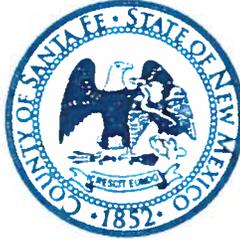


**Daniel "Danny" Mayfield**  
Commissioner, District 1

**Miguel 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 27, 2014

**TO:** Board of County Commissioners

**FROM:** Vicente Archuleta, Development Review Team Leader *VA*

**VIA:** Katherine Miller, County Manager  
Penny Ellis-Green, Land Use Administrator  
Vicki Lucero, Building and Development Services Manager *VL*  
Wayne Dalton, Building and Development Services Supervisor *WD*

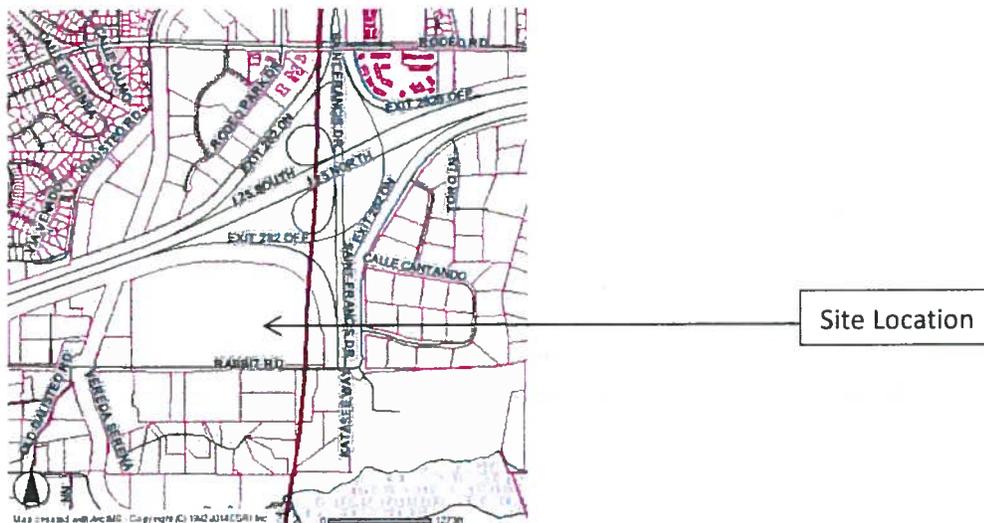
**FILE REF.:** CDRC CASE # S 10-5362 Saint Francis South Preliminary Plat and Development Plan

**ISSUE:**

Vegas Verdes, LLC. Applicant, JenkinsGavin Design and Development Inc., (Jennifer Jenkins), Agent, request Preliminary Plat and Development Plan approval for Phase 1, of the St. Francis South mixed-use subdivision which consists of 5 lots on 68.94 acres.

The property is located on the northwest corner of Rabbit Road and St. Francis Drive, within Section 11, Township 16 North, Range 9 East, (Commission District 4).

**VICINITY MAP:**



## **SUMMARY:**

On April 17, 2014, The County Development Review Committee (CDRC) recommended denial of the Applicant's request for Preliminary Plat and Development Plan approval for Phase 1, of the St. Francis South Mixed-use subdivision consisting of 5 lots on 68.94 acres. (Refer to April 17, 2014 CDRC Meeting Minutes as Exhibit 5). CDRC Member Katz stated he was uncomfortable with the lack of information regarding this phase of development and his concern was inconsistent development.

The Applicant's original request included a Master Plan Amendment to establish the maximum allowable residential density of 650 dwelling units and 760,000 square feet of non-residential development on 68.94 acres and a variance request. In order to obtain the density requested, a variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code is required.

The Applicant has modified their original request and is now requesting only Preliminary Plat and Development Plan approval for Phase 1, of the St. Francis South mixed-use subdivision which consists of 5 lots on 68.94 acres (4-lots which will be created and developed and the remaining tract which will be subdivided and developed in a future phase or phases). Phase 1 as shown on the Master Plan has been relocated from the east side of the property to the west side of the property.

On September 16, 2010, the CDRC recommended approval of a request for Master Plan Zoning for a mixed-use subdivision (commercial, residential and community service) consisting of 22 lots on 68.94 acres, more or less, with approximately 760,000 sq. ft. of structures at full build out.

On December 14, 2010, the Board of County Commissioners (BCC) approved Master Plan Zoning for a mixed-use subdivision consisting of 22 lots on 68.94 acres to be developed in 4 phases.

On January 14, 2014, the BCC approved a request for Master Plat Authorization to proceed with the creation of up to 22 mixed-use lots on 68.94 acres (Refer to January 14, 2014 BCC Meeting Minutes as Exhibit 6). This allows for the Land Use Administrator to have the authority to administratively approve a specific lot lay-out for the subdivision once the CDRC and BCC have approved the Preliminary and Final Plat.

**This Application was submitted on December 11, 2013.**

**Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for the proposed Preliminary Plat and Development Plan under the current Land Development Code.**

**APPROVAL SOUGHT:**

Preliminary Plat and Development Plan approval for Phase 1, which will consist of 5-lots (4-lots which will be created and developed and the remaining tract which will be subdivided and developed in a future phase or phases) of a 22-lot Large Scale Mixed-Use project on 68.94 acres.

**GROWTH MANAGEMENT AREA:**

El Centro SDA-2

**LOCATION:**

The development is located on Rabbit Road at the southwest corner of Interstate 25 and St Francis Drive.

**HYDROLOGIC ZONE:**

Basin Hydrologic Zone, minimum lot size is 10 acres per dwelling unit. Lot size can be reduced to 2.5 acres per dwelling unit with signed and recorded water restrictions.

**ARCHAEOLOGIC ZONE:**

The proposed project lies within the High Potential, Archeological Zone. An Archeological report is required for development of more than 5 acres. An Archeological survey was conducted and submitted to NMSHPO for review.

The Historic Preservation Division (HDP) of the State of New Mexico has reviewed the report and recognized two recorded archaeological sites within the property. HPD is of the opinion that the sites are not significant and not eligible for listing in either the National Register of Historic Places or the State Register of Cultural Properties and no further archaeological investigations are necessary and the proposed development will have no effect on historic properties.

**ACCESS AND TRAFFIC:**

The site will be accessed via a horseshoe shaped roadway with two access points off of Rabbit Road. The project's access will be comprised of two 12-foot drive lanes, curb and gutter, 5-foot sidewalks and 6-foot planting strips within a 50-foot private right-of-way, which will be dedicated to and maintained by the St. Francis South Lot Owners' Association.

The Individual lots will be accessed directly from the roadway or via shared driveways. The width of the access and utility easement will be determined at the time of platting based on the number of lots being accessed.

Per the Master Plan Approval, Phase 1 will require only a partial completion of the access road, culminating in a temporary, emergency turn-around.

Since Phase 1 has been relocated to the southwest corner of the project, roadway improvements for that phase comprising the western full access point on Rabbit Road will include construction of a new right turn deceleration lane on Rabbit Road. An updated TIA reflecting the current road conditions shall be submitted with Preliminary Plat/Development Plan for Phase 2 and shall include timing of improvements and complete road design for full build-out.

**AFFORDABLE HOUSING:**

The residential component of the proposed project will be large scale residential defined in the plan submittal as multi-family apartments, senior housing/assisted living and live/work on an undetermined number of lots. Using past and present interpretations of the Affordable Housing Ordinance and Regulations, the affordable requirement applies only to single family homes (detached or attached) on individual fee-simple lots, not multi-family developments with multiple units constructed on one lot.

The application was submitted to the Affordable Housing Administrator for review. The Affordable Housing Administrator states: "With the understanding that no single family residences will be created and conveyed through this subdivision and that the residential uses proposed will be large-scale multi-family uses, and given the uncertainty over the number of residential lots that will be created, an affordable housing requirement cannot be calculated for this application. Therefore, staff cannot apply an affordable housing requirement for this Preliminary Plat and Development Plan request."

**FIRE PROTECTION:**

The subject property lies within the jurisdiction of the Hondo Volunteer Fire Department. The final placement of fire hydrants will be coordinated and approved by the Fire Prevention Division prior to installation.

**WATER SUPPLY:**

The project will be served by the Santa Fe County Water Utility. A County Master Meter is planned for the Campo Conejo Subdivision, which is approximately 1.5 miles east of the project. The project will connect to a Master Meter, Pressure Reducing Valve and Vault via a 12 inch water main in the Rabbit Road right-of-way.

Individual lot development will be required to comply with the water conservation measures outlined in Ordinance 2002-13.

**LIQUID WASTE:**

A Community Wastewater system will be constructed on Lot 8 to serve the project. Lot lines will be modified accordingly to maintain the 22 lots and to provide land area for the Wastewater System.

**SOLID WASTE:**

Solid Waste will be collected in receptacles located on each individual lot and hauled to an approved landfill by a licensed disposal service. Dumpsters will be screened by a wall or fence and gated. This must be noted in the Subdivision Disclosure Statement.

**FLOODPLAIN &  
TERRAIN MANANGEMENT**

The subject property has gently sloping terrain with minor isolated occurrences of 15% - 30% slopes. The 30% percent slopes shall remain undisturbed. The northern two-thirds of the site drains to the north while the remainder drains to the south. Storm water from the on-site roadway will be collected in swales located in the 100-foot open space buffer along Rabbit Road and will serve as passive irrigation for the vegetation.

A Lot Owners' Association will be created to maintain the roadway and common drainage facilities. In addition, each lot will be individually responsible for collecting storm water in on-site retention ponds and cisterns.

**OPEN SPACE:**

Open Space buffers totaling 17.29 acres, or 25% of the total land area is proposed. The open space will be left as natural and undisturbed as possible to preserve existing vegetation. The open space will be dedicated to and maintained by the St. Francis South Lot Owners' Association.

A pedestrian trail will be constructed on a phased basis within the 100-foot open space buffer along Rabbit Road that will connect with the Rail Trail west of the site.

**LANDSCAPING:**

Landscaping for individual lots will be the responsibility of each lot owner. Each lot will be landscaped in accordance with County requirements, to include setback areas, parking lot screening, internal landscape islands, etc. In addition, the owner of each lot with frontage on the main access roadway will be required to plant deciduous trees in the planting strips.

Water harvesting will also be the responsibility of each lot owner and will be provided at the time of the development plan submittal for each individual lot.

**PHASING:**

The project will be developed in four phases of approximately five to six lots per phase over a period of 8-10 years. The original Master Plan showed Phase 1 at the southeast corner of the site, with future phases progressing westward, culminating in Phase 4.

The Phasing Plan has been modified to move Phase 1 to the southwest corner of the site and phasing will continue to be a fluid process based on the needs of future users.

**SIGNAGE AND LIGHTING:**

Each lot will have signage at the driveway entrance and potentially, a wall mounted sign on each building. Lighting will be used for safety purposes and will be down-lit and fully shielded in accordance with County requirements. Lighting types may include wall mounted lights at building entrances and bollards to illuminate pedestrian walkways on individual lots. A detailed Signage and Lighting Plan

shall be submitted with the Development Plan application for each lot.

**AGENCY REVIEW:**

<u>Agency</u>	<u>Recommendation</u>
SFC Fire	Approval with Conditions
SFC Utilities	Approval with Conditions
NMDOT	Approval with Conditions
SFC Open Space	Approval with Conditions
SFC Public Works	Approval with Conditions
OSE	Negative
NMED	No Opinion
Public Schools	Approval
Soil & Water	No Opinion
Affordable Housing	No Opinion
County Hydrologist	Approval with Conditions
NMSHPO	Approval

**RECOMMENDATION:**

The CDRC recommended denial of the Applicant's request for Preliminary Plat and Development Plan approval for Phase 1, of the St. Francis South Mixed-use subdivision consisting of 5 lots on 68.94 acres.

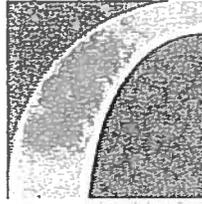
The Application for Preliminary Plat and Development Plan approval is in conformance with the previously approved Master Plan and Master Plat Authorization and Article V, Section 5.3 (Preliminary Plat Procedures) of the Land Development Code. Therefore, staff recommends approval of the request for Preliminary Plat and Development Plan for Phase 1 to create 5 mixed-use lots on 68.94 acres in accordance with the previously approved Master Plan subject to the following conditions:

1. The Applicant shall comply with all review agency comments and conditions, **Article V, Section 7.1.3.c.**
2. The Applicant must apply for an access permit from NMDOT prior to construction.
3. Maximum density shall not exceed 1 dwelling unit per 2.5 acres, **Article III, Section 10.1.1.**
4. Compliance with conditions of the Original Master Plan.
5. A Residential component shall be required at Phase 2 of the development.

6. Complete design of Community Sewer System will be required at the time of Final Plat approval for Phase 1.
7. A discharge permit from NMED will be required when discharge exceeds 2,000 gallons per day.
8. A revised and updated TIA reflecting current road conditions shall be submitted with the Preliminary Plat/Development Plat for Phase 2 and shall include timing of improvements and complete road design for full build-out of the development.
9. The road design for the right turn deceleration lane on Rabbit Road must be submitted with the Final Plat/Development Plan for Phase 1.

**EXHIBITS:**

1. Letter of Request
2. Developer's Report
3. Developer's Plans
4. Reviewing Agency Reports
5. April 17, 2014 CDRC Meeting Minutes
6. January 14, 2014 BCC Meeting Minutes
7. Aerial Photo of Site and Surrounding Areas



jenkinsgavin  
DESIGN & DEVELOPMENT INC

March 10, 2014

Vicente Archuleta, Senior Development Review Specialist  
Building & Development Services  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501

RE: St. Francis South  
Preliminary Plat & Preliminary Development Plan Applications Revision

Dear Vicente:

This letter is respectfully submitted on behalf of Vegas Verdes, LLC in request to amend our application for Preliminary Plat and Preliminary Development Plan applications to include only Phase 1 as reflected in the Phasing Plan.

Furthermore, the on-site waste water system shall be in compliance with a "Community Sewer System" per the requirements of the New Mexico Environment Department.

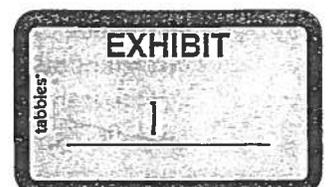
Please do not hesitate to call should you have any questions or need additional information.

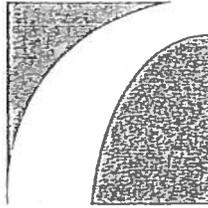
Thank you for your consideration.

Sincerely,

Jennifer Jenkins  
JenkinsGavin Design & Development, Inc.

Colleen C. Gavin, AIA





jenkinsgavin  
DESIGN & DEVELOPMENT INC

December 6, 2013

Vicente Archuleta, Senior Development Review Specialist  
Building & Development Services  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501

RE: St. Francis South  
Master Plan Amendment/Variance, Preliminary Plat & Preliminary Development  
Plan Applications

Dear Vicente:

This letter is respectfully submitted on behalf of Vegas Verdes, LLC in application for Master Plan Amendment, Variance, Preliminary Plat and Preliminary Development Plan approvals. The subject property is a 68.9-acre parcel located on Rabbit Road at the southwest corner of Interstate 25 and St. Francis Drive.

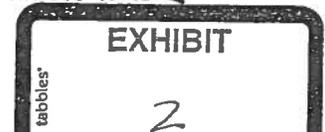
### Background Summary

The St. Francis South Master Plan for a 22-lot Large Scale Mixed-Use Project ("the Project") was approved by the Board of County Commissioners at their meeting of December 14, 2010 as Case #Z10-5360. The Project is approved for a mix of commercial and residential development.

The subject property is bordered by I-25 to the north, St. Francis Drive to the east, Rabbit Road (the Northeast Connector) to the south, and two large residential lots to the west. The Master Plan contemplates twenty-two parcels ranging in size from 1.04 to 2.90 acres. At build out, the gross building area is anticipated to be approximately 760,000 square feet, with a combination of office, community service, retail, warehouse, and residential uses.

### ~~Master Plan Amendment & Variance~~

~~As an approved Large Scale Mixed-Use Project, St. Francis South's Permitted Uses include senior housing, live/work, and multi-family uses. However, when the Master Plan was approved, the allowable residential density was not identified as part of the review process. Therefore, we are requesting an amendment to the Master Plan to establish the maximum allowable residential density. These types of residential uses are categorized as Large Scale Residential per Article III, Section 6 of the Santa Fe County Land Development Code. In order to accommodate the requisite densities for multi-family projects, a variance is requested from Article III, Section 6.4.2, which states that, "No application shall be approved unless it is~~



~~determined that the density requirements of the Code will be met.” The subject property is in the Basin Hydrological Zone, which permits a minimum lot size of 2.5 acres. Obviously, the multi-family uses permitted by the St. Francis South Master Plan and the Large Scale Residential code provisions cannot be feasibly developed at this single family density. Therefore, we are requesting a Master Plan Amendment and a variance to allow a maximum residential density of 18 dwelling units per acre.~~

### Preliminary Plat and Preliminary Development Plan

Submitted herewith is a Preliminary Subdivision Plat creating 22 lots ranging in size from 1.0 acre to 5.4 acres, with an average lot size of 2.23 acres. A few minor adjustments have been made to the lot configuration, which remains consistent with the intent of the approved Master Plan. Commensurate with this application, we are applying for Master Plat Authorization to permit the administrative approval of future lot line adjustments and consolidations to accommodate the needs of individual users. The Preliminary Development Plan and associated civil plans address the infrastructure improvements that will serve the Project. No new building construction is proposed as part of these applications.

### Phasing Plan

The Project will be developed in four phases (or sub-phases) of approximately five to six lots per phase over a period of 8-10 years. The Master Plan shows Phase 1 at the southeast corner of the site, with future phases progressing westward, culminating in Phase 4 in the southwest quadrant of the property. The approved Master Plan states, “Phasing may be adjusted administratively through the Development Plan process.” Accordingly, due to the needs of the first facility planned for Lot 1, the Phasing Plan is now being modified to move Phase 1 to the southwest corner of the site (see revised Phasing Plan). Phasing will likely continue to be a fluid process based on the needs of future users.

### Access & Traffic

The Project will be accessed from Rabbit Road via a horseshoe shaped roadway with two access points on Rabbit Road. The Project’s access roadway will comprise two 12-foot drive lanes, curb and gutter, 5-foot sidewalks, and 6-foot planting strips within a 50-foot private right-of-way, which will be dedicated to and maintained by the St. Francis South Lot Owners’ Association. Individual lots will be accessed directly from the roadway or via a shared driveway within a 30-foot access and utility easement. Per the Master Plan approval, Phase 1 will require only a partial completion of the access road, culminating in a temporary, emergency turnaround. Since Phase 1 has been relocated to the southwest corner of the Project, roadway improvements for that phase will comprise the western full access point on Rabbit Road, which will include construction of a new right-turn decel lane in Rabbit Road. At full build-out, the eastern driveway access will be limited to right-in, right-out and left-in turning movements only, and the western driveway will remain full access.

A Traffic Impact Analysis (TIA) was prepared by Santa Fe Engineering for the Master Plan

submittal. As required by the Master Plan, the TIA has been updated with new traffic counts conducted at the intersection of St. Francis Drive and Rabbit Road, as requested by the New Mexico Department of Transportation. There has been little increase in traffic since the original TIA was prepared in 2010. Therefore, no changes to the proposed off-site roadway improvements are warranted at this time. Please refer to the TIA and Addendum attached hereto.

As detailed in the TIA and shown in the attached plans, the Project will construct significant improvements to Rabbit Road, including medians with associated left-turn and right-turn lanes into the site. Bike lanes will also be added, as well as a phased pedestrian trail in the 100' open space buffer along Rabbit Road. Since the exact mix of use types is unknown, the TIA will be updated as part of the approval process for each phase of development, making adjustments as necessary to the required off-site improvements.

### Open Space & Landscaping

Per the Master Plan, significant open space buffers are proposed totaling 17.29 acres, or 25.0% of the total land area. The open space areas will be left as natural and undisturbed as possible in an effort to preserve existing vegetation. The open space tracts will be dedicated to and maintained by the St. Francis South Lot Owners' Association. Furthermore, a pedestrian trail will be constructed on a phased basis within the 100-foot open space buffer along Rabbit Road that will connect with the Rail Trail west of the site. The first phase of the trail improvements will be between the Rail Trail and the west side of the western access road. A segment of the trail will be constructed within the Rabbit Road right-of-way between the railroad right-of-way and the western boundary of the subject property. Upon completion of the each phase of the trail, a public non-motorized trail easement will be created and dedicated to Santa Fe County.

Landscaping for individual lots will be the responsibility of each lot owner. Each lot will be landscaped in accordance with County requirements, to include setback areas, parking lot screening, internal landscape islands, etc. In addition, the owner of each lot with frontage on the main access roadway will be required to plant deciduous street trees in the planting strips. Water harvesting will also be the responsibility of each lot owner and will be provided in accordance with County Ordinance 2003-6. Water harvesting details will be provided at the time of the development plan submittal for each individual lot.

### Terrain Management

The subject property has gently sloping terrain with minor, isolated occurrences of 15% - 30% slopes. There are no slopes that are 30% or greater. The northern two-thirds of the site drains to the north, while the remainder drains to the south. An existing 48-inch CMP under St. Francis Drive daylight at the east boundary into a drainage way flowing in a northwesterly direction to a 72-inch CMP under I-25. As shown in the Grading Plans, we propose to channelize the drainage way using natural materials. Storm water from the on-site roadway will be collected in some swales located in the 100-foot open space buffer along Rabbit Road and will serve as passive irrigation for the vegetation. In addition, storm water within historic flow volumes will be directed into the existing drainage way. A Lot Owners' Association will be created to maintain

the roadway and common drainage facilities. In addition, each lot will be individually responsible for collecting all storm water in on-site retention ponds and cisterns.

### Water Supply Plan

The Project will be served by the County Water Utility per the attached Utility Service Analysis from the County Public Utilities Department. Two possible water supply options are being considered for the Project, as described below. The selected option will be detailed in the Final Plat and Development Plan submittal.

Option A: The Project would be served via a County master meter connected to City water infrastructure on the north side of I-25 in Rodeo Business Park. The County Public Utilities Division is currently analyzing the feasibility of this option, including water pressure, line capacity, and other technical matters.

Option B: A County master meter is planned for the Campos Canejos Subdivision, approximately 1.5 miles east of the Project. As contemplated in the Master Plan, the Project could connect to the master meter via a new 12" water main in the Rabbit Road right-of-way. To accommodate future needs of the County water system, the developer has agreed to construct a 12" line, even though only an 8" line is required to serve the Project. Therefore, as is customary, the County will issue a credit to the developer in the amount of the costs associated with the increase in line size.

An updated Project Water Budget, totaling 48.22 acre feet/year, is submitted herewith for your review. Individual lot development will be required to comply with the water conservation measures outlined in Ordinance 2002-13, such as low-flow toilets, waterless urinals, self-closing faucets, and drought tolerant landscaping.

### Liquid Waste

As with the Water Supply Plan, two possible liquid waste disposal options are under review, as described below. The selected option will be detailed in the Final Plat and Development Plan submittal.

~~Option A: A gravity connection would be constructed to the City sewer infrastructure north of I-25 in Rodeo Business Park. The County will be the City's customer and the Project's users will be customers of the County.~~

Option B: An on-site wastewater treatment system would be constructed to serve the Project, as proposed in the Master Plan, on what has now been reclaimed as Lot 8. If this option is implemented, lot lines will be modified accordingly to maintain the 22 lots and to provide land area for a multi-flow septic system. Final design and requisite NMED permits would be provided as part of the Final Plat and Development Plan submittal.

### Solid Waste

Solid waste will be collected in receptacles located on each individual lot and hauled to an approved landfill by a licensed disposal service. Dumpsters will be screened by a wall or fence and gated.

### Signage & Lighting

It is anticipated that each lot will have signage at their driveway entrance and, potentially, a wall-mounted sign on each building. In order to preserve dark skies for the neighborhood, lighting will be kept to a minimum, only used for safety purposes, and will be down-lit and fully shielded in accordance with County requirements. Lighting types may include wall mounted lights at building entrances and bollards to illuminate pedestrian walkways on individual lots. A Signage and Lighting plan will be submitted with the Development Plan application for each lot.

### Environmental Performance Standards

The Project will comply with all County codes as they pertain to environmental performance standards. Furthermore, environmental protection is accomplished through (1) the preservation of open space and existing vegetation; (2) passive irrigation through storm water harvesting; (3) night sky protection; and (4) pedestrian access to the Rail Trail to encourage alternative modes of transportation.

### Archaeology

An archaeological survey of the subject property was conducted by Ron Winters and approved by the State Historic Preservation Office ("SHPO") as part of the Master Plan approval process. The SHPO approval letter is attached.

### Sustainable Land Development Plan & Code

This Large Scale Mixed-Use project is consistent with the property's designations in the Sustainable Land Development Plan ("SLDP"). The site is located within *Sustainable Development Area 1*, the highest priority for future development and "*the primary location targeted for new growth*". In addition, and more importantly, the property is identified as a *Mixed-Use Non-Residential Regional Center*. Similarly, the subject property is zoned "Commercial" in the October 2013 draft of the Sustainable Land Development Code. It is our objective to respect the spirit and intent of the SLDP, while remaining fully compliant with the current Santa Fe County Land Development Code.

In support of these requests, the following documentation is included herewith for your review and consideration:

- Development Permit Application
- Warranty Deed
- Letter of Authorization from Owner
- County Utility Service Analysis

- Project Water Budget
- School Impact Form
- Archaeological Clearance Permit
- Draft Disclosure Statement
- Conceptual Restrictive Covenants
- Legal Lot of Record Verification
- Proof of Property Taxes Paid
- Preliminary Plat & Development Plan Submittal Drawings – 20 full size & 2 reduced sets

Finally, included herewith is a check in the amount of \$8,425.00 for the application fees, calculated as follows:

Application Fee	100.00
Inspection Fee	100.00
25.00 additional fee per Lot	550.00
5-24 lot Subdivision	950.00
75.00 additional per lot	1650.00
Preliminary Plan Mixed Use S/D	750.00
100.00 additional per lot	2200.00
TIA Review	500.00
Public Notice Boards 4@ 25.00	100.00
Fire Inspection	25.00
Fire Development Review	1100.00
Variance & Master Plan Amendment	400.00
<b>TOTAL</b>	<b>\$8,425.00</b>

Please do not hesitate to call should you have any questions or need additional information.

Thank you for your consideration.

Sincerely,



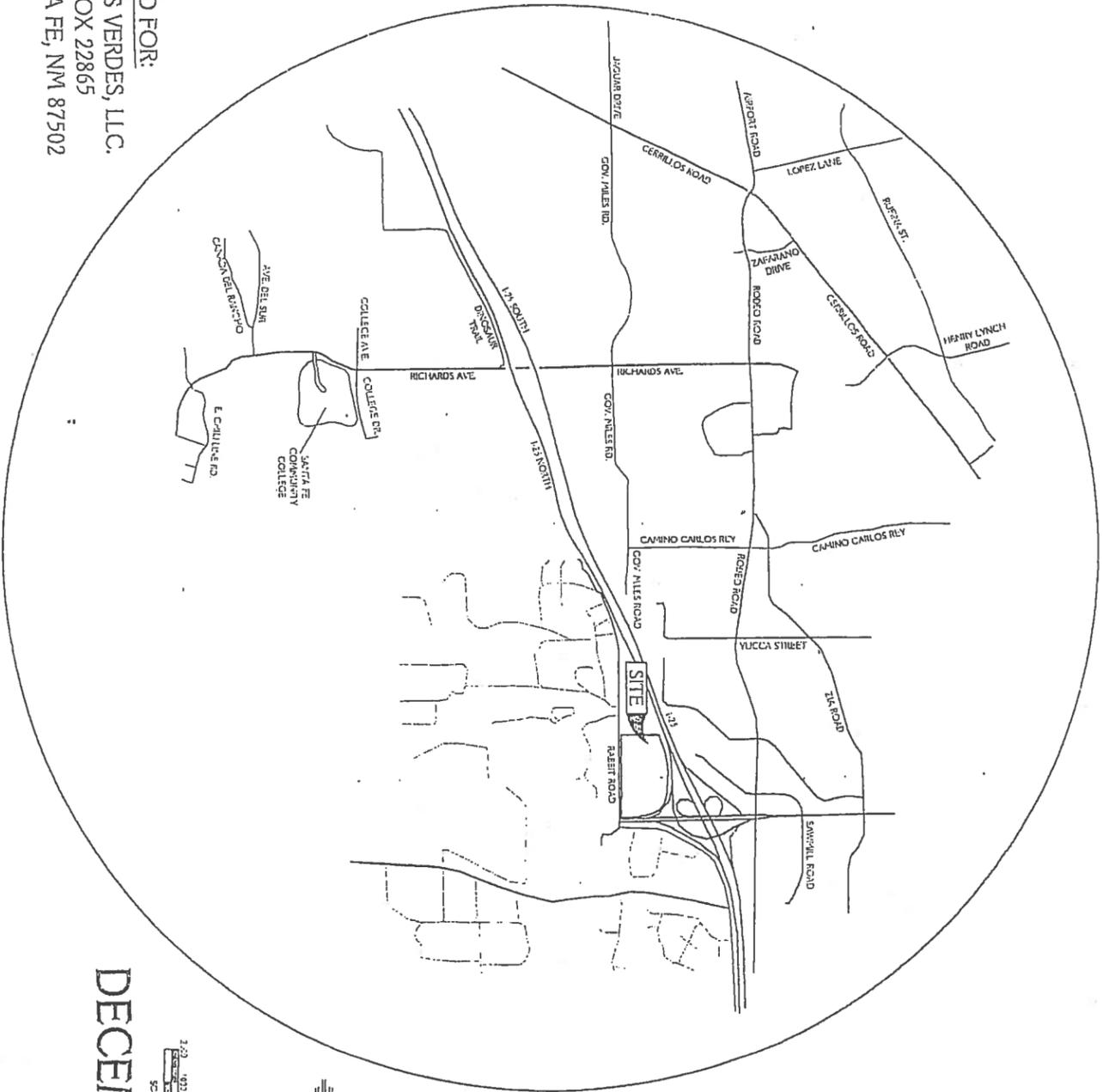
Jennifer Jenkins  
JenkinsGavin Design & Development, Inc.



Colleen C. Gavin, AIA

BLANK

# PRELIMINARY PLAT AND PRELIMINARY DEVELOPMENT PLAN SUBMITTAL FOR ST. FRANCIS SOUTH



DECEMBER  
2013

PREPARED FOR:  
VEGAS VERDES, LLC.  
P.O. BOX 22865  
SANTA FE, NM 87502

SANTA FE COUNTY, NEW MEXICO

SECTION 11, TOWNSHIP 16 N, RANGE 9 E NMPM

## TABLE OF CONTENTS

1-1	COVER SHEET AND INDEX OF SHEETS
1-2	APPROVED MASTER PLAN
2-1 to 2-2	PRELIMINARY SUBDIVISION PLAT
2-3	PRELIMINARY DEVELOPMENT PLAN
3-1	TYPICAL LOT LAYOUT
3-2	PHASING PLAN
4-1	CERTIFIED TOPOGRAPHIC MAP
4-2	SLOPE ANALYSIS MAP
4-3 to 4-4	TYPICAL SECTIONS, NOTES AND DETAILS
5-1 to 5-2	UTILITY PLANS
6-1	GRADING AND DRAINAGE PLAN
7-1 to 7-2	ROADWAY PLAN AND PROFILE
8-1	SANITARY SEWER PLAN AND PROFILE
9-1 to 9-7	ROADWAY CROSS SECTIONS
10-1	STRUCTURE SECTIONS
11-1	GABION AND CHECK DAM DETAILS
11-2 to 11-5	SANITARY SEWER STANDARD CONSTRUCTION DETAILS
11-6 to 11-11	STANDARD DRAINAGE SERIALS
12-1	STORM WATER POLLUTION PREVENTION PLAN
12-2	TEMPORARY EROSION CONTROL PLAN
12-3	PERMANENT EROSION CONTROL PLAN
12-4	STORM WATER CONTROL DETAILS
12-5 to 12-11	T.E.S.C.M. STANDARD DETAILS

DAVISON SURVEYS, INC.  
PROFESSIONAL ENGINEERS  
3700 RIVINGTON DRIVE  
SANTA FE, NEW MEXICO

Jenkins Gavin  
INCORPORATED  
101 Las Alamos, Suite 101  
Santa Fe, NM 87505

Santa Fe Engineering  
Consultants, LLC  
1399 St. Francis Drive, Suite B  
Santa Fe, N.M. 87505  
(505) 982-2845 Fax: (505) 982-2611  
http://www.steincor.com

COUNTY OF SANTA FE } SS  
STATE OF NEW MEXICO }  
I hereby certify that this instrument was filed  
for record on the \_\_\_\_\_ day of \_\_\_\_\_ A.D.  
20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
and was duly recorded in book \_\_\_\_\_ of the records of  
Santa Fe County

Walter J. Bond and Seal of Office  
V. Ulicie Espinoza  
County Clerk, Santa Fe County, N.M.

\_\_\_\_\_  
Deputy



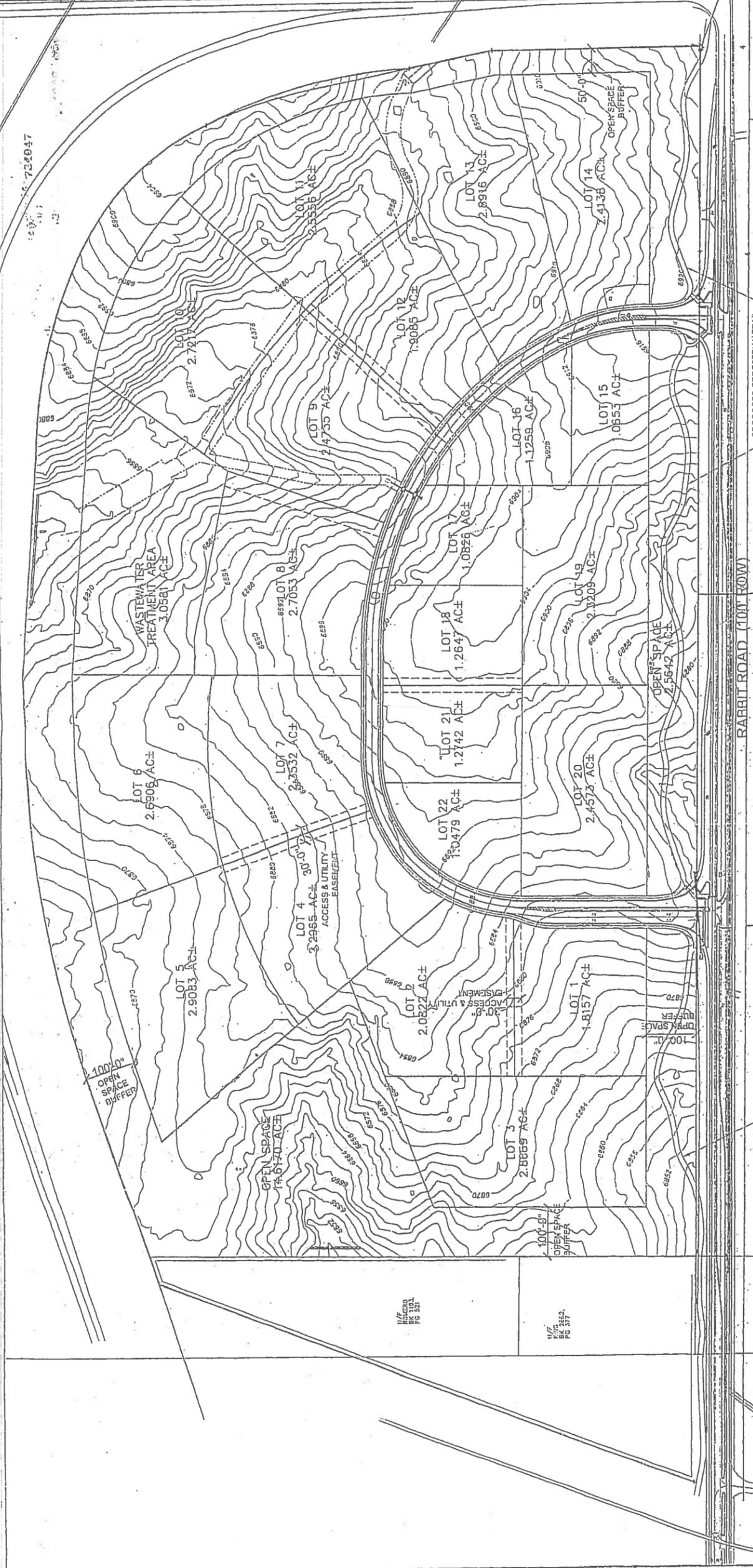
1700 A Paseo De Peraltes  
Santa Fe, NM 87501  
(505) 988-8888  
(505) 988-8888  
www.santafenm.gov

St. Francis South Master Plan  
Santa Fe, New Mexico

NO.	REVISIONS:	DATE
1		1-7-2011
2		9-15-2010

Jenks & Associates, Inc.  
110 Grant Avenue, Suite 101  
Santa Fe, NM 87501

SHEET  
1-2



PROPOSED PEDESTRIAN TRAIL  
RABBIT ROAD (101' ROW)  
PROPOSED PEDESTRIAN TRAIL

DATE: 9-15-2010  
DRAWN BY: PR  
CHECKED BY: PM

DATE: 7-26-11  
DATE: 2-18-11  
DATE: 2-11-11  
DATE: 3-16-11

**SITE DATA**

**MASTER PLAN**  
SCALE: 1" = 100'-0"

ZONING: LARGE SCALE MIXED USE DISTRICT  
CDRC CASE #

PROPOSED DENSITY: 22 MIXED-USE LOTS RANGING FROM 1.8179 ACRES TO 3.2383 ACRES  
TOTAL ACREAGE: 68.91 ACRE +/- (2,765,225 +/- S.F.)

**NOTES**

1. A MAP WILL BE REQUIRED WITH FUTURE PHASES I, II, III, AND IV TO ENSURE THAT OFFSITE IMPROVEMENTS ARE ADDRESSED FOR THE DEVELOPMENT.
2. FUTURE TRAIL ADDRESSES BY FRANCISCO DRUMBLD CAUSTIC ROAD CONCERNS REGARDING THE FEASIBILITY OF A SIGNAL LIGHT OR ROUNDABOUT.
3. THE APPLICANT SHALL PROVIDE TURNAROUNDS WITH A DRIVING SURFACE OF A MINIMUM OF 10' DIAMETER AT ALL DEAD END SERVICES INTERNAL LOTS.
4. A MAP SHOWING THE COMPLETE DRAINAGE BASIN CONTRIBUTING FLOODS TO AND WITHIN THE SITE SHALL BE SUBMITTED AT PRELIMINARY PLANNING/DEVELOPMENT PLAN STAGE IN ACCORDANCE WITH ORDINANCE NO. 205-10.

**PURPOSE STATEMENT**

THE PURPOSE OF THIS MASTER PLAN IS TO ALLOW FOR LARGE SCALE MIXED USE DEVELOPMENT TO INCLUDE COMMERCIAL, RESIDENTIAL, AND COMMUNITY SERVICE USES.

5. IN THE EVENT THAT APPROVAL FROM THE CITY OF SANTA FE FOR A SANITARY SEWER CONNECTION IS NOT GRANTED, A TEMPORARY ON-SITE WASTEWATER TREATMENT SYSTEM THAT MEETS THE APPROVAL OF SANTA FE COUNTY UTILITIES WILL BE INSTALLED BY THE LANDOWNER AT THEIR EXPENSE, AS PART OF THE DEVELOPMENT PLAN FOR PHASE I. THE PLAN WILL OPERATE UNDER A GRASSY WATER DISCHARGE PERMIT TO BE ISSUED BY THE NEW MEXICO ENVIRONMENT DEPARTMENT. FURTHERMORE, THIS DEVELOPMENT WILL CONNECT TO A PUBLIC SANITARY SEWER SYSTEM WHEN IT IS AVAILABLE WITHIN 1000 FEET OF THE DEVELOPMENT SITE BOUNDARY. THE CONNECTION LINE SHALL BE DESIGNED AND INSTALLED IN COMPLIANCE WITH SANTA FE COUNTY UTILITIES PUBLIC SEWER STANDARDS, AND ITS DESIGN SHALL BE APPROVED BY THE COUNTY PRIOR TO CONSTRUCTION. THE CONNECTION TO THE PUBLIC SANITARY SEWER SYSTEM SHALL BE IMPLEMENTED WITHIN ONE YEAR FROM THE DATE NOTICE FROM SANTA FE COUNTY IS RECEIVED BY THE LANDOWNER THAT THE PUBLIC SYSTEM IS AVAILABLE.

N  
SCALE: 1" = 100'-0"



County of Santa Fe  
Sole of Item (Year 2011)

APPROVED BY: [Signature]  
DATE: 7-26-11

APPROVED BY: [Signature]  
DATE: 2-18-11

APPROVED BY: [Signature]  
DATE: 2-11-11

APPROVED BY: [Signature]  
DATE: 3-16-11

COUNTY APPROVALS:  
Approved by the County Board of Commissioners at a meeting of December 15, 2010.  
[Signature]  
Chairperson

Approved by the County Director/Recorder/Controller at their meeting of September 18, 2010.  
[Signature]  
Director

APPROVED BY: [Signature]  
DATE: 7-26-11

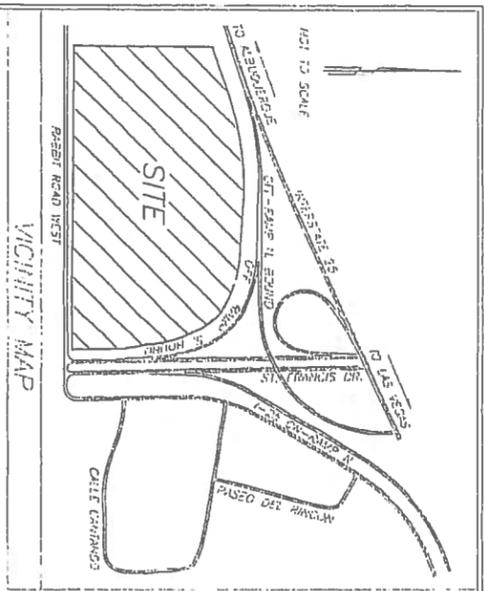
APPROVED BY: [Signature]  
DATE: 2-18-11

APPROVED BY: [Signature]  
DATE: 2-11-11

APPROVED BY: [Signature]  
DATE: 3-16-11

OWNER'S CONSENT:  
I, the undersigned, hereby certify that the information contained in this Master Plan is true and correct. All that appears on this plan is made to the best of my knowledge and belief, and I am not aware of any facts or circumstances which would render the information contained herein false or misleading.  
[Signature]  
DATE: 6-16-2011





**FLOOD ZONE:**  
THIS PROPERTY IS LOCATED WITHIN OTHER AREAS ZONED "X" (X-2) AS DETERMINED TO BE OUTSIDE THE 0.28 ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FIRM PANEL 39-04-001-1-C, MAP REVISED DECEMBER 04, 2012.

