

**AGENDA
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
JULY 5, 2016 AT 6:00 PM
EDGEWOOD COMMUNITY CENTER
27 E. FRONTAGE ROAD, EDGEWOOD, NM 87015**

The Town of Edgewood Planning & Zoning Commission is pleased to have residents of the community take time to attend commission meetings. Attendance and participation is encouraged. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared. Public comments may not be disruptive or harassing, and all persons are expected to maintain respect and decorum. Accordingly, rude, slanderous, or abusive comments and/or boisterous behavior will not be permitted. Written comments are welcome and should be given to the town administrator prior to the start of the meeting.

1. CALL TO ORDER & ROLL CALL

2. APPROVAL OF AGENDA

3. APPROVAL OF MINUTES:

- A. Draft Planning & Zoning Commission Meeting Minutes of June 6, 2016
- B. Draft Planning & Zoning Commission Meeting Minutes of June 20, 2016.

4. PUBLIC COMMENTS

5. PUBLIC HEARING.

Quasi-judicial Procedure: Certification that Public Notice of this meeting has been posted as required:

This case is being heard under provisions required by the New Mexico Court of Appeals intended to protect the rights of all parties and their witnesses and to cross-examine persons giving testimony.

Confirmation of no conflict of interest or ex-parte communication.

- A. Request for approval of a Minor Subdivision consisting of 3 lots, being tract P-1-R-1-B, Woods End Ranch, located along Woodline Drive, Section 21, T10N, R7E, N.M.P.M., Town of Edgewood, Santa Fe County.

6. REQUEST FOR ZONE CHANGE FROM R1- RESIDENTIAL TO RS- RESIDENTIAL AND SERVICES for property located at:

- A. Southwest corner of Hill Ranch Road and Hwy 344 being, Tract 5D and Tract 5C, Lands of Hill, Section 9, T10N, R7E, N.M.P.M., Town of Edgewood, Santa Fe County, NM 87015

7. MATTERS FROM THE CHAIR AND COMMISSION MEMBERS

8. MATTERS FROM STAFF

9. CALENDAR UPDATE AND FUTURE AGENDA ITEMS.

- A. Next Commission Meeting – 7/18/16
 - 1. Minor Subdivision
- B. Special Workshop – 7/11/16

10. ADJOURN.

A copy of the agenda may be obtained at the Town Office, 1911 Historic Route 66 during regular business hours of 8:00 am - 5:00 pm. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Town Clerk at 505-286-4518 at least one week prior to the meeting or as soon as possible.

**DRAFT MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
JUNE 6, 2016 AT 6:00 PM
EDGEWOOD COMMUNITY CENTER
27 E. FRONTAGE ROAD, EDGEWOOD, NM 87015**

1. CALL TO ORDER & ROLL CALL

Vice Chairperson Huppertz called the meeting to order at 6:08 pm.
Commissioners present were: Larry Sullivan, Garry Bryant, & Vice Chair Cheryl Huppertz. Also present were: Juan Torres, Town Clerk/Treasurer, & Bonnie Pettee, Planning & Zoning. Chairman Dan Thompson was not present.

2. APPROVAL OF AGENDA

MOTION: Commissioner Sullivan made a motion to approve the Agenda, omitting Item #5 due to the absence of Chairman Thompson.

Chairman Thompson arrived at this time.
Commissioner Sullivan withdrew his motion.
Staff suggested that the agenda be amended to add the item "Public Comments" between Items 6 & 7.

MOTION: Commissioner Sullivan made a motion to approve the agenda, adding Public Comments to the agenda.
Commissioner Huppertz seconded the motion.

VOTE: All Commissioners present voted aye. Motion carried.

3. ADJOURN TO SITE VISIT – BARTON COURT

MOTION: Commissioner Bryant made a motion to adjourn the meeting to view Barton Court. Commissioner Sullivan seconded the motion.

Chairman Thompson adjourned the meeting for the site visit to Barton Court.

4. RECONVENE

MOTION: Commissioner Huppertz made a motion to re-convene the meeting.
Commissioner Sullivan seconded the motion.

VOTE: All Commissioners present voted aye. Motion carried.

5. APPROVAL OF MINUTES:

A. Draft Planning & Zoning Commission Meeting Minutes of May 17, 2016

MOTION: Commissioner Huppertz made a motion to approve the minutes of May 17, 2016. Commissioner Sullivan seconded the motion with discussion.

Commissioner Sullivan asked for clarification in the minutes; Item 3.A. which reads "Commissioner Sullivan was not present and, therefore, did not vote." He would like that sentence restated as "Commissioner Sullivan was not present for the vote."

Commissioner Sullivan made a motion to amend the minutes with suggested change. Commissioner Huppertz seconded the motion.

VOTE: All Commissioners present voted aye to approve the minutes of May 17, 2016 with changes. Motion carried.

