

City of Las Cruces®

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 4 Ordinance/Resolution# 2678

For Meeting of February 19, 2013
(Ordinance First Reading Date)

For Meeting of March 4, 2013
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM C-2 (COMMERCIAL MEDIUM INTENSITY) TO C-3 (COMMERCIAL HIGH INTENSITY) ON 4.412 ± ACRES OF LAND LOCATED 2600 S. VALLEY DRIVE. SUBMITTED BY BORDERLAND ENGINEERS AND SURVEYORS, LLC ON BEHALF OF RELIANCE LODGING, LLC, PROPERTY OWNER (Z2857).

PURPOSE(S) OF ACTION:

Zone change.

COUNCIL DISTRICT: 2		
<u>Drafter/Staff Contact:</u> Adam Ochoa	<u>Department/Section:</u> Community Development/Building & Development Services	<u>Phone:</u> 528-3204
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The proposed zone change is for a property located on the south side of Valley Drive, east of Main Street, west of University Avenue and directly north of Interstate 10. The subject property is the current location of the Teakwood Inn and Suites. The property currently exceeds the one (1) acre maximum lot size permitted in the C-2 zoning district. The proposed zone change to C-3 would facilitate compliance with the 2001 Zoning Code, as amended, with the lot size requirement. The proposed zone change will also facilitate the demolition of the existing hotel and the redevelopment of the subject property into a mixed-commercial/business development. The subject property is located between three principal arterial roadways, as classified by the Metropolitan Planning Organization (MPO), and Interstate 10 where high intensity commercial zoning such as the proposed C-3 zoning designation are encouraged. The property is located in a primarily commercial area where the proposed zone change will be in keeping with the character of the surrounding neighborhood.

On January 22, 2013, 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). No input from the public occurred at the meeting for the proposed zone change.

SUPPORT INFORMATION:

1. Ordinance.
2. Exhibit "A", Site Plan.
3. Exhibit "B", Findings.
4. Attachment "A", Staff Report to the Planning and Zoning Commission for Case Z2857.
5. Attachment "B", Draft minutes from the January 22, 2013 Planning and Zoning Commission meeting.
6. Attachment "C", Vicinity Map.

SOURCE OF FUNDING:

Is this action already budgeted? N/A	Yes	<input type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
		<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)
		<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.
Does this action create any revenue? N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will affirm the Planning and Zoning Commission recommendation for approval. The subject property encompassing 4.412 ± acres will be rezoned from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity). The zone change facilitates the redevelopment of the subject property into a mixed commercial/business development.
2. Vote "No"; this will reverse the recommendation made by the Planning and Zoning Commission. The current zoning designation of C-2 (Commercial Medium Intensity) will

remain on the subject property and the property will remain non-conforming. 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. 13-023
ORDINANCE NO. 2678

AN ORDINANCE APPROVING A ZONE CHANGE FROM C-2 (COMMERCIAL MEDIUM INTENSITY) TO C-3 (COMMERCIAL HIGH INTENSITY) ON 4.412 ± ACRES OF LAND LOCATED 2600 S. VALLEY DRIVE. SUBMITTED BY BORDERLAND ENGINEERS AND SURVEYORS, LLC ON BEHALF OF RELIANCE LODGING, LLC, PROPERTY OWNER (Z2857).

The City Council is informed that:

WHEREAS, Reliance Lodging, LLC, the property owner, has submitted a request for a zone change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) for the property located at 2600 S. Valley Drive; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on January 22, 2013, recommended that said zone change request be approved by a vote of 5-0-0 (two Commissioners absent).

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

(I)

THAT the land more particularly described in Exhibit "A," attached hereto and made part of this Ordinance, is hereby zoned C-3 (Commercial High Intensity) for property located at 2600 S. Valley 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 _____ 2013.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

A. P. (M) Connolly

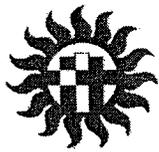
City Attorney

VOTE:

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

Findings

1. The subject property currently encompasses 4.412 ± acres, is zoned C-2 (Commercial Medium Intensity) and is the current location of a hotel.
2. The proposed zone change will facilitate the redevelopment of the subject property into a mixed-commercial/business development that can potentially encourage the consolidation of trips for the community. (2001 Zoning Code Article 1, Section 38-2D)
3. The subject property is located between Valley Drive, Main Street and University Avenue, all three Principal Arterial roadways as classified by the Metropolitan Planning Organization (MPO), and Interstate 10, where high intensity commercial zoning is encouraged. (1999 Comprehensive Plan Goal 1, Objective 5, Policy 1.5.3b)
4. Based upon staff's analysis of the proposal, the proposed zone change meets the intent of 1999 Comprehensive Plan; is compatible with adjacent uses and zoning districts; meets the purpose and intent outlined in Section 38-2 of the 2001 Zoning Code, as amended; and fulfills the purpose of the Las Cruces Municipal Code Section 2-382.



