

City of Las Cruces
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 9 Ordinance/Resolution# 2623

For Meeting of June 20, 2011
(Ordinance First Reading Date)

For Meeting of July 5, 2011
(Adoption Date)

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM C-2 (COMMERCIAL MEDIUM INTENSITY) TO C-3 (COMMERCIAL HIGH INTENSITY) FOR 0.27 ± ACRES OF LAND LOCATED AT 1300 S. SOLANO DRIVE. SUBMITTED BY BORDERLAND ENGINEERS & SURVEYORS, LLC ON BEHALF OF RESOURCES FOR CHILDREN & YOUTH INC., PROPERTY OWNER (Z2836).

PURPOSE(S) OF ACTION:

Zone change will facilitate compliance of a newly replatted lot with the 2001 Zoning Code, as amended.

COUNCIL DISTRICT: 4		
Drafter/Staff Contact: Adam Ochoa	Department/Section: Community Development	Phone: 528-3204
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The proposed zone change is for a 0.27 ± acre property located on the southwest corner of Solano Drive and Idaho Avenue, directly north and adjacent to the Resources for Children & Youth office building. The subject property is currently undeveloped. The applicant is proposing to develop the subject property with an ice and water dispensing facility.

The applicant is also proposing to replat the subject property with the adjacent property containing the Resources for Children & Youth office building into one (1) new lot. The existing office building and the proposed ice and water dispensing facility will make up a business center on the newly replatted lot. The newly replatted lot will exceed the one (1) acre maximum lot size requirement of the current C-2 (Commercial Medium Intensity) zoning designation of the subject property. The proposed C-3 (Commercial High Intensity) zoning designation would facilitate compliance with the 2001 Zoning Code, as amended.

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 property is located at the

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will affirm the Planning and Zoning Commission recommendation for approval. The subject property encompassing 0.27± 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 subject property.
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.

N/A

COUNCIL BILL NO. 12-001
ORDINANCE NO. 2623

AN ORDINANCE APPROVING A ZONE CHANGE FROM C-2 (COMMERCIAL MEDIUM INTENSITY) TO C-3 (COMMERCIAL HIGH INTENSITY) FOR 0.27 ± ACRES OF LAND LOCATED AT 1300 S. SOLANO DRIVE. SUBMITTED BY BORDERLAND ENGINEERS & SURVEYORS, LLC ON BEHALF OF RESOURCES FOR CHILDREN & YOUTH INC., PROPERTY OWNER (Z2836).

The City Council is informed that:

WHEREAS, Resources for Children & Youth 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 at 1300 S. Solano Drive; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on May 24, 2011, recommended that said zone change request be approved by a vote of 5-0-0 (two 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 at 1300 S. Solano Drive.

(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:



