000 SF - 20 SF per person (including restaurant)
    - 4. 1000 SF - 20 SF per person (including restaurant)
    - 5. 1000 SF - 20 SF per person (including restaurant)
    - 6. 1000 SF - 20 SF per person (including restaurant)
    - 7. 1000 SF - 20 SF per person (including restaurant)
    - 8. 1000 SF - 20 SF per person (including restaurant)
    - 9. 1000 SF - 20 SF per person (including restaurant)
    - 10. 1000 SF - 20 SF per person (including restaurant)
  2. No slope on site over 15%
  3. Landscaping as depicted to meet Madrid Development Plan guidelines. Refer to Landscaping Plan.
  4. All signage in accordance with Madrid Development Plan guidelines. Refer to Signage Plan.
  5. Road Design to demonstrate Site CMAA for Resurfacing, Pavement and Sidewalk Design and Stormwater Management.
  6. Day lighting of all landscaping will be set back 5' from column and parapet.
  7. Building to be Spectacular.



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<p><b>PROJECT NAME:</b> Madrid Mixed Use</p> <p><b>PROJECT ADDRESS:</b> 2889 New Mexico 14, Madrid, NM 87010</p>	<p><b>PROJECT #:</b> 15-003</p> <p><b>ISSUE DATE:</b> 9 OCT 2015</p> <p><b>PRODUCTION:</b> ED</p> <p><b>CHECKED BY:</b> EC</p>	<table border="1"> <thead> <tr> <th>REV</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>08/11/15</td> <td>ED</td> <td>CONCEPT SET</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV	DATE	BY	DESCRIPTION	1	08/11/15	ED	CONCEPT SET																
REV	DATE	BY	DESCRIPTION																							
1	08/11/15	ED	CONCEPT SET																							
<p><b>SHEET TITLE:</b> SCHEMATIC SITE PLAN</p> <p><b>SCALE:</b> As Indicated</p> <p><b>SHEET NUMBER:</b> SD-4</p>		<p><b>ARCHITECT OF RECORD:</b> Bartram Schwabbe</p>																								

NBA-13



Designates 1/2" rebar found and used  
 Designates capped 1/2" rebar set this survey  
 meter bearings and distances taken from a plot of survey  
 T. Morrison dated April 1975 and updated December  
 titled "Residential Area of Townsite of Madrid"  
 AREA THIS SURVEY IS -

Beginning at the northeast corner of this tract here;  
 concrete monument located on the north boundary line of  
 said monument being located 433 feet west of the south  
 1/4 Section 25, Township 14 North, Range 7 East, and Lot  
 14 North, Range B East, N.M.P.M., bears the following:  
 S 78 deg. 52' 17" W 1,134.00'  
 N 16 deg. 27' 51" W 1,134.00'  
 S 76 deg. 27' 51" W 1,134.00'

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PROJECT #:	15-003
ISSUE DATE:	8 OCT 2015
PRODUCTION:	ED
CHECKED BY:	ED
SHEET TITLE:	SURVEY
SCALE:	1" = 100'
SHEET NUMBER:	SD-5

PROJECT NAME:  
**Madrid Mixed Use**  
 PROJECT ADDRESS:  
 2889 New Mexico 14, Madrid, NM 87010

Rev.	Date	Description

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**GEISLER  
 PROJECTS**

NBA-14

# GEISLER PROJECTS

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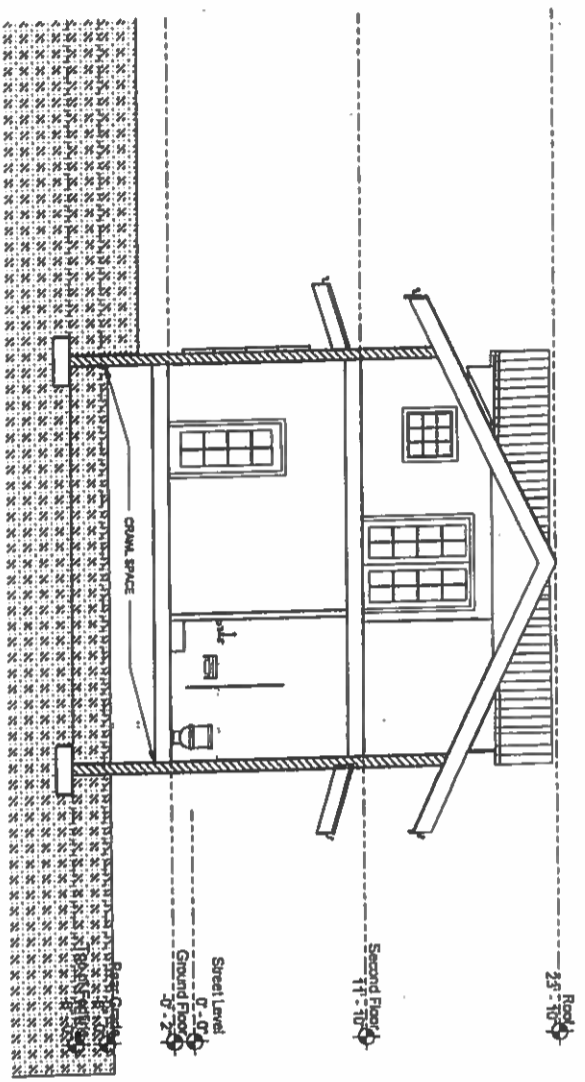
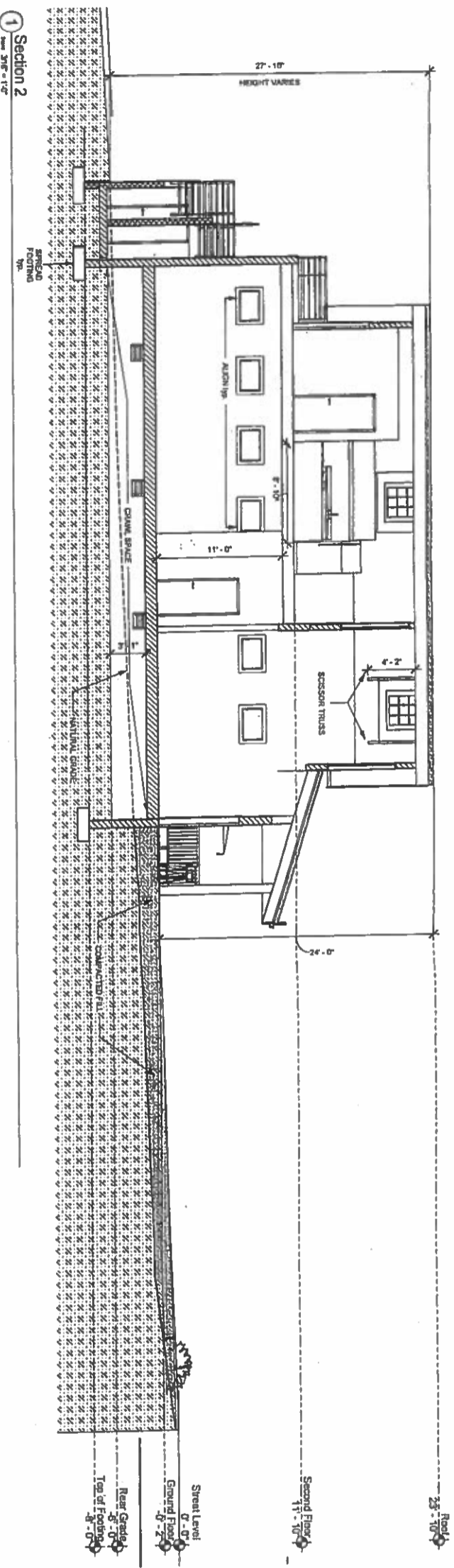
REV	DATE	BY	DESCRIPTION
1	9 OCT 2015	ED	CONCEPT SET

PROJECT NAME:  
**Madrid Mixed Use**  
 PROJECT ADDRESS:  
 2889 New Mexico 14, Madrid, NM 87010

PROJECT #: 15-003  
 ISSUE DATE: 8 OCT 2015  
 PRODUCTION: ED  
 CHECKED BY: ED

SHEET TITLE:  
**BUILDING SECTIONS**  
 SCALE: 3/16" = 1'-0"  
 SHEET NUMBER: SD-6

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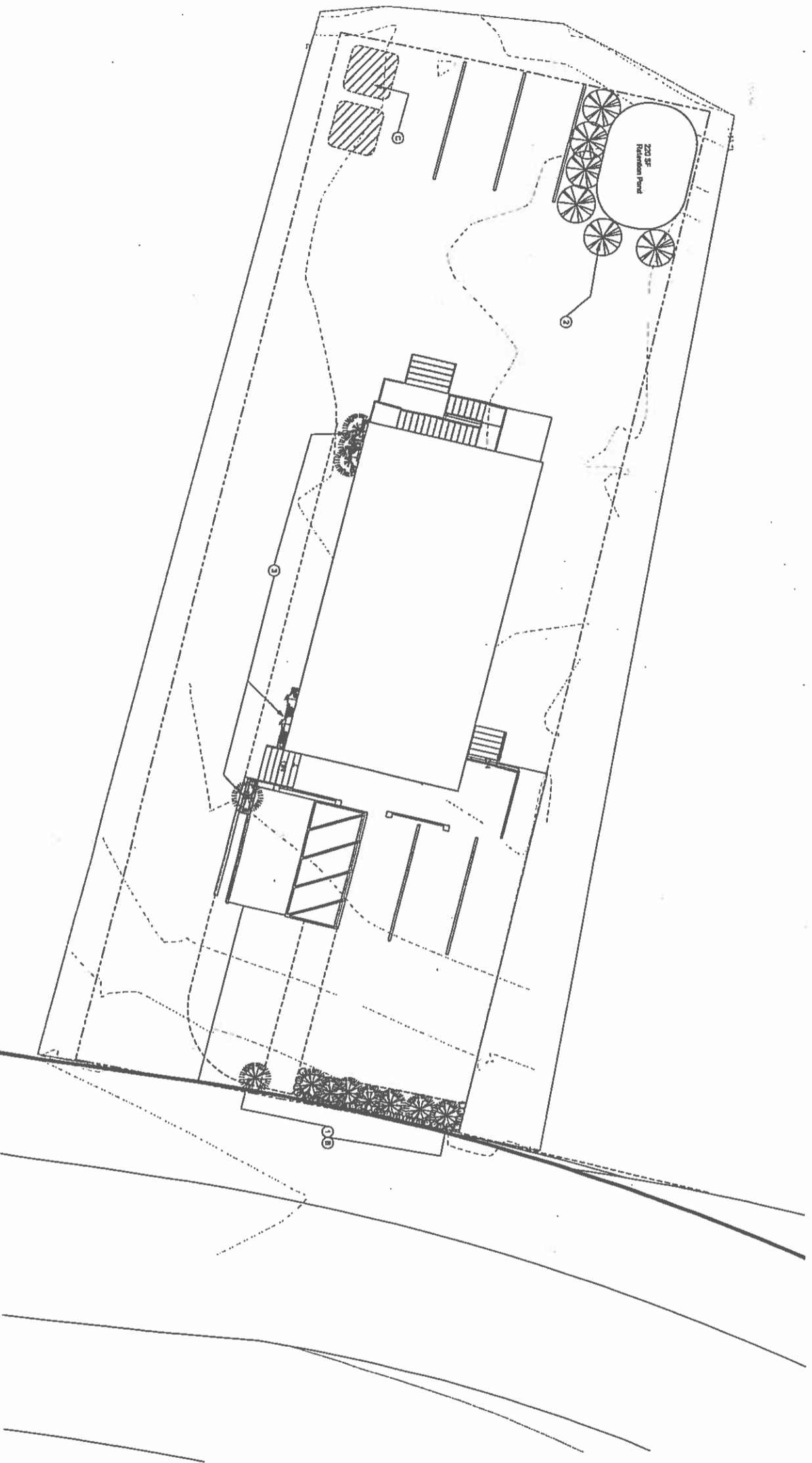
NBA-15



SHEET NOTES

SCHEMATIC SITE PLAN NOTES

- A. PLANTING**  
 1. Front garden at street  
 2. Back garden (hardscape area)  
 3. Front garden (planting area)  
 4. Back garden (planting area)
- B. ROOFS**  
 1. Green roof (planting area)  
 2. Green roof (planting area)  
 3. Green roof (planting area)  
 4. Green roof (planting area)
- C. IRRIGATION**  
 1. Irrigation system (planting area)  
 2. Irrigation system (planting area)  
 3. Irrigation system (planting area)  
 4. Irrigation system (planting area)