**REFERENCE DOCUMENTS:**  
BOUNDARY SURVEY PLAT OF TRACT A ON R-2000 ROAD WEST, PREPARED BY DEW. I. SWANER HILLS No. 12451, RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK AS PLAT BOOK 674, PAGE 037.

**NOTES:**  
THIS PLAT IS SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.

**LEGEND:**  
DIMENSIONS REFERRED TO THE NEW MEXICO STATE PLAIN COORDINATE SYSTEM. GENERAL ZONE DIMENSIONS SHOWN ARE GROUND LEVEL. REFERRED TO BORN AND ADJUSTED TO CORRECT DISTANCES SHOWN TO GROUND DIMENSIONS MULTIPLY BY A SCALE FACTOR OF 0.993589

- 7-0 DEMONSTRATES FOUND MEASUREMENT AS SHOWN
- 7-1 DEMONSTRATES REBAR TO BE SET UPON RECORDING
- 7-2 DEMONSTRATES CALCULATED POINT NOT SET
- 7-3 DEMONSTRATES UTILITY POLE WITH ANCHOR
- 7-4 DEMONSTRATES EXISTING UTILITY LINES
- 7-5 DEMONSTRATES EXISTING GREENED LINE FENCE
- 7-6 DEMONSTRATES OPEN SPACE TRACT

**SURVEYORS CERTIFICATE**  
I HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION OF A SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION IN DECEMBER 2013 TO THE BEST OF MY KNOWLEDGE. THE SURVEY AND PLAT ARE CORRECT, TRUE AND MEET THE MINIMUM STANDARDS FOR LAND SURVEYS BY NEW MEXICO.

**PRELIMINARY FOR REVIEW**  
BARRY S. PHILLIPS, SURV. 13517

VEGAS VERDES, LLC  
BY: DAVID GURDIE, PRESIDENT  
STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
THE FOREGOING WAS SIGNED, ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY DAVID GURDIE, PRESIDENT OF VEGAS VERDES, LLC THIS DAY OF \_\_\_\_\_, 2013  
NOTARY PUBLIC BY COMMISSION EXPIRES

**SANTA FE COUNTY APPROVAL, NOTES AND CONDITIONS:**

- 1) BUILDING SITES AND BUILDING LOCATIONS ARE SUBJECT TO THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS.
- 2) PRIOR TO THE ISSUANCE OF BUILDING PERMITS, THE SANTA FE COUNTY FIRE DEPARTMENT MUST FIND THE ACCESS ROADS ACCEPTABLE FOR EMERGENCY VEHICLE ACCESS AND THE FIRE HOVANS MUST BE ACCEPTABLE AND OPERABLE.
- 3) THESE LOTS ARE SUBJECT TO SANTA FE COUNTY FIRE AND RESCUE MANDATORY FEES AT BUILDING PERMIT. SUCH FEES SHALL BE PAID BY THE PARTY SEEKING THE PERMIT.
- 4) ALL UTILITY LINES SHALL BE PLACED UNDEVELOPED, UPON THE COMPLETION OF THE INSTALLATION OR REPAIR OF THE SAID UTILITIES, THE SIDE OF THE UTILITY EASEMENT SHALL BE RESTORED BY THE UTILITY COMPANY TO ITS ORIGINAL FAVOR TO SAID INSTALLATION OR REPAIR TO ALLOW FOR THE CORRECT POSITIONING OF STORM WATER INFRASTRUCTURE. ANY SIDE OF UTILITY LINES NOT TO BE RESTORED SHALL BE ALLOWED.
- 5) THESE LOTS ARE SUBJECT TO ARTICLE VI, SECTION 1 OF THE SANTA FE COUNTY TERRAIN MANAGEMENT REGULATIONS AT THE TIME OF LOT DEVELOPMENT.
- 6) THE APPROVAL OF THIS PLAT DOES NOT CONSTITUTE THE APPROVAL OF ANY FURTHER DEVELOPMENT, INCLUDING BUILDING PERMITS.
- 7) THIS PLAT LIES WITHIN THE PLANNING AND PLATING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.
- 8) SANTA FE COUNTY'S APPROVAL OF THIS PLAT DOES NOT INCLUDE THE CONSTRUCTION OF THE PRIVATE DRIVERS OR ROADS AS SHOWN. IT IS THE RESPONSIBILITY OF THE SUBMITTER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FOR ANY AND ALL CONSTRUCTION OF SAID PRIVATE DRIVERS AND ROADS AS SHOWN ON THIS PLAT. THE SANTA FE COUNTY LAND USE ADMINISTRATOR.

**COUNTY APPROVAL:**

APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY AT THEIR MEETING OF \_\_\_\_\_ DATE \_\_\_\_\_

CERTIFIED BY \_\_\_\_\_ DATE \_\_\_\_\_

ATTESTED BY \_\_\_\_\_ COUNTY CLERK

**COUNTY REVIEW:**

COUNTY LAND USE ADMINISTRATION DEVELOPMENT PERMIT # \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY PUBLIC WORKS \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY FIRE DEPARTMENT \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY RURAL ADDRESSING \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY WATER UTILTY \_\_\_\_\_ DATE \_\_\_\_\_

**UTILITY COMPANIES:**

CENTURY LINK COMMUNICATIONS \_\_\_\_\_ DATE \_\_\_\_\_

COMCAST CABLE \_\_\_\_\_ DATE \_\_\_\_\_

IN APPROVING THIS PLAT, PUBLIC SERVICE COMPANY HAS CONDUCTED A TITLE SEARCH OF THE PROPERTIES SHOWN HEREON. CONSEQUENTLY, PUBLIC SERVICE COMPANY DOES NOT Warrant ANY EASEMENT OR EASEMENT RIGHTS WHICH MAY HAVE BEEN GRANTED BY PRIOR PLATS, RECORDS OR OTHER DOCUMENTS WHICH ARE NOT SHOWN ON THIS PLAT.

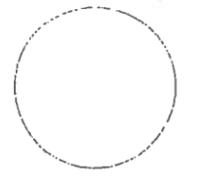
PUBLIC SERVICE CO. OF NEW MEXICO \_\_\_\_\_ DATE \_\_\_\_\_

BY GAS COMPANY \_\_\_\_\_ DATE \_\_\_\_\_

**DEDICATION AND ATTAINMENT:**

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNERS OF THESE LOTS, VEGAS VERDES, LLC, COUNTY OF SANTA FE, NEW MEXICO, BEING THE PLAT AND BEING THE SAID PLAT, HAVE HEREBY MADE AND SHALL BE KNOWN AS THE PLAT BEING MADE WITH THE FREE CONSENT, AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.

THE UP HERE GRANTED AND UNLIT EASEMENTS SHOWN HEREON ARE HEREBY GRANTED FOR THE CONSTRUCTION, MAINTENANCE, REPAIR AND OPERATION OF UTILITIES. THE EASEMENTS ARE SUBJECT TO THE PROVISIONS ON THIS PLAT AND THE RESERVABLE HOLES AND RECORDATIONS ON THE RECORD. EASEMENTS AS SHOWN HEREON ARE GRANTED TO THE PUBLIC FOR THE PURPOSE OF MAINTAINING THE FLOW OF STORM WATERS. THESE GRANTED EASEMENTS SHALL BE MAINTAINED FREE OF OBSTRUCTIONS AND EASEMENTS BY THE OWNER WHOSE LOT IS SUBJECT TO THE GRANTED EASEMENT.

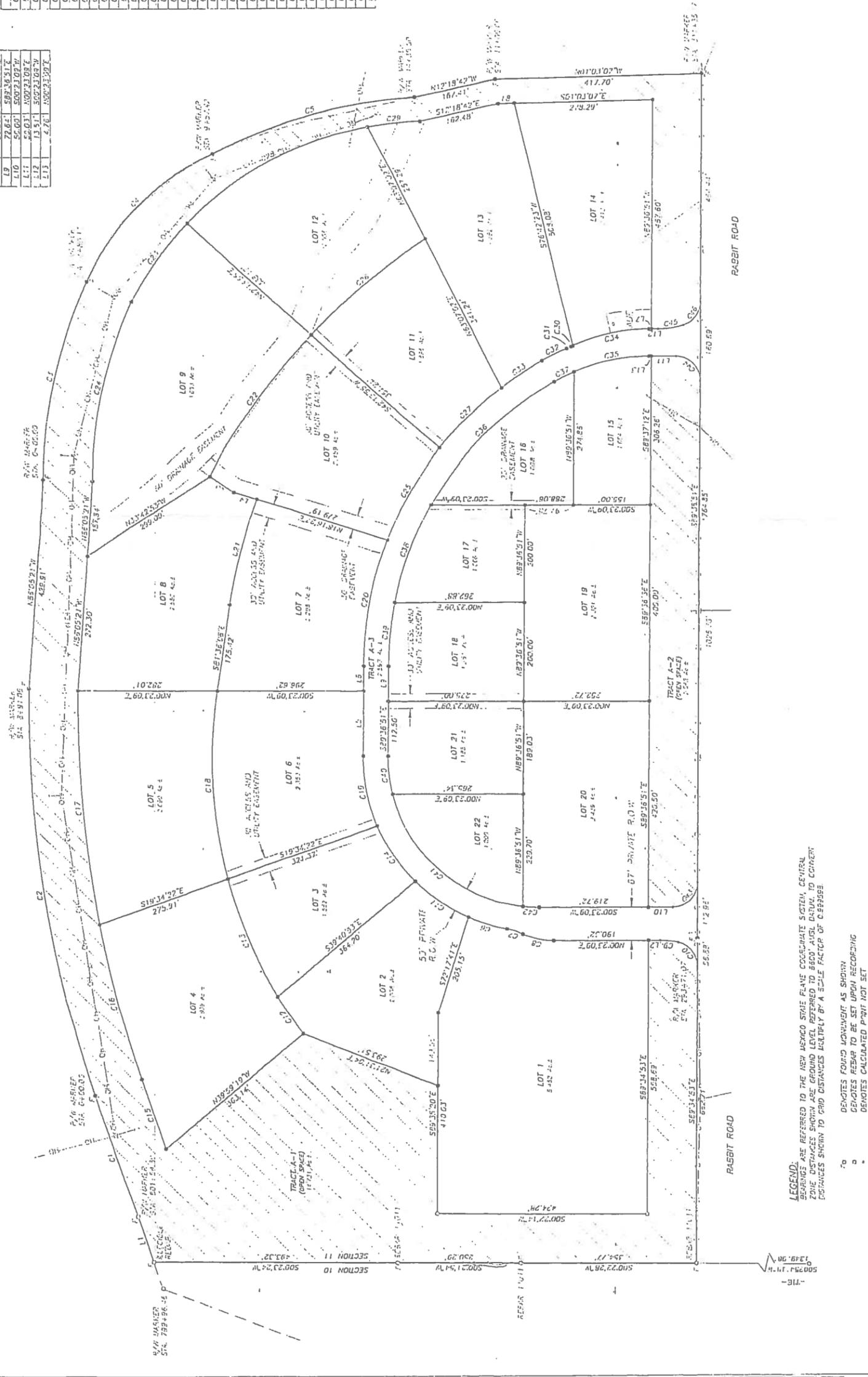


COUNTY OF SANTA FE )  
STATE OF NEW MEXICO )  
I hereby certify that this instrument was first filed on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 2013 at \_\_\_\_\_ o'clock \_\_\_\_\_ of the \_\_\_\_\_ section of \_\_\_\_\_ Township, \_\_\_\_\_ County, Santa Fe County, N.M.  
Notary Public  
Barry S. Phillips

THESE AND WERE MADE AND RECORDED FOR COUNTY CLERK.  
SUBDIVISION PLAT PREPARED FOR  
VEGAS VERDES, LLC  
CREATING  
ST. FRANCIS SOUTH  
BEING A SUBDIVISION OF TRACT A, PLAT BOOK 674 PAGE 037  
WITHIN SECTION 11, T15N, R9E, N.M.P.M., SANTA FE COUNTY, NEW MEXICO  
PURPOSE OF THIS PLAT  
TO CREATE 22 RESERVE LOTS, 2 OPEN SPACE TRACTS AND 1 RIGHT  
OF WAY TRACT BEING PART OF THE COUNTY APPROVED ST. FRANCIS  
SOUTH MASTER PLAN

LINE	LENGTH	BEARING
L1	91.78	S71°11'11" W
L2	24.14	S00°23'08" E
L3	58.77	N34°44'51" E
L4	45.43	N16°16'22" E
L5	131.66	N82°36'51" W
L6	51.48	S89°36'51" E
L7	4.76	S00°23'08" E
L8	31.20	S01°03'07" E
L9	78.62	S89°36'51" E
L10	56.09	S00°23'08" E
L11	59.03	S00°23'08" E
L12	13.51	S00°23'08" W
L13	4.76	S00°23'08" E

CURVE	LENGTH	RADIUS	DELTA	CHORD E-ANG	CHORD
C1	252.42	7339.74	0°52'02"	S70°45'04" W	252.42
C2	646.55	2506.42	16°21'07"	S81°00'18" W	842.53
C3	416.92	895.82	23°57'26"	N77°31'59" W	413.50
C4	276.84	524.07	40°32'35"	N45°15'57" W	353.15
C5	426.24	692.82	24°38'12"	N15°22'23" W	424.93
C6	64.44	356.00	13°11'36"	S17°26'33" W	88.25
C7	33.88	145.00	13°16'03"	N17°26'46" E	33.50
C8	54.13	155.00	23°33'39"	S12°14'58" W	63.71
C9	36.34	170.00	12°28'36"	N26°35'36" E	36.65
C10	52.89	48.91	77°41'58"	S81°38'59" E	66.67
C11	136.90	358.00	20°57'22"	S34°31'02" W	136.21
C12	84.32	853.00	5°36'37"	S85°48'37" W	93.28
C13	260.35	653.00	15°39'11"	S67°26'51" W	259.55
C14	135.14	358.00	22°16'08"	S56°07'47" W	136.27
C15	142.97	660.31	1°49'55"	N70°56'29" E	148.95
C16	228.90	228.28	7°51'07"	S75°15'51" W	372.74
C17	481.15	2168.81	11°38'16"	S84°43'32" W	480.32
C18	327.41	653.00	23°17'09"	S86°54'40" W	324.53
C19	144.47	358.00	2°07'18"	S78°49'30" W	143.49
C20	258.65	725.00	20°31'10"	N79°21'16" W	256.26
C21	232.71	1218.44	10°32'04"	N76°03'51" W	233.89
C22	151.72	1595.91	1°54'05"	N84°22'56" W	151.61
C23	161.06	659.24	16°52'08"	N84°22'56" W	193.39
C24	374.91	666.24	24°25'56"	N77°35'56" W	375.08
C25	216.65	725.00	17°07'17"	N60°32'03" W	215.84
C26	305.67	1295.91	13°23'42"	S39°55'37" W	302.28
C27	178.47	725.00	14°06'16"	N44°55'16" W	178.02
C28	421.00	674.14	35°51'59"	N28°12'08" W	415.15
C29	176.65	674.14	9°03'52"	N85°44'13" W	166.54
C30	4.59	371.93	0°41'30"	N24°17'40" W	4.49
C31	5.06	250.00	2°03'01"	S23°35'54" E	9.09
C32	55.65	425.00	7°30'07"	N28°18'28" W	55.61
C33	95.78	725.00	7°48'26"	N43°27'55" W	95.71
C34	157.69	371.99	24°20'04"	N11°46'53" W	156.80
C35	156.41	325.67	24°17'49"	N11°04'03" W	158.12
C36	159.81	675.00	30°32'30"	N45°19'57" W	155.46
C37	44.71	375.00	6°49'54"	N25°38'34" W	44.65
C38	213.65	675.00	18°08'07"	N69°40'16" W	212.76
C39	128.13	675.00	10°52'33"	N84°10'55" W	127.53
C40	77.34	308.00	14°23'14"	S81°11'42" W	77.14
C41	174.45	308.00	62°27'44"	S41°16'03" W	170.95
C42	33.06	468.00	6°08'02"	S03°27'43" W	33.05
C43	76.53	49.95	80°05'01"	S44°37'54" E	76.69
C44	78.51	49.95	90°04'58"	N45°24'10" E	79.69
C45	50.97	170.00	17°43'04"	S05°28'23" E	52.36
C46	51.07	49.95	72°23'13"	S81°29'48" E	58.95

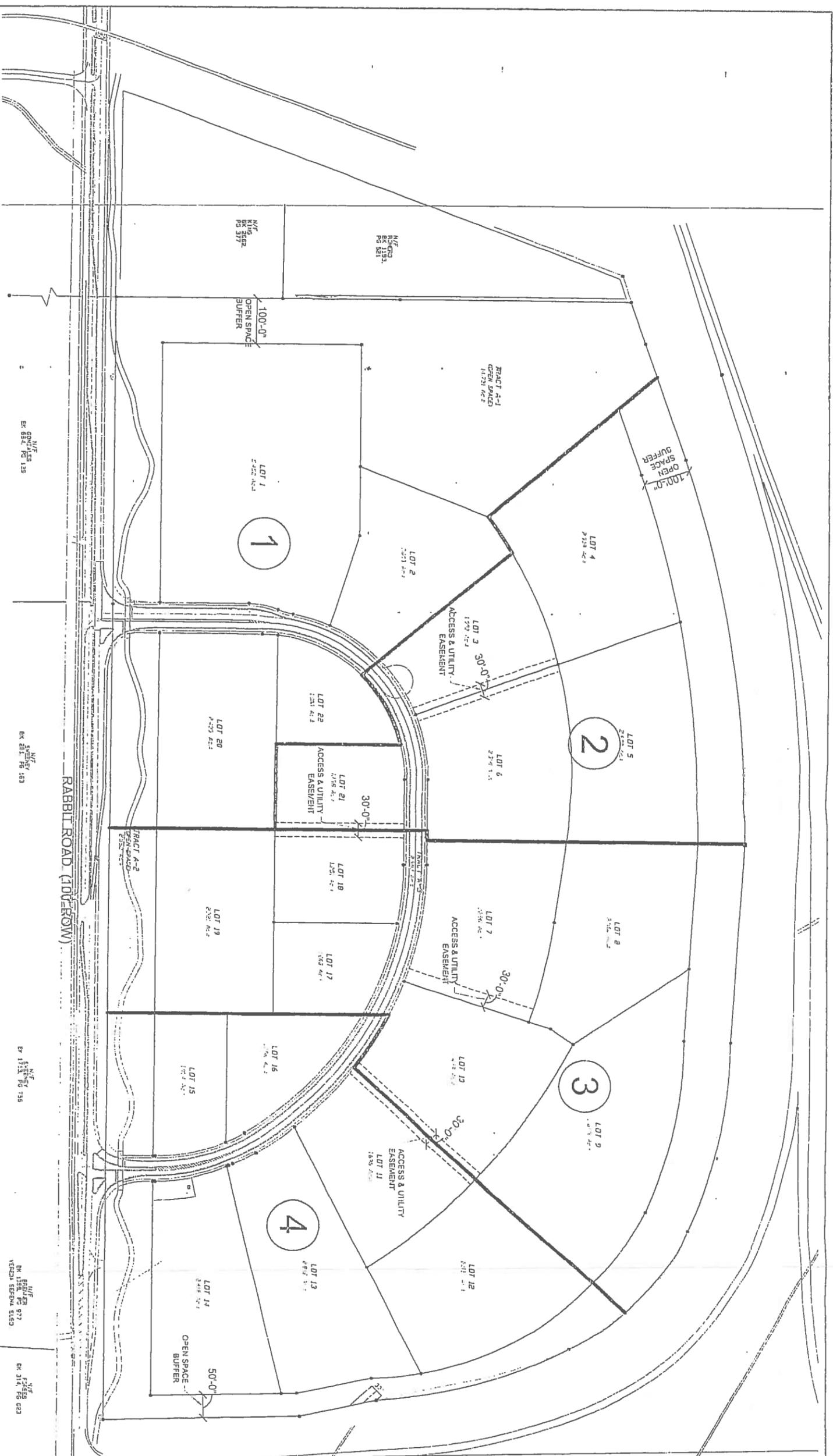


**LEGEND:**  
 BEARINGS ARE REFERRED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE DISTANCES SHOWN ARE GROUND LEVEL REFERRED TO 8600' AMSL DATUM, TO CORRECT DISTANCES SHOWN TO GRID DISTANCES MULTIPLY BY A SCALE FACTOR OF 0.99958

○ DENOTES FOUND MONUMENT AS SHOWN  
 ○ DENOTES REBAR TO BE SET UPON RECORDING  
 ○ DENOTES CALCULATED POINT NOT SET  
 ○ DENOTES UTILITY POLE WITH ANCHOR  
 --- DENOTES OVERHEAD UTILITY LINES  
 --- DENOTES EXISTING BARBED WIRE FENCE  
 --- DENOTES OPEN SPACE TRACT







**PHASING PLAN**  
SCALE: 1"=100'-0"

PHASE 1 - LOTS 1-2, 20, 22  
 PHASE 2 - LOTS 3-6, 21  
 PHASE 3 - LOTS 7-10, 17-19  
 PHASE 4 - LOTS 11-16

NOTE: PHASING MAY BE ADJUSTED ADMINISTRATIVELY THROUGH THE DEVELOPMENT PLAN PROCESS.

1700 A Paseo De Perla  
 Santa Fe, NM 87501  
 (Tel) 505.822.5383  
 (Fax) 505.852.5311  
 sfarchitect@comcast.net  
 www.santafearchitects.com

**St. Francis South Phasing Plan**  
 Santa Fe, New Mexico

NO. REVISIONS:  
 DATE

DATE	12-5-2013
DESIGNED BY	PR
CHECKED BY	PM

**Jenkinsgavin**  
 ARCHITECTS  
 1700 Corral Avenue, Suite 101  
 Santa Fe, New Mexico 87501

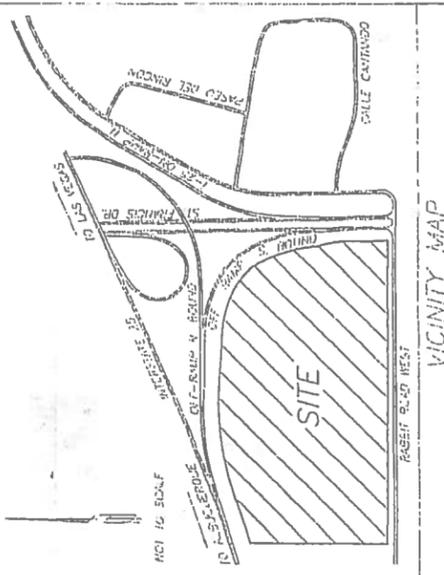
SHEET  
**3-2**

**TOPOGRAPHIC MAP**  
 SHOWING TRACT A ON RABBIT ROAD WEST  
 PREPARED FOR  
**SANTA FE ENGINEERING CONSULTANTS, LLC**  
 SITUATED WITHIN PROJECTED SECTION 11  
 T. 16 N., R. 9 E., N.M.P.M.  
 COUNTY OF SANTA FE, NEW MEXICO

**FLOOD ZONE**  
 THIS PROPERTY IS LOCATED WITHIN OTHER AREAS ZONED "A" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FIRU MAP PANEL 350-9C0414E. MAP REVISED DECEMBER 24, 2012.

LINE	LENGTH	BEARING
L1	97.78	S71°11'21"W

CURVE	LENGTH	PIANUS	DELTA	CHORD	BEARING	CHORD
C1	262.42	2138.74	0°52'02"	570°45'04"W	262.42	
C2	846.55	2956.42	1°21'07"	581°00'26"W	846.55	
C3	416.67	595.92	2°57'26"	N77°31'59"W	413.40	
C4	370.84	524.07	4°01'32"	N25°15'57"W	363.15	
C5	428.74	595.92	2°43'12"	N75°32'23"W	424.95	



**REFERENCE DOCUMENTS**  
 BOUNDARY SURVEY PLAT OF TRACT A ON RABBIT ROAD WEST, PREPARED BY  
 DEAN L. SHRODER SURVEYORS No. 12451, RECORDED IN THE OFFICE OF THE  
 SANTA FE COUNTY CLERK AS PLAT BOOK 674, PAGE 037.

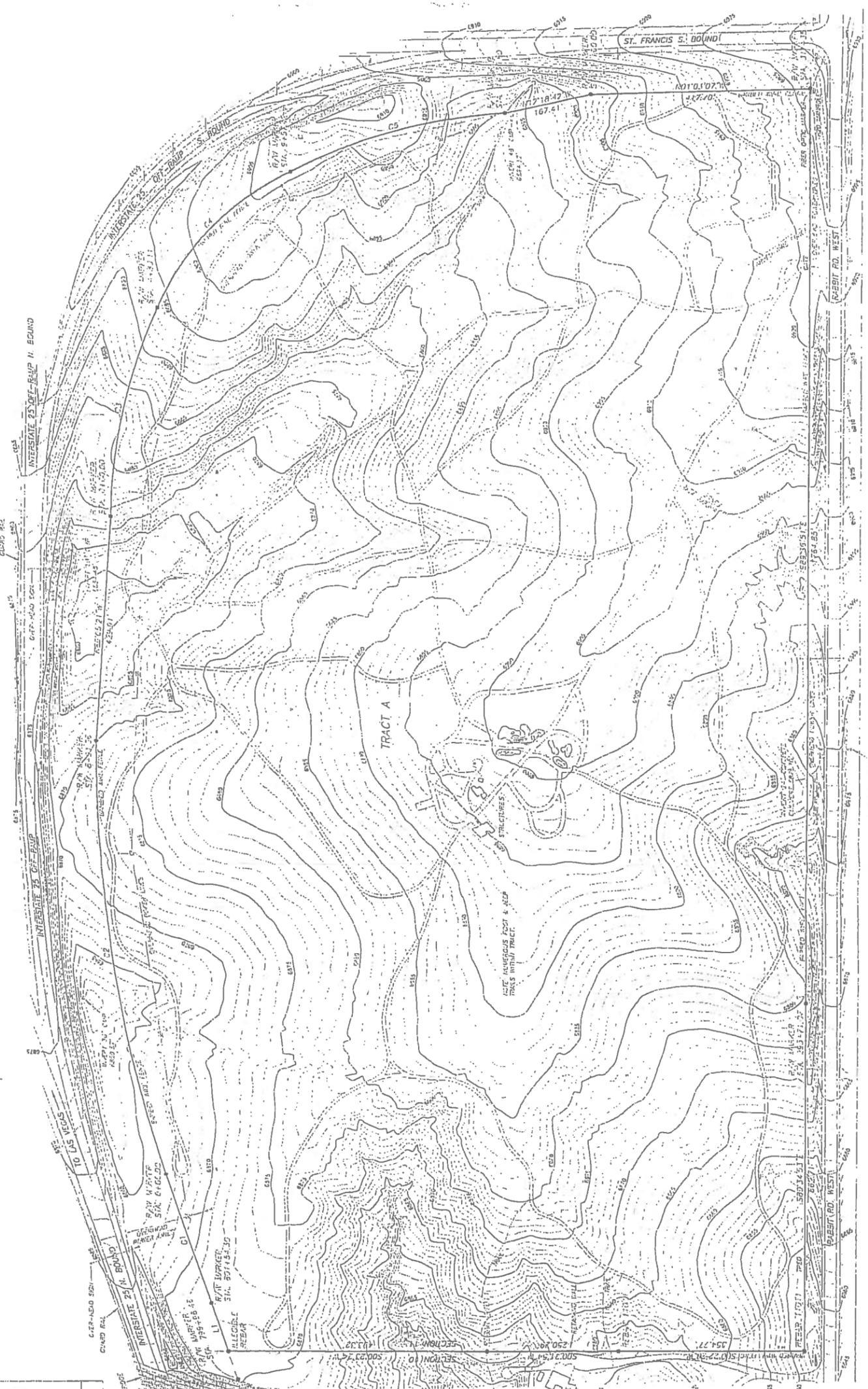


**NOTES**  
 THIS PLAT SUBJECT TO ANY RESTRICTIONS, COVENANTS AND EASEMENTS OF RECORD.  
 UTILITIES SHOWN LARGER THAN ACTUAL SIZE FOR VIEWING PURPOSES.  
 NO UNDERGROUND UTILITIES WERE LOCATED.  
 THIS IS NOT A BOUNDARY SURVEY. APPARENT PROPERTY CORNERS ARE SHOWN FOR ORIENTATION ONLY. ALL IMPROVEMENTS MAY NOT BE SHOWN.

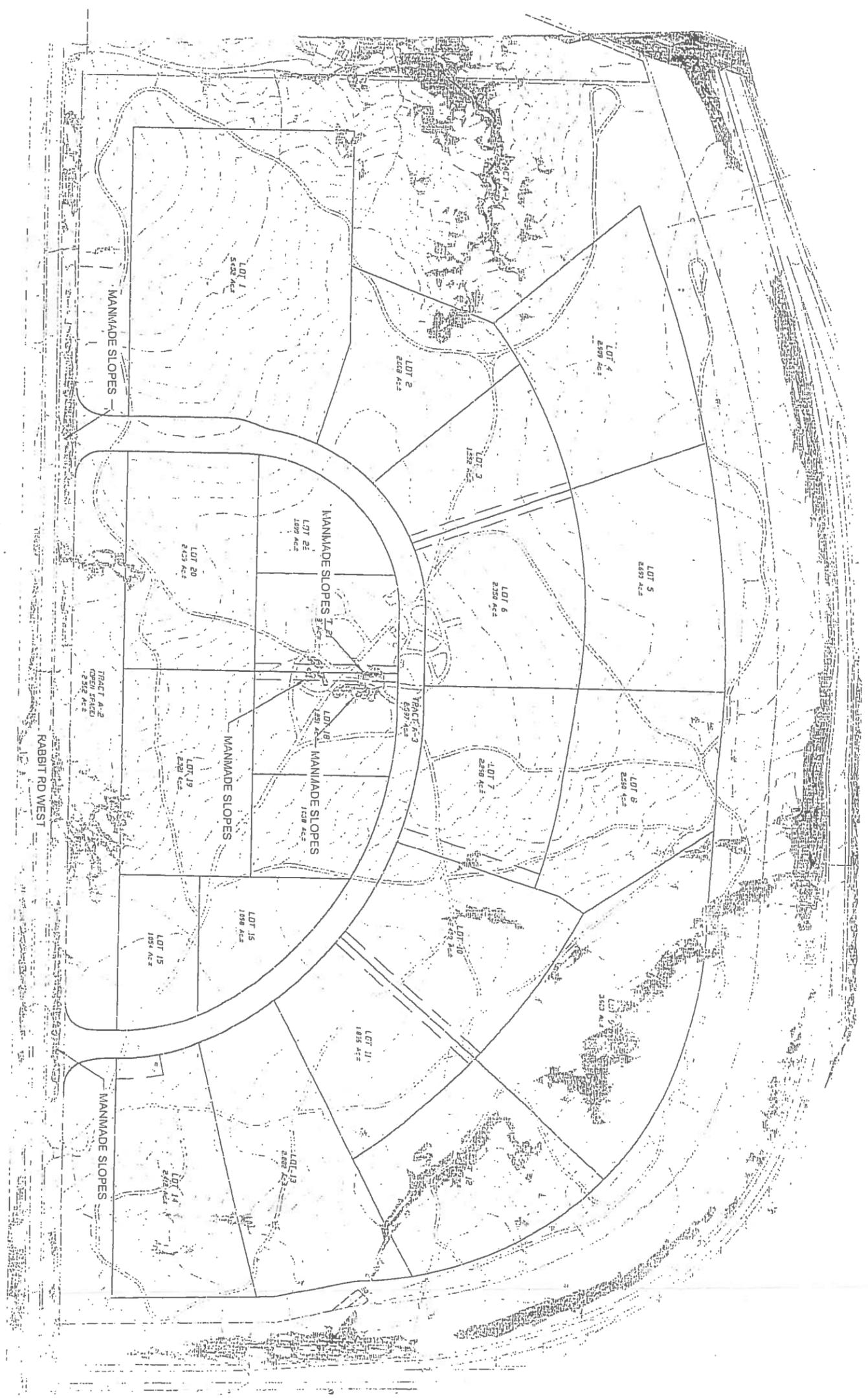
**LEGEND**  
 BEARINGS ARE GRID, U.T.M. STATE PLATE CENTRAL ZONE DISTANCES ARE REFERRED TO THE STATE PLATE CENTRAL ZONE MULTIPLY DISTANCES BY 0.999833663.  
 ELEVATIONS ARE NAVD83, GEOID 99 DERIVED FROM CONTIGUAL OPERATING BASE STATION DAWSON2 HAVING AN ELEVATION OF 6572.476', DERIVED FROM STATIC GPS OBSERVATIONS ON 1992 SANTA FE COUNTY GIS MAPPING CONTROL.  
 ○ DENOTES REBAR, OR AS SHOWN FOUND  
 - - - DENOTES SIGHTS  
 ——— DENOTES 1' CONTOUR INTERVAL  
 - - - DENOTES 5' CONTOUR INTERVAL  
 ——— DENOTES UTILITY POLE WITH ANCHOR

**SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT THIS MAP IS A TRUE REPRESENTATION OF A TOPOGRAPHIC SURVEY COMPLETED UNDER MY PERSONAL SUPERVISION IN NOVEMBER 2013. TO THE BEST OF MY KNOWLEDGE, THE SURVEY AND MAP ARE CORRECT, TRUE AND MEET THE INDIVIDUAL NATIONAL MAPPING STANDARDS.

**Barry S. Phillips**  
 N.M.P.L.S. #15517



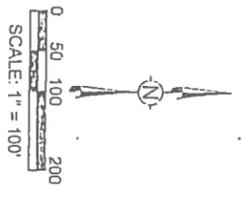
**DAWSON SURVEYS INC.**  
 PROFESSIONAL LAND SURVEYORS  
 25008 CAVARO ENTRADA  
 SANTA FE, NEW MEXICO 87507  
 FILE# 932570-C DATE: 12/04/13  
 SHEET 4-1



**LEGEND**

	AREA OF 15% TO 20% SLOPE
	AREA OF 20% TO 30% SLOPE
	AREA OF 30% AND GREATER SLOPE

THIS SLOPE ANALYSIS MAP IS BASED UPON A 2 FOOT CONTOUR INTERVAL



**SLOPE ANALYSIS MAP**  
SCALE: 1" = 100'

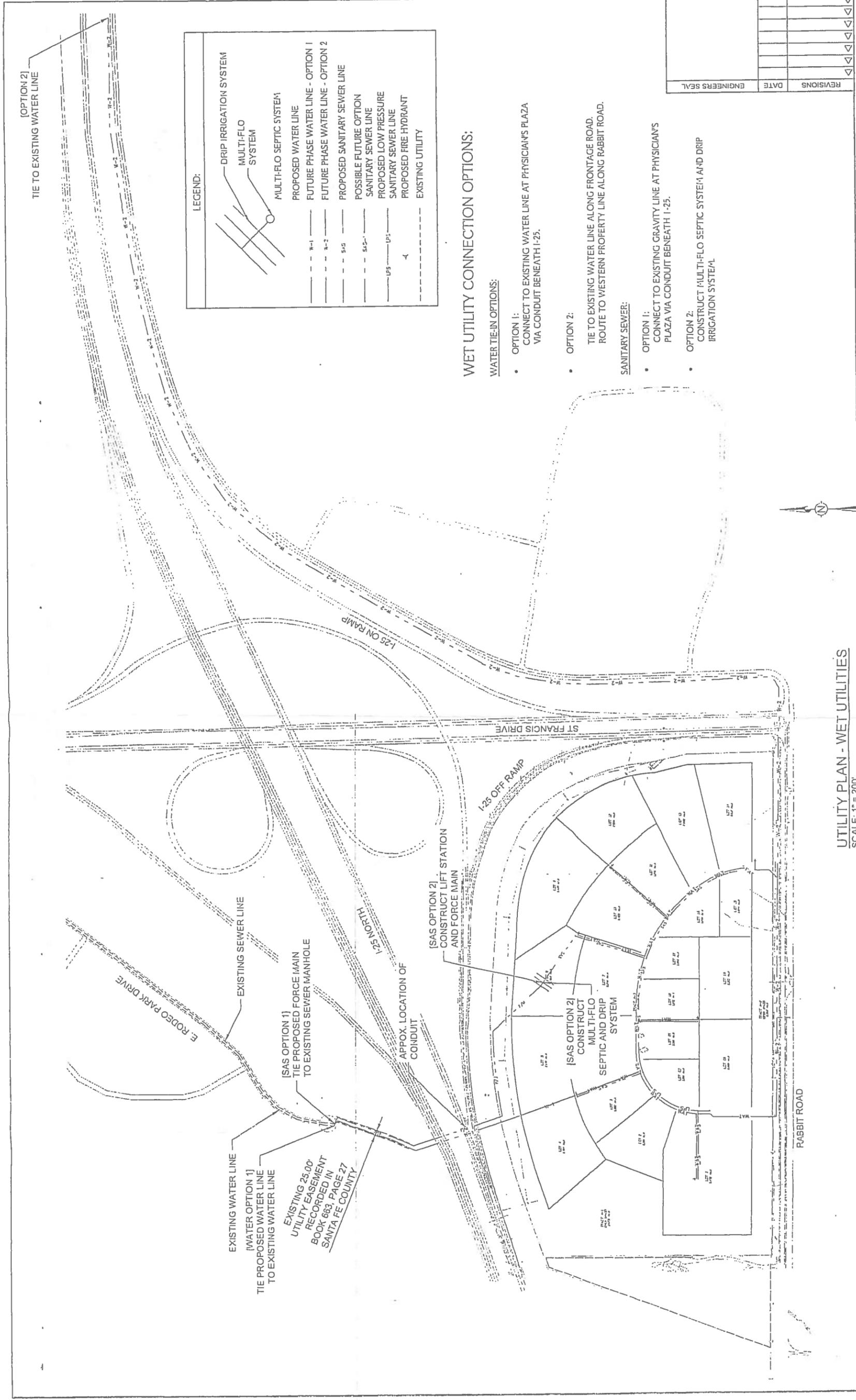
**SFE** Santa Fe Engineering Consultants, LLC  
 1599 St Francis Drive, Suite B  
 Santa Fe, N.M. 87505  
 (505) 982-2345 Fax (505) 982-2841  
<http://www.sfeinc.com>

PRELIMINARY PLAN AND PRELIMINARY DEVELOPMENT PLAN SUBMITTAL FOR ST. FRANCIS SOUTH

SLOPE ANALYSIS MAP

DATE: DECEMBER 2013 SCALE: 1"=100' SHEET: 4-2

REVISIONS	DATE	ENGINEERS SEAL
▽		
▽		
▽		
▽		
▽		
▽		



**LEGEND:**

	DRIP IRRIGATION SYSTEM MULTI-FLO SYSTEM
	MULTI-FLO SEPTIC SYSTEM
	PROPOSED WATER LINE
	FUTURE PHASE WATER LINE - OPTION 1
	FUTURE PHASE WATER LINE - OPTION 2
	PROPOSED SANITARY SEWER LINE
	POSSIBLE FUTURE OPTION SANITARY SEWER LINE
	PROPOSED LOW PRESSURE SANITARY SEWER LINE
	PROPOSED FIRE HYDRANT
	EXISTING UTILITY

**WET UTILITY CONNECTION OPTIONS:**

**WATER TIE-IN OPTIONS:**

- OPTION 1:  
CONNECT TO EXISTING WATER LINE AT PHYSICIAN'S PLAZA VIA CONDUIT BENEATH I-25.
- OPTION 2:  
TIE TO EXISTING WATER LINE ALONG FRONTAGE ROAD. ROUTE TO WESTERN PROPERTY LINE ALONG RABBIT ROAD.

**SANITARY SEWER:**

- OPTION 1:  
CONNECT TO EXISTING GRAVITY LINE AT PHYSICIAN'S PLAZA VIA CONDUIT BENEATH I-25.
- OPTION 2:  
CONSTRUCT MULTI-FLO SEPTIC SYSTEM AND DRIP IRRIGATION SYSTEM

UTILITY PLAN - WET UTILITIES  
SCALE: 1" = 200'



ENGINEERS SEAL	DATE	REVISIONS

**SFE C**  
 Santa Fe Engineering  
 Consultants, LLC  
 1599 St. Francis Drive, Suite 6  
 Santa Fe, N.M. 87505  
 (505) 862-2815 Fax: (505) 862-2641  
 http://www.sfeengr.com

PRELIMINARY PLAT AND PRELIMINARY DEVELOPMENT PLAN SUBMITTAL FOR ST. FRANCIS SOUTH

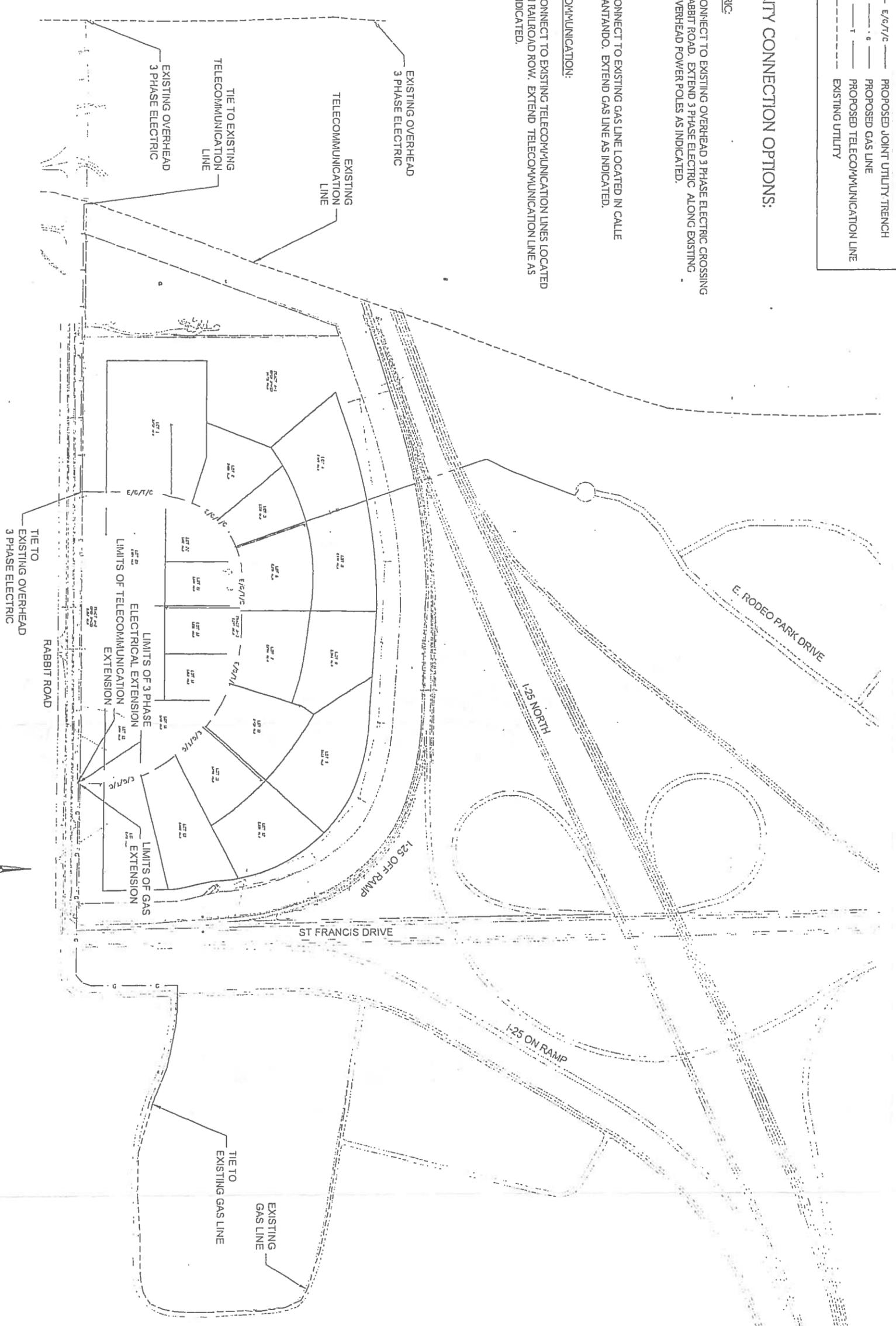
UTILITY PLAN - WET UTILITIES

DATE: DECEMBER 2013  
 SCALE: 1" = 200'  
 SHEET: C-1

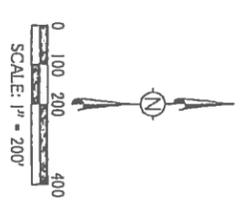
LEGEND:	
— e/c/r/c —	PROPOSED JOINT UTILITY TRENCH
— g —	PROPOSED GAS LINE
— t —	PROPOSED TELECOMMUNICATION LINE
---	EXISTING UTILITY

**UTILITY CONNECTION OPTIONS:**

- ELECTRIC:**
- CONNECT TO EXISTING OVERHEAD 3 PHASE ELECTRIC CROSSING RABBIT ROAD. EXTEND 3 PHASE ELECTRIC ALONG EXISTING OVERHEAD POWER POLES AS INDICATED.
- GAS:**
- CONNECT TO EXISTING GAS LINE LOCATED IN CALLE CANTANDO. EXTEND GAS LINE AS INDICATED.
- TELECOMMUNICATION:**
- CONNECT TO EXISTING TELECOMMUNICATION LINES LOCATED IN RAILROAD ROW. EXTEND TELECOMMUNICATION LINE AS INDICATED.



