

**PROPOSED ORDINANCE NO. 2007-20**

**AN ORDINANCE PROVIDING FOR AMENDMENT FOR TERRITORY  
ANNEXATION AREA LOCATED EAST OF HIGHWAY 344, AND NORTH OF  
PRAIRIE MOON TRAIL**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD  
NEW MEXICO.**

**WHEREAS:**

A petition asking for annexation has been filed with legal descriptions.  
Exhibit A map

**WHEREAS:**

After notice and Public Hearing according to law, the governing Body of  
the Town of Edgewood wishes to annex 7.1067 acres upon the conditions  
hereinafter set forth:

**NOW THEREFORE:**

The Governing Body of the Town of Edgewood does hereby grant said  
annexation with the following conditions:

1. Property to be zoned Residential R-1.
2. The property being annexed will be in compliance with the  
Town's current Planning & Zoning Ordinance and 2000  
Comprehensive Master Plan.

The zone map of the Town of Edgewood shall be amended accordingly  
and a copy of this Ordinance amending the zone map of the Town of  
Edgewood shall be recorded in the office of the County Clerk of Santa Fe  
County, New Mexico,

**BE IT RESOLVED BY THE TOWN OF EDGEWOOD GOVERNING BODY:**

PASSED, APPROVED, AND ADOPTED Ordinance No. 2007-20  
on this 17th day of October, 2007

*Howard Calkins*  
**Howard Calkins, Mayor**



**ATTEST:**

*Jeff Condrey*  
**Jeff Condrey, Administrator-Clerk**

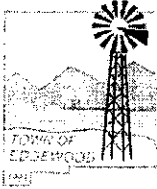
EDGEWOOD ORDINANCE  
PAGES: 3

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

I Hereby Certify That This Instrument Was Filed for  
Record On The 13TH Day Of November, A.D., 2007 at 13:17  
And Was Duly Recorded as Instrument # 1506066  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
*Valerie Espinoza*  
Deputy County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/13/2007  
SFC CLERK RECORDED 11/13/2007



PETITION FOR ANNEXATION

PETITIONER(S): Richard Greene & Wanda Varner TELEPHONE: 505-286-9297  
(Attach proof of ownership: If not owner, must also provide notarized statement of authorization from owner.)

MAILING ADDRESS: 32 Kiva Ct.  
Sandia Park, NM 87047

LEGAL DESCRIPTION OF PROPERTY: (Attach additional sheets as necessary.)  
Lot 45, Edgewood Heights, Range 7E, Township 10N, Section 22, Santa Fe County, NM

TOTAL ACREAGE OF PROPERTY: 5 (+-)

REQUESTED ZONING DESIGNATION FOR PROPERTY: R1  
(Please note that the final zoning designation by City Council may differ from the requested designation.)

INSTRUCTIONS: Type or print clearly on this form and attach a map showing the external boundary of the territory proposed for ANNEXATION, and its relationship to the existing boundary of the TOWN of EDGEWOOD. Territory proposed for annexation must be contiguous to the existing limits of the TOWN.

SEC. CLERK RECORDED 11/13/2007

Pursuant to NMSA 1978, §3-7-17 the undersigned petitioners request that the Town of Edgewood, by ordinance, grant this petition and annex approximately 5 acres of territory contiguous to its current South & North boundary Attached to this Petition as Exhibit "A", is a map showing the external boundaries of the territory proposed to be annexed and the relationship of this area to the existing Town boundaries and the second being a map showing the boundaries of the territory proposed to be annexed The undersigned petitioner owns a majority of the number of acres in the area proposed for annexation.

[Signature] Richard Greene 8/26/07  
Signature Print Name Date  
[Signature] Wanda Varner 8/26/07  
Signature Print Name Date

Owner(s) of approximately 5 acres in the area proposed for annexation.

