

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 5 Ordinance/Resolution# 2615

For Meeting of April 18, 2011
(Ordinance First Reading Date)

For Meeting of May 2, 2011
(Adoption Date)

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM O-1 (OFFICE, NEIGHBORHOOD – LIMITED RETAIL SERVICE) TO O-2 (OFFICE, PROFESSIONAL – LIMITED RETAIL SERVICE) FOR 1.27 ± ACRES OF LAND LOCATED AT 2701 MISSOURI AVENUE. SUBMITTED BY DOCTORS CONNIFF & GORMLEY PEDIATRIC DENTISTRY PC, PROPERTY OWNER (Z2830).

PURPOSE(S) OF ACTION:

To bring property into compliance with the 2001 Zoning Code, as amended.

| | | |
|--|--|----------------------------------|
| COUNCIL DISTRICT: 6 | | |
| <u>Drafter/Staff Contact:</u> Helen Revels | <u>Department/Section:</u> Community Development | <u>Phone:</u> 528-3085 |
| <u>City Manager Signature:</u> | | |

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The subject properties are located at the northeast corner of Missouri Avenue and Ridgemont Drive. The property is currently developed with a pediatric dental office. The applicant is requesting the zone change in order to bring the existing pediatric dental office into compliance with the 2001 Zoning Code, as amended, which does not allow medical offices in the O-1 district. The property was originally developed under the 1981 Zoning Code in which dental offices were an allowed use in the O-1 zoning district.

The subject properties were recently issued a building permit for an alteration to the building. During the review process, it was determined that a zone change was needed because a medical office use is not permitted in the O-1 zoning district. If the zone change is approved, all new development would be required to adhere to all O-2 development standards and all other applicable City development codes.

The proposed zone change is supported by several Land Use Elements within the 1999 Comprehensive Plan as noted in Exhibit "B" of this CAES packet. The proposed zone change is located along a Minor Arterial roadway where uses and centers like the existing medical office complex are encouraged. The proposed zone change is also located in an area of comparable zoning, uses, and intensity. The proposed zone change is also located in an area with access to multiple modes of transportation, i.e., auto, bicycle, and transit. The zone change will eliminate

the non-conforming land use status of the property and align the use of the property with an appropriate zoning district.

On March 22, 2011, the Planning and Zoning Commission (P&Z) recommended approval for the zone change request by a vote of 4-0-0 (three Commissioners absent). No public comments were received.

SUPPORT INFORMATION:

1. Ordinance
2. Exhibit "A" – Site Plan
3. Exhibit "B" – Findings and Comprehensive Plan Analysis
4. Attachment "A" – Staff Report to the Planning and Zoning Commission for Case Z2830
5. Attachment "B" – Draft minutes from the March 22, 2011 Planning and Zoning Commission meeting
6. Attachment "C" – Vicinity Map

SOURCE OF FUNDING:

| | | | |
|--|-----------------------------------|--|---|
| Is this action already budgeted? N/A | | | |
| | Yes | <input type="checkbox"/> | See fund summary below |
| | No | <input type="checkbox"/> | If No, then check one below: |
| | <i>Budget Adjustment Attached</i> | <input type="checkbox"/> | Expense reallocated from: _____ |
| | | <input type="checkbox"/> | Proposed funding is from a new revenue source (i.e. grant; see details below) |
| | <input type="checkbox"/> | Proposed funding is from fund balance in the Fund. | |
| Does this action create any revenue? N/A | | | |
| | Yes | <input type="checkbox"/> | Funds will be deposited into this fund: in the amount of \$ _____ for FY _____. |
| | No | <input type="checkbox"/> | There is no new revenue generated by this action. |

BUDGET NARRATIVE

| |
|-----|
| N/A |
|-----|

FUND EXPENDITURE SUMMARY:

| Fund Name(s) | Account Number(s) | Expenditure Proposed | Available Budgeted Funds in Current FY | Remaining Funds | Purpose for Remaining Funds |
|--------------|-------------------|----------------------|--|-----------------|-----------------------------|
| N/A | N/A | N/A | N/A | N/A | N/A |

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will affirm the Planning and Zoning Commission recommendation for approval. The subject property located at 2701 Missouri Avenue with a combined area of 1.27 ± acres, will be rezoned from O-1 (Office, Neighborhood – Limited Retail Service) to O-2 (Office, Professional – Limited Retail Service). The zone change facilitates zoning compliance with the 2001 Zoning Code, as amended.
2. Vote "No"; this will reverse the recommendation made by the Planning and Zoning Commission. The current zoning designation of O-1 (Office, Neighborhood – Limited Retail Service) will remain on the subject property located at 2701 Missouri Avenue. The subject property will be legal non-conforming. Any future expansion or structural modification on the subject property will be limited to less than 10% of the total gross floor area of the existing buildings.
3. Vote to "Amend" and vote "Yes"; this could allow Council to modify the Ordinance by adding conditions as determined appropriate.
4. Vote to "Table"; this could allow Council to table/postpone the Ordinance and direct staff accordingly.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