**UTILITY PLAN - DRY UTILITIES**  
SCALE: 1" = 200'



**Santa Fe Engineering Consultants, LLC**  
 1599 St. Francis Drive, Suite B  
 Santa Fe, N.M. 87505  
 (505) 982-2315 Fax (505) 982-2641  
<http://www.sfenegr.com>

PRELIMINARY PLAT AND PRELIMINARY DEVELOPMENT PLAN SUBMITTAL FOR ST. FRANCIS SOUTH

UTILITY PLAN - DRY UTILITIES

DATE: DECEMBER 2013 SCALE: 1"=200' SHEET: 52

REVISIONS	DATE	ENGINEERS SEAL
Δ		
Δ		
Δ		
Δ		
Δ		
Δ		

**PONDING CALCULATIONS**

THE PROPOSED DEVELOPMENT AT THE SITE CONSISTS OF THE FOLLOWING:  
 PROPOSED IMPERVIOUS AREAS (ROOFS, SIDEWALKS, ROADS, ETC.) = 168,118 FT.<sup>2</sup>  
 THE COUNTY OF SANTA FE TERRAIN MANAGEMENT REGULATIONS REQUIRE THAT PEAK DISCHARGE AFTER DEVELOPMENT MUST NOT EXCEED PEAK DISCHARGE BEFORE DEVELOPMENT. EXCESS RUNOFF FROM PEAK DISCHARGE MUST BE STORED ON-SITE AND DISPOSED OF BY THE PROPERTY OWNER. TO AVOID EXCESS PONDING AREAS WITH CONTROLLED RELEASE. CALCULATIONS TO DETERMINE PONDING VOLUMES ARE AS FOLLOWS:

ACCORDING TO THE "SOIL SURVEY OF SANTA FE, NEW MEXICO" BY THE SOIL CONSERVATION SERVICE, THE SOILS ON THE SITE ARE IN HYDROLOGIC GROUP B & D.

PRIOR TO THE DEVELOPMENT AT THE SITE, THE AREA COULD BE CONSIDERED A MIXED SOIL GROUP IN FAIR CONDITION. ACCORDING TO TR 55, THE DIRECT RUNOFF FOR THE 100 YEAR PRECIPITATION IS AS FOLLOWS:

UNWEIGHTED SOIL GROUP HYDROLOGIC SOIL GROUP B & D  
 COVER FACTOR  
 DIRECT RUNOFF (INCHES) 1.49

THE DIRECT RUNOFF FOR THE PROPOSED IMPROVEMENTS, FOR THE 100 YEAR PRECIPITATION ACCORDING TO TR 55 ARE AS FOLLOWS:

IMPERVIOUS AREAS  
 DIRECT RUNOFF (INCHES) 2.76

TO MITIGATE THE PROPOSED NEW IMPERVIOUS AREAS, THE DEVELOPER SHALL PROVIDE STORAGE FROM PRE-DEVELOPMENT CONDITIONS TO POST DEVELOPMENT CONDITIONS IS CALCULATED. PONDING VOLUME IS CALCULATED AS FOLLOWS:

2.76" DIRECT RUNOFF IMPERVIOUS AREAS

1.49" DIRECT RUNOFF PRE-DEVELOPMENT

STORE 1.27" OF RAINFALL FOR THE IMPERVIOUS AREAS

IMPERVIOUS AREAS = 168,118 FT.<sup>2</sup>

POUND 1.27" FROM ALL IMPERVIOUS AREAS

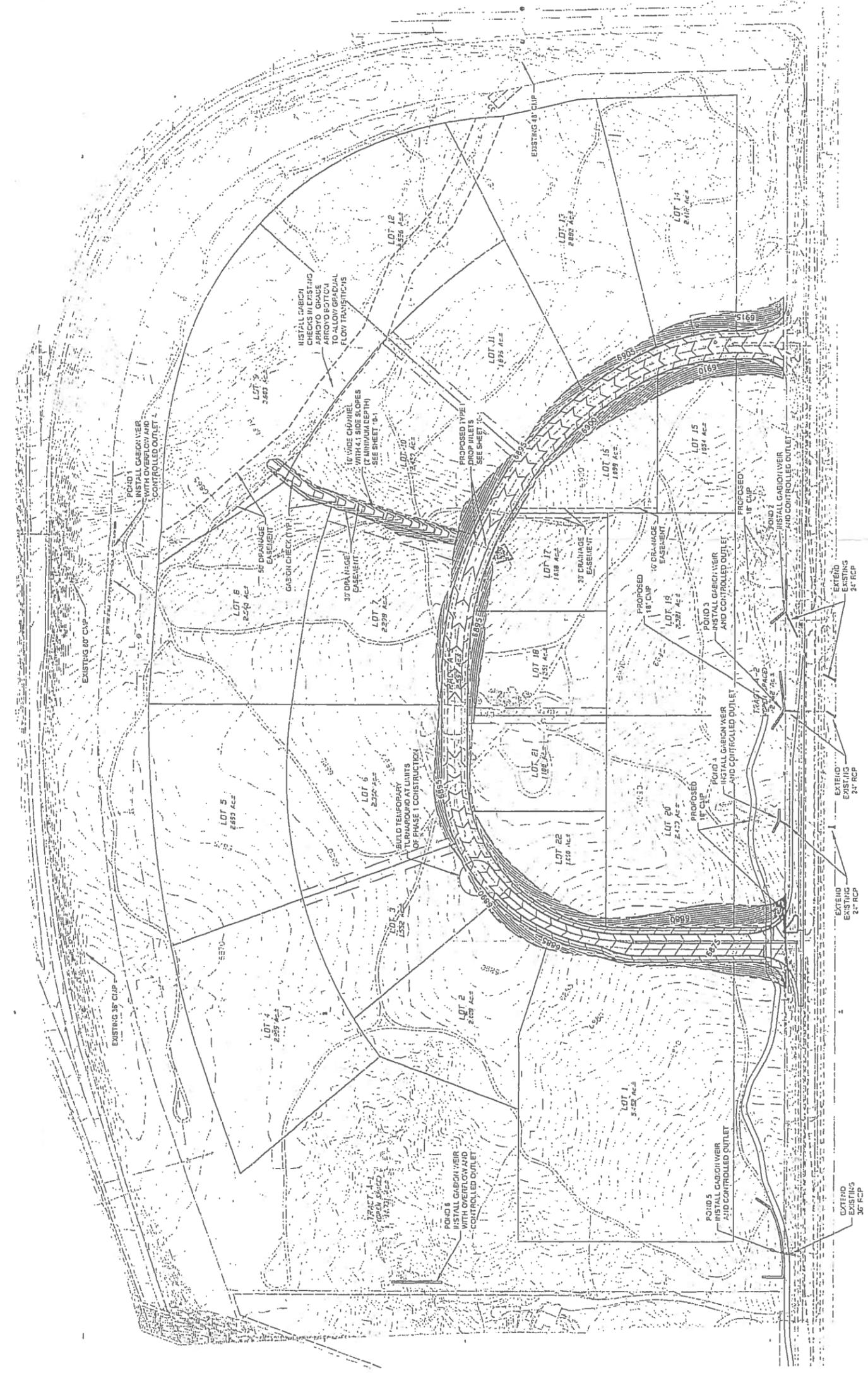
THE TOTAL VOLUME OF WATER TO BE STORED:

REQUIRED VOLUME = (1.27" x 168,118 FT.<sup>2</sup>)

= 17,793 FT.<sup>3</sup>

TOTAL PONDING VOLUME REQUIRED = 17,793 FT.<sup>3</sup>

THE TOTAL VOLUME OF PONDING PROVIDED = 46,690 FT.<sup>3</sup>



**GRADING AND DRAINAGE PLAN**  
 SCALE: 1" = 100'

NO.	EXISTING ELEVATION	PROPOSED ELEVATION	EXISTING VOLUME	PROPOSED VOLUME	DIFFERENCE
1	13,235.72	680.13	6,858	18,219.89	6,862
2	2,407.39	209.35	6,893	2,735.67	6,885
3	3,532.04	255.76	6,679	4,410.13	6,882
4	1,779.97	136.95	6,871	2,037.07	6,874
5	5,514.83	269.32	6,848	9,861.47	6,852
6	5,301.68	391.41	6,850	9,625.41	6,854

- GRADING NOTES**
- THE LIMITS OF CONSTRUCTION AND LOCATIONS OF THE CONTRACTORS STAGING AREAS SHALL BE IDENTIFIED BY THE CONTRACTOR AND APPROVED BY THE OWNER. THE LIMITS OF CONSTRUCTION SHALL BE CLEARLY DELINEATED AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
  - CONTRACTOR SHALL PROVIDE DUST AND EROSION CONTROL PROTECTION.
  - GRADING STAKES TO EXTERIOR PROPERTY LINES ARE AS FOLLOWS:  
 1. TOP OF FILL SLOPE = ONE FIFTH THE VERTICAL HEIGHT OF CUT WITH A MINIMUM OF 2 FEET AND A MAXIMUM OF 15 FEET.  
 2. TOE OF FILL SLOPE = ONE HALF THE HEIGHT OF THE SLOPE WITH A MINIMUM OF 2 FEET AND A MAXIMUM OF 15 FEET.  
 3. THE SURVEYOR SHALL VERIFY STAKES, TIE IN ELEVATIONS, AND TOPOGRAPHY WHEN STAKING PROTECTION.
  - UNDESIRABLE MATERIAL FROM SITES, INCLUDING BUT NOT LIMITED TO, SHALL BE DISPOSED OF AT AN APPROVED LANDFILL.
  - THE VOLUME OF PONDING PROVIDED IS 46,690 CUBIC FEET.
  - ALL DISTURBED AREAS SHALL BE REVEGETATED AND COORDINATED WITH THE LANDSCAPING PLAN.
  - ALL FILL MATERIAL SHALL MEET THE REQUIREMENTS OF THE N.M.D.O.T. OR SITE SPECIFIC GEOTECHNICAL SPECIFICATIONS.
  - THE FILL SHALL BE COMPACTED AS PER N.M.D.O.T. SPECIFICATIONS.
  - ALL EXTERIOR CONCRETE ELEVATIONS AT DOOR OPENINGS SHALL BE 1/2" LOWER THAN THE FINISHED FLOOR SLAB ELEVATIONS.
  - ALL EXTERIOR CONCRETE ELEVATIONS AT DOOR OPENINGS SHALL BE 1/2" LOWER THAN THE FINISHED FLOOR SLAB ELEVATIONS.
  - ALL EXTERIOR CONCRETE ELEVATIONS AT DOOR OPENINGS SHALL BE 1/2" LOWER THAN THE FINISHED FLOOR SLAB ELEVATIONS.
  - PROPERTY DEVELOPMENT MUST COMPLY WITH SECTION 14-4-12 (RELOCATION OF GUNNISON'S PRAIRIE DOGS.)

**Santa Fe Engineering Consultants, LLC**  
 1599 St. Francis Drive, Suite B  
 Santa Fe, N. M. 87505  
 (505) 982-2845 Fax (505) 982-2641  
 http://www.SFENGR.com

PRELIMINARY PLAN AND PRELIMINARY DEVELOPMENT PLAN SUBMITTAL  
 FOR ST. FRANCIS SOUTH

GRADING AND DRAINAGE PLAN

DATE: DECEMBER 2013  
 SCALE: 1" = 100'  
 SHEET: 8-1

Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## Santa Fe County Fire Department Fire Prevention Division

### Official Development Review

Date	December 17, 2013		
Project Name	St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Development Plan		
Project Location	Northwest corner of the intersection of St. Francis Dr. and Rabbit Rd. T16; R09; S11		
Description	Large Scale Mixed-Use Project	Case Manager	Vicente Archuleta
Applicant Name	JenkinsGavin Design & Development Inc.	County Case #	V/MIS/PP/PDP 10-5362
Applicant Address	130 Grant Avenue Suite 101 Santa Fe, NM 87501	Fire District	Hondo
Applicant Phone	505-699-0563		
Review Type:	Commercial <input checked="" type="checkbox"/>	Residential <input type="checkbox"/>	Sprinklers <input type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input checked="" type="checkbox"/>	Final <input type="checkbox"/>
	Wildland <input type="checkbox"/>	Variance <input checked="" type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
Project Status:	Approved <input type="checkbox"/>	Approved with Conditions <input checked="" type="checkbox"/>	Denial <input type="checkbox"/>
		Inspection <input checked="" type="checkbox"/>	Lot Split <input type="checkbox"/>

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

#### Summary of Review

- Per submitted plans the roads shall meet the minimum County standards of 24' driving surface for fire apparatus access roads within this type of proposed development... (page #2)
- The dimensions and location for the temporary cul-de-sac indicated on the submitted plans for Phase I development are acceptable. (page #)
- Additional hydrants and/or relocation of indicated fire hydrants shown within the submittal packet may be required. Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation. (page #5)
- No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal. (page #5)



- Automatic Fire Protection Sprinkler systems shall be required in commercial or live/work occupancies as per 1997 Uniform Fire, Article 10 Section 1003.2 in accordance with the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe (page#5)
- Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes. (page #6)

### Fire Department Access

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

Any walking trail system proposed for this development shall have a trail identification number or name and be marked with a number every 1/10<sup>th</sup> of a mile (528 feet) for the purpose of expediting emergency response.

- **Fire Access Lanes**

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

Curbs or signage adjacent to building(s), fire hydrant(s), entrances and landscape medians in traffic flow areas shall be appropriately marked in red with 6" white lettering reading "FIRE LANE - NO PARKING" as determined by the Fire Marshal prior to occupancy. Assistance in details and information are available through the Fire Prevention Division.

- **Roadways/Driveways**

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

Per submitted plans the roads shall meet the minimum County standards of 24' driving surface for fire apparatus access roads within this type of proposed development. Driveways, turnouts and turnarounds shall be County approved all-weather driving surface of minimum 6" compacted basecourse or equivalent. Minimum gate width shall be 20' and an unobstructed vertical clearance of 13'6". Minimum driveway width shall be 14'

Fire access/driveways in future development shall incorporate an area for emergency vehicle purposes such as a cul-de-sac or K-type or hammerhead type turnaround conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

The dimensions and location for the temporary cul-de-sac indicated on the submitted plans for Phase I development are acceptable.

▪ **Street Signs/Rural Address**

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

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

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Buildings within a commercial complex shall be assigned, post and maintain a proper and legible numbering and/or lettering systems to facilitate rapid identification for emergency responding personnel as approved by the Santa Fe County Fire Marshal.

▪ **Slope/Road Grade**

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

The maximum allowable cross slope grade on a cul-de-sac shall not exceed 3%

The maximum approved slope of driveway access/egress shall not exceed 11% and shall have a minimum 28' inside radius on curves.

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

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

Commercial developments may be required to install a Knox Cabinet or applicable Knox device as determined by this office for Fire Department access, Haz-Mat/MSDS data, and pre-fire planning information and for access to fire protection control rooms (automatic fire sprinklers, fire alarm panels, etc...).

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County system. Details, information and forms are available from the Fire Prevention Division

## Fire Protection Systems

- **Water Storage/Delivery Systems**

*Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal*

*Section 903.2 Required Water Supply for Fire Protection. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. When any portion of the facility or building protect is in excess of 150 feet from a water supply on a public street, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the chief.*

*Section 903.4.2 Required Installations. (1997 UFC) The location, number and type of the fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved.*

The water delivery system shall be designed to meet the minimum standards of the Sangre De Cristo Water and/or Santa Fe County Water utilities.

Water supply line sizes, which are connected to supply approved fire hydrants, shall be a minimum of eight inches in diameter.

- **Hydrants**

Shall comply with Article 9, Section 903 - Water Supplies and Fire Hydrants of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal

Fire hydrants subject to possible vehicular damage shall be adequately protected with guard posts in accordance with Section 8001.11.3 of the 1997 UFC.

Fire hydrant spacing and the maximum distance from any point on the streets and access roads adjacent to a building shall comply with 1997 Uniform Fire Code, Appendix IIIB Section 5: Distribution of Fire Hydrants.

Fire hydrant locations shall be no further than 10 feet from the edge of the approved access roadways with the steamer connections facing towards the driving surface.

Additional hydrants and/or relocation of indicated fire hydrants shown within the submittal packet may be required. Final placement of the fire hydrants shall be coordinated and approved by the Santa Fe County Fire Department prior to installation.

Final fire hydrant locations shall be located in full view for incoming emergency responders. Landscape vegetation, utility pedestals, walls, fences, poles and the like shall not be located within a three foot radius of the hydrant per Article 10, Sections 1001.7.1 and 1001.7.2 of the 1997 UFC.

Supply lines shall be capable of delivering a minimum of 1,000 gpm with a 20-psi residual pressure to the attached hydrants. The design of the system shall be accordingly sized and constructed to accommodate for the associated demands placed on such a system through drafting procedures by fire apparatus while producing fire flows. The system shall accommodate the operation of two pumping apparatus simultaneously from separate locations on the system. Final design shall be approved by the Fire Marshal.

All hydrants shall have NST ports.

No building permits shall be granted until such time as the fire hydrants have been tested and approved by the Santa Fe County Fire Marshal.

All hydrants shall comply with Santa Fe County Resolution 2000-55, Hydrant color-coding, marking and testing. Note: Please have the installing contractor contact this office prior to the installation of the fire hydrants, so that we may assist you in the final location placement and avoid delays in your projects' final approval.

### **Automatic Fire Protection/Suppression**

Automatic Fire Protection Sprinkler systems shall be required in commercial or live/work occupancies as per 1997 Uniform Fire, Article 10 Section 1003.2 in accordance with the Building Code as adopted by the State of New Mexico and/or the County of Santa Fe.

All Automatic Fire Protection systems shall be developed by a firm certified to perform and design such systems. Copies of sprinkler system design shall be submitted to the Fire Prevention Division for review and acceptance prior to construction. Systems will not be approved unless final inspection test is witnessed by the Santa Fe County Fire Department. Fire sprinkler systems shall meet all requirements of NFPA 13 Standard for the Installation of Sprinkler Systems.

The required system riser shall meet the requirements of the NFPA 13 1996.

Locations of all Fire Department Connections (FDC's) shall be determined and approved prior to the start of construction on the system. All FDC's shall have NST ports.

All sprinkler and alarm systems as required shall have a test witnessed and approved by the Santa Fe County Fire Department at rough-in and prior to allowing any occupancy to take place. It shall be the responsibility of the installer and/or developer to notify the Fire Prevention Division when the system is ready for testing.

## **Fire Alarm/Notification Systems**

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

### ▪ **Fire Extinguishers**

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

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

## **Life Safety**

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

## **General Requirements/Comments**

### ▪ **Inspections/Acceptance Tests**

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

Prior to acceptance and upon completion of the permitted work, the Contractor/Owner shall call for and submit to a final inspection by this office for confirmation of compliance with the above requirements and applicable Codes.

▪ **Permits**

As required

**Final Status**

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

*Tim Gilmore, Inspector*



Code Enforcement Official

12.17.13  
Date

Through: David Sperling, Chief

File: DevRev/H/StFrancisS/121813

Cy: Buster Patty, Fire Marshal  
Vicente Archuleta, Land Use  
Applicant  
District Chief  
File

Daniel "Danny" Mayfield  
*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*

January 23, 2014

Mr. Vicente Archuleta  
Development Review Team Leader  
Santa Fe County Land Use Department  
102 Grant Ave  
Santa Fe, NM 87504

**RE: Case #V/MIS/PP/PDP 10-5362 St. Francis South Variance, Master Plan Amendment,  
Preliminary Plat and Preliminary Development Plan**

Dear Vicente,

This letter is in response to your request for a review of St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Preliminary Development Plan dated December 2013.

The Santa Fe County Utility Division would also like reference the Utility Service Analysis-St. Francis South Project letter written on August 27, 2010. In regards to WET UTILITY CONNECTION OPTIONS: for both Water and Sewer SFCU prefers Option 1.

If you have any questions or concerns, please do not hesitate to contact us.

Respectfully,

Paul Casaus  
Utilities Engineering Associate  
Santa Fe County Utilities Department

Harry B. Montoya  
*Commissioner, District 1*

Virginia Vigil  
*Commissioner, District 2*

Michael D. Anaya  
*Commissioner, District 3*



Kathy Holian  
*Commissioner, District 4*

Liz Stefanics  
*Commissioner, District 5*

Roman Abeyta  
*County Manager*

August 27, 2010  
JenkinsGavinn Design & Development, Inc.  
130 Grant Avenue, Suite 101  
Santa Fe, NM 87501

RE: Utility Service Analysis-St. Francis South Project

Dear Mrs. Welles,

This is in response to your inquiry about utilities service availability for the project in reference. Please be aware that any statements made here refer solely to the parcel and development concept you have described in your written inquiry and appurtenant documentation you submitted. If the development concept were to be modified, or the current field conditions are modified in the future, before this plan is approved by the County Commission, this letter will be automatically invalidated, unless otherwise indicated in writing by Santa Fe County Utilities (SFCU).

#### **Development Concept**

You have described your property to be approximately 68.9 acres undeveloped, with a conceptual development plan that will consist of 22 parcels large scale mixed-use ranging in size from 1.04 to 2.90 acres with a gross average lot size of 3.13 acres. This is to be phased out five to six lots per year for the next 8-10 years.

#### **Water**

The SFCU will require a 12" extension from Campo Conejos down Old Galisteo Road along Rabbit Road to the most western property line of the proposed 68.9 undeveloped parcel boundary. ~~The line will require a Master meter and a PRV. In conjunction an 8" line between the new 12" and the terminus of the existing water line across I-25 with another meter at this point will be required.~~ These features lie under dedicated easements/rights of way under the jurisdiction of the SFCU.

#### **Sewer**

Sewer shall be designed for gravity flow into the existing sewer located within the Rodeo Business Park, across I-25 at MH BMS241 unless noted otherwise. Negotiations with the City of Santa Fe for the utility connections across service area boundaries would be negotiated on your behalf by Santa Fe County.

#### **Water Rights**

Based on the customers proposed mixed use the 24.09 acre feet and a maximum anticipated water budget of 40 acre feet per year will have to be approved by Santa Fe County and partially allocated prior to each phase of build out.

#### **Design and Construction Requirements**

All facilities shall be designed by a professional engineer duly licensed in New Mexico, in compliance with all applicable standards of practice, local, state and federal codes/regulations and

102 Grant Avenue • P.O. Box 276 • Santa Fe, New Mexico 87504-0276 • 505-995-2732 • FAX: 505-992-3028

[www.santafecounty.org](http://www.santafecounty.org)

policies, including those adopted by the SFCU. The design shall be reviewed and accepted by Santa Fe County, prior to any construction being executed.

Construction shall be under the direct supervision of a utility contractor properly licensed in New Mexico, upon receiving all applicable construction permits, right of way use authorizations, and upon having met all applicable pre-construction requirements.

The County may accept the project in phases and adopt it for operations and maintenance, upon verification that all requirements have been met to the County's satisfaction, and in compliance with the County-accepted engineering design, including record drawings stamped by a licensed engineer.

We look forward to working with you to the best of our technical ability and in confidence with applicable laws, for the successful completion of your project. Please call Paul Casaus (986-6364), if you have any questions regarding this letter.

Sincerely,



Patricio Guerrerortiz, PE  
Santa Fe County Utilities Director

Daniel "Danny" Mayfield  
*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*

## WATER UTILITIES DIVISION

February 18, 2014

Jennifer Jenkins & Colleen C. Gavin, AIA  
JenkinsGavin Design & Development, Inc.  
130 Grant Avenue, Suite 101  
Santa Fe, NM 87501

### RE: WATER/SEWER SERVICE AVAILABILITY, ST. FRANCIS SOUTH

Dear Ms. Jenkins and Ms. Gavin:

The Santa Fe County Utilities (SFCU) Division is in receipt of your request, submitted on behalf of Vegas Verdes, LLC, concerning water/sewer service for a property under development at the southwest corner of Interstate-25 and St. Francis Drive. The development project is known as "St. Francis South". Please be aware that any statements made here refer solely to the parcel and development concept you have described in your written inquiry and appurtenant documentation you submitted. If the parcel location or development concept is modified, or the current field conditions are modified in the future, this letter will be automatically invalidated, unless otherwise indicated in writing by SFCU.

The St. Francis South Master Plan includes approximately 68.9 acres of undeveloped property, with a conceptual development plan that will consist of a 22-lot, large-scale, mixed-use project. The project will contain a mix of commercial and residential development, to be constructed in four phases, approximately five to six lots per phase over an 8-10 year period. The St. Francis South Master Plan was approved by the board of County Commissioners at the December 14, 2010 meeting as Case #Z10-5360.

With respect to potable water supply, SFCU has identified two options for supplying water to this development. Water Supply Option 1 would require an extension of a 12" water line from the existing water line at Rodeo Business Park via a conduit installed beneath Interstate-25. Option 1 would require a master meter and a pressure reducing valve be installed in vaults which would likely be located just south of the crossing under Interstate-25.

Water Supply Option 2 would consist of extending a 12" water line from the existing water line that serves the Campo Conejos subdivision, just south of Interstate-25 and carrying the line to the southwest along the alignment of the interstate to St. Francis South. Option 2 would require the installation of a master meter and a pressure reducing valve in vaults which would likely be located near the Campo Conejos subdivision, just south of where the existing line crosses under Interstate-25. Both options will need to be reviewed by the City of Santa Fe Engineering Division to determine if they are technically feasible (and which option is preferred) based upon the City's ability to meet the system demands from their existing potable supply infrastructure.

There are two evident options for providing sewer service to this development. Sewer Option 1 would consist of a gravity collection system that conveys sewage to a central liftstation which pumps through a conduit installed beneath Interstate-25 to the City's sanitary sewer located at Rodeo Business Park. Sewer Option 1 would require approval by the City/County Water/Wastewater Review Team (WWRT) process pursuant to Santa Fe City Code Chapter 22-6.2 regarding requests for sewer service outside the presumptive City limits. This process ultimately requires approval of the Santa Fe City Council and Santa Fe County Commission. Should this option be pursued, SFCU would be a co-applicant to the WWRT, along with the developer. The sewer infrastructure constructed would ultimately be deeded to the County and the SFCU would ultimately own, operate and maintain the infrastructure.

The second option for sewer service for this development (Sewer Option 2) consists of privately owned and operated advance treatment units (ATUs) that would be installed for each lot or clusters of lots and dispose of treated wastewater to leach fields. Such ATUs would be permitted by the New Mexico Environment Department pursuant to the Liquid Waste Disposal and Treatment Regulations (20.7.3 NMAC) or the Water Quality Control Commission Regulations (20.6.2 NMAC), as appropriate. SFCU would not be involved with the ownership, operation or maintenance of the ATUs, nor would the owners of these systems be customers of SFCU. If SFCU is in a position to provide sewer collection, treatment and disposal services at some point in the future for this area, the ATUs would be decommissioned by their private owners and they would connect to a sanitary sewer belonging to Santa Fe County.

In order to proceed into design and SFCU review of this system, your professional engineer should determine which options best serve your project and consult with SFCU regarding how to resolve the unanswered questions regarding the chosen options.

Following the successful design and construction of the facilities, the SFCU will accept ownership of the project and adopt it as part of its infrastructure for operations and maintenance upon verification that all requirements of the County's ordinances have been met to the SFCU's satisfaction. The primary considerations for SFCU acceptance are summarized below:

1. The proposed facilities must be designed, constructed and tested in compliance with all applicable standards of practice and all local, state and federal codes/regulations and policies, including those adopted by Santa Fe County.
2. The applicant is responsible for the design and construction of this project in its entirety and pays for all costs associated with the water and wastewater system. Santa Fe County is not responsible for any costs incurred in order to ensure compliance with the County's ordinances or other applicable rules and regulations.
3. The design of the facilities and construction oversight must be performed by a professional engineer (PE) licensed by the State of New Mexico pursuant to the New Mexico Engineering and Surveying Practices Act.
4. As a condition of receiving a permit from the County for the construction of the water and wastewater systems, the applicant must provide proof of an approved current New Mexico Utility Contractor's license and a bond or other financial guarantee acceptable to County for the completion of the infrastructure. The amount of such bond shall not be less than the cost estimate for the construction of the water and sewer systems.
5. Conveyance of the infrastructure to the County shall include all associated easements, rights of way and or permits associated with the system. A formal survey granting these easements to SFCU for access, operation and maintenance of the infrastructure must be provided prior to final acceptance of the project.
6. All record drawings plans and final specifications of the water / wastewater systems certified by the design engineer and presented in both electronic (PDF) and hard copy formats, including all hydrostatic/vacuum test results, sewer videos and logs, backfill compaction test results, and all materials testing results must be reviewed and approved by SFCU.
7. Written certification that the constructed infrastructure were properly inspected during construction and were installed in conformance with the final design/specifications or in conformance with written change orders approved by the design engineer and SFCU must be submitted by the design engineer to SFCU.
8. All County utility customers, including Residential and Commercial Customers connected to the infrastructure, are required to meter their water supply with the use of a Neptune T-10 with E-Coder R900i Register and Radio Transmitter, furnished by SFCU. Proof that such a meter is installed and functional must be available to SFCU prior to final acceptance.
9. All subdivision lots and future customer will be subject to the County Water Utility service policies, including stand-by fees and connection fees.
10. County crews must have clear and unobstructed physical access to all of the water and wastewater structures for maintenance and inspection.
11. County ownership/maintenance of the system stops at the sewer main where lateral sewer connects and in regards to water at the meter can.

Final inspections of the new facilities by SFCU is also required. This inspection may require that additional work be performed in order to accept the work as complete. After

Jennifer Jenkins & Colleen C. Gavin, AIA, RE: St. Francis South Water and Sewer Service  
February, 18, 2014  
Page 3

completion of all work associated with this project, a letter of acceptance will be issued by SFCU for the operation and maintenance of the systems.

We look forward to working with you toward the successful completion of this project. Please contact SFCU Associate Engineer Paul Casaus at (505) 986-6364 or contact me at 992-9872 if you have any questions and or concerns.

Respectfully,



Claudia Borchert, Director  
Santa Fe County Utilities Division

CB:PC/RJG

CC: Nick Schiavo PE, Public Utilities Director, City of Santa Fe (via email to:  
[naschiavo@ci.santa-fe.nm.us](mailto:naschiavo@ci.santa-fe.nm.us))

Bryan Romero, Interim Division Director and Engineering Supervisor, City of  
Santa Fe, (via email to: [bjlromero@santafenm.gov](mailto:bjlromero@santafenm.gov))



October 30, 2013

Mr. Vicente Archuleta  
102 Grant Avenue  
P.O. Box 276  
Santa Fe, NM 87504-0276

**RE: St. Francis South Subdivision**

Dear Mr. Archuleta,

The appropriate engineers of the New Mexico Department of Transportation have reviewed the submitted material on the above referenced development and comments or concerns to be addressed are as follows:

**Environmental Division:** 1. The parcel slated for development is immediately adjacent to the proposed Northwest Connector, a connector (or bypass) being proposed by Santa Fe County. This proposed proximity of the bypass to the development will need to be disclosed to the developer (if it hasn't already) and all potential lot/home purchasers. 2. A cultural resources survey was conducted for the parcel in 2008. Two cultural resource sites are in the project area, LA 20601 and LA 20602. The developer will need to contact Michelle Ensey at the Historic Preservation Division under state statutes. Otherwise the sites will need to be avoided by project activities. 3. Any sound barriers between the development and I-25 would be the responsibility of the developer and not NMDOT. In addition, if access to NMDOT right of way is required for this project, including any infrastructure improvements in NMDOT right of way, the project would require an access permit and environmental clearance from the NMDOT. For environmental clearance for NMDOT ROW, the developer would need to contact Genevieve Head in the NMDOT Environmental Division at 505-827-5356.

**Traffic Technical Support:** Facilities on the state network impacted by the development consist of Interstate 25, US 285 (St Francis Drive), and FR-2100 (Rabbit Road). The report states that the development will consist of mixed land use and will occur in four phases. Phase 1 will consist of a 50,000 sq. ft. rehabilitation center to

**Susana Martinez**  
Governor

**Tom Church**  
Cabinet Secretary, Designate

**Commissioners**

**Pete K. Rahn**  
Chairman  
District 3

**Ronald Schmeits**  
Vice Chairman  
District 4

**Dr. Kenneth White**  
Secretary  
District 1

**Robert R. Wallach**  
Commissioner  
District 2

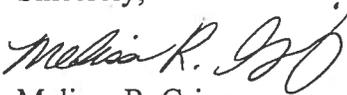
**Butch Mathews**  
Commissioner  
District 5

**Jackson Gibson**  
Commissioner  
District 6

be located on Lot 1 in the southwest corner of the site (as indicated on the Master Plan prepared by Mifsud Associates Architects and date July 1, 2010). A western access driveway is to be constructed during Phase 1 and an eastern driveway will be constructed in the future during subsequent phases. The updated Traffic Impact Analysis further states that "An updated Traffic Impact Analysis will be prepared for each phase of the development". It is noted that some portions of the report incorrectly indicated that Phase 1 will involve the construction of the eastern driveway, which is closer to the intersection of St. Francis Drive and Rabbit Road (for instance on Figure 50). Based on the materials submitted, the proposed Phase 1 development appears reasonable and adequate to accommodate the expected traffic generated. As specified in the report, an updated Traffic Impact Analysis should be prepared for subsequent phases to assess future traffic impacts and the possible need for a traffic signal or roundabout to mitigate the deficiencies identified.

If there are any questions you may contact me at (505) 827-5472 or by email at [melissar.griego@state.nm.us](mailto:melissar.griego@state.nm.us) .

Sincerely,



Melissa R. Griego  
Property Management Agent

FILE#: 1707

*Santa Fe County  
Open Space & Trails*



**MEMORANDUM**

**DATE:** January 24, 2014

**TO:** Vicente Archuleta, Senior Development Review Specialist

**FROM:** Lisa Roach, Open Space and Trails Planner  
Planning Division, Growth Management Department

**VIA:** Robert Griego, Planning Division Manager, Growth Management Department

**RE:** Case # V/MIS/PP/PDP 10-5362, St. Francis South Master Plan Amendment  
Variance, Preliminary Plat & Preliminary Development Plan Applications

---

I have reviewed the case submittal for technical accuracy and for compliance with the Land Development Code, and I have the following comment:

**Page 3 of 6, "Open Space and Landscaping"** states "a pedestrian trail will be constructed on a phased basis within the 100-foot open space buffer along Rabbit Road that will connect with the Rail Trail west of the site. The first phase of the trail improvements will be between the Rail Trail and the west side of the western access road. A segment of trail will be constructed within the Rabbit Road right of way between the railroad right of way and the western boundary of the subject property."

Clarification is needed regarding the "first phase of the trail improvements," as the text and plans do not clearly illustrate this trail connection. Private property separates the western boundary of the subject property and the Rail Trail.

Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Liz Stefanics  
Commissioner, District 4

Kathy Holian  
Commissioner, District 5

Katherine Miller  
County Manager

PUBLIC WORKS DIVISION  
MEMORANDUM

**Date:** January 17, 2014

**To:** Vicente Archuleta, Development Review Team Leader

**From:** Paul Kavanaugh, Engineering Associate Public Works *R*  
Johnny P. Baca, Traffic Manager Public Works *JP*

**Re:** Case # 10-5362 Saint Francis South Variance, Master Plan Amendment,  
Preliminary Plat and Preliminary Development Plan Approval.

---

The referenced project has been reviewed for compliance of the Land Development Code, and shall conform to roads and driveway requirements of **Article V (Subdivision Design Standards)** and **Section 8.1 (General Policy on Roads)**, in which the roadway / driveway needs to conform. The project is located south of Interstate 25, west of the Saint Francis Drive and north of Rabbit Road, within Section 11, Township 16 North, Range 9 East. The applicant is requesting a Variance on Density Requirements, Master Plan Amendment to allow the maximum allowable density, Preliminary Development Plan approval and Preliminary Plat approval to for a Large Scale Mixed-Use District consisting of twenty-two (22) parcels ranging in size from 1.0 to 2.54 acres, with an average lot size of 2.23 acres.

**Access:**

The applicant is proposing two access points from Rabbit Road to the 68.94 acre tract. Rabbit Road course is east and west. The road is approximately 24 feet wide with two 12-foot driving lanes and 5-foot shoulders and bar ditches on both sides. The posted speed limit is 40 miles per hour. This portion of road is under the jurisdiction of New Mexico Department of Transportation.

The applicant proposes that the western access driveway will be constructed for Phase I of the development. This Phase I development access is comprised of two twelve (12') foot drive lanes with curb and gutter and five (5') foot sidewalks and will be a full access driveway for the project. The applicant states that the easterly driveway will be constructed in a future phase. At full build out the easterly access will serve as a right-in, right-out only. The applicant proposes that the westerly driveway will be a signalized intersection or modified as a round-about when traffic conditions warrant it.

A Traffic Impact Analysis prepared by Santa Fe Engineering Consultants, LLC, dated July 2010. The purpose of the study was to assess the traffic impacts the proposed project may have on road system within the area and identify any necessary required road improvements. The applicant provided Santa Fe County with updated traffic counts for the project. There has been minimal increase in traffic since the original TIA was prepared.

**Conclusion:**

Public Works has reviewed the REVISED Traffic Impact Analysis, dated December 2013, and feels that they can support the above mentioned project for a Variance, Master Plan Amendment, Preliminary Development Plan, Preliminary Plat Approval with the following conditions;

- Applicant shall comply with all NMDOT regulatory requirements for driveway access to Rabbit Road.
- Applicant shall address steep driveways created by the loop road and provide a plan on how it intends to mitigate the slopes.
- Applicant shall provide Turn-Arounds with a driving surface of a minimum of 120' diameter, at all dead ends servicing internal lots and temporary access for Phase I.
- The applicant shall ensure the slopes at the proposed accesses provide sufficient visibility within the Sight Triangles.
- Traffic Impact Analysis will be required with future Phases I, II, III, and IV to ensure that offsite improvements are addressed for the development.
- Speed Change Lanes and Tapers are required as per the Traffic Impact Analysis.
- It is staffs opinion that Future Traffic Impact Analysis address St. Francis Drive / Old Galisteo Road concerns regarding the feasibility of a signal light or a Round – About.



STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER  
SANTA FE

Scott A. Verhines, P.E.  
State Engineer

February 26, 2014

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

Vicente Archuleta  
Senior Development Review Specialist  
Santa Fe County  
PO Box 276  
Santa Fe, NM 87504

**CERTIFIED MAIL**  
**RETURN RECEIPT**  
**REQUESTED**

**Re: St. Francis South Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan**

Dear Mr. Archuleta:

The Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer has reviewed the referenced subdivision proposal pursuant to the Santa Fe County Land Development Code and the New Mexico Subdivision Act.

Based on the information provided, this office cannot determine that the subdivider can furnish water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision, including water for indoor and outdoor domestic uses, and that the subdivider can fulfill the proposals in his Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan. Accordingly, a **negative** opinion is issued.

A staff memorandum providing specific comments is attached for your information. If you have any questions, please call Emily Geery at 505-827-6664.

Sincerely,

A handwritten signature in cursive script that reads "Molly L. Magnuson".

Molly Magnuson, P.E.  
Senior Water Resource Specialist  
Encl.

cc: OSE Water Rights Division, Santa Fe Office

**MEMORANDUM**  
**New Mexico Office of the State Engineer**  
**Water Use and Conservation Bureau**

**DATE:** February 26, 2014  
**TO:** Molly Magnuson, P.E., Water Resource Specialist  
**FROM:** Emily Geery, Senior Water Resource Specialist  
**SUBJECT:** St. Francis South Master Plan Amendment/ Variance,  
Preliminary Plat and Preliminary Development Plan

---

**SUMMARY**

On February 5, 2014 the Water Use & Conservation/Subdivision Review Bureau of the Office of the State Engineer received a request to re-evaluate the *St. Francis South Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan*.

This office reviewed and provided comments for the St. Francis South Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan on January 10, 2014. For details, please refer to this letter.

