

295  
**City of Las Cruces**<sup>®</sup>  
 PEOPLE HELPING PEOPLE

**Council Action and Executive Summary**

Item # 14 Ordinance/Resolution# 2692

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

For Meeting of September 3, 2013  
 (Adoption Date)

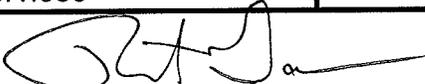
Please check box that applies to this item:

QUASI JUDICIAL       LEGISLATIVE       ADMINISTRATIVE

**TITLE:** AN ORDINANCE APPROVING A ZONE CHANGE FROM R-4 (MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE) TO O-2 (OFFICE, PROFESSIONAL – LIMITED RETAIL SERVICE) ON 0.35 ± ACRES OF LAND LOCATED AT 330 E. BOUTZ ROAD. SUBMITTED BY NAVA-TECH INC. ON BEHALF OF THOMAS A. & JANET L. PAZ, PROPERTY OWNERS (Z2862).

**PURPOSE(S) OF ACTION:**

Zone change.

<b>COUNCIL DISTRICT: 3</b>		
<b><u>Drafter/Staff Contact:</u></b> Adam Ochoa	<b><u>Department/Section:</u></b> Community Development/Building & Development Services	<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 a property located on the north side of Boutz Road, 200 ± feet east of its intersection with Jones Road, directly across the street and north of Las Cruces High School. The subject property current consists of an office building being utilized for an optometrist's office. The applicant is seeking to expand the square footage of the existing building and expand the existing use on the subject property. The existing R-4 zoning designation does not permit an optometrist's office on the property under the current 2001 Zoning Code, making the subject property non-conforming. The proposed expansion requires the property to come into compliance with the 2001 Zoning Code and the zone change to O-2 would permit the continued use of an optometrist's office and bring the property into compliance. The subject property is located on an existing Minor Arterial roadway as classified by the Mesilla Valley Metropolitan Planning Organization (MPO), where professional office uses and zoning such as the proposed O-2 zoning designation are encouraged.

On July 23, 2013, the Planning and Zoning Commission (P&Z) recommended approval of the proposed zone change request by a vote of 4-0-0, (two Commissioners absent, one

Commissioner position vacant). 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 Z2862.
5. Attachment "B", Draft minutes from the July 23, 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
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**FUND EXPENDITURE SUMMARY:**

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

**OPTIONS / ALTERNATIVES:**

1. Vote "Yes"; this will affirm the Planning and Zoning Commission recommendation for approval. The subject property encompassing 0.35 ± acres will be rezoned from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to O-2 (Office, Professional – Limited Retail Service).

2. Vote "No"; this will reject 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 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. 14-007  
ORDINANCE NO. 2692

**AN ORDINANCE APPROVING A ZONE CHANGE FROM R-4 (MULTI-DWELLING HIGH DENSITY & LIMITED RETAIL AND OFFICE) TO O-2 (OFFICE, PROFESSIONAL – LIMITED RETAIL SERVICE) ON 0.35 ± ACRES OF LAND LOCATED AT 330 E. BOUTZ ROAD. SUBMITTED BY NAVA-TECH INC. ON BEHALF OF THOMAS A. & JANET L. PAZ, PROPERTY OWNERS (Z2862).**

The City Council is informed that:

**WHEREAS**, Thomas A. & Janet L. Paz, the property owners, have submitted a request for a zone change from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to O-2 (Office, Professional – Limited Retail Service) for the property located at 330 E. Boutz Road; and

**WHEREAS**, the Planning and Zoning Commission, after conducting a public hearing on July 23, 2013, recommended that said zone change request be approved by a vote of 4-0-0 (two Commissioners absent, one Commissioner position vacant).

**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 O-2 (Office, Professional – Limited Retail Service) for property located at 330 E. Boutz Road.

**(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:

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

VOTE:

Mayor Miyagishima: \_\_\_\_\_

Councillor Silva: \_\_\_\_\_

Councillor Smith: \_\_\_\_\_

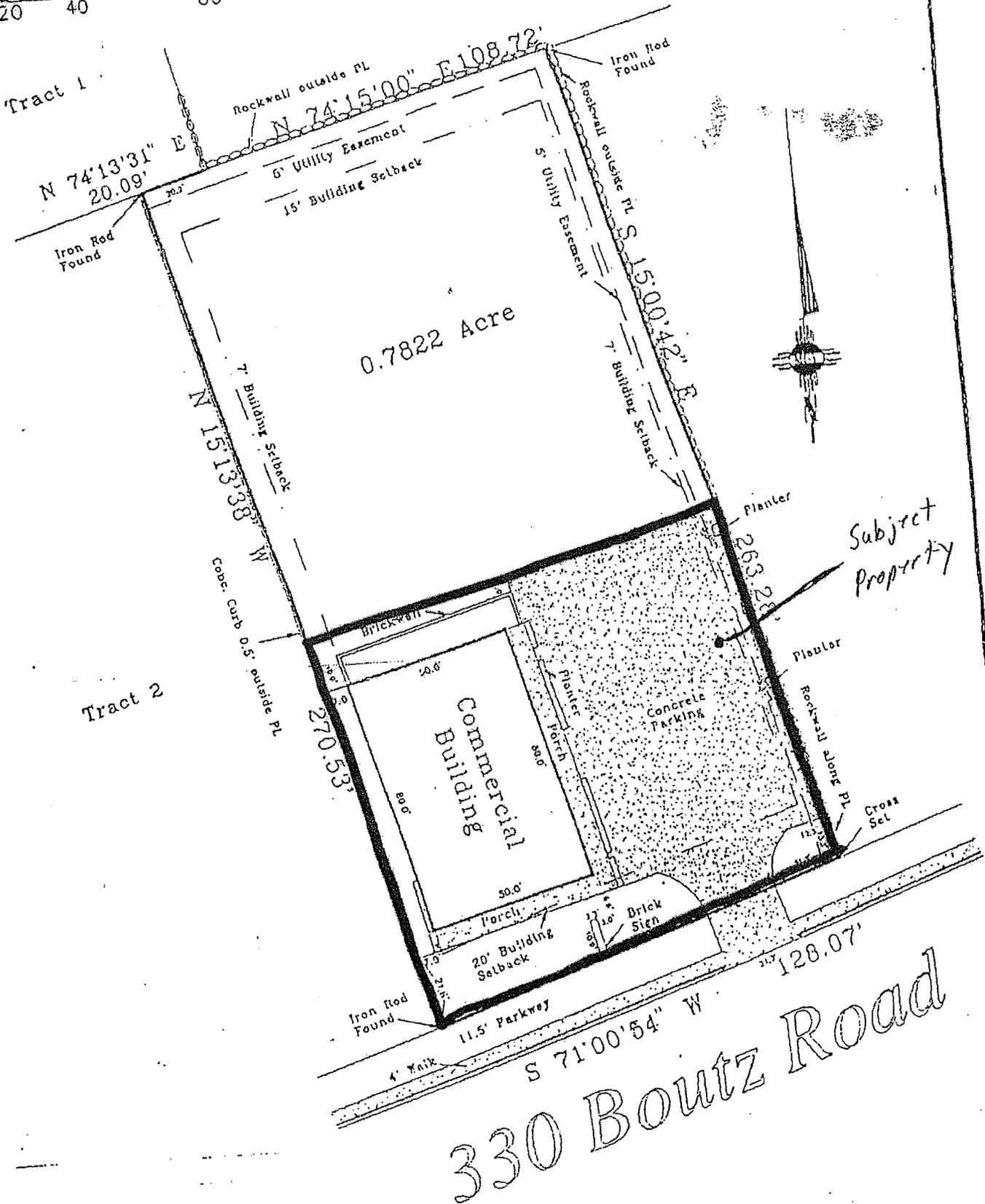
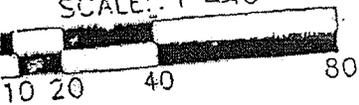
Councillor Pedroza: \_\_\_\_\_