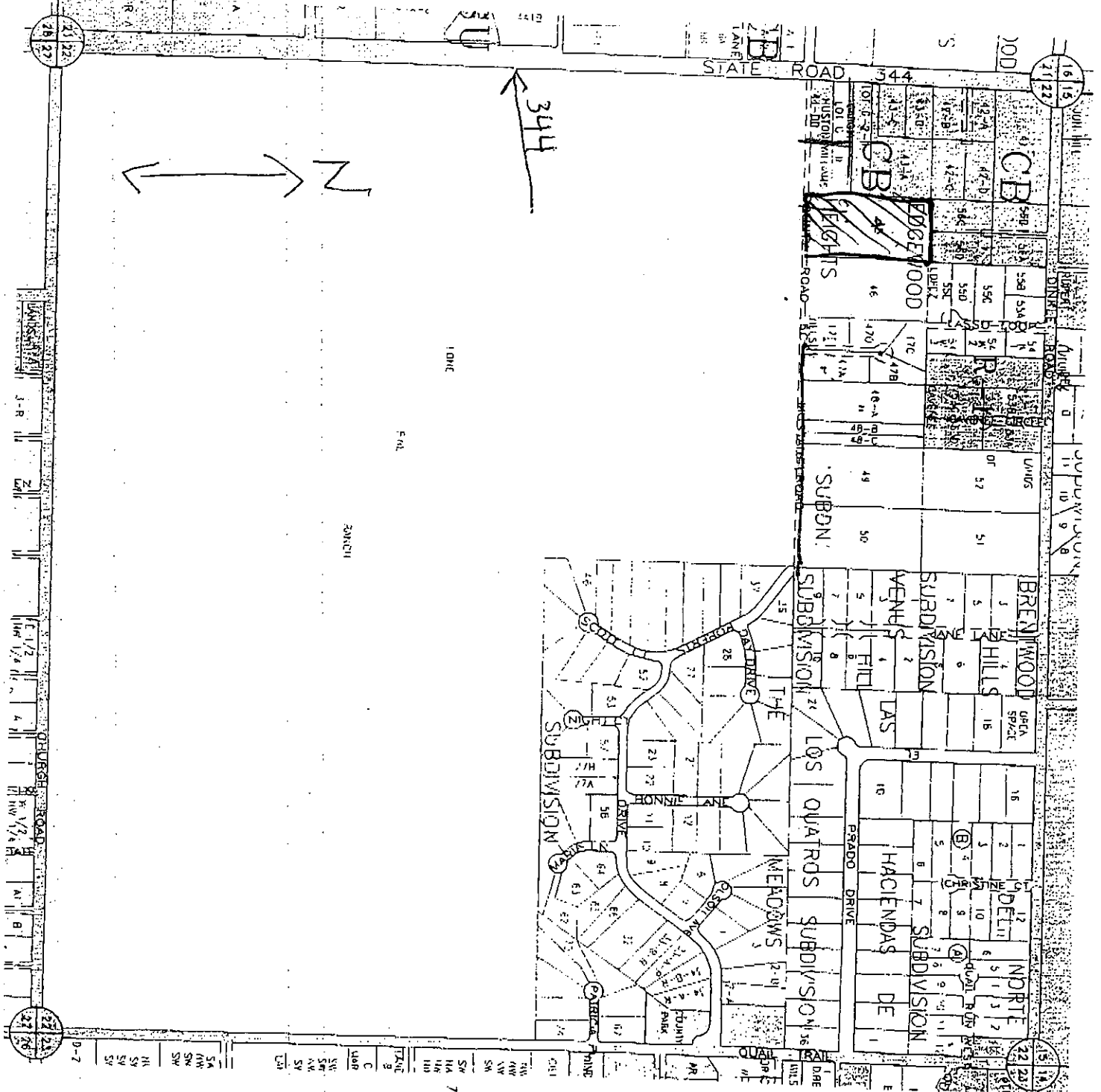
Any person knowingly providing or causing to be provided any false information on the petition, forging a signature or signing this petition knowing he or she is not an owner of real property within the territory proposed to be annexed is guilty of a fourth degree felony.

Pursuant to §3-1-5 NMSA 1978 (Repl. Ramp. 1987) the Town Clerk approves the form of this Petition.

[Signature] 10/29/07  
Clerk/Treasurer Dated  
Town of Edgewood, New Mexico

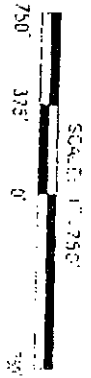
NOTE: Although deemed effective at the time of filing with the County Clerk, annexations do not become complete until 30 days (thirty) after such filing, being subject to public appeal in District Court during said period.

