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## Council Action and Executive Summary

Item # 12 Ordinance/Resolution# 2659

For Meeting of July 16, 2012  
(Ordinance First Reading Date)

For Meeting of August 6, 2012  
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** AN ORDINANCE APPROVING A ZONE CHANGE FROM R-4 (MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE) TO C-2 (COMMERCIAL MEDIUM INTENSITY) ON 0.20 ± ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF OASIS AVENUE AND SOLANO DRIVE; 1769 N. SOLANO DRIVE. SUBMITTED BY WILLIAM J. CRAWLEY, PROPERTY OWNER (Z2852).

### **PURPOSE(S) OF ACTION:**

Zone change.

<b>COUNCIL DISTRICT: 1</b>		
<b><u>Drafter/Staff Contact:</u></b> Adam Ochoa	<b><u>Department/Section:</u></b> Community Development	<b><u>Phone:</u></b> 528-3204
<b><u>City Manager Signature:</u></b>		

### **BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:**

The proposed zone change is for an undeveloped property located at 1769 N. Solano Drive, 0.125 ± miles southeast of Apodaca Park. The proposed zone change to C-2 (Commercial Medium intensity) will facilitate the development of the subject property with limited commercial medium intensity uses permitted in the North Mesquite Neighborhood Overlay (NMO). The subject property has remained vacant and undeveloped within the established NMO area for many years and the applicant believes that the proposed zone change may encourage its development. The subject property is also located within the Infill Development Overlay (IDO) and is eligible for the Infill Development Process (IDP) which allows uses not normally permitted within a particular zoning district. The subject property is encompassed by residentially zoned properties, some of which are vacant, or commercially developed properties, including a commercial auto repair business directly north of the subject property which utilized the IDP. Any development of the property will be required to follow all development standards of the 2001 Zoning Code and the NMO.

On May 22, 2012, the Planning and Zoning Commission (P&Z) recommended approval of the proposed zone change request by a vote of 5-0-0, (two Commissioners absent). The P&Z



**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will affirm the Planning and Zoning Commission recommendation for approval. The subject property encompassing 0.20 ± acres will be rezoned from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to C-2 (Commercial Medium Intensity). The zone change facilitates the use of the subject property for limited commercial uses permitted within the North Mesquite Neighborhood Overlay.
2. Vote "No"; this will reverse the recommendation made by the Planning and Zoning Commission. The current zoning designation of R-4 (Multi-Dwelling High Density & Limited Retail and Office) will remain on the subject property. Denial of the zone change will require new information or facts not identified or presented during staff review or the Planning and Zoning Commission meeting.
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. 13-004  
ORDINANCE NO. 2659

**AN ORDINANCE APPROVING A ZONE CHANGE FROM R-4 (MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE) TO C-2 (COMMERCIAL MEDIUM INTENSITY) ON 0.20 ± ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF OASIS AVENUE AND SOLANO DRIVE; 1769 N. SOLANO DRIVE. SUBMITTED BY WILLIAM J. CRAWLEY, PROPERTY OWNER (Z2852).**

The City Council is informed that:

**WHEREAS**, William J. Crawley, the property owner, has submitted a request for a zone change from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to C-2 (Commercial Medium Intensity) for the property located at 1769 N. Solano Drive; and

**WHEREAS**, the Planning and Zoning Commission, after conducting a public hearing on May 22, 2012, 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-2 (Commercial Medium Intensity) for property located at 1769 N. Solano Drive.

**(II)**

**THAT** the zoning is based on the findings contained in Exhibit "B" (Findings), 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 \_\_\_\_\_ 2012.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

(SEAL)

VOTE:

Mayor Miyagishima:	_____
Councilor Silva:	_____
Councilor Smith:	_____
Councilor Pedroza:	_____
Councilor Small:	_____
Councilor Sorg:	_____
Councilor Thomas:	_____