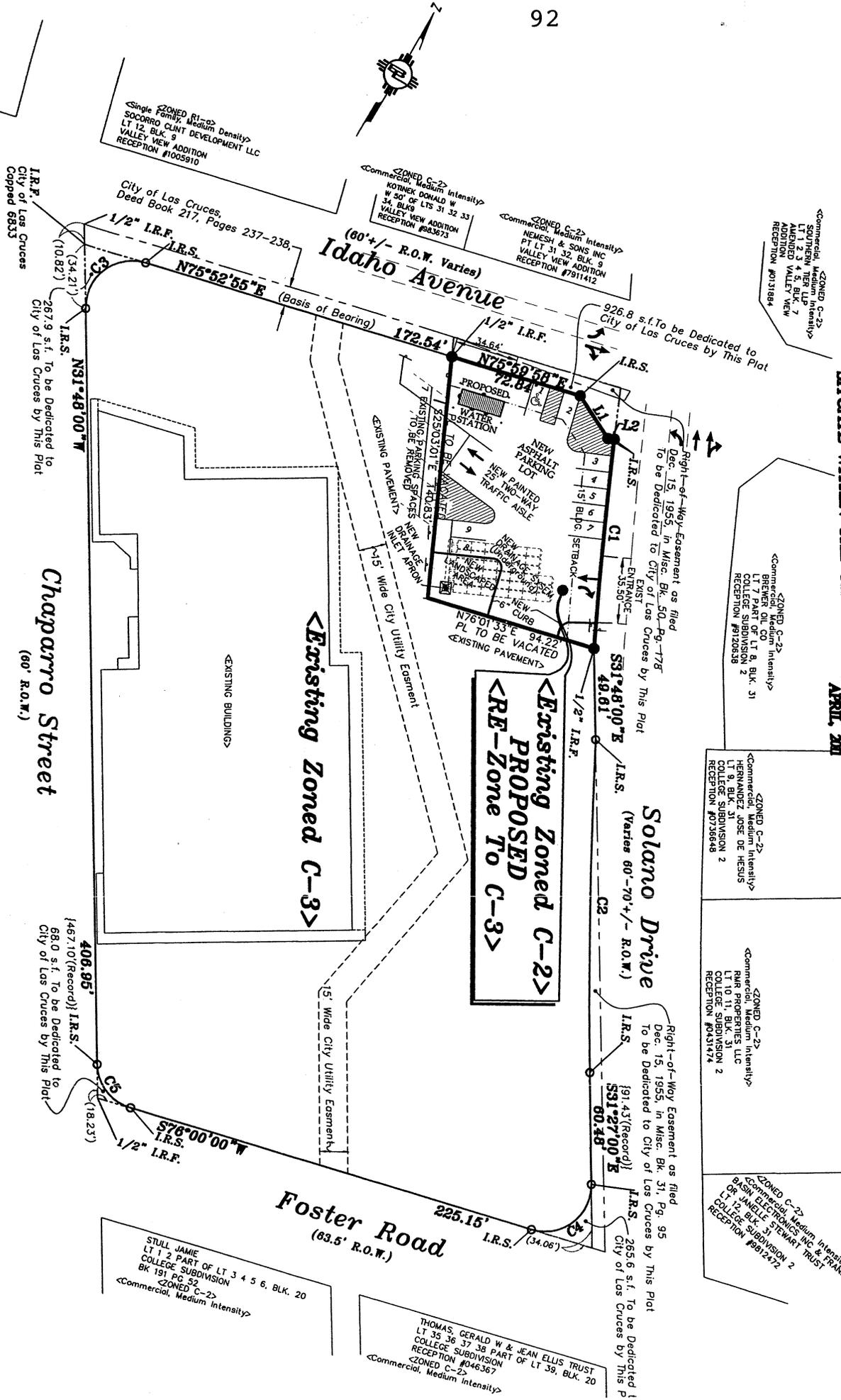
City Attorney

VOTE:

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

PROPOSED RE-ZONE MAP FOR COLLEGE SUBDIVISION, BLOCK 8, REPLAT NO. 1

BEING A REPLAT OF LOTS 1-38 BLOCK 8, COLLEGE SUBDIVISION AS FILED MAY 6, 1910, IN BOOK 4, PAGE 6, IN THE DONA ANA COUNTY RECORDS LOCATED IN SECTION 20, T28S, R2E N.M.P.M. OF THE USG.L.O. SURVEYS SITUATE WITHIN THE CITY OF LAS CRUCES, DONA ANA COUNTY, NEW MEXICO APRIL, 2011



<ZONED C-2>
Commercial, Medium Intensity
SOUTHERN TIER L.P. (entirety)
AMENDED VALLEY VIEW ADDITION
VALLEY VIEW
RECEPTION #0131884

<ZONED C-2>
Commercial, Medium Intensity
MEMESH & SONS INC
PT. LT. 31, 32, BLK. 9
VALLEY VIEW ADDITION
RECEPTION #7911412

<ZONED C-2>
Commercial, Medium Intensity
KOTBEK DONALD W
W 50' OF LOTS 31, 32, 33
VALLEY VIEW ADDITION
RECEPTION #83673

<ZONED R1-65>
Single Family, Medium Density
SOCORRO CLINT DEVELOPMENT LLC
LT 12, BLK. 9
VALLEY VIEW ADDITION
RECEPTION #1005910

<ZONED C-2>
Commercial, Medium Intensity
BRENER OIL CO
COLLEGE SUBDIVISION 2
RECEPTION #0120838

