

City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 14 Ordinance/Resolution# 2758

For Meeting of July 6, 2015
(Ordinance First Reading Date)

For Meeting of July 20, 2015
(Adoption Date)

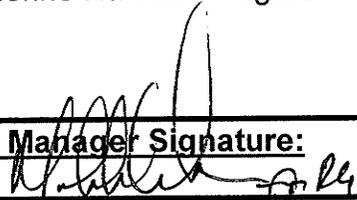
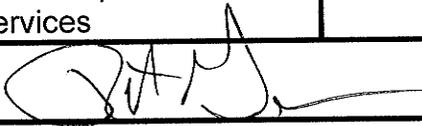
Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM A-2 (RURAL AGRICULTURAL) TO EEC (EQUESTRIAN ESTATES CONDITIONAL) FOR THE NORTHERN 2.71± ACRES AND TO C-3 (COMMERCIAL HIGH INTENSITY) FOR THE SOUTHERN 1.5± ACRES FOR A PARCEL TOTALING 4.21+ ACRES LOCATED AT 1840 (FKA 1900) AVENIDA DE MESILLA, PARCEL 02-26820. SUBMITTED BY SHAWNA RUNYAN ON BEHALF OF THOMAS RUNYAN AND JAMES HILL, PROPERTY OWNERS (Z2886).

PURPOSE(S) OF ACTION:

Zone change.

COUNCIL DISTRICT: 5		
Drafter/Staff Contact: Katherine Harrison-Rogers	Department/Section: Community Development/Building & Development Services	Phone: 528-3049
City Manager Signature: 		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The applicant, Shawna Runyan on behalf of Thomas Runyan and James Hill, property owners, is requesting to rezone a property from A-2 (Rural Agricultural) to EE (Equestrian Estates) for the northern 2.71± acres and C-3 (Commercial High Intensity) for the southern 1.5± acres. The A-2 zone was a zoning district from the 1981 code and no longer exists. In order to utilize the property, it must be rezoned to a current zoning designation. The applicant desires to utilize the northern property for agriculture and the southern portion for commercial and retail purposes and is requesting corresponding zoning designations to allow these types of uses. The parcel is located at 1840 (formally known as 1900) Avenida de Mesilla approximately 536± feet north of the intersection of Avenida de Mesilla and HWY 292.

The property lies within the Avenida de Mesilla Gateway Overlay, a commercial corridor affecting properties with frontage along Avenida de Mesilla. As such, the property is subject to several design standards verified by staff during the permitting and construction phase of development. Not only is the property within this overlay, but the property is also bordered by two state

highways, Highway 28 (aka Avenida de Mesilla) to the east and Highway 292 (aka Motel Blvd.) to the west. According to the Mesilla Valley Metropolitan Planning Organization, Highway 292 is a constrained minor arterial and Highway 28 is a constrained principal arterial. The 2001 Zoning Code recommends access to C-3 properties be from an arterial, as is consistent with this request.

The property is also adjacent to lands utilized for commercial purposes in both the City limits and in the Town of Mesilla and is in close proximity to lands zoned C-2c, C-3, and C-3c. The proposed EE zone is consistent in character with the low density residential uses to the north and west as well as the agricultural uses to the west. The proposed EE portion of the property acts as a buffer between the proposed commercial activity and the agricultural and residential properties to the north and west by limiting uses and ensuring that only low density development or agriculture can occur.

The proposal for a zone change from A-2 to EE and C-3 is consistent with the Avenida de Mesilla Gateway Overlay Zone and Plan and is an appropriate development type along arterial roadways. It is also supported by the Comprehensive Plan; supports several Purposes and Intent statements listed in Section 38.2 of the City of Las Cruces 2001 Zoning Code; and does not contradict the Planning and Zoning Commission's Decision Criteria outlined by Las Cruces Municipal Code Section 2-382. It should be noted that the zone change also eliminates a non-conforming situation by bringing the property's zoning designation into compliance and allowing the owner to pursue development.

On May 26, 2015 the Planning and Zoning Commission (P&Z) recommended conditional approval of the proposed zone change request by a vote of 6-0-0, (one Commissioner absent) based upon the findings reflected in Exhibit "B". Two members of the public spoke regarding questions about the potential for future development and subdivision, questions about improvements associated with any future development, and concerns regarding nuisances associated with animals, both large and small. Staff also received two phone inquiries regarding the proposal, one concerned with flies and smells associated with the keeping of large animals and the other regarding the types of uses that would be allowed if the zone change were to be approved. Due to concerns regarding potential nuisances caused by large animals to the nearby residential properties and with the concurrence of the property owner, the condition recommended by P&Z was to not permit large animals, as defined by the Las Cruces Municipal Code, on the site proposed to be zoned EE.

SUPPORT INFORMATION:

1. Ordinance.
2. Exhibit "A", Location Map.
3. Exhibit "B", Findings.
4. Attachment "A", Staff Report to the Planning and Zoning Commission for Case Z2886.
5. Attachment "B", Minutes from the May 26, 2015 Planning & Zoning Commission Meeting.

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 4.21+ acres will be rezoned from A-2 (Rural Agricultural) to EEc (Equestrian Estates Conditional) for the northern 2.71± acres and C-3 (Commercial High Intensity) for the southern 1.5± acres.
2. Vote "No"; this will reject the recommendation made by the Planning and Zoning Commission. The current nonconforming zoning designation of A-2 (Rural Agricultural) will remain on the subject property and the property will remain non-conforming unless subdivided. 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 City Council to modify the Ordinance by adding or removing conditions as determined appropriate.
4. Vote to "Table"; this could allow City 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. 15-039
ORDINANCE NO. 2758

AN ORDINANCE APPROVING A ZONE CHANGE FROM A-2 (RURAL AGRICULTURAL) TO EEC (EQUESTRIAN ESTATES CONDITIONAL) FOR THE NORTHERN 2.71± ACRES AND TO C-3 (COMMERCIAL HIGH INTENSITY) FOR THE SOUTHERN 1.5± ACRES FOR A PARCEL TOTALING 4.21+ ACRES LOCATED AT 1840 (FKA 1900) AVENIDA DE MESILLA, PARCEL 02-26820. SUBMITTED BY SHAWNA RUNYAN ON BEHALF OF THOMAS RUNYAN AND JAMES HILL, PROPERTY OWNERS (Z2886).

The City Council is informed that:

WHEREAS, Shawna Runyan on behalf of Thomas Runyan and James Hill, property owners, has submitted a request for a zone change from A-2 (Rural Agricultural) to EE (Equestrian Estates) for the northern 2.71± acres and C-3 (Commercial High Intensity) for the southern 1.5± acres for a property located at 1840 (formally known as 1900) Avenida de Mesilla approximately 536± feet north of the intersection of Avenida de Mesilla and HWY 292; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on May 26, 2015, recommended that said zone change request be conditionally approved by a vote of 6-0-0, (one Commissioner absent).

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

(I)

THAT the land as reflected in Exhibit "A", attached hereto and made part of this Ordinance, is hereby zoned C-3 (Commercial High Intensity) for the southern 1.5± acres and EEC (Equestrian Estates Conditional) for the northern 2.71± acres with the following condition:

- No Large Animals, as defined by the City of Las Cruces Municipal Code, shall be permitted.

(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 _____ 20__.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

VOTE:

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

APPROVED AS TO FORM:

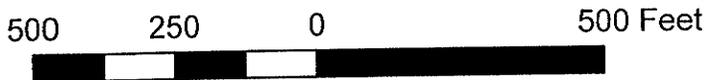
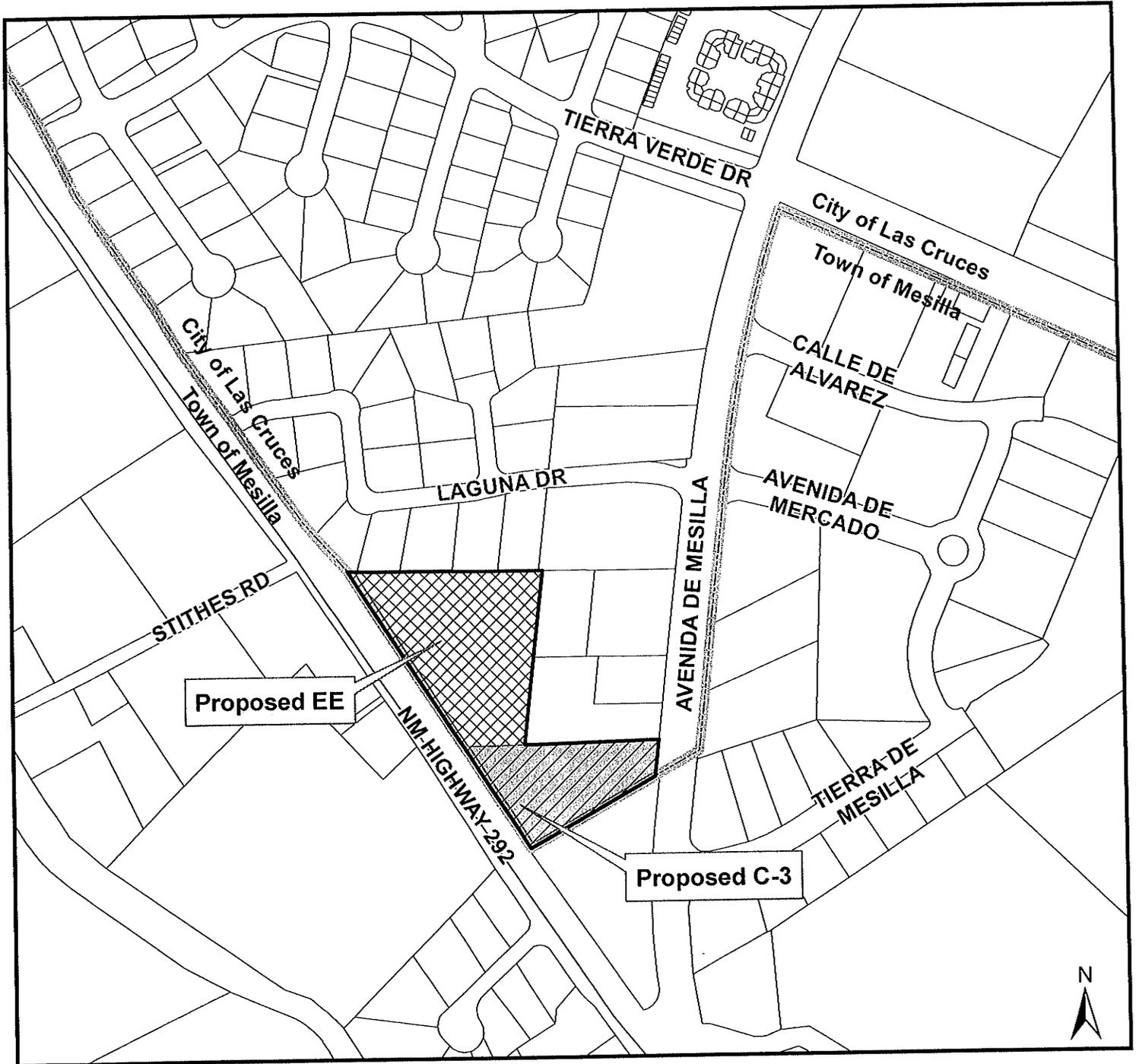
AS Commlly for W.R. Babington Jr.
City Attorney

LOCATION MAP

EXHIBIT "A"

CASE: Z2886
PARCEL: 02-26820
DATE: 5-19-2015

APPLICANT: Shawna Runyan on behalf of
Thomas Runyan and James Hill
PROPOSAL: A zone change from A-2 to C-3
(~1.5 ac) and EE (~2.71 ac).