Moved by: \_\_\_\_\_

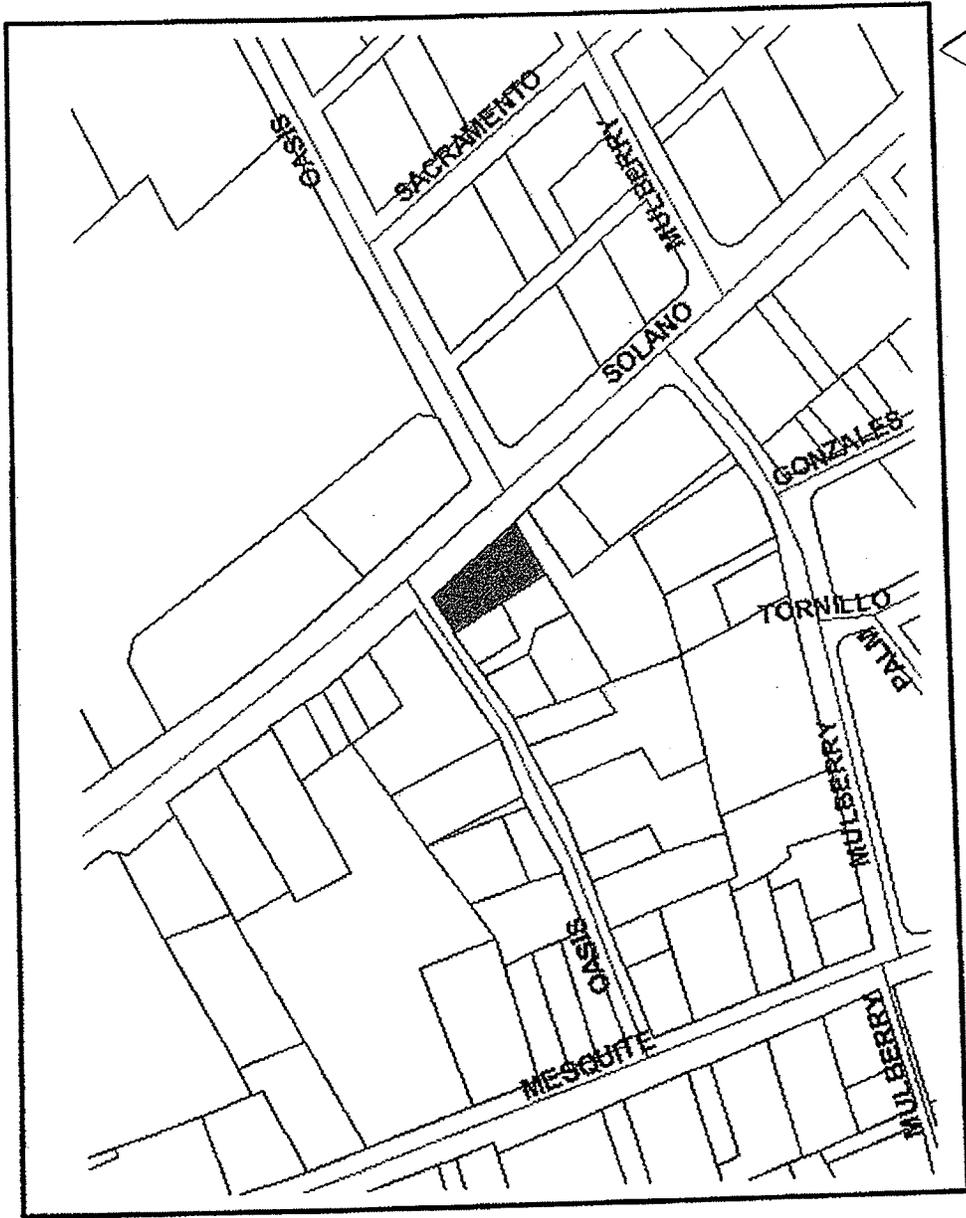
Seconded by: \_\_\_\_\_

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

**LOT 1 BLOCK 225 BELLA VISTA SUBDIVISION**

~ Roads (NAME)  
current



**FINDINGS**

1. The property currently encompasses 0.20 ± acres, is zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) and is located within the North Mesquite Neighborhood Overlay (NMO).
2. The subject property is located along Solano Drive, a Minor Arterial roadway, where commercial medium intensity uses are encouraged. (1999 Comprehensive Plan Goal 1, Objective 5, Policy 1.5.2)
3. The proposed zone change may encourage the development of a vacant and underutilized property within the established North Mesquite Neighborhood Overlay (NMO) area. (2001 Zoning Code Article 1, Section 38-2 K)



**Planning & Zoning  
Commission  
Staff Report**

**Date: May 10, 2012**

**CASE #** Z2852

**PROJECT NAME:** 1769 N. Solano Drive (Zone Change)

**APPLICANT:** William J. Crawley

**PROPERTY OWNER:** William J. Crawley

**REQUEST:** Zone change from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to C-2 (Commercial Medium Intensity)

**PROPOSED USE:** Unspecified limited commercial medium intensity uses

**SIZE:** 0.20 ± acres

**CURRENT ZONING:** R-4 (Multi-Dwelling High Density & Limited Retail and Office)

**LOCATION:** Located on the southwest corner of Oasis Avenue and Solano Drive within the North Mesquite Neighborhood Overlay; 1769 N. Solano Drive; Parcel ID# 02-04648

**COUNCIL DISTRICT:** 1

**PLANNING COMMISSION DATE:** May 22, 2012

**PREPARED BY:** Adam Ochoa, Planner *AO*

**STAFF RECOMMENDATION:** Approval

**PROPERTY INFORMATION**

Address/Location: The southwest corner of Oasis Avenue and Solano Drive within the North Mesquite Neighborhood Overlay; 1769 N. Solano Drive; Parcel ID# 02-04648

Acreage: 0.20 ±

Current Zoning: R-4 (Multi-Dwelling high Density & Limited Retail and Office)

Current Land Use: Vacant/undeveloped

Proposed Zoning: C-2 (Commercial Medium Intensity)

Proposed Land Use: Unspecified limited commercial medium intensity use

Is the subject property located within an overlay district? Yes  No   
 If yes which overlay district? The North Mesquite Neighborhood Overlay

**Table 1: Site Analysis**

Existing Conditions	
Existing Square Footage of All Buildings	N/A
Current Lot Size	8,712 ± square feet
Current Lot Depth/Width	76 ± feet/ 134 ± feet
Existing Building Height	N/A
Development Standards for Proposed Zoning of C-2 in the North Mesquite Neighborhood Overlay	
Minimum Lot Size	3,500 square feet
Maximum Lot Size	N/A
Minimum Lot Depth/ Width	70-feet/40-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		Vacant/ Undeveloped	R-4	Multi-Dwelling High Density & Limited Retail and Office
Surrounding Properties	North	Auto Repairs	R-4	Multi-Dwelling High Density & Limited Retail and Office
	South	Single-Family Dwelling	R-4	Multi-Dwelling High Density & Limited Retail and Office
	East	Private Club	C-1	Commercial Low Intensity
	West	Vacant/ Undeveloped/ Single-Family Dwelling	R-4	Multi-Dwelling High Density & Limited Retail and Office

**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, Objective 5, Policy 1.5.2

Analysis: The subject property currently encompasses 0.20 + acres, is zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) and is located within the North Mesquite Neighborhood Overlay (NMO). The proposed zone change to C-2 (Commercial Medium intensity) would facilitate the use of the subject property for the limited commercial medium intensity uses permitted in the NMO. The property is located along Solano Drive, a Minor Arterial roadway, where commercial medium intensity uses are encouraged. The proposed C-2 zoning designation will also be compatible with most of the existing zoning found along the northern section of Solano Drive. Recommendation of approval. (See "Attachment 3" for a detailed analysis)

**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: 1.05 ± miles  
 Address: 201 E. Picacho Avenue  
 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**

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: Excess post development run-off shall be required to be retained onsite utilizing on-lot ponding. Recommendation of approval.

