

**TOWN OF EDGEWOOD  
ORDINANCE NO. 2015-01**

**AN ORDINANCE GRANTING THE APPROVAL OF A ZONE CHANGE  
TO COMMERCIAL-2 (C-2) ZONE WITHIN THE TOWN OF  
EDGEWOOD, NEW MEXICO.**

**WHEREAS:** the owners Phillip, Kathleen and Melissa Adams are requesting Commercial (C-2) zoning for one (1) lot consisting of one (1) acre located at 2006 State Highway 333, Tract E-2, Lands of Phil Adams, being one (1) acre in the SE ¼ corner of Section 27 T10N, R7E, NMPM, Edgewood, Santa Fe County, New Mexico.

**WHEREAS:** the zone change complies with the requirements of Town of Edgewood Zoning Ordinance No. 2014-02, Section 40 Amendments and Section 22 C-2 Commercial Business Zone, duly approved by the Town Administrator, and

**WHEREAS:** the zone request is accompanied by a map, known as Exhibit "A", showing the boundary of the proposed property and is also accompanied by a written description of the land; and

**WHEREAS:** a public hearing, or hearings, regarding this ordinance have been published and held in conformance with the requirements of State law that:

1. The requested zone change is located in the municipal boundary and will not adversely affect the general plan of the Town or be contrary to the general public health and welfare.

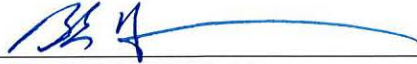
**THEREFORE: BE IT ORDAINED BY THE GOVERNING BODY OF THE  
TOWN OF EDGEWOOD THAT:**

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

1. Property to be zoned Commercial (C-2)
2. The property being zoned as Commercial (C-2) 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.

**APPROVED, PASSED AND ADOPTED this 4<sup>th</sup> day of February, 2015 at an open meeting held at the Edgewood Community Center, Edgewood, New Mexico.**