<ZONED C-2>
Commercial, Medium Intensity
HERNANDEZ JOSE DE HESUS
LT 9, BLK. 31
COLLEGE SUBDIVISION 2
RECEPTION #0128848

<ZONED C-2>
Commercial, Medium Intensity
RUR PROPERTIES LLC
LT 10, 11, BLK. 31
COLLEGE SUBDIVISION 2
RECEPTION #031474

<ZONED C-2>
Commercial, Medium Intensity
BASS ELECTRONICS INC & FRANK
OT JANELLE STEWART TRUST
LT 12, BLK. 31
COLLEGE SUBDIVISION 2
RECEPTION #802172

STILL JAMIE
LT 1, 2 PART OF LT. 3, 4, 5, 6, BLK. 20
COLLEGE SUBDIVISION
BK 191 PG. 52
<ZONED C-2>
Commercial, Medium Intensity

THOMAS, GERALD W & JEAN ELLIS TRUST
LT 35, 36, 37, 38 PART OF LT 39, BLK. 20
COLLEGE SUBDIVISION
RECEPTION #046367
<ZONED C-2>
Commercial, Medium Intensity

I.R.P.
City of Las Cruces
Copped 6833

I.R.S.
City of Las Cruces
To be Dedicated to City of Las Cruces by This Plat

Chaparrero Street
(60' R.O.W.)

I.R.S.
City of Las Cruces
To be Dedicated to City of Las Cruces by This Plat

I.R.S.
City of Las Cruces
To be Dedicated to City of Las Cruces by This Plat

Right-of-Way Easement as filed
Dec. 15, 1955, in Misc. Bk. 31, Pg. 95
To be Dedicated to City of Las Cruces by This Plat

Right-of-Way Easement as filed
Dec. 15, 1955, in Misc. Bk. 31, Pg. 95
To be Dedicated to City of Las Cruces by This Plat

<Existing Zoned C-3>

<Existing Zoned C-2>
PROPOSED
RE-ZONE TO C-3

Foster Road
(63.5' R.O.W.)

Solano Drive
(Varies 60'-70'+/- R.O.W.)

Idaho Avenue
(60'+/- R.O.W. Varies)

City of Las Cruces,
Deed Book 217, Pages 237-238,
1/2" I.R.F.

N75°52'55"E
(Basis of Bearing)

172.64'

N75°59'58"E

72.84'

172.64'

N76°01'33"E

94.22'

S31°48'00"E

49.61'

S31°48'00"E

49.61'

S31°27'00"E

60.48'

S76°00'00"W

408.95'

1487.10 (Record) I.R.S.

1/2" I.R.F.

225.15' I.R.S.

285.6 s.f. To be Dedicated to City of Las Cruces by This Plat

285.6 s.f. To be Dedicated to City of Las Cruces by This Plat

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FINDINGS AND COMPREHENSIVE PLAN ANALYSIS

1. The subject property encompasses 0.27 ± acres.
2. The subject property is located at the intersection of Solano Drive and Idaho Avenue, both Minor Arterial roadways as classified by the Metropolitan Planning Organization (MPO).
3. The subject property is currently zoned C-2 (Commercial Medium Intensity) and is currently undeveloped.
4. The applicant is proposing to develop an ice and water dispensing facility on the subject property.
5. The applicant is proposing to replat the subject property and the adjacent property into one (1) new lot.
6. The proposed zone change will allow the newly replatted lot to be compliant with the 2001 Zoning Code, as amended.
7. 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.



City of Las Cruces®

PEOPLE HELPING PEOPLE

Planning & Zoning Commission Staff Report

Date: May 24, 2011

CASE # Z2836

PROJECT NAME: 1300 S. Solano Drive (Zone Change)

APPLICANT: Borderland Engineers & Surveyors, LLC

PROPERTY OWNER: Resources for Children & Youth Inc.

REQUEST: Zone change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for the purpose of replatting the subject property with the adjacent property into one (1) new lot.

PROPOSED USE: New construction of an ice and water dispensing facility.