City of Las Cruces®

PEOPLE HELPING PEOPLE

Planning & Zoning Commission Staff Report

Meeting Date: January 22, 2013
Drafted by: Adam Ochoa, Planner ¹⁰

CASE # Z2857 **PROJECT NAME:** 2600 S. Valley Drive
(Zone Change)

**APPLICANT/
REPRESENTATIVE:** Borderland
Engineers and
Surveyors, LLC **PROPERTY
OWNER:** Reliance Lodging,
LLC

LOCATION: Located south of
Valley Dr., north of
I-10, east of Main
St. and west of
University Ave. **COUNCIL
DISTRICT:** 2 (Councillor Smith)

SIZE: 4.412 ± acres **EXISTING ZONING/
OVERLAY:** C-2 (Commercial
Medium Intensity)

**REQUEST/
APPLICATION TYPE:** Zone change from C-2 (Commercial Medium Intensity) to C-3
(Commercial High Intensity)

EXISTING USE: Hotel (The Teakwood Inn)

PROPOSED USE: A redeveloped multi-commercial property with a new hotel and other
commercial businesses

**STAFF
RECOMMENDATION:** Approval based on findings

TABLE 1: CASE CHRONOLOGY

Date	Action
November 26, 2012	Application submitted to Development Services
November 26, 2012	Case sent out for review to all reviewing departments
December 7, 2012	Final comments returned by all reviewing departments
December 6, 2012	Staff reviews and recommends approval of the zone change
January 6, 2013	Newspaper advertisement
January 11, 2013	Public notice letter mailed to neighboring property owners
January 11, 2013	Sign posted on property
January 22, 2012	Planning and Zoning Commission public hearing

SECTION 1: SYNOPSIS OF PROPOSAL

The proposed zone change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) is to facilitate the redevelopment of the subject property. The applicant is proposing to demolish the existing hotel and redevelop the subject property as a multiple business/commercial development with a new hotel. The zone change is required for the subject property before any redevelopment of this intensity can occur.

TABLE 2: DEVELOPMENT STANDARDS & SITE CHARACTERISTICS

Standard	Existing	Proposed	C-3 Zoning Code Req.
Max # of DU/parcel	N/A	N/A	N/A
Max Density (DU/ac.)	N/A	N/A	Minimum 10 DU/ac., maximum is defined by the developer
Lot Area	4.412 ± acres	4.412 ± acres	0.50 ± acres min./ no max
Lot Width	465 ± feet	465 ± feet	60 feet minimum
Lot Depth	266 ± feet	266 ± feet	70 feet minimum
Structure Height	26 ± feet	Unknown	60 feet maximum
Setbacks			
Front	55 ± feet	Unknown	15 feet minimum
Side	45 ± feet	Unknown	5 feet minimum
Side	112 ± feet	Unknown	5 feet minimum
Rear	28 ± feet	Unknown	15 feet minimum
Accessory Structure	N/A	N/A	N/A
ROW Dedication	N/A	N/A	N/A
Landscaping			
% of property (less building pad & screened storage)	15 ± %	Unknown	15 %
Total sq. ft. of landscaping	29,000 ± square feet	Unknown	Unknown
Buffering			
Bufferyard	N/A	N/A	N/A
Screen Type	N/A	N/A	N/A
Open Space, Trails, Parks, Recreation			
Acreage	N/A	N/A	N/A
Type	N/A	N/A	N/A
Other	N/A	N/A	N/A

TABLE 3: SPECIAL CHARACTERISTICS

Characteristic	Applies to Project?	Explanation
EBID Facilities	No	
Medians/ Parkways	No	
Landscaping		

Other	N/A	
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TABLE 4: ADJACENT ZONING AND LAND USE INFORMATION

Location	Existing Use	Overlay District	Zoning Designation
Subject Property	Hotel	N/A	C-2 (Commercial Medium Intensity)
North	Hotels/Gas Station	N/A	C-2/C-3C (Commercial Medium Intensity/ Commercial High Intensity-Conditional)
South	Interstate 10	N/A	C-2 (Commercial Medium Intensity)
East	Restaurant	N/A	C-2 (Commercial Medium Intensity)
West	Liquor Store	N/A	C-2 (Commercial Medium Intensity)

TABLE 5: PARCEL HISTORY

Number	Status
Permit	N/A
Ordinance	N/A
Resolution	N/A

SECTION 2: REVIEWING DEPARTMENT/AGENCY RECOMMENDATIONS

For specific comments and/or conditions, see attached.

Department Name	Approval (Yes/ No)	Conditions (Yes/No)
CLC Development Services	Yes	No
CLC Long-Range Planning	Yes	No
Metropolitan Planning Organization (MPO)	Yes	No
CLC CD Engineering Services	Yes	No
CLC Traffic	Yes	Yes
CLC Land Management	Yes	No
CLC Parks	Yes	No
CLC Fire & Emergency Services	Yes	No
CLC Utilities	Yes	No
NMDOT	Yes	No

SECTION 3: STAFF ANALYSIS AND CONCLUSIONS***Decision Criteria***

The Planning and Zoning Commission shall review each request in relation to the goals, objectives and policies of the comprehensive plan, plan elements, other applicable plans, and the purpose and intent of this Code, Section 38-2 and 36-1 of the Sign Code, when appropriate, and determine whether the request is consistent or inconsistent with stated criteria. The Las Cruces Municipal Code Section 2-382 specifies the Planning and Zoning Commission shall determine whether a proposal will:

1. Impair an adequate supply of light and air to adjacent property or otherwise adversely adjoining properties.

2. Unreasonably increase the traffic in public streets.
3. Increase the danger of fire or endanger the public safety.
4. Deter the orderly and phased growth and development of the community.
5. Unreasonably impair established property values within the surrounding area.
6. In any other respect impair the public health, safety or general welfare of the city.
7. Constitute a spot zone and, therefore, adversely affect adjacent property values. The term "spot zoning" means the singling out of a lot or small area for a zoning change which is out of harmony with the comprehensive plan and surrounding land uses to secure special benefits for a particular property owner without regard for the rights of adjacent landowners.
8. Be in harmony with the purpose and intent of the zoning code, sign code, design standards and other companion codes.

