Danny Mayfield Commissioner, District 1

Virginia Vigil Commissioner, District 2

Robert Anava Commissioner, District 3



Kathy Holian Commissioner, District 4

Liz Stefanics Commissioner, District 5

Katherine Miller County Manager

## **MEMORANDUM**

DATE:

December 13, 2011

TO:

**Board of County Commissioners** 

FROM:

Jose E. Larrañaga, Commercial Development Case Manager

VIA:

Jack Kolkmeyer, Land Use Administrator

Shelley Cobau, Building and Development Services Manager

Wayne Dalton, Building and Development Services Supervisor

FILE REF.: CDRC CASE # V 11-5270 Cuatro Villas Mutual Domestic Water Users

Association.

## **ISSUE:**

Cuatro Villas Mutual Domestic Water Users Association, Applicant, Kari Edenfield (Souder, Miller and Associates), Agent, request a variance of Article III, Section 4.4.4.c Development and Design Standards, to allow a proposed water storage tank to exceed the maximum allowable height of thirty six feet. The project is located at 51 Placita Road, within Section 4, Township 20 North, Range 9 East, (Commission District 1).

### **SUMMARY:**

On October 20, 2011, the County Development Review Committee (CDRC) met and acted on this case, the decision of the CDRC was to recommend approval of CDRC CASE # V 11-5270 Cuatro Villas Mutual Domestic Water Users Association (Exhibit "J").

The Quatro Villas Mutual Domestic Water Users Association (MDWUA) is a nonprofit community organization established under the New Mexico Sanitary Projects Act. The mission of Quatro Villas MDWUA is to provide safe, reliable drinking water to the communities of La Puebla, Sombrillo, Cuarteles and El Valle de Arroyo Seco (Exhibit "A").

On May 24, 2011, the Board of County Commissioners (BCC) approved a request for a Grant of Right of Way, to the Cuatro Villas Mutual Domestic Water Users Association, for the purpose of installing two five hundred thousand (500,000) gallon concrete water storage tanks and distribution infrastructure on the site known as La Puebla Park located at 51 Placita Road (Exhibit "B").

BCC December 13, 2011 MDWUA Variance Page 2

An Administrative review of the site for placement of a five hundred thousand (500,000) gallon concrete water storage tank and distribution infrastructure is currently being processed by Building and Development Services. The development will encompass approximately 0.74 acres within the site. The tank will have an exposed height of forty seven (47) feet with eight (8) feet compromising the dome roof. The north side of the tank will be partially buried and have an exposed height of thirty one (31) feet (Exhibit "C"). Approval of this development is pending resolution of the proposed height of the tank and technical review by the Utility Department.

The Applicant requests a variance of Article III, Section 4.4.4.c, Development and Design Standards of the Land Development Code, to allow a five hundred thousand (500,000) gallon concrete water storage tank to exceed the maximum permitted height of thirty six feet. The Applicant states: "the proposed elevation of the tank is needed to provide the optimal elevations for providing the required pressure for the water system. The site was selected for its centralized location within the Cuatro Villas service area and site elevations to provide the gravity flow needed for the system".

The Applicant also states: "critical elements of the Cuatro Villas water system are the storage facilities. Full build out of the regional water system requires a total storage volume of one million gallons for domestic potable water demand plus fire protection volumes as required by Santa Fe County. Phasing the regional water system accommodates half the storage volume to be constructed now and the other half at a later date. Half the storage volume will adequately serve the membership until increasing membership necessitates constructing the other half".

The proposed tank will be visible by the residence within the surrounding area (Exhibit "H"). The site is bordered by BLM, Archdioceses, agricultural and residential property (Exhibit "I"). The visibility of the tank may be minimized by painting the tank an earth tone color.

Article III, Section 4.4.4.c Development and Design Standards/Maximum Height states: "structures shall be limited to a maximum height of thirty six (36) feet from the highest point of the surface of the ground at the perimeter of the structure in Major or Community Center Districts and twenty four (24) feet in height in Neighborhood or Local Center Districts" (Exhibit "D").

Article II Section 3.1 (Variances/Proposed Development) states: "where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking or property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a

BCC December 13, 2011 MDWUA Variance Page 3

Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified".

Article II Section 3.2 (Variances/Variation or Modification) states: "in no case shall any variation or modification be more than a minimum easing of the requirements" (Exhibit "E").

## **REQUIRED ACTION:**

The BCC should review the attached material and consider the recommendation of staff and CDRC; take action to approve, deny, approve with conditions or table for further analysis of this request.

## **RECOMMENDATION:**

Staff has reviewed this Application and has found the following facts presented for resolution of this request by the Board of County Commissioners: excluding the proposed height of the tank, the placement of a five hundred thousand (500,000) gallon concrete water storage tank and distribution infrastructure, on 0.74 acres, meets the development requirements of the Land Development Code; the regional water system, at full build out, requires a total storage volume of one million gallons for domestic potable water demand plus fire protection volumes as required by Santa Fe County; the proposed elevation of the tank is desirable to provide the optimal elevations for providing the required pressure for the water system; strict compliance with the requirements of Article III, Section 4.4.4.c may result in inhibiting the achievement of the purposes of the Code; the requested height variance for the water tank, which will serve the northern communities in Santa Fe County with safe, reliable drinking water, may perhaps be considered a minimal easing of the requirements of the code.

The Board of County Commissioners shall now make a final resolution on the Applicant's request of a variance of Article III, Section 4.4.4.c, Development and Design Standards, to allow a water storage tank with an exposed height of forty seven (47) feet for the purpose of providing storage volume for the Quatro Villas regional water system.

## **ATTACHMENTS:**

Exhibit "A"- Development Request

Exhibit "B"- Right of Way Grant

Exhibit "C"- Plan Set

Exhibit "D"- Article III, Section 4.4.4.c

Exhibit "E"- Article II, Section 2 (Variances) of the Code

Exhibit "F" – Aerial Photo of Property Aerial

Exhibit "G" – Quatro Villas Service Area

Exhibit "H" – Photos of Site

Exhibit "I" – Aerial of adjoining properties and Traditional overlay

Exhibit "J" – October 20, 2011, CDRC Minutes

Exhibit "K" - Letter of Concern

## CUATRO VILLAS MUTUAL DOMESTIC WATER USERS ASSOCIATION REGIONAL WATER SYSTEM

Santa Fe County, New Mexico August 2011







s • 1201 Parkway Drive • Santa Fe, NM 87507-7258 (505) 473-9211 • fax (505) 471-6675

#### INTRODUCTION

The Cuatro Villas Mutual Domestic Water Users Association (MDWUA) is a nonprofit community organization established under the New Mexico Sanitary Projects Act. The mission of Cuatro Villas MDWUA is to provide safe, reliable drinking water 24 hours a day to current and future members. The Association members are made up of property owners and residents throughout the communities of La Puebla, Sombrillo, Cuarteles, and El Valle de Arroyo Seco that have purchased a membership in the Association. The service area of the Association encompasses the four communities, and is bounded by BLM to the north and southeast, Grater Chimayo MDWCA to the east, City of Española to the northwest, Santa Clara Pueblo to the west, and Pojoaque Pueblo to the south.

Construction of a regional water system is underway in the service area to provide water and fire protection to the region. Critical elements of the water system are storage facilities. Full build-out of the regional water system requires a total storage volume of one million gallons for domestic potable water demand plus fire protection volumes as required by Santa Fe County. The phased approach of the Regional Water System project accommodates half the storage volume to be constructed now and the other half at a later date. Half the storage volume will adequately serve the membership until increasing membership necessitates constructing the other half.

## **Development Request**

This master plan report was prepared in accordance with the Santa Fe County Land Development Code. This master plan is submitted to address customary planning and development standards and specify the uses permitted on this property. The site of interest is located on non-residential Santa Fe County patent lands reserved for recreation and public purposes. Article 5, Section 4.3 lists permitted uses and structures for district lands; for major or commercial non-residential districts, public or private utilities are listed. Cuatro Villas MDWUA proposes to construct, operate, and maintain a 500,000 gallon water storage tank for the Association as part of the Regional Water System project.

The tank will have an exposed height of 47 feet with 8 feet comprising the dome roof on the south side. The north side of the tank will be partially buried in an effort to maintain the original view of the hillside for community members and have an exposed height of 31 feet. The particular site was selected for its centralized location within the service area and site elevations. The site elevations provide the optimal elevations for providing the best pressure throughout the system to association members.

#### SITE LOCATION

The proposed water storage tank site encompasses approximately 0.74 acres within the community of La Puebla in northern Santa Fe County. The site is within Section 04, Township 30 North, and Range 09 East adjacent to the Santa Cruz Land Grant, located north of the intersection of Firehouse Road and Placita Road, behind the La Puebla Fire Station #1 on Firehouse Road. An existing 30,000 gallon emergency fire storage tank is 60 feet south of the site and is utilized by the fire department to provide limited volumes of fire water to a hydrant. Appendix A is a map depicting the Cuatro Villas MDWUA service area.



## Ownership

The site is located on patent lands issued to Santa Fe County for recreational purposes. Patent No. 30-2005-0009 was issued to the county by the Bureau of Land Management. Cuatro Villas MDWUA has secured a right-of-way (ROW) occupying 0.74 acres of the 5.76 acres from the original patent. A copy of the ROW agreement with the County and the plat is included in Appendix D.

## **Existing Conditions and Adjoining Land Uses**

The site is undeveloped and vacant. La Puebla Fire Station #1 and the 30,000 gallon water storage tank are located southwest of the site and are used for the purposes of emergency fire needs. A residence is located directly behind the fire station. A playground, pedestrian trail, and parking lot are located southeast of the site. Land north of the site is undeveloped and vacant.

## **Existing and Future Utilities**

#### Natural Gas

Natural gas facilities are not in the area and the proposed facility will not require any. The fire station and residence utilize propane tanks for their heating needs.

#### Electric

Electrical lines exist within the area, serving the residence, the fire department, and various street lighting. The site may require a small commercial electrical service for tank level control components.

#### Telephone

Underground telephone and fiber optic lines are located along Firehouse Road and will not be disturbed by the construction and implementation of the proposed facilities. The facilities on site do not require telephone service.

#### Water

Phase IIA of the Cuatro Villas MDWUA Regional Water System involves the installation of 12 inch PVC waterline along Firehouse Road. A 12 inch PVC waterline from the proposed storage tank will connect to the waterline in Firehouse Road.

A waterline exists from the emergency fire storage tank to the fire station and hydrant located in front of the station.

#### Sewer

No sewer facilities are or will be located on the site, as they are not necessary. The residence, La Puebla Firehouse, and regional park all operate decentralized systems for their sewer needs.

#### Fire Protection

The La Puebla Volunteer Fire District serves the four communities of La Puebla, Cuarteles, Sombrillo, and El Valle de Arroyo Seco. The district has two fire stations, La Puebla Fire Station #1 on Firehouse Road, and La Puebla Sub Station #2 in Arroyo Seco. As previously mentioned,



the site is located 60 feet from the emergency fire storage tank utilized by the Fire Station. The Fire Station is located approximately 300 feet from the site.

The proposed storage tank to be located on the site will provide adequate water storage for fire protection in the Cuatro Villas MDWUA service area. The water storage needs for the service area include 120,000 gallons for fire storage, which is equivalent to providing 1,000 gpm of water for two hours.

#### Access

The site will be accessible from Firehouse Road by means of an existing driveway to the residence behind the Fire Station. An access road to the Station's storage tank will be extended to the site. The road will utilize an existing 20 foot wide access right-of-way.

## Topography

Elevations on the site range from 5932 feet to 5950 feet above mean sea level (MSL). The site slopes upward to the north, reaching a ridge at the north end of the site. The site is located within the hill crest, with the tank to be partially buried when completed. Slopes within the site range from gentle (2%) to steep (<40%). The Geotechnical Engineering Report prepared by Terracon for the storage tank states the existing topography as, "relatively level to moderately sloping site situated on a hill or elevated area."

To accommodate the storage tank, the site will regraded to provide stable slopes for construction and proper site drainage after construction is complete. The Geotechnical Engineering Report recommends a maximum slope configuration of 2H:1V for permanent slopes. A copy of the Geotechnical Engineering Report is included in the project contract documents.

## Drainage

As the site is along a ridge, the water drains down the hill to Firehouse Road. A small drainage channel exists west of the basketball courts. The channel slopes down toward an existing retention pond approximately 60 feet north of Firehouse Road. This retention pond will be utilized by the drainage facilities for the storage tank. PVC pipe 10 inches in diameter will be used to drain the runoff from the tank, as well as any water overflowing from the tank. The line will also be utilized when draining the tank during occasional operation and maintenance tasks.

The region is located in the Upper Rio Grande Watershed with runoff eventually draining toward the Rio Grande, to the west of the site. A few unnamed ditches/arroyos are in the vicinity of the site however none are within the site boundaries.

#### **ENVIRONMENTAL ASSESSMENT**

As a part of the environmental assessment, SMA is in the final stages of preparing an Environmental Report for the storage tank site in accordance with USDA Rural Utilities Services (RUS) Bulletin 1764A-602. The report explores the affected environment and any possible environmental consequences concerning:

- Land Use/Important Farmland/Formally Classified Lands
- Floodplains
- Wetlands



- Historic Properties
- Biological Resources
- Water Quality Issues
- Coastal Resources
- Socio-Economic/Environmental Justice Issues

A draft copy of the report is attached in Appendix B. The full report with all appendices is available upon request.

#### TRAFFIC GENERATION

The site is located north of the Firehouse Road and Placita Road intersection. Construction on the site will generate the most traffic as construction crews will require access to the site. Construction is slated to last 270 days (nine months) and should not impose traffic flow or cause the roads to operate at over capacity. Operation and maintenance of the tank will generate minimal traffic.