SPEC CLERK RECORD EXHIBIT A 2007



WRC = 1-040-057-  
 040-405  
 057-405  
 058-421

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 ODEN-MILLER & ASSOCIATES

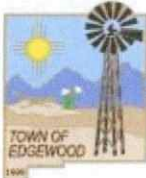


|                   |        |
|-------------------|--------|
| LOCAL DESCRIPTION | T 10 A |
|                   | R 7 E  |
|                   | SLC 22 |

UNIFORM PROPERTY CODE  
 1040057

MAP AMENDED THROUGH  
 JANUARY 1, 2002

K 40



## TOWN OF EDGEWOOD

*Where the Mountains Meet the plains*

### COMMUNITY PLANNING & DEVELOPMENT

P.O. Box 3610  
Edgewood, NM 87015-03610  
Phone: 505-286-4518 ext. 3  
Fax: 505-286-4519

September 29, 2007

Dear Landowner,

Our records indicate that you are an adjoining landowner to the following applicant:

Request for annexation of 5.0 acres of land located in the Edgewood Heights Subdivision, lot 45, in Section 22, T10N R 7E adjacent to the southern boundary of Prairie Moon Trail east of Highway 344; also assuming 2.1067 acres of property adjoining this request. Requested zoning Residential one acre

The public hearing will be held on Wednesday October 17, 2007, in the Edgewood Community Center (27 E. Frontage Road) during the Town Council Meeting. The meeting will begin at 6:30 pm.

If you cannot be present and wish to have your comments heard, you can reach me by phone or fax at the numbers above.

