City of Las Cruces®
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 14 **Ordinance/Resolution#** 2641

For Meeting of November 7, 2011 (Ordinance First Reading Date)

For Meeting of November 21, 2011 (Adoption Date)

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM R-3/C-2 (MULTI-DWELLING MEDIUM DENSITY/COMMERCIAL MEDIUM INTENSITY) TO C-2 (COMMERCIAL MEDIUM INTENSITY) FOR 0.464± ACRES OF LAND LOCATED AT 130 MADRID AVENUE. SUBMITTED BY SUMMIT ENGINEERING ON BEHALF OF 1732, LLC, PROPERTY OWNER (Z2844).

PURPOSE(S) OF ACTION:

Zone change will allow for commercial redevelopment of the entire property and will eliminate overlapping zoning designations.

COUNCIL DISTRICT: 1		
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 0.464± acre property located on the north side of Madrid Avenue, 245± feet west of its intersection with Main Street and directly east of the Las Cruces Lateral. The subject property currently consists of a vacant commercial building.

The subject property is currently zoned R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity). The northern 0.204± acre portion of the subject property is currently zoned R-3 while the remaining 0.260+ acre southern portion is zoned C-2 as depicted in Exhibit "A" of this CAES packet. The proposed zone change allows the entire subject property to have a C-2 zoning designation. The applicant has not specified any development plans for the subject property.

The proposed zone change is supported by the 1999 Comprehensive Plan as noted in Exhibit "B" of this CAES packet. The property is located along Madrid Avenue, a designated collector roadway, where medium intensity commercial uses are encouraged and desired. The subject property is also located adjacent to a number of similarly zoned properties which addresses land

use compatibility. The subject property is located on a segment of Madrid Avenue east of the Las Cruces Lateral that is predominantly zoned commercial.

On September 27, 2011, the Planning and Zoning Commission (P&Z) recommended approval for the proposed zone change by a vote of 6-0-0 (one Commissioner absent). There was no public input or participation at the meeting for the proposed zone change.

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 Z2844.
5. Attachment "B"- Draft minutes from the September 27, 2011 Planning and Zoning Commission meeting.
6. Attachment "C"- Vicinity Map.

SOURCE OF FUNDING:

Is this action already budgeted?			
	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
N/A	*Budget Adjustment Attached*	☐	Expense reallocated from: _____.
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the Fund.
Does this action create any revenue?			
	Yes	☐	Funds will be deposited into this fund: in the amount of $_____for FY__.
N/A	No	☐	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 encompassing 0.464± acres will be rezoned from R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity) to C-2 (Commercial Medium Intensity). The zone change facilitates the commercial redevelopment of the entire subject property.
2. Vote "No"; this will reverse the recommendation made by the Planning and Zoning Commission. The current zoning designation of R-3/C-2 (Multi-Dwelling Medium Density/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.

1. N/A

COUNCIL BILL NO. 12-019
ORDINANCE NO. 2641

AN ORDINANCE APPROVING A ZONE CHANGE FROM R-3/C-2 (MULTI-DWELLING MEDIUM DENSITY/COMMERCIAL MEDIUM INTENSITY) TO C-2 (COMMERCIAL MEDIUM INTENSITY) FOR 0.464± ACRES OF LAND LOCATED AT 130 MADRID AVENUE. SUBMITTED BY SUMMIT ENGINEERING ON BEHALF OF 1732, LLC, PROPERTY OWNER (Z2844).

The City Council is informed that:

WHEREAS, 1732, LLC, the property owner, has submitted a request for a zone change from R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity) to C-2 (Commercial Medium Intensity) for property located at 130 Madrid Avenue; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on September 27, 2011, recommended that said zone change request be approved by a vote of 6-0-0 (one Commissioner 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-2 (Commercial Medium Intensity) for property located at 130 Madrid 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)

