

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 6 Ordinance/Resolution# 2616

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 C-2 (COMMERCIAL MEDIUM INTENSITY) TO C-3 (COMMERCIAL HIGH INTENSITY) FOR TWO (2) DISTINCT PROPERTIES WITH PARCEL IDENTIFICATION NUMBERS 02-17441 AND 02-18474, LOCATED ON TELSHOR BOULEVARD. SUBMITTED BY STEVE BRADEE, BORDERLAND ENGINEERS & SURVEYORS, LLC ON BEHALF OF NORTHSTAR PROPERTIES, LLC C/O THE POWER CENTER INC, PROPERTY OWNER (Z2832).

PURPOSE(S) OF ACTION:

Zone change to allow the development of a new Polaris, Sthil and Honda power equipment dealership.

COUNCIL DISTRICT: 6		
<u>Drafter/Staff Contact:</u> Adam Ochoa	<u>Department/Section:</u> Community Development	<u>Phone:</u> 528-3204
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The proposed zone change is for two (2) distinct properties located on the east side of Telshor Boulevard, 2,155 +/- feet south of its intersection with Summit Court, just south of the Northrise Business Park. The applicant is proposing to replat the two (2) existing C-2 (Commercial Medium Intensity) zoned lots into one (1) new lot. The new lot will exceed the one (1) acre maximum lot size requirement of the C-2 zoning district. The applicant is proposing to develop the property for the use of a commercial power equipment dealership. Any new development will be required to follow all C-3 (Commercial High Intensity) zoning district development standards.

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 Principal Arterial roadway where high intensity commercial uses are encouraged. The proposed zone change is also located in an area of comparable zoning, uses, and intensity.

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

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 Z2832
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 two (2) subject properties with a combined area of 1.995 ± acres will be rezoned from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity). The zone change facilitates 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 C-2 (Commercial Medium Intensity) will remain on the two (2) subject properties.
3. Vote to "Amend"; 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. N/A

COUNCIL BILL NO. 11-036
ORDINANCE NO. 2616

AN ORDINANCE APPROVING A ZONE CHANGE FROM C-2 (COMMERCIAL MEDIUM INTENSITY) TO C-3 (COMMERCIAL HIGH INTENSITY) FOR TWO (2) DISTINCT PROPERTIES WITH PARCEL IDENTIFICATION NUMBERS 02-17441 AND 02-18474, LOCATED ON TELSHOR BOULEVARD. SUBMITTED BY STEVE BRADEE, BORDERLAND ENGINEERS & SURVEYORS, LLC ON BEHALF OF NORTHSTAR PROPERTIES, LLC C/O THE POWER CENTER INC, PROPERTY OWNER (Z2832).

The City Council is informed that:

WHEREAS, Northstar Properties, LLC C/O the Power Center Inc., the property owner, has submitted a request for a zone change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for property located on the east side of Telshor Boulevard, 2,155 +/- feet south of its intersection with Summit Court; 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 C-3 (Commercial High Intensity) for property located on the east side of Telshor Boulevard, 2,155 +/- feet south of its intersection with Summit Court.

(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

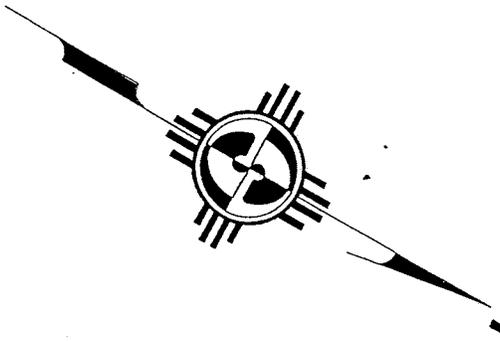
VOTE:

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

PLAT OF SURVEY

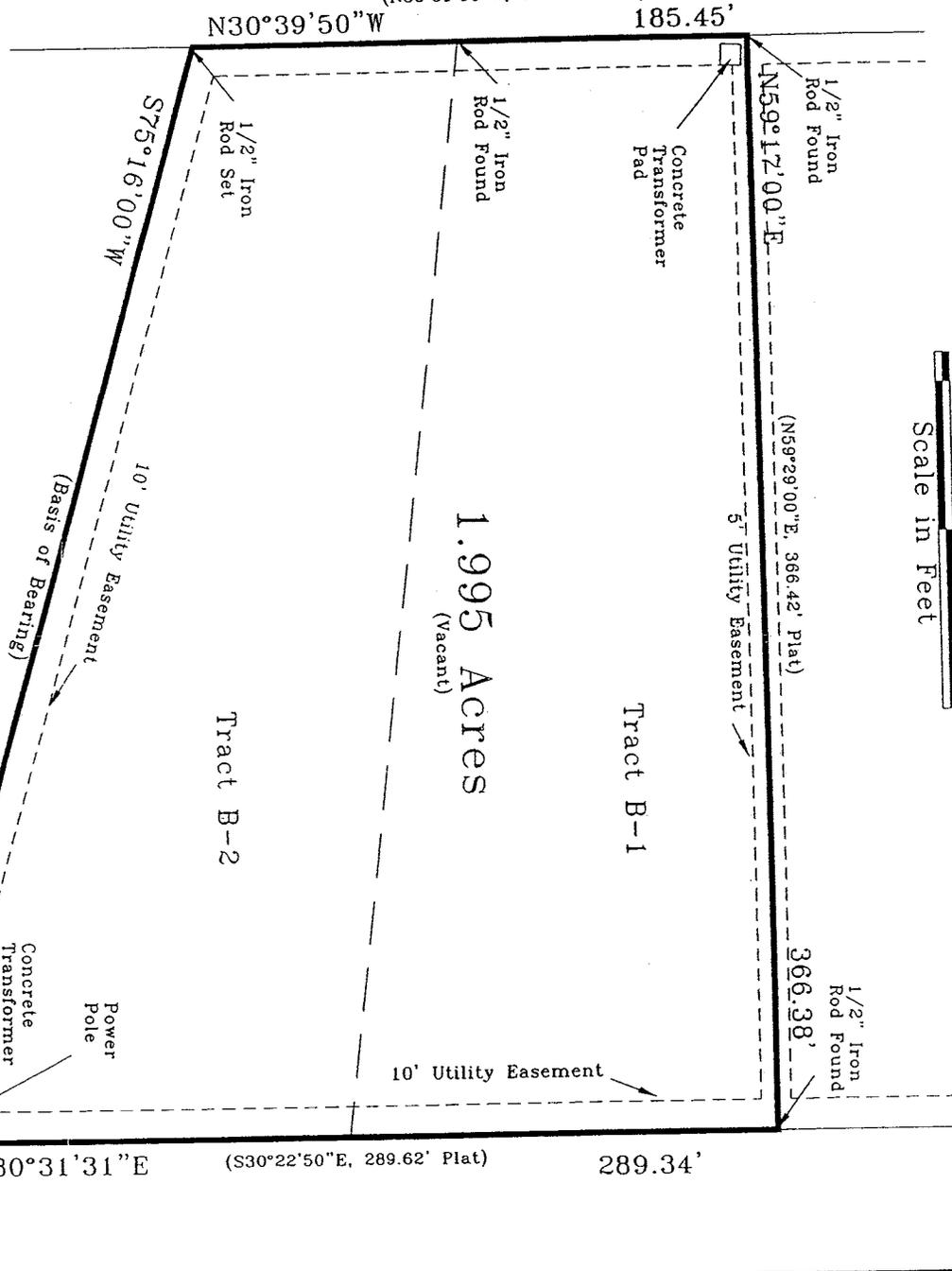
TRACTS B-1 AND B-2
 NEW STATE REPLAT NO. TWO
 PLAT FILED JANUARY 21, 1986
 IN BOOK 14, PAGE 134, OF THE
 DONA ANA COUNTY RECORDS
 CITY OF LAS CRUCES
 DONA ANA COUNTY
 NEW MEXICO

*Boundary of P
 Reserve from
 C3 → C3 due
 to lot size of
 1.995 AC.
 Legal → Tracts B-1
 & B-2*



Telshor Boulevard

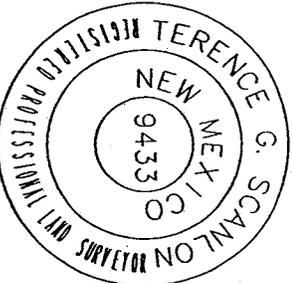
(N30°31'00"W, 186.24' Plat)



THIS IS TO CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, THAT THIS PLAT WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECTION AND THAT IT IS TRUE AND CORRECT, MEETING THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SURVEYOR'S CERTIFICATE

APRIL 13, 2006
 DATE OF SURVEY
 TED G. SCANLON - 9433
 540 N. WATER STREET, LAS CRUCES, NM 88001



DRAWN BY:	BRADY
FIELD BY:	T. ESCALANTE
JOB NO.:	06-04-0328
DATE:	APRIL 13, 2006

PROPERTY IS IN AN "X" DESIGNATED ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 35013C0632 F, EFFECTIVE SEPTEMBER 6, 1995.



scanlon white
 inc.

3780 Foothills, Suite C
 Las Cruces, New Mexico 88011
 Phone: (505) 525-2112
 Fax: (505) 525-1226

FINDINGS AND COMPREHENSIVE PLAN ANALYSIS

1. The two (2) subject tracts of land encompass a combined 1.995 +/- acres: Tract B-1 encompasses 0.995 +/- acres and Tract B-2 encompasses 1 +/- acres.
2. The subject properties are currently zoned C-2 (Commercial Medium Intensity) and are currently undeveloped.
3. The subject properties are located on Telshor Boulevard, a Principal Arterial roadway as classified by the Metropolitan Planning Organization (MPO).
4. The applicant is proposing to replat the two (2) existing tracts of land into one (1) new lot where a new business is being proposed to be developed.
5. The proposed zone change will make the newly replatted lot compliant with the 2001 Zoning Code, as amended.
6. The request is consistent with the following sections of the City of Las Cruces Comprehensive Plan:

Land Use Element, Goal 1 (Land Uses)

Policy 5.3 High intensity commercial use shall be defined as those commercial uses which generate retail, service, and wholesale activities within a specific sector within the City. High intensity commercial use and centers shall generally serve a population of 15,000 to 85,000 people and shall be established according to the following criteria:

- a. Generally 5,000 but not to exceed 75,000 gross square feet shall be permitted for a high intensity commercial use, with generally 200,000 square feet permitted for a high intensity commercial center. A high intensity commercial center becomes a regional commercial use when the center contains one anchor store greater than 75,000 gross square feet.
- b. High intensity commercial uses and centers shall be located at the intersection of minor arterial streets, or any intersection with a major arterial street. Mid-block locations shall be considered on a case-by-case basis: criteria shall include street capacity, distance from an intersection where appropriate, accessibility and shared vehicular access with other uses where appropriate, and consideration of the level of traffic and environmental impacts.
- c. The City shall pursue multi-modal access standards (auto, bicycle, and pedestrian transit) for high intensity commercial use and centers.

d. High intensity commercial 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 standards for high intensity commercial use shall be established in the Comprehensive Plan Urban Design Element.

e. Adequate space for functional circulation shall be provided for parking and loading areas.

f. The City shall encourage the development of high intensity commercial centers to allow for maximum shopping convenience with minimal traffic and encroachment-related conflicts to adjacent uses.

g. High intensity commercial use and centers should not locate adjacent to rural or low density residential uses.

h. Low and medium intensity commercial use are permitted in high intensity commercial areas.



Planning & Zoning
Commission
Staff Report

Date: March 4, 2011

CASE # Z2832

PROJECT NAME: N. Telshor Boulevard (Zone Change)

APPLICANT: Steve Bradee, Borderland Engineers & Surveyors, LLC

PROPERTY OWNER: Northstar Properties, LLC C/O The Power Center Inc.

REQUEST: Zone change from C-2 (Commercial Medium Intensity) to C-3 Commercial High Intensity) for the purpose of replatting the two (2) existing tracts into one (1) new lot that will be developed for a new business.

PROPOSED USE: The development of a new Polaris, Stihl and Honda power equipment dealer.

SIZE: 1.995 +/- acres combined

CURRENT ZONING: C-2 (Commercial Medium Intensity)

LOCATION: Located on the east side of Telshor Boulevard, 2,155 +/- feet south of its intersection with Summit Court; Parcel ID#s 02-17441 & 02-18474.

COUNCIL DISTRICT: 6

PLANNING COMMISSION DATE: March 22, 2011

PREPARED BY: Adam Ochoa, Planner *AO*

STAFF RECOMMENDATION: Approval

PROPERTY INFORMATION

Address/Location: The east side of Telshor Boulevard, 2,155 +/- feet south of its intersection with Summit Court; Parcel ID#s 02-17441 & 02-18474.

Acreage: 1.995 +/- combined

Current Zoning: C-2 (Commercial Medium Intensity)

Current Land Use: Undeveloped

Proposed Zoning: C-3 (Commercial High Intensity)

Proposed Land Use: A Polaris, Stihl and Honda power equipment dealer

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

Table 1: Site Analysis

Existing Conditions	
Square Footage Proposed	N/A
Current Lot Size	Two (2) existing Tracts: Tract B-1 encompasses 0.995 +/- acres and Tract B-2 encompasses 1 +/- acres.
Current Lot Depth/Width	Tract B-1 measures 95 +/- feet in width and 366 +/- feet in depth. Tract B-2 measures 90 +/- feet in width and 380 +/- feet in depth.
Existing Building Height	N/A
Development Standards for Existing Zoning of C-2	
Minimum Lot Size	10,00 square feet
Maximum Lot Size	43,560 square feet
Minimum Lot Depth/ Width	70-feet/60-feet
Maximum Building Height	45-feet
Development Standards for Proposed Zoning of C-3	
Minimum Lot Size	21,780 square feet
Maximum Lot Size	N/A
Minimum Lot Depth/ Width	70-feet/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 Properties		Undeveloped/ Vacant	C-2	Commercial Medium Intensity
Surrounding Properties	North	Undeveloped/ Vacant	C-3C	Commercial High Intensity-Conditional
	South	Undeveloped/ Vacant	C-2	Commercial Medium Intensity
	East	Las Cruces Flood Control Dam	A-1	Flood Control District from the 1981 Zoning Code
	West	Telshor Boulevard/ Interstate 25		

HISTORY

Previous applications? Yes No

If yes, please explain:

Previous ordinance numbers?

Previous uses if applicable:

COMPREHENSIVE PLAN

Elements & Policies

Land Use Element

1. Goal 1, Objective 5, Policy 5.3

Analysis: The proposal is to convert the two (2) existing tracts of land from C-2 to C-3 for the purpose of replatting the existing tracts into one (1) new lot that would exceed the 1-acre maximum lot size allowed in the C-2 zoning district. The conversion will allow the newly replatted parcel to comply with the 2001 Zoning Code, as amended. The subject properties are located on a Principal Arterial roadway (Telshor Boulevard) that will be able to support a high intensity commercial use. The subject properties are adjacent to similarly zoned properties making compatibility not an issue. Recommendation of approval.

REVIEWING DEPARTMENT COMMENTS

Fire Prevention:

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

Type of building occupancy: Unknown

Nearest Fire Station

Distance: 1.40 +/- miles

Address: 2750 Northrise Drive

Adequate Capacity to Accommodate Proposal? Yes No

Additional Comments: Recommendation of approval.