#### LANDSCAPING PLAN

The Web Soil Survey as part of the National Resources Conservation Services (NRCS) National Cooperative Soil Survey (NCSS) identifies two soil classifications present on the site. They are:

120 - Quarteles-Rock outcrop complex, 25 to 90 percent slopes, and

127 - Ojito-Koshare-Quarteles complex, 5 to 50 percent slopes.

The NCSS soil maps and map descriptions are included in Appendix C.

Natural vegetation on the site consists of native grasses. The native vegetation will be maintained as best as possible with the improvements. No intrusive or foreign vegetation will be imported to the site.

Landscaping of the site will include an eight foot high chain link fence that will surround the site for security. The north side of the tank will be partially buried in an effort to maintain the original view of the hillside for community members.

#### **OUTDOOR LIGHTING**

No outdoor lighting for the facility will be necessary.

#### WASTE DISPOSAL

The proposed tank will not create any waste, either solid or liquid.



## SANTA FE COUNTY RIGHT OF WAY

Santa Fe County, a political subdivision of the State of New Mexico, (hereinafter "Grantor") hereby grants and conveys to Cuatro Villas Mutual Domestic Water Users Association, (hereinafter "Grantee") a right of way for the purpose of installing two 500,000 gallon concrete water storage tanks and distribution infrastructure on property patented to Santa Fe County under the Recreation and Public Purpose Act, Patent No. 30-2005-099 in Santa Fe County, New Mexico, located in Township 20 North, Range 9 East, section 4, lot 35 in La Puebla, New Mexico ("Grantor's Property"). This Right of Way is approximately 0.74 acres, as more particularly described on Exhibit A, attached hereto and incorporated herein.

This Right of Way is subject to the following terms and conditions:

- 1. <u>Purposes</u>. The water tanks and distribution infrastructure to be built by Grantee will provide potable water, adequate water pressure and sufficient storage for fire suppression, and water for landscaping for the La Puebla Park Community Center located on Grantor's Property as well as water service for the Grantee's customers.
- 2. <u>Compliance with Laws</u>. Grantee shall comply with all laws and orders of federal, state, and local governmental agencies that are applicable to the activities conducted on or about the Right of Way area by or on behalf of Grantee.
- Grantee shall refrain from storing or discharging any Hazardous Materials. hazardous wastes or toxic substances as defined in 42 U.S.C. Section 9601-9657 on the Right of Way area or any other portion of the adjacent property owned by Grantor. Grantee will not use, or permit its contractors to use, the Right of Way at any time in such a manner as to cause a violation of or to give rise to a removal, restoration or other remedial obligation under any statute, rule, ordinance, order, judgment, decree, requirement or common law of any federal, state, local or other governmental entity having jurisdiction over the Right of Way, including, without limitation, the Resource, Conservation and Recovery Act of 1980, 42 U.S.C.6901, et seq., and the Comprehensive Environmental Response Compensation and Liability Act of 1980, 42 U.S.C. 9601, et seq. (collectively, "Environmental Laws"). Grantee shall promptly provide written notice to Grantor of the following if actually discovered by Grantee or brought to Grantee's attention: (1) any potential, threatened or known release of any dangerous or hazardous waste material, element or substance on, under or from the Right of Way; (2) any adverse hazardous environmental condition on or affecting the Right of Way; and (3) any violation of any Environmental Laws affecting the Right of Way, and upon Grantee's receipt of any such notice of the foregoing from any governmental authority. If and when actually discovered by Grantee or brought to Grantee's attention, Grantee shall promptly provide Grantor written notice of any discharges, spillage, contamination, or other mishandling of a hazardous substance on the Right of Way during the term of this Right of Way and any extension thereof. If liable therefore, Grantee's liability for the cost of remediating the same shall be governed by the applicable Environmental Laws and the applicable provisions of the New Mexico Tort Claims Act.
- 4. <u>Grantee Responsibility Indemnification</u>. Grantee agrees that Grantor shall have no responsibility for any activity, work, or thing done by Grantee or its employees, agents and



contractors on the Right of Way or other portion of Grantor's Property or any liability resulting therefrom, all of which shall be Grantee's responsibility (including without limitation the design, construction and maintenance of the tanks and infrastructure in the Right of Way), subject to the applicable provisions of the New Mexico Tort Claim Act.

- A. The Grantee shall defend, indemnify, and hold harmless the Grantee (County and its Elected Officials, agents, and employees) from any losses, liabilities, damages, demands, suits, causes of action, judgments, costs or expenses (including but not limited to court costs and attorneys' fees) that directly or indirectly arise out of the Grantee's actions.
- B. The Grantee agrees that the Grantor shall have the right to control and participate in the defense of any such demand, suit, or cause of action concerning matters that relate to the Grantor and that such suit will not be settled without the Grantor's consent, such consent not to be unreasonably withheld. If a conflict exists between the interests of the Grantor and the Grantee in such demand, suit, or cause of action, the Grantor may retain its own counsel to represent the Grantor's interest.
- C. The Grantee's obligations under this section shall not be limited by the provisions of any insurance policy the Grantee is required to maintain under this Right of Way.
- 5. Insurance.
- A. <u>General Conditions.</u> The Grantee shall submit evidence of insurance as is required herein. Policies of insurance shall be written by companies authorized to write such insurance in New Mexico.
- B. General Liability Insurance, Including Automobile. The Grantee shall procure and maintain during the life of this Right of Way a comprehensive general liability and automobile insurance policy with liability limits in amounts not less than \$1,050,000 combined single limits of liability for bodily injury, including death, and property damage for any one occurrence. Said policies of insurance shall include coverage for all operations performed by the Grantee on property the is the subject of this Right of Way; and coverage for the use of all owned, non-owned, hired automobiles, vehicles and other equipment, both on and off work. The County of Santa Fe shall be a named additional insured on the policy.
- C. <u>Increased Limits.</u> If, during the life of this Right of Way, the Legislature of the State of New Mexico increases the maximum limits of liability under the Tort Claims Act (NMSA 1978, Sections 41-4-1 through 41-4-29, as amended), the Grantee shall increase the maximum limits of any insurance required herein.

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- 6. <u>No Interference.</u> Grantee agrees that its activities and those of its agents and contractors related to use of this Right of Way will not interfere with the recreational purposes of Patent No. 30-2005-099.
- 7. <u>Restoration and Reclamation.</u> Grantee agrees to restore and otherwise reclaim the land surface of the Right of Way and any other Property disturbed by Grantee, its agents and contractors to pre-construction condition following construction of the water tanks and infrastructure.

## 8. Miscellaneous.

- a) No provision of this Right of Way shall be deemed waived by either party unless such waiver is in writing and signed by the party making such waiver. No custom or practice between the parties in connection with the terms of this Right of Way shall be construed to modify it or waive either party's right to insist upon strict performance of the terms of this Right of Way.
- b) This Right of Way contains the entire agreement of the parties hereto with respect to the subject matter of this Right of Way and no representations, inducement, promises or agreements, oral or otherwise, between the parties not embodied herein shall be of any force and effect.
- c) This Right of Way shall be interpreted under the laws of the State of New Mexico.
- d) The parties acknowledge that this Right of Way is the result of negotiations between the parties, and in construing any ambiguity hereunder no presumption shall be made in favor of either party.
- e) The headings of this Right of Way have been inserted for convenient references only and are not to be considered in the construction of any provision hereof.
- f) This Right of Way may be executed in counterparts that together will be a single instrument.
- g) This Right of Way may be modified only by a written document signed and notarized by both parties and recorded in the official records of Santa Fe County, New Mexico.
- h) This Right of Way shall at all times be deemed to be and shall be a continuous covenant running with the land and shall be binding upon and in favor of the successors and assigns of the Grantor and Grantee.

Witnes	County	Cherk	Title
MINO O SA PARE	TY CLE	Section of the sectio	

Virginia Vigil, Chair

Santa Fe County Board of County Commissioners

ATTEST

VALERIE ESPINOZA

Santa Fe County Clerk

Approved as to form:

Jum Vleen G

Santa Fe County Attorney

COUNTY OF SANTA FE STATE OF NEW MEXICO

RIGHT OF WAY EASEMEN PAGES: 5

I Hereby Certify That This Instrument Was Filed for Record On The 1ST Day Of June, 2011 at 09:59:54 AM Of The Records Of Santa Fe County 1636303

GRANTEE

MUKHTIAES KIHALSA Freschift Cuatro Villas Mutual Domestic Water Users Association

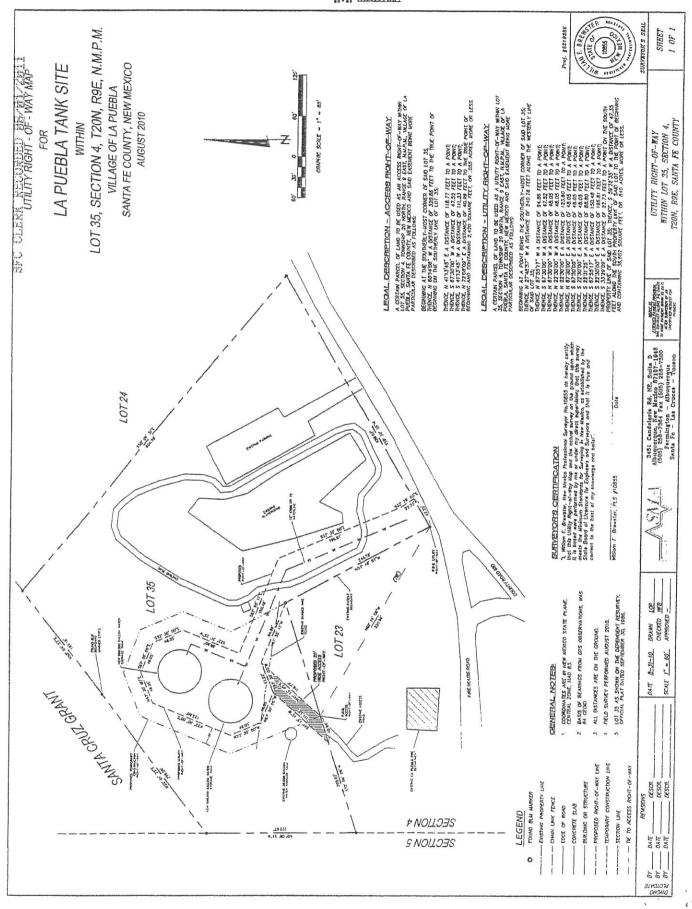
STATE OF NEW MEXICO COUNTY OF SANTA FE

This instrument was acknowledged before me on May 19, 2011, by Mutual Domestic Water Users Association.



Opsika Unille Notary Public

My commission expires: 3116115





SITE OWNER CUATRO VILLAS MDWUA

SANTA CRUZ, NEW MEXICO 87571

TELEPHONE (505) 747-4848

P.O.BOX 667

## CUATRO VILLAS MDWUA

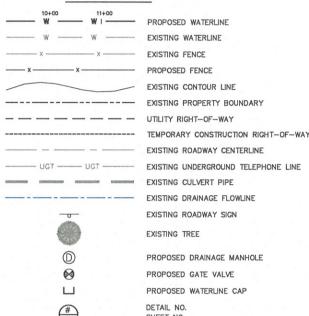
## REGIONAL WATER STORAGE TANK - PHASE II (D)

# SANTA FE COUNTY, NM





## **LEGEND**



PROJECT ENGINEER

1201 PARKWAY DRIVE

CONTACT: MUKHTIAR SINGH KHALSA CONTACT: KARI EDENFIELD, P.E.

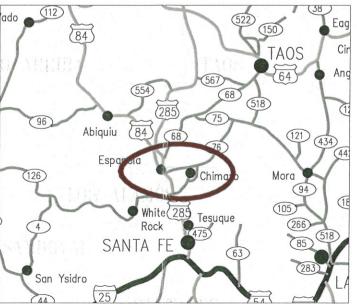
SOUDER, MILLER & ASSOCIATES

SANTA FE, NEW MEXICO 87507

TELEPHONE (505) 473-9211



PROJECT SITE



VICINITY MAP

## SHEET TITLE

G1	COVER SHEET
G2	GENERAL NOTES
G3	SURVEY CONTROL & KEY MAP
C1	TANK SITE-PLAN, PROFILE & SITE LAYOUT
C2	PRV STATION DETAILS
D1	DETAIL SHEET 1
D2	DETAIL SHEET 2
D3	DETAIL SHEET 3
S1	WATER STORAGE TANK - DETAIL SHEET 1
S2	WATER STORAGE TANK - DETAIL SHEET 2
S3	WATER STORAGE TANK - DETAIL SHEET 3
S4	WATER STORAGE TANK - DETAIL SHEET 4
S5	WATER STORAGE TANK - DETAIL SHEET 5