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Planning and Zoning Commission Recommended Findings for Case Z2886

1. The subject parcel currently encompasses a total of 4.21 + acres, is vacant, and is zoned A-2 (Rural Agricultural) and lies within the Avenida de Mesilla Gateway Overlay District.
2. Based upon staff's analysis of the proposal, the proposed zone change meets the intent of Comprehensive Plan 2040 and Avenida de Mesilla Gateway 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.



Planning & Zoning
Commission
Staff Report

Meeting Date: May 26, 2015

Drafted by: Katherine Harrison-Rogers

CASE #	Z2886	PROJECT NAME:	1840 (previously 1900) Avenida de Mesilla Zone Change
APPLICANT/ REPRESENTATIVE:	Shawna Runyan	PROPERTY OWNER:	Thomas Runyan and James Hill
LOCATION:	1900 Avenida de Mesilla, Parcel 02-26820	COUNCIL DISTRICT:	4 (Nathan Small)
SIZE:	4.21 ac	EXISTING ZONING/ OVERLAY:	Avenida de Mesilla Gateway Overlay District
REQUEST/ APPLICATION TYPE:	A zone change from A-2 (Rural Agriculture) to EE (Equestrian Estates) for the northern 2.71± acres and to C-3 (Commercial High Intensity) for the southern 1.5± acres.		
EXISTING USE(S):	Vacant: single-family home recently demolished		
PROPOSED USE(S):	Northern property for agriculture and the southern portion for commercial and retail purposes		
STAFF RECOMMENDATION:	Yes based on findings		

TABLE 1: CASE CHRONOLOGY

Date	Action
April 6, 2015	Application submitted to Development Services
April 6, 2015	Case sent out for review to all reviewing departments
April 14, 2015	Staff reviews and recommends approval of the zone change
April 21, 2015	All comments returned by all reviewing departments
May 8, 2015	Sign posted on property
May 10, 2015	Newspaper advertisement
May 11, 2015	Public notice letter mailed to neighboring property owners
May 26, 2015	Planning and Zoning Commission public hearing

SECTION 1: SYNOPSIS OF PROPOSAL 256

The applicant, Shawna Runyan on behalf of Thomas Runyan and James Hill, property owners, is requesting to rezone a property from A-2 (Rural Agriculture) to EE (Equestrian Estates) for the northern 2.71± acres and C-3 (Commercial High Intensity) for the southern 1.5± acres. The A-2 zone no longer exists and the applicant desires to utilize the northern property for agriculture and the southern portion for commercial and retail purposes. The parcel is located at 1840 Avenida de Mesilla approximately 536± feet north of the intersection of Avenida de Mesilla and HWY 292.

TABLE 2: DEVELOPMENT STANDARDS & SITE CHARACTERISTICS

Standard	A-2	EE	C-3	
Max # of DU/parcel	1	N/A	N/A	
Max Density (DU/ac.)	.10	20	N/A	
Lot Area	10 ac	1 AC	21,780 sq. feet	
Lot Width	120 feet	100 feet	60 feet	
Lot Depth	200 feet	100 feet	70 feet	
Structure Height	35 feet	35 feet	*60 feet (*Ave de Mesilla overlay limits to 40 feet)	
Setbacks				
Front	50 feet	25 feet	15 feet	
Side	20 feet	15 feet	15 or 0 feet	
Rear	50 feet	15 feet	5 or 0 feet	
Landscaping				
% of total (less building pad & screened storage)	15% per the Avenida de Mesilla Gateway Overlay	15%	15%	
Buffering				
Bufferyard	10 feet between parking lot and lot line per the Avenida de Mesilla Gateway Overlay	N/A	*15 feet (*additional Avenida de Mesilla Gateway Overlay provisions apply)	*10 feet (*additional Avenida de Mesilla Gateway Overlay provisions apply)
Screen Type	landscaped berm per the Avenida de Mesilla Gateway Overlay	N/A	Semi-opaque	Opaque

TABLE 3: SPECIAL CHARACTERISTICS

Characteristic	Applies to Project?	Explanation
EBID facilities	No	Laguna Lateral adjacent to property
Medians/ parkways landscaping	No	Avenida de Mesilla is NM State Highway 28: no City Jurisdiction
Other	No	N/A

TABLE 4: ADJACENT ZONING AND LAND USE INFORMATION

Location	Existing Use	Overlay District	Zoning Designation
Subject Property	Vacant	Avenida de Mesilla Gateway Overlay Zone	A-2 (Rural Agricultural)
North	Single-family Residential and Commercial Retail	Avenida de Mesilla Gateway Overlay Zone	R-1c (Single-family low density) & A-2 (Rural Agricultural)
South	Agricultural and Single-family residential	N/A	Town of Mesilla
East	Commercial: Hotel/Restaurant	Town of Mesilla & Avenida de Mesilla Gateway Overlay Zone	Town of Mesilla & C-3c (High Intensity Commercial, conditional)
West	Agricultural and Single-family residential	N/A	Town of Mesilla

TABLE 5: PARCEL LAND USE HISTORY

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

SECTION 2: REVIEWING DEPARTMENT/AGENCY RECOMMENDATIONS

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 Land Management	Yes	No
CLC Utilities	Yes	No
CLC Fire & Emergency Services	Yes	No
EBID	Yes	No
NMDOT	Yes	No: Access permit and TIA may be required at time of development
Town of Mesilla	N/A	N/A: Declined Comment

SECTION 3: STAFF ANALYSIS AND CONCLUSIONS

Decision Criteria

Planning and Zoning Commission 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

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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:

- Impair an adequate supply of light and air to adjacent property or otherwise adversely adjoining properties.
- Unreasonably increase the traffic in public streets.
- Increase the danger of fire or endanger the public safety.
- Deter the orderly and phased growth and development of the community.
- Unreasonably impair established property values within the surrounding area.
- In any other respect impair the public health, safety or general welfare of the city.
- 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.
- Be in harmony with the purpose and intent of the zoning code, sign code, design standards and other companion codes.

Relevant Zoning Code Purpose and Intent Statements [Article I, Section 38-2.]

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:

- Ensure that all development is in accordance with this Code and the Las Cruces Comprehensive Plan and its elements;
- Encourage innovations in land development and redevelopment;
- Give reasonable consideration to the character of each zoning district and its peculiar suitability for particular uses;
- 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;
- Regulate or restrict the erection, construction, alteration, repair or use of buildings, structures or land;
- Improve the design, quality, and character of new development;
- Encourage development of vacant properties within established areas;
- Ensure that development proposals are sensitive to the character of existing neighborhoods;
- Foster a more rational relationship between different land uses for the mutual benefit of all; and
- Mitigate conflicts among neighbors.

New Mexico Case Law Rezoning Criteria Considerations

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 zone 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 City master plan, even though (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 Comprehensive Plan 2040 and any other applicable plans. For additional analysis, please refer to the attached Planning and Revitalization Case Analysis. The following goals and polices from Comprehensive Plan 2040 are relevant to the current proposal:

Chapter 4, Healthy Communities

- Balanced Development
 - Goal 1: Encourage Mixed Use Development
 - Policy 1.1 Encourage development using the mixed use concept of this Comprehensive Plan, such as developing compatible non-residential uses within walking distance of existing residential areas.
 - Policy 1.4 Encourage a balance of land uses as a means of providing convenience and functionality to those who may live and work in one area of the community, particularly in designated Infill areas or where city services exist or are planned to support mixed use development.
 - Goal 3: Support the vitality of agriculture and the co-existence of agriculture with other lands
 - Policy 3.2 Encourage the preservation of agricultural pockets and create standards that support urban agriculture in the development area of the city that contributes to the city's unique urban/rural character
 - Policy 3.4 Encourage less conventional agricultural practices throughout the city such as urban farming and community gardens.
 - Policy 3.6 Encourage small agricultural parcels within the urbanized area of the city as a means to provide open space, buffers between incompatible uses, community gardens, and/or options to offer locally grown food products directly from the source to residents and businesses.

Chapter 5, Community Character

- Flexible Design and Positive Image
 - Goal 19: Encourage development that is context-sensitive and compatible to the surrounding area.
 - Policy 19.14 Encourage high-density and/or mixed use development that is compatible with the neighborhood at locations throughout the city where such development furthers livability and mobility options to build a strong sense of community.
 - Policy 19.27 Support a policy of mixed land uses which are not traditionally considered compatible that may be located next to one another depending upon design features and compatibility with the adjacent area as a result of the mixed land use policy of this Comprehensive Plan. Those uses with lower intensities must be protected from any negative impacts from adjacent uses with higher intensities in order to protect a desirable quality of life within the city.

Chapter 6, Economic Prosperity

- Economic Diversity

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- o Goal 24: Create incentives, opportunities, partnerships, and policies that build a diversified business community.
 - o Policy 24.2 Support and implement mixed-use policies, flexibility of placing new uses, and office, commercial, and industrial zoning districts as outlined within this Comprehensive Plan.

Chapter 7, Sustainable Growth

- Vibrant Planning Areas, Neighborhoods, and Districts
 - o Goal 32: Establish land use policy for commercial and public/quasi-public uses.
 - o Policy 32.2 Community commercial uses shall be defined as those medium intensity commercial uses which provide an array of goods and services geared toward the daily and occasional needs of the community and associated neighborhoods.
- Managed Growth
 - o Goal 37: Establish an urban form which reflects coordinated and efficient city growth, circulation, development, redevelopment, and preservation practices.
 - o Policy 37.1 Create additional incentives to encourage infill development.
 - o Goal 38: Encourage sustainable practices that move toward a compact mixed-use urban form that supports infill and discourages "leap frog" growth.
 - o Policy 38.5 Encourage infill development as defined by City Code, as amended, as a way to support the utilization of property within the urbanized areas of the city and enhancement of the existing infrastructure network.