1. Ordinance No. 193

COUNCIL BILL NO. 11-035
ORDINANCE NO. 2615

AN ORDINANCE APPROVING A ZONE CHANGE FROM O-1 (OFFICE, NEIGHBORHOOD – LIMITED RETAIL SERVICE) TO O-2 (OFFICE, PROFESSIONAL – LIMITED RETAIL SERVICE) FOR 1.27 ± ACRES OF LAND LOCATED AT 2701 MISSOURI AVENUE. SUBMITTED BY DOCTORS CONNIFF & GORMLEY PEDIATRIC DENTISTRY PC, PROPERTY OWNER (Z2830).

The City Council is informed that:

WHEREAS, Doctors Conniff & Gormley Pediatric Dentistry PC, the property owner, have submitted a request for a zone change from O-1 (Office, Neighborhood - Limited Retail Service) to O-2 (Office, Professional-Limited Retail Service) for properties located at 2701 Missouri Avenue; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on March 22, 2011, recommended that said zone change request be approved by a vote of 4-0-0 (three Commissioners absent).

NOW, THEREFORE, Be it ordained by the governing body of the City of Las Cruces:

(I)

THAT the land more particularly described in Exhibit "A," attached hereto and made part of this Ordinance, is hereby zoned O-2 (Office, Professional-Limited Retail Service) for properties located at 2701 Missouri Avenue.

(II)

THAT the zoning is based on the findings contained in Exhibit "B" (Findings and Comprehensive Plan Analysis), attached hereto and made part of this Ordinance.

(III)

THAT the zoning of said property be shown accordingly on the City Zoning Atlas.

(IV)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____ 2011.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

VOTE:
Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Connor: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Z2830 FINDINGS & COMPREHENSIVE PLAN ANALYSIS

1. The subject properties are located at the northeast corner of Missouri Avenue and Ridgemont Drive; a.k.a. address 2701 Missouri Avenue, Suites A, B, C; Parcel ID#s 02-15396, 02-23950 and encompasses 1.27 ± acres. The properties are presently used for a Pediatric Dentistry Office.
2. The zone change request from O-1 (Office, Neighborhood – Limited Retail Service) to O-2 (Office, Professional – Limited Retail Service) would bring the subject properties into compliance with the 2001 Zoning Code, as amended.
3. The rezoning request is consistent with the Goals, Objectives and Policies of City of Las Cruces Comprehensive Plan.

Land Use Element (Office Use) Goal 1

In the spectrum of land uses, office uses may serve an important role in providing a transition between commercial and residential uses, establishing business, personal and professional services that can function without generating large volumes of vehicular traffic. For the purposes of implementing clear office land use policy, relationships must be established to insure that transitional roles designed for neighborhood and professional offices are well-suited to the type of residential and commercial areas which they serve.

Office uses will be arranged according to their intensity, scale, and how each particular use will act (some businesses may have a gross square footage which would categorize them as a neighborhood office use, but may actually serve a population which would actually categorize them as a professional office use). Therefore, those office or commercial businesses less intensive in use may be placed in categories of higher intensity. For example, neighborhood office and medium intensity commercial use may be permitted in high intensity commercial areas.

Objective 6:

Establish office use policy, for the purposes of the Land Use Element, to identify neighborhood and professional office uses within the City as transitional uses.

Policy 1.6.2 Professional office uses shall be defined as those office uses which generate larger-scale business and professional service activities. There shall be no goods or merchandise prepared or sold on the premises of these uses, with the exception of those activities which serve the primary use. Professional office uses and centers shall be established according to the following criteria:

- a. Generally 2,500 gross square feet and above shall be permitted for a professional office use or center.

- b. Uses and centers shall be located on streets of collector level and above.
- c. The City shall pursue multi-modal access standards (auto, bicycle, pedestrian, transit where available) for professional office uses and centers.
- d. Professional office development shall address the following urban design criteria: compatibility to adjacent development in terms of architectural design, height/density, and the provision of landscaping for site screening, parking and loading areas. Architectural and landscaping design standards shall be established in the Comprehensive Plan Urban Design Element.
- e. Adequate space for functional circulation shall be provided for loading areas.
- f. The City shall encourage the development of professional office centers to allow for maximum convenience with minimal traffic and encroachment-related conflicts to adjacent uses.
- g. The City shall encourage the development of professional office uses and centers in the Central Business District and in the East Mesa area.
- h. Professional office uses are also permitted in medium intensity, high intensity, and regional commercial areas.