6. DISCUSSION & RECOMMENDATION ON BARTON COURT – ROAD DEDICATION

Ms. Pettee noted she had given each Commissioner the report for Barton Court from the Fire Department just prior to tonight's meeting. She hadn't received it until after the packets were distributed.

Mr. Torres reviewed the Fire Department report which stated the road does not meet the 1997 Uniform Fire Codes or the 2003 International Code Standards. He further explained the gate and driveways should be 14 feet wide, the driving surface needed to support the weight of emergency vehicles, and the turnaround at the end of the road needs to meet the requirements of the Santa Fe County Fire Department.

Mr. Norton Henninger, Road Superintendent for Edgewood, addressed the Commission. Based on his inspection of Barton Road, he stated the road has no base course, curbs, or culverts. It does appear to be 20' wide, up to the turnaround.

Commissioner Huppertz inquired about private roads and the process for them.

Mr. Henninger stated it is against State law to do improvements on private roads, due to the anti-donation clause.

Commissioner Sullivan asked if there was a Road Improvement Plan in place.

Mr. Torres replied not as yet. There is an older one that was generated out of a previous Commission, which needs to be updated. There are two streets left on it. They will be done as funding becomes available.

MOTION: Commissioner Sullivan made a motion to advise the owners along Barton Court that we cannot approve the dedication at this time, due to problems with the road. It is substandard and based on the Fire Department report, not suitable for access by the Fire Department.

Commissioner Huppertz asked if they could approve it with conditions that they bring the road up to District standards.

Mr. Torres replied that they would need to do that first, then bring it back to the Town.

Commissioner Huppertz seconded the motion.

VOTE: All Commissioners present voted aye. Motion carried.

7. PUBLIC COMMENTS

Roger Holden spoke regarding the Parks & Recreation projects he is currently working on. He stated that part of the projects involve the Commission. He briefly spoke about twelve projects that are ongoing. Some of which are: The Edgewood Community Park, the Equestrian Rest Stop, BMX Park, various BLM properties and how the proposed trail system will connect them all. He noted the fence encroachments on Horton and Cowboy Way and that the trail is not marked. He, also, commented on Ordinance 2012-01, Planning Roadway System Priorities for Improvement. He will work with the trail portion and the Commission will handle the roads. He added this should be a discussion item with the Commissioners in the near future.

8. REQUEST FOR CHANGE IN ZONING FROM SU-SPECIAL USE TO R2-CONVENTIONAL RESIDENTIAL property located at:

- A. 506 Dinkle Road, Tract B, as shown on "Land Division of a portion of the Lands of Donald E & Mary E Huston", being located in portions of Sections 14, 23, & 24, T10N, R7E, N.M.P.M., Santa Fe County, Town of Edgewood, NM 87015.

Bonnie Pettee presented the staff report, stating the applicant submitted the application for zone change from SU-Special Use to R2-Conventional Residential for 7.5 acres. The subject property was a portion of a larger parcel that was previously granted a Special Use for construction and gravel production. The business is no longer in production, so the Special Use is no longer needed. The applicants purchased the home and barn that is situated on 7.5 acres and are requesting the zone change to allow them to use the home for short term rentals. R2-Conventional Residential zoning allows "boarding, rooming & lodging houses" with a Conditional Use permit. He also suggested the possibility of classes and events on the property. Ms. Pettee stated the request to change zoning to R2-Conventional Residential is consistent with the surrounding properties. Staff recommends approval of the request. She added, upon approval, the applicants need to apply for the Conditional Use Permit before any rentals may take place.

Commissioner Sullivan asked how you know if it's safe or what the occupancy capacity is, or the size of the home is. He stated the report was short of information. He asked if mining was still going on.

Mr. Larry Miller and Dorothy Miller, applicants, approached the podium. Mr. Miller replied to the questions at hand. Mrs. Miller added that mining has not been done since her father passed away in 1995. She added the house is 2800 square feet and they were considering 2 possible room rentals. Mr. Miller pointed out on the map projected, the areas to be used for parking. He added they are working towards the rentals first and are unsure what they will do with the barn at this point.

MOTION: Commissioner Huppertz made a motion to approve the request for zone change from SU Special Use to R2 Conventional Residential for property located at 506 Dinkle Road, Tract B, as shown on "Land Division of a portion of the Lands of Donald E & Mary E Huston", being located in portions of Sections 14, 23, & 24, T10N, R7E, N.M.P.M., Santa Fe County, Town of Edgewood, NM 87015. Commissioner Bryant seconded the motion.

VOTE: Chairman Thompson asked all Commissioners in favor to say "aye". Commissioner Sullivan proposed an amendment to the motion as to why the recommendation was made:

1. We are moving from a Special Use zoning to a more restrictive one, R-2 Conventional Residential at the owner's request.
2. The Conditional Use Permit is not included in this vote and will require additional review.
3. R2- Conventional Residential Zoning is more consistent with an urban setting than a gravel pit.

