



City of Las Cruces
PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 12 Ordinance/Resolution# 2790

For Meeting of September 6, 2016
(Ordinance First Reading Date)

For Meeting of September 19, 2016
(Adoption Date)

Please check box that applies to this item:

QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM C-3 (COMMERCIAL HIGH INTENSITY) TO PUD (PLANNED UNIT DEVELOPMENT) AND A REQUEST FOR APPROVAL OF A CONCEPT PLAN FOR A PUD KNOWN AS LAS CRUCES DENTAL PLAZA PUD. THE SUBJECT PROPERTY ENCOMPASSES 1.99 ± ACRES OF LAND AND IS LOCATED AT THE NORTHEAST CORNER OF DON ROSER DRIVE AND EAST UNIVERSITY AVENUE. SUBMITTED BY ZIA ENGINEERING & ENVIRONMENTAL CONSULTANTS, LLC ON BEHALF OF MESILLA VALLEY DENTAL PROPERTIES, LLC, PROPERTY OWNERS (65151).

PURPOSE(S) OF ACTION:

Planned Unit Development (PUD) Zone Change and Concept Plan approval.

COUNCIL DISTRICT: 2		
Drafter/Staff Contact: Sara Gonzales	Department/Section: Community Development/Building & Development Services	Phone: 528-3085
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

City Council is required to review and take final action on the concept plan of Planned Unit Developments per Section 38-10(B) and 38-13(A) of the 2001 Zoning Code. A planned unit development process is required for those proposed developments that are subdivided, multi-phased, and that request three or more deviations to planning-related minimum development standards, e.g., setbacks.

The proposed Las Cruces Dental Plaza PUD Concept Plan is for a property located on the northeast corner of Don Roser Drive and East University Avenue, directly west of the Citizen's Bank building and east of the Pic Quik gas station. The subject property is currently undeveloped. The proposed Las Cruces Dental Plaza PUD proposes to develop the property into an office complex with a total of five commercial lots. The Las Cruces Dental Plaza PUD will allow the five commercial lots to share all common parking areas, access and driving aisles, landscaping, utility easements, outdoor lighting, and dumpster facilities. The Las Cruces Dental Plaza PUD will allow

all uses permitted in the C-2 (Commercial Medium Intensity) zoning district. The proposed concept plan will also follow the development standards of the C-2 zoning district for parking, driving aisles, and signage.

The proposed PUD offers two public benefits: a donation to the Parks and Recreation Urban Forestry Program for the equivalent of four street trees and additional landscaping throughout the subject property. The benefits shall be provided when the property begins development. The proposed public benefits shall help balance the benefits for the community and the interests of the applicant under the PUD. In this case, the additional landscaping and street trees benefit the City through aesthetic improvements, reduction of heat island effect, and pollution reduction.

On July 26, 2016, the Planning and Zoning Commission (P&Z) recommended approval of the proposed PUD request by a vote of 7-0-0. A discussion took place at the meeting between staff and P&Z that covered some aspects of the proposed PUD including the proposed subdivision, the parking, and the design of the site. There was no public input at the meeting for the proposed PUD. Staff did not receive any public input before the P&Z meeting about the proposed PUD.

SUPPORT INFORMATION:

1. Ordinance.
2. Exhibit "A", Las Cruces Dental Plaza PUD Concept Plan.
3. Exhibit "B", Findings.
4. Attachment "A", Staff Report to the P&Z for Case 65151.
5. Attachment "B", Draft Minutes from the July 26, 2016 P&Z Meeting.
6. Attachment "C", Vicinity Map.

SOURCE OF FUNDING:

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

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

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

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will affirm the P&Z recommendation for approval. The proposed PUD known as the Las Cruces Dental Plaza PUD shall be approved and the subject property encompassing 1.99 ± acres will be rezoned from C-3 (Commercial High Intensity) to PUD (Planned Unit Development).
2. Vote "No"; this will reject the recommendation made by P&Z. The current zoning designation of C-3 (Commercial High Intensity) will remain on the subject property and the proposed PUD shall be denied. Denial of the Concept Plan and zone change will require new information or facts not identified or presented during staff review or the P&Z meeting.
3. Vote to "Amend"; this could allow City Council to modify the Ordinance by adding 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



City of Las Cruces®

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of September 6, 2016
 (Ordinance First Reading Date)

For Meeting of September 19, 2016
 (Adoption Date)

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM C-3 (COMMERCIAL HIGH INTENSITY) TO PUD (PLANNED UNIT DEVELOPMENT) AND A REQUEST FOR APPROVAL OF A CONCEPT PLAN FOR A PUD KNOWN AS LAS CRUCES DENTAL PLAZA PUD. THE SUBJECT PROPERTY ENCOMPASSES 1.99 ± ACRES OF LAND AND IS LOCATED AT THE NORTHEAST CORNER OF DON ROSER DRIVE AND EAST UNIVERSITY AVENUE. SUBMITTED BY ZIA ENGINEERING & ENVIRONMENTAL CONSULTANTS, LLC ON BEHALF OF MESILLA VALLEY DENTAL PROPERTIES, LLC, PROPERTY OWNERS (65151).

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

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter/Staff Contact	<i>Monzales</i>	528-3085	7-28-16
Department Director	<i>W. Wen</i>	528-3067	7-29-16
Other			
Assistant City Manager /CAO Management & Budget Manager	<i>Daniel Kelly</i> <i>Victoria Fredrick</i>	541-2078 2080	8/9/2016 8/5/16
Assistant City Manager/COO	<i>[Signature]</i>	541-2271	8/11/16
City Attorney	<i>[Signature]</i>	EXT 2128	16 August 2016
City Clerk	<i>[Signature]</i>	X 2115	8-18-16

COUNCIL BILL NO. 17-004
ORDINANCE NO. 2790

AN ORDINANCE APPROVING A ZONE CHANGE FROM C-3 (COMMERCIAL HIGH INTENSITY) TO PUD (PLANNED UNIT DEVELOPMENT) AND A REQUEST FOR APPROVAL OF A CONCEPT PLAN FOR A PUD KNOWN AS LAS CRUCES DENTAL PLAZA PUD. THE SUBJECT PROPERTY ENCOMPASSES 1.99 ± ACRES OF LAND AND IS LOCATED AT THE NORTHEAST CORNER OF DON ROSER DRIVE AND EAST UNIVERSITY AVENUE. SUBMITTED BY ZIA ENGINEERING & ENVIRONMENTAL CONSULTANTS, LLC ON BEHALF OF MESILLA VALLEY DENTAL PROPERTIES, LLC, PROPERTY OWNERS (65151).

The City Council is informed that:

WHEREAS, Mesilla Valley Dental Properties, LLC, the property owners, have submitted a request to rezone and a request to approve a concept plan for the property located at the northeast corner of Don Roser Drive and East University Avenue; and

WHEREAS, the zone change request and concept plan is for the 1.99 ± acres of land from C-3 (Commercial High Intensity) to PUD (Planned Unit Development) for a development to be known as the Las Cruces Dental Plaza PUD; and

WHEREAS, the Planning and Zoning Commission, after conducting a public hearing on July 26, 2016, recommended that said zone change and concept plan be approved by a vote of 7-0-0.

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 PUD.

(II)

THAT the concept plan for the land more particularly described in Exhibit "A", attached hereto and made part of this Ordinance, is hereby approved.

(III)

THAT the zoning and concept plan for the Las Cruces Dental Plaza PUD are based on the findings contained in Exhibit "B" (Findings), attached hereto and made part of this Ordinance.

(IV)

THAT the zoning of said property be shown accordingly on the City Zoning Atlas.

(V)

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:

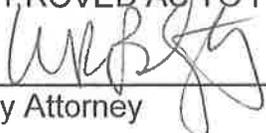
City Clerk

(SEAL)

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

VOTE:

- Mayor Miyagishima: _____
- Councillor Gandara: _____
- Councillor Smith: _____
- Councillor Pedroza: _____
- Councillor Eakman: _____
- Councillor Sorg: _____
- Councillor Levatino: _____

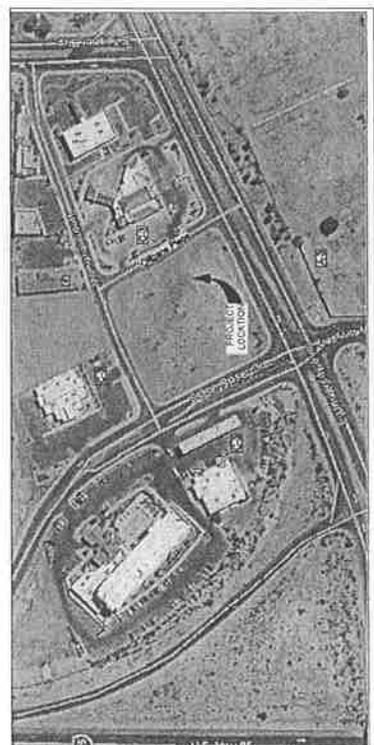
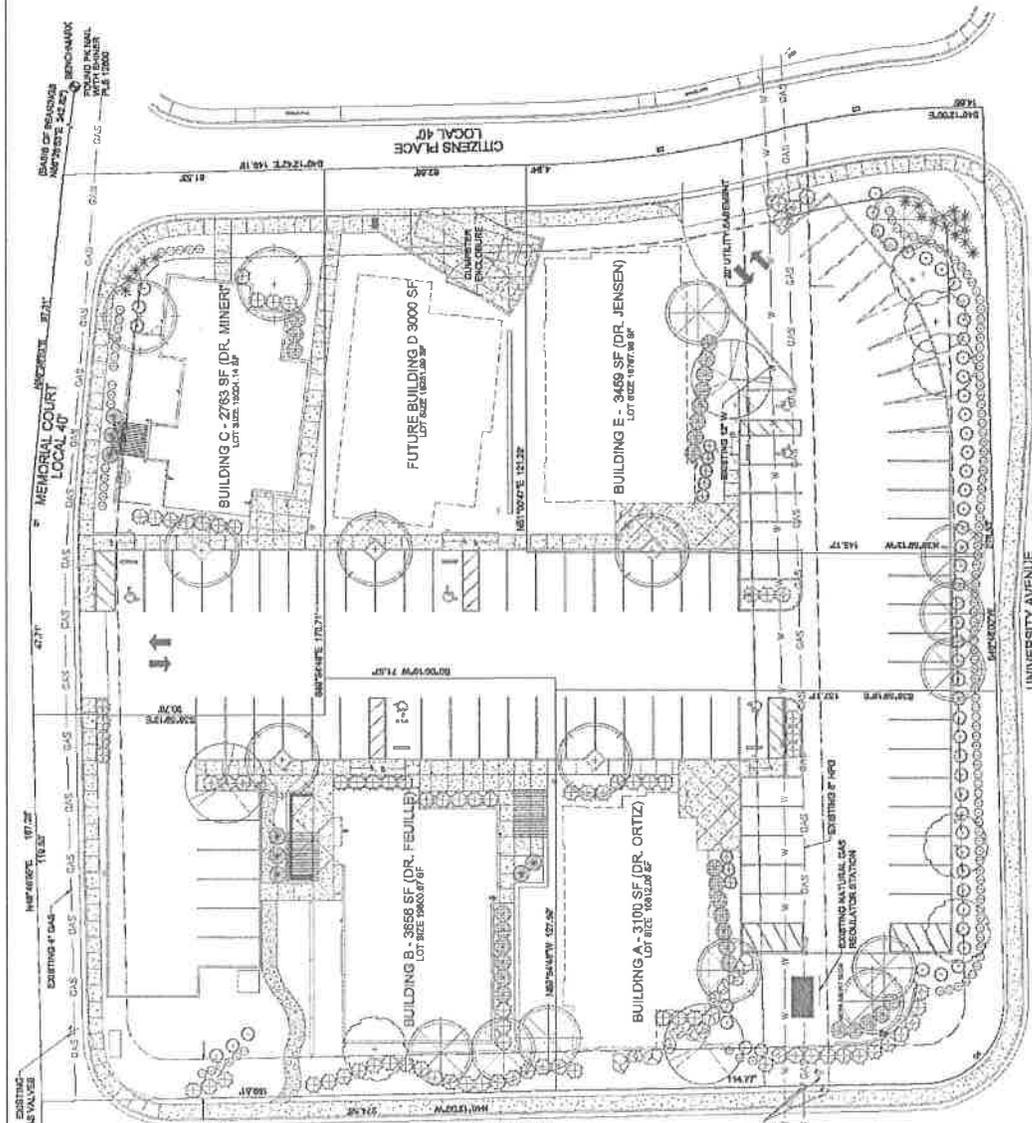
DATE	APPROVED BY	DATE	APPROVED BY
7/18/16	[Signature]	7/18/16	[Signature]

