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City of Las Cruces[®]
 PEOPLE HELPING PEOPLE

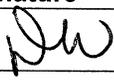
Council Action and Executive Summary

Item # 7 Ordinance/Resolution# 2529 Council District: 1

For Meeting of July 27, 2009
 (Adoption Date)

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM R-3 (MULTI-DWELLING MEDIUM DENSITY) TO R-4 (MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE) FOR 2.73 +/- ACRES LOCATED AT 1500 E. MADRID AVENUE. THE ZONE CHANGE REQUEST WILL BRING THE PROPERTY INTO COMPLIANCE WITH THE 2001 ZONING CODE, AS AMENDED. THE SUBJECT PROPERTY EXCEEDS THE MAXIMUM ALLOWABLE DENSITY OF TWENTY (20) DWELLING UNITS PER ACRE. SUBMITTED BY YES HOUSING, INC. FOR ALTA TIERRA APARTMENTS LIMITED PARTNERSHIP (Z2787).

PURPOSE(S) OF ACTION: Approval of a zone change that will bring the apartments into compliance with required density standards under the 2001 Zoning Code, as amended.

Name of Drafter: James White 		Department: Community Development		Phone: 528-3120	
Department	Signature	Phone	Department	Signature	Phone
Community Development		528-3066	Budget		541-2107
			Assistant City Manager		541-2271
Legal		541-2128	City Manager		541-2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The property owner, Alta Tierra Limited Partnership, is requesting a zone change from R-3 (Multi-Dwelling Medium Density) to R-4 (Multi-Dwelling High Density & Limited Retail and Office) for 2.73 +/- acres located at 1500 E. Madrid Avenue. The subject property contains an apartment complex having 56 two bedroom units having a combined gross floor area of 39,282 square feet constructed in 1984. The apartment complex is a low income housing tax credit project. The property owner is in the process of renovating (exterior & interior) the entire apartment complex but will not be increasing the total number of housing units. The zone change request will bring the property into zoning compliance; the apartment complex exceeds the maximum allowed density of twenty (20) dwelling units (DU) per acre as prescribed in the R-3 (Multi-Dwelling Medium Density) zoning district.

The subject property has double frontage along Madrid Avenue and Hernandez Road. The Metropolitan Planning Organization (MPO) has classified Madrid Avenue as a Minor Arterial. Hernandez Road is classified as a Local roadway. The apartment complex driveways and/or parking lots are not interconnected between Madrid Avenue and Hernandez Road. Apartment units located on the southern portion of the property access from Hernandez Road; while apartments located on the northern portion access from Madrid Avenue.

The zone change request will bring the apartment complex into compliance with the 2001 Zoning Code, as amended. The subject property has a density of 20.51 DU per acre or 56 apartments on 2.73 +/- acres. The current zoning district of R-3 (Multi-Dwelling Medium Density) allows for a maximum density of twenty (20) dwelling units per acre; therefore, the property slightly exceeds the maximum density by approximately 0.50 DU per acre. The R-4 (Multi-Dwelling High Density & Limited Retail and Office) zoning district requires a minimum of ten (10) DU per acre to a maximum of forty (40) DU per acre. The overall density of the apartment complex will remain at 20.51 DU per acre as there are no future plans to increase the total number of apartments on the property.

The exterior property renovation includes screening the community dumpsters and providing additional landscaping equating to 15% of the entire tract of land except for the building pad and fenced-in storage area. Currently, the property has minimal landscaping along Madrid Avenue and Hernandez Road. Additional landscape buffering (screening) will not be required for adjacent land uses that are compatible with the apartment complex.

The 2001 Zoning Code, as amended, requires 1.5 to 2 parking stalls per apartment unit. The apartment complex is required to have a range from 84 to 112 parking stalls. There are currently 93 parking stalls; therefore, the property is in compliance with the parking requirement of the 2001 Zoning Code, as amended. As a part of the renovation, the parking area will be resurfaced. Any outdoor lighting used within the parking lot or to illuminate the exterior of the building will require compliance with Article 39 of the Municipal Code (Outdoor Lighting).

Bicycle lanes are located along Madrid Avenue from Apodaca Park to Fairbanks Road. An unimproved bus stop (signage only) is located on Madrid Avenue adjacent to the apartment complex. There are no trails within the area. Apodaca Park is located approximately 1,500 feet west of the apartment complex.

On April 28, 2009, the Planning and Zoning Commission (P&Z) recommended approval without conditions for the zone change by a vote of 4-0-0 (three Commissioners absent). There was no public comment received during P&Z hearing regarding this case.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

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 Z2787
5. Attachment "B"- Minutes from the April 28, 2009 Planning and Zoning Commission
6. Attachment "C"- Vicinity Map

OPTIONS / ALTERNATIVES:

1. Vote YES to approve the Ordinance. This action affirms the Planning and Zoning Commission recommendation for approval without conditions. The subject property located at 1500 E. Madrid Avenue will be rezoned from R-3 (Multi-Dwelling Medium Density) to R-4 (Multi-Dwelling High Density & Limited Retail and Office) for 2.73 +/- acres. The zone change request will bring the property into compliance with the 2001 Zoning Code, as amended.
2. Vote NO to deny the Ordinance. This action reverses the recommendation made by the Planning and Zoning Commission. The current zoning designation of R-3 (Multi-Dwelling Medium Density) will remain on the property located at 1500 E. Madrid Avenue. The apartment complex upon completion of renovations will be in full compliance with landscaping, parking and American with Disabilities Act (ADA) requirements but the apartment complex will continue as a "legal non-conforming" zoning designation with an overall density of 20.51 DU per acre.
3. Modify the Ordinance and vote YES to approve the modified Ordinance. The Council may modify the Ordinance by adding conditions as deemed appropriate.
4. Table/Postpone the Ordinance and direct staff accordingly.