Councillor Small: \_\_\_\_\_

Councillor Sorg: \_\_\_\_\_

Councillor Thomas: \_\_\_\_\_

SCALE: 1"=40'



**Findings**

1. The subject parcel currently encompasses a total of 0.35 ± acres, is zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) and consists of an office building being utilized as an optometrist's office.
2. The subject property is located on Boutz Road, an existing Minor Arterial roadway as classified by the Metropolitan Planning Organization (MPO), where professional office uses and zoning such as the proposed O-2 zoning designation are encouraged. (1999 Comprehensive Plan Goal 1, Objective 6, Policy 1.6.2b)
3. 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: July 23, 2013

Drafted by: Adam Ochoa, Planner *AO*

**CASE #** Z2862      **PROJECT NAME:** 330 E. Boutz Road  
(Zone Change)

**APPLICANT/  
REPRESENTATIVE:** Nava-Tech Inc.      **PROPERTY  
OWNERS:** Thomas A. & Janet  
L. Paz

**LOCATION:** Located on the      **COUNCIL  
DISTRICT:** District 3  
north side of Boutz  
Road, 200 ± feet  
east of its  
intersection with  
Jones Road      (Councillor Pedroza)

**SIZE:** 0.35 ± acres      **EXISTING ZONING/  
OVERLAY:** R-4 (Multi-Dwelling  
High Density &  
Limited Retail and  
Office)

**REQUEST/  
APPLICATION TYPE:** Zone change from R-4 (Multi-Dwelling High Density & Limited Retail  
and Office) to O-2 (Office, Professional – Limited Retail Service)

**EXISTING USE:** Optometrist Office

**PROPOSED USE:** The expansion of the existing office building and existing optometrist  
office use

**STAFF  
RECOMMENDATION:** Approval without conditions based on findings

**TABLE 1: CASE CHRONOLOGY**

Date	Action
May 29, 2013	Application submitted to Development Services
May 31, 2013	Case sent out for review to all reviewing departments
June 7, 2013	Final comments returned by all reviewing departments
June 13, 2013	Staff reviews and recommends approval of the zone change
July 7, 2013	Newspaper advertisement
July 12, 2013	Public notice letter mailed to neighboring property owners
July 12, 2013	Sign posted on property
July 23, 2013	Planning and Zoning Commission public hearing

**SECTION 1: SYNOPSIS OF PROPOSAL**

The applicant is seeking to make an 800 square foot addition to the existing 4,000 square foot office building on the subject property to facilitate the expansion of the existing optometrist office. The proposed addition triggers the subject property to come into compliance with the 2001 Zoning Code, as amended. The proposed zone change from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to O-2 (Office, Professional – Limited Retail Service) is to facilitate compliance and permit the proposed addition. The zone change is required for the subject property before the proposed construction is permitted.

**TABLE 2: DEVELOPMENT STANDARDS & SITE CHARACTERISTICS**

Standard	Existing	Proposed	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., 40 DU/ac maximum
Lot Area	0.35 ± acres	0.35 ± acres	0.114 ± acres min./ no max.
Lot Width	128 ± feet	Unchanged	60 feet minimum
Lot Depth	121 ± feet	Unchanged	70 feet minimum
Structure Height	14 ± feet	Unchanged	60 feet maximum
Setbacks			
Front	27 ± feet	Unchanged	15 feet minimum
Side	7 ± feet	Unchanged	5 feet minimum
Side	60 ± feet	Unchanged	5 feet minimum
Rear	16 ± feet	0 feet	15 or 0 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)	Unknown	Unknown, required to follow the minimum requirements during the permitting process of the addition	15 %

**TABLE 3: SPECIAL CHARACTERISTICS**

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

**TABLE 4: ADJACENT ZONING AND LAND USE INFORMATION**

Location	Existing Use	Overlay District	Zoning Designation
Subject Property	Optometrist Office	N/A	R-4 (Multi-Dwelling High Density & Limited Retail and Office)
North	Funeral Home	N/A	C-3 (Commercial High Intensity)
South	Las Cruces High School	N/A	R-1a (Single-Family Medium Density)

East	Religious Institution	304 N/A	R-4 (Multi-Dwelling High Density & Limited Retail and Office)
West	Funeral Home	N/A	C-3 (Commercial High 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	Yes
CLC Traffic	Yes	Yes
CLC Land Management	Yes	No
CLC Parks	Yes	No
CLC Fire & Emergency Services	Yes	No
CLC Utilities	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;
- B. Encourage innovations in land development and redevelopment;
- L. Foster a more rational relationship between different land uses for the mutual benefit of all;
- M. Conserve the value of buildings and land;

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 Element

- 1. Goal 1, Objective 6, Policy 1.6.2
- 2. Goal 1, Objective 9, Policy 1.9.8c
- 3. Goal 2, Objective 4, Policy 2.4.1
- 4. Goal 2, Objective 4, Policy 2.4.3

Urban Design Element

- 1. Goal 1, Objective 4, Policy 1.4.3
- 2. Goal 1, Objective 4, Policy 1.4.4

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

Analysis & Conclusion:

The proposed zone change from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to O-2 (Office, Professional – Limited Retail Service) is for a 0.35 ± acre parcel located directly across the street north of Las Cruces High School. The existing parcel consists of an office building being utilized for an optometrist's office. The applicant is seeking to expand the square footage of the existing building and expand the existing use on the subject property. The existing R-4 zoning designation does not permit an optometrist's office on the property under the current 2001 Zoning Code, making the subject property non-conforming. The proposed expansion requires the property to come into compliance with the 2001 Zoning Code and the zone change to O-2 would permit the continued use of an optometrist's office and bring the property into compliance. The proposed expansion of the building and use on the property may help conserve or potentially increase the value of surrounding buildings and land in the area or act as an economic catalyst for future redevelopment or expansions. The subject property is located on Boutz Road, an existing Minor Arterial roadway as classified by the Metropolitan Planning Organization (MPO),

where professional office uses and zoning such <sup>306</sup> as the proposed O-2 zoning designation are encouraged.