Sincerely,

*Karen Mahalick*

Community Planning & Development

**Howard Calkins**  
*Mayor*

**Glenn Felton**  
**Brad Hill**  
**Chuck Ring**  
**Rita Loy Simmons**  
*Town Councilors*

**Jeff Condrey**  
*Clerk- Administrator*

**Wm. H. White**  
*Municipal Judge*

**Karen Mahalick**  
*Community Planning & Development Manager*

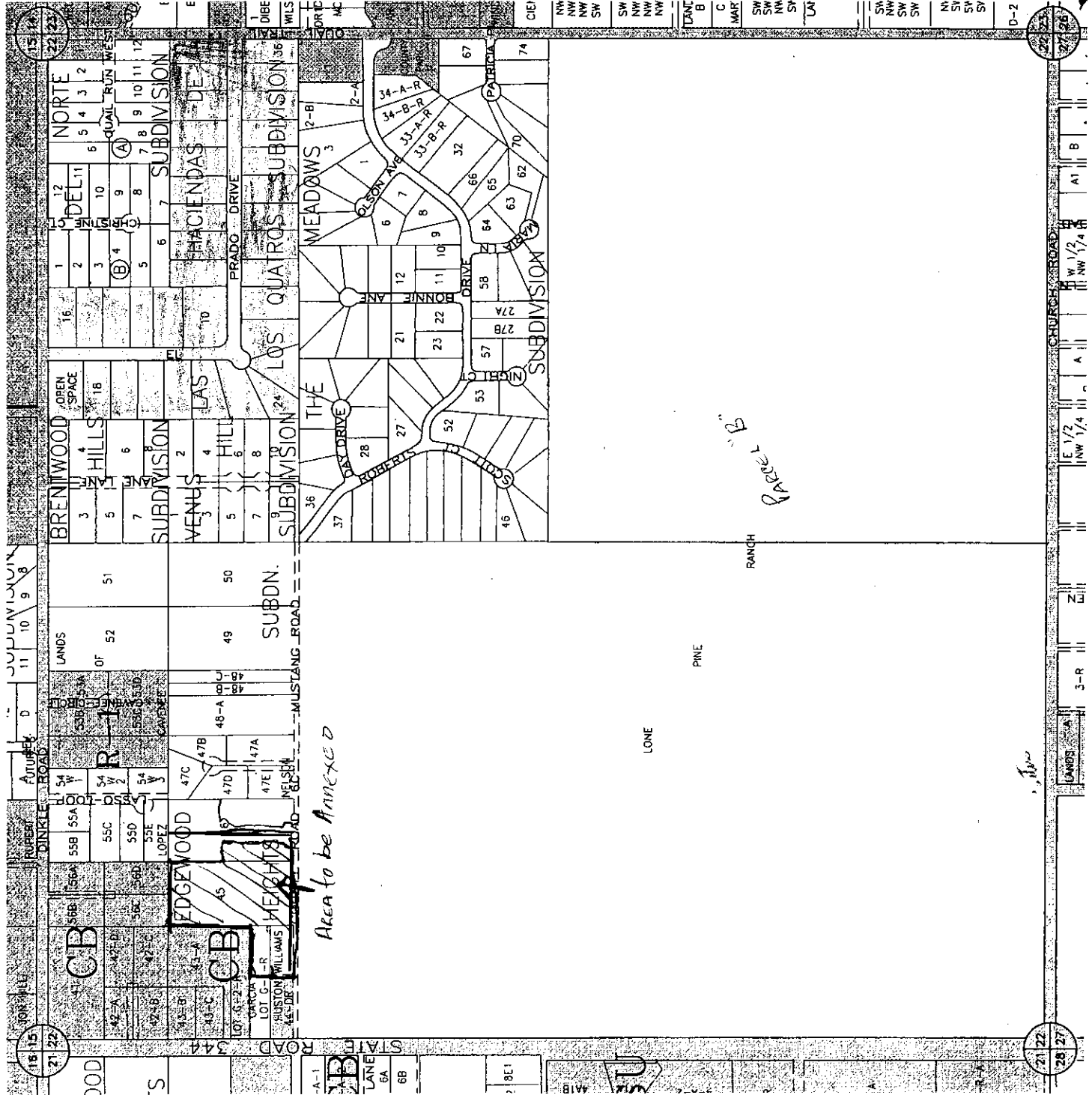
# Exhibit A

1-040-057-088-421  
 057-405-1.040  
 115-405-1.067

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SCALE: 1"=750'



LEGAL DESCRIPTION  
 T 10 N  
 R 7 E  
 SEC 22

UNIFORM PROPERTY CODE  
 1040057

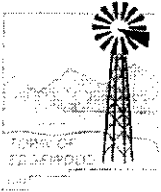
MAP AMENDED THROUGH  
 JANUARY 1, 2002

K 40

*Area to be Annexed*

*Parcel B*

*Area*



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[Signature] Richard Greene

Signature

Print Name

8/26/07

Date

[Signature]

Signature

Wanda Varner

Print Name

8/26/07

Date

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Clerk/Treasurer  
Town of Edgewood, New Mexico