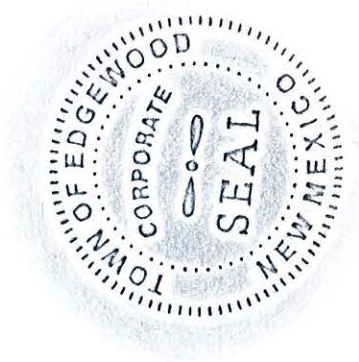


Brad E. Hill, Mayor

**ATTEST:**



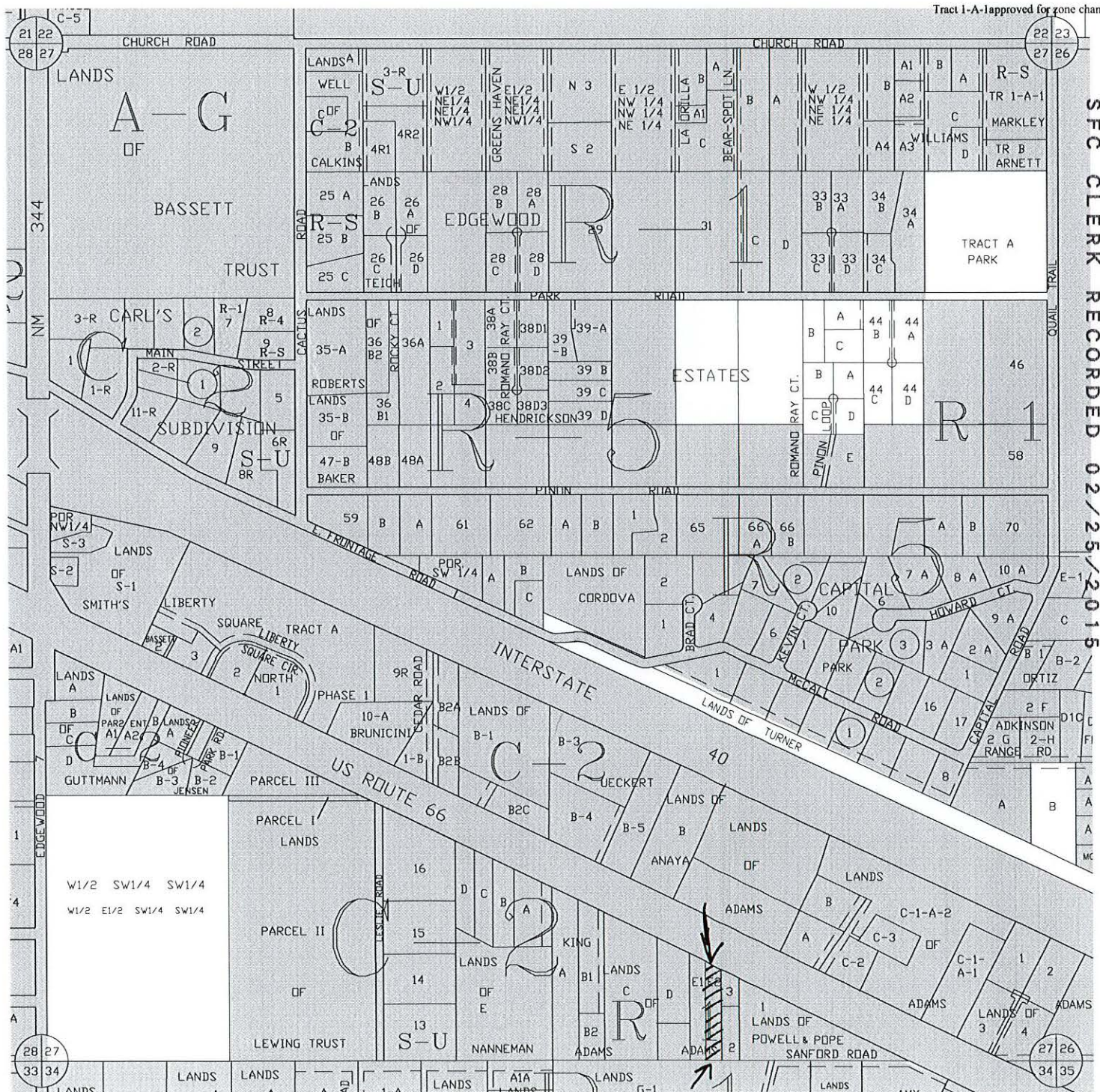
Stefanie B. Muller, CMC, Clerk-Treasurer



SFC CLERK RECORDED 02/25/2015



Tract 1-A-1 approved for zone change to R-3



SFC CLERK RECORDED 02/25/2015



**Town of Edgewood**  
**APPLICATION FOR ZONE CHANGE**

SHADED AREA FOR STAFF USE ONLY  
RECEIVED BY: \_\_\_\_\_ DATE RECEIVED: \_\_\_\_\_ CASE NO. \_\_\_\_\_  
APPROVED BY: \_\_\_\_\_ APPROVED DATE: \_\_\_\_\_ ZONING: \_\_\_\_\_

NAME OF APPLICANT: Phillip M Adams, Kathleen L Adams, Melissa L Adams

APPLICANT ADDRESS: PO Box 504 - 8A Robin Ct Edgewood NM 87015  
Street City State Zip

APPLICANT PHONE: HOME: 505-286-6441 BUSINESS: \_\_\_\_\_  
FAX: \_\_\_\_\_ FAX: \_\_\_\_\_

ADDRESS OF PROPERTY FOR WHICH REZONING IS REQUESTED:  
Tract C, Tract D (2004 Hwy 333) and Tract E2 (2006 Hwy 333)  
UPC MAP code - 1 - 040 - 056 - 354 - 019

PRESENT ZONING OF PROPERTY: R REQUESTED ZONING OF PROPERTY: C

OWNER OF ABOVE DESCRIBED PROPERTY:  
Phillip M Adams, Kathleen L Adams, Melissa L Adams

OWNER ADDRESS: PO Box 504 8A Robin Ct Edgewood NM 87015  
Street City State Zip

OWNER PHONE: HOME: 505-286-6441 BUSINESS: \_\_\_\_\_  
FAX: \_\_\_\_\_ FAX: \_\_\_\_\_

PRESENT USE OF PROPERTY: Mostly Vacant

FEE: \_\_\_\_\_



**NOTICE AND DISCLAIMER**

The staff acts in an advisory position only and will provide you with the recommendations, whether positive or negative, that will be forwarded to the Planning Commission.