The proposed zone change is supported by the Development Services Staff and all reviewing departments in the City of Las Cruces. Based upon review of the proposal by staff and other relevant agencies, the proposed zone change is justified based upon the following:

- No known adverse offsite impacts or potential risks to the public's safety, health, and welfare are known;
- The proposal is consistent with the goals and objectives of the Comprehensive Plan, the Transportation Plan, the El Paseo Corridor Community Planning Blueprint and the intent of the 2001 Zoning Code; and
- The proposed expansion of the existing use and proposed O-2 Zoning District are harmonious with the uses and zoning districts of the surrounding area:

### **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 parcel currently encompasses a total of 0.35 ± acres, is zoned R-4 (Multi-Dwelling High Density & Limited Retail and Office) and consists of an office building being utilized as an optometrist's office.
2. The subject property is located on Boutz Road, an existing Minor Arterial roadway as classified by the Metropolitan Planning Organization (MPO), where professional office uses and zoning such as the proposed O-2 zoning designation are encouraged. (1999 Comprehensive Plan Goal 1, Objective 6, Policy 1.6.2b)
3. 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.

### **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

ZONING: R-4 TO O-2

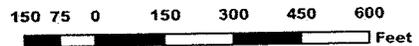
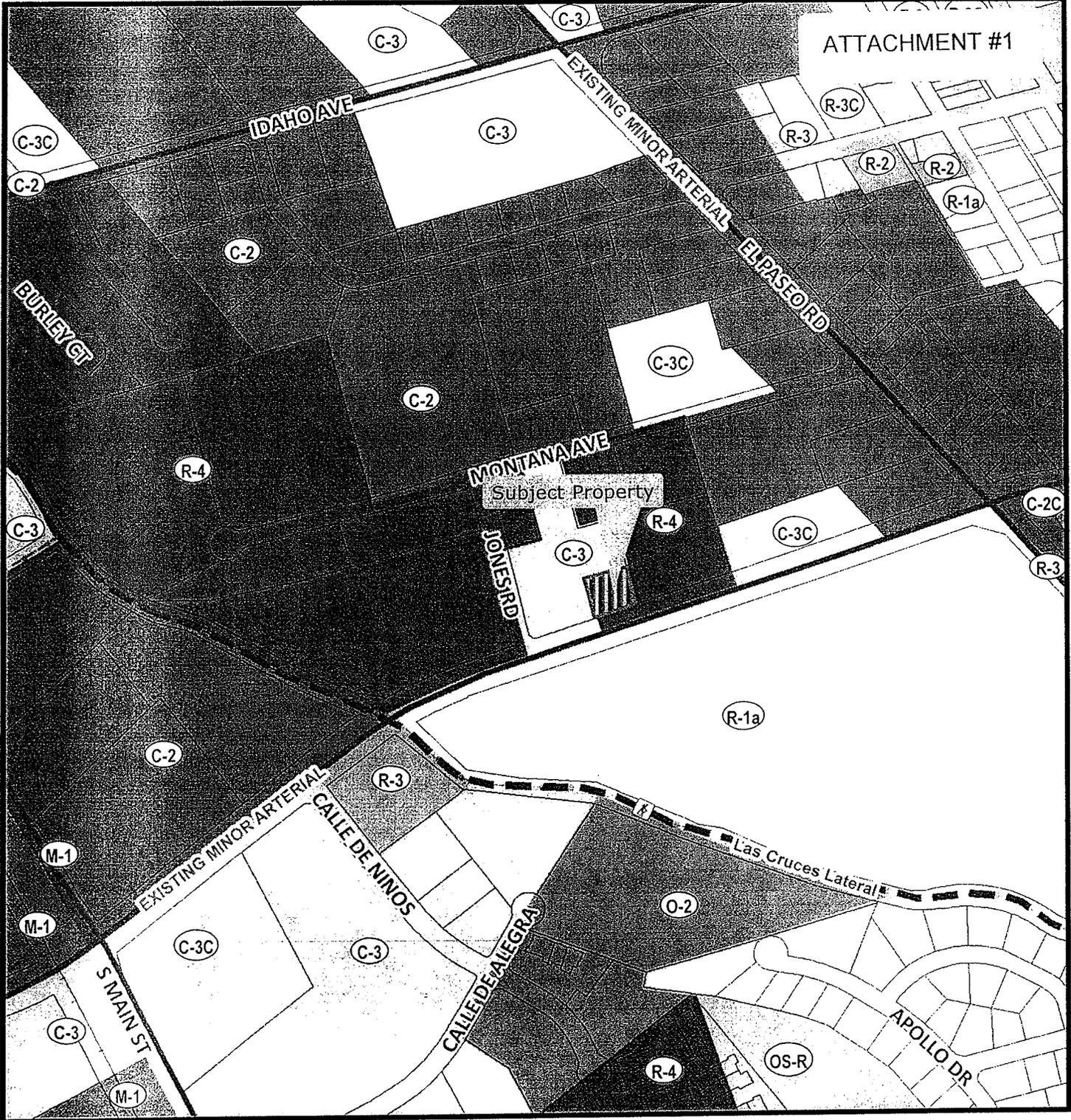
OWNER: THOMAS A. & JANET L. PAZ

# Location Vicinity Map <sup>30.7</sup>

PARCEL: 02-24411

DATE: 05/30/2013

ATTACHMENT #1



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

## Legend

- Interstates\_Highway
- EBID Water System
- Railroad

*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

Subject Property

JONES RD

EBOUTZ RD

EXISTING MINOR ARTERIAL

### Legend

 City Parcel

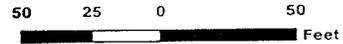
DAC\_2010.ecw

RGB

 Red: Band\_1

 Green: Band\_2

 Blue: Band\_3



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

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: Thomas A. Paz
Contact Person: Thomas A. Paz
Contact Phone Number: 575-526-4432
Contact e-mail Address: TJPAZ@ZIANET.COM
Web site address (if applicable):

Proposal Information

Name of Proposal: 330 East Boutz Rd.
Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)

Location of Subject Property 330 East. Boutz Rd LC PM

(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: 0.35 AC

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

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

Zoning of Subject Property: R-4

Proposed Zoning (If applicable): O-2

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

Proposed square footage range of homes to be built from N/A to N/A

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

Existing 4000 sq/ft proposed 800sqft additional, 14ft Hgt.

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

7AM - 7PM

Anticipated traffic generation same as existing trips per day.

Anticipated development schedule: work will commence on or about on TBA

and will take TBA to complete.