As mentioned above, Section 38.2 of the City of Las Cruces 2001 Zoning Code, as amended, identifies the Purposes and Intent of the Zoning regulations and should also be utilized as part of the decision criteria. The relevant purpose and intent statements to the proposed rezoning are:

- A. Ensure that all development is in accordance with this Code and the Las Cruces Comprehensive Plan and its elements, which are designed to;
- B. Encourage innovations in land development and redevelopment;
- C. Give reasonable consideration to the character of each zoning district and its peculiar suitability for particular uses;
- D. Encourage mixed-land uses to decrease the length of trips for work and/or shopping and encourage the consolidation of trips and alternative modes of travel;
- L. Ensure that development proposals are sensitive to the character of existing neighborhoods;
- M. Foster a more rational relationship between different land uses for the mutual benefit of all;

In addition to those decision criteria required by the City of Las Cruces Municipal and Zoning Codes, there are also measures based on case law to consider when evaluating rezoning requests which include the following:

1. There was an error when the existing zoning map pattern was created; or
2. Changed neighborhood or community conditions justify the change; or
3. A different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other applicable City master plan(s), even though criterion (1) or (2) above do not apply because
 - a. there is a public need for a change of the kind in question, and
 - b. that need will be best served by changing the classification of the particular piece of property in question as compared with other available property.

Applicable Comprehensive Plan Elements & Policies

As specified by the decision criteria listed above, the proposal should be in concert with the 1999 Comprehensive Plan. The following polices from the 1999 Comprehensive Plan are relevant to the current proposal:

Land Use

1. Goal 1, Objective 5, Policy 1.5.3

Please refer to Attachment #5 for a detailed description of the Comprehensive Plan Policy listed above.

Analysis & Conclusion:

The proposed zone change from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) is for a 4.412 + acre lot located at 2600 S. Valley Drive. The Teakwood Inn and Suites currently exist on the subject property. The size of the subject property currently exceeds the one (1) acre maximum lot

size permitted in the C-2 zoning district. The zone change to C-3 would ensure compliance with the 2001 Zoning Code, as amended, with the lot size requirement. The proposed zone change will also facilitate the redevelopment of the subject property into a mixed-commercial/business development that can potentially encourage the consolidation of trips for the community. The subject property is located between Valley Drive, Main Street and University Avenue, all three Principal Arterial roadways as classified by the Metropolitan Planning Organization (MPO), and Interstate 10, where high intensity commercial zoning such as the proposed C-3 zoning designation are encouraged. The subject property is also located in a primarily commercial area of the City and the proposed zone change will be in keeping with the character of the neighborhood. The proposed zone change is supported by the Development Services Staff and all reviewing departments in the City of Las Cruces; is consistent with the 1999 Comprehensive Plan, adjacent uses, and zoning districts; and meets the purpose and intent outlined in Section 38-2 of the 2001 Zoning Code, as amended.

DRC RECOMMENDATION

The proposal did not require review and recommendation by the Development Review Committee.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed zone change based on the following findings listed below:

FINDINGS FOR APPROVAL

1. The subject property currently encompasses 4.412 ± acres, is zoned C-2 (Commercial Medium Intensity) and is the current location of a hotel.
2. The proposed zone change will facilitate the redevelopment of the subject property into a mixed-commercial/business development that can potentially encourage the consolidation of trips for the community. (2001 Zoning Code Article 1, Section 38-2D)
3. The subject property is located between Valley Drive, Main Street and University Avenue, all three Principal Arterial roadways as classified by the Metropolitan Planning Organization (MPO), and Interstate 10, where high intensity commercial zoning is encouraged. (1999 Comprehensive Plan Goal 1, Objective 5, Policy 1.5.3b)
4. Based upon staff's analysis of the proposal, the proposed zone change meets the intent of 1999 Comprehensive Plan; is compatible with adjacent uses and zoning districts; meets the purpose and intent outlined in Section 38-2 of the 2001 Zoning Code, as amended; and fulfills the purpose of the Las Cruces Municipal Code Section 2-382.