Commissioner Huppertz stated that the applicant will need to come back for a Conditional Use Permit and these issues would be addressed then. This is just for the zoning. There was no second to the proposed amendment.

Chairman Thompson asked the Commissioners all in favor of the original motion to say aye.
VOTE: All Commissioners present voted aye. Motion carried.

9. DISCUSSION ON MINOR SUBDIVISION

Ms. Pettee stated that after the conversation on Minor Subdivision at the last meeting, she requested to seek interpretation of the ordinance from Council. She presented Council with a small handout consisting of the Minor Subdivision definition and the Contents of the Plat section. She reported that after a brief discussion with the Councilors, it was determined that if all four items of the requirements for Minor Subdivision were not met, the subdivision would be processed as a Major Subdivision. Also, changes to the plat were necessary at the platting stage, rather than the development stage. It was also suggested at Council meeting that this "subject" could go back to Commission for possible amendments that would make it more "user friendly". Ms. Pettee quickly reviewed the handouts she provided for the Commissioners and asked them to review the documents to discuss at a later meeting.

Mayor Bassett asked if he could address this issue. He spoke about a check list and a possible alternative to Minor Subdivisions, being Summary Process. He also mentioned the information in the handouts from Corrales and Los Ranchos, stating they are "about as easy as subdivisions get".

10. FINDINGS OF FACT AND CONCLUSION OF LAW & RECOMMENDED ORDER

A. Zone change from SU-Special Use to RE-Residential Estate for property located at: 17 Hill Ranch Road.

Commissioner Sullivan stated the owner requested a more restrictive zoning and the facts should be stated based on evidence heard. For example, in Part 3-Findings of Fact, it should be stated the zoning the applicant requested is more restrictive than the Special Use and the church doesn't need the property anymore.

MOTION: Commissioner Sullivan made a motion to approve the Findings of Fact and Conclusions of Law for a zone change from SU-Special Use to RE- Residential Estate for property located at 17 Hill Ranch Road, Lands of Howard and Dona Hill Trust, Section 4, T10N, R7E, N.M.P.M Santa Fe County, Edgewood NM based on the statement the Facts and Conclusions relied on, that Special Use zoning to Residential Estate is appropriate with the surrounding properties and that the property is not needed by the church.
Commissioner Huppertz seconded the motion.

VOTE: All Commissioners present voted aye. Motion carried.

B. Minor Subdivision, Lone Pine Ranch, Hwy 344 & Prairie Moon Road

Commissioner Sullivan suggested a modification that clearly states this was a conditional approval and the need to explore what would happen if the applicant did not complete the changes within the 60 day time period. He stated that he would like to add a condition that the applicant would make the appropriate changes and presentation to Commission within 30 days; that the plat conform to the requirements of the ordinance and the 20' easement be added.

Commissioner Huppertz stated that the applicant is not present and they can't re-do this now. Commissioner Sullivan asked how this could be fixed.

Ms. Pettee replied that she could add to Section 4.1 the wording "the length of the property"

Juan Torres stated that is acceptable if it is supported by the audio of the meeting.

The Commissioners agreed it was.

Commissioner Sullivan expressed concern also regarding the wording in Sections 3.3. He suggested adding “providing the condition of Section 4.1 below are met” and adding the same to 4.3.

MOTION: Commissioner Sullivan made a motion to approve the Findings of Fact and Conclusions of Law for a Minor Subdivision located at: Lone Pine Ranch, located at 94 NM State Hwy 344, Parcel A, Section 22, T10N, R7E, N.M.P.M, Town of Edgewood, Santa Fe County, New Mexico with the following changes: adding the verbiage “provided conditions are met” to Section 3.3 and 4.3 and “the entire length of the western boundary” to Section 4.1. Commissioner Huppertz seconded the motion.

VOTE: All Commissioners present voted aye, except Commissioner Bryant, who abstained due to his absence at the previous meeting. Motion carried.

11. RESOLUTION 2016-05 “RESOLUTION FOR PLANNING & ZONING COMMISSION”

Commissioner Huppertz stated she would like more time to look this over. She didn’t feel prepared enough to discuss tonight.

MOTION: Commissioner Huppertz made a motion to table this item until the next meeting. Commissioner Sullivan seconded the motion, stating he also was not prepared tonight, but there are (3) three items he would like to address regarding this.

VOTE: All Commissioners present voted aye. Motion carried.

12. MATTERS FROM THE CHAIR AND COMMISSION MEMBERS

Commissioner Sullivan stated he called Sandy at MRCOG to ask her how long we should keep our records.

Ms. Pettee replied there are hard copies of the Minutes for each meeting filed in the office and the record goes back to when the Town was incorporated. She added the Agendas, packets and audios are on the Town website. Once they are added, they are not removed.