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

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

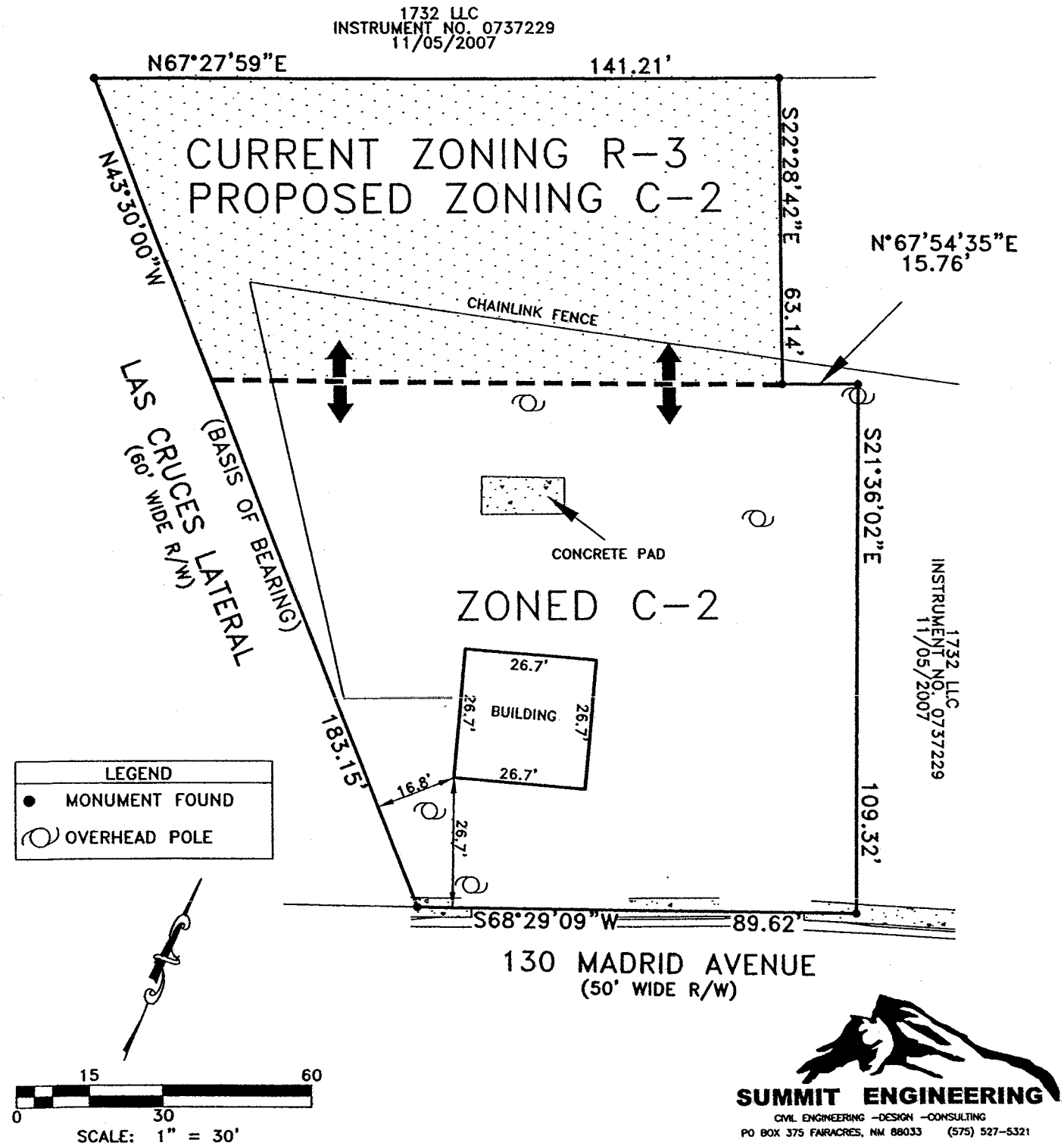
_____
City Attorney

ZONING PLAN

EXHIBIT A

A 0.464 ACRE TRACT
PART OF THE P.T. GONZALES TRACT, TRACT 1
AS RECORDED AUGUST 3, 2005 IN CLERK'S BOOK 631, PAGES 1593-1595
OF THE DOÑA ANA COUNTY RECORDS
CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO

SCALE: 1" = 30' JUNE 27, 2011



SUMMIT ENGINEERING
CIVIL ENGINEERING -DESIGN -CONSULTING
PO BOX 375 FAIRACRES, NM 88033 (575) 527-5321

EXHIBIT B

FINDINGS & COMPREHENSIVE PLAN ANALYSIS

1. The subject property encompasses 0.464 ± acres.

2. The subject property is located along Madrid Avenue, a Collector roadway, as classified by the Metropolitan Planning Organization (MPO).

3. The subject property is currently zoned R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity) with the northern 8,907 ± square foot portion of the property zoned R-3 and the remaining southern 11,304 + square foot portion zoned C-2.

4. The subject property currently consists of a vacant commercial building.

5. The request is consistent with the following sections of the City of Las Cruces Comprehensive Plan:

Land Use Element (Land Uses)

Goal 1 Objective 5:

Policies

1.5.2. Medium intensity commercial uses shall be defined as those commercial uses which provide retail and service activities within a neighborhood area. Medium intensity commercial uses shall generally serve a population of 5,000 to 30,000 people and shall be established according to the following criteria:

a. Generally 1,500 but not to exceed 5,000 gross square feet shall be permitted for a medium intensity commercial use or center. A business may apply for a special use when said business is greater than 5,000 gross square feet, but may not exceed 6,000 square feet.

b. Medium intensity commercial use and centers shall be located on minor collector streets, or at the intersection of streets equal to or greater than collector capacity. 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. An unlimited number of low or medium intensity commercial uses may be located adjacent to one another as long as the combined total of the uses does not exceed 5,000 gross square feet.

d. With the exception of low intensity commercial businesses, medium intensity commercial uses shall not be located within one-half (½) mile of other commercial areas.

e. The City shall pursue multi-modal access standards (auto, bicycle, and pedestrian transit) for medium intensity commercial use and centers.

f. Medium intensity commercial development shall address the following urban design criteria: compatibility to adjacent development in terms of architectural design, height/density, a provision of landscaping for site screening, parking and loading areas. Architectural and landscaping design standards for medium intensity commercial use shall be established in the Comprehensive Plan Urban Design Element.

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

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

i. Low intensity commercial uses are permitted in medium intensity commercial areas.