ALTERNATE FINDINGS

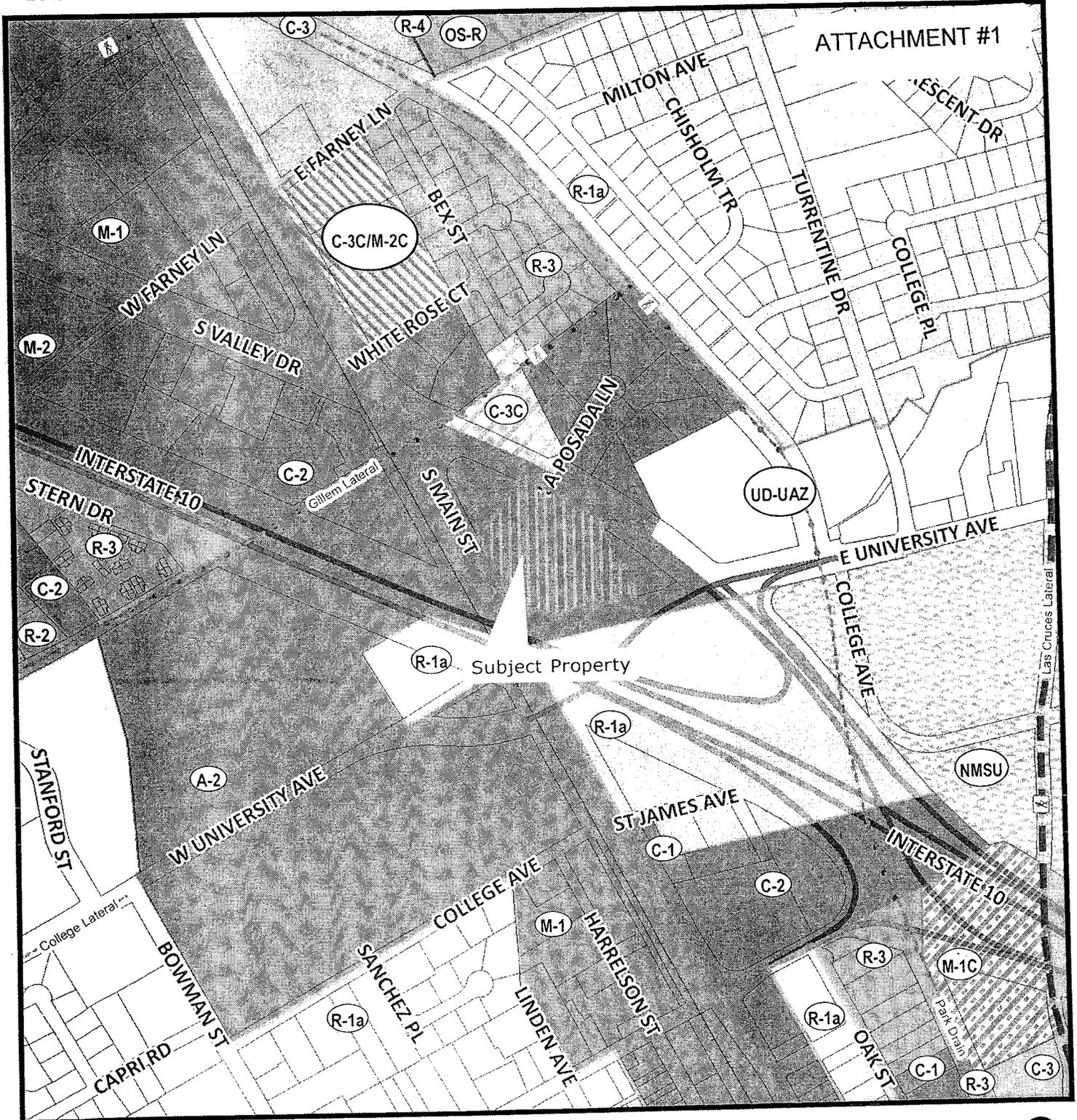
If the Planning and Zoning Commission deems the zone change unsubstantiated, staff recommends the following alternate finding for **DENIAL**:

1. The proposed zone change is not required to utilize the subject property. The applicant has the option to subdivide the subject property into several lots that can meet all C-2 development standards prior to site redevelopment. (2001 Zoning Code Article 4, Section 38-32D)

ATTACHMENTS

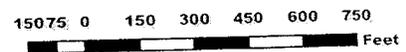
1. Zoning/Vicinity Map
2. Aerial Map
3. Development Statement
4. Site Plan
5. Comprehensive Plan Elements and Policies
6. Reviewing Department/Agency Comments and/or Conditions

ATTACHMENT #1



Legend

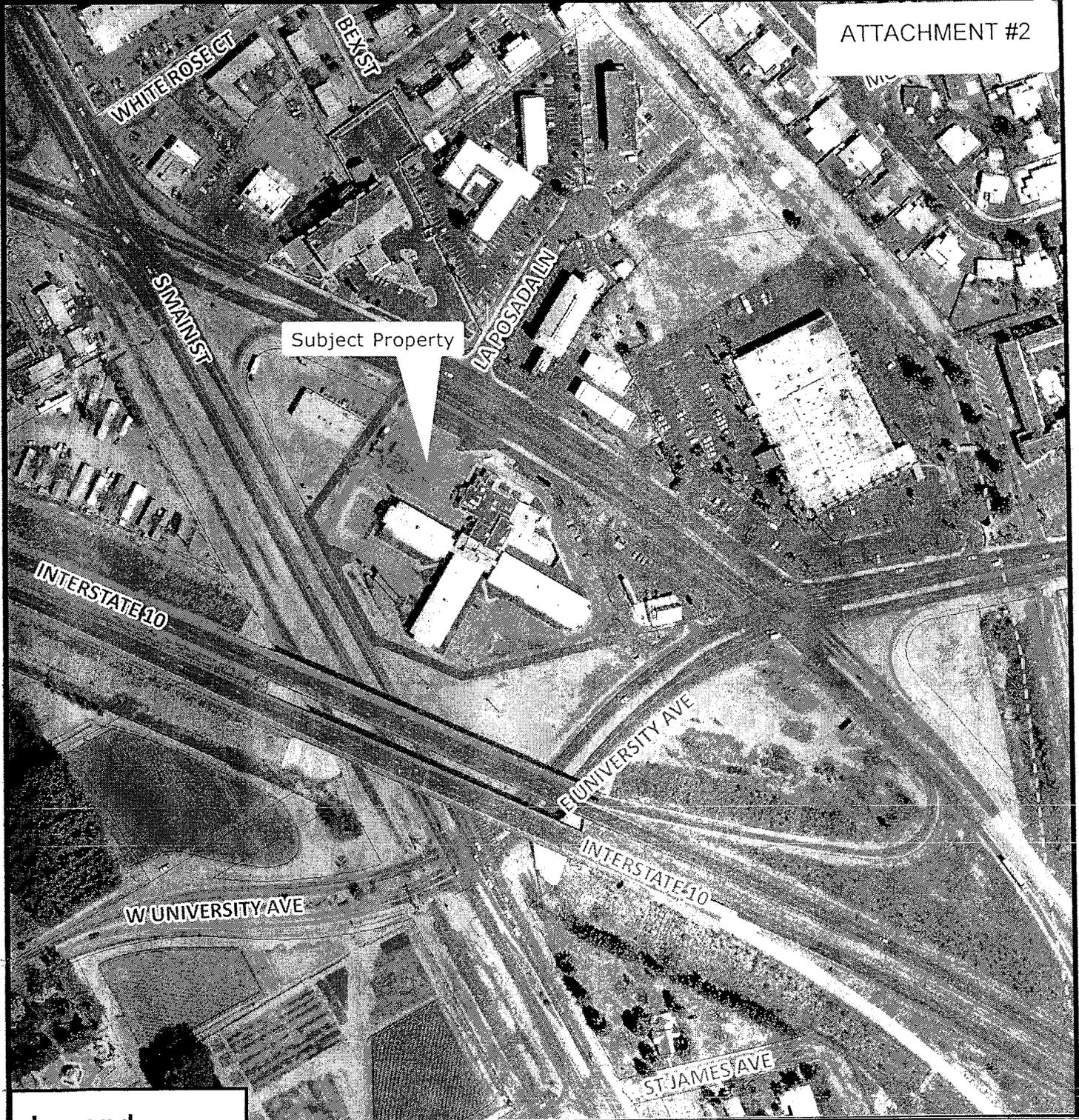
- Non Designated Trail
- Proposed Paved EBID
- Proposed Unpaved EBID
- City Parcel
- Interstates_Highway
- EBID Water System
- Railroad