SIZE: 0.27 ± acres

CURRENT ZONING: C-2 (Commercial Medium Intensity)

LOCATION: Located on the southwest corner of Solano Drive and Idaho Avenue; a.k.a. 1300 S. Solano Drive; Parcel ID# 02-11799

COUNCIL DISTRICT: 4

PLANNING COMMISSION DATE: May 24, 2011

PREPARED BY: Adam Ochoa, Planner *AO*

STAFF RECOMMENDATION: Approval

PROPERTY INFORMATION

Address/Location: The southwest corner of Solano Drive and Idaho Avenue; a.k.a. 1300 S. Solano Drive; Parcel ID# 02-11799.

Acreage: 0.27 ±

Current Zoning: C-2 (Commercial Medium Intensity)

Current Land Use: Undeveloped

Proposed Zoning: C-3 (Commercial High Intensity)

Proposed Land Use: Ice and water dispensing facility

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	200 square feet
Current Lot Size	0.27 + acres
Current Lot Depth/Width	140 ± feet/ 94 ± feet
Existing Building Height	N/A
Development Standards for Existing Zoning of C-2	
Minimum Lot Size	10,000 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 Intensity	Medium
Surrounding Properties	North	Shopping/ Business Center	C-2	Commercial Intensity	Medium
	South	Business Offices	C-3	Commercial Intensity	High
	East	Gas Station	C-2	Commercial Intensity	Medium
	West	Business Offices	C-3	Commercial Intensity	High

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 replat the subject property and the adjacent property into one (1) new lot that would exceed the 1-acre maximum lot size allowed in the C-2 zoning district. The zone change will allow the newly replatted parcel to comply with the 2001 Zoning Code, as amended. The subject property is located at the intersection of two (2) Minor Arterial roadways (Solano Drive & Idaho Avenue) that will be able to support a high intensity commercial use. The subject property is also 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: Proposed unoccupied building

Nearest Fire Station

Distance: 0.13 ± miles

Address: 1199 Foster Road

Adequate Capacity to Accommodate Proposal? Yes No

Additional Comments: Recommendation of approval.

Police Department:

Additional Comments: The police department did not review this application.

Engineering Services:

Flood Zone Designation: Zone X

Development Improvements: All necessary improvements have been submitted for review under the commercial building application.

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

Additional Comments: Recommendation of approval.

MPO

Road classifications: Solano Drive and Idaho Avenue are designated as Minor Arterial roadways.

Additional Comments: Recommendation of approval.

Public Transit

Where is the nearest bus stop (miles)? 0.05 ± miles south near the intersection of Solano Drive and Foster Road.

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 is not permitted along Solano Drive and Idaho Avenue.

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: System improvements may be needed to meet the fire protection requirement. 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

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/ Landscaping	No	N/A
Parkways	No	N/A

Table 4: Project Chronology

Date	Action
April 15, 2011	Application submitted to Development Services
April 18, 2011	Case sent out for review to all reviewing departments
April 25, 2011	All comments returned by all reviewing departments
April 26, 2011	Staff reviews and recommends approval of the zone change
May 8, 2011	Newspaper advertisement
May 13, 2011	Public notice letter mailed to neighboring property owners
May 17, 2011	Sign posted on property
May 24, 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 subject property and the adjacent property are 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. The proposed zone change to C-3 (Commercial High Intensity) will allow the newly replatted lot to be compliant with the 2001 Zoning Code, as amended.

FINDINGS

1. The subject property encompasses 0.27 ± acres.
2. The subject property is located at the intersection of Solano Drive and Idaho Avenue, both Minor Arterial roadways as classified by the Metropolitan Planning Organization (MPO).
3. The subject property is currently zoned C-2 (Commercial Medium Intensity) and is currently undeveloped.
4. The applicant is proposing to develop an ice and water dispensing facility on the subject property.

5. The applicant is proposing to replat the subject property and the adjacent property into one (1) new lot.
6. The proposed zone change will allow the newly replatted lot to be 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 City Subdivision/Zoning Applications

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 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: Resources for Children + Youth Inc.
 Contact Person: Steve Peale
 Contact Phone Number: 575-522-1443
 Contact e-mail Address: speale@zia.net.com
 Web site address (if applicable): —

Proposal Information

Name of Proposal: College Subdivision, Block 8, Replat No. 1
 Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)
Re-Zone for Replat - only vacant lot lines
 Location of Subject Property 1300 Salmo Drive

(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)

Acreage of Subject Property: 2.848 (combined) / 0.27 Subject Property

Detailed description of **current** use of property. Include type and number of buildings:
Vacant

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

Parking / water + Ice Station

Zoning of Subject Property: C-2

Proposed Zoning (If applicable): C-3

Proposed number of lots 1, to be developed in 1 phase (s).