Planning & Zoning
Commission
Staff Report

Date: March 9, 2011

CASE # Z2830

PROJECT NAME: Zone Change Request – O-1 to O-2

APPLICANT: Doctors Conniff & Gormley Pediatric Dentistry PC

PROPERTY OWNER: Doctors Conniff & Gormley Pediatric Dentistry PC

REQUEST: To rezone from O-1 (Office, Neighborhood – Limited Retail Service) to O-2 (Office, Professional – Limited Retail Service)

PROPOSED USE: Medical Office Use

SIZE: 1.27 ± acres

CURRENT ZONING: O-1 (Office, Neighborhood – Limited Retail Service)

LOCATION: Located at the northeast corner of Missouri Avenue and Ridgemont Drive; a.k.a. address 2701 Missouri Avenue, Suites A, B, C; Parcel ID#s 02-15396 and 02-23950

COUNCIL DISTRICT: 6

PLANNING COMMISSION DATE: March 22, 2011

PREPARED BY: Helen Revels, Associate Planner *HR*

STAFF RECOMMENDATION: Approval

PROPERTY INFORMATION

Address/Location: Located at the northeast corner of Missouri Avenue and Ridgemont Drive; a.k.a. address 2701 Missouri Avenue, Suites A, B, C; Parcel ID#s 02-15396 and 02-23950

Acreage: 1.27 ± acres

Current Zoning: O-1 (Office, Neighborhood – Limited Retail Service)

Current Land Use: Medical Office Use (Pediatric Dentist)

Proposed Zoning: O-2 (Office, Professional – Limited Retail Service)

Proposed Land Use: Medical Office Use (Pediatric Dentist)

Is the subject property located within an overlay district? Yes No
If yes which overlay district?

Table 1: Site Analysis

| Development Standards for Existing Zoning of O-1 (Office, Neighborhood – Limited Retail Service) | |
|--|--------------------|
| Minimum Lot Size | 5,000 square feet |
| Maximum Lot Size | 32,670 square feet |
| Minimum Lot Depth/ Width | 70/60 feet |
| Maximum Building Height | 35 feet |
| Development Standards for Proposed Zoning of O-2 (Office, Professional – Limited Retail Service) | |
| Minimum Lot Size | 5000 square feet |
| Maximum Lot Size | N/A |
| Minimum Lot Depth/ Width | 70/60 feet |
| Maximum Building Height | 60 feet |

PHASING

Is phasing proposed? Yes No

If yes, how many phases?

Timeframe for implementation:

ADJACENT ZONING AND LAND USE INFORMATION

Table 2: Land Uses

| Location | | Existing Use | Zoning District | Zoning Designation |
|------------------------|-------|-------------------------------------|-----------------|---|
| Subject Property | | Medical Office Use | O-1 | Office, Neighborhood – Limited Retail Service |
| Surrounding Properties | North | Medical Office Use | O-1 | Office, Neighborhood – Limited Retail Service |
| | South | Business Center – mixed uses | C-3 | Commercial High Intensity |
| | East | Business Center - mixed uses | C-3 | Commercial High Intensity |
| | West | Vacant commercial building, daycare | C-1 | Commercial Low Intensity |

HISTORY

Previous applications? Yes No

Previous ordinance numbers? Ordinance 193

Previous uses if applicable: Ordinance 193 approved a zone change from C-1 to O-1 on November 20, 1978; the applicant was First National Bank of Dona Ana County. The proposed use at this time was a motor bank.

COMPREHENSIVE PLAN

Elements & Policies

Land Use Element - Office

1. Goal 1, Policy 1.6.2

Analysis: The proposed zone change from O-1 to O-2 brings the property into compliance with the 2001 Zoning Code as amended which does not allow dental offices in O-1 districts. The current use has been existing for many years and no change in intensity is expected. Advance planning staff supports the proposal.

REVIEWING DEPARTMENT COMMENTS

Fire Prevention:

| Accessibility Issues | low | med | high |
|----------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Building Accessibility | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Secondary Site/Lot Accessibility | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Fireflow/Hydrant Accessibility | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Type of building occupancy: B

Nearest Fire Station

Distance: 0.34 miles

Address: 2802 Missouri Avenue

Adequate Capacity to Accommodate Proposal? Yes No

Additional Comments: Any new improvements, at either the time of subdivision or building permit, will require conformance with City of Las Cruces Design Standards, Subdivision Code, building Code, and /or Fire Code. Recommendation of Approval.