1 1ST FLOOR - LANDSCAPE PLAN  
 Scale: 1:100

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**GEISLER PROJECTS**

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 Santa Fe NM 87501  
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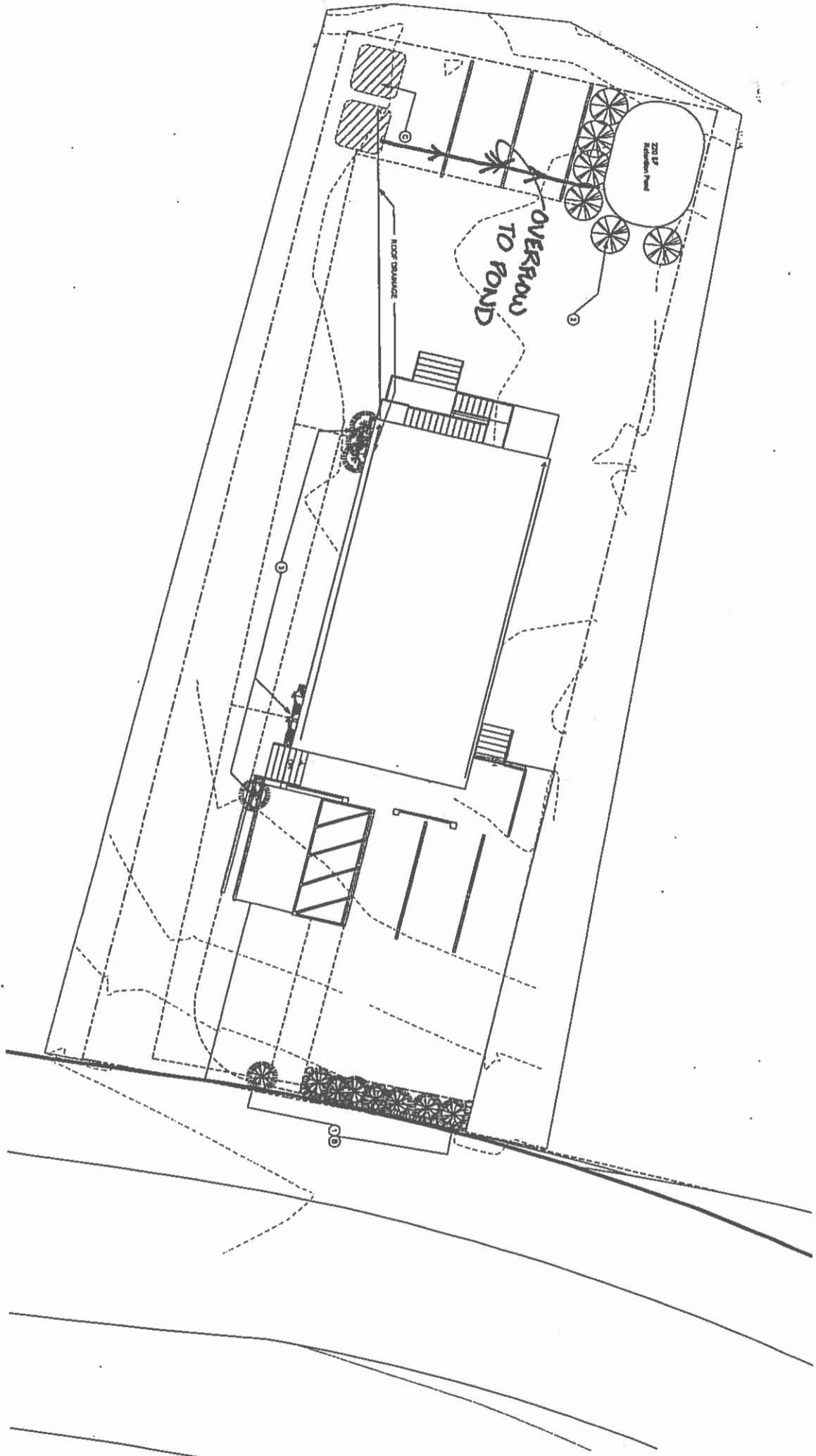
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Rev	Date	By	Description
1	08/15/2018	ES	COLLUMEN SET

PROJECT NAME:  
**Madrid Mixed Use**  
 PROJECT ADDRESS:  
 2889 New Mexico 14, Madrid, NM 87010

PROJECT #:	15-003
ISSUE DATE:	8 OCT 2018
PRODUCTION:	ES
CHECKED BY:	ES
SHEET TITLE:	LANDSCAPE
SCALE:	As Indicated
SHEET NUMBER:	SD-7

NBA-16



1 1ST FLOOR - LANDSCAPE PLAN  
1:100

SHEET NOTES

SCHEMATIC SITE PLAN NOTES

- A. PLANTING
  - 1. Front garden at street
  - 2. Back garden (perennial grass)
  - 3. Front garden (perennial grass)
  - 4. Front garden (perennial grass)
- B. TREES at retention pond
  - 1. Planting at street side
  - 2. Back garden (perennial grass)
  - 3. Back garden (perennial grass)
  - 4. Back garden (perennial grass)
- C. PRODUCTION
  - 1. Planting at street side
  - 2. Back garden (perennial grass)
  - 3. Back garden (perennial grass)
  - 4. Back garden (perennial grass)

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**GEISLER PROJECTS**

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CONSTRUCTION.

Rev	Date	By	Description
1	8 OCT 2015	CS	COMMIT SET

PROJECT NAME:  
**Madrid Mixed Use**  
PROJECT ADDRESS:  
2889 New Mexico 14, Madrid, NM 87010

PROJECT #: 15-003  
ISSUE DATE: 6 OCT 2015  
PRODUCTION: CS  
DESIGNED BY: CS  
SHEET TITLE: **ROOF DRAIN**  
SCALE: As Shown  
SHEET NUMBER: **50 B**

NBA-17

# GEISLER PROJECTS

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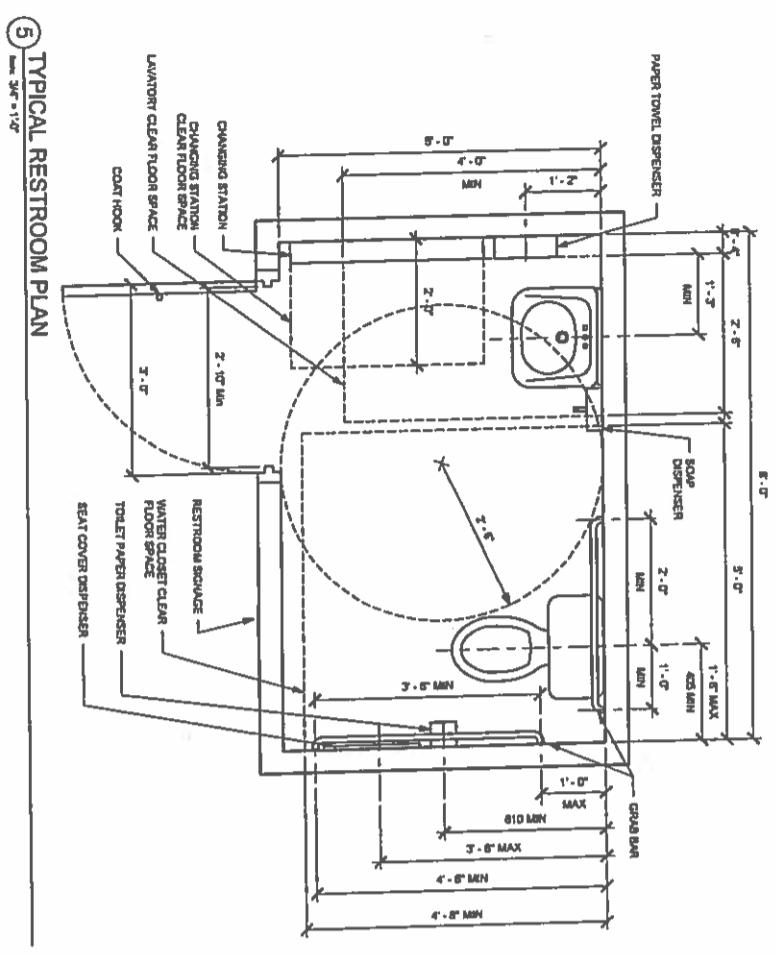
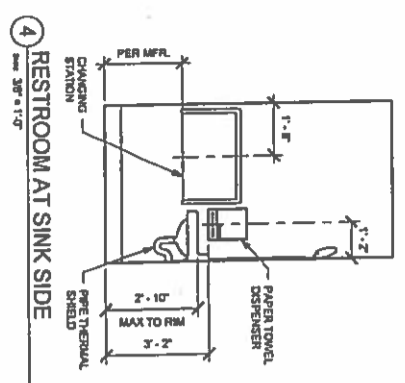
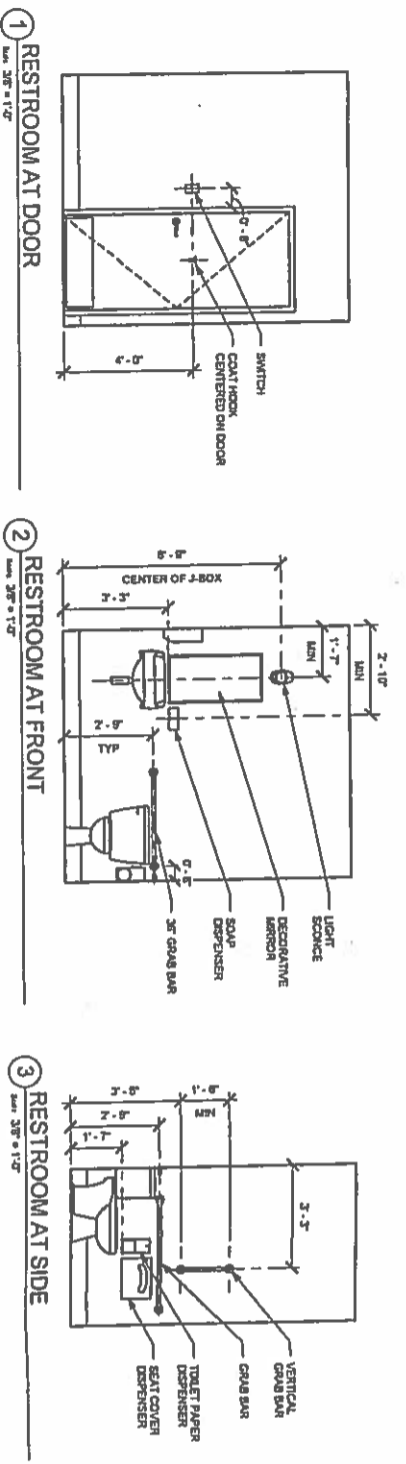
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Revision Schedule	
Rev	Description

PROJECT NAME:  
**Madrid Mixed Use**  
PROJECT ADDRESS:  
2889 New Mexico 14, Madrid, NM 87010

PROJECT #: 15-003  
ISSUE DATE: 8 OCT 2015  
PRODUCTION: EG  
CHECKED BY: EG  
PROJECT TITLE:  
**ENLARGED RESTROOM PLAN AND ELEVATIONS**  
SHEET NUMBER: 1-4102

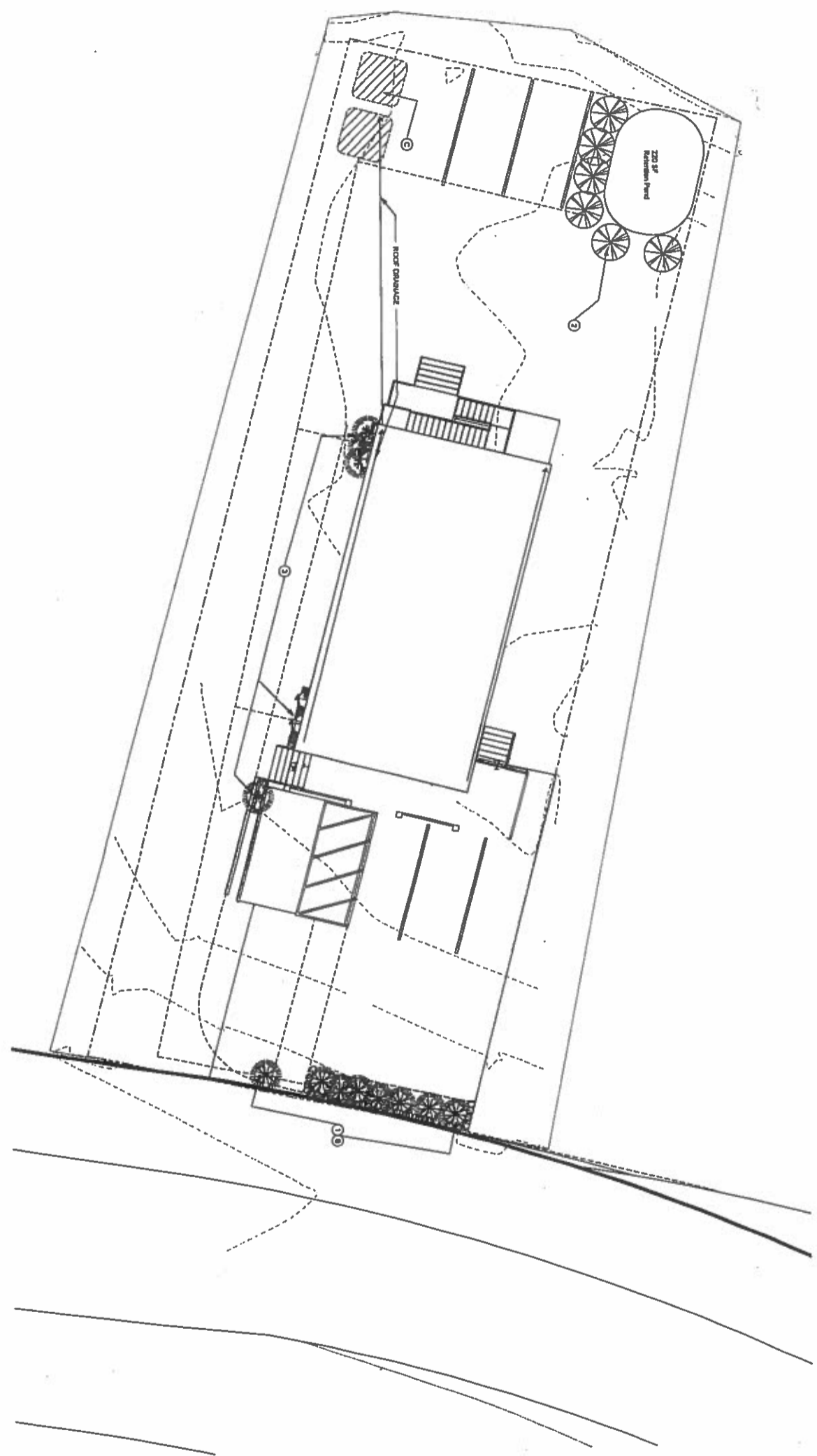
**ENLARGED RESTROOM PLAN NOTES**  
A. DETAILS ARE FOR REFERENCE ONLY.  
B. ALL RESTROOM ACCESSORIES MOUNTING HEIGHTS TO MEET ACCESSIBILITY REQUIREMENTS PER ADA ACCESSIBILITY STANDARDS.  
C. GENERAL CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTIFY OWNER'S CONSTRUCTION MANAGER OF ANY DISCREPANCIES FROM DIMENSIONS SHOWN IN THIS DOCUMENT TO BE RESOLVED FROM THE DRAWING.  
D. DIMENSIONS ARE TO FACE OF FINISHED SURFACE.



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NBA-18

1ST FLOOR - LANDSCAPE PLAN  
Scale: 1" = 10'



SHEET NOTES

SCHEMATIC SITE PLAN NOTES

- A. PLANTING
  - 1. Plant species at door:
    - Plant: Magnolia (small)
    - Plant: Magnolia (small)
    - Plant: Magnolia (small)
  - 2. Trees at entrance point:
    - Quantity: 10 (small)
    - Quantity: 10 (small)
  - 3. Plants in south side:
    - Plant: Magnolia (small)
    - Plant: Magnolia (small)
    - Plant: Magnolia (small)
- B. HICCS
  - 1. Plants to be retained from site (see schedule 2) (see schedule 2)
  - 2. Plants to be retained from site (see schedule 2) (see schedule 2)
- C. IRRIGATION
  - 1. A pump and pipe system is required to provide water to the site. The pump and pipe system shall serve all landscape area.