COUNCIL BILL NO. 09-066
ORDINANCE NO. 2529

AN ORDINANCE APPROVING A ZONE CHANGE FROM R-3 (MULTI-DWELLING MEDIUM DENSITY) TO R-4 (MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE) FOR 2.73 +/- ACRES LOCATED AT 1500 E. MADRID AVENUE. THE ZONE CHANGE REQUEST WILL BRING THE PROPERTY INTO COMPLIANCE WITH THE 2001 ZONING CODE, AS AMENDED. THE SUBJECT PROPERTY EXCEEDS THE MAXIMUM ALLOWABLE DENSITY OF TWENTY (20) DWELLING UNITS PER ACRE. SUBMITTED BY YES HOUSING, INC FOR ALTA TIERRA APARTMENTS LIMITED PARTNERSHIP (Z2787).

The City Council is informed that:

WHEREAS, Alta Tierra Apartments Limited Partnership, the property owner, has submitted a request for a zone change from R-3 (Multi-Dwelling Medium Density) to R-4 (Multi-Dwelling High Density & Limited Retail and Office) for 2.73 +/- acres located at 1500 E. Madrid Avenue; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on April 28, 2009, recommended that said zone change request be approved without conditions by a vote of 4-0-0 (three Commissioners absent).

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

(I)

THAT the land more particularly described in Exhibit "A," attached hereto and made part of this Ordinance, is hereby zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) for the property located at 1500 E. 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 properties 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 _____ 2009.

APPROVED:

(SEAL)

Mayor

ATTEST:

City Clerk

VOTE:

- Mayor Miyagishima: _____
- Councillor Silva: _____
- Councillor Connor: _____
- Councillor Archuleta: _____
- Councillor Small: _____
- Councillor Jones: _____
- Councillor Thomas: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

EXHIBIT "B"
FINDINGS AND COMPREHENSIVE PLAN ANALYSIS

1. The subject property is 2.734+/- acres located at 1500 E. Madrid Avenue.
2. The property contains 56 two bedroom apartments constructed in 1984. The apartment complex has a combined gross floor area of 39,282 square feet.
3. The zone change will bring the property into zoning compliance based on the apartment complex exceeding the maximum allowed density of twenty (20) dwelling units per acre.
4. The applicant is in the process of renovating the entire apartment complex, there will not be an increase in the total number of apartment units on the subject property.
5. Adjacent land use and zoning include:

	<u>Zoning</u>	<u>Land Use</u>
North	R-4	Town & Country Apartments
South	R-3	Cemetery
East	R-1a	Loma Heights Elementary
West	C-2	Shopping Center
6. The request is consistent with the following sections of the City of Las Cruces Comprehensive Plan:

1.3. 1. An urban residential use shall be so designated where these uses occur at a density of greater than two dwelling units per acre. A rural residential use shall be so designated where these uses occur at a density of less than or equal to two dwelling units per acre.

1.3.4. High density uses shall be encouraged to concentrate in and around transportation and communication corridors, thereby supporting a mixed distribution of uses. Lower and rural density residential uses shall be located away from such corridors.

1.3.5. All residential development shall address the following urban design criteria: compatibility to the adjacent neighborhood in terms of architectural design, height/density, and the provision of landscaping. Architectural and landscaping design standards for residential uses shall be established in the Comprehensive Plan Urban Design Element.

1.3.10. High density residential uses shall be located and designed to minimize traffic flow through adjacent neighborhoods and should locate on or near existing or future planned transit routes.



TO: Planning and Zoning Commission

PREPARED BY: James A. White, AICP, Planner *(Signature)*

DATE: April 28, 2009

SUBJECT: 1500 E. Madrid Avenue (Zone Change)

RECOMMENDATION: Approval – without conditions for case Z2787

Case Z2787: A request for a zone change from R-3 (Multi-Dwelling Medium Density) to R-4 (Multi-Dwelling High Intensity & Limited Retail and Office) for 2.734 +/- acres located at 1500 E. Madrid Avenue. The zone change will bring the existing 56 unit apartment complex into compliance with the 2001 Zoning Code, as amended. The property currently exceeds the maximum allowable density of twenty (20) dwelling units per acre or a maximum of 54 apartments on 2.73 +/- acres. The R-4 (Multi-Dwelling High Density) zoning district will allow a density range of ten (10) to forty (40) dwelling units per acre. The applicant intends on remodeling the complex but will not increase the total number of apartment units. Submitted by Tierra Del Sol Housing, Inc. (recent transfer of ownership from Yes Housing, Inc.).