PLANNING OBJECTIVES:

- THE LAS CRUCES CENTRAL CORRIDOR CONSISTS OF FIVE (5) COMMERCIAL MEDIUM-DENSITY STRUCTURES SPANNING A 1.98 ACRE SITE. THE SITE, THE SIZE OF EACH STRUCTURE VARIES BETWEEN 2556 SQUARE FEET AND 3459 SQUARE FEET.
- PUBLIC REQUIREMENTS:
 - A DONATION TO THE CITY OF LAS CRUCES TREE FUNDS (TREES)
 - EXTRA LANDSCAPING PROVIDED (2% MORE THAN REQUIRED)
 - THIS DEVELOPMENT WILL INCLUDE SHARED PARKING ACCESS. COMMON LANDSCAPED AREAS SHARED MAINTENANCE AND LIGHTING. THE DEVELOPER WILL CREATE A TYPE OF HOME OWNERS ASSOCIATION (HOM) AND PROVIDE A BASKET PARKING, ACCESS LANDSCAPE, UTILITY AND MAIN ENTRANCE BARRIER OVER THE ENTIRE PROPERTY.
 - THE SUBDIVISION IS A PLANNED UNIT DEVELOPMENT (PUD) THAT IS CURRENTLY ZONED C-3 WHICH REQUIRES THAT LOTS BE GREATER THAN 10,000 SQUARE FEET. THIS DEVELOPMENT IS BEING CREATED FOR COMMERCIAL MEDIUM-DENSITY STRUCTURES AND STRUCTURES CREATING FIVE LOTS WILL REQUIRE A REPEAT OF THE EXISTING SUBDIVISION.
 - THE SITE WILL POND THE DIFFERENCE BETWEEN THE PRE AND POST 100 YEAR 5 STORM EVENT
 - DOWN AND CURB PAINTING SHALL COMPLY WITH THE CITY OF LAS CRUCES FIRE DEPARTMENT
 - NEW SIDEWALK, CURB AND GUTTER WILL COMPLY WITH CITY OF LAS CRUCES DESIGN STANDARDS
 - ALL PARKING, LANDSCAPING, ADA, AND BICYCLE REQUIREMENTS WILL MEET CITY OF LAS CRUCES ZONING CODE
 - ONE DUMPSTER ENCLOSURE FOR SITE
 - NO TREES TO BE PLANTED WITHIN UTILITY EASEMENTS
 - ALL USES FOR C-3 ZONING DESIGNATION UNDER THE CURRENT ZONING CODE WILL BE ALLOWED.

LANDSCAPE CALCULATED FOR SITE	LEGAL DESCRIPTION
TOTAL SITE AREA: 11.11 AC TOTAL TREES: 111 TOTAL PLANTING: 111 TOTAL PLANTING: 111	PALMER'S SUBDIVISION REPEAT NO. 18, BEING A REPEAT OF LOTS 8-11, AND THE NORTH 9/2 OF LOTS 13-16, BLOCK 28, BOOK 4, PAGES 41, DONA ANA COUNTY RECORDS, CITY OF LAS CRUCES, DONA ANA COUNTY, NEW MEXICO DATE OF SURVEY: JULY 8, 2015 DATE OF PLAN PREPARATION: JULY 9, 2015
P.U.D. STANDARDS MINIMUM LOT DIMENSION: 30.00' MIN. W/IN MIN. LOT AREA: 121.27 SQ. FT. MIN. LOT FRONT SETBACK: 10.00'	PARKING CALCULATED FOR SITE: 813 SPACES PER DOCTOR 813 DOCTORS = 1218 = 813 SPACES 813 SPACES PER DOCTOR 813 DOCTORS = 1218 = 813 SPACES 8 ADA STALLS PROVIDED BICYCLE PARKING 1 PER BLDG = 36 REQUIRED, 5 PROVIDED, 1 PER LOT

Curve #	Length	Radius	Delta	Ch. Bearing	Ch. Length
C1	24.42'	210.07'	6°40'01"	S83°21'14"W	24.42'
C2	74.82'	303.07'	14°13'38"	N47°19'32"E	74.82'
C3	49.87'	303.07'	14°13'38"	N47°19'32"E	49.87'
C4	30.27'	26.07'	90°00'00"	S89°12'07"E	30.26'



DISCLAIMER:
 UNWARRANTED ACCEPTANCE OF THESE PLANS FOR CONSTRUCTION. THE CONTRACTOR AGREES TO FURNISH, MAINTAIN, AND VERIFY THE LOCATION AND ELEVATION OF ALL UTILITIES, OBSTRUCTIONS, HAZARDS, OR CONDITIONS THAT MAY EXIST UPON EXAMINATION OF THE ACTUAL FIELD CONDITIONS. DESIGN OF THESE PLANS IS BASED ON AVAILABLE INFORMATION AND RECORDS TO THE BEST OF THE CONTRACTOR'S KNOWLEDGE AND BELIEF. THE CONTRACTOR WILL ACCEPT ALL LIABILITY AND RISKS FOR PROCEEDING WITH CONSTRUCTION PRIOR TO RECEIVING RECORDS EVALUATION.

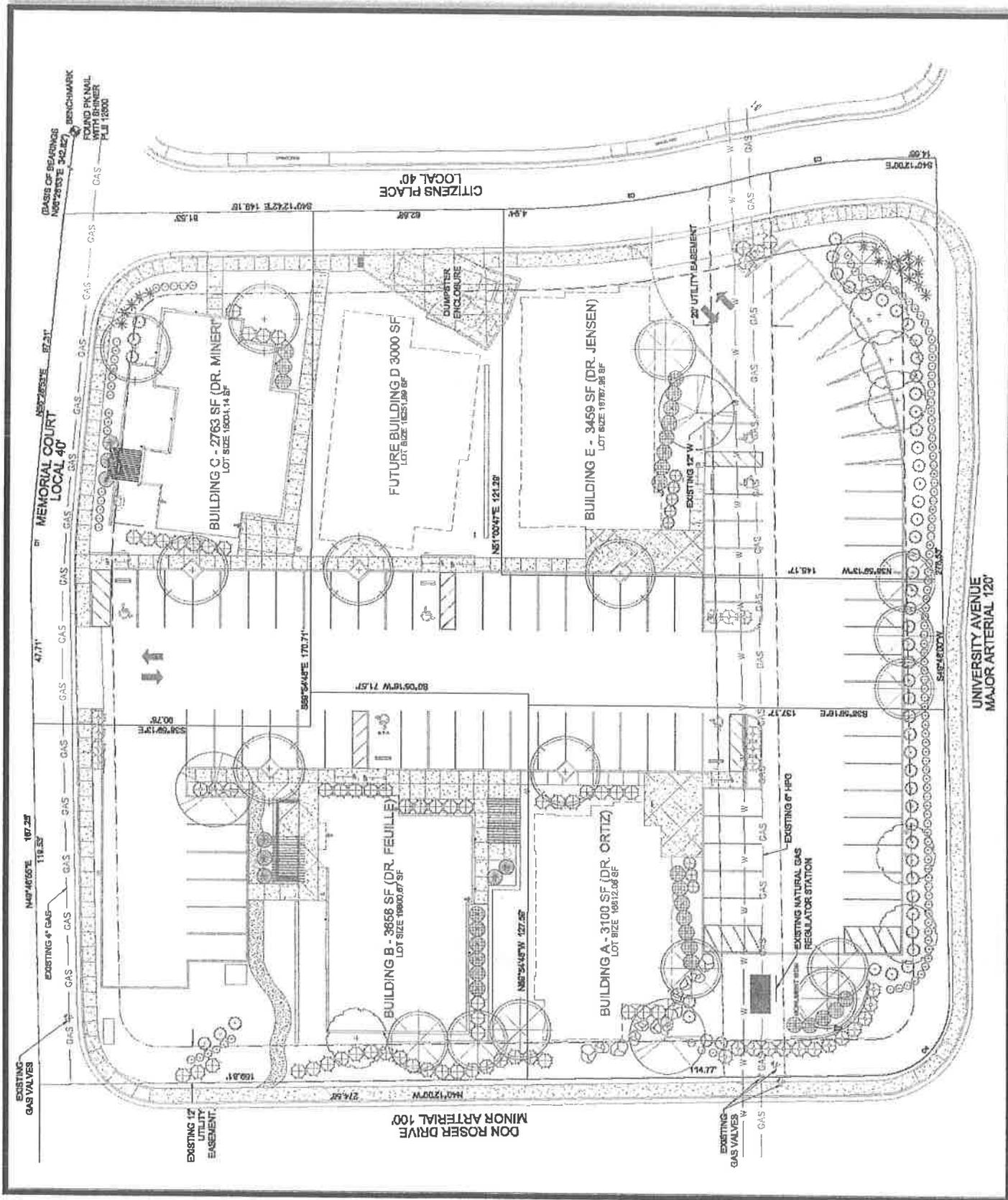
FLOODPLAIN NOTE:
 PROPERTY LOCATED IN FLOOD ZONE 2X. NO FLOODING IS SHOWN ON THIS FLOOD INSURANCE PROGRAM MAP. (SEMA) MAP NO. 3507J01110. EFFECTIVE DATE 09/06/2016

PROJECT BENCHMARK (BM):
 NORTHING: 1000.00
 EASTING: 1000.00
 ELEVATION: 4



VICINITY MAP
 SCALE 1" = 30'

SCALE 1" = 20'



Findings

1. The subject parcel currently encompasses a total of 1.99 ± acres, zoned C-3 (Commercial High Intensity) and is currently vacant/undeveloped.
2. City staff has reviewed and confirmed that the proposed construction and use of the PUD will not be detrimental to the health, safety, or welfare of the community or adjacent neighborhood. (2001 Zoning Code, Article 5, Section 38-49 D)
3. All applicable City departments have concluded that there is or will be adequate sewage capacity, roadway capacity, energy supply, and potable water supply to serve the PUD at the time a certificate of occupancy or letter of acceptance, as applicable, is to be issued. (2001 Zoning Code, Article 5, Section 38-49 D)
4. Community Development staff has confirmed that the PUD conforms to the intent, goals, objectives, policies, and standards of all city plans and codes. (2001 Zoning Code, Article 5, Section 38-49 D)
5. City staff has reviewed and confirmed that the uses proposed, including their density and intensity, are appropriate to the character of the neighborhood and will have a positive aesthetic effect on the neighborhood in which the PUD will be located. (2001 Zoning Code, Article 5, Section 38-49 D)
6. The proposed uses of the Las Cruces Dental Plaza PUD will not subject surrounding properties and pedestrians to significant hazardous traffic conditions. (2001 Zoning Code, Article 5, Section 38-49D)



**Planning & Zoning
Commission
Staff Report**

Meeting Date: July 26, 2016
Drafted by: Sara Gonzales, Planner *SG*

CASE # 65151 **PROJECT NAME:** Las Cruces Dental Plaza Planned Unit Development (PUD) Concept Plan