MPO:

Road classifications: Solano Drive is designated as a Principal Arterial roadway.

Additional Comments: Recommendation of approval.

Public Transit:

Where is the nearest bus stop (miles)? There is a bus stop (sign only) directly across the street of the subject property on Solano Drive.

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: No on-street parking is permitted on Solano Drive.

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: Booker T. Washington Elementary School Distance (miles): 0.38 ± miles  
Enrollment: 349
- 2. Middle School: Sierra Middle School Distance (miles): 0.95 ± miles  
Enrollment: 831
- 3. High School: Mayfield High School Distance (miles): 1.58 ± miles  
Enrollment: 2161

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 the building permit process.

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 developed, 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 ten (10) foot semi-opaque or five (5) foot opaque buffer yard along its eastern and southern property lines adjacent to the residential properties.

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
March 23, 2012	Application submitted to Development Services
March 26, 2012	Case sent out for review to all reviewing departments
April 3, 2012	All comments returned by all reviewing departments
April 5, 2012	Staff reviews and recommends approval of the zone change
May 6, 2012	Newspaper advertisement
May 10, 2012	Public notice letter mailed to neighboring property owners
May 11, 2012	Sign posted on property
May 22, 2012	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 currently encompasses 0.20 ± acres, is zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) and is located within the North Mesquite Neighborhood Overlay (NMO). The proposed zone change to C-2 (Commercial Medium Intensity) facilitates the use of the subject property for limited commercial medium intensity uses permitted in the NMO. The permitted C-2 uses in the NMO are much more limited to the C-2 uses regularly permitted by the 2001 Zoning Code, therefore, limiting the potential intensity on the subject property and surrounding area. The subject property has remained vacant and undeveloped within the established NMO area for many years and the proposed zone

change may encourage its development. The property will be required to follow all development standards of the 2001 Zoning Code and the North Mesquite Neighborhood Overlay.

### **STAFF RECOMMENDATION**

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

### **FINDINGS FOR APPROVAL**

1. The property currently encompasses 0.20 ± acres, is zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) and is located within the North Mesquite Neighborhood Overlay (NMO).
2. The subject property is located along Solano Drive, a Minor Arterial roadway, where commercial medium intensity uses are encouraged. (1999 Comprehensive Plan Goal 1, Objective 5, Policy 1.5.2)
3. The proposed zone change may encourage the development of a vacant and underutilized property within the established North Mesquite Neighborhood Overlay (NMO) area. (2001 Zoning Code Article 1, Section 38-2 K)

**If the Planning & Zoning Commission deems the zone change unsubstantiated, staff recommends the following alternate finding for denial:**

The proposed zoning designation is not compatible with the surrounding primarily residentially zoned area. The applicant has the option of developing the subject property with a use permitted in the R-4 (Multi-Dwelling High Density & Limited Retail and Office) zoning district in the North Mesquite Neighborhood Overlay (NMO). (2001 Zoning Code Article 5, Section 38-49.1)

### **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: William J. Crawley

Contact Person: William J. Crawley

Contact Phone Number: 575-541-6000

Contact e-mail Address: \_\_\_\_\_

Web site address (if applicable): \_\_\_\_\_

#### Proposal Information

Name of Proposal: Zoning Change

Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)  
R-4 TO C-2

Location of Subject Property 1769 N. Solano

(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: 8712 SQ FT

Detailed description of **current** use of property. Include type and number of buildings:  
N/A NONE

Detailed description of **intended** use of property. (Use separate sheet if necessary):  
Rental - build to suit?

Zoning of Subject Property: R-4

Proposed Zoning (If applicable): C-2

Proposed number of lots 1, to be developed in 1 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):

AS per zoning

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

N/A NOT WORK

Anticipated traffic generation 15-20 trips per day.

Anticipated development schedule: work will commence on or about 90 Day After Approval and will take 120-140 Days After Start to complete.

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

WEST SIDE ALONG FACE LINE - ON LOT PONDING

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 Buffer next residential property

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? NONE

Is there existing parking on the property? Yes  No \_\_\_

If yes, is it paved? Yes \_\_\_ No

How many spaces? 10 How many accessible? 10

**Attachments**

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

Location map

Subdivision Plat (If applicable)