Police Department:

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

Engineering Services:

Flood Zone Designation: Zone X

Development Improvements: Future development will be required to comply with CLC Design Standards

Drainage calculation needed	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input 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 checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Sidewalk extension needed	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Curb & gutter extension needed	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Paving extension needed	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

Additional Comments: Recommendation of approval.

MPO

Road classifications: Telshor Blvd is designated a Principal Arterial at this location.

Additional Comments: Recommendation of approval.

Public Transit

Where is the nearest bus stop (miles)? 0.40 +/- miles north at the intersection of Telshor Boulevard and Summit Court.

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 type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Adequate curb cut	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input checked="" 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 type="checkbox"/>	N/A <input checked="" type="checkbox"/>

On-Street Parking Impacts

None Low Medium High N/A

Explain: On-street parking is not permitting along this section of Telshor Blvd.

Future Intersection Improvements

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

Additional Comments: 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: Fire flow should be checked. 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: 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
 Need BTUH requirements? Yes No N/A

Public Schools

Nearest Schools:

- | | |
|--|----------------------------------|
| 1. Elementary: Loma Heights Elementary | Distance (miles): 0.78 +/- miles |
| Enrollment: 464 | |
| 2. Middle School: Sierra Middle School | Distance (miles): 0.69 +/- miles |
| Enrollment: 864 | |
| 3. High School: Mayfield High School | Distance (miles): 2.7 +/- miles |
| Enrollment: 2298 | |

Adequate capacity to accommodate proposal? Yes No N/A

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

DESIGN STANDARDS ANALYSISParking

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

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

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

If yes, how many parking spaces will be required? Determined at time of permitting
How many accessible? Also determined at the time of permitting

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: At the time of building permit when the lot is developed, the subject property shall comply with all parking requirements of the 2001 Zoning Code, as amended. The proposed use will be required to provide one (1) auto parking stall for every 300-500 square feet of gross floor area and 1 bicycle parking space for every 6,000 square feet of gross floor area.

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? A minimum area equal to 15% of the total parking area shall be landscaped.

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? Adjacent properties are commercially zoned. No additional buffering will be required. Future development will be required to follow regular setback requirements of the C-3 zoning district.

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:

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: There are no requirements of open space, parks, recreation, or trails for the proposed zone change.

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
February 10, 2011	Application submitted to Development Services
February 16, 2011	Case sent out for review to all reviewing departments
February 25, 2011	All comments returned by all reviewing departments
February 15, 2011	Staff reviews and recommends approval of the zone change
March 6, 2011	Newspaper advertisement
March 11, 2011	Public notice letter mailed to neighboring property owners
March 13, 2011	Sign posted on property
March 22, 2011	Planning and Zoning Commission public hearing

SUMMARY AND CONCLUSIONS

The proposed zone change is supported by the Development Services Staff and all reviewing departments in the City of Las Cruces. The proposed zone change is supported by the 1999 Comprehensive Plan and also fits the character and integrity of the existing surrounding area. The two (2) existing tracts are being proposed to be replatted into one (1) new lot that will exceed the maximum lot size permitted in the C-2 (Commercial Medium Intensity) zoning district of one acre. The proposed zone change to C-3 (Commercial High Intensity) would make the newly replatted lot compliant with the 2001 Zoning Code, as amended.

FINDINGS

1. The two (2) subject tracts of land encompass a combined 1.995 +/- acres: Tract B-1 encompasses 0.995 +/- acres and Tract B-2 encompasses 1 +/- acres.
2. The subject properties are currently zoned C-2 (Commercial Medium Intensity) and are currently undeveloped.
3. The subject properties are located on Telshor Boulevard, a Principal Arterial roadway as classified by the Metropolitan Planning Organization (MPO).

4. The applicant is proposing to replat the two (2) existing tracts of land into one (1) new lot where a new business is being proposed to be developed.
5. The proposed zone change will make the newly replatted lot compliant with the 2001 Zoning Code, as amended.

STAFF RECOMMENDATION

Staff has reviewed this proposed zone change and based on the preceding findings recommends approval without conditions.

DRC RECOMMENDATION

N/A

ATTACHMENTS

1. Development Statement
2. Site Plan
3. Comprehensive Plan Elements and Policies
4. Aerial 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: Northstar Properties, LLC
 Contact Person: Steve Bradec, Borderland Engineers & Surveyors, LLC
 Contact Phone Number: 502-1443
 Contact e-mail Address: sbradec@zianet.com
 Web site address (if applicable): _____

Proposal Information

Location of Subject Property 2100+/- N. Telshor (Vacant land in front of L.C. Dam)

(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: C2

Proposed Zoning: C3 (due to lot size being > 1 AC)

Acreage of Subject Property: 1.995 AC

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

A new Polaris, Stihl + Honda power equipment dealer.
See website for info:

www.thepowercenter.com

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

TBD

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

Most likely 8am - 5pm

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

Anticipated development schedule: Work will commence on or about TBD - Soon and will take approximately 6 months to complete.

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

On lot ponding is anticipated

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:

TBD - Studio 10 Architects has been retained to carry out the site design.