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 #2



Legend

 City Parcel

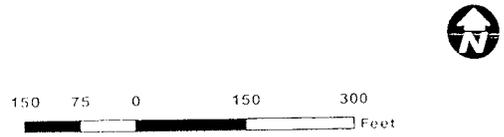
DAC_2010.ecw

RGB

 Red: Band_1

 Green: Band_2

 Blue: Band_3



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Las Cruces, NM 88001
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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: Roy Patel

Contact Person: Chris Scmlow

Contact Phone Number: 522-1443

Contact e-mail Address: speake@210net.com

Web site address (if applicable): _____

Proposal Information

Name of Proposal: Re-Zone C2 to C3

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

Commercial

Location of Subject Property 2600 S. Valley Drive

(In addition to description, attach map. Map must be at least 8 1/2" x 11" in size and clearly show the relation of the subject property to the surrounding area)

Acreage of Subject Property: 4.39

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

Hotel - 1 Building - Tenkwood Inn

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

Hotel + Commercial master planned Development

Zoning of Subject Property: C-2

Proposed Zoning (If applicable): C-3

Proposed number of lots 1, to be developed in T.O.B.D. phase (s).

Proposed square footage range of homes to be built from T.O.B.D. to T.O.B.D.

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

T.B.D.

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

T.B.D.

Anticipated traffic generation T.B.D. trips per day.

Anticipated development schedule: work will commence on or about A.S.A.P.

and will take T.B.D. 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 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 Explain: T.B.D.

Is there existing landscaping on the property? minimal if any

Are there existing buffers on the property? NO

Is there existing parking on the property? Yes No ___

If yes, is it paved? Yes No ___

How many spaces? N/A How many accessible? N/A

Attachments

Please attach the following: (* indicates optional item)

Location map

Subdivision Plat (If applicable)

Proposed building elevations

*renderings of architectural or site design features

*other pertinent information

Comprehensive Plan Elements and Policies

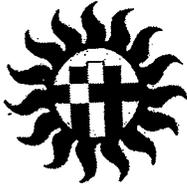
The following polices from the 1999 Comprehensive Plan are relevant to the current proposals:

Land Use Element, Goal 1 (Land Uses)

Policy 1.5.3

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

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



City of Las Cruces

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: Development Services

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

Attached are a brief description, general location/address, and/or site plans for a proposed PUD request. Please make comments on the following proposal in response to the impacts that it may have on the City from the standpoint of your City function, activity, department, or other jurisdiction.

Your review comments may be included in the staff report on the proposed development for the Planning and Zoning Commission's and/or City Council's review.

Please use the attached review sheet to record your comments. Please make copies of the review sheets if you need more. If you need more information concerning a specific case, please contact me at 528-3204.

Please review and return to the Community Development Department no later than [December 3, 2012].

IF YOU REQUIRE AN EXTENSION, PLEASE NOTIFY ROBERT KYLE, DEVELOPMENT SERVICES ADMINISTRATOR AT rkyle@las-cruces.org.

APPROVED AS IS:

YES

NO

APPROVED WITH CONDITIONS:

DATE: 12/3/12

REVIEWER NAME: Adam Ochoa

REVIEWER CONTACT NO. 528-3204

December 5, 2012

Z2857 (C-2 to C-3)

2600 S. Valley Drive

Advanced Planning Comments (Carol McCall)

Conclusions

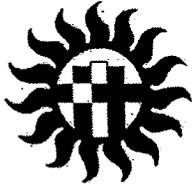
This proposal is a conversion from C-2 to C-3, in order to comply with the 2001 zoning code which does not allow C-2 zoned lots to exceed 1 acre in size. The subject parcel is over four (4) acres. The parcel is at the intersection of three arterials, Main Street, Valley Drive and University Avenue, so the transportation system should be adequate for potentially uses of higher intensity. The adjacent land uses are predominantly commercial, with Interstate 10 and New Mexico State University property nearby. The proposal meets the policies stated in the 1999 Comprehensive Plan and advanced planning staff supports the proposal.

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

Land Use Element, Goal 1 (Land Uses)Policy 1.5.3

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

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- b. High intensity commercial uses and centers shall be located at the intersection of minor arterial streets, or any intersection with a major arterial street. Mid-block locations shall be considered on a case-by-case basis: criteria shall include street capacity, distance from an intersection where appropriate, accessibility and shared vehicular access with other uses where appropriate, and consideration of the level of traffic and environmental impacts.
- c. The City shall pursue multi-modal access standards (auto, bicycle, and pedestrian transit) for high intensity commercial use and centers.
- d. High intensity commercial development shall address the following urban design criteria: compatibility to adjacent development in terms of architectural design, height/density, and the provision of landscaping for site screening, parking, and loading areas. Architectural and landscaping standards for high intensity commercial use shall be established in the Comprehensive Plan Urban Design Element.
- e. Adequate space for functional circulation shall be provided for parking and loading areas.
- f. The City shall encourage the development of high intensity commercial centers to allow for maximum shopping convenience with minimal traffic and encroachment-related conflicts to adjacent uses.
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City of Las Cruces®

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: 

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
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Please review and return to the Community Development Department no later than [December 3, 2012].