The applicant seeks approval from Santa Fe County for a Master Plan Amendment/ Variance, Preliminary Plat and Preliminary Development Plan for 22 lots. According to the Plat Map, the proposed Master Plan will be developed in phases as follows:

- Phase 1 – Lots 1, 2, 20 and 22
- Phase 2 – Lots 3-6, and 21
- Phase 3 – Lots 7-8, 17-19
- Phase 4 – Lots 11-16

The proposal provides an outline to subdivide a 68.9 acre tract into a 22-lot large scale mixed use project with parcels ranging in size from 1.04 to 2.9 acres. At build out, the gross building area is anticipated to be approximately 760,000 square feet with a combination of office, community service, retail, warehouse and residential uses. The property is bordered by I-25 to the north, St. Francis Drive to the east, Rabbit Road (the Northeast Connector) to the south and two large residential lots to the west. The proposed water will be supplied by the Santa Fe County Utilities.

The subdivision proposal was reviewed pursuant to the Santa Fe County Land Development Code (Code) and the New Mexico Subdivision Act (Act). Based on the information provided, the water supply proposal is not in compliance with the requirement of Section 6.4.4(a) of the Code and Section 47-6-11.F (1) of the Act. Accordingly, a **negative** opinion should be issued.

The new documents submitted to this office include the *Disclosure Statement, Landscaping Water Budget Letter, Rehabilitation Facility Letter, and Water Sewer Service Availability Letter*.

**WATER DEMAND ANALYSIS AND WATER CONSERVATION**

The proposal contains a water demand analysis for an office space of 5.87 acre feet per year (AFY); a warehouse of 1.57 AFY; and multifamily housing of 24 AFY. This estimate is

consistent with the findings presented in the City of Santa Fe's November 2009, *Resolution No. 2009-116* that adopted standard formulas by water use category for calculating development water budgets.

Previous comments regarding the *Disclosure Statement, Landscaping Water Budget Letter* and *Rehabilitation Facility Letter* have been addressed. The developer provided the *Disclosure Statement*, which was not included in the previous submittal. The OSE concurs with the developer's conclusion regarding the water budget for the Landscaping and the Rehabilitation Facility.

#### **WATER AVAILABILITY ASSESSMENT**

The proposed water supply will be provided by the Santa Fe County Utilities. The developer provided a letter from Santa Fe County regarding water availability. The letter describes two options for providing water, but does not state that the utility is "*ready, willing and able to provide the maximum annual water requirement for the development*" as required by Section 6.4.4(a) of the Code.

Section 47-6-11.F (1) of the Act requires that the developer provide documents demonstrating that water sufficient in quantity to fulfill the maximum annual water requirements of the subdivision is available. The developer has not provided a sufficient commitment letter from the water utility. Therefore, Section 47-6-11.F (1) of the Act and 6.4.4(a) of the Code have not been satisfied.



January 17, 2014

Vicente Archuleta  
Development Review Team Leader  
Santa Fe County Land Use  
102 Grant Avenue  
Santa Fe, NM 87501

Re: St Francis South Variance

Dear Mr. Archuleta:

Santa Fe Public Schools has reviewed information received from Santa Fe County Development Review Team regarding the above referenced project. Given the estimated build out projections for the development plan, current capacities at assigned schools (EJ Martinez School, Capshaw Middle School, Santa Fe High School 9-12) will be adequate to serve the anticipated student population from this development.

We appreciate your observance of City Ordinance 2008-32 allowing Santa Fe Public Schools to adequately plan for impact to facilities and operations.

Sincerely,

A handwritten signature in black ink that reads 'Shirley McDougall'. The signature is written in a cursive, flowing style.

Shirley McDougall  
Property & Asset Management  
(505) 467-3443  
smcdougall@sfps.info



## Santa Fe – Pojoaque Soil and Water Conservation District

4001 Office Court Dr., Bldg 1000, Suite 1001

Santa Fe, New Mexico 87507

Telephone (505) 471-0410, Extension 4

Fax (505) 471-0933

SUPERVISORS  
Alfredo Roybal  
José Varela López  
Shelley Winship

---

March 07, 2014

Mr. Vicente Archuleta  
Development Review Team Leader  
County of Santa Fe  
PO Box 276  
Santa Fe, NM 87504-0276

Re: Case # V/MIS/PP/PDP 10-5362 St. Francis South Variance, Master Plan Amendment,  
Preliminary Plat and Preliminary Development Plan

Dear Mr. Archuleta:

The Santa Fe-Pojoaque Soil and Water Conservation District (District) along with the USDA-Natural Resources Conservation Service made a field inspection of the St. Francis South property in February 2014.

The St. Francis South Master Plan Preliminary Plat and Development Plan proposal consisting of 22 parcels on 68.94 acres was assessed for technical accuracy and code compliance aspects with regards to terrain management. The information contained in the report regarding topography and slope analysis are consistent with the physical attributes of the property. The six proposed drainage ponding areas are of adequate size for the project when considering that there will be additional on-site retention ponds and cisterns on each lot. Additionally, we found all soils on the property to be in Hydrologic Group B, which differs from the report's grading and drainage plan but also means that the soils are better at reducing overland flow than would Group D soils. The report lacked a soils map so we have attached our research regarding the soils information to this review.

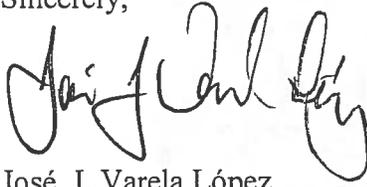
It should be noted that any major disturbance near the primary drainages on the property should be re-seeded to decrease the likelihood of accelerated erosion during major storm events. Such

erosion could cause premature siltation of the storm drainage ponds, prompting unnecessary expense by requiring more frequent pond maintenance.

In conclusion, the District would like to state that this review was undertaken at the request of the County of Santa Fe, as provided by state law. The District's comments should not be construed as a recommendation of approval or disapproval of the subdivision.

Please feel free to contact me at 660-5828 if you have any questions regarding this review.

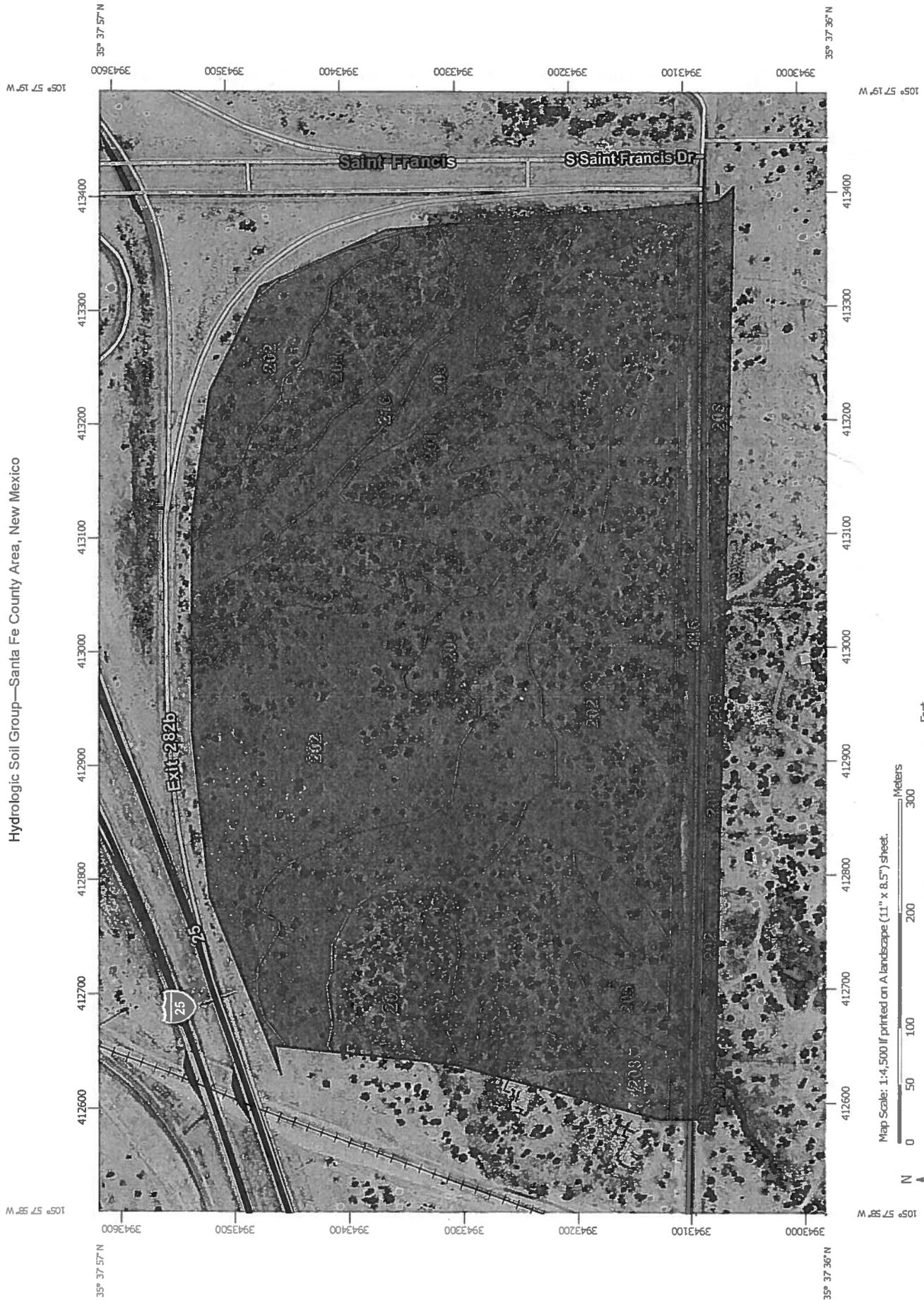
Sincerely,



José J. Varela López  
Vice Chairman  
Santa Fe-Pojoaque SWCD

attachment

Hydrologic Soil Group—Santa Fe County Area, New Mexico



Map Scale: 1:4,500 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

## MAP LEGEND

 Area of Interest (AOI)	 C
 Soils	 C/D
 Soil Rating Polygons	 D
 A	 Not rated or not available
 A/D	<b>Water Features</b>
 B	 Streams and Canals
 B/D	<b>Transportation</b>
 C	 Rails
 C/D	 Interstate Highways
 D	 US Routes
 Not rated or not available	 Major Roads
<b>Soil Rating Lines</b>	 Local Roads
 A	<b>Background</b>
 A/D	 Aerial Photography
 B	
 B/D	
 C	
 C/D	
 D	
 Not rated or not available	
<b>Soil Rating Points</b>	
 A	
 A/D	
 B	
 B/D	

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Santa Fe County Area, New Mexico  
 Survey Area Data: Version 7, Dec 23, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Nov 6, 2010—Jun 12, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Hydrologic Soil Group

Hydrologic Soil Group— Summary by Map Unit — Santa Fe County Area, New Mexico (NM687)				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
116	Arents-Urban land-Orthents complex, 1 to 60 percent slopes	B	6.1	7.3%
200	Predawn loam, 1 to 4 percent slopes	B	10.9	13.2%
201	Tanoan-Encantado complex, 5 to 25 percent slopes	B	21.2	25.7%
202	Alire loam, 2 to 6 percent slopes	B	32.4	39.3%
203	Buckhorse-Altazano complex, 2 to 8 percent slopes, flooded	B	5.7	6.9%
208	Alire-Urban land complex, 2 to 8 percent slopes	B	2.6	3.2%
216	Dondiego loam, 1 to 3 percent slopes	B	3.6	4.4%
Totals for Area of Interest			82.6	100.0%

## Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher



Santa Fe - Pojoaque Soil and Water Conservation District  
 4001 Office Court Drive • Suite 1001 • Santa Fe, NM 87507 • (505) 471-0410, ext. 4

January 14, 2014

Jennifer Jenkins and Colleen C. Gavin, AIA  
 JenkinsGavin Design & Development, Inc.  
 130 Grant Ave, Ste 101  
 Santa Fe, NM 87501

Re: Terrain Management Plan Review for St. Francis South Master Plan Amendment/Variance Preliminary Plat & Preliminary Development Plan

Dear Ms. Jenkins and Ms. Gavin,

The Santa Fe/Pojoaque Soil and Water Conservation District has received your proposal for the above-named subdivision and is preparing comments as required by law. Any request for additional required information needed for this District to conduct a comprehensive review of your subdivision proposal is attached to this invoice. Once the fee has been paid, our comments will be sent to the Santa Fe County Planner. Please remit the amount highlighted below by **January 21, 2014**.\*

<u># Lots</u>	<u>Fee</u>
1-25	\$550.00
26-100	\$800.00
101-200	\$1,050.00
201-300	\$1,300.00
301-400	\$1,450.00
401+	\$1,550.00 + \$5.00 for each additional lot
Master Plans	\$600.00 + \$.50/acre

TOTAL DUE for Terrain Management Plan Review: \$800.00 + GRT (8.1875%) = **\$865.50**

*\*Please note: If required information and payment has not been received in the District office by the due date, a \$150.00-per-hour fee will be charged to the Developer for any time Santa Fe/Pojoaque SWCD staff spends attempting to acquire information and/or this fee in order to conduct and submit their review.*

Best regards,

Supervisor  
 Santa Fe/Pojoaque SWCD

cc: Ms. Vicki Lucero, Building and Development Services Division Manager, Santa Fe County



**Office of Affordable Housing  
MEMORANDUM**

DATE: February 7, 2014

TO: Vicente Archuleta, Development Review Team Leader

FROM: Steven Brugger, Affordable Housing Administrator *SRB*

SUBJECT: Case # V/MIS/PP/PDP 10-5362; St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Preliminary Development Plan – Affordable Housing Review

---

**Summary of Applicant's Affordable Housing Proposal**

It is our understanding that the Applicant is proposing 22 mixed-use lots which can accommodate commercial, large-scale multi-family residential and community service land uses. It is stated that one of the purposes of the Master Plan Amendment and Variance request is to establish maximum allowable residential densities for the multifamily tracts that are brought forward for development. The Master Plan Amendment and Variance request clearly contemplates multi-family residential development, as a maximum residential density of 18 dwelling units per acre is requested, and another note states that the maximum number of allowable multi-family/live work units is 450 and the maximum number of allowable senior housing/assisted living units is 200.

This submittal does not inform staff of the intended land uses on any of the proposed lots and does not indicate how many lots will be allocated for residential development. A notation on Sheet 3-1 does state the following: "36.11 acres eligible for residential development". However, it is unknown whether being "eligible for residential development" will result in residential development. It appears that the final land use allocation will be market driven.

As set forth in the submittal letter, the Applicant is also "applying for Master Plat Authorization to permit the administrative approval of future lot line adjustments and consolidations to accommodate the needs of individual users". With this provision, the current number of lots can change to reflect the needs of the firm that would be buying the land. Even if land uses were depicted on the 22 lots, the number of lots could ultimately change with approval of this requested provision.

To recap, upon review of this submittal, it appears that the residential component of the proposed project will be multi-family development on an undetermined number of lots.

## Staff Comments

In the Affordable Housing Ordinance 2006-02, as amended by Ordinance 2012-1, a Major Project is defined as “any division of property into twenty five (25) or more parcels for purpose of sale, lease or other conveyance of one or more single-family residences; a Minor Project is defined as “any subdivision of a parcel or parcels into between five (5) and no more than twenty four (24) parcels for purpose of sale, lease or other conveyance of one or more single family residences.

Depending upon its classification as Major or Minor, the project’s affordable housing requirement is determined by multiplying the applicable percentage times the number of total lots. For the subject project, the affordable unit requirement cannot be determined since the number of total residential lots has not been identified and may not be known until the completion of all lot line adjustments and consolidations.

In addition, in the definitions of Major and Minor projects, both projects address the conveyance of single family residences. In this project, it is our understanding that each residential lot will accommodate a large scale residential project, defined in the plan submittal as multi-family apartments, senior housing/assisted living, and live/work. Using past and present interpretations of the Affordable Housing Ordinance and Regulations, the affordable requirement applies only to single family homes (detached or attached) on individual fee-simple lots, not multifamily developments with multiple units constructed on one lot.

With the understanding that no single family residences will be created and conveyed through this subdivision and that the residential uses being proposed will be large-scale multi-family uses, and given the uncertainty over the number of residential lots that will be created, an affordable housing requirement cannot be calculated for this application.

## Staff Recommendation

Staff cannot apply an affordable housing requirement for this Master Plan Amendment/Variance, Preliminary Plat and Preliminary Development Plan request.



STATE OF NEW MEXICO  
DEPARTMENT OF CULTURAL AFFAIRS  
HISTORIC PRESERVATION DIVISION

Susana Martinez  
Governor

BATAAN MEMORIAL BUILDING  
407 GALISTEO STREET, SUITE 236  
SANTA FE, NEW MEXICO 87501  
PHONE (505) 827-6320 FAX (505) 827-6338

March 13, 2014

Vicente Archuleta  
Development Review Team Leader  
Santa Fe County Land Use Department  
102 Grant Avenue  
Santa Fe, NM 87501

Re: Case Z/V/S 10-5362, St. Francis South Master Plan Amendment, Variance, Preliminary Plat and Development Plan

Dear Mr. Archuleta,

I am writing concerning the above referenced development and the copy of the archaeological survey report you sent to the Historic Preservation Division (HPD) on February 28, 2014. Thank you for providing this office with a copy of that report.

I have completed my review of the report and it appears that the archaeological consultant, Ron Winters documented two previously recorded archaeological sites within the subject property. Both sites (LA 20601 and LA 20602) are historic road segments and Mr. Winters recommended clearance be provided for the property. HPD is of the opinion that the sites are not significant and not eligible for listing in either the National Register of Historic Places or the State Register of Cultural Properties. No further archaeological investigations are necessary and the proposed development will have no effect on historic properties.

Please do not hesitate to contact me if you have any questions. I can be reached at (505) 827-4064 or by email at [michelle.ensey@state.nm.us](mailto:michelle.ensey@state.nm.us).

Sincerely,

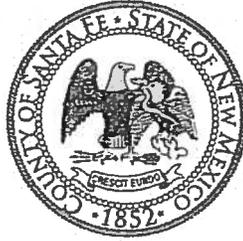
Michelle M. Ensey  
Archaeologist

Log: 98795

Daniel "Danny" Mayfield  
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

## MEMORANDUM

DATE: January 24, 2014

TO: Vicente Archuleta, Development Review Team Leader

FROM: Mathew Martinez, Development Review Specialist *MEM*

VIA: Vicki Lucero, Building and Development Services Manager  
Wayne Dalton, Building and Development Services Supervisor

FILE REF.: CDRC CASE # V/MIS/PP/PDP 10-5362 St. Francis South Variance, Master Plan Amendment, Preliminary Plat and Preliminary Development Plan

---

### REVIEW SUMMARY

#### ARCHITECTURAL, PARKING, LIGHTING, AND SIGNAGE:

The Referenced Project has been reviewed for compliance with the Santa Fe County Land Development Code. The request for Master Plan Amendment, Variance and Preliminary Development Plan approval for a 22 lot large scale mixed use subdivision on 68.9-acre parcel.

#### PARKING:

No parking is proposed within this Application. At time of Development Plan submittal the Applicant shall comply with all parking requirements within Article III, Section 9 (Parking Requirements).

#### ARCHITECTURAL:

No structures are proposed within this Application. The Applicant shall provide building elevations for all proposed structures at the time of Development Plan submittal.

#### SIGNAGE:

No signage is proposed within this Application. The Applicant shall comply with all signage requirements within Article VIII, (Sign Regulations) at time of Development Plan submittal.

**LIGHTING:**

No lighting is proposed within this Application. The Applicant shall comply with all outdoor lighting requirements within Article VIII Section 4.4.4 h at time of Development Plan submittal.

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

## MEMORANDUM

**DATE:** January 23, 2014

**TO:** Vicente Archuleta, Development Review Team Leader

**FROM:** John Lovato, Terrain Management

**VIA:** Penny Ellis-Green, Land Use Administrator  
Vicki Lucero, Building and Development Services Manager  
Wayne Dalton, Building and Development Services Supervisor

**FILE REF:** CDRC CASE # V/MIS/PP/PDP 10-5362 St. Francis South

---

### REVIEW SUMMARY

The referenced project has been reviewed for compliance with the Santa Fe County Land Development Code. The request is for Master Plan Amendment, and Preliminary Plat and Preliminary Development Plan. The request is for the creation of 22 large scale Mixed-use lots. The lot sizes range from 1.0 acres to 5.4 acres.

### Terrain Management

The site has 0-15% percent slopes with minor 15%-30% isolated occurrences. The northern two thirds of the property drain north, and the remainder of the property drains to the southern portion of the parcel.

### Storm Drainage and Erosion Control:

The Applicant's proposal shows Existing Topography, Natural Drainage, and a proposed Grading and Drainage Plan. The proposed road off Rabbit Road will require approval through The Santa Fe County Public Works Department. The Applicants will provide a total of six (6) ponds providing a total of 46,690 cubic feet of ponding. The required amount needed is 17,793 cubic feet as indicated in sheet 6-1 by Santa Fe Engineering Consultants. Therefore, the submittal meets the requirements of Master Plan, Preliminary Plat, and Preliminary Development Plan, and is in conformance of Article VII, Section 3.4.6 and Ordinance 2008-10 Flood Damage Prevention and Stormwater Management Ordinance with conditions.

## MEMORANDUM

**DATE:** December 17, 2013

**TO:** Vicente Archuleta, Development Review

**FROM:** Miguel Romero, Development Review Specialist Senior

**VIA:** Penny Ellis-Green, Land Use Administrator  
Vicki Lucero, Building and Development Services Manager  
Wayne Dalton, Building and Development Services Supervisor

**FILE REF.:** Case # V/MIS/PP/PDP 10-5362 St. Francis South

---

### REVIEW SUMMARY:

The Applicant requests approval of a Master Plan Amendment, Preliminary Plat and Preliminary Development Plan on 68.9 acres (22 lots) large scale, mix use of commercial and residential lots, in accordance with the Land Development Code (Code) and all pertinent Ordinances. The Water Harvesting and Landscaping plan for the St. Francis South (Vegas Verdes) has been reviewed for compliance with the Code, Article III Section, 4.4.4 f.4 (Landscaping Plan) and Ordinance 2008-4, Water Harvesting Ordinance.

### Landscaping

The Applicant proposes to plant deciduous trees and shrubs along the internal access driveways, strips and provide parking lot screening. Areas disturbed by construction will be reseeded using Buffalo Grass and Blue Grama Grass. Native Evergreen Trees at the perimeter of the proposed structure. Native Shrubs and Native Grasses are proposed to be planted in all disturbed areas. This segment of the proposed landscape plan (**Complies? Does not comply? State pertinent section of code/ordinance. What is required to comply?**). The application includes a 48 space parking lot. This segment of the proposed landscape plan (**Complies? Does not comply? State pertinent section of code/ordinance. What is required to comply?**). List any deficiencies.

- a) **List any conditions, such as: what is required to meet code/ordinance requirements for Master Plan Zoning and Preliminary Development Plan; what will be required at Final Development Plan.**

The Applicant has proposed to plant Native Evergreen Trees (One Seeded Juniper, Rocky Mountain Juniper, Pinon Tree's and Pine Tree's) at the perimeter of the proposed structure. Native Shrubs (Mountain Mahogany, Chamisa, Apache Plume) and Native Grasses (Indian Grass, Big Bluestem, Sand Reed and Rice Grass) are proposed to be planted in all disturbed areas. The Applicant will need comply with Article III Section 4.4.4 f.4 a-n. The Applicant will need show how all proposed landscape will irrigated via cistern. The Applicant has proposed to

develop a 48 space parking lot. The proposed landscape screening and buffering does not comply with Article III Section 4.4.4f 11 (Landscaping for Parking Lots). Additional landscaping will be required in front of the **23 lot parking area**.

### **Water Harvesting**

The Applicant proposes to construct a 15,560 square foot building and there is an existing (square footage) square foot residence on the site. Ordinance 2008-4 (Water Harvesting) requires: that commercial structures collect all roof drainage into a cistern; the size of the cistern shall be calculated by multiplying the total roofed area by 1.50 gallons. The Applicant proposes to utilize a 14,000 gallon cistern. **(Complies? Does not comply? State pertinent section of code/ordinance. What is required to comply?). List any deficiencies.**

- a) **List any conditions, such as: what is required to meet code/ordinance requirements for Master Plan Zoning and Preliminary Development Plan; what will be required at Final Development Plan; Applicant shall submit landscape water budget or alternative water harvesting methods to reduce the size of the cistern(s) at Final Development Plan; cistern details at Final Development Plan; irrigation details at Final Development Plan.**

The Applicant has proposed a 14,000 gallon cistern for the 15,560 sq. ft. building. All Commercial Development, are required to collect all roof drainage into cisterns to be reused for landscaping irrigation. The proposed roof drainage plan shows an 8" PVC Roof Drain Pipe that will be piped into the cistern. However, the Applicant will need to show how the proposed landscaped areas will be irrigated by the cistern as required by the Land Development Code and the Water Harvesting Ordinance. The Applicant has shown a general description of the cistern detail but will need to add a pump detail.

### **Additional Comments**

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

necessary for a mobile home company to place it and it was purchased through a valid company.

There were no other speakers on this case.

Deputy County Attorney Brown noted that the request before the Committee is a variance from the floodplain ordinance.

Fire Marshal Buster Patty said the existing homes and roadways are legal non-conforming. The low water crossing which is a County road does not meet the current code and the application is changing the lot use by adding the new home. Whether it has flowed in the last 25 years or not, the property is within a floodplain.

Ms. Moore confirmed there were four homes that are accessed by crossing the floodplain.

Member Katz asked whether there were any insurance issues and Ms. Moore said there were not and they were fully insured.

Member Katz moved to grant the variance to allow the family transfer land division into two lots that do not meet the all weather access requirements with staff-imposed conditions. Member Martin seconded and the motion passed by unanimous [5-0] voice vote.

**C. CDRC CASE # S 10-5362 Saint Francis South Preliminary Plat and Development Plan: Vegas Verdes, LLC. Applicant, JenkinsGavin Design and Development Inc., (Jennifer Jenkins), Agent, request Preliminary Plat and Development Plan approval for Phase 1, of the St. Francis South mixed-use subdivision which consists of 5 lots on 68.94 acres. The property is located on the northwest corner of Rabbit Road and St. Francis Drive, within Section 11, Township 16 North, Range 9 East, Commission District 4**

Mr. Archuleta presented the staff report as follows:

“On September 16, 2010, the County Development Review Committee recommended approval of a request for Master Plan Zoning for a mixed-use subdivision, commercial, residential and community service, consisting of 22 lots on 68.94 acres, more or less, with approximately 760,000 square feet. of structures at full build out.

On December 14, 2010, the Board of County Commissioners approved the Master Plan Zoning for the mixed-use subdivision consisting of 22 lots on 68.94 acres more or less to be developed in four phases.

“On January 14, 2014, the BCC approved a request for Master Plat Authorization to proceed with the creation of up to 22 mixed-use lots on 69 acres more or less.

This allows for the Land Use Administrator to have the authority to administratively approve a specific lot layout for the subdivision once the CDRC and BCC have approved the Preliminary and Final Plat.

The Applicant's original request included a Master Plan Amendment to establish the maximum allowable residential density of 650 dwelling units and 760,000 square feet of non-residential development on 68.94 acres and a variance request. In order to obtain the density requested, a variance of Article III, Section 10 of Land Development Code would be required.

"The Applicant has modified their original request and is now requesting only Preliminary Plat and Development Plan approval for Phase 1, of the St. Francis South mixed-use subdivision which consists of 5 lots on 68.94 acres – four lots which will be created and developed and the remainder tract which will be subdivided and developed in a future phase or phases. Phase 1 as shown on the Master Plan has been relocated from the east side of the property to the west side of the property."

Mr. Archuleta said Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for the proposed Preliminary Plat and Development Plan under the current Land Development Code. The Application for Preliminary Plat and Development Plan approval is in conformance with the previously approved Master Plan and Master Plat Authorization and Article V, Section 5.3 of the Land Development Code. Therefore, staff recommends approval of the request for Preliminary Plat and Development Plan for Phase 1 to create five mixed-use lots on 68.94 acres in accordance with the previously approved Master Plan subject to the following conditions:

1. The Applicant shall comply with all review agency comments and conditions, Article V, Section 7.1.3.c.
2. The Applicant must apply for an access permit from NMDOT prior to construction.
3. Maximum density shall not exceed 1 dwelling unit per 2.5 acres, Article III, Section 10.1.1.
4. Compliance with conditions of the Original Master Plan.
5. A Residential component shall be required at Phase 2 of the development.
6. Complete design of Community Sewer System will be required at the time of Final Plat approval for Phase 1.
7. A discharge permit from NMED will be required when discharge exceeds 2,000 gallons per day.
8. A revised and updated TIA reflecting current road conditions shall be submitted with the Preliminary Plat/Development Plat for Phase 2 and shall include timing of improvements and complete road design for full build-out of the development.
9. The road design for the right turn deceleration lane on Rabbit Road must be submitted with the Final Plat/Development Plan for Phase 1.

Mr. Archuleta noted that County Public Works has provided a new TIA [*Exhibit 1*].

Duly sworn, Jennifer Jenkins agent for Vegas Verdes, LLC, applicant, said they were requesting preliminary plat approval for Phase 1 of the St. Francis South project. She said working with staff the request has been modified to create four lots in the southwestern portion of the project. Using a slide show Ms. Jenkins located the 69 acres by I-25 and St. Francis which will be a mixed use project and is “seen as a significant economic development drivers” for Santa Fe County. The Sustainable Growth Management Plan (SGMP) identifies the area as regional commercial. The site has gentle topography and is accessed directly from Rabbit Road. The project has a letter of intent for a 50,000 square foot skilled nursing facility/rehabilitation center. As part of the first phase, the westernmost access point will be built and she described the turning movements there. A 100-foot landscape buffer along Rabbit Road and the pedestrian trail were located on the map and identified as part of the 25 percent open space that is being preserved. The permitted use list from the master plan consisting of residential, institutional and offices.

Ms. Jenkins described the connection to County water and an onsite wastewater treatment with a gray water reuse component for irrigation. They were in agreement with staff conditions.

Member Martin asked about the trail connection and Ms. Jenkins said the trail is within the open space buffer and an effort has been made to keep it away from the roadway.

Member Booth asked whether the traffic study identified how much traffic the rehabilitation center would bring in. Ms. Jenkins said the rehabilitation center is slated to have 120 beds. A traffic impact analysis was conducted as part of the master planning process based on educated assumptions. As a condition of the master plan approval the applicant is required to update the TIA as the project develops by phases. Rabbit Road is a DOT right-of-way and the applicant has worked closely with the DOT and it has been determined a right-turn decal lane is needed when heading west of Rabbit Road. The improvements are phased in accordance with need with users coming in and generating traffic.

Duly sworn, Ken Vellon, Rancho Viejo, asked how many vehicles were anticipated to enter and leave the entire plan at build out.

Mike Gomez, project traffic engineer, said according to ITE national data, the first phase will generate 48 cars during the peak hours. At full build out assuming that the densities and uses match the master plan it is estimated there would be 500 vehicles during the peak hours. A traffic signal or roundabout will be required at the main entrance at that point. The roadway will be widened and improved, stated Mr. Gomez.

Mr. Gomez said DOT is requiring a reanalysis at each phase of the development.

Glen Smerage, 127 East Chili Line Road, under oath, stated that it was less than a month ago the proponents were asking for 650 high-density residential units plus other things. In the interim, this phase has been scaled back to a single commercial development. He said this strikes him as a typical developer scheme to piecemeal things. The entire project area is 65+ acres of raw land and it should be treated as a whole. He said a comprehensive view is needed to make sure it is harmonious and these different uses relate functionally and architecturally.

There were no other speakers on this case.

Member Katz said he shared the sentiments of the last speaker and was concerned that the project lacked cohesiveness.

Ms. Lucero said the project received master plan approval in 2010 and that overall conceptual plan is within the CDRC member packets. The mixed-use master plan was approved for multi-family, commercial and light industrial. Today's request is to create four parcels in Phase 1. When the site is ready for construction, the applicant will have to return to the CDRC with a development plan.

Member Katz observed that the overall plan allows for virtually anything less a nuclear plant. Ms. Lucero concurred it was an extensive use list that has been approved by the BCC.

Member Gonzales said the request appears to be an economical step necessary for the developer to get the project rolling.

Member Gonzales moved to approve the request and the motion failed for lack of a second.

Member Martin asked if the CDRC could pass a case onto the BCC without recommendation. Ms. Brown responded that is the CDRC's role to make a recommendation to the BCC and encouraged them to craft a recommendation.

Member Katz said he was uncomfortable with the lack of information regarding this phase of the development. He appreciated the fact that sub-developers would be coming forward but the application lacked information and his concern was inconsistent development.

Member Katz moved to deny the application Member Martin seconded and the motion passed by majority [3-2] voice vote with Members Katz, Martin and Booth voting for and Members Drobis and Gonzales against.

~~D. CDRC CASE # Z 13-5380 Elevation. Vedura Residential Operating, LLC, Applicant, Jenkins Gavin, Agents, request Master Plan approval in conformance with the Community College District Ordinance to allow a~~

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 55

[The Commission recessed from 5:53 to 6:06.]

7. **PUBLIC HEARINGS**

a. **Land Use Cases**

- iii. **BCC Case # MIS 10-5361 Saint Francis South Master Plat Authorization. Vegas Verdes, LLC, Applicant, Requests Authorization to Proceed with a Master Plat for the Creation of Twenty-Two (22) Mixed-Use Lots on 69 Acres More or Less. The Property is Located on Rabbit Road, via St. Francis Drive, within Section 11, Township 16 North, Range 9 East (Commission District 4)**

CHAIR MAYFIELD: Commissioners, thank you. We are going to convene our public hearing and we had two earlier cases that were tabled.

VICENTE ARCHULETA (Case Manager): Thank you, Mr. Chair. Vegas Verdes, LLC, Applicant, requests master plat authorization for the St. Francis South Large-Scale Mixed-Use Subdivision, which was approved by the Board of County Commissioners at their meeting of December 14, 2010. Approved uses include a combination of office, community service, retail, warehouse and residential.

The proposed request is for up to twenty-two parcels ranging in size from 1.0 acre to 5.45 acres, with an average size of 2.23 acres. The project will be developed in four phases of approximately five to six lots per phase to be developed over a period of 8 to 10 years. The County Land Development Code provides a process that allows an applicant the option of submitting a master plat instead of a standard subdivision that specifically defines the lot and road layout.

Article V, Section 5.6.1 of the Code states, In commercial, industrial or high density residential subdivisions which are to be developed in phases or in cases where a condominium proposes to convert to a subdivision, the Board may delegate authority to the Land Use Administrator to administratively approve a specific lot layout plan when it determines that due to the size, scale or marketing requirements that approval of a plat with a specific lot layout is in the best interest of the County and developer.

Before seeking master plat approval, the developer must file a petition with the Board requesting that it be permitted to obtain approval pursuant to this Section. If the Board approves the petition, the application will be reviewed by the CDRC and the Board for preliminary and final plat approval which will then be referred to as the master plat.

The applicant states: The master plat authorization is requested to allow the Land Use Administrator to administratively approve lot line adjustments and consolidations as may be necessary to accommodate the needs of future users.

Growth Management staff has reviewed this Application for compliance with pertinent Code requirements and finds the project is in compliance with County criteria for this type of request.

Approval sought: Authorization to proceed with a master plat for the creation of

SFC CLERK RECORDED 02/12/2014



Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 56

twenty-two mixed-use lots on 69 acres for the St. Francis South Large-Scale Mixed-use Subdivision. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Mr. Archuleta. Are there any questions of staff and I have Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Mr. Archuleta, I have in the packet some language that is a little confusing to me or doesn't quite line up as far as the use. On page 2 of your summary it states that the code allows for commercial, industrial or high density residential subdivisions which are to be developed in phases and then it goes on to say in the cases where a condominium proposes to convert a subdivision. So the language I'm focusing on or concerned with is the commercial, industrial, or high density subdivision in this summary, and then if you go to Exhibit 3 the language changes slightly and it says that the applicant is requesting master plan and zoning approval for a mixed-use subdivision, and then in parentheses it reads, commercial, residential and community service. So how do you reconcile those two permitted land uses – commercial, industrial or high density residential, versus commercial, residential and community service?

MR. ARCHULETA: Mr. Chair, Commissioner Chavez, I think maybe Vicki can answer that question.

VICKI LUCERO (Building & Development Services Manager): Mr. Chair, Commissioner Chavez, because there is a commercial component and a large-scale or a high density residential component to this application staff felt that it did meet the intent of the code section to allow for master plat authorization.

COMMISSIONER CHAVEZ: But why the different language then? It would have been better for me if the language would have been more consistent, I guess, in the two documents.

MS. LUCERO: Mr. Chair, Commissioner Chavez, the language in Exhibit A is what the applicant was proposing as part of their master plan request, which was approved back in 2010 so it is slightly different from the exact language in the code but it does both refer to high density residential and commercial developments.

COMMISSIONER CHAVEZ: So if I refer to Exhibit 3 is that – would that be more accurate, with those conditions and those permitted uses be more accurate? Or would they apply more than the language on page 2?

MS. LUCERO: Mr. Chair, Commissioner Chavez, the language in Exhibit 3 is exactly what was approved as part of the master plan request.

COMMISSIONER CHAVEZ: Okay. So what's changing – what will change today then with this request?

MS. LUCERO: Mr. Chair, Commissioner Chavez, the request before you is just it's basically a procedural request. Rather than to submit an application for preliminary and final development plan and plat to the BCC the applicant is requesting that the BCC basically grant the final authority to the Land Use Administrator in order to adjust lot lines so it doesn't have to keep coming back to the Board every time a new buyer comes in with a different lot configuration.

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 57

COMMISSIONER CHAVEZ: So then I could point to these specific land use uses, commercial, residential and community service? Those would be the parameters that we will be discussing for tonight.

MS. LUCERO: Mr. Chair, Commissioner Chavez, yes. The use list was actually approved as part of the master plan application in 2010, so this is just a procedural issue as to how they want to have their plat approved.

COMMISSIONER CHAVEZ: Okay. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Thank you for the presentation. Is the applicant aware of the northeast connector plans that are going forward?

MR. ARCHULETA: Mr. Chair, Commissioner Stefanics, yes, they are.

COMMISSIONER STEFANICS: Thank you very much.

CHAIR MAYFIELD: Commissioner Holian, I apologize for the oversight. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Vicente, how long does master plat authorization last? In other words does it ever expire, like master plans can?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, I don't believe that they expire. I think they can continue as long as the process is going through.

COMMISSIONER HOLIAN: Okay. And the other question I have is about the water supply for the development. It was mentioned in here that it would become part of the County utility. Has that line been installed out there on Rabbit Road?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, no it hasn't. That's part of the – that will be coming up with the development at a later date.

COMMISSIONER HOLIAN: So the development will not proceed until the utility line is installed?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, I believe so.

COMMISSIONER HOLIAN: Okay. Thank you. Thank you, Vicente.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you. We all have a letter here [Exhibit 4] and I'll just – I'm not going to read the whole letter but I think this is where sometimes the land use cases are maybe not understood or just divisive at some times. But this is writing to urge in the strongest possible terms to prohibit any retail establishments on Rabbit Road. And I'll just leave it at that because it talks to the permitted uses and if the master plan is already permitted for those uses it's really hard to argue against them even though there may not be complete support for that and so the only thing I can think is that we communicate to the residents that the project is in compliance with what's allowed and they're not getting anything that is outside of the zoning and land use requirements that we have in place now. And I don't know who would communicate that. Will there be any meetings as you move forward with this project?

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 58

MR. ARCHULETA: Mr. Chair, Commissioner Chavez, the applicant is going to speak a little bit about this. At this point this is irrelevant. This will be relevant when the preliminary plan is approved with the master plan. And when they come in with their development plan these issues can be addressed at that time, I believe.

COMMISSIONER CHAVEZ: Okay. Well, I just bring that up now because I think sometimes even though the master plan has already been approved it's not always generally accepted, because of the time that's gone by or whatever. And so it says that we always have to revisit that and re-educate ourselves about what's been approved, why and what the parameters are. So I just wanted – since this was before us I wanted to address it now and then we'll be discussing it as we move forward. Thank you, Mr. Chair.

MR. ARCHULETA: Thank you, Mr. Chair. The applicant is going to speak a little bit about the uses also so at this point I would like to defer any questions to Jennifer.

CHAIR MAYFIELD: Yes, applicant please be prepared to add and I don't know if you're an attorney so if you would be sworn please be sworn.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: My name is Jennifer Jenkins, with Jenkins Gavin Development and Design, 130 Grant Avenue, Suite 101 in Santa Fe, 87501. Good evening, Chairman Mayfield, Commissioners. I'm here this evening on behalf of Vegas Verdes, LLC in request for master plat authorization for the St. Francis South project. And just as a little bit of background, as Vicente mentioned, St. Francis South received master plan approval in December 2010 with a list of permissible uses that were commensurate with that master plan.

We have now – we are moving forward, which is very exciting for the county. This was always seen as a real economic development driver. That's really the key and opportunity that rests with this project for Santa Fe County. We have submitted a preliminary development plan and a preliminary subdivision plat application to Santa Fe County for showing the 22 lots that is consistent with what is reflected in the master plan, and that – those applications will be going before the CDRC in March and probably coming back before this body, I would expect probably in May of this year.

And that preliminary plat and development plan really addresses infrastructure. So for example, Commissioner Holian, this development plan application that the County is currently processing addresses water, addresses wastewater, road improvements, the whole nine yards. So once we have a preliminary development plan, a preliminary subdivision plat approval this spring then we will proceed with final development plan and then proceed with actually constructing the requisite infrastructure to serve the initial phase of the project.

Tonight the master plat, the sole purpose of this is for a project like this we don't know who all the users are going to be and what their needs are going to be, so we may have a little cluster, say, of four two-acre lots and somebody says, well, I need eight acres, so I want all four of those lots, but we need to consolidate them into one parcel. So with this master plat that enables us to go to staff and say, okay, we're moving forward with this section of the project with this user, whatever that may be, an office building, for example. But we need to consolidate those lots.

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 59

The only thing this master plat does is gives staff the authority to say, okay, we can consolidate those administratively without spending more time, using this body's time for something like that. Or we need to adjust a lot line between a couple of lots. Somebody needs – there's a three-acre lot; they want a four-acre lot, so we'll make the lot next door a little smaller. So it just allows us the opportunity for marketing purposes as the project develops over time that we can accommodate the needs of the individual users.

So that is really our sole purpose here this evening. The master plat authorization, again, runs with the project, but we have submitted a formal preliminary subdivision plat already and so that is again, that is being reviewed by staff right now. And with respect to the permitted use list it covers everything from residential to office to community services and very limited retail. Maximum size of a building could be 5,000 square feet. And the vision really was is that the potential retail uses that could serve the users in that development, maybe a small, little PakMail that would serve the people who are there, or a small, little copy center or something like that. So we currently at this point have had no inquiries for potential retail users. It's not really a retail site; it's really not what this property is and what its highest and best use is.