Analysis:

The property proposed for a zone change to EE and C-3 lies within the Avenida de Mesilla Gateway Overlay, a commercial corridor affecting properties with frontage along Avenida de Mesilla. As such, the property is subject to several design standards that require development to be built in the Pueblo, Spanish Colonial, Territorial, or Mission architectural styles. Furthermore, other additional urban design elements are required as part of the site development and include, but are not limited to, stricter landscaping requirements, modified sign and lighting requirements, and different parking lot and buffering requirements. Staff verifies adherence with these design elements during the permitting and construction phase of development.

Not only is the property within this overlay, but the property is bordered by two state highways, Highway 28 (aka Avenida de Mesilla) to the east and Highway 292 (aka Motel Blvd.) to the west. According to the Mesilla Valley Metropolitan Planning Organization, Highway 292 is a constrained minor arterial and Highway 28 is a constrained principal arterial. The 2001 Zoning Code recommends access to C-3 properties be from an arterial, as is consistent with this request. Any traffic studies and access permits will be reviewed and issued by the New Mexico Department of Transportation (NMDOT). The NMDOT did not identify and access or traffic issues associated with their review of this proposal.

The property is also adjacent to lands utilized for commercial purposes in both the City limits and in the Town of Mesilla and is in close proximity to lands zoned C-2c, C-3, and C-3c. The proposed EE zone is consistent in character with the low density residential uses to the north and west as well as the agricultural uses to the west. The proposed EE portion of the property acts as a buffer between the commercial activity and the agricultural and residential properties to the north and west by limiting uses and ensuring that only low density development or agriculture can occur.

During their review based upon applicable regulations, City Staff did not identify any issues associated with the potential for the:

- Impairment of adequate supply of light and air to adjacent property;
- Unreasonable increase in potential traffic;
- Increase the danger of fire or endanger the public safety;
- Determent of orderly and phased growth;
- Impairment of the public health, safety or general welfare of the city;

- Establishment of a spot zone; and the 261
- Contradiction the purpose and intent of the zoning code, sign code, design standards and other companion codes.

Conclusion

The proposal is consistent with the overlay zone, in particular the portion fronting Avenida de Mesilla is proposed as C-3 which is in keeping with this commercial corridor, the Avenida de Mesilla Gateway Overlay Plan, and is an appropriate development type along arterial roadways. The proposal for a zone change from A-2 to EE and C-3 is supported by the Comprehensive Plan, as listed above; supports several Purposes and Intent statements listed in Section 38.2 of the City of Las Cruces 2001 Zoning Code; and, based upon a review by relevant City Staff, does not contradict the Planning and Zoning Commission's Decision Criteria outlined by Las Cruces Municipal Code Section 2-382. It should be noted that the zone change also eliminates a non-conforming situation by bringing the property's zoning designation into compliance and allowing the owner to pursue development.

DRC RECOMMENDATION

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

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the project based on the findings listed below.

FINDINGS FOR APPROVAL

1. The subject parcel currently encompasses a total of 4.21 + acres, is vacant, and is zoned A-2 (Rural Agricultural) and lies within the Avenida de Mesilla Gateway Overlay District.
2. Based upon staff's analysis of the proposal, the proposed zone change meets the intent of Comprehensive Plan 2040 and Avenida de Mesilla Gateway 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.

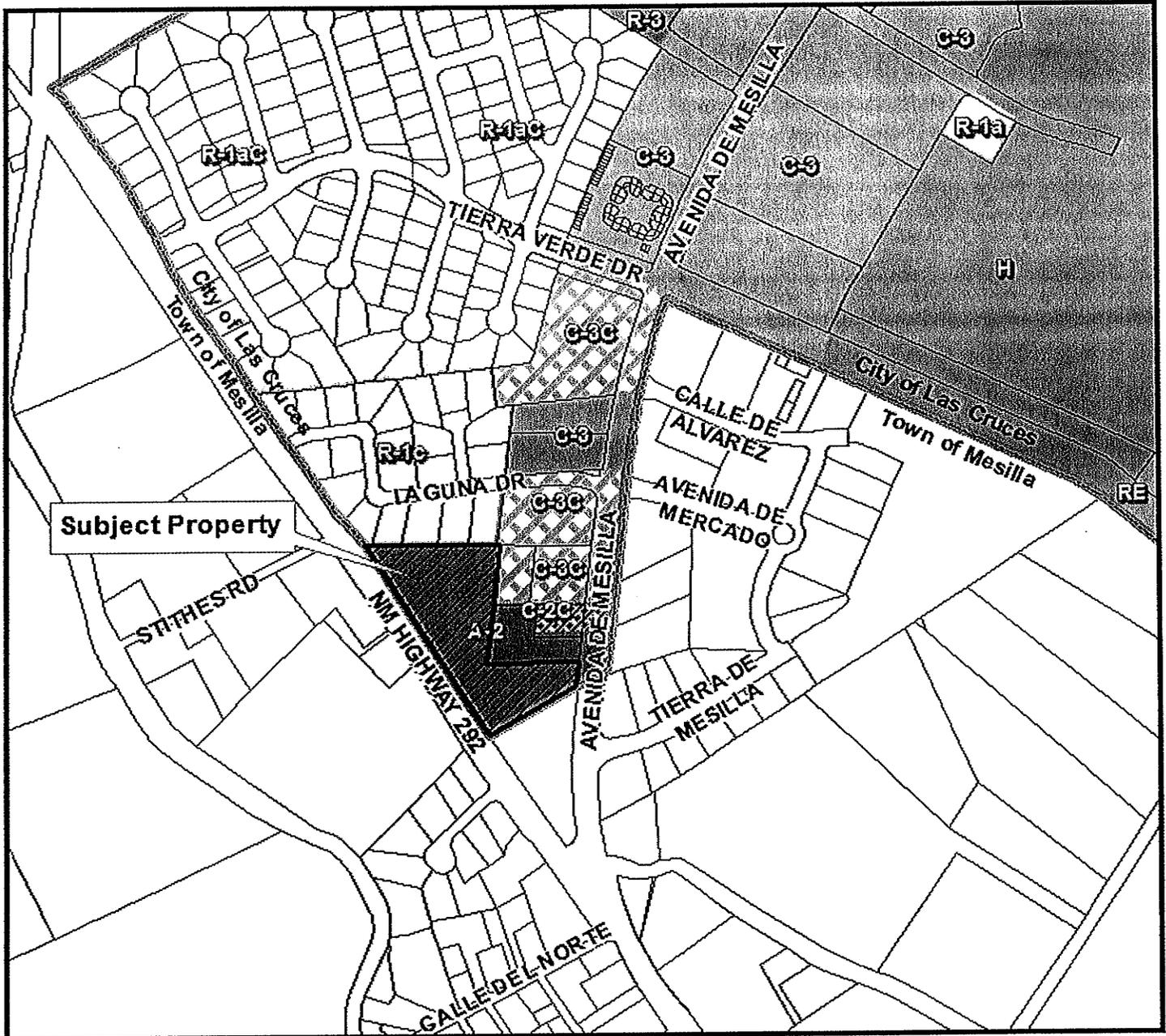
ATTACHMENTS

1. Zoning/Vicinity Map
2. Aerial Map
3. Development Statement
4. Planning and Revitalization Case Analysis

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ZONING AND VICINITY MAP

CASE: Z2886
PARCEL: 02-26820
DATE: 5-19-2015

APPLICANT: Shawna Runyan on behalf of
Thomas Runyan and James Hill
PROPOSAL: A zone change from A-2 to C-3
(~1.5 ac) and EE (~2.71 ac).



690 345 0 690 Feet



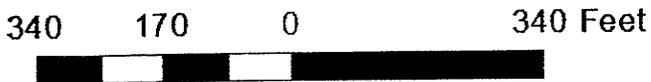
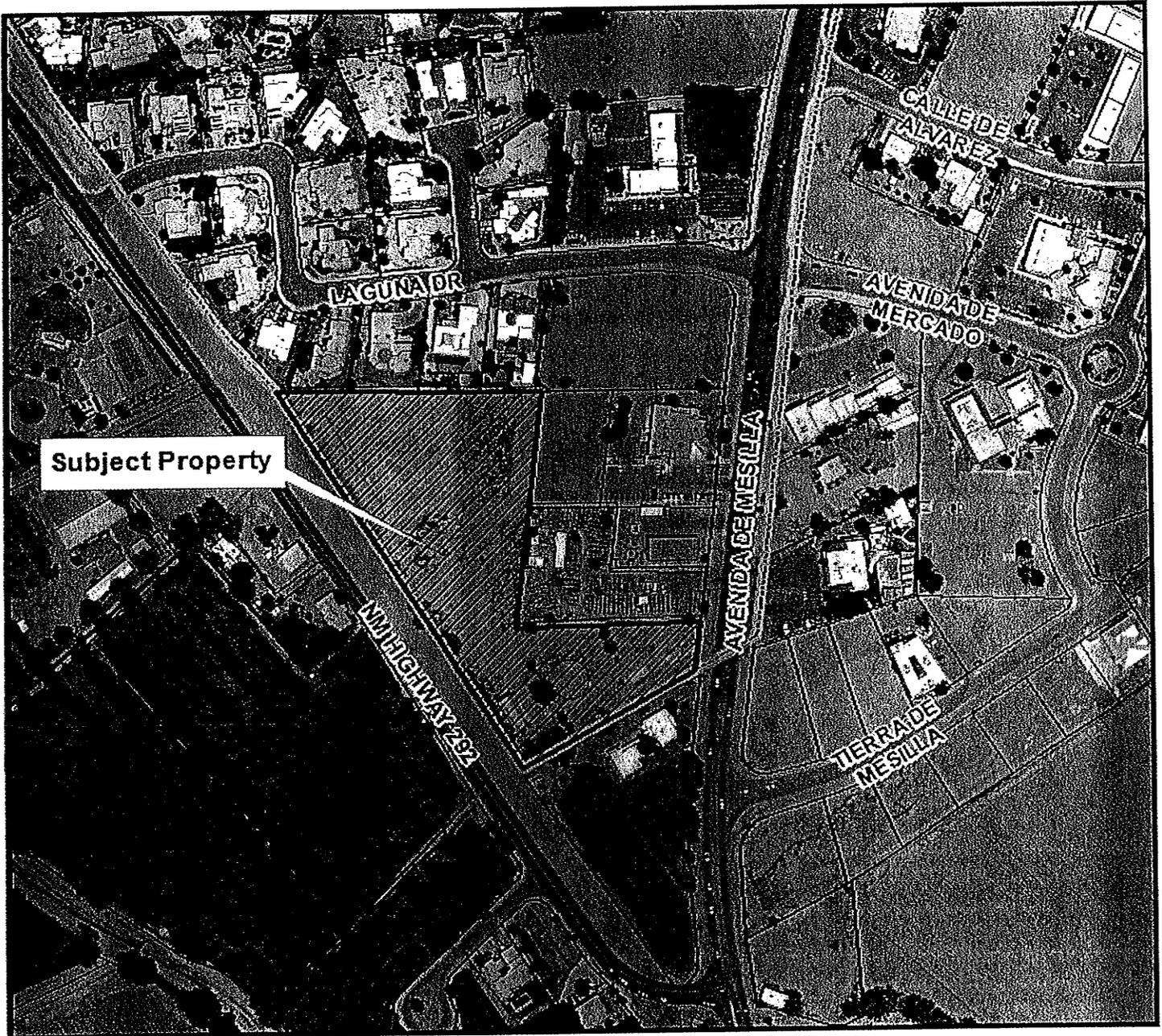
This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged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

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AERIAL MAP

ATTACHMENT 2

CASE: Z2886
PARCEL: 02-26820
DATE: 5-19-2015

APPLICANT: Shawna Runyan on behalf of
Thomas Runyan and James Hill
PROPOSAL: A zone change from A-2 to C-3
(~1.5 ac) and EE (~2.71 ac).