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

By 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). All requirements

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? yes

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? 19 How many accessible? 2

**Attachments**

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

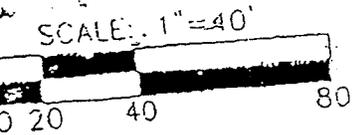
Location map

Subdivision Plat (If applicable)

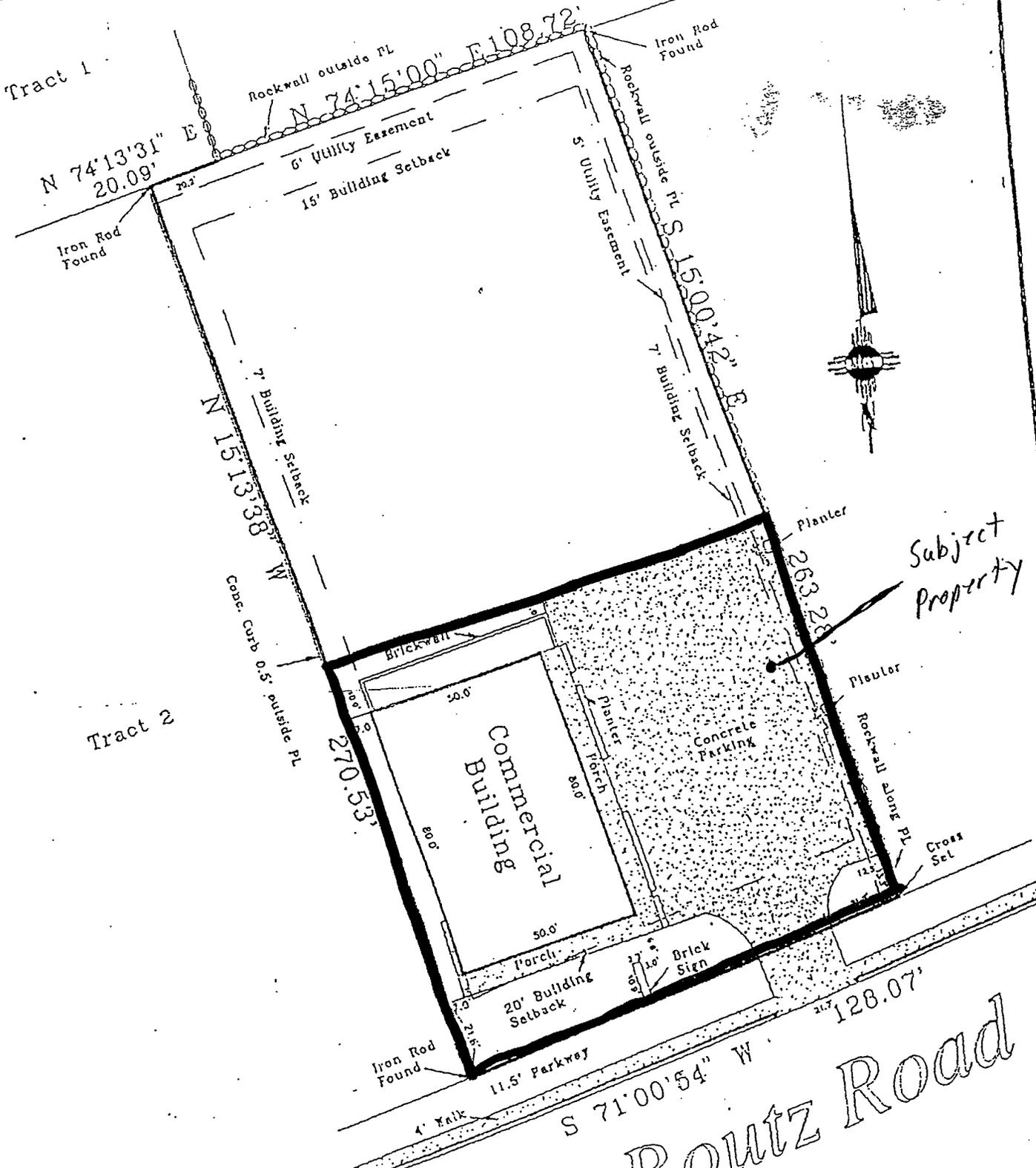
Proposed building elevations

\*renderings of architectural or site design features

\*other pertinent information



Tract 1



Tract 2

330 Boutz Road

## **Comprehensive Plan Elements and Policies**

### **Applicable Goals/Policies/Objectives from City Long Range Plans:**

The 1999 City Comprehensive Plan and its referenced plans (i.e., Las Cruces MPO Transport 2040) will apply to this rezoning request. The site is within the boundaries of the El Paseo Corridor Community Planning Blueprint and Infill Policy Plan. No specific policies of the One Valley, One Vision 2040 Regional Plan apply to this rezoning request.

### **The following policies and actions from El Paseo Corridor Community Planning Blueprint are relevant to the current proposal:**

The policies of this Blueprint encourage a mix of uses within the El Paseo Corridor, along with enhancing mobility connections and sustainable design practices. The existing medical office use is a different diverse use from adjacent uses. The site is less than ¼ of a mile to residential uses and across from potential customers at the high school. Limitations for development of high-density housing on the subject site exist due to its small size, location surrounded by non-residential uses, and nearby available undeveloped R-4 properties.

- Goal 2: Allow diverse land uses and housing types to locate in proximity to each other in order to achieve a walkable, inclusive and economically viable area.
- Goal 4: Improve the aesthetic appeal of the corridor; foster a “sense of place” or community identity along the corridor.
- Goal 6: Support active living and healthy community design through appropriate guidelines and regulations for the planning area.
- Action: Advance the City’s transit plan and affordable housing strategies by encouraging higher density housing along and around the corridor.

### **The following policies and actions from Infill Policy Plan are relevant to the current proposal:**

The policies in the Infill Policy Plan relate mostly to procedures and process. However, some policies relate to requiring compatibility to adjacent uses.

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

The policies in the Comprehensive Plan related to office generally support the existing medical office use at this location. Boutz Road is a functional road class above a collector class and it lies within ¼ mile of an existing transit stop. The noted high school locational policy does discourage commercial, office, or industrial uses adjacent to high

schools. This school policy is contrary to the circumstance that this office use is an existing use, most of the uses near the high school are commercial, and the Blueprint policy is for a mix of uses. A zoning condition related to landscaping is suggested to meet the policies on creating an attractive atmosphere and walkable environment through placement of street trees or shade devices for persons on the sidewalk or walkways into the building.

### Land Use Element

#### Goal 1 (Land Uses)

Objective 6 Establish land use policy, for the purposes of the Land Use Element, to serve commercial demand on a low intensity, medium intensity, high intensity, and regional commercial basis.

- 6.2 Professional office uses shall be defined as those office uses which generate larger-scale business and professional service activities. There shall be no goods or merchandise prepared or sold on the premises of these uses, with the exception of those activities which serve the primary use. Professional office uses and centers shall be established according to the following criteria:
- a. Generally 2,500 gross square feet and above shall be permitted for a professional office use or center.
  - b. Uses and centers shall be located on streets of collector level and above.
  - c. The City shall pursue multi-modal access standards (auto, bicycle, pedestrian, transit where available) for professional office uses and centers.
  - d. Professional office 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 design standards shall be established in the Comprehensive Plan Urban Design Element.
  - e. Adequate space for functional circulation shall be provided for loading areas.
  - f. The City shall encourage the development of professional office centers to allow for maximum convenience with minimal traffic and encroachment-related conflicts to adjacent uses.
  - g. The City shall encourage the development of professional office uses and centers in the Central Business District and in the East Mesa area.
  - h. Professional office uses are also permitted in medium intensity, high intensity, and regional commercial areas.