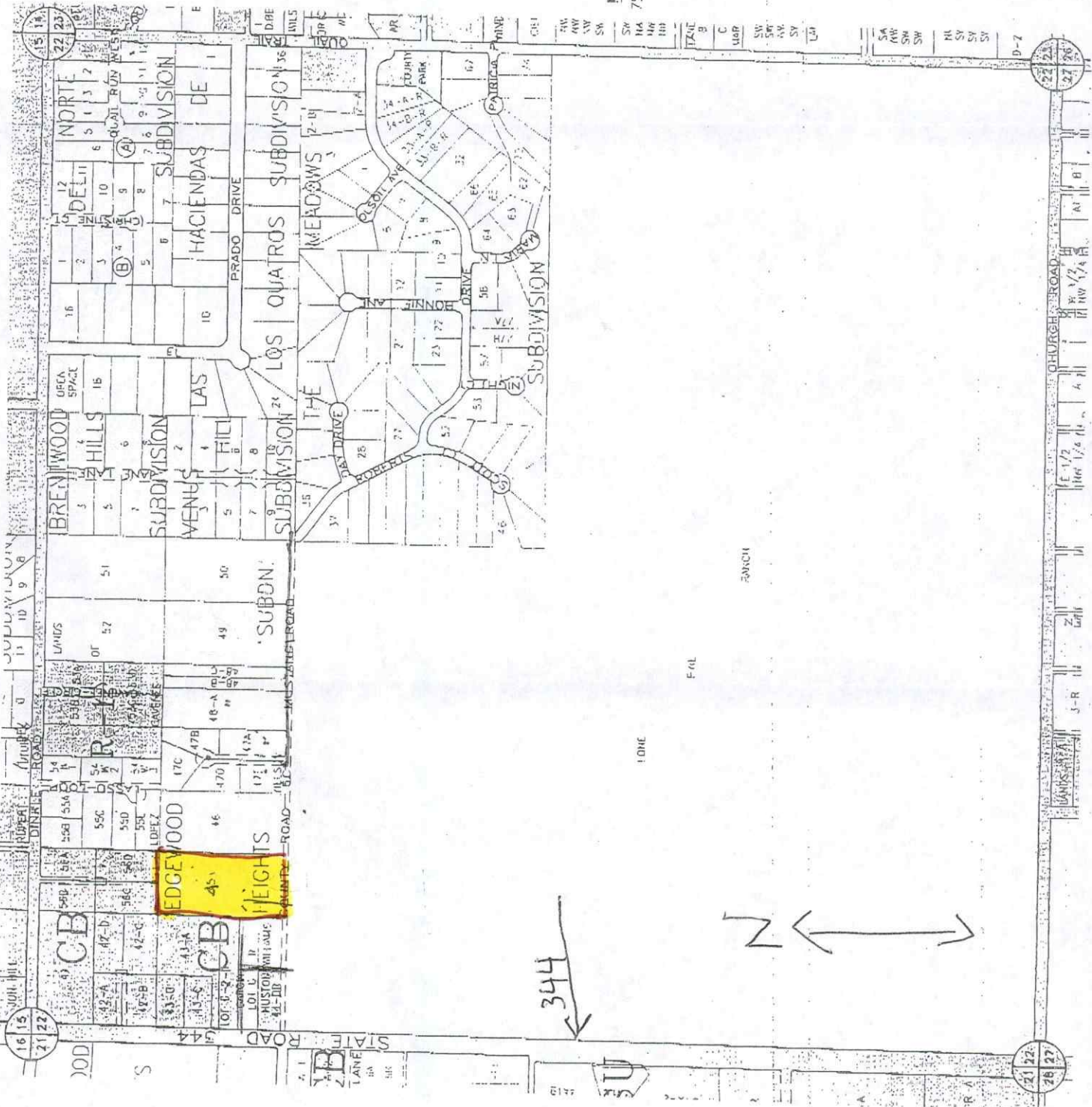
Dated

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EXHIBIT "A"

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LEGAL DESCRIPTION  
T 10 N  
R 7 E  
SEC 22