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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: Shawna Runyan
 Contact Person: Shawna Runyan
 Contact Phone Number: 575-644-0278
 Contact e-mail Address: sr@142@aol.com
 Web site address (if applicable): _____

Proposal Information

Name of Proposal: 1840 Avenida de Mesilla Zone Change
 Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)
Re-Zone
 Location of Subject Property 1840 Avenida de Mesilla Las Cruces, NM 88005
 (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: 4.21 acres
 Detailed description of **current** use of property. Include type and number of buildings:
The property is currently not being used. Located on property are the following: An abandoned house, a well house, stumps & trash.
 Detailed description of **intended** use of property. (Use separate sheet if necessary):
Demo structures and clean up property. Plan to build a retail store front at the front of property on Avenida de Mesilla to sell produce grown at back of property on motel blvd side.
 Zoning of Subject Property: A2
 Proposed Zoning (If applicable): C-3/EE
 Proposed number of lots 1, to be developed in N/A 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):

Unknown

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

8am to 5pm Tues - Sunday

Anticipated traffic generation Unknown trips per day.

Anticipated development schedule: work will commence on or about ASAP

and will take Approx. 12 months to complete.

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

On lot ponding

Will any special landscaping, architectural or site design features be implemented 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). yes, in the future. Details

Unknown as of now.

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

Is there existing landscaping on the property? NO

Are there existing buffers on the property? NO

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

If yes, is it paved? Yes ___ No ___

How many spaces? _____ How many accessible? _____

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

- THIS PLAT IS SUBJECT TO THE APPROVAL BY THE CITY OF LAS CRUCES PLANNING DEPARTMENT, OR ANY OTHER GOVERNMENT AGENCY.
- FLOOD ZONE "X": AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN IN MAP NO. 35013C0633 E., EFFECTIVE SEPTEMBER 27, 1991.
- A DESCRIPTION WAS PREPARED UNDER JOB NO. 99-0191. THE PLAT AND DESCRIPTION WAS PREPARED AS PER THE OWNERS REQUEST.

State of N. Mex. Co. of Dona Ana, ss
 RECEPTION NO. 23221 I hereby
 certify that this instrument was filed
 for recording and duly recorded on

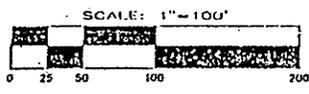
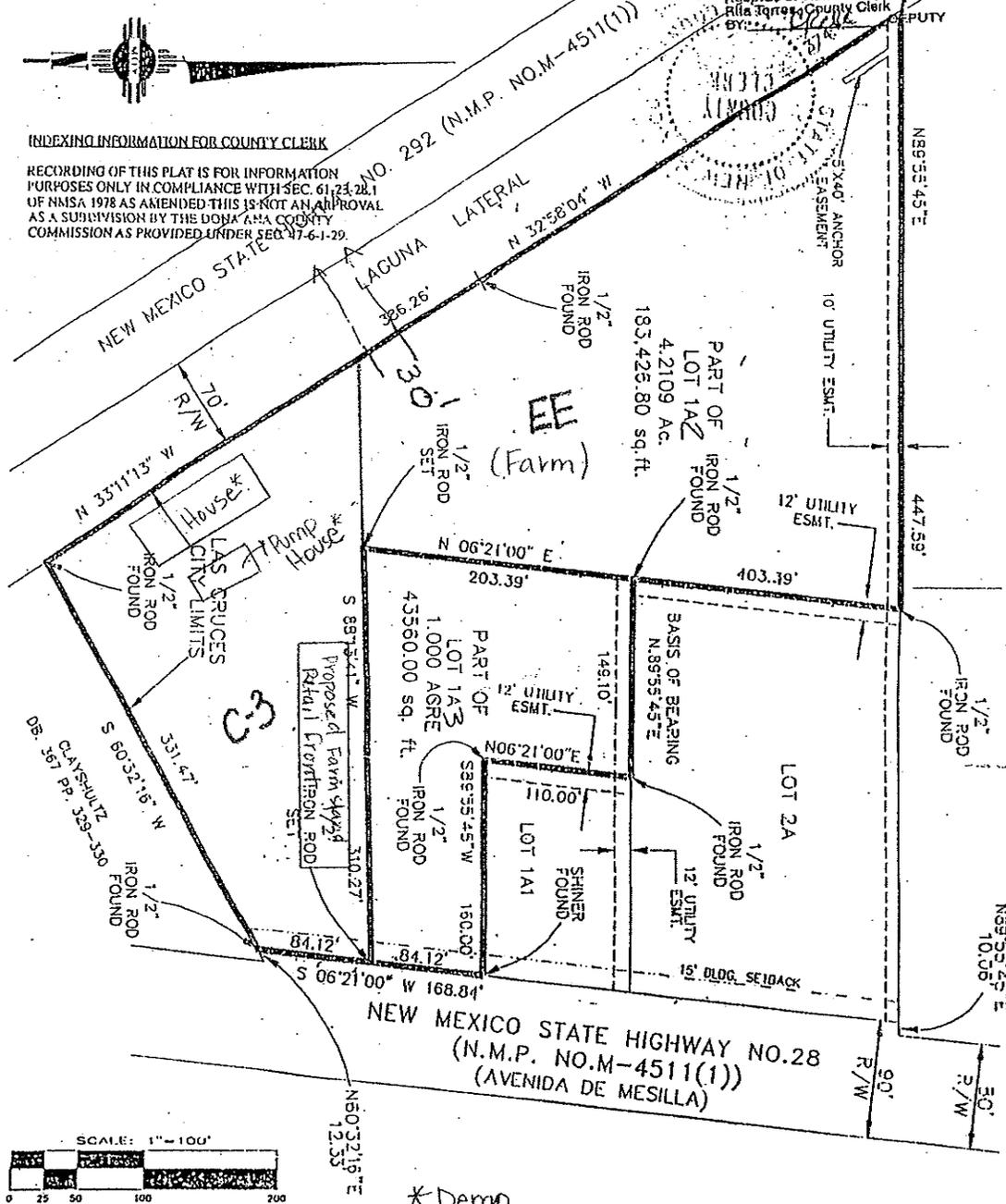
MAR 9 1999

at 8:31 o'clock A.M.
 Book 172 Page 336 of the
 Records of said County,
 Bilia Torres County Clerk
 BY: [Signature] DEPUTY



INDEXING INFORMATION FOR COUNTY CLERK

RECORDING OF THIS PLAT IS FOR INFORMATION PURPOSES ONLY IN COMPLIANCE WITH SEC. 61-23.28.1 OF NMSA 1978 AS AMENDED THIS IS NOT AN APPROVAL AS A SUBMISSION BY THE DONA ANA COUNTY COMMISSION AS PROVIDED UNDER SEC. 17-6-1-29.



NEW MEXICO STATE HIGHWAY NO. 28
 (N.M.P. NO. M-4511(1))
 (AVENIDA DE MESILLA)

* Demo



PLAT OF SURVEY
 OF A 1.000 ACRE TRACT AND A
 4.2109 ACRE TRACT, BEING LOT 1A
 U.S.R.S. TRACT 9D-93, REPLAT NO. TWO
 FILED SEPTEMBER 22, 1995 IN PLAT BOOK 18
 PAGE 336, DONA ANA COUNTY RECORDS
 CITY OF LAS CRUCES, DONA ANA COUNTY
 NEW MEXICO

I HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR IN THE STATE OF NEW MEXICO AND THAT THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION FROM THE NOTES OF AN ACTUAL FIELD SURVEY AND THAT IT MEETS MINIMUM STANDARDS FOR LAND SURVEYS AS SET FORTH BY THE NEW MEXICO BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

JORGE MOY I.L.P.S. 5939

MOY SURVEYING INC.
 414 N. DOWNTOWN MALL
 LAS CRUCES, NEW MEXICO
 88001
 PHONE: (505) 525-0683
 FAX: (505) 524-3238

JOB NO. 99-0191
 DRAWN BY E.C.
 FIELD BY JHANE-BOGO-PEITE
 DATE 2/9/99 SCALE: 1"=100'

**Planning &
Revitalization**

Memo

To: Katherine Harrison-Rogers, Senior Planner
From: Marc A South, Planner
cc: [Name]
Date: April 9, 2015
Re: 1840 Avenida de Mesilla, Zone Change from A-2 to C-3 & EE

Overall Conclusion

The proposed rezoning is consistent with all aspects of the current Comprehensive Plan, therefore Long-Range planning as no objection to the proposal.

However, given the critical location of the property at a major gateway to the City, and a major transition point between Old Mesilla and the City, we are of the opinion that all reasonable steps should be taken to ensure that structure that will contain the market that is proposed should be architecturally compatible with the surrounding areas and the Avenida de Mesilla Gateway Plan (i.e. traditional Spanish southwestern style, or some close variation).

Discussion

The property in question is located along a corridor that has been designated in the Comprehensive Plan as an entrances/gateway that would create a sense of arrival to those traveling to and through Las Cruces and contribute to the distinctive character of place. (Goal 31.1)

It is near the intersection of two arterials (Avenida de Mesilla and Calle de El Paso: actually, the property has frontage on both streets, although it does not occupy the actual point of intersection.

This area is within the Avenida de Mesilla Gateway Plan. Given that, the architectural standards for that district (listed on pages 22-28 of the Gateway Plan apply.

From the most recent comprehensive plan, this development should be considered a "community commercial uses" shall be defined as those medium intensity commercial uses which provide an array of goods and services geared toward the daily and occasional needs of the community and associated neighborhoods. It is located at an edge of the City, on an arterial that is generally zoned C-3 or C-3-C (although it should be noted that the directly adjacent lot on Avenida de Mesilla is zoned C-2-C: are the range of potential conditions on that lot consistent with this proposal?). In discussions with Adam Ochoa, he explained that the reason for the C-3-C request is that the property is over 1A in size, therefore C-2-C is not an option. The conditions placed on the C-2-C next door appear to relate more to the size of that lot, rather than any inherent desire to regulate the type of business to be undertaken on the property. At this particular corner, a multi-modal access difficult, as both Avenida de Mesilla and Calle de El Paso/Hotel are higher volume arterials. Bicyclists will have access to this location, but walkers may be challenged.