Proposed building elevations

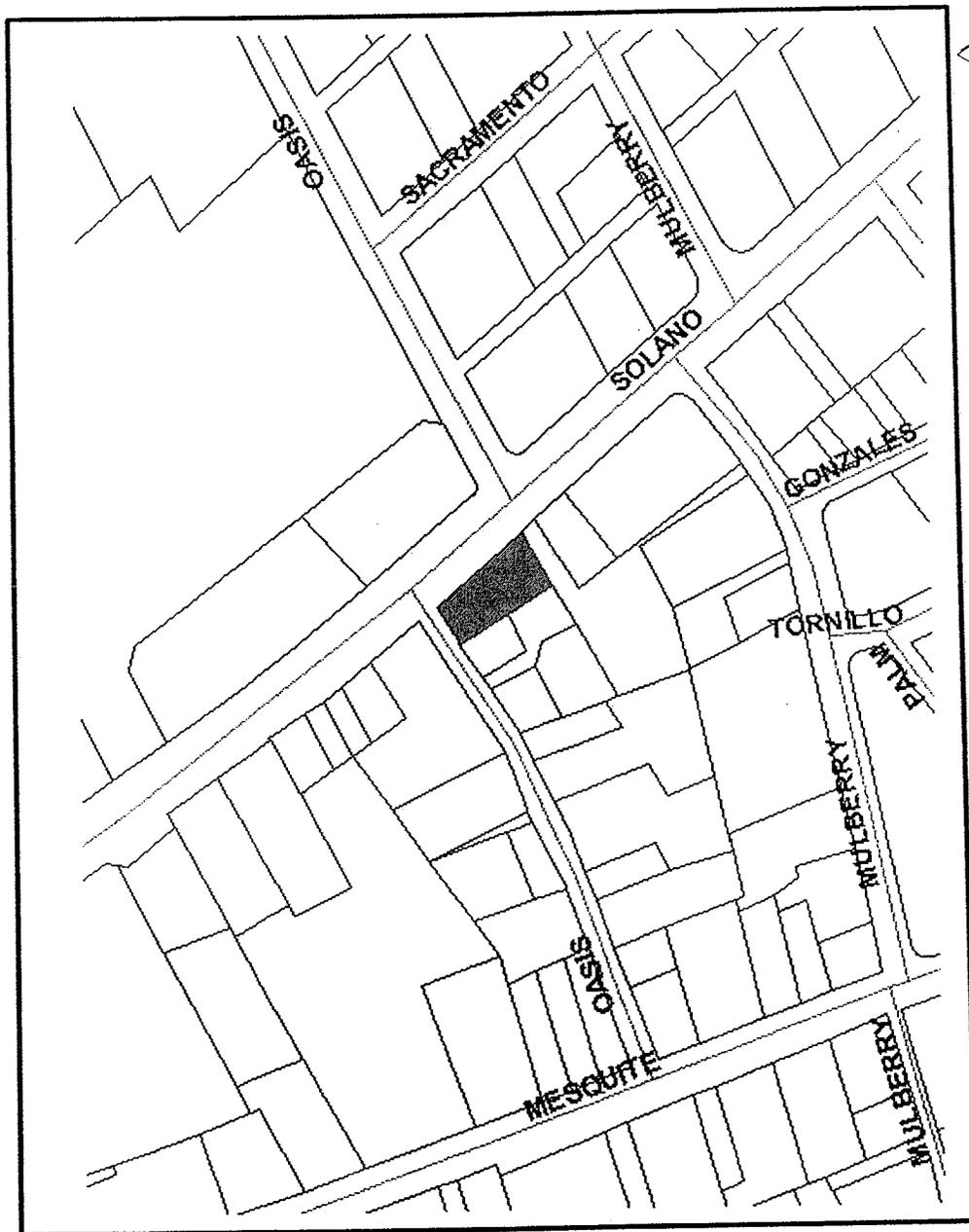
\*renderings of architectural or site design features

\*other pertinent information

ESRI ArcExplorer 2.0

# LOT 1 BLOCK 225 BELLA VISTA SUBDIVISION

Roads (NAME)  
current



## **Comprehensive Plan Elements and Policies**

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

### **Land Use Element (Land Uses)**

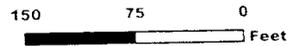
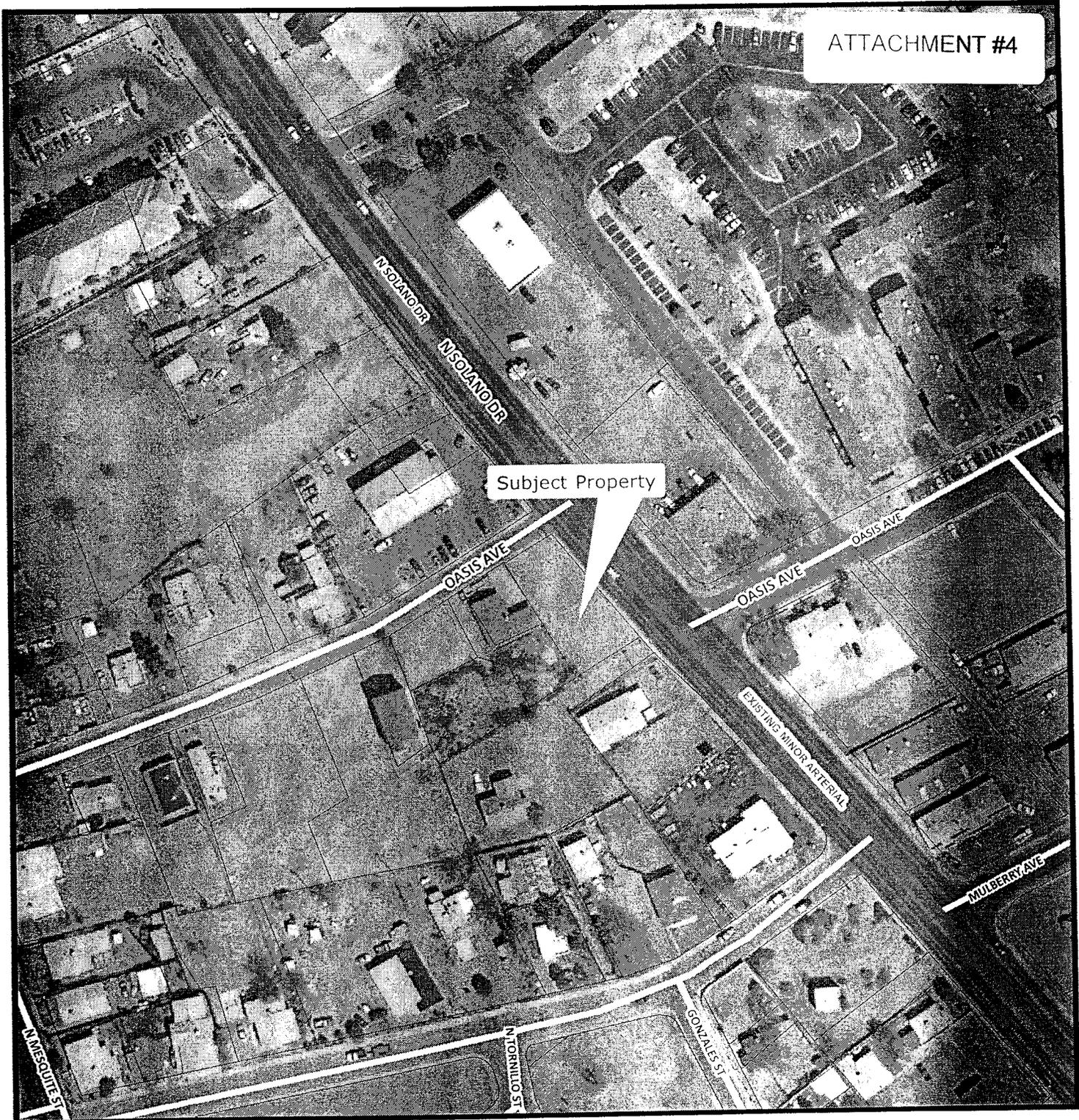
#### **Goal 1 Objective 5:**