BACKGROUND

The current property owner, Tierra Del Sol Housing, Inc. (recent transfer of ownership), is requesting a zone change from R-3 (Multi-Dwelling Medium Density) to R-4 (Multi-Dwelling High Density & Limited Retail and Office) for 2.734 +/- acres located at 1500 E. Madrid Avenue. The property contains 56 two bedroom apartments constructed in 1984. The apartment complex has a combined gross floor area of 39,282 square feet. The zone change will bring the property into zoning compliance based on the apartment complex exceeding the maximum allowed density of twenty (20) dwelling units per acre.

The subject property has a density of 20.51 +/- dwelling units per acre or 56 apartments on 2.73 +/- acres. The zone change from R-3 (Multi-Dwelling Medium Intensity) to R-4 (Multi-Dwelling High Density & Limited Retail and Office) will bring the property into compliance with the 2001 Zoning Code, as amended. The R-4 (Multi-Dwelling High Density & Limited Retail and Office) zoning district allows for a density range of ten (10) to forty (40) dwelling units per acre. The subject property has a density of 20.51 dwelling units per acre. The property owner is in the process of remodeling the entire apartment complex, there will not be an increase in total number of apartment units on the subject property.

The subject property has frontage along Madrid Avenue classified by the Metropolitan Planning Organization (MPO) as a Minor Arterial roadway. Bicycle lanes are present along Madrid Avenue from Apodaca Park to Fairbanks Road. An unimproved bus stop (signage only) is located on Madrid Avenue adjacent to the apartment complex. There are no trails within the area. A regional park known as Apodaca Park is located approximately 1,500 feet west of the apartment complex.

The ownership of the property was recently conveyed from Yes Housing, Inc. to Tierra Del Sol Housing Corporation. The apartment complex will undergo an exterior and interior renovation including bring the landscaping and trash dumpsters into compliance with the 2001 Zoning Code, as amended. The interior renovation will include remodeling every apartment with an approximate cost of \$42,000 per unit.

Exterior renovations will including enclosing the existing dumpsters with a screen wall on three sides and an opaque gate on the fourth side. Staff conducted a site visit on April 10, 2009 and confirmed that the required dumpster enclosure has been completed. Additional landscaping will be required on the property equating to 15% of the entire tract of land except for the building pad and fenced-in storage area. Currently, the property has minimal landscaping along Madrid Avenue.

Landscape buffering (screening) will not be required, adjacent (existing) land uses are similar in nature to the apartment complex. To the west of the subject property is a commercial shopping center and to the east is an elementary school and to the south is a pauper's cemetery.

The 2001 Zoning Code, as amended, requires 1.5 to 2 parking stalls per apartment unit. The apartment complex is required to have a range from 84 to 112 parking stalls. There are currently 93 parking stalls therefore, the property is in compliance with the parking requirements of the 2001 Zoning Code, as amended. As a part of the renovation, the parking area will be resurfaced. Any outdoor lighting used within the parking lot or to illuminate the exterior of the building will require compliance with Article 39 of the Municipal Code (outdoor lighting).

FINDINGS

1. The subject property is 2.734+/- acres located at 1500 E. Madrid Avenue and is zoned R-3 (Multi-Dwelling Medium Density).
2. The property contains 56 two bedroom apartments constructed in 1984. The apartment complex has a combined gross floor area of 39,282 square feet with a density of 20.51 dwelling units per acre.
3. The zone change will bring the property into zoning compliance based on the apartment complex exceeding the maximum allowed density of twenty (20) dwelling units per acre for the R-3 (Multi-Dwelling Medium Density) zoning district.

4. The applicant is in the process of renovating the entire apartment complex, there will not be an increase in the total number of apartment units on the subject property.
5. The renovation of the subject apartment complex will bring the landscaping and trash dumpster into compliance with the 2001 Zoning Code, as amended
6. On-site parking meets the requirements of the 2001 Zoning Code, as amended.
7. The on-site parking area for the subject property will be renovated, and all outdoor lighting within the complex will meet the requirements of Article 39 of the Municipal Code (Outdoor Lighting).
8. Adjacent land use and zoning include:

	<u>Zoning</u>	<u>Land Use</u>
North	R-4	Town & Country Apartments
South	R-3	Cemetery
East	R-1a	Loma Heights Elementary
West	C-2	Shopping Center

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

1.3. 1. An urban residential use shall be so designated where these uses occur at a density of greater than two dwelling units per acre. A rural residential use shall be so designated where these uses occur at a density of less than or equal to two dwelling units per acre.

1.3.4. High density uses shall be encouraged to concentrate in and around transportation and communication corridors, thereby supporting a mixed distribution of uses. Lower and rural density residential uses shall be located away from such corridors.

1.3.5. All residential development shall address the following urban design criteria: compatibility to the adjacent neighborhood in terms of architectural design, height/density, and the provision of landscaping. Architectural and landscaping design standards for residential uses shall be established in the Comprehensive Plan Urban Design Element.

1.3.10. High density residential uses shall be located and designed to minimize traffic flow through adjacent neighborhoods and should locate on or near existing or future planned transit routes.

RECOMMENDATION

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

The recommendation of the Planning and Zoning Commission will be forwarded to City Council for final consideration.

OPTIONS

1. Approve the request as recommended by staff for case Z2787.
2. Approve the request with additional conditions.
3. Deny the request.