Attachments

Please attach the following: (* indicates optional item)

Location map

Detailed site plan

Proposed building elevations*

Renderings or architectural or site design features*

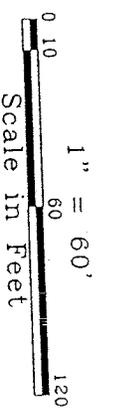
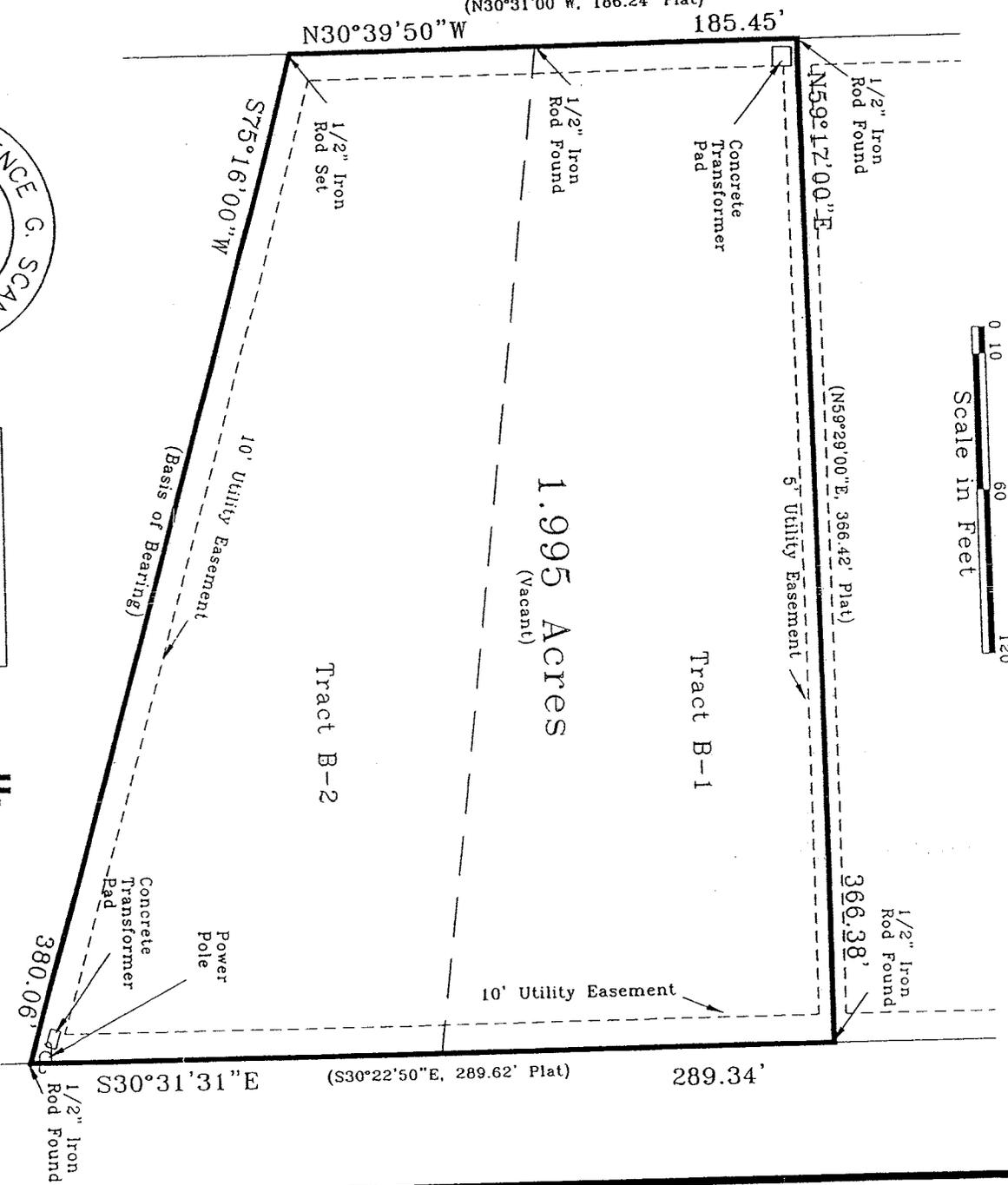
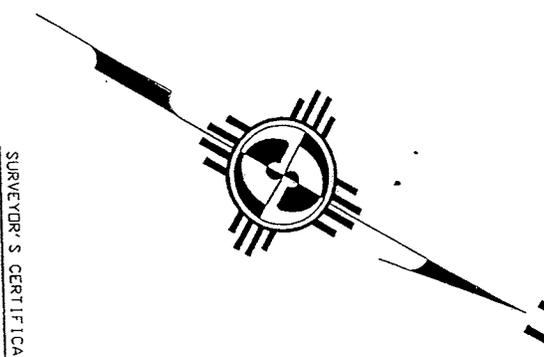
Other pertinent information*

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 PLAT FILED JANUARY 21, 1986
 IN BOOK 14, PAGE 134, OF THE
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 CITY OF LAS CRUCES
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*Boundary of
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 C3 → C3 due
 to lot size of
 1.995 AC.
 Legal → Tracts B-1
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Telshor Boulevard



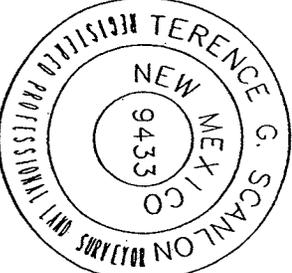
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SURVEYOR'S CERTIFICATE

APRIL 13, 2006
 DATE OF SURVEY

[Signature]

TED G. SCANLON - PS NO. 9433
 540 N. WATER STREET, LAS CRUCES, NM 88001



DRAWN BY	BRADY
FIELD BY	T. ESCALANTE
JOB NO.	06-04-0328
DATE	APRIL 13, 2006

PROPERTY IS IN AN "X" DESIGNATED ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 35013C0692 F. EFFECTIVE SEPTEMBER 6, 1995.



scaron white
 inc.