Proposed square footage range of homes to be built from TBD to —

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

TBD

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

TBD

Anticipated traffic generation TBD trips per day.

Anticipated development schedule: work will commence on or about TBD (ADAP)

and will take TBD to complete.

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

On-Lot Ponding - existing

Will any special landscaping, architectural or site design features be implemented into the proposal (for example, rock walls, landscaped medians or entryways, entrance signage, architectural themes, decorative lighting)? If so, please describe and attach rendering (rendering optional). _____

Is the developer/owner proposing the construction of any new bus stops or bus shelters? Yes ___ No Explain: _____

Is there existing landscaping on the property? No

Are there existing buffers on the property? No

Is there existing parking on the property? Yes ___ No

If yes, is it paved? Yes ___ No

How many spaces? _____ How many accessible? _____

Attachments

Please attach the following: (* indicates optional item)

- Location map
- Subdivision Plat (If applicable)
- Proposed building elevations
- *renderings of architectural or site design features
- *other pertinent information

Comprehensive Plan Elements and Policies

The following policies from the 1999 Comprehensive Plan are relevant to the current proposals:

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: Resources for Children & Youth Inc.

Aerial View

107

PARCEL: 02-11799

DATE: May 13, 2011

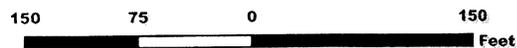
ATTACHMENT #4



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

- Public_Facilities
- 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

ZONING: C-2 to C-3

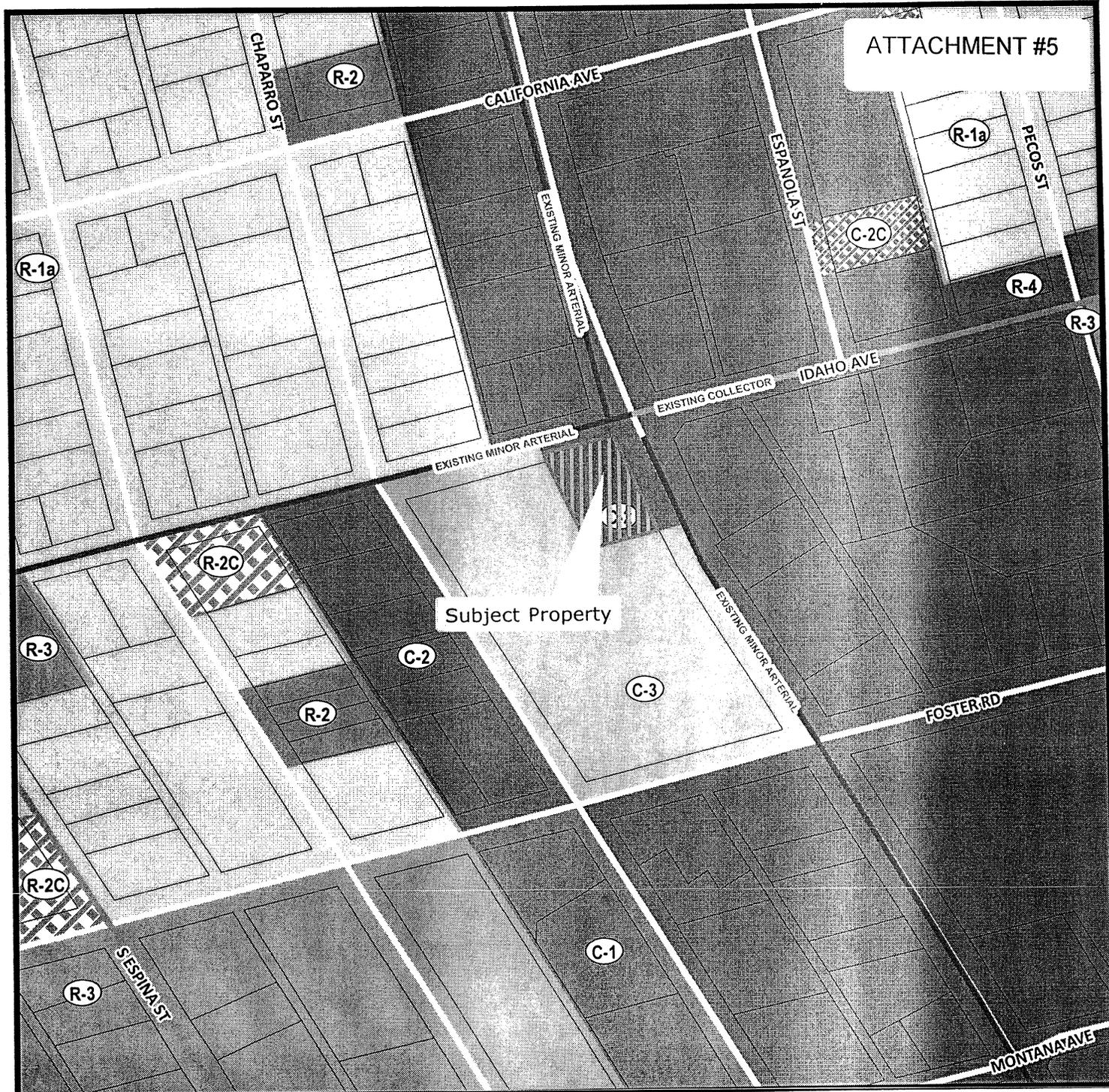
OWNER: Resources for Children & Youth Inc.