ATTACHMENT A

City of Las Cruces®
PEOPLE HELPING PEOPLE

Planning & Zoning Commission Staff Report

Date: September 13, 2011

CASE #	Z2844
PROJECT NAME:	130 Madrid Avenue (Zone Change)
APPLICANT:	Summitt Engineering
PROPERTY OWNER:	1732, LLC
REQUEST:	Zone change from R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity) to C-2 (Commercial Medium Intensity)
PROPOSED USE:	Unspecified commercial medium intensity use
SIZE:	0.464 ± acres
CURRENT ZONING:	R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity)
LOCATION:	Located on the north side of Madrid Avenue, 245 ± feet west of its intersection with Main Street; a.k.a. 130 Madrid Avenue; Parcel ID# 02-04133
COUNCIL DISTRICT:	1
PLANNING COMMISSION DATE:	September 27, 2011
PREPARED BY:	Adam Ochoa, Planner AO
STAFF RECOMMENDATION:	Approval

PROPERTY INFORMATION

Address/Location: The north side of Madrid Avenue, 245 ± feet west of its intersection with Main Street; a.k.a. 130 Madrid Avenue; Parcel ID# 02-04133.

Acreage: 0.464 ±

Current Zoning: R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity)

Current Land Use: Vacant commercial building

Proposed Zoning: C-2 (Commercial Medium Intensity)

Proposed Land Use: Unspecified commercial medium intensity use

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

Table 1: Site Analysis

Existing Conditions	
Existing Square Footage of All Buildings	713 ± square feet
Current Lot Size	20,211 ± square feet
Current Lot Depth/Width	173 ± feet/ 90 ± feet
Existing Building Height	15-feet
Development Standards for Proposed 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

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		Vacant Commercial Building	R-3/C-2	Multi-Dwelling Medium Density/Commercial Medium Intensity)
Surrounding Properties	North	Vacant/ Undeveloped	R-3	Multi-Dwelling Medium Density
	South	Shopping Center	C-2	Commercial Medium Intensity
	East	Vacant Commercial Building	C-2	Commercial Medium Intensity
	West	Multi-Family Residential	R-3	Multi-Dwelling Medium Density

HISTORY

Previous applications? Yes ☐ No ☒

If yes, please explain:

Previous resolution numbers?

Previous uses if applicable:

COMPREHENSIVE PLAN

Elements & Policies

Land Use Element

1. Goal 1, Policy 1.5.2

Analysis: The proposed zone change will facilitate the use of the entire subject property for commercial medium intensity uses. The subject property is located along a designated collector roadway where commercial medium intensity uses are encouraged. The subject property is also located adjacent to other similarly zoned properties making compatibility not an issue. Recommendation of approval.

REVIEWING DEPARTMENT COMMENTS

Fire Prevention:

Accessibility Issues	low	med	high
Building Accessibility	☐	☒	☐
Secondary Site/Lot Accessibility	☒	☐	☐
Fireflow/Hydrant Accessibility	☒	☐	☐

Type of building occupancy: Unknown

Nearest Fire Station
Distance: 0.90 ± miles
Address: 201 E. Picacho Avenue
Adequate Capacity to Accommodate Proposal? Yes ☒ No ☐

Additional Comments: Building access shall comply with all International Fire Code (IFC) requirements. Recommendation of approval.

Police Department:

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

Engineering Services:

Flood Zone Designation: Zone AE

Development Improvements

Drainage calculation needed	Yes ☒	No ☐	N/A ☐
Drainage study needed	Yes ☐	No ☐	N/A ☒
Other drainage improvements needed	Yes ☒	No ☐	N/A ☐
Sidewalk extension needed	Yes ☐	No ☒	N/A ☐
Curb & gutter extension needed	Yes ☐	No ☒	N/A ☐
Paving extension needed	Yes ☐	No ☒	N/A ☐

Additional Comments: Recommendation of approval.

MPO:

Road classifications: Madrid Avenue is designated as a Collector roadway

Additional Comments: Recommendation of approval.

Public Transit:

Where is the nearest bus stop (miles)? 475 ± feet south of the subject property on North Main Street.

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 ☐	No ☐	N/A ☒
Adequate curb cut	Yes ☒	No ☐	N/A ☐
Intersection sight problems	Yes ☐	No ☒	N/A ☐
Off-street parking problems	Yes ☐	No ☒	N/A ☐

On-Street Parking Impacts

None ☐ Low ☒ Medium ☐ High ☐ N/A ☐

Explain:

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: 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 ☒

Additional Comments: Recommendation of approval.

Public Schools:

Nearest Schools:

1. Elementary: Alameda Elementary School — Distance (miles): 0.47 ± miles
   Enrollment: 498
2. Middle School: Sierra Middle School — Distance (miles): 1.53 ± miles
   Enrollment: 870
3. High School: Mayfield High School — Distance (miles): 1.09 ± miles
   Enrollment: 2223

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 ANALYSIS

Parking:

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? The required number of parking spaces is determined by land use and will be verified at the time of the building permit process.

How many accessible? The number of required accessible parking spaces will also be determined at the time of building 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 a building permit when the lot is redeveloped, the subject property shall be required to comply with all parking requirements of the 2001 Zoning Code, as amended. Bicycle parking will be verified during the building permit process as well.

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? The subject property will be required to landscape a minimum of 15% of the total parking area.