The district plan requires landscaping. While landscaping as required is appropriate and necessary for that part of the property that will front onto Avenida de Mesilla (the commercial part of the property), it would clearly be inappropriate for the agricultural portion of the property (the portion that fronts onto Calle de El Paso).

On the map included in the most recent Comprehensive Plan, the area of the City within which this parcel is located is considered a *City Neighborhood*. It talks about shopping centers along major corridors. Clearly Avenida de Mesilla is considered such a corridor (as indicated by the zoning along this roadway) and it constitutes a center of shopping (if not a "shopping center" *per se*).

This proposal is consistent with the long-range development of this portion of the City, as long as requirements already in place in the Gateway Plan are adhered to.

1 **III. APPROVAL OF MINUTES**

2
3 1. April 28, 2015

4
5 Crane: We'll start next as we usually do by approving the minutes of the last
6 meeting which the Commissioners have, personally I was not present and
7 I think perhaps some others weren't, but we'll ask each Commissioner, I'll
8 ask the Board does anybody have any corrections for the minutes? I
9 know Commissioner Beard does so, you want to kick off?

10
11 Beard: Thank you. Page 5, line 19, that last word I believe should be language, l-
12 a-n-g-u-a-g-e. Page 19, line 26, Commissioner Gordon you might help me
13 on this one, that last word I don't know what it should be.

14
15 Gordon: Fallow is correct.

16
17 Beard: It is correct?

18
19 Gordon: Fallow is correct. Being as, not being you know developed.

20
21 Beard: Oh, okay. No change there. Now I have a question for, especially for
22 legal on page 46, line 37, there was a, a, a motion to accept the case.
23 After that I can't find anywhere where we seconded that. Is, does that
24 mean anything?

25
26 Connelly: Mr. Chairman, I, in my packet I wasn't given the minutes so you're going
27 to have to sort of bring me up, are we talking about the last item, those
28 items two items on the agenda?

29
30 Beard: It was, it was the last item and it was very complicated in that we ...

31
32 Connelly: Right.

33
34 Beard: We started to vote and then we stopped voting.

35
36 Connelly: Correct.

37
38 Beard: And made an amendment to it and then we needed to make another,
39 another move to accept the question and then we didn't do a second on
40 that question.

41
42 Connelly: Yes sir, the, my research indicates that when you made the motion without
43 a second that the, in the matter I think someone called for a second and it
44 wasn't seconded that the matter did not go before the assembly, and
45 without the second it could not proceed.

46

- 1 Beard: But this was, this was moving on now. This is a different case. I
2 understand that we had problems with that one, but this was, this was the
3 case in which, what was it?
4
- 5 Ferrary: The, the VA hospital parking lot.
6
- 7 Beard: It was the, the VA parking lot. It was, it was a fairly simple one and we
8 made a motion to, to accept it, but we didn't include the conditions.
9 Commissioner Ferrary voted "no" saying that we needed that or voted "no"
10 and I questioned her why and she said the conditions were not included.
11 So we went back in the middle of a vote and re-amended that motion. We
12 voted it then but we didn't second that.
13
- 14 Connelly: I, I think I, no one raising, the lack of second that it went ahead and went
15 through and passed. I think there's no problem with it passing.
16
- 17 Beard: Oh okay. That's fine.
18
- 19 Connelly: Yes sir. I, I just want to differentiate between that and the first one
20 because in the first one the matter came up and the lack of second. In the
21 second one when the matter came up and it proceeded the matter
22 remained before the body, it was not, it was already before the body so
23 the body could go ahead and vote on it, even without a second.
24
- 25 Beard: Understand.
26
- 27 Connelly: That's the difference.
28
- 29 Beard: Okay. So it's, this one we don't need to do anything about this when
30 being accepted?
31
- 32 Connelly: No sir. It's, it's accepted and the, I would assume the people have relied
33 upon it.
34
- 35 Beard: Okay. Thank you. And that's it.
36
- 37 Crane: Before I call on other Commissioners, the record will show that
38 Commissioner Clifton, District 6 sir? Is now with us. Any other comments
39 on the minutes of the last meeting? I see no lights lit so let us vote to
40 accept the minutes as amended. May I have a mover?
41
- 42 Ferrary: I move that we accept the minutes with the change.
43
- 44 Crane: Moved by Commissioner Ferrary. Second?
45
- 46 Stowe: Second. Second.

1
2 Crane: By Commissioner Stowe. All in favor "aye."

3
4 MOTION PASSED, TWO ABSTENTIONS.

5
6 Crane: Opposed? None opposed. And I am abstaining. Anybody else
7 abstaining?

8
9 Clifton: I'll abstain.

10
11 Crane: And Commissioner Clifton's abstaining. We were both absent I guess.
12 Conflict of interest which I should've brought up before. I am asking if any
13 Member of the Commission or any member of the Community
14 Development Department has any conflict of interest regarding anything
15 on the agenda tonight. No one so indicating. We will continue.

16
17 **IV. CONSENT AGENDA - NONE**

18
19 **V. OLD BUSINESS - NONE**

20
21 **VI. NEW BUSINESS**

- 22
23 1. **Case Z2886:** An application of Shawna Runyan of behalf of Thomas Runyan
24 and James Hill, property owners, to rezone a property from A-2 (Rural
25 Agriculture) to EE (Equestrian Estates) for the northern 2.71 +/- acres and
26 the C-3 (Commercial High Intensity) for the southern 1.5 +/- acres. The A-2
27 zone no longer exists and the applicant desires to utilize the norther property
28 for agriculture and the southern portion for commercial and retail purposes.
29 The parcel is located at 1900 Avenida de Mesilla approximately 536 +/- feet
30 north of the intersection of Avenida de Mesilla and HWY 292. Parcel ID#: 02-
31 26820; Proposed Use: Retail and agriculture; Council District 4 (Small).

32
33 Crane: In new business we have one item, Case Z2886, an application to rezone
34 some property on, well the intersection of Avenida de Mesilla and Highway
35 292. And Ms. Harrison-Rogers is going to make a presentation. Go
36 ahead please.

37
38 H-Rogers: Good evening Members of the Commission, Mr. Chair. Again this is
39 Z2886. This is 1840 Avenida de Mesilla. It was formerly known as 1900,
40 they recently received an address change. They're, they're proposing a
41 zone change from A-2 to C-3 and EE. This particular application is by
42 Shawna Runyan on behalf of the property owners; Thomas Runyan and
43 James Hill. She is out of town this evening so she is represented here this
44 evening by someone familiar with the project. A-2 is rural agriculture. It's
45 a hold, a hold back from the 1981 Code. This particular piece of property
46 was never rezoned, so it's essentially legal non-conforming in terms of its

1 zoning. They want to convert the northern 2.7-ish acres to Equestrian
2 Estates which is a low density rural and agricultural designation and they
3 want to convert the lower portion, the southern portion, about 1.5 acres to
4 C-3 which is the Commercial High Intensity zone. What they're proposing
5 to do is essentially have an agricultural operation, crops, farming, on that
6 northern portion, portion. They would then sell those products in a retail
7 establishment along Avenida de Mesilla on the southern portion of that
8 property. You can see here's the location, a vicinity map, that green is
9 that holdover A-2 from our 1981 Code, and you can see all of the C-3s
10 along this commercial corridor. It is part of the Avenida de Mesilla
11 Gateway Overlay. Generally that's a commercial overlay which dictates
12 primarily urban design standards, to be in keeping with the look and the
13 feel of the Town of Mesilla so that the two blend nicely.

14 Again this is one parcel, total's a little over four acres, it is in
15 Council District 4 which is Small's district. It's a little over 500 feet north of
16 the intersection of Avenida de Mesilla and Highway 292 which is also
17 known as Motel Boulevard. The Laguna Lateral although it is buried it is
18 to, on the western side of the property. It runs along Highway 292. It's
19 also bordered by the Town of Mesilla on the west, the south, and the east
20 sides. It's currently vacant. It actually had an occupied single-family
21 home not long ago, when the property sold it was decided just based on
22 the damage of the home just to, to go ahead and tear it down. So the
23 property is currently vacant.

24 Again here's an aerial, you can get a sense of sort of what's around
25 it. Again this is all commercial in this area and commercial going up here
26 and I believe that this is actually a built on property now. I might be
27 wrong. And there are some agricultural and low-density residential uses
28 of course to the south, to the west, and then some low density residential
29 to the north. Just a view looking west from Avenida de Mesilla, you can
30 see it's right now just a big vacant lot. And of course looking east from
31 Highway 292 you can see the rock wall of that subdivision that lies just to
32 the north. During staff's analysis we did look of course at, at the adjacent
33 uses in the general area and felt that the C-3 zone and the retail uses
34 were very consistent with the Gateway Overlay Plan. The commercial
35 corridor that exists currently, and the commercial uses that were to the
36 east and the north. We felt that the location of the proposed equestrian
37 zone and agricultural uses were consistent with the adjacent agriculture
38 and the low density residential that was near by, essentially providing a
39 nice buffer between that commercial and any of those residential uses.
40 Also, Highway 28, Avenida de Mesilla, and Highway 292 are both
41 classified as arterial roadways, one's a minor arterial, one's a principle
42 arterial, and those are both appropriate for the type of uses that we're
43 talking about. During our analysis we did find that it was supported by the
44 Comprehensive Plan that was outlined in your staff report. The purpose
45 and intent statements that are in Section 38-2 of the Code and the

1 Planning and Zoning Commission's decision criteria that, of course, is
2 outlined in the Municipal Code.

3 Notice was sent to all relevant agencies and departments including
4 the Town of Mesilla. Notice was also sent to approximately 69 properties.
5 During, during the review and of course after the notice was sent I
6 received only one phone call regarding concerns about flies from potential
7 farm animals that might exist on that agricultural piece. My understanding
8 and the applicant's representative can speak a little bit more to this is
9 there aren't any animals proposed for that at all. It's simply crops. They
10 didn't necessarily oppose the zone change in theory, they were just
11 concerned about maybe any animals and, and the nuisance that might
12 bring.

13 Just for your edification, here's a, a map just showing who was
14 notified as part of the process. You can see here's the property right here,
15 number 46. And of course this evening you are a recommending body to
16 City Council and staff is recommending approval as was outlined in the
17 staff report, based of course on these findings. I won't read them. I'm
18 sure you can, you've reviewed those. And of course your options tonight
19 are to vote "yes," to vote "no," or to vote to amend this. Of course this
20 could modify the zone change, you could, you could add conditions if
21 necessary or you could vote to table it and direct either staff or the
22 applicant as needed to provide maybe additional information. So with that
23 I will turn it over to the applicant's representative who is here this evening,
24 unless you have questions you want to directly ask me right now.