Police Department:

Additional Comments: The police department did not review this application, since there is no new construction proposed at this time.

Engineering Services:

Flood Zone Designation: Zone X (500)

Development Improvements:

| | | | | | | |
|------------------------------------|-----|--------------------------|----|-------------------------------------|-----|-------------------------------------|
| Drainage calculation needed | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Drainage study needed | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Other drainage improvements needed | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Sidewalk extension needed | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Curb & gutter extension needed | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| Paving extension needed | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input checked="" type="checkbox"/> |
| NMDOT permit needed | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |

Additional Comments: Site is currently developed; any new improvements, at either the time of subdivision or building permit, will require conformance with City of Las Cruces Flood Zone Ordinance 1933 and City of Las Cruces Design Standards. Recommendation of approval.

MPO

Road classifications: Missouri Avenue, Minor Arterial, 100' ROW required, adjacent to the south side of subject property. Ridgemont Drive, Local, 50' ROW required, adjacent to the west side of subject property.

Additional Comments: Recommendation of approval.

Public Transit

Where is the nearest bus stop (miles)? 0.106 ± miles

Is the developer proposing the construction of new bus stops/ shelters? Yes No N/A

Explain: No new bus stops/ shelters are required at this time.

Traffic Engineering:

Is development adjacent to a State Highway System? Yes No N/A

If yes, please specify the reviewing comments by the New Mexico Department of Transportation:

Are road improvements necessary? Yes No N/A

If yes, please explain:

Was a TIA required? Yes No N/A

If yes, summarize the findings:

Did City of Las Cruces Traffic Engineer Require a TIA? No

The proposed use **will** or **will not** adversely affect the surrounding road network.

Site Accessibility

| | | | | | | |
|-----------------------------|-----|-------------------------------------|----|-------------------------------------|-----|--------------------------|
| Adequate driving aisle | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| Adequate curb cut | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> | N/A | <input type="checkbox"/> |
| Intersection sight problems | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |
| Off-street parking problems | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> | N/A | <input type="checkbox"/> |

On-Street Parking Impacts

None Low Medium High N/A

Explain: On street parking prohibited

Future Intersection Improvements

Yes If yes what intersection?
 No If no, when (timeframe)?

Additional Comments: Any new improvements, at either the time of subdivision or building permit, will require conformance with the City of Las Cruces Curb Cut Ordinance 1250, the Design Standards and/ or Zoning Code. Recommendation of approval.

Water Availability and Capacity:

Source of water: CLC Other:
 CLC water system capable of handling increased usage? Yes No N/A
 If no, is additional service available? Yes No N/A

Additional Comments: The responsible property owner/applicant/subdivider is responsible for the extension of any and all utilities to the property at either the time of subdivision or building permit process; and said extensions must conform to all applicable City of Las Cruces requirements. Recommendation of approval.

Wastewater Availability and Capacity

Wastewater service type: CLC On-lot septic
 CLC wastewater service capable of handling increased usage? Yes No N/A
 If no, is additional service available? Yes No

Potential problems with gravity wastewater system or system connection? Yes No N/A

If yes, can potential problems be handled through development or building permit process?
 Yes No

If development is being served by on-lot septic, please specify review comments by the New Mexico Environmental Department:

Additional Comments: The responsible property owner/applicant/subdivider is responsible for the extension of any and all utilities to the property at either the time of subdivision or building permit process; and said extensions must conform to all applicable City of Las Cruces requirements. Recommendation of approval.

Gas Utilities

Gas Availability
 Natural gas service available? Yes No N/A

If yes, is the service capable of handling the increased load? Yes No N/A
 Need BTUH requirements? Yes No N/A

Public Schools

Nearest Schools:

- | | |
|--|---------------------------|
| 1. Elementary: Conlee Elementary | Distance (miles): 0.558 ± |
| Enrollment: 567 | |
| 2. Middle School: Lynn Middle School | Distance (miles): 0.779 ± |
| Enrollment: 719 | |
| 3. High School: Las Cruces High School | Distance (miles): 1.676 ± |
| Enrollment: 2,326 | |

Adequate capacity to accommodate proposal? Yes No N/A

Explain: No residential use is being proposed, therefore there will be no impact on public schools.

DESIGN STANDARDS ANALYSIS

Parking

Is there existing parking on the site? Yes No N/A

If yes, how many parking spaces presently exist? 76 How many are accessible? 5

If no, will parking be required for the proposed use? Yes No N/A

If yes, how many parking spaces will be required?

How many accessible?

Is there existing bicycle parking on the site? Yes No N/A

If yes, describe:

Will bicycle parking be required for the proposed use? Yes No N/A

Comments: The required amount of bicycle parking is shown on the approved construction drawings for the commercial alteration to the building at this location.