IF YOU REQUIRE AN EXTENSION, PLEASE NOTIFY ROBERT KYLE, DEVELOPMENT SERVICES ADMINISTRATOR AT rkyle@las-cruces.org.

APPROVED AS IS:

YES

NO

APPROVED WITH CONDITIONS:

DATE: 12/4/12

REVIEWER NAME: Andrew Wray
REVIEWER CONTACT NO. 300

MPO REVIEW COMMENTS
 Planning and Zoning Commission Cases

Case #: Z2857

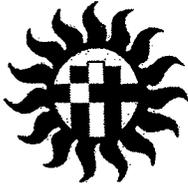
Date: November 26, 2012

Request: 2600 S. Valley Dr. (Teakwood Inn Property)
 Zone Change C-2 to C-3

MPO Thoroughfare	Dist. to Thor.	Functional Class	MTP Class	ROW Required	Dist. to Transit	AADT (year)	Current Bike Fac.	Planned Bike Fac.
Valley	Adj		Princp Art	120'		10300 (2009)	Lanes	
Main	Adj		Princp Art	120'		9166 (2009)	Lanes	

Recommended Conditions of Approval

Additional Comments



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: Engineering Services

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

Attached are a brief description, general location/address, and/or site plans for a proposed PUD request. Please make comments on the following proposal in response to the impacts that it may have on the City from the standpoint of your City function, activity, department, or other jurisdiction.

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APPROVED AS IS:

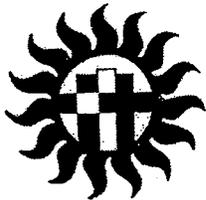
YES

NO

APPROVED WITH CONDITIONS:

DATE: 11/30/12

REVIEWER NAME: Rocio Dominguez
REVIEWER CONTACT NO. 528-3071



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Case Review Sheet

To: Engineering Services

Case #: Z2857

Date: November 26, 2012

Request: 2600 S. Valley Dr. (Teakwood Inn Property)
Zone Change C-2 to C-3

FLOOD ZONE DESIGNATION:

Zone A	(Flood elevation needed)	_____
Zone AE	(Flood elevation known)	_____X_____
Zone AH	(Flood 1' - 3' ponding)	_____
Zone AO	(Flood 1' - 3' - steep slopes)	_____
Zone A99	(100-year flood)	_____
Zone X		_____
Zone X(500)	(500 Yr. flood zone)	_____
Zone D	(Unknown flood determination)	_____

DEVELOPMENT IMPROVEMENTS:

Drainage Calculation needed	YES <input checked="" type="checkbox"/>	NO _____	N/A _____
Drainage Study needed	YES <input checked="" type="checkbox"/>	NO _____	N/A _____
Other drainage Impr. needed	YES <input checked="" type="checkbox"/>	NO _____	
Sidewalk extension needed	YES _____	NO <input checked="" type="checkbox"/>	
Curb & gutter extension needed	YES _____	NO <input checked="" type="checkbox"/>	
Paving extension needed	YES _____	NO <input checked="" type="checkbox"/>	
NMDOT permit needed	YES <input checked="" type="checkbox"/>	NO _____	

DEPARTMENTAL RECOMMENDATION & OTHER COMMENTS:

Recommendation: Approval _____ Denial

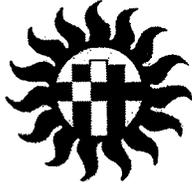
Adam Ochoa

From: Willie Roman
Sent: Thursday, January 03, 2013 3:21 PM
To: Adam Ochoa
Cc: Karmela Espinoza
Subject: Case No. Z2857 (Teakwood Inn Property Zone Change)

Adam,

I spoke with Steve Peale, the consultant for Case No. Z2857 (Teakwood Inn Property Zone Change) and based on their current progress on the project I am agreeable to approve the zone change with the condition that a TIA (which includes curb cut locations, roadway improvements, signal optimization, clear sight triangle verification, and off-street parking, if any) and a Site Plan is submitted and approved by Traffic Engineering with the submittal for the property improvements.

Willie Roman, PE
Traffic Operations Engineer



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: 

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

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APPROVED AS IS: YES

NO

APPROVED WITH CONDITIONS:

DATE: 12/7/12

REVIEWER NAME: K.O. per W.R.
REVIEWER CONTACT NO. ext 2701

RECEIVED
NOV 28 2012
TRAFFIC

City of Las Cruces
Planning and Zoning Commission
Case Review Sheet

TRAFFIC ENGINEERING:

Case #: Z2857

Date: November 26, 2012

Request: 2600 S. Valley Dr. (Teakwood Inn Property)
Zone Change C-2 to C-3

SITE ACCESSIBILITY: *

Adequate driving aisle	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Adequate curb cut	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Intersection sight problems	Yes <input type="checkbox"/>	No <input 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

Explain: No on street parking allowed

FUTURE INTERSECTION IMPROVEMENTS:

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

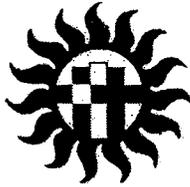
Is a TIA required? Yes No

If yes, please provide findings: TIA and site plan required due to change from hotel to hotel w/ commercial determin curb cuts, sight disting interval and on site parking.