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**GEISLER PROJECTS**

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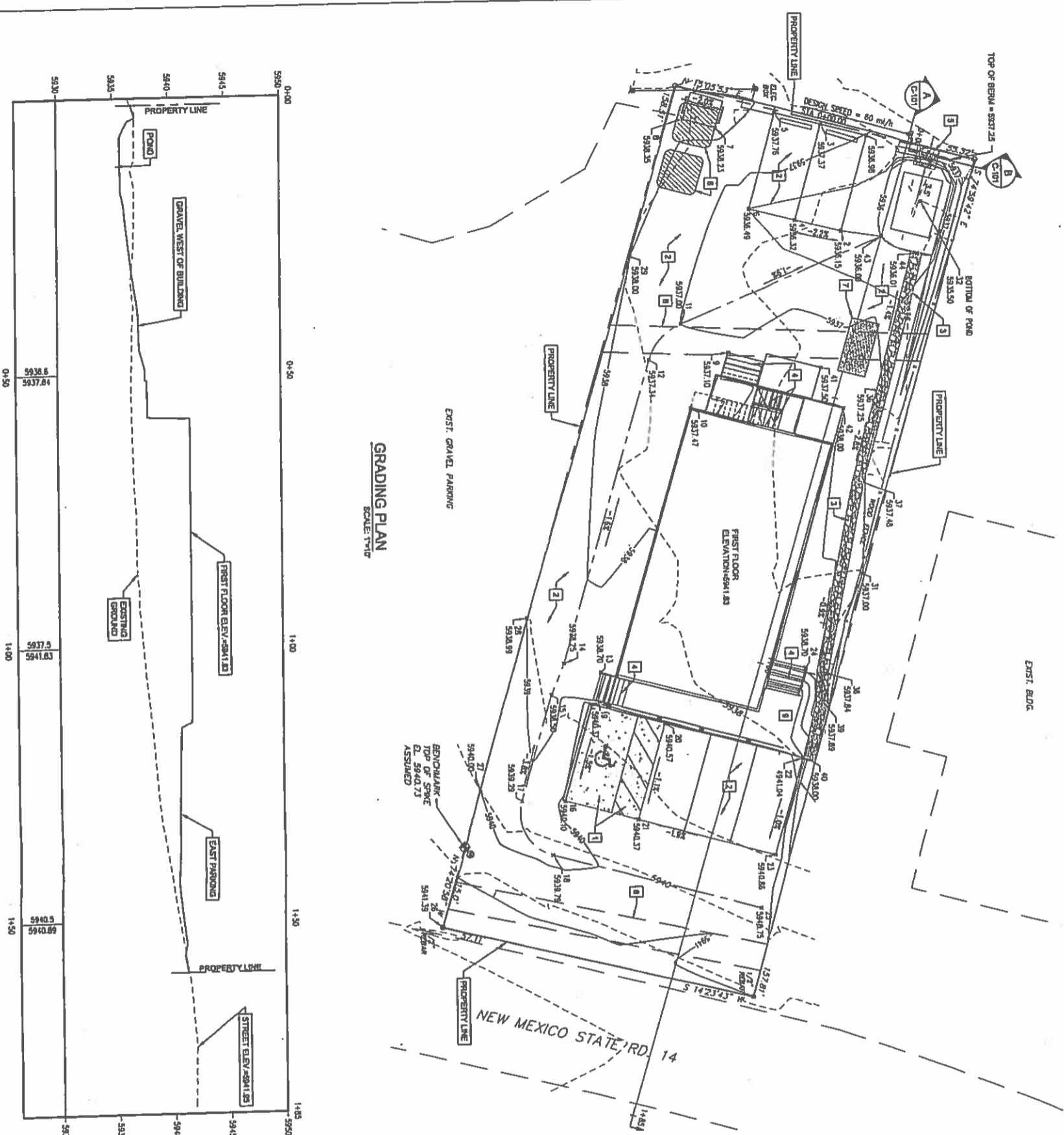
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Rev	Date	By	Description
1	10/15/15	ES	CONCEPT SET
2			
3			
4			
5			
6			
7			
8			
9			
10			

PROJECT NAME:  
**Madrid Mixed Use**  
PROJECT ADDRESS:  
2889 New Mexico 14, Madrid, NM 87010

PROJECT #:	15-003
ISSUE DATE:	8 OCT 2015
PRODUCTION:	ES
CHECKED BY:	ES
SHEET TITLE:	LANDSCAPE
SCALE:	As Indicated
SHEET NUMBER:	SD-7

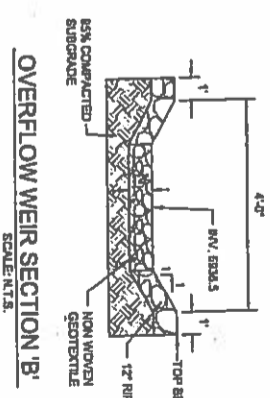
NBA-19



POINT #	NORTHING	EASTING	ELEVATION
1	128.71	107.42	5938.98
2	174.02	124.80	5938.15
3	120.50	105.50	5937.37
4	115.82	122.58	5938.32
5	112.50	102.99	5937.76
6	107.81	120.37	5938.49
7	101.68	102.49	5938.23
8	85.94	103.74	5938.35
9	101.76	146.84	5937.10
10	86.87	184.80	5937.47
11	83.32	141.13	5937.00
12	88.80	147.81	5937.34
13	80.57	204.59	5938.70
14	71.99	202.73	5938.25
15	71.69	208.59	5938.50
16	74.00	227.85	5940.10
17	64.24	227.83	5939.29
18	71.75	237.71	5939.79
19	78.82	210.63	5940.57
20	81.85	214.47	5940.57

POINT #	NORTHING	EASTING	ELEVATION
21	86.99	231.63	5940.37
22	116.43	221.35	5941.04
23	111.52	238.38	5940.88
24	117.00	204.83	5938.70
25	108.80	248.20	5940.75
26	51.89	250.34	5941.39
27	58.90	225.61	5940.00
28	67.48	184.40	5938.99
29	86.36	128.71	5938.00
31	127.25	187.77	5937.00
32	128.28	119.84	5938.50
36	121.19	154.36	5937.25
37	126.80	170.72	5937.46
38	128.12	205.45	5937.64
39	118.99	211.00	5937.85
40	117.54	221.56	5938.00
41	120.25	148.74	5937.50
42	124.26	157.31	5938.00
43	131.23	123.50	5938.00
44	137.26	129.22	5938.01



- GENERAL NOTES:**
- THIS PLAN IS FOR A CONCRETE SUBMITTAL AND NOT FOR CONSTRUCTION. ADDITIONAL PLAN REVISIONS MAY OCCUR.
  - CONTRACTOR SHALL FIELD VERIFY SITE FOR EXISTING CONDITIONS (TOP OF SPONGE D. 5940.73) PRIOR TO CONSTRUCTION.
  - FILL SHALL BE COMPACTED TO 95% MAX. DENSITY PER STD. PRACTICE.
- KEYED NOTES:**
- INSTALL 4" THICK CONCRETE PAVING
  - INSTALL 3" OF BASE COURSE
  - PROVIDE COBBLE STONE FOR SMALL SHALE
  - WOODEN STAKES W/ WOODEN HANDRAIL. TO BE DETAILED W/ FINISH DESIGN.
  - INSTALL OVERSIZING W/ 4" THICK RIPRAP WITH FILTER FABRIC SEE DETAIL 'B' THIS SHEET
  - DESIGN PER SITE PLAN
  - APPROX. 5' WATER EMBANKMENT
  - DECK NOT SHOWN



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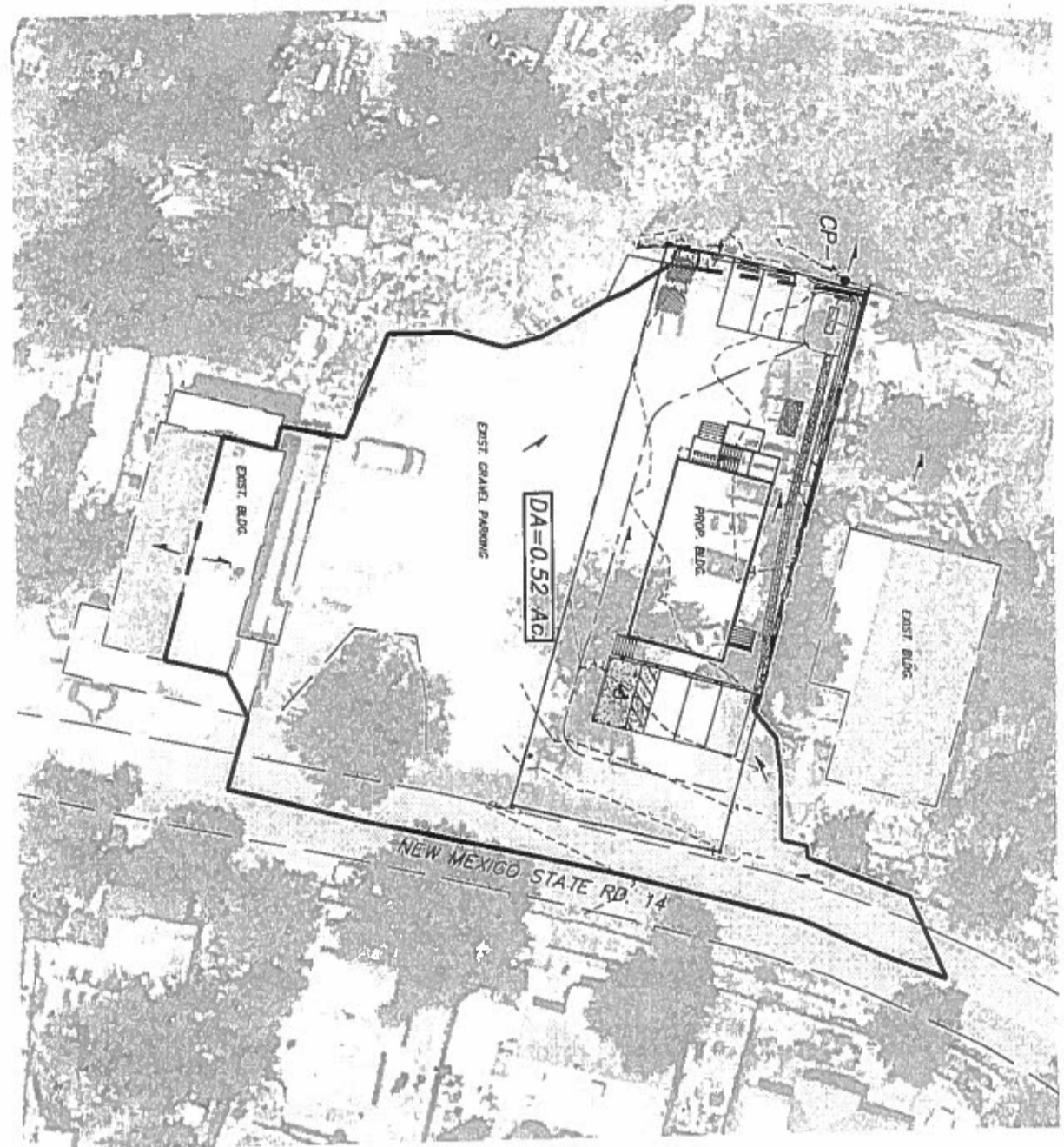
<p><b>FORSGREN</b> <i>Associate Inc.</i></p> <p>6100 Indian School Rd. NE, Ste. 205 Albuquerque, NM 87110 505 814 2796</p>		<p><b>ARCHITECT OF RECORD</b></p> <p>THIS DRAWING IS A DESIGN DEVELOPMENT DOCUMENT. SITE SPECIFIC INVESTIGATIONS MADE UNDER THE SUPERVISION OF THE ARCHITECT SHALL BE REQUIRED PRIOR TO USING THIS DOCUMENT FOR RECORD, PERMITTING, OR CONSTRUCTION.</p> <p>Rev: _____ Date: _____ By: _____ Description: _____</p>
<p>PROJECT NAME: <b>Madrid Mixed Use</b></p> <p>PROJECT ADDRESS: <b>2889 New Mexico 14, Madrid, NM 87010</b></p>		<p>PROJECT #: <b>15-003</b></p> <p>ISSUE DATE: <b>OCTOBER 8, 2015</b></p> <p>PRODUCTION: <b>NO</b></p> <p>CHECKED BY: <b>NO</b></p> <p>SHEET TITLE: <b>GRADING PLAN</b></p> <p>SCALE: <b>C-101</b></p>

NBA-

**GRAPHIC SCALE**  
 0 10' 20' 40' 60'  
 Scale: 1"=30'



**DRAINAGE PLAN**  
 SCALE: 1"=30'



- DRAINAGE NARRATIVE**
1. The project site is outside of a FEMA floodplain (Zone X) per FIRM Map No. 350900025E.
  2. Hydrology was performed using the Rational Method for the 0.52 Acre Watershed. The C Values for compacted Gravel (existing) is 0.85 and for pavement is 0.99. A Time of Concentration of 5 minutes was used for the small watershed.
  3. Rainfall Intensities (inches/hour) were obtained from NOAA Data Server.
  4. Flow from the proposed roof to the Cisterns (1.5 gallons per square foot) was accounted for in reducing the rainfall intensities by the equivalent 2.4 inches routed to the cistern.
  5. There is no increase in runoff for this project, given the existing compacted gravel. However, a small retention basin has been provided at the northwest drainage outlet with a 4' wide weir, and one foot ponding depth.