ATTACHMENTS

1. Development Statement
2. Site plan
3. Vicinity Map

**DEVELOPMENT STATEMENT for Zoning Applications
(Use for Zone Changes, SUP's and PUD's)**

Please type or print legibly

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

Applicant Information

Name of Applicant: YES Housing, Inc. (AITA Tierra Limited Partnership)
 Contact Person: Michelle Den Bleyker
 Contact Phone Number: (505) 238-8126
 Contact e-mail Address: mdenbleyker@yeshousing.org
 Web site address (if applicable): _____

Proposal Information

Location of Subject Property 1500 E. Madrid Avenue
 (In addition to description, attach map. Map must be at least 8 1/2" x 11" in size and clearly show the relation of the subject property to the surrounding area)
 Current Zoning of Property: R-3
 Proposed Zoning: R-4
 Acreage of Subject Property: 2.734
 Detailed description of intended use of property. (Use separate sheet if necessary):
Property is/and will remain a 56 unit, 100% affordable (at 60% of area median income) multifamily development.
All units are 2 bedroom, 1 bath.

 Proposed square footage and height of structures to be built (if applicable):
Not applicable.

 Anticipated hours of operation (if proposal involves non-residential uses):
Not applicable.

Anticipated traffic generation N/A trips per day (if known).

Anticipated development schedule: Work will commence on or about 3-09-09
and will take approximately 8 months to complete.

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

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

Rehabilitation of units will approximately cost \$42,000 per unit.
Landscaping and parking will be brought up to meet the R-4 code.

Attachments

Please attach the following: (* indicates optional item)

- ✓ Location map
- ✓ Detailed site plan
- ✓ Proposed building elevations*
- Renderings or architectural or site design features*
- Other pertinent information*

General Notes

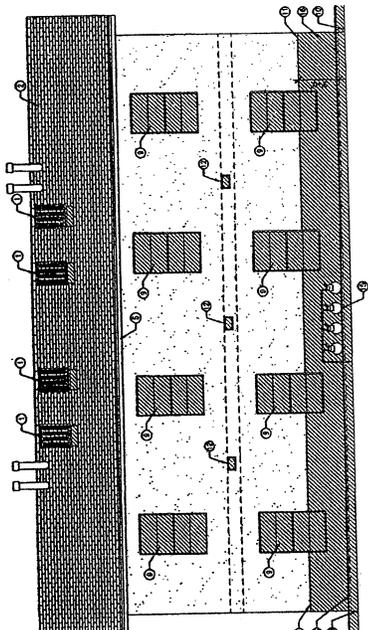
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OKayed Notes

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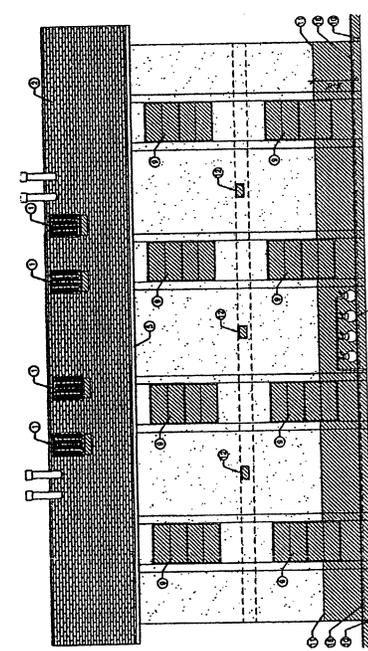
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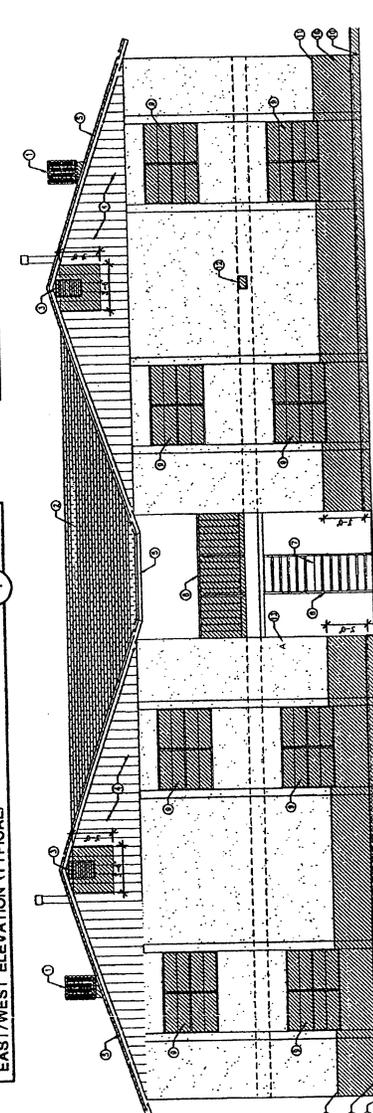
2 1/4"=1'-0"

EAST/WEST ELEVATION (TYPICAL)



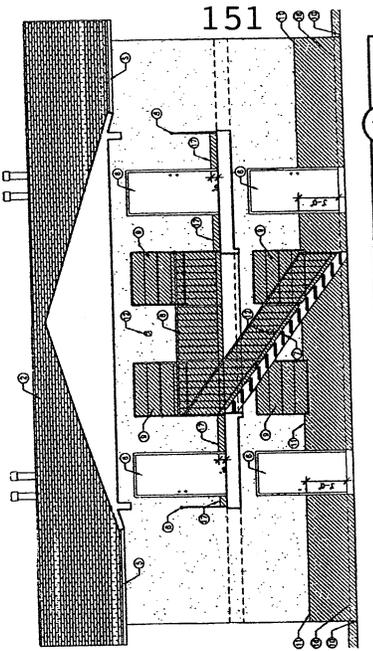
1 1/4"=1'-0"