A brief discussion ensued regarding digitizing all Town documents.

Commissioner Sullivan reported that at the last Council meeting, they spoke about amending the Zoning Ordinance to include height restrictions in various zoning categories. He suggested the possibility of increasing the present height limitation of 36 feet to 40 feet.

There were no other matters brought forward.

13. MATTERS FROM STAFF

Ms. Pettee spoke also on the height restrictions. She stated the Zoning Classifications R3-Residential and Services and MU- Mixed Use had no height restrictions and RE-Residential Estate has no District Standards. She added she would like to see the restriction changed to 40’ and will talk to the Fire Inspector to see if that would be a problem. Ms. Pettee stated she would do a “redline” version for the next meeting, in an effort to get this to Council expeditiously.

14. CALENDAR UPDATE AND FUTURE AGENDA ITEMS.

A. Next Commission Meeting - 6/20/16

1. Zone Change R1 – C2

B. Meeting of July 4th – The Commissioners agreed to move the meeting from July 4th to July 5th.

15. ADJOURN.

MOTION: Commissioner Bryant made a motion to adjourn tonight's meeting. Commissioner Sullivan seconded the motion.

VOTE: All Commissioners present voted aye. Motion carried.

Chairman Dan Thompson adjourned the meeting of June 6, 2016 at 8:25 pm.

PASSED, APPROVED, AND ADOPTED THIS 5th day of July, 2016

Dan Thompson, Chairman

ATTEST:

Garry Bryant, Secretary

The **Draft Minutes for the June 20, 2016 meeting** were not available at the time the packet was released. They will be distributed at the meeting. I apologize for any inconvenience this may cause.

**TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION
STAFF REPORT**

SUBJECT : ITEM 2016-Sub 004
APPLICANT/AGENT : Tim Oden

REQUESTED ACTION

The applicant is seeking approval of a minor subdivision for Woods End Ranch, located along Woodline Drive, Tract P-1-R-1-B, Section 21, T 10N, R 7E, NMPM, Town of Edgewood, Santa Fe County, New Mexico.

APPLICATION EXHIBITS

- A) Staff Report
- B) Application
- C) Plat for a Minor Subdivision
- E) Agent Authorizations from Owners
- F) Warranty Deed Recorded October 5, 1979
- G) Zone Map
- H) Google Map

APPLICABLE REGULATIONS

Subdivision Ordinance 2014-03
Zoning Ordinance 2014-02

NOTIFICATION

Public Hearing notification was printed in the Independent on June 15, 2016. The property owners within 500 feet were notified by mail. Notice signs were posted on the property, and Public Hearing Notices were posted at the six (6) Town of Edgewood public posting locations, on June 16, 2016.

LOCATION

Subject property is located in the Woods End Ranch, along Woodline Drive, Tract P-1R-1-B, Section 21, T10N, R7E, NMPM, Town of Edgewood, Santa Fe County, New Mexico.

BACKGROUND

The subject property consists of 8.132 acres and is owned by Jonathon Pillars. It is his desire to subdivide the property into 3 parcels for future development. The current zoning for the parcel is R1 Residential.

PROJECT DESCRIPTION

The subject property is bordered on three sides by Residential uses, with a church and Christian school to the east. Tract P-5 will consist of 4 acres. Tract P-6 will consist of 2 acres. Tract P-7 will consist of 2.132 acres.

The Town of Edgewood Subdivision Ordinance defines minor subdivision as land divisions creating 3 parcels or less, with access to roads, and having no infrastructure needs.

Woodline Drive provides access to the arterial roads. Woodline Drive is currently gravel and extends only to the cul-de-sac. A 25' public access easement is shown on the plat to complete the road to parcels beyond the subject property. A public easement for utilities is also provided for on the plat. Water and electricity lines are available at the cul-de-sac. The utility lines should be extended to Tract P-5 and the road needs to be completed prior to any future development in order to meet the infrastructure needs clause stated in the Subdivision Ordinance, Definitions.

STAFF ANALYSIS

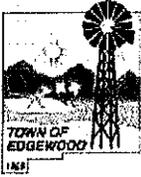
- A) Staff performed a review of the Plat and found it to be in compliance with Subdivision Ordinance 2014-03, Section 8. Minor Subdivision, with regards to Contents of the Plat.
- B) Woodline Drive will need to be extended westerly beyond Tract P-5 in accordance with the requirements of the Subdivision Ordinance, Section 12 Design Standards prior to any future development.
- C) The utility lines shall be extended to Tract P-5 prior to any future development.
- D) It is the staff's opinion that future development on these properties is compatible with the surrounding properties, since the proposed development is residential. Therefore, it will not be detrimental to the public welfare or cause a negative impact to surrounding properties.