**NATIONAL METHOD CALCULATIONS**  
 MAINTAINED USE

Coefficient:	0.85
Time of Conc.:	5.00

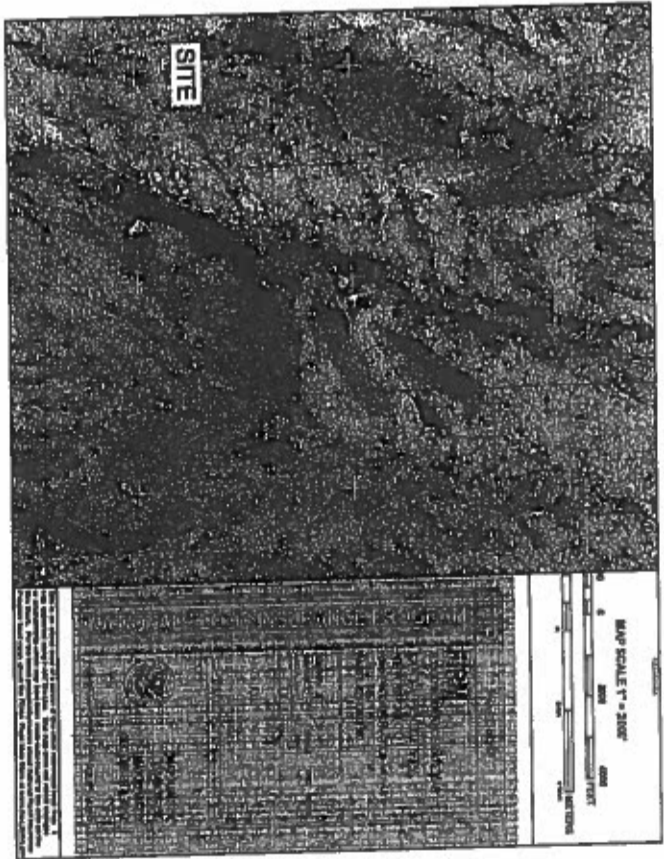
Source: Technical Manual for Low-Flow Regime, Dept. of Environmental Protection, Inland and Coastal Regime, Stream Ecosystems Branch, 2005

Storm Event	Intensity (in/hr)	Flow Rate (cfs)
10 Year	3.17	0.77
25 Year	3.94	0.94
50 Year	4.54	1.14
100 Year	5.00	1.25

Storm Event	Flow Rate (cfs)	Depth (ft)
10 Year	1.5	2.40
25 Year	1.5	2.40
50 Year	1.5	2.40
100 Year	1.5	2.40

Storm Event	Area (sq ft)	Area (ac)	Area (ac)	Area (ac)	Compacted C
EXISTING	0.29	0.66	0.89	0.89	0.89
PROPOSED	0.33	0.75	0.92	0.92	0.90

Storm Event	Area (sq ft)	Area (ac)	Area (ac)	Area (ac)	Area (ac)
10 Year	1.46	1.49	0.03	1.48	1.48
25 Year	1.20	1.26	0.13	1.24	1.24
50 Year	1.22	1.28	0.17	1.21	1.27
100 Year	1.24	1.30	0.15	1.27	1.45



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<p><b>FORSGREN</b>  <i>Charlotte, Inc.</i></p> <p>6100 Indian School Rd.                  NE, Ste. 205                  Albuquerque, NM 87110                  505 814 2796</p>		<p><b>ARCHITECT OF RECORD</b></p> <p>THIS DRAWING IS A DESIGN DEVELOPMENT DOCUMENT. THE SPECIFIC CONSTRUCTION MAKE UNDER THE RESPONSIBLE CHARGE OF THE ARCHITECT. THE ARCHITECT HAS REVIEWED THIS DRAWING FOR GENERAL CONFORMANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING CODE, AND HAS FOUND IT TO BE IN SUBSTANTIAL CONFORMANCE WITH THE REQUIREMENTS OF THE NATIONAL BUILDING CODE.</p>	<p>Rev: Date: By: Description:</p> <table border="1"> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>				
<p><b>PROJECT NAME:</b>                  Madrid Mixed Use</p> <p><b>PROJECT ADDRESS:</b>                  2889 New Mexico 14, Madrid, NM 87010</p>		<p><b>PROJECT #:</b> 15-003</p> <p><b>ISSUE DATE:</b> OCTOBER 8, 2016</p> <p><b>PRODUCTION:</b> PD</p> <p><b>DRAWN BY:</b> PD</p> <p><b>CHECKED BY:</b> PD</p> <p><b>SHEET TITLE:</b> DRAINAGE INFORMATION</p> <p><b>SCALE:</b></p> <p><b>SHEET NUMBER:</b> C-102</p>					

NBA-

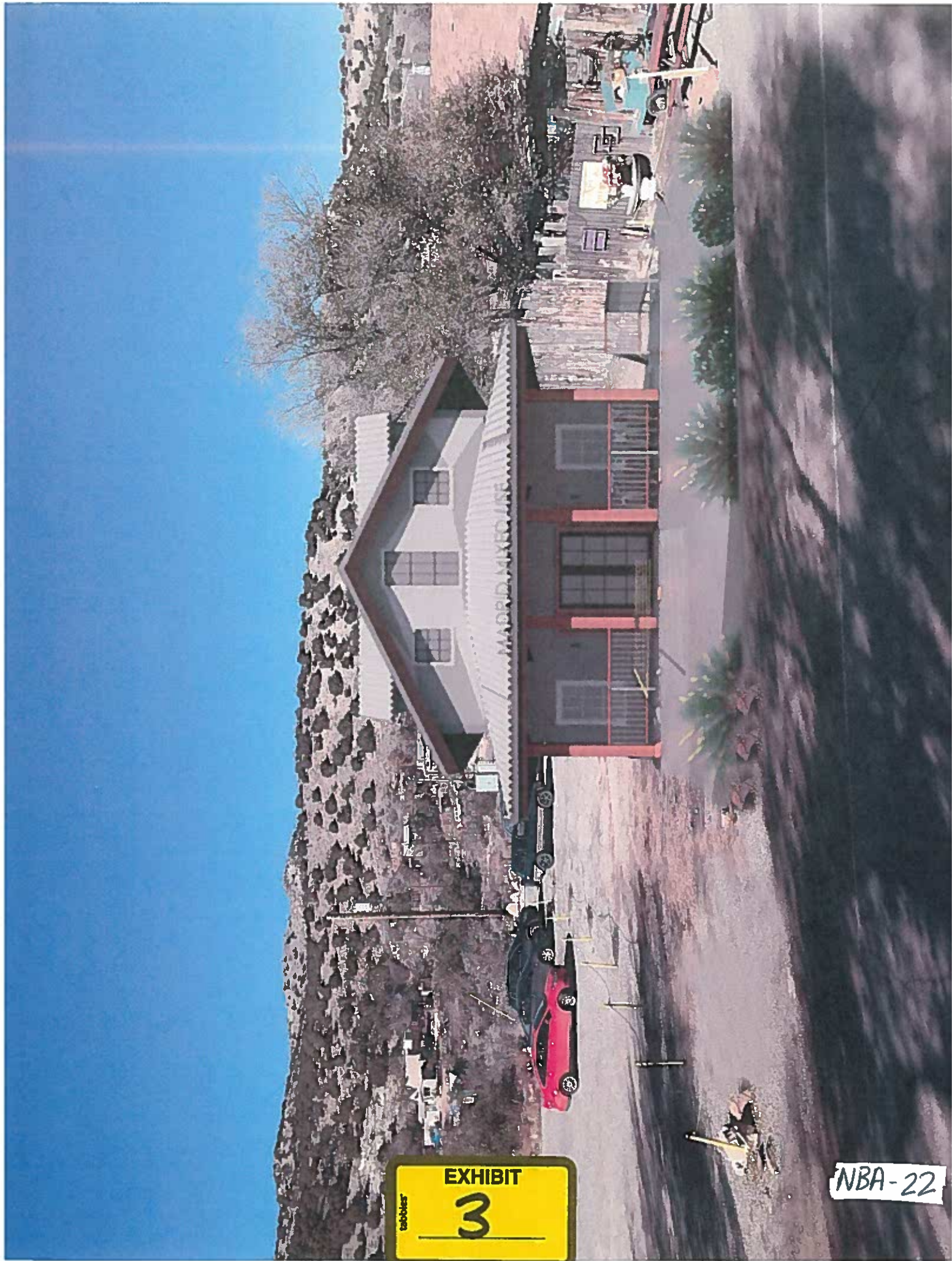
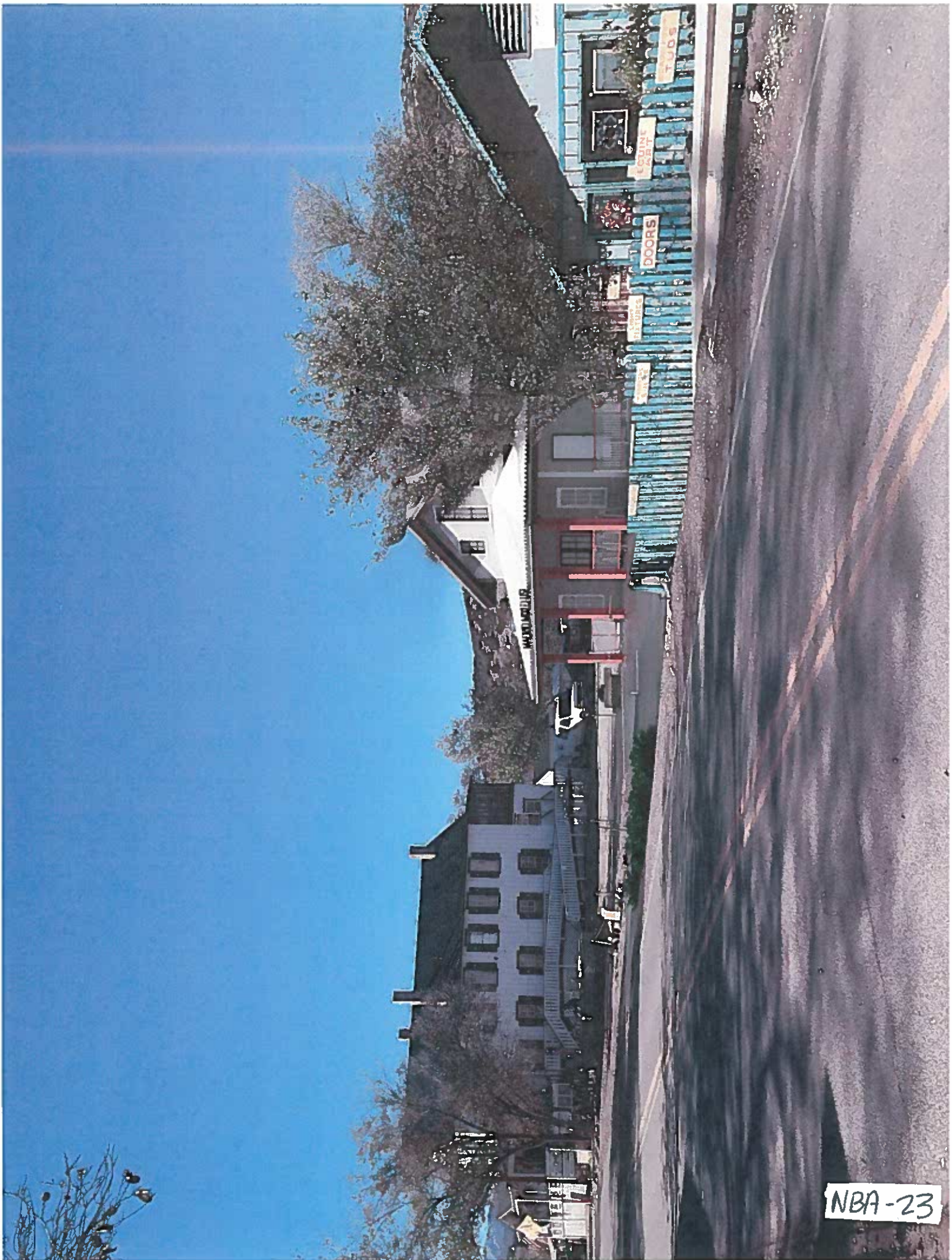


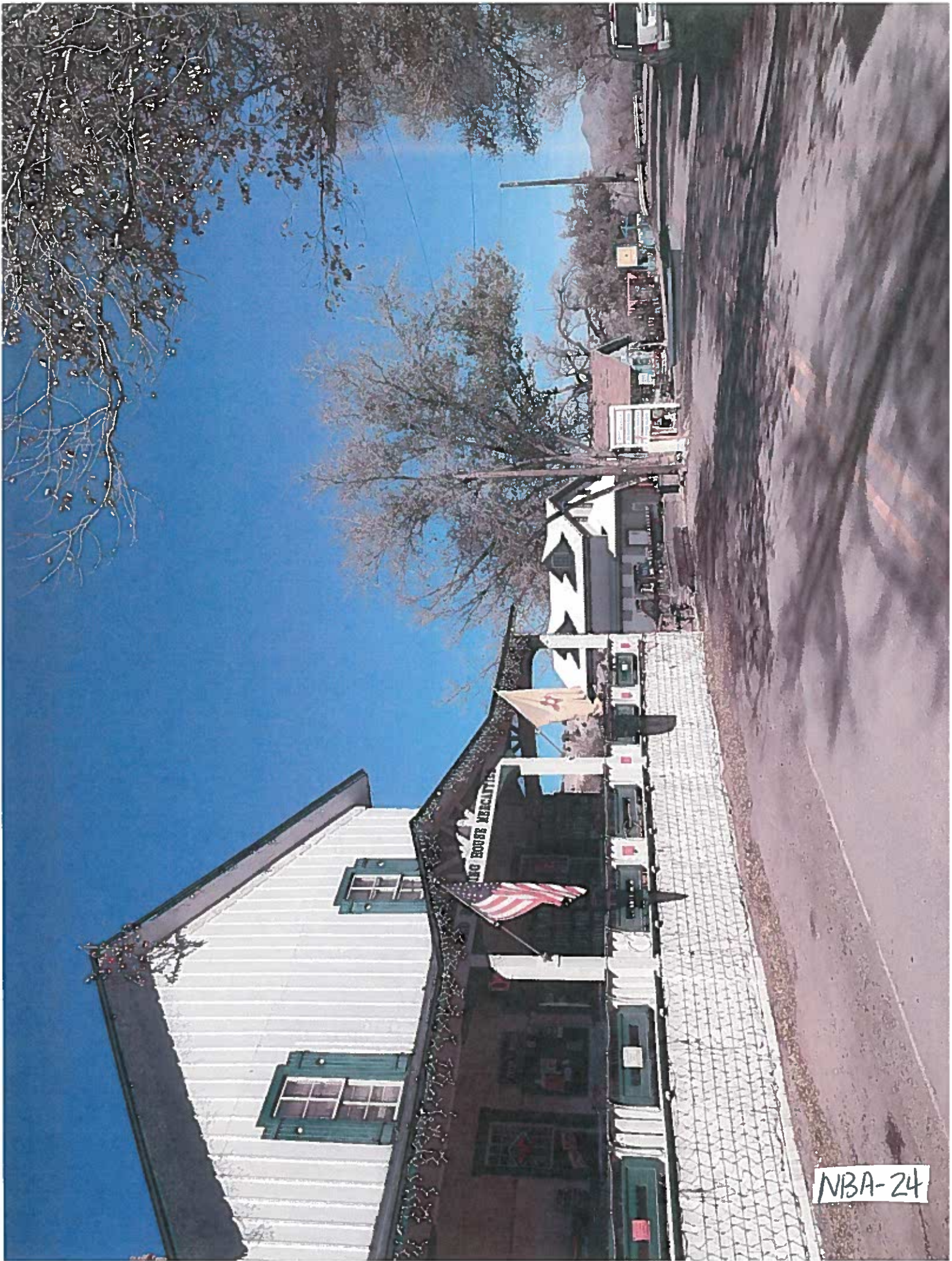
EXHIBIT  
3

NBA-22



NBA-23



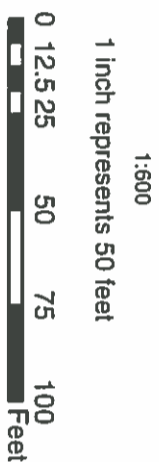


NBA-24



**Legend**

-  Roads
-  DRIVEWAYS
-  PARCELS



2014 Imagery  
2 FOOT CONTOURS

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options for compact residential development including clustered housing, family compounds, and secondary dwelling units. Community facilities, institutional uses, agricultural uses, and home occupations that are residential in scale should continue to be allowed anywhere in the district. The MCD TC accommodates traditional community patterns, preserves historic and cultural landscapes, and protects agricultural uses.