Objective 9 Establish design and location standards for public/quasi public uses throughout the City.

9.8.c High schools should be located on arterial streets where the speed limit on the arterial does not exceed 45 miles per hour. There shall be no commercial, office, or industrial uses adjacent to high schools.

Goal 2 (Growth Management)

Objective 4(6) Establish development management policy for initial zoning and zone changes.

4.1 All zoning actions shall observe growth management policy as established in the Land Use Element, other applicable elements, and all companion documents.

4.3 All zoning actions shall be consistent with policy within the Comprehensive Plan, and its companion documents.

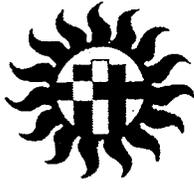
### Urban Design Element

Goal 1 (Image)

Objective 4 Create a pleasant and attractive atmosphere in and around the City of Las Cruces.

4.3 Emphasize low maintenance landscaping and tree plantings for median development, along sidewalks, bicycle routes, and other types of rights-of-way.

1. 4.4 Trees should be planted within all parking areas for visual relief as well as to provide shade relief in large-scale commercial parking areas.



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# City of Las Cruces

PEOPLE HELPING PEOPLE

**DATE:** May 31, 2013

**TO:** ~~Development Services~~

**FROM:** Adam Ochoa, Planner

**CASE NO.:** Z2862 (Review No.1)

**SUBJECT:** 330 E. Boutz Road  
Zone Change from R-4 to O-2

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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Please review and return to the Community Development Department no later than [June 7, 2013].

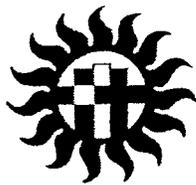
***IF YOU REQUIRE AN EXTENSION, PLEASE NOTIFY ROBERT KYLE, DEVELOPMENT SERVICES ADMINISTRATOR AT [rkyle@las-cruces.org](mailto:rkyle@las-cruces.org).***

APPROVED AS IS:       YES      NO

APPROVED WITH CONDITIONS:

DATE: 6/6/13      REVIEWER NAME: *Adam Ochoa*  
 REVIEWER CONTACT NO. X3204

- The proposed zone change will bring the subject property into compliance with the 2001 Zoning Code, as amended.



316  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

DATE: May 31, 2013

TO: ~~Long-Range Planning~~

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
Zone Change from R-4 to O-2

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APPROVED AS IS:  YES  NO

APPROVED WITH CONDITIONS: *see attached suggested landscape condition*

DATE: 6/7/13

REVIEWER NAME: Paul MICHAUD  
REVIEWER CONTACT NO. 3241

**Request:** Case Z2862 (R-4 to O-2), rezoning from R-4 to O-2 for a 0.3 acre parcel to come into compliance with the 2001 Zoning Code.

**Location:** Parcel Map ID 4-007-136-142-301, 330 Boutz Rd  
1,000 feet west of the El Paseo Boulevard/ Boutz Road intersection

**Site conditions:** The subject parcel adjoins the Minor Arterial of Boutz Road across from the Las Cruces High School. The site is already developed as an optometrist office, with a planned 800 square foot addition to the 4,000 square foot one-story building.

C-3, High Intensity Commercial, exists on the adjoining properties to the north and west. The property to the east has R-4, High-Density Multi-Family, Limited Retail/Office. The high school has R-1a, Medium Single-Family. Commercial zoning is prevalent along Boutz between El Paseo Boulevard and Main Street. Undeveloped R\_4 properties exist east and north of this site, along with existing apartment uses. The subject site sits between a funeral home and religious institution.

**Recommendation:** Long range planning staff sees no conflicts with the City Comprehensive Plan, Infill Policy Plan, or El Paseo Corridor Community Planning Blueprint. We recommend approval of this rezoning request with the understanding that the architecture, landscaping, and site design requirements of the City Zoning Code and applicable conditions will create a compatible use to the adjacent properties. Long range planning would suggest consideration of a zoning condition that addresses a separate pedestrian walkway from Boutz Road and adding street trees along Boutz Road to support the active living and aesthetic goals of the Blueprint.

**Applicable Goals/Policies/Objectives from City Long Range Plans:**

The 1999 City Comprehensive Plan and its referenced plans (i.e., Las Cruces MPO Transport 2040) will apply to this rezoning request. The site is within the boundaries of the El Paseo Corridor Community Planning Blueprint and Infill Policy Plan. No specific policies of the One Valley, One Vision 2040 Regional Plan apply to this rezoning request.

**The following policies and actions from El Paseo Corridor Community Planning Blueprint are relevant to the current proposal:**

The policies of this Blueprint encourage a mix of uses within the El Paseo Corridor, along with enhancing mobility connections and sustainable design practices. The existing medical office use is a different diverse use from adjacent uses. The site is less than ¼ of a mile to residential uses and across from potential customers at the high school. Limitations for development of high-density housing on the subject site exist due to its small size, location surrounded by non-residential uses, and nearby available undeveloped R-4 properties.

**Goal 2:** Allow diverse land uses and housing types to locate in proximity to each other in order to achieve a walkable, inclusive and economically viable area.

**Goal 4:** Improve the aesthetic appeal of the corridor; foster a “sense of place” or community identity along the corridor.

**Goal 6:** Support active living and healthy community design through appropriate guidelines and regulations for the planning area.

Action: Advance the City's transit plan and affordable housing strategies by encouraging higher density housing along and around the corridor.

**The following policies and actions from Infill Policy Plan are relevant to the current proposal:**

The policies in the Infill Policy Plan relate mostly to procedures and process. However, some policies relate to requiring compatibility to adjacent uses.

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

The policies in the Comprehensive Plan related to office generally support the existing medical office use at this location. Boutz Road is a functional road class above a collector class and it lies within ¼ mile of an existing transit stop. The noted high school locational policy does discourage commercial, office, or industrial uses adjacent to high schools. This school policy is contrary to the circumstance that this office use is an existing use, most of the uses near the high school are commercial, and the Blueprint policy is for a mix of uses. A zoning condition related to landscaping is suggested to meet the policies on creating an attractive atmosphere and walkable environment through placement of street trees or shade devices for persons on the sidewalk or walkways into the building.

Land Use Element

Goal 1 (Land Uses)

Objective 6 Establish land use policy, for the purposes of the Land Use Element, to serve commercial demand on a low intensity, medium intensity, high intensity, and regional commercial basis.

6.2 Professional office uses shall be defined as those office uses which generate larger-scale business and professional service activities. There shall be no goods or merchandise prepared or sold on the premises of these uses, with the exception of those activities which serve the primary use. Professional office uses and centers shall be established according to the following criteria:

- a. Generally 2,500 gross square feet and above shall be permitted for a professional office use or center.
- b. Uses and centers shall be located on streets of collector level and above.
- c. The City shall pursue multi-modal access standards (auto, bicycle, pedestrian, transit where available) for professional office uses and centers.
- d. Professional office 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 design standards shall be established in the Comprehensive Plan Urban Design Element.
- e. Adequate space for functional circulation shall be provided for loading areas.