#### **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.

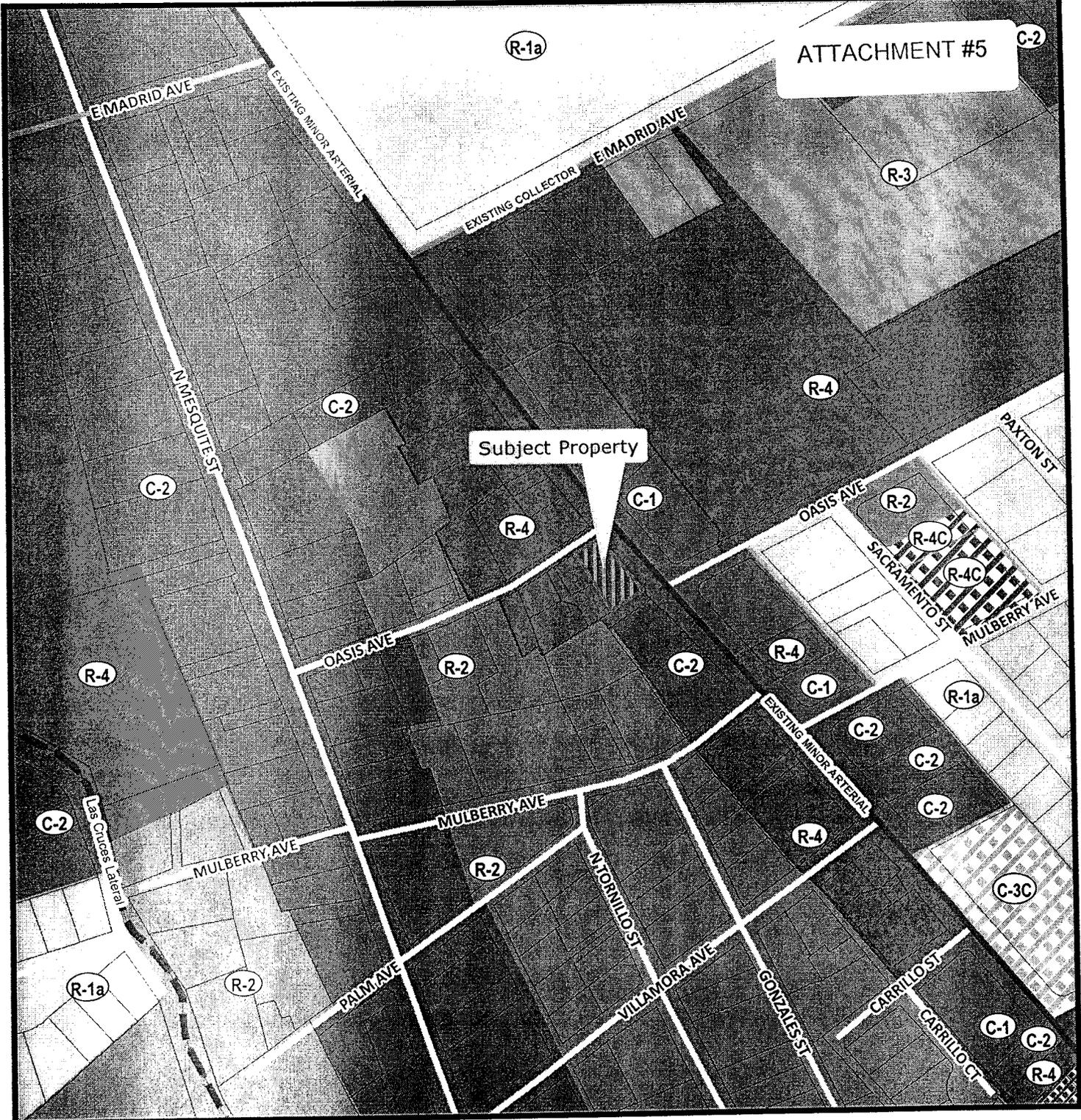
ATTACHMENT #4



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

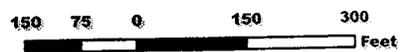
*This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged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