108 Zone Map

PARCEL: 02-11799

DATE: May 13, 2011

ATTACHMENT #5



Subject Property

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

- Public_Facilities
- ▬ EXISTING LIMITED ACCESS
- ▬ EXISTING PRINCIPAL ARTERIAL
- ▬ EXISTING MINOR ARTERIAL
- ▬ EXISTING COLLECTOR
- ▬ PROPOSED LIMITED ACCESS
- ▬ PROPOSED INTERCHANGE/UNDERPASS
- ▬ PROPOSED PRINCIPAL ARTERIAL
- ▬ PROPOSED MINOR ARTERIAL
- ▬ PROPOSED COLLECTOR
- ▬ PROPOSED CORRIDOR
- ▬ Non Designated Trail
- ▬ Proposed Paved EBID
- ▬ Proposed Unpaved EBID
- ▬ City Parcel
- ▬ Interstates_Highway
- EBID Water System
- Railroad
- ▬ Rio Grande
- ▬ Arroyo



150 75 0 150
Feet

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
May 24, 2011 at 6:00 p.m.**

BOARD MEMBERS PRESENT:

Godfrey Crane, Vice Chair
Charles Beard, Secretary
Ray Shipley, Member
William Stowe, Member
Shawn Evans, Member

BOARD MEMBERS ABSENT:

Charles Scholz, Chairman
Donald Bustos, Member

STAFF PRESENT:

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

I. CALL TO ORDER (6:00 pm)

Crane: Good evening everybody; it being six o'clock, welcome to the May 24, 2011 meeting of the Las Cruces Planning and Zoning Commission. I'm Godfrey Crane, Vice Chair; substituting for Charlie Scholz who cannot be with us tonight. We start by introducing the commissioners. On my far right is Commissioner Shipley who is the Mayor's representative and on his left is Commissioner Stowe who represents District 1 and next to him is Commissioner Evans, District 5 and Commissioner Beard, District 2 and I represent District 4.

II. APPROVAL OF MINUTES – April 26, 2011

Crane: Our first job is to approve the minutes, perhaps with some fixers, of our last meeting which was April 26th. Does any commissioner have anything to say? Yes, Commissioner Beard.

Beard: Page six, line 36; I believe the storage should actually be parcel.

