

TOWN OF EDGEWOOD
COUNTY OF SANTA FE
STATE OF NEW MEXICO

*In re. Preliminary Plat Extension, Campbell
Ranch SU-2007-11 AND SU-2007-12*

P & Z RESOLUTION 2009-38
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before the Town of Edgewood Planning & Zoning Commission on October 5, 2009 for Preliminary Plat extension of Campbell Ranch SU-2007-11 and SU-2007-12 located adjacent to the eastern side of Highway 14, in Bernalillo County, Edgewood, New Mexico. The Commission has duly considered the evidence presented by the applicant, Town Staff, and other interested parties. This evidence has taken the form of documents and testimony presented at a hearing before the Commission held October 5, 2009.

Being thus sufficiently advised, the Planning & Zoning Commission adopts the following findings of fact and conclusions of law:

I. Findings of Fact.

1. The Town of Edgewood incorporated in 1999 and is a duly formed municipal corporation and political subdivision of the State of New Mexico.

2. The property that is the subject of the requested preliminary plat extension is located within the municipal boundaries of the Town of Edgewood, as they currently exist.

3. The jurisdiction of the Town over the requested preliminary plat extension is not contested.

4. The Town Planning & Zoning Commission made a motion to approve the Preliminary Plat extension.

5. Grant of the request is not consistent with the public interest and welfare of the citizens of Edgewood and with applicable zoning & subdivision regulations adopted by the Town.

6. The applicant has failed to file the necessary infrastructure bonding with the Town as per the 1999 subdivision ordinance.

7. The applicant has failed to show evidence of sufficient potable water as required by the 2001 Development Agreement between the Town of Edgewood and Campbell Farming Corporation.

8. The applicant has failed to show evidence of a sufficient potable water supply as required by the 1999 subdivision ordinance.

9. The applicant chose not to further negotiate with a water service provider; therefore a current letter of service was not submitted.

10. The applicant submitted a letter from a well drilling company, stating two deep exploratory borings had commenced, supporting application and permits were not submitted.

11. The applicant has failed to move forward with the New Mexico Department of Transportation permitting process as required by the 2007 conditional approval of the preliminary plat.

12. The applicant has failed to move forward with Bernalillo County fire code compliance as required by the 2007 conditional approval of the preliminary plat.

13. The applicant has failed to file a signed corrected preliminary plat as required by the 2007 conditional approval of the preliminary plat.

II. CONCLUSIONS OF LAW.

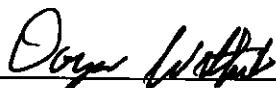
- A. The Commission has jurisdiction over the preliminary plat.
- B. The request of the applicant should not be granted, as the applicant has failed to show the delays were unavoidable and that an extension of time is in the public interest.

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:

The property that is the subject of this requested preliminary plat extension hereby is denied the granted extension of time.

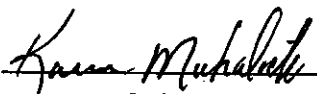
IT IS SO ORDERED.

Approved:



Doyce Wilhite, Vice-Chairman

Attest:



Karen Mahalick, Community Planning & Development Manager