**a. Use Regulations.** Uses permitted, conditional, accessory and prohibited as identified in Chapter 8 of Appendix B of this Code with exceptions identified on MCD Use Table.

**b. Dimensional Standards.** As identified in Chapter 8 of this Code, Traditional Community, except as prescribed in MCD Table 9-6-3.

**Table 9-6-3: Dimensional Standards MCD TC (Traditional Community).**

Zoning District	MCD TC
Density (# of acres per dwelling unit)	.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	50
Lot width (maximum, feet)	n/a
Height (maximum, feet)	25
Height (maximum, feet), hay or animal barn, silo	36
Maximum building size (non-residential)	2,500 sq. ft.
Lot coverage residential/non-residential (maximum percent) for lots equal to or greater than .75 acres	25*

\* If the existing lot is less than .75 acres, the lot coverage can be adjusted up to a maximum of 50%.



**3. MCD Commercial Neighborhood (MCD CN); Purpose.** The purpose of this district is to allow for residential and low-intensity non-residential uses that are intended to serve and are in close proximity to individual residential neighborhoods.

**a. Use Regulations.** Uses permitted, conditional and prohibited as identified in Chapter 8 and Appendix B of this Code with exceptions identified on MCD Use Table.

**b. Dimensional Standards.** The dimensional standards shall be as identified in Chapter 8 of this Code except as prescribed in Table 9-6-4.



**Table 9-6-4: Dimensional Standards MCD CN (Commercial Neighborhood).**

CN Zoning District	CN
Density	.75
Frontage (minimum, feet)	50
Lot width (minimum, feet)	n/a
Lot width (maximum, feet)	n/a
Height (maximum, feet)	25

NBA-26





### 14.9.7. Variances.

**14.9.7.1. Purpose.** The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

**14.9.7.2. Process.** All applications for variances will be processed in accordance with this chapter of the Code.

**14.9.7.3. Applicability.** When consistent with the review criteria listed below, the planning commission may grant a zoning variance from any provision of the SLDC except that the planning commission shall not grant a variance that authorizes a use of land that is otherwise prohibited in the relevant zoning district.

**14.9.7.4. Review criteria.** A variance may be granted only by a majority of all the members of the Planning Commission (or the Board, on appeal from the Planning Commission) where authorized by NMSA 1978, Section 3-21-8(C):

1. where the request is not contrary to the public interest;
2. where, owing to special conditions, a literal enforcement of the SLDC will result in unnecessary hardship to the applicant; and
3. so that the spirit of the SLDC is observed and substantial justice is done.

#### 14.9.7.5. Conditions of approval.

1. The Planning Commission may impose conditions on a variance request necessary to accomplish the purposes and intent of the SLDC and the SGMP and to prevent or minimize adverse impacts on the general health, safety and welfare of property owners and area residents.
2. All approved variances run with the land, unless conditions of approval imposed by the Planning Commission specify otherwise.
3. All approved variances automatically expire within one year of the date of approval, unless the applicant takes affirmative action consistent with the approval.

~~14.9.7.6. Administrative minor deviations. The Administrator is authorized to administratively approve minor deviations upon a finding that the result is consistent with the intent and purpose of this SLDC and not detrimental to adjacent or surrounding properties as follows:~~

- ~~1. minor deviations from the dimensional requirements of Chapter 7 of the SLDC not to exceed ten percent (10%) of the required dimension.~~
- ~~2. minor deviations from the density requirements of Chapter 8 of the SLDC not to exceed five tenths of a percent (0.5%) of the gross acreage allowed in the zoning district.~~

NBA-2



elements, although individual procedures may not apply to every application type. A more detailed explanation of the procedural elements follows.

~~4.4.1.1. Pre-application meeting with the County Technical Advisory Committee (TAC) and pre-application neighborhood meeting;~~

~~4.4.1.2. Submittal of a complete application, including required fees, appropriate affidavits, plats, site development plans, variances requested, and Studies, Reports and Assessments specified in Chapter 6;~~

~~4.4.1.3. Review of the application by the Administrator and a determination that the application is complete or incomplete;~~

~~4.4.1.4. As appropriate, referral of application to State and Tribal review agencies for review and response;~~

~~4.4.1.5. Staff review, and as appropriate, take final action to make recommendation to the Planning Commission or the Board;~~

~~4.4.1.6. Notice and publication for applications requiring a public hearing;~~

~~4.4.1.7. As appropriate, public hearing before the Hearing Officer, Planning Commission, or Board;~~

~~4.4.1.8. Issuance of a development order approving, approving with conditions, or denying the application, together with written findings describing and supporting the action adopted;~~

~~4.4.1.9. Any appeal of the development order; and~~

~~4.4.1.10. Any application for beneficial use or value determination (BUD).~~

**4.4.2. Procedures Required for Each Application Type.** The specific procedural requirements for each type of application are set forth in Table 4-1.



**4.4.3. Pre-Application TAC Meeting.** Applicants required to conduct a pre-application meeting with the Technical Advisory Committee prior to filing an application. During the meeting, the applicant will discuss the application in general but in enough detail so that a reasonable assessment can be made of its compliance with the SLDC. The meeting should include a discussion of requirements of the SLDC that are applicable to the application, the procedure to be followed, notice to be provided, schedule for review and hearing, the studies, reports and assessments to be undertaken, and other relevant subjects. Technical requirements may also be discussed. After the meeting, County staff will provide the applicant with a written summary of the relevant issues to be covered by the applicant in its submittal materials.



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Gypsy Fest: Clint moved that the MLA allow the Gypsy Fest to occur at the ballpark Saturday, September 12. Gavin seconded. DISCUSSION: Glen Neff explained that Clan Tynker will be the headline act and Sept. 12 was the only day that they were available. Ruth recommended that a volunteer be posted to prevent parking on the property that the Woodcocks recently bought (north of the boarding-house parking lot and south of the former site of the Crystal Dragon shop). VOTING: The motion carried. Ruth abstaining.

*Approval of site plans and elevations for proposed building for Lot #051 (north of boarding house):*

Rick and Lori Woodcock have been in the area about 18 months. They have a background of construction and development in California. Lori exhibited their plans for a building to house retail space on the ground floor, with second-story apartment toward the back. The footprint of the building is to be 1500 square feet (the total lot area is about 8000 square feet). There are to be a total of 7 parking spaces, one ADA-compliant, with four in the back and a 14-foot-wide fire lane leading toward the back. The building is to have fire sprinklers, in accordance with current county rules for new construction. Lori is hoping that the retail space will be used as a bakery, although she admits she cannot guarantee this will happen. The general appearance of the building plans suggests a miniature version of the boarding house. Rebecca moved that the MLA approve the Woodcock's building plans as presented. Lisa seconded. DISCUSSION: The woodcocks are willing to ruin through the plans again with the MLA if they are substantially altered. VOTING: The motion carried. Gail Snyder and Gavin Strathdee opposed, Andrea abstaining.

*Parking Plan for Large Outdoor events:*

Andrea wanted to open a discussion on this topic: the upper ballpark parking lot is not effectively utilized and she wondered whether this situation might be corrected by better signage (both at the parking lot and at entrances to Madrid roads) and better shuttle service to the sites of the events.

Ruth would like Firehouse Lane included in this planning, as during events all her parking becomes occupied.

Lisa asked what any sign at the end of Firehouse Lane should say, and Ruth replied, "No Festival Parking."

Gavin said that every business needs to provide its own parking, appropriate for itself and its events, and when we rent out the upper ballpark parking lot, we need to get the business to comply with the rules.

Ruth said that we need to get the upper ballpark parking lot utilized. Rebecca noted that Lori Lindsey supplies a shuttle service but no one uses it.

Lisa suggested the text "Festival Parking in Ballpark Parking Lot Only" for signs.

Towing occurs at a car owner's expense.



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**4.4.4. Pre-Application Neighborhood Meeting.** A pre-application neighborhood meeting shall be conducted as specified in Table 4-1.

**4.4.4.1. Notice of Pre-Application Meeting.** The following entities and persons shall be invited by a letter sent first class mail, return receipt requested 15 days prior to the pre-application meeting:

1. The applicable CO and/or RO (see § 2.2).
2. Property owners entitled to notice of the application as required in § 4.6;

**4.4.4.2. Where Held.** The meeting shall be held at a convenient meeting space near the land that is the subject of the application.

**4.4.4.3. When Conducted.** The pre-application neighborhood meeting shall take place after the pre-application TAC meeting and prior to filing of the application.

**4.4.4.4. Materials for the Pre-Application Neighborhood Meeting.** The applicant shall prepare an adequate number of the plans described below of the proposed development in rough format to present during the meeting. Plans should include: the boundary lines of the development; the approximate location of any significant features, such as roadways, utilities, wetlands, floodways, hillsides, trails and open space and existing buildings or structures; the proposed uses for the property; the number of dwelling units and approximate square footage for non-residential uses; and the proposed layout including open space, location of buildings, roadways, schools and other community facilities, if applicable.

**4.4.4.5. Report on Pre-Application Neighborhood Meeting.** At the time of application, the applicant shall furnish a written report to the Administrator on the pre-application neighborhood meeting. At a minimum, the report shall include:

1. date and location of the neighborhood meeting or meetings;
2. a list of persons and organizations invited to the meeting;
3. a copy of the notice of pre-application meeting issued together with return receipts from letters mailed;
4. a list of persons and organizations who attended the pre-application meeting;
5. a copy of all materials distributed at the neighborhood meeting;
6. a summary of all concerns, issues and problems identified at the meeting, including how the applicant has addressed or intends to address the concerns and whether the applicant is unable to address them. Specific attention should be paid to any conditions or mitigating measures agreed to at the meeting.

**4.4.4.6.** Applicant shall bring to any public hearing determining that applicant's application at least three sets of documents handed out or displayed during the Neighborhood Meeting which shall be put on display for members of the public attending such hearings.

**4.4.4.7.** Any CO, RO or person entitled to notice of the application shall also have the right to furnish a written report to the Administrator.

November 28, 2015

Jose Larranaga  
SF County Land Use Administrator  
PO Box 276  
Santa Fe, NM 87504

Dear Jose,

And whomever will need to read this letter:

I am a landowner at 17 Cave Rd., in Madrid, one of the closest properties to Lori and Richard Woodcock With CDRC Case # 15-5240 Madrid Mixed Use.

Lori and Richard came to a meeting of the Madrid Landowners' Association requesting approval of the Development plans for their new property along highway 14 in the historical district of Madrid.

I am an MLA board member, and as I recall, the vote was overwhelmingly supportive of their plans, and we voted to approve, as submitted.

As a community we have tried to keep our town with as many historical guidelines to keep a "flavor", so to speak, and discourage corporations from moving in with inappropriate land use, protecting the integrity of our town, as well as the privacy of our residents. With this in mind, we set up guidelines with the Santa Fe County Development Code to use our covenants as a base and have tried to stick with these guidelines.

Lori and Richard have been conscientious about these restrictions and carefully designed their building to be under the 25 foot height restriction. With the ground not at a level, straight through, and to keep the integrity of their structure at the same height throughout, the building must have a few more feet added to the height at the back. This would also enable them to complete their plans of "shop in front" and "living quarters in back".

I am in favor of the variance for height, as well as for the driveway .

(By the way, the adjacent building is 35 feet tall, so their new structure would still "fit in")

Thank you,

Lisa Conley  
PO Box 147  
Cerrillos, NM 87010

505-473-4945



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9.6. MADRID COMMUNITY DISTRICT OVERLAY.

9.6.1. **Purpose and Intent.** The provisions of the Madrid Community District (MCD) are intended to implement and be consistent with the land use goals, objectives, policies, and strategies of the Madrid Community Plan and the Sustainable Growth Management Plan (SGMP). The MCD is designed to preserve the rural character, community self-sufficiency, history and culture of Madrid to help manage growth, maintain sustainable water and wastewater, preserve a high quality of life and protect and strengthen relationships between neighbors, accommodate a variety of lifestyles and meet future needs.

9.6.2. **Sustainable Design Standards.** The development standards of Chapter 7 of this Code shall be applicable to all development, except as otherwise specified herein.

9.6.2.1. **Setbacks.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Minimum front setback shall be 8 feet.
2. Minimum side and rear setback shall be 10 feet.

9.6.2.2. **Signs.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Backlit, plastic, and neon signs are prohibited.

9.6.2.3. **Water Supply, Wastewater and Water Conservation.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. **Water Conservation; Non-residential.** New non-residential establishments shall make connection to a public or publicly-regulated private water system when the utility becomes ready, willing and able to supply the development. New non-residential development will be required to limit water consumption to .25 acre feet per year.