THESE PLANS HAVE BEEN REVIEWED AND APPROVED

Date

THIS CONTRACT ALLO **PAYMENT WITHIN 45 D** OF AN UNDISPUTED R

BY CUATRO VILLAS MDWUA: Mukhtiar Singh Khalsa, President

CUATRO VILLAS MDWUA EGIONAL WATER STORAGE TANK - PHASE II (D) COVER SHEET

#### GENERAL NOTES:

- 1. SOUDER, MILLER AND ASSOCIATES SHALL HEREINAFTER BE KNOWN AS THE ENGINEER.
- 2. THERE WILL BE A PERSON OR PERSONS (HEREINAFTER KNOWN AS THE ASSOCIATION REPRESENTATIVE) CHOSEN BY THE WATER ASSOCIATION (HEREINAFTER KNOWN AS THE OWNER) TO ACT AS A CONTACT PERSON BETWEEN THE OWNER AND THE ENGINEER. THE ASSOCIATION REPRESENTATIVE WILL PROVIDE INFORMATION TO THE CONTRACTOR THROUGH THE FNGINEER
- 3. THE CONTRACTOR SHALL NOT COMMENCE CONSTRUCTION WITHOUT THE CONSTRUCTION PLAN APPROVAL BY THE LOCAL GOVERNING AGENCIES. A COPY OF THE APPROVED PLANS SHALL BE AVAILABLE AT THE CONSTRUCTION SITE AT ALL TIMES DURING WORKING HOURS. PERMITS SHALL BE POSTED PER SANTA FE COUNTY AND STATE IF NEW MEXICO REQUIREMENTS. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR OBTAINING BUILDING PERMITS WHICH HAVE NOT ALREADY BEEN OBTAINED BY THE ENGINEER.
- 4. THE ASSOCIATION REPRESENTATIVE WILL ASSIST THE CONTRACTOR WITH LOCATION AND VERIFICATION OF THE OWNER'S EXISTING WATER SYSTEM. HOWEVER, THE CONTRACTOR IS SOLELY RESPONSIBLE FOR UTILITY VERIFICATION, LOCATION AND PROTECTION.
- 5. THROUGHOUT THE LIFE OF THE PROJECT, THE CONTRACTOR SHALL KEEP THE EXISTING WATER SYSTEM OPERATING. THE CONTRACTOR SHALL REPORT WATER SHUTOFFS OF ANY OR ALL CONNECTIONS TO THE ASSOCIATION REPRESENTATIVE FORTY—EIGHT (48), OR MORE, HOURS IN ADVANCE OF THE SHUT—OFFS. ALL LOCAL RESIDENTS AND BUSINESSES SHALL BE CONTACTED BEFORE ANY DISCONNECTION OF WATER SERVICE. ANY INTERRUPTION OF WATER SERVICE SHALL BE KEPT TO THE MINIMUM LENGTH OF TIME POSSIBLE.
- 6. THE OWNER SHALL BE RESPONSIBLE THROUGH THE PROJECT ENGINEER FOR MAKING ALL ENGINEERING PLAN CHANGES AND REVISIONS TO THE ORIGINAL APPROVED ENGINEERING DRAWINGS.
- 7. CONTRACTOR SHALL MAINTAIN AND UPDATE "AS BUILT" RECORD DRAWINGS, INCLUDING ALL VERTICAL AND HORIZONTAL LOCATIONS OF NEW FINAL SITE FACILITIES, TO BE MADE AVAILABLE TO THE ENGINEER FOR REVIEW AT LEAST MONTHLY, CONCURRENT WITH REVIEW OF REQUESTS FOR PAYMENT.
- 8. CONTRACTOR IS SOLELY RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING ANY NECESSARY TRAFFIC CONTROL.
- 9. THE CONTRACTOR SHALL PROVIDE AN AREA TO STORE CONSTRUCTION DEBRIS WHERE IT WILL NOT BE A NUISANCE. ALL DEBRIS SHALL BE CONTAINED IN SUCH A MANNER THAT WILL PREVENT SCATTERING. ALL DEBRIS, INCLUDING TREES AND UNDERGROWTH, SHALL BE DISPOSED OF PROPERLY WITHIN THE CITY OR COUNTY LANDFILL. ALL DEBRIS SHALL BE REMOVED FROM SITE PRIOR TO SUBSTANTIAL COMPLETION.
- 10. THE CONTRACTOR SHALL PROVIDE BARRIERS OR FENCING TO PREVENT UNAUTHORIZED ENTRY TO CONSTRUCTION AREAS AND TO PROTECT EXISTING FACILITIES AND ADJACENT PROPERTIES FROM DAMAGE. ACCESS TO EXISTING FACILITIES SHALL BE SAFELY MAINTAINED THROUGHOUT CONSTRUCTION.
- 11. IN THE EVENT THE CONTRACTOR ENCOUNTERS ITEMS OF HISTORICAL IMPORTANCE, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY AND WORK IN THE AREA SHALL IMMEDIATELY CEASE UNTIL THE SITE CAN BE CLEARED PROPERLY
- 12. SITE RESTORATION, INCLUDING TEMPORARY EROSION CONTROL PROVISIONS, IS A PREREQUISITE FOR PERIODIC & FINAL PAYMENT.
- 13. THE ENGINEER WAIVES ANY AND ALL RESPONSIBILITY AND IS NOT LIABLE FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS AND THE DESIGN INTENT THEY CONVEY OR FOR PROBLEMS WHICH ARISE FROM FAILURE TO OBTAIN AND/OR FOLLOW THE ENGINEER'S GUIDANCE WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES OR CONFLICTS.
- 14. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR CONSTRUCTING THE WATER SYSTEM COMPONENTS ACCORDING TO: NEW MEXICO ENVIRONMENT DEPARTMENT STANDARDS, "NEW MEXICO STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION" (NMSSPWC) 2006 EDITION, SECTIONS 701, 710, 801 & 802, & "OCCUPATIONAL SAFETY HEALTH ADMINISTRATION" REGULATIONS FOR TRENCHING, SHORING & EXCAVATION.
- 15. WHERE NOT COVERED BY LOCAL ORDINANCE, OR OTHER REFERENCED STANDARDS, THE "INTERNATIONAL BUILDING CODE" 2006 EDITION (IBC) SHALL GOVERN THIS PROJECT.
- 16. PER NMDWB 20.7.10.400.K "A COMPONENT, MATERIAL, TREATMENT CHEMICAL OR OTHER SUBSTANCE THAT MAY COME INTO CONTACT WITH DRINKING WATER MUST MEET THE MOST RECENT APPLICABLE SAFETY STANDARDS FROM, OR BE CERTIFIED BY, THE AMERICAN NATIONAL STANDARDS INSTITUTE/NATIONAL SANITATION FOUNDATION PRIOR TO USE OR APPLICATION (NSF/ANSI 60 AND 61)."
- 17. CONTRACTOR IS SOLELY RESPONSIBLE FOR PROTECTION OF ALL SITE CONTROL AND MONUMENTATION. IN THE EVENT CONTROL OR MONUMENTS ARE DISTURBED IT SHALL BE RESTORED AT THE CONTRACTOR'S EXPENSE BY A NM LICENSED PROFESSIONAL LAND SURVEYOR IN ACCORDANCE WITH ALL APPLICABLE LAWS AND STANDARDS.

#### SURVEY NOTES:

- 1. THE CONTRACTOR SHALL CONFINE HIS OPERATIONS TO THE CONSTRUCTION LIMITS OF THE PROJECT AND SHALL IN NO WAY ENCROACH ONTO ADJACENT PROPERTIES UNLESS LEGAL EASEMENTS ARE PROVIDED. ALL FILL AND CUT SLOPES SHALL BE SET BACK FROM THE PROPERTY LINE IN ACCORDANCE WITH THE INTERNATIONAL BUILDING CODE. THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR ANY AGREEMENTS NECESSARY OR DAMAGE CAUSED BY CONSTRUCTION ACTIVITIES TO PUBLIC OR PRIVATE PROPERTY, INCLUDING UTILITIES.
- 2. THE CONSTRUCTION SURVEYOR SHALL VERIFY EXISTING AND PROPOSED GRADES, EXISTING AND PROPOSED BUILDING FOOTPRINTS, SETBACKS AND TOPOGRAPHY PRIOR TO CONSTRUCTION.

#### UTILITIES NOTES:

- 1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL EXISTING UTILITIES AND SHOULD NOT RELY SOLELY ON THE CONSTRUCTION PLANS FOR UTILITY LOCATIONS. NOTIFICATION TO THE UTILITY COMPANIES IS REQUIRED PRIOR TO COMMENCING WORK. ALL UTILITIES IN THE VICINITY OF WORK SHALL BE POTHOLED TO VERIFY VERTICAL & HORIZONTAL LOCATION & SHALL ADHERE TO NMAC 18.60.5. EXISTING FACILITY INFORMATION SHALL BE INCLUDED IN CONTRACTOR AS—BUILT INFORMATION.
- 2. CONTACT "NEW MEXICO ONE CALL" AT 1-800-321-2537, THREE (3) WORKING DAYS IN ADVANCE OF CONSTRUCTION FOR UTILITY DEMARCATION.
- 3. NO TESTING OR DISINFECTION MAY OCCUR UNTIL CONTRACTOR HAS PREPARED AND SUBMITTED PLAN TO THE ENGINEER AND RECEIVED APPROVAL OF THE SAME.
- 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PERFORMING ALL REQUIREMENTS FOR DISINFECTION AND TESTING AND SHALL REPORT RESULTS TO THE ENGINEER.

#### GRADING NOTES:

- 1. 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 THE MINIMUM REQUIRED TO MAINTAIN ALL WORKERS IN A SAFE CONDITION, TO PROVIDE ACCESS, AND TO MEET O.S.H.A. REGULATIONS.
- 2. CONTRACTOR IS REQUIRED TO PROVIDE DUST AND EROSION CONTROL PROTECTION, AS A PART OF GRADING WORK, THROUGHOUT CONSTRUCTION IN ACCORDANCE W/ NPDES BEST MANAGEMENT PRACTICES.
- 3. UNSUITABLE MATERIAL FROM SITE GRADING AND REMOVAL OPERATIONS SHALL BE DISPOSED OF AT AN APPROVED LANDFILL OR STOCKPILED, AT THE OWNER'S PREFERENCE, AT AN APPROVED ONSITE LOCATION.
- 4. ALL FILL MATERIAL SHALL MEET THE REQUIREMENTS OF THE NMDOT SPECIFICATIONS. THE FILL SHALL BE COMPACTED AS PER THE NMDOT SPECIFICATIONS. ALL FILL SLOPES SHALL BE GRADED TO 3:1 MAX., AND ALL CUT SLOPES SHALL BE AT 2:1 MAX., 3:1 PREFERRED, UNLESS NOTED OTHERWISE.
- 5. TEMPORARY CONSTRUCTION SLOPES MAY HAVE A MAXIMUM SLOPE CONFIGURATION OF 1:1.
- 6. EXISTING SLOPES STEEPER THAN 5:1 (H: V) SHALL BE BENCHED PRIOR TO FILL PLACEMENT. BENCHES SHALL BE WIDE ENOUGH TO ACCOMMODATE COMPACTION AND EARTH MOVING EQUIPMENT AND TO ALLOW PLACEMENT OF HORIZONTAL LIFTS OF FILL.
- 7. DUE TO VERY DENSE SOILS, HEAVY DUTY EXCAVATION EQUIPMENT MAY BE REQUIRED.
- 8. EXPOSED AREAS WHICH WILL RECEIVE FILL, ONCE PROPERLY CLEARED AND BENCHED, SHALL BE SCARIFIED TO A MINIMUM DEPTH OF 10 INCHES, CONDITIONED TO NEAR OPTIMUM MOISTURE CONTENT AND COMPACTED.
- 9. IF SUFFICIENT COMPACTION OF SUBGRADE SOILS CANNOT BE ACHIEVED IN PLACE, THE LOOSE SOILS SHALL BE REMOVED AND REPLACED WITH ENGINEERED FILL. FOR PLACEMENT OF ENGINEERED FILL, THE EXCAVATION SHALL BE WIDENED LATERALLY AT LEAST EIGHT (8) INCHES FOR EACH FOOT OF FILL PLACED BELOW FOOTING BASE ELEVATION.

#### EROSION CONTROL NOTES:

- 1. THE CONTRACTOR SHALL IMPLEMENT THE NECESSARY SITE EROSION CONTROL DEVICES FOR INHIBITING DUST, WIND, AND AIR SEDIMENT MOVEMENT OFFSITE DURING ALL PHASES OR STAGES OF CONSTRUCTION IN ACCORDANCE W/ BMP REQUIREMENTS.
- 2. IF A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) IS REQUIRED, THE CONTRACTOR IS RESPONSIBLE FOR ITS PREPARATION AND IMPLEMENTATION PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THERE WILL BE NO BID ITEM INCLUDED AND NO ADDITIONAL PAYMENT MADE FOR THE PREPARATION AND IMPLEMENTATION OF A SWPPP. THE COST OF THIS WORK SHALL BE CONSIDERED INCIDENTAL TO OTHER WORK.
- 3. SITE RESTORATION SEEDING OR PLANTING OF ANY DISTURBED AREAS SHALL FOLLOW NPDES STANDARDS. SEEDING SHALL BE AS PER AGRICULTURAL EXTENSION STANDARDS FOR THE AREA AND/OR NMDOT CODE FOR THE DISTRICT IN WHICH THE WORK IS PERFORMED. TOPSOIL EXCAVATION FROM THE SITE SHALL BE FREE OF WEEDS.