25
26 Crane: Thank you Ms. Harrison-Rogers. Are there any questions for Ms.
27 Harrison-Rogers from Members of the Commission? Appears not. Thank
28 you. Please come up and identify yourself sir on the mic and I will ask
29 your name and I will swear you in as soon as the secretary gives me my
30 oath. Thank you. What's your name sir?

31
32 Hill: My name is James Hill.

33
34 Crane: James Hill. Mr. Hill do you swear or affirm that the testimony you are
35 about to give is the truth and nothing but the truth under penalty of law?

36
37 Hill: I do.

38
39 Crane: Thank you. Go on please.

40
41 Hill: This proposed zone change, all we're looking to do right now is to split the
42 zone where if you look at the property the way it lies now, it makes the, the
43 weird change on our property line. We would plan to do is put a retail
44 shop in the front end which will primarily be used to sell agricultural goods,
45 fresh vegetables, local goods, things of that nature. The back parcel of
46 the property would use for farm production. We've already started with

1 the application for organic certification and we'd like to make that
2 something readily available for residents, locally and around the City as
3 well as visitors to come out and see how we actually produce our produce.
4
5 Crane: Thank you. Any questions for Mr. Hill? I have one or two. You have a
6 nice pecan orchard there. Is that your property at the very tip?
7
8 Hill: No sir.
9
10 Crane: Somebody else. Okay, you're, you're immediately north of that, right?
11 Okay. And you are putting a, a building where, on which side was it,
12 Avenida de Mesilla side?
13
14 Hill: It'll be on the Avenida de Mesilla side sir.
15
16 Crane: Okay. And the EE bothers me a little bit because I wonder if that means
17 that you could bring in horses later without having to, or maybe other
18 animals without having to come back to the City to ask. Yes, Ms.
19 Harrison-Rogers indicates you can so you're swearing or affirming that
20 you will not bring in any horses. I like horses but, you know.
21
22 Hill: SPEAKING BUT MICROPHONE NOT PICKING UP.
23
24 Crane: Evidentially not a problem then. Okay. Anybody else have any
25 questions? Apparently not. In that case, is there any public input? Yes
26 sir.
27
28 SPEAKING, NOT AT THE MICROPHONE.
29
30 Crane: Yes sir I'm putting it over to the public now. If you come up.
31
32 SPEAKING, NOT AT THE MICROPHONE.
33
34 Crane: Come up please. Tell us who you are and I will swear you in.
35
36 Boyd: My name is Ronald Boyd.
37
38 Crane: How do you spell that?
39
40 Boyd: B-o-y-d.
41
42 Crane: Mr. Boyd do you swear or affirm that the testimony you are about to give is
43 the truth and nothing but the truth under penalty of law?
44
45 Boyd: Yes.
46

- 1 Crane: Go ahead please.
2
- 3 Boyd: My question is what else can EE be used for?
4
- 5 Crane: Ms. Harrison-Rogers.
6
- 7 H-Rogers: EE can be used for low-density residential single-family homes, no
8 mobiles, it would be site-built. That is an option if they were to choose to
9 subdivide. They would have to be limited to one-acre lot size, but at this
10 juncture they're not proposing that, but the zoning could open the door for
11 that at a future date.
12
- 13 Boyd: And how many buildings could be put on this one-acre site? I understand
14 it's like 2.71, does that mean that the most, most number of houses could
15 be two?
16
- 17 H-Rogers: If they were to subdivide you are correct, the, the most houses they could
18 put out there would be two.
19
- 20 Crane: Anything else Mr. Boyd?
21
- 22 Boyd: Yes, I just have one other question. With this store that's going to be
23 selling the agricultural products, I understand that a store would have to
24 be selling things year round, would this farming area on the 2.71 acres,
25 would that go from corn, to onions, to whatever in order to be able to
26 sustain a store all year long?
27
- 28 Crane: Mr. Hill.
29
- 30 Hill: The ground will be rotated so that we will have a mix of summer crops, fall
31 crops, winter crops. So there will always be something growing or per se
32 planted at all times.
33
- 34 Crane: Does that help you Mr. Boyd? Thank you. That gentleman. Tell us who
35 you are please.
36
- 37 Zyniewicz: Richard Zyniewicz. That's Z-y-n-i-e-w-i-c-z. Question.
38
- 39 Crane: Yeah.
40
- 41 Zyniewicz: If this were to go to residential homes at a later date, I assume there
42 would be no notification or any change required for the zoning, that'd be
43 taken care of here. What would be done as far as lighting, streets,
44 utilities, so on and so forth to accommodate these two homes that are
45 indicated as the maximum that could be built without further zoning
46 change?

1
2 Crane: Ms. Harrison-Rogers.
3
4 H-Rogers: Ultimately during the subdivision process if that were to ever occur, and of
5 course it's, it's not being planned at this point, they would have to provide
6 all the access and lighting standards that are outlined in our Municipal
7 Codes. They would have to go through a public subdivision process, so
8 you would be notified again and it would have to come back to this
9 Commission if it were to be subdivided and our lighting requirements have
10 actually become more strict, more stringent than they were than those,
11 than the subdivisions that are currently there have. They have basically
12 similar to sort of the dark skies ordinances, similar, a little but more hefty
13 than that. In particular I mean we have our code and I could, I could go
14 through it with you to show you what they would have to adhere to but it's
15 pretty lengthy and somewhat technical but I could sit down with you
16 maybe after the meeting and show you what they would have to adhere
17 to.
18
19 Zyniewicz: SPEAKING, NOT AT THE MICROPHONE.
20
21 Crane: Sir, Mr. Zyniewicz on the mic please cause our, we can't hear you and our
22 recording secretary can't hear you, so.
23
24 Zyniewicz: Basically (*inaudible*).
25
26 H-Rogers: Essentially the gentleman's declining any sort of consultation after the
27 meeting, just ...
28
29 Crane: Wants to do it now or what?
30
31 H-Rogers: What would be your preference sir?
32
33 Zyniewicz: In answer to the young lady's response to my question I thanked her
34 kindly for the offer and I rejected her reply at this point in time. It is not
35 necessary. It's not a question in concern right at the moment.
36
37 Crane: Okay. So ...
38
39 Zyniewicz: I do have one other question.
40
41 Crane: Go ahead sir.
42
43 Zyniewicz: Currently to my knowledge there is one main entrance to this property
44 parcel which is off of Avenida de Mesilla, now there are a couple of back
45 entrances which are "eh" questionable, however as they stand they're
46 perfectly fine. Are there going to be entrances allowed to this property off

1 of 292, Avenue de El Paso, Motel Boulevard, whatever you want to refer
2 to it as?

3
4 H-Rogers: I can answer a portion of that question. Legal access for this parcel is
5 from Avenida de Mesilla. If they were to seek alternate access they would
6 have to obtain, and either way they'd have to obtain permits from the state
7 and then from EBID a special use permit to cross that lateral. If they were
8 to subdivide for example into additional lots, they cannot utilize the
9 Highway 292 side because it has to cross a lateral and that's not
10 considered legal access by the, the City of Las Cruces. It creates some
11 challenges because that access is a permit that can be taken away at any
12 time. It's, it's no in perpetuity, so access would have to come from
13 Avenida de Mesilla if it was every subdivided.

14
15 Crane: That help sir?

16
17 Zyniewicz: All set.

18
19 Crane: Thank you. Any other questions? Yes sir, Mr. Boyd.

20
21 Boyd: Yes, Ronald Boyd again. Are the other agricultural uses, other parcels in
22 the immediate vicinity, are they also zoned EE?

23
24 Crane: Ms. Harrison-Rogers.

25
26 H-Rogers: To answer that question let me put the map back up. It's actually, those
27 parcels are actually in the Town of Mesilla and we don't have any
28 jurisdiction over their zone. You can see the big white, the big white
29 areas, that's all Avenida de Mesilla and the big agricultural pieces are
30 outside of our jurisdiction. So I'm going to go here and this is a little bit
31 more of a close up, you can see those pecan orchards. I'm not quite sure
32 what they're zoned as that is not part of the, of the City's jurisdiction. That
33 would be Avenida, that would be Town of Mesilla.

34
35 Boyd: Just one further question. Is that little area south of the one that's going to
36 be C-2 or whatever, yeah, is that Mesilla? I don't know.

37
38 H-Rogers: That is Mesilla.

39
40 Boyd: Okay.

41
42 Crane: Thank you.

43
44 Gordon: Mr. Chair.

45

- 1 Crane: Let me check one thing Ms. Harrison-Rogers. Okay. Question's gone
2 away. Any other questions? Mr. Gordon.
3
- 4 Gordon: Katherine, so I understand exactly what you're saying, if, when I'm looking
5 at, at the map, part of this parcel is, is double E, and the other one is C-3
6 and I believe you said that if, if they were to subdivide the double E, that
7 they would have, what access would they have out of the property if they
8 put houses in there? How do they get out?
9
- 10 H-Rogers: Ultimately it would be a, a, well they couldn't do two houses without
11 subdivision and you have to have legal access to subdivide. So if they
12 were going to want to subdivide this portion up here, legal access would
13 be, have to be provided from Avenida de Mesilla.
14
- 15 Gordon: How are they going to get there?
16
- 17 H-Rogers: Well they're not proposing subdivision at this point in time. Alternate
18 access for an un-subdivided parcel in order to access the agriculture could
19 be negotiated with EBID and the state. That is different than subdivision
20 access. At this point in time the legal access for this particular parcel
21 comes from Avenida de Mesilla. Whether or not they seek a driveway
22 permit to come off of Highway 292 without subdividing, that's a, that's
23 another matter. We would not, the City ultimately wouldn't be involved in
24 that access permit. They would be involved in, in the construction aspect
25 of what happens on site, but as it stands now current access is off of
26 Avenida de Mesilla. It, it leads to a problem. If they ever wanted to
27 subdivide it's, access is going to be challenging for them.
28
- 29 Gordon: I, I mean this is almost a moot point.
30
- 31 H-Rogers: It might be. Ultimately if they're creative you'd have to talk to Mr. Hill
32 about maybe any subsequent plans in the future to do anything else to
33 that property.
34
- 35 Gordon: Okay. If, if they come back then we'll have to just worry about it at the
36 time. Thank you.
37
- 38 Crane: Mr. Zyniewicz again.
39
- 40 Zyniewicz: One more question.
41
- 42 Crane: Please.
43
- 44 Zyniewicz: This thing turned on? I hear it, okay. Again Richard Zyniewicz.
45