- 1 Crane: Okay, "an actual storage unit facility" which is what it is and storage, I
2 don't see quite where that goes in.
3
- 4 Beard: Well, I think it should be parcel two and parcel three as opposed to
5 storage two.
6
- 7 Crane: Oh parcel, I get it, okay; and anything else?
8
- 9 Beard: Yes, page eight, I don't know if these are things that we actually correct.
10 Line eight, "outdoor firing range, permanent" and then it says "t" and
11 then "construction yard." I don't know what that t is.
12
- 13 Crane: You know, I think it just snuck in. Alright, should we take that out then?
14
- 15 Beard: Take it out and that's it.
16
- 17 Crane: Alright, any other commissioner? I have one also on page eight.
18 Actually it's my paragraph; lines 17 to 21, has a couple of inaudibles
19 and I've tried to figure out what I was saying. I think the first one is view
20 point; "I sympathize with the applicant's view point, with the public Miss
21 Underwood's and Mr. Moya's concerns" and then in line 19 I think it
22 reads better if after "they realized" is a comma; "they realized,
23 adequately" and then in the last line of that paragraph 21, I think the
24 inaudible part is "taken care of", "I think her suspicions are taken care of
25 by that." That's all I have, anybody else? Then I'll entertain a motion that
26 the minutes of the April 26th meeting be accepted as... be approved as
27 amended.
28
- 29 Beard: So moved.
30
- 31 Crane: I think Mr. Beard moves and a second?
32
- 33 Evans: Second.
34
- 35 Crane: Commissioner Evans seconds. All in favor, aye.
36
- 37 Members: Aye.
38
- 39 Crane: All opposed same sign; passed five-nothing, are there any abstentions?
40
- 41 Evans: One abstention.
42
- 43 Crane: One abstention; four-nothing and Commissioner Evans abstains. Thank
44 you.
45
- 46 **III. POSTPONEMENTS - None**

- 1
2 Crane: Mr. Ochoa, any postponements?
3
4 Ochoa: No sir, not tonight.
5
6 Crane: Or withdrawals?
7
8 Ochoa: Nothing tonight either sir.
9
10 Crane: And so we proceed to the consent agenda.

11
12 **IV. CONSENT AGENDA**

- 13
14 1. **Case Z2836:** Application of Borderland Engineers and Surveyors, LLC on
15 behalf of Resources for Children and Youth Inc. to rezone from C-2
16 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) on a
17 0.27 ± acre tract of land located on the southwest corner of Solano Drive
18 and Idaho Avenue; a.k.a. 1300 S. Solano Drive; Parcel ID# 02-11799;
19 Proposed Use: Proposing to replat the subject property with the adjacent
20 property into one (1) new lot and develop a new ice and water dispensing
21 facility. Council District 4.

- 22
23 Crane: For those that may not know, the consent agenda is voted on as one
24 package; we only have one item on it at present but if anybody in the
25 public or the staff or on the commission would like to discuss this item,
26 Case Z2836, we'll take it off the consent agenda and put it in the new
27 business. Does anybody want to remove it? No; then we will proceed.
28 Do I have a motion that the consent agenda be approved?

- 29
30 Evans: So moved.

- 31
32 Crane: Commissioner Evans moves; second?

- 33
34 Shipley: Second.

- 35
36 Crane: Commissioner Shipley seconds; all in favor, aye.