Y, NM Revision Date Description

CUATRO VILLAS MDWUA REGIONAL WATER STORAGE TANK - PHASE II (D) GENERAL NOTES

SMAA SOUDER, MILLER & ASSOCIATES 1201 PARKWAY DRIVE SANTA FE, NM 87507-7258
Phone (505) 473-9211 Toll-Free (800) 460-5366 Fax (505) 471-6675 Favoration to Sorvine the Southwest & Proch Montaging

Designed Drawn Checker EJT JLL KJE

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Date: AUGUST 2011
Scale: Horiz: N.T.S.
Vert

Project No: 6219386
Sheet: **G2** 





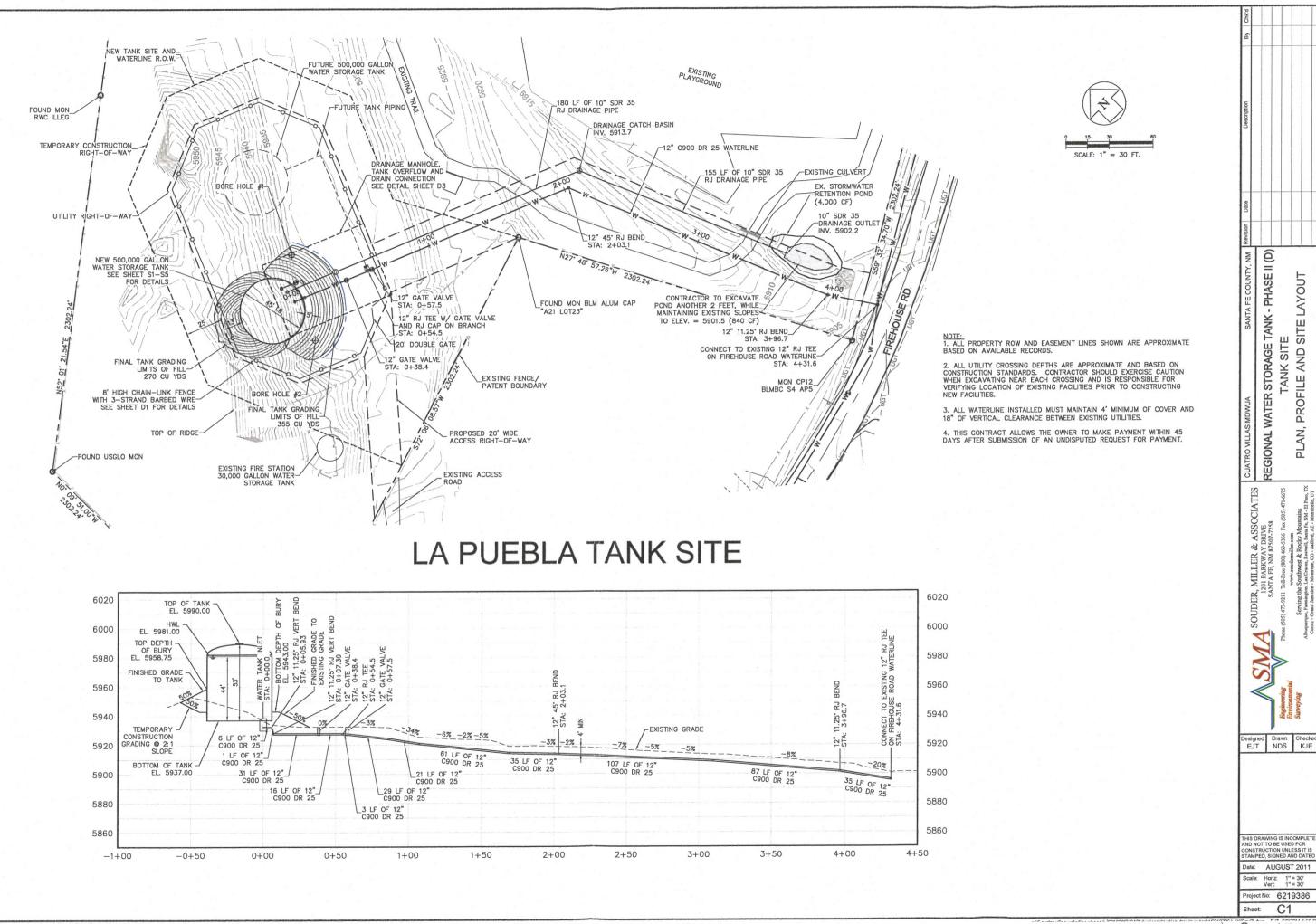


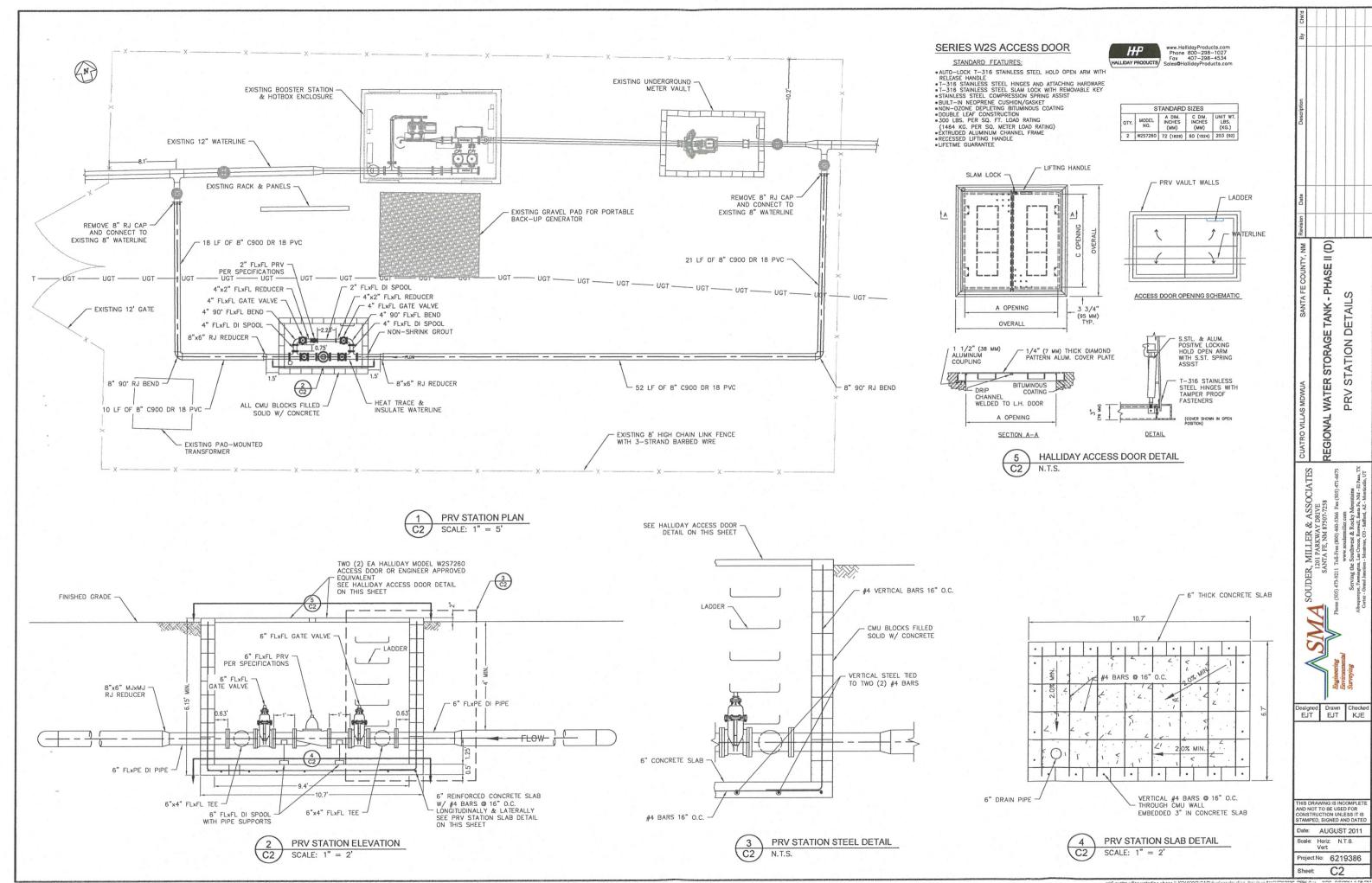
SURVEY CONTROL & KEY MAP

REGIONAL WATER STORAGE TANK - PHASE II (D) SURVEY CONTROL & KEY MAP Designed Drawn Checked EJT EJT KJE

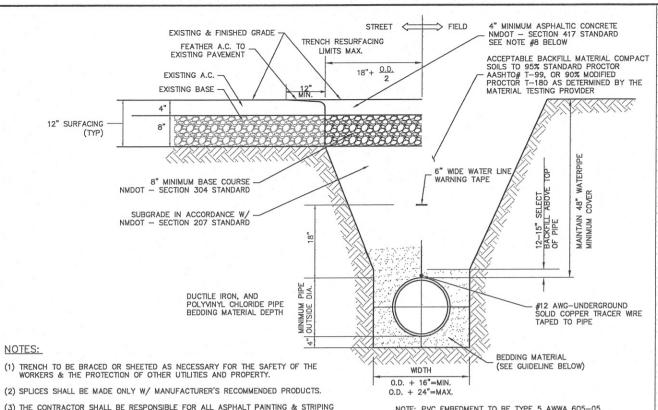
Date: AUGUST 2011

Project No: 6219386 Sheet: **G3** 





NB-C18

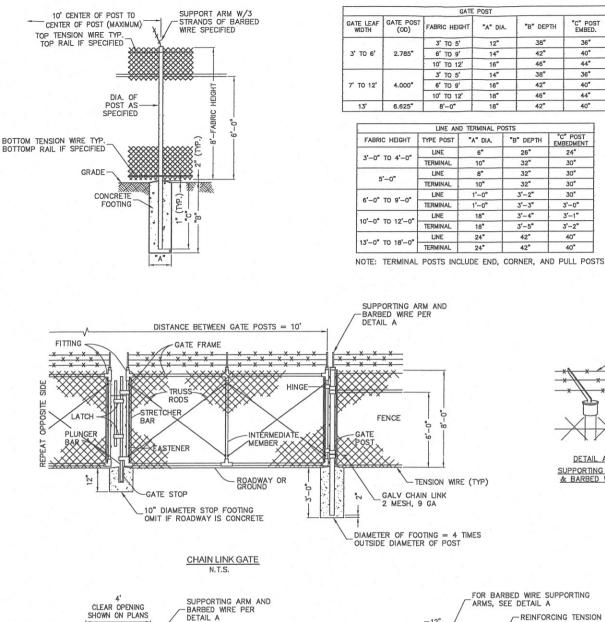


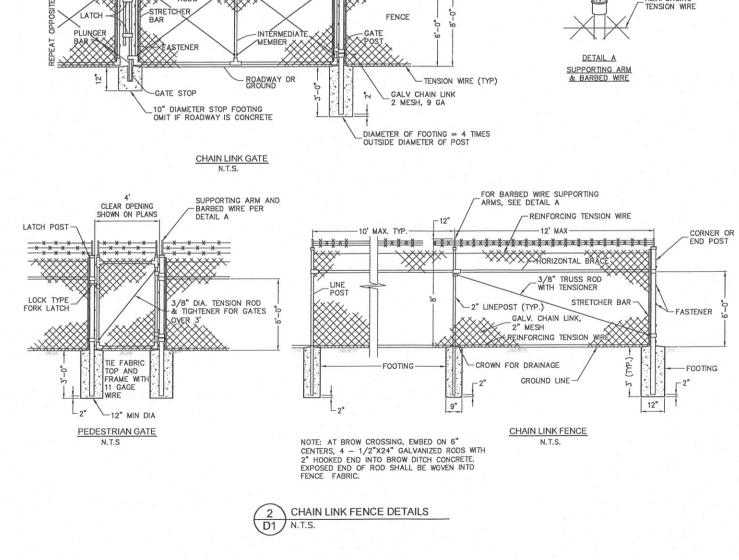
NOTE: PVC EMBEDMENT TO BE TYPE 5 AWWA 605-05, COMPACTED TO 95% STANDARD PROCTOR OR AASHTO-T-99

TYPICAL PIPE ZONE	
1/2"	100
3/8"	45-50
NO. 4	5-8
NO. 10	3-5
NO. 80	2-4
NO. 200	1-2
RACTURED FACES (2 OR MORE)	95%

TRENCH DETAIL N.T.S.

TYPICAL PIPE ZONE MATERIA	
1/2"	100
3/8"	45-50
NO. 4	5-8
NO. 10	3-5
NO. 80	2-4
NO. 200	1-2
FRACTURED FACES (2 OR MORE)	95%





"B" DEPTH

42"

46"

38"

42"

46"

42"

26"

32"

32"

32"

3'-2"

3'-3"

3'-4"

3'-5"

42"

40"

44"

36"

40"

44"

40"

24"

30"

30"

30"

30"

3'-0"

3'-1"

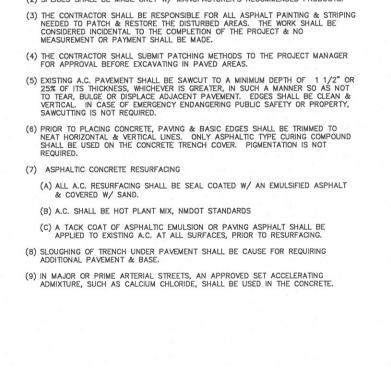
3'-2"

40"

3 STRANDS

BARBED WIRE

REINFORCING



Designed Drawn Checked EJT EJT KJE

0

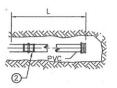
WATER STORAGE TANK - PHASE II

REGIONAL

, MILLER & ASSOCIATES 201 PARKWAY DRIVE INTA FE, NM 87507-7258

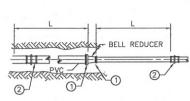
SH

NOTE: ASSUMED 20' PIPE SECTIONS L = LENGTH IN WHICH ALL JOINTS SHALL BE RESTRAINED

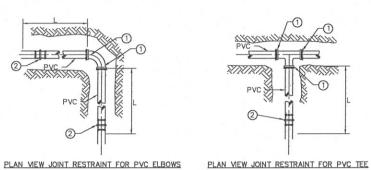




(FOR 90°, 45° AND 22 1/2° SEE TABLE)



PLAN VIEW JOINT RESTRAINT FOR REDUCERS



		6" x 4"	31' (LARGE	END)
NOTES:	PIPE. (US JOINT RES	CAL JOINT RESTRAIN E EBAA IRON SERIE STRAINTS FOR AW OR APPROVED EQ	ES 2000 PV WA C-905	2

20' Lr

10' Lr

5' Lr 20' Lr

10' Lr 5' Lr

UPPER BEND

8" X 6"

ESTIMATED JOINT RESTRAINT LENGTHS FOR PVC PIPE

RESTRAINT LENGTH

LOWER BEND

33' (LARGE END)

JOINT SIZE

20' Lr

10' Lr

5' Lr

UPPER BEND

12" x 8"

RESTRAINT LENGTH

LOWER BEND

60' (LARGE END)

@ BELL JOINT RESTRAINT HARNESS FOR
PVC PIPE. (USE EBAA IRON SERIES
1600 JOINT RESTRAINT FOR AWWA
C-900 PVC PIPE, OR APPROVED
FOLIAL )



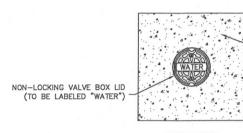
JOINT TYPE

90° HORIZ. 45° HORIZ. 22.5° HORIZ. 11.25\* HORIZ.