APPLICANT/ REPRESENTATIVE: Zia Engineering **PROPERTY OWNER:** Mesilla Valley Dental Properties, LLC

LOCATION: Located at the northeast corner of Don Roser Dr. and University Ave. **COUNCIL DISTRICT:** 2 (Councillor Smith)

SIZE: 1.99 ± acres **EXISTING ZONING/ OVERLAY:** C-3 (Commercial High Intensity)

REQUEST/ APPLICATION TYPE: Application for a Concept Plan for a Planned Unit Development (PUD) known as the Las Cruces Dental Plaza PUD

EXISTING USE: Vacant/undeveloped

PROPOSED USE: The Concept Plan proposes to subdivide the property into 5 commercial lots allowing C-2 (Commercial Medium Intensity) uses with shared access, parking, landscaping, and lighting

STAFF RECOMMENDATION: Approval based on findings

TABLE 1: CASE CHRONOLOGY

Date	Action
April 1, 2016	Application submitted to Development Services
April 1, 2016	Case initially sent out for review to all reviewing departments
June 27, 2016	Last comments returned by remaining reviewing departments
June 29, 2016	DRC reviews and recommends approval for the proposed Concept Plan
July 8, 2016	Public notice letter mailed to neighboring property owners
July 10, 2016	Newspaper advertisement
July 11, 2016	Sign posted on property
July 26, 2016	Planning and Zoning Commission public hearing

SECTION 1: SYNOPSIS OF PROPOSAL

The proposed Las Cruces Dental Plaza PUD Concept Plan and subsequent Final Site Plan (subdivision) will convert the undeveloped property into a commercial/office development with a total of 5 commercial lots. The proposed Las Cruces Dental Plaza PUD Concept Plan will allow the 5 commercial lots to share all common parking areas, access and driving aisles, landscaping, utility easements, outdoor lighting, and dumpster facilities. The Las Cruces Dental Plaza PUD will allow all uses permitted in the C-2 (Commercial Medium Intensity) zoning district. The proposed PUD will also follow the development standards of the C-2 zoning district for auto and bicycle parking requirements, driving aisle requirements and signage requirements. All other development standards will follow the requirements outlined in the PUD Concept Plan. The proposed PUD proposes several public benefits to be developed in the future once development begins on the subject property.

TABLE 2: DEVELOPMENT STANDARDS & SITE CHARACTERISTICS

Standard	Existing Requirements	C-3 Requirements	PUD Requirement
Lot Area	1.99 ± acres (86,684 ± sq. ft.)	0.5 acres (21,780 sq. ft.) minimum; no maximum	0.34 acres (15,000 sq. ft.) minimum; 0.46 acres (19,800 sq. ft.) maximum
Lot Width	297 ± feet	60 feet minimum	62 feet minimum
Lot Depth	576 ± feet	70 feet minimum	121 feet minimum
Structure Height	N/A	60 feet maximum	20 feet maximum
Setbacks			
Front	N/A	15 feet	15 feet
Side	N/A	5 feet	4 feet
Side	N/A	5 feet	4 feet
Rear	N/A	15 feet	13 feet
Parking			
Vehicular	N/A	8 parking stalls per doctor	8 parking stalls per doctor
Bicycle	N/A	1 bicycle rack per 2 doctors	1 bicycle rack per 2 doctors
Landscaping			
% of property	N/A	15%	24 %

TABLE 3: SPECIAL CHARACTERISTICS

Characteristic	Applies to Project?	Explanation
EBID Facilities	N/A	
Medians/ Parkways Landscaping	Yes	The proposed development will be required to landscape the adjacent median to the subject property.
Other	N/A	

TABLE 4: ADJACENT ZONING AND LAND USE INFORMATION

Location	Existing Use	Overlay	Zoning Designation
Subject Property	Vacant/undeveloped	N/A	C-3 (Commercial High Intensity)
North	Medical Facility	N/A	C-3 (Commercial High Intensity)

South	Vacant/undeveloped	N/A	A-2 (Rural Agricultural District from the 1981 Zoning Code)
East	Bank	N/A	C-3 (Commercial High Intensity)
West	Gas station/ Hotel	N/A	C-3 (Commercial High Intensity)

TABLE 5: PARCEL HISTORY

Number	Status
Permit	N/A
Ordinance # 2112	Ordinance approving a zone change from C-2C (Commercial Medium Intensity- Conditional) to C-3 (Commercial High Intensity) for the subject property. Approved on June 21, 2004.
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 Traffic	Yes	No
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 application in relation to the goals, objectives, and policies, of the comprehensive plan, plan elements, other applicable plans, and the purpose and intent of the 2001 Zoning Code to determine whether the request is consistent or inconsistent with the stated criteria.

Specifically, the purpose of a Planned Unit Development (PUD) is to:

1. Comply with growth management policy as established in the land use element, other applicable elements and all companion documents to the comprehensive plan;
2. Produce more flexibility in development than would result from a strict application of this Code;
3. Permit design flexibility that will encourage a more creative approach to the development of land and that will result in more efficient and aesthetically desirable alternatives to the housing and other development needs of the community;
4. Permit flexibility in land use, density, placement of buildings, arrangement of open space, circulation facilities, and off-street parking areas, and maximize the potential of individual sites under development;
5. Promote the infill of vacant land; and

6. Create developments that balance the benefits to the community with the developer's interests. For each private incentive (deviation from the minimum standards), one or more public benefits shall be required.

PUDs consist of two components: A Concept Plan and Final Site Plan(s). The Concept Plan of a PUD is similar to, and replaces, a subdivision master plan in that it is intended to serve as a tool that can assist in identifying the appropriateness of a proposed development within the context of its surroundings. The Final Site Plan acts as a preliminary plat and may consist of one or several phases and is required to conform with the Concept Plan. The Concept Plan forms the basis for approval of the PUD and may only be approved if it includes the following findings:

1. The proposed construction and use of the PUD will not be detrimental to the health, safety, or welfare of the community or adjacent neighborhood;
2. There is or will be adequate sewage capacity, roadway capacity, energy supply, and potable water supply to serve the PUD at the time a certificate of occupancy or letter of acceptance, as applicable, is to be issued;
3. The PUD conforms to the intent, goals, objectives, policies, and standards of all city plans and codes;
4. The uses proposed, including their density and intensity, are appropriate to the character of the neighborhood and will have a positive aesthetic effect on the neighborhood in which the PUD will be located; and
5. The proposed uses will not subject surrounding properties and pedestrians to significant hazardous traffic conditions.

Applicable Comprehensive Plan 2040 Goals & Policies

As specified by the decision criteria listed above, the proposal should be in concert with Comprehensive Plan 2040. The following goals and polices from Comprehensive Plan 2040 are relevant to the current proposal:

Chapter 6, Economic Prosperity

- Economic Diversity
 - GOAL 24: Create incentives, opportunities, partnerships, and policies that build a diversified business community.
 - Policy 24.2 Support and implement mixed-use policies, flexibility of placing new uses, and office, commercial, and industrial zoning districts as outlined within the Comprehensive Plan.
 - A: Allow business cooperatives or multiple/tenant uses within single buildings or parcels, including those uses which provide for work at home provisions.
 - B: Allow overlay zones and planned unit developments, including those in which the City receives direct or foreseen benefit in exchange for creative and unique designs that differ from mandatory development requirements.

Chapter 8, Operational Support

- Responsive Processes
 - GOAL 49: Establish procedural and development requirements.
 - Policy 49.11 Use the PUD's flexibility to create unique, quality developments that provide a meaningful benefit to the community.
 - A: Consider incentive like reduced setbacks, increase building height, additional density, and other deviations from typical requirements as a way to encourage developments that provide a meaningful benefit to the community.

- o B: Support deviations from typical requirements when the development provides a community benefit as illustrated below.
 - Distinctiveness and excellence in design and landscaping
 - Clustering of buildings
 - Other public benefit as deemed by plan or policy

Analysis

The subject property was part of the Memorial Medical Center Master Plan that was approved in 2004. Under the master plan, the 1.99 ± acre property was zoned C-3 (Commercial High Intensity). The proposed Las Cruces Dental Plaza PUD Concept Plan is desired by the applicant to accommodate flexibility in the development of the property with modified development standards different from those required by the existing zoning designation. All of the property's access, parking areas, common areas, landscaping, outdoor lighting and dumpster facilities shall be shared and privately maintained. The applicants proposed PUD will help create a balance between the developer's interests, while still providing public benefits to the community. The public benefits were established during the review process and with further discussion at the Design Review Committee (DRC) meeting. The applicant shall provide additional landscaping on the subject property and donate to the Parks and Recreation Department for trees to be planted throughout the City.

The proposed Las Cruces Dental Plaza PUD Concept Plan is consistent with the goals and policies of Comprehensive Plan 2040, the intent of the 2001 Zoning Code and the standards of other City plans and codes. The Las Cruces Dental Plaza PUD will help promote the development of this currently vacant property within the City of Las Cruces. The proposed PUD will also encourage a creative approach that will provide a more efficient and aesthetically pleasing design to the development needs of the community. The proposed PUD will not subject nearby properties and pedestrians to any significant hazardous traffic condition due to the fact that the development will only have access to Citizens Place and Memorial Court, private roadways. The proposed PUD will permit flexibility in land use, density, placement of buildings, arrangement of open space, circulation, and off-street parking areas that will help maximize the potential of individual sites within the proposed new development. The public benefits proposed by this PUD will help balance the benefits for the community and the interests of the applicant.

Conclusion

The 2001 Zoning Code, as amended, states that a concept plan is intended to serve as a tool that can assist in identifying the appropriateness of a proposed development within the context of its surroundings and forms the basis for approval of a PUD. Staff has determined that the proposed Las Cruces Dental Plaza PUD Concept Plan achieves this. The proposed Las Cruces Dental Plaza PUD Concept Plan is supported by the Development Services Staff and all reviewing departments in the City of Las Cruces.

DRC RECOMMENDATION

On June 29, 2016 the Development Review Committee (DRC) reviewed the proposed Las Cruces Dental Plaza Concept Plan PUD Concept Plan. The DRC reviews the infrastructure, utilities and improvements required for subdivisions from a technical standpoint. After some minor discussion, the DRC recommended approval with conditions requiring some minor changes to the public benefits for the proposed concept plan. The applicant has updated the proposed PUD concept plan and are reflected on the attached updated Las Cruces Dental Plaza PUD Concept Plan. Please refer to Attachment #4 for more details about the DRC meeting.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** for the proposed concept plan based on the following findings listed below:

FINDINGS FOR APPROVAL

1. The subject parcel currently encompasses a total of 1.99 ± acres, zoned C-3 (Commercial High Intensity) and is currently vacant/undeveloped.
2. City staff has reviewed and confirmed that the proposed construction and use of the PUD will not be detrimental to the health, safety, or welfare of the community or adjacent neighborhood. (2001 Zoning Code, Article 5, Section 38-49 D)
3. All applicable City departments have concluded that there is or will be adequate sewage capacity, roadway capacity, energy supply, and potable water supply to serve the PUD at the time a certificate of occupancy or letter of acceptance, as applicable, is to be issued. (2001 Zoning Code, Article 5, Section 38-49 D)
4. Community Development staff has confirmed that the PUD conforms to the intent, goals, objectives, policies, and standards of all city plans and codes. (2001 Zoning Code, Article 5, Section 38-49 D)
5. City staff has reviewed and confirmed that the uses proposed, including their density and intensity, are appropriate to the character of the neighborhood and will have a positive aesthetic effect on the neighborhood in which the PUD will be located. (2001 Zoning Code, Article 5, Section 38-49 D)
6. The proposed uses of the Las Cruces Dental Plaza PUD will not subject surrounding properties and pedestrians to significant hazardous traffic conditions. (2001 Zoning Code, Article 5, Section 38-49D)