Landscaping and Buffering

Is there existing landscaping on the subject property? Yes No N/A

If yes, is the landscaping adequate to serve the proposed use? Yes No

If no, what landscaping will be required?

Are there existing buffers on the subject property? Yes No N/A

If yes, are the buffers adequate to serve the proposed use? Yes No

If no, what additional buffering will be required?

Open Space, Parks, Recreation and Trails

Are there presently any existing open space areas, parks or trails on or near the subject property? Yes No N/A

If yes, how is connectivity being addressed? Explain: There is a city park south 0.21 miles from the subject property; no connectivity is required for the existing use.

Are open space areas, parks or trails a requirement of the proposed use? Yes No N/A

Are open space areas, parks or trails being proposed? Yes No N/A

Explain: Open space areas, parks or trails are not required for the existing use.

Table 3: Special Characteristics

| Characteristic | Applies to Project? | Explanation |
|-------------------------------|---------------------|-------------|
| EBID Facilities | No | N/A |
| Medians/ Parkways Landscaping | No | N/A |

Table 4: Project Chronology

| Date | Action |
|------------|--|
| 01/28/2011 | Application submitted to Development Services |
| 02/23/2011 | Case sent out for review to all reviewing departments |
| 03/04/2011 | All comments returned by all reviewing departments |
| 02/28/2011 | Staff reviews and recommends approval of the zone change |
| 03/06/2011 | Newspaper advertisement |
| 03/10/2011 | Public notice letter mailed to neighboring property owners |
| 03/11/2011 | Sign posted on property |
| 03/22/2011 | Planning and Zoning Commission public hearing |

SUMMARY AND CONCLUSIONS

The proposed zone change will bring this property into compliance with the 2001 City of Las Cruces Zoning Code, as amended. The current zoning designation on the subject properties is O-1 (Office, Neighborhood – Limited Retail Service). The applicant is proposing to rezone to O-2 (Office, Professional – Limited Retail Service) to facilitate the existing medical office use on the properties. The subject properties were recently issued a building permit for an alteration to the building. During the review process, it was determined that a zone change was needed because medical office use was not allowed in O-1 zoning.

FINDINGS

1. The subject properties are located at the northeast corner of Missouri Avenue and Ridgemont Drive; a.k.a. address 2701 Missouri Avenue, Suites A, B, C; Parcel ID#s 02-15396, 02-23950 and encompasses 1.27 + acres. The properties are presently used for a Pediatric Dentistry Office.
2. The zone change request from O-1 (Office, Neighborhood – Limited Retail Service) to O-2 (Office, Professional – Limited Retail Service) would bring the subject properties into compliance with the 2001 Zoning Code, as amended.

3. The rezoning request is consistent with the Goals, Objectives and Policies of City of Las Cruces Comprehensive Plan.

STAFF RECOMMENDATION

Staff has reviewed the zone change and based on the preceding findings recommends approval with no conditions.

DRC RECOMMENDATION

N/A

ATTACHMENTS

1. Development Statement
2. Site Plan
3. Comprehensive Plan Elements and Policies
4. Zoning Map
5. Vicinity Map

DEVELOPMENT STATEMENT for Zoning Applications
(Use for Zone Changes, SUP's and PUD's)
Please type or print legibly

Please note: The following information is provided by the applicant for information purposes only. The applicant is not bound to the details contained in the development statement, nor is the City responsible for requiring the applicant to abide by the statement. The Planning and Zoning Commission or City Council may condition approval of the proposal at a public hearing where the public will be provided an opportunity to comment.

Applicant Information

Name of Applicant: John N. Conniff & Laurie A. Gormley
Contact Person: Emily Montoya
Contact Phone Number: 522-8229
Contact e-mail Address: pedo2dent@yahoo.com
Web site address (if applicable): _____

Proposal Information

Location of Subject Property 2701 Missouri Avenue Suite C, B, A
(In addition to description, attach map. Map must be at least 8 1/2" x 11" in size and clearly show the relation of the subject property to the surrounding area)

Current Zoning of Property: 01

Proposed Zoning: 02

Acreage of Subject Property: 0.766299 acres and 0.4959 acres

Detailed description of intended use of property. (Use separate sheet if necessary):

Currently dental and medical offices and will stay that way.

Proposed square footage and height of structures to be built (if applicable):

Anticipated hours of operation (if proposal involves non-residential uses):

Monday through Wednesday 7-5 p.m. Thursday 7 a.m. to 4 p.m. Friday 7am-3:30
Saturday 7 a.m. to 4 p.m.

Anticipated traffic generation unknown trips per day (if known).