2. **Wastewater; Non-residential.** New non-residential establishments must provide proof of adequate restroom facilities before business licenses will be granted to ensure that non-residential establishments have adequate restroom facilities to serve demand generated by their business activities. Facilities shall include on-site restroom(s), portable facilities, shared facilities with another establishment or other types of facilities which meet applicable public restroom facility standards.

9.6.2.4. **Terrain Management.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. **Steep Slopes and Ridges.** These standards apply to all new structures and additions to existing structures located on development sites where any portion of the land has a natural slope prior to development of 15 % or greater, and on ridgetops.



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**2. Viewshed Preservation.** In order to preserve the unobstructed horizons surrounding Madrid, no portion of a residential, commercial, or any other structure shall be visible above a ridge top when viewed from the centerline of NM 14 at the nearest spot on the highway with a direct view of the proposed structure.

**3. Ridgetop Protection.** Where a ridgetop measures more than two hundred feet (200') from shoulder to shoulder (a mesa), the ridge top standards and requirements for the architecture and buffers shall apply within two hundred feet (200') of the shoulder of the ridge and setbacks will be directed away from the portion of property most visible from the major roadway as described above.

**4. Landscaping and Screening.** Evergreen trees at least 5 feet tall shall be used for screening and buffering of structures, cuts and fills in order to maintain year round screening of previously disturbed areas.

a. Cut slopes with a slope or retaining wall closer than 6 feet from the edge of a road or driveway, where the planting area for trees is limited, may be screened with a trellis supporting planted vegetation or other similar means.

**9.6.2.5. Special Protection of Riparian Areas.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. Native vegetation endemic to riparian areas is exempted from the xeriscape requirements set forth in Chapter 7 of this Code.

**9.6.2.6. Greenbelt Traffic Restrictions.** All motorized vehicular traffic in the MCD greenbelt area, as identified in Appendix C: SLDC Official Map Series, Map 5 "Open Space and Trails" shall be prohibited with the exception of traffic on existing road easements and uses such as emergency purposes and water cooperative maintenance.

**9.6.2.7. Wildlife Corridors.** The standards shall be regulated as identified in Chapter 7 of this Code with the following exceptions:

1. In all instances where wildlife corridors are identified, development shall be adjusted to avoid disturbance.

**9.6.2.8. Density Transfer.** Whenever density transfers are used to create open space in perpetuity by easement or other legal means, and when new lots are created, maximum lot coverage shall increase to 50% and shall be calculated based on each individual new development lot.

**9.6.3. Establishment of Zoning Districts.** The development standards of Chapter 8 of this Code shall be applicable to all development, except as otherwise specified herein.

**9.6.3.1. Generally.** The MCD Overlay modifies the underlying base zoning districts in order to address special siting, use, and compatibility issues requiring regulations that supplement or supplant those found in the underlying zoning districts. If an overlay zone

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Table 4-1: Procedural Requirements by Application Type



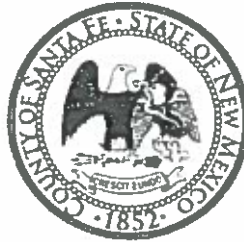
Application Type	Discretionary Review?	Application Requirements			Review/Approval Process				
		Pre-application TAC meeting	Pre-application neighborhood meeting	Studies, reports, assessments	Agency review	Approval by Administrator	Hearing Required?		
							Hearing Officer	Planning Commission	BCC
Development permit: Residential	no	no	no	no	as needed	yes	no	no	no
Development permit: non-residential, mixed use & multi-family	no	yes	as needed	see Table 6-1	as needed	yes	no	no	no
Land divisions, subdivision exemptions and other plat reviews	no	no	no	no	as needed	yes	no	no	no
Family transfer	no	no	no	no	as needed	yes	no	no	no
Temporary use permit	no	no	no	no	as needed	yes	no	no	no
Minor subdivision - final plat, 5 or fewer lots	no	yes	no	see Table 6-1	as needed	yes	no	no	no
Minor subdivision - final plat, more than 5 lots	yes	yes	no	See Table 6-1	As needed	no	no	no	yes
Major subdivision - preliminary plat	yes	yes	yes	see Table 6-1	yes	no	no	no	yes
Major subdivision final plat	yes	yes	No	no	no	no	no	no	yes
Conceptual plan for subdivision - phased or over 24 lots, phased MU, I, IL, CG, CN	yes	yes	Subdivision - yes Others - no	See Table 6-1	As needed	no	no	no	yes
Conceptual plan PDD, CCD	yes	yes	yes	See Table 6-1	yes	no	yes	yes	yes
Vacation of subdivision plat	yes	no	no	no	as needed	no	no	no	yes
Conditional use permit	yes	yes	as needed	see Table 6-1	as needed	no	yes	yes	no
DCI Conditional use permit	yes	yes	yes	yes	yes	no	yes	yes	no
Variance	yes	yes	as needed	no	as needed	no	yes	yes	no
Time Extension	yes	no	no	As needed	As needed	No	No	No	yes
Planned development district	yes	yes	yes	see Table 6-1	yes	no	yes	yes	yes
Overlay zones	yes	yes	yes	no	as needed	no	yes	yes	yes
DCI overlay zones	yes	yes	yes	yes	yes	no	yes	yes	yes
Zoning map amendment (rezoning)	yes	yes	yes	see Table 6-1	as needed	no	yes	yes	yes
Text amendment	yes	yes	no	no	as needed	no	no	yes	yes
Area, District Community Plan, or Plan Amendment	yes	yes	yes	no	as needed	no	no	yes	yes
Beneficial use determination	yes	yes	no	no	no	no	yes	no	yes
Appeals	See Sec. 4.5	no	no	no	no	no	no	See Sec. 4.5	See Sec. 4.5



**Henry P. Roybal**  
*Commissioner, District 1*

**Miguel M. Chavez**  
*Commissioner, District 2*

**Robert A. Anaya**  
*Commissioner, District 3*



**Kathy Holian**  
*Commissioner, District 4*

**Liz Stefanics**  
*Commissioner, District 5*

**Katherine Miller**  
*County Manager*

**CASE NO. V 16-5001**  
**Madrid Mixed Use Variance**  
**Lori and Richard Woodcock, Applicants**

**RECOMMENDED DECISION AND ORDER**

**THIS MATTER** came before the Sustainable Land Development Code (SLDC) Hearing Officer for hearing on March 24, 2016, on the application of Lori and Richard Woodcock (Applicants) for a variance of Chapter 9.6, Table 9-6-4, Dimensional Standards, Madrid Community District Overlay, Commercial Neighborhood (MCD CN) for a structure 28 feet in height. The Hearing Officer, having reviewed the application, staff report, and having conducted a public hearing on the request, recommends that the application is well-taken and the variance should be granted, and makes the following findings of fact and conclusions of law:

1. The applicants submitted an application for administrative approval of a Site Development Plan to allow 1,173 square feet of retail space and 656 square feet of living area, on top of the retail space, on 0.204 acres and a variance of Chapter 9.6, Table 9-6-4, Dimensional Standards, MCD CN for a structure 28 feet in height
2. The property is located at 2889 Highway 14, T14N, R7E, Section 25 (Commission District 3).
3. The site is within the Madrid Community District Overlay and is zoned as MCD Commercial Neighborhood



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REC CLERK RECORDED 04/08/2016

4. The Purpose section of Chapter 9, Section 9.6.3.2.3 MCD Commercial

Neighborhood states:

The purpose of this district is to allow for residential and low-intensity non-residential uses that are intended to serve and are in close proximity to individual residential neighborhoods.

5. Chapter 9.6, Table 9-6-4, Dimensional Standards MCD CN states that the maximum height within a Commercial Neighborhood Zoning District is 25 feet.

6. Chapter 14, Section 14.9.7.1, Variances, states:

The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this Code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

7. The Madrid Community District Overlay, Chapter 9, Section 9.6.2.4.2, Viewshed Preservation, states: "In order to preserve the unobstructed horizons surrounding Madrid, no portion of a residential, commercial, or any other structure shall be visible above a ridgetop when viewed from the centerline of NM 14 at the nearest spot on the highway with a direct view of the proposed structure."

8. The applicant submitted photo simulations of the structure on the site and the horizons in the background. The photo simulations illustrate that no portion of the structure is visible above the ridgetop.

9. No additional design standards from Chapter 9, Section 9.6 are applicable to this request.

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10. Case Manager Jose Larrañaga stated that the project had been presented at a Madrid Landowners Association meeting and the Association had voted in favor of the project, including the height variance.

11. At the public hearing before the Hearing Officer on March 24, 2016, County staff recommended denial of the applicants' request for a variance to allow the proposed structure to be constructed 28 feet in height.

12. The Code provides for the granting of an area variance to allow for a deviation from the dimensional requirements of the Code. The applicants' request is for an area variance.

13. The applicants' property slopes away from the street necessitating a roof taller in the back of the building of 28 feet.

14. The site is small (0.204 acres) and must contain on-site septic, on-site parking (including ADA parking) and water retention ponding. The architectural style for the commercial area of Madrid is largely of pitched roof structures.

15. In order to comply with all applicable standards as well as the architectural style of the community, the variance is necessary in order to construct a living unit on top of the retail space.

16. Due to the extraordinary and exceptional situations and conditions of the property, the strict application of the Code would result in peculiar and exceptional practical difficulties on the owners.

17. At the public hearing, Geoffrey Stewart, whose property is directly next door from the subject property, expressed concerns about access to his property for his tenants' parking. Mr. Stewart admitted that he was not addressing the variance request.

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18. The Hearing Officer recommended that Mr. Stewart discuss parking options with the applicant since his parking issue is outside of the application under consideration.

WHEREFORE, the Hearing Officer hereby recommends approval of the variance to Chapter 9.6, Table 9-6-4, Dimensional Standards MCD CN to allow for a structure 28 feet in height.

IT IS SO ORDERED.

*Nancy R Long*

Nancy R Long  
Hearing Officer

Date: 4-7-16

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

ORDER (N/C)  
PAGES: 4

I Hereby Certify That This Instrument Was Filed for Record On The 8TH Day Of April, 2016 at 03:02.56 PM And Was Duly Recorded as Instrument # 1790306 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy *Geraldine Salazar* County Clerk, Santa Fe, NM



FILED  
APR 08 2016  
SANTA FE COUNTY CLERK

NBA-3d

**TRANSCRIPT OF THE**

**SANTA FE COUNTY**

**SLDC HEARING OFFICER MEETING**

Santa Fe, New Mexico

March 24, 2016

I. This meeting of the Santa Fe County Sustainable Land Development Code Hearing Officer meeting was called to order by Santa Fe County Hearing Officer Nancy Long on the above-cited date at approximately 3:00 p.m. at the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**Santa Fe County Staff Present:**

Vicki Lucero, Building and Development Service Manager  
Jose Larrañaga, Development Review Team Leader  
Andrea Salazar, Assistant Attorney  
Buster Patty, Fire Marshal  
Victoria DeVargas, Fire Prevention

II. **APPROVAL OF AGENDA**

- A. Amendments
- B. Tabled or Withdrawn Items

Hearing Officer Long noted the agenda had one case and there were no tabled or withdrawn items to be considered.

III. **PUBLIC HEARING**

- A. **CASE # V 16-5001 Madrid Mixed Use Variance.** Lori and Richard Woodcock (Applicants), requested administrative approval, of a Site Development Plan, to allow 1,173 square feet of retail space and 656 square feet of living area, on top of the retail space, on 0.204 acres. The site is within the Madrid Community District Overlay (MCD) and is zoned as MCD Commercial Neighborhood (MCD CN). Under the MCD Use Table 9-6-8, an office or store with a residence on top is a permitted use. In order for the structure to be 28 feet in height, the Applicants request a variance of Chapter 9.6, Table 9-6-4, Dimensional Standards MCD CN, maximum height of 25 feet. The property is located at 2889 Highway 14, T14N, R7E, Section 25 (Commission District 3)

SLDC CLERK RECORDED 04-08-2016



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JOSE LARRAÑAGA (Case Manager): Thank you, Hearing Officer Long. The property is a 0.204-acre site within the Madrid Community District Overlay, as defined by Ordinance 2015-11, Sustainable Land Development Code, Chapter 9, Section 9.6. The established zoning for this site is Commercial Neighborhood. The applicants submitted an application for a site development plan, to allow 1,173 square feet of retail space and 656 square feet of living area located on top of the retail space. Under the MCD Use Table 9-6-8, an office or store with a residence on top is a permitted use within the MCD Commercial Neighborhood, and can be approved administratively.

Building and Development Services staff have reviewed the site development plan for compliance with pertinent SLDC requirements. The review comments from state agencies and County staff established findings that the application for the site development plan is in compliance with state requirements and the design standards set forth in the SLDC, with the exclusion of the height of the structure, which is the reason for the variance.

The height at the rear of the proposed structure is designed at 28 feet. Chapter 9, Table 9-6-4, Dimensional Standards MCD Commercial Neighborhood, allows a maximum height of 25 feet. The applicant is requesting a variance of the Dimensional Standards set forth in Chapter 9, Table 9-6-4, of the SLDC to allow a portion of the proposed structure to exceed 25 feet in height.

The applicants state the following: "The street frontage of the building will conform to the 25-foot height limit. Due to the slope of the site, I would like to obtain approval for the rear to be a total of 28 feet in height. This additional height will not be noticeable from the street and will enhance the look of the buildings as well as make for a viable mixed-use project."

The applicable requirements under the Santa Fe County Sustainable Land Development Code, Ordinance No. 2015-11, which govern this application are the following: Chapter 9, Section 9.6.3.2.3. MCD Commercial Neighborhood; Purpose states, "The purpose of this district is to allow for residential and low-intensity non-residential uses that are intended to serve and are in close proximity to individual residential neighborhoods."

Chapter 9, Table 9-6-4, Dimensional Standards MCD CN states, that the maximum height within a CN Zoning District is 25 feet.

Chapter 14, Section 14.9.7.1, Variances, states: The purpose of this section is to provide a mechanism in the form of a variance that grants a landowner relief from certain standards in this Code where, due to extraordinary and exceptional situations or conditions of the property, the strict application of the Code would result in peculiar and exceptional practical difficulties or exceptional and undue hardship on the owner. The granting of an area variance shall allow a deviation from the dimensional requirements of the Code, but in no way shall it authorize a use of land that is otherwise prohibited in the relevant zoning district.