UNIFORM PROPERTY CODE  
1040057

MAP AMENDED THROUGH  
JANUARY 1, 2002

K 40

344



F-6L

F-6CH

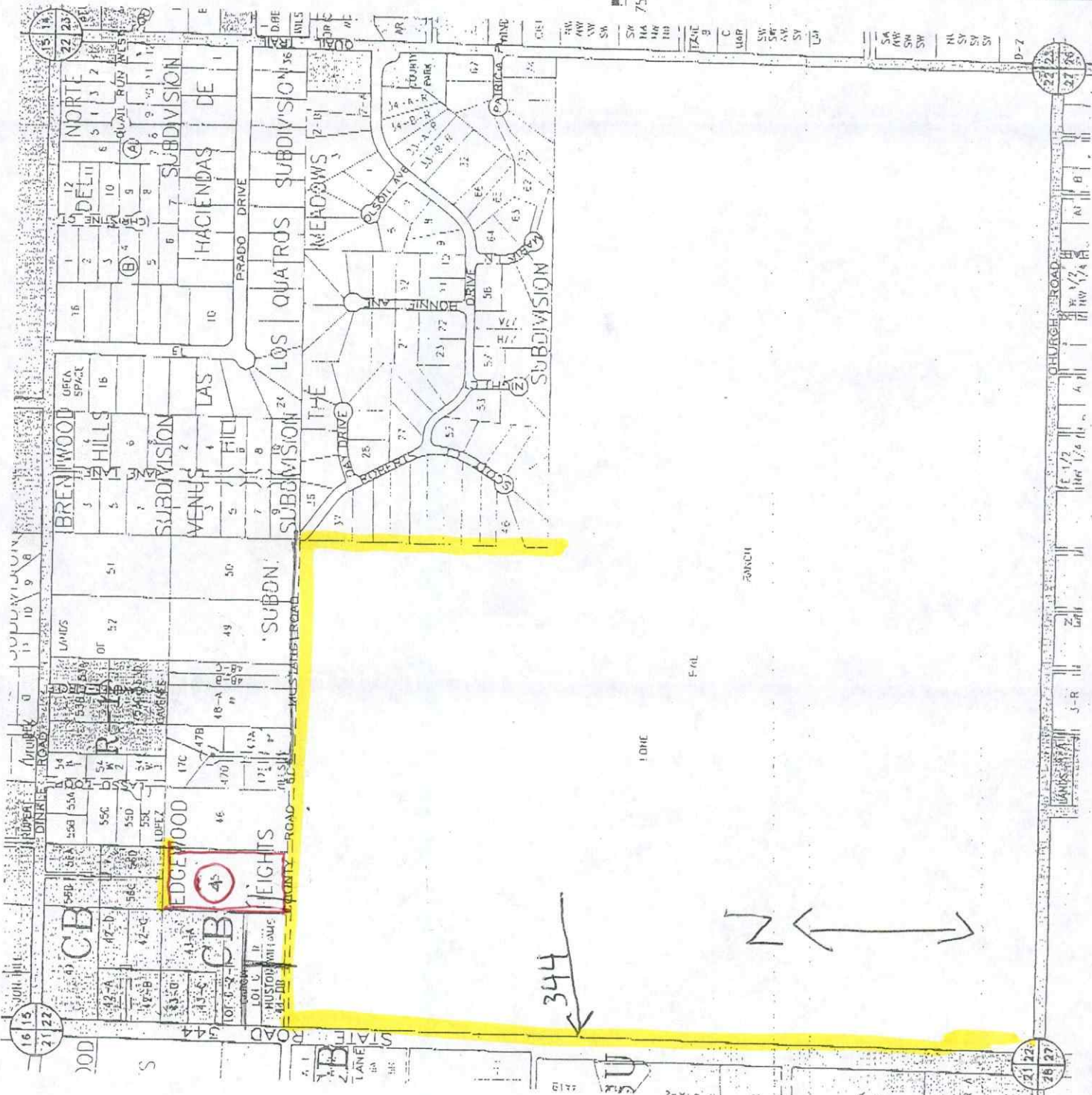
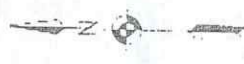
F-6H

21 22 23 24

16 15 21 22

Exhibit "A"

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ODEN-MILLER & ASSOCIATES



|                       |                           |
|-----------------------|---------------------------|
| LEGAL DESCRIPTION     | 7 10 A<br>R 7 E<br>SEC 22 |
| UNIFORM PROPERTY CODE | 1040057                   |
| MAP AMENDED THROUGH   | JANUARY 1, 2002           |
| K 40                  |                           |



Planning & Zoning Commission  
6:00 pm. October 15, 2007  
Edgewood Community Center-27 East Frontage  
Minutes

- 1. Call to order:** The meeting was called to order at 6:00 pm, Commissioners Chemistruck, Fulwiler, Schober, Vogel and Wilhite were present. Commissioner Rea was absent.
- 2. Approve agenda:** Commissioner Chemistruck moved to approve the minutes; the motion was seconded and passed unanimously.
- 3. Approve minutes of 10/01/07 and 10/09/07:** Commissioner Wilhite moved to approve the agenda; the motion was seconded and passed unanimously.

**PUBLIC HEARING-QUASI JUDICIAL PROCEDURE**

Certification that Public Notice of this Meeting has been posted as required:

Staff so affirmed

Statement of Proceedings was read into the record and Commissioners affirmed there were no conflicts of interest/ex parte contacts.

**4. Continuation of Final plat, phase 1 of Pueblo Artesanos 70.53 acres off of the eastern side of Horton road and north of Hill Ranch road. Zoned R-1 residential.**

The Town's attorney Marcus Rael has issued an opinion that Rory road is public and the cul-de-sac at the end should be removed as per plat. Concern was expressed about the by-laws needing clarification on manufactured vs. modular or stick built verbiage. The highway department has requested a TIA be completed and filed as per NMDOT requirements. Ms. Conger of #2 Rory road requested to know when improvements would be complete on Rory Rd and requested the commissioners do a site visit to Rory road prior to any action being taken. Ms. Conger also requested a buffer be established between the eight lots previously established and the new subdivision.