45° VERT.

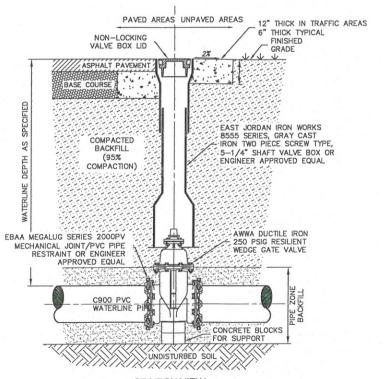
LOWER DEPTH

REDUCER



24"x24" SQUARE CONCRETE © 4000 PSI W/ #4 BAR REINFORCEMENT W/ 3" COVER

#### **PLAN VIEW**



#### SECTION VIEW

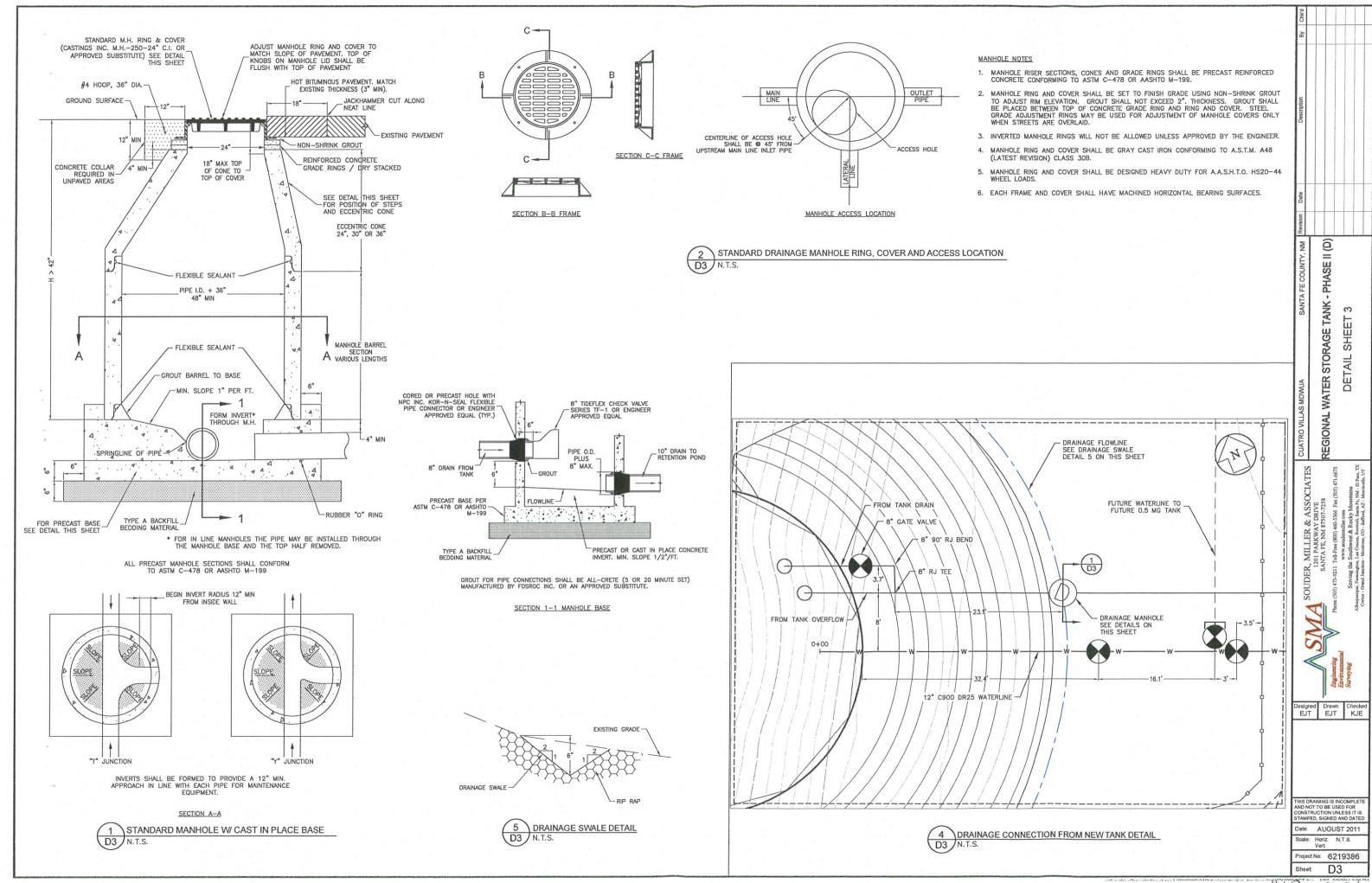
- NOTE:

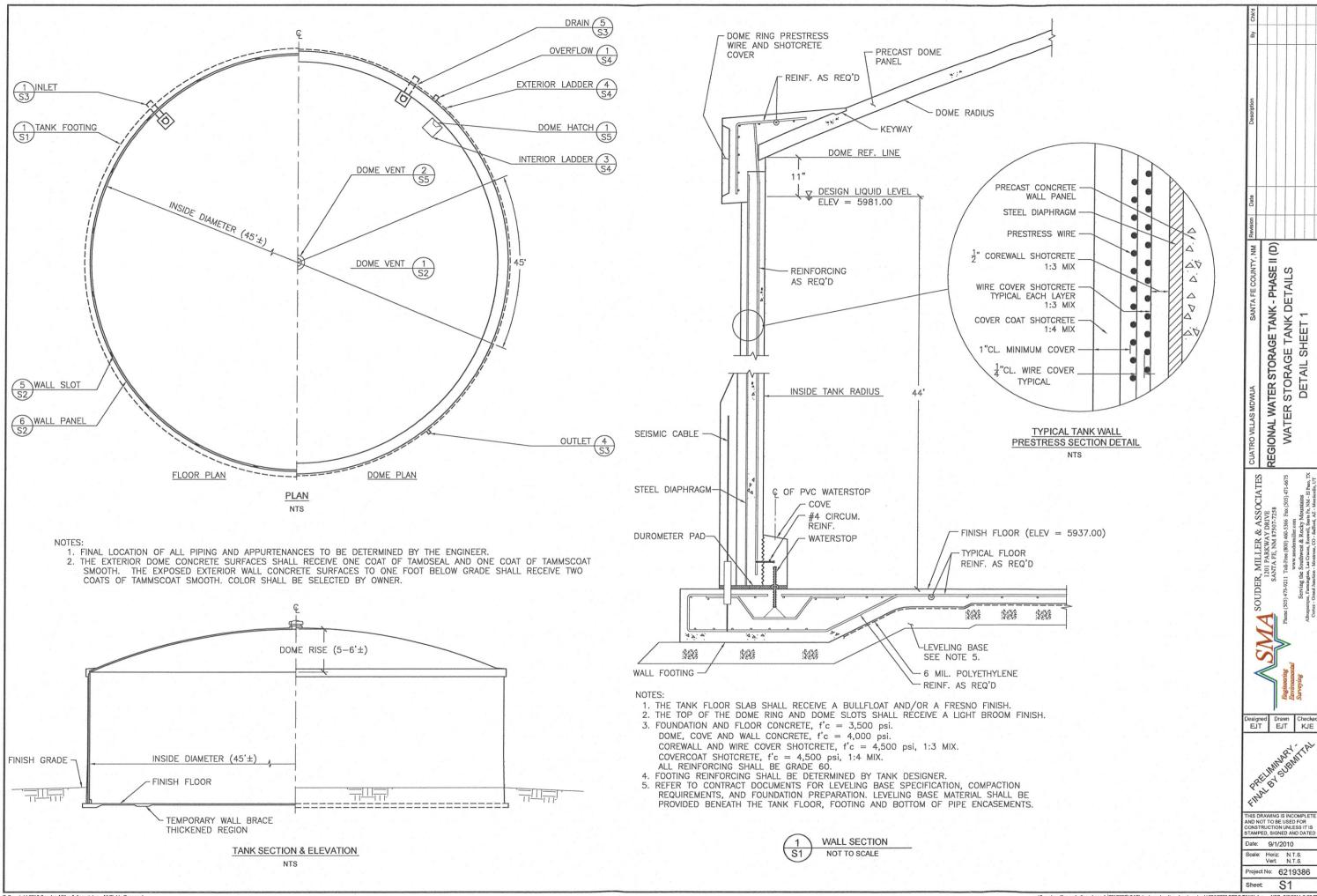
  1) CONTRACTOR TO MATCH GATE VALVE AND PIPE RESTRAINTS TO SPECIFIED PIPE CLASSIFICATION CALLOUT.

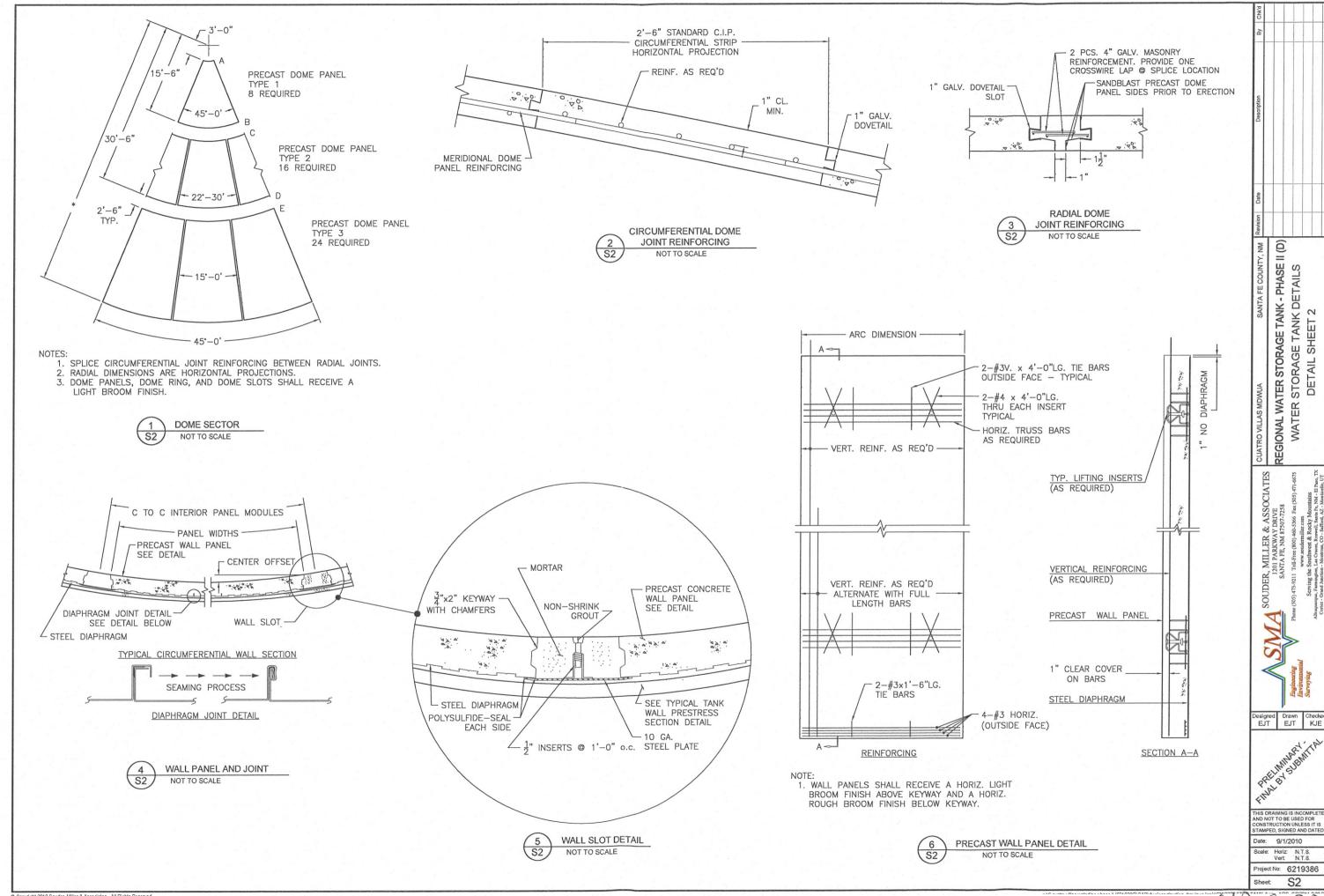
  2) REFER TO TECHNICAL SPECIFICATIONS FOR ALL BACKFILL, BASE COURSE AND ASHPALT SPECIFICATIONS.
- 3) VALVE BOX EXTENSION SHOULD NOT CONTACT THE WATERLINE MAIN OR GATE VALVE