The application for the site development plan was reviewed for the applicable design standards as per Chapter 7, Sustainable Design Standards of the SLDC and met those standards. The Madrid Community District Overlay, Chapter 9, Section 9.6.2.4.2, Viewshed Preservation, states: "In order to preserve the unobstructed horizons surrounding Madrid, no portion of a residential, commercial, or any other structure shall

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be visible above a ridgetop when viewed from the centerline of NM 14 at the nearest spot on the highway with a direct view of the proposed structure.

The applicant submitted photo simulations of the structure on the site and the horizons in the background. The photo simulations illustrate that no portion of the structure is visible above the ridgetop. No additional design standards from Chapter 9, Section 9.6 are applicable to this request.

Recommendation: Staff recommends denial of the applicants' request for a variance to allow the proposed structure to be constructed 28 feet in height. Chapter 9, Section 9.6, Table 9-6-4, Dimensional Standards, Madrid Community District Commercial Neighborhood states that the maximum height within a CN Zoning District is 25 feet.

Staff requests the Hearing Officer memorialize findings of fact and conclusions of law in a written order. The Santa Fe County Planning Commission will be holding a public hearing on this matter on May 19, 2016.

I stand for any questions.

HEARING OFFICER LONG: So staff is recommending denial?

MR. LARRAÑAGA: That's correct.

HEARING OFFICER LONG: And why is that?

MR. LARRAÑAGA: Because the dimensional standards only allows 25 feet and it's over the 25 feet. The request is over 25 feet.

HEARING OFFICER LONG: Okay, so strictly applying the allowed height, you're just finding it doesn't meet that.

MR. LARRAÑAGA: That's correct.

HEARING OFFICER LONG: And that the applicant has not met the criteria for a variance? Or did you weigh in on that? I was just wondering if you made that assessment or if that's something that would have to come here anyway?

VICKI LUCERO (Building and Development Service Manager): Madam Hearing Officer, as far as the criteria, that's not something that staff would weigh in. That would be something that we would allow the hearing officer. We strictly go by what the Code requires or what the Code allows.

HEARING OFFICER LONG: Okay. Thank you. And does this site slope away at the back? I know the applicants indicated that but I'm wondering if you observed that or if you've seen documents that established that.

MR. LARRAÑAGA: Madam Hearing Officer, yes, it does slope toward the west, towards the back of the building slightly. It's not a steep slope, but yes.

HEARING OFFICER LONG: Okay. And – well, I can ask the applicant this. So there was a Madrid Landowners Association meeting, regular meeting, where this was presented. Is that right? And I think I have the portion of the minutes where they considered this case.

MR. LARRAÑAGA: That's correct.

HEARING OFFICER LONG: And they voted in favor of it.

MR. LARRAÑAGA: That's correct.

HEARING OFFICER LONG: Including the variance. Or the height, anyway.

MR. LARRAÑAGA: At that time the height was even greater, when they presented it, the first submittal. This came under the Land Development Code, didn't

quite meet the time limits when the SLDC was implemented, but the actual height was higher when originally submitted at that time when it was presented to the Madrid Landowners Association, they were showing a higher – over 28 feet on the backside.

HEARING OFFICER LONG: And it was approved with that higher height.

MR. LARRAÑAGA: That's correct.

HEARING OFFICER LONG: And I think your report also noted that according to the photo simulation the structure would not stick up above the horizon of the ridgetop in the back of the building. Is that right?

MR. LARRAÑAGA: That's correct, and there is – the photo simulations are in the packet. That was part of the County staff review to make sure that it meant those requirements.

HEARING OFFICER LONG: Okay. Thank you. Is the applicant present? All right. You may come forward and we'll have you sworn in and then please give me your name and address.

[Duly sworn, Lori Woodcock testified as follows:]

LORI WOODCOCK: Hi, my name is Lori Woodcock. I live at 48 Blue Agave in Cerrillos, New Mexico.

HEARING OFFICER LONG: Is there anything that you wanted to add to what was presented as part of your application?

MS. WOODCOCK: I don't think I have any different information. I just would like to elaborate that our goal was to construct something that would fit in with the community and the architectural style and the concept, and part of that is a live-work use which is really popular in the Madrid area because there's a lot of artists and that kind of thing, and due to the constraints of the site being small and the requirements for a new building, which will be the advanced septic, the water retention, the water storage, the ADA parking – all those things which we intend to comply with, the footprint of the building shrank to the point where the only viable way to make it live-work space would be to put the apartment up above.

Due to the extreme slope of the property – I don't know. Extreme maybe isn't correct, but it is about five or six feet to the back. It's gets taller at the back and if we didn't do that there's really no way to have a second story. Then it becomes just a very small retail space, which wasn't our goal and isn't really in keeping with what we want to do and frankly makes it not a very viable project.

So we worked with the architect, since even our first meeting with the Madrid Landowners to get the building as low as we could and still make it architecturally fit in, because I know the Madrid standards say you can have a flat roof but there's really nothing like that in the community. Everything has got a pitched roof that's like corrugated metal which is – we wanted to fit in with that. So to have that kind of pitched roof it really ends up being a little bit taller at the back. So we've worked on it so that we've got it down to 28 feet at that back but in the front, from the street side, we'll be below the height limit.

HEARING OFFICER LONG: Okay. And I did see the photo simulation. You can see the back roof from the street. Is that correct? Is that the 28 that runs in the other direction but –

MS. WOODCOCK: Yes.

HEARING OFFICER LONG: But that portion of it is what, to the back is what would be 28 feet.

MS. WOODCOCK: Correct.

HEARING OFFICER LONG: And the pitched roof in the front, at the highest point is –

MS. WOODCOCK: It's going to be 24 now.

HEARING OFFICER LONG: Twenty-four. Okay.

MS. WOODCOCK: And we are definitely still shorter than the existing mercantile building that's quite a bit larger than ours to the south of us. I think the second photo shows that – or the third photo. Well, actually both of them. You can see it's a very – and I know it's older and so that isn't necessarily a great argument but we wouldn't be looming over anything. It's actually – we're shorter.

HEARING OFFICER LONG: So that – let me just see here. In my packet that has a number of NBA-23? And is that the white building with the black roof that's taller?

MS. WOODCOCK: Yes. The front of that is well over 30 feet at the street side.

HEARING OFFICER LONG: Okay. And then – I think the building that has an indication of Madrid mixed use on it, is that the rendition of the building that you're proposing?

MS. WOODCOCK: Yes.

HEARING OFFICER LONG: And so you told me about that slope, that it slopes in the back.

MS. WOODCOCK: Yes. So I don't know if you can look at the drawing. Let's see. There's one that kind of tells the story fairly well. If you go to the second page of the folded out 11 X 17s or whatever they are, which has the longitudinal section, on the bottom elevation you can see at the street, we're actually having to go down a little below the street to work out the ADA compliance because we need to have ADA parking in the front. So you can see where the front of the property is and how it's sloping to the back, so that's how it gets sticky at the back there is to get enough height to create a second floor.

HEARING OFFICER LONG: And how high will the ceiling be in that second floor?

MS. WOODCOCK: The idea was that at the front and the back it would be exposed, just because otherwise at the ceiling height it would be like eight feet and be pretty low. So the idea was at the retail space to have you see the open structure, and then at the apartment also it would have a pitched roof. Partly because in the back, to get enough window, because again, we're keeping it as low as we can we need dormers to get natural light in part of the apartment.

HEARING OFFICER LONG: So the report indicates that the size of the lot is .204 acres.

MS. WOODCOCK: Yes. It's small.

HEARING OFFICER LONG: It's small. And you were speaking earlier of some of the constraints that led you to do a second story and I thought – I didn't take a note on that, but there's a septic system –

MS. WOODCOCK: There's the ADA parking, of course, and having enough parking that meets current codes which nothing else in Madrid has that either. So we wouldn't – we certainly – I think that's one reason the community was in favor of it because we actually are adding parking rather than taking it away. The fire lane on the side in the appropriate width. Retention pond, which we need for rainwater overflow. And also we have to put an advanced septic in and that cannot be under the building. That has to be in a non-parking area, really, and the driveways and so forth. For the leach field.

HEARING OFFICER LONG: It couldn't have any structure on it.

MS. WOODCOCK: Yeah, you can't build on top of that.

HEARING OFFICER LONG: Or improvements.

MS. WOODCOCK: Well, I think we're talking about possibly – you could have some little front porch area or something could be on it but you can't have any paving, parking, concrete, because it has to be able to leach from the septic, even with the advanced system. And of course the setbacks. Everything – we're conforming with everything that's required and all that combines to make the footprint get quite small because it's a very small site.

HEARING OFFICER LONG: Okay. All right. And you took your application to the Madrid Association.

MS. WOODCOCK: Yes. They have a – every other month they have a meeting. I came in there with all my plans, met with everyone, went over everything. And again, at that time it was even higher. In realizing we wanted to get below the ridgeline we kept working on it, and they were very receptive to it because it will help business. It's going to be the only building that will have sprinklers. It will have good water, energy efficient, rainwater collection, fire alarm, parking – all the things the community wishes they had, we will have. So I think they see it really as an asset to the community.

HEARING OFFICER LONG: And the building at 28 feet will not be visible above the ridgeline behind it. Is that correct?

MS. WOODCOCK: Correct. It will not.

HEARING OFFICER LONG: And how much of the building will be at 28 feet?

MS. WOODCOCK: Pretty much – well, I guess that depends on what you mean. If you're standing at the back of the building, the entire back will be. But if you're at the street it will be under 25 feet, if you're standing there. If you measure it – if you were standing at Highway 14 and measured it it would be under 25 feet.

HEARING OFFICER LONG: So it's really a measurement from the back.

MS. WOODCOCK: It's from the existing grade at the back. Yeah. So if you were parked in the very back it would look taller. And then on the side it's going to be a gradual. Because the ground is sloping. The building is level but the ground is sloping away, so the further back you go the taller it's going to appear.

HEARING OFFICER LONG: All right. Thank you. I don't think I have any other questions. Is there anyone here that would like to speak for or against this application? Please come forward.

[Duly sworn, Geoffrey Stewart testified as follows:]

GEOFFREY STEWART: Geoffrey Stewart. 2891 Highway 14. I don't know if this is an appropriate time or not but I have not seen any of the site plan and I

have concerns. My property is directly next door and from what I have heard, without seeing the plans is that the building is going to come very close to the highway. My building is set back. It is also a retail space with a living space behind it. There's virtually room for one parking spot in the front and over the last 30 years we've had parking all the way along the front of the highway frontage.

Also, in 1983 when I purchased the property there was a driveway across that lot that went to the back of the building and on the original plats it shows that every one of the properties had garages in the back. And when I got there, there was the access through the side, through a gate to the back of the property. So my concern is no longer having parking for the back unit of the building and no longer having parking for the front of the building, which is a retail space. My current leasers of the retail space are quite concerned also about not having any parking.

The other concern or thing that I could mention is that when the old school house, which is another door over, was on fire a number of years ago the fire department could not get to it from the front and they went through the side where my access is, crossed my property and were able to work on the building there and keep it safe. Had it caught fire there's a good chance my building would have also burned at that time.

So what I'm saying is if there's no access to the back of my property for either parking or for accessing septic – I have basement storage, etc., etc. I don't know exactly what I'm going to do. My tenants won't have a place to park, etc. So that is my concern.

HEARING OFFICER LONG: Let me try to understand the access. Are you crossing this lot then?

MR. STEWART: Yes. Have been for 34 years. And the previous people before me. There was actually a road that went through the back of my property and then down to the back road behind Madrid. And that was cut off by the people who purchased the property behind me. They just came in with a backhoe and cut it off, and I didn't fight it.

HEARING OFFICER LONG: And can you create access then that stays – from the road, do you have frontage onto Highway – State Road 14?

MR. STEWART: I have barely, because of the way the road curves there, which you can probably see. I don't know if I have more than 20 feet maybe, and that is – would be where there's basically one parking spot, and because I don't know how far Lori's plans to build; I've only heard rumors that she plans to build just as far up as possible, I don't know that we'd have room to turn around or anything like that. I mean, I just don't know. I haven't seen the plan.

HEARING OFFICER LONG: Okay, so you're being shown a map.

MR. STEWART: Well, now – okay. Now, those four spaces, does anybody get to use those spaces? Because we absolutely will have no parking.

HEARING OFFICER LONG: Where do your – where is your tenant and where do you park now?

MR. STEWART: They park – currently they're parking on the property of Lori Woodcock. We have a gate there which if we could access across her property they could park behind the gate.

HEARING OFFICER LONG: On your property.

MR. STEWART: On my property. But otherwise there's no – I've got two tenants and one parking space in the front, basically, and I'm not really sure how it's going to work out once Lori is there. I'm not sure.

HEARING OFFICER LONG: I understand your concern but you're accessing someone else's property. I'm not sure about the permission to do that, and parking on someone else's property.

MR. STEWART: Well, for 34 years nobody ever contested it and when I got there that's the way it was. It was –

HEARING OFFICER LONG: Right. I realize that it wasn't your issue, but it sounds like you're not speaking to the variance request then.

MR. STEWART: That's true. Not exactly to the variance request. Because I just don't know exactly what the process is going to be, if there's going to be a hearing where I'm going to be able to voice these concerns or not, so I showed up today.

HEARING OFFICER LONG: Right. Usually, this would have been an administrative approval. It's allowed by the zoning for this property, but the applicant is coming here for the variance request. Then after the decision is made here it's going to the County Planning Commission who will make the final decision. But it sounds – I don't know if you've had any conversations with Ms. Woodcock but perhaps you should because I think that's really an issue outside of what this application addresses, as well as the variance in terms of continued access or some sort of parking arrangement, but I know it's just been vacant property and it's been used for a long period of time, but now there's a new owner who has a plan for it.

MR. STEWART: I understand.

HEARING OFFICER LONG: So maybe just have that conversation, see if something can be arranged and then you'll have to figure out the access.

MR. STEWART: [inaudible] having a business there either.

HEARING OFFICER LONG: Okay. That's good to hear.

MR. STEWART: Like I said, this is the first time I've seen the plans.

HEARING OFFICER LONG: Okay, well, thank you for coming to express –

MR. STEWART: So is there going to be another –

HEARING OFFICER LONG: There will be another hearing. It will go to the County Planning Commission.

MR. STEWART: Okay.

HEARING OFFICER LONG: Which is a whole committee. And when will that be, Vicki?

MS. LUCERO: Madam Hearing Officer, that meeting will be in May. I believe it's May 19<sup>th</sup>.

MR. STEWART: May 19<sup>th</sup>.

HEARING OFFICER LONG: May 19.