STAFF RECOMMENDATION

It is the staff's opinion that the request for division of land on Woodline Drive is in compliance with the requirements of the Subdivision Ordinance 2014-03, Section 8. Minor Subdivision with the conditions noted above. Staff recommends approval by the Planning and Zoning Commission.

Future development of the three (3) lots shall be required to meet the provisions of the following Town of Edgewood Ordinances:

- Fire and Rescue Impact Fees
- Grading & Drainage
- Landscaping Ordinance
- Uniform Fire Code
- Zoning Ordinance
- Subdivision Ordinance



Town of Edgewood
Community Planning & Development
 P.O. Box 3610
 Edgewood, NM 87015
 (505) 286-4519 ext. 3 Fax: 286-4519

SUBDIVISION AND PLATTING APPLICATION

For Municipal Use Only: File No. 2016-Sub 004
 Date of Receipt: 5.25.16
 Planning Commission Meeting Date: _____

The undersigned hereby applies for approval under the Town of Edgewood Subdivision Ordinance, for the Plan, submitted herewith and described below:

Application Classification:

- Sketch Plat/Pre-Application
- Minor Subdivision Plat \$250.00 + 10.00 per resulting lot (limit three) **\$280.00**
- Preliminary Plat \$50.00 per resulting lot
- Final Plat \$ 250.00 + 10.00 per resulting lot
- Vacation of Plat
- Lot line vacation/replat \$ 50.00
- Right-of-way vacation \$ 100.00

Applicant: JONATHAN P. Pillars Telephone: 238-0666
 Address: PO Box 9 Edgewood, NM 87015
Street Address City State Zip Code

Agent: ONOV & Associates, Inc. Telephone: 605-832-1424
 Address: PO Box 1976 Moriarty, NM 87035
Street Address City State Zip Code

Legal Description: TRACT P-1-R-1-B Section 21, T10N, R7E,
 Existing Subdivision WOODS END RANCH
 Project Address WOODLINE DR.

Address: _____

Number of Lots Created 3 Total Acreage: 8.132
 Current Zoning: R-1

*****IMPORTANT - PLEASE READ AND REVIEW*****

- Check if there are any easements on the property and show them on all concept and preliminary plats.
- Check if there are any drainage or stormwater facilities on the property and show them on all concept and preliminary plats.
- Check if there are any encroachments on current or proposed easements and show them on all concept and preliminary plats.
- Check if there are any public or private utilities on the property and show them on all concept and preliminary plats.

In applying for and signing this application, the property owner hereby grants permission to Municipal staff to access the property before and after the Planning Commission's; review for the purposes of inspecting the proposed and/or approved parcels. Notarized Agent Authorizations are required as part of the application documents in the event an Agent is assigned.

Agent's Signature: [Signature] Date: 5/24/16

Owner's Signature: _____ Date: _____
 (If different from applicant)

Fee Paid: 280.00 Date: 5.25.16
 Receipt: 844662 Initials: bsp

Authorization to Act as Agent

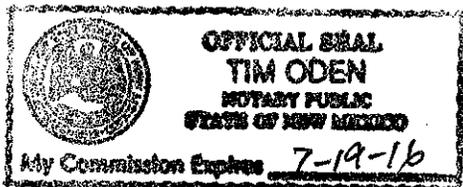
I, Jonathan Paul Pillars, hereby authorize Oden & Associates, Inc., it's principals and staff, to act on my behalf in any and all matters relating to the Subdivision of Tract P-1-R-1-B, Lands of Pillars in Section 21, T 10 N, R 7 E, Town of Edgewood, Santa Fe County, New Mexico.


Jonathan Paul Pillars

State of New Mexico
County of Terrance) .SS

This instrument was acknowledged before me on 6 May 2016 by Jonathan Paul Pillars.


Notary Public



My Commission Expires: 7-19-16

SF 1 - SHORT FORM WARRANTY DEED (UNIFORM) (REV. 8/93) - NEW MEXICO STATUTORY FORM

WARRANTY DEED 1672590

Oscar Lawrence Pillars and Marjorie Jean Pillars, Trustees of the Oscar Lawrence and Marjorie Jean Pillars Revocable Living Trust Under Instrument Dated January 25, 1995
for consideration paid, grant

to Jonathan Paul Pillars, a married man dealing as his sole and separate estate

whose address is P.O. Box 9, Edgewood, New Mexico 87015

the following described real estate in Santa Fe County, New Mexico

Tract P-1 of the lands of the Oscar Lawrence Pillars and Marjorie Jean Pillars Revocable Living Trust under instrument platted 01/25/95, located in the SE 1/4 of Section 21, T10N, R7E, N.M.P.M., Santa Fe County, New Mexico, as the same is shown and designated on the plat thereof filed in the office of the County Clerk of Santa Fe County, New Mexico and containing 19.24 Acres.