ATTACHMENTS

1. Zoning/Vicinity Map
2. Aerial Map
3. Development Statement
4. June 29, 2016 DRC Minutes
5. Las Cruces Dental Plaza Concept Plan

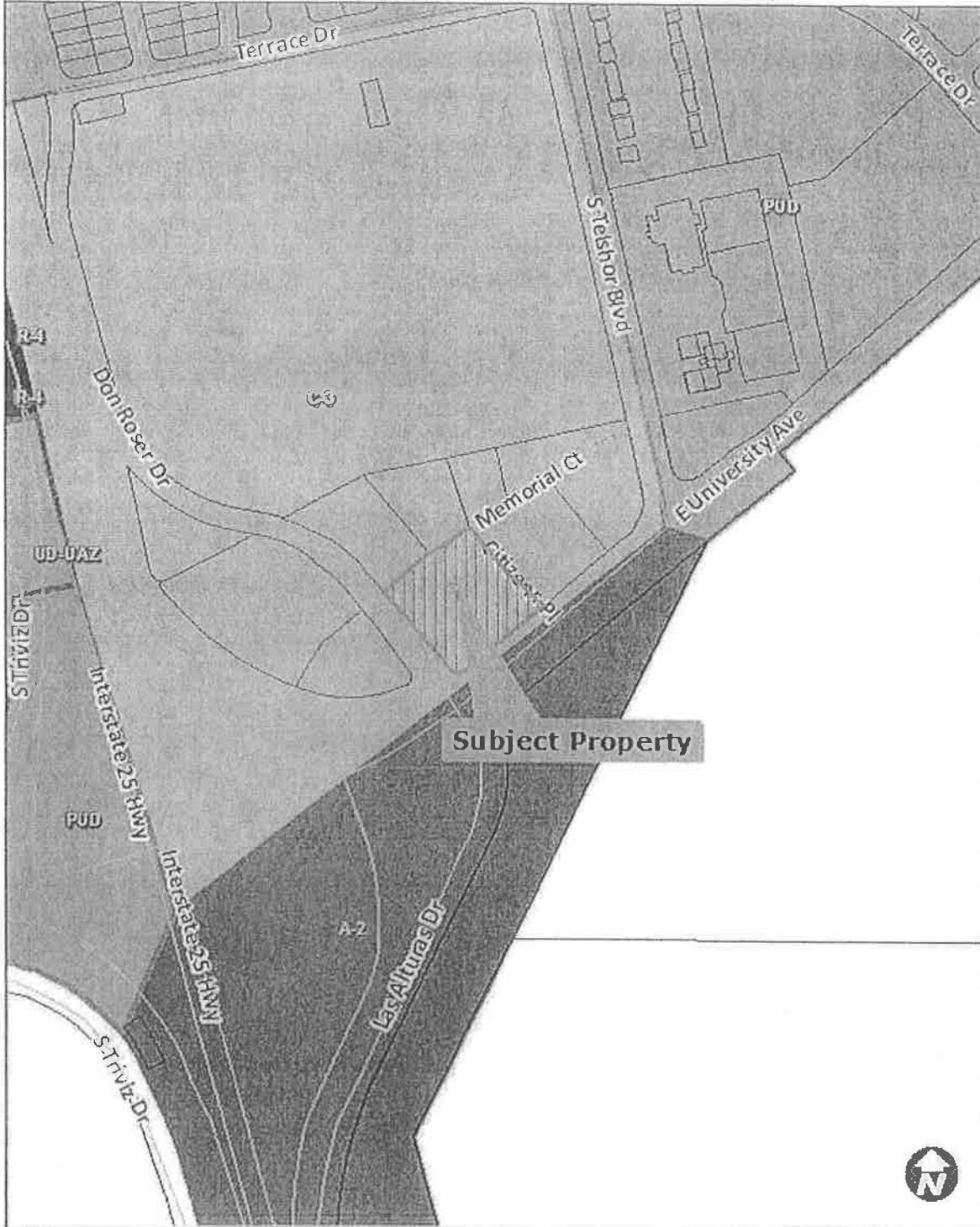
VICINITY/ ZONING MAP

ZONING: C-3

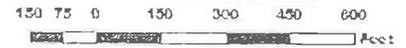
OWNER: MESILLA VALLEY DENTAL PROPERTIES LLC

PARCEL: 02-39596

DATE: 7/13/16



Subject Property



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

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

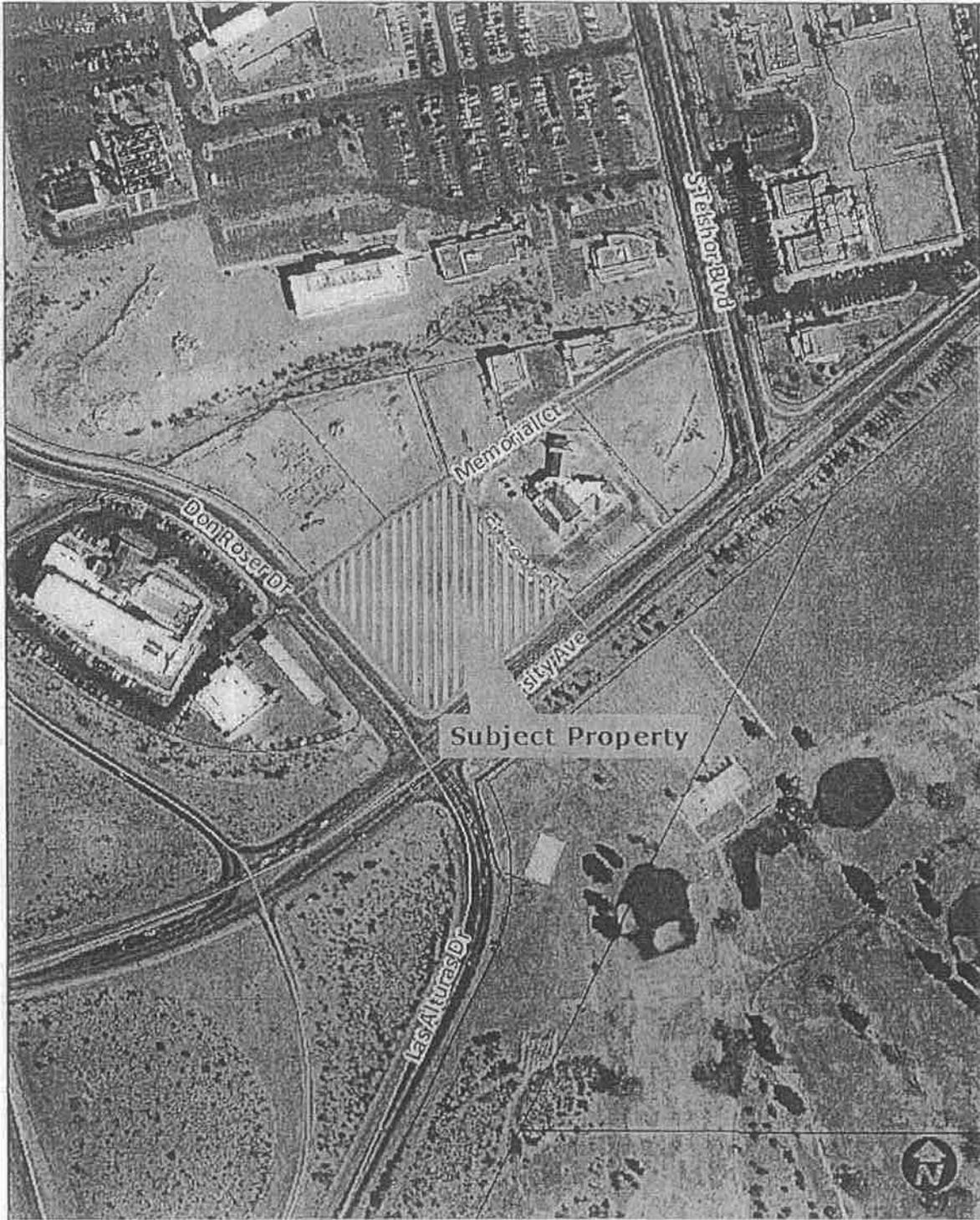
AERIAL MAP

ZONING: C-3

OWNER: MESILLA VALLEY DENTAL PROPERTIES LLC

PARCEL: 02-39596

DATE: 7/13/16



Community Development Department

700 N Main St

Las Cruces, NM 88001

(575) 528-3222

This map was created by Community Development to assist in the administration of local zoning regulations. Neither the City of Las Cruces or the Community Development Department assumes any legal responsibilities for the information contained in this map. Users noting errors or omissions are encouraged to contact the City (375) 328-3043.

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: Row Johnson
 Contact Person: Row Johnson
 Contact Phone Number: 680-2307
 Contact e-mail Address: R.JOHNSON@ZIAEEC.COM
 Web site address (if applicable): _____

Proposal Information

Name of Proposal: LAS CRUCES DENTAL PLAZA
 Type of Proposal (single-family subdivision, townhouse, apartments, commercial/industrial)
COMMERCIAL SUBDIVISION PUD - REPLAY
 Location of Subject Property _____
 (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: 1.99 AC.
 Detailed description of **current** use of property. Include type and number of buildings:
VACANT LOT

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

- DENTAL COMPLEX CONSISTS OF 5 NEW DENTAL CLINICS,
- BUILDING SIZES VARY BETWEEN 2500 & 3500 SF
- EACH OFFICE WILL HAVE A WAITING AREA, OFFICES, LABS & EXAM ROOMS.

Zoning of Subject Property: C-3

Proposed Zoning (If applicable): C-2

Proposed number of lots 5, to be developed in 2 phase (s).

Proposed square footage range of ~~homes~~ to be built from 2500 SF to 3500 SF

OFFICES

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

2,500 SF to 3,500 SF 1-STORY

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

9 AM - 5 PM MON - FRI

Anticipated traffic generation _____ trips per day.

Anticipated development schedule: work will commence on or about 8-1-16

and will take 2 YRS 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). SEE BUILDING ELEVATIONS

Is the developer/owner proposing the construction of any new bus stops or bus shelters? Yes ___ No Explain: A PUBLIC BENEFIT IS BEING PROPOSED

Is there existing landscaping on the property? NO

Are there existing buffers on the property? _____

Is there existing parking on the property? Yes ___ No

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

in*situ
ARCHITECTURE

1711 K Street, Suite 100 | Los Angeles, CA 90017
 (310) 460-1000
 www.insituarch.com



**LAS CRUICES DENTAL PLAZA -
DR. PERILLE OFFICE**

**MESTILA VALLEY DENTAL
PROPERTIES, LLC.**

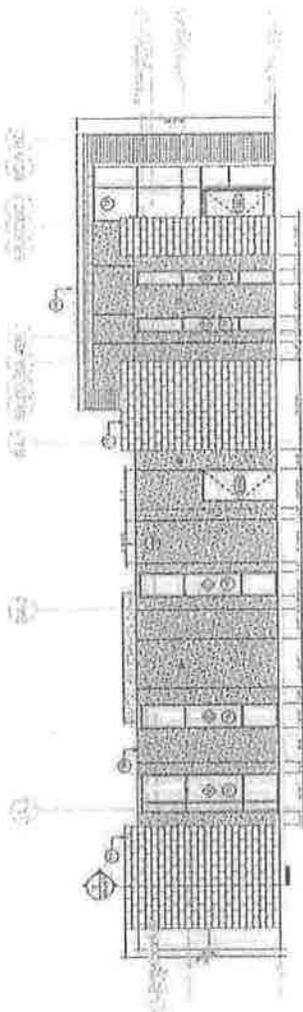
Los Angeles, CA

AVENUE 10/11/12

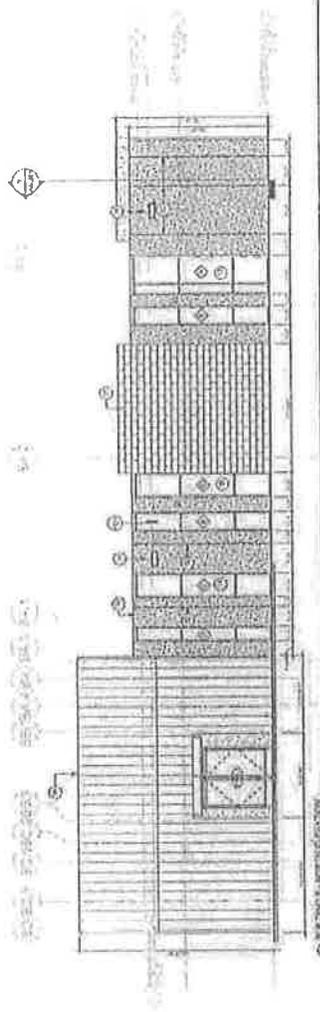
PROJECT NO.	2018-001
DATE	08/15/18
SCALE	AS SHOWN
DESIGNER	INSITU ARCHITECTURE
CLIENT	MESTILA VALLEY DENTAL PROPERTIES, LLC.
LOCATION	LOS ANGELES, CA