Judy Wright stated that Mr. Ulrich had illegally buried construction debris at the end of Rory Road.

Kathy Russell of lot 3-c requested a copy of the attorney's opinion of the safety of the transition of the end of the equestrian trail next to the 4<sup>th</sup> lot east of Horton on Rory road. Ms. Russell also stated she had her property surveyed lately and there are issues with the placement of the survey monuments.

Marsh McDeal of 37 Moonlight Meadow expressed concern about the potential traffic. The engineer's representative stated the water lines were 8" in the center of Rory road that Rory would be improved with the initial installation of infrastructure, and would be maintained throughout construction. Signage would be placed indicating "end of trail", and the monument locations for surveying would be confirmed.

Staff requested a grading & drainage plan be submitted as per the subdivision ordinance for the mailbox location.

Commissioner Schober moved to table until the buffer issue was resolved, a Traffic Impact Analysis was submitted as per NMDOT requirements, and signage placement addressed. The motion failed for lack of a second.

Commissioner Schober moved to go into closed session to discuss findings, Commissioner Wilhite seconded the motion. Commissioner Wilhite, Chemistruck, Fulwiler, Vogel and Schober voted affirmatively to go into closed session.

The Commission went into closed session at 7:03pm to discuss findings for their motion.

Commissioner Chemistruck moved to go back into public hearing at 7:15pm, the motion was seconded and Commissioner Wilhite, Chemistruck, Fulwiler, Vogel and Schober voted affirmatively to go back into public hearing.

Commissioner Wilhite moved to approve phase 1 final plat of Pueblo Artesanos finding that all ordinances were complied with conditioned upon the clarification of the bylaw description of manufactured vs. modular vs. stick built; the traffic impact analysis submittal; the improvement of Rory road with the installation of the infrastructure and the maintenance of Rory road throughout construction; the submittal of the mailbox cluster grading & drainage; signage installation for the end of trail; and verification of the survey monument locations. The motion was seconded and Commissioner Chemistruck asked for a friendly amendment to specify that Rory road be brought up the subdivision standards. The amendment was accepted and the motion passed unanimously.

**6. Continuation of request for zoning change, Residential and Services along Highway 344 and Isham Road.**

Commissioners were presented with the restrictions for conceptual covenants for the Chesterfield Acres, LLC and a site map for the layout. The layout of the requested Residential & Services area was designed to be adjacent to the proposed future Church High School so as to minimize the impact of the High School to housing areas. Isham road will be vacated in the subdivision area and the concept calls for a single access point off Highway 344, the intent of the concept is to create a live work community. Angus Campbell asked about the character of the Residential and Services units and whether home based business would be allowed. It was explained that it was the intent of the zone district to allow a mix of commercial within an area of residences. The applicant explained that part of financing the residential was the creation of the Residential and Services area. Concern was expressed about granting the ability to create nine acres of commercial, and the precedent this sets for the town.

Commissioner Wilhite moved to grant the zoning request for 9 acres with the restrictions proposed in the covenants; the motion was seconded. Commissioner Schober asked whether the commissioners had considered whether the request was consistent with the Comprehensive Plan, whether the uses were compatible with the surrounding properties, what the environmental affects might be, could the commission be assured that the traffic impacts would be mitigated and whether the state would permit the entrance.

Commissioner Wilhite voted aye, Chemistruck voted aye, Commissioner Fulwiler voted nay, Commissioner Vogel voted nay, Commissioner Schober abstained. The motion failed.

The commission was asked what information they would like to see for a resubmittal and they requested more information on the traffic mitigation, more detail on the compatibility of uses with neighboring property? Commissioners requested a plan for the Residential and Services area rather than granting the requesting and seeing an excess of 3000 square foot retail stores due to the lack of a plan.

**7. Conditional use permit 11 Hillside Drive, request for grooming facilities for Maggie Sandoval.**

Staff reported that Ms. Sandoval was required to file for a conditional use permit as per section 29 D of the zoning ordinance, even though she has had a business previously. Ms. Sandoval's property has been inspected by the Animal Control Officer and complied with all necessary requirements. Staff recommended approval of the conditional use permit with the condition that an inspection be completed annually. Staff had received positive input from neighbors and Mr. Errol Stepp testified that he has never had an issue with Ms. Sandoval's animals.