If you take any action, make any financial commitments or expenditures based on staff, Planning Commission, or Town Council member statements before final action is taken on your application, you are doing so at your own risk.

SFC CLERK RECORDED 02/25/2015

The Town of Edgewood, its elected and appointed officials, agents, attorneys, and employees, will not in any way be responsible or liable for any losses of any kind whatsoever by you in the event that your application is not granted.

Your signature(s) on this document verifies (verify) that you have read and completely understand this document.

Applicant: Kathleen, Phillip & Melissa L Adams Date: 11/24/14  
 (Signature)  
 Type or Print Applicant Name: Phillip M Adams, Kathleen L. Adams, Melissa L Adams

Owner: Kathleen, Phillip & Melissa L Adams Date: 11/24/14  
 (Signature)  
 Type or Print Owner Name: Phillip M Adams, Kathleen L. Adams, Melissa L. Adams

CASE NO.: 2014-01

### COMMUNITY DEVELOPMENT

### ZONE CHANGE CHECKLIST

APPLICATION FOR ZONE CHANGE SHALL BE ACCOMPANIED BY THE FOLLOWING:

- COPY OF GENERAL WARRANTY DEED FOR THE PROPERTY OR PROPERTIES FOR WHICH APPLICATION IS MADE.
- CERTIFIED BOUNDARY SURVEY FOR WHICH APPLICATION IS MADE.
- SITE PLAN SHOWING LOCATION OF ALL EXISTING AND PROPOSED BUILDINGS, OTHER CONSTRUCTIONAL FEATURES, AND LANDSCAPING -- DRAWN TO SCALE WITH ALL DIMENSIONS AND THE LOCATION OF THE ZONE CHANGE IDENTIFIED.
- ARCHITECTURAL ELEVATIONS FOR ANY PROPOSED BUILDINGS ON THE SUBJECT PROPERTY.
- COMMERCIAL REZONING:** A WRITTEN DESCRIPTION OF PROPOSED OPERATION IN SUFFICIENT DETAIL TO INCLUDE HOURS OF OPERATION; NUMBER OF EMPLOYEES; TYPE OF MACHINERY; PLANS FOR OUTDOOR STORAGE; EFFECTS OF OPERATION IN PRODUCING AIR AND WATER POLLUTION, ODOR, NOISE, GLARE, FIRE OR OTHER FIRE SAFETY HAZARDS, AND TRAFFIC CONGESTION.
- RESIDENTIAL REZONING:** A WRITTEN DESCRIPTION OF THE PROPOSED USE OF PROPERTY INCLUDING NUMBER AND SIZE OF PROPOSED UNITS; NUMBER OF OFF-STREET PARKING SPACES; OPEN SPACE, RECREATIONAL FACILITIES; LANDSCAPE PLANS, AND REASONS FOR THE REZONING REQUEST.
- OTHER INFORMATION OR STUDY NEEDED: Please see attached

SFC CLERK RECORDED 02/25/2015



ATTACHMENT TO TOWN OF EDGEWOOD  
APPLICATION FOR ZONE CHANGE

Phillip M and Kathleen L. Adams  
Melissa Adams

RE: [REDACTED]  
[REDACTED]  
Tract E-2 - S27 T10N R7E 1 acre

We are requesting a zone change from residential to commercial for the above referenced properties. Prior to the annexation of the Town of Edgewood, some of this property was commercially zoned and a restaurant - Tres Amigos - operated there. We believe these properties should have been commercially zoned when the Town was incorporated just as properties on the north side of Route 66 were granted commercial zoning.