Anticipated development schedule: Work will commence on or about once permit is approved and will take approximately _____ to complete.

How will storm water runoff be addressed (on-lot ponding, detention facility, etc.)?

Will any special landscaping, architectural or site design features be implemented in the proposal (for example, rock walls, landscaped medians or entryways, or architectural themes)? If so, please describe and attach rendering if available:

N/A

Attachments

Please attach the following: (* indicates optional item)

Location map

Detailed site plan

Proposed building elevations*

Renderings or architectural or site design features*

Other pertinent information*

Z2830 COMP PLAN ANALYSIS

Land Use Element (Office Use) Goal 1

In the spectrum of land uses, office uses may serve an important role in providing a transition between commercial and residential uses, establishing business, personal and professional services that can function without generating large volumes of vehicular traffic. For the purposes of implementing clear office land use policy, relationships must be established to insure that transitional roles designed for neighborhood and professional offices are well-suited to the type of residential and commercial areas which they serve.

Office uses will be arranged according to their intensity, scale, and how each particular use will act (some businesses may have a gross square footage which would categorize them as a neighborhood office use, but may actually serve a population which would actually categorize them as a professional office use). Therefore, those office or commercial businesses less intensive in use may be placed in categories of higher intensity. For example, neighborhood office and medium intensity commercial use may be permitted in high intensity commercial areas.

Objective 6:

Establish office use policy, for the purposes of the Land Use Element, to identify neighborhood and professional office uses within the City as transitional uses.

- Policy 1.6.2 Professional office uses shall be defined as those office uses which generate larger-scale business and professional service activities. There shall be no goods or merchandise prepared or sold on the premises of these uses, with the exception of those activities which serve the primary use. Professional office uses and centers shall be established according to the following criteria:
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 - b. Uses and centers shall be located on streets of collector level and above.
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- e. Adequate space for functional circulation shall be provided for loading areas.
- f. The City shall encourage the development of professional office centers to allow for maximum convenience with minimal traffic and encroachment-related conflicts to adjacent uses.
- g. The City shall encourage the development of professional office uses and centers in the Central Business District and in the East Mesa area.
- h. Professional office uses are also permitted in medium intensity, high intensity, and regional commercial areas.