ATTACHMENT #5



Subject Property

Legend		
EXISTING LIMITED ACCESS	PROPOSED INTERCHANGE/UNDERPASS	Non Designated Trail
EXISTING PRINCIPAL ARTERIAL	PROPOSED PRINCIPAL ARTERIAL	Proposed Paved EBID
EXISTING MINOR ARTERIAL	PROPOSED MINOR ARTERIAL	Proposed Unpaved EBID
EXISTING COLLECTOR	PROPOSED COLLECTOR	Interstates_Highway
PROPOSED LIMITED ACCESS	PROPOSED CORRIDOR	EBID Water System
		Railroad



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

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**PLANNING AND ZONING COMMISSION  
FOR THE  
CITY OF LAS CRUCES  
City Council Chambers  
May 22, 2012 at 6:00 p.m.**

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**BOARD MEMBERS PRESENT:**

- Charles Scholz, Chairman
- Godfrey Crane, Vice Chair
- Charles Beard, Secretary
- William Stowe, Member
- Shawn Evans, Member

**BOARD MEMBERS ABSENT:**

- Donald Bustos, Member
- Ray Shipley, Member

**STAFF PRESENT:**

- Robert Kyle, Building and Development Administrator, CLC
- Katherine Harrison-Rogers, Senior Planner, CLC
- Adam Ochoa, Planner, CLC
- Susana Montana, Planner, CLC
- Paul Michaud, Senior Planner, CLC
- Srijana Basnyat, Planner
- Mark Dubbin, CLC Fire Department
- Rusty Babington, CLC Legal Staff
- Bonnie Ennis, Recording Secretary, CLC

**I. CALL TO ORDER (6:00 PM)**

Scholz: Good evening and welcome to the Planning and Zoning Commission meeting for Tuesday, May 22<sup>nd</sup>, 2012. I'm Charles Scholz, the Chair. I'm going to introduce the other members of our Commission and then we'll proceed with a couple of announcements and then we'll go on to the business. On my right is Commissioner Crane. He represents District 4. Next to him is Commissioner Stowe who represents Council District 1. Next to him is Commissioner Evans who represents Council District 5 and I am the Mayor's appointee to the Commission. We're expecting at least

1 one other member of the Commission. He has brake problems right now  
2 so I don't know if he'll be here real fast or real slow but we'll find out.  
3

4 **II. CONFLICT OF INTEREST**

5  
6 Scholz: We always ask at the beginning or after we have called the meeting to  
7 order for a conflict of interest. Gentlemen, after looking at the items on the  
8 agenda today, any conflicts of interest? No? Staff, any conflicts of  
9 interest? Okay. I assume there will be some from the audience but we'll  
10 deal with those in a few minutes.  
11

12 **III. APPROVAL OF MINUTES**

13  
14 1. April 24, 2012 Regular Meeting

15  
16 Scholz: Okay, the next item is the approval of the minutes. Gentlemen, any  
17 additions or corrections to the minutes of April 24<sup>th</sup>? Okay, hearing none  
18 I'll ask for an approval of the minutes. Someone's got to approve that.  
19

20 Crane: So moved.

21  
22 Scholz: So Crane moves and...

23  
24 Evans and Stowe: Second.

25  
26 Scholz: ... Evans seconds... well, actually it's a tie with Stowe. All right? All those  
27 in favor say aye.

28  
29 All: Aye.

30  
31 Scholz: Those opposed same sign? And any abstentions? All right, the minutes  
32 are passed as written  
33

34 **IV. POSTPONEMENTS – NONE**

35  
36 Scholz: All right, Mr. Ochoa, I see you are hiding out there. Are you going to lead  
37 us off today? You don't know. Okay. What I wanted to ask Mr. Ochoa  
38 was if there were any postponements. It says "None" on the agenda but  
39 you always have the inside track there.  
40

41 Ochoa: I apologize about that, sir. No, sir. No postponements tonight.

42  
43 Scholz: No postponements. Okay.  
44

45 **V. CONSENT AGENDA**

1 Scholz: The next item is the Consent Agenda and here's how the Consent Agenda  
 2 works: these would be voted on by one motion by the Commission but if  
 3 there's anyone on the Planning and Zoning Commission, a staff or a  
 4 member of the public that wants to remove an item from the Consent  
 5 Agenda then we'll make that the first item or the next item on the New  
 6 Business agenda. So, gentlemen, any concerns about the Consent  
 7 Agenda? Okay. I have one and that's the case number 5. That's  
 8 rezoning of a piece on the corner of Solano and Oasis. So I re-elect to  
 9 move that to that to the first item of New Business.