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? The subject property shall be required to provide either a 10-foot opaque bufferyard or a 15-foot semi-opaque bufferyard between the subject property and the adjacent R-3 zoned property to the north. No other additional bufferyards shall 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:

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
August 2, 2011	Application submitted to Development Services
August 3, 2011	Case sent out for review to all reviewing departments
August 10, 2011	All comments returned by all reviewing departments
August 16, 2011	Staff reviews and recommends approval of the zone change
September 11, 2011	Newspaper advertisement
September 16, 2011	Public notice letter mailed to neighboring property owners
September 16, 2011	Sign posted on property
September 27, 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 also supported by the 1999 Comprehensive Plan.

The subject property is currently zoned R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity). The northern 8,907 ± square foot portion of the subject property is zoned R-3 and the

remaining southern 11,304 square foot portion is zoned C-2 (see attachment #2). The proposed zone change provides the entire subject property a C-2 zoning designation and would facilitate the redevelopment of the entire property for commercial medium intensity uses.

FINDINGS

1. The subject property encompasses 0.464 ± acres.

2. The subject property is located along Madrid Avenue, a Collector roadway, as classified by the Metropolitan Planning Organization (MPO).

3. The subject property is currently zoned R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity) with the northern 8,907 ± square foot portion of the property zoned R-3 and the remaining southern 11,304 + square foot portion zoned C-2

4. The subject property currently consists of a vacant commercial building.

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: Summit Engineering

Contact Person: Greg Byres

Contact Phone Number: 527-5321

Contact e-mail Address: Summitengineer@aol.com

Web site address (if applicable): N/A

Proposal Information

Name of Proposal: N/A

Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)

Location of Subject Property 130 Madrid Ave.

(In addition to description, attach map. Map must be at least 8 ½" x 11" in size and clearly show the relation of the subject property to the surrounding area)

Acreage of Subject Property: 0.464

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

1 BUILDING - COMMERCIAL

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

1 BUILDING - COMMERCIAL

Zoning of Subject Property: R-3 / C2

Proposed Zoning (If applicable): C-2

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

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

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

N/A

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

N/A

Anticipated traffic generation N/A trips per day.

Anticipated development schedule: work will commence on or about N/A

and will take N/A to complete.

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

N/A

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). N/A

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

Is there existing landscaping on the property? N/A

Are there existing buffers on the property? ~~N/A~~ YES @ NORTH AND WEST SIDES OF PROPERTY

Is there existing parking on the property? Yes X No ___

If yes, is it paved? Yes X No ___

How many spaces? 4 How many accessible? 0

Attachments

Please attach the following: (* *indicates optional item*)

Location map

Subdivision Plat (If applicable)