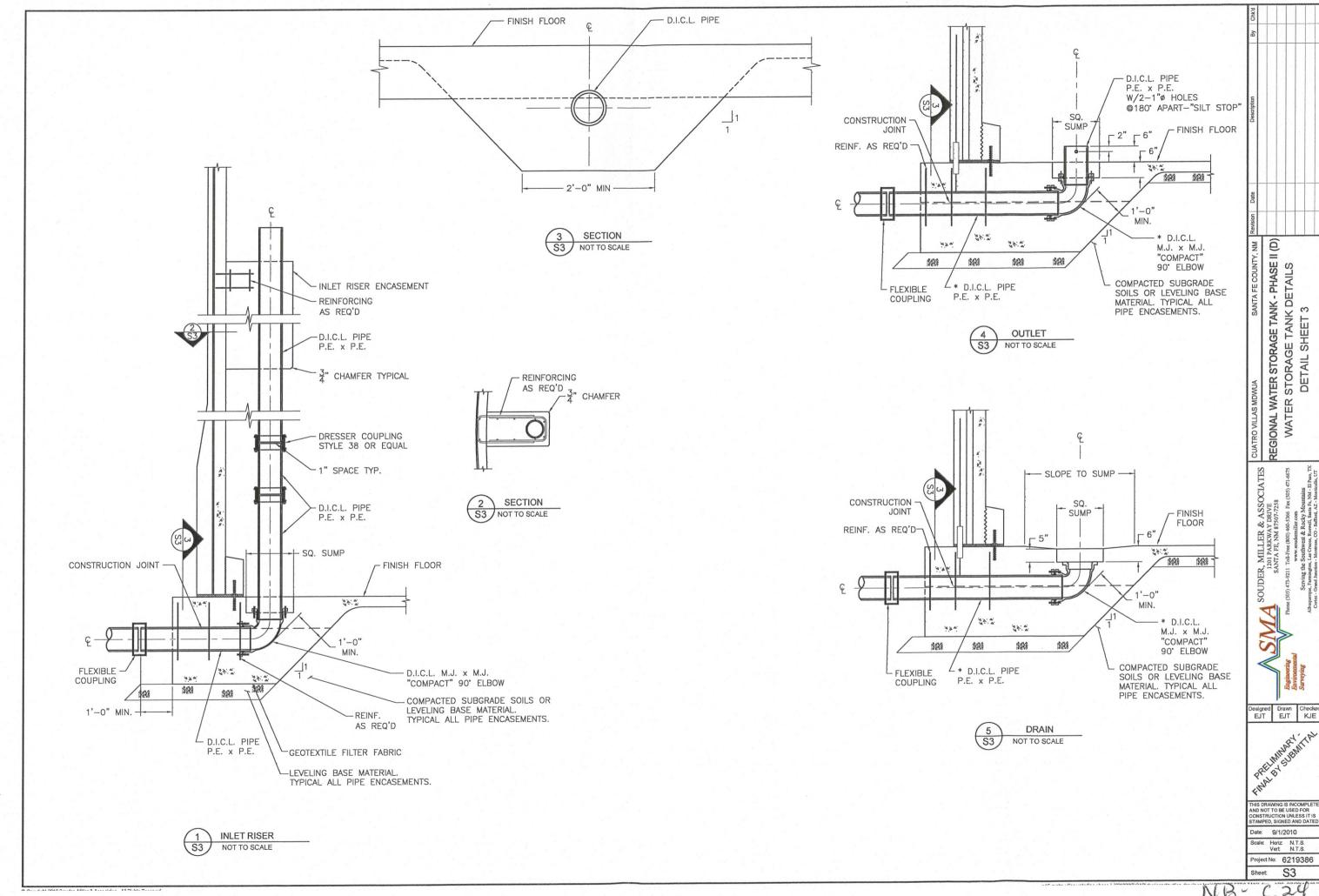
7 TYPICAL GATE VALVE DETAIL D2 N.T.S.

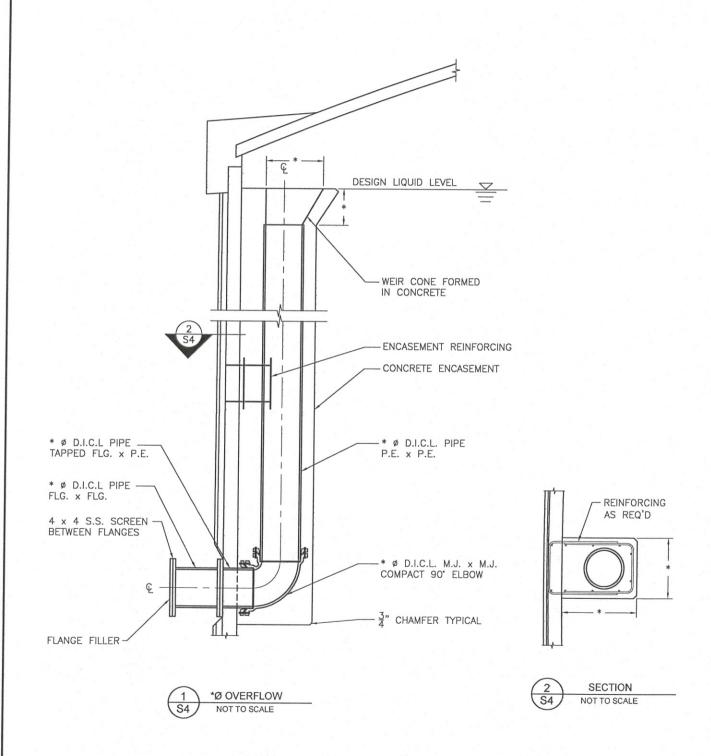
Date: AUGUST 2011 Scale: Horiz: N.T.S. Vert Project No: 6219386 D2

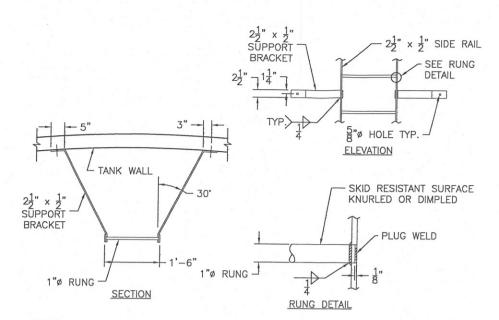












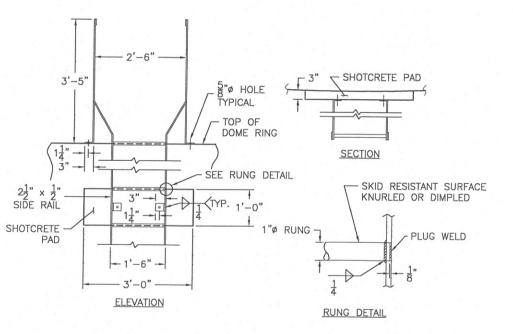
#### NOTES:

- 1. LADDER SHALL BE 6061-T6 ALUMINUM.
- 2. ALL ALUMINUM SURFACES IN CONTACT WITH CONCRETE SHALL RECEIVE A PVC SHIM.

  3. LADDERS SHALL BE CONNECTED TO TANK USING STAINLESS STEEL WEDGE ANCHORS.

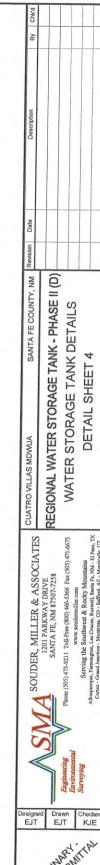
  4. OSHA COMPLIANT FALL PREVENTION DEVICE TO BE INSTALLED (STAINLESS STEEL).





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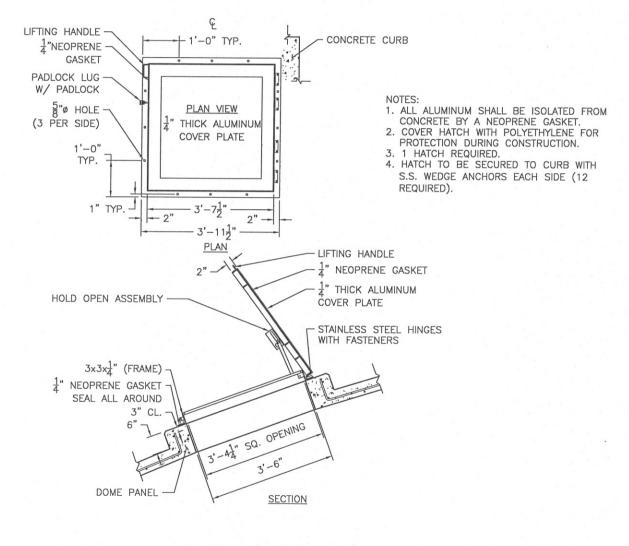




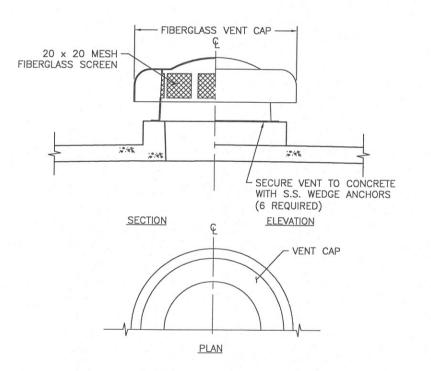
Date: 9/1/2010

Project No: 6219386

Sheet: S4



DOME HATCH NOT TO SCALE



NOTE: VENT SIZE AS REQUIRED BY DESIGN.



CUATRO VILLAS MDWUA

REGIONAL WATER STORAGE TANK - PHASE II (D)

WATER STORAGE TANK DETAILS

DETAIL SHEET 5 SOUDER, MILLER & ASSOCIATES 1201 PARKWAY DRIVE SANTA FE, NM 87507-7258 to (505) 477-9211 Toll-Free (800) 469-5366 Few (505) 471-6675 Designed Drawn Checker EJT EJT KJE

THIS DRAWING IS INCOMPLETE AND NOT TO BE USED FOR CONSTRUCTION UNLESS IT IS STAMPED, SIGNED AND DATED

Date: 9/1/2010 Scale: Horiz: N.T.S. Vert: N.T.S.

-,K.,L.,

Project No: 6219386 S5

3) create a buffer or screen for storage or parking areas; and

 take advantage of solar gain in winter months. See also the setback requirements set forth in Section 4, Design Standards.

#### c. Parking Lot Location

Parking lots shall be placed or oriented on a site:

- 1) to the rear or side of buildings (or both); and
- 2) to encourage pedestrian safety and convenience.

#### d. Terrain Management

All development of a lot, tract or parcel shall be done in accordance with Article VII, Section 3 of this Code.

History. 1986 Comp. 1980-6. Section 4.4.3 was amended by County Ordinance 1990-11 adding all new material for site planning standards.

## 4.4.4 Development and Design Standards

#### Screening

Outdoor storage, parking and loading areas which are visible from public roads or hom abutting public lands or residential areas shall be screened. Such screening may be landscaping, walls, fencing, building placement, berms, or any combination thereof. For landscaping plans and standards relating to screening see Sub-section f.

#### b. Buffer Zon's and Setbacks

- 1) Proposed non-residential districts or uses that adjoin parcels on which dwellings are located within 100 feet of the property line adjacent to the parcel on which the use is to be located shall be set back 100 feet from the property line in major or community cente, districts and 25 feet in local or small scale districts. The 100' setback area may be used to meet the off-street parking requirement of Section 9 of Article III except that no parking may be provided within twenty five (25) feet of the property line in Major and Community Center Districts and five (5) feet from property lines in Local and Small Scale Districts. In the setback area, existing vegetation shall be proserved and natural topographic features, planting, building placement, walls tencing, earth berms or landscaping or any combination thereof, shall be used to keep buildings, parking or outdoor storage unobtrusive.
- Alternatives to the 100 foot setback are specified in Article V, Section 8.1.4 e. 1 5.
- 3) Side and r ar yard setbacks shall apply only to lots at the edge of a non-residential district. Zero lot lines (no setback) for building placement may be allowed, if fire resistive construction between buildings is provided directly agacent or adjoining on interior property lines.

#### c. Maximum Height

Structures shall be limited to a maximum height of thirty six (36) feet from the highest point of the surface of the ground at the perimeter of the structure in Major or Community Center Districts and to twenty four (24) feet in height in Neighborhood or Local Center Districts.

#### d. Parking

Compliance with the parking standards set form in Article III Section 9, is required.



#### 2.5 Zoning

In connection with the review of an application for a development permit with respect to matters described in the New Mexico Statutes concerning zoning, the procedures concerning zoning matters set forth in the New Mexico Statutes, as amended from time to time, shall apply in addition to the review procedures provided in the Code. The time limits established in this Article II may be extended if required, in order to comply with the procedures concerning zoning matters.

#### 2.6 Subdivisions

In connection with review of an application for a development permit with respect to matters described in the New Mexico Subdivision Act, as it may be amended from time to time, the procedures for review provided for in Article V of the Code and the New Mexico Subdivision Act shall apply in addition to the review procedures provided in this Article II of the Code. The time limits established in this Article II shall be extended if required in order to comply with the procedures concerning subdivision matters.

#### 2.7 Other Requirements

The time limits set forth in this Article II shall be extended in order to comply with other provisions of the Code providing for time limits in connection with reviews and requirements upper the Code.

## **SECTION 3 - VARIANCES**

## 3.1 Proposed Development

Where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking or property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.

#### 3.2 Variation or Modification

In no case shall any variation or modification be more than a minimum easing of the requirements.