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss. 1085 334
I hereby certify that this instrument was filed
for record on the 6 day of May,
1999 at 1:00 o'clock P.M.
and was duly recorded in book 1672
page 500 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.
Cathy Liberman
Deputy

with warranty covenants.

Witness our hand and seal of this 6th day of May, 1999
Oscar Lawrence Pillars (Seal) Marjorie Jean Pillars (Seal)
Oscar Lawrence Pillars
Trustees of the Oscar Lawrence and Marjorie Jean Pillars Revocable Living Trust Under Instrument Dated
January 25, 1995

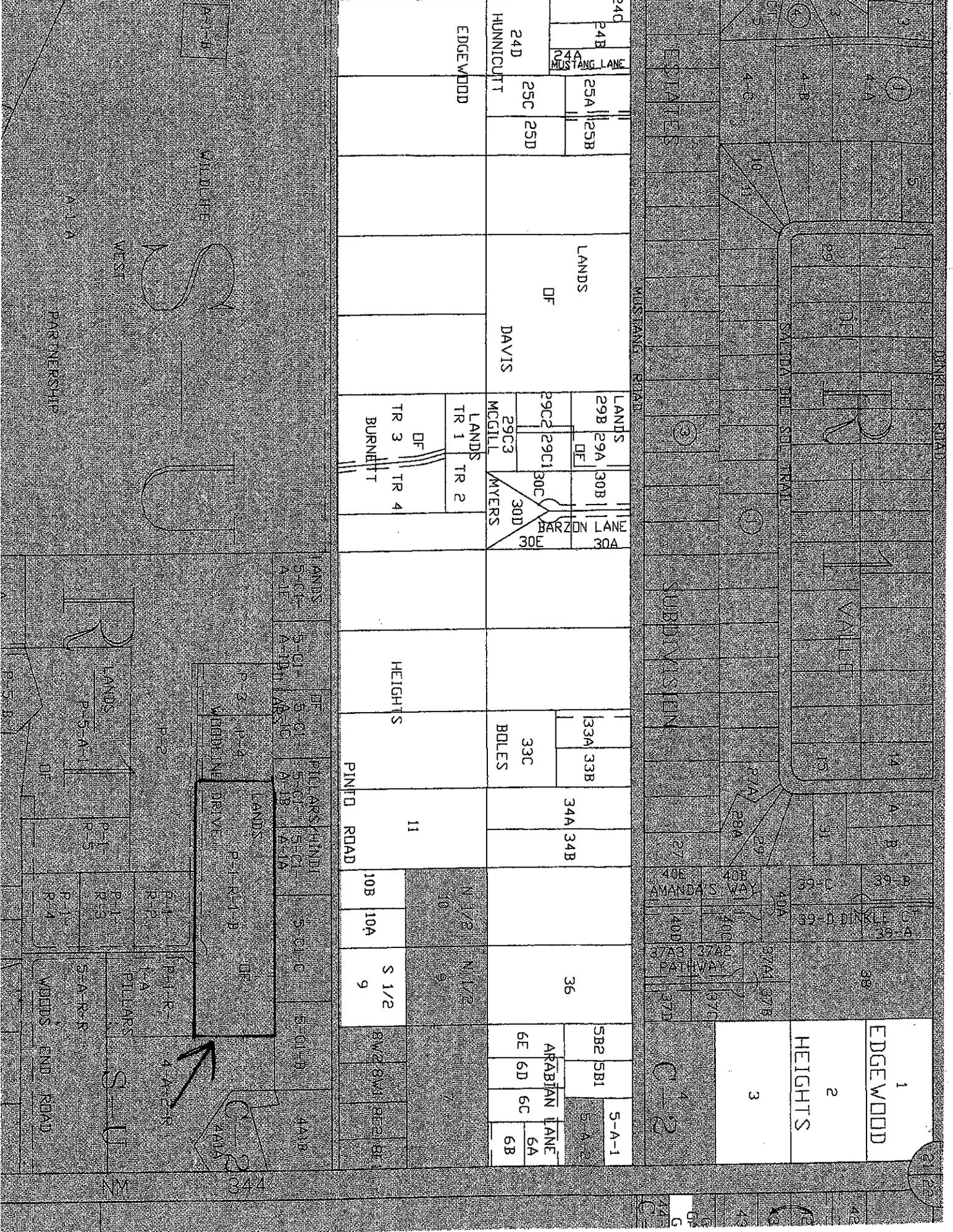
ACKNOWLEDGEMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
COUNTY OF Dobson) ss.
This instrument was acknowledged before me on this 6th day of May, 1999
by Oscar Lawrence Pillars & Marjorie Jean Pillars Trustees
Michelle R. Gallegos
My commission expires May 11, 2001

OFFICIAL SEAL
Michelle R. Gallegos
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires May 11, 2001

ACKNOWLEDGEMENT FOR CORPORATION

STATE OF NEW MEXICO)
COUNTY OF) ss.
This instrument was acknowledged before me on _____, 19____
by _____
of _____
a corporation, on behalf of said corporation
My commission expires: _____
(Seal)



Wood Line Drive

Write a description for your map.