Proposed building elevations

*renderings of architectural or site design features

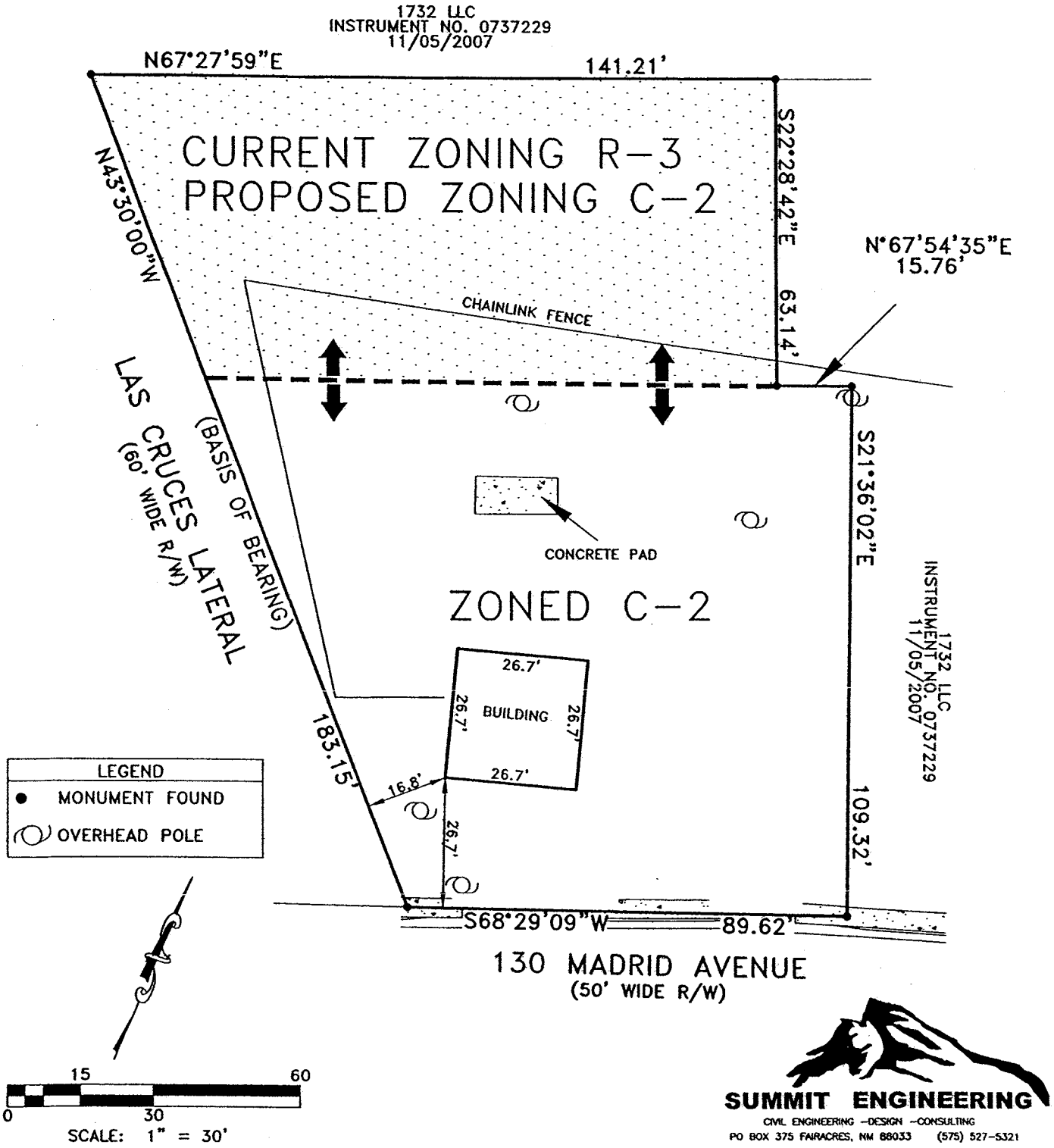
*other pertinent information

ZONING PLAN

ATTACHMENT #2

A 0.464 ACRE TRACT
PART OF THE P.T. GONZALES TRACT, TRACT 1
AS RECORDED AUGUST 3, 2005 IN CLERK'S BOOK 631, PAGES 1593-1595
OF THE DOÑA ANA COUNTY RECORDS
CITY OF LAS CRUCES, DOÑA ANA COUNTY, NEW MEXICO

SCALE: 1" = 30' JUNE 27, 2011



SUMMIT ENGINEERING
CIVIL ENGINEERING -DESIGN -CONSULTING
PO BOX 375 FAIRACRES, NM 88033 (575) 527-5321

ATTACHMENT #3

COMPREHENSIVE PLAN ELEMENTS & POLICIES

Land Use Element (Land Uses)

Goal 1 Objective 5:

Policies

1.5.2. Medium intensity commercial uses shall be defined as those commercial uses which provide retail and service activities within a neighborhood area. Medium intensity commercial uses shall generally serve a population of 5,000 to 30,000 people and shall be established according to the following criteria:

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b. Medium intensity commercial use and centers shall be located on minor collector streets, or at the intersection of streets equal to or greater than collector capacity. 