- 10  
11 1. **Case S-12-005:** Application of Area 51, LLC for a preliminary plat known as  
12 Sonoma Ranch East 2 Phase 8A on a 5.549 ± acre tract located on the east  
13 side of Prado Del Sol Avenue, north of the future extension of Calle Jitas  
14 within the Sonoma Ranch East 2 master planned area; part of Parcel ID# 02-  
15 37615. Proposed Use: 22 single-family residential lots. Council District 6.
- 16  
17 2. **Case S-12-006:** Application of Area 51, LLC for a preliminary plat known as  
18 Sonoma Ranch East 2 Phase 8B on a 7.189 ± acre tract located on the east  
19 side of Prado Del Sol Avenue, north of the future extension of Calle Jitas  
20 within the Sonoma Ranch East 2 master planned area; part of Parcel ID# 02-  
21 37615. Proposed Use: 28 single-family residential lots. Council District 6.
- 22  
23 3. **Case S-12-007:** Application of Area 51, LLC for a preliminary plat known as  
24 Sonoma Ranch East 2 Phase 9A on a 4.370 ± acre tract located on the east  
25 side of Prado Del Sol Avenue, north of the future extension of Calle Jitas  
26 within the Sonoma Ranch East 2 master planned area; part of Parcel ID# 02-  
27 37615. Proposed Use: 19 single-family residential lots. Council District 6.
- 28  
29 4. **Case S-12-008:** Application of Area 51, LLC for a preliminary plat known as  
30 Sonoma Ranch East 2 Phase 9B on a 5.512 ± acre tract located on the east  
31 side of Prado Del Sol Avenue, north of the future extension of Calle Jitas  
32 within the Sonoma Ranch East 2 master planned area; part of Parcel ID# 02-  
33 37615. Proposed Use: 23 single-family residential lots. Council District 6.
- 34  
35 5. **Case Z2852:** Application of William J. Crawley to rezone from R-4 (Multi-  
36 Dwelling High Density & Limited Retail and Office) to C-2 (Commercial  
37 Medium Intensity) on a 0.20 ± acre lot located on the southwest corner of  
38 Oasis Avenue and Solano Drive within the North Mesquite Neighborhood  
39 Overlay, 1769 N. Solano Drive; Parcel ID# 02-04648. Proposed Use: Limited  
40 Commercial Uses; Council District 1. **(MOVED TO FIRST ITEM UNDER NEW  
41 BUSINESS)**

42  
43 Scholz: Okay, is there anyone from the public who wishes to speak to any of the  
44 items on the Consent Agenda? Yes, ma'am? Okay.

45  
46 P. Crawley: *(Speaking from audience – inaudible)*  
47

1 Scholz: Pardon me?

2

3 P. Crawley: *(Speaking from audience – inaudible)*

4

5 Scholz: Okay, so you want to speak to that. All right. How about anyone who  
6 wants to speak, well, let's see... the Sonoma Ranch issues? No one?  
7 Okay, then they remain on the Consent Agenda then and I think that's it.  
8 Okay, I'll entertain a motion to accept Items 1, 2, 3 and 4 on the Consent  
9 Agenda.

10

11 Stowe: So moved.

12

13 Scholz: Commissioner Stowe moves. Is there a second?

14

15 Evans: I second.

16

17 Scholz: And Evans seconds. All those in favor say aye.

18

19 All: Aye.

20

21 Scholz: And those opposed same sign? All right, Items 1 through 4 on the  
22 Consent Agenda are approved.

23

24 **VI. OLD BUSINESS – NONE**

25

26 Scholz: There's no Old Business, I assume, Mr. Ochoa?

27

28 Ochoa: No, sir. No old business.

29

30 **VII. NEW BUSINESS**

31

32 Scholz: Okay, fine. Our first item under New Business then is going to be case  
33 Z2852 and you're going to present. I see we're having a problem with the  
34 computer.

35

36 Ochoa: Mr. Chairman, seeing that we have a problem with the computer right now  
37 was it just a specific question that you had with staff or the property owner  
38 about this or would you like a full presentation on that, sir?

39

40 Scholz: Well, actually, if the property owner is here, yes, I would like to question  
41 him or her.

42

43 W. Crawley: Mr. Commissioner Scholz, this is William Crawley.

44

45 Scholz: Okay. My concern, sir, was with the neighborhood. Did you notify the  
46 neighbors? Because I noticed there's a house right behind that property.

1  
2 W. Crawley: Yes, sir.  
3  
4 Scholz: Was that person notified that you were planning to change the zoning?  
5  
6 W. Crawley: Yes, sir.  
7  
8 Scholz: And what was their response.  
9  
10 W. Crawley: There was no response.  
11  
12 Scholz: I'm sorry.  
13  
14 W. Crawley: It didn't seem to bother them. I mean, there's commercial on both sides of  
15 them.  
16  
17 Scholz: Okay. All right, that was my concern.  
18  
19 W. Crawley: Their only concern was if they were going to get in and to the trash, which  
20 we solved that in '08 with the fence.  
21  
22 Scholz: I was going to say this is a separate property, isn't it  
23  
24 W. Crawley: Yeah, it's a separate property and it's all fenced off, all four corners.  
25  
26 Scholz: All right, any questions for this gentleman? All right, thank you very much,  
27 sir. Anyone from the public wish to speak to this?  
28  
29 P. Crawley: *(Speaking from audience – inaudible)*  
30  
31 Scholz: I'm sorry, you'll have to come up to the microphone to speak, ma'am, and  
32 please identify yourself.  
33  
34 P. Crawley: I am Patricia Crawley. I am the beneficiary of that property.  
35  
36 Scholz: Oh, I see. Okay.  
37  
38 P. Crawley: I just wanted it noted.  
39  
40 Scholz: Right.  
41  
42 P. Crawley: Thank you very much.  
43  
44 Scholz: Okay, thank you very much. All right, anybody else from the public wishes  
45 to speak to this? Okay, I am going to close it for public discussion.

1 Gentlemen, any concerns? All right, I'll entertain a motion to approve  
2 case Z2852.

3  
4 Evans: Mr. Chairman, I move that we approve case Z2852.

5  
6 Scholz: Is there a second?

7  
8 Stowe: I second.

9  
10 Scholz: Okay, Evans moves and Stowe seconds. I'll call the role. Commissioner  
11 Crane?

12  
13 Crane: Aye, findings and discussion.

14  
15 Scholz: Commissioner Stowe.

16  
17 Stowe: Aye, findings, discussion and site visit.

18  
19 Scholz: Commissioner Evans.