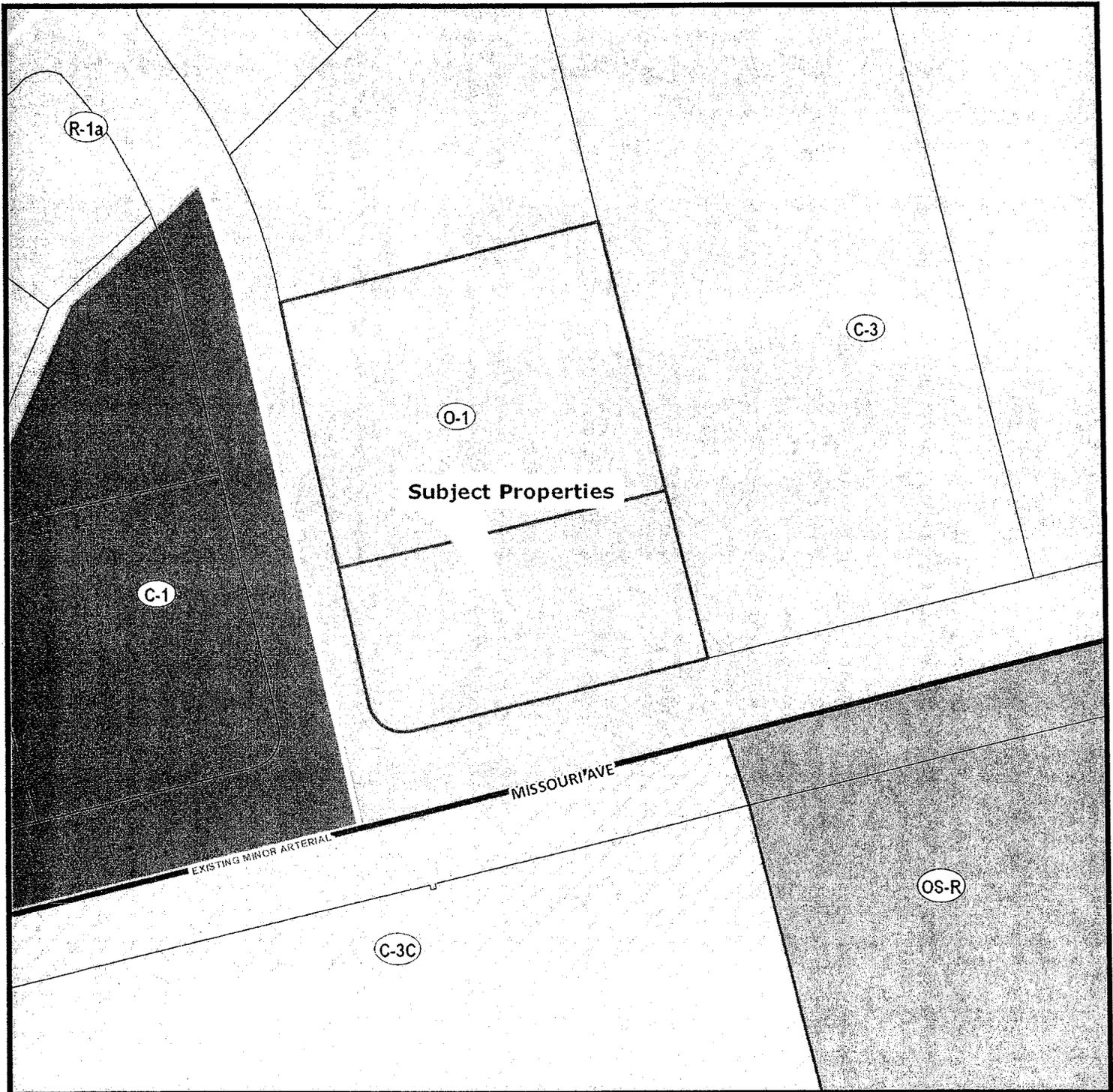
Zone Map

ZONING: O-1

OWNER: Drs. Conniff & Gormley Pediatric Dentistry PC

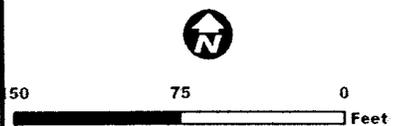
PARCEL: 02-15396, 02-23950

DATE: February 23, 2011



This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the City (575) 528-3043.

| Legend | | | |
|--------|----|-----------------------------|----------------------------------|
| ● TP | 50 | EXISTING LIMITED ACCESS | ■ PROPOSED INTERCHANGE/UNDERPASS |
| 90 | 40 | EXISTING PRINCIPAL ARTERIAL | ■ PROPOSED PRINCIPAL ARTERIAL |
| 80 | 30 | EXISTING MINOR ARTERIAL | ■ PROPOSED MINOR ARTERIAL |
| 70 | 20 | EXISTING COLLECTOR | ■ PROPOSED COLLECTOR |
| 60 | 10 | PROPOSED LIMITED ACCESS | ■ PROPOSED CORRIDOR |
| | | | --- Non Designated Trail |
| | | | ■ Proposed Paved EBID |
| | | | --- Proposed Unpaved EBID |
| | | | □ City Parcel |
| | | | Interstates_Highway |
| | | | ● EBID Water System |
| | | | — Railroad |
| | | | ■ Rio Grande |
| | | | ■ Arroyo |



Community Development Department
 700 N Main St
 Las Cruces, NM 88001
 (575) 528-3222

**PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
March 22, 2011 at 6:00 p.m.**

BOARD MEMBERS PRESENT:

Charles Scholz, Chairman
Godfrey Crane, Vice Chair
Charles Beard, Secretary
Ray Shipley, Member

BOARD MEMBERS ABSENT:

William Stowe, Member
Shawn Evans, Member
Donald Bustos, Member

STAFF PRESENT:

Cheryl Rodriguez, Development Services Administrator
Ellie Cain, Senior Planner
Jennifer Robertson, Planner
Adam Ochoa, Planner
Helen Revels, Associate Planner
Mark Dubbin, Fire Department
Jared Abrams, CLC Legal Staff
Lora Dunlap, Recording Secretary

I. CALL TO ORDER (6:00 pm)

Scholz: Good evening and welcome to the Planning and Zoning Commission for March 22, 2011. My name is Charlie Scholz, I'm the Chair. Before we begin, I always introduce the members of the Commission. We have a quorum tonight; four members. On my right, far right is Commissioner Shipley; he's the Mayor's Appointee. Next to him is Commissioner Crane. Commissioner Crane represents Council District 4; he's also our Vice Chair. Next to him is Commissioner Beard and Commissioner Beard represents District 2 and he is our Secretary and I represent Council District 6.

II. APPROVAL OF MINUTES – February 22, 2011

Scholz: The first item of business is always the approval of the minutes of the previous meeting; that'll be February 22, 2011. Gentlemen, any additions or corrections to the minutes? Commissioner Shipley.