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. An unlimited number of low or medium intensity commercial uses may be located adjacent to one another as long as the combined total of the uses does not exceed 5,000 gross square feet.

d. With the exception of low intensity commercial businesses, medium intensity commercial uses shall not be located within one-half (½) mile of other commercial areas.

e. The City shall pursue multi-modal access standards (auto, bicycle, and pedestrian transit) for medium intensity commercial use and centers.

f. Medium intensity commercial development shall address the following urban design criteria: compatibility to adjacent development in terms of architectural design, height/density, a provision of landscaping for site screening, parking and loading areas. Architectural and landscaping design standards for medium intensity commercial use shall be established in the Comprehensive Plan Urban Design Element.

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

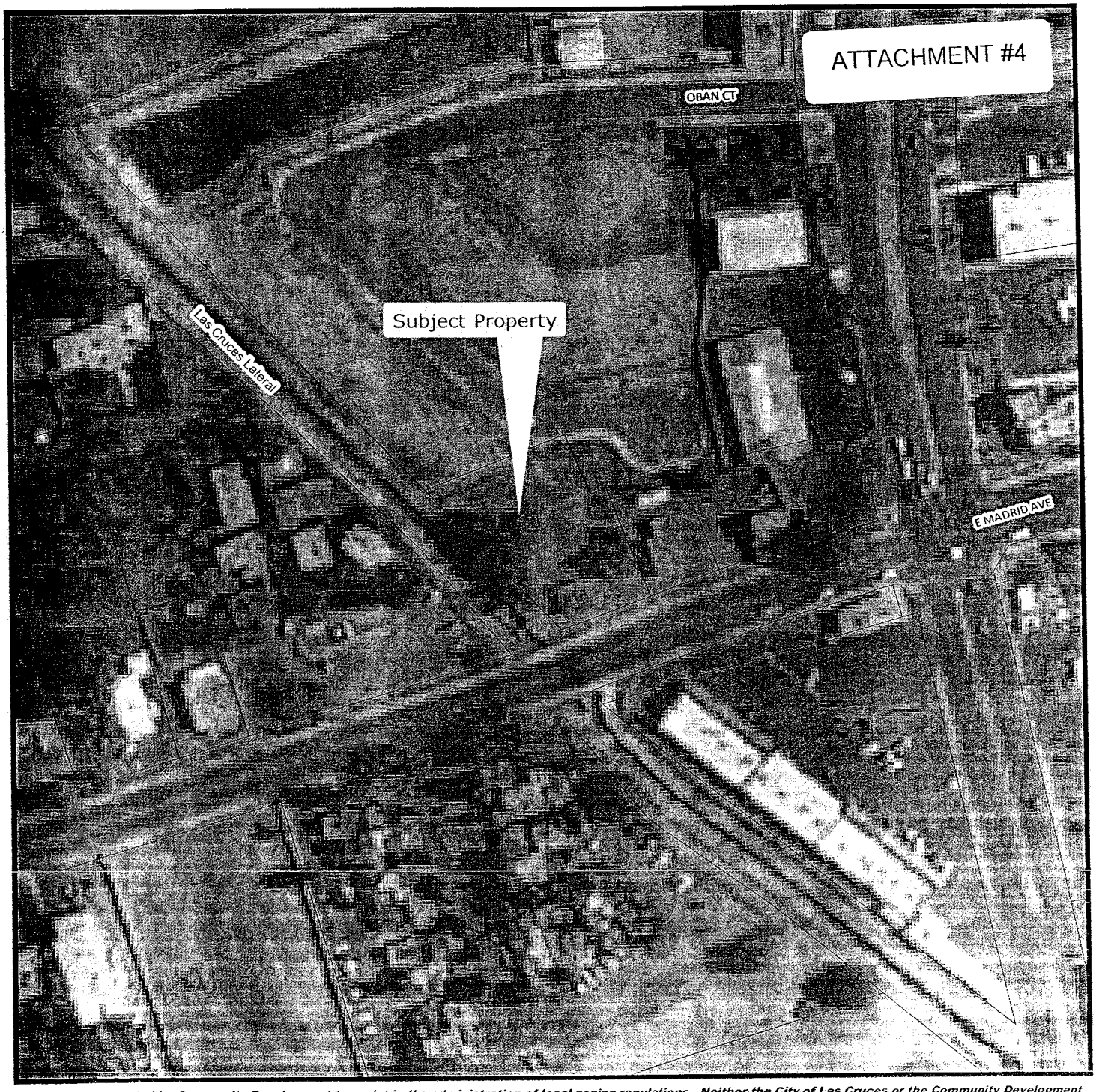
h. The City shall encourage the development of medium intensity commercial centers to allow for maximum shopping convenience with minimal traffic and encroachment related conflicts to adjacent uses.