EAST/WEST ELEVATION (TYPICAL)



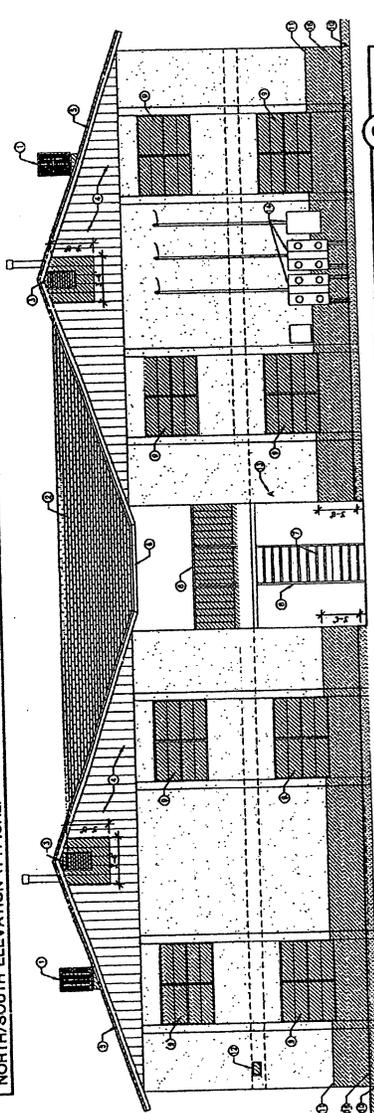
3 1/4"=1'-0"

NORTH/SOUTH ELEVATION (TYPICAL)



4 1/4"=1'-0"

EAST/WEST ELEVATION/SECTION (TYPICAL)



5 1/4"=1'-0"

NORTH/SOUTH ELEVATION (TYPICAL)

151

integrated
ARCHITECTS

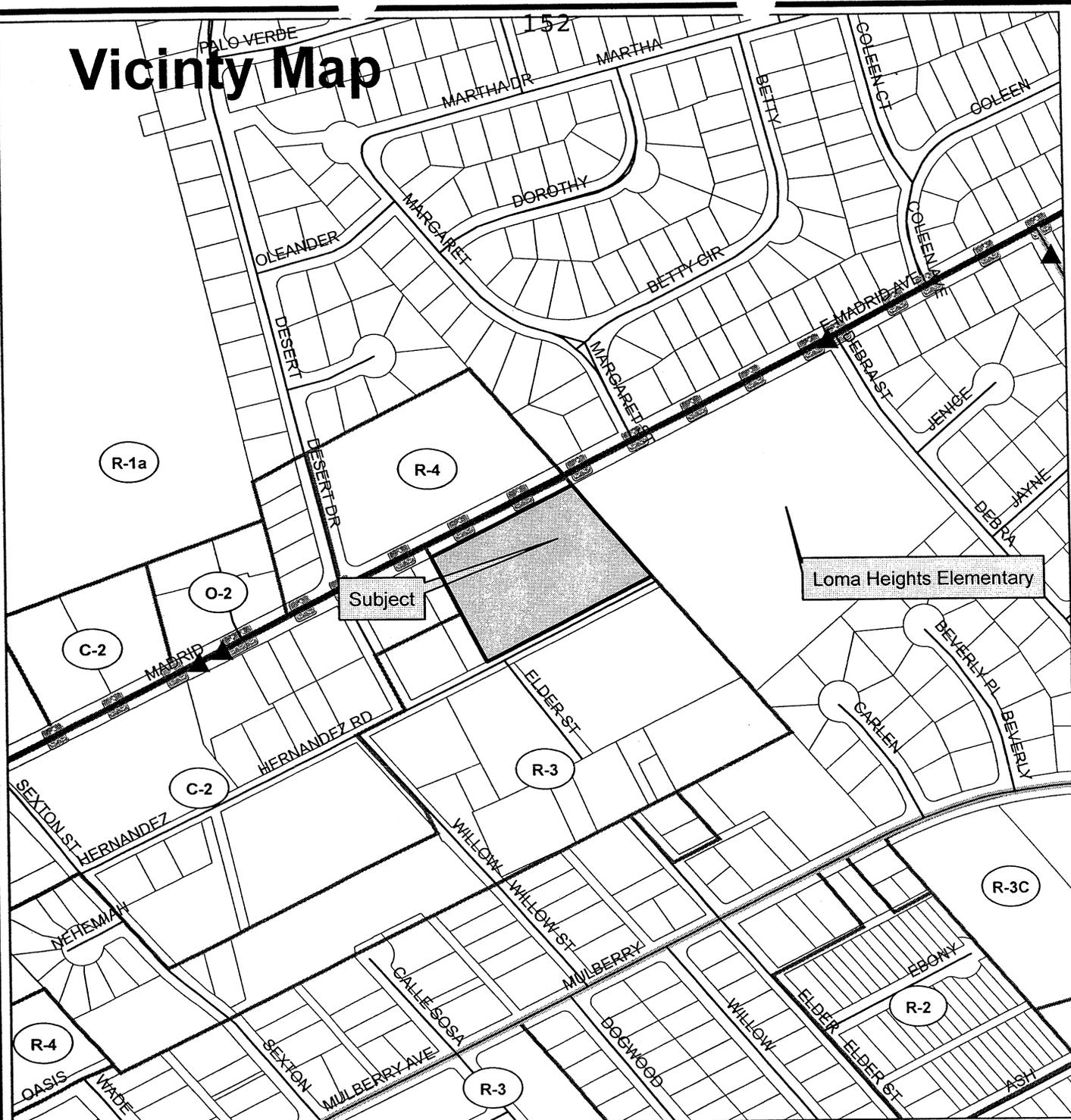
1111 Third Avenue
Tampa, FL 33604
Phone: 813.251.1111
Fax: 813.251.1112
www.integratedarchitects.com