*Any new improvements, at either the time of subdivision or building permit, will require conformance to either the City of Las Cruces Curb Cut Ordinance #1250, the City of Las Cruces Design Standards, or the City of Las Cruces Zoning Code (2001, as amended).

DEPARTMENTAL RECOMMENDATION & OTHER COMMENTS:

Recommendation: Approval Denial



City of Las Cruces®

PEOPLE HELPING PEOPLE

RECEIVED

DATE: November 26, 2012

NOV 26 2012

TO: Land Management

CITY OF LAS CRUCES
LAND MANAGEMENT

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

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APPROVED AS IS:

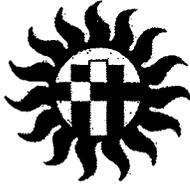
YES

NO

APPROVED WITH CONDITIONS:

DATE: 12-3-12

REVIEWER NAME: B. A. HAWKIN
REVIEWER CONTACT NO. 528-3910



City of Las Cruces®

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: **Parks & Rec**

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

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APPROVED AS IS:

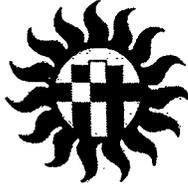
YES

NO

APPROVED WITH CONDITIONS:

DATE: 11/27/12

REVIEWER NAME: *Robert Kyle*
REVIEWER CONTACT NO: 2550



City of Las Cruces®

PEOPLE HELPING PEOPLE

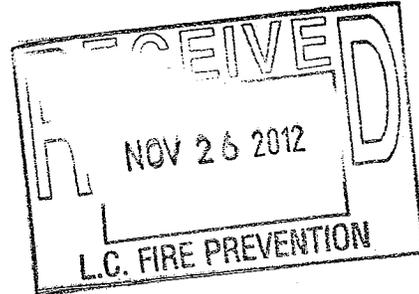
DATE: November 26, 2012

TO:

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3



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APPROVED AS IS:

YES

NO

APPROVED WITH CONDITIONS:

DATE: 11/29/12

REVIEWER NAME:
REVIEWER CONTACT NO. X4150

City of Las Cruces
Planning and Zoning Commission
Case Review Sheet

FIRE PREVENTION BUREAU:

Case #: Z2857

Date: November 26, 2012

Request: 2600 S. Valley Dr. (Teakwood Inn Property)
Zone Change C-2 to C-3

ACCESSIBILITY ISSUES: *

CONCERN

	Low	Medium	High
Building Accessibility	<u>X</u>	___	___
Secondary Site/Lot Accessibility	<u>X</u>	___	___
Fireflow/Hydrant Accessibility	<u>X</u>	___	___

Type of Building Occupancy: Mixed

Closest fire department that will service this property:

Name Station 2

Address/ Location 1199 E. Foster

Distance from subject property (miles) 2 mi

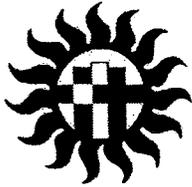
Adequate capacity to accommodate proposal? Yes X No ___

Explain: _____

***Any new improvements, at either the time of subdivision or building permit, will require conformance with City of Las Cruces Design Standards, Subdivision Code, Building Code, and/or Fire Code.**

DEPARTMENTAL RECOMMENDATION & OTHER COMMENTS:

Recommendation: X Approval _____ Denial



City of Las Cruces®

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: **UTILITIES**

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

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APPROVED AS IS:

YES

NO

APPROVED WITH CONDITIONS:

DATE: 12/03/12

REVIEWER NAME: *John P. ...*
REVIEWER CONTACT NO. 528-3635

No water right issues. - F.O. 11/27/2012

CITY OF LAS CRUCES
PLANNING AND ZONING COMMISSION
CASE REVIEW SHEET

CASE #: 22857 DATE: 12/03/12

REQUEST:

WATER AVAILABILITY & CAPACITY:*

Water Provider:

CLC

Other _____

CLC Water System capable of handling increased usage:

Yes

No _____

Comment _____

WASTEWATER AVAILABILITY & CAPACITY:*

Wastewater service type:

CLC Sewer:

On-lot septic _____

CLC Wastewater System capable of handling increased usage:

Yes

No _____

Comment _____

NATURAL GAS AVAILABILITY & CAPACITY*

Natural Gas Provider

City of Las Cruces

Other _____

CLC Gas System capable of handling increased usage:

Yes

No _____

Comment _____

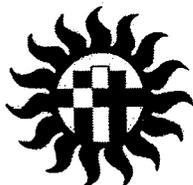
*** To receive City utility service to this property, the responsible property owner/applicant/subdivider is responsible for (1) the acquisition of all necessary water, sewer, and gas easements, (2) the construction of all necessary utility lines, and (3) compliance with all applicable City of Las Cruces requirements.**

DEPARTMENTAL RECOMMENDATION & OTHER COMMENTS:

Recommendation: Approval Denial _____



Additional comments: _____



City of Las Cruces®

PEOPLE HELPING PEOPLE

DATE: November 26, 2012

TO: **NMDOT**

FROM: Adam Ochoa, Planner

CASE NO.: Z2857 (Review No.1)

SUBJECT: 2600 S. Valley Drive (Teakwood Inn Property)
Zone Change C-2 to C-3

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APPROVED AS IS:

YES

NO

APPROVED WITH CONDITIONS:

DATE: 12/6/12

REVIEWER NAME: Maria Itzhagos
REVIEWER CONTACT NO. 544-6544

**PLANNING AND ZONING COMMISSION
FOR THE
CITY OF LAS CRUCES
City Council Chambers
January 22, 2013 at 6:00 p.m.**

BOARD MEMBERS PRESENT:

Charles Scholz, Chairman
Godfrey Crane, Vice Chair
Ray Shipley, Member
William Stowe, Member
Charles Beard, Secretary

BOARD MEMBERS ABSENT:

Donald Bustos, Member

STAFF PRESENT:

Katherine Harrison-Rogers, Senior Planner, CLC
Adam Ochoa, Planner, CLC
Carol McCall, Planner, CLC
Susana Montana, Planner, CLC
Mark Dubbin, CLC Fire Department
Rusty Babington, CLC Legal Staff
Becky Baum, Recording Secretary, RC Creations, LLC

I. CALL TO ORDER (6:05)

Scholz: Good evening and welcome to the Planning and Zoning Commission for Tuesday, January 22, 2013. We are beginning a little late today because we had a computer glitch; but I understand it's been worked on and it's working. Is that right? Wonderful! I'm Charles Scholz. I'm the Chair of the Commission.