Legend



Google earth

©2016 Google

**TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION
STAFF REPORT**

SUBJECT : 2016-ZC 003
APPLICANT: Roni Merbler

REQUESTED ACTION:

The applicant is seeking a Zone Change from R1-Residential to RS-Residential & Services for property located at the south west corner of Hill Ranch Road & State Hwy 344, Lands of Fred C. and Betty G. Hill, Tract 5C & Tract 5D , Section 9, T10N, R7E, NMPM, Town of Edgewood, Santa Fe County.

APPLICATION EXHIBITS:

- A. Staff Report
- B. Application for Zone Change
- C. Applicants Narrative
- D. Representative Authorization Letter
- E. Plat: Lands of Fred C & Betty G. Hill
- F. Warranty Deed: Recorded January 18, 2007
- G. Google Aerial Map

APPLICABLE REGULATIONS

Zoning Ordinance 2014-02

Section 17. R1- Residential
Section 19. RSH -- Residential & Services
Section 40. Amendments

LOCATION

Subject property is located at:
The southwest corner of Hill Ranch Road & State Hwy 344, Tract 5C & Tract 5D, Section 9, T10N, R7E, NMPM , Town of Edgewood, Santa Fe County,

BACKGROUND

Due to the potential ramifications of the previous request for C2- Commercial zoning, the applicant has withdrawn the request and asking the Commission to revisit the property with the request for RS-Residential & Services for both Tract 5C and Tract 5D. The combined acreage for both tracts would be 4.74 acres, which would span 630 feet along Hwy 344. Tracts 5C and 5D are part of a 20 acre parcel subdivided into 8 lots. It is owned by Tres Cerrillos Holdings.

The applicants are requesting RS-Residential & Services zoning with the intent of building and operating a small neighborhood veterinary clinic. The clinic would be used primarily to treat dogs and cats and possibly horses, at a later date. The potential for an accessory structure on the property will depend on the demand for equine care. There are no plans for outside storage, and there should not be any business related odor or noise. Since standard operating hours would be in effect, the business would not be disruptive to the adjacent neighbors.

Hill Ranch Road has been recently paved and is maintained by the Town of Edgewood.

It is the applicant's desire to have an ingress and egress on both Hill Ranch Road and Hwy 344. A new accesses would be subject to the regulations listed in the Subdivision Ordinances and regulations required by the New Mexico Department of Transportation.

A portion of the subject property is located in a low lying area, which can occasionally retain heavy rains. It is not, however, located in a flood hazard area. The applicant could possibly be required to address drainage and elevation issues during development stage and prior to building. At the request of staff, the engineer for the Town of Edgewood did a brief review of the property for buildability. His report stated that the property would be a challenging and expensive endeavor for commercial type development and buildability would be up-to the developer, following their review and discussions with a design professional willing to undertake the duties required by the ordinances.

Also, a note on the plat states that the soil is moderate regarding limitations on septic systems and may require an alternative system. The applicant will need to contact New Mexico Environmental Improvement Division for that determination.

PROJECT DESCRIPTION

The subject parcel is currently vacant land. Adjacent properties to the north are zoned SU-Special Use, to the west and south is R-1 Residential and to the east is the Hillcrest Master Plan. Property to the north approximately 1500 feet is zoned RS-Residential & Services.

STAFF ANALYSIS

1. Staff performed a review of the application, submitted materials, and applicable ordinances.
2. The request is in compliance with the requirements of the RS- Residential and Services zoning. The purpose of this zone district is to provide for orderly and compatible development in transitional areas between residential and nonresidential districts, to establish and preserve areas for those commercial facilities which are especially useful in close proximity to residential areas of the community. Medical facilities are listed in the permissive uses for RS-Residential and Services zoning district.

3. The request is consistent with the Comprehensive Plan; Goal & Objectives; Economic Development; Objective 2, which states “Establish or support a local organization and process for targeting and recruiting new businesses and industries to locate in the Edgewood community, particularly those that serve local needs and provide higher-wage jobs.”
4. A Lot line vacation will be required prior to any future development.
5. Regulatory ordinances, such as the zoning and subdivision regulations, will need to be applied during the development decisions to assure the adjacent residential areas will not be impaired in value or integrity.

STAFF RECOMMENDATION

Based on the Staff Analysis, it is the recommendation of staff that the request for zone change from R1- Residential to RS-Residential & Services zoning for the subject properties be recommended.

Future development of lots shall be required to meet the provisions of all applicable Town of Edgewood Ordinances.