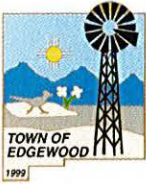
COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

EDGEWOOD ORDINANCE  
PAGES: 6

I Hereby Certify That This Instrument Was Filed for  
Record On The 25TH Day Of February, 2015 at 01:45:53 PM  
And Was Duly Recorded as Instrument # 1758197  
Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 2/25/2015



## BEFORE THE TOWN OF EDGEWOOD PLANNING & ZONING COMMISSION

### FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDED ORDER

IN THE MATTER OF AN APPLICATION BY:

ADAMS, PHILLIP M., KATHLEEN L. AND MELISSA L.

CASE- 2014-01 ZC

ZONE CHANGE R-1 RESIDENTIAL TO C-2 COMMERCIAL  
FOR PROPERTY LOCATED AT 2006 HIGHWAY 333,  
TRACT E-2, LANDS OF PHIL ADAMS,  
SE1/4 OF SECTION 27 T10N, R7E, N.M.P.M. EDGEWOOD, NM 87015

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#### **I. APPLICATION PROCESS**

##### **1.1 LEGAL**

A request by Phillip M., Kathleen L., and Melissa L. Adams, for a Zone Change from R-1 Residential Zoning to C-2 Commercial for property located at 2006 State Highway 333, Tract E-2 Lands of Phil Adams, 1 acre in the SE 1/4 of Section 27 T10N, R7E, NMPM, Edgewood, Santa Fe County, New Mexico.

#### **2. PUBLIC MEETING**

On December 16, 2014 the Planning & Zoning Commission reviewed this application for recommendation to the Town Council.

- 2.1 WITNESSES SIGNED UP IN FAVOR: Phillip M. & Kathleen L. Adams  
2.2 WITNESSES TESTIFYING IN FAVOR: None.

#### **3. FINDINGS OF FACT**

- 3.1 The Edgewood Planning & Zoning Commission is authorized to hear this case and to make a recommendation to the Edgewood Town Council to approve this Zone Change application for Phillip M., Kathleen L., and Melissa L., Adams.
- 3.2 The requested application approval recommendation is within the jurisdiction of the Commission to issue;
- 3.3 Recommendation for approval of this Zone Change will not adversely affect the general plan of the Town or be contrary to the general public health and welfare.

#### **4. CONCLUSIONS OF LAW**

The request for a Zone Change from R-1 Residential to C-2 Commercial for Tract E-2 Lands of Phil Adams is:

4.1 Determined to have met the requirements for a Zone Change Request per the Zoning Ordinance 2014-02, Section 40 Amendments and Section 22 C-2 Commercial Business Zone, with the following conditions:

A. Town Ordinances to be followed as the project moves forward in development.

- Zoning 2014-02
- Grading & Drainage 2002-01 as amended November 4, 2010
- Landscaping 2000-25
- Sign 2009-02
- Uniform Fire Code 1999-T

4.2 Not detrimental to the public health, safety or welfare in the zone in which it is proposed.

4.2 Will not result in adverse impact on neighboring properties.

**5. ORDER OF DECISION**

Based on the Findings of Fact, Conclusions of Law and the reasons stated, the Town of Edgewood Planning and Zoning Commission recommends that Zone Change Application 2014-01ZC, a request for a change to the zoning designation of R-1 Residential to C-2 Commercial for the property identified as 2006 State Highway 333, Tract E-2 Lands of Philip Adams, SE1/4 of Section 27, T10N, R7E, NMPM, containing 1.00 acre, be forwarded to the Town Council for approval and Zone Map Amendment.

**WRITTEN FINDINGS OF FACT, CONCLUSIONS OF LAW WAS APPROVED BY THE EDGEWOOD PLANNING AND ZONING COMMISSION AT A SCHEDULED PUBLIC MEETING HELD JANUARY 20, 2015.**

\_\_\_\_\_  
Brad Gabel  
Planning and Zoning Commission Chairman

\_\_\_\_\_  
Dated

Attest:

\_\_\_\_\_  
Leonard Navarre,  
Planning and Zoning Secretary

\_\_\_\_\_  
Dated