MS. LUCERO: And that hearing will also be strictly on the variance request.

HEARING OFFICER LONG: And it will be on the variance.

MR. STEWART: So is that an appropriate time or no?

HEARING OFFICER LONG: Well, I see this issue that you have as outside of the variance request.

STC CLERK RECORDED 04/08/2016

MR. STEWART: Yes, it is outside. I guess the variance request – I guess I’m wondering if there’s any information. Will there be any other –

HEARING OFFICER LONG: It will be this same application that will go to the Planning Commission.

MR. STEWART: Is there anything else before approval of building?

HEARING OFFICER LONG: No other process at the County. There will be a building permit issued at some point but it really is an issue I think that you would take up outside of this application.

MR. STEWART: Thank you.

HEARING OFFICER LONG: Okay. Thank you.

MS. LUCERO: Madame Hearing Officer, just to let this gentleman know, he’s welcome to come in and take a look at the file and the application request in our office at any time.

HEARING OFFICER LONG: Okay. I’m not sure if you heard that, Mr. Stewart, that you’re welcome to look at the application and all the documents regarding this planned project, and that might help you understand it. And meet with staff and talk about your access issues. You’re certainly welcome to do that. And Ms. Woodcock, you have a right to ask Mr. Stewart any questions that would come through me. Do you have anything that you would want to ask him?

MS. WOODCOCK: No, I just have a statement which is I think you kind of alluded to which is that if I was not looking for a height variance we would not be here having this conversation, if I understand this correctly. We would have just been done. I mean, I’m in conformance with everything that’s being asked of me other than the height.

HEARING OFFICER LONG: Right.

MS. WOODCOCK: So I guess what I’m saying is that if I elected to shorten my building by a few feet, it’s kind of a done deal, if I understand correctly.

HEARING OFFICER LONG: Well, I don’t think – seeing some activity and that a building permit would be issued that Mr. Stewart would certainly be able to inquire into that. So even though it may not come through this process there would still be a way for him as an interested person to be able to investigate whether it was being done properly. That’s all.

MS. WOODCOCK: Yes. Okay.

HEARING OFFICER LONG: Is there anyone else that would like to speak to this application, either for or against? Okay. There is no one else and so that will close the public portion of this hearing. Is there anything else that staff would need to add at this time? Okay. Thank you.

So at this point then I will issue a written decision and I will try to get that done – I think I have 15 days but I’ll try to get it done quicker than that. Certainly the Planning Commission has to see that decision before it goes and staff will notify you of that decision, Ms. Woodcock. My inclination is to grant the variance due to the exceptional conditions of the property and the fact that it is not visible above the ridgeline, and I will contain those findings in an order but until it’s issued it won’t be a final decision. I’ll consider the application and the minutes if I can get those as well.

Okay. Thank you, everyone.

NBA-41

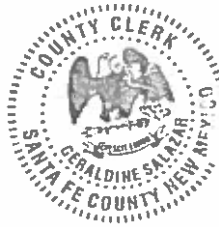


**B. ADJOURNMENT**

Having completed the agenda and with no further business to come before this declared this meeting adjourned at approximately 3:30 p.m.


Approved by:

  
\_\_\_\_\_  
Nancy Long, Hearing Officer  
Santa Fe County



COUNTY OF SANTA FE ) SLDC HEARING OFFICER  
STATE OF NEW MEXICO ) ss PAGES: 10

I Hereby Certify That This Instrument Was Filed for  
Record On The 8TH Day Of April, 2016 at 03:02:57 PM  
And Was Duly Recorded as Instrument # 1790807  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy  County Clerk, Santa Fe, NM

CLERK RECORDED 04/08/2016

**PUBLIC NOTICE**

Notice is hereby given that an application has been filed with Santa Fe County for a VARIANCE TO ALLOW A STRUCTURE TO BE CONSTRUCTED 28' IN HEIGHT, CHAPTER 9-6, TABLE 9-6-4, DIMENSIONAL STANDARDS AND CODES, AND A MAXIMUM HEIGHT OF 26 FEET. THE APPLICANTS HAVE REQUESTED ADMINISTRATIVE APPROVAL OF A SITE DEVELOPMENT PLAN TO ALLOW 1,123 SQUARE FEET OF RETAIL SPACE AND 150 SQUARE FEET OF LIVING AREA, ON TOP OF THE RETAIL SPACE, ON 0.204 ACRES. THE SITE IS WITHIN THE MARAUD COMMUNITY DISTRICT OVERLAY (MCO) AND IS ZONED AS MCO COMMERCIAL NEIGHBORHOOD (MCO CN). UNDER THE MCO USE TABLE (7-4-8) AN OFFICE OR STORE WITH A RESIDENCE ON TOP IS A PERMITTED USE.

Name of Applicant: LORI & RICHARD WOODCOCK  
Address of Request: 2889 Highway 14  
Township: 14 NORTH  
Legal Description: Section 20  
Range T. EAST  
County: Santa Fe County, New Mexico

MMPM Santa Fe County will be held at the Old Santa Fe County Courthouse, corner of Palace and Grant Avenues, Santa Fe, New Mexico on the 19th day of

**PUBLIC HEARING**  
MAY, 2016, at 4 pm before the SANTA FE COUNTY PLANNING COMMISSION.  
Further information can be obtained by contacting the Land Use Department, P.O. Box 276, Santa Fe, NM 87504  
Phone (505) 986-6225. Development Permit # 16-5010

EXHIBIT  
14

NBA-49

**CERTIFICATION OF POSTING**

I herby certify that the public notice posting regarding a Site Development Plan Case # V16-5010 was posted for 15 days on the property beginning the 4<sup>th</sup> day of May, 2016. \*\*

  
Signature

\*Photo of posting taken from a public road must be provided with affidavit.

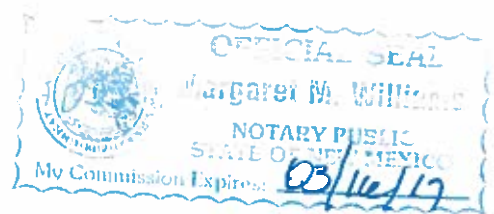
**\*\*PLEASE NOTE:** Public notice is to be posted on the most visible part of the property. Improper legal notice will result in re-posting for an additional 15 days. It is the Applicant's responsibility to ensure that the notice is on the property for the full 15 days. Posted notice shall be removed no later than seven (7) days after a final decision has been made on the application.

STATE OF NEW MEXICO    }  
  }  
COUNTY OF SANTA FE    }

The foregoing instrument was acknowledged before me this 5-2-16 day of May, 2016, By Leri Woodcut.

Margaret M. Williams  
Notary Public

My Commission Expires:  
03/16/17



NBA-50

THE SANTA FE  
**NEW MEXICAN**  
Founded 1849

LEGAL # 80979

**CASE # V 16-6010**  
Madrid Mixed Use  
Variance

**NOTICE OF PUBLIC  
HEARING**

Notice is hereby given that a public hearing will be held to consider a request by Lori and Richard Woodcock, for a variance to allow a structure to be constructed 28' in height. Chapter 9.6, Table 9-6-4, Dimensional Standards MCD-CN, allows a maximum height of 25 feet. The Applicants have requested Administrative approval of a Site Development Plan, to allow 1,173 square feet of retail space and 656 square feet of living area, on top of the retail space, on 0.204 acres. The site is within the Madrid Community District Overlay (MCD) and is zoned as MCD Commercial Neighborhood (MCD-CN). Under the MCD Use Table 9-6-8, an office or store with a residence on top is a permitted use. The property is located at 2889 Highway 14, T14N, R7E, Section 25 (Commission District 3).

A public hearing will be held in the County Commission Chambers of the Santa Fe County Courthouse, corner of Grant and Palace Avenues, Santa Fe, New Mexico on the 19th day of May 2016, at 4 p.m. on a petition to the Santa Fe County Planning Commission.

Please forward all comments and questions to the County Land Use Administration Office at

Continued...

986-6225.

All interested parties will be heard at the Public Hearing prior to the Hearing Officer taking action.

All comments, questions and objections to the proposal may be submitted to the County Land Use Administrator in writing to P.O. Box 276, Santa Fe, New Mexico 87504-0276; or presented in person at the hearing.

Please forward affidavit of publication to the County Land Use Administrator, P.O. Box 276, Santa Fe, New Mexico 87504-0276.

Written verification of the publication shall be provided to the Administrator prior to the public hearing.

Published in the Santa Fe New Mexican on Wednesday, May 4, 2016.

NBA-51

[www.santafenewmexican.com](http://www.santafenewmexican.com)

202 East Marcy Street, Santa Fe, NM 87501-2021 • 505-983-3303 • fax: 505-984-1785 • P.O. Box 2048, Santa Fe, NM 87504-2048

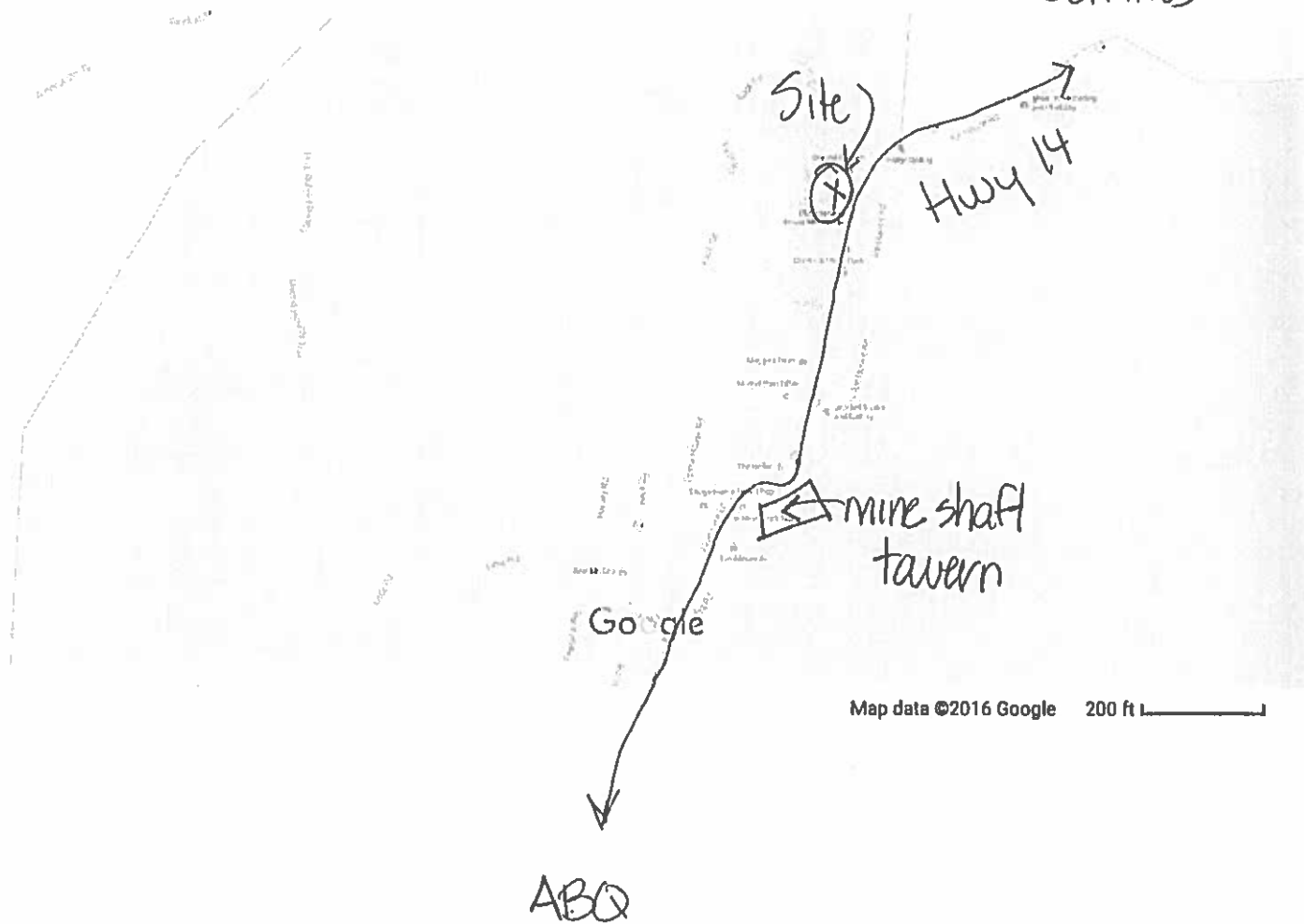
List of Letter notifications Sent March 6, 2016

<u>Name</u>	<u>Address</u>
Mark Schilkey	PO Box 214, Cerrillos NM 87010
Geoffrey Steward	2845 Hwy 14, Madrid NM 87010
Old Boarding House	2885 Hwy 14, Madrid NM 87010
Ronald Greager	13 Cave Road, Madrid NM 87010
Quinn and Mykie Bailey	2892 Hwy 14, Madrid NM 87010
Lisa Conley	17 Cave Road, Madrid NM 87010
Josh Novak	359 Goldmine Road, Madrid NM 87010
Jean Fonda	2884 Hwy 14, Madrid NM 87010
Kay Lynn Brown	c/o General Delivery, Cerrillos NM 87010
Namncy Hawkins	3 Grasshopper Road, Madrid NM 87010
MLA	(MADRID LANDOWNERS)

NBA-52

# Google Maps Madrid

Cerrillos



NBA-5E

Mrs. J. L. Williams Assoc.  
P.O. Box  
Camden NJ 07010

41 Bic Opac  
Camden 07010

Comm. Mgr. Entail  
2892 Hwy 14  
Madrid NM 87010

41 Bic Opac  
Camden 07010

Les Conlay  
17 Cane Rd  
Madrid NM 87010

41 Bic Opac  
Camden 07010

Ola Gooding House  
2885 Hwy 14  
Madrid NM 87010

41 Bic Opac  
Camden 07010

John House  
3229 Cushman Rd  
Camden NJ 07010

41 Bic Opac  
Camden 07010

Mark Schiller  
P.O. Box 214  
Camden NJ 07010

41 Bic Opac  
Camden 07010

Barb Genger  
15 Cane Rd  
Madrid NM 87010

41 Bic Opac  
Camden 07010

Nancy Hawkins  
3 Grasshopper Rd  
Madrid NM 87010

41 Bic Opac  
Camden 07010

Jeffrey Stewart  
2815 Hwy 14  
Madrid NM 87010



NB4-54