3780 Foothills, Suite C
 Las Cruces, New Mexico 88011
 Phone: (505) 525-2112
 Fax: (505) 525-1226

Comprehensive Plan Elements and Policies:Land Use Element, Goal 1 (Land Uses)

Policy 5.3 High intensity commercial use shall be defined as those commercial uses which generate retail, service, and wholesale activities within a specific sector within the City. High intensity commercial use and centers shall generally serve a population of 15,000 to 85,000 people and shall be established according to the following criteria:

- a. Generally 5,000 but not to exceed 75,000 gross square feet shall be permitted for a high intensity commercial use, with generally 200,000 square feet permitted for a high intensity commercial center. A high intensity commercial center becomes a regional commercial use when the center contains one anchor store greater than 75,000 gross square feet.
- b. High intensity commercial uses and centers shall be located at the intersection of minor arterial streets, or any intersection with a major arterial street. Mid-block locations shall be considered on a case-by-case basis: criteria shall include street capacity, distance from an intersection where appropriate, accessibility and shared vehicular access with other uses where appropriate, and consideration of the level of traffic and environmental impacts.
- c. The City shall pursue multi-modal access standards (auto, bicycle, and pedestrian transit) for high intensity commercial use and centers.
- d. High intensity commercial 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 standards for high intensity commercial use shall be established in the Comprehensive Plan Urban Design Element.
- e. Adequate space for functional circulation shall be provided for parking and loading areas.
- f. The City shall encourage the development of high intensity commercial centers to allow for maximum shopping convenience with minimal traffic and encroachment-related conflicts to adjacent uses.
- g. High intensity commercial use and centers should not locate adjacent to rural or low density residential uses.
- h. Low and medium intensity commercial use are permitted in high intensity commercial areas.