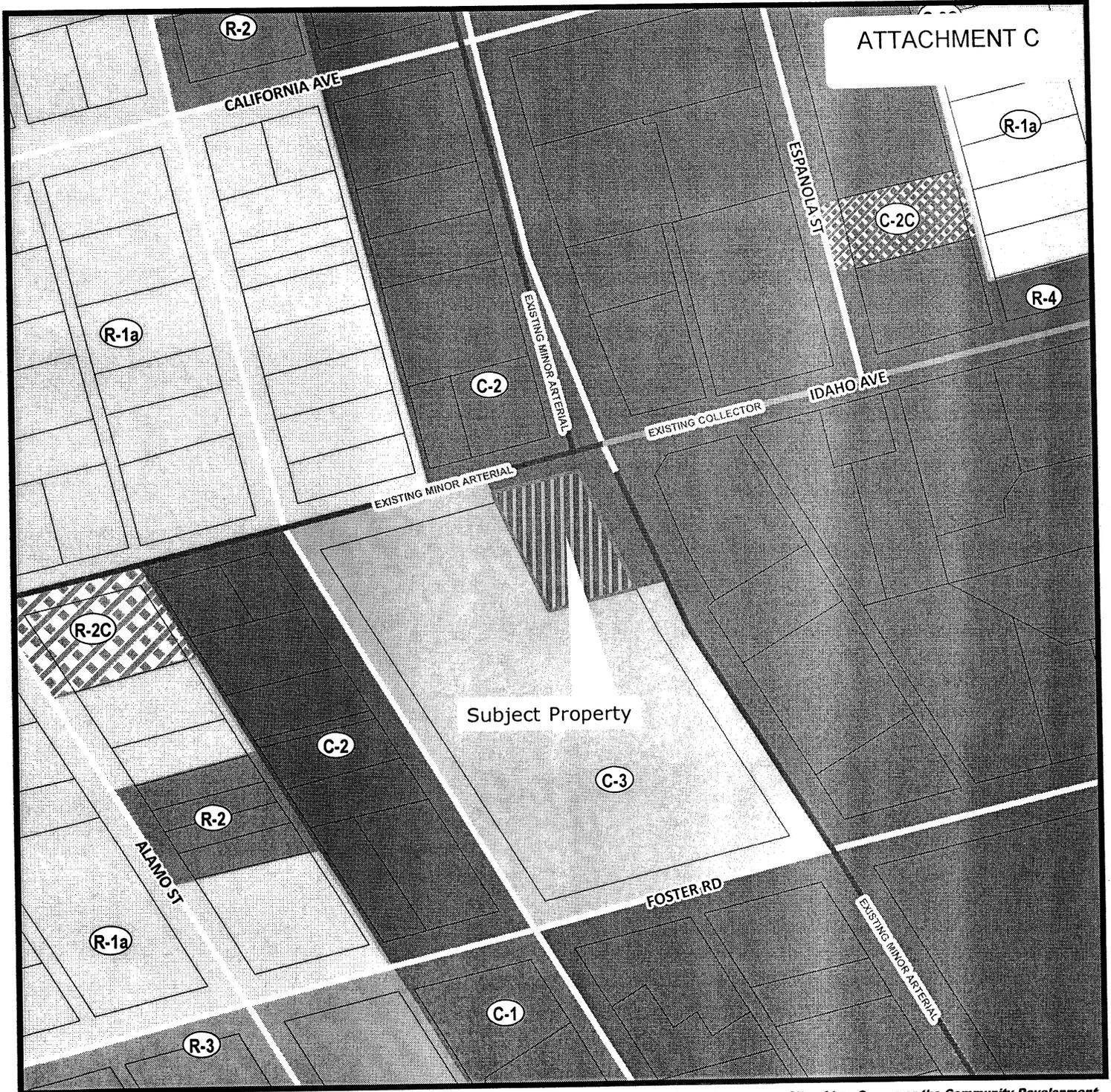
- 37
38 Members: Aye

- 39
40 Crane: Any opposed; passes five-nothing.

41
42 **V. OLD BUSINESS – None**

43
44 **VI. NEW BUSINESS**

45



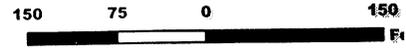
ATTACHMENT C

Subject Property

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

- Public_Facilities
- ▬ EXISTING LIMITED ACCESS
- ▬ EXISTING PRINCIPAL ARTERIAL
- ▬ EXISTING MINOR ARTERIAL
- ▬ EXISTING COLLECTOR
- ▬ PROPOSED LIMITED ACCESS
- ▬ PROPOSED INTERCHANGE/UNDERPASS
- ▬ PROPOSED PRINCIPAL ARTERIAL
- ▬ PROPOSED MINOR ARTERIAL
- ▬ PROPOSED COLLECTOR
- ▬ PROPOSED CORRIDOR
- ▬ Non Designated Trail
- ▬ Proposed Paved EBID
- ▬ Proposed Unpaved EBID
- ▭ City Parcel
- ▬ Interstates_Highway
- EBID Water System
- ▬ Railroad
- ▭ Rio Grande
- ▭ Arroyo



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