And so we would just – and I think it's also really important to point out is that the proposed – every single one of our permissible uses that were approved by this body in 2010, virtually all of them are also permissible under the Sustainable Land Development Code under the proposed commercial zoning for this parcel. So not only is our proposal today and the development plan that is being reviewed right now by staff, not only are we consistent with our own master plan approval that this body approved but we also dovetail quite seamlessly with the Sustainable Land Development Code. So with that I'd be happy to stand for any questions. Thank you very much.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Ms. Jenkins. When do you plan to start with Phase 1? And have you done any marketing for that yet?

MS. JENKINS: Oh, absolutely. The project is being marketed actively right now and we have a lot of inquiries. We actually have some letters of intent going back and forth which is very exciting, and that's why we have submitted our preliminary development plan because we need to be ready. And so we are moving at as quick of a pace as the County process will allow and we do anticipate that we would like to have the proverbial shovel in the ground out here on infrastructure here this fall, is our ideal picture.

COMMISSIONER HOLIAN: But what about water supply? Is the water main going to be ready?

MS. JENKINS: Well, that's part of putting the shovel in the ground. That's part of that process. As we're building and doing all that – that's probably the first thing we're going to do is build the water line.

COMMISSIONER HOLIAN: What about the wastewater treatment?

MS. JENKINS: We have two options with respect to wastewater and we've been working closely with the Public Works Department on this and we are pursuing a connection across I-25 so the County is asking the City to accept the effluent. There is already a sleeve under I-25 that was put there intentionally years ago and so there is access to the wastewater infrastructure that is in Rodeo Business Park on the north side of I-25. That's

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 60

Option A and that is of course our first option, and I think it makes a huge amount of sense and it's gravity, they're downstream from us so that is our hope. That is the direction we're going. But in the alternative we – per our master plan approval we have the option – we have the space, frankly, to do onsite wastewater treatment should that become necessary.

COMMISSIONER HOLIAN: Okay. It does seem like Option A is the preferred option.

MS. JENKINS: Yes. Absolutely. I'm right there with you. So, yes, we are pursuing that actively, working through the Public Works Department.

COMMISSIONER HOLIAN: And the other thing I wanted to ask you about is the trail that goes – that sort of allows people not to have to walk along Rabbit Road. And then when this was considered in 2010 there was talk about in order to get to the Rail Trail you needed to cross a couple of other private properties. Have you done any investigation about working with those properties?

MS. JENKINS: We actually are in the process of doing that right now. There's only one property owner between our property and the railroad right-of-way, so that's good. There's a lot of terrain in there, so we have a variety of issues. We have approached those landowners about would they be willing to grant some easement so we can keep – it's a very short stretch where the trail would have to dip down into the right-of-way. Thankfully, it's a short stretch but I know it's not ideal. So we are in dialoguc with those homeowners to see if they a) are they willing to consider granting a trail easement, and b) is there really a feasible path to get from point A to point B, because there's quite a bit of terrain in there.

So when we come back this spring with the review of the preliminary development plan and preliminary plat before CDRC and then before this body, we will have that resolved.

COMMISSIONER HOLIAN: Okay. Great. Thank you, Ms. Jenkins.

MS. JENKINS: You're welcome.

CHAIR MAYFIELD: Are there any other questions of the applicant? This is a public hearing. Do we have anybody from the public wishing to comment on this case? Sir, please come forward and state your name for the record.

[Duly sworn, Baron Wolman testified as follows:]

BARON WOLMAN: My name is Baron Wolman and I live on Vereda Serena. I came and spoke against this development in 2010. I didn't like it then; I don't like it now. The question really is the effect this enormous development is going to have on really the entire area, thousands of people, hundreds of families, and not many people know about it. So I'm wondering, is there some kind of study that can be done or is it typical that a study is available that will show the effect of such an enormous – this is so out of scale with what's already there – upon the people who live in the area. Does the County do that? Can they ask for something like that prior to granting all kinds of – I understand what's being granted already but prior to letting this thing begin can the rest of us really find out how it's going to affect us somehow?

CHAIR MAYFIELD: Thank you. Mr. Ross, I know you're not in your chair, but the impact studies have all been complied with. Correct? Are there additional studies that the County typically requests?

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 61

MR. ROSS: Mr. Chair, Vicki tells me they've complied with all requirements of the code, in terms of there's a number of things that are requested in connection with developments. So all that stuff is in.

MR. WOLMAN: I understand that they have complied with – it's a small area that had to be notified of what was going on, and they did that and they're in compliance and I'm not saying that they aren't. But really, the effect of this upon everybody from Rainbow Village to Campo Conejo in every direction is going to be enormous and it seems as if many people aren't aware of it, number one, and since they aren't aware of it they're not here talking about it. And this is of course perhaps not the time, again, to argue against something that's already been approved. But it would be nice if we all had a sense of the entire area that's going to be affected, had some kind of sense of what this is going to mean to our lives which is going to be a radical, radical, radical change. Trust me, I know. I live there and I know what's going to happen.

So my request, really is is there such an opportunity for the County to ask for that in advance of providing the next step for them to develop?

CHAIR MAYFIELD: Thank you, sir. Is there anybody else from the public wishing to provide – or any more comments?

[Duly sworn, Don DeVito testified as follows:]

DON DEVITO: Good evening. Don DeVito. I live in the area as well and I don't have a problem with the master plan, master plat going through. I think you'll find me commenting during the development plan as well as a lot of other people about concerns of potential uses out here. Two comments tonight that I wanted to bring out. One is this has historically been a rural residential area. Rabbit Road, up until four years ago was a dead-end road with 500 cars a day. Now we're the main artery between St. Francis and Richards Road with a car count of over 6,000, and there's been no road improvements or traffic calming measures done since this has happened.

So I would ask that before construction begins on Phase 1 or any of this that the road improvements and traffic calming measures the County requires are in place, and I'm sure they will be but I want to bring it up.

Second point tonight, we are a rural residential area. We do enjoy some night skies. We've already suffered from significant light pollution from headlights in the traffic count. So I would ask going forward that the applicant think about mitigating some of this light pollution. And one of the things in the order of December 14, 2010 was the idea of a turnabout, a turnaround, to mitigate the traffic at St. Francis and Rabbit Road. I think this is a good idea, as opposed to more signal lights or something like that. Because with a turnabout you can at least do some mitigation for headlight splash and that kind of thing. We're just trying to maintain some of the character of this area as this project goes through. Thank you.

CHAIR MAYFIELD: Thank you, Mr. DeVito. Is there anybody else wishing to provide public comment at this time? Seeing none, this part of the public hearing is closed. I'm going to still ask the applicant to still come forward, please.

MS. JENKINS: Thank you very much. I just wanted, as just a follow-up, something I actually intended on covering when I spoke earlier but neglected to do so. When

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 62

we were moving forward with the master plan, over three years ago – it was probably four years ago now, we had a series of two neighborhood meetings to discuss the project. We talked a lot about uses, we talked a lot about traffic, we talked about all the various items that get discussed at such things. This project of course was vetted through staff, it was vetted through the CDRC and then obviously through this body. We over-notified. Within 100 feet of this property is like five landowners so we went above and beyond, recognizing that our neighborhood was far beyond the landowners within 100 feet of our property line. So we notified residents in the neighborhood on the east side of St. Francis, that whole residential neighborhood there. Of course we notified our neighborhood to the south. We notified neighbors to the west so we were very vigilant about our community interactions. We notified everybody prior to them receiving notice of this hearing we also notified everybody that we were proceeding with the preliminary plat and development plan, strictly related to our infrastructure needs. We notified everybody of that. We offered to meet with anyone who had questions and made ourselves available and we received nothing in return on that. So it's important for the Commission to know that we have made concerted efforts to make sure we were keeping our neighbors informed. So thank you. With that I'll stand for questions. Thank you.

CHAIR MAYFIELD: Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I just have a comment. Respecting that a prior Commission granted the approval and this is part of the process and respecting the recommendation of staff, there's always an opportunity as things progress to continue an open dialogue with the surrounding neighborhood so I appreciate that there's been prior efforts but there always needs to be continued efforts and communication as the process progresses. So that's my comment, Mr. Chair. Thanks.

CHAIR MAYFIELD: Thank you, Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Ms. Jenkins, have you given any thought in your development to the night skies issue?

MS. JENKINS: Oh, absolutely. Obviously, right now we're not proposing any particular new construction, aside from infrastructure, but we recognize that this parcel is a very interesting transitional parcel. We are sandwiched between an interstate, which is a very intense use, and like they said, a rural residential neighborhood and we're very, very cognizant and sensitive to that. So we think it's incredibly important that as projects come in the door that lighting is key and we're very mindful of where we are. And so that is – and obviously, the County's ordinance is very – it's pretty strict in terms of requirement of downward and shielding and foot-candles and all of that and we would like to go above and beyond that even, as far as how individual projects are lit.

COMMISSIONER HOLIAN: Thank you.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I just wanted to point out that the northeast connector is already under engineering plans. The State Department of

SFC CLERK RECORDED 02/12/2014

Santa Fe County  
Board of County Commissioners  
Regular Meeting of January 14, 2014  
Page 63

Transportation is funding that. That is going to change Rabbit Road forever. And that has been considered by the Metropolitan Planning Organization several years back. There's been several public meetings about this and the entire nature of that connector is changing the neighborhood. So if I lived there I would be going, well, I'm not going to be in rural residential much longer. You already aren't, because of the 500 to 6,000 cars. But with the northeast connector that goes along the highway between Richards Avenue, Rabbit Road and St. Francis it is changed. And that decision was made and funded by the County and the state a few years back and work is in progress.

So that has nothing to do with our prior approval but I just wanted to say as a message to the community, there are other things besides this development that are going to change the character of Rabbit Road. Thank you very much, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioners. Commissioner Chavez, Commissioner Anaya, anything else? Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I'm ready to make a motion.

CHAIR MAYFIELD: Sure. Motion please.

COMMISSIONER HOLIAN: Mr. Chair, well, first I'd like to make a couple of comments and that is I recognize that the area adjacent to Rabbit Road was historically rural but bit by bit, more development is occurring in that area and as Commissioner Stefanics mentioned also, Rabbit Road is going to become the northeast connector. I feel that the developers have given a lot of thought to how to develop in a responsible way. It's well designed. There are consistent design standards in the development, and I would also like to note that what we're voting on tonight is just really procedural, master plat authorization. Master plan was approved in 2010.

So I would like to move for approval of BCC Case MIS #10-5361, St. Francis South Master Plat Authorization.

COMMISSIONER STEFANICS: I'll second.

COMMISSIONER CHAVEZ: For discussion.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: On page 11, under recommendation, Commissioner Holian, there are 11 conditions of approval.

COMMISSIONER HOLIAN: Commissioner Chavez, are you referring to the master plan?

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: Those have already been approved.

COMMISSIONER CHAVEZ: So then, would those stay in place then?

COMMISSIONER HOLIAN: I assume so.

COMMISSIONER STEFANICS: That was part of an earlier decision, Mr. Chair.

COMMISSIONER CHAVEZ: Okay. So then you're approving – but you're approving –

COMMISSIONER HOLIAN: The master plat authorization.

SFC CLERK RECORDED 02/12/2014

COMMISSIONER CHAVEZ: Right. And that would include – then I'm assuming that that would include those recommendations. Okay. I just want to be sure.

CHAIR MAYFIELD: I'm just going to defer to our County Attorney here or to Ms. Lucero.

MR. ROSS: Mr. Chair, Commissioner Chavez, the master plan that was approved, master plan zoning was approved a number of years ago had a number of conditions and those of course are applicable to the master plan. But there are actually no conditions recommended on the master plat approval.

COMMISSIONER CHAVEZ: Okay.

MR. ROSS: Obviously the conditions that were applicable way back when will continue.

COMMISSIONER CHAVEZ: Okay.

CHAIR MAYFIELD: We have a motion and second on the floor. No further questions?

The motion passed by unanimous [5-0] voice vote.

6. MATTERS FROM THE COUNTY ATTORNEY

a. Executive Session

i. Discussion of Pending or Threatened Litigation

1. *New Mexico Gas et al. v. BCC*
2. Global Litigation Review
3. BIA Notice to Show Cause

MR. ROSS: Mr. Chair, we need a closed executive session to discuss primarily the BIA notice in order to show cause and the global litigation review. The New Mexico Gas matter is not ready at this meeting; it won't be ready till the next meeting. As far as I know we don't have any limited personnel issues or land or water rights issues or contract negotiations under the procurement code unless you are aware of something.

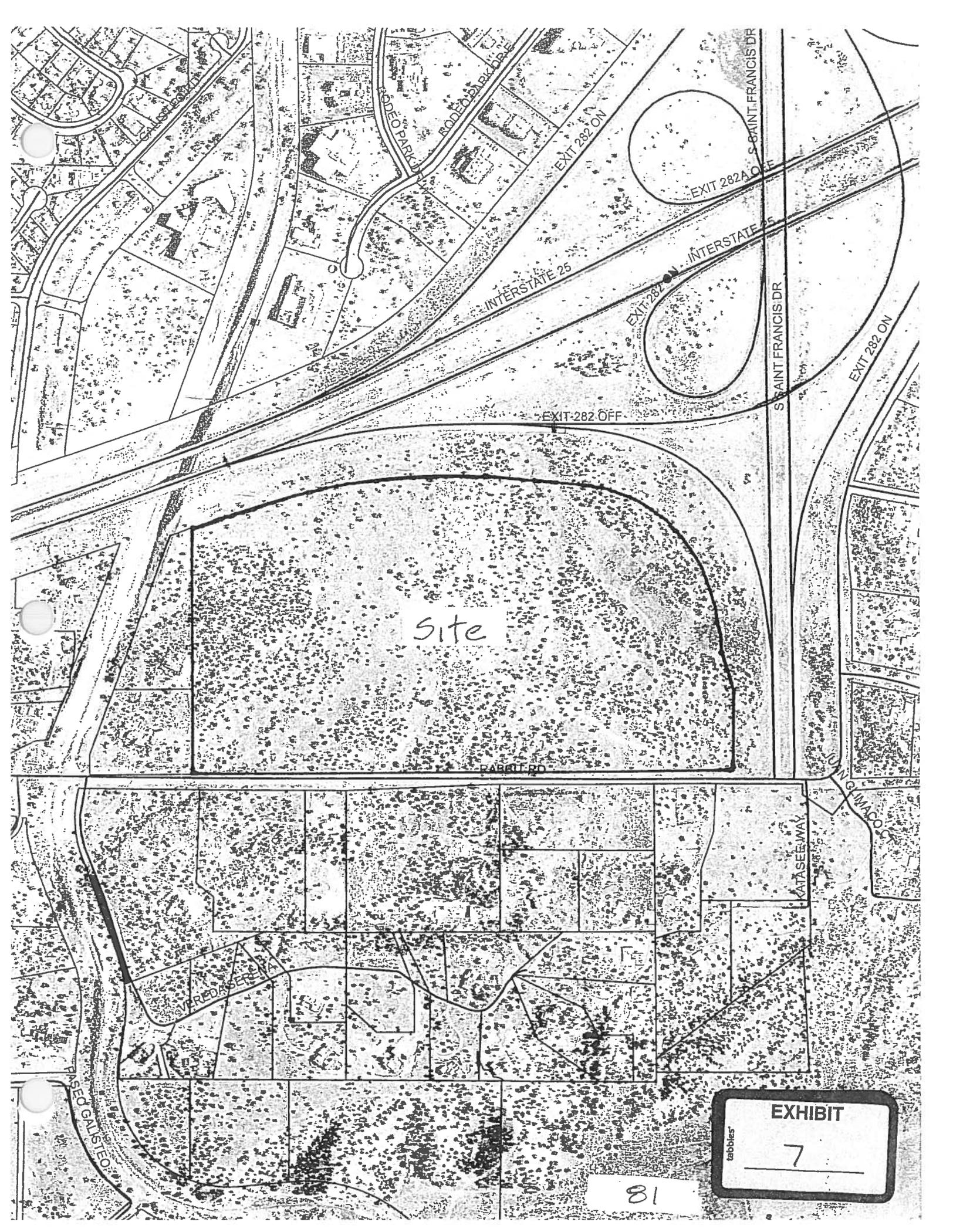
CHAIR MAYFIELD: County Attorney Ross, I believe there might be an issue on litigation that Commissioner Anaya may want to discuss.

MR. ROSS: Yes. We're going to go over all the current litigation that the County is engaged in if you have time. So what Commissioner Anaya is interested in is part of that list.

CHAIR MAYFIELD: Thank you. And just for our listening audience I don't believe there's any other matters to come before this Commission tonight. We really don't have anybody else in our audience tonight. We have County Attorney Rachel Brown with us, so this Commission will be concluding business after. We will come on and publicly do that, but if there's any other staff here, I don't think we have a need for any other staff members either. So thank you, Commissioners. With that can we have a roll call please going into executive session. Motion first.

COMMISSIONER CHAVEZ: Motion to go into executive session.

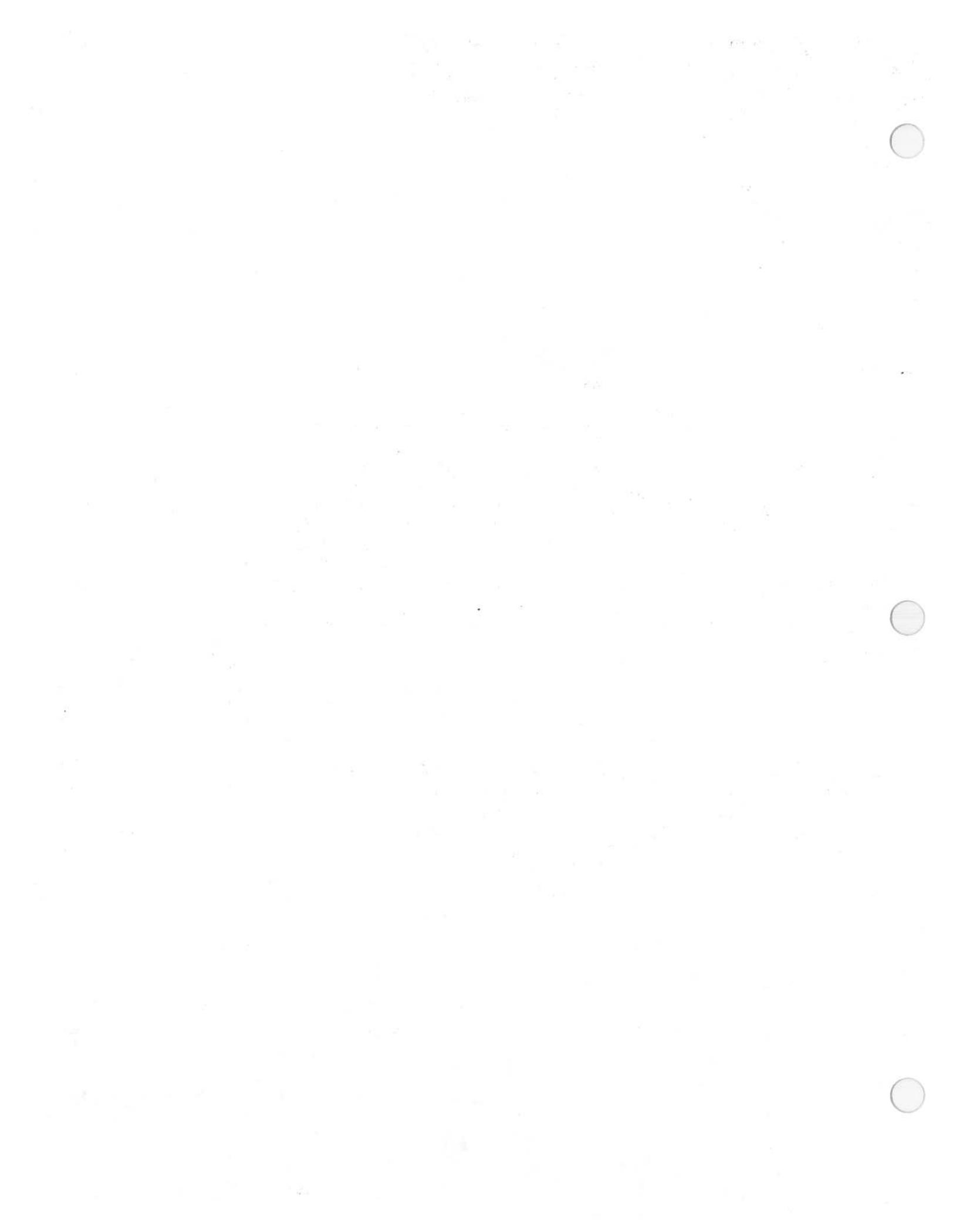
SFC CLERK RECORDED 02/12/2014

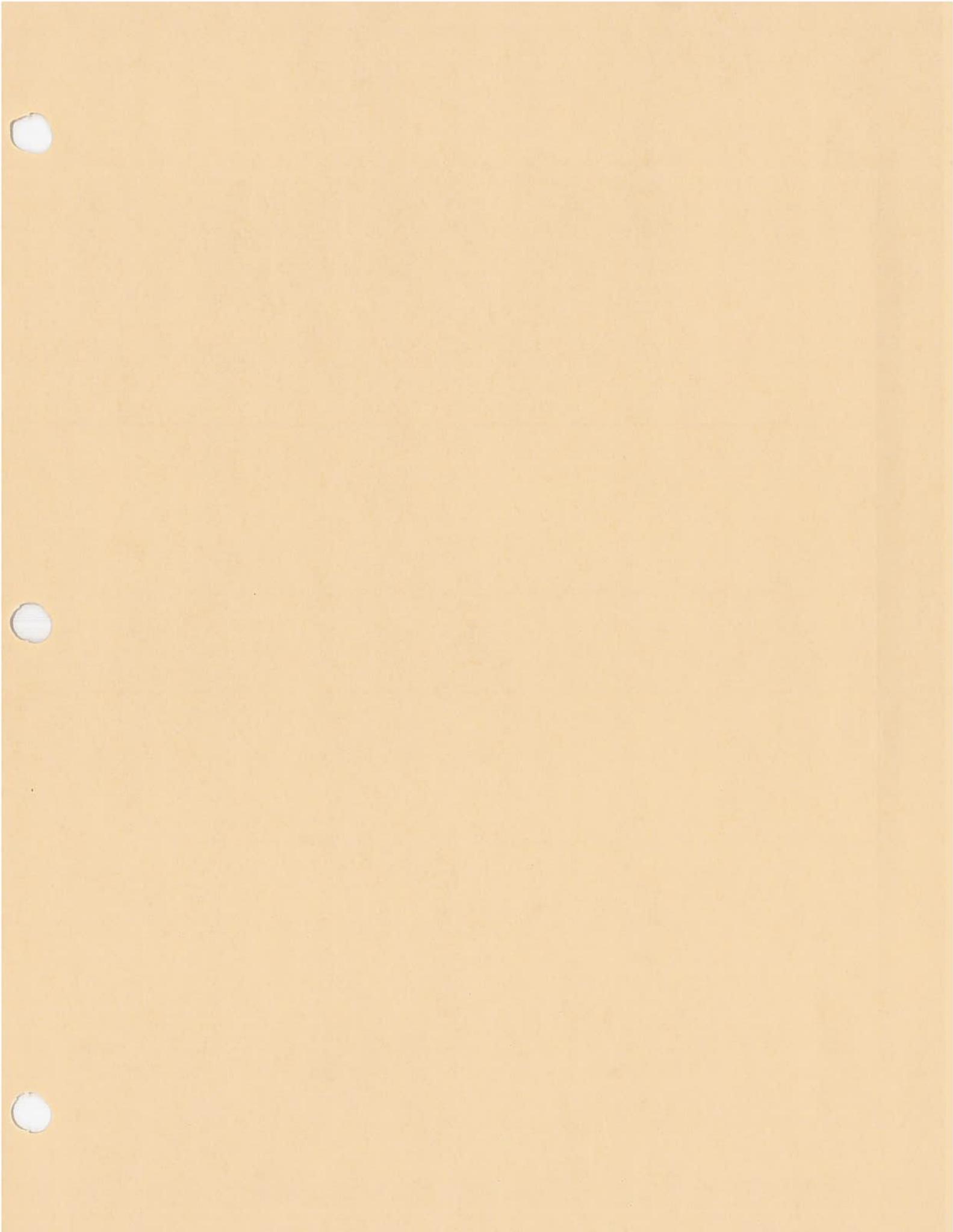


Site

tabbies  
**EXHIBIT**  
7

81







Daniel "Danny" Mayfield  
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 27, 2014

**TO:** Board of County Commissioners

**FROM:** John M. Salazar, Development Review Specialist *JMS*

**VIA:** Katherine Miller, County Manager *KM 6.2.14*  
Penny Ellis-Green, Growth Management Director  
Vicki Lucero, Building and Development Services Manager *VL*  
Wayne Dalton, Building and Development Services Supervisor *WD*

**FILE REF.:** CDRC CASE #A 14-5031 Maurilio & Amanda Calderon Appeal

**ISSUE:**

Maurilio and Amanda Calderon, Applicants, are appealing the County Development Review Committee's decision to deny a home occupation business registration for a welding business located on 2.48-acres.

The property is located at 8 Ernesto Road, off of Rabbit Road, within Section 10, Township 16 North, Range 10 East, (Commission District 4).

**Vicinity Map:**





## REQUEST SUMMARY:

On March 20, 2014, the County Development Review Committee met and acted on this case. After hearing testimony from residents in the neighboring Santiago Subdivision concerning noise and fumes being produced from the Applicant's property, the decision of the CDRC was to uphold the Land Use Administrator's decision and deny the home occupation by a 6-0 vote. (Refer to CDRC Minutes and Final Order in Exhibits 4 & 5)

Article II, Section 2.3.4.c (Appeals) of the Code states: "Any person aggrieved by a decision of a Development Review Committee may file an appeal in writing to the Code Administrator within thirty (30) calendar days of the date of the decision of the Development Review Committee. The Board shall hear the appeal within sixty (60) calendar days after the date the appeal is filed. The Board shall timely make and file its decision approving or disapproving the application or approving the application with conditions or modifications."

The Applicant is aggrieved by the CDRC's decision and has filed an appeal to the BCC. The Applicant's Agent, Sommer, Karnes & Associates, has stated that the appeal is based on a "lack of evidence supporting the grounds stated by the CDRC for denial of the application. The motion for denial was based on the assertion that the home occupation is not a proper business for the area. The use meets all applicable criteria and there has been no showing that the business will significantly interfere with existing uses of property in the adjacent area."

## CASE HISTORY:

On November 5, 2013, the Applicant applied for a home occupation business registration for a welding business. The Land Use Administrator reviewed the Application as it relates to the Home Occupation requirements listed in Article III, Section 3 of the Land Development Code (Exhibit 6). The Land Use Administrator determined that the subject Application does not conform to Code requirements and denied the request per the following sections:

Article III, Section 3.2.2 states: "The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation."

**The Applicant proposed to use 832 square feet of his 1,950 square foot metal garage. He is allowed to use 832 square feet for business operations, office work, material and vehicle storage since his residence is 1,664 square feet. The Land Use Administrator has concerns that the Applicant will be unable to keep his business operations within the 832 square feet he proposed. Upon conducting a site visit, staff observed that there was no clear distinction between the area used for business and the area used for personal use.**

3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.

**The Applicant proposed to contain all business activity within his insulated metal garage. Corporal Michael Delgado with the Santa Fe County Sheriff's Office along with BDS staff conducted a site inspection in which sound measurements were taken. Corporal Delgado took various readings from different areas of the property and concluded "that the property owner is in compliance with the Santa Fe County Noise Ordinance (Ordinance No. 2009-11) while conducting his daily/routine business at his shop." However, BDS staff noted that while the**

sound generated from the business operations did not violate Public Nuisance levels, the sound does carry out to neighboring properties at a level that would not be expected among single family homes as this area is primarily residential with few businesses around.

This Application was submitted on May 6, 2014.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds no evidence that would justify overturning the County Development Review Committee's decision.

**APPROVAL SOUGHT:** To overturn the CDRC's decision denying application #AHBL 13-4076.

**GROWTH MANAGEMENT AREA:** El Centro, SDA-1

**STAFF RECOMMENDATION:** Staff recommends that the BCC uphold the CDRC's decision to deny the home occupation by denying the appeal.

**EXHIBITS:**

1. Letter of Appeal
2. Aerial of Site
3. Case #A 14-5030 CDRC Staff Report & Attachments
4. March 20, 2014 CDRC Minutes
5. Case #A 14-5030 Final Order
6. Article III, Section 3 (Home Occupations)
7. Article II, Section 2.3.4 (Appeals)
8. Letter of Opposition

# SOMMER KARNES & ASSOCIATES LLP

---

**Mailing Address**

Post Office Box 2476  
Santa Fe, New Mexico 87504-2476

**Street Address**

200 West Marcy Street, Suite 133  
Santa Fe, New Mexico 87501

Telephone: (505) 989.3800

Facsimile: (505) 982.1745

Karl H. Sommer, Attorney at Law  
khs@sommer-assoc.com

Joseph M. Karnes, Attorney at Law  
jmk@sommer-assoc.com

Mychal L. Delgado, Certified Paralegal  
mld@sommer-assoc.com

---

James R. Hawley, Attorney at Law  
Of Counsel  
Licensed in New Mexico and California  
jrh@sommer-assoc.com

May 1, 2014

John Michael Salazar, Case Planner  
Santa Fe County  
102 Grant Avenue  
Santa Fe, NM 87501

**Re: Appeal to BCC – CDRC Case #A 14-5030  
Applicant – Maurilio and Amanda Calderon**

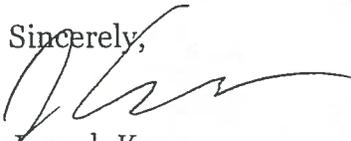
Dear Mr. Salazar:

On behalf of applicants Maurilio and Amanda Calderon, we file this appeal of the CDRC decision to deny the Calderons' application for a home occupation business registration. Attached to this letter is a County Development Permit application. Please let me know if you need any additional information.

The basis for the appeal is the lack of evidence supporting the grounds stated by the CDRC for denial of the application. The motion for denial was based on the assertion that the home occupation is not a proper business for the area. The use meets all applicable criteria and there has been no showing that the business will significantly interfere with existing uses of property in the adjacent area.

Please confirm when the BCC hearing has been set.

Sincerely,

  
Joseph Karnes





Imagery ©2014 DigitalGlobe, NMRGIS, Texas Orthomagey Program, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2014 Google 2014

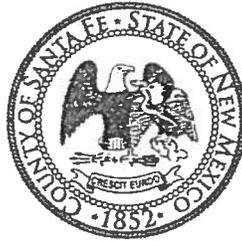
<https://www.google.com/maps/@35.6235964,-105.975867,926m/data=!3m1!1e3>

5/27/2014

Daniel "Danny" Mayfield  
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:** March 20, 2014

**TO:** County Development Review Committee

**FROM:** John M. Salazar, Development Review Specialist *JMS*

**VIA:** Penny Ellis-Green, Land Use Administrator *PEG*  
Vicki Lucero, Building and Development Services Manager *VL*  
Wayne Dalton, Building and Development Services Supervisor *WD for*

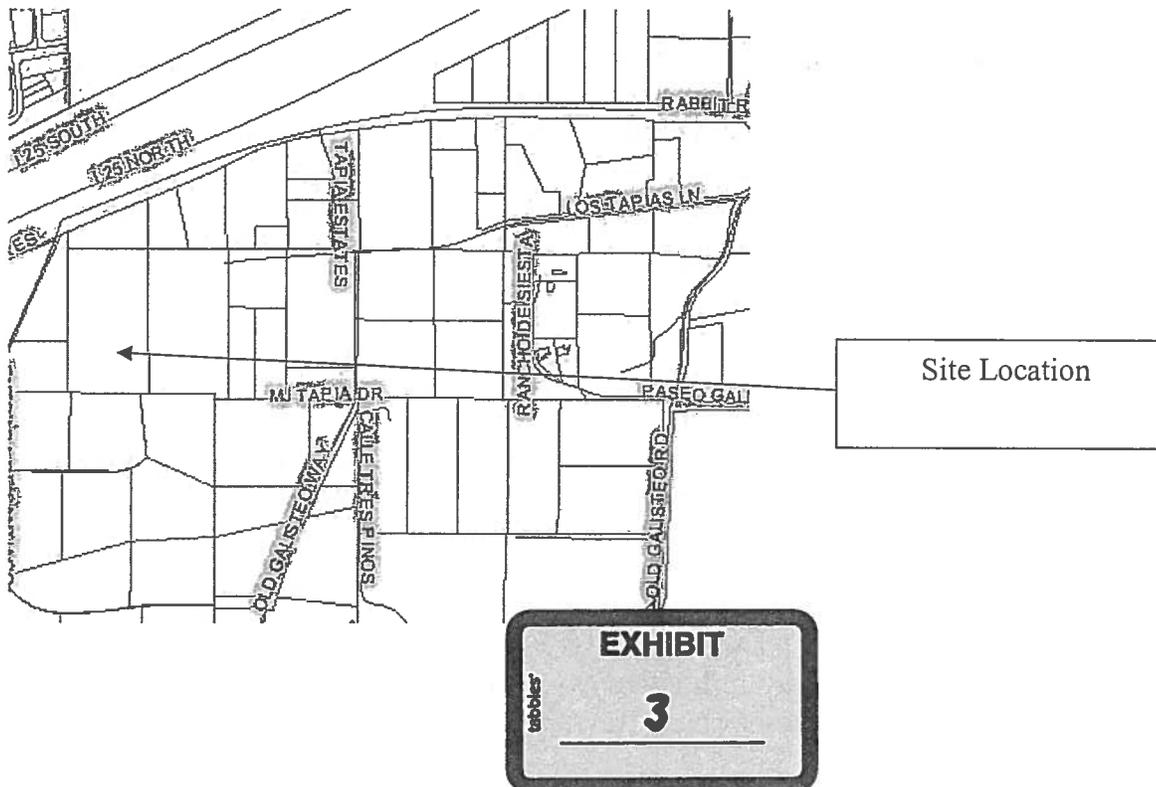
**FILE REF.:** CDRC CASE #A 14-5030 Maurilio & Amanda Calderon Appeal

**ISSUE:**

Maurilio and Amanda Calderon, Applicants, are appealing the Land Use Administrator's decision to deny a home occupation business registration for a welding business located on 2.48-acres.

The property is located at 8 Ernesto Road, off of Rabbit Road, within Section 10, Township 16 North, Range 10 East, (Commission District 4).

**Vicinity Map:**



## **REQUEST SUMMARY:**

On November 5, 2013, the Applicant applied for a home occupation business registration. The Applicant requested permission for a welding business. The Santa Fe County Fire Prevention Division along with the Santa Fe County Sheriff's Office conducted reviews and inspections, there are no code violations.

The Land Use Administrator reviewed the Application as it relates to the Home Occupation requirements listed in the Land Development Code in Article III, Section 3. The Land Use Administrator has determined that the subject Application does not conform to Code requirements and has denied the request per the following sections:

Article III, Section 3.2.2 states: "The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation."

**The Applicant proposed to use 832 square feet of his 1,950 square foot metal garage. He is allowed to use 832 square feet for business operations, office work, material and vehicle storage since his residence is 1,664 square feet. The Land Use Administrator has concerns that he will be unable to keep his business operations within the 832 square feet he has proposed. Upon conducting a site visit, staff observed that there was no clear distinction between the area used for business and the area used for personal use.**

3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.

**The Applicant proposed to contain all business activity within his insulated metal garage. Corporal Michael Delgado with the Santa Fe County Sheriff's Office along with Growth Management staff conducted a site inspection in which sound measurements were taken. Corporal Delgado took various readings from different areas of the property and concluded "that the property owner is in compliance with the Santa Fe County Noise Ordinance (Ordinance No. 2009-11) while conducting his daily/routine business at his shop." However, Growth Management staff noted that while the sound generated from the business operations did not violate Public Nuisance levels, the sound does carry out to neighboring properties at a level that would not be expected among single family homes as this area is primarily residential with few businesses around.**

The Applicant has submitted petitions to the County from various neighbors in support of the home occupation (Exhibit 6).

The County has also received petitions from various neighbors throughout the Rabbit Road area in opposition of the home occupation stating the noise and fumes generated from the business as their objection (Exhibit 7).

Article II, Section 2.3.4 (Appeals) of the Code states: "Any person aggrieved by a decision of the Code Administrator under Section 2.3.1 (Administrative Procedures) may file an appeal to the County Development Review Committee within five (5) working days of the date of the Code Administrator's decision. The County Development Review Committee shall hear the appeal within

sixty (60) days of the date the appeal is filed. The County Development Review Committee shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.”

**This Application was submitted on January 17, 2014.**

**Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds no evidence that would justify overturning the Land Use Administrator’s decision.**

**APPROVAL SOUGHT:** To overturn the Land Use Administrator’s decision to deny application #AHBL 13-4076.

**GROWTH MANAGEMENT AREA:** El Centro, SDA-1

**STAFF RECOMMENDATION:** Staff recommends that the CDRC uphold the Land Use Administrator’s decision to deny the home occupation by denying the appeal.

**EXHIBITS:**

1. Letter of Appeal
2. Growth Management File #AHBL 13-4076
3. Article III, Section 3 (Home Occupations)
4. Article II, Section 2.3.4 (Appeals)
5. Petitions in Support for Home Occupation
6. Petitions in Opposition for Home Occupation
7. Photos & Letter of Explanation from Opposition

January 13, 2014

Land Use Administrator:

Have you ever had your hopes and dreams crushed? Well we have! My name is Amanda Calderon I am a state employee and have been a Santa Fe resident for 12 years. My Husband Maurilio Calderon has lived in Santa Fe for 19 years, and we have a small welding company, Adonai Custom Iron Works, Inc. We have three small children who we love dearly. Our company has helped the community be a safer place with our security doors and windows, hand and wall rails, etc.

We have been denied a home occupation license at our residence at 8 Ernesto Rd. We are going to appeal this decision. We are crushed by this decision made by the land use department based on the land development code. The odd thing about everything is that we passed every inspection that was conducted. The inspector Rick Lovato, Code enforcement inspector came out and took pictures and gave us a passing inspection. The Fire department came out and conducted an inspection that we also passed. The county Sheriff deputy and John Salazar with business licenses came out and performed a noise ordinance inspection that we also passed. We received signatures from thirty neighbors who are supporting our home occupation. I am confused as to why we are not given the opportunity to have a home occupation. There are four other companies in our same area.

We have heavily insallated the garge. This was just done recently in November 2013. We propose to conduct business with the garaje doors closed at all times ( all seasons). Meaning that this will make dramatically less noise. Noise should not be a factor because we passed the noise ordinance inspection for our area given by the Sheriff Deputy. The garaje is also fenced in with latillas, and behind that fencing we have built a block fence to cover the garage and our residence. We did this in consideration of the neighbors. We would also like to propose instead of the latillas fence we can put another block fence. We have no plans to bother or inconveince our neighbors.

Welding is what my family lives from. My husband is a welder and has been working in this occupation for 19 years. We purchased this land two years ago and all of our hopes and dreams and money have gone into this land. We only want the chance to make a living and bring up our children on this residence. We do not want to bother or be an inconvenience to anyone. Thank you for your time and consideration. We are looking to receive a helping hand.

Sincerely,

*Amanda Calderon Maurilio Calderon*

Amanda and Maurilio Calderon



NBD-4

# SANTA FE COUNTY BUSINESS REGISTRATION APPLICATION

NAME OF BUSINESS: Adonai Custom Iron Works Inc. PHONE NO: 505-204-9995  
BUSINESS ADDRESS: 8 Ernesto Rd Santa Fe Nm 87508  
MAILING ADDRESS: 4 Sunset Canyon Ln Santa Fe Nm 87508  
NAME OF PRINCIPAL BUSINESS OWNER: Maurilio Calderon  
HOME OCCUPATION:  COMMERCIAL:   
NEW MEXICO GROSS RECEIPTS TAX NUMBER: 03-212226-00-8  
DESCRIPTION OR NATURE OF BUSINESS: Welding

A business registration fee of \$35.00 will be assessed at time of approval, and thereafter, before March 15 of each calendar year. A late fee of \$10.00 will be assessed on ANY untimely payment. Business Registrations are effective from date of issuance through the end of the calendar year. Thereafter, registrations are effective from January 1 through December 31 of each year.

Maurilio Calderon  
SIGNATURE OF APPLICANT

me  
10/4/13  
DATE OF APPLICATION

## FOR OFFICIAL USE ONLY

Location ID: 993 04 725 UPC: 1-052-095-151-022  
DEVELOPMENT PERMIT NO: 13-4076 BUSINESS REGISTRATION NO: \_\_\_\_\_

TOWNSHIP 16 RANGE 9 SECTION 10 COMMISSION DISTRICT 4

FEE PAID \$35.00 \_\_\_\_\_ RECEIPT NO. \_\_\_\_\_ PROCESSED BY John M. Salazar

FIRE HAZARD POTENTIAL: HIGH \_\_\_\_\_ MEDIUM  LOW \_\_\_\_\_

LAND USE DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

COUNTY FIRE MARSHAL \_\_\_\_\_ DATE \_\_\_\_\_

TREASURER \_\_\_\_\_ DATE \_\_\_\_\_

FINANCE \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS: \_\_\_\_\_





**BUILDING AND DEVELOPMENT SERVICE AND  
SANTA FE COUNTY FIRE PREVENTION DIVISION  
DEVELOPMENT PERMIT APPLICATION**



Applicant Name: (Present &/or Former Names) Maurilio Calderón Development Permit Number 13-4076 Project Manager/Type/Date Received JMS/11-5-13

Development Fees Paid  Y  N Amount: 350 Fire Impact Fee Paid  Y  N Amount: 50 Total Fees Paid: 400<sup>00</sup>  
Additional Fire Inspections will be charged a minimum \$25.00 fee.

*For official use only*

**Type of Development Permit:**

(Indicate all that apply)

- Master Plan  Prelim. Plan  Final Plan  Family Transfer  Driveway  Lot Line Adj.  Land Div.  Accessory Structure  
 Residential Bldg. Plan  Commercial Bldg. Plan  Res. Sub.  Com. Sub.  Sprinkler/Alarm  Mobile Home Other Home Occ.