ZONING: C-2 TO C-3

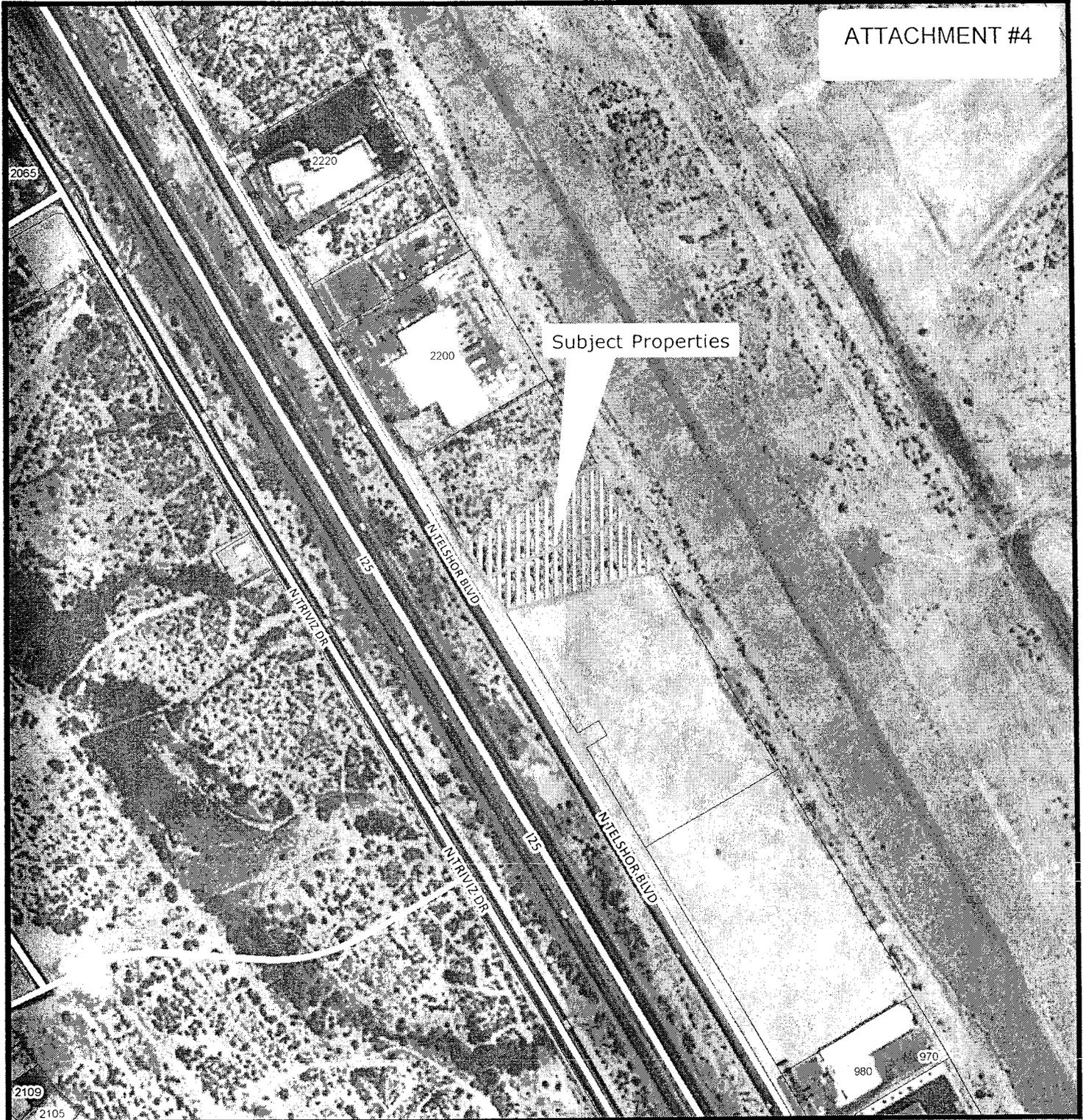
OWNER: NORTHSTAR PROPERTIES, LLC
C/O THE POWER CENTER INC

94 Aerial View

DATE: 3/09/2011

PARCEL: 02-17441 &
02-18474

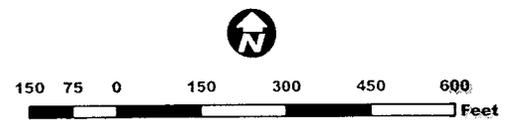
ATTACHMENT #4



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Legend

	City Parcel		EBID Water System		Arroyo
	Interstates_Highway		Railroad		Rio Grande



Community Development Department
700 N Main St
Las Cruces, NM 88001
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ZONING: C-2 TO C-3