**BLOG B - EXTERIOR
ELEVATIONS**

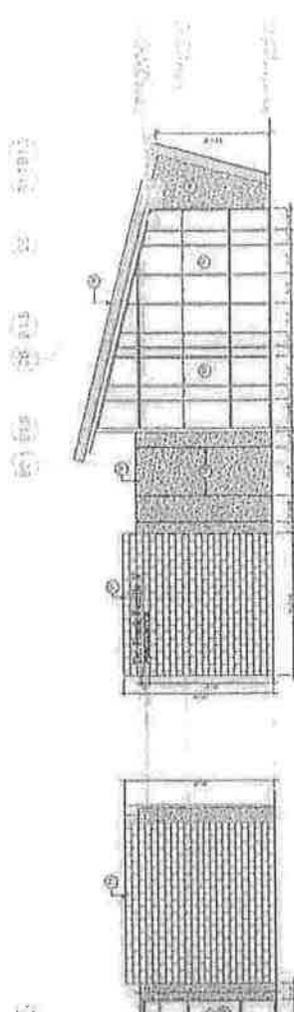
AB-201



01 - EAST ELEVATION



02 - SOUTH ELEVATION



03 - WEST ELEVATION

- GENERAL NOTES**
1. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 2. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 3. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 4. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 5. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 6. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 7. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 8. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 9. REFER TO ALL OTHER DRAWINGS FOR NOTES.
 10. REFER TO ALL OTHER DRAWINGS FOR NOTES.

REVISIONS

NO.	DATE	DESCRIPTION
1	08/15/18	ISSUED FOR PERMIT
2	08/15/18	ISSUED FOR PERMIT
3	08/15/18	ISSUED FOR PERMIT

in*situ
ARCHITECTURE

120 KILBUCK AVENUE | SAN JOSE, CA 95128
415.534.0100 | WWW.IN-SITUARCH.COM



**LAS CRUCES DENTAL PLAZA -
DR. FENILLE OFFICE**

**MESILLA VALLEY DENTAL
PROPERTIES, LLC.**

Las Cruces, NM

Project Number: 1000000000

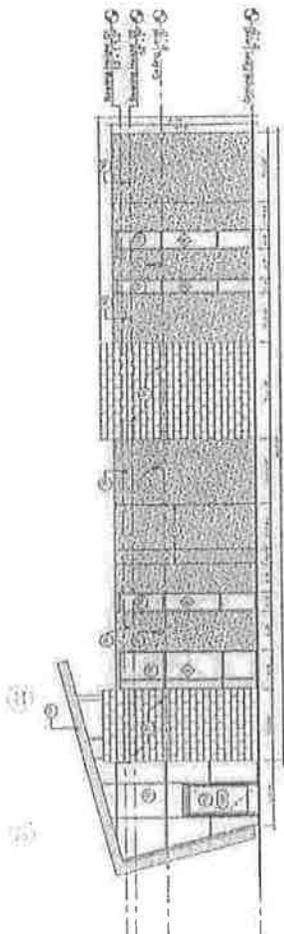
DATE:	08/14/2014
SCALE:	AS SHOWN
PROJECT:	DR. FENILLE OFFICE
LOCATION:	120 KILBUCK AVENUE, SAN JOSE, CA 95128
ARCHITECT:	IN-SITU ARCHITECTURE

**BLDG C - EXTERIOR
ELEVATIONS**

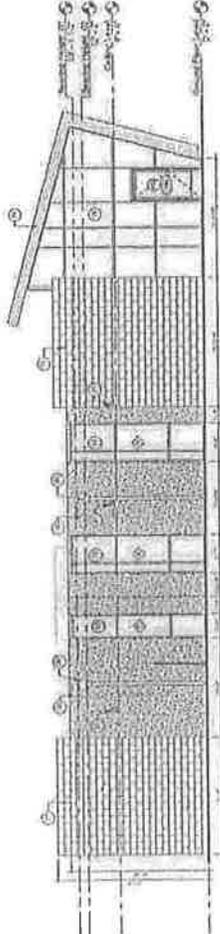
AC-201

- GENERAL NOTES**
1. ALL DIMENSIONS UNLESS OTHERWISE NOTED.
 2. MATERIALS AND FINISHES TO BE DETERMINED BY THE ARCHITECT AND APPROVED BY THE OWNER.
 3. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL BUILDING CODE (IBC) AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL MECHANICAL AND ELECTRICAL CODE (IMC/IEC) AND ALL APPLICABLE LOCAL ORDINANCES.
 5. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL PLUMBING AND MECHANICAL CODE (IPMC/IMP) AND ALL APPLICABLE LOCAL ORDINANCES.
 6. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL FIRE AND SAFETY CODE (IFSC/IFS) AND ALL APPLICABLE LOCAL ORDINANCES.
 7. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL ENERGY CONSERVATION CODE (IECC/IEC) AND ALL APPLICABLE LOCAL ORDINANCES.
 8. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL SMOKE AND ALARM CODE (ISAC/ISA) AND ALL APPLICABLE LOCAL ORDINANCES.
 9. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL ACCESSIBILITY AND MOBILITY ACT (IAMA/IMA) AND ALL APPLICABLE LOCAL ORDINANCES.
 10. ALL WORK TO BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL GREEN BUILDING CONSTRUCTION CODE (IGBC/IGC) AND ALL APPLICABLE LOCAL ORDINANCES.

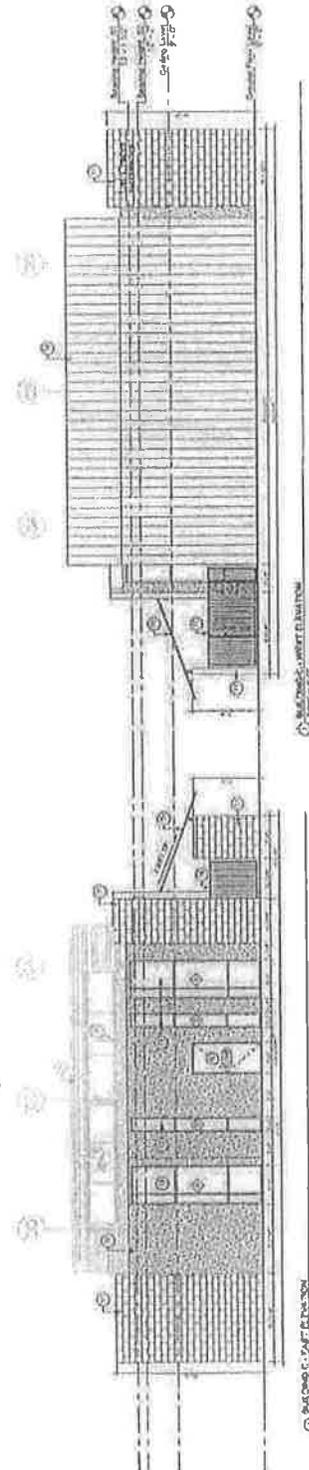
NO.	DESCRIPTION
1	WOOD CLADDING
2	BRICK CLADDING
3	GLASS CURTAIN WALL
4	ALUMINUM WINDOW FRAMES
5	ALUMINUM DOOR FRAMES
6	ALUMINUM RAILINGS
7	ALUMINUM HANDRAILS
8	ALUMINUM SIGNAGE
9	ALUMINUM LIGHT FIXTURES
10	ALUMINUM VENTILATORS
11	ALUMINUM DOWNSPUTTERS
12	ALUMINUM GUTTERS
13	ALUMINUM FLASHINGS
14	ALUMINUM TRIM
15	ALUMINUM CORNICES
16	ALUMINUM BALUSTRADES
17	ALUMINUM STAIRS
18	ALUMINUM ELEVATOR
19	ALUMINUM RAMP
20	ALUMINUM WALKWAY
21	ALUMINUM PLATFORM
22	ALUMINUM CANOPY
23	ALUMINUM AWNING
24	ALUMINUM PERGOLA
25	ALUMINUM PATIO
26	ALUMINUM PORCH
27	ALUMINUM DECK
28	ALUMINUM FENCE
29	ALUMINUM GATE
30	ALUMINUM SIGN
31	ALUMINUM LIGHT
32	ALUMINUM VENT
33	ALUMINUM DRAIN
34	ALUMINUM GUTTER
35	ALUMINUM FLASHING
36	ALUMINUM TRIM
37	ALUMINUM CORNICE
38	ALUMINUM BALUSTRADE
39	ALUMINUM STAIR
40	ALUMINUM ELEVATOR
41	ALUMINUM RAMP
42	ALUMINUM WALKWAY
43	ALUMINUM PLATFORM
44	ALUMINUM CANOPY
45	ALUMINUM AWNING
46	ALUMINUM PERGOLA
47	ALUMINUM PATIO
48	ALUMINUM PORCH
49	ALUMINUM DECK
50	ALUMINUM FENCE
51	ALUMINUM GATE
52	ALUMINUM SIGN
53	ALUMINUM LIGHT
54	ALUMINUM VENT
55	ALUMINUM DRAIN
56	ALUMINUM GUTTER
57	ALUMINUM FLASHING
58	ALUMINUM TRIM
59	ALUMINUM CORNICE
60	ALUMINUM BALUSTRADE
61	ALUMINUM STAIR
62	ALUMINUM ELEVATOR
63	ALUMINUM RAMP
64	ALUMINUM WALKWAY
65	ALUMINUM PLATFORM
66	ALUMINUM CANOPY
67	ALUMINUM AWNING
68	ALUMINUM PERGOLA
69	ALUMINUM PATIO
70	ALUMINUM PORCH
71	ALUMINUM DECK
72	ALUMINUM FENCE
73	ALUMINUM GATE
74	ALUMINUM SIGN
75	ALUMINUM LIGHT
76	ALUMINUM VENT
77	ALUMINUM DRAIN
78	ALUMINUM GUTTER
79	ALUMINUM FLASHING
80	ALUMINUM TRIM
81	ALUMINUM CORNICE
82	ALUMINUM BALUSTRADE
83	ALUMINUM STAIR
84	ALUMINUM ELEVATOR
85	ALUMINUM RAMP
86	ALUMINUM WALKWAY
87	ALUMINUM PLATFORM
88	ALUMINUM CANOPY
89	ALUMINUM AWNING
90	ALUMINUM PERGOLA
91	ALUMINUM PATIO
92	ALUMINUM PORCH
93	ALUMINUM DECK
94	ALUMINUM FENCE
95	ALUMINUM GATE
96	ALUMINUM SIGN
97	ALUMINUM LIGHT
98	ALUMINUM VENT
99	ALUMINUM DRAIN
100	ALUMINUM GUTTER



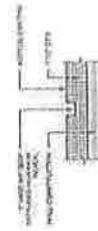
SECTION 1 - WEST ELEVATION



SECTION 2 - FRONT ELEVATION



SECTION 3 - EAST ELEVATION



SECTION 4 - WINDOW DETAIL

DEVELOPMENT REVIEW COMMITTEE (DRC)

Following are the verbatim minutes from the City of Las Cruces Development Review Committee Meeting held Wednesday, June 29, 2016 at 9:00 a.m. at City Hall, Room 1158, 700 North Main Street, Las Cruces, New Mexico.