1 Crane: Excuse me did, did I swear you in? Beg your pardon. Did I swear you in?
2 I'm over 50 and occasionally I forget these things.
3
4 Zyniewicz: Either you're too close to the mic or whatever I can't understand a word
5 you're saying.
6
7 Crane: Did I swear you in? Did I make your swear or affirm?
8
9 Zyniewicz: I don't believe you did.
10
11 Crane: No. Okay. Here we go. This does not obliterate your previous testimony.
12 I, the Chair has declared that. Do you swear or affirm that the testimony
13 you are about to give is the truth and nothing but the truth under penalty of
14 law?
15
16 Zyniewicz: Yes this time, and yes applying to the first time.
17
18 Crane: Okay, it retroactive affirmation. Thank you.
19
20 Zyniewicz: What's that?
21
22 Crane: That's retroactive affirmation. It's perfectly good.
23
24 Zyniewicz: Very good. Now the young lady's been very polite about referring to
25 everything that borders this property except the biggest portion that's
26 bordering a residential area, minor detail. Arguably that is probably one of
27 the nicer areas in the general overall town. Obviously anybody in that
28 general area would have concern to any changes to any portion of it
29 including a driveway, roadway, major highway to access two residential
30 homes or more that would be put up there. That should be *(inaudible)*
31 everybody's attention here that is going to consider the agenda this
32 evening. You are dealing with a residential area that abuts the largest
33 portion except for the, sorry about that, except for the highway system that
34 borders it. So just be aware if you would kindly give some consideration
35 to it. It's a residential neighborhood now. It's not a trailer park. It's not a
36 tent city. Thank you.
37
38 Crane: Ms. Harrison-Rogers, those residential neighborhoods were polled right,
39 as to, they were informed about this?
40
41 H-Rogers: They were. They were part of the, the notification area. I can go back to
42 that map and you can take a look. There it is. So this neighborhood right
43 here with the access that goes through Laguna Drive, all of those were
44 notified as part of this process.
45
46 Crane: That help sir?

1
2 Zyniewicz: Oh I'm fully aware of the neighborhood and I make it very clear I speak for
3 nobody other than myself. And when I bring that up I brought it up only
4 because the young lady did not mention the fact of what borders that back
5 portion. We all know about the residential somewhere in there. We all
6 know precisely where the commercial is, which is no problem whatsoever.
7 We all know where the (NOT CLOSE ENOUGH TO THE MIC AND MIC
8 STOPPED PICKING UP).
9
10 Crane: Excuse me could you ... Excuse me is the mic on Ms. Harrison-Rogers?
11 Is the mic on? Okay, sir pull the mic up to you, to you, towards you.
12 Okay. Finished up where I interrupted you.
13
14 Zyniewicz: (TALKING AND MIC STILL NOT PICKING UP.) I don't want to get as
15 close as this gentleman because you can't understand him.
16
17 Crane: I'm, I'm a foreigner. I'm sorry.
18
19 Zyniewicz: To recap what, and this is a comedy hour, I agree with you. Just to recap
20 what I said, the young lady and this gentleman here referenced what is
21 intended for here and they referenced what is around here. Neglected to
22 mention the residential area abutting the larger area. All of the existing is
23 fine. I don't think anybody objects to that. If the proposed changes to the
24 area are as this young lady and the gentleman behind me indicated, that
25 too would blend in and I'm sure nobody would object to that. However, I
26 want you to be aware if you would please that you are dealing with a
27 residential area of decent homes, not a trailer park, not a tent city as we
28 have growing in the general City. So take that into consideration.
29
30 Crane: Thank you sir.
31
32 Zyniewicz: Also I will add again as I stated a moment ago when you couldn't hear me,
33 I speak for nobody other than myself when I say what I'm saying here. So
34 the fact that other people have been contacted, I'm fully aware of that. I
35 do not in any way represent them.
36
37 Crane: Thank you sir.
38
39 Zyniewicz: Okay.
40
41 Crane: Any other questions Commissioners? Mr. Clifton.
42
43 Clifton: Thank you Mr. Chair. Quick question Katherine. This, it appears the
44 parcel has about 84 feet of frontage on Avenida de Mesilla, so I mean
45 essentially although they're not subdividing now what's being created is a
46 split zoning on one parcel.

- 1
2 H-Rogers: That's correct.
3
4 Clifton: Which would allude to the possibility of a future subdivision?
5
6 H-Rogers: Perhaps.
7
8 Clifton: Which would make it a much cleaner piece of land quite frankly. But the
9 issue I have or the concern is the access through that commercial piece
10 and what that would look like, what would it do to the property and, and
11 would the City in fact grant access to that parcel through the commercial
12 piece cause it would, you know if you do two-way access I mean no less
13 than 24-feet I'm sure, that's going to take that frontage down to 60-feet
14 and I don't think a residential property can access through a commercial
15 property or easement, it would have to actually be a fee-simple part of the
16 property. So just envisioning a future problem here, how does staff
17 anticipate dealing with that?
18
19 H-Rogers: Members of the Commission, Commissioner Clifton. The issues regarding
20 access have been discussed with the applicant's representative, Shawna
21 Runyan, of course who's not here this evening, and so they're aware that
22 there's certain limitations there. This particular property had a long
23 history, long, long, long ago of which nothing was really ever approved
24 and one of, one of the ways it had been subdivided or proposed to be
25 subdivided, it wasn't, in the past was to actually create some other
26 separate lots through here. And one of the primary issues was trying to
27 gain some sort of permanent access from Highway 292. It is plausible
28 that access could be developed going up through here but it might be
29 costly for the number of, of lots being subdivided. But the issues have
30 been brought up. At this point in time the applicant's proposing just to
31 retain the one parcel for development.
32
33 Clifton: I'm just a little perplexed here. I mean it's, we're essentially creating a, an
34 EE lot even though it's not a lot, but we can't assume that it can get
35 access through property owned by EBID cause they probably would not
36 convey that by sale because that's a corridor. I think there's an
37 underground structure there in fact ...
38
39 H-Rogers: There is. It's the Laguna Lateral.
40
41 Clifton: Yeah. So I, this is just outside the corridor overlay district?
42
43 H-Rogers: It is. It is directly in the corridor, so the entire parcel is subject to any of
44 those corridor regulations, not just the front portion.
45

- 1 Clifton: Was there ever any consideration for like more of a, a pancake zoning or
2 a, a, you know unique zoning that could be utilized in the corridor instead
3 of splitting it up like this?
4
- 5 H-Rogers: I think the concern with the, the pancake zoning was pushing any sort of
6 intense commercial back in this corner, although if it was conditioned
7 appropriately you could contemplate the pancake zone and then just
8 basically condition this area as agriculture and not the retail use. That is a
9 possibility.
10
- 11 Clifton: Would, would it not be cleaner to have one zoning on one parcel so to
12 speak? I, I can think back historically that the City was not necessarily in
13 favor of zoning multiple pieces within one property.
14
- 15 H-Rogers: I think in either scenario it, it would be plausible. It would work, either
16 scenario.
17
- 18 Crane: That help Mr. Clifton?
19
- 20 Clifton: Yes sir. Thank you.
21
- 22 Crane: Okay. Any other questions for the applicant or Ms. Harrison-Rogers or
23 from the public? Mr. Hill.
24
- 25 Hill: With the purchase of the property there is a permit that we, I've talked to
26 the state in getting a pass over, over the Laguna Lateral. We have talked
27 to EBID and as far as getting a permit, if ever that did arise there is a
28 staked area that would be in, on the boundary of the commercial and the
29 EE property where we could potentially put a road. We're not looking at
30 pursuing that at the moment because we have no interest in driving from
31 292 onto the back of the property. But if something did arise we would be
32 able to deal with the state with the permit we have and deal with EBID. I
33 have the pleasure of dealing with them on a day-to-day basis as it is and
34 we'd already just asked to see what it would entail. If you look above the
35 property there is a crossing now in that subdivision.
36
- 37 Crane: Thank you. Anything for Mr. Hill? Any else, anyone else wish to address
38 the Commission? If not I ... Mr. Stowe are you pointing out somebody?
39
- 40 Stowe: Mr. Boyd had, had, indicated he had a question.
41
- 42 Crane: I'm sorry Mr. Boyd. You want to say something else?
43
- 44 Boyd: Yes I, it's Ronald Boyd again. I just have a problem with this EE. It was
45 zoned agricultural which is what they're going to be doing with it now.

- 1 Why EE? Is there anyplace else in the City that is EE? What, you know
2 equestrian I think of horses, you know that's just me and ...
3
- 4 Crane: Well let's ask Ms. Harrison-Rogers.
- 5
- 6 H-Rogers: Members of the Commission. There's several other properties within the
7 City that are zoned EE. Some of them people utilize horses and others do
8 not. There are even some properties that are zoned EE with prohibitions
9 on large animals, just so that large lots are retained and the option may be
10 for some small animals is, is kept. Under the current zoning the A-2, it's
11 considered a non-conforming zone. Essentially it doesn't exist in our
12 Zoning Code any more. If they were to do anything on that property,
13 increase the intensity of anything on that property they have to come into
14 compliance with the current zoning code which means it has to be
15 rezoned because the A-2 doesn't exist any more.
- 16
- 17 Boyd: And just one other question about this large animals, small animals, you
18 know that's a very small piece of property. Is there any restrictions on
19 how many animals, whatever could be on that property?
20
- 21 H-Rogers: Our Municipal Code Chapter 7. Members of the Commission, Chairman
22 Crane. Municipal Code Chapter 7 dictates essentially the, the amount of
23 land required for animals and the amount of open space that are required
24 for animals. Essentially restricting the densities that are allowed. In this
25 case I'd have to look at the code and run the calculations, I'm not certain.
26 It does not sound as if they're interested in having large animals so there
27 is a possibility that the Commission could choose if they wish to, to add a
28 condition on, on the zone restricting that.
- 29
- 30 Boyd: You know I'm, I'm appreciative of the fact that it's not, that's not what
31 they're planning right now, but this City is growing, this City is changing,
32 you never know what's going to happen and I would appreciate you to
33 take that into consideration about the animal project for what it's worth.
34 Thank you.
- 35
- 36 Crane: Thank you sir. Mr. Zyniewicz. I hope I got your name right, or
37 appropriately right.
- 38
- 39 Zyniewicz: Richard Zyniewicz.
- 40
- 41 Crane: Zyniewicz.
- 42
- 43 Zyniewicz: The young lady answers the questions and she raises more questions in
44 doing so. This is good. Going back to the animal scenario. Horses,
45 cows, what have you. I don't think they're a problem whatsoever.
46 Common sense would tell you the area will handle, two, three, maybe four

1 at the most. I think you're probably pushing everything at four, not a
2 problem. My question is now what about smaller animals, referring
3 specifically to dogs which are growing in this City faster than people.
4 Unfortunately they don't contribute anything other than what they do. My
5 concern now is maybe there's a thought in here somewhere down the line,
6 not now obviously, maybe this is going to turn into a kennel, maybe it's
7 going to turn into an animal shelter, I don't know. Again I bring reference
8 to the fact you're looking at a residential area of decent homes, a decent
9 area of the City, arguably one of the nicer areas of the City. I just voice
10 my concern about an animal shelter, something of that nature going in
11 which would fall under the guidelines of half a dozen leading to more and
12 more animals. I'm not at all concerned about horses, cows, that sort of
13 would take care of its self.