OWNER: NORTHSTAR PROPERTIES, LLC
C/O THE POWER CENTER INC

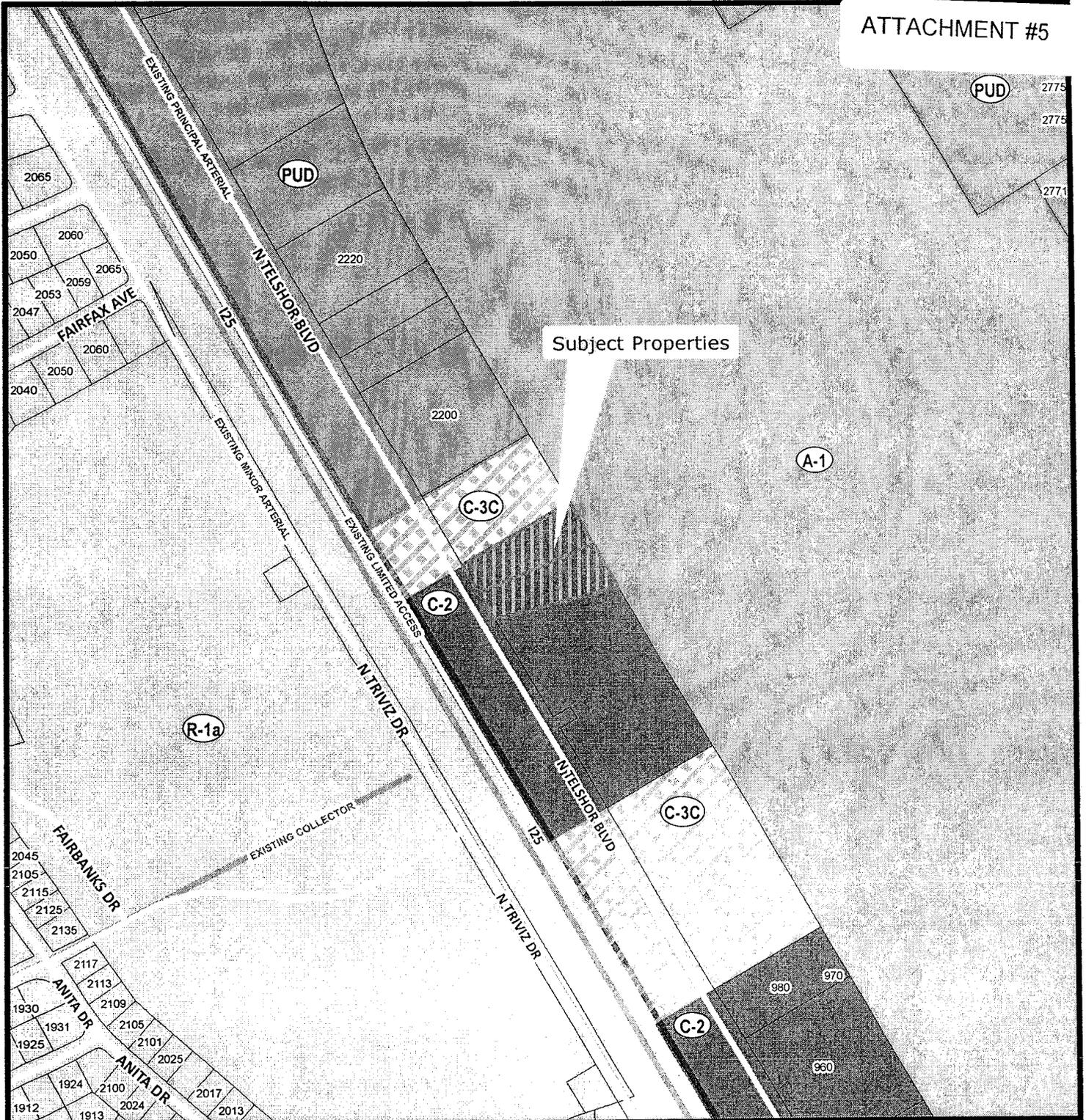
Location Vicinity Map

95

DATE: 3/09/2011

PARCEL: 02-17441 &
02-18474

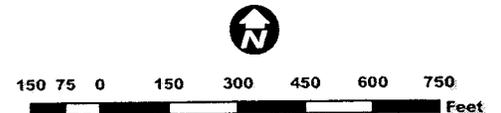
ATTACHMENT #5



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Legend

- Point_Address
- City Parcels
- Interstates_Highway
- EBID Water System
- Railroad
- Arroyo
- Rio Grande



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**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

ZONING: C-2 TO C-3

OWNER: NORTHSTAR PROPERTIES, LLC
C/O THE POWER CENTER INC

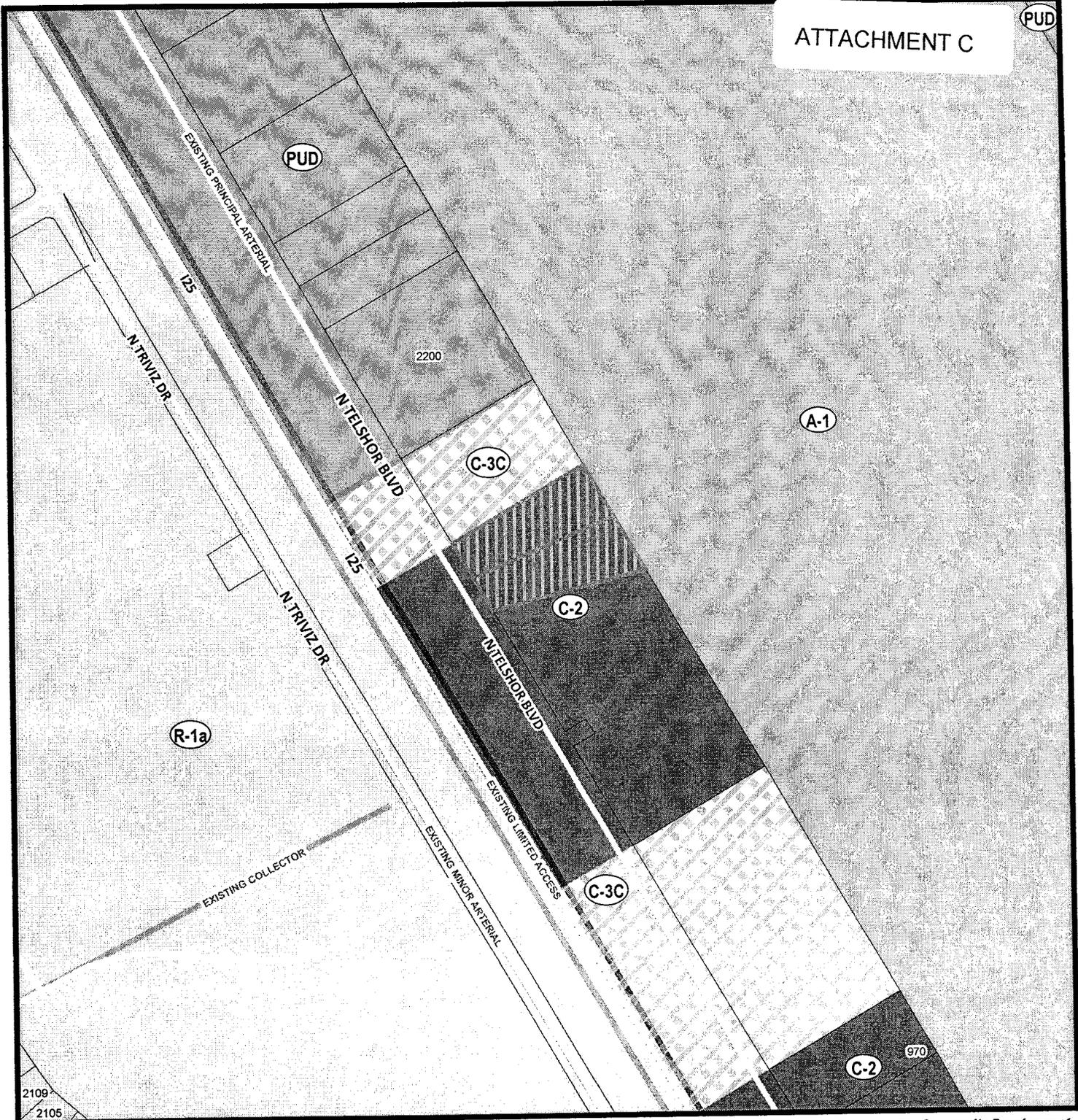
Location Vicinity Map

99

DATE: 3/29/2011

PARCEL: 02-17441 &
02-18474

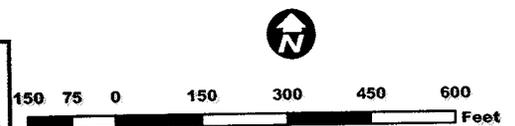
ATTACHMENT C PUD



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