- f. The City shall encourage the development of professional office centers to allow for maximum convenience with minimal traffic and encroachment-related conflicts to adjacent uses.
- g. The City shall encourage the development of professional office uses and centers in the Central Business District and in the East Mesa area.
- h. Professional office uses are also permitted in medium intensity, high intensity, and regional commercial areas.

Objective 9 Establish design and location standards for public/quasi public uses throughout the City.

9.8.c High schools should be located on arterial streets where the speed limit on the arterial does not exceed 45 miles per hour. There shall be no commercial, office, or industrial uses adjacent to high schools.

Goal 2 (Growth Management)

Objective 4(6) Establish development management policy for initial zoning and zone changes.

4.1 All zoning actions shall observe growth management policy as established in the Land Use Element, other applicable elements, and all companion documents.

4.3 All zoning actions shall be consistent with policy within the Comprehensive Plan, and its companion documents.

Urban Design Element

Goal 1 (Image)

Objective 4 Create a pleasant and attractive atmosphere in and around the City of Las Cruces.

4.3 Emphasize low maintenance landscaping and tree plantings for median development, along sidewalks, bicycle routes, and other types of rights-of-way.

4.4 Trees should be planted within all parking areas for visual relief as well as to provide shade relief in large-scale commercial parking areas.



<sup>320</sup>  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

DATE: May 31, 2013  
TO:   
FROM: Adam Ochoa, Planner  
CASE NO.: Z2862 (Review No.1)  
SUBJECT: 330 E. Boutz Road  
Zone Change from R-4 to O-2

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: 6/11/13

REVIEWER NAME: Andrew Whang

REVIEWER CONTACT NO. 3070

**MPO REVIEW COMMENTS**  
 Planning and Zoning Commission Cases

Case #: Z2862

Date: May 31, 2013

Request: 330 E. Boutz Road  
 Zone Change R-4 to O-2

MPO Thoroughfare	Dist. to Thor.	Functional Class	MTP Class	ROW Required	Dist. to Transit	AADT (year)	Current Bike Fac.	Planned Bike Fac.
Boutz	Adj		Minor Arterial	100'		18354 (2010)		

Recommended Conditions of Approval

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Additional Comments

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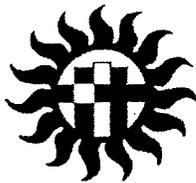
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# City of Las Cruces<sup>322</sup><sup>®</sup>

PEOPLE HELPING PEOPLE

DATE: May 31, 2013

TO: Engineering Services

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
Zone Change from R-4 to O-2

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APPROVED AS IS: YES NO

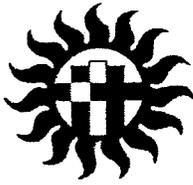
APPROVED WITH CONDITIONS:

DATE: 6/4/13

REVIEWER NAME: Natasha Billy (nbilly@las-cruces.org)  
REVIEWER CONTACT NO. 528-3496

- The proposed 800st is subject to on-lot ponding improvements.
- Please be advised this property is located in a 5FHA. Any ~~development~~ or substantial improvements will require the property owner to meet FEMA requirements. The <sup>proposed</sup> 800st addition may be subject to this; please contact JD Padilla (528-3131) for specifics.





324  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

*324*

DATE: May 31, 2013

TO: **Traffic**

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
Zone Change from R-4 to O-2

RECEIVED

MAY 30 2013

TRAFFIC

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: 6/7/13

REVIEWER NAME: K Guiza  
REVIEWER CONTACT NO. 2701

*No on lot pending exist on site.*

325  
City of Las Cruces  
Planning and Zoning Commission  
Case Review Sheet

TRAFFIC:

Case #: Z2862 Date: May 31, 2013

Request: 330 E. Boutz Road  
Zone Change R-4 to O-2

SITE ACCESSIBILITY: \*

Adequate deriving aisle	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Adequate curb cut	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Intersection sight problems	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Off-street parking problems	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>

ON-STREET PARKING IMPACTS:

None  Low  Medium  High

Explain: \_\_\_\_\_

FUTURE INTERSECTION IMPROVEMENTS:

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

Is a TIA required? Yes  No

If yes, please provide findings: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***\*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

**Adam Ochoa**

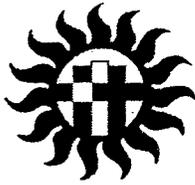
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**From:** Willie Roman  
**Sent:** Friday, June 21, 2013 3:26 PM  
**To:** Adam Ochoa  
**Cc:** Karmela Espinoza  
**Subject:** Case# Z2862 330 E. Boutz

Adam,

Traffic Engineering retracts their comment regarding on lot ponding as this issue is being addressed as part of the conditional approval by Engineering.

Willie Roman, PE  
Traffic Operations Engineer



327  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

DATE: May 31, 2013

TO: Land Management

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
Zone Change from R-4 to O-2

RECEIVED

MAY 30 2013

CITY OF LAS CRUCES  
LAND MANAGEMENT

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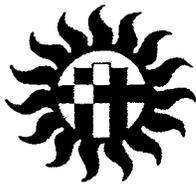
*IF YOU REQUIRE AN EXTENSION, PLEASE NOTIFY ROBERT KYLE, DEVELOPMENT SERVICES ADMINISTRATOR AT [rkyle@las-cruces.org](mailto:rkyle@las-cruces.org).*

APPROVED AS IS:  YES  NO

APPROVED WITH CONDITIONS:

DATE: 5-31-13

REVIEWER NAME: B. A. HAMM  
REVIEWER CONTACT NO. 528-3410



328  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

DATE: May 31, 2013

TO: **Parks & Rec**

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
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APPROVED AS IS:

YES

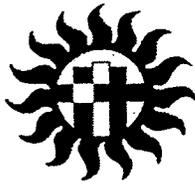
NO

APPROVED WITH CONDITIONS:

DATE: 5/31/13

REVIEWER NAME: *Robert Kyle*

REVIEWER CONTACT NO. 2550



329  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

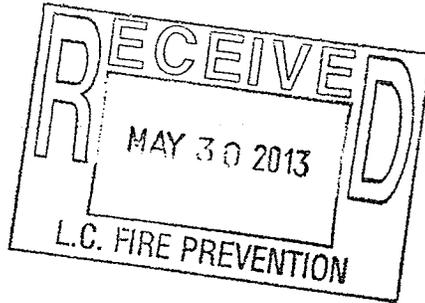
DATE: May 31, 2013

TO: **Fire**

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
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APPROVED AS IS:

YES

NO

APPROVED WITH CONDITIONS:

DATE: 6/7/13

REVIEWER NAME: Amg  
REVIEWER CONTACT NO. x 9150

330  
City of Las Cruces  
Planning and Zoning Commission  
Case Review Sheet

FIRE PREVENTION BUREAU:

Case #: Z2862 Date: May 31, 2013

Request: 330 E. Boutz Road  
Zone Change R-4 to O-2

ACCESSIBILITY ISSUES: \*

CONCERN

	Low	Medium	High
Building Accessibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Secondary Site/Lot Accessibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fireflow/Hydrant Accessibility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Type of Building Occupancy: Ⓟ B