20  
21 Evans: Aye, findings, discussion.

22  
23 Scholz: And the Chair votes aye for findings, discussion and site visit.

24  
25 1. **Case CPB-12-01:** A recommendation to City Council regarding the adoption  
26 of the El Paseo Corridor Community Blueprint. Council Districts 2, 3, & 4.

27  
28 Scholz: Okay, that brings us to our next piece of New Business, which is case  
29 CPB-12-01: a recommendation to City Council regarding the adoption of  
30 the El Paseo Corridor Community Blueprint. And who's going to present  
31 on this today?

32  
33 Kyle: Mr. Chairman?

34  
35 Scholz: Yes, Mr. Kyle.

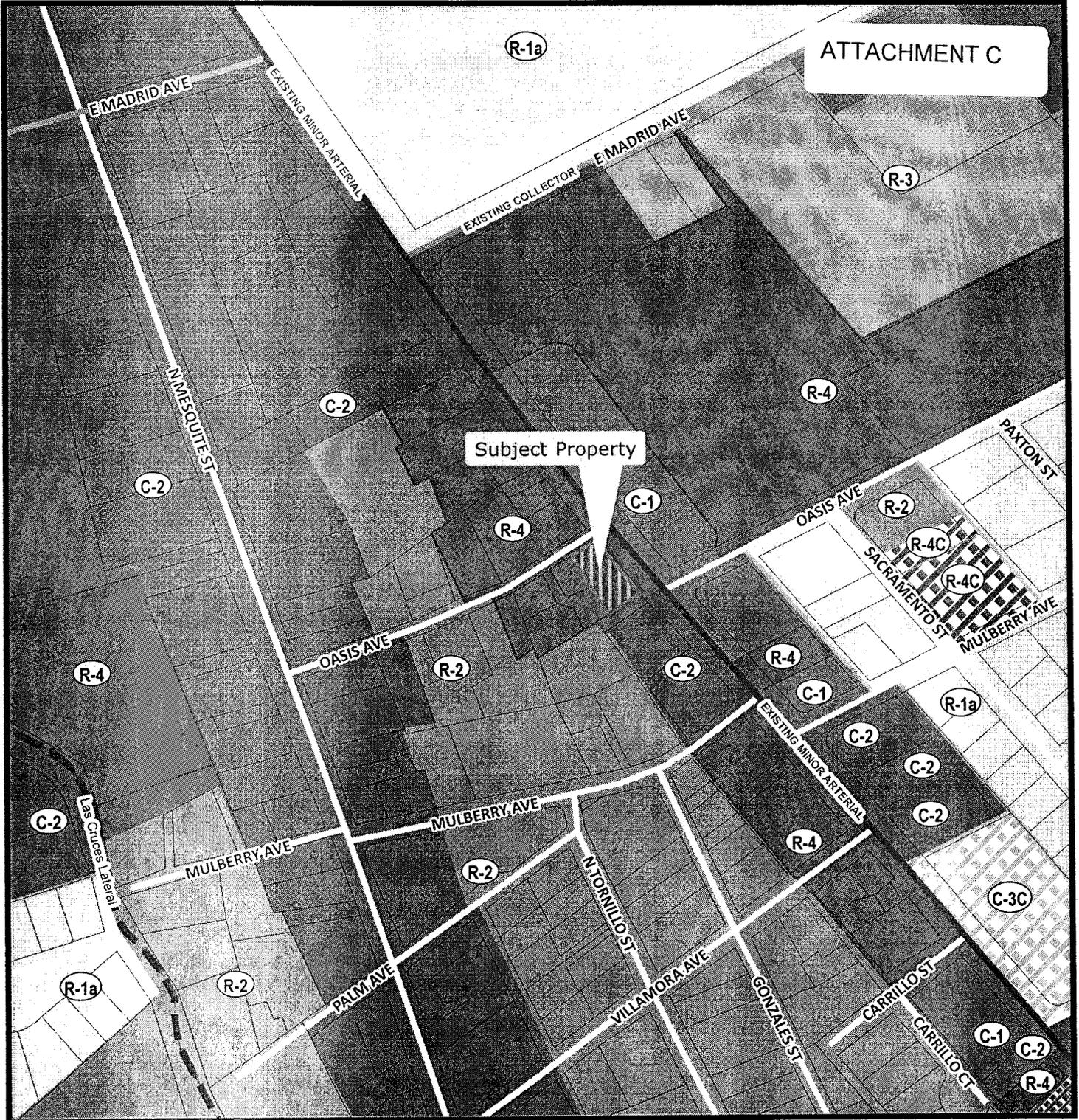
36  
37 Kyle: Staff has a presentation prepared for this, as well as the other cases on  
38 the agenda. I don't know if the Commission would want to consider taking  
39 a recess and see if we can get our technical issues resolved so that we  
40 can actually present those; or would the Commission prefer we just move  
41 forward with verbal presentation.

42  
43 Scholz: Does anybody have any idea how long it will take to correct those?

44  
45 Kyle: Not at the moment but they are working on them.

46

ATTACHMENT C



Subject Property

Legend		
EXISTING LIMITED ACCESS	PROPOSED INTERCHANGE/UNDERPASS	Non Designated Trail
EXISTING PRINCIPAL ARTERIAL	PROPOSED PRINCIPAL ARTERIAL	Proposed Paved EBID
EXISTING MINOR ARTERIAL	PROPOSED MINOR ARTERIAL	Proposed Unpaved EBID
EXISTING COLLECTOR	PROPOSED COLLECTOR	Interstates_Highway
PROPOSED LIMITED ACCESS	PROPOSED CORRIDOR	EBID Water System
		Railroad



Community Development Department  
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