II. CONFLICT OF INTEREST

At the opening of each meeting, the chairperson shall ask if any member on the Commission or City staff has any known conflict of interest with any item on the agenda.

Scholz: Before we begin we have a couple of housekeeping items. One of them is a Conflict of Interest Statement. Gentlemen, any conflicts of interest with the things we're going to discuss today? No. Okay. Staff, any conflicts? Evidentially not. All right.

Then I want to introduce the members of the Commission. On my far right is Commissioner Shipley. He represents Council District 6. Next to him is Commissioner Crane who is our Vice Chair at the moment and representing Council District 4. Next to him is Commissioner Stowe,

1 Scholz: Okay Shipley moves and Beard seconds. All those in favor say aye.

2

3 ALL: Aye (except Commissioner Crane).

4

5 Scholz: Those opposed same sign. And abstentions?

6

7 Crane: Abstention.

8

9 Scholz: One abstention. All right. Thank you.

10

11 IV. POSTPONEMENTS - NONE

12

13 Scholz: Okay, next item of business is ... are there any postponements, Mr.
14 Ochoa?

15

16 Ochoa: Mr. Chairman, yes, sir, we do have one postponement tonight. It's for
17 Case S-12-042W.

18

19 Scholz: That's number seven on our agenda.

20

21 Ochoa: That is number seven under New Business, sir. The applicant is
22 requesting to postpone the case to the February Planning and Zoning
23 Commission meeting.

24

25 Scholz: 27th? 26th.

26

27 Ochoa: 26th... That is correct.

28

29 Scholz: 26th. Thank you. All right.

30

31 V. CONSENT AGENDA

32

33 1. **Case Z2857:** Application of Borderland Engineers and Surveyors on behalf
34 of Reliance Lodging, LLC to rezone from C-2 (Commercial Medium Intensity)
35 to C-3 (Commercial High Intensity) on a 4.412 +/- acre lot located north of
36 Interstate 10, south of Valley Drive, east of Main Street and west of University
37 Avenue; a.k.a. 2600 S. Valley Drive; Parcel ID #02-07806. Proposed Use:
38 The redevelopment of the exiting hotel site into a multi-business/shopping
39 center; Council District 2 (Councillor Smith)

40

41 2. **Case No. SUP-12-06: MOVED TO NEW BUSINESS**

42

43 Scholz: Okay. Then we have the consent agenda. Now here's how the Consent
44 Agenda works: if no one from the audience or from the staff or from the
45 Commission wishes to speak to items one and two, that's Case Z2857
46 and Case SUP-12-06, then they go on one vote. Okay. We simply ask for

1 a majority opinion to pass those. So is there anyone who's concerned
 2 about Case Z2857? Anyone? Okay. That will stay on the Consent
 3 Agenda. How about Case SUP-12-06? Okay. Several people in the
 4 audience wish to speak to that. All right, and I think several of us wish to
 5 speak to that as well so we're going to put that as, let's see, it'll be the
 6 second items, actually, on the New Business agenda because we have
 7 another piece that has to come up first.

8
 9 Scholz: Okay, any Old Business, Mr. Ochoa?

10 Ochoa: I believe you need a vote on the Consent Agenda.

11
 12
 13 Scholz: I'm sorry. Thanks. Let's not lose sight of that. All right, the Consent
 14 Agenda then consists of Case Z2857. All those in favor say aye.

15
 16 ALL: Aye.

17
 18 Scholz: Those opposed same sign. All right, it passes.

19
 20 **VI. OLD BUSINESS - NONE**

21
 22 Scholz: There is no Old Business then you said.

23
 24 Ochoa: No, sir, none today.

25
 26 **VII. NEW BUSINESS**

- 27
 28 3. Adoption of Statement of Reasonable Notice as required by Section 10-15-
 29 1(B) of the Open Meetings Act, Section 10-15-1 to 10-15-4, New Mexico
 30 Statutes Annotated (1978) as amended.

31
 32 Scholz: So our New Business is what we call the adoption of the Statement of
 33 Reasonable notice and each of you has a copy of that in your packet.
 34 This is something we have to read at the beginning of every year and what
 35 it does is explain that we follow the Open Meetings Act and we're subject
 36 to the Open Meetings Act as Amended and things like that. So what we're
 37 going to do is read this in turn. I'll start with the first "Whereas."
 38 Commissioner Beard, if you'd do the second two "Whereas" and the
 39 "Now, Therefore;" and Mr. Stowe if you'd do Section One; Mr. Crane
 40 Section Two; Mr. Shipley, Section Three, and so on. All right, are you
 41 ready to read? Here we go.

42 "The Planning and Zoning Commission is informed that:

43 Whereas, the Planning and Zoning Commissioner of the City of Las
 44 Cruces meet in a public hearing at 6:00 p.m. on January 22, 2013.

45 Whereas, Section 10-15-1 (D) of the Open Meetings Act, Section
 46 10-15-1 to 10-15-4, New Mexico Statutes Annotated (1978), as amended,