14
15 Crane: *(inaudible)* sir as ...

16
17 Zyniewicz: Thinking and deciding whatever it is you're thinking about.

18
19 Crane: Ms. Harrison-Rogers says it's within the powers of the Commission to put
20 a condition on.

21
22 Zyniewicz: I'm sorry to interrupt you but I believe you're speaking too closely to the
23 mic, I'm having trouble understanding your words.

24
25 Crane: Okay. As Ms. Harrison-Rogers said it is within the power of the
26 Commission to put a condition on if we feel that having large animals or
27 small animals there is a, a, something we should reduce or eliminate, so
28 we hear you.

29
30 Zyniewicz: And as I said as the gentleman behind me and this young lady have
31 brought out, what they are talking about, what they are saying is one thing
32 and that does not appear to be any objection either now or in the
33 foreseeable future based on what they're saying, but the way it's being
34 said it raises more questions that there may be some underlying factor
35 here that should be considered in advance of the materializing.

36
37 Crane: We hear you sir.

38
39 Zyniewicz: Thank you.

40
41 Crane: Thank you. There's no more input from the public, I will close this to
42 public input and the Commission will discuss the matter. Commissioners.
43 Mr. Clifton.

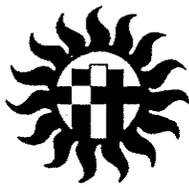
44
45 Clifton: Thank you Mr. Chair. To the gentleman's comments, I, I'm not sure a, one
46 dog would be any more of a nuisance than a daycare center, but you

- 1 know large animals I think we could certainly deal with if the applicant is
2 agreeable to conditioning the zone change upon large animals. I don't
3 know that, that doesn't sound like that's the intent so I don't know why that
4 would be an issue.
5
- 6 Crane: Mr. Hill would you object to our adding a condition, no horses or cattle?
7
- 8 Hill: No objections.
9
- 10 Crane: Okay. Thank you.
11
- 12 Zyniewicz: SPEAKING, NOT AT THE MICROPHONE.
13
- 14 Crane: Mr. Zyniewicz is suggesting from the floor that smaller animals be
15 prohibited. I don't think we can prohibit all animals so let's, well let the, let
16 the Commission consider that okay. Commissioners. Anybody have a ...
17 Commissioner Beard.
18
- 19 Beard: If we were to, if we were to consider making an amendment or a condition
20 on the use of animals on this piece of property, then I would suggest that
21 we table this case so that we can review what's available in the code as
22 far as animals go so that we're, would be more knowledgeable about
23 making an amendment. To make an overall amendment to no animals
24 whatsoever I don't think that we should do that.
25
- 26 Crane: Does that strike you as feasible Ms. Harrison-Rogers?
27
- 28 H-Rogers: Members of the Commission, Commissioner Beard. Essentially our code
29 actually outlines, the Municipal Code outlines what large animals are
30 versus what small animals are. So if you're comfortable in saying no large
31 animals that would include cattle, beefalo, buffalo, swine, donkeys,
32 horses, llamas, animals of that nature. Small animals; goats, sheep, dogs,
33 cats, they're actually considered domestic so they're actually not included
34 in the list, chickens, ducks, things of that nature would be considered
35 small animals.
36
- 37 Crane: As a person that likes pigs I think of them as small animals. They really
38 are defined by the City as large?
39
- 40 H-Rogers: I believe, I believe they are. I can double check for you if you just want to
41 take a, a quick break. I actually have my computer here and can pull all
42 that information up for you.
43
- 44 Crane: No, I don't think that's necessary on my account. It's a ... Mr. Beard.
45

- 1 Beard: Ostriches. Last time I found out the ETZ did include ostriches in their
2 animal inventory.
3
- 4 H-Rogers: Members of the Commission, Commissioner Beard. I don't believe that
5 ostriches are actually listed in our code but it's something that the, the
6 Codes Department would have to make a determination on. I would
7 probably include an ostrich as a large animal. Ultimately that would be up
8 to the Codes Department, they're, they're associated with the Police
9 Department. We would probably work with them on that determination
10 though.
11
- 12 Beard: And, and, and if we say no animals then that means that a person couldn't
13 have an aviary of say homing pigeons?
14
- 15 H-Rogers: If you ... Members of the Commission, Commissioner Beard. If you say
16 no animals and for example Mr. Hill and his partner decide to not do retail
17 and just build a nice house there and do some agriculture that means they
18 could not have a family dog. That means they could not have a, have
19 homing pigeons. That means they could not have a cockatoo. That
20 means they could not have a cat.
21
- 22 Beard: Thank you.
23
- 24 H-Rogers: You're welcome.
25
- 26 Crane: Do you still recommend that we table this until we can get some different
27 language into the proposal, or are you happy with just ...
28
- 29 Beard: I'm ...
30
- 31 Crane: Condition no large animals and leave it to the City?
32
- 33 Beard: Personally I don't think that I am for any type of condition but if we are
34 going to put a condition then I want to know what I'm talking about.
35
- 36 Crane: Ms. Ferrary.
37
- 38 Ferrary: I agree that we shouldn't put any conditions on this because it, it's so
39 hypothetical and if they were going to come back and do something
40 different they'd have to, my understanding is ask for rezoning or, or for
41 approval of different types of buildings; such as a home, subdividing for
42 things like that.
43
- 44 Crane: Yes but if they want to put on animals they don't have to ask correct? If
45 it's EE.
46

- 1 H-Rogers: Correct. If it's EE they would not have to have any sort of special request
2 to have certain types of animals at that location.
3
- 4 Crane: So if anybody thinks that large animals in the future have some, could
5 ever be a problem, then we better deal with it now one way or another.
6
- 7 Ferrary: So if we limit it to conditions for large animals we could safely say that.
8
- 9 Crane: I would feel comfortable with that. Let me see, speaking parliamentarily I
10 think we should ask if anybody wishes to stipulate that a condition be
11 added to this request to prohibit large animals by City of, by City definition.
12 If anybody wants to move that then we can vote on it. I think I have a right
13 to move it so I will move it. Mr. Clifton you, you want to second? Or say
14 something else?
15
- 16 Clifton: What, what, can we get a specified motion before I second?
17
- 18 Crane: Okay yes. Okay yes.
19
- 20 MEMBER OF THE PUBLIC SPEAKING, NOT AT MICROPHONE.
21
- 22 Crane: We're speaking about Z2886. Sir this is closed to public input now. This
23 is just the Commission now. Yeah, this is concerning Z2886 and came, is
24 there a motion to add the condition that large animals be prohibited.
25
- 26 Clifton: I'd like to make a motion that we condition Case Z2886, conditioned upon
27 large animals not being permitted on the site pursuant and as defined by
28 the Las Cruces Municipal Code.
29
- 30 Crane: Thank you. Is there a second?
31
- 32 Beard: Second.
33
- 34 Crane: Seconded by Mr. Beard. We will vote on the condition, is that correct sir?
35 Legal, is that, can we vote, do we vote on the condition, accepting the
36 condition and then go back to the amended ...
37
- 38 Connelly: What Mr. Clifton did was make a motion to pass it with the condition.
39
- 40 Crane: Okay.
41
- 42 Connelly: So you have a full motion before you.
43
- 44 Crane: Understood. Thank you.
45
- 46 Connelly: As opposed a motion plus condition. It's there.

- 1
2 Crane: Okay. Any further discussion of the motion? Then we'll do roll call vote
3 starting with Mr. Clifton.
4
5 Clifton: Yes. I vote in favor of Case Z2886 based on findings and staff
6 presentation.
7
8 Crane: Okay. Mr. Gordon.
9
10 Gordon: I vote yes based on site findings, discussions, staff recommendations, and
11 a site visit.
12
13 Crane: Mr. Stowe.
14
15 Stowe: I vote yes based on site visit, findings, and discussion.
16
17 Crane: Ms. Ferrary.
18
19 Ferrary: I vote yes based on site visit, findings, and discussion.
20
21 Crane: Mr. Beard.
22
23 Beard: I'm not sure what I'm voting on.
24
25 Crane: You're voting on 2886 with the condition.
26
27 Beard: Is there a condition with it? With the condition.
28
29 Crane: Yes.
30
31 Beard: Okay. I vote yes based on site visit and discussions.
32
33 Crane: And the Chair votes aye based on findings, discussion, site visit. Thank
34 you. Motion passes six/nothing. Thank you all. Ms. Harrison-Rogers too.
35
36 2. **CPB-15-01:** A request to approve the Jornada South Community Blueprint
37 submitted by members of the Jornada South Neighborhood. The Jornada
38 South Community Blueprint area is roughly bounded by Bataan Memorial
39 East (north and west), Mesa Grande Estates Subdivision (east), and the
40 Pueblos at Alameda Ranch and White Sage Subdivisions (south) and more
41 specifically pertains to property within the Jornada South Development. The
42 intent of the blueprint is to sever as a policy guide for future planning and
43 development efforts in the area. The planning area falls in Council District 6
44 (Councilor Levatino). **POSTPONED UNTIL JUNE 23, 2015.**
45
46 Crane: And we have another item, CPB-15-01 that is on the agenda and has



14

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of July 6, 2015
 (Ordinance First Reading Date)

For Meeting of July 20, 2015
 (Adoption Date)

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM A-2 (RURAL AGRICULTURAL) TO EEC (EQUESTRIAN ESTATES CONDITIONAL) FOR THE NORTHERN 2.71± ACRES AND TO C-3 (COMMERCIAL HIGH INTENSITY) FOR THE SOUTHERN 1.5± ACRES FOR A PARCEL TOTALING 4.21+ ACRES LOCATED AT 1840 (FKA 1900) AVENIDA DE MESILLA, PARCEL 02-26820. SUBMITTED BY SHAWNA RUNYAN ON BEHALF OF THOMAS RUNYAN AND JAMES HILL, PROPERTY OWNERS (Z2886).

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>K. A. Runyan</i>	528-3049	
Department Director	<i>D. Weing</i>	528-3067	6-19-15
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>[Signature]</i>	541-2098	6/22/15
	<i>[Signature]</i>	541-2186	6-19-15
Assistant City Manager/COO	<i>[Signature] for D. Avila</i>	541-2271	6/24/15
City Attorney	<i>[Signature] for W. A. Babin...</i>	541-2128	6/25/15
City Clerk - Interim	<i>[Signature]</i>	541-2115	6/26/15