i. Low intensity commercial uses are permitted in medium intensity commercial areas.

ZONING: R-3/C-2 TO C-2
OWNER: 1732 LLC

Aerial View

PARCEL: 02-04133
DATE: 09/20/2011



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

- Public_Facilities
- City Parcel
- Interstates_Highway
- EBID Water System
- Railroad
- Rio Grande
- Arroyo

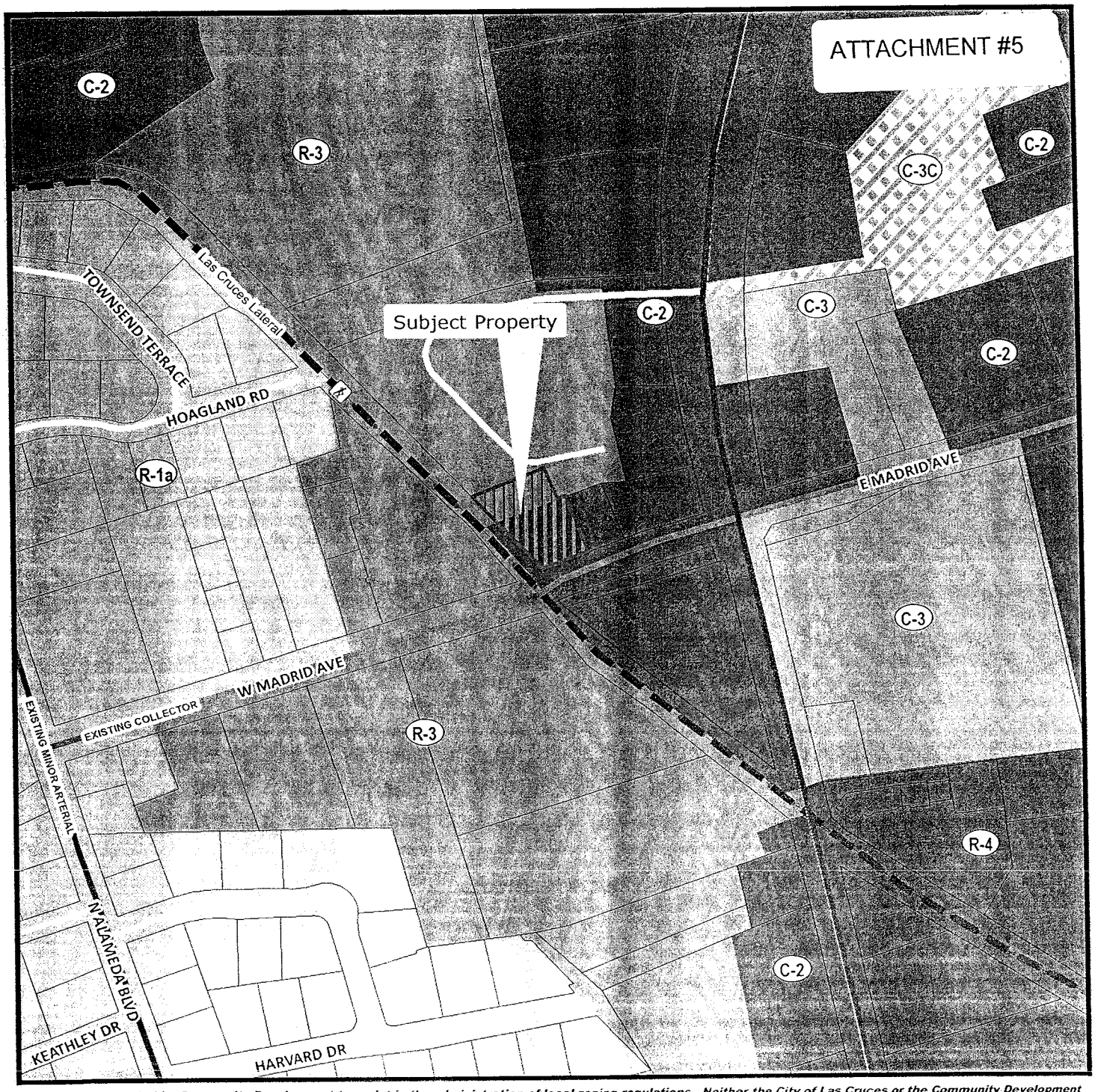
150 75 0 150 Feet

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

ZONING: R-3/C-2 TO C-2
OWNER: 1732 LLC

Zone Map

PARCEL: 02-04133
DATE: 09/20/2011



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Legend

- Public_Facilities
- EXISTING LIMITED ACCESS
- EXISTING PRINCIPAL ARTERIAL
- EXISTING MINOR ARTERIAL
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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
September 27, 2011 at 6:00 p.m.

BOARD MEMBERS PRESENT:
Charles Scholz, Chairman
Godfrey Crane, Vice Chair
Charles Beard, Secretary
William Stowe, Member
Ray Shipley, Member
Donald Bustos, Member

BOARD MEMBERS ABSENT:
Shawn Evans, Member

STAFF PRESENT:
David Weir, Director, Community Development
Adam Ochoa, Acting Senior Planner
Helen Revels, Planner
Lorenzo Vigil, Acting Assistant Planner
Mark Dubbin, CLC Fire Department
Harry "Pete" Connelly, CLC Attorney
Rusty Babington, CLC Legal Staff
Bonnie Ennis, Recording Secretary

DRAFT

I. CALL TO ORDER (6:00 pm)

Scholz: Good evening and welcome to the Planning and Zoning Commission meeting for September 27, 2011. My name is Charlie Scholz. I am the Chair of the Commission. Before we begin I want to introduce the other members of the Commission who are here tonight. On my far right is Commissioner Shipley. Commissioner Shipley is the Mayor's appointee. Next to him is Commissioner Crane, who represents District 1...I'm sorry, District 4. Next to him is Commissioner Stowe, who represents District 1. Then there is Commissioner Bustos, who represents District 3. Commissioner Beard, who represents District 2; and I represent Council District 6.

II. APPROVAL OF MINUTES – August 23, 2011 & September 8, 2011

Scholz: The first item on the agenda is the approval of minutes and, gentlemen, we are only going to approve the minutes of August 23, 2011, our meeting of the month ago because we do not have a copy yet of the September 8th minutes. Any additions or corrections to the

Scholz: Okay, two abstentions and four of four. All right.

III. POSTPONEMENTS - NONE

Scholz: There are no postponements. Is that right, Ms. Rodriguez?

Rodriguez: Mr. Chairman, that is correct.

IV. CONSENT AGENDA

Scholz: Then the next item is our consent agenda. Now for those of you who haven't been here before here's how the consent agenda works: we ask if anyone wishes to speak to any of the cases. If anyone from the Commission, from the staff or from the public wishes to speak to the cases then we will put them as the first item on the new business agenda.

Those items on the consent agenda will be voted by one motion with the acceptance of the agenda. Any Planning and Zoning Commissioner, Staff or member of the public may remove an item from the consent agenda for discussion by the commission.

1. **Case Z2843:** Application of Bob Steven Gilbert to rezone from R-1a (Single-Family Medium Density) to REM-C (Single-Family Residential Estate Mobile-Conditional) on a 0.98 ± acre lot located on the south side of Santa Cruz Avenue, 235 ± feet west of its intersection with Mesa Drive; a.k.a. 5452 Santa Cruz Avenue; Parcel ID# 02-19206. Proposed Use: A single-family residence with the ability to raise and keep large animals (horses, mules, donkeys, swine, buffalo and beefalo); Council District 5.

Scholz: So the first case is Z2843. Anyone wishes to speak to that? No?

2. **Case Z2844:** Application of Summit Engineering on behalf of 1732, LLC to rezone from R-3/C-2 (Multi-Dwelling Medium Density/Commercial Medium Intensity) to C-2 (Commercial Medium Intensity) on a 0.464 ± acre lot located on the north side of Madrid Avenue, 245 ± feet west of its intersection with Main Street; a.k.a. 130 Madrid Avenue; Parcel ID# 02-04133. Proposed Use: Unspecified commercial medium intensity use; Council District 1.

Scholz: And then case Z2844? I'm sorry, did I miss someone? You wish to speak to Z2843? Okay, fine, I'll put that as number 1 on our new business agenda then. All right, anyone wishes to speak to Z2844? Okay, if not then we'll simply vote on that as our consent agenda item. Yes, Ms. Revels?

DRAFT

Revels: The gentleman that raised his hand is actually the property owner so he doesn't have any comments.

Scholz: Oh, okay. All right, so we'll leave that on the consent agenda then. So here's how the consent agenda works: we take one vote to approve all of those items; or I should say, both of those items. All right? I'll entertain a motion to approve the consent agenda.

Shipley: Move to approve the consent agenda

Scholz: Okay, it's been moved. Is there a second?