Closest fire department that will service this property:

Name Station 2

Address/ Location 1199 Foster

Distance from subject property (miles) 1

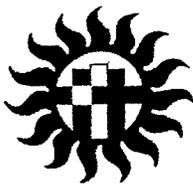
Adequate capacity to accommodate proposal? Yes  No

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:  Approval  Denial



331  
**City of Las Cruces**<sup>®</sup>  
PEOPLE HELPING PEOPLE

DATE: May 31, 2013

TO: 

FROM: Adam Ochoa, Planner

CASE NO.: Z2862 (Review No.1)

SUBJECT: 330 E. Boutz Road  
Zone Change from R-4 to O-2

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APPROVED AS IS:  YES  NO

APPROVED WITH CONDITIONS:

DATE: 06/04/13

REVIEWER NAME:   
REVIEWER CONTACT NO. 528-3639

*No water rights issues - FD. 5/31/2013*

CITY OF LAS CRUCES  
PLANNING AND ZONING COMMISSION  
CASE REVIEW SHEET

CASE #: Z2862      DATE: 06/04/13

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: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

1 **PLANNING AND ZONING COMMISSION**  
 2 **FOR THE**  
 3 **CITY OF LAS CRUCES**  
 4 **City Council Chambers**  
 5 **July 23, 2013 at 6:00 p.m.**  
 6

7 **BOARD MEMBERS PRESENT:**

- 8 Godfrey Crane, Chairman
- 9 William Stowe, Vice-Chair
- 10 Charles Beard, Secretary
- 11 Charles Schultz, Member

12 **BOARD MEMBERS ABSENT:**

- 13 Ray Shipley, Member
- 14 Joanne Ferrary, Member

15 **STAFF PRESENT:**

- 16 Adam Ochoa, Planner, CLC
- 17 Mark Dubbin, CLC Fire Department
- 18 Robert Cabello, CLC Legal Staff
- 19
- 20
- 21
- 22 Becky Baum, RC Creations, Recording Secretary
- 23

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

25  
 26 Crane: Good evening ladies and gentlemen. The July 23rd meeting of the City's  
 27 Planning and Zoning Commission is called to order. Let me start as we  
 28 usually do by introducing the Commissioners present. On my far right is  
 29 Commissioner Scholz. He represents ... he's the mayor's appointee.  
 30 Then is Commissioner Stowe who is also our Vice-Chair. Commissioner  
 31 Stowe represents Council District 1. Commissioner Beard is also our  
 32 Secretary and he represents District 2. I'm the Chair, Godfey Crane and I  
 33 represent District 4.  
 34

35 **II. CONFLICT OF INTEREST**

36 *At the opening of each meeting, the chairperson shall ask if any member on the*  
 37 *Commission or City staff has any known conflict of interest with any item on the*  
 38 *agenda.*  
 39

40 Crane: We also start by asking if any member of the Commission or anybody  
 41 representing the city at the moment has any conflict of interest regarding  
 42 any of the matters before the Commission tonight. Commissioners? City  
 43 employees? None.  
 44

45 **III. APPROVAL OF MINUTES**

- 46 1. June 25, 2013 - Regular meeting

- 1  
2 Crane: Our next matter is approval of the minutes of our last meeting on the 25th  
3 of June. Commissioner Scholz, do you have anything?  
4  
5 Scholz: I move to approve the minutes of June 25th, 2013.  
6  
7 Crane: You have no amendments?  
8  
9 Scholz: No, I thought we'd get it on the floor first.  
10  
11 Crane: Oh, very wise. Thank you. Is there a second for that?  
12  
13 Stowe: Second.  
14  
15 Crane: Okay, Commissioner Scholz, comments, amendments?  
16  
17 Scholz: No, didn't find anything.  
18  
19 Crane: Commissioner Stowe? And Commissioner Beard? I have a few  
20 regrettably: page 2, line 2, minor matter, second line in the beginning the  
21 word "it" should be taken out. It doesn't make any sense where it is.  
22 Page 4, line 44, at the beginning of the line we should have the word "on",  
23 "on which there are sometimes many things" and then the words "on it"  
24 should be removed. Page 36, line 31, I'm not in the position to say exactly  
25 what Mr. Pofahl said here but his reply does not make much sense, "this  
26 whole project would have to go to an optional site without zoning approval"  
27 and I wonder if any of my fellow Commissioners think he may have said  
28 "alternative" or some other such word? If we don't know then we'll let it  
29 stand. And finally, page 37, line 43, again a minor matter, "Ladies and  
30 gentlemen" plural. Any other Commissioner have any points? In that  
31 case all in favor accepting the minutes of the last meeting as amended  
32 say aye.  
33  
34 ALL: Aye.  
35  
36 Crane: Against? Any abstentions? Then it passes 4-nothing.  
37  
38 **IV. POSTPONEMENTS - NONE**  
39  
40 Crane: Any postponements, Mr. Ochoa?  
41  
42 Ochoa: No sir, none tonight.  
43  
44 Crane: Thank you.  
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46 **V. CONSENT AGENDA**

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1. **CPB-13-01:** Recommendation to City Council regarding the adoption of the East Mesa Community Blueprint submitted by the City of Las Cruces. The East Mesa Community Blueprint area is located south of US Highway 70 and east of Porter Road. The planning area is roughly bounded by Cortez Dr., Mauro Dr., the Alameda Arroyo and Davis Rd. The intent of the blueprint is to serve as a policy guide for future planning and development efforts in this area. District 6 (Councilor Thomas)
2. **Case S-13-014:** Application of Donohue Land Surveys on behalf of Jon R. & Barbara L. Rice, property owners for a replat known as Jornada North - Jornada South Subdivision, Replat No. 3 on a 3.26 +/- acre lot located on the northeast corner of Big Sky Drive and San Augustine Drive; a.k.a. 5900 San Augustine Drive; Parcel ID# 02-15834. Proposed Use: Subdividing one (1) existing single-family residential lot into two (2) new single-family residential lots; Council District 5 (Councilor Sorg)
3. **Case Z2862:** Application of Nava-Tech Inc. On behalf of Thomas A. & Janet L. Paz, property owners, to rezone from R-4 (Multi-Dwelling High Density & Limited Retail and Office) to O-2 (Office, Professional - Limited Retail Services) on 0.35 +/- acres lot located on the north side of Boutz Road, 200 +/- feet east of its intersection with Jones Road; a.k.a. 330 E. Boutz Road; Parcel ID# 02-24411. Proposed Use: The continued use of an optometrist office; Council District 3 (Councilor Pedroza)
4. **Case Z2863:** Application of Emilio C. Perez & Henry Bernal, property owners, to rezone from C-2 (Commercial Medium Intensity) to C-3 (Commercial High Intensity) on a 1.42 +/- acre lot located on the north side of Madrid Avenue, 365 +/- feet east of its intersection with Main Street; a.k.a. 150 E. Madrid Avenue; Parcel ID# 02-04349. Proposed Use: A barber shop; Council District 1 (Councilor Silva)

33 Crane: Now we proceed to the consent agenda and let me at this point explain to  
34 everybody present how we handle the consent agenda and, for that  
35 matter, the new business agenda. The consent agenda items are matters  
36 judged by the city to be noncontroversial, just typically rubber stamping  
37 some small change of paperwork and we vote on these as a block, up or  
38 down, no discussion, unless any member of the Commission, or city  
39 person, or member of the public wishes to bring it before the Commission  
40 for a discussion, in which case we will put it in to new business. Does  
41 anybody here wish to bring any of these four items, CPB-13-01, Case S-  
42 13-014, Case Z2862, or Case Z2863 forward for discussion a little later?  
43 Are we quite sure of that because I have a document regarding Case S-  
44 13-014 that indicates some people have some information on that  
45 particular matter. If nobody's prepared to bring it up then we'll ... very

1 well, we will vote on these four items together as the consent agenda. Do  
2 I have a mover?