1
2 Scholz: And the Chair votes aye for findings, discussions and site visit. Alright,
3 that's approved.
4

5 **V. WITHDRAWALS - None**
6

7 **VI. CONSENT AGENDA**
8

- 9 1. **Case Z2830:** Application of Doctors Conniff & Gormley Pediatric Dentistry
10 PC to rezone a 1.27 ± acre lots from O-1 (Office, Neighborhood – Limited
11 Retail Service) to O-2 (Office, Professional – Limited Retail Service). The
12 Zone Change Request will bring the subject properties into compliance with
13 the 2001 Zoning Code. The subject property is located on the northeast
14 corner of Missouri Avenue and Ridgemont Drive; a.k.a. address 2701
15 Missouri Avenue, Suite A, B, C; Parcel ID# 02-15396 and 02-23950;
16 Proposed Use: Medical offices; Council District 6.
17
- 18 2. **Case Z2832:** Application of Steve Bradee of Borderland Engineers and
19 Surveyors, LLC on behalf of Northstar Properties, LLC C/O The Power
20 Center Inc. to rezone from C-2 (Commercial Medium Intensity) to C-3
21 (Commercial High Intensity) on two (2) distinct tracts of land encompassing
22 a combined 1.995 +/- acres located on the east side of Telshor Boulevard,
23 2,155 +/- feet south of its intersection with Summit Court; Parcel ID# 02-
24 17441 & 02-18474; Proposed Use: Proposing to replat the two (2) existing
25 lots into one (1) new lot to develop a new power equipment dealership.
26 Council District 6.
27

28 Scholz: Okay, our next two items are on what is called the consent agenda and
29 here is how the consent agenda works. We take one vote up or down
30 from the Commission to approve these items. If anyone in the public
31 wants to speak to them, or if any staff members or any commissioners
32 want to speak to them, then we take those items off the consent
33 agenda and move them to the first order of new business.

34 Anybody want to speak to Z2830? Do I see a hand out there? No?
35 Okay, how about Z2832? Alright, I'll entertain a motion to accept the
36 consent agenda.
37

38 Beard: So moved.
39

40 Scholz: Okay, Beard moves.
41

42 Crane: Second it.
43

44 Scholz: All those in favor, say aye.
45

46 All Commissioners: Aye.

1
2 Scholz: Those opposed same sign. Alright, the consent agenda is passed.
3

4 **VII. NEW BUSINESS**
5

- 6 1. **Case A1709:** Application of Charlie Gomez of Mimco, Inc. on behalf of
7 Mesilla Valley Business Partners, LLC, to vary from the minimum required
8 length of a stacking lane for a drive-thru on two (2) tracts of land
9 encompassing 1.73± acres located at the east side of Main Street, 200 feet
10 north of its intersection with Madrid Street; a.k.a. 2300 N. Main Street;
11 Parcel ID#: 02-04320 & 02-4300; Proposed Use: The creation of a stacking
12 lane for a drive-thru. Council District 6.
13

14 Scholz: Alright, that brings us to new business and Mr. Ochoa you are the
15 presenter of new business today.
16

17 Ochoa: Good evening gentlemen; Adam Ochoa, Development Services for the
18 record. Last case we have tonight is Case A1709. It is a request for a
19 variance to the minimum required length of a stacking lane for property
20 located at 2300 North Main Street. Here you can see the vicinity map
21 of the subject property highlighted in the striped light blue; the two
22 properties right here which have frontage on Main Street and Madrid
23 Avenue. Code requirements you're looking at tonight is under the 2001
24 Zoning Code, under Article 4, Section 38-58H; this basically stipulates
25 all stacking lane requirements. The minimum stacking lane
26 requirements are as follows: Length required is 100-feet and that is
27 what we're looking at for tonight and width requirement would be 10-
28 feet except nine feet of drivable area at the point-of-service. The
29 measurement of length of a stacking lane begins at the middle of the
30 last point of service and ends at the point of entry of the stacking lane.
31 A stacking lane shall be designed in a manner that permits appropriate
32 traffic circulation and avoids congestion in the parking area; that is
33 stated in the 2001 Zoning Code.

34 Here is kind of an illustration of what we are talking about; as you
35 can see here showing the minimum 100-foot length and 10-foot width.
36 Like I said, again a stacking lane shall be designed in a manner that
37 permits appropriate traffic circulation and avoids congestion in the
38 parking area.

39 Some case specifics are the subject properties currently
40 encompass a total of 1.73 acres. They are currently zoned C-3,
41 Commercial High Intensity and are currently a shopping center. The
42 applicant is proposing to utilize a stacking lane for a drive-thru for an
43 existing restaurant in the shopping center. The applicant is proposing
44 to install an 89-foot long stacking lane along the southern face of the
45 building along Madrid Street. Like I said, it's the southern-most part of
46 the subject property along Madrid Street where the restaurant is