Wildland Hazard Rating:  Moderate  High  Very High  Extreme  N/A Fire District Hondo

Fire Protection Water Source:  Fire Hydrant  Draft Hydrant  Pond  Other \_\_\_\_\_ Driveway length: 32' Width: 25'

PROPERTY OWNER INFORMATION: First Name: Maurilio + Amanda Last Name: Calderon  
Mailing Address: 4 Sunset Canyon Ln #149 Santa Fe NM Zip: 87508  
Rural address of Project: 8 Ernesto Rd Santa Fe NM Zip: 87508  
Written Directions to Project Site: See attached

Cell Phone: 505-231-5805 Home Phone: 505-982-3293 Email address: amcalderon@live.com  
Contractor / Company Name: Lobo Construction Address: 41 Sunrise Rd Santa Fe NM  
Cell Phone: 505-699-4756 Work Phone: \_\_\_\_\_ Contractor's License #: 85180

PROJECT DESCRIPTION: Home Occupation  
Section: 10 Township: 16 Range: 9 Commission District 4 Parcel ID: 99304725  
UPC Number: 1-052-095-151-022 Plat Book: 737 Page: 3 Date Recorded: 9-27-11  
Warranty Deed Instrument #: 1648133 Date Recorded: 10/14/11 Subdivision Name: \_\_\_\_\_  
Acreage: 2.48 Estimated Completion Date: \_\_\_\_\_ Valuation: \_\_\_\_\_  
Proposed Number of Dwellings Onsite: 0 Existing: 1 Total: 1  
Proposed Number of Lots Onsite: 0 Existing: 1 Total: 1  
Proposed Roofed Area Sq. Ft.: \_\_\_\_\_ Existing Roofed Area Sq. Ft.: 1664 Total Roofed Area Sq. Ft.: 1664  
Lot Number: A2 Phase: \_\_\_\_\_ Affordable Unit:  Yes  No All Weather Access:  Yes  No\* (\*Access improvements required)  
County Road:  Yes\*  No (\*Access Permit DPW required) Legal Access:  Yes  No  
FEMA 100-year Floodplain:  Yes\*  No Zone \_\_\_\_\_ Panel Number: \_\_\_\_\_ D (\*Floodplain Dev. Permit required)  
NMED Septic Permit:  Yes  No Community Sewer System:  Yes  No Water Restrictions:  Yes\*  No Book \_\_\_\_\_ Page \_\_\_\_\_  
Shared Well:  Yes\*  No \*Share Agreement Inst. # N/A Well Meter Reading: N/A  
Well Permit # N/A Well Meter Serial Number: \_\_\_\_\_ Meter Type \_\_\_\_\_ Unit of Measure: \_\_\_\_\_  
Community Water System:  Yes\*  No (\*Water Service Letter Required) Cistern Required:  Yes  No Rainbarrels Required:  Yes  No  
Proof of Taxes:  Yes  No Hydrologic Zone:  Basin  B. Fringe  Homestead  Mountain  Traditional  Metro  Geohydro Req'd  TIA Req'd

Owner Acknowledgment or Authorized Representative: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

By signing I acknowledge all information is true and accurate, and I authorize Santa Fe County staff to conduct necessary inspections on my property as related to this permit application. I agree and I understand that the issuance of any subsequent permits does not prevent the Santa Fe County Fire Prevention Division from requiring additional compliance with the provisions of the Santa Fe County Fire Code as adopted by the Board of County Commissioners.

Type of Permit Issued: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
Redlines  Yes  No Inspections Conducted:  Initial  Pre-Final  Final Certificate of Completion  Yes  No

November 4, 2013

Santa Fe County

We, Maurilio and Amanda Calderon would like to take the opportunity to apply for a home occupation permit for 8 Ernesto Rd in Santa Fe New Mexico for our off-site welding company Adonai Custom Iron Works, Inc. We have been given the opportunity to make the city of Santa Fe a safer place with our security doors, windows, handrails, and wall rails. We propose to help the residents and companies of Santa Fe to feel and be a safer place. The principal materials used for welding are metal square tubing and metal piping. We propose to have one or two employees one of the employees will be Rutilio Rodriguez, 3531 Cerrillos rd #71 Santa Fe NM 87507, 505-310-4316. We do not plan to put a sign on the property for the business or have people at the garage. We do not want to cause traffic at our home occupation or cause any disturbances. Thank you for your consideration.

Sincerely,

Maurilio and Amanda Calderon

*Maurilio Calderon*  
*Amanda Calderon*

## HOME OCCUPATION APPLICATION PACKET

AS PER THE COUNTY LAND DEVELOPMENT CODE, ARTICLE III, SECTION 3, AND THE EXTRATERRITORIAL ZONING ORDINANCE, SECTION 5-B-4-d, HOME OCCUPATIONS ARE PERMITTED ANYWHERE IN THE COUNTY, PROVIDED THE FOLLOWING STANDARDS HAVE BEEN MET:

- Not more than six (6) persons other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation;
- There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation, except for one (1) nonilluminated name plat sign not more than nine square feet in area;
- The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes of its occupants, and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation.
- The home occupation shall not involve operations or structures not in keeping with the residential character of the neighborhood.
- No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area (e.g. Noise vibration, glare, fumes, odors, electrical interference).
- No traffic shall be generated by such home occupation in greater volumes than would normally be expected in the residential neighborhood area.
- Parking for employees and for customers or clients of the home occupation shall be provided off the street (one (1) parking space per employee plus one (1) per 400 sq. ft. to be used for the home occupation).
- The home occupation shall be located on the same lot as the permitted principal use of structures or on a contiguous lot in the same ownership.
- Primary sale of goods in connection with the home occupation shall be that which is prepared or produced upon the premises.

### ACKNOWLEDGMENT

I hereby acknowledge that I have read the above standards and fully understand what is required of me to operate a home occupation business.

Maurice Collier  
Signature

11/14/13  
Date

# HOME OCCUPATION

## Questionnaire

### PLEASE DESCRIBE THE FOLLOWING

1) WHAT ARE THE ACTIVITIES INVOLVED?

Welding metal

2) WHAT TYPES OF MATERIALS AND EQUIPMENT ARE TO BE USED?

metal square tubing, metal piping. Equipment used are welding machine, and a band cutter.

3) WHAT PROCEDURES ARE USED IN CONDUCTING YOUR DAILY BUSINESS OPERATIONS?

To use and enforce the use of welding mask, eye protection and any other safety precautions.

4) OTHER THAN MEMBERS OF YOUR FAMILY, HOW MANY EMPLOYEES WILL BE ENGAGED IN THE HOME OCCUPATION?

One or two employees.

5) WHAT IS THE TYPE OF PRODUCT TO BE PRODUCED, SERVICED OR REPAIRED?

Producing metal products and repairing them.

6) WILL THERE BE ANY MECHANICAL AND/OR ELECTRICAL EQUIPMENT NECESSARY TO THE CONDUCT OF THE HOME OCCUPATION? IF SO, PLEASE DESCRIBE.

welding machines are electrical equipment.

7) DESCRIBE THE AMOUNT, LOCATION AND METHOD OF STORAGE OF SUPPLIES AND/OR EQUIPMENT.

Supplies and equipment are stored on safety racks.

8) DESCRIBE THE LOCATION OF PARKING FOR THE HOME OCCUPATION?

on the north side of the garage.

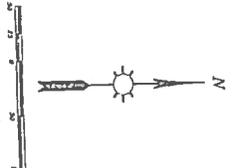
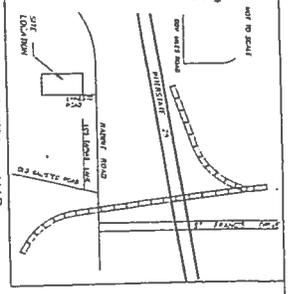
9) WHAT TYPE AND AMOUNT OF TRAFFIC DO YOU ANTICIPATE TO BE GENERATED PER DAY? WILL THE BUSINESS BE CONDUCTED ON AN APPOINTMENT BASIS?

no traffic. we do not plan to have people at the location.

10) WILL THERE BE A SIGN POSTED ON THE PREMISES? IF SO, PLEASE STATE SIZE & LOCATION. (ATTACH A SKETCH OF THE SIGN SHOWING DIMENSIONS AND WHAT LOGO IT WILL HAVE ON IT.)

We do not plan to put a sign.

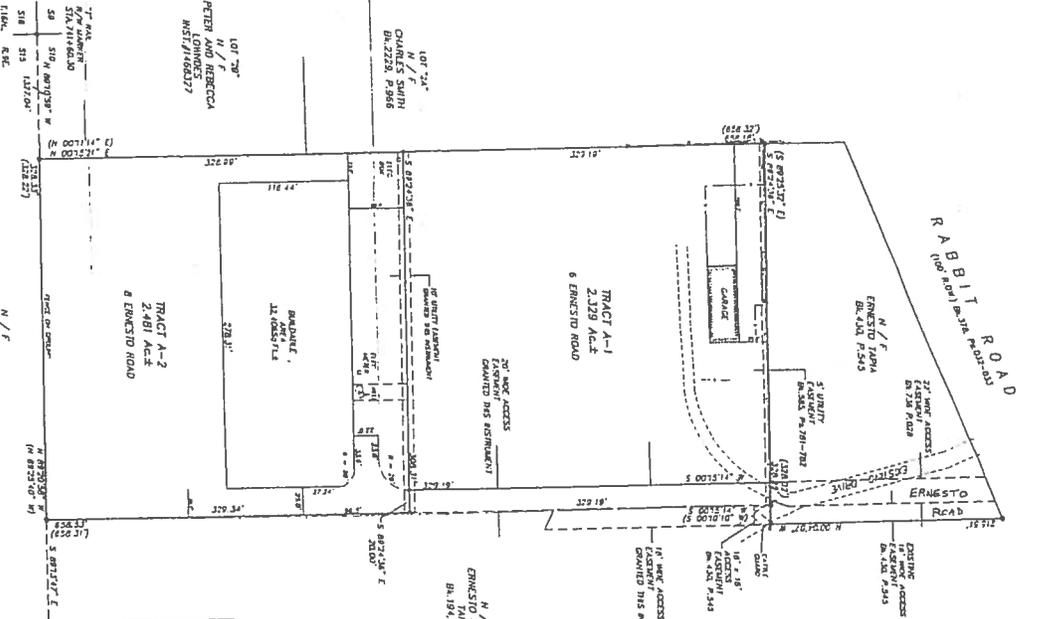




- LEGEND
- MODALITY 1/2" FROM UTILITY
  - 5/8" FROM UTILITY
  - 1/4" FROM UTILITY
  - MODALITY POINTS FROM AS NOTED
  - MODALITY CALCULATED POINT NOT SET
  - MODALITY UTILITY POLE
  - MODALITY WIRE FENCE

REFERENCE AND BASIS OF BOUNDARIES  
 BOUNDARIES BASED ON ONE OBSERVATION FROM LOCAL  
 TRIMBLE 3000 INSTRUMENT, THE LOCAL NORTH LOCAL  
 READINGS AND DISTANCES IN PARALLELS FROM NAD 83  
 OF SANTA FE COUNTY. THE BOUNDARIES ARE SHOWN AS A  
 TRACT OF LAND IN THE S.E. 1/4 OF THE S.W. 1/4 OF  
 SECTION 10, T.16N., R.2E., S.10E., COUNTY OF SANTA FE STATE  
 OF NEW MEXICO. DATED NOVEMBER 1, 2004 AND FILED  
 IN THE COUNTY CLERK'S OFFICE OF SANTA FE COUNTY, NEW MEXICO.  
 PLANNING DEPT. - FILED FOR RECORD JANUARY 14,  
 2005, AS DOCUMENT NO. 114300. RECORDS OF  
 SANTA FE COUNTY, NEW MEXICO.

SURVEYOR'S CERTIFICATE  
 I, JERRY GENTRY, BEING THAT THIS PLAT IS AN  
 ACCURATE REPRESENTATION OF THE LANDS  
 DESCRIBED THEREIN, AND THAT I AM A LICENSED  
 SURVEYOR IN THE STATE OF NEW MEXICO, I  
 HEREBY CERTIFY THAT THIS SURVEY WAS MADE  
 IN ACCORDANCE WITH THE STATUTES AND  
 RULES OF PROFESSIONAL SURVEYORS AND SURVEYING  
 BOARD OF PROFESSIONAL SURVEYORS AND SURVEYING  
 ENGINEERS OF THE STATE OF NEW MEXICO.



LOT 724  
 N 1/2 S. 1/4  
 CH. 2733, P. 2966

LOT 725  
 N 1/2 S. 1/4  
 CH. 2733, P. 2966

TRACT A-1  
 2.129 AC.  
 ERNESTINA ROAD

TRACT A-2  
 2.481 AC.  
 ERNESTINA ROAD

ERNESTINA ROAD  
 B.L. 194, F. 010

ERNESTINA ROAD  
 B.L. 194, F. 010

DEDICATION / AFFIDAVIT

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNER HAS CAUSED TO BE REPLICATED THE LANDS  
 DESCRIBED IN THE FOREGOING INSTRUMENT, THE COUNTY OF SANTA FE,  
 STATE OF NEW MEXICO, AND THAT THE SAME ARE TO BE USED FOR THE  
 PURPOSES AND IN ACCORDANCE WITH THE PLANNING AND PLATING JURISDICTION OF THE  
 COUNTY OF SANTA FE, NEW MEXICO.

*[Signature]*  
 JERRY GENTRY  
 SURVEYOR

STATE OF NEW MEXICO }  
 COUNTY OF SANTA FE }  
 THE FOREGOING INSTRUMENT WAS SPORN, ADOPTED AND SUBSCRIBED  
 BEFORE ME, THIS 23<sup>RD</sup> DAY OF SEPTEMBER 2014, BY THE PERSON WHOSE  
 NAME APPEARS ABOVE.

*[Signature]*  
 Myelle M. Adams  
 Notary Public

SANTA FE COUNTY APPROVAL  
 COUNTY LAND USE ADMINISTRATION  
 DATE 5-27-14

COUNTY DEPARTMENT PERMIT NO. 10-309  
 DATE 9-23-14

*[Signature]*  
 DATE 9-23-14

SPECIAL BUILDING PERMIT CONDITIONS

THE PARTIAL LOTS OF TRACT A-1 AND TRACT A-2 ARE SUBJECT TO ALL APPLICABLE  
 ORDINANCES AT THE TIME OF DEVELOPMENT.

THESE LOTS ARE SUBJECT TO SANTA FE COUNTY PERMITS AND RESOLVE SUBJECT TO ALL THE  
 RULES OF PROFESSIONAL SURVEYORS AND SURVEYING ENGINEERS OF THE STATE OF NEW MEXICO.  
 THE NEW MEXICO DEPARTMENT OF REVENUE AND FINANCE HAS REVIEWED THIS INSTRUMENT  
 AND HAS DETERMINED THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE  
 REVENUE AND FINANCE DEPARTMENT.

THE SURVEYOR'S OFFICE OF THE COUNTY CLERK AS INSTRUMENT NO. 114300, AS  
 FILED FOR RECORD JANUARY 14, 2005, AS DOCUMENT NO. 114300, RECORDS OF  
 SANTA FE COUNTY, NEW MEXICO.

THE UNDERSIGNED HAS CAUSED TO BE REPLICATED THE BOUNDARIES OF THE  
 LOTS SHOWN HEREIN IN THE PLANNING AND PLATING JURISDICTION OF  
 SANTA FE COUNTY, NEW MEXICO.

THESE LOTS ARE SUBJECT TO ALL APPLICABLE ORDINANCES AT THE TIME OF DEVELOPMENT.  
 THESE LOTS ARE SUBJECT TO SANTA FE COUNTY PERMITS AND RESOLVE SUBJECT TO ALL THE  
 RULES OF PROFESSIONAL SURVEYORS AND SURVEYING ENGINEERS OF THE STATE OF NEW MEXICO.  
 THE NEW MEXICO DEPARTMENT OF REVENUE AND FINANCE HAS REVIEWED THIS INSTRUMENT  
 AND HAS DETERMINED THAT THE SAME COMPLY WITH THE REQUIREMENTS OF THE  
 REVENUE AND FINANCE DEPARTMENT.

THE SURVEYOR'S OFFICE OF THE COUNTY CLERK AS INSTRUMENT NO. 114300, AS  
 FILED FOR RECORD JANUARY 14, 2005, AS DOCUMENT NO. 114300, RECORDS OF  
 SANTA FE COUNTY, NEW MEXICO.

PURPOSE STATEMENT: THIS PLAT IS TO AMEND EXISTING LOT BOUNDARIES

ASSOCIATED SURVEYS  
 BOUNDARY T. 16N. R. 2E. S. 10E. 1134

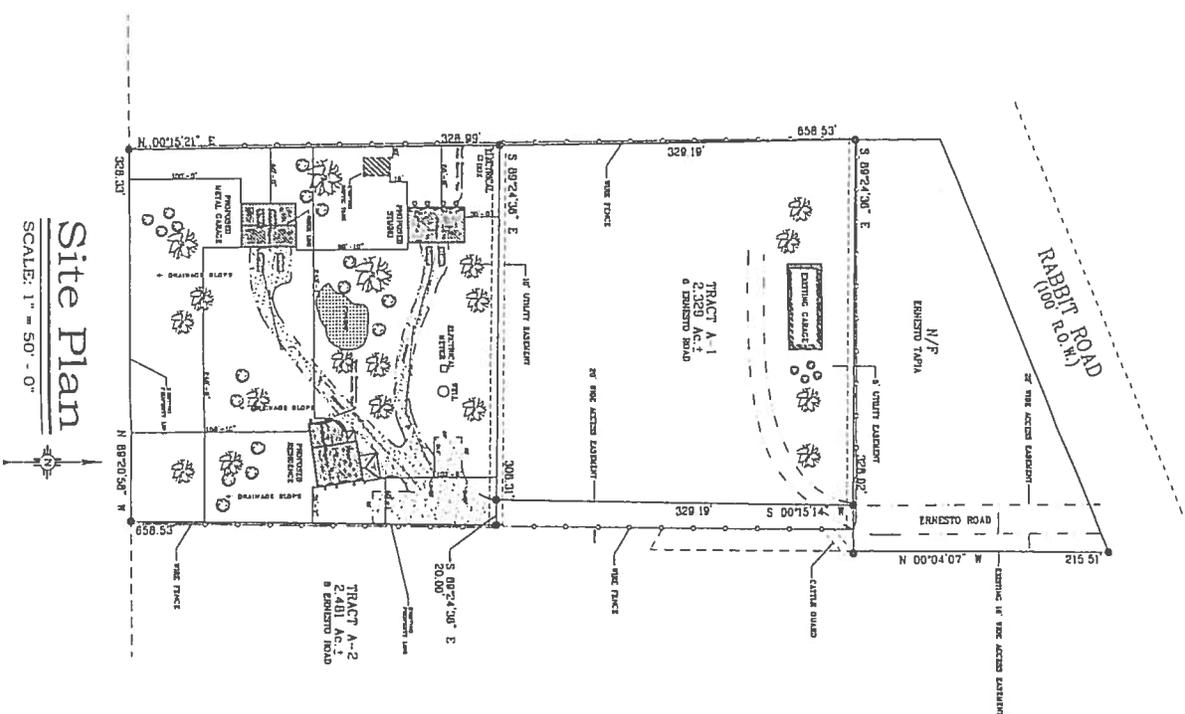
SECTION	TOWNSHIP	RANGE	SECTION	DATE	RECORD
10	T. 16N.	R. 2E.	10	11/13/04	114300
10	T. 16N.	R. 2E.	10	11/13/04	114300

LAND DIVISION FOR  
 XLR, LLC  
 TRACT A

WITHIN THE S.E. 1/4, S.W. 1/4  
 SECTION 10, T. 16N., R. 2E., S. 10E.  
 SANTA FE COUNTY, NEW MEXICO

LAND CLERK'S OFFICE  
 SANTA FE, NEW MEXICO 87507  
 FILE 441-1136

NRD-11



# Site Plan

SCALE: 1" = 50'-0"

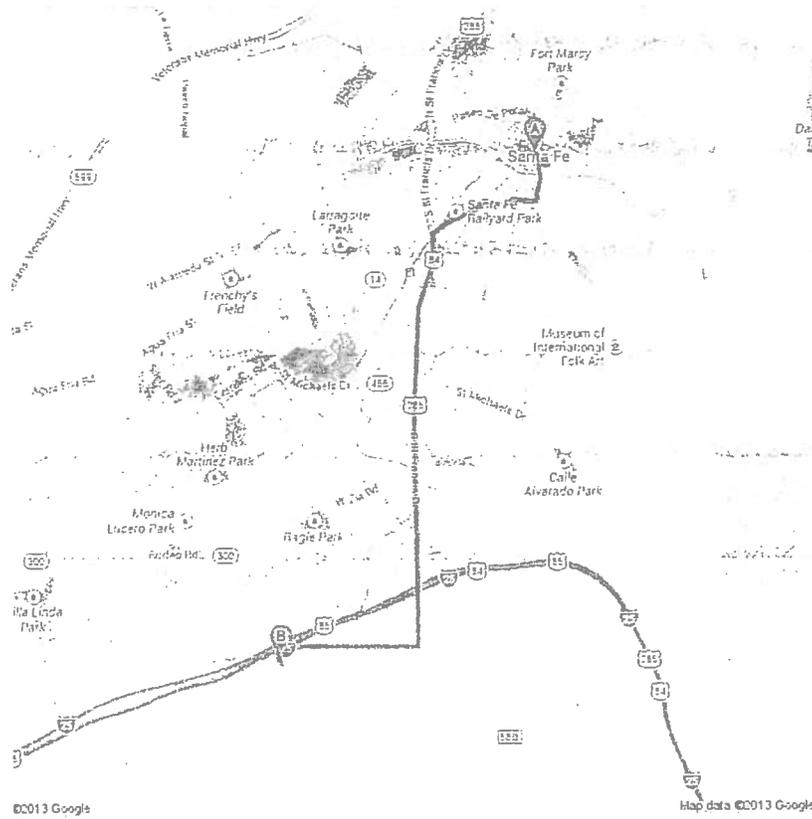
	SHEET TITLE	BUILDING PERMIT FOR NEW RESIDENCE	
	Site Plan	<del>8 Ernesto</del> 8 Ernesto SANTA FE, N.M. 87508	

100-12



Google

Directions to 8 Ernesto Rd, Santa Fe, NM 87508  
6.3 mi - about 15 mins



NBD-14

**A** Santa Fe Plaza  
80 E San Francisco St, Santa Fe, NM 87501

- 
- 1. Head east on E San Francisco St toward Old Santa Fe Trail  
go 456 ft  
total 456 ft
  - 2. Turn right onto Cathedral Pl  
go 262 ft  
total 0.1 mi
  - 3. Take the 1st right onto E Water St  
go 427 ft  
total 0.2 mi
  - ↶ 4. Take the 1st left onto Old Santa Fe Trail  
About 2 mins  
go 0.3 mi  
total 0.5 mi
  - 5. Turn right onto Paseo De Peralta  
About 2 mins  
go 0.5 mi  
total 1.0 mi
  - ↶ 6. Turn left onto Cerrillos Rd  
About 2 mins  
go 0.5 mi  
total 1.5 mi
  - ↶ 7. Turn left onto S St Francis Dr  
About 5 mins  
go 3.5 mi  
total 5.0 mi
  - 8. Turn right onto Rabbit Rd  
About 2 mins  
go 1.2 mi  
total 6.2 mi
  - ↶ 9. Turn left onto Ernesto Rd  
Destination will be on the right  
About 50 secs  
go 495 ft  
total 6.3 mi

**B** 8 Ernesto Rd, Santa Fe, NM 87508

x13D-15

Santa Fe County  
Account History Inquiry

Account ID, location ID : 99304725 99304725  
 Parcel Code (Map Code) . : 1-052-095-151-022|000-000  
 Pending . . . . . : .00  
 Account balance . . . . . : 1,911.35  
 Current due . . . . . : 955.68

Type options, press Enter.

5=View detail

Opt	Date	Type	Code	Year	Roll	Period	Amount	Tax receipt
-	11/01/13	BILL		13	R	2	955.67	0978774
-	11/01/13	BILL		13	R	1	955.68	0978774
-	5/09/13	PAYMENT	TX				610.20-	0138673
-	3/12/13	TRF ADJ	XFER	12	R	1	12.20	A13-164
- >	3/08/13	PAYMENT	TX				610.20-	0097514
-	2/07/13	CR BASE	CORR	12	R	2	801.56-	CA-0032
-	2/07/13	CR BASE	CORR	12	R	1	801.57-	CA-0032
-	2/07/13	DR BASE	CORR	12	R	2	610.20	CA-0032
-	2/07/13	DR BASE	CORR	12	R	1	610.20	CA-0032

More...

F3=Exit F5=Valuation inq F6=Year summ inq F8=History print  
 F10=View 2 acct data F12=Cancel F18=Freeze inq

Project nbr/desc . . : 13 00004076 ADONAI CUSTOM IRON WORKS INC. / HOME  
Project type . . . : HOME OCCUPATION BUSINESS LICENSE

Select fees due, press Enter.  
1=Select entire amount

Opt	Amount to apply	Bal Due	Fee Description	Trans amt
--	50.00	50.00	FIRE REVIEW BUSINESS LICENSE	50.00
--	75.00	75.00	INSPECTION - INITIAL	75.00
--	100.00	100.00	APPLICATION FEE	100.00
--	175.00	175.00	HOME OCCUPATION/BUSINESS REVIE	175.00

Total 400.00

F3=Exit F5=Select all fees F12=Cancel

Daniel "Danny" Mayfield  
Commissioner, District 1

Miguel Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefanics  
Commissioner, District 5

Katherine Miller  
County Manager

## Santa Fe County Fire Department Fire Prevention Division

### Official Business Registration Review

Date	November 13, 2013		
Project Name	Adonai Custom Iron Works		
Project Location	8 Ernesto Road		
Description	Custom welding; gates, railings, etc.	Case Manager	John M. Salazar
Applicant Name	Maurilio Calderon	County Case #	13-4076
Applicant Address	4 Sunset Canyon Ln #149 Santa Fe, NM 87508	Fire District	Hondo
Applicant Phone	505-204-9995		

Review Type:      Commercial Registration       Home Occupancy Business

Project Status:      Approved       Approved with Conditions       Denial

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

**Access and Addressing (1997 Uniform Fire Code 901.4.4 & 902.4):**

Fire access roads shall not be obstructed in any manner, including customer or delivery parking. Signs may be required to maintain fire access.

Approved building numbers or addresses shall be placed on all buildings in such a position so that they are plainly visible and legible from the street or road fronting the property. These numbers shall contrast with their background and be at least 5 inches in height.

To prevent the possibility of emergency responders being locked out, all access gates should be operable by means of a key or key switch, which is keyed to the Santa Fe County Emergency

Access System (Knox Rapid Entry System). Details and information are available through the Fire Prevention office.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Fire apparatus road, driveway, turnouts and turnarounds shall have an approved, all weather driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds. Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6".

The driveway shall incorporate a turnaround area for emergency vehicle purposes conforming to the access and turnaround requirements and dimensions of the Santa Fe County Fire Department.

Driveway/fire access shall not exceed 11% slope and shall have a minimum 28' inside radius on curves. (1997 UFC, Section 902.2.2.6)

**Storage and Accumulation of Rubbish and Vegetation (1997 Uniform Fire Code 1103.2 – 1103.2.4):**

Combustible rubbish kept or accumulated within or adjacent to buildings or structures shall be stored in approved containers or in rooms or vaults constructed on non-combustible materials. Cut or uncut weeds, grass, vines, and other vegetation shall be removed when determined to be a fire hazard.

**Storage of Combustible Materials (1997 Uniform Fire Code 1103.3.2.2):**

All combustible storage shall be a minimum of 24 inches (2 feet) from the ceiling. If sprinklered, there shall be a minimum of 18 inches from the sprinkler head deflector to the top shelf.

**Fire Protection Systems (1997 Uniform Fire Code 1001.5):**

Any sprinkler, fire hydrant, or fire alarm systems, smoke or heat detectors and ventilators, smoke removal systems and other fire protective systems or extinguishing systems or appliances shall be maintained in an operative condition at all times and shall be replaced or repaired when defective. (1997 Uniform Fire Code 1001.5)

**Fire Extinguishers (1997 Uniform Fire Code 1001 and 1002):**

This business requires two, 5 lb. ABC Class fire extinguishers.

All fire extinguishers shall have a current service tag and shall be serviced annually by a qualified fire extinguisher company (NFPA 10) and inspected monthly by your staff.

Extinguishers shall be installed/mounted in conspicuous locations and be readily accessible. The top of the extinguisher shall not be higher than 48 inches from the floor. A recommended method to confirm if extinguisher(s) is at the right height is to try to reach the extinguisher from a sitting position (ie: wheel chair accessibility).

**Heat Producing Devices:**

The clearance between stored materials and unit heaters, radiant space heaters, duct furnaces, and flues shall not be less than 3 feet in all directions and the device shall be in good working order. (NFPA 231-4.2.4)

Hot water heaters must be kept free from combustible storage. Clearance from electric water heaters is no less than 24 inches and gas water heaters no less than 36 inches.

Chimneys and fire boxes shall be inspected and cleaned annually to prevent the build-up of creosote.

**Storage and Handling of Combustible Materials (1997 Uniform Fire Code 1103.1):**

Combustible materials shall not be stored in exits, exit enclosures, equipment rooms, attics, under floors and in concealed spaces.

**Exits and Aisles:**

All exits shall remain free of any material or matter (1997 Uniform Fire Code 1203).

Exit doors shall be maintained in an operable condition. Exit doors shall be able to be opened from the inside without use of a key or any special knowledge or effort. They shall not be locked, bolted, barred, latched, or otherwise rendered unusable (1997 Uniform Fire Code 1207).

Aisles and stairs must be maintained open, continuous and unobstructed.

Fire doors shall not be blocked open or obstructed.

**Extension Cords and Multi-plug Adapters:**

Multi-plug adapters shall be UL listed (1997 Uniform Fire Code 8507).

Extension cords shall not be used as a substitute for permanent wiring (1997 Uniform Fire Code 8506).

Extension cords cannot run through walls, ceilings door jams, window casings, or under carpets. They shall not go through suspended ceiling grids or be attached to window casings or steel posts with tape or string.

**Flammable Liquid Storage (1997 Uniform Fire Code Article 79):**

Flammable liquids shall be stored in approved tanks, closed containers, safety cans, flammable storage cabinets or H-2 rooms.

Storage containers: No container over 5 gallons, maximum of 120 gallons per cabinet of which not more than 60 gallons to be class 1 or class 2.

LP Gas – provide 10 feet clearance from weeds and combustibles (1997 Uniform Fire Code 8209).

Cleaning rags or cloths soiled with flammable or combustible liquids must be kept in a metal container with a tight fitting or spring loaded lid.

Flammable liquids cannot be stored near heating appliances or near exit passages, exit doors or stairways.

**Storage of Stock or Trash:**

Stock piles shall be orderly. Aisles are to be maintained throughout the stock room (1997 Uniform Fire Code 1103.3.2.1).

Storage of stock is not allowed in exit passages or under stairways.

Combustible trash must be removed from buildings daily (1997 Uniform Fire Code 1103.2.1.5).

Fireplace ash must be placed in noncombustible, covered containers and kept at least 24 inches from any combustible surfaces (1997 Uniform Fire Code 1109.6).

**Meters, Motors, Compressors and Electrical Panels:**

Meters shall be kept clear, accessible and protected from vehicular damage.

All working motors and compressors shall be maintained in a clean manner.

Electrical breakers or fuses must be marked. Taped open breakers are prohibited. Breakers are not to be used as switches. All empty breaker spaces shall be covered with a blank cover. Panel doors and covers shall be kept closed and accessible at all times.

Storage is not permitted within 30" from the operating face of electrical panels (1997 UFC, Section 8509.2).

**General Requirements/Comments**

▪ **Inspections/Acceptance Tests**

The fire prevention bureau shall inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provision of this code and of any other law or standard affecting firesafety. (1997 UFC Article 1, Section 103.3.1.1).

When any work is being done or a condition is being established contrary to the provisions of this code, the fire chief may order the work stopped by notice in writing served on any persons

engaged in doing or causing the work to be done. Such work shall stop until continuation is authorized by the chief. (1997 UFC Article 1, Section 103.3.2.1).

This business shall be required to have an annual fire inspection completed by the Santa Fe County Fire Prevention Division. A copy of the Pre-Inspection checklist was provided to the property owner at the time of the initial inspection. If you have any questions, please contact the Fire Prevention Division office or visit the Fire Department web site at [www.santafecountynm.gov/fire](http://www.santafecountynm.gov/fire).

▪ **Permits**

As required

**Final Status**

Recommendation for Business Registration approval with the above conditions applied.

*Tim Gilmore, Inspector*

  
Code Enforcement Official

11-14-13  
Date

Through: David Sperling, Chief

File: DevRev/BusReg/H/Adonai/111313

Cy: Buster Patty/Fire Marshal   
John M. Salazar, Land Use Office  
Applicant  
District Chief  
File

Enclosed: (applicant only) Fire Department Access Requirements

received

11-7-13

*[Handwritten initials]*

# SANTA FE COUNTY BUSINESS REGISTRATION APPLICATION

NAME OF BUSINESS: Adonai Custom Iron Works Inc. PHONE NO: 505-204-9995  
 BUSINESS ADDRESS: 8 Ernesto Rd Santa Fe Nm 87508  
 MAILING ADDRESS: 4 Sunset Canyon Ln Santa Fe Nm 87508  
 NAME OF PRINCIPAL BUSINESS OWNER: Maurilio Calderon  
 HOME OCCUPATION:  COMMERCIAL:   
 NEW MEXICO GROSS RECEIPTS TAX NUMBER: 03-212226-00-8  
 DESCRIPTION OR NATURE OF BUSINESS: Welding

A business registration fee of \$35.00 will be assessed at time of approval, and thereafter, before March 15 of each calendar year. A late fee of \$10.00 will be assessed on ANY untimely payment. Business Registrations are effective from date of issuance through the end of the calendar year. Thereafter, registrations are effective from January 1 through December 31 of each year.

Maurilio Calderon  
 SIGNATURE OF APPLICANT

11/4/13  
 DATE OF APPLICATION

## FOR OFFICIAL USE ONLY

Location ID: 99304725 UPC: 1-052-095-151-022  
 DEVELOPMENT PERMIT NO: 13-4076 BUSINESS REGISTRATION NO: \_\_\_\_\_

TOWNSHIP 16 RANGE 9 SECTION 10 COMMISSION DISTRICT 4  
 FEE PAID \$35.00 RECEIPT NO. \_\_\_\_\_ PROCESSED BY John M. Salazar  
 FIRE HAZARD POTENTIAL: HIGH \_\_\_\_\_ MEDIUM  LOW \_\_\_\_\_

LAND USE DIRECTOR _____	DATE _____	COUNTY FIRE MARSHAL _____	DATE _____
TREASURER _____	DATE _____	FINANCE _____	DATE _____

COMMENTS: \_\_\_\_\_  
 \_\_\_\_\_

BUILDING AND DEVELOPMENT SERVICES AND  
SANTA FE COUNTY FIRE PREVENTION DIVISION  
**DEVELOPMENT PERMIT APPLICATION**



Applicant Name: (Present &/or Former Names) Maurilio Calderón Development Permit Number 13-4076 Project Manager/Type/Date Received JMS/11-5-13

Development Fees Paid  Y  N Amount: 350 Fire Impact Fee Paid  Y  N Amount: 50 Total Fees Paid: 400  
Additional Fire Inspections will be charged a minimum \$25.00 fee.  
For official use only

**Type of Development Permit:**  
(Indicate all that apply)

Master Plan  Prelim. Plan  Final Plan  Family Transfer  Driveway  Lot Line Adj.  Land Div.  Accessory Structure  
 Residential Bldg. Plan  Commercial Bldg. Plan  Res. Sub.  Com. Sub.  Sprinkler/Alarm  Mobile Home Other Home Occ.  
Wildland Hazard Rating:  Moderate  High  Very High  Extreme  N/A Fire District Hondo  
Fire Protection Water Source:  Fire Hydrant  Draft Hydrant  Pond  Other \_\_\_\_\_ Driveway length: 32' Width: 25'

PROPERTY OWNER INFORMATION: First Name: Maurilio + Amanda Last Name: Calderon  
Mailing Address: 4 Sunset Canyon Ln #149 Santa Fe nm Zip: 87508  
Rural address of Project: 8 Ernesto Rd Santa Fe nm Zip: 87508  
Written Directions to Project Site: See attached

Cell Phone: 505-231-5805 Home Phone: 505-982-3293 Email address: amcalderon@live.com  
Contractor / Company Name: Lobo Construction Address: 41 Sunrise Rd Santa Fe nm 7508  
Cell Phone: 505-699-4756 Work Phone: \_\_\_\_\_ Contractor's License #: 85180

PROJECT DESCRIPTION: Home Occupation  
Section: 10 Township: 116 Range: 9 Commission District: 4 Parcel ID: 99304725  
UPC Number: 1-052-095-151-022 Plat Book: 737 Page: 3 Date Recorded: 9-27-11  
Warranty Deed Instrument #: 1648133 Date Recorded: 10/4/11 Subdivision Name: \_\_\_\_\_  
Acreage: 2.48 Estimated Completion Date: \_\_\_\_\_ Valuation: \_\_\_\_\_  
Proposed Number of Dwellings Onsite: 0 Existing: 1 Total: 1  
Proposed Number of Lots Onsite: 0 Existing: 1 Total: 1  
Proposed Roofed Area Sq. Ft.: \_\_\_\_\_ Existing Roofed Area Sq. Ft.: 1664 Total Roofed Area Sq. Ft.: \_\_\_\_\_  
Lot Number: A2 Phase: \_\_\_\_\_ Affordable Unit:  Yes  No All Weather Access:  Yes  No (\*Access Improvements required)  
County Road:  Yes \*  No (Access Permit DPW' required) Legal Access:  Yes  No  
FEMA 100-year floodplain:  Yes \*  No Zone \_\_\_\_\_ Panel Number: \_\_\_\_\_ D (\*Floodplain Dev. Permit required)  
NMED Septic Permit:  Yes  No Community Sewer System  Yes  No Water Restrictions:  Yes \*  No Book \_\_\_\_\_ Page \_\_\_\_\_  
Shared Well:  Yes \*  No \*Share Agreement Inst. # N/A Well Meter Reading: N/A  
Well Permit # N/A Well Meter Serial Number: \_\_\_\_\_ Meter Type \_\_\_\_\_ Unit of Measure: \_\_\_\_\_  
Community Water System:  Yes \*  No (\*Water Service Letter Required) Cistern Required:  Yes  No Rainbarrels Required:  Yes  No  
Proof of Taxes:  Yes  No Hydrologic Zone:  Basin  B. Fringe  Homestead  Mountain  Traditional  Metro  Geohydro Req'd  TIA Req'd

Owner Acknowledgment or Authorized Representative: Signature: \_\_\_\_\_ Date: \_\_\_\_\_

By signing I acknowledge all information is true and accurate, and I authorize Santa Fe County staff to conduct necessary inspections on my property as related to this permit application. I agree and I understand that the issuance of any subsequent permits does not prevent the Santa Fe County Fire Prevention Division from requiring additional compliance with the provisions of the Santa Fe County Fire Code as adopted by the Board of County Commissioners.

Type of Permit Issued: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
Reel/lines  Yes  No Inspections Conducted:  Initial  Pre-Final  Final Certificate of Completion  Yes  No

SANTA FE COUNTY SHERIFF'S OFFICE



Robert A. Garcia  
Sheriff  
986-2455

[ragarcia@santafecountynm.gov](mailto:ragarcia@santafecountynm.gov)

Ron E. Madrid  
Undersheriff  
986-2455

[rmadrid@santafecountynm.gov](mailto:rmadrid@santafecountynm.gov)

35 Camino Justicia – Santa Fe, New Mexico 87508

## MEMORANDUM

To: John M. Salazar

Fr: Corporal Michael Delgado

Date: 01-07-14

Subject: Sound measurement reading at 8 Ernesto Road

---

Mr. Salazar in reference to the sound measurement reading I took back in November at 8 Ernesto Road, none of the readings taken throughout the property exceeded the Santa Fe County Noise Ordinance levels. The readings were taken with a calibrated 3M Quest Technologies SOUNDPATROL DP SOUND LEVEL METER. Again readings were taken at different areas of the property while the property owner was grinding metal, hammering metal, moving and dropping metal etc., all in the front driveway of the large metal shop on the property. My findings were that the property owner is in compliance with the Santa Fe County Noise Ordinance while conducting his daily/routine business at his shop.

NBD-25

**PUBLIC NOTICE**

Notice is hereby given that an application has been filed with Santa Fe County for **REQUEST TO ALLOW A HOME OCCUPATION BUSINESS REGISTRATION FOR A WELDING BUSINESS**

Name of Applicant: **MAURILIO CALDERON**

Address of Request: **BERNSTEIN RD**

Legal Description: Section 10 Township 16 NORTH Range 4 EAST NM PM Santa Fe County, New Mexico  
AN ADMINISTRATIVE HEARING will be held in the Old Santa Fe County Courthouse on the 20th day of NOVEMBER 2003 at 10:00 AM for the

LAND USE ADMINISTRATION  
Further information can be obtained by contacting the Land Use Department, P.O. Box 27, Santa Fe, NM 87504  
Phone: (505) 986-6222 Development Permit # 13-4076

## PUBLIC NOTICE

Notice is hereby given that an application has been filed with Santa Fe County for A REQUEST TO ALLOW A HOME OCCUPATION BUSINESS REGISTRATION FOR A WELDING BUSINESS

Name of Applicant MAURILIO CALDERÓN  
Address of Request 8 ERNESTO RD, Township 16 NORTH  
Legal Description: Section 10 NMPM Santa Fe County, New Mexico,  
Range 9 EAST AN ADMINISTRATIVE DECISION will be held/made at the  
Old Santa Fe County Courthouse, corner of Palace and Grant  
Avenues, Santa Fe, New Mexico on/after the 20<sup>th</sup> day of  
NOVEMBER, 2013, at

LAND USE ADMINISTRATOR

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 # B-4076

from off-site road improvements for the first lot, the person transferring the lot shall file an affidavit as described in Article II, Section 4.3.2b.v.

- (d) Water Conservation. All lots created in accordance with Sections 2.3.1a.ii(b), (d), (f), (g) and (h), which are less than ten (10) acres in size shall be subject to water conservation covenants as set forth in Article VII, Section 6.6.2.

History. Sections 2.3 and 2.4.1 of Section 2 were amended by County Ordinance 1996-3, providing for site planning standards, required submittals and a review procedure regarding terrain management. Section 2.4.2 was amended by Ordinance 1996-8 to include summary review subdivisions, update road and access requirements, clarify provisions for family transfers and add water conservation requirements for some land divisions.

### **SECTION 3 - HOME OCCUPATIONS**

The requirements of this Section 3 of Article III apply to home occupations.

#### 3.1 Location of District

Home occupations are allowed anywhere in the County, provided all of the requirements of the Code are met.

#### 3.2 Performance Standards

A development permit involving a home occupation may be approved only if the following standards are met:

- 3.2.1 Not more than six (6) persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation;
- 3.2.2 The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation;
- 3.2.3 There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation, except for one (1) non-illuminated name plate sign not more than nine square feet in area;
- 3.2.4 Parking for employees and for customers or clients of the home occupation as required by Section 9 of this Article III shall be provided off the street;
- 3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.