DRC PRESENT: Katherine Harrison-Rogers, Community Development
Meei Montoya, Utilities
Rocio Dominguez, Engineering Services
Jeremy Barela, Engineering
Andrew Wray, MPO

STAFF PRESENT: Sara Gonzales, Development Services
Becky Baum, Recording Secretary, RC Creations, LLC

OTHER PRESENT:**I. CALL TO ORDER (9:00)**

H-Rogers: Today is Wednesday, June 29th, 2016. It's approximately 9:00 a.m. I'm gonna call this DRC to order.

II. APPROVAL OF MINUTES - June 1, 2016

H-Rogers: First item of business is Approval of Minutes from June 1st, 2016. Were there any modifications to those minutes? No. Do I have a motion?

Dominguez: So moved.

Montoya: Second.

H-Rogers: All those in favor.

MOTION PASSES. (*Andrew Wray stated prior to the meeting he was abstaining.*)

H-Rogers: With that, minutes are approved.

1
2 **III. OLD BUSINESS - NONE**
3

4 H-Rogers: We don't have any Old Business today.
5

6 **IV. NEW BUSINESS**
7

8 **1. Case 65151: Las Cruces Dental Plaza Unit Development (PUD)**

- 9
- 10 • A request for approval of a concept plan for a proposed PUD known as the Las Cruces Dental Plaza PUD.
 - 11 • The PUD will allow for the development of the subject property for a commercial subdivision proposing 5 commercial lots utilizing shared parking, access landscaping and utility easements.
 - 12 • The subject property encompasses 1.99 +/- acres, is currently zoned C-3 (Commercial High Intensity) and is located on the northeast corner of Don Roser Drive and East University Avenue.
 - 13 • Submitted by Zia Engineering, on behalf of Mesilla Valley Dental Prop., LLC, property owner.
- 14
15
16
17
18
19

20 H-Rogers: So we will move onto New Business. We have Case 65151, Las Cruces
21 Dental Plaza Planned Unit Development Concept Plan. And I'll go ahead
22 and turn that over to Sara Gonzales, for, for staff.
23

24 Gonzales: Okay, this is the Las Cruces Dental Plaza Planned Unit Development
25 Concept Plan. This is for a property that is located on the northeast
26 corner of Don Roser and University. It does encompass about 1.99 acres.
27 The applicants are requesting the Planned Unit Development in order to
28 share several things within the property; they are asking to create five
29 commercial lots and then share all of the parking, the access to the
30 property, the landscaping, any of the utility easements within the property.

31 With that, the applicant has provided that they will provide public
32 benefits in order to vary from what the code standards would be in order to
33 create the Planned Unit Development. The public benefits they are
34 requesting are to do additional landscaping; they are asking to do
35 additional landscaping to the medians, however I do want to make a point
36 that with the development directly south of it they are required to actually
37 landscape that median anyway. The median to the east of it has already
38 been adopted by someone else, so unfortunately won't be able to do
39 landscaping of the median as a public benefit.

40 With that when we went to the Zoning Review Team there was a
41 request to possibly put trees throughout the parking lot area, to divide up
42 the parking spaces to make it a little bit more greener. The other proposal
43 is to do a public benefit as far as putting benches for people who may be
44 waiting to actually be in their appointments, to make it a little bit more
45 inviting.

1 The second thing I want to bring up would be, they are proposing a
2 sign, in this case the property is only allowed to have one freestanding
3 sign at all points. They are putting it near the clear-sight triangle by Don
4 Roser and, and University, we just want to make sure that that maintains
5 that it will be out of the clear-sight triangle and that they will meet the
6 requirements and that there won't be any other signs located within that
7 property as far as freestanding. That's all I have.
8

9 H-Rogers: Very good. I do want to point that during our Zoning Review Team
10 meeting as staff we also discussed public benefit perhaps being a
11 donation to our Street Trees Program with Parks and Rec. It would just be
12 a monetary donation for a, a set amount of trees that then could be
13 applied throughout the City. With that I'll go ahead and look to some of
14 our other Departments for comment. Utilities.
15

16 Montoya: The Las Cruces Utility Department does not have concern for this Planned
17 Unit Development, however we're still working with the engineer to, to
18 clarify the issue of a utility easement width that, and I'm pretty sure we can
19 get it resolved during the replat or, and then construction plan (*inaudible*).
20

21 H-Rogers: Very good. Thank you. And MPO.
22

23 Wray: MPO does not have any concerns. The, the adjacent MPO thoroughfares
24 all have the, the request right-of-way.
25

26 H-Rogers: Very good. And Engineering.
27

28 Dominguez: I just have several questions and comments. This is, this plot is part of a
29 bigger master plan, right, where the drainage was done with that and
30 you're still gonna provide some drainage, some on-lot pondings for this.
31

32 Johnson: Yes.
33

34 Dominguez: But not for the full drainage because it's covered with hospital or the Don
35 Roser ...
36

37 Johnson: It's the, it's the hospital plat.
38

39 Dominguez: Okay. And then also for the public benefit, did you mention the benches
40 were though, would those be at the, the bus stops?
41

42 Gonzales: There are no bus stops within the area so it'd actually be within the
43 property.
44

45 Dominguez: Okay.
46

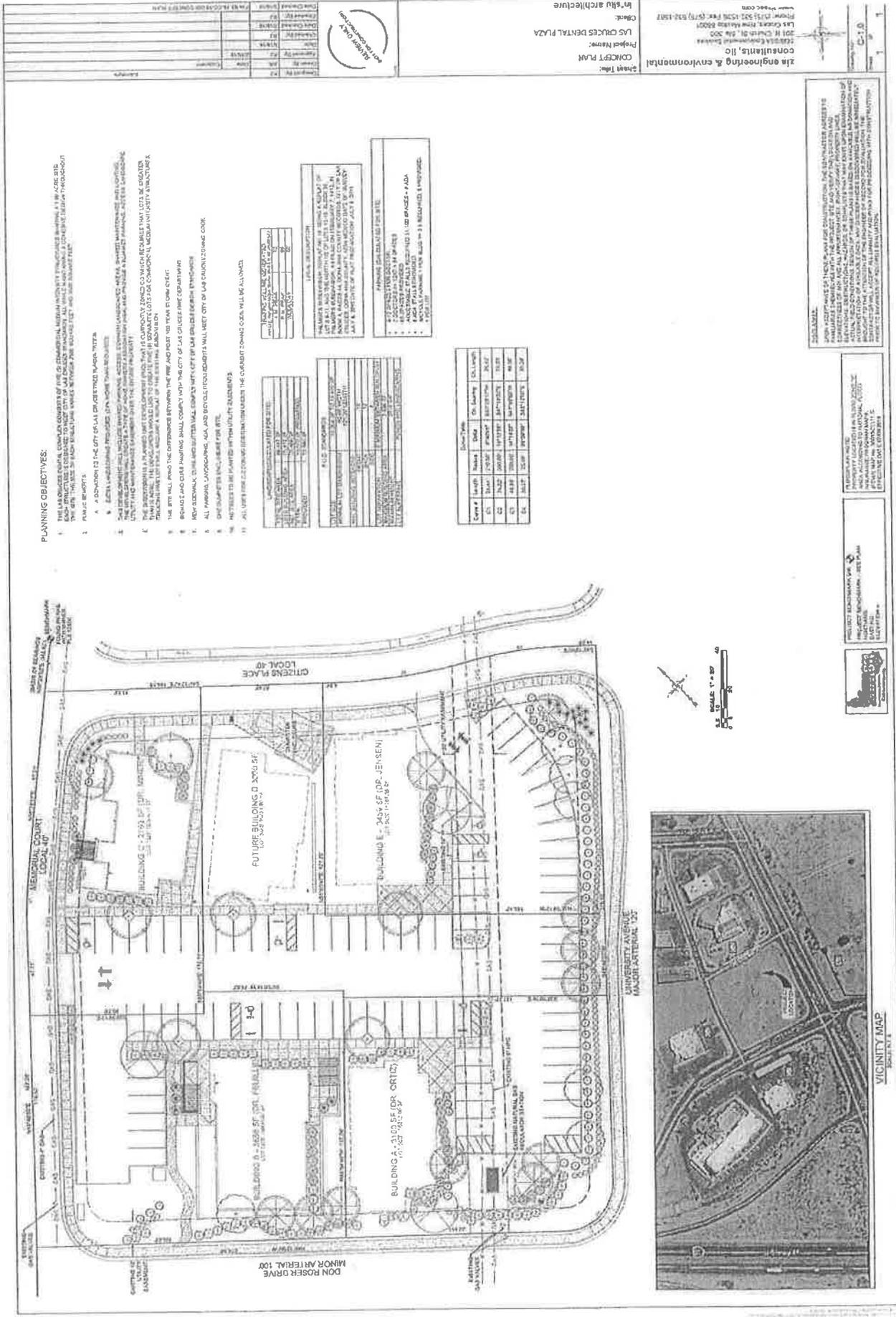
- 1 Gonzales: So it'd be more for patients or anybody within the actual subdivision,
2 concept plan.
3
- 4 Johnson: And, and the transit people, we did look into putting a bus stop right here
5 but that would've required widening the streets and it just, they weren't
6 even comfortable with doing that, so ... and you're right, there isn't one
7 anywhere else nearby.
8
- 9 H-Rogers: Just for clarification, although the benches are a nice addition to the
10 internal part of the property, wouldn't consider that a public benefit. I
11 would consider parking lot trees because it reduces, reduces heat island,
12 but I wouldn't consider benches inside the property. Now if they are for
13 the benefit of the public on the sidewalk, then yes. Just for clarification. I
14 think that perhaps maybe the, the tree donation and the parking lot trees
15 might be better options at this point in time.
16
- 17 Johnson: Okay.
18
- 19 H-Rogers: Engineering, did you have additional questions?
20
- 21 Dominguez: No I don't.
22
- 23 H-Rogers: And, did I leave anybody out? We're missing Fire and we're also missing
24 Parks today. So with that did you have any other comments?
25
- 26 Johnson: I just want to bring up that the plat from 2006 which showed this as a 35-
27 foot easement was approved and recorded. A couple years later it was
28 replatted showing a 20-foot and that was approved and recorded and then
29 this next one that's coming up to do this project will have to be reviewed
30 by all of you and commented on and then once it's approved it will be
31 recorded, so this 20-foot as it stands legally is where it's at, although that
32 35, I don't know why it went from 35 to 20.
33
- 34 H-Rogers: Was it vacated Ron? Do you know if there was some vacation language?
35
- 36 Montoya: It wasn't.
37
- 38 H-Rogers: In theory the 35 still exists.
39
- 40 Montoya: Yes.
41
- 42 H-Rogers: So we'll have to work that out as we go through the platting process to get
43 it vacated and put in the right place.
44
- 45 Johnson: Okay.
46