Alta Tierra Apartments
Renovation and Remodel
1511 15th Street
BOB HALL, AIA
Tampa, FL 33604

Project # 20110111
Date: 01/11/11
Scale: 1/4"=1'-0"

Sheet of 10
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Vicinity Map



MAP CREATED FOR: JWHITE (Z2787)

ADDRESS: 1500 E. Madrid Avenue

OWNERS: Tierra Del Sol

DATE: 4/20/2009 4:35:01 PM

ZONING: R-3



Community Development Department
575 S Alameda Blvd.
Las Cruces, NM 88001
(505) 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 Community Development Department at (505) 528-3043.

DRAFT

ATTACHMENT "B"

MEETING OF THE PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
April 28, 2009 at 6:00 p.m.

BOARD MEMBERS PRESENT:

- Charles Scholz, Chairman
- Godfrey Crane, Vice Chair
- Donald Bustos, Secretary
- Shawn Evans, Member

BOARD MEMBERS ABSENT:

- Ray Shipley, Member
- Clayton Iserman, Member
- Charles Beard, Member

STAFF PRESENT:

- Cheryl Rodriguez, Development Services Administrator
- Helen Revels, Associate Planner
- James White, Planner
- Jared Abrams, CLC Legal
- Robert Gonzales, Fire Department
- Becky Eich, Recording Secretary

I. CALL TO ORDER (6:00 p.m.)

Scholz: Good evening, and welcome to the Tuesday April 28th session of the Planning and Zoning Commission. I'm Charlie Scholz, Chair of the Commission. I'd like to introduce the other Commissioners. On my far right is Commissioner Crane, he represents district 4. Next to him is Commissioner Evans who represents district 5. Next to him is Commissioner Bustos who represents district 3. And I represent Council District 6.

II. APPROVAL OF MINUTES - March 24, 2009

Scholz: The first thing we do on the agenda is the approval of the minutes of the last meeting. I wasn't here for the last meeting, but fortunately Commissioner Crane who is our Vice Chair, did a great job. Any additions or corrections to the minutes? Okay, I'll accept a motion to accept the minutes.

Crane: So moved.

Scholz: And a second.

- 1 of-way and do the road improvements. All right. Are we ready to take a
 2 vote on this? All right, can I have a motion to approve Case-S-08-103W?
 3
- 4 Evans: Chairman Scholz, I move that we approve Case S-08-103W.
 5
- 6 Scholz: Is there a second?
 7
- 8 Bustos: Second.
 9
- 10 Crane: Second.
 11
- 12 Scholz: Okay, it's been moved and seconded, we'll call the roll. Commissioner
 13 Crane.
 14
- 15 Crane: Votes to approve the waiver request based on findings, discussion, and
 16 site visit.
 17
- 18 Scholz: So you're saying aye.
 19
- 20 Crane: I'm saying aye.
 21
- 22 Scholz: Thank you Commissioner Crane. Commissioner Evans.
 23
- 24 Evans: Aye, based on findings and discussion.
 25
- 26 Scholz: Commissioner Bustos.
 27
- 28 Bustos: Aye, findings and discussion as well.
 29
- 30 Scholz: And the chair votes aye. So the waiver request is approved.
 31
- 32 Revels: Hello, I just wanted to clarify that this is recommendation to City Council
 33 because they're asking for 100% waiver request; it does have to go before
 34 City Council.
 35
- 36 Scholz: Yes.
 37
- 38 Revels: Okay. Good evening.
 39
- 40 Scholz: Thank you Ms. Revels.
 41
- 42 Start 3. **Case Z2787:** A request for a zone change from R-3 (Multi-Dwelling Medium
 43 Density) to R-4 (Multi-Dwelling High Intensity) for 2.734 +/- acres located at
 44 1500 E. Madrid Avenue. The zone change will bring the exiting 56 unit
 45 apartment complex into compliance with the 2001 Zoning Code as amended.
 46 The property currently exceeds the maximum allowable density of 20

1 dwelling units per acre or a maximum of 54 apartments on 2.73 +/- acres.
 2 The R-4 (Multi-Dwelling High Density) zoning district will allow a density
 3 range of 10 to 40 dwelling units per acre. The applicant intends on
 4 remodeling the complex, but will not increase the total number of apartment
 5 units. Submitted by Yes Housing, Inc.