Options for Motion:

1. Approve/Recommend
2. Approve/Recommend with conditions
3. Deny, with cause stated – Cause must be stated during deliberation and in the motion.
4. Table to certain date – to fix a problem
5. Table indefinitely – not recommended.

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: TRC Roni Merbler

APPLICANT ADDRESS: 6 VASSILIA RD TIGERAS NM 87059
Street City State Zip

APPLICANT PHONE: HOME: _____ BUSINESS: (505) 259-9704
FAX: _____ FAX: _____

ADDRESS OF PROPERTY FOR WHICH REZONING IS REQUESTED:
230-299 HILL RANCH RD TRACT 5D + 5C

PRESENT ZONING OF PROPERTY: R1 REQUESTED ZONING OF PROPERTY: RS

OWNER OF ABOVE DESCRIBED PROPERTY:
TRES CERNILLOS HOLDINGS, LLC

OWNER ADDRESS: 255 N. EL CIELO RD. SUITE 140-274
Street City State Zip
PAUM SPRINGS, CA 92262-6974 (505) 344-1000

OWNER PHONE: HOME: _____ BUSINESS: _____
FAX: _____ FAX: _____

PRESENT USE OF PROPERTY: Vacant Land

FEE: _____ #0 - re-submitted



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.

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: *Roni Merbler* Date: *June 21, 2016*
(Signature)

Type or Print Applicant Name: *Roni MERBLER*

Owner: *(see attached) Greg Hillbyer* Date: *June 21, 2016*
(Signature)

Type or Print Owner Name: *TRES CERRILLOS HOLDINGS, LLC* CASE No.: _____
Greg Hill, Managing Member

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: _____

STAFF COMMENTS

APPLICANT'S REQUEST:	1) _____
2) _____	3) _____
4) _____	5) _____

APPLICATION COMPLETE, NOTIFIED APPLICANT ON: _____

APPLICATION INCOMPLETE, CONTACTED APPLICANT ON: _____

REQUESTED THE FOLLOWING:	1) _____
	2) _____
	3) _____
	4) _____
	5) _____

COMMENTS: _____

PETCARE EXPRESS INC.

Affordable service you can trust.

5-17-16

To the town of Edgewood, NM Planning and Zoning Board

RE: Proposed use of the lot in question

The proposed use of the lot would be for a standard 2,000-3,000 sq. ft. Veterinary hospital. This will likely be a one story building built in a similar style to other structures nearby. It would probably be a stucco type building either stick built or modular (on a concrete slab). Current plans are for a facility treating cats and dogs, but if a feasibility study shows sufficient community need we might also erect an additional building as an equine facility—built according to community standards within the State of New Mexico. The facility would make use of existing utilities (Entranosa water and Central NM power). We would like to have both ingress and egress from both Hill Ranch RD and Hwy. 344 for customer convenience. There would also be a customer parking area sufficient for 15-20 vehicles.

The hours of operation would initially be standard operating hours for veterinary hospitals 7:00 AM to 6:00 PM, however, if a feasibility study shows a need in the community we might opt to convert it to a 24 hr. emergency vet hospital.

The number of employees would be between 6 and 10. The machinery used would be standard equipment for the designated use: Operating tables, autoclaves, laboratory analyzers, X-ray equipment, Veterinary dentistry equipment, computers, washer and dryer, refrigerators, anesthesia machines, gas canisters for oxygen and carbon dioxide, surgical laser equipment, microscopes, etc.

There are no current plans for outdoor storage, unless equine capabilities are added. There should be no effects of the facility on air or water pollution, odor, noise, glare fire or other fire safety hazards or traffic congestion.



2901 Juan Tabo Blvd. NE

Suite 100A

Albuquerque, NM 87122

Phone 1-800-PETVAXX (738-8299)

EMAIL: jgladden@veterinaryvaccines.com

Web site: www.petshotclinics.com

Representative Authorization Form

Address: 230-299 Hill Ranch Rd., Edgewood, NM 87015 **Property Legal Description:**

Property Legal Description:

Tracts 1,2,3,4 and Tracts 5A, 5B, 5C, 5D Of Land Divisions of Lands of Fred C. and Betty G. Hill

Property Owner: Tres Cerrillos Holdings, LLC – Kreg B Hill, Managing Member

The Undersigned, registered property owners of the above noted property do authorize: Roni Merbler, Broker Associate, Enchanted Homes Realty, 9400 Holly NE, Albuquerque, NM 87122, 505-259-9704, to act on my behalf and take all actions necessary for the processing, issuance and acceptance of the permit or certification and any and all standard and special conditions attached.

Property Owner's Address:
255 N. El Cielo Rd. Suite 140-274
Palm Springs, CA 92262-6974
505 344-1000

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

Kreg B Hill

Kreg B. Hill, Managing Member **Dated: May 16, 2016**

Hill Ranch Road & Hwy 344

Write a description for your map.

Legend

Proposed Site of Zone Change