#### 3.3 Submittals

The application shall be submitted on a form provided by the Code Administrator which shall include a description of:

- 3.3.1 Activities involved;
- 3.3.2 Materials and equipment used;
- 3.3.3 Methods of operation;
- 3.3.4 Number of employees;
- 3.3.5 Type of product to be produced, serviced or repaired;



- 3.3.6 Mechanical and electrical equipment necessary to the conduct of the home occupation use;
- 3.3.7 Amount, location and method of storage of supplies and/or equipment;
- 3.3.8 Location of parking;
- 3.3.9 Type and amount of traffic generated.

## SECTION 4 - COMMERCIAL AND INDUSTRIAL NON-RESIDENTIAL DISTRICTS

### 4.1 Purpose and Intent

Commercial, and industrial non-residential land uses are permitted only in zoned districts of various sizes and locations in the County of Santa Fe. Non-residential districts specifically for commercial or industrial land uses are established in order:

- 4.1.1 To permit intensive development of selected land uses at designated locations;
- 4.1.2 To avoid strip commercial and industrial patterns of development along highways, arterials, collectors, and local roads of the County;
- 4.1.3 To protect the function of the County's highways, arterials, collectors, and local roads by controlling the number of access locations to commercial and industrial use areas;
- 4.1.4 To prevent the preemption of prime areas for commercial or industrial development by residential development;
- 4.1.5 To protect existing and future residential development from encroachment of non-residential uses;
- 4.1.6 To provide the opportunity to master plan non-residential use areas, so that adequate fire and police protection may be provided and appropriate infrastructure constructed.

### 4.2 Types and Locations of Commercial or Industrial Districts

#### 4.2.1 Types of Districts and Location Criteria

- a. There are four types of commercial or industrial non-residential districts which may be established at specific qualifying intersections of various types of roads in the County:
  - 1) Regional or major center districts, which are established or may be established, shall be located at intersections of major arterials and major highways. The purpose of major center or regional districts is to concentrate extensive regional non-residential activities. Section 4.3.1 infra, defines uses which may be established.
  - 2) Community center districts, which are or may be located at intersections of arterial and/or collector roads for the purpose of concentrating community oriented commercial uses, shopping, offices and service businesses, including travelers services, light industry, research and development complexes and other similar uses. Sub-section 4.3.1, defines uses which may be established.
  - 3) Local or village center districts, which are or may be located at intersections of collector and local roads and in traditional community areas for the purpose of concentrating activities which serve such neighborhood areas for shopping, travel, and personal services. Section 4.3.2, lists suggested uses.
  - 4) Neighborhood or small scale center districts, which are or may be located at intersections of local roads or in traditional community areas. Uses similar to those which may be established in local or village center districts may be established.

for compliance with the requirements of the Code, and shall make and file a report to the County Development Review Committee evaluating the application and recommending that the County Development Review Committee approve, disapprove, or approve the application with modifications and/or conditions or recommending that the County Development Review Committee recommend the same to the Board depending on which body has final authority pursuant to Section 2.3.2e.

- 2.3.2b The Code Administrator may hold an informal conference with the applicant and any interested person at any time prior to the making of his recommendation. The Code Administrator shall give at least three (3) working days' notice, either orally or in writing, to the applicant or any interested person who has requested in writing that he receive notice of any informal conference held under this Subsection b.
- 2.3.2c At least twenty one (21) calendar days prior to any public meeting at which an application will be heard, the applicant shall post notice of the filing of the application prominently on the land, building, or other structure which is the subject of the application in such a way as to give reasonable notice to persons interested in the application and shall provide written verification of the posting of the notice to the Code Administrator.
- 2.3.2d For development other than subdivisions under the New Mexico Subdivision Act (which shall comply with the public agency review process as set forth in Article V, Section 5.3.3d.), the Code Administrator may refer an application to an appropriate agency or official of the State of New Mexico for an opinion concerning whether the application would be disapproved or approved with conditions or modifications. Unless otherwise required by law, the opinion of the state agency or official shall be advisory. The Code Administrator may delay the making and filing of his recommendation for up to sixty (60) calendar days to await the opinion if he believes that such a delay is in the public interest.
- 2.3.2e The County Development Review Committee has final approval authority on preliminary and final development plans and on appeals of the Code Administrator's decisions and has recommendation authority on variances, preliminary and final plats, and all master plans, including zoning, for which the Board shall have final approval authority. Plats for Type V subdivisions containing six (6) or more parcels go directly to the Board for review and approval, in accordance with Article V, Section 5.5.4b.

#### 2.3.4 Appeals

##### 2.3.4a Filing an Appeal

All appeals under the Code shall be filed in writing with the Code Administrator.

##### 2.3.4b Appeal of Code Administrator Decision under Section 2.3.1 to the County Development Review Committee

- i. Any person aggrieved by a decision of the Code Administrator under Section 2.3.1 may file an appeal to the County Development Review Committee within five (5) working days of the date of the Code Administrator's decision. The County Development Review Committee shall hear the appeal within sixty (60) calendar days of the date the appeal is filed. The County



Development Review Committee shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.

- ii. A decision of the County Development Review Committee on an appeal shall become final thirty (30) calendar days after the decision is filed, unless within that month an appeal of the decision has been filed by an interested person including the Code Administrator, pursuant to Section 2.3.4c of this Article or the Board on its own initiative has decided to review the decision.

2.3.4.c Appeal of Development Review Committee Decisions to the Board

- i. Any person aggrieved by a decision of a Development Review Committee may file an appeal in writing to the Code Administrator within thirty (30) calendar days of the date of the decision of the Development Review Committee. The Board shall hear the appeal within sixty (60) calendar days after the date the appeal is filed. The Board shall timely make and file its decision approving or disapproving the application or approving the application with conditions or modifications.
- ii. The decision of the Board shall become final on the date when the decision is filed.

2.4 Notice and Conduct of Public Hearing

2.4.1 Notice by County

Notice of a public hearing to be held by a Development Review Committee or the Board, shall be given as provided by resolution of the Board and as otherwise required by law. Copies of the public notice policies shall be posted in the Code Administrator's office. Public hearings shall be conducted as provided by policies established by the body holding the hearing or as required by law. All interested persons shall be allowed a reasonable opportunity to be heard at a public hearing held under the Code.

2.4.2 Notice by Applicant

2.4.2a For all zoning cases, master plans, development plans, variances, preliminary and final subdivision plats, Type V subdivisions containing six (6) or more parcels and appeals of these matters, the following public notice requirements shall be completed by the applicant at least twenty one (21) calendar days prior to the public meeting:

- i. A notice shall be published in the legal section of the daily newspaper which covers the area in which the project is located;
- ii. Certified letters, prepared by the Code Administrator, shall be mailed return receipt requested to all property owners within one hundred (100) feet (excluding rights-of-way) of the subject property;
- iii. The subject property shall be posted, in the manner outlined in Section 2.3.2c of this Article II.

2.4.2b For all summary review subdivisions containing five (5) or fewer parcels, Sections 2.4.2a.ii. and iii. Shall be completed by the applicant at least fifteen (15) calendar days prior to the administrative decision.

History: Section 2.4 was amended by Ordinance 1996-8 to include notice requirements for most projects.

## John M. Salazar

---

**From:** Richard Young <rmyoung@cybermesa.com>  
**Sent:** Monday, November 11, 2013 5:55 PM  
**To:** John M. Salazar  
**Subject:** Santiago Subdivision - Adonai-Custom-Iron-Works-

Mr. Salazar,

I own my family house in the Santiago subdivision at 10 west Traviesa De Camilo,

I am just west of Iron Works Shop and I have no problem with them having their business there. 80% of the subdivision is further from the work shop than my home.

I hope that you will consider that it is far more important that a family can work from their home by not incurring the cost of a home and the added expense of a business property (leased or mortgaged) as to better provide for their family during this economic down time.

They work during normal business hours and have not bothered me.

I hope that you will grant them their permit, if you have any questions, Call me at 505.470.0030, thanks, Richard Young



NRD-22

November 21, 2013

To whom it may concern,

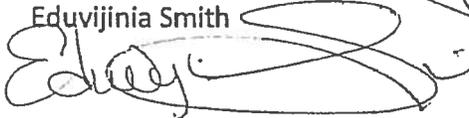
We are Charles & Edevijinia Smith we reside at 2 Entrada de Santiago. In regards to the complaint that was made towards our neighbor Maurilio Calderon. We have no complaints about noise, building, or any other disturbances that might have brought this complaint on. He has been a good, respectable, and decent neighbor.

If you have any questions concerning this matter I can be reached at 505-479-3718 / 505-920-4449.

Thank You,  
Charles Smith



Edevijinia Smith



November 18, 2013

I, Neighbor of Maurilio and Amanda Calderon support them that they have a home occupation, Adonai Custom Iron Works, Inc. a welding company at their residence at 8 Ernesto Rd in Santa Fe, New Mexico. Please use my signature as support and approval for them.

Name:	Address:	Phone#:
1. Gloria Tapia	45-A Los Tapia Ln	471-8286
2. Vincent Gallegos	6 Ernesto Rd	231-6342
3. Paul Mault	6 Ernesto Rd	316-1350
4. Monte Hunt	308 RABBIT Rd.	507-4350
5. Jeff Hunt	308 RABBIT RD	507-4350
6. Paul A. Carlson	306 Rabbit Rd	577-1626
7. Julie Ludwig	306 Rabbit Rd	690-1819
8. Gene J. Jansen	34 Los Tapias Ln	490 3017
9. E. Don Muel	02 ENTERADA DE COLORES	474-0340
10. Bob [unclear]	7 TRAVIESA DE Camilo E.	471-8329
11. Marcela [unclear]	7 TRAVIESA DE Camilo E. SF 87508	471-8329
12. [unclear]	316 A Rabbit Rd	920-8615
13. [unclear]	#3 + ADRIA ESTATES	670-4996
14. V. MARS	#3 TARIA ESTATES	679-7682
15. Keith Varela	#6 Tapia Estates	501-3339
16. Angelina Cano	#6 Tapia Estates	501-4379
17. Mike Larranaga	37 Los Tapia	505-471-7401
18. Joe Larranaga	37 Los Tapia Ln	505-4718361
19. Mary Larranaga	37 Los Tapias Ln	505-4718361
20. [unclear]	45 B Los Tapias Ln	505-660-4449
21. [unclear]	38c Los Tapias Lane	629-8976
22. [unclear]	38 c Los TAPIAS Ln	505-501-4443
23. Adonai Mammud	10 Entrada de Colores	(505) 577-2176

I support the home Ollchparkini Adunai  
Custom Town Work, Inc. at 8 Ernesto Rd.

505 438 3370

- |     |                         |  |                    |
|-----|-------------------------|--|--------------------|
| 24. | <u>Ana E. Lawson</u>    | <u>10 Entrada Colores</u>                                  | <u>Santa Fe NM</u> |
| 25. | <u>John Nini</u>        | <u>33 B Old Galisteo Rd</u>                                | <u>795-8884</u>    |
| 26. | <u>Andy Vigil</u>       | <u>33 B Old Galisteo Rd</u><br><small>SF, NM 87508</small> | <u>715-8884</u>    |
| 27. | <u>Theresa Sandoval</u> | <u>1117 Harrison Rd</u>                                    | <u>473-5920</u>    |
| 28. | <u>Keith Sandoval</u>   | <u>1117 Harrison Rd</u>                                    | <u>204-1796</u>    |
| 29. | <u>Charles Smith</u>    | <u>#2 ENTRADA DE SANTIAGO</u>                              | <u>970-4449</u>    |
| 30. | <u>[Signature]</u>      | <u>2 ENTRADA DE SANTIAGO</u>                               | <u>413-3718</u>    |

November 17, 2013

Mr. John M. Salazar  
Development Review Specialist  
Santa Fe County Land Use Department  
Santa Fe, New Mexico

Dear Mr. Salazar,

We, the undersigned, would like to register our opposition to the granting of a Home Occupation Business License that would allow Adonai Custom Iron Works, Inc. to operate its commercial welding business on a residentially zoned lot at 8 Ernesto Road.

We live in the neighborhood that borders 8 Ernesto Road. The residential property on which Adonai Custom Iron Works, Inc. proposes to place its commercial operation overlooks our homes from atop a hill.

We oppose the application for the following reasons:

1. **Fire danger.** Welding is a commercial activity that involves use and storage of compressed, flammable gases. To locate such a business in a residential lot that is 6.4 miles from our local volunteer fire department would be extremely dangerous to the homes of all of the families who live here.
2. **Noise.** Adonai Custom Iron Works, Inc. proposes to conduct welding, which is a noisy, high-impact industrial activity, in a quiet, rural, residential neighborhood. This is totally out of character for our neighborhood.
3. **Fumes.** Welding generates fumes, smoke, and heat. Further, painting of welded items involves use of solvents, which generate fumes and represent an additional fire danger.
4. **Appearance.** The heavy equipment needed to handle the large metal items made by Adonai Custom Iron Works, Inc. is unsightly and has no place in a residential neighborhood.
5. **Traffic.** The heavy equipment used to move the large metal items made by Adonai Custom Iron Works, Inc. will increase traffic on our local roads.

In summary, this application should be denied by the County.

Sincerely,

The undersigned:



NBD-36

Name	Address	Signature
Blouin Bacon	48 Entrada De Santiago	Blouin Bacon
Jacob Bacon	49 Entrada De Santiago	Jacob Bacon
Jerome Bacon	44 Entrada de San Diego	Jerome Bacon
<del>Brian Bachicha</del>	6 Calle Jacinta	<del>Brian Bachicha</del>
Michael Gonzalez	16 Calle Jacinta	Michael Gonzalez
Jenny Armijo	7W TRAVIESA DE CARILLO	JENNY ARMISO
Justin Benitez	7W TRAVIESA DE CARILLO	Justin Benitez
Kinsey Brown	13 Entrada de Santiago	Kinsey Brown
Douglas Brenner	15 Entrada de Santiago	Douglas Brenner
Bill Beacham	39 Entrada Santiago	Bill Beacham
Oakley Vigil	38 Entrada De Santiago	Oakley Vigil
Mary Alice Vigil	"	Mary Alice Vigil



## John M. Salazar

---

From: William Beacham <WBEACHAM@sfps.info>  
Sent: Tuesday, November 19, 2013 5:04 PM  
To: John M. Salazar  
Subject: Opposition to Warehouse

John:

We are homeowners in the Santiago Subdivision. My wife and I write this email in opposition to the proposed commercial warehouse located at 8 Ernesto Rd. In addition to all of the concerns you have received from other property owners, I would like to share this thought. I think the owners were not straight forward when they originally applied for a building permit for that very large building. That is a residential area and they must have applied to build a residential support structure. They obviously had this commercial idea in mind at that time. I feel that there is a possibility that they are trying to work the system and we are all going to suffer those consequences if their commercial permit is approved.

Disclaimer: This message and any attachments are intended for the use of the addresses(s) only and may be confidential and/or legally privileged. If the reader is not the intended recipient, DO NOT READ, notify sender and delete this message. In addition, be aware that any disclosure, copying, distribution or use of the contents of this message is strictly prohibited. The contents of this message, while possibly falling under the exceptions of the Inspection of Public Records ACT [NMSA Chapter 14, Article2] may be subject to inspection by the public.

NRD-29

## John M. Salazar

---

**From:** Ekkehard Koch <melaniek@icloud.com>  
**Sent:** Tuesday, November 19, 2013 8:24 PM  
**To:** John M. Salazar  
**Subject:** Objection To The Granting Of A Home Business License to Marillo Calderon for his property at 8 Ernesto Road, Santa Fe, NM 87508

Dear Mr. Salazar,

I object to the To The Granting Of A Home Business License to Marillo Calderon for his property at 8 Ernesto Road, Santa Fe, NM 87508.

I live near the property, (actually our properties touch corners) that is asking for a in home business license on 8 Ernesto Road, Santa Fe, NM 87508 where Maurilio Calderon has applied for a home occupation business license to operate his commercial welding business, Adonai Custom Iron Works, Inc.

Based on the picture on the businesses website at (<https://www.facebook.com/pages/Adonai-Custom-Iron-Works-Inc/327987970574137>) and our observations of noise and fumes that come from the site it appears he has been operating this business there already prior to having a license.

As I understand his shed was constructed to residential standards. Welding and painting businesses have the potential to create quite a bit of pollution that is harmful for people in the area. The main issues are:

- Noise
- Fumes
- Solvents

In a commercial setting these hazards can be properly controlled and managed. Santa Fe County as you know has put out information regarding "Welding & Cutting" at <http://santafenm.gov/DocumentCenter/Home/View/3239>. As 8 Ernesto Road was constructed to residential standards I am concerned that the proper precautions have not been taken to protect the residential neighbors of Mr. Calderon from harm due to the hazards mentioned above.

I am an entrepreneur myself and am in support of small business owners. Due to the nature of the business and the apparent attempt to convert a residential property in a residential neighborhood into a commercial property with potentially environmentally hazardous impact I object to Mr. Calderon getting a "home business permit" for his property at 8 Ernesto Road.

The residential character of Santiago Subdivision, a subdivision of 22 families, and the neighboring residential properties, would be forever altered and the business would be financed via the loss of property values in our neighborhoods.

I work outside most days on developing our property, cleaning up brush and clearing, gardening and landscaping. It is unbearable on the days that they weld whatever material that gives up those TOXIC fumes!!!! We live down hill from their property, those fumes are heavier than air obviously and find their way down! Our quality of life has been taken away! Not just a little bit! We cannot enjoy being outside at all anymore! They play their music so loud you can feel the reverberation in your chest! I feel personally victimized by by being blasted by both the noise and the (full body music experience?) and the UNBEARABLE toxic fumes. The endless construction type noise--pipes CLANKING as they drop to the cement floor etc. (At least with a house being constructed you know there is a completion day when the noise STOPS!)

All spring and summer I was so frustrated, what could I do? Who to complain to? Who would even care? We invested in this wonderful property to improve it and make it beautiful, our dream home! If we were to try to sell it, how could we? I wouldn't buy a place with all that racket going on, not mentioning again the intolerable stink!

Our value is definitely LOST if they are allowed to continue what they illegally started. I don't expect to get away with breaking the law, why are we even having to consider it will be skirted around for law-breakers. ( a little ps. - one might also check if the three workers are even legal) I always thought the law was in place to protect from this kind of FREUD!

Thanks for taking the time to hear my desperate concerns.

Melanie

[melaniek@me.com](mailto:melaniek@me.com) - 505.570.1296

## John M. Salazar

---

**From:** Bernadette Redd <bernie.redd@mac.com>  
**Sent:** Saturday, November 16, 2013 12:13 PM  
**To:** John M. Salazar  
**Subject:** Home occupation welding license for 8 Ernesto Road, Santa Fe

Dear Mr. Salazar,

I am writing to express my extreme opposition to the application for a home occupation welding business license for Mr. Calderon, of Adonai Custom Iron Works, Inc. at 8 Ernesto Road, Santa Fe.

I live in the Santiago Subdivision and have lived here for over 13 years. When I look out my front door now I view a hilltop with a commercial warehouse building where I once saw only Piñon trees. I voiced opposition to construction of this warehouse building to the Santa Fe Land Management authority at the time of its construction. Mr. Lovato and Mr. Dalton responded to my objections by reporting that it was within code and therefore permitted. I reluctantly accepted this clearly non-residential building with the understanding that it would be used only as per its approval by the County: for residential purposes. It was obvious to me and everyone else in the neighborhood that this was a commercial building and not in any way standard for residential purposes. I am not surprised that Adonai Custom Iron Works, Inc. is doing commercial work in this building but I am vehemently opposed. It was duplicitous at best to claim this building was for residential use.

The proposed Adonai Custom Iron Works Inc. worksite sits atop a well-established residential community that has been in existence since the early 80's. The character of the community was well established prior to the worksite construction. The community is not new. What is new is the worksite. To say the worksite is not in keeping with the residential character of the community is a gross understatement. Adonai Custom Iron Works, Inc. is not a small "mom and pop" business hidden away from passers-by. It is now a dominant feature of the neighborhood and the hilltop overlooking the neighborhood. The "oh no's" and "I thought that wasn't allowed" from neighborhood visitors seeing the warehouse are difficult to hear for anyone in the community who takes pride in their home and has put effort into maintaining a rural residential feel to the neighborhood. We have had to accept a drop in home values due to the warehouse already.

In addition to the unsightly appearance of the warehouse, the ongoing nuisance issues of this high-impact commercial business include welding related noise, compressor related vibration noise, worker-related worksite noise, black smoke, and industrial fumes.

The fire hazard is cause for deep concern for everyone in our neighborhood. Welding falls into the "hot works" category by OSHA, requiring the presence of a fire watch person at the time of activity. In addition to working with open flames, welding requires the use of compressed gases, and toxic solvents when painting. These hazardous supplies have to be transported to and from the worksite and stored at the worksite. Adonai Custom Iron Works Inc.'s web site clearly shows the size and sophistication of their ironwork products, some of which are painted. Given Adonai Custom Iron Works, Inc.'s disregard for the need for a business license, I have little confidence

they are using appropriate fire precautions. We all wonder how much the cost of our home owner insurance policies will rise when insurance providers find out we are living below a commercial welding factory. They already know we live in the arid Southwest, have a volunteer fire department 6.4 miles away, and have battled difficult-to-control regional fires for several summers in a row.

I am not opposed to home business licenses in general. We have other successful unobtrusive home businesses in our neighborhood. Adonai Custom Iron Works Inc., however, is a high-impact commercial business that should be located in an appropriate industrial center in the county. It violates the concept of a home business by its size, volume of work, hazardous material use, noise, and need for a large warehouse for production. Given the hazards associated with this work it needs to out in the open at an industrial site, with signage clearly indicating the type of work and the associated hazards at the site. It is completely inappropriate for a quiet residential neighborhood.

Sincerely,

Bernadette Redd

## John M. Salazar

---

**From:** EDDIE VIGIL <vigilef@msn.com>  
**Sent:** Thursday, November 14, 2013 3:28 PM  
**To:** John M. Salazar  
**Subject:** Adonai-Custom Iron Works, Inc.

Mr. J.M. Salazar  
Santa Fe, County  
Santa Fe, New Mexico 87501

R.E. Adonai-Custom Iron-Works-Inc.

My wife Rosalie and I built and moved into our house in 1995. It was a residential subdivision with quiet and peaceful surroundings. Today we drive up to our home and you see this metal building which makes you wonder if it's an industrial or residential area. This metal building would be better placed at the industrial park, not in our neighborhood.

This industrial building, built so close to our homes will bring down the value of our property which is a big concern to us.

This letter is to oppose the operation of a commercial welding shop, Adonai Custom Iron Works, Inc. this close to our house, which will impact the quality of the air we breath and the noise level it creates.

Before you make your decision on this welding shop, I want you to consider the negative impact this will incur on all the residents of the surrounding area.

Sincerely,

Eddie Vigil  
33 Calle Jacinta  
Santa Fe, N. M. 87508

Dear Mr. Salazar,

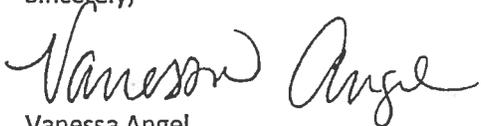
11/15/13

I am writing this letter on behalf of my family and fellow neighbors who live in very close proximity to a business that has recently applied for a home business license. This business has been a functional business since the building was erected early in the spring. I am a stay-at-home parent during the summer months and often heard the sounds, smelled foul odors of the business while out and about in the neighborhood with my children.

I implore you to not allow this industrial business be allowed in a residential zone. Please consider the families that live in very close proximity to this business. This is the very reason we are writing, to express our concerns regarding the toxic fumes, fire dangers as well as noise pollution and increased traffic of large vehicles to a residential area.

Thank you for your support on this matter.

Sincerely,

  
Vanessa Angel

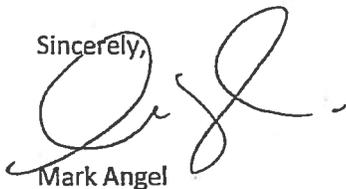
Dear Mr. Salazar,

I am writing to express my concern about the welding business, Adonis, which has recently applied for a home business license in my neighborhood. The business has been working prior to the application to the county which is of great concern. The owner is producing noise and air pollution to our neighborhood while producing industrial sized projects in a residential zoned area. This business is within several hundred feet of my home which sits in the lower valley of the Santiago Sub-division and is in a direct brush fire zone area. Welding uses chemicals as well as heavy machinery to produce heat to melt metals, thus creating sparks which are cast to the ground. As we all know, Santa Fe is in severe drought and one spark could potentially start a massive fire. This could very well trap me and my family as well as the other 22 families that live below and behind this business. We only have one road in/out of the community.

I ask that you preserve our area for what is designed for, residential use only. There are designated areas around Santa Fe that are designed specifically for industrial businesses such as Adonis.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Angel', with a large, stylized flourish extending to the right.

Mark Angel

Santiago Resident

November 13, 2013

Karin B. Hall  
8 Calle Jacinta  
Santa Fe, NM 87508  
Tel. 505-982 3203  
Email: [knbhall@cybermesa.com](mailto:knbhall@cybermesa.com)

Santa Fe County  
Attention: Mr. JM Salazar  
[JMSALAZAR@CO.SANTA-FE.NM.US](mailto:JMSALAZAR@CO.SANTA-FE.NM.US)

Re: 8 Ernesto Drive, Santa Fe, 87508

Dear Mr. Salazar,

I am a resident of Santa Fe County and live in the vicinity of # 8 Ernesto Drive where the property owner has erected an industrial style structure in which a very active custom welding business is being conducted.

I absolutely oppose the County granting the property owner permission to operate a home occupation business at # 8 Ernesto Drive. The business being conducted out of this industrial size warehouse is of commercial quality and definitely no "mom & pop" home business.

Furthermore, because it is a commercially successful business, it has significantly increased the traffic (from delivery trucks), the noise (from hammering and welding), fire risk (from solvents) and health risks (from fumes) in our neighborhood.

Our subdivision, Santiago, consists of 22 families who now live below the site of this proposed commercial welding business. Ours is a well-established and quiet subdivision on dead-end roads where families have raised their children for years. Our roads are quiet and safe for kids.

Please assist us in stopping the placing of a commercial welding business in the midst of our quiet, family oriented, residential neighborhood.

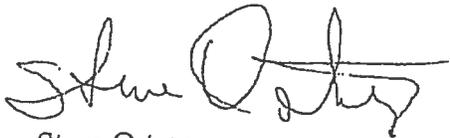
Thank you for your attention to our concerns.  
Respectfully  
Karin B. Hall

November 9, 2013

To Whom It May Concern:

My name is Steve Ortega. I live directly across the street from Laura Gordon. I am writing this letter to inform you that I am in favor of allowing her to run a pet sitting business on her property. I believe she will be responsible with the animals, and considerate of her neighbors.

Sincerely,

A handwritten signature in black ink that reads "Steve Ortega". The signature is written in a cursive style with a long horizontal line extending from the end of the name.

Steve Ortega

45 Chaparral Dr  
Santa Fe, NM  
87508

## John M. Salazar

---

From: EMK International <emkinter@me.com>  
Sent: Wednesday, November 13, 2013 8:54 PM  
To: John M. Salazar  
Subject: Objection To The Granting Of A Home Business License to Marillo Calderon for his property at 8 Ernesto Road, Santa Fe, NM 87508

Dear Mr. Salazar,

I object to the To The Granting Of A Home Business License to Marillo Calderon for his property at 8 Ernesto Road, Santa Fe, NM 87508.

I live near the property on that is asking for a in home business license on 8 Ernesto Road, Santa Fe, NM 87508 where Maurilio Calderon has applied for a home occupation business license to operate his commercial welding business, Adonai Custom Iron Works, Inc.

Based on the picture on the businesses website at (<https://www.facebook.com/pages/Adonai-Custom-Iron-Works-Inc/327987970574137>) and our observations of noise and fumes that come from the site it appears he has been operating this business there already prior to having a license.

As I understand his shed was constructed to residential standards. Welding and painting businesses have the potential to create quite a bit of pollution that is harmful for people in the area. The main issues are:

- Noise
- Fumes
- Solvents

In a commercial setting these hazards can be properly controlled and managed. Santa Fe County as you know has put out information regarding "Welding & Cutting" at <http://santafenm.gov/DocumentCenter/Home/View/3239>. As 8 Ernesto Road was constructed to residential standards I am concerned that the proper precautions have not been taken to protect the residential neighbors of Mr. Calderon from harm due to the hazards mentioned above.

I am an entrepreneur myself and am in support of small business owners. Due to the nature of the business and the apparent attempt to convert a residential property in a residential neighborhood into a commercial property with potentially environmentally hazardous impact I object to Mr. Calderon getting a "home business permit" for his property at 8 Ernesto Road.

The residential character of Santiago Subdivision, a subdivision of 22 families, and the neighboring residential properties, would be forever altered and the business would be financed via the loss of property values in our neighborhoods.

--

Ekkehard

[emkinter@me.com](mailto:emkinter@me.com) - +1 505.920.0724

**John M. Salazar**

---

**From:** Sue Parks <sue@clsf.us>  
**Sent:** Wednesday, November 13, 2013 8:40 PM  
**To:** John M. Salazar  
**Subject:** RE: Permit Application 8 Ernesto Road

John M. Salazar  
Development Review Specialist  
Santa Fe County Land Use Office  
Santa Fe, NM

Dear Mr. Salazar,

My husband James and I bought Lot 22 in what came to be known as the Santiago Subdivision in the fall of 1982. We built our home one year later and as the first residents onsite have enjoyed watching completion of our small rural 22 lot "community" over the years. Neighbors have come and gone with the changing of lot ownerships but one thing has remained consistent throughout thirty plus years for those that remained and joined in and that is to collectively and jealously guard the lifestyle that brought each of us to this quiet, peaceful, and what we consider special home setting. Maurilio Calderon's application for a business permit at 8 Ernesto Road threatens to change that significantly.

While we would not expect Mr. Calderon has any openly negative intentions towards our subdivision, his actions in running a Commercial, not a Home, business in a residential setting will if approved have very many consequences which we will experience as a result.

The Santa Fe County Land Use Department has developed guidelines, policies, procedures, and restrictions on what can and cannot take place in both residential and business settings after much thought, research, debate, and experience over the years. Case by case exceptions should always be considered, but this application can only be looked at as what would be on the extreme fringe of a home occupation business.

I believe it goes without saying there is a reason we have commercial industrial zoning and rural residential zoning. They have entirely different purposes which should not and cannot be combined for the safeguard of both.

I join my husband in adamantly opposing the issuance of this application for the following reasons:

- Mr. Calderon has evaded following proper procedures in setting up this business where most likely would not have been approved prior to its start in its present setting ,
- this business if approved can have a very dramatic negative impact on neighboring property values,
- I would question whether Mr. Calderon has proper insurance in place to protect his neighbors against loss should an accident occur given the dangers associated with this line of work and which I believe would be required in the proper industrial setting,
- the facilities evidently needed for the business are clearly visible on the ridge north of Santiago Subdivision and change the character of our valley, and lastly
- should future diversification by the business occur it would be much more difficult to monitor, control, and correct by the Santa Fe County land Use Department

I respectfully request that this application request be denied for the above reasons as well as others which will be brought before your department.

Sincerely,  
Susan J Parks  
Santiago Subdivision Home Owner-Lot 22  
49 Entrada de Santiago

In His Service,

*Sue*

Susan J. Parks  
Administrator  
121 Siringo Road  
Santa Fe, NM 87505  
[sue@clsf.us](mailto:sue@clsf.us)  
[www.clsf.us](http://www.clsf.us)

## John M. Salazar

---

**From:** SAM SHAW <liz\_sam@msn.com>  
**Sent:** Tuesday, November 12, 2013 2:36 PM  
**To:** John M. Salazar  
**Subject:** OPPOSE granting of home occupation business license

Dear Mr. Salazar,

I am a resident of Santa Fe County and live downhill from 8 Ernesto Rd, where Maurilio Calderon has applied for a home occupation business license to operate his commercial welding business, Adonai Custom Iron Works, Inc. My property connects to the Calderon property via a 'four corners' type of intersection.

When construction first began on that property I visited Maurilio and was informed by him that he was building his residence in stages with the first part being a garage. We talked for some time and I even gave him some seedling cherry trees from the certified organic hoop house on my property (NMDA certificate #431) as a welcome to the area.

Boy do I feel like a fool now!

This 'garage' has turned out to be a full scale welding and painting operation. There is no question in my mind that I was deliberately deceived by someone who was gaming the zoning regulations.

I OPPOSE the County granting his application to operate a home occupation business at this location. The application is another attempt at deception and, if approved, places me at risk because of the nature of the business that is being slipped in behind everyone's backs.

The specific risk that I refer to is that my certified organic operation is directly in the drainage path of runoff from the Calderon property. Every year I am inspected by NMDA and every year they are satisfied that there is no danger of industrial or agricultural contamination from the uphill sites. That is....until now. I can explain the risk that is posed by a properly inspected industrial operation but I don't see any way to explain that there is a rogue business operating by thumbing its nose at the county zoning officials.

Since my home is downhill from the Calderon property the drainage necessarily puts my home at risk as well.

I am not concerned about contamination from a fully compliant business that is properly inspected and certified. I feel however that granting a home occupation business for this operation is not a correct action. This is clearly a full scale operation being operated with no regard to zoning or other regulations that are properly applicable to all other county residents.

Samuel Shaw  
05 E Traviesa de Camilo  
Santa Fe, NM 87508

**John M. Salazar**

---

**From:** Andrew Drom <andrew\_drom@msn.com>  
**Sent:** Wednesday, November 13, 2013 2:44 AM  
**To:** John M. Salazar  
**Subject:** Expression of Opposition to Adonai Custom Iron Works Request for License to Operate a Welding Fabrication Plant Near our home

Dear Mr. Salazar:

I am an owner of residential property in Santa Fe County which is adjacent 8 Ernesto Rd. I have been notified that a Mr. Maurilio Calderon has applied for a home occupation business license to operate a commercial welding business, Adonai Custom Iron Works, Inc. My property is very close to this illegal operation and I firmly oppose the County granting his application to operate a industrial manufacturing business at this location.

I understand that the property at 8 Ernesto Road is residential, yet its owners propose to operate an established commercial welding business, Adonai Custom Iron Works, on a residential lot located above our quiet residential neighbourhood. Our neighbourhood is a private development which we paid a significant premium to purchase land and a home. Development and operation of a commercial industrial metal fabrication facility is completely inappropriate and would create unacceptable amounts of noise and would damage views of the surroundings. A significant number of families reside in the Santiago Subdivision who are negatively impacted by this commercial welding business, which overlooks the Santiago Subdivision. Our property and the way of living for my fellow residents would be harmed by the noise, increased risk of fire, pollution and air quality impairments, and loss of a quiet subdivision where families have raised their children for decades in peace an quiet. It is not, nor should it ever be, an industrial estate set out to support manufacturing and industrial activities.

In summary, there is no place in an community residential setting for a commercial welding company. It does not pass the common sense test and we are certain other communities would object if such an operation were set out without due consideration as to the impacts to the tax paying residents of Santa Fe County. Logic suggests it is not supported by the intent of the Santa Fe County Code. I firmly oppose any action to authorize Mr. Calderon's request.

Sincerely,

Andrew E. Drom

Owner of 13 Calle Jacinta  
Santa Fe, NM 87508

## John M. Salazar

---

**From:** C Mitchell <janopher@aol.com>  
**Sent:** Monday, November 11, 2013 6:39 PM  
**To:** John M. Salazar  
**Subject:** Opposing Home Occupation Business License for Adonai Custom Iron Works

Dear Mr Salazar:

I oppose the application of Mr. Maurilio Caderon to operate Adonai Custom Iron Works from a residential neighborhood. Operating it would adversely affect Santiago Subdivision where I reside.

Santa Fe has locations zoned for such activities: Siler Road area being the obvious example. That is the area potential customers would seek welding & iron works.

Even worse than the noise of the metalworks shop is the potential hazard of fire & the pollution of chemicals.

Please do not allow Adonai such negative impact on our neighborhood.

Sincerely,

Jane Mitchell  
14 Calle Jacinta  
Santa Fe NM 87508

## John M. Salazar

---

**From:** Peter Johnson <PJohnson@argentmanagementllc.com>  
**Sent:** Monday, November 11, 2013 8:41 PM  
**To:** John M. Salazar  
**Cc:** Daniel Mayfield  
**Subject:** 8 ernesto road welding business in a residential subdivision

Dear Mr Salazar,

I am a joint owner of the residential property known as 14 Entrada de Santiago.

I am writing to express my strong opposition to the application recently filed by our neighbor, Mr. Calderon, to allow a welding business to operate out of a residential property under a home occupation permit. This is absolutely not consistent with the intent of the home occupation permit provisions in the zoning code, which is designed to encourage home-based occupations such as bookkeeping and consulting.

This is a full-blown commercial welding shop working out of what the property owner claims is his garage.

When he began construction of the metal building that now overshadows our rear yard area, Mr. Calderon told us that it was "the garage". But it seems he has always intended to operate an unapproved industrial business from the property. In fact, Mr. Calderon has been less than an ideal neighbor since day one. Since he has been living on the property we are woken up at dawn every day by roosters crowing and trucks coming and going at all hours of the day just the other side of our property line.

While the existing zoning ordinance is a little vague as to what permissible uses are in a residential area, I am sure you are aware that the county has spent the past three years rewriting its zoning ordinance and that that new development code will be adopted at the November 19 commission hearing. Presumably this clearer new ordinance will be the standard by which these issues will be judged as soon as the ordinance is ratified. The new code is much clearer and quite explicit as to what uses are allowed and not allowed in a residential zone. Although the online documentation is difficult to decipher, I assume the zone we are in is the "residential community" zone. Section 10.6.2.4 is quite clear in prohibiting "any industrial type use" on residential property. The code is also clear that, even for a medium impact occupation (which is subject to a conditional use permit) the use may not exceed 50% of the heated square footage of the residence. The "garage" is 1,950 square feet, which in itself exceeds the 1,500 maximum storage allowed in the code. And unless the house Mr. Calderon has built is over 4,000 s.f. he is in violation of the 50% requirement (aside from not having applied for and received a conditional use permit for this business).

Zoning regulations are created to manage land uses and the compatibility of neighboring uses is one of their key elements. It is clear that Mr. Calderon not only has little regard for these regulations, but also has no concern for his neighbors.

This business with its associated noise, odor, traffic and fire hazard cannot be permitted to continue to operate in a residential zone. There is nothing about this commercial welding business that qualifies it for a home occupation, from the employees who come and go all day, to the fire hazard in our neighborhood from the incessant welding, and the noise from the machinery and activities, not to mention the smoke and air pollution resulting from that activity.

I am writing to insist that this "home occupation" license be denied and that the proponent be required to conform with both the existing and proposed zoning ordinances. If he insists on pursuing this application it should be in the form of a conditional use permit application with the appropriate staff review and report, noticing and hearings to give his neighbors an opportunity to participate in the process of building a manufacturing facility in a residential neighborhood.

Peter Johnson  
909-528-2288 cell  
949-241-8408 office

**John M. Salazar**

---

**From:** jane Mitchell <cmychell@gmail.com>  
**Sent:** Monday, November 11, 2013 7:09 PM  
**To:** John M. Salazar  
**Subject:** Objection to Industrial Activity at 8 Ernesto Dr. Santa Fe

Dear Mr. Salazar:

To allow the activities to continue in the welding shed at 8 Ernesto Dr. would be a severe detriment to its neighbors & the residents of the subdivision of which it overlooks.

I understood that this huge metal shed was designated as auxiliary to the house, to be used for domestic activities & storage.

Now I learn that Mr. Calderon proposes to carry out a major industrial operation with all the associated dangers of fire, fumes, noise & traffic.

Please bring a halt to this industrial activity so that this property can revert to the residence for which it is zoned & not a major nuisance & danger to its neighbors.

Regards,

Chris Mitchell  
14 Calle Jacinta  
Santa Fe NM 87508

## John M. Salazar

---

**From:** John Redd <john.redd@mac.com>  
**Sent:** Monday, November 11, 2013 9:10 AM  
**To:** John M. Salazar  
**Subject:** LETTER OF OBJECTION to 8 Ernesto Rd home occupation business application

Dear Mr. Salazar,

I am a resident of Santa Fe County and live downhill from 8 Ernesto Rd, where Maurilio Calderon has applied for a home occupation business license to operate his commercial welding business, Adonai Custom Iron Works, Inc. My home has a direct line of sight (and sound) to his property.

I absolutely oppose the County granting his application to operate a home occupation business at this location.

The property at 8 Ernesto Road is residential, yet its owners propose to operate an established commercial welding business, Adonai Custom Iron Works, on a residential lot located above our quiet residential neighborhood. The site looks down on all of our homes from a hilltop. The owners were granted a residential development permit and should not be allowed to conduct this commercial metalworking business there.

There are 24 families (22 in the Santiago Subdivision and two adjacent families) who live below the proposed site of this commercial welding business, which overlooks the Santiago Subdivision. It is a well-established, quiet subdivision on dead-end roads where families have raised their children for decades. The roads are quiet enough that my children learned to ride bikes on them. The area is peaceful and still.

I object for the following reasons:

1. **The residential character of the neighborhood.** The commercial activity on the lot is not incidental and subordinate to its use for residential purposes. The site is zoned as a residence; placing the commercial welding activities of Adonai Custom Iron Works, Inc., in a metal shed perched on a hill above our neighborhood's homes will irreversibly alter the character of our quiet neighborhood and reduce our quality of life.
2. **Noise.** Welding and metal fabrication involve welding, grinding, cutting, chipping, gouging, and painting. All of these industrial processes are noisy and utterly unsuited to a residential neighborhood.
3. **Grave fire risk.** Welding is considered "hot work" by OSHA. It uses compressed gas cylinders, which are inherently dangerous and regulated as such, and arcs of electricity. The usual temperature at which welding occurs is over 6,000 degrees Fahrenheit. The residential property at which the home business is being proposed is located at the top of a hill, adjacent to other residential properties, behind a metal gate at the top of an upsloping dirt road, and is served only by a volunteer fire department, Hondo Fire and Rescue, that is 6.4 miles away. This business would pose a grave and continual fire risk to all of the residential properties surrounding it.
4. **Rubbish.** The work will generate metal shavings and other industrial rubbish.
5. **Fumes.** All types of welding produce fumes that are recognized as health hazards by OSHA. Furthermore, these fumes are noxious and will make it unpleasant for the families around the site to work in their yards and lay outdoors - which are the very reasons we love living in Santa Fe County and have chosen to raise our families here.

6. **Solvents.** Painting and cleanup of metal parts will involve use and storage of volatile industrial solvents in the middle of a residential neighborhood.

7. **Hilltop location.** This residential property is at the very top of a hill that overlooks all of our homes. It is utterly unsuited to a loud, dangerous commercial operation that produces gases and debris.

To see how big an operation Adonai Custom Iron Works, Inc. is, please review their Facebook page at <https://www.facebook.com/pages/Adonai-Custom-Iron-Works-Inc/327987970574137>. This page makes it obvious that this is a large-scale, commercial metalworking operation.