- 1 H-Rogers: And get the right width.
2
3 Johnson: All right. That's all I know.
4
5 H-Rogers: With that do we have a motion to approve or a motion with conditions?
6
7 Gonzales: I make a motion to approve Case 65151 with the conditions that the public
8 benefit be that the trees be planted throughout the parking lot as well as
9 the public benefit providing a donation for trees to be planted somewhere
10 else to Parks and Recreation.
11
12 H-Rogers: And that the, and that the utilities be resolved.
13
14 Gonzales: And that the utilities would be resolved when the final plat came in.
15
16 Montoya: Could I make a comment? I'm sorry.
17
18 H-Rogers: Absolutely.
19
20 Montoya: Okay. We are not objecting to plant the trees throughout the parking lot,
21 *(inaudible)* utility easement.
22
23 H-Rogers: Absolutely.
24
25 Montoya: Yeah.
26
27 H-Rogers: So, all right do I have a second to that motion with, with the conditions?
28
29 Dominguez: Second.
30
31 H-Rogers: All right, and with that let's go ahead and take a vote. All those in favor.
32
33 MOTION PASSES UNANIMOUSLY.
34
35 H-Rogers: Any opposed? And the Chair votes aye. Motion passes.
36
37 **V. ADJOURNMENT (9:07)**
38
39 H-Rogers: Next item is adjournment. Do I have a motion for adjournment?
40
41 Dominguez: Move.
42
43 H-Rogers: Okay.
44
45 Gonzales: Second.
46

1 H-Rogers: All right. Very good. We'll go ahead and adjourn this meeting at
2 approximately seven minutes after nine.
3
4
5
6

7 _____
8 Chairperson
9

DRAFT

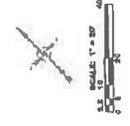


PLANNING OBJECTIVES:

1. THE LAS CRUCES DENTAL PLAZA CONSISTS OF FIVE (5) COMMERCIAL MEDICAL BUILDINGS WITHIN A 19.42 AC SITE. EACH BUILDING IS DESIGNED TO MEET CITY OF LAS CRUCES REGULATORY AND DESIGN REQUIREMENTS THROUGHOUT THE SITE. THESE DESIGN REQUIREMENTS INCLUDE THE FOLLOWING:
 - A. ADHERENCE TO THE CITY OF LAS CRUCES ZONING CODE.
 - B. DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES.
 - C. THE DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES FOR THE DESIGN OF THE BUILDINGS AND THE DESIGN OF THE SITE.
 - D. THE DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES FOR THE DESIGN OF THE BUILDINGS AND THE DESIGN OF THE SITE.
 - E. THE DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES FOR THE DESIGN OF THE BUILDINGS AND THE DESIGN OF THE SITE.
2. PUBLIC REPORTS
 - A. A DESIGN TO THE CITY OF LAS CRUCES ZONING CODE.
 - B. DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES.
 - C. THE DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES FOR THE DESIGN OF THE BUILDINGS AND THE DESIGN OF THE SITE.
 - D. THE DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES FOR THE DESIGN OF THE BUILDINGS AND THE DESIGN OF THE SITE.
 - E. THE DESIGN REQUIREMENTS PROVIDED BY THE CITY OF LAS CRUCES FOR THE DESIGN OF THE BUILDINGS AND THE DESIGN OF THE SITE.
3. REQUEST AND DATE HAVING SMALL COMPANY WITH THE CITY OF LAS CRUCES PRESENTATION
 - A. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
 - B. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
 - C. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
 - D. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
 - E. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
4. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
5. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
6. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
7. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
8. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
9. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.
10. ALL PERSONS, COMPANIES, AND INDIVIDUALS WILL MEET CITY OF LAS CRUCES ZONING CODE.

Core #	Block	Area	Dr. Length	Dr. Width	Dr. Depth	Dr. Area
01	1000	1000	1000	1000	1000	1000
02	1000	1000	1000	1000	1000	1000
03	1000	1000	1000	1000	1000	1000
04	1000	1000	1000	1000	1000	1000
05	1000	1000	1000	1000	1000	1000

Core #	Block	Area	Dr. Length	Dr. Width	Dr. Depth	Dr. Area
01	1000	1000	1000	1000	1000	1000
02	1000	1000	1000	1000	1000	1000
03	1000	1000	1000	1000	1000	1000
04	1000	1000	1000	1000	1000	1000
05	1000	1000	1000	1000	1000	1000



PROJECT LOCATION: 201 N. CANTON ST., LAS CRUCES, NM 88001. PROJECT NUMBER: 201 N. CANTON ST. PROJECT DATE: 10/15/2011. PROJECT SCALE: 1/8\"/>



PROJECT LOCATION: 201 N. CANTON ST., LAS CRUCES, NM 88001. PROJECT NUMBER: 201 N. CANTON ST. PROJECT DATE: 10/15/2011. PROJECT SCALE: 1/8\"/>

the engineering & environmental
Consultants, llc
201 N. Canton St., Ste 200
Las Cruces, NM 88001
Phone: 505.321.1234 Fax: 505.321.1234
www.theeng.com

Project Name: LAS CRUCES DENTAL PLAZA
Project Team: CONCEPT PLAN
Client: In'sku architecture



Revision	By	Date	Description
1	JK	10/15/2011	Initial Design
2	JK	10/15/2011	Revised Design
3	JK	10/15/2011	Final Design

1 Clifton: Commissioner Muniz.

2
3 Muniz: Aye.

4
5 Clifton: Commissioner Stowe.

6
7 Stowe: Aye.

8
9 Clifton: Commissioner Ferrary.

10
11 Ferrary: Aye.

12
13 Clifton: Commissioner Alvarado.

14
15 Alvarado: Aye.

16
17 Clifton: Commissioner Gordon.

18
19 Gordon: Aye.

20
21 Clifton: The Chair votes aye.

22
23 MOTION PASSES UNANIMOUSLY.

24
25 Clifton: Commissioner Stowe you're hired.

26
27 Gordon: I could've prefaced it by saying you know "From the great State of New
28 Mexico."

29
30 Clifton: Okay. Thank you Commission. So now we have a secretary, staff.

31
32 1. **Case 65151:** Application of Zia Engineering on behalf of Mesilla Valley
33 Dental Properties, LLC, property owner, for a Concept Plan for a Planned
34 Unit Development (PUD) known as the Las Cruces Dental Plaza PUD. The
35 Concept Plan proposes to subdivide the property into five commercial lots
36 allowing C-2 (Commercial Medium Intensity) uses with shared access,
37 parking, landscaping, and lighting. The subject area encompasses 1.99 +/-
38 acres and is located at the northeast corner of Don Roser Drive and East
39 University Avenue; Parcel ID # 02-39596. Proposed use: New
40 commercial/office development. Council District 2 (Councilor Smith)

41
42 Clifton: Okay. Let's move right into the New Business, item number two, Case
43 65151: Application of Zia Engineering on behalf of Mesilla Valley Dental
44 Properties, LLC, property owner, for a concept plan for a Planned Unit
45 Development (PUD) known as the Las Cruces Dental Plaza PUD. The
46 Concept Plan proposes to subdivide the property into five commercial lots

1 allowing C-2 (commercial medium intensity) uses with shared access,
2 parking, landscaping, and lighting. The subject area encompasses 1.99
3 plus or minus acres and is located at the northeast corner of Don Roser
4 Drive and East University Avenue. Parcel ID number 02-39596.
5 Proposed use: New commercial/office development. This is within
6 Council District 2, Councilor Smith. Okay staff.
7

8 Gonzales: Okay. As previously said it was Case Number 65151 for a concept plan
9 for a Planned Unit Development known as Las Cruces Dental Plaza PUD.
10 Here is the vicinity zoning map of the property that is currently zoned C-3.
11 It is surrounded by other commercial properties of high intensity as well. It
12 is located on the northeast corner of University as well as Don Roser. You
13 can see on, to the east side of it it is Interstate 25 and, or sorry to, yes and
14 to the west side is actually Telshor Boulevard.

15 Currently the conditions on the property it is, it does encompass
16 1.99 acres. It is commercial high-intensity zoned C-3 and it is
17 undeveloped property. And, okay. Here's the aerial maybe, no, just use
18 that one. The aerial provided up on the screen does show that the
19 property is currently vacant. However you will see that Citizens Bank is to
20 the east of the property as well as to the west side is the hotel, or the
21 PicQuik gas station as well. The Urology Center is almost completed.
22 That is to the northern portion of the property so we are basically looking
23 at medical offices within the surrounding area. You also see that
24 Memorial Medical is located off of Telshor Boulevard to the north as well.

25 The applicant is proposing to subdivide the property into five
26 commercial lots. The reason we are here doing the Planned Unit
27 Development is because the applicant is changing the lot sizes, setbacks,
28 and the building heights. The building heights will actually be lower than
29 what is actually requested for a C-2 or C-3 zone. The applicant is also
30 requesting to do C-2 permitted uses because this is a dental plaza. They
31 are also asking that it be for any uses that do fall underneath. The
32 applicants are requesting to share the access, the driving aisle, the
33 parking areas, the landscaping, the outdoor lighting, utility easements, and
34 any of the dumpster facilities. This will help to maintain the property as
35 well as all five lots will come to a shared agreement. That way it can be
36 maintained for the use of that dental plaza. They will also follow the
37 current development standards for the auto and bicycle parking, driving
38 aisles, and any of the signage.

39 With that staff did discuss during DRC the requirements for public
40 benefit since this is a Planned Unit Development for the changes in which
41 they are proposing. The changes were as we would consider minimal
42 since they are just the setbacks which are only varying maybe two feet
43 from certain sides. They are varying from the height requirement but
44 they're actually going lower, also for the shared landscaping and the
45 parking. With that their public benefits that are being provided from the
46 applicant will be to the City's Parks and Recreation Program to where they

1 will actually provide four street trees. That's an equivalent to close to
2 about \$1,100 based on what they actually donate to Parks and
3 Recreation. They are also going to be providing at least 24% landscaping
4 rather than the required 15% for any commercial development. So it'll
5 also increase and make the property look a lot better.

6 Here is the concept plan that is being proposed. You will see there
7 are various, various different sizes in each lot as far as building setbacks
8 and then the design. Throughout the landscaping you will see that there
9 are several trees. A lot of times the trees are harder to maintain or for
10 staff to actually require and so they are providing that as a public benefit to
11 require them throughout the parking lot as well. Their access will be off of
12 Citizens Place. They will have one access only. Those are private streets
13 that are surrounding it. They won't have any access from University
14 Avenue or from Don Roser.

15 DRC did meet on the 29th of June and we discussed anything as
16 far as infrastructure, utility improvements, anything from a subdivision
17 standpoint that would not recommend approval for this. Instead DRC did
18 recommend approval because they're not making too many changes from
19 the subdivision requirements as well as the zoning standpoint either. So
20 based on that staff is recommending approval. So both DRC is
21 recommending approval and staff recommends approval for this. The
22 Planning and Zoning Commission is a recommending body to City Council
23 and these were the findings for basically, for approving the concept plan
24 for the PUD. They are found in your staff report and we've come to the
25 end.

26 This is the part where yes, you can vote "yes" to approve the
27 request as recommended by staff and DRC for the PUD concept plan for
28 Case 65151; you can vote "no," this would recommend denial of the PUD
29 concept plan to City Council; you can vote to amend the, and this could
30 mean that you can put any conditions deemed necessary by the P&Z; or
31 you can vote to table and allow staff to do more research and provide you
32 more documentation to make a decision. Once again there is the concept
33 plan and I stand for any questions and you were handed a handout from
34 the applicant showing the design of the property or a proposed design for
35 the property of how it will look on the outside. I stand for any questions as
36 well as the applicant is here.

37
38 Clifton: Okay. Thank you Sara. Does this, applicant have a presentation for the
39 Commission?

40
41 Gonzales: I don't believe so.

42
43 PERSON IN THE AUDIENCE SPEAKING, NOT AT THE MICROPHONE.

44
45 Gonzales: The applicant does not have a presentation. He just had basically the
46 pamphlets that I provided.