6
 7 Scholz: Okay, our last case is Case Z2787, a request for a zone change from R-3
 8 multi-dwelling medium density to R-4 multi-dwelling high intensity. Mr.
 9 White.

10
 11 White: For the record, James White, Community Development Department. This
 12 case is 2787, is a request for a zone change from R-3 which is multi-
 13 dwelling medium density to R-4 which is multi-dwelling high density,
 14 limited retail and office, for a property located at 1500 East Madrid
 15 Avenue. Here's a vicinity map showing the subject tract of land in
 16 question, it's roughly 2.73 acres. It's roughly 1,500 linear feet east of
 17 Apodaca Park which is located here. Surrounding property owners here,
 18 you have Loma Heights Elementary School on the adjacent lot, right here
 19 to the east. The property is a proliferation of R-3 zoning and you have
 20 commercial C-2 located here adjacent to Madrid Avenue.

21 Case specifics, currently existing on the property are 56 two-
 22 bedroom apartments on roughly 2.73 acres. The combined gross floor
 23 area is roughly 39,000 square feet. The apartment complex was
 24 constructed in 1984. The subject property has a density of 20.51 dwelling
 25 units per acre. The maximum permitted in the R-3 zoning district is 20, so
 26 the variance request, I mean the zone change request is in conjunction to
 27 the additional 0.51 dwelling units per acre on the property. It'll bring the
 28 property in compliance with the 2001 Zoning Code. The R-4 does permit
 29 a density range between 10 and 40 dwelling units per acre. Based upon a
 30 discussion with the property owner, there is currently renovation occurring
 31 on the property, roughly \$45,000 per unit, interior and exterior renovations
 32 and there will not be any additional gross floor area, square footage
 33 allowances, so the 56 two-bedroom units is what's going to be on the
 34 property.

35 Site plan showing the specifics. The property has two points of
 36 ingress and egress. Property has access off of Madrid Avenue and also
 37 by Hernandez Road which is located to the rear of the property. One thing
 38 you can actually notice regarding the site plan is that there is no driveway
 39 system between Hernandez and Madrid. So in theory if you actually were
 40 an occupant of the property in one of the apartments on the rear portion of
 41 Hernandez, you access Hernandez. And if you actually have an
 42 apartment that actually faces Madrid, you actually have ingress and
 43 egress off of Madrid Avenue. Elevations of the subject property. Some of
 44 the exterior renovations that are currently occurring on the property. MPO
 45 Thoroughfare Plan. Of course this right here is Apodaca Park located
 46 here. Located to the east you have Loma Heights Elementary School,

1 and the subject property is located here. This area here you have Madrid
2 Avenue which is classified as a Minor Arterial. Of course in periphery you
3 also have Solano which is located here which is classified as a Principal
4 Arterial.

5 Here's an aerial view of the subject property. Subject property is
6 located here. As stipulated earlier, Hernandez Road is actually located on
7 the southern property boundary and Madrid on the northern. Ingress and
8 egress you have an access point here and an access point here. And if
9 you notice how this property is laid out, you have the actual driveways off
10 of Hernandez and Madrid respectively. Loma Heights is located here.
11 This area here is a pauper's cemetery.

12 Site photos of the property showing some of the renovations
13 occurring on the property currently. The P&Z Commission options for this
14 even is to vote yes, this action will bring the property into compliance with
15 the 2001 Zoning Code. Option number two is to vote no, this action
16 reverses the staff recommendation. Number three you can modify as
17 deemed appropriate. And four you can postpone. Staff recommendation
18 for this case which is 2787 is for approval without conditions. In respect to
19 this case, this is a zone change and does require an ordinance, so the
20 P&Z will be making a recommendation to forward to City Council for final
21 consideration. That will end staff presentation. I'll be glad to stand for any
22 questions this board may have.

23
24 Scholz: Any questions for Mr. White? Thank you Mr. White. May we hear from
25 the applicant please?

26
27 Den Bleyker: Good evening, my name is Michelle Den Bleyker and I'm the director of
28 housing development for Yes Housing, Inc. We're the developer of the
29 renovation that's occurring at the Alta Tierra Apartments. And in the
30 course of this renovation we just wanted to bring the property up to current
31 zoning requirements. We are complying with all current zoning and land
32 codes in regards to both the parking and the exterior landscaping that are
33 currently in place. But we've just got a couple of units too many to be in
34 compliance with current zoning which is why we're here this evening.

35
36 Scholz: Okay, questions for this woman? All right, thank you very much.

37
38 Den Bleyker: Thank you.

39
40 Scholz: Anyone from the public want to comment on this? Hearing none, I'm
41 going to close it to public discussion. Gentlemen, what's your pleasure?

42
43 Crane: I move that we accept staff recommendation on Z2787.

44
45 Bustos: I second.

46

1 Scholz: Okay, it's been moved and seconded, I'll call the roll. Commissioner
2 Crane.

3
4 Crane: Votes aye based on findings, discussion, and site visit.

5
6 Scholz: Commissioner Evans.

7
8 Evans: Aye based on findings and discussion.

9
10 Scholz: Commissioner Bustos:

11
12 Bustos: Aye, findings, discussion, and site visit.

~~13~~ ~~14~~ Scholz: And the Chair votes aye on findings, discussion, and site visit. So that's
15 approved.