To see what the government of Santa Fe has put on the record about welding, please see the document "Welding and Cutting" available at <http://santafenm.gov/DocumentCenter/Home/View/3239>, which states:

*"There is also the ever-present chance of fire," and "Welding hazards pose an unusual combination of safety and health risks. By its nature, welding produces fumes and noise, gives off radiation, involves electricity or gases, and has the potential for burns, shocks, fire, and explosions."*

The placing of a commercial welding company in our residential neighborhood made up of families is not in keeping with the letter or the spirit of the Santa Fe County Code and will forever destroy the character of our neighborhood. I oppose it.

Respectfully,

John Redd  
12 Traviesa de Camilo E  
Santa Fe, NM 87508

## John M. Salazar

---

**From:** Rebecca Lowndes <rlowndes@mac.com>  
**Sent:** Monday, November 11, 2013 3:17 PM  
**To:** John M. Salazar  
**Subject:** Adonai Custom Iron Works

Dear Mr. Salazar,

I write to you today to voice my objection to the Home Business application submitted by Adonai Custom Iron Works at 8 Ernesto Road submitted by the owner, a Mr. Maurilio Calderon.

As a resident of Santa Fe County and homeowner of the property abutting the southwest corner of Mr. Calderon's, I am adversely impacted by his plans for a business permit and the current activities on his property. I purchased this house and property with my partner, Peter Johnson just over 4 years ago and moved here to enjoy a quiet residential cul-de-sac. Around my property and below are more than 20 families who also enjoy this valley. We are families with children and pets. When Peter Johnson and I purchased this property, the land above it was for sale, but as it and the properties surrounding are all under residential zoning, I had no great concerns about it's eventual purchase.

Since Mr. Calderon's purchase of the the property abutting mine at 8 Ernesto Road, he has constructed, among other buildings, a large, metal shed which looms over my backyard. I met Mr. Calderon just prior to construction of the building and he told me it was to be his garage. Since the "garage" was built, there has been all manner of noisy activity going on in the building which I hear Monday through Friday, often Saturday and occasionally Sunday as well. Banging, clanking, metal screeching and sawing, what sounds like a compressor continues literally from dawn until dusk every week, day in and day out. Before he erected a screening wall between my property and his, I also saw trucks coming and going and it was normal for there to be at least 3 trucks parked by the "garage" everyday during work hours. While I can no longer see the trucks because of the wall, I do hear them coming and going. I can also hear working noises as described above from anywhere in my yard and even inside my home. My bedroom window looks out to Mr. Calderon's "garage" and when he worked late in the warm summer months, I was awakened by noise as early as 7am and went to bed with work still going on after 9pm. He worked yesterday afternoon for several hours on Sunday, November 10th.

It has come to my attention that Mr. Calderon is in the business of welding to make gates, doors and so forth and that he is currently applying for a Home Business permit. Welding emits all kinds of hazardous materials in the form of waste, odors and gases. In addition, Mr. Calderon's products are apparently painted, and high volume painting also emits many hazardous materials which are toxic to the environment. In addition, this area is considered a high brush fire incidence area by the Arroyo Hondo Fire Department which serves us. Welding and metal working create sparks and high heats which are an additional fire hazard. The activities in this building are regular, incessant and hazardous to our community.

As a resident of this community and tax payer in New Mexico and the County of Santa Fe, I object to the possibility that Mr. Calderon might be issued a permit to continue his welding company as a Home Business at this location. His activities create hazardous materials, emit noxious odors, create incessant noise from machinery and negatively affect my right to peaceful enjoyment of my own property in a residential neighborhood. In addition, it is certain that his business activities will continue to be detrimental to the value of my home and property as well as those of the surrounding neighborhood. Home Businesses are intended for artists, writers, computer programmers, events planners, not light industrial businesses. Adonai Custom Iron Works has a page on Facebook which can be easily found on Google. His business is clearly established, professional and successful enough to cover the purchase of the the land at 8 Ernesto Road and the construction of buildings to house his company. I will suggest that Adonai Custom Iron Works and Mr. Calderon's business are more suited to perhaps Siler Road, and certainly do not belong in a residential neighborhood.

I respectfully request that a permit for a Home Business not be issued to Mr. Calderon and that all Adonai Iron Works business activities cease at once.

Thank you for your time and consideration.

Sincerely,

Rebecca Lowndes  
14 Entrada de Santiago  
Santa Fe, NM 87508

November 12, 2013

Mr. John M. Salazar  
Development Review Specialist  
Santa Fe County Land Use Department  
Santa Fe, New Mexico

Dear Mr. Salazar,

I am a resident of Santa Fe County and live a short distance from 8 Ernesto Rd, where Maurilio Calderon has applied for a "**home occupation**" business license to operate his commercial welding business, Adonai Custom Iron Works, Inc. My home has a direct line of sight (and sound) to his property and is part of the Santiago Subdivision. I have enclosed several pictures taken from my house that shows the position of the welding building in relation to my home and those of my neighbors.

I absolutely oppose the County granting his application to operate a home occupation business at this location.

The property at 8 Ernesto Road is residential, yet its owners propose to operate an established commercial welding business, Adonai Custom Iron Works, on a residential lot located above our quiet residential neighborhood. The site looks down on all of our homes from a hilltop (see enclosed pictures). The owners were granted a residential development permit and should not be allowed to conduct this commercial metalworking business there.

There are 24 families (22 in the Santiago Subdivision and two adjacent families) who live below the proposed site of this commercial welding business, which overlooks the Santiago Subdivision. It is a well-established, quiet subdivision on dead-end roads where families have raised their children for decades. The area is peaceful and still. I walk my dogs twice a day year round. In recent months the welding noise from the iron works has increased and can be heard as I am walking. My dogs stop to try to determine what the noise is and I have a hard time getting them to continue to walk.

I object to this business for the following reasons:

1. **Not a home business.** As can be seen by the pictures the large building is not part of a home and in fact is twice the size of the small "home" building next to it. It does not appear the home is actually a residence and may be an office for the company. When I have operated a home business in the past it was always in the house and was a small segment of the house not the entire property.

2 **Noise.** Welding and metal fabrication involve welding, grinding, cutting, chipping, gouging, and painting. All of these industrial processes are noisy and utterly unsuited to a residential neighborhood. I can hear the noises throughout the day as I work in my yard and around the house.

3. **The residential character of the neighborhood.** I understand the site is zoned as a "residence"; placing the commercial welding activities of Adonai Custom Iron Works, Inc., in a metal shed perched on a hill above our neighborhood's homes will irreversibly alter the character of our quiet neighborhood and reduce our quality of life.

4. **High fire risk.** This business would pose a very high and continual fire risk to all of the residential properties surrounding it. The residential property at which the home business is being proposed is located at the top of a hill, adjacent to other residential properties, behind a metal gate at the top of an up sloping dirt road, and is served only by a volunteer fire department, Hondo Fire and Rescue, that is 6.4 miles away.

5. **Fumes.** All types of welding produce fumes that are recognized as health hazards. These fumes are noxious and will make it unpleasant for the families around the site to work in their yards and play outdoors - which are the very reasons we love living in Santa Fe County and have chosen to raise our families here.

6. **Hilltop location.** This residential property is at the very top of a hill that overlooks all of our homes. It is utterly unsuited to a loud, dangerous commercial operation that produces gas.

9. **Required sign posting for application is not visible.** When I heard of the proposed welding business I went to look for the required sign indicating the application process had started. I could not find the sign as I drove by the road to the building location. I stopped and looked for the sign but could not locate it. I had to walk back to the turnoff to the property to see if there was actually a sign. I finally found it up against a fence about

35 feet from the road. I have included four pictures that clearly show the location of the sign and the fact that it has been placed in a position that would not be noticed by those passing by.

10. **Built as a business.** My observation of the construction of the buildings is that it was built as a commercial business and not as a residence from the very start. The size, location and nature of the two-story building depict a structure that is not associated with a home but was designed and built as a welding shop. Applying for a license to actually operate the business was an afterthought. I believe that an inspection of the property and the structures will validate this view.

Thank you for your consideration of this situation.

Sincerely,



Marlin Mackey  
5 Calle Jacinta  
Santa Fe, New Mexico

Enclosure

**John M. Salazar**

---

**From:** Kinsey Brown <kinseyb428@live.com>  
**Sent:** Wednesday, November 20, 2013 11:54 AM  
**To:** John M. Salazar  
**Subject:** Adonai Custom Iron Works Inc. Opposition

Dear Mr. Salazar,

My family and I reside in Santa Fe County at 13 Entrada de Santiago. We strongly oppose Maurilio Caulderon's application for a business licence

November 20, 2013

Mr. John M. Salazar  
Development Review Specialist  
Santa Fe County Land and Use Department  
Santa Fe, New Mexico

Dear Mr. Salazar,

I live in Santa Fe County, a short distance away from 8 Ernesto Rd. It is my understanding that Maurilio Calderon has applied for a "home occupation" business license to operate his "commercial welding shop", Adonai Custom Iron Works, Inc.

I STRONGLY OPPOSE the County granting his application to operate a "home occupation business" at this location. Clearly, the owner's intent has always been to establish a "commercial business" in a "residential zone". The building that has been constructed to house the business in no way comports with the meaning of a "home occupation". It is huge warehouse overlooking our residential neighborhood giving what was once a quiet, family, residential area the appearance of an area built behind an industrial warehouse area. It is my understanding that the owners of the warehouse were granted a residential building permit which leads me to question the legality of the building that now sits on the site. The visual effect of the building along with the additional traffic and the noise generated by the business have disrupted our subdivision, of over 20 year, in ways that make me sorry to be a resident of Santa Fe County. We have worked our entire life to live in the type of neighborhood which we live in. Please do not allow these people, who seem to have no respect for the zoning of Santa Fe County, or the rights of the citizens who live in Santa Fe County to continue to destroy our dreams.

I oppose the business for the following reasons:

1. This is not a home business. It is, in fact a commercial welding shop. It is clear that the original intent, before approval of the County, was to establish a commercial business in a residential neighborhood. The building is totally out of line with the type of buildings that are normally allowed in a residential area.
2. The noise (grinding, cutting and hammering) generated by the business is not in line with a residential neighborhood.
3. This type of business poses a high fire risk to our and surrounding neighborhoods. As demonstrated by our current insurance premiums, the County is already a "high" risk area. There is no need to put residents at an even higher risk and increase in insurance premiums.
4. The business of welding is a recognized health hazard. I would hope that the life and safety concerns of the citizens would take priority over the request of one person who seems to be operating outside the lines already.
5. To have an operation like this overlooking our neighborhood has destroyed the residential feel of our neighborhood.

For the reasons listed above, I respectfully request your serious consideration of this issue as well as your support in denying this false request for a "home occupation business". I thank you in advance for your support.

Sincerely,  
Sandra K. Mackey  
5 Calle Jacinta, Santa Fe, NM

.1RD-65

November 16, 2013

Dear Mr. Salazar,

I am writing to express my concern about the Welding Business, Adonai Custom Iron works Inc., which has recently applied for a Home Business License in our neighborhood. In his advertizing on Face book, he describes his business, as a Welding Business that specializes in Residential and Commercial wrought iron needs.

For sometime now we have heard all kinds of construction noises coming from that location. I am concerned about the noise and fumes from welders, compressors, heavy trucks and equipment in that location. I am also concerned about the fire danger to our neighborhood as we only have one road in and out of the sub-division. Our Fire Department is the Hondo Fire Department, which is not close in the event of a fire.

I hope that you do not allow a Home Business License in our neighborhood. Thank you for your consideration in this matter.

Sincerely,



Irene Angel  
Lot 11 Santiago Sub-Division

November 16, 2013

Dear Mr. Salazar,

I am writing to express my concern about the Welding Business, Adonai Custom Iron works Inc., which has recently applied for a Home Business License in our neighborhood. This is not a Home Business; it is clearly a Commercial Business.

First of all this business was allowed to build a humongous warehouse on top of the hill overlooking the valley and neighborhood. There is no reason that a building this size should be build in a residential neighborhood. Now the owners is asking for a Home Business license to produce custom design doors, gates and architectural décor.

For sometime now we have heard all kinds of construction noises coming from that location. I am concerned about the noise and fumes from welders, compressors, heavy trucks and equipment in that location. I am also concerned about the fire danger to our neighborhood as we only have one road in and out of the sub-division. Our Fire Department is the Hondo Fire Department, which is not close in the event of a fire.

I hope that you do not allow a Home Business License in our neighborhood. Thank you for your consideration in this matter.

Sincerely,



Frank Angel  
Lot 11 Santiago Sub-Division

John here the email I sent John Salazar

----- Forwarded message -----

From: Victor Baca <[bacavp1@gmail.com](mailto:bacavp1@gmail.com)>

Date: Tue, Nov 12, 2013 at 3:40 PM

Subject: Subject : Oppose Home Occupation Business License proposed by Maurilo Calderon for Commercial welding business in our residential area.

To: [jmsalazar@co.santa-fe.nm.us](mailto:jmsalazar@co.santa-fe.nm.us)

Dear Mr. Salazar,

I am a current resident of Santa Fe County New Mexico and property owner in the Santiago Subdivision off of Rabbit Road this subdivision will be adversely impacted by allowing a home occupation welding commercial business in this residential area, the proposed business is a large scale welding business as indicated by it web site and the indicated revenue clearly shown as almost \$200.000 dollars annually. Please insure that all involved in the process are aware that many are residents in this area are completely opposed to this welding business in this area as it a residential family area, not a industrial area.

We oppose this because of the following:

1. The welding that is being done at the site overlooking our neighborhood is contaminating our air with the smell of gas fumes in this small valley of 24 residential homes.
2. The process that is used to build these large gates is an industrial process that require grinding, cutting ,and painting., requires large machinery that make loud noises. This business the Adonai Custom Iron work continues to use the residential property without a business license 7 days a week disturbing the peace of the whole area, at times work is being performed at night. Please note that the business is in area zoned residential not industrial or commercial. It appears to us that this welding shop is in violation of the zoning laws and license laws, we believe the county should take action immediately to protect the citizPens of this area from the noise and air pollution. i
- 3 The business poses a continued health and fire risk for all residential property owners around it.
4. The real estate values of this area will fall due the county not enforcing the law as required.

We would appreciate any help you can give us relative to this problem, I know you would not want a high volume welding shop in your living area. PLEASE CONFIRM RECEIPT OF THIS E-MAIL

NBD-68

## John M. Salazar

---

**From:** John Redd <john.redd@mac.com>  
**Sent:** Wednesday, March 12, 2014 8:25 AM  
**To:** John M. Salazar  
**Subject:** The purpose of the photos

Mr. Salazar,

The photos make two points:

(1) The large accessory shed is placed directly above our subdivision, on the highest spot in the neighborhood. It is placed in direct line-of-sight (and therefore line-of-sound) over our subdivision. To effectively shield it would require a wall 25 feet high, which of course is impossible.

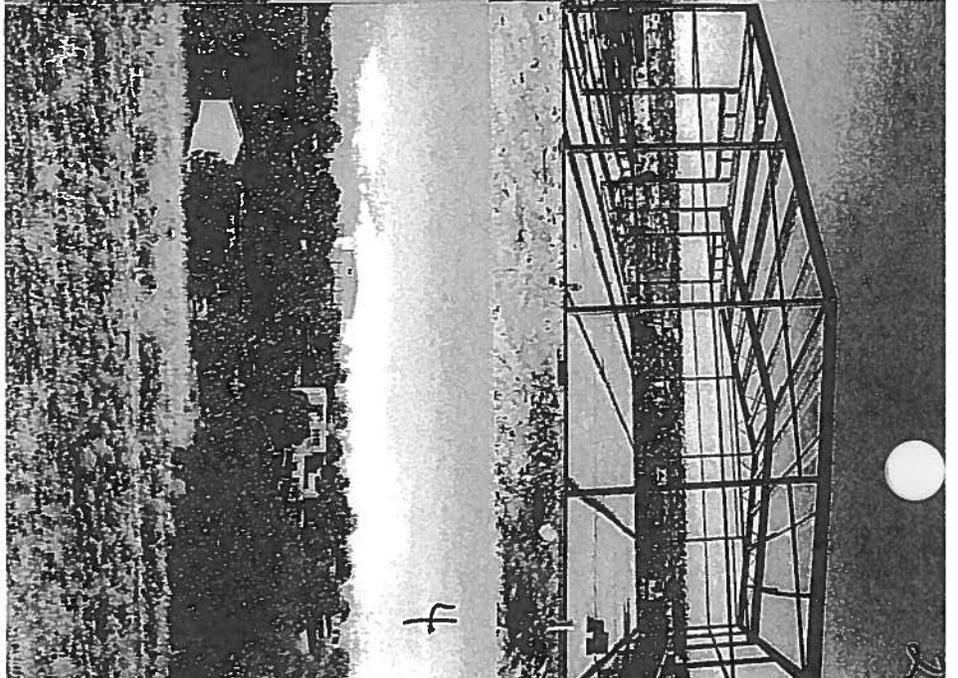
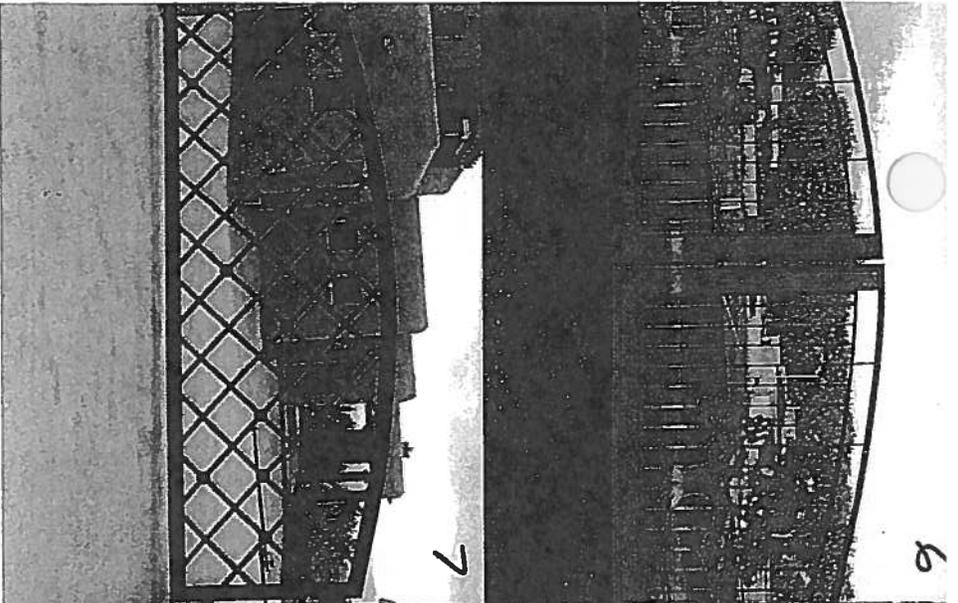
(2) The photos of the large pieces were taken from Adonai Custom Iron Works, Inc.'s web site. These are to show that they manufacture heavy, large-scale items.

Thank you,

John



NBD-69



.130-70

property owner to try to come to an agreement for shared access which would minimize slope disturbance that would be created by having two totally separate driveways.

“On February 25, 2014, staff met with the two parties and recommended sharing the existing driveway to reduce further scarring of an additional access. The Applicants have agreed to share a portion of the existing driveway with the adjoining property owner. The letter is attached as your Exhibit 9.”

If approved, Staff recommends the following conditions:

1. The Applicant must obtain a development permit from the Building and Development Services Department for construction of the driveway. (As per Article II, § 2).
2. The Applicant shall submit a grading plan. Any further disturbance shall be marked before any grading is done. (As per Article VII, § 3.4.3.c).
3. The Applicant shall comply with all Fire Prevention Division requirements at time of development application (As per 1997 Fire Code and 1997 Life Safety Code).

Duly sworn, Deb Short, the applicant’s agent, Albuquerque, said they have been working to make the driveway acceptable and Mr. Comeau and neighbor Mr. Carey have met and agreed upon an easement solution.

Chair Drobnis recalled that public testimony on this case was heard at last month’s meeting and he invited questions from the committee.

Ms. Brown said the case was advertised as a public hearing and she encouraged the CDRC to accept public comments.

There was no one in the public wishing to address this issue.

Member Roybal moved to approve CDRC Case #V 14-5020 with the staff-imposed conditions. Member Katz seconded and the motion passed by unanimous [7-0] voice vote.

- D. CDRC CASE #A 14-5030 Maurilio & Amanda Calderon Appeal: Maurilio and Amanda Calderon, Applicants, are appealing the Land Use Administrator’s decision to deny a home occupation business registration for a welding business located on 2.48 acres. The property is located at 8 Ernesto Road, off of Rabbit Road, within Section 10, Township 16 North, Range 10 East (Commission District 4) [Exhibit 8: Photos of site; Exhibit 9: Opponent supplied information on welding fumes and other hazards in the life of a welder]**

Mr. Salazar presented the staff report as follows:



Mr. Salazar indicated that this Application was submitted on January 17, 2014. Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds no evidence that would justify overturning the Land Use Administrator's decision. Staff recommends that the CDRC uphold the Land Use Administrator's decision and deny this appeal.

Mr. Salazar confirmed Member Gonzales' observation that the business could encroach further from the 832 square feet of the garage.

Duly sworn, appellant Maurilio Calderon said he was he was asking the CDRC to grant him his dream of having a home occupation license. He introduced his wife of 12 years and their two children. He offered information about gaining citizenship in the United States and that his welding experience exceeds 18 years.

Mr. Calderon said he has support from many of his neighbors. He said he has all his permits and has passed all his inspections adding this is property is well organized. The business does not make noise that can be heard by neighbors.

Mr. Calderon said he merely wants the opportunity to make a living and support his family.

Appellant Amada Calderon, under oath, presented the CDRC with photos of their property [*Exhibit 8*]. She said she was a state employee, proud to say she was born and raised in New Mexico and that her family's dream has been "crushed with the denial" of the home occupation license.

Ms. Calderon said they have passed all the inspections, have the appropriate licenses and were taxpaying citizens. She said the County denied the license because of residents that live over 100 feet from her property have raised concerns. She found the complaints from the residents of the Santiago Subdivision strange and questioned their validity. The garage is insulated and work is conducted with the doors closed. There are no fumes or gases because her husband uses a wire-welding shield.

Ms. Calderon said two other companies are located on the private road she and her husband share to access their property. The garage is surrounded by a sand-filled block fence and their yard is always clean.

Ms. Calderon said she and her husband want the opportunity to have a home occupation to make a living to provide for the family. She explained the photos.

Ms. Calderon confirmed that the garage was not connected to their home and there was only one garage.

Those individuals wishing to speak were duly sworn.

John Redd, 12 Traviesa de Camilo East, under oath stated that metal working is his family's business and that business is located in a zoned industrial area. Speaking as the president of the 22-lot Santiago Subdivision he said they oppose the appeal because Adonai Custom Iron Works (the appellant's business) is not a home business in either the letter or spirit of the Code. He said the garage is larger than allowable and overlooks and dominates the other structures in the neighborhood. He noted that Adonai has been in

existence long before the applicant's built their home and erected the garage. The products built by Adonai are large and the materials used to build them and the end product would exit through their neighborhood.

Mr. Redd said there have been commercial activities at the garage since it was built which includes noise, smoke and fumes, sounds of metal working, heavy equipment and the noise of workers. He said after complaints were filed with the County the owner was cited for operating the business without a permit. It was only after receiving the citation that the application for a home business license was sought.

Mr. Redd referred to the code violations and mentioned Exhibit 9 outlining the potential of fire from welding and fumes and gases. He said Adonai is not a home business in letter or spirit of the code and urged the Committee to deny the appeal.

Duly sworn, Ekkehard Koch, 13 Traviesa de Camilo East, said he too was an immigrant as Mr. Calderon had indicated he was. He said he admired the work ethic of immigrants and is sympathetic to businesses. However, he has objections to this business because he can smell the fumes and hear the noise. The business will alter the residential nature of the neighborhood and he asked the Committee to reject the application.

Melody Koch, under oath said she lives kitty-corner to the property and cannot have a garden much less go outside when the welding is occurring. She said the music and fumes coming from the garage cause her to have headaches. She had no doubt that the Calderons were hardworking people but the business does not belong in a residential neighborhood.

Rebecca Lowndes, 14 Entrada de Santiago, under oath, said the east line of her property is bound by the west line of Adonai Iron Works, and the 1,950 square foot garage is directly above her 1,440 square foot house. She discussed how upset she is with this business directly above her. She asked the Committee to uphold the denial.

Duly sworn, Marlin Mackey, a resident of the subdivision where Adonai is located said the garage is tremendous and overlooks the entire subdivision. He said he lives in the area because it's quiet, has nice views and people respect each other. The appellant's garage obliterated his view and the noise travels directly to his home.

Mr. Mackey said this is not the right business for a home occupation: too big, too noisy, fire danger, etc.

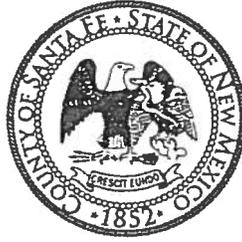
The public hearing was closed and Ms. Calderon returned to the podium. She said it was her husband and one other man that work at Adonai. She said he needs only a table in the garage on which to work. She repeated that this was their dream and asked the Committee to grant their appeal.

Member Katz moved to affirm the decision of the Land Use Administrator and to deny the home occupation which is not a proper business for the area. Member Booth seconded and the motion passed by unanimous [7-0] voice vote.

Daniel "Danny" Mayfield  
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

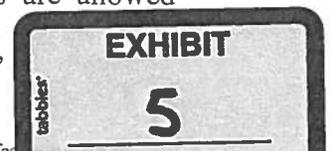
Katherine Miller  
County Manager

**CASE NO. APP 14-5030  
APPEAL OF LAND USE ADMINISTRATOR'S DECISION  
MAURILIO & AMANDA CALDERON, APPELLANTS**

**ORDER**

**THIS MATTER** came before the County Development Review Committee (hereinafter referred to as "the CDRC") for hearing on March 20, 2014, on the appeal of Maurilio & Amanda Calderon (hereinafter referred to as "the Appellants"), appealing the Land Use Administrator's decision to deny a request for a home occupation business development permit allowing a welding business. The CDRC, having reviewed the appeal and supplemental materials, staff reports and having conducted a public hearing on the appeal, finds that the appeal is not well-taken, and the decision of the Land Use Administrator should be upheld, and makes the following findings of fact and conclusions of law:

1. The Appellants request that the CDRC overturn the Land Use Administrator's decision to deny application #AHBL 13-4076, granting a home occupation business development permit.
2. The subject property is located at 8 Ernesto Road, within Section 10, Township 16 North, Range 10 East.
3. On November 5, 2013 the Applicant and owner of the subject property, applied for a home occupation business development permit pursuant to the Santa Fe County Land Development Code, Ordinance 1996-10 (the Code).
4. According to Article III, Section 3.1 of the Code, "home occupations are allowed anywhere in the County, provided all of the requirements of the Code are met."



5. The requirements of Article III, Section 3 of the Code pertaining to home occupation business registrations include the following:

- “3.2.1 Not more than six (6) persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation;
- 3.2.2 The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation;
- 3.2.3 There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation, except for one (1) non-illuminated name plate sign not more than nine square feet in area;
- 3.2.4 Parking for employees and for customers or clients of the home occupation as required by Section 9 of this Article III shall be provided off the street;
- 3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.”

6. The Land Use Administrator determined that the application did not meet all Code requirements and denied the home occupation business development permit based on the following facts:

- a. The welding business would not be incidental or subordinate to its use for residential purposes;
- b. The home owner would exceed the 50% of floor area allowed for the home occupation;
- c. The equipment and process used for the home occupation would significantly interfere with the existing use of property in the adjacent areas.

7. As required by Article II, Section 2.3.4b of the Code, on January 17, 2014, within five days of the Code Administrator’s decision, the Appellants filed an appeal contesting the denial of the home occupation business development permit.

8. In support of the Appeal, the Appellant submitted petitions from neighbors in support to the granting of a home occupation business development permit, and asserted that they would take greater measures to reduce the noise generated from the welding equipment.

9. The Appellants requested that this Board, in recognition that they had passed all inspections, have the appropriate licenses and were taxpaying citizens; overturn the denial of the home occupation business development permit.

10. In addition to Appellant, five members of the public spoke in opposition of the Appeal, testifying that they heard noise and smelled fumes from the welding business and that this type of use should not be allowed in a residential area due to noise, fumes and fire danger.

11. After conducting a public hearing on the appeal and having heard from the Appellants and the public, and having considered all materials submitted on the matter, including letters in support and opposition to the home occupation business, the County Development Review Committee hereby denies the appeal and upholds the Land Use Administrator's denial of the application for a home occupation business development permit allowing a welding business at 8 Ernesto Road in Santa Fe County.

**WHEREFORE** the County Development Review Committee of Santa Fe County hereby denies the appeal of the Land Use Administrator's decision to deny a request for a home occupation business development permit. The motion to deny the appeal passed by a 7-0 vote with Committee Members Drobnis, Martin, Anaya, Booth, Gonzalez, Katz, and Roybal voting in favor of the motion.

IT IS SO ORDERED

This Order was approved by the Santa Fe County Development Review Committee on this

15<sup>th</sup> day of May, 2014.

SANTA FE COUNTY DEVELOPMENT REVIEW COMMITTEE

By: [Signature]  
Dan Drobnis, Chair

Attest:

[Signature]  
Geraldine Salazar, County Clerk  
5-15-2014



Approved as to form:

[Signature]  
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
I Hereby Certify That This Instrument Was Filed for  
Record On The 16TH Day Of May, 2014 at 11:32:15 AM  
And Was Duly Recorded as Instrument # 1736983  
Of The Records Of Santa Fe County

CDRC ORDER  
PAGES: 4

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

REC'D CLERK RECORDED 5/15/14 12:34

from off-site road improvements for the first lot, the person transferring the lot shall file an affidavit as described in Article II, Section 4.3.2b.v.

- (d) Water Conservation. All lots created in accordance with Sections 2.3.1a.ii(b), (d), (f), (g) and (h), which are less than ten (10) acres in size shall be subject to water conservation covenants as set forth in Article VII, Section 6.6.2.

History: Sections 2.3 and 2.4.1 of Section 2 were amended by County Ordinance 1996-3, providing for site planning standards, required submittals and a review procedure regarding terrain management. Section 2.4.2 was amended by Ordinance 1996-8 to include summary review subdivisions, update road and access requirements, clarify provisions for family transfers and add water conservation requirements for some land divisions.

### **SECTION 3 - HOME OCCUPATIONS**

The requirements of this Section 3 of Article III apply to home occupations.

#### 3.1 Location of District

Home occupations are allowed anywhere in the County, provided all of the requirements of the Code are met.

#### 3.2 Performance Standards

A development permit involving a home occupation may be approved only if the following standards are met:

- 3.2.1 Not more than six (6) persons, other than members of a family residing on the premises, shall be regularly engaged in work at the site of the home occupation;
- 3.2.2 The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 50% of the floor area of the dwelling including accessory buildings shall be used in the conduct of the home occupation;
- 3.2.3 There shall be no change in the outside appearance of the building or premises, nor other visible evidence of the conduct of the home occupation, except for one (1) non-illuminated name plate sign not more than nine square feet in area;
- 3.2.4 Parking for employees and for customers or clients of the home occupation as required by Section 9 of this Article III shall be provided off the street;
- 3.2.5 No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area.

#### 3.3 Submittals

The application shall be submitted on a form provided by the Code Administrator which shall include a description of:

- 3.3.1 Activities involved;
- 3.3.2 Materials and equipment used;
- 3.3.3 Methods of operation;
- 3.3.4 Number of employees;
- 3.3.5 Type of product to be produced, serviced or repaired;



- 3.3.6 Mechanical and electrical equipment necessary to the conduct of the home occupation use;
- 3.3.7 Amount, location and method of storage of supplies and/or equipment;
- 3.3.8 Location of parking;
- 3.3.9 Type and amount of traffic generated.

## ~~SECTION 4 - COMMERCIAL AND INDUSTRIAL NON-RESIDENTIAL DISTRICTS~~

### ~~4.1 Purpose and Intent~~

~~Commercial, and industrial non-residential land uses are permitted only in zoned districts of various sizes and locations in the County of Santa Fe. Non-residential districts specifically for commercial or industrial land uses are established in order:~~

- ~~4.1.1 To permit intensive development of selected land uses at designated locations;~~
- ~~4.1.2 To avoid strip commercial and industrial patterns of development along highways, arterials, collectors, and local roads of the County;~~
- ~~4.1.3 To protect the function of the County's highways, arterials, collectors, and local roads by controlling the number of access locations to commercial and industrial use areas;~~
- ~~4.1.4 To prevent the preemption of prime areas for commercial or industrial development by residential development;~~
- ~~4.1.5 To protect existing and future residential development from encroachment of non-residential uses;~~
- ~~4.1.6 To provide the opportunity to master plan non-residential use areas, so that adequate fire and police protection may be provided and appropriate infrastructure constructed.~~

### ~~4.2 Types and Locations of Commercial or Industrial Districts~~

#### ~~4.2.1 Types of Districts and Location Criteria~~

- ~~a. There are four types of commercial or industrial non-residential districts which may be established at specific qualifying intersections of various types of roads in the County:~~
  - ~~1) Regional or major center districts, which are established or may be established, shall be located at intersections of major arterials and major highways. The purpose of major center or regional districts is to concentrate extensive regional non-residential activities. Section 4.3.1 infra, defines uses which may be established.~~
  - ~~2) Community center districts, which are or may be located at intersections of arterial and/or collector roads for the purpose of concentrating community oriented commercial uses, shopping, offices and service businesses, including travelers services, light industry, research and development complexes and other similar uses. Sub-section 4.3.1, defines uses which may be established.~~
  - ~~3) Local or village center districts, which are or may be located at intersections of collector and local roads and in traditional community areas for the purpose of concentrating activities which serve such neighborhood areas for shopping, travel, and personal services. Section 4.3.2, lists suggested uses.~~
  - ~~4) Neighborhood or small scale center districts, which are or may be located at intersections of local roads or in traditional community areas. Uses similar to those which may be established in local or village center districts may be established.~~

for compliance with the requirements of the Code, and shall make and file a report to the County Development Review Committee evaluating the application and recommending that the County Development Review Committee approve, disapprove, or approve the application with modifications and/or conditions or recommending that the County Development Review Committee recommend the same to the Board depending on which body has final authority pursuant to Section 2.3.2e.

- 2.3.2b The Code Administrator may hold an informal conference with the applicant and any interested person at any time prior to the making of his recommendation. The Code Administrator shall give at least three (3) working days' notice, either orally or in writing, to the applicant or any interested person who has requested in writing that he receive notice of any informal conference held under this Subsection b.
- 2.3.2c At least twenty one (21) calendar days prior to any public meeting at which an application will be heard, the applicant shall post notice of the filing of the application prominently on the land, building, or other structure which is the subject of the application in such a way as to give reasonable notice to persons interested in the application and shall provide written verification of the posting of the notice to the Code Administrator.
- 2.3.2d For development other than subdivisions under the New Mexico Subdivision Act (which shall comply with the public agency review process as set forth in Article V, Section 5.3.3d.), the Code Administrator may refer an application to an appropriate agency or official of the State of New Mexico for an opinion concerning whether the application would be disapproved or approved with conditions or modifications. Unless otherwise required by law, the opinion of the state agency or official shall be advisory. The Code Administrator may delay the making and filing of his recommendation for up to sixty (60) calendar days to await the opinion if he believes that such a delay is in the public interest.
- 2.3.2e The County Development Review Committee has final approval authority on preliminary and final development plans and on appeals of the Code Administrator's decisions and has recommendation authority on variances, preliminary and final plats, and all master plans, including zoning, for which the Board shall have final approval authority. Plats for Type V subdivisions containing six (6) or more parcels go directly to the Board for review and approval, in accordance with Article V, Section 5.5.4b.

#### 2.3.4 Appeals

##### 2.3.4a Filing an Appeal

All appeals under the Code shall be filed in writing with the Code Administrator.

##### 2.3.4b Appeal of Code Administrator Decision under Section 2.3.1 to the County Development Review Committee

- i. Any person aggrieved by a decision of the Code Administrator under Section 2.3.1 may file an appeal to the County Development Review Committee within five (5) working days of the date of the Code Administrator's decision. The County Development Review Committee shall hear the appeal within sixty (60) calendar days of the date the appeal is filed. The County



Development Review Committee shall make and file its decision approving or disapproving the application or approving the application with conditions or modifications.

- ii. A decision of the County Development Review Committee on an appeal shall become final thirty (30) calendar days after the decision is filed, unless within that month an appeal of the decision has been filed by an interested person including the Code Administrator, pursuant to Section 2.3.4c of this Article or the Board on its own initiative has decided to review the decision.

2.3.4.c Appeal of Development Review Committee Decisions to the Board

- i. Any person aggrieved by a decision of a Development Review Committee may file an appeal in writing to the Code Administrator within thirty (30) calendar days of the date of the decision of the Development Review Committee. The Board shall hear the appeal within sixty (60) calendar days after the date the appeal is filed. The Board shall timely make and file its decision approving or disapproving the application or approving the application with conditions or modifications.
- ii. The decision of the Board shall become final on the date when the decision is filed.

2.4 Notice and Conduct of Public Hearing

2.4.1 Notice by County

Notice of a public hearing to be held by a Development Review Committee or the Board, shall be given as provided by resolution of the Board and as otherwise required by law. Copies of the public notice policies shall be posted in the Code Administrator's office. Public hearings shall be conducted as provided by policies established by the body holding the hearing or as required by law. All interested persons shall be allowed a reasonable opportunity to be heard at a public hearing held under the Code.

2.4.2 Notice by Applicant

2.4.2a For all zoning cases, master plans, development plans, variances, preliminary and final subdivision plats, Type V subdivisions containing six (6) or more parcels and appeals of these matters, the following public notice requirements shall be completed by the applicant at least twenty one (21) calendar days prior to the public meeting:

- i. A notice shall be published in the legal section of the daily newspaper which covers the area in which the project is located;
- ii. Certified letters, prepared by the Code Administrator, shall be mailed return receipt requested to all property owners within one hundred (100) feet (excluding rights-of-way) of the subject property;
- iii. The subject property shall be posted, in the manner outlined in Section 2.3.2c of this Article II.

2.4.2b For all summary review subdivisions containing five (5) or fewer parcels, Sections 2.4.2a.ii. and iii. Shall be completed by the applicant at least fifteen (15) calendar days prior to the administrative decision.

History. Section 2.4 was amended by Ordinance 1996-8 to include notice requirements for most projects.

Graeser & McQueen, LLC  
— ATTORNEYS AT LAW —

Tuesday, May 27, 2014

Board of County Commissioners of Santa Fe County  
102 Grant Ave  
Santa Fe, NM 87501

Re: CDRC Case #A 14-5030 Maurilio & Amanda Calderon Appeal (Adonai Custom Iron Works)

Dear Board Members,

On behalf of several residents of the Santiago Subdivision, adjacent to the proposed Adonai Custom Iron Works commercial production facility, I urge you to uphold the Land Use Administrator and County Development Review Committee decisions denying this home occupation application. The business is simply out of character with a single-family residential subdivision and not appropriate for a home occupation license.

Code Art. II, Sec. 3.2.2 states "The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants..." The proposed welding/iron works business is an industrial use. It includes shipping, cutting, grinding, welding and painting to occur in a nearly 2,000 square foot steel building. This cannot be said to be "clearly incidental."

Section 3.2.2 contains a prescriptive requirement as well as the performance standard limiting the home occupation use to 50% of the square footage. Applicants built a ~2,000 square foot steel building, ostensibly as a "garage." However, the Code only permits them to use 832 square feet for their home occupation. The clear intent of the Code is to help insure that the business is kept supplemental to the residence, not vice-versa. After a site visit, staff determined that the Applicants' operation is too large to restrict to that minimal space ("The Land Use Administrator has concerns that he will be unable to keep his business operations within the 832 square feet"). Moreover, enforcing the 832 square foot restriction would prove difficult if not practically impossible. The resulting spillover into other portions of the structure and the exterior would result in a business too large to comply with home occupation restrictions.

In addition to the requirement that the business be clearly incidental to the residential use, Section 3.2.5 states, "No equipment or process shall be used in the home occupation which significantly interferes with the existing use of property in the adjacent area." At the site visit, staff observed that "the sound does carry out to neighborhood properties at a level that would not be expected among single family homes as this area is primarily residential with few businesses around." An additional concern is that although Applicants state that the doors will be kept closed, when the Deputy Sheriff did a site inspection he found "the property owner was grinding metal, hammering metal, moving and dropping metal etc., all in the front driveway..."

The Applicants' decision to start operating their business without permits is actually helpful in this instance because the neighborhood now has first hand experience with its impacts. It is not uninformed hysteria driving the opposition, rather it is the voice of actual experience. Please review some of the comments you have received from the neighbors regarding unbearable fumes (including paint) and noise, smoke, and traffic as well as long business hours.



# Graeser & McQueen, LLC

— ATTORNEYS AT LAW —

Other concerns expressed by the neighbors are equally worthy of your consideration, including the fire hazards and concern about lack of appropriate insurance. Moreover, to the extent that the business is painting its products there appear to be significant environmental regulations with which it is not in compliance.

The community's final major concern is the precedent this application may set. Applicants state that "there are four other companies in our same area." However, the only business in the immediate vicinity, AAG Heating and Air Conditioning at 312 Rabbit Rd. is also operating without a business license. Its owners may well be waiting for Adonai Custom Iron Works to become legal, in order to point to it as precedent to receive their own dispensation from Code requirements.

It is important to note that this is a situation of the applicants' own creation. Adonai Custom Iron Works is a pre-existing business, incorporated over five years ago, and Mr. Calderon has been in the welding business for 19 years. Mr. and Mrs. Calderon own at least one other residence (the one they use for their mailing address on the application, raising questions of their true residential address). They chose to purchase the Ernesto Road property to locate their business in 2011 without investigating what the zoning allowed them to do. This is unfortunate, but it is unfair to relieve Calderons of the effects of their mistake by making their neighbors suffer instead. This is particularly true in light of their misrepresentation to several neighbors that they were only building a garage, and their operating an illegal business.

Adonai Custom Iron Works appears to be a successful business that produces quality work, judging from its Facebook page. There is no reason that it cannot thrive in an appropriately zoned location. However, the scale and impacts of such a business are inappropriate for a home occupation use. We would not argue that Adonai Custom Iron Works' administrative office could not be in the Calderons' home, but their production facility is just too big. Calderons state that "we do not want to bother or be an inconvenience to anyone." The only way to accomplish this is not to operate the production facility portion of their business from their home.

We ask again that you uphold the recommendation of land use staff and the decision of the County Development Review Committee and deny the home occupation business license.

Sincerely,



Christopher L. Graeser

Attachments: New Mexico Secretary of State printout re: Adonai Custom Iron Works  
Santa Fe County Assessor printout re: Calderons' other residence  
Facebook posting showing work of Applicants







**VIII. Concluding Business**  
**A. Announcements**  
**B. Adjournment**