- 1
2 Clifton: Okay. Thank you. Okay, we'll go ahead and open it up to Commission
3 discussion and then we'll open it to the public. Commissioner Hedrick, do
4 you, nothing.
5
6 Hedrick: I've no comment.
7
8 Clifton: Commissioner Stowe.
9
10 Stowe: This is, seems to me if not unusual it's the first time I've seen a
11 development targeting a certain use of the land. Can staff comment on
12 how does a PUD get proposed, approved, is it width, width of streets,
13 infrastructure? Why a PUD rather than a regular development?
14
15 Gonzales: Go ahead.
16
17 Ochoa: If I may interject sir, a, a PUD essentially set there if you will to give
18 flexibility to a developer in the City of Las Cruces. Under a Planned Unit
19 Development they essentially set up their own design standards if you will.
20 Under those design standards they could still refer to City standards for
21 some issues but then also do their deviations or changes if you will that
22 they feel that they need for whatever they want to develop on the property.
23 In this case the property's zoned C-3 and the, the lot sizes they're
24 proposing for the property do not meet the standards for a C-3 zoned
25 property. So they went to a PUD to not only take care of that issue, also
26 some minor setback issues, and just to take care of the overall
27 encompassing access, parking, landscaping, you name it. The, the, the,
28 all-encompassing easement over the entire property that's going to
29 essentially work as one complete property but with different property
30 owners and different lots within it. And a PUD is essentially viewed at staff
31 is, when we review it it's kind of a, what benefits are, is the applicant
32 getting by doing these deviations and then in the end what, what benefits
33 the City gets as well and we kind of try to balance those out, is why they
34 are proposing those two public benefits for this proposed PUD.
35
36 Stowe: Thank you.
37
38 Ferrary: Did this, oh I'm sorry.
39
40 Clifton: That's okay. Commissioner Ferrary.
41
42 Ferrary: Thank you. Did this make it more streamlined and easier for the
43 development of this area by doing it this, by taking this process?
44
45 Gonzales: Chair, Commissioner Ferrary. Yes, it does help with the process because
46 then they are able to propose I believe a little bit more outside of the box

- 1 so you get a different design, a different style but you still encompass the
2 same regulations that are around you. We wouldn't you know necessarily
3 put residential home in a, in a commercial area so it does help to eliminate
4 some of the processes throughout to make it a little bit easier for other
5 developers to come in.
6
- 7 Ferrary: That's great. And this also seems to be a very attractive addition to that
8 part of town and I think it's a, a wonderful concept.
9
- 10 Clifton: Commissioner Gordon.
11
- 12 Gordon: I also think that this is a, a very nice-looking project and it certainly would
13 do well for where it's going to be located but I just have a couple
14 questions. Is this going to be somewhat similar to a condominium type
15 arrangement where each one of these dentists is going to own their own
16 piece of property and building?
17
- 18 Gonzales: Mr. Chair, Commissioner Gordon. Yes, they will have their own
19 properties. They will be separate lots that are subdivided out. They will
20 own their own properties, however with the shared access and the
21 agreement made by all the property owners everything within the property
22 will be maintained by whoever's owning that property. So even if you were
23 to sell the property, the next property owner will be liable to maintain the
24 actual site as one rather than just their single development.
25
- 26 Gordon: Is there some kind of a restriction that they're holding out for the piece that
27 has not been perhaps sold at this point, that they're going to be another
28 dentist or perhaps a medical doctor or something of that nature?
29
- 30 Gonzales: Commissioner Gordon. That would be where we asked the applicant to
31 decide if they wanted to maintain it as just a dental plaza and only restrict
32 dentists or if they would like to change it. That's where we included the C-
33 2 uses because you never know what a property will or will not be able to
34 be developed as, or if people come in and come out so it'll be limited to
35 the C-2 uses for the property, whoever comes in.
36
- 37 Gordon: So, but I see at this point buildings A, B, E, and, A, B, A, B, C, and E are I,
38 I assume were, looks like they've already been sold. Is that correct?
39
- 40 Gonzales: Commissioner Gordon. That is correct, yes. Those properties are already
41 identified for the specific ...
42
- 43 Gordon: Okay.
44
- 45 Gonzales: Dentists that'll be in.
46

- 1 Gordon: And, and I assume that all of the, the participating practitioners are
2 satisfied with the amount of parking that seems to be here, cause I would
3 think that each dentist probably would have, maybe if, if they have a, a
4 couple hygienists, a couple people at the desks, maybe two you know
5 each person could have four or five people in each building and that
6 multiplied out by five buildings is 30 spaces, and I don't see that many
7 here. I know it's starker during the day, people don't park there all day
8 long. Are, they're all happy with what's there?
9
- 10 Gonzales: Commissioner Gordon. There's actually 86 parking spaces throughout the
11 parking lot.
12
- 13 Gordon: Really?
14
- 15 Gonzales: There are some that are identified on University Avenue but based on the
16 diagram it's very harder to see because of the landscaping. So I do
17 believe yes, the applicant is providing the required amount as for each
18 building and for the doctors' use. It's, the requirement is two parking
19 spaces per doctor.
20
- 21 Gordon: All right. Sounds good to me.
22
- 23 Gonzales: But, so they actually have increased the amount by sharing the access for
24 the parking lot.
25
- 26 Gordon: Okay. Very nice. Well it looks very good. Thank you.
27
- 28 Clifton: Okay. Does the Commission have any more questions for staff? Seeing
29 none we'll open it up to public comment. Are there any members of the
30 public that have any questions or would like to comment on this case?
31 Seeing none let's go ahead and open up a motion. Can I get a motion?
32
- 33 Gordon: I'd like to make a motion on, for the approval of Case Number 65151 for
34 the application to create this dental plaza under the concept plan for a
35 PUD.
36
- 37 Clifton: Do I have a second?
38
- 39 Ferrary: I'll second it.
40
- 41 Clifton: Okay. We have a motion and a second. Commissioner Hedrick.
42
- 43 Hedrick: Aye.
44
- 45 Clifton: Based on findings?
46

1 Hedrick: Based upon the discussion tonight and visiting the site as well as the, the
2 ordinance requirements.

3
4 Clifton: Thank you. Commissioner Muniz.

5
6 Muniz: Aye based on staff's findings and discussions we've had tonight.

7
8 Clifton: Commissioner Stowe.

9
10 Stowe: Aye based on findings and discussion this evening.

11
12 Clifton: Commissioner Ferrary.

13
14 Ferrary: I vote aye based on staff discussion, staff findings and discussion.

15
16 Clifton: Commissioner Alvarado.

17
18 Alvarado: I vote aye based on findings, discussion, and site visit. I think it'll be a nice
19 fit with the other buildings in the area.

20
21 Clifton: Commissioner Gordon.

22
23 Gordon: I vote aye based on site visit, staff findings, and discussion.

24
25 Clifton: The Chair votes aye based on its compliance with the 2001 Las Cruces
26 Zoning Code as amended, staff presentation, and packet materials
27 submitted.

28
29 MOTION PASSES UNANIMOUSLY.

30
31 Clifton: Case is approved. Thank you Mr. Johnson.

32
33 2. **Case 67384:** A Special Use Permit (SUP) application of Wireless
34 Resources, Inc./Central State Tower on behalf of Fiesta Properties, LLC,
35 property owner to construct a new wireless communication facility on a
36 property encompassing 6.61 +/- acres, zoned M-1/M-2 (Industrial Standard)
37 and located on the south side of El Camino Real, 1,123 +/- feet west of its
38 intersection with Spitz Street; a.k.a. 2499 El Camino Real; Parcel ID # 02-
39 39561. Proposed use: The applicant is seeking to construct a new 89-foot
40 tall wireless communication structure and associated accessory structures on
41 the subject property. Council District 4 (Councilor Eakman).

42
43 Clifton: Okay. Item number three under New Business, Case 67384: A Special
44 Use Permit (SUP) application of Wireless Resources, Inc./Central States
45 Tower on behalf of Fiesta Properties, LLC, property owner to construct a
46 new wireless communication facility on a property encompassing 6.61

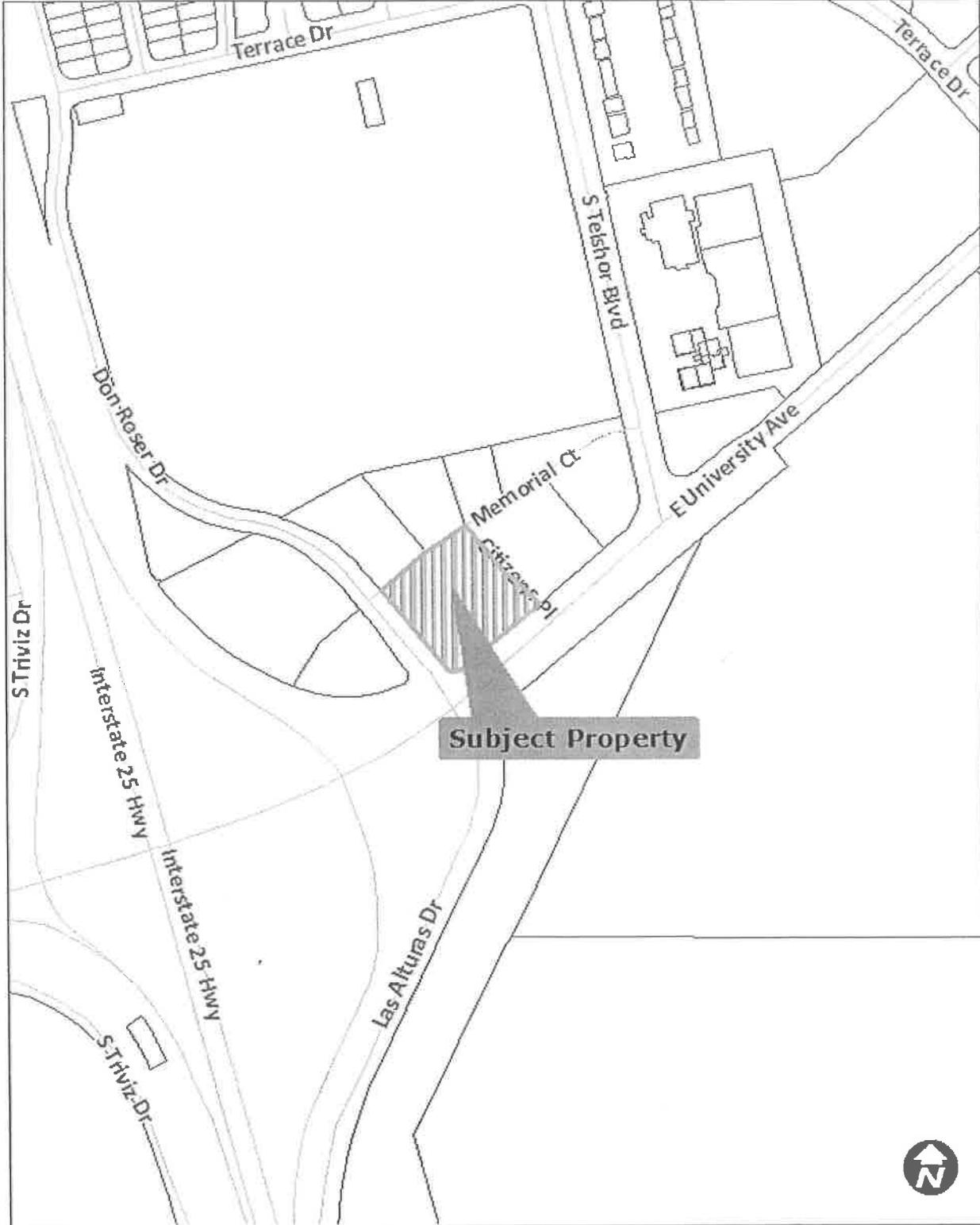
VICINITY MAP

ZONING: C-3

OWNER: MESILLA VALLEY DENTAL PROPERTIES LLC

PARCEL: 02-39596

DATE: 7/13/16



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

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