16
17 **VIII. OTHER BUSINESS**

18
19 Scholz: Is there other business? Ms. Rodriguez is shaking her head, but she has
20 an announcement for us.

21
22 Rodriguez: Mr. Chairman, Commissioners I just wanted to announce that your May
23 work session has been cancelled and you will have a work session in
24 June, the third Tuesday.

25
26 Scholz: And what was to be the topic of the May work session?

27
28 Rodriguez: The affordable housing plan.

29
30 Scholz: Affordable housing, well we certainly want to look at that.

31
32 Rodriguez: And will be presented by David Dollahon.

33
34 Scholz: All right.

35
36 Crane: What was the date of that to make sure I don't eliminate something else?

37
38 Scholz: That would've been the third Tuesday in May, which would be the 18th I
39 think.

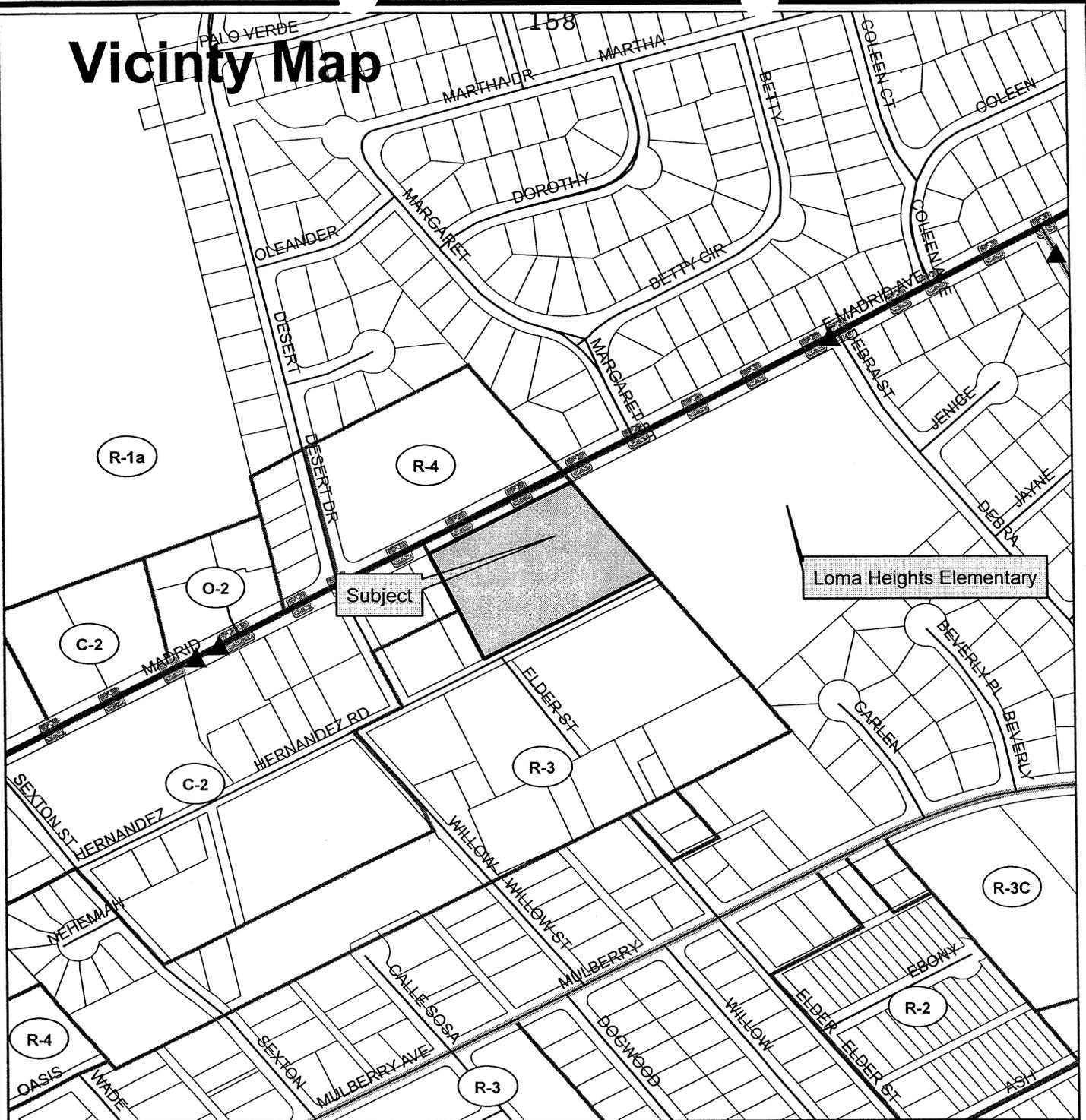
40
41 Rodriguez: So you will have a work session on Tuesday, June 16th.

42
43 Crane: Okay, third Tuesday in May would be the 19th.

44
45 Scholz: Nineteenth, there we go.

46

Vicinity Map



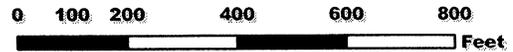
MAP CREATED FOR: JWHITE (Z2787)

ADDRESS: 1500 E. Madrid Avenue

OWNERS: Tierra Del Sol

DATE: 4/20/2009 4:35:01 PM

ZONING: R-3



**Community Development Department
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Las Cruces, NM 88001
(505) 528-3222**

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