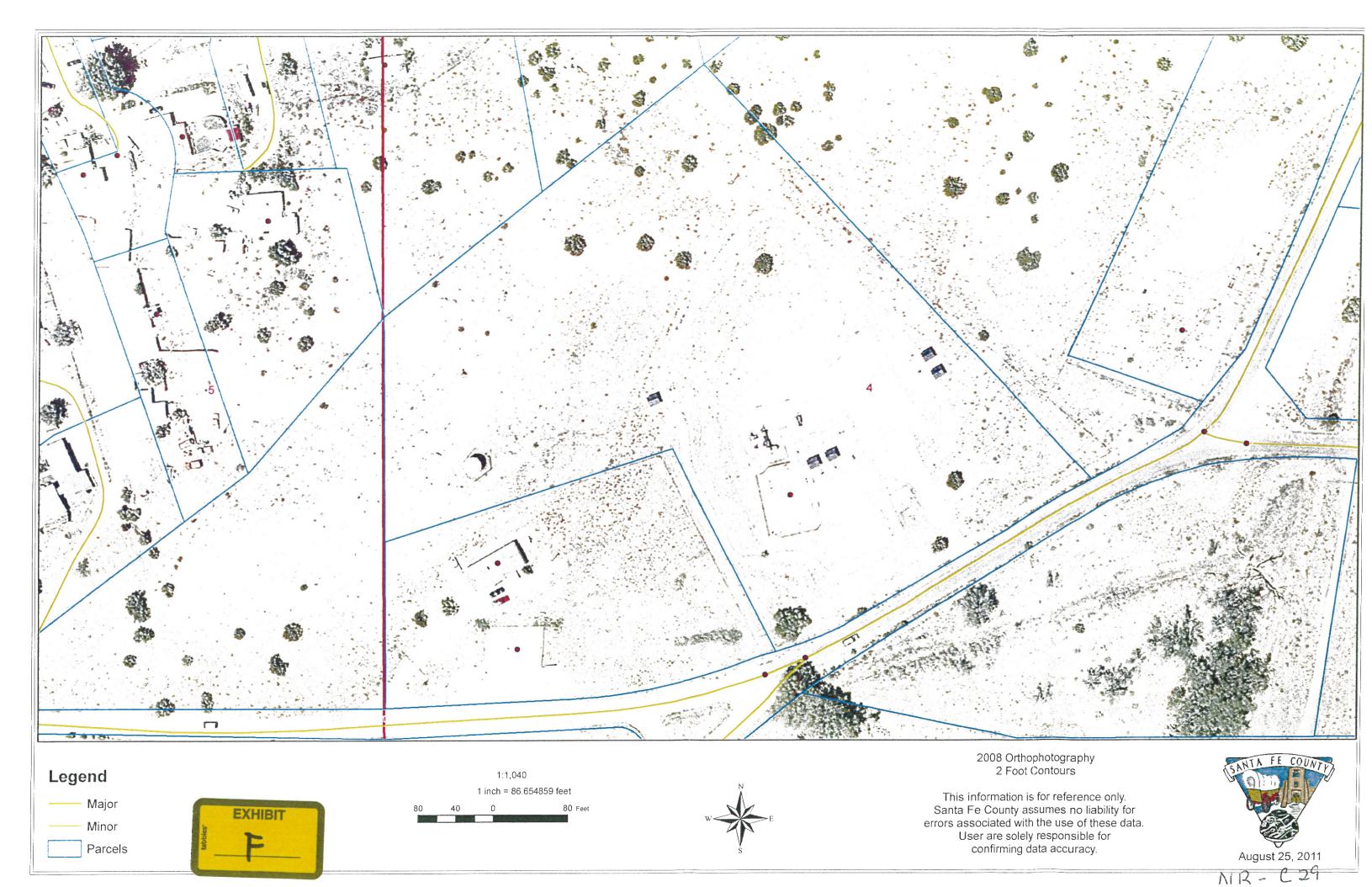
## 3.3 Granting Variances and Modifications

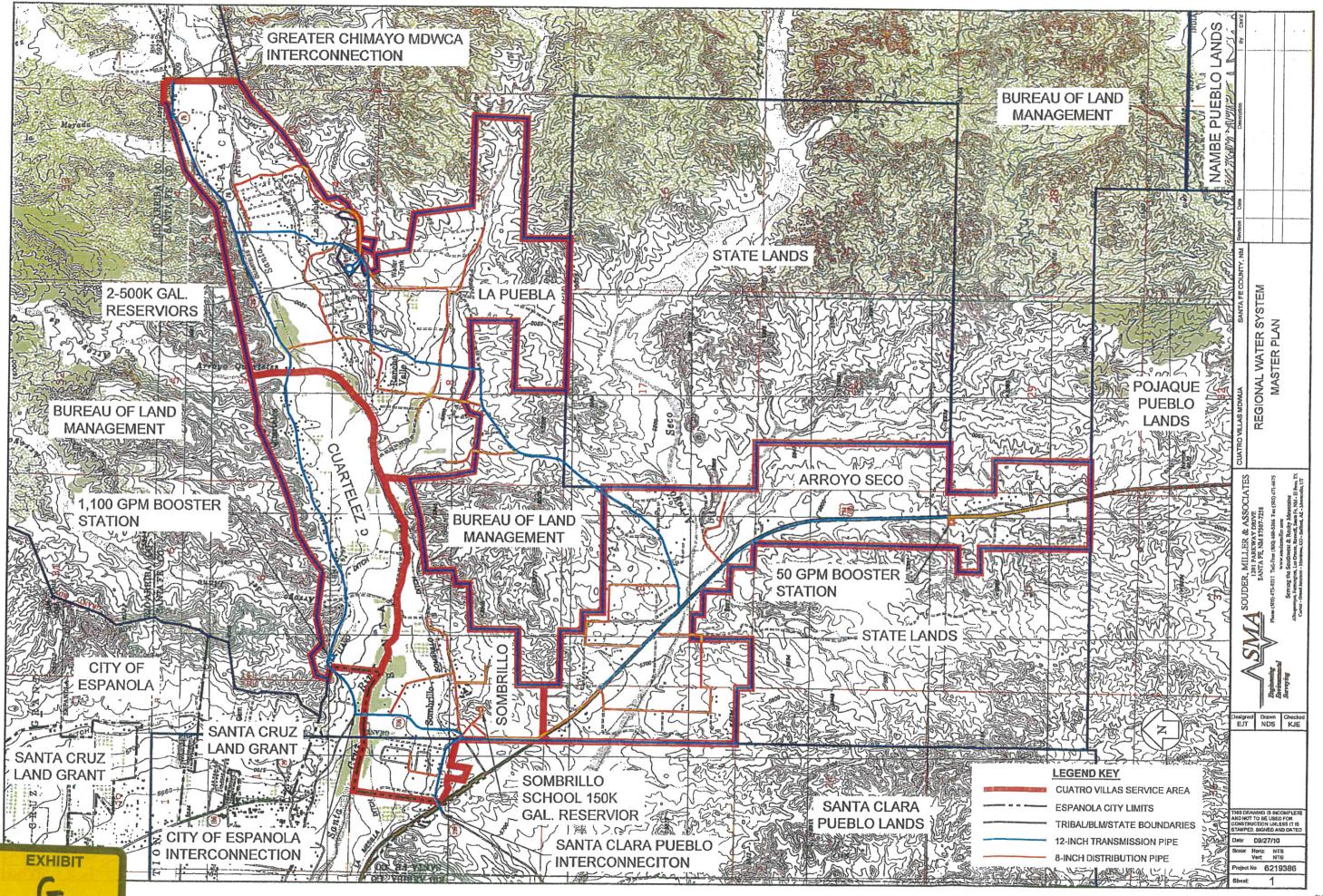
In granting variances, and modifications, the Board may require such conditions as will, in its judgment secure substantially the objectives of the requirements so we led or modified.

## 3.4 Height Variance in Airport Zones

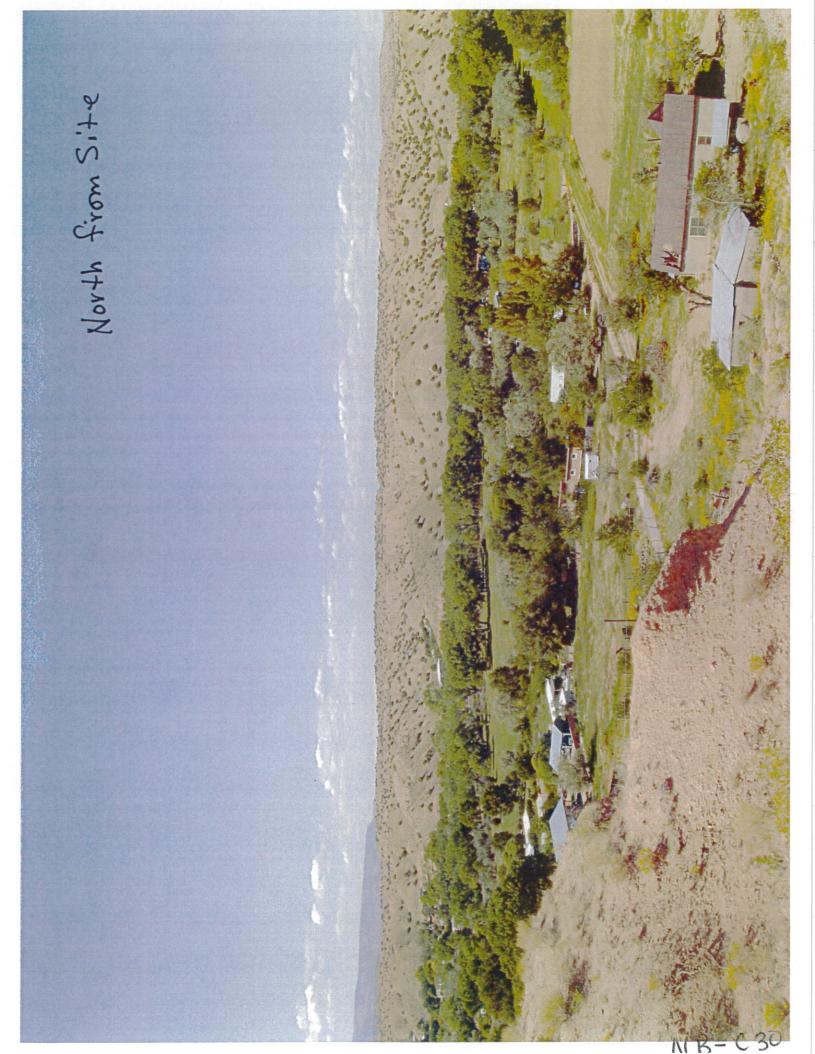
All height variance requests for land located with approach, Transitional. Horizontal and Conical surfaces as described within Map #31 A incorporated herein by reference, shall be reviewed for compliance with Federal Aviation Administration Regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the