3  
4 Scholz: So moved.

5  
6 Beard: Second.

7  
8 Crane: Commissioner Scholz moves, Commissioner Beard seconds. All in favor  
9 aye.

10  
11 ALL: Aye.

12  
13 Crane: Any opposed? It passes four/nothing.

14  
15 **VI. OLD BUSINESS - NONE**

16  
17 **VII. NEW BUSINESS**

18  
19 1. **Case S-13-008:** Application of Borderland Engineers and Surveyors LLC on  
20 behalf of Reliance Lodging LLC, property owner, to approve a master plan for  
21 a 4.412 +/- acre lot that will be known as the Divine Geeta Commercial  
22 Master Plan. The master plan will allow for the phasing and alternate  
23 summary subdivision for a commercial shopping/business development. The  
24 subject property is located on the south side of Valley Drive, east of Main  
25 Street, and west of University Avenue and north of Interstate 10; a.k.a. 2600  
26 S. Valley Drive; Parcel ID# 02-07806; Proposed Use: Shopping/business  
27 development; Council District 2 (Councilor Smith)

28  
29 Crane: So we pass on to the new business. The way we handle this is that first  
30 the City, probably Mr. Ochoa, makes a presentation then Commissioners  
31 ask Mr. Ochoa any questions they may have. We pass then to the  
32 applicant who himself or herself or their representative of that person  
33 makes a presentation. Again we can question them and finally we open  
34 the matter to public discussion and we may have some questions for any  
35 members of the public. When the public has spoken we close the debate  
36 and the Commissioners discuss it among themselves and take a vote. So  
37 we proceed to ... Oh, I guess the old business, Mr. Ochoa.

38  
39 Ochoa: No, sir, none tonight.

40  
41 Crane: We proceed to Case S-13-008, application of Borderland Engineers on  
42 behalf of Reliance Lodging to approve a master plan for lot that will be  
43 known as the Divine Geeta, Geeta, does anybody know?

44  
45 Ochoa: That is Geeta, sir.

46

ZONING: R-4 TO O-2

OWNER: THOMAS A. & JANET L. PAZ

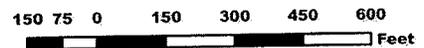
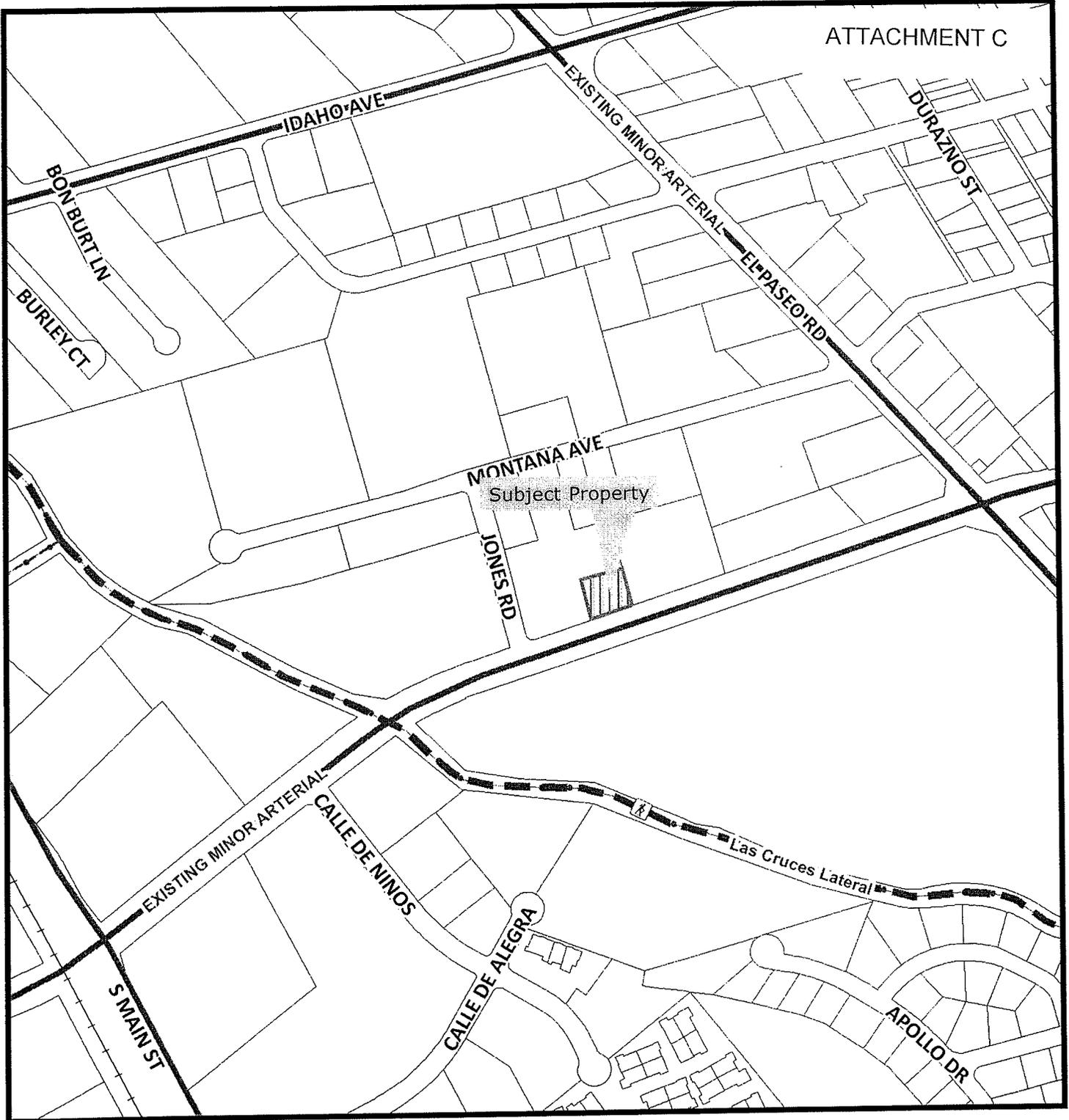
337

# Location Vicinity Map

PARCEL: 02-24411

DATE: 05/30/2013

ATTACHMENT C



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

## Legend

Interstates\_Highway    EBID Water System    Railroad

*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.*