Bustos: Second.

Scholz: *(to recording secretary)* Did you get that? You didn't get that. Okay, Shipley moved and Bustos seconded. All those in favor say aye.

All: Aye.

Scholz: Those opposed same sign. All right, the consent agenda is approved.

V. OLD BUSINESS - NONE

Scholz: That brings us to our...there's no old business, I assume. No.

Rodriguez: No, sir.

VI. NEW BUSINESS

1. **Case Z2842:** Application of Ted G. Scanlon on behalf of Hacienda RV, LLC to rezone from C-3C (Commercial High Intensity-Conditional) to C-3C (Commercial High Intensity-Conditional) to remove two (2) existing conditions placed upon the zoning designation on a 6.04 ± acre lot located on the south side of Stern Drive, 0.35 ± miles east of its intersection with Avenida de Mesilla; Parcel ID# 02-30595. Proposed Use: Limited commercial high intensity uses; Council District 4.

Scholz: Okay, that brings us to our new business which is case Z2843...42, I'm sorry, and Ms. Rodriguez, you are subbing for Mr. Ochoa, I understand, who is under the weather.

Rodriguez: Mr. Chairman, that is correct.

Scholz: Very nice of you.

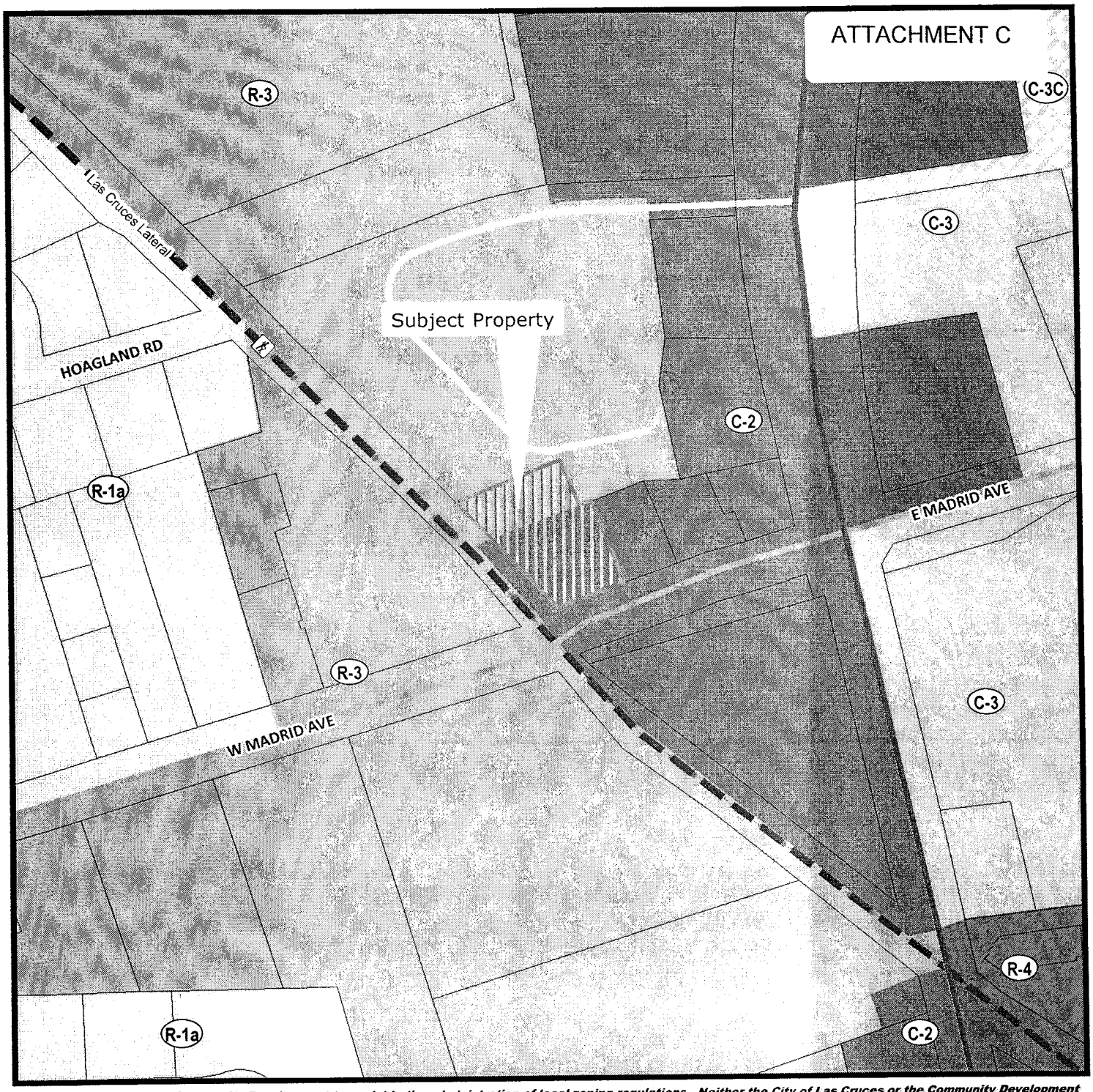
DRAFT

ZONING: R-3/C-2 TO C-2
OWNER: 1732 LLC

Zone Map

202

PARCEL: 02-04133
DATE: 09/20/2011



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

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