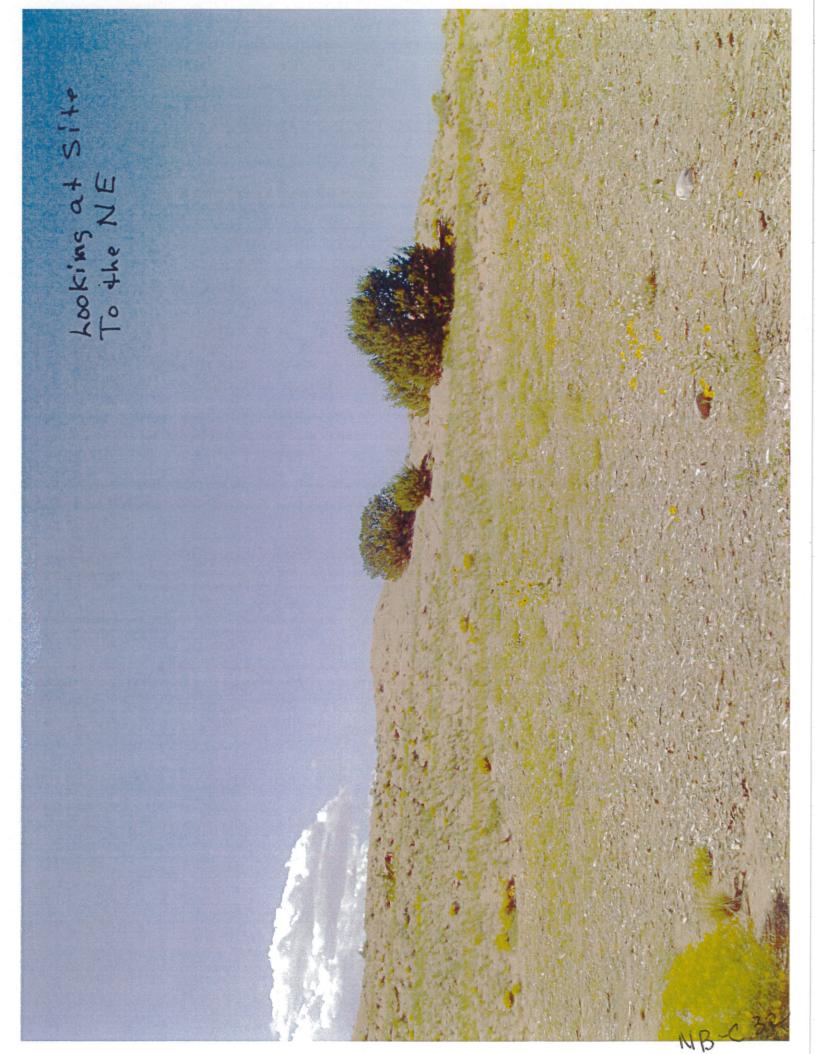




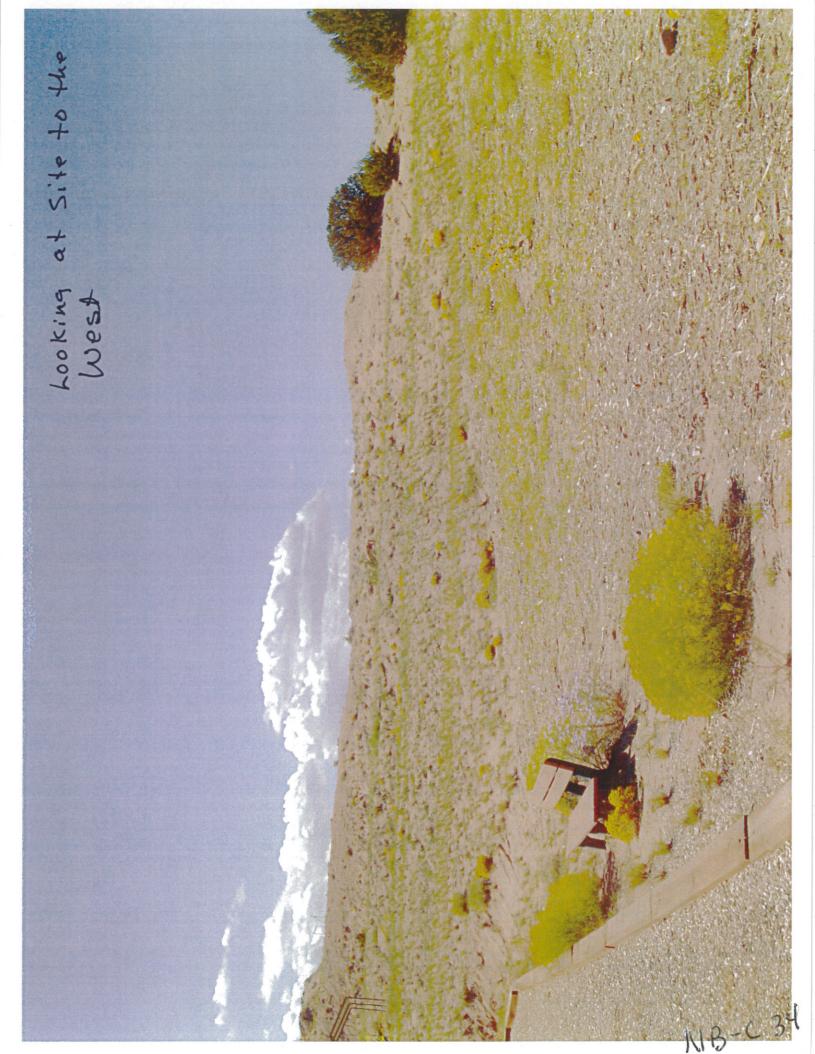


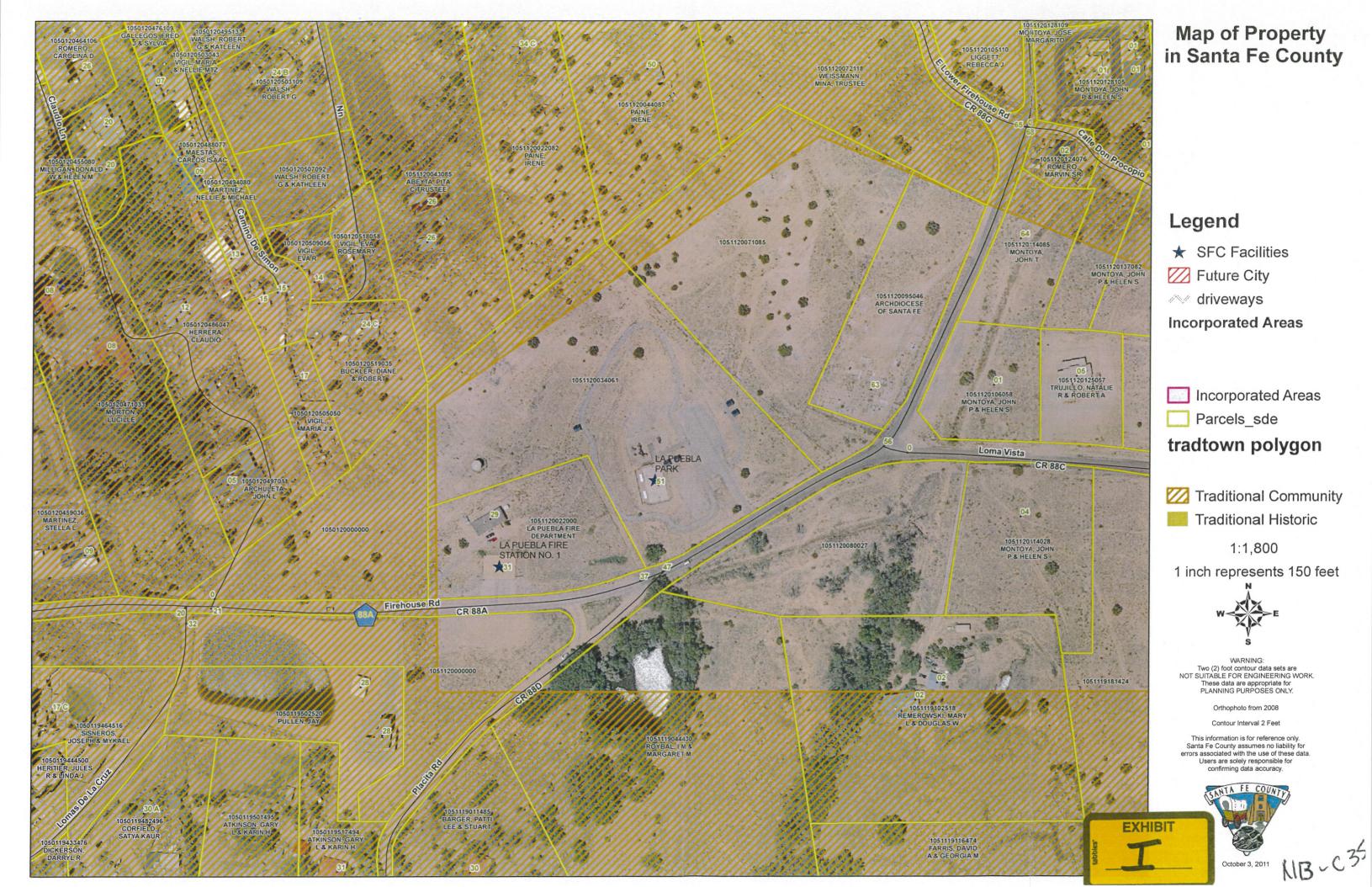






ND (33)





Duly sworn, applicant Woodrow Elmore stated the facts were correctly covered by staff and he agreed to all conditions. He indicated that manure would be hauled off the property.

There was no one in the addience wishing to address this issue.

Member Gonzales moved to approve CDRC Case MIS 11-5330 with all staff-imposed conditions. Member Martin seconded and the motion passed by unanimous [4-0] voice vote.

- B. CDRC CASE #V 11-5240 Dale McDonnel Variance Tabled
- C. CDRC CASE # V 11-5270 Cuatro Villas Mutual Domestic Water

  <u>Users Association</u>. Cuatro Villas Mutual Domestic Water Users

  Association, Applicant, Kari Edenfield (Souder, Miller and

  Associates), Agent, request a variance of Article III, Section 4.4.4.c

  Development and Design Standards, to allow a proposed water

  storage tank to exceed the maximum allowable height of thirty six

  feet. The project is located at 51 Placita Road, within Section 4,

  Township 20 North, Range 9 East (Commission District 1)

Mr. Larrañaga presented the staff report as follows:

"The Cuatro Villas Mutual Domestic Water Users Association, MDWUA, is a nonprofit community organization established under the New Mexico Sanitary Projects Act. The mission of Cuatro Villas MDWUA is to provide safe, reliable drinking water to the communities of La Puebla, Sombrillo, Cuarteles and El Valle de Arroyo Seco.

"On May 24, 2011, the Board of County Commissioners approved a request for a Grant of Right-of-Way, to the Cuatro Villas Mutual Domestic Water Users Association, for the purpose of installing two 500,000 gallon concrete water storage tanks and distribution infrastructure on the site known as La Puebla Park located at 51 Placita Road.

"An Administrative review of the site for placement of a 500,000 gallon concrete water storage tank and distribution infrastructure is currently being processed by Building and Development Services. The development will encompass approximately 0.74 acres within the site. The tank will have an exposed height of 47 feet with 8 feet compromising the dome roof. The north side of the tank will be partially buried and have an exposed height of 31 feet. Approval of this development is pending resolution of the proposed height of the tank and technical review by the Utility Department.



"The Applicant requests a variance of Article III, Section 4.4.4.c, Development and Design Standards of the Land Development Code, to allow a 500,000 gallon concrete water storage tank to exceed the maximum permitted height of thirty-six feet. The Applicant states: 'The proposed elevation of the tank is needed to provide the optimal elevations for providing the required pressure for the water system. The site was selected for its centralized location within the Cuatro Villas service area and site elevations to provide the gravity flow needed for the system.'

The Applicant also states: "Critical elements of the Cuatro Villas water system are the storage facilities. Full build out of the regional water system requires a total storage volume of one million gallons for domestic potable water demand plus fire protection volumes as required by Santa Fe County. Phasing the regional water system accommodates half the storage volume to be constructed now and the other half at a later date. Half the storage volume will adequately serve the membership until increasing membership necessitates constructing the other half."

"The proposed tank will be visible by the residents within the surrounding area. The site is bordered by BLM, the archdiocese, agricultural and residential property. The visibility of the tank may be minimized by painting the tank an earth tone color.

"Article III, Section 4.4.4.c Development and Design Standards/Maximum Height states: 'structures shall be limited to a maximum height of 36 feet from the highest point of the surface of the ground at the perimeter of the structure in Major or Community Center Districts and 24 feet in height in Neighborhood or Local Center Districts.' Article II Section 3.1 States: 'where in the case of proposed development, it can be shown that strict compliance with the requirements of the Code would result in extraordinary hardship to the applicant because of unusual topography or other such non-self-inflicted conditions or that these conditions would result in inhibiting the achievement of the purposes of the Code, an applicant may file a written request for a variance. A Development Review Committee may recommend to the Board and the Board may vary, modify or waive the requirements of the Code and upon adequate proof that compliance with Code provision at issue will result in an arbitrary and unreasonable taking or property or exact hardship, and proof that a variance from the Code will not result in conditions injurious to health or safety. In arriving at its determination, the Development Review Committee and the Board shall carefully consider the opinions of any agency requested to review and comment on the variance request. In no event shall a variance, modification or waiver be recommended by a Development Review Committee, nor granted by the Board if by doing so the purpose of the Code would be nullified.' Article II Section 3.2 states: 'in no case shall any variation or modification be more than a minimum easing of the requirements."

Mr. Larrañaga said staff reviewed the Application and has found the following facts presented for resolution of this request by the County Development Review Committee: excluding the proposed height of the tank, the placement of a 500,000 gallon concrete water storage tank and distribution infrastructure on 0.74 acres, meets the development requirements of the Land Development Code; the regional water system, at full build-out, requires a total storage volume of 1 million gallons for domestic potable water demand plus fire protection volumes as required by Santa Fe County; the proposed elevation of the tank is desirable to provide the optimal elevations for providing the required pressure for the water system; strict compliance with the requirements of Article III, Section 4.4.4.c may result in inhibiting the achievement of the purposes of the Code; the requested height variance for the water tank, which will serve the northern communities in Santa Fe County with safe, reliable drinking water, may perhaps be considered a minimal easing of the requirements of the code.

The recommendation of this Committee will be presented to the Board of County Commissioners for final resolution of the Applicant's request, stated Mr. Larrañaga.

In response to questions, Mr. Larrañaga offered that the applicant met the notification and posting requirements and the variance is required before technical review continues; terrain management issues appear to meet code. The northern side of the tank will be dug approximately 8 feet into the ground. The park is located 100 feet from the proposed tank. Water from the tank will be utilized by the district fire department.

Kari Edenfield with Souder, Miller & Associates and Mukhtiar Khalsa with the Cuatro Villas Mutual Domestic Water Users Association were duly sworn.

Mr. Khalsa, president of CVMDWUA's board of directors, said there was a great deal of community support for this project and the association has done their best to mitigate the tank's profile. The tank will provide fire protection for the four communities, community center and expanded park. There are currently 300 non-using members and 150 members using water. The association provides domestic use water only. The tank has the potential to serve 2,000 residents. Membership is voluntary; members are allowed to keep their wells for agricultural use. He mentioned that the entire community benefits regardless of membership status.

The source of the tank water will be derived through the City of Española and provide a clean water source for the 10 square mile service area, stated Mr. Khalsa. The association seeks to gain additional water rights to provide a clean source. The two tanks will provide 1 million gallons.

Ms. Edenfield said CVMDWUA serves 150 households with an average household size of 2.3 people. The storage tank is currently located in La Puebla and holds 20,000 gallons. The existing tank will be taken off line once the new tank is erected.

Referring to the second tank, Ms. Edenfield said it would be sited next to the one currently under consideration. To insure hydrologic balance, both tanks will need to have the same height and produce the same pressure.

A discussion ensued regarding the variance for the second tank. According to County Assistant Counsel Brown that the case was noticed for a single 50,000 gallon tank and the variance request is for one tank.

Ms. Edenfield said the projected population of the area within 20 years is between 5,000 and 6,000 and the second tank would be necessary to meet the community's growth. She discussed the position of the second tank pointing out their heights will be the same. The base elevations for the second tank will not exceed the first tank.

Member Gonzales asked about elevation from the tank to the closest lowest residence to be served. Ms. Edenfield said there was a great deal of elevation from the tank to the lowest residence in the valley Arroyo Seco which requires several pressure reducing valves. She said the highest residences are close to the tank and situated on top of hills. The tank's height makes the difference between having 12 psi at the residence and 22 psi.

Member Gonzales recommended consideration of booster pumps and Ms. Edenfield said that would be resident responsibility.

There was no one in the public wishing to address this issue.

Member Martin moved to approve CDRC Case #V 11-5270. Member Valdez seconded and the motion passed by unanimous [4-0] voice vote.

## **WII. PETITIONS FROM THE FLOOR**

None were presented.

## IX. COMMUNICATIONS FROM THE COMMITTEE

Member Martin said she would be excused from the November meeting.

## VIII. COMMUNICATIONS FROM THE ATTORNEY

None were presented.

## IX. COMMUNICATIONS FROM STAFF

The next meeting was scheduled for November 17, 2011

